

Committee of Adjustment Meeting Agenda

Thursday, August 13, 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.

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

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, August 13, 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. Opening Remarks

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

1.1 Disclosure of Pecuniary Interest and General Nature Thereof

1.2 Approval of Minutes

1.3 Requests for Withdrawal or Deferral

2. Staff Announcements

2.1 Hearing Procedures Update - Bill 197

3. Current Applications

(Application order subject to change)

To be notified of any of the decisions of the City of Guelph Committee of Adjustment, you must submit a written request.

3.1 A-31/20 190-192 Waterloo Avenue

Owner: Myra Buzbuziani

Agent: Rick Rozyle

Request: Variance to permit additional use (food vehicle)

3.2 A-32/20 588 Starwood Drive

Owner: Rashid Raza

Agent: N/A

Request: Side yard setback variance for proposed uncovered porch (landing) and exterior stairs

3.3 A-33/20 94 Maple Street

Owner: Gail Ruth van Veen and David Richard van Veen

Agent: John Vanderwoerd, Vanderwoerd Drafting and Design

Request: Variance to permit increased floor area for proposed addition to existing accessory building

3.4 A-34/20 23 Garibaldi Street

Owner: 2680579 Ontario Inc.

Agent: Jacob Goldfarb, Goldfarm Canada

Request: Variance to permit additional use (agriculture - vegetation based)

3.5 A-35/20 8-14 Macdonell Street

Owner: Downtown Mercury Development Corporation

Agent: N/A

Request: Variance to permit proposed licensed establishment to be located in the basement of the existing commercial building

3.6 A-36/20 37 Arthur Street North

Owner: Ashlee Cooper

Agent: N/A

Request: Permission to enlarge/extend legal non-conforming use for dormer addition to existing semi-detached dwelling unit

3.7 A-37/20 23 Wellington Street East (Units 8 and 9)

Owner: 922444 Ontario Ltd.

Agent: Tony Varvaris

Request: Variance to permit retail establishment (cannabis retail)

3.8 A-38/20 104 Winston Crescent

Owner: Donnette Harnett and Sheryl Harnett

Agent: Phill McFadden, Sutcliffe Homes Inc.

Request: Side and rear yard setback variances for proposed residential addition and variance for proposed accessory apartment size

3.9 B-7/20 and B-8/20 73 and 93 Arthur Street South

Owner: 2278560 Ontario Inc.

Agent: Charlotte Balluch, Fusion Homes

Request: Consent to create new lot and easements on retained and severed parcels

4. Adjournment



Committee of Adjustment Minutes

**Thursday, July 9, 2020, 4:00 p.m.
Remote meeting live streamed
on guelph.ca/live**

Members Present	K. Ash, Chair D. Kendrick, Vice Chair L. Janis K. Meads J. Smith
Members Absent	S. Dykstra D. Gundrum
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 L. Sulatycki, Planner M. Witmer, Planner

Call to Order

Chair K. Ash called the meeting to order (4:02 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 K. Meads

That the minutes from the June 11, 2020 Regular Hearing of the Committee of Adjustment, be approved as circulated.

Carried

Requests for Withdrawal or Deferral

A-22/20 455 Watson Parkway North

Owner: 2431901 Ontario Inc.

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

Location: 455 Watson Parkway North

In Attendance: J. Lakatos

Secretary-Treasurer T. Di Lullo noted that, J. Lakatos, agent for the application, submitted a request for deferral in order to allow additional time to finalize the related site plan application. She also noted that correspondence was received after the comment deadline from E. Bortolon-Vettor, S. Bonin, and S. Locke, with concerns about the application. J. Lakatos briefly explained the deferral request.

Moved by L. Janis

Seconded by K. Meads

That application A-22/20 for 455 Watson Parkway North, 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 for the applicant to finalize the related Site Plan Application (File SP19-047) that is currently under review.

Carried

Current Applications

A-28/20 100 Fleming Road

Owner: Raymond Arsenio and Mary Grace Arsenio

Agent: N/A

Location: 100 Fleming Road

In Attendance: R. Arsenio

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

R. Arsenio indicated that he had decided not to install a driveway along the side of the property and requested that the two conditions recommended by Engineering Services regarding the driveway be removed. S. Daniel, Engineering Technologist, indicated he had no concerns with the removal of the two conditions.

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 K. Meads

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements from Section 11.2.3.4 of Zoning By-law (1995)-14864, as amended, for 100 Fleming Road, to permit a minimum right side yard setback of 1.5 metres for the proposed detached garage, when 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, be **approved**, subject to the following condition:

1. That the location of the detached garage be in general accordance with the Public Notice sketch.

Reasons:

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets 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-6/20, A-29/20, and A-30/20 25-27 Green Street

Owner: Roelfien Di Sapio

Agent: Hugh Handy, GSP Group Inc.

Location: 25-27 Green Street

In Attendance: H. Handy, S. Code

Chair K. Ash questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received. H. Handy, agent for the applications, responded that the sign was posted and comments were received. H. Handy explained the purpose of the applications.

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-6/20 25-27 Green Street

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 J. Smith

Seconded by L. Janis

That in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lot 837, Registered Plan 8, currently known as 25-27 Green Street, a parcel with frontage along Norwich Street of 19.2 metres and an area of 280 square metres, substantially in accordance with a sketch prepared by Van Harten Surveying Inc. dated June 17, 2020, project number 28239-20, be **approved**, subject to the following conditions:

1. That prior to the issuance of building permit(s) for a new dwelling and detached garage on the "severed" parcel, a plan shall be submitted to, and approved by the General Manager of Planning and Building Services, indicating the location and design of the new dwelling and detached garage.
2. That prior to the issuance of building permit(s) for a new dwelling and detached garage on the "severed" parcel, elevation and design drawings for the new dwelling and detached garage on the "severed" parcel shall be submitted to, and approved by the General Manager of Planning and Building Services.
3. That prior to the issuance of the Certificate of Official, any portions of the existing semi-detached dwelling that interfere with or obstruct the new rear lot line shall be demolished to the satisfaction of the General Manager of Planning and Building Services.
4. That prior to the issuance of the Certificate of Official, the Owner(s) shall enter into an agreement with the City, registered on title, agreeing to satisfy the conditions noted below and to develop the site in accordance with the approved plans.
5. That the Owner(s) agrees to pay the actual cost of the construction of the service laterals to the proposed severed and retained lands, including the cost of all restoration, works within the City's right of way. The Owner(s) agrees to pay the estimated cost of the works as determined by the General Manager/City Engineer being paid prior to the issuance of Building Permit.
6. That the Owner(s) provides a servicing plan, showing the lateral connections to the City's infrastructure for review and approval for both the severed lands and the retained lands, prior to the issuance of the Certificate of Official.
7. That the Owner(s) constructs the new dwellings at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary sewer.
8. That the Owner(s) provides a full grading plan for review and approval to City for both severed lands and the retained lands. The grading plan must be submitted prior to the issuance of the Certificate of Official.

9. That the Owner(s) agrees to maintain the existing drainage patterns and agrees to convey existing drainage for adjacent lands if required.
10. That the Owner(s) provides a stormwater management brief for the severed and the retained parcel, prior to issuance of the Certificate of Official.
11. That minor variance applications A-29/20 and A-30/20 are approved at the same time as the consent application, and become final and binding.
12. 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.
13. 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.
14. 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).
15. 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.

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-29/20 25-27 Green Street

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 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, variances from the requirements of Table 5.1.2 Row 3 and Table 4.7 Row 3, of Zoning By-law (1995)-14864, as amended, for the proposed retained parcel currently addressed as 25-27 Green Street, to permit:

- a. a minimum lot area of 325 square metres, when the By-law requires a minimum lot area of 460 square metres; and
- b. a minimum front yard setback of 0.05 metres for an open roofed porch, when the By-law requires that an open, roofed porch of 1 storey have a minimum front yard setback of 2 metres,

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

1. That consent application B-6/20 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

A-30/20 25-27 Green Street

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 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, variances from the requirements of 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, for the proposed severed parcel currently addressed as 25-27 Green Street, to permit:

- a. a minimum lot area of 280 square metres; when the By-law requires a minimum lot area of 460 square metres;
- b. a minimum front yard setback of 0.3 metres for the proposed dwelling, when the By-law requires 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. a minimum front yard setback of 0.3 metres for an open roofed porch, when the By-law requires that an open, roofed porch of 1 storey have a minimum front yard setback of 2 metres,

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

- 1. That the location of the single detached dwelling be in the same general location as shown on the Public Notice sketch.
- 2. That consent application B-6/20 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 conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

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

Carried

Staff Announcements

There were no announcements.

Adjournment

Moved by L. Janis

Seconded by K. Meads

That this hearing of the Committee of Adjustment be adjourned at 4:39 p.m.

Carried

K. Ash, Chair

T. Di Lullo, Secretary-Treasurer

Staff Report



To	Committee of Adjustment
Service Area	Corporate Services
Date	Thursday, August 13, 2020
Subject	Committee of Adjustment Hearing Procedures Update – Bill 197

Recommendation

1. That the proposed changes to the Committee of Adjustment Hearing Procedures, included as Attachment-1, dated August 13, 2020, be approved.
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Executive Summary

Purpose of Report

To update the Committee of Adjustment Hearing Procedures to clarify rules regarding continued electronic hearings after provincial and municipal declared emergencies end.

Key Findings

On July 8, 2020 the Province of Ontario introduced [Bill 197, the COVID-19 Economic Recovery Act](#). Bill 197 received royal assent on July 21, 2020 and amended the Municipal Act to allow for the continuation of remote City Council meetings, as well as remote meetings for advisory committees, local boards, agencies, commissions and associations outside of a declared provincial or municipal emergency.

Guelph's Committee of Adjustment has been meeting remotely since May 28, 2020. As indicated in the [staff report to City Council on July 20, 2020](#) regarding procedural by-law amendments, and consistent with advice from public health officials, meetings of City Council and advisory committees, local boards, agencies, commissions and associations will continue to take place remotely for the foreseeable future.

Currently, the technology available in the City Council Chambers does not allow for hybrid hearings. As a result, Committee of Adjustment hearings will continue with all hearing participants participating remotely.

Financial Implications

There are no financial implications resulting from this report.

Report

The Committee of Adjustment amended the Hearing Procedures on [May 28, 2020](#) to allow for electronic hearings in accordance with the Municipal Act. At this time, the Municipal Act allowed for remote meetings only during declared emergencies made

by the Province of Ontario or the head of council in accordance with Section 7.0.1 and 4 (1) of the [Emergency Management and Civil Protection Act respectively](#).

Bill 197 further amends the Municipal Act to allow local boards, such as the Committee of Adjustment, to continue to meet remotely indefinitely. In order to comply with Bill 197, the [City of Guelph Procedural By-law is proposed to be updated on July 27, 2020](#) to allow members of City Council and members of advisory committees, local boards, agencies, commissions and associations to participate remotely in meetings and be counted for the purpose of establishing quorum outside of declared emergencies. These changes to the Procedural By-law ensures that there will be continuity in the Committee's ability to meet remotely moving forward.

In order to avoid a conflict between the City's Procedural By-law and the Committee of Adjustment Hearing Procedures, a revised red-lined version of the Hearing Procedures noting changes to Section 3 is included as Attachment-1.

The following is a summary of the proposed changes:

- Section 3 revised to allow for electronic hearings to be governed by the City's Procedural By-law.

Financial Implications

There are no financial implications resulting from this report.

Consultations

Not applicable.

Strategic Plan Alignment

This report aligns with the Working Together for our Future pillar by improving services through greater use of technology and data by permitting the Committee of Adjustment to continue to participate in hearings electronically.

Attachments

Attachment-1 Proposed Changes to the Committee of Adjustment Hearing Procedures

Report Author

Trista Di Lullo, Secretary-Treasurer, Committee of Adjustment

This report was approved by:

Trista Di Lullo
Secretary-Treasurer, Committee of Adjustment
Corporate Services
519-822-1260 extension 3355
Trista.DiLullo@guelph.ca

This report was recommended by:

Dylan McMahon

Manager, Legislative Services/Deputy City Clerk

Corporate Services

519-822-1260 extension 2811

Dylan.McMahon@guelph.ca

CORPORATE POLICY AND PROCEDURE



POLICY	Committee of Adjustment Hearing Procedures
CATEGORY	Departmental
AUTHORITY	City Clerk's Office
RELATED POLICIES	The Procedural By-law
APPROVED BY	Committee of Adjustment
EFFECTIVE DATE	June 27, 2019
REVISION DATE	May 28, 2020 August 13, 2020

1. Definitions

'Committee' means the City of Guelph Committee of Adjustment.

'Chair' means the individual acting as the chair of the Committee at any given Committee hearing.

'Electronic hearing' means a hearing called and held in full or in part via electronic means including, but not limited to, video teleconference, audio teleconference or telephone, and with or without in person attendance.

'Hearing' means any hearing of the Committee of Adjustment, including an electronic hearing.

'Secretary-Treasurer' means the Secretary-Treasurer of the City of Guelph Committee of Adjustment, or his or her designate.

2. Calling of Hearings

- 2.1. The Committee shall meet at 4:00 p.m. on the second Thursday of every month and at 4:00 p.m. on the fourth Thursday of every month, if required, or as determined by the Secretary-Treasurer.
- 2.2. Committee hearings will be held at Guelph City Hall unless otherwise ordered by the Secretary-Treasurer.
- 2.3. In consultation with the chair, the Secretary-Treasurer may cancel or reschedule a hearing.

3. Electronic Hearing

~~3.1. Where an emergency has been declared in all or part of the City of Guelph under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act:~~

~~3.1.1. any member of the Committee may participate in an electronic hearing and be counted for the purpose of establishing quorum;~~

~~3.1.2. all votes shall be by show of hands or by verbal consent (yes or no);~~

~~3.1.3. members of the public may participate in an electronic hearing via telephone, videoconferencing software and/or other technology methods deemed appropriate by the City Clerk's Office.~~

3.1. Electronic hearings shall be governed by the [Procedural By-law](#) of Guelph City Council with necessary modifications as judged by the Secretary-Treasurer in consultation with the chair.

4. Appointments

4.1. Appointments to the Committee will be made in accordance with the City of Guelph [Public Appointments Policy](#).

4.2. The Committee will elect a chair and vice chair at the first hearing of every year.

4.3. The Committee will appoint a Secretary-Treasurer and Deputy Secretary-Treasurer as required based on a recommendation from the City Clerk.

5. Minutes

5.1. The minutes of every hearing shall be recorded by the Secretary-Treasurer and submitted for adoption at the next Committee hearing.

5.2. When the minutes have been adopted, the chair and Secretary-Treasurer shall sign them.

6. Rules of Order

6.1. The Committee will, where any cases arise that are not covered by these procedures, be governed by the [Procedural By-law](#) of Guelph City Council with necessary modifications as judged by the chair in consultation with the Secretary-Treasurer.

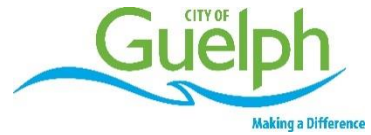
6.2. Three members of the Committee will constitute quorum as per the Planning Act.

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- 6.3. Applicants and public delegations shall have a maximum of ten minutes for which to speak regarding an application.
- 6.4. In accordance with the Planning Act, all decisions of the Committee must be made by the majority of the members present at a hearing. If the members of the Committee fail to reach a majority vote, the Committee may defer the motion to a future Committee hearing or consider another motion.
- 6.5. The sections of the Procedural By-law relating to reconsiderations and notices of motion do not apply to the Committee.

7. Order of Business

- 7.1. The Secretary-Treasurer, in consultation with the chair, shall have discretion to prepare an agenda containing the following:
- Disclosure of pecuniary interest and general nature thereof
 - Approval of minutes
 - Requests for withdrawal or deferral of applications
 - Current applications
 - Requests for refunds and fee waivers
 - Staff announcements
- 6.2 The Committee may consider each application in the order in which it appears on the agenda, or may change the order at the chair's discretion.

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

190-192 Waterloo Avenue

Proposal:

The applicant is proposing to establish a food vehicle on the property beside the existing hair salon.

By-Law Requirements:

The property is located in the Specialized Commercial (C.1-6) Zone. A variance from Section 6.1.3.6.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the C.1-6 Zone, but does not permit a food vehicle as a permitted use.

Request:

The applicant is seeking relief from the By-Law requirements to permit a food vehicle to be located on the property.

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, August 13, 2020**

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

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

Application Number: **A-31/20**

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 **August 6, 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 4:00 p.m. (Monday to Friday).

Notice of the Decision

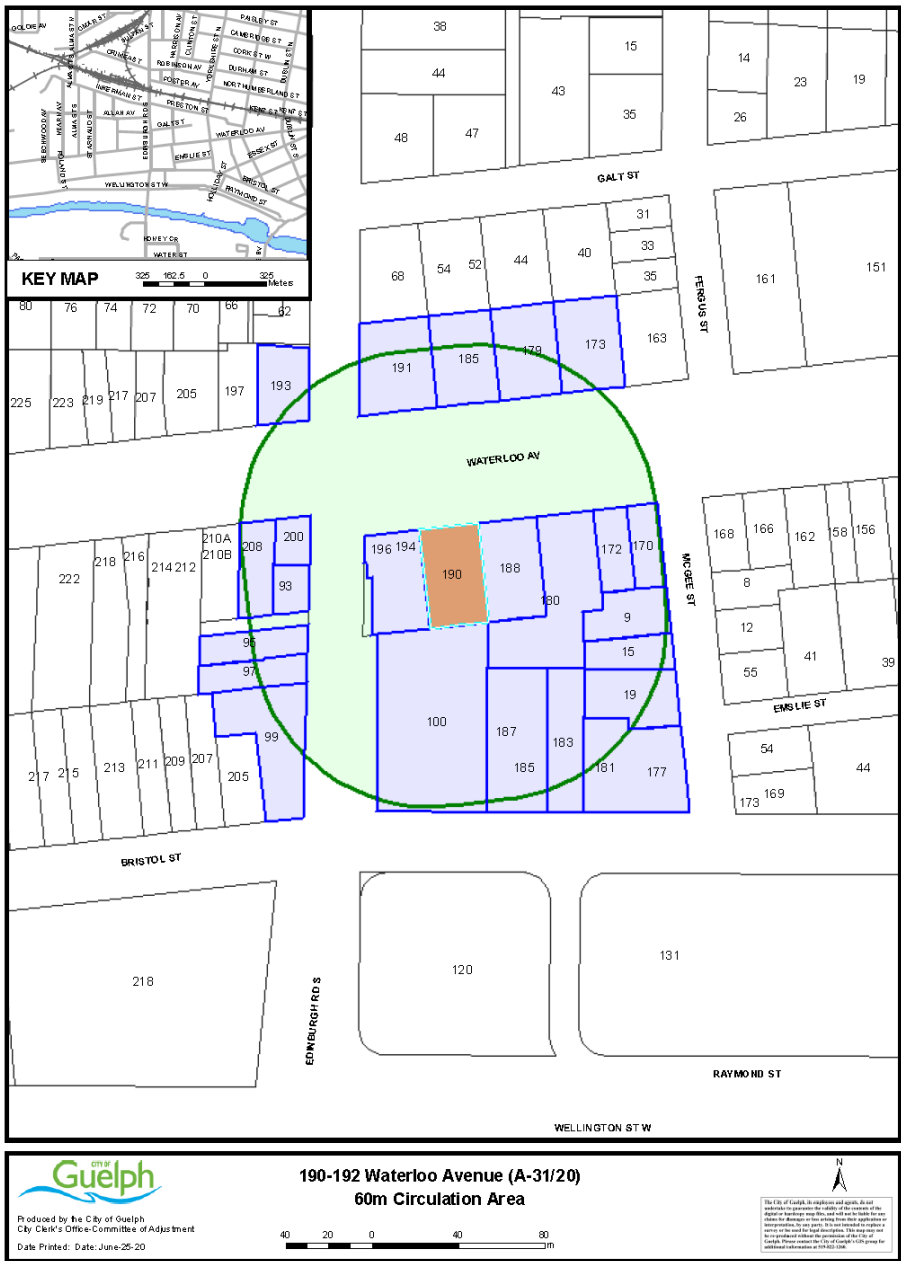
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

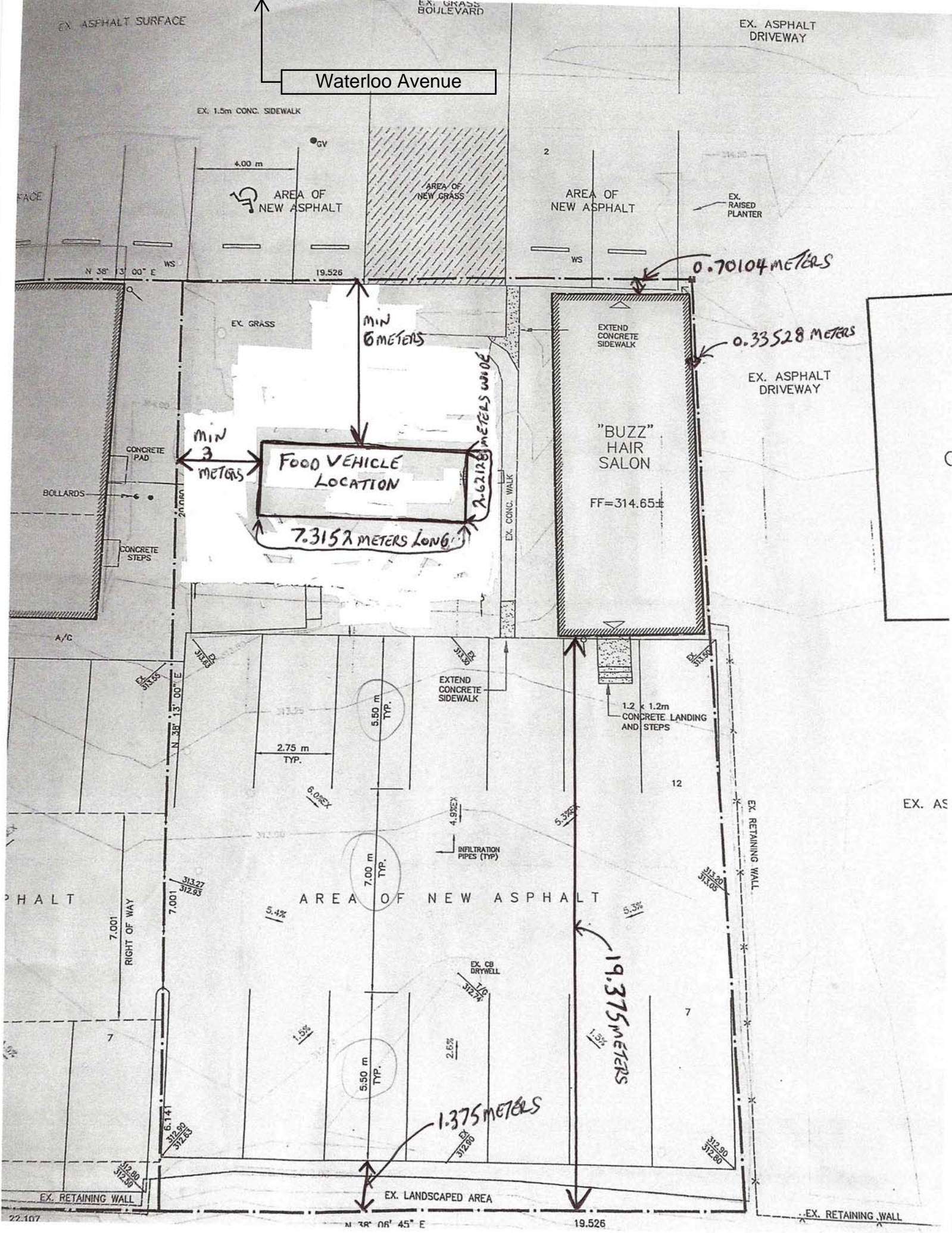
Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated July 24, 2020.

Contact Information

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





Waterloo Avenue

FOOD VEHICLE
LOCATION

7.3157 METERS LONG

2.6212 METERS WIDE

"BUZZ"
HAIR
SALON

FF=314.65±

0.70104 METERS

0.33528 METERS

19.375 METERS

1.375 METERS

AREA OF
NEW ASPHALT

AREA OF
NEW GRASS

AREA OF
NEW ASPHALT

AREA OF NEW ASPHALT

EX. GRASS

EXTEND
CONCRETE
SIDEWALK

EX. ASPHALT
DRIVEWAY

EXTEND
CONCRETE
SIDEWALK

1.2 x 1.2m
CONCRETE LANDING
AND STEPS

INFILTRATION
PIPES (TYP)

EX. RETAINING WALL

EX. RETAINING WALL

EX. LANDSCAPED AREA

EX. RETAINING WALL

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 22, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-31/20

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: <u>190⁻¹⁹² WATERLOO AVE.</u>	
Legal description of property (registered plan number and lot number or other legal description): <u>PLAN 42 LOT 13</u>	
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)	
Name:	<u>MYRA BUZBUZIANI</u>
Mailing Address:	<u>19 LORNA DR.</u>
City:	<u>GUELPH</u>
Postal Code:	<u>N1G 4C5</u>
Home Phone:	<u>519-836-7246</u>
Work Phone:	
Fax:	
Email:	
AGENT INFORMATION (If Any)	
Company:	
Name:	<u>RICK ROZYLE (35 HARVARD RD.)</u>
Mailing Address:	<u>P.O. BOX 21022 (CAMPUS DRUGMART LTD.)</u>
City:	<u>GUELPH</u>
Postal Code:	<u>N1G 4T3</u>
Work Phone:	<u>519-824-4964</u>
Mobile Phone:	<u>519-835-3939</u>
Fax:	
Email:	<u>rich@rogers.com</u>

Official Plan Designation: LOW DENSITY RESIDENTIAL	Current Zoning Designation: C1-6
---	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): TO PERMIT A FOOD VEHICLE SECTION 6.1.3.6.1

Why is it not possible to comply with the provision of the by-law? (your explanation) C-1 ZONE ALLOWS FOOD VEHICLE SPECIALIZED ZONE DOES NOT

PROPERTY INFORMATION			
Date property was purchased:	2004	Date property was first built on:	UNKNOWN
Date of proposed construction on property:	NA	Length of time the existing uses of the subject property have continued:	2005
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): COMMERCIAL HAIR SALON			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): COMMERCIAL HAIR SALON WITH FOOD VEHICLE			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 19.526	Depth: 33.142	Area: 673 SQ METRES

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u> <i>PROPOSED FOOD VEHICLE</i>	
Gross Floor Area:	<i>70 m²</i>	Gross Floor Area:	<i>NO CHANGE</i>
Height of building:	<i>APPROX 2.7 m</i>	Height of building:	
Garage/Carport (if applicable) <i>NA</i>		Garage/Carport (if applicable)	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input type="checkbox"/> Detached <input type="checkbox"/>	
Width:		Width:	
Length:		Length:	
Driveway Width:		Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height:		Describe details, including height: <i>7.3 x 2.6 METERS</i>	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	<i>7 m</i> M	Front Yard Setback:	<i>0.7 METERS</i> M
Exterior Side Yard (corner lots only)	<i>NA</i> M	Exterior Side Yard (corner lots only)	<i>NA</i> M
Side Yard Setback:	Left: <i>APPROX 3 m</i> M Right: M	Side Yard Setback:	Left: <i>3m</i> M Right: <i>3m</i> M
Rear Yard Setback	<i>APPROX 20 m</i> M	Rear Yard Setback	<i>19.4 METERS</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 checked="" type="checkbox"/>
If not available, by what means is it provided:	

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>SP06.D043</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.

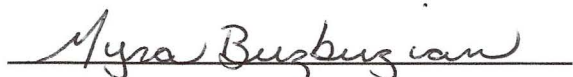
POSTING OF ADVISORY SIGN

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, Rick Royle, 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~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 22 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)

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

of -192 190 WATERLOO AVE LOT 13 PLAN 42
(Legal description and/or municipal address)

hereby authorize RIK ROZYLE
(Authorized agent's name)

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

Dated this 12 day of JUNE 12 2020

Myra Buglion
(Signature of the property owner)

(Signature of the property owner)

NOTES:

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

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

588 Starwood Drive

Proposal:

The applicant is proposing to construct a landing with stairs located in the left side yard. The landing and stairs will be used for a side door entrance for the proposed accessory apartment in the basement of the existing detached dwelling.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1D) Zone. Variances from Table 4.7 Rows 1 and 12 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum side yard setback of 0.6 metres for an uncovered porch not more than 1.2 metres above finished grade; and
- b) a minimum side yard setback of 0.6 metres for exterior stairs.

Request:

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

- a) a minimum left side yard setback of 0.33 metres for the proposed uncovered porch (landing); and
- b) a minimum left side yard setback of 0.33 metres for the proposed exterior stairs.

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, August 13, 2020
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	A-32/20

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 **August 6, 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 4:00 p.m. (Monday to Friday).

Notice of the Decision

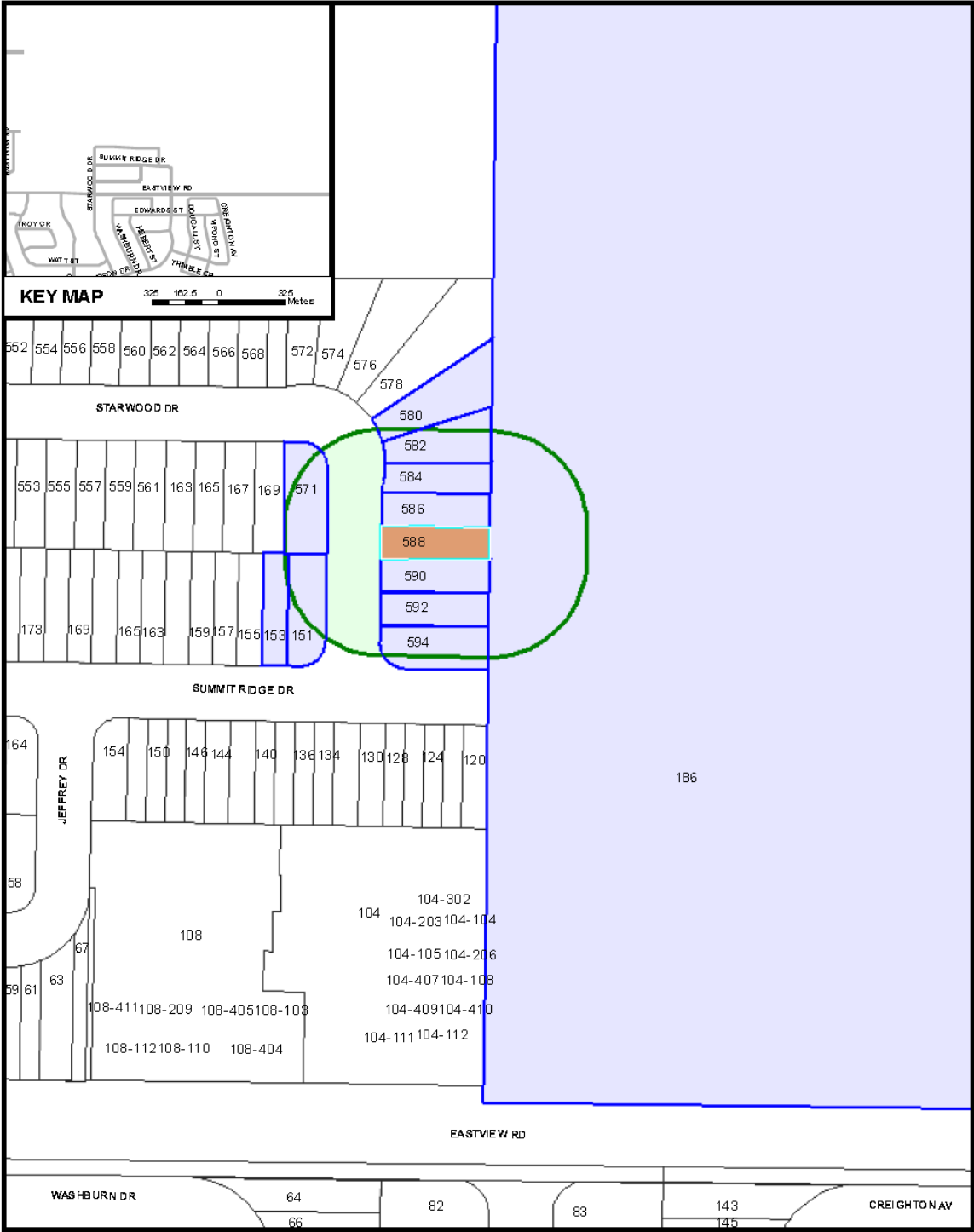
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated July 24, 2020.

Contact Information

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

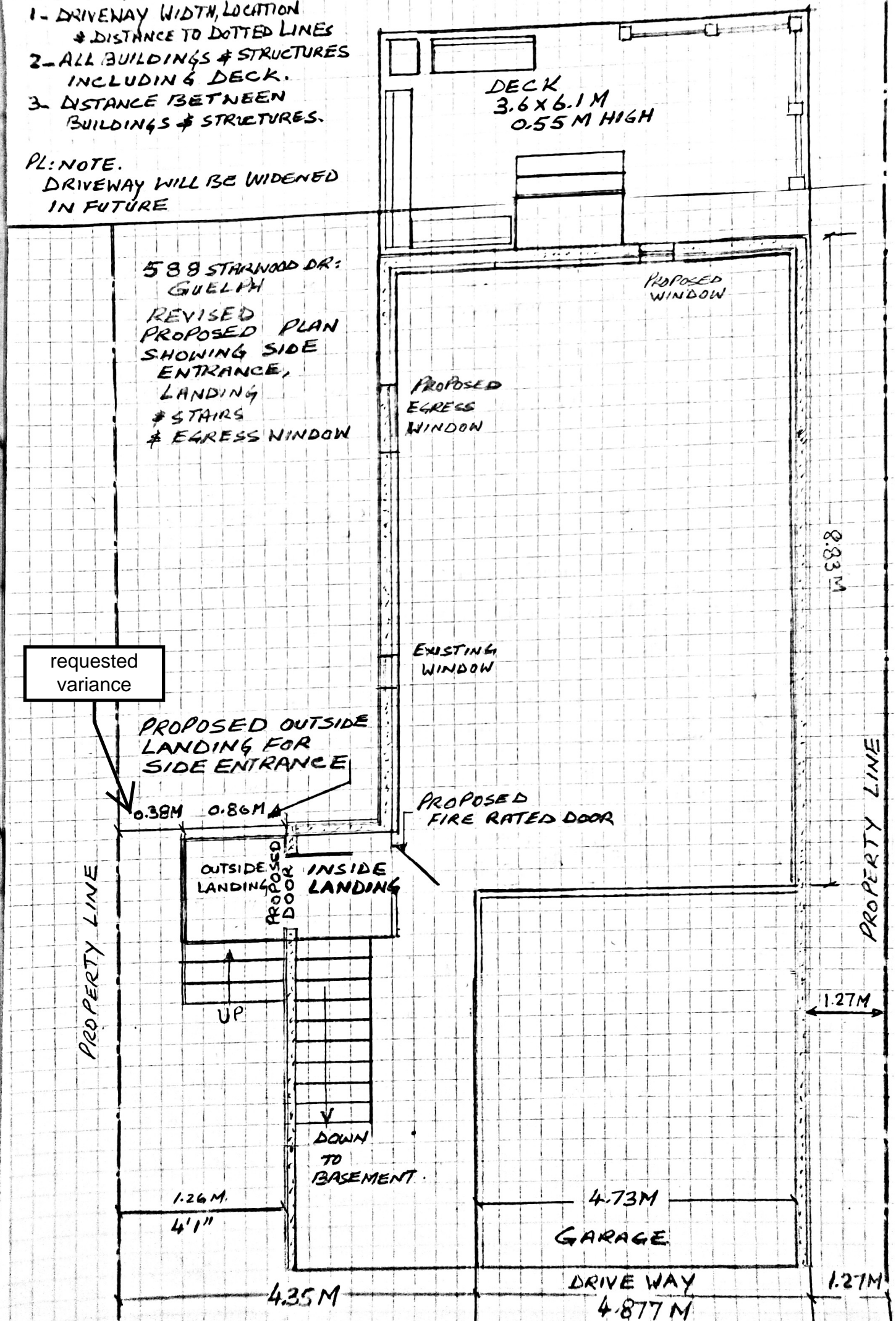


DRAWING SHOWING

- 1- DRIVEWAY WIDTH, LOCATION & DISTANCE TO DOTTED LINES
- 2- ALL BUILDINGS & STRUCTURES INCLUDING DECK.
- 3- DISTANCE BETWEEN BUILDINGS & STRUCTURES.

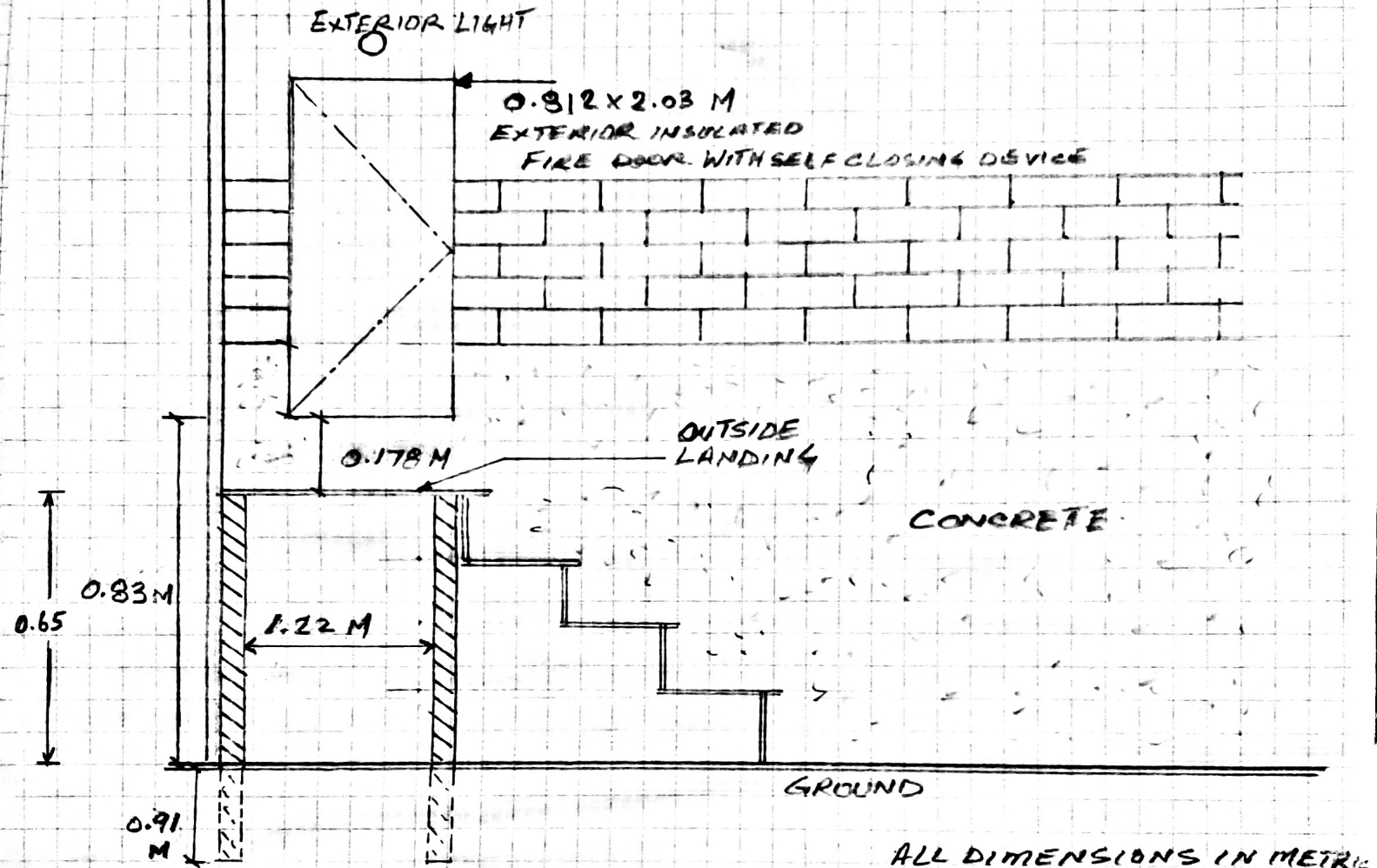
PL: NOTE.

DRIVEWAY WILL BE WIDENED
IN FUTURE



PROPOSED SIDE ENTRANCE

588 STARWOOD DRIVE
GUELPH
ONTARIO
N1E 0L9



ALL DIMENSIONS IN METRIC

NOTES:

- ① OUTSIDE LANDING
0.64 x 0.64
- ② STAIRS
RISE 2.01
TREAD 3.04
- ③ OUTSIDE LANDING & STAIRS.
WOODEN STRUCTURE
MATERIAL - PRESSURE TREATED
- ④ HAND RAIL
(NOT SHOWN)
TO BE ON 2 SIDES OF LANDING
& ALONG STAIRS.
TO BE 10.66 HIGH
- ⑤ LANDING TO BE BUILT ON
4 - 4" x 4" PRESSURE TREATED
WOOD.

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 7, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-32/20

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: 588 STARWOOD DRIVE, GUELPH

Legal description of property (registered plan number and lot number or other legal description):
PLAN 61M-194, LOT 4, CONCESSIONS 5, DIVISION 'C'

OWNER(S) INFORMATION:

Name: RASHID RAZA
Mailing Address: 588 STARWOOD DRIVE
City: GUELPH Postal Code: N1E 0L9
Home Phone: 416 892 5952 Work Phone: _____
Fax: _____ Email: TUMPAASHO@YAHOO.CA

AGENT INFORMATION (If Any)

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

Official Plan Designation:

LOW DENSITY GREENFIELD RESIDENTIAL.

Current Zoning Designation:

R.1D

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

PROPOSED PROPOSED
ENTRANCE TO BASEMENT FROM SIDE DOOR ABOVE
GROUND.

MY PROPERTY IS 1.27M FROM THE PROPERTY LINE.
PROPOSED SIDE ENTRANCE TO BASEMENT APT IS ON THE
LEFT SIDE. NEED A SETBACK OF 0.305M FOR THE
LANDING.

ON THE RIGHT SIDE OF PROPERTY I HAVE 1.27M
FROM BUILDING TO THE PROPERTY LINE.

TABLE 4.7, ROW 2. PROPOSED 0.33M REQUIRED

0.6M

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

THE PROPERTY LINE IS 1.27M FROM THE
BUILDING. THE SIDE ENTRANCE LANDING IS
FALLING SHORT OF 0.305 (APPROX.).
HENCE I NEED TO APPLY FOR MINOR VARIANCE.

