

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Sep 24, 2020	Folder #: A-48/20
	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: 327 WOODLAWN ROAD WEST, GUELPH, ON.

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

PART 1, CONCESSION 5, DIVISION D, CITY OF GUELPH, COUNTY OF WELLINGTON

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

Name: 2437637 ONTARIO INC.

Mailing Address: 218 Export Blvd., Suite 408

City: Mississauga Postal Code: L5T1Y4

Home Phone: _____ Work Phone: 416 951 7253

Fax: _____ Email: JAVED@INSPIRATIONGROUP.CA

AGENT INFORMATION (If Any)

Company: GAMA ENGINEERING INC.

Name: WAJID MANSURI

Mailing Address: 8611 WESTON RD., SUITE 35B

City: VAUGHAN Postal Code: L4L 9P1

Work Phone: 905-264-9295 Mobile Phone: 647-224-9295

Fax: _____ Email: WMANSURI@BELLNET.CA

Official Plan Designation: SERVICE COMMERCIAL	Current Zoning Designation: SC.1-50
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

OUTDOOR OPEN SPACE PATIO 60 SQ. M.

1-SECTION 4.17.2.6. OF THE ZONING BY-LAW STATES, WHERE PERMITTED, OUTDOOR PATIO SHALL BE PERMITTED WITHIN THE BUILDING ENVELOPE OF THE DEVELOPMENT ON SITE

2-Section 4.20.3 Fence Located in a front yard, side yard or Exterior side yard shall not be within 4.0 meters of a street line unless the height of such a fence is less than 0.8 meters.

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

Any outdoor patio is required to be within the required building zoning setbacks of the property - 6m exterior side yard is required. The proposed patio is within the 6m setback area of the building and can be only be positioned in this area to function with the building interior layout.

As minor variance is required to permit the reduced 3m front yard setback for an outdoor patio. ~~was~~ with a fence height of 1.42 meters

Note: MTO has confirmed and permitted the patio even it is within their 14 metre building setback from the property line. Note the City of Guelph building setback is met.

and the building and site plan are approved and the site is under construction.

PROPERTY INFORMATION

Date property was purchased:	May 1, 2019	Date property was first built on:	Vacant Land
Date of proposed construction on property:	July 1, 2020	Length of time the existing uses of the subject property have continued:	
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Vacant			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): New Commercial/Denny's Restaurant			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)

Frontage: 50.29 m

Depth: 63.70.29 m

Area: 3202.62 SQ.M.

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building n/a			Main Building		
Gross Floor Area:	n/a		Gross Floor Area:	375 sq.m.	
Height of building:			Height of building:	6.78 m	
Garage/Carport (if applicable) n/a			Garage/Carport (if applicable) n/a		
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) n/a		
Describe details, including height: n/a			Describe details, including height: n/a		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:			M	Front Yard Setback:	6 M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	14 M
Side Yard Setback:	Left: M	Right: M		Side Yard Setback:	Left: M 18.91 Right: M 14.00
Rear Yard Setback			M	Rear Yard Setback	32.87 M

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)				Site access from Regal Road of Woodlawn Rd. West (HWY 7) Other (Specify)
Provincial Highway	Municipal Road	x	Private Road	Water

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)		
Water	x	Sanitary Sewer x Storm Sewer x
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 type="checkbox"/>	<input checked="" type="checkbox"/>	SP19-038 - Approved
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20001090PN-Approved and under construction
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.

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, DIRECTOR OF 2437687 ONTARIO INC. of the City/Town of
MISSISSAUGA in County/Regional Municipality of PEEL, 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 Mississauga in the County/Regional Municipality of
Peel this 20th day of August, 2020

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

HARSIMRAT KAUR AUJLA
 BARRISTER, SOLICITOR AND NOTARY PUBLIC
 Tel: 905-564-0040
 218 Export Blvd., Unit # 406,
 Mississauga, ON. L5S 0A7

APPOINTMENT AND AUTHORIZATION

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

2437639 ONTARIO INC.

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

of

827 WOODLAWN RD. W, QUELPH, ON

(Legal description and/or municipal address)

hereby authorize

WASID MANSURI

(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 20 day of AUG 2020.



(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.