

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: May 12, 2020	Folder #: A-27/20
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

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: **120 Kathleen Street, Guelph**

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

**Part of Lot 7, Concession 3, Division 'A', as in INST No. RO716665,
Geographic Township of Guelph, City of Guelph**

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

Name: **Robert William Green**

Mailing Address: **214 Speedvale Ave West**

City: **Guelph** Postal Code: **N1H 1C4**

Home Phone: **519-993-8817** Work Phone: _____

Fax: _____ Email: **rgreen@royallegepage.ca**

AGENT INFORMATION (If Any)

Company: _____

Name: **Nicolas Spaling**

Mailing Address: **115 Oak Park Drive**

City: **Waterloo** Postal Code: **N2K 0B3**

Work Phone: _____ Mobile Phone: **647-286-3477**

Fax: _____ Email: **spalsnick@gmail.com**

Official Plan Designation: General Residential	Current Zoning Designation: Residential R.1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

A 2 storey addition is proposed for the existing dwelling, including an attached garage and the following variance is being requested to address the deficiency:

A) To permit a reduced side yard setback for the proposed 2 storey building addition to be 0.65m instead of 1.5m as required in Table 5.1.2, Row 7 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:	January 2007	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 - Approx. 1940's
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: **15.2m** Depth: **36.5m** Area: **550m²**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building		Existing Dwelling	Main Building		Proposed Addition & Garage
Gross Floor Area:	Ground Floor Area = 95±m²		Gross Floor Area:	145±m²	
Height of building:	1 storey		Height of building:	2 storey	
Garage/Carport (if applicable) Garage - to be removed			Garage/Carport (if applicable) Proposed Attached Garage		
Attached <input type="checkbox"/>		Detached <input checked="" type="checkbox"/>	Attached <input checked="" type="checkbox"/>		Detached <input type="checkbox"/>
Width:	3.6±m	Garage - to be removed	Width:	3.6±m	
Length:	6.0±m		Length:	7.2±m	
Driveway Width:	3.6±m		Driveway Width:	3.6±m	
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			Dwelling & Existing Garage	PROPOSED			Garage and Rear Addition
Front Yard Setback:	7.7m		M	Front Yard Setback:	7.7m (existing)		M
Exterior Side Yard (corner lots only)	N/A		M	Exterior Side Yard (corner lots only)	N/A		M
Side Yard Setback:	Left: 1.6m M	Right: 0.0m		Side Yard Setback:	Left: 0.65m (proposed) M	Right: 1.6m (existing) M	
Rear Yard Setback	17.3m		M	Rear Yard Setback	13.7m (proposed)		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.

 x 
Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Nicolas Spaling, 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.

X 
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 7th day of May, 2020.



Commissioner of Oaths

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2021 (only stamp if Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Rob Green

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

being the registered property owner(s) of

120 Kathleen Street, Guelph

(Legal description and/or municipal address)

hereby authorize Nicolas Spaling

(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 April 2020.

Rob Green

(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.