PROPERTY INFORMATION

Date property was purchased:	JAN 12, 2016	Date property was first built on:	JAN 12, 2016
Date of proposed construction on property:	AS SOON AS PERMIT ISSUED	Length of time the existing uses of the subject property have continued:	
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:

10.29 M

Depth:

33.602 M

Area:

565.74 SQM

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	2.026 Sam		Gross Floor Area:	NO CHANGE.	
Height of building:			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 type="checkbox"/>		
Width:	4.57m		Width:	NO CHANGE NO CHANGE	
Length:	5.94m		Length:	NO CHANGE NO CHANGE	
Driveway Width:	4.57m		Driveway Width:	NO CHANGE NO CHANGE	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: 2.3M X 3M SHED IN BACKYARD 2.13M FEET HIGH. DECK 6M X 3.6 X 0.58(H)M DECK SHED IS IN COMPLIANCE WITH BY LAW			Describe details, including height: NO CHANGE.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	6.30 M		Front Yard Setback:	NO CHANGE M	
Exterior Side Yard (corner lots only)	N/A M		Exterior Side Yard (corner lots only)	N/A M	
Side Yard Setback:	Left: 1.27 M	Right: 1.27 M	Side Yard Setback:	Left: 0.38 M	Right: 1.27 M
Rear Yard Setback	10.97 M		Rear Yard Setback	NO CHANGE M	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)					
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

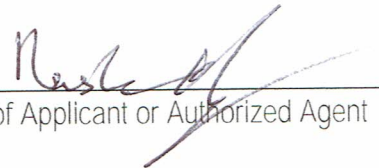

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, RASHID RAZA, 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~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 7 day of July, 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)

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

94 Maple Street

Proposal:

The applicant is proposing to increase the area of the existing 40.9 square metre detached garage located in the rear yard of the property. With the addition of the proposed carport, cabana, change room and pool mechanical room, the accessory building will have a maximum ground floor area of 118 square metres.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1A) Zone. A variance from Section 4.5.1.4 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that in a residential Zone, the total ground floor area of all accessory buildings or structures shall not exceed 70 square metres.

Request:

The applicant is seeking relief from the By-Law requirements to permit an accessory building with a maximum ground floor area of 118 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 45 of the Planning Act R.S.O. 1990 P.13, as amended.

Date: **Thursday, August 13, 2020**

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

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

Application Number: **A-33/20**

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 **August 6, 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 4:00 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 July 24, 2020.

Contact Information

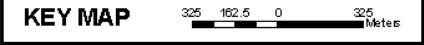
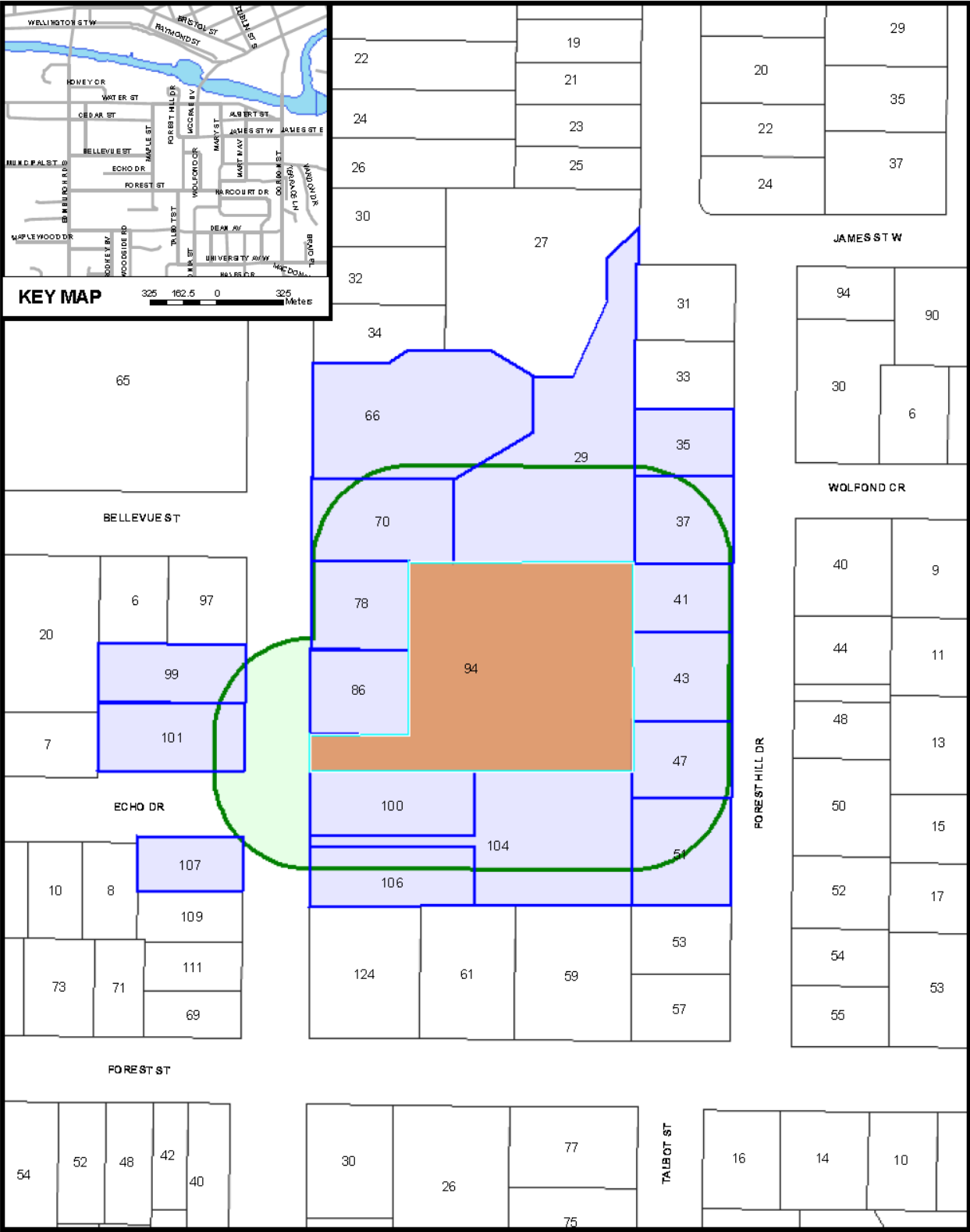
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa



DRAWINGS MUST BE SIGNED
TO BE VALID FOR PERMIT.
ARE VALID ONLY FOR THE
ORIGINAL ADDRESS
IN THE TITLE BLOCK



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under
Division C-3.2.5.1 of the 2012 O.B.C.

John Vanderwoerd BCIN 21611

REGISTRATION INFORMATION

Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.
Firm Name: Vandervoort Drafting & Design
BCIN 38975



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DRAWN BY:

JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

CONTRACTOR

STARTING DATE:

June 8, 2020

LAST REVISION DATE:

Jul 10, 2020

CUSTOMER:

Dave & Gale Vanveen
94 Maple Street
Guelph, ON

PROJECT:

Deck

DRAWING TITLE:

Site Plan

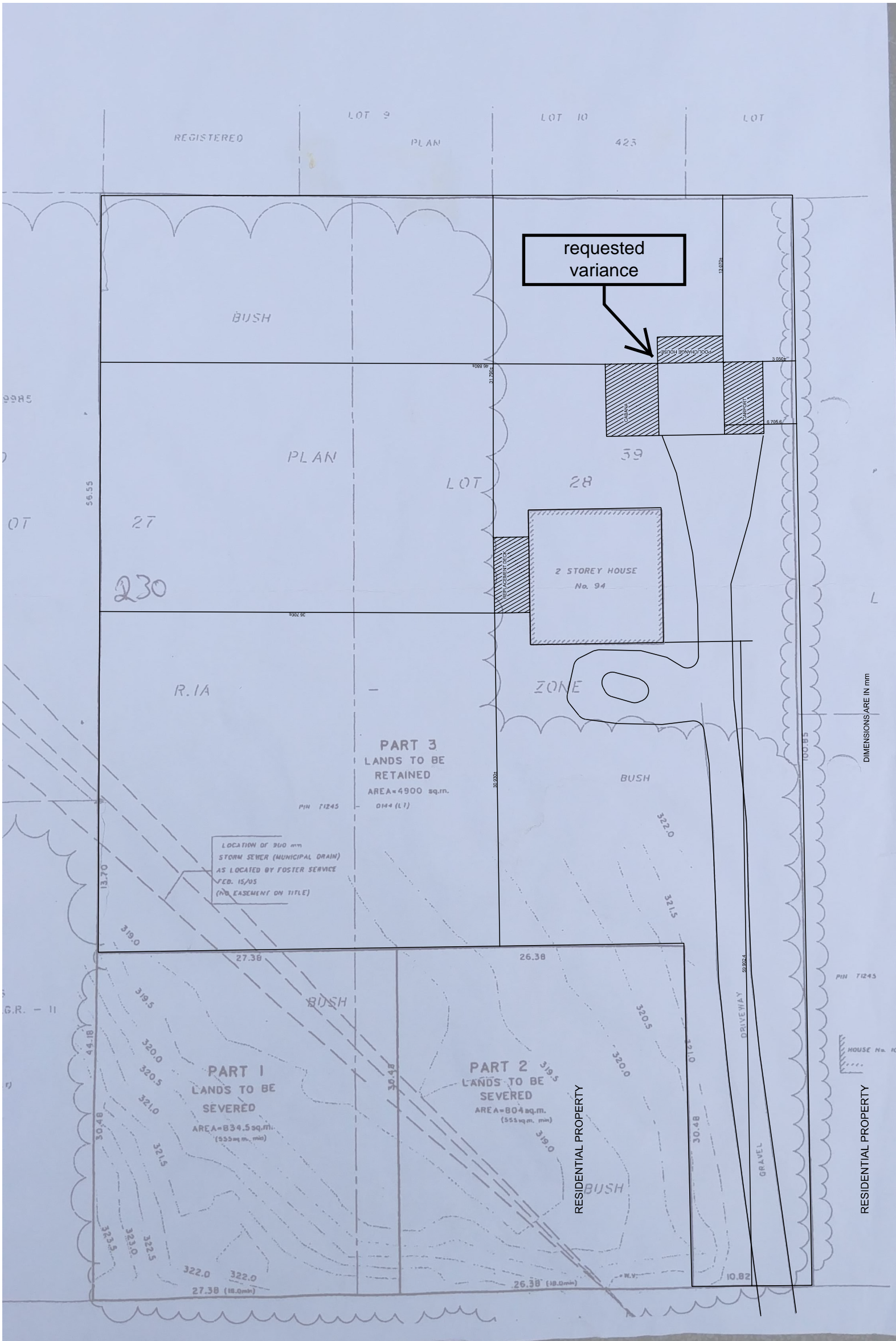
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20-180

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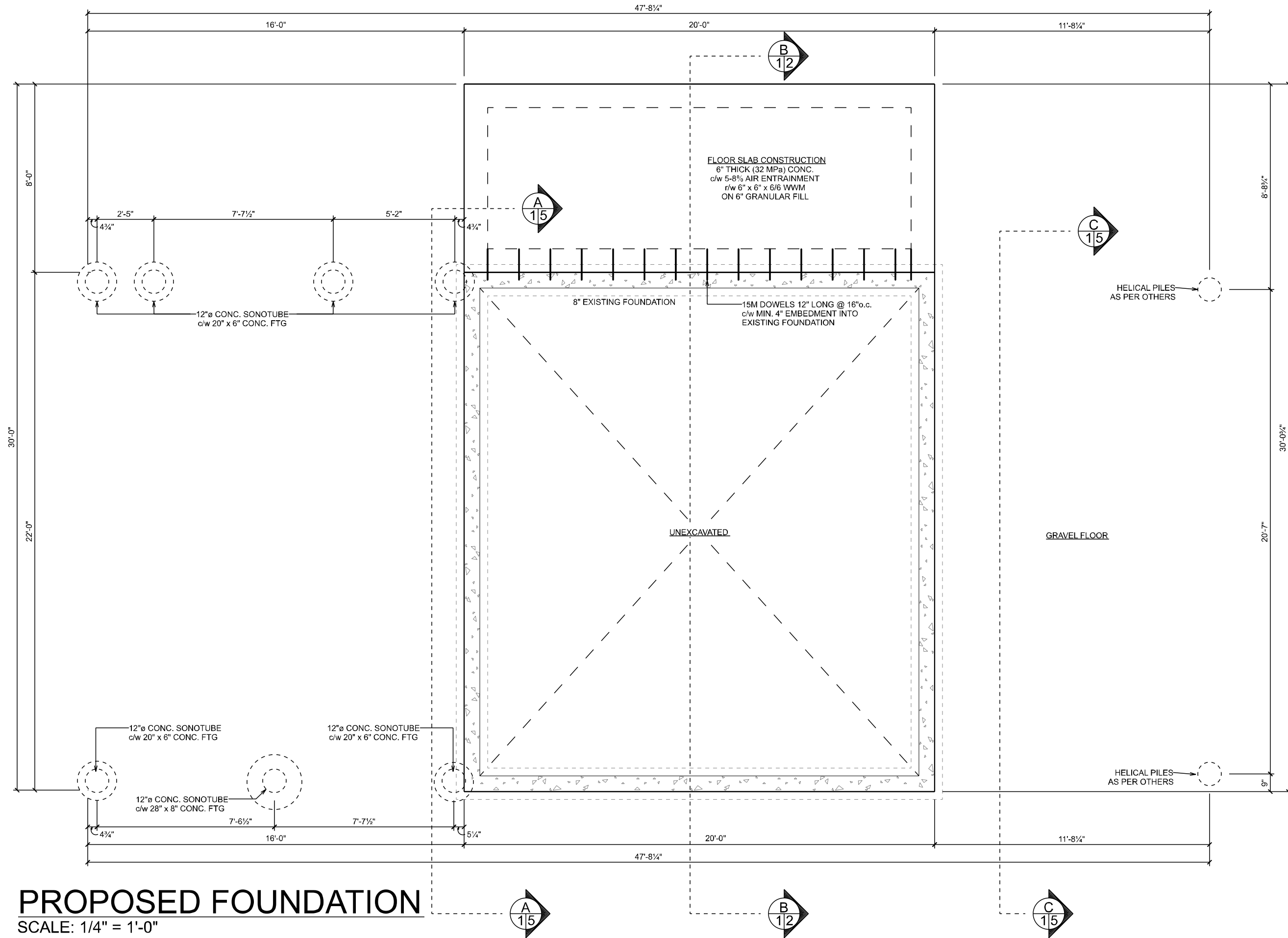
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1 of 1



SITE PLAN

SCALE: 1:400



PROPOSED FOUNDATION

SCALE: 1/4" = 1'-0"

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PROJECT #: 20-06-027

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QUALIFICATION INFORMATION
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[Signature]
John Vanderwoerd BCIN 21811

REGISTRATION INFORMATION
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Firm Name: Vanderwoerd Drafting & Design
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CONTRACTOR

Wellington Landscaping

STARTING DATE: June 3, 2020	LAST REVISION DATE: Jul 2, 2020
--------------------------------	------------------------------------

CUSTOMER:

Dave & Gale VanVeen
94 Maple Street
Guelph. On

PROJECT:

Garage Addition

DRAWING TITLE:

Proposed Foundation

DRAWING #: 20-176	PAGE #: 1 of 10
SCALE: 1/4" = 1'-0"	

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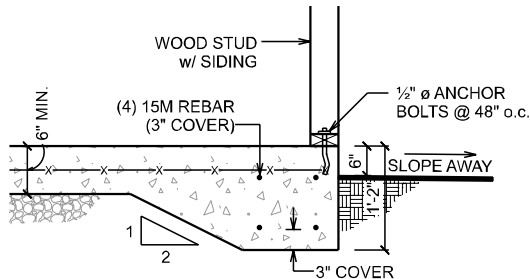
GENERAL NOTES:

FOUNDATIONS:

1. REMOVE ALL TOPSOIL AND ORGANIC MATERIAL FROM THE BUILDING AREA
2. SUBGRADE SHALL BE RATED FOR 1500 P.S.F. (75 kPa) AND NOT HIGHLY FROST SUSCEPTIBLE
3. PROVIDE INSULATION AS PER CANADIAN FOUNDATION ENGINEERING MANUAL
4. UNDER SLAB INSULATION: IF NOT INSTALLED, CLIENT/ CONTRACTOR ACCEPTS THE POTENTIAL OF CRACKING/HEAVING OVER TIME (IF BUILDING IS NOT HEATED) OR HEAT LOSS (IF BUILDING IS HEATED)
5. PERIMETER INSULATION: IF NOT INSTALLED, CLIENT/ CONTRACTOR ACCEPTS THE POTENTIAL OF CRACKING/HEAVING OVER TIME.

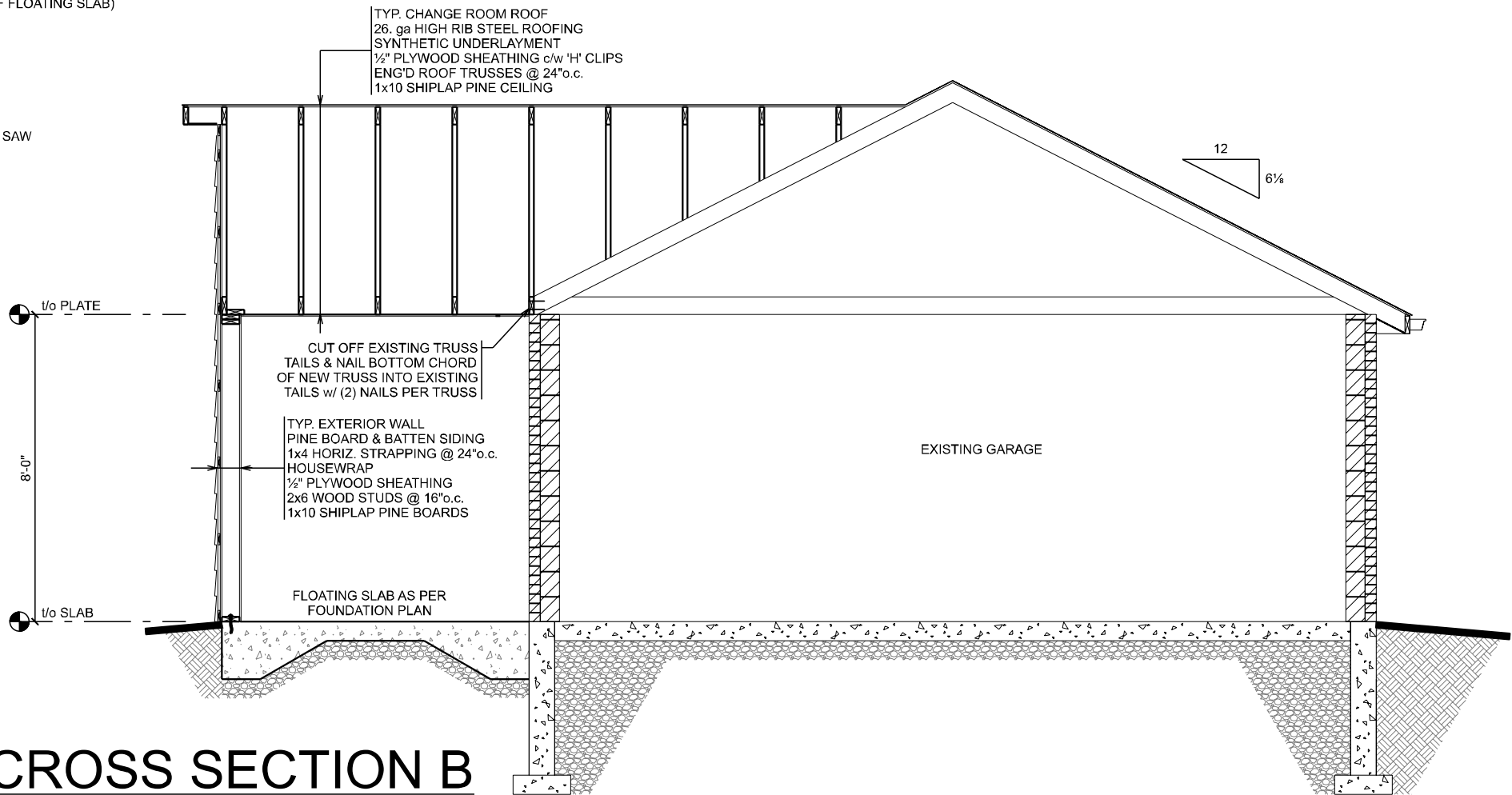
CONCRETE:

1. ALL CONCRETE ON THIS PROJECT SHALL HAVE A MINIMUM OF 28 DAYS COMPRESSIVE STRENGTH OF 32 MPa WITH 6% AIR ENTRAINMENT AND 0.45 MAX WATER TO CEMENT RATIO.
2. ALL REINFORCEMENT TO BE GRADE 400
3. REBAR SPLICE LENGTH 18" LAP (15 M BARS) WELDED WIRE MESH 9" LAP
4. ALL CONCRETE WORK SHALL BE CARRIED OUT IN ACCORDANCE TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE, CAN/CSA-A23.1/A23.2-M90 AND LOCAL BY-LAWS.
5. CONCRETE COVER SHALL BE AS FOLLOWS:
A) 3" WHERE CONCRETE IS IN CONTACT WITH EARTH (I.E. FOOTINGS)
B) 2" WHERE IN FORMS TO WEATHER OR EARTH (I.E. SIDE OF FLOATING SLAB)
6. SLAB TO BE ON MIN. 6" COMPACTED GRANULAR FILL ON ORIGINAL SOIL
7. GRADE MUST SLOPE TO DRAIN AWAY FROM BUILDING
8. SLAB ON GRADE SHALL BE COMPACTED TO 98% SPDD
9. SAW CUT SLAB TO ¼ DEPTH THE SLAB THICKNESS. SPACE SAW CUTS @ 15'-0" o.c.
10. SLAB IS NOT TO BE POURED ON FROZEN GROUND.



TYPICAL EDGE DETAIL

SCALE: 1/2" = 1'-0"



B
1/2

CROSS SECTION B

SCALE: 1/4" = 1'-0"

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PROJECT #:
20-06-027

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QUALIFICATION INFORMATION
Required unless design is exempt under
Division C-3.2.5.1 of the 2012 O.B.C.

[Signature]
John Vanderwoerd BCIN 21811
REGISTRATION INFORMATION
Required unless design is exempt under
Division C-3.2.4.1 of the 2012 O.B.C.
Firm Name: Vanderwoerd Drafting & Design
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CONTRACTOR
Wellington Landscaping

STARTING DATE:
June 3, 2020

LAST REVISION DATE:
Jul 2, 2020

CUSTOMER:
Dave & Gale VanVeen
94 Maple Street
Guelph. On

PROJECT:
Garage Addition

DRAWING TITLE:
Foundation Notes & Detail

DRAWING #:
20-176

SCALE:
1/4" = 1'-0"

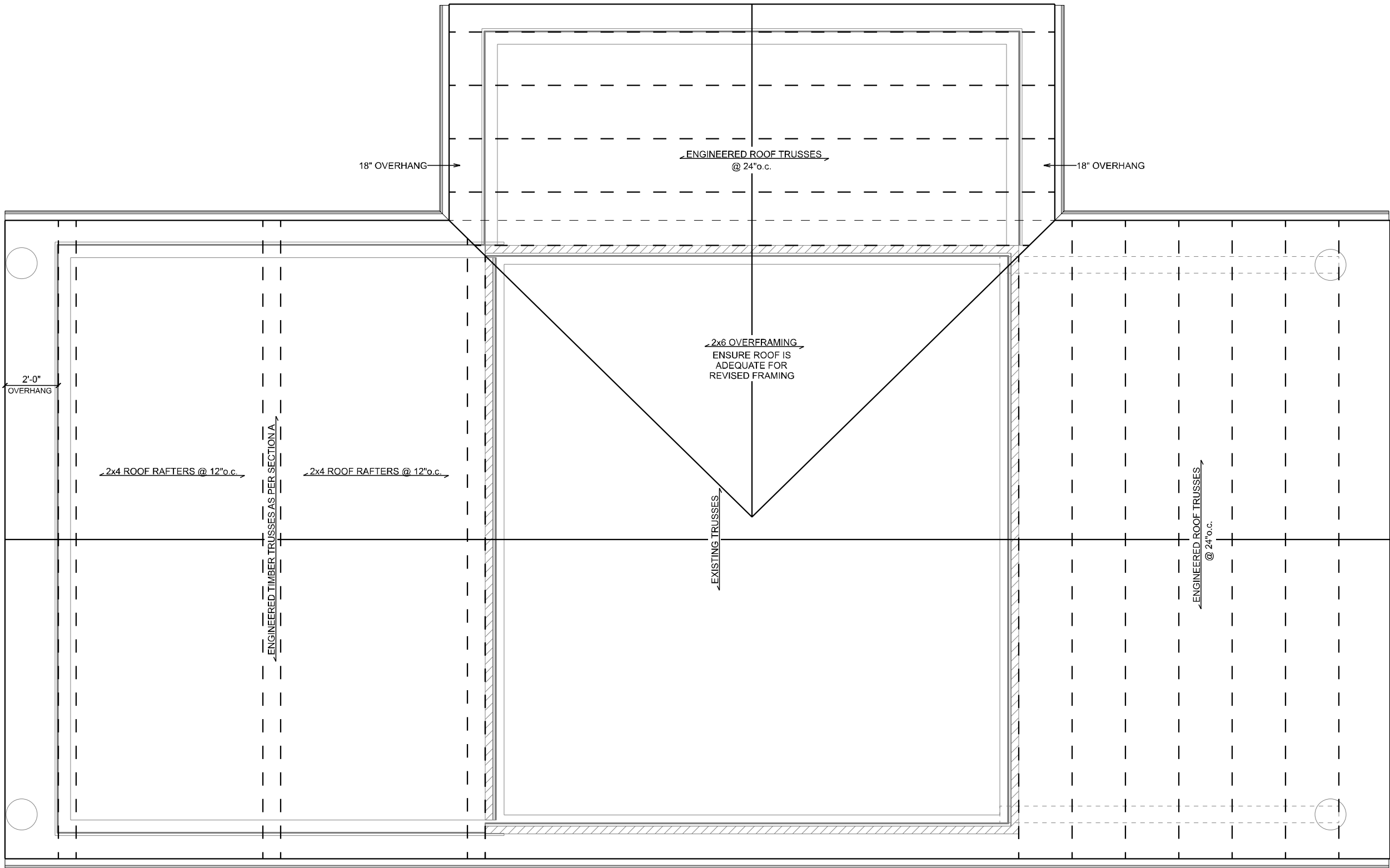
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SCALE:
1/4" = 1'-0"


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PROPOSED ROOF PLAN

SCALE: 1/4" = 1'-0"

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CONTRACTOR

Wellington Landscaping

STARTING DATE:
June 3, 2020

LAST REVISION DATE:
Jul 2, 2020

CUSTOMER:

Dave & Gale VanVeen
94 Maple Street
Guelph. On

PROJECT:

Garage Addition

DRAWING TITLE:

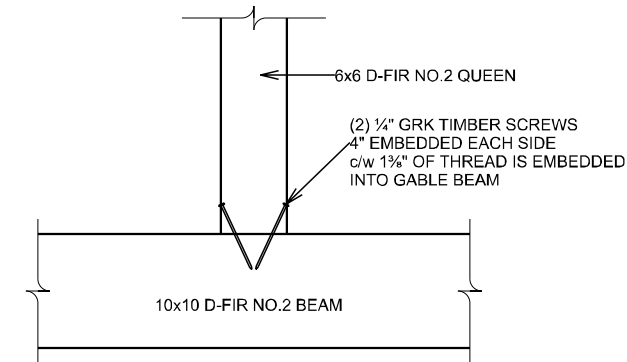
Roof Plan

DRAWING #:
20-176

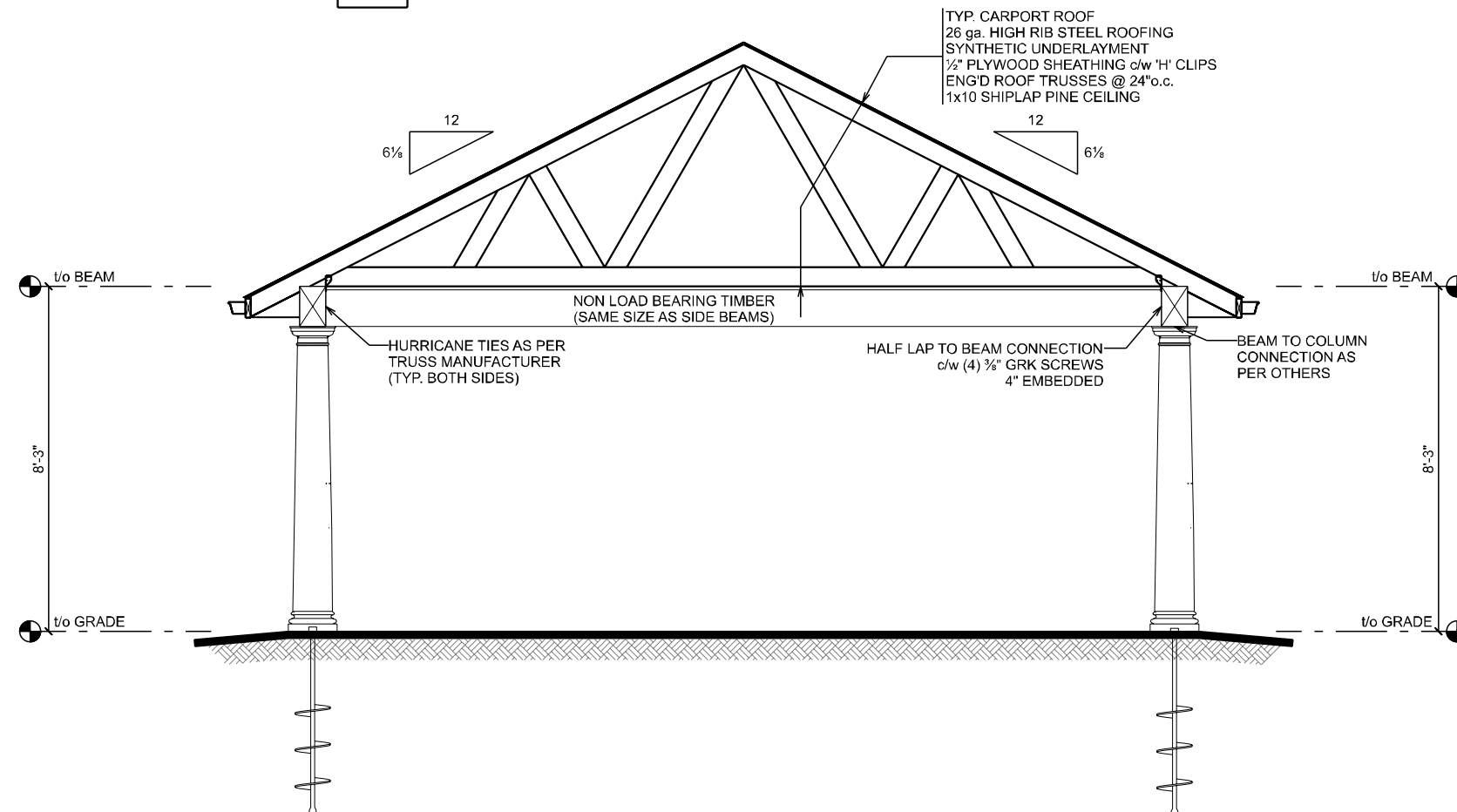
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1/4" = 1'-0"

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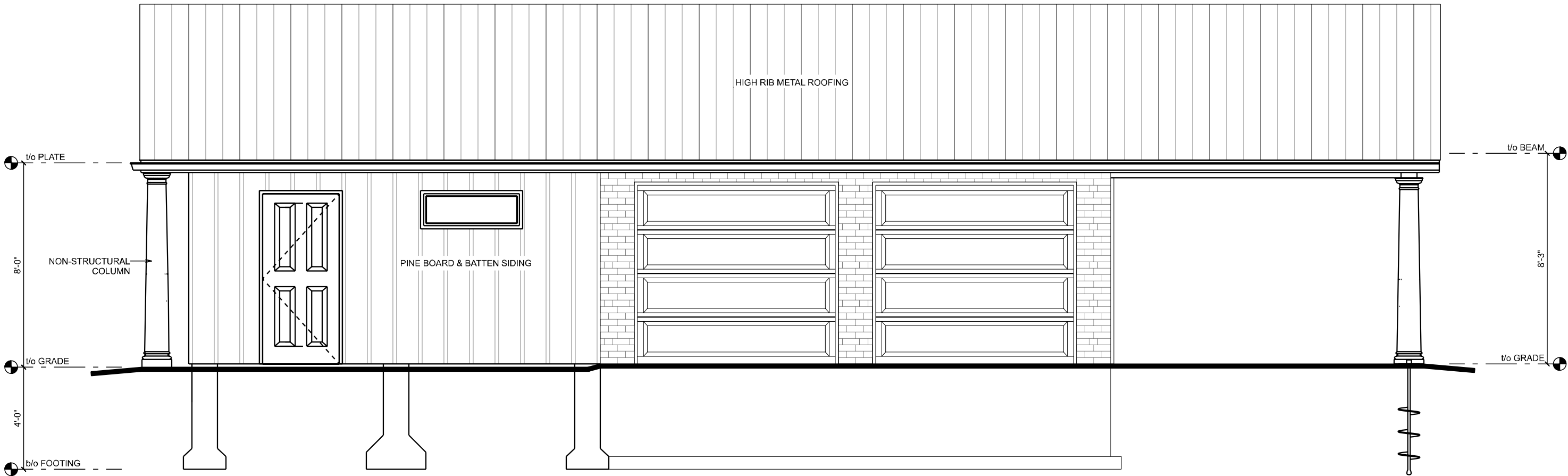
SCALE: 3/4" = 1'-0"



SCALE: 1/4" = 1'-0"

SCALE:
As Noted

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FRONT ELEVATION

SCALE: 1/4" = 1'-0"

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[Signature]

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Guelph. On

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JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
Garage Addition

DRAWING TITLE:
Front Elevation

STARTING DATE:
June 3, 2020

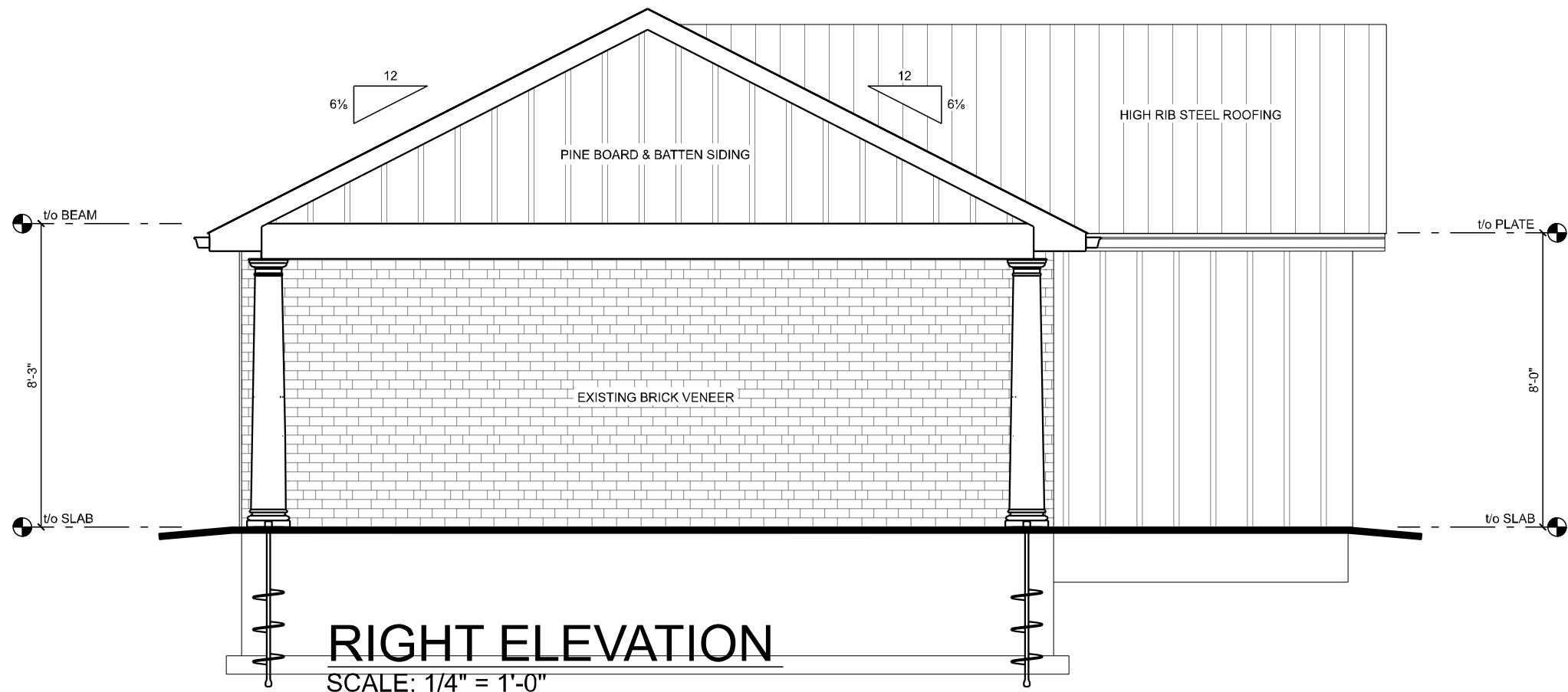
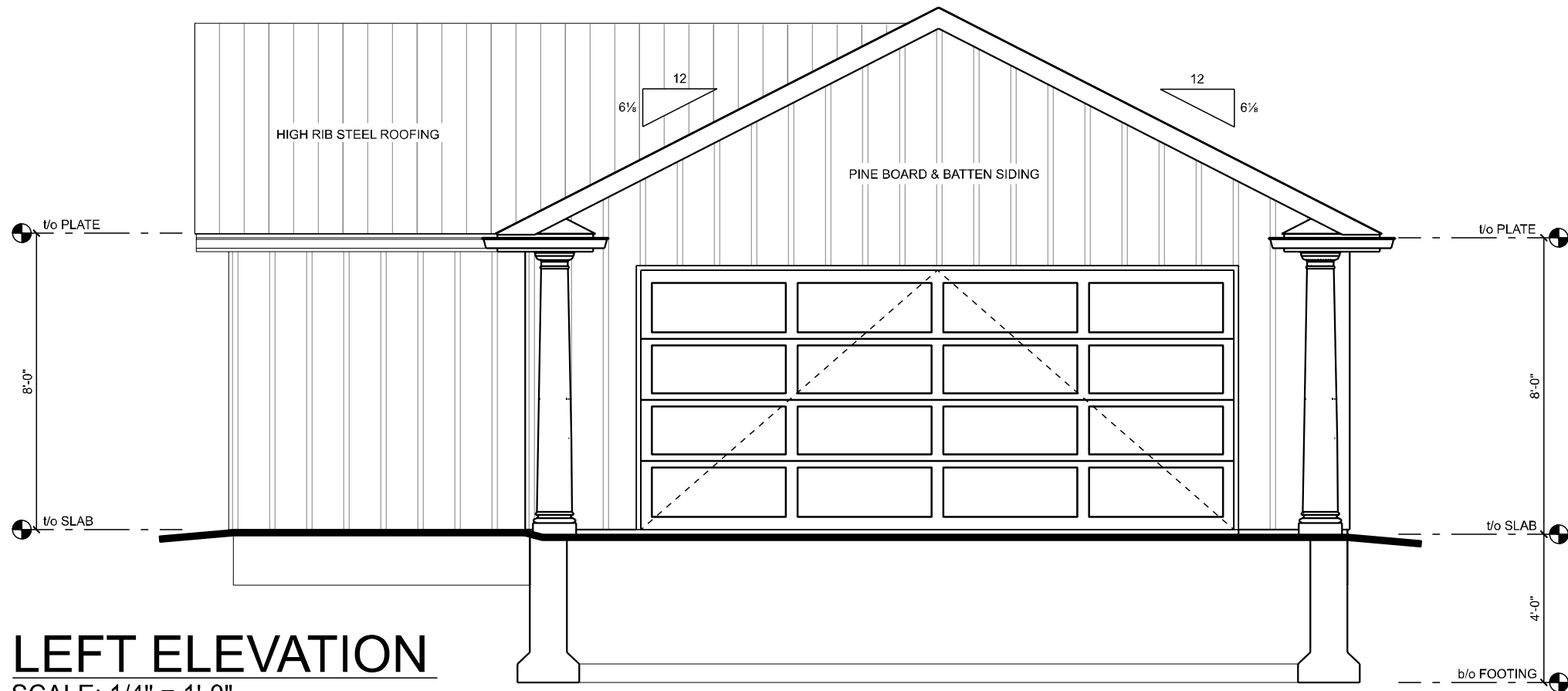
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20-176

SCALE:
1/4" = 1'-0"

LAST REVISION DATE:
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BCIN 38975

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CONTRACTOR

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STARTING DATE:

June 3, 2020

LAST REVISION DATE:

Jul 2, 2020

CUSTOMER:

Dave & Gale VanVeen
94 Maple Street
Guelph. On

PROJECT:

Garage Addition

DRAWING TITLE:

Side Elevations

DRAWING #:

20-176

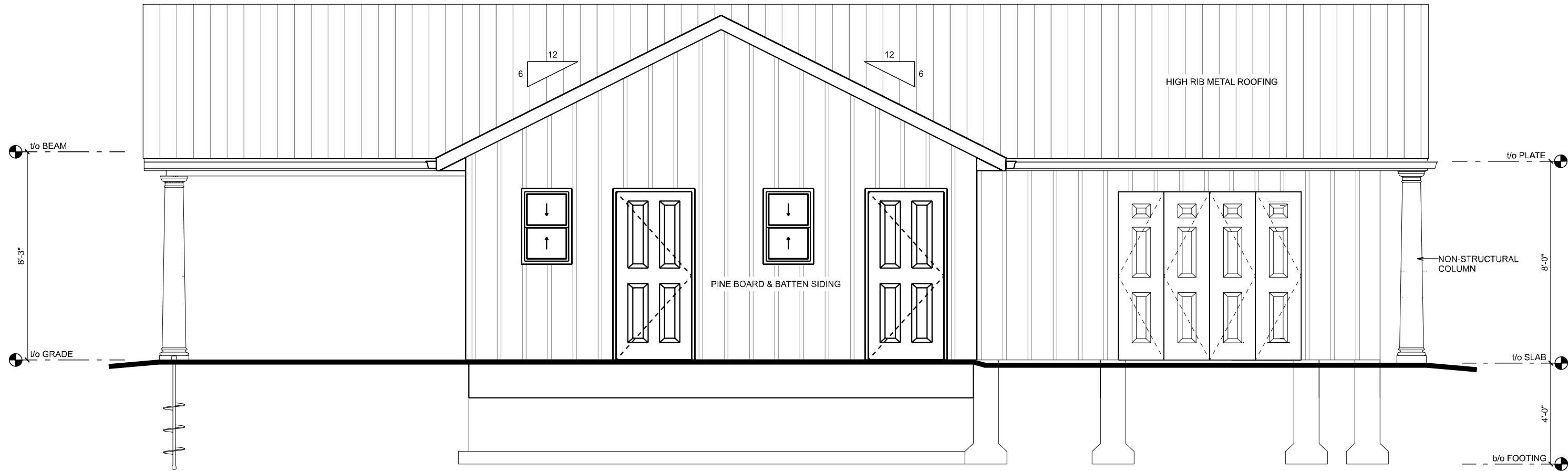
PAGE #:

