

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>April 30, 2018.</u>	Folder #: <u>A-41/18</u>
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

### Site Plan Pre-application

*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: Shakespeare Drive / 728 Eramosa Road.

Legal description of property (registered plan number and lot number or other legal description):  
Plan 61M-Block 126&127, Part of Lot 2, Conc. 6 Div 6 PIN 71357-0259

### OWNER(S) INFORMATION:

Name: Terra View Custom Home Ltd.

Mailing Address: 45 Speedvale Ave. E

City: Guelph      Postal Code: N1H 1J2

Home Phone: \_\_\_\_\_      Work Phone: (519) 763-8580

Fax: (519) 763-7296      Email: andrew@terra-view.com

### AGENT INFORMATION (If Any)

Company: James Fryett Architect Inc.

Name: Jim Fryett

Mailing Address: 115 Metcalfe St.

City: Elora      Postal Code: N0B 1S0

Work Phone: 519 846 2201 x222      Mobile Phone: 519 241 4895

Fax: 519 846 0343      Email: james@fryettarchitect.com

Official Plan Designation: General Residential	Current Zoning Designation: CR-13
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<b>NATURE AND EXTENT OF RELIEF APPLIED FOR</b> (variances required):
The proposed development is required to have a 3.0m setback from the <del>Front Yard</del> <sup>Exterior</sup> for a CR-13 Zone. The proposed design does not comply, as a small portion of the North Side of Block 127 projects on the <del>Front Yard</del> <sup>Exterior</sup> .
The current zoning of the land is CR-13. Whereas Table 4.7 - Permitted Required Yard Projections, Line 8 permits projections of 1.8 m into all yards of R.4 zones, the table is silent with respect to CR zone.
As per definitions provided by the City of Guelph "balcony" means a platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a balustrade or railing.
The proposed design includes closure of the ground below the balcony.

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b>
The design of the Apartment units requires a balcony to be positioned in the location proposed.
The commercial space on the Ground floor beneath the balcony is proposed to enclose area to functional space for the proposed design for the design gallery

<b>PROPERTY INFORMATION</b>			
Date property was purchased:		Date property was first built on:	-
Date of proposed construction on property:	Fall 2018	Length of time the existing uses of the subject property have continued:	
<b>EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): -</b>			
<b>PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): 4 storey Commercial and Residential Building.</b>			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)		
Frontage: 143.92m	Depth: 22.2	Area: 6933.726m <sup>2</sup>



, (Shakespeare Drive )

(Woodlawn Road

(Block 126&127)

**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:	-		Gross Floor Area:	2247m2	
Height of building:			Height of building:	13.2m	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck) Solar Carport</b>		
Describe details, including height:			Describe details, including height: Solar Carport will be provided over some of the parking stalls. Height Approximately 3.0m		

**LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND**

EXISTING				PROPOSED			
Front Yard Setback:				M	Front Yard Setback:	3.0M	
Exterior Side Yard (corner lots only)				M	Exterior Side Yard (corner lots only)	3.0M	
Side Yard Setback:	Left:	M	Right:	M	Side Yard Setback:	Left: 3.0 M	Right: 3.0 M
Rear Yard Setback				M	Rear Yard Setback	20% of the Lot Depth to a Maximum of 7.5m.	

**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"/>	SP18-011, File is issued for Site Plan approval
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"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Consent  
Previous Minor Variance Application

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**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, JAMES FRYETT, of the City/Town of CENTRE WELLINGTON 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 Township Centre Wellington in the County/Regional Municipality of

Wellington this 27 day of April, 2018.

  
\_\_\_\_\_  
Commissioner of Oaths

(official stamp of Commissioner of Oaths)

**MORRIS & SHANNON LLP**  
BARRISTERS, SOLICITORS, NOTARIES  
149 GEDDES STREET  
ELORA, ONTARIO  
N0B 1S0



**APPOINTMENT AND AUTHORIZATION**

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

TERA VIEW CUSTOM HOMES LTD.  
[Organization name / property owner's name(s)]

of Plan 61M-Block 126&127, Part of Lot2, Conc. 6. Div 6  
(Legal description and/or municipal address)

hereby authorize Jim Fryett  
(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 24<sup>TH</sup> day of APRIL 2018.

[Signature]  
(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.



**Zoning- 6.6.3.13 CR-13**  
TABLE 6.6.2 - REGULATIONS GOVERNING THE CR ZONE

ROW	REGULATIONS	REQUIRED	PROVIDED	CONFORMS
1	Commercial Type	Commercial-Residential	CR-13 625 Woodlawn Road East	YES
2	Minimum Lot Area	550 m <sup>2</sup>	6499.12m <sup>2</sup> (Block 126+127)	YES
3	Minimum Lot Frontage	10 m	22.202 (Woodlawn Road)	YES
4	Minimum Front or Exterior Side Yard 6.6.3.13.2.1	Despite table 6.6.2, Row 4, the minimum Front or Exterior Side Yard shall be 3 meters.	3.0 meters	YES
5	Minimum Side Yard 6.6.3.13.2.2	Despite table 6.6.2, Row 5, the minimum Side Yard shall be 3 meters.	3.0 meters	YES
6	Minimum Rear Yard	20% of the Lot Depth to a maximum of 7.5 meters.	Not Applicable	-
7	Maximum Building Height 6.6.3.13.2.3	Despite Table 6.6.2, Row 7, and Section 4.10 the maximum Building Height shall be 4 storeys.	4 storeys	YES
8	Maximum Gross Floor Area (G.F.A.) 6.6.3.13.2.4	Despite Table 6.6.2, Row 8, the maximum Gross Floor Area shall be 450m <sup>2</sup> or 10% of the total building area, whichever is greater.	Block 126 = 450 m <sup>2</sup> Block 127 = 450 m <sup>2</sup> TOTAL = 900 m <sup>2</sup> Block 127 = 503m <sup>2</sup>	YES
9	Accessory Buildings	In Accordance with Section 4.5	Not Applicable	-
10	Fences	In Accordance with Section 4.20	Refer to Landscape Drawings	YES
11	Planting Area	None Required	-	-
12	Off-Street Parking 6.6.3.13.2.5	Despite Table 6.6.2, Row 12, and Section 4.13, the minimum commercial off-street parking shall be 1 parking per space per 23m <sup>2</sup> of commercial Gross Floor Area.	Refer to Parking Schedule	YES
13	Enclosed Operations 6.6.3.13.2.6	Despite Table 6.6.2, Row 13, and Section 4.22, an Outdoor Patio shall be permitted and shall be located at a minimum distance of 10m from the existing residential Lots located on Brant Avenue.	-	-
14	Off-Street Loading	In Accordance with Section 4.13	Not Applicable	-
15	Outdoor Storage	No outdoor storage or display of good and materials shall be permitted in the CR-Zone	Not Applicable	-
16	Garbage, Refuse Storage and Composters	In Accordance with Section 4.9	Private Garbage Pickup	YES
17	Buffer Strips	Where a CR Zone abuts any Residential, Institutional, Park, Wetland, or Urban Reserve Zone, a buffer strip shall be developed.	Refer to Landscape Drawings	YES

**Zoning Block 127**  
1:1

**NAME OF PROJECT: Block 127** SUBJECT SITE: 728 ERAMOSA ROAD

ITEM	ONTARIO BUILDING CODE DATA MATRIX PARTS 3 & 4	OBC REFERENCE
1	PROJECT DESCRIPTION: 4 STOREY MIXED USE COMMERCIAL AND 12 UNIT RESIDENTIAL BUILDING	<input checked="" type="checkbox"/> PART 3 <input type="checkbox"/> PART 4 <input type="checkbox"/> PART 11
2	MAJOR OCCUPANCY(S): C Occupancy, D Occupancy	3.1.2.1(f)
3	BUILDING AREA (m <sup>2</sup> ): EXISTING 0 m <sup>2</sup> , NEW 505 m <sup>2</sup> , TOTAL 505 m <sup>2</sup>	1.4.1.2 (DIV A)
4	GROSS AREA: EXISTING 0 m <sup>2</sup> , NEW 2247 m <sup>2</sup> , TOTAL 2247 m <sup>2</sup>	1.4.1.2 (DIV A)
5	NUMBER OF STOREYS: ABOVE GRADE 4, BELOW GRADE 0	1.4.1.2 (DIV A) & 3.2.2.1
6	NUMBER OF STREETS / FIRE FIGHTER ACCESS: 1	3.2.2.10.13.2.5
7	BUILDING CLASSIFICATION: Part 3- Group C up to 4 storeys Sprinkled	3.2.2.4.5
8	SPRINKLER SYSTEM PROPOSED: <input checked="" type="checkbox"/> ENTIRE BUILDING, <input type="checkbox"/> BASEMENT COMPARTMENTS, <input type="checkbox"/> IN LEU OF ROOF RATINGS, <input type="checkbox"/> NOT REQUIRED	3.2.1.5
9	STANDPIPE REQUIRED: <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	3.2.4
10	FIRE ALARM REQUIRED: <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	3.2.4
11	WATER SERVICE / SUPPLY IS ADEQUATE: <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	3.2.5.7
12	HIGH BUILDING: <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	3.3.1.2.4.3.1.19
13	PERMITTED CONSTRUCTION: <input type="checkbox"/> COMBUSTIBLE, <input type="checkbox"/> NON COMBUSTIBLE, <input type="checkbox"/> BOTH	3.3.1.2.4.3.1.19
14	MEZZANINE(S) AREA m <sup>2</sup> : 0	3.1.17
15	TOTAL OCCUPANCY LOAD BASED ON: <input type="checkbox"/> m <sup>2</sup> /PERSON, <input checked="" type="checkbox"/> DESIGN OF BUILDING	3.1.17
16	BARRIER-FREE DESIGN: <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO (EXPLAIN)	3.8.
17	HAZARDOUS SUBSTANCES: <input checked="" type="checkbox"/> YES, <input type="checkbox"/> NO	3.2.2.4.5, 4.10.13.(4)
18	REQUIRED FIRE RESISTANCE RATING (FRR): HORIZONTAL ASSEMBLIES, LISTED DESIGN NO. OR DESCRIPTION (56-2)	21.8
19	SPATIAL SEPARATION - CONSTRUCTION OF EXTERIOR WALLS: NORTH, SOUTH, EAST, WEST	4.10.14.4
20	OTHER - DESCRIBE	

**Building Code Matrix Block 127**  
1:48

SITE PLAN FILE NUMBER: PRE11-0205

SUBJECT SITE: 728 ERAMOSA ROAD, BLOCK 126 & 127, PART OF LOT 2, CONCESSION 6 DIVISION 11, GEOGRAPHIC TOWNSHIP OF GUELPH, CITY OF GUELPH

PROPERTY OWNER: LAMBDEN FARM TRUST, 45 SPEEDVALE AVE. E, GUELPH, ON, N1H 1J2

**Site Location**  
1:1

**Parking Schedule**

Block 127 Ground Floor = Office Space = 503m<sup>2</sup>  
Required Parking in Accordance with 4.13.4.2 + 1 space per 23m<sup>2</sup> G.F.A. 503m<sup>2</sup> / 23m<sup>2</sup> = 21.8  
Total Required Parking Space for Office Space = 21.8

Block 127 12 Duelling Units  
Required Parking: In Accordance with 4.13.4.3, For the First 20 units: 1.5 per unit, and for each unit in excess of 20: 1.25 per unit

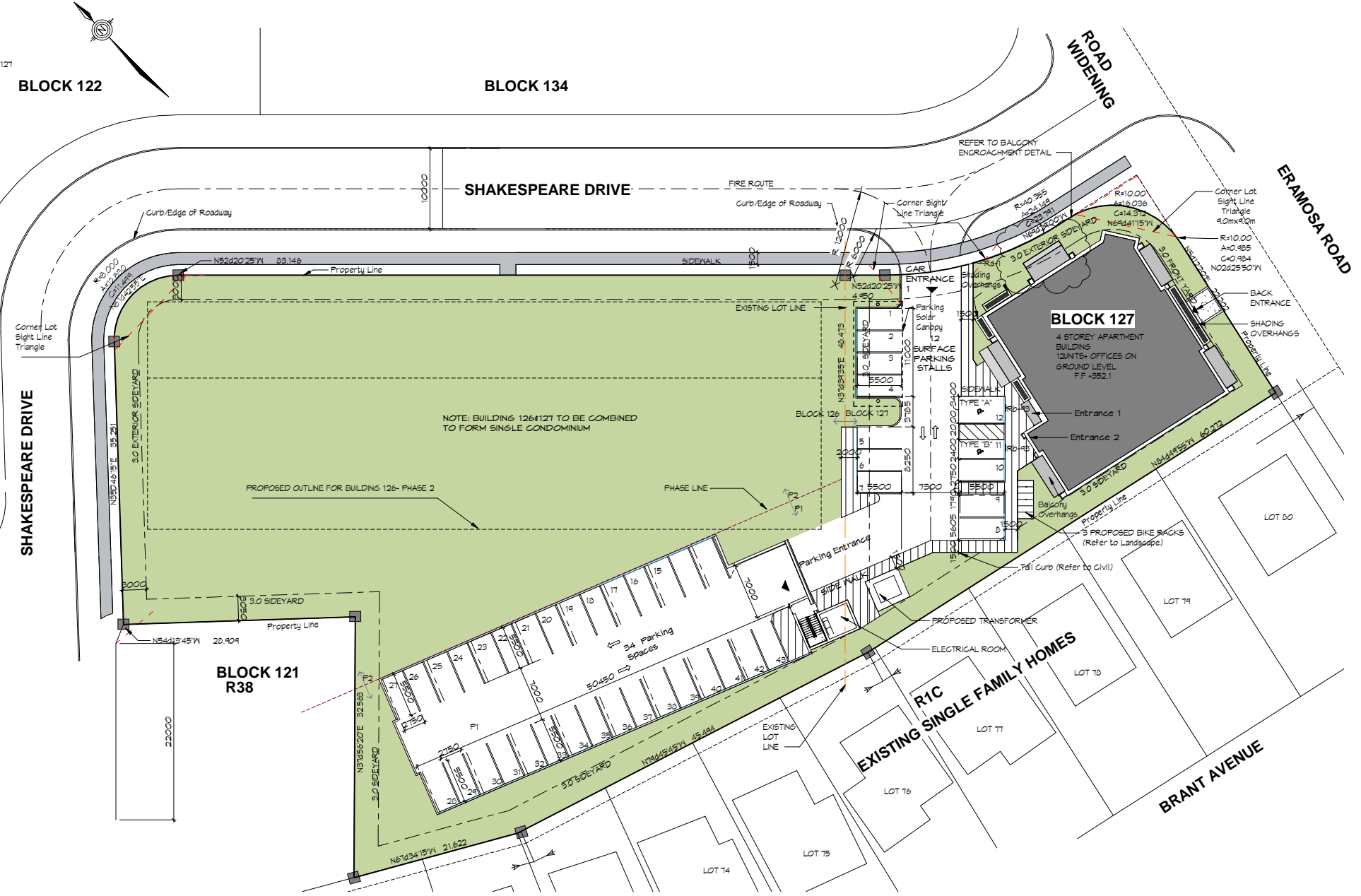
12 x 1.5 = 18  
Total Required Parking Space For Residential = 18

**Total Required Parking = 40**

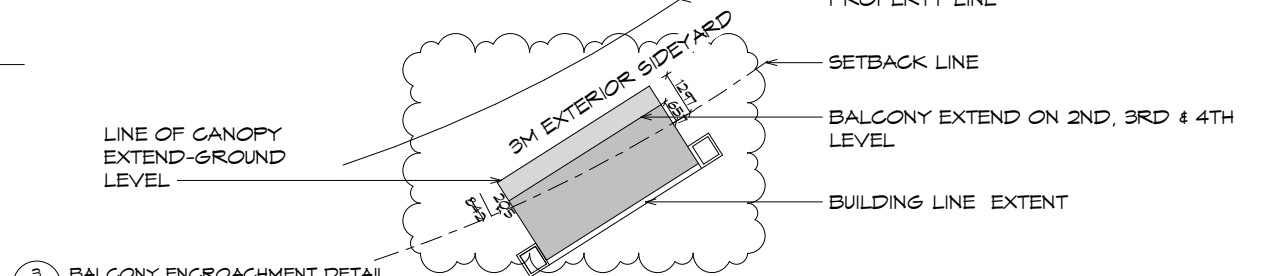
4.13.5.1-Number of Required Designated Accessible Parking Spaces = 1

**Total Parking Provided = 46 Spaces**  
11 Surface Parking + 34 Temporary Parking Spaces + 1 Barrier Free = 46 Spaces

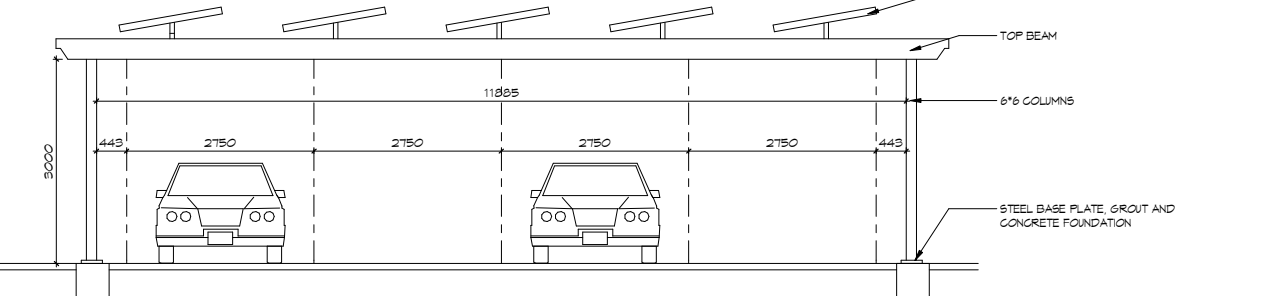
**Parking Schedule**  
1:1



**1 Site Phase 1**  
SP-O 1:300



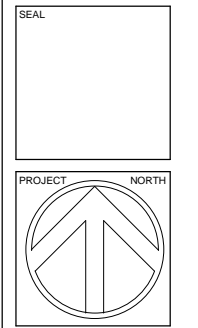
**3 BALCONY ENCROACHMENT DETAIL**  
SP-O 1:100



**2 Parking Solar Canopy- Conceptual**  
SP-O 1:50

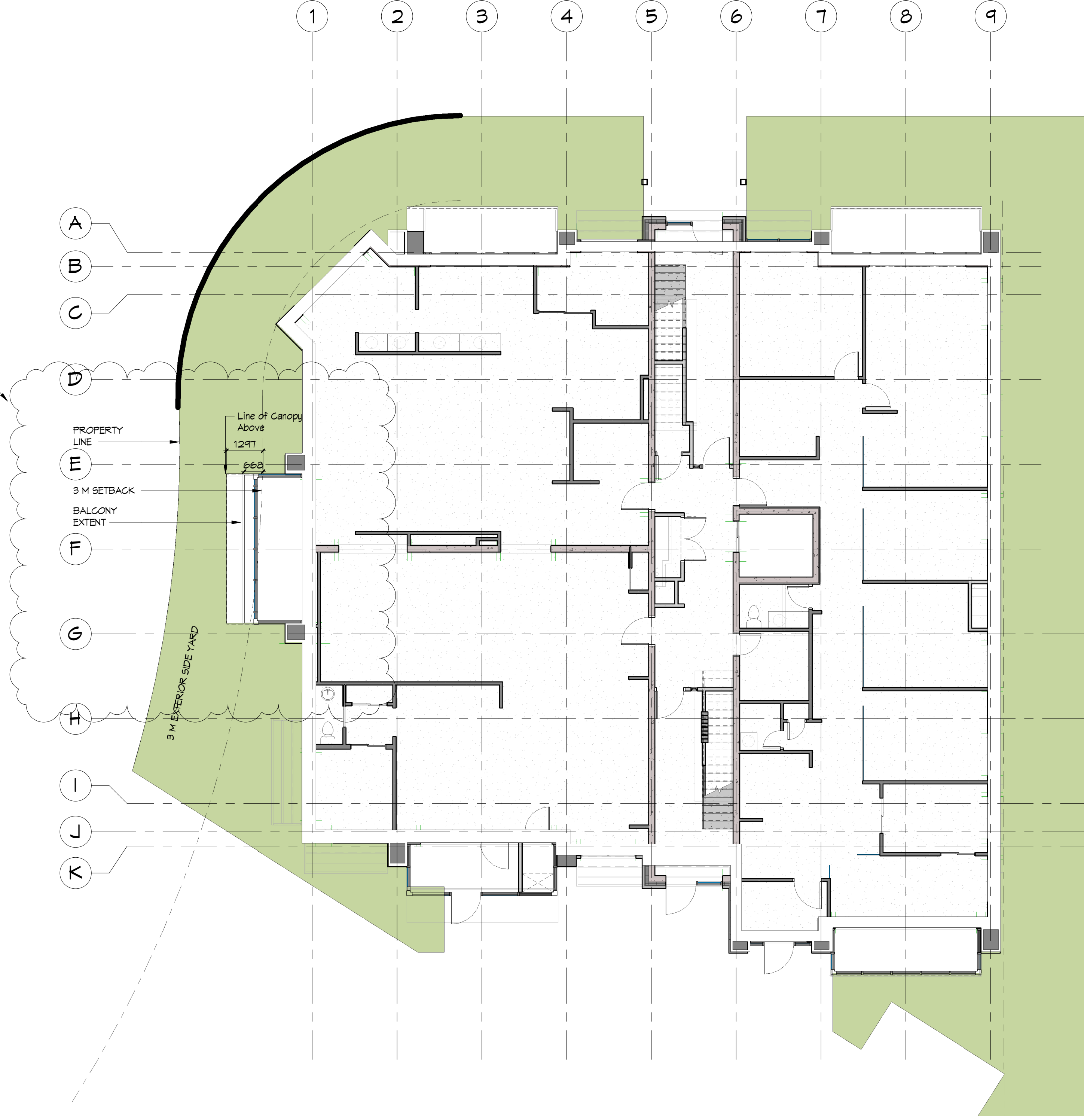
1 Revision 1  
REVISIONS  
Date 1  
DATE

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE GEOMETRY OF THE WORK PRIOR TO THE COMMENCEMENT OF THE WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR PROCEED IN DISREGARD OF THE DIMENSIONS SHOWN IN THESE DRAWINGS. ALL DIMENSIONS AND SPECIFICATIONS PREPARED BY THE ARCHITECT ARE TO BE RETAINED AS INSTRUMENTS OF HIS SERVICE AND ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFIC TO WHICH THEY ARE ISSUED. DO NOT SCALE DRAWINGS.



1 MINOR VARIANCE  
SP-02 1:100

MINOR VARIANCE



1 Revision 1 Date 1  
REVISIONS DATE

STATUS	SFA
PROJECT #	16011
CHKD	CHECKER
DRAWN	AUTOPLOT
SCALE	1:100
DATE DWN	05/18/18
ISSUED	MAY, 18 2018

Nima Trails Apartment Block 127  
728 ERAMOSA DRIVE- GUELPH  
MINOR VARIANCE DETAIL

PROJECT NORTH

SEAL

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE COURSE OF CONSTRUCTION AND SHALL NOTIFY THE ARCHITECT PRIOR TO THE COMMENCEMENT OF THE WORK UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR PROCEED IN UNCERTAINTY.  
ALL DIMENSIONS AND SPECIFICATIONS PREPARED BY THE ARCHITECT SHALL BE CONSIDERED AS PARTS OF HIS SERVICE AND ARE TO BE RETURNED AT HIS REQUEST.  
DO NOT SCALE DRAWINGS.  
© COPYRIGHT



# DECISION

**COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER A-41/18**

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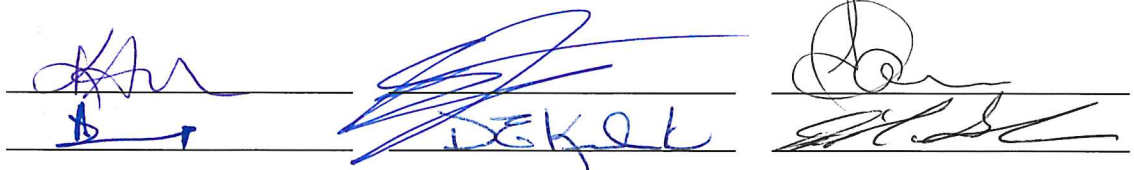
Moved, seconded and carried:

THAT Application A-41/18 for 728 Eramosa Road, be **DEFERRED** sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

**REASONS:**

This application is deferred to allow the applicant time to address concerns raised by staff.

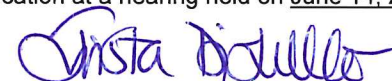
**Members of Committee  
Concurring in this Decision**



I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on June 14, 2018.

