

Committee of Adjustment Meeting Agenda

Thursday, July 9, 2020, 4:00 p.m.

Remote meeting live streamed
on guelph.ca/live

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

City facilities are closed to the public in response to COVID-19. Committee of Adjustment hearings are being held electronically and can be live streamed at guelph.ca/live. For alternate meeting formats, please contact Committee of Adjustment staff.

The public is invited to comment by submitting written comments and/or speaking to an application listed on the agenda. Written comments can be submitted using the contact information listed below. Members of the public who wish to speak to an application are encouraged to contact Committee of Adjustment staff by noon on Thursday, July 9, 2020.

To contact Committee of Adjustment staff by email or phone:

cofa@guelph.ca (attachments must not exceed 20 MB)

519-822-1260 extension 2524

TTY 519-826-9771

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

1. Call to Order

1.1 Opening Remarks

1.2 Disclosure of Pecuniary Interest and General Nature Thereof

1.3 Approval of Minutes

1.4 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-22/20 455 Watson Parkway North

Owner: 2431901 Ontario Inc.

Agent: Joe Lakatos, A. J. Lakatos Planning Consultants

Request: Variance to permit reduced number of parking spaces for commercial uses, reduced waiting spaces for car wash, and location of outdoor patio

2.2 A-28/20 100 Fleming Road

Owner: Raymond Arsenio and Mary Grace Arsenio

Agent: N/A

Request: Side yard setback variance for proposed accessory structure (detached garage)

2.3 B-6/20, A-29/20, and A-30/20 25-27 Green Street

Owner: Roelfien Di Sapio

Agent: Hugh Handy, GSP Group Inc.

Requests: Consent to create new residential lot and variances to permit reduced lot area and front yard setbacks for the severed and retained parcels

3. Staff Announcements

4. Adjournment



Committee of Adjustment Minutes

Thursday, June 11, 2020, 4:00 p.m.
Remote meeting live streamed
on guelph.ca/live

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

Call to Order

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

Opening Remarks

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

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Approval of Minutes

Moved by D. Kendrick

Seconded by D. Gundrum

That the minutes from the May 28, 2020 Regular Hearing of the Committee of Adjustment, be approved as circulated.

Carried

Requests for Withdrawal or Deferral

A-10/20 739 Woolwich Street

Owner: 2448254 Ontario Inc.

Agent: Drew Gillingham, 536357 Ontario Ltd.

Location: 739 Woolwich Street

Secretary-Treasurer T. Di Lullo noted that D. Gillingham, agent for the application, had submitted a request that the application be deferred. The agent noted that the reason for the deferral is to continue discussions with the abutting property owners and the Executive Director of the Canadian Mental Health Association (CMHA) Waterloo Wellington.

Moved by J. Smith

Seconded by D. Gundrum

That application A-10/20 for 739 Woolwich Street, be **deferred** sine die, and in accordance with the Committee's policy on applications deferred sine die, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

Reasons:

This application is deferred at the request of the applicant to allow for additional time to complete consultations.

Carried

Current Applications

A-24/20 96 Oakdale Drive

Owner: University of Guelph

Agent: Scott Hannah, Reid's Heritage Homes Ltd.

Location: 96 Oakdale Drive

In Attendance: S. Hannah

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

S. Hannah indicated agreement with the condition recommended by staff as well as the condition recommended by member S. Dykstra.

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

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

Moved by 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, variances from the requirements of Sections 4.5.2.1. and 4.5.1.4 of Zoning By-law (1995)-14864, as amended, for 96 Oakdale Drive, to permit a maximum building height of 6.4 metres for the proposed accessory building, when the By-law requires that an accessory building or structure shall not exceed 3.6 metres in height; and a maximum gross floor area of 200 square metres for a proposed accessory building, when the By-law requires that the total ground floor area of all accessory buildings or structures shall not exceed 70 square metres, be **approved**, subject to the following conditions:

1. That prior to the issuance of a building permit, the owner(s) agrees to provide and obtain approval from the City's Engineering Department to the satisfaction of the General Manager/City Engineer on the following documents:
 - a. Stormwater Management Report (Brief);
 - b. Grading Plan; and
 - c. Erosion and Sediment Control Plan.

2. That the accessory building use be limited to maintenance and storage of landscaping equipment and staff day use.

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-25/20 67 Kirkby Court

Owner: MacKinnon Holdings Ltd.

Agent: Vivian Patel, Jones Lang LaSalle

Location: 67 Kirkby Court

In Attendance: V. Patel, P. McKenna

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from M. Cotroneo, with concerns about the application, and from A. Ben Daya, in support of the application. Copies of this correspondence was provided to the members, the applicant 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. V. Patel, agent, responded that the sign was posted and comments were received. V. Patel also explained the general purpose of the application and the economic impacts surrounding this application.

P. McKenna, representative from Jones Lang LaSalle, provided comments regarding the history of the property and the need for a building size as requested on the application.

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

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general

intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by 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 7.3.5.1 of Zoning By-law (1995)-14864, as amended, for 67 Kirkby Court, to permit a minimum building size of 0.61 percent of the lot area, when the By-law requires a minimum building size of 15 percent of the lot area for lots between 3 to 10 acres, be **refused**.

Reasons:

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

Carried

A-26/20 49 Lynwood Avenue

Owner: Vahid Tabatabaei-Khorasgani

Agent: S. Hamid Tabatabaei-Khorasgani

Location: 49 Lynwood Avenue

In Attendance: V. Tabatabaei-Khorasgan

Secretary-Treasurer T. Di Lullo noted that correspondence was received after the comment deadline from M. Stone, with concerns about the application. A copy of this correspondence was provided to the members, the applicant 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. V. Tabatabaei-Khorasgan, owner, responded that the sign was posted and comments were received.

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

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained,

and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by D. Gundrum

Seconded by J. Smith

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, for 49 Lynwood Avenue, to permit a an accessory apartment size of 86 square metres, or 39 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

A-27/20 120 Kathleen Street

Owner: Robert William Green

Agent: Nicolas Spaling

Location: 120 Kathleen Avenue

In Attendance: N. Spaling

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

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

Having considered whether or not the variance(s) requested are minor and desirable for the appropriate development and use of the land and that the general

intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended,

Moved by J. Smith

Seconded by D. Kendrick

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 Row 7 of Zoning By-law (1995)-14864, as amended, for 120 Kathleen Street, to permit a to permit a minimum left side yard setback of 0.65 metres for the proposed attached garage and addition to the existing dwelling, when the By-law requires a minimum side yard setback of 1.5 metres, be **approved**, subject to the following condition:

1. That the side yard setback of 0.65 metres apply only to the proposed garage addition on the left (south-east) side of the property as shown on the revised sketch dated June 4, 2020.

Reasons:

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

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Carried

B-5/20 and A-23/20 14 Winston Crescent

Owner: Marie-Jose van der Zande and Alberdina Bouwmeester

Agent: Jeff Buisman, Van Harten Surveying Inc.

Location: 14 Winston Crescent

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. Busiman explained the purpose of the consent application and the need for a minor variance.

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

B-5/20 14 Winston Crescent

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

Moved by L. Janis

Seconded by D. Kendrick

That in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of the rear of Part of Block B, Part of Lot 15, Registered Plan 405, currently known as 14 Winston Crescent, a parcel with an area of 97 square metres, as a lot addition to 75 Metcalfe Street, Division F, Part of Lot 1 E/S Eramosa Road, Registered Plan 405, Part of Block B, Part 3 of Reference Plan 61R-5520, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated March 31, 2020, project number 27937-20, be **approved**, subject to the following conditions:

1. That Minor Variance application A-23/20 is approved at the same time as the consent application and become final and binding.
2. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the issuance of the Certificate of Official.
3. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to the issuance of the Certificate of Official, that he/she will provide a copy of the registered instrument as registered in the Land Registry Office within two years of issuance of the Certificate of Official, or prior to the issuance of a building permit (if applicable), whichever occurs first.
4. That prior to the issuance of the Certificate of Official, a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the deposited Reference Plan

(version ACAD 2010) which can be forwarded by email (cofa@guelph.ca).

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

Reasons:

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

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Carried

A-23/20 14 Winston Crescent

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 L. Janis

Seconded by D. Kendrick

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 Row 3 of Zoning By-law (1995)-14864, as amended, for 14 Winston Crescent, to permit a minimum lot area of 300 square metres, when the By-law requires that the minimum lot area in a Residential Single Detached (R.1B) Zone be 460 square metres, be **approved**, subject to the following condition:

1. That Consent Application B-5/20 receives final certification of the Secretary-Treasurer and be registered on title.

Reasons:

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

Any and all written submissions relating to this application that were made to the committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Carried

Staff Announcements

There were no announcements.

Adjournment

Moved by J. Smith

Seconded by D. Gundrum

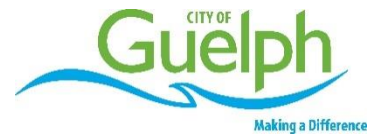
That this hearing of the Committee of Adjustment be adjourned at 5:40 p.m.

Carried

K. Ash, Chair

T. Di Lullo, Secretary-Treasurer

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

455 Watson Parkway North

Proposal:

The applicant is proposing to develop the vacant site and construct a vehicle gas bar, convenience store, automatic carwash (single bay), retail establishment, and restaurant with an outdoor patio and drive-through. A total of 88 off-street parking spaces are required for all the proposed uses on the property. This property is currently subject to an application for site plan approval (File SP19-047).

By-Law Requirements:

The property is located in the Service Commercial (SC.1) Zone. Variances from Sections 4.13.4.1, 4.13.4.2 and 4.17.2.1 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) 1 parking space per 16.5 square metres of gross floor area for a service commercial mall (convenience store, retail establishment, and vehicle gas bar) and 1 parking space per 7.5 square metres of gross floor area for a restaurant [total of 83 parking spaces required for the convenience store, retail establishment, vehicle gas bar and restaurant];
- b) 5 parking spaces plus 15 waiting spaces per bay for an automatic car wash; and
- c) that no outdoor patio shall be permitted where more than 1 lot line adjoins lands which are in a residential zone.

Request:

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

- a) a minimum of 79 parking spaces for the proposed vehicle gas bar, convenience store, automatic carwash, retail establishment, and fast food restaurant uses;
- b) a minimum of 10 waiting spaces for the proposed single bay automatic carwash; and
- c) to permit an outdoor patio on a property where two lot lines adjoin lands in a residential zone.

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, July 9, 2020**

Time: **4:00 p.m.**

Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**

Application Number: **A-22/20**

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

Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are

providing comments on, as well as any other relevant information in your submission. Written comments received by **July 2, 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.

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

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

Additional Information

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

Notice of the Decision

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

Notice Details

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated June 19, 2020.

Contact Information

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

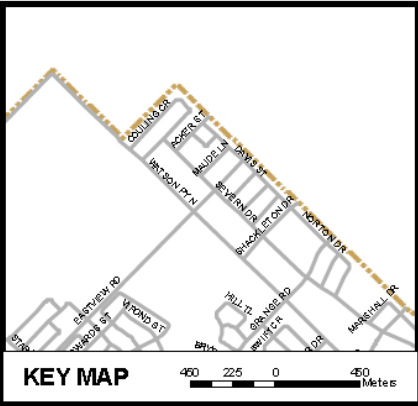
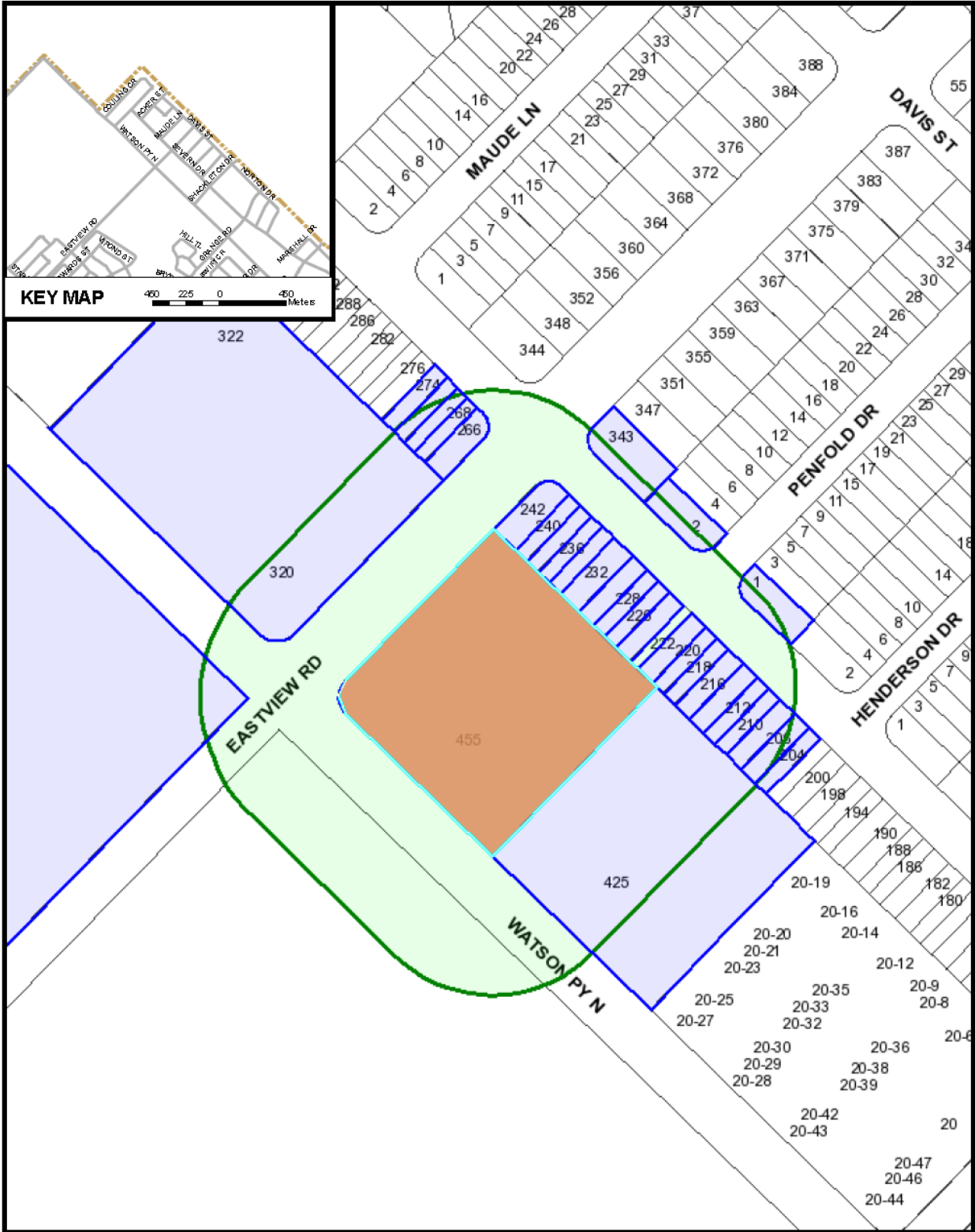
Due to the closure of City Hall, written comments can be mailed or dropped off in the mail slot located by the main entrance of City Hall

