

Committee of Adjustment Meeting Agenda

Thursday, January 14, 2021, 4:00 p.m.

Remote meeting live streamed
on guelph.ca/live

Public hearing for applications under sections 45 and 53 of the Planning Act.

To contain the spread of COVID-19, Committee of Adjustment hearings are being held electronically and can be live streamed at guelph.ca/live. For alternate meeting formats, please contact Committee of Adjustment staff.

1. Notice - Electronic Participation

The public is invited to comment by submitting written comments and/or speaking to an application listed on the agenda. Written comments can be submitted using the contact information listed below. Members of the public who wish to speak to an application are encouraged to contact Committee of Adjustment staff by noon on Thursday, January 14, 2020.

To contact Committee of Adjustment staff by email or phone:

cofa@guelph.ca (attachments must not exceed 20 MB)
519-822-1260 extension 2524
TTY 519-826-9771

When we receive your request, we will send you confirmation and instructions for participating in the hearing. Instructions will also be provided during the hearing to ensure those watching are given the opportunity to speak.

2. Call to Order

- 2.1. Opening Remarks
- 2.2. Election of Chair and Vice-chair
- 2.3. Disclosure of Pecuniary Interest and General Nature Thereof
- 2.4. Approval of Minutes
- 2.5. Requests for Withdrawal or Deferral

3. Current Applications

(Application order subject to change)

To be notified of any of the decisions of the City of Guelph Committee of Adjustment, you must submit a "Request for Written Decision" form.

3.1. Cityview Subdivision

Owner: 1266304 Ontario Inc.

Agent: C. Balluch, Fusion Homes

Request: Variance to permit proposed driveway width

3.1.1. A-3/21 73 Keating Street

3.1.2. A-4/21 A-5/21 A-6/21 74, 78 and 82 Silurian Drive

3.1.3. A-7/21 83 Silurian Drive

3.2. A-50/20 18 Central Street

Owner: Anthony Lewis

Agent: N/A

Request: Variances for projection and setback of proposed front open roofed porch and setback of stairs

3.3. A-8/21 1 Calgary Avenue

Owner: Milan and Viera Svitek

Agent: N/A

Request: Variance to permit existing fence height in front yard

3.4. A-9/20 107 Fountain Street East

Owner: Paul E. Campbell

Agent: J. Cox, J. L. Cox Planning Consultants Inc.

Request: Variances to permit reduced side yard setbacks and location of off-street parking space

3.5. A-10/21 180 Dallon Drive

Owner: Mahendranath and Vindhya Thimmanagari

Agent: N/A

Request: Variance to permit existing accessory apartment size

3.6. A-11/21 137 Brant Avenue

Owner: Nick and Sandra Papadedes

Agent: N/A

Request: Variance to permit reduced left side yard setback for existing building addition

3.7. A-12/21 254 Edinburgh Road South

Owner: Anna Favero

Agent: K. O'Dwyer, RS Landscape and Construction

Request: Variance to increase maximum number of employees for proposed personal service establishment (hair salon)

4. Staff Announcements

5. Adjournment



Committee of Adjustment Minutes

**Thursday, December 10, 2020, 4:00 p.m.
Remote meeting live streamed
on guelph.ca/live**

Members Present	K. Ash, Chair D. Kendrick, Vice Chair S. Dykstra D. Gundrum L. Janis K. Meads J. Smith
Staff Present	B. Bond, Zoning Inspector J. da Silva, Council and Committee Assistant S. Daniel, Engineering Technologist T. Di Lullo, Secretary-Treasurer D. McMahon, Deputy City Clerk K. Patzer, Planner L. Sulatycki, Planner

Call to Order

Chair K. Ash called the meeting to order. (4:01 p.m.)

Opening Remarks

Chair K. Ash explained the hearing procedures and Secretary-Treasurer T. Di Lullo conducted attendance by roll call and confirmed quorum.

Member J. Smith joined the remote hearing. (4:05 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Approval of Minutes

Moved by D. Kendrick

Seconded by J. Smith

That the minutes from the October 29, 2020 Special Hearing and November 12, 2020 Regular Hearing of the Committee of Adjustment, be approved as circulated.

Carried

Requests for Withdrawal or Deferral

B-2/18 and B-3/18 64 and 68 Queen Street

Owner: Charleston Homes Ltd. and Scattered Lotco Inc.

Agent: Jamie Laws, Van Harten Surveying Inc.

Location: 64 Queen Street

In Attendance: J. Laws

Secretary-Treasurer T. Di Lullo noted that C. Matson, representative for the agent, submitted a request that the applications be deferred as per the staff recommendation. She also noted that due to multiple previous deferral requests, staff is recommending that these consent applications be deferred up to a maximum of 6 months from the hearing date.

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from E. and L. Newton, residents on Queen Street, in objection to the applications. A copy of this correspondence was circulated to staff, committee members and the applicant.

J. Laws, agent, explained the reason for the deferral request and indicated he was in agreement with the staff recommendation of deferring the applications up to a maximum of 6 months from the hearing date.

Chair K. Ash noted that a sign was not posted on the property.

Moved by K. Meads

Seconded by D. Gundrum

That consent applications B-2/18 and B-3/18 for 64 and 68 Queen Street, be **deferred** for up to 6 months, and that the deferral fee be paid prior to reconsideration of the applications.

Reasons:

These applications are deferred at the request of the applicant to allow for additional time to consult with staff.

Carried

A-54/20 63 Durham Street

Owner: 2778582 Ontario Ltd.

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 63 Durham Street

In Attendance: J. Buisman,

Secretary-Treasurer T. Di Lullo noted that J. Buisman, agent, submitted a request that the application be deferred as per the staff recommendation. She also noted that correspondence was received after the comment deadline from S. Burns, resident on Cork Street West, with no objection to the application. A copy of the deferral request and correspondence were circulated to staff, committee members and the applicant.

Moved by D. Dykstra

Seconded by K. Meads

That minor variance application A-54/20 for 63 Durham Street, be **deferred** sine die, and in accordance with the Committee's policy on applications deferred sine die, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

Reasons:

This application is deferred at the request of the applicant to allow for additional time to consult with staff.

Carried

Current Applications

A-39/20 42 Arrow Road

Owner: Connect Tech Inc.

Agent: James Fryett, Fryett Turner Architects Inc.

Location: 42 Arrow Road

In Attendance: J. Fryett, D. Worthen

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. J. Fryett, agent, responded that the sign was posted and comments were received. The agent also indicated he was in agreement with the condition recommended by staff.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

Member L. Janis joined the remote hearing. (4:16 p.m.)

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 D. Gundrum

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 Table 7.3 Rows 4 and 5 of Zoning By-law (1995)-14864, as amended, for 42 Arrow Road, to permit:

- a. a minimum right side yard setback of 2.5 metres for the existing addition to the existing industrial building, when the By-law requires a minimum side yard setback of one-half the building height [8.2 metres] to a maximum of 9 metres, but not less than 3 metres [4.1 metres would be required]; and
- b. a minimum rear yard setback of 3.5 metres for the existing addition to the existing industrial building, when the By-law requires a minimum rear yard setback of 6 metres,

be **approved**, subject to the following condition:

1. That the applicant submits the As-Built Site Plan and Grading and Drainage Plan for approved Site Plan SP14B028 to the Site Plan Coordinator in the Planning Department within 3 months of the Committee's final decision.

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

A-56/20 192 Arthur Street North

Owner: Evelyn Thompson

Agent: Philip Beuglet, Philip R. Beuglet Residential Design

Location: 192 Arthur Street North

In Attendance: P. Beuglet

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. P. Beuglet, agent, responded that the sign was posted and comments were received. He explained the purpose of the application and the need for the requested permission.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

Having considered a change or extension in a use of property which is lawfully non-conforming under the By-law as to whether or not this application has met the requirements of Section 45(2) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by D. Gundrum

Seconded by L. Janis

That in the matter of an application under Section 45(2)(a)(i) of the Planning Act, R.S.O. 1990, C.P13, as amended, permission to enlarge/extend the legal non-conforming use at 192 Arthur Street to permit the construction of a one-storey building addition with a gross floor area of 7.16 square metres onto the right side of the existing semi-detached dwelling unit, be **approved**, subject to the following condition:

1. That the addition and new deck shall be located in general accordance with the Public Notice sketch.

Reasons:

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets the requirements under Section 45(2) 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

A-57/20 23 Westra Drive

Owner: Tran Nguyen and Loan Tran

Agent: Lavender Mai

Location: 23 Westra Drive

In Attendance: L. Mai

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. L. Mai, agent, responded that the sign was posted and comments were received.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

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 D. Gundrum

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 23 Westra Drive, to permit an existing accessory apartment size of 94.8 square metres, or 28 percent of the total

floor area of the existing detached dwelling, when the By-law requires that an accessory apartment shall not exceed 45 percent 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**.

Reasons:

This minor variance request 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.

AND

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 4.13.7.2.1 ii) of Zoning By-law (1995)-14864, as amended, for 23 Westra Drive, to permit the existing driveway to have a maximum width of 8.85 metres, when the By-law requires that a driveway (residential) in an R.1B Zone shall have a maximum width of 6.5 metres, be **refused**.

Reasons:

This minor variance request is refused, as it is the opinion of the Committee that this variance request does not meet all four tests under Section 45(1) of the Planning Act as outlined in the staff comments, specifically being that it does not meet the general intent and purpose of the Zoning By-law.

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

A-58/20 61 Mary Street

Owner: Genevieve Newton

Agent: Geoff Newton

Location: 61 Mary Street

In Attendance: G. Newton

Member S. Dykstra left the remote hearing. (4:43 p.m.)

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. G. Newton, agent, responded that the sign was posted and comments were received.

After some discussion regarding the possible location of the existing fence within the sightline triangle, the applicant requested that the application to be deferred. The applicant was in agreement with the deferral fee.

Moved by D. Kendrick

Seconded by K. Meads

That minor variance application A-58/20 for 61 Mary Street, be **deferred** sine die, and in accordance with the Committee's policy on applications deferred sine die, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

Reasons:

This application is deferred at the request of the applicant to allow for additional time to consult with staff.

Carried

B-16/20 and A-59/20 262 and 264 Grange Road

Owner: Marcel and Amanda Parent

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 262 and 264 Grange Road

In Attendance: J. Buisman

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. J. Buisman, agent, responded that the sign was posted and comments were received. He explained the purpose of the application and outlined the need for the related minor variance as a result of the lot addition.

After a brief break to allow members of the public to express interest in speaking to the application, no members of the public spoke via electronic participation.

B-16/20 262 Grange Road

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 D. Kendrick

Seconded by D. Gundrum

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 the rear and right side of Part Lot 2, Division C, Registered Plan 53, currently known as 262 Grange Road, a parcel with an area of 758 square metres, as a lot addition to the rear and left side of 264 Grange Road, Part Lot 2, Division C, Registered Plan 53, Part 1 of Plan 61R-8720, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated November 19, 2020, project number 28632-20, be **approved**, subject to the following conditions:

1. That prior to the issuance of the Certificate of Official, the Owner(s) agrees to obtain an entrance permit from the City for the new proposed driveway on the retained land.
2. That prior to the issuance of the Certificate of Official, the Owner(s) pays the actual cost of the construction to close the existing driveway entrance, including the required curb fill or any restoration work that may be required within the City's Right of Way.
3. 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 issuance of the Certificate of Official.
4. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
5. That prior to the issuance of the Certificate of Official, 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 deposited Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca).

6. That upon fulfilling and complying with all of the above-noted conditions, the documents to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for the issuance of the Certificate of Official.
7. That the Owner shall consolidate the severed parcel with the abutting lands to which the severed parcel is to be added as a single parcel ("the consolidation") and that the Owner's solicitor shall provide a firm undertaking in writing to the Secretary-Treasurer of the Committee of Adjustment for the City of Guelph that the solicitor will attend to the consolidation and will provide within 30 days of the date of registration in the Land Registry Office for Wellington (No. 61), or prior to the issuance of a building permit [if applicable], whichever occurs first, a copy of the registered electronic Transfer document including the Certificate of Official and the registered application Consolidation Parcels document.
8. That the Transferee take title of the severed lands in the same manner and capacity as he or she holds his or her abutting lands; and that Section 50(3) or Section 50(5) of the Planning Act, R.S.O. 1990, as amended, shall apply to any subsequent conveyance or any transaction involving the parcel of land that is subject of this consent.

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

A-59/20 264 Grange Road

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 D. Gundrum

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 of Zoning By-law (1995)-14864, as amended, for 264 Grange Road, to permit the proposed driveway to have a maximum width of 9.5 metres, when the By-law requires that a driveway (residential) in an R.1B Zone shall have a maximum width of 6.5 metres, be **approved**, subject to the following conditions:

1. That a 9.5 metre wide driveway only be permitted for a portion of the driveway in general accordance with the Public Notice sketch.
2. That the portion of the existing asphalt driveway in excess of 9.5 metres (currently located on 262 Grange Road) be removed and restored with landscaping prior to the issuance of the Certificate of Official for Consent application B-16/20.

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

Staff Announcements

Member Vacancy Update

Secretary-Treasurer T. Di Lullo announced that Guelph City Council appointed Michelle Allison as a new member to the Committee of Adjustment to fill a vacant

position due to the resignation of member L. Janis. She presented a recognition certificate to member L. Janis for her service to the Committee of Adjustment since 2014.

Upcoming Election of 2021 Chair and Vice Chair

Secretary-Treasurer T. Di Lullo reminded members that the annual election of the Chair and Vice Chair positions will take place at the next hearing on January 14, 2021.

Adjournment

Moved by D. Gundrum

Seconded by L. Janis

That this hearing of the Committee of Adjustment be adjourned. (5:14 p.m.)

Carried

K. Ash, Chair

T. Di Lullo, Secretary-Treasurer

Committee of Adjustment Notice of Public Hearing



An Application for a Minor Variance has been filed with the Committee of Adjustment

Application Details

Location:

73 Keating Street

Proposal:

The applicant is proposing to construct a single detached dwelling with a double car attached garage with a 6 metre wide driveway.

By-Law Requirements:

The property is located in the Specialized Residential Semi-detached/Duplex (R.2-6) Zone. A variance from 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres.

Request:

The applicant is seeking relief from the By-Law requirements to permit a maximum driveway width of 6 metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-3/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon

request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

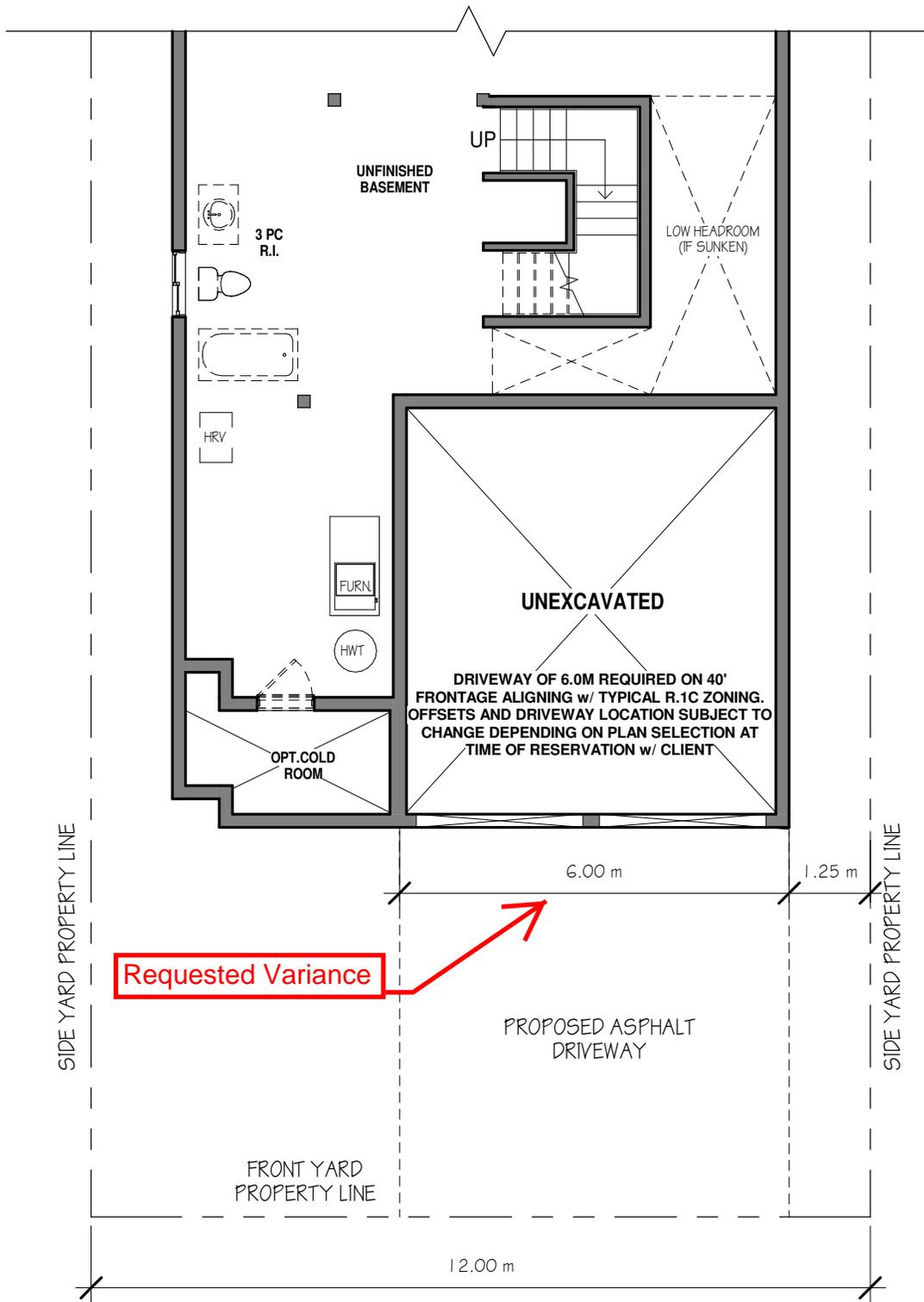
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



SITE PLAN

DRIVEWAY VARIANCE

Official Plan Designation: Low Density Greenfield Residential	Current Zoning Designation: R.2-6
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Seeking relief from zoning by-law section 4.13.7.2.3 to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The lot is within specialized zone R.2-6 which permits 40 and 50ft homes. Homes of this size are designed to include a 2-car garage. A 6.0m driveway is appropriate for lots of this size to accomodate the 2-car garage while maintaining ample front yard landscaped area.

PROPERTY INFORMATION			
Date property was purchased:	Sept 30, 2020	Date property was first built on:	N/A
Date of proposed construction on property:	TBD	Length of time the existing uses of the subject property have continued:	Vacant
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage:	Depth:	Area: 444.27 sq.m
12.34m	34.72m	

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:	N/A	Gross Floor Area:	168.89
Height of building:	N/A	Height of building:	9.63
Garage/Carport (if applicable) N/A		Garage/Carport (if applicable) 6.24	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>	
Width:	N/A	Width:	9.53
Length:	N/A	Length:	17.8
Driveway Width:	N/A	Driveway Width:	6.0m
Accessory Structures (Shed, Gazebo, Pool, Deck) N/A		Accessory Structures (Shed, Gazebo, Pool, Deck) N/A	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	N/A M	Front Yard Setback:	as per zoning by-law M
Exterior Side Yard (corner lots only)	N/A M	Exterior Side Yard (corner lots only)	as per zoning by-law M
Side Yard Setback:	Left: M N/A Right: M N/A	Side Yard Setback:	Left: M as per zoning by-law Right: M as per zoning by-law
Rear Yard Setback	N/A M	Rear Yard Setback	as per zoning by-law M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Charlotte Balluch, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

CBalle
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of November, 2020, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City fo Guelph
Expires July 19, 2022
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

Lee Piccoli

[Organization name / property owner's name(s)]

of 500 Hanlon Creek Blvd

(Legal description and/or municipal address)

hereby authorize Charlotte Balluch

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 10th day of November 2020.



(Signature of the property owner)

(Signature of the property owner)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.



To: City of Guelph Committee of Adjustment

CC: Juan Da Silva, Trista DiLullo

From: Charlotte Balluch, Fusion Homes

Date: November 10, 2020

Re: 73 Keating St, 74 Silurian Dr, 78 Silurian Dr, 82 Silurian Dr, 83 Silurian Dr, 146 Starwood Dr, 148 Starwood Dr – Driveway Width Minor Variance Applications

Dear Committee of Adjustment,

Fusion Homes is pleased to submit 7 separate minor variance applications for the above noted addresses to permit driveways with widths wider than the permitted 3.5m stated in section 4.13.7.2.3 of the zoning by-law.

The lots are located within the Cityview subdivision and are zoned R.2-6 which permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m for all lots except corner lots.

The minor variance being requested for 73 Keating, 74 Silurian, 82 Silurian, 146 Starwood, and 148 Starwood are each the same. Fusion Homes is seeking relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Fusion Homes is requesting a minor variance for 83 Silurian Drive for relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.5m whereas the zoning permits a maximum driveway width of 3.5m.

Each application includes a separate application form and fee but has been submitted under this single cover letter as they are all similar in nature and scale of the variance being requested.

Tests of a Minor Variance

1. Do the Minor Variances meet the intent of the Official Plan?

The proposed development is in line with the City's Official Plan by providing low-density residential units within a designated greenfield residential area.

November 10, 2020

2. Do the Minor Variances meet the intent of the Zoning By-Law?

The proposed development is in line with all zoning regulations within the R.2-6 specialized zone. The lots within the zone must be between 9.5m to 14.5m lot frontage except for corner lots. 83 Silurian Drive is a corner lot with a frontage of 20.10m. The remaining lots range from 12.0m to 12.63m frontage. Due to the large size of the lots, double garage and driveways are appropriate and fit in with the scale of the lot. As such, a minor variance for to permit increased driveway width will allow the development of residential homes that are in accordance with the R.2-6 specialized zone and therefore meets the intent of the zoning by-law.

3. Are the Minor Variances minor in nature?

The variance seeks relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.5m for 83 Silurian, and 6.0m for the remaining lots mentioned above. The minor variances are meant to permit a double driveway on lots with a minimum frontage of 12.0m. When considering the size of the lots, an increase of 3.0-3.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

The minor variances requested will be appropriate and desirable for the size of the lots. A 6.0m driveway on lots with frontage of 12.0m leaves 6m of non-paved area on the lot to maintain a desirable streetscape with ample space for landscaping. Providing a 6.0m driveway for lots of this size is also provides sufficient parking for residents which will result in desirable outcomes for both the City and future residents of the neighbourhood.

