

Committee of Adjustment Meeting Agenda

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

Remote meeting live streamed
on guelph.ca/live

Special 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, November 12, 2020.

To contact Committee of Adjustment staff by email or phone:

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

519-822-1260 extension 2524

TTY 519-826-9771

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

1. Call to Order

1.1. Opening Remarks

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

1.2. Disclosure of Pecuniary Interest and General Nature Thereof

1.3. Requests for Withdrawal or Deferral

2. Current Applications

(Application order subject to change)

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

2.1. A-22/20 455 Watson Parkway North

Owner: 2431901 Ontario Inc.

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

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

(Deferred from the July 9, 2020 hearing)

2.2. A-46/20 9 Queensdale Crescent

Owner: Christie Huggins, John Emslie, Dorothy Bakker and Danny Lui

Agent: Don Huggins

Request: Variance to permit existing accessory apartment size

2.3. A-48/20 327 Woodlawn Road West

Owner: 2437637 Ontario Inc.

Agent: Wajid Mansuri, Gama Engineering Inc.

Request: Variances for proposed outdoor patio and fence height for proposed restaurant

2.4. A-49/20 22 Washburn Drive

Owner: Gino and Laura Busato

Agent: Shawn Sawatzky, Tropical Sunrooms Inc.

Request: Rear yard variance for proposed rear residential addition

2.5. B-14/20 and A-51/20 151 Cityview Drive North

Owner: Besnik Prebreza and Alend Azad Salim

Agent: Jeff Buisman, Van Harten Surveying Inc.

Requests: Consent to create new residential lot and variance to permit reduced lot frontage for the severed parcel

2.6. B-15/20, A-52/20 and A-53/20 25 Heather Avenue

Owner: Cynthia Van Hellemond and Mae Abda

Agent: Jeff Buisman, Van Harten

Request: Consent to create new residential lot, and variances to permit reduced lot area, reduced rear yard setback and location of off-street parking space

2.7. A-55/20 64 Bishop Court

Owner: Stephen and Tina Gill

Agent: N/A

Request: Rear yard setback variance for existing above-ground pool

3. Requests

3.1. Deferral Fee Refund Request for File A-22/20 (455 Watson Parkway North)

4. Staff Announcements

5. Adjournment

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

455 Watson Parkway North

Proposal:

The applicant is proposing to develop the vacant site and construct a vehicle gas bar, convenience store, automatic carwash (single bay), retail establishment, and restaurant (McDonald's) with an outdoor patio and drive-through. A total of 87 off-street parking spaces are required for all the proposed uses on the property. This property is currently subject to an application for site plan approval (File SP19-047).

By-Law Requirements:

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

The By-law requires:

- a) 1 parking space per 16.5 square metres of gross floor area for a service commercial mall (convenience store, retail establishment, and vehicle gas bar) and 1 parking space per 7.5 square metres of gross floor area for a restaurant [total of 82 parking spaces required for the convenience store, retail establishment, vehicle gas bar and restaurant];
- b) 5 parking spaces plus 15 waiting spaces per bay for an automatic car wash; and
- c) that no outdoor patio shall be permitted where more than 1 lot line adjoins lands which are in a residential zone.

Request:

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

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

Hearing Details

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

Date:	Thursday, November 12, 2020 (Deferred from July 9, 2020 hearing)
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	A-22/20

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

Providing Comments

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

You may submit your written comments to the Secretary-Treasurer of the Committee of Adjustment using the contact information listed below. Please include your name, your address, application number or address of the property you are providing comments on, as well as any other relevant information in your submission. Written comments received by **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

Additional Information

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

Notice of the Decision

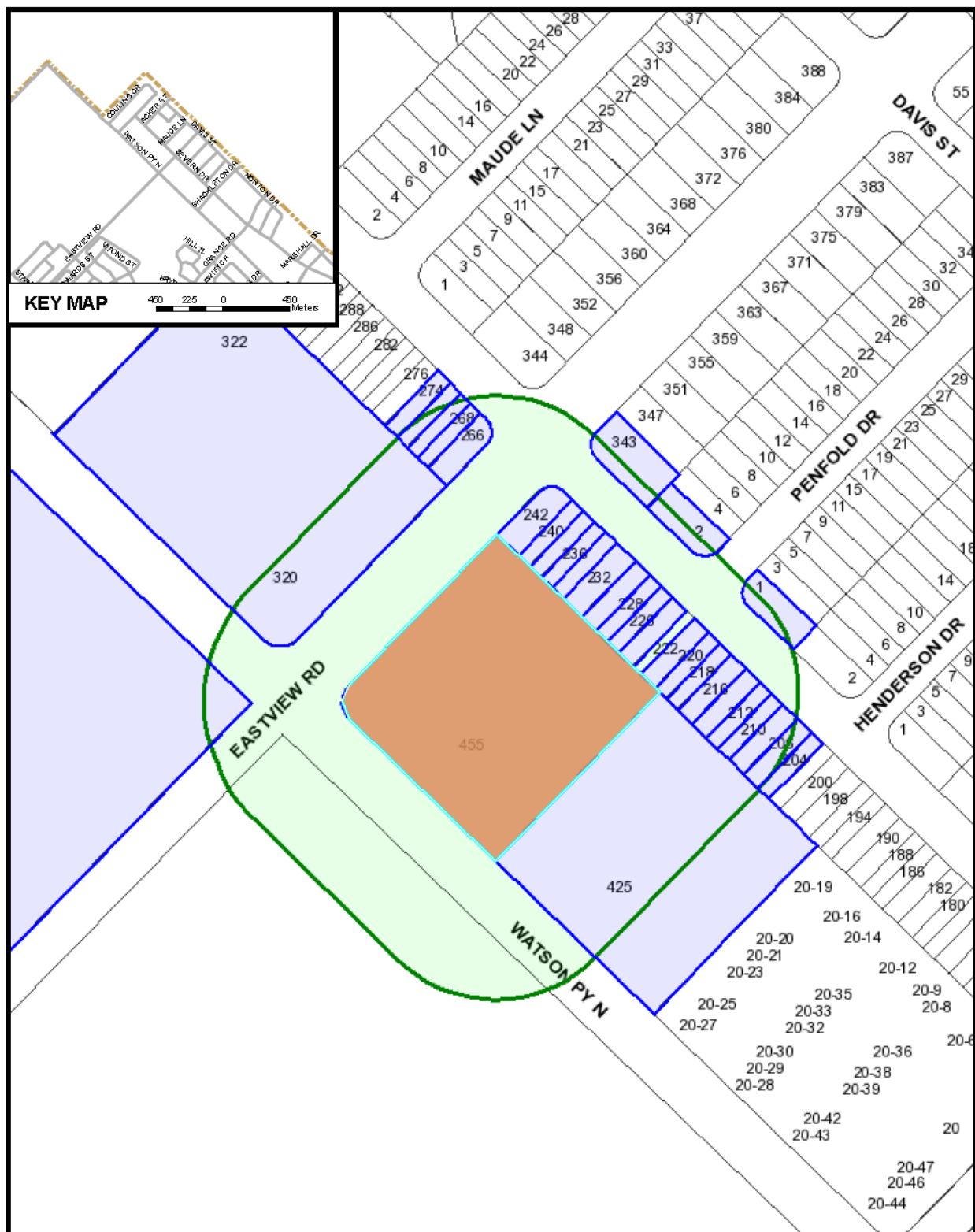
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated October 23, 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

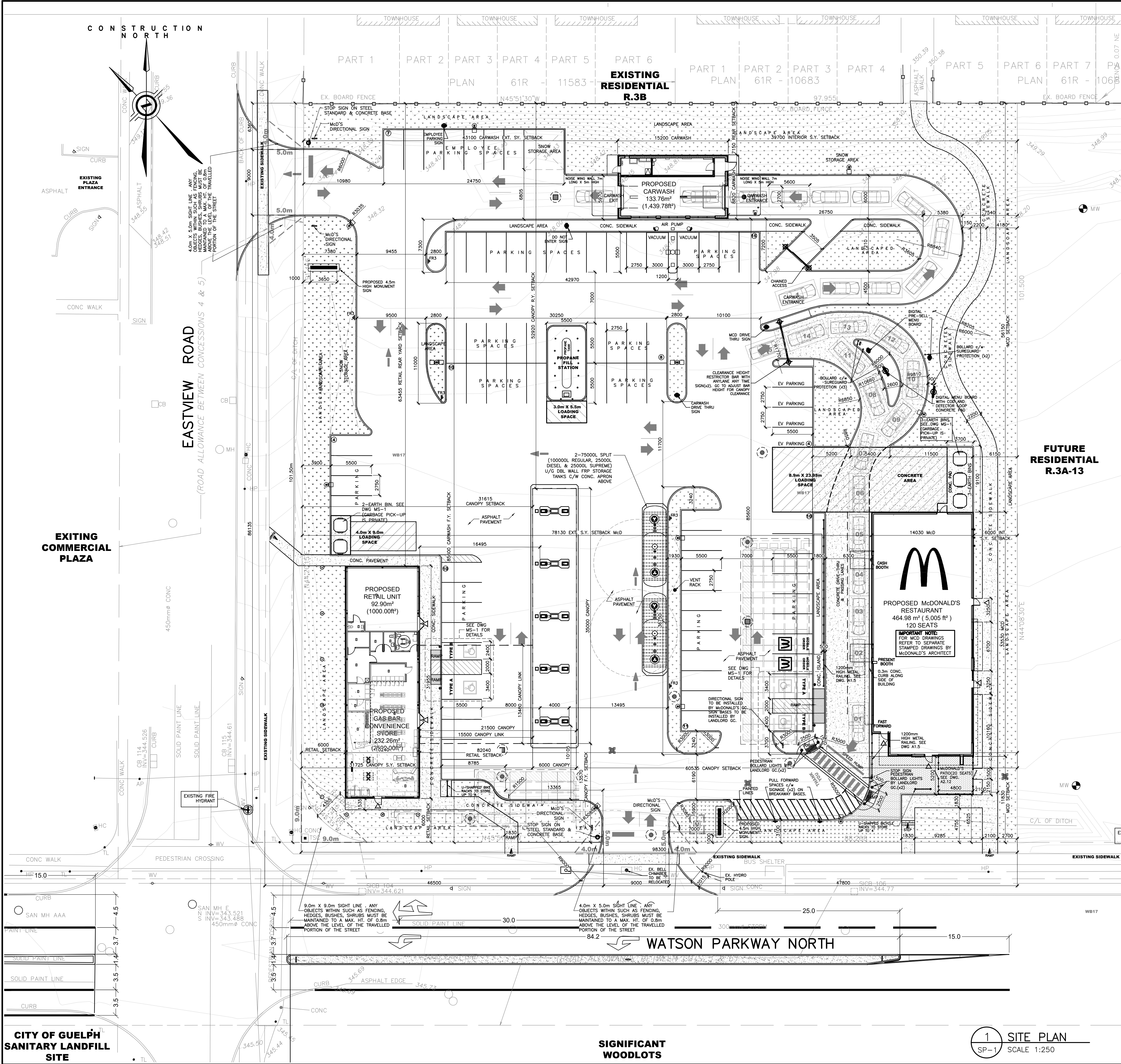


Produced by the City of Guelph
City Clerk's Office-Committee of Adjustment
Date Printed: 4/6/2020, 3:31:17 PM

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



The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of the digital or hardcopy map files, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or be used for legal description. This map may not be re-produced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-822-1268.



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



KEY PLAN

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

NOTE:
PRIVATE GARBAGE PICK UP FOR SITE.

Note: All Signs/Signage are shown for information purposes only and are subject to separate approval and permit.

LEGEND

CB	DENOTES DOUBLE CATCHBASIN
CB	DENOTES SINGLE CATCHBASIN
SICB	DENOTES SIDE INLET CATCHBASIN
HC	DENOTES HYDRO CHAMBER
AP	DENOTES ANCHOR POLE
HP	DENOTES HYDRO POLE
TSC	DENOTES TRAFFIC SIGNAL CONTROL
TL	DENOTES TRAFFIC SIGNAL
H	DENOTES FIRE HYDRANT
WV	DENOTES WATER VALVE
MH	DENOTES MANHOLE
SAN MH	DENOTES SANITARY MANHOLE
STM MH	DENOTES STORM MANHOLE
MW	DENOTES MONITORING WELL
—	DENOTES WOOD BOARD FENCE
—	DENOTES OVERHEAD ELECTRICAL WIRE
—	DENOTES SANITARY SEWER LINE
—	DENOTES STORM SEWER LINE
—	DENOTES WATERMAIN
P1	DENOTES ENGINEERING PLAN 21-48
P2	DENOTES ENGINEERING PLAN 21-66A

ZONING CATEGORY:		PROVIDED	BY-LAW REQUIREMENT
SERVICE COMMERCIAL (SC.1)		±9938.51m² (2.456ac)	1000.00 m²
TOTAL DEVELOPMENT LOT AREA		88.27m	30.00 m
LOT FRONTAGE		101.500m	N/A
LOT DEPTH		325.16 m²	N/A
BUILDING AREA		464.98 m²	N/A
Mr. Sub Total area=44.5sq.m=13.68% of Total Store/Retail area		133.76 m²	N/A
C-MCD/QSR		419.08 m²	N/A
C-CAR WASH		931.15 m²	N/A
LOT COVERAGE		TOTAL (SQ.M)	N/A
TOTAL (%)		9.37%	N/A
FRONT YARD SETBACK (WATSON PARKWAY N)		MCD/QSR 11.83m	6.00 m
CANOPY		13.57m	15.00 m
C-CSTORE/RETAIL		6.00m	6.00 m
CARWASH		85.60m	6.00 m
EXTERIOR SIDE YARD SETBACK (EASTVIEW ROAD)		MCD/QSR 78.13m	6.00 m
C-CSTORE/RETAIL		6.00m	6.00 m
CANOPY		31.73m	1.50 m
CARWASH		43.10m	15.00 m
SIDE YARD SETBACK (ABUTTING RESIDENTIAL)		MCD/QSR 6.00m	3.00 m
C-CSTORE/RETAIL		82.04m	
CANOPY		60.54m	
CARWASH		39.70m	
REAR YARD SETBACK (ABUTTING RESIDENTIAL)		MCD/QSR 56.15m	one half building height but not less than 6.00m
C-CSTORE/RETAIL		63.46m	
CANOPY		52.30m	1.50 m
CAR WASH		7.15m	6.00 m
HEIGHT		MCD/QSR 6.0m-7.50m	3 storey's
C-CSTORE/RETAIL		6.50-7.25m	
CANOPY		6.50m	
CARWASH		6.50m	
LANDSCAPING (EXC. OF LOT AREA AFTER ROAD WIDENING)		AREA (SQ.M) 2250.64 m²	10% = m²
AREA (%)		22.65%	10%
PARKING SPACES		79 incl. B/F	5
PARKING STALL DIMENSIONS		2.75m x 5.5m	325.15m²/18.5 = 40
B/F PARKING SPACES		4	464.98m²/7.5 = 62
B/F PARKING STALL DIMENSIONS		TYPE A = 3.4m x 5.5m TYPE B = 2.4m x 5.5m ACCESS AISLE = 1.5m	3.4m x 5.5m 2.4m x 5.5m ACCESS AISLE = 1.5m
LOADING AREA DIMENSIONS		4.0m x 9.0m/ 8.9m x 23.65	4.0m x 9.0m
ENTRANCE AND EXIT WIDTHS		9.0m	9.0m

21	AUG.26.20	REV'D & ISSUED FOR SPA 3RD SUBMISSION	WM	WAM
20	AUG.17.20	REV'D AS MCD COMMENTS & ISSUED	WM	WAM
19	AUG.08.20	REV'D AS PER CITY COMMENTS & ISSUED	WM	WAM
18	MAY.21.20	REV'D & RE-ISSUED FOR SPA 2ND SUBMISSION	AA	WAM
17	MAR.25.20	REV'D & RE-ISSUED FOR VARIANCE SUBMISSION	WT	WAM
16	MAR.02.20	REV'D & ISSUED FOR CLIENT REVIEW	WT	WAM
15	DEC.16.19	REV'D & ISSUED FOR SPA 1ST SUBMISSION	WT	WAM
14	OCT.29.19	REV'D & RE-ISSUED FOR REVIEW	WT	WAM
13	AUG.20.19	REV'D & RE-ISSUED FOR REVIEW	WT	WAM
12	MAY.28.19	REV'D AS PER IBI/MCD & ISSUED FOR SPA	WT	WAM
11	MAY.21.19	REV'D & RE-ISSUED FOR SPA	WT	WAM
10	APR.15.19	REV'D AS PER CLIENT COMMENTS & RE-ISSUED	WT	WAM
9	NOV.30.18	REV'D AS PER MCD COMMENTS & RE-ISSUED	RS	WAM
8	NOV.07.18	REV'D AS PER MCD COMMENTS & RE-ISSUED	EA	WAM
7	OCT.17.18	REV'D & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
6	OCT.15.18	REV'D & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
5	OCT.10.18	REV'D & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
4	OCT.09.18	REV'D & RE-ISSUED FOR CLIENT REVIEW	RS	WAM
3	MAR.08.18	REV'D & RE-ISSUED FOR CLIENT REVIEW	HA	WAM
2	JAN.19.17	REV'D & RE-ISSUED FOR CLIENT REVIEW	TL	WAM
1	DEC.08.17	REV'D & RE-ISSUED FOR CLIENT REVIEW	AA	WAM
1	DEC.05.17	ISSUED FOR CLIENT REVIEW	AA	WAM

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

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

CITY FILE NO. SP19-047

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

TITLE:
PROPOSED SITE PLAN

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

ARCHITECT:
Kamel Abdelmalek Architect
30 Southeast Pass, Stouffville, ON L4A 0Y3
Tel: 647-863-2290

1 SITE PLAN
SP-1 SCALE 1:250

CITY OF GUELPH
SANITARY LANDFILL SITE

SIGNIFICANT WOODLOTS

Committee of Adjustment Application for Minor Variance



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

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐
SP19-047

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

PROPERTY INFORMATION:

Address of Property: 455 WATSON PARKWAY NORTH

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

BLOCK 17, REGISTERED PLAN 61M-159

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

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

AGENT INFORMATION (If Any)

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

Official Plan Designation: <u>SERVICE COMMERCIAL</u>	Current Zoning Designation: <u>SC.1 SERVICE COMMERCIAL</u>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): SEE ATTACHED LETTER DATED MARCH 10, 2020.

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

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

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

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

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

Frontage: 88.27 M Depth: 101.50 M Area: 9938.51 M² (2.456K)

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

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING <i>N/A</i>			PROPOSED - <i>SEE ATTACHED SITE PLAN</i>		
Front Yard Setback:			M	Front Yard Setback:	<i>6.0 M MIN.</i> M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	<i>6.0 M MIN.</i> M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: <i>N/A</i> Right: <i>6.0 M MIN.</i> M
Rear Yard Setback			M	Rear Yard Setback	<i>7.15 M MIN.</i> M

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>SP-19-047</i>
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

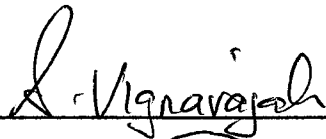
POSTING OF ADVISORY SIGN

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

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

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


 Signature of Applicant or Authorized Agent

 Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Wellington this 14th day of February, 20 20.



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

 Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

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

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

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

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

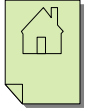
Dated this 11 day of FEBRUARY 2020.

J. Vignarajah
 (Signature of the property owner)

 (Signature of the property owner)

NOTES:

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



March 10, 2020

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

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

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

Dear Sir:

Please find enclosed the following:

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

Nature and Extent of relief requested

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

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

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

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

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

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

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

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

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

Respectfully Submitted,

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

Mr. Joe Lakatos BLA, MCIP, RPP

DECISION

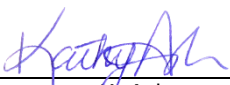
Committee of Adjustment Application Number A-22/20


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.

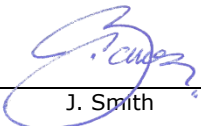
Reasons:

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.

Members of the Committee of Adjustment concurring in the decision:

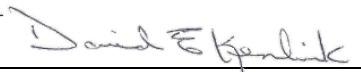

K. Ash


L. Janis


J. Smith

Absent

S. Dykstra


D. Kendrick

Absent

D. Gundrum


K. Meads

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on July 9, 2020.

Dated: July 14, 2020

Signed:



The last day on which a Notice of Appeal to the Local Planning
Appeal Tribunal may be filed is **July 29, 2020**.

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

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

9 Queensdale Crescent

Proposal:

The applicant is proposing to maintain an existing accessory apartment with an area of 89.5 square metres, or 43.7 percent of the total gross floor area, in the basement of the existing detached dwelling.

By-Law Requirements:

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

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

Request:

The applicant is seeking relief from the By-Law requirements to permit an accessory apartment size of 89.5 square metres, or 43.7 percent of the total floor area of the existing detached dwelling.

Hearing Details

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

Date: **Thursday, November 12, 2020**

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

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

Application Number: **A-46/20**

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

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

Additional Information

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

Notice of the Decision

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

Notice Details

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated October 23, 2020.

