

Committee of Adjustment Application for Minor Variance



Consultation with City staff is encouraged prior to submission of this application:	OFFICE USE ONLY	
	Date Received: Oct 19, 2020	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-55120

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: 64 Bishop Court

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

Plan 631 Lot 25

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

Name: Steve and Tina Gill

Mailing Address: 64 Bishop Court

City: Guelph

Postal Code: N1G-2R9

Home Phone: 519-824-3247

Work Phone: 519-830-9777

Fax: _____

Email: sgill5621@rogers.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.1A
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

We are seeking a property variance to allow our family to keep our above ground pool.

-A variance from the requirements of Section 4.5.5.3 of Zoning By-Law (1995)-14864, as amended for 64 Bishop Court, to permit an existing above ground pool to be located 0 meters from the rear lot line when the by law requires that the above ground swimming pools be located a minimum of 1.5 meters from any lot line be approved.

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

To comply with the by-law the pool would need to be dismantled and placed at another location on the property. Simply put, such a task would be extremely expensive and not financially feasible for our family. As the pool currently sits, it does not interfere with any roadway, walkway, pathway, sidewalk or any city or private structure. Since 2009 when the pool was first erected we have never had a single issue or complaint whatsoever regarding its use or position. Our property has apparently infringed on City property since the 1970's with the creation of a retaining wall which provides an obvious natural boundary. The pool was erected with the by-law in mind and remained over 10 feet from this artificial boundary, unfortunately this was not the actual property line and thus the need for a variance. A permit was sought and obtained from the City when the pool was originally built. Unfortunately, location was not a consideration.

PROPERTY INFORMATION

Date property was purchased:	December 2008	Date property was first built on:	September 2009
Date of proposed construction on property:		Length of time the existing uses of the subject property have continued:	September 2009

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: 14.5 m

Depth: 53 m

Area:

1785m² (odd pie shaped lot)

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	223		Gross Floor Area:		
Height of building:	6.7		Height of building:		
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	5.33 m		Width:		
Length:	6.7 m		Length:		
Driveway Width:	6.1 m		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Pool 9.14(L) x 4.6m(w) x 1.2(h) Deck 12(L)x 2.7(w)x .60 (h) Shed 2.29(L)x 3.6m(w)x 2.4(h)			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	17.9		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left M 4.2	Right M 2.4		Side Yard Setback:	Left M Right M
Rear Yard Setback	0 (06 meters over)		M	Rear Yard Setback	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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	Application A-12612

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.

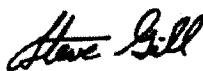
POSTING OF ADVISORY SIGN

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.



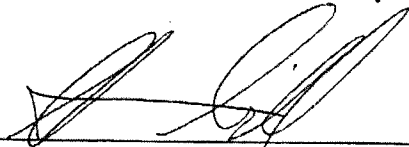
Steve Gill
2020.10.17 10:12:20
-04'00'


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

REMOTE AFFIDAVIT OR SWORN DECLARATION


I/We, STEVE GILL, of the City/Town of
GUELPH in County/Regional Municipality of WELLINGTON, and
 located in 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

Declared remotely by Juan de Silva, of the City/Town of
Guelph in the County/Regional Municipality of Wellington before me
 at the City/Town of Oakville in the County/Regional Municipality of
Halton this 21 day of October, 2020, in accordance with

O. Reg 431/20, Administering Oath or Declaration Remotely.


 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)