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SCALE:

1/4" = 1'-0"

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REAR ELEVATION
SCALE: 1/4" = 1'-0"

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DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
Garage Addition

DRAWING TITLE:
Rear Elevation

STARTING DATE:
June 3, 2020

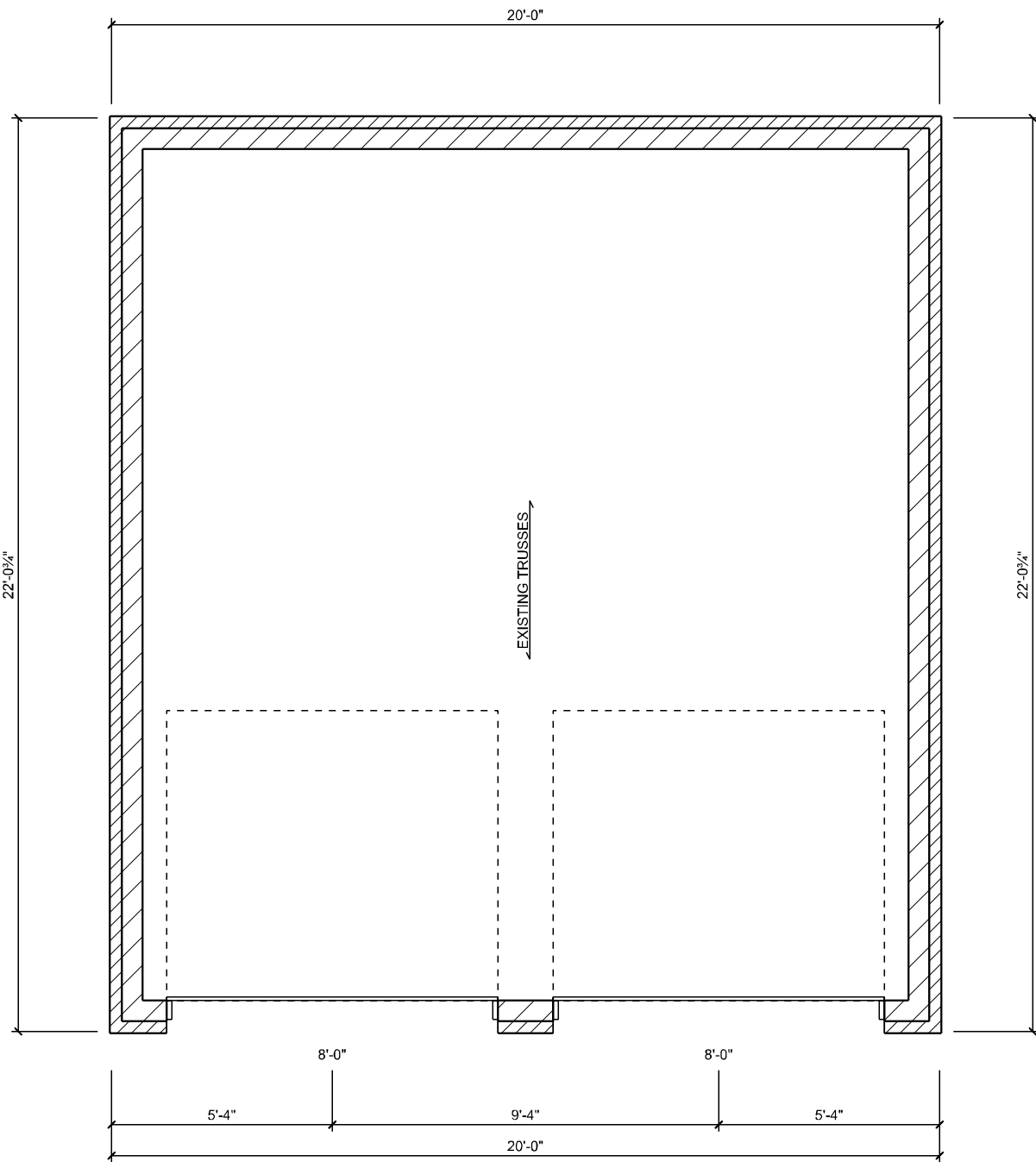
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SCALE:
1/4" = 1'-0"

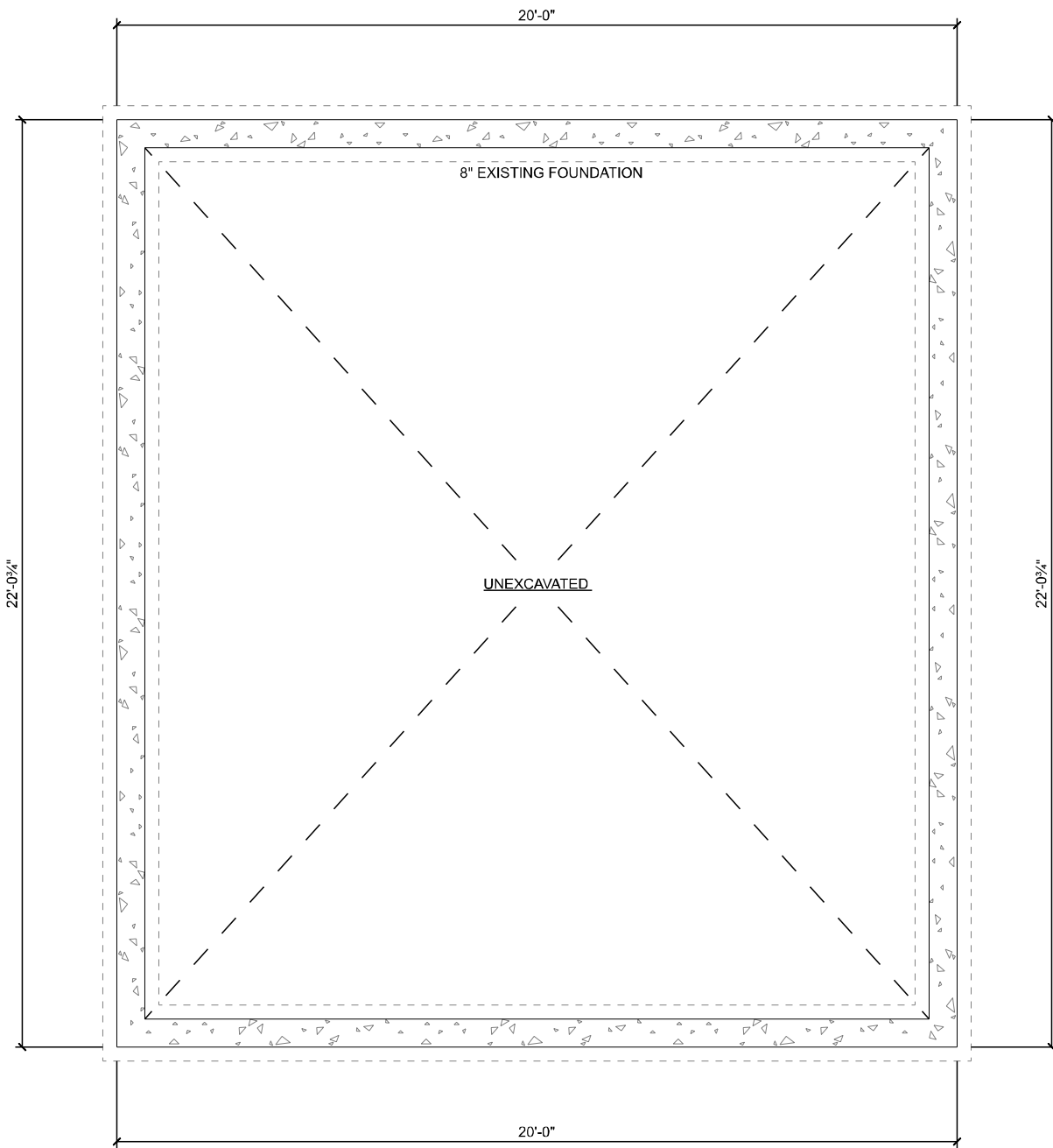
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EXISTING FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXISTING FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

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CONTRACTOR

Wellington Landscaping

STARTING DATE: June 3, 2020

LAST REVISION DATE: Jul 2, 2020

CUSTOMER:

Dave & Gale VanVeen
94 Maple Street
Guelph. On

PROJECT:

Garage Addition

DRAWING TITLE:

Existing

DRAWING #: 20-176

PAGE #: 9 of 10

SCALE: 1/4" = 1'-0"

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9.3.1. Concrete
9.3.1.1. General
(1) Except as provided in Sentence (2), unreinforced and nominally reinforced concrete shall be designed, mixed, placed, cured and tested in accordance with the requirements for "R" class concrete stated in Clause 8.13 of CSA A23.1, "Concrete Materials and Methods of Concrete Construction".
(2) Unreinforced and nominally reinforced site-batched concrete shall be designed, mixed, placed and cured in accordance with Articles 9.3.1.2. to 9.3.1.9.
9.3.1.2. Cement
(1) Cement shall meet the requirements of CAN/CSA-A3001, "Cementitious Materials for Use in Concrete".
9.3.1.3. Concrete in Contact with Sulfate Soil
(1) Concrete in contact with sulfate soil, which is deleterious to normal cement, shall conform to the requirements in Clause 15.5 of CAN/CSA-A23.1, "Concrete Materials and Methods of Concrete Construction".
9.3.1.4. Aggregates
(1) Aggregates shall,
(a) consist of sand, gravel, crushed rock, crushed air-cooled blast furnace slag, expanded shale or expanded clay conforming to CAN/CSA-A23.1, "Concrete Materials and Methods of Concrete Construction", and
(b) be clean, well-graded and free of injurious amounts of organic and other deleterious material.
9.3.1.5. Water
(1) Water shall be clean and free of injurious amounts of oil, organic matter, sediment or any other deleterious material.
9.3.1.6. Compressive Strength
(1) Except as provided elsewhere in this Part, the compressive strength of unreinforced concrete after 28 days shall be not less than,
(a) 32 MPa for garage floors, carport floors and all exterior flatwork,
(b) 20 MPa for interior floors other than those for garages and carports, and
(c) 15 MPa for all other applications.
(2) Concrete used for garage and carport floors and exterior steps shall have air entrainment of 5 to 8%.
9.3.1.7. Concrete Mixes
(1) For site-batched concrete, the concrete mixes described in Table 9.3.1.7. shall be considered acceptable if the ratio of water to cementing materials does not exceed,
(a) 0.45 for garage floors, carport floors and all exterior flatwork,
(b) 0.65 for interior floors other than those for garages and carports, and
(c) 0.70 for all other applications.
(2) The size of aggregate in unreinforced concrete mixes referred to in Sentence (1) shall not exceed,
(a) 1/5 the distance between the sides of vertical forms, or
(b) 1/3 the thickness of flatwork.
9.3.1.8. Admixtures
(1) Admixtures shall conform to ASTM C260, "Air-Entraining Admixtures for Concrete", or ASTM C494 / C494M, "Chemical Admixtures for Concrete", as applicable.
9.3.1.9. Cold Weather Requirements
(1) When the air temperature is below 5°C , concrete shall be,
(a) kept at a temperature of not less than 10°C or more than 25°C while being placed, and
(b) maintained at a temperature of not less than 10°C for 72 h after placing.
(2) No frozen material or ice shall be used in concrete described in Sentence (1).

9.20.13.12. Drips Beneath Window Sills
(1) Except for wall openings located less than 150 mm above ground level, where a concealed flashing is not installed beneath window and door sills, such sills shall be provided with an outward slope and a drip located not less than 25 mm from the wall surface.

9.23 Wood Frame Construction

9.23.2.1. Strength and Rigidity

(1) All members shall be so framed, anchored, fastened, tied and braced to provide the necessary strength and rigidity.

9.23.3. Fasteners

9.23.3.1. Standards for Nails and Screws

(1) Unless otherwise indicated, nails specified in this Section shall be common steel wire nails or common spiral nails, conforming to CSA B111, "Wire Nails, Spikes and Staples".
(2) Wood screws specified in this Section shall conform to ANSI/ASME B18.6.1., "Wood Screws (Inch Series)".

9.23.3.2. Length of Nails

(1) All nails shall be long enough so that not less than half their required length penetrates into the second member. 9.23.3.3. Prevention of Splitting

9.23.3.3. Prevention of Splitting

(1) Splitting of wood members shall be minimized by staggering the nails in the direction of the grain and by keeping nails well in from the edges.

9.23.3.4. Nailing of Framing

(1) Except as provided in Sentence (2), nailing of framing shall conform to Table 9.23.3.4.

9.23.16. Wall Sheathing

9.23.16.1. Required Sheathing

(1) Exterior walls and gable ends shall be sheathed when the exterior cladding requires intermediate fastening between supports or if the exterior cladding requires solid backing.

9.23.16.2. Thickness, Rating and Material Standards

(1) Where wall sheathing is required, it shall conform to Table 9.23.16.2.A. or Table 9.23.16.2.B
9.23.16.5. Joints in Panel-Type Sheathing
(1) A gap of not less than 2 mm shall be left between sheets of plywood, OSB, waferboard or fibreboard.

9.27.4. Caulking

9.27.4.1. Required Caulking

(1) Caulking shall be provided where required to prevent the entry of water into the structure.
(2) Caulking shall be provided between masonry, siding or stucco and the adjacent door and window frames or trim, including sills unless such locations are completely protected from the entry of rain.
(3) Caulking shall be provided at vertical joints between different cladding materials unless the joint is suitably lapped or flashed to prevent the entry of rain.

9.27.4.2. Materials

(1) Caulking shall be,
(a) a non-hardening type suitable for exterior use,
(b) selected for its ability to resist the effects of weathering, and
(c) compatible with and adhere to the substrate to which it is applied.
(2) Caulking shall conform to,
(a) CGSB 19-GP-5M, "Sealing Compound, One Component, Acrylic Base, Solvent Curing",
(b) CAN/CGSB-19.13-M, "Sealing Compound, One Component, Elastomeric, Chemical Curing",
(c) CGSB 19-GP-14M, "Sealing Compound, One Component, Butyl-Polyisobutylene Polymer Base, Solvent Curing", or
(d) CAN/CGSB-19.24-M, "Multicomponent, Chemical Curing Sealing Compound".

9.23.15. Roof Sheathing

9.23.15.1. Required Roof Sheathing

(1) Except as provided in Section 9.26., continuous lumber or panel-type roof sheathing shall be installed to support the roofing.

9.23.15.2. Material Standards

(1) Wood-based panels used for roof sheathing shall conform to the requirements of,
(a) CSA O121-M, "Douglas Fir Plywood",
(b) CSA O151, "Canadian Softwood Plywood",
(c) CSA O153-M, "Poplar Plywood",
(d) CAN/CSA-O325.0, "Construction Sheathing", or
(e) CSA O437.0, "OSB and Waferboard".

9.23.15.3. Direction of Installation

(1) Plywood roof sheathing shall be installed with the surface grain at right angles to the roof framing.
(2) OSB roof sheathing conforming to CAN/CSA-O325.0, "Construction Sheathing", or to O-1 and O-2 grades as specified in CSA O437.0, "OSB and Waferboard", shall be installed with the direction of face orientation at right angles to the roof framing members.

9.23.15.4. Joints in Panel-Type Sheathing

(1) Panel-type sheathing board shall be applied so that joints perpendicular to the roof ridge are staggered where,
(a) the sheathing is applied with the surface grain parallel to the roof ridge, and
(b) the thickness of the sheathing is such that the edges are required to be supported.
(2) A gap of not less than 2 mm shall be left between sheets of plywood, OSB or waferboard.
9.23.15.6. Edge Support
(1) Except as permitted in Sentence (2), where panel-type roof sheathing requires edge support, the support shall consist of,
(a) metal H clips, or
(b) not less than 38 mm by 38 mm blocking securely nailed between framing members.
(2) The supports referred to in Sentence (1) are not required when tongued-and-grooved edged panel-type sheathing board is used.
9.23.15.7. Thickness or Rating
(1) The thickness or rating of roof sheathing on a flat roof used as a walking deck shall conform to either Table 9.23.14.5.A. or Table 9.23.14.5.B. for subfloors.

9.34.2.6. Garages and Carports

(1) A lighting outlet with fixture shall be provided for an attached, built-in or detached garage or carport.
(2) Except as provided in Sentence (3), lighting outlets required in Sentence (1) shall be controlled by a wall switch near the doorway.
(3) Where the lighting outlet and fixture required in Sentence (1) are ceiling mounted above an area not normally occupied by a parked car, or are wall mounted, a fixture with a built-inswitch is permitted to be used.
(4) Where a carport is lighted by a light at the entrance to a dwelling unit, additional carport lighting is not required.

9.15.3.9. Step Footings

(1) Where step footings are used,
(a) the vertical rise between horizontal portions shall not exceed 600 mm, and
(b) the horizontal distance between risers shall be not less than 600 mm.

9.15.4.6. Extension above Ground Level

(1) Exterior foundation walls shall extend not less than 150 mm above finished ground level.

9.15.6. Parging and Finishing of Foundation Walls

9.15.6.1. Foundation Walls Below Ground

(1) Concrete block foundation walls shall be parged on the exterior face below ground level as required in Section 9.13.

9.15.6.2. Foundation Walls Above Ground

(1) Exterior surfaces of concrete block foundation walls above ground level shall have tooled joints, or shall be rendered, parged or otherwise suitably finished.

9.15.4. Foundation Walls

9.15.4.2. Foundation Wall Thickness and Required Lateral Support

(1) Except as required in Sentence (2), the thickness of foundation walls made of unreinforced concrete block or solid concrete and subject to lateral earth pressure shall conform to Table 9.15.4.2.A. for walls not exceeding 2.5 m in unsupported height.

(4) Where average stable soils are encountered and wind loads on the exposed portion of the foundation are no greater than 0.70 kPa, the thickness and reinforcing of foundation walls made of reinforced concrete block and subject to lateral earth pressure shall conform to Table 9.15.4.2.B. and Sentences (5) to (10).

(5) For concrete block walls required to be reinforced, continuous vertical reinforcement shall,
(a) be provided at wall corners, wall ends, wall intersections, at changes in wall height, at the jambs of all openings and at movement joints,
(b) extend from the top of the footing to the top of the foundation wall,
(c) where foundation walls are laterally unsupported at the top, have not less than 600 mm embedment into the footing, and
(d) where foundation walls are laterally supported at the top, have not less than 50 mm embedment into the footing, if the floor slab does not provide lateral support at the wall base.
(6) Where foundation walls are laterally unsupported, the footing shall be designed according to Part 4 to resist overturning and sliding, if the maximum height of finished ground above the basement floor or crawl space ground cover exceeds 1.50 m.

(7) At the base of concrete block walls required to be reinforced and where the height of finished ground above the basement floor or crawl space ground cover exceeds 2.0 m, not less than one 15M intermediate vertical bar reinforcement shall be installed midway between adjacent continuous vertical reinforcement, and shall,
(a) extend to not less than 600 mm above the top of the footing, and
(b) have not less than 50 mm embedment into the footing, if the floor slab does not provide lateral support at the wall base.

(8) For concrete block walls required to be reinforced, a continuous horizontal bond beam containing at least one 15M bar shall be installed,
(a) along the top of the wall,

(b) at the sill and head of all openings greater than 1.20 m in width, and
(c) at structurally connected floors.

(9) In concrete block walls required to be reinforced, all vertical bar reinforcement shall be installed along the centre line of the wall.

(10) In concrete block walls required to be reinforced, ladder or truss type lateral reinforcement not less than 3.8 mm (No. 9 ASWG) shall be installed in the bed joint of every second masonry course.

9.15.4.3. Foundation Walls Considered to be Laterally Supported at the Top

(1) Sentences (2) to (4) apply to lateral support for walls described in Sentence 9.15.4.2.(1).
(2) Foundation walls shall be considered to be laterally supported at the top if,
(a) such walls support solid masonry superstructure,
(b) the floor joists are embedded in the top of the foundation walls, or
(c) the floor system is anchored to the top of the foundation walls with anchor bolts, in which case the joists may run either parallel or perpendicular to the foundation walls.
(3) Unless the wall around an opening is reinforced to withstand earth pressure, the portion of the foundation wall beneath an opening shall be considered laterally unsupported, if,
(a) the opening is more than 1.2 m wide, or
(b) the total width of the openings in the foundation wall constitutes more than 25% of the length of the wall.
(4) For the purposes of Sentence (3), the combined width of the openings shall be considered as a single opening if the average width is greater than the width of solid wall between them.

Table 9.23.16.2.B.
Rating For Wall Sheathing When Applying CAN/
CSA-O325.0
Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Maximum Spacing of Supports, mm	Column 2 Panel Mark
1.	406	W16
2.	508	W20
3.	610	W24

Table 9.23.3.4.
Nailing for Framing
Forming Part of Sentence 9.23.3.4.(1)

Item	Column 1 Construction Detail	Column 2 Minimum Length of Nails, mm	Column 3 Minimum Number or Maximum Spacing of Nails
1.	Floor joist to plate – toe nail	82	2
2.	Wood or metal strapping to underside of floor joists	57	2
3.	Cross bridging to joists	57	2 at each end
4.	Double header or trimmer joists	76	300 mm (o.c.)
5.	Floor joist to stud (balloon construction)	76	2
6.	Ledger strip to wood beam	82	2 per joist
7.	Joist to joist splice (See also Table 9.23.13.8.)	76	2 at each end
8.	Header joist end nailed to joists along perimeter	101	3
9.	Tail joist to adjacent header joist (end nailed) around openings	82 101	5 3
10.	Each header joist to adjaeont trimmer joist (end nailed) around openings	82 101	5 3
11.	Stud to wall plate (each end) toe nail or end nail	62 82	4 2
12.	Doubled studs at openings, or studs at walls or wall intersections and corners	76	750 mm (o.c.)
13.	Doubled top wall plates	76	600 mm (o.c.)
14.	Bottom wall plate or sole plate to joists or blocking (exterior walls) ⁽¹⁾	82	400 mm (o.c.)
15.	Interior walls to framing or subflooring	82	600 mm (o.c.)
16.	Horizontal member over openings in non-loadbearing walls – each end	82	2
17.	Lintels to studs	82	2 at each end
18.	Ceiling joist to plate – toe nail each end	82	2
19.	Roof rafter, roof truss or roof joist to plate – toe nail	82	3
20.	Rafter plate to each ceiling joist	101	4
21.	Rafter to joist (with ridge supported)	76	3
22.	Rafter to joist (with ridge unsupported)	76	See Table 9.23.13.8.
23.	Gusset plate to each rafter at peak	57	4
24.	Rafter to ridge board – toe nail – end nail	82	3
25.	Collar tie to rafter – each end	76	3
26.	Collar tie lateral support to each collar tie	57	2
27.	Jack rafter to hip or valley rafter	82	2
28.	Roof strut to rafter	76	3
29.	Roof strut to loadbearing wall – toe nail	82	2
30.	38 mm × 140 mm or less plank decking to support	82	2
31.	Plank decking wider than 38 mm × 140 mm to support	82	3
32.	38 mm edge laid plank decking to support (toe nail)	76	1
33.	38 mm edge laid plank to each other	76	450 mm (o.c.)

Table 9.23.16.2.A.
Wall Sheathing Thickness and Specifications
Forming Part of Sentence 9.23.16.2.(1)

Item	Column 1 Type of Sheathing	Column 2 Minimum Thickness, mm ⁽¹⁾ With Supports 406 mm o.c.	Column 3 With Supports 610 mm o.c.	Column 4 Material Standards
1.	Fibreboard (insulating)	9.5	11.1	CAN/ULC-S706
2.	Gypsum Sheathing	9.5	12.7	CAN/CSA-A82.27-M ASTM C1177 / C1177M ASTM C1396 / C1396M
3.	Lumber	17.0	17.0	See Table 9.3.2.1.
4.	Mineral Fibre, Rigid Board, Type 2	25	25	CAN/ULC-S702
5.	OSB, O-2 Grade	6.0	7.5	CSA O437.0
6.	OSB, O-1 Grade, and Waferboard, R-1 Grade	6.35	7.9	CSA O437.0
7.	Phenolic, faced	25	25	CAN/CGSB-51.25-M
8.	Plywood (exterior type)	6	7.5	CSA O121-M CSA O151 CSA O153-M
9.	Polystyrene, Types 1 and 2	38	38	CAN/ULC-S701
10.	Polystyrene, Types 3 and 4	25	25	CAN/ULC-S701
11.	Polyurethane and Polyisocyanurate Type 1, faced	38	38	CAN/ULC-S704
12.	Polyurethane and Polyisocyanurate Types 2 and 3, faced	25	25	CAN/ULC-S704

ENGINEER STAMP



PROJECT #:
20-06-027

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.
QUALIFICATION INFORMATION
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.

John Vanderwoerd BCIN 21611
REGISTRATION INFORMATION
Required unless design is exempt under Division C-3.2.4.1 of the 2012 O.B.C.
Firm Name: Vanderwoerd Drafting & Design BCIN 38972



John Vanderwoerd, M.A.A.T.O.
34 Duke Street, Arthur, Ontario N0G 1A0
www.home-design-bcin.ca
519-848-2128

Dave & Gale VanVeen
94 Maple Street
Guelph. On

DRAWN BY:
JOHN VANDERWOERD,
M.A.A.T.O. BCIN: 21611

PROJECT:
Garage Addition

Notes

DRAWING TITLE:

STARTING DATE:
June 3, 2020

LAST REVISION DATE:
Jul 2, 2020

DRAWING #:
20-176

PAGE #:

SCALE:
N.T.S

10 of 10

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 13, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-33/20

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: 94 MAPLE STREET, GUELPH, ON N1G 2G2

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

PLAN 39 PT LOTS 27 AND 28 RP 61R11934

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

Name: GAIL VAN VEEN AND DAVID VAN VEEN
Mailing Address: 94 MAPLE STREET,
City: GUELPH Postal Code: N1G 2G2
Home Phone: (519) 835-6759 (GAIL) Work Phone: (519) 827-6390 (DAVID)
Fax: _____ Email: dvanveen@alignedep.com

AGENT INFORMATION (If Any)

Company: VANDERWOERD DRAFTING & DESIGN
Name: JOHN VANDERWOERD
Mailing Address: 34 DUKE ST
City: ARTHER Postal Code: N6G 1A0
Work Phone: (519) 848-2128 Mobile Phone: (519) 994-2710
Fax: _____ Email: john@ontariohome design.ca

Official Plan Designation: <i>LOW DENSITY RESIDENTIAL</i>	Current Zoning Designation: <i>R.1A</i>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<i>WE ARE ASKING FOR RELIEF FROM 4.5.1.4.</i>
<i>WHERE THE TOTAL GROUND FLOOR AREA OF ALL ACCESSORY</i>
<i>BUILDINGS SHALL NOT EXCEED 70 SQ. M.</i>
<i>WE PROPOSE TO HAVE 118 SQM.</i>

Why is it not possible to comply with the provision of the by-law? (your explanation)
<i>THERE IS NO ATTACHED GARAGE ON THE HOUSE AND WITH</i>
<i>THE POOL, THEY WOULD LIKE A CABANA AREA AND A CARPORT</i>
<i>IN ADDITION TO THE PERMITTED POOL HOUSE/EQUIPMENT ADDITION.</i>

PROPERTY INFORMATION			
Date property was purchased:	<i>JUN 27/2019</i>	Date property was first built on:	<i>1940</i>
Date of proposed construction on property:	<i>ASAP</i>	Length of time the existing uses of the subject property have continued:	<i>CONTINUOUS</i>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<i>RESIDENTIAL</i>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<i>RESIDENTIAL</i>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <i>10.82m</i>	Depth: <i>100.85m</i>	Area: <i>4894 SQ.M.</i>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	285 310.5m		Gross Floor Area:	310.50m	
Height of building:	7.0m		Height of building:	7.0m	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	
Width:	6.1m		Width:	6.1m 6.1m	
Length:	6.7m		Length:	9.7m 6.7m	
Driveway Width:	3.7m 3.7m		Driveway Width:	3.7m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: SMALL BRICK 2 CAR GARAGE 20'x22'			Describe details, including height: ADD A CARPORT & A CABANA ON NORTH SIDE ON SOUTH SIDE & POOL SHED ON EAST SIDE		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	59.9m		M	Front Yard Setback:	59.9m M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M 36.7m	Right: M 6.7m		Side Yard Setback:	Left: M 36.7m Right: M 3.05m
Rear Yard Setback	15.5 15.5		M	Rear Yard Setback	13.07m 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 type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

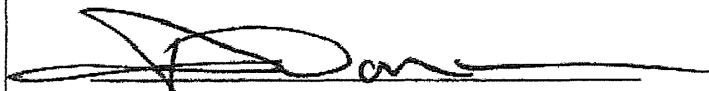
POSTING OF ADVISORY SIGN

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

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

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

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




Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, JOHN VANDERWOERD, of the City/Town of ARTHR
ARTHUR 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~~ via online conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 13 day of July, 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)

GAIL VAN VEEB AND DAVID VAN VEEB

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

of PLAN 39 PT LOTS 27 AND 28 RP 61211934 PARTS 7-9,

(Legal description and/or municipal address)

94 MAPLE ST, GUELPH, ON N1G2B2

hereby authorize JOHN VANDERWOUDE, OF VANDERWOUDE DRAFTING & DESIGN
(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 8th day of JULY 2020



(Signature of the property owner)



(Signature of the property owner)

NOTES:

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

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-10/10



The Committee, having had regard to the matters that are to be had regard to under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lots 27 and 28, Registered Plan 39, Maple Street, a parcel with a frontage along Maple Street of 27.38 metres (89.82 feet) and a depth of 30.48 metres (100 feet), be approved, subject to the following conditions:

1. That prior to endorsation of the deeds, the owner shall pay to the City, the watermain frontage charge of \$8.00 per foot for 176.38 feet (53.76 metres) of frontage on Maple Street.
2. That the owner pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
3. That prior to endorsation of the deeds, the owner shall determine the actual location of the 600mm storm trunk sewer across part of lot 27 and lot 28, Registered Plan 39 and have an Ontario Land Surveyor prepare a reference plan showing the actual location of the 600mm storm trunk sewer and be responsible for the entire costs associated with the preparation and registration of the reference plan.
4. That prior to endorsation of the deeds, the owner grants a 6.00-metre (19.69 feet) wide easement over the lands to be severed (Proposed Parts 1 and 2) and over part of the retained lands (Proposed Part 3) for the existing 600mm (24") storm trunk sewer over part of lot 27 and lot 28, Registered Plan 39, registered on title, in favour of the City of Guelph.
5. That prior to endorsation of the deeds, the owner shall have an Ontario Land Surveyor prepare a reference plan identifying the easement.
6. That prior to endorsation of the deeds, the owner's solicitor certifies that the easement in favour of the City of Guelph, over part of lot 27 and lot 28, Registered Plan 39, has been granted and registered on title.
7. Prior to the issuance of a building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the said lands, satisfactory to the General Manager/City Engineer.
8. That the owner grades, develops and maintains the site including the storm water management system designed by a Professional Engineer, in accordance with the Site Plan and Grading and Drainage Plan that have been submitted to and approved by the General Manager/City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the stormwater management system was built as it was approved by the City and that it is functioning properly.

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-10/10



9. That prior to endorsation of the deeds, the owner shall have the professional engineer provide verification to the City that the existing storm pipe can withstand the earth loads when the proposed fill is placed on top of the pipe.
10. That prior to endorsation of the deeds, the owner shall have a qualified geotechnical engineer prepare a geotechnical report satisfactory to the General Manager of Planning and Building and to the General Manager/City Engineer ensuring that the proposed fill area slopes will be stable and that no adverse environmental effects will result.
11. That prior to endorsation of the deeds, the owner shall submit the geotechnical report to the Grand River Conservation Authority for comment.
12. That the owner pays the actual cost of constructing new service laterals to the proposed severed lands including the cost of any curb cuts or fills required, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
13. That the owner relocates the existing service laterals to the existing house onto the lands being retained, satisfactory to the Plumbing Inspector, prior to endorsation of the deeds.
14. That the owner pays the actual cost of constructing new service laterals to the proposed retained lands including the cost of any curb cuts or fills required, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to endorsation of the deeds.
15. That the owner pays the actual cost of the construction of the new driveway entrances and the required curb cuts, with the estimated cost of the works as determined by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
16. That the owner constructs the new dwelling at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary sewer.
17. That prior to the issuance of any building permits on the said lands, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
18. That a legal off-street parking space be created on the severed lands (Proposed Parts 1 and 2) at a minimum setback of 6-metres from the Maple Street property line.
19. That the owner shall make arrangements satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. for the installation of an underground hydro service to the proposed severed and retained lands, prior to the issuance of any building permits.
20. That prior to issuance of a building permit, the applicant makes arrangement for provision of underground hydro servicing to the two severed parcels, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. The servicing costs would be at the owner's expense.

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-10/10



21. That a Woodland Management Plan/Compensation Plan be submitted and approved by City Staff prior to issuance of building permit for the two severed properties. The plan must include the following:
 - a) Details on the exact number of trees to be removed and based on that, the number of trees proposed for compensation;
 - b) Examination of the feasibility of transplanting any smaller caliper trees;
 - c) The proposed new plantings on site are identified as being native species. The Plan should outline how the proposed plantings will reflect continuity with the surrounding remaining woodlot;
 - d) Tree Protection Zone signage be installed on the fencing (see City Specifications) identifying the TPZ as being a no touch zone;
 - e) All tree protection fencing will need to be inspected prior to work commencing on site;
 - f) Compensation for trees unable to fit on the property will be addressed through cash-in-lieu payable to the City for future City plantings.
22. That the monitoring section (section 10.0) of the Environmental Impact Study includes specific monitoring of the butternut located on the subject property. This can also be addressed in the Woodland Management Plan.
23. That no vegetation removal is to take place during breeding bird season (May-July) as per the Migratory Bird Act (1994).
24. That the recommendations made in Section 11 of the Environmental Impact Study be carried out.
25. That the elevation and design drawings for the new dwellings on the severed parcel be submitted to, and approved by the General Manager of Planning & Building Services, prior to the issuance of a building permit for the new dwellings in order for staff to ensure that the design of the new dwellings respects the character of the surrounding neighbourhood in all aspects including the proposed massing, building setbacks and the size and location of any proposed garage.
26. That a site plan be submitted to, and approved by the General Manager of Planning & Building Services and the City Engineer, prior to the issuance of a building permit for the new dwellings on the severed parcels indicating:
 - a) The location and design of the new dwellings;
 - b) All trees on the subject property, including the extent of their canopies that may be impacted by the development. Any trees within the City boulevard must also be shown, including appropriate protective measures to maintain them throughout the development process. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction.
 - c) The location of the new dwellings with a setback that is in character with the surrounding area;
 - d) Grading, drainage and servicing information;
27. That prior to the issuance of a building permit for the severed parcels, any required tree protection fencing be erected on-site and inspected by staff to the satisfaction of the General Manager of Planning & Building Services;

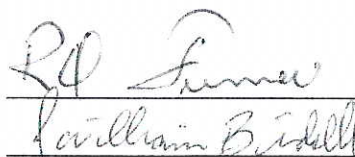
DECISION

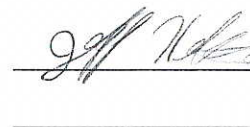
COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-10/10



28. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy and implement the above-noted conditions and to develop the site in accordance with the approved plans, all to the satisfaction of the General Manager of Planning and Building Services, City Solicitor and General Manager/City Engineer.
29. 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 February 6, 2013.
30. 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 endorsement of the deed.
31. 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.
32. That 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 draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee
Concurring in this Decision

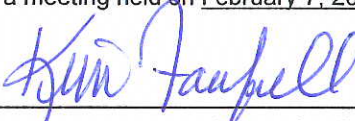

William Bidell


Jeff Kline

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 7, 2012.

Dated: February 9, 2012

Signed:



Committee of Adjustment

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is February 29, 2012.

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

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-11/10



The Committee, having had regard to the matters that are to be had regard to under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lot 28, Registered Plan 39, Maple Street, a parcel with a frontage along Maple Street of 26.38 metres (86.54 feet) and a depth of 30.48 metres (100 feet), be approved, subject to the following conditions:

1. That prior to endorsation of the deeds, the owner shall pay to the City, the watermain frontage charge of \$8.00 per foot for 176.38 feet (53.76 metres) of frontage on Maple Street.
2. That the owner pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
3. That prior to endorsation of the deeds, the owner shall determine the actual location of the 600mm storm trunk sewer across part of lot 27 and lot 28, Registered Plan 39 and have an Ontario Land Surveyor prepare a reference plan showing the actual location of the 600mm storm trunk sewer and be responsible for the entire costs associated with the preparation and registration of the reference plan.
4. That prior to endorsation of the deeds, the owner grants a 6.00-metre (19.69 feet) wide easement over the lands to be severed (Proposed Parts 1 and 2) and over part of the retained lands (Proposed Part 3) for the existing 600mm (24") storm trunk sewer over part of lot 27 and lot 28, Registered Plan 39, registered on title, in favour of the City of Guelph.
5. That prior to endorsation of the deeds, the owner shall have an Ontario Land Surveyor prepare a reference plan identifying the easement.
6. That prior to endorsation of the deeds, the owner's solicitor certifies that the easement in favour of the City of Guelph, over part of lot 27 and lot 28, Registered Plan 39, has been granted and registered on title.
7. Prior to the issuance of a building permit on the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the said lands, satisfactory to the General Manager/City Engineer.
8. That the owner grades, develops and maintains the site including the storm water management system designed by a Professional Engineer, in accordance with the Site Plan and Grading and Drainage Plan that have been submitted to and approved by the General Manager/City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the stormwater management system was built as it was approved by the City and that it is functioning properly.

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-11/10



9. That prior to endorsation of the deeds, the owner shall have the professional engineer provide verification to the City that the existing storm pipe can withstand the earth loads when the proposed fill is placed on top of the pipe.
10. That prior to endorsation of the deeds, the owner shall have a qualified geotechnical engineer prepare a geotechnical report satisfactory to the General Manager of Planning and Building and to the General Manager/City Engineer ensuring that the proposed fill area slopes will be stable and that no adverse environmental effects will result.
11. That prior to endorsation of the deeds, the owner shall submit the geotechnical report to the Grand River Conservation Authority for comment.
12. That the owner pays the actual cost of constructing new service laterals to the proposed severed lands including the cost of any curb cuts or fills required, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
13. That the owner relocates the existing service laterals to the existing house onto the lands being retained, satisfactory to the Plumbing Inspector, prior to endorsation of the deeds.
14. That the owner pays the actual cost of constructing new service laterals to the proposed retained lands including the cost of any curb cuts or fills required, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to endorsation of the deeds.
15. That the owner pays the actual cost of the construction of the new driveway entrances and the required curb cuts, with the estimated cost of the works as determined by the General Manager/City Engineer being paid, prior to the issuance of a building permit.
16. That the owner constructs the new dwelling at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary sewer.
17. That prior to the issuance of any building permits on the said lands, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
18. That a legal off-street parking space be created on the severed lands (Proposed Parts 1 and 2) at a minimum setback of 6-metres from the Maple Street property line.
19. That the owner shall make arrangements satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. for the installation of an underground hydro service to the proposed severed and retained lands, prior to the issuance of any building permits.
20. That prior to issuance of a building permit, the applicant makes arrangement for provision of underground hydro servicing to the two severed parcels, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. The servicing costs would be at the owner's expense.

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-11/10



21. That a Woodland Management Plan/Compensation Plan be submitted and approved by City Staff prior to issuance of building permit for the two severed properties. The plan must include the following:
 - a) Details on the exact number of trees to be removed and based on that, the number of trees proposed for compensation;
 - b) Examination of the feasibility of transplanting any smaller caliper trees;
 - c) The proposed new plantings on site are identified as being native species. The Plan should outline how the proposed plantings will reflect continuity with the surrounding remaining woodlot;
 - d) Tree Protection Zone signage be installed on the fencing (see City Specifications) identifying the TPZ as being a no touch zone;
 - e) All tree protection fencing will need to be inspected prior to work commencing on site;
 - f) Compensation for trees unable to fit on the property will be addressed through cash-in-lieu payable to the City for future City plantings.
22. That the monitoring section (section 10.0) of the Environmental Impact Study includes specific monitoring of the butternut located on the subject property. This can also be addressed in the Woodland Management Plan.
23. That no vegetation removal is to take place during breeding bird season (May-July) as per the Migratory Bird Act (1994).
24. That the recommendations made in Section 11 of the Environmental Impact Study be carried out.
25. That the elevation and design drawings for the new dwellings on the severed parcel be submitted to, and approved by the General Manager of Planning & Building Services, prior to the issuance of a building permit for the new dwellings in order for staff to ensure that the design of the new dwellings respects the character of the surrounding neighbourhood in all aspects including the proposed massing, building setbacks and the size and location of any proposed garage.
26. That a site plan be submitted to, and approved by the General Manager of Planning & Building Services and the City Engineer, prior to the issuance of a building permit for the new dwellings on the severed parcels indicating:
 - a) The location and design of the new dwellings;
 - b) All trees on the subject property, including the extent of their canopies that may be impacted by the development. Any trees within the City boulevard must also be shown, including appropriate protective measures to maintain them throughout the development process. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction.
 - c) The location of the new dwellings with a setback that is in character with the surrounding area;
 - d) Grading, drainage and servicing information;
27. That prior to the issuance of a building permit for the severed parcels, any required tree protection fencing be erected on-site and inspected by staff to the satisfaction of the General Manager of Planning & Building Services;

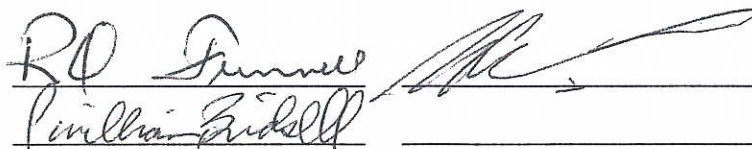
DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-11/10



28. That prior to the endorsonation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy and implement the above-noted conditions and to develop the site in accordance with the approved plans, all to the satisfaction of the General Manager of Planning and Building Services, City Solicitor and General Manager/City Engineer.
29. 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 February 6, 2013.
30. 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 endorsement of the deed.
31. 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.
32. That 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 draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee
Concurring in this Decision





I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 7, 2012.

