

# Committee of Adjustment Application for Minor Variance



<b>Consultation with City staff is encouraged prior to submission of this application.</b>	OFFICE USE ONLY	
	Date Received: July 13, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-35/20</b>

## 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: 8 & 14 MACDONELL STREET

Legal description of property (registered plan number and lot number or other legal description):  
PLAN 8 PT LOTS 107, 112, 113 RP61R6914 Parts 1&2

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

Name: DOWNTOWN MERCURY DEVELOPMENT CORPORATION

Mailing Address: P.O. BOX 36

City: GUELPH      Postal Code: N1H 6J6

Home Phone: \_\_\_\_\_      Work Phone: 519-767-0908

Fax: \_\_\_\_\_      Email: INFO@MBID.CA

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**AGENT INFORMATION (If Any)**

Company: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_      Postal Code: \_\_\_\_\_

Work Phone: \_\_\_\_\_      Mobile Phone: \_\_\_\_\_

Fax: \_\_\_\_\_      Email: \_\_\_\_\_

Official Plan Designation: Mixed Use 1	Current Zoning Designation: CBD.1/D.1-1
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<b>NATURE AND EXTENT OF RELIEF APPLIED FOR</b> (variances required):
For the existing (1995) -14864 Zoning By-law:
Variance from Section 6.3.2.6.4 to allow a licensed establishment be located in the basement.
Section 6.3.2.6.4 states: The Floor Area of a Licensed Establishment shall be located on the First Floor only.
We are requesting a Licensed Establishment be allowed in the lower level.

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b>
There is no ground floor space available in the Mercury Building as it is currently tenanted.
This variance would allow a new, small business to operate in currently unused space in a historic downtown building. This intent is supported by the 'Objectives to grow and strengthen the Downtown economy', Principle 3 of the <i>Downtown Secondary Plan</i> , as it reinforces and expands the role of Downtown; and encourages small and mid-size businesses to locate in Downtown's historic commercial buildings. The space is small and intimate with a total space and maximum capacity well under guidelines and would be a positive addition to the neighbourhood and the downtown core.

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	July 18, 2016	Date property was first built on:	1920
Date of proposed construction on property:	IMMEDIATE	Length of time the existing uses of the subject property have continued:	~100 YEARS
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): COMMERCIAL			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): COMMERCIAL			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)		
Frontage: 36.3 m 119 ft	Depth: 42.9 m 141 ft	Area: 9721 sq m 104,637.90 sq ft

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	2,159 sq. m.		Gross Floor Area:	NO CHANGE	
Height of building:	2 STOREY / 5 m		Height of building:	NO CHANGE	
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) 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			PROPOSED				
Front Yard Setback:	THE STREET LINE		M	Front Yard Setback:	NO CHANGE	M	
Exterior Side Yard (corner lots only)	0		M	Exterior Side Yard (corner lots only)	NO CHANGE		M
Side Yard Setback:	Left: M 0	Right: M 0		Side Yard Setback:	Left: M NO CHANGE	Right: M NO CHANGE	
Rear Yard Setback	0		M	Rear Yard Setback	NO CHANGE		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 type="checkbox"/>	<input checked="" type="checkbox"/>	#20 001698 PR - IN PROGRESS; #18 005404 PR - OPEN
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-66/18 - CLOSED, SEPTEMBER 3, 2019

**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](mailto: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

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Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Melissa McCowan, of the City/Town of Fergus 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


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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~~ via video conference at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 13 day of July, 2020.

  
\_\_\_\_\_  
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)