

# Committee of Adjustment Meeting Agenda

Thursday, March 12, 2020, 4:00 p.m.

Council Chambers, Guelph City Hall, 1 Carden Street

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

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## 1. Opening Remarks

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

1.1 Disclosure of Pecuniary Interest and General Nature Thereof

1.2 Approval of Minutes

1.3 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 "Request for Written Decision" form.

### 2.1 A-10/20 739 Woolwich Street

**Owner:** 2448254 Ontario Inc.

**Agent:** Drew Gillingham, 536357 Ontario Ltd.

**Request:** Variance to permit retail sale of cannabis and related supplies

### 2.2 A-11/20 24 Ray Crescent

**Owner:** Maged Saad and Carmen Khalil

**Agent:** Grant Luehndorf

**Request:** Variance for proposed accessory apartment size

### 2.3 A-12/20 49 Wells Street

**Owner:** Jasdeep Sahni and Tejdeep Sahni

**Agent:** N/A

**Request:** Enlargement/extension of legal non-conforming use to permit existing accessory apartment and variance for apartment size

### 2.4 A-13/20 5 Douglas Street

**Owner:** Skyline Real Estate Holdings Inc.

**Agent:** Bernie Dyer, 2325505 Ontario Inc.

**Request:** Variances for maximum floor area and capacity of proposed licensed establishment

**2.5 A-14/20 15 Harcourt Drive**

**Owner:** Chester Carere and Inam Carere

**Agent:** N/A

**Request:** Variance for side yard setback for proposed attached garage

**2.6 A-15/20 9 Arthur Street North**

**Owner:** 2725586 Ontario Inc

**Agent:** N/A

**Request:** Variance for exterior side yard setback for proposed addition

**2.7 A-16/20 287 Water Street**

**Owner:** First Christian Reformed Church of Guelph

**Agent:** N/A

**Request:** Variance to permit stand-alone office use within the existing residence (former manse)

**2.8 B-3/20 401 Edinburgh Road North**

**Owner:** St. Joseph' Housing Corporation Inc. Guelph

**Agent:** Cindy Prince, Amico Properties Inc.

**Request:** Consent to create access easement in favour of 395 Edinburgh Road North

**2.9 B-4/20 62 Metcalfe Street**

**Owner:** Linda Joanne Oldridge and Kenneth Alan Oldridge

**Agent:** Jeff Buisman, Van Harten Surveying Inc.

**Request:** Consent for lot addition to 148 Palmer Street

**3. Staff Announcements**

**4. Adjournment**

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## **Committee of Adjustment Minutes**

**Thursday, February 13, 2020, 4:00 p.m.  
Council Chambers, Guelph City Hall, 1 Carden Street**

Members Present	K. Ash, Chair D. Kendrick, Vice Chair S. Dykstra L. Janis K. Meads J. Smith
Members Absent	D. Gundrum
Staff Present	B. Bond, Zoning Inspector J. da Silva, Deputy Secretary-Treasurer K. Patzer, Planner L. Sulatycki, Planner

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### **Call to Order**

Chair K. Ash called the hearing to order and explained the meeting procedures.

### **Election of Chair for 2020**

Deputy Secretary-Treasurer J. da Silva stated that at the January 9, 2020 Committee of Adjustment hearing, Committee member K. Ash was nominated as Chair of the Committee of Adjustment for 2020. Since member K. Ash was not present at the January hearing, the nomination is pending her acceptance.

Deputy Secretary-Treasurer J. da Silva asked if member K. Ash accepted the nomination. Member K. Ash accepted the nomination and this resulted in K. Ash being elected Chair of the City of Guelph Committee of Adjustment for the year 2020.

### **Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

### **Approval of Minutes**

Moved by S. Dykstra

Seconded by L. Janis

That the minutes from the January 9, 2020 Regular Hearing of the Committee of Adjustment, be approved as circulated.

**Carried**

### **Requests for Withdrawal or Deferral**

There were no requests.

### **Current Applications**

#### **A-95/19 169 Gosling Gardens**

Owner: Lakhvir Johal and Sukhwinder Johal

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 169 Gosling Gardens

In Attendance: J. Buisman

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. J. Buisman, agent, responded that the sign was posted and comments were received. J. Buisman explained briefly the proposal and changes made to the application since the time the application was deferred.

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 D. Kendrick

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, variances from the requirements of from Table 4.7 Row

12 and Table 5.1.2 Row 12 of Zoning By-law (1995)-14864, as amended, for 169 Gosling Gardens, to permit:

- a. the proposed exterior stairs to be located 0.11 metres from the right side lot line, when the By-law requires that exterior stairs have a minimum side yard setback of 0.6 metres from the lot line; and
- b. the existing concrete walkway in the front yard adjacent to the right side of the existing driveway to be located 0.11 metres from the right side lot line, when the By-law requires that a minimum area of 0.5 metres between the residential driveway and nearest lot line must be maintained as landscaped open space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species,

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

1. That the variances only apply to the right side lot line as shown on the Public Notice sketch.
2. That the existing concrete walkway shall not be expanded beyond what is 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-98/19 26 Woodycrest Drive**

Owner: 2254102 Ontario Limited

Agent: N/A

Location: 26 Woodycrest

In Attendance: A. Bin

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. A. Bin, representative for the owner, responded that the sign was posted and comments were received. A. Bin explained the proposal and reasons to support the application.

Member S. Dykstra suggested to amend the proposed planning condition to limit the variance for as long as the existing built form and driveway of the lands, as it appeared in the lot sketch, remains unchanged. K. Patzer, Planner, indicated that the maximum driveway width in a R.1B zone is 6.5 metres. A. Bin, representative for the owner, agreed with the change of the recommended condition.

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 4.13.2.1 of Zoning By-law (1995)-14864, as amended, for 26 Woodycrest Drive, to permit the required parking space to be located to the front of the front wall of the existing dwelling, when the By-law requires that in a R.1B 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, be **approved**, subject to the following condition:

1. That the variance to allow the legal parking space to be located in front of the front wall of the existing dwelling shall only apply to the property for as long as the existing built form and driveway of the lands as shown on the Lot Plan sketch remains unchanged.

**Not Carried**

The motion was not carried as the vote resulted in a tie.

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

Moved by D. Kendrick

Seconded by L. Janis

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 4.13.2.1 of Zoning By-law (1995)-14864, as amended, for 26 Woodycrest Drive, to permit the required parking space to be located to the front of the front wall of the existing dwelling, when the By-law requires that in a R.1B 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, be **approved**, subject to the following condition:

1. That the variance to allow the legal parking space to be located in front of the front wall of the existing dwelling shall only apply to the property for as long as the existing built form of the lands as shown on the Lot Plan sketch remains unchanged.

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-7/20 65 Alma Street South**

Owner: Marijke Van Andel

Agent: Kim Pilon

Location: 65 Alma Street

In Attendance: K. Pilon

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. K. Pilon, agent, responded that the sign was posted and comments were received. K. Pilon briefly explained the application and addressed concerns regarding the proposed open roofed porch located inside the sight line triangle.

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, variances from the requirements of Section 4.6.2.2, Table 4.7 Row 3, Table 5.1.2 Row 6, Section 5.1.2.7 i), and Section 4.5.2.1 of Zoning By-law (1995)-14864, as amended, for 65 Alma Street South, to permit:

- a. the proposed open roofed porch to be located in the driveway sight line triangle, when the By-law requires that within any part of a sight line triangle at vehicular access area no building, structure, play equipment, statue, swimming pool/hot tub or parked motor vehicle shall be located;
- b. the proposed 1 storey open roofed porch to be located a minimum of 0.58 metres from the front lot line, when the By-law requires that an open roofed porch not exceeding 1 storey in height has a minimum setback of 2 metres from the front lot line;
- c. the proposed addition to the front of the existing dwelling to have a minimum front yard setback of 0.56 metres, when the By-law requires that a minimum front yard of 6 metres or the average of the setbacks of the adjacent properties [being 6.65 metres]; and
- d. the proposed accessory structure to be 4.5 metres in height, when the By-law requires that in a residential zone, an accessory building or structure shall not exceed 3.6 metres in height,

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

1. That the proposed shed remains in the general location as shown on the Public Notice sketch.
2. The Owner(s) agrees to construct the open roofed porch within the sightline triangle with such material that will not encumber the sightlines.

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-8/20 7 Marigold Drive**

Owner: Michael and Eliza Maguire

Agent: Nancy Shoemaker, Black Shoemaker Robinson and Donaldson Limited

Location: 7 Marigold Drive

In Attendance: N. Shoemaker

Deputy Secretary-Treasurer J. da Silva noted that correspondence was received after the comment deadline from T. Casimiro, C. Schmalengerg, K. Schmalengerg, K. Campbell, M. Niewiadomski, and K. McCarl in support of the application. A copy of all correspondence was provided to the members and staff.

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. N. Shoemaker, agent, responded that the sign was posted, comments were received and briefly explained the purpose 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 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, variances from the requirements of Table 5.1.2 Rows 6a

and 9, Section 4.5.1.2, Section 4.5.1, Table 4.7 Row 1, and Section 4.13.7.2.1 of Zoning By-law (1995)-14864, as amended, for 7 Marigold Drive, to permit:

- a. the existing one storey addition to the existing dwelling with a minimum exterior side yard setback of 2.25 metres, when the By-law requires a minimum exterior side yard setback of 4.5 metres;
- b. the existing accessory building (shed) to be located 0.19 metres from the rear lot line, when the By-law requires that an accessory building or structure is not located within 0.6 metres of any lot line;
- c. the existing accessory building to be located in the exterior side yard with a minimum exterior side yard setback of 2.29 metres, when the By-law requires that an accessory building or structure may occupy a yard other than a front yard or required exterior side yard; and
- d. the existing uncovered porch (pool deck) to have a rear yard setback and side yard setback of 0 metres, when the By-law requires a minimum rear yard setback and side yard setback of 0.6 metres for an uncovered porch not more than 1.2 metres above finished grade,

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

1. That the variances only apply to the existing one storey residential addition, pool deck and accessory buildings 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 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-9/20 172 Dallan Drive**

Owner: Sukhdev Singh Gill and Simranjit Kaur Gill



Agent: Raman Sandhu, Marvel Engineering Inc.

Location: 172 Dallon Drive

In Attendance: R. Sandhu, S. Singh Gill

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. R. Sandhu, agent, responded that the sign was posted and comments were received. R. Sandhu briefly explain the application and the layout of the proposed accessory apartment.

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 D. Kendrick

Seconded by S. Dykstra

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, for 172 Dallon Drive, to permit an accessory apartment size of 90.2 square metres, or 21.2 percent of the total floor area of the existing detached dwelling, when the By-law requires that an accessory apartment shall not exceed 45 percent of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser, be **approved**.

Reasons:

This 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**

## **Requests**

### **Application Fee Refund Request for File A-2/20 (20 Edwin Street)**

Deputy Secretary-Treasurer J. da Silva noted that a request was received from the owners of 20 Edwin Street for file A-2/20 to refund the minor variance application fee.

Moved by D. Kendrick  
Seconded by K. Meads

That the request to refund the application fee (\$826.00) for minor variance file A-2/20 (20 Edwin Street) be **refused**.

**Carried**

### **Staff Announcements**

Chair Ash noted that LPAT decisions for minor variance files A-3/19 (622 College Avenue West) and A-52/19 (58 Memorial Crescent) were circulated to staff and committee members as part of the agenda package.

### **Adjournment**

That this hearing of the Committee of Adjustment be adjourned at 4:35 p.m.

**Carried**

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K. Ash, Chair

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J. da Silva, Deputy Secretary-Treasurer

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

739 Woolwich Street

### Proposal:

The applicant is proposing to permit retail sale of cannabis and related supplies as an additional permitted use on the property and to remove an existing non-permanent accessory greenhouse adjacent to the right side lot line.

### By-Law Requirements:

The property is located in the Specialized Service Commercial (SC.1-6) Zone. A variance from Section 6.4.3.1.6.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the SC.1-6 Zone, but does not permit retail sale of cannabis and related supplies.

### Request:

The applicant is seeking relief from the By-Law requirements to permit retail sale of cannabis and related supplies as an additional permitted use on the subject property.

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## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>A-10/20</b>

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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.

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## Providing Comments

Any person may attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at City Hall 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

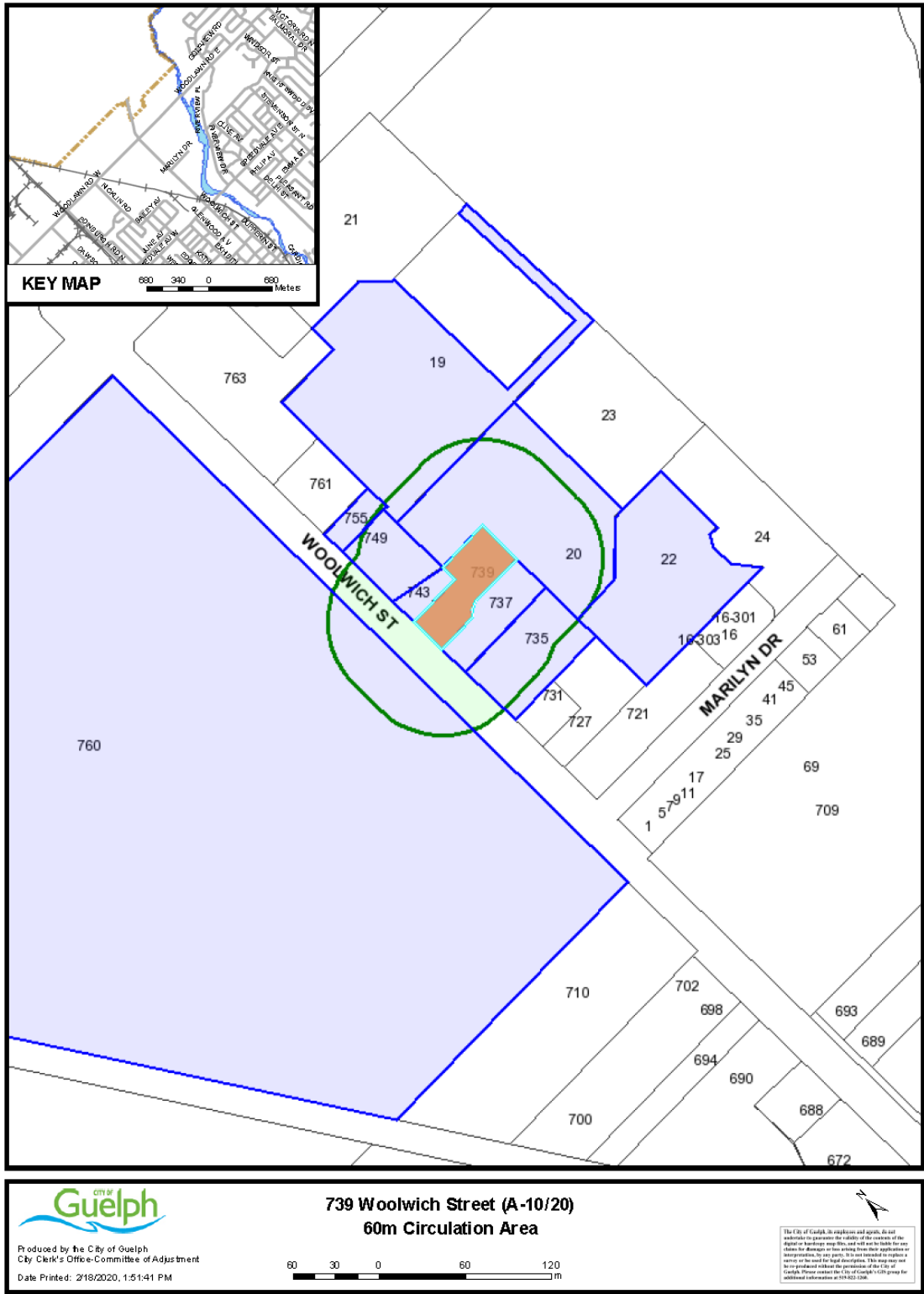
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

## Notice Details

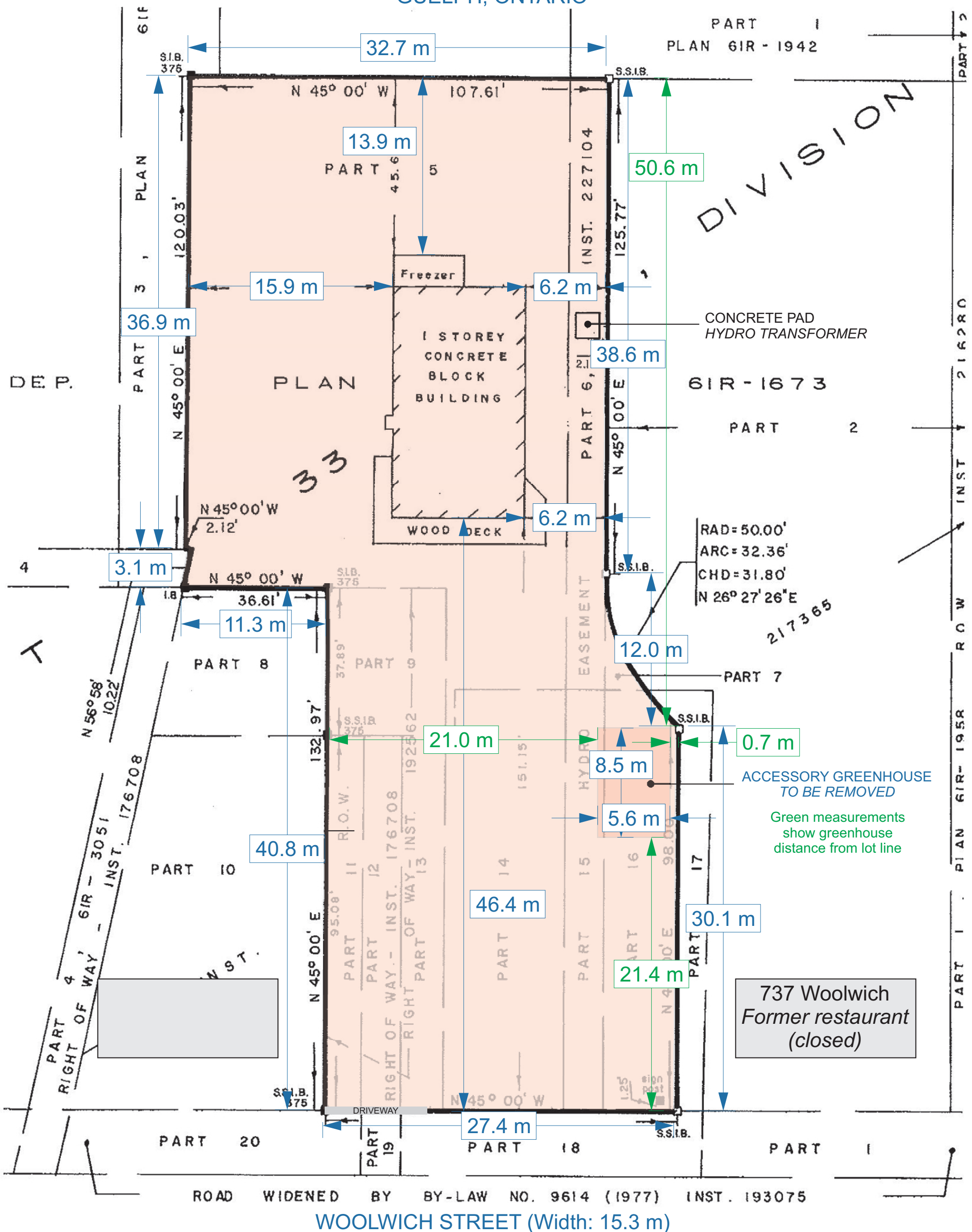
Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated February 21, 2020.

## Contact Information

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260

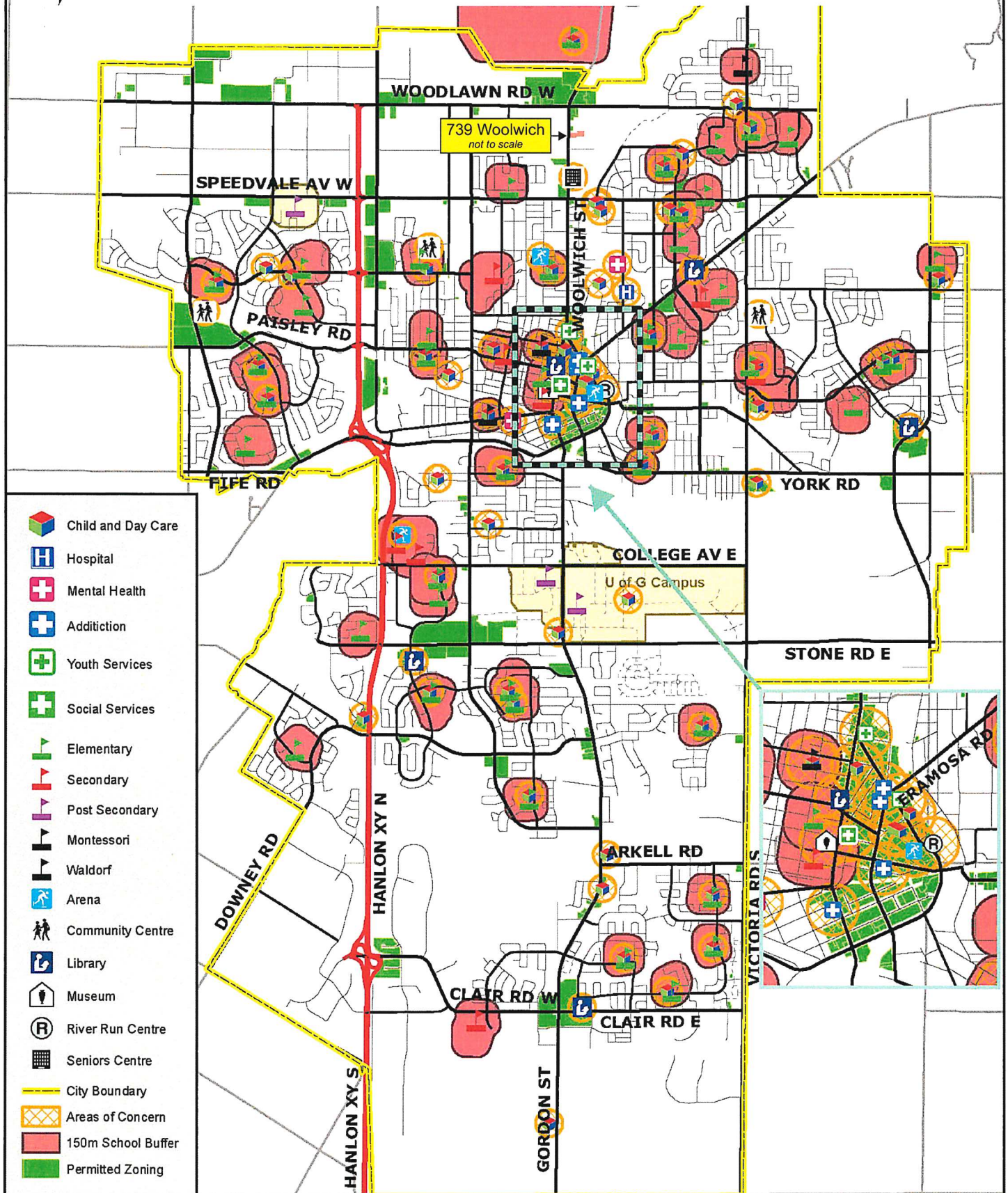


739 WOOLWICH STREET  
GUELPH, ONTARIO





# Childcare, Recreation Facilities, Hospitals, Mental Health Services, Addiction Centres, Parks, and Schools with 150m Buffer



- **Rental Outlet**
- **Repair Service**
- Retail sales of: furniture, hardware, home furnishings, home improvement materials, and appliances
- Retail sales and rental of: new and used motor **Vehicles**, trailer and mobile homes, and farm machinery
- **Vehicle Specialty Repair Shop**

6.4.3.1.6

**SC.1-6**

737, 739, 743 Woolwich St.

As shown on Defined Area Map Number 33 of Schedule "A" of this **By-law**.

6.4.3.1.6.1

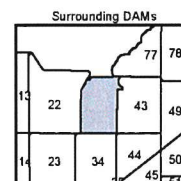
**Permitted Uses**

- **Artisan Studio**
  - **Bake Shop**
  - **Catalogue Sales Outlet**
  - **Day Care Centre** in accordance with Section 4.26
  - **Financial Establishment**
  - **Florist**
  - **Food Vehicle** in accordance with Section 4.30
  - **Hardware Store**
  - **Library**
  - **Liquor Store**
  - **Medical Office**
  - **Medical Clinic**
  - **Museum**
  - **Office Supply**
  - **Office**
  - **Personal Service Establishment**
  - **Recreation Centre**
  - **Restaurant**
  - **Restaurant (take-out)**
  - Retail Sales of: pool/patio supplies, drapery
  - **Tradesperson's Shop**
  - **Vehicle Parts Establishment**
  - **Vehicle Specialty Repair Shop**
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- **Accessory Uses** in accordance with Section 4.23
  - **Occasional Uses** in accordance with Section 4.21

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# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Jan 22, 2020</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-10120</u>

## TO BE COMPLETED BY APPLICANT

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

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

### PROPERTY INFORMATION:

Address of Property: 739 WOOLWICH STREET

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

PT LT 33 DIVISION A GUELPH TOWNSHIP PARTS 5,6,7,9,11-16, 61R1673; S/T ROS192562; S/T ROS227104; GUELPH

### OWNER(S) INFORMATION:

Name:	<u>2448254 ONTARIO INC.</u>		
Mailing Address:	<u>739 WOOLWICH STREET</u>		
City:	<u>GUELPH</u>	Postal Code:	<u>N1H 3Z2</u>
Home Phone:		Work Phone:	<u>519-546-7026</u>
Fax:		Email:	<u>kalie.gies@gmail.com</u>

### AGENT INFORMATION (If Any)

Company:	<u>536357 ONTARIO LIMITED</u>		
Name:	<u>DREW GILLINGHAM</u>		
Mailing Address:	<u>195 KING STREET WEST, SUITE 301</u>		
City:	<u>KITCHENER</u>	Postal Code:	<u>N2G 1B1</u>
Work Phone:		Mobile Phone:	<u>519 212-6460</u>
Fax:		Email:	<u>drew.g@torre-pm.com</u>

<b>Official Plan Designation:</b> COMMERCIAL and MIXED-USE: SERVICE COMMERCIAL, INTENSIFICATION CORRIDOR	<b>Current Zoning Designation:</b> SC.1-6
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**NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):**

The subject property is currently zoned SC.1-6 (Service Commercial) and is located in the Intensification Corridor on Woolwich Street just south of Woodlawn Road. SC.1-6 allows for Retail Sales of "pool/patio supplies, drapery", which does not allow our proposed use of "Retail Sales of Cannabis & Related Supplies", which has only recently been allowed in Canada and therefore does not appear anywhere in the City of Guelph By-laws.

I have attached the SC.1.6 Location (Guelph Zoning By-law (1995) as last amended (2015), section 6.4.3.1.6) and Permitted Uses (6.4.3.1.6.1) and Defined Area Map 33 showing the location of the subject property.

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

We are proposing to open a cannabis retail store at the subject property in accordance with the the Ontario Cannabis Act, 2018 and Ontario Regulation 468/18. The subject property is in one of the City of Guelph's approved areas (confirmed by David Wiedrick, Manager, Bylaw Compliance, Security and Licensing, Operations Department, City of Guelph), but is not currently zoned for the required use as shown above.

We will not be making structural changes to the property but will be renovating it to present a professional image to the community and comply with the Province's security and operational requirements for a Cannabis Retail Store.

I have attached the City of Guelph map showing Sensitive Areas and Permitted Zoning for Cannabis Retail Sales with the Subject Property shown near the top.

**PROPERTY INFORMATION**

Date property was purchased:	2015-03-01	Date property was first built on:	c. 1978
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	<del>4</del> 23 years

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):**

COMMERCIAL: RETAIL

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

COMMERCIAL: RETAIL

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

Frontage:	Depth:	Area:
27.43 m	80.16 m	2,385.4 m <sup>2</sup>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	201.6 m <sup>2</sup>		Gross Floor Area:	NO CHANGE	
Height of building:	6.1 m		Height of building:	NO CHANGE	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height: Non-permanent accessory Greenhouse, wood frame and plastic: 1 8.5 x w 5.6 x h 2.5m			Describe details, including height: To be removed		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	21.4 M		Front Yard Setback:	46.4 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 15.9 M	Right: 0.7 M	Side Yard Setback:	Left: 15.9 M	Right: 6.2 M
Rear Yard Setback	13.9 M		Rear Yard Setback	13.9 M	

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-50/04, A-100/03, A-82/77, A-113/77, A-124/77 and B-63/77

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

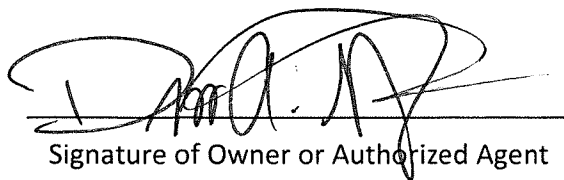
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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

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

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

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



Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, DREW GILLINGHAM, 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.



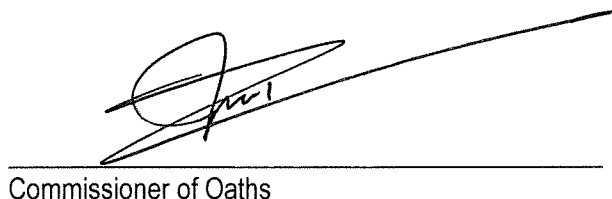
Signature of Applicant or Authorized Agent

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/Town of Guelph in the County/Regional Municipality of  
Wellington this 22 day of January, 20 20.



Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

2448254 ONTARIO INC.

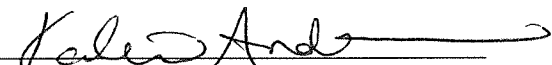
[Organization name / property owner's name(s)]

of 739 WOOLWICH STREET, GUELPH  
(Legal description and/or municipal address)

hereby authorize DREW GILLINGHAM  
(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 15 day of JANUARY 2020.

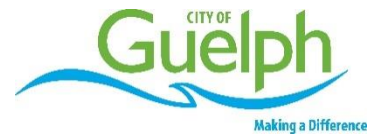
  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

### NOTES:

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

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

24 Ray Crescent

### Proposal:

The applicant is proposing to construct an accessory apartment with an area of 114.15 square metres, or 45 percent of the total gross floor area, in the walkout basement of the existing detached dwelling.

### By-Law Requirements:

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

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

### Request:

The applicant is seeking relief from the By-Law requirements to permit an accessory apartment size of 114.15 square metres, or 45 percent of the total floor area of the existing detached dwelling.

---

## Hearing Details

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

Date: **Thursday, March 12, 2020**  
Time: **4:00 p.m.**  
Location: **Council Chambers, City Hall, 1 Carden Street**  
Application Number: **A-11/20**

---

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

---

## Providing Comments

Any person may attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at

City Hall 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

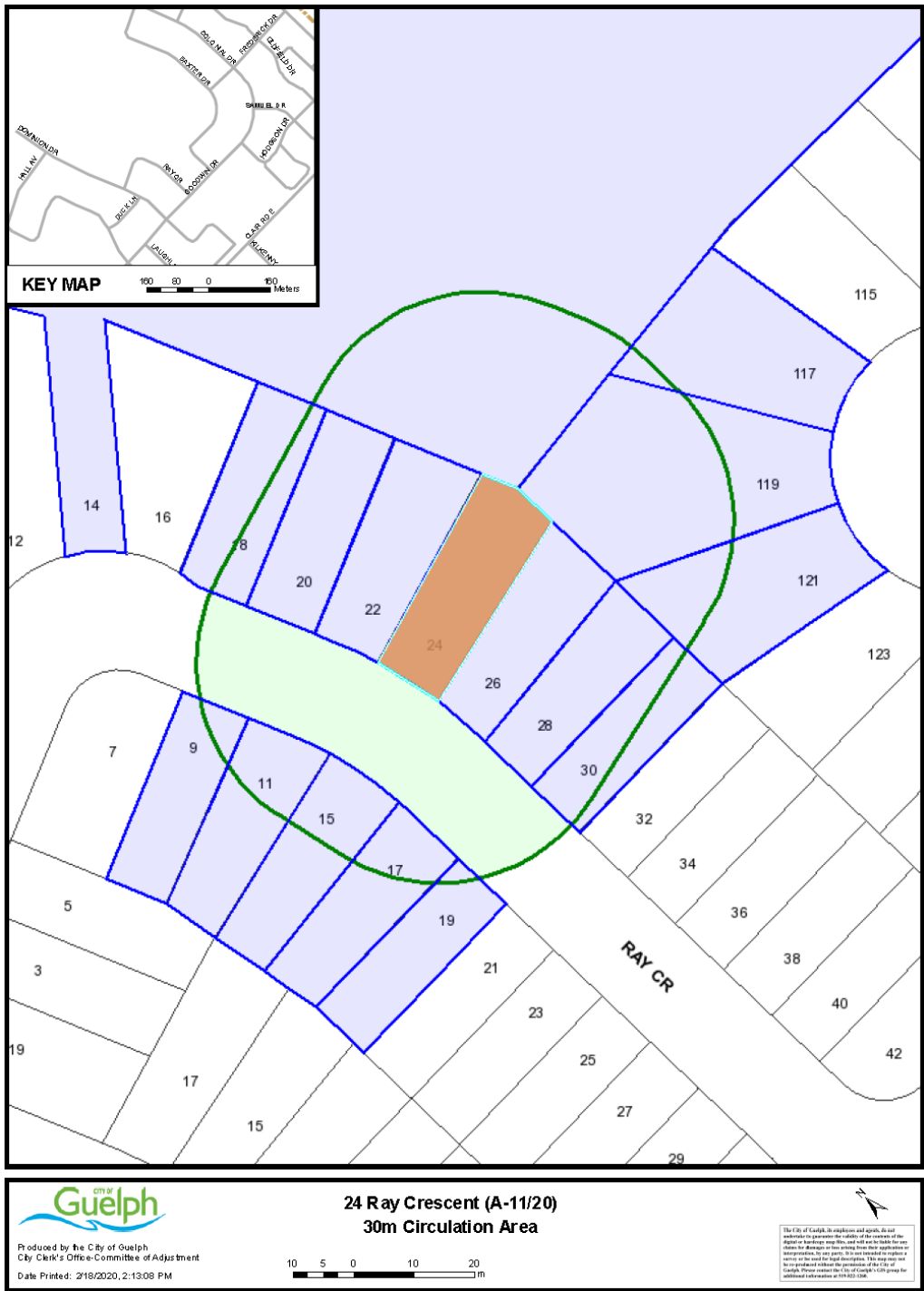
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

## Notice Details

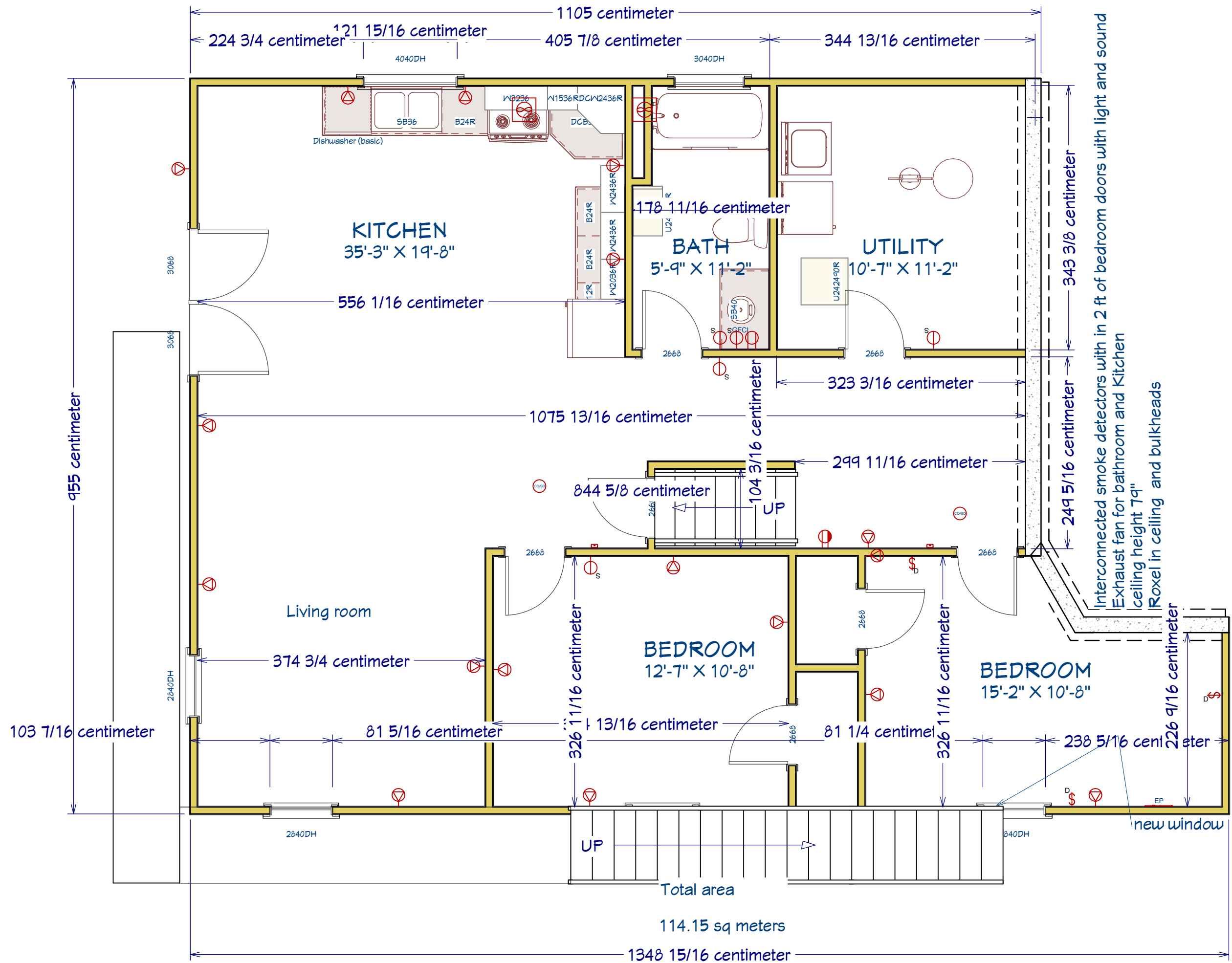
Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated February 21, 2020.