**Dated:** June 19, 2018

**Signed:**



**The last day on which a Notice  
of Appeal to the Local Planning  
Appeal Tribunal may be filed is  
July 4, 2018.**

**Committee of Adjustment**

T 519-822-1260 x2524  
F 519-763-1269  
E cofa@guelph.ca

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Mar. 13, 2018</u>	Application #: <u>B-9/18.</u>
	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 53 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>1 Stevenson Street, Guelph, ON</u>		
Legal description of property (registered plan number and lot number or other legal description):	<u>Part of Lot 38, Registered Plan 230, City of Guelph</u>		
Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
If yes, describe:	<u>Proposed access easement on Retained Parcel in favour of Lands to be Severed (1)</u>		
Are the lands subject to any mortgages, easements, right-of-ways or other charges:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
If yes, explain:	<u>Mortgage as in Instrument No. RO757748 with the Toronto-Dominion Bank, located at 375 Eramosa Road, Guelph, ON, N1H 6S9</u>		
<b>OWNER(S) INFORMATION:</b>			
Name:	<u>Paul Santino LEOMBRUNI &amp; Maria Concetta LEOMBRUNI</u>		
Mailing Address:	<u>6945 Forestell Road, RR#6</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 6J3</u>
Home Phone:		Work Phone:	<u>519-824-9460</u>
Fax:		Email:	<u>panfilo52@hotmail.com</u>
<b>AGENT INFORMATION (If Any)</b>			
Name:	<u>Jeff Buisman</u>		
Company:	<u>Van Harten Surveying Inc.</u>		
Mailing Address:	<u>423 Woolwich Street</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 3X3</u>
Home Phone:		Work Phone:	<u>519-821-2763 x 225</u>
Fax:	<u>519-821-2770</u>	Email:	<u>Jeff.Buisman@vanharten.com</u>







**IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?**

	No	Yes	File Number and File Status
Official Plan Amendment	X		
Zoning By-law Amendment		X	<b>File No. ZC1613 – Approved but currently being appealed at OMB</b>
Plan of Subdivision	X		
Site Plan	X		
Building Permit	X		
Minor Variance		X	<b>Submitting simultaneously with Severance Application #2</b>
Previous Minor Variance Application	X		

**Other - Approved Draft Plan of Condominium (23CDM16509)**

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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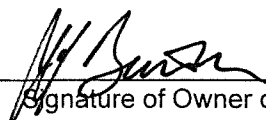
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Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with 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

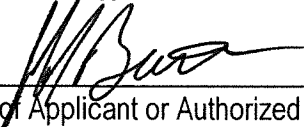
\_\_\_\_\_  
Signature of Owner or Authorized Agent



**AFFIDAVIT**

I/We, Jeff Buisman of Van Harten Surveying Inc., of the City of  
(town, city)

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.

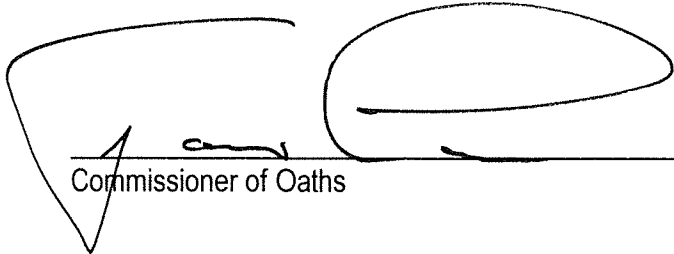
  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
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

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 13 day of March, 20 18.

  
\_\_\_\_\_  
Commissioner of Oaths

James Michael Laws,  
A Commissioner, etc.,  
Province of Ontario,  
For Van Harten Surveying Inc.  
Expires May 11, 2018.  
(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Paul Santino LEOMBRUNI & Maria Concetta LEOMBRUNI

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

being the registered property owner(s) of

Part of Lot 38, Registered Plan 230 / 1 Stevenson Street, Guelph, ON

(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.

(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 9th day of MARCH 2018.

  
(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.

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Mar. 13, 2018.</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-10/18</u>

## 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 53 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>8 William Street, Guelph, ON, N1E 5C9</u>			
Legal description of property (registered plan number and lot number or other legal description): <u>Part of Lot 38, Registered Plan 230, City of Guelph</u>			
Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
If yes, describe: <b>Proposed service easement on Retained &amp; Severed (2) Parcel</b>			
Are the lands subject to any mortgages, easements, right-of-ways or other charges:			<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
If yes, explain: <b>Mortgage as in Instrument No. RO757748 with the Toronto-Dominion Bank, located at 375 Eramosa Road, Guelph, ON, N1H 6S9</b>			
<b>OWNER(S) INFORMATION:</b>			
Name:	<u>Paul Santino LEOMBRUNI &amp; Maria Concetta LEOMBRUNI</u>		
Mailing Address:	<u>6945 Forestell Road, RR#6</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 6J3</u>
Home Phone:	_____	Work Phone:	<u>519-824-9460</u>
Fax:	_____	Email:	<u>panfilo52@hotmail.com</u>
<b>AGENT INFORMATION (If Any)</b>			
Name:	<u>Jeff Buisman</u>		
Company:	<u>Van Harten Surveying Inc.</u>		
Mailing Address:	<u>423 Woolwich Street</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 3X3</u>
Home Phone:	_____	Work Phone:	<u>519-821-2763 x 225</u>
Fax:	<u>519-821-2770</u>	Email:	<u>Jeff.Buisman@vanharten.com</u>





**IS THE SUBJECT LAND THE SUBJECT OF ANY OF THE FOLLOWING DEVELOPMENT TYPE APPLICATIONS?**

	No	Yes	File Number and File Status
Official Plan Amendment	<b>X</b>		
Zoning By-law Amendment	<b>X</b>	<b>X</b>	<b>File No. ZC1613 – Approved but currently being appealed at OMB</b>
Plan of Subdivision	<b>X</b>		
Site Plan	<b>X</b>		
Building Permit	<b>X</b>		
Minor Variance		<b>X</b>	<b>Submitting simultaneously with this severance application</b>
Previous Minor Variance Application	<b>X</b>		

**Other - Approved Draft Plan of Condominium (23CDM16509)**



**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**

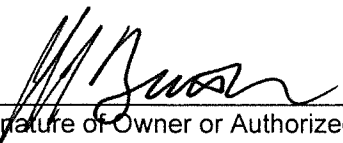
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.

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---

 Signature of Owner or Authorized Agent

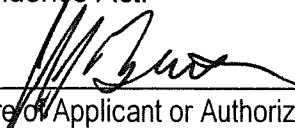
---

 Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Jeff Buisman of Van Harten Surveying Inc., of the City of  
(town, city)

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.

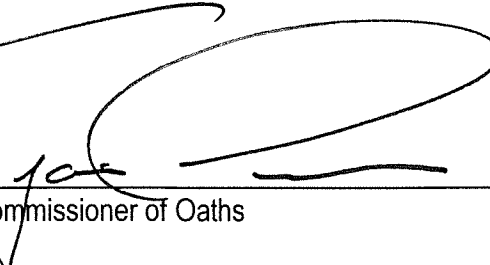
  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
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

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 13 day of March, 20 18.

  
\_\_\_\_\_  
Commissioner of Oaths

James Michael Laws,  
A Commissioner, etc.,  
Province of Ontario,  
For Van Harten Surveying Inc.  
Expires May 11, 2018.

(official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

I / We, the undersigned,

Paul Santino LEOMBRUNI & Maria Concetta LEOMBRUNI

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

being the registered property owner(s) of

Part of Lot 38, Registered Plan 230 / 8 William Street, Guelph, ON

(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.

(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 9th day of MARCH 2018.

  
(Signature of the property owner)

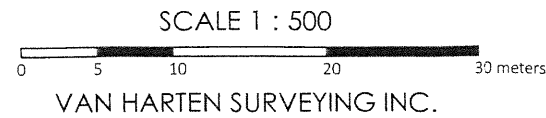
  
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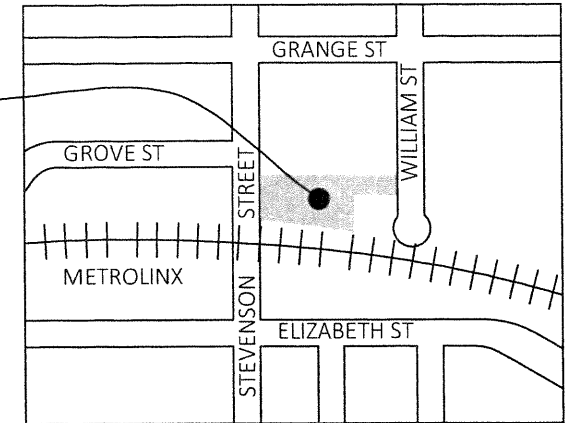
**NOTES:**

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED SPECIALIZED RESIDENTIAL R.1D-51.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GENERAL RESIDENTIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.



**SEVERANCE SKETCH**  
 PART OF LOT 38, REGISTERED PLAN 230  
 CITY OF GUELPH  
 COUNTY OF WELLINGTON

**KEYMAP**



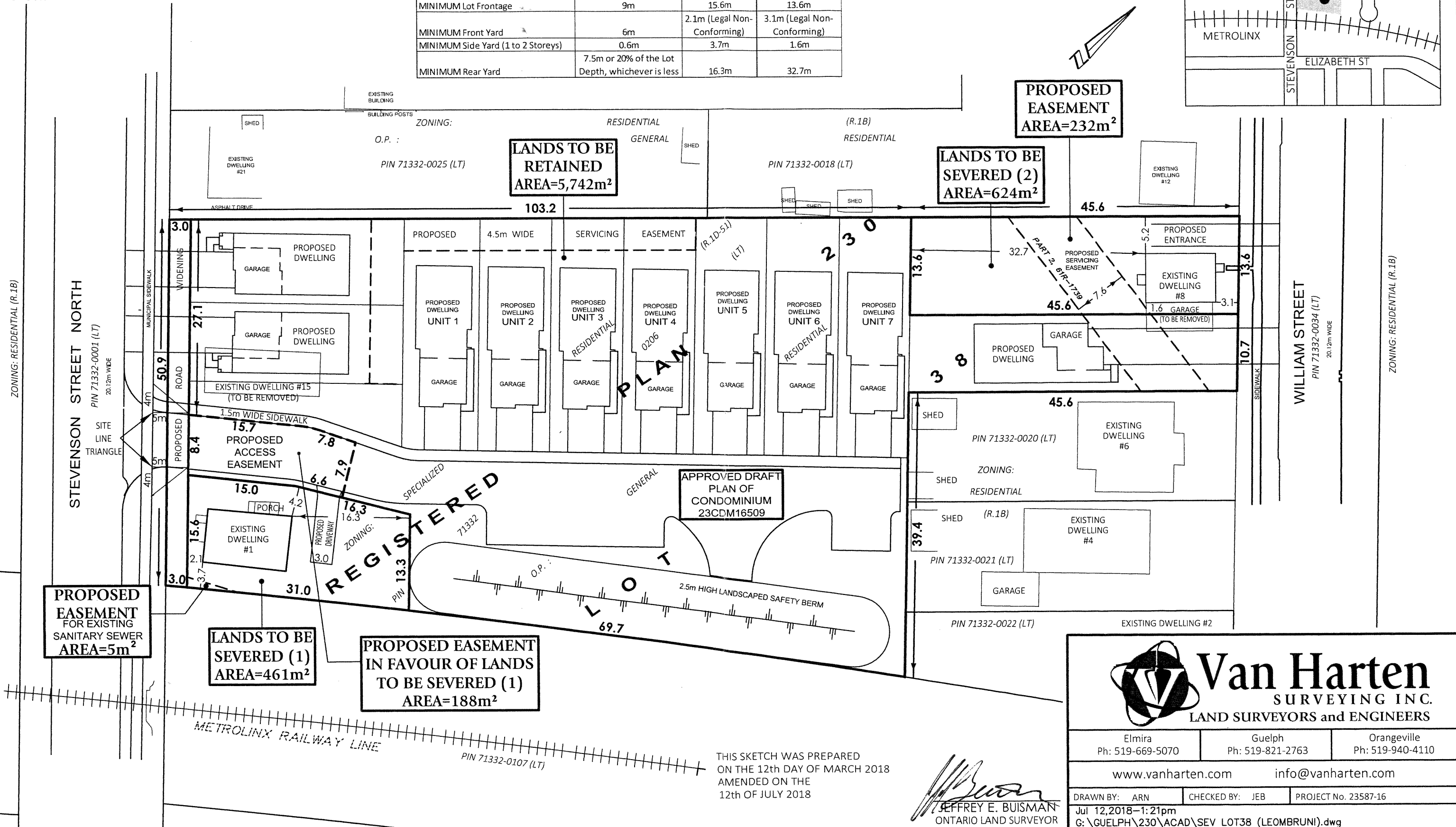
**TABLE 5.1.2 - ZONING DESIGNATION: SPECIALIZED RESIDENTIAL R.1D-51 SINGLE-DETACHED DWELLINGS**

ITEM	REQUIRED	SEVERED #1	SEVERED #2
MINIMUM Lot Area	275m <sup>2</sup>	461m <sup>2</sup>	624m <sup>2</sup>
MINIMUM Lot Frontage	9m	15.6m	13.6m
MINIMUM Front Yard	6m	2.1m (Legal Non-Conforming)	3.1m (Legal Non-Conforming)
MINIMUM Side Yard (1 to 2 Storeys)	0.6m	3.7m	1.6m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less	16.3m	32.7m

**PROPOSED EASEMENT AREA=232m<sup>2</sup>**

**LANDS TO BE SEVERED (2) AREA=624m<sup>2</sup>**

**LANDS TO BE RETAINED AREA=5,742m<sup>2</sup>**



**PROPOSED EASEMENT FOR EXISTING SANITARY SEWER AREA=5m<sup>2</sup>**

**LANDS TO BE SEVERED (1) AREA=461m<sup>2</sup>**

**PROPOSED EASEMENT IN FAVOUR OF LANDS TO BE SEVERED (1) AREA=188m<sup>2</sup>**

THIS SKETCH WAS PREPARED ON THE 12th DAY OF MARCH 2018 AMENDED ON THE 12th OF JULY 2018

*Jeffrey E. Buisman*  
 JEFFREY E. BUISMAN  
 ONTARIO LAND SURVEYOR

**Van Harten**  
 SURVEYING INC.  
 LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 23587-16
Jul 12, 2018 - 1:21pm		
G:\GUELPH\230\ACAD\SEV LOT38 (LEOMBRUNI).dwg		

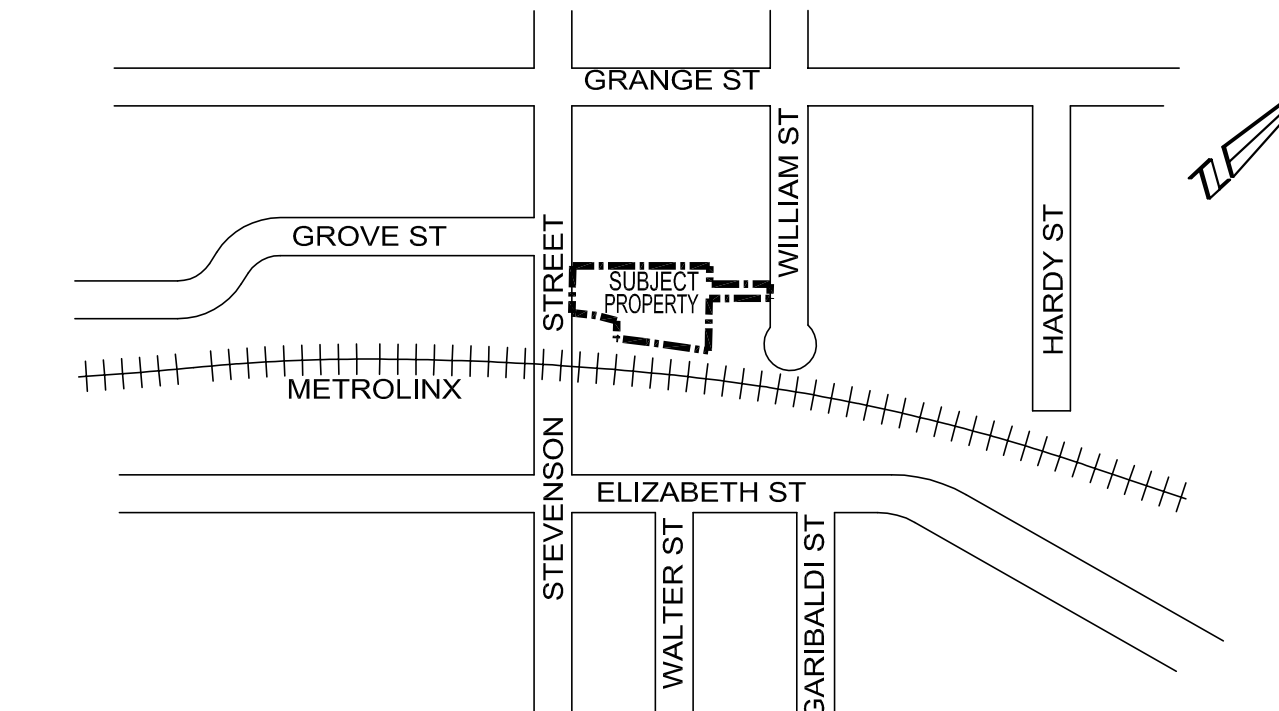


**SITE PLAN PRE18-004S**  
**15 STEVENSON STREET NORTH**

DATE: FEBRUARY 23, 2018  
 PROJECT No. 1801

SCALE: 1:300  
 DRAWN BY: A.R.N.

**KEY MAP**



**LEGAL DESCRIPTION**  
 PART OF LOT 38, REGISTERED PLAN 230, CITY OF GUELPH

**NOTES**

- MUNICIPAL GARBAGE PICK UP TO BE PROVIDED.
- 1.5m<sup>2</sup> GARBAGE BIN STORAGE AREA IN GARAGE.

**Specialized R.1D-51 Zone**

\*Definition of a Lot – Despite section 3, for the purposes of this Zone, a condominium unit shall be considered a Lot as defined by this Zoning By-law.

Zoning Regulation	Required	Provided	Compliance
Minimum Lot Area	275 m <sup>2</sup>	325 m <sup>2</sup> (Unit 2)	Yes
Minimum Lot Frontage	9 m	10 m	Yes
Maximum Building Height	3 storeys	2 storeys	Yes
Minimum Front Yard	6 m	6 m	Yes
Minimum Side Yard	0.6 m	1 m	Yes
Minimum Rear Yard	6.43 m	6.54 m (Unit 1)	Yes
	7.5 m or 20% of the lot depth, whichever is less		

*Fences	10 and Section 4.20 of the Zoning By-law, fences shall not be located in the yard between dwelling units.		Yes
Off-Street Parking 4.13.4.3	Single Detached Dwelling 1 per unit	2 garage p.s. 2 driveway p.s. 11 visitor p.s.	Yes
In a R.1 Zone, required Parking Space shall be a minimum 6 metres from the Street Line and to the rear of the front wall of the main Building. 4.13.2.1	6 m	6 m	Yes
Minimum Parking Space is 3 metres by 6 metres within a Garage. Minimum exterior Parking Space is 2.5 metres by 5.5 metres. 4.13.3.2.2			Yes
Driveway shall have a maximum width of 5 metres. 4.13.7.2.1			Yes
A surfaced walk within 1.5 metres of the nearest foundation wall is permitted providing that it is not Used for parking. 4.13.7.2.2			Yes
Garages - Defined Area Map Number 66, attached garages shall not project beyond the main front wall of the Building.	The main front wall is created by the habitable space located on the second floor of the dwelling.	The garage does not project beyond this second floor habitable space.	Yes
Table 4.7 Permitted Required Yard Projections Row 3 Open, Roofed Porch not exceeding 1 Storey in height may encroach 2.4 m into a required front yard			Yes

\* Specialized Regulations in the R.1D-51 Zone.

TAYLOR MCDANIEL  
 JENNARK HOMES  
 66 WELLINGTON ROAD 7  
 ELORA, ONTARIO  
 N0B 1S0  
 519-846-5959

**SP-1**







LAND SURVEYORS and ENGINEERS

July 12, 2018

23587-17

Jeff.Buisman@vanharten.com

City of Guelph - Committee of Adjustment  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Lindsay Cline

Dear Ms. Cline:

RECEIVED  
JUL 16 2018

CITY CLERK'S OFFICE

**Re: Severance Applications & Sketch — B-9/18 & B-10/18  
Zoning By-law Amendment Application ZC1613  
Draft Plan of Vacant Land Condominium Application 23DCM16509  
1 & 15 Stevenson Street North & 8 William Street  
Part of Lot 38, Plan 230  
PIN 71332-0206  
City of Guelph**

The two severance applications noted above were deferred at the April 26<sup>th</sup>, 2018 Committee of Adjustment meeting due to the appeal to LPAT of the Zoning By-law Amendment Application ZC1613. This appeal has since been withdrawn by the neighbour and the Zoning Amendment is in effect. The subject property is now zoned Specialized Residential R.1D-51.

Included with this letter are copies of the amended sketch which show the new zoning for the property and the removal of the previous Minor Variance request. Since the new zoning has been implemented, the previous Minor Variance Application A-34/18 is not required and it has been withdrawn.

We are requesting that the two severance applications be brought back to the next available Committee of Adjustment Hearing (August 9<sup>th</sup>, 2018) in order to continue with the development of the property.

71 Weber Street East  
Kitchener, ON N2H 1C6  
519-742-8371

Elmira, ON:  
519-669-5070

423 Woolwich Street  
Guelph, ON N1H 3X3  
519-821-2763

660 Riddell Road, Unit 1  
Orangeville, ON L9W 5G5  
519-940-4110

Collingwood, ON:  
249-499-8359

[www.vanharten.com](http://www.vanharten.com)



LAND SURVEYORS and ENGINEERS

Thank you for the consideration and please call me if you or the Planning Staff have any questions.

Very truly yours,  
Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read "Jeff Buisman", written in a cursive style.

**Jeffrey E. Buisman** B.E.S, B.Sc.  
*Ontario Land Surveyor*

cc Taylor McDaniel  
cc Vince Starratt, Smith Valeriote Law Firm  
cc Astrid Clos  
cc Paul Leombruni

# DECISION



## COMMITTEE OF ADJUSTMENT APPLICATION NUMBERS B-9/18 AND B-10/18

Moved, seconded and carried:

THAT Applications B-9/18 and B-10/18 for 1 and 15 Stevenson Street North and 8 William Street, be **DEFERRED** sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the applications will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fees be paid prior to reconsideration of the applications.

### REASONS:

These applications are deferred to allow the applicant additional time to review the proposed conditions with staff.

Members of Committee  
Concurring in this Decision

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on August 9, 2018.

Dated: August 14, 2018

Signed:

**The last day on which a Notice of Appeal to the Local Planning Appeal Tribunal may be filed is September 3, 2018.**

Committee of Adjustment

T 519-822-1260 x2524  
F 519-763-1269  
E cofa@guelph.ca

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>July 24, 2018</u>	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-65/18</u>

## 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: 24 HAYES AVENUE, GUELPH, ONT.

Legal description of property (registered plan number and lot number or other legal description):  
P343 LOT 107 TO 117, LOT 88 TO 93, 98 PT LOT 97, LOT C TO F, PT LOTS B4 ZONE BY-LAW 1995-14864

### OWNER(S) INFORMATION:

Name: Champion Storage Ltd. (TP)  
 Mailing Address: 7501 Wellington Rd. 3b  
 City: Morrison Postal Code: NOB 2C0  
 Home Phone: \_\_\_\_\_ Work Phone: 519-836-3555  
 Fax: \_\_\_\_\_ Email: md@restoration-design.com

### AGENT INFORMATION (If Any)

Company: N/A  
 Name: JOHN LAMBE  
 Mailing Address: 150 WELLINGTON ST. E Unit #1606  
 City: GUELPH, ONT. Postal Code: N1H-0B5  
 Work Phone: \_\_\_\_\_ Mobile Phone: 519-803-7000  
 Fax: \_\_\_\_\_ Email: John.LAMBE@BELNET





Official Plan Designation: <u>Mixed Business (TD)</u>	Current Zoning Designation: <u>B.4</u>
---	--

ML.  
 → EXTERIOR  
 SIDE  
 YARD.

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

TO PERMIT A 1.14 METRE SET-BACK FOR THE  
~~FRONT OF~~ A NEW ADDITION, IN LIEU OF THE  
THE BY-LAW REQUIREMENT OF 6 METRE SET-BACK.  
THE EXISTING BUILDING HAS A 1.14 METER SET-BACK  
THE SIZE AND SHAPE OF THE ADDITION IS  
COMPATIBLE WITH THE EXISTING BUILDING.

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

THE SIZE AND LOCATION OF THE NEW ADDITION  
IS CRITICAL TO THE PRODUCT HANDLING AND  
STORAGE REQUIREMENTS. THE PRODUCT IS CAR BODY  
PARTS AND FULL CAR BODIES CRATED FOR SHIPPING.

PROPERTY INFORMATION			
Date property was purchased:	<u>JUNE 26 2009</u>	Date property was first built on:	<u>1960</u>
Date of proposed construction on property:	<u>SEPT. 2018</u>	Length of time the existing uses of the subject property have continued:	<u>30 YRS</u>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): <u>INDUSTRIAL</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <u>INDUSTRIAL</u>			

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

Frontage: 137.37 m      Depth: 55.22 m      Area: 7,065.19 sq.m.