Contact Information

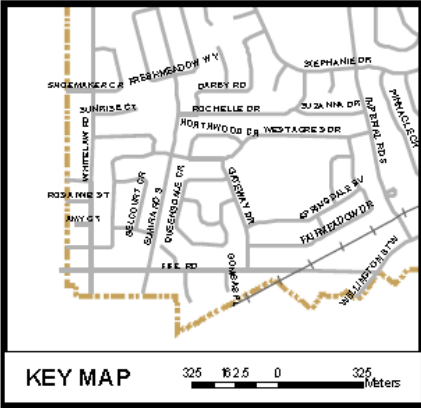
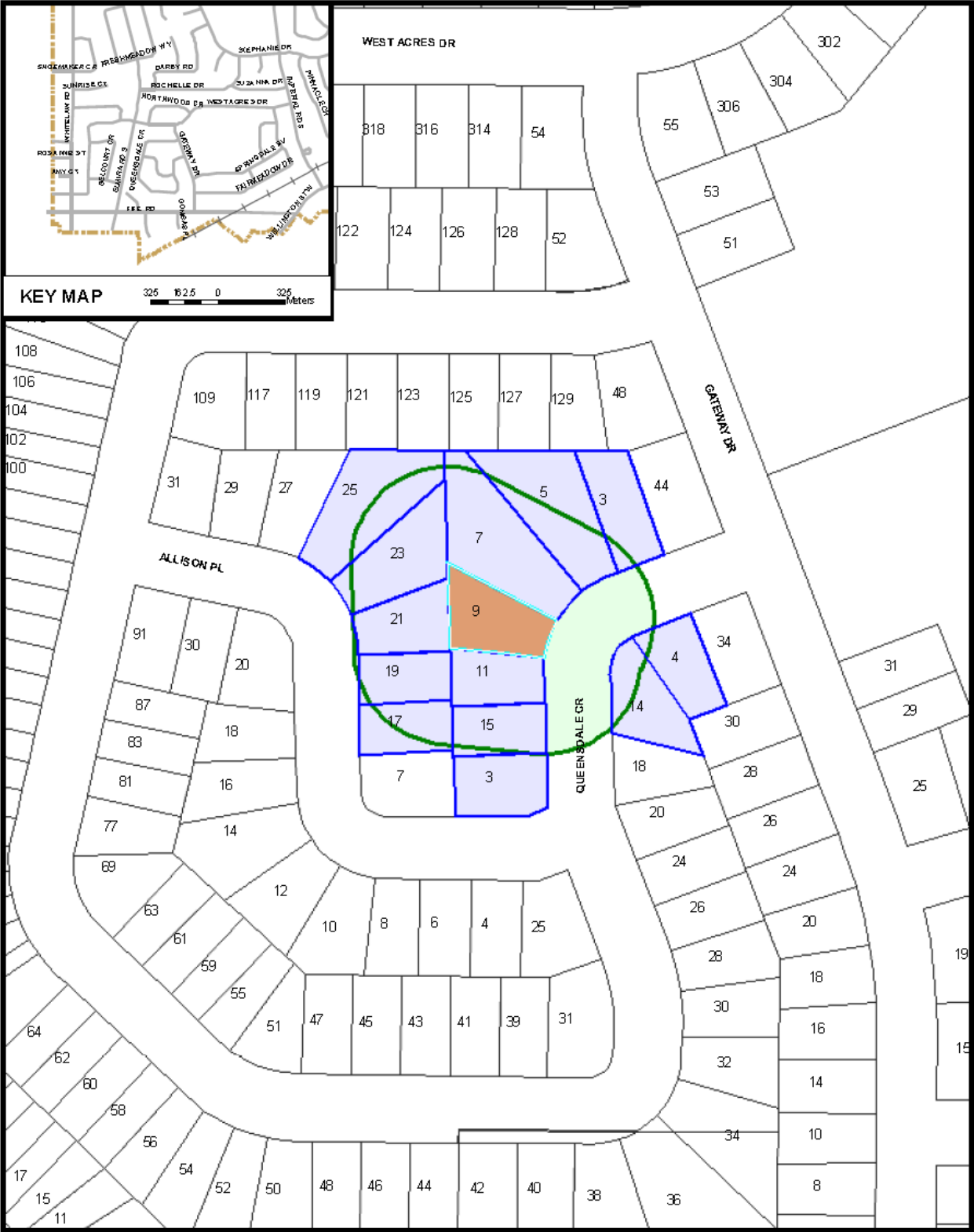
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

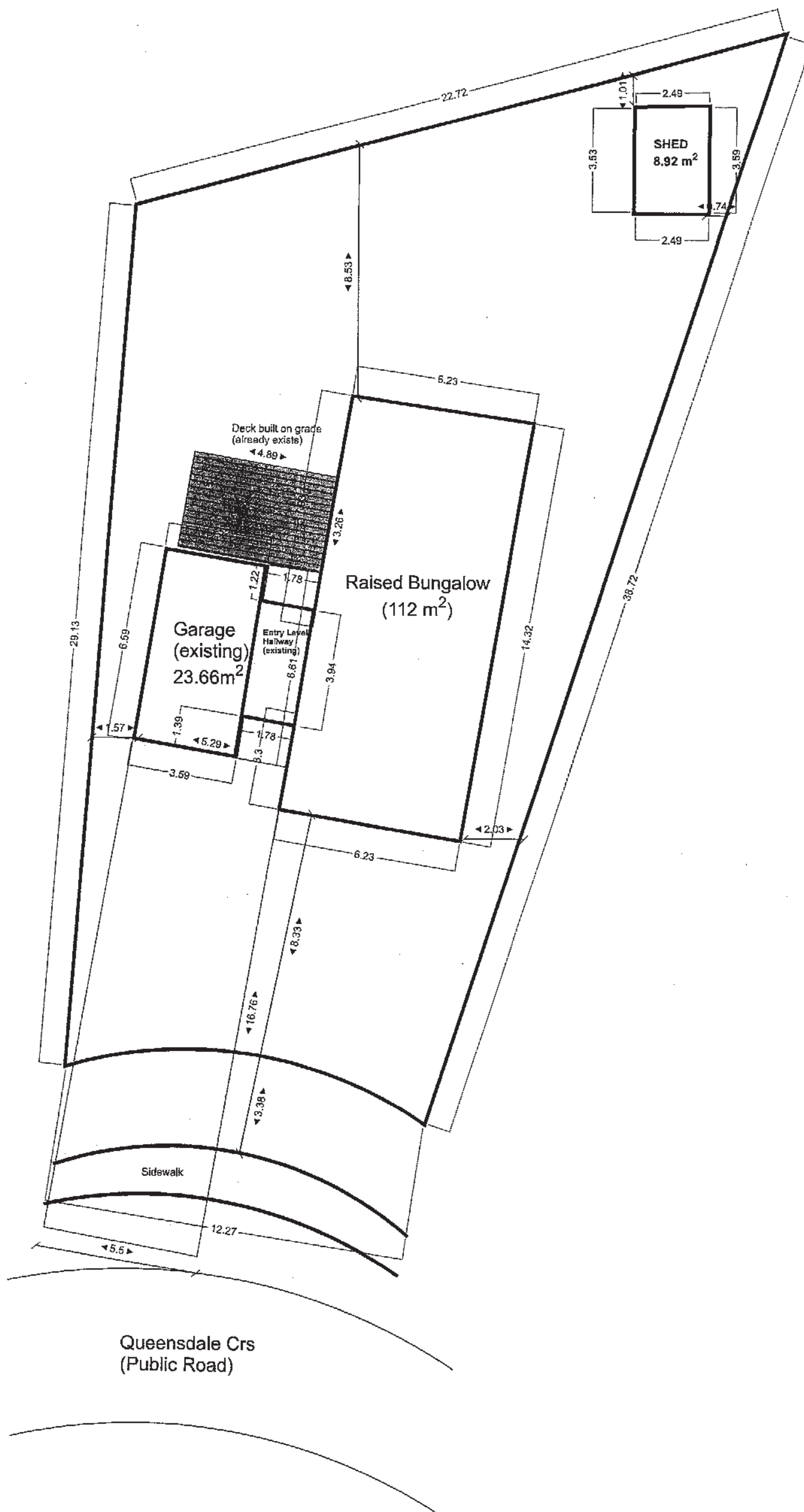
519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

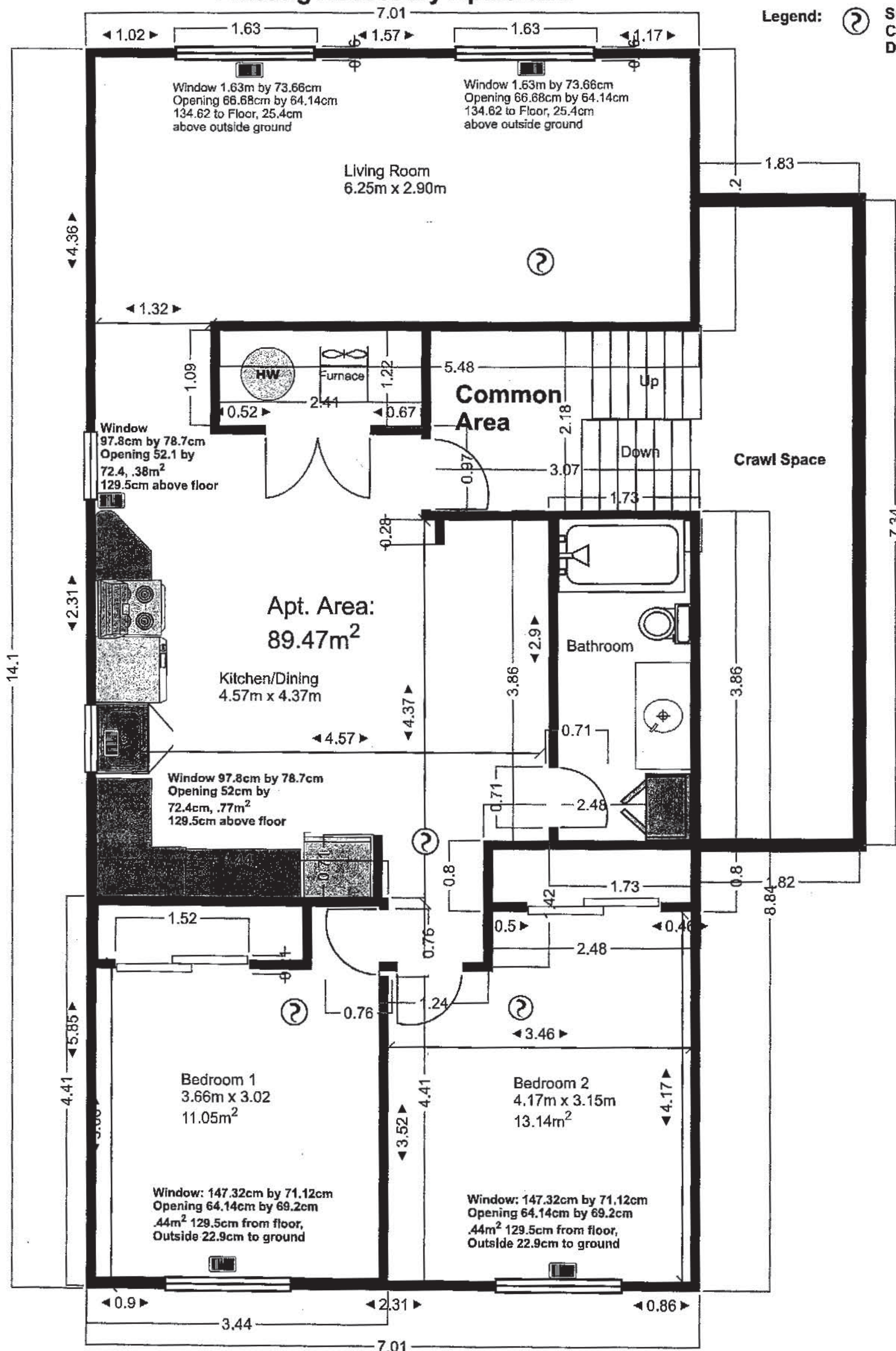
guelph.ca/cofa





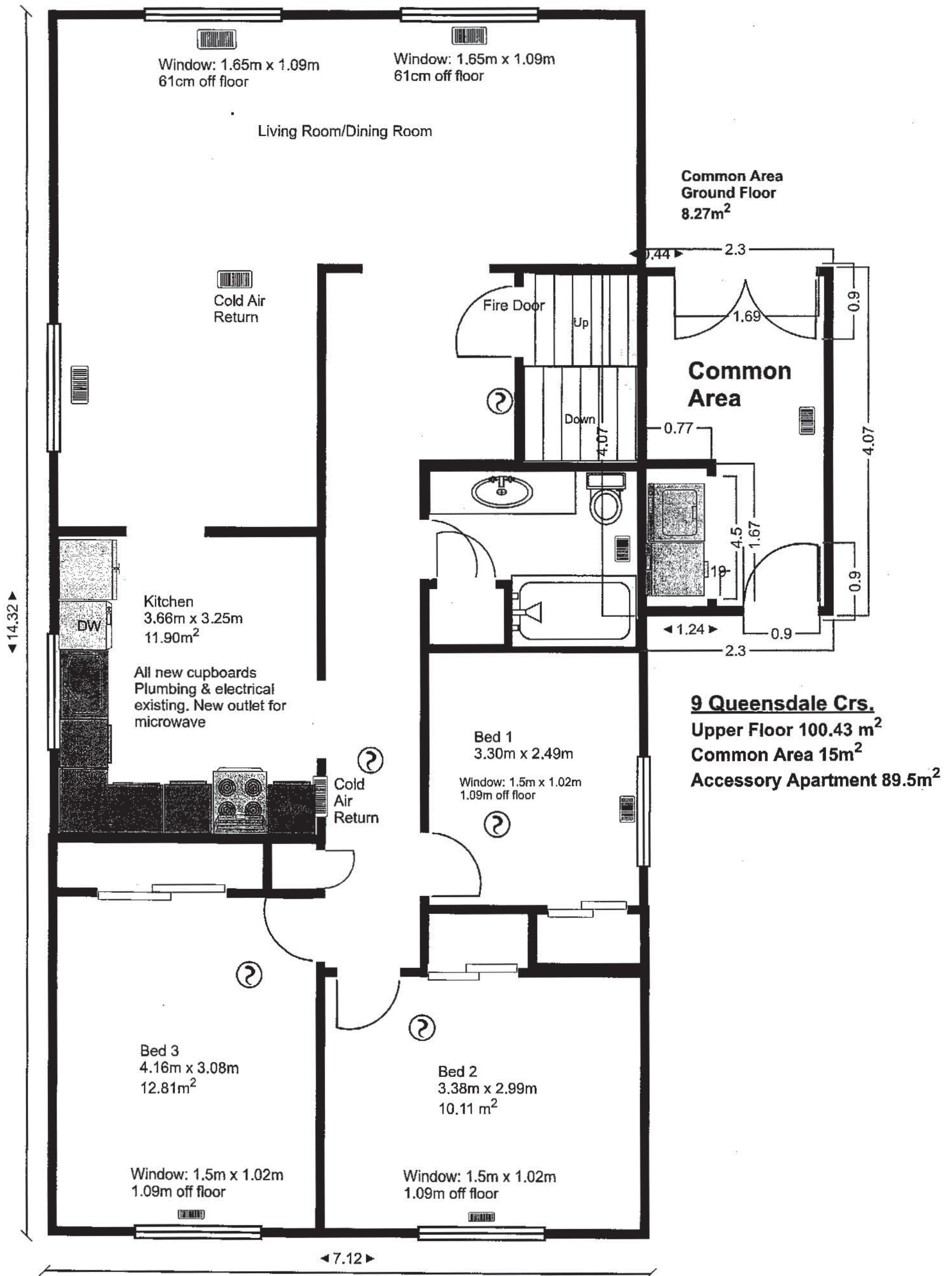
Existing Accessory Apartment

Legend: ? Smoke, Carbon Dioxide Detector with Strobe



Upper Floor 100.43 m²
Common Area 15m²
Accessory Apartment 89.5m²

Main Floor (Dominant Dwelling)



All walls on main floor are drywall
Ceiling height 2.49m

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sep 14, 2020	Folder #: A-46/20
	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 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:

Address of Property: 9 Queensdale Crs, Guelph, Ont., N1H 6W4

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

Lot 87, Plan 644; Guelph

OWNER(S) INFORMATION:

Name: Abigail Christie Huggins, Gregory John Emslie, Dorothy Bakker, Danny Lui

Mailing Address: 9 Queensdale Crs.

City: Guelph Postal Code: N1H 6W4

Home Phone: (519) 993-1806 Work Phone: _____

Fax: _____ Email: abigail.huggins@hotmail.com

AGENT INFORMATION (If Any)

Company: N/A

Name: Don Huggins

Mailing Address: 8 Old Colony Trail

City: Guelph Postal Code: N1G 4A4

Work Phone: _____ Mobile Phone: (519) 993-5478

Fax: _____ Email: dhuggins@bell.net

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

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

We are asking for a minor variance to permit an accessory apartment to be larger than the maximum (80m²) allowed. Bylaw: Residential intensification section 4.15.1.5 of the zoning bylaw. The existing apartment is 89.5m² and accounts for 43.7% of the total living space of the dwelling. The total living space is 205m². The current owners took possession of the house July 3rd, 2020. The accessory apartment already existed but was not done under any permit.

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

The location of walls and mechanical room make it impossible to change without affecting the appropriate size of other rooms and their layout.

PROPERTY INFORMATION

Date property was purchased:	July 3rd, 2020	Date property was first built on:	1970s?
Date of proposed construction on property:	Already exists	Length of time the existing uses of the subject property have continued:	Approximately 50 years.

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

Residential Single Family

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

Single Family Residential with a legal accessory apartment.

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

Frontage: 12.27m Depth: 38.72m (Irregular) Area: 612m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	205m ²		Gross Floor Area:		
Height of building:	Single floor		Height of building:		
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:	3.59m		Width:		
Length:	6.59m		Length:		
Driveway Width:	5.5m		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Shed, Deck					
Describe details, including height: Deck 4.89m x 3.26m			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	3.38 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 1.57 M	Right: 2.03 M	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	8.53 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 type="checkbox"/>	<input checked="" type="checkbox"/>	20 003856 RX - Refused, requires minor variance.
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.

DocuSigned by:

Don Huggins

7F2B57239211499...

Signature of Owner or Authorized Agent

DocuSigned by:

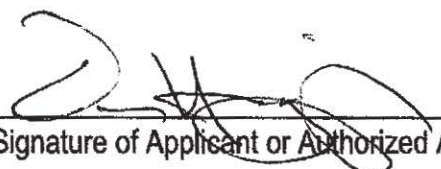
Ally Huggins

8811CF6913DA409...

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION


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


 Signature of Applicant or Authorized Agent

 Signature of Applicant or Authorized Agent

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

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


 Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

Abigail Huggins

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

of 9 Queensdale Crs, Guelph, Ont., N1H 6W4

(Legal description and/or municipal address)

hereby authorize Don Huggins

(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 2nd day of September 2020.

DocuSigned by:

Abby Huggins

(Signature of the property owner)

(Signature of the property owner)

NOTES:

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

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

327 Woodlawn Road West

Proposal:

The applicant is proposing to add a 60 square metre outdoor fenced patio for the proposed restaurant under construction. This property is currently subject to an application for site plan approval (File SP19-038).

By-Law Requirements:

The property is located in the Specialized Service Commercial (SC.1-50) Zone. Variances from Section 4.17.2.6 and 4.20.3 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

- a) that where permitted, outdoor patios shall be permitted within the building envelope of the development on the site; and
- b) that a fence located in a front yard, side yard or exterior side yard shall not be within 4 metres of a street line unless the height of such fence is less than 0.8 metres.

Requests:

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

- a) an outdoor patio of up to 60 square metres to be located outside the building envelope [3 metre setback from the front lot line along Regal Road]; and
- b) a fence with a maximum height of 1.42 metres in the front yard for the proposed outdoor patio.

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, November 12, 2020**

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

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

Application Number: **A-48/20**

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

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Additional Information

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Notice of the Decision

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Notice Details

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated October 23, 2020.