## Contact Information

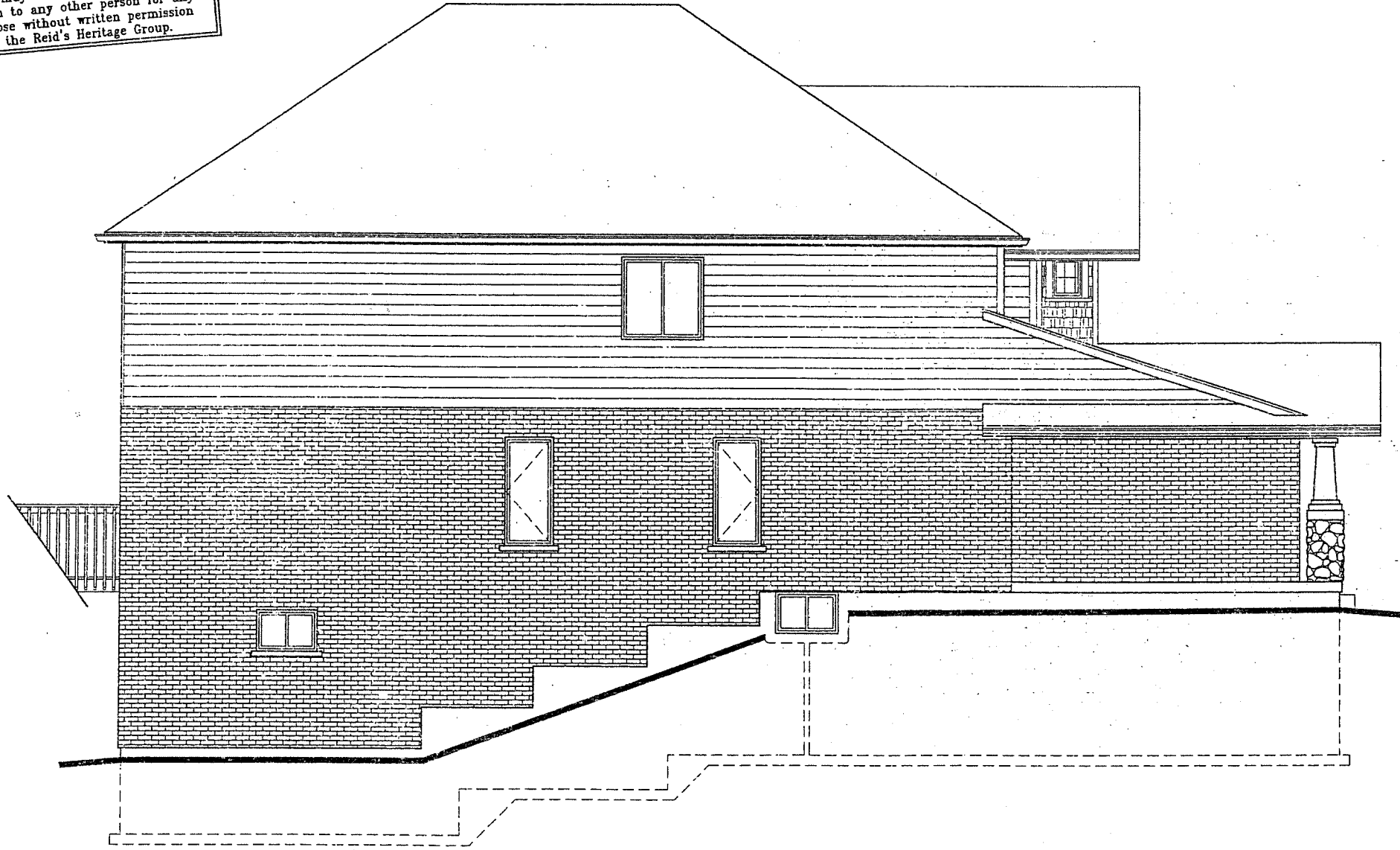
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260







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LEFT SIDE ELEVATION

40TS03  
CRAFTSMAN 'A'

SAAD & KHALIL RESIDENCE  
LOT 156 RAY CRESCENT  
REID'S HERITAGE HOMES LTD.

Des. By: CM  
Folder: LOT 156 RAY  
File: 40TS03-Craft-A-Elev

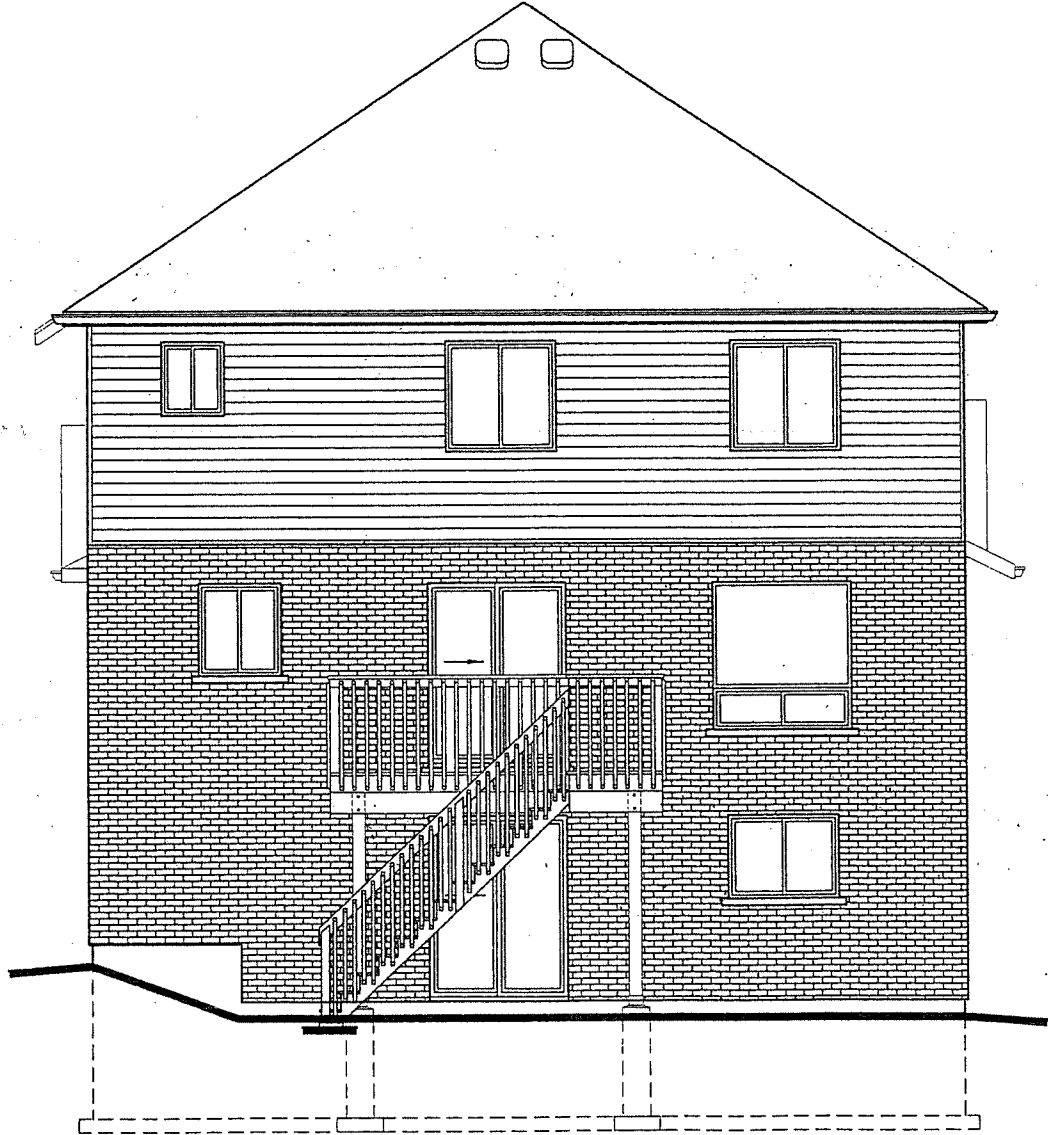
Architectural  
Design  
Department

**REID'S HERITAGE HOMES LTD.**

WESTMINSTER WOODS  
PHASE 6A  
GUELPH, ON

Scale: 3/16"=1'-0"  
Date: MARCH 14/06  
Last Rev: JULY 13/06

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REAR ELEVATION

8 of 13

40TS03  
CRAFTSMAN 'A'

**REID'S HERITAGE HOMES LTD.**  
RR 22 CAMBRIDGE ONTARIO N3C 2V4  
PHONE 519 658-6656 FAX 519 654-9746

SAAD & KHALIL RESIDENCE  
LOT 156 RAY CRESCENT  
REID'S HERITAGE HOMES LTD.

**WESTMINSTER WOODS  
PHASE 6A**  
GUELPH, ON

Drawn By: CM  
Folder: LOT 156 RAY  
File: 40TS03-Craft-A-Elevs  
Scale: 3/16"=1'-0"  
Date: MARCH 14/06  
Last Rev: JULY 12/06

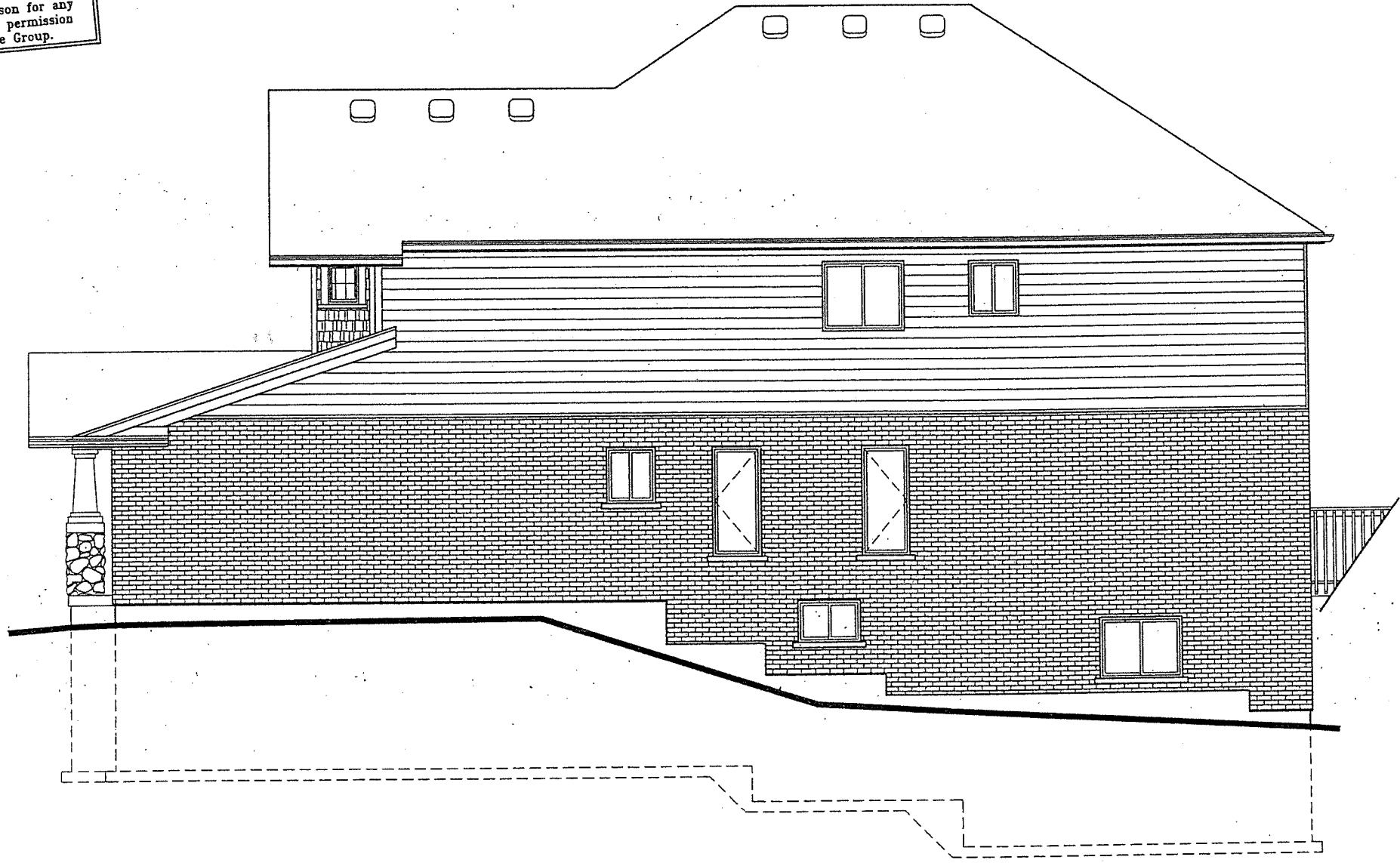
Architectu  
Design  
Departme

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RIGHT SIDE ELEVATION

40TS03  
CRAFTSMAN 'A'

SAAD & KHALIL RESIDENCE  
LOT 156 RAY CRESCENT  
REID'S HERITAGE HOMES LTD.

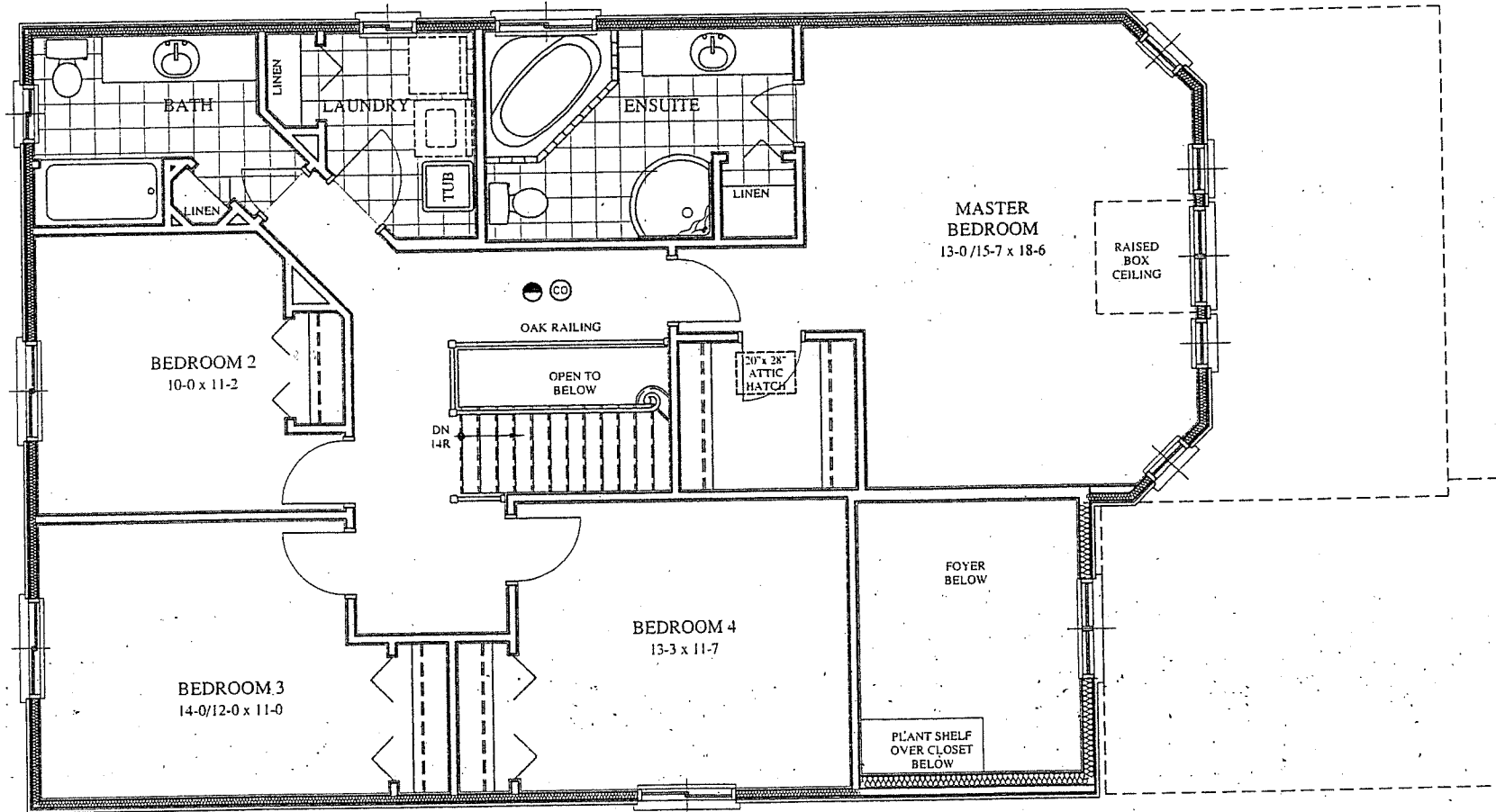
Drawn By:	CM	Architect
Folder:	LOT 156 RAY	Design
File:	40TS03-Craft-A-Elevs	Departm
Scale:	3/16"=1'-0"	
Date:	MARCH 14/06	
Last Rev:	JULY 13/06	

**REID'S HERITAGE HOMES LTD.**

WESTMINSTER WOODS  
PHASE 6A  
GUELPH, ON

7 of 13

RR 22 CAMBRIDGE ONTARIO N3C 2V4 PHONE 519 658-6656 FAX 519 654-9746



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SECOND FLOOR PLAN -  
STANDARD 4 BDRM.

5a of 13

40TS03  
CRAFTSMAN 'A'

SAAD & KHALIL RESIDENCE  
LOT 156 RAY CRESCENT  
REID'S HERITAGE HOMES LTD.

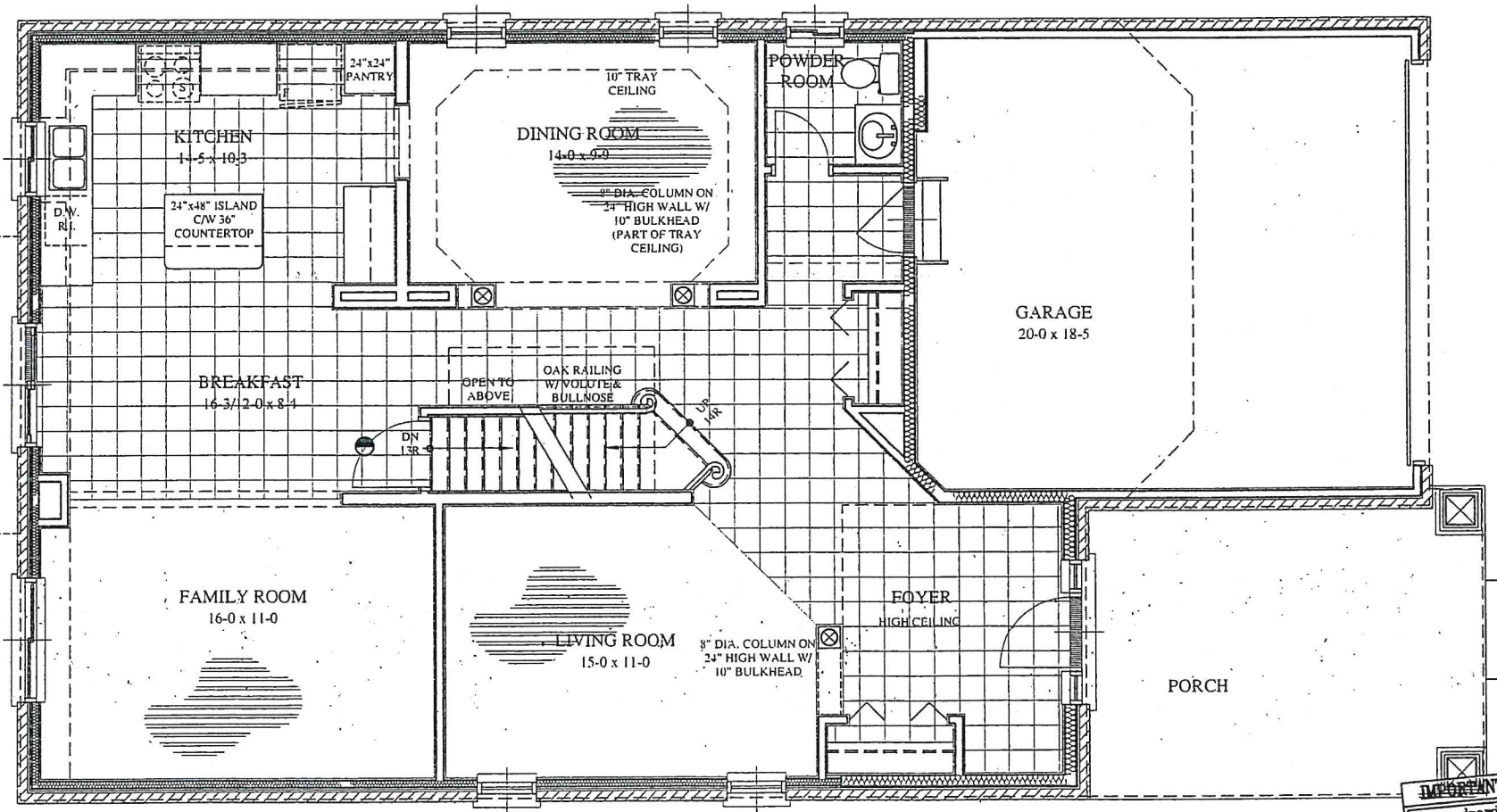
**REID'S HERITAGE HOMES LTD.**

WESTMINSTER WOODS  
PHASE 6A  
GUELPH, ON

RR 22 CAMBRIDGE ONTARIO N3C 2V4 PHONE 519 658-6656 FAX 519 654-9746

Drawn By: CM  
Folios: LOT 156 RAY  
File: 40TS03-Craft-A-Plans  
Scale: 3/16"=1'-0"  
Date: MARCH 14/06  
Last Rev: JULY 12/06

Arch  
De  
Depo



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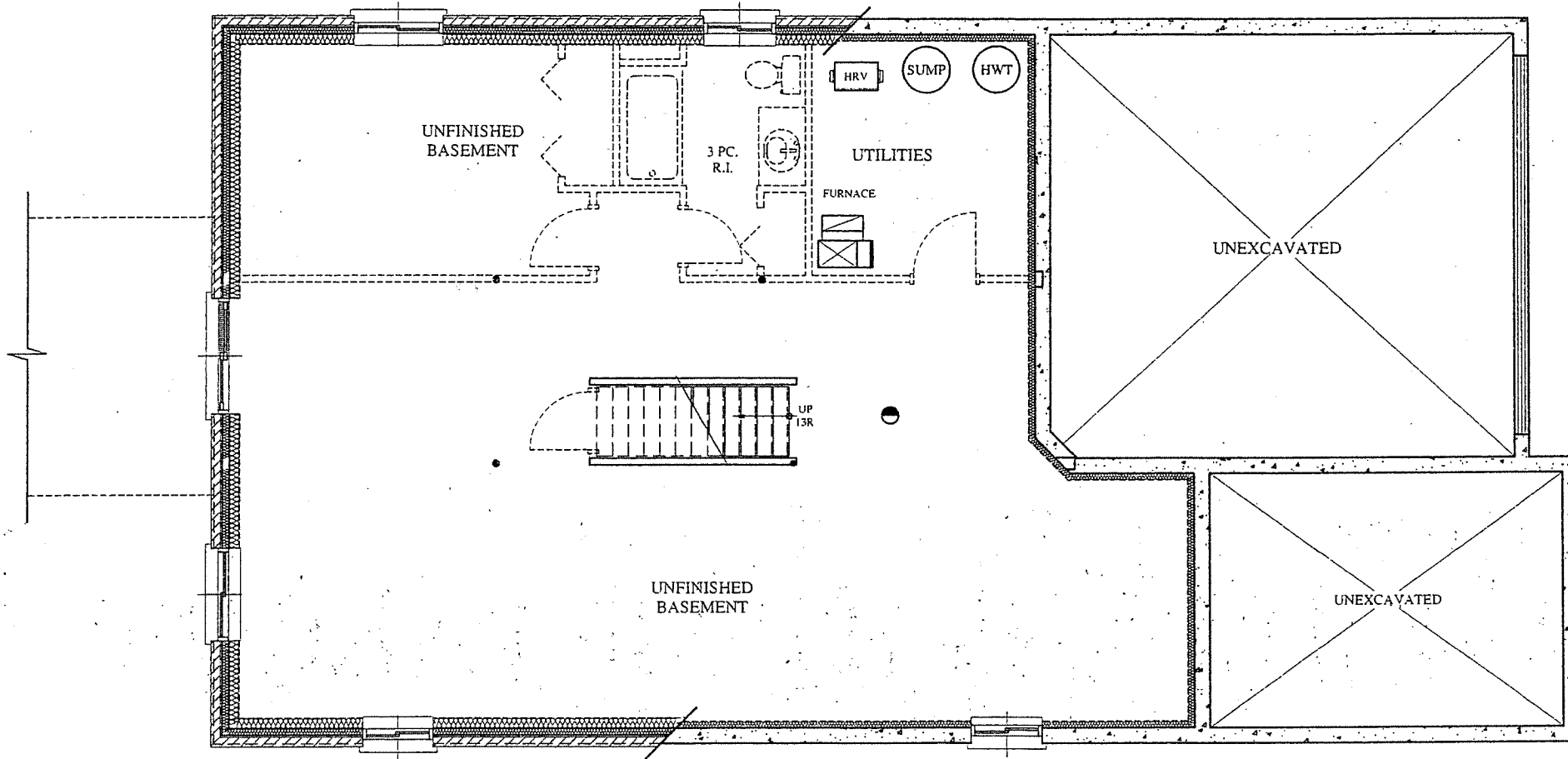
They may not be reproduced or shown to any other person for any purpose without written permission from Reid's Heritage Homes.

<b>MAIN FLOOR PLAN- OPT. KITCHEN STD. OR OPT 3 BDRM w/MEDIA RM</b>		<b>40TS03 CRAFTSMAN 'A'</b>		<b>SAAD &amp; KHALIL RESIDENCE</b>		Dwn. By: CM Folder: LOT 156 RAY File: 40TS03-Craft-A-Plans Scale: 3/16"=1'-0" Date: MARCH 14/06 Last Rev: JULY 12/06	
<b>REID'S HERITAGE HOMES LTD.</b>		<b>REID'S HERITAGE HOMES LTD.</b>		<b>REID'S HERITAGE HOMES LTD.</b>		<b>WESTMINSTER WOODS PHASE 6A</b>	
RR 22 CAMBRIDGE ONTARIO N3C 2V4		PHONE 519 658-6656 FAX 519 654-9746		GUELPH, ON		Architecture Design Department	

4c of 13

Scale in metric  
0-47625 = 30cm





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**BASEMENT FLOOR PLAN**

**3 of 13**

**40TS03**  
CRAFTSMAN 'A'

**SAAD & KHALIL RESIDENCE**  
LOT 156 RAY CRESCENT  
REID'S HERITAGE HOMES LTD.

**REID'S HERITAGE HOMES LTD.**

RR 22 CAMBRIDGE ONTARIO N3C 2V4 PHONE 519 658-6656 FAX 519 654-9746

**WESTMINSTER WOODS**  
PHASE 6A  
GUELPH, ON

Des. By: CM

Folder: LOT 156 RAY

File: 40TS03-Craft-A-Plans

Scale: 3/16"=1'-0"

Date: MARCH 14/06

Last Rev: JULY 12/06

Architectural  
Design  
Department

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TOTAL FLOOR AREA - 2532 sq.ft.

FRONT ELEVATION

2 of 13

40TS03  
CRAFTSMAN 'A'

**REID'S HERITAGE HOMES LTD.**  
RR 22 CAMBRIDGE ONTARIO N3C 2V4  
PHONE 519 658-6656 FAX 519 654-9746

SAAD & KHALIL RESIDENCE  
LOT 156 RAY CRESCENT  
REID'S HERITAGE HOMES LTD.

**WESTMINSTER WOODS  
PHASE 6A**  
GUELPH, ON

Des. By: CM  
Folder: LOT 156 RAY  
File: 40TS03-Craft-A-Eleva

Architectura  
Design  
Department

Scale: 3/16"=1'-0"  
Date: MARCH 14/06  
Last Rev: JULY 13/06



# SKETCH FOR BUILDING PERMIT APPLICATION LOT 156, REGISTERED PLAN 61M-130 CITY OF GUELPH

SCALE: 1 - 250

**CAUTION:** - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.  
- IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE PROPOSED FOOTING ELEVATION ALLOWS GRAVITY CONNECTION TO SEWER LINES.

© - THIS SKETCH IS PROTECTED BY COPYRIGHT.  
- THIS LOT MAY CONTAIN STRUCTURAL FILL.

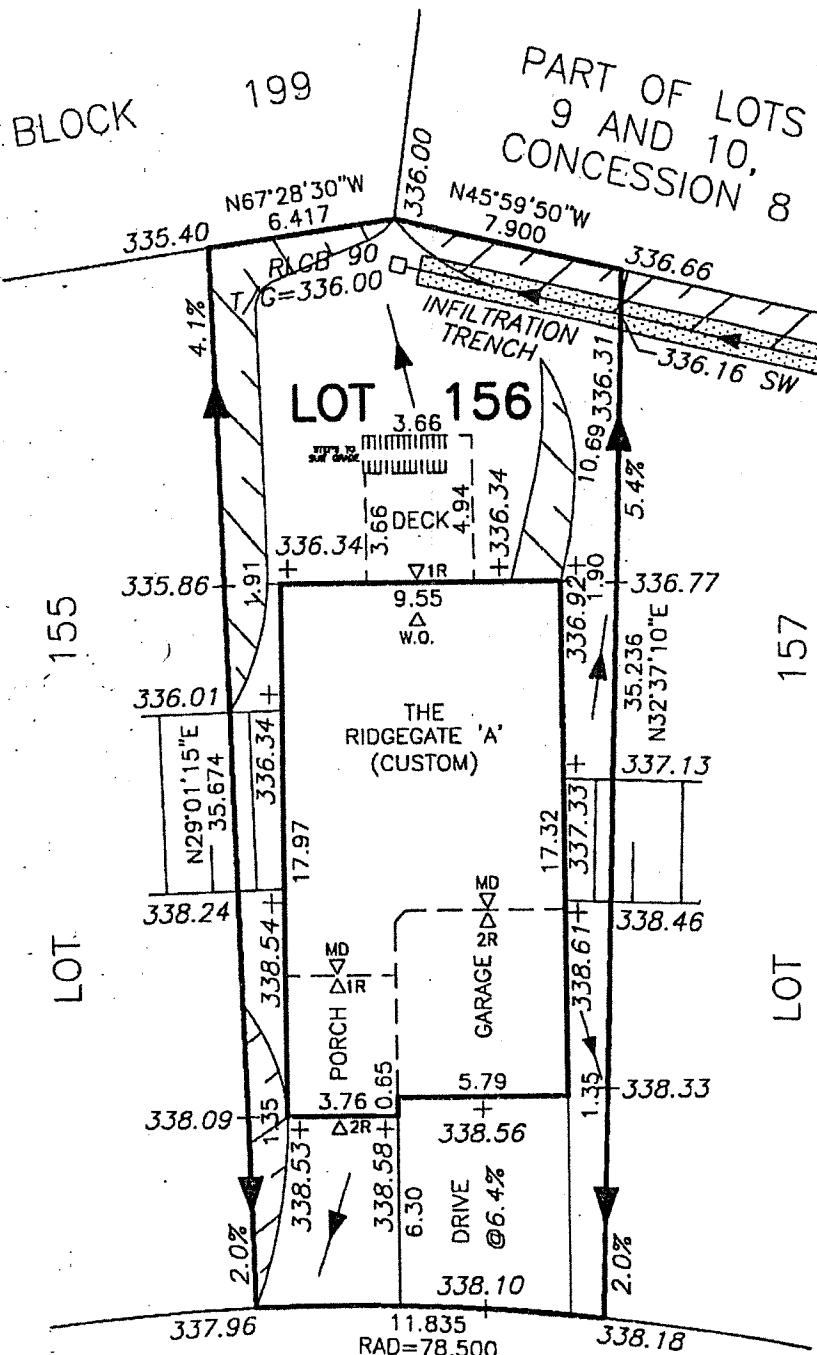
**NOTE:** LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 61M-130 AND HAVE NOT BEEN VERIFIED BY SURVEY.  
PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

ZONING: R1C

FRONT YARD - 6.00 MIN.  
SIDE YARD - 1.20 MIN.  
REAR YARD - 20% OF LOT DEPTH (7.09 MIN.)