With this letter, we are also enclosing the following:

- The completed minor variance application forms for each of the 7 lots.
- Cheques in the amount of \$950.00 for each of the 7 lots.

If you have any questions regarding this application, please do not hesitate to contact us.

Yours sincerely,



Charlotte Balluch

Planning & Development Analyst

Committee of Adjustment Notice of Public Hearing



Applications for a Minor Variance have been filed with the Committee of Adjustment

Application Details

Location:

74, 78 and 82 Silurian Drive

Proposal:

The applicant is proposing to construct a single detached dwelling with a double car attached garage with a 6 metre wide driveway on each of the three properties.

By-Law Requirements:

The properties are located in the Specialized Residential Semi-detached/Duplex (R.2-6) Zone. A variance from 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres.

Request:

The applicant is seeking relief from the By-Law requirements to permit a maximum driveway width of 6 metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider applications under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Numbers: **A-4/21, A-5/21 and A-6/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the applications. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon

request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to these applications will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to these applications may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

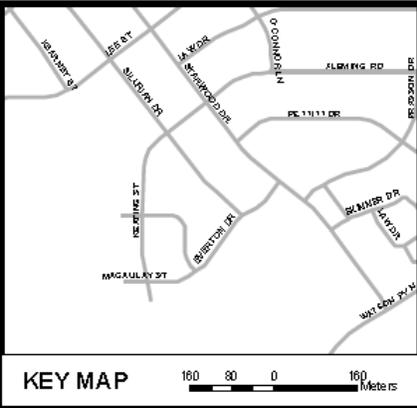
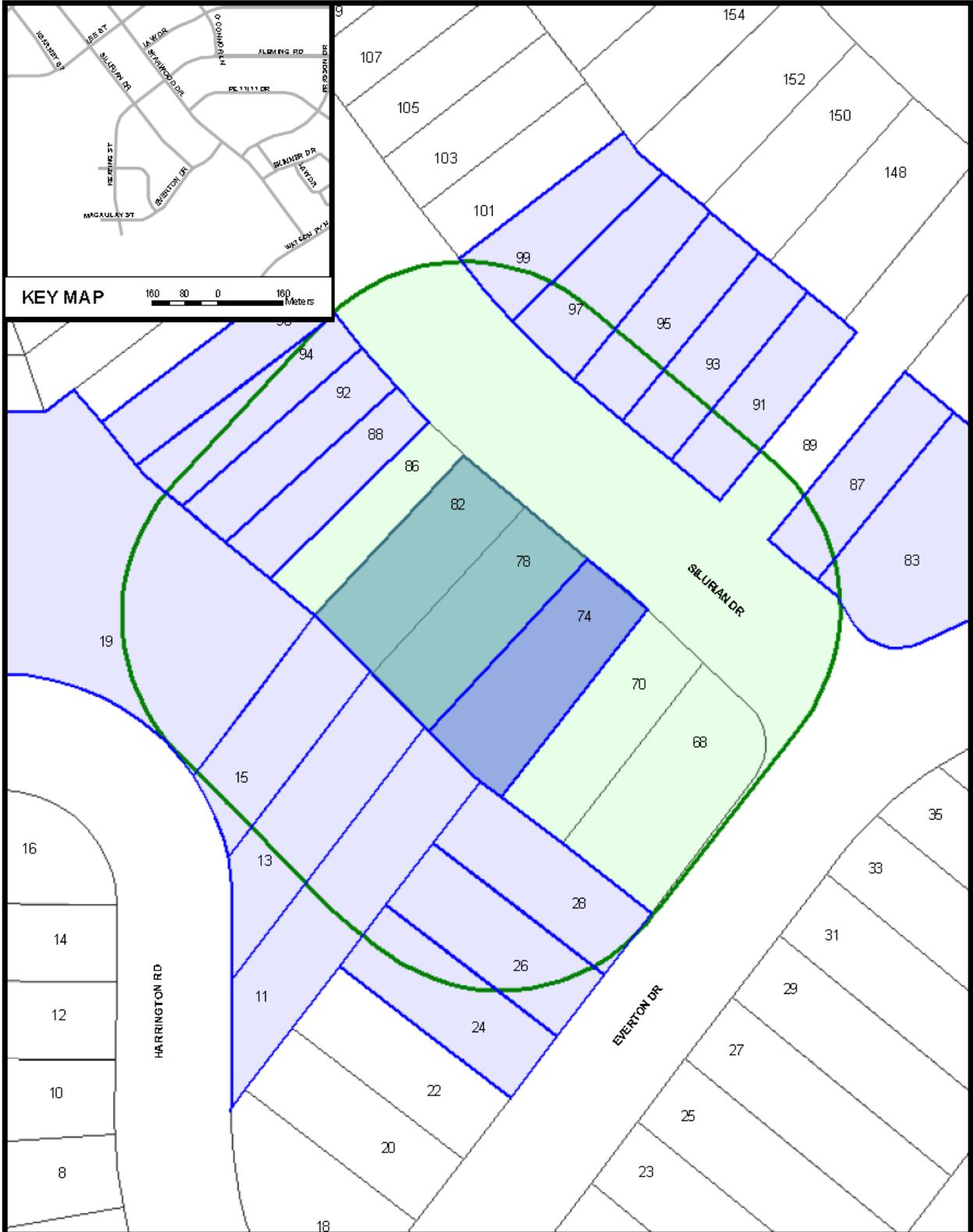
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variances, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



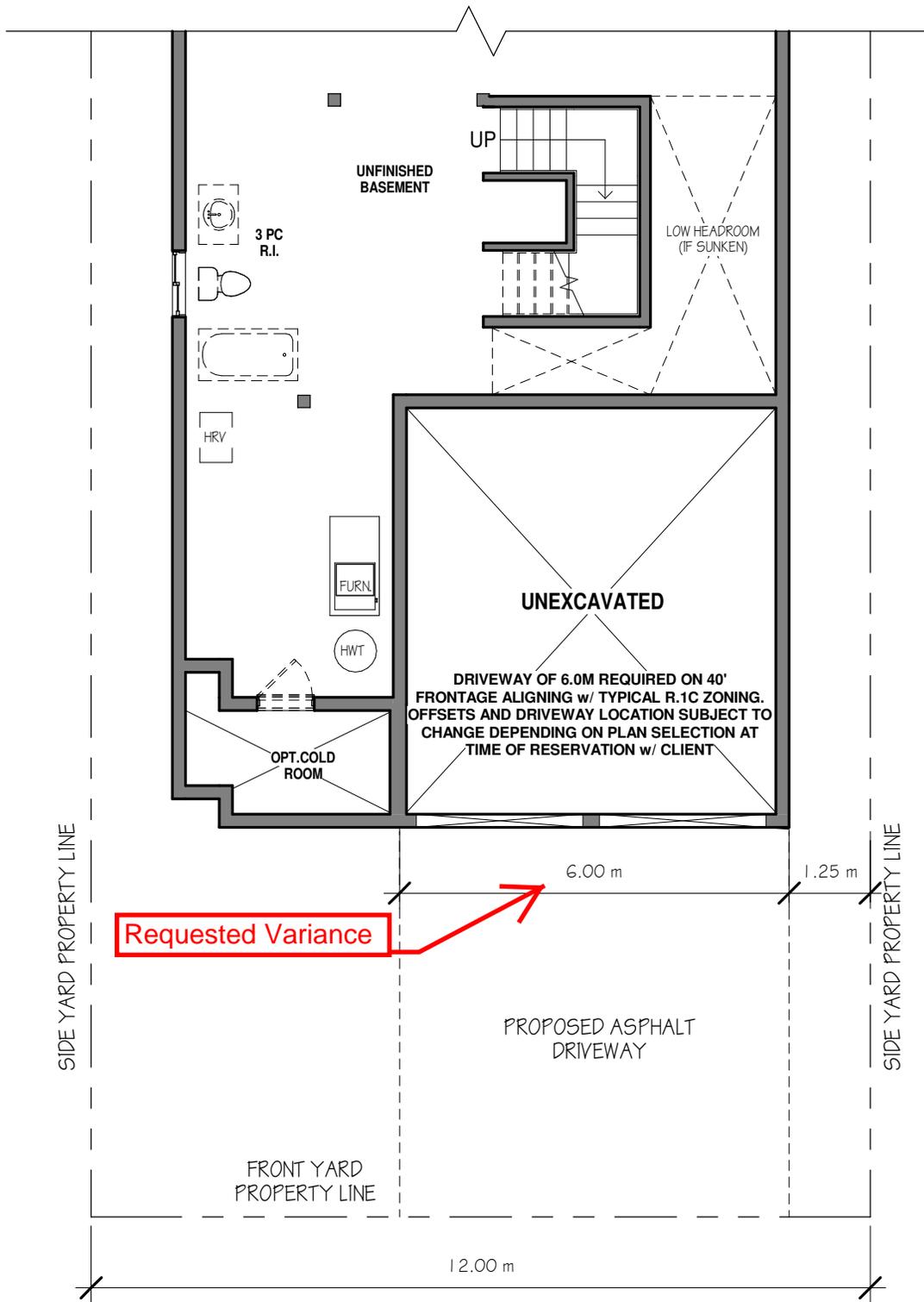

74, 78 and 82 Silurian Drive (A-4/21, A-5/21 and A-6/21)
30m Circulation Area

Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: Date: December 18-20





The City of Guelph, its employees and agents, do not warrant or guarantee the validity of the contents of this digital or hardcopy map files, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for legal description. This map may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-822-1338.



SITE PLAN

SCHEDULE				
PART	LOT/BLOCK	PLAN	PIN	AREA (sq.m.)
1	ALL OF 186		ALL OF 71493-1045	285.9
2				266.1
3		61M-18		294.8
4	ALL OF 222		ALL OF 71493-1081	159.8
5				32.2
6				466.7
7		61M-233		287.7
8	ALL OF 71		ALL OF 71493-3019	137.7
9				14.2

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE MAY 29, 2020

RAYMOND J. SIBTHORP
ONTARIO LAND SURVEYOR

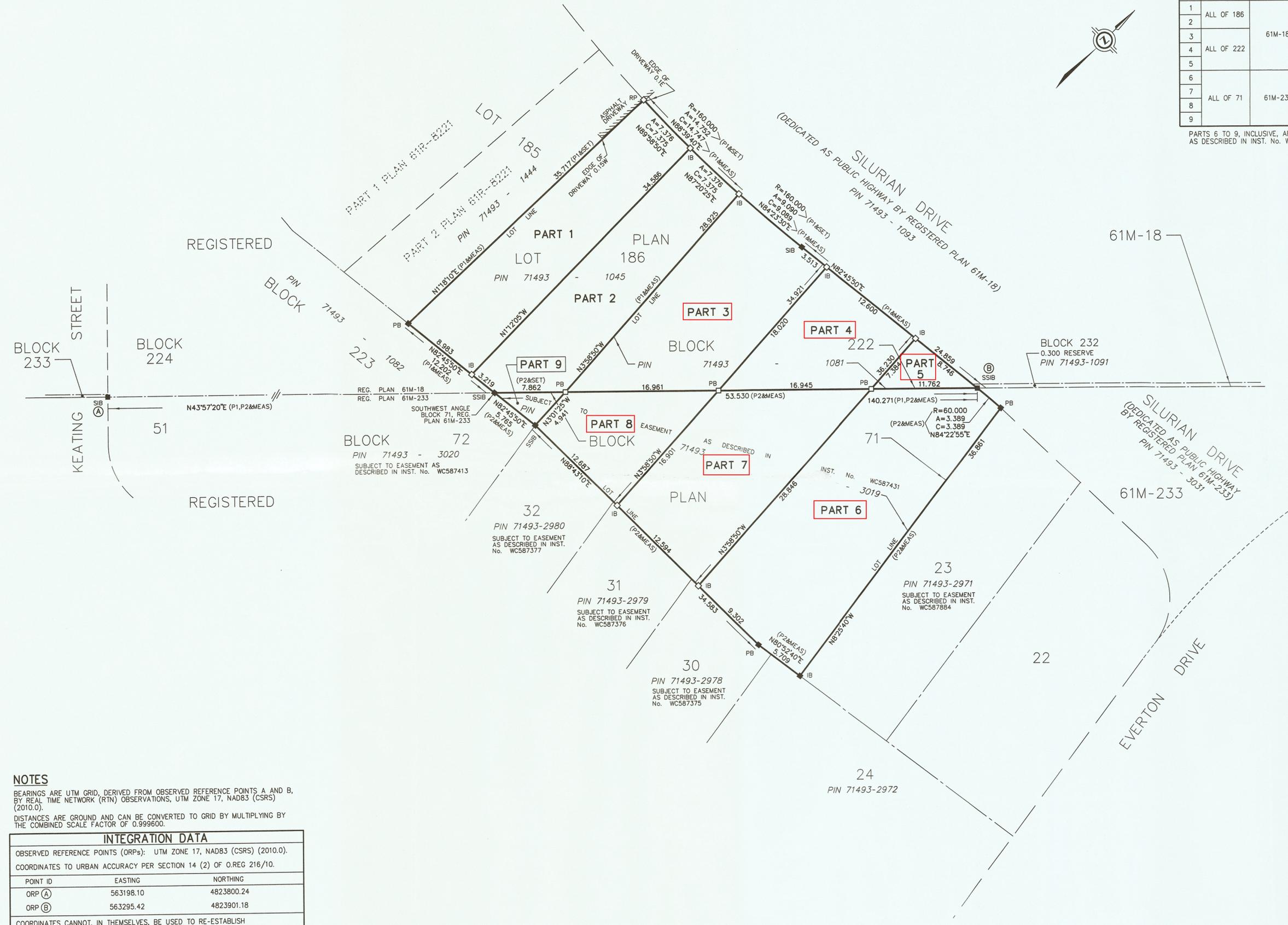
PLAN 61R-21805

RECEIVED AND DEPOSITED

DATE June 1, 2020

Lisa McCreddie
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WELLINGTON (No 61)

PARTS 6 TO 9, INCLUSIVE, ARE SUBJECT TO EASEMENT AS DESCRIBED IN INST. No. WC587431



PLAN OF SURVEY OF
LOT 186 & BLOCK 222
REGISTERED PLAN 61M-18
AND
BLOCK 71
REGISTERED PLAN 61M-233
CITY OF GUELPH
COUNTY OF WELLINGTON

BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.



METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
RP	DENOTES	ROCK POST
PB	DENOTES	PLASTIC BAR
IB	DENOTES	IRON BAR
WT	DENOTES	WITNESS
MEAS	DENOTES	MEASURED
375	DENOTES	BSR&D
P1	DENOTES	REGISTERED PLAN 61M-18
P2	DENOTES	REGISTERED PLAN 61M-233

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 21st DAY OF MAY, 2020.

MAY 29, 2020
DATE

RAYMOND J. SIBTHORP
ONTARIO LAND SURVEYOR



257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

DRAWN BY: DM	CHECKED BY: RJS	REFERENCE NO.: 19-14-899-02
FILE: G:\19-14-899\02\Drawing\19-14-899 REVISED REF PLAN.dgn		DATED: MAY 29, 2020

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999600.

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O.REG 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	563198.10	4823800.24
ORP (B)	563295.42	4823901.18
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

PLOTTED: 5/29/2020

Official Plan Designation: Low Density Greenfield Residential	Current Zoning Designation: R.2-6
--	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Seeking relief from zoning by-law section 4.13.7.2.3 to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The lot is within specialized zone R.2-6 which permits 40 and 50ft homes. Homes of this size are designed to include a 2-car garage. A 6.0m driveway is appropriate for lots of this size to accomodate the 2-car garage while maintaining ample front yard landscaped area.

PROPERTY INFORMATION			
Date property was purchased:	Sept 30, 2020	Date property was first built on:	N/A
Date of proposed construction on property:	TBD	Length of time the existing uses of the subject property have continued:	vacant
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage:	Depth:	Area: 498.96 sq.m
12.63m	36.23	

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:	N/A	Gross Floor Area:	168.89
Height of building:	N/A	Height of building:	9.63
Garage/Carport (if applicable) N/A		Garage/Carport (if applicable) 6.24	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>	
Width:	N/A	Width:	9.53
Length:	N/A	Length:	17.7
Driveway Width:	N/A	Driveway Width:	6.0m
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck) N/A	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	M	Front Yard Setback:	as per zoning by-law M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	as per zoning by-law M
Side Yard Setback:	Left: M Right: M	Side Yard Setback:	Left: M Right: as per zoning by-law
Rear Yard Setback	M	Rear Yard Setback	as per zoning by-law M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

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I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Charlotte Balluch, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

CBalle
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of November, 2020, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City fo Guelph
Expires July 19, 2022
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

Lee Piccoli

[Organization name / property owner's name(s)]

of 500 Hanlon Creek Blvd

(Legal description and/or municipal address)

hereby authorize Charlotte Balluch

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 10th day of November 2020.



(Signature of the property owner)

(Signature of the property owner)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

Official Plan Designation: Low Density Greenfield Residential	Current Zoning Designation: R.2-6
--	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

Seeking relief from zoning by-law section 4.13.7.2.3 to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Why is it not possible to comply with the provision of the by-law? (your explanation)

The lot is within specialized zone R.2-6 which permits 40 and 50ft homes. Homes of this size are designed to include a 2-car garage. A 6.0m driveway is appropriate for lots of this size to accomodate the 2-car garage while maintaining ample front yard landscaped area.

PROPERTY INFORMATION			
Date property was purchased:	Sept 30, 2020	Date property was first built on:	N/A
Date of proposed construction on property:		Length of time the existing uses of the subject property have continued:	
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)

Frontage: **12.19m** Depth: **34.92m** Area: **447.53m**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:	N/A	Gross Floor Area:	168.89
Height of building:	N/A	Height of building:	9.63
Garage/Carport (if applicable) N/A		Garage/Carport (if applicable) 6.24	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>	
Width:	N/A	Width:	9.53
Length:	N/A	Length:	17.8
Driveway Width:	N/A	Driveway Width:	6.0m
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck) N/A	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	M	Front Yard Setback:	as per zoning by-law M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	as per zoning by-law M
Side Yard Setback:	Left: M Right: M	Side Yard Setback:	Left: M Right: as per zoning by-law
Rear Yard Setback	M	Rear Yard Setback	as per zoning by-law M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

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Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Charlotte Balluch, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

CBalle
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of November, 2020, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City fo Guelph
Expires July 19, 2022
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

Lee Piccoli

[Organization name / property owner's name(s)]

of 500 Hanlon Creek Blvd

(Legal description and/or municipal address)

hereby authorize Charlotte Balluch

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 10th day of November 2020.



(Signature of the property owner)

(Signature of the property owner)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

Official Plan Designation: Low Density Greenfield Residential	Current Zoning Designation: R.2-6
--	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Seeking relief from zoning by-law section 4.13.7.2.3 to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The lot is within specialized zone R.2-6 which permits 40 and 50ft homes. Homes of this size are designed to include a 2-car garage. A 6.0m driveway is appropriate for lots of this size to accomodate the 2-car garage while maintaining ample front yard landscaped area.

PROPERTY INFORMATION			
Date property was purchased:	Sept 30, 2020	Date property was first built on:	N/A
Date of proposed construction on property:	TBD	Length of time the existing uses of the subject property have continued:	vacant
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage:	Depth:	Area: 432.24 sq.m
12.59m	33.87m	

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:	N/A	Gross Floor Area:	168.89
Height of building:	N/A	Height of building:	9.63
Garage/Carport (if applicable) N/A		Garage/Carport (if applicable) 6.24	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>	
Width:	N/A	Width:	9.53
Length:	N/A	Length:	17.8
Driveway Width:	N/A	Driveway Width:	6.0
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck) N/A	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	M	Front Yard Setback:	as per zoning by-law M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	as per zoning by-law M
Side Yard Setback:	Left: M Right: M	Side Yard Setback:	Left: M Right: as per zoning by-law
Rear Yard Setback	M	Rear Yard Setback	as per zoning by-law M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

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Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

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I/We, Charlotte Balluch, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

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Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of November, 2020, in accordance with

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hereby authorize Charlotte Balluch

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 10th day of November 2020.



(Signature of the property owner)

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NOTES:

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To: City of Guelph Committee of Adjustment

CC: Juan Da Silva, Trista DiLullo

From: Charlotte Balluch, Fusion Homes

Date: November 10, 2020

Re: 73 Keating St, 74 Silurian Dr, 78 Silurian Dr, 82 Silurian Dr, 83 Silurian Dr, 146 Starwood Dr, 148 Starwood Dr – Driveway Width Minor Variance Applications

Dear Committee of Adjustment,

Fusion Homes is pleased to submit 7 separate minor variance applications for the above noted addresses to permit driveways with widths wider than the permitted 3.5m stated in section 4.13.7.2.3 of the zoning by-law.

The lots are located within the Cityview subdivision and are zoned R.2-6 which permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m for all lots except corner lots.

The minor variance being requested for 73 Keating, 74 Silurian, 82 Silurian, 146 Starwood, and 148 Starwood are each the same. Fusion Homes is seeking relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Fusion Homes is requesting a minor variance for 83 Silurian Drive for relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.5m whereas the zoning permits a maximum driveway width of 3.5m.

Each application includes a separate application form and fee but has been submitted under this single cover letter as they are all similar in nature and scale of the variance being requested.

Tests of a Minor Variance

1. Do the Minor Variances meet the intent of the Official Plan?

The proposed development is in line with the City's Official Plan by providing low-density residential units within a designated greenfield residential area.

November 10, 2020

2. Do the Minor Variances meet the intent of the Zoning By-Law?

The proposed development is in line with all zoning regulations within the R.2-6 specialized zone. The lots within the zone must be between 9.5m to 14.5m lot frontage except for corner lots. 83 Silurian Drive is a corner lot with a frontage of 20.10m. The remaining lots range from 12.0m to 12.63m frontage. Due to the large size of the lots, double garage and driveways are appropriate and fit in with the scale of the lot. As such, a minor variance for to permit increased driveway width will allow the development of residential homes that are in accordance with the R.2-6 specialized zone and therefore meets the intent of the zoning by-law.

3. Are the Minor Variances minor in nature?

The variance seeks relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.5m for 83 Silurian, and 6.0m for the remaining lots mentioned above. The minor variances are meant to permit a double driveway on lots with a minimum frontage of 12.0m. When considering the size of the lots, an increase of 3.0-3.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

The minor variances requested will be appropriate and desirable for the size of the lots. A 6.0m driveway on lots with frontage of 12.0m leaves 6m of non-paved area on the lot to maintain a desirable streetscape with ample space for landscaping. Providing a 6.0m driveway for lots of this size is also provides sufficient parking for residents which will result in desirable outcomes for both the City and future residents of the neighbourhood.

