

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 12, 2017</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-2/18.</u>

## 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 53 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: 64 Queen Street, Guelph, ON, N1E 4R8

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

All of Lot 35, Part of Lot 34, Registered Plan 127, as in INST MS59992, City of Guelph

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?      ☒ No      ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges:      ☐ No      ☒ Yes

If yes, explain: **Mortgage as in Instrument No. WC490525 with Meridian Credit Union Limited located at 200 Speedvale Avenue West, Second Floor, Guelph, ON, N1H 1C3**

## OWNER(S) INFORMATION:

Name:	<u>Charleston Homes Ltd. c/o Charlie Kuiken</u>		
Mailing Address:	<u>143 Dennis Street, PO Box 760</u>		
City:	<u>Rockwood</u>	Postal Code:	<u>N0B 2K0</u>
Home Phone:		Work Phone:	<u>519-856-4009</u>
Fax:		Email:	<u>ckuiken@charlestonhomes.ca</u>

## AGENT INFORMATION (If Any)

Name:	<u>Jamie Laws</u>		
Company:	<u>Van Harten Surveying Inc.</u>		
Mailing Address:	<u>423 Woolwich Street</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 3X3</u>
Home Phone:		Work Phone:	<u>519-821-2763 x 223</u>
Fax:	<u>519-821-2770</u>	Email:	<u>Jamie.Laws@vanharten.com</u>

**PURPOSE OF APPLICATION (please check appropriate space):**

**[X] Creation of a New Lot**

☐ Easement

☐ Right-of-Way

☐ Charge / Discharge

☐ Correction of Title

☐ Lease

☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)

☐ Other: Explain

**To create a new lot for urban residential purposes.**

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
Future owner is not known.

## DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) <b>5.17 m</b>	Depth (m) <b>50.16m</b>	Area: (m²) <b>260m²</b>	Existing Use: <b>Residential Yard</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>Proposed Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Vacant Yard</b>			Proposed Use of Buildings/Structures (specify): <b>Residential (No Change)</b>	

### DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) <b>15.0m</b>	Depth (m) <b>50.19m</b>	Area: (m²) <b>753m²</b>	Existing Use: <b>Residential Yard</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>Stone wall around flagstone patio</b>			Proposed Buildings / Structures: <b>Proposed Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Residential Yard</b>			Proposed Use of Buildings/Structures (specify): <b>Residential</b>	

### TYPE OF ACCESS TO THE RETAINED LANDS

- ☐ Provincial Highway
 ☒ Municipal Road **(Proposed)**
- ☐ Private Road
 ☐ Right-of-Way
- ☐ Other (Specify)

### TYPE OF ACCESS TO THE SEVERED LANDS

- ☐ Provincial Highway
 ☒ Municipal Road (**Proposed**)
- ☐ Private Road
 ☐ Right-of-Way
- ☐ Other (Specify)

### TYPE OF WATER SUPPLY TO THE RETAINED LANDS

- ☒ Municipally owned and operated ☐ Privately Owned Well  
(Proposed)  
☐ Other (Specify)

### TYPE OF WATER SUPPLY TO THE SEVERED LANDS

- ☒ Municipally owned and operated (Proposed) ☐ Privately Owned Well
- ☐ Other (Specify)

<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <b>(Proposed)</b> <input type="checkbox"/> Other (Explain)	<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <b>(Proposed)</b> <input type="checkbox"/> Other (Explain)
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

**LAND USE**  
 What is the land use designation of the site in the Official Plan?    General Residential  
  
 Does the proposal conform?                      ☒ YES                      ☐ NO  
  
 If No, has a separate application for an Official Plan Amendment been made?  
☐ Yes        ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 What is the current zoning of the subject lands?                      Residential Single Detached (R1.B) Zone  
  
 Does the proposed plan conform to the existing zoning?                      ☒ YES                      ☐ NO  
  
 If No, have you made a concurrent application for Minor Variance?  
☐ Yes        ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**  
**Has the subject land ever been the subject of:**  
 a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?    ☐ YES                      ☒ NO  
  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 b) An application for Consent under section 53 of the *Planning Act*?                      ☐ YES                      ☒ NO  
  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.  
 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

**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"/>	
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**Simultaneous application being made for a severance on Lot 36 and Lot 37 (PIN 71322-0119)**

**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**

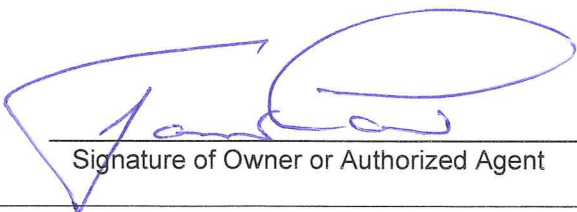
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.



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

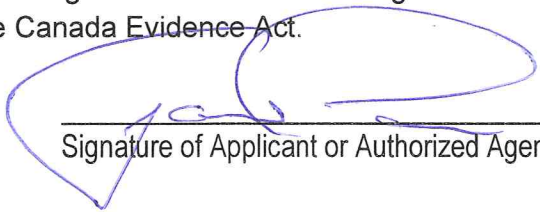
\_\_\_\_\_  
Signature of Owner or Authorized Agent



**AFFIDAVIT**

I/We, Jamie Laws of Van Harten Surveying Inc., of the City of  
(town, city)

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.

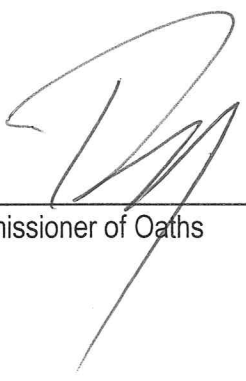
  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
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 12<sup>th</sup> day of DECEMBER, 20 17.

  
Commissioner of Oaths

**RONALD MAURICE MAK,  
A COMMISSIONER, ETC.,  
PROVINCE OF ONTARIO,  
FOR VAN HARTEN SURVEYING INC.  
EXPIRES APRIL 9, 2018.**  
(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Charleston Homes Ltd. c/o Charlie Kuiken

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

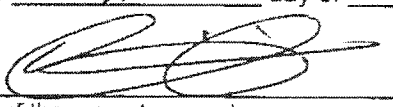
being the registered property owner(s) of


All of Lot 35, Part of Lot 34, Registered Plan 127, as in INST MS59992, City of Guelph / 64 Queen Street, Guelph, ON  
(Legal description and/or municipal address)

hereby authorize Jamie Laws 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 17th day of Dec 20 12

  
(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.