Dated: February 9, 2012

Signed: 

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is February 29, 2012.

Committee of Adjustment

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

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-12/10



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

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 – Row 6 and Section 5.1.2.7 of Zoning By-law (1995)-14864, as amended, for Part of Lots 27 and 28, Registered Plan 39, Maple Street, to permit a residential dwelling to be setback 9.1 metres (29.85 feet) from Maple Street when the By-law requires the minimum setback for any dwelling be the average of the setbacks of the properties having lot frontage within the same block face [19.04 metres (58 feet)], be approved, subject to the following condition:

1. That the conditions imposed for Application B-10/10 be and form part of this approval."

Members of Committee
Concurring in this Decision

RD Turner
J. William Brindell

[Signature]

[Signature]

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 7, 2012.

Dated: February 9, 2012

Signed:

Kimberli Fairfull
Committee of Adjustment

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is February 27, 2012.

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

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-13/10



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

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 – Row 6 and Section 5.1.2.7 of Zoning By-law (1995)-14864, as amended, for Part of Lot 28, Registered Plan 39, Maple Street, to permit a residential dwelling to be setback 12.1 metres (39.7 feet) from Maple Street when the By-law requires the minimum setback for any dwelling be the average of the setbacks of the properties having lot frontage within the same block face [19.04 metres (58 feet)], be approved, subject to the following condition:

1. That the conditions imposed for Application B-11/10 be and form part of this approval."

Members of Committee
Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 7, 2012.

Dated: February 9, 2012

Signed:

Committee of Adjustment

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is February 27, 2012.

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

DECISION


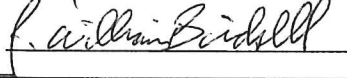
COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-14/10

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

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2 – Row 4 and Section 5.1.2.6 of Zoning By-law (1995)-14864, as amended, for Part of Lots 27 and 28, Registered Plan 39, Maple Street, to permit the retained parcel to have a lot frontage of 10.82 metres (35.49 feet) when the By-law requires the minimum lot frontage be the average of the properties having lot frontage within the same block face [18 metres (70.9 feet)], be approved, subject to the following condition:

1. That the conditions imposed for Applications B-10/10 and B-11/10 be and form part of this approval."

Members of Committee
Concurring in this Decision





I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 7, 2012.

Dated: February 9, 2012

Signed:



Committee of Adjustment

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is February 27, 2012.

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

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

23 Garibaldi Street

Proposal:

The applicant is proposing to use up to a 210.5 square metre portion of the existing 671.2 square metre building for the production of microgreens and herbs.

By-Law Requirements:

The property is located in the Specialized Industrial (B.4-5) Zone. A variances from Section 7.3.4.5.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the B.4-5 Zone, but does not permit agriculture (vegetation based) as a permitted use.

Agriculture (vegetation based) means a place where soil is tilled, or where vegetables, fruits, field crops, berries, trees, mushrooms, flowers, landscaping materials, woodlots, and forest trees are grown and harvested, and includes the packaging, treating, or storage of goods produced on the land.

Request:

The applicant is seeking relief from the By-Law requirements to permit agriculture (vegetation based) on the property as a permitted use.

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, August 13, 2020**

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

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

Application Number: **A-34/20**

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 **August 6, 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 4:00 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 July 24, 2020.

Contact Information

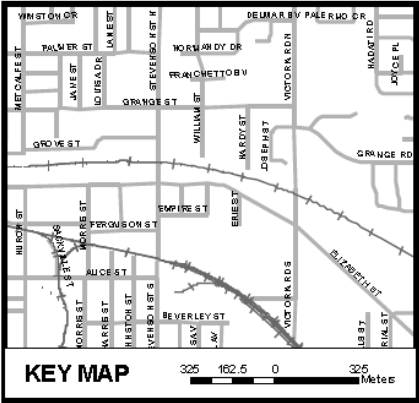
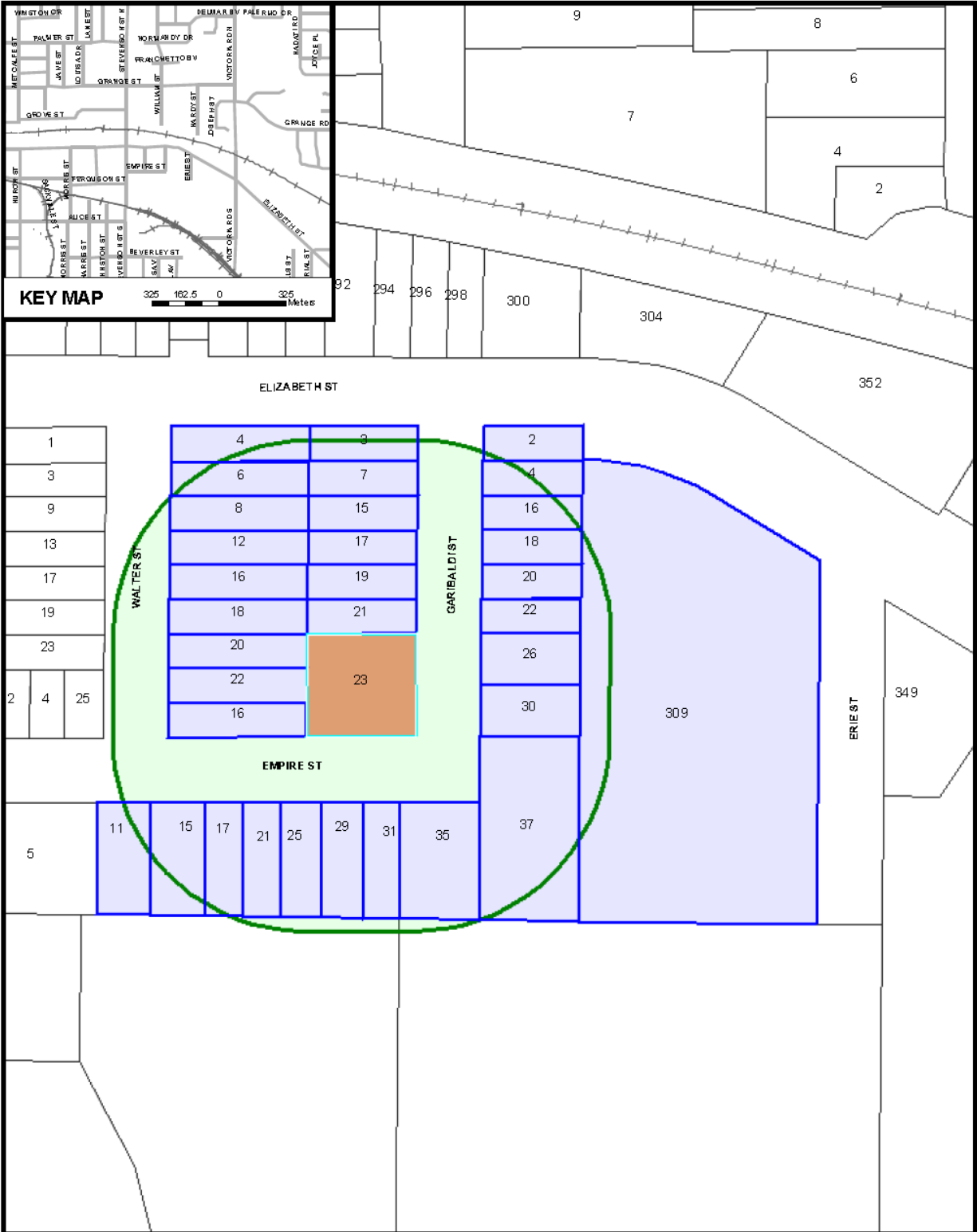
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

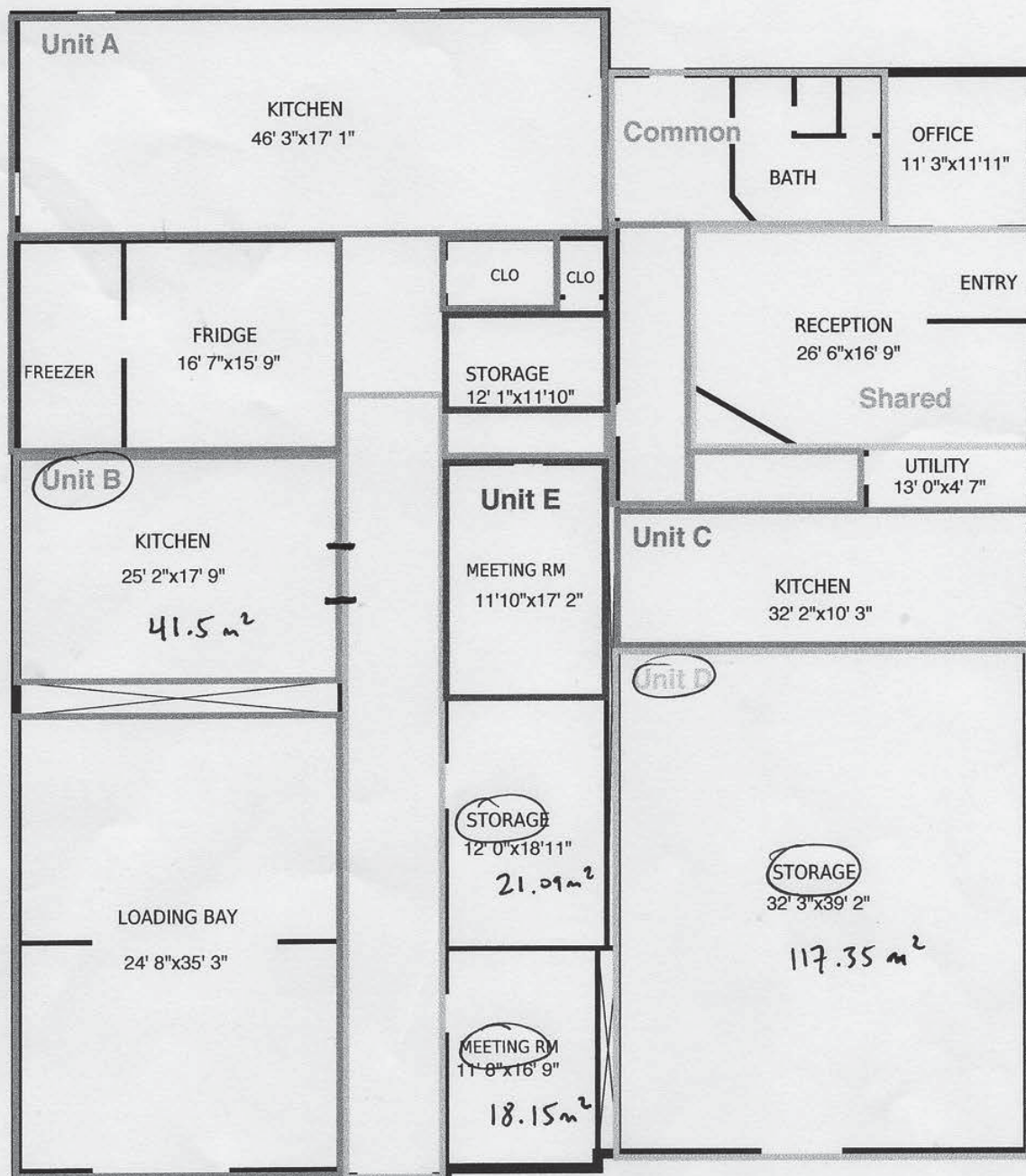
519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa





23 Garibaldi St, Guelph, ON

Main floor

PREPARED FOR:
Lincoln Farrel
Sales Representative
RE/MAX Real Estate Centre Inc., Brokerage

Interior Area 7225 sq. ft
Exterior Area 7532 sq. ft

☐ Included Area

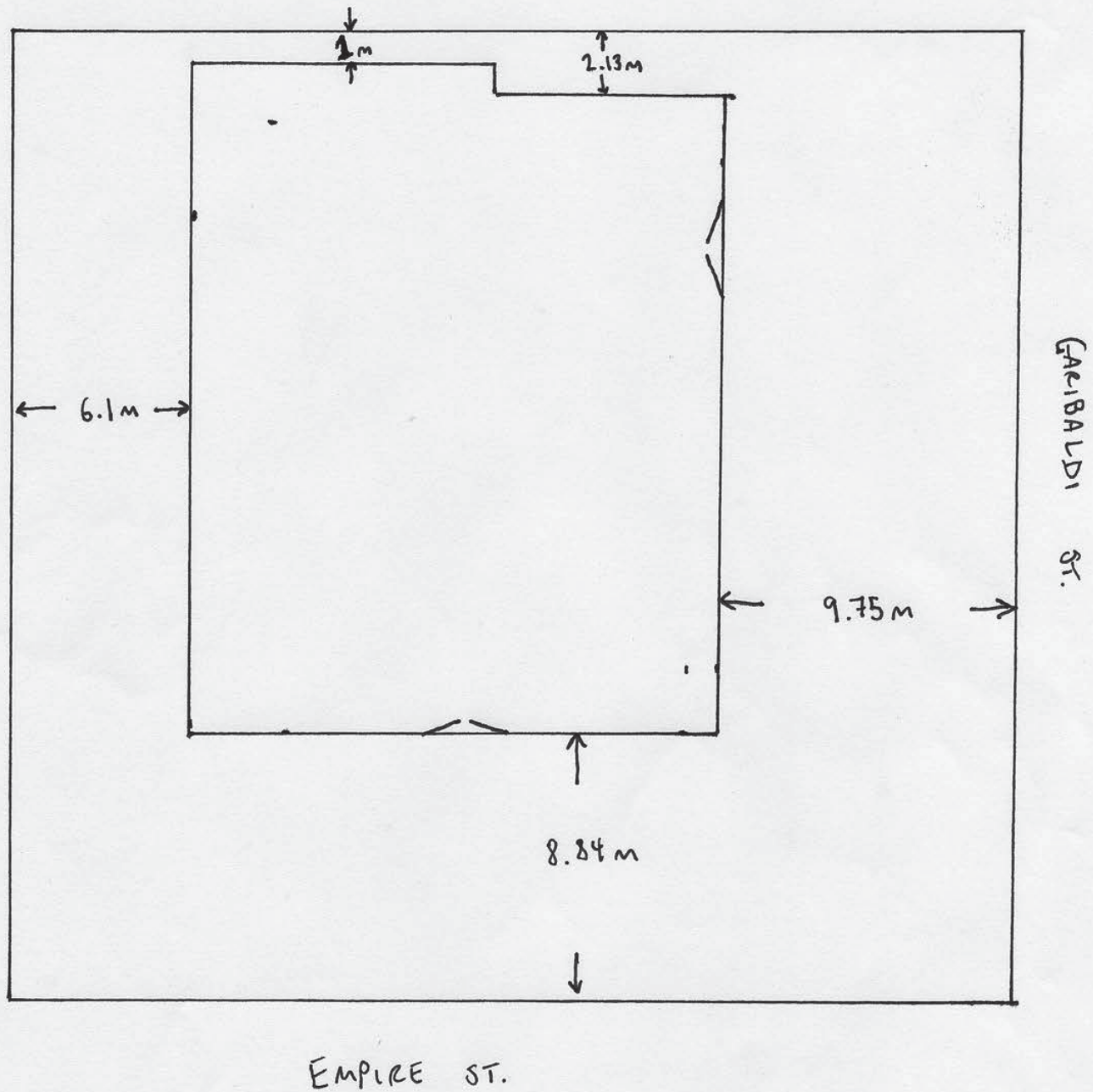
PREPARED ON:
Sep, 2016

All rooms dimensions and floor areas must be considered approximate and are subject to independent verification. For method of measurement please see <http://youriguide.com/measure/>.

23 GARIBALDI ST.

SETBACKS

SCALE: 5mm = 1m



JACOB GOLDFARB
07/10/2020

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 13, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-34/20

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: 23 GARIBALDI ST. GUELPH ON N1E 5P3

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

LOTS 59, 60, 61 PL388 WC563466

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

Name: 2680579 ONTARIO INC.
 Mailing Address: 23 GARIBALDI ST.
 City: GUELPH Postal Code: N1E 5P3
 Home Phone: 519-994-0039 Work Phone: _____
 Fax: _____ Email: sam.zajdlk@gmail.com

AGENT INFORMATION (If Any)

Company: GOLDFARM CANADA
 Name: JACOB GOLDFARB
 Mailing Address: 95A FARQUHAR ST.
 City: GUELPH Postal Code: N1H 3N4
 Work Phone: 416-573-6160 Mobile Phone: _____
 Fax: _____ Email: jacob@goldfarm.ca

Official Plan Designation: LOW-DENSITY RESIDENTIAL	Current Zoning Designation: B.4-5
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
SECTION 7.3.4.5.1, SPECIALIZED INDUSTRIAL ZONES (B) FOR 23 GALIBALDI ST. TO PERMIT AGRICULTURE (VEGETATION BASED) ON THE PROPERTY AS A USE.
SECTION 7.1.3.1, INDUSTRIAL B4 ZONE TO PERMIT AGRICULTURE (VEGETATION BASED) ON THE PROPERTY AS A PERMANENT USE, WHEN THE BY-LAW REQUIRES THAT AGRICULTURE (VEGETATION BASED) BE A TEMPORARY USE.

Why is it not possible to comply with the provision of the by-law? (your explanation)
AGRICULTURE (VEGETATION BASED) IS A PERMITTED USE IN THE PARENT SECTION OF THE ZONING BY-LAW, SO IT IS MY HOPE THAT THIS SPACE IS CONSIDERED EQUALLY SUITABLE FOR THAT USE. THE UNIT (UNIT B) ALREADY HAS ALL THE MAJOR FIXTURES IN PLACE THAT ARE NEEDED FOR PROPER SANITATION AND ENVIRONMENTAL CONTROL (3-BASIN STAINLESS STEEL SINK, HEAT, AC, IN-LINE EXHAUST FAN)

PROPERTY INFORMATION			
Date property was purchased:	MARCH 15, 2014	Date property was first built on:	1955
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	20+ YEARS
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
COMMERCIAL			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
COMMERCIAL / AGRICULTURE (VEGETATION BASED)			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	32m	Depth:	33.5m
Area:	1072 m ²		

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building UNIT B, STORAGE, MEETING RM, UNIT D, WASHROOM	
Gross Floor Area:	671.224 m ²	Gross Floor Area:	210.54 m ²
Height of building:	7.62 m	Height of building:	7.62 m
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	3 m	Width:	
Length:	3 m	Length:	
Driveway Width:	3 m	Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED No CHANGE		
Front Yard Setback:	9.75m M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	8.84m M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M	Right: M 1-2.13m	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	6.1m M		Rear Yard Setback	M	

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

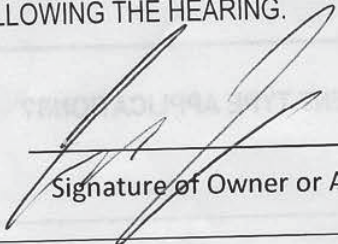
POSTING OF ADVISORY SIGN

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

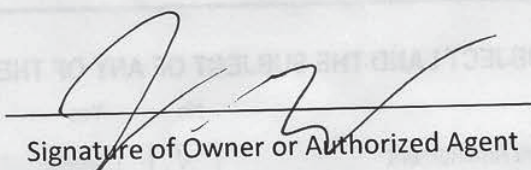
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however,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

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

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



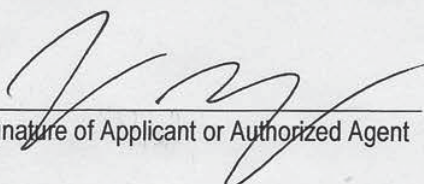
Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, JACOB GOLDFARB, 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~~ via conference call at the

City/Town of Guelph in the County/Regional Municipality of
Wellington this 13 day of July, 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)

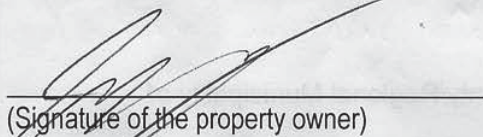
2680574 Ontario Inc. / Samuel Zajdlid
 [Organization name / property owner's name(s)]

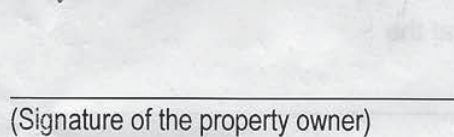
of 23 Garibaldi Street
 (Legal description and/or municipal address)

hereby authorize JACOB GOLDFARB
 (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 25th day of FEBRUARY 2020.


 (Signature of the property owner)


 (Signature of the property owner)

NOTES:

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

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

8-14 Macdonell Street

Proposal:

The applicant is proposing to construct a licensed establishment with a floor area of 219.4 square metres in the basement of the existing commercial building.

By-Law Requirements:

The property is located in the Specialized Downtown 1 (D.1-1) Zone. A variance from Section 6.3.2.6.4 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits the floor area of a licensed establishment to be located on the first floor only.

Request:

The applicant is seeking relief from the By-Law requirements to permit a licensed establishment to be located in the basement of the existing commercial building.

Hearing Details

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

Date:	Thursday, August 13, 2020
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	A-35/20

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 **August 6, 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 4:00 p.m. (Monday to Friday).

Notice of the Decision

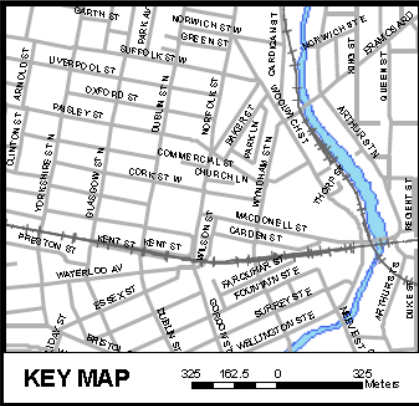
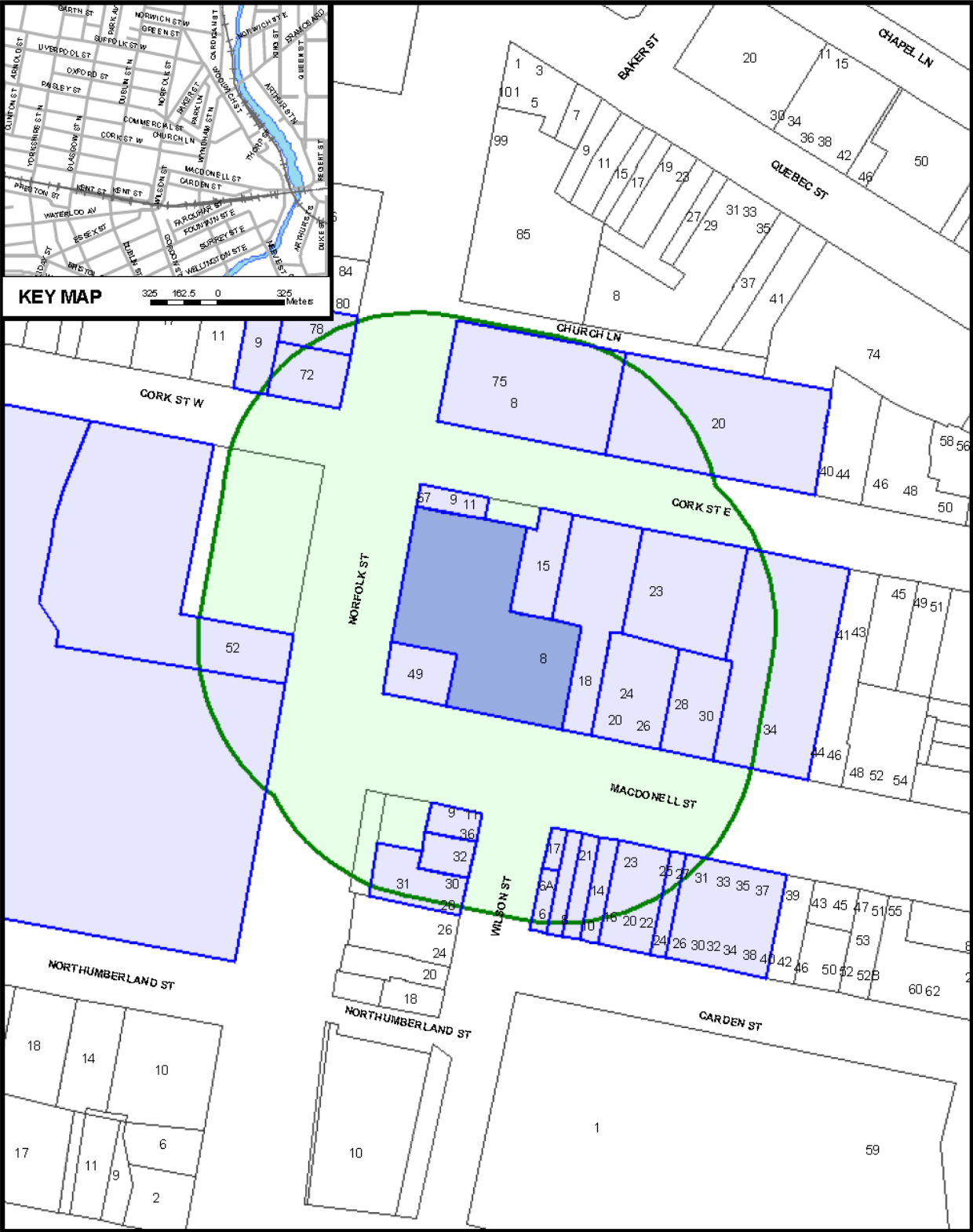
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

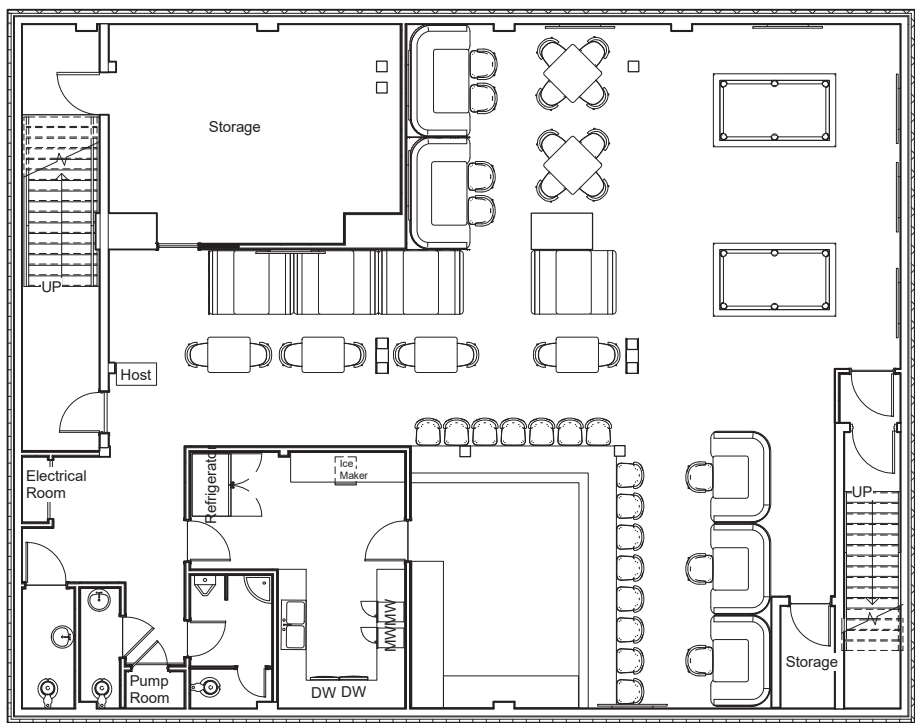
Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated July 24, 2020.

Contact Information

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





AREA	SQ. FEET	SQ. METRE
BAR	265	24.6
LOUNGE	1,433.5	133.2
SERVEY	215	20
WASHROOMS	116.5	10.8
STORAGE	332	30.8
TOTAL	2,362	219.4

GENERAL NOTES:
1. Should there appear to be any discrepancies, please contact designers prior to proceeding.
2. Should there appear to be any discrepancies, please contact designers prior to proceeding.
3. All work shall be in accordance with the Ontario Building Code.
4. Any substitutions shall be approved by the designers prior to proceeding with any work.



I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF A FIRM REGISTERED UNDER SUBSECTION 2.17.4. OF THE BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES/CATEGORIES.

INDIVIDUAL BCIN: 22334
FIRM BCIN: 27436

TERRY LEDGER

CONSULTANTS

COMMERCIAL BUILDING

14 MACDONELL ST.
GUELPH, ON

REVISIONS / ISSUED

MARK	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

SCALE: 1/8" = 1'-0"
PROJECT NO: Project Number
DWG FILE: COMMERCIAL-
DRAWN BY: Author
CHECKED BY: Checker

SHEET TITLE

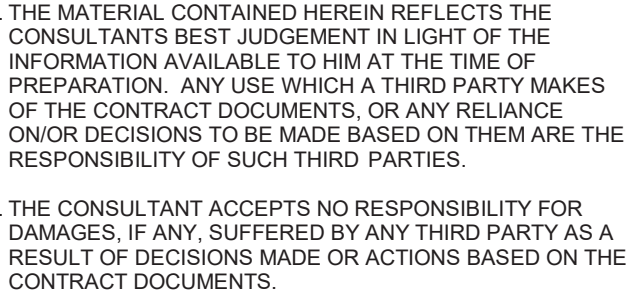
LOUNGE
FLOOR PLAN

A1

1 Lounge Plan
1/8" = 1'-0"

P 705.745.5428 F 705.745.1334
167 Midland Street
Port Huron, ON N0B 1P0
BCIN # 27436

tsquared
design studio inc.



A1.1 - r2



Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 13, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-35/20

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: 8 & 14 MACDONELL STREET

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

PLAN 8 PT LOTS 107, 112, 113 RP61R6914 Parts 1&2

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

Name: DOWNTOWN MERCURY DEVELOPMENT CORPORATION

Mailing Address: P.O. BOX 36

City: GUELPH Postal Code: N1H 6J6

Home Phone: _____ Work Phone: 519-767-0908

Fax: _____ Email: INFO@MBID.CA

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____ Postal Code: _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Official Plan Designation: Mixed Use 1	Current Zoning Designation: CBD.1/D.1-1
--	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
For the existing (1995) -14864 Zoning By-law:
Variance from Section 6.3.2.6.4 to allow a licensed establishment be located in the basement.
Section 6.3.2.6.4 states: The Floor Area of a Licensed Establishment shall be located on the First Floor only.
We are requesting a Licensed Establishment be allowed in the lower level.

Why is it not possible to comply with the provision of the by-law? (your explanation)
There is no ground floor space available in the Mercury Building as it is currently tenanted.
This variance would allow a new, small business to operate in currently unused space in a historic downtown building. This intent is supported by the 'Objectives to grow and strengthen the Downtown economy', Principle 3 of the <i>Downtown Secondary Plan</i> , as it reinforces and expands the role of Downtown; and encourages small and mid-size businesses to locate in Downtown's historic commercial buildings. The space is small and intimate with a total space and maximum capacity well under guidelines and would be a positive addition to the neighbourhood and the downtown core.

PROPERTY INFORMATION			
Date property was purchased:	July 18, 2016	Date property was first built on:	1920
Date of proposed construction on property:	IMMEDIATE	Length of time the existing uses of the subject property have continued:	~100 YEARS
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): COMMERCIAL			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): COMMERCIAL			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 36.3 m 119 ft	Depth: 42.9 m 141 ft	Area: 9721 sq m 104,637.90 sq ft

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	2,159 sq. m.		Gross Floor Area:	NO CHANGE	
Height of building:	2 STOREY / 5 m		Height of building:	NO CHANGE	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck) N/A			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

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

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	#20 001698 PR - IN PROGRESS; #18 005404 PR - OPEN
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-66/18 - CLOSED, SEPTEMBER 3, 2019

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, Melissa McCowan, of the City/Town of Fergus 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~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 13 day of July, 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)

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-66/18



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

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.3.2.1.3 of Zoning By-law (1995)-14864, as amended, for 8-14 Macdonell Street, to permit a dwelling unit to be located on the ground floor of the existing commercial building, when the By-law requires that dwelling units are not permitted in the cellar, basement or on the main floor level (i.e. in the first storey), be **APPROVED**, subject to the following condition:

1. That the residential dwelling unit shall only be located along the Norfolk Street right-of-way as shown and generally in accordance with the Public Notice sketch.

REASONS:

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

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

Members of Committee
Concurring in this Decision

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on September 13, 2018.

Dated: September 18, 2018

Signed:

**The last day on which a Notice
of Appeal to the Local Planning
Appeal Tribunal may be filed is
October 3, 2018.**

Committee of Adjustment

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

Committee of Adjustment Notice of Public Hearing



Permission to Enlarge/Extend a Legal Non-Conforming Use has been filed with the Committee of Adjustment

Application Details

Location:

37 Arthur Street North

Proposal:

The applicant is proposing to construct two (2) dormers on the roof of the second storey of the existing semi-detached dwelling unit.

By-Law Requirements:

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

The property contains a semi-detached dwelling, which is considered to be a legal non-conforming use in the Residential Single Detached (R.1B) Zone. Any additions or changes to a property which is legal non-conforming requires the prior approval of the Committee of Adjustment.

Request:

The applicant is seeking permission to enlarge/extend the legal non-conforming use to permit two (2) dormers to be constructed on the second storey of the existing semi-detached dwelling unit.

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, August 13, 2020**

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

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

Application Number: **A-36/20**

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.

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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

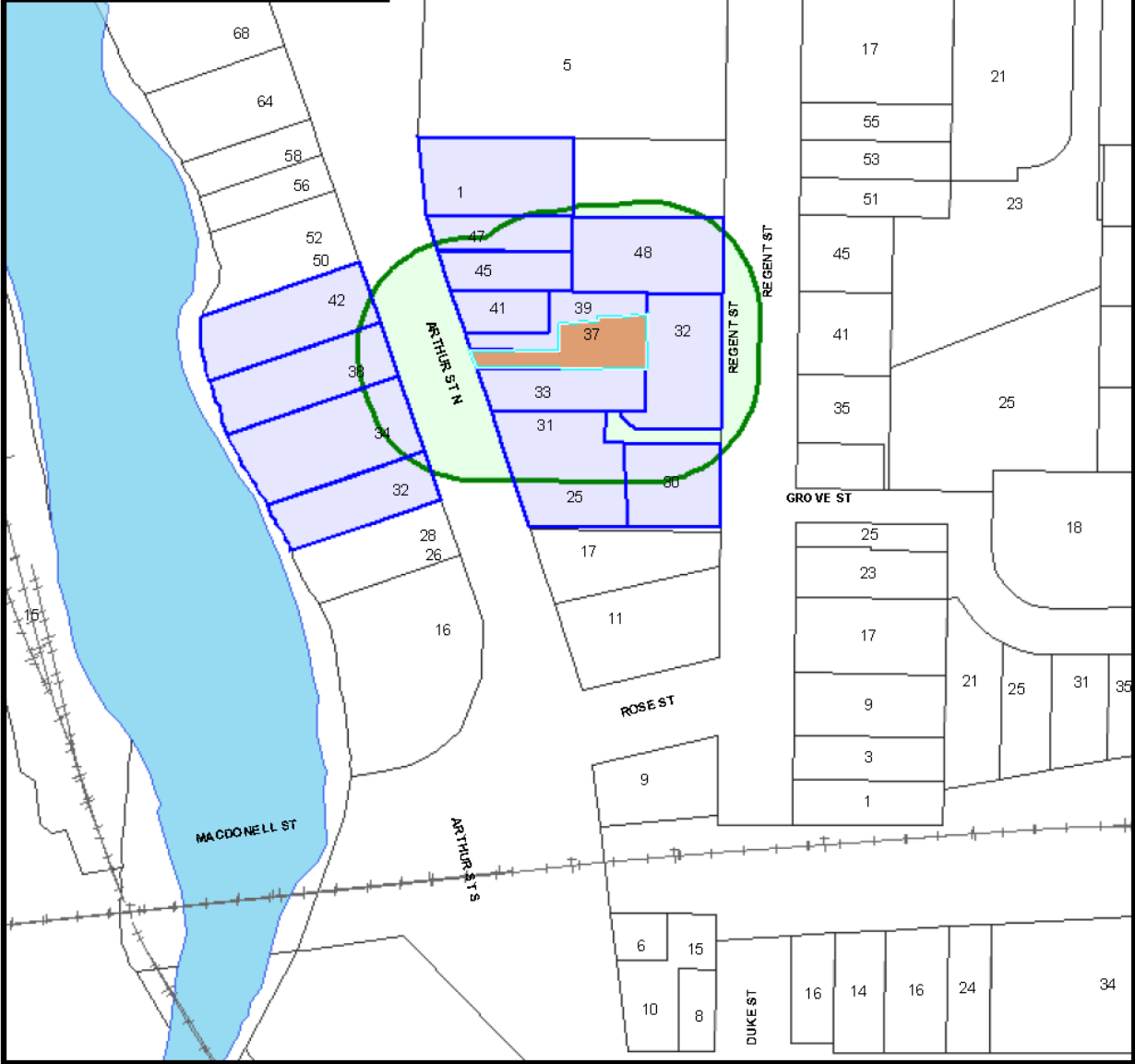
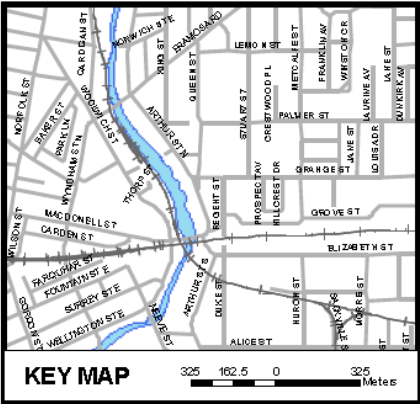
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

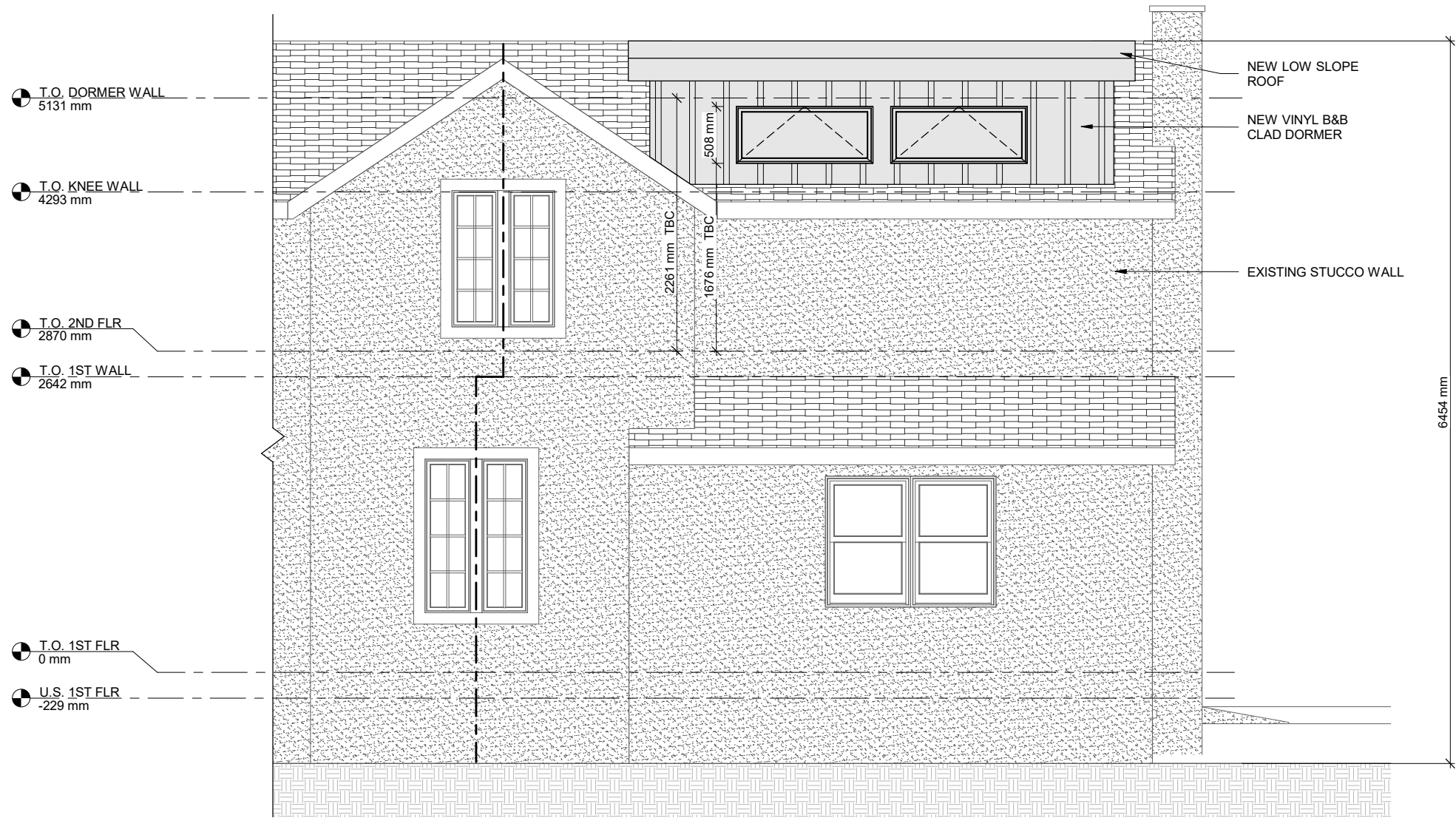
Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated July 24, 2020.

