

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received:	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	A-95/19

## 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: 169 Gosling Gardens, Guelph

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

Lot 108, Registered Plan 61M-39, City of Guelph

### OWNER(S) INFORMATION:

Name: Lakhvir JOHAL & Sukhwinder JOHAL

Mailing Address: 169 Gosling Gardens

City: Guelph      Postal Code: N1G 5E6

Home Phone: 226-500-3082      Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_      Email: lakhvir.johal0@gmail.com

### AGENT INFORMATION (If Any)

Company: Van Harten Surveying Inc.

Name: Jeff Buisman

Mailing Address: 423 Woolwich Street

City: Guelph      Postal Code: N1H 3X3

Work Phone: 519-821-2763 x 225      Mobile Phone: \_\_\_\_\_

Fax: 519-821-2770      Email: Jeff.Buisman@vanharten.com

Official Plan Designation: General Residential	Current Zoning Designation: Residential R.1C-10
---	--

**NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):**

The following Minor Variance is being requested:

- A. To permit the existing concrete walkway in the front yard to be 0.11m from the side lot line instead of 0.5m as required in Table 5.1.2, Row 12 of the Zoning By-law.
- B. To permit a the proposed exterior stairwell to be 0.11m from the side lot line instead of 0.6m as required in Table 4.7, Row 12 of the Zoning By-law.

Why is it not possible to comply with the provision of the by-law? (your explanation)

See covering letter for justification on variance.

**PROPERTY INFORMATION**

Date property was purchased:	December 2005	Date property was first built on:	Many years ago
Date of proposed construction on property:	Pending minor variance approval	Length of time the existing uses of the subject property have continued:	Many years

EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Residential

PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Residential (No Change)

**DIMENSIONS OF PROPERTY:** (please refer to your survey plan or site plan)

Frontage: 12.0m

Depth: 33.9m

Area: 407m<sup>2</sup>

**PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)**

EXISTING (DWELLINGS & BUILDINGS) – Existing Dwelling		PROPOSED – N/A	
<b>Main Building</b>		<b>Main Building</b>	
Gross Floor Area:	141m <sup>2</sup>	Gross Floor Area:	
Height of building:	2 Storey	Height of building:	
<b>Garage/Carport (if applicable)</b>		<b>Garage/Carport (if applicable)</b>	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>

Width:	5.5m		Width:		
Length:	5.7m		Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck) N/A			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 – Dwelling			PROPOSED – Stairwell		
Front Yard Setback:	7.4m		Front Yard Setback:		
Exterior Side Yard (corner lots only)	N/A		Exterior Side Yard (corner lots only)		
Side Yard Setback:	Left: 1.2m	Right: 1.2m	Side Yard Setback:	Left:	Right: 0.11m (stairwell)
Rear Yard Setback	9.6m		Rear Yard Setback		

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 type="checkbox"/>	
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"/>	Application (A-95/19) was deferred at the Nov. 2019 Committee of Adjustment meeting. Revisions have been made to the application and it is being resubmitted for circulation.

**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**

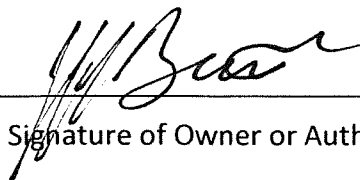
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Jeff Buisman of Van Harten Surveying Inc., of the City/Town ofGuelphin 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~~ ofWellington

this

13

day of

January, 20 20
  
 \_\_\_\_\_  
 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, being the registered property owner(s)

Lakhvir JOHAL & Sukhwinder JOHAL

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

of Lot 108, Registered Plan 61M-39, City of Guelph / 169 Gosling Gardens, Guelph  
(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 10 day of October 2019.

Lakhvir Johal  
(Signature of the property owner)

Sami Bhal  
(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.