

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 23, 2019</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-8120</u>

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: 7 Marigold Drive

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

Lot 43, Registered Plan 61M-54

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

Name: Michael Maguire and Eliza Maguire

Mailing Address: 7 Marigold Drive

City: Guelph Postal Code: N1C 1G5

Home Phone: _____ Work Phone: 647-671-2952

Fax: _____ Email: _____

AGENT INFORMATION (If Any)

Company: Black, Shoemaker, Robinson & Donaldson Limited

Name: Nancy Shoemaker

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph Postal Code: N1H 8J1

Work Phone: 519-822-4031 Mobile Phone: _____

Fax: _____ Email: nancy@bsrd.com

Official Plan Designation: Low Density Residential	Current Zoning Designation: Single Detached Residential (R.1C)
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
1) Table 5.1.2 - Row 6a: Minimum Exterior Side Yard - Seeking variance of 2.25 m in lieu of 4.5m
2) Table 5.1.2 - Row 9 and Section. 4.5.1.2: Accessory Buildings -Building or Structure is not located within 0.6 metres - Seeking variance of 0.19 m in lieu of 0.6 m
3) Table 5.1.2 - Row 9 and Section 4.5.1: Accessory Building in Exterior Side Yard - Seeking variance to allow existing shed to be located in Exterior Side Yard. with setback of 2.29 m in lieu of 4.5m
4) Table 4.7 - Row 1: An uncovered Porch not more than 1.2 metres above Finished Grade requires a Side Yard and Rear Yard Setback of 0.6 metres from Lot Line - Seeking variance of 0.0 metres in lieu of 0.6 metres for deck around pool.
5) Section 4.13.7.2.1: Driveway Width - Maximum in R.1C zone is 6 metres - Seeking variance of 6.8 m in lieu of 6 metres 30

Why is it not possible to comply with the provision of the by-law? (your explanation)
The current owner purchased this property with the above-noted infractions in June of 2018.
They were not aware that the property did not meet the zoning regulations.
They are seeking these variances to allow continued use of the addition, pool deck and accessory structure (sheds) which formed part of their original purchase from the previous owner.

PROPERTY INFORMATION			
Date property was purchased:	June 8, 2018	Date property was first built on:	2003
Date of proposed construction on property:	No new construction proposed	Length of time the existing uses of the subject property have continued:	16 years although house addition occurred in 2016
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
Residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	18.7 m	Depth:	39.4 m
		Area:	658 m ²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED None proposed		
Main Building			Main Building		
Gross Floor Area:	270 m ²		Gross Floor Area:		
Height of building:	2 storey with 1 storey addition		Height of building:		
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:	7.2		Width:		
Length:	6.0 m		Length:		
Driveway Width:	6.8 m		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Shed - 3.4 m high and 9.9 m ² Shed - 2 m high - 1.6 m ² Pool + Deck			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED None Proposed		
Front Yard Setback:	7.35 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	2.25 M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: N/A M	Right: 1.21 M	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	13.29 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 type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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.

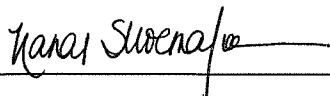
POSTING OF ADVISORY SIGN

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, Nancy Shoemaker, 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.

Nancy Shoemaker
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 18th day of December, 2019.

Kerry Francis Hills
Commissioner of Oaths

Kerry Francis Hills, a Commissioner, etc.,
Province of Ontario, for Black, Shoemaker,
Robinson & Donaldson Limited
Expires March 28, 2022

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

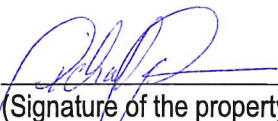
Michael Maguire and Eliza Maguire
[Organization name / property owner's name(s)]

of 7 Marigold Drive
(Legal description and/or municipal address)

hereby authorize Black, Shoemaker, Robinson & Donaldson Ltd.
(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 18th day of December 2019.


(Signature of the property owner)


(Signature of the property owner)

(Tracy McLennan, Superintendent of Corporate Services and Treasurer)

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.
- ★ - All members of the firm are appointed.