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:	3,600.82 sq m.	Gross Floor Area:	559.5 m <sup>2</sup>
Height of building:	6.1 m.	Height of building:	6.1 m
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	83 m	Width:	19.73 m
Length:	62.89 m.	Length:	28.35 m
Driveway Width:	11.35 m	Driveway Width:	—
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height:		Describe details, including height: FLAT ROOF, STRUCTURAL STEEL, WITH INSULATED METAL WALLS.	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	114 m 7.08 M	Front Yard Setback:	114 7.08 M
Exterior Side Yard (corner lots only)	114 M	Exterior Side Yard (corner lots only)	114 M
Side Yard Setback:	Left: 11.35 M Right: 24.83 M	Side Yard Setback:	Left: 11.35 M Right: 5.09 M
Rear Yard Setback	24 m 32.76 + M	Rear Yard Setback	— 32.76 + 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-494/71    Approved (TD)

**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, Marinus DeJonge, of the City/Town of Morrison 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 Guelph in the County/Regional Municipality of

Wellington this 19th day of July, 2018.

Donna Marie Mair, a Commissioner, etc.,  
Province of Ontario, for SmithValeriotte Law Firm LLP.  
Expires October 16, 2021.

  
Commissioner of Oaths

(official stamp of Commissioner of Oaths)

### APPOINTMENT AND AUTHORIZATION

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

Champion Storage Ltd  
[Organization name / property owner's name(s)]

Description      Lots C, D, E & F, Plan 343 ; Lots 88, 89, 90, 91, 92, 93 & 98, Plan 343 ; Lots 107, 108,  
109, 110, 111, 112, 113, 114, 115, 116 & 117, Plan 343 ; PT Lots G & 97, Plan 343 ; PT  
of                      LANE, Plan 343 , CLOSED BY MS13234 & CS54936, AS IN ROS573247 ; GUELPH  
Address              24 HAYES AVE  
                            GUELPH

hereby authorize JOHN LAMBE  
(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 19th day of July 2018.

Champion Storage Ltd  
[Signature]  
(Signature of the property owner)

Champion Storage Ltd  
[Signature]  
(Signature of the property owner)

Per: marinus DeJonge, President      Per: marinus DeJonge, President

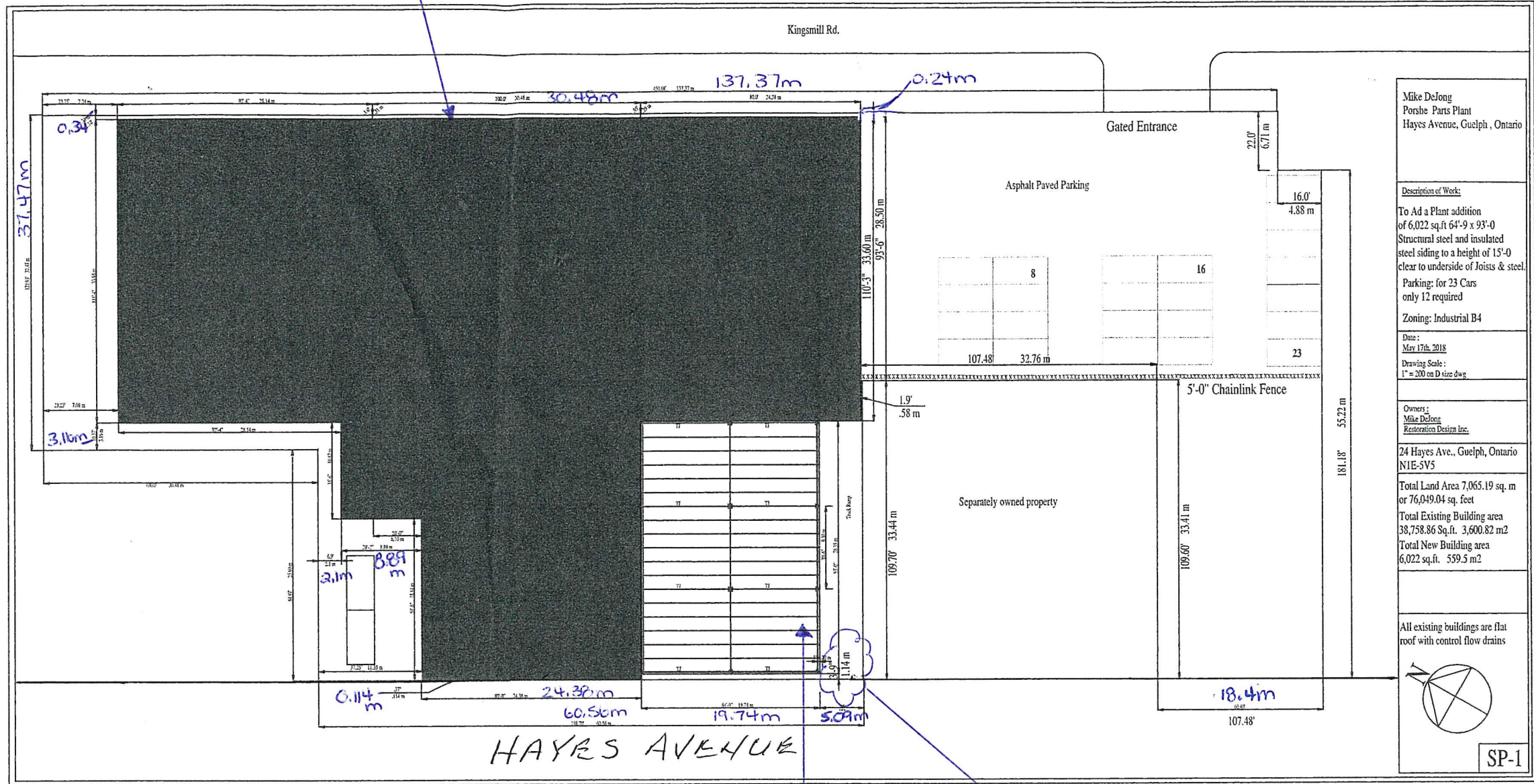
NOTES:

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).  
*I have authority to bind the corporation*
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.



BEVERLEY STREET

existing building 3,600.82 m<sup>2</sup>



Kingsmill Rd.

137.37m

0.24m

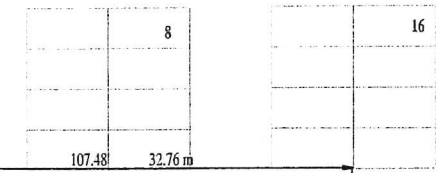
30.48m

0.34m

37.47m

Gated Entrance

Asphalt Paved Parking



3.16m

2.1m

8.89m

0.114m

24.38m

60.56m

19.74m

5.09m

HAYES AVENUE

Separately owned property

5'-0" Chainlink Fence

109.70' 33.44m

109.60' 33.41m

181.18' 55.22m

18.4m

107.48'

Mike DeLong  
Porsche Parts Plant  
Hayes Avenue, Guelph, Ontario

Description of Work:  
To Add a Plant addition of 6,022 sq.ft 64'-9" x 93'-0" Structural steel and insulated steel siding to a height of 15'-0" clear to underside of Joists & steel.  
Parking: for 23 Cars only 12 required  
Zoning: Industrial B4

Date :  
May 17th, 2018  
Drawing Scale :  
1" = 200 on D size dwg

Owners :  
Mike DeLong  
Restoration Design Inc.

24 Hayes Ave., Guelph, Ontario  
N1E-5V5

Total Land Area 7,065.19 sq. m or 76,049.04 sq. feet  
Total Existing Building area 38,758.86 Sq.ft. 3,600.82 m<sup>2</sup>  
Total New Building area 6,022 sq.ft. 559.5 m<sup>2</sup>

All existing buildings are flat roof with control flow drains

SP-1

Proposed addition 559.5 m<sup>2</sup>

requested variance

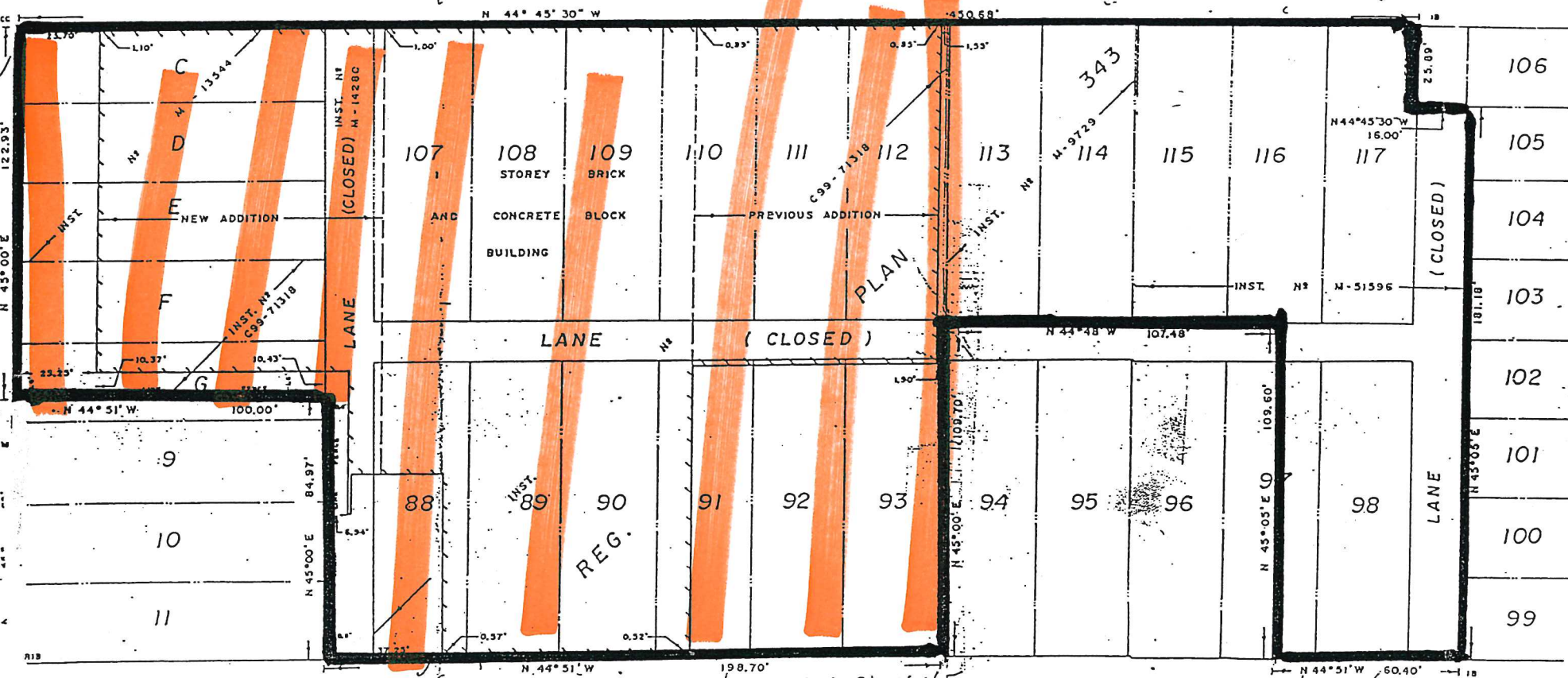


BEVERLY ST.

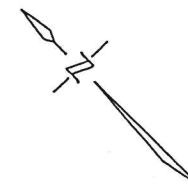
KINGS HILL RD.

AVENUE

HAYES AVE.



BUILDING LOCATION SURVEY OF  
 LOTS C, D, E, F AND PART OF LOT G  
 AND ALL OF  
 THE LANE N.E. OF LOTS 88 TO 93 (INCL  
 THE LANE N.W. OF LOTS 88 AND 107,  
 LOTS 88 TO 93 ( INCLUSIVE ) AND  
 LOTS 107 TO 117 ( INCLUSIVE )  
 AND PART OF  
 THE LANE N.E. OF LOTS 97 & 98  
 THE LANE N.W. OF LOTS 99 TO 105 (INCL  
 LOT 98 & PART OF LOT 97,  
 REGISTERED PLAN 343  
 CITY OF GUELPH  
 SCALE : 1 INCH = 30 FEET  
 S. W. BLACK O.L.S.  
 1985



NOTE :  
 BEARINGS ARE REFERRED TO THE SOUTHEASTERLY LIMIT  
 OF BEVERLY STREET AS BEING N 45°00' E AS SHOWN  
 ON REG. PLAN 343

— DENOTES SURVEY MONUMENT FOUND  
 RIB DENOTES ROUND IRON BAR  
 IB DENOTES IRON BAR  
 CC DENOTES CUT CROSS

SURVEYOR'S CERTIFICATE  
 I CERTIFY THAT :  
 THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS  
 COMPLETED ON THE 10th DAY OF AUGUST, 1985

SH MAY COPY, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN  
 S. SHOEMAKER, ROBINSON & DONALDSON LIMITED

© BLACK, SHOEMAKER, ROBINSON & DONALDSON LIM  
 ONTARIO LAND SURVEYORS  
 351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO N2Z-4  
 DATE: AUGUST 15, 1985 SCALE: 1 INCH = 30 FEET

PER: *[Signature]* PRO  
 ONTARIO LAND SURVEYOR 85-



June 14<sup>th</sup> 2018

Corporation of the City of Guelph

Committee of Adjustment

Guelph, Ontario

Attention: To Whom It May Concern ;

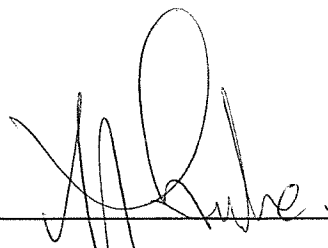
Re: Relief of front Set Back to 1.14 m in lieu of 6 metres;

Restoration Design Inc...of 24 Hayes Ave., Guelph, Ontario, is a manufacturing plant for Porsche Car Parts and is in need of a 6,022 square foot plant expansion for Storage of these Products that are shipped all over the world.

Our request is for an addition that is 64'-9" x 93'-0" x 18'-0" . This is a flat roof building with insulated Metal wall panels and one grade level overhead door 14' x14'. This is a non combustibile structural steel Building that blends in with the exist building and the various buildings in the area. The existing building has a .114 m set back and our proposed building would be more than 1 meter further back then the existing.

Trusting you will find our request compatible and acceptable.

We remain Yours Truly.....



---

John Lambe owner's Agent

CITY OF GUELPH

Decision of Committee of Adjustment

RE: Application No. A-494-71

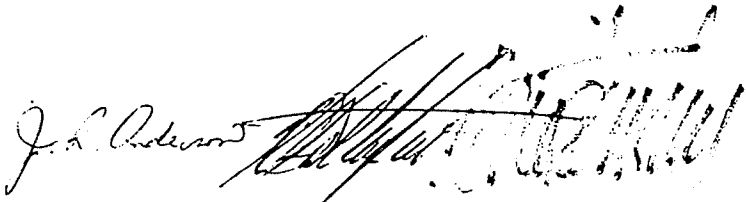
Moved, seconded and carried:-

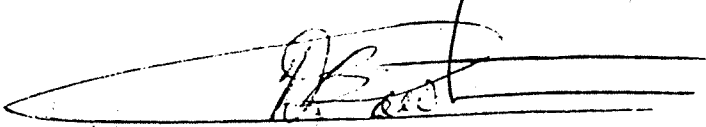
"THAT the application of Linread of Canada Limited to have a 7' sideyard in lieu of the required 10' sideyard at 24 Hayes Avenue be approved subject to the following condition:-

1. That a buffer strip be planted along the rear property line of the houses fronting on Beverley Street.

Reasons for approval being:-

1. The variance is minor in nature.
2. The plant operation permits no alternative loading dock location and the proposed loading dock is of a normal size.
3. The intent and purpose of the by-law would be maintained."

  
I hereby certify the foregoing to be a true copy of the decision of the Guelph Committee of Adjustment concerning the above noted application.

  
D.B. Cowtan, C.E.T.,  
Secretary-Treasurer,  
Committee of Adjustment.

# DECISION



## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-65/18

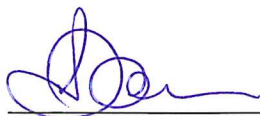


Moved, seconded and carried:

THAT Application A-65/18 for 24 Hayes Avenue, be **DEFERRED** until October 11, 2018, and that the deferral fee be paid prior to reconsideration of the application.

### REASONS:

This application is deferred to allow the applicant additional time to revise the application and apply for the correct variance.

Members of Committee  
Concurring in this Decision

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on September 13, 2018.

Dated: September 18, 2018

Signed:



**The last day on which a Notice of Appeal to the Local Planning Appeal Tribunal may be filed is October 3, 2018.**

**Committee of Adjustment**

T 519-822-1260 x2524  
F 519-763-1269  
E cofa@guelph.ca

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



<b>Consultation with City staff is encouraged prior to submission of this application.</b>	<b>OFFICE USE ONLY</b>	
	Date Received: <u>Aug. 16/18</u>	Folder #: <u>A-71/18</u>
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	Application #:

## 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: 1515 Gordon Street, City of Guelph

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

**OWNER(S) INFORMATION:**

Name:	<u>2320339 Ontario Inc.</u>		
Mailing Address:	<u>56 Kirby Court, Guelph, Ontario</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1G 5E1</u>
Home Phone:		Work Phone:	<u>(519) 780-0835</u>
Fax:		Email:	<u>mario@mar-cot.ca</u>

**AGENT INFORMATION (If Any)**

Company:	<u>Astrid J. Clos Planning Consultants</u>		
Name:	<u>Astrid Clos</u>		
Mailing Address:	<u>423 Woolwich Street, Suite 201</u>		
City:	<u>Guelph, Ontario</u>	Postal Code:	<u>N1H 3X3</u>
Work Phone:	<u>519-837-7526</u>	Mobile Phone:	
Fax:		Email:	<u>astrid.clos@ajcplanning.ca</u>

Official Plan Designation: <u>Mixed Office/Commercial</u>	Current Zoning : <u>CR-14 Zone</u>
---	------------------------------------

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

That in addition to the uses permitted by section 6.6.3.14.1 of the Specialized CR-14 Zone, a Commercial School use also be permitted.

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

While the Mixed Office/Commercial designation of the subject property allows for a variety of freestanding small-scale commercial, office, residential or mixed-use buildings and the CR-14 Zone permits similar uses such as day care centre and religious establishment, a commercial school is not a permitted use. The owner has a commercial school tenant interested in locating in this building. The commercial school use would require slightly less parking than the 1 parking space per 24 square metre ratio permitted in the CR-14 Zone.

**PROPERTY INFORMATION**

Date property was purchased:	1511 Gordon Street – March 30, 2012 1517 Gordon Street – March 30, 2012 15 Lowes Road – October 31, 2013	Date property was first built on:	2017
Date of proposed construction on property:	Interior renovations to commence upon the issuance of a Building Permit.	Length of time the existing uses of the subject property have continued:	2017

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):** The existing use of the property is mixed-use commercial/office building.

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):** The proposed use is a commercial school with 5 teachers and classroom space of 165 sq.m. The total area of the entire unit is 222 sq.m.

**DIMENSIONS OF PROPERTY:** (please refer to your survey plan or site plan) Please see the plan provided.

Frontage: **36.8 m**                      Depth: **100 m (irregular)**                      Area: **4,290 m<sup>2</sup>**

**PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)**

EXISTING (BUILDINGS)		PROPOSED	
<b>Main Building</b>		<b>Main Building</b> (no additional building proposed, interior renovations only)	
Gross Floor Area:	879 m <sup>2</sup>	Gross Floor Area:	
Height of building:	<b>Two storey</b>	Height of building:	
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)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height:		Describe details, including height:	



LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING (see plan provided)			PROPOSED (no building)		
Front Yard Setback:	1 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	1 M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: M	Right: 3.1 M	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	7.5 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 type="checkbox"/>	<input checked="" type="checkbox"/>	OP1402 approved.
Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZC1408 approved.
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP15C021 approved.
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Renovation - Building Permit 18 005139 PR submitted
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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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.

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WE, 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.



Mario Cotroneo, 2320339 Ontario Inc.  
I have the ability to bind the corporation  
Signature of Owner

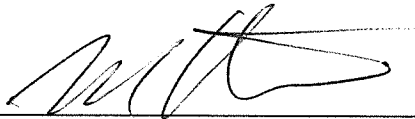
  
Date

**APPOINTMENT AND AUTHORIZATION**

I, the undersigned, being the registered property owner(s) of 1515 Gordon Street, Guelph hereby authorize  
(municipal address)

Astrid Clos, Astrid J. Clos Planning Consultants as my agent for the purpose of submitting an application  
(Authorized agent's name)

to the Committee of Adjustment and acting on our behalf in relation to the application.



\_\_\_\_\_  
Mario Cotroneo, 2320339 Ontario Inc.  
I have the ability to bind the corporation  
Signature of Owner

15/08/18  
Date

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.

**AFFIDAVIT**

I, Astrid Clos, Astrid J. Clos Planning Consultants, of the City of Guelph in County 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.



\_\_\_\_\_  
Astrid Clos, Astrid J. Clos Planning Consultants  
Signature of Agent

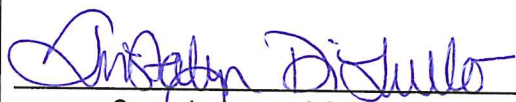
\_\_\_\_\_  
AUG. 16, 2018  
Date

**NOTE: The Signature of applicant or authorized agent must be witnessed by a Commissioner**

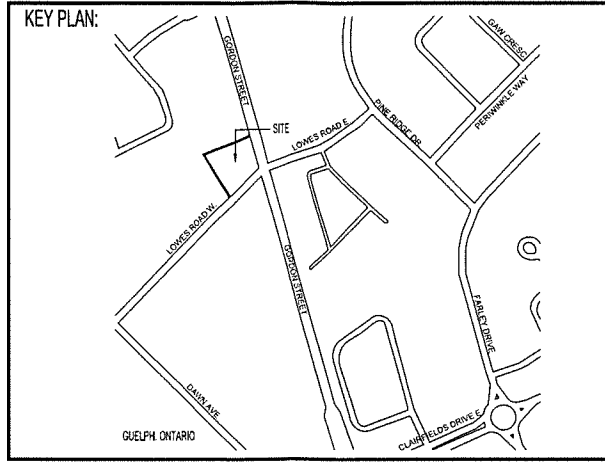
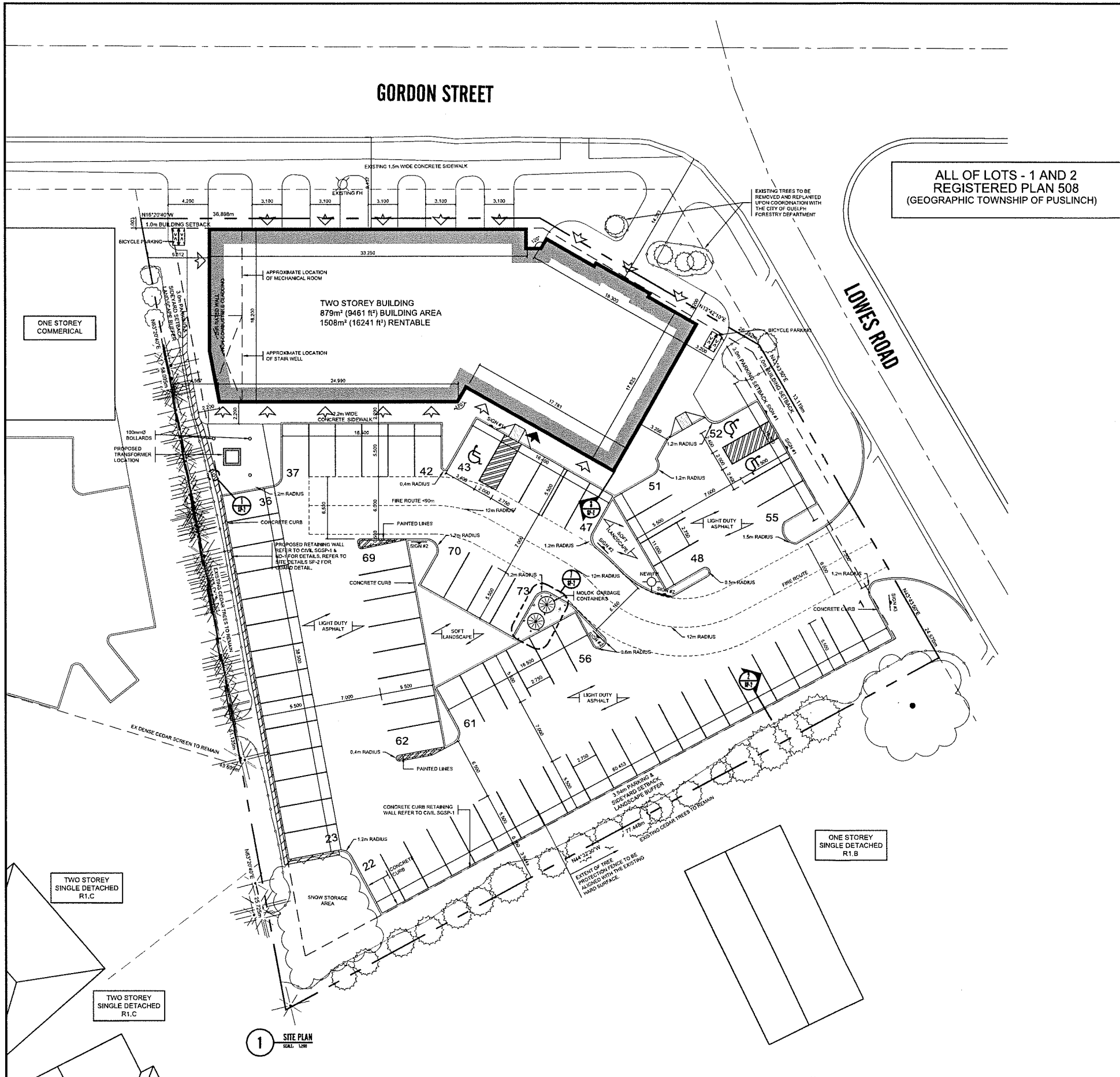
Declared before me at the

City of Guelph in the County of Wellington this 16<sup>th</sup> day of August, 2018.

