

Committee of Adjustment Meeting Agenda

Thursday, October 13, 2022, 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.

Committee of Adjustment hearings are live streamed at guelph.ca/live. Members of the public who wish to speak to an application may do so by electronic participation. **Please note that this hearing will be held remotely as Council Chambers is unavailable due to renovations.**

To listen to the meeting over the phone, call 1-416-216-5643 and enter meeting code 2346 336 2228.

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, October 13, 2022.

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 remote hearing. Instructions will also be provided during the hearing to ensure those watching online are given the opportunity to speak.

1. Call to Order

1.1. Opening Remarks

1.2. First Nations Acknowledgement

(Member Meads)

1.3. Disclosure of Pecuniary Interest and General Nature Thereof

1.4. Approval of Minutes

1.5. Requests for Withdrawal or Deferral

2. 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 written request.

- 2.1. B-19/22 B-20/22 B-21/22 7 and 9 Omar Street and 19 Alma Street North**
Owner: Knight Lumber Ltd.
Agent: Nancy Shoemaker, J.D. Barnes Ltd.
Request: Consent to create three new residential lots with one retained residential lot
- 2.2. A-49/22 17 Edwin Place**
Owner: Stuart McCook and Alicia Vilorio-Petit
Agent: Mackenzie Carol and Jim Gerrard, Gerrard's Design and Drafting Inc.
Request: Variance to permit reduced side yard setback for proposed residential addition
- 2.3. B-22/22 33 Islington Avenue**
Owner: Gloria Fae Dent
Agent: Nancy Shoemaker, J.D. Barnes Ltd.
Request: Consent for lot addition to 37 Islington Avenue
- 2.4. B-23/22 B-31/22 710 Woolwich Street**
Owner: 2776563 Ontario Inc.
Agent: Dave Galbraith, IBI Group
Request: Consent to create new lot with one retained lot and consent to create easement for access and servicing
- 2.5. B-24/22 B-25/22 300 Grange Road**
Owner: 2538003 Ontario Inc.
Agent: Daniel Doherty, Fusion Homes
Request: Consent to create two new residential lots with one retained residential lot
- 2.6. B-26/22 B-27/22 B-28/22 105 Victoria Road North**
Owner: Gemini Homes C/O Zenon Alexander Maziarz
Agent: Emily Elliot and Dave Aston, MHBC Planning
Request: Consent to create two new residential lots with one retained lot, and consent for lot addition to 103 Victoria Road North
- 2.7. B-29/22 B-30/22 A-51/22 64 and 70 Forest Street**
Owner: Peter John Gill and Beverley Jill Gill
Agent: Jeff Buisman, Van Harten Surveying Inc.
Request: Consents for lot addition and to create new residential lot, and variance to permit reduced lot frontage for proposed severed lot

2.8. A-50/22 43 Everton Drive

Owner: Fusion Homes

Agent: Phil Ha, Fusion Homes

Request: Variance to continue to permit location of parking space for model home with sales office

2.9. Cityview Subdivision

2.9.1. A-53/22 A-54/22 6 and 8 Breesegarden Lane

Owner: 1266304 Ontario Inc.

Agent: Charlotte Balluch, GSP Group

Request: Variances to permit increased driveway width

2.9.2. A-55/22 179 Cityview Drive North

Owner: 1266304 Ontario Inc.

Agent: Charlotte Balluch, GSP Group

Request: Variance to permit increased driveway width

2.9.3. A-56/22 A-57/22 A-58/22 A-59/22 17, 19, 21 and 23 Harrington Road

Owner: 1266304 Ontario Inc.

Agent: Charlotte Balluch, GSP Group

Request: Variances to permit increased driveway width

2.9.4. A-60/22 A-61/22 A-62/22 87, 89, 91 Silurian Drive

Owner: 1266304 Ontario Inc.

Agent: Charlotte Balluch, GSP Group

Request: Variances to permit increased driveway width

2.9.5. A-63/22 Lots 103-111 Phase 2, Cityview Subdivision

Owner: Debrob Investments Ltd.

Agent: Charlotte Balluch, GSP Group

Request: Variances to permit reduced lot frontage and side yard setback

2.10. A-64/22 80 Woodlawn Road West

Owner: Carere and Bridge Ltd.

Agent: Birju Bhavsar, GDB Consultancy Inc.

Request: Variance to permit a restaurant within a freestanding building

3. Chair and Staff Announcements

4. Adjournment



Committee of Adjustment Minutes

**Thursday, September 8, 2022, 4:00 p.m.
Remote meeting live streamed on guelph.ca/live**

Members Present	D. Kendrick, Chair J. Smith, Vice Chair M. Allison S. Dykstra K. Meads
Members Absent	K. Hamilton
Staff Present	J. da Silva, Council and Committee Coordinator S. Daniel, Engineering Technologist T. Di Lullo, Secretary-Treasurer K. Patzer, Senior By-law Administrator/Zoning Inspector III A. Sandor, Council and Committee Assistant L. Sulatycki, Planner M. Witmer, Planner S. Wilson, Planner

Call to Order

Chair Kendrick called the meeting to order. (4:00 p.m.)

Opening Remarks

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

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Approval of Minutes

Moved by: K. Meads
Seconded by: S. Dykstra

That the minutes from the August 11, 2022 Regular Hearing of the Committee of Adjustment, be approved as circulated.

Carried

Requests for Withdrawal or Deferral

A-44/22 25 Hood Street

Owner: Jocelyn Maurice and Rodger Darryl Stevenson

Agent: N/A

Location: 24 Hood Street

In Attendance: Jocelyn Maurice

Moved by: K. Meads
Seconded by: M. Allison

That minor variance application A-44/22 for 25 Hood 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 the applicant time to discuss an encroachment agreement with staff.

Carried

A-45/22 67 Arkell Road

Owner: Ursula Kambo

Agent: N/A

Location: 67 Arkell Road

In Attendance: Raj Kambo

Moved by: K. Meads
Seconded by: J. Smith

That minor variance application A-45/22 for 67 Arkell Road, 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 the applicant time to address staff concerns with a fence in the front yard, and the status of a sight line triangle.

Carried

B-16/22 B-17/22 140 Mary Street

Owner: Charleston Home Ltd.

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 140 Mary Street

In Attendance: Jeff Buisman

Secretary-Treasurer T. Di Lullo noted that two pieces of correspondence were received after the comment deadline with concerns on the application from D. Murray, as well as D. Foster, S. Reed, A. Smith, N. Coates, H. Machado, J. Southey, L. Bossi, J. Haines, A. Bossi, C. Rothstein, P. Woods, P. Jones, and S. Segsworth.

Moved by: J. Smith

Seconded by: K. Meads

That consent applications B-16/22 and B-17/22 for 140 Mary Street, be **deferred** sine die, and in accordance with the Committee's policy on applications deferred sine die, that the applications 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 applications.

Reasons:

These applications are deferred at the request of the applicant to allow the applicant time to address sanitary servicing concerns with engineering staff.

Carried

Current Applications

A-36/22 35 Harvard Road

Owner: Fiera Properties Core Fund GP Inc.

Agent: Adrian Litavski, Johnston Litavski Ltd.

Location: 35 Harvard Road

In Attendance: Adrian Litavski

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. A. Litavski, agent, responded that the sign was posted and comments were received. A. Litavski explained the general nature of the application.

No members of the public spoke.

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 these applications have met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by: K. Meads

Seconded by: M. Allison

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 6.2.1.2 of Zoning By-law (1995)-14864, as amended, for 35 Harvard Road, to permit an animal care establishment as an additional permitted use at 35 Harvard Road, unit 1, when the By-Law permits a variety of uses in the CC Zone, including a veterinary service, but does not permit animal care establishment, be **approved**, subject to the following conditions:

1. That no overnight or continual 24-hour animal accommodations, including boarding is permitted.
2. That no outdoor play area is permitted.
3. That the animal care establishment be limited in size to 440 square metres as shown on the public notice sketch.

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

A-41/22 14 Brookhaven Court

Owner: Paul and Kara Hanna

Agent: N/A

Location: 14 Brookhaven Court

In Attendance: Paul Hanna

Secretary-Treasurer T. Di Lullo noted that one piece of correspondence was received after the comment deadline from P. Clark in support of the application. Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. P. Hanna, owner, responded that the sign was posted and comments were received. P. Hanna explained the general nature of the application.

No members of the public spoke.

Member J. Smith raised a point of order asking if the recommendation for this item could be brought forward for approval, so that discussion could take place. Chair D. Kendrick noted that the point could be upheld only after confirming that no delegation requests were pending.

Member K. Meads raised a point of order asking what the motion being moved and seconded was. Member J. Smith explained what the motion being tabled was as the mover.

Member K. Meads raised a point of order to ask whether staff would wish to place any conditions on this application. Chair D. Kendrick noted that the motion required a seconder to be tabled for discussion before staff commented on whether conditions were to be added to the application.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by: J. Smith

Seconded by: K. Meads

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 4.13.3.2.2 of Zoning By-law (1995)-14864, as amended, to permit an interior parking space within the existing garage to have a minimum length of 4.1 metres, when the By-Law requires that the minimum parking space dimensions for single detached dwellings are 3 metres by 6 metres within a garage or carport, be **approved**.

Not Carried

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: J. Smith

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 4.13.3.2.2 of Zoning By-law (1995)-14864, as amended, to permit an interior parking space within the existing garage to have a minimum length of 4.1 metres, when the By-Law requires that the minimum parking space dimensions for single detached dwellings are 3 metres by 6 metres within a garage or carport, 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 document, specifically being that the requested variance does not meet the intent of the Zoning By-Law, and is not minor in nature.

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-48/22 35 Meadowview Avenue

Owner: Brian Welch

Agent: N/A

Location: 35 Meadowview Avenue

In Attendance: Brian Welch

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. B. Welch, owner, responded that the sign was posted and comments were received. B. Welch explained the general nature of the application.

No members of the public spoke.

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: J. Smith

Seconded by: K. Meads

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 4.7 Row 12 of Zoning By-law (1995)-14864, as amended, for 35 Meadowview Avenue, to permit a minimum left side yard setback of 0.3 metres for the existing exterior stairs, when the By-Law requires a minimum side yard setback of 0.6 metres for exterior stairs, be **approved**, subject to the following condition:

1. That the left-side yard setback of 0.3 metres apply only to the existing exterior staircase, in general accordance with the sketch shown on the Notice of Public Hearing.

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.

A-43/22 170 Dawson Road

Owner: Red Leaf Logistics Inc.

Agent: Harpreet Bhons, Technoarch Inc.

Location: 170 Dawson Road

In Attendance: Harpreet Bhons

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. H. Bhons, agent, responded that the sign was posted and comments were received. H. Bhons explained the general nature of the application.

No members of the public spoke.

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by: K. Meads

Seconded by: M. Allison

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 4.23.1 of Zoning By-law (1995)-14864, as amended, for 170 Dawson Road, to permit the proposed accessory uses to the trucking operation (office and service area) to accommodate a maximum of 33.18 percent of the gross floor area of the proposed building, when the By-Law requires that an accessory use not occupy more than 25 percent of the gross floor area of the building or structure on the property be **approved**, subject to the following condition:

1. That prior to issuance of a building permit, the applicant makes arrangement for provision of underground hydro servicing to the parcel, satisfactory to the ICI and Layouts Department of Alectra Utilities. The servicing costs would be at the applicant's expense.

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-42/22 58 Dufferin Street

Owner: Blair and Rachel Cameron

Agent: N/A

Location: 58 Dufferin Street

In Attendance: Blair Cameron

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. B. Cameron, owner, responded that the sign was posted and comments were received.

No members of the public spoke.

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: K. Meads

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 5.1.2.1 and Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, for 58 Dufferin Street, to permit a minimum left side yard setback of 1.63 metres for the proposed addition to the existing detached dwelling, when the By-Law requires that where a garage, carport or parking space is not located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building, one side yard shall have a minimum dimension of 3 metres, be **approved**, subject to the following condition:

1. That the left-side yard setback of 1.63 metres apply only to the proposed second storey addition to the existing single detached dwelling, in general accordance with the sketch shown on the Notice of Public Hearing.

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

B-15/22 40 Spring Street

Owner: Ian J. Findlay and Janet Pocock

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 40 Spring Street

In Attendance: Jeff Buisman, Grant Robertson

Secretary-Treasurer T. Di Lullo noted that revised condition wording was being recommended by Heritage staff in regard to condition 1.

Chair D. Kendrick 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. J. Buisman explained the general nature of the application.

G. Robertson, resident of Spring Street, spoke in support of the application.

Having had regard to the matters under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by: S. Dykstra

Seconded by: K. Meads

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 Part of Lot 10, Range 1, Division F, currently known as 40 Spring Street, a parcel with an area of 140 square metres, as a lot addition to Part of Lot 10, Concession 1, Division F, currently known as 32 Spring Street, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. date August 29, 2022, project number 31533-22, be **approved**, subject to the following conditions:

1. That upon the registration of the Certificate of Official and Application to Consolidate, an amending by-law be passed by City Council and registered on title by the City to remove the severed lands from the heritage by-law registered as By-law Number (2004)-17606, at the sole expense of the Owner, at the discretion of the City and to the satisfaction of the City Solicitor.
2. That a Building Permit be applied for and issued for the existing hot tub at 32 Spring Street.
3. That a Building Permit be applied for and issued for the existing additional residential dwelling unit located in the basement and it be registered with the City as per the Additional Residential Dwelling Units Bylaw or it be removed to the satisfaction of the Building Services.
4. 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.
5. 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.
6. 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).

7. 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.
8. 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.
9. 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

B-18/22 A-46/22 9 King Edward Place

Owner: Linda Susan Hawkins

Agent: J. Buisman, Van Harten Surveying Inc.

Location: 9 King Edward Place

In Attendance: Jeff Buisman

Chair D. Kendrick 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. J. Buisman explained the general nature of the application.

No members of the public spoke.

Consent File B-18/22

Having had regard to the matters under Section 51(24) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the proper and orderly development of the land,

Moved by: K. Meads

Seconded by: J. Smith

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 Part of Lots 6 and 7, Registered Plan 156, currently known as 9 King Edward Place, a parcel of land with frontage on King Edward Place, and an area of 12 square metres, as a lot addition to Part of Lots 7 and 8, Registered Plan 156, as in R0745570, currently known as 188 Dublin Street North, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated August 22, 2022, project number 29365-21, be **approved** subject to the following conditions:

1. That Minor Variance application A-46/22 is approved at the same time as the consent application and becomes final and binding.
2. 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.
3. 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.

4. 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).
5. 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.
6. 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.
7. 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

Minor Variance File A-46/22

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by: K. Meads

Seconded by: J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 Row 3 of Zoning By-law (1995)-14864, as amended, for 9 King Edward Place, to permit a minimum lot area of 420 square metres for the proposed retained parcel, when the By-Law requires a minimum lot area of 460 square metres, be **approved** subject to the following condition:

1. That consent application B-18/22 receives final certification of the Secretary-Treasurer and be registered on title.

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-47/22 23 Garibaldi Street

Owner: 2680579 Ontario Inc.

Agent: Marjorie Apolinario

Location: 23 Garibaldi Street

In Attendance: Marjorie Apolinario

Chair D. Kendrick questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. M. Apolinario, agent, responded that the sign was posted and comments were received. M. Apolinario explained the general nature of the application.

No members of the public spoke.

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: J. Smith

Seconded by: K. Meads

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 7.3.4.5.1 of Zoning By-law (1995)-14864, as amended, for 23 Garibaldi Street, to permit a personal services establishment as an additional permitted use at 23 Garibaldi Street, unit F, when the By-Law permits a variety of uses in the B.4-5 Zone but does not permit a personal services establishment, be **approved**.

Reasons:

This application is approved, as it is the opinion of the Committee that, this application meets all four tests under Section 45(1) of the Planning Act.

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

Chair and Staff Announcements

Member Recruitment for 2022-2026 Term

Secretary-Treasurer T. Di Lullo noted that recruitment is underway for the 2022-2026 term of the committee. Applications are currently open until September 22, 2022, and can be found at guelph.ca/committees.

Adjournment

Moved by: K. Meads
Seconded by: S. Dykstra

That this hearing of the Committee of Adjustment be adjourned. (5:39 p.m.)

Carried

D. Kendrick, Chair

T. Di Lullo, Secretary-Treasurer

Committee of Adjustment Notice of Public Hearing



Applications for Consent [New Lots] have been filed with the Committee of Adjustment

Application Details

Location:

7 and 9 Omar Street and 19 Alma Street North

Proposal:

The applicant is proposing to sever the property and create three new residential lots with one retained residential lot. The existing detached dwellings at 7 and 9 Omar Street are proposed to remain, and two new detached dwellings fronting onto Alma Street North are proposed to be constructed.

The property was recently subject to an application for a zoning by-law amendment (file OZS19-005).

By-Law Requirements:

9 Omar Street is located in the Specialized Residential Single Detached (R.1D-53) Zone, and the remainder of the subject property is located in the Specialized Residential Single Detached (R.1D-54) Zone.

Request:

The applicant proposes the following, as shown on the attached sketch:

File B-19/22 – Proposed Part 1 (9 Omar Street)

Severance of a parcel of land with frontage along Omar Street of 14.14 metres and an area of 542 square metres.

File B-20/22 – Proposed Part 2 (7 Omar Street)

Severance of a parcel of land with frontage along Omar Street of 16.41 metres and an area of 517 square metres.

File B-21/22 – Proposed Part 3

Severance of a parcel of land with frontage along Alma Street North of 12.63 metres and an area of 353 square metres.

The retained parcel will have frontage along Alma Street North of 16.62 metres and an area of 1,031 square metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at [guelph.ca/live](https://www.guelph.ca/live)**
Application Number: **B-19/22, B-20/22, and B-21/22**

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](https://www.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 **October 6, 2022 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 the applications, 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 consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

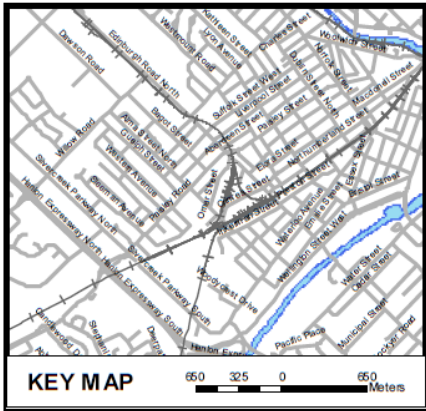
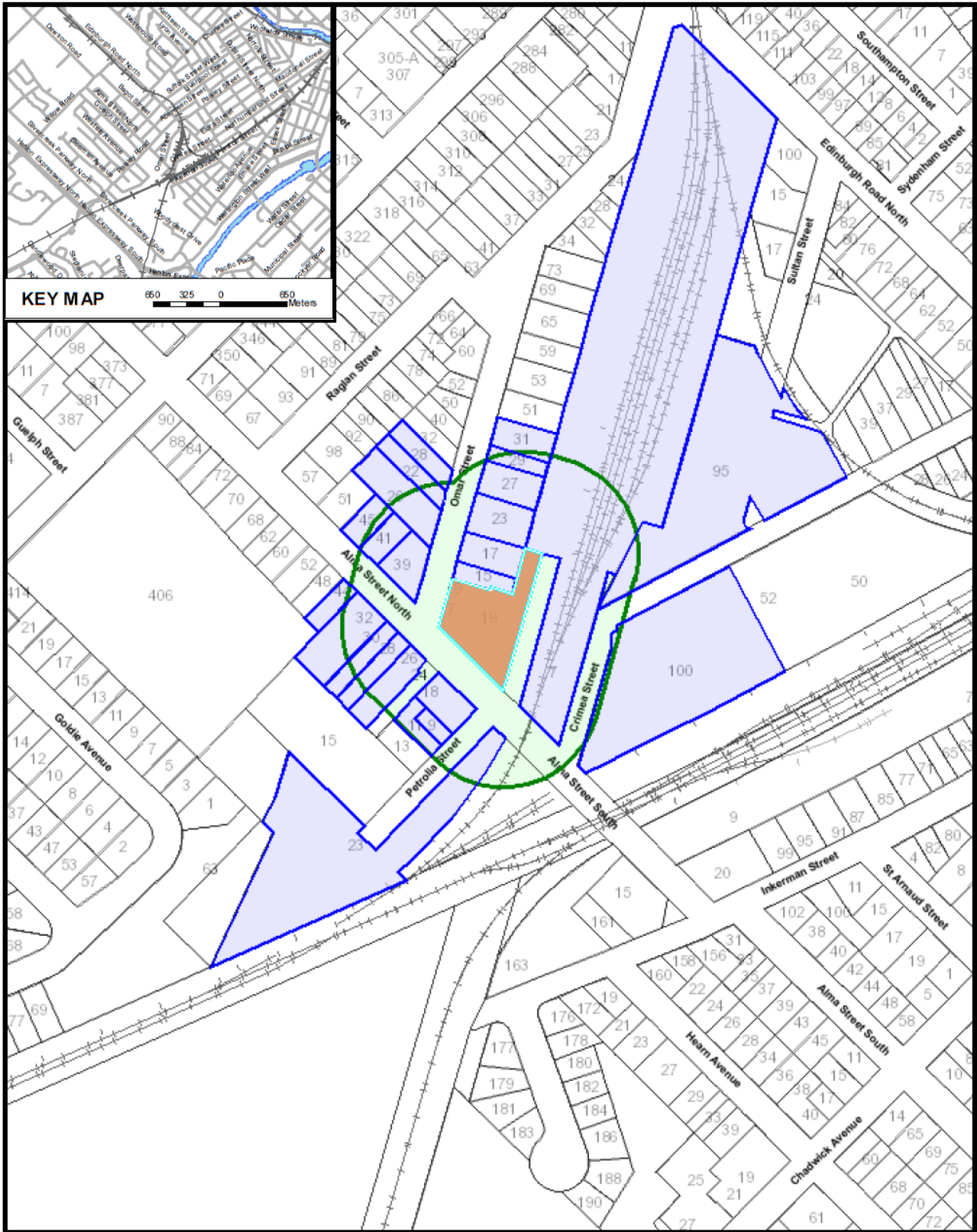
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Ontario Land Tribunal may dismiss the appeal.


Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this September 26, 2022.

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




7 and 9 Omar Street, 19 Alma Street (B-19/22, B-20/22, and B-21/22)
60m Circulation Area

Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: 9/21/2022, 11:39:13AM





The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of the digital or printed maps, and will not be liable for any claims for damages or loss arising from their application or interpretation, in any form. It is not intended to replace a survey or the land 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 519-822-2266.

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 7, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-19/22

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 53 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: 7 & 9 Omar Street and 19 Alma Street North

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

Lots 62, 64-65 and Part Lot 63, Registered Plan 258 (Part 1, 61R-21157)

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes

If yes, explain:

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

Name: Knight Lumber Limited

Mailing Address: 49 Edinburgh Road South

City: Guelph Postal Code: N1H 5P2

Home Phone: _____ Work Phone: 519-993-8346

Fax: _____ Email: jeff@knightwood.ca

AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: J.D. Barnes Limited (formerly BSR&D Limited)

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph Postal Code: N1H 8J1

Home Phone: _____ Work Phone: 519-822-4031

Fax: _____ Email: nancy@bsrd.com

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

No Yes

Is any portion of the land to be severed or retained located within a floodplain?

No Yes

LAND USE

What is the current official plan designation of the subject lands:

Low Density Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

Single Detached Residential uses are allowed within the Low Density Residential designation.

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:

R.1D-53 and R.1D-54

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: _____ Status: _____

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:

Settlement areas are to be the focus of growth and development

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:

Residential intensification should be directed to settlement areas with delineated built boundary.

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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 type="checkbox"/>	<input checked="" type="checkbox"/>	OZS19-005 - Approved
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"/>	
Minor Variance	<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.

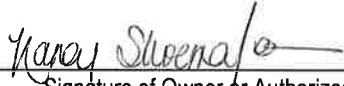
POSTING OF ADVISORY SIGN

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 fourteen (14) 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 (14) 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

AFFIDAVIT

I/~~We~~, Nancy Shoemaker, 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.

Nancy Shoemaker
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
City _____ of Guelph in the County/~~Regional Municipality~~ of _____
(city or town)
Wellington this 8th day of September, 2022.

Kerry Hillis
Commissioner of Oaths

**Kerry Francis Hillis, a Commissioner, etc.,
Province of Ontario, for J.D. Barnes Limited.
Expires April 11, 2025**

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Knight Lumber Limited
[Organization name / property owner's name(s)]

being the registered property owner(s) of

7 & 9 Omar and 19 Alma Stret
(Legal description and/or municipal address)

hereby authorize Nancy Shoemaker of J.D. Barnes Limited
(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 1 day of September 2022.

J.M. Guthrie
(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 Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 7/2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-20/22

TO BE COMPLETED BY APPLICANT

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

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Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe:

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If yes, explain:

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Name: Knight Lumber Limited

Mailing Address: 49 Edinburgh Road South

City: Guelph

Postal Code: N1H 5P2

Home Phone: _____

Work Phone: 519-993-8346

Fax: _____

Email: jeff@knightwood.ca

AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

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Mailing Address: 257 Woodlawn Road West, Unit 101

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Postal Code: N1H 8J1

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Work Phone: 519-822-4031

Fax: _____

Email: nancy@bsrd.com

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

No Yes

Is any portion of the land to be severed or retained located within a floodplain?

No Yes

LAND USE

What is the current official plan designation of the subject lands:

Low Density Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

Single Detached Residential uses are allowed within the Low Density Residential designation.

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:

R.1D-53 and R.1D-54

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: _____ Status: _____

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Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:

Settlement areas are to be the focus of growth and development

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:

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Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

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Has the subject land ever been the subject of:

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If yes, provide the following:

File No.: _____ Status: _____

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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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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.

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Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/~~We~~, Nancy Shoemaker, 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.

Nancy Shoemaker
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
City _____ of Guelph in the County/~~Regional Municipality~~ of _____
(city or town)
Wellington this 8th day of Spetember, 2022.

Kerry Francis Willis
Commissioner of Oaths

Kerry Francis Willis, a Commissioner, etc.,
Province of Ontario, for J.D. Barnes Limited.
Expires April 11, 2025

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Knight Lumber Limited
[Organization name / property owner's name(s)]

being the registered property owner(s) of

7 & 9 Omar and 19 Alma Stret
(Legal description and/or municipal address)

hereby authorize Nancy Shoemaker of J.D. Barnes Limited
(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 6 day of September - 2022.

J.M. Guthrie
(Signature of the property owner)

(Signature of the property owner)

NOTES:

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Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 7/2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-21/22

TO BE COMPLETED BY APPLICANT

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City: Guelph

Postal Code: N1H 8J1

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If no, has an application for an Official Plan Amendment been submitted? YES NO

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File No.: _____ Status: _____

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If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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

	No	Yes	File Number and File Status
Official Plan Amendment	X		
Zoning By-law Amendment		X	OZS19-005 - Approved
Plan of Subdivision	X		
Site Plan	X		
Building Permit	X		
Minor Variance	X		
Previous Minor Variance Application	X		

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.

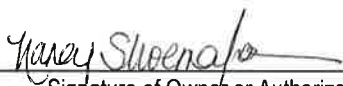
POSTING OF ADVISORY SIGN

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 fourteen (14) 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 (14) 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

AFFIDAVIT

I/~~We~~, Nancy Shoemaker, 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.

Nancy Shoemaker
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
City _____ of Guelph in the County/~~Regional Municipality~~ of
(city or town)
Wellington this 8th day of September, 2022.

Kerry Francis Hillis
Commissioner of Oaths

Kerry Francis Hillis, a Commissioner, etc.,
Province of Ontario, for J.D. Barnes Limited.
Expires April 11, 2025

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

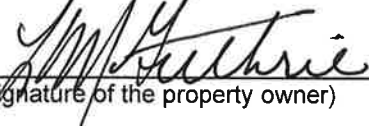
Knight Lumber Limited
[Organization name / property owner's name(s)]

being the registered property owner(s) of
7 & 9 Omar and 19 Alma Stret
(Legal description and/or municipal address)

hereby authorize Nancy Shoemaker of J.D. Barnes Limited
(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 11 day of September - 2022.


(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.



September 8, 2022

Project: 16-14-075-02

Committee of Adjustment
1 Carden Street
GUELPH, Ontario
N1H 3A1

Attention: Trista Di Lullo:

**Re: Applications for Consent
7 & 9 Omar Street and 19 Alma Street North
Owner: Knight Lumber Limited**

Please find enclosed three completed "Applications for Consent" for the above-noted property. Also enclosed is a cheque in the amount of \$7,521.00 to cover the City's processing fees. Finally, I have attached a sketch of the proposed severances.

The subject property is located on the southeast corner of Omar Street and Alma Street. There are currently two house located on the property (7 & 9 Omar Street). The remainder of the site is vacant. The property municipally known as 9 Omar Street is located in the Specialized Residential Single Detached (R.1D-53) Zone and the remainder of the property is located in the Specialized Residential Single Detached (R.1D-54) Zone.

This proposal will result in the creation of three new residential lots and one retained parcel.

All parcels will comply with the Specialized Zoning Regulations which were created through a site specific zone change in February 2022 and implemented by By-law Number (2022)-20676 in anticipation of these severances.

Should you have any questions, please call me.

Yours very truly

J. D. BARNES LIMITED

A handwritten signature in black ink that reads "Nancy Shoemaker".

Nancy Shoemaker, B.A.A., R.P.P.

Attachments
Copy: Knight Lumber Limited

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

17 Edwin Street

Proposal:

The applicant is proposing to construct a one-storey addition at the rear of the existing detached dwelling.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) 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 1.5 metres for 1 to 2 storey dwellings in an R.1B Zone.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum left side yard setback of 1.0 metres for the proposed addition to the rear 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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-49/22**

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 **October 6, 2022 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

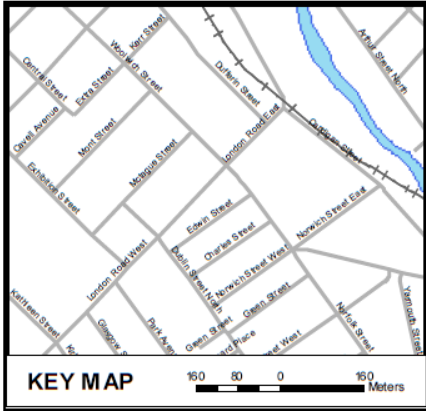
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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



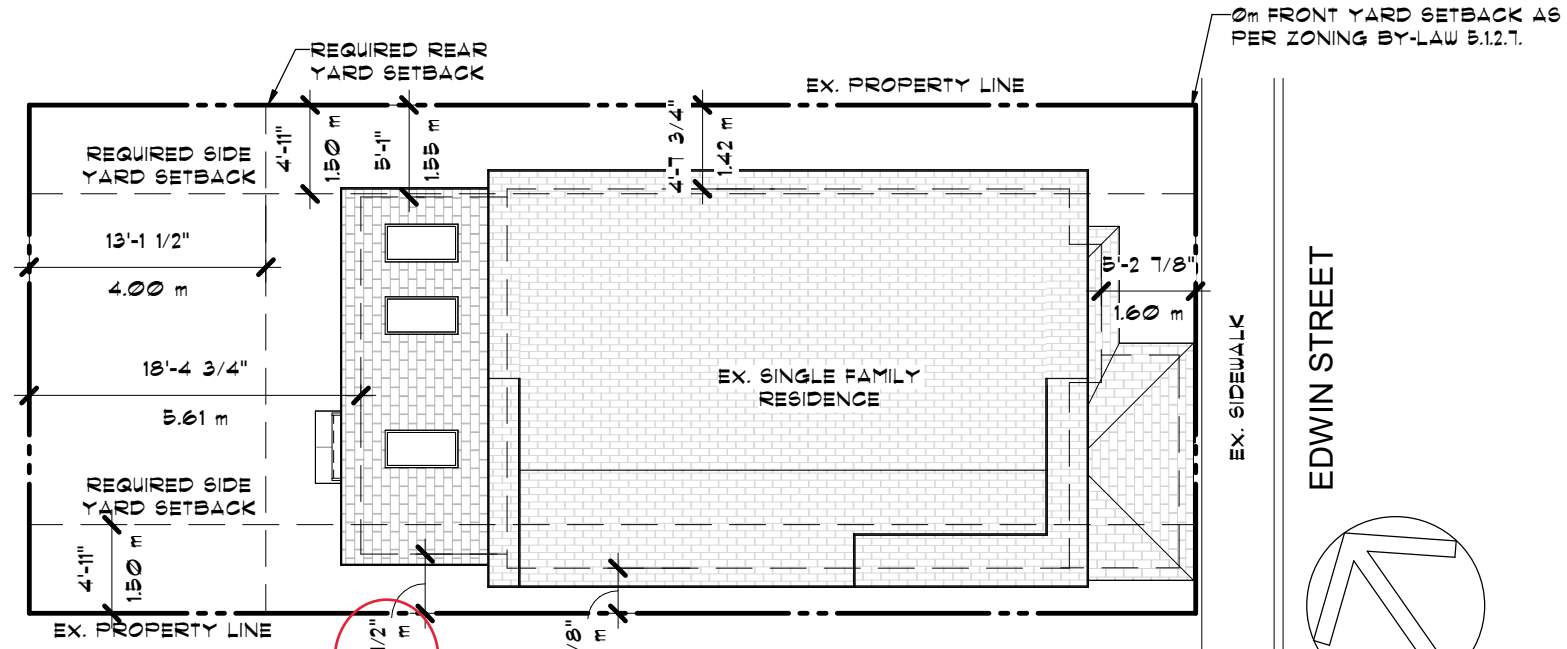
City of Guelph

17 Edwin Street (A-49/22)
30m Circulation Area

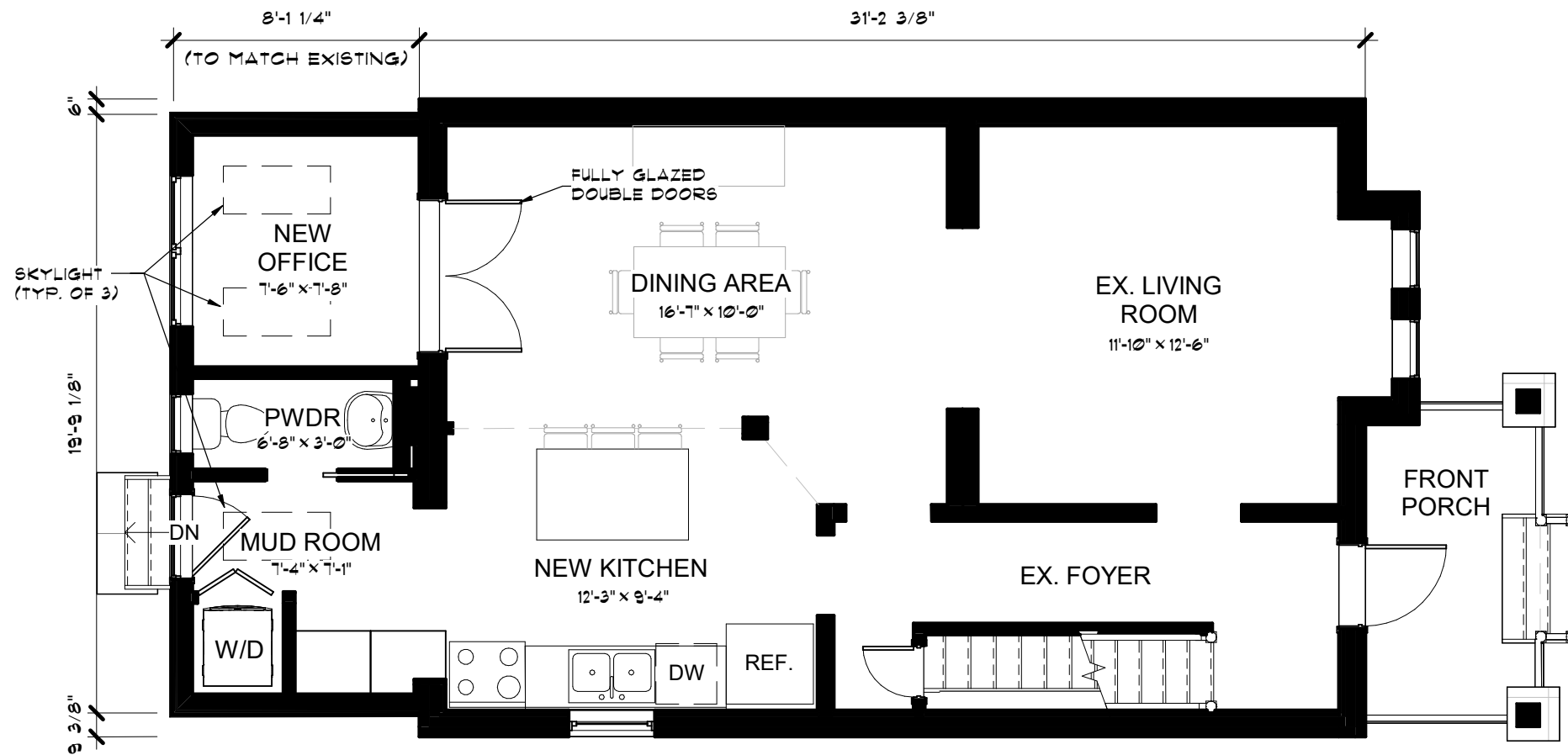
Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: 9/21/2022, 2:27:26 PM

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The City of Guelph, its employees and agents, do not warrant the accuracy or the validity of the contents of this digital or hardcopy map file, and will not be liable for any errors or omissions or for any consequences arising from their application or interpretation, in any part. It is not intended to replace a survey or to be used for legal descriptions. 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 519-822-1296.



1 SITE PLAN - DESIGN
D-1 3/32" = 1'-0"



2 MAIN FLOOR PLAN - DESIGN
D-1 3/16" = 1'-0"

17 EDWIN STREET
GUELPH, ONTARIO

RESIDENTIAL HOUSE RENOVATION

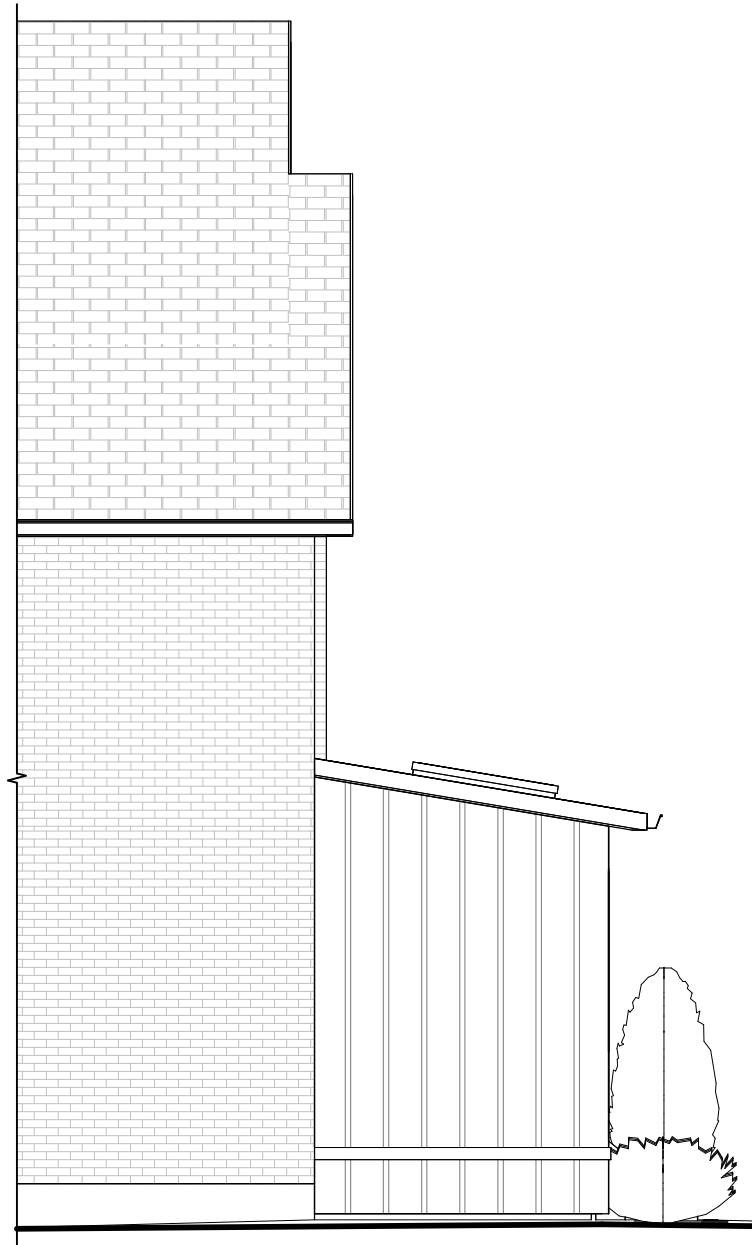
FLOOR LAYOUT & SITE PLAN

JUNE 21, 2022 As indicated

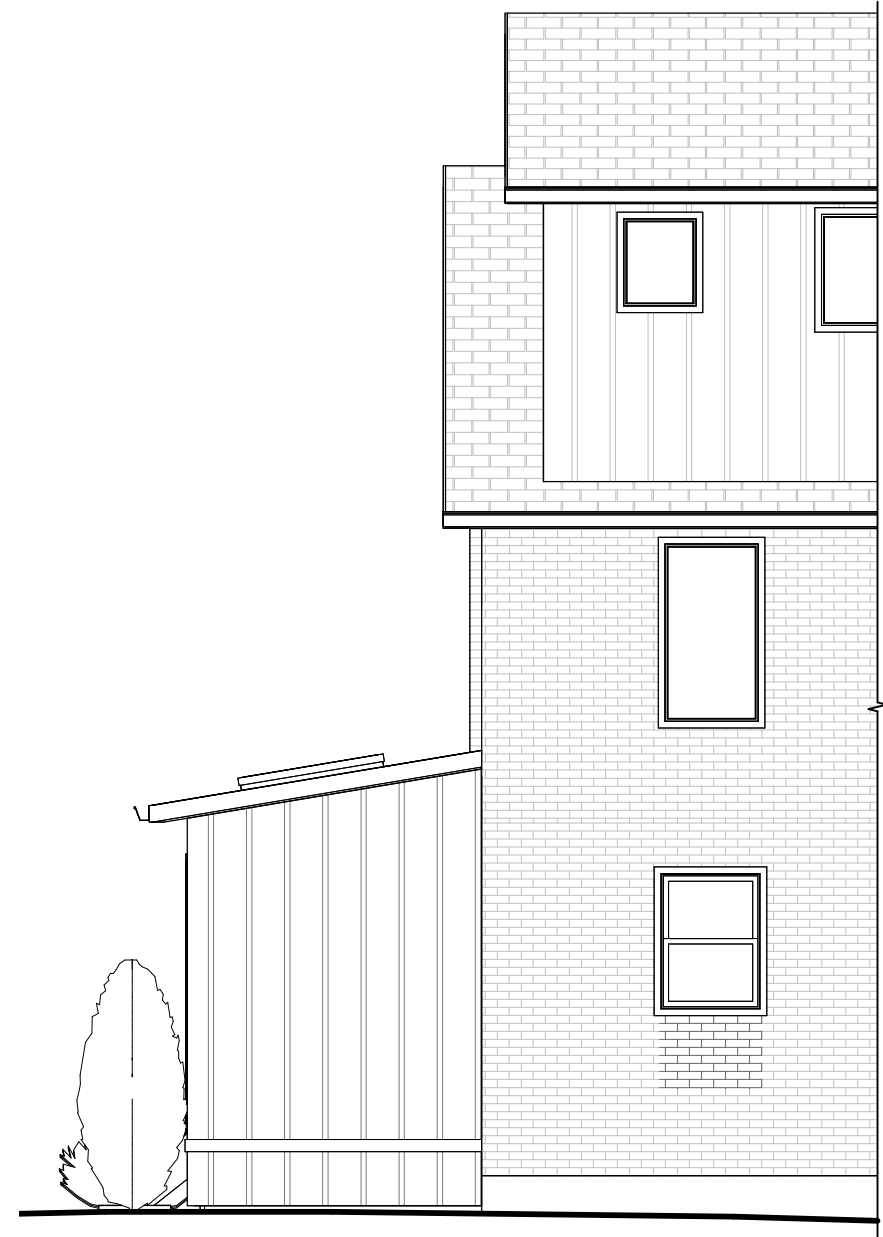




1 REAR ELEVATION
D-2 3/16" = 1'-0"



2 PARTIAL RIGHT ELEVATION
D-2 3/16" = 1'-0"



3 PARTIAL LEFT ELEVATION
D-2 3/16" = 1'-0"

17 EDWIN STREET
GUELPH, ONTARIO

RESIDENTIAL HOUSE RENOVATION

ELEVATIONS

JUNE 21, 2022 3/16" = 1'-0"



Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

Stuart McCook

Phone *

(519) 993-9305

Extension

Email *

sgmccook@uoguelph.ca

Mailing address

Unit

Street address *

17 Edwin Street

City *

Guelph

Postal code *

N2H 4N8

Name *

Alicia Vilorio-Petit

Phone *

(519) 993-9305

Extension

Email *

aviloria@uoguelph.ca

Mailing address

Unit

Street address *

17 Edwin Street

City *

Guelph

Postal code *

N2H 4N8

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

Gerrard's Design & Drafting Inc.