TOP OF FOUNDATION = 338.81  
UNDERSIDE OF FOOTING = 336.29  
BASEMENT FLOOR = 336.52  
FINISHED FLOOR = 339.06  
GARAGE CUT = 0.25  
FROST FOOTINGS REQUIRED  
@ REAR (MIN. = 335.12)

SODDED AREA  
= 256.6m<sup>2</sup>



HYDRANT ●

RAY CRESCENT

( 17.0 METRES WIDE )

Sep 11, 2006-10:01am  
G:\Guelph\61M-130\ACAD\F156.dwg

AMENDED (DECK ADDED): SEPTEMBER 06, 2006  
AMENDED (GRADING): JULY 17, 2006

THIS IS NOT  
AN ORIGINAL COPY  
UNLESS  
EMBOSSED WITH  
SEAL



**Van Harten**  
SURVEYING INC.

LAND SURVEYORS and ENGINEERS

423 WOOLWICH STREET - GUELPH, ONTARIO  
PHONE (519) 821-2763 FAX 821-2770

FOR:  
**REID'S HERITAGE HOMES LTD.**

PROJECT NO. 17135-06

DATE: JULY 4, 2006

P156

TML

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>January 31, 2020</u>	Folder #: <u>A-33120</u>
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

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

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

### PROPERTY INFORMATION:

Address of Property: 24 Ray Crescent, Guelph, N1L 0B6

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

Lot 156 plan 61M-130

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

Name: Maged Saad & Carmen Khalil  
 Mailing Address: 24 Ray Crescent, Guelph  
 City: Guelph Postal Code: N1L 0B6  
 Home Phone: 519-341-0842 Work Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_ Email: asdm729@shoppersdrugmart.ca

### AGENT INFORMATION (If Any)

Company: Da Maren  
 Name: Grant Luehndorf  
 Mailing Address: 459 Citadel Court  
 City: Waterloo Postal Code: N2K 3Y4  
 Work Phone: 519-362-1020 Mobile Phone: 519-546-4142  
 Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Official Plan Designation:

Low density green field residential

Current Zoning Designation:

R.1C

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

- building permit for legal basement apartment exceeding current city code.

Actual space is 97.7 square meters  
 (Ref 4.15 of zoning By-law 1995-14864  
 ) or 27.4% of gross floor area.

Proposed accessory apartment size 114.15 m<sup>2</sup> / 45 percent (JD)  
 (revised).

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

- we need to finish whole basement and we do not want to leave any unfinished areas

## PROPERTY INFORMATION

Date property was purchased:	22/03/2007	Date property was first built on:	March 2007
Date of proposed construction on property:	Jan 31, 2020	Length of time the existing uses of the subject property have continued:	March 2007

EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):

unoccupied basement in residential property (house)

PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):

residential (legal basement apartment).

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

Frontage:

11.83 m

Depth:

35.67 m

Area:

463.77 sq-met



PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	235.5		Gross Floor Area:	357.2	
Height of building:	2 Story House		Height of building:	2 Story building	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	5.79		Width:	5.79	
Length:	6.10		Length:	6.10	
Driveway Width:	5.79		Driveway Width:	5.79	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height: un finished basement			Describe details, including height: - finished basement & total gross floor area of 97.7 sq. M and ceiling height 2.18 cm		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	6.3 M		Front Yard Setback:	6.3 M	
Exterior Side Yard (corner lots only)	N/A		Exterior Side Yard (corner lots only)	N/A	
Side Yard Setback:	Left: 1.35 M	Right: 1.35 M	Side Yard Setback:	Left: 1.35 M	Right: 1.35 M
Rear Yard Setback	10.69 M		Rear Yard Setback	10.69 M	

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	building permit 19 007313 Rx
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

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



Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Maged Samad, 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/Town of Guelph in the County/Regional Municipality of  
Wellington this 31 day of January, 2020.



Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

Maged Saad & Carmen Khalil  
 [Organization name / property owner's name(s)]

of 24 Ray Crescent, Guelph, ON N1L 0B6  
 (Legal description and/or municipal address)

hereby authorize Grant Loehndorf  
 (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 10<sup>th</sup> day of December 2019

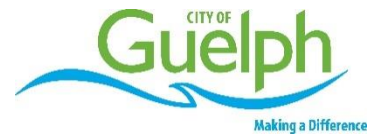
[Signature]  
 (Signature of the property owner)

Carmen  
 (Signature of the property owner)

### NOTES:

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

# Committee of Adjustment Notice of Public Hearing



**An Application for Minor Variance and Permission to Enlarge/Extend a Legal Non-Conforming Use has been filed with the Committee of Adjustment**

## Application Details

### Location:

49 Wells Street

### Proposal:

The applicant is proposing to maintain the existing basement apartment with an area of 83.1 square metres, or 29.93 percent of the total gross floor area, in the existing legal non-conforming detached dwelling.

### By-Law Requirements:

The property is located in the Industrial (B.4) Zone. A variance from Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested.

The property contains a detached dwelling, which is considered to be legal non-conforming in the Industrial (B.4) Zone. Any additions or changes to a property which is legal non-conforming requires the prior approval of the Committee of Adjustment.

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

### Request:

The applicant is requesting permission to enlarge/extend the legal non-conforming use to permit the existing accessory basement in the existing detached dwelling.

In addition, the applicant is seeking relief from the By-Law requirements to permit an accessory apartment size of 83.1 square metres, or 29.93 percent of the total floor area of the existing detached dwelling.

---

## Hearing Details

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

Date:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>A-12/20</b>

---

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 attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

### Additional Information

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at City Hall 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

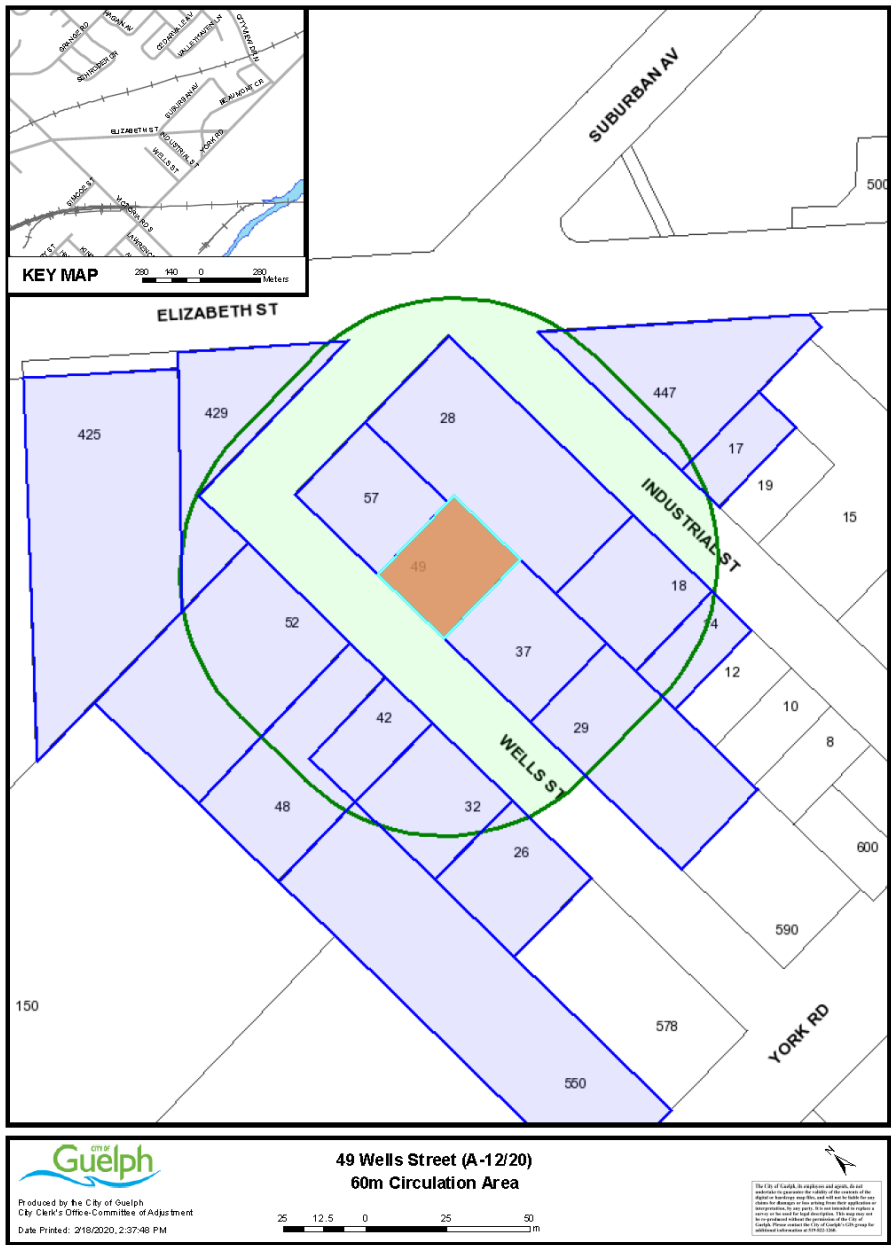
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

### Notice Details

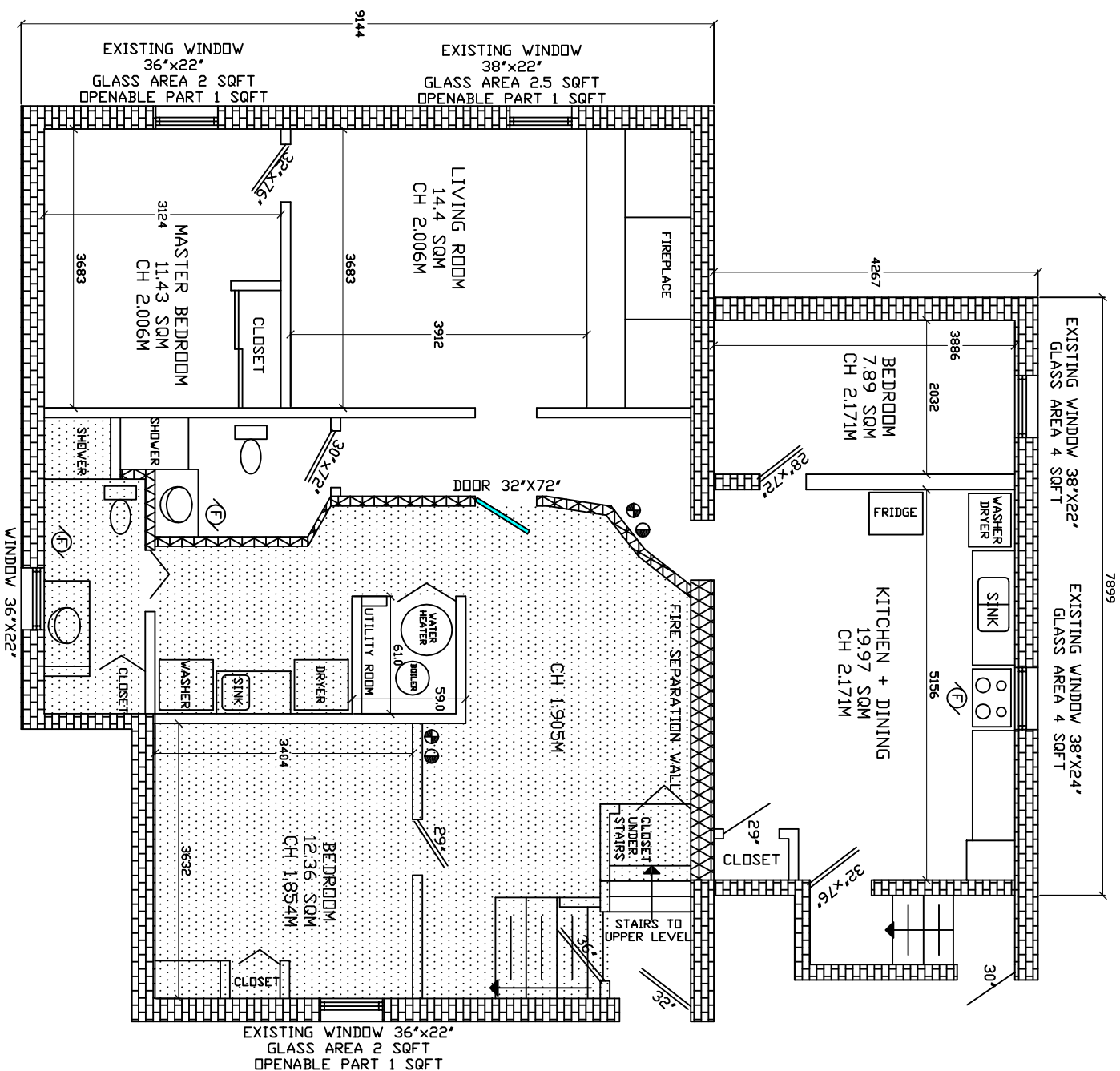
Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated February 21, 2020.

### Contact Information

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260

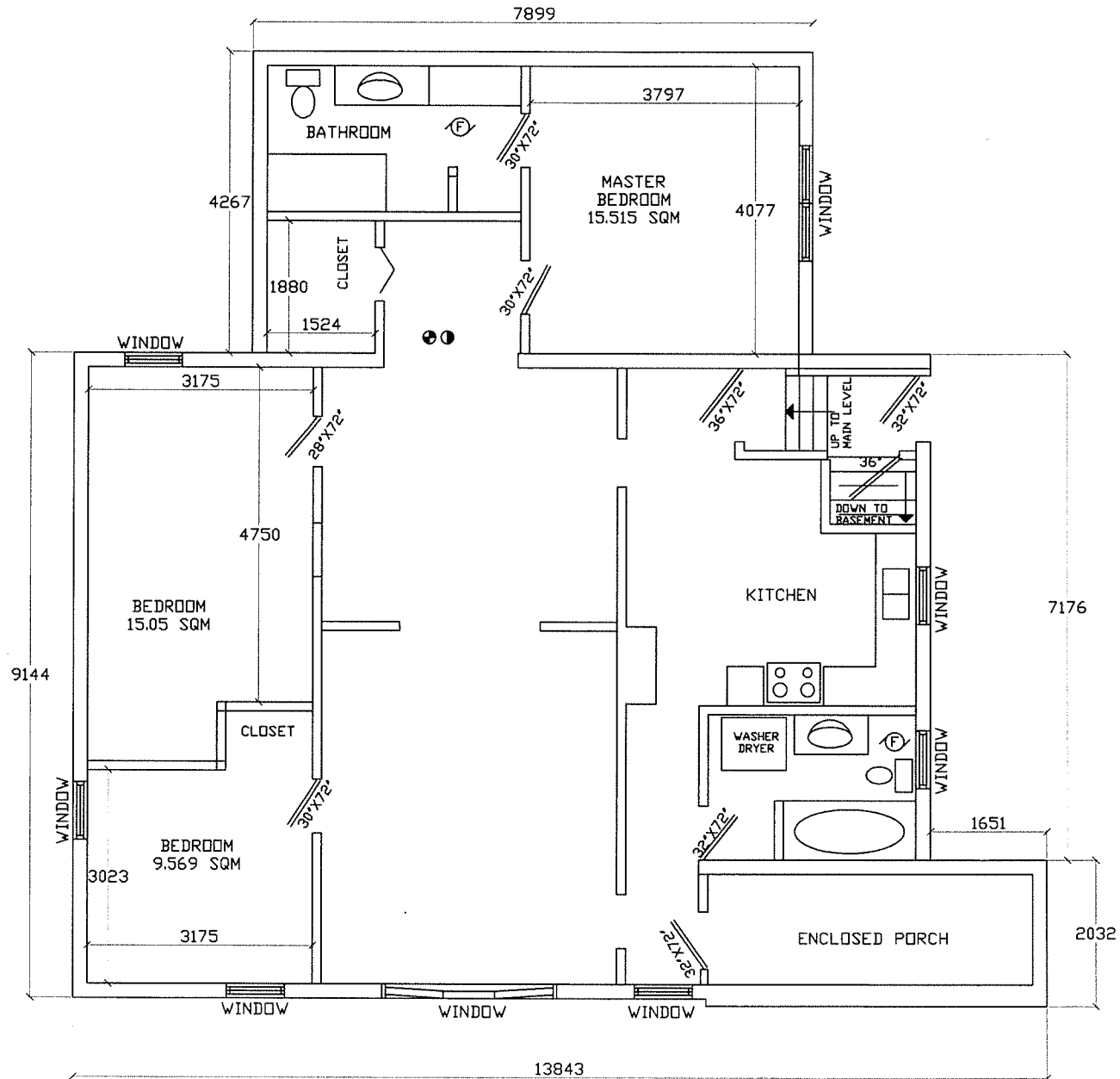


49 WELLS ST, GUELPH ON N1E 5B7  
BASEMENT FLOOR PLAN FOR ACCESSORY APARTMENT APPROVAL



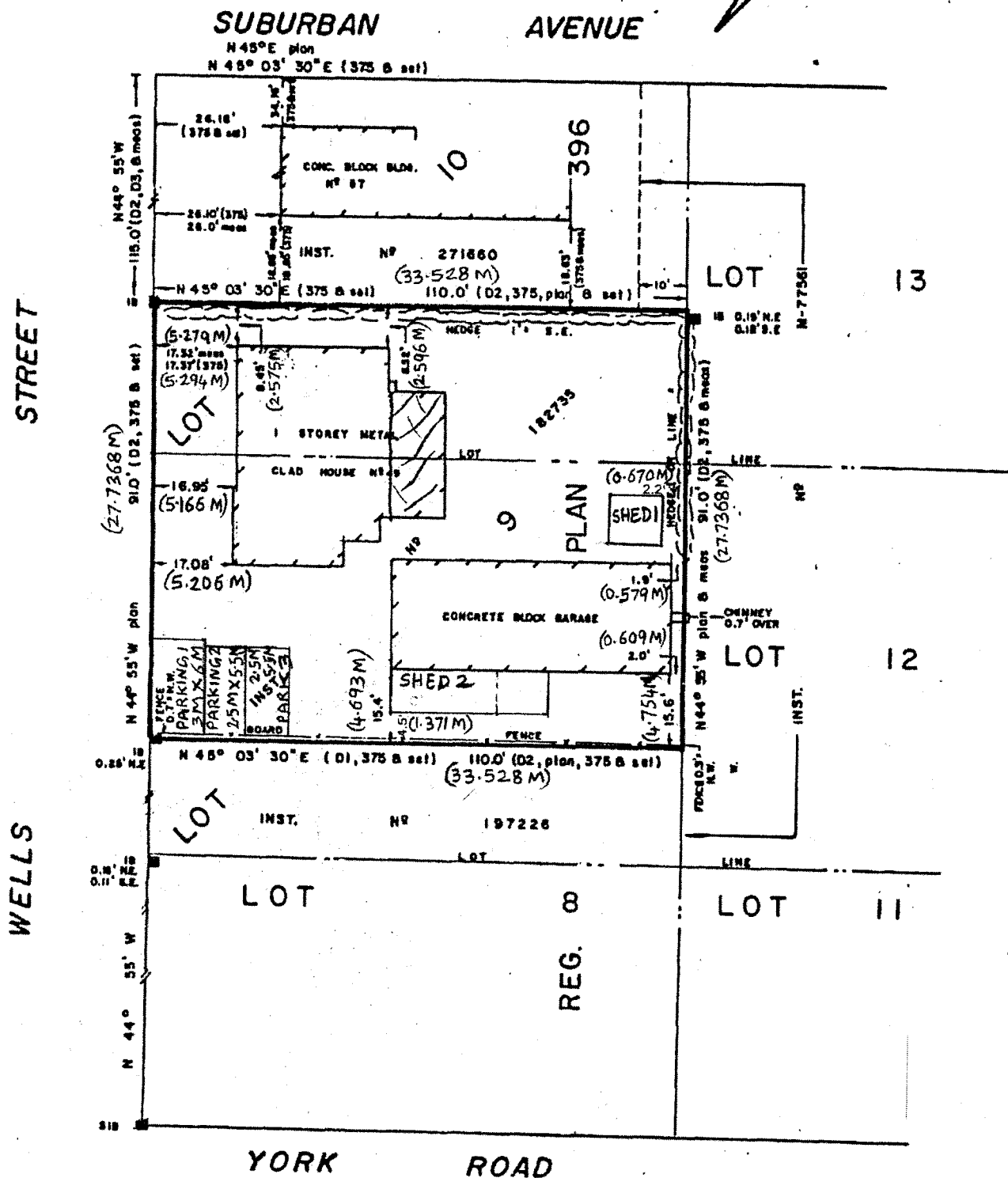
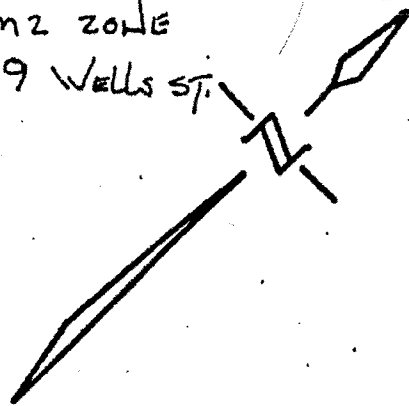
BASEMENT AREA = 138.89SQM  
MAIN FLOOR AREA = 138.89SQM  
GROSS FLOOR AREA = 277.78SQM  
APARTMENT AREA = 83.1 SQM  
APARTMENT PERCENTAGE = 29.93%

49 WELL ST GUELPH, ON N1E 6B7  
MAIN FLOOR PLAN  
(NO CHANGES TO MAIN FLOOR)



BUILDING LOCATION SURVEY OF  
PART OF  
LOTS 9 AND 10, REGISTERED PLAN 396  
CITY OF GUELPH  
SCALE: 1 INCH = 30 FEET  
IAN D. ROBINSON O.L.S.  
1988

- M2 ZONE  
- 49 Wells St.



NOTE:  
BEARINGS ARE REFERRED TO THE NORTHEASTERLY LIMIT OF WELLS  
STREET AS SHOWN ON REG. PLAN 396 AS BEING N44° 55' W.

375 DENOTES BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.  
□ DENOTES SURVEY MONUMENT PLANTED  
■ DENOTES SURVEY MONUMENT FOUND  
18 DENOTES IRON BAR  
318 DENOTES STANDARD IRON BAR  
PLAN DENOTES REG. PLAN 396

D1 DENOTES INST. NO 197226  
D2 DENOTES INST. NO 182735  
D3 DENOTES INST. NO 271860

#### SURVEYOR'S CERTIFICATE

I CERTIFY THAT

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS  
COMPLETED ON THE 26th DAY OF JANUARY, 1988.

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

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

DATE: MARCH 15, 1988

SCALE: 1 INCH = 30 FEET

RVK

PER:

*I.D. Robinson*

ONTARIO LAND SURVEYOR

PROJECT  
88-5178

A-83/88

SEAL

# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Feb 3, 2020</u>	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-12120</u>

## TO BE COMPLETED BY APPLICANT

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

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

### PROPERTY INFORMATION:

Address of Property: 49 Wells St, Guelph, ON N1E6B7

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

PLAN 396 PT LOT 10 PT LOT 9

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

Name: JASDEEP SINGH SAHNI; TEJDEEP KAUR SAHNI  
 Mailing Address: 124 CLAIRFIELDS DR. W.  
 City: GUELPH Postal Code: N1G 5A5  
 Home Phone: \_\_\_\_\_ Work Phone: 519 820 9278  
 Fax: \_\_\_\_\_ Email: jasdeep.sahni77@gmail.com

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_ Email: \_\_\_\_\_



Official Plan Designation: *Industrial*Current Zoning Designation: *B.4***NATURE AND EXTENT OF RELIEF APPLIED FOR** (variances required):

1. Extension of Legal non-conforming use to allow an accessory apartment (7.1.3)
2. Permit the maximum size of the accessory apartment to be  $83.1 \text{ m}^2$  (29.93%) where the zoning Bylaw allows a maximum of  $80 \text{ m}^2$  (861  $\text{ft}^2$ ) (4.5%) (Regulation # 4.15.1.5)

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

1. Current zoning (Industrial B.4) does not allow accessory apartment
2. Current Bylaw (4.15.1.5) restricts the size of accessory apartments upto maximum of  $80 \text{ m}^2$  (4.5%). The current apartment already exists and exceeds maximum size permitted by Bylaw.

**PROPERTY INFORMATION**

Date property was purchased:

*May 30, 2019*

Date property was first built on:

*1940*

Date of proposed construction on property:

*Existing*

Length of time the existing uses of the subject property have continued:

*1940***EXISTING USE OF THE SUBJECT PROPERTY** (Residential/Commercial/Industrial etc.):*Industrial***PROPOSED USE OF LAND** (Residential/Commercial/Industrial etc.):*Industrial***DIMENSIONS OF PROPERTY:** (please refer to your survey plan or site plan)Frontage: *27.7368 m*Depth: *33.528 m*Area: *929.9594 m<sup>2</sup>*

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<b>Main Building</b>		<b>Main Building</b>	
Gross Floor Area:	277.78 m <sup>2</sup>	Gross Floor Area:	No Change
Height of building:	1 storey	Height of building:	
<b>Garage/Carport (if applicable)</b>		<b>Garage/Carport (if applicable)</b>	
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	7.175 m	Width:	
Length:	17.907 m	Length:	
Driveway Width:	11 m	Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck) Shed 1 & 2		Accessory Structures (Shed, Gazebo, Pool, Deck) No Change	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	5.166 m M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 2.575 m M Right: 1.371 m M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	0.579 m M	Rear Yard Setback	M

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19 008249 RX REFUSED
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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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.

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




\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent



**AFFIDAVIT**

I/We, Jasdeep Sahni, 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/Town of Guelph in the County/Regional Municipality of  
Wellington this 3 day of February, 20 20.



Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

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

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

of

\_\_\_\_\_  
(Legal description and/or municipal address)

hereby authorize

\_\_\_\_\_  
(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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

**NOTES:**

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

# Committee of Adjustment Notice of Public Hearing



---

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

## Application Details

### Location:

5 Douglas Street

### Proposal:

The applicant is proposing to enlarge the existing restaurant currently located at 69 Wyndham Street North (Buon Gusto), which currently has a seating capacity of 128 persons and an area of 339 square metres.

### By-Law Requirements:

The property is located in the Specialized Downtown (D.1-1) Zone. Variances from Sections 6.3.2.6.2 and 6.3.2.6.3 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires that:

- a) the floor area of a licensed establishment shall not exceed 230 square metres; and
- b) the total capacity of a licensed establishment shall not exceed 190 persons.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a licensed establishment in the existing commercial building:

- c) to have a maximum floor area of 505 square metres; and
- d) to have a maximum capacity of 212 persons.

---

## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>A-13/20</b>

---

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 attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at City Hall 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

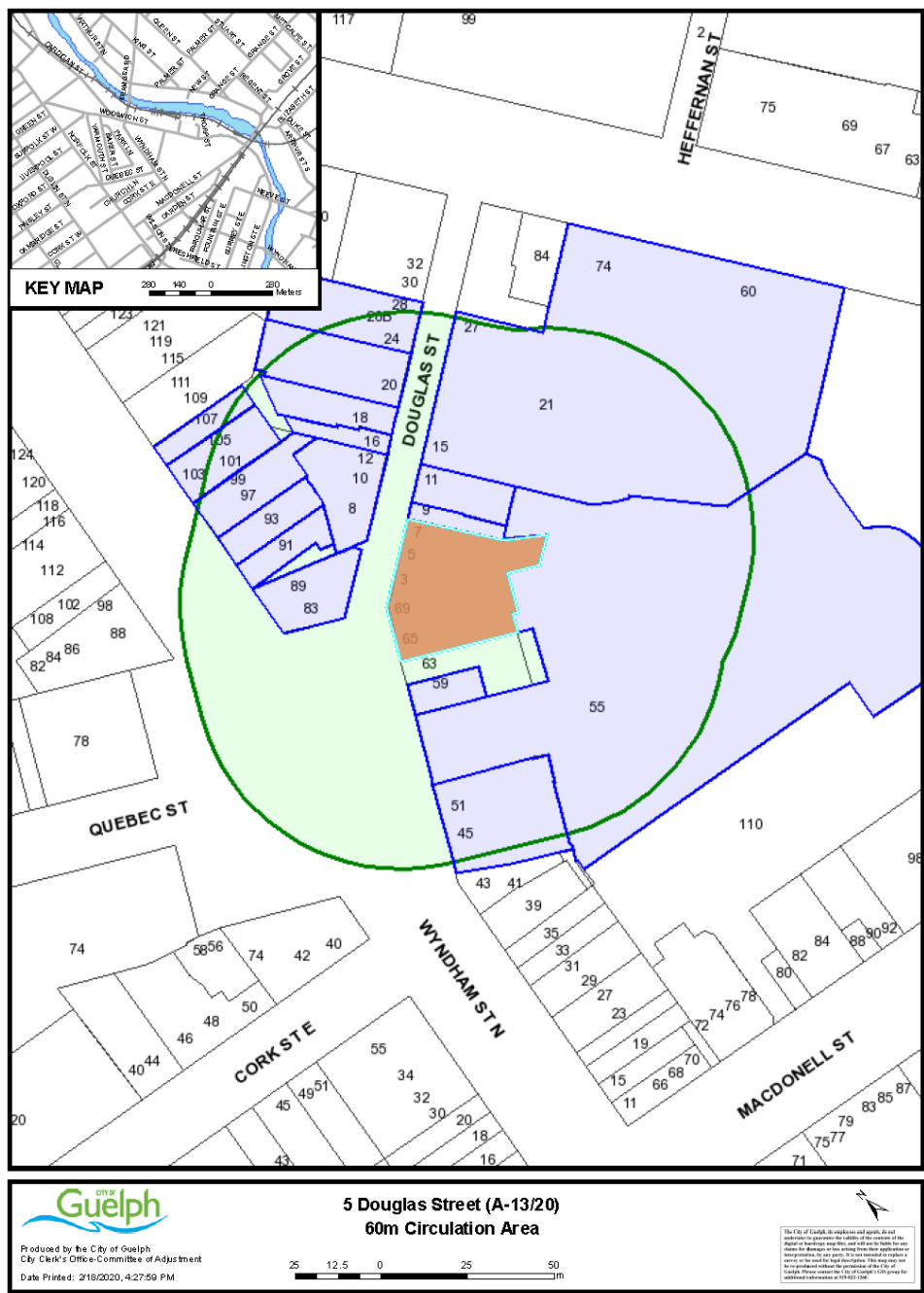
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

## Notice Details

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

## Contact Information

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260

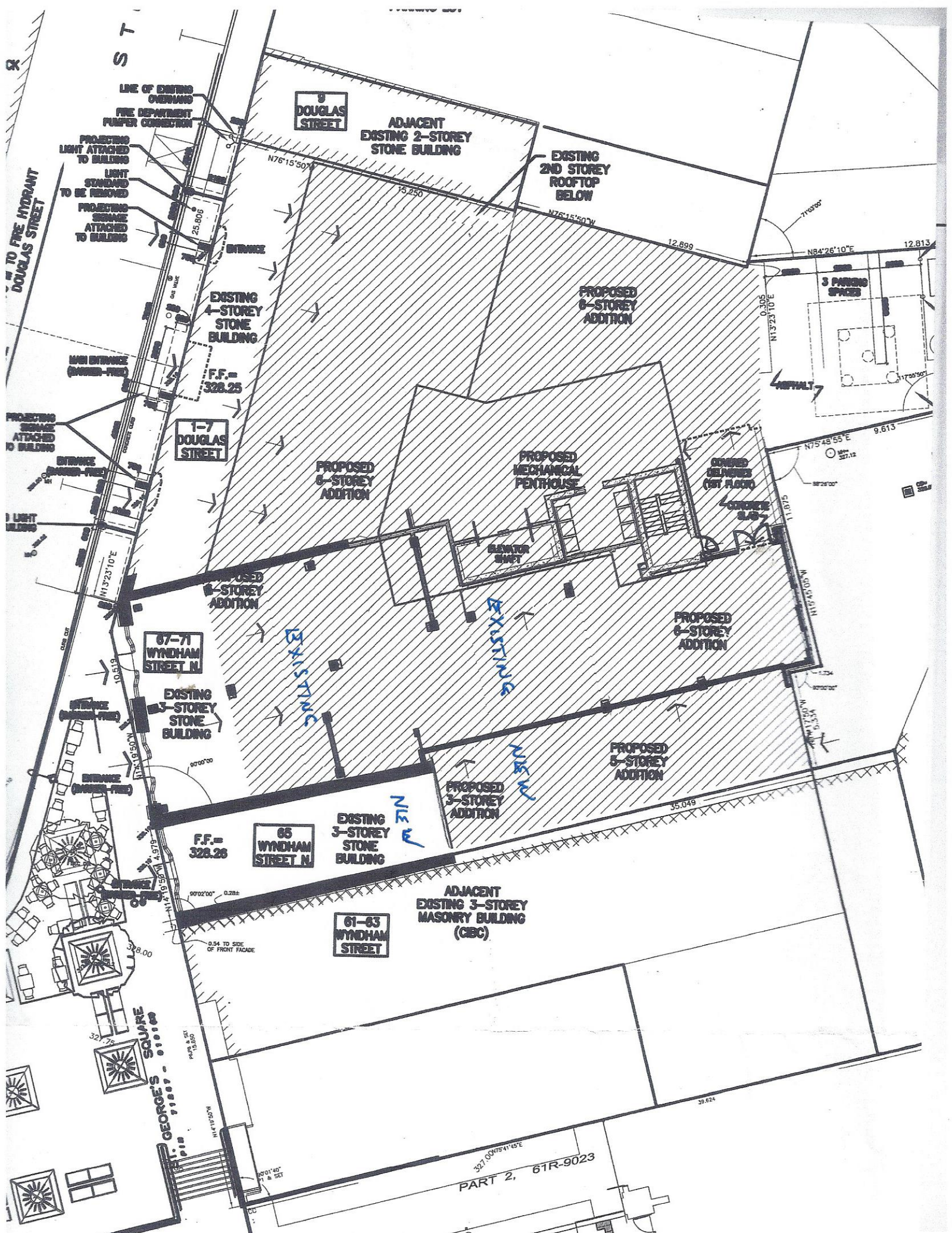














# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 7, 2020	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	A-13 / 20

## TO BE COMPLETED BY APPLICANT

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

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

<b>PROPERTY INFORMATION:</b>	
Address of Property: <u>5 DOUGLAS ST. R.D.</u>	
Address of Property: <u><del>65 WINDHAM ST NORTH</del></u>	
Legal description of property (registered plan number and lot number or other legal description): <u>PIN: 71286-0099 (LT); SEE SCHEDULE A</u>	
<b>REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)</b>	
Name:	<u>SKYLINE REAL ESTATE HOLDINGS INC.</u>
Mailing Address:	<u>5 DOUGLAS ST, SUITE 301</u>
City:	<u>GUELPH</u>
Postal Code:	<u>N1H 2S8</u>
Home Phone:	<u>519-826-0439</u>
Fax:	<u>519-836-2320</u>
Email:	
<b>AGENT INFORMATION (If Any)</b>	
Company:	<u>2325505 ONTARIO INC. O/A BUON GUSTO RESTAURANT</u>
Name:	<u>BERNIE DYER</u>
Mailing Address:	<u>58 CARRIAGE LANE</u>
City:	<u>PUSKINCH</u>
Postal Code:	<u>N0B 2J0</u>
Work Phone:	<u>519-265-8766</u>
Mobile Phone:	<u>416-566-7493</u>
Fax:	<u>berniedyer@rogers.com</u>

Official Plan Designation: <b>DOWNTOWN SECONDARY PLAN: MIXED USE 1</b>	Current Zoning Designation: <b>D.1-1</b>
---	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<b>6.3.2.6.2 - LICENSED ESTABLISHMENT MAX FLOOR AREA</b>
<b>- NOW 230 M<sup>2</sup> - 505 M<sup>2</sup></b>
<b>6.3.2.6.3 - 190 NOW 130 - 192</b>

Why is it not possible to comply with the provision of the by-law? (your explanation)
<b>EXPANDING</b>
<b>ALREADY AT MAXIMUM ALLOWED</b>

PROPERTY INFORMATION			
Date property was purchased:	<b>AUGUST 19, 2011</b>	Date property was first built on:	<b>1880</b>
Date of proposed construction on property:	<b>JULY, 2020</b>	Length of time the existing uses of the subject property have continued:	<b>RENOVATED IN 2012</b>
			<b>8 YEARS</b>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<b>COMMERCIAL</b>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<b>COMMERCIAL</b>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <b>37m</b>	Depth: <b>30-45m</b>	Area: <b>1864 M<sup>2</sup></b>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	339 M <sup>2</sup>		Gross Floor Area:	505 M <sup>2</sup>	
Height of building:	1 STOREYS		Height of building:	1 STOREY	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED NO CHANGE		
Front Yard Setback:	0 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	0 M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M 4.868	Right: M 4.2	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	9.613 M		Rear Yard Setback	M	

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input 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 checked="" type="checkbox"/>	<del>SP07C066-2008 B.D.</del>
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-36/11, A-29/12, A-101/07



**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](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

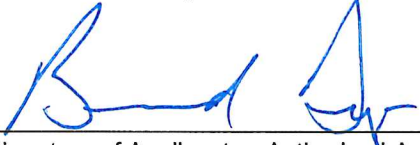
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, BERNARD DYER, of the City/Town of PUSLINCH 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/Town of Guelph in the County/Regional Municipality of Wellington this 7 day of February, 20 20.

