

Committee of Adjustment Application for Consent



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: May 11, 2021	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-15/21

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 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: **15 Stevenson Street, Guelph**

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

Part of Lot 38, Plan 230, Part 4-7, 61R-21436 (PIN 71332-0212)

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

If yes, describe: **S/T an easement over Parts 5 & 7, 61R-21436 in favour of Parts 8-13, 61R-21436 as in WC631025; T/W an easement over Parts 10-13, 61R-21436 as in WC631025; S/T an Easement in gross as in WC609903**

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

If yes, explain: **Mortgage as in INST No. WC633078 with the Bank of Nova Scotia located at 2 Robert Speck Pkwy, Suite 600, Mississauga, ON, L4Z 1H8**

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

Name: **RUSSTIX VENTURES CORPORATION c/o FORWAY HOLDINGS LIMITED**

Mailing Address: **101 St. Andrew Street West, Suite 201, PO Box 85**

City: **Fergus** Postal Code: **N1M 2W7**

Home Phone: **519-835-3458** Work Phone:

Fax: Email: **taylor.mcdaniel@me.com**

AGENT INFORMATION (If Any)

Name: **Jeff Buisman**

Company: **Van Harten Surveying Inc.**

Mailing Address: **423 Woolwich Street**

City: **Guelph** Postal Code: **N1H 3X3**

Home Phone: Work Phone: **519-821-2763 ext. 225**

Fax: **519-821-2770** Email: **jeff.buisman@vanharten.com**

PURPOSE OF APPLICATION (please check appropriate space):

☒ 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

Proposal is to sever a vacant parcel for urban residential purposes. The severed parcel will have an area of 349m² and a single-detached dwelling has recently been constructed. The retained parcel will have an area of 323m² where a single-detached dwelling is proposed.

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 not known

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) 11.5m / 12.0m	Depth (m) 29.6m	Area: (m ²) 349m²	Existing Use: Residential	Proposed Use: No Change
Existing Buildings/Structures: Dwelling			Proposed Buildings / Structures: None	
Use of Existing Buildings/Structures (specify): Residential			Proposed Use of Buildings/Structures (specify): N/A	

DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) 10.9m	Depth (m) 29.6m	Area: (m ²) 323m²	Existing Use: Vacant	Proposed Use: Residential
Existing Buildings/Structures: Vacant Parcel			Proposed Buildings / Structures: Dwelling	
Use of Existing Buildings/Structures (specify): N/A			Proposed Use of Buildings/Structures (specify): Residential	

TYPE OF ACCESS TO THE RETAINED LANDS

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

TYPE OF ACCESS TO THE SEVERED LANDS

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

TYPE OF WATER SUPPLY TO THE RETAINED LANDS

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

TYPE OF WATER SUPPLY TO THE SEVERED LANDS

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

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS

- ☒ Municipally owned and operated
 ☐ Septic Tank
 ☐ Other (Explain)

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS

- ☒ Municipally owned and operated
 ☐ Septic Tank
 ☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

☒ No

☐ Yes

Is any portion of the land to be severed or retained located within a floodplain?

☒ No

☐ Yes

LAND USE

What is the current official plan designation of the subject lands:

Low Density Residential

Does the proposal conform with the City of Guelph Official Plan?

☒ YES

☐ NO

If yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

The property is designated as Low Density Residential in the Official Plan. This proposal follows the objectives outlined in Section 9.3 of the Official Plan for Residential Designations. This proposal is for a severance which will allow for two in-fill developments and the application also follows the Consent Policies listed in Section 10.10.1 of the OP.

If no, has an application for an Official Plan Amendment been submitted?

☐ YES

☒ NO

File No.: _____

Status: _____

What is the current zoning designation of the subject lands:

Residential R.1D-51

Does the proposal for the subject lands conform to the existing zoning?

☐ YES

☒ NO

If no, has an application for a minor variance or rezoning been submitted?

☒ YES

☐ NO

File No.: _____

Status: **A minor variance is being submitted with this consent application**

PROVINCIAL POLICY

Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*? ☒ YES ☐ NO

Provide explanation:

Section 1.1.3 of the PPS directs growth to occur within settlement areas. This application is for a severance which will allow for two new in-fill developments within the City and therefore, conforms with the PPS.

Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

☒ YES

☐ NO

Provide explanation:

The Growth Plan for the GGH is coordinating for growth across the region including population and employment forecasts. This application is for a severance which will allow for two new in-fill developments within the City and therefore, conforms with the Growth Plan.

Is the subject land within an area of land designated under any other provincial plan or plans? ☐ YES ☒ NO

If yes, indicate which plan(s) and provide explanation:

HISTORY OF SUBJECT LAND

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.: **B-9/18 & B-10/18** Status: **Approved and Finalized**

Is this application a resubmission of a previous application? ☐ YES ☒ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land? ☐ YES ☒ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

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 type="checkbox"/>	<input checked="" type="checkbox"/>	Approved By-law (2017)-20234 (File No. ZC1613)
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application being submitted simultaneously
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
		X	Draft Plan of Vacant Land Condominium Application 23DCM16509

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.

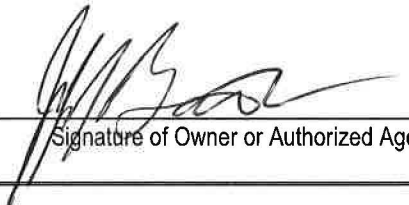
POSTING OF ADVISORY SIGN

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 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.

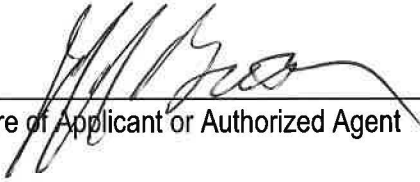


Signature of Owner or Authorized Agent

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.

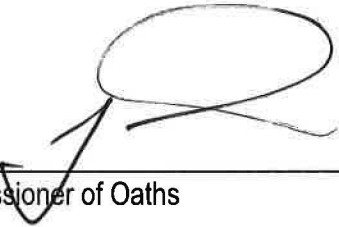

 Signature of Applicant or Authorized Agent

 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 **11** day of **May**, 20**21**.


 Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

RUSSTIX VENTURES CORPORATION c/o FORWAY HOLDINGS LIMITED

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

being the registered property owner(s) of

Part of Lot 38, Plan 230, Parts 4-7, 61R-21436 (PIN 71332-0212)

(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 7 day of Mar 2021.

X

(Signature of the property owner)

X

(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.