

# 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: <b>July 16, 2020</b>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>A-37/20</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.*

<b>PROPERTY INFORMATION:</b>			
Address of Property: <u>23 Wellington East unit 8-9</u>			
Legal description of property (registered plan number and lot number or other legal description): <u>Plan # 8 lot # 98</u>			
<b>REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)</b>			
Name:	<u>922444 Ontario Ltd.</u>		
Mailing Address:	<u>15 Grovewood Street</u>		
City:	Postal Code:	<u>L4E 4X4</u>	
Home Phone:	<u>Richmond Hill, Ontario</u>	Work Phone:	<u>416-518-5408</u>
Fax:		Email:	<u>tonyvarvaris@hotmail.com</u>
<b>AGENT INFORMATION (If Any)</b>			
Company:	<u></u>		
Name:	<u>tony varvaris</u>		
Mailing Address:	<u>82 Chiswick Cres.</u>		
City:	Postal Code	<u>Aurora ON      L4G 6P1</u>	
Work Phone:	Mobile Phone:	<u>416 508 2650</u>	
Fax:		Email:	<u>tonyvarvaris@hotmail.com</u>

Official Plan Designation: Future Park Policy Area C	Current Zoning Designation: CR-11
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<b>NATURE AND EXTENT OF RELIEF APPLIED FOR</b> (variances required): change of use of an existing store from money loans to retail store (Cannabis Retail)
Please see attached site plan
The previous use of the units (8,9) is a Money Mart (Loans)
Most of the stores in the plaza are retail stores and gone through the same process. <del>As per communication with city staff, a new retail use in the plaza would not be against the future park policies</del> in the secondary plan because commercial uses are expected to continue until such time that the City purchases the property for a park. Therefore, Planning staff could support a variance for an additional retail use in units 8 & 9 at 23 Wellington Street East.
Bylaw staff confirmed that the storefronts is not within 150 metres of sensitive uses ( schools etc..)
<b>We need to be relieved from section 6.4.3.1.2.1 ( site specfic) to add Retail store (Cannabis retail)</b>

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b>
The provision of the by-law does not allow retail stores , given that there is plan by the city to purchase the plaza for a park. So owners are aware of this, however until such time, they are hoping that the committee of adjustment accept their request as it was the case with other stores in the plaza.

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	1990	Date property was first built on:	1986
Date of proposed construction on property:	Sept 2020	Length of time the existing uses of the subject property have continued:	1986
<b>EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):</b> Commercial / money mart			
<b>PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):</b> Cannabis Retail			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)			
Frontage:	74 m	Depth:	varies 12-22 m
Area:	1545 m <sup>2</sup>		

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:	16,630 sq ft. ( 1545m <sup>2</sup> )	Gross Floor Area:	NO CHANGES
Height of building:	4 m	Height of building:	
Garage/Carport (if applicable) N/A		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: N/A		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	10 m M	Front Yard Setback:	NO CHANGES M
Exterior Side Yard (corner lots only)	7 m M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M Right: M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	varies 8-20 M	Rear Yard Setback	M

**TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)**

Provincial Highway  Municipal Road  Private Road  Water  Other (Specify)

**MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)**

Water  Sanitary Sewer  Storm Sewer

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](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.

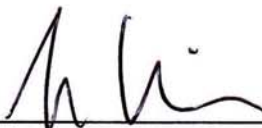
**POSTING OF ADVISORY SIGN**

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

\_\_\_\_\_

Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Anthony Varrakis, of the City/Town of Aurora On in County/Regional Municipality of Aurora/York, 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]  
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~~ via video conference at the City/Town of Guelph in the County/Regional Municipality of Wellington this 15 day of July, 2020.

[Signature]  
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)  
922444 Ontario Ltd. 15 Grovewood Street Richmond Hill, Ontario  
L4E 4X4

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

of \_\_\_\_\_  
23 Wellington East unit 8-9  
(Legal description and/or municipal address)

hereby authorize \_\_\_\_\_ tony varvaris  
(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 \_\_\_\_\_ 8TH \_\_\_\_\_ day of \_\_\_\_\_ JULY \_\_\_\_\_ 20 \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
*Joe Tomabare*  
(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.