Name *

Mackenzie Carroll

Phone *

(905) 299-1076

Email

mackenzie@gerrards.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

7 Cloverdale Crescent

City *

Guelph

Province *

Ontario

Postal code *

N0B 2H0

Organization/company name

Gerrard's Design & Drafting Inc.

Name *

Jim Gerrard

Phone *

(519) 579-3306

Email

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

7 Cloverdale Crescent

City *

Guelph

Province *

Ontario

Postal code *

N0B 2H0



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Page 4 of 10

Property address

Street number *

17

Street *

Edwin Street

City * ?

Guelph

Province *

Ontario

Postal code

N2H 4N8

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

PT LOT 62, PLAN 35

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

Low Density Residential

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.1B

Date property was purchased *

7/1/2006



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

4/1/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

Always

Existing use of the subject property *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

8.6

Area (metres squared) *

169.5

Depth (metres) *

19.72



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw ***Proposed *****Required ***

Table 5.1.2, Row 7

1

1.5

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

Existing house already exceeds the required building setbacks as set out by the current zoning bylaw - Clients would like to maximize the width of the addition for maximum the usable interior space.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No

Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Existing buildings and structures

Main building (dwelling and building)

**Gross floor area of
main building
(square metres) ***

162.6

**Number of stories of
main building ***

3

**Height of the main
building (metres) ***

9.4

**Width of the main
building (metres) ***

6.41

**Length of the main
building (metres) ***

12.52

Additional existing buildings

**Are there any additional buildings or structures on the subject
property? ***

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed building addition

Gross floor area of proposed building addition (square metres) *

Number of stories of proposed building addition *

Height of building addition (metres) *

Width of building addition (metres) *

Length of building addition (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Existing

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Mackenzie Carroll

Date *

9/8/2022



Street address *

7 Cloverdale
Crescent

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Mackenzie Carroll

Date *

9/8/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

mackenzie@gerrards.ca

Office use only

File number

A-49/22 17 Edwin Street

Address

17 Edwin Street
Guelph, Ontario
N2H 4N8

Comments from staff

Received: September 13, 2022

Committee of Adjustment Notice of Public Hearing



An Application for Consent [Lot Addition] has been filed with the Committee of Adjustment

Application Details

Location:

33 Islington Avenue

Proposal:

The applicant proposing to sever a 273 square metre parcel of land located to the left of the subject property as a lot addition to the abutting property located at 37 Islington Avenue. The proposed lot addition will allow for deck construction on the right side of 37 Islington Avenue.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone.

Request:

The applicant proposes to sever a parcel of land to the left of 33 Islington Avenue (shown as Part 2 on the attached plan) with an area of 273 square metres as a lot addition to the abutting property known as 37 Islington Avenue (shown as Part 3 on the attached plan). The retained parcel (33 Islington Avenue, shown as Part 1 on the attached plan) will have frontage on Islington Avenue of 29.9 metres and an area of 3,005 square metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **B-22/22**

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 **October 6, 2022 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 consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

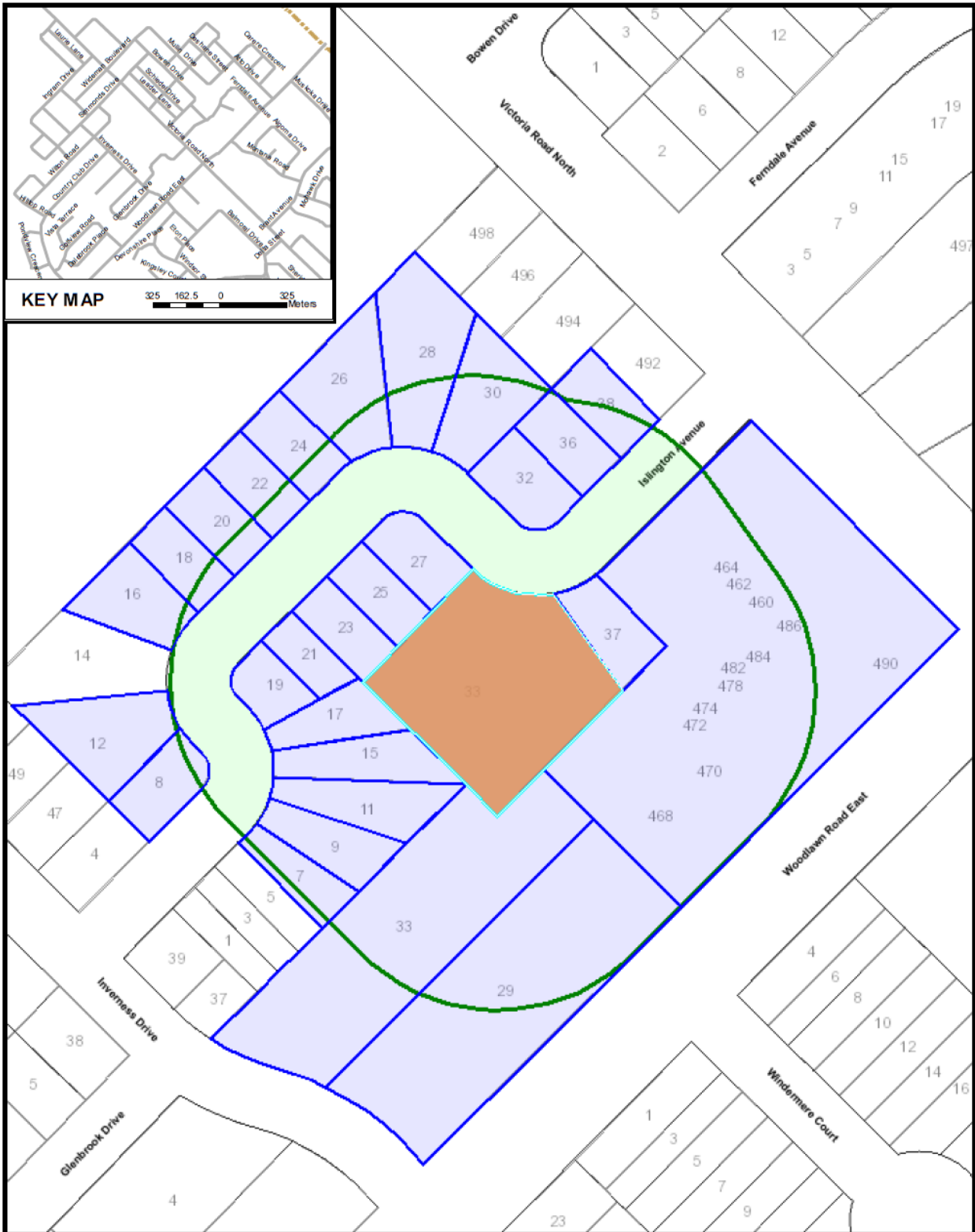
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this September 26, 2022.

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



**33 Islington Avenue (B-22/22)
60m Circulation Area**

Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 9/21/2022, 2:34:57 PM



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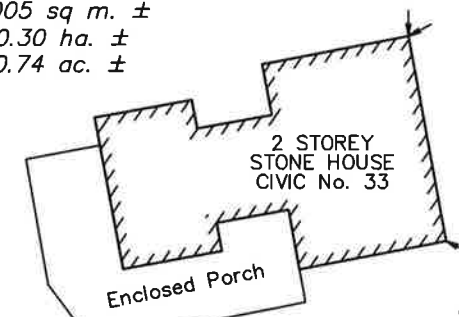
R E G I S T E R E D P L A N 5 9 8

LOT 54 PIN 71358-0646 SINGLE
LOT 55 PIN 71358-0647 DETACHED
LOT 56 PIN 71358-0648 RESIDENTIAL
LOT 57 PIN 71358-0649 RESIDENTIAL

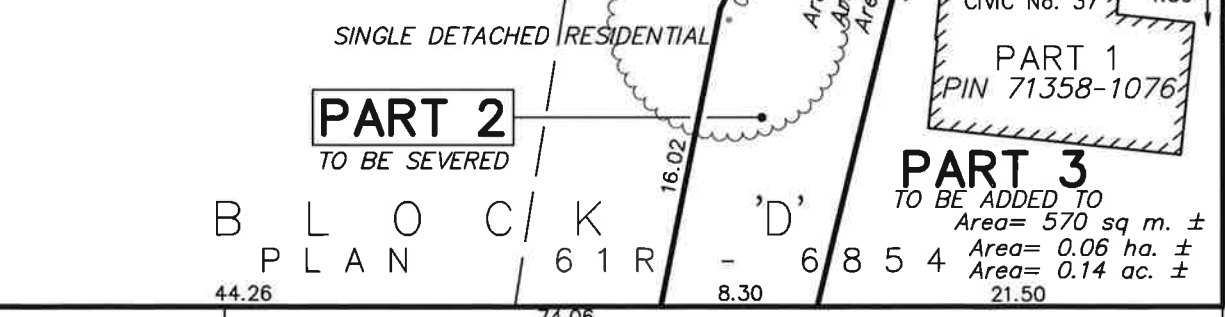
LOT 53 PIN 71358-0645
SEMI - DETACHED RESIDENTIAL



PART 1
TO BE RETAINED
Area= 3005 sq m. ±
Area= 0.30 ha. ±
Area= 0.74 ac. ±



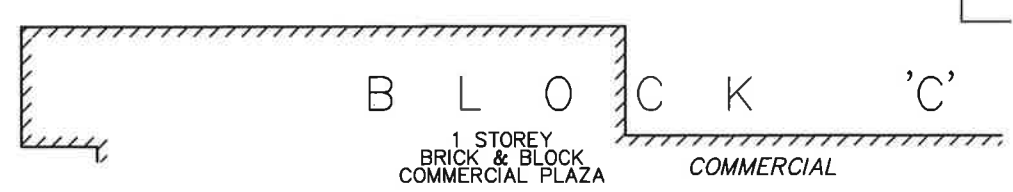
PART 2
TO BE SEVERED
Area= 273 sq m. ±
Area= 0.07 ac. ±
Area= 0.03 ha. ±



PART 3
TO BE ADDED TO
Area= 570 sq m. ±
Area= 0.06 ha. ±
Area= 0.14 ac. ±

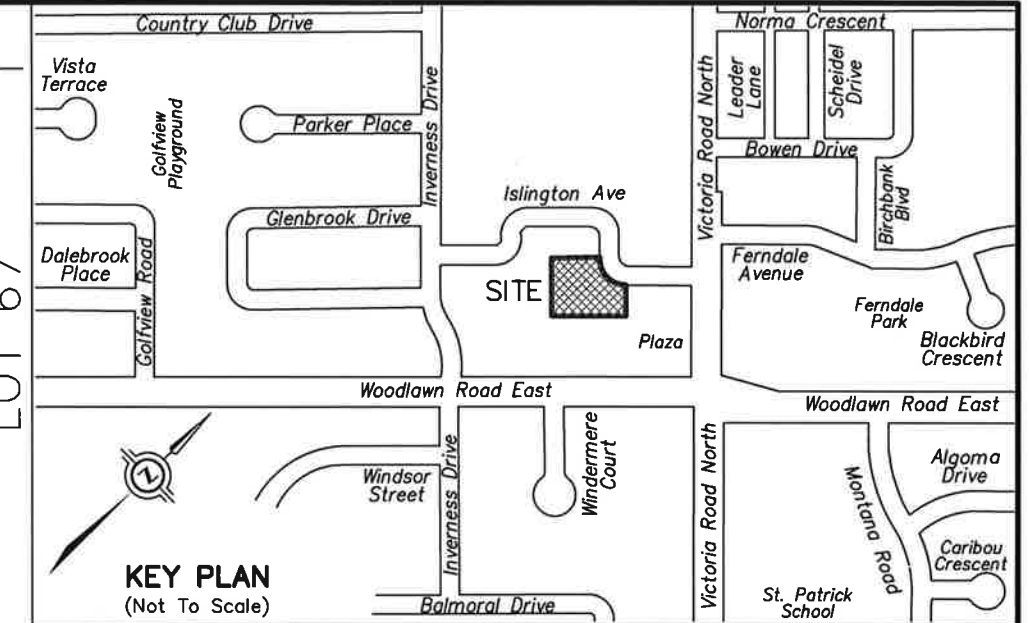
LOT 52 PIN 71358-0644

B L O C K 'B'
HIGH-DENSITY RESIDENTIAL (APARTMENT)
PIN 71358-0656

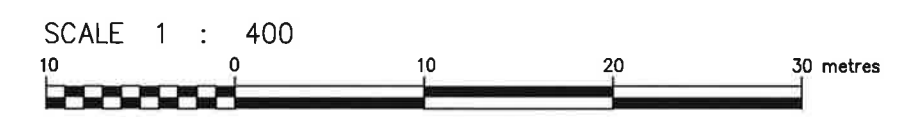


R E G I S T E R E D P L A N 5 9 8

LOT 69
LOT 68
SINGLE DETACHED RESIDENTIAL



PLAN FOR CONSENT
BLOCK 'D'
REGISTERED PLAN 598
CITY OF GUELPH
COUNTY OF WELLINGTON



J.D. BARNES LIMITED
METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

SITE STATISTICS
ZONING - R.1B

Part 1 - Area = 3005 sq m.±	Area = 0.30 ha.±	Area = 0.74 ac.±
Part 2 - Area = 273 sq m.±	Area = 0.03 ha.±	Area = 0.07 ac.±
Part 3 - Area = 570 sq m.±	Area = 0.06 ha.±	Area = 0.14 ac.±

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REPRODUCTION, DISTRIBUTION OR ALTERATION OF THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF J.D. BARNES LIMITED IS STRICTLY PROHIBITED.



J.D. BARNES LIMITED
SURVEYING
MAPPING
GIS
LAND INFORMATION SPECIALISTS
257 WOODLAWN ROAD WEST, UNIT 101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

DRAWN BY: RPA	CHECKED BY: KFH	REFERENCE NO.: 22-14-789-00-A
PLOTTED: 9/6/2022		DATED: September 6, 2022

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 12, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-22/22

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 53 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: 33 Islington Avenue

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

Part Block D, Registered Plan 598 being Parts 2 and 3 according to Reference Plan 61-6854

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes

If yes, explain:

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

Name: Gloria Fae Dent

Mailing Address: 33 Islington Avenue

City: Guelph Postal Code: N1E 1B2

Home Phone: (519) 824-5036 Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: J.D. Barnes Limited

Mailing Address: 257 Woodlawn Avenue West, Unit 101

City: Guelph Postal Code: N1H 8J1

Home Phone: _____ Work Phone: 519-822-4031

Fax: _____ Email: nancy@bsrd.com

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

No

Yes

Is any portion of the land to be severed or retained located within a floodplain?

No

Yes

LAND USE

What is the current official plan designation of the subject lands:

Low Density Residential

Does the proposal conform with the City of Guelph Official Plan?

YES

NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

Single Detached Residential is permitted within Low Density Residential designations. This application will only adjust the lot line between 2 existing detached residential lots.

If no, has an application for an Official Plan Amendment been submitted?

YES

NO

File No.: _____

Status: _____

What is the current zoning designation of the subject lands:

Residential Single Detached (R.1B)

Does the proposal for the subject lands conform to the existing zoning?

YES

NO

If no, has an application for a minor variance or rezoning been submitted?

YES

NO

File No.: _____

Status: _____

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:

The PPS does not specifically speak to lot line adjustments within urban areas. Nevertheless, this type of application would not offend any other PPS policies.

Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

YES

NO

Provide explanation:

The Growth Plan does not specifically speak to lot line adjustments within urban areas. Nevertheless, this type of application would not offend any other Growth Plan policies.

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: B-12/95 & B-13/95 Status: Approved for 2 lots but only 1 finalized

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

Elizabeth Janet Dent Dusome, September 22, 2011. A single detached residential dwelling has been constructed on the new lot.

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"/>	_____
Minor Variance	<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 fourteen (14) 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 (14) 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

AFFIDAVIT

I/~~We~~, Nancy Shoemaker, 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.

Nancy Shoemaker
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
City of Guelph in the County/~~Regional Municipality~~ of
(city or town)
Wellington this 9th day of September, 2022.

KF Hillis
Commissioner of Oaths

Kerry Francis Hillis, a Commissioner of Oaths,
Province of Ontario, for J.D. Barnes Limited.
Expires April 11, 2025

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Gloria Fae Dent

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

being the registered property owner(s) of

33 Islington Avenue

(Legal description and/or municipal address)

hereby authorize Nancy Shoemaker

(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.

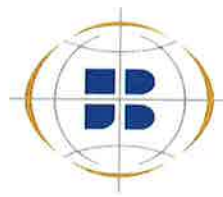
Dated this 9th day of September 2022.

Gloria Fae Dent
(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.



September 12, 2022

Project: 22-14-789

Committee of Adjustment
1 Carden Street
GUELPH, Ontario N1H 3A1

Attention: Trista Di Lullo:

Re: Application for Consent (Lot Line Adjustment)
33 Islington Avenue
Part of Block D, Registered Plan 598

Please find enclosed a completed "Application for Consent". Also attached is a cheque in the amount of \$2,507.00 to cover the City's processing fees. Finally, I have attached a plan showing the existing site development and the proposed lot line adjustment.

The subject property is located on the southerly side of Islington Avenue, between Inverness Drive and Victoria Road North. It is the owner's intention to sever approximately 5 metres from the easterly side of the property and add it to the property at 37 Islington Street. As you can see from the attached plan, the subject property is quite large.

The property is currently owned by Gloria Fae Dent, however her daughter, Elizabeth Janet Dusome Power of Attorney for Property to address this matter. A copy of the Power of Attorney is attached. In 1995, the owner of the subject lands (33 Islington Avenue) applied for two consent to create two new lots from the easterly side of the property. While the Committee of Adjustment approved both lots, the owner only finalized the conditions and registration of the most easterly lot (now 37 Islington Avenue).

The owner of 37 Islington Street would like to construct a deck in the westerly side yard and this lot addition would allow for the deck construction.

Both properties meet the current regulations of the R.1B Zone and will continue to do so if the lot line adjustment is approved.

Should you require any additional information, please call me.

Yours very truly

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED

Nancy Shoemaker, B.A.A., R.P.P.

Attachments

Copy: Gloria Fae Dent
Elizabeth Janice Dent Dunsmore

Surveying | Mapping | GIS

257 Woodlawn Road West, Unit 101 | Guelph | Ontario | Canada | N1H 8J1
T: 519-822-4031 | F: 519-822-1220
www.jdbarnes.com

The Committee, having had regard to the matters that are to be had regard to under Sections 51(4) of the Planning Act, R.S.O. 1990 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, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act R.S.O. 1990, consent for severance of Part of Block 'D', Registered Plan 598, Islington Avenue, a parcel with a width of 15 metres (49.21 feet) and a depth of 36.474 metres (119.66 feet) and 48.298 metres (158.46 feet) and a total lot area of 666 square metres (7,169 square feet), be approved, subject to the following conditions:

1. That the applicant pay, as determined applicable by the City Treasurer, development charges to the City, in accordance with the City of Guelph Development Charges By-law (1994)-14553, as amended from time to time, or any successor thereof, prior to the issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
2. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsement of the deeds, at the rate in effect at the time of the endorsement.
3. That the driveway be located on the left side of the parcel.
4. That three trees (two spruce and one pine) be retained as part of the new development, as noted on the site plan attached to the comments from the Department of Planning and Development.
5. That the setback of the new dwelling on the severed parcel be a minimum of 15 metres from the streetline.
6. That the elevation and design for the new dwelling on the severed parcel be submitted to, and approved by the Director of Planning and Development, prior to the issuance of a building permit for the new dwelling.
7. That a site plan be prepared for the severed parcel indicating:
 - a) The location and design of the new dwelling;
 - b) The retention of trees as required;
 - c) The location and extent of driveway and legal off-street parking space for the new dwelling and
 - d) Grading, drainage and servicing information as required by the City Engineer.

All of the above to be submitted to, and approved by the Director of Planning and Development and the City Engineer, prior to the issuance of a building permit for the new dwelling.

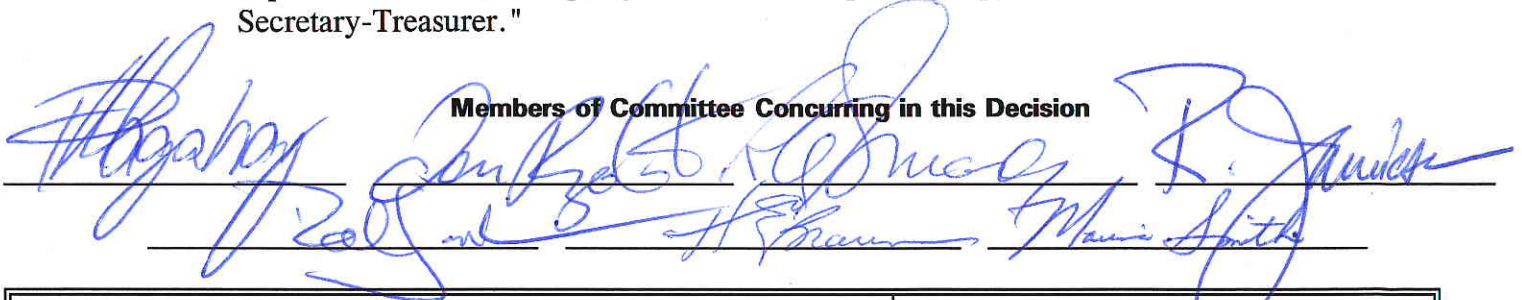
DECISION

**Application Number
B-12/95**

CITY OF GUELPH
Committee of Adjustment
59 Carden Street
Guelph, Ontario. N1H 3A1
(519) 837-5615

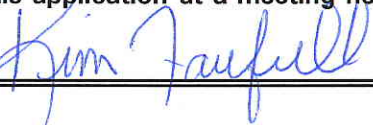
8. That prior to the endorstation of the deeds, the Owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above noted conditions and to develop the site in accordance with the approved plans.
9. That the applicants make satisfactory arrangements with the Technical Services Department of Guelph Hydro for the installation of underground services to the severed parcels, prior to the issuance of a building permit.
10. That the applicant applies for sanitary, storm and water laterals and pays the rate in effect at the time of application prior to issuance of a building permit.
11. That the applicant enters into a Storm Sewer Agreement, as established by the City, providing for a grading and drainage plan, registered on title, prior to endorstation of the deeds.
12. That the applicant relocates the existing service laterals to the existing house onto the lands being retained, satisfactory to the Plumbing Inspector, prior to endorstation of the deeds.
13. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment prior to March 28, 1996.
14. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorstation of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
15. That a Reference Plan be prepared which shall indicate the boundaries of the severed parcel, any easements/right-of-way and building locations, and that this Plan shall be deposited in the Land Registry Office and a deposited copy thereof be also filed with the Secretary-Treasurer."

Members of Committee Concurring in this Decision



I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the Decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on March 28, 1995.

Signed:



Dated on: April 5, 1995

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is April 27, 1995

The Committee, having had regard to the matters that are to be had regard to under Sections 51(4) of the Planning Act, R.S.O. 1990 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, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act R.S.O. 1990, consent for severance of Part of Block 'D', Registered Plan 598, Islington Avenue, a parcel with a width of 15 metres (49.21 feet) and a depth of 30.76 metres (100.92 feet) and 36.474 metres (119.66 feet) and a total lot area of 563 square metres (6,060 square feet), be approved, subject to the following conditions:

1. That the applicant pay, as determined applicable by the City Treasurer, development charges to the City, in accordance with the City of Guelph Development Charges By-law (1994)-14553, as amended from time to time, or any successor thereof, prior to the issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
2. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsonation of the deeds, at the rate in effect at the time of the endorsonation.
3. That the elevation and design for the new dwelling on the severed parcel be submitted to, and approved by the Director of Planning and Development, prior to the issuance of a building permit for the new dwelling.
4. That a site plan be prepared for the severed parcel indicating:
 - a) The location and design of the new dwelling;
 - b) The location and extent of driveway and legal off-street parking space for the new dwelling and
 - c) Grading, drainage and servicing information as required by the City Engineer.

All of the above to be submitted to, and approved by the Director of Planning and Development and the City Engineer, prior to the issuance of a building permit for the new dwelling.

5. That prior to the endorsonation of the deeds, the Owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above noted conditions and to develop the site in accordance with the approved plans.
6. That the applicants make satisfactory arrangements with the Technical Services Department of Guelph Hydro for the installation of underground services to the severed parcels, prior to the issuance of a building permit.
7. That the applicant applies for sanitary, storm and water laterals and pays the rate in effect at the time of application prior to issuance of a building permit.

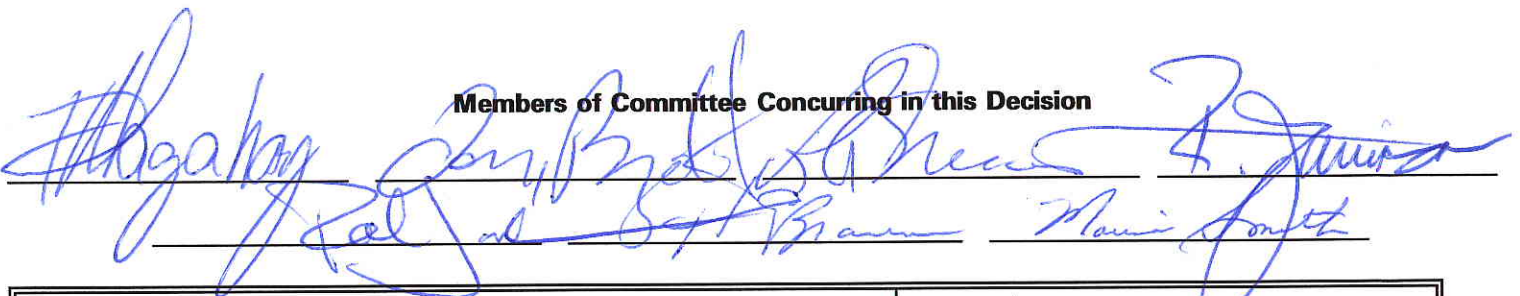
DECISION

**Application Number
B-13/95**

CITY OF GUELPH
Committee of Adjustment
59 Carden Street
Guelph, Ontario. N1H 3A1
(519) 837-5615

8. That the applicant enters into a Storm Sewer Agreement, as established by the City, providing for a grading and drainage plan, registered on title, prior to endorsonation of the deeds.
9. That the applicant relocates the existing service laterals to the existing house onto the lands being retained, satisfactory to the Plumbing Inspector, prior to endorsonation of the deeds.
10. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment prior to March 28, 1996.
11. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsonation of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
12. That a Reference Plan be prepared which shall indicate the boundaries of the severed parcel, any easements/right-of-way and building locations, and that this Plan shall be deposited in the Land Registry Office and a deposited copy thereof be also filed with the Secretary-Treasurer."

Members of Committee Concurring in this Decision



I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the Decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on March 28, 1995.

Signed:

Kim Fairfull

Dated on: April 5, 1995

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is April 27, 1995

Committee of Adjustment Notice of Public Hearing



An Application for Consent [New Lot and Easement] has been filed with the Committee of Adjustment

Application Details

Location:

710 Woolwich Street

Proposal:

The applicant is proposing to create a new lot with one retained lot. The applicant is also proposing to create an easement for access and servicing. The existing retail building on the subject property is proposed to be demolished. The purpose of the application is to facilitate the development of the property, to include a new retail building on the proposed severed parcel and a 96-unit townhouse development on the proposed retained parcel.

The property was recently subject to an application for a zoning by-law amendment (file OZS21-010).

By-Law Requirements:

The property is located in the Specialized Service Commercial (SC.1-57(H)) Zone.

Request:

The applicant proposes the following as shown on the attached sketch:

File B-23/22 – Proposed Severed Parcel (New Lot)

Severance of a parcel of land to create a lot with frontage along Woolwich Street of 49.7 metres and an area of 3,000 square metres;

File B-31/22 – Proposed Retained Parcel (Easement)

Creation of a 1,300 square metre easement over a portion of the proposed retained parcel for access and stormwater servicing in favour of the proposed severed parcel.

The retained parcel is proposed to have a frontage along Woolwich Street of 18.9 metres and an area of 11,100 square metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **B-23/22**

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 **October 6, 2022 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 consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

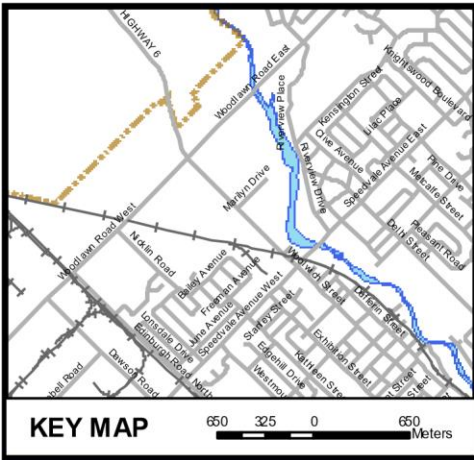
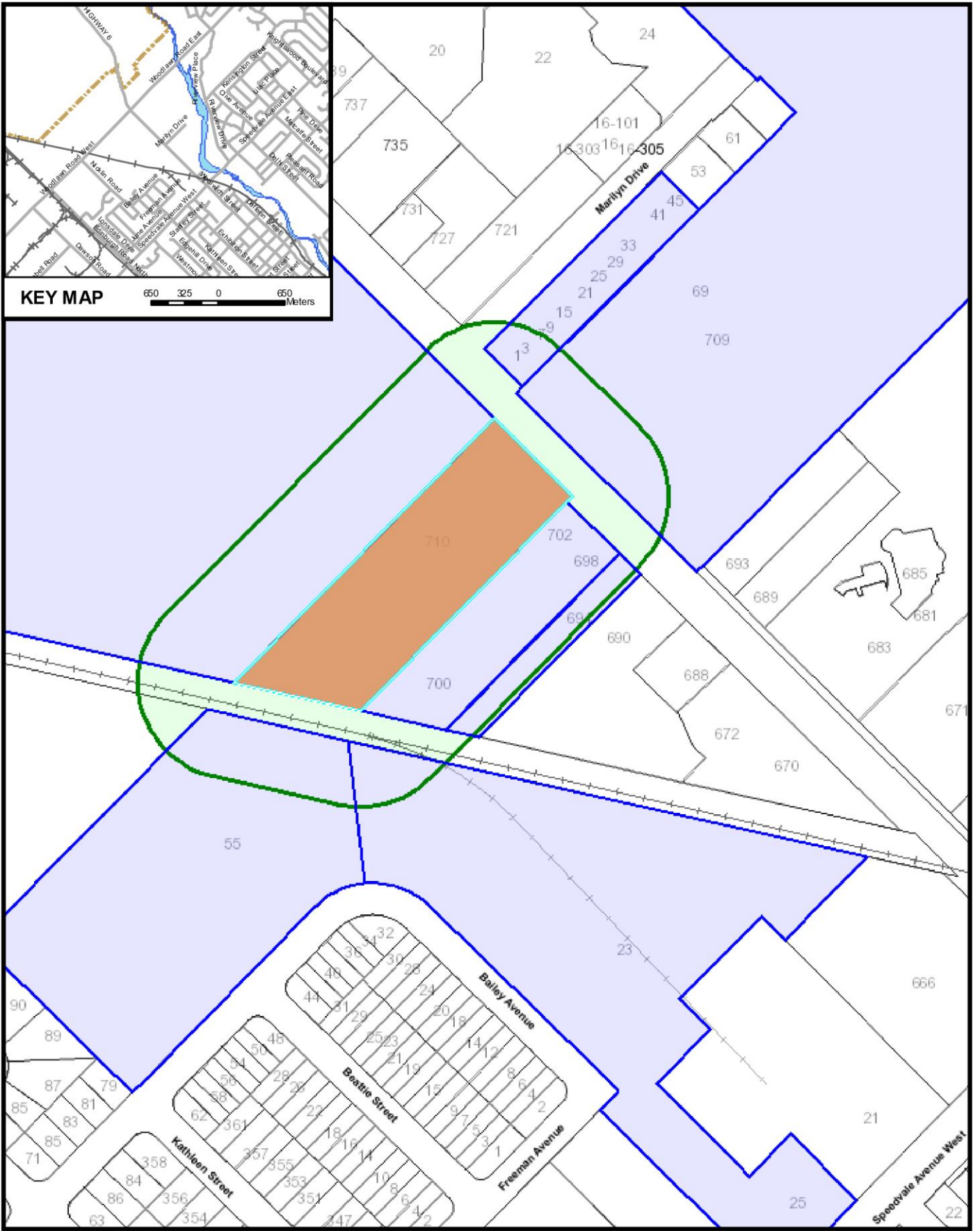
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this September 26, 2022.

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



**B-23/22 B-31/22 (710 Woolwich Street)
60m Circulation Area**

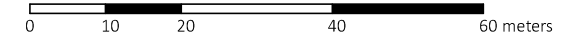
Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 2022-09-25, 12:32:49 p.m.



The City of Guelph, its employees and agents, do not undertake to guarantee the validity 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 to be used for legal descriptions. 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 519-822-1266.

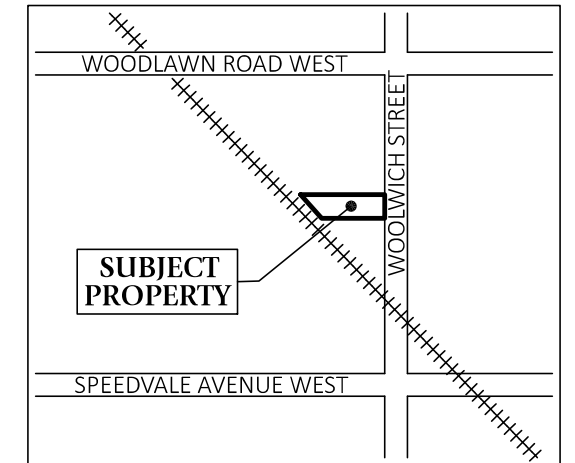
SEVERANCE SKETCH
PART OF LOT 19, DIVISION A
 GEOGRAPHIC TOWNSHIP OF GUELPH
CITY OF GUELPH
 COUNTY OF WELLINGTON

SCALE 1 : 1000



VAN HARTEN SURVEYING INC.

KEYMAP:



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED SERVICE COMMERCIAL (SC.1-28).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF MIXED OFFICE/COMMERCIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

SURVEYOR'S CERTIFICATE:

THIS SKETCH WAS PREPARED ON THE
 15th DAY OF AUGUST, 2022

James Laws
JAMES LAWS
 ONTARIO LAND SURVEYOR

ZONING : RESIDENTIAL R.3B
 O.P. : LOW DENSITY RESIDENTIAL

PIN 71303 - 0020 (LT)

ZONING : PARK P.4

WOOLWICH STREET
 (FORMERLY KNOWN AS ELORA ROAD)

PIN 71303 - 0001 (LT)

5.18m ROAD WIDENING
 BY BY INST. WC648566
 PIN 71302-0141
 PART 1,
 61R--22032

ROAD WIDENING BY BY-LAW
 No. (1958)-4594, INST. M-3973

"WOODLAWN CEMETERY"

LOT 32, DIVISION 'A'

PIN 71302 - 0007 (LT)

O.P. : OPEN SPACE AND PARK

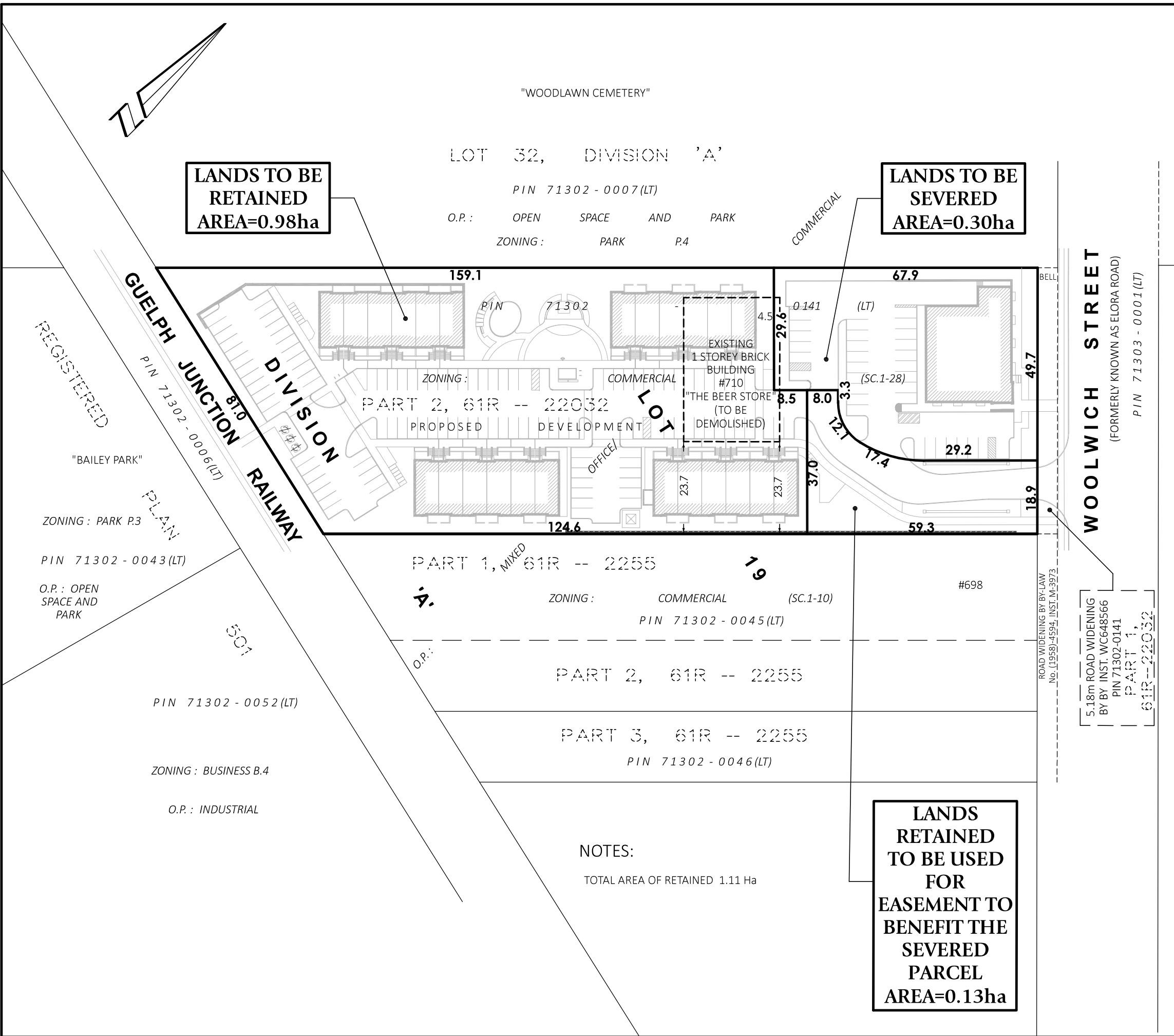
ZONING : PARK P.4

LANDS TO BE SEVERED
AREA=0.30ha

LANDS TO BE RETAINED
AREA=0.98ha

LANDS RETAINED TO BE USED FOR EASEMENT TO BENEFIT THE SEVERED PARCEL
AREA=0.13ha

NOTES:
 TOTAL AREA OF RETAINED 1.11 Ha



Van Harten
 SURVEYING INC.
 LAND SURVEYORS and ENGINEERS

Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 28990-20
Aug 17, 2022-8:13:43 AM		
G:\GUELPH\DivA\acad\SEV LOT 19 (REIDS) UTM.dwg		

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 13 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-23/22

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 53 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>710 Woolwich Street, Guelph</u>
Legal description of property (registered plan number and lot number or other legal description):	<u>Part Lot 19, Division A, formerly Township of Guelph, designated as Part 2, Reference Plan 61R22032; City of Guelph.</u>
Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If yes, describe:	
Are the lands subject to any mortgages, easements, right-of-ways or other charges:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
If yes, explain:	<small>Charge in the amount of \$5,000,000 registered as WC613905 in favour of First National Financial GP Corporation - Charge in the amount of \$581,846 registered as WC613907 in favour of Equiton Real Estate Financial GP Inc. (general partner of Equiton Real Estate Financial LP) Notice of lease registered as WC557362 in favour of Brewers Retail Inc.</small>
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)	
Name:	<u>2776563 Ontario Inc.</u>
Mailing Address:	<u>1515 Gordon Street - Unit 203</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1L 1C9</u>
Home Phone:	<u>519-654-9099 ext 553</u>
Fax:	<u>shannah@heritagehomes.com or mmacgregor@reidsproperties.com</u>
AGENT INFORMATION (If Any)	
Name:	<u>Dave Galbraith</u>
Company:	<u>IBI Group</u>
Mailing Address:	<u>410 Albert Street, Suite 101</u>
City:	<u>Waterloo</u>
Postal Code:	<u>N2L 3V3</u>
Home Phone:	<u>519-585-2255 ext 63209</u>
Fax:	<u>dave.galbraith@ibigroup.com</u>

PURPOSE OF APPLICATION (please check appropriate space):

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Creation of a New Lot | <input checked="" type="checkbox"/> Easement | <input checked="" type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Charge / Discharge | <input type="checkbox"/> Correction of Title | <input type="checkbox"/> Lease |
| <input type="checkbox"/> Addition to a Lot (submit deed for the lands to which the parcel will be added) | | <input type="checkbox"/> Other: Explain |

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:

First National Bank, LP c/o Evan Pawliuk (mortgage)

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) 49.7m	Depth (m) 67.9m	Area: (m ²) 0.30ha	Existing Use: Parking area	Proposed Use: Beer Store with parking
Existing Buildings/Structures: Beer Store and Parking			Proposed Buildings / Structures: Beer Store	
Use of Existing Buildings/Structures (specify): n/a			Proposed Use of Buildings/Structures (specify): Retail	

DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) F=18.9m w= 66.6m	Depth (m) min 159.1m	Area: (m ²) 0.98ha	Existing Use: Retail	Proposed Use: Residential
Existing Buildings/Structures: Beer Store			Proposed Buildings / Structures: 4 buildings, total 96 units with associated parking & amenity area	
Use of Existing Buildings/Structures (specify): Retail			Proposed Use of Buildings/Structures (specify): Residential	

TYPE OF ACCESS TO THE RETAINED LANDS

- Provincial Highway Municipal Road
- Private Road Right-of-Way
- Other (Specify)

TYPE OF ACCESS TO THE SEVERED LANDS

- Provincial Highway Municipal Road
- Private Road Right-of-Way
- Other (Specify) via access easement over retained lands

TYPE OF WATER SUPPLY TO THE RETAINED LANDS

- Municipally owned and operated Privately Owned Well
- Other (Specify)

TYPE OF WATER SUPPLY TO THE SEVERED LANDS

- Municipally owned and operated Privately Owned Well
- Other (Specify)

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS

- Municipally owned and operated Septic Tank
- Other (Explain)

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS

- Municipally owned and operated Septic Tank
- Other (Explain)

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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 type="checkbox"/>	<input checked="" type="checkbox"/>	OZS21-010 Approved May-9-2022
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP21-007 - Approved (Beer Store). Residential SP ongoing.
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	To follow Phase I Site Plan Approval
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-30/21 Phase I, reduced parking, Approved June 2021

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.