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa

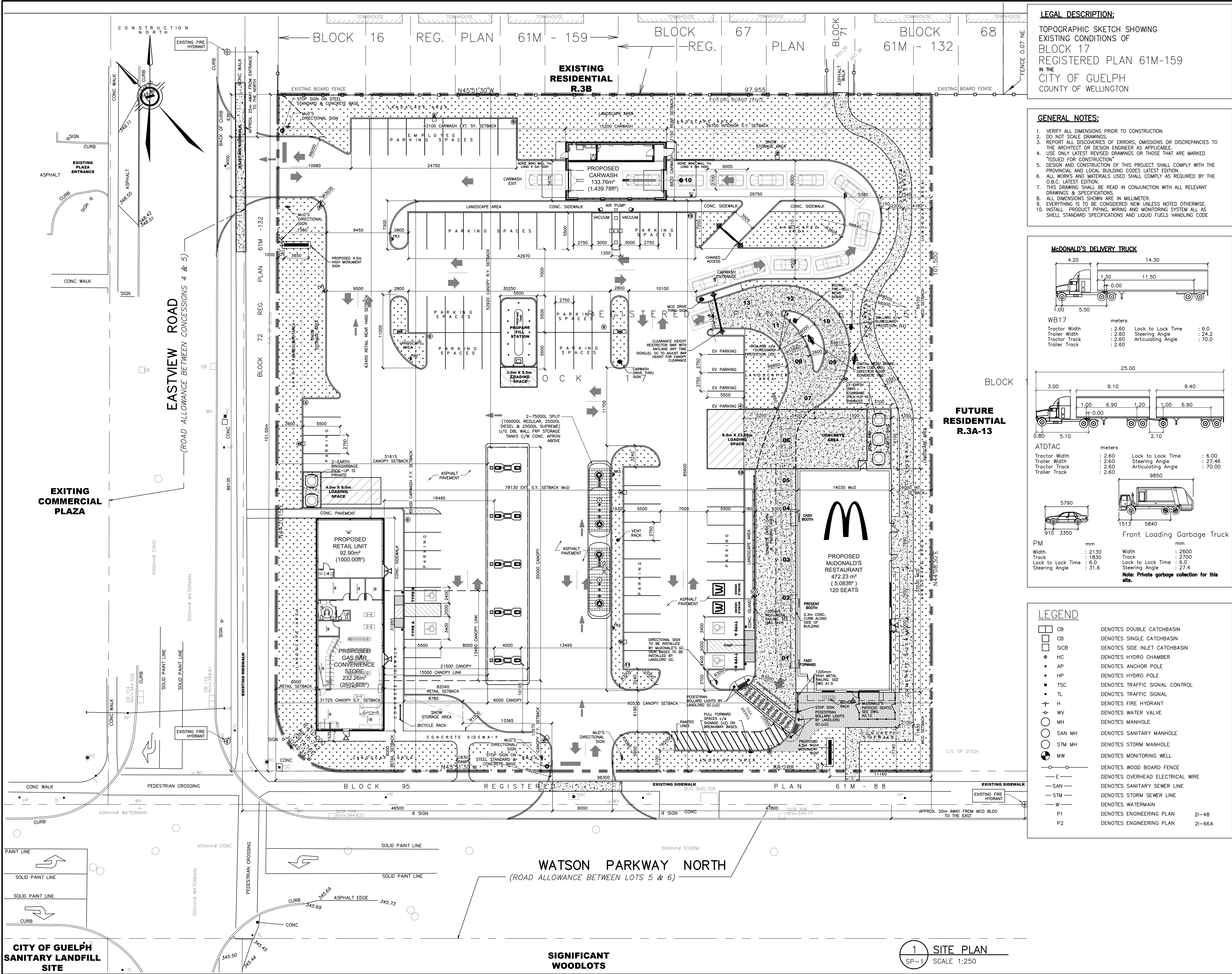


Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 4/6/2020, 3:31:17 PM

455 Watson Parkway North (A-22/20)
60m Circulation Area

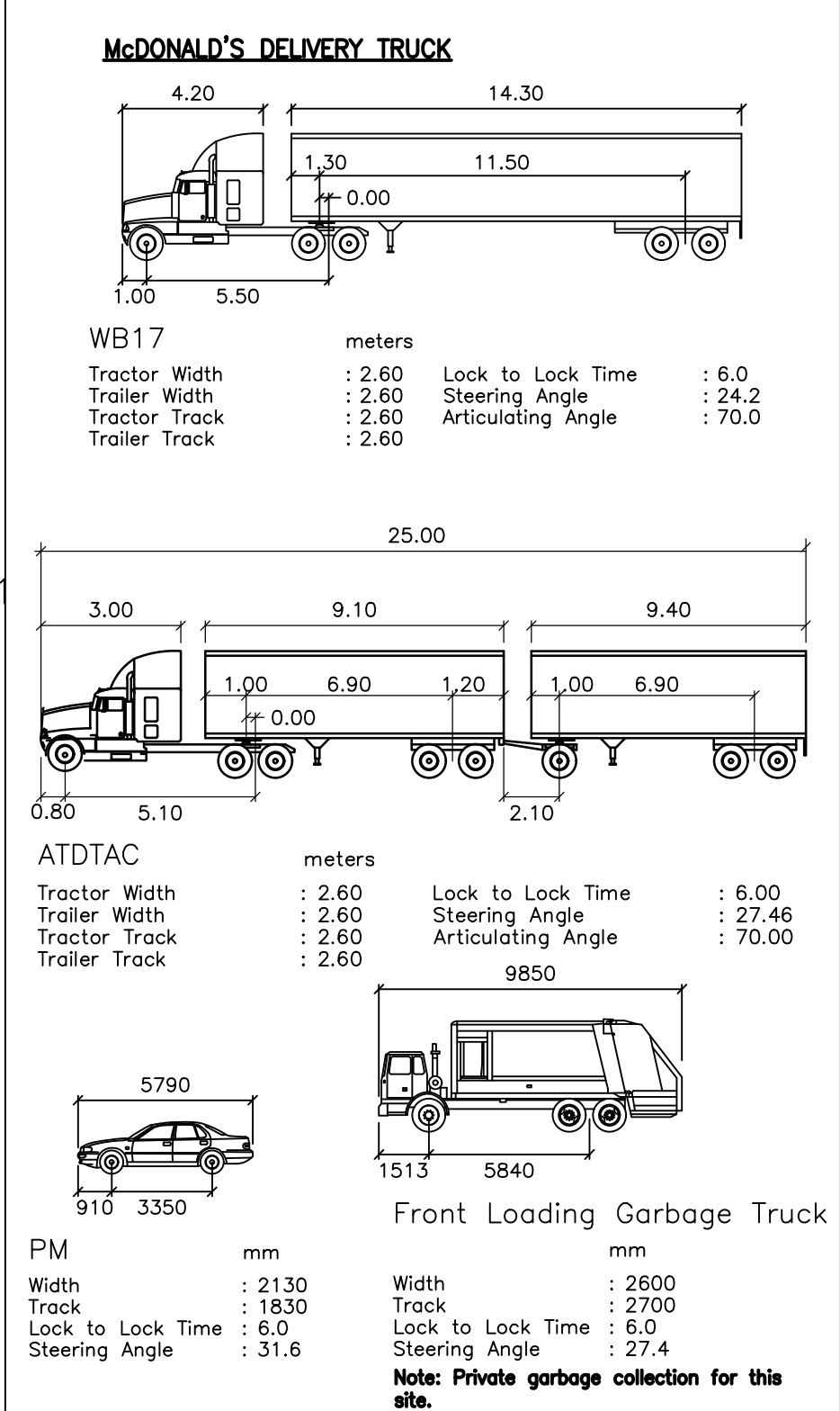


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LEGAL DESCRIPTION:
TOPOGRAPHIC SKETCH SHOWING
EXISTING CONDITIONS OF
BLOCK 17
REGISTERED PLAN 61M-159
IN THE
CITY OF GUELPH
COUNTY OF WELLINGTON

- GENERAL NOTES:**
1. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
 2. DO NOT SCALE DRAWINGS.
 3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER AS APPLICABLE.
 4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE MARKED "ISSUED FOR CONSTRUCTION".
 5. DESIGN AND CONSTRUCTION OF THIS PROJECT SHALL COMPLY WITH THE PROVINCIAL AND LOCAL BUILDING CODES LATEST EDITION.
 6. ALL WORKS AND MATERIALS USED SHALL COMPLY AS REQUIRED BY THE O.B.C. LATEST EDITION.
 7. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT DRAWINGS & SPECIFICATIONS.
 8. ALL DIMENSIONS SHOWN ARE IN MILLIMETER.
 9. EVERYTHING IS TO BE CONSIDERED NEW UNLESS NOTED OTHERWISE.
 10. INSTALL PRODUCT PIPING, WIRING AND MONITORING SYSTEM ALL AS SHELL STANDARD SPECIFICATIONS AND LIQUID FUELS HANDLING CODE



LEGEND

CB	DENOTES DOUBLE CATCHBASIN
CB	DENOTES SINGLE CATCHBASIN
SICB	DENOTES SIDE INLET CATCHBASIN
HC	DENOTES HYDRO CHAMBER
AP	DENOTES ANCHOR POLE
HP	DENOTES HYDRO POLE
TSC	DENOTES TRAFFIC SIGNAL CONTROL
TL	DENOTES TRAFFIC SIGNAL
H	DENOTES FIRE HYDRANT
WV	DENOTES WATER VALVE
MH	DENOTES MANHOLE
SAN MH	DENOTES SANITARY MANHOLE
STM MH	DENOTES STORM MANHOLE
MW	DENOTES MONITORING WELL
—E—	DENOTES WOOD BOARD FENCE
—SAN—	DENOTES OVERHEAD ELECTRICAL WIRE
—STM—	DENOTES SANITARY SEWER LINE
—W—	DENOTES STORM SEWER LINE
P1	DENOTES WATERMAIN
P2	DENOTES ENGINEERING PLAN



KEY PLAN

ZONING CATEGORY:	PROVIDED	BY-LAW REQUIREMENT
SERVICE COMMERCIAL (SC.1)		
TOTAL DEVELOPMENT LOT AREA	±9938.51m² (2.456ac)	1000.00 m²
LOT FRONTAGE	88.27m	30.00 m
LOT DEPTH	101.500m	N/A
BUILDING AREA		
C-STORE/RETAIL	325.16 m²	N/A
MCD/QSR	472.23 m²	N/A
CAR WASH	133.76 m²	N/A
CANOPY	419.08 m²	N/A
LOT COVERAGE		
TOTAL (SQ.M)	931.15 m²	N/A
TOTAL (%)	9.37%	N/A
FRONT YARD SETBACK (WATSON PARKWAY N)		
CANOPY	13.57m	15.00 m
C-STORE/RETAIL	6.00m	6.00 m
CARWASH	85.60m	15.00 m
EXTERIOR SIDE YARD SETBACK (EASTVIEW ROAD)		
MCD/QSR	78.13m	6.00 m
C-STORE/RETAIL	6.00m	6.00 m
CANOPY	31.73m	1.50 m
CARWASH	43.10m	15.00 m
SIDE YARD SETBACK (ABUTTING RESIDENTIAL)		
MCD/QSR	6.00m	3.00 m
C-STORE/RETAIL	82.04m	
CANOPY	60.54m	
CARWASH	39.70m	
REAR YARD SETBACK (ABUTTING RESIDENTIAL)		
MCD/QSR	56.15m	one half building height but not less than 6.00m
C-STORE/RETAIL	63.46m	
CANOPY	52.30m	15.0 m
CAR WASH	7.15m	15.0 m
HEIGHT		
MCD/QSR	6.0m-7.50m	3 storey's
C-STORE/RETAIL	6.50-7.25m	
CANOPY	6.50m	
CARWASH	6.50m	
LANDSCAPING 18' OUT OF LOT AREA AFTER ROAD WIDENING		
AREA (SQ.M)	2250.64 m²	10% = m²
AREA (%)	22.65%	10%
PARKING SPACES	79 incl. B/F	5
PARKING STALL DIMENSIONS	2.75m x 5.5m	5
B/F PARKING SPACES	4	5
B/F PARKING STALL DIMENSIONS		
TYPE A	3.4m x 5.5m	3.4m x 5.5m
TYPE B	2.4m x 5.5m	2.4m x 5.5m
ACCESSIBLE	1.5m	1.5m
LOADING AREA DIMENSIONS	4.0m x 9.0m / 8.9m x 23.65	4.0m x 9.0m
ENTRANCE AND EXIT WIDTHS	9.0m	9.0m

