

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>Sep 14, 2020</b>	Folder #: <b>A-46/20</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.

### 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
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**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 (80m<sup>2</sup>) allowed. Bylaw: Residential intensification section 4.15.1.5 of the zoning bylaw. The existing apartment is 89.5m<sup>2</sup> and accounts for 43.7% of the total living space of the dwelling. The total living space is 205m<sup>2</sup>. 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: 612m<sup>2</sup>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	205m2		Gross Floor Area:		
Height of building:	Single floor		Height of building:		
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
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:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
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:

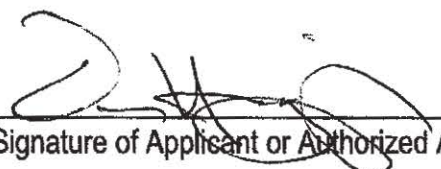
*Ally Huggins*

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.