

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Dec 8, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-50/20

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: 18 Central Street, Guelph, N1H4K6

Legal description of property (registered plan number and lot number or other legal description):
Plan 372 Lot 1

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

Name: Anthony & Ashleigh Lewis

Mailing Address: 18 Central Street

City: Guelph

Postal Code: N1H4K6

Home Phone: 519-803-8736

Work Phone: 519-803-8736

Fax: N/A

Email: anthonylewis742@gmail.com

AGENT INFORMATION (If Any)

Company:

Name:

Mailing Address:

City:

Postal Code:

Work Phone:

Mobile Phone:

Fax:

Email:

Official Plan Designation: Low Density Residential	Current Zoning Designation: R.1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Relief on 3 counts from By-Law 4.7, Table 4.7 Row 3 to allow the following:
1 - Setback of 0.09m for porch stairs vs By-Law requirement of 2.0m
2 - Setback of 1.52m for porch vs By-Law requirement of 2.0m
3 - Projection of 4.52m for porch vs requirement of 2.4m
Please see attached description on separate sheet for additional detail.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The purpose for redesigning the porch is primarily for safety, specifically safety for our children, as the current stairs lead directly into the driveway and are blocked from view due to the house. Moving the stairs to the front removes this hazard, however due to the age of the house and the minimal setback from the front property line this makes it impossible to comply with the current By-Laws written well after the house was built. Additionally the new design will provide protection from the elements when entering and exiting the house, which the current porch does not, as well as increasing the aesthetic appearance of the porch.
For further and more detailed explanations please see separately attached details

PROPERTY INFORMATION			
Date property was purchased:	Dec 3rd 2018	Date property was first built on:	1923
Date of proposed construction on property:	1923	Length of time the existing uses of the subject property have continued:	97 Years
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: 11.58m	Depth: 23.77m	Area: 275.26m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	156.3 m ²		Gross Floor Area:	156.3 m ²	
Height of building:	2 Stories		Height of building:	2 Stories	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	
Width:	3.62 m		Width:	3.62 m	
Length:	6.39 m		Length:	6.39 m	
Driveway Width:	3.53 m		Driveway Width:	3.53 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Porch Width: 2.14m, Depth: 2.29m, Height: 0.95m			Describe details, including height: Porch Width: 3.35m, Depth: 2.29m, Height: 4.29m Porch Stairs: Width: 1.83m, Depth: 1.42m		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	1.61 M		Front Yard Setback:	0.09 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M 0.74	Right: M 0.60	Side Yard Setback:	Left: M 0.74	Right: M 0.60
Rear Yard Setback	0.29 M		Rear Yard Setback	0.29 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 002863 000 00 RR Pending Variance Approval
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

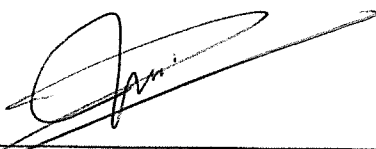
REMOTE AFFIDAVIT OR SWORN DECLARATION

I/We, Anthony Lewis, 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 da Silva, 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 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)

***ATTACHMENTS RELATING TO PAGE 2 FOR EXTENT & REASONING:**

Nature and Extent of Relief applied for:

Relief from the by-law 4.7 Table 4.7 Row 3, which would allow us to exceed the minimum set back required of 2 metres to build a new covered porch with stairs coming off the front, which will replace our current uncovered porch with stairs off the side. The porch will not encroach in the setback, however the stairs will be setback 0.09m from the front property line vs the by-law requirement of 2m, the porch itself will be setback 1.52m vs the by-law requirement of 2m and the porch projection from the 6m setback will be a max of 4.52m vs the by-law requirement of 2.4m.

Why is it not possible to comply with the provision of the by-law?

Our current porch does not provide any protection from the elements when trying to get in and out of the house, especially with small children. Also the current stairs come down to the side directly into the driveway, which when cars are parked can be troublesome maneuvering larger items and children around vehicles to get to the stairs. The stairs coming down to the side into the driveway also creates a blind spot for vehicles reversing for anyone, specifically children, coming down the stairs.

We have designed the new porch to be covered, slightly wider with stairs coming off the front to avoid these issues previously mentioned, we are hoping that this will also be more aesthetically pleasing and potentially add value to our home.

By doing these adjustments it means the re-located stairs coming off of the front of the porch will breach the 2 metre setback in the listed by-law due to how far forward on the property the house was built in 1923, however this is also the case with the existing porch that has been grandfathered in.

Note that this change not exceed the distance that both of our current neighbours porches and stairs extend from their house's and as such will not appear out of place in the neighbourhood.