

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Feb 7, 2020	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	A-13 / 20

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: <u>5 DOUGLAS ST. R.D.</u>	
Address of Property: <u>65 WYNDHAM ST NORTH</u>	
Legal description of property (registered plan number and lot number or other legal description): <u>PIN: 71286-0099 (LT); SEE SCHEDULE A</u>	
REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)	
Name:	<u>SKYLINE REAL ESTATE HOLDINGS INC.</u>
Mailing Address:	<u>5 DOUGLAS ST, SUITE 301</u>
City:	<u>GUELPH</u>
Postal Code:	<u>N1H 2S8</u>
Home Phone:	<u>519-826-0439</u>
Fax:	<u>519-836-2320</u>
Email:	
AGENT INFORMATION (If Any)	
Company:	<u>2325505 ONTARIO INC. O/A BUON GUSTO RESTAURANT</u>
Name:	<u>BERNIE DYER</u>
Mailing Address:	<u>58 CARRIAGE LANE</u>
City:	<u>PUSKINCH</u>
Postal Code:	<u>N0B 2J0</u>
Work Phone:	<u>519-265-8766</u>
Mobile Phone:	<u>416-566-7493</u>
Fax:	<u>berniedyer@rogers.com</u>

Official Plan Designation: DOWNTOWN SECONDARY PLAN: MIXED USE 1	Current Zoning Designation: D.1-1
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
6.3.2.6.2 - LICENSED ESTABLISHMENT MAX FLOOR AREA
- NOW 230 M² - 505 M²
6.3.2.6.3 - 190 NOW 130 - 192

Why is it not possible to comply with the provision of the by-law? (your explanation)
EXPANDING
ALREADY AT MAXIMUM ALLOWED

PROPERTY INFORMATION			
Date property was purchased:	AUGUST 19, 2011	Date property was first built on:	1880
Date of proposed construction on property:	JULY, 2020	Length of time the existing uses of the subject property have continued:	RENOVATED IN 2012
			8 YEARS
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
COMMERCIAL			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
COMMERCIAL			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage:	Depth:	Area:
37 M	30-45 M	1864 M²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	339 M ²		Gross Floor Area:	505 M ²	
Height of building:	1 STOREYS		Height of building:	1 STOREY	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
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			PROPOSED NO CHANGE		
Front Yard Setback:	0 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	0 M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M 4.868	Right: M 4.2	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	9.613 M		Rear Yard Setback	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 checked="" type="checkbox"/>	SP07C066-2008 B.D.
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-36/11, A-29/12, A-101/07

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 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.

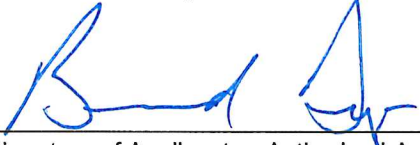
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, BERNARD DYER, of the City/Town of PUSLINCH 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/Town of Guelph in the County/Regional Municipality of Wellington this 7 day of February, 20 20.



Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, being the registered property owner(s)

Skyline Real Estate Holdings Inc.

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

of 5 Douglas Street, Guelph, ON; See attached Schedule

(Legal description and/or municipal address)

hereby authorize 2325505 Ontario Inc. O/A Buon Gusto-Ristorante
(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 February 2020.

(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.

Schedule A

Legal Description

CONSOLIDATION OF VARIOUS PROPERTIES: FIRSTLY; PT LOT 19 PRIOR'S BLK, PLAN 8, PT LOT 1, PLAN 250, PARTS 1 TO 7 61R3091; T/W ROS546712; S/T THE RIGHTS OF OWNERS OF ADJOINING PARCELS, IF ANY UNDER MS52001, ROS189163, ROS255527; SECONDLY; PT LOTS 18 & 19, PRIOR'S BLK, PLAN 8 AS IN MS52001 & ROS189163 SAVE & EXCEPT PARTS 4, 5 & 6, 61R3091; PT LOT 1, PLAN 250, PART 5, 61R2541; S/T THE RIGHTS OF OWNERS OF ADJOINING PARCELS, IF ANY, UNDER ROS546712; THIRDLY; LOT 2, PLAN 250, SAVE AND EXCEPT PT 1 61R3091, S/T THE RIGHTS OF OWNERS OF ADJOINING PARCELS, IF ANY, UNDER ROS546712; T/W EASE FOR THE PRUPOSE OF ACCESS FOR PEDESTRIANS AND VEHICLES AS IN LT24521; SUBJECT TO AN EASEMENT IN GROSS OVER FIRSTLY; PT LOT 19 PRIOR'S BLK, PLAN 8, PT LOT 1, PLAN 250, PARTS 1 TO 7 61R3091; SECONDLY; PT LOTS 18 & 19, PRIOR'S BLK, PLAN 8 AS IN MS52001 & ROS189163 SAVE & EXCEPT PARTS 4, 5 & 6, 61R3091; PT LOT 1, PLAN 250, PART 5, 61R2541; THIRDLY; LOT 2, PLAN 250, SAVE AND EXCEPT PT 1 61R3091 AS IN WC462378; SUBJECT TO AN EASEMENT AS IN WC387796; CITY OF GUELPH