With this letter, we are also enclosing the following:

- The completed minor variance application forms for each of the 7 lots.
- Cheques in the amount of \$950.00 for each of the 7 lots.

If you have any questions regarding this application, please do not hesitate to contact us.

Yours sincerely,



Charlotte Balluch

Planning & Development Analyst

Committee of Adjustment Notice of Public Hearing



An Application for a Minor Variance has been filed with the Committee of Adjustment

Application Details

Location:

83 Silurian Drive

Proposal:

The applicant is proposing to construct a single detached dwelling with a double car attached garage with a 6.5 metre wide driveway.

By-Law Requirements:

The property is located in the Specialized Residential Semi-detached/Duplex (R.2-6) Zone. A variance from 4.13.7.2.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that a driveway (residential) in an R.2 Zone shall have a maximum width of 3.5 metres.

Request:

The applicant is seeking relief from the By-Law requirements to permit a maximum driveway width of 6.5 metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-7/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon

request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

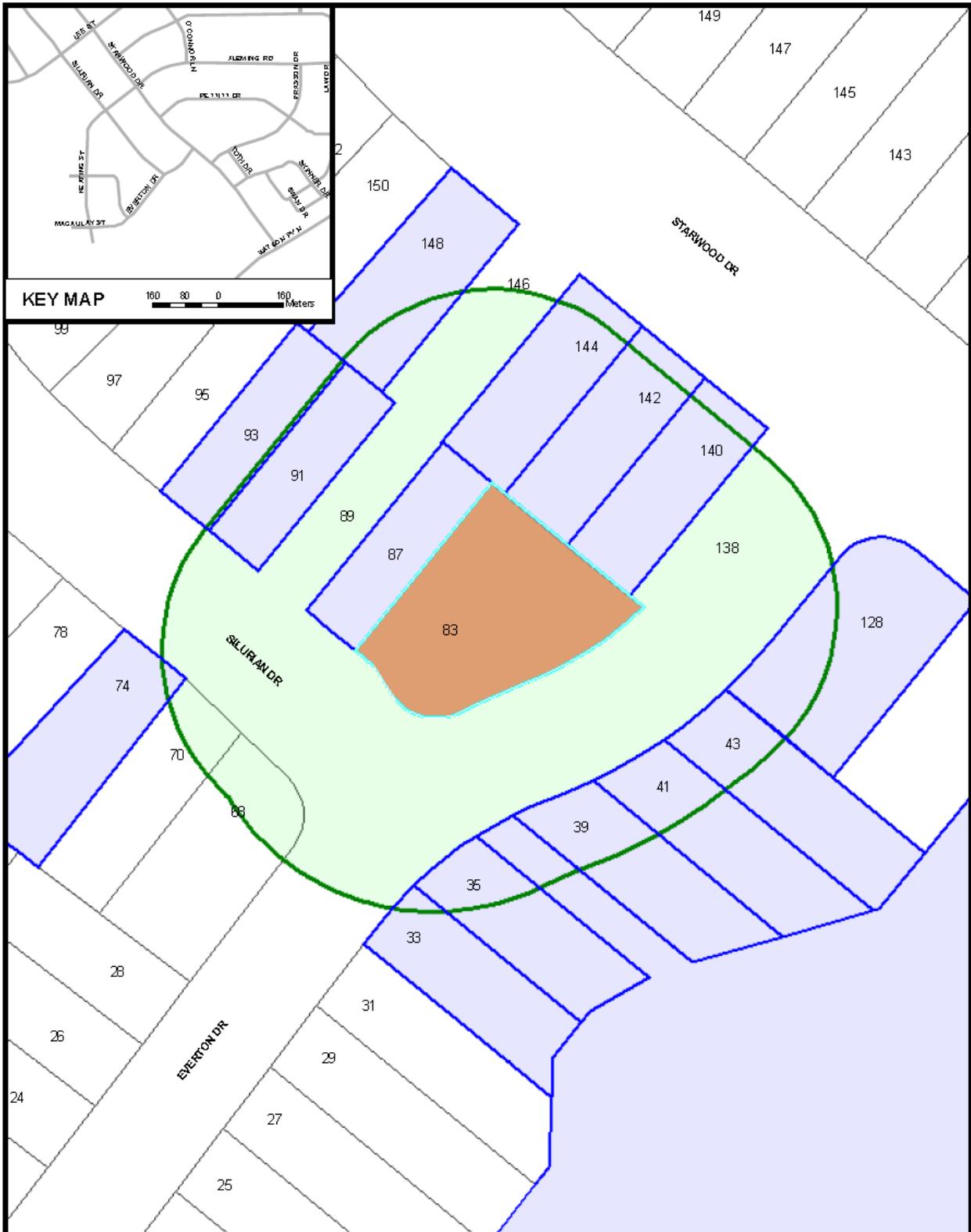
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

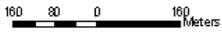
Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



KEY MAP



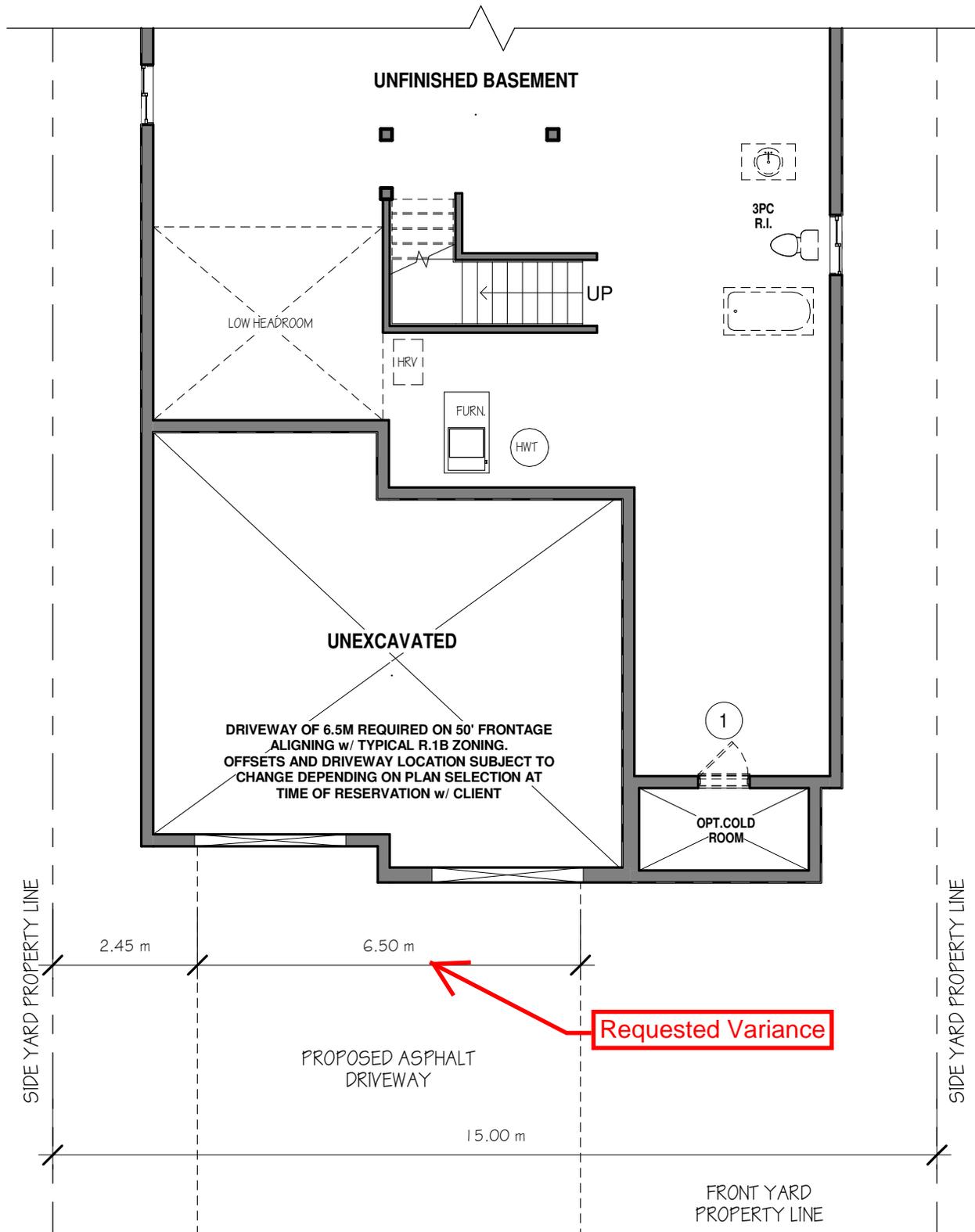
Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment

Date Printed: Date: December 18-20

83 Silurian Drive (A-7/21)
30m Circulation Area



The City of Guelph, its employees and agents, do not warrant or guarantee the validity of the contents of the information contained in this map. The user of this map is advised to verify the accuracy of the information for their own use. This map may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-822-1246.



SITE PLAN



Official Plan Designation: Low Density Greenfield Residential	Current Zoning Designation: R.2-6
--	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Seeking relief from zoning by-law section 4.13.7.2.3 to permit a driveway width of 6.5m whereas the zoning permits a maximum driveway width of 3.5m.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The lot is within specialized zone R.2-6 which permits 40 and 50ft homes. Homes of this size are designed to include a 2-car garage. A 6.5m driveway is appropriate for lot of this size to accomodate the 2-car garage while maintaining ample front yard landscaped area.

PROPERTY INFORMATION			
Date property was purchased:	Sept 30, 2020	Date property was first built on:	N/A
Date of proposed construction on property:	TBD	Length of time the existing uses of the subject property have continued:	vacant
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage:	Depth:	Area:
20.10m	33.50m	854.17 sq.m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:	N/A	Gross Floor Area:	228 sq.m
Height of building:	N/A	Height of building:	10.18m
Garage/Carport (if applicable) N/A		Garage/Carport (if applicable) 6.24m	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>	
Width:	N/A	Width:	11.89
Length:	N/A	Length:	19.2
Driveway Width:	N/A	Driveway Width:	6.5
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck) N/A	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	M	Front Yard Setback:	as per zoning by-law M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	as per zoning by-law M
Side Yard Setback:	Left: M Right: M	Side Yard Setback:	Left: M as per zoning by-law Right: M as per zoning by-law
Rear Yard Setback	M	Rear Yard Setback	as per zoning by-law M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

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Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Charlotte Balluch, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

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Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of November, 2020, in accordance with

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Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
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Expires July 19, 2022
(official stamp of Commissioner of Oaths)

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I / We, the undersigned, being the registered property owner(s)

Lee Piccoli

[Organization name / property owner's name(s)]

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hereby authorize Charlotte Balluch

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(Signature of the property owner)

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To: City of Guelph Committee of Adjustment

CC: Juan Da Silva, Trista DiLullo

From: Charlotte Balluch, Fusion Homes

Date: November 10, 2020

Re: 73 Keating St, 74 Silurian Dr, 78 Silurian Dr, 82 Silurian Dr, 83 Silurian Dr, 146 Starwood Dr, 148 Starwood Dr – Driveway Width Minor Variance Applications

Dear Committee of Adjustment,

Fusion Homes is pleased to submit 7 separate minor variance applications for the above noted addresses to permit driveways with widths wider than the permitted 3.5m stated in section 4.13.7.2.3 of the zoning by-law.

The lots are located within the Cityview subdivision and are zoned R.2-6 which permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m for all lots except corner lots.

The minor variance being requested for 73 Keating, 74 Silurian, 82 Silurian, 146 Starwood, and 148 Starwood are each the same. Fusion Homes is seeking relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.0m whereas the zoning permits a maximum driveway width of 3.5m.

Fusion Homes is requesting a minor variance for 83 Silurian Drive for relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.5m whereas the zoning permits a maximum driveway width of 3.5m.

Each application includes a separate application form and fee but has been submitted under this single cover letter as they are all similar in nature and scale of the variance being requested.

Tests of a Minor Variance

1. Do the Minor Variances meet the intent of the Official Plan?

The proposed development is in line with the City's Official Plan by providing low-density residential units within a designated greenfield residential area.

November 10, 2020

2. Do the Minor Variances meet the intent of the Zoning By-Law?

The proposed development is in line with all zoning regulations within the R.2-6 specialized zone. The lots within the zone must be between 9.5m to 14.5m lot frontage except for corner lots. 83 Silurian Drive is a corner lot with a frontage of 20.10m. The remaining lots range from 12.0m to 12.63m frontage. Due to the large size of the lots, double garage and driveways are appropriate and fit in with the scale of the lot. As such, a minor variance for to permit increased driveway width will allow the development of residential homes that are in accordance with the R.2-6 specialized zone and therefore meets the intent of the zoning by-law.

3. Are the Minor Variances minor in nature?

The variance seeks relief from section 4.13.7.2.3 of the zoning by-law to permit a driveway width of 6.5m for 83 Silurian, and 6.0m for the remaining lots mentioned above. The minor variances are meant to permit a double driveway on lots with a minimum frontage of 12.0m. When considering the size of the lots, an increase of 3.0-3.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

The minor variances requested will be appropriate and desirable for the size of the lots. A 6.0m driveway on lots with frontage of 12.0m leaves 6m of non-paved area on the lot to maintain a desirable streetscape with ample space for landscaping. Providing a 6.0m driveway for lots of this size is also provides sufficient parking for residents which will result in desirable outcomes for both the City and future residents of the neighbourhood.

With this letter, we are also enclosing the following:

- The completed minor variance application forms for each of the 7 lots.
- Cheques in the amount of \$950.00 for each of the 7 lots.

If you have any questions regarding this application, please do not hesitate to contact us.

Yours sincerely,



Charlotte Balluch

Planning & Development Analyst

Committee of Adjustment Notice of Public Hearing



An Application for Minor Variances has been filed with the Committee of Adjustment

Application Details

Location:

18 Central Street

Proposal:

The applicant is proposing to replace the existing uncovered porch at the front of the existing dwelling with an open, roofed porch and stairs.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 4.7 Row 3 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) that for an open, roofed porch not exceeding 1 storey in height the maximum projection into the required front yard is 2.4 metres [the required front yard is 6 metres];
- b) that for an open, roofed porch not exceeding 1 storey in height the minimum setback from the front lot line is 2 metres; and
- c) that the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line.

Requests:

The applicant is seeking relief from the By-Law requirements to permit:

- a) the proposed open, roofed porch to have a maximum projection of 4.52 metres into the required front yard;
- b) the proposed open, roofed porch to have a minimum setback of 1.52 metres from the front lot line; and
- c) the stairs associated with the proposed open, roofed porch to have a minimum setback of 0.09 metres from the front lot line.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-50/20**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

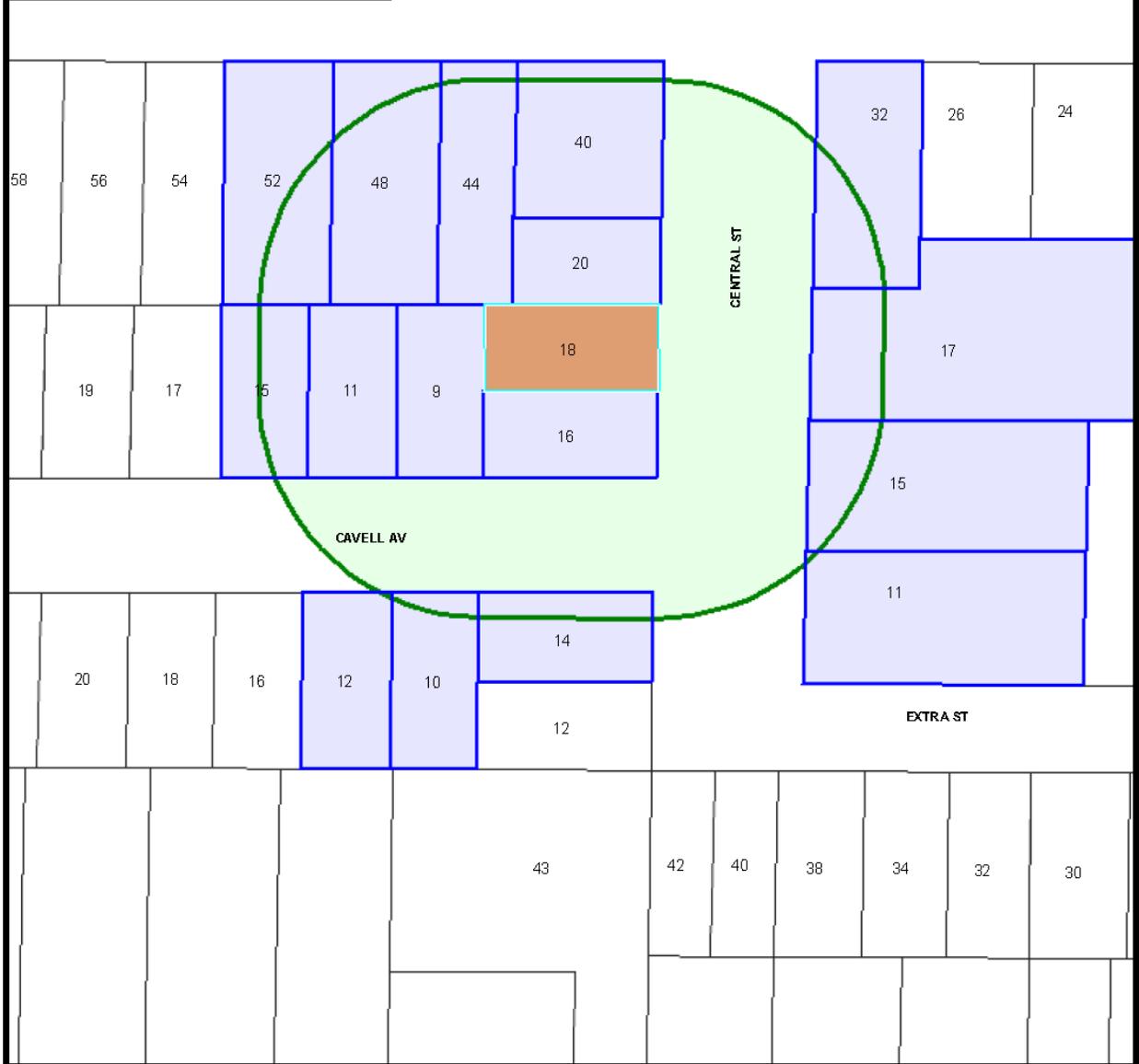
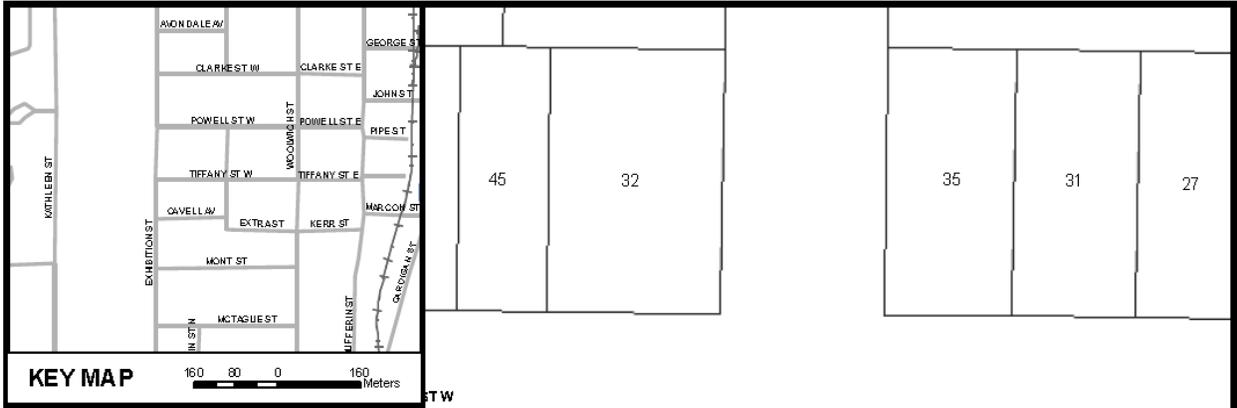
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Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



CITY OF Guelph

Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: Date: October-15-20

18 Central Street (A-50/20)
30m Circulation Area

20 10 0 20 40 m

The City of Guelph, its employees and agents, do not warrant or guarantee the reliability of the contents of the digital or hardcopy map files, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or be used for legal description. This map may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph GIS group for additional information at 519-822-1206.