Contact Information

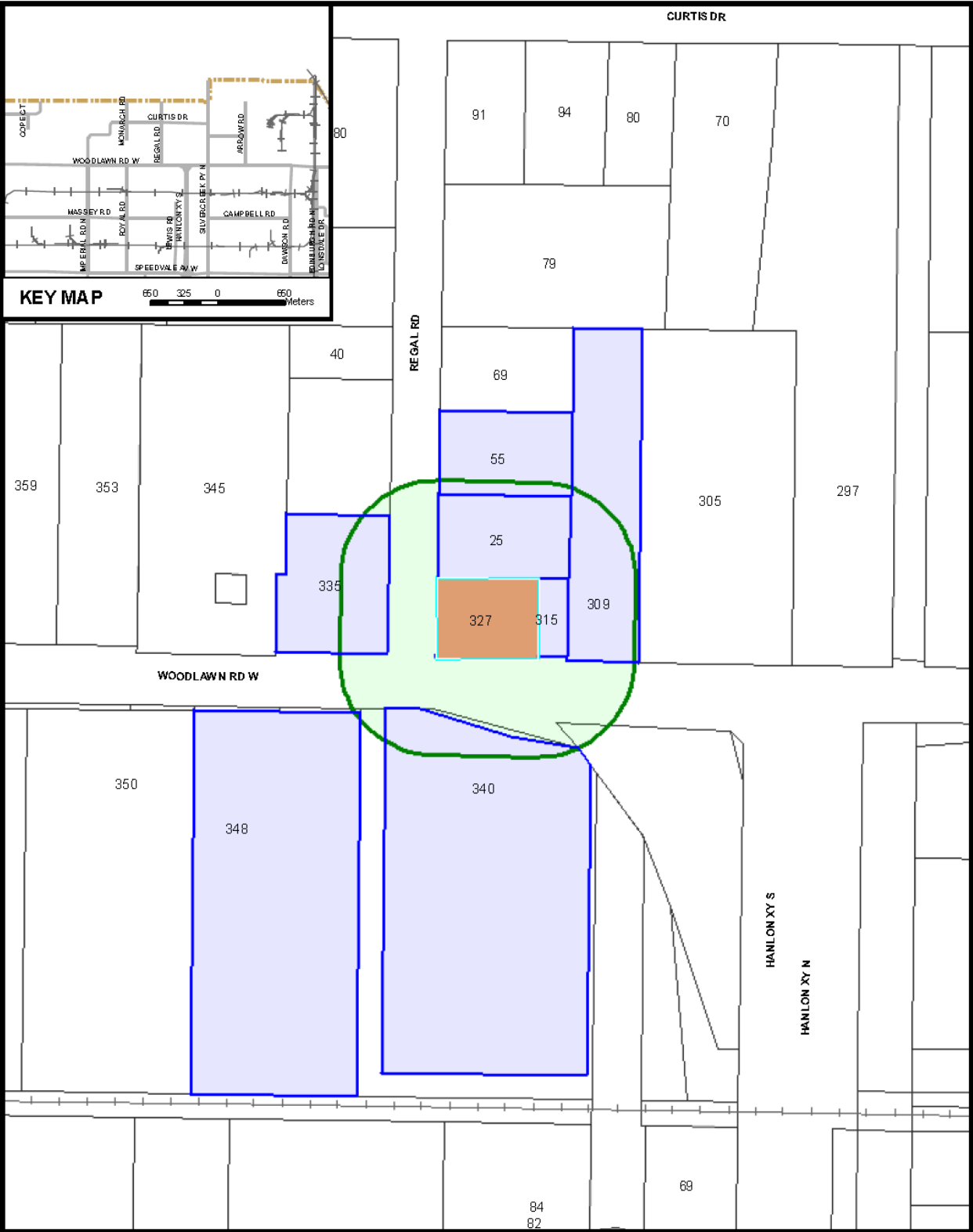
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

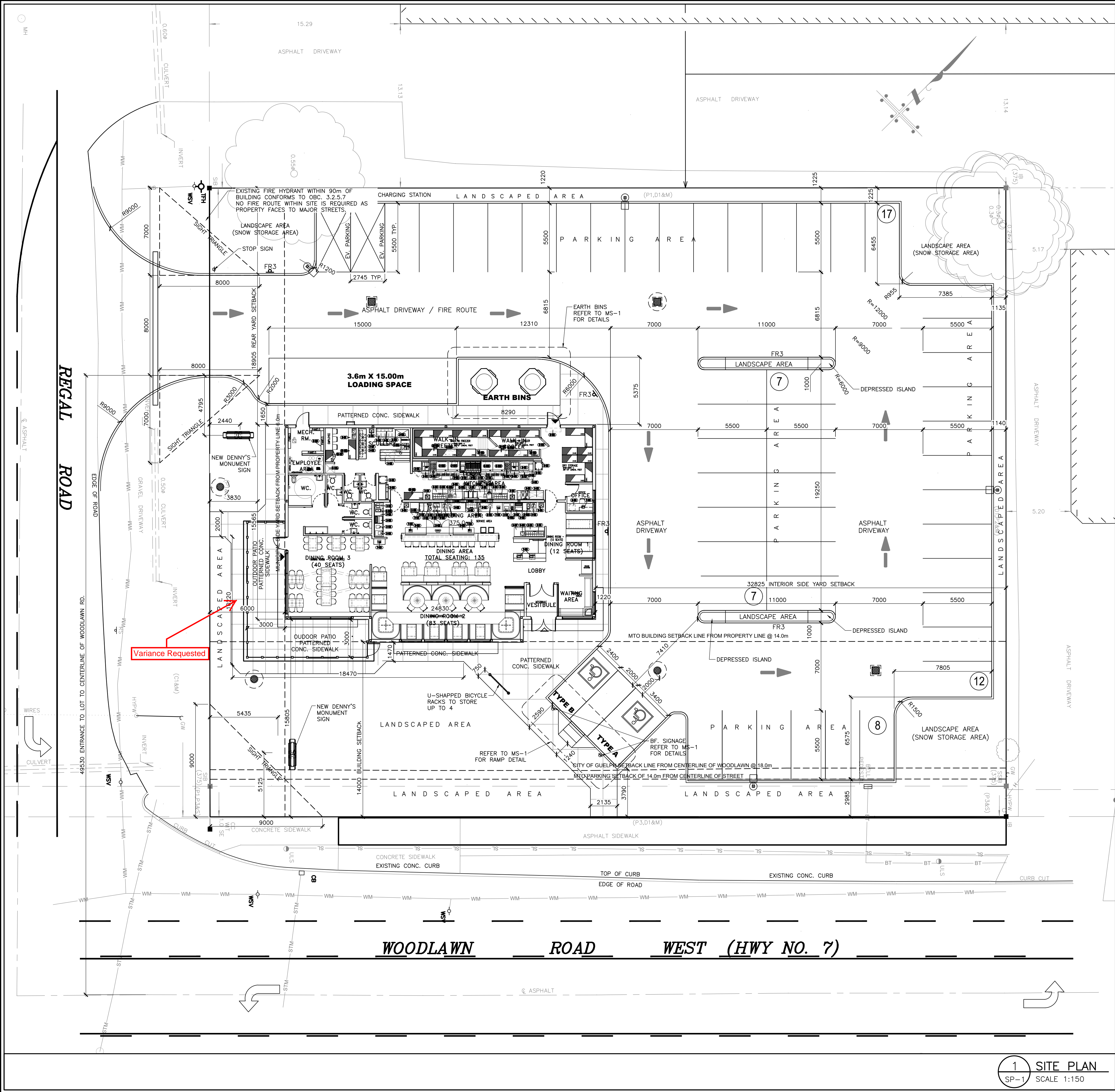
519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa



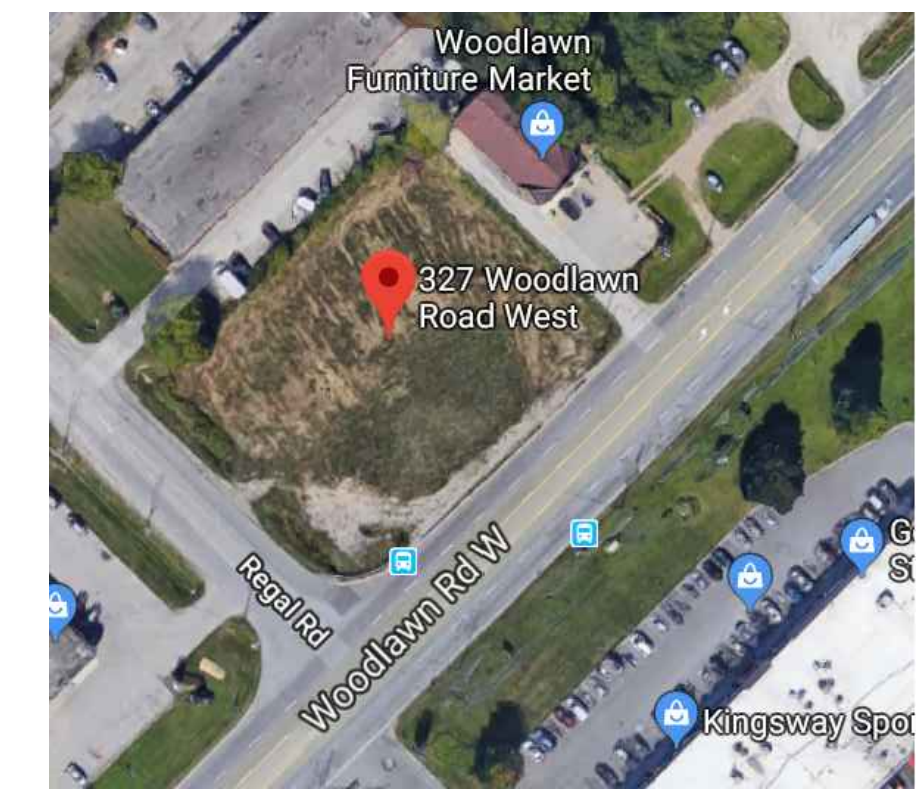


ZONING CATEGORY: SERVICE COMMERCIAL ZONE (SC.1-50)		PROVIDED	BY-LAW REQUIREMENT
TOTAL LOT AREA		3,202.62m ² (0.791ac)	N/A
LOT FRONTAGE		101.59m	30.0m (MIN.)
LOT DEPTH		63.70m	N/A
BUILDING AREA	NEW RESTAURANT	375.0m ²	N/A
	RESTAURANT GFA	375.0m ²	
LOT COVERAGE	TOTAL (SQ.M)	375.0m ²	N/A
	TOTAL (%)	12.76%	N/A
EXTERIOR SIDE YARD SETBACK (WOODLAWN RD.)	BLDG	14.0m	18.0m OF (C AS PER PROVISIONS MTO 14.0m (PROP LINE)
FRONT YARD SETBACK (REGAL RD.)	BLDG	6.00m	6.00m AS PER PROVISIONS
INTERIOR SIDE YARD SETBACK	BLDG	18.91m	3.0m
REAR YARD SETBACK	BLDG	32.87m	6.00m
HEIGHT	BLDG	7.50m	1/2 BUILDING HEIGHT NOT LESS THAN 6.0m
		1 STOREY	
LANDSCAPING	AREA (SQ.M)	783.20m ²	N/A
	AREA (%)	24.45%	10% OF LOT
ASPHALT PAVING	AREA (SQ.M)	2044.42m ²	2.5m MIN. LANDSCAPE STRIPS
PARKING SPACES		51 incl. 2 B/F	RESTAURANT, TAVERN PROVISION 4.13.4.2 1 PER 7.5m ² G.F.A. REQUIRED: 50 SPACES
PARKING STALL DIMENSIONS		2.75m x 5.5m	
TOTAL PARKING PROVIDED INCL. B/F		51	
TOTAL BICYCLE RACK		3	5% OF 50 STALLS=2.5 ≈ 3
B/F PARKING STALL DIMENSIONS		TYPE ACCESS AISLE = 3.80m x 5.50m TOTAL PROVIDED = 2	
LOADING AREA DIMENSIONS		3.6m x 15.0m	N/A
ENTRANCE AND EXIT WIDTHS		9.0m	N/A

SITE STATISTICS

- GENERAL NOTE:**
- ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF ARCHITECT/GAMA ENG. AND MUST BE RETURNED UPON REQUEST
 - REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S CONSENT IN WRITING
 - THE DRAWINGS AND SPECIFICATIONS APPLY ONLY TO THIS PROJECT AND SHALL NOT BE USED ON OTHER PROJECTS WITHOUT THE ARCHITECT'S CONSENT IN WRITING
 - ALL WORK SHALL MEET THE REQUIREMENTS OF THE LATEST GOVERNING BUILDING CODE, MUNICIPAL ORDINANCES AND ALL AUTHORITIES HAVING JURISDICTION OVER THIS PROJECT
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- IMPORTANT NOTES**
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 - GENERAL CONTRACTOR TO REVIEW AND CONFIRM ALL INTERIOR DESIGNS, FINISHES & MATERIALS PRIOR TO INSTALLATION



KEY PLAN

LEGAL DESCRIPTION:
PLAN OF SURVEY
WITH TOPOGRAPHIC FEATURES OF
PART LOT 1
CONCESSION 5, DIVISION D
(GEOGRAPHIC TOWNSHIP OF GUELPH)
BEING IN THE
CITY OF GUELPH
COUNTY OF WELLINGTON

10	AUG.20.20	ISSUED FOR OUTDOOR PATIO VARIANCE	WT	MAG
10	MAR.02.20	ISSUED FOR BUILDING PERMIT	WT	MAG
9	FEB.28.20	REV'D & ISSUED FOR SPA 4TH SUBMISSION	WT	WAM
8	JAN.27.20	REV'D & ISSUED FOR SPA 3RD SUBMISSION	WT	WAM
7	JAN.17.20	ISSUED FOR ARCH CONSULTANT FOR REVIEW	WT	MAG
6	DEC.12.19	REV'D & ISSUED FOR SPA 2ND SUBMISSION	WT	WAM
5	OCT.30.19	REV'D & ISSUED FOR SPA 1ST SUBMISSION	WT	WAM
4	OCT.08.19	ISSUED FOR SPA TR REVIEW	WT	WAM
3	SEP.30.19	REV'D & RE-ISSUED AS PER COMMENTS	WT	WAM
2	AUG.29.19	REV'D & RE-ISSUED AS PER COMMENTS	WT	WAM
1	AUG.16.19	ISSUED FOR CLIENT REVIEW	WT	WAM

GAMA Engineering Inc.

8611 Weston Road, Suite 35B - Vaughan, Ontario - L4L 9P1
Tel: 905-264-9295 www.gamaeng-inc.com

CLIENT/OFFICE:

2437637 ONTARIO INC.

218 EXPORT BLVD., SUITE 408,
MISSISSAUGA, ONTARIO, L5T 1Y4
TEL: 416-951-7253

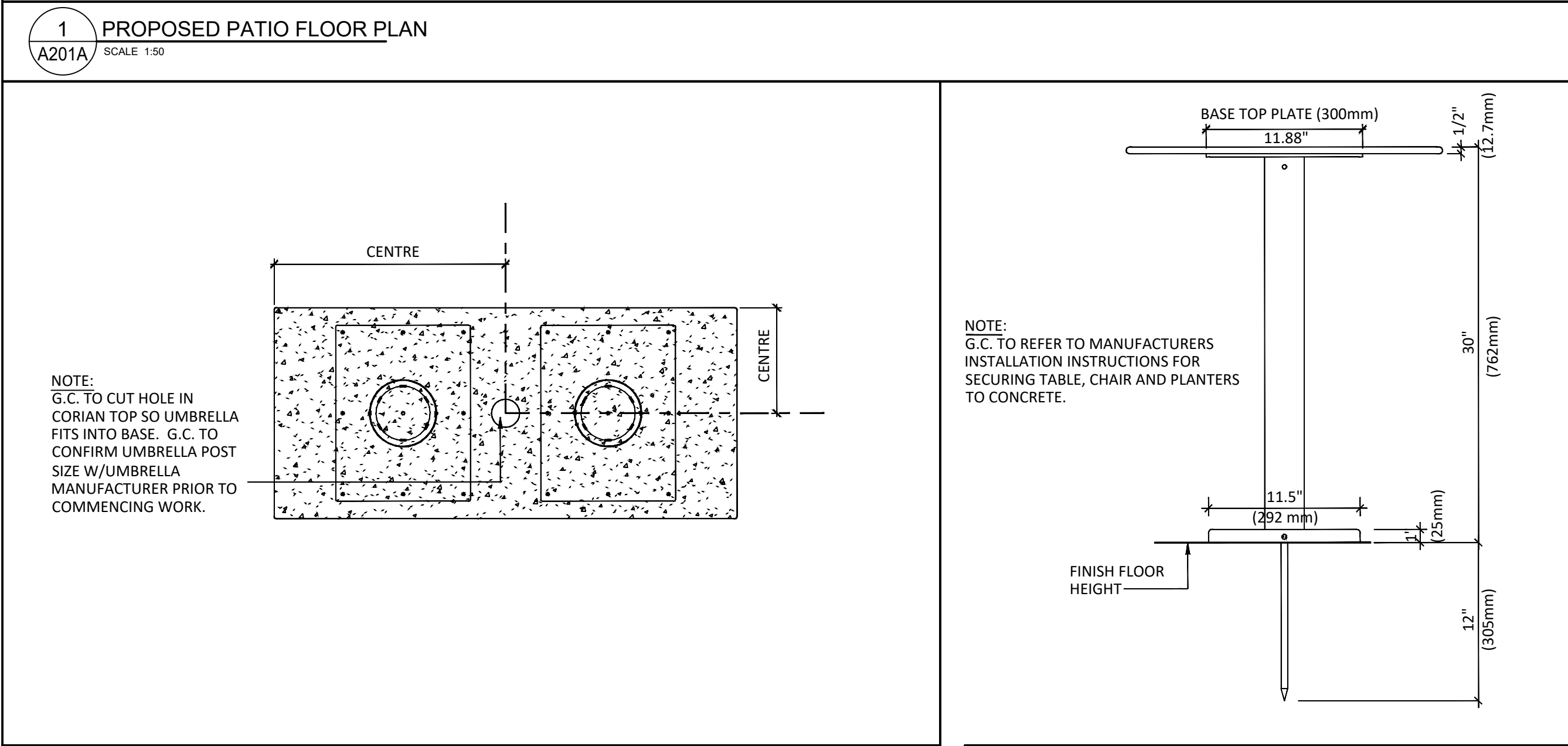
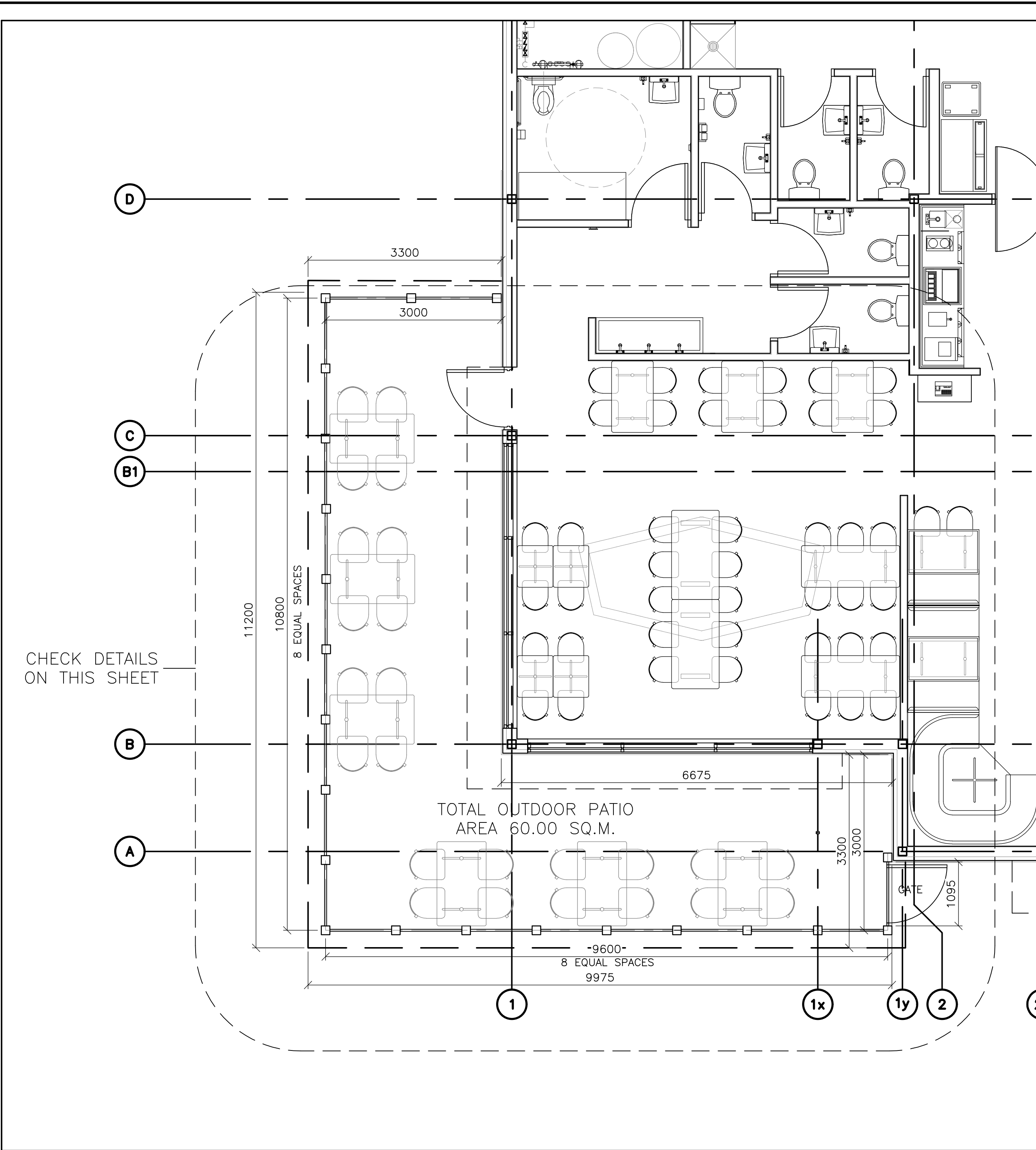
PROJECT/ADDRESS:

**327 WOODLAWN ROAD WEST (HWY NO. 7)
GUELPH, ONTARIO**

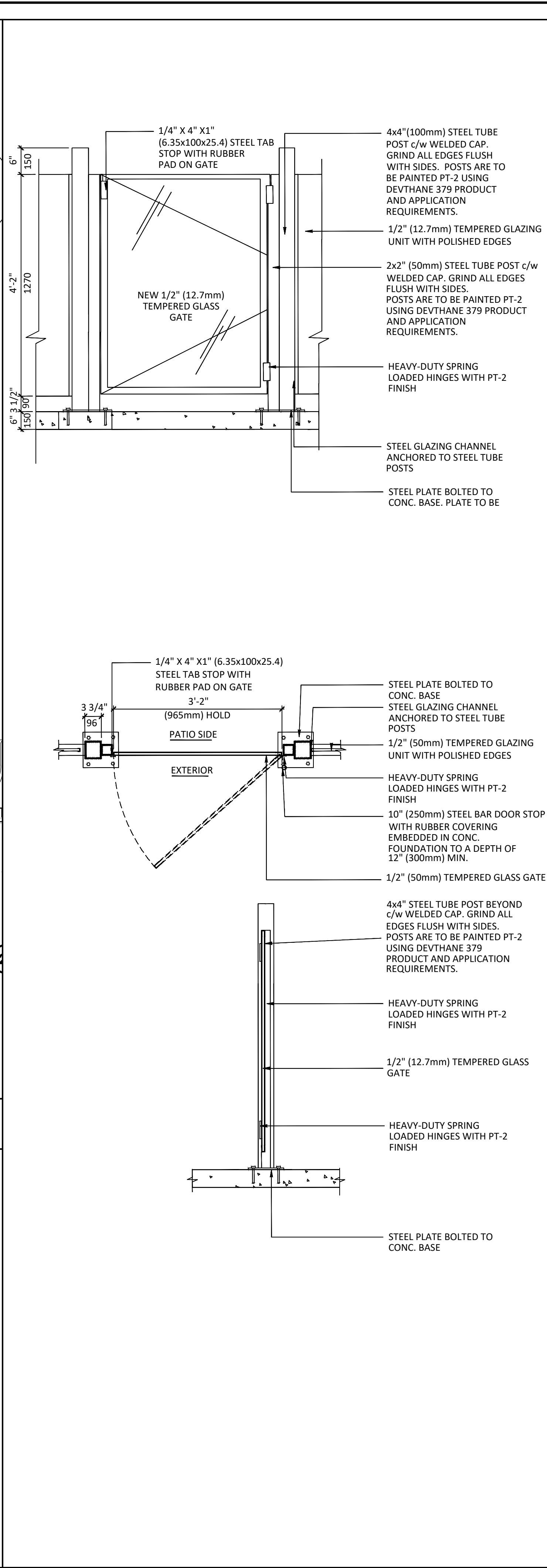
CITY FILE NO.: SP19-038

TITLE: **PROPOSED PATIO SITE PLAN**

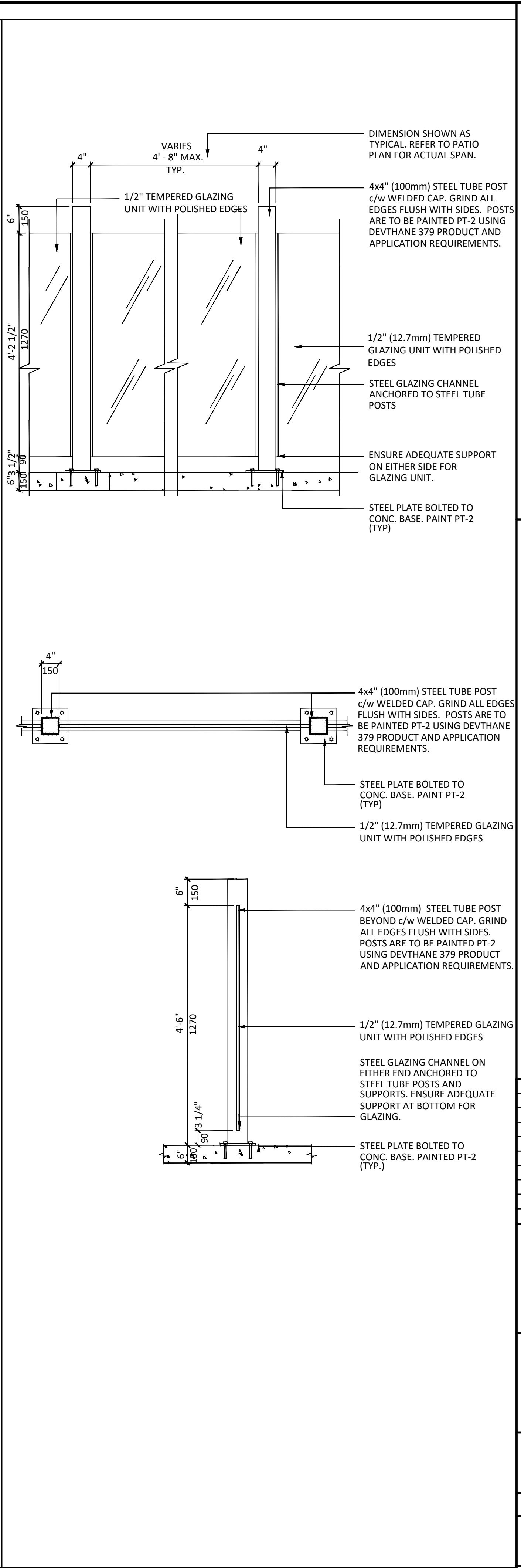
DESIGN:	WAM	DWN BY:	WT	DRAWING No.
SCALE:	AS DRAWN	DWG. FILE:	1942-SP-1P	SP-1P
DATE:	AUG.20.20	PROJ. No.	1942	



2 TYPICAL UMBRELLA CUT OUT
A201A SCALE 1:40



4 TYPICAL GATE DETAIL
A201 SCALE N.T.S.



5 TYPICAL GLASS RAILING
A201 SCALE N.T.S.

GENERAL NOTE:

- ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF ARCHITECT/GAMA ENG. AND MUST BE RETURNED UPON REQUEST
- REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S CONSENT IN WRITING.
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1	AUG.20.20	ISSUED FOR MINOR VARIANCE	WM	WAM
No.	DATE	REVISIONS	INITIAL	CHECKED
GAMA Engineering Inc.			SEAL:	
8611 Weston Road, Suite 35B - Vaughan, Ontario - L4L 9P1 Tel: 905-264-9295 www.gamaeng-inc.com			AUG 20 2020 OFFICE OF ONTARIO	
CLIENT/OWNER: 2437637 ONTARIO INC. 218 EXPORT BLVD., SUITE 408, MISSISSAUGA, ONTARIO, L5T 1Y4 TEL: 416-951-7253				
PROJECT/ADDRESS: 327 WOODLAWN ROAD WEST (HWY NO. 7) GUELPH, ONTARIO				
CITY FILE NO.: SP19-038				
TITLE: OUTDOOR PATIO FLOOR PLAN				
DESIGN:	WAM	DWN BY:	WT	DRAWING No.
SCALE:	AS NOTED	DWG. FILE:	1942-A201A	A201P
DATE:	AUG.20.20	PROJ. No.	1942	

PLAN OF SURVEY
WITH TOPOGRAPHIC FEATURES OF
**PART 1
CONCESSION 5, DIVISION D**
(GEOGRAPHIC TOWNSHIP OF GUELPH)
BEING IN THE
CITY OF GUELPH
COUNTY OF WELLINGTON
SCALE 1 : 200
Mackay, Mackay & Peters Limited - ONTARIO LAND SURVEYORS
© 2019

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

Legend:

- DENOTES A SURVEY MONUMENT FOUND
- DENOTES A SURVEY MONUMENT PLANTED
- SB DENOTES STANDARD IRON BAR
- WT DENOTES WITNESS
- SSB DENOTES SHORT STANDARD IRON BAR
- RB DENOTES IRON BAR
- CD DENOTES CUT GROUND
- R DENOTES ROUND
- PN DENOTES PROPERTY IDENTIFICATION NUMBER
- K DENOTES CENTRE LINE
- P1 DENOTES REGISTERED PLAN 630
- P2 DENOTES PLAN 618-3346
- P3 DENOTES PLAN 618-10312
- D1 DENOTES INST. NO. R0788949
- D2 DENOTES CALCULATED FROM D1 AND P3
- ULS DENOTES UTILITY LIGHT STANDARD
- HYW DENOTES HYDRO POLE WOOD
- OW DENOTES GUY WIRE
- STMH DENOTES STORM MANHOLE
- SMH DENOTES SANITARY MANHOLE
- WH DENOTES MANHOLE
- RS DENOTES ROAD SIGN
- WSV DENOTES WATER SERVICE VALVE
- TH DENOTES TRAFFIC HANDLE
- GM DENOTES GAS MAIN
- BT DENOTES BELL TELEPHONE
- FL DENOTES FUEL LIFTING
- W DENOTES WATER MAIN
- WS DENOTES WATER SERVICE
- SSW DENOTES SANITARY SEWER
- STH DENOTES STORM SEWER
- DENOTES DECIDUOUS TREE SCALED TO CANOPY, TRUNK SIZE SHOWN IN METRES

Benchmark Note:

CITY OF GUELPH BENCHMARK N400119663687 (ELEVATION = 347.629 METRES
(COVERED 100' x 100' WITH REINFORCEMENT))
TOWNSHIP OF WEST MONTROSE: TABLET IN A CONCRETE PIER 0.30 METRES IN DIAMETER,
AT GROUND LEVEL, SOUTHEAST SIDE OF HIGHWAY NO. 7, 300 METRES NORTHWEST OF
ELMIRA ROAD, 74.4 METRES SOUTH FROM CENTRE OF INTERSECTION OF HIGHWAY NO. 7
AND LANEWAY TO RESIDENCE OF E. VOSS, 2.71 METRES SOUTHWEST FROM HYDRO POLE,
18.5 METRES NORTHEAST FROM A HYDRO POLE WITH A TRANSFORMER, 16.2 METRES
SOUTHEAST FROM CENTRE LINE OF HIGHWAY NO. 7 AND 1.0 METRES NORTHWEST FROM
THE FENCE.

Bearing Reference:

BEARINGS ARE ASTROMERIC AND ARE REFERRED TO THE NORTHEASTERLY LIMIT
ROAD, ROAD AS SHOWN ON REGISTERED PLAN 630, HAVING A BEARING
OF N45°10'00"W.

Surveyor's Certificate:

- I CERTIFY THAT
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT
AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 19TH DAY OF JULY, 2019.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2096635

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
IN ACCORDANCE WITH
Regulation 1026, Section 29(3)

DATE: JULY 19, 2019
FOR: MACKAY, MACKAY & PETERS LIMITED

ONTARIO LAND SURVEYORS
3380 SOUTH SERVICE ROAD
BURLINGTON, ONTARIO L7M 5J5
PHONE: (905) 639-1375
FAX: (905) 333-9944
e-mail: halton@mmlimited.com
Records of Sewell & Sewell
and Tolson & Tolson LTD.

DRAWN BY: M.S.
PARTY CHIEF: J.M.
CHECKED BY: J.M.
PROJECT NO: 19-147

PART OF LOT 1
CONCESSION 5
DIVISION D

PART 1
LOT 9
REGISTERED
PLAN 630

REGISTERED
PLAN 630

PART OF LOT 1
CONCESSION 5
DIVISION D

REGAL DRIVE
(DEDICATED BY REGISTERED PLAN 630)
PIN 71360-0069

WEST
ROAD
WOODLAWN
(ROAD ALLOWANCE BETWEEN DIVISIONS D AND E)
PIN 71360-0001

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sep 24, 2020	Folder #: A-48/20
	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 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: 327 WOODLAWN ROAD WEST, GUELPH, ON.

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

PART 1, CONCESSION 5, DIVISION D, CITY OF GUELPH, COUNTY OF WELLINGTON

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

Name: 2437637 ONTARIO INC.

Mailing Address: 218 Export Blvd., Suite 408

City: Mississauga Postal Code: L5T1Y4

Home Phone: _____ Work Phone: 416 951 7253

Fax: _____ Email: JAVED@INSPIRATIONGROUP.CA

AGENT INFORMATION (If Any)

Company: GAMA ENGINEERING INC.

Name: WAJID MANSURI

Mailing Address: 8611 WESTON RD., SUITE 35B

City: VAUGHAN Postal Code: L4L 9P1

Work Phone: 905-264-9295 Mobile Phone: 647-224-9295

Fax: _____ Email: WMANSURI@BELLNET.CA

Official Plan Designation: SERVICE COMMERCIAL	Current Zoning Designation: SC.1-50
---	-------------------------------------

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

OUTDOOR OPEN SPACE PATIO 60 SQ. M.

1-SECTION 4.17.2.6. OF THE ZONING BY-LAW STATES, WHERE PERMITTED, OUTDOOR PATIO SHALL BE PERMITTED WITHIN THE BUILDING ENVELOPE OF THE DEVELOPMENT ON SITE

2-Section 4.20.3 Fence Located in a front yard, side yard or Exterior side yard shall not be within 4.0 meters of a street line unless the height of such a fence is less than 0.8 meters.

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

Any outdoor patio is required to be within the required building zoning setbacks of the property - 6m exterior side yard is required. The proposed patio is within the 6m setback area of the building and can be only be positioned in this area to function with the building interior layout.

As minor variance is required to permit the reduced 3m front yard setback for an outdoor patio. ~~was~~ with a fence height of 1.42 meters

Note: MTO has confirmed and permitted the patio even it is within their 14 metre building setback from the property line. Note the City of Guelph building setback is met.

and the building and site plan are approved and the site is under construction.

PROPERTY INFORMATION

Date property was purchased:	May 1, 2019	Date property was first built on:	Vacant Land
Date of proposed construction on property:	July 1, 2020	Length of time the existing uses of the subject property have continued:	
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): New Commercial/Denny's Restaurant			

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

Frontage: 50.29 m

Depth: 63.70.29 m

Area: 3202.62 SQ.M.

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building n/a			Main Building		
Gross Floor Area:	n/a		Gross Floor Area:	375 sq.m.	
Height of building:			Height of building:	6.78 m	
Garage/Carport (if applicable) n/a			Garage/Carport (if applicable) n/a		
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck) n/a			Accessory Structures (Shed, Gazebo, Pool, Deck) n/a		
Describe details, including height: n/a			Describe details, including height: n/a		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:			M	Front Yard Setback:	6 M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	14 M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: M 18.91 Right: M 14.00
Rear Yard Setback			M	Rear Yard Setback	32.87 M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)				Site access from Regal Road of Woodlawn Rd. West (HWY 7) Other (Specify)
Provincial Highway	Municipal Road	<input checked="" type="checkbox"/>	Private Road	Water

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 type="checkbox"/>	<input checked="" type="checkbox"/>	SP19-038 - Approved
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20001090PN-Approved and under construction
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, DIRECTOR OF 2437687 ONTARIO INC. of the City/Town of
MISSISSAUGA in County/Regional Municipality of PEEL, solemnly
 declare that all of the above statements contained in this application are true and I make this solemn
 declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if
 made under oath and by virtue of the Canada Evidence Act.

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

City/Town of Mississauga in the County/Regional Municipality of
Peel this 20th day of August, 2020

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

HARSIMRAT KAUR AUJLA
 BARRISTER, SOLICITOR AND NOTARY PUBLIC
 Tel: 905-564-0040
 218 Export Blvd., Unit # 406,
 Mississauga, ON. L5S 0A7

APPOINTMENT AND AUTHORIZATION

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

2437639 ONTARIO INC.

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

of

827 WOODLAWN RD. W, GUELPH, ON

(Legal description and/or municipal address)

hereby authorize

WASID MANSURI

(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 20 day of AUG 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:

22 Washburn Drive

Proposal:

The applicant is proposing to convert the 21.7 square metre existing deck on the rear of the existing detached dwelling to a one-storey sunroom addition.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1C) Zone. A variance from Table 5.1.2 Row 8 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth [being 6.76 metres], whichever is less.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum rear yard setback of 5.7 metres for the proposed one-storey addition to the rear of the existing detached dwelling.

Hearing Details

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

Date: **Thursday, November 12, 2020**
Time: **4:00 p.m.**
Location: **Remote Committee of Adjustment hearing live streamed at guelph.ca/live**
Application Number: **A-49/20**

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

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

Additional Information

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

Notice of the Decision

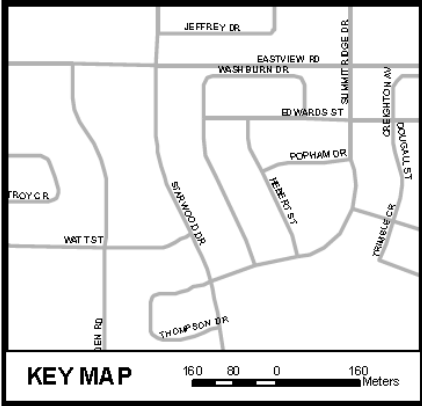
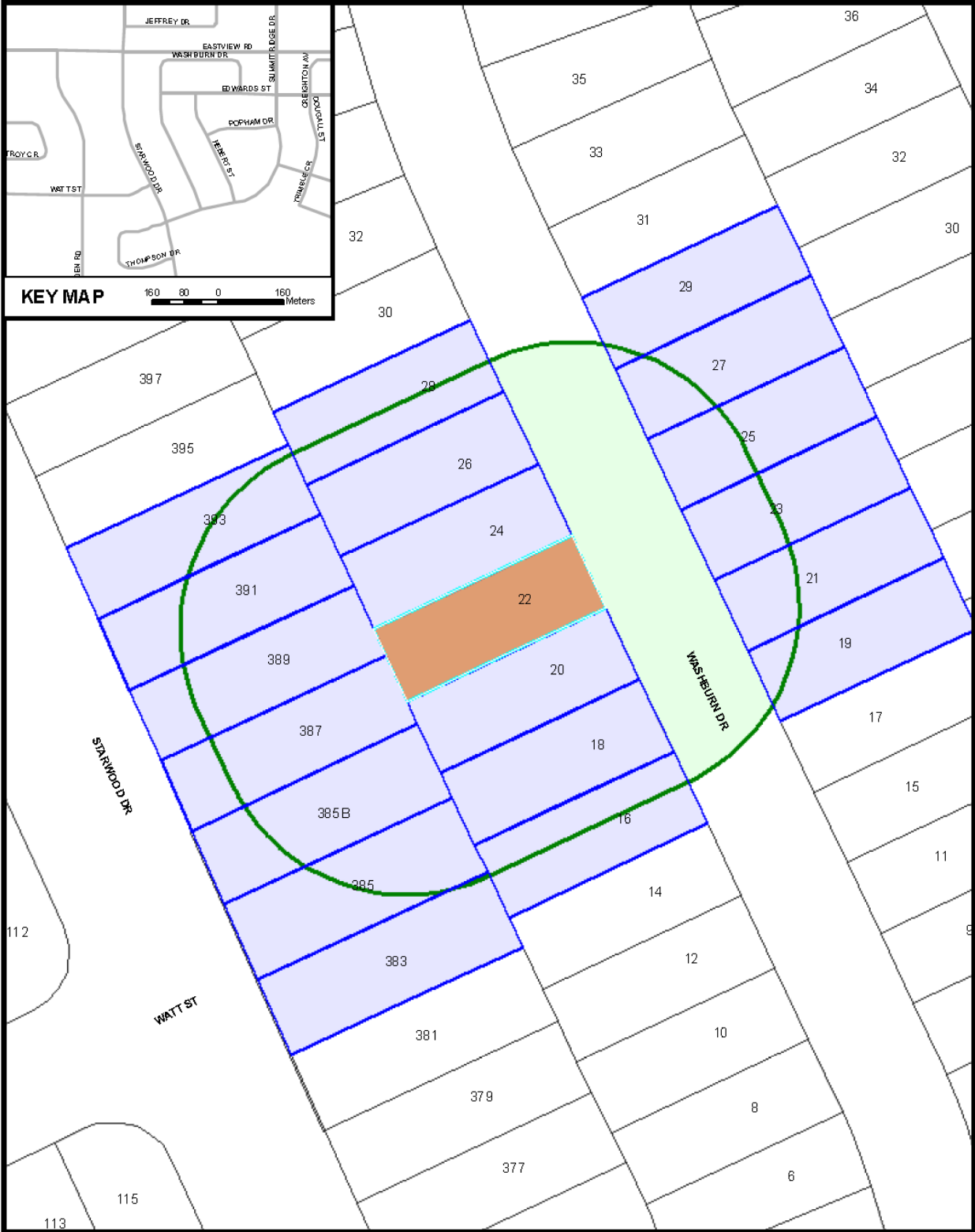
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

Notice Details

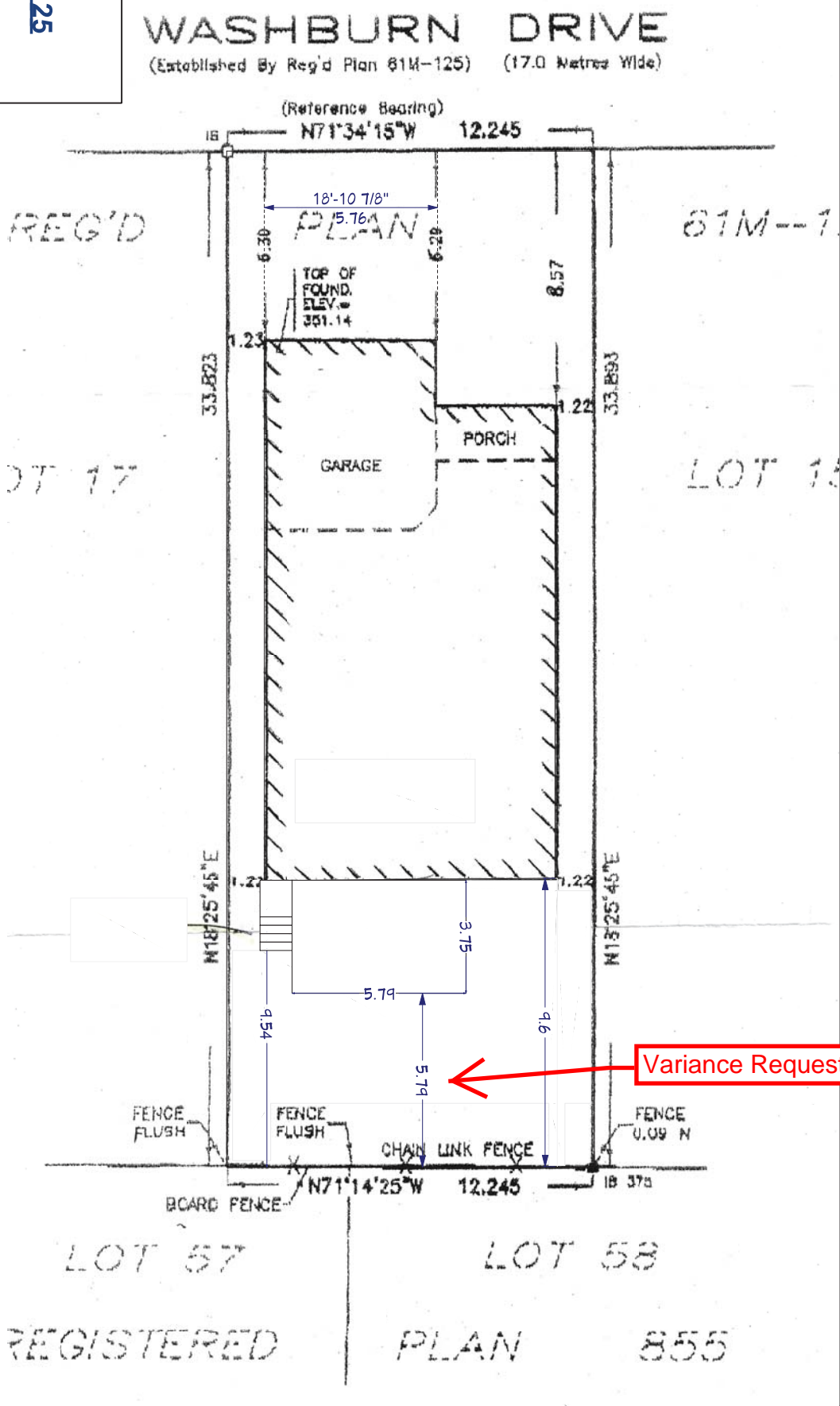
Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated October 23, 2020.