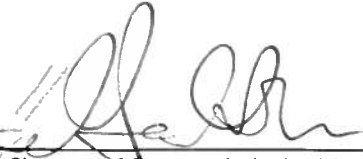
POSTING OF ADVISORY SIGN

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 fourteen (14) 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 (14) 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

AFFIDAVIT

I/We, David Galbraith, of the City/Town of Waterloo in County/Regional Municipality of Waterloo, 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 Waterloo of Waterloo in the County/Regional Municipality of Waterloo this 13 day of September, 2022.
(city or town)

**Betty Anne White, a Commissioner, etc.,
Province of Ontario, for IBI Group.
Expires June 2, 2024.**

Betty Anne White
Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

2776563 Ontario Inc. / Reids Heritage Properties

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

being the registered property owner(s) of

710 Woolwich Street, Guelph (Pat Lot 19 Division A Guelph as in CS71373, City of Guelph)

(Legal description and/or municipal address)

hereby authorize IBI Group c/o Dave Galbraith

(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 13th day of September 2022



(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 Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 23, 2022	Application #: B-31/22
	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 53 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: 710 Woolwich Street, Guelph

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

Part of Lot 19, Division A Guelph, as in Cs71373, City of Guelph

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes

If yes, explain: Charge in the amount of \$5,000,000 registered as WC613905 in favour of First National GP Corporation - Charge in the amount of \$581,846 registered as WC613907 in favour of Equiton Real Estate Financial GP Inc. general partner of Equiton Real Estate Financial LP) Notice of Lease registered as WC557362 in favour of Brewers Retail Inc.

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

Name: 2776563 Ontario Inc.

Mailing Address: 1515 Gordon Street - Unit 203

City: Guelph

Postal Code: N1L 1C9

Home Phone: _____

Work Phone: 519-654-9099 ext 553

Fax: _____

Email: shannah@heritagehomes.com or mmacgregor@reidsproperties.com

AGENT INFORMATION (If Any)

Name: Dave Galbraith

Company: IBI Group

Mailing Address: 410 Albert Street, Suite 101

City: Waterloo

Postal Code: N2L 3V3

Home Phone: _____

Work Phone: 519-585-2255 ext 63209

Fax: _____

Email: dave.galbraith@ibigroup.com

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
---	---

LAND USE

What is the current official plan designation of the subject lands:

Mixed Office / Commercial

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

This designation encourages intensification and permits small-scale commercial and residential uses.

If no, has an application for an Official Plan Amendment been submitted? N/A YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:

SC.1-57 (Special Service Commercial)

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted?

File No.: OZS21-010 Status: APPROVED - May-09-2022

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:

Intensification within existing Built Boundary, providing higher density and broader range of housing.

Proposed development is not anticipated to cause environmental or public health / safety concerns.

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:

Supports mixed uses and intensification of under-utilized lands within the Built-Up area.

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: B-23/22 Status: Concurrent Application

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Addition to B-23/22 to provide separate applications for Consent and Easement.

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<u>OZS21-010 Approved May-9-2022</u>
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Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>A-30/21 Phase I, reduced parking, Approved June 2021</u>

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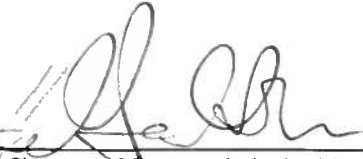
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Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, David Galbraith, of the City/Town of Waterloo in County/Regional Municipality of Waterloo, 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 Waterloo of Waterloo in the County/Regional Municipality of Waterloo this 13 day of September, 2022.
(city or town)

**Betty Anne White, a Commissioner, etc.,
Province of Ontario, for IBI Group.
Expires June 2, 2024.**

Betty Anne White
Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

2776563 Ontario Inc. / Reids Heritage Properties

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

being the registered property owner(s) of

710 Woolwich Street, Guelph (Pat Lot 19 Division A Guelph as in CS71373, City of Guelph)

(Legal description and/or municipal address)

hereby authorize IBI Group c/o Dave Galbraith

(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 13th day of September 2022



(Signature of the property owner)

(Signature of the property owner)

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IBI GROUP
101 – 410 Albert Street
Waterloo ON N2L 3V3 Canada
tel 519 585 2255
ibigroup.com

September 13, 2022

Planner / Secretary-Treasurer
Committee of Adjustment
City of Guelph
Planning Services Division
City Hall
1 Carden Street
Guelph, ON N1H 3A1

Dear Sir / Madam:

**CONSENT APPLICATION
710 WOOLWICH STREET, GUELPH - APPLICATION SUBMISSION DETAILS AND
PLANNING JUSTIFICATION**

On behalf of our clients 2776563 Ontario Inc., owners of the above subject property, please accept this letter and the following supporting materials and fees as the application for a Consent for the property municipally addressed as 710 Woolwich Street, Guelph:

- One (1) original hard copy of the completed and signed Consent Application Form, including the Owners Authorization for Agent;
- Two (2) copies of the Severance Sketch prepared by Van Harten Surveying Inc.;
- One (1) cheque in the amount of \$2,507.00 made payable to the City of Guelph as part of the Consent Application fee for the creation of a new lot.

The purpose of the proposed applications is to subdivide the existing property (known as 710 Woolwich Street) into a severed and retained parcel and to permit the establishment of easements over the lands for the purposes of access and servicing.

The following sections of this submission provide an overview of the subject property and proposal details, as well as the applicable planning controls. Planning analysis is also provided to justify the proposed severance and minor variance.

1.0 BACKGROUND AND PROPOSAL DETAILS

The subject property is municipally addressed as 710 Woolwich Street in the City of Guelph, and legally identified as Part of Lot 19, Division A Guelph, as in CS71373, City of Guelph. The subject property has a lot area of 1.28 hectares and a lot frontage of 68.6 metres along Woolwich Street.

Planner / Secretary-Treasurer – September 13, 2022



Figure 1: Aerial Image of the Subject Property (source GRCA Mapping)

Our client intends to subdivide the property in order to facilitate the development of the property, to include a Beer Store on the Severed Portion and a 96 unit townhouse development on the Retained Portion. The Beer Store will be located on the severed Lot of 0.3 hectares, with a frontage of 49.7 meters along Woolwich Street. The retained lot will have a lot area of 0.98 hectares and a frontage of 18.9 metres.

As shown on the proposed Site Plan and Severance sketch, one driveway to the site is proposed off of Woolwich Street, which will be shared by both the commercial (Beer Store) use and residential users of the site. This driveway is proposed to be included within the Retained portion, subject to an easement in favour of the severed portion for the purposes of access/egress.

Beyond this easement, reciprocal easements are proposed for stormwater and servicing as stormwater will be managed comprehensively between the sites and due to the location of underground infrastructure which crosses the proposed lot lines. A copy of the proposed Engineering Drawings prepared by MTE Engineering are included showing the proposed location of servicing infrastructure for the development.

The following table provides an overview of the proposed lot area and lot frontage for both the proposed retained and severed lots. For detailed specifications of the proposed severance,

Planner / Secretary-Treasurer – September 13, 2022

please refer to the enclosed the Severance Sketch prepared by Van Harten Surveying (Figure 2).

	Retained Lot:	Severed Lot:	Total:
Lot Area:	1.11 hectares 0.98 + 0.13 hectares	0.3 hectares	1.41 hectares
Lot Frontage:	18.9 metres	49.7 metres	68.6 metres

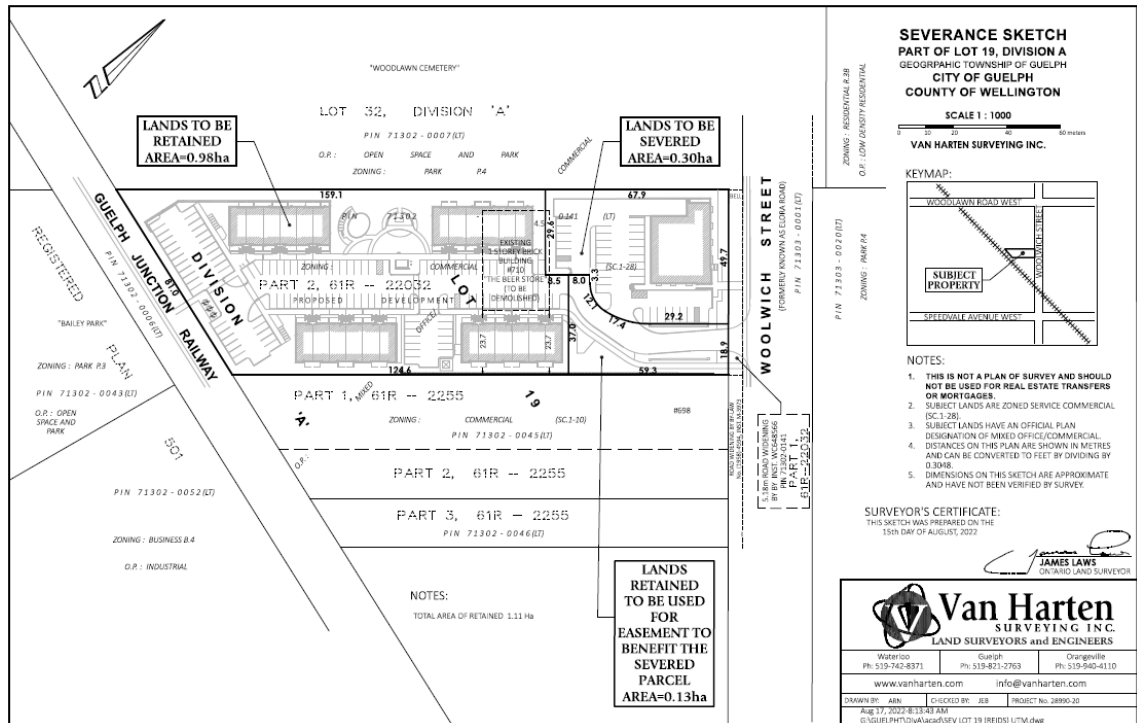


Figure 2: Proposed Severance Sketch – by MacDonald Tambllyn Lord Surveying

2.0 PLANNING CONTROLS AND JUSTIFICATION

The use and development of the subject property is guided by a land use planning framework comprised of Provincial legislation, plans and policy statements; the City of Guelph’s Official Plan and Zoning By-Law. The following provides planning justification for the proposed consent with respect to applicable planning controls.

2.1 Planning Act

The Planning Act, R.S.O. 1990 sets out the legislative framework for land use planning in Ontario. In the case of this proposal, the Planning Act sets out policies relating to consents at the local level, as Sections 50, 51(24), and 53 all apply to the proposed severance.

Section 51(24) of the Planning Act establishes criteria for approval authorities to consider in exercising their decision-making authority on subdivision / severance applications. The criteria are as follows:

Planner / Secretary-Treasurer – September 13, 2022

(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- b) whether the proposed subdivision is premature or in the public interest;
- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- d) the suitability of the land for the purposes for which it is to be subdivided; and (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- f) the dimensions and shapes of the proposed lots;
- g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- h) conservation of natural resources and flood control;
- i) the adequacy of utilities and municipal services;
- j) the adequacy of school sites;
- k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.

It is my opinion that the proposed severance satisfy these criteria as discussed in the following Table:

Criteria	Assessment
A	It is my opinion that the severance has regard for the matters of provincial interest as set out in the Planning Act. Of note, it is my opinion that the development represents the orderly development of communities, supports the provision of a range of housing options, represents transit oriented development, and is located within an appropriate location for growth and development as set out in the City of Guelph Official Plan.
B	It is my opinion that the development is not premature. The use of the site for mixed use purposes is contemplated by the Official Plan, and was subject to a site-specific zoning by-law amendment that obtained City Council approval.
C	It is my opinion that the plan conforms to the Official Plan as discussed later in this letter.

Planner / Secretary-Treasurer – September 13, 2022

D	It is my opinion that the Official Plan contemplates the development of the site for mixed use purposes. The proposed severance supports the development of the site in keeping with the purpose and intent of the Official Plan.
E	Not applicable.
F	It is my opinion that the lots are appropriately sized and shaped to facilitate the proposed development. The lots maintain the minimum lot width and area requirements of the Zoning By-Law.
G	The proposed restrictions include easements related to the shared use of the drive aisle to Woolwich Street and those related to stormwater and sanitary servicing of the site.
H	Not applicable.
I	Based on review and acceptance from municipal engineering staff, it is understood that sufficient servicing capacity exists to service the development.
J	No concerns have been received from either the public or catholic school boards with respect to the development.
K	Not applicable
L	Not applicable
M	Both the residential (retained) and commercial (severed) parcel have been subject to site plan review. The Beer Store portion of the site has received full site plan approval and the residential portion of the site is pending final approval.

Based on our review and interpretation, it is our opinion that the proposed severance has consideration for these applicable sections and conforms to these Planning Act.

2.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is understood that policies within the PPS encourage settlement areas to focus of growth and development while making efficient use of land and infrastructure.

The subject property is located within the existing settlement area where development is strongly encouraged. It is our opinion that the proposed severance will contribute to growth and development of the settlement area, making efficient use of existing lands and infrastructure while providing a higher density and broader range of housing. Therefore, it is our opinion that the proposal conforms to the PPS.

2.3 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) sets out a long-term plan for growth and development within the Greater Golden Horseshoe area of Ontario. According to Section 2.2 of the Growth Plan, it is understood growth will be directed to settlement areas, where municipal infrastructure is available and complete communities can be supported. The Growth Plan also promotes intensification and infill development within the existing built boundary.

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The subject property is currently located within the 'Built-Up Area' according to Schedule 4 of the Growth Plan. It is our opinion that the proposed severance conforms to the Growth Plan policies, as it encourages mixed uses and intensification of under utilized lands.

2.4 City of Guelph Official Plan

The subject property is currently designated 'Mixed Use / Office Commercial' according to Schedule 2 (Land Use Plan) of the City's Official Plan (Figure 3).

Section 9.4.7 of the Official Plan states that Mixed Office / Commercial designated areas should:

- 'a) allow for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings.*
- b) ensure that a compatible transition in built-form is provided between uses in this designation and surrounding residential properties.*
- c) allow for a range of compatible business uses adjacent to residential areas.*
- d) promote the continued use, revitalization and intensification of these areas for a mix of uses.'*

Permitted uses include convenience commercial and small-scale retail commercial and townhouses and apartments.

It is our opinion that the development conforms to the Official Plan as it represents a mixed use development in keeping with the 'Mixed Use / Office Commercial' policies of the Official Plan.

Based on the above, it is our opinion that the proposed severance meets the intent of the Official Plan and is compatible with the existing neighbourhood. The proposed retained lot can accommodate multiple residential dwellings that are in keeping with the density, mass, scale, built form and/or character of the surrounding lands and in compliance with applicable Official Plan policy.

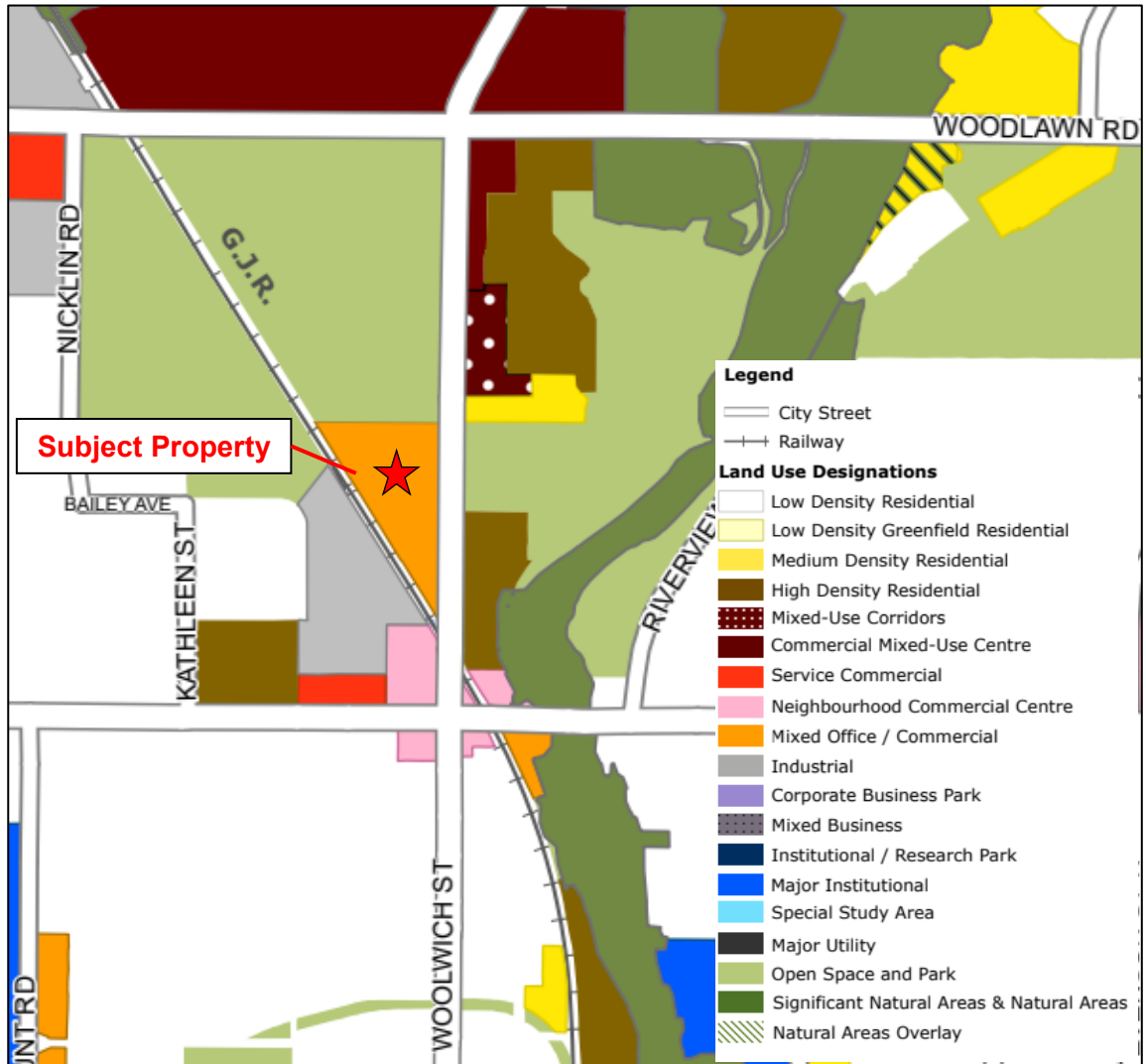


Figure 3: City of Guelph Official Plan, Schedule 2 (Land Use Plan)

2.6 City of Guelph Zoning By-law

The subject property was recently subject to a site-specific Zoning By-Law Amendment to allow for the residential uses proposed Zone Change Application OZS21-010 to ‘SC.1-57’ (Specialized Service Commercial Zone), which was approved by Council in May 2022.

The following table provides a conformity analysis of the proposed retained and severed lots in accordance with the lot size and area requirements set out in the site-specific zoning.

Retained Lot

Regulation	Requirement	Provided
Permitted Use	Apartment Building, Townhouse, Stacked	Stacked Townhouse

Planner / Secretary-Treasurer – September 13, 2022

	Townhouse, Multiple Attached Dwelling	
Minimum Lot Frontage	18 m	18.9 m
Minimum Lot Area	1,000 sq. m	11,100 sq m

*Detailed plans of the future residential development are going through the Approval Process

Severed Lot

Regulation	Requirement	Provided
Permitted Use	Convenience Store, Liquor Store	Beer Store
Minimum Lot Frontage	18.0 m	49.7 m
Minimum Lot Area	550m ²	3,000 sq. m

Based on the foregoing, it is my opinion that both the severed and retained lots conform to the lot size and frontage requirements of the Zoning By-Law.

3.0 CONCLUSION

We trust that this letter provides you with an understanding of the proposed Consent Application.

It is our opinion that the proposed severance is consistent with Provincial legislation, plans and policies, and meets the general intent of the City of Guelph Official Plan and Zoning By-law. It is also our opinion that the proposed new lot and development is in keeping with the size, scale, and character of the surrounding neighbourhood and represents good planning.

Should you require anything further to assist in your review of these applications and supporting material, please do not hesitate to contact the undersigned.

Yours truly,

IBI GROUP

Dave Galbriath, MCIP, RPP
Associate - Manager, Planning

DG/et//baw
Encl

WOODLAWN CEMETERY

LEGEND OF EXISTING FEATURES

- SITE BOUNDARY
- Ex. 300mm ϕ SAN
- Ex. 200mm ϕ WTM
- Ex. 375mm ϕ STM
- Ex. Hydr. Set
- Ex. MH
- Ex. U/G Hydro (Approx. Loc)
- EXISTING SANITARY SEWER
- EXISTING WATERMAIN
- EXISTING STORM SEWER
- EXISTING CURB
- EXISTING FENCE
- EXISTING RETAINING WALL

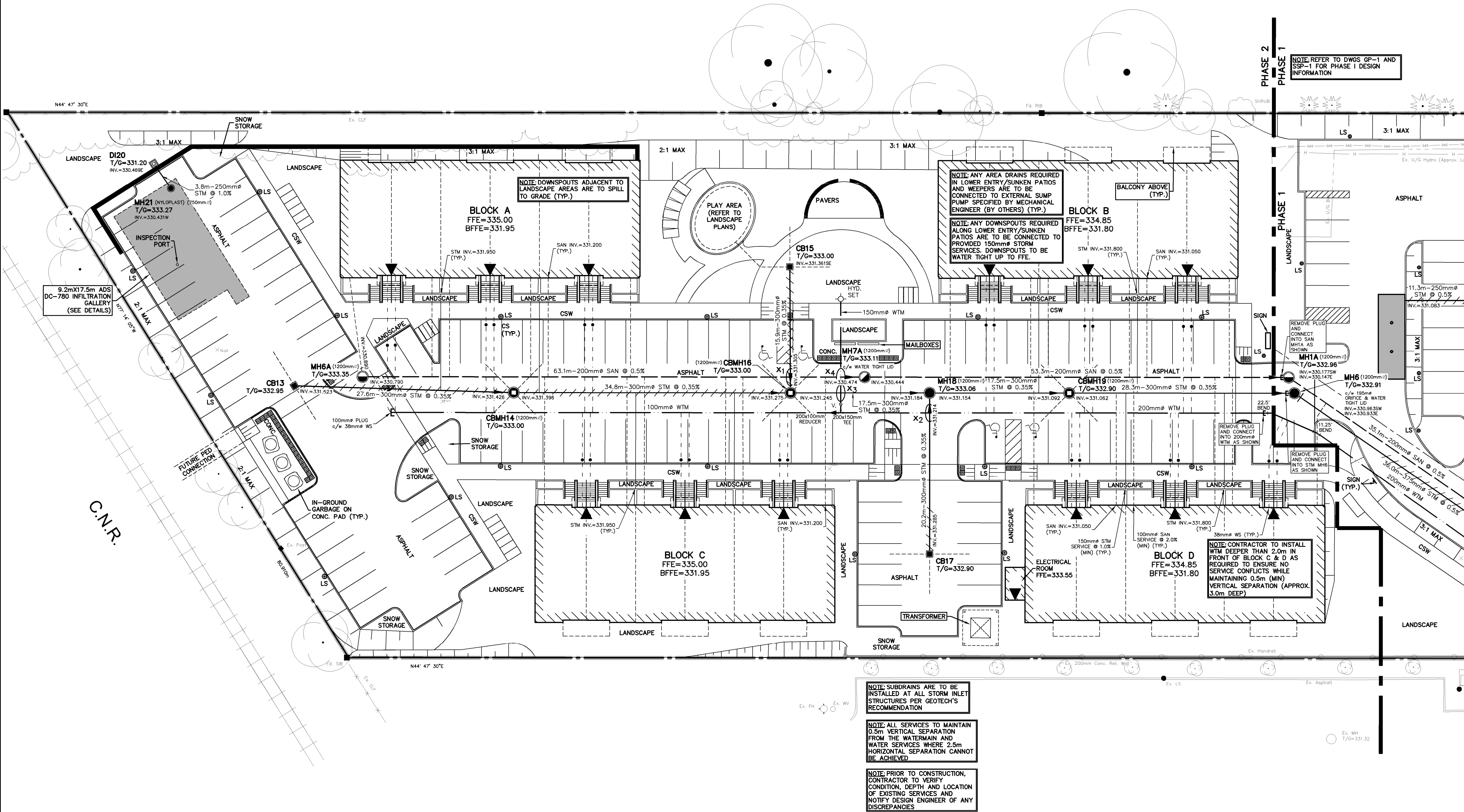
LEGEND OF PROPOSED FEATURES

- MH 14.6m-200mm ϕ SAN @ 1.5%
- MH 21.3m-300mm ϕ STM @ 1.3%
- 200mm ϕ WTM
- HYD. SET
- TEE
- SANITARY SERVICE
- WATER SERVICE
- STORM SERVICE
- SEWER CROSSING (REFER TO CROSSING CHART)
- SHALLOW PIPE INSULATION (SEE DETAIL)
- PROPOSED BUILDING
- MAN DOOR
- CONCRETE CURB
- RETAINING WALL
- SAW CUT
- LIMIT OF PHASE 2 CONSTRUCTION
- LIGHT STANDARDS
- PERFORATED 100mm ϕ BIG "O" SUBDRAIN (SEE DETAIL)

SEWER CROSSING CHART

NOTE:
 1) Maintain minimum 0.5m vertical clearance between all watermains and sewers. Where watermain is deflected, ensure 2.0m cover is achieved or watermain is installed.
 2) Maintain vertical clearance at all other crossings.
 3) Existing and proposed watermain depths are approximate only. Notify Design Engineer of any discrepancies.
 4) Contractor to verify all existing inverts prior to product ordering. Notify Design Engineer of any discrepancies.

CROSSING #	SEWER TYPE	SEWER SIZE (mm ϕ)	CROSSING ELEVATION	NOTES
X1	STM	300	INV.=331.312	
	SAN	200	OBV.=330.720	
X2	STM	300	INV.=331.222	
	WTM	200	OBV.=330.08 \pm	
X3	STM	300	INV.=331.223	
	WTM	150	OBV.=329.98 \pm	
X4	SAN	200	INV.=330.488	CAUTION: DEFLECT WTM UNDER SAN TO MAINTAIN 0.5m VERTICAL SEPARATION.
	WTM	150	OBV.=329.98 \pm	



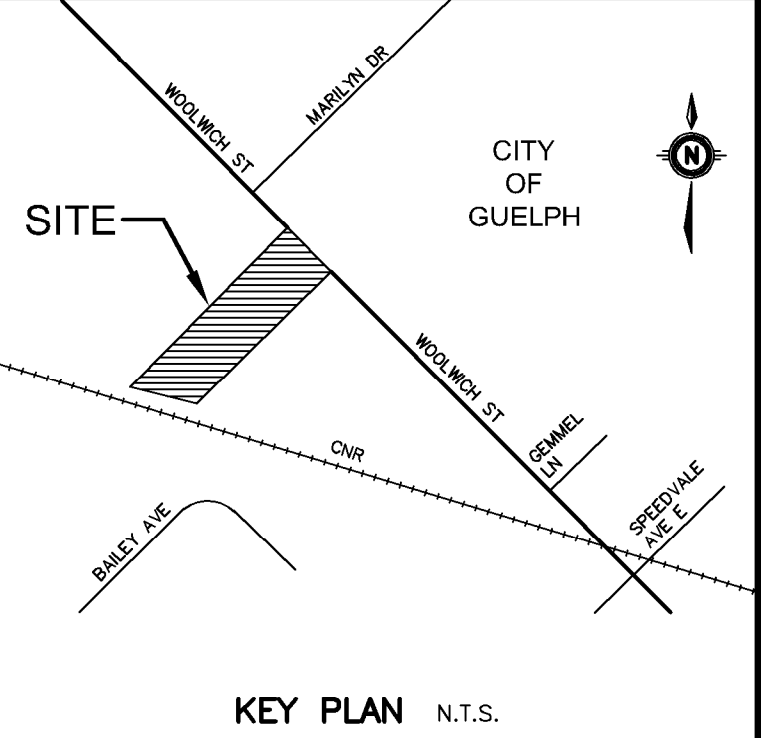
NOTE: SUBDRAINS ARE TO BE INSTALLED AT ALL STORM INLET STRUCTURES PER GEOTECH'S RECOMMENDATION

NOTE: ALL SERVICES TO MAINTAIN 0.5m VERTICAL SEPARATION FROM THE WATERMAIN AND WATER SERVICES WHERE 2.5m HORIZONTAL SEPARATION CANNOT BE ACHIEVED

NOTE: PRIOR TO CONSTRUCTION, CONTRACTOR TO VERIFY CONDITION, DEPTH AND LOCATION OF EXISTING SERVICES AND NOTIFY DESIGN ENGINEER OF ANY DISCREPANCIES

NOTE:
 1. PROPERTY-LINE IS APPROXIMATE ONLY.
 2. INVERTS DENOTED WITH "±" ARE TAKEN FROM AS-RECORDED PLAN AND PROFILE DRAWINGS COMPLETED BY THE CITY OF GUELPH DATED DECEMBER 21, 1999 AND ARE CONSIDERED APPROXIMATE ONLY. CONTRACTOR TO FIELD VERIFY AND REPORT ANY DISCREPANCIES TO ENGINEER.
 3. THIS PLAN IS PART OF A SET OF PLANS WHICH COMPRISE OF THE FOLLOWING: EX-1, GP-2, SSP-2, DET-4, AND DET-5 SHOULD BE READ IN CONJUNCTION WITH GP-1, SSP-1 AND THE SWM REPORT BY MTE CONSULTANTS INC.

NOTE TO CONTRACTOR :
 DO NOT SCALE DRAWINGS.
 CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
 ALL DRAWINGS REMAIN THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED OR REUSED WITHOUT THE ENGINEER'S WRITTEN PERMISSION.
 THE OWNER/ARCHITECT/CONTRACTOR IS ADVISED THAT M.T.E. CONSULTANTS INC. CANNOT CERTIFY ANY COMPONENT OF THE SITE WORKS NOT INSPECTED DURING CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO NOTIFY M.T.E. CONSULTANTS INC. PRIOR TO COMMENCEMENT OF CONSTRUCTION TO ARRANGE FOR INSPECTION.



NO.	REVISION	BY	DATE
8.			
7.			
6.			
5.	Revised per City Comments	RCK	2022-08-30
4.	Revised per City Comments	RCK	2022-05-25
3.	ISSUED FOR SPA	RCK	2022-03-23
2.	Revised per new Site Plan	RCK	2021-12-22
1.	ISSUED FOR ZBA	RCK	2021-06-10

GEODETIC BM ELEV. = 334.660 m
 CITY OF GUELPH #66 PARKVIEW MOTEL.

SITE BENCHMARK ELEV. = 332.185 m
 TOP NUT OF FIRE HYDRANT (MTE PNT # 9004)

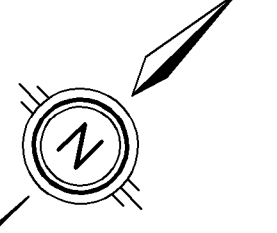
CLIENT
REID'S HERITAGE PROPERTIES
 1515 GORDON STREET, UNIT 203 GUELPH

PROJECT
710 WOOLWICH STREET- PHASE 2

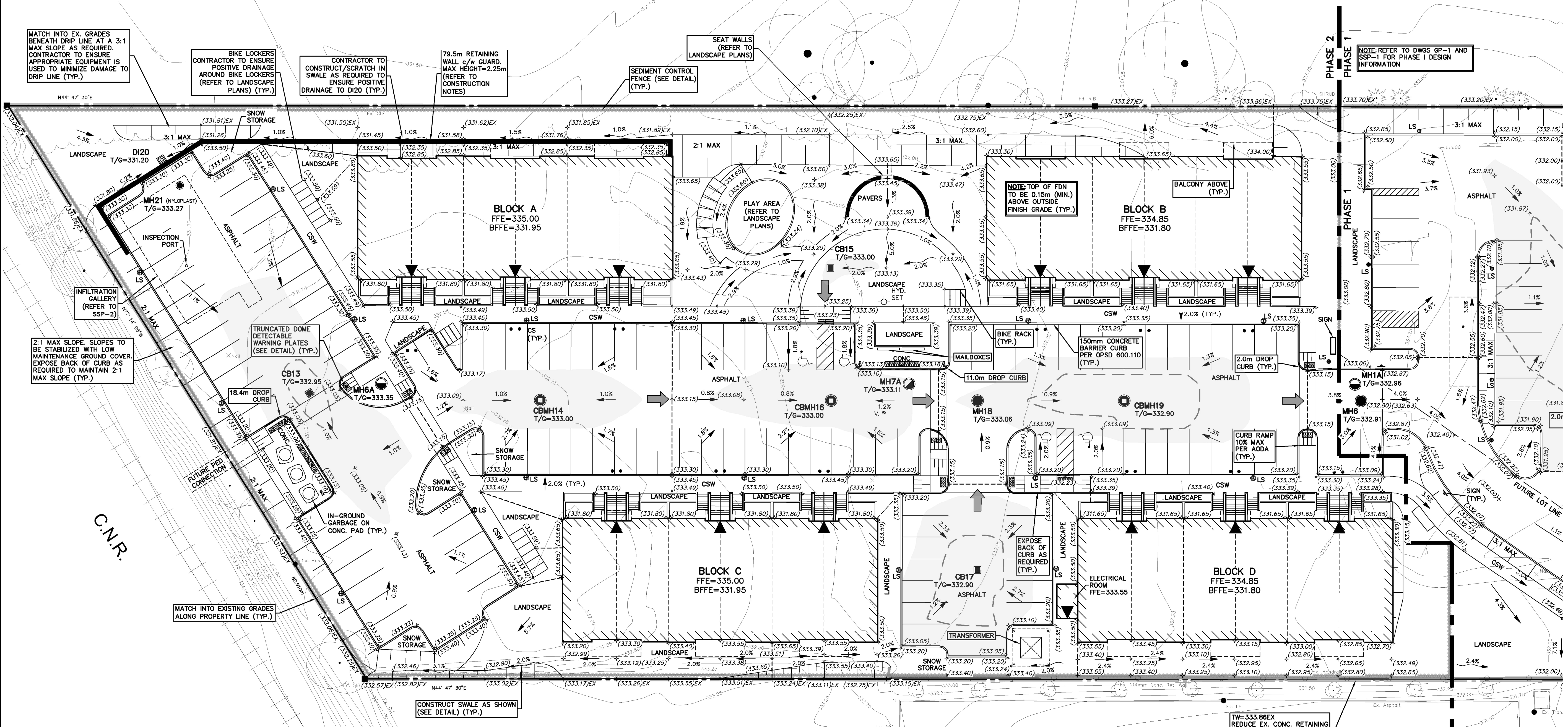
DRAWING
SITE SERVICING PLAN

519-743-6500

Project Manager	R.KERR	Project No.	47758-100
Design By	TMA	Checked By	RCK
Drawn By	SWX / APK	Checked By	TMA
Surveyed By	MTE	Drawing No.	
Date	Nov.19/21	SSP-2	
Scale	1:250		
		Sheet	3 of 5



WOODLAWN CEMETERY



LEGEND OF EXISTING FEATURES

- SITE BOUNDARY
- EXISTING CONTOURS
- EXISTING CURB
- EXISTING BUILDING
- EXISTING FENCE
- EXISTING RETAINING WALL

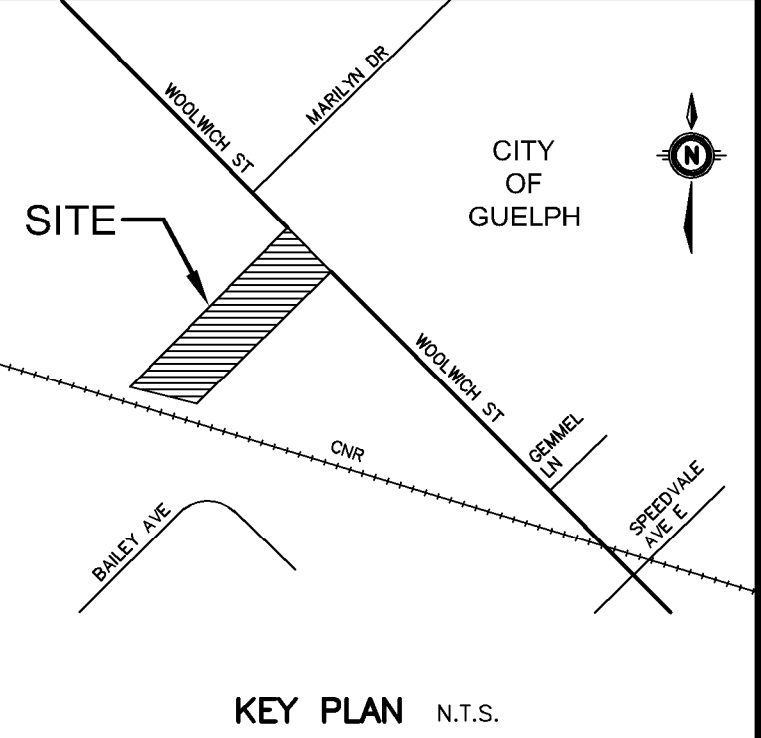
LEGEND OF PROPOSED FEATURES

- PROPOSED SPOT ELEVATIONS
- EX = MAINTAIN EXISTING
- T/G = TOP OF CASTING/GRATE
- FFE = FINISHED FLOOR ELEVATION
- DIRECTION OF DRAINAGE/SWALE
- DRAINAGE SPLIT (RIDGE)
- EMBANKMENT (SLOPE AS NOTED)
- PROPOSED BUILDING
- MAN DOOR
- CONCRETE CURB
- RETAINING WALL
- OVERLAND FLOW ROUTE (MAJOR STORM)
- LIMIT OF PHASE 2 CONSTRUCTION
- LIGHT STANDARD
- SEDIMENT CONTROL FENCE (SEE DETAIL)
- 100 YEAR PONDING LIMIT (ELEVATION=333.115)
- 5 YEAR PONDING LIMIT (ELEVATION=333.005)

NOTE: CONTRACTOR TO CLEAN PRIVATE DRIVE AISLE, ROADWAY AND SIDEWALKS OF SEDIMENTS RESULTING FROM CONSTRUCTION TRAFFIC FROM THE SITE EACH DAY.