Contact Information

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





- GENERAL NOTES:
1. ALL EXISTING DIMENSIONS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO CONSTRUCTION & PRODUCTION OF PREFABRICATED PRODUCTS SUCH AS PRE-ENGINEERED WOOD TRUSSES. THE DESIGNER MUST BE NOTIFIED OF ANY MAJOR DISCREPANCIES BEFORE WORK COMMENCES
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REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1. OF THE BUILDING CODE

NAME: SCOTT GROEN
BCIN: 38749

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

FIRM NAME: GROEN DESIGN & DRAFTING SERVICES
BCIN: 43607



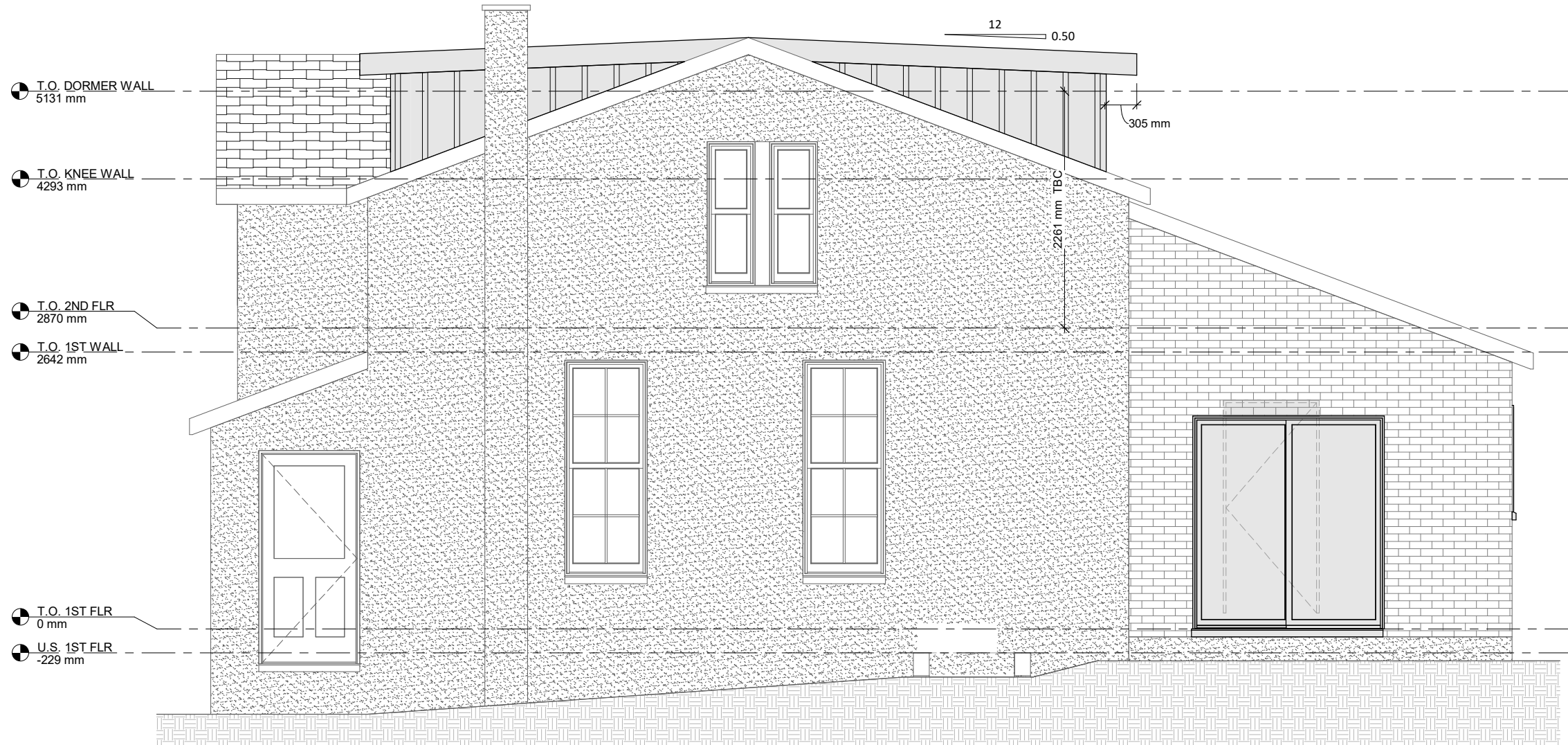
FRONT ELEVATION
SCALE : 1 : 50

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

CLIENT

A1



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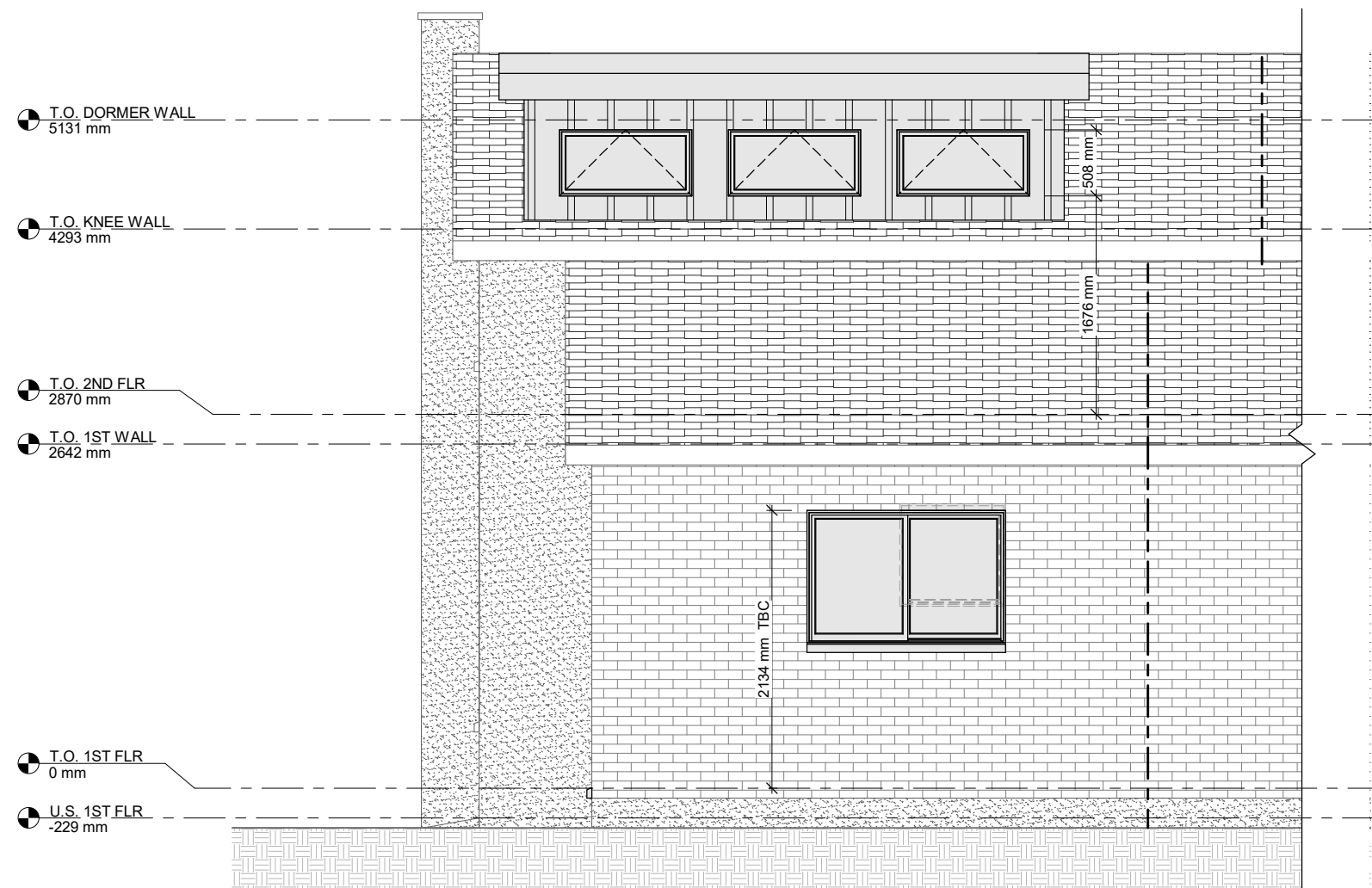
RIGHT SIDE ELEVATION
SCALE : 1 : 50

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

CLIENT

A2



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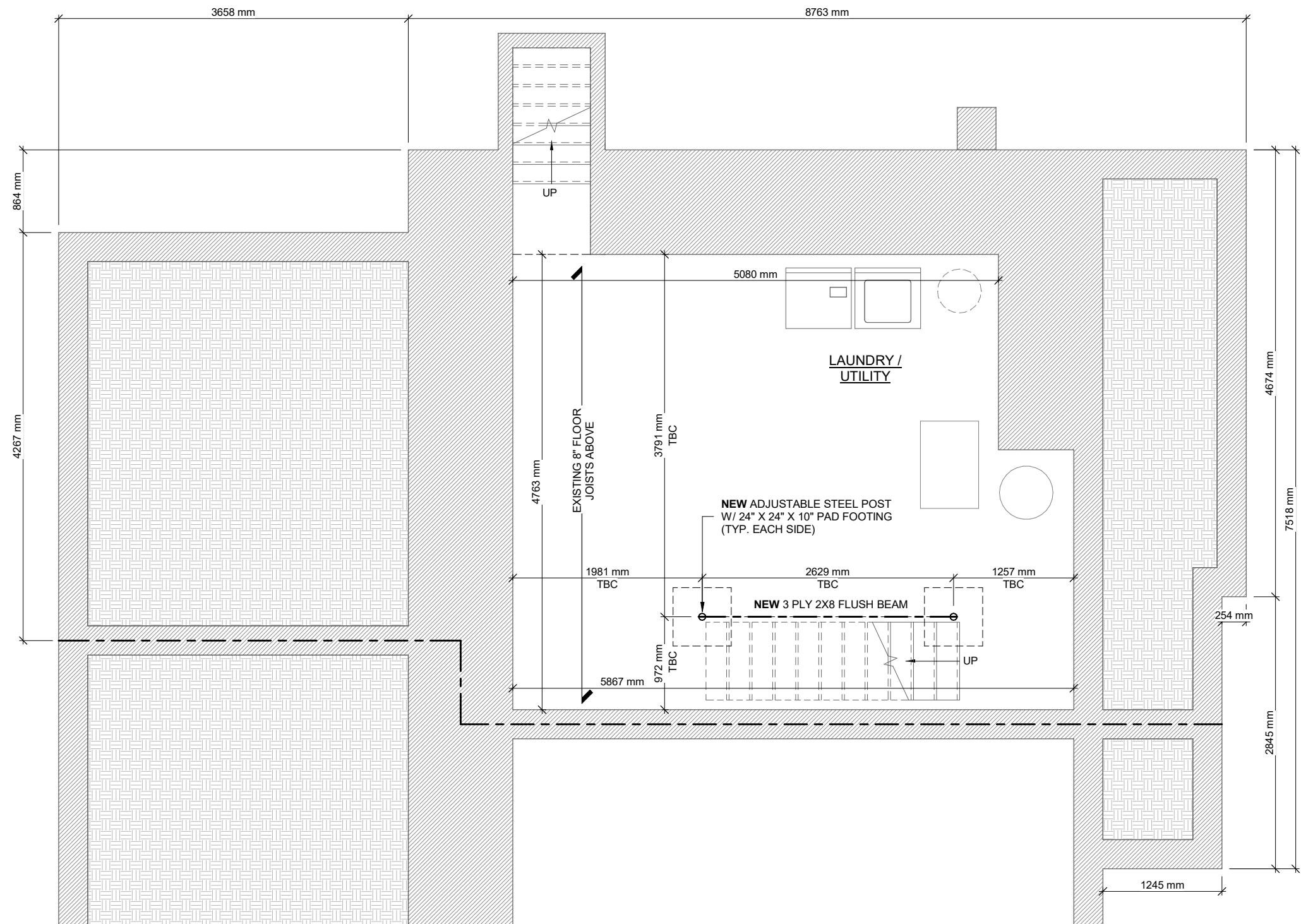
REAR ELEVATION
SCALE : 1 : 50

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

CLIENT

A3



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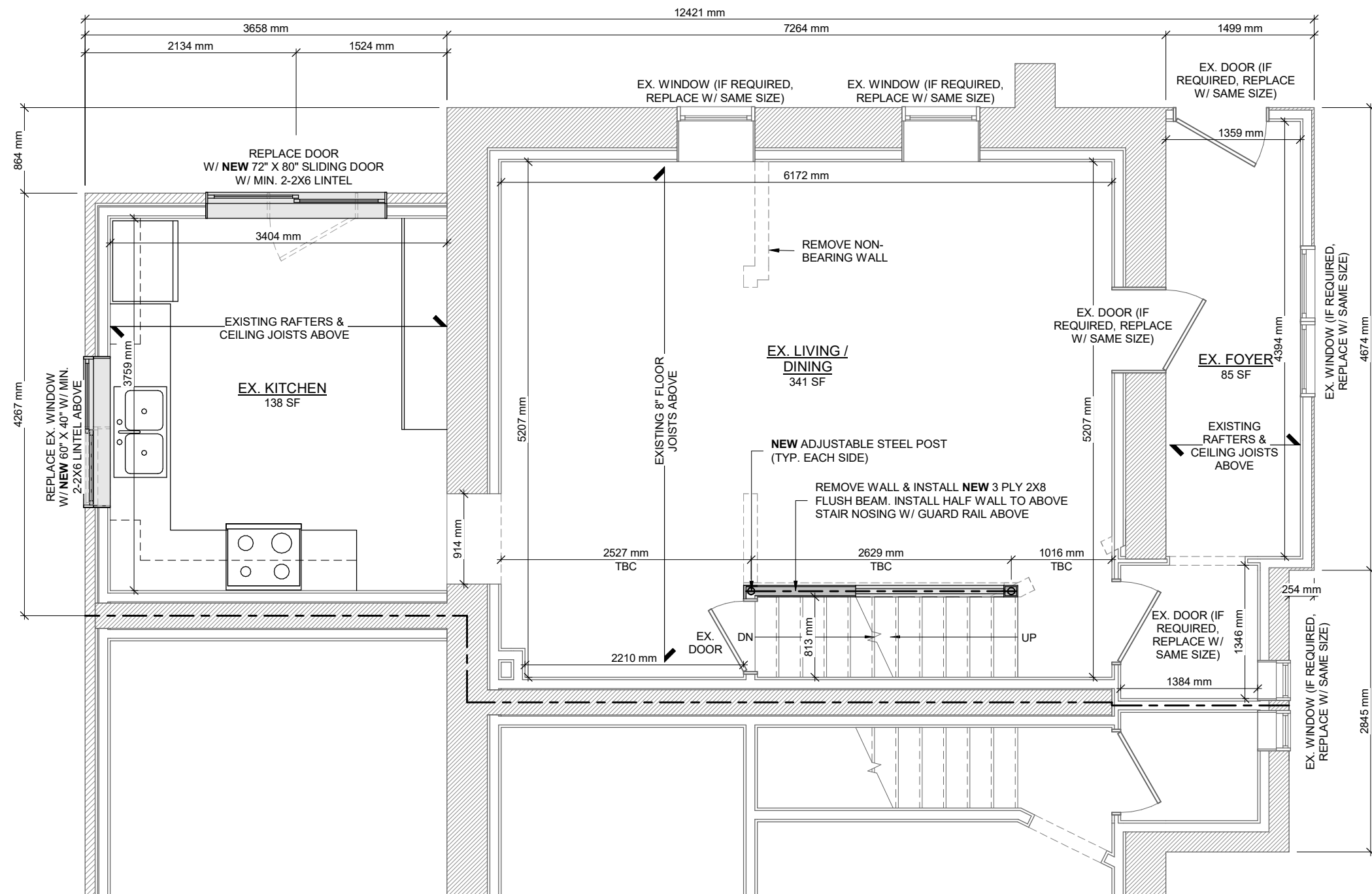
BASEMENT PLAN
SCALE : 1 : 50

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

CLIENT

A4



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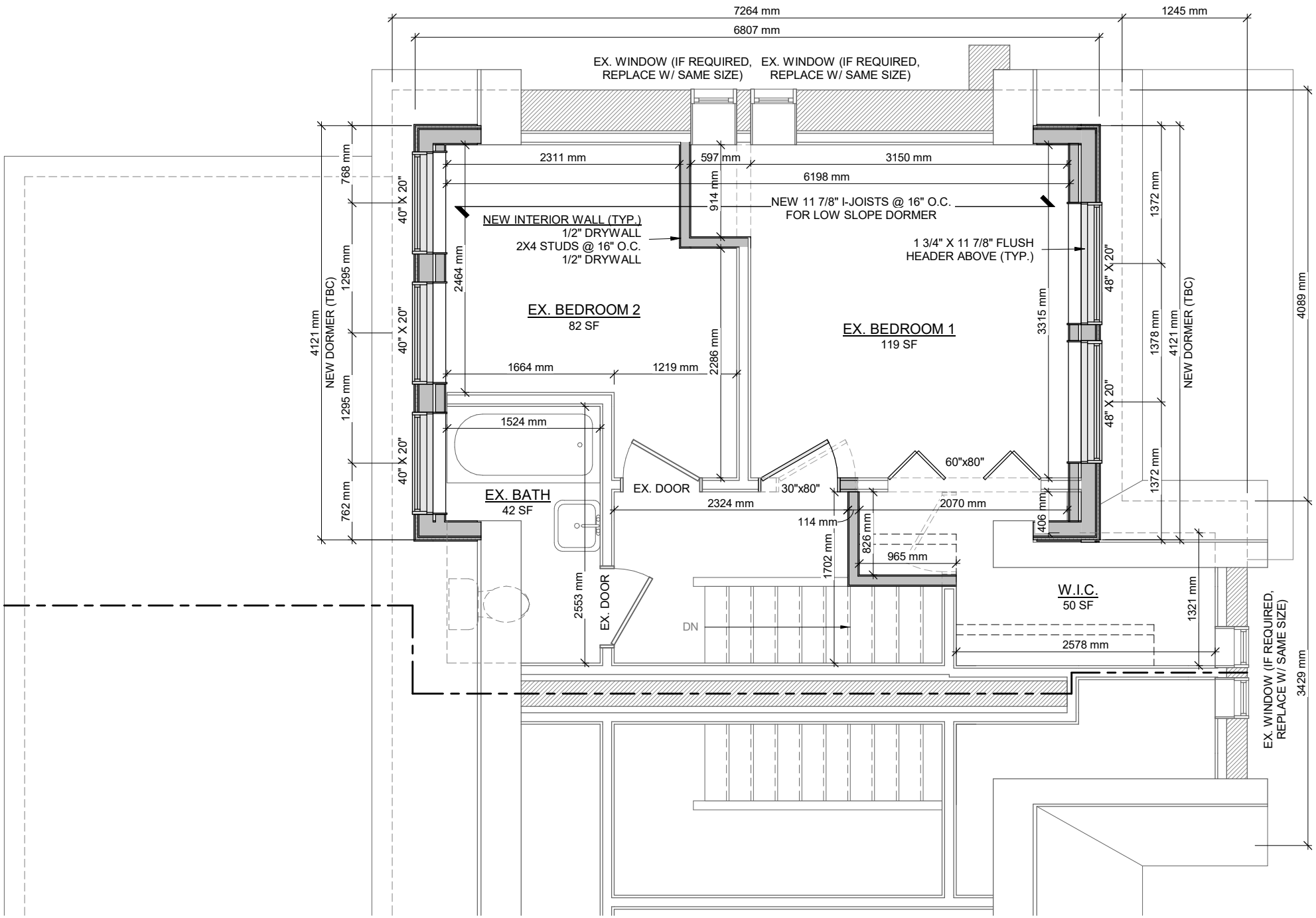
FIRST FLOOR PLAN
SCALE : 1 : 50

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

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A5



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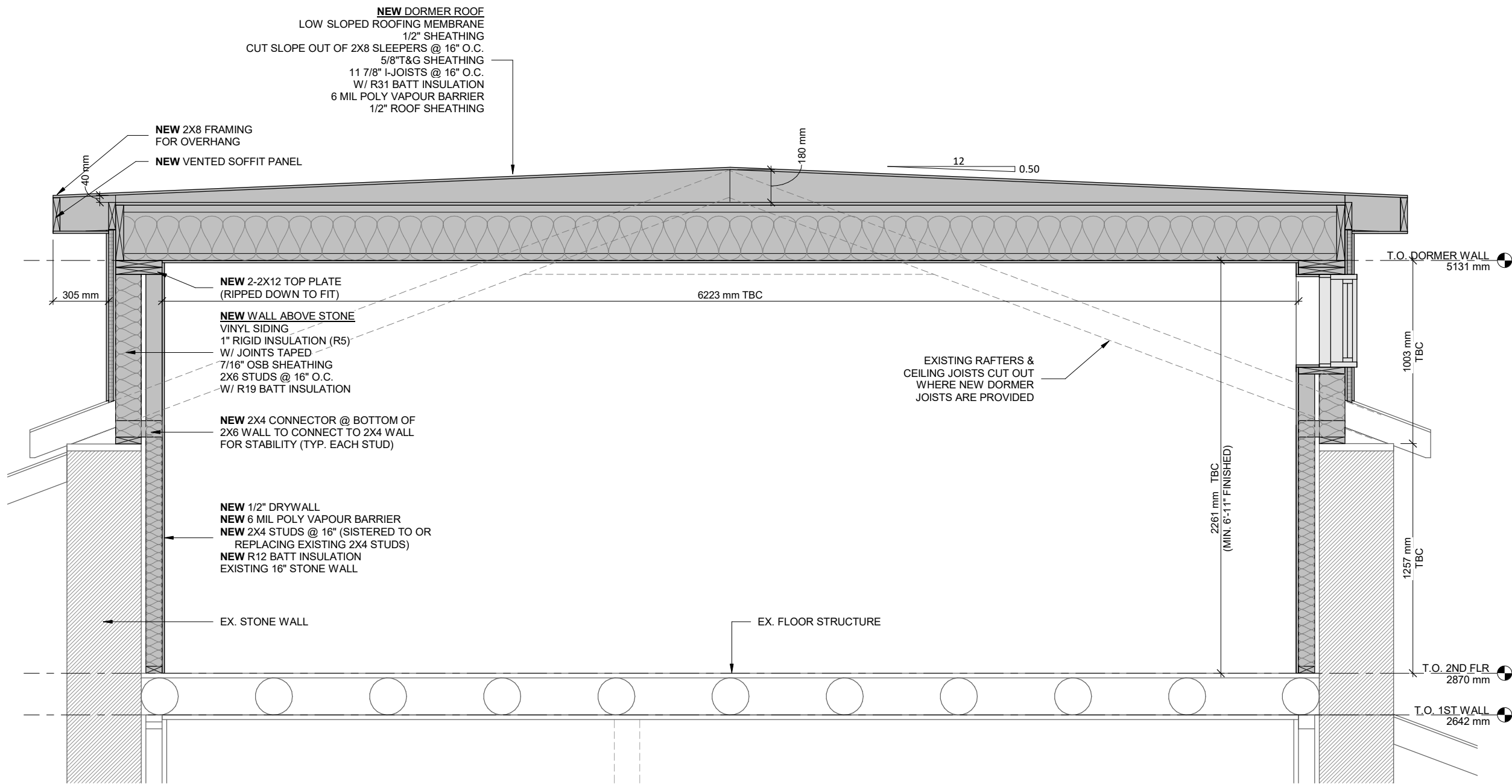
SECOND FLOOR PLAN
SCALE : 1 : 50

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

CLIENT

A6



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FIRM NAME: GROEN DESIGN & DRAFTING SERVICES
BCIN: 43607



DORMER SECTION
SCALE : 1 : 25

HOUSE RENOVATIONS

ASHLEE COOPER
37 ARTHUR ST N
GUELPH, ON

CLIENT

A7

21

REG.



GROSS FLOOR AREA: 115 square M
HEIGHT OF BUILDING: 6.45 M

PROPERTY DIMENSIONS:
FRONTAGE: 4.93 M
DEPTH: 79.86 M
AREA: 390.19 SQ M

CORNER 0.08 M OVER
EAVE 0.80 M OVER

CORNER 0.03 M OVER
EAVE 0.22 M OVER

ARTHUR STREET

FORMERLY QUEEN STREET

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 14, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-36/20

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☐

No ☒ *Please see note below.

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: 37 Arthur St N, Guelph, ON, N1E 4T7

Legal description of property (registered plan number and lot number or other legal description): Roll number 020.005.01000.0000

Plan 161, Lot 22, N/S Queen Pt Lot 22 S/S Duke St RP 61R3583 Parts 2 & 3 Subject to Row

OWNER(S) INFORMATION:

Name: Ashlee Cooper

Mailing Address: 37 Arthur St N

City: Guelph Postal Code: N1E 4T7

Home Phone: 226-821-2136 Work Phone: _____

Fax: _____ Email: ashleedaniellecooper@gmail.com

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____ Postal Code: _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Official Plan Designation: **Low density residential**

Current Zoning Designation: **R.1B Residential**

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

Please accept this request for a minor variance for an extension of legal non-conforming use on a residential property to allow for the construction of 2 dormers on the existing roof. Although there was not a formal prescreening, Building Services supports an extension of legal non conforming use to permit the proposed construction. The subject property at 37 Arthur St North is zoned R.1B Residential. R.1B zoning permits the following: Single Detached Dwelling, Accesory apartment (Section 4.15.1), Bed and Breakfast (Section 4.27), Day Care Centre (Section 4.26), Group Home (Section 4.25), Home Occupation (Section 4.19), Lodging House Type 1 (Section 4.25). The existing Building is a semi-detached structure that is not a permitted use in the Zoning B-law. This is considered a legal nonconforming use. Section 2.5.3 of the Zoning By-law regulates Legal Nonconforming Uses. It reads: Nothing in this By-law shall apply: 2.5.3.3 to prevent the strengthening or renovation of a Building or Structure which is Used for a purpose not conforming with this By-law, so long as the stregthening or renovation does not alter the height, size or volume of the Building or Structure or change the use on the property unless the change is to a Use permitted by the By-law.

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

The property is currently zone R.1B single family detached. Since the house is semi-detached, it has legal non-conforming status (LNC) to permit the use of a semi-detached home in an R.1 zone. The City of Guelph Zoning By-law (1995)-14864 permits the use of an LNC property as long as the size and height remain the same. Although the height of the roof peak is remaining the same, I am changing the volume of the roof and therefore require approval from the Committee of Adjustment.

PROPERTY INFORMATION

Date property was purchased:	March 25, 2020	Date property was first built on:	1842
Date of proposed construction on property:	August 20, 2020	Length of time the existing uses of the subject property have continued:	178 years
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Low density residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Low density residential			

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

Frontage: **4.93 M**

Depth: **79.86 M**

Area: **390.19 square M**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	115 square M		Gross Floor Area:	115 square M	
Height of building:	6.45 M		Height of building:	6.45 M	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>			Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>		
Width:	3.20 M		Width:	3.20 M	
Length:	5.64 M		Length:	5.64 M	
Driveway Width:	4.93 M		Driveway Width:	4.93 M	
Accessory Structures (Shed, Gazebo, Pool, Deck) n/a			Accessory Structures (Shed, Gazebo, Pool, Deck) n/a		
Describe details, including height: n/a			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	2.79 M		Front Yard Setback:	2.79 M	
Exterior Side Yard (corner lots only)	n/a M		Exterior Side Yard (corner lots only)	n/a M	
Side Yard Setback:	Left: 0 M	Right: .22 over M	Side Yard Setback:	Left: 0 M	Right: 0.22 over M
Rear Yard Setback	7.77 M		Rear Yard Setback	7.77 M	

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

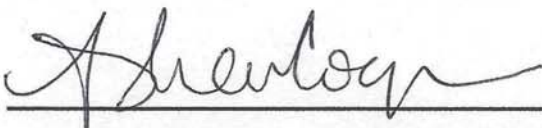
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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

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

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

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




Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Ashlee Cooper, 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~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 14 day of July, 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, 2020

(official stamp of Commissioner of Oaths)

July 14, 2020

Re: Application for Minor Variance 37 Arthur St. North, Guelph, ON, N1E 4T7

Committee of Adjustment

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

To Whom It May Concern:

I am writing to request a minor variance to permit the construction of 2 dormers on an existing roof.

I purchased the house at 37 Arthur St North in January and it closed in March of 2020. We applied for a building permit to build 2 dormers on the roof without changing the existing height. I was notified by email that our permit would not be granted because: "the property is currently zoned R1B (single detached)... As the property is a semi-detached it would have a Legal Non-Conforming (LNC) status to permit the use of a semi in an R1 zone. The City of Guelph Zoning By-law (1995)-14864 permits the continuous use of a LNC property as long as the size and height remain the same. Therefore, you would be permitted to do any work inside or outside the property as long as the same size and height are maintained." In an email dated (attached in package), July 8, 2020, Chris DeVrient Manager of Development Planning confirms that Planning can support this application.

The home being deemed "LNC" was not communicated to me via my lawyer, real estate agent or architect during the sale of the home or the planning of the renovation.

Importantly, my attached neighbour (39 Arthur St N) has a similar dormer. It was installed after a fire by the previous owner in 1995 (building permit 90 032924 000 00 RR). My neighbour has expressed that he supports the proposed changes to 37 Arthur St N.

We aren't house flippers looking to make a profit. We're a small family trying to make ends meet and a home habitable in a time of great duress.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ashlee Cooper', written in dark ink.

Ashlee Cooper, 135 King St, Guelph, ON, N1E 4P7

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

23 Wellington Street East, Units 8 and 9

Proposal:

The applicant is proposing to use units 8 and 9 of the existing commercial plaza (currently occupied by Money Mart) as a 128 square metre retail establishment (cannabis retail).

By-Law Requirements:

The property is located in the Specialized Service Commercial (SC.1-2) Zone. A variance from 6.4.3.1.2.1 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law permits a variety of uses in the SC.1-2 zone, but does not permit a retail establishment.

Request:

The applicant is seeking relief from the By-Law requirements to permit a 128 square metre retail establishment at 23 Wellington Road East, units 8 and 9.

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, August 13, 2020**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-37/20**

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 **August 6, 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 4:00 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 July 24, 2020.

Contact Information

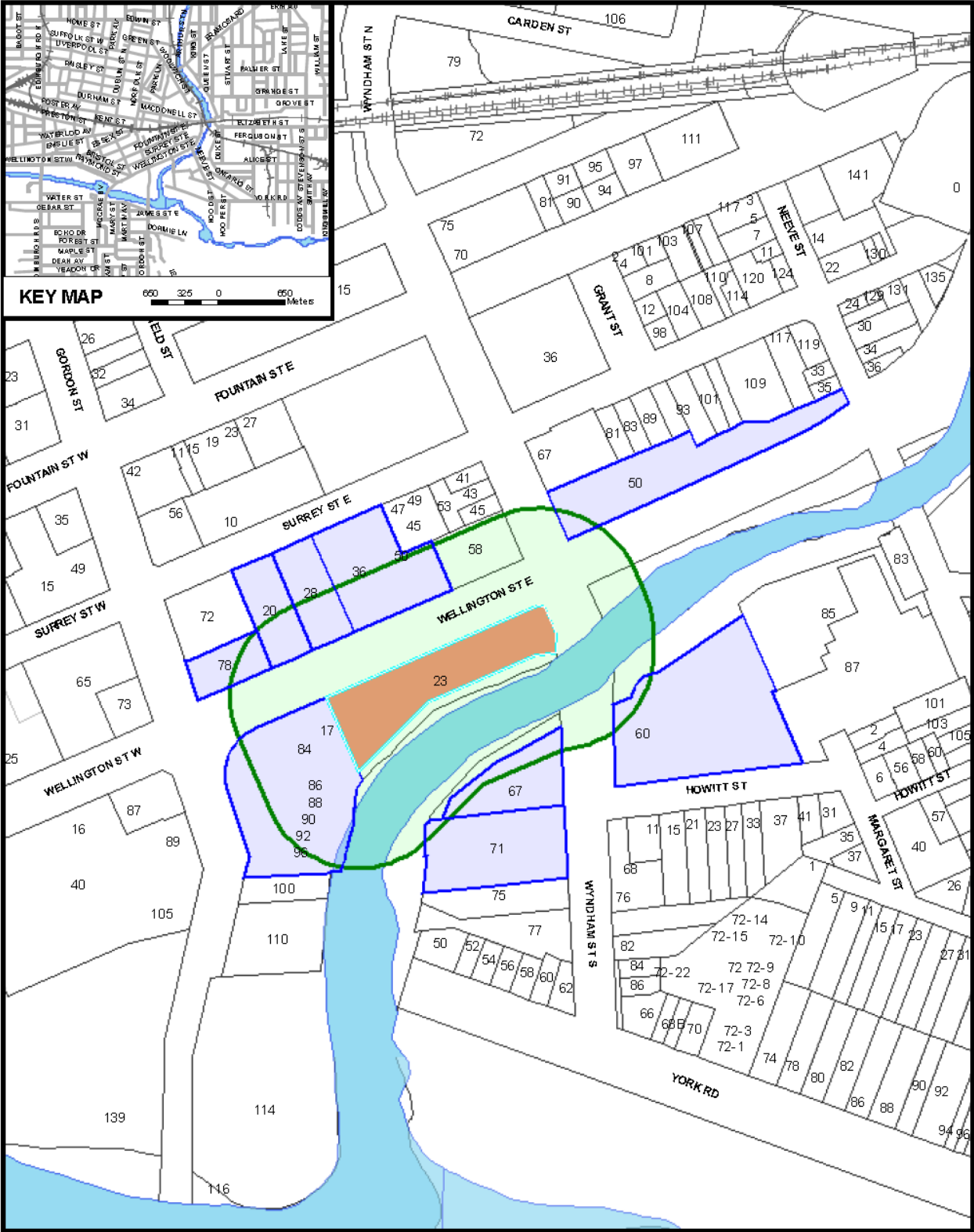
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

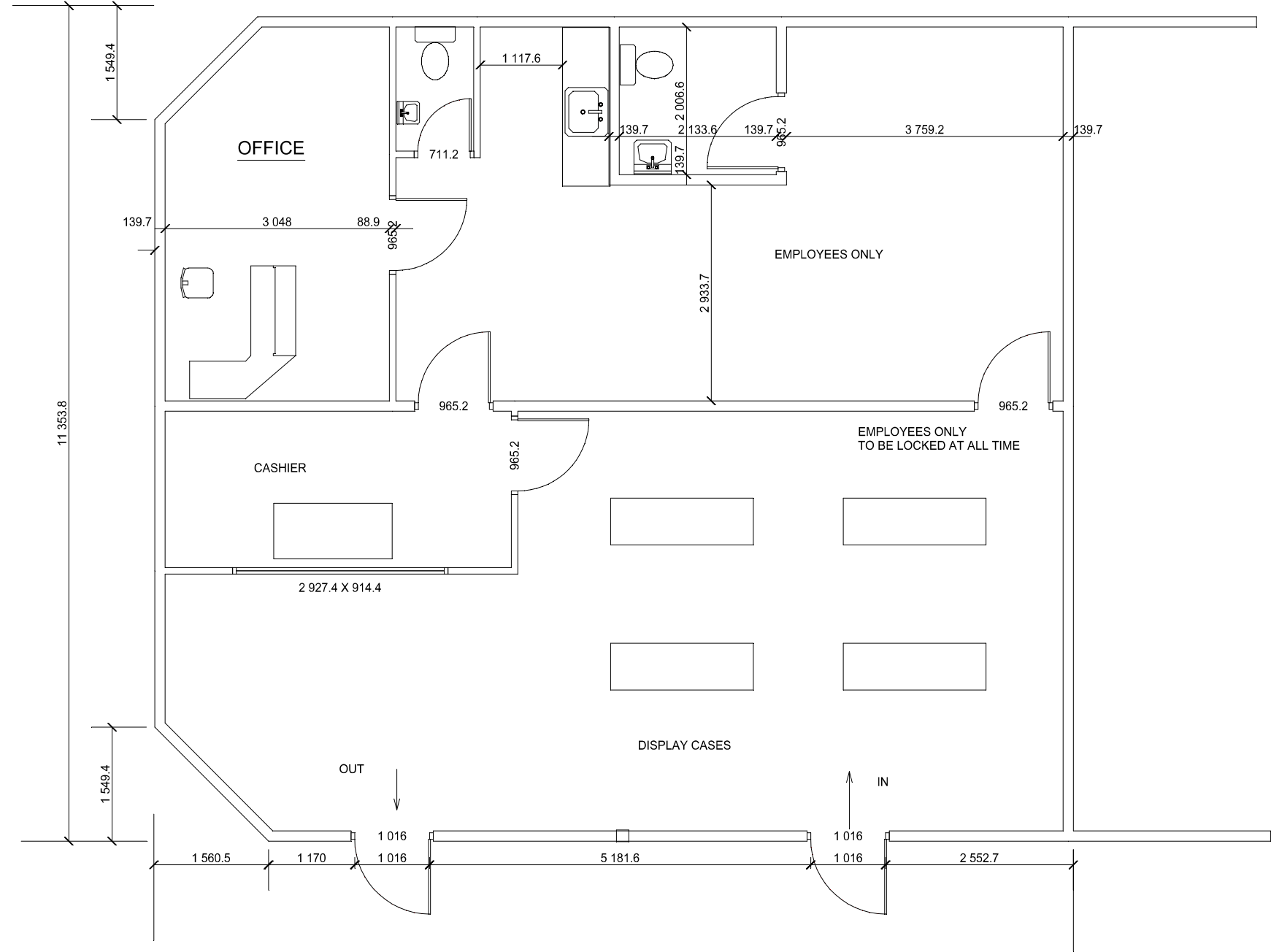
519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa



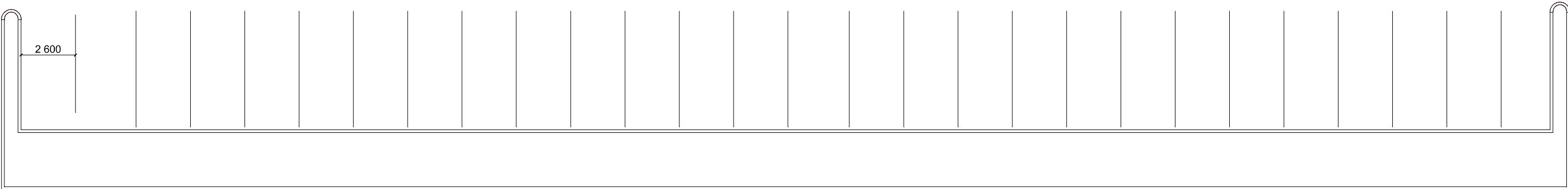
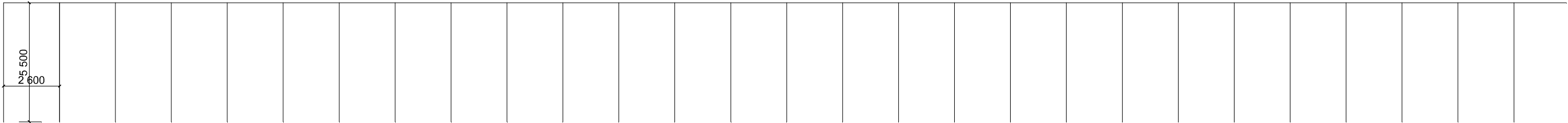
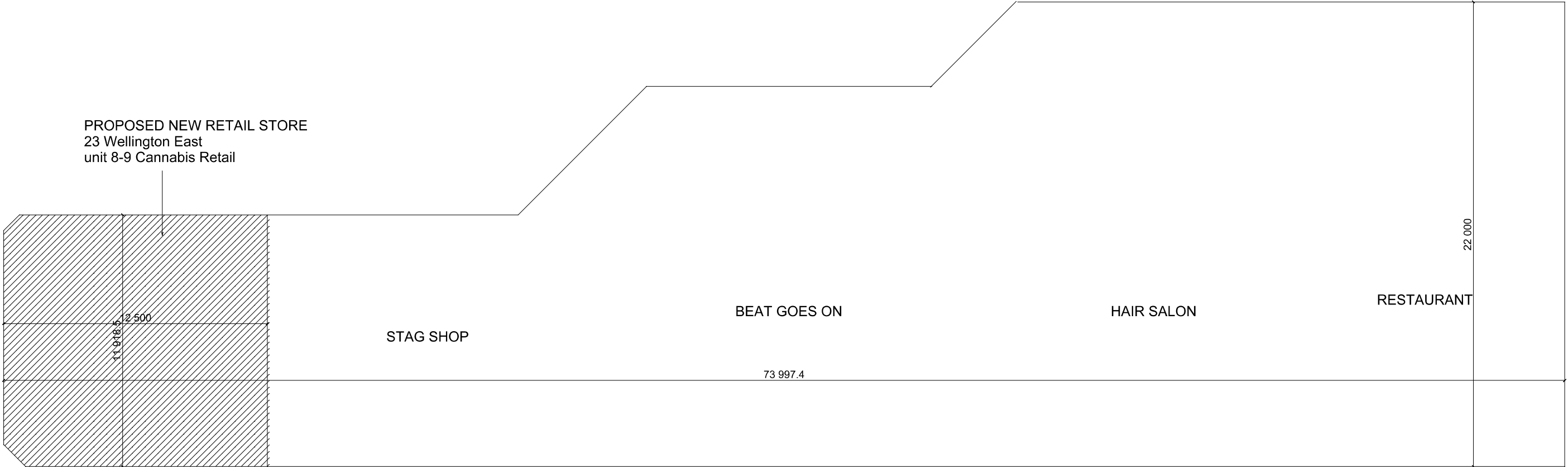


PROPOSED NEW RETAIL STORE
23 Wellington East
unit 8-9 Cannabis Retail

AREA 128 M²

GS ENGINEERING SERVICES
222 HAWKSWOOD DR.
KITCHENER, ON
(519) 571- 7361
georgesedra10@gmail.com
C of A # 100143501

Date: JULY ,2020	G S ENG. SERVICES KITCHENER	PROPOSED NEW RETAIL STORE		
		FLOOR PLAN		
		Scale 3/16"=1'	Drawing A1	
		DRAWN BY R. G		



Wellington St. East

	23 Wellington St. East
	SITE PLAN
	July 2020

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 16, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-37/20

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: 23 Wellington East unit 8-9

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

Plan # 8 lot # 98

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

Name:	922444 Ontario Ltd.		
Mailing Address:	15 Grovewood Street		
City:		Postal Code:	L4E 4X4
Home Phone:	Richmond Hill, Ontario	Work Phone:	416-518-5408
Fax:		Email:	tonyvarvaris@hotmail.com

AGENT INFORMATION (If Any)

Company:			
Name:	tony varvaris		
Mailing Address:	82 Chiswick Cres.		
City:	Aurora ON	Postal Code	L4G 6P1
Work Phone:		Mobile Phone:	416 508 2650
Fax:		Email:	tonyvarvaris@hotmail.com

Official Plan Designation: Future Park Policy Area C	Current Zoning Designation: CR-11
---	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): change of use of an existing store from money loans to retail store (Cannabis Retail)
Please see attached site plan
The previous use of the units (8,9) is a Money Mart (Loans)
Most of the stores in the plaza are retail stores and gone through the same process.
As per communication with city staff, a new retail use in the plaza would not be against the future park policies
in the secondary plan because commercial uses are expected to continue until such time that the City purchases the property for a park. Therefore, Planning staff could support a variance for an additional retail use in units 8 & 9 at 23 Wellington Street East.
Bylaw staff confirmed that the storefronts is not within 150 metres of sensitive uses (schools etc..)
We need to be relieved from section 6.4.3.1.2.1 (site specfic) to add Retail
store (Cannabis retail)

Why is it not possible to comply with the provision of the by-law? (your explanation)
The provision of the by-law does not allow retail stores , given that there is plan by the city to purchase the plaza for a park. So owners are aware of this, however until such time, they are hoping that the committee of adjustment accept their request as it was the case with other stores in the plaza.

