

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

Pre-consultation with Zoning and Planning Services staff

Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) *

Yes

No

Was Planning Services staff consulted? *

Yes

No

It is **highly recommended** that a [Preliminary Zoning Review](#) and pre-consultation with Planning Services staff be completed prior to submitting your application to the Committee of Adjustment. Failure to do so may result in your application being deferred, refused or deemed incomplete.

[Preliminary Zoning Review form](#)

If you would like to schedule a pre-consultation with Planning staff, please email planning@guelph.ca before submitting this form.

I understand that a Preliminary Zoning Review and pre-consultation with Planning Services staff is highly recommended *

I agree

Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment *

I agree

Municipal Freedom of Information

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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and 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 extension 2349.

I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. *

I agree

Permission to enter the site

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. *

I agree

Posting of Advisory Sign

I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. *

I agree



Committee of Adjustment Application for Minor Variance

Contact information

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Page 3 of 10

Registered owner

If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

Name *

Heffner
Development
Group Limited.

Phone *

(519) 505-3514

Extension

Email *

lheffner@heffner.ca

Mailing address

Unit

Street address *

3121 King St E

City *

Kitchener

Postal code *

N2A 1B1

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

G. L. Smith
Planning & Design
Inc.

Name *

Sadia Hasan

Phone *

(416) 497-3662

Email

sadia@glsmith.ca

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

4711 Yonge Street,
Suite 800

City *

Toronto

Province *

Ontario

Postal code *

M2N6K8



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Page 4 of 10

Property address

Street number *

223

Street *

Woodlawn Road W

City * ?

Guelph

Province *

Ontario

Postal code

N1H 1B6

Legal Description of the property

The legal description is the registered plan and lot number(s)

Legal description of the property *

LOT 1 PLAN 797, CITY OF GUELPH, COUNTY OF WELLINGTON

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

Official Plan Designation – Land Use *

Service Commercial

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

Special Highway Service Commercial (SC2)

Date property was purchased *

1/29/2003



Is a building or structure proposed? *

Yes

No

Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

February 2004

Existing use of the subject property *

Commercial

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

146

Area (metres squared) *

14922.23

Depth (metres) *

92



Committee of Adjustment Application for Minor Variance

Application details

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Purpose of the application

Is the purpose of the application enlargement/extension of legal non-conforming use? *

Yes

No

Purpose of the application * 

new building

building addition

accessory structure

accessory apartment

fence height

additional use

variance(s) related to a consent application

other

Type of proposal (select all that apply) *

Existing

Proposed

Variance(s) required

[View the Zoning Bylaw](#)

Section or table of Zoning Bylaw ***Proposed *****Required ***

Section 4.13.4.1

194 parking spaces

203 parking spaces

Why is it not possible to comply with the Zoning Bylaw?

Please describe the reasons why the variance(s) are needed * 

PRE21-014S

Proposed new single lane-double order stations. 9 parking spaces would be lost as a result of the addition of this proposed 2nd drive thru lane. The parking provided for the overall site would be 194.

Parking Ratio based on Approved site plan on record

	BUILDING AREA
Existing Building A	- 2034.1sq.m
Existing Building B (Harveys restaurant)	- 251.1sq.m
Existing Building C	- 1062.5sq.m
TOTAL	- 3,345.2sq.m (36,007sq.ft)

Parking Requirement for Service Commercial - 1 Parking space per 16.5sq.m of GFA

$$3,345.2/16.5 = 203$$

Parking Space required = 203

Parking Provided = 194

Other development applications that relate to this minor variance. Has the subject land ever been the subject of:

Official Plan Amendment

Zoning Bylaw Amendment

Plan of Subdivision

Site Plan

Building Permit

Consent

Previous Minor Variance Application

Site Plan reference/application number * [?](#)

SP21-023

Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? *

Yes

No

Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

Page 6 of 10

Existing buildings and structures

Main building (dwelling and building)

**Gross floor area of
main building
(square metres) ***

251

**Number of stories of
main building ***

1

**Height of the main
building (metres) ***

5.5

**Width of the main
building (metres) ***

15

**Length of the main
building (metres) ***

23

Additional existing buildings

**Are there any additional buildings or structures on the subject
property? ***

Yes

No

Select the buildings or structures that are on the subject property?
(check all that apply) *

Accessory structure

Deck

Porch

Other

Other

Please specify

Type of structure *

Building/Restaurant

Gross floor area of structure (square metres) *

251.1

Number of stories of structure *

1

Height of structure (metres) *

5.5m (at tallest)

Width of structure (metres) *

12m (at widest)

Length of structure (metres) *

24.2m



Committee of Adjustment Application for Minor Variance

Building information (continued)

An asterisk (*) indicates a response is required

Proposed buildings and structures



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

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Existing

Front setback (metres) *

Rear setback (metres) *

Exterior setback (metres) *

Interior setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

- Provincial highway
- Municipal road
- Private road
- Water
- Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer



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Summary and review

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Sworn Declaration

I 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.

Name *

Sadia Hasan

Date *

11/22/2021



Street address *

4711 Yonge St,
Suite 800

City *

Toronto

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Sadia Hasan

Date *

10/20/2021



Additional fees

Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

I have read and understood the statements above the above. *

I agree

What email address would you like us to contact you with? *

sadia@glsmith.ca

Office use only

File number

A-53/21

Address

223 Woodlawn Road West
Guelph, Ontario
N1H 1B6

Comments from staff

Application received: November 2, 2021