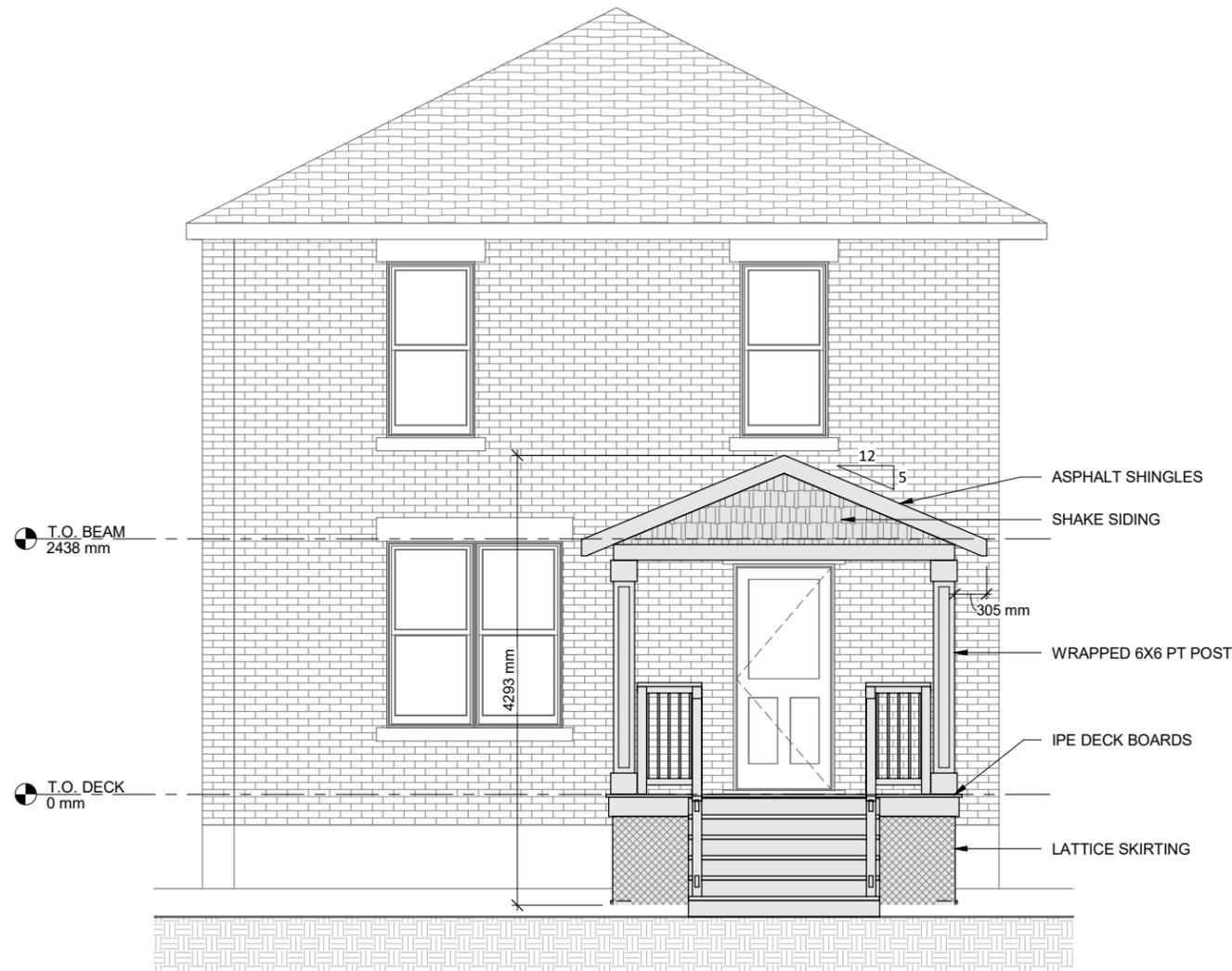
GENERAL NOTES:

1. ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES

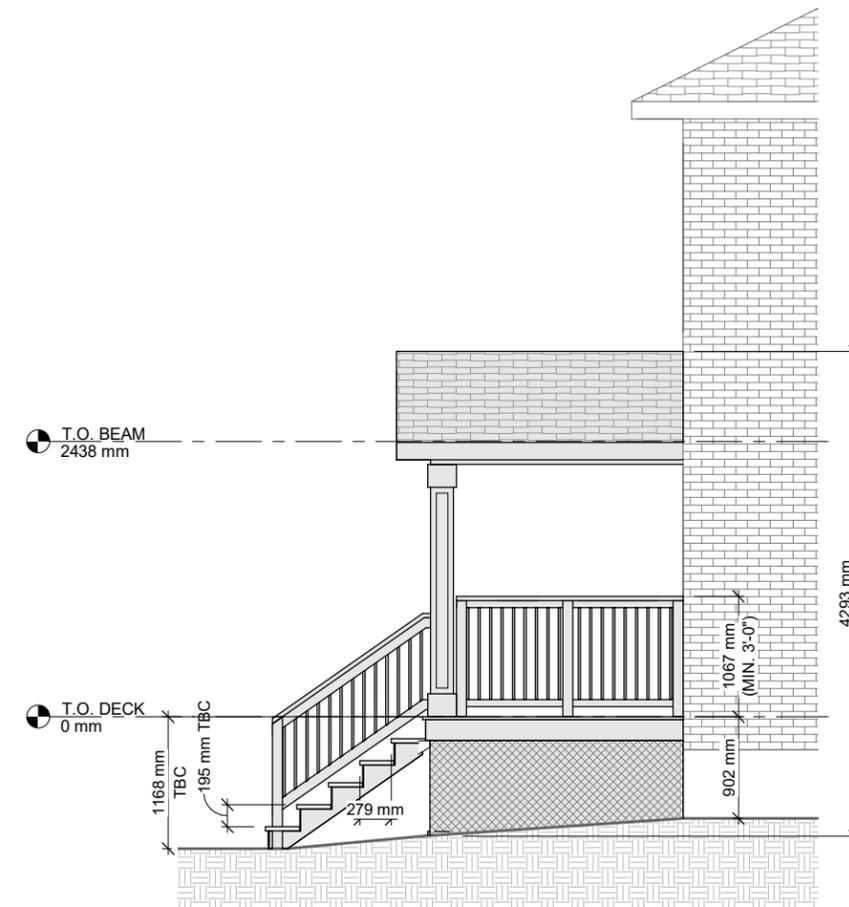
2. ALL CONSTRUCTION TO CONFORM WITH THE LATEST VERSION OF THE ONTARIO BUILDING CODE.

VERSIONS

#	DATE	DESCRIPTION
1	7-16-2020	INITIAL DESIGN
2	12-7-2020	DESIGN REVISION



1 FRONT ELEVATION
1:64



2 SIDE ELEVATION
1:64

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1. OF THE BUILDING CODE

NAME: SCOTT GROEN
BCIN: 38749

REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4.1. OF THE BUILDING CODE

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES
BCIN: 43607



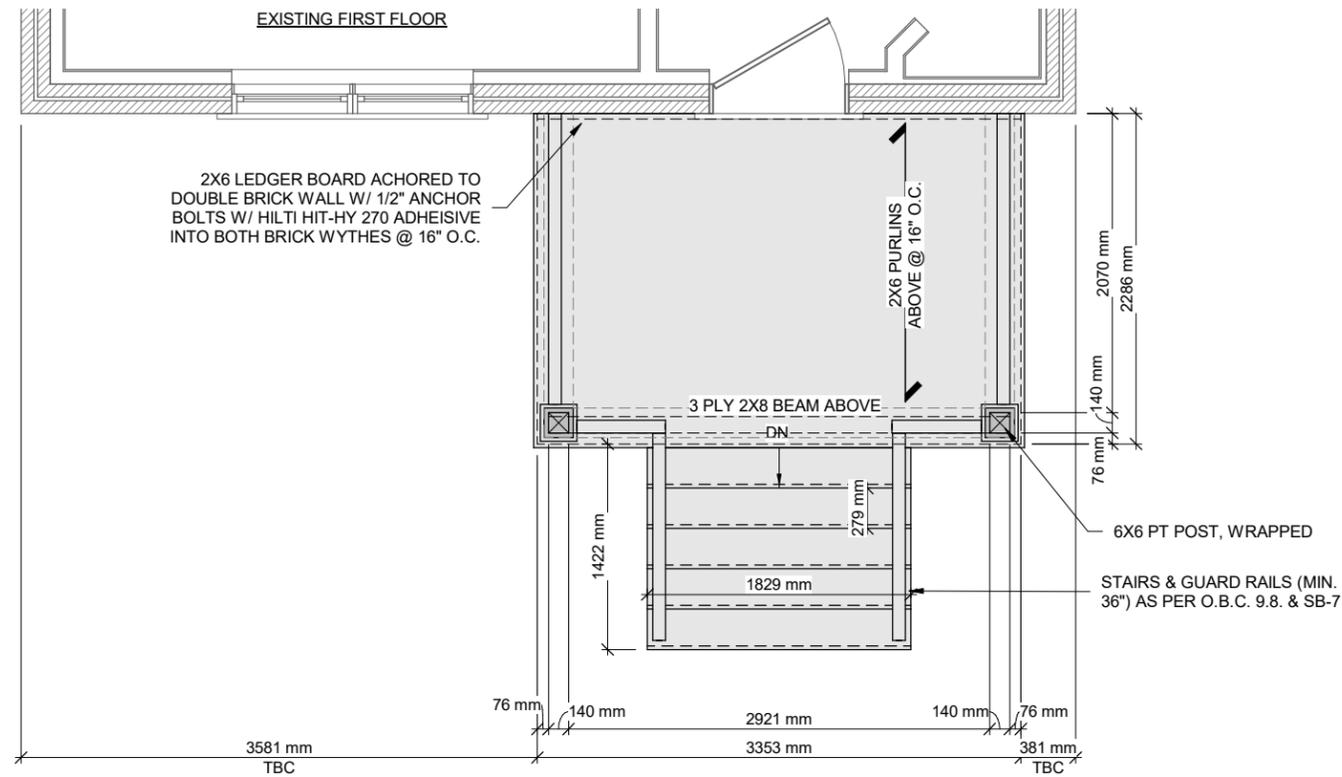
ELEVATIONS
SCALE : 1 : 64

DECK ADDITION

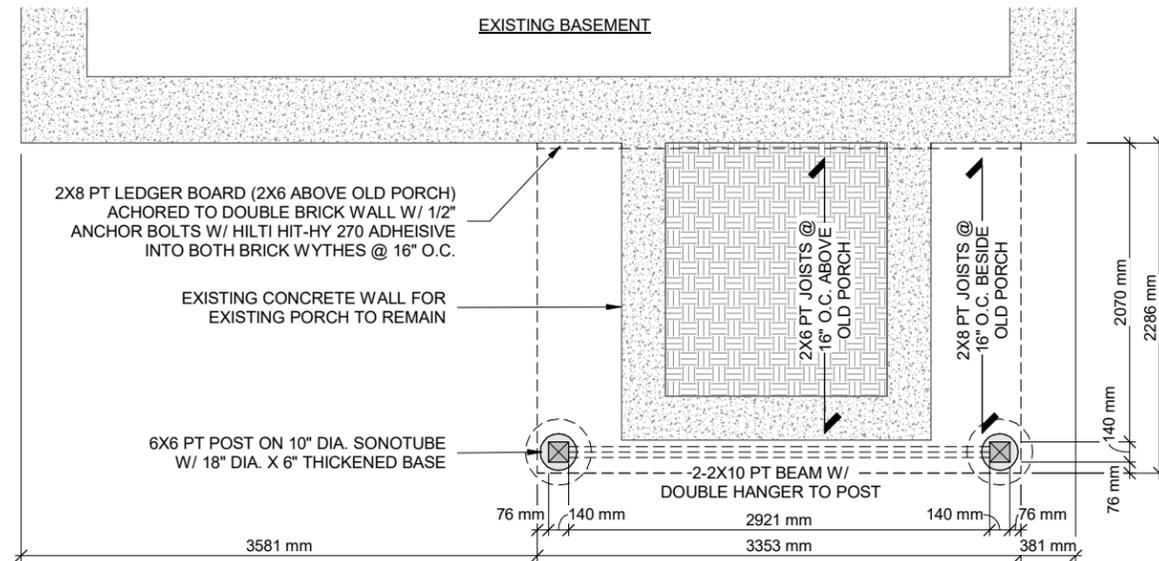
ANTHONY LEWIS
18 CENTRAL ST
GUELPH, ON

CLIENT

A1



1 DECK FLOOR PLAN
1 : 50



2 FOUNDATION / FRAMING PLAN
1 : 50

GENERAL NOTES:

1. ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES

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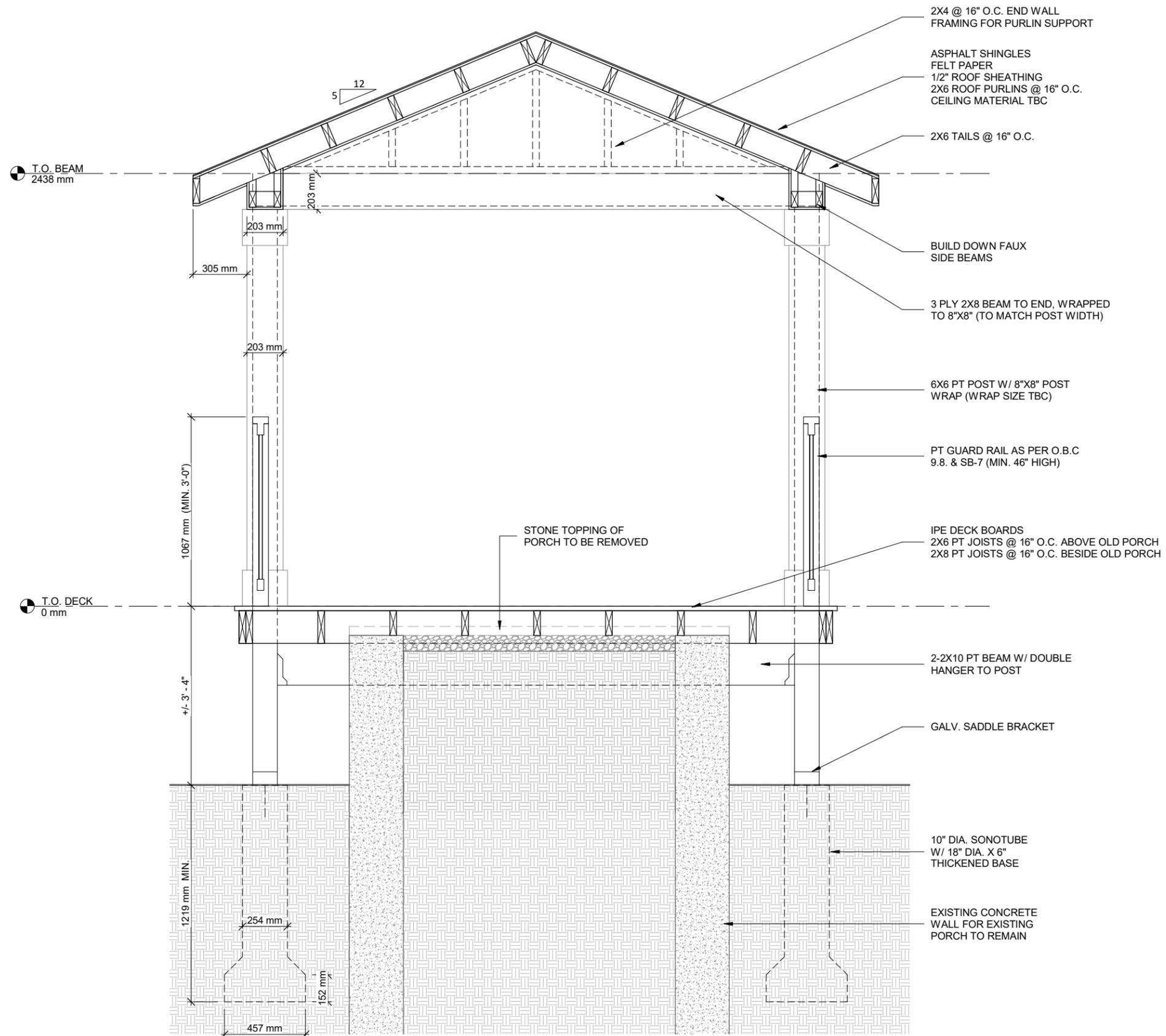
DECK FLOOR PLAN
SCALE : 1 : 50

DECK ADDITION

ANTHONY LEWIS
18 CENTRAL ST
GUELPH, ON

CLIENT

A2



GENERAL NOTES:

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VERSIONS		
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FIRM NAME: GROEN DESIGN & DRAFTING SERVICES
BCIN: 43607



SECTION
SCALE : 1 : 25

DECK ADDITION

ANTHONY LEWIS
18 CENTRAL ST
GUELPH, ON

CLIENT
A3

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Dec 8, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-50/20

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:	
Address of Property:	18 Central Street, Guelph, N1H4K6
Legal description of property (registered plan number and lot number or other legal description):	Plan 372 Lot 1
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)	
Name:	Anthony & Ashleigh Lewis
Mailing Address:	18 Central Street
City:	Guelph
Postal Code:	N1H4K6
Home Phone:	519-803-8736
Work Phone:	519-803-8736
Fax:	N/A
Email:	anthonylewis742@gmail.com
AGENT INFORMATION (If Any)	
Company:	_____
Name:	_____
Mailing Address:	_____
City:	_____
Postal Code:	_____
Work Phone:	_____
Mobile Phone:	_____
Fax:	_____
Email:	_____

Official Plan Designation: Low Density Residential	Current Zoning Designation: R.1B
--	----------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Relief on 3 counts from By-Law 4.7, Table 4.7 Row 3 to allow the following:
1 - Setback of 0.09m for porch stairs vs By-Law requirement of 2.0m
2 - Setback of 1.52m for porch vs By-Law requirement of 2.0m
3 - Projection of 4.52m for porch vs requirement of 2.4m
Please see attached description on separate sheet for additional detail.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The purpose for redesigning the porch is primarily for safety, specifically safety for our children, as the current stairs lead directly into the driveway and are blocked from view due to the house. Moving the stairs to the front removes this hazard, however due to the age of the house and the minimal setback from the front property line this makes it impossible to comply with the current By-Laws written well after the house was built. Additionally the new design will provide protection from the elements when entering and exiting the house, which the current porch does not, as well as increasing the aesthetic appearance of the porch.
For further and more detailed explanations please see separately attached details

PROPERTY INFORMATION			
Date property was purchased:	Dec 3rd 2018	Date property was first built on:	1923
Date of proposed construction on property:	1923	Length of time the existing uses of the subject property have continued:	97 Years
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	11.58m	Depth:	23.77m
		Area:	275.26m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	156.3 m2		Gross Floor Area:	156.3 m2	
Height of building:	2 Stories		Height of building:	2 Stories	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	
Width:	3.62 m		Width:	3.62 m	
Length:	6.39 m		Length:	6.39 m	
Driveway Width:	3.53 m		Driveway Width:	3.53 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Porch Width: 2.14m, Depth: 2.29m, Height: 0.95m			Describe details, including height: Porch Width: 3.35m, Depth: 2.29m, Height: 4.29m Porch Stairs: Width: 1.83m, Depth: 1.42m		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	1.61 M		Front Yard Setback:	0.09 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M 0.74	Right: M 0.60	Side Yard Setback:	Left: M 0.74	Right: M 0.60
Rear Yard Setback	0.29 M		Rear Yard Setback	0.29 M	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20 002863 000 00 RR Pending Variance Approval
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

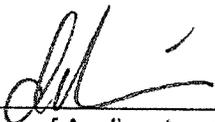
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

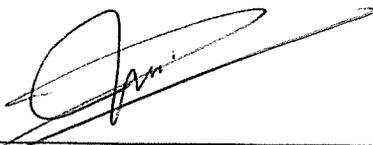
I/We, Anthony Lewis, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 13 day of October, 2020, in accordance with O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

***ATTACHMENTS RELATING TO PAGE 2 FOR EXTENT & REASONING:**

Nature and Extent of Relief applied for:

Relief from the by-law 4.7 Table 4.7 Row 3, which would allow us to exceed the minimum set back required of 2 metres to build a new covered porch with stairs coming off the front, which will replace our current uncovered porch with stairs off the side. The porch will not encroach in the setback, however the stairs will be setback 0.09m from the front property line vs the by-law requirement of 2m, the porch itself will be setback 1.52m vs the by-law requirement of 2m and the porch projection from the 6m setback will be a max of 4.52m vs the by-law requirement of 2.4m.

Why is it not possible to comply with the provision of the by-law?

Our current porch does not provide any protection from the elements when trying to get in and out of the house, especially with small children. Also the current stairs come down to the side directly into the driveway, which when cars are parked can be troublesome maneuvering larger items and children around vehicles to get to the stairs. The stairs coming down to the side into the driveway also creates a blind spot for vehicles reversing for anyone, specifically children, coming down the stairs.

We have designed the new porch to be covered, slightly wider with stairs coming off the front to avoid these issues previously mentioned, we are hoping that this will also be more aesthetically pleasing and potentially add value to our home.

By doing these adjustments it means the re-located stairs coming off of the front of the porch will breach the 2 metre setback in the listed by-law due to how far forward on the property the house was built in 1923, however this is also the case with the existing porch that has been grandfathered in.

Note that this change not exceed the distance that both of our current neighbours porches and stairs extend from their house's and as such will not appear out of place in the neighbourhood.

Committee of Adjustment Notice of Public Hearing



An Application for a Minor Variance has been filed with the Committee of Adjustment

Application Details

Location:

1 Calgary Avenue

Proposal:

The applicant is proposing to maintain the height of the existing fence located in the front yard of the property.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from 4.20.9 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that, within any residential zone, any fence located in the front yard shall not exceed 0.8 metres in height.

