

# Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <b>July 20, 2020</b>	Folder #: <b>A-40/20</b>
	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: 117 QUEEN STREET

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

LOT 84, PLAN 243

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

Name: MICHAEL THOMAS FORBES, SARAH CATHERINE HAWTHORN  
Mailing Address: 117 QUEEN STREET  
City: GUELPH, ON Postal Code: N1G 4S2  
Home Phone: 519-821-6457 Work Phone: 416-213-7165  
Fax: \_\_\_\_\_ Email: MIKE.T.FORBES@GMAIL.COM

### AGENT INFORMATION (If Any)

Company: BM ARCHITECTURAL DESIGN  
Name: BENJAMIN MCFADGON  
Mailing Address: 58 HACKNEY RIDGE  
City: BRAITFORD Postal Code: N3P 1T2  
Work Phone: 519-721-4866 Mobile Phone: 519-721-4866  
Fax: - Email: BENJAMIN@BMARCHITECTURALDESIGN.COM

Official Plan Designation: **Low Density  
Residential**

Current Zoning Designation: **Zone R.1B**

**NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):**

There are two minor variances required from Table 4.7 Row 3:

1. To permit the proposed open, roofed porch to have a maximum projection of 3.8 metres into the required front yard, whereas the By-law requires that for an open, roofed porch not exceeding 1 storey in height the maximum projection into the required front yard is 2.4 metres; and
2. To permit the stairs associated with the proposed open, roofed porch to have a minimum setback of 1.6 metres from the front lot line, whereas the By-law requires that the stairs associated with an open, roofed porch are permitted to have a minimum setback of 2 metres from the front lot line.

**Why is it not possible to comply with the provision of the by-law? (your explanation)**

**THE FRONT YARD SETBACK DOES NOT ALLOW FOR A REASONABLE SIZE COVERED PORCH TO PROVIDE SHELTER TO THE ENTRANCE OF THE SUBJECT PROPERTY.**

The existing property already encroaches on the front yard setback (extg. 4.6 m front yard setback when it is required to be 6.0 m)

**PROPERTY INFORMATION**

Date property was purchased:	<b>APRIL 17, 2015</b>	Date property was first built on:	<b>1885</b>
Date of proposed construction on property:	<b>AUGUST 2020</b>	Length of time the existing uses of the subject property have continued:	<b>135 YEARS</b>

**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: **17.07m**      Depth: **33.80m**      Area: **576.97 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:	140.7 m <sup>2</sup>		Gross Floor Area:	140.7 m <sup>2</sup>	
Height of building:	7.8 m		Height of building:	7.8 m	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	
Width:	4.530 m		Width:	4.530 m	
Length:	6.600 m		Length:	6.600 m	
Driveway Width:	3.130 m		Driveway Width:	3.130 m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height: FRONT COVERED PORCH 6.13m (WIDTH) x 2.43m (DEPTH) x 3.65m (HEIGHT)		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	4.6 m		M	Front Yard Setback:	2.2 m M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: M 9.2 m	Right: M 1.7 m		Side Yard Setback:	Left: M 9.2 Right: M 1.7
Rear Yard Setback	N/A		M	Rear Yard Setback	N/A 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 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 type="checkbox"/>	<input checked="" 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 002781 RR
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.

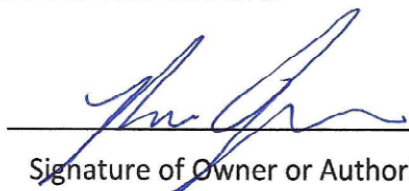
**POSTING OF ADVISORY SIGN**

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.

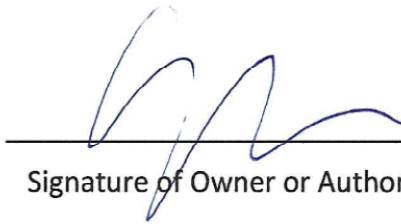
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, 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

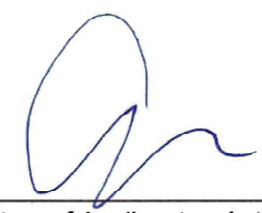
**AFFIDAVIT**

I/We, MICHAEL FORBES / SARAH HAWTHORN, of the City/Town of

GURUPA 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

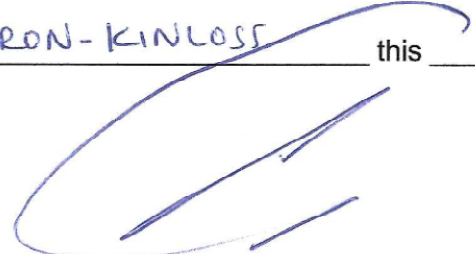
  
Signature of Applicant or Authorized Agent

**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

City/Town of POINT CLARK in the County/Regional Municipality of

HURON-KINLOSS this 1<sup>ST</sup> day of JULY, 20 20.

  
Commissioner of Oaths  
KYLE DANIEL CLEAVER  
LSO # 59654F

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

MICHAEL FORRES / SARAH HAWTHORN  
 [Organization name / property owner's name(s)]

of 117 QUEEN STREET  
 (Legal description and/or municipal address)

hereby authorize BENJAMIN McFADGEN  
 (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 7<sup>th</sup> day of JULY 2020.

[Signature]  
 (Signature of the property owner)

[Signature]  
 (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.