Contact Information

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



SITE PLAN DATA	
PLAN OF LOT 16	
REGISTERED PLAN 61M-125	
CITY OF GUELPH	
COUNTY OF WELLINGTON	
LOT AREA.....	414.16m ²
GFA.....	EXISTING.....165.18 m ²
	PROPOSED.....21.77 m ²
	TOTAL.....186.95 m ²
GFALOT AREA RATIO.....	45.14%



SCALE: 1"=200



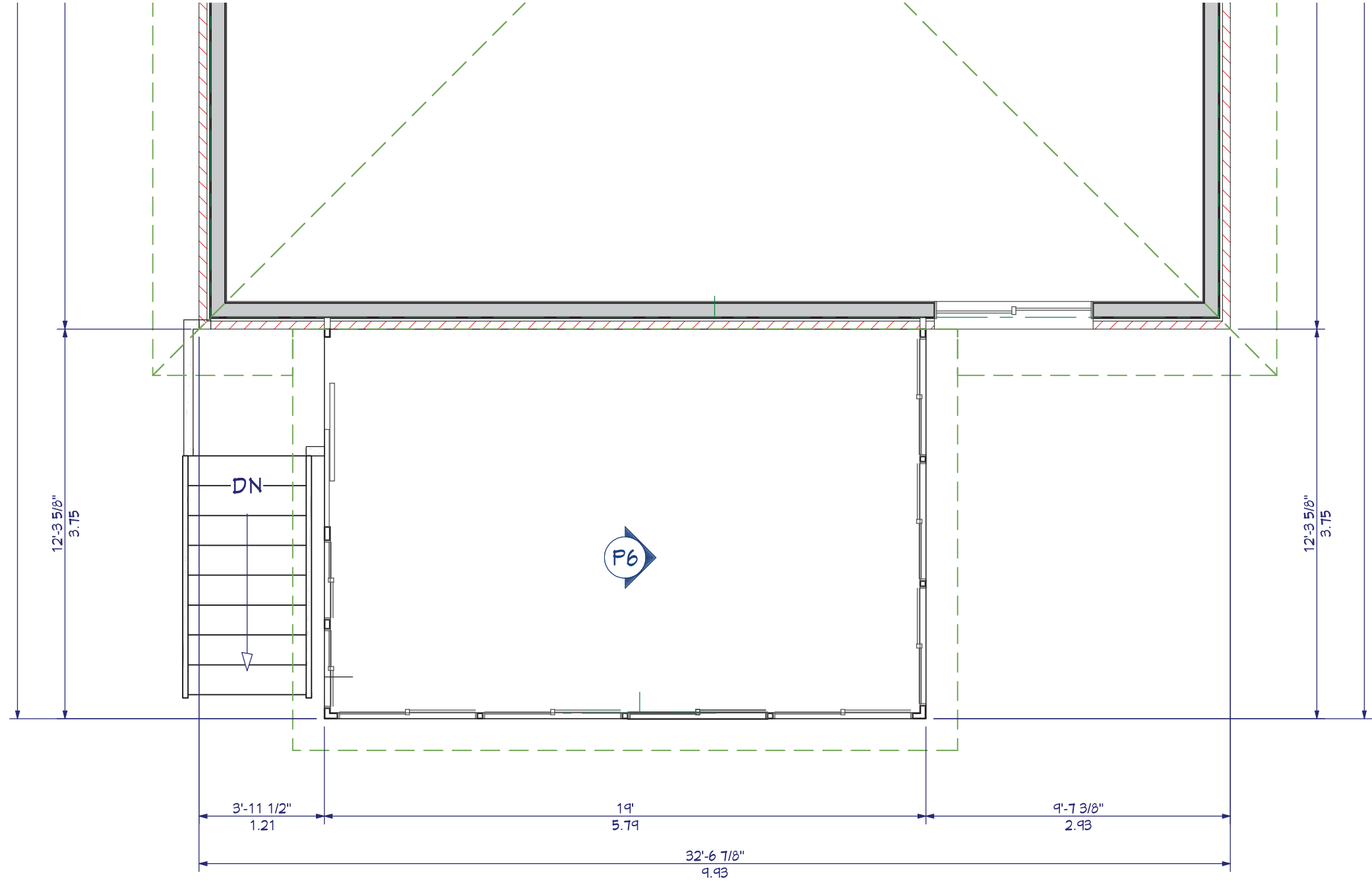
CONTRACTOR:
TROPICAL SUNROOMS, INC.
1486 VICTORIA ST. N
KITCHENER, ONT. N2B 3E2

OWNER:
GINO BUSATO
22 WASHBURN DR.
GUELPH, ONT, N1E 0B4
519-822-2976

1

I CERTIFY THAT I, SHAWN SAWATZKY, HAVE REVIEWED AND TAKE RESPONSIBILITY FOR THIS DESIGN AND I HAVE MET THE REQUIREMENTS AND QUALIFICATIONS AS SET OUT IN THE ONTARIO BUILDING CODE.
BCIN: 28441

DRAWN BY:
SMS



MAIN FLOOR

SCALE: 1/4" = 1'



CONTRACTOR:
TROPICAL SUNROOMS, INC.
1486 VICTORIA ST. N
KITCHENER, ONT. N2B 3E2

OWNER:
GINO BUSATO
22 WASHBURN DR.
GUELPH, ONT, N1E 0B4
519-822-2976

2

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REVIEWED AND TAKE RESPONSIBILITY FOR
THIS DESIGN AND I HAVE MET THE
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SET OUT IN THE ONTARIO BUILDING CODE.

BCIN: 28441

DRAW
N BY:

SMS



REAR ELEVATION

SCALE: 1/4" = 1'



CONTRACTOR:
TROPICAL SUNROOMS, INC.
1486 VICTORIA ST. N
KITCHENER, ONT. N2B 3E2

OWNER:
GINO BUSATO
22 WASHBURN DR.
GUELPH, ONT, N1E 0B4
519-822-2976

4

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SET OUT IN THE ONTARIO BUILDING CODE.
BCIN: 28441

DRAW
N BY:
SMS



UNPROTECTED OPENINGS
LEFT ELEVATION

TOTAL E,B,F = 782ft²
L.D. = 4' (1.2m)
GLASS ALLOWED = 7%
GLASS PROPOSED=52ft²

LEFT ELEVATION

SCALE: 1/4" = 1'



CONTRACTOR:
TROPICAL SUNROOMS, INC.
1486 VICTORIA ST. N
KITCHENER, ONT. N2B 3E2

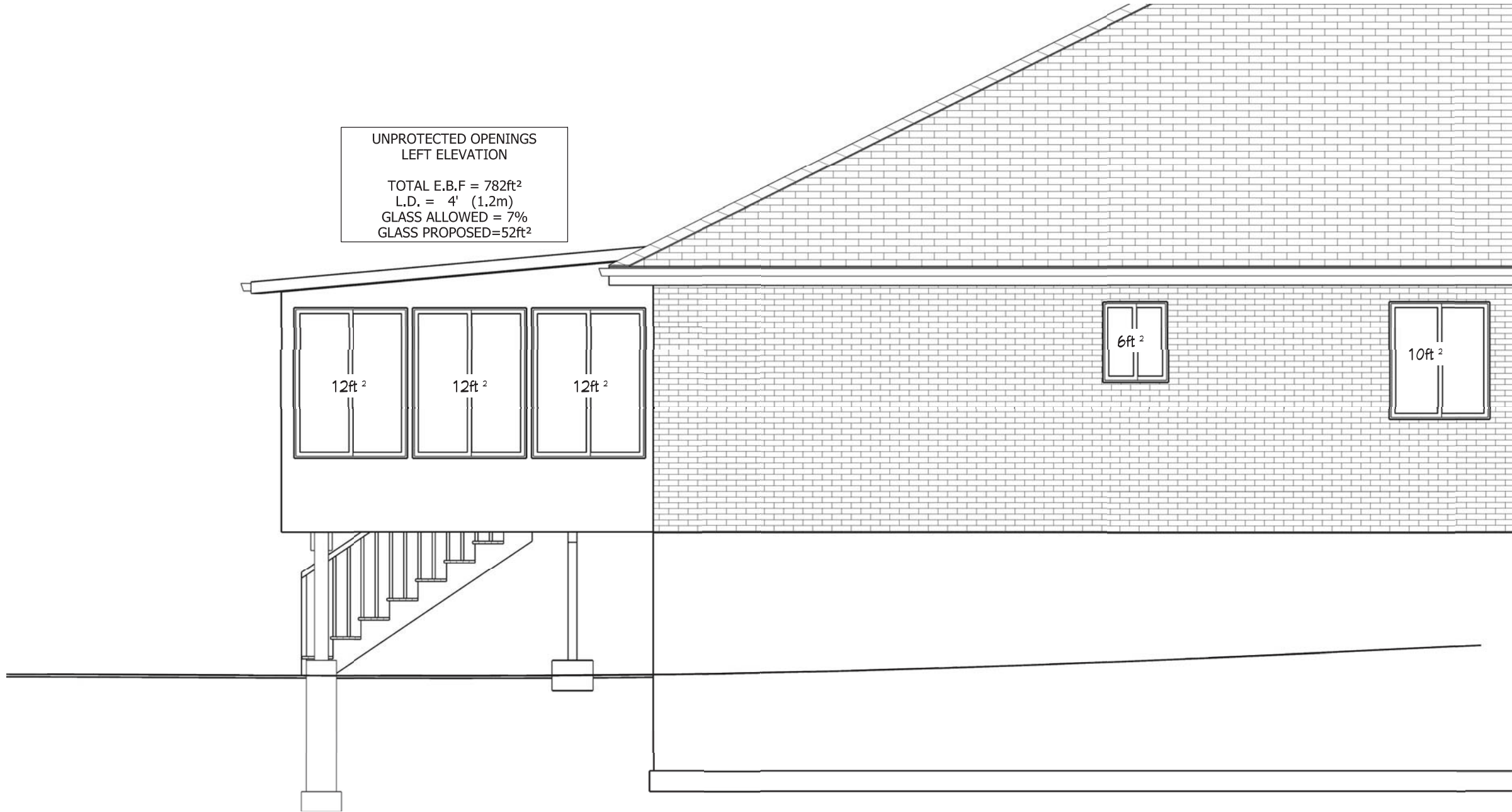
OWNER:
GINO BUSATO
22 WASHBURN DR.
GUELPH, ONT, N1E 0B4
519-822-2976

5

I CERTIFY THAT I, SHAWN SAWATZKY, HAVE
REVIEWED AND TAKE RESPONSIBILITY FOR
THIS DESIGN AND I HAVE MET THE
REQUIREMENTS AND QUALIFICATIONS AS
SET OUT IN THE ONTARIO BUILDING CODE.

DRAW
N BY:
SWS

BCIN: 28441



UNPROTECTED OPENINGS
LEFT ELEVATION

TOTAL E.B.F = 782ft²
L.D. = 4' (1.2m)
GLASS ALLOWED = 7%
GLASS PROPOSED=52ft²

RIGHT ELEVATION

SCALE: 1/4" = 1'



CONTRACTOR:
TROPICAL SUNROOMS, INC.
1486 VICTORIA ST. N
KITCHENER, ONT. N2B 3E2

OWNER:
GINO BUSATO
22 WASHBURN DR.
GUELPH, ONT, N1E 0B4
519-822-2976

6

I CERTIFY THAT I, SHAWN SAWATZKY, HAVE
REVIEWED AND TAKE RESPONSIBILITY FOR
THIS DESIGN AND I HAVE MET THE
REQUIREMENTS AND QUALIFICATIONS AS
SET OUT IN THE ONTARIO BUILDING CODE.

DRAW
N BY:
SMS

BCIN: 28441

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Oct 13, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-49/20

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: 22 Washburn Dr.

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

LOT 16 REGISTERED PLAN 61M-125 CITY OF GUELPH

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

Name: Gino and Laura Busato

Mailing Address: 22 Washburn Dr.

City: Guelph Postal Code: N1E 0B4

Home Phone: 519-822-2976 Work Phone: _____

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Company: Tropical Sunrooms, Inc.

Name: Shawn Sawatzky

Mailing Address: 1486 Victoria St. N

City: Kitchener Postal Code: N2B 3E2

Work Phone: 519-742-3525 Mobile Phone: _____

Fax: _____ Email: shawn@tropicalsunrooms.com

Official Plan Designation: Low Density Residential	Current Zoning Designation: R1.C
--	----------------------------------

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

Proposing to build a sunroom on existing deck in the rear yard of a single family dwelling at 22 Washburn Dr., Guelph.

A minor variance submission for the rear yard setback.

Current zoning by law Table. 5.1.2, Row 8 for a setback of 5.79m instead of the required 6.76m (20% of lot depth).

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

We are proposing to build the sunroom on an existing deck and footings. It would be impractical and far too small of a sunroom to comply.

PROPERTY INFORMATION

Date property was purchased:	Nov. 2006	Date property was first built on:	2006
Date of proposed construction on property:	Winter 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:	Depth:	Area:
12.245m	33.823m	414.16 sq.m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	165.18 sq.m		Gross Floor Area:	TOTAL 186.95 sq.m	
Height of building:	6.81m		Height of building:	2.54m	
Garage/Carport (if applicable)			Garage/Carport (if applicable) n/a		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:	5.48m		Width:		
Length:	6.34m		Length:		
Driveway Width:	5.76m		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck) none			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Existing single family dwelling 165.18 sq.m / 6.81m (h)			Describe details, including height: Proposed unheated sunroom 5.79m (w) x 3.75m / 2.54m (h) 21.77 sq.m		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	6.29m		M	Front Yard Setback:	6.29m M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M 1.23m	Right: M 1.22m		Side Yard Setback:	Left: M 1.23m Right: M 1.22m
Rear Yard Setback	9.54m		M	Rear Yard Setback	5.7m 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.

Shawn Sawatzky

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION


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


Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

Declared remotely by Juan A. da Silva C., of the City/Town of Guelph in the County/Regional Municipality of Wellington before me at the City/Town of Oakville in the County/Regional Municipality of Halton this 13 day of October, 2020, in accordance with

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


Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

Gino Busato

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

of 22 Washburn Dr.

(Legal description and/or municipal address)

hereby authorize Shawn Sawatzky

(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 7th day of October 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 Consent [New Lot] has been filed with the Committee of Adjustment

Application Details

Location:

151 Cityview Drive North

Proposal:

The applicant is proposing to sever the vacant property to create a new residential lot and construct a single detached dwelling on the severed parcel and the retained parcel. Due to the creation of the new lot, a minor variance application has been submitted (file A-51/20, see attached) for the severed parcel.

By-Law Requirements:

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

Request:

The applicant proposes to sever a parcel of land with frontage along Cityview Drive North of 10.8 metres and an area of 681 square metres. The retained parcel will have frontage along Cityview Drive North of 12.0 metres and an area of 754 square metres.

Hearing Details

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

Date: **Thursday, November 12, 2020**

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

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

Application Number: **B-14/20**

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

Additional Information

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

Notice of the Decision

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

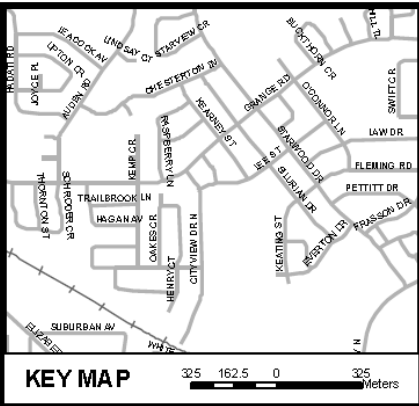
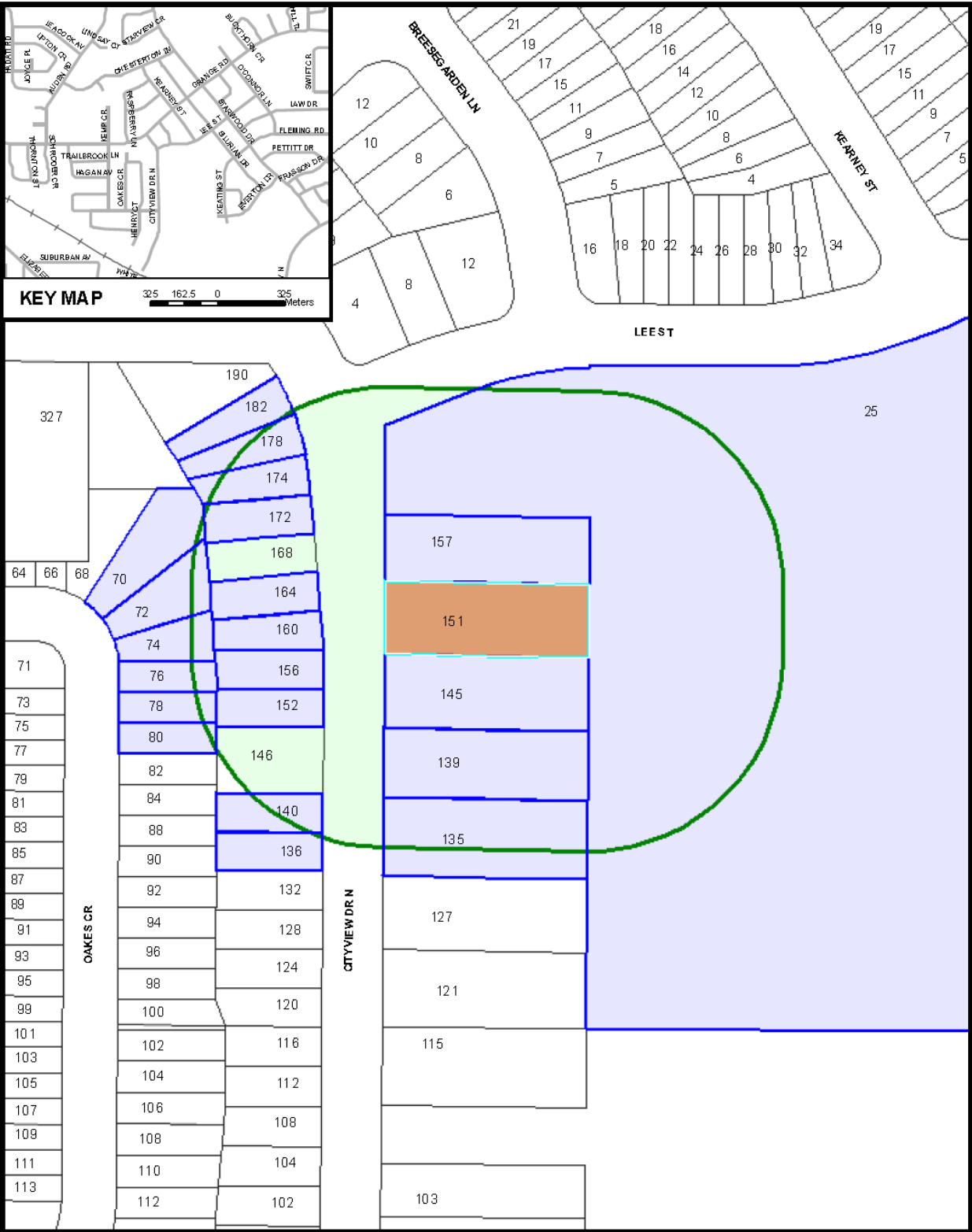
If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect to the proposed consent who has not made a written submission to the City of Guelph Committee of Adjustment or a verbal presentation to the Committee before it gives or refuses a provisional consent,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

Notice Details

Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated this October 23, 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



Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

151 Cityview Drive North

Proposal:

The applicant is proposing to sever the vacant property to create a new residential lot and construct a single detached dwelling on the severed parcel and the retained parcel (File B-14/20, see attached). Due to the creation of the new lot, a minor variance application has been submitted to recognize the reduced lot frontage for the proposed severed parcel.