Request:

The applicant is seeking relief from the By-Law requirements to permit the existing fence in the front yard between 1.72 metres and 1.99 meters in height as shown on the sketch provided.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-8/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

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If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

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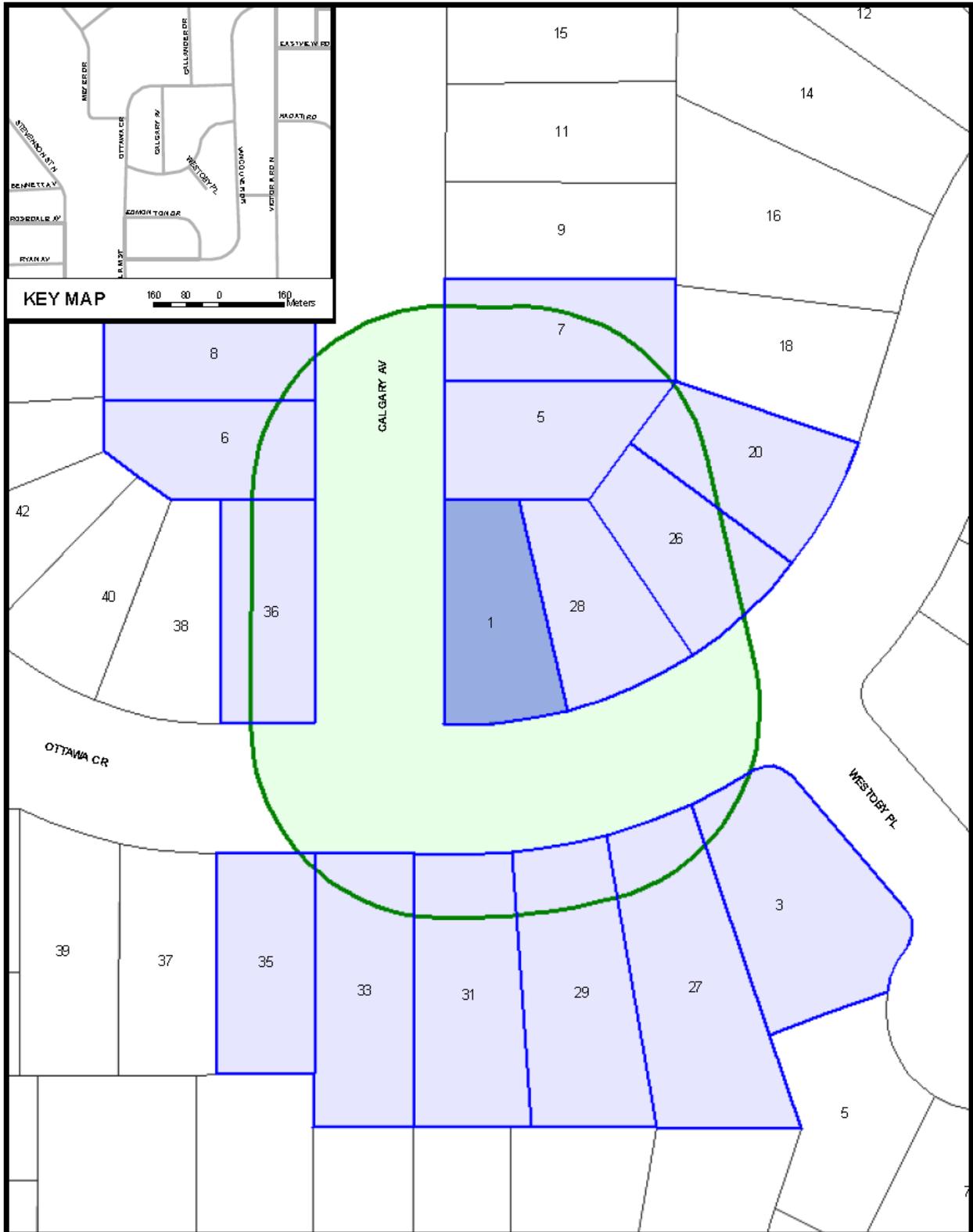
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Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



KEY MAP

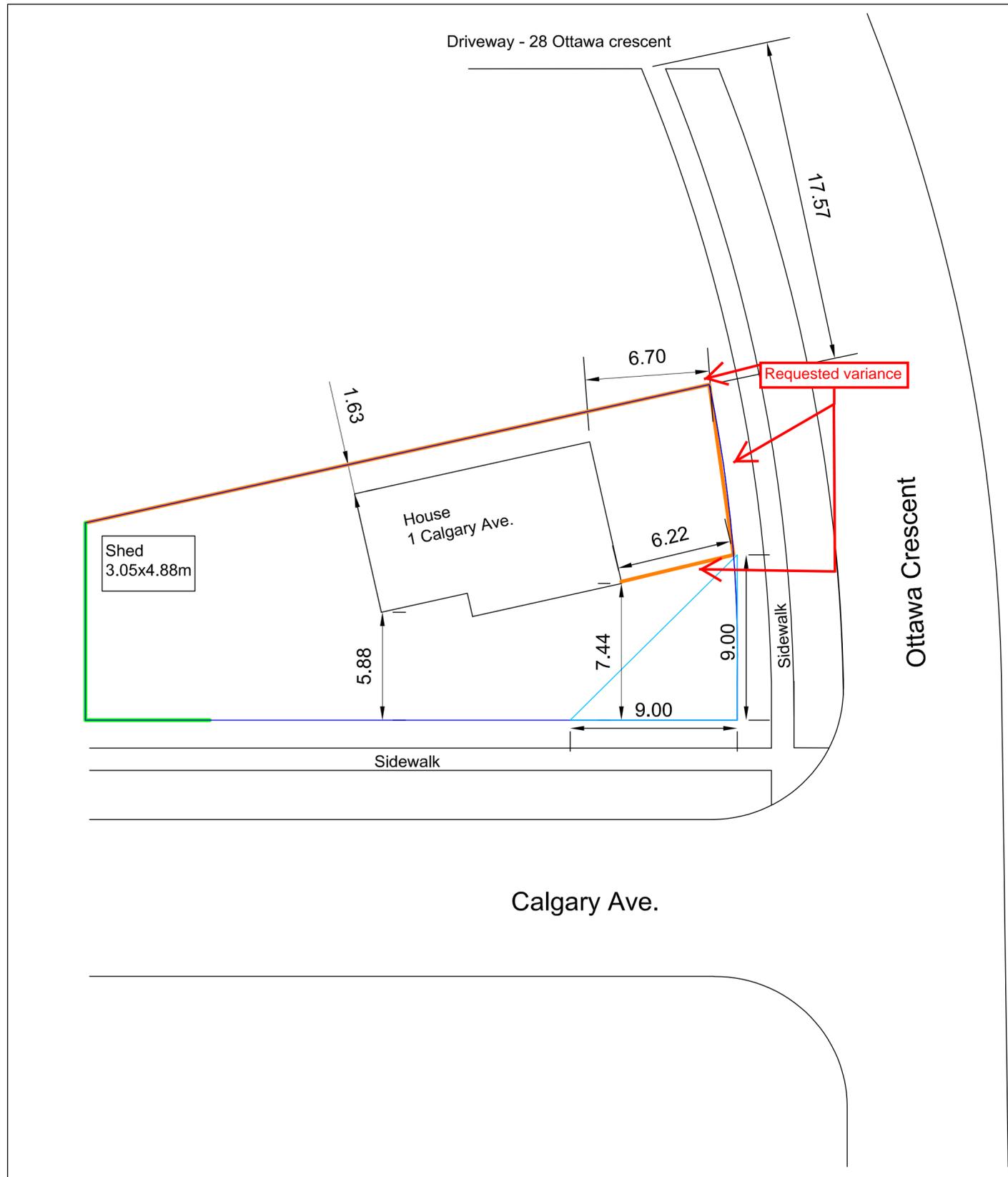


1 Calgary Avenue (A-8/21)
30m Circulation Area

Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: Date: December 17-20



The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of the digital drawings and data, and will not be liable for any claims for damages or loss arising from their application or interpretation, in any form. It is recommended to make a survey or to use the local description. This may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-825-2288.



LEGEND:

- PROPERTY LINE
- EXISTING FENCE 1.85M HEIGHT
- EXISTING FENCE 1.55M HEIGHT
- SIGHTLINE TRIANGLE

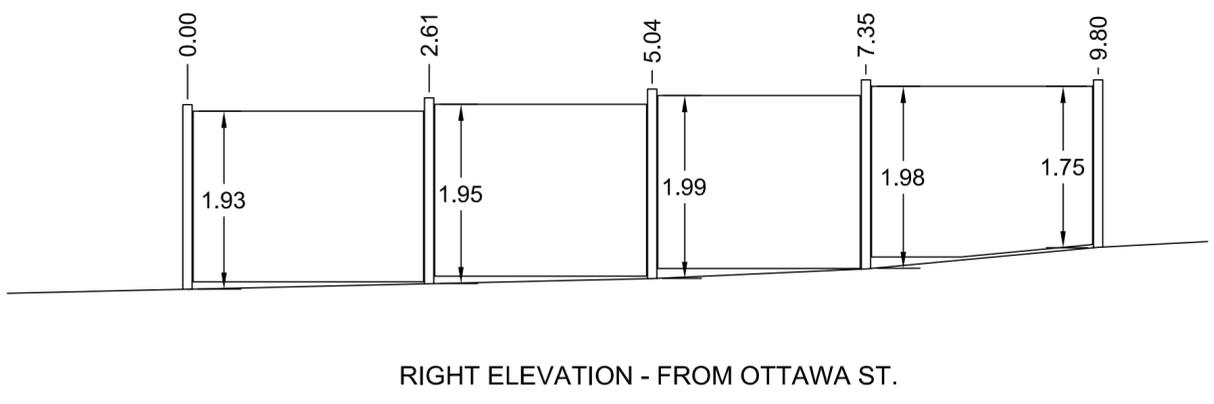
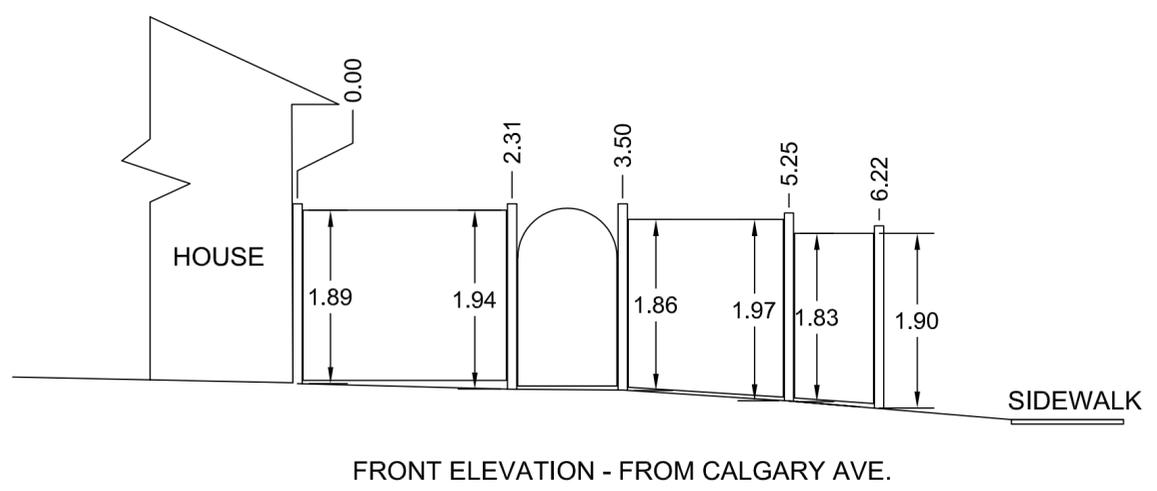
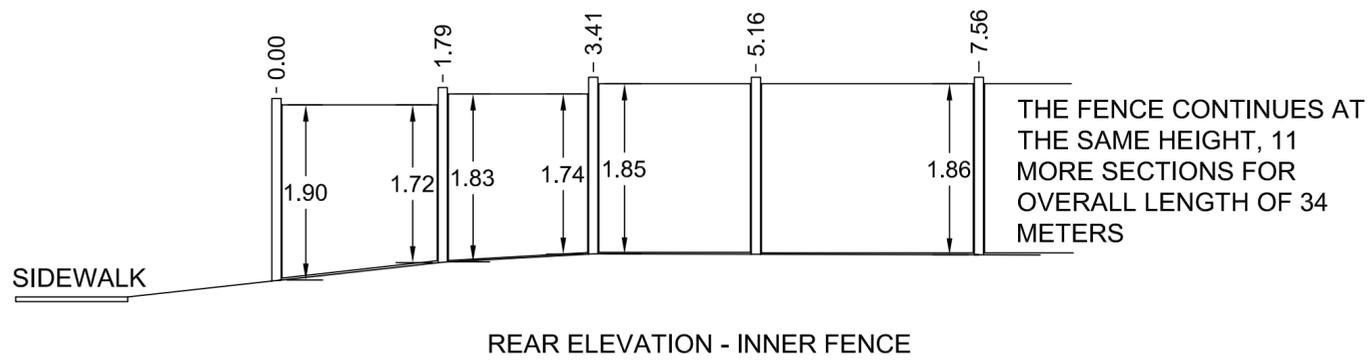
1 Meter
 10 Meters

SCALE 1:5

ALL DIMENSIONS ARE IN METERS

EACH FENCE SECTION HEIGHT IS 1.85 OR 1.55 METERS AS INDICATED WITH ORANGE/RED COLOUR

1 Calgary Ave., Guelph, N1E 1M4
 Front fence - Calgary Ave/Ottawa Crs
 PROPOSED FENCE DRAWING



ALL DIMENSIONS ARE IN METERS



1 Calgary Ave., Guelph, N1E 1M4
Front fence - Calgary Ave/Ottawa Crs
ELEVATION DRAWINGS

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Dec 11, 2020	Folder #: A-8/21
Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P. 13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995) 1884, AS AMENDED.

PROPERTY INFORMATION:

Address of Property: 1 Calgary Avenue, Guelph, ON N1E 4M1

Legal description of property (registered plan number and lot number or other legal description):
LOT 181 REGO PLAN 446

REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

Name: Svittek Milan, Svittek Viera

Mailing Address: 63 Valleyhaven Lane

City: Guelph, ON Postal Code: N1E 0A5

Home Phone: 519-830-4346 Work Phone: _____

Fax: _____ Email: svittekma@rogers.com

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____ Postal Code: _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Original Plan Designation: Low Density Residential	Current Zoning Designation: R1B
---	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

Asking to relief from City of Guelph Zoning By-law (1995)-14864, as amended, section 4.20.9

Average fence height is about 1.9 meters.

Why is it not possible to comply with the provision of the by-law? (your explanation)

Corner lot property does not allow privacy fence to be built elsewhere.

PROPERTY INFORMATION			
Date property was purchased:	December 19, 2019	Date property was first built on:	1958
Date of proposed construction on property:	Existing	Length of time the existing uses of the subject property have continued:	62 years
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)

Frontage: **35.1 m** Depth: **18.4 m** Area: **approx. 502 m²**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	96.15 m ²		Gross Floor Area:		
Height of building:	1 storey		Height of building:		
Garage/Carport (if applicable)	N/A		Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Shed 3 x 4.88m, height = 4m			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	9		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	18.4		M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M	Right: M	6.7	Side Yard Setback:	Left: M
					Right: M
Rear Yard Setback	1.6		M	Rear Yard Setback	M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)					
Provincial Highway	Municipal Road <input checked="" type="checkbox"/>	Private Road	Water	Other (Specify)	

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)		
Water <input checked="" type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/>	Storm Sewer <input checked="" type="checkbox"/>
If not available, by what means is it provided:		

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

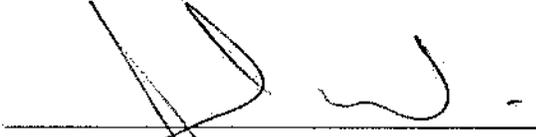
POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

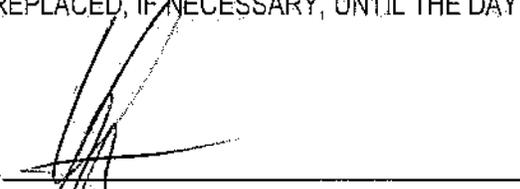
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



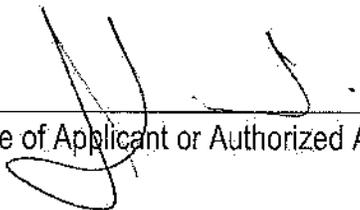
Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Milan Suitek, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by **Juan da Silva**, of the City/Town of **Guelph** in the County/Regional Municipality of **Wellington** before me at the City/Town of **Guelph** in the County/Regional Municipality of **Wellington** this **4** day of **December**, 20**20**, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022
(official stamp of Commissioner of Oaths)

Committee of Adjustment

City of Guelph

Regarding: 1 Calgary Avenue, Guelph, ON N1E 4M1

City Planners and Committee of Adjustment Members,

We are writing you to explain our situation. The application and drawings we have submitted to Committee of Adjustment for minor variance include dimensions and drawings of our proposed fence location which is slightly different than the existing fence location. We are aware that small portion of the fence is currently built on city property. That happened unintentionally. However drawings do show this fence built on property line. We are hoping our application for minor variance will be approved and then we will correct the portion of the fence as indicated on the drawings.

Either way, we will follow the directions of Committee of Adjustments in regards to this matter.

Sincerely,

Milan and Viera Svitek

December 6, 2020

Committee of Adjustment Notice of Public Hearing



An Application for Minor Variances has been filed with the Committee of Adjustment

Application Details

Location:

107 Fountain Street East

Proposal:

The applicant is proposing to demolish the existing single detached 1-storey dwelling and construct a 2-storey single detached dwelling with a gross floor area of 157 square metres and a single car attached garage.

By-Law Requirements:

The property is located in the Downtown 2 (D.2) Zone. Variances from Table 6.3.2.8 Row 2 and Section 6.3.2.5.2.1.6.5 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum side yard setback of 1.5 metres; and
- b) that, for a single detached dwelling in a downtown zone, every required parking space shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building.

Request:

The applicant is seeking relief from the By-Law requirements to permit:

- a) a minimum left side yard setback of 0.97 metres;
- b) a minimum right side yard setback of 0.6 metres; and
- c) the required parking space to be located a minimum of 3.0 metres from the street line and to the rear of the of the front wall of the main dwelling.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-9/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you

confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

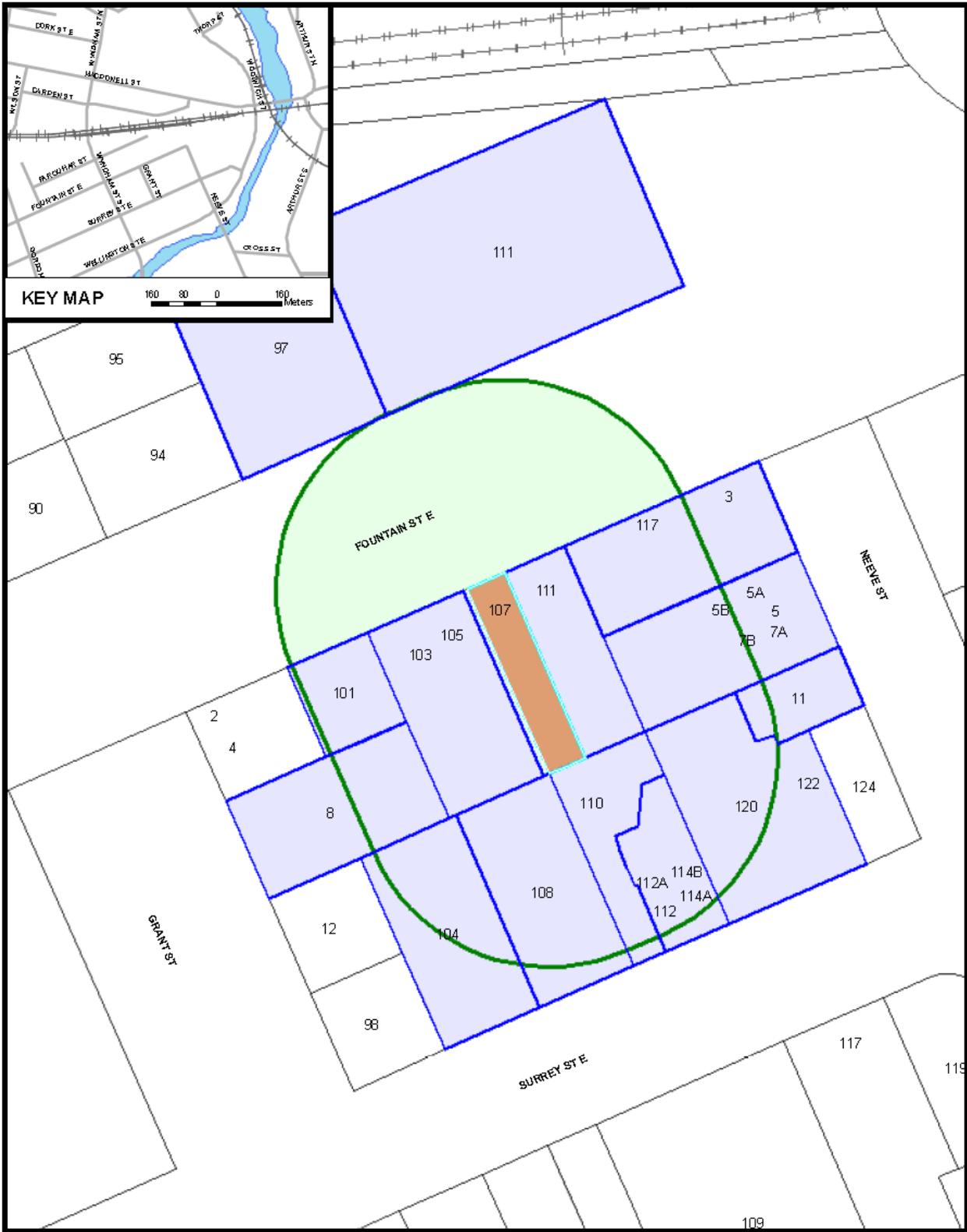
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



**107 Fountain Street East (A-9/21)
30m Circulation Area**

Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: Date: December 17-20

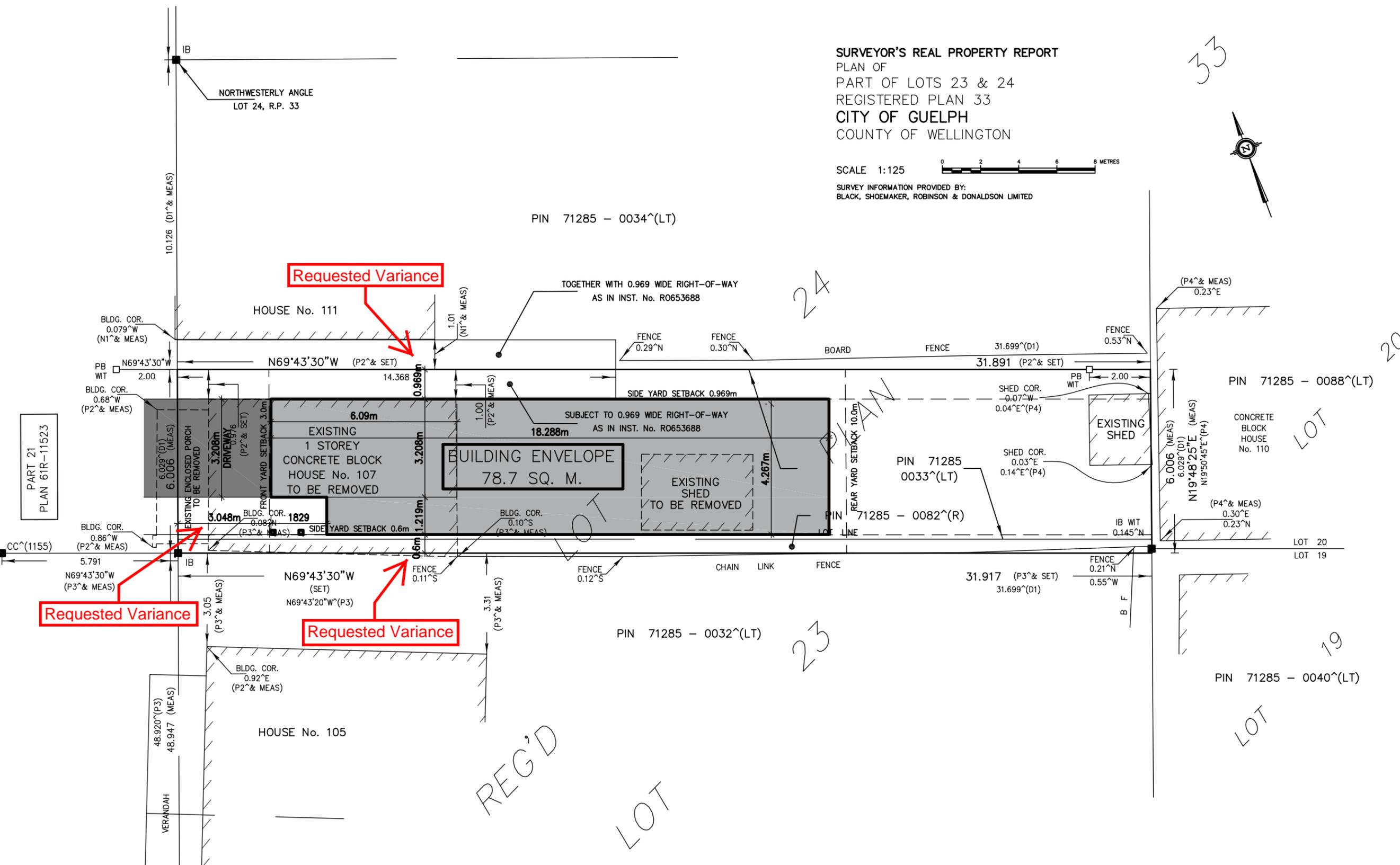


The City of Guelph, its employees and agents, do not warrant the accuracy or the validity of the contents of this digital or analogue map. This map may not be used for any purpose other than that for which it was prepared. It is not intended to be used for any purpose other than that for which it was prepared. This map may not be used for any purpose other than that for which it was prepared. For more information, please contact the City of Guelph, Planning Department at 519-822-1000.