  
\_\_\_\_\_  
Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

Skyline Real Estate Holdings Inc.

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

of 5 Douglas Street, Guelph, ON; See attached Schedule

(Legal description and/or municipal address)

hereby authorize 2325505 Ontario Inc. O/A Buon Gusto-Ristorante

(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 February 2020.

(Signature of the property owner)

(Signature of the property owner)

### NOTES:

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

Schedule A

Legal Description

CONSOLIDATION OF VARIOUS PROPERTIES: FIRSTLY; PT LOT 19 PRIOR'S BLK, PLAN 8, PT LOT 1, PLAN 250, PARTS 1 TO 7 61R3091; T/W ROS546712; S/T THE RIGHTS OF OWNERS OF ADJOINING PARCELS, IF ANY UNDER MS52001, ROS189163, ROS255527; SECONDLY; PT LOTS 18 & 19, PRIOR'S BLK, PLAN 8 AS IN MS52001 & ROS189163 SAVE & EXCEPT PARTS 4, 5 & 6, 61R3091; PT LOT 1, PLAN 250, PART 5, 61R2541; S/T THE RIGHTS OF OWNERS OF ADJOINING PARCELS, IF ANY, UNDER ROS546712; THIRDLY; LOT 2, PLAN 250, SAVE AND EXCEPT PT 1 61R3091, S/T THE RIGHTS OF OWNERS OF ADJOINING PARCELS, IF ANY, UNDER ROS546712; T/W EASE FOR THE PRUPOSE OF ACCESS FOR PEDESTRIANS AND VEHICLES AS IN LT24521; SUBJECT TO AN EASEMENT IN GROSS OVER FIRSTLY; PT LOT 19 PRIOR'S BLK, PLAN 8, PT LOT 1, PLAN 250, PARTS 1 TO 7 61R3091; SECONDLY; PT LOTS 18 & 19, PRIOR'S BLK, PLAN 8 AS IN MS52001 & ROS189163 SAVE & EXCEPT PARTS 4, 5 & 6, 61R3091; PT LOT 1, PLAN 250, PART 5, 61R2541; THIRDLY; LOT 2, PLAN 250, SAVE AND EXCEPT PT 1 61R3091 AS IN WC462378; SUBJECT TO AN EASEMENT AS IN WC387796; CITY OF GUELPH



# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-29/12



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 5.3.2.5.2 of Zoning By-law (1995)-14864, as amended, for 1 Douglas Street, to establish a 383 square metre (4,122.57 square foot) restaurant on the main floor (Unit 1C) and to permit the licensed area to be 383 square metres (4,122.57 square feet) when the By-law requires the floor area of a licensed establishment not exceed 230 square metres (2,475.69 feet), be approved, subject to the following condition:

1. That liquor sales cease as of 1:01 a.m. for the licensed establishment."

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 February 28, 2012.

Dated: March 2, 2012

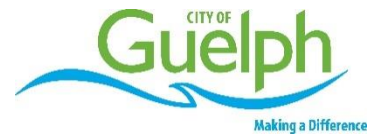
Signed:

Committee of Adjustment

The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is March 19, 2012.

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

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

15 Harcourt Drive

### Proposal:

The applicant is proposing to construct a 72.25 square metre addition to the front of the existing dwelling and convert the existing single car attached garage into a double car attached garage. The applicant is also proposing to widen the driveway to 6.4 metres.

### 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

### Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum right side yard setback of 0.67 metres for the proposed attached garage.

## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>A-14/20</b>

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 attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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@guelpg.ca](mailto:privacy@guelpg.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelpg.ca/cofa](http://guelpg.ca/cofa). Additional information related to this application may be obtained at City Hall 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

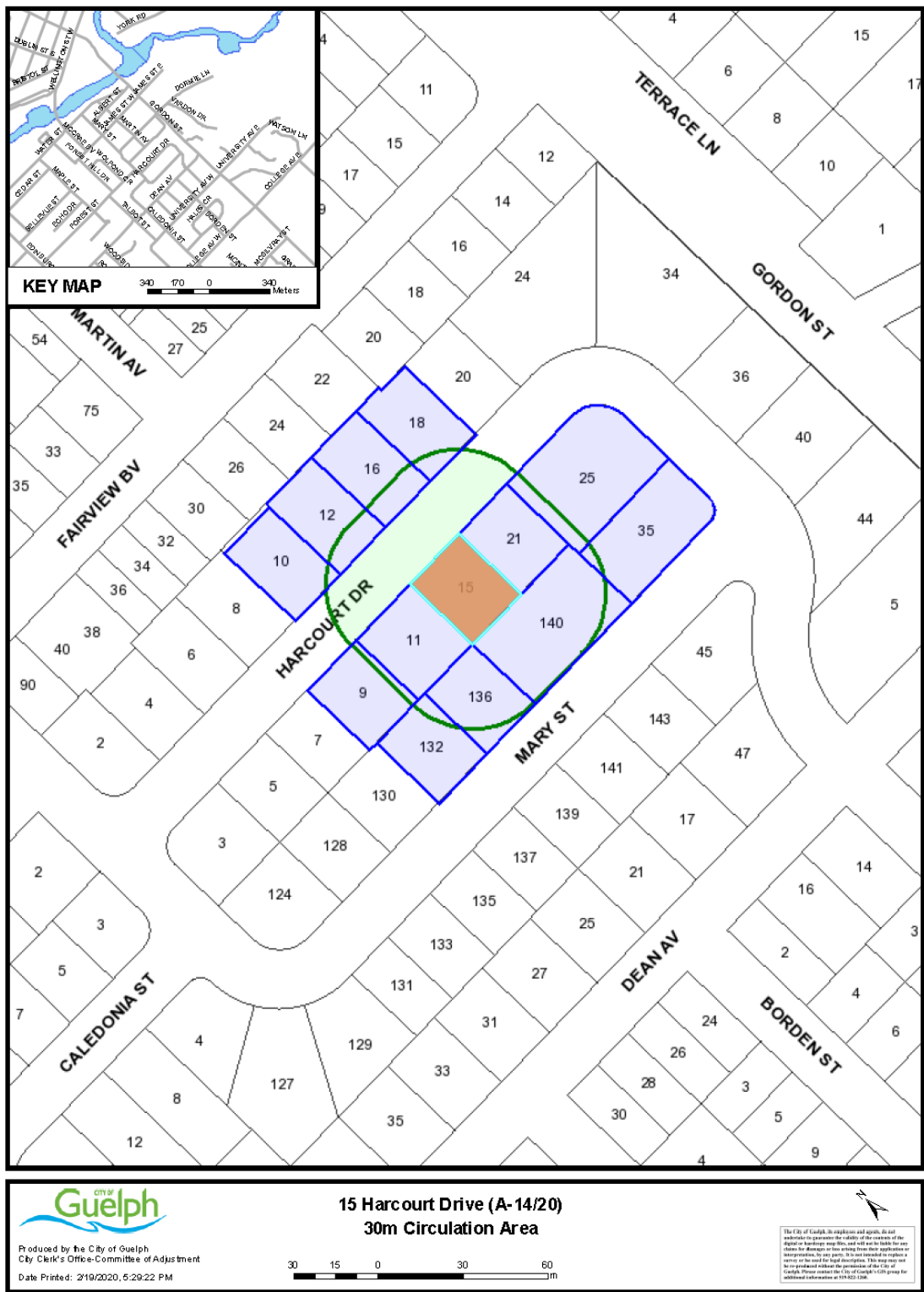
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

## Notice Details

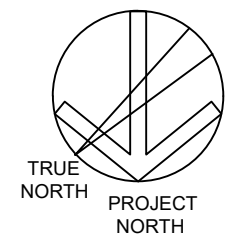
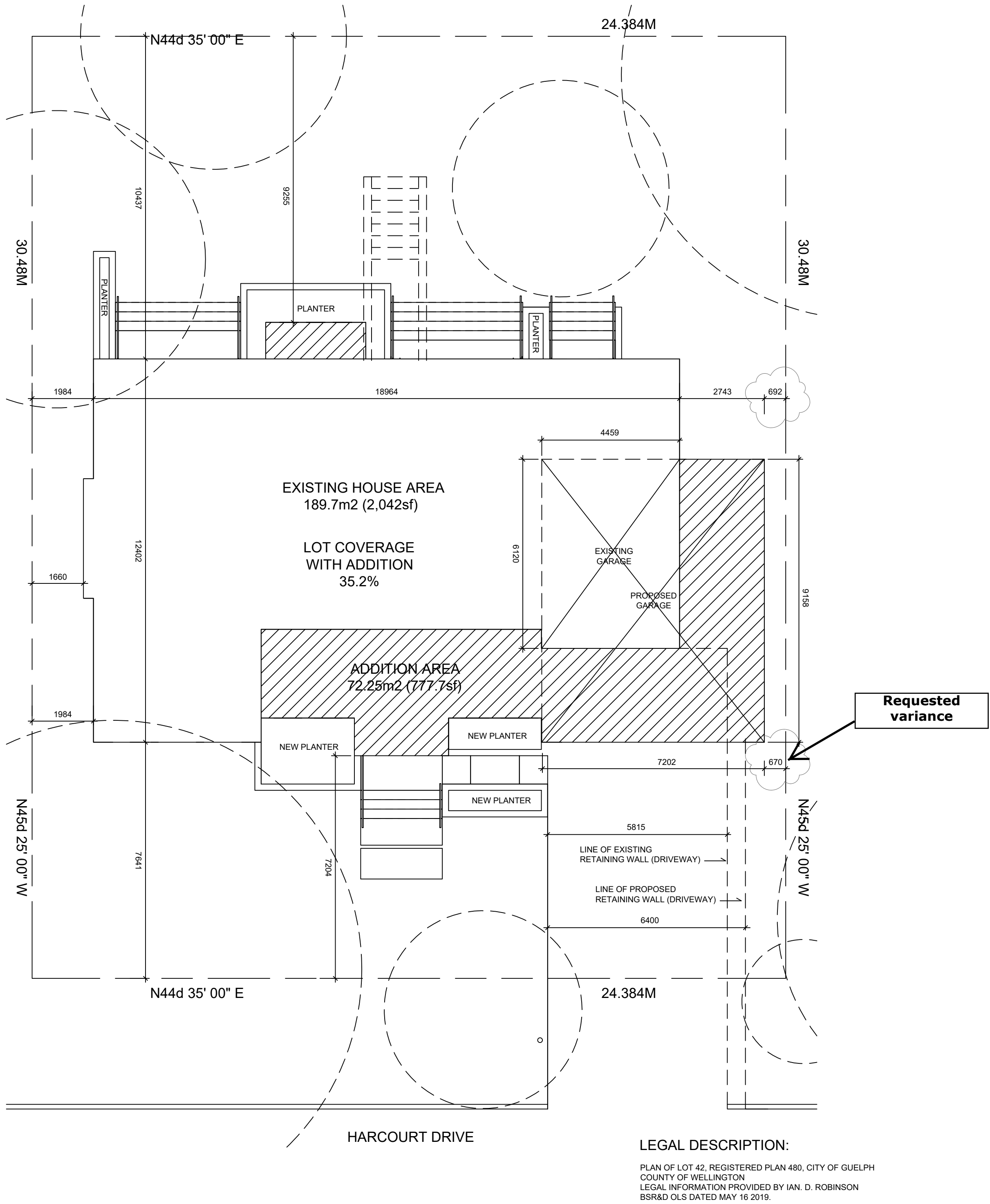
Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated February 21, 2020.

## Contact Information

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260



**1 Site Plan WD**  
A1.0 SCALE: 1:100



No.	DATE	ISSUE

**NEO**  
ARCHITECTURE INC

1-243 King St. E., Kitchener, ON, N2G 2K8 | 519.590.1636  
neoarchitecture.ca



CARERE RESIDENCE

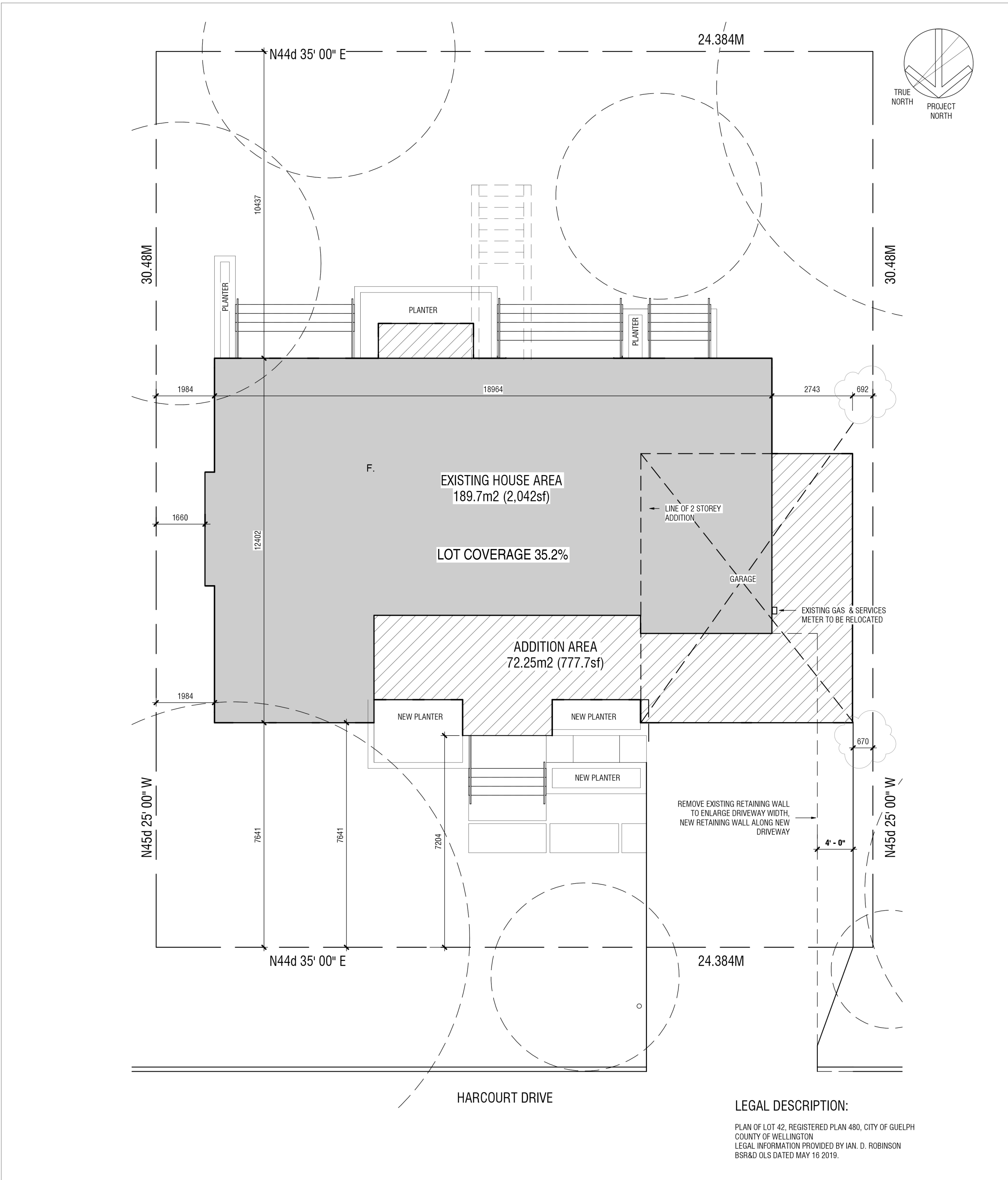
**RESIDENCE  
ADDITION & RENOVATIONS**  
15 HARCOURT DRIVE  
GUELPH, ON

SITE EXISTING & PROPOSED

PROJECT NUMBER:  
**RESIDENCE  
ADDITION & RENOVATIONS**  
PROJECT DATE:  
2020.02.20  
DRAWN BY:  
PC

**A1.0**



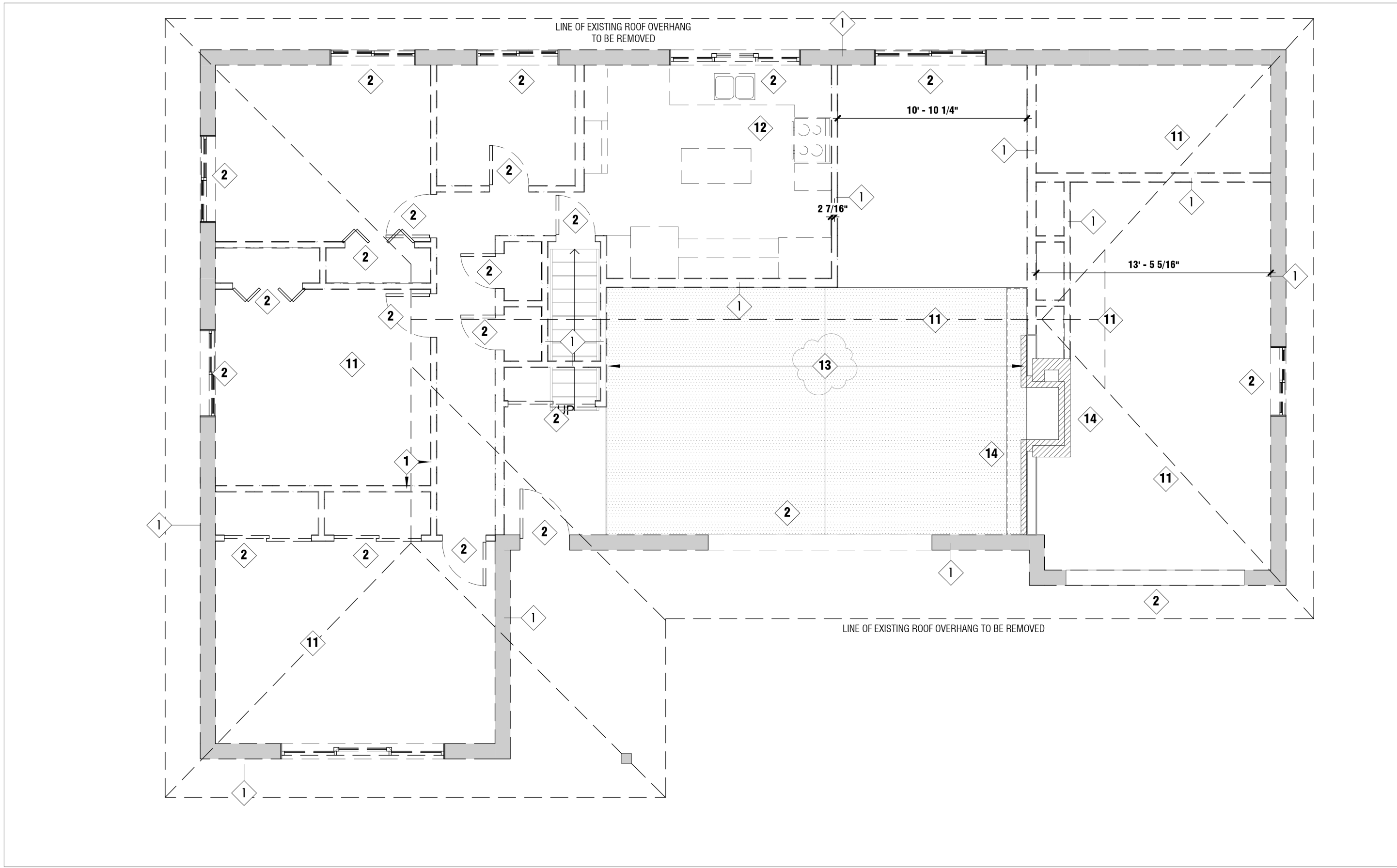
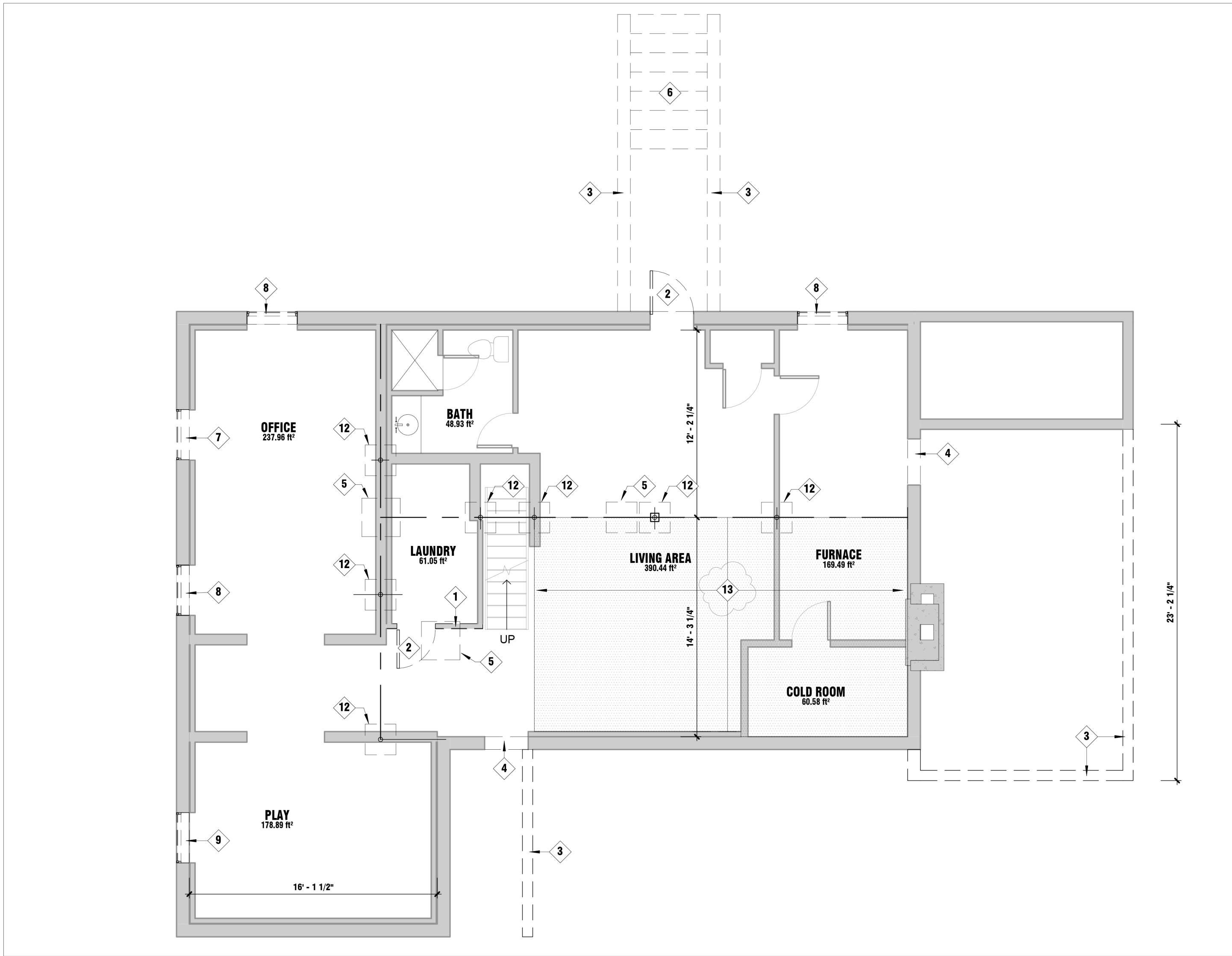


#### SITE WORKS

- STRIP AND STORE EXCESS TOPSOIL ON SITE AWAY FROM NEW HOUSE AND DRIVEWAY
- ROUGH GRADE, CUT AND FILL AS SHOWN ON GRADING PLAN, EXCAVATED MATERIAL TO REMAIN ON SITE - EXCAVATE FOR BUILDING FOOTINGS
- SUPPLY AND COMPACT ACCEPTABLE FILL FROM EXISTING GRADES TO 98 STANDARD PROCTOR DRY DENSITY PLACED TO UNIFORM LAYERS 6" MAXIMUM
- KEEP EXCAVATIONS FREE OF WATER
- DO MECHANICAL AND ELECTRICAL TRENCHING FOR SERVICE CONNECTIONS
- SUPPLY AND COMPACT 6" GRANULAR 'A' BELOW SLABS ON GRADE TO 98% PROCTOR DENSITY
- STEP FOOTINGS AS INDICATED ON PLANS, LINES OF SLOPE BETWEEN ADJACENT STEPS IN FOOTINGS SHALL NOT A RISE IN 7 IN A RUN OF 10 MAXIMUM RISE 2'-0"
- SOIL CONDITIONS AT BEARING AND BEARING CAPACITY TO BE CONFIRMED AND INSPECTED BY SOIL'S ENGINEER BEFORE FOOTING PLACEMENT
- BACK FILL MATERIAL GRANULAR WITHOUT CLAY OR ORGANIC CONTENT, USE OF EXISTING NATIVE EXCAVATED BEING COMPACTED TO 98%, MATERIAL IS PERMISSIBLE SUBJECT TO DESIGNERS APPROVAL
- GRADE AREAS DISTURBED AND AS INDICATED GRADE TO PREVENT PUDDLING
- PROTECT PROPERTY FROM DAMAGE BY ALTERED DRAINAGE COURSES OR SETTLEMENT AT NEWLY EXCAVATED AREAS AND TRENCHES

#### DEMOLITION NOTES

- 1 REMOVE EXISTING STUD WALL COMPLETE TO U/S OF FLOOR RAFTERS ABOVE AND DISPOSE OF. ENSURE ALL SECUREMENT CLIPS, SCREWS ETC ARE REMOVED FROM THE FLOOR AND DISPOSE OF. REPAIR EXISTING WALL JOINS WITH TO ALLOW FOR NEW CONSTRUCTION, REFER TO FLOOR PLANS
- 2 REMOVE EXISTING DOOR/WINDOW AND FRAME AND DISPOSE OF.
- 3 REMOVE EXISTING CONCRETE BLOCK FOUNDATION WALL AND FOOTINGS IN THIS AREA AND DISPOSE OF OFF SITE. PREPARE OR REPAIR ENDS OF EXISTING CONCRETE WALLS TO ENSURE PROPOSED DRAINAGE LAYER AND DAMPROOFING LAYER IS CONTINUOUS BELOW GRADE.
- 4 CUT NEW OPENING IN CONCRETE FOUNDATION WALLS TO ALLOW FOR NEW DOOR OPENING AND DISPOSE OF OFF SITE. REFER TO FLOOR PLANS FOR NEW DOOR SIZE.
- 5 CUT NEW OPENING IN CONCRETE FOUNDATION FLOOR SLAB TO ALLOW FOR NEW CONCRETE FOOTING BELOW, AND DISPOSE OF OFF SITE. REFER TO FLOOR PLANS FOR NEW FOOTING SIZE AND REINFORCEMENT.
- 6 REMOVE EXISTING CONCRETE STEPS FROM THE BASEMENT, AND DISPOSE OF OFF SITE. REFER TO FLOOR PLANS FOR INFILL WALL REQUIREMENTS AND SIZES.
- 7 REMOVE EXISTING WINDOW AND CUT NEW OPENING IN CONCRETE FOUNDATION WALLS TO ALLOW FOR NEW EGRESS WINDOW FROM THE BASEMENT, CUT OPENING AND DISPOSE OF OFF SITE. REFER TO FLOOR PLANS FOR NEW WINDOW SIZE AND FINISHING REQUIREMENTS.
- 8 REMOVE EXISTING WINDOW AND INFILL OPENING WITH CONCRETE, MATCH WIDTH & CONSTRUCTION OF EXISTING FOUNDATION WALLS. REFER TO FLOOR PLANS FOR SIZE AND FINISHING REQUIREMENTS.
- 9 REMOVE EXISTING WINDOW AND DISPOSE OF OFF SITE. PREPARE EXISTING OPENING FOR NEW WINDOW, REFER TO FLOOR PLANS FOR SIZE AND FINISHING REQUIREMENTS.
- 10 TEMPORARY WALLS WILL BE REQUIRED FOR NEW BEAM TO BE PLACED IN FLOOR JOISTS ABOVE.
- 11 EXISTING ROOF IS TO BE COMPLETELY REMOVED AND DISPOSED OF OFF SITE INCLUDING PLUMBING, HVAC & ELECTRICAL THAT RUNS THROUGH THE ROOF SPACE. REFER TO NEW PLANS FOR NEW CONSTRUCTION
- 12 EXISTING 3 1/2"dia. STEEL POSTS ON 24"x24"x12" DEEP CONCRETE FOOTINGS
- 13 EXISTING 2X10 FLOOR JOISTS IN LOWERED LIVING ROOM TO ARE TO BE REMOVED AND REPLACED WITH NEW LONGER 2" X 10" MEMBERS. NEW JOISTS TO SIT ON TOP OF EXISTING 3'X6" BEAM IN BASEMENT.



#### BUILDING PERMIT

1	Date 1	Revision 1
No	DATE	ISSUE

**NEO**  
ARCHITECTURE INC

1-243 KING ST. E. KITCHENER, ON, N2G 2G8 | 519.590.1636  
neoarchitecture.ca

**CARERE RESIDENCE**

**RESIDENCE  
ADDITION & RENOVATIONS**

15 HARCOURT DRIVE  
GUELPH, ON

**SITE & DEMO PLANS**

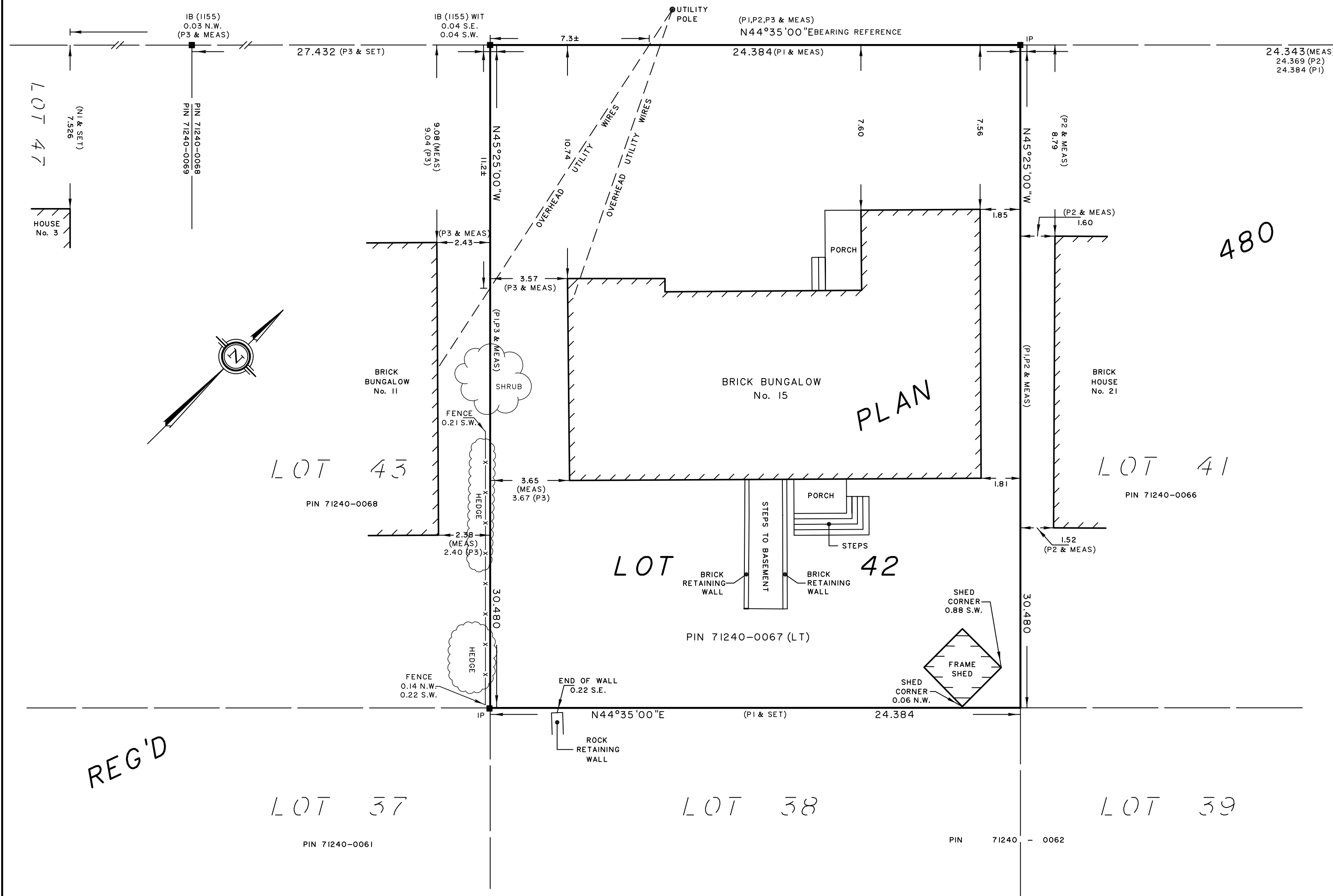
PROJECT  
RESIDENCE  
ADDITION & RENOVATIONS  
PROJECT DATE  
2012.11.08  
DRAWN BY  
Author

**A1.0**

# HARCOURT DRIVE

PIN 71240-0073

( BY REGISTERED PLAN 480 )



## SURVEYOR'S REAL PROPERTY REPORT

PLAN OF  
LOT 42  
REGISTERED PLAN 480  
CITY OF GUELPH  
COUNTY OF WELLINGTON

IAN D. ROBINSON - Ontario Land Surveyor

SCALE 1:150 0 5 10 METRES

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

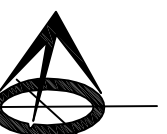
### NOTES:

- BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHEASTERLY LIMIT OF HARCOURT DRIVE AS BEING N44°35'00"E IN ACCORDANCE WITH REGISTERED PLAN 480.
- UNLESS OTHERWISE NOTED ALL BUILDING TIES SHOWN HEREON ARE PERPENDICULAR TO PROPERTY LINES.
- PROPERTY LINES ARE UNFENCED UNLESS OTHERWISE NOTED.