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

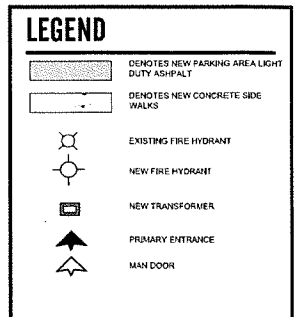
  
\_\_\_\_\_  
Commissioner of Oaths

(official stamp of Commissioner of Oaths)



**CR-xx- SPECIALIZED COMMERCIAL ZONE**  
(PROPERTY CURRENTLY IN FOR RE-ZONING)

REGULATIONS	REQUIREMENTS COMMERCIAL	PROVIDED	CONFORMS
MINIMUM LOT AREA	550m <sup>2</sup>	4,290m <sup>2</sup>	YES
MINIMUM LOT FRONTAGE	18m	37m	YES
MINIMUM FRONT AND EXTERIOR SIDE YARD	AVERAGE OF THE ADJOINING FRONT AND EXTERIOR SIDE YARDS	1m	YES
MAXIMUM BUILDING SETBACK TO GORDON STREET	7m	1m	YES
MINIMUM SIDE YARD	3m	3.1m	YES
MINIMUM REAR YARD	20% OF THE LOT DEPTH TO A MAXIMUM OF 7.5m	7.5m	YES
MAXIMUM BUILDING HEIGHT	3 STOREYS	2 STOREYS	YES
MAXIMUM GROSS FLOOR AREA	1,620m <sup>2</sup>	1,770m <sup>2</sup>	NO
PLANTING AREA	NONE REQUIRED	---	YES
OFF-STREET PARKING	73 REQUIRED (1 PARKING SPACE PER 24m <sup>2</sup> GFA)	75 PROVIDED	YES
PARKING SETBACK	NO PART OF A PARKING SPACE IS LOCATED CLOSER THAN 3 METERS TO ANY STREET	3m	YES
BUILDING ENTRANCES	*STREET ENTRANCE SHALL BE LOCATED FACING GORDON STREET	YES	YES
PROHIBITED USES	*DRIVE-THROUGH FACILITIES NOT PERMITTED	---	YES
OFF-STREET LOADING	4:14 ADEQUATE LOADING SPACES PROVIDED	NONE REQD	YES
OUTDOOR STORAGE	NO OUTDOOR STORAGE OR DISPLAY OF GOODS OR MATERIALS PERMITTED	---	YES
GARBAGE, REFUSE STORAGE AND COMPOSTERS	LOCATED WITHIN A SIDE YARD OR REAR YARD	IN SIDE YARD	YES
BUFFER STRIP	REQUIRED ADJUTING A RESIDENTIAL ZONE	3m LANDSCAPE OR FENCE	YES



**PARKING REQUIREMENTS**

1 PER 24m<sup>2</sup> OF GROSS FLOOR AREA

**PARKING BREAKDOWN**

1758 GROSS FLOOR AREA  
1758 / 24 = 73 SPACES  
TOTAL = 73 REQUIRED

73 SPACES PROVIDED  
3 BARRIER FREE SPACES PROVIDED  
PARKING IS BASED ON REZONING APPLICATION.

**BICYCLE PARKING**

5% OF INDUSTRIAL AUTOMOBILE PARKING  
74 SPACES \* 5% = 4 BICYCLE SPACES

This drawing and all associated documentation are the copyrighted property of BJC Architects Inc. and shall be returned upon request. Any distribution, reuse, modification or distribution in part or whole without the prior written authorization of BJC Architects Inc. is strictly prohibited.

Each contractor shall check and verify all dimensions and location of any and all structures to the design professional before work is started in the drawing. Do not scale the drawing.

The information and related therein reflect the best judgement of BJC Architects Inc. in light of the information available to them at the time of preparation of these documents. Any use which is not specifically stated in these documents, or any reliance on, or deviation to be made based on them, is the sole responsibility of such user party. BJC Architects Inc. accepts no responsibility for damages if any, suffered by any party as a result of decisions made or actions based on these documents.

C BJC Architects Inc. 2016

NO.	REVISIONS:	DATE:
3	ISSUED FOR FORMAL SPA	2015.01.13
2	RECEIVED FOR SPA - PRELIMINARY SUBMISSION	2015.06.03
1	SPA - PRELIMINARY SUBMISSION	2015.03.11

PROJECT NORTH  
TRUE NORTH  
AS SHOWN

**ONTARIO ASSOCIATION OF ARCHITECTS**

MEMBER: MENS  
CONCEDED: PC  
ARTICLE 16.1  
2015.02.19  
2016.01.13

**BJC**

892 8016 HIGHWAY 87  
GUELPH, ONTARIO, N1H 5H6  
TEL: 519 822 7390 FAX: 519 822 5881  
pa@bjcarchitects.com

**MAR-COT DEVELOPMENTS INC.**

56 KERRICK COURT GUELPH, ONTARIO N1H 5E1  
MARIO COTRONEO 519-760-0835

**NEW COMMERCIAL DEVELOPMENT**

LOWES ROAD & GORDON ST. GUELPH, ONTARIO N1H 1C3

**SITE PLAN**

SP15C021

PROJECT NO: 13-214 DATE: 13-214 - SP-1 Site Plan.dwg

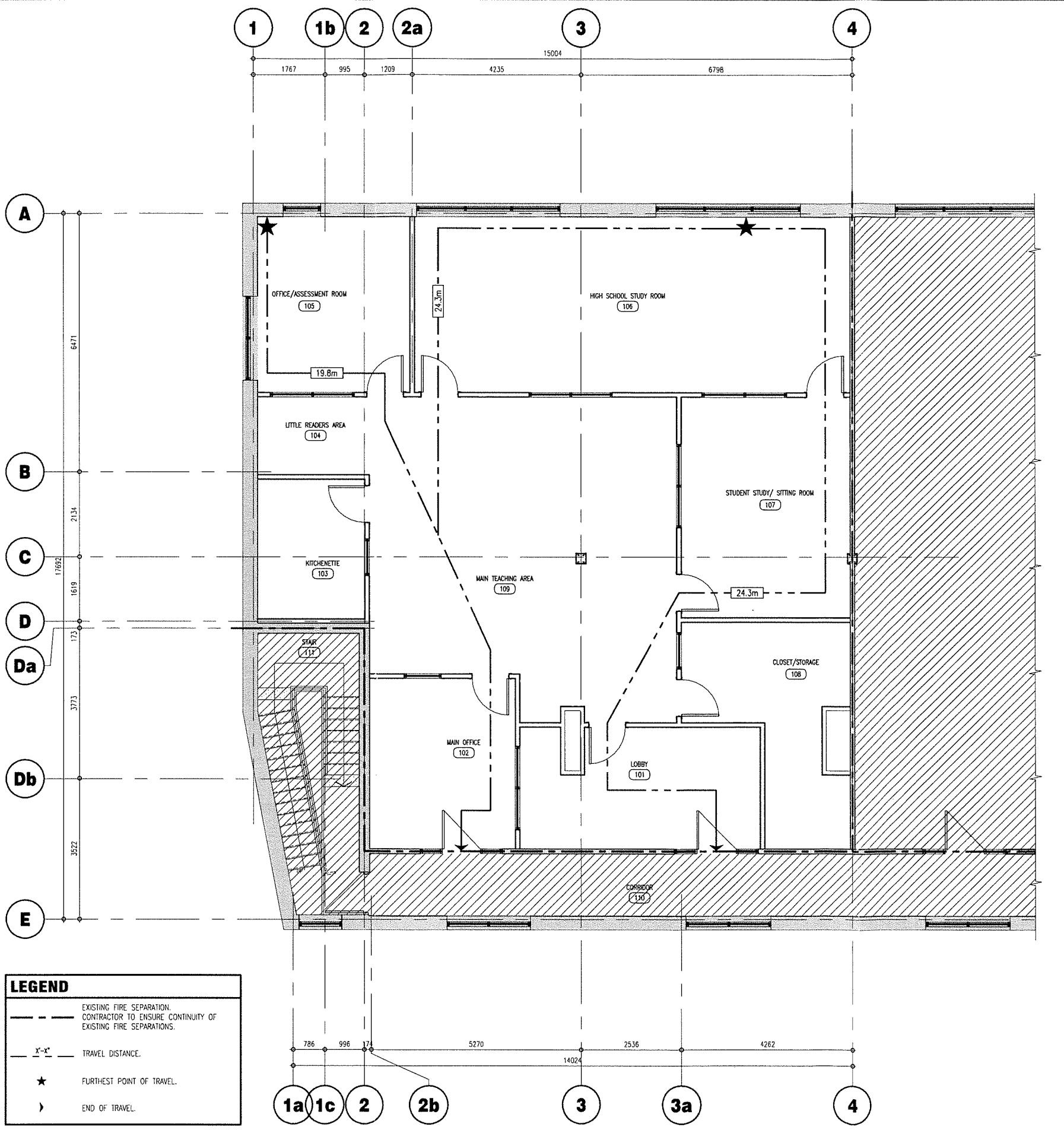
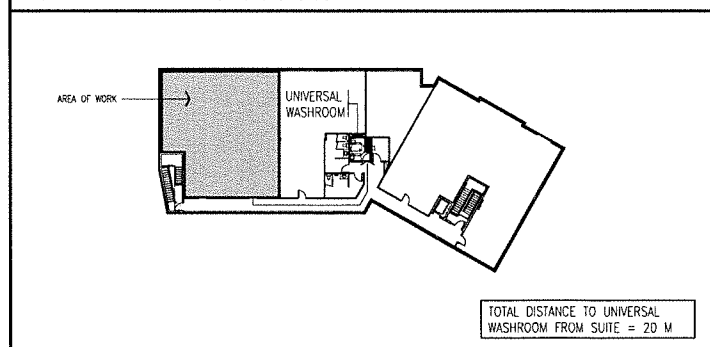
**SP - 1**



**2012 ONTARIO BUILDING CODE MATRIX**

ITEM	2012 ONTARIO BUILDING CODE	O.B.C. REFERENCE
1.0	PROJECT DESCRIPTION: <input type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> CHANGE OF USE	2.1.2.1
2.0	MAJOR OCCUPANCY: GROUP D, BUSINESS & PERSONAL SERVICES	3.1.2.(1), 3.1.2.(1.1)
3.0	BUILDING AREA: 881 SQUARE METER (9,483 S.F.T)	1.4.1.2
4.0	SUITE AREA: 222 SQUARE METER (2,390 S.F.T)	1.4.1.2
5.0	GROSS AREA: 1,762.00 SQUARE METER (18,966 S.F.T)	3.2.1.1 & 9.10.4
6.0	MEZZANINE(S): N/A	3.2.1.1.(4)
7.0	BUILDING HEIGHT: 2 STOREYS 8.95 METERS (29'-4")	1.4.1.2
8.0	NO. OF STOREYS & ACCESS ROUTES: ACCESS TO 3 STOREYS	3.2.2.10 & 3.2.5.5
9.0	BUILDING CLASSIFICATION: 3.2.2.55. GROUP D, UP TO 2 STOREYS (1) A BUILDING CLASSIFIED AS GROUP D IS PERMITTED TO CONFORM TO SENTENCE (2) PROVIDED: (A) IT IS NOT MORE THAN 2 STOREYS IN BUILDING HEIGHT, AND (B) IT HAS A BUILDING AREA NOT MORE THAN 1,200 M <sup>2</sup> . (2) THE BUILDING REFERRED TO IN SENTENCE (1) IS PERMITTED TO BE OF COMBUSTIBLE CONSTRUCTION OR NONCOMBUSTIBLE CONSTRUCTION USED singly OR IN COMBINATION, AND: (A) FLOOR ASSEMBLIES SHALL BE FIRE SEPARATIONS WITH A FIRE-RESISTANCE RATING NOT LESS THAN 45min. (B) LOAD BEARING WALLS, COLUMNS AND ARCHES SHALL HAVE A FIRE-RESISTANCE RATING NOT LESS THAN 45 min, OR BE OF NON COMBUSTIBLE CONSTRUCTION.	3.2.2.55
10.0	BUILDING CONSTRUCTION: PERMITTED CONSTRUCTION: <input type="checkbox"/> NON-COMBUSTIBLE <input type="checkbox"/> COMBUSTIBLE <input checked="" type="checkbox"/> BOTH ACTUAL CONSTRUCTION: <input type="checkbox"/> NON-COMBUSTIBLE <input type="checkbox"/> COMBUSTIBLE <input checked="" type="checkbox"/> BOTH	3.2.2.55
11.0	SPRINKLER SYSTEM: <input type="checkbox"/> ENTIRE BUILDING <input type="checkbox"/> IN LIEU OF ROOF RATING <input type="checkbox"/> ADDITION ONLY <input checked="" type="checkbox"/> NOT REQUIRED	3.2.2.55
12.0	STANDPIPE SYSTEM: <input type="checkbox"/> REQUIRED <input checked="" type="checkbox"/> NOT REQUIRED	3.2.9
13.0	WATER SERVICE: <input checked="" type="checkbox"/> SUPPLY IS ADEQUATE <input type="checkbox"/> SUPPLY NOT ADEQUATE	3.2.5.7.(1)
14.0	FIRE ALARM: <input type="checkbox"/> ALARM REQUIRED <input checked="" type="checkbox"/> ALARM NOT REQUIRED	3.2.4.1
15.0	SMOKE ALARM: <input type="checkbox"/> ALARM REQUIRED <input checked="" type="checkbox"/> ALARM NOT REQUIRED	3.2.4.22
16.0	HIGH BUILDING: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	3.2.6
17.0	BARRIER FREE DESIGN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	3.8
18.0	HAZARDOUS SUBSTANCES: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	3.3.1.2.(1)
19.0	FIRE RESISTANCE RATINGS: HORIZONTAL ASSEMBLIES FIRE RESISTANCE RATING: RATING: LISTED ULC DESIGN OR BUILDING CODE DESIGN (SB-2) FLOORS: N/A INTERIOR FIT UP ROOF: N/A N/A SUPPORTING ASSEMBLIES FIRE RESISTANCE RATING: RATING: LISTED ULC DESIGN OR BUILDING CODE DESIGN (SB-2) WALLS: N/A INTERIOR FIT UP COLUMNS: N/A INTERIOR FIT UP BEAMS: N/A INTERIOR FIT UP MEZZANINE: N/A N/A	3.2.2.55, 3.1.3.1
20.0	SEPARATION OF RESIDENTIAL OCCUPANCIES: N/A	
21.0	OCCUPANT LOAD: OCCUPANCY: GROUP D, OFFICE TYPE OF USE: OFFICE AREA PER PERSON ROOM: 9.34(100.1) M <sup>2</sup> / FT <sup>2</sup> AREA OF ROOM: 222(2390) M <sup>2</sup> / FT <sup>2</sup> CALCULATED LOAD: 24 PERSONS ACTUAL LOAD: 24 PERSONS TOTAL: 24 PERSONS BASED ON THE CALCULATIONS ABOVE, THE TOTAL OCCUPANT LOAD IS 24 PERSONS. THE FLOOR AREAS OCCUPIED BY OFFICE, SERVICE SPACES, SERVICE ROOMS, WASHROOMS, JANITORS ROOM & VESTIBULES ARE NOT INCLUDED IN THE CALCULATIONS ABOVE.	3.1.17
22.0	FLUDDING REQUIREMENTS: ALL EXISTING WASHROOMS UNDER SEPARATE PERMIT (17,068189 P.N.) NO NEW FLUDDING FEATURES UNDER THE PERMIT. EXISTING WASHROOM FUTURE COUNT IS BASED ON TOTAL OCCUPIED AREA OF EXISTING SECOND FLOOR. GROUP 'D' SECOND FLOOR OCCUPANT LOAD 711.71/14m <sup>2</sup> = 50.8 (264/298) EXISTING UNIVERSAL WASHROOM - 1 W/C EXISTING MALE WASHROOM - 1 W/C, 1 URINAL EXISTING FEMALE WASHROOM - 2 W/C THEREFORE, THERE ARE SUFFICIENT EXISTING WATER CLOSETS.	3.7.4.2.(1), 3.7.4.7, 3.7.4.7.(2)
23.0	EGRESS & EXIT REQUIREMENTS: THE MEANS OF EGRESS FOR THIS BUILDING HAS BEEN ANALYZED FOR CONFORMANCE WITH THE ONTARIO BUILDING CODE INCLUDING THE FOLLOWING: COMMERCIAL = 2 - 914mm SWING DOORS @ 149 PERSONS/DOOR = 298 PERSONS TOTAL EXIT CAPACITY: 298 PERSONS TOTAL OCCUPANT LOAD: 24 THEREFORE WE HAVE SUFFICIENT MEANS OF EGRESS FOR SPECIFIED OCCUPANT LOAD. MAXIMUM TRAVEL DISTANCE IN A NON SPINKLERED BUILDING: 25m (82'-0") EXIT SIGNS ARE REQUIRED.	3.3. & 3.4, 3.4.2.5 (1) (A)
24.0	MISCELLANEOUS REQUIREMENTS: - DOORS LOCATED WITHIN A FIRE SEPARATION REQUIRE SELF CLOSING DEVICES AND POSITIVE LATCHING. 3.1.8.11. - DUCTWORK PENETRATING A FIRE RESISTANCE RATING OR FIRE SEPARATION SHALL BE EQUIPPED WITH A FIRE DAMPER, EXCEPT AS PERMITTED IN 3.1.8.8. 3.1.8.7. - BUILDING SERVICES PENETRATING A FIRE RESISTANCE RATING OR FIRE SEPARATION SHALL BE FIRE STOPPED. 3.1.8. - ALL WALLS AND CEILING SHALL HAVE A MAXIMUM 150 FLAME SPREAD RATING. 3.1.13.2. - EMERGENCY LIGHTING IS REQUIRED. 3.2.7.3.	3.1.8.11, 3.1.8.7, 3.1.8, 3.1.13.2, 3.2.7.3.

**KEY PLAN - 2nd FLOOR**



**LEGEND**

- EXISTING FIRE SEPARATION. CONTRACTOR TO ENSURE CONTINUITY OF EXISTING FIRE SEPARATIONS.
- X-X- TRAVEL DISTANCE.
- ★ FURTHEST POINT OF TRAVEL.
- END OF TRAVEL.



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No.	REVISIONS	date
01	ISSUED FOR PERMIT	18.07.31

PROJECT NORTH  
TRUE NORTH  
scale 1:50

ONTARIO ASSOCIATION OF ARCHITECTS  
DRAWN BY: LH  
LAST WORKED ON BY: 2018.07.31  
CHECKED BY: BRJ  
PRINT DATE: 2018.07.31

**BJC**  
architects inc.  
P.O. # 2 8018 HIGHWAY 7, GUELPH, ONTARIO, CANADA N1H 7M1  
TEL: (519) 822-7700 FAX: (519) 822-2660  
www.bjcarchitects.com

client  
**MAR-COT DEVELOPMENTS**  
56 KIRKBY CT. ONTARIO N1E 7M1  
GUELPH  
MARIO COTRONEO 519-546-1849

**OXFORD LEARNING INTERIOR FIT-UP**  
1515 GORDON ST. ONTARIO N1L 1C9  
GUELPH

drawing title  
**CODE MATRIX & TRAVEL DISTANCE PLAN**

reference  
Project no. 18-092 client reference number  
sheet no. **A-101 NN**

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Aug. 30/18</u>	Folder #: <u>A-72/18</u>
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?      **Yes**       **No**   
(Site Plan)

*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>954 Paisley Road</u>			
Legal description of property (registered plan number and lot number or other legal description): <u>Block 140, Registered Plan 61M-8, City of Guelph, County of Wellington</u>			
<b>OWNER(S) INFORMATION:</b>			
Name:	<u>Armel Corporation Inc.</u>		
Mailing Address:	<u>199 Bay Street, Suite 2900</u>		
City:	<u>Toronto, ON PO Box 459</u>	Phone:	<u>416-861-8800</u>
Applicant Info:			
Name: <u>Crystal Homes</u>			
Address: <u>161 Rebecca St, Hamilton, ON L8R 1B9</u>			
<b>AGENT INFORMATION (If Any)</b>			
Company:	<u>GSP Group</u>		
Name:	<u>Matthew Warzecha and Glenn Scheels</u>		
Mailing Address:	<u>72 Victoria St S</u>		
City:	<u>Kitchener, On</u>	Postal Code	<u>N2G 4Y9</u>
Work Phone:	<u>519-569-8883</u>	Mobile Phone:	<u></u>
Fax:	<u></u>	Email:	<u>mattheww@gspgroup.ca</u> <u>gscheels@gspgroup.ca</u>

<b>Official Plan Designation:</b> Community Mixed Use	<b>Current Zoning Designation:</b> Neighbourhood Shopping Centre (NC) Zone
--	---

<b>NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):</b>
- Permit an Occasional Use real estate sales centre on a developed property
- Permit use for up to 2 years
Please see enclosed covering letter for additional information

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b>
Property is already developed. Sales centre requires longer than the permitted 90 days to complete its function.

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	Property leased from owner	Date property was first built on:	N/A
Date of proposed construction on property:	As soon as possible	Length of time the existing uses of the subject property have continued:	N/A
<b>EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):</b>			
Commercial			
<b>PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):</b>			
Commercial			

<b>DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)</b>		
Frontage: ~51 m	Depth: ~90 m	Area: 7,632 sq. m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<del>Main Building</del> --- Second Structure		
Gross Floor Area:	468 sq.m		Gross Floor Area:	124 sq m	
Height of building:	1 Storey		Height of building:	1 storey	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height: Former Scotia Bank, commercial building			Describe details, including height: Temporary structure, secondary structure		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:		M	Front Yard Setback:	3	M
Exterior Side Yard (corner lots only)		M	Exterior Side Yard (corner lots only)	N/A	M
Side Yard Setback:	Left: M	Right: M	Side Yard Setback:	Left: 8.2 M	Right: M
Rear Yard Setback		M	Rear Yard Setback	96	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**

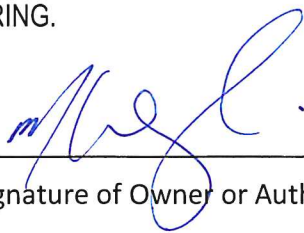
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Matthew Warzecha, of the City/Town of Waterloo in County/Regional Municipality of Waterloo, 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 Kitchener in the County/Regional Municipality of

Waterloo this 29<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Commissioner of Oaths

Kristen Alexia Barisdale, a Commissioner, etc.,  
Regional Municipality of Waterloo, for GSP Group Inc.  
Expires February 22, 2019.

(official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

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

Kathy D. Silvestro

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

of 954 Paisley Rd.

(Legal description and/or municipal address)

hereby authorize GSP Group

(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.