FOUNTAIN STREET

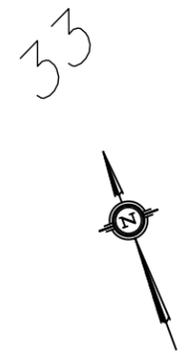
PIN 71285 - 0102^(LT) STREET
(~WATERLOO STREET BY REGISTERED PLAN 8~)
(~NAME CHANGED BY BY-LAW 4145, INST. No. CS66854~)

PART 21
PLAN 61R-11523



SURVEYOR'S REAL PROPERTY REPORT
PLAN OF
PART OF LOTS 23 & 24
REGISTERED PLAN 33
CITY OF GUELPH
COUNTY OF WELLINGTON

SCALE 1:125
SURVEY INFORMATION PROVIDED BY:
BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

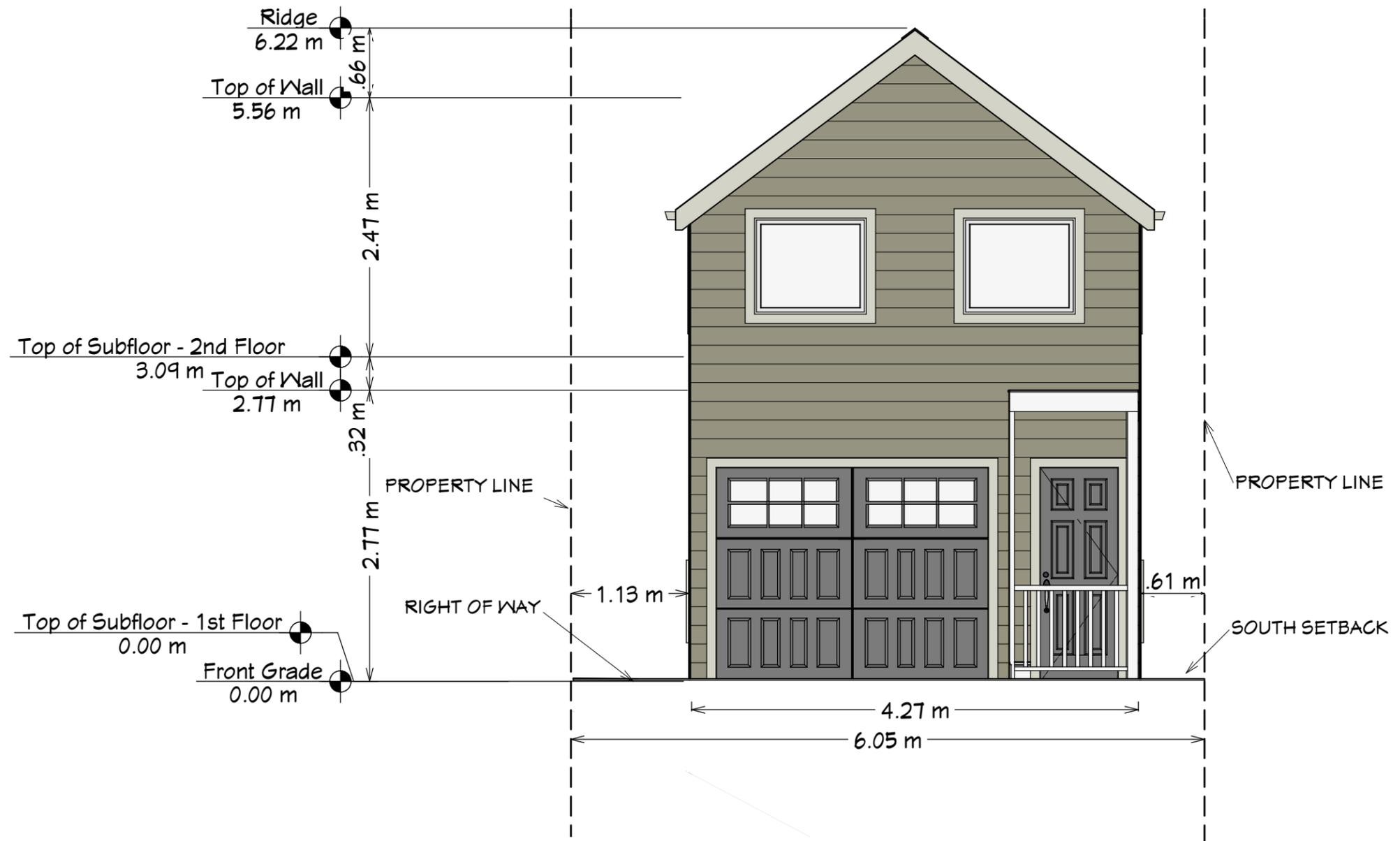


107 FOUNTAIN STREET
GUELPH, ONTARIO

J.L. Cox Planning Consultants Inc.
Urban And Rural Planning Services
17 Spencer Crescent
Guelph, Ontario
N1L 1N1
Tel. (519) 836-5622
Fax. (519) 837-1701

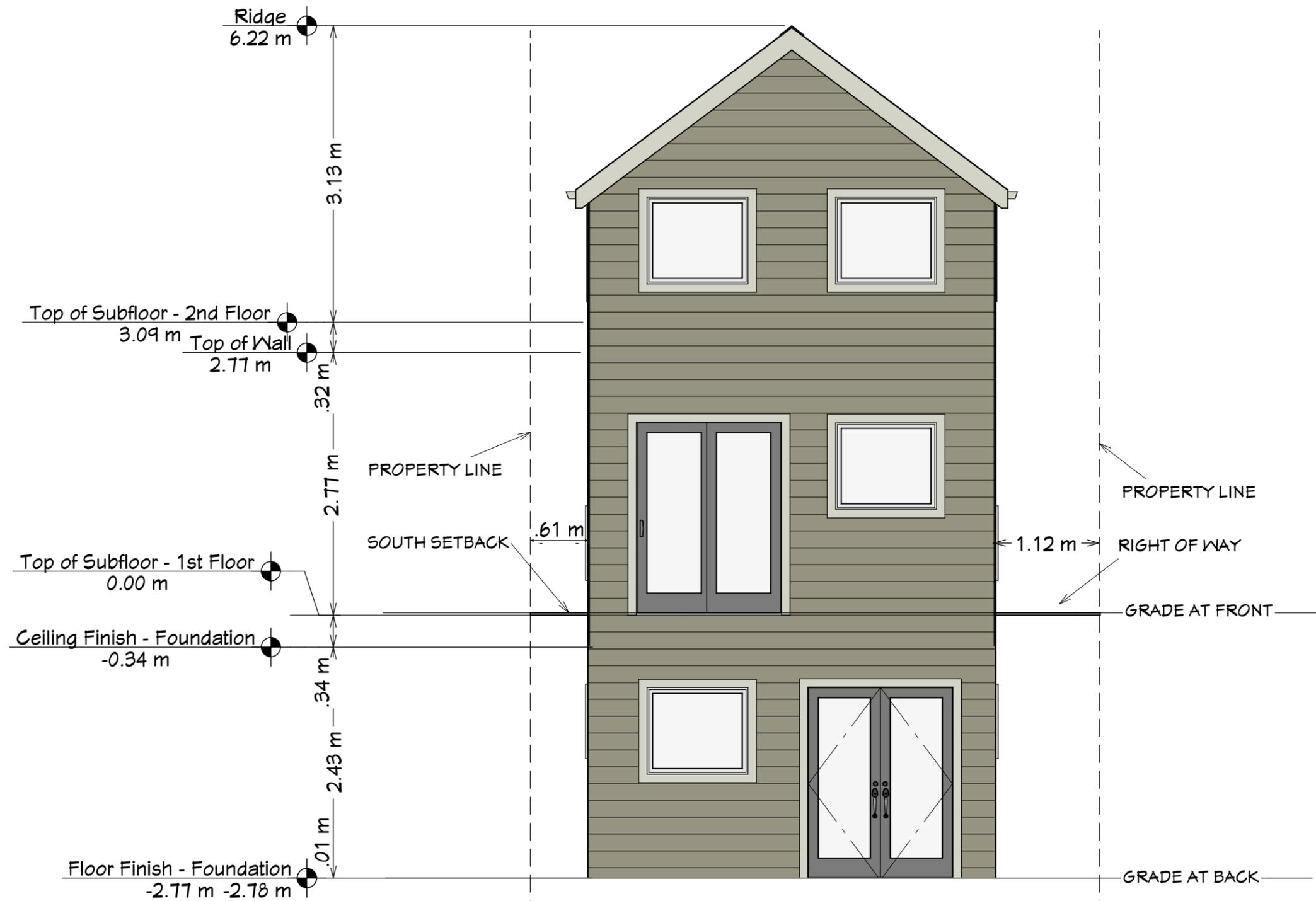
DEC. 7, 2020

107 FOUNTAIN ST.



FRONT ELEVATION
1/4" = 1'

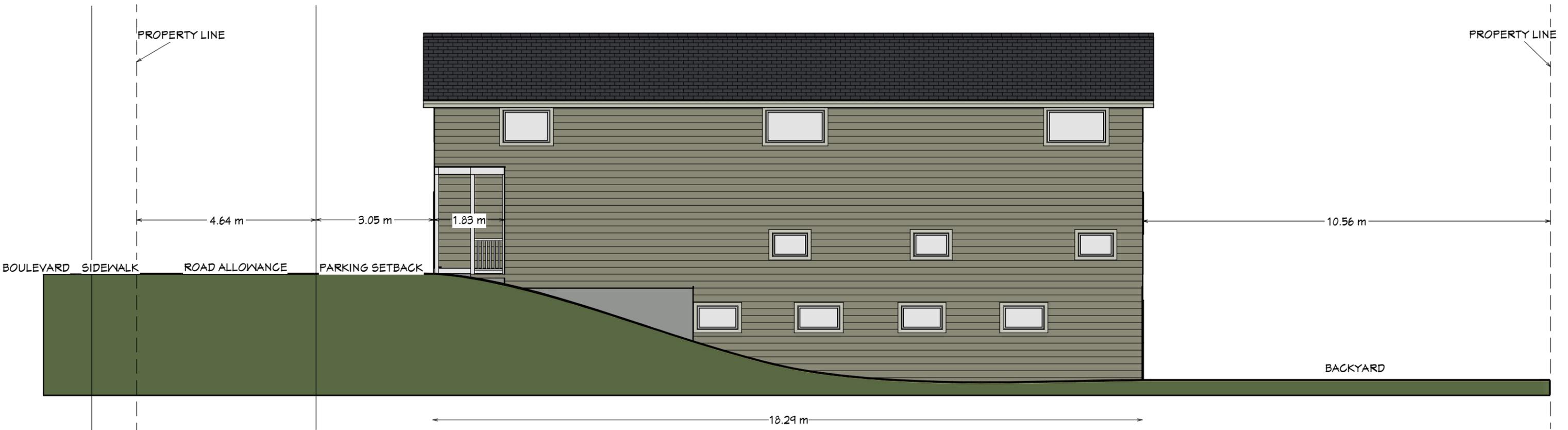
107 FOUNTAIN ST.



BACK ELEVATION

1/4" = 1'

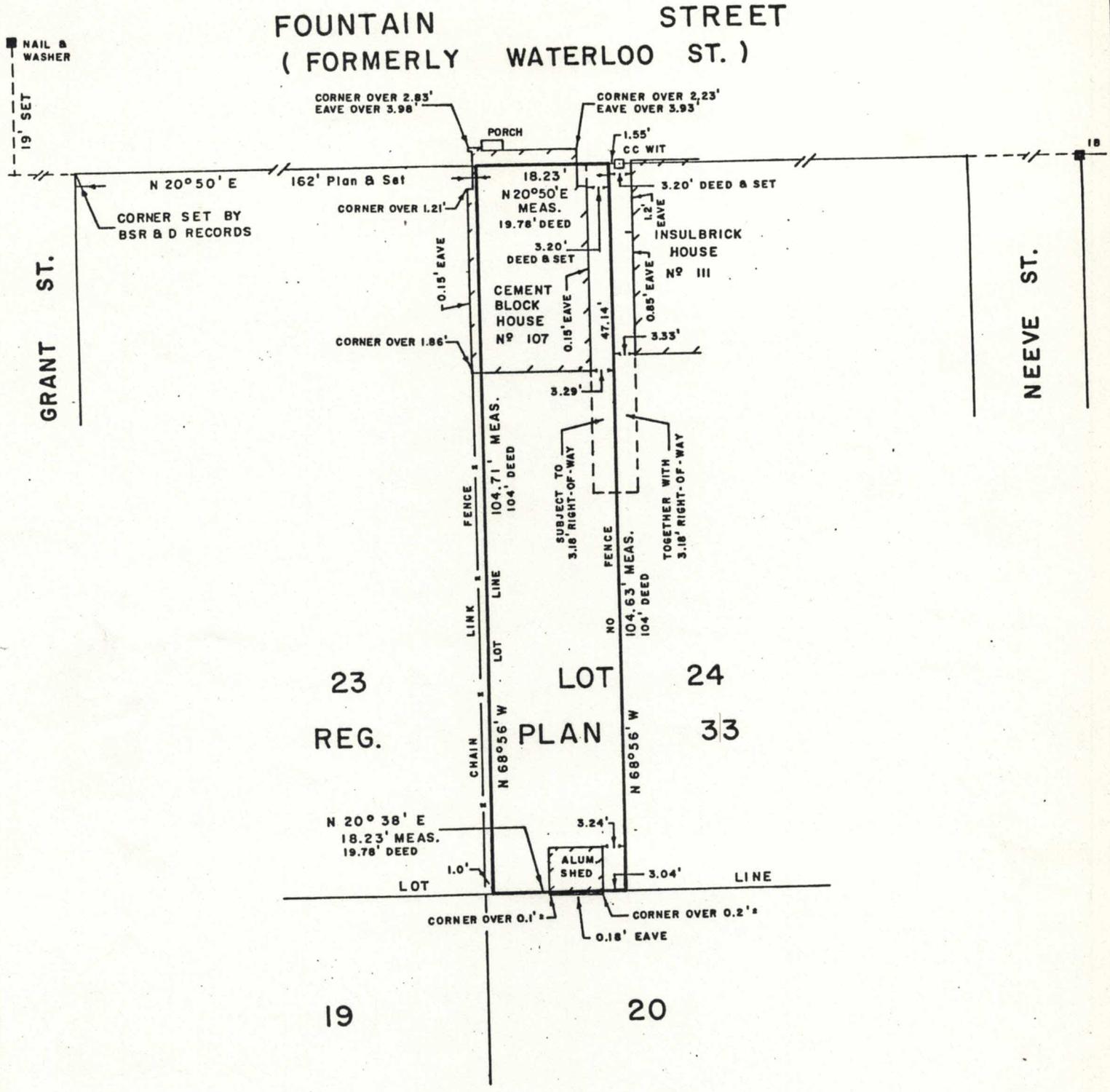
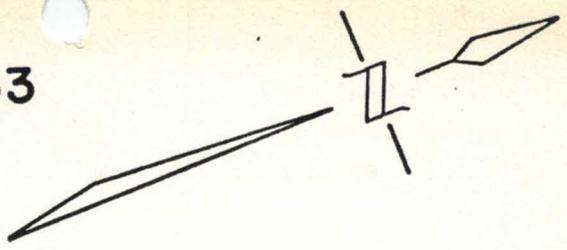
107 FOUNTAIN ST.



SIDE ELEVATION
1/8" = 1'

BUILDING LOCATIC SURVEY OF PART OF LOT 24, REG. PLAN 33 CITY OF GUELPH

SCALE: 1 INCH = 20 FEET
S.W. BLACK O.L.S.
1985



NOTE:
BEARINGS ARE REFERRED TO THE EASTERLY LIMIT OF FOUNTAIN STREET AS BEING N20°50'E AS SHOWN ON REG. PLAN 33

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WIT DENOTES WITNESS

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 28th DAY OF OCTOBER, 1985.

NO PERSON MAY COPY, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED.

© BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED
ONTARIO LAND SURVEYORS
351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031

DATE: OCTOBER 28, 1985 SCALE: 1 INCH = 20 FEET kwh

PER: *S.W. Black*
ONTARIO LAND SURVEYOR

PROJECT
85-2815

SEAL

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Dec 14, 2020	Folder #: A-9/21
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:	
Address of Property:	<u>107 Fountain Street East</u>
Legal description of property (registered plan number and lot number or other legal description):	<u>Part of lot 24, Reg. Plan 33, City of Guelph</u>
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)	
Name:	<u>Paul Edward Campbell</u>
Mailing Address:	<u>5719 Sixth Line,</u>
City:	<u>Hillsburgh ON</u> Postal Code: <u>N0B 1Z0</u>
Home Phone:	Work Phone: <u>519-803-7998</u>
Fax:	Email: <u>pcampbell@bell.net</u>
AGENT INFORMATION (If Any)	
Company:	<u>JL Cox Planning Consultants Inc.</u>
Name:	<u>John Cox</u>
Mailing Address:	<u>17 Spencer Crescent</u>
City:	<u>Guelph</u> Postal Code: <u>N1H 1N1</u>
Work Phone:	<u>519-836-5622</u> Mobile Phone:
Fax:	Email: <u>jcox@coxplan.ca</u>

Official Plan Designation: Mixed Use Z	Current Zoning Designation: D:Z
---	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<ol style="list-style-type: none"> 1. A variance to permit a left side yard setback of 0.97m rather than the 1.5 m. required (Table 6.3.2.8) 2. A variance to permit a right side yard setback of 0.6m rather than the 1.5m. required (Table 6.3.2.8) 3. A variance to allow the required parking space to be 3.0m from the front lot line rather than the required (Section 6.3.2.5.2.1.6.5)

Why is it not possible to comply with the provision of the by-law? (your explanation)
<p>There is an existing older dwelling in poor repair on the property which currently extends over the front lot line and the right side yard lot line. The existing house is to be demolished and a new dwelling unit constructed based on the proposed variances.</p>

PROPERTY INFORMATION			
Date property was purchased:	January 20, 2020	Date property was first built on:	1915
Date of proposed construction on property:	upon approval of variances	Length of time the existing uses of the subject property have continued:	since 1915
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
single detached residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 6.006 m.	Depth: 31.9 m.	Area: 191.6 m ²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	157.4 m ²	Gross Floor Area:	157.4 m ²
Height of building:	4.5 m	Height of building:	5.5 m
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>
Width:		Width:	3.2 m
Length:		Length:	6.09 m
Driveway Width:		Driveway Width:	3.2 m
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: 2 single storey sheds		Describe details, including height: shed closest to rear property line to remain	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING		PROPOSED			
Front Yard Setback:	encroaches 0.86m	M	Front Yard Setback:	3.048 m	M
Exterior Side Yard (corner lots only)		M	Exterior Side Yard (corner lots only)		M
Side Yard Setback:	Left: 0.97m M	Right: encroaches M 0.10m	Side Yard Setback:	Left: 0.97m M	Right: 0.60m M
Rear Yard Setback	4/2 20.5 m	M	Rear Yard Setback	10 m	M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	upon approval of minor variances
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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PERMISSION TO ENTER

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I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, John Cox, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by **Juan da Silva**, of the City/Town of **Guelph** in the County/Regional Municipality of **Wellington** before me at the City/Town of **Guelph** in the County/Regional Municipality of **Wellington** this **14** day of **December**, 20**20**, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.


Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

Paul Edward Campbell

[Organization name / property owner's name(s)]

of

107 Fountain Street E, City of Guelph

(Legal description and/or municipal address)

hereby authorize

John Cox of J.L. Cox Planning Consultants Inc.

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 9th day of December 2020

[Signature]
(Signature of the property owner)

(Signature of the property owner)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

Committee of Adjustment Notice of Public Hearing



An Application for a Minor Variance has been filed with the Committee of Adjustment

Application Details

Location:

180 Dallan Drive

Proposal:

The applicant is proposing to increase the floor area of the existing accessory apartment located in the basement of the existing single detached dwelling from 77.6 square metres to 108.2 square metres. This increase is due to the relocation of the laundry room serving the accessory apartment.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1C) Zone. A variance from 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that an accessory apartment shall not exceed 45 percent of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

Request:

The applicant is seeking relief from the By-Law requirements to permit a proposed accessory apartment size of 108.2 square metres, or 31 percent of the total floor area of the existing detached dwelling.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-10/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet.

Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

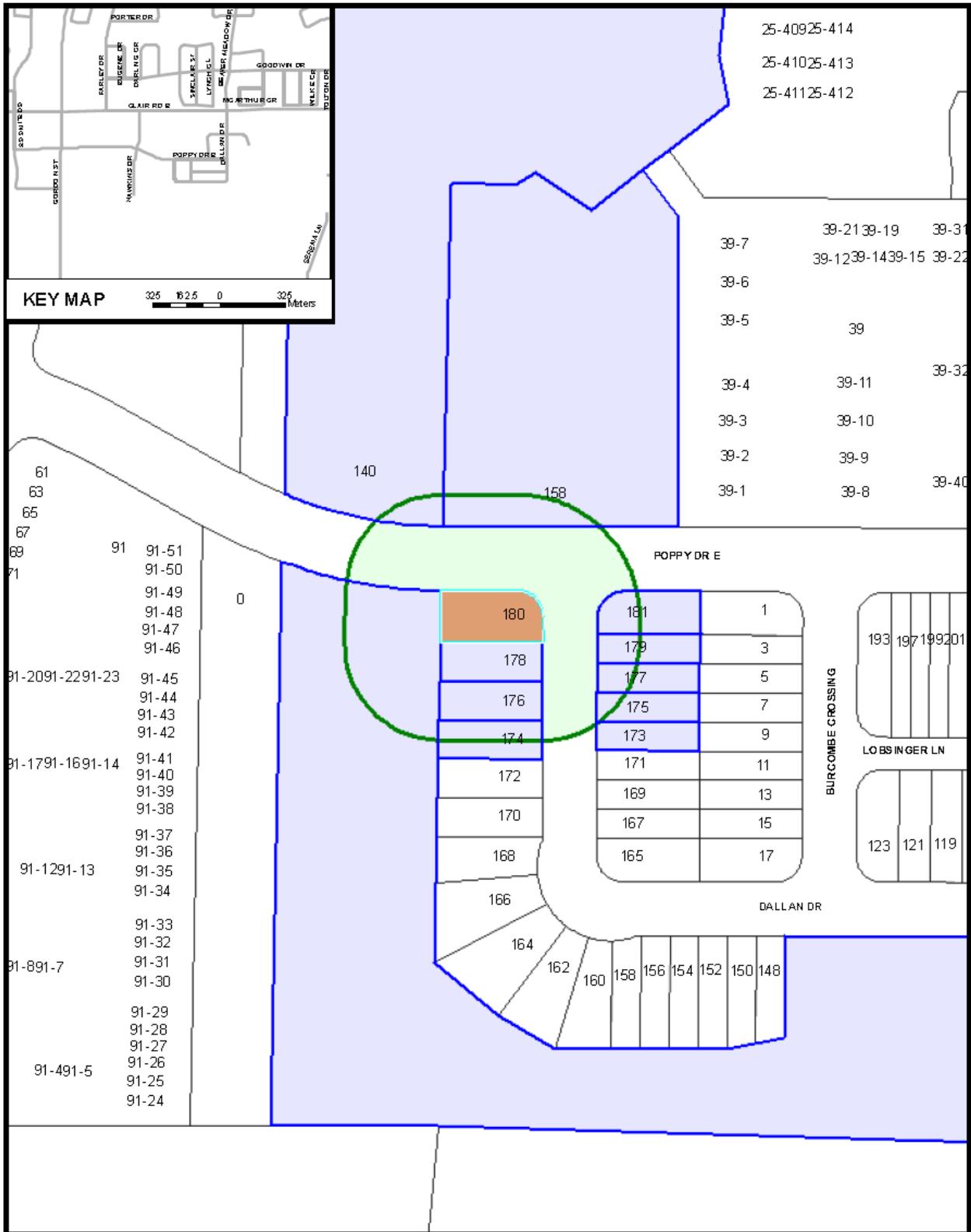
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



180 Dallon Drive (A-10/21)
30m Circulation Area

Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: Date: December 17-20



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SKETCH FOR BUILDING PERMIT APPLICATION LOT 76, REGISTERED PLAN 61M-200 CITY OF GUELPH

SCALE: 1 - 250

- CAUTION:**
- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
 - IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE PROPOSED FOOTING ELEVATION ALLOWS GRAVITY CONNECTION TO SEWER LINES.
 - © - THIS SKETCH IS PROTECTED BY COPYRIGHT.
 - THIS LOT MAY CONTAIN STRUCTURAL FILL.

NOTE: LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 61M-200 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

ZONING: R1C

- FRONT YARD - 6.00 MIN.
- FRONT YARD - 3.60 MIN. TO PORCH
- EXTERIOR SIDE YARD - 4.50 MIN.
- EXTERIOR SIDE YARD - 2.10 TO PORCH
- SIDE YARD - 1.20 MIN.
- REAR YARD - 20% OF LOT DEPTH (6.39 MIN.)

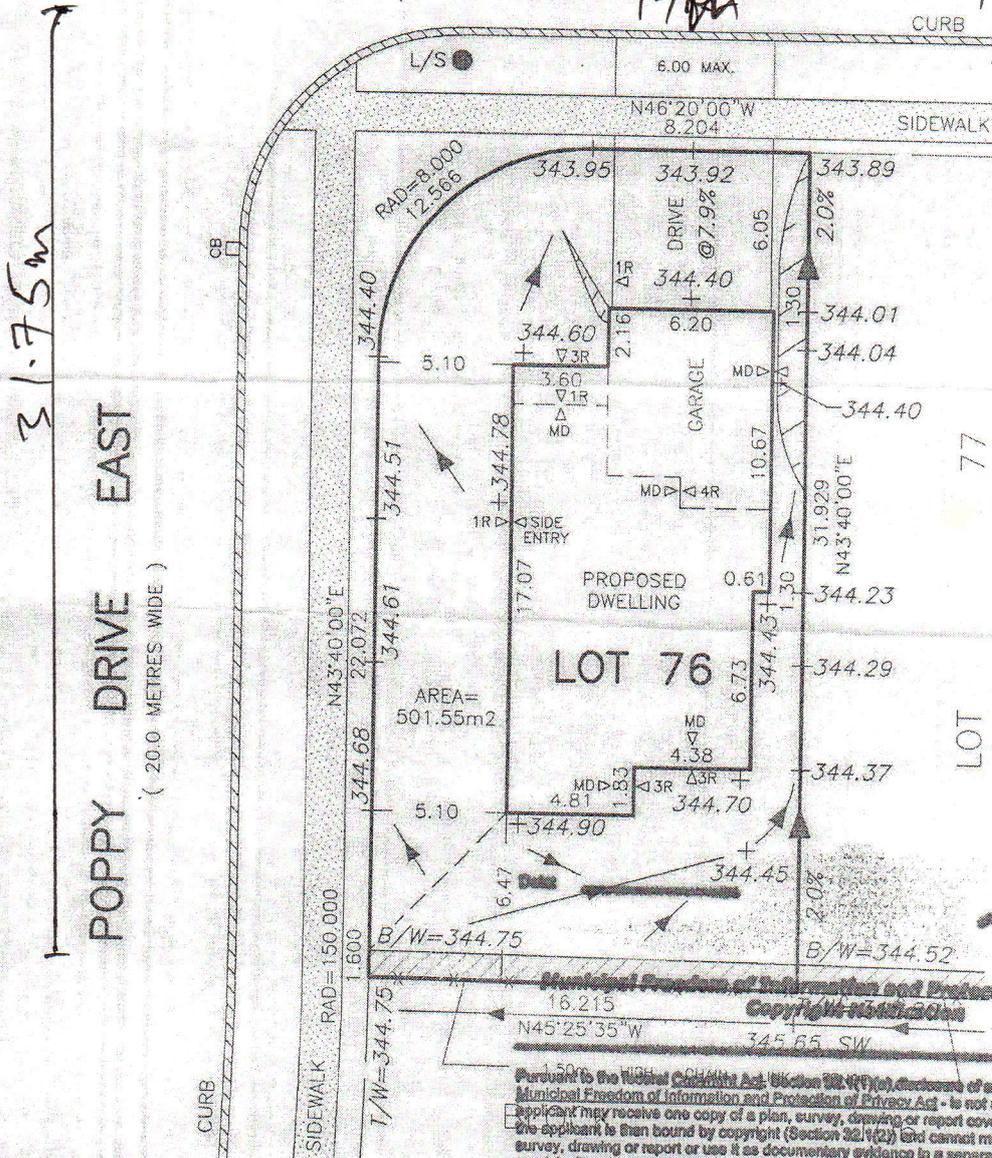
TOP OF FOUNDATION = 345.05
 UNDERSIDE OF FOOTING = 342.53
 BASEMENT FLOOR = 342.76
 FINISHED FLOOR = 345.35
 SIDE ENTRY = 344.98
 GARAGE CUT TO FINISHED SLAB = 0.65

NOTE: 0.15m (6") SLOPE
 REQUIRED ON GARAGE SLAB.

DALLAN DRIVE

(17.0 METRES WIDE)

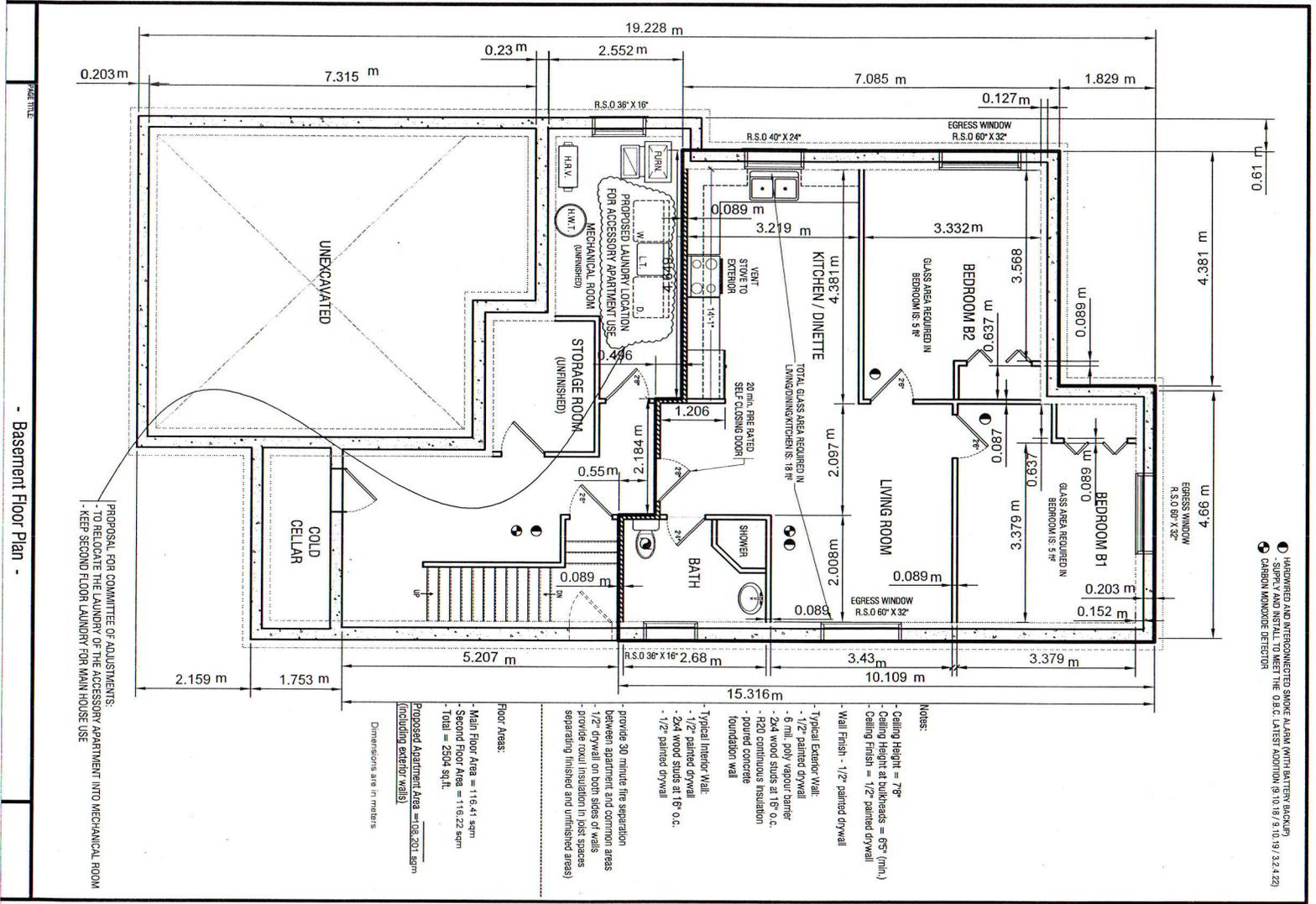
SODDED AREA
=297.8m²



Municipal Freedom of Information and Protection of Privacy Act
Copyright Notice

Pursuant to the Access to Information Act, Section 96(1)(a), disclosure of a record pursuant to the Municipal Freedom of Information and Protection of Privacy Act - is not a violation of copyright. An applicant may receive one copy of a plan, survey, drawing or report covered by copyright, however, the applicant is then bound by copyright (Section 32.1(2)) and cannot make further copies of the plan, survey, drawing or report or use it as documentary evidence in a separate submission to the municipality without permission of the holder of the copyright. Accordingly, pursuant to the above noted Acts, we are permitted to provide you with a copy of the plan, survey, drawing or report for the address of 180 DALLAN DRIVE, but subsequent use of the copy is restricted by copyright.

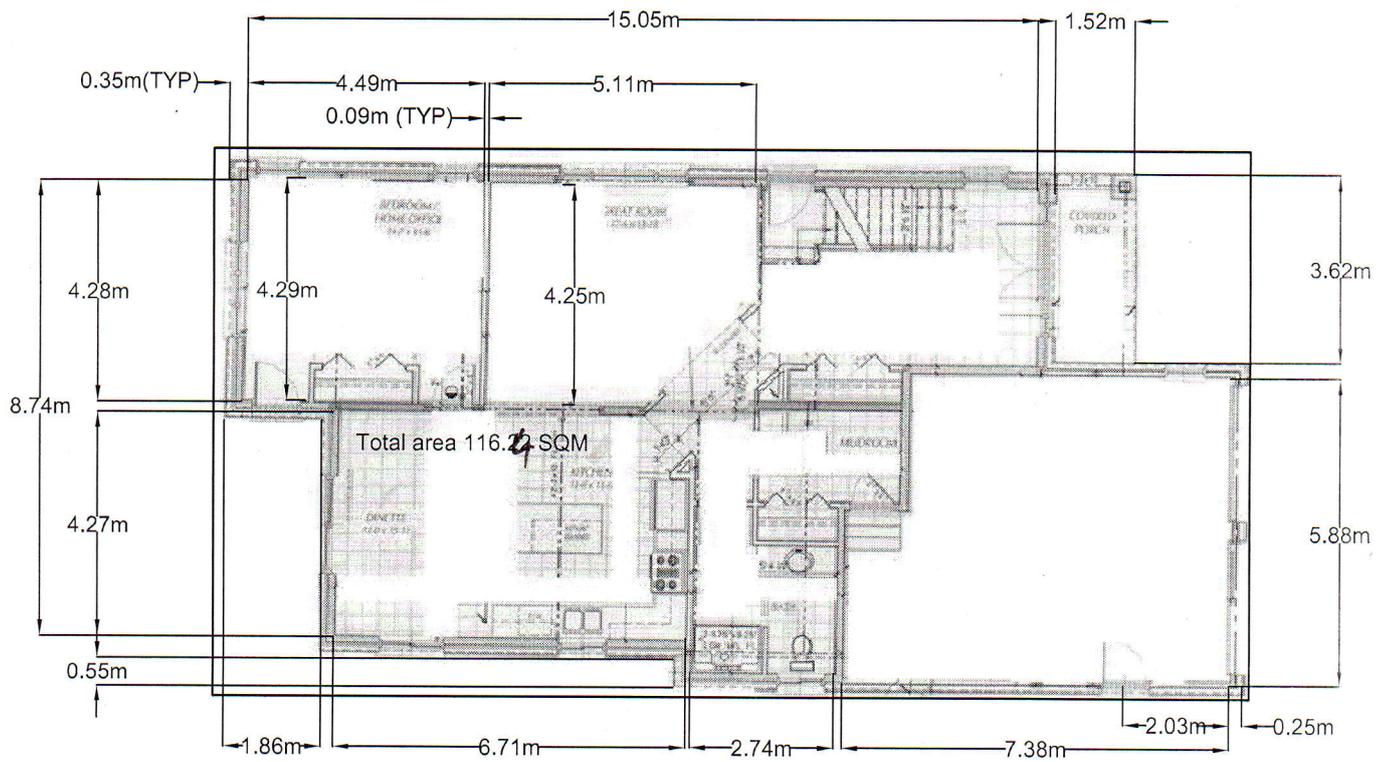
BASEMENT -Total Area: (main + first)= 232.63m² (2504ft²) Total Floor Area =349m² (3751ft²) Basement Area= 108.2m² (1164.65ft²) Accessory apartment % in relation to total floor area=31%



Basement

Total Floor Area : (Main and First) = 232.63m² (2504ft²)
 Total Floor area 349m² (3751ft²)
 Basement Area : 108.2m² (1164.65ft²)
 Accessory apartment size= 108.2m² (31%)

MAIN FLOOR AREA - 116.4m² (1253ft²)



Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Dec 14, 2020	Folder #: A-10/21
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:			
Address of Property:	180 Dallan Drive, Guelph ON N1L 0N4		
Legal description of property (registered plan number and lot number or other legal description):	Registered Plan Number 61M-200 Lot No. 76		
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)			
Name:	Mahendranath Thimmanagari and Vindhya Thimmanagari		
Mailing Address:	180 Dallan Drive,		
City:	Guelph	Postal Code:	N1L 0N4
Home Phone:	519-823-5615	Work Phone:	cell phone: 226-500-0990
Fax:		Email:	mahererreddi@hotmail.com
AGENT INFORMATION (If Any)			
Company:			
Name:			
Mailing Address:			
City:		Postal Code:	
Work Phone:		Mobile Phone:	
Fax:		Email:	

Official Plan Designation: Low density greenfield residential	Current Zoning Designation: R.1C
--	-------------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Proposing to changes in the accessory basement apartment for moving the laundry from inside the accessory basement apartment into the furnace room. From this change will increase the accessory apartment total area to 108.2 square metres, or 31.0 percent of the total gross floor area (349m2(3757ft2m) from the current approved accessory apartment, (77.6square meter/ 835square feet). A variance as amended from the committee of adjustment is being requested
Relief Applied to get 108.2m2 of accessory apartment area whereas allowed area is 80m2.
Zoning By-law Section 4.15.1.5 Proposed 108.2m2 (31%)
Requirement as per zoning by-law- 80m2(45%)

Why is it not possible to comply with the provision of the by-law? (your explanation)
The sizes layout is such that variance is needed for zoning-by-law.

PROPERTY INFORMATION			
Date property was purchased:	October 2017	Date property was first built on:	2017
Date of proposed construction on property:	February 2021	Length of time the existing uses of the subject property have continued:	2017
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	17m	Depth:	31.75m
		Area:	539.75m2

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	310.2m ²		Gross Floor Area:	349m ²	
Height of building:	7.59m		Height of building:	7.59m	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	
Width:	6.20m		Width:	6.20m	
Length:	6.05m		Length:	6.05m	
Driveway Width:	6.0m		Driveway Width:	6.0m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: N/A			Describe details, including height: N/A		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	6.05m		M	Front Yard Setback:	6.05m M
Exterior Side Yard (corner lots only)	5.10m		M	Exterior Side Yard (corner lots only)	5.10m M
Side Yard Setback:	Left: M 1.30m	Right: M		Side Yard Setback:	Left: M 1.30m Right: M
Rear Yard Setback	6.47m		M	Rear Yard Setback	6.47m M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify) _____

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided: _____

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	_____
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	_____
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	_____
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	_____
Consent	<input type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	_____

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, MAHENDRANATH THIMMANAGARI, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are

true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

T. Manohar
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan da Silva, of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Guelph in the County/Regional Municipality of Wellington this 14 day of December, 2020, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.

[Signature]
Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

To

December 14, 2020

The Committee of Adjustment
City Hall, 1 Carden Street, Guelph.

From:
Mahendranath Thimmanagari
180 Dallan Drive, Guelph, N1L 0N4
519-823-5615

Sir,

Sub. Application for a Minor Variance to the Committee of Adjustment

Proposal for Minor Variance: Applying for a change in the accessory basement apartment for moving the laundry from inside the apartment to outside into the utility room helps for easy access. From this change will increase the accessory apartment total area to 108.2 square metres, or 31.0 percent of the total gross floor area (349m²)

By-Law Requirements: The property, 180 Dallan Drive is located in the Residential Single Detached (R.1C) Zone. A variance from Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested. The By-law requires that an accessory apartment shall not exceed 45 percent of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

[I request the committee for relief from the By-Law requirements to permit for the changes in the accessory apartment for 108.2 square metres, or 31.0 percent of the total floor area of the existing detached dwelling and is within the by-law requirement of 45 percent of the total floor area of the building.