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
- SIB DENOTES STANDARD IRON BAR
- IP DENOTES IRON PIPE
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WIT DENOTES WITNESS
- x- DENOTES POST & WIRE FENCE
- 375 DENOTES BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD., O.L.S.
- P1 DENOTES REGISTERED PLAN 480
- P2 DENOTES 375 PLAN (PROJECT 98-1438) DATED MAY 14, 1998
- P3 DENOTES 1155 PLAN (PROJECT 17979-07) REVISION DATED JANUARY 15, 2008
- N1 DENOTES 375 FIELD NOTE 84-80 DATED NOVEMBER 9, 1957

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM

2072590



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29(3).

### SUMMARY REPORT:

THIS REPORT WAS PREPARED FOR  
INAM CARERE  
AND THE UNDERSIGNED ACCEPTS  
NO RESPONSIBILITY FOR USE  
BY OTHER PARTIES.

**EASEMENTS:** NO EASEMENTS  
FOUND AT REGISTRY OFFICE

**FENCES:** AS SHOWN ON PLAN

### SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 7th. DAY OF MAY, 2019

MAY 16, 2019

*IAN D. ROBINSON*

IAN D. ROBINSON  
ONTARIO LAND SURVEYOR

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BLACK, SHOEMAKER, ROBINSON & DONALDSON  
LIMITED

**BSR&D** Ontario Land Surveyors  
Urban and Rural Planners  
A wholly owned subsidiary of J.D.Barnes Ltd.

WWW.BSRD.COM

101-257 Woodlawn Rd. W.  
Guelph, Ontario N1H 8J1

FAX: (519) 822-1220  
TEL: (519) 822-4031

DATE: MAY 16, 2019

KS

PROJECT 19-14-928-00-A



# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>Feb 10, 2020</b>	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-14120</b>

## TO BE COMPLETED BY APPLICANT

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

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

### PROPERTY INFORMATION:

Address of Property: 15 Harcourt Dr. Guelph, ON.

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

Plan 480, Lot 42

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

Name: Chester Carere & Inam Carere  
Mailing Address: 15 Harcourt Dr.  
City: Guelph Postal Code: N1G 1J7  
Home Phone: 519-763-2047 Work Phone: 519-223-1348  
Fax: \_\_\_\_\_ Email: inam@citechnologies.com

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_  
Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Official Plan Designation: low density Residential Current Zoning Designation: R.1B

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

Side yard relief to allow for a double car garage.

Need a Variance (table 5.1.2 Row 7)  
to permit a right side setback of 0.67m  
in lieu of 1.5m required for the proposed  
garage.

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

Our family needs require the use of a 2 car garage for functionality purposes to protect our vehicles from weather. Our young daughter will soon have a driver's license & will be using a vehicle in the future. We wanted to maximize the efficiency of our renovated home. The 2 car garage also allows for a reasonable functional mudroom in the back to accommodate our children & family. My neighbors are all in support of our project as I have personally presented the proposals to them. They are excited about the addition to our street that our new beautiful home will add. Thank you.

**PROPERTY INFORMATION**

Date property was purchased:	1998	Date property was first built on:	~ 1957
Date of proposed construction on property:	Spring 2020	Length of time the existing uses of the subject property have continued:	since beginning of use

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):**

Home (Residential)

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

Home (Residential)

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

Frontage: ~~80~~ 24.384m Depth: ~~30.48~~ 30.48m Area: 743 m<sup>2</sup>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	189.7m <sup>2</sup>		Gross Floor Area:	261.95 m <sup>2</sup>	
Height of building:	5 m		Height of building:	9.5 m	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		
Width:	4.5		Width:	7m	
Length:	7m		Length:	8.9m	
Driveway Width:	6m		Driveway Width:	7m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	7.6 M		Front Yard Setback:	7.2 M	
Exterior Side Yard (corner lots only)	NA M		Exterior Side Yard (corner lots only)	NA M	
Side Yard Setback:	Left: 1.98 M	Right: 3.4 M	Side Yard Setback:	Left: 1.66 M	Right: 0.67 M
Rear Yard Setback	10.4 M		Rear Yard Setback	9.2 M	

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

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

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

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

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

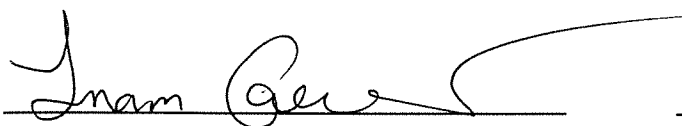
**POSTING OF ADVISORY SIGN**

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

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

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

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



Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Inam Carone, 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.

Inam Carone  
 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/Town of Guelph in the County/Regional Municipality of

Wellington this 10 day of February, 20 20.

[Signature]  
 Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

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

of

\_\_\_\_\_  
(Legal description and/or municipal address)

hereby authorize

\_\_\_\_\_  
(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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

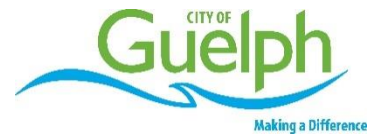
\_\_\_\_\_  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

### NOTES:

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

# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

9 Arthur Street North

### Proposal:

The applicant is proposing to construct a 42 square metre one storey addition to the existing dwelling. The applicant is also proposing to enlarge the existing driveway to a maximum width of 6.1 metres.

### By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. A variance from Table 5.1.2 Row 6a and Section 5.1.2.7 i) of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum exterior side yard of 6 metres.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum exterior side yard of 1.8 metres (along Rose Street) for the proposed addition to the existing dwelling.

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## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>A-15/20</b>

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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.

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## Providing Comments

Any person may attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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@guelpg.ca](mailto:privacy@guelpg.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelpg.ca/cofa](http://guelpg.ca/cofa). Additional information related to this application may be obtained at City Hall 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

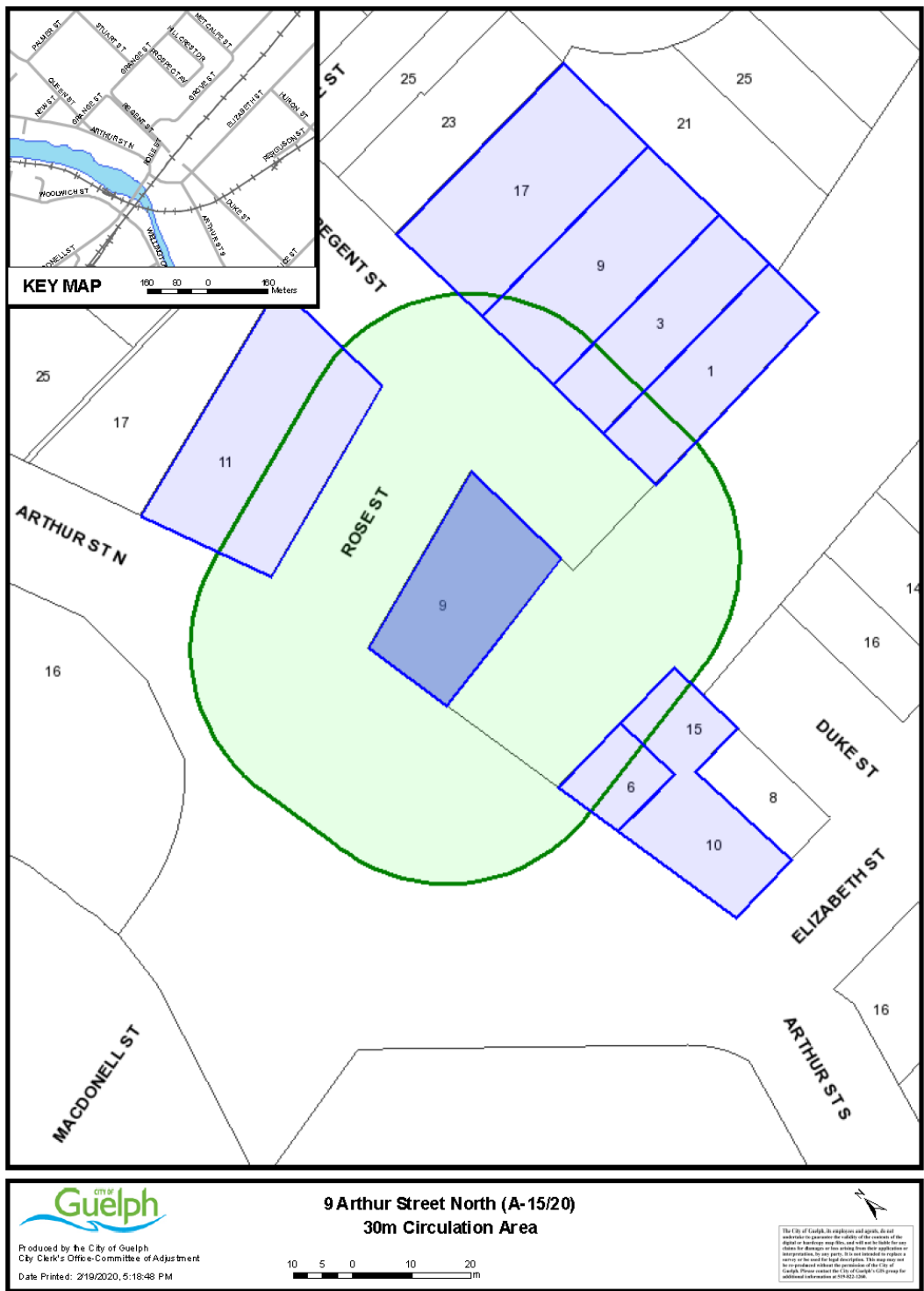
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

## Notice Details

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

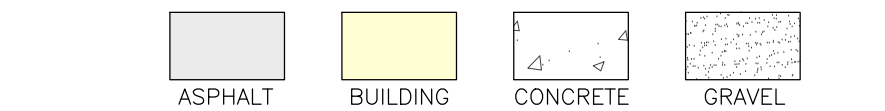
## Contact Information

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260





- 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
  - 375 DENOTES BLACK, SHOEMAKER et. al., O.L.S.'s
  - JDB DENOTES J.D. BARNES LIMITED
  - VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
  - P1 DENOTES REGISTERED PLAN 161
  - P2 DENOTES DEPOSITED PLAN 61R-20423 BY (JDB)
  - P3 DENOTES DEPOSITED PLAN 61R-20383 BY (JDB)
  - P4 DENOTES SURVEY BY (VH), PROJ. No. 88-8601, FEB. 25, 1988

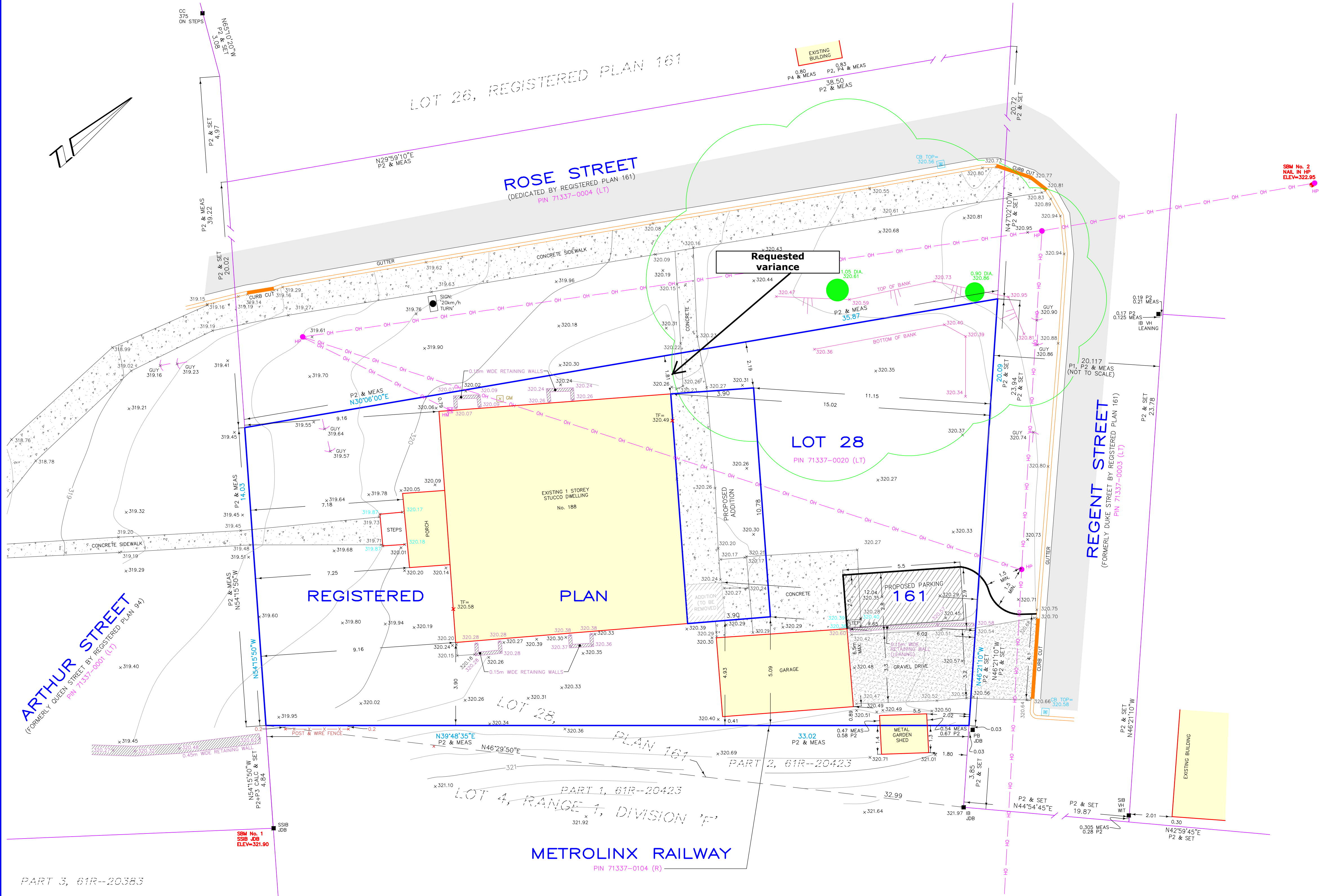


EXISTING ELEVATION x 206.55  
TOP OF FOUNDATION T/F=206.33

- GUY WIRE (GUY)  
HYDRO POLE (HP)  
HYDRO METER (HM)  
GAS METER (GM)  
OVERHEAD HYDRO (OH)  
FENCELINE (X)  
TOP OF BANK (T/F)
- CATCHBASIN (CB)  
SIGN (S)  
DECIDUOUS TREE (D)

**BEARING AND COORDINATE NOTE:**

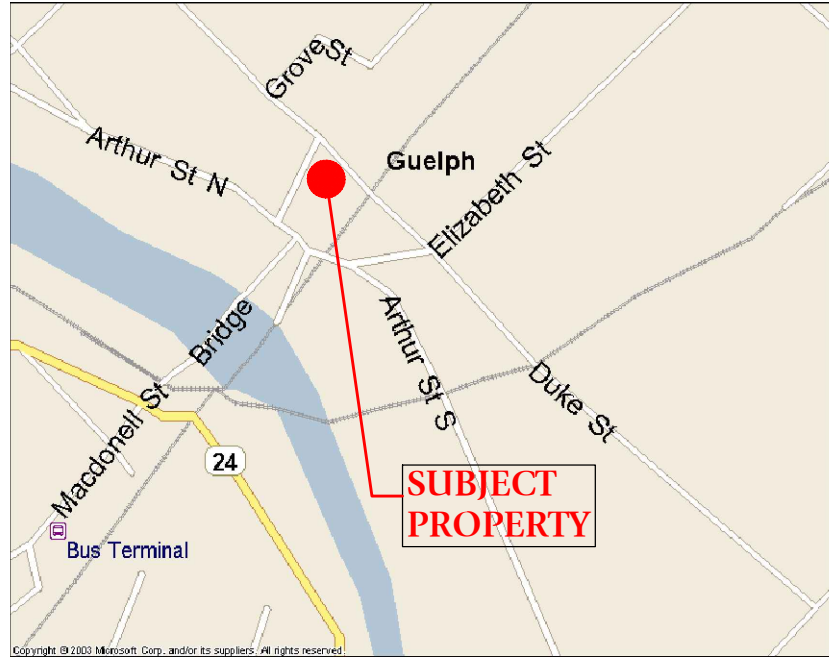
- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99960196.
- 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.



**CALL BEFORE YOU DIG**

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.

**KEYMAP:**



**PROPERTY DESCRIPTION:**

- PIN 71337-0020 (LT)
- ADDRESS: 9 ARTHUR STREET NORTH
- PART OF LOT 28, NORTHEAST OF QUEEN STREET, REGISTERED PLAN 161 (SOUTHWEST OF DUKE STREET), AS IN INSTRUMENT M5137119
- CITY OF GUELPH

**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 CVG28 DATUM (1978 ADJUSTMENT) WITH GEOD MODEL HTV2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

- SITE BENCHMARK:**
- SSIB NEAR SOUTHEAST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 321.90 METRES.
  - NAIL IN HYDRO POLE NORTH OF NORTHWEST CORNER OF SUBJECT PROPERTY HAVING AN ELEVATION OF 322.96 METRES.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- THIS SURVEY WAS COMPLETED ON THE 18th DAY OF DECEMBER, 2019.

DATE: JAN. 28, 2020

JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

**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.

**SITE PLAN**  
**PART OF LOT 28, REGISTERED PLAN 161**  
**(SOUTHWEST OF DUKE STREET)**  
**CITY OF GUELPH**  
**COUNTY OF WELLINGTON**

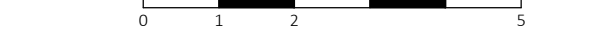
**DRAWING REVISION SCHEDULE**

NO.	REVISION	DATE
1	INITIAL SUBMISSION	JAN. 28, 2020

**PREPARED FOR: STAN DENHOED**

**PROJECT No. 27864-19**

**DRAWING SCALE 1 : 100**



**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: S.A.P. CHECKED BY: J.E.B.

Jan 31, 2020-8:27am  
G:\GUELPH\161\Acad\SITE PT LOT 28 (DENHOED) UTM2010.dwg



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 10, 2020	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	A-15120

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

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

### PROPERTY INFORMATION:

Address of Property: 9 Arthur Street North

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

Plan 161 Lot 28

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

Name: 2725586 Ontario Inc.  
Mailing Address: 4622 Nassagaweya Puslinch Townline  
City: Mossat Postal Code: L0P 1J0  
Home Phone: 519 763 8291 Work Phone: 519 994 6488  
Fax: 519 826 9099 Email: sdenhoed@hardenvr.com

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_  
Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email: \_\_\_\_\_



Official Plan Designation: <i>low density residential</i>	Current Zoning Designation: <i>R.1B</i>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<i>- Reduce sideyard setback</i>
<i>Table 5.1.2 Row 7 to permit an exterior side setback of 1.81m rather than 6m</i>

Why is it not possible to comply with the provision of the by-law? (your explanation)
<i>The house has been damaged by a traffic accident. The 1920's addition needs to be repaired and the foundation reconstructed. In the process of doing the repairs we would like to add some floor space on the main floor and a basement suite. The existing addition does not have a basement and we look at this as an opportunity to replace the foundation and enable the property to support 2 units. The sideyard is already non conforming, we will not change the existing offset. decrease.</i>

PROPERTY INFORMATION			
Date property was purchased:	<i>Dec 11 2019</i>	Date property was first built on:	<i>1840's</i>
Date of proposed construction on property:	<i>February 2020</i>	Length of time the existing uses of the subject property have continued:	<i>180 years</i>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<i>Residential</i>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<i>Residential</i>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage:	<i>20.09 m</i>	Depth: <i>33.02 m</i>
		Area: <i>Irregular shape 664.26m<sup>2</sup></i>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	(1374 ft <sup>2</sup> ) 127.65 m <sup>2</sup>		Gross Floor Area:	169.69 m <sup>2</sup>	
Height of building:	1 storey + attic		Height of building:	1 storey + attic	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/> no change	
Width:	3.7 m		Width:	3.7 m	
Length:	6 m		Length:	6.0 m	
Driveway Width:	3.3 m		Driveway Width:	3.3 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: shed - single storey 1.8m x			Describe details, including height: no change		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	12.04 irregular M		Front Yard Setback:	9.65 irregular M	
Exterior Side Yard (corner lots only)	1.81 m M		Exterior Side Yard (corner lots only)	1.81 m M	
Side Yard Setback:	Left: 4.93 M	Right: N/A M	Side Yard Setback:	Left: 4.93 M	Right: N/A M
Rear Yard Setback	9.16 M		Rear Yard Setback	no change M	

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

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

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

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Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	17 002872 RR : open
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

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

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

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




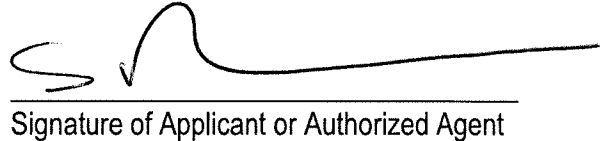
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Jackie Harman / Stan Deshoed, 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/Town of Guelph in the County/Regional Municipality of  
Wellington this 10 day of February, 20 20.

  
 Commissioner of Oaths

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

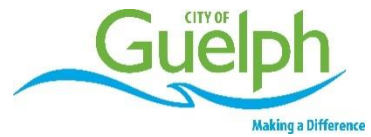
(official stamp of Commissioner of Oaths)





# Committee of Adjustment Notice of Public Hearing

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

## Application Details

### Location:

287 Water Street

### Proposal:

The applicant is proposing to convert the existing residence (former manse) located to the rear of the existing church to rental office space.

### By-Law Requirements:

The property is located in the Educational, Spiritual, and Other Services (I.1) Zone. A variance from Section 8.1.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of institutional uses, but does not permit a stand-alone office use.

### Request:

The applicant is seeking relief from the By-Law requirements to permit a stand-alone office use within the existing residence (former manse).

---

## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>A-16/20</b>

---

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 attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at City Hall 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

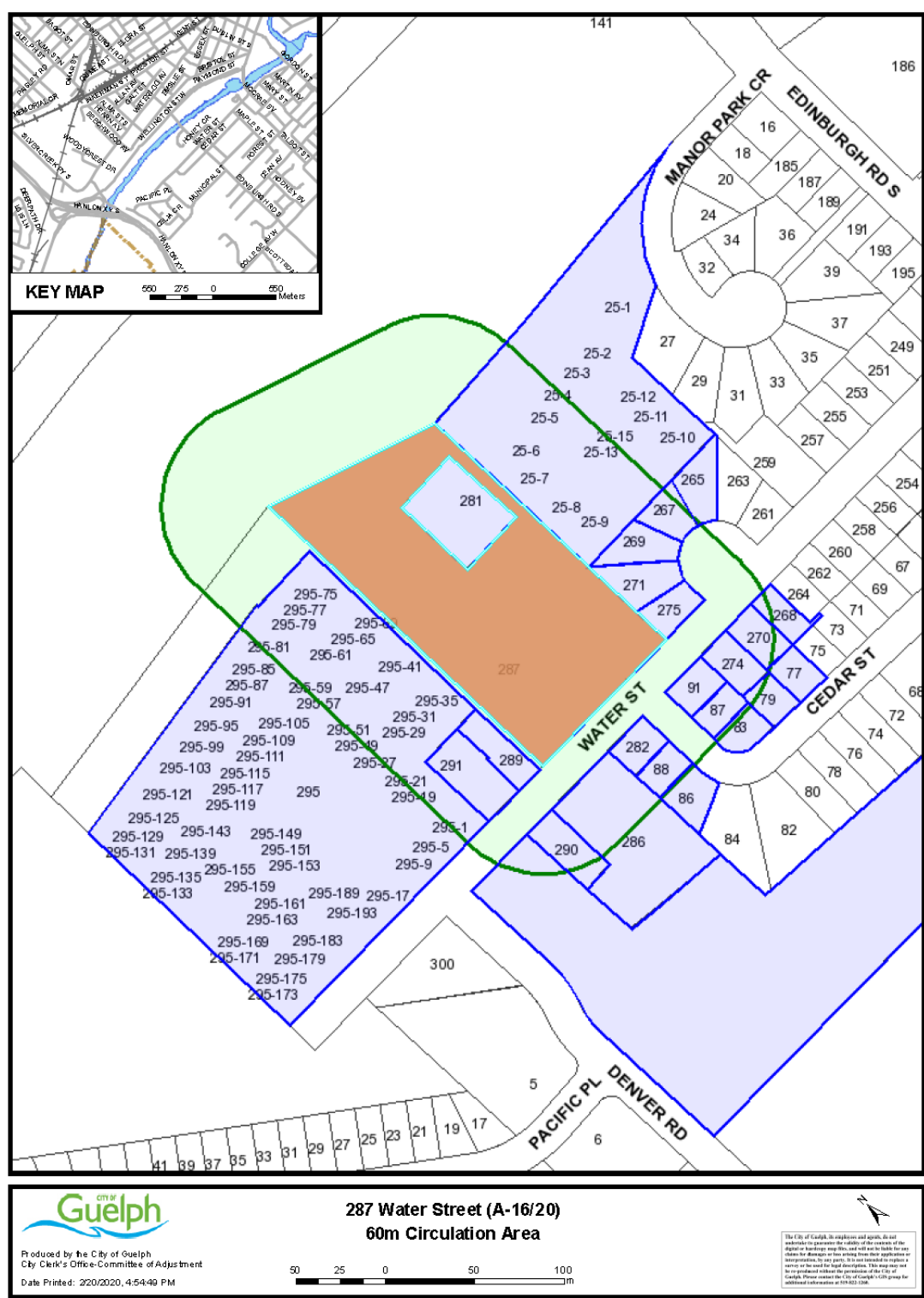
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment. The Notice of Decision will also explain the process for appealing a decision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

## Notice Details

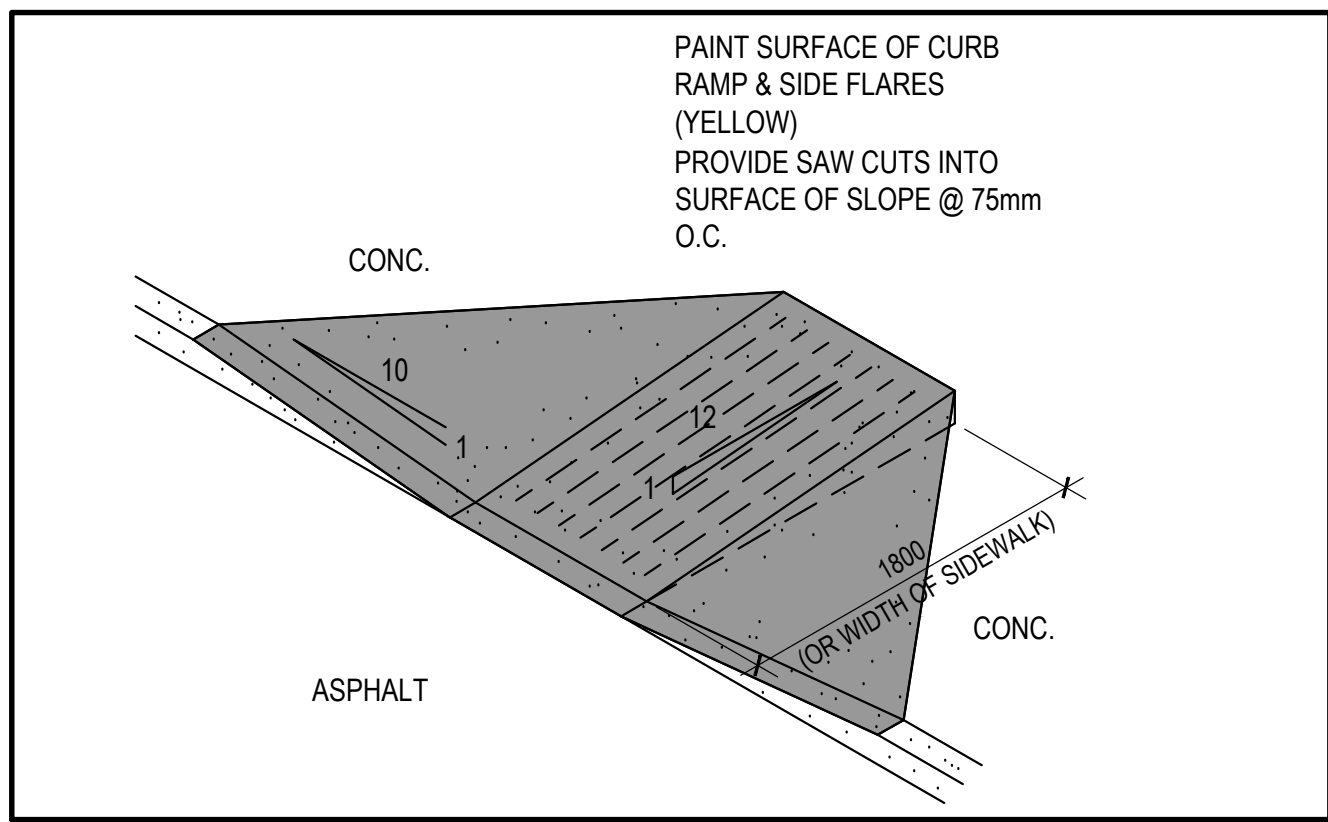
Trista Di Lullo, ACST  
Secretary-Treasurer, Committee of Adjustment  
Dated February 21, 2020.