NOTE:
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8.		
7.		
6.		
5.	Revised per City Comments	ROK 2022-08-30
4.	Revised per City Comments	ROK 2022-05-25
3.	ISSUED FOR SPA	ROK 2022-03-23
2.	Revised per new Site Plan	ROK 2021-12-22
1.	ISSUED FOR ZBA	ROK 2021-06-10
No. R E V I S I O N		BY rrrr-mm-dd

GEODETIC BM ELEV. = 334.660 m
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 TOP NUT OF FIRE HYDRANT (MTE PNT # 9004)

CLIENT
REID'S HERITAGE PROPERTIES
 1515 GORDON STREET, UNIT 203 GUELPH
 PROJECT
710 WOOLWICH STREET- PHASE 2

DRAWING
SITE GRADING, SWM AND E&SC PLAN

MTE
 Engineers, Scientists, Surveyors

519-743-6500

Project Manager	R.KERR	Project No.	47758-100
Design By	TMA	Checked By	RCK
Drawn By	SWX / APK	Checked By	TMA
Surveyed By	MTE	Drawing No.	GP-2
Date	Nov.19/21	Scale	1:250
Sheet	2 of 5		

DECISION



**COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-39/10**

Making a Difference

The Committee, having considered whether or not the variance(s) 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 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

“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 4.22.1 of Zoning By-law (1995)-14864, as amended, for 710 Woolwich Street, to locate a mobile barbeque facility (hot dog cart) on the left side of the building, behind the front wall when the By-law requires the operation of every commercial zone use be conducted within an enclosed building or structure, be approved, subject to the following condition:

1. The location of the hot dog cart shall be in accordance with the concept plan submitted with this application.
2. The hot dog cart shall not be located on required parking or block the sidewalk to access the front doors.”

**Members of Committee
Concurring in this Decision**

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on June 8, 2010.

Dated: June 11, 2010

Signed:

**The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is June 28, 2010.**

**Community Design and Development Services
Building Services**

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

DECISION

Committee of Adjustment Application Number A-30/21

The Committee, having considered whether or not the variance(s) 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 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

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 4.13.4.2 of Zoning By-law (1995)-14864, as amended, for 710 Woolwich Street, to permit a minimum of 31 off-street parking spaces for the proposed 618 square metre commercial building, when the By-law requires a minimum of 1 parking space per 16.5 square metres of building Gross Floor Area (G.F.A.) for a Liquor Store establishment [total of 38 parking spaces required], be **approved**.

Reasons:

This application is approved, as it is the opinion of the Committee that this application meets all four tests under Section 45(1) of the Planning Act.

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.

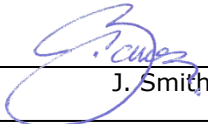
Members of
the Committee
of Adjustment
concurring in
the decision:



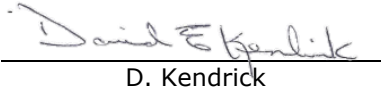
K. Ash

Absent

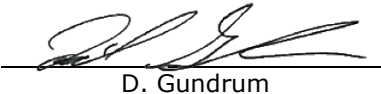
S. Dykstra



J. Smith



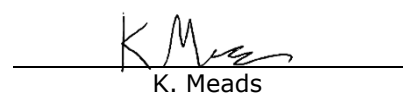
D. Kendrick



D. Gundrum



M. Allison



K. Meads

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on June 10, 2021.

Dated: June 15, 2021

Signed:



The last day on which a Notice of Appeal to the Ontario Land Tribunal may be filed is June 30, 2021.

Committee of Adjustment
T 519-822-1260 x2524
E cofa@guelph.ca
guelph.ca/cofa

Committee of Adjustment Notice of Public Hearing



An Application for Consent [New Lots] has been filed with the Committee of Adjustment

Application Details

Location:

300 Grange Road

Proposal:

The applicant is proposing to sever the property and create two new residential lots and one retained residential lot. Two new detached dwellings fronting onto Grange Road are proposed to be constructed on the proposed severed parcels, and residential cluster townhouses are proposed for the retained parcel.

This property is currently subject to an application for site plan approval (file SP21-020) and was recently subject to an application for zoning by-law amendment (file OZS21-006).

By-Law Requirements:

The proposed severed parcels are located in the Residential Single Detached (R.1D) Zone and the proposed retained parcel is located in the Specialized Residential Cluster Townhouse (R.3A-69) Zone.

Request:

The applicant proposed the following, as shown on the attached plan:

File B-24/22 – Proposed Part 2

Severance of a parcel of land with frontage along Grange Road of 9 metres, a depth of 32 metres, and an area of 288 square metres.

File B-25/22 – Proposed Part 3

Severance of a parcel of land with frontage along Grange Road of 9 metres, a depth of 32 metres and an area of 288 square metres.

The retained parcel (proposed Part 1) will have frontage along Grange Road of 11.46 metres and an area of 8,125 square metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **B-24/22 and B-25/22**

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 **October 6, 2022 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 the applications, 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 consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

Notice Details

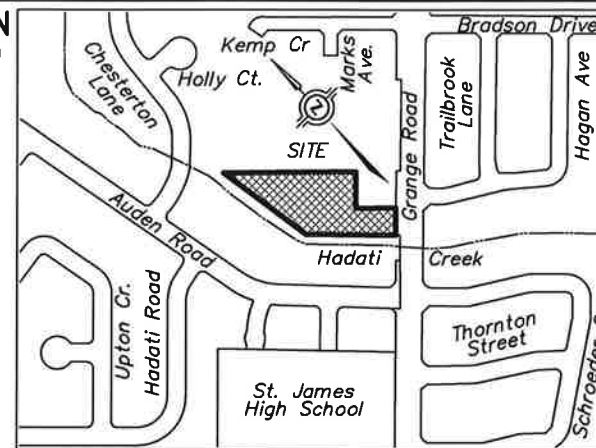
Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this September 26, 2022.

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 PLAN
(Not To Scale)



PLAN FOR CONSENT PART OF LOT 6, DIVISION 'C' REGISTERED PLAN 53

IN THE
CITY OF GUELPH
COUNTY OF WELLINGTON

SCALE 1 : 750

J.D. BARNES LIMITED

METRIC

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

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK

LOT 7

PART 1, PLAN 61R-10870
PIN 71493-2301 (LT)
CURRENT USE - AGRICULTURAL
ZONE - R.3A

53

'C'

REGISTERED PLAN

DIVISION

LOT

PART 1

AREA=8125 sq m.
AREA=0.81 ha.
AREA=2.01 ac.
TO BE RETAINED
CURRENT USE - VACANT
ZONE - R.3A

PART 1, PLAN 61R-10871
PIN 71493-3059 (LT)

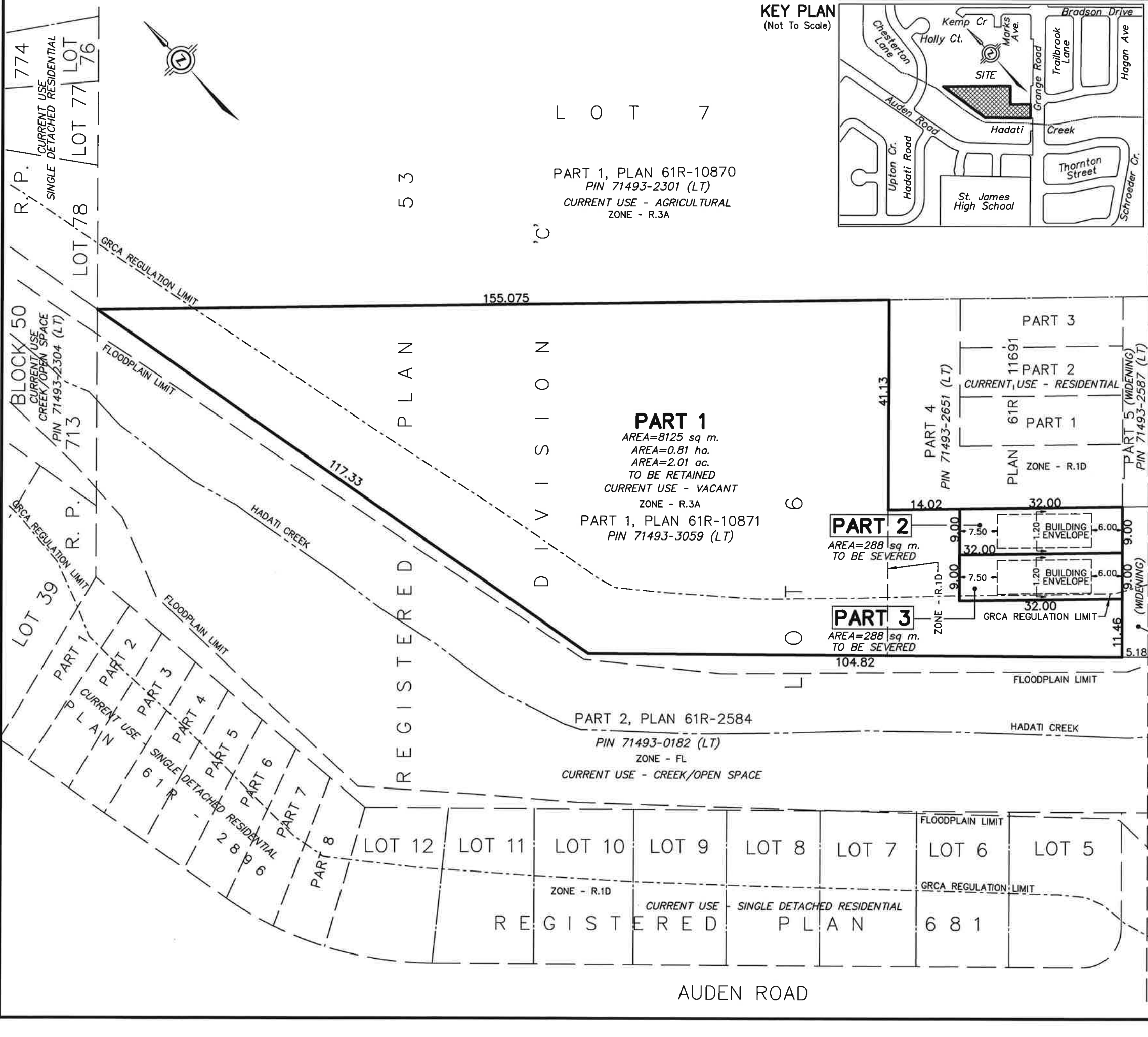
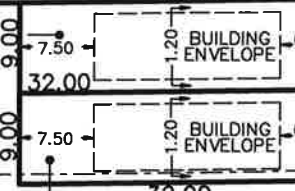
PART 2

AREA=288 sq m.
TO BE SEVERED

PART 3

AREA=288 sq m.
TO BE SEVERED

PART 2, PLAN 61R-2584
PIN 71493-0182 (LT)
ZONE - FL
CURRENT USE - CREEK/OPEN SPACE



GRANGE ROAD
(BY REGISTERED PLAN 53)
PIN 71493-2793 (LT)

PART 1, 61R-22243
PIN 71493-3058 (LT)

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REPRODUCTION, DISTRIBUTION OR ALTERATION OF THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF J.D. BARNES LIMITED IS STRICTLY PROHIBITED.

	J.D. BARNES LIMITED	SURVEYING MAPPING GIS	RPA DRAWN KFH CHECKED
	LAND INFORMATION SPECIALISTS 257 WOODLAWN ROAD WEST, UNIT 101, GUELPH, ON N1H 8J1 T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com		DATED: SEP 8/2022
			Ref. No. 22-14-656-00-B

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 13, 2022	Application #: B-24/22
	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 53 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: 300 Grange Rd

Legal description of property (registered plan number and lot number or other legal description):
PT Lot 6, Plan 53, Division C, Part 1, 61R10871; Guelph

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes
If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes
If yes, explain:

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

Name: 2538003 Ontario Inc.

Mailing Address: 500 Hanlon Creek Blvd

City: Guelph Postal Code: N1C 0A1

Home Phone: _____ Work Phone: 519-826-6700

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: Daniel Doherty

Company: Fusion Homes

Mailing Address: 500 Hanlon Creek Blvd

City: Guelph Postal Code: N1C 0A1

Home Phone: _____ Work Phone: 519-826-6700

Fax: _____ Email: ddoherty@fusionhomes.com

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
--	--

LAND USE

What is the current official plan designation of the subject lands:
Low Density Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:
Lot will remain low density residential. Being severed off from main parcel to create independent freehold single family dwelling.

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:
R.1D

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: _____ Status: _____

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:
Per Section 1.1.3.1, growth and development within City is occurring in the existing settlement area.

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:
Contributing to residential development occurring within Guelph delineated built-up area, per section 2.2.2.

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:
 File No.: 23T-07505 Status: Expired

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:
 File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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

	No	Yes	File Number and File Status
Official Plan Amendment	N		
Zoning By-law Amendment		Y	<u>OZS21-006. Approved.</u>
Plan of Subdivision	N		
Site Plan		Y	<u>SP21-020.Approval Imminent. Agreement with Planning.</u>
Building Permit		Y	<u>22 004625 000 00 BMH. Approved, Permit Issued.</u>
Minor Variance	N		
Previous Minor Variance Application	N		

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 fourteen (14) 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 (14) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

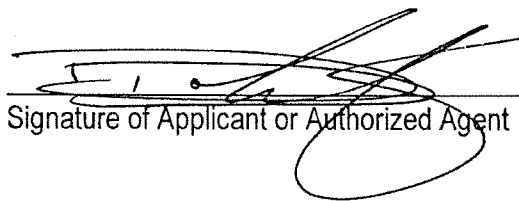


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

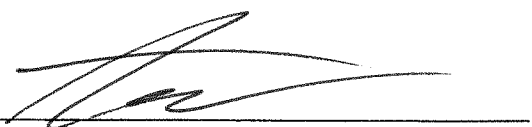
I/We, Daniel Doherty, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration 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 Andrew Sandor, of the City/Town of Guelph in the County/Regional Municipality of _____ before me at the City/Town of Guelph in the County/Regional Municipality of _____ this 14 day of September, 20 22, in accordance with

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



Commissioner of Oaths

Andrew Michael Edward Sandor,
A Commissioner, etc., Province of Ontario, for
The Corporation of the City of Guelph.
Expires June 24, 2025.

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

2538003 Ontario Inc.

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

being the registered property owner(s) of

300 Grange Rd

(Legal description and/or municipal address)

hereby authorize

Daniel Doherty.

(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 7 day of September 2022.

(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 Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 13, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-25/22

TO BE COMPLETED BY APPLICANT

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

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Fax: _____ Email: ddoherty@fusionhomes.com

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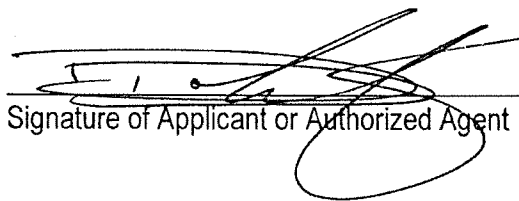


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION

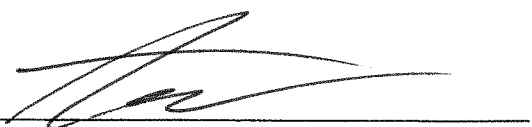
I/We, Daniel Doherty, of the City/Town of Guelph in County/Regional Municipality of Wellington, and located in the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration 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 Andrew Sandor, of the City/Town of Guelph in the County/Regional Municipality of _____ before me at the City/Town of Guelph in the County/Regional Municipality of _____ this 14 day of September, 20 22, in accordance with

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



Commissioner of Oaths

Andrew Michael Edward Sandor,
A Commissioner, etc., Province of Ontario, for
The Corporation of the City of Guelph.
Expires June 24, 2025.

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

JS38003 Ontario Inc.

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

being the registered property owner(s) of

300 Grange Rd

(Legal description and/or municipal address)

hereby authorize

Daniel Doherty.

(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 7 day of September 2022.

(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.

FUSION HOMES

September 13, 2022

City of Guelph
1 Carden St
Guelph, ON
N1H 3A1

Attn: Committee of Adjustment

Re: Application for Consent – 300 Grange Rd

Fusion Homes is pleased to submit the following Application for Consent for the creation of two new lots to be severed from 300 Grange Rd. This land is also subject to the following successful development applications:

- Zoning By-Law Amendment: File OZS21-006 – Approved.
- Site Plan Application: File SP21-020 – Approval Imminent. Agreement with Planning.
- Site Alteration Permit: File 01/22 – Approved. Earthworks complete.
- Building Permit: File 22 004625 000 00 BMH – Approved, Permit Issued.

Following the applications above, this Application for Consent is required to create two new single detached, individually serviced lots fronting Grange Rd. The severance conforms to the Official Plan as the lots will remain low density residential.

Please refer to the supporting severance sketch prepared by J.D. Barnes, dated September 8, 2022, and enclosed application form.

I look forward to discussing this application with you in further detail. Please feel free to contact me if you have questions in the meantime.

Yours truly,

Daniel Doherty

Daniel Doherty, P.Eng.

Land Development Manager

Cc: Ben Jones, Fusion Homes

July 27, 2021

Committee of Adjustment Notice of Public Hearing



An Application for Consent [New Lots and Lot Addition] has been filed with the Committee of Adjustment

Application Details

Location:

103 and 105 Victoria Road North

Proposal:

The applicant is proposing to sever the property and create two new residential lots and one retained residential lot. The applicant is also proposing to sever a 41.8 square metre parcel of land as a lot addition to the rear of 103 Victoria Road North. The existing detached dwellings on the proposed retained parcel (105 Victoria Road North) and lot being enlarged (103 Victoria Road North) are proposed to remain, and the vacant severed lands (proposed part 2 on the attached sketch) will be used for a future residential dwelling. A cluster townhouse development is proposed for the severed lands (proposed Part 3), and as a result the existing detached garage located at the rear of 105 Victoria Road North is proposed to be demolished.

This property is currently subject to an application for zoning by-law amendment (file OZS21-008).

By-Law Requirements:

The properties are located in the Urban Reserve (UR) Zone.

Request:

The applicant proposed the following, as shown on the attached sketch:

File B-26/22 – Proposed Part 2 (Lands to be Severed)

Severance of a parcel of land with frontage along Victoria Road North of 21.33 metres, and an area of 1,042 square metres.

File B-27/22 – Proposed Part 3 (Lands to be Severed)

Severance of a parcel of land with frontage along Cassino Avenue of 105.53 metres, and an area of 9,662.2 square metres.

File B-28/22 – Proposed Part 4 (Lot Addition)

Severance of a parcel of land with an area of 41.8 square metres from 105 Victoria Road North as a lot addition to the rear of the abutting property known as 103 Victoria Road North.

The retained parcel (proposed Part 1, 105 Victoria Road North) will have frontage along Victoria Road North of 48.08 metres and an area of 2,337 square metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **B-26/22, B-27/22, and B-28/22**

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 **October 6, 2022 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 consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

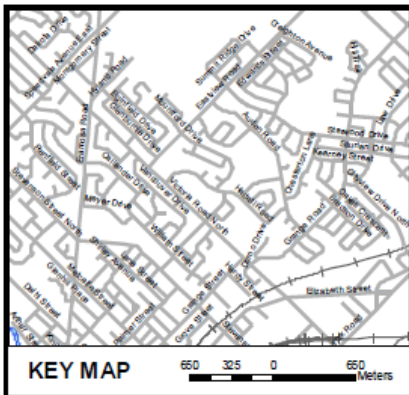
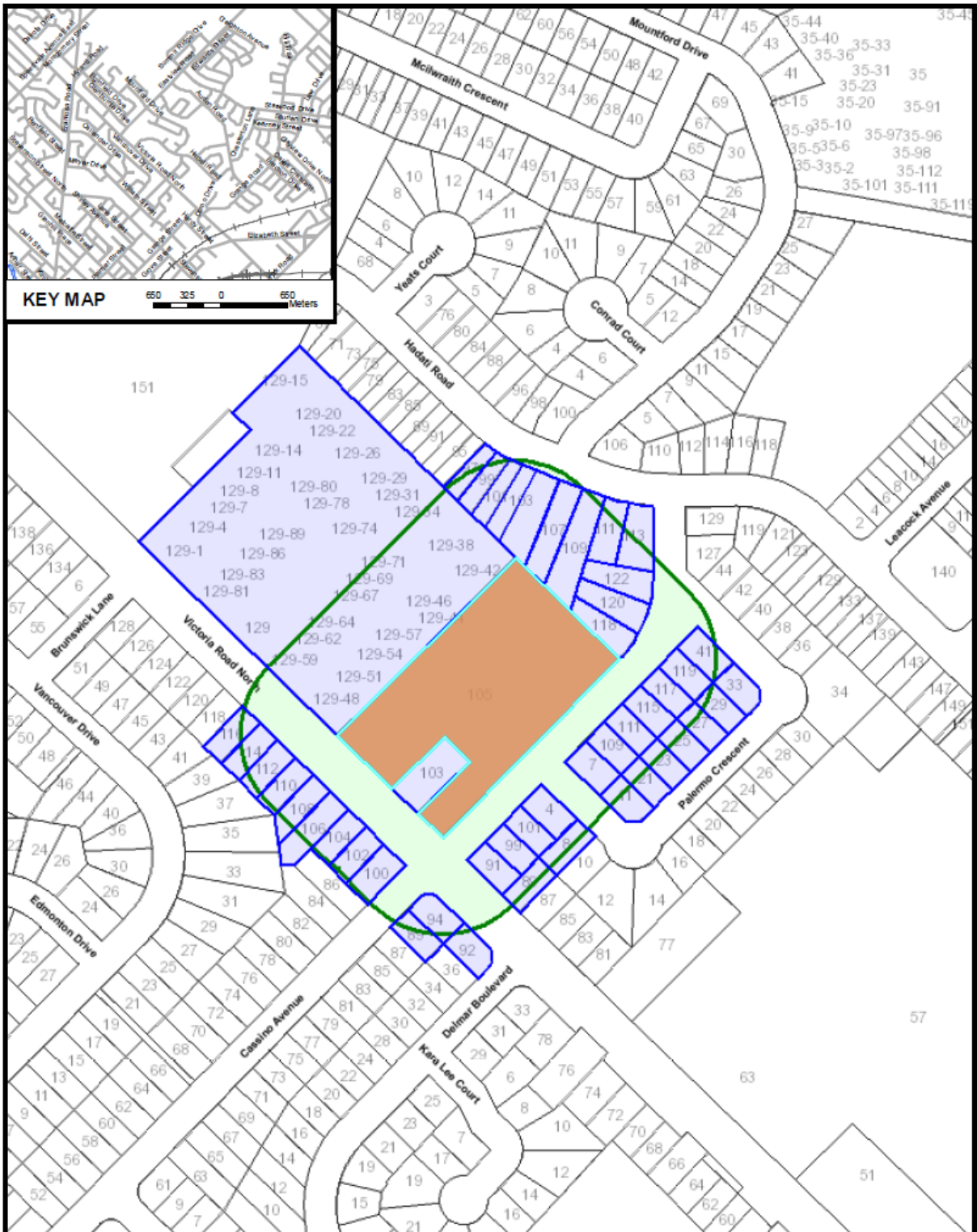
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Ontario Land Tribunal may dismiss the appeal.


Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this September 26, 2022.


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




B-26/22 B-27/22 B-28/22 (105 Victoria Road North)
60m Circulation Area

Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: 2022-09-22, 10:14:47 a.m.








The City of Guelph, its employees and agents, do not warrant or guarantee the validity of the content 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. No warranty is made in connection with the use of the hard copy map. This map may not be reproduced without the written consent of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-821-1344.

Consent Sketch

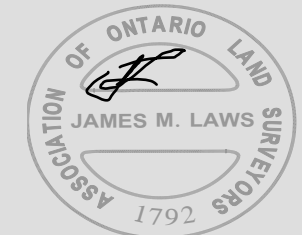
103 & 105 Victoria Road N
Guelph, ON

LEGEND

-  Existing Property Boundaries
-  Severance Line
-  Lot Addition to 103 Victoria Road

Part	Area	Desc.
1	2,333.7 m ²	Retained Lands
2	1,042.0 m ²	Severed Lands
3	9,662.2 m ²	Severed Lands
4	41.8 m ²	Lot Addition to 103 Victoria Road

THE BOUNDARIES BASED ON THIS SKETCH RELATE TO A SURVEY COMPLETED BY VAN HARTEN SURVEYING



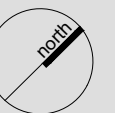
SEPTEMBER 13, 2022

Date: September 9, 2022

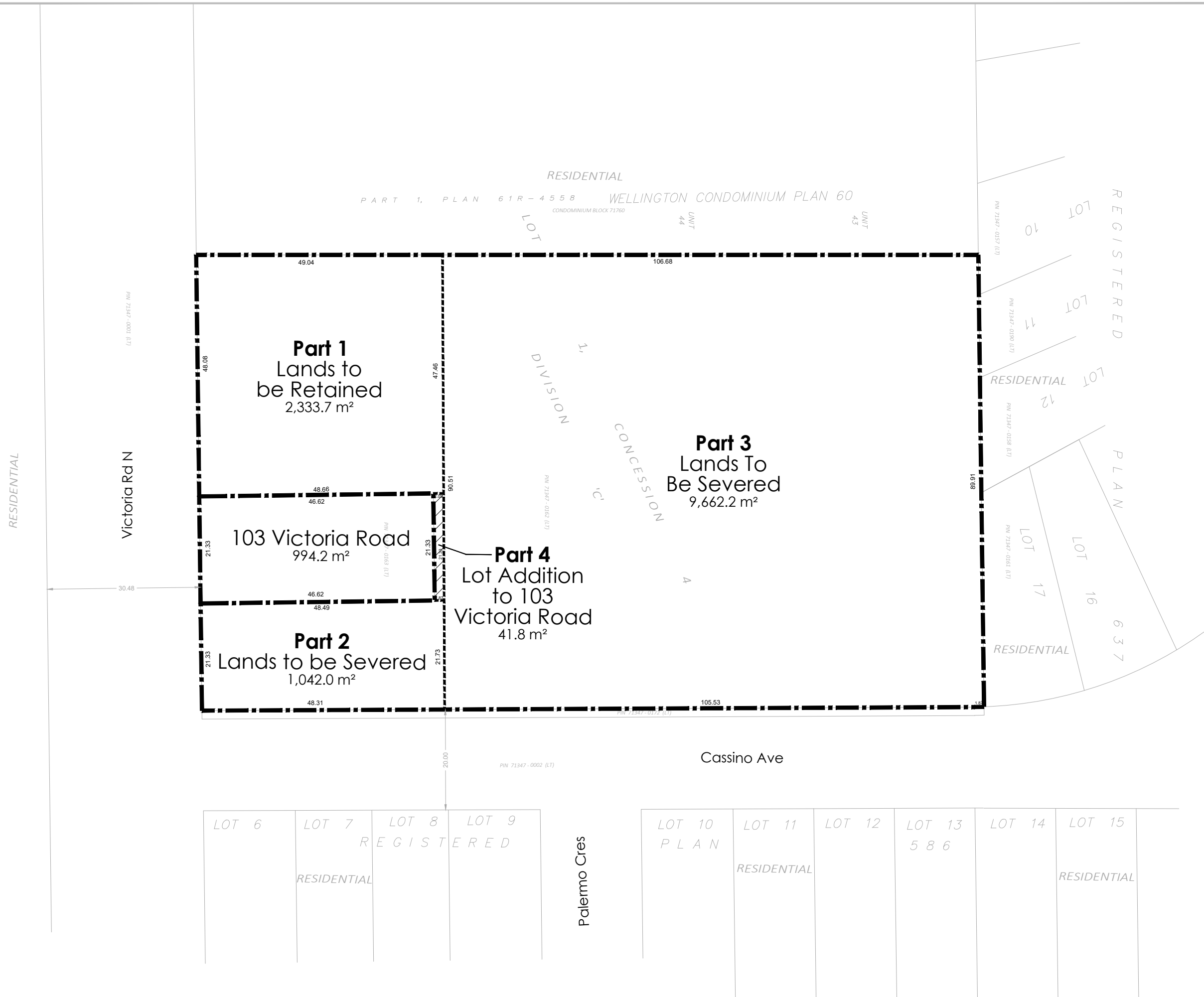
Scale: 1:750

File: 18172B

Drawn: JB



K:\18172B - VICTORIA AND CASSINO\RP\CONSENT SKETCH_9SEPT2022.DWG



LOT 6	LOT 7	LOT 8	LOT 9	LOT 10	LOT 11	LOT 12	LOT 13	LOT 14	LOT 15
	RESIDENTIAL	REGISTERED		PLAN	RESIDENTIAL		5 8 6		RESIDENTIAL

Concept Plan

103 & 105 Victoria Road N
Guelph, ON

Total Lot Area: 14,073.5 m² (1.407 ha)

Units: 3 Single Family
44 Townhouses
47 Total

Total Density: 33.4 upha

Townhouse Design Details Zoning - R.3A with Special Provisions

	Required	Provided
Lot Frontage	18 m	107 m
Lot Area	800 m ² overall 270 m ² /unit	9,661.9 m ² overall 219 m ² /unit
Density	37.5 upha	45.5 upha
Building Coverage (%)	30%	34.2%
Common Amenity Area	5 m ² /unit 220 m ² total	9.6 m ² /unit 423 m ²
Landscaped Open Space	40%	45.1%
Off Street Parking	1 space/unit (44)	1 space/unit (44)
	20% of the required total to be visitor parking (9) The required total shall include 1 barrier-free space	20% visitor parking (9) includes 1 barrier-free space
	44 spaces total	53 spaces total

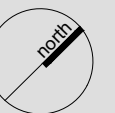
Notes:
- Topo and Boundary information provided by Van Harten Surveying Inc. March 04, 2020
- Municipal curb-side garbage pick-up proposed
- For Conceptual Purposes

Date: April 28, 2022

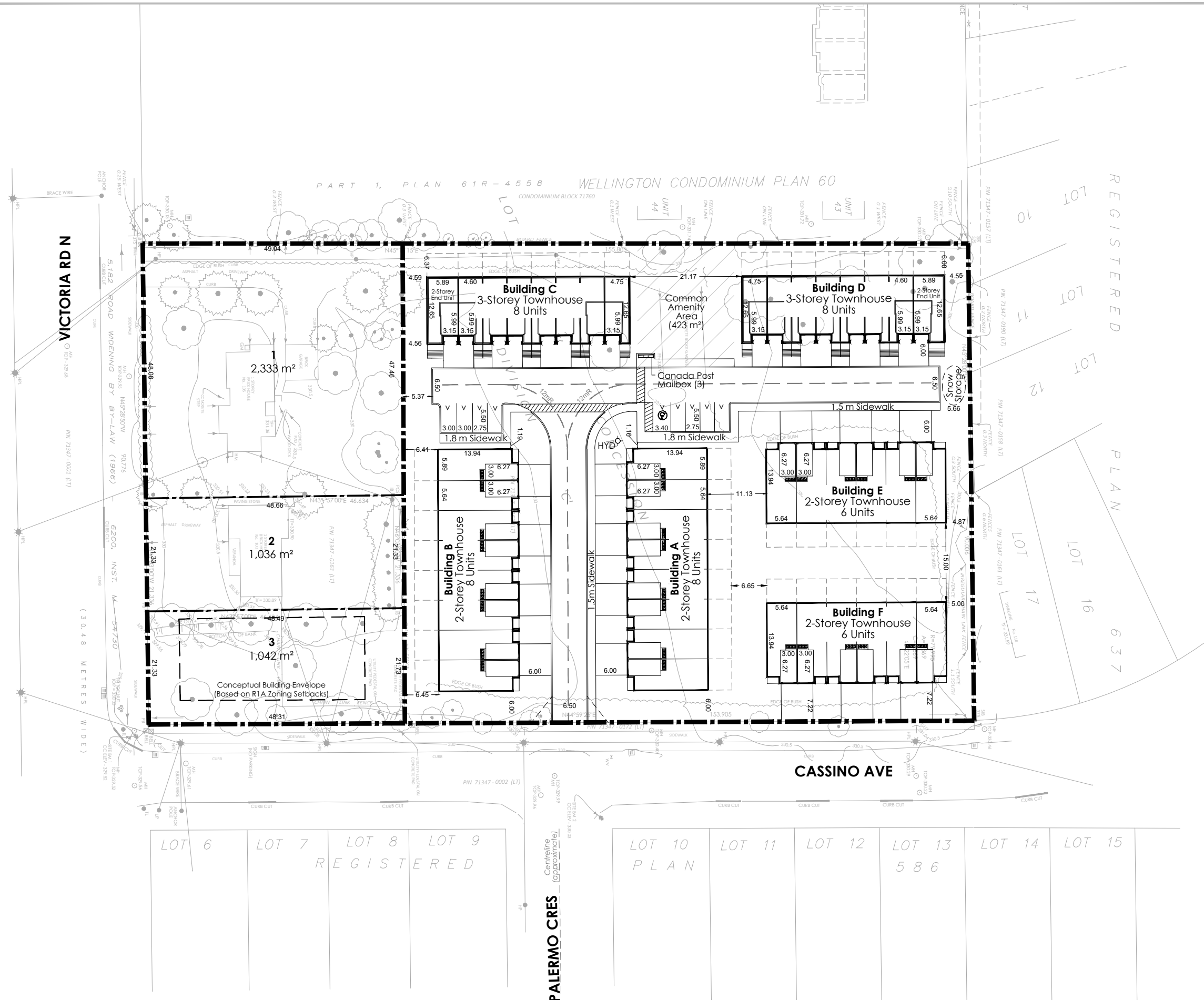
Scale: 1:750

File: 18172B

Drawn: JB



K118172B - VICTORIA AND CASSINO/CP/CONCEPT PLAN_28APR2022.DWG



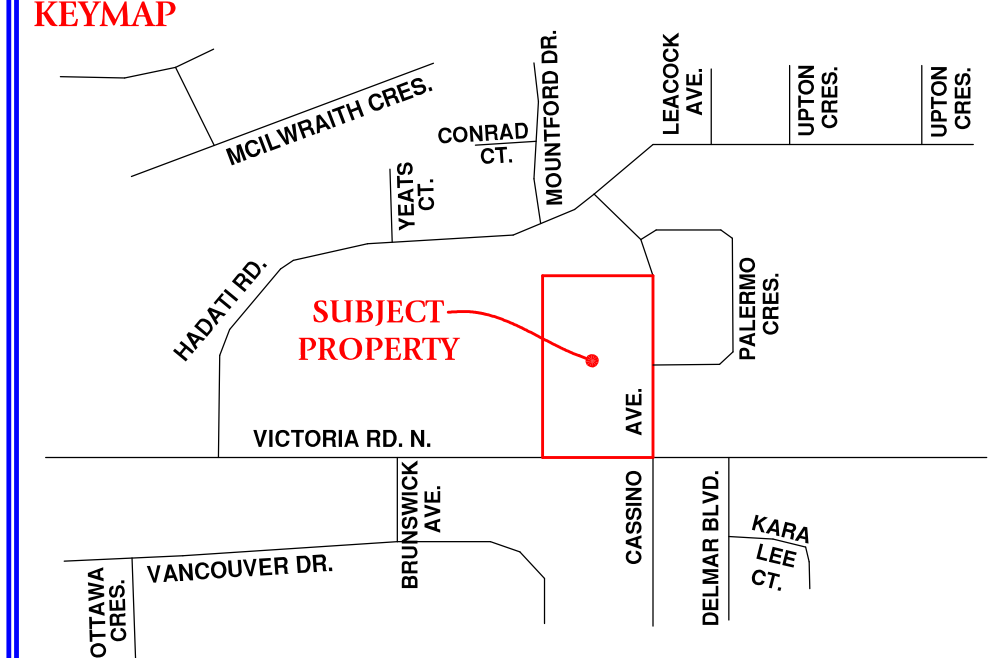
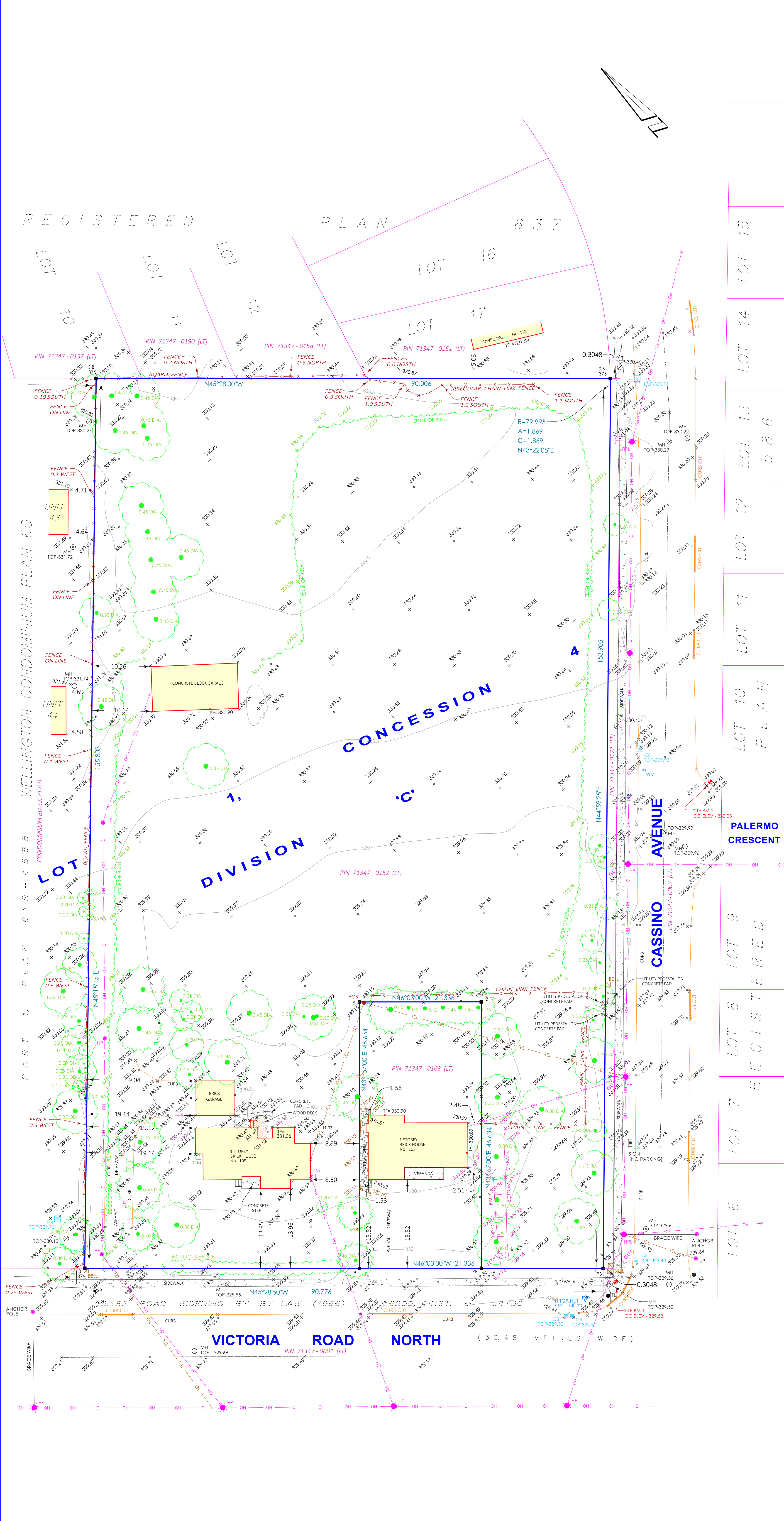
VICTORIA RD N

(30.48 METRES WIDE)

CASSINO AVE

PALERMO CRES
Centreline (approximate)

LOT 6 LOT 7 LOT 8 LOT 9 REGISTERED
LOT 10 LOT 11 LOT 12 LOT 13 LOT 14 LOT 15
PLAN 586



REGISTERED PLAN 637

LOT 16
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LOT 99
LOT 100

PROPERTY DESCRIPTION:

- PINS 71347-0162 (LT) AND 71347-0163 (LT)
- ADDRESS: 103/105 VICTORIA ROAD NORTH
- PART OF LOT 1, CONCESSION 4, DIVISION C
- CITY OF GUELPH

LEGEND:

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
- IB DENOTES .015 x .015 x 0.60 IRON BAR
- CC DENOTES CUT CROSS
- PB DENOTES PLASTIC BAR
- VHS DENOTES BLACK, SHOEMAKER et. al., O.L.S.'s
- 375 DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s

EXISTING ELEVATION x 206.55
FINISHED FLOOR ELEVATION x FF=206.55
TOP OF FOUNDATION ELEVATION x TF=206.55

HYDRO POLE HP
HYDRO POLE WITH LIGHT HPL
LIGHT STANDARD
FIRE HYDRANT FH
WATER VALVE WV
CATCH BASIN CB
MANHOLE MH
BELL PEDESTAL BELL
HYDRO GUY WIRE GUY
OVERHEAD HYDRO
FENCELINE
CENTRELINE OF ROAD

BUILDING
CONCRETE
ASPHALT
PAVING STONE
DECIDUOUS SAPLING
DECIDUOUS TREE
CONIFEROUS TREE

BEARING AND COORDINATE NOTE:

- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99960089.
- COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

SURVEY INFORMATION:

BENCHMARK REFERENCE:
ELEVATIONS ARE BASED ON GPS OBSERVATIONS FROM PERMANENT REFERENCE STATIONS IN THE NAD83 (CSRS-2010) COORDINATE SYSTEM, WITH HEIGHTS CONVERTED TO ORTHOMETRIC ELEVATIONS ON THE CGVD28 DATUM (1978 ADJUSTMENT) WITH GEOID MODEL HTv2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

SITE BENCHMARKS:
1. CUT CROSS IN SIDEWALK NEAR SOUTHEAST CORNER OF SUBJECT LANDS HAVING AN ELEVATION OF 329.52m.
2. CUT CROSS IN SIDEWALK AT NORTHEAST CORNER OF CASSINO AVE. AND PALERMO CRES. HAVING AN ELEVATION OF 330.03m.