Thank you very much,

Regards



From:
Mahendranath Thimmanagari
180 Dallan Drive, Guelph, N1L 0N4
519-823-5615

Committee of Adjustment Notice of Public Hearing



An Application for a Minor Variance has been filed with the Committee of Adjustment

Application Details

Location:

137 Brant Avenue

Proposal:

The applicant is proposing to maintain the existing building addition (enclosed stairwell) on the left side of the existing single detached dwelling.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1C) Zone. A variance from Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum side yard setback of 1.2 metres for a single detached dwelling of 1 to 2 storeys in an R.1C zone.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum left side yard setback of 0.1 metres for the existing building addition to the existing dwelling.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-11/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing**. Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning

proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

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Notice of the Decision

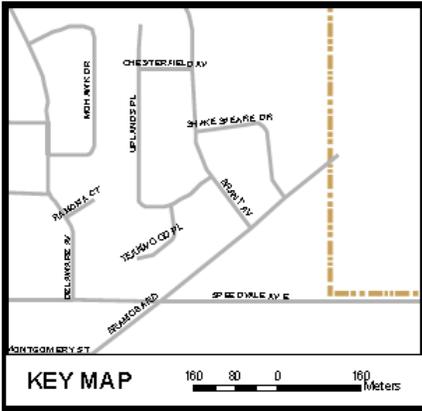
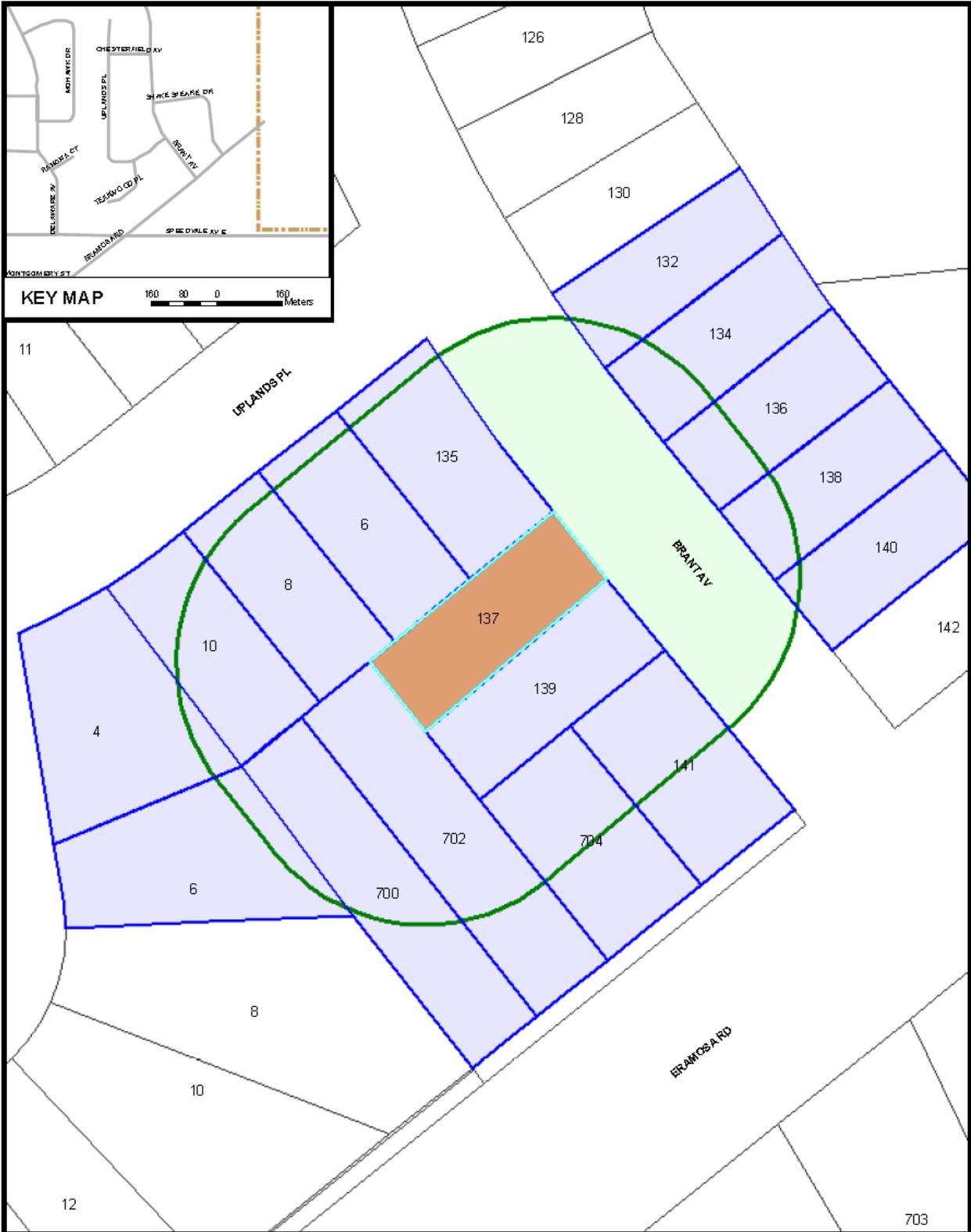
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



KEY MAP



**137 Brant Avenue (A-11/21)
30m Circulation Area**

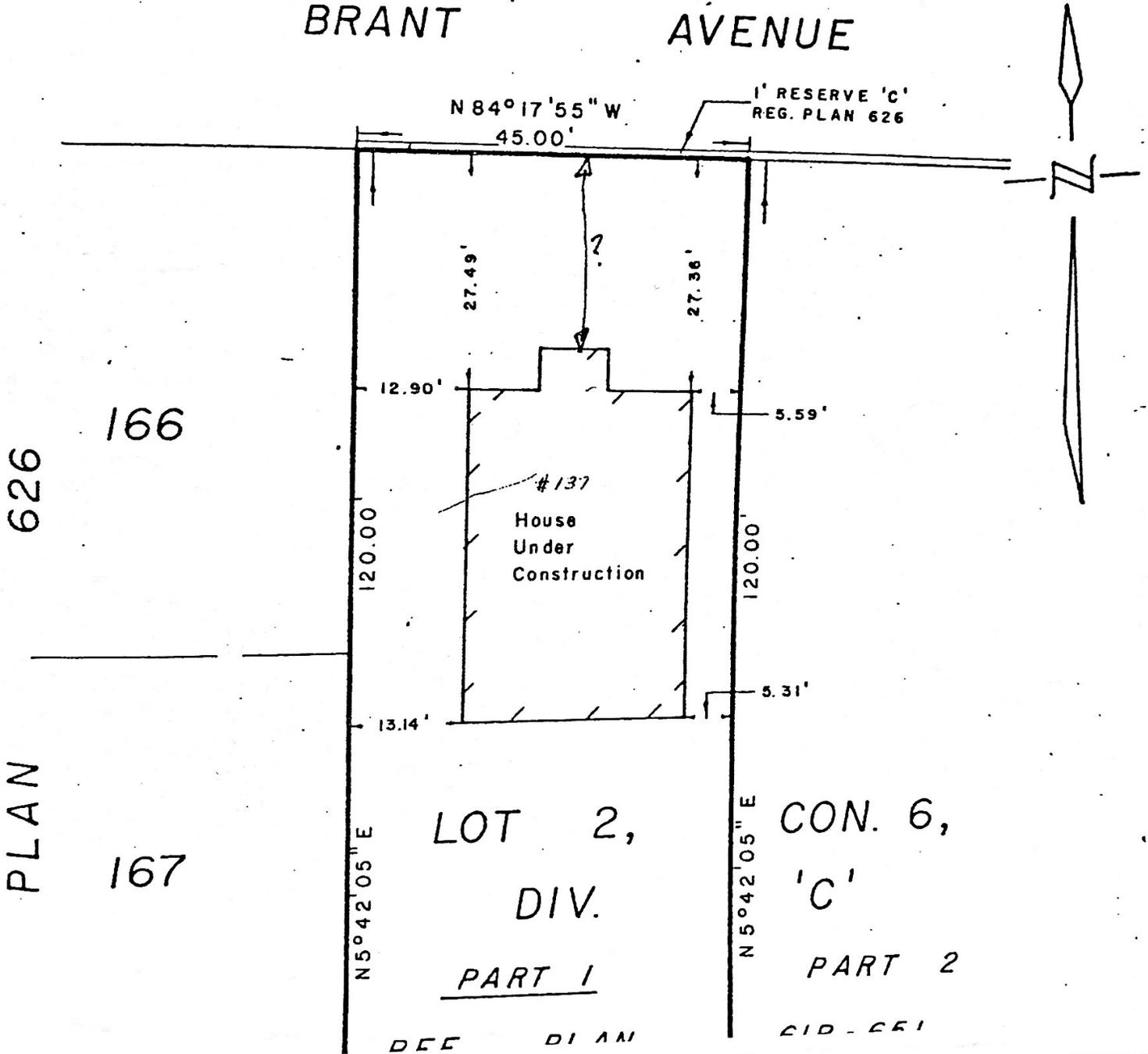
Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: Date: December 17-20



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PLAN OF BUILDING LOCATION
ON PART OF LOT 2, CON. 6, DIV. 'C'
CITY OF GUELPH
(FORMERLY IN THE TOWNSHIP OF GUELPH)
137 BRANT AVE.

BRANT AVENUE



PLAN 167

DEE DI AN

CID - 651

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Dec 14, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-11/21

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:

Address of Property: 137 Brant Ave

Legal description of property (registered plan number and lot number or other legal description):

PT LOT 2, CONCESSION 6, DIVISION C , CITY OF GUELPH (FORMERLY TOWNSHIP OF GUELPH), PT 1, 61R651 ; GUELPH

OWNER(S) INFORMATION:

Name: PAPADEDES, SANDRA PAULA; PAPADEDES, NEKTARIOS

Mailing Address: 193 Dawn Ave

City: Guelph Postal Code: N1G 5J9

Home Phone: (519) 821-7997 Work Phone: (519) 827-5245

Fax: _____ Email: Nick@universalcleaning.ca

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____ Postal Code _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Official Plan Designation: Low Density Residential	Current Zoning Designation: R.1C
--	----------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
** A Variance to Section 5.1.2, Row 7 to permit a side yard addition to be situated 0.10m from the side lot line.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The enclosed stairwell was erected many years and many owners ago. The Neighbour in which it is beside knew of the Structure when he bought in 2016 and did not have an impact on his decision to buy. The structure seems to be built to Code using proper footings, concrete stairs and concrete rebar walls, 2 X 4 above ground walls and has trusses & shingles. This side entrance was never brought to my attention that it would need a variance to pass the City of Guelph's Code when I purchased the property. At this time it would be very costly and a lot of work to dismantle since it has been permanently Affixed to the property from what I can tell for decades. By just removing the 2 X 4 walls, roof & trusses would cause other Problems and become a trip hazard during winter months. It would also may require having to refinish the whole side of the House since it has been there for so long.

PROPERTY INFORMATION			
Date property was purchased:	May 12, 2017	Date property was first built on:	1978
Date of proposed construction on property:	Existing	Length of time the existing uses of the subject property have continued:	Since Built
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)							
Frontage:	45.01 ft.	13.7M	Depth:	110 ft.	33.51	Area:	5,371.19 459 sq. M

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED (NO CHANGE)		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	1,050 sq. Ft.	320 Sq. M	Gross Floor Area:		
Height of building:			Height of building:		
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>		Detached <input type="checkbox"/>	None		
Attached <input type="checkbox"/>		Detached <input type="checkbox"/>			
Width:	45.01 ft.	13,7M	Width:		
Length:	110 ft.	33.5M	Length:		
Driveway Width:	20ft	6.1M	Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Shed. L 2.13M X W 1.82M x H 1.82M Shed. L 2.44M X W 1.82M x H 1.82M			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND									
EXISTING			PROPOSED						
Front Yard Setback:	7.51		M	Front Yard Setback:	M				
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M				
Side Yard Setback:	Left: 1.71	M	Right: 3.65	M	Side Yard Setback:	Left: 0.10	M	Right:	M
Rear Yard Setback	16.31		M	Rear Yard Setback			M		

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19 008216 RX
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Access, Privacy and Records Specialist, City Clerk's Department, 1 Carden Street, Guelph, Ontario, N1H 3A1

PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

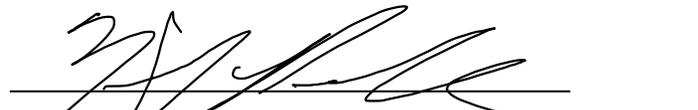
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Nektarios Papadedes, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by **Juan da Silva**, of the City/Town of **Guelph** in the County/Regional Municipality of **Wellington** before me at the City/Town of **Guelph** in the County/Regional Municipality of **Wellington** this **8** day of **December**, 20**20**, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

Committee of Adjustment Notice of Public Hearing



An Application for a Minor Variance has been filed with the Committee of Adjustment

Application Details

Location:

254 Edinburgh Road South

Proposal:

The applicant is proposing to increase the maximum number of employees permitted in the proposed 85 square metre personal service establishment (hair salon).

By-Law Requirements:

The property is located in the Specialized Convenience Commercial (C.1-8) Zone. A variance from Section 6.1.3.8.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits, in a personal service establishment, a maximum of one (1) operator and one (1) employee.

Request:

The applicant is seeking relief from the By-Law requirements to permit a maximum of one (1) operator and seven (7) employees in the proposed personal service establishment (hair salon) within the existing building.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, January 14, 2021**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-12/21**

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Providing Comments

Any person may watch the remote public hearing on guelph.ca/live and participate by submitting written comments and/or speaking to the application. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **January 7, 2021 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

If you wish to speak to an application, please email or phone Committee of Adjustment staff no later than **12:00 p.m. on the day of the hearing.** Please indicate your name, phone number and the application number or address of the property you wish to speak to. When we receive your request, we will send you confirmation and instructions for participating in the remote public hearing. Instructions will also be provided during the hearing to ensure those watching the remote public hearing are given the opportunity to speak.

Your comments, including any personal information you provide, will become part of the decision making process of the application and will be posted on the internet. Pursuant to Section 27 of the Municipal Freedom of Information and Protection of

Privacy Act, R.S.O. 1990, c.M56, as amended, public feedback to planning proposals is considered a public record and will be disclosed to any individual upon request. For questions regarding the collection, use, and disclosure of personal information please contact the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 extension 2349.

Additional Information

Agendas and comments related to this application will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to this application may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Notice of the Decision

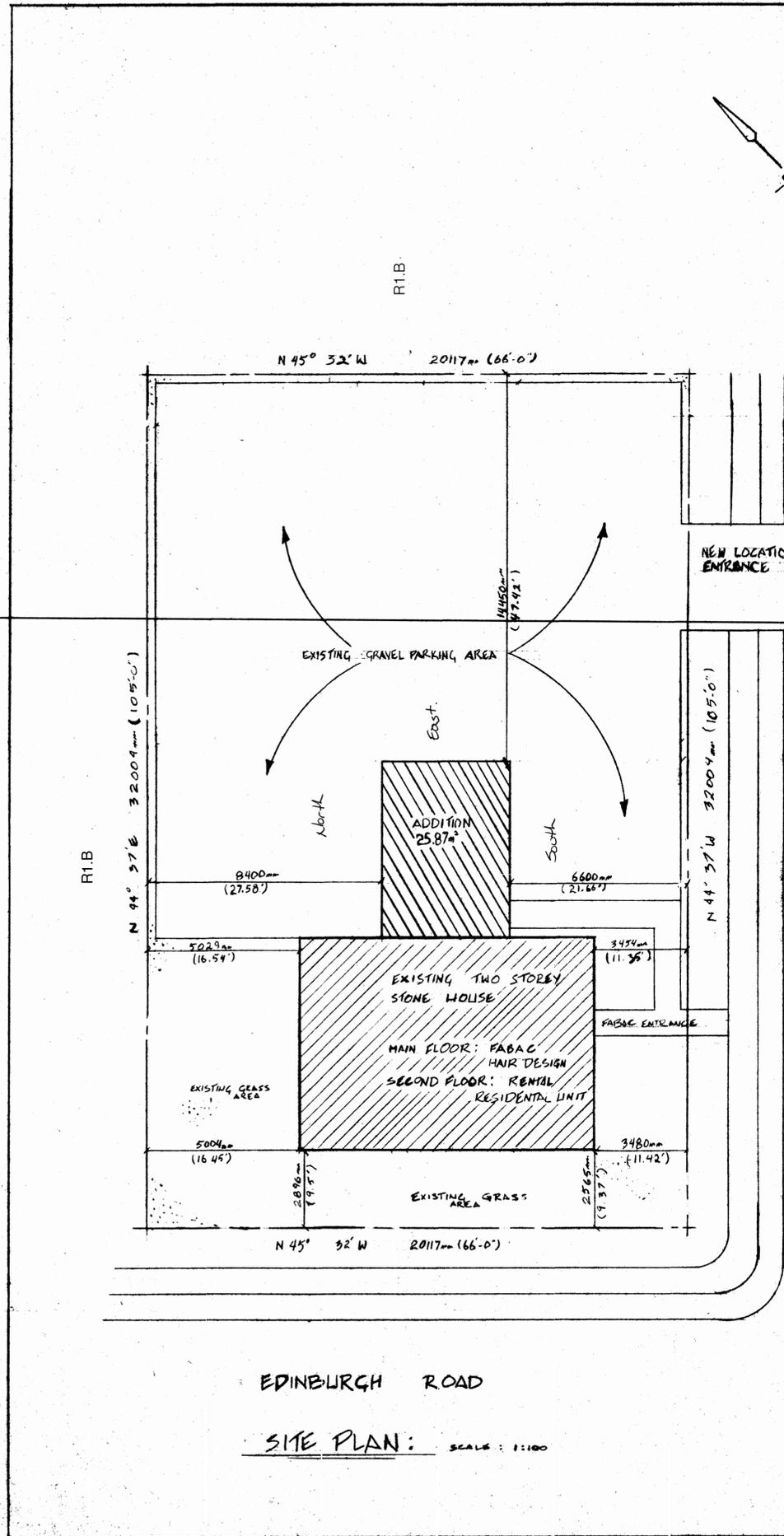
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated December 21, 2020.

Contact Information

Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



SITE DATA
 LOCATION: PART 84 LOT 28 REGISTERED PLAN 59 DIST. # 1-7017 CITY OF GUELPH SURVEY 2000 RANGE SURNAMEK ROBINSON & DONALDSON, LTD. JAN 5, 1983

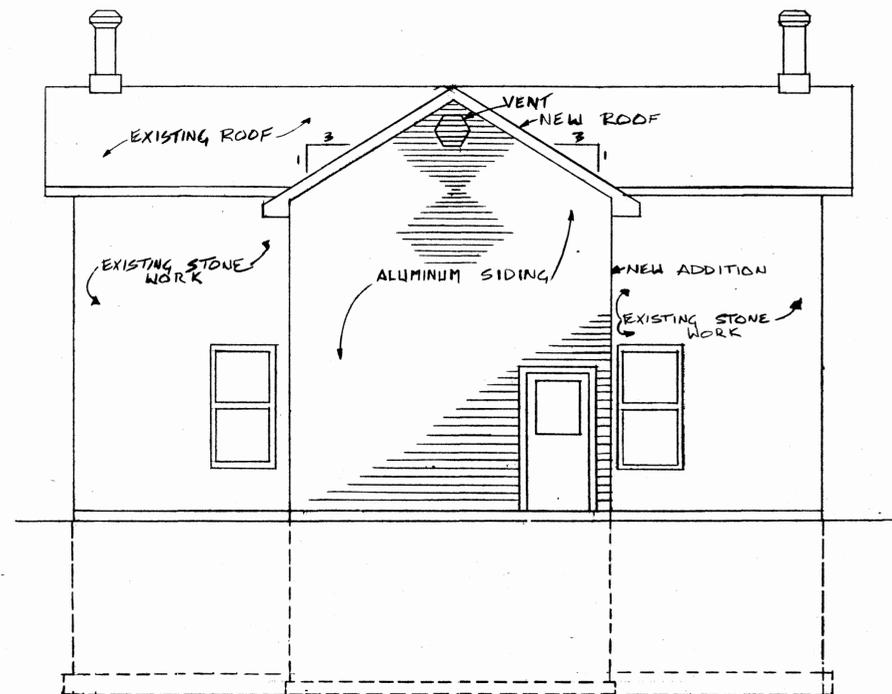
← 13.3m
 bagg. depth
 FOREST STREET

$11m \times 7.9m = 86.9m^2$
 $15.5 \times 1.8 = 25.92m^2$
 $112.82m^2$

EDINBURGH ROAD
 SITE PLAN: SCALE: 1:100



EDINBURGH RD VIEW SCALE: 1/4" = 1'-0"



REAR VIEW SCALE: 1/4" = 1'-0"
 EAST ELEV. $11m \times 5.5m = 60.5m^2$
 Ratio = 2:1
 L.O. = 14.15m
 Allowd opnqs: >100%
 Chr. rating req'd.

GENERAL NOTES:
 EXISTING EXTERIOR STONE WORK REPAIRED & REPOINTED AS REQUIRED.

PLAN EXAMINED BY
 DATE: AUG 21 1995
 SEE BUILDING CODE REVIEW SHEET AND COMMENTS ON DRAWINGS

CITY OF GUELPH
 BUILDING DIVISION
 PLAN EXAMINED BY
 DATE: AUG 21 1995
 SEE BUILDING CODE REVIEW SHEET AND COMMENTS ON DRAWINGS

254 EDINBURGH RD. S.
 GUELPH, (519) 763-9988
 N16-2J7

FABAC HAIR
 DESIGN
 RENOVATION
 DRAWN BY: G. GUARDARD
 SCALE: AS NOTED

254
 Edinb.
 RD S.

22093-OFFICE

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 15, 2020</u>	Folder #: <u>A-12/21</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes No

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:			
Address of Property:	<u>254 Edinburgh Rd. S.</u>		
Legal description of property (registered plan number and lot number or other legal description):	<u>Part of lot 38 Registered Plan 39 Part 1, 61R3972</u>		
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)			
Name:	<u>Anna Favero</u>		
Mailing Address:	<u>31 Valleyridge Trail</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1G 4B3</u>
Home Phone:	<u>519-821-1670</u>	Work Phone:	<u>n/a</u>
Fax:		Email:	<u>thegoegans@rogers.com</u>
AGENT INFORMATION (If Any)			
Company:	<u>RS Landscape and Construction</u>		
Name:	<u>Kelly O'Dwyer</u>		
Mailing Address:	<u>174 London Rd. W.</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 2C3</u>
Work Phone:	<u>n/a</u>	Mobile Phone:	<u>647-239-0509</u>
Fax:	<u>n/a</u>	Email:	<u>kelly@rslandcon.com</u>

Official Plan Designation: Medium Density Residential	Current Zoning Designation: C.1-8
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
6.1.3.8.1
We are looking to vary section C-1.8 by law 6.1.3.8 of the zoning bylaw. Variance is required in order to increase the number of employees allowed to work at the personal service establishment.
We would like to increase the number of employees from 2 to 8 including the owner.
There are ten (10) parking spaces available for the personal service establishment, and two (2) parking spaces available for the residence above.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The current by-law stipulates that the personal service establishment may only operate with two (2) employees, one (1) being the owner and one (1) being an employee of the owner. It is challenging for the personal service establishment to cover overhead let alone produce a net profit with only two (2) employees.

PROPERTY INFORMATION			
Date property was purchased:	1995	Date property was first built on:	n/a
Date of proposed construction on property:	n/a - no proposed construction	Length of time the existing uses of the subject property have continued:	25 years
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Commercial/Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
to remain the same			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	20.117m	Depth:	32.004m
		Area:	643.82m ²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED n/a		
Main Building			Main Building		
Gross Floor Area:	85 m2- business 85m2 second floor apartment		Gross Floor Area:		
Height of building:	6m		Height of building:		
Garage/Carport (if applicable) n/a			Garage/Carport (if applicable) n/a		
Attached <input type="checkbox"/>		Detached <input type="checkbox"/>	Attached <input type="checkbox"/>		Detached <input type="checkbox"/>
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED n/a		
Front Yard Setback:	2.85m		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	3.45m		M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M 5m	Right: M		Side Yard Setback:	Left: M Right: M
Rear Yard Setback	14.45m		M	Rear Yard Setback	M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)

Provincial Highway Municipal Road Private Road Water Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water Sanitary Sewer Storm Sewer

If not available, by what means is it provided:

IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

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PERMISSION TO ENTER

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

POSTING OF ADVISORY SIGN

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A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Kelly O'Dwyer

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Kelly O'Dwyer, of the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

[Signature]
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.

Declared before me at the

(C)City/Town of Guelph in the (C)County/Regional Municipality of

Wellington this 15 day of December, 2020.

[Signature]
Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

Anna Favero

[Organization name / property owner's name(s)]

of Part of Lot 38 Registered Plan 39 Part 1, 61R3972

(Legal description and/or municipal address)

hereby authorize Kelly O'Dwyer

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 8 day of December 2020.



(Signature of the property owner)

(Signature of the property owner)

NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.