

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 9, 2021	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-21/21

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: 498 Edinburgh Road S, Guelph, ON.

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

PART OF LOTS 8 and 9, Concession 3, Division "G" (ALSO KNOWN AS PARTS 1, 2 & 3, PLAN 61R-6402, P.I.N: 71242-0025

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

Name: University of Guelph (Property Managed by: Edinburgh Market Place Holdings Inc)

Mailing Address: Real Estate Division - University of Guelph 150 Research Lane, Suite 310 Research Park Centre

City: Guelph, Ontario Postal Code: N1G 4T2

Home Phone: _____ Work Phone: 519-767-5014

Fax: _____ Email: kimber@uoguelph.ca

Contact at University of Guelph: Kimberley G. Powell - on behalf of David Hargreaves Interim AVP Finance

Contact at Edinburgh Market Place Holdings Inc (Primaris Management Inc.) - David Cox (DCox@primarisreit.com)

AGENT INFORMATION (If Any)

Company: WZMH Architects

Name: Jeremiah Bennett

Mailing Address: 95 St Clair Ave W #1500

City: Toronto Postal Code: ON M4V 1N6

Work Phone: 647 206 9737 Mobile Phone: 647 206 9737

Fax: _____ Email: jbennett@wzmh.com

Official Plan Designation: Mixed-Use Corridor

Current Zoning Designation: Spec Community Comm CC-12 Zone

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

1. The By-law - as amended by a minor variance issued October 12, 2012 (Application A-106/12) requires 516 street parking spaces. We are asking for a further variance from the requirements of Section 6.2.3.2.12.1.6 of the Zoning By-Law (1995) – 14864, to allow this to be reduced to 512 parking spaces.

2. Bylaw 6.2.3.2.12.1.4 shows a maximum Building Area of 10,000 SM, but was amended through minor variance to 10,647 SM in 2007. We are requesting this to be further amended to 10,680 SM.

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

1. The existing building does not include a sealed loading dock, and the existing site does not allow for turning radii as required by the City of Guelph traffic reviewers. As part of a site plan application we have been asked to increase the number and size of accessible parking stalls. In order to allow for acceptable loading facility, and to meet City of Guelph and Accessibility requirements we will need to reduce the current parking count by between 3 and 4 spaces.

2. In order to accommodate the new loading facility a very minor increase in building area is required.

PROPERTY INFORMATION

Date property was purchased:	2003	Date property was first built on:	1996
Date of proposed construction on property:	Spring 2021	Length of time the existing uses of the subject property have continued:	+/- 25 years

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

Commercial - Retail

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

Commercial - Retail

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

Frontage: 179.5 m (at Stone RD)

Depth: 247.1 m

Area: 40,250 m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building Building C			Main Building Building C		
Gross Floor Area:	1,366.6 m ²		Gross Floor Area:	1,400 m ²	
Height of building:	(+/-) 9.32 m		Height of building:	(+) 9.32 m (no changes to existing)	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	2.28 m (at Stone RD) M		Front Yard Setback:	2.28 m (at Stone RD) M	
Exterior Side Yard (corner lots only)	3.16 m (at Edinborough RD S) M		Exterior Side Yard (corner lots only)	3.16 m (at Edinborough RD S) M	
Side Yard Setback:	Left: M	Right: 10.5 m M	Side Yard Setback:	Left: M	Right: 10.5 m M
Rear Yard Setback	9.95 m M		Rear Yard Setback	9.95 m M	

NO REVISIONS TO EXISTING SETBACKS PROPOSED

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PRE20-034S - About to make formal submission
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Multiple including A-106/12 referenced in this application

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.

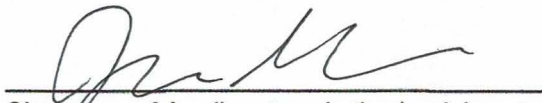



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION


I/We, JEREMIAH BENNETT, of the City/Town of
TORONTO in County/Regional Municipality of TORONTO, ON, and
 located in the City/Town of TORONTO in County/Regional Municipality of
TORONTO, 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 8 day of February, 2021, 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)

University of Guelph

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

498 Edinburgh RD S, Guelph, On.

of PART OF LOTS 8 and 9, Concession 3, Division "G" (ALSO KNOWN AS PARTS 1, 2 & 3, PLAN 61R-6402, P.I.N: 71242-0025)
(Legal description and/or municipal address)

hereby authorize Jeremiah Bennett

(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 February 20 21 .



David Hargreaves,
Interim AVP Finance

I have the authority to bind the corporation

(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.