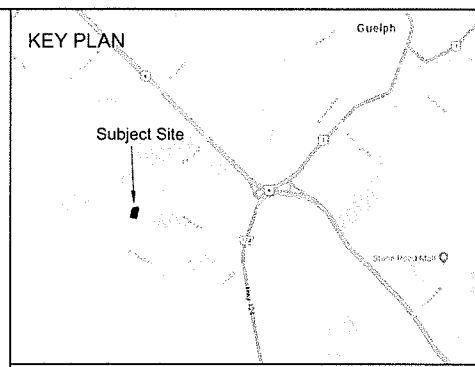
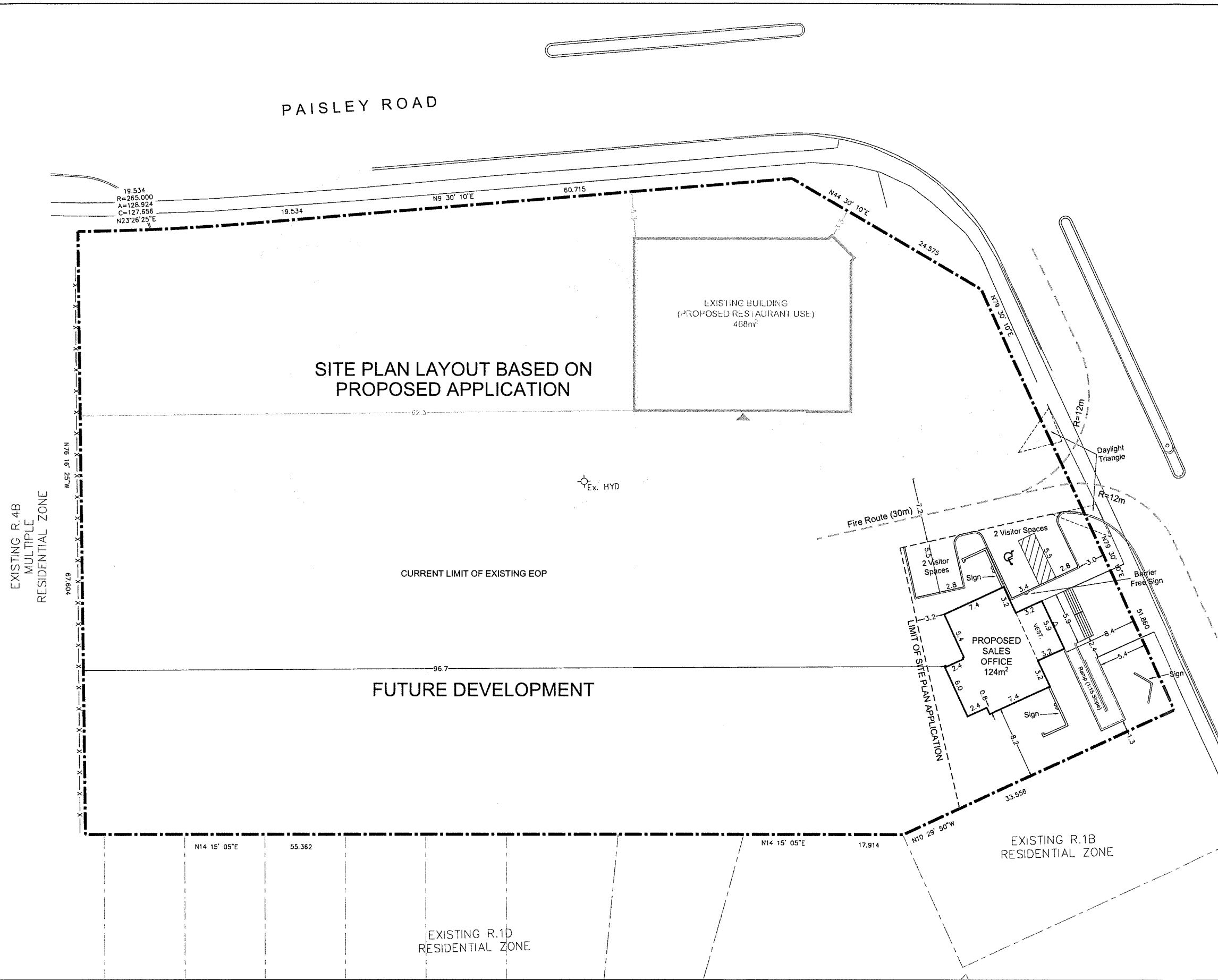
Dated this 08 day of 14 2018.

\_\_\_\_\_  
(Signature of the property owner)

Kathy D. Silvestro  
(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.



# SITE PLAN

Block 140  
Registered Plan 61M-8  
City of Guelph  
County of Wellington

950 PAISLEY RD

### SITE DATA

NEIGHBOURHOOD COMMERCIAL 'NC' ZONE	REQUIRED	PROVIDED	CONFORMS
MINIMUM LOT AREA	2000m <sup>2</sup>	7632m <sup>2</sup>	Y
MAXIMUM LOT AREA	7500m <sup>2</sup>	7632m <sup>2</sup>	LEGAL NON-COMPLYING
MINIMUM LOT FRONTAGE	30m	51.8m	Y
MINIMUM FRONT & EXTERIOR YARD SETBACK	3.0m	6.0m	Y
MINIMUM INTERIOR SIDE YARD SETBACK	3.0m	7.6m	Y
MINIMUM REAR YARD DEPTH	3.0m	99.7m	Y
MAXIMUM BUILDING HEIGHT	10.0m	6.0m	Y
MAXIMUM GROSS FLOOR AREA	625m <sup>2</sup> /unit	124m <sup>2</sup>	Y
MINIMUM LANDSCAPED OPEN SPACE	9% of Lot Area*	44%*	Y
PARKING SPACES	4 spaces	4	Y
BARRIER FREE PARKING	1 space	1	Y

\* Calculation based on area in the 'Limit of Site Plan Application'

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE  
GSPgroup.ca

REVISIONS



SHAPING GREAT COMMUNITIES

August 28, 2018

File No: 18124

City of Guelph  
City Clerks Department  
1 Carden Street  
Guelph, On  
N1H 3A1

RECEIVED  
AUG 30 2018

Attn: Ms. Trista Di Lullo

CITY CLERK'S OFFICE

Dear Ms. Di Lullo,

Re: **954 Paisley Road  
Minor Variance Application**

GSP Group has been retained by Crystal Homes Corp to submit the enclosed Minor Variance application to facilitate the construction of a real estate sales centre on a 643.8 square metre portion of a larger property that is municipally known as 954 Paisley Road (the "Site").

The property is located at the southeast corner of the Paisley Road and Imperial Road South intersection and has a total area of 7,632 square metres. The portion of the property that is to be developed is located in the northeast corner of the property, adjacent to the former Scotia Bank building. The Site is identified as Community Mixed-Use Centre in the Official Plan and Neighbourhood Shopping Centre Zone (NC) in the Zoning By-law. Occasional Uses are permitted within the NC Zone, including real estate sales offices, however they must to be located on a construction site, as per Section 4.21.5 of the Zoning By-law. The proposed Site has been developed and is not currently under construction. As such, the proposed use does not fully comply with the current Zoning By-law as it is not located on a construction site. In order to facilitate the proposed sales centre, the applicant is seeking relief from Section 4.21.5 to permit an occasional use real estate sales centre to locate on the Site.

An 'Occasional Use' is defined as lasting no more than 90 days per calendar year, as per Section 3.1 of the Zoning By-law. While the proposed sales centre is temporary in nature, 90 days is insufficient to complete the required sales. The applicant has organized a 2-year lease of the land from the property owner. As such, in addition to the above, the applicant is seeking relief from the Occasional Use definition which caps the maximum amount of time at 90 days. It is proposed that an Occasional Use be permitted on the Site for no more than 2 years.

Under Section 45(1) of the Planning Act there are four tests that a minor variance must meet:

- 1) Is the application minor?
- 2) Is the application desirable for the appropriate development of the lands in question?
- 3) Does the application conform to the general intent of the Zoning By-law?

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883  
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477  
gspgroup.ca



4) Does the application conform to the general intent of the Official Plan?

In order to consider an application for a minor variance, it must meet all four tests.

1) Is the application minor?

Yes. Real estate sales offices are currently contemplated by both the Official Plan and Zoning By-law as an occasional use provided they are located on construction sites and last no longer than 90 days. Permitting the use for a period of up to 2 years on a developed site is minor in nature as the intent of both the Zoning By-law and Official Plan are maintained, as further discussed below. Ultimately, the use is a permitted use and the application is seeking an extension to the permitted period of time it may exist, however, the use will remain temporary nonetheless.

2) Is the application desirable for the appropriate development of the lands?

Yes. The intersection at which the Site is located is a prominent location with high visibility within the community and, as such, is an ideal location for sales and services to be located. Utilizing the lands for the temporary construction of a sales centre is an appropriate use of the land as the capacity for traffic, parking and servicing are currently available. While a real estate sales centre is proposed, the structure will be temporary and will be after the two-year period to provide for a permanent building.

3) Does the application conform to the general intent of the Zoning By-law?

Yes. The proposed use conforms to the general intent of the ZBL as the use is contemplated by the current Neighbourhood Shopping Centre (NC) Zone. While the use is restricted to 90 days, extending the permitted time period to 2 years maintains the temporality of the use. As such, allowing the use on a developed site and extending the length of time it is permitted to operate does remain consistent with the intent of the existing by-law.

4) Does the application conform to the general intent of the Official Plan?

Yes. The proposed development is consistent with the policies of the Official Plan and is currently contemplated as a permitted use. As noted above, the Site is designated as Community Mixed-Use Centre which allows for a variety of commercial, retail and service uses that are intended to serve the residents living and working near-by as well as the broader community. The Site is ideal for the proposed use as it is located on a prominent corner that is well serviced, highly visible and serves the community at large. As such, the proposed development and related variances are consistent with the intent of the existing Official Plan policies.

In summary, the applicant is seeking relief from Section 4.21.5 to allow for an Occasional Use real estate sales centre to be located on a developed Site. The applicant is also seeking relief from the definition of Occasional Use which limits the use to 90 days and is proposing that the use be permitted for up to 2 years. The proposed variance is minor in nature and maintains the general intent of the Official Plan and Zoning By-law.

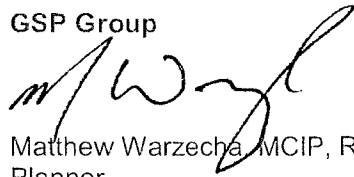
In support of the proposed variances, please find enclosed the following materials, comprising a complete application:

- 1 x Application Form (Original), including owner authorization
- 1 x Covering Letter
- 2 x Site Plan Sketches (1 – 11" x 17", 1 – 8.5" x 11")

It is my understanding that the next Committee of Adjustment meeting is being held on October 11, 2018 with the submission deadline being September 11, 2018. I trust that with this submission our application can be considered at this meeting date. If you have any questions, or wish to discuss this further, please feel free to contact me.

Yours truly,

**GSP Group**



Matthew Warzecha, MCIP, RPP  
Planner

Cc: Kathy Di Silvestro, Crystal Homes  
Glenn Scheels, GSP Group

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 7/18</u>	Folder #: <u>A-73/18</u>
	Application deemed complete: <input 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.

<b>PROPERTY INFORMATION:</b>	
Address of Property: <u>64 Chesterton Lane</u>	
Legal description of property (registered plan number and lot number or other legal description): <u><del>Semi-detached</del> (TD) Plan 855 Pt Lot 223 RP 01R-7157 Part I</u>	
<b>OWNER(S) INFORMATION:</b>	
Name:	<u>Tanja Ducharme</u>
Mailing Address:	<u>64 Chesterton Lane</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1E7A6</u>
Home Phone:	<u>519-400-2266</u>
Work Phone:	<u>519-767-1747 ext 5239</u>
Fax:	<u>tanja.ducharme@gmail.com</u>
<b>AGENT INFORMATION (If Any)</b> <u>N/A</u>	
Company:	_____
Name:	_____
Mailing Address:	_____
City:	_____
Postal Code:	_____
Work Phone:	_____
Mobile Phone:	_____
Fax:	_____
Email:	_____

Official Plan Designation: <span style="font-size: 1.2em; color: blue;">Low Density Residential (TD)</span>	Current Zoning Designation: <span style="font-size: 1.2em; color: blue;">R.2-5</span>
---	---

<b>NATURE AND EXTENT OF RELIEF APPLIED FOR</b> (variances required):
<span style="color: blue;">① A variance to Section 4.13.7.2.3 to permit a driveway that is 5.58 m wide.</span>
<span style="color: blue;">② A variance to Table 5.2.2, Row 15 to permit a driveway that is 0m from the lot line</span>

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b>
<span style="color: blue;">In order for me to continue to live in my home, I need to be able to rent my basement apartment. and providing parking to the tenant means that they will park in the driveway therefore meaning there will be parking available for 3 vehicles - one in the garage and 2 side by side.</span> <span style="color: blue;">- see attached letter previously sent to city councillors.</span>

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	Aug 31, 1996	Date property was first built on:	Aug 31, 1996
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	22 yrs
<b>EXISTING USE OF THE SUBJECT PROPERTY</b> (Residential/Commercial/Industrial etc.):			
Residential			
<b>PROPOSED USE OF LAND</b> (Residential/Commercial/Industrial etc.):			
Residential			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)		
Frontage: <span style="font-size: 1.2em; color: blue;">7.5</span>	Depth: <span style="font-size: 1.2em; color: blue;">33.5</span>	Area: <span style="font-size: 1.2em; color: blue;">251.25</span>



PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<b>Main Building</b>		<b>Main Building</b> N/A	
Gross Floor Area:	1200 sq ft	Gross Floor Area:	
Height of building:	2 stories	Height of building:	
<b>Garage/Carport (if applicable)</b>		<b>Garage/Carport (if applicable)</b>	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	3 m	Width:	
Length:	6 m	Length:	
Driveway Width:	5.58 m	Driveway Width:	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED N/A	
Front Yard Setback:	6.49 M	Front Yard Setback:	
Exterior Side Yard (corner lots only)		Exterior Side Yard (corner lots only)	
Side Yard Setback:	Left: 1.34 M Right: 0 M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	10.485 M	Rear Yard Setback	

**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 type="checkbox"/>	<input checked="" type="checkbox"/>	Permit for Kitchen in Basement
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18 005405 Rx  
 refused because of  
 Driveway issue

**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**

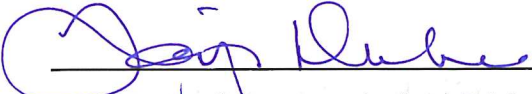
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Tanja Ducharme, 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.

Tanja Ducharme  
Signature of Applicant or Authorized Agent

Tanja Ducharme  
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 Guelph in the County/Regional Municipality of

Wellington this 7<sup>th</sup> day of September, 20 18.

Tristalyn DiLullo  
Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

(official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

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

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

of \_\_\_\_\_  
(Legal description and/or municipal address)

hereby authorize \_\_\_\_\_  
(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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(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.



METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART
1
2

FILE COPY  
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B L O C K 2 3 7



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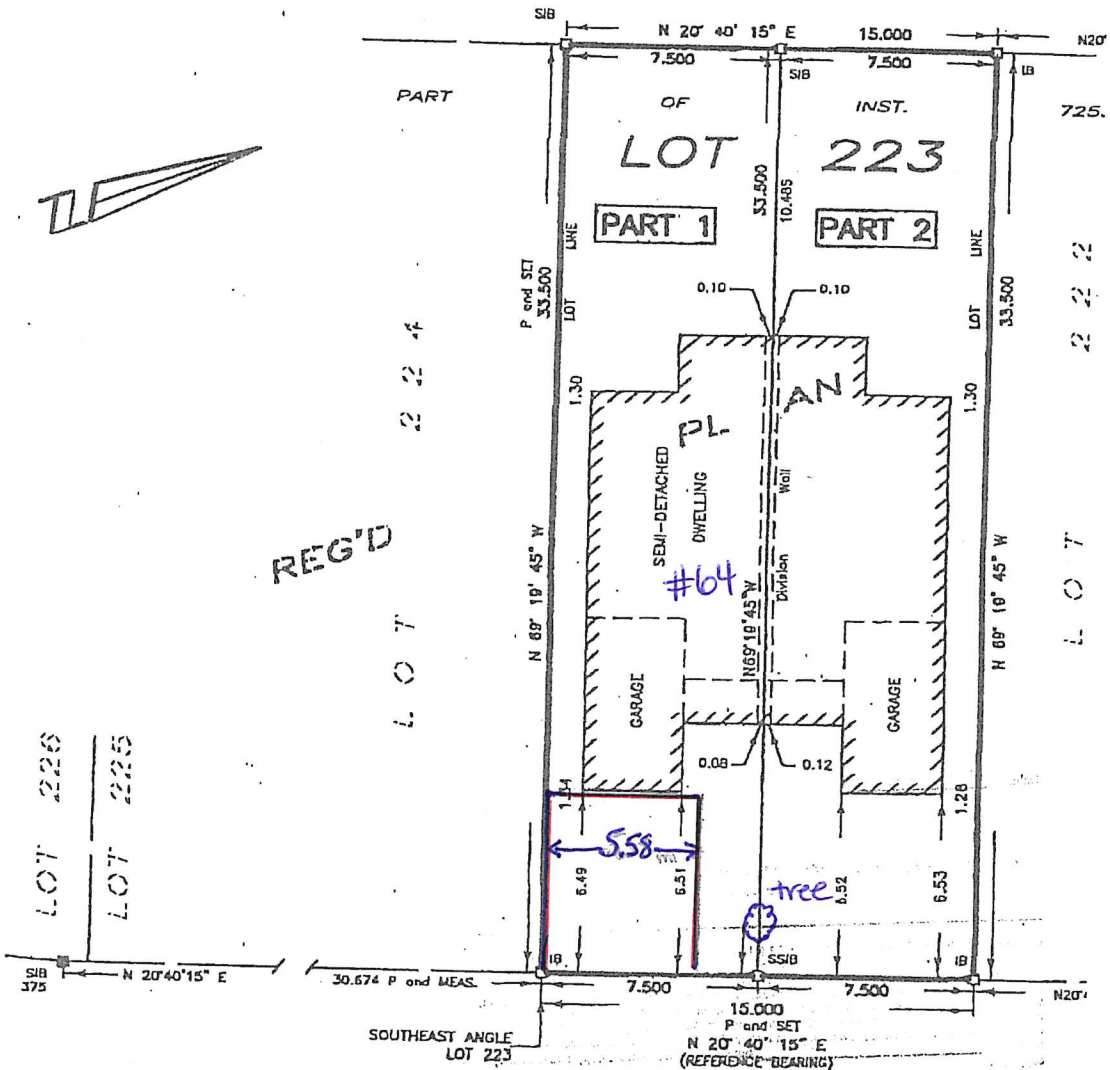
REG'D

L O T

L O T

LOT 226

LOT 225



CHESTERTON LANE

I understand that in September there will be discussions around zoning issues for those that park cars side by side on driveways that the current bylaw does not allow. I wanted to share my current situation with you in hopes that you will vote in favour of the bylaw not being enforced.

Eleven days ago I applied for a building permit for my existing basement apartment. My application has been refused because of this zoning issue. The email and letter from the city is below. To be clear, I live in the home and my basement was renovated by a professional building contractor, electrician and plumber.

I need to rent my basement in order to stay in my home. In the last three years I have journeyed through breast cancer, treatment, discovery of my husband's affair in the midst of my treatment, a divorce and now trying to move on while keeping my home as a place of peace and assurance that things are going to be okay.

I paid \$600 to get a building permit because my basement apartment needs to be registered with the city. Something I was not aware was a requirement. Then find out 10 days later that I do not meet the zoning requirements of 3 parking spaces - one in the garage and 2 side by side in the driveway. This now requires that I pay \$794 and go to the committee of adjustment to get a variance.

I have space to park 2 cars side by side without being on my neighbours property or on my grass.

I will need to jump through the hoops to hopefully get the variance and then more hoops and more money to spend if the building permit gets approved, in order to get the space registered. I just want to keep my home and a place for my daughter to come home to during University that is familiar and comfortable.

By requiring that I have to pay \$794 to hopefully get the variance, is extreme. On top of that I have to wait until October 11 for my case to be heard because I am apparently too late to be heard at the Sept 11 meeting.

95% of the homes on my street all park two cars in their driveway. Is it really necessary to waste the time of the city staff to deal with this issue when it should not be one in the first place? We are not permitted to park our cars on the road overnight, 4 months out of the year so we must park them in our driveways.

An in-home hair salon was approved by the city already and neighbours were already polled and agreed that it was fine. Is that how this driveway zoning issue got brought forward, because of that application? I have lived on the same street for 22 years and never once has the city questioned how we parked our vehicles. When I go through this variance request, will my neighbours be called to also get a variance because of how they park their cars? When we are a city that is described as having a small town feel and we all look after each other, this doesn't sound like that at all.

It is amazing to me that the city is involved in this and spending taxpayers money to debate this issue. It really should be an open and shut decision of changing the bylaw to allow side by side parking, especially where on street parking is not permitted.

I respectfully ask that my fee be waived as well as the need to even go to the committee of adjustment to get a variance on this issue. That my building permit be issued to allow me to get on with completing the requirements of registering my basement apartment. I am not a dead beat landlord that doesn't care about who rents my basement. If there is any bylaw change it should be for those that rent basements in homes that they live in. Make it easier for us to rent the space and not punish us for doing so by requiring high permit payments and registering our space. The rent I would charge for my basement apartment is \$1,000. This will add to the affordable housing space that is available in the City. Something that the city has set out to do and it is not costing the city anything, rather I am footing the bill.

If you wish to discuss this with me further, my phone number is below.

Regards,  
Tanja Ducharme  
519-400-2266

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 10/18</u>	Application #: <u>B-17/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

*\* Note: Application previously submitted in August 20*

## 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 53 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: 11 Knevitt Place, Guelph

Legal description of property (registered plan number and lot number or other legal description):  
All of Lot 25, Plan 475, Guelph

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?       No       Yes  
If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges:       No       Yes  
If yes, explain: Mortgage as in Instrument No. WC459639 with Canadian Imperial Bank of Commerce, 100 University Avenue, 3rd Floor, Toronto, ON, M5J 2X4

### OWNER(S) INFORMATION:

Name: Motton Custom Homes Limited c/o Kevin MOTTON *Kevin Motton and Natasha Motton (TD)*

Mailing Address: 104 Municipal Street *480 Nassagaweya/Pastich Townline*

City: Guelph *Moffat Ont*      Postal Code: N1G 4P0 *LOP 150*

Home Phone: \_\_\_\_\_      Work Phone: 519-820-9604

Fax: \_\_\_\_\_      Email: Mottoncustomhomes@rogers.com

### AGENT INFORMATION (If Any)

Name: Jeff Buisman

Company: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph      Postal Code: N1H 3X3

Home Phone: \_\_\_\_\_      Work Phone: 519-821-2763 x 225

Fax: 519-821-2770      Email: Jeff.Buisman@vanharten.com



**PURPOSE OF APPLICATION (please check appropriate space):**

Creation of a New Lot                                 Easement                                 Right-of-Way  
 Charge / Discharge                                 Correction of Title                                 Lease  
 Addition to a Lot (submit deed for the lands to which the parcel will be added)                                 Other: Explain

To create a new lot for urban residential purposes.

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Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
 Future owner not known

---

DESCRIPTION OF LAND INTENDED TO BE SEVERED				
Frontage / Width: (m) <b>23.3m</b>	Depth (m) <b>52.0m</b>	Area: (m <sup>2</sup> ) <b>744m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>Portion of Dwelling &amp; Shed (to be removed)</b>			Proposed Buildings / Structures: <b>New Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Residential</b>			Proposed Use of Buildings/Structures (specify): <b>Residential</b>	
DESCRIPTION OF LAND INTENDED TO BE RETAINED				
Frontage / Width: (m) <b>23.1m</b>	Depth (m) <b>52.0m</b>	Area: (m <sup>2</sup> ) <b>808m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>No Change (Residential)</b>
Existing Buildings/Structures: <b>Dwelling (to be removed) &amp; Shed</b>			Proposed Buildings / Structures: <b>New Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Residential</b>			Proposed Use of Buildings/Structures (specify): <b>Residential</b>	

TYPE OF ACCESS TO THE RETAINED LANDS	TYPE OF ACCESS TO THE SEVERED LANDS
<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road (Proposed) <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road (Existing) <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)

TYPE OF WATER SUPPLY TO THE RETAINED LANDS	TYPE OF WATER SUPPLY TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <b>(Existing)</b> <input type="checkbox"/> Other (Specify)	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <b>(Proposed)</b> <input type="checkbox"/> Other (Specify)

<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated (Proposed) <input checked="" type="checkbox"/> Septic Tank (Existing; to be decommissioned) <input type="checkbox"/> Other (Explain)	<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated (Proposed) <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

**LAND USE**

What is the land use designation of the site in the Official Plan? Low Density General Residential TD

Does the proposal conform?      YES      NO

If No, has a separate application for an Official Plan Amendment been made?  
 Yes      No     FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

What is the current zoning of the subject lands?     Residential Single Detached R.1B

Does the proposed plan conform to the existing zoning?      YES      NO

If No, have you made a concurrent application for Minor Variance?  
 Yes      No     FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?      YES      NO

If yes, provide the following:  
 FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

b) An application for Consent under section 53 of the *Planning Act*?      YES      NO

If yes, provide the following:  
 FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.  
 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

**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"/>	_____
Minor Variance	<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.

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**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.

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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, Jeff Buisman of VanHarten Surveying Inc., of the City of  
(town, city)

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.

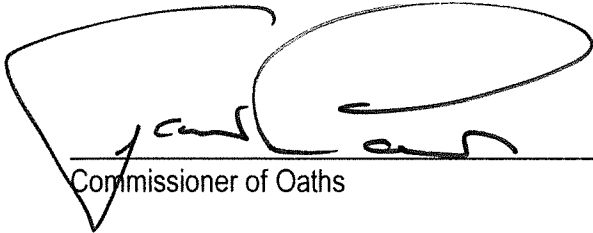
  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
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

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 4 day of August, 2017.

  
\_\_\_\_\_  
Commissioner of Oaths

James Michael Laws,  
A Commissioner, etc.,  
Province of Ontario,  
For Van Harten Surveying Inc.  
(Expires May 11, 2018)  
(Print name of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

I / We, the undersigned,

**Motton Custom Homes Limited c/o Kevin MOTTON**

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

being the registered property owner(s) of

**All of Lot 25, Plan 475 / 11 Knevitt Place**

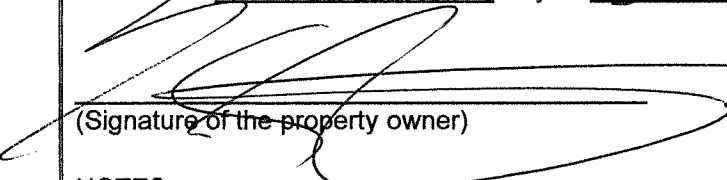
(Legal description and/or municipal address)

hereby authorize **Jeff Buisman of VanHarten Surveying Inc.**

(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 31 day of July 2017.