TOPOGRAPHIC SURVEY DATE:
THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 18th DAY OF FEBRUARY, 2020.

CAUTION: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
- THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

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

TOPOGRAPHIC SURVEY
PART OF LOT 1
CONCESSION 4, DIVISION 'C'
GEOGRAPHIC TOWNSHIP OF GUELPH
CITY OF GUELPH
COUNTY OF WELLINGTON

DRAWING REVISION SCHEDULE

NO.	REVISION	DATE
0	INITIAL SUBMISSION	03/04/20

PREPARED FOR: REID'S HERITAGE HOMES LTD.
PROJECT No. 27336-19
DRAWING SCALE 1 : 300

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo Ph: 519-742-8371 Guelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: DRD CHECKED BY: JML
Mar 04, 2020-10:20am
G:\GUELPH\DivC\Conc4\cad\TOPO 103-105 VICTORIA ROAD (UTM 2010 NR).dwg

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept 13, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-26/22

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 53 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: 103 and 105 Victoria Road North

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

Part of Lot 1, Concession 4, Division C

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges? No Yes

If yes, explain:

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

Name: Zenon Alexander Maziarz c/o Gemini Homes

Mailing Address: 27 Edinburgh Road South

City: Guelph Postal Code: N1C0A1

Home Phone: 519 - 822 - 3988 Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: MHBC Planning (c/o Dave Aston / Emily Elliot)

Company: _____

Mailing Address: 540 Bingemans Centre Drive, Suite 200

City: Kitchener, ON Postal Code: N2B 3X9

Home Phone: _____ Work Phone: 519 - 576 -3650

Fax: _____ Email: _____

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
--	--

LAND USE

What is the current official plan designation of the subject lands:
Low Rise Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO
If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:
Please see attached covering letter

If no, has an application for an Official Plan Amendment been submitted? YES NO
File No.: _____ Status: _____

What is the current zoning designation of the subject lands:
Urban Reserve - though site is currently subject to an applicaiton for Zoning By-law Amendment

Does the proposal for the subject lands conform to the existing zoning? YES NO
If no, has an application for a minor variance or rezoning been submitted? YES NO
File No.: OZS21-008 Status: Ongoing

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO
Provide explanation:
Please see attached covering letter

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO
Provide explanation:
See attached covering letter

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO
If yes, indicate which plan(s) and provide explanation:
A Place to Grow - see covering letter for more information

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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 checked="" type="checkbox"/>	OZS21-008 - Ongoing
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"/>	_____
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	_____

AFFIDAVIT

I/We, Emily Elliott, of the City/Town of Kitchener in County/Regional Municipality of Waterloo, 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.

Emily Elliott

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
City _____ of Kitchener in the County/Regional Municipality of
(city or town)
Waterloo this 12 day of September, 2022.

David William Aston, a Commissioner, etc.,
Province of Ontario for MacNaughton Hermesen
Britton Clarkson Planning Limited.
Expires January 9, 2023

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Zenon Alexander Maziarz

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

being the registered property owner(s) of

103 and 105 Victoria Road North

(Legal description and/or municipal address)

hereby authorize MHBC Planning

(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 12 day of September 2022.

Z. A. Maziarz

(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 Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept 13, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-27/22

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 53 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: 103 and 105 Victoria Road North

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

Part of Lot 1, Concession 4, Division C

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes

If yes, explain:

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

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Mailing Address: 27 Edinburgh Road South

City: Guelph Postal Code: N1C0A1

Home Phone: 519 - 822 - 3988

Work Phone: _____

Fax: _____

Email: _____

AGENT INFORMATION (If Any)

Name: MHBC Planning (c/o Dave Aston / Emily Elliott)

Company: _____

Mailing Address: 540 Bingemans Centre Drive, Suite 200

City: Kitchener, ON Postal Code: N2B 3X9

Home Phone: _____ Work Phone: 519 - 576 -3650

Fax: _____

Email: _____

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

No Yes

Is any portion of the land to be severed or retained located within a floodplain?

No Yes

LAND USE

What is the current official plan designation of the subject lands:

Low Rise Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

Please see attached covering letter

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:

Urban Reserve - though site is currently subject to an application for a Zoning By-law Amendment

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: _____ Status: _____

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:

Please see attached covering letter

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:

See attached covering letter

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

A Place to Grow - see covering letter for more information

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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 checked="" type="checkbox"/>	OZS21-008 - Ongoing
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"/>	_____
Minor Variance	<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 fourteen (14) 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 (14) 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

AFFIDAVIT

I/We, Emily Elliott, of the City/Town of Kitchener in County/Regional Municipality of Waterloo, 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.

EE Elliott

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 City Kitchener of Kitchener in the County/Regional Municipality of Waterloo (city or town) this 12 day of September, 2022.

David William Aston, a Commissioner, etc.,
Province of Ontario for MacNaughton Hermesen
Britton Clarkson Planning Limited.

Commissioner of Oaths
Expires January 9, 2023.

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Zenon Alexander Maziarz

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

being the registered property owner(s) of

103 and 105 Victoria Road North

(Legal description and/or municipal address)

hereby authorize MHBC Planning

(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 12 day of September 2022.

Z. A. Maziarz

(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 Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept 13, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-28/22

TO BE COMPLETED BY APPLICANT

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

through the zoning by-law amendment process

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 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: 103 and 105 Victoria Road North

Legal description of property (registered plan number and lot number or other legal description):
Part of Lot 1, Concession 4, Division C

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes
If yes, describe: _____

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes
If yes, explain: _____

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

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Mailing Address: 27 Edinburgh Road South

City: Guelph Postal Code: N1C0A1

Home Phone: 519 - 822 - 3988 Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: MHBC Planning (c/o Dave Aston / Emily Elliot)

Company: _____

Mailing Address: 540 Bingemans Centre Drive, Suite 200

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Home Phone: _____ Work Phone: 519 - 576 -3650

Fax: _____ Email: _____

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
--	--

LAND USE

What is the current official plan designation of the subject lands:
 Low Rise Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:
 Please see attached covering letter

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:
Urban Reserve - though site is currently subject to an application for Zoning By-law Amendment

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: OZS21-008 Status: Ongoing

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:
 Please see attached covering letter

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:
 See attached covering letter

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:
 A Place to Grow - see covering letter for more information

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

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Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OZS21-008 - Ongoing
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"/>	_____
Minor Variance	<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 fourteen (14) 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 (14) 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

AFFIDAVIT

I/We, Emily Elliott, of the City/Town of Kitchener in County/Regional Municipality of Waterloo, 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.

EElliott

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

CITY of KITCHENER in the County/Regional Municipality of
(city or town)
WATERLOO this 12 day of SEPT, 2022

David William Aston, a Commissioner, etc.,
Procurator of Ontario for MacNaughton Hermesen
Brookfield Clean Planning Limited

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Zenon Alexander Maziarz

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

being the registered property owner(s) of

103 and 105 Victoria Road North

(Legal description and/or municipal address)

hereby authorize MHBC Planning

(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 12 day of September 2022.

Z.A. Maziarz
(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.



September 13th, 2022

Trista Di Lullo, Secretary Treasurer
Committee of Adjustment
City Hall, 1 Carden Street
Guelph, ON N1H 3A1

Dear Ms. Di Lullo and Members of the Committee:

**RE: Consent Applications – 103 & 105 Victoria Road North, City of Guelph
OUR FILE 18172B**

On behalf of our clients, Gemini Homes and Mr. Alex Maziarz, we are pleased to submit consent applications for the lands municipally known as 103 and 105 Victoria Road North (the “subject lands”).

The subject lands are located at the northeast corner of Victoria Road North and Cassino Avenue in the eastern portion of the City of Guelph and are presently developed with two single-detached dwellings fronting on Victoria Road North and a detached garage. The total area of the subject lands is 14,073.5 square metres (1.4 hectares) with approximately 90 metres of frontage on Victoria Road North and 156 metres of frontage on Cassino Avenue.

The subject lands are designated Low Rise Residential by the City of Guelph Official Plan and zoned Urban Reserve (UR) by the City of Guelph Zoning By-law. A Zoning By-law Amendment application (OZS21-008) was submitted on June 4th, 2021 and resubmitted on May 25th, 2022 to respond to public comments. The Zoning By-law Amendment application proposes to permit a multiple residential development on the rear portion of the subject lands and remains under review. The creation of new lots is permitted under current zoning and will facilitate the proposed development.

The purpose of the consent applications is to divide that lands at 105 Victoria Road North into three parts (Part 1, Part 2, and Part 3) and to permit a lot addition (Part 4) to the rear of 103 Victoria Road North. The enclosed Consent Sketch illustrates the three proposed parts and lot addition:

- **Part 1 (Lands to be Retained)** – Part 1 contains a single-detached one-storey residential dwelling and an accessory structure (detached garage). Part 1 has a lot frontage of 48.08 metres along Victoria Road North, a depth of 48.66 metres and an area of 2333.7 square metres (0.23 hectares).
- **Part 2 (Lands to be Severed)** – Part 2 is currently vacant. It has a lot frontage of 21.33 metres on Victoria Street North and 48.31 metres on Cassino Avenue. Part 2 has an area of 1042.0 square metres (0.10 hectares).
- **Part 3 (Lands to be Severed)** – Part 3 is the portion of the subject lands planned for the multiple residential development. Part 3 has a lot frontage of 105.53 metres on Cassino Avenue, a depth of 105.53 metres and an area of 9662.2 square metres (0.97 hectares).
- **103 Victoria Road/Part 4 (Lot Addition)** – 103 Victoria Road contains a single-detached one-storey residential dwelling, has 21.33 metres of frontage on Victoria Road North and has an area of 1042.0 metres (0.10 hectares). The application proposes a lot addition to the rear of this property. The lands for the lot addition are illustrated as Part 4. Part 4 has no frontage, a width of 21.33 metres, a depth of 1.87 metres, and an area of 41.8 square metres.

The proposed consent applications are in conformity with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe as they will allow for intensification and the efficient use of residential lands and municipal resources within the Built-Up Area. The proposed consent applications conform to the Official Plan and are permitted under current zoning. The proposed lots represent orderly division of the subject lands and will facilitate the ongoing Zoning By-law Amendment application. A future site plan application will ensure the appropriate site design requirements are addressed.

In support of these consent applications, we are pleased to enclose digital copies of the following:

- A signed Consent Application Form for the addition of Part 4 to 103 Victoria Road North;
- A signed Consent Application Form for the severance of Part 2 from Part 1;
- A signed Consent Application Form for the severance of Part 3 from Part 1;
- A Consent Sketch, prepared by MHBC, dated September 7th, 2022;
- A Topographic Survey, prepared by Van Harten Surveying Inc., dated March 4, 2020; and,
- A Concept Site Plan, prepared by MHBC Planning, dated April 28, 2022 (note that this Concept Plan is under review and is subject to change through the zoning by-law amendment application process).

The required application fees have been delivered to the Committee of Adjustment under separate cover.

Thank you for your consideration.

Yours truly,
MHBC

A handwritten signature in black ink that reads "E Elliott". The signature is written in a cursive, flowing style.

Emily Elliott, BES, MCIP, RPP
Associate

cc. *Joe Harris, Gemini Homes*

Committee of Adjustment Notice of Public Hearing



Applications for Consent [New Lot and Lot Addition] have been filed with the Committee of Adjustment

Application Details

Location:

64 and 70 Forest Street

Proposal:

The applicant is proposing to sever a 65 square metre parcel of land to the right of 64 Forest Street, as a lot addition to the abutting property at 70 Forest Street. The applicant is subsequently proposing to sever part of the enlarged parcel at 70 Forest Street, to create a new lot with frontage along Forest Street of 12.7 metres and an area of 551 square metres. A new detached dwelling is proposed for the new lot, and the existing dwellings at 64 and 70 Forest Street are proposed to remain.

Due to the lot reconfiguration, a minor variance for the new lot has been submitted (file A-51/22, see attached).

By-Law Requirements:

The properties are located in the Residential Single Detached (R.1B) Zone.

Request:

The applicant proposed the following, as shown on the attached sketch:

File B-29/22 – Lands to be severed number 1 (Lot addition)

Severance of a parcel of land with an area of 65 square metres from 64 Forest Street as a lot addition to the left of the abutting property known as 70 Forest Street. The proposed retained parcel at 64 Forest Street will have a frontage of 17.68 metres and an area of 768 square metres.

File B-30/22 – Lands to be severed number 2 (New lot)

Severance of a parcel of land including the lot addition created via file B-29/22 with frontage along Forest Street of 12.7 metres, and an area of 551 square metres. The proposed retained parcel at 70 Forest Street will have frontage along Forest Street of 18.9 metres and an area of 776 square metres.

Hearing Details

The Committee of Adjustment for the City of Guelph will be holding a public hearing to consider an application under Section 53 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **B-29/22 and B-30/22**

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 **October 6, 2022 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 consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

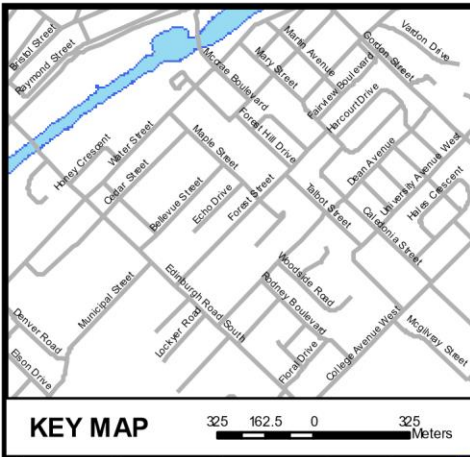
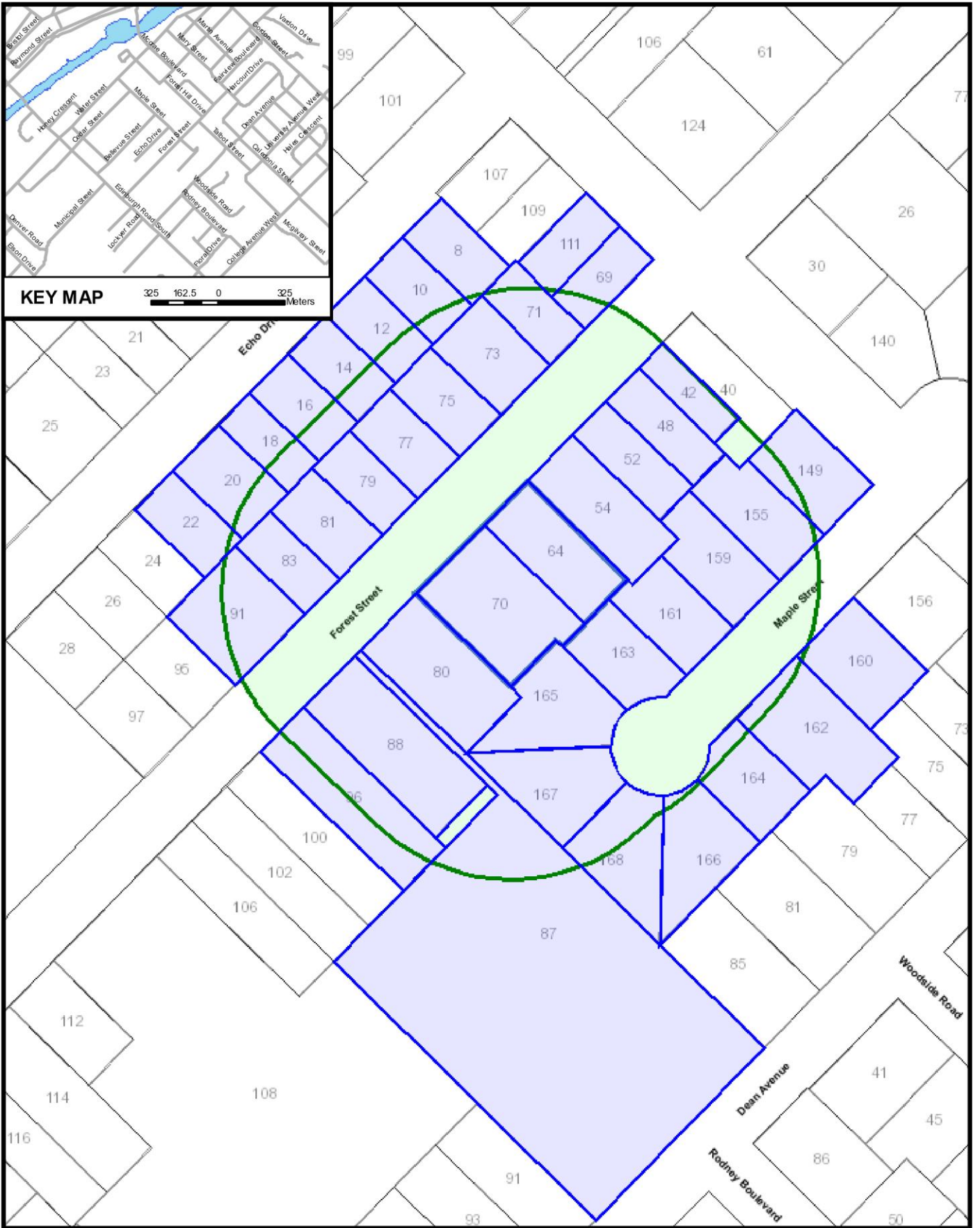
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this September 26, 2022.

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



B-29/22 B-30/22 A-51/22 64 & 70 Forest Street
60m Circulation Area

Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: 2022-09-22, 11:18:36 a.m.

The City of Guelph, its employees and agents, do not undertake to guarantee the validity 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 descriptions. 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 519-822-1266.

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

70 Forest Street

Proposal:

The applicant is proposing a lot addition to 70 Forest Street (file B-29/22, see attached). The applicant is subsequently proposing to sever part of the enlarged parcel at 70 Forest Street, to create a new lot with frontage along Forest Street (file B-30/22, see attached). Due to the lot reconfiguration, a minor variance application is required for the reduced lot frontage.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Table 5.1.2, Row 4 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum lot frontage of 15.0 metres for properties located in a R.1B Zone.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum lot frontage of 12.7 metres for the proposed severed parcel.

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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-51/22**

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 **October 6, 2022 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

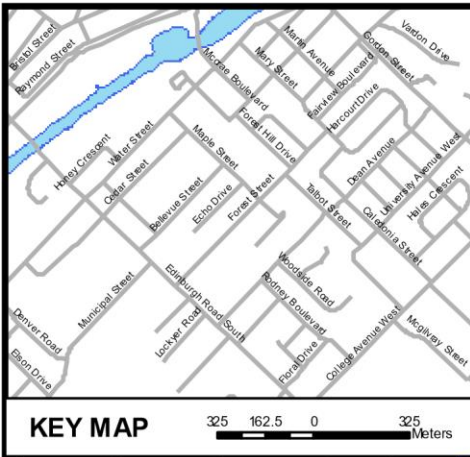
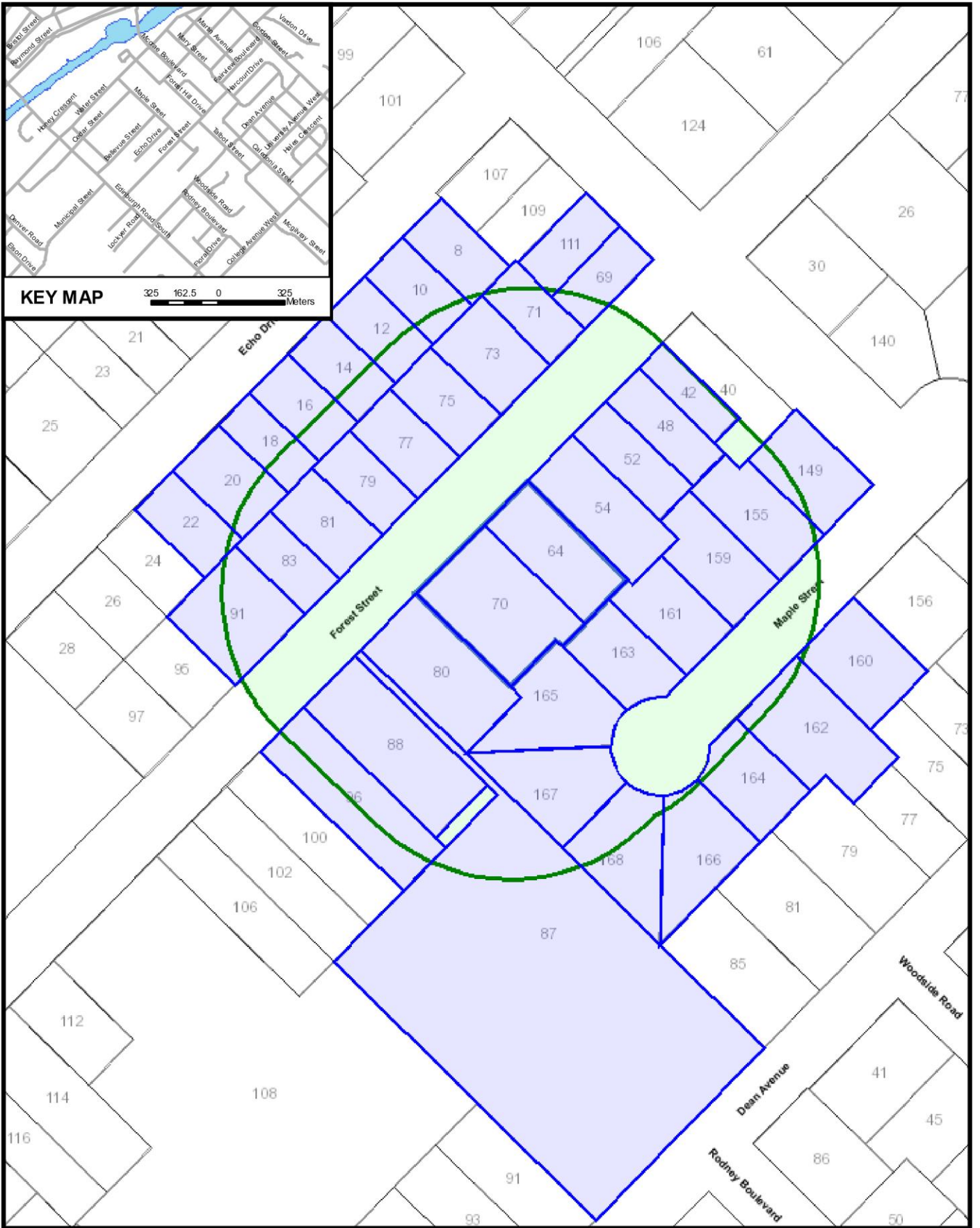
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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



B-29/22 B-30/22 A-51/22 64 & 70 Forest Street
60m Circulation Area

Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: 2022-09-22, 11:18:36 a.m.

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TABLE 5.1.2 - ZONING DESIGNATION: RESIDENTIAL R.1B SINGLE-DETACHED DWELLINGS				
ITEM	REQUIRED	PARCEL 1 (#64 Forest)	PARCEL 2 (MERGED Parcel)	PARCEL 3 (#70 Forest)
MINIMUM Lot Area	460m ²	768m ²	551m ²	776m ²
MINIMUM Lot Frontage	15.0m	17.6m	12.7m (A)	18.9
MINIMUM Front Yard	6.0m	7.7m	8.3m	7.9m
MINIMUM Side Yard (1 to 2 Storeys)	1.5m	6.0m / 1.5m	1.5m	3.6m / 1.7m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less	23.0m	19.2m	18.9m

(A) = Minor Variance Required

SEVERANCE & MINOR VARIANCE SKETCH

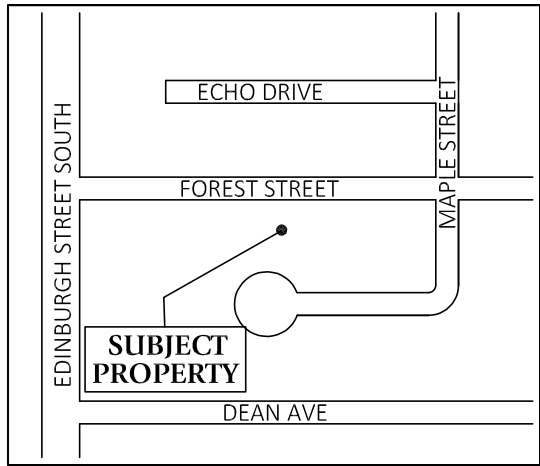
LOT 44, REGISTERED PLAN 50, CITY OF GUELPH COUNTY OF WELLINGTON

SCALE 1 : 300



VAN HARTEN SURVEYING INC.

KEYMAP:



NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1B).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF LOW DENSITY RESIDENTIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
6. N.T.S. DENOTES NOT TO SCALE.

SURVEYOR'S CERTIFICATE:

THIS SKETCH WAS PREPARED ON
ON THE 13th DAY OF SEPTEMBER, 2022

Jeff Buisman
JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
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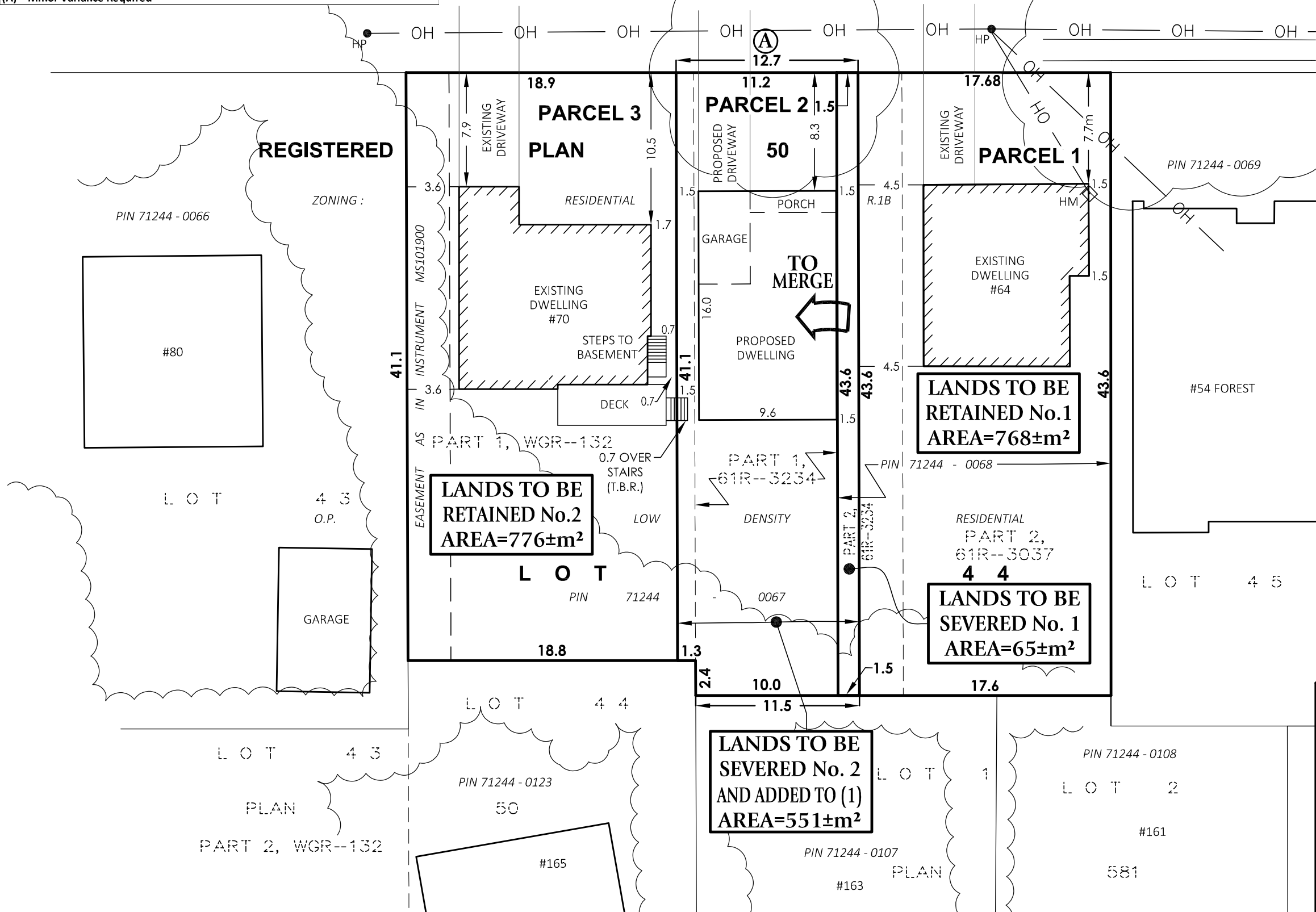
www.vanharten.com info@vanharten.com

DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 30033-21
Sep 13, 2022-2:15:00 PM		
G:\GUELPH\050\ACAD\SEV LOT 44 (GILL) UTM.dwg		

MINOR VARIANCE REQUEST
Ⓐ MINIMUM FRONTAGE TO BE 12.7m VS. 15.0m REQUIRED

FOREST STREET

ESTABLISHED BY REGISTERED PLAN 50
PIN 71244 - 0125
20.12m WIDE



Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept 13, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-29/22

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 53 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>64 Forest Street, Guelph</u>
Legal description of property (registered plan number and lot number or other legal description):	<u>Part of Lot 44, Registered Plan 50, Part 2, 61R-3037 & Part 2, 61R-3234; Guelph</u>
Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
If yes, describe:	
Are the lands subject to any mortgages, easements, right-of-ways or other charges:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
If yes, explain:	Mortgage as in INST No. WC360982 with the Royal Bank of Canada
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)	
Name:	<u>Sarah Elizabeth THOMAS & Colin John McGroarty</u>
Mailing Address:	<u>64 Forest Street</u>
City:	<u>Guelph, ON</u>
Postal Code:	<u>N1G 1H9</u>
Home Phone:	<u>226-979-1316</u>
Work Phone:	<u></u>
Fax:	<u></u>
Email:	<u>cmcgroarty@gmail.com</u>
AGENT INFORMATION (If Any)	
Name:	<u>Jeff Buisman</u>
Company:	<u>Van Harten Surveying Inc.</u>
Mailing Address:	<u>423 Woolwich Street</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1H 3X3</u>
Home Phone:	<u>519-821-2770</u>
Work Phone:	<u>519-821-2763 ext. 225</u>
Fax:	<u></u>
Email:	<u>jeff.buisman@vanharten.com</u>

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
---	---

LAND USE

What is the current official plan designation of the subject lands:
Low Density Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:
The property is designated as Low Density Residential in the Official Plan. This proposal follows the objectives outlined in Section 9.3 of the Official Plan for Residential Designations. This proposal is for a minor boundary adjustment for residential purposes and also follows the Consent Policies listed in Section 10.10.1 of the OP.

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:
Residential R.1B

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: _____ Status: _____

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:
Section 1.1.3 of the PPS directs growth to occur within settlement areas. This application is for a minor boundary adjustment and is appropriately zoned.

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:
The Growth Plan for the GGH is coordinating for growth across the region including population and employment forecasts. This application is for a minor boundary adjustment that will reconfigure the boundary slightly which conforms with the Growth Plan.

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:
 File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:
 File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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

	No	Yes	File Number and File Status
Official Plan Amendment	X		_____
Zoning By-law Amendment	X		_____
Plan of Subdivision	X		_____
Site Plan	X		_____
Building Permit	X		_____
Minor Variance		X	A Minor Variance for the Merged Parcel is being submitted simultaneously
Previous Minor Variance Application	X		_____
Consent		X	Severance Application for #70 Forest Street is being submitted simultaneously

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.

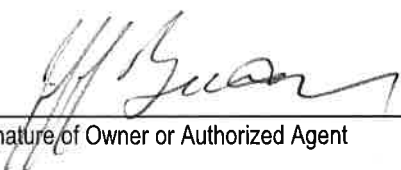
POSTING OF ADVISORY SIGN

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 fourteen (14) 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 (14) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

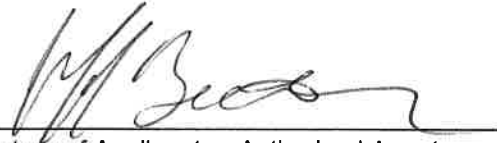


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

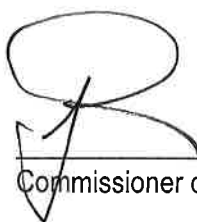
I/We, **Jeff Buisman of Van Harten Surveying Inc.**, of the City/Town of **Guelph** in County/Regional Municipality of **Wellington**, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and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


Signature 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 _____
City of **Guelph** in the County/Regional Municipality of
(city or town)
Wellington this **13** day of **Sept**, 20 **22**.



Commissioner of Oaths

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Sarah Elizabeth THOMAS & Colin John MCGROARTY

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


being the registered property owner(s) of


Part of Lot 44, Plan 50; Part 2, 61R-3037 & Part 2, 61R-3234, Guelph / 64 Forest Street
(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying 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 19th day of August 2022.


(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 Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sept. 13, 2022	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-30/22

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 53 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: 70 Forest Street, Guelph

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

Part of Lot 44, Registered Plan 50, Part 1, WGR132 & Part 1, 61R-3234 S/T MS101900; Guelph

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes

If yes, describe: S/T Easement as in INST No. MS101900

Are the lands subject to any mortgages, easements, right-of-ways or other charges? No Yes

If yes, explain:

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

Name: Beverley Jill GILL & Peter John GILL

Mailing Address: 70 Forest Street

City: Guelph, ON Postal Code: N1G 1H9

Home Phone: 519-767-1244 Work Phone:

Fax: Email: peter.gill@sympatico.ca

AGENT INFORMATION (If Any)

Name: Jeff Buisman

Company: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph Postal Code: N1H 3X3

Home Phone: 519-821-2770 Work Phone: 519-821-2763 ext. 225

Fax: Email: jeff.buisman@vanharten.com

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

No Yes

Is any portion of the land to be severed or retained located within a floodplain?

No Yes

LAND USE

What is the current official plan designation of the subject lands:

Low Density Residential

Does the proposal conform with the City of Guelph Official Plan? YES NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

The property is designated as Low Density Residential in the Official Plan. This proposal follows the objectives outlined in Section 9.3 of the Official Plan for Residential Designations. This proposal is for a severance which will create a new parcel for residential purposes and also follows the Consent Policies listed in Section 10.10.1 of the OP.

If no, has an application for an Official Plan Amendment been submitted? YES NO

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:

Residential R.1B

Does the proposal for the subject lands conform to the existing zoning? YES NO

If no, has an application for a minor variance or rezoning been submitted? YES NO

File No.: _____ Status: **A minor variance application is being submitted for the Severed Parcel (reduced frontage)**

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? YES NO

Provide explanation:

Section 1.1.3 of the PPS directs growth to occur within settlement areas. This application is for a severance which to create a new parcel for residential purposes and therefore, conforms with the PPS.

Does this application conform to the Growth Plan for the Greater Golden Horseshoe? YES NO

Provide explanation:

The Growth Plan for the GGH is coordinating for growth across the region including population and employment forecasts. This application is for a severance to create a new residential parcel and therefore, conforms with the Growth Plan.

Is the subject land within an area of land designated under any other provincial plan or plans? YES NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

b) An application for Consent under section 53 of the *Planning Act*? YES NO

If yes, provide the following:

File No.: _____ Status: _____

Is this application a resubmission of a previous application? YES NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? YES NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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

	No	Yes	File Number and File Status
Official Plan Amendment	X		_____
Zoning By-law Amendment	X		_____
Plan of Subdivision	X		_____
Site Plan	X		_____
Building Permit	X		_____
Minor Variance		X	<u>A Minor Variance is being submitted simultaneously for the Severed Parcel</u>
Previous Minor Variance Application	X		_____
Consent		X	Lot Line Adjustment Application for #64 Forest Street is being submitted simultaneously

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 (14) 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

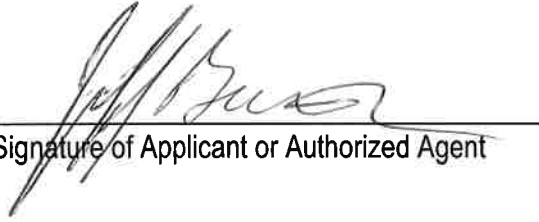
Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Jeff Buisman of Van Harten Surveying Inc., 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.

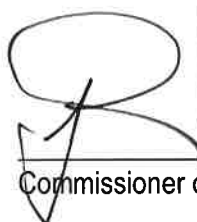

Signature of Applicant or Authorized Agent

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

City of Guelph in the County/Regional Municipality of
(city or town)
Wellington this 13 day of Sept, 2022.


Commissioner of Oaths

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2024

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Beverley Jill GILL & Peter John GILL

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

being the registered property owner(s) of

Part of Lot 44, Plan 50; Part 1, WGR-132 & Part 1, 61R-3234 / 70 Forest Street

(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying 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 9 day of Sept 2022.

Bjill Gill
(Signature of the property owner)

P. John Gill
(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 Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

Phone *

Extension

Email *

Mailing address

Unit

Street address *

City *

Postal code *

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

Van Harten
Surveying

Name *

Jeff Buisman

Phone *

(519) 821-2763

Email

jeff.buisman@vanharten.com

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

423 Woolwich
Street

City *

Guelph

Province *

Ontario

Postal code *

N1H 3X3



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Page 4 of 10

Property address

Street number *

70

Street *

Forest Street

City * ?

Guelph

Province *

Ontario

Postal code

N1G 1H9

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

Part of Lot 44, Registered Plan 50, Part 1, WGR132 & Part 1, 61R-3234 S/T MS101900; Guelph

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

Low Density Residential

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

Residential R.1B

Date property was purchased *

8/15/1990



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

11/15/2022



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

many years

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

12.7

Area (metres squared) *

43.6

Depth (metres) *

551



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * ?

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Please specify if this minor variance application relates to the severed or retained parcel *

severed parcel

retained parcel

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

Table 5.1.2, row 4 - frontage

Proposed *

12.7

Required *

15.0

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed *

The variance is required as part of the consent application being submitted with this variance. Please see the covering letter for details.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input checked="" type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Consent reference/application number *

Submitting together with variance

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Beverley Jill GILL & Peter John GILL

Date *

9/15/2022



Street address *

70 Forest Street

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Jeff Buiman, Van Harten Surveying

Date *

9/13/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

hailey.keast@vanharten.com

Office use only

File number

A-51/22

Address

70 Forest Street
Guelph, Ontario
N1G 1H9

Comments from staff

Received: September 13, 2022



September 13, 2022

30033-21

Jeff.Buisman@vanharten.com

Committee of Adjustment
City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Mr. Juan da Silva

Dear Mr. da Silva:

**Re: Severance and Minor Variance Applications & Sketch
70 Forest Street & 64 Forest Street
Part of Lot 44, Plan 50
PIN 71244-0067 & 71244-0068
City of Guelph**

Please find enclosed applications for a lot line adjustment, severance and minor variance on the above-mentioned properties. Included with this submission are copies of the sketch, completed application forms, PIN Report and Map and required deeds. Payment of \$6,271 to the City of Guelph for the three application fees will be made after submission.

Proposal:

The proposal is to slightly reconfigure two properties and create a new lot for residential purposes.

The first proposal is for a lot line adjustment to sever a small portion of land ($65\pm\text{m}^2$) from 64 Forest Street (PIN 71244-0068) and merge it with the adjacent parcel at #70 Forest Street (PIN 71244-0067) for a minor boundary adjustment for an increased side yard.

The second proposal is for a severance from #70 Forest Street (PIN 71244-0067) to create a lot for urban residential purposes where a single-detached dwelling is proposed. The small portion of the lot line adjustment will be merged with this parcel. The existing dwelling at #64 and #70 will remain.

The result of the applications will allow for 2 existing parcels and 1 new lot:

Parcel 1 – 64 Forest Street will have a frontage of 17.6m, depth of 43.6m, for an area of $768\pm\text{m}^2$ where the existing dwelling will remain and the Zoning requirements are met.

Parcel 2 – Merged Lot and will have a frontage of 12.7m, depth of 43.6m, for an area of $551\pm\text{m}^2$ where a new dwelling is proposed. A minor variance is required for the reduced lot frontage.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com



LAND SURVEYORS and ENGINEERS

Parcel 3 – 70 Forest Street will have a frontage of 18.9m, depth of 41.1m, for an area of 776±m² where the existing dwelling will remain, and the Zoning requirements are met. There are existing stairs on the rear deck that are to be removed as they are encroaching into the new lot.

The Zoning for the subject property is Residential R.1B where a single-detached dwellings are permitted. The Zoning requirements are met for the Retained Parcels (#64 & #70) and all zoning requirements are met for the Merged Parcel except for the lot frontage and a Minor Variance is being requested for that. The minor variance request is as follows:

A) To permit a reduced lot frontage of the Merged Parcel to be 12.7m instead of 15.0m as required in Table 5.1.2, Row 4 of the Zoning By-law.

The parcels were configured to ensure the frontage and side yards of the Retained Parcels (#64 & #70) would both meet zoning with at least 15m. The lot area for each parcel is easily met. Although the frontage of the Merged Parcel is slightly under the required minimum of 15m, there is still considerable area for the proposed dwelling, while adhering to the remaining zoning requirements. Safe driveway access is possible with the reduced lot frontage, and we consider this variance request to be minor in nature as it follows the general intent of the Official Plan and Zoning By-law and will not have a negative effect on the neighbouring parcels.