PROPERTY INFORMATION			
Date property was purchased:	1990	Date property was first built on:	1986
Date of proposed construction on property:	Sept 2020	Length of time the existing uses of the subject property have continued:	1986
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Commercial / money mart			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Cannabis Retail			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	74 m	Depth:	varies 12-22 m
		Area:	1545 m ²

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:	16,630 sq ft. (1545m ²)		Gross Floor Area:	NO CHANGES	
Height of building:	4 m		Height of building:		
Garage/Carport (if applicable) N/A			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: N/A			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	10 m		M	Front Yard Setback:	NO CHANGES M
Exterior Side Yard (corner lots only)	7 m		M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: M Right: M
Rear Yard Setback	varies 8-20		M	Rear Yard Setback	M

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

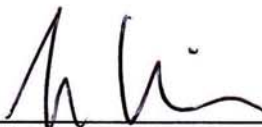
POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

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

[Signature]
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me ~~at the~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 15 day of July, 2020

[Signature]
Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

922444 Ontario Ltd. 15 Grovewood Street Richmond Hill, Ontario
L4E 4X4

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

of 23 Wellington East unit 8-9
(Legal description and/or municipal address)

hereby authorize tony varvaris
(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 8TH day of JULY 2020.

Joe Tomabane
(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.

Re: 23 Wellington East unit 8-9 Cannabis Retail

Dear Committee of Adjustment

The purpose of this application is to allow a retail store in unit 8,9 as shown on the plans submitted.

The city of Guelph were consulted prior to proceed with the application. They support the proposal.

We hope the committee and the community accepts the proposal.

Thank you

Tony Varvaris

Any question or concern please feel free to contact me

tonyvarvaris@hotmail.com

DECISION

Committee of Adjustment Application Number A-53/19



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


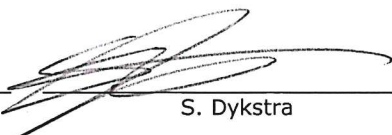

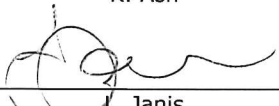


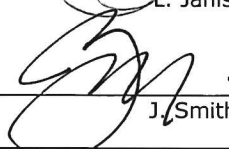
THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.4.3.1.2.1 of Zoning By-law (1995)-14864, as amended, for 23 Wellington Road East, Unit #14, to permit a 81.66 square metre retail establishment, when the By-law does not permit a retail establishment within the uses of the SC.1-2 zone, be **APPROVED**.

REASONS:

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

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

Members of the Committee of Adjustment concurring in the decision:

 K. Ash	 S. Dykstra	 D. Gundrum
 L. Janis	 D. Kendrick	 K. Meads
 J. Smith		

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on June 13, 2019.

Dated: June 18, 2019

Signed:



The last day on which a Notice of Appeal to the Local Planning
Appeal Tribunal may be filed is **July 3, 2019**.

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

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-66/16



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

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.4.3.1.2.1 of Zoning By-law (1995)-14864, as amended, be **APPROVED**, for 23 Wellington Street, subject to the following conditions:

1. That the retail use be limited to an area of 50 square metres within Unit No. 2.
2. That the retail use be limited to the sale and repair of cell phones, electronic equipment and associated accessories.

REASONS:

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

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

Members of Committee
Concurring in this Decision

I, Dylan McMahon, Acting 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 September 7, 2016.

Dated: September 13, 2016

Signed:

Committee of Adjustment

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is **September 27, 2016**.

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

DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-5/10



Making a Difference

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

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.4.3.2.1. of Zoning By-law (1995)-14864, as amended, for 23 Wellington Street, East, to permit a retail establishment as a permitted use in the existing plaza, be approved, subject to the following condition:

1. That the retail use be limited to a maximum of three units occupying a maximum gross floor area of 232.25 square metres (2,500 square feet)."

Members of Committee
Concurring in this
Decision

Three handwritten signatures in blue ink, each written over a horizontal line. The signatures are stylized and difficult to read.

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on February 16, 2010

Dated: February 19, 2010

Signed:

A handwritten signature in blue ink, written over a horizontal line. The signature is stylized and appears to read "Kimberli Fairfull".

Community Design and Development Services
Building Services

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is March 8, 2010.

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

DECISION

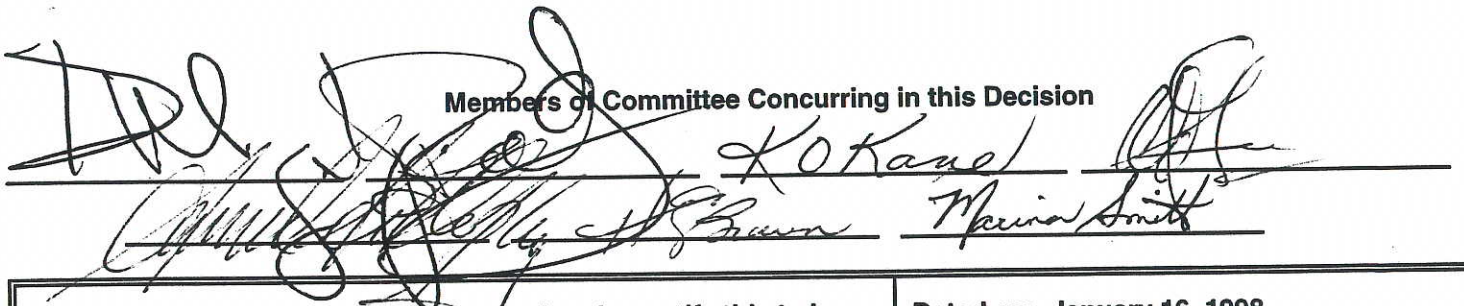
Application Number
A-15/98

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

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

“THAT in the matter of an application under Section 45(2)(a)(ii) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission to change the legal non-conforming use for 23 Wellington Street, East, Unit 4, to permit the 65.03 square metre (700 square foot) unit previously occupied by a Futon Shop to be occupied by a lingerie/clothing store, be approved.”

Members of Committee Concurring in this Decision

The block contains several handwritten signatures in black ink, some of which are crossed out with a large 'X'. The signatures are written over horizontal lines.

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 13, 1998.

Signed:

A handwritten signature in blue ink, appearing to read 'Kimberli Fairfull'.

Dated on: January 16, 1998

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is February 2, 1998.

DECISION

Application Number
A-71/97

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

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

"THAT in the matter of an application under Section 45(2)(a)(i) of the Planning Act, R.S.O. 1990, c.P13, as amended, for Part Park Lot 98 and Part Park Lot 99, Registered Plan 8 known as 23 Wellington Street, East, Unit 13, to change the 90.113 square metre (970 square foot) Video rental store to a retail store selling new and used CD's, be approved."

Members of Committee Concurring in this Decision

I, Stephanie Benstead, Assistant 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 July 22, 1997

Signed:

Stephanie Benstead

Dated on: July 25, 1997
The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is August 11, 1997

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

104 Winston Crescent

Proposal:

The applicant is proposing to construct a second storey on the existing single storey detached dwelling. The addition also includes a single car attached garage and a two-storey accessory apartment. The existing detached garage and shed are proposed to be removed.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 5.1.2 Row 7, Table 5.1.2 Row 8 and Section 4.15.1.5 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) a minimum side yard setback of 1.5 metres for a property in an R.1B zone of 1 to 2 storeys;
- b) a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth [being 6.1 metres], whichever is lesser; and
- c) that an accessory apartment shall not exceed 45 percent of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

Request:

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

- a) a minimum left side yard setback of 1.2 metres for the proposed attached garage and two-storey addition to the existing detached dwelling;
- b) a minimum rear yard setback of 4.38 metres for the proposed two-storey addition to the existing detached dwelling; and
- c) an accessory apartment size of 95.5 square metres, or 30.4 percent of the total floor area of the detached dwelling (including proposed addition).

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, August 13, 2020
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	A-38/20

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 **August 6, 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 4:00 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 July 24, 2020.

Contact Information

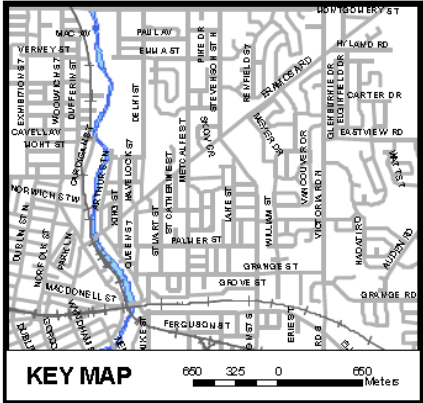
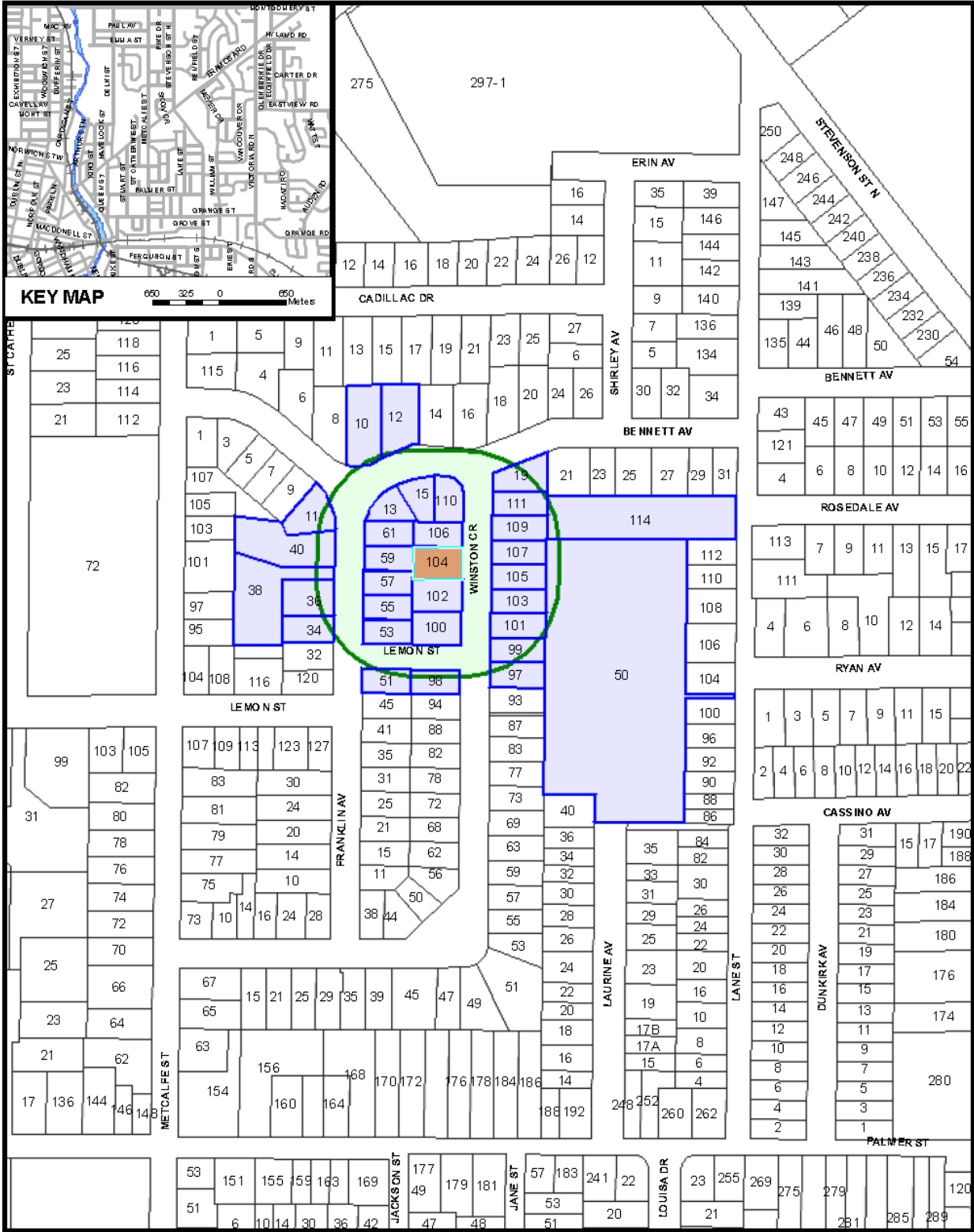
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa

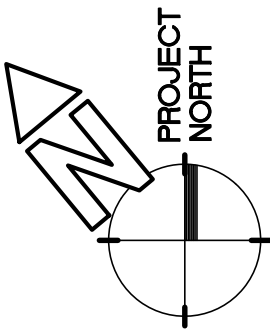


104 Winston Crescent (A-38/20)
30m Circulation Area

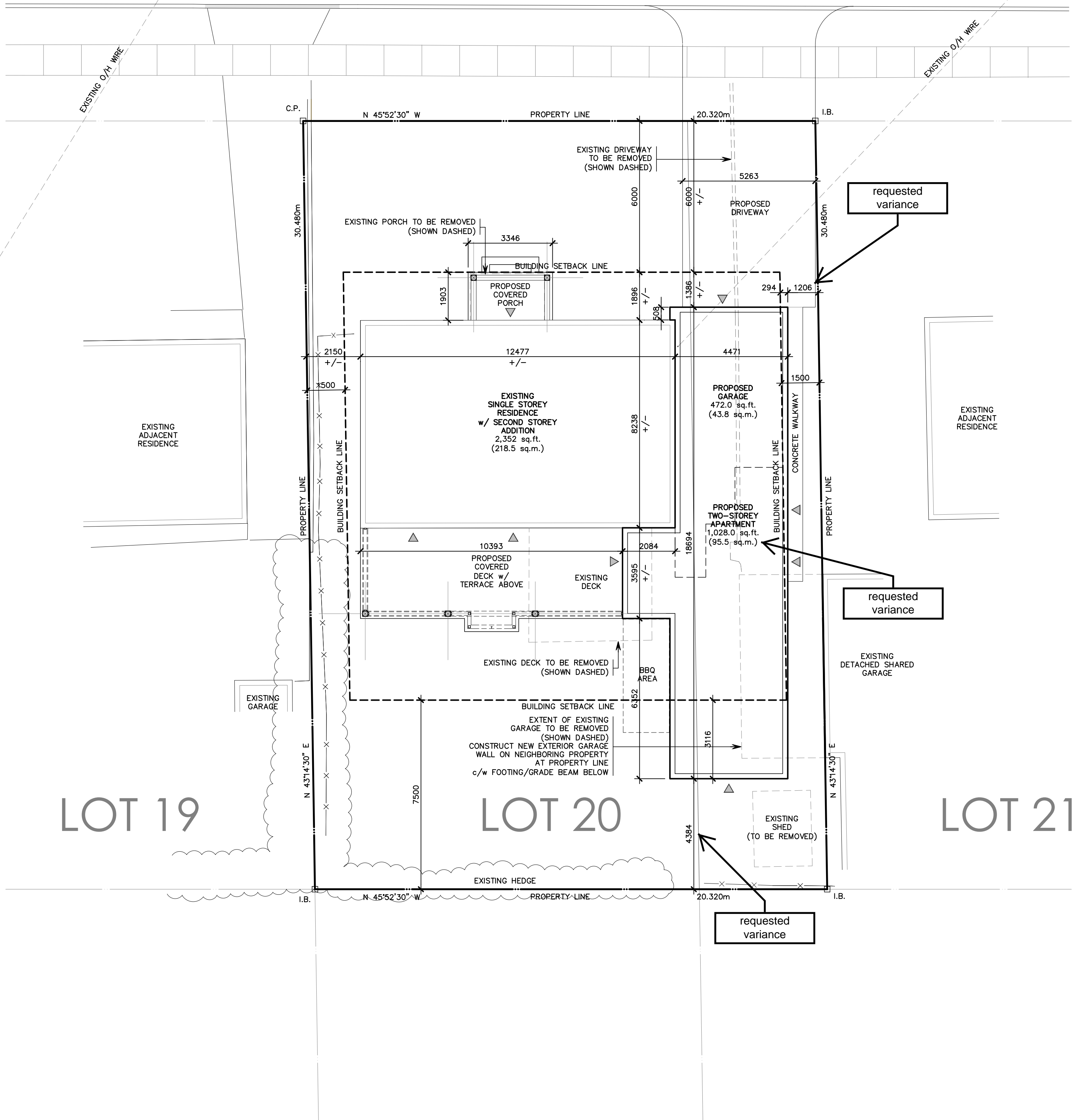
Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: Date: July-21-20



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WINSTON CRESCENT



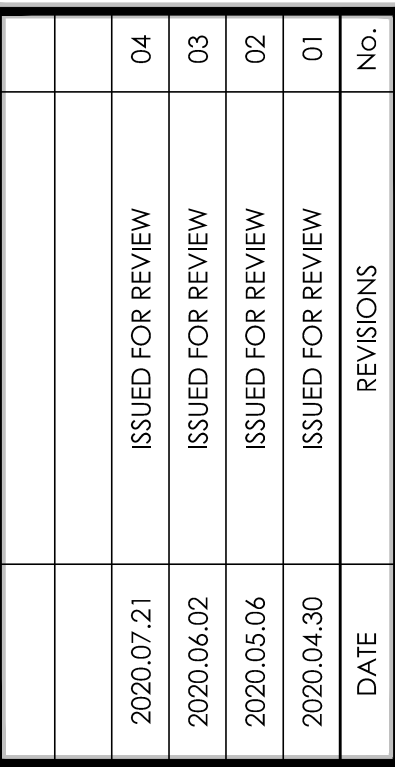
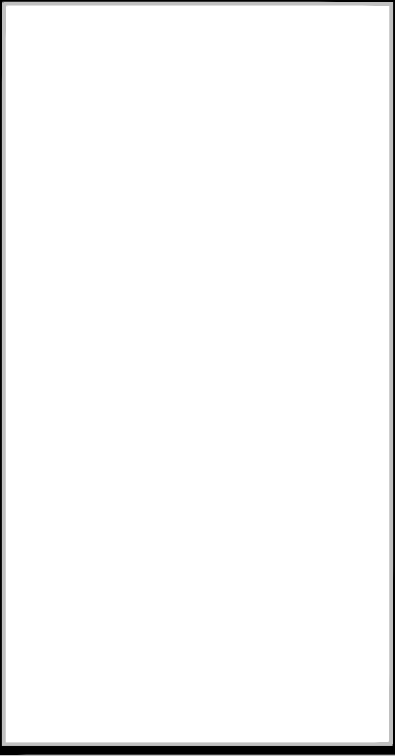
01
SP.01 SITE PLAN

1:100

DATE	REVISIONS	No.
2020.07.21	ISSUED FOR REVIEW	04
2020.06.02	ISSUED FOR REVIEW	03
2020.05.06	ISSUED FOR REVIEW	02
2020.04.30	ISSUED FOR REVIEW	01

PROJECT NAME	CLIENT
PROPOSED ADDITION	
104 WINSTON CRESCENT	
GUELPH, ON	
DRAWING TITLE	SITE PLAN

SHEET NUMBER	SCALE
SP.01	
DRAWN BY	DATE
DRBY	
PROJECT No.	
PROJ#	



PROJECT NAME

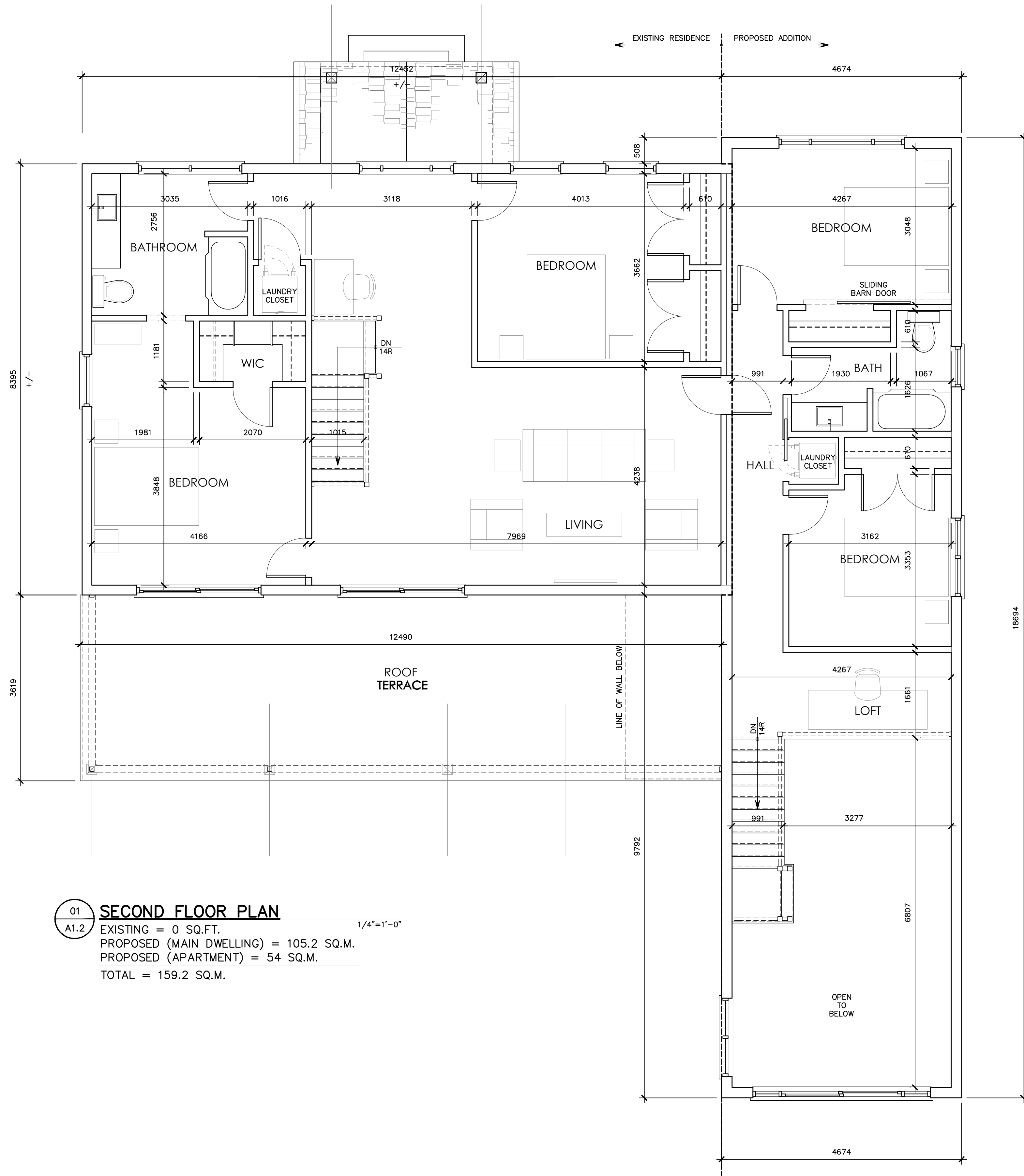
PROPOSED
ADDITION

104 WINSTON CRESCENT
GUELPH, ON

DRAWING TITLE

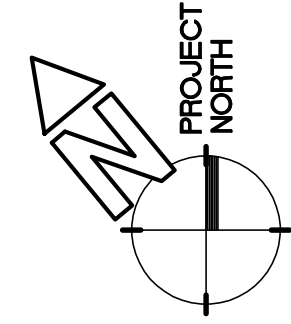
GROUND FLOOR PLAN

SHEET NUMBER	A1.1		
	DRAWN BY	PROJECT NO.	DATE



01
A1.2 **SECOND FLOOR PLAN**
EXISTING = 0 SQ.FT.
PROPOSED (MAIN DWELLING) = 105.2 SQ.M.
PROPOSED (APARTMENT) = 54 SQ.M.
TOTAL = 159.2 SQ.M.

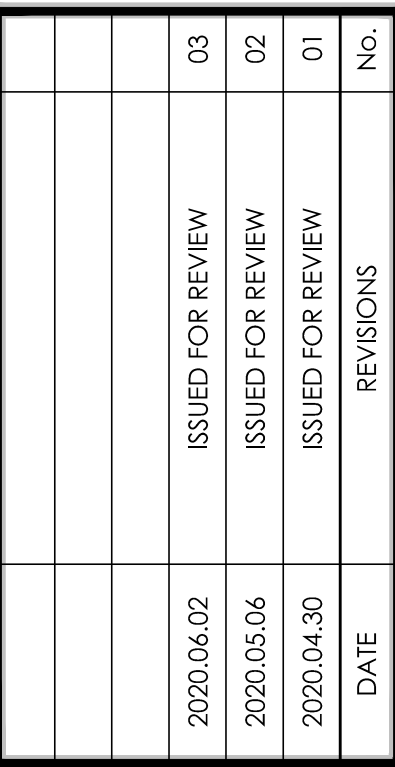
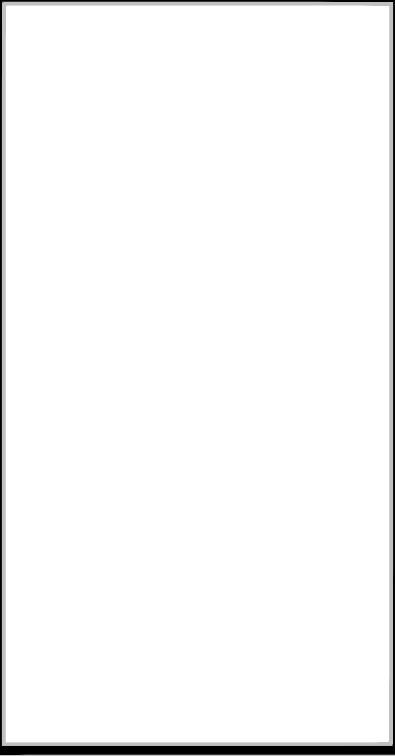
1/4"=1'-0"



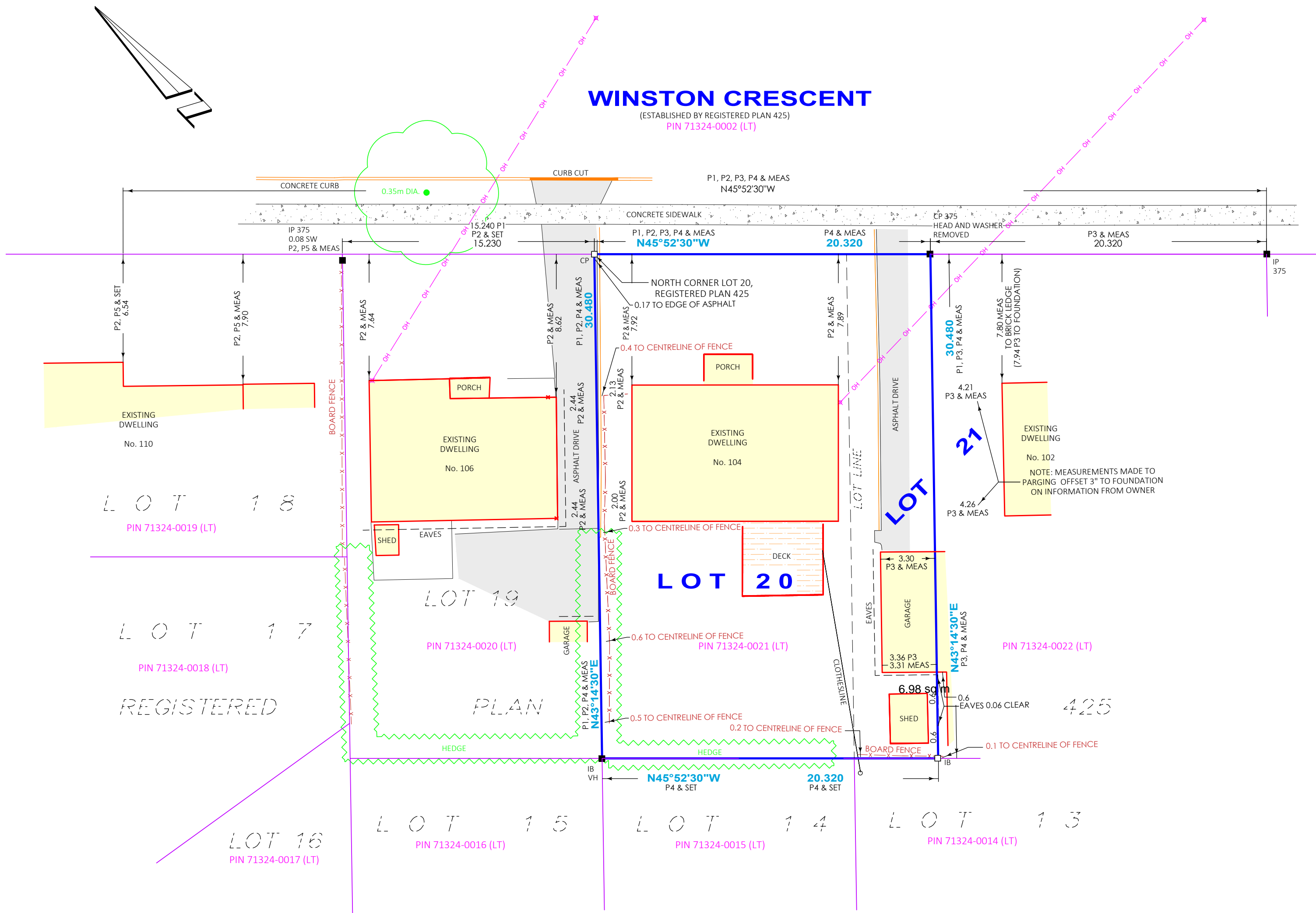
	2020.07.21	ISSUED FOR REVIEW	04	
	2020.06.02	ISSUED FOR REVIEW	03	
	2020.05.06	ISSUED FOR REVIEW	02	
	2020.04.30	ISSUED FOR REVIEW	01	
	DATE	REVISIONS	No.	

PROJECT NAME	PROPOSED ADDITION 104 WINSTON CRESCENT GUELPH, ON
DRAWING TITLE	SECOND FLOOR PLAN

SHEET NUMBER	A1.2
DRAWN BY	
PROJECT No.	
DATE	



<div style="writing-mode: vertical-rl; transform: rotate(180deg);">SHEET NUMBER</div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">A2.1</div>	



SUMMARY REPORT:

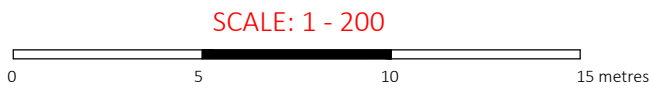
CLIENT:
THIS PLAN WAS PREPARED FOR SUTCLIFFE HOMES INC.
AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY
FOR USE BY OTHER PARTIES.

NOTE:
THIS SURVEY PLAN IS TO BE READ IN CONJUNCTION WITH
A WRITTEN SURVEY REPORT DATED MARCH 31, 2020.

DESCRIPTION OF PROPERTY:
PIN 71324-0021 (LT)
ADDRESS: 104 WINSTON CRESCENT
ALL OF LOT 20 & PART OF LOT 21, REGISTERED PLAN 425; AS IN INST. R0723048
CITY OF GUELPH

EASEMENTS:
NONE FOUND IN REGISTRY OFFICE.

SURVEYOR'S REAL PROPERTY REPORT
PLAN OF
ALL OF LOT 20 & PART OF LOT 21
REGISTERED PLAN 425
CITY OF GUELPH
COUNTY OF WELLINGTON



VAN HARTEN SURVEYING INC.

- LEGEND:
- SIB

IB

SSIB

CP

WIT

CC

VH

375

P1

P2

P3

P4

P5

Denotes Survey Monument Set

Denotes Survey Monument Found

Denotes .025 x .025 x 1.20 Standard Iron Bar

Denotes .015 x .015 x 0.60 Iron Bar

Denotes .025 x .025 x 0.60 Short Standard Iron Bar

Denotes Concrete Pin

Denotes Witness

Denotes Cut Cross

Denotes Van Harten Surveying Inc., O.L.S.'s

Denotes Black, Shoemaker et. al., O.L.S.'s

Denotes Registered Plan 425

Denotes Surveyor's Real Property Report by (VH), Project No. 20010-11

Denotes Building Location Survey by (375), Project No. 87-4987

Denotes Instrument R0723048

Denotes Surveyor's Real Property Report by (375), Project No. 09-8092
- NOTES:

1. BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17. NAD 83-CSRS (2010) ADJUSTMENT.

2. DISTANCES SHOWN ON THE PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO UTM GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99959838.
- BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.
- | PLAN | ROTATION FOR NORTHEAST BEARINGS |
|-----------------|---------------------------------|
| P1, P2, P3 & P5 | -0°47'30" |
- NOTES:

1. DISTANCES ON THIS PLAN ARE MEASURED IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
- SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT
AND IN ACCORDANCE WITH THE
SURVEYS ACT AND THE SURVEYORS ACT
AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED
ON THE 13th DAY OF MARCH, 2020.

JOHN S. SCOTT, O.L.S.

DATE: MARCH 31, 2020
- ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2117683

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

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: S.A.P.

CHECKED BY: J.S.S.

PROJECT No. 28120-20

Apr 02, 2020 12:57pm
G:\GUELPH\425\ACAD\BLOT20 (SUTCLIFFE) UTM2010.dwg
- 2020 VAN HARTEN SURVEYING INC.

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF VAN HARTEN SURVEYING INC.

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 14, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-38/20

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: 104 Winston Cres, Guelph ON

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

Lot 20 Registered Plan 425 City of Guelph, County Wellington

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

Name: Donnette and Sheryl Harnett

Mailing Address: 97 McTague Drive

City: Cambridge ON

Postal Code: _____

Home Phone: 5192213824

Work Phone: _____

Fax: _____

Email: _____

AGENT INFORMATION (If Any)

Company: Sutcliffe Homes Inc

Name: Phill McFadden

Mailing Address: 930 Woodlawn Road, Unit 3

City: Guelph

Postal Code: N1K 1T2

Work Phone: 519.822.1708 ext 228

Mobile Phone: 519.993.4565

Fax: _____

Email: pmcfadden@sutcliffehomes.ca

Official Plan Designation: Low density residential	Current Zoning Designation: R1.B
--	----------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
A variance to Table 5.1.2, Row 7 to permit a left yard setback of 1.2m
A variance to Table 5.1.2, Row 8 to permit a rear yard setback of 4.38m
A variance to Section 4.15.1.5 to allow for an accessory apartment to be 95.5 m.sq.
- Total Gross floor area is 314 square meters, Apartment square meters is 95.5 sq.m (30.4% of gross floor area)

Why is it not possible to comply with the provision of the by-law? (your explanation)
All requested variances are due to creating a reasonable sized garage for the main home, as well as a reasonably sized accessory apartment, without taking too much of the existing lot, but creating a functional space to be rented by the home owner.

PROPERTY INFORMATION			
Date property was purchased:	April 29, 2016	Date property was first built on:	1952
Date of proposed construction on property:	October 2020	Length of time the existing uses of the subject property have continued:	Since construction
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:	20.32 m	Depth:	30.48 m
Area:	619.35 m.sq		

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	106.28 m.sq		Gross Floor Area:	314.00 m.sq	
Height of building:	5.18 m		Height of building:	7.35 m	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	3.30 m		Width:	4.67 m	
Length:	7.34 m		Length:	8.23 m	
Driveway Width:	5.26 m		Driveway Width:	5.26 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		
Shed at rear of property 6.98 m.sq. 2.7 m tall.			Shed at rear of property 6.98 m.sq. 2.7 m tall.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND							
EXISTING			PROPOSED				
Front Yard Setback:	7.4		M	Front Yard Setback:	7.4	M	
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)			M
Side Yard Setback:	Left: M 5.77	Right: M 2.15		Side Yard Setback:	Left: M 1.2	Right: M 2.15	
Rear Yard Setback	14.45		M	Rear Yard Setback	4.38		M

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca 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, Phil McFadden c/o Sutherland Homes, 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~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 15 day of July, 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)

Donnette and Sheryl Harnett

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

of 104 Winston Crescent, Guelph ON

(Legal description and/or municipal address)

hereby authorize Phill McFadden C/O Sutcliffe Homes 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 14th day of July 2020



(Signature of the property owner)



(Signature of the property owner)

NOTES:

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

Committee of Adjustment Notice of Public Hearing



Applications for Consent [new lot and easements] have been filed with the Committee of Adjustment

Application Details

Location:

73 and 93 Arthur Street South

Proposal:

The applicant is proposing to sever the property and create a new lot as part of the multi-phase development known as the Metalworks. The vacant parcel proposed to be severed is phase 4 of the Metalworks development (to be known as 93 Arthur Street South) and the parcel being retained is phase 3. A 10-storey residential building is currently being constructed on the retained parcel. In addition to the new lot being created, several easements are being requested to provide fire route access, loading access, and turning radius between the two parcels.

By-Law Requirements:

The property is located in the Specialized Residential High Density Apartment (R.4B-15.3) and (R.4B-15.4 (H)) Zones.

Request:

The applicant proposes the following:

File B-7/20 73 Arthur Street South (retained parcel):

- a) the creation of a 617.5 square metre shared access easement over a portion of the retained parcel for a shared driveway required for fire route, loading access and turning radius in favour of the severed parcel (shown as parts 4, 5, 6 and 8 on the attached sketch).

File B-8/20 93 Arthur Street South (severed parcel):

- a) to sever a parcel of land with frontage along Arthur Street South of 32.41 metres and an area of 5,855.5 square metres (shown as parts 7, 9, 10, 11, 14 to 19 on the attached sketch). The retained parcel will have frontage along Arthur Street South of 57.8 metres and an area of 5,463.1 square metres (shown as parts 1 to 6, 8, 12, and 13 on the attached sketch), and
- b) the creation of a 45.2 square metre shared access easement over a portion of the severed parcel for a shared driveway required for fire route, loading access and turning radius in favour of the retained parcel (shown as parts 10 and 11 on the attached sketch).

Hearing Details

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

Date: **Thursday, August 13, 2020**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Numbers: **B-7/20 and B-8/20**

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 applications. Alternate meeting formats are available upon request.

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include

your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **August 6, 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 these applications will be available online at guelph.ca/cofa. Alternative document formats are available upon request. Additional information related to these applications may be obtained by contacting Committee of Adjustment staff between the hours of 8:30 a.m. and 4:00 p.m. (Monday to Friday).

Notice of the Decision

If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed consent applications, 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 this July 24, 2020.