  
\_\_\_\_\_  
(Signature of the property owner)

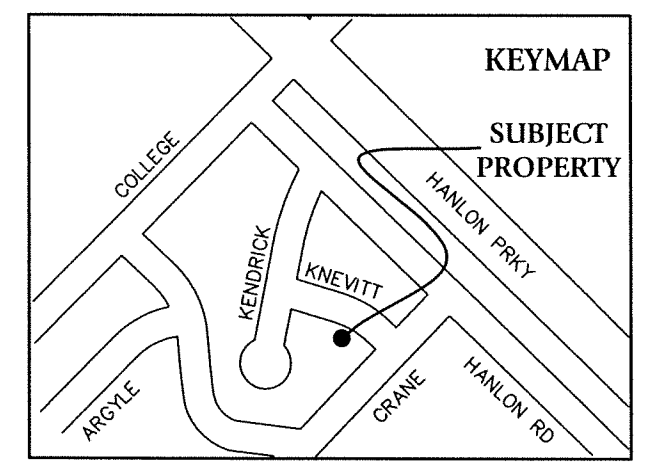
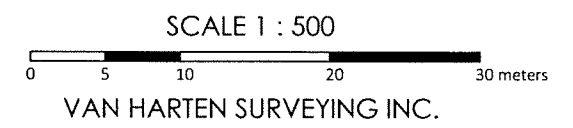
\_\_\_\_\_  
(Signature of the property owner)

**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.

ZONING DESIGNATION: RESIDENTIAL R.1B SINGLE-DETACHED DWELLINGS			
	REQUIRED	RETAINED	SEVERED
MINIMUM Lot Area	460m <sup>2</sup>	808m <sup>2</sup>	744m <sup>2</sup>
MINIMUM Lot Frontage	15m	23.1m	23.3m
MINIMUM Front Yard	6m	12.3m	Yes
MINIMUM Side Yard (1 to 2 Storeys)	1.5m	7.3m	Yes
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less	30.4m	Yes
Accessory Building Setback (S. 4.5.1.2)	0.6m	2.3m	2.7m

**SEVERANCE SKETCH  
LOT 25, REGISTERED PLAN 475  
CITY OF GUELPH  
COUNTY OF WELLINGTON**



**NOTES:**

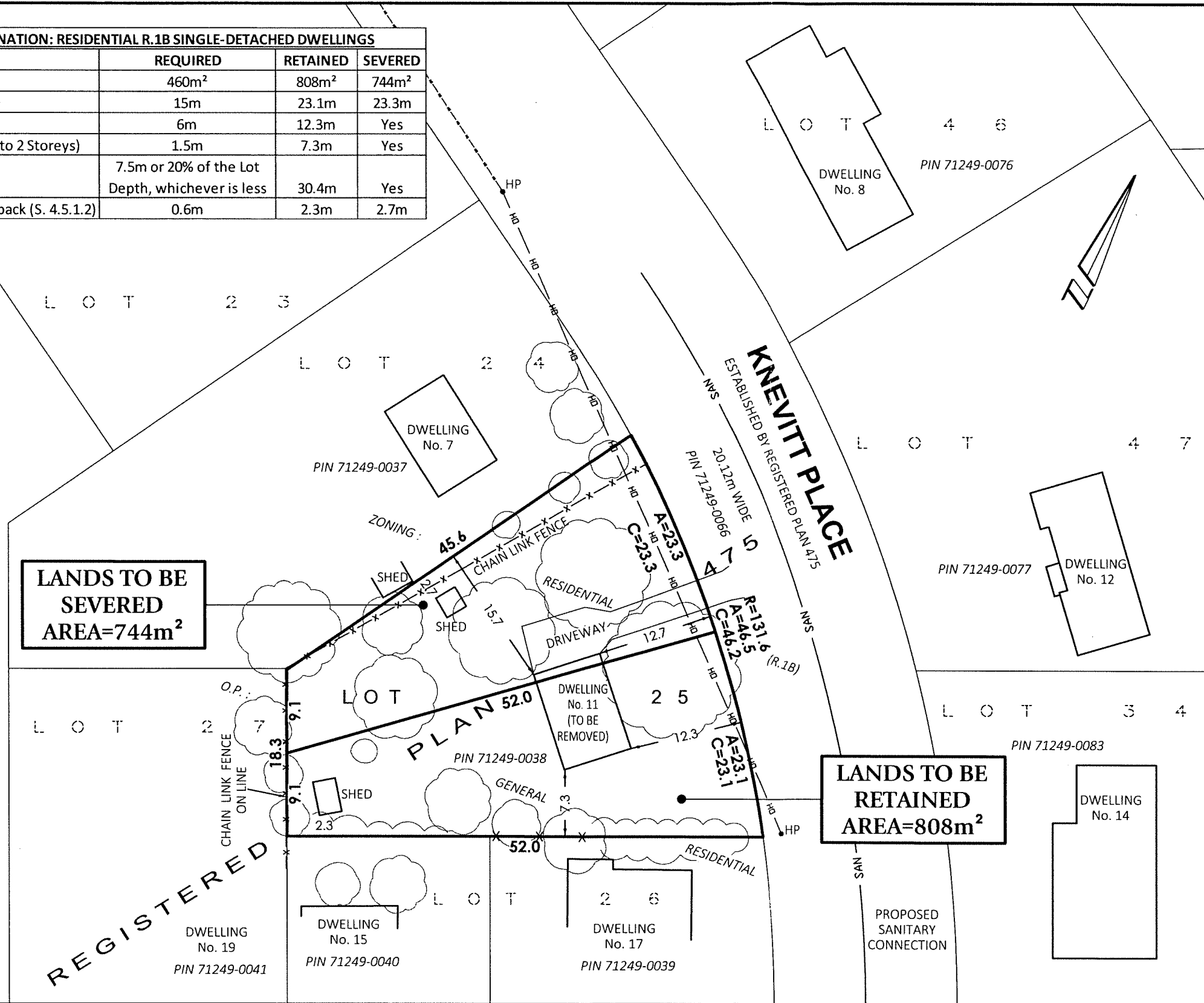
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1B).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GENERAL RESIDENTIAL.
3. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
4. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
5. SEPTIC ON SUBJECT PROPERTY TO BE DECOMMISSIONED AND REMOVED.

THIS SKETCH WAS PREPARED ON THE 8th DAY OF AUGUST 2017

*Jeffrey E. Buisman*  
JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

**LANDS TO BE SEVERED  
AREA=744m<sup>2</sup>**

**LANDS TO BE RETAINED  
AREA=808m<sup>2</sup>**



**CRANE AVENUE**  
(BY REGISTERED PLAN 475)  
PIN 71249-0065

## Van Harten

SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com

DRAWN BY: ARN    CHECKED BY: JEB    PROJECT No. 23449-16  
Aug 08, 2017-8: 21am  
G: \GUELPH\475\ACAD\SEV LOT25 (MOTTON) UTM.dwg



LAND SURVEYORS and ENGINEERS

August 8, 2017

23449-16

Jeff.Buisman@vanharten.com

Committee of Adjustment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Ms. Lindsay Cline

Dear Ms. Cline:

**Re: Severance Application & Sketch  
11 Knevitt Place  
All of Lot 25, Plan 475  
PIN 71249-0038  
City of Guelph**

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the sketch, completed application form, the required deed, PIN Report and Map, and a cheque to the City of Guelph for \$1,559 for the severance application fee.

**Proposal:**

The proposal is to remove the existing dwelling at 11 Knevitt Place and split the parcel in half so that two new dwellings can be constructed. Each parcel will have a frontage of approximately 23.2m. The severed parcel will have an area 744m<sup>2</sup> and the retained will have an area of 808m<sup>2</sup>.

The subject property contains municipal water services; however, Knevitt Place does not have sanitary sewer services. Sanitary sewers currently exist along Crane Avenue to the south and Kendrick Avenue to the north. Discussions have taken place with City staff and the property owners of 11 Knevitt and 12 Knevitt to extend the sanitary services along Knevitt Place to service 11 & 12 Knevitt. (A Severance Application is also being submitted for 12 Knevitt). The existing septic systems will be decommissioned and the severed and retained parcels will be connected to the new sanitary sewer services.

This proposal is very practical and provides a great opportunity to intensify the lands for residential purposes. The size and form of the new parcel conform well with the character of the area. Both the severed and retained parcels easily conform to the R.1B Zoning By-law requirements.

12 Memorial Avenue,  
Elmira, Ontario N3B 2R2  
Phone: 519-669-5070

423 Woolwich Street,  
Guelph, Ontario N1H 3X3  
Phone: 519-821-2763

660 Riddell Road, Unit 1,  
Orangeville, Ontario L9W 5G5  
Phone: 519-940-4110

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[www.vanharten.com](http://www.vanharten.com)





LAND SURVEYORS and ENGINEERS

Please call me if you or the Planning Staff have any questions.

Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read "Jeffrey E. Buisman".

**Jeffrey E. Buisman** B.E.S, B.Sc.  
*Ontario Land Surveyor*

cc Kevin Motton of Motton Custom Homes Limited

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 10, 2018</u>	Application #: <u>B-18/18</u>
	Application deemed complete: <input 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 53 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: 12 Knevit Place, Guelph

Legal description of property (registered plan number and lot number or other legal description):  
All of Lot 47, Plan 475, Guelph

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?  No  Yes  
If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges:  No  Yes  
If yes, explain: Mortgage - Bank of Nova Scotia (TD)

### OWNER(S) INFORMATION:

Name: Garry Jon Schmick and Catriona Margaret Forbes  
 Mailing Address: 8 Zaduk Place  
 City: Guelph Postal Code: N1G 0A7  
 Home Phone: 519-827-9393 Work Phone: 519-831-0550  
 Fax: \_\_\_\_\_ Email: garryschmick@hotmail.com

### AGENT INFORMATION (If Any)

Name: Jeff Buisman  
 Company: Van Herten Surveying Inc.  
 Mailing Address: 423 Woolwich Street  
 City: Guelph Postal Code: N1H 3X3  
 Home Phone: \_\_\_\_\_ Work Phone: 519-821-2763 x225  
 Fax: 519-821-2770 Email: jeff.buisman@vanherten.com

**PURPOSE OF APPLICATION (please check appropriate space):**

<input checked="" type="checkbox"/> Creation of a New Lot	<input type="checkbox"/> Easement	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Charge / Discharge	<input type="checkbox"/> Correction of Title	<input type="checkbox"/> Lease
<input type="checkbox"/> Addition to a Lot (submit deed for the lands to which the parcel will be added)	<input type="checkbox"/> Other: Explain	

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Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
*Future owner not known.*

**DESCRIPTION OF LAND INTENDED TO BE SEVERED**

Frontage / Width: (m) <i>13.9 m</i>	Depth (m) <i>49.7 m</i>	Area: (m <sup>2</sup> ) <i>919 m<sup>2</sup></i>	Existing Use: <i>Residential</i>	Proposed Use: <i>Residential</i>
Existing Buildings/Structures: <i>one house</i>			Proposed Buildings / Structures: <i>New Dwelling</i>	
Use of Existing Buildings/Structures (specify): <i>Residential</i>			Proposed Use of Buildings/Structures (specify): <i>Residential</i>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) <i>13.9</i>	Depth (m) <i>51.8 m</i>	Area: (m <sup>2</sup> ) <i>838 m<sup>2</sup></i>	Existing Use: <i>Residential</i>	Proposed Use: <i>Residential</i>
Existing Buildings/Structures: <i>one house</i>			Proposed Buildings / Structures: <i>New Dwelling</i>	
Use of Existing Buildings/Structures (specify): <i>Residential</i>			Proposed Use of Buildings/Structures (specify): <i>Residential</i>	

<p><b>TYPE OF ACCESS TO THE RETAINED LANDS</b></p> <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Private Road <input type="checkbox"/> Other (Specify)	<p><input checked="" type="checkbox"/> Municipal Road (<i>Existing</i>)</p> <input type="checkbox"/> Right-of-Way	<p><b>TYPE OF ACCESS TO THE SEVERED LANDS</b></p> <input type="checkbox"/> Provincial Highway <input type="checkbox"/> Private Road <input type="checkbox"/> Other (Specify)	<p><input checked="" type="checkbox"/> Municipal Road (<i>Proposed</i>)</p> <input type="checkbox"/> Right-of-Way
---	---	--	---

<p><b>TYPE OF WATER SUPPLY TO THE RETAINED LANDS</b></p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)	<p><b>TYPE OF WATER SUPPLY TO THE SEVERED LANDS</b></p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify) ( <i>Proposed</i> )
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<p><b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</b></p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) ( <i>Proposed</i> )	<p><b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</b></p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) ( <i>Proposed</i> )
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Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>LAND USE</b> What is the land use designation of the site in the Official Plan? <u>Low Density TD General Residential</u>	
Does the proposal conform? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If No, has a separate application for an Official Plan Amendment been made? <input type="checkbox"/> Yes <input type="checkbox"/> No              FILE No.: _____              Status: _____	
What is the current zoning of the subject lands? <u>Residential Single Detached R.1B</u>	
Does the proposed plan conform to the existing zoning? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If No, have you made a concurrent application for Minor Variance? <input type="checkbox"/> Yes <input type="checkbox"/> No              FILE No.: _____              Status: _____	

**HISTORY OF SUBJECT LANDS**

**Has the subject land ever been the subject of:**

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?       YES               NO  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_              Status: \_\_\_\_\_

b) An application for Consent under section 53 of the *Planning Act*?                       YES               NO  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_              Status: \_\_\_\_\_

Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.  
 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

**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"/>	_____
Minor Variance	<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**

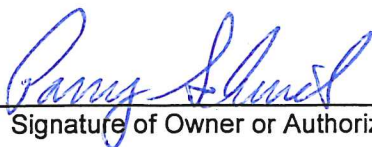
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Barry Jon Schrick and ~~Catherine Margaret Foster~~, of the City of  
(town, city)

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.

Barry Schrick  
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 of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 10<sup>th</sup> day of September, 2018.

Tristalyn Di Lullo  
Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

(official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

I / We, the undersigned,

Parry Jon Schrick and Cabrera Margaret Forbes  
[Organization name / property owner's name(s)]

being the registered property owner(s) of

All of Lot 47 Plan 475 Guelph, 12 Knerr H Place  
(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Herten Surveying Inc  
(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 10<sup>th</sup> day of September 2018.

Parry Schrick  
(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.



# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 10, 2018</u>	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-19118</u>

## 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 53 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>12 Kneivitt Place, Guelph</u>	
Legal description of property (registered plan number and lot number or other legal description): <u>All of Lot 47, Plan 475, Guelph</u>	
Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? If yes, describe:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Are the lands subject to any mortgages, easements, right-of-ways or other charges? If yes, explain:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
<u>Mortgage - Bank of Nova Scotia (TD)</u>	
<b>OWNER(S) INFORMATION:</b>	
Name:	<u>Parry Jon Schnick and Catriona Margaret Forbes</u>
Mailing Address:	<u>8 Zaduk Place</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1G 0A7</u>
Home Phone:	<u>519-827-9393</u>
Work Phone:	<u>519-831-0550</u>
Fax:	<u>parryschnick@hotmail.com</u>
<b>AGENT INFORMATION (If Any)</b>	
Name:	<u>Jeff Buisman</u>
Company:	<u>Van Harten Surveying Inc.</u>
Mailing Address:	<u>423 Woolwich Street</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1H 3X3</u>
Home Phone:	<u>519-821-2763 x225</u>
Fax:	<u>519-821-2770</u>
Email:	<u>jeff.buisman@vanharten.com</u>

**PURPOSE OF APPLICATION (please check appropriate space):**

Creation of a New Lot                       Easement                       Right-of-Way  
 Charge / Discharge                       Correction of Title                       Lease  
 Addition to a Lot (submit deed for the lands to which the parcel will be added)                       Other: Explain

*Two new lots to be created.*  
*One (TD)*

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
*Future owner not known*

DESCRIPTION OF LAND INTENDED TO BE SEVERED				
Frontage / Width: (m) <i>13.9m</i>	Depth (m) <i>46.5m</i>	Area: (m <sup>2</sup> ) <i>827m<sup>2</sup></i>	Existing Use: <i>Vacant residential yard</i>	Proposed Use: <i>Residential</i>
Existing Buildings/Structures: <i>N/A</i>			Proposed Buildings / Structures: <i>New Dwelling</i>	
Use of Existing Buildings/Structures (specify): <i>vacant land</i>			Proposed Use of Buildings/Structures (specify): <i>Residential</i>	
DESCRIPTION OF LAND INTENDED TO BE RETAINED				
Frontage / Width: (m) <i>13.9m</i>	Depth (m) <i>51.8m</i>	Area: (m <sup>2</sup> ) <i>838m<sup>2</sup></i>	Existing Use: <i>Residential</i>	Proposed Use: <i>Residential</i>
Existing Buildings/Structures: <i>One house</i>			Proposed Buildings / Structures: <i>New Dwelling</i>	
Use of Existing Buildings/Structures (specify): <i>Residential</i>			Proposed Use of Buildings/Structures (specify): <i>Residential</i>	

TYPE OF ACCESS TO THE RETAINED LANDS	TYPE OF ACCESS TO THE SEVERED LANDS
<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road ( <i>Existing</i> ) <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Provincial Highway <input checked="" type="checkbox"/> Municipal Road ( <i>Proposed</i> ) <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify)

TYPE OF WATER SUPPLY TO THE RETAINED LANDS	TYPE OF WATER SUPPLY TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)	<input checked="" type="checkbox"/> Municipally owned and operated ( <i>Proposed</i> ) <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS	TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS
<input checked="" type="checkbox"/> Municipally owned and operated ( <i>Proposed</i> ) <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)	<input checked="" type="checkbox"/> Municipally owned and operated ( <i>Proposed</i> ) <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain)



Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b>LAND USE</b> What is the land use designation of the site in the Official Plan? <u>Low Density (D) General Residential 1</u>	
Does the proposal conform? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If No, has a separate application for an Official Plan Amendment been made? <input type="checkbox"/> Yes <input type="checkbox"/> No                      FILE No.: _____                      Status: _____	
What is the current zoning of the subject lands? <u>Residential Single Detached R1B</u>	
Does the proposed plan conform to the existing zoning? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If No, have you made a concurrent application for Minor Variance? <input type="checkbox"/> Yes <input type="checkbox"/> No                      FILE No.: _____                      Status: _____	

<b>HISTORY OF SUBJECT LANDS</b>	
Has the subject land ever been the subject of:	
a) An application for approval of a Plan of Subdivision under section 51 of the <i>Planning Act</i> ? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, provide the following: FILE No.: _____                      Status: _____	
b) An application for Consent under section 53 of the <i>Planning Act</i> ? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, provide the following: FILE No.: _____                      Status: _____	
Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application. If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.	

**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"/>	_____
Minor Variance	<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.

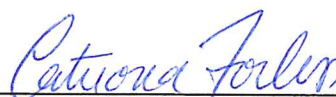
For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

Each sign must be posted a minimum of fourteen (14) 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, Parry Jon Schnick and ~~Catriona Margaret Foster~~, of the City of Guelph (town, city) 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.

Parry Schnick  
Signature of Applicant or Authorized Agent

~~Catriona Foster~~  
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 of Guelph in the County/Regional Municipality of Wellington (city or town) this 10<sup>th</sup> day of September, 20    .

Tristalyn DiLullo  
Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

(official stamp of Commissioner of Oaths)



**APPOINTMENT AND AUTHORIZATION**

I / We, the undersigned,

Parry Jon Schrick and Catriona Margaret Forber  
[Organization name / property owner's name(s)]

being the registered property owner(s) of

All of Lot 47, Plan 475, Guelph / 12 Kneidtt Place  
(Legal description and/or municipal address)

hereby authorize Jeff Bulsman of Van Hurten Surveying Inc.  
(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 6<sup>th</sup> day of September 2018.

Parry Schrick  
(Signature of the property owner)

Catriona Forber  
(Signature of the property owner)

**NOTES:**

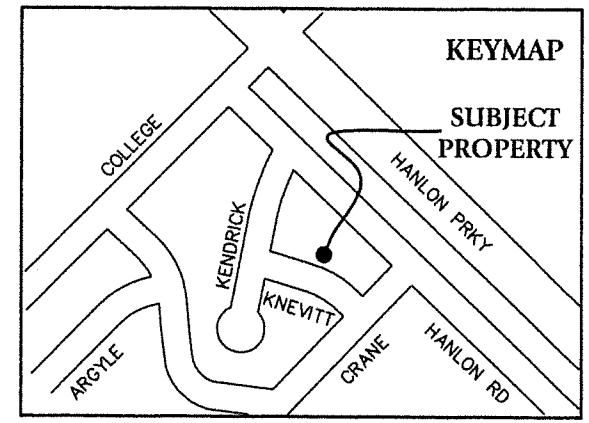
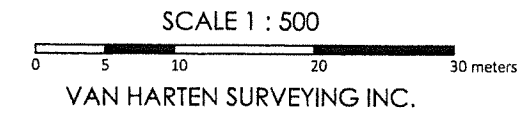
1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm 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.



ZONING DESIGNATION: RESIDENTIAL R.1B SINGLE-DETACHED DWELLINGS				
	REQUIRED	SEVERED (1)	SEVERED (2)	RETAINED (Existing Dwelling to be Removed)
MINIMUM Lot Area	460m <sup>2</sup>	827m <sup>2</sup>	919m <sup>2</sup>	838m <sup>2</sup>
MINIMUM Lot Frontage	15m	13.9m *	13.9m *	13.9m *
MINIMUM Front Yard	6m	Yes	Yes	17.4m
MINIMUM Side Yard (1 to 2 Storeys)	1.5m	Yes	Yes	1.7m
MINIMUM Rear Yard	7.5m or 20% of the Lot Depth, whichever is less	Yes	Yes	22.1m
Accessory Building Setback (S. 4.5.1.2)	0.6m	N/A	N/A	0.9m

\* Minor Variance Required

**SEVERANCE SKETCH  
LOT 47, REGISTERED PLAN 475  
CITY OF GUELPH  
COUNTY OF WELLINGTON**



**NOTES:**

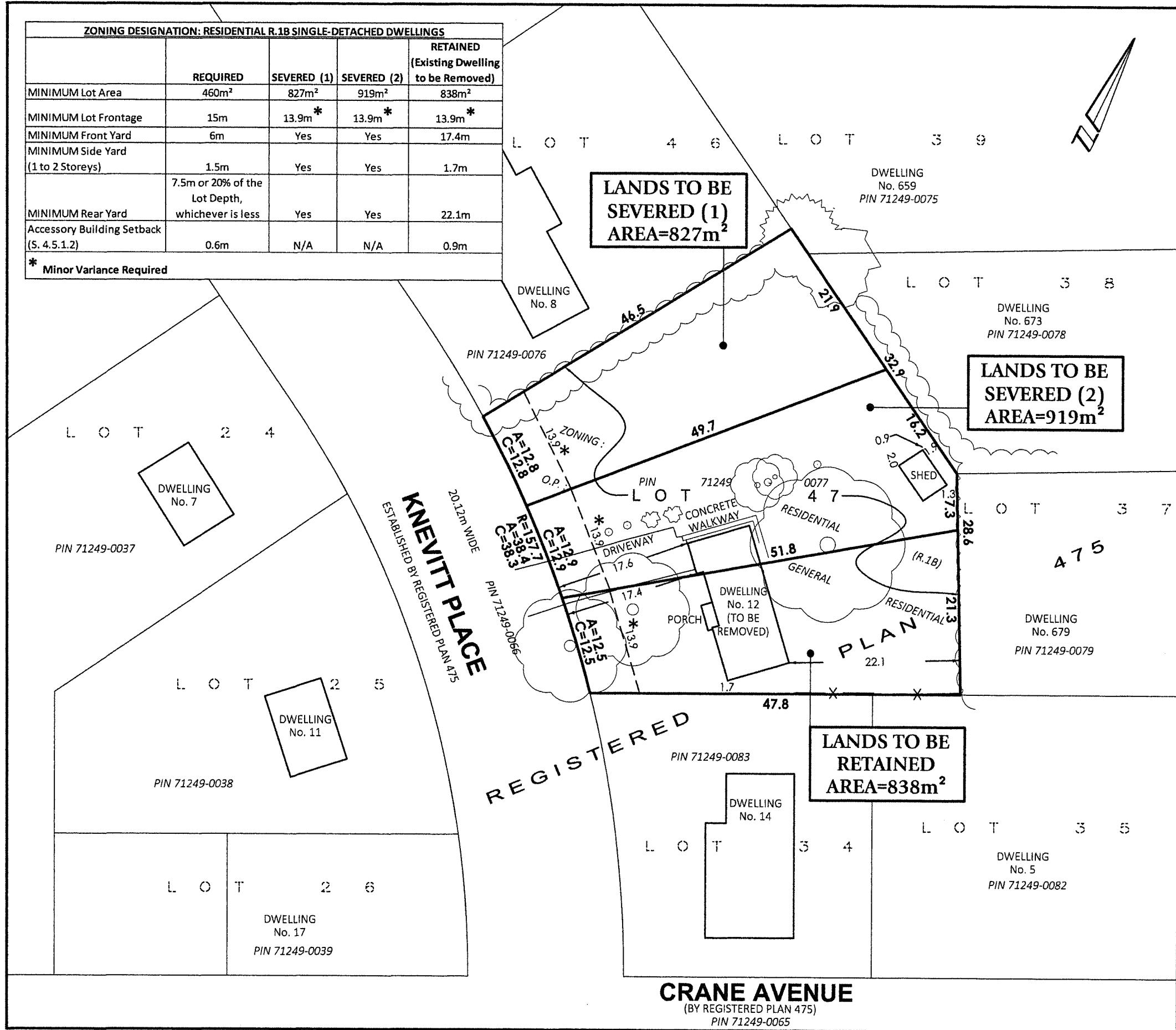
1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1B).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GENERAL RESIDENTIAL.
3. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
4. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.
5. SEPTIC ON SUBJECT PROPERTY TO BE DECOMMISSIONED AND REMOVED.