The property has an Official Plan designation of Low Density Residential where a single-detached dwelling is permitted. Section 9.3 of the Official Plan reviews the Objectives of “Residential Uses” such as Low Density Residential and this application aligns with the objectives listed including:

- a) *To ensure that an adequate amount of residential land is available to accommodate the anticipated population growth over the planning horizon.*
- b) *To facilitate the development of a full range of housing types, affordability, densities and tenure to meet a diversity of lifestyles and the social needs, health and well-being of current and future residents, throughout the city.*
- f) *To maintain the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification.*
- g) *To direct new residential development to areas where municipal services and infrastructure are available or can be provided in an efficient and cost effective manner.*
- i) *To ensure new development is compatible with the surrounding land uses and the general character of neighbourhoods.*
- j) *To promote innovative housing types and forms in order to ensure accessible, affordable, adequate and appropriate housing for all socioeconomic groups.*
- k) *To ensure that existing and new residential development is located and designed to facilitate and encourage convenient access to employment, shopping, institutions and recreation by walking, cycling or the use of transit.*

There is a very high demand of housing and intensification within Guelph and this provides a great opportunity for in-fill development and to intensify the lands for residential purposes while adhering to all but one Residential R.1B zoning requirements. The new lot takes advantage of existing services as well as utilizes the open space that can support a building envelope.



LAND SURVEYORS and ENGINEERS

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read "Jeffrey E. Buisman".

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Peter & Jill Gill
cc Sarah Thomas & Colin McGroarty

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

43 Everton Drive

Proposal:

The applicant is proposing to continue to use the subject property as a model home, and temporarily use the garage as sales office space and allow the legal parking space to be located in the driveway rather than inside the garage. The Committee previously granted approval in 2019 for the temporary parking location for a period of 3 years (file A-94/19), but this approval expires in December 2022.

By-Law Requirements:

The property is located in the Specialized Residential (R.1C-27) Zone. A variance from 4.13.2.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that in a R.1 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 the required parking space to be located 0.8 metres from the street line (within the driveway) and be located in front of the front wall of the 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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-50/22**

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 **October 6, 2022 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. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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

NOTES:

1. THIS PLAN MUST BE READ IN CONJUNCTION WITH THE APPROVED LOT GRADING PLAN.
2. LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 58M-631 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.
3. THE POSITION OF ALL POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
4. ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE LOT GRADING PLAN FOR REGISTERED PLAN 58M-631 AND ARE PROPOSED.

- 300.00 DENOTES PROPOSED GRADE BY BSR&D
- 300.00 DENOTES PROPOSED ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- o DENOTES IRON PIN TO BE SET ON SITE
- T.F. DENOTES TOP OF FOUNDATION
- U.S.F. DENOTES UNDERSIDE OF FOOTINGS

SKETCH

PREPARED FOR BUILDING PERMIT APPLICATION

SCALE 1 : 250



METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION : THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

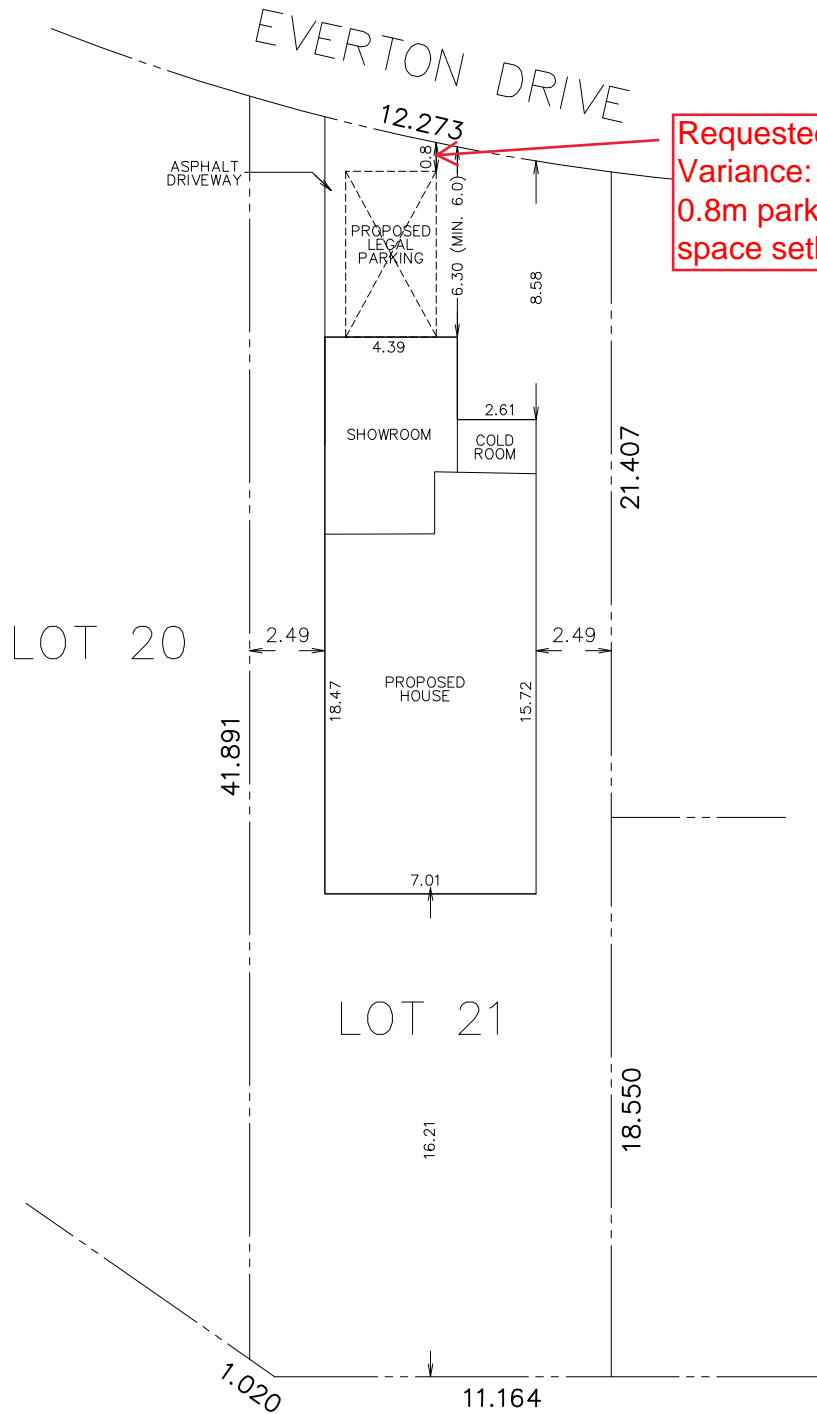
- B.F. DENOTES BASEMENT FLOOR
- INFL DENOTES INFILTRATION GALLERY
- SF DENOTES STRUCTURAL FILL

CITY OF GUELPH

DRIVEWAY OBSTRUCTIONS TO BE CHECKED AT TIME OF STAKEOUT

NOTE:

LOT AREA = 492.4 sq.m.
 HOUSE AREA = 122.3 sq.m.
 COVERAGE = 24.8% (45% MAX)

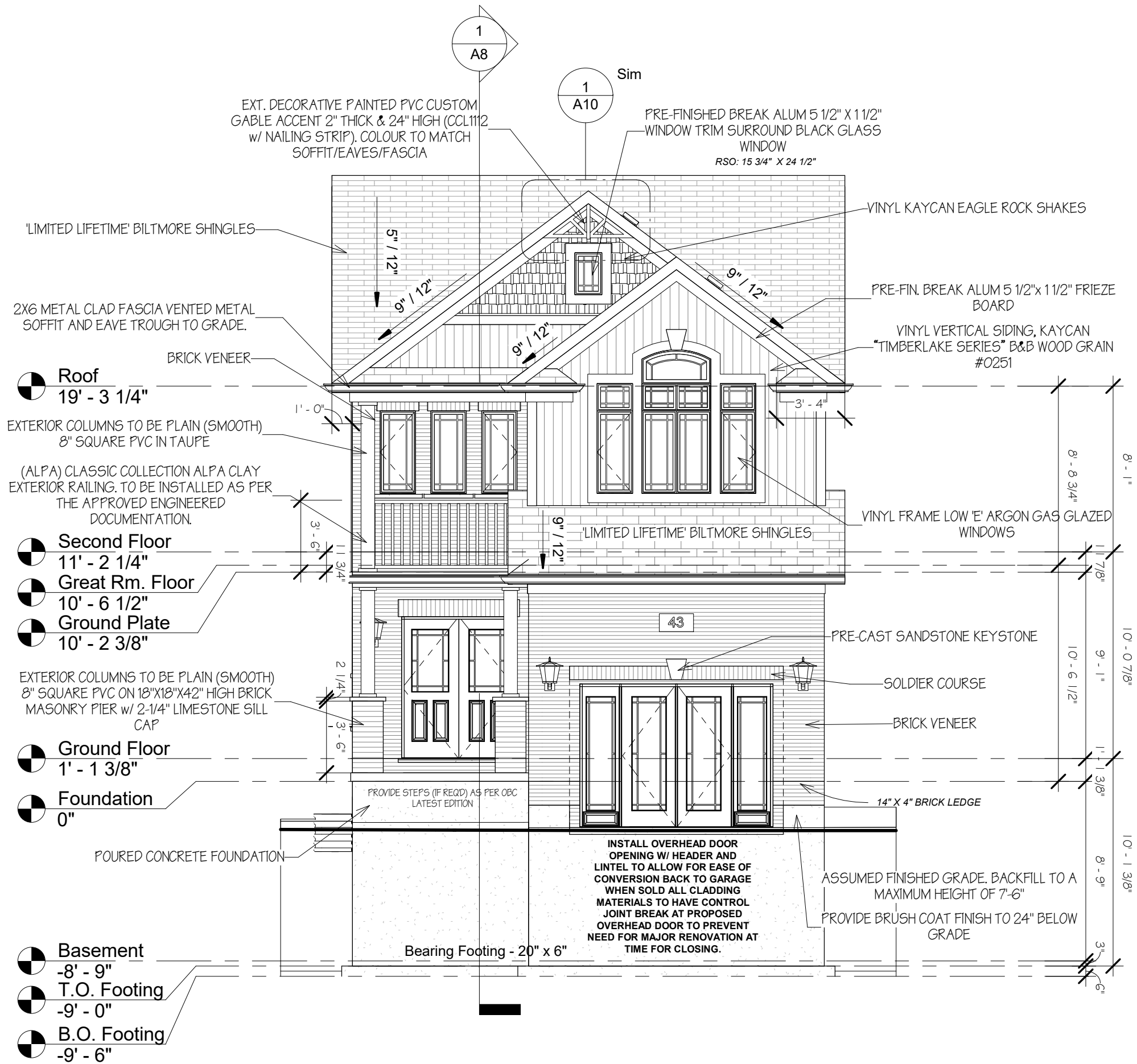


**Requested Variance:
0.8m parking space setback**

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1			
2			

DRAWN: PH
 CHECKED:
 DATED:
 Ref. No.

G:\Drafting\2) LOT SPECIFICS\ACTIVE LOT SPECIFICS\1) GUELPH\GLADE\PHASE 1\WORKING DRAWINGS\LOT SPECIFIC LOT 21 EVERTON STREET ODYSSEY II B.rvt



Revision Schedule

NO:	Date:	Description:

BLACK WINDOWS

fusion
HOMES

T: 519-826-6700 F: 519-826-6701
500 HANLON CREEK BLVD, GUELPH ON, N1C 0A1

I, Phil Ha, have reviewed and take responsibility for the design activities with respect to this project.

Phil Ha

Date: 2020-01-13 12:36:18 PM BCIN #: 38547

Project:
**LEGAL LOT 21
FUSION LOT 21
43 EVERTON DRIVE
ODYSSEY II B**

Drawing:
Front Elevation

Scale: 3/16" = 1'-0"

Drawn By:

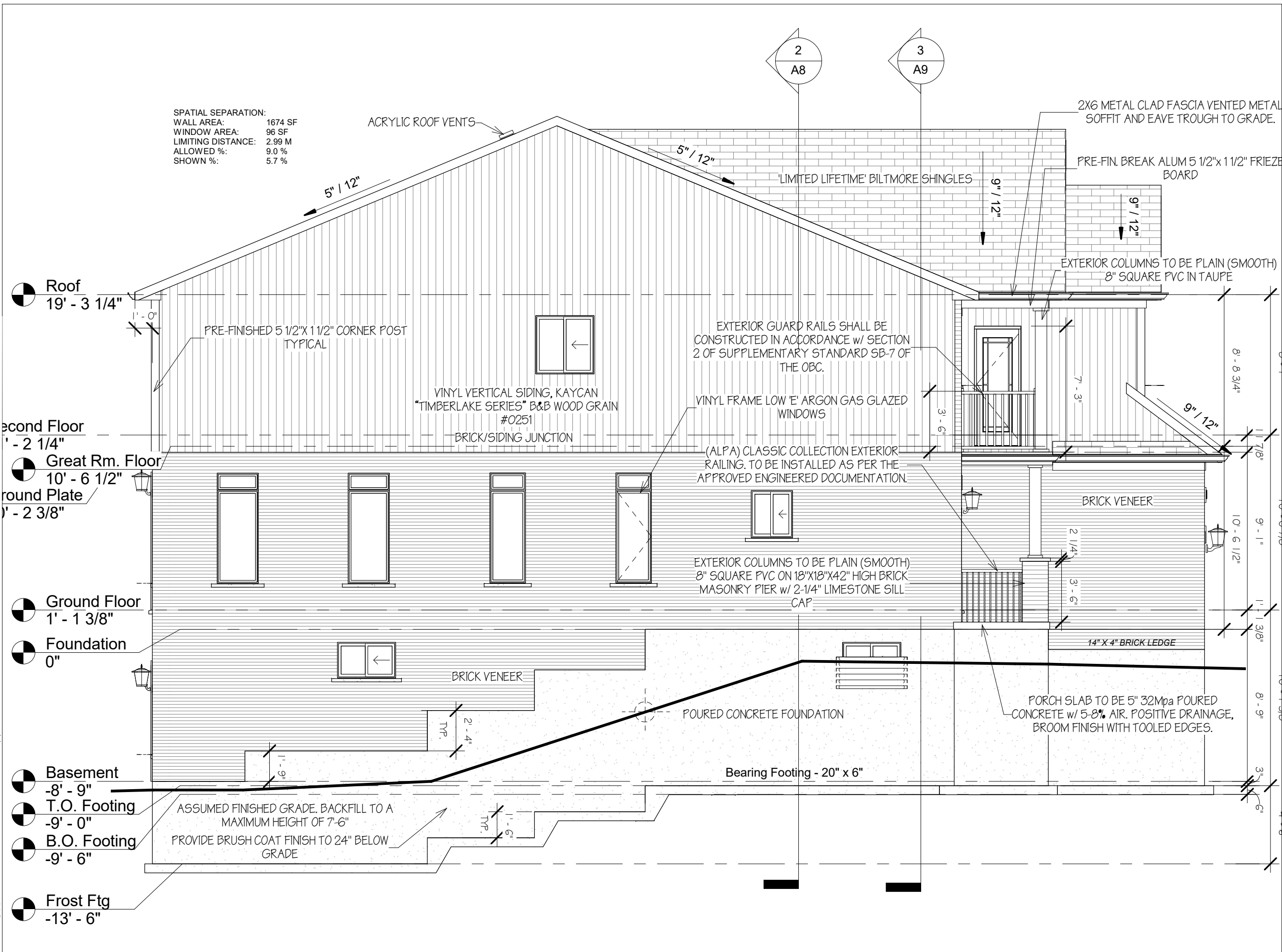
Plot: 2020-01-13 12:36:18 PM

Date: 06.16.2010

Drawing No:

A4

G:\Drafting\2) LOT SPECIFICS\ACTIVE LOT SPECIFICS\1) GUELPH\GLADE\PHASE 1\WORKING DRAWINGS\LOT SPECIFIC\LOT 21 EVERTON STREET ODYSSEY II B.M



Revision Schedule		
NO:	Date:	Description:

BLACK WINDOWS



T: 519-826-6700 F: 519-826-6701
 500 HANLON CREEK BLVD, GUELPH ON, N1C 0A1

I, Phil Ha, have reviewed and take responsibility for the design activities with respect to this project.

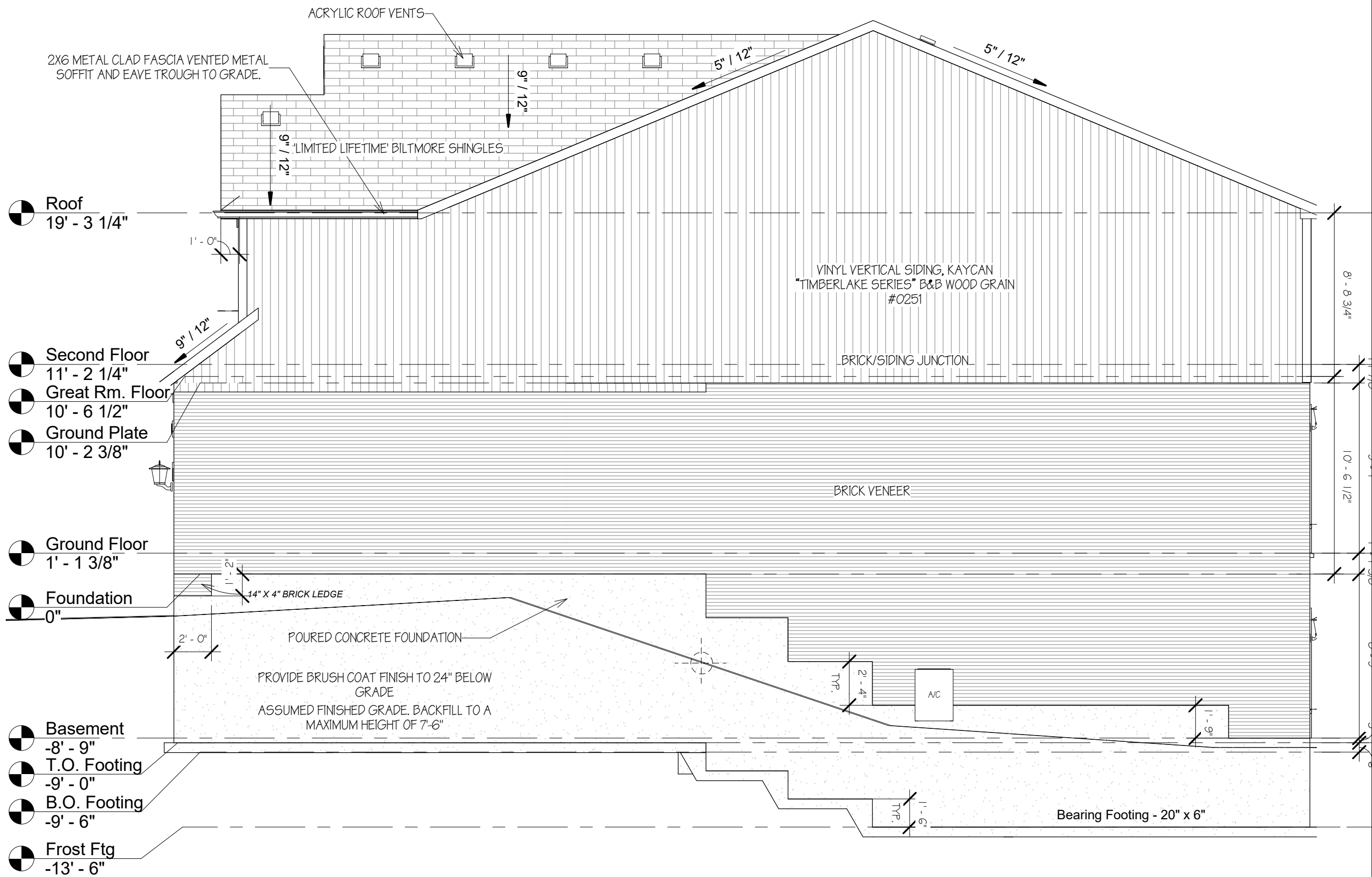
Date: 2020-01-13 12:36:18 PM BCIN #: 38547

Project:
**LEGAL LOT 21
 FUSION LOT 21
 43 EVERTON DRIVE
 ODYSSEY II B**

Drawing:
Left Elevation

Scale: 3/16" = 1'-0"
 Drawing No: **A5**
 Drawn By:
 Plot: 2020-01-13 12:36:18 PM
 Date: 06.16.2010

G:\Drafting\2) LOT SPECIFICS\ACTIVE LOT SPECIFICS\1) GUELPH\GLADE\PHASE 1\WORKING DRAWINGS\LOT SPECIFIC LOT 21 EVERTON STREET ODYSSEY II B.M



Roof
19' - 3 1/4"

Second Floor
11' - 2 1/4"

Great Rm. Floor
10' - 6 1/2"

Ground Plate
10' - 2 3/8"

Ground Floor
1' - 1 3/8"

Foundation
0"

Basement
-8' - 9"

T.O. Footing
-9' - 0"

B.O. Footing
-9' - 6"

Frost Ftg
-13' - 6"

Revision Schedule

NO:	Date:	Description:

8' - 1"
8' - 8 3/4"
10' - 0 7/8"
10' - 6 1/2"
9' - 1"
9' - 1"
9' - 9"
3' - 6"
3' - 6"

BLACK WINDOWS

fusion
HOMES

T: 519-826-6700 F: 519-826-6701
500 HANLON CREEK BLVD, GUELPH ON, N1C 0A1

I, Phil Ha, have reviewed and take responsibility for the design activities with respect to this project.

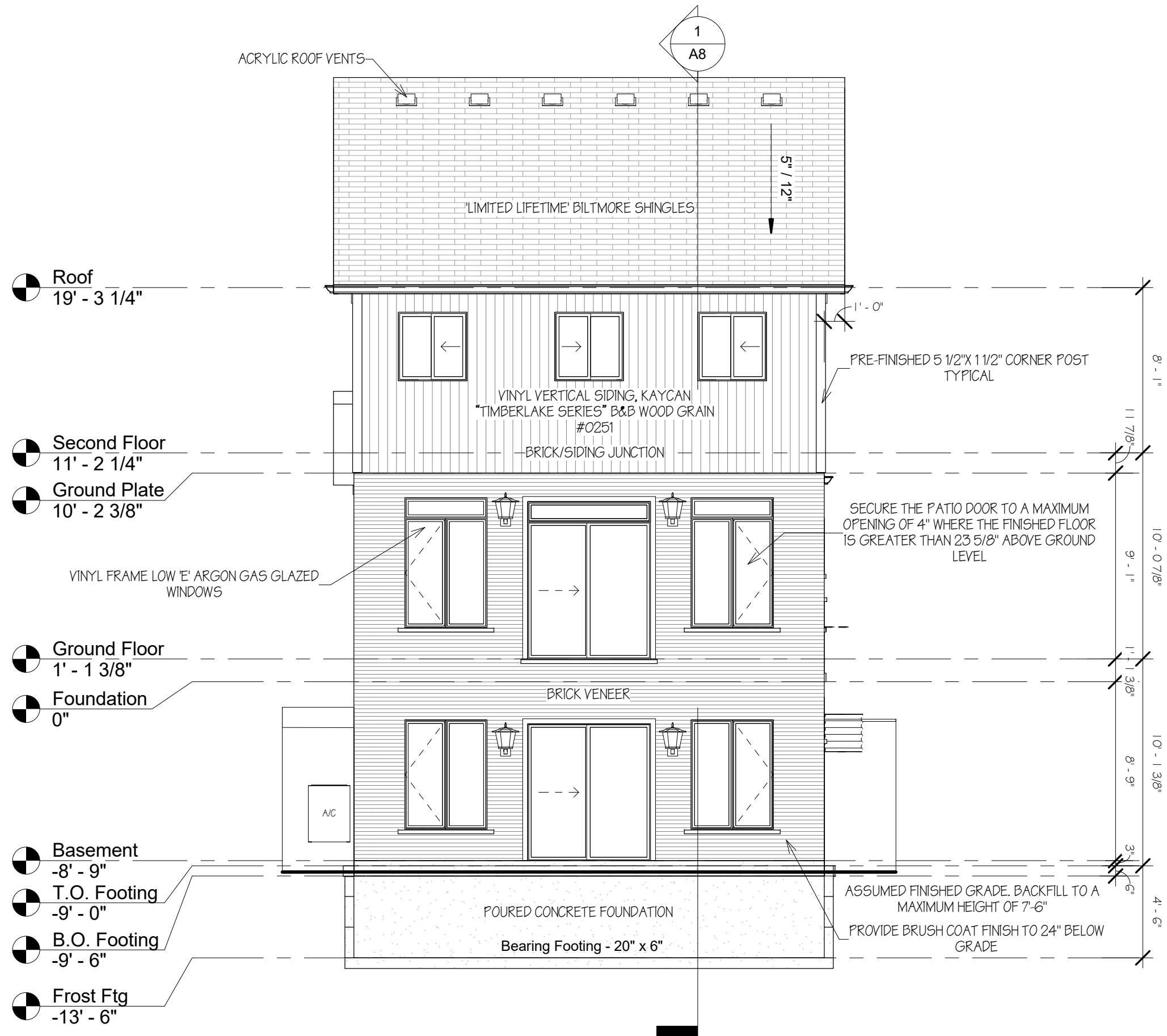
Date: 2020-01-13 12:36:19 PM BCIN #: 38547

Project:
**LEGAL LOT 21
FUSION LOT 21
43 EVERTON DRIVE
ODYSSEY II B**

Drawing:
Right Elevation

Scale: 3/16" = 1'-0"
Drawing No:
A6
Date: 06.16.2010

G:\Drafting\2) LOT SPECIFICS\ACTIVE LOT SPECIFICS\1) GUELPH\GLADE\PHASE 1\WORKING DRAWINGS\LOT SPECIFIC LOT 21 EVERTON STREET ODYSSEY II B.rvt



Revision Schedule

NO:	Date:	Description:

BLACK WINDOWS

fusion
HOMES

T: 519-826-6700 F: 519-826-6701
500 HANLON CREEK BLVD, GUELPH ON, N1C 0A1

I, Phil Ha, have reviewed and take responsibility for the design activities with respect to this project.

Phil Ha

Date: 2020-01-13 12:36:20 PM BCIN #: 38547

Project:
**LEGAL LOT 21
FUSION LOT 21
43 EVERTON DRIVE
ODYSSEY II B**

Drawing:
Rear Elevation

Scale: 3/16" = 1'-0"

Drawn By:

Plot: 2020-01-13 12:36:20 PM

Date: 06.16.2010

Drawing No:

A7

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

It is **highly recommended** that a [Preliminary Zoning Review](#) and pre-consultation with Planning Services staff be completed prior to submitting your application to the Committee of Adjustment. Failure to do so may result in your application being deferred, refused or deemed incomplete.

[Preliminary Zoning Review form](#)

If you would like to schedule a pre-consultation with Planning staff, please email planning@guelph.ca before submitting this form.

I understand that a Preliminary Zoning Review and pre-consultation with Planning Services staff is highly recommended *

I agree

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *	Phone *	Extension	Email *
<input type="text" value="Phil Ha"/>	<input type="text" value="(519) 826-6700"/>	<input type="text" value="278"/>	<input type="text" value="pha@fusionhomes.com"/>

Mailing address

Unit	Street address *	City *	Postal code *
<input type="text"/>	<input type="text" value="500 Hanlon Creek Blvd"/>	<input type="text" value="Guelph"/>	<input type="text" value="N1C 0A1"/>

Is there an authorized agent? *

- Yes
- No

Agent information

Organization/company name

Fusion Homes

Name *

Phil Ha

Phone *

(519) 826-6700

Email

philha_1987@yahoo.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Page 4 of 10

Property address

Street number *

43

Street *

Everton Drive

City * ?

Guelph

Province *

Ontario

Postal code

N1N 1N1

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

PLAN 61M233 LOT 21

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

LOW DENSITY RESIDENTIAL

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.1C-27

Date property was purchased *

12/11/2019



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

12/24/2019



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

3 years

Existing use of the subject property *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

12

Area (metres squared) *

492.2

Depth (metres) *

41.89



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw ***Proposed *****Required ***

4.13.2.1

0.8m

6.0m

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * ?

Requesting extension for existing variance (A-94/19)

Reduce the 6 meter offset for parking space from front property line to 0.8m (4.13.2.1), allowing legal parking space on driveway in front of Garage. Relief applied would be temporary for the time that the dwelling is a Model Home with Sales Center, and would be renovated back to a Garage to comply with zoning by-laws when converted to a residence for sale.

Model Home with Sales Center for use in sales and service of future community phases in current Garage position. The openings in this façade intended to create a store front aesthetic as a Sales Center in the Garage, prevents a vehicle from reaching the legal parking bay 6 meters from the front property line. Overhead doors will be framed in for use in converting the Sales Center back to a Garage in approximately 3-4 years when the Model Home is converted back to a legal residence.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of: Official Plan Amendment Zoning Bylaw Amendment Plan of Subdivision Site Plan Building Permit Consent Previous Minor Variance Application**Building Permit application number * ?**

19-008076

**Previous Minor Variance Application
reference/application number ***



A-94/19

**Has the property been subject of a site-specific by-law amendment
(rezoning) within the last two years? ***

Yes

No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Existing buildings and structures

Main building (dwelling and building)

Gross floor area of main building (square metres) *

Number of stories of main building *

Height of the main building (metres) *

Width of the main building (metres) *

Length of the main building (metres) *

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Existing

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Phil Ha

Date *

9/26/2022



Street address *

500 Hanlon Creek Blvd

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Phil Ha

Date *

9/12/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

drafting@fusionhomes.com

Office use only

File number

A-50/22

Address

43 Everton Drive
Guelph, Ontario

Comments from staff

Received: September 13, 2022



500 Hanlon Creek Blvd, Guelph, ON
NIC 0A1 fusionhomes.com
T. 519-826-6700 F. 519-826-6701

September 26, 2022

Committee of Adjustment
City of Guelph
1 Carden St, Guelph, ON N1H 3A1

**RE: PLAN 61M233 LOT 21
Extension of Minor Variance A-94/19**

Hello,

Please find attached application and supporting documents to request and extension for existing variance (A94/19).

We are requesting reduce the offset for parking space from front property line (4.13.2.1) from 6 m to 0.8m, allowing legal parking space on driveway in front of Garage. Relief applied would be temporary for the time that the dwelling is a Model Home with Sales Center, and would be renovated back to a Garage to comply with zoning by-laws when converted to a residence for sale.

The Model Home with Sales Center is for use in sales and service of future community phases in current Garage position. The openings in this façade intended to create a store front aesthetic as a Sales Center in the Garage, prevents a vehicle from reaching the legal parking bay 6 meters from the front property line. Overhead doors will be framed in for use in converting the Sales Center back to a Garage in approximately 3-4 years when the Model Home is converted back to a legal residence.

Thanks,

Phil Ha

Architectural Technologist

Committee of Adjustment Notice of Public Hearing



Applications for Minor Variances have been filed with the Committee of Adjustment

Application Details

Locations:

6 Breesegarden Lane and 8 Breesegarden Lane

Proposal:

The applicant is proposing to construct single detached dwellings at 6 and 8 Breesegarden Lane, with a double car attached garage.

By-Law Requirements:

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

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

Request:

File A-53/22 (6 Breesegarden Lane)

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

File A-54/22 (8 Breesegarden Lane)

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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-53/22, A-54/22**

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 **October 6, 2022 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.

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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

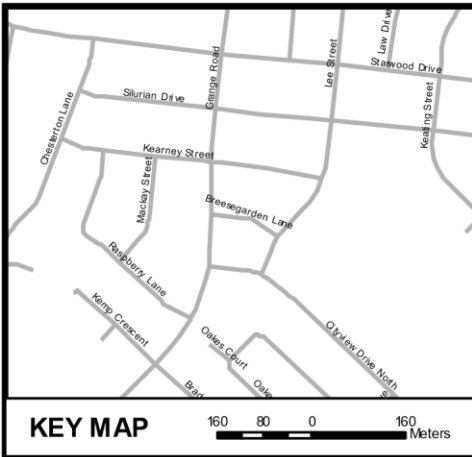
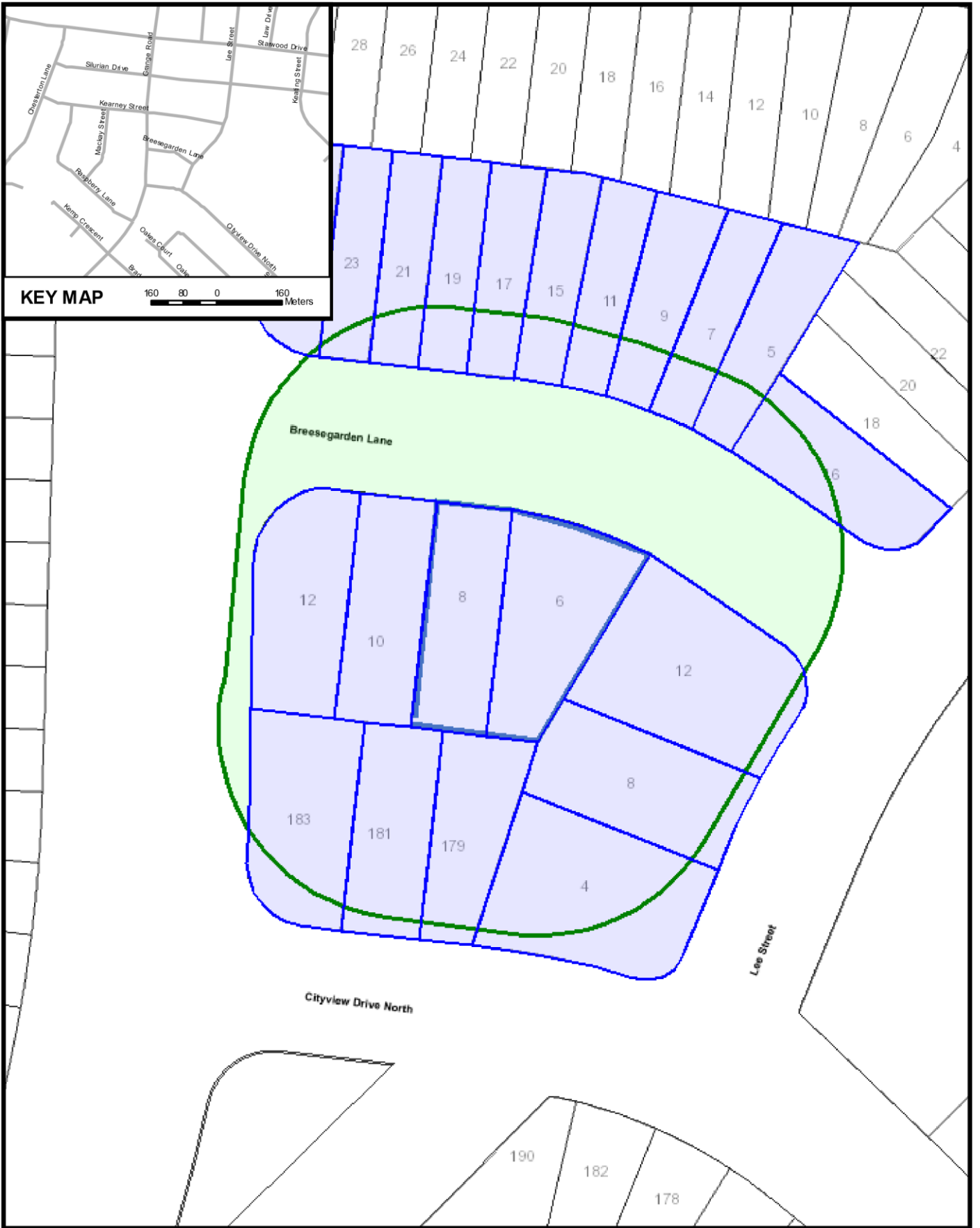
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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

160 80 0 80 160 Meters



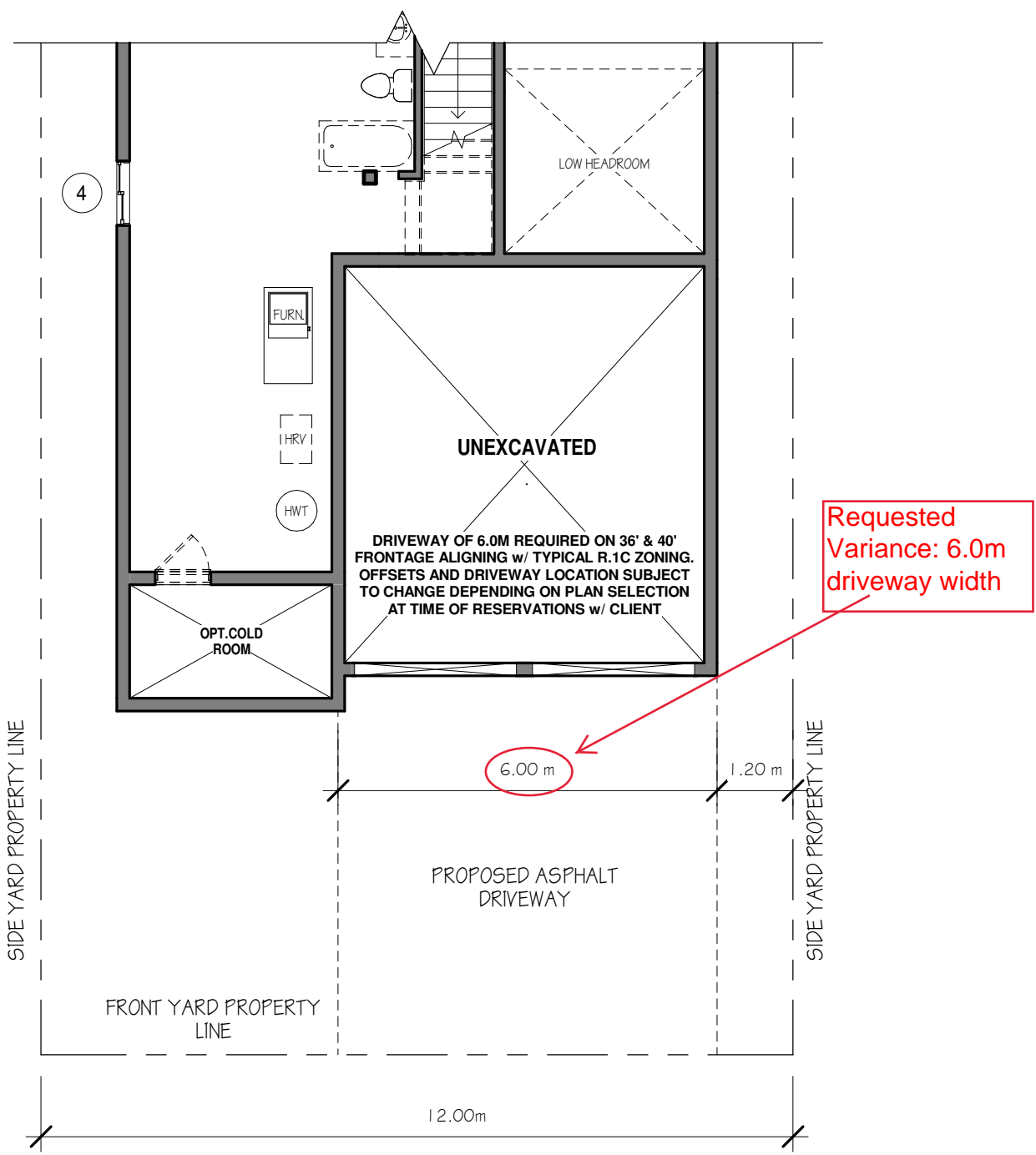
**A-53/22 A-54/22 (6, 8 Breese garden Lane)
30m Circulation Area**



Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 2022-09-23, 2:07:44 p.m.



The City of Guelph, its employees and agents, do not undertake to guarantee the validity 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 to be used for legal descriptions. 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 519-822-1200.



SITE PLAN

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

1266304 Ontario
Inc

Phone *

(519) 826-6700

Extension

Email *

bjones@fusionhomes.com

Mailing address

Unit

Street address *

City *

Postal code *

500 Hanlon Creek
Blvd

Guelph

N1C0A1

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

GSP Group

Name *

Charlotte Balluch

Phone *

(905) 441-4846

Email

cballuch@gspgroup.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Postal code *

N2G 4Y9



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.2-6

Date property was purchased *

11/12/2021



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

1/2/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

vacant lot has never been developed

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

10.9

Area (metres squared) *

300

Depth (metres) *

30



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

5.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

6.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 4

Proposed *

9.0 metres

Required *

12.0 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 7

Proposed *

0.6 metres

Required *

1.2 metres

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m. The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m. The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Charlotte Balluch

Date *

9/15/2022



Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Charlotte Balluch

Date *

9/2/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

Office use only

File number

A-53/22 to A-63/22

Address

6 Breesegarden Lane
Guelph, Ontario

Comments from staff

Bulk application Received: September 13, 2022



SHAPING GREAT COMMUNITIES

September 9th, 2022

File No. 13165

Committee of Adjustment

Re: 6 Breese garden Ln, 8 Breese garden Ln, 179 Cityview Drive, 17 Harrington Rd, 19 Harrington Rd, 21 Harrington Rd, 23 Harrington Rd, 87 Silurian Dr, 89 Silurian Dr, 91 Silurian Dr, Lots 103-111 Cityview Phase 2

Dear Committee of Adjustment,

GSP Group is pleased to provide this summary of the proposed minor variances for 19 separate lots within the Cityview subdivision. The minor variances have been split up into 3 categories whereby in each category, the minor variance being requested is the exact same.

Also find included in this package:

1. Site plan drawing for a typical 10.9m and 12.192m wide lot
2. Site plan drawing for a typical 9.0m wide lot
3. Table of addresses, owner information, date of purchase, and legal description of lots

Application fees are to follow.

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

Driveway Width of 5.0m

1. 179 Cityview Dr.
2. 87 Silurian Dr.
3. 89 Silurian Dr.
4. 91 Silurian Dr.

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria St. S., Suite 201, Kitchener, ON, N2G 4Y9
162 Locke St. S., Suite 200, Hamilton, ON, L8P 4A9
gspgroup.ca

intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m.

Driveway Width of 6.0m

1. 6 Breesegarden Ln.
2. 8 Breesegarden Ln.
3. 17 Harrington Rd.
4. 19 Harrington Rd.
5. 21 Harrington Rd.
6. 23 Harrington Rd.

The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m.

Planning Justification for Driveway Width

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.

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

The lots within the zone must be between 9.5m to 14.5m lot frontage which is being provided for in all 10 lots. Due to the large size of the lots, double car garages and driveways are appropriate and fit in with the scale of the lots. A minor variance 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 minor variances are meant to permit a double driveway on lots with a frontage of 10.9m or 12.192m. When considering the size of the lots, an increase of 1.5-2.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

A 5.0m driveway on a lot with 10.9m frontage and 6.0m driveway on lots with frontage of 12.192m leaves more than 50% of the front yard area as non-paved. This is ample space to maintain a desirable streetscape with sod and 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.

Reduced Side Yard of 0.6m and Reduced Lot Width of 9.0m

1. Lots 103-111, phase 2 Cityview Subdivision (9 total)

The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Planning Justification for Lot Width/ Side Yards

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.

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

These lots were created as part of the draft plan approval process and were approved in this size and configuration. The intent of the zoning by-law is to permit the development of single detached homes. These minor variance applications aim to achieve this while keeping to the approved draft plan of subdivision.

3. Are the Minor Variances minor in nature?

Permissions for a lot of 9.0m and 0.6m side yard is permitted in other R.1 zones and is considered a minor variance from 12m width and 1.2m side yard.

4. Are the Minor Variances desirable?

Other R.1 categories permit lot widths of 9.0m and side yards of 0.6m demonstrating that lots of this size are desirable. The draft plan was also approved showing these lots with a width of 9.0 demonstrating further than they are desired here.

If you have any questions regarding the information provided, please feel free to reach out.

Yours truly,
GSP Group Inc.

A handwritten signature in black ink, appearing to read 'C Balluch', with a long horizontal flourish extending to the right.

Charlotte Balluch

Appendix 1 of 1

Property Addresses, Registered Owner, Purchase Date, Legal Description of each lot and variance being sought.

Address	Owner	Date of Purchase	Legal Description	Minor Variance
6 Breesegarden	1266304 Ontario Inc	Nov 12, 2021	Lot 18, Plan 61M37	6.0m driveway
8 Breesegaren	1266304 Ontario Inc	Nov 12, 2021	Lot 17, Plan 61M37	6.0m driveway
179 Cityview	1266304 Ontario Inc	Nov 12, 2021	Lot 19, Plan 61M37	5.0m driveway
17 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 4 & 5 61R21791	6.0m driveway
19 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 3 & 6 61R21791	6.0m driveway
21 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 2 & 7 61R21791	6.0m driveway
23 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 1 & 8 61R21791	6.0m driveway
87 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 156, Plan 61M18	5.0m driveway
89 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 155, Plan 61M18	5.0m driveway
91 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 154, Plan 61M18	5.0m driveway
Lots 103-111	Debrob Investments Ltd	Unknown	Part of Lots 25, 31, and 32, Registered Plan 53, and Part of Lot 4, Consession 3, Division 'C', City of Guelph, former Township of Guelph, City of Wellington	9.0m lot width 0.6m side yard

Committee of Adjustment Notice of Public Hearing



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

Application Details

Locations:

179 Cityview Drive North

Proposal:

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

By-Law Requirements:

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

The By-law requires that a residential driveway in a 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 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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-55/22**

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 **October 6, 2022 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

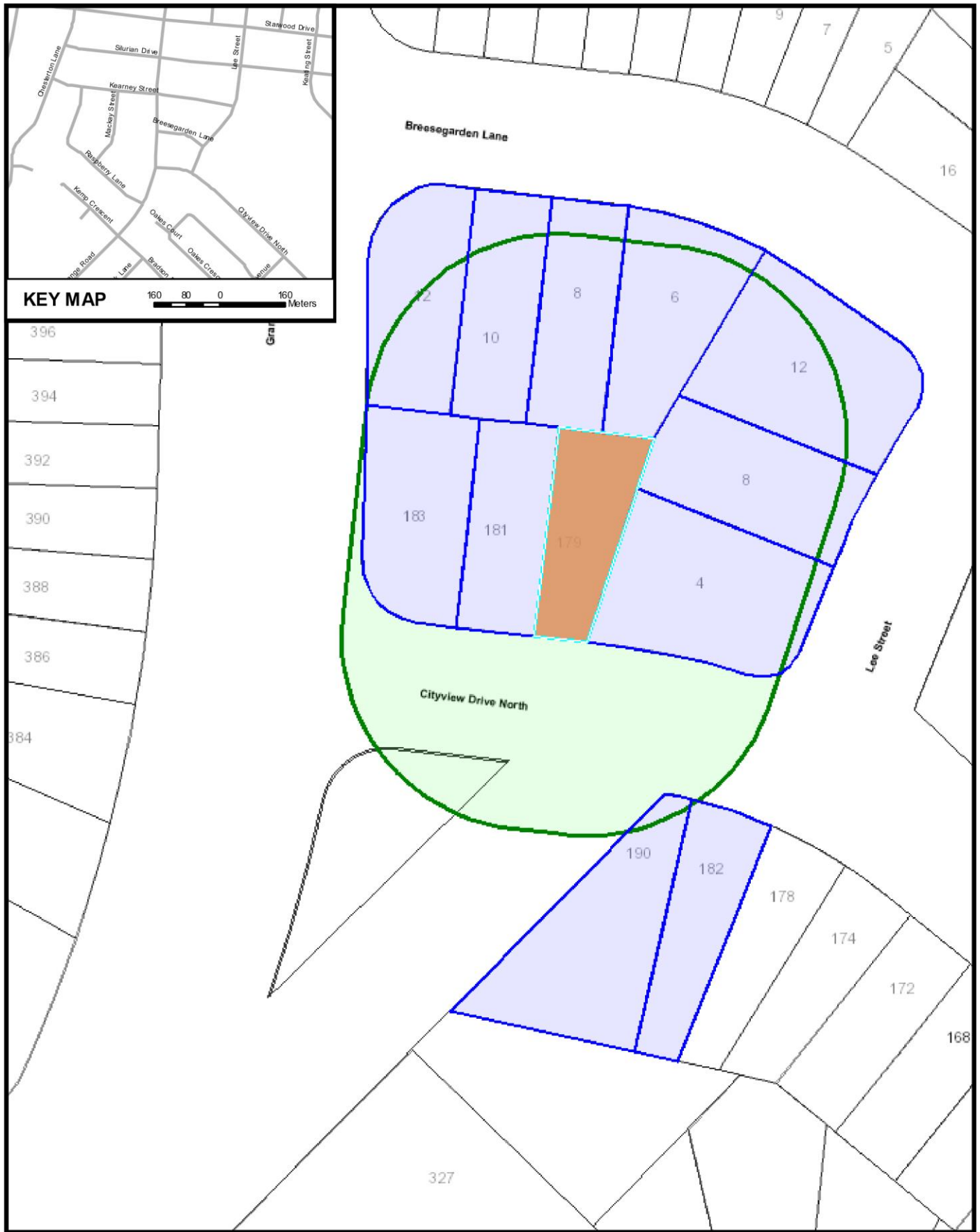
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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



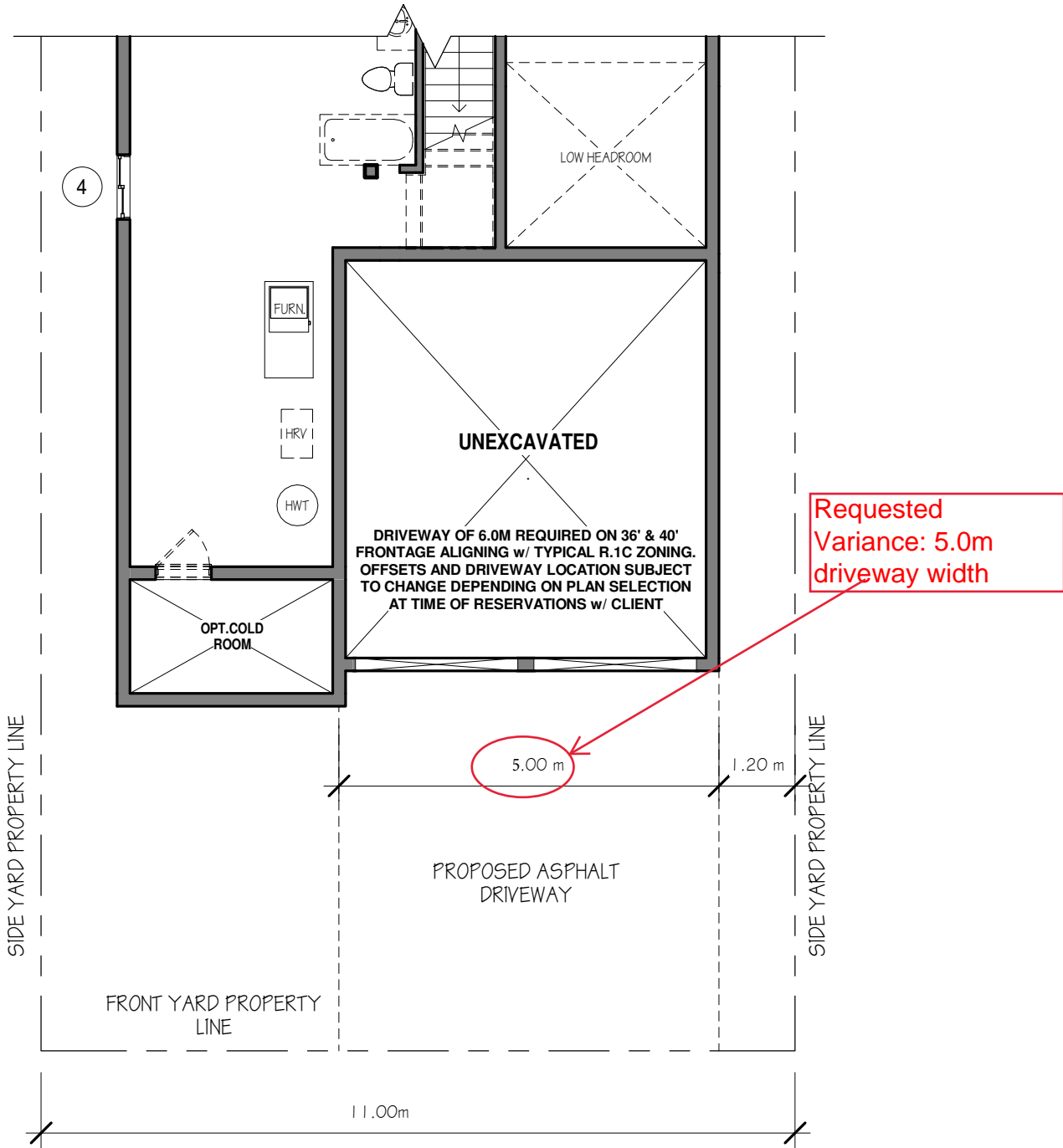
**A-55/22 (179 Cityview Drive North)
30m Circulation Area**

Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 2022-09-23, 3:11:05 p.m.



The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of any 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 to be used for legal descriptions. 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 519-822-1266.





SITE PLAN

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *	Phone *	Extension	Email *
<input type="text" value="1266304 Ontario Inc"/>	<input type="text" value="(519) 826-6700"/>	<input type="text"/>	<input type="text" value="bjones@fusionhomes.com"/>

Mailing address

Unit	Street address *	City *	Postal code *
<input type="text"/>	<input type="text" value="500 Hanlon Creek Blvd"/>	<input type="text" value="Guelph"/>	<input type="text" value="N1C0A1"/>

Is there an authorized agent? *

- Yes
- No

Agent information

Organization/company name

GSP Group

Name *

Charlotte Balluch

Phone *

(905) 441-4846

Email

cballuch@gspgroup.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Postal code *

N2G 4Y9



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.2-6

Date property was purchased *

11/12/2021



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

1/2/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

vacant lot has never been developed

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

10.9

Area (metres squared) *

300

Depth (metres) *

30



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application *

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

5.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

6.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 4

Proposed *

9.0 metres

Required *

12.0 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 7

Proposed *

0.6 metres

Required *

1.2 metres

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m. The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m. The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Charlotte Balluch

Date *

9/15/2022



Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Charlotte Balluch

Date *

9/2/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

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Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

Office use only

File number

A-53/22 to A-63/22

Address

6 Breesegarden Lane
Guelph, Ontario

Comments from staff

Bulk application Received: September 13, 2022



September 9th, 2022

File No. 13165

Committee of Adjustment

Re: 6 Breese garden Ln, 8 Breese garden Ln, 179 Cityview Drive, 17 Harrington Rd, 19 Harrington Rd, 21 Harrington Rd, 23 Harrington Rd, 87 Silurian Dr, 89 Silurian Dr, 91 Silurian Dr, Lots 103-111 Cityview Phase 2

Dear Committee of Adjustment,

GSP Group is pleased to provide this summary of the proposed minor variances for 19 separate lots within the Cityview subdivision. The minor variances have been split up into 3 categories whereby in each category, the minor variance being requested is the exact same.

Also find included in this package:

1. Site plan drawing for a typical 10.9m and 12.192m wide lot
2. Site plan drawing for a typical 9.0m wide lot
3. Table of addresses, owner information, date of purchase, and legal description of lots

Application fees are to follow.

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

Driveway Width of 5.0m

1. 179 Cityview Dr.
2. 87 Silurian Dr.
3. 89 Silurian Dr.
4. 91 Silurian Dr.

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The

intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m.

Driveway Width of 6.0m

1. 6 Breesegarden Ln.
2. 8 Breesegarden Ln.
3. 17 Harrington Rd.
4. 19 Harrington Rd.
5. 21 Harrington Rd.
6. 23 Harrington Rd.

The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m.

Planning Justification for Driveway Width

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.

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

The lots within the zone must be between 9.5m to 14.5m lot frontage which is being provided for in all 10 lots. Due to the large size of the lots, double car garages and driveways are appropriate and fit in with the scale of the lots. A minor variance 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 minor variances are meant to permit a double driveway on lots with a frontage of 10.9m or 12.192m. When considering the size of the lots, an increase of 1.5-2.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

A 5.0m driveway on a lot with 10.9m frontage and 6.0m driveway on lots with frontage of 12.192m leaves more than 50% of the front yard area as non-paved. This is ample space to maintain a desirable streetscape with sod and 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.

Reduced Side Yard of 0.6m and Reduced Lot Width of 9.0m

1. Lots 103-111, phase 2 Cityview Subdivision (9 total)

The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Planning Justification for Lot Width/ Side Yards

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.

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

These lots were created as part of the draft plan approval process and were approved in this size and configuration. The intent of the zoning by-law is to permit the development of single detached homes. These minor variance applications aim to achieve this while keeping to the approved draft plan of subdivision.

3. Are the Minor Variances minor in nature?

Permissions for a lot of 9.0m and 0.6m side yard is permitted in other R.1 zones and is considered a minor variance from 12m width and 1.2m side yard.

4. Are the Minor Variances desirable?

Other R.1 categories permit lot widths of 9.0m and side yards of 0.6m demonstrating that lots of this size are desirable. The draft plan was also approved showing these lots with a width of 9.0 demonstrating further than they are desired here.

If you have any questions regarding the information provided, please feel free to reach out.

Yours truly,
GSP Group Inc.

A handwritten signature in black ink, appearing to read 'C Balluch', with a long horizontal flourish extending to the right.

Charlotte Balluch

Appendix 1 of 1

Property Addresses, Registered Owner, Purchase Date, Legal Description of each lot and variance being sought.

Address	Owner	Date of Purchase	Legal Description	Minor Variance
6 Breesegarden	1266304 Ontario Inc	Nov 12, 2021	Lot 18, Plan 61M37	6.0m driveway
8 Breesegaren	1266304 Ontario Inc	Nov 12, 2021	Lot 17, Plan 61M37	6.0m driveway
179 Cityview	1266304 Ontario Inc	Nov 12, 2021	Lot 19, Plan 61M37	5.0m driveway
17 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 4 & 5 61R21791	6.0m driveway
19 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 3 & 6 61R21791	6.0m driveway
21 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 2 & 7 61R21791	6.0m driveway
23 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 1 & 8 61R21791	6.0m driveway
87 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 156, Plan 61M18	5.0m driveway
89 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 155, Plan 61M18	5.0m driveway
91 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 154, Plan 61M18	5.0m driveway
Lots 103-111	Debrob Investments Ltd	Unknown	Part of Lots 25, 31, and 32, Registered Plan 53, and Part of Lot 4, Consession 3, Division 'C', City of Guelph, former Township of Guelph, City of Wellington	9.0m lot width 0.6m side yard

Committee of Adjustment Notice of Public Hearing



Applications for Minor Variances have been filed with the Committee of Adjustment

Application Details

Locations:

17 Harrington Road, 19 Harrington Road, 21 Harrington Road, and 23 Harrington Road

Proposal:

The applicant is in the process of constructing single detached dwellings with double car attached garages at 17, 19, 21 and 23 Harrington Road.

By-Law Requirements:

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

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

Request:

File A-56/22 (17 Harrington Road)

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

File A-57/22 (19 Harrington Road)

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

File A-58/22 (21 Harrington Road)

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

File A-59/22 (23 Harrington Road)

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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-56/22, A-57/22, A-58/22, and A-59/22**

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 **October 6, 2022 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

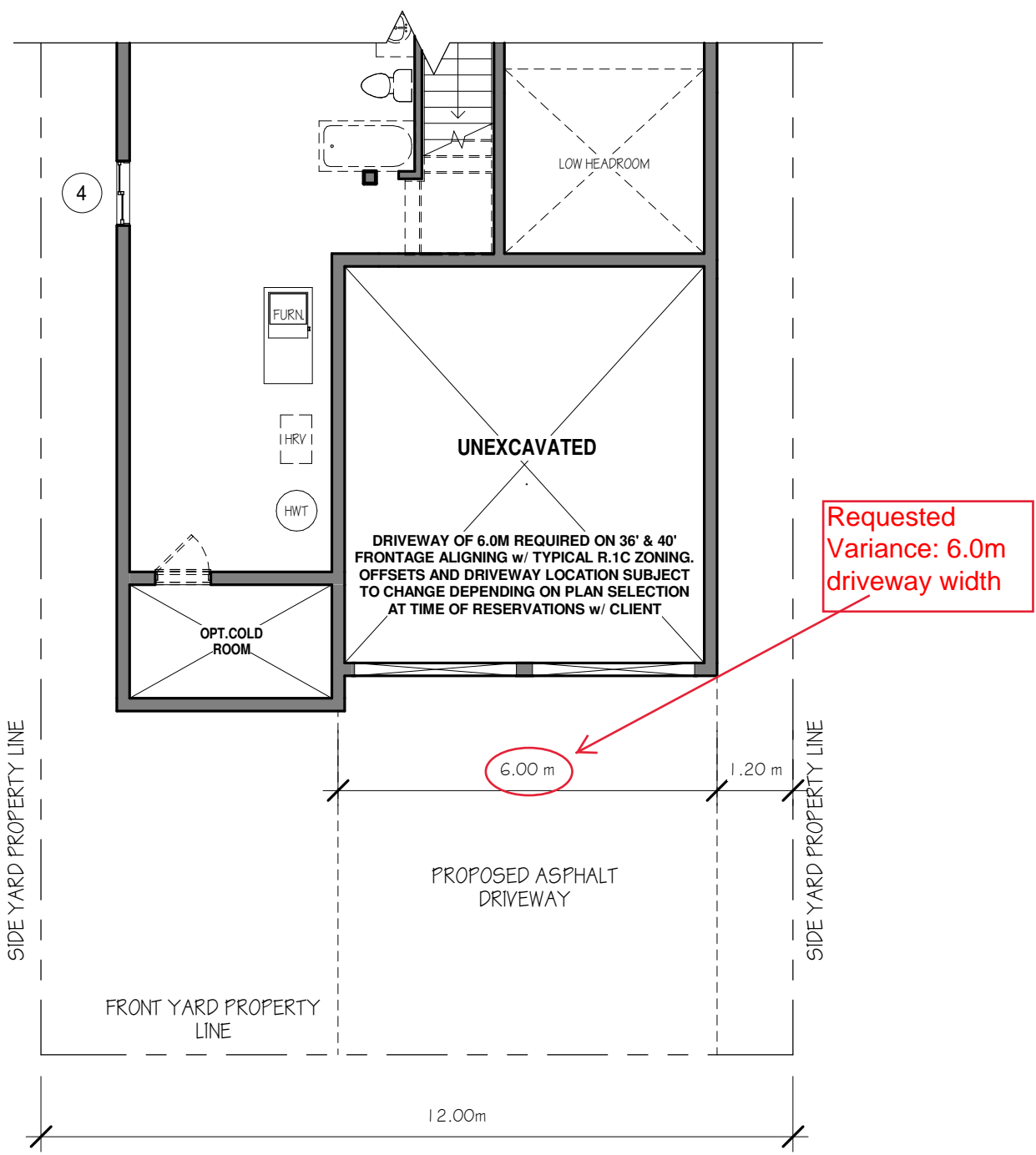
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

1266304 Ontario
Inc

Phone *

(519) 826-6700

Extension

Email *

bjones@fusionhomes.com

Mailing address

Unit

Street address *

City *

Postal code *

500 Hanlon Creek
Blvd

Guelph

N1C0A1

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

GSP Group

Name *

Charlotte Balluch

Phone *

(905) 441-4846

Email

cballuch@gspgroup.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Postal code *

N2G 4Y9



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.2-6

Date property was purchased *

11/12/2021



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

1/2/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

vacant lot has never been developed

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

10.9

Area (metres squared) *

300

Depth (metres) *

30



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application *

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

5.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

6.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 4

Proposed *

9.0 metres

Required *

12.0 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 7

Proposed *

0.6 metres

Required *

1.2 metres

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m. The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m. The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

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Sworn Declaration

I 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.

Name *

Charlotte Balluch

Date *

9/15/2022



Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

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I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Charlotte Balluch

Date *

9/2/2022



Additional fees

Committee of Adjustment

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Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

Office use only

File number

A-53/22 to A-63/22

Address

6 Breesegarden Lane
Guelph, Ontario

Comments from staff

Bulk application Received: September 13, 2022



SHAPING GREAT COMMUNITIES

September 9th, 2022

File No. 13165

Committee of Adjustment

Re: 6 Breese garden Ln, 8 Breese garden Ln, 179 Cityview Drive, 17 Harrington Rd, 19 Harrington Rd, 21 Harrington Rd, 23 Harrington Rd, 87 Silurian Dr, 89 Silurian Dr, 91 Silurian Dr, Lots 103-111 Cityview Phase 2

Dear Committee of Adjustment,

GSP Group is pleased to provide this summary of the proposed minor variances for 19 separate lots within the Cityview subdivision. The minor variances have been split up into 3 categories whereby in each category, the minor variance being requested is the exact same.

Also find included in this package:

1. Site plan drawing for a typical 10.9m and 12.192m wide lot
2. Site plan drawing for a typical 9.0m wide lot
3. Table of addresses, owner information, date of purchase, and legal description of lots

Application fees are to follow.

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

Driveway Width of 5.0m

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3. 89 Silurian Dr.
4. 91 Silurian Dr.

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PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria St. S., Suite 201, Kitchener, ON, N2G 4Y9
162 Locke St. S., Suite 200, Hamilton, ON, L8P 4A9
gspgroup.ca

intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m.

Driveway Width of 6.0m

1. 6 Breesegarden Ln.
2. 8 Breesegarden Ln.
3. 17 Harrington Rd.
4. 19 Harrington Rd.
5. 21 Harrington Rd.
6. 23 Harrington Rd.

The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m.

Planning Justification for Driveway Width

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.

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

The lots within the zone must be between 9.5m to 14.5m lot frontage which is being provided for in all 10 lots. Due to the large size of the lots, double car garages and driveways are appropriate and fit in with the scale of the lots. A minor variance 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 minor variances are meant to permit a double driveway on lots with a frontage of 10.9m or 12.192m. When considering the size of the lots, an increase of 1.5-2.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

A 5.0m driveway on a lot with 10.9m frontage and 6.0m driveway on lots with frontage of 12.192m leaves more than 50% of the front yard area as non-paved. This is ample space to maintain a desirable streetscape with sod and 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.

Reduced Side Yard of 0.6m and Reduced Lot Width of 9.0m

1. Lots 103-111, phase 2 Cityview Subdivision (9 total)

The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Planning Justification for Lot Width/ Side Yards

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.

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

These lots were created as part of the draft plan approval process and were approved in this size and configuration. The intent of the zoning by-law is to permit the development of single detached homes. These minor variance applications aim to achieve this while keeping to the approved draft plan of subdivision.

3. Are the Minor Variances minor in nature?

Permissions for a lot of 9.0m and 0.6m side yard is permitted in other R.1 zones and is considered a minor variance from 12m width and 1.2m side yard.

4. Are the Minor Variances desirable?

Other R.1 categories permit lot widths of 9.0m and side yards of 0.6m demonstrating that lots of this size are desirable. The draft plan was also approved showing these lots with a width of 9.0 demonstrating further than they are desired here.

If you have any questions regarding the information provided, please feel free to reach out.

Yours truly,
GSP Group Inc.

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Charlotte Balluch

Appendix 1 of 1

Property Addresses, Registered Owner, Purchase Date, Legal Description of each lot and variance being sought.

Address	Owner	Date of Purchase	Legal Description	Minor Variance
6 Breesegarden	1266304 Ontario Inc	Nov 12, 2021	Lot 18, Plan 61M37	6.0m driveway
8 Breesegaren	1266304 Ontario Inc	Nov 12, 2021	Lot 17, Plan 61M37	6.0m driveway
179 Cityview	1266304 Ontario Inc	Nov 12, 2021	Lot 19, Plan 61M37	5.0m driveway
17 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 4 & 5 61R21791	6.0m driveway
19 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 3 & 6 61R21791	6.0m driveway
21 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 2 & 7 61R21791	6.0m driveway
23 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 1 & 8 61R21791	6.0m driveway
87 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 156, Plan 61M18	5.0m driveway
89 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 155, Plan 61M18	5.0m driveway
91 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 154, Plan 61M18	5.0m driveway
Lots 103-111	Debrob Investments Ltd	Unknown	Part of Lots 25, 31, and 32, Registered Plan 53, and Part of Lot 4, Consession 3, Division 'C', City of Guelph, former Township of Guelph, City of Wellington	9.0m lot width 0.6m side yard

Committee of Adjustment Notice of Public Hearing



Applications for Minor Variances have been filed with the Committee of Adjustment

Application Details

Locations:

87 Silurian Drive, 89 Silurian Drive, and 91 Silurian Drive

Proposal:

The applicant is in the process of constructing single detached dwellings with double car attached garages at 87, 89 and 91 Silurian Drive.

By-Law Requirements:

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

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

Request:

File A-60/22 (87 Silurian Drive)

The applicant is seeking relief from the By-Law requirements to permit a maximum driveway width of 5 metres.

File A-61/22 (89 Silurian Drive)

The applicant is seeking relief from the By-Law requirements to permit a maximum driveway width of 5 metres.

File A-62/22 (91 Silurian Drive)

The applicant is seeking relief from the By-Law requirements to permit a maximum driveway width of 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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-60/22, A-61/22, and A-62/22**

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 **October 6, 2022 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

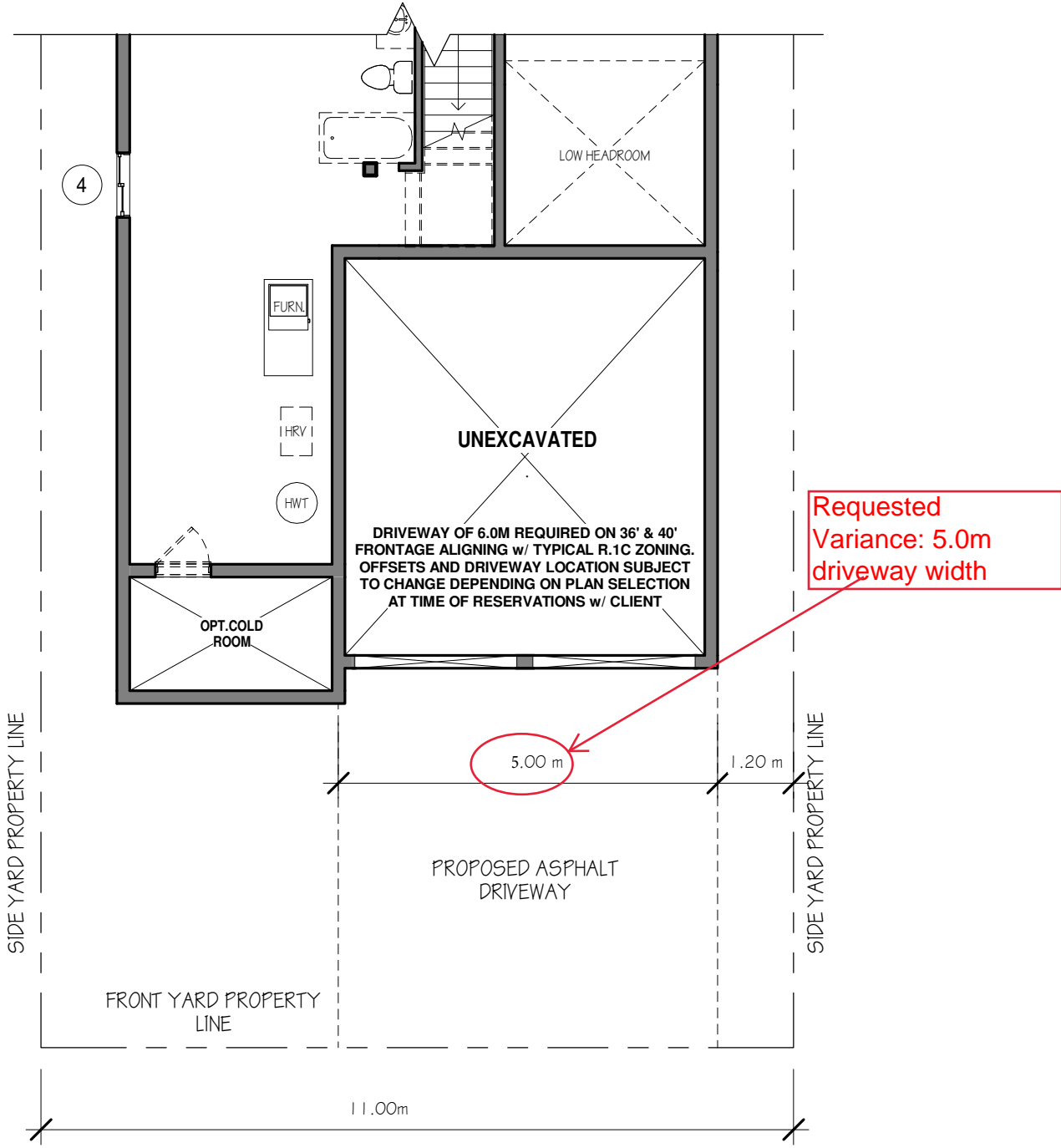
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

1266304 Ontario
Inc

Phone *

(519) 826-6700

Extension

Email *

bjones@fusionhomes.com

Mailing address

Unit

Street address *

City *

Postal code *

500 Hanlon Creek
Blvd

Guelph

N1C0A1

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

GSP Group

Name *

Charlotte Balluch

Phone *

(905) 441-4846

Email

cballuch@gspgroup.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Postal code *

N2G 4Y9



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.2-6

Date property was purchased *

11/12/2021



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

1/2/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

vacant lot has never been developed

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

10.9

Area (metres squared) *

300

Depth (metres) *

30



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

5.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

6.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 4

Proposed *

9.0 metres

Required *

12.0 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 7

Proposed *

0.6 metres

Required *

1.2 metres

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m. The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m. The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Charlotte Balluch

Date *

9/15/2022



Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Charlotte Balluch

Date *

9/2/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

Office use only

File number

A-53/22 to A-63/22

Address

6 Breesegarden Lane
Guelph, Ontario

Comments from staff

Bulk application Received: September 13, 2022



SHAPING GREAT COMMUNITIES

September 9th, 2022

File No. 13165

Committee of Adjustment

Re: 6 Breese garden Ln, 8 Breese garden Ln, 179 Cityview Drive, 17 Harrington Rd, 19 Harrington Rd, 21 Harrington Rd, 23 Harrington Rd, 87 Silurian Dr, 89 Silurian Dr, 91 Silurian Dr, Lots 103-111 Cityview Phase 2

Dear Committee of Adjustment,

GSP Group is pleased to provide this summary of the proposed minor variances for 19 separate lots within the Cityview subdivision. The minor variances have been split up into 3 categories whereby in each category, the minor variance being requested is the exact same.

Also find included in this package:

1. Site plan drawing for a typical 10.9m and 12.192m wide lot
2. Site plan drawing for a typical 9.0m wide lot
3. Table of addresses, owner information, date of purchase, and legal description of lots

Application fees are to follow.

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

Driveway Width of 5.0m

1. 179 Cityview Dr.
2. 87 Silurian Dr.
3. 89 Silurian Dr.
4. 91 Silurian Dr.

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The

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intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m.

Driveway Width of 6.0m

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2. 8 Breesegarden Ln.
3. 17 Harrington Rd.
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The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m.

Planning Justification for Driveway Width

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.

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

The lots within the zone must be between 9.5m to 14.5m lot frontage which is being provided for in all 10 lots. Due to the large size of the lots, double car garages and driveways are appropriate and fit in with the scale of the lots. A minor variance 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 minor variances are meant to permit a double driveway on lots with a frontage of 10.9m or 12.192m. When considering the size of the lots, an increase of 1.5-2.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

A 5.0m driveway on a lot with 10.9m frontage and 6.0m driveway on lots with frontage of 12.192m leaves more than 50% of the front yard area as non-paved. This is ample space to maintain a desirable streetscape with sod and 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.

Reduced Side Yard of 0.6m and Reduced Lot Width of 9.0m

1. Lots 103-111, phase 2 Cityview Subdivision (9 total)

The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Planning Justification for Lot Width/ Side Yards

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Yours truly,
GSP Group Inc.

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Charlotte Balluch

Appendix 1 of 1

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Lots 103-111	Debrob Investments Ltd	Unknown	Part of Lots 25, 31, and 32, Registered Plan 53, and Part of Lot 4, Consession 3, Division 'C', City of Guelph, former Township of Guelph, City of Wellington	9.0m lot width 0.6m side yard

Committee of Adjustment Notice of Public Hearing



Applications for Minor Variances have been filed with the Committee of Adjustment

Application Details

Locations:

Lots 103-111, Phase 2 of Cityview Subdivision

Proposal:

The applicant is proposing to construct single detached dwellings on each of the lots.

By-Law Requirements:

The property is located in the Specialized Residential Single Detached (R.1C-27) Zone. Variances from Table 5.1.2 Rows 4 and 7 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) that the minimum lot frontage be 12 metres in an R.1C Zone; and
- b) that the minimum side yard for a 1-2 storey dwelling be 1.2 metres in an R.1C Zone.

Request:

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

- a) a minimum lot frontage of 9.0 metres for each lot; and
- b) a minimum side yard of 0.6 metres for each lot.

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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-63/22**

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 **October 6, 2022 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

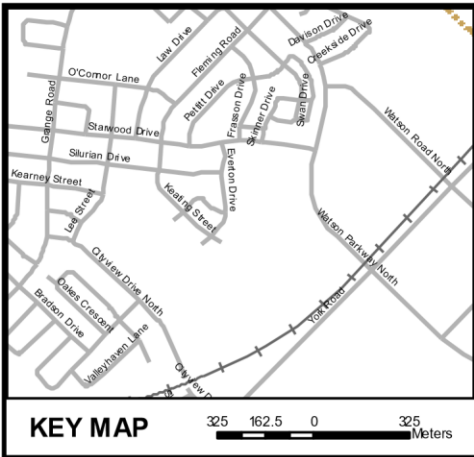
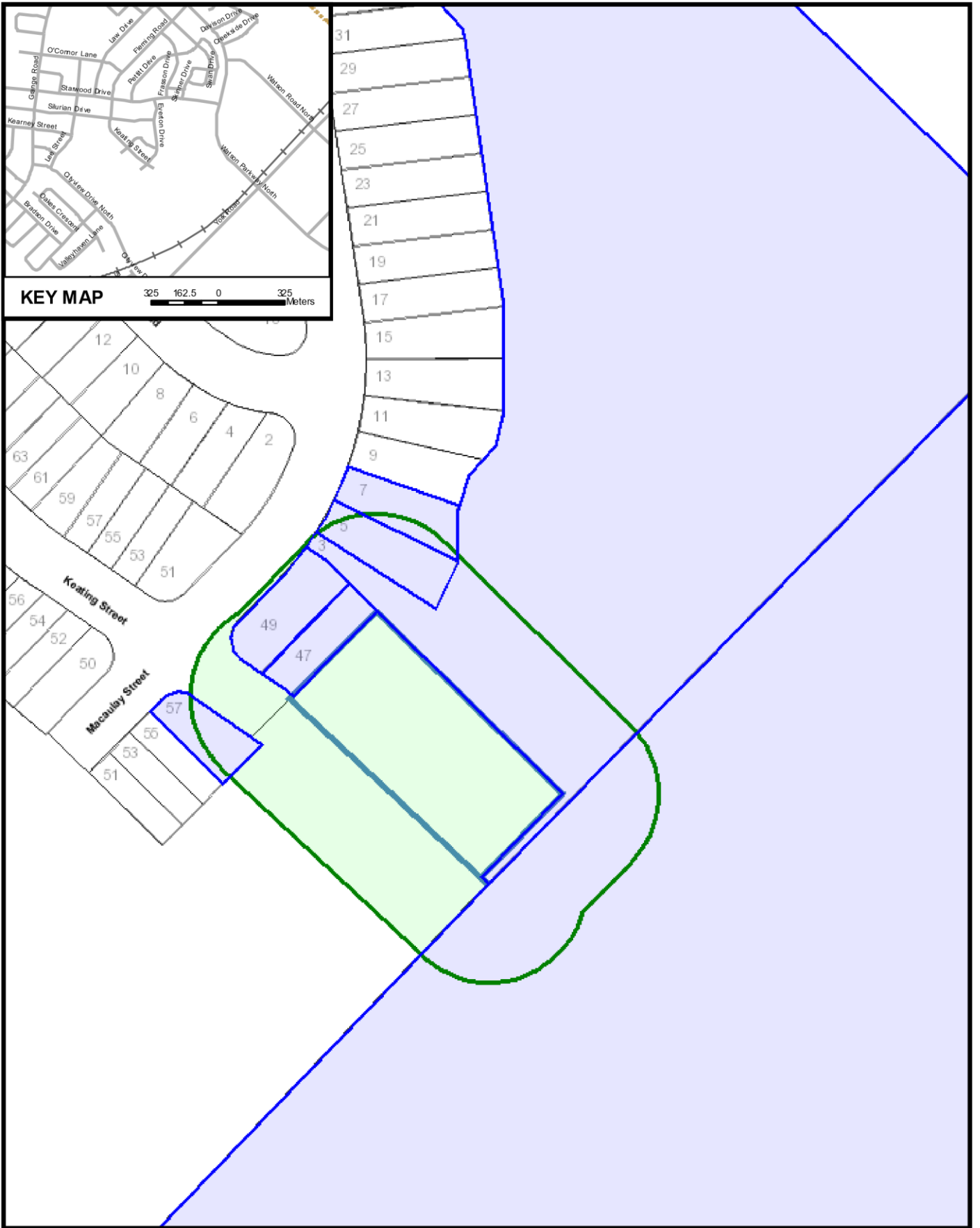
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal.

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

Contact Information

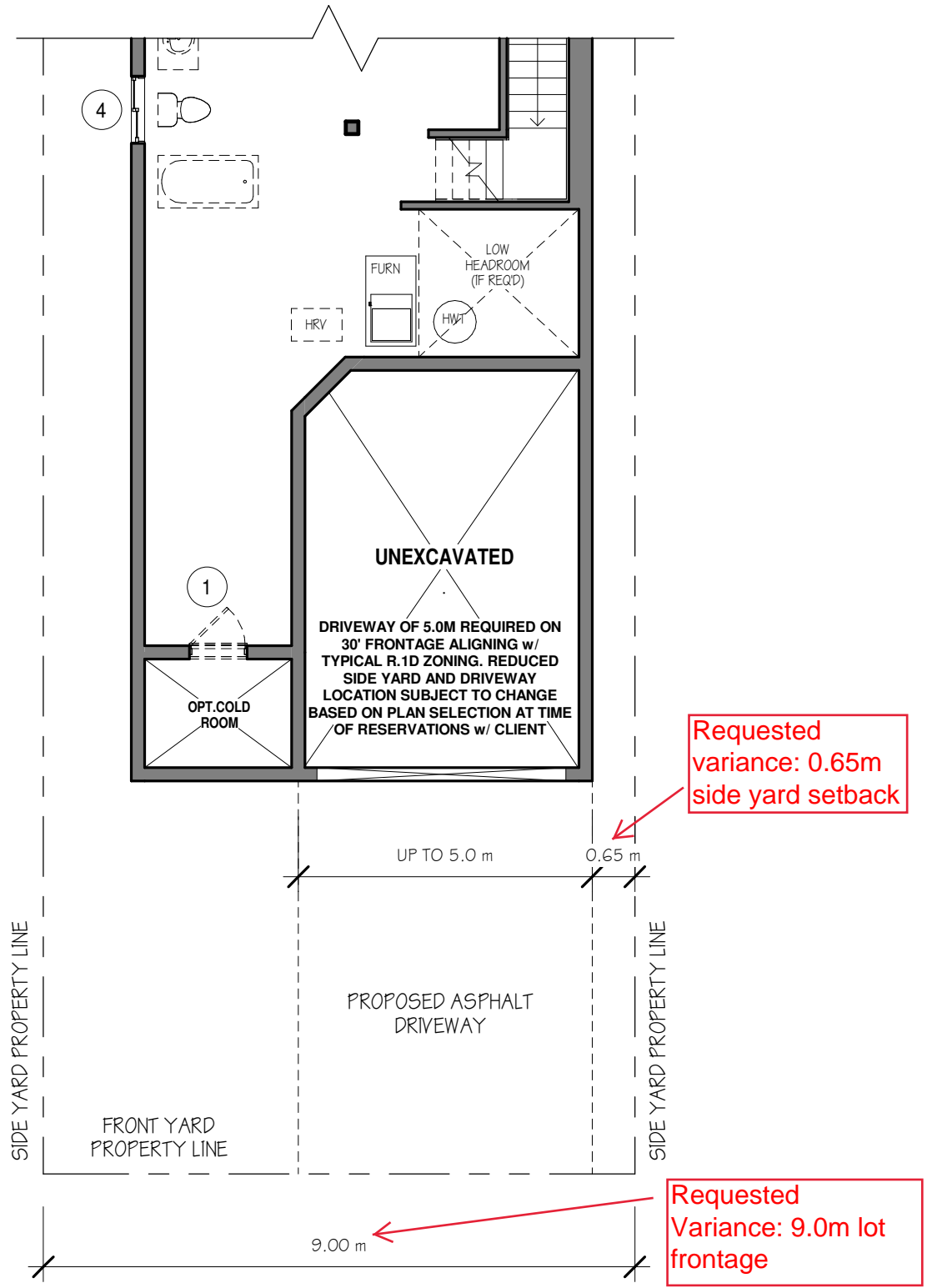
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



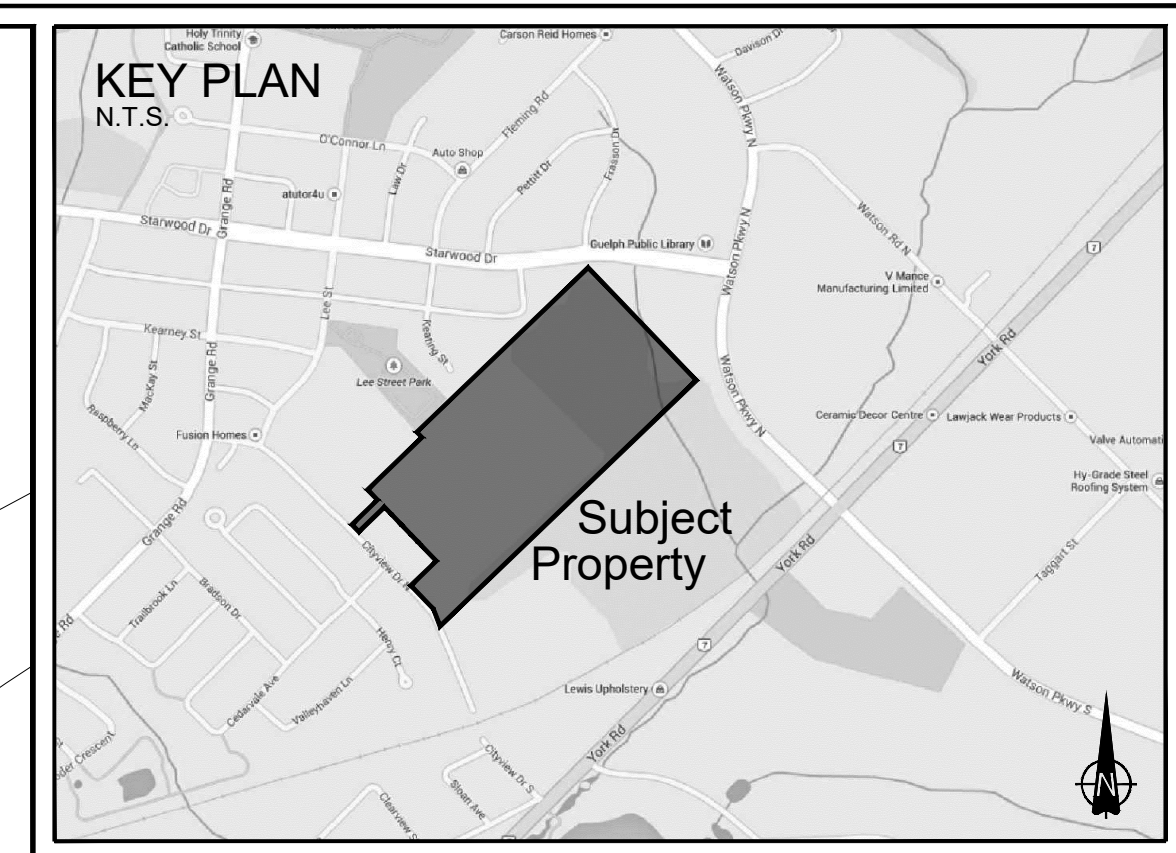
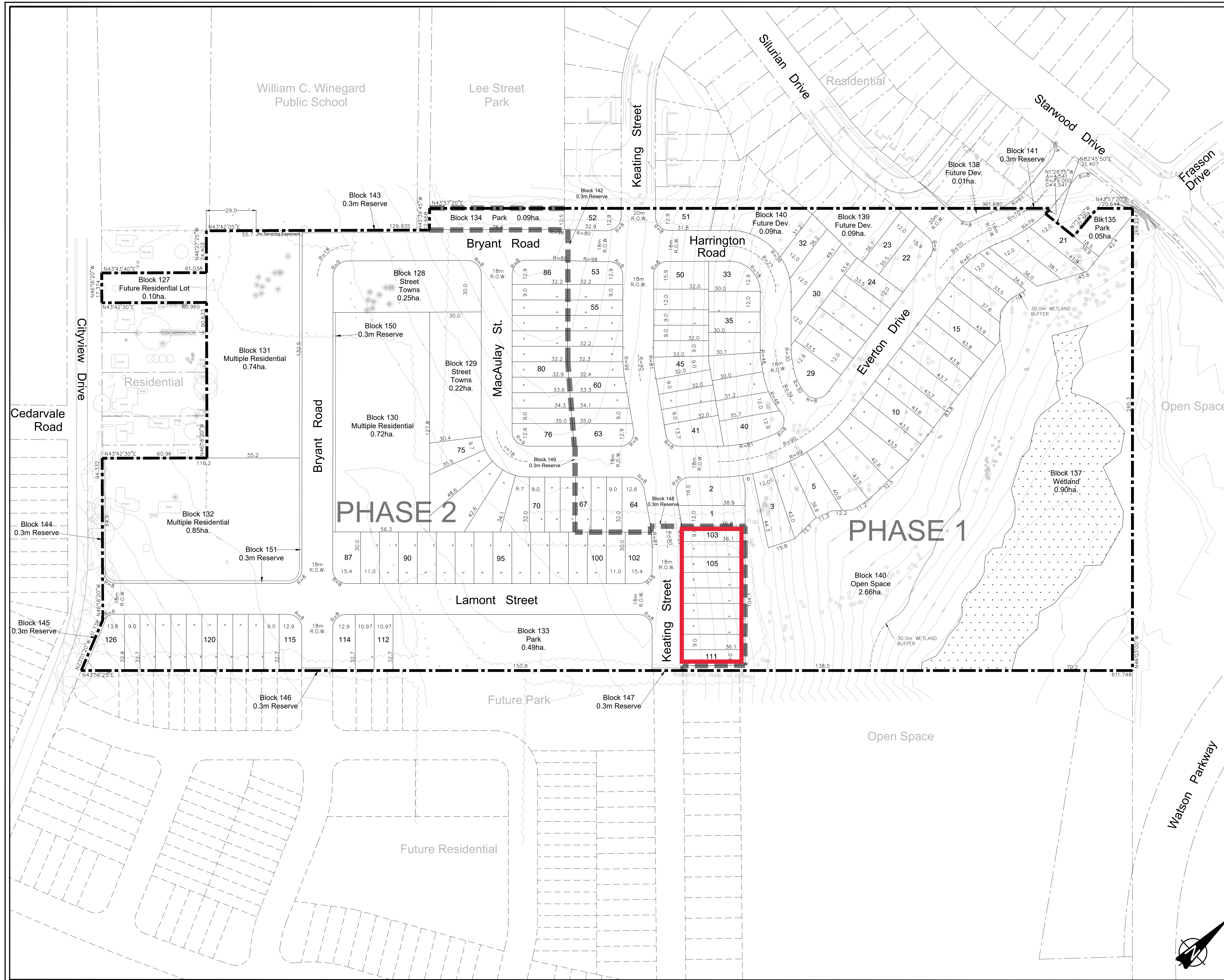
A-63/22 (Lots 103-111 Phase 2, Cityview Subdivision))
30m Circulation Area

Produced by the City of Guelph
 City Clerk's Office-Committee of Adjustment
 Date Printed: 2022-09-23, 5:33:53 p.m.

The City of Guelph, its employees and agents, do not undertake to guarantee the validity 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 to be used for legal descriptions. 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 519-822-1266.



SITE PLAN



DRAFT PLAN OF SUBDIVISION

Part of Lots 25, 31 and 32
Registered Plan 53, and Part of Lot 4,
Concession 3, Division 'C'
City of Guelph
County of Wellington

LAND USE SCHEDULE			
DESCRIPTION	LOTS/BLKS.	UNITS	AREA (ha.)
Single Detached Residential	1-126	126	5.09
Future Residential Lot	127	1	0.10
Street Townhouses	128,129	21	0.47
Multiple Residential	130-132	95-175	2.31
Park	133-135		0.63
Open Space	136		2.66
Wetland	137		0.90
Future Development	138-140		0.19
0.3m Reserve	141-151		0.00
Roads			2.83
Totals		243-323	15.18

ADDITIONAL INFORMATION
(UNDER SECTION 51(17) OF THE PLANNING ACT)

INFORMATION REQUIRED BY CLAUSES a,b,c,d,e,f,g,j and I ARE AS SHOWN ON DRAFT PLAN.

h) Municipal water supply
i) Sandy loam
k) All sanitary and storm sewers as required

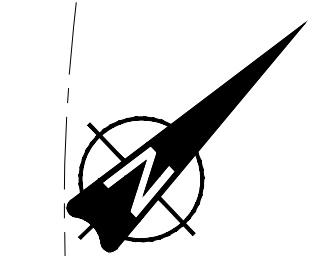
OWNER'S CERTIFICATE
I AUTHORIZE THE GSP GROUP INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF GUELPH.

per RA Saroli
ROBERT SAROLI
Debrob Investments Limited
DATE: Sept 29, 2015

SURVEYOR'S CERTIFICATE
I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

Kerr J. Hillis
KERR J. HILLIS, O.L.S.
Black Shoemaker Robinson and Donaldson Ltd.
DATE: April 8, 2019

REVISIONS	
January 5, 2015	
January 30, 2015	
May 29, 2015	
September 28, 2015	
December 1, 2015	
March 23, 2016	
April 2, 2019	



Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

1266304 Ontario
Inc

Phone *

(519) 826-6700

Extension

Email *

bjones@fusionhomes.com

Mailing address

Unit

Street address *

City *

Postal code *

500 Hanlon Creek
Blvd

Guelph

N1C0A1

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

GSP Group

Name *

Charlotte Balluch

Phone *

(905) 441-4846

Email

cballuch@gspgroup.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Postal code *

N2G 4Y9



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.2-6

Date property was purchased *

11/12/2021



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

1/2/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

vacant lot has never been developed

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

10.9

Area (metres squared) *

300

Depth (metres) *

30



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

5.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

4.13.7.2.3

Proposed *

6.0 metres

Required *

3.5 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 4

Proposed *

9.0 metres

Required *

12.0 metres

Section or table of Zoning Bylaw *

Table 5.1.2 Row 7

Proposed *

0.6 metres

Required *

1.2 metres

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m. The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m. The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Additional existing buildings

Are there any additional buildings or structures on the subject property? *

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures

Add a proposed building or structure (check all that apply) *

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed other structure

Please specify

Type of proposed structure *

Gross floor area of proposed structure (square metres) *

Number of stories of structure *

Height of structure (metres) *

Width of structure (metres) *

Length of structure (metres) *



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

Charlotte Balluch

Date *

9/15/2022



Street address *

72 Victoria St S
Suite 201

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Charlotte Balluch

Date *

9/2/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

Office use only

File number

A-53/22 to A-63/22

Address

6 Breesegarden Lane
Guelph, Ontario

Comments from staff

Bulk application Received: September 13, 2022



SHAPING GREAT COMMUNITIES

September 9th, 2022

File No. 13165

Committee of Adjustment

Re: 6 Breese garden Ln, 8 Breese garden Ln, 179 Cityview Drive, 17 Harrington Rd, 19 Harrington Rd, 21 Harrington Rd, 23 Harrington Rd, 87 Silurian Dr, 89 Silurian Dr, 91 Silurian Dr, Lots 103-111 Cityview Phase 2

Dear Committee of Adjustment,

GSP Group is pleased to provide this summary of the proposed minor variances for 19 separate lots within the Cityview subdivision. The minor variances have been split up into 3 categories whereby in each category, the minor variance being requested is the exact same.

Also find included in this package:

1. Site plan drawing for a typical 10.9m and 12.192m wide lot
2. Site plan drawing for a typical 9.0m wide lot
3. Table of addresses, owner information, date of purchase, and legal description of lots

Application fees are to follow.

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

Driveway Width of 5.0m

1. 179 Cityview Dr.
2. 87 Silurian Dr.
3. 89 Silurian Dr.
4. 91 Silurian Dr.

The first group of minor variances being sought are for 4 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 10.9m wide and will feature a single detached home with a double car garage. The

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria St. S., Suite 201, Kitchener, ON, N2G 4Y9
162 Locke St. S., Suite 200, Hamilton, ON, L8P 4A9
gspgroup.ca

intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 5.0m whereas the by-law permits a driveway width of 3.5m.

Driveway Width of 6.0m

1. 6 Breesegarden Ln.
2. 8 Breesegarden Ln.
3. 17 Harrington Rd.
4. 19 Harrington Rd.
5. 21 Harrington Rd.
6. 23 Harrington Rd.

The second group of minor variances being sought are for 6 lots within the R.2-6 zone. This zone permits single detached homes with a minimum lot frontage of 9.5m and a maximum of 14.5m. Each of these lots are 12.192m wide and will feature a single detached home with a double car garage. The intention of these applications is to provide double car driveways, appropriate for homes of this size. Relief from section 4.13.7.2.3 of the zoning by-law is being sought to permit a driveway width of 6.0m whereas the by-law permits a driveway width of 3.5m.

Planning Justification for Driveway Width

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.

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

The lots within the zone must be between 9.5m to 14.5m lot frontage which is being provided for in all 10 lots. Due to the large size of the lots, double car garages and driveways are appropriate and fit in with the scale of the lots. A minor variance 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 minor variances are meant to permit a double driveway on lots with a frontage of 10.9m or 12.192m. When considering the size of the lots, an increase of 1.5-2.5m for a double driveway on these lots is minor in nature.

4. Are the Minor Variances desirable?

A 5.0m driveway on a lot with 10.9m frontage and 6.0m driveway on lots with frontage of 12.192m leaves more than 50% of the front yard area as non-paved. This is ample space to maintain a desirable streetscape with sod and 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.

Reduced Side Yard of 0.6m and Reduced Lot Width of 9.0m

1. Lots 103-111, phase 2 Cityview Subdivision (9 total)

The third group of minor variances being sought are for 9 lots within the second phase of the Cityview Subdivision which is not yet registered. These lots are within the R.1C-27 zone which permits single detached homes with a minimum lot frontage of 12.0m and side yard of 1.2m as per Table 5.1.2. These minor variance applications are seeking relief from Section 5.1, Table 5.1.2 to permit lot width of 9.0m and a side yard of 0.6m, in line with section 5.1.2.6 of the by-law and/or the R.1D zone. The intention of these lots is to provide a smaller single detached option for potential home buyers.

Planning Justification for Lot Width/ Side Yards

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.

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

These lots were created as part of the draft plan approval process and were approved in this size and configuration. The intent of the zoning by-law is to permit the development of single detached homes. These minor variance applications aim to achieve this while keeping to the approved draft plan of subdivision.

3. Are the Minor Variances minor in nature?

Permissions for a lot of 9.0m and 0.6m side yard is permitted in other R.1 zones and is considered a minor variance from 12m width and 1.2m side yard.

4. Are the Minor Variances desirable?

Other R.1 categories permit lot widths of 9.0m and side yards of 0.6m demonstrating that lots of this size are desirable. The draft plan was also approved showing these lots with a width of 9.0 demonstrating further than they are desired here.

If you have any questions regarding the information provided, please feel free to reach out.

Yours truly,
GSP Group Inc.

A handwritten signature in black ink, appearing to read 'C Balluch', with a long horizontal flourish extending to the right.

Charlotte Balluch

Appendix 1 of 1

Property Addresses, Registered Owner, Purchase Date, Legal Description of each lot and variance being sought.

Address	Owner	Date of Purchase	Legal Description	Minor Variance
6 Breesegarden	1266304 Ontario Inc	Nov 12, 2021	Lot 18, Plan 61M37	6.0m driveway
8 Breesegaren	1266304 Ontario Inc	Nov 12, 2021	Lot 17, Plan 61M37	6.0m driveway
179 Cityview	1266304 Ontario Inc	Nov 12, 2021	Lot 19, Plan 61M37	5.0m driveway
17 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 4 & 5 61R21791	6.0m driveway
19 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 3 & 6 61R21791	6.0m driveway
21 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 2 & 7 61R21791	6.0m driveway
23 Harrington	1266304 Ontario Inc	Dec 11, 2019	Parts 1 & 8 61R21791	6.0m driveway
87 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 156, Plan 61M18	5.0m driveway
89 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 155, Plan 61M18	5.0m driveway
91 Silurian	1266304 Ontario Inc	Sep 30, 2020	Lot 154, Plan 61M18	5.0m driveway
Lots 103-111	Debrob Investments Ltd	Unknown	Part of Lots 25, 31, and 32, Registered Plan 53, and Part of Lot 4, Consession 3, Division 'C', City of Guelph, former Township of Guelph, City of Wellington	9.0m lot width 0.6m side yard

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

80 Woodlawn Road West

Proposal:

The applicant is proposing to establish a restaurant (Popeyes Louisiana Kitchen) within the existing building.

By-Law Requirements:

The property is located in the Specialized Commercial (SC.2-4) Zone. A variance from Section 6.4.3.2.4.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the SC.2-4 Zone, but only permits a restaurant use within a mall.

Request:

The applicant is seeking relief from the By-Law requirements to permit a restaurant within a freestanding building (not in a mall) at 80 Woodlawn Road West.

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, October 13, 2022**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-64/22**

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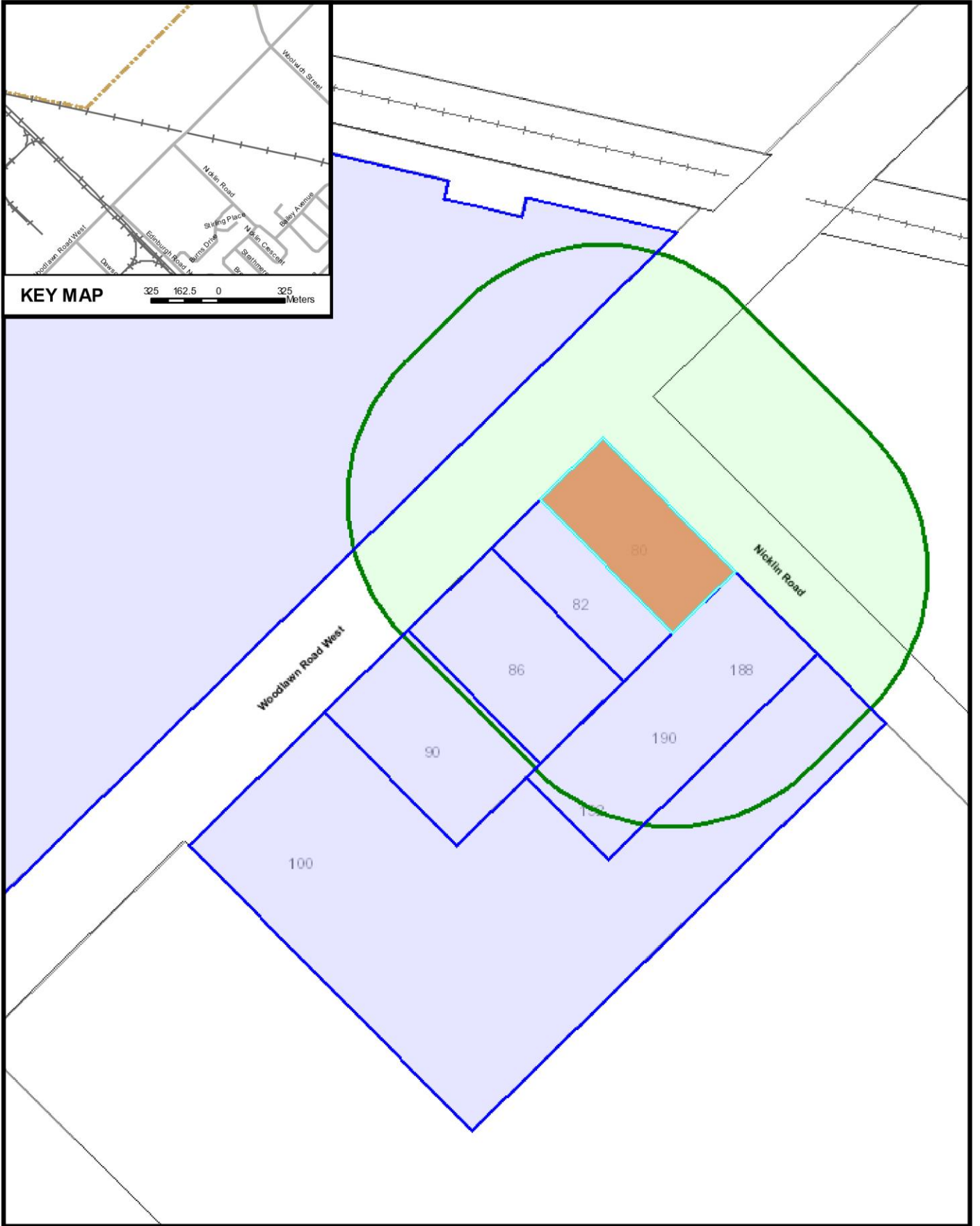
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Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated September 26, 2022.

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



**A-64/22 (80 Woodlawn Road West)
60m Circulation Area**



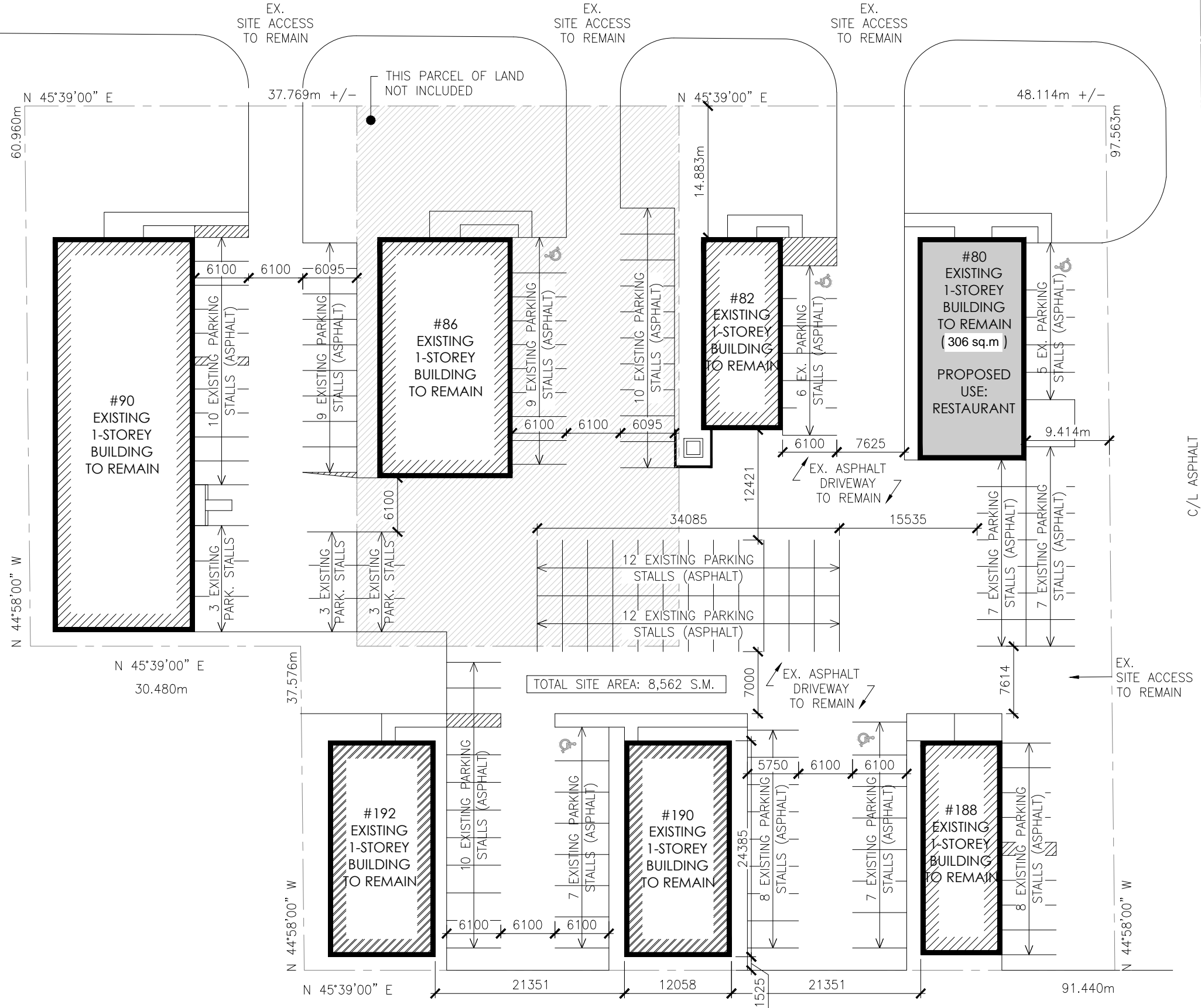
Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 2022-09-23, 12:31:43 p.m.



The City of Guelph, its employees and agents, do not undertake to guarantee the validity 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 descriptions. This map may not be re-produced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-822-1266.

WOODLAWN ROAD

C/L ASPHALT



NICKLIN ROAD
C/L ASPHALT

PART LOT 30, DIVISION A
CITY OF GUELPH

SITE PLAN BASED ON
SURVEY DRAWING
BY BLACK, SHOEMAKER &
ROBINSON LTD. OLS
JAN 24, 1972



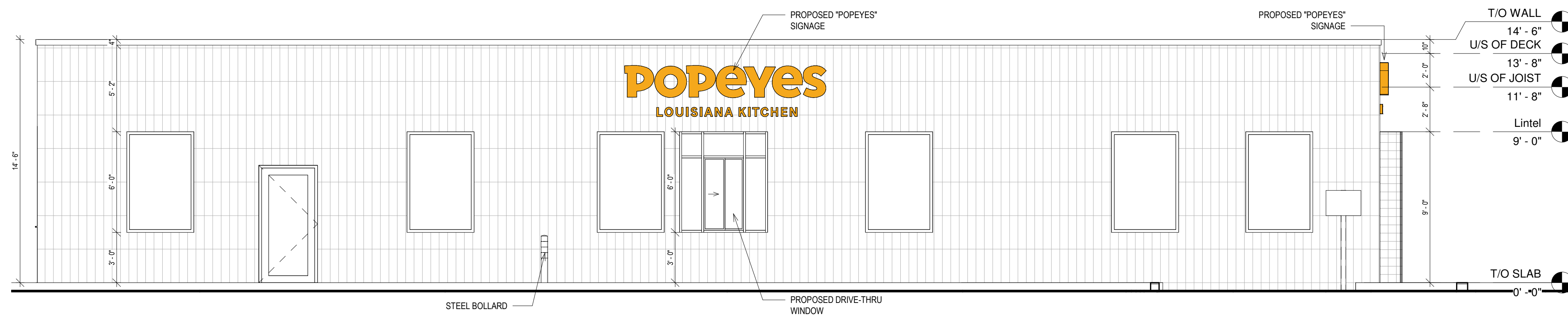
GRINHAM ARCHITECTS
15 Yarmouth Street
Guelph, Ontario, N1H 4G2
Tel: 519.766.1580
Fax: 519.766.1377
Email: info@grinham.ca
Web: www.grinham.ca

NO.	DATE	REVISIONS
01	20.MAY.2022	C of A

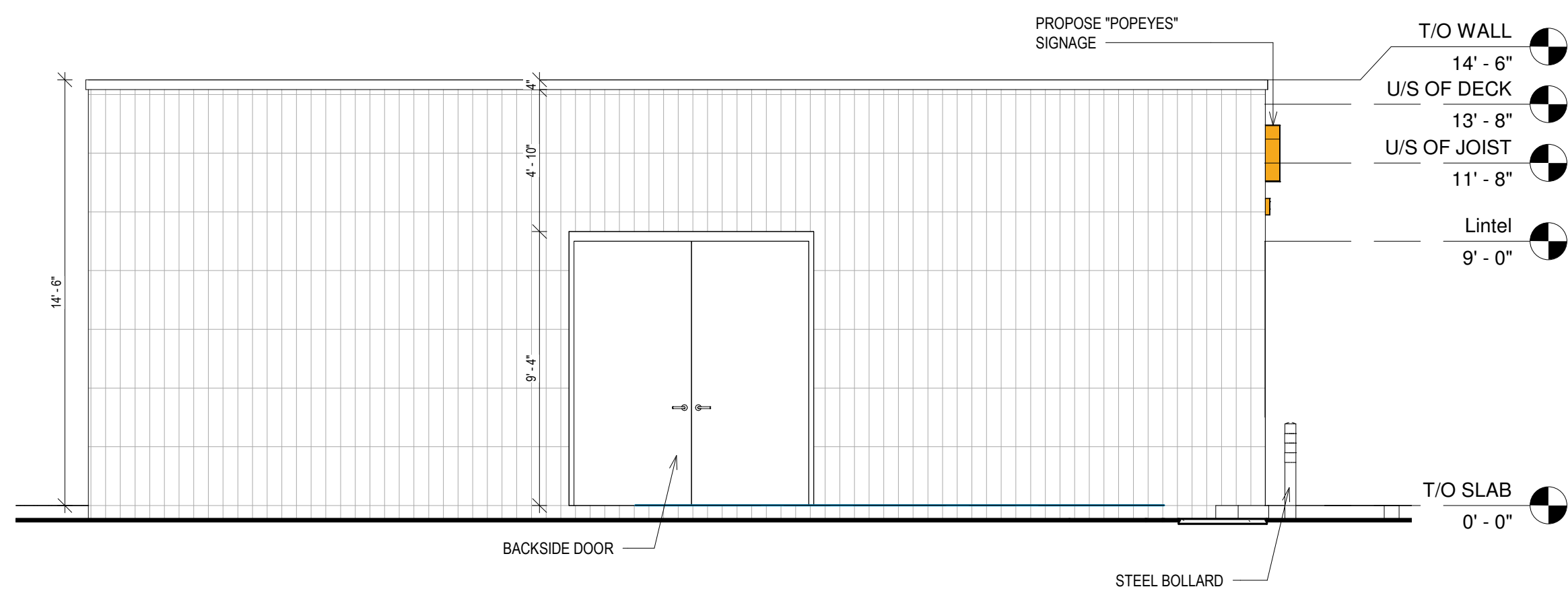
POPEYES RESTAURANT
80 WOODLAWN ROAD W, GUELPH, ON

SITE PLAN

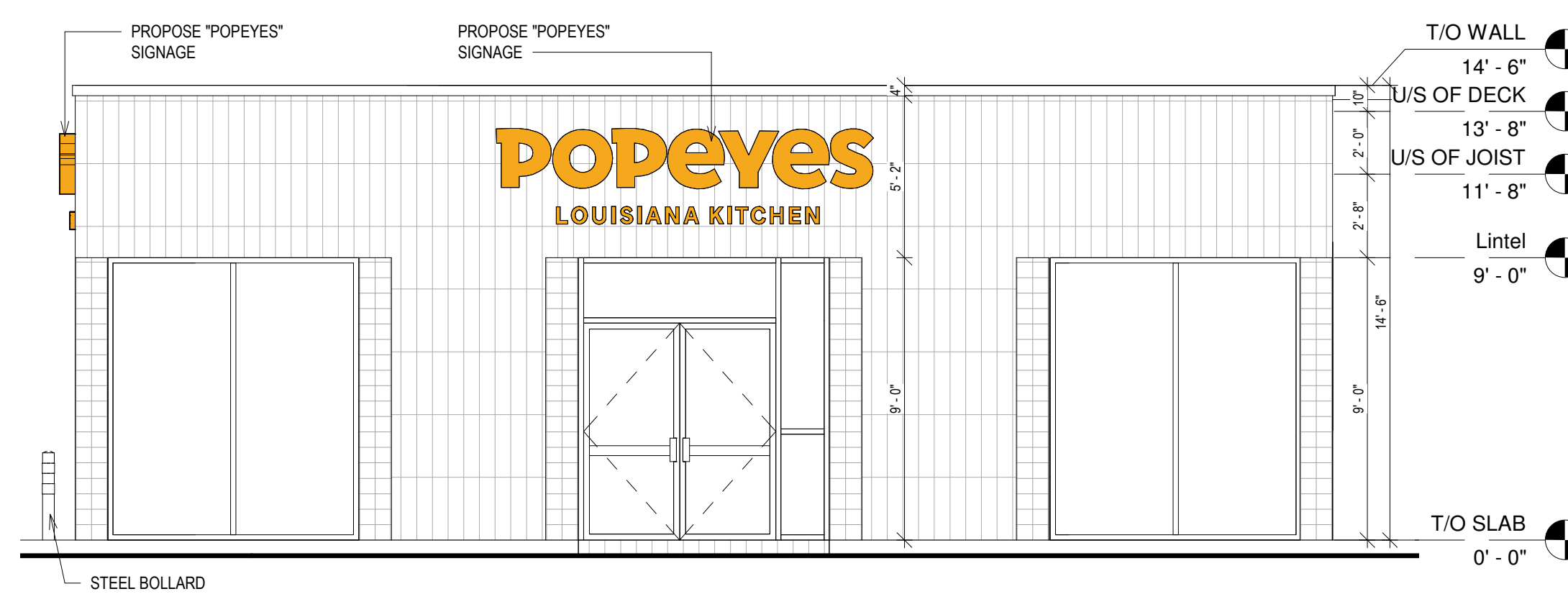
SCALE:	AS NOTED
DATE:	20-May-2022
DRAWN:	CM
CHECKED:	LAG
STATUS:	CoA
JOB NO:	22xx
A1.1	



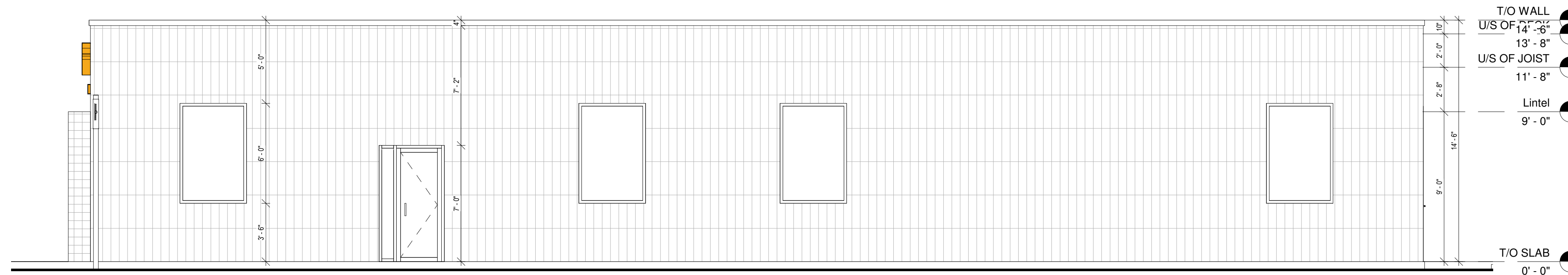
1 DRIVE-THRU WINDOW SIDE ELEVATION
1/4" = 1'-0"



2 BACK SIDE ELEVATION
1/4" = 1'-0"



4 FRONT SIDE ELEVATION
1/4" = 1'-0"



3 SIDE ELEVATION
1/4" = 1'-0"


1. CONTRACTOR MUST CHECK & VERIFY ALL DIMENSIONS ON THE JOB AND REPORT ANY DISCREPANCIES TO THE CONSULTANT PRIOR TO PROCEEDING WITH THE WORK.
2. ALL WORK SHALL BE CARRIED OUT AS PER SPECIFICATIONS AND THE LATEST EDITION OF THE NATIONAL OR PROVINCIAL BUILDING CODE IN CONJUNCTION OF THE LOCAL CITY'S BUILDING DEPARTMENT
3. APPROVED LATEST DRAWINGS ONLY TO BE USED FOR CONSTRUCTION, PRINTS ARE NOT TO BE ALLOWED FOR SCALE.
4. THIS DRAWING WAS DEVELOPED FOR A SPECIFIC PURPOSE USE FOR ANY OTHER PURPOSE ARE NOT PERMITTED.
5. THIS DRAWING MUST BE READ IN THE CONTEXT OF ALL THE OTHER DRAWINGS WHICH CONSTITUTE THE DOCUMENTS
6. ALL DRAWINGS, SPECIFICATIONS ARE THE PROPERTY OF THE GDB CONSULTANCY INC. AND MUST BE RETURNED TO HIM ON COMPLETION OF WORK.

DRAWING REVISIONS

Rev	Date	Description
1	17-08-2022	ISSUED FOR REVIEW

TRUE NORTH	CHECKED & APPROVED BY : B BHAVSAR
PROJECT NORTH	

PROJECT MANAGER :



CONSULTANTS :
GDB CONSULTANCY INC.
 760 Laurentian Drive, Unit 18,
 Burlington, Ontario L7N 0A4
 Cell: 416 388 9743
 Email: info@gdbconsultancy.com

PROJECT :
POPEYE RESTAURANT

ADDRESS:
 80 WOODLAWN ROAD
 WEST GUELPH,
 ONTARIO

DRAWING TITLE :
ELEVATIONS

DRAWN BY : AV

DATE : 17-08-2022

PLOT SCALE : 1/4" = 1'-0"

PROJECT NO. : 22-0726	DRAWING NO. : A-1.4
---------------------------------	-------------------------------

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee and the fee refund policy, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

Carere & Bridge Limited

Phone *

(519) 821-4610

Extension

Email *

rentals@guelphcityrealty.ca

Mailing address

Unit

401

Street address *

147 Wandham Street N

City *

Guelph

Postal code *

N1H 4E9

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

GDB
CONSULTANCY
INC

Name *

BIRJU BHAVSAR

Phone *

(416) 388-9743

Email

birju@gdbconsul
tancy.com

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

760 Laurentian
Drive, Unit 18

City *

Guelph

Province *

Ontario

Postal code *

L7N 0A4



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Page 4 of 10

Property address

Street number *

80

Street *

Woodlawn Road W

City * ?

Guelph

Province *

Ontario

Postal code

N1N 1N1

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

PART OF LOT 30, DIVISION A

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

SERVICE COMMERCIAL

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

6.4.3.4.1

Date property was purchased *

9/1/2002



Is a building or structure proposed? *

Yes

No

Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

20 + YEARS

Existing use of the subject property *

Commercial

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

27

Area (metres squared) *

1645.9

Depth (metres) *

60.96



Committee of Adjustment Application for Minor Variance

Application details

An asterisk (*) indicates a response is required

Page 5 of 10

Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw *

Proposed *

Required *

6.4.3.2.4.1

SINGLE USE
STAND ALONE
BUILDING
RESTURANT IN
OUTSIDE OF
MALL

RESTURANT IS
PERMITTTED IN
MALL SETTING
WITH 2 OR MORE
UNITS

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

Currently restaurant is only permitted in mall only. We are proposing as single use building for proposed restaurant "Popeyes". Zoning Bylaw amendment variance is requested via this application

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

- Yes
- No

Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Existing buildings and structures

Main building (dwelling and building)

**Gross floor area of
main building
(square metres) ***

306

**Number of stories of
main building ***

1

**Height of the main
building (metres) ***

4.20

**Width of the main
building (metres) ***

12.25

**Length of the main
building (metres) ***

24.9

Additional existing buildings

**Are there any additional buildings or structures on the subject
property? ***

Yes

No



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

An asterisk (*) indicates a response is required

Existing

Front setback (metres) *

Rear setback (metres) *

Exterior setback (metres) *

Interior setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



Committee of Adjustment Application for Minor Variance

Summary and review

An asterisk (*) indicates a response is required

Sworn Declaration

I 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.

Name *

BIRJU BHAVSAR

Date *

9/22/2022



Street address *

760 Laurentian Drive, Unit 18

City *

Guelph

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

BIRJU BHAVSAR

Date *

9/15/2022



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

birju@gdbconsultancy.com

Office use only

File number

A-64/22

Address

80 Woodlawn Road West
Guelph, Ontario

Comments from staff

Received September 13, 2022

GDB Consultancy Inc

Engineering Consultancy Service

September 15, 2022

To,
City of Guelph
City Clerk Office

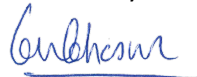
Subject: Proposed Restaurant "Popeyes"
80 Woodlawn Road, Guelph

With this letter, we are proposing to approve variance to allow restaurant named "Popeyes" use within single unit building located at 80 Woodlawn road, Guelph.

Online application has signed application and Architectural drawings uploaded

Please contact our office if you have any question or comment.

Yours truly



Birju Bhavsar

760 LAURENTIAN DRIVE, UNIT 18, BURLINGTON, ONTARIO L7N 0A4
PHONE: 416 388 9743, EMAIL: birju@gdbconsultancy.com