SITE STATISTICS

No.	DATE	REVISIONS	INITIAL	CHECKED
17	MAR.25.20	REV'D & RE-ISSUED FOR VARIANCE SUBMISSION	WT	WAM
16	MAR.02.20	REV'D & ISSUED FOR CLIENT REVIEW	WT	WAM
16	DEC.16.19	REV'D & ISSUED FOR SPA 1ST SUBMISSION	WT	WAM
15	OCT.29.19	REV'D & RE-ISSUED FOR REVIEW	WT	WAM
14	AUG.20.19	REV'D & RE-ISSUED FOR REVIEW	WT	WAM
13	MAY.28.19	REV'D AS PER IBI/MCD & ISSUED FOR SPA	WT	WAM
12	MAY.21.19	REV'D & RE-ISSUED FOR SPA	WT	WAM
11	APR.15.19	REV'D AS PER CLIENT COMMENTS & RE-ISSUED	WT	WAM
10	NOV.30.18	REV'D AS PER MCD & IBI - RE-ISSUED	RS	WAM
9	NOV.07.18	REV'D AS PER MCD COMMENTS & RE-ISSUED	EA	WAM
8	OCT.17.18	REVISED & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
7	OCT.15.18	REVISED & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
6	OCT.10.18	REVISED & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
5	OCT.09.18	REVISED & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
4	MAR.08.18	REVISED & RE-ISSUED FOR CLIENT REVIEW	HA	WAM
3	JAN.19.17	REVISED AS PER CLIENT COMMENTS	TL	WAM
2	DEC.08.17	REVISED AS PER CLIENT COMMENTS	AA	WAM
1	DEC.05.17	ISSUED FOR CLIENT REVIEW	AA	WAM

GAMA Engineering Inc.
8611 Weston Road, Suite 35B - Vaughan, Ontario - L4L 9P1
Tel: 905-264-9295
www.gamaengineeringinc.com

CLIENT/OWNER:
MAURAN VIGNARAJAH
145 SPEEDVALE AVENUE WEST,
GUELPH, ONTARIO, N1K 1K5

CITY FILE NO. SP19-047

PROJECT/ADDRESS:
C- STORE/QSR, GAS BAR & CAR WASH
455 WATSON PARKWAY NORTH,
GUELPH, ONTARIO

TITLE:
PROPOSED SITE PLAN

DESIGN:	AM	DWN BY:	AA	DRAWING No.
SCALE:	AS NOTED	DWG. FILE:	1764-SP-1	SP-1
DATE:	DEC.01.17	PROJ. No.	1764	

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: April 1, 2020	Folder #: A-22/20
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐
SP19-047

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: 455 WATSON PARKWAY NORTH

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

BLOCK 17, REGISTERED PLAN 61M-159

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

Name: 2431901 ONTARIO INC. c/o MRS. JELVALALITHA
Mailing Address: 4889 TOWNLINE ROAD NORTH VIGNARAJAH
City: CAMBRIDGE Postal Code: N3C 2Y3
Home Phone: 519-404-2162 Work Phone: N/A
Fax: N/A Email: vignarajah.m@gmail.com

AGENT INFORMATION (If Any)

Company: AJ LAKATOS PLANNING CONSULTANT
Name: MR. JOE LAKATOS
Mailing Address: 47 HARCOURT DRIVE
City: GUELPH Postal Code: N1G 1J8
Work Phone: 519-822-2272 Mobile Phone: 519-829-0153
Fax: N/A Email: j.lakatos@andrewjakatos.com

Official Plan Designation: <u>SERVICE COMMERCIAL</u>	Current Zoning Designation: <u>SC.1 SERVICE COMMERCIAL</u>
--	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): SEE ATTACHED LETTER DATED MARCH 10, 2020.

1. To permit 79 parking spaces for the overall development notwithstanding Section 4.13.4.1 of Zoning By-law (1995) - 14864 requires 88 parking spaces.
2. To permit 10 waiting spaces for the carwash use notwithstanding Section 4.13.4.2 of Zoning By-law (1995) - 14864 requires 15 waiting spaces.
3. To permit an outdoor patio associated with the McDonalds restaurant notwithstanding Section 4.17.2.1 of Zoning By-law (1995) - 14864 states that an outdoor patio is not permitted where more than 1 lot line adjoins lands which are in a residential zone.

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

• NECESSARY TO FACILITATE THE DEVELOPMENT AS PER SITE PLAN APPLICATION SP19-047. SEE ATTACHED LETTER & PLAN.

PROPERTY INFORMATION			
Date property was purchased:	<u>MAY 24, 2018</u>	Date property was first built on:	<u>VACANT LAND</u>
Date of proposed construction on property:	<u>FALL 2020</u>	Length of time the existing uses of the subject property have continued:	<u>N/A</u>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): <u>VACANT LAND</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <u>GAS BAR, AUTOMATIC CARWASH, RETAIL STORE, RESTAURANT W PATIO</u>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <u>88.27 M</u>	Depth: <u>101.50 M</u>	Area: <u>9938.51 M² (2.456K)</u>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS) <i>N/A</i>			PROPOSED - <i>SEE ATTACHED SITE PLAN</i>		
Main Building			Main Building		
Gross Floor Area:			Gross Floor Area:	<i>6-STORE / MCDONALD'S / CARWASH</i> <i>325.16 M² / 472.23 M² / 133.76 M²</i>	
Height of building:			Height of building:	<i>7.5 M MAX.</i>	
Garage/Carport (if applicable)			Garage/Carport (if applicable) <i>N/A</i>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck) <i>PROPANE FILLING STATION</i>		
Describe details, including height:			Describe details, including height: <i>SEE SITE PLAN SUBMITTED WITH SITE PLAN APPLICATION SP19-047 - SEE ATTACHED</i>		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING <i>N/A</i>			PROPOSED - <i>SEE ATTACHED SITE PLAN</i>		
Front Yard Setback:			M	Front Yard Setback:	<i>6.0 M MIN.</i> M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	<i>6.0 M MIN.</i> M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: <i>N/A</i> Right: <i>6.0 M MIN.</i> M
Rear Yard Setback			M	Rear Yard Setback	<i>7.15 M MIN.</i> 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 checked="" type="checkbox"/>	<i>SP-19-047</i>
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

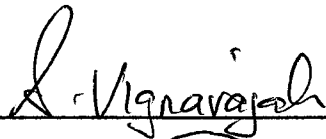
POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, MR. JOE LAKKIOS, 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 14th day of February, 20 20.



Nola Marlene van Eck, a commissioner,
 etc., Province of Ontario, for
 McElderry & Morris, Barristers and
 Solicitors. Expires October 16, 2021

 Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

2431901 ONTARIO INC. 90 JELYALALITHA VIGNARAJAH
 [Organization name / property owner's name(s)]

of BLOCK 17, REGISTERED PLAN 61M-159
 (Legal description and/or municipal address)

hereby authorize MR. JOE LAKATOS
 (Authorized agent's name)

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

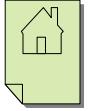
Dated this 11 day of FEBRUARY 2020.

J. Vignaraj
 (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.



March 10, 2020

Office of the Committee of Adjustment
Guelph City Hall
1 Carden Street
Guelph, ON
N1H 3A1

Attention: Juan da Silva, Council and Committee Assistant
City Clerk's Office, Corporate Services

Re: Committee of Adjustment Application for property municipally known as 455 Watson Parkway
North, Guelph, ON

Dear Sir:

Please find enclosed the following:

- Completed application form and supporting documents;
- Copy of the Site Plan;
- Cheque in the amount of \$950.00 (Application Fee).

Nature and Extent of relief requested

1. To permit 79 parking spaces for the overall development notwithstanding Section 4.13.4.1 of Zoning By-law (1995) -14864 requires 88 parking spaces.
2. To permit 10 waiting spaces for the carwash use notwithstanding Section 4.13.4.2 of Zoning By-law (1995) -14864 requires 15 waiting spaces.
3. To permit an outdoor patio associated with the McDonalds restaurant notwithstanding Section 4.17.2.1 of Zoning By-law (1995) – 14864 states that an outdoor patio is not permitted where more than 1 lot line adjoins lands which are in a residential zone.

Why is it not possible to comply with the provisions of the By-law?

The requested relief is necessary to facilitate the development of the site in accordance with Site Plan Application SP19-047 submitted to the City for approval on December 20, 2019 and reviewed by the Site Plan Review Committee on January 29, 2020 and discussed further with Planning Staff on March 9, 2020. Planning Staff have indicated that they are supportive of the variances requested.

With respect to the requested reduction in parking spaces, the total number of parking spaces provided for the proposed commercial uses (i.e. convenience store, gas bar and carwash, retail use and McDonalds Restaurant) is in keeping with the parking rates proposed in the Guelph Parking Standards Review dated September 11, 2019.

With respect to the 10 waiting spaces for the carwash use notwithstanding that the Zoning By-law currently requires 15 waiting spaces. The 10 waiting spaces meet the rate proposed in the Guelph Parking Standards Review dated September 11, 2019.

With respect to an outdoor patio associated with the McDonalds restaurant it is understood that the intent of the zoning by-law is to ensure that patios do not have a negative impact on adjacent residential land uses.

Although the 2.45 acre corner commercially zoned lot has two lot lines that adjoin lands which are zoned residential, the proposed MacDonalDs patio is located along the front wall of the building, within the front yard along Watson Parkway North approximately 5.44 m away from the one lot line that adjoins a residential zone to the southeast. The intent of the zoning provision has been met.

Further, it should be noted that the relief requested for the outdoor patio is only associated with the McDonalds restaurant use.

Should you require additional information or have any questions concerning this application please do not hesitate to call my office at 519-822-2272. Your assistance with this matter is greatly appreciated.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joe Lakatos", is written over a light blue rectangular background.

Mr. Joe Lakatos BLA, MCIP, RPP

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

100 Fleming Road

Proposal:

The applicant is proposing to construct a detached garage with an area of 66.8 square metres and a height of 6.4 metres at the rear of the property.

By-Law Requirements:

The property is located in the Urban Reserve (UR) Zone. A variance from Section 11.2.3.4 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law does not permit an accessory building or structure to be located closer to any lot line than one-half of the building height or 7.5 metres, whichever is greater.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum right side yard setback of 1.5 metres for the proposed detached 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: **Thursday, July 9, 2020**

Time: **4:00 p.m.**

Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**

Application Number: **A-28/20**

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

Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **July 2, 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.

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

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

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

Additional Information

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

Notice of the Decision

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

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated June 19, 2020.

Contact Information

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

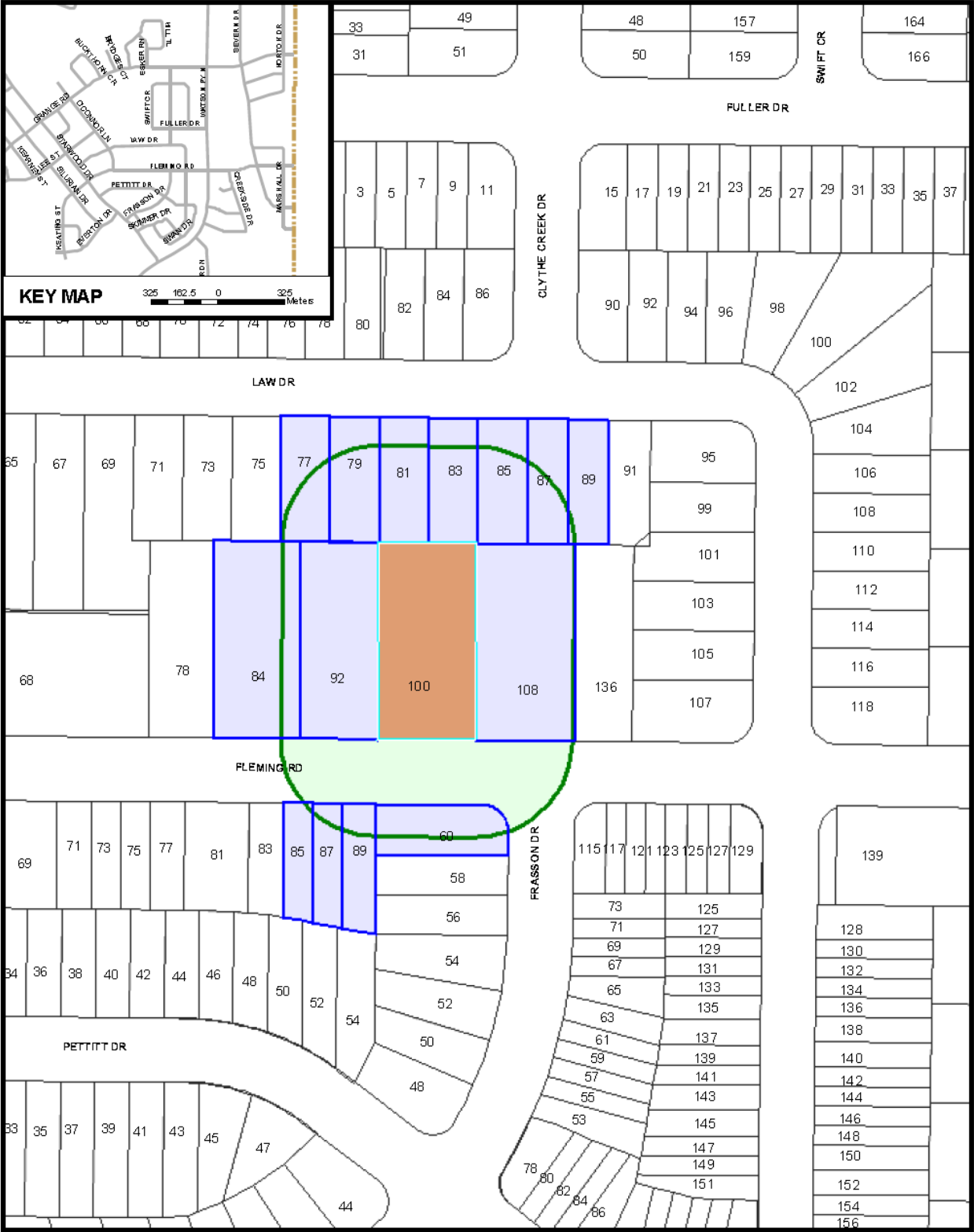
Due to the closure of City Hall, written comments can be mailed or dropped off in the mail slot located by the main entrance of City Hall