THIS SKETCH WAS PREPARED  
ON THE 17th DAY OF OCTOBER 2017

JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 24430-17
Oct 17, 2017-1:05pm G:\GUELPH\475\ACAD\SEV LOT47 (SCHNICK) UTM (3 LOTS).dwg		



**CRANE AVENUE**  
(BY REGISTERED PLAN 475)  
PIN 71249-0065

Committee of Adjustment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

September 9<sup>th</sup>, 2017

Parry Schnick and Catriona Forbes  
8 Zaduk Place  
Guelph, Ontario  
N1G 0A7  
519-831-0550  
[parryschnick@hotmail.com](mailto:parryschnick@hotmail.com)

**Attention: Ms. Lindsay Cline**

**Re: Severance Application and Sketch, 12 Knevitt Place, All of Lot 47, Plan 475, PIN 71249-0077, City of Guelph**

Dear Ms. Cline,

Please find enclosed an application for a severance on the above-mentioned property. Included with this submission are copies of the sketch, completed application form, the required deed, PIN Report and Map, and a cheque to the City of Guelph for \$1,586.00 for the severance application fee.

**Proposal:**

The proposal is to sever the property at 12 Knevitt Place in order to create two new lots for residential purposes. A dwelling exists on the retained and severed lands, which will need to be demolished, and new dwellings are to be constructed on the retained and severed lots. All three parcels will have a frontage of approximately 13.9m. The two severed parcels will have areas of 827m<sup>2</sup> and 919m<sup>2</sup>; and the retained land will have an area of 838m<sup>2</sup>.

The subject property contains municipal water service, however, Knevitt Place does not have sanitary sewer service. Sanitary sewers currently exist along Crane Avenue to the South and Kendrick Avenue to the North. Discussions have taken place with City staff, ourselves and the property owners of 11 Knevitt to extend the sanitary services along Knevitt Place to service 11 and 12 Knevitt (Note: a severance application is also being submitted for 11 Knevitt). The existing septic systems will be decommissioned and the severed and retained lands will be connected to the new sanitary sewer services.

This proposal is very practical and provides a great opportunity to intensify the lands for residential purposes. The current land is largely vacant, and this severance is a natural fit. The size and form of the new parcels conforms well with the character of the area. Both the severed and retained parcels easily

conform to the R.1B Zoning By-law requirements, with the exception of having a frontage of 13.9m instead of the required 15.0m. Large setbacks of the houses on deep, pie-shaped lots would most likely alleviate any issues related to a slightly smaller frontage. In addition, this is an opportunity to decommission existing septic systems and make local improvements with the installation of sanitary sewer services, both of which safeguard Guelph's drinking water supply/aquifer.

Please call ourselves or Jeff Buisman, our assigned agent if you or the Planning Staff have any questions.

Regards,



Parry Schnick



Catriona Forbes

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 10, 2018</u>	Folder #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-74118</u>

## 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: 6015 WILLOW ROAD, GUELPH, ONTARIO

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

PLAN 6060 PT LOT 99

### OWNER(S) INFORMATION:

Name: SHANNON BARBER - MAC MILLAN  
 Mailing Address: 6015 WILLOW ROAD  
 City: GUELPH      Postal Code: N1H 7J8  
 Home Phone: (226) 972-8112      Work Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_      Email: shannon1barbere@gmail.com

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_  
 Name: JEREMY LAUR  
 Mailing Address: 75 FLAHERTY DR, UNIT 13  
 City: GUELPH      Postal Code: N1H 8J8  
 Work Phone: \_\_\_\_\_      Mobile Phone: (519) 827-4076  
 Fax: \_\_\_\_\_      Email: jeremy.laur@start.ca



Official Plan Designation: <u>Low Density Residential (TD)</u>	Current Zoning Designation: <u>R-2</u>
--	--

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

4.15.1.4.1 TO PERMIT 3 PARKING SPACES IN A STACKED ARRANGEMENT WHERE ONLY 2 ARE PERMITTED

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

MAXIMUM WIDTH PERMITTED BY 4.13.7.2.3 DOES NOT ALLOW FOR SIDE BY SIDE PARKING

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	<u>2014</u>	Date property was first built on:	<u>1977</u>
Date of proposed construction on property:	<u>2018</u>	Length of time the existing uses of the subject property have continued:	<u>SINCE 1970's</u>
<b>EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):</b>			
<u>RESIDENTIAL</u>			
<b>PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):</b>			
<u>SAME - RESIDENTIAL</u>			

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

Frontage: 9.098m      Depth: 39.746m      Area: 325 m<sup>2</sup> ±

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED <i>SAME</i>		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	<i>100 m<sup>2</sup> ±</i>		Gross Floor Area:		
Height of building:	<i>2 STOREYS</i>		Height of building:		
Garage/Carport (if applicable) <i>N/A</i>			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: <i>2.4m x 2.4m x 2m HIGH ± SHED</i> <i>3.6m x 8m DECK ON GROUND (LANDSCAPING)</i>			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND <i>SAME</i>					
EXISTING			PROPOSED		
Front Yard Setback:	<i>8.327</i>		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	<i>N/A</i>		M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: <i>0</i>	M	Right: <i>3.085</i>	M	Side Yard Setback: Left: M Right: M
Rear Yard Setback	<i>22</i>		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 type="checkbox"/>	<input checked="" type="checkbox"/>	<i>18-004684 ISSUED FOR BASEMENT FINISH</i>
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>REVISION PENDING FOR ACCESSORY APARTMENT</i>
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**

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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.

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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, JEREMY LAUR, 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.

Jeremy Laur  
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 Guelph in the County/Regional Municipality of

Wellington this 10<sup>th</sup> day of September, 20 18.

Tristalyn Di Lullo  
Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

(official stamp of Commissioner of Oaths)



**APPOINTMENT AND AUTHORIZATION**

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


SHANNON BARBER-MACMILLAN  
[Organization name / property owner's name(s)]

of 615 WILLOW ROAD, GUELPH, ONTARIO  
(Legal description and/or municipal address)

hereby authorize JEREMY LAUR  
(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 10<sup>th</sup> day of SEPTEMBER 2018

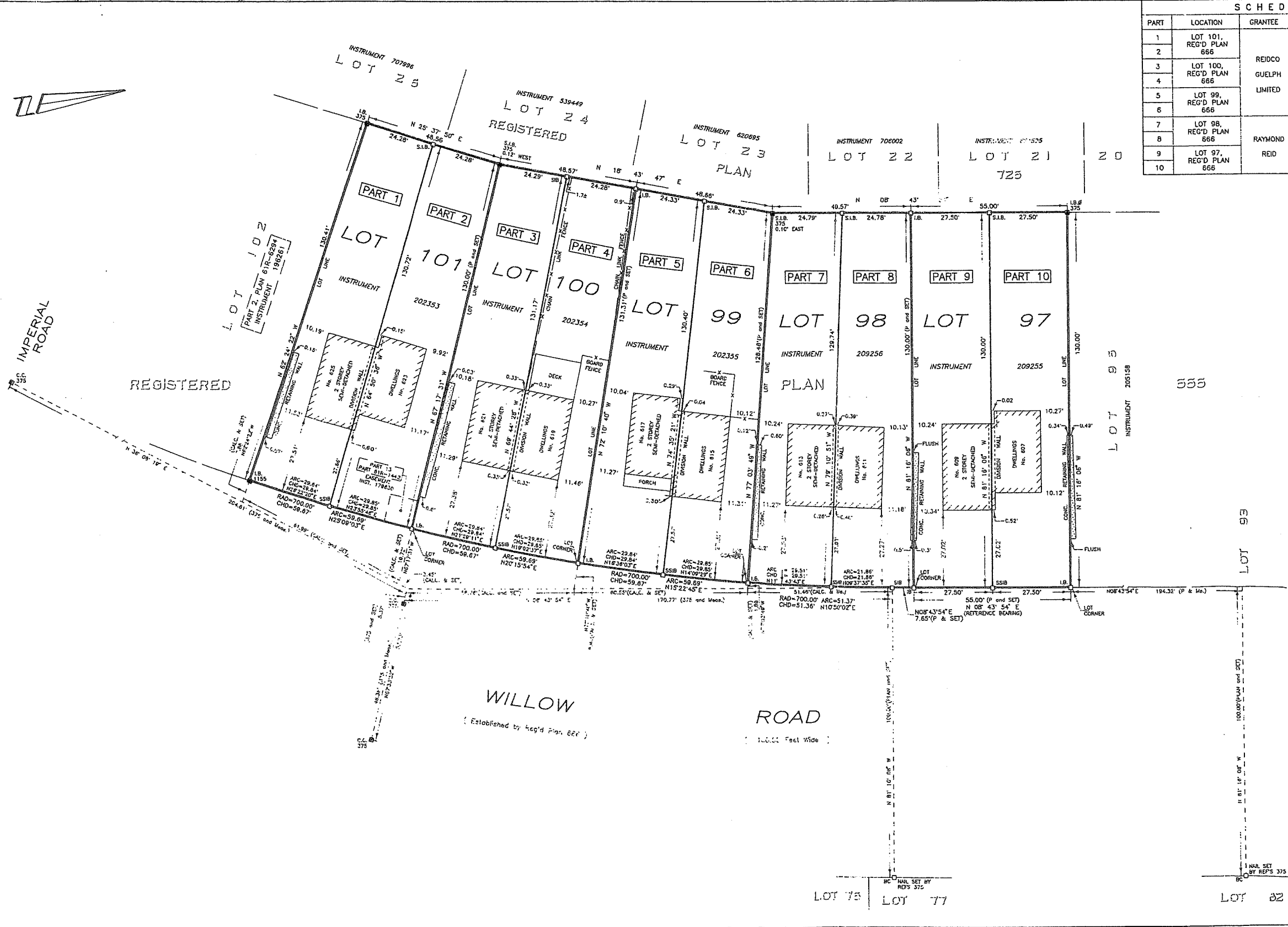
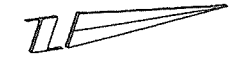
  
\_\_\_\_\_  
(Signature of the property owner)

\_\_\_\_\_  
(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.

2015 Willow Rd.  
 PROPOSED ACCESSORY APARTMENT  
 COFA FOR 3 STACKED PARKING  
 SPACES IN EXISTING DRIVEWAY.



SCHEDULE				
PART	LOCATION	GRANTEE	INSTRUMENT	AREA m <sup>2</sup>
1	LOT 101, REG'D PLAN 666	REIDCO GUELPH LIMITED	202353	3535.65
2				3530.23
3	LOT 100, REG'D PLAN 666		202354	3534.36
4				3554.43
5	LOT 99, REG'D PLAN 666	RAYMOND REID	202355	3545.22
6				
7	LOT 98, REG'D PLAN 666	RAYMOND REID	209256	3504.32
8				
9	LOT 97, REG'D PLAN 666		209255	3575.00
10				3575.00

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE REGISTRY ACT.  
 DATE: MARCH 25, 1994  
 M.P. VAN HARTEN  
 LAND REGISTRAR FOR THE REGISTRY DIVISION OF WELLINGTON No. 61

PLAN: 61R-6433  
 RECEIVED AND DEPOSITED  
 DATE: APR 18 1994

PLAN OF SURVEY  
 LOTS 97, 98, 99, 100, 101,  
 REGISTERED PLAN 666  
 CITY OF GUELPH  
 COUNTY OF WELLINGTON  
 SCALE: 1 inch = 20 Feet  
 M.P. VAN HARTEN, O.L.S. - 1994

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGULATIONS MADE THEREUNDER.  
 2. THE SURVEY WAS COMPLETED ON THE 25th DAY OF MARCH, 1994  
 DATE: MARCH 25, 1994  
 M.P. VAN HARTEN  
 ONTARIO LAND SURVEYOR

NOTE: BEARINGS ARE REFERRED TO THE WEST LIMIT OF WILLOW ROAD, HAVING AN ASTRONOMIC COURSE OF N 08° 43' 54" E AS SHOWN ON REGISTERED PLAN 666.

- LEGEND:**
- DENOTES SURVEY MONUMENT SET
  - DENOTES SURVEY MONUMENT FOUND
  - S.I.B. DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
  - I.B. DENOTES .015 x .015 x 0.60 IRON BAR
  - S.S.I.B. DENOTES .025 x .025 x 0.60 SHORT STANDARD IRON BAR
  - 1155 DENOTES VAN HARTEN SURVEYING LTD., O.L.S.'s
  - 375 DENOTES BLACK, SHOEMAKER ET AL. O.L.S.'s
  - C.C. DENOTES CUT CROSS
  - P DENOTES REGISTERED PLAN 666

**VAN HARTEN SURVEYING LTD.**  
 ONTARIO LAND SURVEYORS

423 WOOLWICH STREET  
 GUELPH - ONTARIO  
 PHONE: (519) 821 - 2763  
 FAX: 821 - 2770

PROJECT NO.  
 94 - 11436

FOR: RAYMOND REID

ACAD DWG. FILE NO. R1436P97



PLAN

LOT 22 | LOT 21 | LOT 20

725

PART 1

PART 2

PART 3

PART 4

PART 5

PART 6

PART 7

PART 8

PART 9

PART 10

101

LOT 100

LOT 99

LOT 98

LOT 97

202353

INSTRUMENT

202354

INSTRUMENT

202355

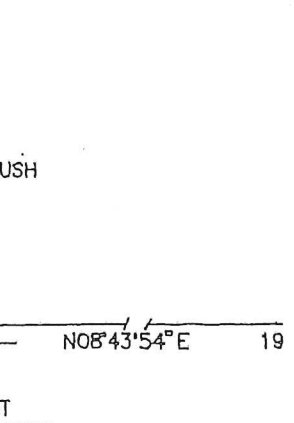
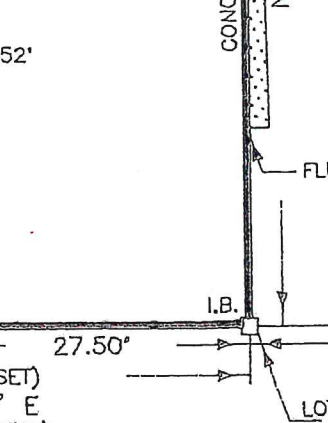
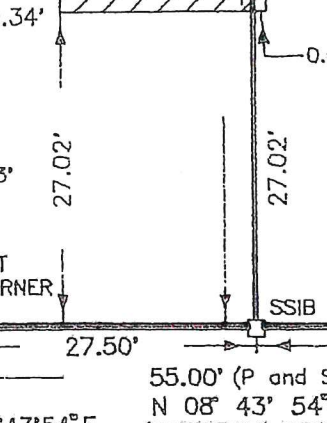
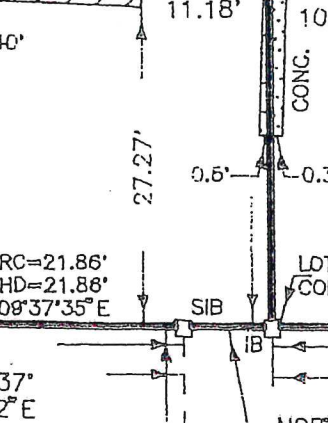
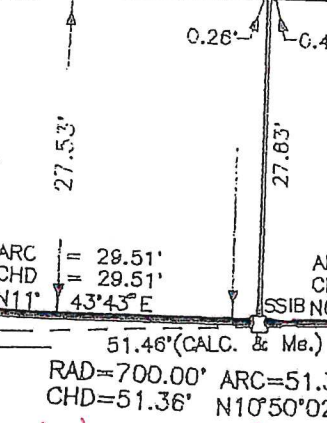
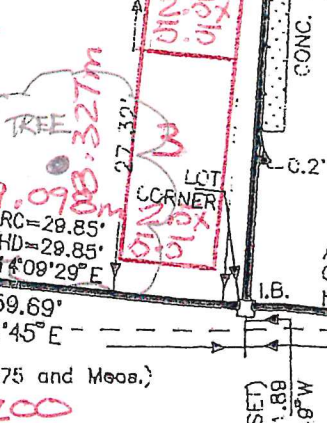
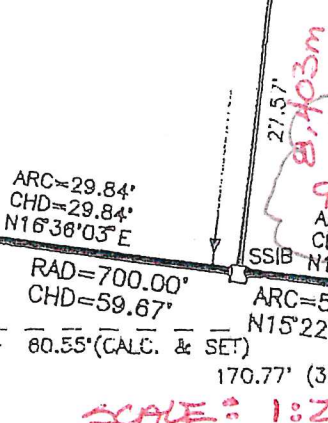
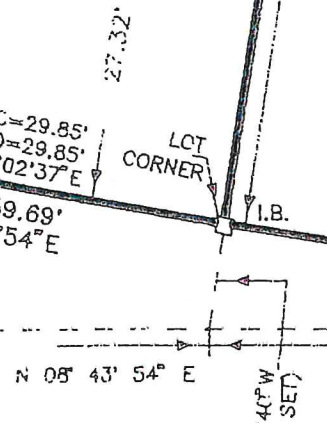
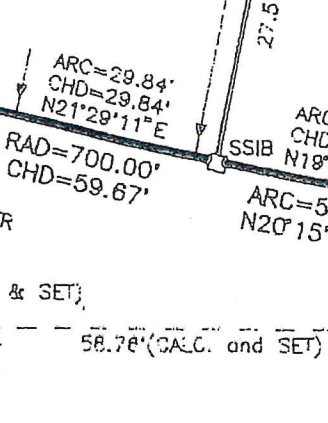
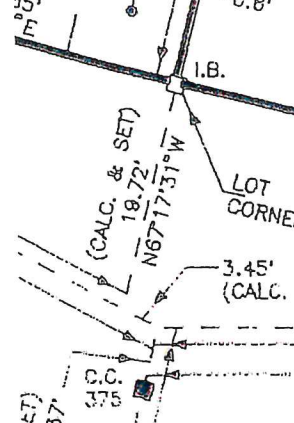
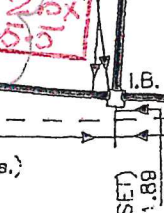
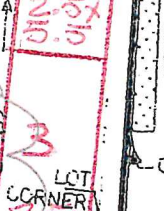
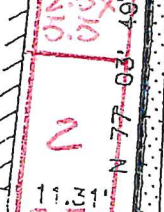
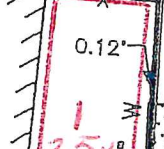
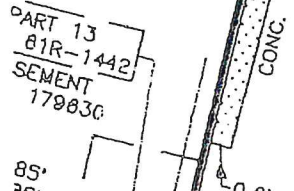
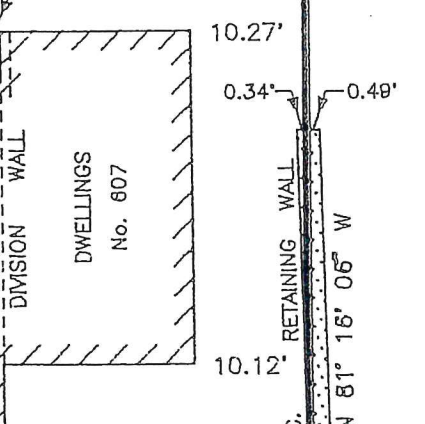
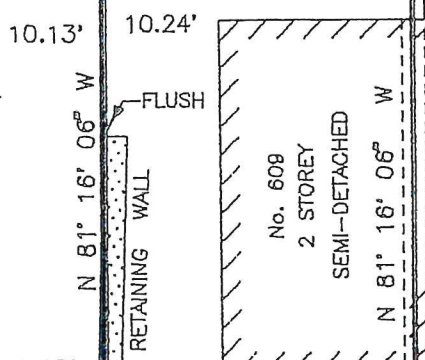
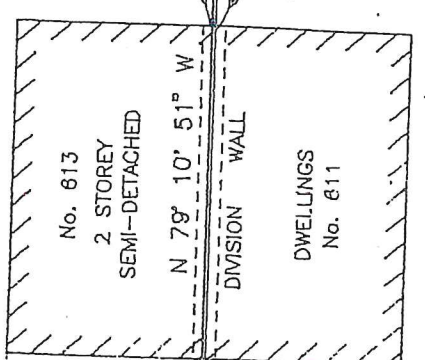
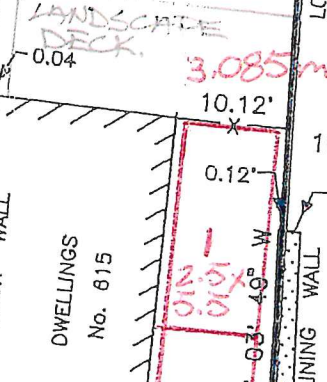
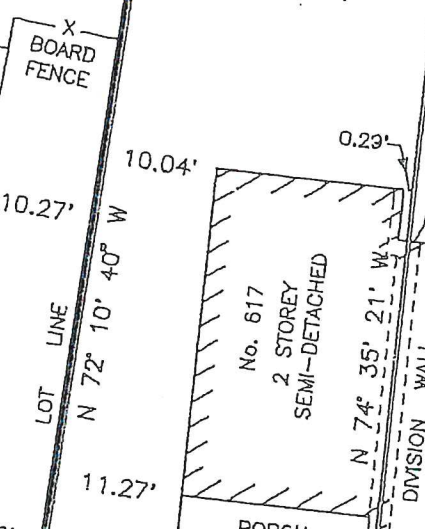
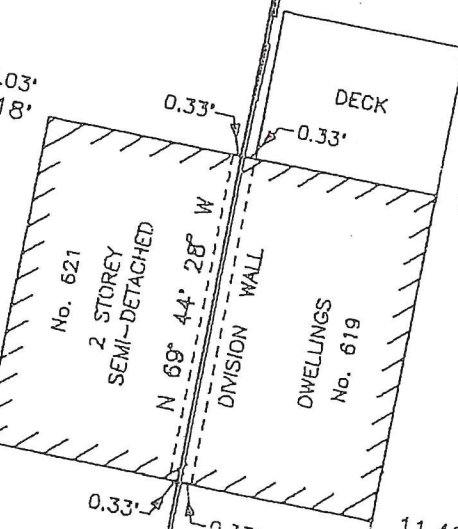
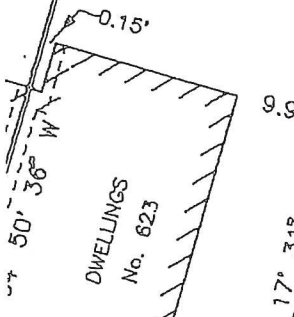
INSTRUMENT

209256

INSTRUMENT

209255

LOT 95 INSTRUMENT 205158



58.76' (CALC. and SET) N 08° 43' 54" E 170.77' (375 and Meas.) 51.46' (CALC. & Me.) 7.65' (P & SET) N 08° 43' 54" E (REFERENCE BEARING)

SCALE: 1:200

WILLOW ROAD

7.416m

39.155m

3.085m

8.403m

9.098m

3.27m



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Making a Difference

Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 10/18</u>	Folder #: <u>A-75/18</u>
	Application deemed complete: <input 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.

