

# Committee of Adjustment Application for Minor Variance



## Application No. 1 - Severed Parcel (1)

<b>Consultation with City staff is encouraged prior to submission of this application.</b>	<b>OFFICE USE ONLY</b>	
	Date Received: <b>Apr 22, 2021</b>	Folder #: <b>A-31/21</b>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>(severed parcel)</b>

### 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: **124 Ferguson Street, Guelph**

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

**All of Lot 34, Registered Plan 231**

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

Name:	<b>David Leo, Dominic Leo and Salvatore Leo</b>		
Mailing Address:	<b>120 Ferguson Street</b>		
City:	<b>Guelph</b>	Postal Code:	<b>N1E 2Y7</b>
Home Phone:	<b>519-760-9030</b>	Work Phone:	
Fax:		Email:	<b>mary.galley@unilever.com &amp; leodavis76@hotmail.com</b>

#### AGENT INFORMATION (If Any)

Company:	<b>Jeff Buisman</b>		
Name:	<b>Van Harten Surveying Inc.</b>		
Mailing Address:	<b>423 Woolwich Street</b>		
City:	<b>Guelph</b>	Postal Code:	<b>N1H 3X3</b>
Work Phone:		Mobile Phone:	<b>519-821-2763 ext. 225</b>
Fax:	<b>519-821-2770</b>	Email:	<b>jeff.buisman@vanharten.com</b>

Official Plan Designation: <b>Low Density Residential</b>	Current Zoning Designation: <b>Residential R.1B-10 &amp; within the Flood Fringe</b>
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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 zoning deficiencies on the severed parcel as a result of the severance. The requests are as follows and shown as A) to D) on the sketch.**

**A) To permit a reduced lot frontage of the severed parcel to be 9.1m instead of 12.2m as required in Section 5.1.2.6 of the Zoning By-law.**

**B) To permit a reduced lot area of the severed parcel to be 410m<sup>2</sup> instead of 460m<sup>2</sup> as required in Table 5.1.2, Row 3 of the Zoning By-law.**

**C) To permit a minimum left side yard to be 1.2m instead of 1.5m as required in Table 5.1.2, Row 7 of the Zoning By-law.**

**D) To permit a minimum right side yard to be 1.2m instead of 1.5m as required in Table 5.1.2, Row 7 of the Zoning By-law.**

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

**A severance is being applied for to create a new lot and the minor variances are required as a result of the severance. Please see the covering letter for justification on variance.**

PROPERTY INFORMATION

Date property was purchased:	<b>October 2015</b>	Date property was first built on:	<b>Vacant Parcel</b>
Date of proposed construction on property:	<b>Pending severance &amp; minor variance approvals</b>	Length of time the existing uses of the subject property have continued:	<b>N/A</b>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<b>Residential</b>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<b>Residential - Proposed Dwelling</b>			

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

Frontage: **9.1m**                      Depth: **45.2m**                      Area: **410m<sup>2</sup>**  
**Severed Parcel:**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u> <b>N/A</b>			<u>Main Building</u> <b>Dwelling (conceptual design)</b>		
Gross Floor Area:			Gross Floor Area:	<b>Ground Floor Area = 109m<sup>2</sup></b>	
Height of building:			Height of building:	<b>1-2 storey</b>	
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:	<b>3.6m</b>	
Length:			Length:	<b>6.7m</b>	
Driveway Width:			Driveway Width:	<b>3.6m</b>	
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 <b>N/A</b>			PROPOSED <b>Dwelling</b>		
Front Yard Setback:			M	Front Yard Setback:	<b>9.1m</b> M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	<b>N/A</b> M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: M <b>1.2m</b> Right: M <b>1.2m</b>
Rear Yard Setback			M	Rear Yard Setback	<b>20m</b> 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"/>	

**Severance and Lot Line Adjustment Applications are being submitted simultaneously**

**Additional Variance 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.

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.

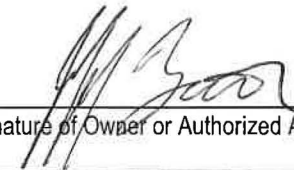
**POSTING OF ADVISORY SIGN**

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 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 **20** day of **April**, 20**21**.

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



(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

**David LEO, Dominic LEO & Salvatore LEO**

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

being the registered property owner(s) of

**All of Lot 34, Registered Plan 231 / 124 Ferguson Street**

(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 20 day of NOVEMBER 2020.

X Salvatore LEO  
(Signature of the property owner)

X Dominic LEO  
(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.