519-822-1260 Extension 2524

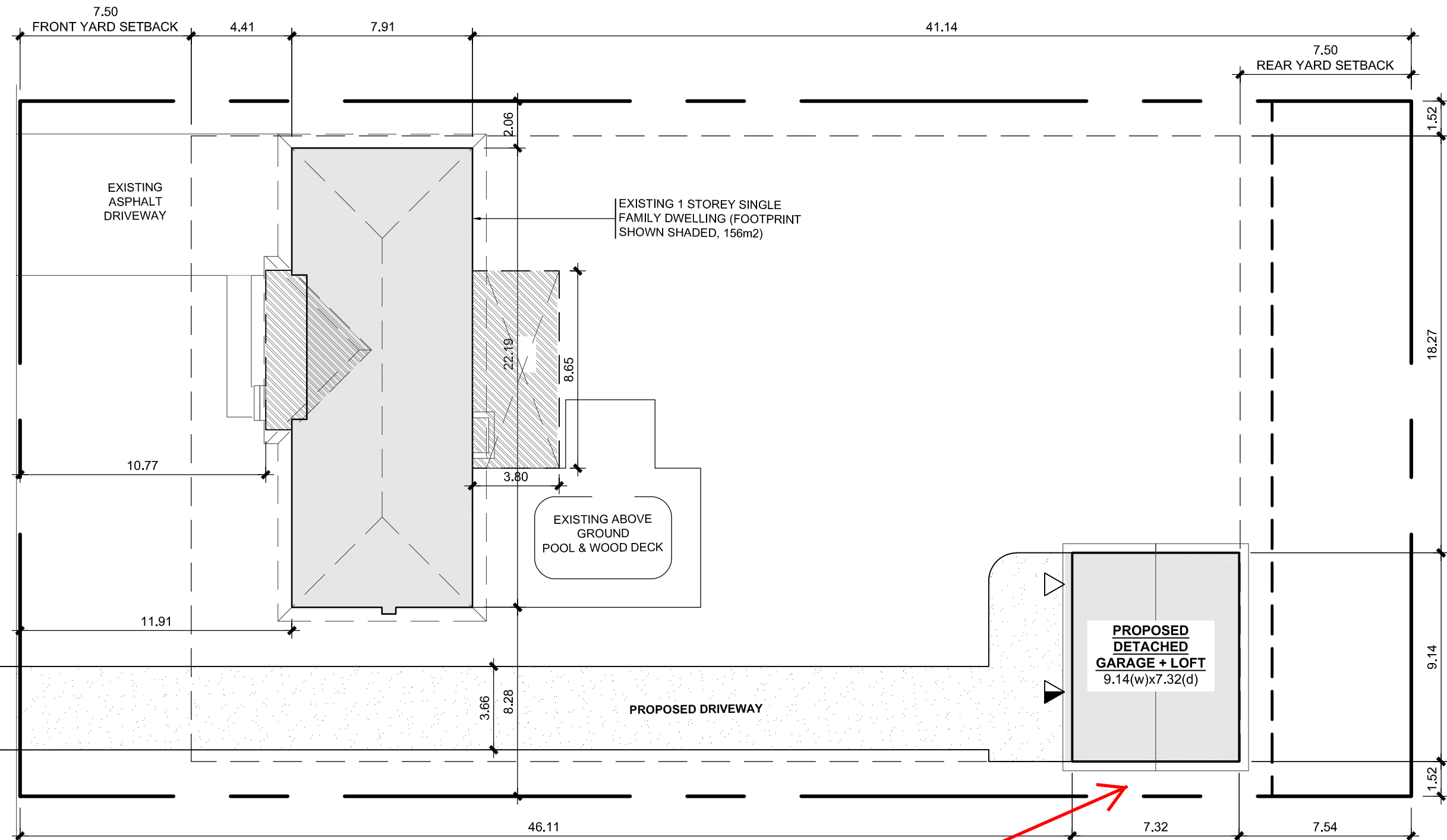
cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa



FLEMING ROAD



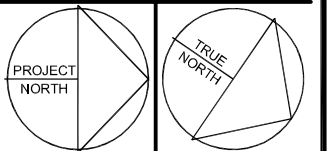
Variance for side yard setback

LEGEND

- MAN DOOR
- OVERHEAD DOOR

LOT AREA	= 1857.146 m ²
EXT'G BUILDING AREA	= 156 m ²
PORCH/ROOF STRUCTURES	= 45 m ²
DETACHED GARAGE AREA	= 66.9 m ²
TOTAL BLD'G COVERAGE	= 267.9 m ²
LOT COVERAGE	= 14.4%

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No.	Date	Revision / Issued for:
1.	APR. 27 2020	BUILDING PERMIT

TACOMA
ENGINEERS

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

RAY ARSENIO

DETACHED GARAGE

100 FLEMING RD, GUELPH

SITE PLAN

Project No. TE-35989-20	Drawn By: PM
----------------------------	-----------------

0

TACOMA
ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- ☐ Building Structural
- ☐ Complex Building
- ☐ Large Building
- ☒ Small Building

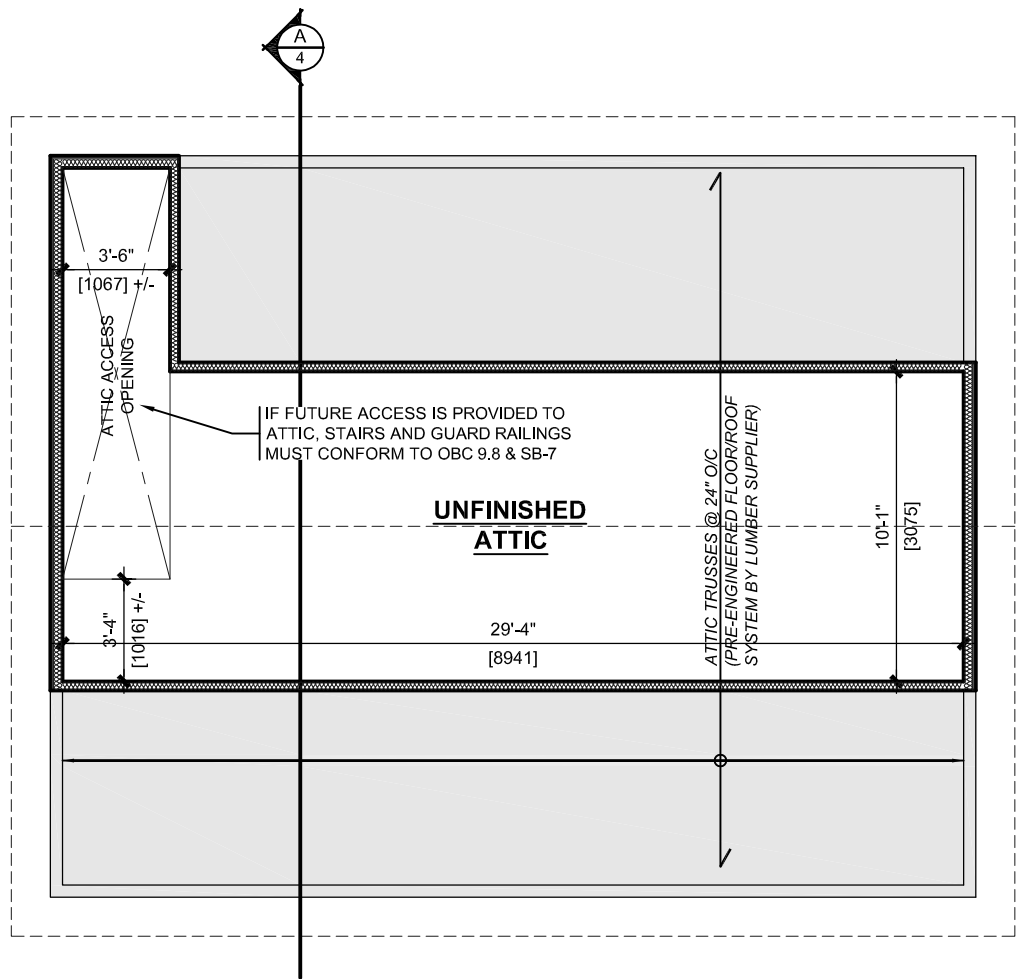
Signature:

Designer: Pat Meagher

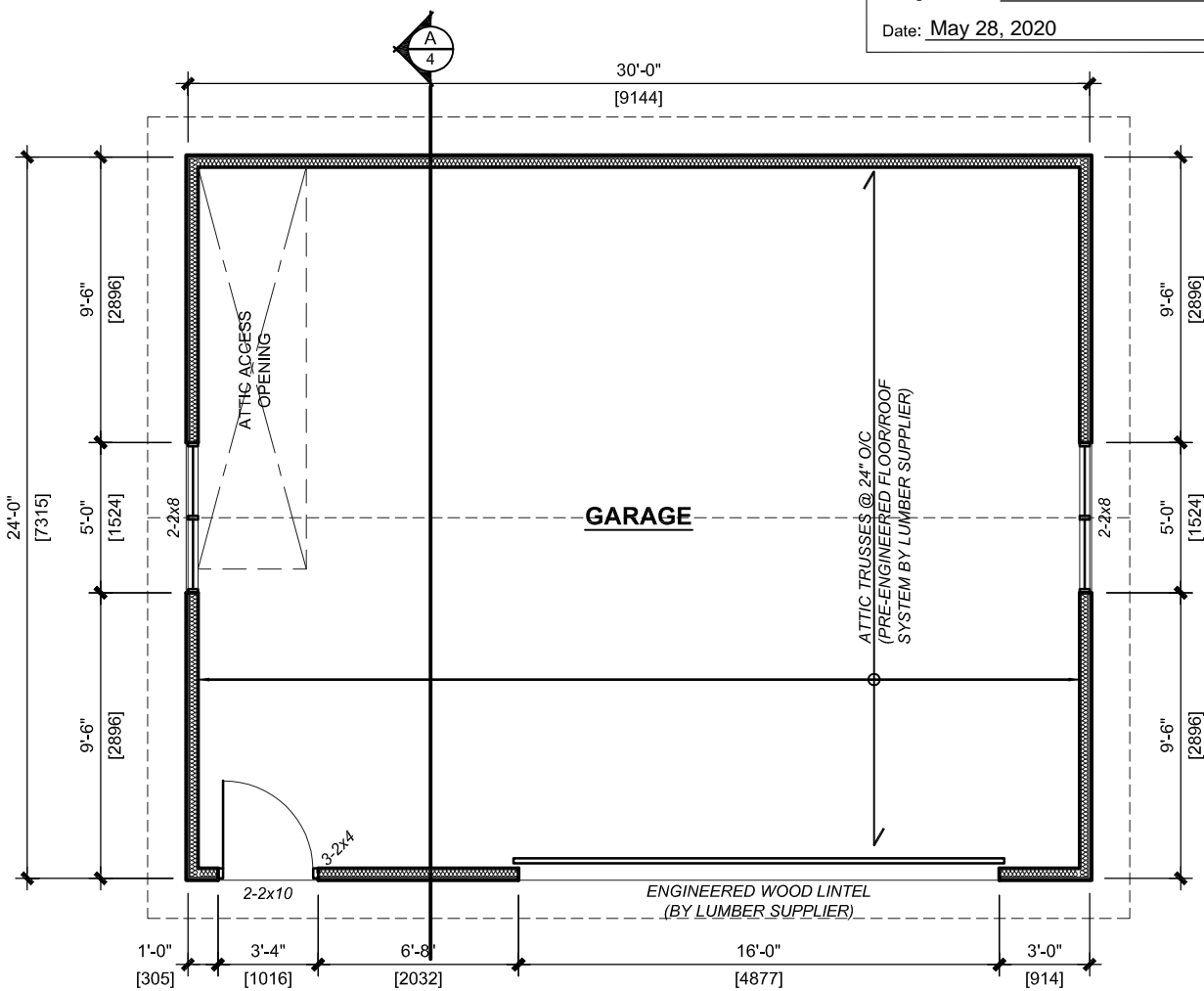
Designer BCIN: 20673

Date: April 27, 2020

SITE PLAN
SCALE 1:200



ATTIC PLAN
1:75 (METRIC)



