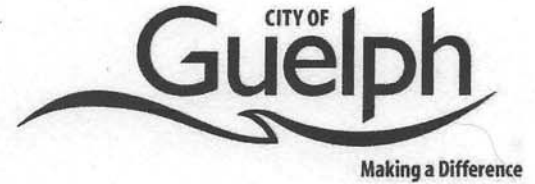


COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: July 14, 2020	Folder #: A-36/20
	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 *Please see note below.

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: 37 Arthur St N, Guelph, ON, N1E 4T7

Legal description of property (registered plan number and lot number or other legal description): Roll number 020.005.01000.0000
Plan 161, Lot 22, N/S Queen Pt Lot 22 S/S Duke St RP 61R3583 Parts 2 & 3 Subject to Row

OWNER(S) INFORMATION:

Name: Ashlee Cooper

Mailing Address: 37 Arthur St N

City: Guelph Postal Code: N1E 4T7

Home Phone: 226-821-2136 Work Phone: _____

Fax: _____ Email: ashleedaniellecooper@gmail.com

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____ Postal Code: _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Official Plan Designation: Low density residential	Current Zoning Designation: R.1B Residential
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Please accept this request for a minor variance for an extension of legal non-conforming use on a residential property to allow for the construction of 2 dormers on the existing roof. Although there was not a formal prescreening, Building Services supports an extension of legal non conforming use to permit the proposed construction. The subject property at 37 Arthur St North is zoned R.1B Residential. R.1B zoning permits the following: Single Detached Dwelling, Accesory apartment (Section 4.15.1), Bed and Breakfast (Section 4.27), Day Care Centre (Section 4.26), Group Home (Section 4.25), Home Occupation (Section 4.19), Lodging House Type 1 (Section 4.25). The existing Building is a semi-detached structure that is not a permitted use in the Zoning B-law. This is considered a legal nonconforming use. Section 2.5.3 of the Zoning By-law regulates Legal Nonconforming Uses. It reads: Nothing in this By-law shall apply: 2.5.3.3 to prevent the strengthening or renovation of a Building or Structure which is Used for a purpose not conforming with this By-law, so long as the stregthening or renovation does not alter the height, size or volume of the Building or Structure or change the use on the property unless the change is to a Use permitted by the By-law.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The property is currently zone R.1B single family detached. Since the house is semi-detached, it has legal non-conforming status (LNC) to permit the use of a semi-detached home in an R.1 zone. The City of Guelph Zoning By-law (1995)-14864 permits the use of an LNC property as long as the size and height remain the same. Although the height of the roof peak is remaining the same, I am changing the volume of the roof and therefore require approval from the Committee of Adjustment.

PROPERTY INFORMATION			
Date property was purchased:	March 25, 2020	Date property was first built on:	1842
Date of proposed construction on property:	August 20, 2020	Length of time the existing uses of the subject property have continued:	178 years
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Low density residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Low density residential			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 4.93 M	Depth: 79.86 M	Area: 390.19 square M

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:	115 square M	Gross Floor Area:	115 square M
Height of building:	6.45 M	Height of building:	6.45 M
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>	
Width:	3.20 M	Width:	3.20 M
Length:	5.64 M	Length:	5.64 M
Driveway Width:	4.93 M	Driveway Width:	4.93 M
Accessory Structures (Shed, Gazebo, Pool, Deck) n/a		Accessory Structures (Shed, Gazebo, Pool, Deck) n/a	
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:	2.79 M	Front Yard Setback:	2.79 M
Exterior Side Yard (corner lots only)	n/a M	Exterior Side Yard (corner lots only)	n/a M
Side Yard Setback:	Left: 0 M Right: .22 over M	Side Yard Setback:	Left: 0 M Right: 0.22 over M
Rear Yard Setback	7.77 M	Rear Yard Setback	7.77 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 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

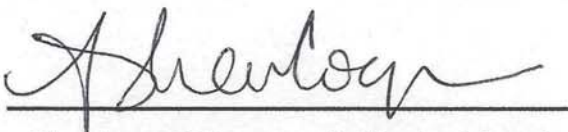
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Ashlee Cooper, 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.



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 14 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, 2020

(official stamp of Commissioner of Oaths)