## Contact Information

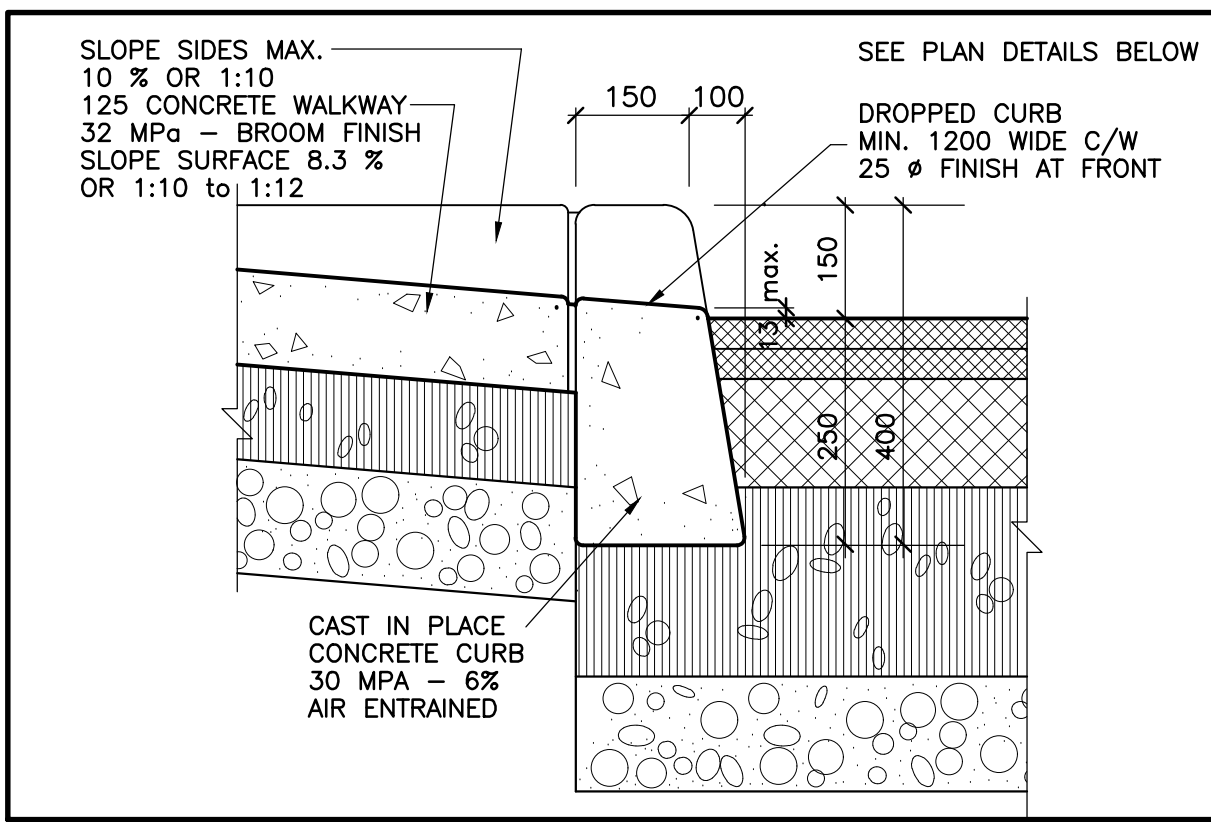
**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
**TTY:** 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
**Facsimile:** 519-763-1260



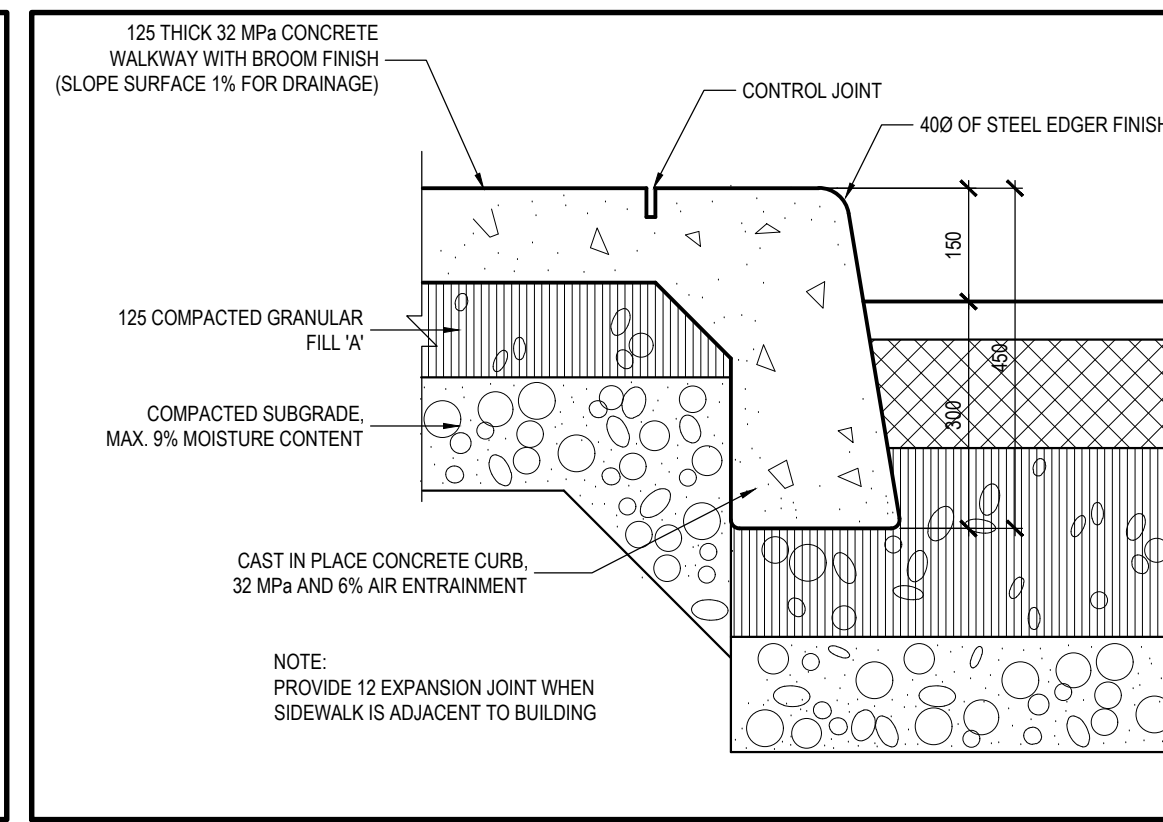




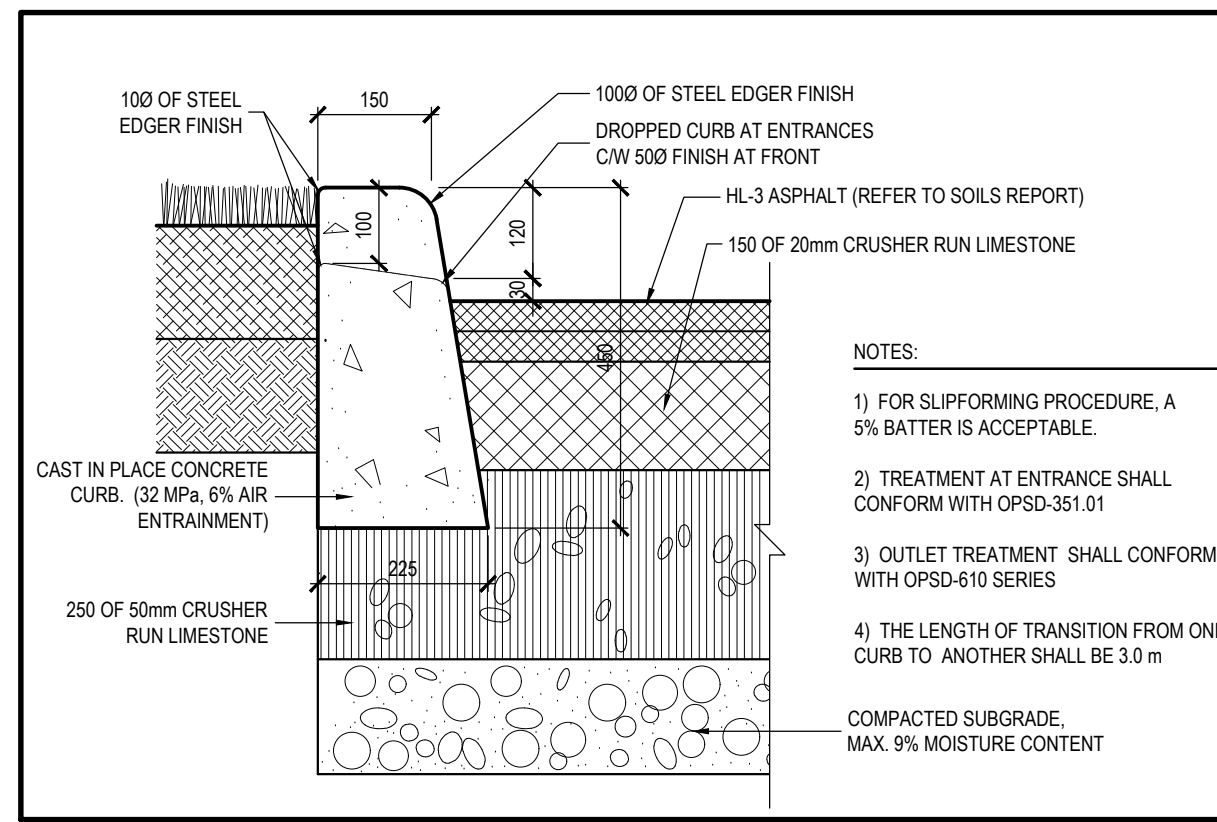
4 DROPPED CURB & SIDEWALK DETAIL  
SCALE N.T.S.



3 DROPPED BARRIER FREE CURB DETAIL  
SCALE 1:10



2 SIDEWALK/CURB DETAIL  
SCALE 1:10



1 TYPICAL CURB DETAIL  
SCALE 1:10

**PAVEMENT SPECIFICATION**  
ALL ASPHALT PAVING ON THE SITE SHALL BE AS FOLLOWS:

<b>LIGHT DUTY:</b> 50mm (2.0") HL3 SURFACE ASPHALT 150mm (6") GRANULAR 'A' 300mm (12") GRANULAR 'B'	<b>HEAVY DUTY (FIRE ROUTE):</b> 38mm (1.5") HL3 SURFACE ASPHALT 65mm (2.5") HL3 BASE ASPHALT 150mm (6") GRANULAR 'A' 300mm (12") GRANULAR 'B'
--	---

**NOTES:**  
1. ALL ASPHALT BASE TO BE COMPACTED TO A MINIMUM 95% MODIFIED PROCTOR DENSITY.  
2. BASE COAT TO BE RAMPED UP AT ALL SURFACE FIXTURES UNTIL PLACEMENT OF SURFACE COAT.  
3. HEAVY DUTY ASPHALT TYPE TO BE USED FOR NEW FIRE ROUTE LOCATION. ALL OTHER AREAS TO RECEIVE LIGHT DUTY ASPHALT.

**CONSTRUCTION NOTES**

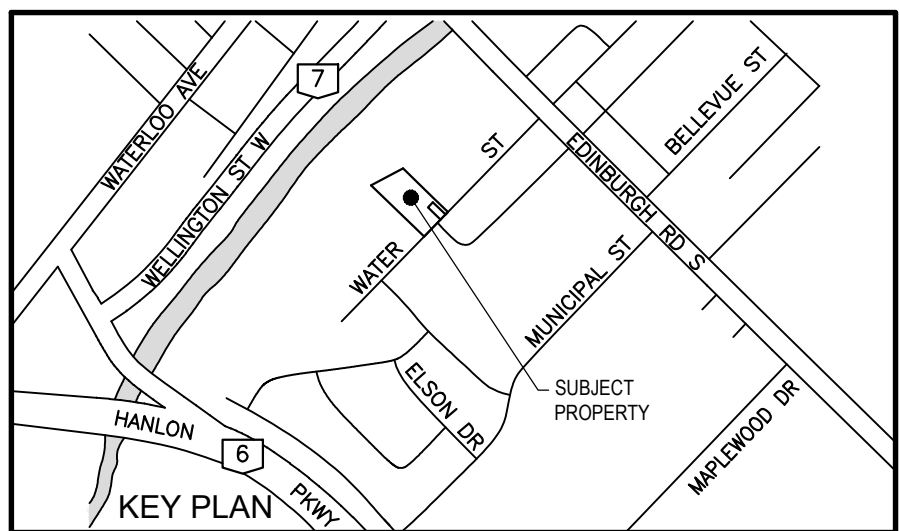
1. ALL DIMENSIONS AND ELEVATIONS SHALL BE VERIFIED PRIOR TO CONSTRUCTION AND ANY DISCREPANCIES SHALL BE CLARIFIED WITH THE ARCHITECT AND CONSULTANT.
2. THE LOCATION AND EXTENT OF ALL EXISTING UTILITIES AND SERVICES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
3. ALL SERVICES, MATERIALS AND CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH THE LATEST REVISION OF THE APPLICABLE BUILDING CODE AND THE PROVINCIAL STANDARDS AND SPECIFICATIONS AND MUNICIPAL STANDARDS.
4. THE CONTRACTOR IS RESPONSIBLE FOR MAKING ALL APPLICABLE PERMIT APPLICATIONS AND ARRANGEMENTS FOR INSPECTION WITH THE MUNICIPALITY.

**OWNER CONTACT INFORMATION:**  
FIRST CHRISTIAN REFORMED CHURCH  
287 WATER STREET  
GUELPH, ONTARIO  
N1G 1B8  
CONTACT PERSON: HARRY van de HOEF  
PH: (519) 822-7720  
FAX: (519) 822-4446

**ALTERNATE CONTACT PERSON:**  
GEORGE ELGERMA  
(519) 821-4130  
george@wellington-plumbing-hvac.com

**NOTE:**  
REFER TO GRADING PLAN BY VAN HARTEN SURVEYING INC. FOR TREE PROTECTION FENCINGS AND SILT FENCE (PAGE WIRE FENCE WITH SILTATION CONTROL).

**PROPERTY LINE**  
BUILDING SETBACKS  
LANDSCAPING SETBACKS  
CONC. CURB  
CONC. CURB & GUTTER  
WATERMAIN  
SANITARY SEWER  
STORM SEWER  
MANHOLE  
CATCH BASIN  
CATCH BASIN/MANHOLE  
FIRE HYDRANT  
EXISTING ELEVATION  
NEW ELEVATION  
SWALE  
SLOPE  
HYDRO POLE  
LIGHT STANDARDS  
OVERHEAD HYDRO  
BELL TELEPHONE  
GASLINE  
TREE PROTECTION FENCE  
TREE PROTECTION (WIRE FENCE) & SILT CONTROL  
LIGHT DUTY SILT FENCE  
TESTPIT  
HANDICAP PARKING SPACE  
CAR POOL PARKING SPACE  
TACTILE WALKING SURFACE INDICATOR  
DROPPED BARRIER FREE CURB



**LEGAL DESCRIPTION**  
SITE INFORMATION WAS BASED ON SURVEY PREPARED BY:  
VAN HARTEN SURVEYING, GUELPH  
BROKEN FRONT LOT, CONCESSION 4, DIVISION 'G'  
CITY OF GUELPH, COUNTY OF WELLINGTON

**SITE DESCRIPTION**  
ZONING (CURRENT): I-1 (DEFINED AREA MAP 16)  
PERMITTED USE: RELIGIOUS ESTABLISHMENT

**BUILDING CLASSIFICATION**  
OCCUPANCY: A2 (PLACE OF WORSHIP), 3.2.2.25, ONE STOREY,  
FACING ONE STREET, COMBUSTIBLE OR NON-COMBUSTIBLE CONSTRUCTION

**BUILDING STATISTICS**  
BUILDING AREA (FOOTPRINT): 1,474 m<sup>2</sup>  
GROSS FLOOR AREA (GFA): 981 m<sup>2</sup>  
MAIN FLOOR: 265m<sup>2</sup> EX. + 716m<sup>2</sup> NEW = 981 m<sup>2</sup>  
BASEMENT: 758m<sup>2</sup> EX. + 716m<sup>2</sup> NEW = 1,474 m<sup>2</sup>  
**TOTAL GFA = 2,455 m<sup>2</sup>**

**NUMBER OF PARKING SPACES REQUIRED**  
PARKING CALCULATION: 1 SPACE PER 5 SEATS OR 1 PER 10m<sup>2</sup> OF ASSEMBLY AREA  
TOTAL SANCTUARY SEATS = 460 + 5 = 92 SPACES REQUIRED  
BUILDING AREA = 1,474m<sup>2</sup> + 10 = 148 SPACES REQUIRED  
151 SPACES PROVIDED (INCLUDES 7 BARRIER FREE & 4 CARPOOL)

**TYPICAL PARKING SPACE SIZE:**  
TYPICAL A: 4.00m x 5.50m  
TYPICAL B: 2.40m x 5.50m

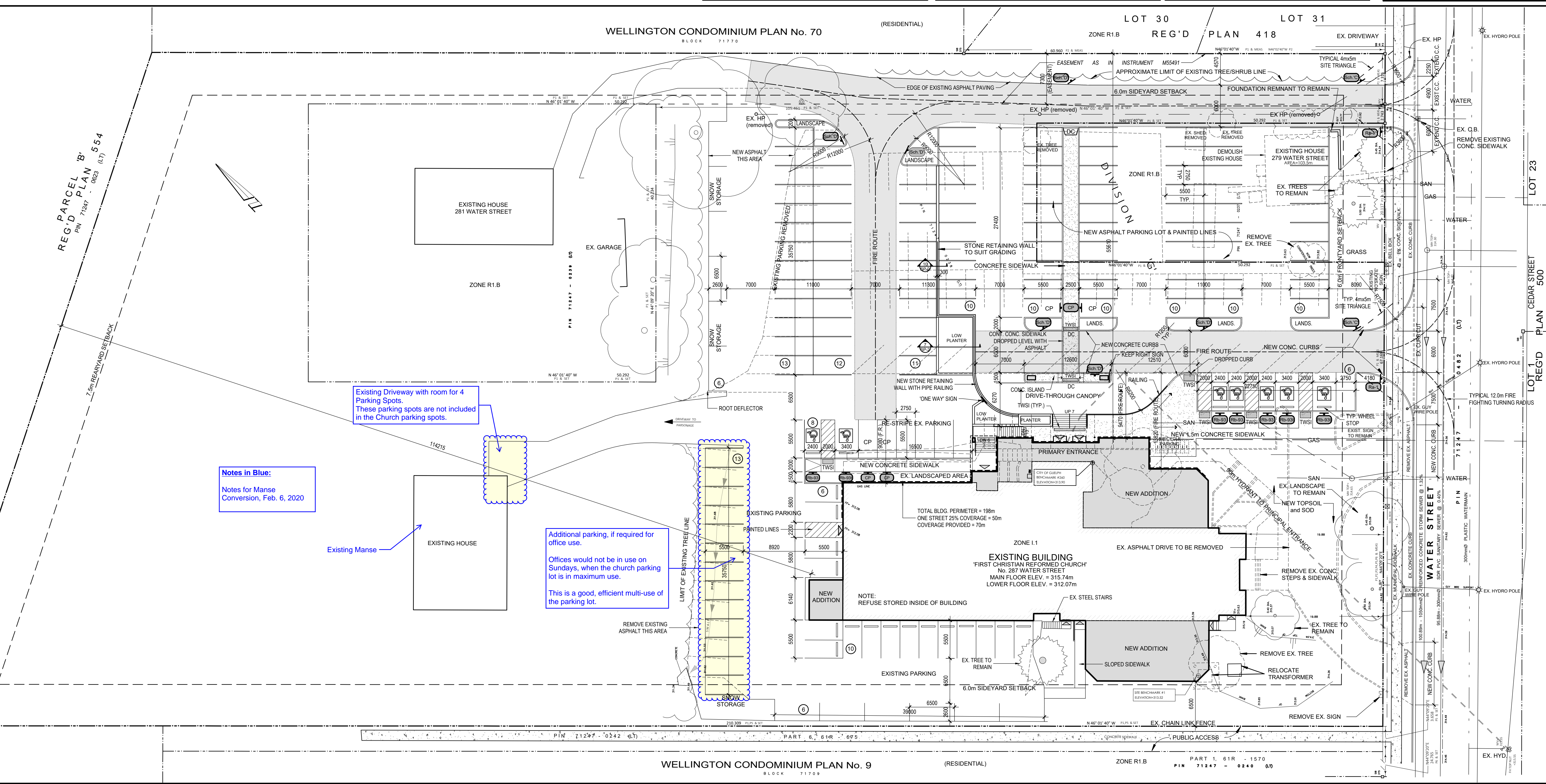
**TYPICAL MIN. AISLE WIDTH:**  
2.75m x 5.50m  
TYPE A: 4.00m x 5.50m  
TYPE B: 2.40m x 5.50m

**BICYCLE PARKING**  
5% OF REQUIRED CAR PARKING, 151 x 5% = 8 BICYCLE SPACES REQUIRED

**ZONING STATISTICS: Table 8.2 Institutional (I.1) Zone**

REGULATION	REQUIRED	PROVIDED	COMPLIANT
MIN. LOT AREA: (CHURCH) 17,273 m <sup>2</sup> + (HOUSE) 997 m <sup>2</sup>	700 m <sup>2</sup>	18,270 m <sup>2</sup>	YES
MIN. FRONT & EXTERIOR SIDE YARD	6.0m and in accordance with Sec's 4.16 & 4.24	19.07 m	YES
MINIMUM SIDE YARD	20.0 m	19.88 m	YES
MINIMUM REAR YARD	6.0m or 1/2 the building height, whichever is greater	6.50 m	YES
MIN. LOT FRONTAGE	30 m	67.10 m	YES
OFF-STREET PARKING	As per section 4.13	151 spaces	YES
OFF-STREET LOADING	As per section 4.14	not required	YES
ACCESSORY BUILDINGS & STRUCTURES	As per section 4.5	None	N/A
FENCES	As per section 4.20	Existing CLF	YES
MAXIMUM BUILDING HEIGHT	4 storeys & in accordance with Sections 4.16 & 4.18	10.3 m	YES
BUFFER STRIPS	Where I Zone abuts Park, Residential, Wetland, or Urban Reserve Zone	Provided	YES
GARBAGE, REFUSE STORAGE AND COMPOSTERS	In accordance with Section 4.9	Interior Storage	YES

**NOTE:**  
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE FOLLOWING DWGS -  
• GRADING PLAN BY VAN HARTEN SURVEYING INC.  
• TREE INVENTORY & REPLACEMENT PLAN (TI&RP-1) BY AESTHETICS + DESIGN  
• LANDSCAPE PLAN (L.P.-1) BY AESTHETICS + DESIGN  
• TREE INVENTORY & PROTECTION PLAN (TTP-1) BY BRUCE TREE EXPERT COMPANY LTD. WHICH IS PART OF THE ARBORIST REPORT DATED JULY 12/17



SITE PLAN  
1:300

**DICKINSON + HICKS**  
ARCHITECTS INC.  
45 MILL STREET ORANGEVILLE ONT. L9W 2M4  
TEL: (519) 941-0912 FAX: (519) 941-9142

**CONSULTANT**  
PROJECT NORTH  
TRUE NORTH

**PROJECT** ADDITION & RENOVATIONS TO:  
**FIRST CHRISTIAN REFORMED CHURCH**  
287 WATER ST. GUELPH, ON

**SHEET TITLE** (SP17-046)  
**SITE PLAN and DETAILS**

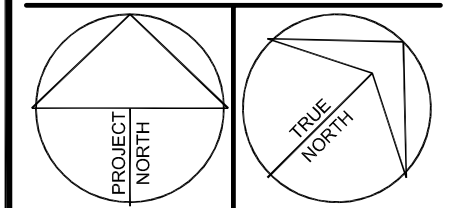
DATE	REVISION	DATE	REVISION
APRIL 20 2018	REVISED FOR SPA RE-SUBMISSION		
FEB 15 2018	SPA RE-SUBMISSION		
JAN 8 2018	REVISED AS PER CITY OF GUELPH COMMENTS		
OCT 30 2017	SPA RE-SUBMISSION		
MARCH 28 2017	SPA SUBMISSION		

**PROJ. NO.** 15-206  
**DATE** JULY 12, 2016  
**DRAWN BY** PRB  
**CHECKED** MAH  
**SCALE** AS NOTED  
**DATE PLOTTED** 4/19/2018  
**DRAWING NO.** SP-1

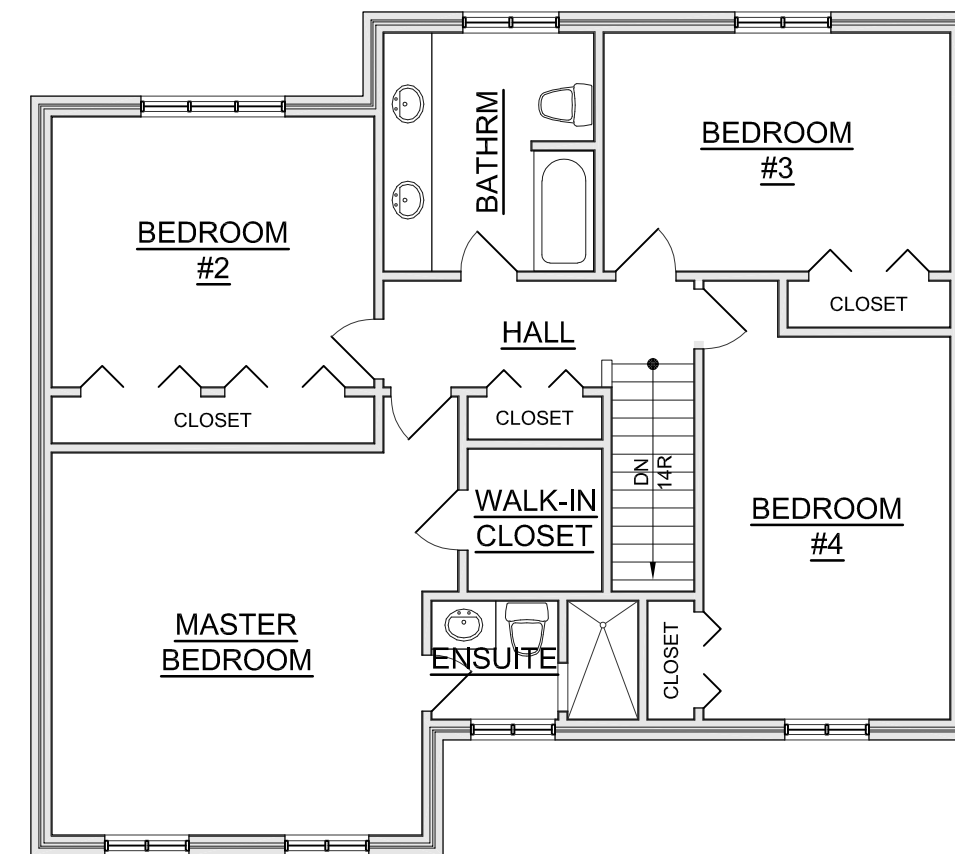
**ONTARIO ASSOCIATION OF ARCHITECTS**  
Mark A. Hicks  
LICENCE 4673



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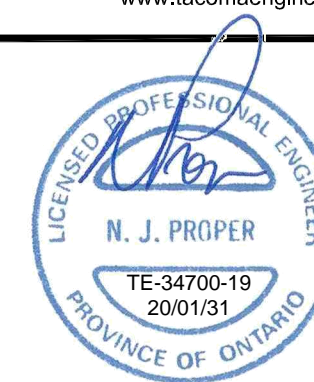
No.	Date	Revision / Issued for:
1.	JAN 31 2020	PERMIT



**EXISTING SECOND FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

**TACOMA**  
ENGINEERS

176 Speedvale Avenue West  
Guelph, Ontario N1H 1C3  
Tel: 519.763.2000  
www.tacomaengineers.com



**FIRST CRC  
GUELPH**

287 WATER STREET, GUELPH, ON

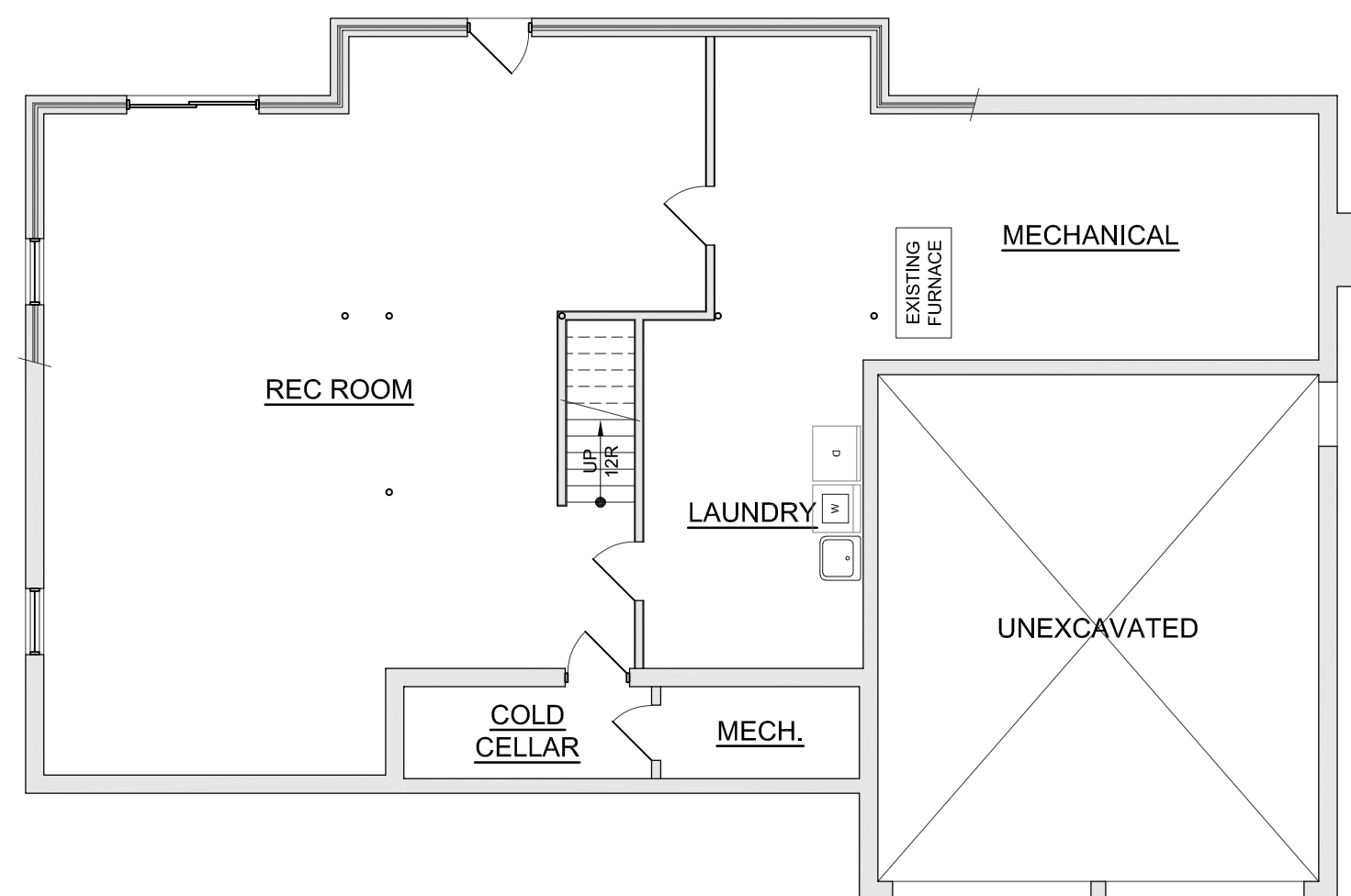
**MANSE  
CONVERSION**

287 WATER STREET, GUELPH, ON

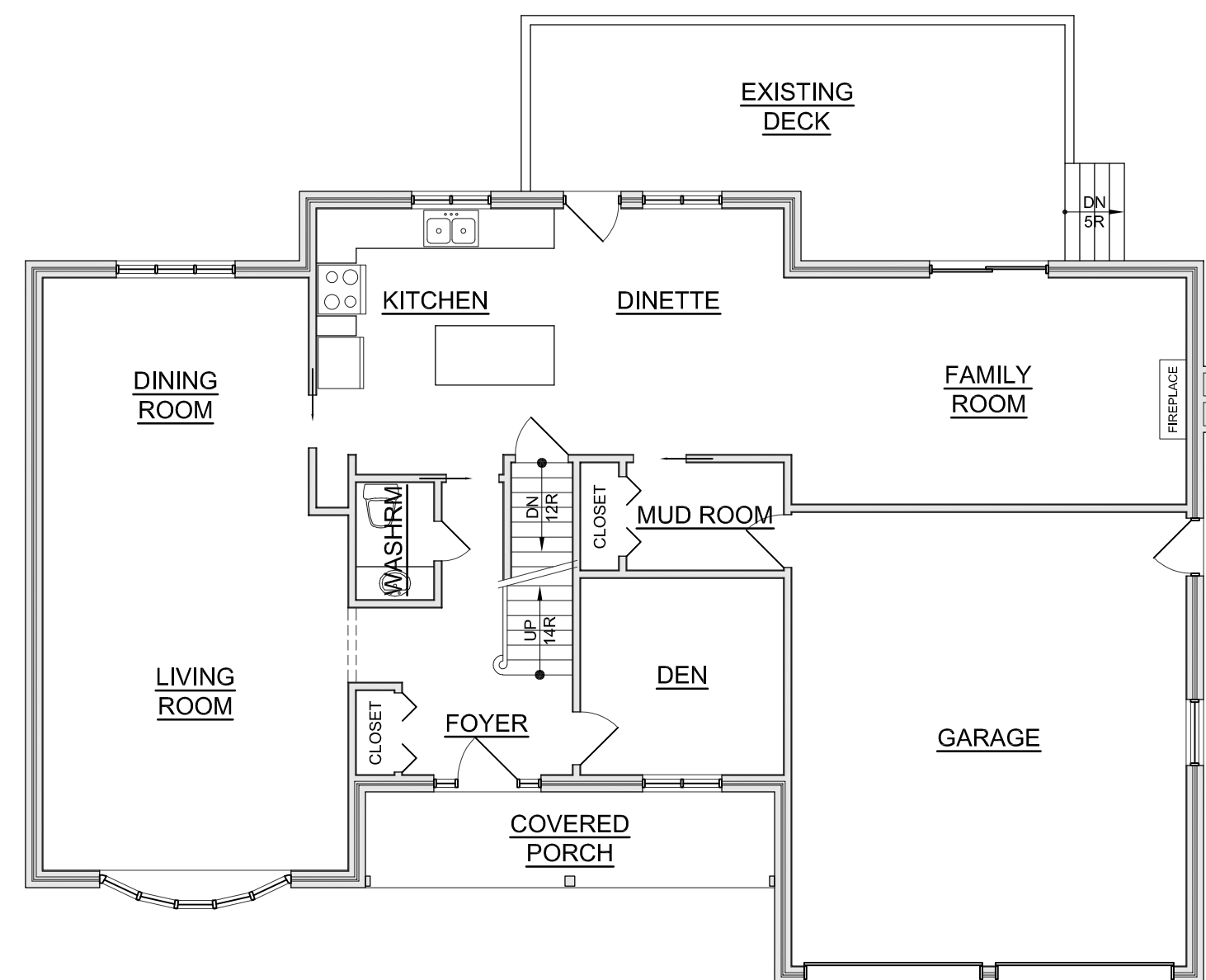
**EXISTING FLOOR  
PLANS**

Project No. TE - 34700 - 19	Drawn By: B. MARTIN
--------------------------------	------------------------

**A1**



**EXISTING BASEMENT FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**EXISTING MAIN FLOOR PLAN**  
SCALE: 1/8" = 1'-0"

WALL SCHEDULE:

- WT-1** **TYPICAL PARTITION WALL:**  
1/2" GYPSUM BOARD  
2x4 WOOD STUDS AT 16" OC.  
1/2" GYPSUM BOARD
- WT-2** **FIRE SEPARATION - 1 HR F.R.R.:**  
(SB-2 - 2.3.4.)  
5/8" TYPE 'X' GYPSUM BOARD  
EXISTING 1/2" GYPSUM BOARD  
EXISTING WOOD STUDS AT 16" OC.  
EXISTING 1/2" GYPSUM BOARD  
5/8" TYPE 'X' GYPSUM BOARD

- NOTES:**
1. PROVIDE COMPATIBLE FIRE STOP SYSTEM AROUND PENETRATIONS IN FIRE SEPARATIONS.
  2. OPTIONAL: PROVIDE 'ROCKWOOL AFB' (OR SIMILAR) SOUND ATTENUATION BATT WITHIN STUD SPACE.

LEGEND:

- FIRE SEPARATION. REFER TO PLAN FOR RATING.
- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE REMOVED
- EMERGENCY LIGHTING WALL PACK

BUILDING CODE DATA:

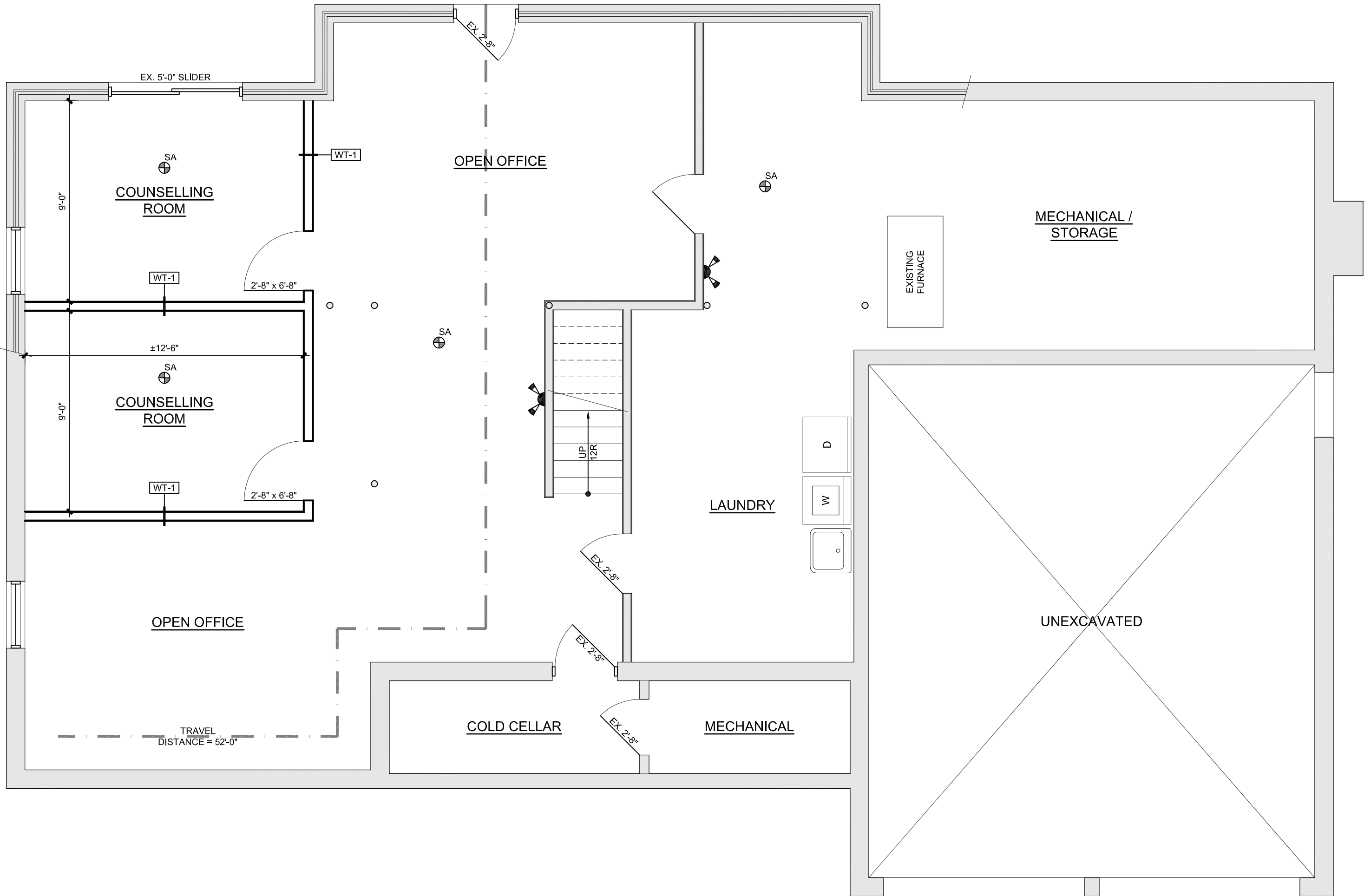
- BUILDING AREA: ± 2,077.6 SQ. FT. (633.3 SQ.M)
- NUMBER OF STOREYS: TWO + ONE BELOW GRADE
- FLOOR AREA: BASEMENT = 1431.3 sq.ft  
MAIN FLOOR = 1798.1 sq.ft  
SECOND FLOOR = 1095.6 sq.ft
- MAX. OCCUPANT LOAD: 18 PERSONS (3.1.17.1.(1)(c)(i) - DESIGN OF SPACE)
- PLUMBING FIXTURES: 2 WATER CLOSETS (1 PER SEX) REQUIRED (T 3.7.4.7.)  
2 UNISEX WATER CLOSETS PROVIDED
- 1 ADDITIONAL WATER CLOSET IS PROVIDED. PRIVATE WASHROOM OFF ONE OF THE 2ND FLOOR OFFICES.