FLOOR PLAN
1:75 (METRIC)

TACOMAENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

☐ Building Structural

☐ Complex Building

☐ Large Building

☒ Small Building

Signature:

Designer: Pat Meagher

Designer BCIN: 20673

Date: May 28, 2020

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PROJECT NORTH

No.	Date	Revision / Issued for:
1.	APR. 23 2020	BUILDING PERMIT
2.	MAY 28 2020	MINOR VARIANCE

TACOMAENGINEERS

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

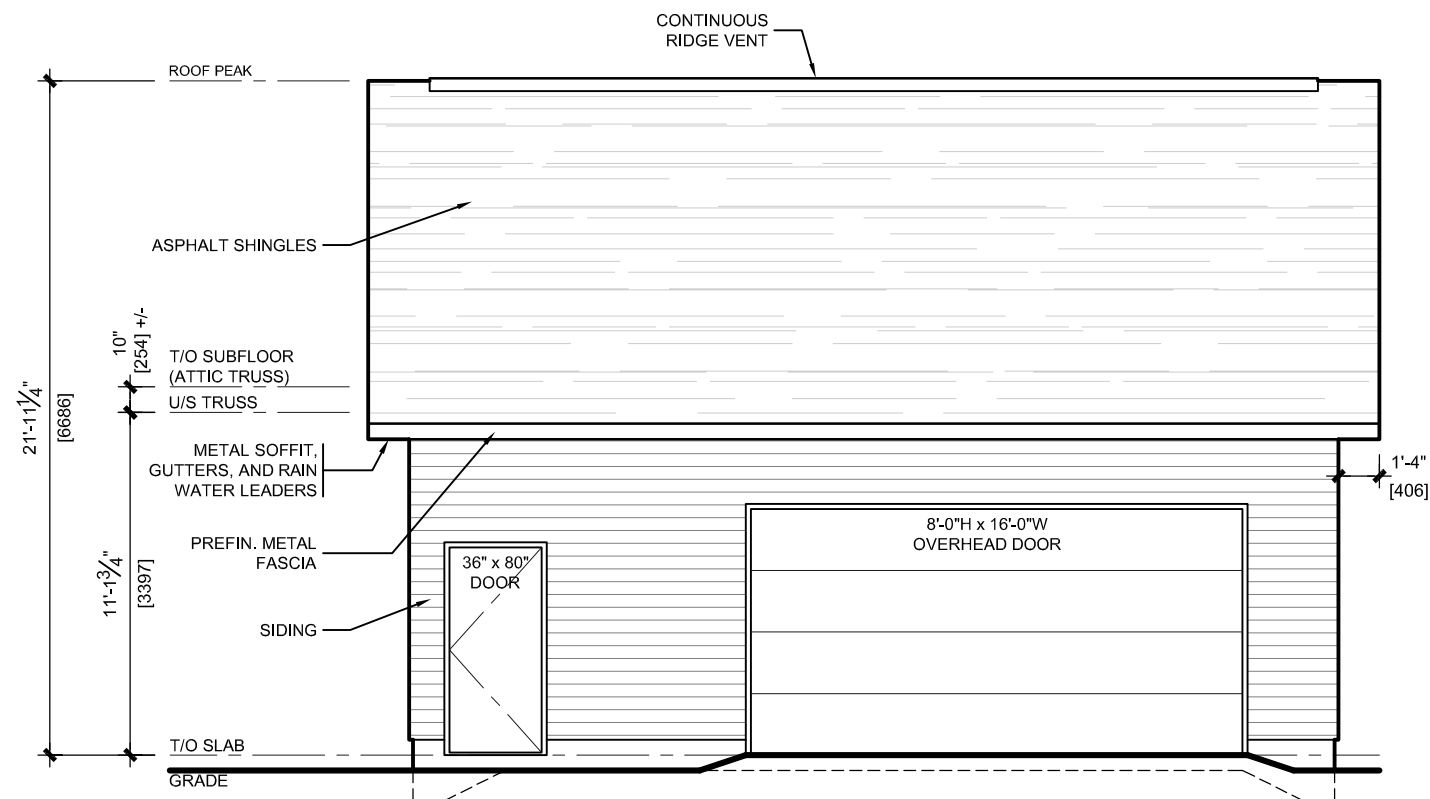
RAY ARSENIO

DETACHED GARAGE
100 FLEMING RD, GUELPH

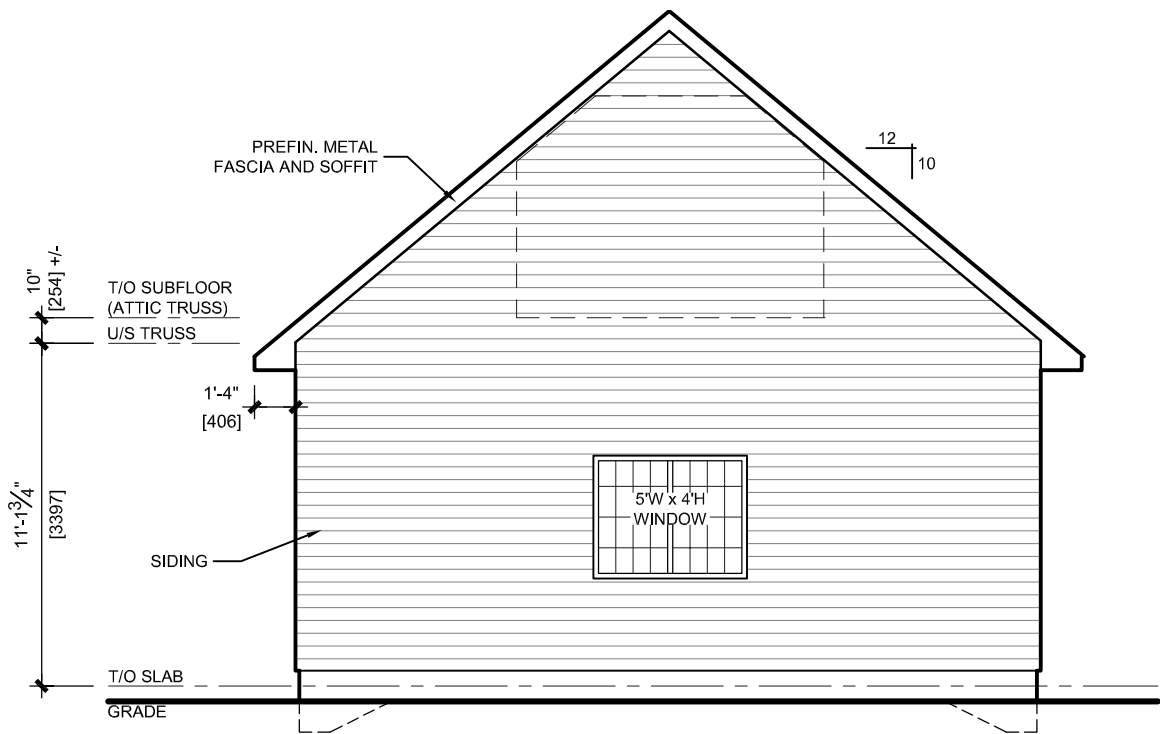
FLOOR PLANS

Project No.
TE-35989-20

Drawn By:
PM



SOUTH ELEVATION
1:75 (METRIC)



EAST/WEST ELEVATION
1:75 (METRIC)

TACOMA
ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- ☐ Building Structural
☐ Complex Building
☐ Large Building
☒ Small Building

Signature: 

Designer: **Pat Meagher**

Designer BCIN: **20673**

Date: **May 28, 2020**

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No.	Date	Revision / Issued for:
1.	APR. 23 2020	BUILDING PERMIT
2.	MAY 28 2020	MINOR VARIANCE

TACOMA
ENGINEERS

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

RAY ARSENIO

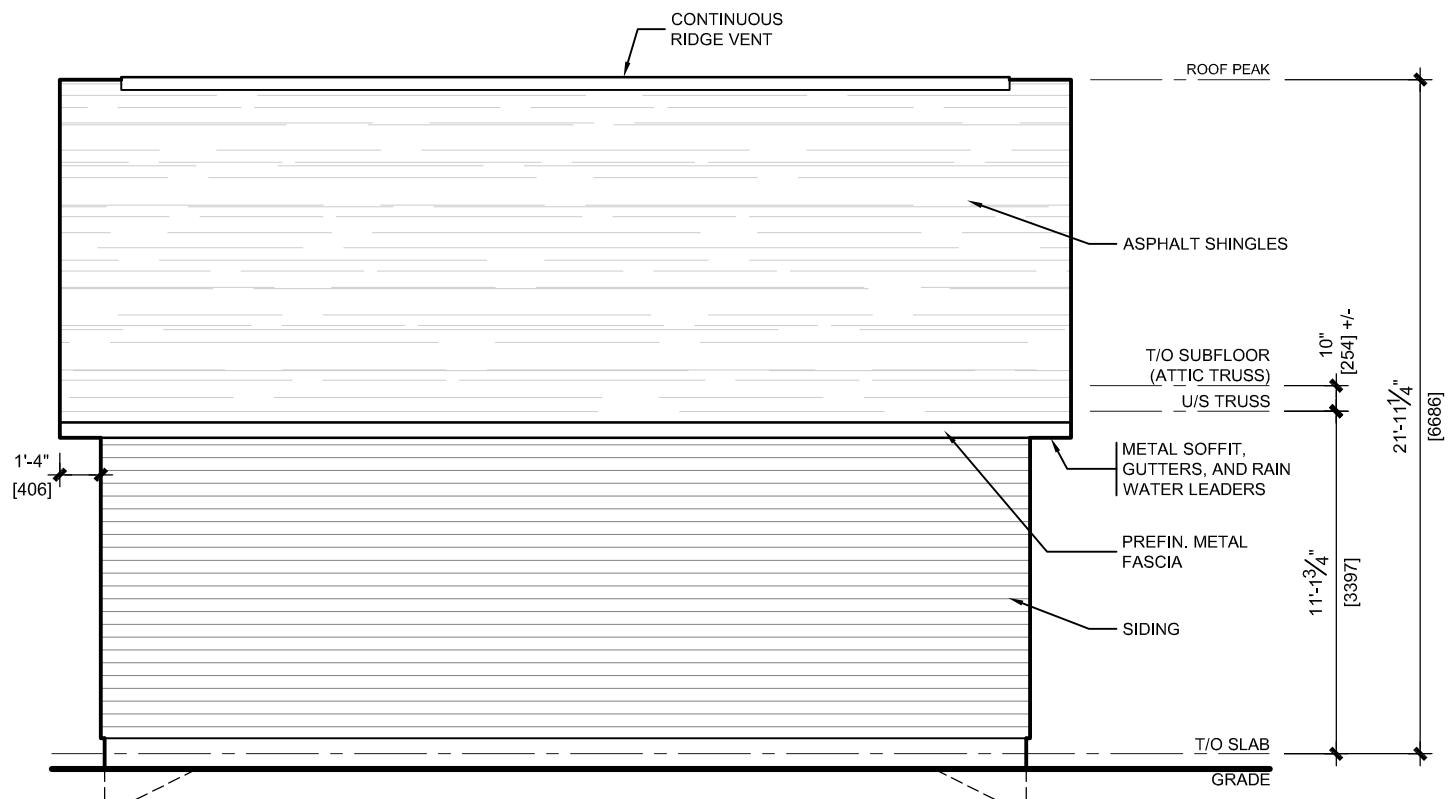
DETACHED GARAGE

100 FLEMING RD, GUELPH

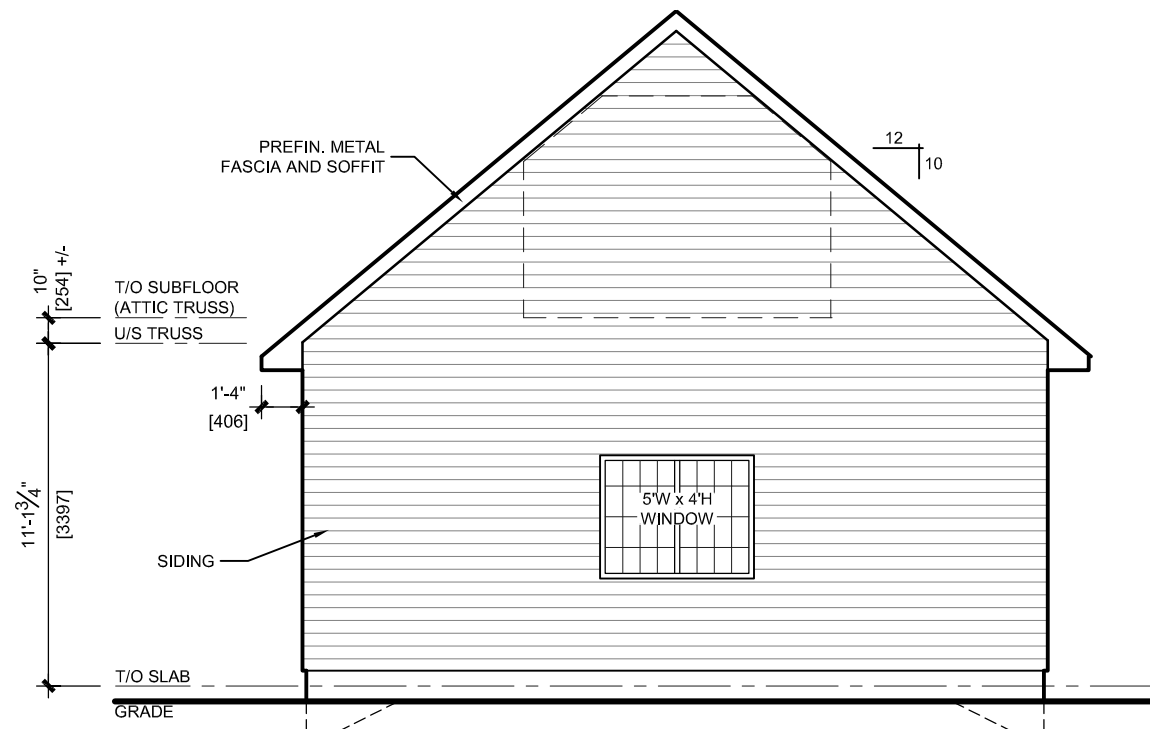
ELEVATIONS

Project No. TE-35989-20	Drawn By: PM
----------------------------	-----------------