Contact Information

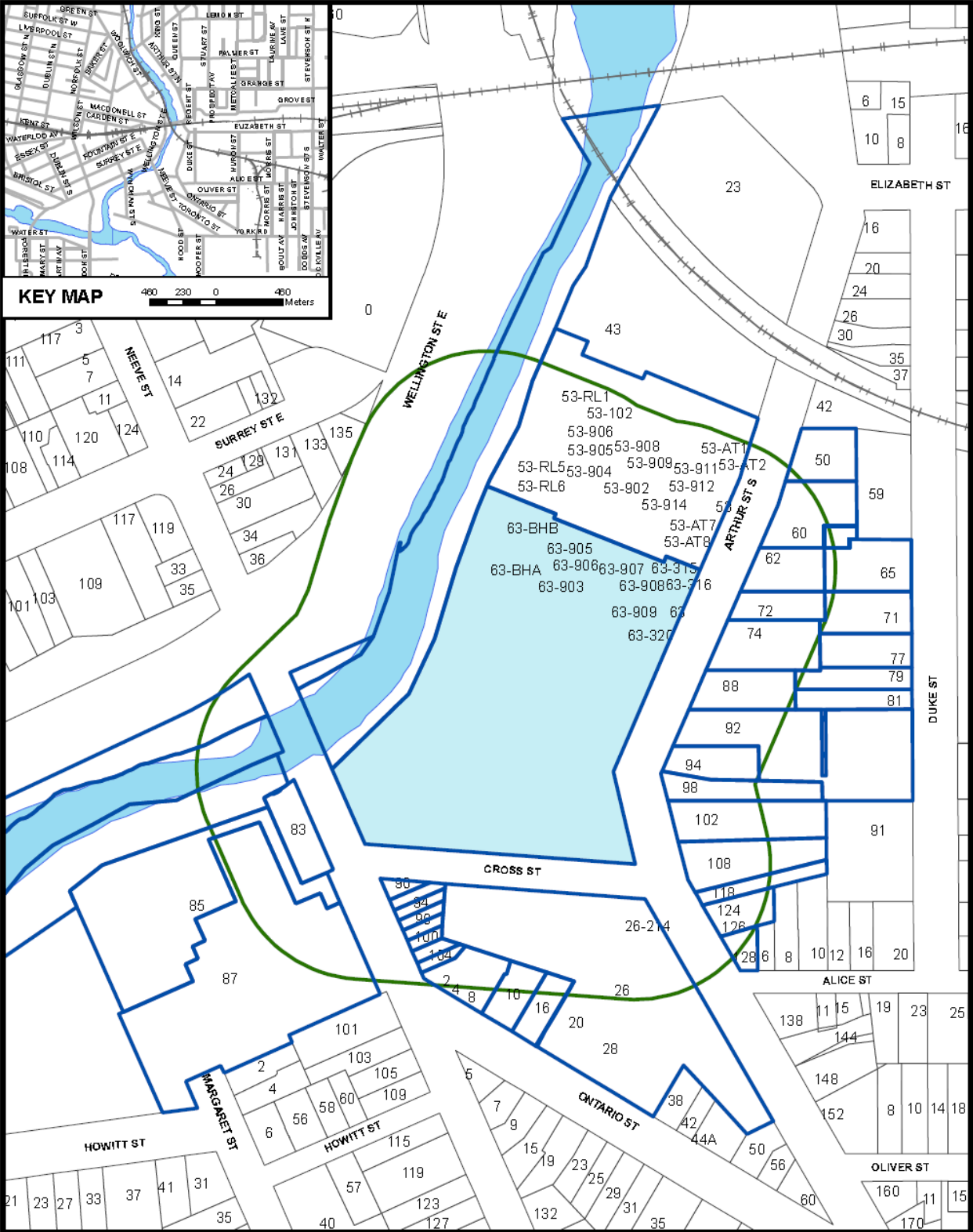
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1


519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771



guelph.ca/cofa



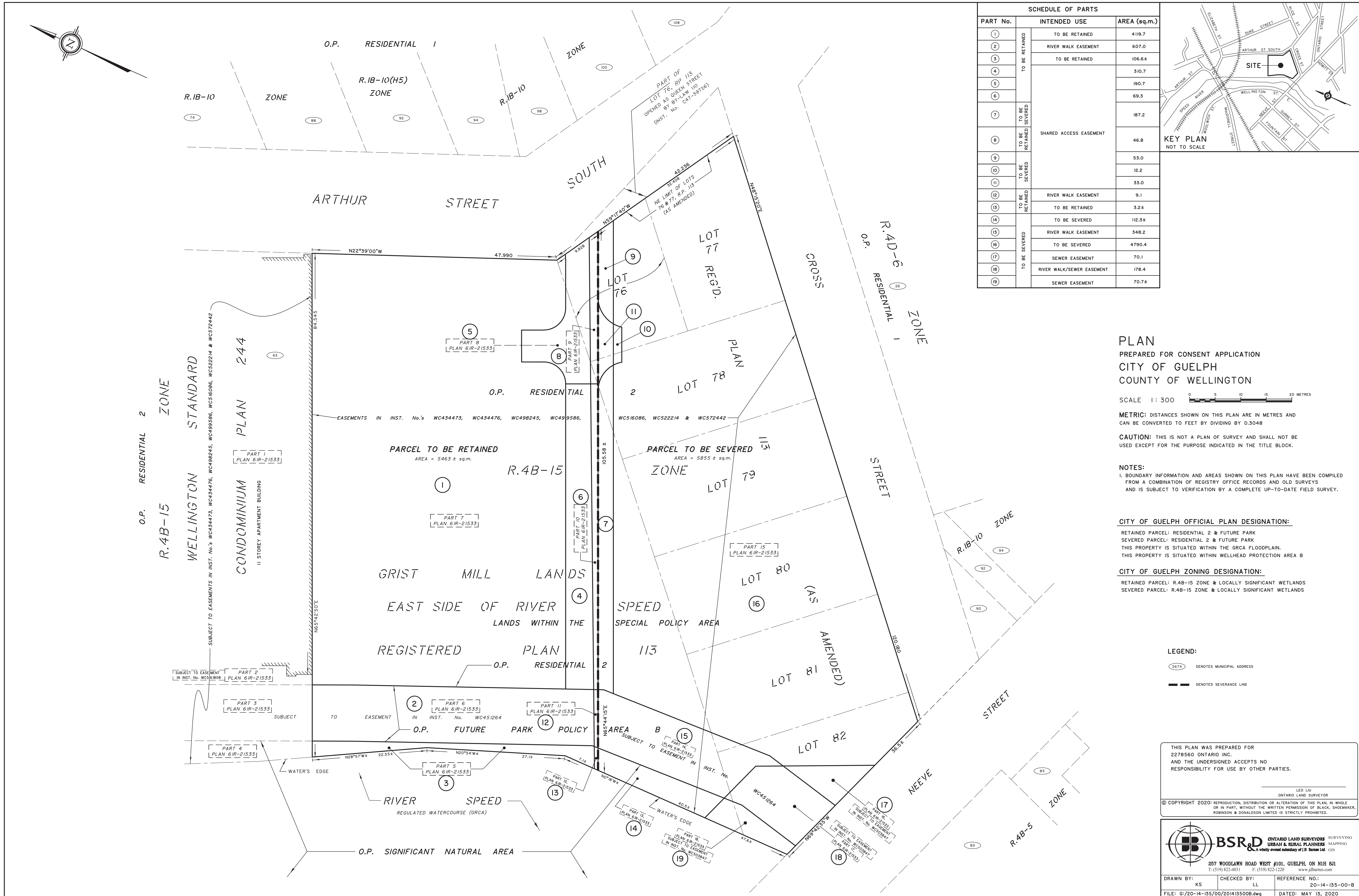


73 and 93 Arthur Street South (B-7/20 and B-8/20)
60m Circulation Area

Produced by the City of Guelph
City Clerk's Office Committee of Adjustment
Date Printed: Tuesday, July 21, 2020



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CONSULTANT TEAM			
13120- 5 ARTHUR STREET. Proposed Residential Development			
PROPERTY OWNER:	NAME:	2278580 Ontario Inc.	LANDSCAPE ARCHITECT:
	ADDRESS:	500 Harton Creek Blvd., Guelph, ON, N1C 0A1	
	TEL:	519 826 6700	
	FAX:	519 826 6701	
	http://www.fusionhomes.com		
PROJECT ARCHITECT:	NAME:	Kirkor Architects and Planners	SITE SERVICING:
	ADDRESS:	20 Martin Ross Ave., Toronto, ON, M3J 2K8	
	TEL:	416 665 6060	
	FAX:	416 665 1234	
	http://www.kirkorarchitects.com		
STRUCTURAL ENGINEERS:	NAME:	Jablonsky, Ast and Partners	SURVEYOR:
	ADDRESS:	1129 Leslie St. Toronto, ON, M3C 2K5	
	TEL:	416 447 7405	
	FAX:	416 447 2771	
	http://www.astint.on.ca		
MECHANICAL & ELECTRICAL:	NAME:	Callidus Engineering	CODE CONSULTANT:
	ADDRESS:	1385 North Roulledge Park, London, ON, N6H 5N5	
	TEL:	519 472 7640	
	FAX:	519 471 9239	
	http://www.callidus.ca		
			NAME: Land Art Design Landscapae Architects Ltd.
			ADDRESS: 52 Mimica Avenue, Toronto, ON, M8V 1R1
			TEL: 416 840 0039
			FAX: 416 352 1420
			http://www.ladesign.ca
			NAME: Valdor Engineering Inc.
			ADDRESS: 741 Rowntree Dairy Road, Suite 2, Woodbridge, ON, L4L 5T9
			TEL: 905 264 0054
			FAX: 905 264 0069
			http://www.valdor-engineering.com
			NAME: BSR&D Limited
			ADDRESS: 351 Speedvale Avenue W., Guelph, ON, N1H 1C6
			TEL: 519 822 4031
			FAX: 519 822 1220
			http://www.bsrd.com
			NAME: LRI Engineering Inc.
			ADDRESS: 170 University Avenue 3rd Floor - Box 1 - Toronto
			TEL: 416.515.9331
			www.lrfire.com

DRAWING LIST			
Sheets:	Subcategory	Sheet Number	Sheet Name
			Issue#1 (Jan 22 2016)
			Issue#2(Nov 07, 2016)
			Issue#3 (Sep 14, 2016)
			Issue#4 (Issued For SPA 2016-01-31)
			Issue#5 (Issued For SPA 2016-08-13)
12 SITE PLAN APPROVAL - PH 3			
A0	SP-00	Cover Sheet	
A1			
A1	SP-01	Site Plan for 5 Phases, Context Plan and Site Statistics	
A1	SP-02	Site Plan Phase 3 Bldg, C and Statistics	
A2			
A2	EP-00	Unit Key Plan	
A2	EP-01	Underground Parking Level Floor Plan	
A2	EP-02	Level 1 Floor Plan	
A2	EP-03	Level 2,3&4 Floor Plans	
A2	EP-04	Levels 5-6&7 Floor Plans	
A2	EP-05	Levels 8-9 Floor Plans(Typ.), Level 10 & MPH	
A4			
A4	EP-06	West & East Elevations	
A4	EP-07	North & South Elevations	
A5			
A5	EP-08	Sections	
A5	EP-08a	Level 1 Patio Layout	
A6			
A6	EP-09	Perspectives	
A7			
A7	EP-11	Shadow Study - Summer June 21st	
A7	EP-12	Shadow Study - Winter December 21st	
A7	EP-13	Shadow Study - Fall/Spring September 21st / March 21st	



5 ARTHUR STREET SOUTH - RESIDENTIAL DEVELOPMENT FUSION HOMES

Contractor Must Check And Verify All Dimensions On The Job.
Do Not Scale The Drawings.
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No.:	Revision	Date
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6.	Re-Issued For SPA	AUG 13, 2019
5.	Re-Issued For SPA	May 03, 2018
4.	Re-Issued For SPA	April 10, 2018
3.	Re-Issued For SPA	Jan.31, 2018
2.	Issued For SPA	Nov.13, 2017
1.	Pre-Consultation SPA	Jul. 31, 2017
No	Issued For	Date

Site Plan File Number: SP15A055

Drawing Title

Cover Sheet

Project
FUSION HOMES
500 Harton Creek Blvd,
Guelph, Ontario N1C 0A1
T: 519-826-6700

METALWORKS
PHASE III

73 Arthur Street South, Guelph, Ontario
Scale

Drawn by
A.K.

Checked by
B.C.

Project No.
17-008

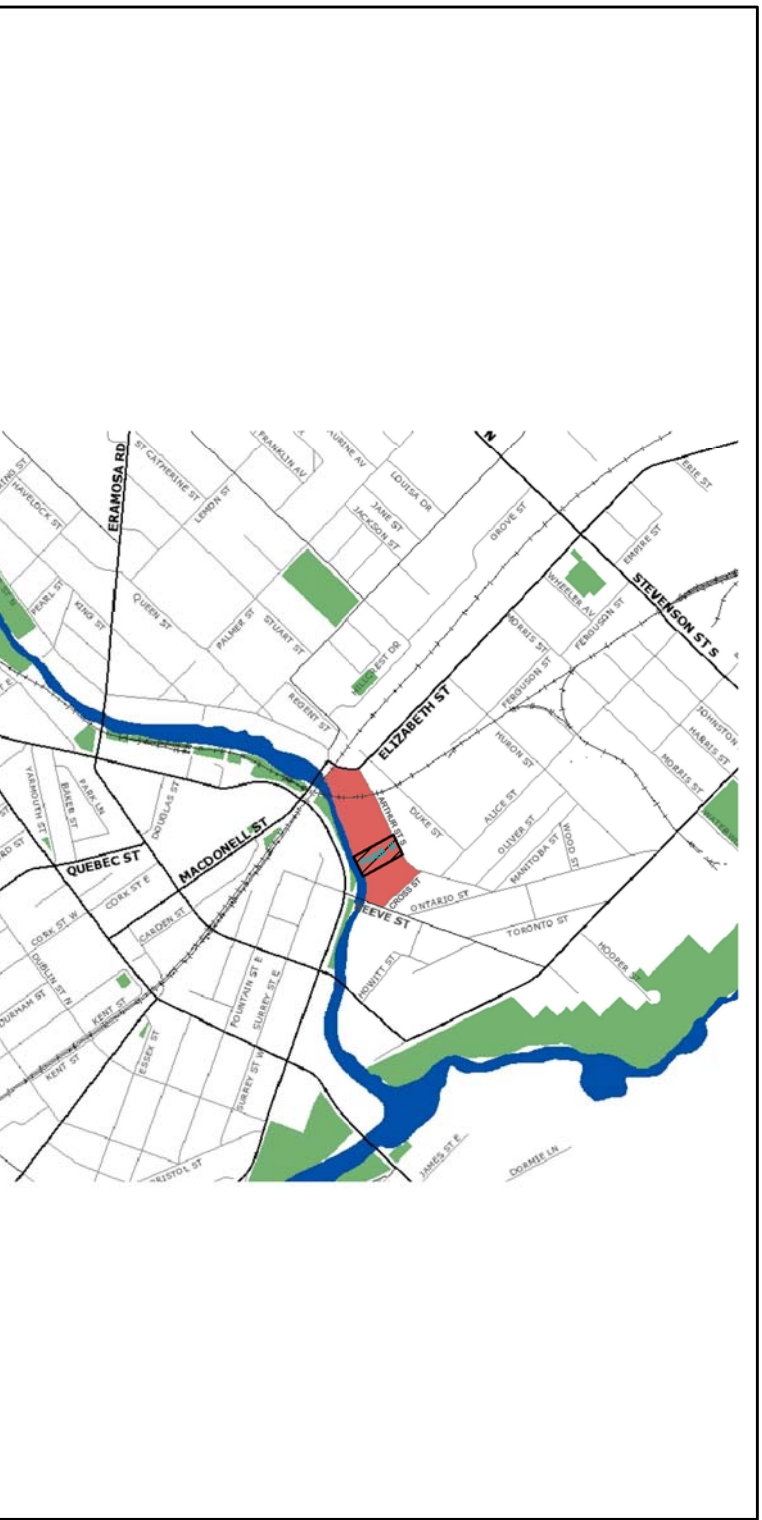
Date
August 13, 2019

Drawing No.

SP-00

17-008 73 Arthur Street South, Guelph Proposed Residential Development		
Overall Project Statistics		
Project No. 17-008-12	Project No. 17-008-12	
1.0 Site Area		
Area	sq.m	sq.ft
Total Site Area	6,07	32,638.00 351,313
2.0 GFA		
"Gross Floor Area" means the total floor area of a building measured from the centre line of partition walls and the exterior face of outside walls, but does not include any floor area of a basement, cellar, attic, garage, porch or any floor area used for parking or any other area which does not have a clear floor to ceiling height of 2.15 metres;		
2.1 TOTAL Proposed Residential GFA (see Zone R-4B-2.1)		
Area	sq.m	sq.ft
Phase1- Bldg A	13,978.56	150,464
Phase2- Bldg B	12,723.87	136,969
Phase3- Bldg C	14,026.71	150,982
Phase4	15,287.00	164,546
Phase5	3,267.75	35,257
Total Res. Proposed GFA	65,283.89	702,710
2.2 Required Common Amenity Area		
Area	sq.m	sq.ft
Phase1- Bldg A	800.00	8,584
Phase2- Bldg B	800.00	8,584
Phase3- Bldg C	800.00	8,584
Phase4	800.00	8,584
Phase5	800.00	8,584
Total	4,000.00	42,900
2.3 Proposed Indoor Amenity Area		
Area	sq.m	sq.ft
Indoor Amenity Area Proposed	831.70	8,952
Total	831.70	8,952
2.4 Proposed Outdoor Amenity Area		
Area	sq.m	sq.ft
Outdoor Amenity Area Proposed	831.14	8,946
Total	831.14	8,946
2.5 Common Amenity Area		
Area	sq.m	sq.ft
Proposed Indoor Common Amenity Area	831.70	8,952
Proposed Outdoor Common Amenity Area	831.14	8,946
Proposed Indoor and Outdoor Common Amenity Area	1,662.84	17,898
3.0 Unit Count		
3.1 Residential Unit Count (including super independent suite but not including guest suite)		
Unit	sq.m	sq.ft
Phase1- Bldg A	132	1,428
Phase2- Bldg B	132	1,428
Phase3- Bldg C	132	1,428
Phase4	140	1,514
Phase5	118	1,271
Total Residential Units	647	6,969

Regulations	Requirements for R-4B-15.1 (H) Zone (Overall)	Requirements for R-4B-15.1 (H) Zone Phase I	Provided	Conforms	Requirements for R-4B-15.2 (H) Zone Phase II	Provided	Conforms	Requirements for R-4B-15.3 (H) Zone Phase IV	Provided	Conforms	Requirements for R-4B-15.4 (H) Zone Phase V	Provided	Conforms	Requirements for R-4B-15.5 (H) Zone Phase VI	Provided	Conforms	Requirements for R-4B-15.6 (H) Zone Phase VII	Provided	Conforms
Min Lot Area	650 m ²	650 m ²	530.07	Y	650 m ²	384.67 m ²	Y	650 m ²	473.36	Y	650 m ²	517.27 m ²	Y	650 m ²	399.31 m ²	Y	650 m ²	348.62 m ²	Y
Min Lot Frontage	15 m	15 m	66.43 m	Y	15 m	47.46 m	Y	15 m	60.51	Y	15 m	34.39 m	Y	15 m	50.30 m	Y	15 m	31.43 m	Y
Min Lot Depth	No maximum uph. density limited by FSI	Refer to FSI below	Refer to FSI below	Y	Refer to FSI below	Refer to FSI below	Y	Refer to FSI below	Refer to FSI below	Y	Refer to FSI below	Refer to FSI below	Y	Refer to FSI below	Refer to FSI below	Y	Refer to FSI below	Refer to FSI below	Y
Min Front Yard	Arthur Street to Front Face of a Townhouse 2.5 m	5.50 m	3.20 m	Y	Arthur Street to Front Face of a Townhouse 2.5 m	4.00 m	Y	Arthur Street to Front Face of a Townhouse 2.5 m	2.52 m	Y	Arthur Street to Front Face of a Townhouse 2.5 m	2.50 m	Y	Arthur Street to Front Face of a Townhouse 2.5 m	3.00 m	Y	Arthur Street to Front Face of a Townhouse 2.5 m	3.00 m	Y
Min Side Yard	Arthur Street to Side Face of a Townhouse 1.0 m	3.20 m	1.0 m	Y	Arthur Street to Side Face of a Townhouse 1.0 m	2.20 m	Y	Arthur Street to Side Face of a Townhouse 1.0 m	1.00 m	Y	Arthur Street to Side Face of a Townhouse 1.0 m	2.50 m	Y	Arthur Street to Side Face of a Townhouse 1.0 m	3.00 m	Y	Arthur Street to Side Face of a Townhouse 1.0 m	3.00 m	Y
Min Rear Yard	Arthur Street to Rear Face of a Townhouse 1.0 m	3.20 m	1.0 m	Y	Arthur Street to Rear Face of a Townhouse 1.0 m	2.20 m	Y	Arthur Street to Rear Face of a Townhouse 1.0 m	1.00 m	Y	Arthur Street to Rear Face of a Townhouse 1.0 m	2.50 m	Y	Arthur Street to Rear Face of a Townhouse 1.0 m	3.00 m	Y	Arthur Street to Rear Face of a Townhouse 1.0 m	3.00 m	Y
Max Building Height	Phidium Townhouses 4 storeys Apartment Buildings 10 storeys	3 storeys	10 storeys	Y	Phidium Townhouses 4 storeys Apartment Buildings 11 storeys	3 storeys	Y	Phidium Townhouses 4 storeys Apartment Buildings 10 storeys	3 storeys	Y	Apartment Buildings 14 storeys	14 storeys	Y	Apartment Buildings 14 storeys	14 storeys	Y	Apartment Buildings 14 storeys	14 storeys	Y
Min Distance Between Buildings	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building 18m Above 6 storeys 20m Above 8 storeys 22m Above 10 storeys	18m 20m 22m	18m 20m 22m	Y	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building 18m Above 6 storeys 20m Above 8 storeys 22m Above 10 storeys	18m 20m 22m	Y	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building 18m Above 6 storeys 20m Above 8 storeys 22m Above 10 storeys	18m 20m 22m	Y	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building 18m Above 6 storeys 20m Above 8 storeys 22m Above 10 storeys	18m 20m 22m	Y	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building 18m Above 6 storeys 20m Above 8 storeys 22m Above 10 storeys	18m 20m 22m	Y	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building 18m Above 6 storeys 20m Above 8 storeys 22m Above 10 storeys	18m 20m 22m	Y
Min Common Amenity Area	600 m ² Total	1,064 m ²	1,064 m ²	Y	600 m ² Total	1,451 m ²	Y	600 m ² Total	726 m ²	Y	600 m ² Total	1,668 m ²	Y	600 m ² Total	856.78 m ²	Y	600 m ² Total	831.28 m ²	Y
Landscaped Open Space	1,800 m ² Total	2,174.27 m ²	2,174.27 m ²	Y	1,800 m ² Total	1,648.26 m ²	Y	1,800 m ² Total	1,831.08 m ²	Y	1,800 m ² Total	2,459.85 m ²	Y	1,800 m ² Total	1,021.41 m ²	Y	1,800 m ² Total	1,320.37 m ²	Y
Min Off-Street Parking Spaces	Residents 1.05 Dwelling Unit 0.150 Unit Non-Residential Uses 1.003 m ² of Gross Floor Area	1.150 Unit 0.150 Unit	1.150 Unit 0.150 Unit	Y	Residents 1.05 Dwelling Unit 0.150 Unit Non-Residential Uses 1.003 m ² of Gross Floor Area	1.00 Unit 0.150 Unit	Y	Residents 1.05 Dwelling Unit 0.150 Unit Non-Residential Uses 1.003 m ² of Gross Floor Area	1.00 Unit 0.150 Unit	Y	Residents 1.05 Dwelling Unit 0.150 Unit Non-Residential Uses 1.003 m ² of Gross Floor Area	1.00 Unit 0.150 Unit	Y	Residents 1.05 Dwelling Unit 0.150 Unit Non-Residential Uses 1.003 m ² of Gross Floor Area	1.00 Unit 0.150 Unit	Y	Residents 1.05 Dwelling Unit 0.150 Unit Non-Residential Uses 1.003 m ² of Gross Floor Area	1.00 Unit 0.150 Unit	Y
Floor Space Index (FSI)	Maximum 2.0 FSI Applies to R-4B-15.1 Zone in its entirety	0.43	0.43	Y	Maximum 2.0 FSI Applies to R-4B-15.1 Zone in its entirety	0.41	Y	Maximum 2.0 FSI Applies to R-4B-15.1 Zone in its entirety	0.44	Y	Maximum 2.0 FSI Applies to R-4B-15.1 Zone in its entirety	0.37	Y	Maximum 2.0 FSI Applies to R-4B-15.1 Zone in its entirety	0.36	Y	Maximum 2.0 FSI Applies to R-4B-15.1 Zone in its entirety	0.36	Y
Bicycle Parking Spaces	Residential Uses 0.65 Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area	0.65 Unit	0.65 Unit	Y	Residential Uses 0.65 Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area	0.65 Unit	Y	Residential Uses 0.65 Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area	0.65 Unit	Y	Residential Uses 0.65 Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area	0.65 Unit	Y	Residential Uses 0.65 Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area	0.65 Unit	Y	Residential Uses 0.65 Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area	0.65 Unit	Y
Max Building Floor Plate Area	Above 6 th storey - 1,200 m ² Above 8 th storey - 800 m ² Above 10 th storey - 800 m ²	1,200 m ² 800 m ² 800 m ²	1,200 m ² 800 m ² 800 m ²	Y	Above 6 th storey - 1,200 m ² Above 8 th storey - 800 m ² Above 10 th storey - 800 m ²	1,200 m ² 800 m ² 800 m ²	Y	Above 6 th storey - 1,200 m ² Above 8 th storey - 800 m ² Above 10 th storey - 800 m ²	1,200 m ² 800 m ² 800 m ²	Y	Above 6 th storey - 1,200 m ² Above 8 th storey - 800 m ² Above 10 th storey - 800 m ²	1,200 m ² 800 m ² 800 m ²	Y	Above 6 th storey - 1,200 m ² Above 8 th storey - 800 m ² Above 10 th storey - 800 m ²	1,200 m ² 800 m ² 800 m ²	Y	Above 6 th storey - 1,200 m ² Above 8 th storey - 800 m ² Above 10 th storey - 800 m ²	1,200 m ² 800 m ² 800 m ²	Y
Maximum Floor Plate Ratio (Length & Width)	No L:W Ratio	2.5:1.0	2.5:1.0	Y	No L:W Ratio	2.5:1.0	Y	No L:W Ratio	2.5:1.0	Y	No L:W Ratio	2.5:1.0	Y	No L:W Ratio	2.5:1.0	Y	No L:W Ratio	2.5:1.0	Y
Min Setback of Upper Storeys of Apartment Buildings	Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Eastern Edge of FL Zone 10 m	12 m 10 m	12 m 10 m	Y	Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Eastern Edge of FL Zone 10 m	12 m 10 m	Y	Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Eastern Edge of FL Zone 10 m	12 m 10 m	Y	Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Eastern Edge of FL Zone 10 m	12 m 10 m	Y	Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Eastern Edge of FL Zone 10 m	12 m 10 m	Y	Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Eastern Edge of FL Zone 10 m	12 m 10 m	Y
Min Setback of Underground Parking Structure	From Exterior Lot Line 0.0 m	3.00 m	3.00 m	Y	From Exterior Lot Line 0.0 m	1.80 m	Y	From Exterior Lot Line 0.0 m	1.00 m	Y	From Exterior Lot Line 0.0 m	1.00 m	Y	From Exterior Lot Line 0.0 m	N/A	Y	From Exterior Lot Line 0.0 m	N/A	Y



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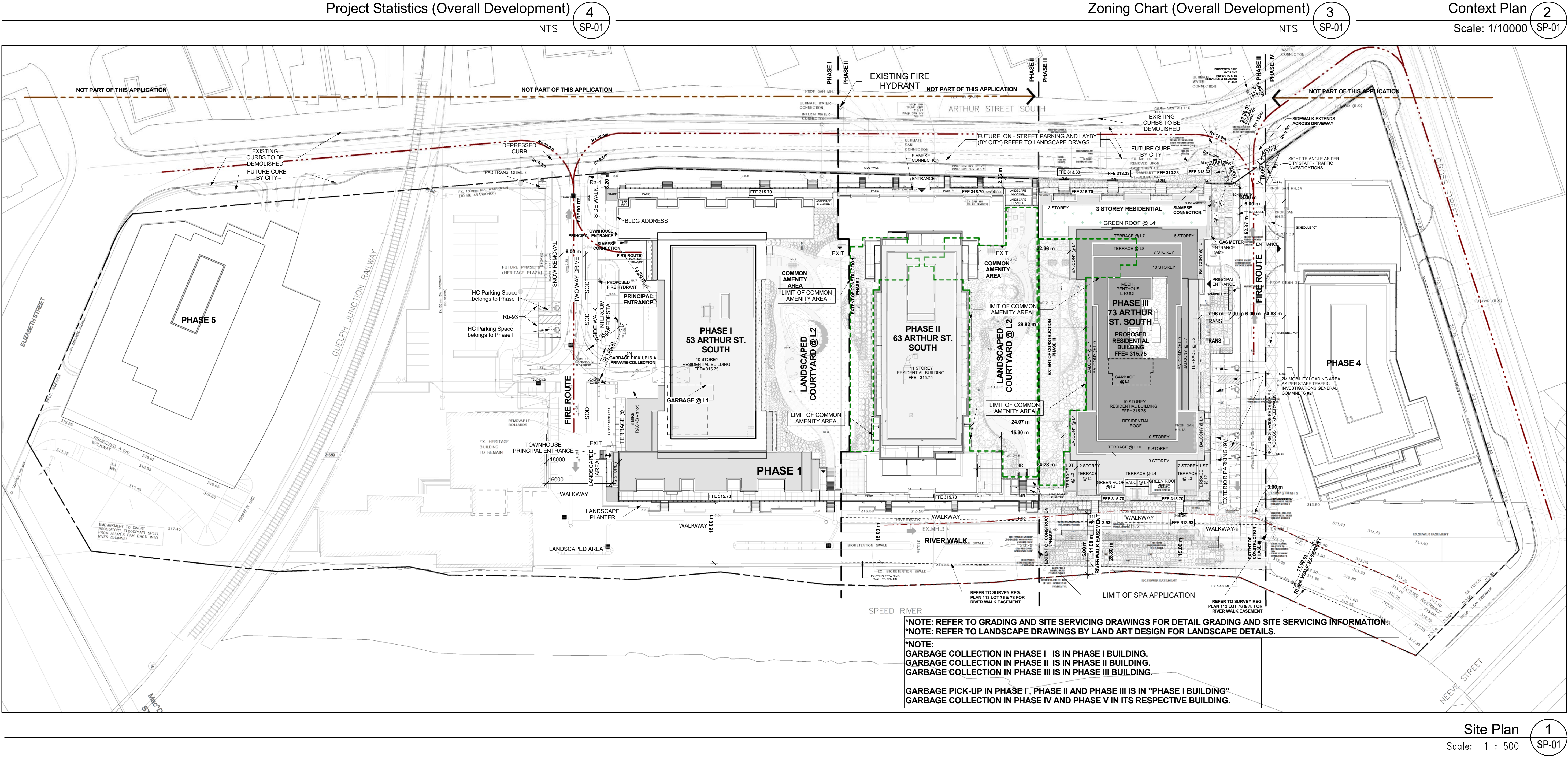
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No.: Revision Date



Project Statistics (Overall Development) 4
NTS SP-01

Zoning Chart (Overall Development) 3
NTS SP-01

Context Plan 2
Scale: 1/10000 SP-01

Site Plan File Number: SP15A055

Drawing Title

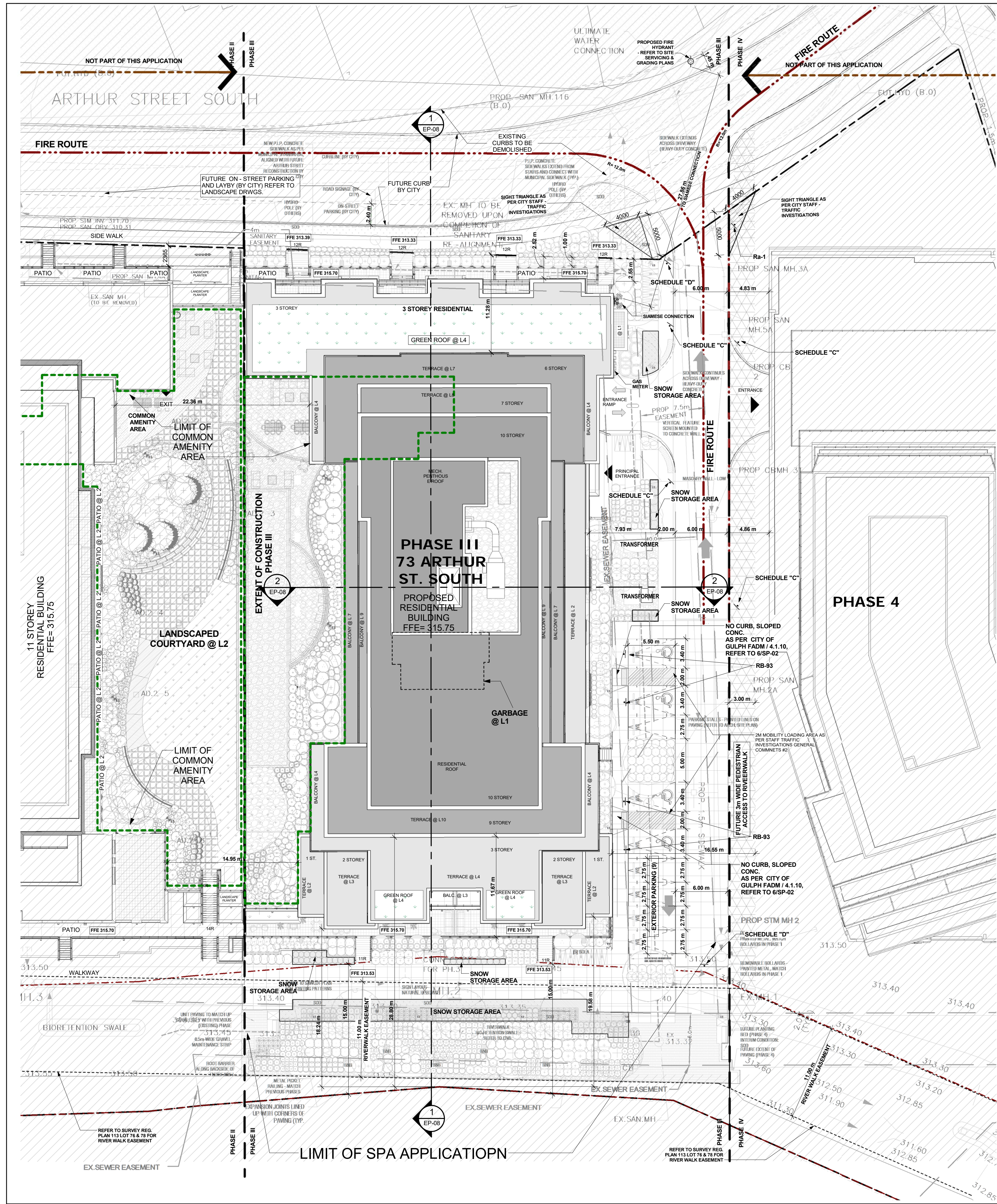
Site Plan for 5 Phases, Context Plan and Site Statistics

Project
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T: 519-825-6700

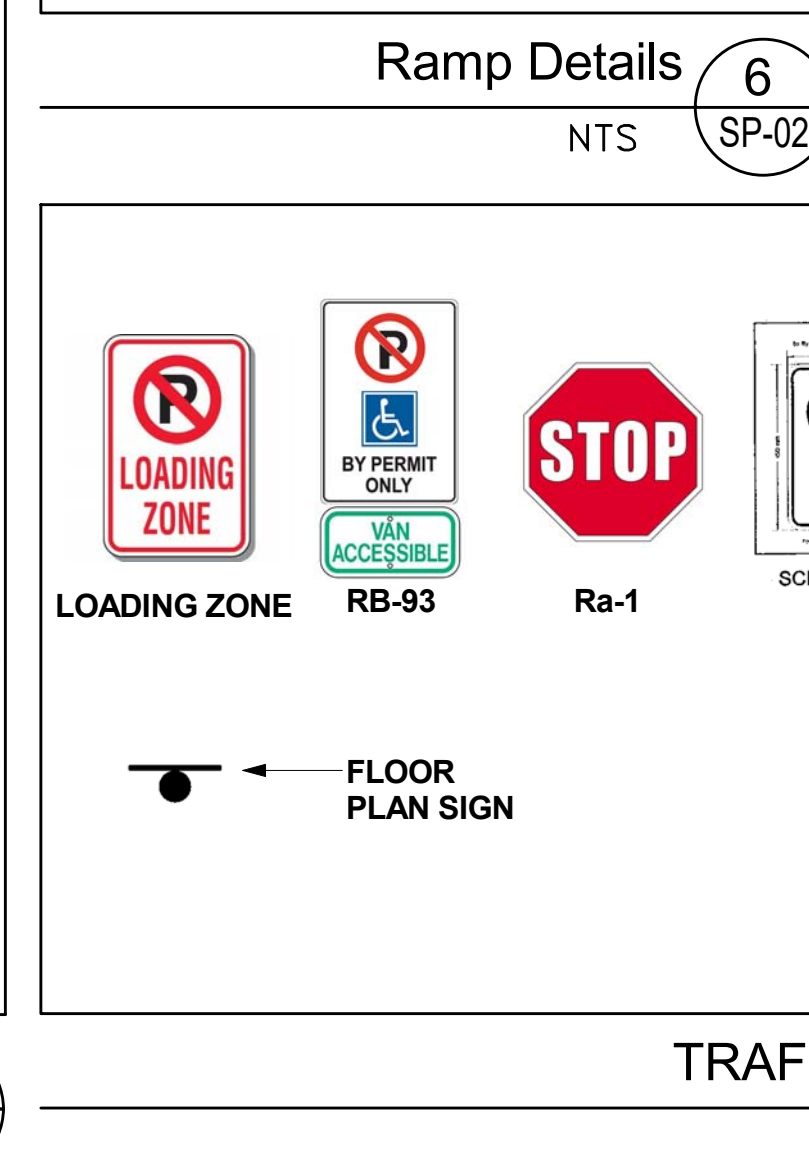
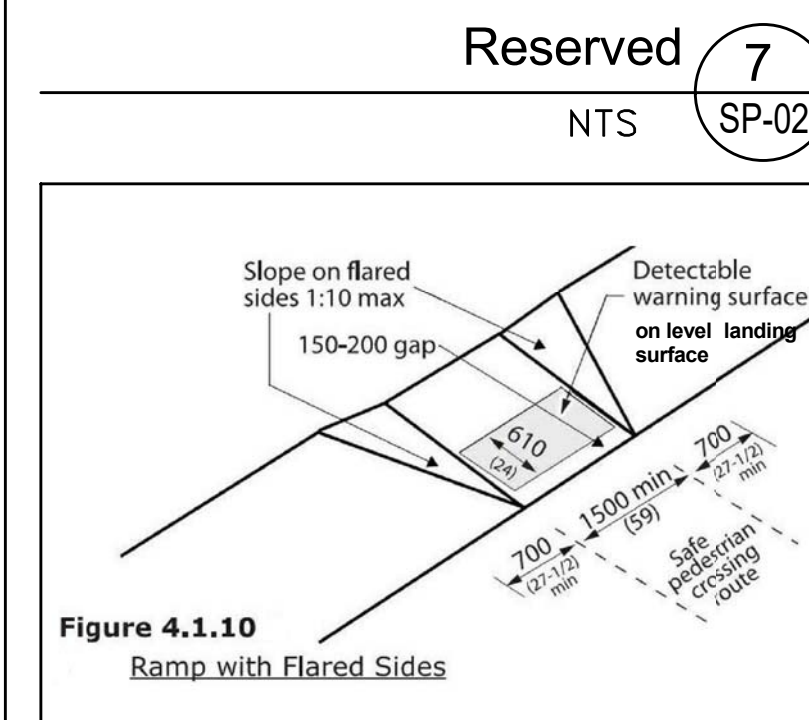
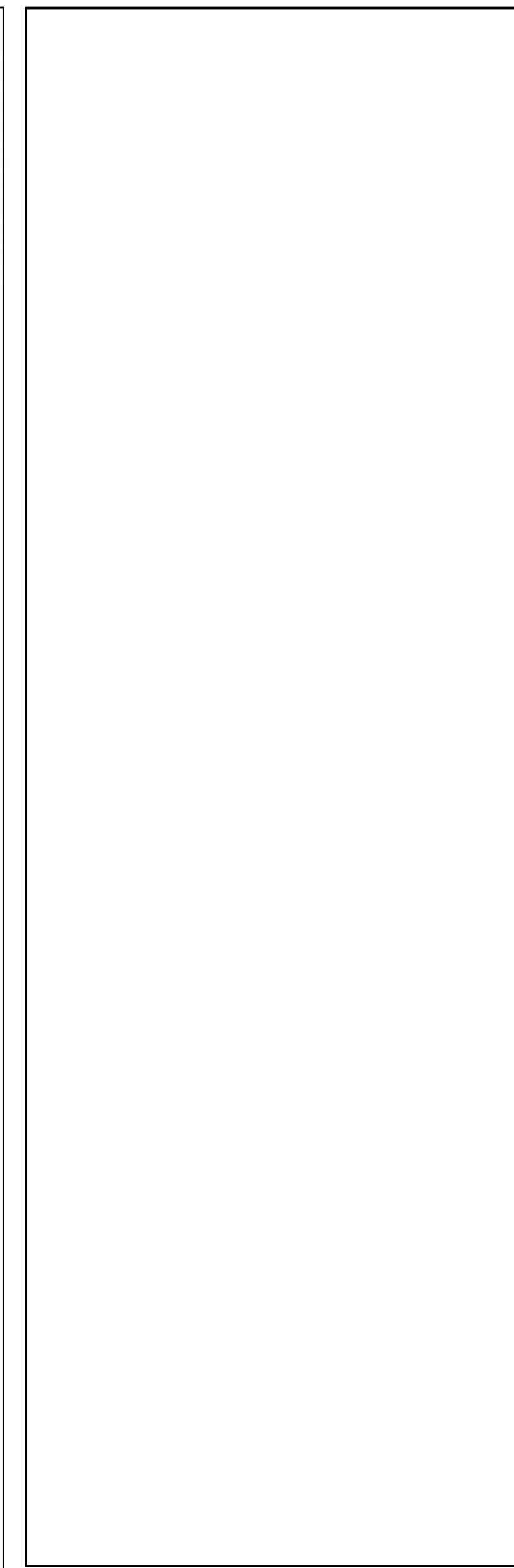
METALWORKS
PHASE III

73 Arthur Street South, Guelph, Ontario

Scale
As indicated
Drawn by
A.K./H.B.
Checked by
B.C.
Project No.
17-008
Date
August 12, 2019
Drawing No.
SP-01



Site Plan 5
Scale: 1 : 250
SP-02



Regulations	Requirements for R.4B-15 (H) Zone (Overall)	Requirements for R.4B-15 (H) Zone Phase III	Provided	Conforms
Min Lot Area		650 m ²	4732.36 m ²	Y
Min Lot Frontage		15 m	60.53 m	Y
Max Density (uph)	No maximum uph, density limited by FSI		Refer to FSI below	Y
Min Front Yard		Arthur Street to Front Face of a Townhouse 2.5 m Arthur Street to Raised Walkway Or Patio 1.0 m	2.52 m 1.00 m	Y
Max Building Height		Podium Townhouses 4 storeys Apartment Buildings 10 storeys	3 storeys 10 storeys	Y
Min Distance Between Buildings	Minimum Distance Between Building Face of One Apartment Building and Face of Another Apartment Building: At/below 6 storeys 18 m Above 6 storeys 25 m Minimum Distance Between Townhouse Blocks 4m		26.48m 26.48m 14.98m	Y
Min Common Amenity Area		700 m ² Total	960.37 m ²	Y
Min Landscaped Open Space		1,700 m ² Total	1831.06 m ²	Y
Min Off-Street Parking Spaces	Residents 1.0/Dwelling Unit Visitors 0.15/Dwelling Unit Non-Residential Uses 1.0/33 m ² of Gross Floor Area Maximum 2.0 FSI *Applies to R.4B(15) Zone in its entirety		1.00/Unit 0.15/Unit N/A 0.44	Y
Floor Space Index (FSI)			0.65/Unit	Y
Bicycle Parking Spaces	0.65/Dwelling Unit Non-Residential Uses 0.3/100 m ² of Gross Floor Area		N/A	Y
Max Building Floor Plate Area		Above 6 th storey - 1,200 m ² Above 10 th storey - 1,000 m ²	L7-L9 1,200.00 m ² L10 894.90 m ²	Y
Maximum Floor Plate Ratio (Length & Width)		Above 10 th storey - 1.5:1.0	No 11 th Storey	Y
Min Setback of Upper Storeys of Apartment Buildings		Minimum Setback of Tower Portion Above 4 Storeys From Arthur Street Lot Line 12 m From Easterly Edge of FL Zone 10 m	12.97 m 11.64	Y
Min Setback of Underground Parking Structure		From Exterior Lot Line 0.0 m	1.00 m	Y

Zoning Matrix - Phase 3 1
NTS SP-02

17-008 73 Arthur Street South, Guelph Phase III Proposed Residential Development		Project No. 17-008	
Project Statistics August 8, 2019			
1.0 Site Area	acres	sq. m	sq. ft.
Total Site Area	1.43	5,771.75	62,127
(Definition: GFA includes all above grade floor areas which include amenity and lockers area, but excluding mechanical equipment area, bike lockers and parking areas)			
2.0 GFA	sq. m	sq. ft.	
2.1 Proposed Residential GFA			
Level	1	2	3
Level L1	1 x	1,515.10	1,515.10
Level L2	1 x	2,075.95	22,319
Level L3	1 x	1,951.60	21,114
Level L4	1 x	1,408.01	15,134
Level L5	1 x	1,354.72	14,690
Level L6	1 x	1,354.72	14,690
Level L7	1 x	1,200.00	12,917
Level L8 & L9	2 x	1,121.08	12,134
Level L10	1 x	894.90	9,653
Total Res. Proposed GFA		14,026.71	150,962
3.0 Amenity Area Proposed			
Level	1	2	3
Level L2	1 x	150.00	1,615
Total Amenity Area		150.00	1,615
Total Outdoor Amenity Area		150.00	1,615
4.0 Unit Count			
Level	1	2	3
Level L1	1 x	15	15
Level L2	2 x	8	8
Level L3	2 x	8	8
Level L4	1 x	10	10
Level L5	1 x	10	10
Level L6	1 x	10	10
Level L7	1 x	10	10
Level L8	0 x	0	0
Level L9	0 x	0	0
Level L10	0 x	0	0
Total Unit Count		16	37
5.0 Details			
Proposed FSI (incl. amenity, locker above grade, excluding parking, mechanical area, elevator, stair structure providing access to the roof, bicycle parking area, balcony and terrace)	Total GFA	Site Area	FSI
	14,026.71	5,771.75	2.43
6.0 Parking Count			
All Units	parking ratio	UNITS	Parking Spaces
Visitor Parking	1.00 / unit x	124	124
Visitor Parking	0.15 / unit x	124	15
Total Required Residential Parking			139
6.1 Parking Provided			
Level	1	2	3
Level L1	1 x	28	9
Level L2	1 x	9	9
Total Residential Parking Provided			37
Total Residential Parking Provided Without Tandem			146
Total 15 EV Parking Provided (Level 1)			141

Project Statistics- Phase 3 2
NTS SP-02

*Notes:	
- For Landscape details please refer to LANDARTDESIGN DRAWINGS	
- For Site Servicing & Registered Easement details please refer to Valdor Engineering Inc. drawings	
- For Survey details please refer to Black, Shoemaker, Robinson & Donaldson drawings	
- For Traffic study refer to Traffic Engineers (Paradigm Transportation Solutions Limited) drawings	
- For Waste management services refer to (Doug King - Metrogroupcan) report.	
- Garbage to be Private Collection. Pick-up for Phase 3 is in "Phase 1 Building"	
GRIST MILL LANDS EAST SIDE OF RIVER SPEED REGISTERED PLAN 113 AND PART OF LOT 76 AND ALL OF LOTS 77, 78, 79, 80, 81, AND 82 REGISTERED PLAN 113 (AS AMENDED)	
Snow Storage Area	
Site Info 4 NTS SP-02	

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1. Pre-Consultation SPA Jul. 31, 2017

No Issued For Date

Site Plan File Number: SP15A055

Drawing Title

Site Plan Phase 3 Bldg. C and Statistics

Project
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500 Hanlon Creek Blvd,
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METALWORKS
PHASE III

73 Arthur Street South, Guelph, Ontario

Scale
As indicated
A.K./H.B. Drawn by
B.C. Checked by
17-008 Project No.
August 08, 2019 Date
Drawing No.