By-Law Requirements:

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

The By-law requires a minimum lot frontage of 12 metres.

Request:

The applicant is seeking relief from the By-Law requirements to permit a minimum lot frontage of 10.8 metres for the severed parcel.

Hearing Details

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

Date: **Thursday, November 12, 2020**

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

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

Application Number: **A-51/20**

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.

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

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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 October 23, 2020.

Contact Information

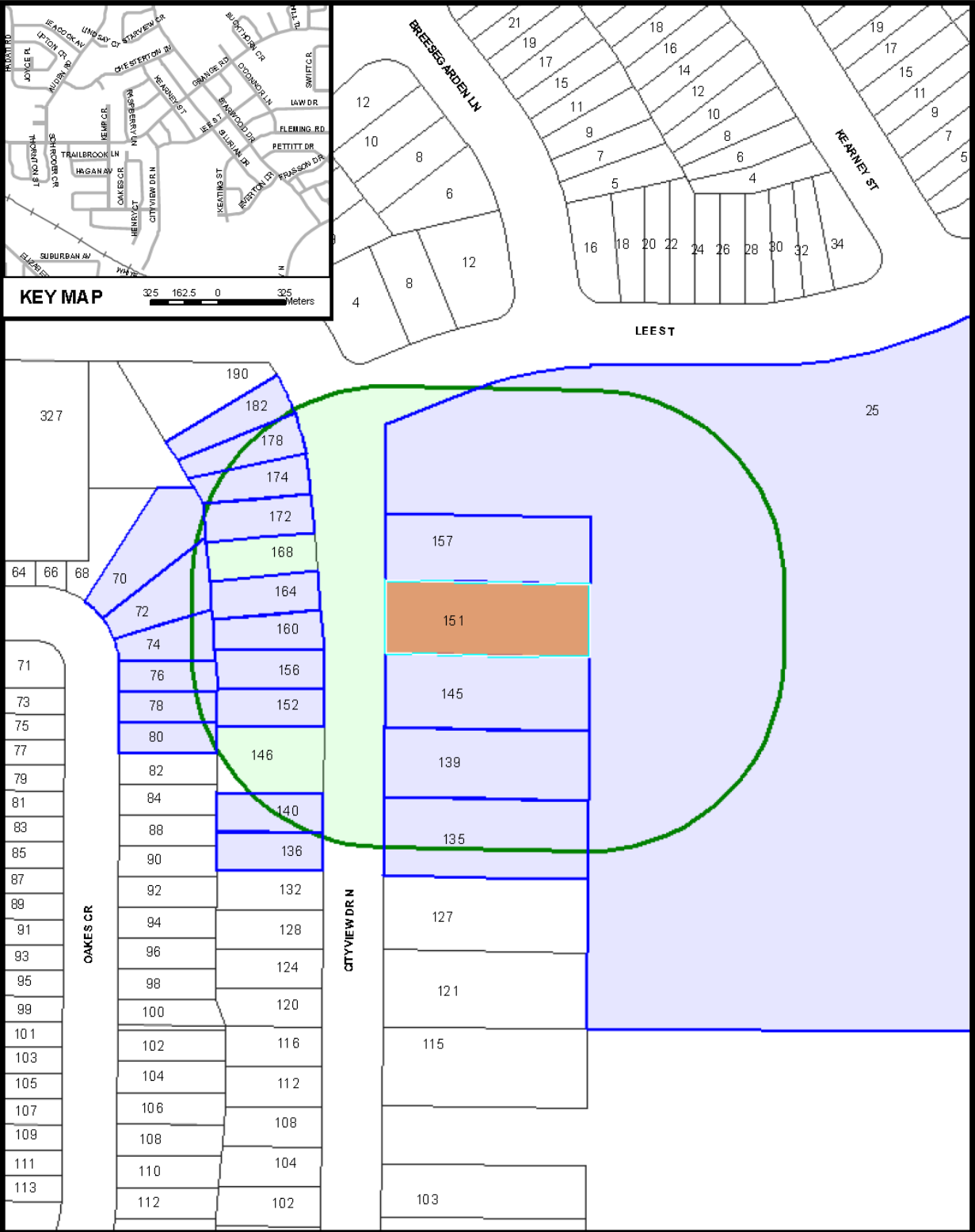
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1


519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771


guelph.ca/cofa






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

151 Cityview Drive (B-14/20 and A-51/20)
60m Circulation Area





The City of Guelph, its employees and agents, do not warrant the precision or validity of the content of the digital or hardcopy map files, and will not be liable for any claims for damages or loss arising from their application or interpretation, in any ability. It is recommended to engage a surveyor or be used for legal description. This map may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-825-1300.

SEVERANCE & MINOR VARIANCE SKETCH

ALL OF LOT 19, REGISTERED PLAN 462

CITY OF GUELPH

COUNTY OF WELLINGTON

"WILLIAM C. WINEGARD PUBLIC SCHOOL"

ZONING : INSTITUTIONAL (I.1-14)

PIN 71493 - 2794

O.P. : OPEN SPACE & PARK

LOT 14

LOT 13

LOT 12

REGISTERED

PLAN

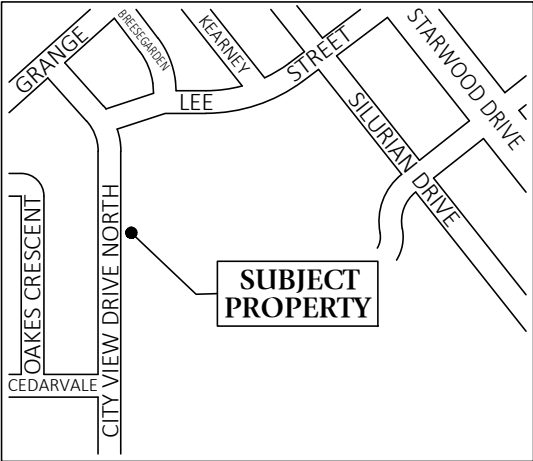
462

SCALE 1 : 300

0 5 10 15 meters

VAN HARTEN SURVEYING INC.

KEYMAP:



NOTES:

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

MINOR VARIANCE REQUEST

TO PERMIT A REDUCED LOT FRONTAGE OF THE SEVERED PARCEL TO BE 10.8m INSTEAD OF 12.0m AS REQUIRED IN TABLE 5.1.2, ROW 4 OF THE ZONING BY-LAW.

ZONING DESIGNATION: RESIDENTIAL R.1C - SINGLE DETACHED DWELLING

REGULATIONS - TABLE 5.1.2	REQUIRED	SEVERED PARCEL	RETAINED PARCEL
MINIMUM Lot Area	370m ²	681m ²	754m ²
MINIMUM Lot Frontage	12.0m	10.8m (A)	12.0m
MINIMUM Front Yard	6.0m	12.0m	8.5m
MINIMUM Interior Side Yard	1.2m	1.2m	1.2m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth (whichever is less)	32m	35m

(A) = Minor Variance Required

CITYVIEW DRIVE NORTH

(FORMERLY GALT AVENUE BY PLAN 462)

20.12m WIDE

PIN 71493 - 2790

ESTABLISHED BY REGISTERED PLAN 55

SURVEYOR'S CERTIFICATE:

THIS SKETCH WAS PREPARED ON THE 13th DAY OF OCTOBER, 2020

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

Waterloo
Ph: 519-742-8371

Guelph
Ph: 519-821-2763

Orangeville
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY:

ARN

CHECKED BY:

JEB

PROJECT No. 28707-20

Oct 21, 2020-2:21:21 PM

G:\GUELPH\462\ACAD\SEV LOT 19 (PREZIE) UTM.dwg

LANDS TO BE
RETAINED
AREA=754m²

LANDS TO BE
SEVERED
AREA=681m²

REGISTERED

PLAN

462

ZONING :
URBAN
RESERVE

PIN 71493 - 0742

LOT 18

#157

ENCLOSED
PORCH

CONCEPTUAL
PROPOSED
DWELLING
AREA=181m²

GARAGE

PROPOSED
DRIVEWAY

CONCEPTUAL
PROPOSED
DWELLING
AREA=158m²

GARAGE

PROPOSED
DRIVEWAY

(A)

#145

PIN 71493 - 0744

ASPHALT
DRIVE

#160

LOT 7

PIN 71344 - 0723

DENSITY

61M --

RESIDENTIAL

#156

LOT 8

PIN 71344 - 0724

RESIDENTIAL

181

R.1C

#164

LOT 6

PIN 71344 - 0722

LOW

PLAN

#168

LOT 5

PIN 71344 - 0721

O.P. :

REGISTERED

ZONING :

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Oct 13, 2020	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-14/20

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: 151 Cityview Drive/~~Guelph~~ North

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

All of Lot 19, Registered Plan 462

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

If yes, describe:

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

If yes, explain: Mortgage as in INST No. WC612466

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

Name: Besnik Prebreza & Alend Azad Salim

Mailing Address: 42 Zeffer Place

City: Kitchener Postal Code: N2A 3Y8

Home Phone: 519-444-4672 Work Phone: _____

Fax: _____ Email: eliteempire519@gmail.com

AGENT INFORMATION (If Any)

Name: Jeff Buisman

Company: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph Postal Code: N1H 3X3

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

Fax: 519-821-2770 Email: jeff.buisman@vanharten.com

PURPOSE OF APPLICATION (please check appropriate space):

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

Proposal is to sever a vacant parcel for urban residential purposes. The severed parcel will have an area of 681m² and a single-detached dwelling is proposed. The retained parcel will have an area of 754m² where a single-detached dwelling is also proposed.

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

Future owner not known

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) 10.8m	Depth (m) 62.8m	Area: (m ²) 681m²	Existing Use: Residential	Proposed Use: No Change
Existing Buildings/Structures: Vacant Parcel			Proposed Buildings / Structures: Dwelling	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): Residential	

DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) 12.0	Depth (m) 62.9m	Area: (m ²) 754m²	Existing Use: Residential	Proposed Use: No Change
Existing Buildings/Structures: Vacant Parcel			Proposed Buildings / Structures: Dwelling	
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? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
--	--

LAND USE

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

Low Density Greenfield ResidentialDoes the proposal conform with the City of Guelph Official Plan? ☒ YES ☐ NO

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

The property is designated as Low Density Residential in the Official Plan. This proposal follows the objectives outlined in Section 9.3 of the Official Plan for Residential Designations. This proposal is for a severance which will allow for two in-fill developments and the application also follows the Consent Policies listed in Section 10.10.1 of the OP.

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

File No.: _____ Status: _____

What is the current zoning designation of the subject lands:

Residential R.1CDoes the proposal for the subject lands conform to the existing zoning? ☐ YES ☒ NOIf no, has an application for a minor variance or rezoning been submitted? ☒ YES ☐ NO

File No.: _____ Status: **A minor variance is being submitted with this consent application**

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

Provide explanation:

Section 1.1.3 of the PPS directs growth to occur within settlement areas. This application is for a severance which will allow for two new in-fill developments within the City and therefore, conforms with the PPS.

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

Provide explanation:

The Growth Plan for the GGH is coordinating for growth across the region including population and employment forecasts. This application is for a severance which will allow for two new in-fill developments within the City and therefore, conforms with the Growth Plan.

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

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

HISTORY OF SUBJECT LAND**Has the subject land ever been the subject of:**

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

If yes, provide the following:

File No.: _____ Status: _____

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

If yes, provide the following:

File No.: _____ Status: _____

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

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

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

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

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

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

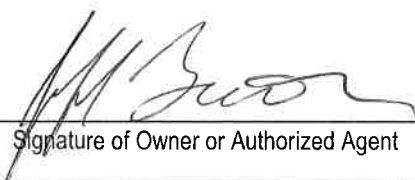
POSTING OF ADVISORY SIGN

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.



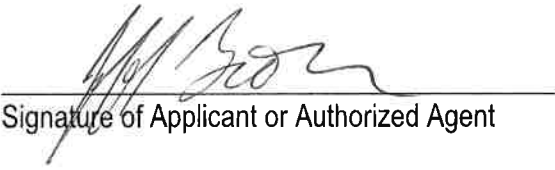
Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, **Jeff Buisman of Van Harten Surveying Inc.**, of the City/Town of
Guelph in County/~~Regional Municipality~~ of **Wellington**, solemnly

declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


 Signature of Applicant or Authorized Agent

 Signature of Applicant or Authorized Agent

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

Declared before me at the

City of **Guelph** in the County/~~Regional Municipality~~ of
 (city or town)
Wellington this **13** day of **October**, 20 **20**.


 Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Besnik Prebreza & Alend Azad Salim

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

being the registered property owner(s) of

All of Lot 19, Reg'd Plan 462 / 151 Cityview Drive

(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying Inc.**
(Authorized agent's name)

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

Dated this Tuesday day of 15 Sept. 2020.

X Besnik P.
(Signature of the property owner)

X Alend B. Salim
(Signature of the property owner)

NOTES:

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

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Oct 13, 2020	Folder #: A-51/20
	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 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: 151 Cityview Drive/~~Guelph~~ North

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

All of Lot 19, Registered Plan 462

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

Name: Besnik Prebreza & Alend Azad Salim

Mailing Address: 42 Zeffer Place

City: Kitchener Postal Code: N2A 3Y8

Home Phone: 519-444-4672 Work Phone: _____

Fax: _____ Email: eliteempire519@gmail.com

AGENT INFORMATION (If Any)

Company: Jeff Buisman

Name: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph Postal Code: N1H 3X3

Work Phone: _____ Mobile Phone: 519-821-2763 ext. 225

Fax: 519-821-2770 Email: jeff.buisman@vanharten.com

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

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

A severance application is being applied for and this minor variance is being submitted simultaneously to address the reduced lot frontage deficiency as a result of the severance. The request is as follows:

A) To permit a reduced lot frontage of the severed parcel to be 10.8m instead of 12.0m as required in Section 5.1.2, Row 4 of the Zoning By-law.

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

See covering letter for justification on variance.

PROPERTY INFORMATION

Date property was purchased:	October 2020	Date property was first built on:	Vacant Parcel
Date of proposed construction on property:	Pending severance & minor variance approval	Length of time the existing uses of the subject property have continued:	N/A
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential - No Change			

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

Frontage: **10.8m** Depth: **62.8m** Area: **681m²**
Severed Parcel:

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building N/A			Main Building Dwelling is conceptual (subject to change)		
Gross Floor Area:			Gross Floor Area:	158m ²	
Height of building:			Height of building:	2 storey	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:	6.0m	
Length:			Length:	6.0m	
Driveway Width:			Driveway Width:	6.0m	
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 Dwelling is conceptual (subject to change)		
Front Yard Setback:			M	Front Yard Setback:	12.0m M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	N/A M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: M 1.2m Right: M 1.2m
Rear Yard Setback			M	Rear Yard Setback	32m 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			Application being submitted simultaneously

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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PERMISSION TO ENTER

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

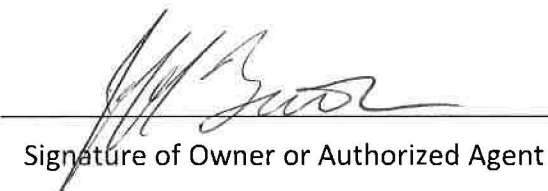
POSTING OF ADVISORY SIGN

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

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

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

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


 Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Wellington

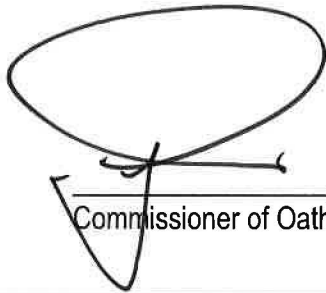
this

13

day of

October

, 20 20


 Commissioner of Oaths

James Michael Laws,
 a Commissioner, etc.,
 Province of Ontario,
 for Van Harten Surveying Inc.
 Expires March 1, 2021 (Official Stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

Besnik Prebreza & Alend Azad Salim

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

of **All of Lot 19, Reg'd Plan 462 / 151 Cityview Drive**
(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying Inc.**
(Authorized agent's name)

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

Dated this Tuesday day of 15 sept. 2020.

X Besnik P
(Signature of the property owner)

X alend Salim
(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.

October 13, 2020

28707-20

Jeff.Buisman@vanharten.com

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

Attention: Mr. Juan da Silva

Dear Mr. da Silva:

Re: Severance & Minor Variance Applications & Sketch
151 Cityview Drive
All of Lot 19, Plan 462
PIN 71493-0743
City of Guelph

Please find enclosed an application for a severance and minor variance on the above-mentioned property. Included with this submission are copies of the sketch, completed application forms, the required deeds, and PIN Report and Map. A cheque to the City of Guelph for \$2,846 for the application fees will be mailed to the City.

Proposal:

The proposal is to sever the subject property at 151 Cityview Drive (PIN 71493-0743) essentially in half to create a new parcel for urban residential purposes. The property is currently vacant and the proposal is to construct a single-detached dwelling with legal accessory apartment on each parcel. The Severed Parcel will have a width of 10.8m, depth of 62.8m for an area of 681m² and the Retained Parcel will have a width of 12.0m, depth of 62.9m for an area of 754m².

The Severed Parcel requires a Minor Variance for the reduced lot frontage and this application is included in the submission package. The request is as follows:

- A) To permit the severed parcel to have a lot frontage of 10.8m instead of 12.0m as required in Table 5.1.2, Row 4 of the Zoning By-law.**

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

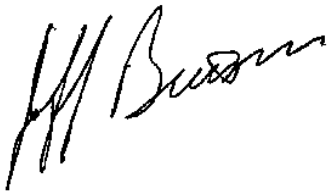
There was consideration given to split the parcel evenly and have a Minor Variance on both parcels, however we felt that the wider lot on the left will allow for more flexibility for the possible preservation of trees along the northwest property line.

We consider this request to be minor as it follows the general intent of the Official Plan and Zoning By-law and will not have a negative effect on the neighbouring parcels. Even with the reduced frontage, the lot area of 680m² is 1.8 times greater than the minimum area requirement of 370m². There is a similar development a few properties to the south at 127 Cityview Drive. This property was zoned (R.1C-31) to permit a reduced frontage of 11.43m.

This proposal is very practical and provides a great opportunity for an in-fill development and to intensify the lands for residential purposes while adhering to all but one Residential R.1C zoning requirements. Preliminary discussions were held with the City of Guelph Staff and no concerns have yet been raised.

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

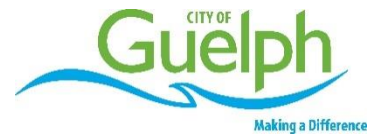
Very truly yours,
Van Harten Surveying Inc.



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

cc Besnik Prebreza

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

25 Heather Avenue

Proposal:

The applicant is proposing sever the property to create a new residential lot and construct a single detached dwelling on the severed parcel. The applicant is also proposing to maintain the existing one-storey single detached dwelling on the retained parcel. Due to the creation of the new lot, minor variance applications have been submitted (Files A-52/20 and A-53/20, see attached) for the severed and retained parcels.

By-Law Requirements:

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

Request:

The applicant proposes to sever a parcel of land with frontage along Floral Drive of 15.3 metres and an area of 396 square metres. The retained parcel will have frontage along Floral Drive of 22.8 metres and an area of 585 square metres.

Hearing Details

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

Date:	Thursday, November 12, 2020
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	B-15/20

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

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

Additional Information

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

Notice of the Decision

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

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

Notice Details

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated this October 23, 2020.