2



NORTH ELEVATION
1:75 (METRIC)



EAST/WEST ELEVATION
1:75 (METRIC)

TACOMA
ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- ☐ Building Structural
- ☐ Complex Building
- ☐ Large Building
- ☒ Small Building

Signature:

Designer: Pat Meagher

Designer BCIN: 20673

Date: May 28, 2020

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No.	Date	Revision / Issued for:
1.	APR. 23 2020	BUILDING PERMIT
2.	MAY 28 2020	MINOR VARIANCE

TACOMA
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www.tacomaengineers.com

RAY ARSENIO

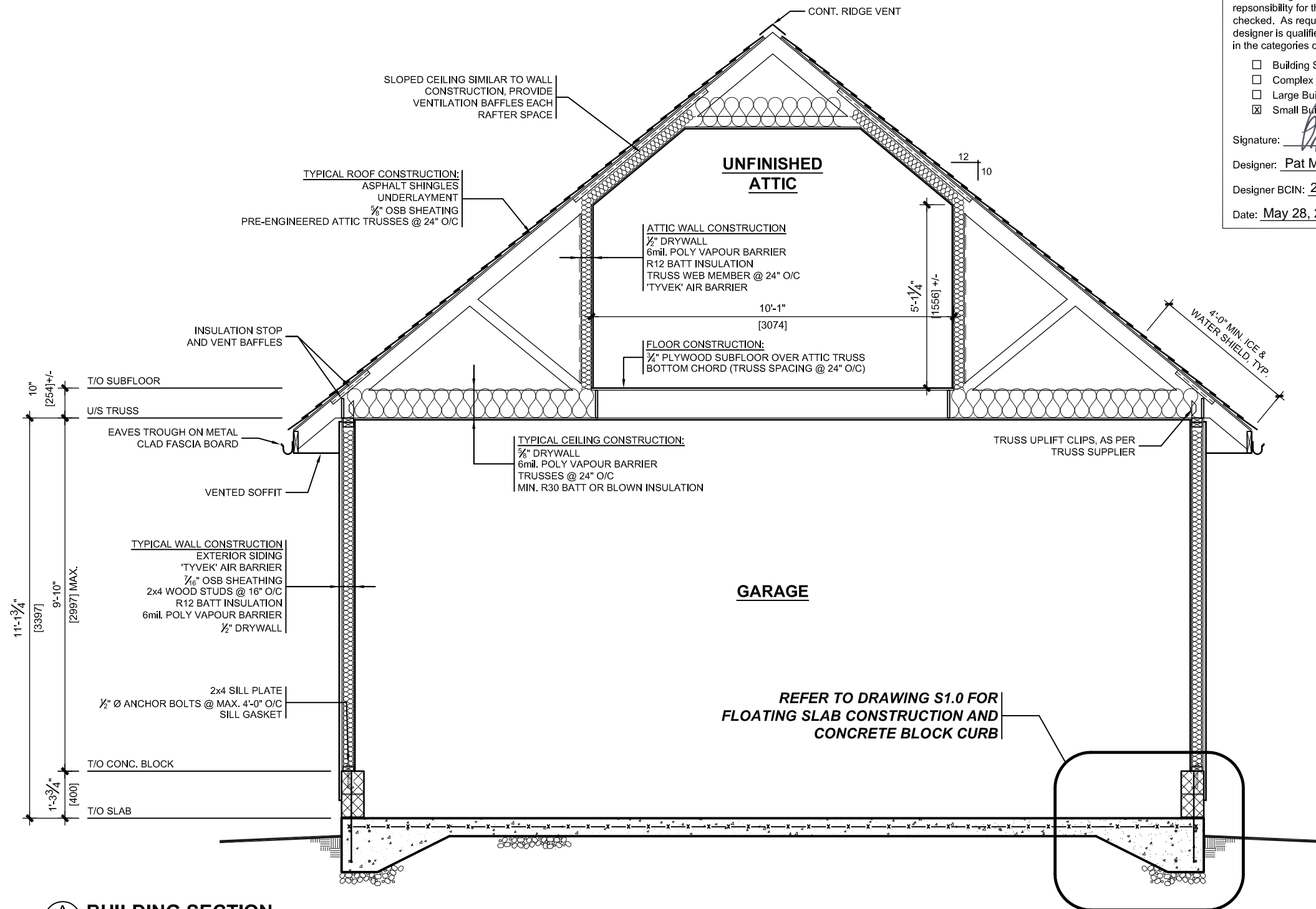
DETACHED GARAGE

100 FLEMING RD, GUELPH

ELEVATIONS

Project No. TE-35989-20 Drawn By: PM

3



A
4
BUILDING SECTION
1:40 (METRIC)

TACOMA
ENGINEERS

Firm BCIN: 29604

The undersigned has reviewed and taken responsibility for this design for categories checked. As required by OBC Div.C 3.2.4, the designer is qualified and the firm is registered in the categories checked below.

- ☐ Building Structural
☐ Complex Building
☐ Large Building
☒ Small Building

Signature: *Pat Meagher*

Designer: **Pat Meagher**

Designer BCIN: **20673**

Date: **May 28, 2020**

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No.	Date	Revision / Issued for:
1.	APR. 23 2020	BUILDING PERMIT
2.	MAY 28 2020	MINOR VARIANCE

TACOMA
ENGINEERS

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

RAY ARSENIO

DETACHED GARAGE

100 FLEMING RD, GUELPH

SECTION

Project No. TE-35989-20
Drawn By: PM

4

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: June 8, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-28/20

TO BE COMPLETED BY APPLICANT

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

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

PROPERTY INFORMATION:

Address of Property: 100 FLEMING RD GUELPH

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

PLAN 468 LOT 19 (PART LOT 19, PLAN 468 BQNH PART 4 ON PLAN 61R8300)

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

Name: RAYMOND ARSENIU AND MARY ARSENIU
Mailing Address: 100 FLEMING RD
City: GUELPH Postal Code: N1E 6X4
Home Phone: 519-362-7176 Work Phone: _____
Fax: _____ Email: ray-arseniou@live.ca

AGENT INFORMATION (If Any)

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

Official Plan Designation: LOW DENSITY RESIDENTIAL	Current Zoning Designation: UR
--	--------------------------------

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

I AM APPLYING FOR A VARIANCE TO SECTION 11.2.3.4 WHICH STATES "NO ACCESSORY BUILDING OR STRUCTURE SHALL BE LOCATED CLOSER TO ANY LOT LINE THAN ONE-HALF THE BUILDING HEIGHT OR 7.5 METERS, WHICHEVER IS GREATER."

I WOULD LIKE TO PUT MY STRUCTURE 1.5m SIDE YARD.

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

THIS WOULD PUT MY STRUCTURE RIGHT IN THE MIDDLE OF THE PROPERTY.

PROPERTY INFORMATION			
Date property was purchased:	2012	Date property was first built on:	1960's
Date of proposed construction on property:	2020	Length of time the existing uses of the subject property have continued:	1960's
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
RESIDENTIAL			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
RESIDENTIAL			

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

Frontage: 30.44 m Depth: 60.92 m Area: 1854.4 m²

I HAVE ATTACHED DRAWINGS FOR ALL MEASUREMENTS: Page 3

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	156 m ²	Gross Floor Area:	NO CHANGE
Height of building:	5m 1 STORY	Height of building:	NO CHANGE
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>
Width:	4.26 m	Width:	9.14 m
Length:	7.91 m	Length:	7.31 m
Driveway Width:	7.29 m	Driveway Width:	3.65 m
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: POOL AND DECK ARE COMING OUT THIS FALL		Describe details, including height: PROPOSED HEIGHT 6.4 M AREA = 66.81 m ²	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	10.77 m M	Front Yard Setback:	10.77 m M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 2.06 m M Right: 8.28 m M	Side Yard Setback:	Left: 2.06 m M Right: 1.52 m M
Rear Yard Setback	41.14 m M	Rear Yard Setback	7.54 m 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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	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"/>	Building Permit
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Consent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Previous Minor Variance Application
		FILE # 20 001907 00 PR (REFUSED)

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, RAYMOND ARSENIO, of the City/Town of
GUELPH in County/Regional Municipality of CITY OF GUELPH, 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 4 day of June, 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)

**Application Number
B-8/00**

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

The Committee, having had regard to the matters that are to be had regard to under Sections 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 proper and orderly development of the land, passed the following resolution

THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, consent for severance of Part of Lot 19, Registered Plan 468 [Part 3], being part of the lands municipally known as 100 Fleming Road, a parcel with a width of 30.496 metres and a depth of 91.354 metres, as a lot addition to a future plan of subdivision, be approved, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting owner as a lot addition only (Form 3 Certificate).
2. That the following covenant is incorporated in the deed:-

"The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."

3. That prior to the endorsation of the deeds, the applicant shall have an Ontario Land Surveyor show the location of the existing wells, septic tanks and tile beds, relevant to the existing and proposed property lines.
4. That prior to the endorsation of the deeds, the applicant shall satisfy the City's Chief Plumbing/Sewage System Inspector, that the wells, septic tanks and tile beds are located in accordance with all appropriate regulations.
5. That prior to the endorsation of the deeds, the owner and any mortgagees shall enter into an agreement with the City, registered on title of the retained lands, satisfactory to the City Solicitor, concerning the following:-
 - a) that the owner shall pay to the City the actual cost of constructing municipal services including sanitary sewers, watermains, storm sewers, catchbasins, storm water management systems, service laterals, hydrants, sidewalks and road complete with granular base, asphalt pavement and curb and gutter on Fleming Road abutting the retained lands;
 - b) that the owner shall pay to the City the estimated cost of constructing the municipal services outlined above within sixty (60) days of the City stating that it intends to commence the construction of the municipal services;
 - c) that the owner shall connect the existing buildings to the municipal sanitary sewer and watermain within sixty (60) days of the service being available.

DECISION

Application Number
B-8/00

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

6. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to January 21, 2001.
7. That all required fees and charges in respect of the registration of all documents required in respect of this approval be paid, prior to the endorsement of the deed.
8. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
9. That a Reference Plan be prepared which shall indicate the boundaries of the severed parcel, any easements/right-of-way and building locations, and that this Plan shall be deposited in the Land Registry Office and a deposited copy thereof be also filed with the Secretary-Treasurer."

Members of Committee Concurring in this Decision

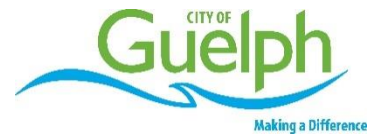
I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the Decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on January 18, 2000.

Signed:

Dated on: January 21, 2000

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is February 10, 2000.

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

25-27 Green Street

Proposal:

The applicant is proposing to sever the property to create a new residential lot and construct a single detached dwelling and detached garage on the severed parcel. The applicant is also proposing to maintain the existing 2-storey dwelling on the retained parcel. Due to the creation of the new lot, minor variance applications have been submitted (Files A-29/20 and A-30/20, see attached) for the severed and retained parcels.

By-Law Requirements:

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

Request:

The applicant proposes to sever a parcel of land with frontage along Norwich Street of 19.2 metres and an area of 280 square metres. The retained parcel will have frontage along Green Street of 19.2 metres and an area of 325 square metres.

Hearing Details

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

Date:	Thursday, July 9, 2020
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	B-6/20

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

Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **July 2, 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.

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

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

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

Additional Information

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

Notice of the Decision

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

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 this June 19, 2020.

