

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

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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

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 and the fee refund policy, 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



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Contact information

An asterisk (*) indicates a response is required

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Registered owner

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

Name *

1776410 Ontario
Ltd. (Werner
Leuschner)

Phone *

(519) 746-9948

Extension

Email *

leuschner.werner@
gmail.com

Mailing address

Unit

8

Street address *

258 Edgewater
Crs.

City *

Kitchener

Postal code *

N2A 4M2

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

Rice Kong
Engineering Ltd

Name *

John Kong, P. Eng.

Phone *

(416) 564-2037

Email

john.kong@rogers.com

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

Yes

No

Agent mailing address

Street address *

19 Ellis Park Road

City *

Toronto

Province *

Ontario

Postal code *

M6S 2V4

Organization/company name

L. Danescu
Medicine
Professional Corp.

Name *

Liviu Damescu

Phone *

(226) 821-0925

Email

igdanescu@hotmail.com

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

Yes

No

Agent mailing address

Street address *

34 Oakridge Crs.

City *

Guelph

Province *

Ontario

Postal code *

N1L1J3

Organization/company name

NGU Holdings Inc.

Name *

Irene Gorazd

Phone *

(226) 821-0925

Email

igorazd@hotmail.com

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

Yes

No

Organization/company name

Danescu Medicine Professional Corp.

Name *

Septimiu Danescu

Phone *

(226) 821-0925

Email

septimuiain@gmail.com

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

Yes

No



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

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

Legal description of the property *

GUELPH DIV C CON 2 PT LOT 1 RP 61R21889 PARTS 10 TO 14 21 TO 23 AND 25 PT PARTS 15 16 AND 24

Blk B, Unit 6&7 (refer to attached site plan & land title doc) - irregular shape

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

Official Plan Designation – Land Use *

[Zoning Designation under Zoning By-law \(1995\)-14864 – Interactive Map](#)

Current zoning designation under Zoning By-law (1995)-14864, as amended *

Zone SC.2-12

Zoning Designation under Zoning By-law (2023)-20790, as amended – Interactive Map

Current zoning designation under Zoning By-law (2023)-20790, as amended *

Zone SC

Date property was purchased *

9/30/2023



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 *

under construction from builder

Existing use of the subject property *

Commercial

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

209.47

Area (metres squared) *

17349

Depth (metres) *

163

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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 under Zoning By-law (1995)-14864, as amended

The City of Guelph recently approved a new Zoning By-law. This means that applicants will need to apply under both the current, and previous Zoning By-law while the transition occurs. Please ensure you are applying for variances under both Zoning By-law (1995)-14864, as amended and Zoning By-law (2023)-20790, as amended.

[View the Zoning Bylaw](#)

Are variance(s) from Zoning By-law (1995)-14864, as amended, required? *

Yes

No

Section or table of Zoning Bylaw (1995)-14864, as amended *

4.23.1 (1995)

Proposed *

increase in coverage of pharmacy (accessory use) to 50%

Required *

limiting accessory use coverage to 25%

Variance(s) required under Zoning By-law (2023)-20790, as amended

[View the Zoning Bylaw](#)

Are variance(s) from Zoning By-law (2023)-20790, as amended, required? *

Yes

No

Section or table of Zoning Bylaw (2023)-20790, as amended *

4.21(b) (2023)

Proposed *

increase in coverage of pharmacy (accessory use) to 50%

Required *

limiting accessory use coverage to 25%

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

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

Pharmacy and medical office are co-joining businesses. The joining business can effectively service the surrounding area

variance required to allow for increase in coverage of pharmacy (accessory use) within the unit

pharmacy and medical office will equal coverage (50%)

As a new zoning by-law was passed by City Council in April, this would require a variance to both by-laws (That could be processed through one variance application). Section 4.23.1 of the 1995 Zoning By-law limiting accessory use coverage to 25%, and Section 4.21(b) of the 2023 Zoning By-law also limiting accessory use coverage to 25%. attachment from zoning dept review

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

Building Permit application number * 

22 003272 BPR - ICI Renovation

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Building information

An asterisk (*) indicates a response is required

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Existing buildings and structures

Main building (dwelling and building)

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

1790

**Number of stories of
main building ***

2

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

10

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

12

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

74

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 *

commercial bldg - Blk A & C (refer to site plan)

Gross floor area of structure (square metres) *

927

Number of stories of structure *

one

Height of structure (metres) *

5

Width of structure (metres) *

12

Length of structure (metres) *

77



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Setbacks, access and services

An asterisk (*) indicates a response is required

Existing

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right 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



Committee of Adjustment Application for Minor Variance

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 *

John Kong, P. Eng,

Date *

7/9/2023



Street address *

19 Ellis Park Road

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 *

John Kong, P. Eng.

Date *

7/9/2023



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 \$428.00 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 [2023 User Fee Guide](#)

I have read and understood the statements above. *

I agree

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

john.kong@rogers.com

Office use only

File number

A-47/23

Address

561 York Road
Guelph, Ontario

Comments from staff

Received July 10, 2023