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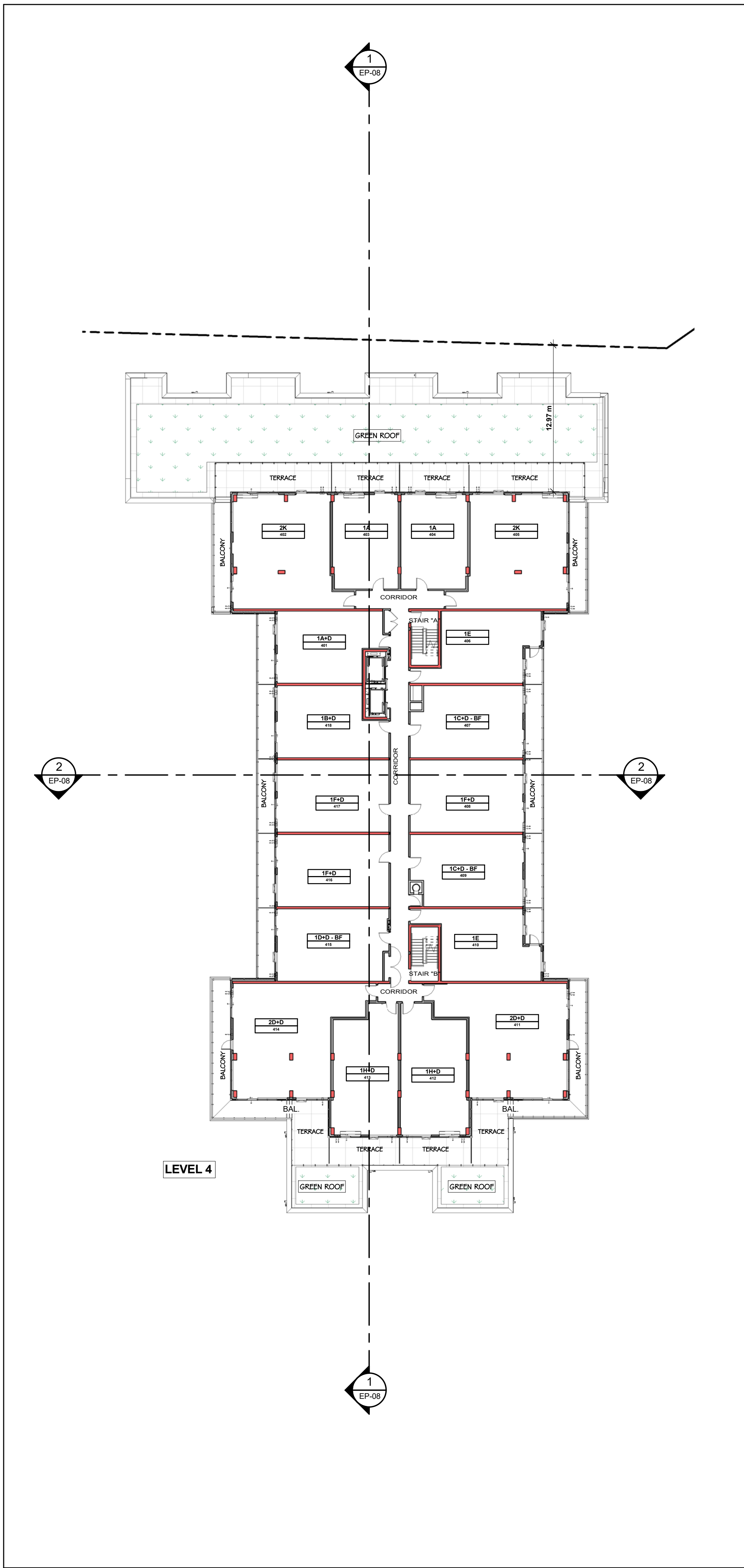
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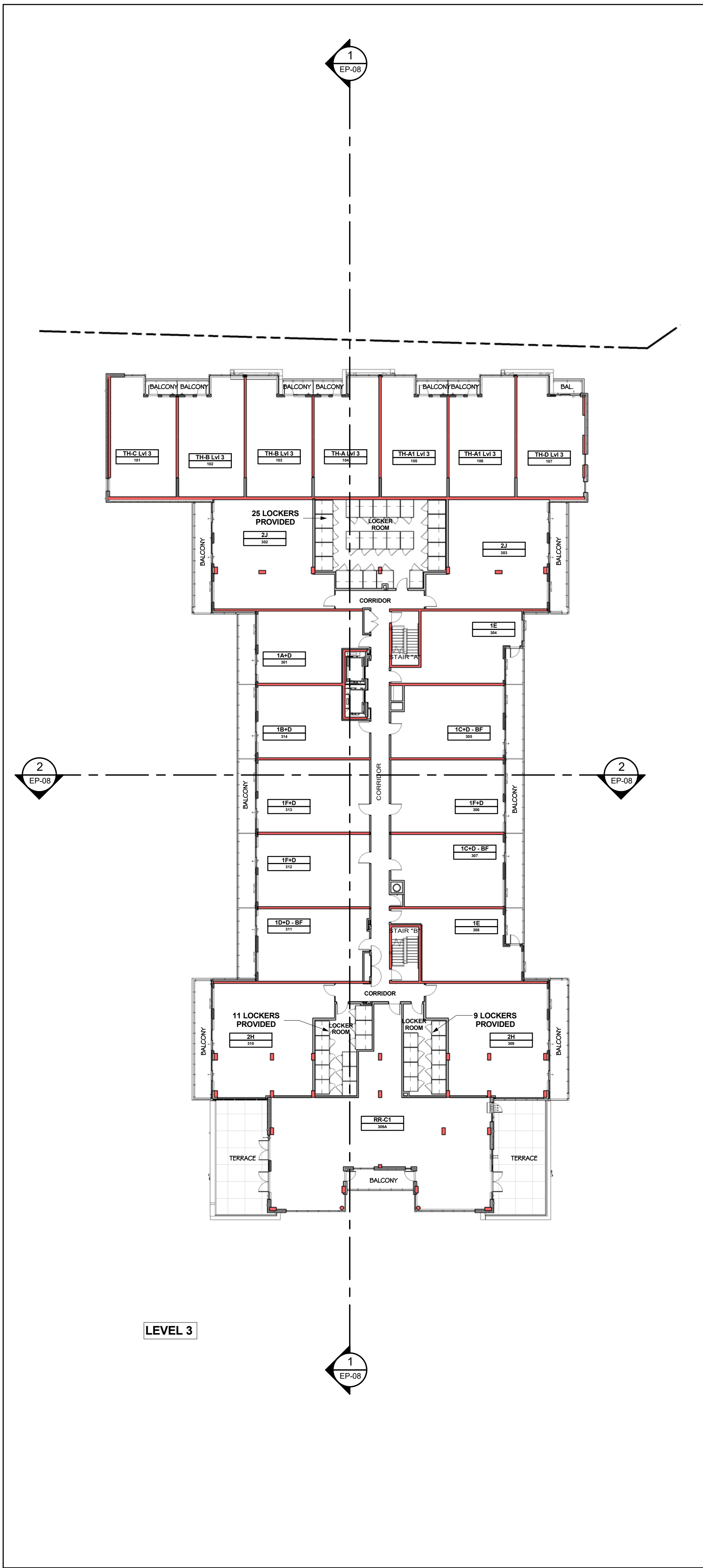
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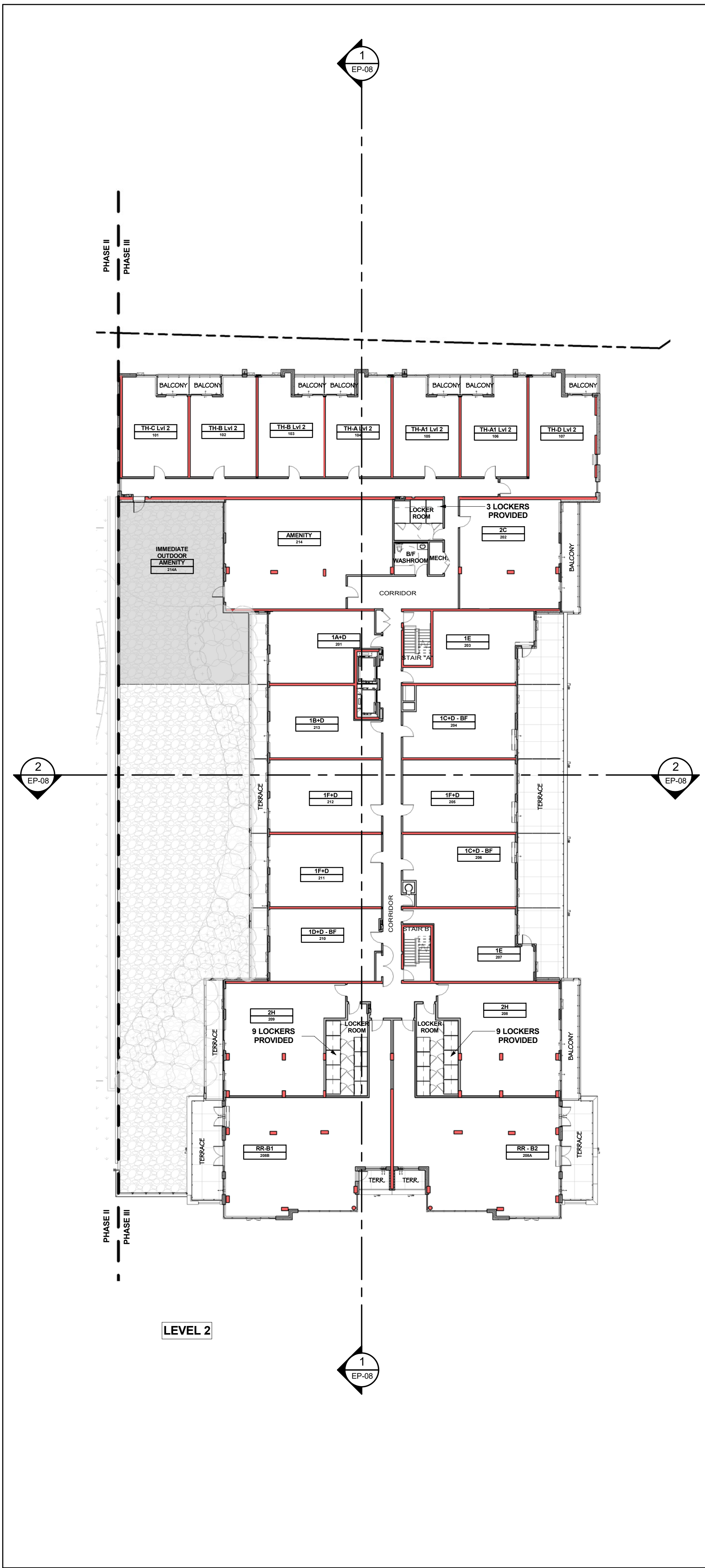
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Level 4 Floor Plan 3
Scale: 1 : 250 EP-03



Level 3 Floor Plan 2
Scale: 1 : 250 EP-03



Floor Plan Level 2 1
Scale: 1 : 250 EP-03

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No Issued For Date

Site Plan File Number: SP15A055

Drawing Title

Level 2,3&4 Floor Plans

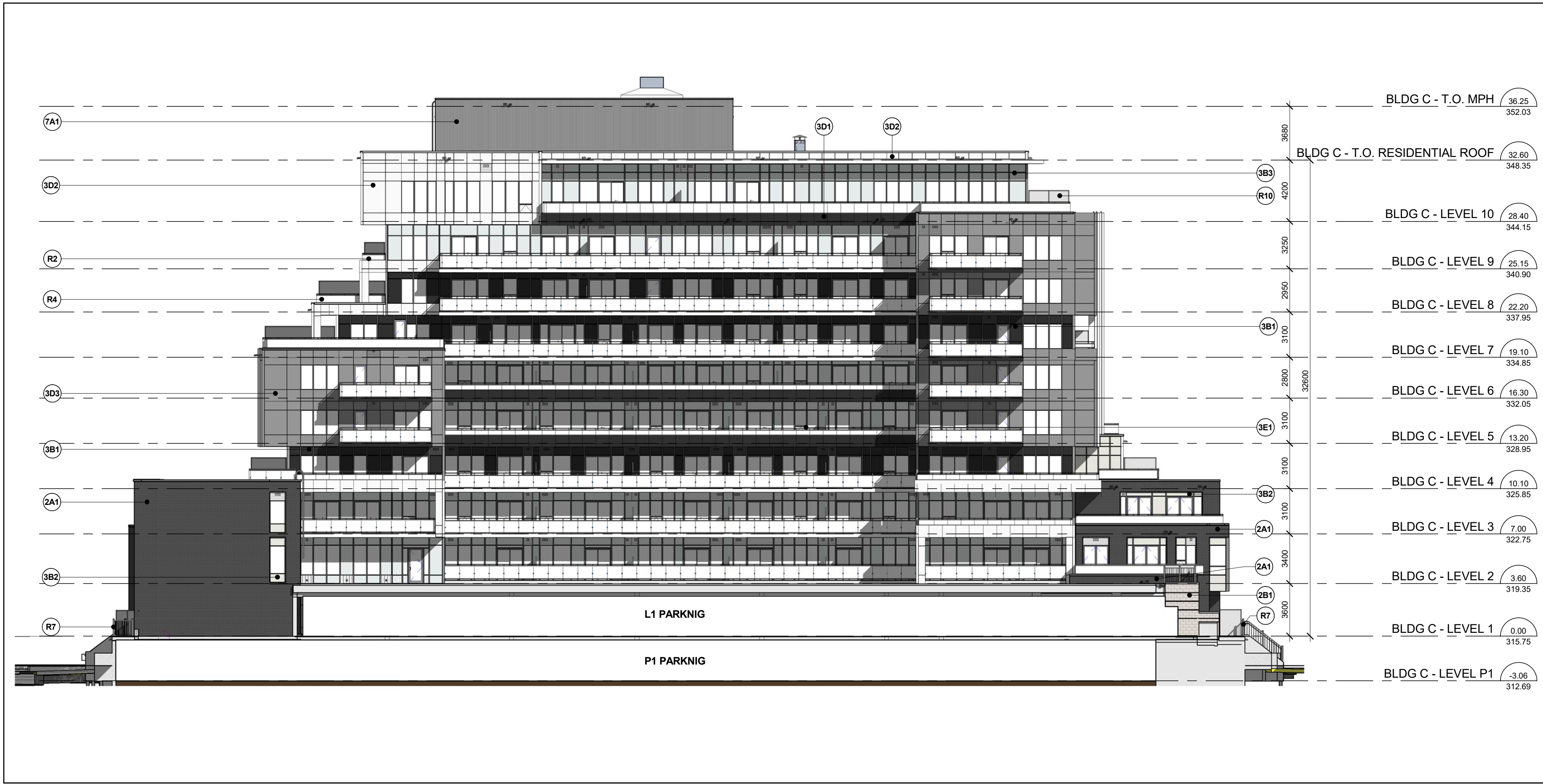
Project
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**METALWORKS
PHASE III**

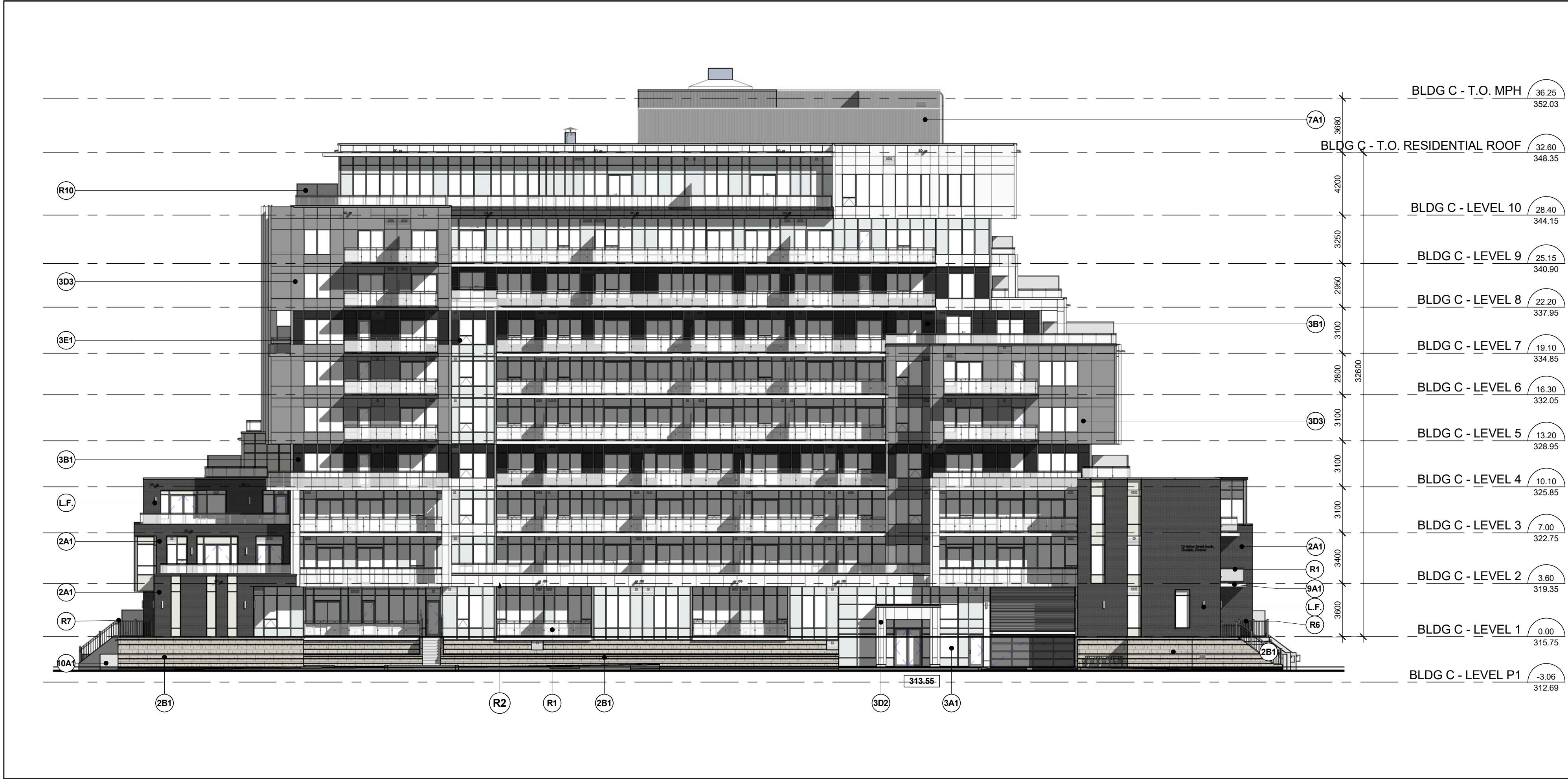
73 Arthur Street South, Guelph, Ontario

Scale
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Drawn by
A.K./H.B./J.S.
Checked by
B.C.
Project No.
17-008
Date
August 12, 2018
Drawing No.

EP-03



Phase III - West Elevation 2
Scale: 1 : 200 EP-06



Phase III - East Elevation 1
Scale: 1 : 200 EP-06

EXTERIOR FINISH LEGEND

17008 - 73 ARTHUR STREET SOUTH, GUELPH, ON

MASONRY - BRICK VENEER		3G1		PREFINISHED METAL LOUVER 1	
COLOUR	: MANGANESE IRONSPOT			METAL TYPE	: ALUMINUM
MANUFACTURER	: ENDICOTT			METAL COLOUR	: GRAPHITE GRAY - UCFX1029
TEXTURE	: VELOUR			FRAMING	: ALUMINUM
MORTAR COLOUR	: DARK GREY			FRAMING COLOUR	: SILVER SHADOW - UC106707XL
STONE VENEER				PREFINISHED METAL LOUVER 2	
COLOUR	: WHITE			METAL TYPE	: ALUMINUM
MANUFACTURER	: ARRIS CRAFT			METAL COLOUR	: SIMPLY WHITE - UC115163
TEXTURE	: ROCKED/RENAISSANCE			FRAMING	: ALUMINUM
SIZE	: 200 x 600			FRAMING COLOUR	: SILVER SHADOW - UC106707XL
MORTAR COLOUR	: LIGHT GREY			PREFINISHED METAL LOUVER 3	
PREFINISHED WINDOW WALL - VISION PANEL				METAL TYPE	: ALUMINUM
GLASS	: SUPERNEUTRAL 54 CLEAR			METAL COLOUR	: SILVERSTORM - UC106685F
DOUBLE GLAZING	: 6MM			FRAMING	: ALUMINUM
FRAME TYPE	: ALUMINUM			FRAMING COLOUR	: SILVER SHADOW - UC106707XL
FRAME COLOUR	: SILVER SHADOW - UC106707XL			ARCHITECTURAL LOUVER	
PREFINISHED WINDOW WALL - GLASS SPANDREL PANEL 1				METAL TYPE	: ALUMINUM
GLASS TYPE	: OPACI-COAT 300			METAL COLOUR	: SIMPLY WHITE - UC115163
GLASS COLOUR	: #3-1107 TROUT GRAY			FRAMING	: ALUMINUM
6mm PPG CLEAR				FRAMING COLOUR	: SILVER SHADOW - UC106707XL
FRAME TYPE	: ALUMINUM			MECHANICAL EQUIPMENT - SUITE HVAC LOUVER	
FRAME COLOUR	: SILVER SHADOW - UC106707XL			METAL TYPE	: ALUMINUM
PREFINISHED WINDOW WALL - GLASS SPANDREL PANEL 2				METAL COLOUR	: TO MATCH METAL PANEL COLOUR
GLASS TYPE	: OPACI-COAT 300			PREFINISHED STEEL SIDING	
GLASS COLOUR	: #3-3076 MISTY GRAY (LI)			COLOUR	: SILVERSTORM - UC106685F
6mm PPG STARPHIRE				METAL PANEL	: ALUMINUM
FRAME TYPE	: ALUMINUM			MANUFACTURER	: VIOWEST
FRAME COLOUR	: SILVER SHADOW - UC106707XL			STYLE	: VERTICAL
PREFINISHED WINDOW WALL - GLASS SPANDREL PANEL 3				SLAB COVER	
GLASS TYPE	: OPACI-COAT 300			METAL PANEL	: ALUMINUM
GLASS COLOUR	: #6-1259 HARBOR HAZE			COLOUR	: MATCH "SIMPLY WHITE" METAL PANEL
6mm PPG CLEAR				PLANTER WALL	
FRAME TYPE	: ALUMINUM			MATERIAL	: CONCRETE
FRAME COLOUR	: SILVER SHADOW - UC106707XL			COLOUR	: MID GRAY
PREFINISHED WINDOW WALL SYSTEM (RAISED METAL PANEL) 1				FINISH	: MEDIUM SANDBLAST
METAL TYPE	: ALUMINUM			EXPPOSED CONCRETE	
METAL COLOUR	: GRAPHITE GRAY - UCFX1029			MATERIAL	: CONCRETE
COATING	: ACRYNAR			COLOUR	: CONCRETE
MANUFACTURER	: PPG			EIPS (EXTERIOR INSULATED FINISH SYSTEM)	
PREFINISHED WINDOW WALL SYSTEM (RAISED METAL PANEL) 2				COLOUR	: TO MATCH "SIMPLY WHITE"
METAL TYPE	: ALUMINUM			TEXTURE	: SMOOTH
METAL COLOUR	: SIMPLY WHITE - UC115163			BALCONY RAILING - TEMPERED GLASS WITH SLAB COVER	
COATING	: DURANAR			GLASS	: TEMPERED
MANUFACTURER	: PPG			COLOUR	: CLEAR
PREFINISHED WINDOW WALL SYSTEM (RAISED METAL PANEL) 3				SLAB COVER	: ALUMINUM
METAL TYPE	: ALUMINUM			SLAB COLOUR	: SIMPLY WHITE - UC115163
METAL COLOUR	: GRAPHITE GRAY - UCFX1029			BALCONY RAILING - TEMPERED GLASS & RAISED METAL PANEL	
COATING	: ACRYNAR			GLASS	: TEMPERED
MANUFACTURER	: PPG			COLOUR	: CLEAR
PREFINISHED WINDOW WALL SYSTEM - METAL PANEL 1				METAL TYPE	: ALUMINUM
METAL TYPE	: ALUMINUM			METAL COLOUR	: SIMPLY WHITE - UC115163
METAL COLOUR	: GRAPHITE GRAY - UCFX1029			BALCONY RAILING - TEMPERED GLASS (PARAPET SIDE MOUNTED)	
COATING	: ACRYNAR			GLASS	: TEMPERED
MANUFACTURER	: PPG			COLOUR	: CLEAR
PREFINISHED WINDOW WALL SYSTEM - METAL PANEL 2				RAILING	: ALUMINUM
METAL TYPE	: ALUMINUM			RAILING COLOUR	: BLACK - UCFX10053
METAL COLOUR	: SIMPLY WHITE - UC115163			BALCONY RAILING - POST & RAIL (GUARD)	
COATING	: DURANAR			METAL	: ALUMINUM
MANUFACTURER	: PPG			RAILING COLOUR	: BLACK - UCFX10053
PREFINISHED WINDOW WALL SYSTEM - METAL PANEL 3				BALCONY RAILING - POST & RAIL (GUARD WITH HANDRAIL)	
METAL TYPE	: ALUMINUM			METAL	: ALUMINUM
METAL COLOUR	: SILVERSTORM - UC106685F			RAILING COLOUR	: BLACK - UCFX10053
COATING	: DURANAR			BALCONY RAILING - TEMPERED GLASS	
MANUFACTURER	: PPG			GLASS	: TEMPERED
PREFINISHED WINDOW WALL SYSTEM - METAL PANEL 4				COLOUR	: CLEAR
METAL TYPE	: TO MATCH "HARBOR HAZE"			METAL	: ALUMINUM
METAL COLOUR	: TO MATCH "HARBOR HAZE"			BALCONY / TERRACE - DIVIDER	
COATING	: TO MATCH "HARBOR HAZE"			GLASS	: TEMPERED
MANUFACTURER	: PPG			COLOUR	: TRANSLUCENT, ACID ETCHED
PREFINISHED WINDOW WALL - VISION PANEL - AWNING				METAL	: ALUMINUM
GLASS	: SUPERNEUTRAL 54 CLEAR			METAL COLOUR	: MATCH "SIMPLY WHITE" METAL PANEL
DOUBLE GLAZING	: 6MM			LIGHT FIXTURE	
FRAME TYPE	: ALUMINUM			SEE ELECT. DWGS.	
FRAME COLOUR	: SILVER SHADOW - UC106707XL				

Contractor Must Check And Verify All Dimensions On The Job.

Do Not Scale The Drawings.

All Drawings, Specifications And Related Documents Are The Copyright Of The Architect And Must Be Returned Upon Request.

Reproduction Of Drawings, Specifications And Related Documents In Part Or Whole Is Forbidden Without The Architects Written Permission.

This Drawing Is Not To Be Used For Construction Until Signed By The Architect.

Date: August 12, 2018



KIRKOR ARCHITECTS + PLANNERS

20 Martin Ross Avenue, Toronto, Ontario, M3J 2K8
T(416) 665-6060, F(416) 665-1234, www.kirkorarchitects.com

No.:	Revision	Date
1	Revision 1	Date 1

6.	Re-Issued For	SPA	AUG 13, 2019
5.	Re-Issued For	SPA	May 03, 2018
4.	Re-Issued For	SPA	April 10, 2018
3.	Re-Issued For	SPA	Jan.31, 2018
2.	Issued For	SPA	Nov.13, 2017
1.	Pre-Consultation	SPA	Jul. 31, 2017
No	Issued For		Date

Site Plan File Number: SP15A055

Drawing Title

West & East Elevations

Project
FUSION HOMES
500 Harlan Creek Blvd,
Guelph, Ontario N1C 0A1
T: 519-825-6700

METALWORKS
PHASE III

73 Arthur Street South, Guelph, Ontario

Scale

1 : 200

Drawn by

A.K./H.B./J.S.

Checked by

B.C.

Project No.

17-008

Date

August 12, 2018

Drawing No.

EP-06

EXTERIOR FINISH LEGEND

NTS

3

EP-06

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 14, 2020	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-7/20

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: 73 Arthur Street S.

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

See Schedule A (attached)

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

If yes, describe: Public easement between Phase 3 and Phase 4 lands to access Riverwalk. See attached sketch

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

If yes, explain: Charge on the land by the lender: Laurentian Bank, 10 Duke Street West, Suite 100, Kitchener, ON, N2H 3W4

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

Name: 2278560 Ontario Inc.

Mailing Address: 500 Hanlon Creek Blvd

City: Guelph Postal Code: N1C 0A1

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

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: Charlotte Balluch

Company: Fusion Homes

Mailing Address: 500 Hanlon Creek Blvd

City: Guelph Postal Code: N1C 0A1

Home Phone: _____ Work Phone: (519)-826-6700 x242

Fax: _____ Email: cballuch@fusionhomes.com

PURPOSE OF APPLICATION (please check appropriate space):

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

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

2278560 Ontario Inc

DESCRIPTION OF LAND INTENDED TO BE SEVERED Easements in favour of Phase 4 lands

Frontage / Width: (m) 9.828	Depth (m) 84.545	Area: (m ²) 501.4	Existing Use: vacant	Proposed Use: easement for residential
Existing Buildings/Structures: N/A			Proposed Buildings / Structures: Road	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): Residential	

DESCRIPTION OF LAND INTENDED TO BE RETAINED Phase 3 lands

Frontage / Width: (m) 57.818	Depth (m) 84.545	Area: (m ²) 4732.36	Existing Use: vacant	Proposed Use: residential
Existing Buildings/Structures: N/A			Proposed Buildings / Structures: condominium	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): residential	

TYPE OF ACCESS TO THE RETAINED LANDS

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

TYPE OF ACCESS TO THE SEVERED LANDS

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

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:

Residential 2 within the Downtown Secondary Plan

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:

Permits the construction of multiple residential buildings in conformity with the Official Plan

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.4B 15.4(H)

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

☒ YES

☐ NO

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

☐ YES

☐ NO

File No.: _____

Status: _____

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*?

☒ YES

☐ NO

Provide explanation:

The proposed development provides new residential units within the urban boundary contributing to the efficient use of land and increased housing supply

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

☒ YES

☐ NO

Provide explanation:

The proposed development provides new residential units within a Delineated Built-up Area in the City of Guelph where residential growth is targeted.

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:

2590339 Ontario Inc; 43 Arthur Street South LP, 02/02/2018, Heritage Building

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<u>SP47-048</u>
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Folder # 19 005677 PA</u>
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Charlotte Balluch, 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~~ via video conference

City/Town of Guelph in the County/Regional Municipality of

Wellington this 14 day of July, 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,

2278560 Ontario Inc

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

being the registered property owner(s) of

73 Arthur Street S

(Legal description and/or municipal address)

hereby authorize Charlotte Balluch

(Authorized agent's name)

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

Dated this 13 day of July 2020.



(Signature of the property owner)

(Signature of the property owner)

NOTES:

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



Schedule A

PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113; PART LOT 76, AND LOTS 77, 78, 79, 80, 81 AND 82, PLAN 113, PARTS 5 TO 18 PLAN 61R21533 TOGETHER WITH AN EASEMENT OVER PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3, 4, 13 AND 14 PLAN 61R21139 AS IN WC516085 TOGETHER WITH AN EASEMENT OVER PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 2 AND 4 PLAN 61R21139 IN FAVOUR OF PARTS 5, 6, 7 AND 8 PLAN 61R21533 AS IN WC512657 TOGETHER WITH AN EASEMENT OVER PART 17 PLAN 61R11955 AS IN WC212993 SUBJECT TO AN EASEMENT IN FAVOUR OF WELLINGTON STANDARD CONDOMINIUM PLAN NO. 244 AS IN WC522214 TOGETHER WITH AN EASEMENT OVER WELLINGTON STANDARD CONDOMINIUM PLAN NO. 244 AS IN WC522214 TOGETHER WITH AN EASEMENT OVER WELLINGTON STANDARD CONDOMINIUM PLAN NO. 244 IN FAVOUR OF PARTS 5, 6, 7 AND 8 PLAN 61R21533 AS IN WC522214 SUBJECT TO AN EASEMENT IN GROSS AS IN WC434473 SUBJECT TO AN EASEMENT AS IN WC434476 SUBJECT TO AN EASEMENT AS IN WC498245 SUBJECT TO AN EASEMENT IN GROSS AS IN WC499586 SUBJECT TO AN EASEMENT IN FAVOUR OF PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3, 4, 13 AND 14 PLAN 61R21139 AS IN WC516086 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 16, 17 AND 18 PLAN 61R21533 AS IN WC503847 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 6, 11, 14 AND 17 PLAN 61R21533 AS IN WC451264 SUBJECT TO AN EASEMENT IN FAVOUR OF PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3 AND 4 PLAN 61R21533 AS IN WC572442 SUBJECT TO AN EASEMENT OVER PARTS 5 TO 12 PLAN 61R21533 IN FAVOUR OF PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3 AND 4 PLAN 61R21533 AS IN WC572442 TOGETHER WITH AN EASEMENT OVER PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3 AND 4 PLAN 61R21533 IN FAVOUR OF PARTS 5, 6, 7 AND 8 PLAN 61R21533 AS IN WC572442 CITY OF GUELPH

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 14, 2020	Application #: B-8/20
	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 ☒

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: 73 Arthur Street S.

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

See Schedule A (attached)

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

If yes, describe: Public easement between Phase 3 and Phase 4 lands to access Riverwalk. See attached sketch

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

If yes, explain: Charge on the land by the lender: Laurentian Bank, 10 Duke Street West, Suite 100, Kitchener, ON, N2H 3W4

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

Name: 2278560 Ontario Inc

Mailing Address: 500 Hanlon Creek Blvd

City: Guelph Postal Code: N1C 0A1

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

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Name: Charlotte Balluch

Company: Fusion Homes

Mailing Address: 500 Hanlon Creek Blvd

City: Guelph Postal Code: N1C 0A1

Home Phone: _____ Work Phone: (519) 826-6700 x 242

Fax: _____ Email: cballuch@fusionhomes.com

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

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

2278560 ONTARIO INC

DESCRIPTION OF LAND INTENDED TO BE SEVERED Phase 4 lands

Frontage / Width: (m) 32.41	Depth (m) 120.18	Area: (m ²) 5117.27	Existing Use: vacant	Proposed Use: residential
Existing Buildings/Structures: N/A			Proposed Buildings / Structures: condominium	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): residential	

DESCRIPTION OF LAND INTENDED TO BE RETAINED Phase 3 lands

Frontage / Width: (m) 57.818	Depth (m) 84.545	Area: (m ²) 4732.36	Existing Use: vacant	Proposed Use: residential
Existing Buildings/Structures: N/A			Proposed Buildings / Structures: condominium	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): residential	

TYPE OF ACCESS TO THE RETAINED LANDS

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

TYPE OF ACCESS TO THE SEVERED LANDS

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

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:

Residential 2 within the Downtown Secondary Plan

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:

Permits the construction of multiple residential buildings in conformity with the Official Plan

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.4B 15.4 (H)

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

☒ YES

☐ NO

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

☐ YES

☐ NO

File No.: _____

Status: _____

PROVINCIAL POLICY

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

Provide explanation:

The proposed development provides new residential units within the urban boundary contributing to the efficient use of land and increased housing supply.

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

☒ YES

☐ NO

Provide explanation:

The proposed development provides new residential units within a Delineated Built-up Area in the City of Guelph where residential growth is targeted.

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:

2590339 Ontario Inc; 43 Arthur Street South LP, 02/02/2018, Heritage Building

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 type="checkbox"/>	<input checked="" type="checkbox"/>	SP47-048
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Folder # 19 005677 PA
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Charlotte Balluch, 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~~ via video conference

City/Town of Guelph in the County/Regional Municipality of

Wellington this 14 day of July, 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,

2278560 Ontario Inc

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

being the registered property owner(s) of

73 Arthur Street S.

(Legal description and/or municipal address)

hereby authorize Charlotte Balluch

(Authorized agent's name)

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

Dated this 3rd day of July 2020.



(Signature of the property owner)

(Signature of the property owner)

NOTES:

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



Schedule A

PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113; PART LOT 76, AND LOTS 77, 78, 79, 80, 81 AND 82, PLAN 113, PARTS 5 TO 18 PLAN 61R21533 TOGETHER WITH AN EASEMENT OVER PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3, 4, 13 AND 14 PLAN 61R21139 AS IN WC516085 TOGETHER WITH AN EASEMENT OVER PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 2 AND 4 PLAN 61R21139 IN FAVOUR OF PARTS 5, 6, 7 AND 8 PLAN 61R21533 AS IN WC512657 TOGETHER WITH AN EASEMENT OVER PART 17 PLAN 61R11955 AS IN WC212993 SUBJECT TO AN EASEMENT IN FAVOUR OF WELLINGTON STANDARD CONDOMINIUM PLAN NO. 244 AS IN WC522214 TOGETHER WITH AN EASEMENT OVER WELLINGTON STANDARD CONDOMINIUM PLAN NO. 244 AS IN WC522214 TOGETHER WITH AN EASEMENT OVER WELLINGTON STANDARD CONDOMINIUM PLAN NO. 244 IN FAVOUR OF PARTS 5, 6, 7 AND 8 PLAN 61R21533 AS IN WC522214 SUBJECT TO AN EASEMENT IN GROSS AS IN WC434473 SUBJECT TO AN EASEMENT AS IN WC434476 SUBJECT TO AN EASEMENT AS IN WC498245 SUBJECT TO AN EASEMENT IN GROSS AS IN WC499586 SUBJECT TO AN EASEMENT IN FAVOUR OF PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3, 4, 13 AND 14 PLAN 61R21139 AS IN WC516086 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 16, 17 AND 18 PLAN 61R21533 AS IN WC503847 SUBJECT TO AN EASEMENT IN GROSS OVER PARTS 6, 11, 14 AND 17 PLAN 61R21533 AS IN WC451264 SUBJECT TO AN EASEMENT IN FAVOUR OF PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3 AND 4 PLAN 61R21533 AS IN WC572442 SUBJECT TO AN EASEMENT OVER PARTS 5 TO 12 PLAN 61R21533 IN FAVOUR OF PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3 AND 4 PLAN 61R21533 AS IN WC572442 TOGETHER WITH AN EASEMENT OVER PART OF GRIST MILL LANDS, EAST SIDE OF RIVER SPEED, PLAN 113, PARTS 1, 2, 3 AND 4 PLAN 61R21533 IN FAVOUR OF PARTS 5, 6, 7 AND 8 PLAN 61R21533 AS IN WC572442 CITY OF GUELPH



Committee of Adjustment
City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario, N1H 3A1
519-822-1260 x 2524

July 3, 2020

Dear Committee of Adjustment,

Re: Submission of Consent Application for Metalworks Phase 4

Fusion Homes is pleased to submit a Consent application for the above noted development. Fusion Homes is requesting to sever the phase 4 Metalworks lands from the phase 3 lands including necessary easements. The site is located at 93 Arthur Street within the multi-phase Metalworks development. The parcel being severed is Phase 4 of the Metalworks development located at 93 Arthur St. and the parcel being retained is Phase 3 of the Metalworks development, 73 Arthur St S. Within the severance, several easements are requested as part of the application in order to provide driveway and loading access between the two condominium corporations. This letter aims to provide an overview of the proposed development and a description of the easements required.

Proposed Consent and Easements

As part of the application, Fusion Homes requests the following changes to the land:

- Phase 3 lands to be retained, (PART 1 to 6, 8, 12 and 13) as shown in the sketch.
- Phase 4 lands to be severed, (PART 7, 9, 10, 11, 14 to 19) as shown in the sketch.
- An easement in favour of the Phase 4 lands to be put in place for the private road required for fire route, loading access and turning radius for Phase 4 lands, (PART 4, 5, 6 and 8) as shown in the sketch.
- An easement in favour of the Phase 3 lands for turning radius allowance (PART 10 and 11) as shown in the sketch.

With this letter, we are also enclosing the following:

- The completed application form
- Digital copy of the sketch

July 3, 2020

Please note, due to City Hall being closed to accept physical payment of application fees, a cheque in the amount of \$1,896.00 will be mailed to City Hall under the attention of Randy Harris.

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

Your sincerely,

A handwritten signature in black ink, appearing to read 'CBalluch', followed by a horizontal line.

Charlotte Balluch
Planning and Development Analyst

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-55/17

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

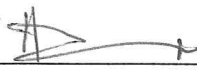
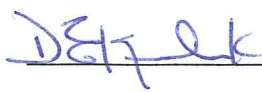
THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 5.4.3.2.15.5.1.7 of Zoning By-law (1995)-14864, as amended, for 73 Arthur Street South, to permit a maximum building height of 12 storeys, when the By-law permits a maximum building height of 10 storeys for apartment buildings, 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 the reasons outlined in the staff comments that the requested variance does not meet the intent and purpose of the Zoning By-law, as site-specific zoning was approved by City Council on August 25, 2014. The Committee is of the opinion that this request is beyond the scope of a minor variance and this request would be more appropriately considered through a Zoning By-law Amendment.

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

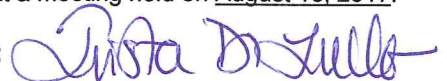
**Members of Committee
Concurring in this Decision**

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on August 10, 2017.

Dated: August 15, 2017

Signed:



**The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is August 30, 2017.**

Committee of Adjustment

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