Contact Information

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

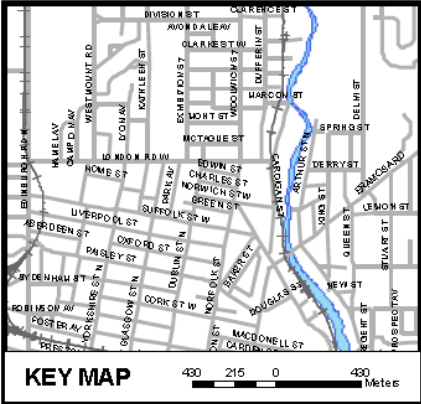
Due to the closure of City Hall, written comments can be mailed or dropped off in the mail slot located by the main entrance of City Hall


519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771


guelph.ca/cofa






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

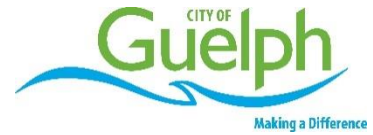
25-27 Green Street (A-29/20, A-30/20 and B-6/20)
60m Circulation Area





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Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

25-27 Green Street

Proposal:

The applicant is proposing to maintain the existing dwelling and sever the rear portion of the subject property to create a new residential lot (File B-6/20, see attached). The applicant is also proposing to construct a single detached dwelling and a detached garage on the severed parcel.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 5.1.2 Row 3, Table 5.1.2. Row 6, Section 5.1.2.7 i), and Table 4.7 Row 3, of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum lot area of 460 square metres;
- b) that the minimum front yard shall be 6 metres or the average of the setbacks of the adjacent properties [being 1.4 metres for Norwich Street, and 1 metre for Green Street]; and
- c) an open, roofed porch of 1 storey to have a minimum front yard setback of 2 metres.

Request:

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

File A-29/20 (retained parcel)

- a) a minimum lot area of 325 square metres (shown as B on the attached sketch); and
- b) a minimum front yard setback of 0.05 metres for an open roofed porch (shown as C on the attached sketch).

File A-30/20 (severed parcel)

- a) a minimum lot area of 280 square metres (shown as A on the attached sketch);
- b) a minimum front yard setback of 0.3 metres for the proposed dwelling (shown as E on the attached sketch); and
- c) a minimum front yard setback of 0.3 metres for an open roofed porch (shown as D on the attached sketch).

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, July 9, 2020
Time:	4:00 p.m.
Location:	Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	A-29/20 and A-30/20

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

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

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

Additional Information

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Notice of the Decision

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

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated June 19, 2020.

Contact Information

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

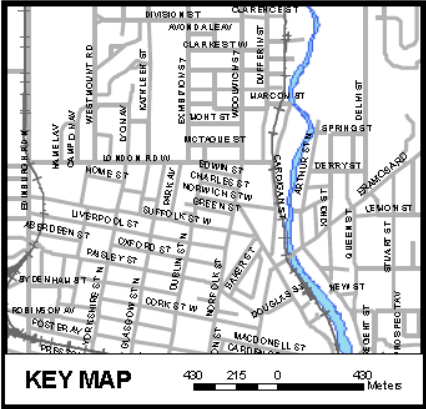
Due to the closure of City Hall, written comments can be mailed or dropped off in the mail slot located by the main entrance of City Hall

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

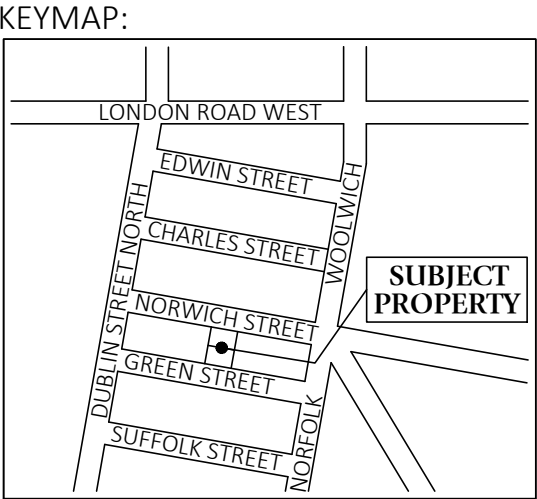
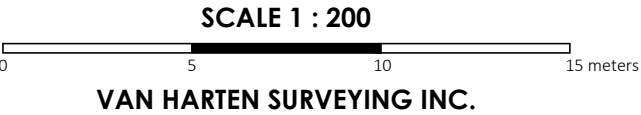
guelph.ca/cofa



ZONING: RESIDENTIAL R.1B ZONE SINGLE DETACHED DWELLINGS			
TABLE 5.1.2 REGULATIONS	REQUIRED	SEVERED (PROPOSED) - NORWICH ST. 280m²(A)	RETAINED (EXISTING) - GREEN ST. 325m²(B)
MINIMUM Lot Area	460m²		
MINIMUM Lot Frontage	15.0m and in accordance with Section 5.1.2.6	19.2m	19.2m
MINIMUM Front Yard	6.0m or Average setback in accordance with Section 5.1.2.7(i). Green St. - 1.0m. Norwich St. - 1.4m.	0.3m - Norwich Street (E)	1.7m - Green Street (Existing)
MINIMUM Side Yard - 1 to 2 Storeys	1.5m	1.8m	Legal Non Conforming
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less. 3.5m for Green Street (Retained). 3.0m for Norwich Street (Severed).	3.2m	3.7m
MINIMUM Side Yard - Accessory Building (4.5.1.2) Table 4.7, Row 3 - Open	0.6m	0.7m	0.6m
Roofed Porch not exceeding 1 storey in height	Minimum setback from front lot line is 2.0m	0.3m (D)	0.05m (C)
Minor Variance Required for (A), (B), (C), (D), (E)			

30.17m WIDE **NORWICH STREET** ESTABLISHED BY REGISTERED PLAN 8 PIN 71292 - 0282

SEVERANCE AND MINOR VARIANCE SKETCH
PART OF LOT 837
REGISTERED PLAN 8
CITY OF GUELPH
COUNTY OF WELLINGTON



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

SURVEYOR'S CERTIFICATE:
THIS SKETCH WAS PREPARED
ON THE 17th DAY OF JUNE, 2020

Jeff Buisman
JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo Ph: 519-742-8371	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 28239-20
Jun 17, 2020 3:21:49 PM G:\GUELPH\008\835-839\ACAD\SEV LOT 837 (ZHANG) UTM OPTION 1.dwg		

PART 1, 61R--7858

LANDS TO BE SEVERED (A)
AREA=280m²

LANDS TO BE RETAINED (B)
AREA=325m²

EXISTING DWELLING #31

(C)

SIGHTLINE TRIANGLE

ESTABLISHED BY REGISTERED PLAN 8 **GREEN STREET** 20.12m WIDE PIN 71292 - 0248

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: June 9, 2020	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-6/20

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 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: 25-27 Green Street

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

PART OF LOT 837 REGISTERED PLAN 8 CITY OF GUELPH COUNTY OF WELLINGTON

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

If yes, describe:

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

If yes, explain:

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

Name: Roelfien Di Sapio

Mailing Address: 35 Willow Street

City: Paris Postal Code: N3L 2K7

Home Phone: _____ Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: GSP Group Inc. (c/o Hugh Handy)

Company: _____

Mailing Address: 72 Victoria Street South, Suite 201

City: Kitchener Postal Code: N2G 4Y9

Home Phone: _____ Work Phone: 519-569-8883

Fax: _____ Email: hhandy@gspgroup.ca

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
- _____
- _____

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

MCF Mortgage Investments - 15423 Young St Aurora, ON L4G 1P1, Olympia Trust Company - PO Box 2581, Stn Central, Calgary, Alberta T2P 1C8

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m)	Depth (m)	Area: (m ²)	Existing Use:	Proposed Use:
19.2 m	15.2 m	280 m2	Residential	Residential
Existing Buildings/Structures:			Proposed Buildings / Structures:	
N/A			Single Detached Dwelling	
Use of Existing Buildings/Structures (specify):			Proposed Use of Buildings/Structures (specify):	
			Residential	

DESCRIPTION OF LAND INTENDED TO BE RETAINED **519-569-8883**

Frontage / Width: (m)	Depth (m)	Area: (m ²)	Existing Use:	Proposed Use:
19.2 m	17.4 m	325 m2	Residential	Residential
Existing Buildings/Structures:			Proposed Buildings / Structures:	
Semi-detached dwelling			N/A	
Use of Existing Buildings/Structures (specify):			Proposed Use of Buildings/Structures (specify):	
Residential			Residential	

TYPE OF ACCESS TO THE RETAINED LANDS

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

TYPE OF ACCESS TO THE SEVERED LANDS

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

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?

☒ No

☐ Yes

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

☒ No

☐ Yes

LAND USE

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

Low Density Residential

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

☒ YES

☐ NO

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

Provides for infill development on an underutilized lot which meets Policy 3.7.3 iii) which states that vacant or underutilized lots will be revitalized through the promotion of infill development. The applicable low rise residential designation permits single detached dwellings which is the proposed use for the severed lot.

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

☐ YES

☐ NO

File No.: _____

Status: _____

What is the current zoning designation of the subject lands:

R.1B

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

☐ YES

☒ NO

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

☒ YES

☐ NO

File No.: _____

Status: _____

PROVINCIAL POLICY

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

Provide explanation:

Promotes an efficient use of land and existing municipal infrastructure

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

☒ YES

☐ NO

Provide explanation:

Proposes residential development within the Built-Up Area which is where residential growth is encouraged

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

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

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

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

If yes, provide the following:

File No.: _____ Status: _____

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

If yes, provide the following:

File No.: _____ Status: _____

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

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

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input 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"/>	16 008195 RR - Open
Minor Variance	<input type="checkbox"/>	<input type="checkbox"/>	Submitted in combination with this application
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

Each sign must be posted a minimum of fourteen (14) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (14) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Sarah Code, 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 of Guelph in the County/Regional Municipality of
(city or town)
Wellington this 10 day of June, 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,

Roselfien DiSapio

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

being the registered property owner(s) of

25 - 27 Green Street

(Legal description and/or municipal address)

hereby authorize GSP Group Inc.

(Authorized agent's name)

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

Dated this 9 day of June 2020.Roselfien DiSapio

(Signature of the property owner)

(Signature of the property owner)

NOTES:

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

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: June 9, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-29/20

TO BE COMPLETED BY APPLICANT

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

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

PROPERTY INFORMATION:

Address of Property: 25-27 Green Street

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

PART OF LOT 837 REGISTERED PLAN 8 CITY OF GUELPH COUNTY OF WELLINGTON

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

Name: Roelfien Di Sapio

Mailing Address: 35 Willow Street

City: Paris Postal Code: N3L 2K7

Home Phone: _____ Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Company: GSP Group Inc. (c/o Hugh Handy)

Name: _____

Mailing Address: 72 Victoria Street South Suite 201

City: Kitchener Postal Code: N2G 4Y9

Work Phone: 519-569-8883 Mobile Phone: _____

Fax: _____ Email: hhandy@gspgroup.ca

Official Plan Designation: Low Density Residential	Current Zoning Designation: R.1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):	
1. To permit a minimum lot area of 325 m2 whereas Table 5.1.2.3 of Zoning By-law (1995) - 14864 requires a minimum lot area of 460 m2.	
2. To permit a minimum setback from the covered porch to the lot line of 0.05 metres whereas Table 4.7.3 requires a minimum setback of 2.0 m from the lot line	

Why is it not possible to comply with the provision of the by-law? (your explanation)	
The Site is proposed to be severed to create two parcels and as such it is not possible to comply with the minimum lot area requirement. There is sufficient lot area for both the existing dwelling and a proposed dwelling on the new lot even with reduced lot areas. Variance number 2 is required to legalize an existing condition.	

PROPERTY INFORMATION			
Date property was purchased:	1994	Date property was first built on:	1859
Date of proposed construction on property:	March 2021	Length of time the existing uses of the subject property have continued:	161
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 19.2 m	Depth: 32.6 m	Area: 605 m2

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	260 m2		Gross Floor Area:	Approx. 244 m2	
Height of building:	2 storeys		Height of building:	2 storeys	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>		
Width:			Width:	3.6 m	
Length:			Length:	7.9 m	
Driveway Width:	Approx. 4 m		Driveway Width:	3.7 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Two single storey sheds			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED - Retained Parcel		
Front Yard Setback:	1.7 M		Front Yard Setback:	1.7 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 1.4 M	Right: 4.1 M	Side Yard Setback:	Left: 1.4 M	Right: 4.1 M
Rear Yard Setback	18.6 M		Rear Yard Setback	3.7 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"/>	16 008195 RR - Open
Consent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	File number not yet assigned
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Sarah Code, 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 10 day of June, 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)

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

of 25 - 27 Green Street
(Legal description and/or municipal address)

hereby authorize GSP Group Inc.
(Authorized agent's name)

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

Dated this 9 day of June 2020

Roelfien DiSapio
(Signature of the property owner)

(Signature of the property owner)

NOTES:

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

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: June 9, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-30/20

TO BE COMPLETED BY APPLICANT

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

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

PROPERTY INFORMATION:

Address of Property: 25-27 Green Street

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

PART OF LOT 837 REGISTERED PLAN 8 CITY OF GUELPH COUNTY OF WELLINGTON

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

Name: Roelfien Di Sapio

Mailing Address: 35 Willow Street

City: Paris Postal Code: N3L 2K7

Home Phone: _____ Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Company: GSP Group Inc. (c/o Hugh Handy)

Name: _____

Mailing Address: 72 Victoria Street South Suite 201

City: Kitchener Postal Code: N2G 4Y9

Work Phone: 519-569-8883 Mobile Phone: _____

Fax: _____ Email: hhandy@gspgroup.ca

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):	
1. To permit a minimum lot area of 280 m2 whereas Table 5.1.2.3 of Zoning By-law (1995) - 14864 requires a minimum lot area of 460 m2.	
2. To permit a minimum front yard setback of 0.3 metres whereas Table 5.1.2., Row 6, 5.1.2.7 of Zoning By-law (1995) - 14864 requires a minimum front yard setback of 1.4 metres (average of the setbacks of the adjacent properties).	
3. To permit a minimum covered porch front yard setback of 0.3 metres where as Table 4.7 Row 3 of Zoning By-law (1995) - 14864 requires a minimum covered porch front yard setback of 2 metres.	