Contact Information

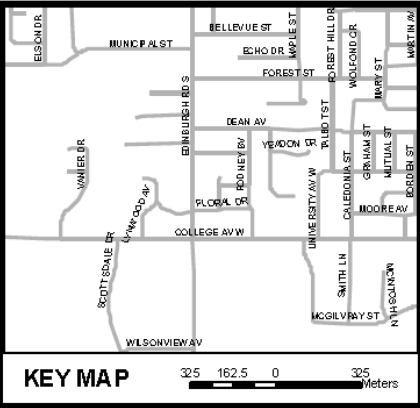
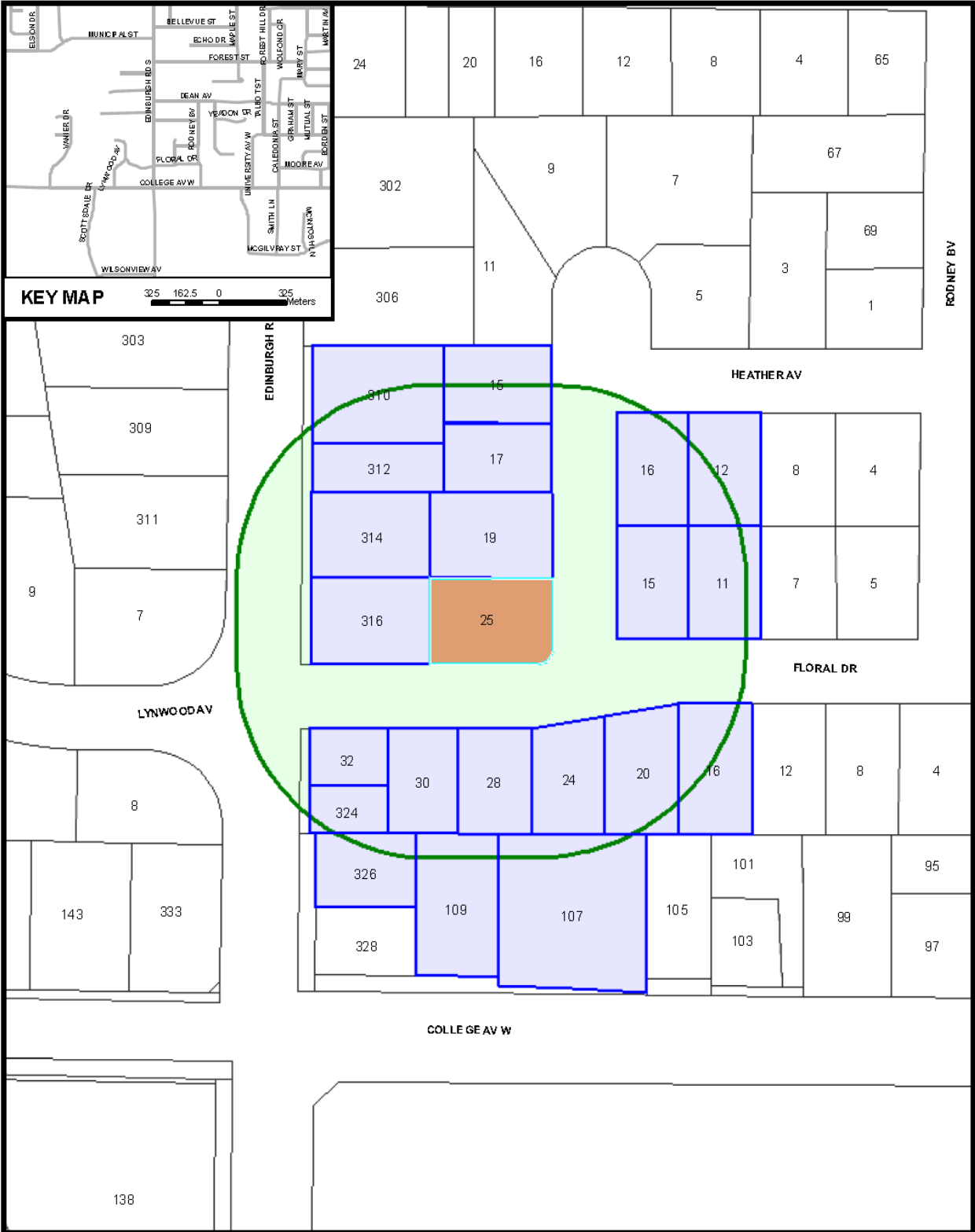
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa



Committee of Adjustment Notice of Public Hearing



Applications for Minor Variance(s) have been filed with the Committee of Adjustment

Application Details

Location:

25 Heather Avenue

Proposal:

The applicant is proposing sever the property to create a new residential lot and construct a single detached dwelling on the severed parcel (File B-15/20, see attached). The applicant is also proposing to maintain the existing one-storey single detached dwelling on the retained parcel. Due to the creation of the new lot, minor variance applications have been submitted for the severed and retained parcels.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1B) Zone. Variances from Table 5.1.2 Rows 3 and 8, and Section 4.13.2.1 of Zoning By-law (1995)-14864, as amended, are being requested.

The By-law requires:

File A-52/20 (severed parcel)

- a) a minimum lot area of 460 square metres in the Residential Single Detached (R.1B) Zone.

File A-53/20 (retained parcel)

- a) a minimum rear yard setback of 7.5 metres or 20 percent of the lot depth [being 5.2 metres], whichever is less; and
- b) that in a R.1, R.2 and R.3B zone, every required parking space shall be located a minimum distance of 6 metres from the street line and to the rear of the front wall of the main building.

Request:

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

File A-52/20 (severed parcel)

- a) a minimum lot area of 396 square metres.

File A-53/20 (retained parcel)

- a) a minimum rear yard setback of 2.7 metres; and
- b) the required parking space to be located a minimum distance of 1.8 metres from the street line and to the front of the front wall of the dwelling.

Hearing Details

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

Date: **Thursday, November 12, 2020**

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

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

Application Numbers: **A-52/20 and A-53/20**

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

Additional Information

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

Notice of the Decision

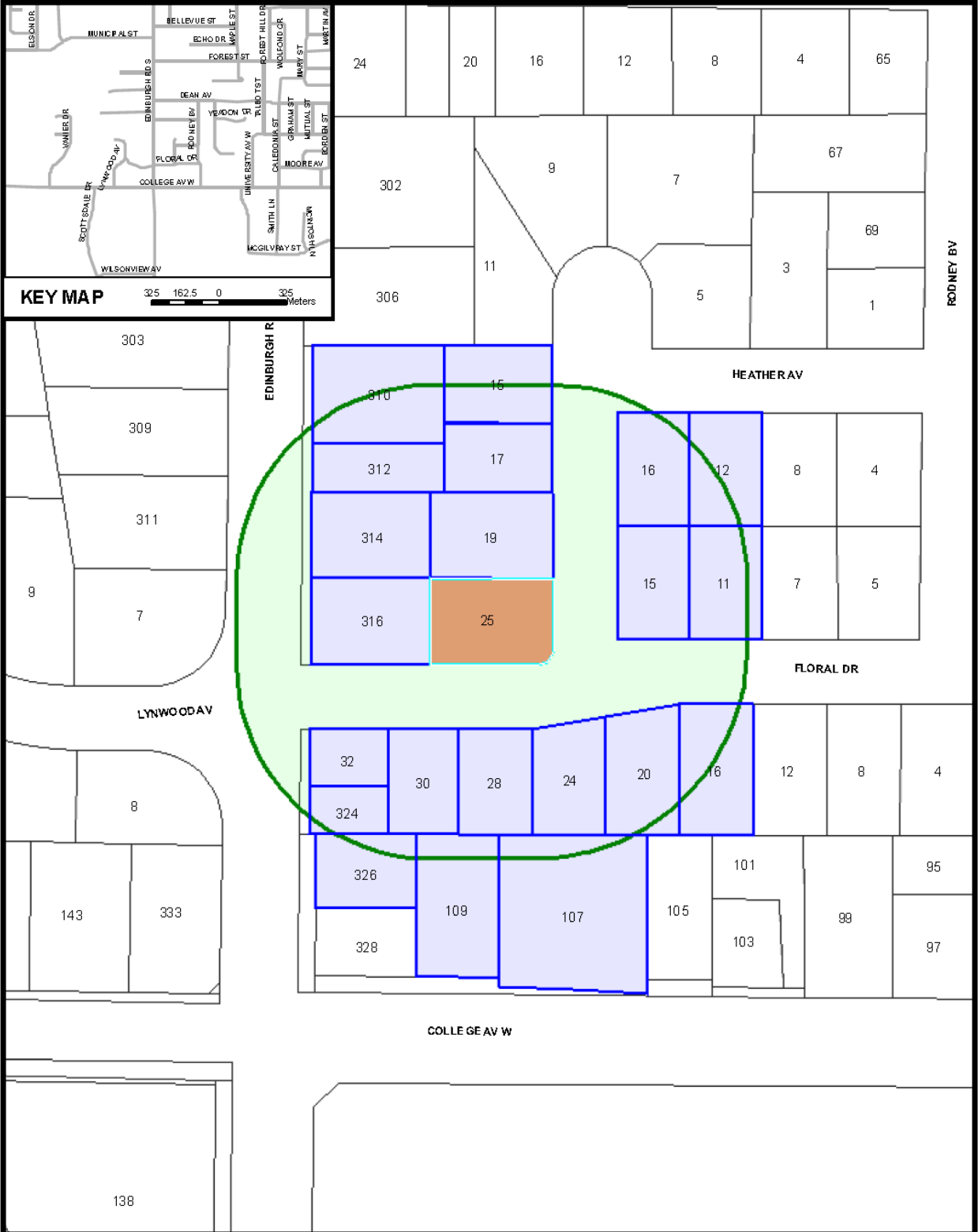
If you wish to be notified of the decision of the City of Guelph Committee of Adjustment in respect of the proposed minor variance, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process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

Notice Details

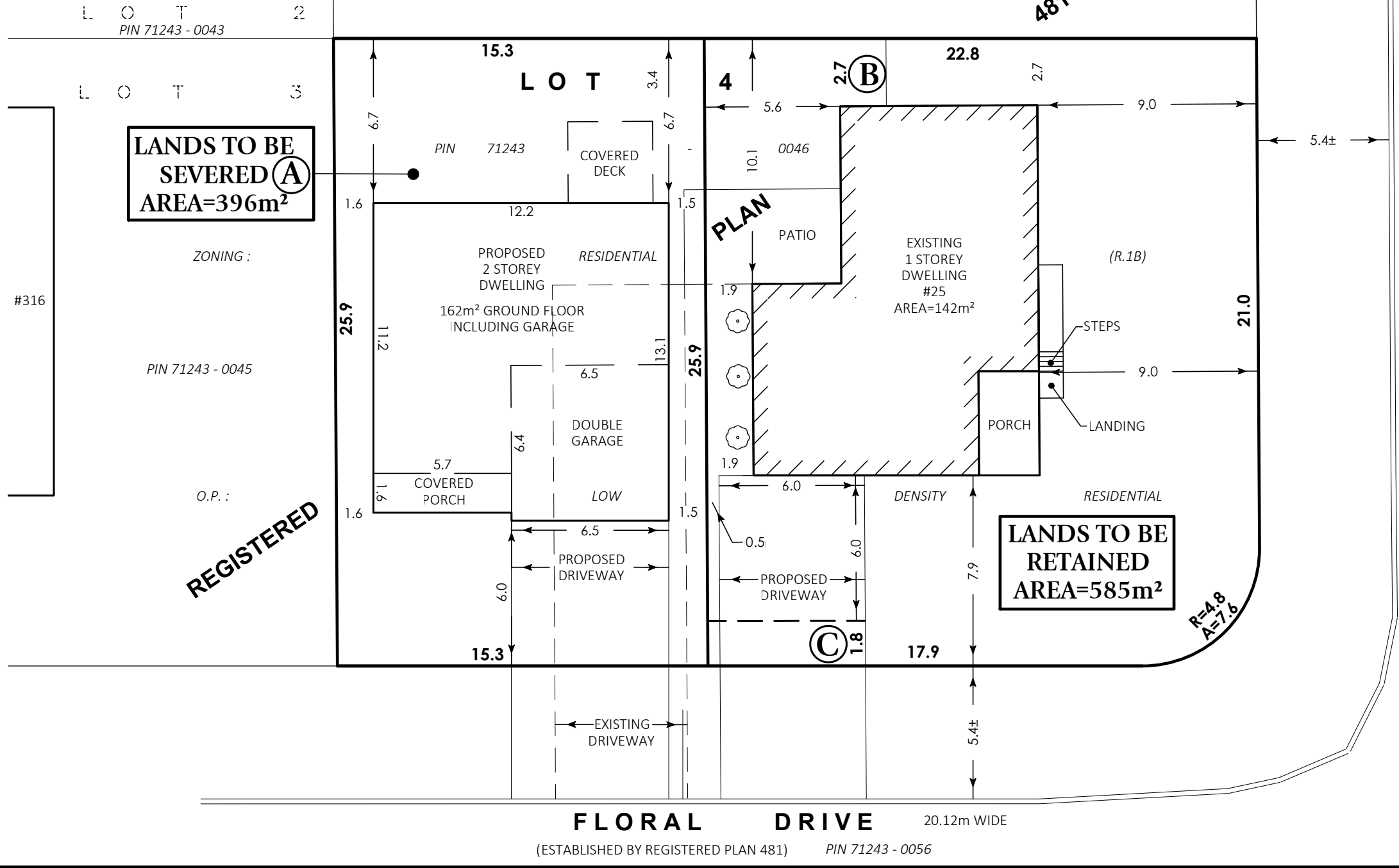
Trista Di Lullo, ACST
Secretary-Treasurer, Committee of Adjustment
Dated October 23, 2020.

Contact Information

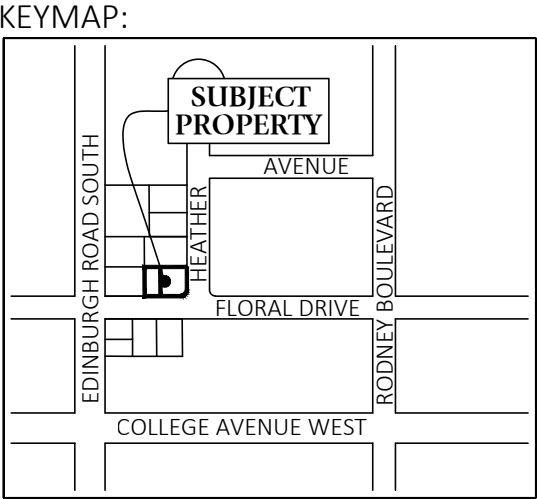
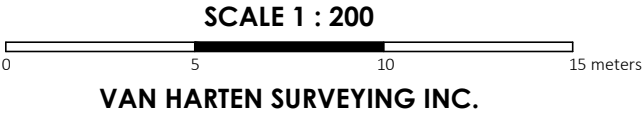
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1
519-822-1260 Extension 2524 cofa@guelph.ca
TTY: 519-826-9771 guelph.ca/cofa



ZONING DESIGNATION: RESIDENTIAL R.1B ZONE SINGLE DETACHED DWELLINGS			
TABLE 5.1.2 REGULATIONS	REQUIRED	SEVERED PARCEL	RETAINED PARCEL
MINIMUM Lot Area	460m ²	396m ² (A)	585m ²
MINIMUM Lot Frontage	15.0m and in accordance with Section 5.1.2.6	15.3m	22.8m
MINIMUM Front Yard	6.0m or Average setback in accordance with Section 5.1.2.7i) and Table 5.1.2, Row 6	6.0m	7.9m
MINIMUM Exterior Side Yard	6.0m or Average setback in accordance with Section 5.1.2.7i)	N/A	9.0m
MINIMUM Side Yard - 1 to 2 Storeys	1.5m	1.5m	1.9m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less. 5.2m for Severed Parcel. 5.2m for Retained Parcel.	6.7m	2.7m(B)
Section 4.13.2.1 - Parking Space	A minimum of 6.0m from the Street Line and to the rear of the front wall of the main building	N/A	1.8m to the Street Line and in front of main wall (C)
Minor Variance Required for (A) (B) (C)			



SEVERANCE & MINOR VARIANCE SKETCH
ALL OF LOT 4, REGISTERED PLAN 481
CITY OF GUELPH
COUNTY OF WELLINGTON



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

SURVEYOR'S CERTIFICATE:
THIS SKETCH WAS PREPARED ON
THE 13th DAY OF OCTOBER, 2020

Jeff Buisman
JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR

Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

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

DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 28502-20
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Oct 22, 2020-9:16:06 AM
G:\GUELPH\481\ACAD\SEV LOT 4 (VAN HELLEMOND) UTM.dwg



Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Oct 13, 2020	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-15/20

TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:

Address of Property: **25 Heather Avenue**

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

All of Lot 4, Registered Plan 481, Guelph

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

If yes, describe:

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

If yes, explain: **Mortgage as in INST No. WC606350 with National Bank of Canada, 500 Place d'Armes 22nd, Montreal, QB, H2Y 2W3**

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

Name: **Cynthia VAN HELLEMOND & Mae ABDALLA**

Mailing Address: **78 Rodney Boulevard**

City: **Guelph** Postal Code: **N1G 2H3**

Home Phone: **519-780-7056** Work Phone:

Fax: Email: **cvanhe@yahoo.com**

AGENT INFORMATION (If Any)

Name: **Jeff Buisman**

Company: **Van Harten Surveying Inc.**

Mailing Address: **423 Woolwich Street**

City: **Guelph** Postal Code: **N1H 3X3**

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

Fax: **519-821-2770** Email: **jeff.buisman@vanharten.com**

PURPOSE OF APPLICATION (please check appropriate space):

☒ Creation of a New Lot

☐ Easement

☐ Right-of-Way

☐ Charge / Discharge

☐ Correction of Title

☐ Lease

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

☐ Other: Explain

Proposal is to sever a parcel for urban residential purposes. The severed parcel will have an area of 396m² and a single-detached dwelling is proposed. The retained parcel will have an area of 585m² where the existing single-detached dwelling will remain.

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

Unknown

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) 15.3m	Depth (m) 25.9m	Area: (m ²) 396m²	Existing Use: Residential	Proposed Use: Residential
Existing Buildings/Structures: Existing Driveway (to be extended)			Proposed Buildings / Structures: Dwelling	
Use of Existing Buildings/Structures (specify): Residential			Proposed Use of Buildings/Structures (specify): Residential	

DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) 22.8m	Depth (m) 25.9m	Area: (m ²) 585m²	Existing Use: Residential	Proposed Use: Residential
Existing Buildings/Structures: Dwelling			Proposed Buildings / Structures: Proposed driveway	
Use of Existing Buildings/Structures (specify): Residential			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:

Low Density Residential

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

☒ YES

☐ NO

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

The property is designated as Low Density Residential in the Official Plan. This proposal follows the objectives outlined in Section 9.3 of the Official Plan for Residential Designations. This proposal is for a severance for an in-fill development and the application also follows the Consent Policies listed in Section 10.10.1 of the OP.

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

☐ YES

☒ NO

File No.: _____

Status: _____

What is the current zoning designation of the subject lands:

Residential R.1B

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

☐ YES

☒ NO

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

☐ YES

☐ NO

A minor variance application is being submitted simultaneously

File No.: _____

Status: _____

PROVINCIAL POLICY

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

Provide explanation:

Section 1.1.3 of the PPS directs growth to occur within settlement areas. This application is for a severance which will allow for a new in-fill development within the City and therefore, conforms with the PPS.

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

☒ YES

☐ NO

Provide explanation:

The Growth Plan for the GGH is coordinating for growth across the region including population and employment forecasts. This application is for a severance which will allow for a new in-fill development within the City and therefore, conforms with the Growth Plan.

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

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

HISTORY OF SUBJECT LAND

Has the subject land ever been the subject of:

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

If yes, provide the following:

File No.: _____ Status: _____

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

If yes, provide the following:

File No.: _____ Status: _____

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

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

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

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

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

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

AFFIDAVITI/We, **Jeff Buisman of Van Harten Surveying Inc.**, of the City/Town of**Guelph** in County/~~Regional Municipality~~ of **Wellington**, solemnly

declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

City

of

Guelphin the County/~~Regional Municipality~~ of

(city or town)

Wellington

this

13

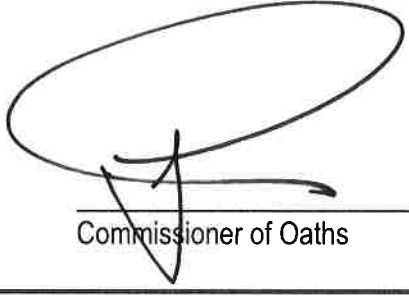
day of

October

, 20

20

.



Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Cynthia VAN HELLEMOND & Mae ABDALLA

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

being the registered property owner(s) of

All of Lot 4, Registered Plan 481 / 25 Heather Avenue

(Legal description and/or municipal address)


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

(Authorized agent's name)

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

Dated this 1st day of October 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 Application for Minor Variance



APPLICATION #1 - SEVERED PARCEL

Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Oct 13, 2020	Folder #: A-51/20
	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 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

PROPERTY INFORMATION:

Address of Property: 25 Heather Avenue

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

All of Lot 4, Registered Plan 481, Guelph

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

Name: Cynthia VAN HELLEMOND & Mae ABDALLA

Mailing Address: 78 Rodney Boulevard

City: Guelph Postal Code: N1G 2H3

Home Phone: 519-780-7056 Work Phone: _____

Fax: _____ Email: cvanhe@yahoo.com

AGENT INFORMATION (If Any)

Company: Jeff Buisman

Name: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph Postal Code: N1H 3X3

Work Phone: _____ Mobile Phone: 519-821-2763 ext. 225

Fax: 519-821-2770 Email: jeff.buisman@vanharten.com

Official Plan Designation: Low Density Residential	Current Zoning Designation: Residential R.1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):	
<p>A severance application is being applied for and this minor variance is being submitted simultaneously to address the various zoning deficiencies as a result of the severance. The request is as follows:</p> <p>A) To permit a reduced lot area of the severed parcel to be 396m² instead of 460m² as required in Table 5.1.2, Row 3 of the Zoning By-law.</p>	

Why is it not possible to comply with the provision of the by-law? (your explanation)
See covering letter for justification on variance.

PROPERTY INFORMATION			
Date property was purchased:	August 2020	Date property was first built on:	Many years ago
Date of proposed construction on property:	Pending severance/minor variance completion	Length of time the existing uses of the subject property have continued:	Many years - Approx. 1950's
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential - No Change			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Severed Parcel			
Frontage:	15.3m	Depth:	25.9m
		Area:	396m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
N/A			Proposed Dwelling - Severed		
Gross Floor Area:			Gross Floor Area:	Ground Floor Area = 162±m²	
Height of building:			Height of building:	2 storey	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:	6.5m	
Length:			Length:	6.4m	
Driveway Width:			Driveway Width:	6.5m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
			N/A		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND						
EXISTING			PROPOSED			
N/A			Severed Parcel			
Front Yard Setback:			M	Front Yard Setback:	6.0m	M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	N/A	M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: M 1.6m	Right: M 1.5m
Rear Yard Setback			M	Rear Yard Setback	6.7m	

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

Application being submitted simultaneously
Application being submitted simultaneously
for the Retained Parcel

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


 Signature of Applicant or Authorized Agent

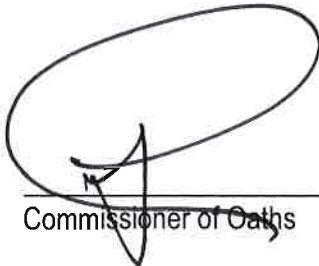
 Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Wellington this **13** day of **October**, 20**20**.


 Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

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

Cynthia VAN HELLEMOND & Mae ABDALLA

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

of **All of Lot 4, Registered Plan 481 / 25 Heather Avenue**
(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying Inc.**
(Authorized agent's name)

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

Dated this 1st day of October 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 Application for Minor Variance



APPLICATION #2 - RETAINED PARCEL

Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Oct 13, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-53/20

TO BE COMPLETED BY APPLICANT

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

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

PROPERTY INFORMATION:

Address of Property: 25 Heather Avenue

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

All of Lot 4, Registered Plan 481, Guelph

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

Name: Cynthia VAN HELLEMOND & Mae ABDALLA

Mailing Address: 78 Rodney Boulevard

City: Guelph Postal Code: N1G 2H3

Home Phone: 519-780-7056 Work Phone: _____

Fax: _____ Email: cvanhe@yahoo.com

AGENT INFORMATION (If Any)

Company: Jeff Buisman

Name: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph Postal Code: N1H 3X3

Work Phone: _____ Mobile Phone: 519-821-2763 ext. 225

Fax: 519-821-2770 Email: jeff.buisman@vanharten.com

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

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

A severance application is being applied for and this minor variance is being submitted simultaneously to address the various zoning deficiencies as a result of the severance on the Retained Parcel. The requests are as follows:

B) To permit a reduced rear yard of the retained parcel to be 2.7m instead of 5.2m as required in Table 5.1.2, Row 8 of the Zoning By-law.

C) To permit the parking space for the retained parcel to 1.8m instead of 6.0m from the Street Line and in front of the main wall of the dwelling instead of to the rear of the front wall of the main building as required in Section 4.13.2.1 of the Zoning By-law.

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

See covering letter for justification on variance.

PROPERTY INFORMATION

Date property was purchased:	August 2020	Date property was first built on:	Many years ago
Date of proposed construction on property:	Pending severance/minor variance completion	Length of time the existing uses of the subject property have continued:	Many years - Approx. 1950's
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential - No Change			

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

Retained Parcel
 Frontage: ~~17.9m~~ **22.8m** Depth: **25.9m** Area: **585m²**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u> Existing Dwelling - Retained			<u>Main Building</u> N/A		
Gross Floor Area:	Ground Floor Area = 142±m²		Gross Floor Area:		
Height of building:	1 storey		Height of building:		
Garage/Carport (if applicable) N/A			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/> N/A			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:	6.0m		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 Retained Parcel			PROPOSED N/A		
Front Yard Setback:	7.9m M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	9.0m M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M 1.9m	Right: M N/A	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	2.7m 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Application being submitted simultaneously
Application being submitted simultaneously
for the Severed Parcel

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.

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




Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

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


 Signature of Applicant or Authorized Agent


Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Wellington this **13** day of **October**, 20 **20**.


 Commissioner of Oaths

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

(Official Stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

Cynthia VAN HELLEMOND & Mae ABDALLA

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


of **All of Lot 4, Registered Plan 481 / 25 Heather Avenue**
(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of Van Harten Surveying Inc.**
(Authorized agent's name)

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

Dated this 1st day of October 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.

October 20, 2020

28502-20

Jeff.Buisman@vanharten.com

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

Attention: Mr. Juan da Silva

Dear Mr. da Silva:

Re: Severance & Minor Variance Applications & Sketch
25 Heather Avenue
All of Lot 4, Plan 481
PIN 71243-0046
City of Guelph

Please find enclosed an application for a severance and minor variance on the above-mentioned property. Included with this submission are copies of the sketch, completed application forms, the required deed, PIN Report and Map and Building Plans. Two cheques to the City of Guelph totalling \$3,796 for the severance and minor variance application fees will be mailed to the City.

Proposal:

The proposal is to sever 25 Heather Avenue (PIN 71243-0046) for urban residential purposes. The Severed Parcel will have a width of 15.3m along Floral Drive, a depth of 25.9m for an area of 396m² where a single-detached dwelling is proposed to be built. The Retained Parcel is a corner lot with frontage on Floral Drive and Heather Avenue. The frontage will be 22.8m along Floral Drive, depth of 25.9m for an area of 585m² where the existing dwelling will remain.

We are requesting the following minor variances for the proposed severed and retained parcels:

- A) To permit a reduced lot area of the severed parcel to be 396m² instead of 460m² as required in Table 5.1.2, Row 3 of the Zoning By-law.**
- B) To permit a reduced rear yard of the retained parcel to be 2.7m instead of 5.2m as required in Table 5.1.2, Row 8 of the Zoning By-law.**
- C) To permit the parking space for the retained parcel to 1.8m instead of 6.0m from the Street Line and in front of the main wall of the dwelling instead of to the rear of the front wall of the main building as required in Section 4.13.2.1 of the Zoning By-law.**

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

The zoning for the subject property is Residential R.1B which permits a single-detached dwelling. The Severed Parcel meets the frontage requirement; however, we are requesting a minor variance for the reduced lot area to be 396m² instead of 460m². Although, the area is under the 460m² requirement, a building envelope for a proposed dwelling allows for the remaining zoning requirements to be met. We consider the variance for area to be minor.

The area and frontage of the Retained Parcel can be met; however, we are requesting a minor variance for the reduced rear yard to be 2.7m instead of 5.2m as it is a corner lot. Although the setback is 2.7m, there is plenty of rear yard amenity space including the Patio area of 5.6m by 10.1m and the large exterior side yard along Heather Avenue.

The retained parcel also requires a minor variance for the parking space in that it will be in front of the house rather than behind the front wall of the house AND that the parking space will be less than 6.0m from the Street Line (1.8m).

The existing driveway for the house is to the left of the house when facing it from Floral Drive. The severance requires a new location for the retained dwelling, and we felt that a new driveway in front of the house, from Floral, would be the best location. Consideration was made for a driveway from Heather, but Floral is the busier street and the exterior side yard of Floral could be used as amenity space. The proposed driveway along Floral Drive would also be more practical as it will be beside the existing driveway.

We consider these requests to be minor as they follow the general intent of the Official Plan and Zoning By-law and will not have a negative effect on the neighbouring parcels. There are similar developments within this neighbourhood where severances and minor variances were approved:

- 20 Young Street & 22 Young Street
- 39 Rodney Boulevard & 43 Rodney Boulevard
- 32 Floral & 324 Edinburgh Road South

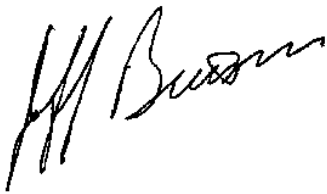
Another option would be to remove the existing dwelling and then create two lots in complete conformance to zoning. We feel, however, that this proposed application provides a better solution because it provides a better variety of housing and a less expensive housing. The option of two new homes would result in homes of \$1.3 to \$1.5 million, whereas the proposed option would allow for two homes of less than \$1 million.

The intended purchaser of the vacant lot is an established builder, Worton Homes, whose intention is to construct a new home that is marketed to a family and not as a "student" home. Mr. Worton was successful in creating family homes for the above mentioned 20 / 22 Young Street project.

This proposal is very practical and provides a great opportunity for an in-fill development and to intensify the lands for residential purposes while adhering to the majority of the Residential R.1B zoning requirements. It also provides an opportunity to keep the existing house and allow for a new dwelling that is not quite so expensive.

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

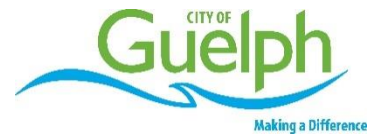
Very truly yours,
Van Harten Surveying Inc.



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

cc Cynthia Van Hellemond
cc Grant Worton, Worton Homes

Committee of Adjustment Notice of Public Hearing



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

Application Details

Location:

64 Bishop Court

Proposal:

The applicant is proposing to maintain the existing above-ground pool and associated deck located in the rear yard of the property. A similar minor variance application (file A-126/12) was approved in 2012 which limited the variance for a period of eight (8) years.

By-Law Requirements:

The property is located in the Residential Single Detached (R.1A) Zone. A variance from Section 4.5.5.3 of Zoning By-law (1995)-14864, as amended, is being requested.

The By-law requires that every swimming pool or hot tub shall be located a minimum of 1.5 metres from any lot line; and any decking associated with the pool that is above 0.6 metres from finished grade, shall be located a minimum 1.5 metres from a lot line.

Request:

The applicant is seeking relief from the By-Law requirements to permit the existing above-ground pool with the existing associated deck to be setback a minimum of 0.0 metres from the rear lot line.

Hearing Details

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

Date:	Thursday, November 12, 2020
Time:	4:00 p.m.
Location:	Remote Committee of Adjustment hearing live streamed at guelph.ca/live
Application Number:	A-55/20

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 **November 5, 2020 at 12:00 p.m.** will be forwarded to the Committee members prior to the hearing. Comments submitted after this date will be provided at the hearing.

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

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

Additional Information

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

Notice of the Decision

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

Notice Details

Trista Di Lullo, ACST

Secretary-Treasurer, Committee of Adjustment

Dated October 23, 2020.

Contact Information

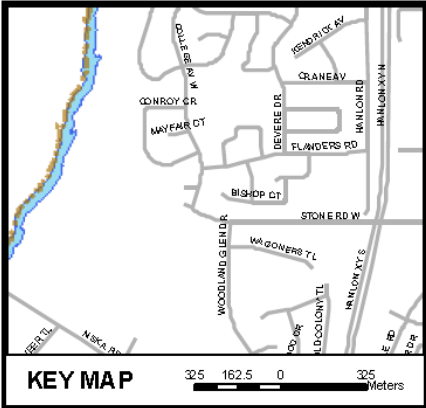
Committee of Adjustment: City Hall, 1 Carden Street, Guelph ON N1H 3A1

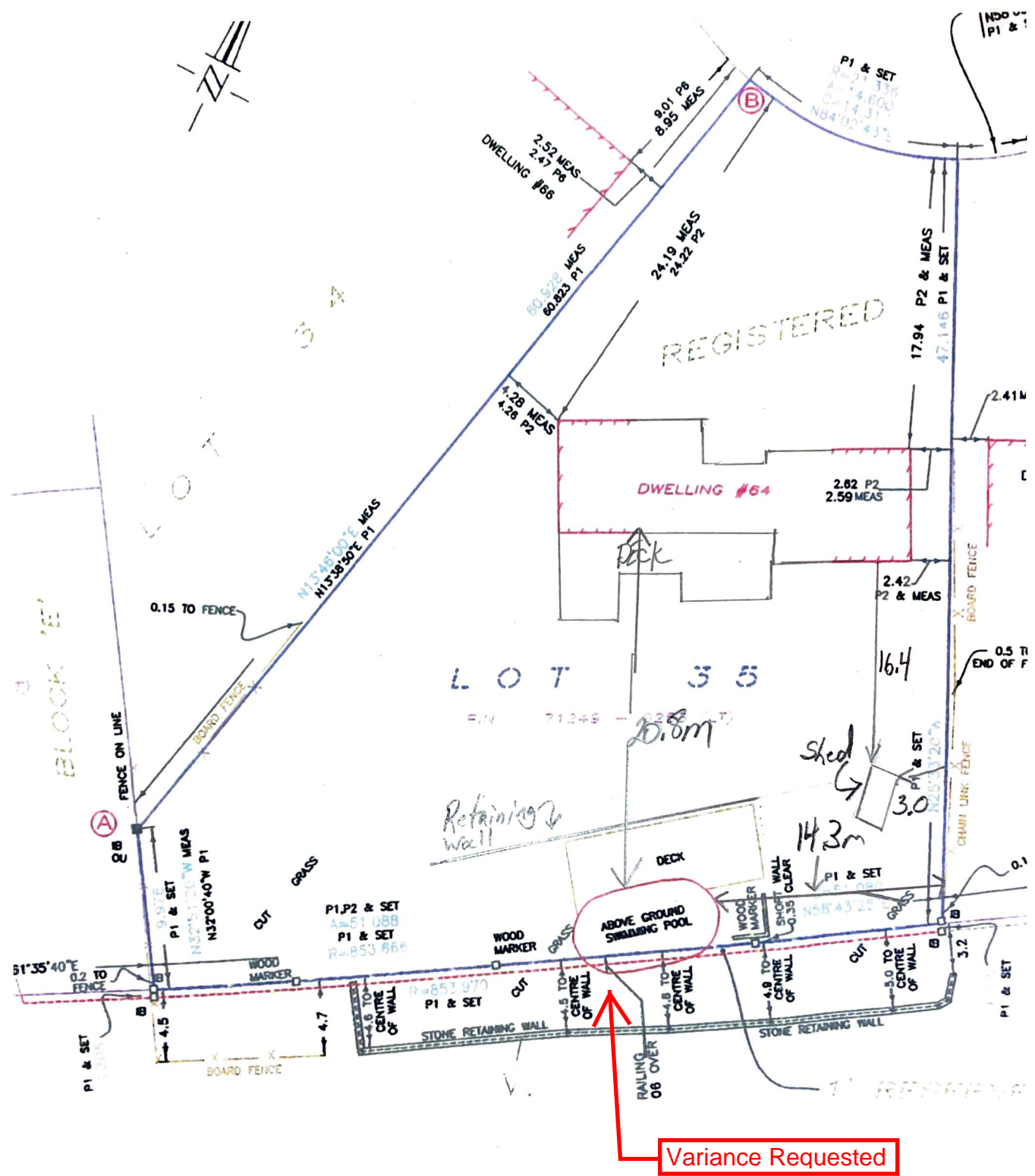
519-822-1260 Extension 2524

cofa@guelph.ca

TTY: 519-826-9771

guelph.ca/cofa





Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application:	OFFICE USE ONLY	
	Date Received: Oct 19, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-55120

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: 64 Bishop Court

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

Plan 631 Lot 25

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

Name: Steve and Tina Gill

Mailing Address: 64 Bishop Court

City: Guelph

Postal Code: N1G-2R9

Home Phone: 519-824-3247

Work Phone: 519-830-9777

Fax: _____

Email: sgill5621@rogers.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.AA
--	----------------------------------

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

We are seeking a property variance to allow our family to keep our above ground pool.

-A variance from the requirements of Section 4.5.5.3 of Zoning By-Law (1995)-14864, as amended for 64 Bishop Court, to permit an existing above ground pool to be located 0 meters from the rear lot line when the by law requires that the above ground swimming pools be located a minimum of 1.5 meters from any lot line be approved.

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

To comply with the by-law the pool would need to be dismantled and placed at another location on the property. Simply put, such a task would be extremely expensive and not financially feasible for our family. As the pool currently sits, it does not interfere with any roadway, walkway, pathway, sidewalk or any city or private structure. Since 2009 when the pool was first erected we have never had a single issue or complaint whatsoever regarding its use or position. Our property has apparently infringed on City property since the 1970's with the creation of a retaining wall which provides an obvious natural boundary. The pool was erected with the by-law in mind and remained over 10 feet from this artificial boundary, unfortunately this was not the actual property line and thus the need for a variance. A permit was sought and obtained from the City when the pool was originally built. Unfortunately, location was not a consideration.

PROPERTY INFORMATION

Date property was purchased:	December 2008	Date property was first built on:	September 2009
Date of proposed construction on property:		Length of time the existing uses of the subject property have continued:	September 2009

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: 14.5 m

Depth: 53 m

Area:

1785m² (odd pie shaped lot)

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	223		Gross Floor Area:		
Height of building:	6.7		Height of building:		
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:	5.33 m		Width:		
Length:	6.7 m		Length:		
Driveway Width:	6.1 m		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Pool 9.14(L) x 4.6m(w) x 1.2(h) Deck 12(L)x 2.7(w)x .60 (h) Shed 2.29(L)x 3.6m(w)x 2.4(h)			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	17.9		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left M 4.2	Right M 2.4		Side Yard Setback:	Left M Right M
Rear Yard Setback	0 (06 meters over)		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 type="checkbox"/>	<input checked="" type="checkbox"/>	Application A-12612

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.

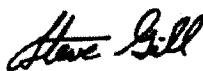
POSTING OF ADVISORY SIGN

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.



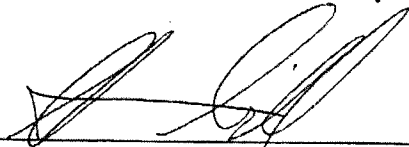
Steve Gill
2020.10.17 10:12:20
-04'00'


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION


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


 Signature of Applicant or Authorized Agent


 Signature of Applicant or Authorized Agent

Declared remotely by Juan de Silva, of the City/Town of
Guelph in the County/Regional Municipality of Wellington before me
 at the City/Town of Oakville in the County/Regional Municipality of
Halton this 21 day of October, 2020, in accordance with

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


 Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

Dear Committee of Adjustments,

I am writing to help explain my family's request for a continued variance and encroachment agreement. We live at 64 Bishop Court and 8 years ago I appeared before the committee of adjustments and requested permission to keep our above ground pool. We were permitted the variance/encroachment agreement and are now returning to ask for a further extension.

Brief History

- Property built in 1970's including retaining wall that appears as natural boundary (not the actual property line)
- Property purchased in 2008 by Gill family.
- Above ground swimming pool installed in summer of 2009.
- City permit for pool signed off in September 2009.
- Retaining wall at rear of property deteriorating in 2011. Investigation by City begins and property survey completed.
- True property line discovered as well as realization pool encroaching on City Property.
- Required to apply for variance and encroachment agreement. Appear before committee of adjustments in December 2012.
- Variance / Encroachment agreement entered for 8 years in duration.

We applied for a permit for the pool when we first installed it. It is an above ground pool and was signed off by the City on September 1st, 2009. We have never had any issues with neighbours or any complaints whatsoever regarding this pool.

There is a retaining wall at the back of our property which is on City property. We were advised in a letter from Grant Ferguson (Engineering Services) in August 2011 that the City was required to investigate the wall as it was deteriorating and workers would need to come on our property. He noted "As part of the investigative work, the City will be having an Ontario Land Survey company establish bars to designate and establish the rear of your registered lot."

Of course we cooperated with the request. As a result of this investigation it was determined that a section of our pool actually encroached on City property and hence the reason we had to appear before the committee of adjustments.

After explaining the situation to the committee and the non impact of the location of the pool, we were permitted to keep the pool. (See included photos as it relates to retaining wall and Stone Rd.)

The decision stated.....

1. That the owner obtain an encroachment agreement for the portion of the pool that encroaches on City property.

We have done this. We obtained an encroachment agreement and added a waiver to our Insurance policy to protect the City. We also continue to pay an extra \$100 yearly as part of the agreement.

2. That the variance apply for a maximum of eight(8) years to determine if concrete plans are in place for the widening of Stone Road

We have always stated since the beginning that should the City require access or use of this property in question we would remove the pool. I have been told that at some point in the distant future there could possibly be an expansion of Stone Rd. We are simply asking to keep things as they are until such time as the City needs to use the property. It is not financially feasible to simply move the pool or we would have done so long ago.

This pool has been very beneficial to our family over the years and perhaps never so important as it was this past year considering the effects of Covid. I am hopeful that we may be allowed continue to keep our pool and enter another encroachment agreement as the benefits for our family are tremendous.

Respectfully,

Steve Gill and Family





DECISION

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-126/12



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

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.5.5.3 of Zoning By-law (1995)-14864, as amended, for 64 Bishop Court, to permit an existing above ground pool to be located 0 metres from the rear lot line when the By-law requires that above ground swimming pools be located a minimum of 1.5 metres from any lot line, be approved, subject to the following conditions:

1. That the Owner obtain an encroachment agreement for a portion of the pool that encroaches on City property.
2. That the variance apply for a maximum of eight (8) years to determine if concrete plans are in place for the widening of Stone Road."

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 December 11, 2012.

Dated: December 14, 2012

Signed:

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is December 31, 2012.

Committee of Adjustment

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

COMMITTEE OF ADJUSTMENT REQUEST FOR REFUND



Making a Difference

It is the policy of the Guelph Committee of Adjustment that any request for refund of application fees be submitted to the Secretary-Treasurer in writing, for forwarding to the Committee of Adjustment for decision.

Please complete the following form outlining the details of your request. Please note that any refund will be issued to the original payee only.

1. Application number: A-22/20
2. Date of hearing: NOVEMBER 12, 2020
PREVIOUS HEARING DATE JULY 9, 2020
3. Name of owner: MRS. JELYALALITHA VIGNARAJAN
- 2431901 ONTARIO INC.
4. Name of agent (if applicable): A.J. LAKATOS PLANNING CONSULTANT
40 JOE LAKATOS
5. Refund requested by: ☒ Owner ☐ Agent
6. Original payment type: ☐ Cash ☐ Cheque ☒ Credit ☐ Debit
7. Refund amount that is being requested: \$297.00
8. Refund to be: ☒ Mailed ☐ Picked up at City Hall
9. Mailing address:

2431901 ONTARIO INC.
4839 TOWNLINE ROAD NORTH
CAMBRIDGE, ON
N3C 2V3

10. Reasons for request (please provide as much detail as possible. Any supporting documentation can be attached to this form):

- THE REFUND IS BEING REQUESTED SINCE THE DEFERRAL AT THE JULY 9, 2020 MEETING WAS AT THE REQUEST OF PLANNING STAFF.
- THE NATURE AND EXTENT OF THE VARIANCES REQUESTED HAVE NOT CHANGED. THUS THE APPLICATION COULD HAVE BEEN DEALT WITH AT THE JULY 9, 2020 MEETING BUT OWNER WANTED TO BE COOPERATIVE WITH STAFF.

Staff Use Only

Committee decision (circle one):

Approve / Refuse

Date of decision:

Refund amount:

Date cheque requisition sent: