

# Committee of Adjustment Application for Minor Variance



## APPLICATION #1 - SEVERED PARCEL

<b>Consultation with City staff is encouraged prior to submission of this application.</b>	OFFICE USE ONLY	
	Date Received: <b>Oct 13, 2020</b>	Folder #: <b>A-51/20</b>
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.*

<b>PROPERTY INFORMATION:</b>			
Address of Property: <u>25 Heather Avenue</u>			
Legal description of property (registered plan number and lot number or other legal description): <u>All of Lot 4, Registered Plan 481, Guelph</u>			
<b>REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)</b>			
Name:	<u>Cynthia VAN HELLEMOND &amp; Mae ABDALLA</u>		
Mailing Address:	<u>78 Rodney Boulevard</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1G 2H3</u>
Home Phone:	<u>519-780-7056</u>	Work Phone:	
Fax:		Email:	<u>cvanhe@yahoo.com</u>
<b>AGENT INFORMATION (If Any)</b>			
Company:	<u>Jeff Buisman</u>		
Name:	<u>Van Harten Surveying Inc.</u>		
Mailing Address:	<u>423 Woolwich Street</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 3X3</u>
Work Phone:		Mobile Phone:	<u>519-821-2763 ext. 225</u>
Fax:	<u>519-821-2770</u>	Email:	<u>jeff.buisman@vanharten.com</u>

Official Plan Designation: <b>Low Density Residential</b>	Current Zoning Designation: <b>Residential R.1B</b>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<b>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:</b>
<b>A) To permit a reduced lot area of the severed parcel to be 396m<sup>2</sup> instead of 460m<sup>2</sup> as required in Table 5.1.2, Row 3 of the Zoning By-law.</b>

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

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

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
<b>Severed Parcel</b>			
Frontage: <b>15.3m</b>	Depth: <b>25.9m</b>	Area: <b>396m<sup>2</sup></b>	

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
N/A			Proposed Dwelling - Severed		
Gross Floor Area:			Gross Floor Area:		Ground Floor Area = 162±m <sup>2</sup>
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 Severed Parcel		
Front Yard Setback:			Front Yard Setback:		6.0m
Exterior Side Yard (corner lots only)			Exterior Side Yard (corner lots only)		N/A
Side Yard Setback:		Left: M	Right: M	Left: M	1.6m
				Right: M	1.5m
Rear Yard Setback			Rear Yard Setback		6.7m

**TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)**

Provincial Highway     Municipal Road     Private Road     Water     Other (Specify)

**MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)**

Water     Sanitary Sewer     Storm Sewer

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

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

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

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

**AFFIDAVIT**

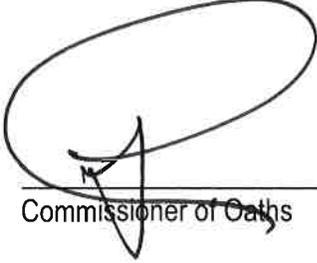
I/We, Jeff Buisman of Van Harten Surveying Inc., of the City/Town of Guelph in County/Regional Municipality of Wellington, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that 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, 2020.

  
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 1<sup>st</sup> 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.