Why is it not possible to comply with the provision of the by-law? (your explanation)
The Site is proposed to be severed to create two parcels and as such it is not possible to comply with the minimum lot area requirement. There is sufficient lot area for both the existing dwelling and a proposed dwelling on the new lot even with reduced lot areas. The proposed front yard setback is in keeping with the setbacks of adjacent dwellings on Norwich Street and as such this setback/front porch setback will realize a consistent street pattern.

PROPERTY INFORMATION			
Date property was purchased:	1994	Date property was first built on:	1859
Date of proposed construction on property:	March 2021	Length of time the existing uses of the subject property have continued:	161
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Residential			

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

Frontage:	19.2 m	Depth:	32.6 m	Area:	605 m²
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PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	260 m2		Gross Floor Area:	Approx. 244 m2	
Height of building:	2 storeys		Height of building:	2 storeys	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>		
Width:			Width:	3.6 m	
Length:			Length:	7.9 m	
Driveway Width:	Approx. 4 m		Driveway Width:	3.7 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Two single storey sheds			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED - Severed Parcel		
Front Yard Setback:	1.7 M		Front Yard Setback:	0.3 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 1.4 M	Right: 4.1 M	Side Yard Setback:	Left: 1.8 M	Right: 5.0 M
Rear Yard Setback	18.6 M		Rear Yard Setback	3.2 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 type="checkbox"/>	<input checked="" type="checkbox"/>	16 008195 RR - Open
Consent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	File number not yet assigned
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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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

AFFIDAVITI/We, Sarah Code, of the City/Town ofKitchener 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 ofWellington this 10 day of June, 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

25 - 27 Green Street

(Legal description and/or municipal address)

hereby authorize

GSP Group Inc.

(Authorized agent's name)

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

Dated this 9 day of June 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.



SHAPING GREAT COMMUNITIES

June 9, 2020

File No: 16231

Ms. Trista Di Lullo
Secretary-Treasurer, Committee of Adjustment
Council and Committee Coordinator
City Clerk's Department, Corporate Services
Guelph City Hall, 1 Carden Street
Guelph, ON N1H 3A1

Attn: Ms. Trista Di Lullo
Secretary-Treasurer of the Committee of Adjustment

Dear Ms. Di Lullo

**Re: Consent and Minor Variance Applications
25-27 Green Street, Guelph**

GSP Group is the planning consultant to the Owner of the property municipally known as 25-27 Green Street and legally known as Part of Lot 837 Registered Plan 8 in the City of Guelph, (herein referred to as the "Site"). Please find enclosed one Consent Application and two Minor Variance Applications for the Site.

The Site is located just west of the Downtown and southeast of Exhibition Park. The Site is 605 m² (0.06 ha) in size and is currently occupied with a legal non-conforming semi-detached dwelling fronting Green Street. The Site has 19.2 metres of frontage on both Green Street and Norwich Street.

Proposed Consent Application

The enclosed Consent Application proposes to sever the property into two parcels, a severed parcel 280 m² in size (the "Severed Parcel") and a retained parcel 325 m² in size (the "Retained Parcel"). A Minor Variance Application for each of the severed and retained parcels is required to facilitate the consent.

The existing semi-detached dwelling is proposed to be converted to a single detached dwelling at a later date. These changes would include interior changes only. A single detached dwelling and detached garage is proposed to be constructed on the Severed Parcel.

Proposed Minor Variances

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477
gspgroup.ca

The Site is designated Low Density Residential in the City of Guelph Official Plan (the “OP”). Single detached dwellings are a permitted use in this designation. The Site is zoned Residential Single Detached Dwellings (R.1B) Zone in the City of Guelph Zoning By-law (1995) – 14864. Single detached dwellings are a permitted use in the R.1B Zone.

There is a need for three (3) variances as it relates to the **Severed Parcel**. The required variance is as follows:

1. To permit a minimum lot area of 280 m² whereas Table 5.1.2.3 of Zoning By-law (1995) – 14864 requires a minimum lot area of 460 m² (refer to Label “A” on the attached Severance Sketch).
2. To permit a minimum front yard setback of 0.3 metres whereas Table 5.1.2, Row 6, 5.1.2.7 of Zoning By-law (1995) – 14864 requires a minimum front yard setback of 1.4 metres (refer to Label “E” on the attached Severance Sketch).
3. To permit a minimum setback from the covered porch to the lot line of 0.3 metres whereas Table 4.7, Row 3 of Zoning By-law (1995) – 14864 requires a minimum setback from the covered porch to the lot line of 2.0 metres (refer to Label “D” on the attached Severance Sketch).

There is a need for two (2) variances as it relates to the **Retained Parcel**. The required variances are as follows:

1. To permit a minimum lot area of 325 m² whereas Table 5.1.2.3 of Zoning By-law (1995) – 14864 requires a minimum lot area of 460 m². (Refer to Label “B” on the attached Severance Sketch).
2. To permit a minimum setback from the covered porch to the lot line of 0.05 metres whereas Table 4.7.3 of Zoning By-law (1995) – 14864 requires a minimum setback from the covered porch to the lot line of 2.0 metres. (Refer to Label “C” on the attached Severance Sketch).

Tests of Minor Variance

Under Section 45 (1) of the Planning Act, there are four tests that a Minor Variance must meet. They are outlined below with justification as to how each test is met:

1. *Do the Minor Variances maintain the general intent of the Official Plan?*

The Site is within the Built-Up Area and is designated Low Density Residential in the Official Plan which permits low rise forms of residential development. The following Policies are applicable to the above noted variances:

- 3.7.3 *Within the built-up area the following general intensification policies shall apply:*
 - i. *by 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's built-up area as identified on Schedule 1. Provisions may be made for the fulfillment of this target sooner than 2015.*
 - iii. *vacant or underutilized lots, greyfield, and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings.*
 - iv. *the City will plan and provide a diverse and compatible mix of land uses, including residential and employment uses to support vibrant communities.*
 - v. *a range and mix of housing will be planned, taking into account affordable housing needs and encouraging the creation of accessory apartments throughout the built-up area.*

It is our opinion that the variances conform to the above noted policies for lands within the Built-Up Area. The Site is underutilized as the back of the lot is unused (currently gravel) and can be better utilized for infill development which is promoted as per the above OP policy (3.7.3 iii). The proposed single detached dwelling will provide for additional housing choice in the immediate neighbourhood and the Built-Up area.

The following objectives contained in the Residential Designations Section of the OP (Section 9.3) are applicable to the proposed variances:

- b) *To facilitate the development of a full range of housing types, affordability, densities and tenure to meet a diversity of lifestyles and the social needs, health and well-being of current and future residents, throughout the city.*
- e) *To ensure compatibility between various housing forms and between residential and non-residential uses.*
- f) *To maintain the general character of built form in existing established residential neighbourhoods while accommodating compatible residential infill and intensification.*

- *g) To direct new residential development to areas where municipal services and infrastructure are available or can be provided in an efficient and cost effective manner.*
- *i) To ensure new development is compatible with the surrounding land uses and the general character of neighbourhoods.*

It is our opinion that the proposed variances meet the above noted residential objectives. The variances will provide permissions for smaller lots and will provide for a new single detached dwelling. This is compatible with the surrounding neighbourhood which consists of primarily single detached dwellings. Full municipal services are available to service the new dwelling which represents efficient and cost effective development. The single detached dwelling will be designed to be compatible with the surrounding neighbourhood and context sensitive through the selection of appropriate building materials and colours. Further, a detached garage is proposed which is in keeping with the character of the area.

The Low Density Residential designation permits: detached, semi-detached and duplex dwellings; and multiple unit residential buildings, such as townhouses and apartments. The following height and density policies contained in Section 9.3.2 apply to the Site:

- *2. The maximum height shall be three (3) storeys.*
- *3. The maximum net density is 35 units per hectare and not less than a minimum density of 15 units per hectare*

The proposed density is 33.3 units per hectare which is in keeping with the density permissions for the Site (maximum of 35 units per hectare).

It is our opinion that the proposed variances meet the intent of the Official Plan given that the proposed use is in keeping with the permitted uses of the Low Density Residential designation. The proposed density and height (maximum of 2 storeys) will be in keeping with the permissions of the OP.

2. Do the Minor Variances maintain the general intent of the Zoning By-law?

The proposed variances maintain the general intent of the Zoning By-law as single detached dwellings are permitted and for the following details as outlined below.

Variance # 1 for Severed Parcel

The reduced lot area for the Severed Parcel maintains the general intent of the Zoning By-law as the side yard and rear yard setbacks are met and the proposed single detached dwelling is permitted. The intent of a minimum lot area is to ensure there is enough land area for a permitted use, landscaped area, and setbacks. As is depicted on the Severance Sketch, there is sufficient area for a single detached dwelling, a detached garage, a driveway and a rear yard/outdoor courtyard area while meeting the side yard and rear yard setbacks. The size of the backyard would be of a typical size to others in the immediate area. The front yard setback would also be typical of other lots in the area.

Variance # 2 for Severed Parcel

It is our opinion that the request to permit a front yard setback of 0.3 metres maintains the intent of the Zoning By-law as there is sufficient space between the dwelling and the street (greater than 5.0 metres). The proposed setback is in keeping with other houses on the street and it is our opinion that the proposed setback will realize a consistent streetscape.

Variance # 3 for Severed Parcel

It is our opinion that the request to permit a covered porch setback of 0.3 metres maintains the intent of the By-law as the dwelling/covered porch is setback quite a distance (greater than 5.0 metres) from the street and will not create any visibility issues.

Variance # 1 for Retained Parcel

The reduced lot area for the Retained Parcel also maintains the general intent of the Zoning By-law as it provides sufficient area for the existing dwelling to remain in it's current state with no changes required. The existing dwelling does not use the back portion of the existing lot. it is currently gravel and sits unused. It is our opinion that the existing dwelling will continue to function as it has for many years and that the new lot line/reduced lot area will not have any impact on the existing dwelling and associated parking.

Variance # 2 for Retained Parcel

The request to permit a minimum setback of 0.05 metres to the existing covered porch in our opinion maintains the intent of the Zoning By-law. The intent of this regulation is

that there would be sufficient separation between the porch and the street. There is approximately 4 metres of grassed area between the lot line and the street. While the porch is only 0.05 metres away from the lot line, there is still sufficient separation between the covered porch and the street.

3. Are the Minor Variances desirable for the lands?

In our opinion, the proposed variances are desirable for the lands and are minor in nature. There is currently a break in the Norwich Street – streetscape as the back of the Site is vacant. The fact that there is no dwelling facing Norwich Street is an interruption in the otherwise consistent streetscape. The proposed setback of 0.3 metres is generally in keeping with the setbacks on adjacent lots. The reduced lot areas would permit the development of a single detached dwelling on the Severed Parcel which would positively contribute to the streetscape on Norwich Street. While building elevations have not been prepared at this point, it is the Owners intent that the proposed dwelling would be sensitive to the character of the area and would incorporate materials and colours that would reflect the adjacent neighbourhood. The garage is proposed to be detached which is less prominent on the streetscape and is similar to other properties in the area. The length of the garage is proposed so as to be able to accommodate garbage bins and outdoor equipment. It is our opinion that a reduction in lot areas is desirable and will permit appropriate infill development on the Site. The variances would permit a single detached dwelling which is permitted by the Zoning By-law and is in keeping with the surrounding single detached dwellings.

It is our opinion that Variances 2 and 3 for the Severed Parcel are desirable as they will create a consistent, pedestrian friendly streetscape.

The request to legalize the existing covered porch setback is desirable in our opinion. The covered front porch was constructed in an effort to enhance the front façade. Historically, there was a covered porch and so the covered porch was constructed as recognition of the past. It is our opinion that the covered porch is desirable from a design perspective and was an upgrade from what previously existed.

The Proposed Development will not have any impact on the surrounding properties. The Site is adequately serviced and the new dwelling can be serviced through existing municipal infrastructure and vehicular traffic and parking can be accommodated on the respective parcels.

4. Is the application minor?

The requested variances are minor in nature. The reduced lot areas will not create any negative impacts on the surrounding properties and will realize an efficient and logical use of an underutilized Site. The variances are minor as the existing dwelling can continue to function as it has been for many years and a new dwelling can be constructed while providing the required side yard and rear yard setbacks, parking and landscaped area. It is our opinion that the variances to reduce the required setbacks from 1.4 metres to 0.3 metres/2.0 metres to 0.3 metres are minor and no negative impacts will be realized as a result of the reduced front yard setbacks. It is the intent that the architectural design and massing of the new dwelling will be considerate of the surrounding neighbourhood and allows for the most efficient use of the Site.

In support of the Consent and Minor Variance Applications, please find enclosed the following:

- Consent Application Form;
- Two Minor Variance Application Forms;
- A Severance Sketch.

If you have any questions or require additional information, please do not hesitate to contact myself or Sarah Code.

Yours truly,
GSP Group

A handwritten signature in blue ink, reading "Hugh Handy".

Hugh Handy, MCIP, RPP
Senior Associate