DOOR / WINDOW NOTES:

1. ALL DOOR HARDWARE TO BE BARRIER-FREE ACCESSIBLE (EG. LEVER TYPE).
2. GLAZING IN DOORS AND SIDELITES TO BE 1/4" CLEAR TEMPERED GLASS, UNLESS NOTED OTHERWISE.
3. ALL DOORS IN A FIRE SEPARATION TO BE EQUIPPED WITH A SELF CLOSER & POSITIVE LATCHING MECHANISM. DOORS AND FRAMES SHALL BE PERMANENTLY LABELED.
4. ATTACH NON-TRANSPARENT HARDWARE, BARS OR OTHER PERMANENT FIXTURES TO GLASS OR TRANSPARENT DOORS SO THE EXISTENCE AND POSITION OF THE DOOR IS READILY APPARENT.
5. PROVIDE TRANSLUCENT STICKERS ON TRANSPARENT PANELS (GLAZING) THAT COULD BE MISTAKEN AS A MEANS OF EGRESS.
6. VISION PANELS PROVIDED IN DOORS ARE TO BE MINIMUM 3" (75mm) IN WIDTH, BOTTOM OF PANEL TO BE MAXIMUM 35 3/8" (900mm) ABOVE FINISHED FLOOR AND THE EDGE OF THE PANEL TO BE MAXIMUM 9 7/8" (250mm) FROM THE LATCH SIDE OF DOOR.
7. KEY DOOR LOCKS PER OWNER'S REQUIREMENTS.
8. FINISH (PAINT OR STAIN) NEW DOORS AND FRAMES PER OWNER'S REQUIREMENTS.

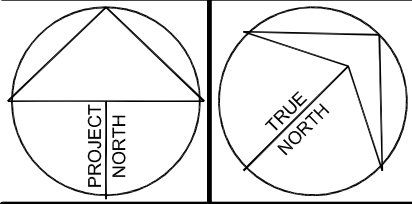
GENERAL NOTES

- READ THESE DRAWINGS IN CONJUNCTION WITH ALL RELATED MECHANICAL AND ELECTRICAL DRAWINGS AND CONTRACT DOCUMENTS.
- ALL EXISTING WALLS (SHOWN SHADED), TO REMAIN UNLESS NOTED OTHERWISE.
- SITE VERIFY ALL DIMENSIONS & EXISTING CONDITIONS PRIOR TO CONSTRUCTION.
- THE DESIGN AND CONSTRUCTION OF ALL WORK ON THIS PROJECT SHALL CONFORM TO THE LATEST EDITIONS OF THE ONTARIO BUILDING CODE, LOCAL REGULATIONS & BY-LAWS AND THE OCCUPATIONAL HEALTH AND SAFETY ACT.
- ALL PENETRATIONS THROUGH FIRE SEPARATIONS TO BE FIRESTOPPED WITH A LISTED FIRESTOP SYSTEM, DESIGNED IN CONFORMANCE WITH ULC-S115. WHERE THERE IS NO LISTED FIRESTOP SYSTEM FOR A SPECIFIC SITE CONDITION, AN ENGINEERING JUDGEMENT SHALL BE DESIGNED BY THE FIRESTOP MANUFACTURER IN ACCORDANCE WITH INTERNATIONAL FIRESTOP COUNCIL GUIDELINES. SUBMIT ALL PROPOSED FIRESTOP DESIGNS AND ENGINEERING JUDGEMENTS TO ENGINEER FOR REVIEW PRIOR TO CONSTRUCTION.
- FINISH PAINT NEW DRYWALL SURFACES, DOOR & FRAMES, CONTRACTOR TO COORDINATE WITH TENANT, PRIOR TO ANY PAINTING.
- FLOORING AND BASE, CONTRACTOR TO COORDINATE WITH TENANT.
- MAKE GOOD FINISHES DISTURBED BY NEW WORK.
- PROVIDE FIRE EXTINGUISHERS AS PER ONTARIO FIRE CODE REQUIREMENTS.



PROPOSED BASEMENT FLOOR PLAN  
SCALE: 1/4" = 1'-0"

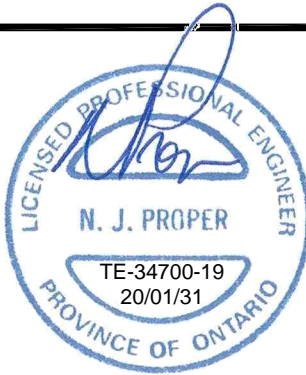
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FIRST CRC  
GUELPH

287 WATER STREET, GUELPH, ON

MANSE  
CONVERSION

287 WATER STREET, GUELPH, ON

PROPOSED  
BASEMENT  
FLOOR PLAN

Project No: TE - 34700 - 19	Drawn By: B. MARTIN
--------------------------------	------------------------

A2



Date	Description	Amount	Balance
	Jan 1		
	Jan 2		
	Jan 3		
	Jan 4		
	Jan 5		
	Jan 6		
	Jan 7		
	Jan 8		
	Jan 9		
	Jan 10		
	Jan 11		
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	Jan 27		
	Jan 28		
	Jan 29		
	Jan 30		
	Jan 31		
	Feb 1		
	Feb 2		
	Feb 3		
	Feb 4		
	Feb 5		
	Feb 6		
	Feb 7		
	Feb 8		

176 Speedvale Avenue West  
Guelph, Ontario N1H 1C3  
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[www.tacomaengineers.com](http://www.tacomaengineers.com)



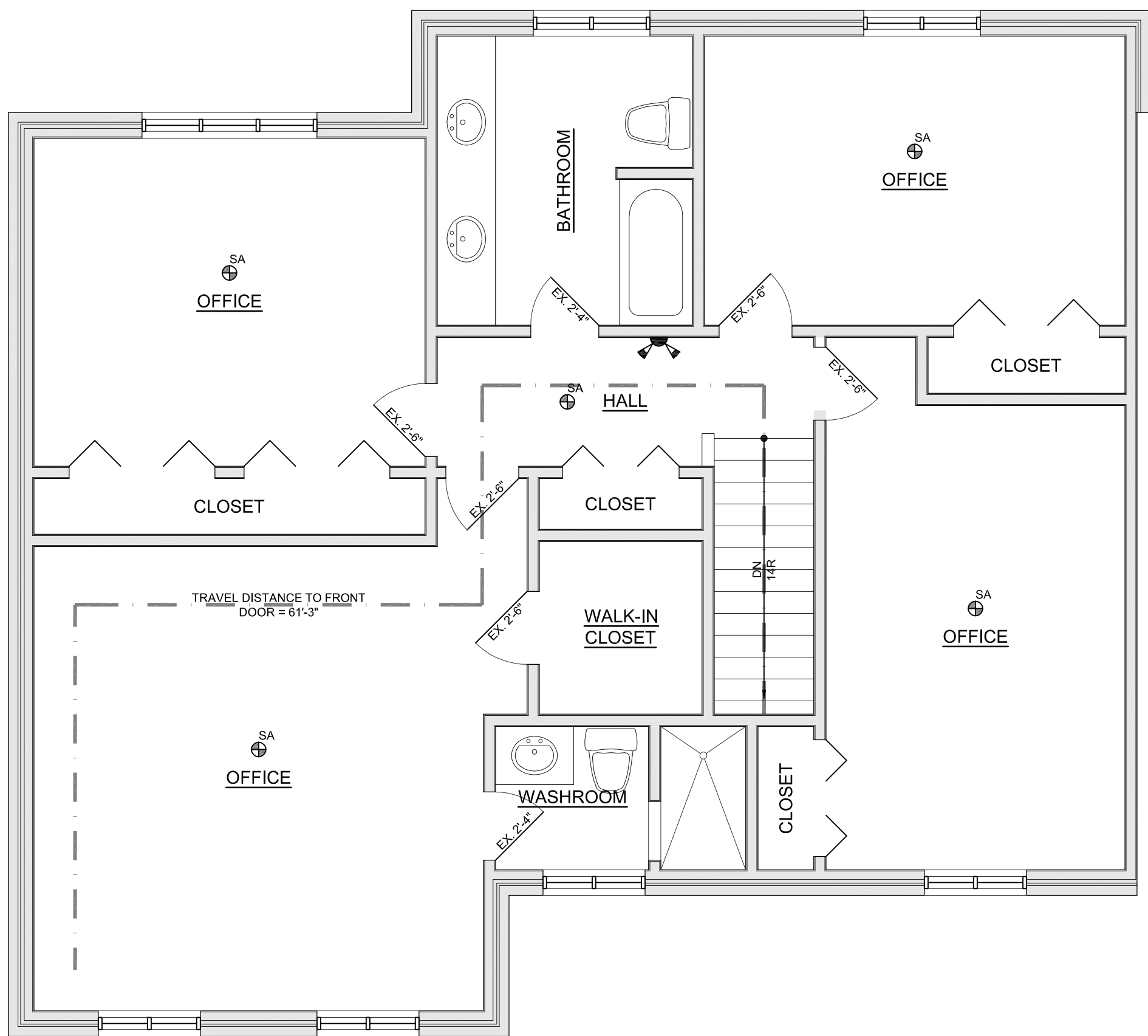
287 WATER STREET, GUELPH, ON

287 WATER STREET, GUELPH, ON

Project No.	Drawn By:
TE - 34700 - 19	B. MARTIN

**A3**

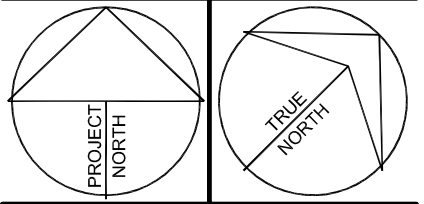




**PROPOSED SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

ITEM	OBC MATRIX - PART 11 RENOVATION OF EXISTING BUILDING			OBC REFERENCE
11.1	BUILDING CLASSIFICATION (EXISTING & PROPOSED)	EXISTING USE: SINGLE FAMILY DWELLING (B.A. = 2077.6 sq.ft) CONSTRUCTION INDEX: 2 EXISTING HAZARD INDEX: 2 EXISTING OCCUPANT LOAD: 8 (2 PERSONS PER BEDROOM) PROPOSED USE: OFFICES - CHARITABLE PROPOSED HAZARD INDEX: 3 PROP. OCCUPANT LOAD: 18		11.2.1 TABLE 11.2.1.1A TABLE 11.2.1.1.I.  TABLE 11.2.1.1.J.
11.2	ALTERATION TO EXISTING BUILDING	<input type="checkbox"/> BASIC RENOVATION <input checked="" type="checkbox"/> EXTENSIVE RENOVATION		11.3.3.1 11.3.3.2
11.3	REDUCTION IN PERFORMANCE LEVEL	STRUCTURAL: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES BY INCREASE IN OCCUPANT LOAD: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES BY CHANGE IN MAJOR OCCUPANCY: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES PLUMBING: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES SEWAGE SYSTEM: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES EXTENSION OF BUILDINGS OF COMBUSTIBLE CONSTRUCTION: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		11.4.2.1.(1)(a)&(b) 11.4.2.2.(1) 11.4.2.3.(1)(a) 11.4.2.4 11.4.2.5 11.4.2.6
11.4	COMPENSATING CONSTRUCTION	STRUCTURAL: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (NOTE 1) INCREASE IN OCCUPANT LOAD: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (NOTE 2) CHANGE IN MAJOR OCCUPANCY: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (NOTE 3) PLUMBING: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (EXPLAIN) SEWAGE SYSTEM: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (EXPLAIN) EXTENSION OF BUILDINGS OF COMBUSTIBLE CONSTRUCTION: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (EXPLAIN)		11.4.3.2.(1)(b) 11.4.3.3.(1) 11.4.3.4.(1) 11.4.3.5 11.4.3.6 11.4.3.7
11.5	COMPLIANCE ALTERNATIVES PROPOSED	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (EXPLAIN)		11.5.1
11.6	ALTERNATIVE MEASURES PROPOSED	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (EXPLAIN)		
11.7	<b>COMMENTS:</b> 1. SIGN TO BE POSTED LIMITING THE OCCUPANT LOAD OF THE BUILDING TO 18 PERSONS. 2. BUILDING SHALL BE EVALUATED AND EARLY WARNING AND EVACUATION SYSTEMS SHALL BE UPGRADED IN CONFORMANCE WITH TABLE 11.4.3.3., SEE 11.8 BELOW. 3. UPGRADING REQUIRED AS PER TABLE 11.4.3.4.A. SO THAT CONSTRUCTION INDEX IS INCREASED TO AT LEAST EQUAL THE HAZARD INDEX OF THE NEW MAJOR OCCUPANCY. SEE 11.9 BELOW. 4. PROPOSED CONSTRUCTION IS NOT REQUIRED TO COMPLY WITH SECTION 3.8. SINCE EXISTING FINISHED MAIN FLOOR > 200mm ABOVE FINISHED GRADE AND MAIN FLOOR AREA IS < 300 sq.m.			11.3.3.2.(2)
11.8	<b>EVALUATION AND UPGRADING OF EARLY WARNING AND EVACUATION:</b> (a) ACCESS TO EXIT WIDTHS BASED ON OCCUPANT LOAD (9.9.3.) WIDTH OF EXIT FACILITIES = MIN. 900mm WIDTH OF EXIT CORRIDOR = MIN. 1100mm (b) EXIT WIDTHS BASED ON OCCUPANT LOAD (9.9.3.) WIDTH OF EXIT FACILITIES = MIN. 900mm WIDTH OF EXIT CORRIDOR = MIN. 1100mm (c) EXIT SIGNS (9.9.11.) EXIT SIGNS NOT REQUIRED. (< 3 STOREYS & OCCUPANT LOAD < 150) (d) LIGHTING OF EXITS, LIGHTING OF ACCESS TO EXITS AND EMERGENCY LIGHTING (9.9.12.) EMERGENCY LIGHTING REQUIRED IN EXITS & PRINCIPLE ROUTES PROVIDING ACCESS TO EXIT (e) FIRE ALARM SYSTEM (9.10.18.) NOT REQUIRED (OCCUPANT LOAD < 150) (f) SMOKE ALARMS (9.10.19.) NOT REQUIRED (g) TRAVEL DISTANCE AND NUMBER OF EXITS ONE EXIT PERMITTED FROM FLOOR AREA IF FLOOR AREA DOES NOT EXCEED 200 sq.m (2152 sq.ft) AND TRAVEL DISTANCE DOES NOT EXCEED 25m (82'-0")			
11.9	<b>ADDITIONAL UPGRADING AS PER TABLE 11.4.3.4.A:</b> INCREASE CONSTRUCTION INDEX OF (1 OR 2) TO 3  <b>OPTION 1: ADDITIONAL UPGRADING</b> COMPLY WITH TABLE 11.2.1.1.A. RATINGS FOR C.I. OF 3. FLOOR OVER BASEMENT = 30 min. OTHER FLOORS = 30 min. ROOF = 0 hr  <b>OPTION 2: PART 11 COMPLIANCE ALTERNATIVE</b> PROVIDE EARLY WARNING SYSTEM. PROPOSED: PROVIDE INTERCONNECTED SMOKE ALARMS IN EVERY ROOM AND HALLWAYS. REFER TO FLOOR PLAN FOR PROPOSED LOCATIONS.			
11.10	<b>UPGRADES:</b> 1. STORAGE GARAGE IS REQUIRED TO BE SEPARATED FROM THE REMAINDER OF THE BUILDING BY A FIRE SEPARATION WITH A 1 HR FRR. UPGRADE WALLS & CEILING AS PER PLANS.			9.10.9.16.(2)

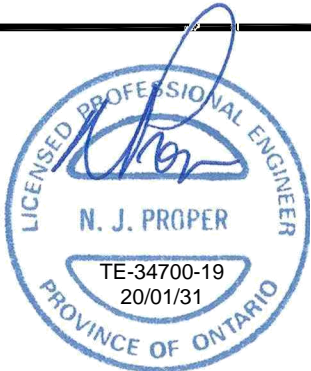
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No.	Date	Revision / Issued for:
1.	JAN 31 2020	PERMIT

**TACOMA**  
ENGINEERS

176 Speedvale Avenue West  
Guelph, Ontario N1H 1C3  
Tel: 519.763.2000  
www.tacomaengineers.com



**FIRST CRC  
GUELPH**

287 WATER STREET, GUELPH, ON

**MANSE  
CONVERSION**

287 WATER STREET, GUELPH, ON

**PROPOSED  
SECOND  
FLOOR PLAN**

Project No: TE - 34700 - 19	Drawn By: B. MARTIN
--------------------------------	------------------------

**A4**

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**Date:** January 30, 2020 rev Feb 10, 2020

**No. of Pages:** 2

**Project:** First CRC Manse Conversion

**Project No.:** TE-34700-19

**Address:** 287 Water Street Guelph

---

To whom it may concern,

I am writing this memo to you, in my role as Chair of the Board of Stewards (Property Committee) for the First Christian Reformed Church of Guelph.

Our church was originally constructed in 1953, and construction for a renovation and addition was just completed.

On the church property is a detached house which formerly was the pastor's manse (residence). Now days most pastors buy their own house in order to appreciate value when the housing market rises.

In the course of time, the church heard that a charitable organization, Beginnings Guelph, was looking for a new place to rent, as they were outgrowing their current space. Beginnings offers support to individuals and families who are going through raising a child or are considering or moving through adoption. This support includes counselling, teaching, listening and donations of materials. They primarily work with low income households, especially recent immigrants and refugees, as these households need the most support financially, emotionally, in training, and in navigating the Canadian systems.

Beginnings had the challenge of not being able to afford market rate office space due since their work is funded through limited donations. We saw the opportunity to continue our charitable works by renting the majority of the manse to them at substantially below marked rates. This requires a change of use from residential to office space.

To that end we submit this building permit application. Our plan is for Beginnings Guelph to rent the main floor and basement, and to make the space work for them we are tweaking the exiting house layout and adding some office spaces and private counselling rooms.

Since Beginnings does not need the second floor we plan on renting out the rooms upstairs as small office spaces. Ideally this is to other charitable activities, but we currently do not have other tenants lined up.

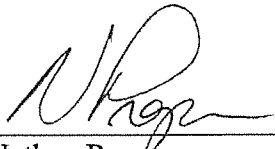
Regarding parking, there is ample parking for the office use in the existing parking lot. This is for two reasons:

- 1) The existing parking requirement for the church is 92 spots and we have provided 148 spaces.
- 2) The time usage of the office and the church would not overlap. The peak church usage is Sunday mornings from 10 to 12 am, and the offices would be used Monday to Friday, 8 am to 5 pm.

We believe using a parking lot for multiple uses is good environmental and property stewardship.

If you have any questions, I'd be happy to answer them.

Yours Truly,



---

Nathan Proper  
Principal, Tacoma Engineers, Inc.  
Chair, Board of Stewards, First CRC Guelph  
519-830-9977. [nate.proper@gmail.com](mailto:nate.proper@gmail.com)

# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 11, 2020	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	A-16120

## TO BE COMPLETED BY APPLICANT

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

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

### PROPERTY INFORMATION:

Address of Property: 287 Water St., Guelph

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

Broken Front Load, Concession 4, Division 'G', City of Guelph, County of Wellington

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

Name: First Christian Reformed Church of Guelph (c/o Nathan Proper).

Mailing Address: 287 Water Street

City: Guelph Postal Code: N1G 1B6

Home Phone: \_\_\_\_\_ Work Phone: 519-822-7720

Fax: \_\_\_\_\_ Email: nate.proper@gmail.com

### AGENT INFORMATION (If Any)

Company: N/A.

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_



Official Plan Designation: Institutional - Educational,  
Spiritual and Other Services

Current Zoning Designation: I-1

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

As per the attached memo "Building Permit Application Memo", on this property this is a church building as well as an existing 'manse' (Pastor's residence). The pastor no longer lives at the manse because they chose to buy their own residence in order to appreciate value when the housing market rises.

As such, the church is looking for new uses for the manse building. We would like to rent it as office space primarily to a charitable organization, Beginnings Guelph. This rental would be well below market rates and would allow Beginnings to have a much larger space than they could normally afford.

We plan on converting the main floor and basement of the manse to a rental office / services suite for Beginnings. To supplement the rental income, we plan on renting the upstairs rooms (formerly bedrooms) as small office spaces. Ideally this is for other charitable activities, but that is not yet determined.

*Section 0.1.1 - Amend to allow office use.*

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

The land is zoned I.1, which is educational, spiritual and other services. The existing manse is a residential building, for which we have no need as a church.

The bylaw does not have a normal 'use path' for manse buildings which are no longer needed.

We could either rent out the house as a rental house, or rent it out as an office space.

We felt that a charitable office space more closely aligned both with our church's stated purpose and also with the intended use of the zoned land.

Beginnings closely aligns with our church's values and we wish to be able to support their work.

**PROPERTY INFORMATION**

Date property was purchased:	Unknown, before 1953	Date property was first built on:	Church - 1953 Manse - 1980
Date of proposed construction on property:	Renovation of the manse: April 2020	Length of time the existing uses of the subject property have continued:	Church - since 1953 Manse - since 1980

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):**

The existing use is Institutional - Religious Establishment

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

The use of the land will stay Institutional - Religious Establishment. We propose permitting allowing rental office space for the existing manse only.

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

Frontage:	Depth:	Area:
67.10 m	185m (average)	18,270 m <sup>2</sup>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>	Church	Manse	<b>Main Building</b>	Same for Both Buildings	
Gross Floor Area:	2455 m <sup>2</sup>	633 m <sup>2</sup>	Gross Floor Area:		
Height of building:	10.3 m	5.5 m	Height of building:		
Garage/Carport (if applicable)			Garage/Carport (if applicable) Same		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		
Width:		6.12 m	Width:	Same.	
Length:		7.01 m	Length:	Same.	
Driveway Width:		> 7 m	Driveway Width:	Same.	
Accessory Structures (Shed, Gazebo, Pool, Deck) Rear Deck			Accessory Structures (Shed, Gazebo, Pool, Deck) Same.		
Describe details, including height: Manse: Existing two story house, with wood framed construction. Finished with brick & siding.			Describe details, including height: Same.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING See Site Plan			PROPOSED Same		
Front Yard Setback:	19.07 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M 6.5	Right: M 55.6	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	55.1 M		Rear Yard Setback	M	

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20 000528 PR - Review (3D).
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Note: The church building had a building renovation in 2016 to 2019, for the address: 287 Water Street. I'm not sure what that permit number is / was, and whether it is still active.



**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](mailto:privacy@guelph.ca) or 519-822-1260 ext. 2349.

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

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



Chair,  
Board of Stewards

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Nathan Proper, of the City/Town of Guelph in County/Regional Municipality of Wellington (Ontario), 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/Town of Guelph in the County/Regional Municipality of

Wellington this 11 day of February, 20 20.

\_\_\_\_\_  
Commissioner of Oaths

(official stamp of Commissioner of Oaths)



**APPOINTMENT AND AUTHORIZATION**

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

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

of

\_\_\_\_\_  
(Legal description and/or municipal address)

hereby authorize

\_\_\_\_\_  
(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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

**NOTES:**

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

# Committee of Adjustment Notice of Public Hearing



**An Application for Consent [Easement] has been filed with the Committee of Adjustment**

## Application Details

### Location:

401 Edinburgh Road North

### Proposal:

The applicant is proposing to construct an apartment building on the adjacent parcel known as 395 Edinburgh Road North, which is currently subject to an application for site plan approval (File SP19-022). As access for vehicles and pedestrians is required out to Edinburgh Road North, the applicant is proposing to create a shared access driveway over the existing parking lot's access aisle of the subject property (401 Edinburgh Road North) to connect to the entrance of the proposed parking lot for the future apartment building.

The proposed easement does not connect directly to Edinburgh Road North as there is an existing easement (file B-27/08) over parts of 100 Westmount Road (St. Joseph's Health Centre) that combined with this application will ultimately provide sufficient access to 395 Edinburgh Road North.

The property receiving the benefit of the easement (395 Edinburgh Road North) was recently subject to consent application files B-4/18, B-5/18, and B-20/18 and minor variance file A-24/18.

### By-Law Requirements:

The property is located in the Specialized Health and Social Services (I.3-3) Zone.

### Request:

The applicant proposes to create a 297 square metre easement with a width of 4.5 metres for pedestrian and vehicle access and circulation over 401 Edinburgh Road North in favour of the abutting property known as 395 Edinburgh Road North.

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## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>B-3/20</b>

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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 attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

## **Additional Information**

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at City Hall 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 Local Planning Appeal 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 Local Planning Appeal Tribunal may dismiss the appeal.

---

## **Notice Details**

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated February 21, 2020.

## **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

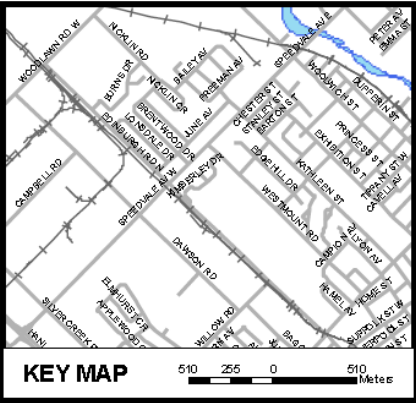
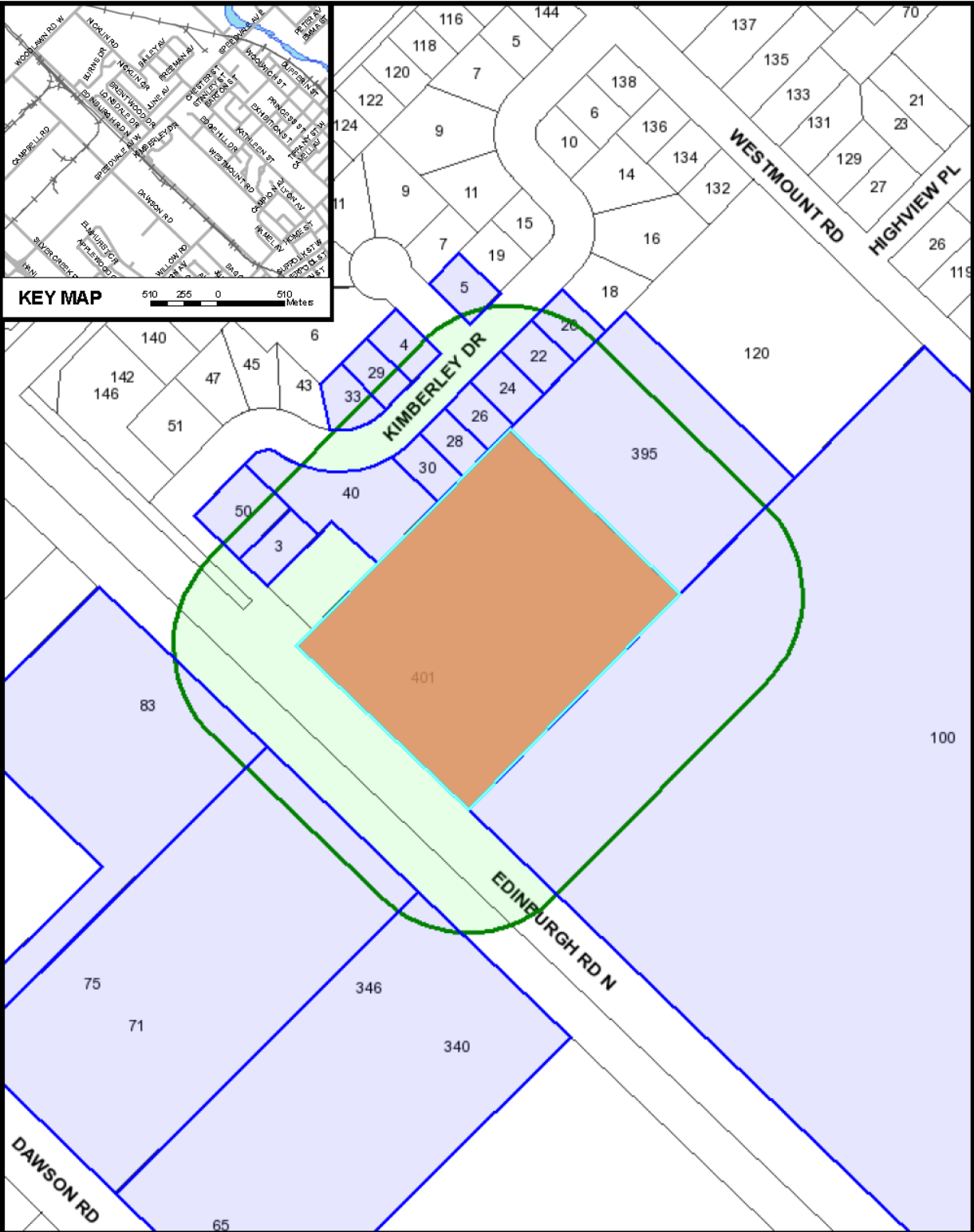
519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

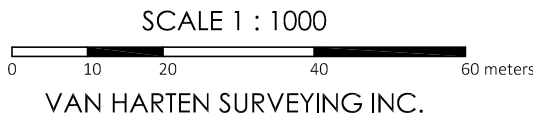
[guelph.ca/cofa](http://guelph.ca/cofa)

**Facsimile:** 519-763-1260

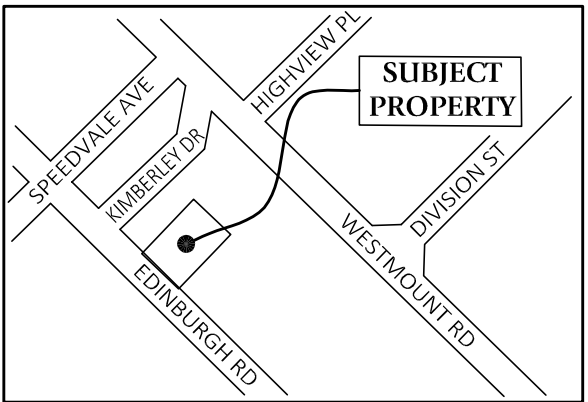




EASEMENT SKETCH  
PART OF LOTS 17 & 18  
REGISTERED PLAN 98  
CITY OF GUELPH  
COUNTY OF WELLINGTON



KEYMAP



NOTES:

1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
3. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED  
ON THE 6th DAY OF FEBRUARY 2020

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

www.vanharten.com

info@vanharten.com

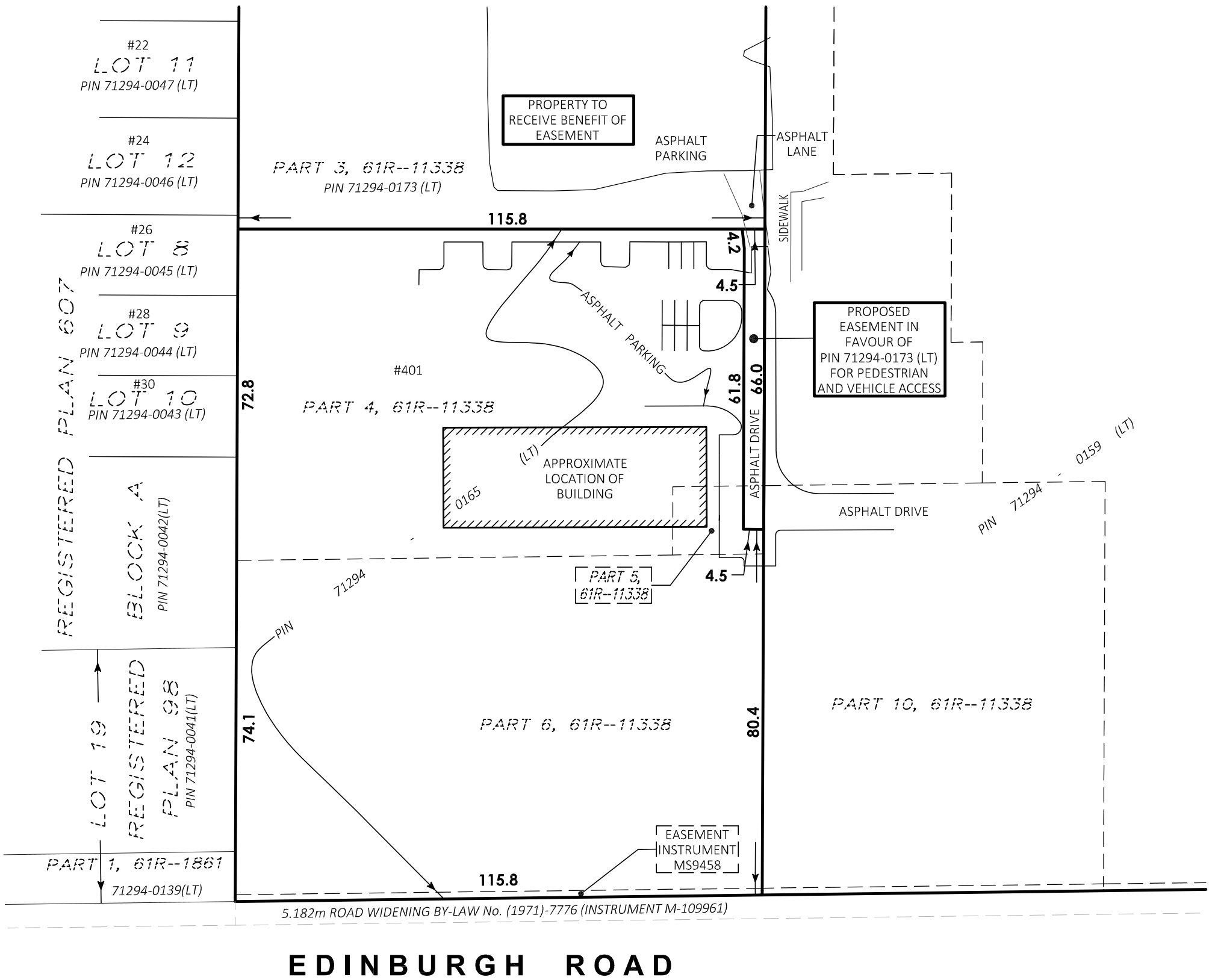
DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 25557-18

Feb 06, 2020 - 4: 27pm

G:\GUELPH\098\StJoe\ACAD\SEV PTLOT17 18 (AMICO) UTM D.dwg





The contractor working from drawings not specifically marked 'For Construction' must assume full responsibility and bear costs for any corrections or damages resulting from their work.



18098	SP-2
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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: Feb 11, 2020	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>B-3/20</b>

## 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: 401 Edinburgh Road North, Guelph ON N1H 1L2

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

PT LTS 17 & 18 PL 98 PTS 4, 5, 6 & 7, 61R11338; S/T EASE MS9458 ON PT 7 61R11338 TOGETHER WITH AN EASEMENT OVER PT LTS 15, 16 & 17, PL 98 DES AS PTS 8, 10 & 11, 61R11338 AS IN WC287283 TOGETHER WITH AN EASEMENT OVER PT LTS 9, 10, 11, 12, 13 & 14, RANGE 4 DIV A AND PT LTS 15, 16 & 17, PL 98 DES AS PTS 8, 9, 10, 12 & 13, 61R11338 AS IN WC287283 TOGETHER WITH AN EASEMENT OVER PT LTS 15, 16 & 17, PL 98 DES AS PTS 8, 10 & 11, 61R11338 AS IN WC287283 CITY OF GUELPH

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

If yes, describe: Instrument MS9458 over Part 7, Plan 61R11338 and Instrument wc287283 over Parts 8,10 and 11, Plan 61R11338

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

If yes, explain: tbd.

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

Name: St. Joseph's Housing Corporation Inc. Guelph

Mailing Address: 100 Westmount Road, Guelph ON N1H 5H8

City: Guelph Postal Code: N1H 5H8

Home Phone: Work Phone: (519) 824-6000

Fax: Email:

### AGENT INFORMATION (If Any)

Name: Cindy Prince - Vice President of Development and Zach Woloschuk, Development Project Manager

Company: Amico Properties Inc.

Mailing Address: 2199 Blackacre Drive

City: Oldcastle ON Postal Code: N0R 1L0

Home Phone: Work Phone: (519) 737-1577

Fax: Email: cprince@triamico.com

**PURPOSE OF APPLICATION** (please check appropriate space):

### [ ] Creation of a New Lot

**[ x ] Easement**

☐ Right-of-Way

**[ ] Charge / Discharge**

[ ] **Correction of Title**

**[ 1 Lease**

☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)

☐ Other: Explain

2729181 Ontario Limited in Trust for St. Josephs Housing Corporation Inc. Guelph

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

**DESCRIPTION OF LAND INTENDED TO BE SEVERED** (Easement)

Frontage / Width: (m) 66.0m	Depth (m) 4.5m	Area: (m²) 297m²	Existing Use: Access	Proposed Use: Shared Access
Existing Buildings/Structures: Access Driveway			Proposed Buildings / Structures: Shared Access Driveway	
Use of Existing Buildings/Structures (specify): Access driveway to surface parking lot			Proposed Use of Buildings/Structures (specify): Shared access driveway to surface parking lot and future surface parking lot of adjacent development	
<b>DESCRIPTION OF LAND INTENDED TO BE RETAINED</b>				
Frontage / Width: (m) 115.8m	Depth (m) 72.8m	Area: (m²) 8,133m²	Existing Use: Apartment Residential	Proposed Use: Apartment Residential (same)
Existing Buildings/Structures: 6 Storey Apartment			Proposed Buildings / Structures: 6 Storey Apartment (same)	
Use of Existing Buildings/Structures (specify): Senior's Residence			Proposed Use of Buildings/Structures (specify): Seniors Residence (same)	

### 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) \_\_\_\_\_

### 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)



Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <span style="margin-left: 100px;"><input type="checkbox"/> Yes</span>	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <span style="margin-left: 100px;"><input type="checkbox"/> Yes</span>
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**LAND USE**

**What is the current official plan designation of the subject lands:** Major Institutional

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**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 existent apartment building is in conformity with the goals and policies of the City of Guelph's Official Plan. No amendments are required to support this application for Consent of an Easement to service the adjacent development proposal at 395 Edinburgh Road.

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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:**  
(1.3-3) Health and Social Services Zone with Exception

**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:

This application for consent as described in subsection 50(1) of the Planning Act is consistent with the Government of Ontario's land use vision for the Province of Ontario as outlined within the Provincial Policy Statement issued under subsection 3(1) of the Planning Act.

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

Provide explanation:

This application for Consent supports a demand in the local market for an increased number and a wider variety of housing types in the City of Guelph which has been identified as an Urban Growth Centre as per Schedule 4 of the Growth Plan for the Greater Golden Horseshoe, May 2019. This application is in conformity with the vision outlined within the Growth Plan for the Greater Golden Horseshoe, May 2019.

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**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:

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**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.: Unknown Status: granted.

- 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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- 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:

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**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"/>	n/a
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	n/a

**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](mailto: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, Cindy Prince, of the City/Town of Harrow in County/Regional Municipality of Essex, 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

Town of Tecumseh in the County/Regional Municipality of  
 (city or town)  
Essex this 10th day of February, 20 20.

  
 \_\_\_\_\_  
 Commissioner of Oaths

**Jeffrey David Bolton, a  
 Commissioner, etc., Province of Ontario,  
 for Arden Development LP and its subsidiaries,  
 associated companies, and affiliates.  
 Expires August 30, 2021.**

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

St. Joseph's Housing Corporation Inc. Guelph

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

being the registered property owner(s) of

PT LTS 17 & 18 PL 98 PTS 4, 5, 6 & 7, 61R11338;

(Legal description and/or municipal address)

hereby authorize Amico Properties 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 10 day of Feb 2020

S. Ahmed

(Signature of the property owner)

M. Moraleda

(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.

# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-24/18



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, variances from the requirements of Sections 8.3.3.3.2.4, 8.3.3.3.2.5, 8.3.3.3.2.6, Table 5.4.2 Rows 9 and 12 of Zoning By-law (1995)-14864, as amended, for Part of Lots 17 and 18, Registered Plan 98, Part 3 of Plan 61R-11338,

- a) to permit a minimum side yard setback of 6 metres for the dwellings backing onto the left lot line (south side of subject properties) and 11 metres for the dwellings backing onto the right lot line (north side of subject properties), when the By-law requires a minimum side yard setback of:
  - i. 43 metres on the north side (Phase 1 building);
  - ii. 46 metres on the north side (Phase 2 building);
  - iii. 32 metres on the north side (Phase 3 building); and
  - iv. 3 metres on the south side;
- b) to permit a minimum distance between buildings with windows to habitable rooms of 10 metres, when the By-law requires a minimum distance between buildings with windows to habitable rooms of 15 metres (between Phase 2 building and Phase 3 building only);
- c) to permit a minimum of 28 dwelling units for Phase 1 and 20 dwelling units for Phase 2, when the By-law requires a minimum of 300 dwelling units for all three buildings;
- d) to permit a minimum rear yard of 3 metres, when the By-law requires a minimum rear yard equal to 20% of the lot depth or one-half the building height, whichever is greater, but in no case less than 7.5 metres; and
- e) to permit a minimum common amenity area of an amount not less than 25 square metres for dwelling unit for each unit up to 15, and for each additional unit, not less than 10 square metres of common amenity area shall be provided and aggregated into areas of not less than 50 square metres, when the By-law requires a minimum common amenity area of an amount not less than 30 square metres per dwelling unit for each unit up to 20, and for each additional dwelling unit, not less than 20 square metres of common amenity area shall be provided and aggregated into areas of not less than 50 square metres,

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

1. That Consent Applications B-4/18, B-5/18 and B-20/18 receive final certification of the Secretary-Treasurer and be registered on title.

# DECISION

**COMMITTEE OF ADJUSTMENT**  
**APPLICATION NUMBER A-24/18**

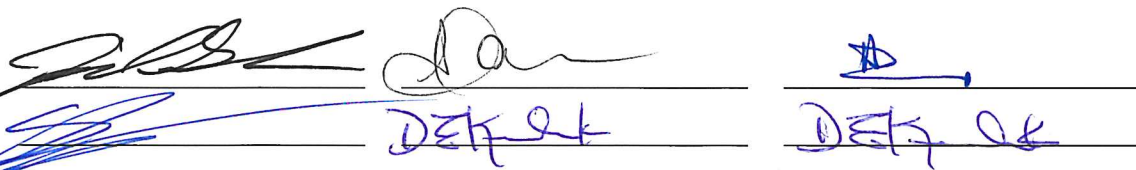
The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section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

**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.

**Members of Committee  
Concurring in this Decision**

  
\_\_\_\_\_

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 October 25, 2018.

**Dated:** October 30, 2018

**Signed:** 

**The last day on which a Notice  
of Appeal to the Local Planning  
Appeal Tribunal may be filed is  
November 14, 2018.**

**Committee of Adjustment**

T 519-822-1260 x2524  
F 519-763-1269  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)

# DECISION

## COMMITTEE OF ADJUSTMENT

### APPLICATION NUMBERS B-4/18 & B-20/18



The Committee, having had regard to the matters under Section 51(17) 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 property 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, c.P13, as amended, consent for severance of Part of Lots 17 and 18, Registered Plan 98, Part 3 of Plan 61R-11338, a parcel with a width of 115.8 metres, a depth of 16.5 metres, and an area of 1,911 metres, as a lot addition to the abutting property known as 120 Westmount Road (Part of Lots 17 and 18, Registered Plan 98, Parts 1 and 2 of Plan 61R-11338), substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated February 8, 2018 and updated on September 10, 2018, project number 25557-18,

AND

THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent to create a 205 square metre easement for servicing and right of way for pedestrian and vehicle access over Part of Lots 17 and 18, Registered Plan 98, Part 3 of Plan 61R-11338 along the location of the proposed sidewalk in favour of 120 Westmount Road (Part of Lots 17 and 18, Registered Plan 98, Parts 1 and 2 of Plan 61R-11338), substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated February 8, 2018 and updated on September 10, 2018, project number 25557-18,

be **APPROVED**, subject to the following conditions:

1. That prior to site plan approval and prior to undertaking activities which may injure or destroy regulated trees (whichever occurs first), the applicant shall prepare and submit a Tree Inventory and Preservation Plan (TIPP) in accordance with the City's Private Tree Protection By-law (2010-19058) to the satisfaction of the General Manager of Planning, Urban Design and Building Services.
2. That prior to the issuance of building permits or site alteration permits (whichever occurs first) and prior to undertaking activities which may injure or destroy regulated trees, the applicant shall erect tree protection fencing at one (1) metre from the dripline of any existing trees to be retained on the property, or on adjacent properties, which may be impacted in accordance with the approved TIPP and to satisfaction of the General Manager of Planning, Urban Design and Building Services.
3. That the applicant shall contact the City for an inspection(s) of the tree protection fence prior to any work commencing on the property.
4. That prior to issuance of the Certificate of Official, the owner provide a blanket easement for existing buried facilities to the satisfaction of Bell Canada.
5. 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.
6. 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.
7. 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](mailto:cofa@guelph.ca)).



# DECISION

## COMMITTEE OF ADJUSTMENT

### APPLICATION NUMBERS B-4/18 & B-20/18

The Committee, having had regard to the matters under Section 51(17) 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 property and orderly development of the land, passed the following resolution:

8. 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. The Transfer documents for the severed parcel shall contain a statement to ensure 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 transaction with respect to the land described herein; and a statement that the severed parcel and the abutting lands to which this severed parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
9. 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.
10. 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:

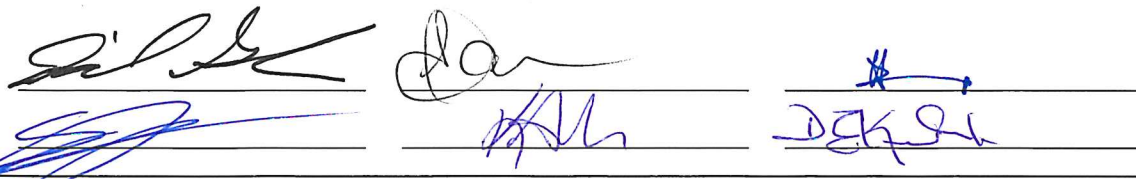
These applications are approved, as it is the opinion of the Committee that, with the above noted conditions of approval, these applications meet the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

Any and all written submissions relating to these applications that were made to the Committee of Adjustment before its decision and any and all oral submissions related to these applications 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.

**Important: Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one (1) year from the giving of the Notice of Decision to fulfill all of the above noted conditions. If the applicant has not fulfilled all of the conditions within this time period, the application shall thereupon be deemed to be refused.**

**Deadline to fulfill conditions: October 30, 2019**

Members of Committee  
Concurring in this Decision



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 October 25, 2018.

Dated: October 30, 2018

Signed:



**The last day on which a Notice  
of Appeal to the Local Planning  
Appeal Tribunal may be filed is  
November 19, 2018.**

**Committee of Adjustment**

T 519-822-1260 x2524  
F 519-763-1269  
E cofa@guelph.ca

# DECISION

## COMMITTEE OF ADJUSTMENT

### APPLICATION NUMBER B-5/18



The Committee, having had regard to the matters under Section 51(17) 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 property 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, c.P13, as amended, consent to create a 0.34 hectare easement for servicing and right of way for pedestrian and vehicle access over Part of Lots 17 and 18, Registered Plan 98, Parts 1 and 2 of Plan 61R-11338, currently known 120 Westmount Road, along the proposed private driveway and sidewalks in favour of the abutting property to the rear known as Part of Lots 17 and 18, Registered Plan 98, Part 3 of Plan 61R-11338, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated February 8, 2018 and updated on September 10, 2018, project number 25557-18, be **APPROVED**, subject to the following conditions:

1. That prior to site plan approval and prior to undertaking activities which may injure or destroy regulated trees (whichever occurs first), the applicant shall prepare and submit a Tree Inventory and Preservation Plan (TIPP) in accordance with the City's Private Tree Protection By-law (2010-19058) to the satisfaction of the General Manager of Planning, Urban Design and Building Services.
2. That prior to the issuance of building permits or site alteration permits (whichever occurs first) and prior to undertaking activities which may injure or destroy regulated trees, the applicant shall erect tree protection fencing at one (1) metre from the dripline of any existing trees to be retained on the property, or on adjacent properties, which may be impacted in accordance with the approved TIPP and to satisfaction of the General Manager of Planning, Urban Design and Building Services.
3. That the applicant shall contact the City for an inspection(s) of the tree protection fence prior to any work commencing on the property.
4. That prior to issuance of the Certificate of Official, the owner provide a blanket easement for existing buried facilities to the satisfaction of Bell Canada.
5. 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.
6. 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.
7. 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](mailto:cofa@guelph.ca)).
8. 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. The Transfer documents for the severed parcel shall contain a statement to ensure 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 transaction with respect to the land described herein; and a statement that the severed parcel and the abutting lands to which this severed parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.

# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-5/18

The Committee, having had regard to the matters under Section 51(17) 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 property and orderly development of the land, passed the following resolution:

9. 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.
10. 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:

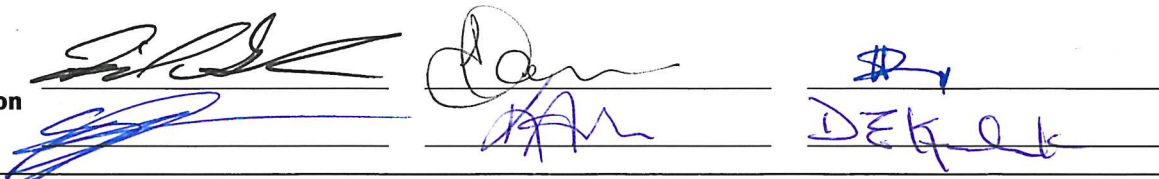
This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

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.

**Important: Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one (1) year from the giving of the Notice of Decision to fulfill all of the above noted conditions. If the applicant has not fulfilled all of the conditions within this time period, the application shall thereupon be deemed to be refused.**

**Deadline to fulfill conditions: October 30, 2019**

Members of Committee  
Concurring in this Decision



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 October 25, 2018.

Dated: October 30, 2018

Signed:



**The last day on which a Notice  
of Appeal to the Local Planning  
Appeal Tribunal may be filed is  
November 19, 2018.**

**Committee of Adjustment**

T 519-822-1260 x2524  
F 519-763-1269  
E cofa@guelph.ca



# Committee of Adjustment Notice of Public Hearing



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

## Application Details

### Location:

62 Metcalfe Street

### Proposal:

The applicant is proposing to sever a portion of 62 Metcalfe Street as a lot addition to the abutting vacant lot (148 Palmer Street). The enlarged vacant lot will then be merged with the abutting parcel (146 Palmer Street) to create a larger parcel.

### By-Law Requirements:

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

### Request:

The applicant proposes to sever a parcel of land to the side of 62 Metcalfe Street with frontage along Metcalfe Street of 4.4 metres and an area of 54 square metres, as a lot addition to the abutting property known as 148 Palmer Street. The retained parcel (62 Metcalfe Street) will have frontage along Metcalfe Street of 29.2 metres and an area of 1,020 square metres.

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## 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:	<b>Thursday, March 12, 2020</b>
Time:	<b>4:00 p.m.</b>
Location:	<b>Council Chambers, City Hall, 1 Carden Street</b>
Application Number:	<b>B-4/20</b>

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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 attend the public hearing to provide comments regarding the application. You may also submit your 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 **March 5, 2020 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.

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](mailto:privacy@guelph.ca) or 519-822-1260, extension 2349.

## Additional Information

Agendas and comments related to this application will be available online by visiting [guelph.ca/cofa](http://guelph.ca/cofa). Additional information related to this application may be obtained at City Hall 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 Local Planning Appeal Tribunal.

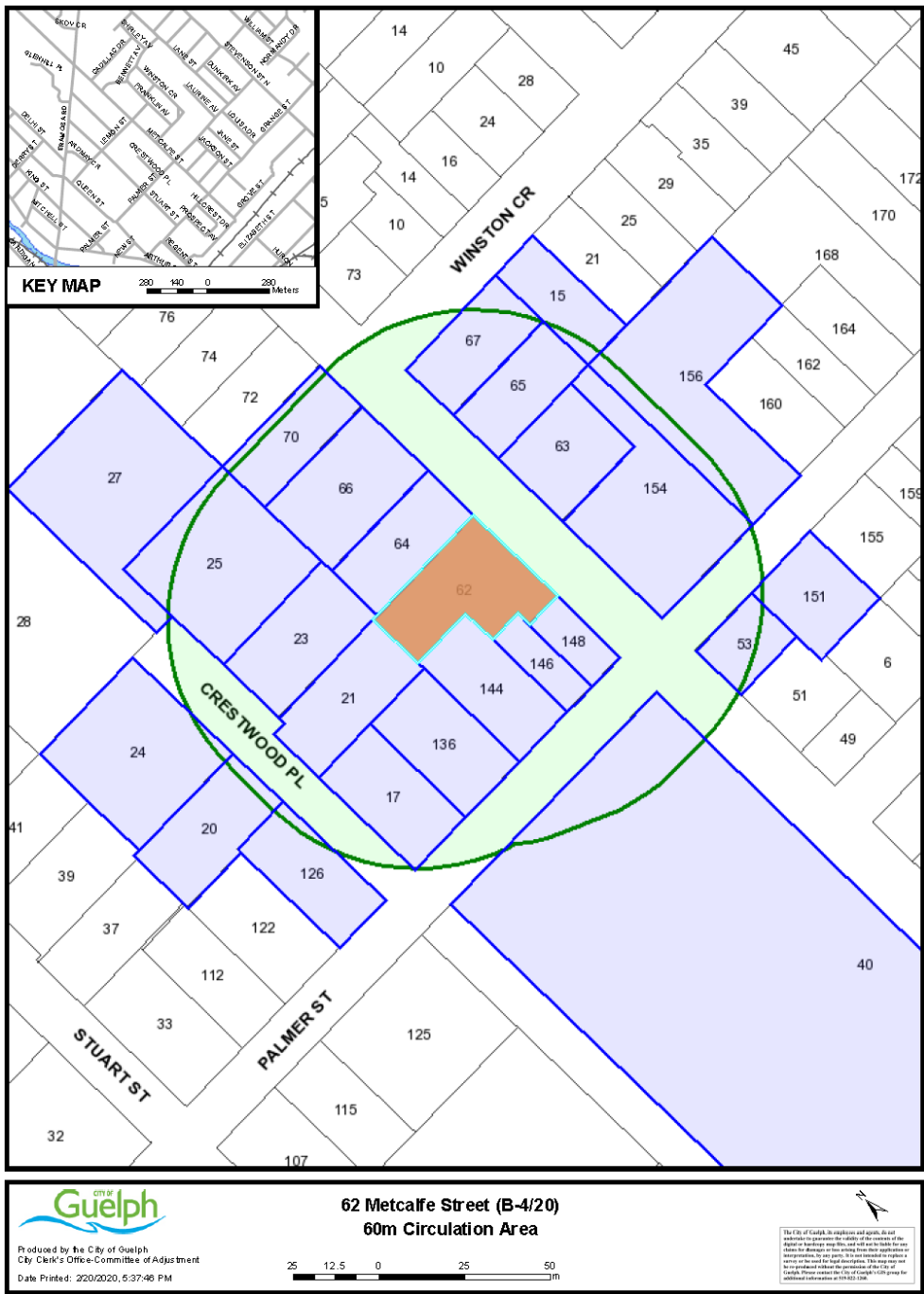
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent,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

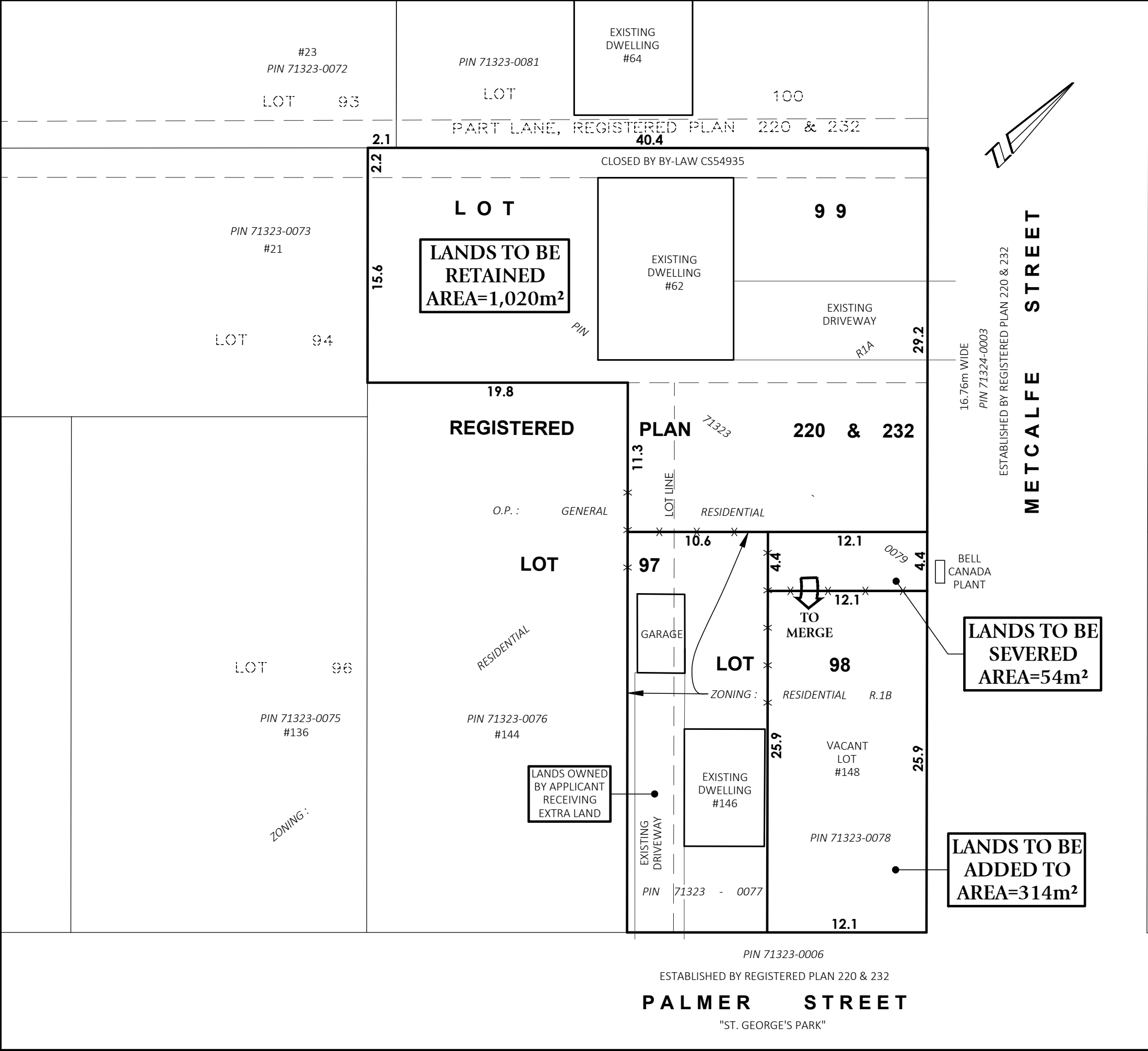
## Notice Details

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

## Contact Information

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1  
519-822-1260 Extension 2524 [cofa@guelph.ca](mailto:cofa@guelph.ca)  
TTY: 519-826-9771 [guelph.ca/cofa](http://guelph.ca/cofa)  
Facsimile: 519-763-1260





## SEVERANCE SKETCH

**ALL OF LOT 99,  
PART OF LOTS 97 & 98 AND  
PART LANE BETWEEN LOTS 99 & 100,  
(CLOSED BY BY-LAW CS54935 AS IN INSTRUMENT ROS397266)  
REGISTERED PLANS 220 & 232  
CITY OF GUELPH  
COUNTY OF WELLINGTON**

**SCALE 1 : 300**

**VAN HARTEN SURVEYING INC.**

KEYMAP:

NOTES:

- THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
- SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1A) & (R.1B).
- SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GENERAL RESIDENTIAL.
- DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

SURVEYOR'S CERTIFICATE:  
THIS SKETCH WAS PREPARED  
ON THE 11th DAY OF FEBRUARY, 2020

**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. 27920-20
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Feb 11, 2020-10:40:26 AM  
G:\GUELPH\232\ACAD\LLA LOT 97 98 (SMART) UTM.dwg

February 11, 2020

27920-20

Jeff.Buisman@vanharten.com

Committee of Adjustment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Ms. Trista Di Lullo

Dear Ms. Di Lullo:

**Re: Severance Application & Sketch**  
**62 Metcalfe Street & 148 Palmer Street**  
**All of Lot 99 and Part of Lots 97 & 98, Registered Plans 220 & 232**  
**PIN 71323-0079 & 71323-0078**  
**City of Guelph**

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the sketch, completed application form, the required deeds, PIN Report and Map, and a cheque to the City of Guelph for \$1,896.00 for the application fee.

**Proposal:**

The proposal is to sever a small portion of vacant land from #62 Metcalfe Street (PIN 71323-0079) and merge it with the vacant parcel to the south at #148 Palmer Street (PIN 71323-0078) for residential use. This will create more logical lot lines and increase the size of the parcel to make it more developable. The intention is to then merge the vacant parcel at #148 with the adjacent parcel to the west (#146 Palmer Street – owned by the same owner) to create a larger, more practical-sized parcel.

The severed parcel will have a frontage of 4.4 m along Metcalfe Street, depth of 12.1 m for an area of 54 m<sup>2</sup>. The land is vacant and contains some trees. The retained parcel will have a frontage of 29.2 m, depth of 40.4 m for an area of 1,020 m<sup>2</sup> where an existing dwelling will remain.

The “lands to be added to” is currently vacant and contains trees and bush. This proposal will allow the parcel to be the same depth as the adjacent property, allowing it to increase in size and creating a more logical lot pattern.

The zoning for the severed and retained parcel is Residential R.1A and the zoning for the lands to be added to is Residential R.1B. Both zones permit single-detached dwellings and the zoning requirements will be met for both the retained and merged parcels.

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

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[www.vanharten.com](http://www.vanharten.com)



This proposal is very practical and provides a great opportunity to create more logical lot lines and increase the area of the vacant parcel for residential purposes while adhering to the zoning requirements.

Please call me if you or the Planning Staff have any questions.

Very truly yours,  
Van Harten Surveying Inc.

**Jeffrey E. Buisman** B.E.S, B.Sc.  
*Ontario Land Surveyor*

cc Graeme Smart  
cc Linda and Kenneth Oldridge



# Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 11, 2020	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	B-4120

## 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: 62 Metcalfe Street, Guelph

Legal description of property (registered plan number and lot number or other legal description):  
Lot 99, Part of Lots 97 & 98, Reg'd Plan 220 & 232 and Part Lane between Lots 99 & 100, Reg'd Plan 220 & 232 (Closed by By-law CS54935)

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: Mortgage as in INST No. ROS605674 & ROS618575 with the National Trust located at 42 Wyndham Street N., Guelph

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

Name: Linda Joanne OLDRIDGE & Kenneth Alan OLDRIDGE

Mailing Address: 62 Metcalfe Street

City: Guelph

Postal Code: N1E 4X6

Home Phone: 519-820-5354

Work Phone:

Fax:

Email: oldridge@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:

Work Phone: 519-821-2763 ext. 225

Fax: 519-821-2770

Email: jeff.buisman@vanharten.com

**PURPOSE OF APPLICATION (please check appropriate space):**

- ☐ Creation of a New Lot                      ☐ Easement                      ☐ Right-of-Way  
☐ Charge / Discharge                      ☐ Correction of Title                      ☐ Lease  
☒ Addition to a Lot (submit deed for the lands to which the parcel will be added)                      ☐ Other: Explain

**To sever 54m<sup>2</sup> of vacant land from 62 Metcalfe Street (PIN 71323-0079) and merge it with the parcel to the south at 148 Palmer Street (PIN 71323-0078) for a minor boundary adjustment and continued residential use.**

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

**Graeme Smart**

DESCRIPTION OF LAND INTENDED TO BE SEVERED				
Frontage / Width: (m) <b>4.4m</b>	Depth (m) <b>12.1m</b>	Area: (m <sup>2</sup> ) <b>54m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>Vacant Land</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	
DESCRIPTION OF LAND INTENDED TO BE RETAINED				
Frontage / Width: (m) <b>29.2m</b>	Depth (m) <b>40.4m</b>	Area: (m <sup>2</sup> ) <b>1,020m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>No Change</b>
Existing Buildings/Structures: <b>Dwelling</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>Residential</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

TYPE OF ACCESS TO THE RETAINED LANDS	TYPE OF ACCESS TO THE SEVERED LANDS
<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify) <b>Proposed on Lands to be Added to</b>

TYPE OF WATER SUPPLY TO THE RETAINED LANDS	TYPE OF WATER SUPPLY TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify) <b>Proposed on Lands to be Added to</b>

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS	TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) <b>Proposed on Lands to be Added to</b>

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:  
General Residential

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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 General 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 which will create a more logical lot pattern. The application also follows the Consent Policies listed in Section 10.10.1 of the OP.

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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.1A

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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. This will create a more appropriate sized lot for future residential development.

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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 and will create a more logical lot pattern and more appropriate sized lot for future residential development which conforms with the Growth Plan.

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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:  
No

**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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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:

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**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](mailto: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.

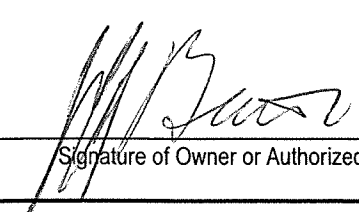
**POSTING OF ADVISORY SIGN**

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, 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 10 day of February, 20 20.

  
 \_\_\_\_\_  
 Commissioner of Oaths

James Michael Laws,  
 a Commissioner, etc.,  
 Province of Ontario,  
 for Van Harten Surveying Inc.  
 Expires May 11, 2021  
 (Official Stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

**Linda Joanne OLDRIDGE & Kenneth Alan OLDRIDGE**

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

being the registered property owner(s) of

**Lot 99, Part of Lots 97 & 98, Reg'd Plan 220 & 232 and Part Lane between Lots 99 & 100,  
Reg'd Plan 220 & 232 (Closed by By-law CS54935) / 62 Metcalfe Street**


(Legal description and/or municipal address)

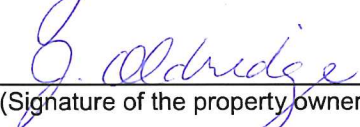
hereby authorize **Jeff Buisman of Van Harten Surveying Inc.**

(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 27<sup>th</sup> day of January, 2020.

  
(Signature of the property owner)

  
(Signature of the property owner)

### NOTES:

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

# DECISION

**Application Number**  
**A-120/98**

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

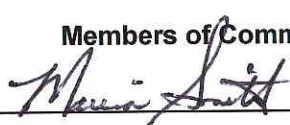
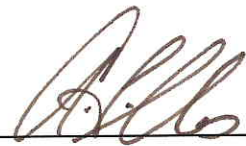
The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 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, variances from the requirements of Table 5.1.2. - Row 3, Row 4, Row 6, Row 7, Row 8 and Sections 5.1.2.6. and 5.1.2.7.(i) of Zoning By-law (1995)-14864, as amended, for 148 Palmer Street, to construct a detached dwelling, resulting in variances

- a) to permit a lot area of 315.83 square metres (3,399.71 square feet) when the By-law requires a minimum lot area of 460 square metres (4,951.56 square feet);
- b) to permit a left side yard of 0.9 metres (2.95 feet) when the By-law requires a minimum side yard of 1.5 metres (4.92 feet);
- c) to permit a front yard (along Palmer Street) of 6.05 metres (19.84 feet) and an exterior side yard (along Metcalfe Street) of 4.4 metres (14.43 feet) when the By-law requires that the minimum front or exterior side yard for dwellings located within Defined Area Map 66 shall be the average of the setback of the properties having lot frontage within the same City Block Face [7.28 metres (23.89 feet) along Palmer Street and 14.11 metres (46.32 feet) along Metcalfe Street; and
- d) to permit a rear yard of 6.4 metres (20.99 feet) when the By-law requires a minimum rear yard equal to 20% of the lot depth and in no case less than 7.5 metres (24.6 feet),

BE REFUSED.”

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 9, 1999.

Signed:



Dated on: March 12, 1999

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is March 29, 1999.