<b>PROPERTY INFORMATION:</b>	
Address of Property:	<u>181 King St., Guelph, ON N1E 4R3</u>
Legal description of property (registered plan number and lot number or other legal description):	<u>Lots 1 &amp; 2, Registered Plan 146</u>
<b>OWNER(S) INFORMATION:</b>	
Name:	<u>MICHAEL HALL</u>
Mailing Address:	<u>181 King Street Unit C</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1E 4R3</u>
Home Phone:	<u>519-821-9183</u>
Work Phone:	
Fax:	
Email:	<u>demarche94@gmail.com</u>
<b>AGENT INFORMATION (If Any)</b>	
Company:	<u>JOEL BARTLETT ARCHITECT INC</u>
Name:	<u>Joel Bartlett</u>
Mailing Address:	<u>209 King Street</u>
City:	<u>Guelph</u>
Postal Code:	<u>N1E 4R3</u>
Work Phone:	<u>519-831-6726</u>
Mobile Phone:	
Fax:	
Email:	<u>joel@jbai.ca</u>



Official Plan Designation: Low Density Residential	Current Zoning Designation: R1.B
---	----------------------------------

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

Amend condition (2), as previously approved under the previous minor variance application number A-59/18 to read as follows:

'Prior to the issuance of a building permit, the owner applies to the City Solicitor for an encroachment agreement and obtains approval for the encroachment of all items including but not limited to , the concrete steps and retaining wall, THE CITY SOLICITOR HAVING SOLE DISCRETION REGARDING THE NECESSITY OF SUCH CONDITION. IF THE CITY SOLICITOR DECIDES TO WAIVE SUCH CONDITION, THE BUILDING PERMIT WILL ISSUE IN THE NORMAL COURSE'

*-extension of legal non-conforming use as a triplex*

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

*-existing use as a triplex*

**PROPERTY INFORMATION**

Date property was purchased:	1983	Date property was first built on:	
Date of proposed construction on property:	2018	Length of time the existing uses of the subject property have continued:	35+ years

**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: 30.489m (Derry Rd)      Depth: 33.193m      Area: 1,102.8 m2

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:	364.29 m <sup>2</sup>	Gross Floor Area:	366.93 m <sup>2</sup>
Height of building:	4m	Height of building:	4m
<b>Garage/Carport (if applicable)</b>		<b>Garage/Carport (if applicable)</b>	
Attached <input type="checkbox"/> Detached <input type="checkbox"/>		Attached <input type="checkbox"/> Detached <input type="checkbox"/>	
Width:		Width:	
Length:		Length:	
Driveway Width:	4.92 m	Driveway Width:	4.92 m
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>	
Describe details, including height: Ext'g Shed - 13.96 m <sup>2</sup> 2.7 m height		Describe details, including height: Ext'g Shed - 13.96 m <sup>2</sup> 2.7 m height	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	10.33 (Derry Rd) M	Front Yard Setback:	10.33 M
Exterior Side Yard (corner lots only)	4.73 (King St) M	Exterior Side Yard (corner lots only)	4.73 M
Side Yard Setback:	Left: M Right: 6.72 M	Side Yard Setback:	Left: M Right: 3.69 M
Rear Yard Setback	3.53 M	Rear Yard Setback	3.53 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 type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	_____
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	_____
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	_____
Building Permit	<input type="checkbox"/>	<input type="checkbox"/>	_____
Consent	<input type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-59/18, approved at hearing date July 12/18



**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**

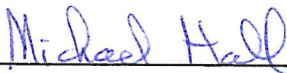
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, MICHAEL HALL, 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.

Michael Hall  
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 Guelph in the County/Regional Municipality of

Wellington this 10<sup>th</sup> day of September, 20 18.

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

Tristalyn Di Lullo  
Commissioner of Oaths

(official stamp of Commissioner of Oaths)



**APPOINTMENT AND AUTHORIZATION**

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

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

of 181 KING STREET GUELPH, ONTARIO N1E4R3  
(Legal description and/or municipal address)

hereby authorize Joel Bartlett  
(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 10 day of September 2018

Michael Hall  
(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.

ID	Issue Name	Date
01	Minor Variance App'n	2018-06-11

**SITE PLAN KEYNOTES:**

Part of Lot 1 & 2  
 Registered Plan 146  
 Zoning R1.B

Lot Area 1,012.8 m<sup>2</sup>  
 Lot Frontage 30.489 m  
 Height 4m (2 Storey)

*Existing Building Areas*

Main Floor area	185.91 m <sup>2</sup>
Second Floor area	178.38 m <sup>2</sup>
Shed	13.96 m <sup>2</sup>
Veranda	11.35 m <sup>2</sup>
<b>Total</b>	<b>389.6 m<sup>2</sup></b>

*Proposed Building Areas*

Main Floor area	205.59 m <sup>2</sup>
Second Floor area	161.34 m <sup>2</sup>
Shed	13.96 m <sup>2</sup>
Veranda	11.35 m <sup>2</sup>
<b>Total</b>	<b>392.24 m<sup>2</sup></b>

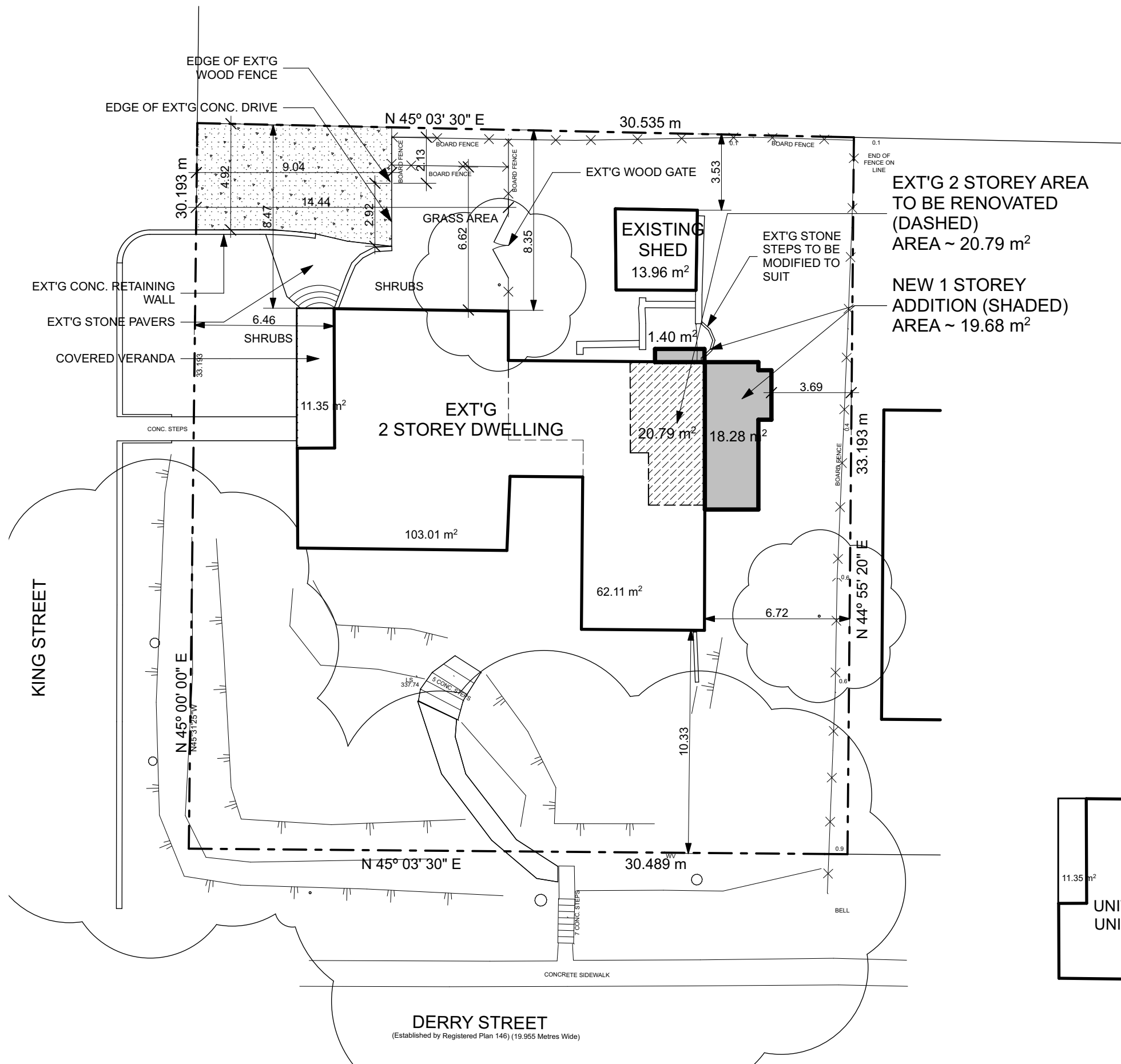
**SETBACKS**

Front Yard (Derry St)	10.33
Interior Side (E)	3.69
Exterior Side (W)	4.73
Rear Yard	3.53

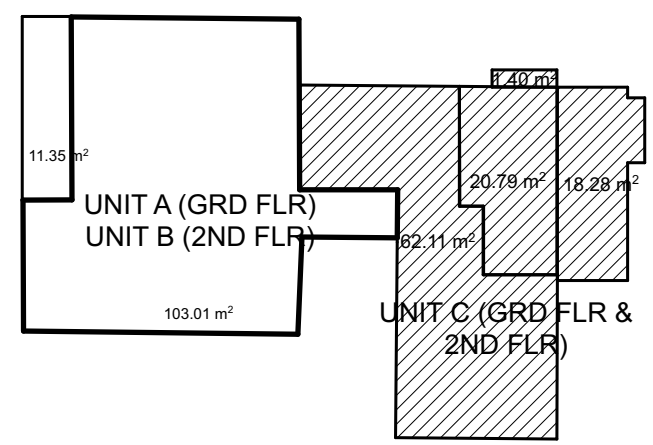
Survey information taken from survey prepared by Van Harten Surveying 1980 & 2017 (partial survey)



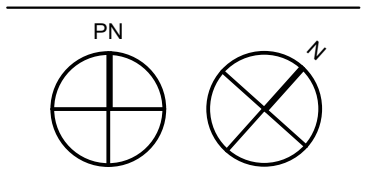
3 SITE CONTEXT MAP  
 NOT TO SCALE



1 SITE PLAN  
 SCALE: 1:200

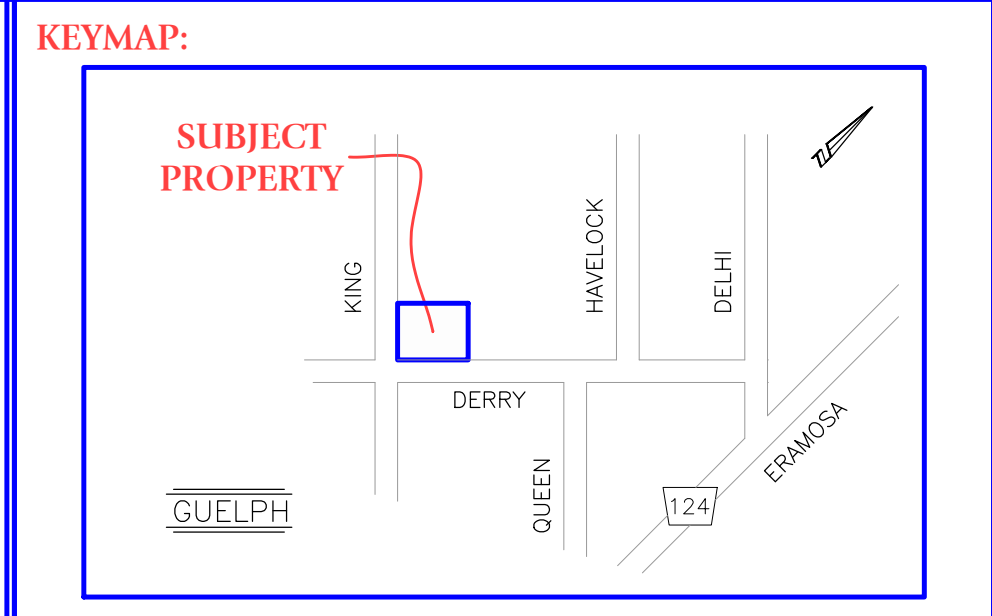
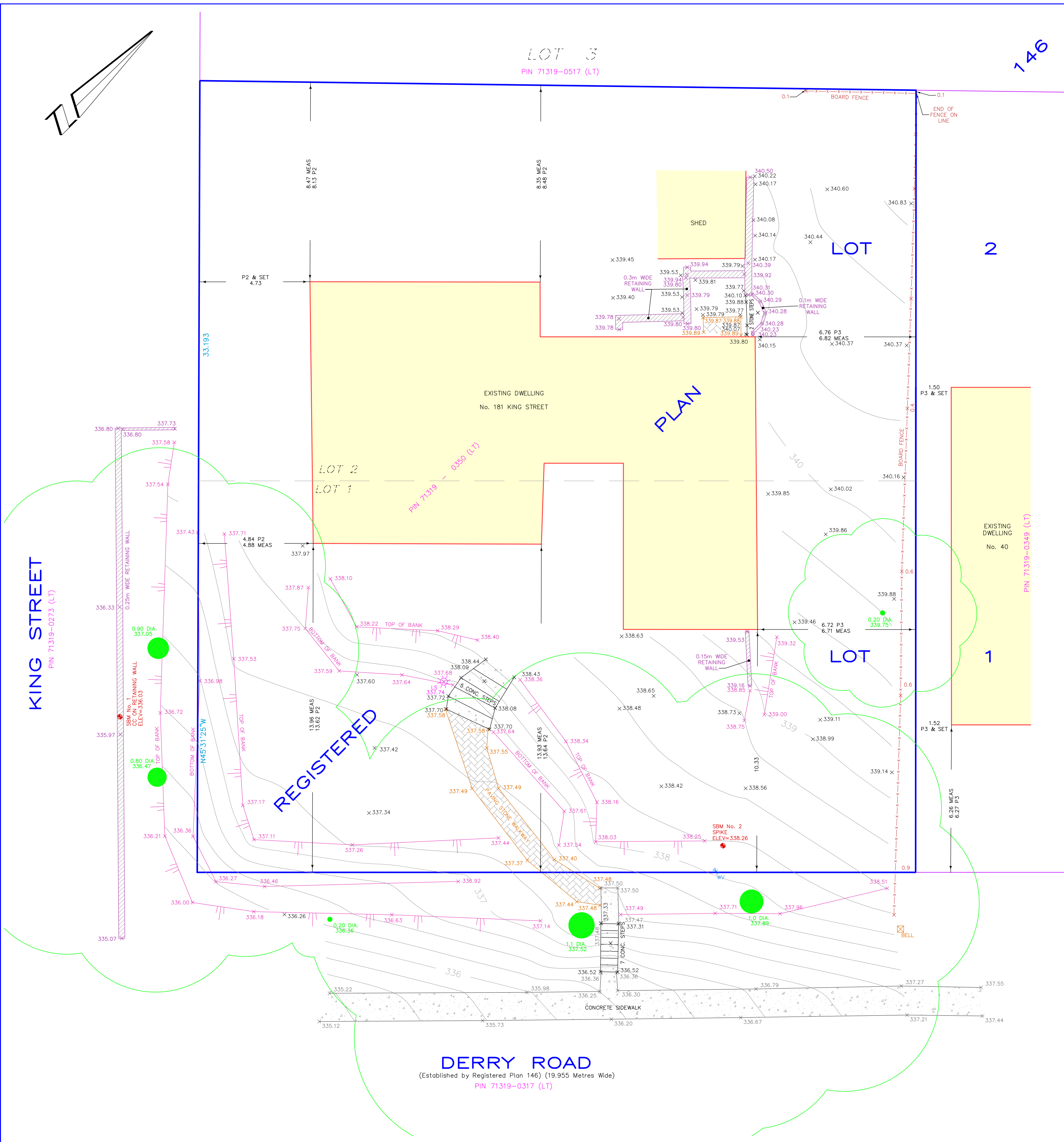


2 APARTMENT LAYOUT SCHEMATIC



PROJECT  
**Hall Residence Addition/  
 Renovation**  
 181 King St. Guelph ON  
 DRAWING NAME  
**SITE PLAN**

PLOT DATE	2018-06-12	DRAWING NO.	
SCALE	AS NOTED	PROJECT NO.	1705
			<b>A.01</b>



**PROPERTY DESCRIPTION:**

- PIN 71319-0350 (LT)
- ADDRESS: 181 KING STREET
- PART OF LOTS 1 & 2, REGISTERED PLAN 146,
- AS IN INSTRUMENT R069B135
- CITY OF GUELPH

**LEGEND:**

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
- IB DENOTES .015 x .015 x 0.60 IRON BAR
- 375 DENOTES BLACK, SHOEMAKER et. al., O.L.S.'s
- VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s

GRAVEL  
 PAVESTONE  
 ASPHALT  
 BUILDING  
 CONCRETE

EXISTING ELEVATION x 206.55

DECIDUOUS TREE WATER VALVE WV

CONIFEROUS TREE BELL PEDESTAL BELL

FENCELINE

CENTRELINE OF ROAD

TOP OF BANK

**BOUNDARY INFORMATION:**

THIS IS NOT INTENDED TO BE A BOUNDARY SURVEY. BOUNDARIES ON THIS PLAN ARE APPROXIMATE.

**BEARING AND COORDINATE NOTE:**

- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99959725.
- COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

**SURVEY INFORMATION:**

**BENCHMARK REFERENCE:**

ELEVATIONS ARE BASED ON GPS OBSERVATIONS TO PERMANENT REFERENCE STATIONS AND HAVE BEEN CORRECTED TO ORTHOMETRIC ELEVATIONS WITH GEOID MODEL HTv2.0, AS SUPPLIED BY NATURAL RESOURCES CANADA.

**SITE BENCHMARK:**

- CUT CROSS ON RETAINING WALL ALONG KING STREET HAVING AN ELEVATION OF 336.03 METRES.
- SPIKE NEAR SOUTHEAST LIMIT OF SUBJECT PROPERTY HAVING AN ELEVATION OF 338.26 METRES.

**TOPOGRAPHIC SURVEY DATE:**

THIS TOPOGRAPHIC SURVEY WAS COMPLETED ON THE 1st DAY OF AUGUST, 2017.

**CAUTION:** - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

- THIS SKETCH IS PROTECTED BY COPYRIGHT. ©

**METRIC:** DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**TOPOGRAPHIC SURVEY**  
**PART OF LOTS 1 & 2, REGISTERED PLAN 146**  
**CITY OF GUELPH**  
**COUNTY OF WELLINGTON**

**DRAWING REVISION SCHEDULE**

NO.	REVISION	DATE
0	INITIAL SUBMISSION	SEPT. 6/17

**PREPARED FOR: MICHAEL HALL**

**PROJECT No. 24979-17**

**DRAWING SCALE 1 : 100**

**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira Ph: 519-669-5070  
 Guelph Ph: 519-821-2763  
 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: S.A.P. CHECKED BY: J.E.B.

Sep 13, 2017-1:19pm  
G:\GUELPH\146\ACAD\TOPOLOT 1 (MICHAEL HALL) UTM-17 2010 NR.dwg

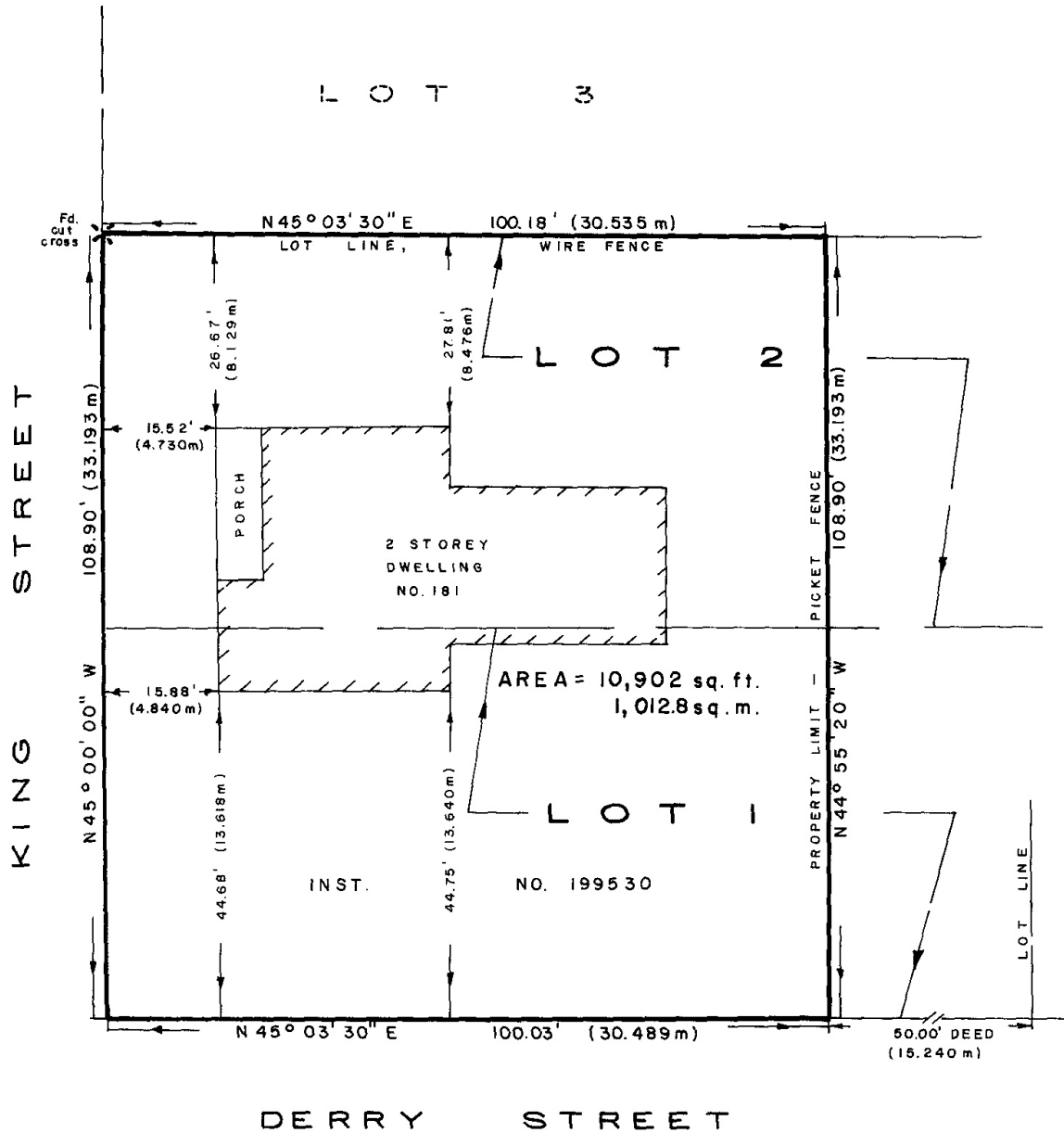
# PLAN OF BUILDING LOCATION

ON PART OF

LOTS 1 AND 2, REG'D PLAN 146

CITY OF GUELPH

SCALE: 1 Inch = 20 Feet



NOTE: MEASUREMENTS IN BRACKETS ARE IN METRES.

NOTE:

THIS PLAN IS LIMITED TO ILLUSTRATE IMPROVEMENTS ON OR ADJACENT TO THE PROPERTY SHOWN. PLAN DOES NOT NECESSARILY COMPLY WITH REGULATIONS MADE UNDER THE SURVEYS ACT AND REGISTRY ACT.

PROJECT NO.  
80-376

**M. P. VAN HARTEN LIMITED**

ONTARIO LAND SURVEYORS  
423 WOOLWICH STREET  
GUELPH - ONTARIO

PHONE: 821-2763

PER:

*L. Van Harten*  
L. VAN HARTEN

DATE: JULY 17, 1980.

SEAL



**Additional information provided by the owner:**

The Owner, Mr. Hall, applied to the Committee of Adjustment (application number A-59/18) for permission to add a small addition to the rear of an existing triplex at 181 King Street, Guelph. Prior to the hearing, Mr. Hall and his architect met with the Planning Department and Engineering Department to settle any issues.

Permission was granted for such addition and the Decision was issued on July 12, 2018 and a copy was received by Mr. Hall on July 17, 2018. The Decision contained a condition that required Mr. Hall to apply for an encroachment agreement regarding concrete stairs and a retaining wall built by the city at the front of the subject property.

As this condition had not been mentioned in the prior meetings with the Planning and Engineering Departments, Mr. Hall attempted to deal with the city on this issue up to August 1, 2018 which was the end of the appeal period to no avail because of holiday and paternity leave issues with city staff.

Thereafter, through lengthy negotiation with the city legal department an agreement has been reached about amending such condition in the July 12, 2018 decision. The parties wish to speak to the Committee to amend the original decision to reflect the agreement reached by the parties.

# DECISION

**COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER A-59/18**

The Committee, having considered if a change or extension in a use of property which is lawfully non-conforming under the By-law as to whether or not this application has met the requirements of Section 45(2) of the Planning Act, R.S.O. 1990, Chapter P.13 as amended, passed the following resolution:

THAT in the matter of an application under Section 45(2)(a)(i) of the Planning Act, R.S.O. 1990, c.P13, as amended, permission to enlarge/extend the legal non-conforming use at 181 King Street, to permit the construction of a 19.68 square metre addition, be **APPROVED**, subject to the following conditions:

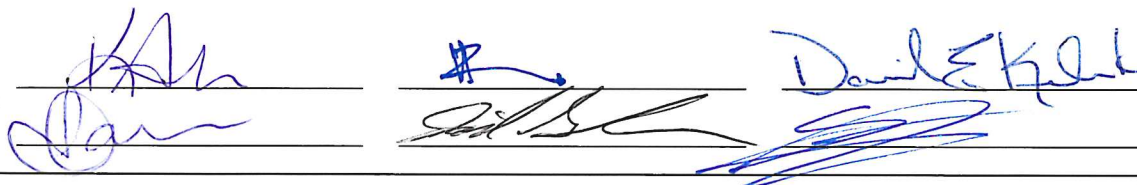
1. That the addition be located in general accordance with the Public Notice sketch.
2. Prior to issuance of a building permit, the owner(s) applies to the City Solicitor for an encroachment agreement and obtains approval for the encroachment of all items including but not limited to the concrete steps, and retaining wall.

**REASONS:**

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Members of Committee  
Concurring in this Decision**



I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on July 12, 2018.

**Dated: July 17, 2018**

**Signed:**



**The last day on which a Notice  
of Appeal to the Local Planning  
Appeal Tribunal may be filed is  
August 1, 2018.**

**Committee of Adjustment**

T 519-822-1260 x2524  
F 519-763-1269  
E cofa@guelph.ca