



KITCHENER
WOODBRIDGE
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September 1, 2016

Dylan McMahon, Council Committee Assistant
Committee of Adjustment
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

RECEIVED

SEP 01 2016

CITY CLERK'S OFFICE

Dear Mr. McMahon

**RE: Amendment to Application for Minor Variance A-51/16
381 Edinburgh Avenue South
OUR FILE 10139L**

On behalf of our client, Southwood Apartments Limited, we are pleased to submit this amendment to our application for minor variance with respect to the lands municipally known as 381 Edinburgh Avenue South in the City of Guelph (the "subject lands")

The subject lands comprise an area of approximately .77 hectares and are presently developed with an eight-storey rental apartment building, containing 79 units, with 96 surface parking spaces (93 spaces are currently usable, while 3 spaces are blocked to facilitate waste storage and collection). **The intent of this application is to request relief from the requirements of Specialized High Density Apartment Zone R.4B.2 in order to recognize the 79 suites that currently exist on the subject lands and permit a reduced parking ratio of 1.17 spaces per unit.**

The subject lands are designated *High Density Residential* by the City of Guelph Official Plan (September 2014 Consolidation). The predominant use of land within areas designated as 'High Density Residential' shall be for multiple unit residential buildings, generally in the form of apartments. Policy 7.2.43 of the Official Plan states that the net density of development shall not occur at less than 100 units per hectare and shall not exceed 150 units per hectare. The existing use is permitted by the Official Plan. The current density is 101 units per hectare. Recognizing the unit would result in a density of 102 units per hectare.

The subject lands are zoned R.4B-2 (Specialized High Density Apartment Zone). The special exception that applies to these lands permits one 63 unit, 8 storey apartment building with a minimum of 79 off-street parking spaces for the apartment building at 381 Edinburgh Road. A previous Minor Variance was approved by the Committee of Adjustment on July 23, 1979 to increase the number of dwelling units in the apartment by 15 (File No. A-84/97). This brought the total number of dwelling units from 63 to 78. Originally, a building office was located at the rear of the building, which was converted into a new bachelor dwelling unit. The conversion of the office into a bachelor unit brought the total number of

dwelling units from 78 to 79. The existing number of units is not permitted in accordance with the approved Minor Variance A-84/97 and Zoning By-law. Relief is required to recognize this additional unit.

An application for Minor Variance was submitted to address the additional unit in July, 2016. In the return of comments package, City staff identified that a variance to Section 5.4.3.2.2.1 of the Zoning By-law would also be required in order to recognize the parking space deficiency, in addition to relief from the specialized high density zoning regulations related to density. As a result, staff recommended deferral of the application so that it could be amended to include the required parking variance as well. **This submission represents an amendment to our original application and sets out the basis for both the requested variance with respect to dwelling units and parking spaces.**

ANALYSIS

Maintain the Intent and Purpose of the Official Plan

The subject lands are designated *High Density Residential* by the City of Guelph Official Plan (September 2014 Consolidation). As noted above, the High Density Residential designation permits apartment dwellings to a maximum density of 150 units per hectare. The subject lands provide a total of 79 dwelling units over an area of .77 hectares. This equates to 102 units per hectare, which is within the density parameters established by the Official Plan.

Policy 8.2.35 of the Official Plan states that “The City will ensure that adequate off-street parking facilities are provided to meet the parking demands generated by various land uses”. The unit mix in the apartment building consists of 32 one-bedroom units, 46 two-bedroom units and one bachelor unit, for 79 units total. These dwelling types tend to result in a lesser dependence on automobiles and require less overall parking.

A parking plan is provided with this application, which shows the current parking layout on the site. The air photo used to generate the parking plan shows that utilization of the parking lot was approximately 40%, with 38 spaces occupied, at the time the air photo was taken (Google Maps, 2016). The City of Guelph’s online mapping tool uses aerial photography from 2012. The air imagery used by the City shows that utilization of the parking lot was approximately 37%, with 35 spaces occupied, at the time the air photo was taken (City of Guelph, Aerial Photography, 2012). A copy of the City’s air imagery is provided as an appendix to this submission, for information purposes. Between June and August, we conducted three additional site visits, at various times throughout the day, and note that the parking utilization on the site was low, consistent with what is shown on the air photo and parking plan.

Based on the foregoing, it is our opinion that the existing 93 spaces meet the demand of the tenants and it is unlikely that the additional bachelor unit will impact the overall parking utilization on the site. Based on the foregoing, the parking provided on the site can be considered to be adequate. **Therefore, the proposed variances conform to the general intent and purpose of the Official Plan.**

Maintain the Intent and Purpose of the Zoning By-law

The subject lands are zoned R.4B-2 in the City of Guelph Zoning By-law. The current zoning permits one 63 unit apartment dwelling on the subject lands. 79 parking spaces are required for the 63 unit building.

This works out to a parking ratio of 1.25 spaces per unit. The existing apartment dwelling contains 79 units and provides 93 functional parking spaces, based on the current layout where three spaces are used for waste disposal and collection. The minor variance application proposes that the existing residential units be recognized as permitted on the subject lands and that a reduced parking ratio of 1.17 spaces per unit be permitted, which reflects the 93 parking spaces currently provided on the site. Should the garbage bin be moved to another location on the site, there is a possibility that 96 parking spaces could be provided, which would translate to a rate of 1.21 spaces per unit.

Table 5.4.2 of Section 5 of the City's Zoning By-law provides regulations governing R.4 zones, including maximum density. In accordance with the R.4B zone, maximum density is set at 150 units per hectare. We note that the existing 79 units equates to a density of 102 units per hectare, which is well within the maximum threshold for the R.4B zone. The existing development on the subject lands does not satisfy the minimum parking requirements of the R.4B-2 Zone. The subject site currently provides parking at a rate of 1.17 spaces per unit whereas 1.25 spaces per unit is required. Ultimately, the existing parking supply is approximately 5% less than what is required under the site specific zoning.

In summary, the existing apartment building meets all of the requirements of the R.4B and R.4B-2 zone, except for parking requirements. The use is permitted by the By-law, and all other performance standards are met. As mentioned previously, although parking provided on site is 5% less than what the zoning By-law requires, the parking utilization observed on the site can be considered to be adequate. Therefore, the variances maintain the intent of providing an appropriate residential use within the standards established by the City and complies with the intent of the zoning By-law.

Is Desirable for the Appropriate Development of the Lands

The proposed variances maintain the high density residential use of the property, which is the direction provided for by the Official Plan. The variances also meet the general intent of the zoning By-law. The requested variances do not propose any changes to the configuration of the existing building or parking layout and will not impact the character of the neighbourhood. **Therefore, the requested variances are appropriate.**

Is Minor in Nature

The variances request relief from the zoning By-law to recognize dwelling units and parking spaces that currently exist. The variance in provided versus required parking is 6 spaces which, in our opinion, is minor in nature as the existing parking configuration provides adequate parking for residents and visitors. Moreover, as discussed above, the density provided on the subject lands is well within the maximum 150 units per hectare established in the Official Plan and the R.4B zone. **Therefore, the requested variances are minor.**

CONCLUSIONS

The requested variances conform to the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the subject lands; and, are minor. For the reasons set out above, it can be concluded

that the requested variance satisfies the four tests set out in Section 45(1) of the *Planning Act* and should be approved.


In support of this application, we enclose the following:

- Three (3) copies of a site sketch;
- Three (3) copies of an air photo which shows the existing parking layout; and,
- A cheque in the amount of \$238.00, which represents the deferral fee for processing an amendment to this application

We trust that the enclosed is sufficient to process this application. We look forward to appearing in front of the Committee of Adjustment in support of this application. We request that these applications be schedule for the October 13 Committee of Adjustment Meeting. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'DAA', followed by a long horizontal line extending to the right.

David Aston, MSc, MCIP, RPP

cc. *David Petrina, Asad Hanif*

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 5, 2016</u>	Folder #: <u>A-51/16</u>
	Application deemed complete: <input checked="" 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: <u>381 Edinburgh Road South, Guelph, ON, N1G 3J7</u>			
Legal description of property (registered plan number and lot number or other legal description): _____			
OWNER(S) INFORMATION:			
Name:	<u>Southwood Apartments Limited</u>		
Mailing Address:	<u>c/o Realstar Management, 77 Bloor St. W., Suite 2000</u>		
City:	<u>Toronto</u>	Postal Code:	<u>M5S 1M2</u>
Home Phone:	_____	Work Phone:	<u>289.237.8276</u>
Fax:	_____	Email:	<u>david.petrina@realstar.ca</u>
AGENT INFORMATION (If Any)			
Company:	<u>MHBC Planning</u>		
Name:	<u>Dave Aston</u>		
Mailing Address:	<u>200-540 Bingemans Centre Drive</u>		
City:	<u>Kitchener</u>	Postal Code:	<u>N2B 3X9</u>
Work Phone:	_____	Mobile Phone:	<u>519-504-4647</u>
Fax:	<u>519-576-0121</u>	Email:	<u>daston@mhbcplan.com</u>

Official Plan Designation: High Density Residential	Current Zoning Designation: R.4B-2
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Request relief from the requirements of Specialized High Density Apartment Zone R.4B.2 in order to recognize the 79 suites that currently exist on the subject lands.
Section 5.4.3.2.2.1
Variance to permit 1.17 parking spaces per residential dwelling unit for a total of 93 parking spaces where the by-law requires 1.25 parking spaces per residential dwelling unit got a total of 99 parking spaces.
Section 5.4.3.2.2.2.1

Why is it not possible to comply with the provision of the by-law? (your explanation)
The subject lands cannot comply with the By-law because the number of existing dwelling units exceeds the maximum number of permitted dwelling units

PROPERTY INFORMATION			
Date property was purchased:	1985	Date property was first built on:	1980
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	
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: 58.21 m	Depth: 116.11 m	Area: 7713 sq.m (.77 ha)

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED <small>No Changes Proposed</small>		
Main Building			Main Building		
Gross Floor Area:	Total Leasable Area- 63,972 sqft		Gross Floor Area:		
Height of building:	24 m		Height of building:		
Garage/Carport (if applicable) N/A			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:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED <small>No Changes Proposed</small>		
Front Yard Setback:	36.3 m		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	n/a		M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 14.4 m	M	Right: 18.9 m	M	
Rear Yard Setback	40.3		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 type="checkbox"/>	Previous building permit application for construction of administration office and bachelor suite-
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	14_008176_CI
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, G. Wayne Squibb, of the City/Town of Toronto in ~~County~~ Province /Regional Municipality of Ontario, 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

Declared before me at the
City/Town of Toronto in the County/Regional Municipality of Province

Ontario this 20th day of April, 2016.

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

Southwood Apartments Limited

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

of

(Legal description and/or municipal address)

hereby authorize Dave Aston

(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 20th day of April 2016.

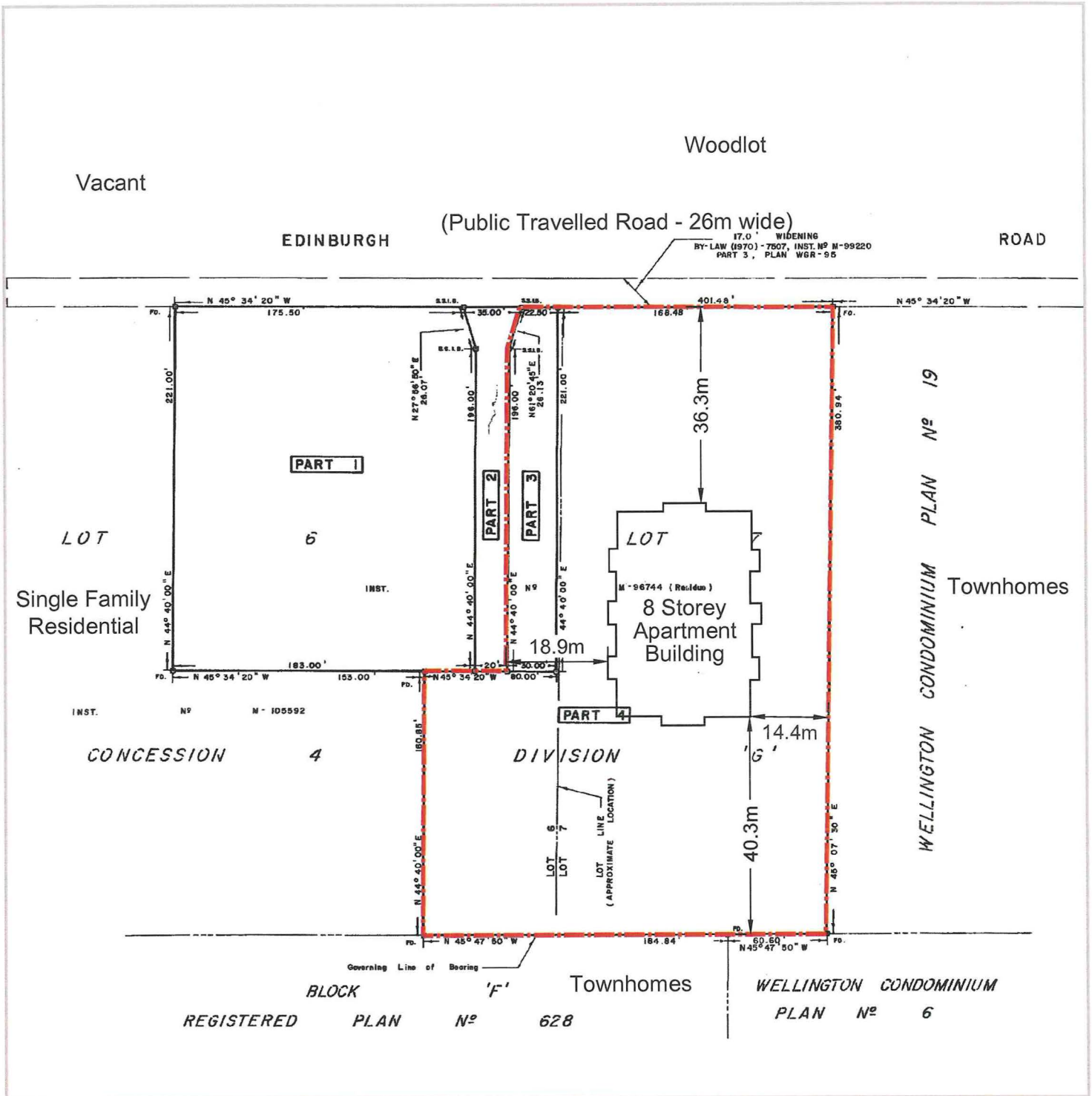
(Signature of the property owner)



(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.



Sketch to Accompany
Minor Variance
Application

LEGEND

 Subject Lands

DATE: July 6, 2016

FILE: 10139L

SCALE 1:1,000

DRAWN: DGS



K:\1013\LRPT\SKETCH FOR MINOR VARIANCE APPLICATION JULY 6 2016 DWG

**Southwood Apartments
Limited**
381 Edinburgh Road South
City of Guelph

Sources:
Air Photo - Google Maps 2016
Boundary - Plan 61R-1837 prepared by Black, Shoemaker, Robinson & Donaldson Limited
(July 14, 1978)
Building location and setback dimensions are approximate and not based on a Survey.

 **PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**
200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

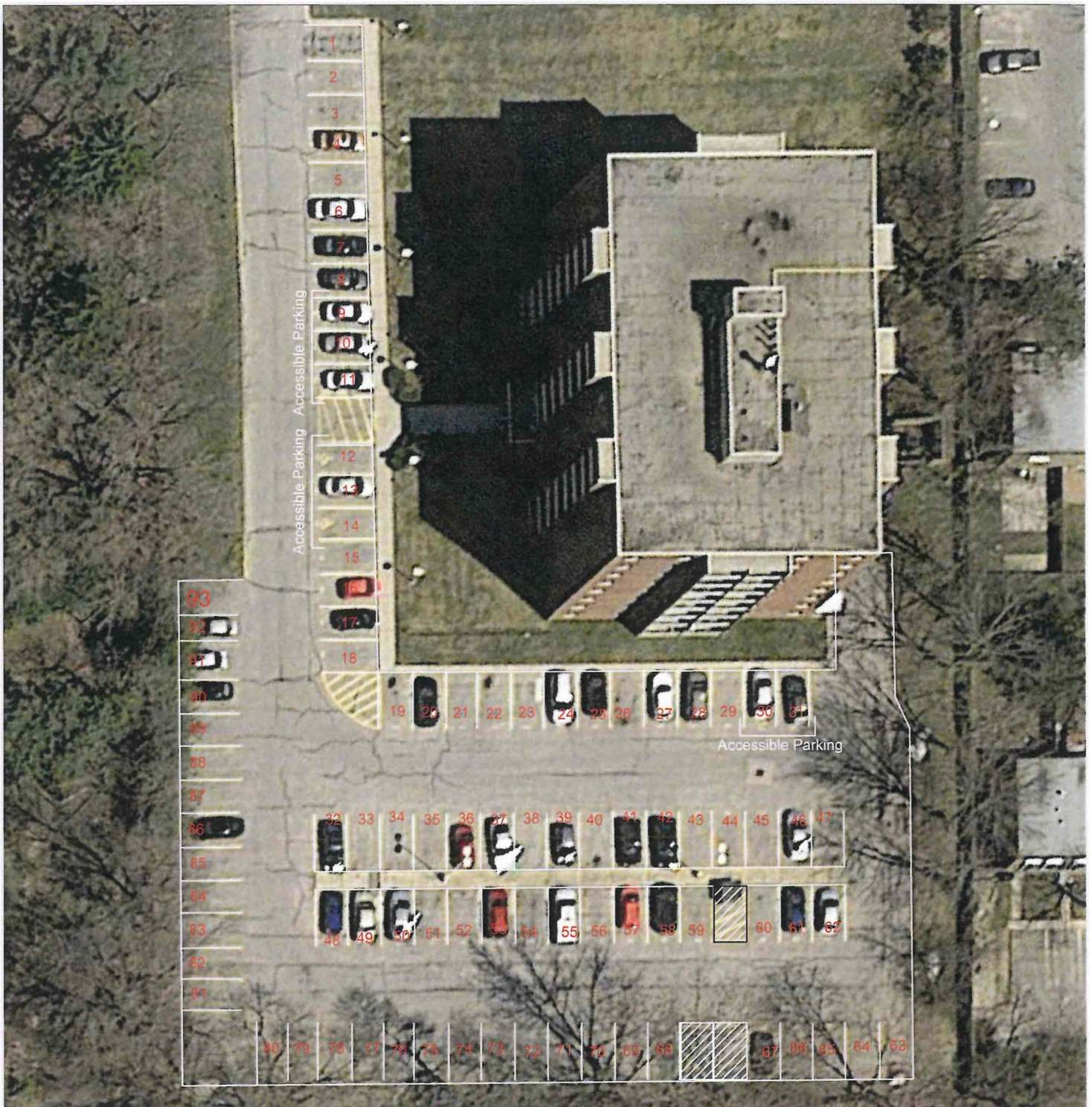


Figure:
Parking Plan

Notes:

93 Spaces Available for Parking

3 Spaces blocked off for Garbage and Garbage Truck Maneuvers

DATE: August 2016

FILE: 10139L

SCALE 1:500

DRAWN: NZ



381 Edinburgh
Road South
City of Guelph

Base Map Source: Google Maps 2016

K:10139L\LOCATION PLAN\LOCATION - PARKING.DWG

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
200-540 BINGEMANS CENTRE DR., KITCHENER, ON, N2B 3X9
P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

381 Edinburgh Road South
2012 Air Photo- Parking



Legend

External/General_External_1022

City boundary

Addresses

Guelph roads - labels

County roads

External/2012_Aerials_1022

Guelph 2012 aerial imagery

RGB

Red: Band_1

Green: Band_2

Blue: Band_3

Results

1 29926

Disclaimer The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of this document and will not be liable for any claims for damages or loss arising from its application or interpretation, by any party. It is not intended to replace a survey or be used for legal description.

Map Printed On 2016-08-25 09:26

Powered by **ROLTA OnPoint™**

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	5635 sqft. = 1717.55m ²	Gross Floor Area:	385 sq feet (basement) + 545 sq feet
Height of building:	28' = 8.53m	Height of building:	
Garage/Carport (if applicable) NA		Garage/Carport (if applicable)	
Attached <input type="checkbox"/>	Detached <input checked="" type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	61.6' = 18.78m	Width:	
Length:	48.0' = 14.63m	Length:	
Driveway Width:	24.0' = 7.32m	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		PROPOSED	
Front Yard Setback:	42.57' = 12.98M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	9.69' = 2.95M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 0.37' = 0.11 M Right: M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	1.18' = 0.36M	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	X		
Zoning By-law Amendment	X		
Plan of Subdivision	X		
Site Plan	X		
Building Permit	X		
Consent	X		
Previous Minor Variance Application	X		

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

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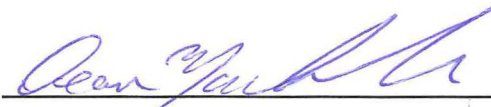
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Dr. Dean MacDonald, of the City/Town of

Guelph, Ontario, 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 17th day of September, 20 16.



Commissioner of Oaths

Dylan McMahon
A Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

2398621 Ontario Inc./Dr. Dean MacDonald
[Organization name / property owner's name(s)]

of 86 Norfolk St., Guelph, Ontario
(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.

APPOINTMENT AND AUTHORIZATION

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

Dr Dean Mac Donald - 2398621 ONTARIO INC. (President + sale director)
[Organization name / property owner's name(s)]

of 86 Norfolk Street, Guelph, ON.
(Legal description and/or municipal address)

hereby authorize JON MILLS  21/09/16.
(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 20th day of September 20 16.


(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.

1 BASIC MECHANICAL REQUIREMENTS

FURNISH AND INSTALL ALL MATERIALS AND EQUIPMENT AS SPECIFIED AND AS SHOWN ON THE DRAWINGS FOR THE SATISFACTORY COMPLETION OF THE WORK. TEST AND PUT INTO OPERATION ALL MECHANICAL WORK. CONFORM TO THE APPLICABLE REQUIREMENTS AND CONDITIONS OF THE GENERAL CONDITIONS OF THE CONTRACT.

THIS CONTRACTOR SHALL SUBMIT A LUMP SUM PRICE BASED ON THE SPECIFICATIONS AND DRAWINGS. IF THIS CONTRACTOR WISHES TO BID ON ALTERNATIVE MATERIALS AND EQUIPMENT, THE BID MUST INCLUDE THE NAME OF THE ALTERNATIVE MANUFACTURER AND THE ADJUSTMENT IN PRICE, IF ANY.

THIS CONTRACTOR, BEFORE BIDDING, SHALL EXAMINE THE SITE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE FAMILIAR WITH THE BUILDING CONSTRUCTION SO THAT THE BID INCLUDES ALL THAT IS NECESSARY FOR THE PROPER COMPLETION OF THE WORK.

CONFORM TO MINIMUM REQUIREMENTS OR BETTER OF PROVINCIAL AND LOCAL CODES AND TO THE REQUIREMENTS OF LOCAL INSPECTION AUTHORITIES FOR THE EXECUTION OF THE WORK.

OBTAIN PERMITS, PAY FEES AND FURNISH CERTIFICATES AS EVIDENCE THAT THE WORK INSTALLED CONFORMS WITH THE LAWS AND REGULATIONS OF ALL GOVERNING AUTHORITIES HAVING JURISDICTION.

THIS CONTRACTOR SHALL STUDY THE DRAWINGS AND SPECIFICATIONS AND SHALL REPORT ANY ERRORS OR INCONSISTENCIES TO THE ENGINEER BEFORE BIDDING. IN NO CASE SHALL THE CONTRACTOR PROCEED IN UNCERTAINTY.

SHOP DRAWINGS: CONTRACTOR SHALL FORWARD SHOP DRAWINGS OF EQUIPMENT AND FIXTURES. INCLUDE CUTTING AND PATCHING AS REQUIRED FOR WORK IN THIS DIVISION.

EXCAVATING AND BACKFILL: INCLUDE EXCAVATION AND BACKFILL AS REQUIRED FOR THE UNDERGROUND PIPING IN THIS DIVISION.

ELECTRICAL: CONTRACTOR SHALL PROVIDE EQUIPMENT COMPLETE WITH CONTROLS FOR THE MECHANICAL EQUIPMENT. ALL POWER AND CONTROL WIRING SHALL BE BY THE ELECTRICAL CONTRACTOR.

ROOF CURBS AND OPENINGS: CONTRACTOR SHALL SUPPLY ALL ROOF CURBS, STRUCTURAL SUPPORTS FOR ROOF OPENINGS AND COUNTER FLASHING FOR MECHANICAL EQUIPMENT UNLESS SPECIFICALLY INSTRUCTED OTHERWISE BY THE GENERAL CONTRACTOR.

GENERAL WORK: CONCRETE PADS, FURRED IN DUCT SPACES TO BE DONE BY THE GENERAL CONTRACTOR UNLESS SPECIFICALLY INSTRUCTED OTHERWISE. GUARANTEE: GUARANTEE EQUIPMENT AND SYSTEMS AGAINST DEFECTS OF MATERIAL AND WORKMANSHIP FOR ONE FULL YEAR FROM DATE OF FINAL ACCEPTANCE.

2 HVAC

ALL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH CODE REQUIREMENT, AND TO ASHRAE AND SMACNA STANDARDS. ALL MATERIAL AND EQUIPMENT SHALL BE NEW. DUCTWORK SHALL BE OF GAUGES AS OUTLINED BY SMACNA STANDARDS. EQUIPMENT TO BE AS OUTLINED ON THE DRAWINGS.

DUCT INSULATION: ACOUSTIC LINING 1/2" (13mm) THICK SHALL BE MECHANICALLY FINNED AND GLUED TO THE INSIDE OF DUCT WORK. THERMAL INSULATION SHALL BE 2" (50mm) AND BE SECURED TO THE OUTSIDE OF DUCTWORK. INSULATE AS SHOWN AND AT LEAST THE FIRST 10 FEET (3000mm) FROM A FAN OR AN OUTSIDE AIR INTAKE.

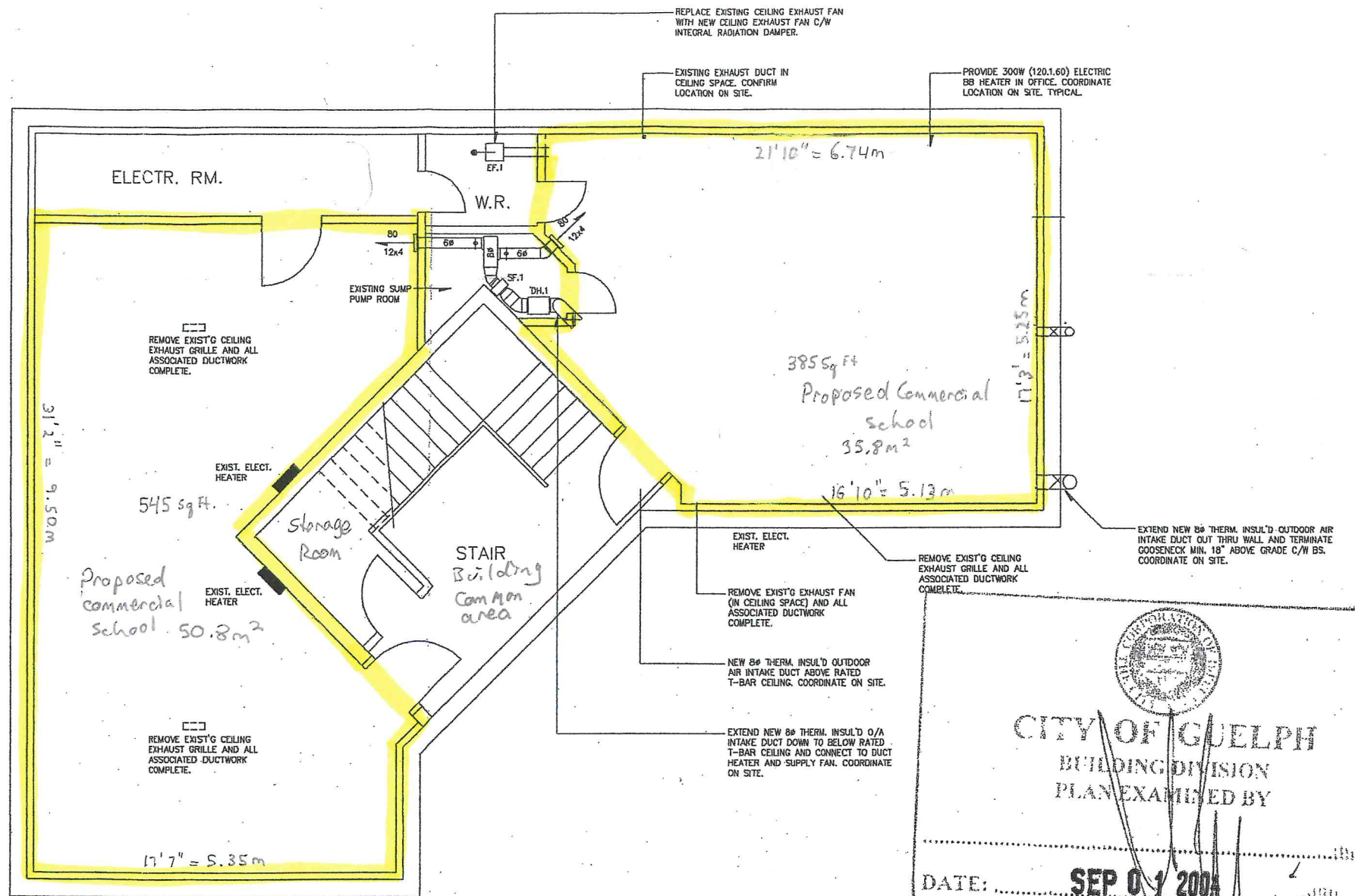
FIRE DAMPERS: FIRE DAMPERS SHALL BE U.L.C. APPROVED AND INSTALLED AS REQUIRED BY N.B.C. PROVINCIAL BUILDING CODE AND LOCAL FIRE MARSHALL. CONTROLLED AIR OR EQUAL. INSTALL AS SHOWN OR AS NOTED ON THE DRAWING.

3 WORK IN EXISTING BUILDING

THE CONTRACTOR SHALL VISIT THE SITE AND EXAMINE THE EXISTING CONDITIONS AND MAKE ALLOWANCES IN HIS TENDER PRICE FOR REMOVAL, RELOCATION, RE-ROUTING, RECONNECTION OF EXISTING MECHANICAL EQUIPMENT AS MAY BE NECESSARY FOR THE EXECUTION AND COMPLETION OF THIS PROJECT.

EQUIPMENT LOCATED IN AREAS BEING ALTERED OR DEMOLISHED, BUT SERVICING OTHER EQUIPMENT REQUIRED TO REMAIN IN SERVICE SHALL BE RE-ROUTED AS REQ'D TO MAINTAIN CONTINUITY OF SERVICES. SEQUENCE OF REMOVAL AND RELOCATION OF EXISTING EQUIPMENT SHALL BE COORDINATED WITH THE OTHER TRADES AND THE OWNER. SYSTEM INTERRUPTIONS SHALL BE KEPT TO A MINIMUM. ALL EXISTING MECHANICAL EQUIPMENT WHICH IS NOT TO BE RE-USED SHALL BECOME THE PROPERTY OF THE OWNER, IF THE OWNER DECIDES HE DOES NOT WANT IT, THE MECHANICAL CONTRACTOR SHALL DISPOSE OF IT.

THE CONTRACTOR SHALL PROVIDE ADEQUATE PROTECTION TO EXISTING EQUIPMENT THROUGHOUT THE PROJECT AND PARTICULARLY WHERE EQUIPMENT HAS BECOME EXPOSED TO MECHANICAL INJURY OR MOISTURE IN THE COURSE OF ALTERATIONS OR NEW CONSTRUCTIONS.



CITY OF GUELPH
BUILDING DIVISION
PLAN EXAMINED BY

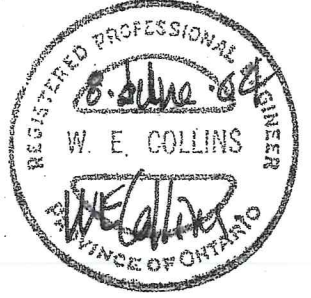
DATE: **SEP 01 2004**

BUILDING PERMIT AND DOCUMENTS ON DRAWING

EQUIPMENT SCHEDULE				
SYMBOL	UNIT	DESCRIPTION	ELEC.	REMARKS
EF.1	WASHROOM EXH. FAN	REVERSOMATIC 08100-S, 100 CFM C/W FF-100 FIREFIGHTER DAMPER	120-1-60	CONNECT TO EXISTING EXHAUST DUCT IN CEILING SPACE. COORDINATE ON SITE.
SF.1	SUPPLY FAN	REVERSOMATIC R1-200, 160 CFM @ 0.4" SP	120-1-60 0.7A	INSTALL AS PER MANUF. REQ'TS. COORDINATE LOCATION OF "ON/OFF" SWITCH WITH OWNER.
DH.1	DUCT HEATER	THERMO-AIR TER-8-4240, 4 KW ELECTRIC DUCT HEATER SET MIN. DISCHARGE TEMP. AT 70°F	240-1-60 18.7A	INSTALL AS PER MANUF. REQ'TS. COORDINATE ON SITE.

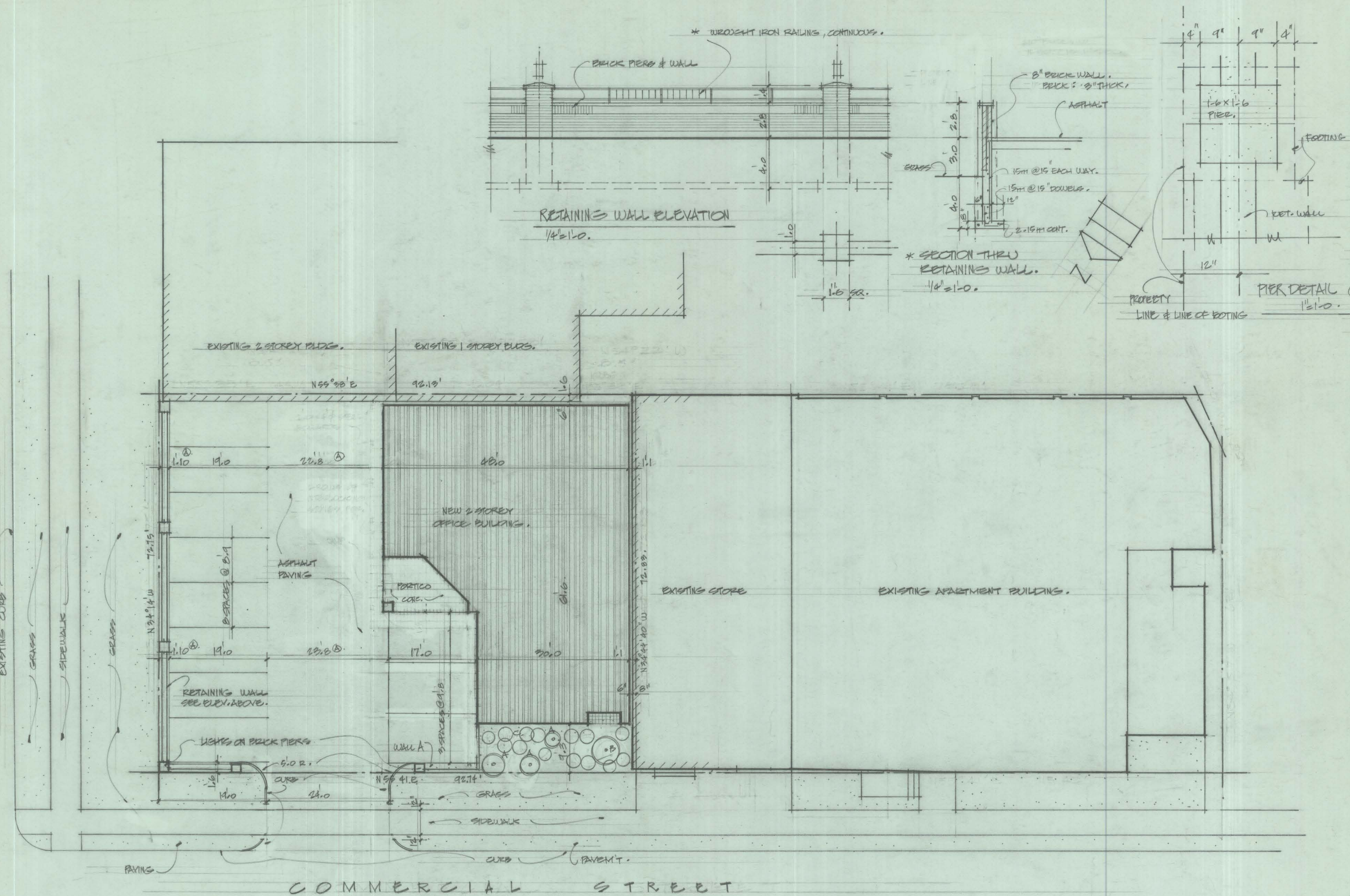
DH.1 C/W
: AUTO RESET THERMAL CUTOFF
: AIR FLOW SENSOR
: MAN. RESET THERMAL CUTOFF
: TEMP. SENSOR
: BUILT-IN ELECTRONIC TEMP. CONTROLLER & SENSOR

CE
COLLINS ENGINEERING GROUP INCORPORATED
1080 Guelph St., Kitchener, Ontario N2B 2E3
Tel: (519) 745-9338 Fax: (519) 745-2251
E-mail: wcollins@golden.net



OFFICE BUILDING
86 NORFOLK ST.
GUELPH, ONT.
J. LAMMER DEVELOPMENTS LTD.
GUELPH, ONT.

NORFOLK STREET



SITE INFORMATION.

AREA OF PROPERTY 6719 SQ. FT.
 GROSS AREA OF BUILDING 4434 SQ. FT.
 FLOOR AREA = 4434 SQ. FT.
 $25\% \times 4434 = 1108.5 \approx 11$ SPACES REQUIRED.
 11 SPACES PROVIDED

MAIN FLOOR GROSS AREA = 2490 SQ. FT.
 SECOND FLOOR GROSS AREA = 2204 SQ. FT.

MAIN FLOOR AREA = 2199 SQ. FT.
 SECOND FLOOR AREA = 2504 SQ. FT.

MAIN FLOOR AREA MINUS STAIR = 1956 SQ. FT.
 SECOND FLOOR AREA MINUS STAIR = 2016 SQ. FT.

MAXIMUM FLOOR AREA RE: OBC = 2159 SQ. FT. PER FL.

REVISIONS:


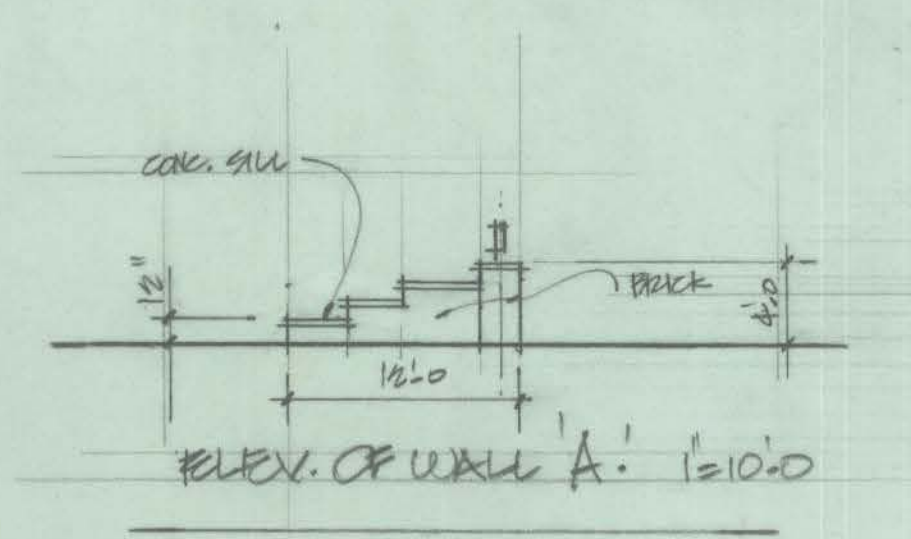
JUNE 17, 1988. REVISED PARKING DIMENSIONS.

JULY 1988. * RETAINING WALL SECTION * WROUGHT IRON RAILINGS

AUG. 15, 1988 (A) ADDED PIER DETAIL REVISED DIMENSIONS.

APRIL 17, 89 LANDSCAPING, WALL A, DIM. INTERL. STONE.

LEWICK ENGINEERING LIMITED
 CONSULTING STRUCTURAL ENGINEERS
 WAREHO, ONT.

SITE PLAN 1"=10.0'

ALL INFORMATION TAKEN FROM PLAN OF SURVEY ON PART LOTS 1049 AND 1050. AS PREPARED BY BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED, ONTARIO LAND SURVEYORS, GUELPH ONTARIO.

NOTE: SEE GRADINGS & DRAINAGE PLAN SHOWING FINISHED & NEW GRASSES, & STORM SYSTEM AS PREPARED BY GANESKY AND MANIEROW LIMITED.

LANDSCAPING

A. NORWAY SPRUCE
 B. MANITOWA MAPLE
 C. GROUND COVER.

LIST OF DRAWINGS.

DRAWING NO. 1 SITE PLAN
 DRAWING NO. 2 BASEMENT FLOOR PLAN, NOTES.
 DRAWING NO. 3 MAIN FLOOR PLAN, DOOR & ROOM FIN. SCHEDULE
 DRAWING NO. 4 SECOND FLOOR PLAN
 DRAWING NO. 5 ELEVATIONS, SECTIONS, DETAILS
 DRAWING NO. 6 CROSS SECTIONS, DETAILS
 DRAWING NO. 7 ROOF PLAN

PROVIDER FILE

NEW OFFICE BUILDING
 NORFOLK ST. & COMMERCIAL ST.
 GUELPH, ONTARIO

J. LAMMER DEVELOPMENTS LTD.
 GUELPH, ONTARIO.

SITE PLAN

BRUCE R. BUCKLEY LIMITED
 CONSTRUCTION CONSULTING
 KITCHENER ONTARIO

DATE	SCALE	DRN. BY	DRS. NO.
FEB. 3, 1988.	1"=10.0'	P.	1

Kameron Fordyce
30 Forest Street
Guelph, Ontario N1G 1H8

Committee of Adjustment
City Hall, 1 Carden Street
Guelph, Ontario N1H 3A1
Attention: Dylan McMahon

Sept 15, 2016

Dear Mr. McMahon,

Please accept this application to the Committee of Adjustment requesting a Minor Variance for a reduced Exterior Side Yard setback at 30 Forest Street. I am requesting relief from 6.0 metre required side yard setback to a reduced 1.2 metres (Regulation 5.1.2.7 (i)). My family is growing and an addition would provide much needed space and facilities for my family.

Please find attached the architectural plans, required forms, and the Preliminary Zoning Review Notice. I am proposing to remove the existing carport and shed to the west of the house and replace it with a garage and a second storey master bedroom. The existing frame shed does not conform to the required six metre side yard setback.

Replacing the existing frame shed and carport in the Exterior Side Yard, is a preferable alternative to sacrificing the green and open space of the Interior Side Yard. The placement of the addition also serves to minimize the impacts a second-storey addition would have on adjacent neighbours, given that the addition would be adjacent to a roadway as opposed to a neighbouring property. Visual disturbance would be mitigated with continued maintenance of the heavily vegetated strip that buffers the Exterior Side Yard's Lot Line. In applying for relief from the Exterior Side Yard setback I will be better able to provide for the needs of my family, while respecting the space of the City and my neighbours.

Thank you for taking the time to consider our application. Please do not hesitate to contact me with any questions or comments.

Yours truly,

Kameron Fordyce

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received:	Folder #: Sept. 9, 2016
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: A-69/16

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: 30 FOREST STREET, GUELPH, ONTARIO

Legal description of property (registered plan number and lot number or other legal description):
REGISTERED PLAN 50, LOT 47

OWNER(S) INFORMATION:

Name: KAMERON FORDYCE

Mailing Address: 30 FOREST STREET

City: GUELPH Postal Code: N1G 1H8

Home Phone: _____ Work Phone: 519 -830-9797

Fax: _____ Email: kfordyce@kams.ca

AGENT INFORMATION (If Any)

Company: KFA ARCHITECTS + PLANNERS INC.

Name: _____

Mailing Address: 197 SPADINA AVENUE, SUITE 200

City: TORONTO Postal Code: M5T 2C8

Work Phone: 416-642-0589 Mobile Phone: _____

Fax: 416-351-3303 Email: _____

Official Plan Designation: RESIDENTIAL NEIGHBOURHOOD GROUP; MAP 66: OLDER BUILT UP AREA	Current Zoning Designation: R.1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
The owner of 30 Forest Street is applying for relief of Exterior Side Yard setback requirements. Regulation #5.1.2.7(i), as cited by the Preliminary Zoning Review necessitates an Exterior Side Yard setback of 6.0 metres at the minimum. This application seeks a variance permitting a reduction of the setback requirements from 6.0 metres to 1.2 metres.

Why is it not possible to comply with the provision of the by-law? (your explanation)
The Owner family has grown in size and he is seeking to build an addition to help accommodate this welcome growth. The reason this addition has been proposed on the exterior sideyard is to protect the existing greenspace in the interior sideyard,

PROPERTY INFORMATION			
Date property was purchased:	2008	Date property was first built on:	1910
Date of proposed construction on property:	Spring 2017	Length of time the existing uses of the subject property have continued:	Since Built
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): RESIDENTIAL – SINGLE DETACHED DWELLING			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): RESIDENTIAL – SINGLE DETACHED DWELLING			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 27.1 m	Depth: 35.0 m	Area: 944.0 m ²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	163m ²		Gross Floor Area:	229 m ²	
Height of building:	2 STOREYS		Height of building:	2 STOREYS	
Garage/ <u>Carport</u> (if applicable)			<u>Garage/Carport</u> (if applicable)		
Attached <input checked="" type="checkbox"/>		Detached <input type="checkbox"/>	Attached <input checked="" type="checkbox"/>		Detached <input type="checkbox"/>
Width:	4.03 m		Width:	5.15 m	
Length:	5.15 m		Length:	6.54 m	
Driveway Width:	7.10 m		Driveway Width:	7.10 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Two Frame Sheds currently exist on the site. These sheds, along with the carport are to be demolished.			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	13.9 M		Front Yard Setback:	13.9 M	
Exterior Side Yard (corner lots only)	6.6 M		Exterior Side Yard (corner lots only)	1.2 M	
Side Yard Setback:	Left: 12.4 M	Right:	Side Yard Setback:	Left: 12.4 M	Right
Rear Yard Setback	8.68 M		Rear Yard Setback	7.5 M	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)					
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input type="checkbox"/>	Water <input type="checkbox"/>	Other (Specify)	

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)					
Water <input checked="" type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/>	Storm Sewer <input checked="" type="checkbox"/>			
If not available, by what means is it provided:					

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input 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 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

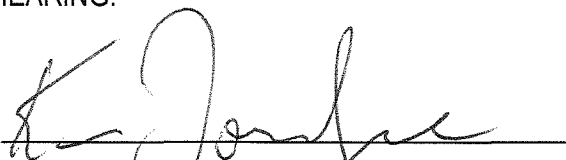
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

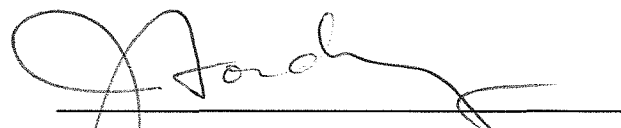
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however,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

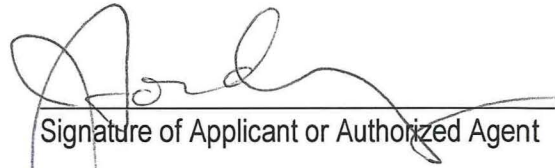

Signature of Owner or Authorized Agent

AFFIDAVIT

I, KAMERON FORDYCE, of the City/Town of

GUELPH in County/Regional Municipality of WELLINGTON, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


Signature of Applicant or Authorized Agent

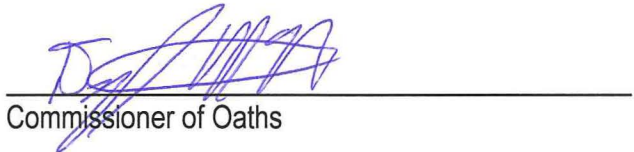

Signature of Applicant or Authorized Agent

NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.

Declared before me at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 12 day of September, 2016.


Commissioner of Oaths

(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.

30 FOREST STREET, GUELPH, ON

GUELPH ZONING BYLAW (1995) -14864

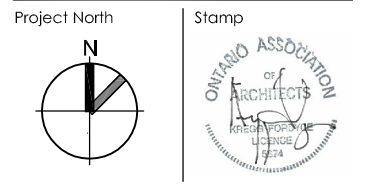
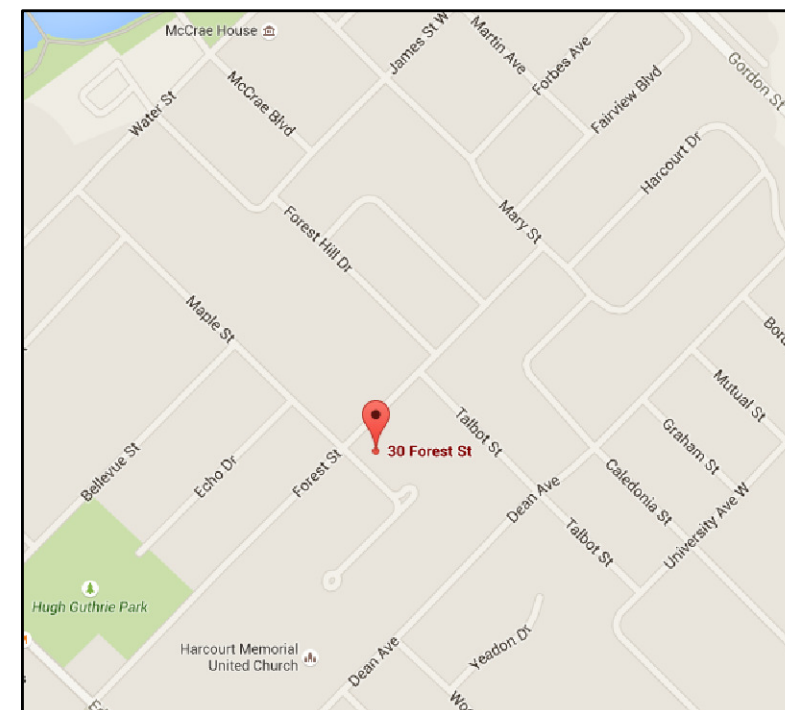
GUELPH, ON. N1G 1H8

Guelph Zoning Bylaw (1995)-14864					
	Defined Area Map 26: R1.B	Defined Area Map 66: Older Built Up Area	Existing	Proposed	Variance
Lot Area	460 m2	n/a	944 m2	944 m2	Legal nonconformnig
Lot Dimensions (Area, Depth, Width)	n/a	n/a	944 m2 ,35m, 27m	944 m2 ,35m, 27m	
Lot Frontage (min)	15.0 m	(27.1+38')/2 = 32.55 (1)	27.1 m	27.1m	Legal nonconformnig
Gross Floor Area			163 m2	229 m2	
Front Yard Setback (min)	6.0 m (Section 5.1.2.7)	(13.9+13.0³)/2= 13.5m (3)	13.9 m	13.3m	
Rear Yard Setback (min)	20% lot depth = 7.0 m	n/a	8.68	7.5 m	
Exterior West Side Yard Setback (min)	4.5 m	6.0m or (6.6+12.4+15.8+9.5)³/4= 11.1m (4)	6.6 m	1.2 m	X
East Side Yard Setback, 1-2 storeys (min)	1.5 m (Section 5.1.2.8)	n/a	12.4 m	12.4 m	
Lot Coverage/Building Cover (Not present in bylaw)		n/a	116 m2 (12%)	175m2 (18.5%)	
Building Height (max)	3 storeys	n/a	2 storeys	2 storeys	
Accessory Building/Structure Setback (Carport to be removed)	0.6m	n/a	2.5 m	n/a	Legal nonconformnig
Accessory Building/Structure Setback(Existing Frame Shed adjacent to Garage to be removed)	0.6 metres of any lot line (4.5.1.2)	n/a	0.14 m	n/a	Legal nonconformnig
Accessory Building/Structure Setback(Existing Frame Shed at rear of lot to be removed)	0.6 metres of any lot line (4.5.1.2)	n/a	0.5 m	n/a	Legal nonconformnig
Accessory Building/Structure Area (max) (Existing Frame Shed at rear of lot to be removed)	70 m2 in residential zones (4.5.1.4)	n/a	6.37 m2	n/a	
Accessory Building: Coverage (max) (Existing Shed at rear of lot to be removed)	Not more than 30% of the Yard (4.5.5.1)	n/a	0.7%	n/a	
Accessory Building/Structure South Setback (Proposed Shed at rear of lot)	0.6 metres of any lot line (4.5.1.2)	n/a	n/a	0.6m	
Accessory Building/Structure East Setback (Proposed Shed at rear of lot)	0.6 metres of any lot line (4.5.1.2)	n/a	n/a	0.77m	
Accessory Building/Structure Area (max) (Proposed Shed at rear of lot)	70 m2 in residential zones (4.5.1.4)	n/a	n/a	17.8 m2	
Accessory Building: Coverage (max) (Proposed Shed at rear of lot)	Not more than 30% of the Yard (4.5.5.1)	n/a	n/a	1.9%	
Driveway Width	6.5 metres, a surfaced walk within 1.5 metres of foundation wall is permitted if not used for parking (4.13.7.2.1, 4.13.7.2.2)	n/a	7.1 m	7.1 m	Legal nonconformnig
Landscaped open space adjacent to driveway	0.5m	n/a	0 m	0 m	Legal nonconformnig
Uncovered side porch: height	Maximum 1.2 metres above Finished Grade (Section 4: General Provisions)		n/a	1.1 m	
Uncovered side porch: projection	Maximum 3.0 metres (Table 4.7)		n/a	3 m	
Uncovered side porch: Setback from lot line	Minimum 0.8 metre (Table 4.7)		n/a	9.66	
Fences - Height	Front Yard, Side Yard or Exterior Side Yard shall not exceed 1.6 metres in height (Section 4.20.2)		Front Fence 1.5 metres, Rear Fence 1.6 metres	Front Fence 1.5 metres, Rear Fence 1.6 metres	
Fence - location	located in a Front Yard, Side Yard or Exterior Side Yard shall not be within 4 metres (Section 4.20.3)		6.37 m	6.37 m	
Exterior Stairs (Existing Front to remain)	Maximum projection into front yard setback 1.5 metres (Table 4.7)		1.4 m	1.4 m	
Exterior Stairs (Proposed Rear stairs off of deck)	Projection intor rear yard setback		n/a	1.25 m	
Exterior Stairs: Rear Yard Setback (Proposed Basement Walkout at rear)	Projection intor rear yard setback		n/a	1.155 m	
(1) Estimated frontage of adjacent lot					
(2) Floor Area means the total Floor Area of the Building measured from the exterior face of outside walls, or centre line of common walls, including Cellars and Basements with a floor to ceiling height of at least 1.95 metres. Floor Area does not include stairs, landings, cold Cellars, Garages and Carports (Section 4.15.1)					
(3) Estimated front yard setback of adjacent lot					

DRAWING LIST	
SHEET #	SHEET NAME
A000	COVER PAGE & STATISTICS
A001	SITE SURVEY
A100	EXISTING SITE PLAN
A101	PROPOSED SITE PLAN
A200	PROPOSED BASEMENT FLOOR PLAN
A201	PROPOSED GROUND FLOOR PLAN
A202	PROPOSED SECOND FLOOR PLAN
A203	PROPOSED ROOF PLAN
A300	EXISTING NORTH ELEVATION
A301	PROPOSED NORTH ELEVATION
A302	EXISTING WEST ELEVATION
A303	PROPOSED WEST ELEVATION
A304	EXISTING SOUTH ELEVATION
A305	PROPOSED SOUTH ELEVATION
A306	EXISTING EAST ELEVATION
A307	PROPOSED EAST ELEVATION
A400	PROPOSED BASEMENT WALKOUT DETAILS

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ISSUED FOR PPR 11/27/2015
 ISSUED FOR PPR 07/26/2016
 ISSUED FOR C of A 08/05/2016
 RE-ISSUED FOR C of A 09/20/2016



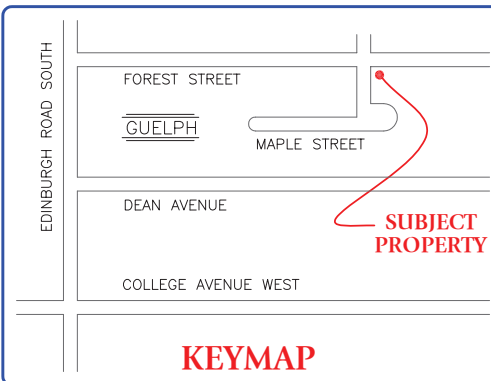
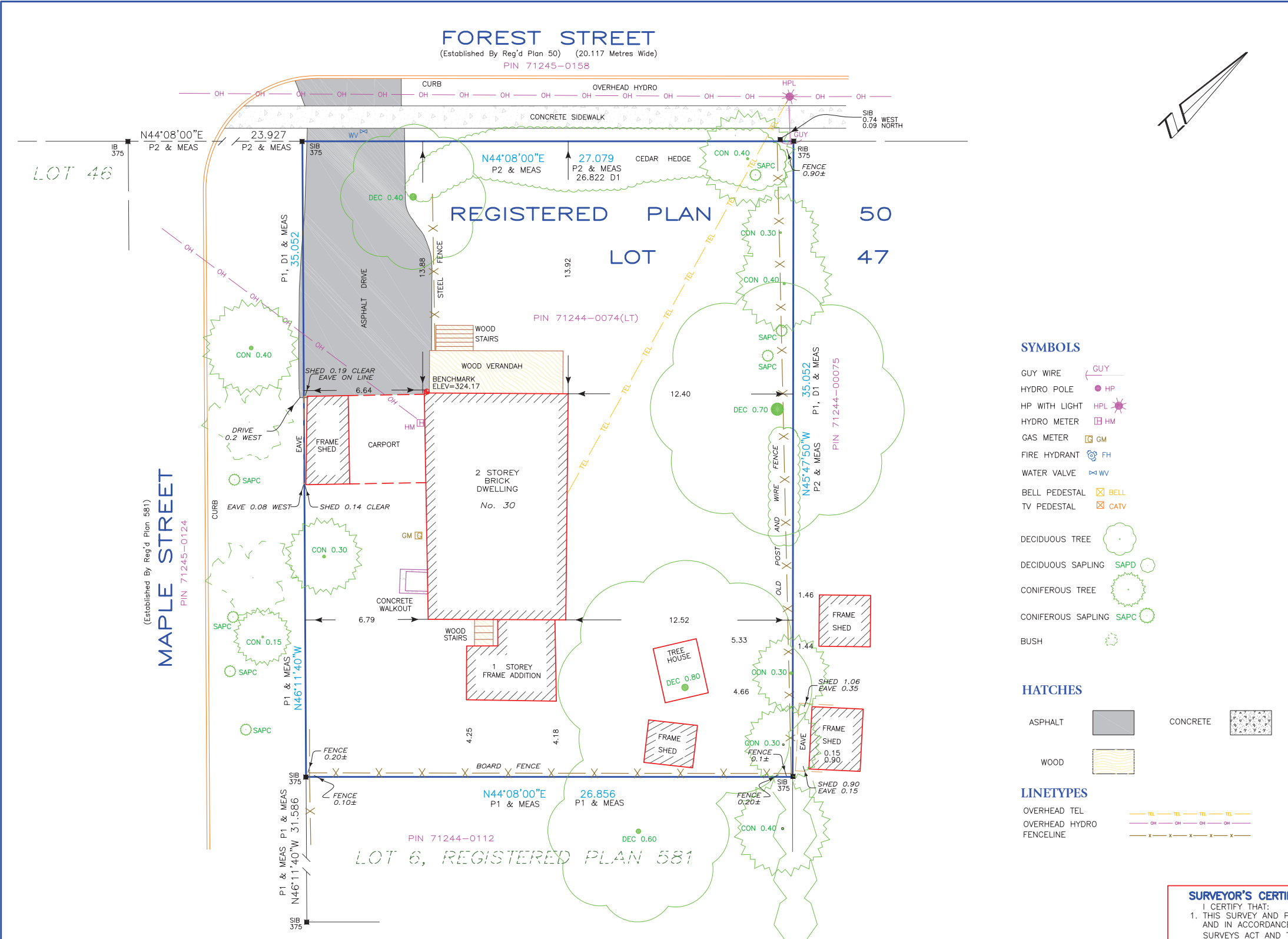
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Project No: 15034
 Scale: NTS
 Date: 04/06/2015
 Drawn by: AC
 Drawing Title

COVER PAGE

Drawing Number

A000



SURVEYOR'S REAL PROPERTY REPORT
PART OF LOT 47
REGISTERED PLAN 50
CITY OF GUELPH
COUNTY OF WELLINGTON

SCALE 1 : 150

VAN HARTEN SURVEYING INC.

SUMMARY REPORT:

CLIENT:
 THIS PLAN WAS PREPARED FOR:
KAM'S GROWERS SUPPLY
 AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

NOTE:
 THIS SURVEY PLAN IS TO BE READ IN CONJUNCTION WITH A WRITTEN SURVEY REPORT DATED MAY 6, 2015

DESCRIPTION OF PROPERTY:
 PIN 71244-0074(LT)
 PART OF LOT 47, REGISTERED PLAN 50
 DESCRIBED IN INSTRUMENT No. MS73445
 30 FOREST STREET
 GUELPH

EASEMENTS: NONE FOUND IN REGISTRY OFFICE

SYMBOLS

- GUY WIRE
- HYDRO POLE
- HP WITH LIGHT
- HYDRO METER
- GAS METER
- FIRE HYDRANT
- WATER VALVE
- BELL PEDESTAL
- TV PEDESTAL

- DECIDUOUS TREE
- DECIDUOUS SAPLING
- CONIFEROUS TREE
- CONIFEROUS SAPLING
- BUSH

HATCHES

- ASPHALT
- CONCRETE
- WOOD

LINETYPES

- OVERHEAD TEL
- OVERHEAD HYDRO
- FENCELINE

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

NOTES:

1. BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17. NAD 83-CSR5 (2010) ADJUSTMENT.
2. DISTANCES SHOWN ON THE PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO UTM GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99960107.

BEARING COMPARISONS:

FOR THE PURPOSES OF BEARING COMPARISONS, PREVIOUS SURVEYS HAVE BEEN ROTATED TO UTM BEARINGS BY THE ANGLES SHOWN BELOW.

PLAN	ROTATION FOR NORTHEAST BEARINGS
P1,P2,P3	-0°29'50"

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
- SSIB DENOTES .025 x .025 x 0.60 SHORT STANDARD IRON BAR
- CC DENOTES CUT CROSS
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
- 375 DENOTES BLACK, SHOEMAKER ET AL, O.L.S.
- P1 DENOTES REGISTERED PLAN 581
- P2 DENOTES SURVEY BY (VH) PROJECT No. 13591-99 DATED: MAY 21, 1999
- P3 DENOTES SURVEY BY (375) PROJECT No. 136-64 DATED: APRIL 23, 1964
- D1 DENOTES INSTRUMENT No. MS73445

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THIS SURVEY WAS COMPLETED ON THE 4th DAY OF MAY, 2015

JAMES M. LAWS
 DATE: MAY 6, 2015

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 1936405

Van Harten
 SURVEYING INC.
 LAND SURVEYORS and ENGINEERS

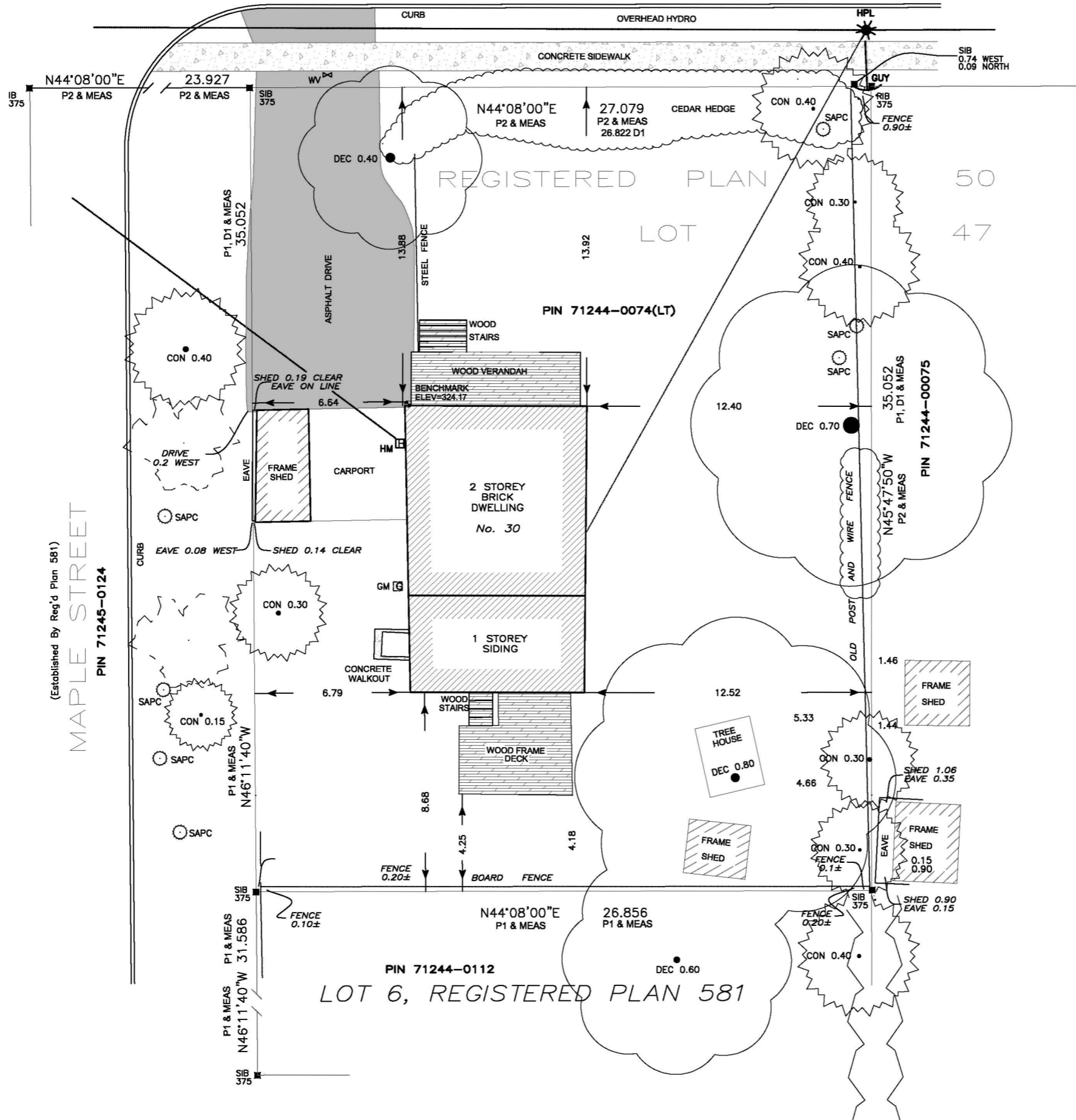
423 WOOLWICH STREET
 GUELPH - ONTARIO, N1H 3X3
 PHONE: 519-821-2763
 FAX: 519-821-2770
 www.vanharten.com

660 RIDDELL ROAD, UNIT 1
 ORANGEVILLE - ONTARIO, L9W 5G5
 PHONE: 519-940-4110
 FAX: 519-940-4113
 www.vanharten.com

DRAWN BY: JAM CHECKED BY: JML PROJECT No. 22748-15
 May 07, 2015-9:00am
 G:\GUELPH\050\ACAD\B PT47 (FOREST 30) UTM 2010.dwg

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
 In accordance with Regulation 1026, Section 29(3).
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FOREST STREET
 (Established By Reg'd Plan 50) (20.117 Metres Wide)
 PIN 71245-0158



GUELPH, ON. N1G 1H8

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ISSUED FOR PPR	07/26/2016
ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016

Project North

Stamp

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Project No: 15034
 Scale: 1:200
 Date: 04/06/2015
 Drawn by: AC
 Drawing Title

EXISTING SITE PLAN

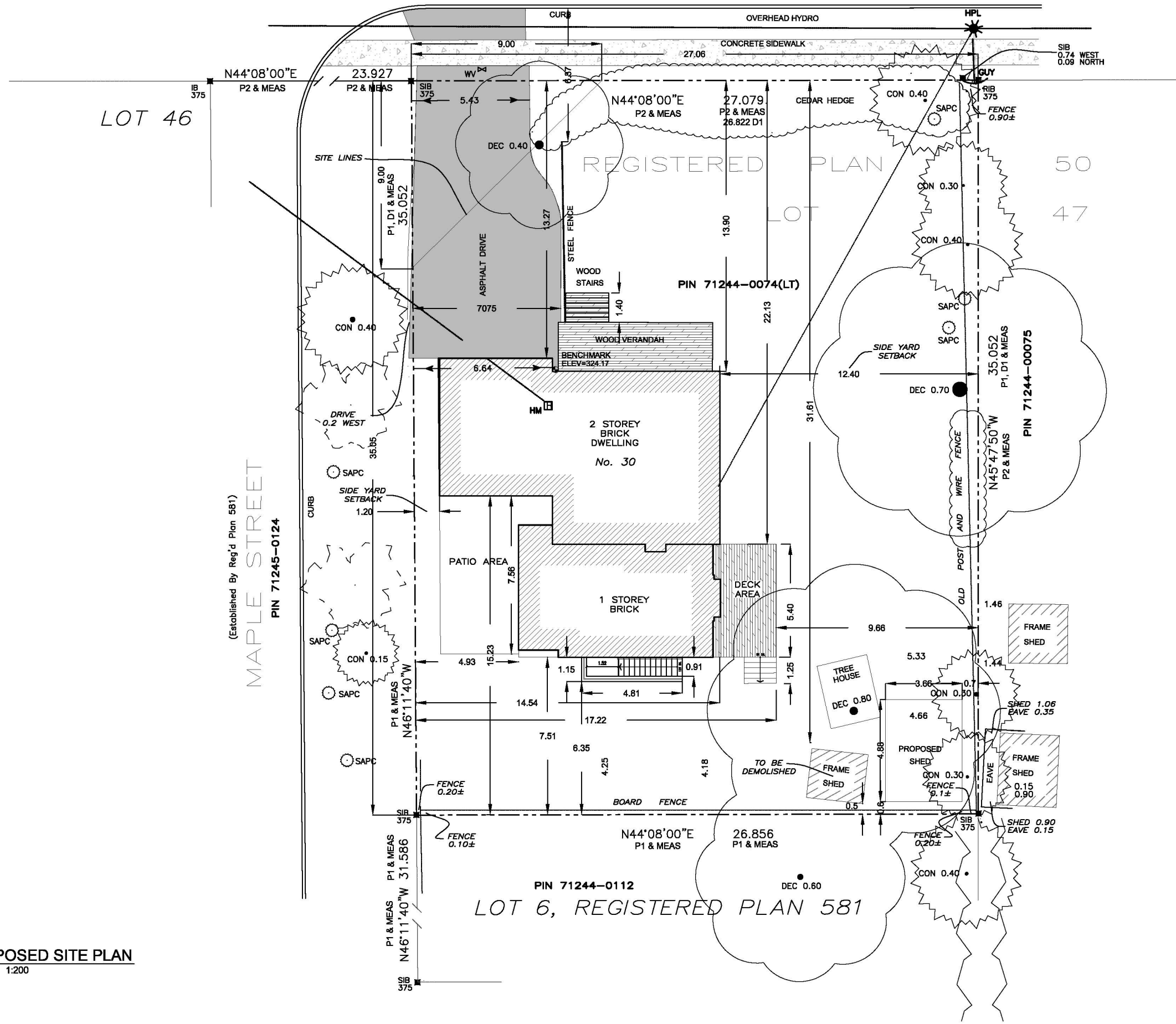
Drawing Number

A100

1 PROPOSED SITE PLAN
 SCALE: 1:200

Information from this Site plan was taken from the Survey Taken By:
 Van Harten Surveying Inc.
 Date: 05/06/2015

FOREST STREET
(Established By Reg'd Plan 50) (20.117 Metres Wide)
PIN 71245-0158



1 PROPOSED SITE PLAN
SCALE: 1:200

Information from this Site plan was taken from the Survey Taken By: Van Harten Surveying Inc.
Date: 05/06/2015

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Project No: 15034
Scale: 1:200
Date: 04/06/2015
Drawn by: AC
Drawing Title

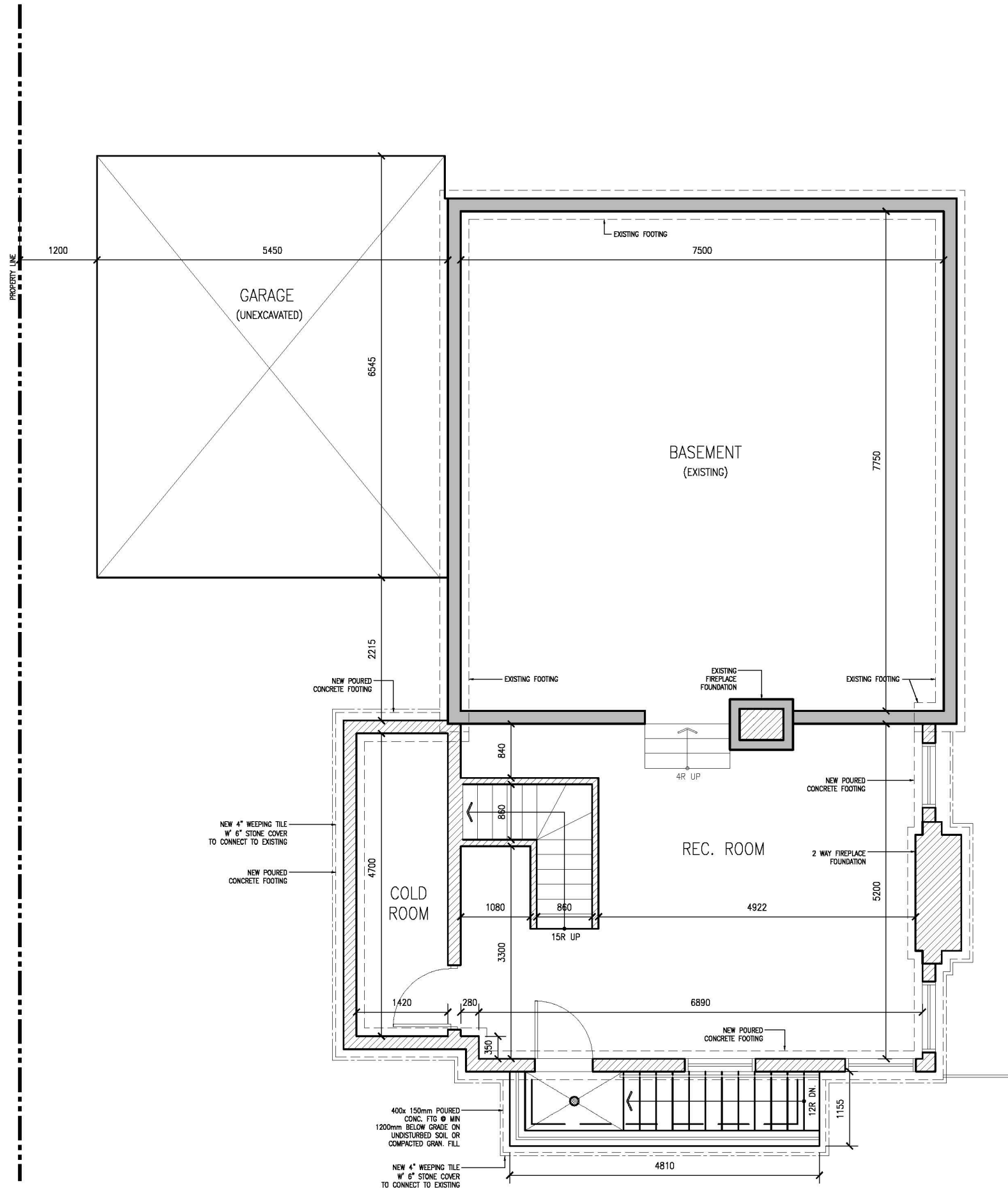
PROPOSED SITE PLAN
Drawing Number
A101

 DENOTES EXISTING CONDITION
 DENOTES PROPOSED WALL

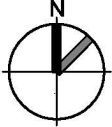

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ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016



1 PROPOSED BASEMENT FLOOR PLAN
SCALE: 1:75

Project North  Stamp 

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Project No: 15034
Scale: 1:75
Date: 04/06/2015
Drawn by: AC/AD

Drawing Title
PROPOSED BASEMENT FLOOR PLAN



Drawing Number
A200

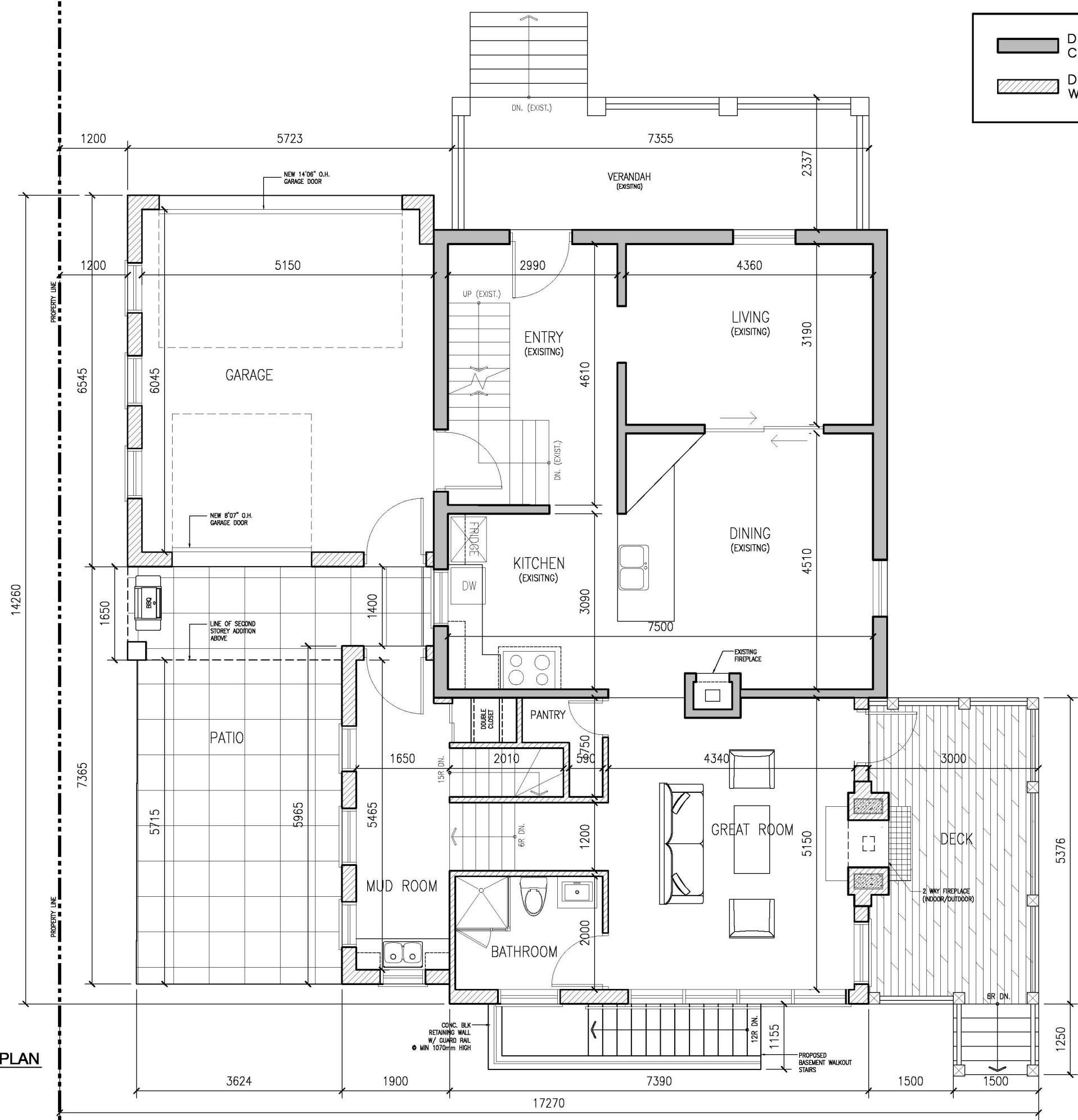
30 FOREST STREET

GUELPH, ON. N1G 1H8

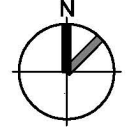

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 DENOTES EXISTING CONDITION
 DENOTES PROPOSED WALL



1 PROPOSED GROUND FLOOR PLAN
SCALE: 1:75

Project North  Stamp 

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Project No:	15034
Scale:	1:75
Date:	04/06/2015
Drawn by:	AC/AD

Drawing Title
PROPOSED GROUND FLOOR PLAN

Drawing Number
A201

30 FOREST STREET

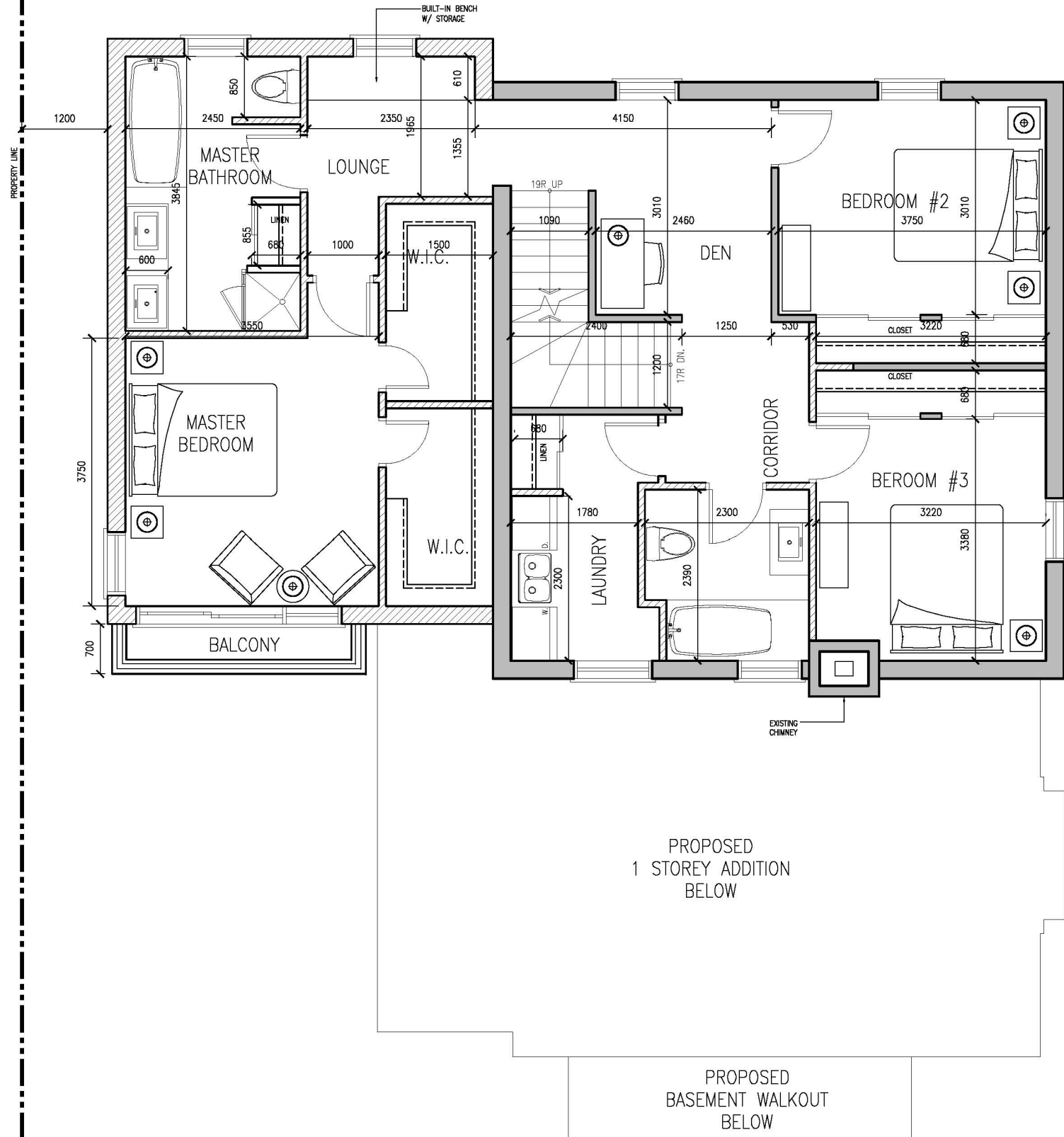
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DENOTES EXISTING CONDITION

DENOTES PROPOSED WALL



1 PROPOSED SECOND FLOOR PLAN
SCALE: 1:75

Project North

Stamp

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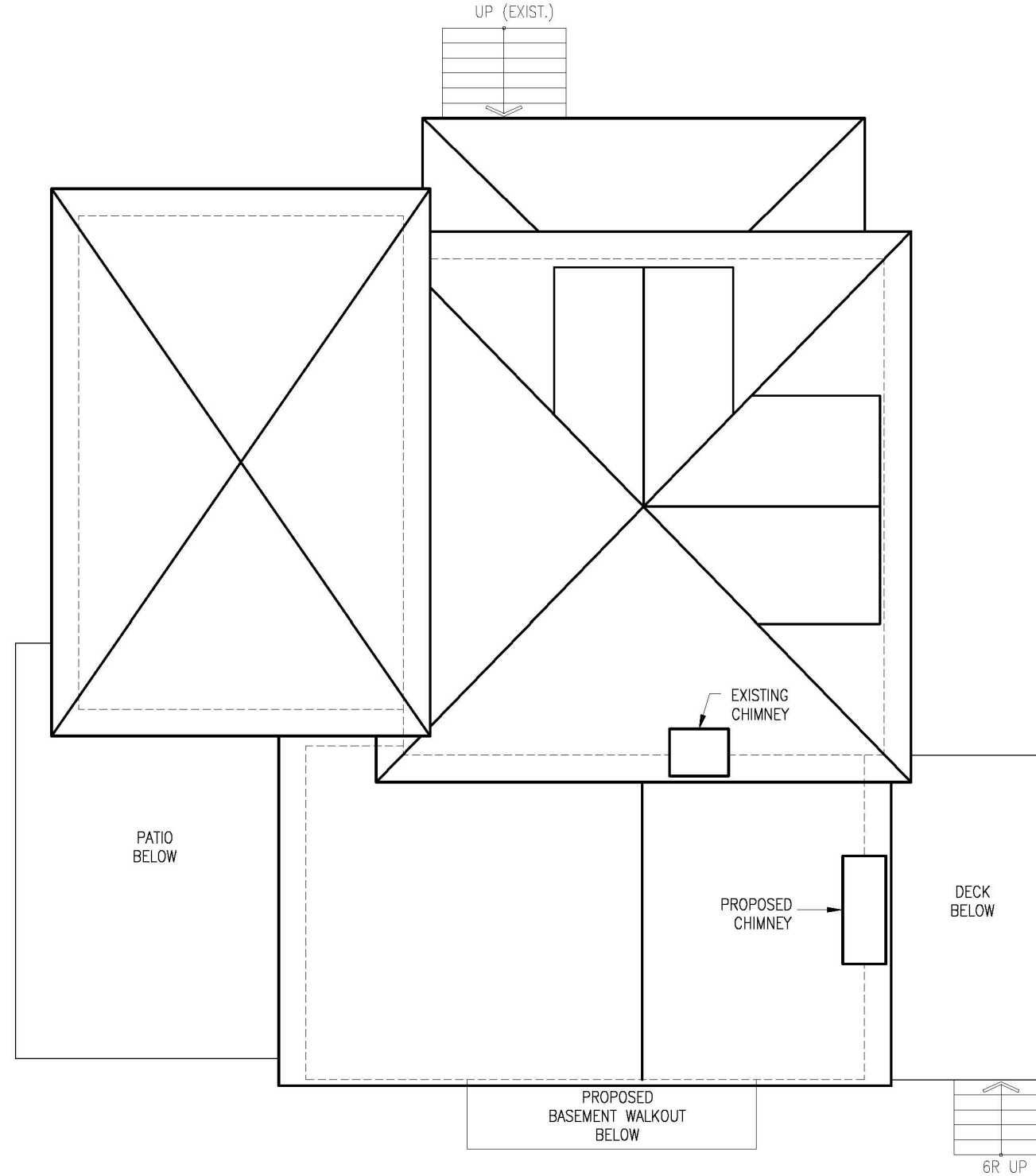
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Date:	04/06/2015
Drawn by:	AC/AD

Drawing Title
PROPOSED SECOND FLOOR PLAN

Drawing Number
A202

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ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016



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Project No:	15034
Scale:	1:100
Date:	04/06/2015
Drawn by:	AC/AD

Drawing Title
**PROPOSED
ROOF PLAN**

Drawing Number
A203

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Project No: 15034

Scale: 1:75

Date: 04/06/2015

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Drawing Title
EXISTING NORTH ELEVATION

Drawing Number
A300

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Project No: 15034

Scale: 1:75

Date: 04/06/2015

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Drawing Title
**PROPOSED NORTH
ELEVATION**

Drawing Number

A301

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Project No: 15034

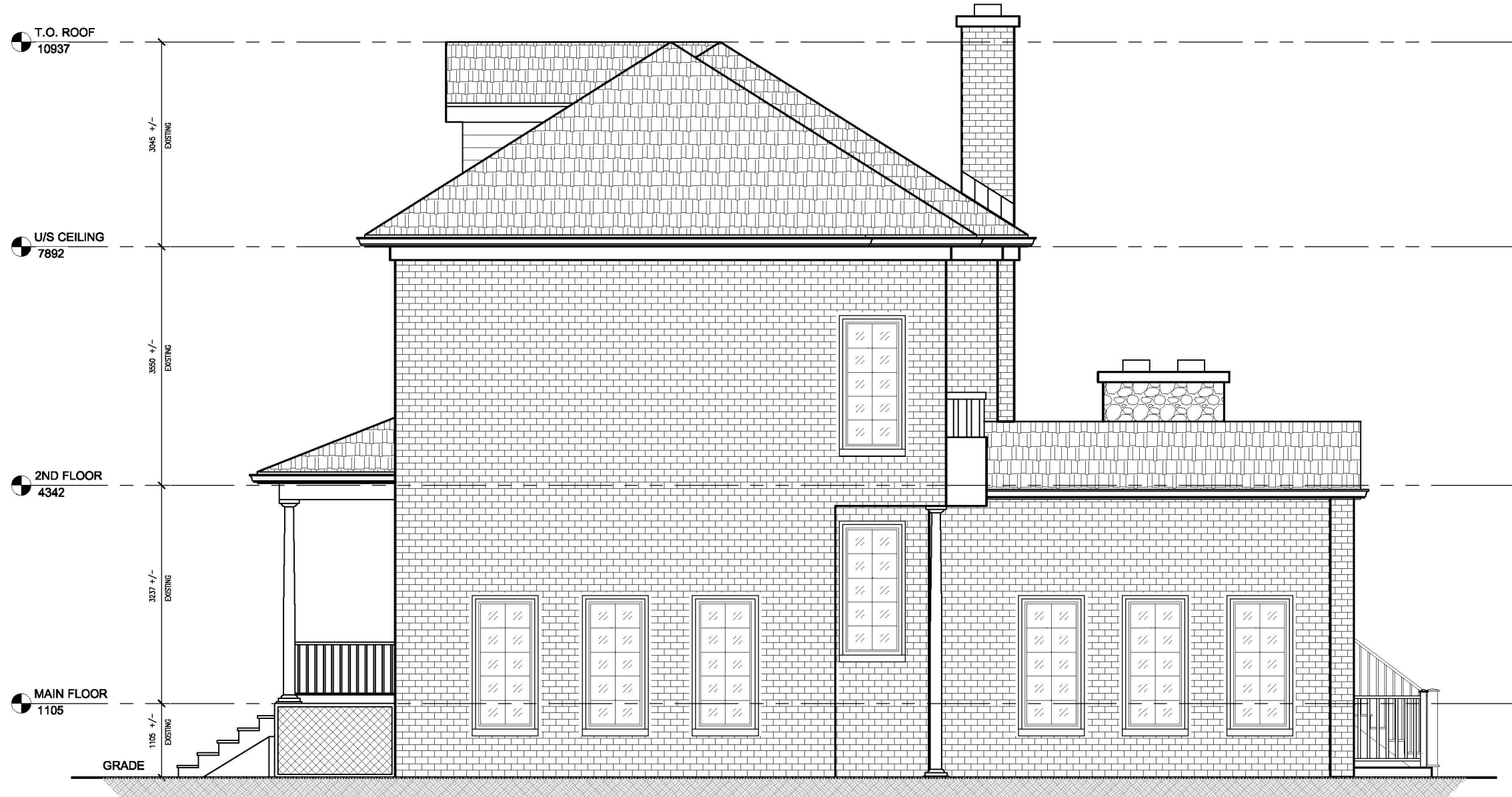
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Date: 04/06/2015

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Drawing Title
EXISTING WEST ELEVATION

Drawing Number
A302



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ISSUED FOR PPR	07/26/2016
ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016

Project North 	Stamp
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Project No: 15034

Scale: 1:75

Date: 04/06/2015

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Drawing Title
PROPOSED WEST ELEVATION

Drawing Number

A303

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1 EXISTING SOUTH ELEVATION
SCALE: 1:75

Project North 	Stamp
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Project No: 15034

Scale: 1:75

Date: 04/06/2015

Drawn by: AC/AD

Drawing Title
EXISTING SOUTH ELEVATION

Drawing Number
A304

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ISSUED FOR C of A	08/05/2016
ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016



Project North

Stamp

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Project No: 15034

Scale: 1:75

Date: 04/06/2015

Drawn by: AC/AD

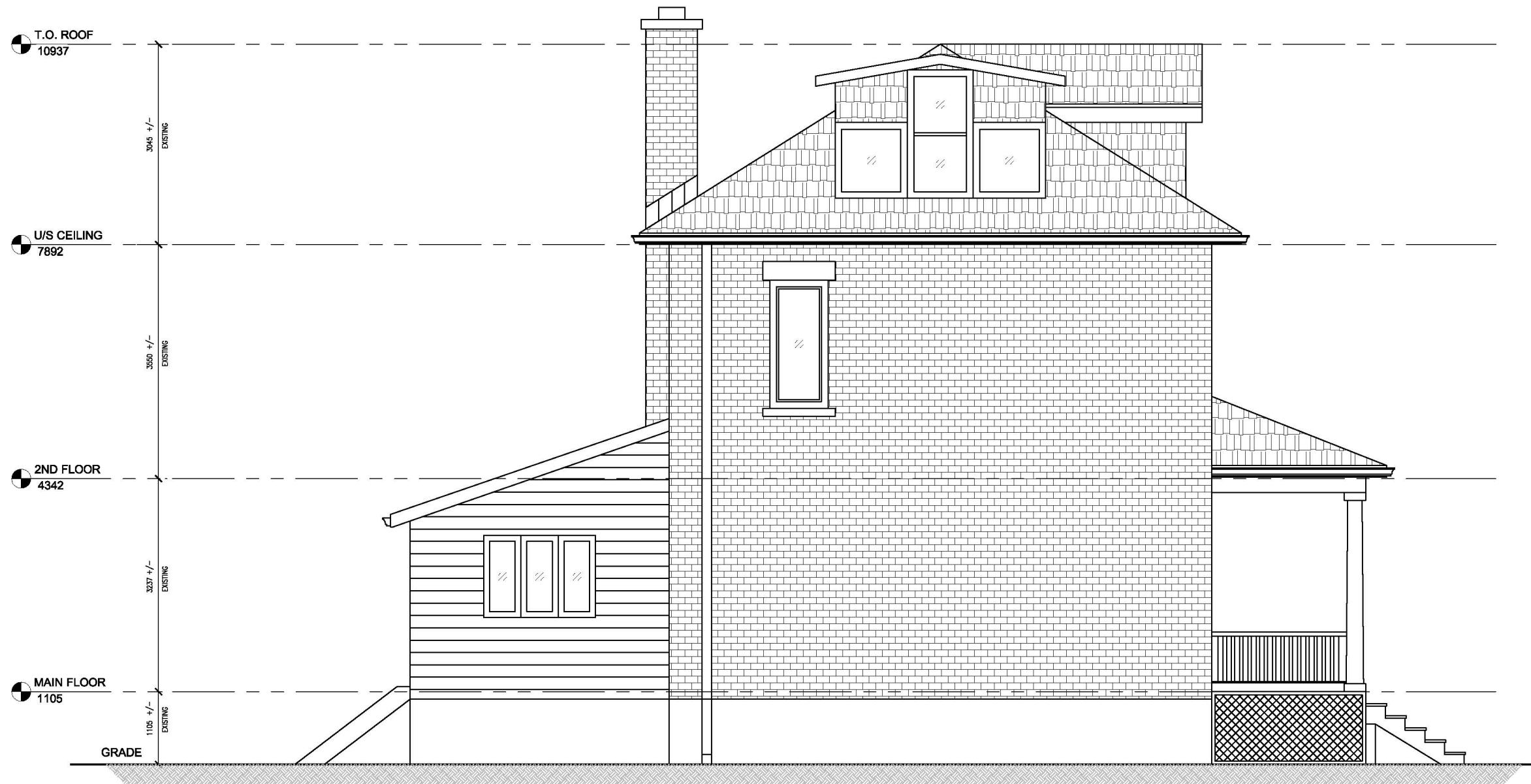
Drawing Title
**PROPOSED SOUTH
ELEVATION**

Drawing Number

A305

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ISSUED FOR PPR	11/27/2015
ISSUED FOR PPR	07/26/2016
ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016



1 EXISTING EAST ELEVATION
SCALE: 1:75

Project North 	Stamp
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Project No:	15034
Scale:	1:75
Date:	04/06/2015
Drawn by:	AC/AD

Drawing Title
EXISTING EAST ELEVATION

Drawing Number
A306

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ISSUED FOR PPR	07/26/2016
ISSUED FOR C of A	08/05/2016
RE-ISSUED FOR C of A	09/20/2016



Project North 	Stamp
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Project No: 15034

Scale: 1:75

Date: 04/06/2015

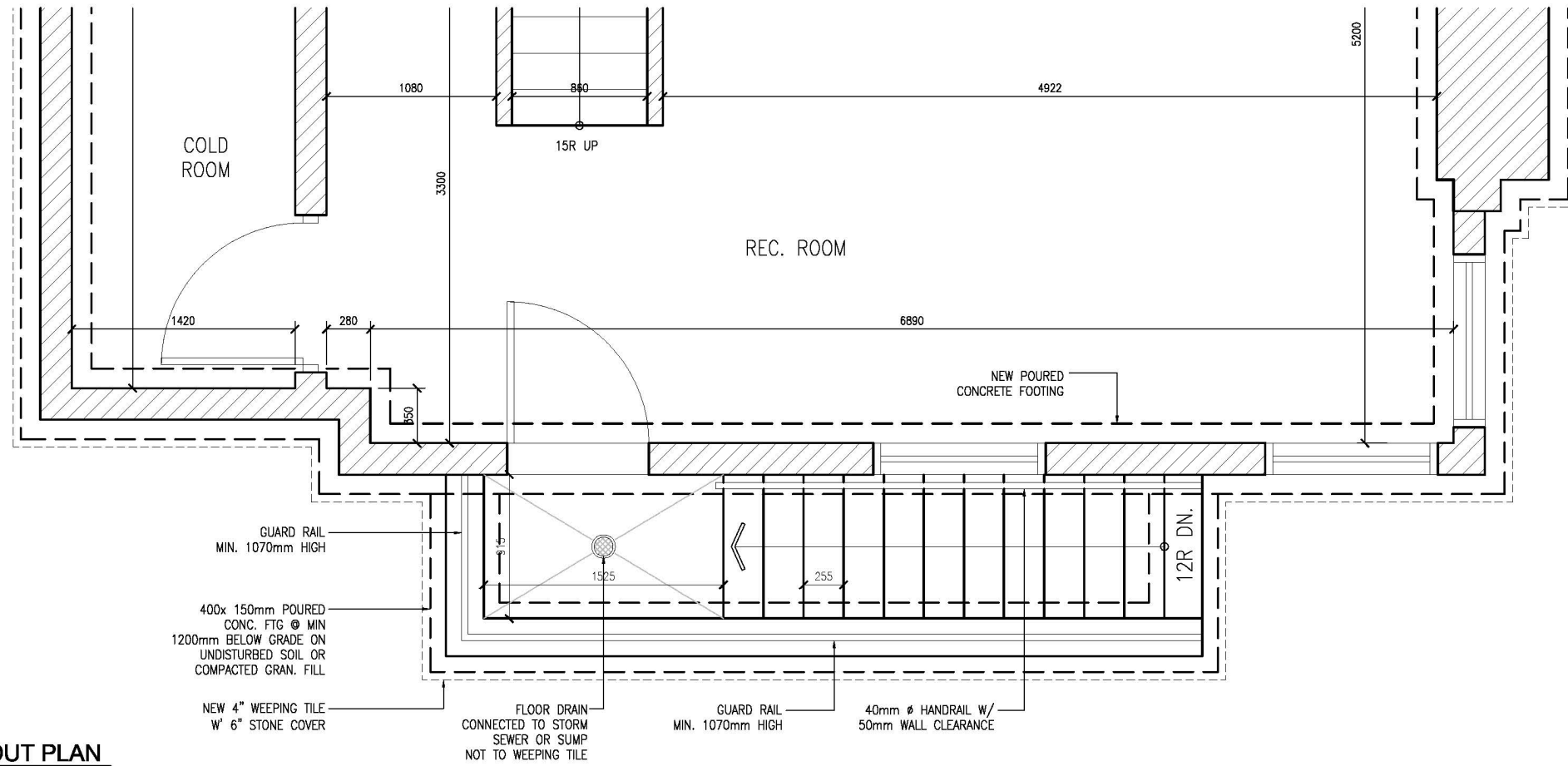
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Drawing Title
**PROPOSED EAST
ELEVATION**

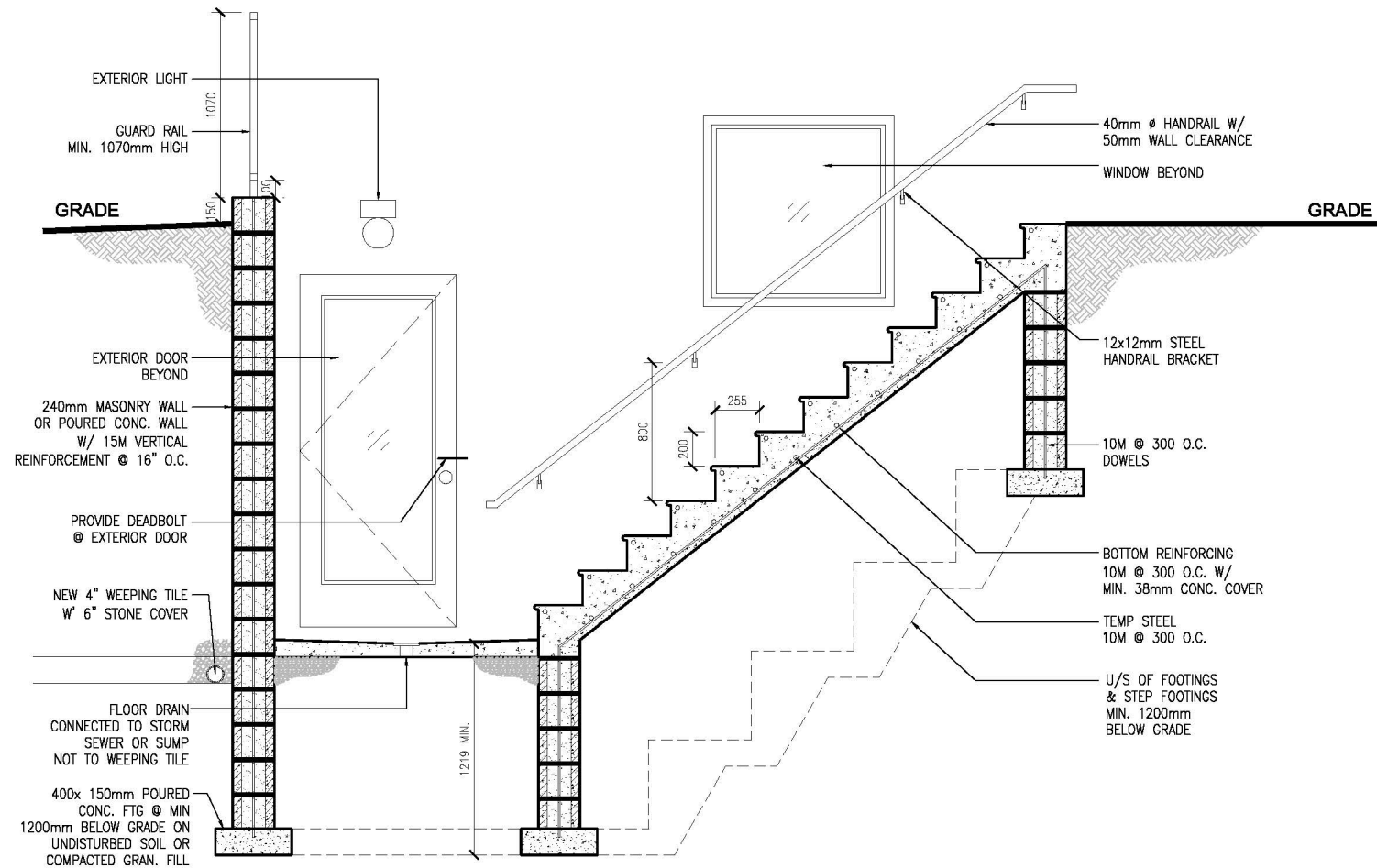
Drawing Number
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ISSUED FOR PPR	07/26/2016
ISSUED FOR C of A	08/05/2016
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1 PROPOSED BASEMENT WALKOUT PLAN
SCALE: 1:40



2 PROPOSED BASEMENT WALKOUT SECTION
SCALE: 1:40

Project North

Stamp

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Project No: 15034

Scale: 1:40

Date: 2016/07/11

Drawn by: AD

Drawing Title
PROPOSED BASEMENT WALKOUT DETAILS

Drawing Number

A400

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 12/16</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>B-22/16</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.

PROPERTY INFORMATION:

Address of Property: 320/322 Eastview Drive, Guelph, ON

Legal description of property (registered plan number and lot number or other legal description):
Block 112, Plan 61M144 as Set Out in PIN 71356-0856 (LT)

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

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No X Yes
If yes, explain: lands and buildings have been mortgaged

OWNER(S) INFORMATION:

Name: 2298907 Ontario Inc.
Mailing Address: 40 Ness Rd
City: Brampton Postal Code: L6Y 5N9
Home Phone: 1-416-937-0270 Work Phone: 1-647-298-9940
Fax: _____ Email: sarbjitbath@gmail.com

AGENT INFORMATION (If Any)

Name: Brian Collier, JACOB ABBOTT
Company: Built By Engineers Construction Inc.
Mailing Address: Unit 8 – 520 Collier MacMillan Drive
City: Cambridge Postal Code: N1R 6R6
Home Phone: _____ Work Phone: 519-620-8886
Fax: 519-620-8885 Email: b.collier@builtbyengineers.com
j.abbott@builtbyengineers.com

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? Neighbourhood Commercial Centre

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? SC.1

Does the proposed plan conform to the existing zoning? YES NO (Parking for retained lands not met)

If No, have you made a concurrent application for Minor Variance?

Yes No FILE No.: _____ Status: Application made Sep 9, 16. No File # yet

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Application pending for parking variance on retained lands</u>

Previous Minor Variance Application

Variance Parking reduction for entire site granted in 2013

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, ~~Brian Collier~~ JACOB ABBOTT, of the _____ City _____ of _____

GUELPH

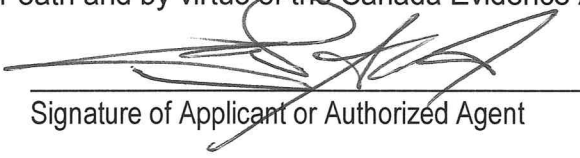
(town, city)

Cambridge

WELLINGTON

Waterloo

in County/Regional Municipality of _____, 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.

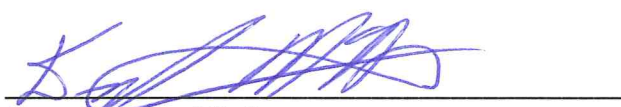


Signature of Applicant or Authorized Agent

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 _____ Guelph _____
_____Cambridge in the County/Regional Municipality of _____
(City or town)
Waterloo Wellington this 9th 12 day of September, 2016.



Commissioner of Oaths

Dylan McMahon
A Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

2298907 Ontario Inc

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

being the registered property owner(s) of

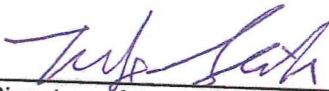
320 / 322 Eastview

(Legal description and/or municipal address)

hereby authorize Brian Collier, JACOB ABBOTT
(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 September 2016.



(Signature of the property owner)

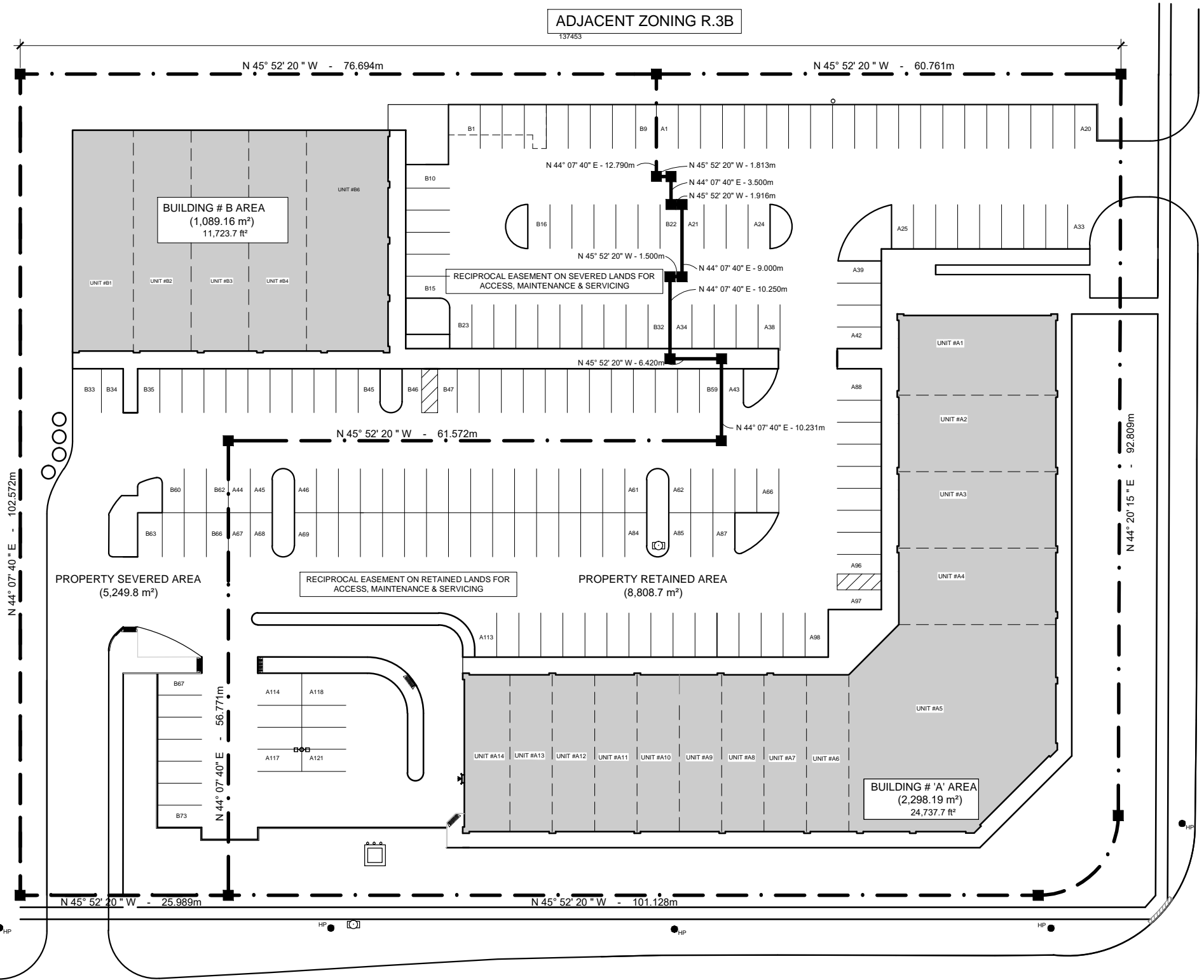
(Signature of the property owner)

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.

PLAN OF SURVEY
 OF
 BLOCK 112, PLAN 61M144
 AS SET OUT IN PIN 71356-0856 (LT)
 IN THE
 CITY OF GUELPH
 REGIONAL MUNICIPALITY OF WATERLOO
 320 EASTVIEW DRIVE

ADJACENT ZONING R.3B



BUILDING 'A' PARKING CALCULATIONS
 GROSS FLOOR AREA: 2,298.19 m²

PARKING REQUIREMENTS
 COMMERCIAL / RETAIL: 2,298.19 m² / 16.5 = 139.3 STALLS
 PARKING PROVIDED = 121 STALLS

BUILDING 'B' PARKING CALCULATIONS
 GROSS FLOOR AREA: 1,089.16 m²

PARKING REQUIREMENTS
 COMMERCIAL / RETAIL: 1,089.16 m² / 16.5 = 66.01 STALLS
 PARKING PROVIDED = 73 STALLS

ADJACENT ZONING P.1

Eastview Rd.

ADJACENT ZONING SC.1

Watson Rd. N.

ADJACENT ZONING UR-5

REVISIONS

REV. #	DATE	DESCRIPTION
1	03-JUN-16	ISSUED FOR APPROVAL
2	07-JUN-16	REVISED FOR APPROVAL
3	27-SEP-16	REVISED FOR APPROVAL AS PER CITY COMMENTS

I have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered in the appropriate classes/categories.

INDIVIDUAL BCIN 21768

FIRM BCIN 34344

PROFESSIONAL STAMP:

PROJECT OWNER:
2298907 Ontario Inc.

PROJECT NAME AND NUMBER:
PROPERTY SEVERANCE

PROJECT ADDRESS:
320 EASTVIEW RD
GUELPH, ON

DRAWING NAME:
SITE PLAN

DRAWN BY:
J. ABBOTT

CHECKED BY:
B. COLLIER

SCALE:
1:600
DATE DRAWN:
MAY 30, 16

DWG. NO.
1A

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. 12/2016</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>A-80/16</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: 320 322 Eastview Rd, Guelph *(retained lands if severance is approved)*

Legal description of property (registered plan number and lot number or other legal description):
Block 112, Plan 61M144 as Set Out in PIN 71356-0856 (LT)

OWNER(S) INFORMATION:

Name: 2298907 Ontario Inc.

Mailing Address: 40 Ness Rd

City: Brampton Postal Code: L6Y 5N9

Home Phone: 1-416-937-0270 Work Phone: 1-647-298-9940

Fax: _____ Email: sarbjitbath@gmail.com

AGENT INFORMATION (If Any)

Company: Built By Engineers Construction Inc

Name: Brian Collier, JACOB ABBOTT

Mailing Address: Unit 8 – 520 Collier MacMillan Drive

City: Cambridge Postal Code: N1R 6R6

Work Phone: 519-620-8886 Mobile Phone: 226-868-7364

Fax: _____ Email: b.collier@builtbyengineers.com
j.abbott@builtbyengineers.com

Official Plan Designation: Neighbourhood Commercial Mall	Current Zoning Designation: SC.1
--	----------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
Reduction in parking from 1 space per 16.5 m ² (140 stalls) to 1 space per 19.2 m ² (120 Stalls)
<i>19m 121 stall/parking spaces</i>

Why is it not possible to comply with the provision of the by-law? (your explanation)
Previous parking reduction granted for identical parking reduction to accommodate drive-through. Building / Site is constructed and
additional areas are not available for parking

PROPERTY INFORMATION			
Date property was purchased:	2012	Date property was first built on:	2013
Date of proposed construction on property:	n/a	Length of time the existing uses of the subject property have continued:	3 years
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Commercial			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Commercial			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <i>92.81m</i>	Depth: <i>101.13m</i>	Area: <i>8,808.7m²</i>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	1 – Single Storey, 1,089.16 m ² , 1- Single Storey, 2,298.2 m ² ; total = 3,387.4 m ²	Gross Floor Area:	n/a
Height of building:	4.1m	Height of building:	
Garage/Carport (if applicable) n/a		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) n/a		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: n/a		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED (SAME)	
Front Yard Setback:	7.715 m / 91.313	Front Yard Setback:	n/a
Exterior Side Yard (corner lots only)	7.75m / 67.772m	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: n/a Right: 7.00m / 29.96m	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	109.524m / 6.542m	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 checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Variance Parking reduction for entire site granted in 2013

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, JACOB ABBOTT, of the City/Town of GUELPH in County/Regional Municipality of WELLINGTON, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.


Signature of Applicant or Authorized Agent

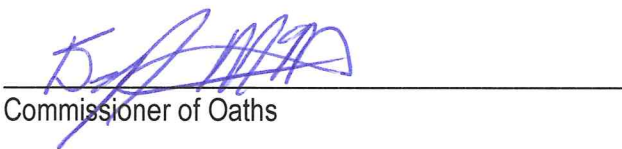
Signature of Applicant or Authorized Agent

NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.

Declared before me at the

City/Town of Guelph in the County/Regional Municipality of

Wellington this 12 day of September, 2016.


Commissioner of Oaths

Dylan McMahon
A Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

2298907 Ontario Inc
[Organization name / property owner's name(s)]

being the registered property owner(s) of

320 / 322 Eastview
(Legal description and/or municipal address)

hereby authorize Brian Collier, JACOB ABBOTT
(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 _____ September _____ 2016 _____.



(Signature of the property owner)

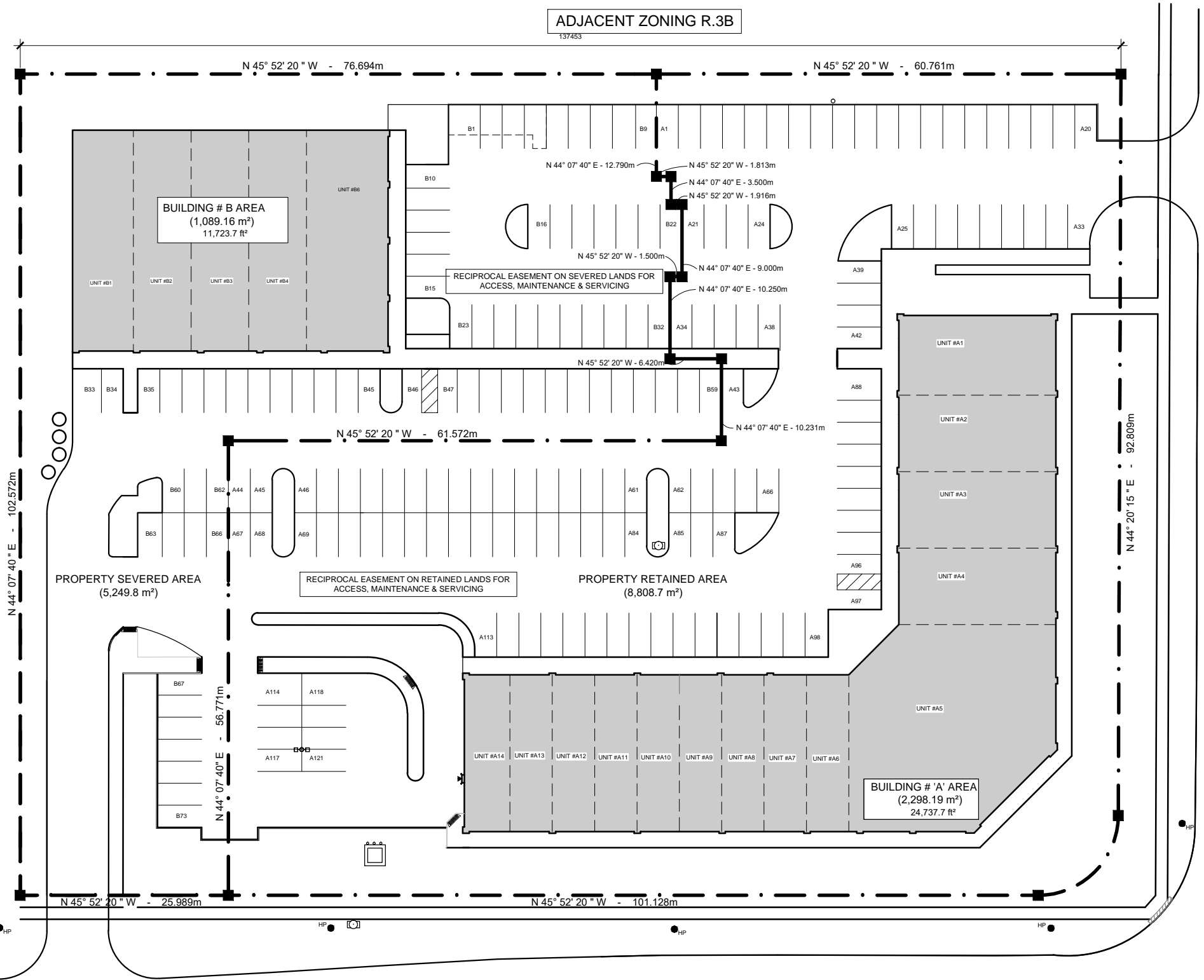
(Signature of the property owner)

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.

PLAN OF SURVEY
 OF
 BLOCK 112, PLAN 61M144
 AS SET OUT IN PIN 71356-0856 (LT)
 IN THE
 CITY OF GUELPH
 REGIONAL MUNICIPALITY OF WATERLOO
 320 EASTVIEW DRIVE

ADJACENT ZONING R.3B



BUILDING 'A' PARKING CALCULATIONS
 GROSS FLOOR AREA: 2,298.19 m²

PARKING REQUIREMENTS
 COMMERCIAL / RETAIL: 2,298.19 m² / 16.5 = 139.3 STALLS
 PARKING PROVIDED = 121 STALLS

BUILDING 'B' PARKING CALCULATIONS
 GROSS FLOOR AREA: 1,089.16 m²

PARKING REQUIREMENTS
 COMMERCIAL / RETAIL: 1,089.16 m² / 16.5 = 66.01 STALLS
 PARKING PROVIDED = 73 STALLS

ADJACENT ZONING P.1

Eastview Rd.

ADJACENT ZONING SC.1

Watson Rd. N.

ADJACENT ZONING UR-5

REVISIONS

REV. #	DATE	DESCRIPTION
1	03-JUN-16	ISSUED FOR APPROVAL
2	07-JUN-16	REVISED FOR APPROVAL
3	27-SEP-16	REVISED FOR APPROVAL AS PER CITY COMMENTS

I have reviewed and taken responsibility for the design activities. I am qualified, and the firm is registered in the appropriate classes/categories.

INDIVIDUAL BCIN 21768

FIRM BCIN 34344

PROFESSIONAL STAMP:

PROJECT OWNER:
2298907 Ontario Inc.

PROJECT NAME AND NUMBER:
PROPERTY SEVERANCE

PROJECT ADDRESS:
320 EASTVIEW RD
GUELPH, ON

DRAWING NAME:
SITE PLAN

DRAWN BY:
J. ABBOTT

CHECKED BY:
B. COLLIER

SCALE:
1:600
DATE DRAWN:
MAY 30, 16

DWG. NO.
1A

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received:	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-70/16

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: 119 NORMA CRES, GUELPH

Legal description of property (registered plan number and lot number or other legal description):
PLAN 61M178 LOT 1

OWNER(S) INFORMATION:

Name: SARAH ABLESON
 Mailing Address: 119 NORMA CRES
 City: GUELPH Postal Code: N1G 0K5
 Home Phone: 519 766-3045 Work Phone: 519-766-3045
 Fax: 519-249-1700 Email: Sarahreid42@hotmail.com

AGENT INFORMATION (If Any)

Company: _____
 Name: GRANT WORTON
 Mailing Address: 4445 Conc 11
 City: MOFFAT Postal Code: LOP 1J0
 Work Phone: 519-223-1037 Mobile Phone: Same
 Fax: 519-249-1700 Email: wortonhomes@gmail.com

Official Plan Designation: <u>General Residential</u>	Current Zoning Designation: <u>R.1D-13</u>
---	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
PROPOSING TO USE THE UNFINISHED STORAGE SPACE BEHIND THE KITCHEN AS A FURNACE/LAUNDRY ROOM FOR ACCESSORY APARTMENT. THE AREA OF THAT ROOM WILL BE ADDED TO THE APARTMENT AREA BECAUSE THE LAUNDRY FACILITIES ARE IN IT, AND THE OVERALL AREA OF THE APARTMENT IS APPROXIMATELY 976 FT² WHICH EXCEEDS THE REQUIRED 861 FT² BY THE ZONING BY-LAW.
~~(90.58m²)~~ (90.67 sq.m)

Why is it not possible to comply with the provision of the by-law? (your explanation)
THE FLOOR PLAN WAS INITIALLY DESIGNED WITH THE LAUNDRY FACILITY IN THE UNFINISHED STORAGE SPACE BEHIND THE KITCHEN AND THIS LAYOUT IS BEST FOR THE OVERALL ACCESSORY APARTMENT.

PROPERTY INFORMATION			
Date property was purchased:	<u>2014</u>	Date property was first built on:	<u>2014</u>
Date of proposed construction on property:	<u>ASAP</u>	Length of time the existing uses of the subject property have continued:	<u>Since Built</u>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): <u>ACCESSORY APARTMENT / UNFINISHED BASEMENT / RESIDENTIAL</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <u>ACCESSORY APARTMENT</u>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)
 Frontage: 11.9 m
 Depth: 39.882
 Area: 474.6 m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	3263 sq ft 303.44M ²	Gross Floor Area:	Same
Height of building:	30ft 9.14 M	Height of building:	Same
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>
Width:	5.74 M	Width:	Same
Length:	6.12 M	Length:	Same
Driveway Width:	6 M	Driveway Width:	Same
Accessory Structures (Shed, Gazebo, Pool, Deck) 17.83M Deck		Accessory Structures (Shed, Gazebo, Pool, Deck) Same	
Describe details, including height:		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	6.5 m M	Front Yard Setback:	Same M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 1.22 M Right: 1.23 M	Side Yard Setback:	Left: Same M Right: Same M
Rear Yard Setback	16.66 M	Rear Yard Setback	Same 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, SARAH ABLESON, of the City/Town of

GUELPH in County/Regional Municipality of _____, 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.

Sarah Ableson
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 13th day of September, 2016.

[Signature]
Commissioner of Oaths

(official stamp of Commissioner of Oaths)

A Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.

APPOINTMENT AND AUTHORIZATION

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

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

of 119 NORMA CRES, GUELPH
 (Legal description and/or municipal address)

hereby authorize Grant Warner
 (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 12th day of SEPTEMBER 2016.

Sarah Ableson
 (Signature of the property owner)

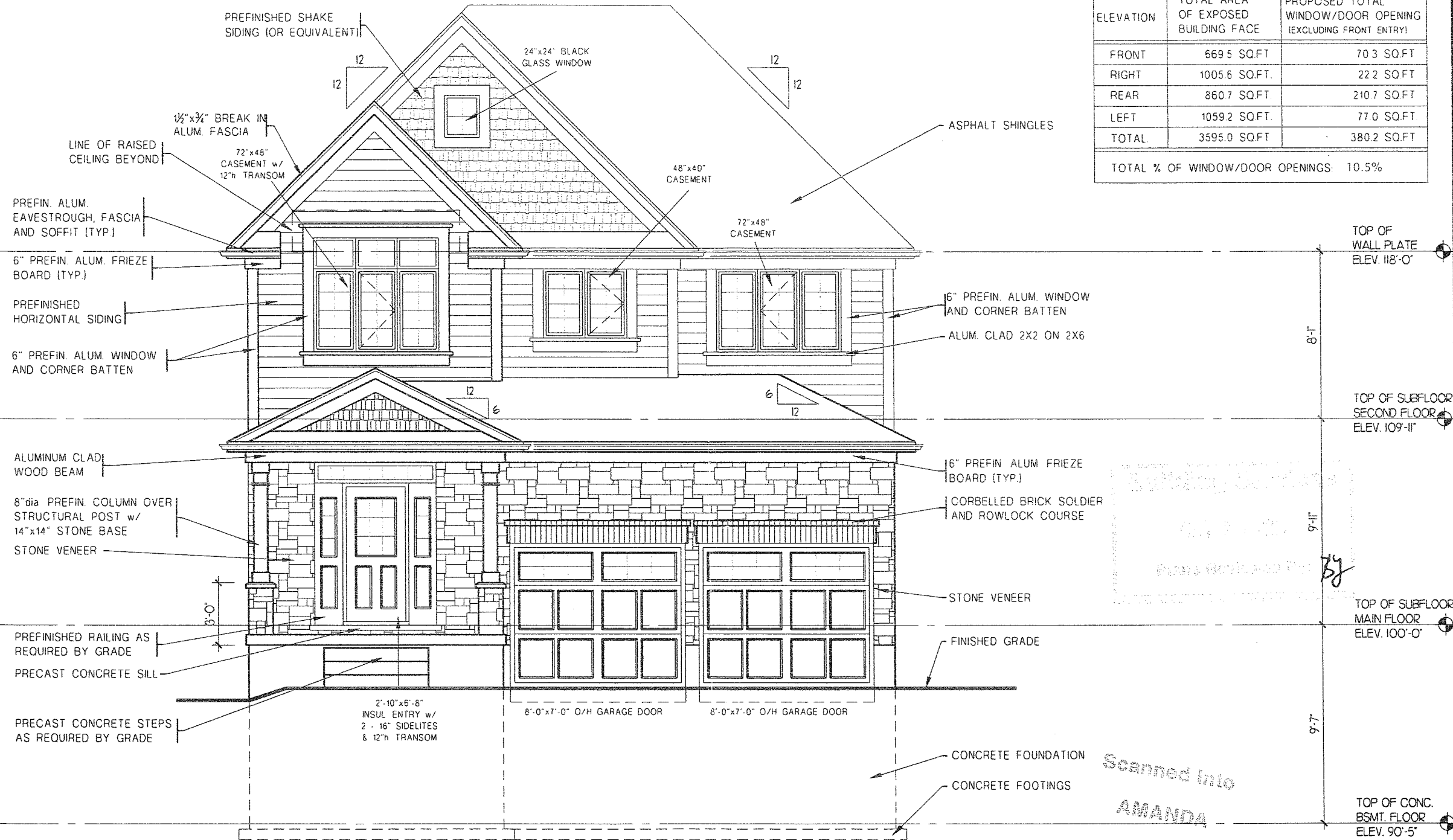
 (Signature of the property owner)

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.

FOLDER: LOT 1, NORMA, REID'S

FILE: Elevations.dwg



REFER TO SPECIAL CONDITIONS FOR ADDITIONAL REQUIREMENTS

NOTE WINDOW SIZES SHOWN ARE APPROXIMATE. EXACT ROUGH OPENINGS TO BE DETERMINED BY WINDOW MANUFACTURERS SPECIFICATIONS.

NOTE: PROVIDE GUARDS (CONFORMING TO DIVISION B, PART 9.8.8 OF THE 2012 ONTARIO BUILDING CODE AND SB-7 TYPE GUARDS FOR HOUSING AND SMALL BUILDINGS) AT PORCH WHERE DISTANCE FROM PORCH TO GRADE IS 2'-0" OR GREATER

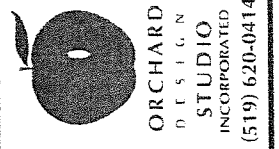
NOTE WHERE PATIO/TERRACE DOOR THRESHOLD IS GREATER THAN 2'-0" ABOVE FINISHED GRADE, PROVIDE SB-7 GUARD OR PROVIDE BLOCKING TO PREVENT DOOR FROM OPENING MORE THAN 4".

NOTE: FOR WALK-OUT & PART WALK-OUT LOTS STEP CONC. FOUNDATION AS REQ'D FOR PROPOSED GRADES ENSURING A MAX OF 4'-0" OF LATERALLY UNSUPPORTED WALL

COMPLIANCE PACKAGE J
IN ACCORDANCE WITH SB-12 TABLE 2.11.2.A OF THE 2006 ONTARIO BUILDING CODE

ELEVATION	TOTAL AREA OF EXPOSED BUILDING FACE	PROPOSED TOTAL WINDOW/DOOR OPENING (EXCLUDING FRONT ENTRY)
FRONT	669.5 SQ.FT	70.3 SQ.FT
RIGHT	1005.6 SQ.FT.	22.2 SQ.FT
REAR	860.7 SQ.FT	210.7 SQ.FT
LEFT	1059.2 SQ.FT.	77.0 SQ.FT
TOTAL	3595.0 SQ.FT	380.2 SQ.FT

TOTAL % OF WINDOW/DOOR OPENINGS 10.5%



I, Amanda Reid, take responsibility for the design work on behalf of our firm Orchard Design Studio Incorporated registered under Division C, Part 3 (3.2.4) of the Building Code 1. am qualified, and the firm is registered, in the appropriate classes/categories. Firm BCIN: 28615 Individual BCIN: 24208

Amanda Reid
Signed.

STATUS: BUILDING PERMIT
PLOTTED: 10/14/2014 10:55 AM
SCALE: 3/16" = 1'-0"
DWN BY: JAC
DATE: SEPTEMBER 2014
REV: 2014-10-14 - JAC

PROJECT
CUSTOM SANFIELD
LOT 1 NORMA
GUELPH, ONTARIO

TITLE
FRONT ELEVATION

SHEET No.
01 OF **16**

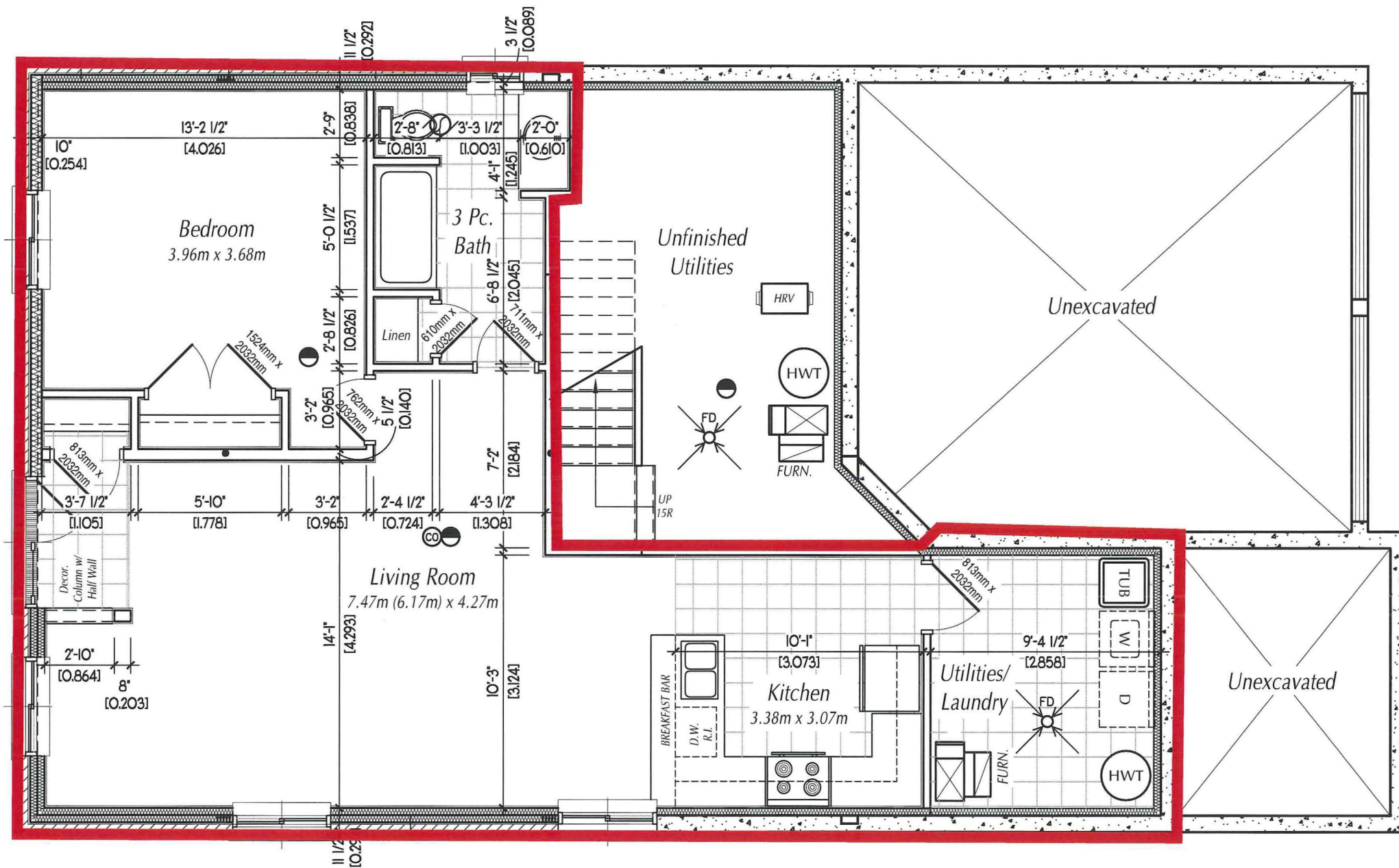
Scanned into AMANDA

DRAWINGS ARE NOT TO BE SCATTERED. REPORT ANY DISCREPANCIES TO ORCHARD DESIGN BEFORE PROCEEDING WITH THE WORK

FINISHED BASEMENT AREA: 90.67sq.m (976 sq.ft.)



I, Carrie McMillan, review and take responsibility for the design work on behalf of our firm Orchard Design Studio Incorporated registered under Division C, Part 3 (3.2.4) of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.
 Firm BCIN: 28615
 Individual BCIN: 32875
 Signed: *Carrie McMillan*



FOLDER: LOT 1 NORMA, REID'S

FILE: 2014-10-08 - Floorplans.dwg

M-E LEGEND

- SMOKE DETECTOR
- C.O. DETECTOR
- CEILING MOUNTED EXHAUST FAN (ALL BATHROOMS AND WATER CLOSET ROOMS TO BE MECHANICALLY VENTED)
 NOTE: VENTILATION TO BE DETERMINED IN CONFORMITY TO O.B.C. (932) BY MECHANICAL CONTRACTOR

TYPICAL EXTERIOR WALL:

- 12.7mm (1/2") DRYWALL
- 6 MIL. POLY VAPOUR BARRIER
- 38mm x 140mm (2"x6") WOOD STUDS
- 406mm (16") o.c.
- R20 BATT INSULATION
- 203mm (8") EXISTING FOUNDATION WALL

TYPICAL INTERIOR WALL:

- 12.7mm (1/2") DRYWALL
- 38mm x 89mm (2"x4") or 38mm x 140mm (2"x6") WOOD STUDS (AS NOTED) 406mm (16") o.c.
- 12.7mm (1/2") DRYWALL

NOTES:

1. PROVIDE MINIMUM 1955mm (6'-5") HEADROOM BELOW BEAMS/DUCTS AND OVER STAIRS AND LANDINGS. MINIMUM 2108mm (6'-11") IN ALL OTHER AREAS.
2. PROVIDE A 3-WAY SWITCH AT THE TOP AND BOTTOM OF STAIRS
3. ALL LIGHTING AND ELECTRICAL TO COMPLY WITH O.B.C. 9.34
4. UNDERCUT ALL DOORS 19.05mm (3/4") TO ROOMS WITHOUT RETURN AIR
5. PROVIDE MINIMUM 1 FORCED AIR SUPPLY OUTLET PER ROOM. EXTEND ALL SUPPLY AIR DUCTWORK TO FLOOR LEVEL TO PROVIDE LOW WALL AIR SUPPLY AND TO BATH EXTERIOR WALLS.
6. FLOOR LEVELS CONTAINING BEDROOMS TO HAVE ONE OPERABLE WINDOW WITH AN MINIMUM UNOBSTRUCTED AREA OF 0.35m (3.8sq.ft.) AND NO DIMENSION LESS THAN 381mm (15"). REMOVING PORTION OF SLIDER WINDOW IS NOT ACCEPTABLE.
7. ALL WOOD IN CONTACT WITH CONCRETE TO BE PROTECTED FROM MOISTURE.
8. SMOKE ALARMS REQUIRED ON EACH FLOOR ARE TO BE INTERCONNECTED AND HARDWIRED.
9. PROVIDE MINIMUM 50cfm EXHAUST FAN VENTED TO THE EXTERIOR IN ALL BATHROOMS.
10. SIDES OF STAIR AND LANDING TO BE ENCLOSED BY WALLS OR BE PROTECTED BY GUARDS CONFORMING TO SB-7
11. CARBON MONOXIDE DETECTORS TO BE HARDWIRED AND INSTALLED ADJACENT TO BEDROOMS.
12. WALL AND CEILING FINISHES = BATT INSULATION FOR SOUND AND 12.7mm (1/2") DRYWALL
13. INSULATION IS REQUIRED BETWEEN THE FLOOR JOISTS ABOVE WALLS SEPARATING FINISHED AND UNFINISHED PORTIONS OF THE BASEMENT.

STATUS: BUILDING PERMIT
PLOTTED: 03/08/2016 3:10 PM
SCALE: 3/16" = 1'-0"
DWN BY: C/JCM
DATE: JUNE 2016
REV: 09/13/16 CRW
AUGUST 3/18 CM
08/30/16 CRW

CUSTOM SANFIELD
LOT 1 NORMA
 GUELPH, ONTARIO
BASEMENT ACCESSORY
APARTMENT PLAN

PROJECT SHEET No. **1** OF **1**

DRAWINGS ARE NOT TO BE SCALED. REPORT ANY DISCREPANCIES TO ORCHARD DESIGN BEFORE PROCEEDING WITH THE WORK.

MAIN FLOOR AREA - 1217 sq.ft.
 GARAGE FLOOR AREA - 392 sq.ft.
 PORCH AREA - 108 sq.ft.
 TOT. BLDG COVERAGE - 1717 sq.ft.



I, Agnieszka, hereby review and take responsibility for the design work on behalf of our firm Orchard Design Studio Incorporated registered under Division C, Part 3 (3.2.4) of the Building Code 1 am qualified, and the firm is registered, in the appropriate classes/categories. Firm BCIN: 28615 Individual BCIN: 24208
 Signed: *[Signature]*

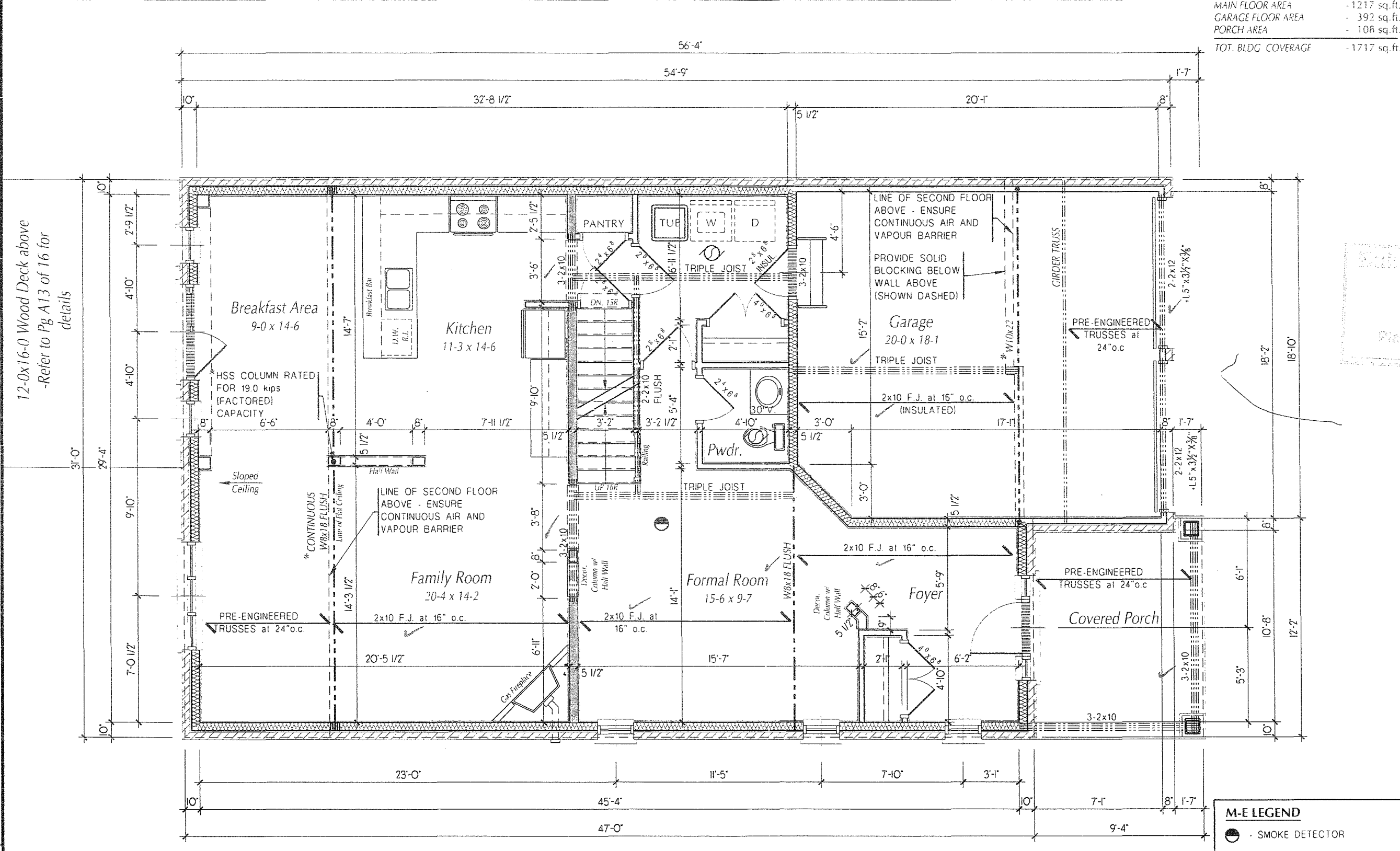
DATE: 10/14/2014
 DRAWN BY: JAC
 DATE: SEPTEMBER 2014

STATUS: BUILDING PERMIT
 PLOTTED: 10/14/2014 10:54 AM
 SCALE: 3/16" = 1'-0"
 DWN BY: JAC
 DATE: SEPTEMBER 2014

CUSTOM SANFIELD
LOT 1 NORMA
 GUELPH, ONTARIO
MAIN FLOOR PLAN

PROJECT SHEET No. **04** OF **16**

DRAWINGS ARE NOT TO BE SCALED. REPORT ANY DISCREPANCIES TO ORCHARD DESIGN BEFORE PROCEEDING WITH THE WORK.



FRAMING NOTES:
 ALL INTERIOR STUD WALLS TO BE 2x4, UNO.
 PROVIDE DOUBLE JOIST FRAMING UNDER ALL PARALLEL WALLS ABOVE
 ALL LINTELS AND BEAMS TO BE DROPPED UNLESS NOTED OTHERWISE

PROVIDE BUILT-UP WOOD STUD POST EQUAL TO STUD DEPTH x WIDTH OF BEAM, AT BOTH ENDS OF STEEL or WOOD BEAMS UNLESS NOTED OTHERWISE
LINTEL NOTE:
 PROVIDE 2-2x8 + L3 1/2" x 3 1/2" x 4" ABOVE ALL MAIN FLOOR EXTERIOR DOORS AND WINDOWS, UNO

INTERIOR GARAGE DOOR NOTE:
 ENSURE GARAGE DOOR TO DWELLING UNIT IS GAS PROOFED AND HAS A SELF CLOSURE
HANDRAIL NOTE:
 PROVIDE CONTINUOUS HANDRAIL THROUGHOUT THE LENGTH OF STAIR AS PER 9.8.7.2 OF THE O.B.C 2012

NOTE:
 STRUCTURAL MEMBERS NOTED WITH AN * HAVE BEEN ENGINEERED BY CENTRIC ENGINEERING. REFER TO LETTER PROVIDED

NOTE RE SPECIFICATIONS:
 FOR STANDARD FOUNDATION AND FRAMING NOTES, CODE REQUIREMENTS AND TYPICAL CONSTRUCTION ASSEMBLIES REFER TO SHEETS AT END OF PACKAGE

- M-E LEGEND**
- - SMOKE DETECTOR
 - ⊙ - C.O DETECTOR
 - ⊙ - CEILING MOUNTED EXHAUST FAN (ALL BATHROOMS AND WATER CLOSET ROOMS TO BE MECHANICALLY VENTED) NOTE VENTILATION TO BE DETERMINED IN CONFORMITY TO O.B.C 1932) BY MECHANICAL CONTRACTOR

12-0x16-0 Wood Deck above
 -Refer to Pg A13 of 16 for details

SUBMIT ENGINEER'S STAMPED DRAWINGS OF ROOF TRUSS SYSTEM INCLUDING TRUSS LAYOUT TO BUILDING INSPECTOR AT TIME OF INSPECTION

MAIN FLOOR AREA - 1217 sq.ft.
 SECOND FLOOR AREA - 1194 sq.ft.
 TOTAL FINISHED AREA - 2411 sq.ft.



I, Jamil M. Camargo, review and take responsibility for the design of this drawing for the firm Orchard Design Studio Incorporated, registered under Division C, Part 3 (3.2.4) of the Building Code, 1 am qualified, and the firm is registered, in the appropriate classes/categories. Firm BCIN: 28615 Individual BCIN: 24208
 Signed: J. Camargo

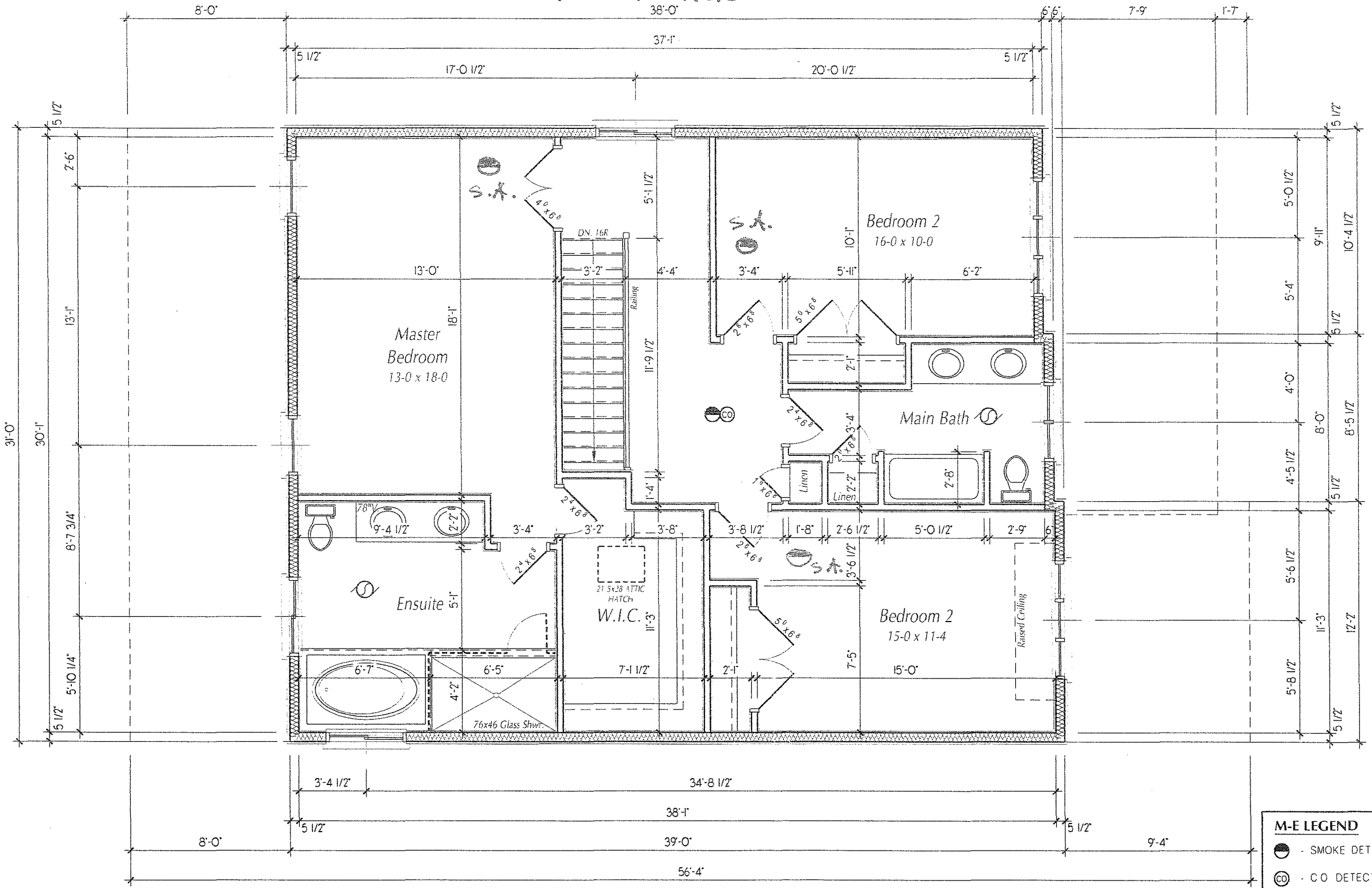
DATE: 10/14/2014
 TIME: 10:54 AM
 SCALE: 3/16" = 1'-0"
 DWN BY: JAC
 DATE: SEPTEMBER 2014
 REV.

STATUS: BUILDING PERMIT
 PLOTTED: 10/14/2014 10:54 AM
 SCALE: 3/16" = 1'-0"
 DWN BY: JAC
 DATE: SEPTEMBER 2014
 REV.

CUSTOM SANFIELD
LOT 1 NORMA
 GUELPH, ONTARIO

SECOND FLOOR PLAN

PROJECT SHEET No. **05** OF **16**



FOLDER: LOT 1 NORMA, REID'S

FILE: 2014-10-08 - Floorplans.dwg

FRAMING NOTES:

ALL INTERIOR STUD WALLS TO BE 2x4, U.N.O
 PROVIDE DOUBLE JOIST FRAMING UNDER ALL PARALLEL WALLS ABOVE
 ALL LINTELS AND BEAMS TO BE DROPPED UNLESS NOTED OTHERWISE

PROVIDE BUILT-UP WOOD STUD POST EQUAL TO STUD DEPTH x WIDTH OF BEAM, AT BOTH ENDS OF STEEL OR WOOD BEAMS UNLESS NOTED OTHERWISE.
LINTEL NOTE:
 PROVIDE 2.2x10 ABOVE ALL SECOND FLOOR EXTERIOR WINDOWS, U.N.O

HANDRAIL NOTE:

PROVIDE CONTINUOUS HANDRAIL THROUGHOUT THE LENGTH OF STAIR AS PER 98.72 OF THE OBC 2012

MAIN BATH NOTE:

REINFORCE STUDS IN MAIN BATH FOR FUTURE INSTALLATION OF GRAB BARS ADJACENT TO TUB AND WATER CLOSET AS PER O.B.C DIV. B, PART 9, 9.5.2.3

NOTE RE SPECIFICATIONS:

FOR STANDARD FOUNDATION AND FRAMING NOTES, CODE REQUIREMENTS AND TYPICAL CONSTRUCTION ASSEMBLIES REFER TO SHEETS AT END OF PACKAGE

M-E LEGEND

- SMOKE DETECTOR
- CO DETECTOR
- CEILING MOUNTED EXHAUST FAN (ALL BATHROOMS AND WATER CLOSET ROOMS TO BE MECHANICALLY VENTED) NOTE VENTILATION TO BE DETERMINED IN CONFORMITY TO OBC (932) BY MECHANICAL CONTRACTOR

DRAWINGS ARE NOT TO BE SCALED. REPORT ANY DISCREPANCIES TO ORCHARD DESIGN BEFORE PROCEEDING WITH THE WORK.

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 13, 2016</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>A-71/16</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: 11 Cityview Drive South

Legal description of property (registered plan number and lot number or other legal description):
Part of Lot 35, Registered Plan 53 (Division 'C' - Geographic Township of Guelph)

OWNER(S) INFORMATION:

Name: Habitat for Humanity Wellington Dufferin Guelph

Mailing Address: _____

City: 104 Dawson Road, Unit 300 Postal Code: N1H 1A6

Home Phone: _____ Work Phone: (519) 767-9752 x33

Fax: 519-767-9096 Email: jeff@habitatwdg.ca

AGENT INFORMATION (If Any)

Company: James Fryett Architect Inc.

Name: ~~Carolyn Bilson~~ Jeffrey G. Born

Mailing Address: 115 Metcalfe Street

City: Elora Postal Code: N0B 1S0

Work Phone: 519-846-2201x232 Mobile Phone: _____

Fax: 519-846-0343 Email: carolyn@fryettarchitect.com

Official Plan Designation: General Residential	Current Zoning Designation: R.3A-31 (H)
--	---

<p>NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):</p> <ol style="list-style-type: none"> 1. To permit a multiple attached dwelling within the zoning for stacked townhouses. The zoning definition under 3.1 for stacked townhouse allows one unit atop another. We require a three level stacked townhouses with one unit above and one unit below each unit at grade. The multiple attached dwelling definition allows for a three level stacked townhouse where each unit is entered from an independent entrance directly from the outside. 2. To permit a window from a habitable room to be a minimum of 3m from an adjacent building versus a minimum of 15m as allowed by 5.3.2.31. This will allow some units at the ends of the buildings to have additional windows and allow additional natural light into those units. 3. To permit fences in the front yard to exceed 0.8m in height as required by 4.20.9. A 1.83 meter high chain link fence is provided along the full length of the North property line bordering the CN Rail line. A 1.22m high chain link fence is provided along the length of the P.1 zone on the southern portion of the site. These two required fences are technically located within the front yard.

<p>Why is it not possible to comply with the provision of the by-law? (your explanation)</p> <ol style="list-style-type: none"> 1. In order to provide accessible/age-friendly living units the buildings are designed with one-storey units at grade. Additional units are placed above and below these units resulting in three level stacked townhouses where typically only two units are stacked vertically in a townhouse. 2. These additional windows are provided to provide additional natural light into the living units. They are not required but will enhance the living environment for residents. 3. The fence along the rail line is required by CN for safety. The fence along the P.1 Zone is required by City of Guelph Environmental staff to deter/prohibit access to the slope preservation area.

PROPERTY INFORMATION			
Date property was purchased:	July 24, 2015	Date property was first built on:	Vacant
Date of proposed construction on property:	Spring 2017	Length of time the existing uses of the subject property have continued:	Vacant
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):		Vacant	
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):		Residential	

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	64.5m	Depth:	205.9m
		Area:	10526.6 m ²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS) N/A		PROPOSED	
Main Building		Main Building 1060m ² (block 2)	
Gross Floor Area:		Gross Floor Area:	1060 m ² (Block 1)
Height of building:		Height of building:	9.53 m 686m ² (block 3)
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/> N/A
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 N/A		PROPOSED	
Front Yard Setback:	M	Front Yard Setback:	69 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: 20 M Right: 11.5 M
Rear Yard Setback	M	Rear Yard Setback	10 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: No direct storm sewer connection. Stormwater currently flows overland to municipal storm sewer. Refer to stormwater management design report for proposed quantity and quality

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 checked="" type="checkbox"/>	Specialized Zoning R.3A-31 (H) in place
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP14A072: in approval process
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

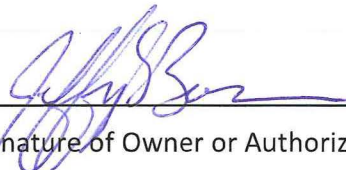
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.

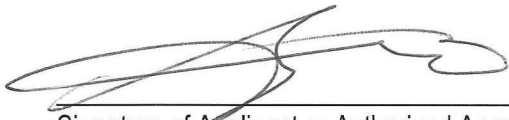


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, HABITAT FOR HUMANITY WDG, of the City/Town of GUELPH in County/Regional Municipality of WELLINGTON COUNTY 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

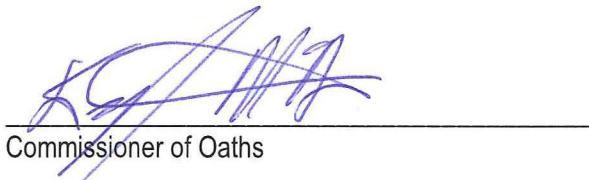
Signature of Applicant or Authorized Agent

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 13th day of September, 2016.


Commissioner of Oaths

Dylan McMahon
A Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.
(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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


HABITAT FOR HUMANITY WDG
[Organization name / property owner's name(s)]

of 11 CITYVIEW DRIVE SOUTH, GUELPH, ON
(Legal description and/or municipal address)

hereby authorize JEFFREY G. BORN
(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 13TH day of SEPTEMBER 2016.





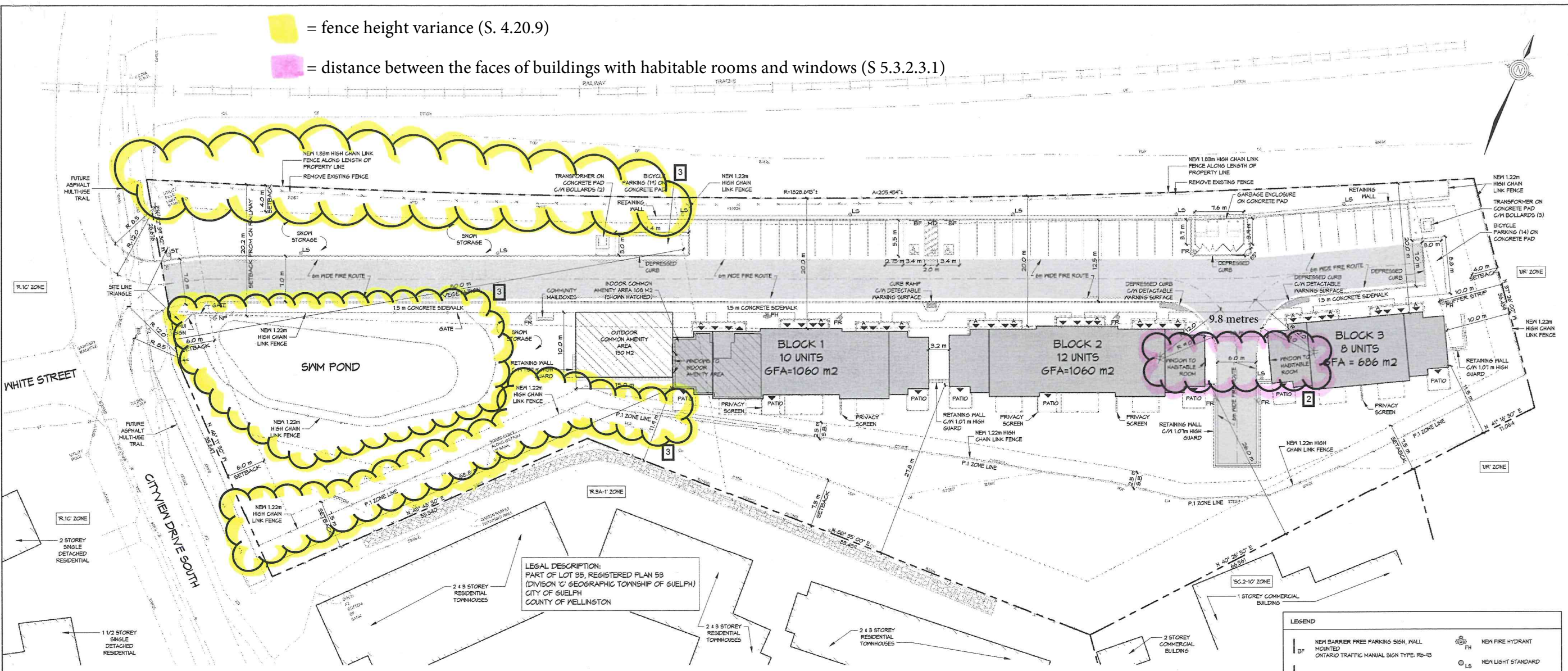
(Signature of the property owner)

(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.

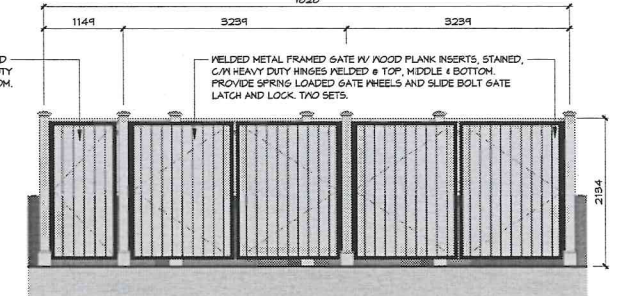
 = fence height variance (S. 4.20.9)
 = distance between the faces of buildings with habitable rooms and windows (S 5.3.2.3.1)



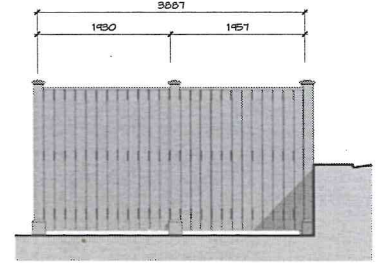
LEGAL DESCRIPTION:
 PART OF LOT 33, REGISTERED PLAN 53
 (DIVISION 'C' GEOGRAPHIC TOWNSHIP OF GUELPH)
 CITY OF GUELPH
 COUNTY OF WELLINGTON

1 Site Plan
 SP-1 1:300

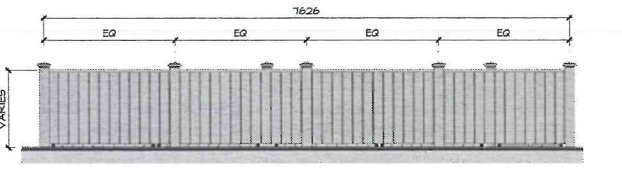
SITE DATA	REQUIRED	PROVIDED	CONFORMS
ZONING: R3A Zone Cluster Townhouse SPECIALIZED ZONING: R3A-31 (H)			
MINIMUM LOT AREA	800 m ²	10526.6 m ²	Yes
MINIMUM LOT AREA PER DWELLING UNIT	210 m ²	350 m ²	Yes
MINIMUM LOT FRONTAGE	18 m	64.5 m	Yes
MINIMUM FRONT YARD	6 m	64 m	Yes
MINIMUM EXTERIOR SIDE YARD	4.5 m	N/A	Yes
MINIMUM SIDE YARD	1/2 Bldg Height, min. 3 m (0.21 m / 2' = 4.1 m) 7.5 m @ SOUTH Lot Line 2.5 m @ P.1 Zone	11.5 m	Yes
MINIMUM REAR YARD	1/2 Bldg Height, min. 3 m (0.21 m / 2' = 4.1 m)	10 m	Yes
MAXIMUM BUILDING COVERAGE (% OF LOT AREA)	30% = 9150 m ²	4.4% = 1044.6 m ²	Yes
MAXIMUM BUILDING HEIGHT	3 Storeys	3 Storeys	Yes
MINIMUM DISTANCE BETWEEN BUILDINGS	3 m	3 m	Yes
MINIMUM COMMON AMENITY AREA	5m ² /unit + 150 m ² 50 m ² min. areas	150 m ² Outdoor 105 m ² Indoor	Yes
MINIMUM PRIVATE AMENITY AREA	10 m ² , 3.15 m deep per Specialized Zoning	10 m ² min. per unit Provided on level deck or patio	Yes
MINIMUM LANDSCAPED OPEN SPACE (% OF LOT AREA)	40% = 4210.6 m ²	66.5% = 1246 m ²	Yes
BUFFER STRIP	10 m @ East Lot Line	10 m @ East Lot Line	Yes
FENCES	1.4 m maximum	1.85 m maximum	Yes
OFF-STREET PARKING	1/unit + 20% = 36	36	Yes
ACCESSORY BUILDINGS OR STRUCTURES	per section 4.5	N/A	Yes
MAXIMUM NUMBER OF DWELLING UNITS IN A ROW	12	12	Yes
GARBAGE, REUSE STORAGE AND COMPOSTERS	Screened	Screened	Yes
MAXIMUM DENSITY OF SITE	60 Units/Hectare	26.5 Units/Hectare	Yes



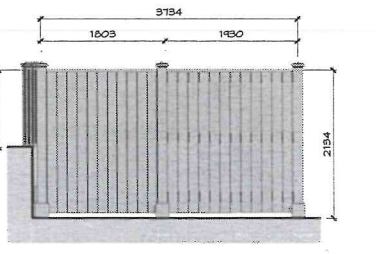
2 Garbage Enclosure - South Elevation
 SP-1 1:50



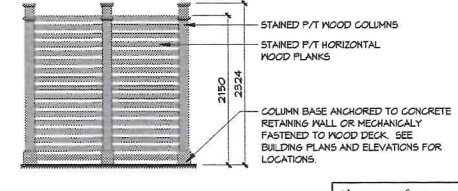
3 Garbage Enclosure - East Elevation
 SP-1 1:50



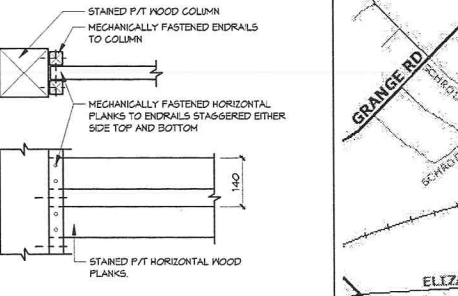
4 Garbage Enclosure - North Elevation
 SP-1 1:50



5 Garbage Enclosure - West Elevation
 SP-1 1:50



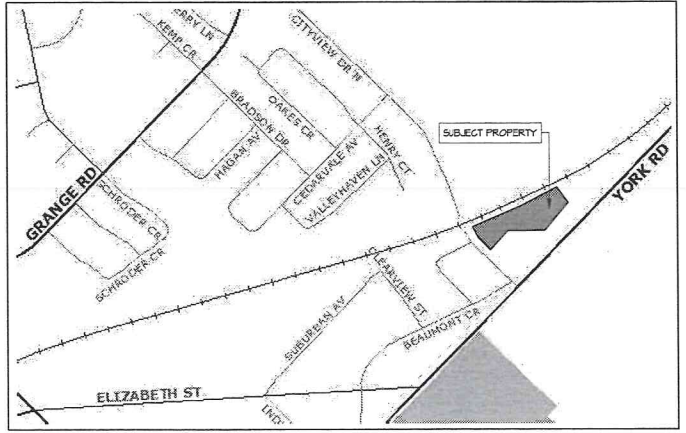
6 Privacy Screen
 SP-1 1:50



7 Privacy Screen Post Detail
 SP-1 1:10

LEGEND

BF	NEW BARRIER FREE PARKING SIGN, WALL MOUNTED ONTARIO TRAFFIC MANUAL SIGN TYPE: R3-B3	FH	NEW FIRE HYDRANT
MD	NEW MOBILITY DEVICE LOADING ZONE SIGN, WALL MOUNTED	LS	NEW LIGHT STANDARD
FR	NEW FIRE ROUTE SIGN, C/M POLE CITY OF GUELPH SIGN TYPE: SCHEDULE D 'NO PARKING FIRE ROUTE'	FF	NEW FENCE
ST	NEW STOP SIGN, C/M POLE ONTARIO TRAFFIC MANUAL SIGN TYPE: R3-1	UI	UNIT ENTRANCE
NP	NEW NO PARKING SIGN, C/M POLE CITY OF GUELPH SIGN TYPE: SCHEDULE C 'NO PARKING ON PRIVATE ROADWAY FIRE ROUTE' AND 'PRIVATE PROPERTY - UNAUTHORIZED VEHICLES WILL BE TOWED OR TONED AT THE OWNER'S EXPENSE - CITY OF GUELPH BY-LAW' MOUNTED BELOW	AE	ACCESSIBLE UNIT ENTRANCE
		EXT	EXIT



8 Key Plan
 SP-1 1:10,000

2 SPA RESUBMISSION 2016/01/16
 1 SPA SUBMISSION 2016/07/27
 REVISIONS DATE

JAMES FRYETT ARCHITECT INC.
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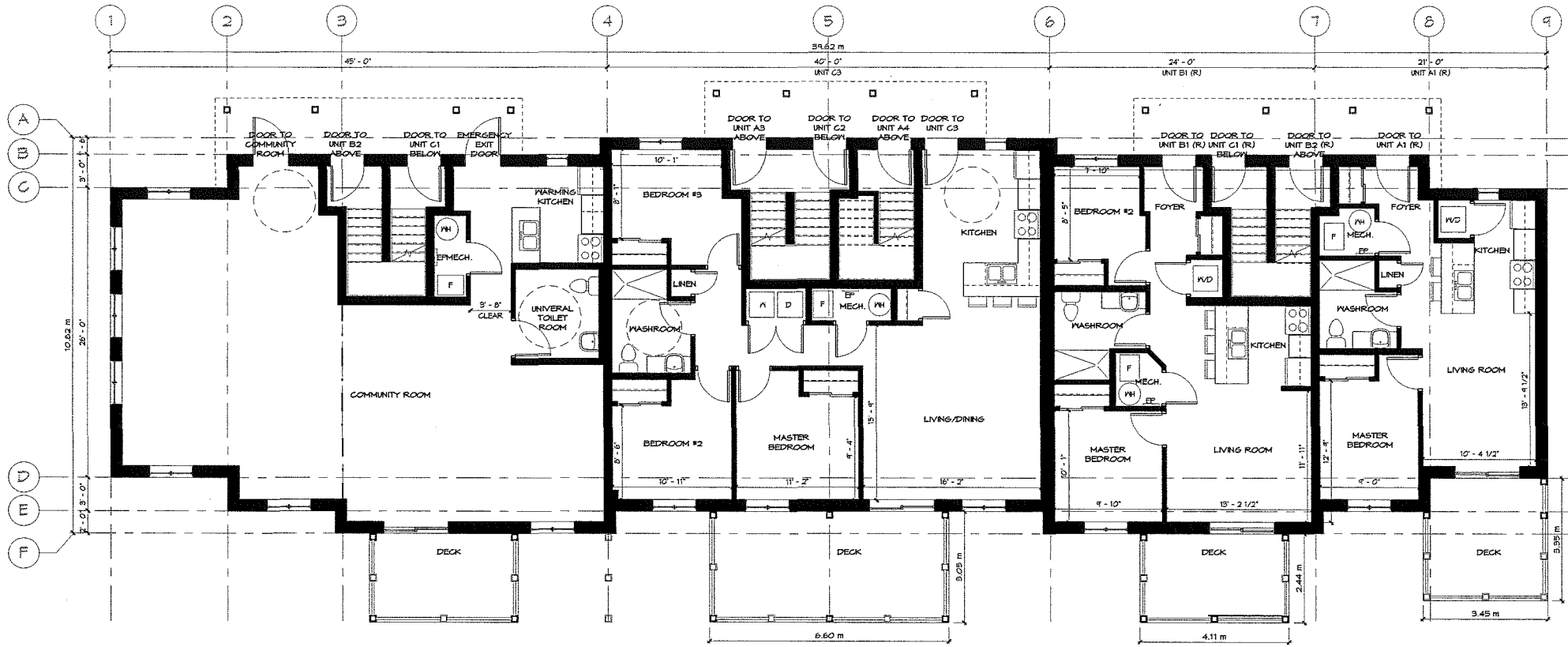
SEAL
ONTARIO ASSOCIATION OF ARCHITECTS
CMB
 CAROLYN MARY BILSON
 LICENCE 6864

HFH Cityview Residences
 11 Cityview Drive South, Guelph
 Site Plan

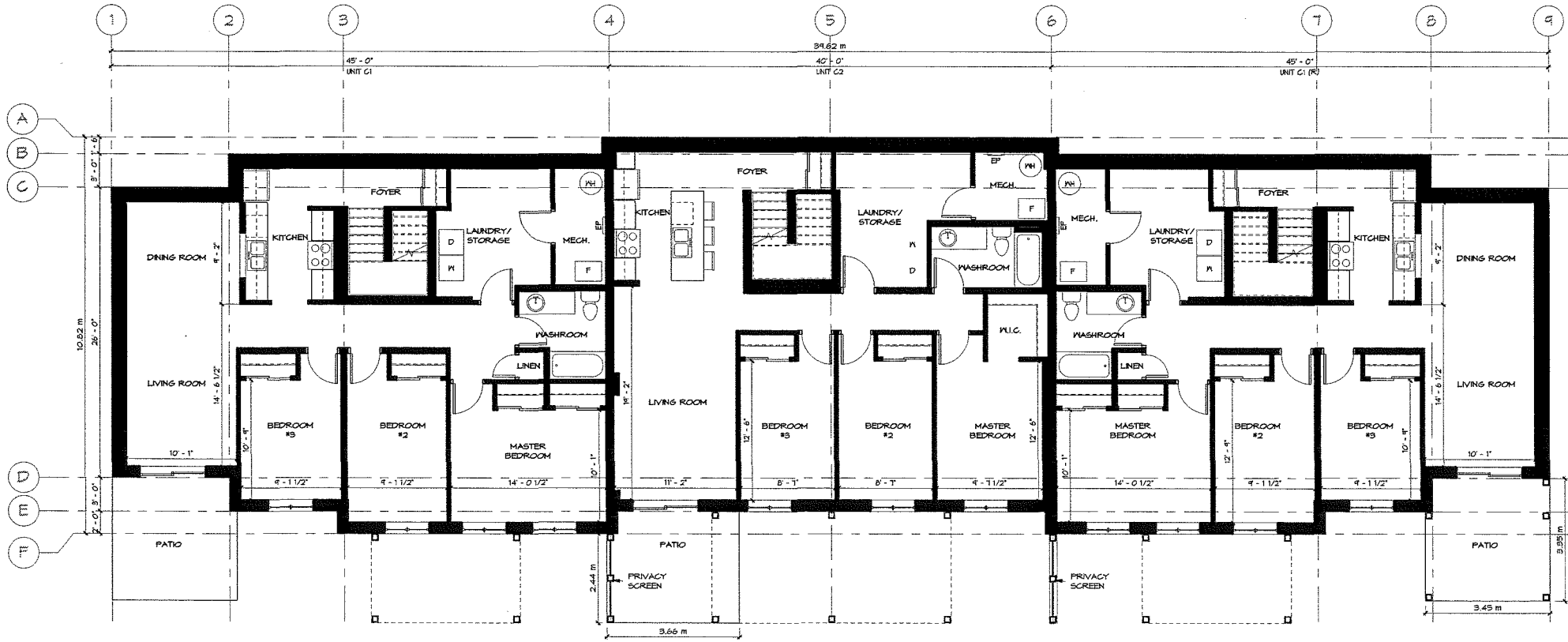
STATUS: SPA APP 14100
 PROJECT#: SP-14A01Z
 PROJECT TITLE: CMB
 DRAWN: As Indicated
 DATE DWN: 2016/01/15
 ISSUED: 2016/01/16

PROJECT NORTH

SHEET # **SP-1**



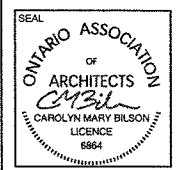
2 001 Entry Level
EP-1 1:75



1 001 Lower Level
EP-1 1:75

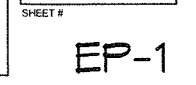
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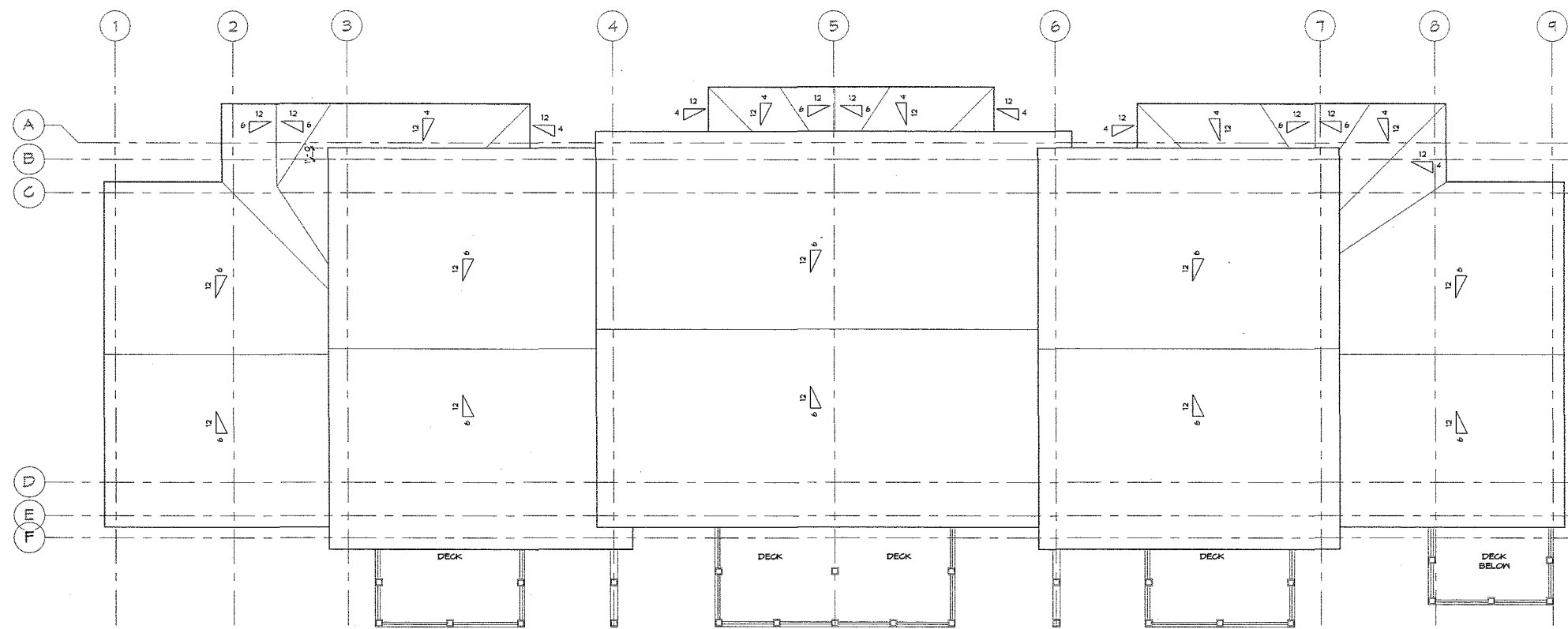
HFH Cityview Residences
11 Cityview Drive South, Guelph
Block 1 - Entry & Lower Floor Plans

STATUS	SPA	PROJECT #	14100
PROJECT	SP14A012	SHEET PLAN #	SP14A012
DRAWN	CMB	SCALE	1:75
DATE DWN	20160915	ISSUED	20160916

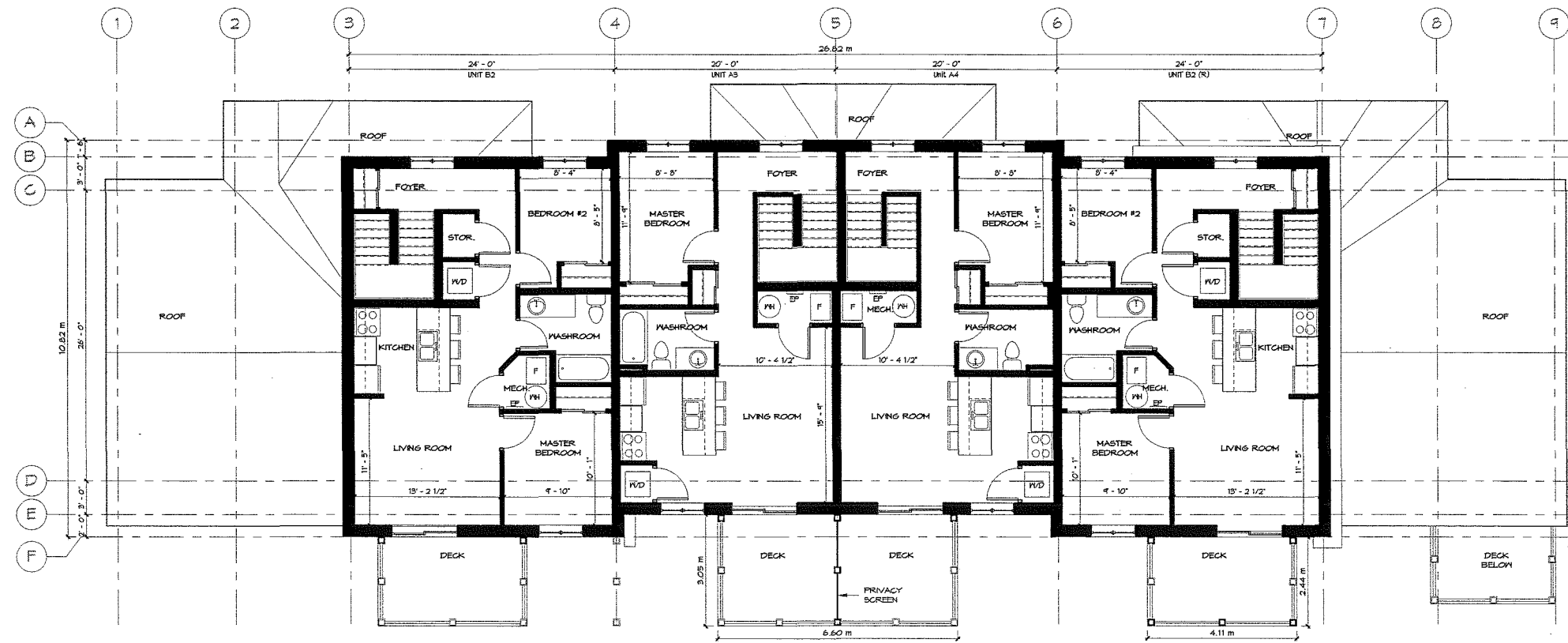


2 SPA RESUBMISSION 20160916
1 SPA SUBMISSION 20160121
REVISIONS DATE

SHEET #
EP-1



2 Roof Plan
EP-2 1:75



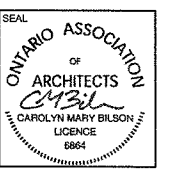
1 002 Upper Level
EP-2 1:75

Block 1 Unit Schedule		
Unit	Unit Type	Area (sqft)
000 Lower Level		
Unit C1	3 Bedroom	1,427
Unit C1 (R)	3 Bedroom	1,427
Unit C2	3 Bedroom	1,344
001 Entry Level		
Community Room	Common	1,304
Unit A1 (R)	1 Bedroom Age Friendly	599
Unit B1 (R)	2 Bedroom Age Friendly	705
Unit C3	3 Bedroom Accessible	1,128
002 Upper Level		
Unit A3	1 Bedroom	678
Unit A4	1 Bedroom	664
Unit B2	2 Bedroom	840
Unit B2 (R)	2 Bedroom	840
Grand total:	11	10,956

Block 1 Gross Floor Area		
Level	Area (sqft)	Area (sqm)
000 Lower Level	4195	389.75
001 Entry Level	4195	389.75
002 Upper Level	3022	280.75
Grand total	11412	1060.25

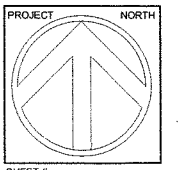
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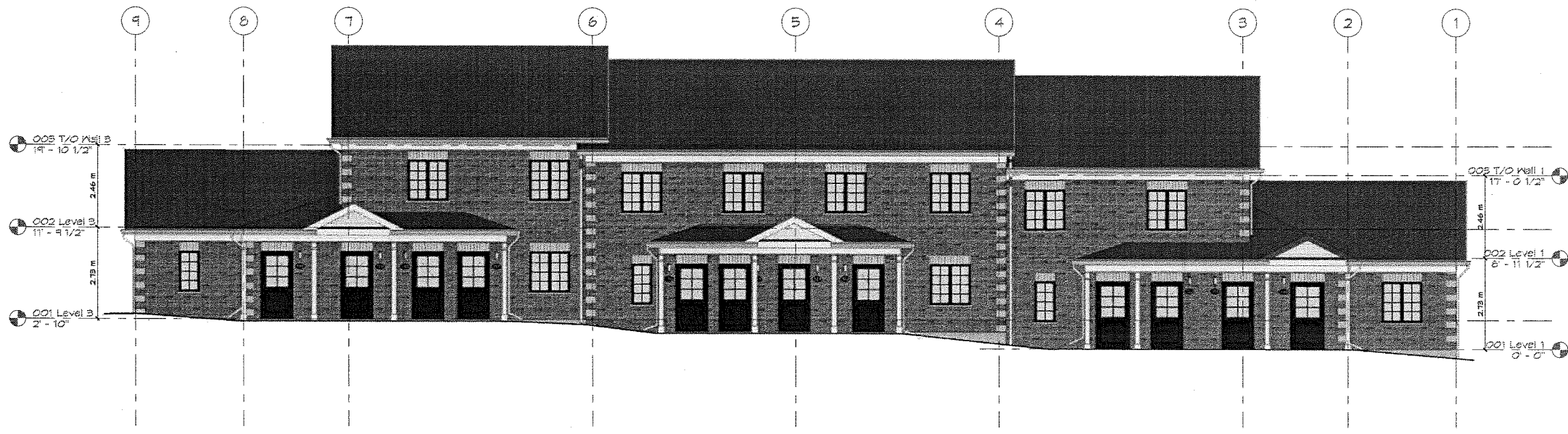


HFH Cityview Residences
 11 Cityview Drive South, Guelph
Block 1 - Upper Floor & Roof Plans

STATUS	SPA
PROJECT #	14100
STEP PLAN #	SP14A072
PROJECT TITLE	CMB
SCALE	1:75
DATE DWN	20160915
ISSUED	20160916



2 SPA RESUBMISSION 20160916
 1 SPA SUBMISSION 20160727
 REVISIONS DATE



1 North Elevation
EP-3 1:75

MATERIAL LEGEND	
	BRICK
	STONE
	SIDING
	ASPHALT SHINGLES



3 South Elevation
EP-3 1:75

Variance to permit multiple attached dwellings (S. 5.3.1.1)

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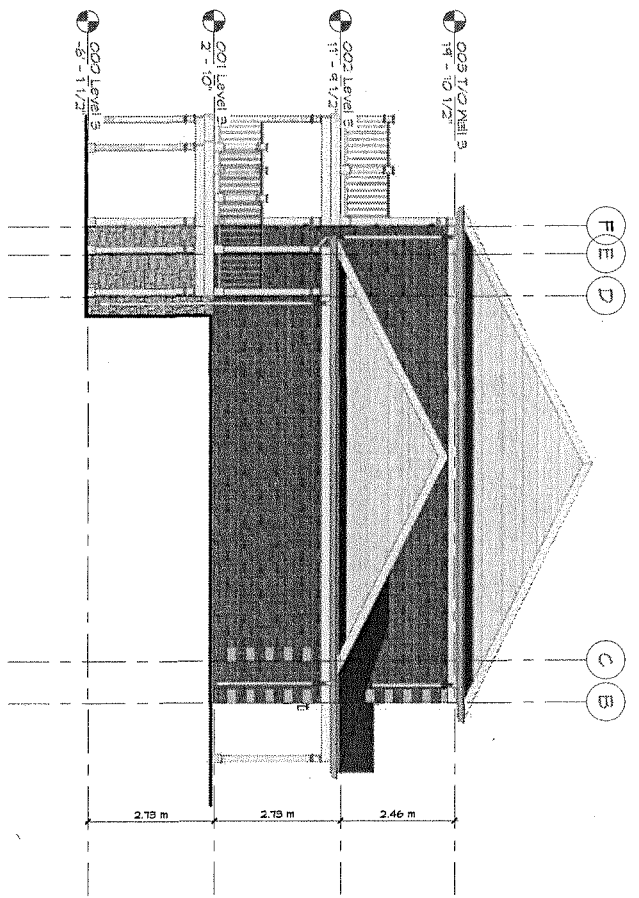
HFH Cityview Residences
11 Cityview Drive South, Guelph
Block 1 - Building Elevations

STATUS	SIPA
PROJECT #	14100
SITE PLAN #	SF14A-072
DRAWN	CMB
SCALE	As Indicated
DATE DWN	20160915
ISSUED	20160916

PROJECT	NORTH
SHEET #	

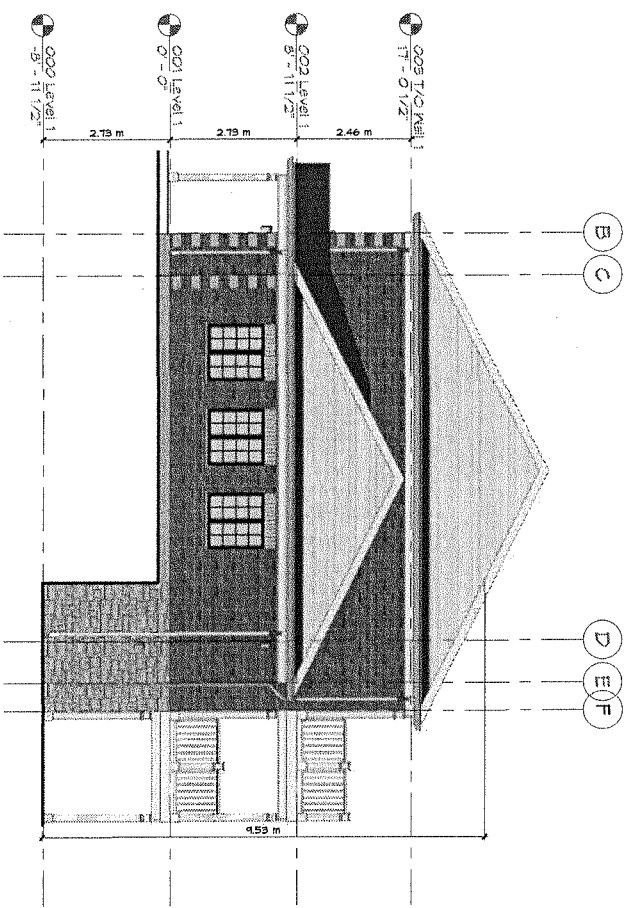
2 SPA RESUBMISSION 20160916
1 SPA SUBMISSION 20160721
REVISIONS DATE

EP-3

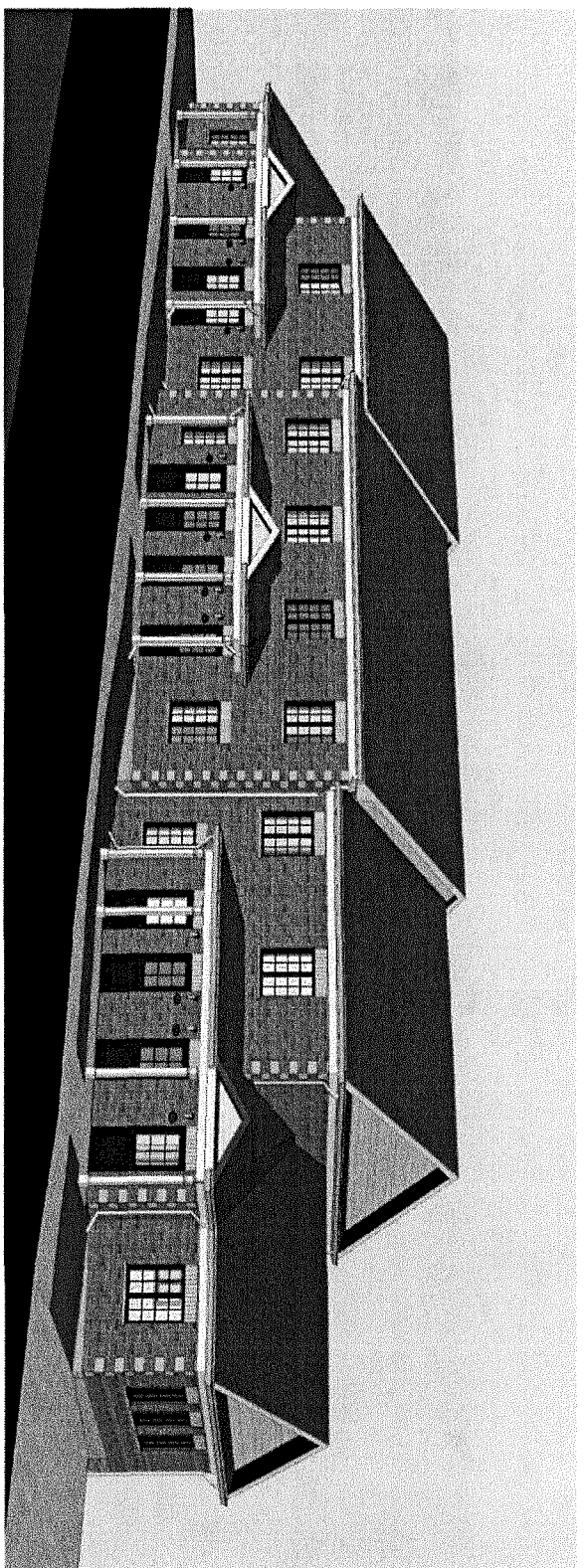


1 East Elevation
EP-4 1:75

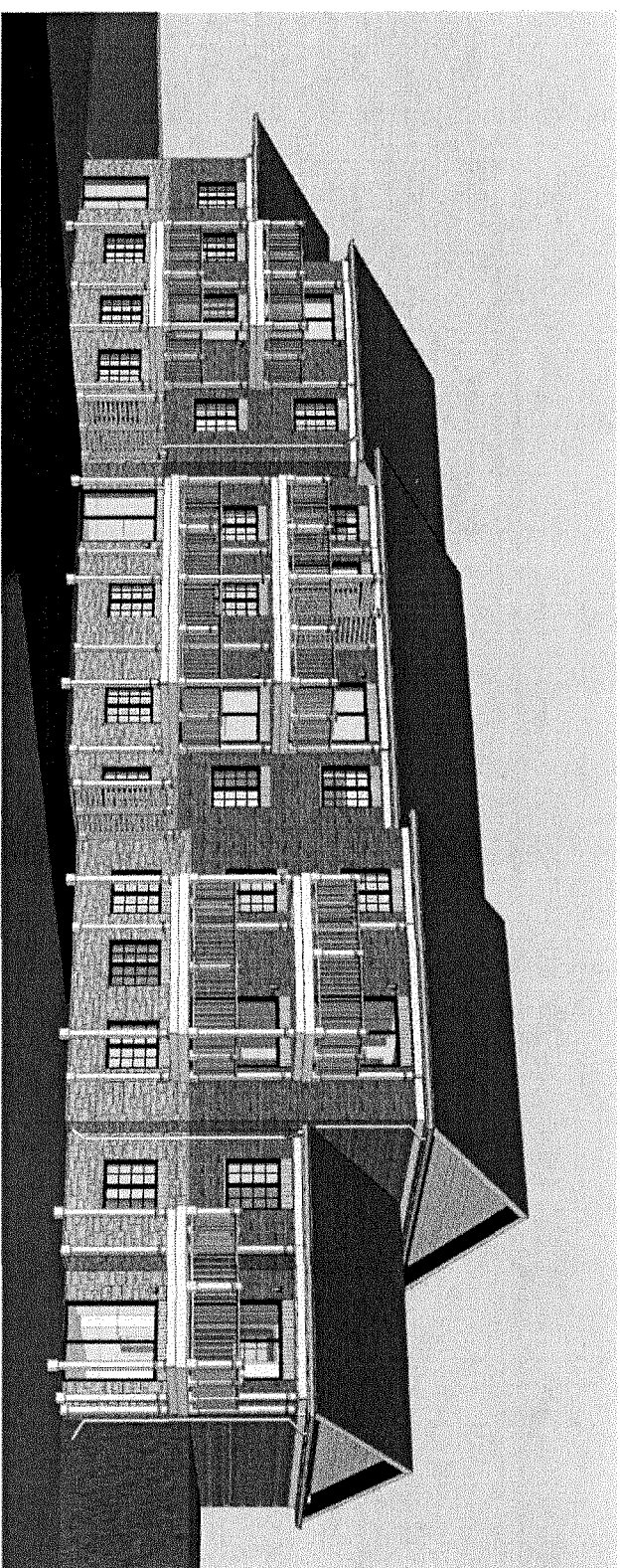
MATERIAL LEGEND	
	BRICK
	STONE
	SIDING
	ASPHALT SHINGLES



2 West Elevation
EP-4 1:75



3 View of Front
EP-4



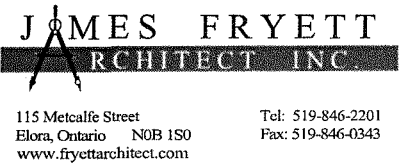
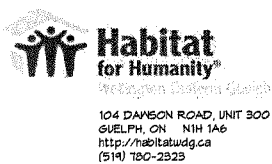
4 View of Rear
EP-4

2 SPA REVISION
1 SPA REVISION
REVISIONS
20160916
20160731
DATE

SHEET #
EP-4

STATUS	SPA
PROJECT #	14100
SITE PLAN #	SP14A072
DRAWN	CMB
SCALE	As Indicated
DATE DWN	20160915
ISSUED	20160916

HFH Cityview Residences
11 Cityview Drive South, Guelph
Block 1 - Building Elevations & 3D

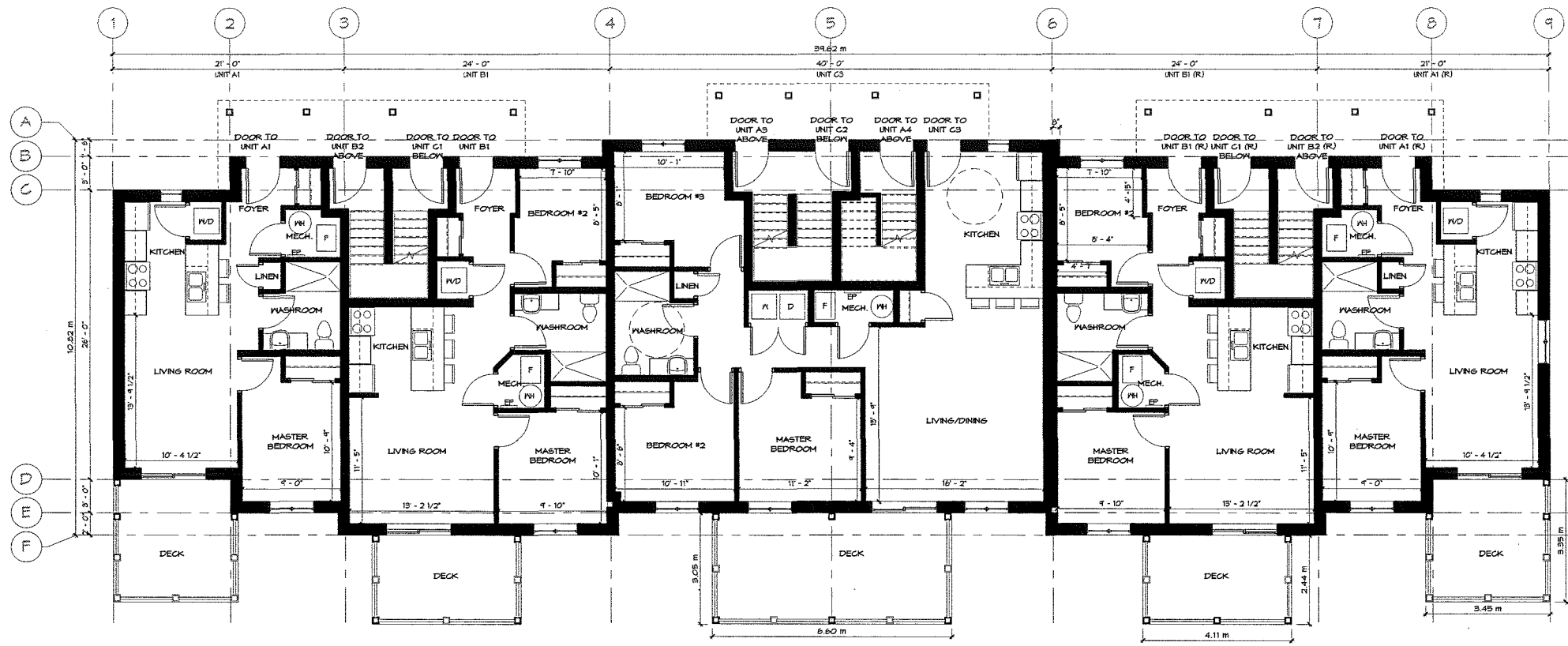


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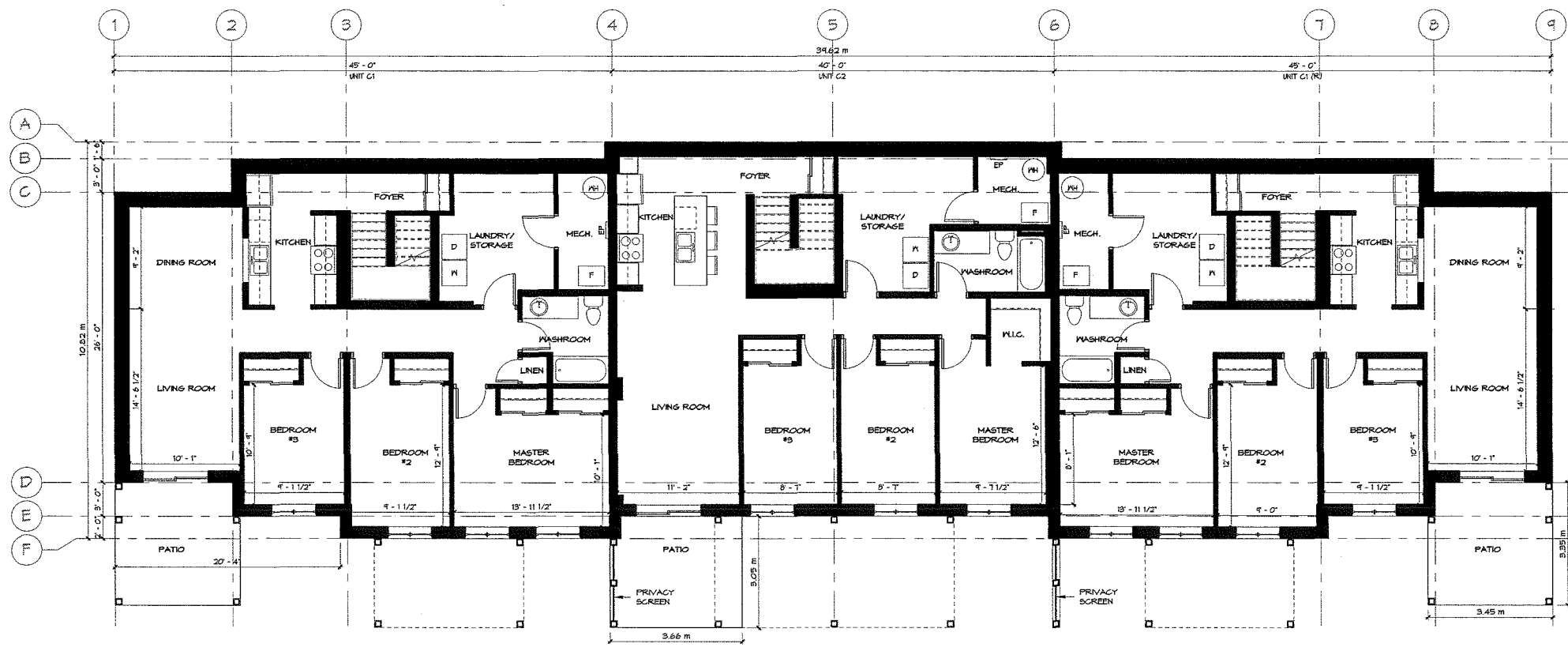
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2 001 Entry Level
EP-5
1:75



1 001 Lower Level
EP-5
1:75

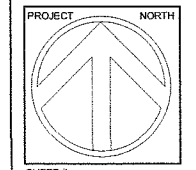
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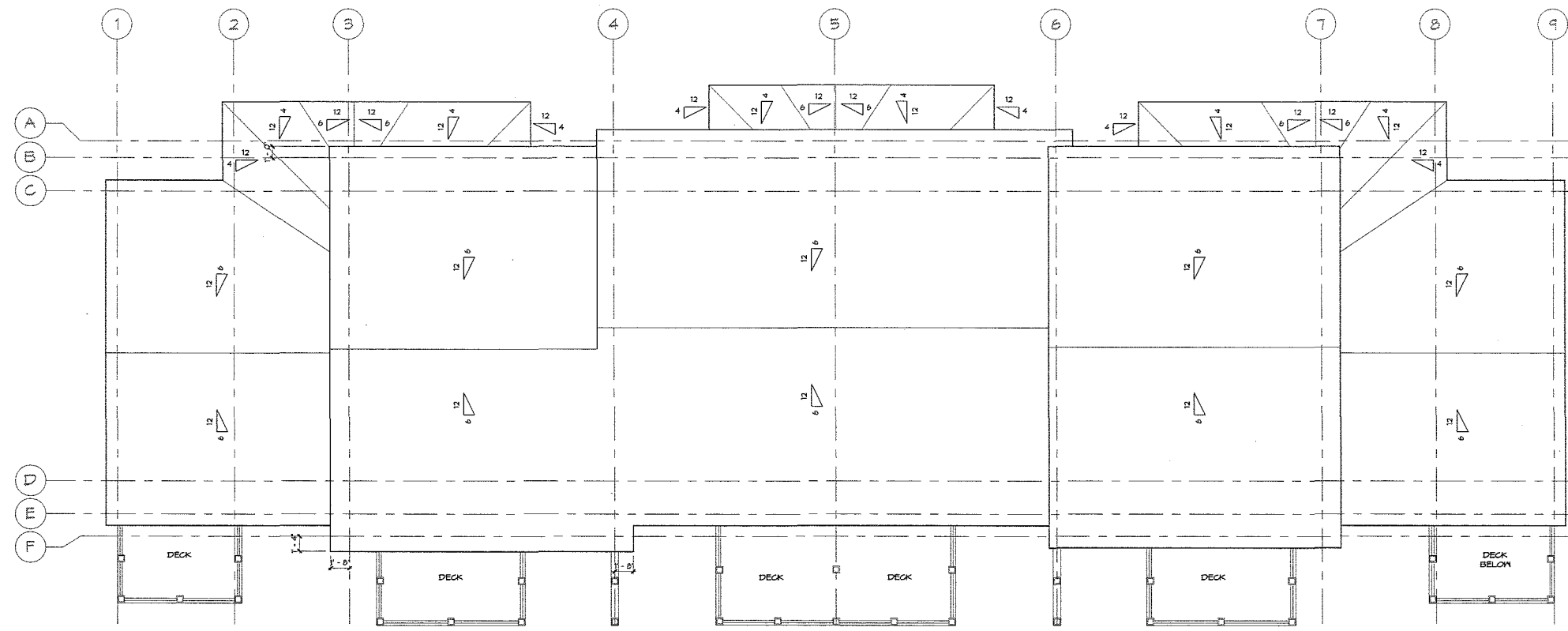
HFH Cityview Residences
11 Cityview Drive South, Guelph
Block 2 - Entry & Lower Floor Plans

STATUS	SFA
PROJECT #	14100
SITE PLAN #	SPT14A072
DRAWN	CMB
SCALE	1:75
DATE DWN	20160915
ISSUED	20160916

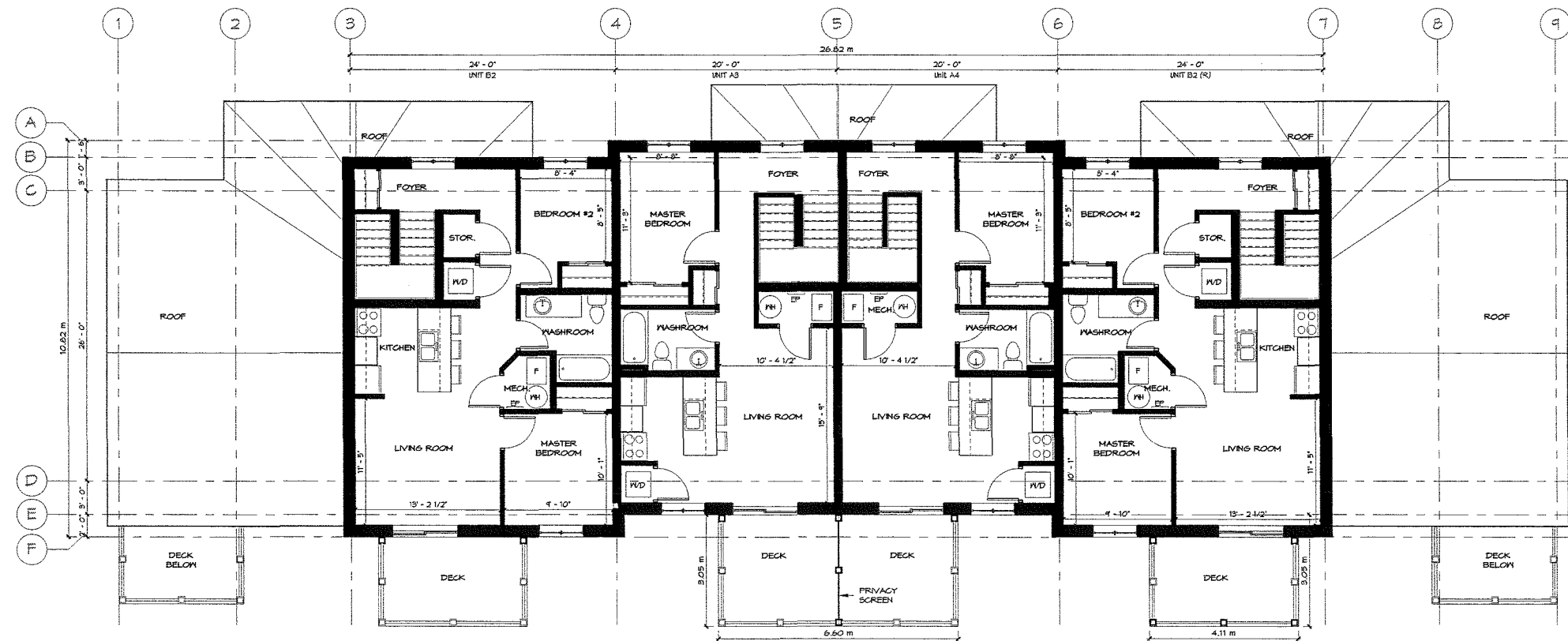


2 SPA RESUBMISSION 20160916
1 SPA SUBMISSION 20160727
REVISIONS DATE

EP-5



2 Roof Plan
EP-6 1:15



1 OO2 Upper Level
EP-6 1:15

Block 2 Unit Schedule		
Unit	Unit Type	Area (sf)
OOO Lower Level		
Unit C1	3 Bedroom	1,427
Unit C1 (R)	3 Bedroom	1,427
Unit C2	3 Bedroom	1,344
OO1 Entry Level		
Unit A1	1 Bedroom Age Friendly	599
Unit A1 (R)	1 Bedroom Age Friendly	599
Unit B1	2 Bedroom Age Friendly	705
Unit B1 (R)	2 Bedroom Age Friendly	705
Unit C3	3 Bedroom Accessible	1,128
OO2 Upper Level		
Unit A3	1 Bedroom	678
Unit A4	1 Bedroom	664
Unit B2	2 Bedroom	840
Unit B2 (R)	2 Bedroom	840
Grand total: 12		10,956

Block 2 Gross Floor Area		
Level	Area (sf)	Area (sm)
OOO Lower Level	4195	389.76
OO1 Entry Level	4195	389.76
OO2 Upper Level	3022	280.75
Grand total	11415	1060.27

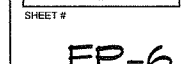
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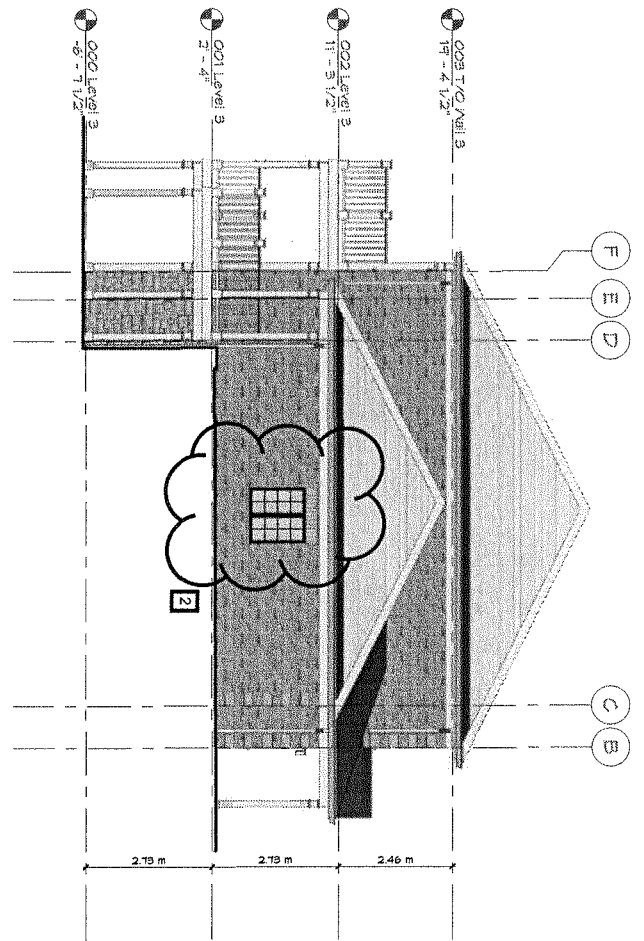
HFH Cityview Residences
 11 Cityview Drive South, Guelph
Block 2 - Upper Floor & Roof Plans

STATUS	SFA
PROJECT #	14100
SITE PLAN #	SPT14A012
PROJECT	CMB
TITLE	1:15
DRAWN	1:15
SCALE	1:15
DATE BORN	20160915
ISSUED	20160916



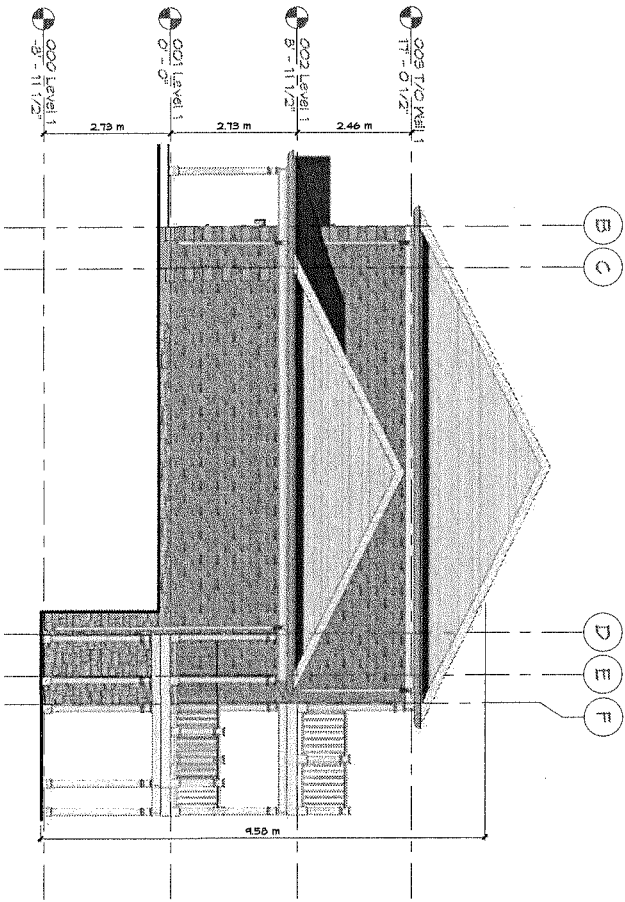
2 SFA RESUBMISSION
 1 SFA SUBMISSION
 REVISIONS
 20160916
 20160917
 DATE

EP-6

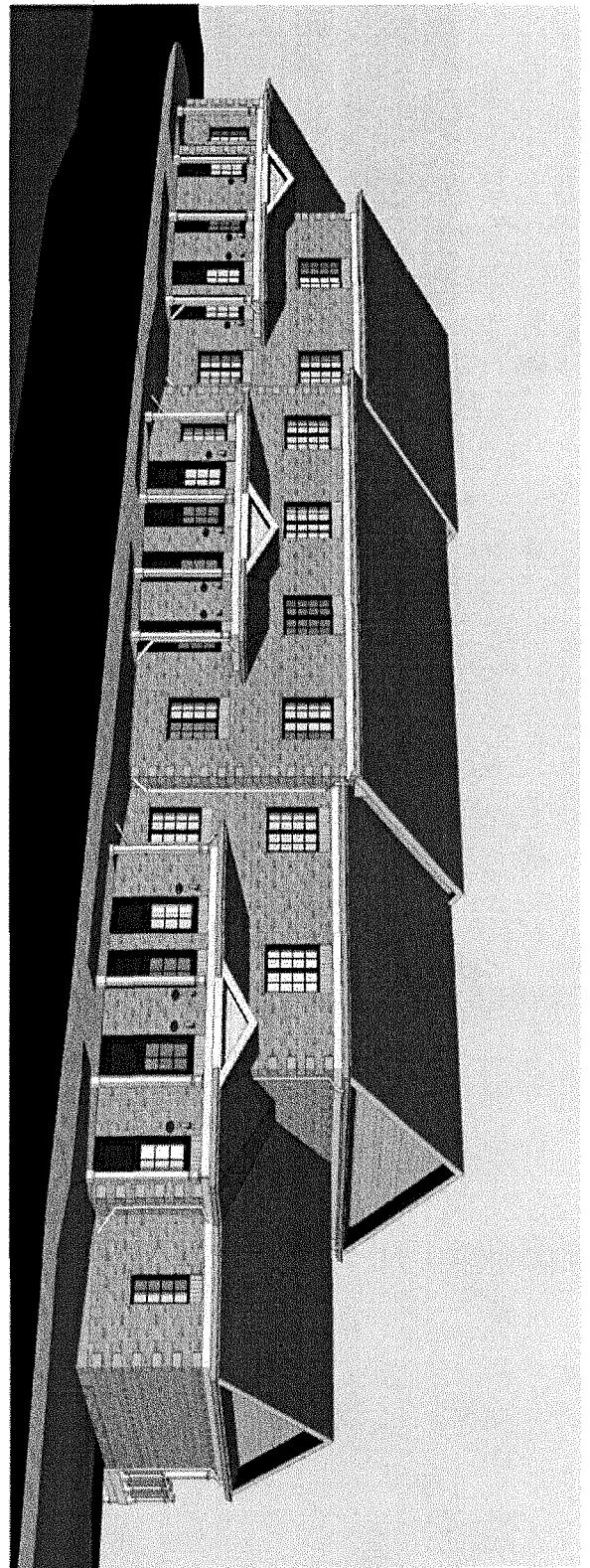


1 East Elevation
EP-5 / 1:75

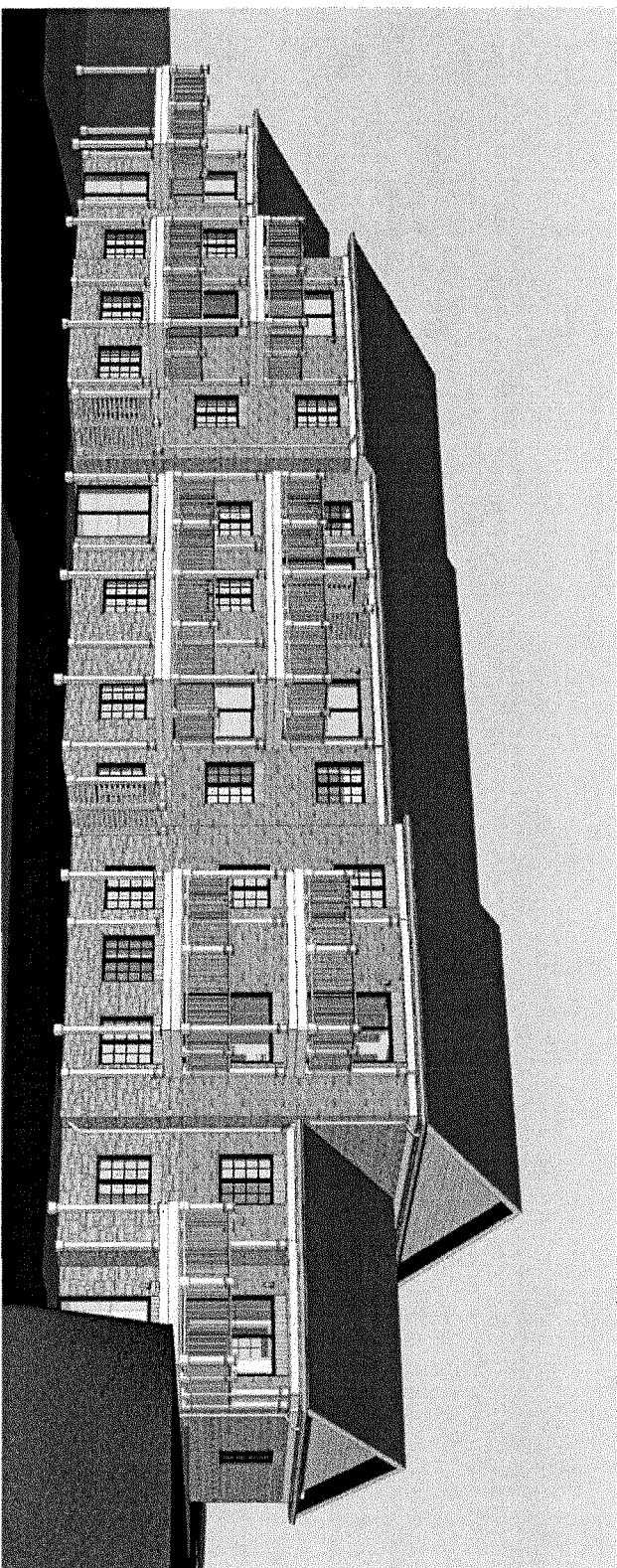
MATERIAL LEGEND	
	BRICK
	STONE
	SHINGLES



2 West Elevation
EP-5 / 1:75



3 View of Front
EP-5



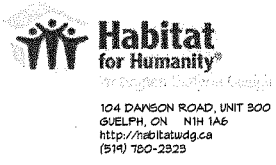
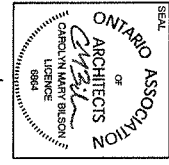
4 View of Rear
EP-5

20160916
20160927
DATE

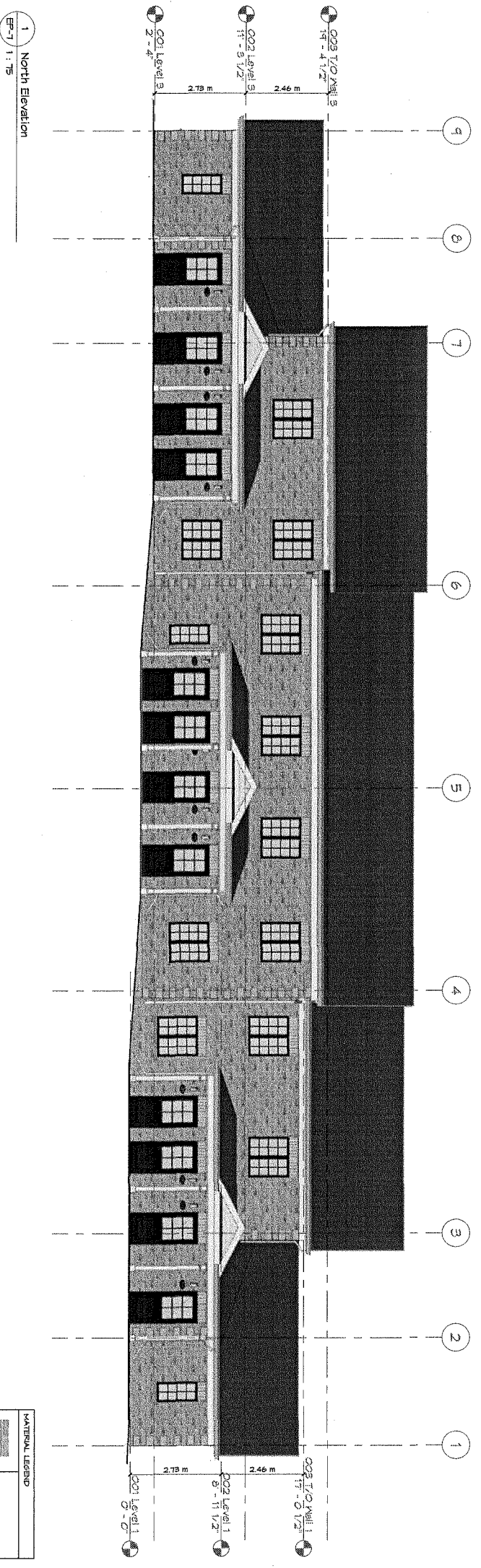
EP-8

STATUS	SPA
PROJECT #	14100
SITE PLAN #	SP14A072
DRAWN	CMB
SCALE	As indicated
DATE DWN	20160915
ISSUED	20160916

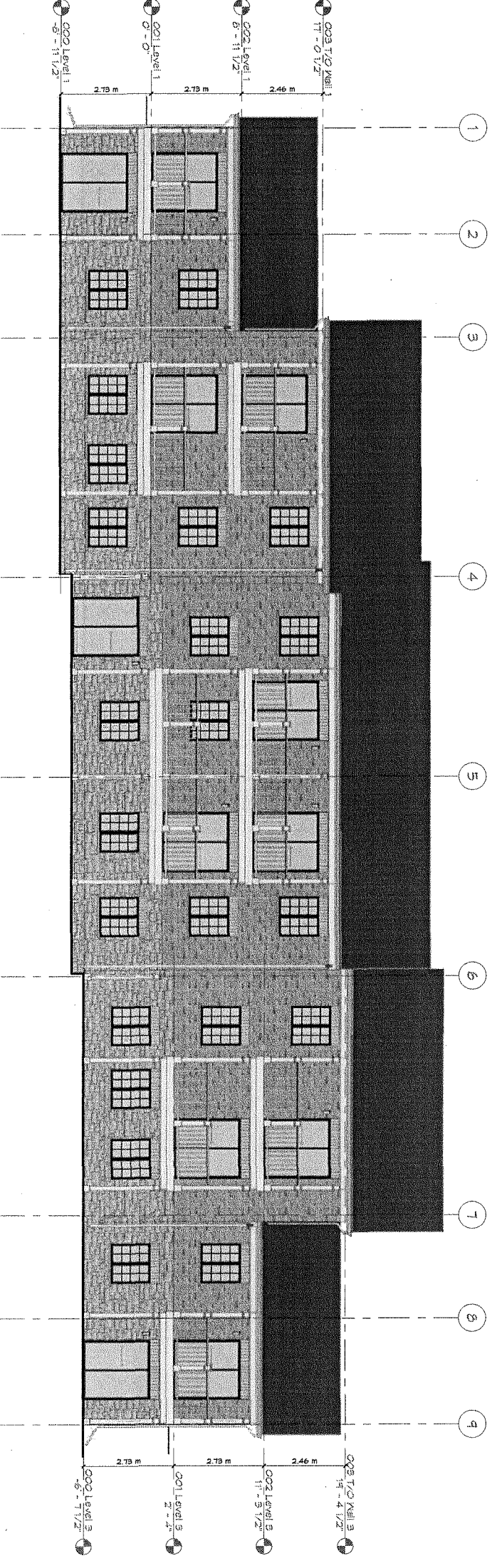
HfH Cityview Residences
11 Cityview Drive South, Guelph
Block 2 - Building Elevations & 3D



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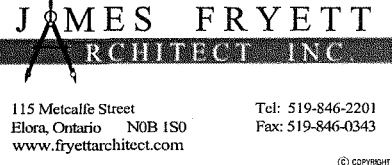


MATERIAL LEGEND	
	BRICK
	STONE
	SIDING
	ASPHALT SHINGLES

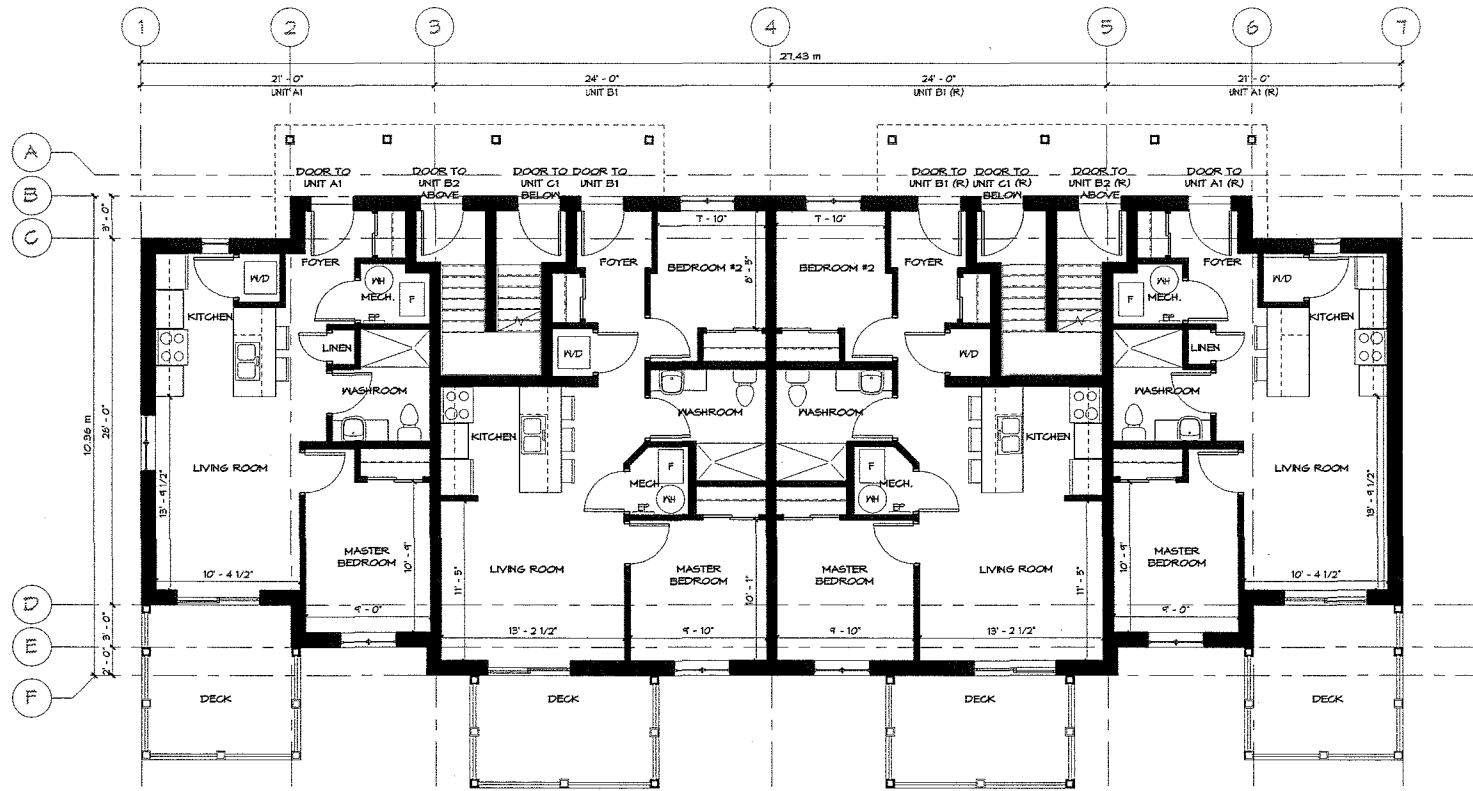


HFH Cityview Residences
 11 Cityview Drive South, Guelph
Block 2 - Building Elevations

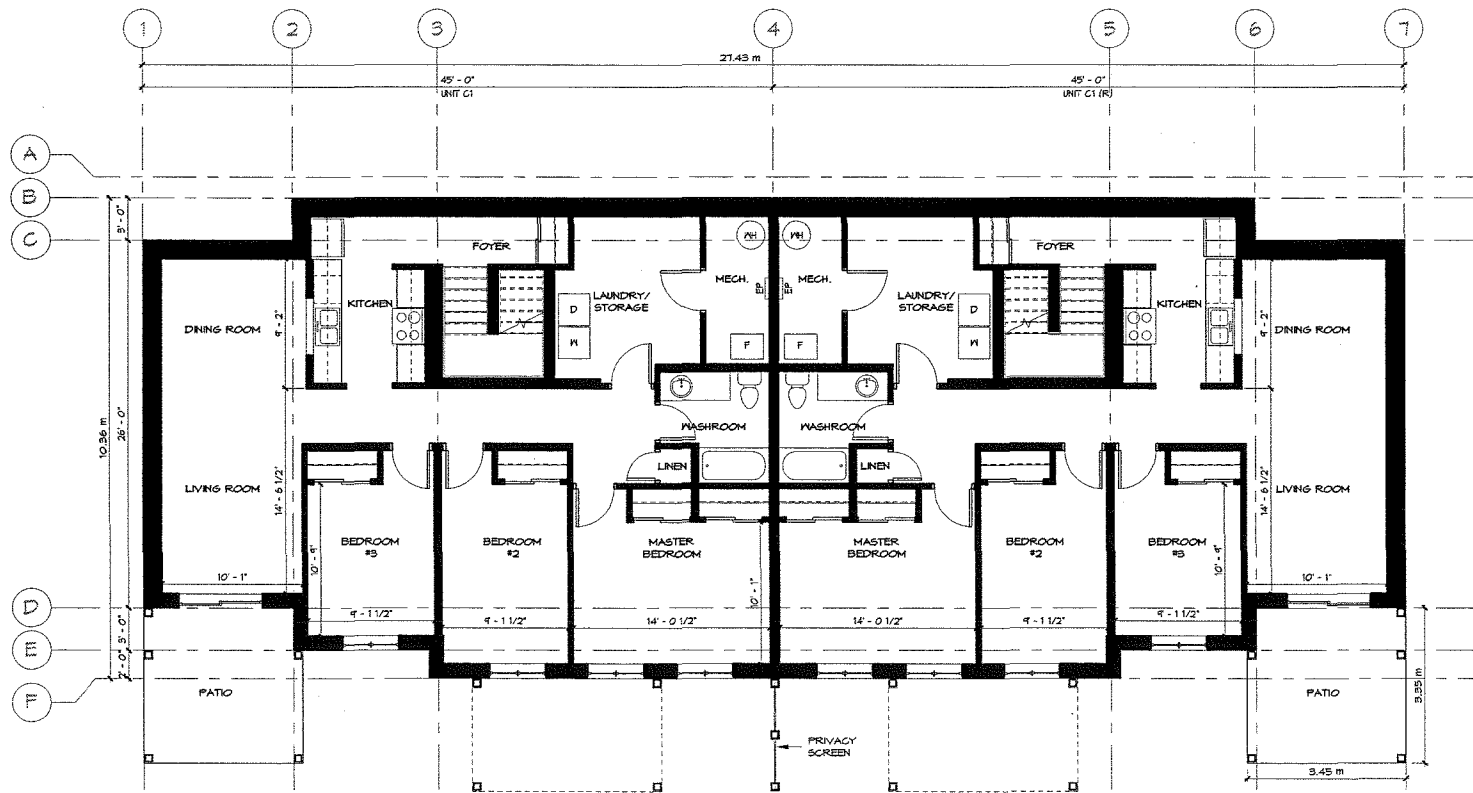
STATUS	SPA
PROJECT #	14100
SITE PLAN #	SP14A072
DRAWN	CMB
SCALE	As Indicated
DATE DWN	20160915
ISSUED	20160916



2 SPA RESUBMISSION
 1 SPA SUBMISSION
 REVISIONS
 20160916
 20160917
 DATE
 SHEET #
EP-7



2 001 Entry Level
EP-9 1:75



1 001 Lower Level
EP-9 1:75

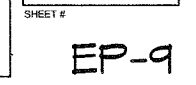
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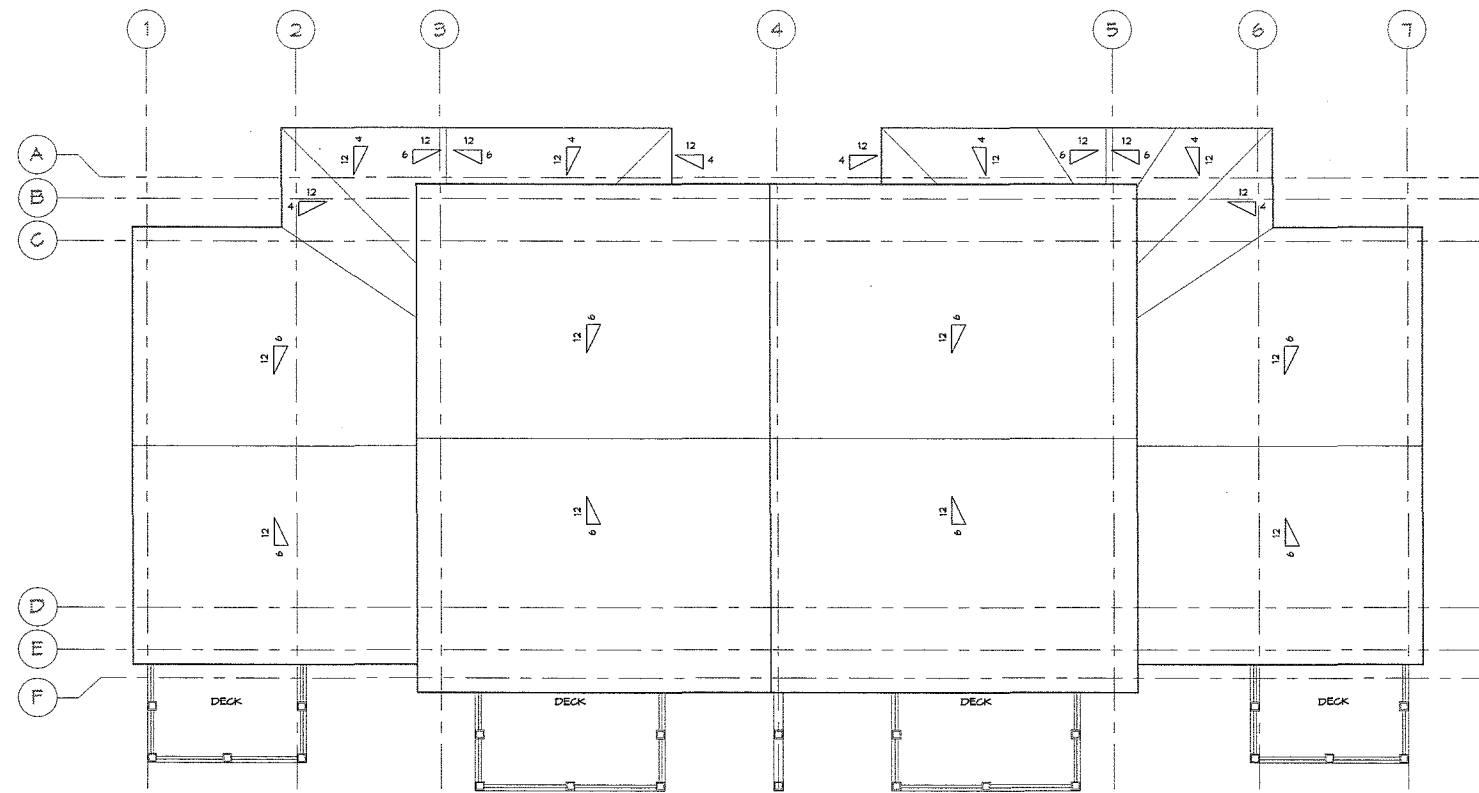
HFH Cityview Residences
 11 Cityview Drive South, Guelph
Block 3 - Entry & Lower Floor Plans

STATUS	SPA
PROJECT #	14100
STEP PLAN #	SP14A01Z
DRAWN	CMB
SCALE	1:75
DATE DWN	20160915
ISSUED	20160916

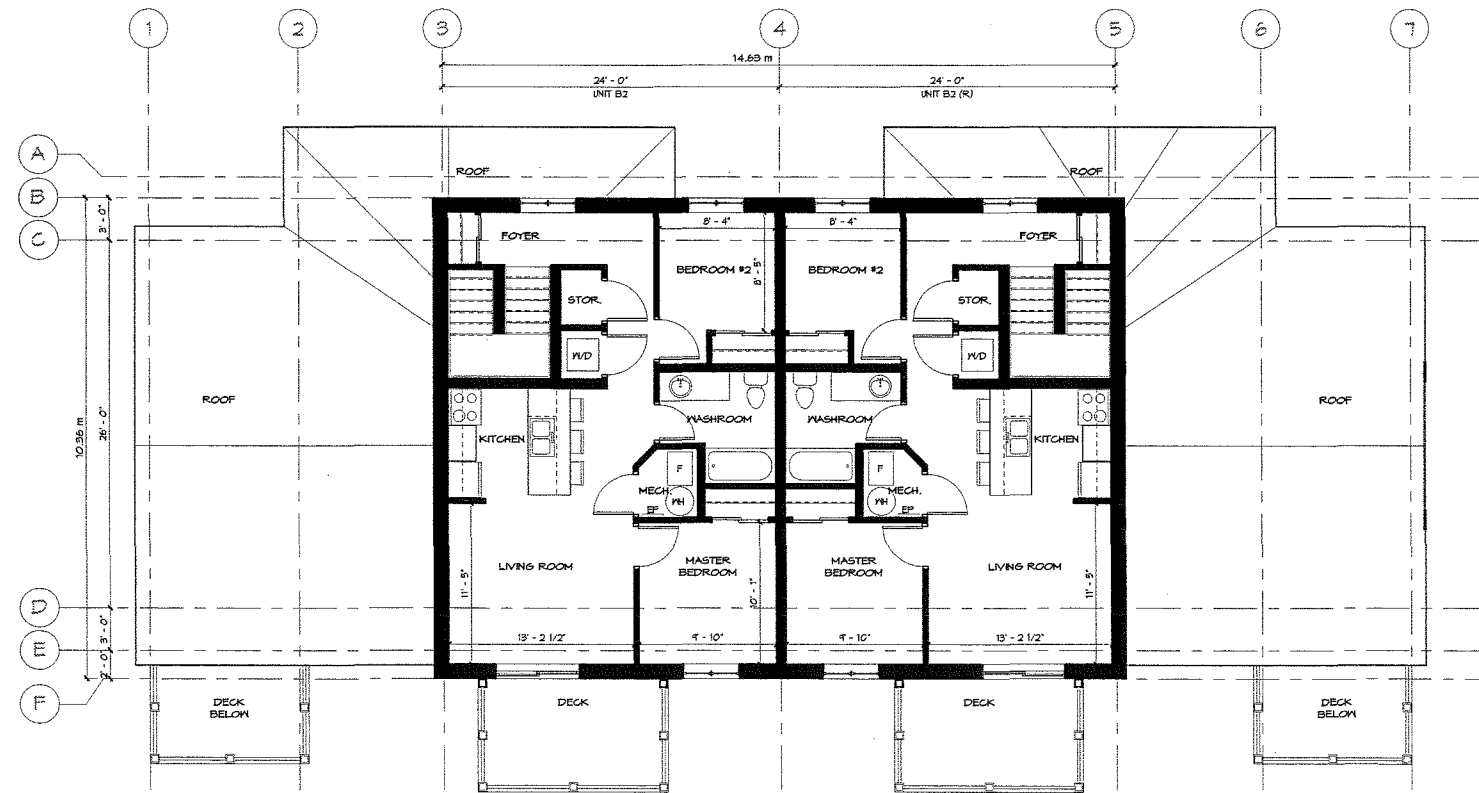


2 SPA RESUBMISSION
 1 SPA SUBMISSION
 REVISIONS
 20160916
 20160727
 DATE

SHEET #
EP-9



2 Roof Plan
EP-10 1:75



1 002 Upper Level
EP-10 1:75

Block 3 Unit Schedule		
Unit	Unit Type	Area (sf)
000 Lower Level		
Unit C1	3 Bedroom	1,426
Unit C1(R)	3 Bedroom	1,426
001 Entry Level		
Unit A1	1 Bedroom Age Friendly	599
Unit A1 (R)	1 Bedroom Age Friendly	599
Unit B1	2 Bedroom Age Friendly	703
Unit B1 (R)	2 Bedroom Age Friendly	703
002 Upper Level		
Unit B2	2 Bedroom	839
Unit B2 (R)	2 Bedroom	839
Grand total: 8		7,195

Block 3 Gross Floor Area		
Level	Area (sf)	Area (sm)
000 Lower Level	2851	264.84
001 Entry Level	2851	264.84
002 Upper Level	1677	155.83
Grand total	7379	685.50

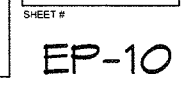
JAMES FRYETT ARCHITECT INC.
 115 Metcalf Street
 Etobicoke, Ontario N0B 1S0
 Tel: 519-846-2201
 Fax: 519-846-0343
 www.fryettarchitect.com

Habitat for Humanity
 104 DAVENON ROAD, UNIT 300
 GUELPH, ON N1H 1A6
 http://habitatg.ca
 (519) 760-3323



HFH Cityview Residences
 11 Cityview Drive South, Guelph
Block 3 - Upper Floor & Roof Plans

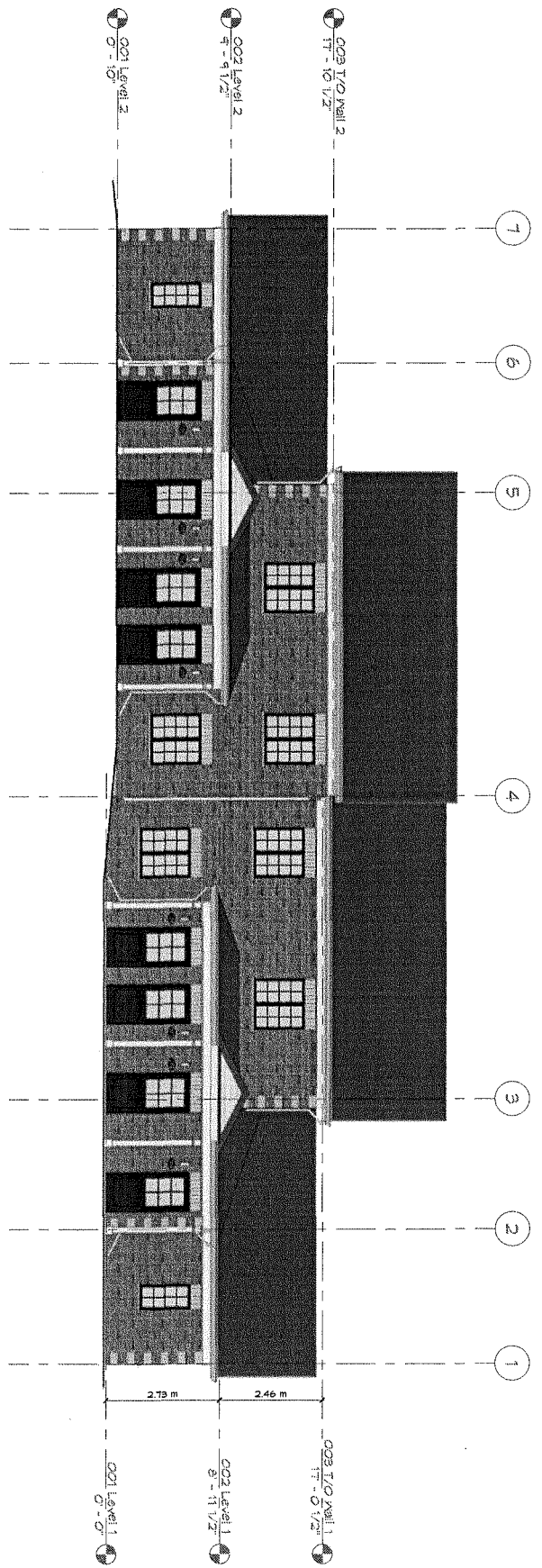
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PROJECT #	14100
SITE PLAN #	SPT14A012
DRAWN	CMB
SCALE	1:75
DATE BDN	20160416
ISSUED	24160416



2 SPA RESUBMISSION
 1 SPA SUBMISSION
 REVISIONS

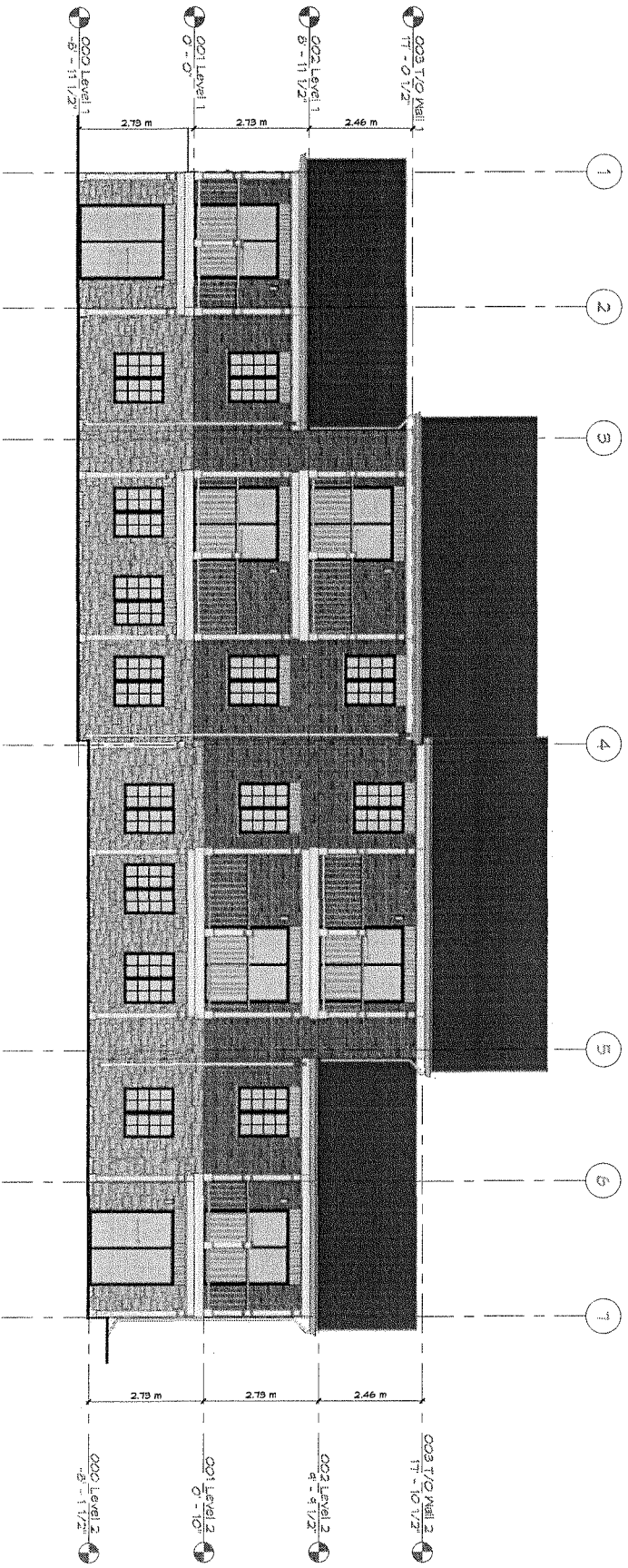
2016-04-16
 2016-07-27
 DATE

SHEET #
EP-10



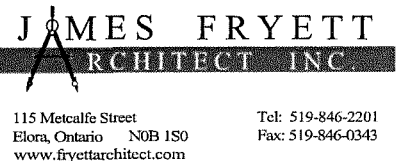
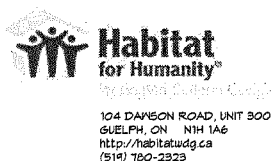
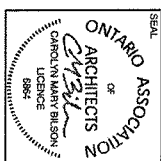
1 North Elevation
EP-11 1:75

MATERIAL LEGEND	
	BRICK
	STONE
	SIDING
	ASPHALT SHINGLES



3 South Elevation
EP-11 1:75

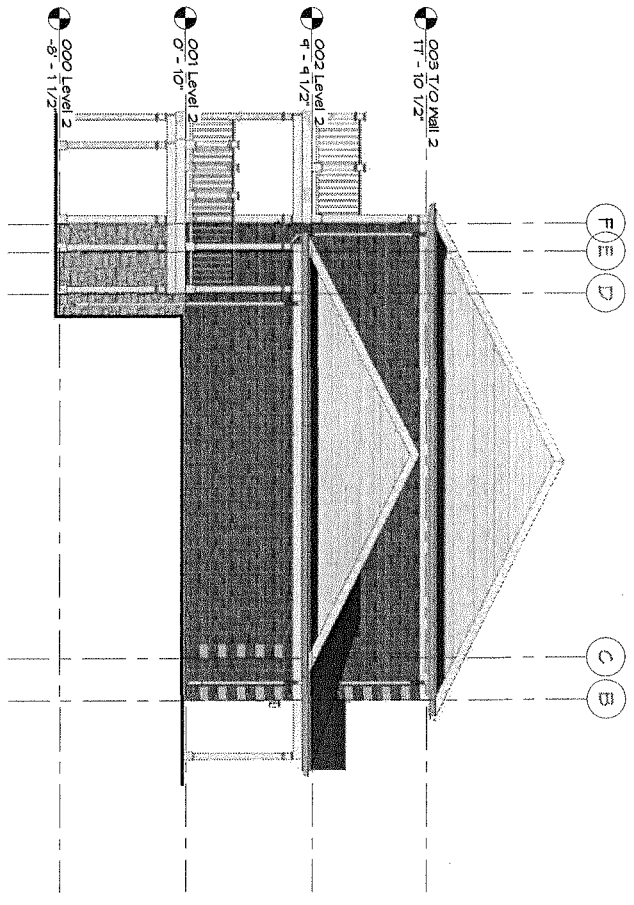
HFH Cityview Residences
11 Cityview Drive South, Guelph
Block 3 - Building Elevations



STATUS	SPA
PROJECT #	14100
SITE PLAN #	SP14A0T2
DRAWN	CMB
SCALE	As Indicated
DATE DWN	20160915
ISSUED	20160916

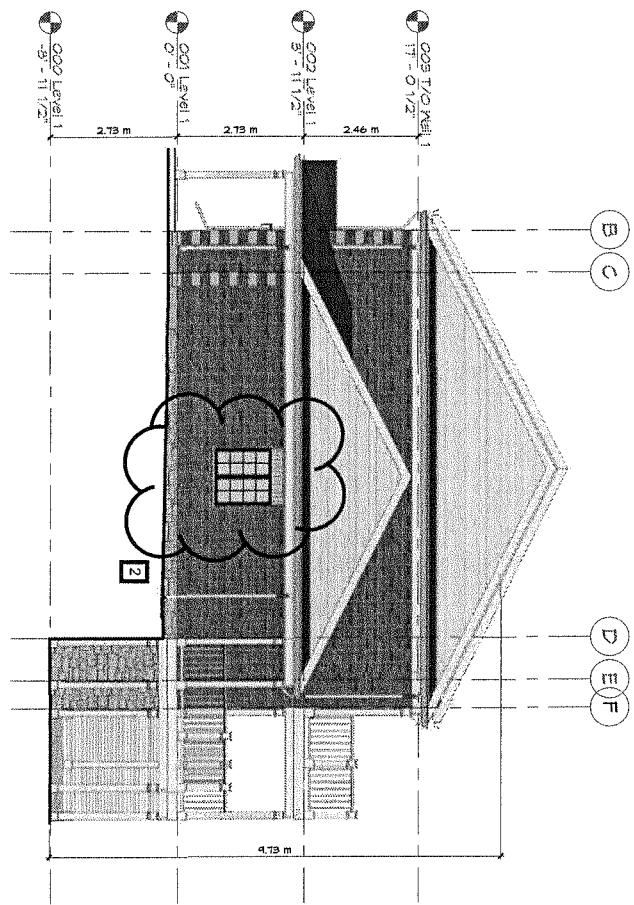
2 SPA REVISIONS
20160916
20160917
DATE

SHEET #
EP-11

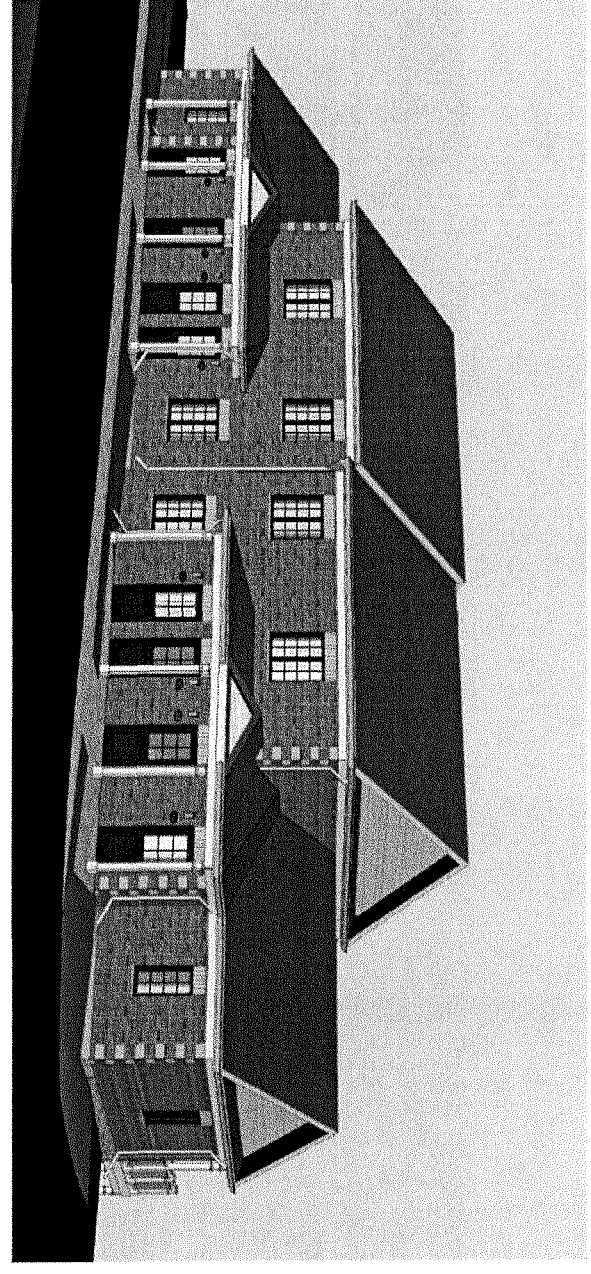


1 East Elevation
EP-12/1:75

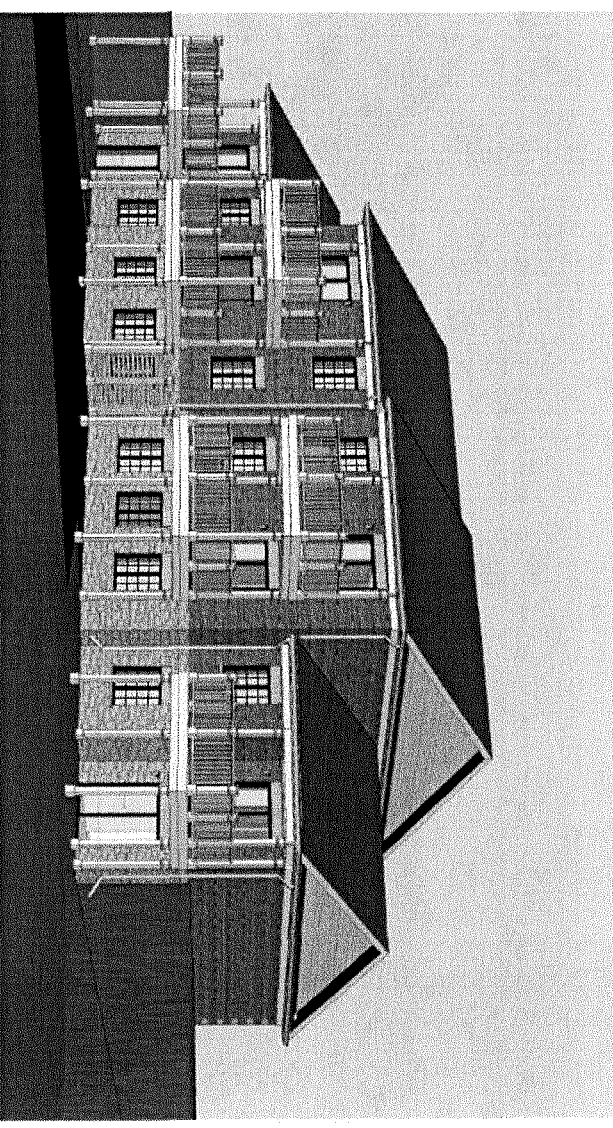
MATERIAL LEGEND	
	BRICK
	STONE
	SIDING
	ASPHALT SHINGLES



2 West Elevation
EP-12/1:75



3 View of Front
EP-12



4 View of Rear
EP-12

2 SPA RESUBMISSION
1 SPA SUBMISSION
REVISIONS
20160916
20160721
DATE

STATUS	SPA
PROJECT #	14100
SITE PLAN #	SP14A072
DRAWN	CMB
SCALE	As indicated
DATE DWN	20160915
ISSUED	29160916

HfH Cityview Residences
11 Cityview Drive South, Guelph
Block 3 - Building Elevations & 3D



Habitat for Humanity
The Rebuilding Community Together
104 DAWSON ROAD, UNIT 300
GUELPH, ON N1H 1A6
http://habitatwdg.ca
(519) 780-2523

JAMES FRYETT ARCHITECT INC.
115 Metcalfe Street
Elora, Ontario N0B 1S0
www.fryettarchitect.com
Tel: 519-846-2201
Fax: 519-846-0343

SHEET #
EP-12

August 9, 2016

Hand Delivered

Committee of Adjustment
Guelph City Hall
1 Carden St.
Guelph, ON N1H 3A1
ATTN: Trista Di Lullo, Secretary-Treasurer

Dear Ms. Di Lullo:

Re: Application for Minor Variance – 21 Halesmanor Crt; 2506653 Ontario Inc.

Please find enclosed an Application for Minor Variance by 2506653 Ontario Inc., the owner of the above-noted property. The Applicant is seeking relief from the parking spaces ratios in section 4.13.4.3 of the Zoning By-law to permit a 10-unit Lodging House. The Applicant already has zoning approval and an open Building Permit to construct a 9-unit Lodging House, based on the 4 existing off-street parking spaces. The Applicant wishes to apply for a revision to the Building Permit to permit a 10th Lodging Unit, but needs relief from the zoning to permit only 4 off-street parking spaces instead of the required 5.

Since 1 parking space is required for every 3 Lodging Units, the addition of only 1 additional unit should not put any undue strain on parking requirements, given that 1 space is also required for the Lodging House itself. The property is located less than a 20 minute walk to the University, thereby lessening the need for automobiles for the prospective tenants. The application is minor, as it will facilitate the addition of 1 additional Lodging Units, whereas 9 are already permitted as of right.

Should you have any questions, please contact the undersigned.

Yours very truly
SMITH VALERIOTE LAW FIRM LLP



Kevin M. Thompson, B.Sc. (Hons.), J.D.
KT
telephone: 519-837-2100 ext. 315
email: kthompson@smithvaleriotelaw.com

CC: Client, via email

Reply to:

MAILING ADDRESS

P.O. Box 1240, Guelph, ON N1H 6N6

ADDRESS

105 Silvercreek Pkwy. N., Suite 100, Guelph, ON N1H 6S4
TF 800 746 0685 F 519 837 1617

Reply to:

MAILING ADDRESS

P.O. Box 128, Fergus, ON N1M 2W7

ADDRESS

265 Bridge St., Fergus, ON N1M 1T7
T 519 843 1960 F 519 843 6888

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Aug 9/2016	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: A-63/16

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes (phone consult) 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: 21 Halesmanor Court, Guelph

Legal description of property (registered plan number and lot number or other legal description):
Lot 32, Plan 730; City of Guelph (PIN: 71503-0047 (LT))

OWNER(S) INFORMATION:

Name: 2506653 Ontario Inc. (c/o Rajwinder Bains)

Mailing Address: 93 Hullrick Drive

City: Etobicoke Postal Code: M9W 6W4

Home Phone: 416-836-0444 Work Phone:

Fax: Email: Bainsia.group@hotmail.com

AGENT INFORMATION (If Any)

Company: SmithValerio Law Firm LLP

Name: Kevin Thompson

Mailing Address: 100-106 Silvercreek Pkwy N

City: Guelph Postal Code: N1G 6C8

Work Phone: 519-837-2100 ext 15 Mobile Phone:

Fax: 519-837-1017 Email: kthompson@smithvalerio.com

Official Plan Designation: Residential

Current Zoning Designation: R.1A

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

The Applicant is applying for relief from section 4.13.4.3 of the City of Guelph Zoning By-law (By-law (1995)-14864) with regard to the parking ratios required for a *Lodging House Type 1*. Section 4.13.4.3 requires 1 parking space per Building plus 1 Parking Space per 3 Lodging Units. There are 4 existing parking spaces, therefore allowing for up to 9 Lodging Units (provided all other zoning regulations are met). The Applicant wishes to create a Lodging House with 10 Lodging Units, which would require 5 parking spaces, and is seeking relief from section 4.13.4.3 to permit only 4 parking spaces for a 10 Lodging Unit Lodging House.

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

The property at 21 Halesmanor Court contains an existing single detached dwelling with 4 legal off-street parking spaces. The Applicant has satisfied all zoning criteria for the creation of a Lodging House with 9 Lodging Units, and has been issued a building permit for interior alterations to create a 9 Lodging Unit Lodging House (Building Dept. folders 16-001935 and 16-002564). The Applicant wishes to revise the application to add a 10th Lodging Unit, but cannot do so without a variance from the parking, as there is no room to create any additional parking spaces. The existing building permit contains a den which can easily be converted to a bedroom through a revision application, should the variance be granted.

PROPERTY INFORMATION

Date property was purchased:	March 23, 2016	Date property was first built on:	August 1986 - July 1987
Date of proposed construction on property:	Ongoing (9 units) September 2016 (10 th unit)	Length of time the existing uses of the subject property have continued:	29 years (single family)

EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Residential

PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Residential - Lodging House Type 1

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

Frontage: 15m

Depth: 42.7m –
53.13m (irreg.)Area: 1115 m²**PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)**

EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	216.19 m ²	Gross Floor Area:	No change
Height of building:	2 storeys	Height of building:	No external changes

Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:	6m		Width:		
Length:	9.68m		Length:		
Driveway Width:	6m		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			PROPOSED		
Front Yard Setback:	9.68 M		Front Yard Setback:	NO EXTERNAL CHANGES	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 3.98 M	Right: 2.49 M	Side Yard Setback:	Left: NO CHANGE	Right: NO CHANGE
Rear Yard Setback	Approx 20 M		Rear Yard Setback	NO EXTERNAL CHANGES	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)					
Provincial Highway <input type="checkbox"/>	Municipal Road <input checked="" type="checkbox"/>	Private Road <input type="checkbox"/>	Water <input type="checkbox"/>	Other (Specify)	

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)		
Water <input checked="" type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/>	Storm Sewer <input checked="" type="checkbox"/>
If not available, by what means is it provided:		

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16-001935 (issued Apr. 29, 2016); 16-002564 (open)
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

Kevin Thompson

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Kevin Thompson, of the City/Town of Guelph in County/Regional Municipality of _____, 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/^{Province}Regional Municipality of _____

Ontario this 8th day of August, 2016.



Commissioner of Oaths
LSUC #67378P

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

2506653 Ontario inc.


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

of 21 Halesmanor Court
(Legal description and/or municipal address)

hereby authorize Kevin Thompson and SmithValeriot Law Firm LLP
(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 3rd day of August 20 16



(Signature of the property owner)

RASWINDER BAINS

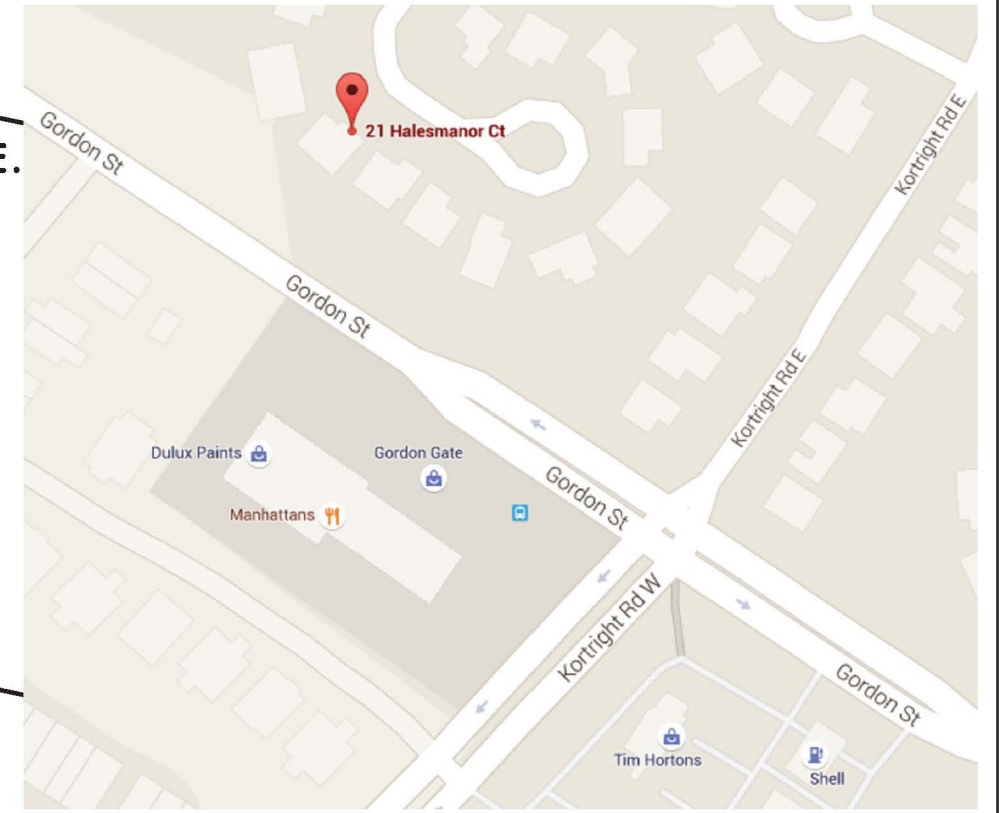
Name: _____
"I have the authority to bind the Corporation"

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.

REMOVE THE EXISTING KITCHEN
AND APARTMENT DESIGNATION
TO CREATE THE LODGING HOUSE.

10 ROOM LODGING HOUSE
4 PARKING SPACES PROVIDED



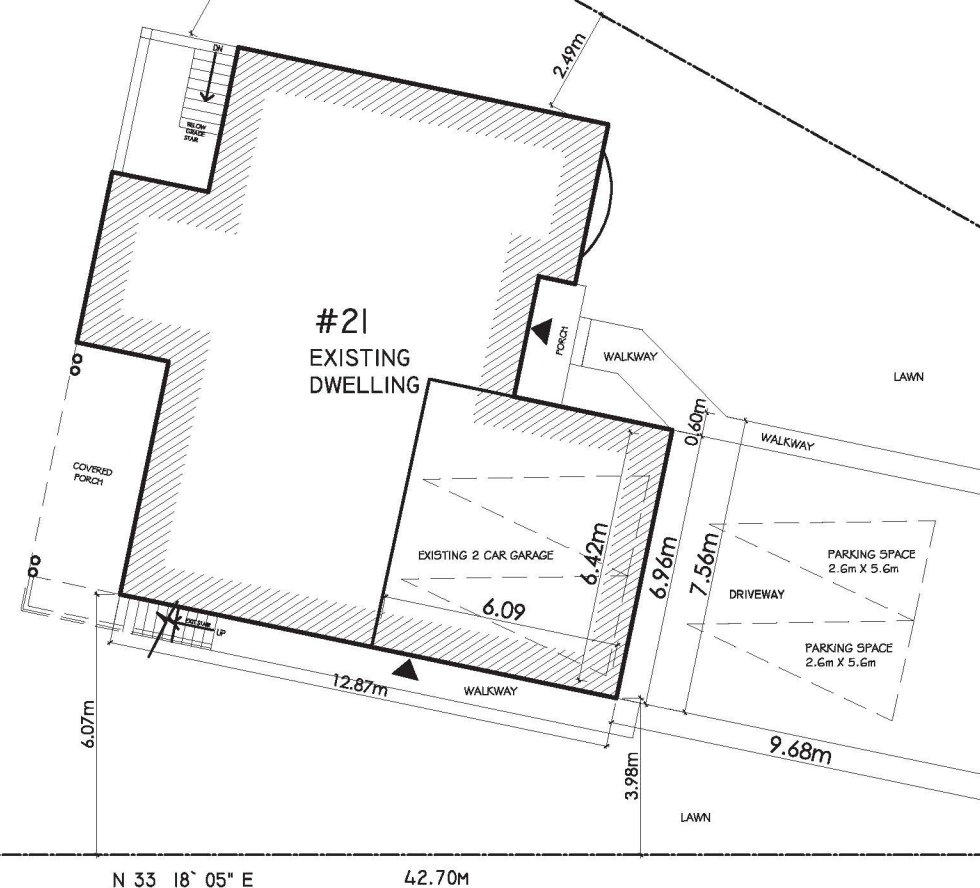
GORDON STREET

REG. PLAN 730

LOT 32

LOT 33

LOT 31



HALESMANOR COURT

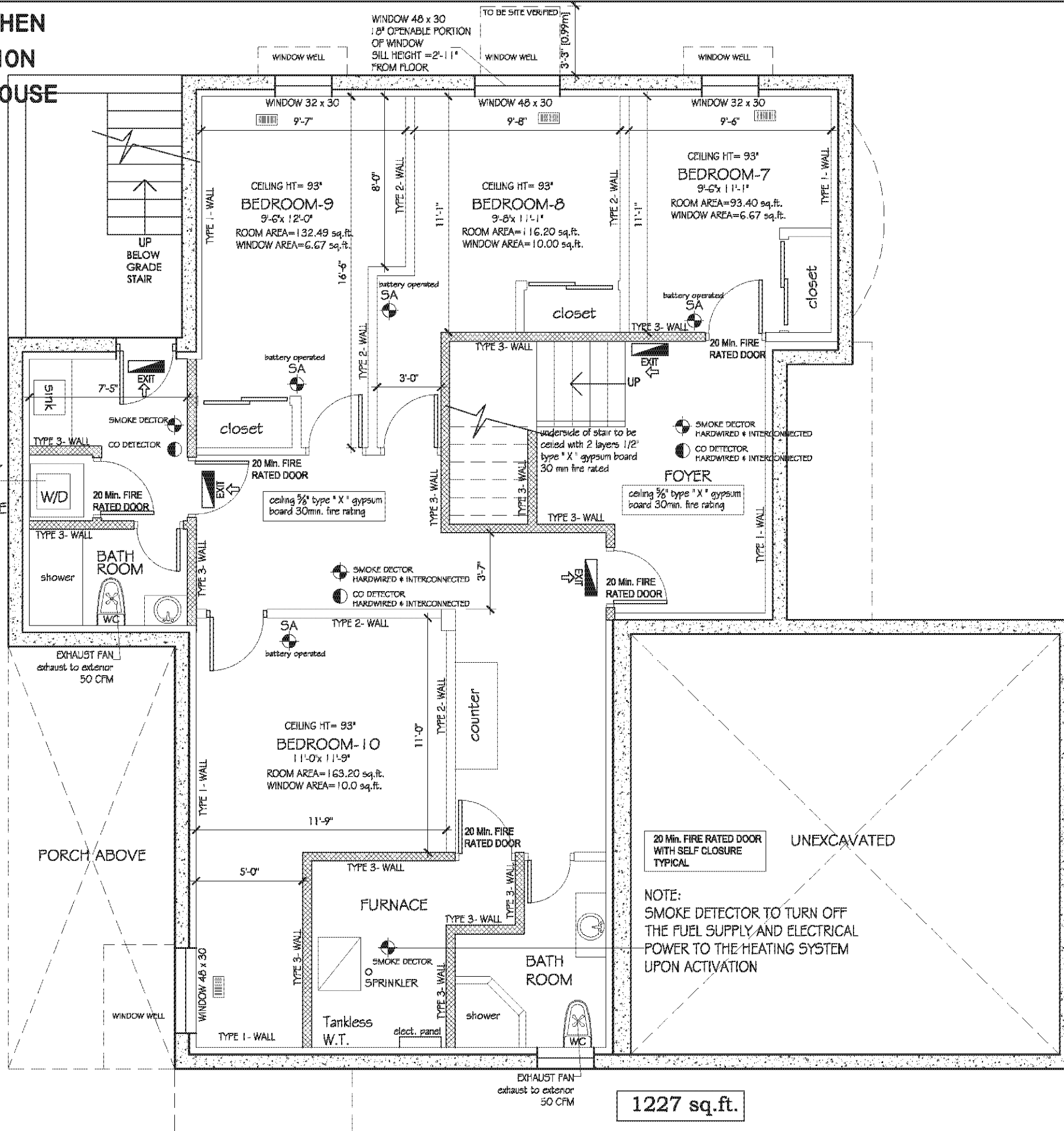
LODGING HOUSE
21 HALESMANOR CT.
GUELPH, ONTARIO
N1G 4E2

SITE PLAN

SCALE = $\frac{1}{16}'' = 1'-0''$

A-1

**REMOVE THE EXISTING KITCHEN
AND APARTMENT DESIGNATION
TO CREATE THE LODGING HOUSE**



LEGEND	
	SMOKE ALARM
	CARBON MONOXIDE
	FIRE EXTINGUISHER
	ILLUMINATED EXIT SIGN EXIT SIGN BATTERY PACK ASSEMBLY

NOTE:
NO CHANGES TO EXISTING MECHANICAL SYSTEM.
EXISTING MECHANICAL SYSTEM TO SERVE ALL
FLOORS . ALL FLOORS ARE EQUIPPED WITH
SMOKE ALARMS

SMOKE ALARMS AND CARBON MONOXIDE
DETECTORS INSTALLED AT ALL FLOORS TO BE
HARDWIRED & INTERCONNECTED

FIRE & SOUND RESISTANCE OF CEILING
F1.0c O' SB-3 OF THE 2006 O.B.C.
EXISTING 2 X 10 FLOOR JOIST @ 16" O/C
89mm THICK ABSORPTIVE MATERIAL
RESILIENT METAL CHANNELS SPACED 400mm O/C
15.9mm TYPE 'X' GYPSUM BOARD
FRR=30 MINUTES MIN.
STC=50

LEGEND	
	TYPE 1 - WALL EXISTING FOUNDATION WALL 1/2" DRYWALL ON 6 MIL POLY VB 2 X 4 WOOD STUDS @ 16" O/C R12 BATT INSUL EXISTING 10' FDN WALL
	TYPE 2 - WALL 2 X 4 STUDS @ 16" O/C w 1/2" gypsum board BOTH SIDES
	TYPE 3 - WALL 36 X 89 (2 X 4) WOOD STUDS @ 400 (16) O/C 89mm THICK ABSORPTIVE MATERIAL RESILIENT CHANNELS @ 400mm O/C 15.9mm GWS TYPE 'X' ON RESILIENT CHANNEL SIDE 5/8" (15.9mm) GYPSUM BOARD TYPE 'X' ON OTHER SIDE W/ 6 MIL VAPOUR BARRIER. FRR=1 HR. MIN. STC=51

NOTE:
SMOKE DETECTOR TO TURN OFF
THE FUEL SUPPLY AND ELECTRICAL
POWER TO THE HEATING SYSTEM
UPON ACTIVATION

**LODGING
HOUSE**

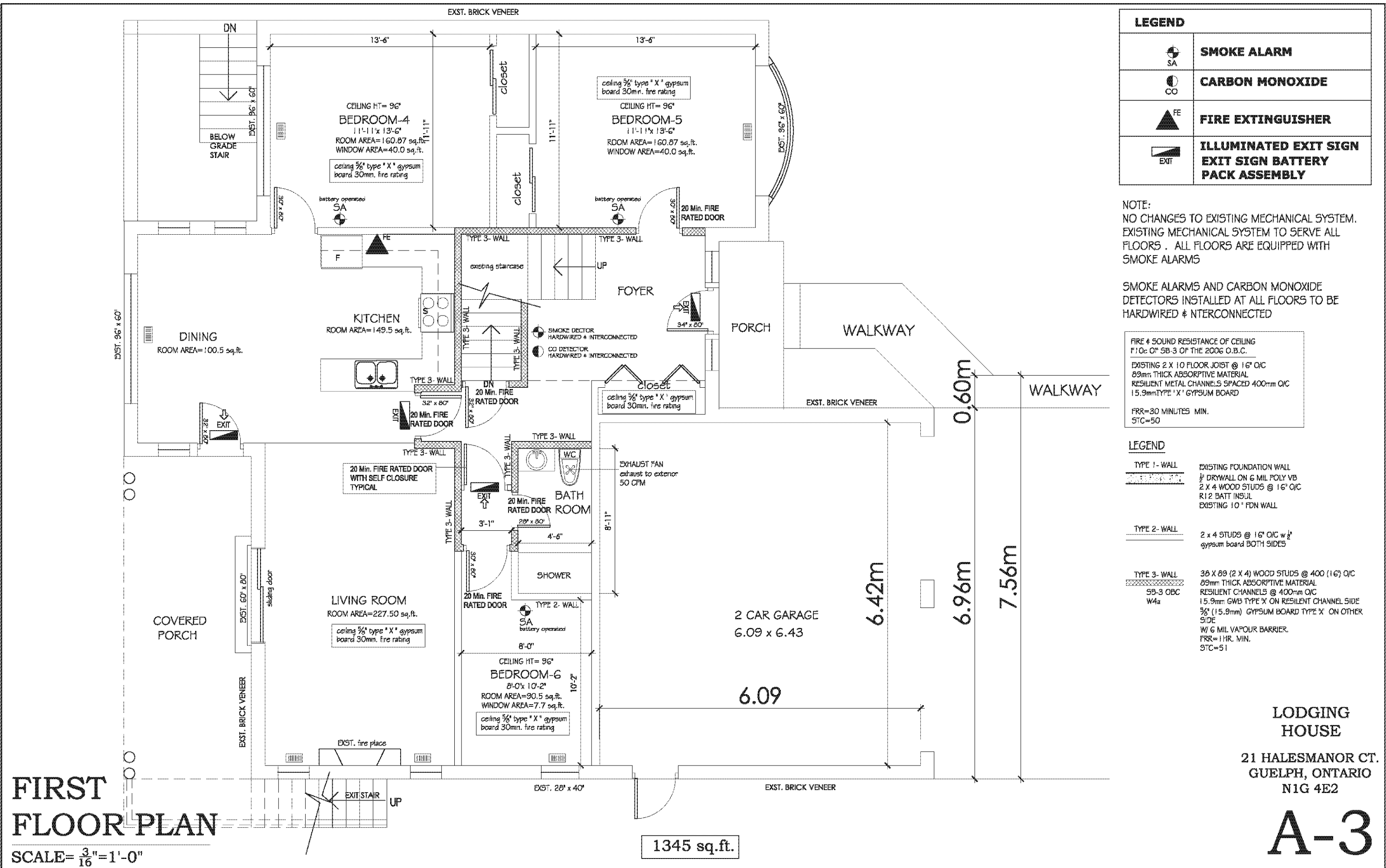
21 HALESMANOR CT.
GUELPH, ONTARIO
N1G 4E2

**BASEMENT
FLOOR PLAN**

SCALE= 3/16"=1'-0"

1227 sq.ft.

A-2



LEGEND	
	SMOKE ALARM
	CARBON MONOXIDE
	FIRE EXTINGUISHER
	ILLUMINATED EXIT SIGN EXIT SIGN BATTERY PACK ASSEMBLY

NOTE:
NO CHANGES TO EXISTING MECHANICAL SYSTEM.
EXISTING MECHANICAL SYSTEM TO SERVE ALL
FLOORS . ALL FLOORS ARE EQUIPPED WITH
SMOKE ALARMS

SMOKE ALARMS AND CARBON MONOXIDE
DETECTORS INSTALLED AT ALL FLOORS TO BE
HARDWIRED & INTERCONNECTED

FIRE 4 SOUND RESISTANCE OF CEILING F1.0c O ⁺ SB-3 OF THE 2006 O.B.C.
EXISTING 2 X 10 FLOOR JOIST @ 16" O/C 89mm THICK ABSORPTIVE MATERIAL RESILIENT METAL CHANNELS SPACED 400mm O/C 15.9mm TYPE 'X' GYPSUM BOARD
FRR=30 MINUTES MIN. STC=50

LEGEND	
	TYPE 1 - WALL EXISTING FOUNDATION WALL 1/2" DRYWALL ON 6 MIL POLY VB 2 X 4 WOOD STUDS @ 16" O/C R12 BATT INSUL EXISTING 10' FDN WALL
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**LODGING
HOUSE**

21 HALESMANOR CT.
GUELPH, ONTARIO
N1G 4E2

A-3

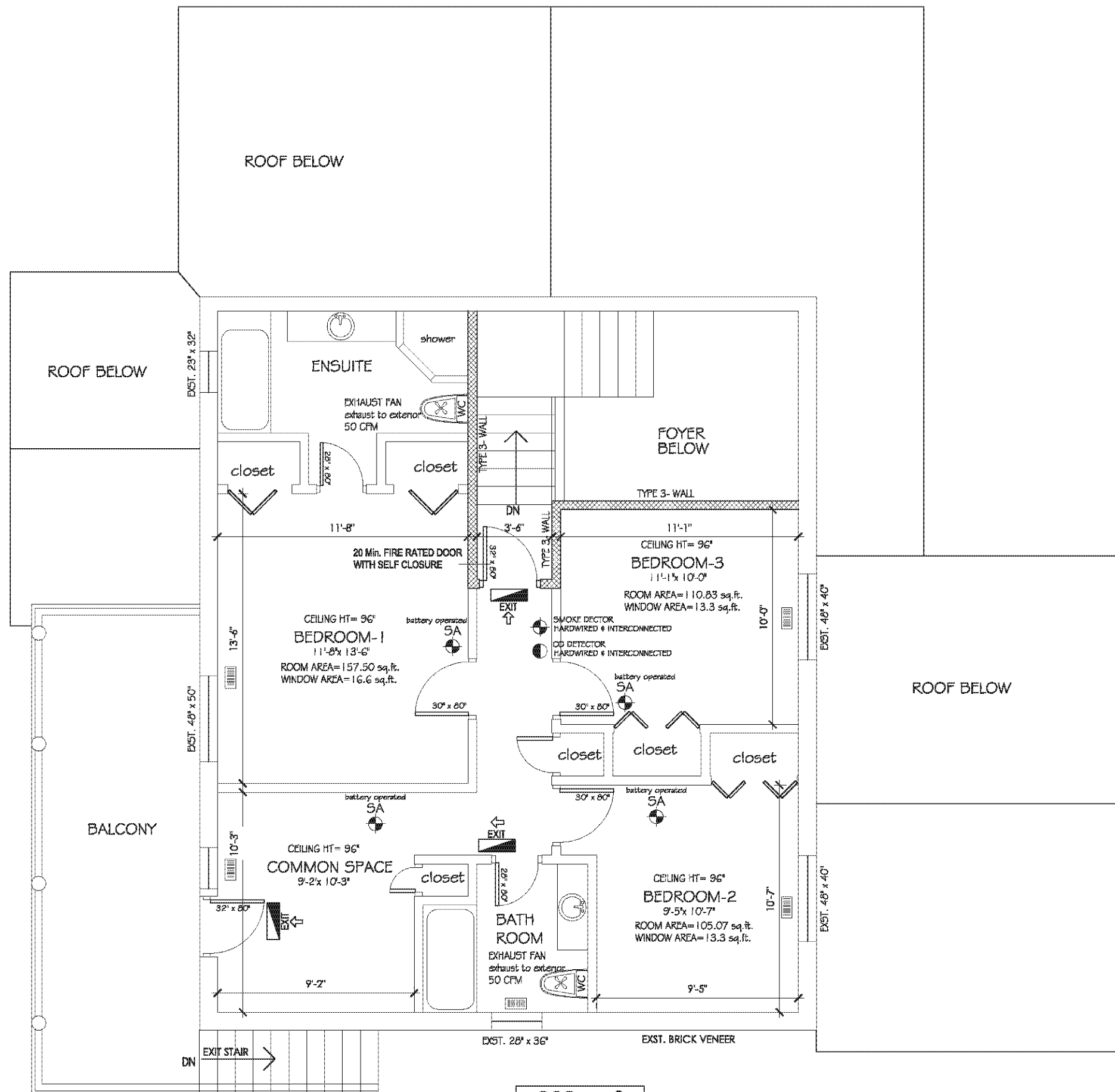
**FIRST
FLOOR PLAN**

SCALE= 3/16"=1'-0"

1345 sq.ft.

SECOND FLOOR PLAN

SCALE = $\frac{3}{16}$ " = 1'-0"



982 sq.ft.

LEGEND	
	SMOKE ALARM
	CARBON MONOXIDE
	FIRE EXTINGUISHER
	ILLUMINATED EXIT SIGN EXIT SIGN BATTERY PACK ASSEMBLY

NOTE:
 NO CHANGES TO EXISTING MECHANICAL SYSTEM.
 EXISTING MECHANICAL SYSTEM TO SERVE ALL FLOORS . ALL FLOORS ARE EQUIPPED WITH SMOKE ALARMS

SMOKE ALARMS AND CARBON MONOXIDE DETECTORS INSTALLED AT ALL FLOORS TO BE HARDWIRED & INTERCONNECTED

FIRE & SOUND RESISTANCE OF CEILING
 F1.0c O' SB-3 OF THE 2006 O.B.C.
 EXISTING 2 X 10 FLOOR JOIST @ 16" O/C
 89mm THICK ABSORPTIVE MATERIAL
 RESILIENT METAL CHANNELS SPACED 400mm O/C
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 STC=50

LEGEND	
	TYPE 1 - WALL EXISTING FOUNDATION WALL 1/2" DRYWALL ON 6 MIL POLY VB 2 X 4 WOOD STUDS @ 16" O/C R12 BATT INSUL EXISTING 10' FDN WALL
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LODGING HOUSE
 21 HALESMANOR CT.
 GUELPH, ONTARIO
 N1G 4E2

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. 13, 2010</u>	Folder #: <u>A-57116</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 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: 17 Sultan St

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

Plan 28 & 115 Pt Lot 72 to Pt Lot 74

OWNER(S) INFORMATION:

Name: JULIAN HENRY DG TRUSTEE

Mailing Address: 79 Dufferin St

City: Guelph Postal Code: N1H 4A2

Home Phone: (519)-827-0110 Work Phone: _____

Fax: _____ Email: julianhenry1@gmail.com

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____ Postal Code: _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Official Plan Designation: INDUSTRIAL	Current Zoning Designation: B4
--	---------------------------------------

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

1. Variance from Table 7.3 to permit a right side yard setback of ~~0m (min)~~ - 0.6m (max)
2. Variance from Table 7.3 to permit a rear yard setback of 0.792m (as per drawing).
3. Variance to extend legal non-conforming residential use.
4. Variance to permit 311.64m² (133.4m² garage) when the By-law requires 464.5m².

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

Existing Attached garage was built between 1929-1946 and all walls are fully on our property. The ~~existing~~ existing 2nd level of the garage roof structure is in very poor condition and does not meet current OBC standards. It is required to raise the roof (by removing the old ~~str~~ roof structure) and change the roof design in order to maintain the garages existing use, ~~and~~ while complying with OBC and eliminating all problems associated with the existing 2nd floor roof design/construction. The Residential house and garage was built before zoning by-laws.

PROPERTY INFORMATION			
Date property was purchased:	1987	Date property was first built on:	1880
Date of proposed construction on property:	As soon as possible	Length of time the existing uses of the subject property have continued:	since 1880
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: 30.175 m Depth: 25.926 m Area: 538.553 m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building Same as before	
Gross Floor Area:	89.122 m ² x 2 storey = 178.244 m ²	Gross Floor Area:	
Height of building:	7.4599 m (24.475')	Height of building:	
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>
Width:	7.934 m	Width:	same as before
Length:	10.414 m	Length:	" " "
Driveway Width:	5.8039 m	Driveway Width:	" " "
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: Total floor area of existing garage = 133.4 m ² Height of existing garage = 5.37 m		Describe details, including height: Floor Area = 133.4 m ² (same as before) NEW Garage Height = 7.3152 m	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING		PROPOSED			
Front Yard Setback:	0.131 m	M	Front Yard Setback:		M
Exterior Side Yard (corner lots only)		M	Exterior Side Yard (corner lots only)		M
Side Yard Setback:	Left: M Right: 0	M	Side Yard Setback:	Left: M Right: 0	M
Rear Yard Setback	0.7921 m	M	Rear Yard Setback	Same as before	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 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, Julian Henry, of the City/Town of Wellington in County/Regional Municipality of Guelph, 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] Signature of Applicant or Authorized Agent [Signature] 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 13th day of September, 2016.

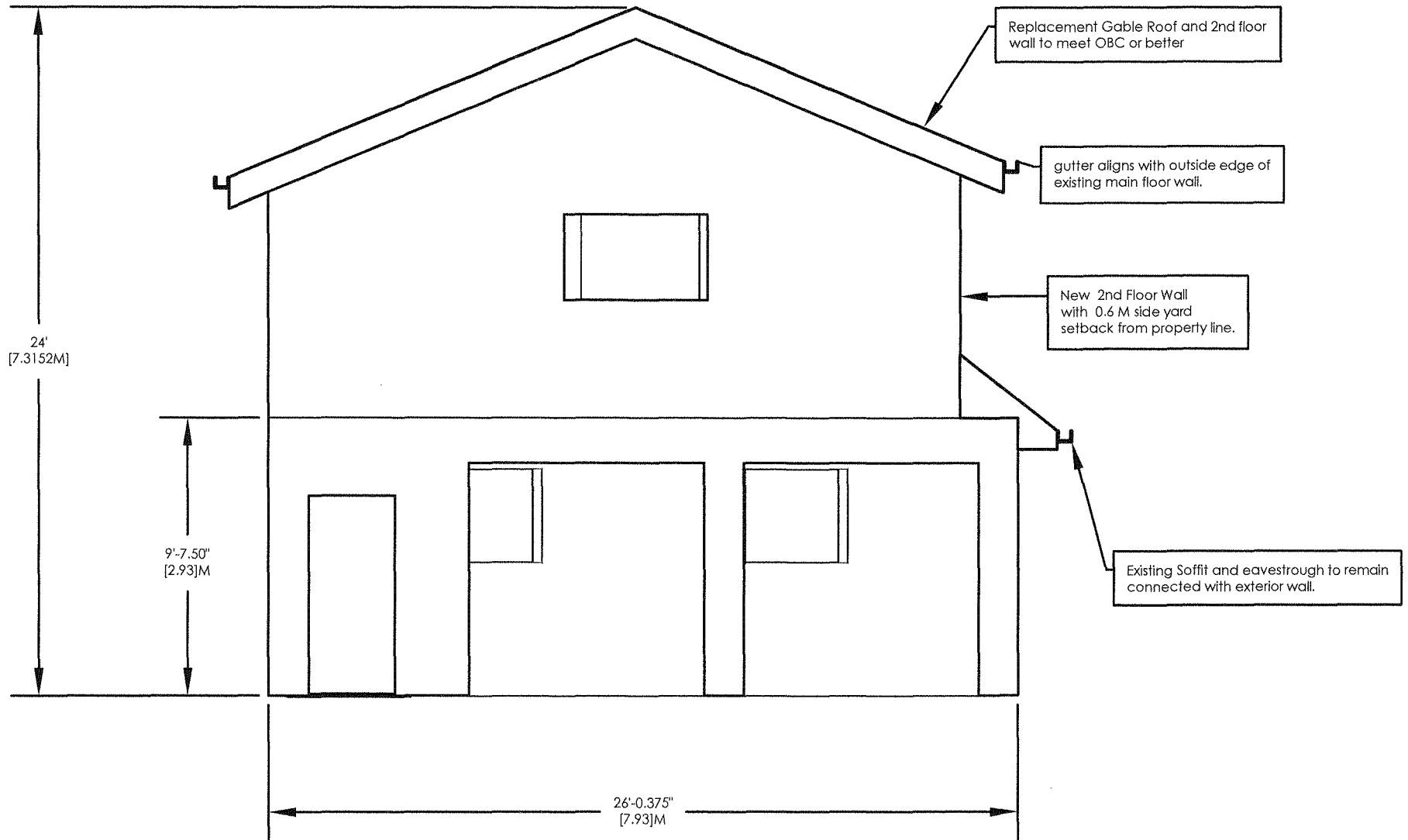
[Signature]
Commissioner of Oaths

Dylan McMahon
A Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.

(official stamp of Commissioner of Oaths)

Commissioner, etc., Province
of Ontario for the Corporation
of the City of Guelph,
Expires April 25, 2017.

Front Elevation of Attached Garage:
 New Gable Style Roof and 2nd level wall plan with 0.6M side yard set back
 Will Replace 2nd level of the existing garage.



17 Sultan St, Guelph Ont

UNITS

Imperial

[Metric]

July 12, 2016

DRAWN BY

Julian Henry

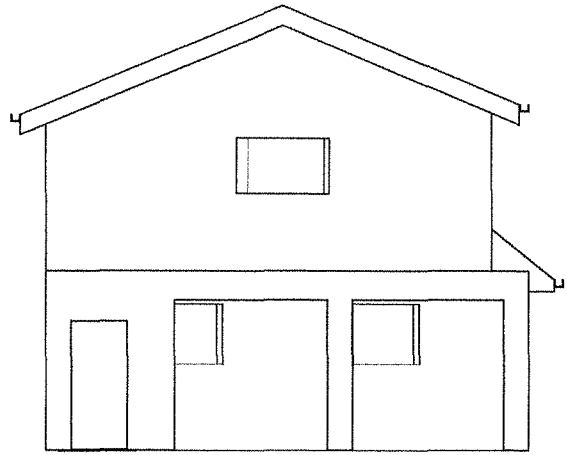
SCALE

3/16"=1'

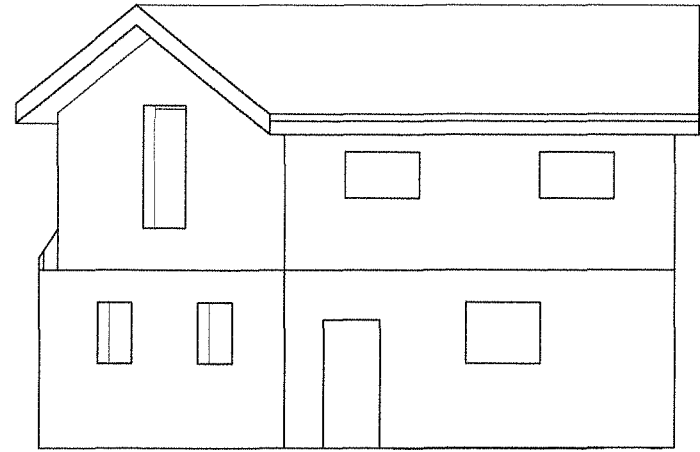
15.63mm=1m

Option #4

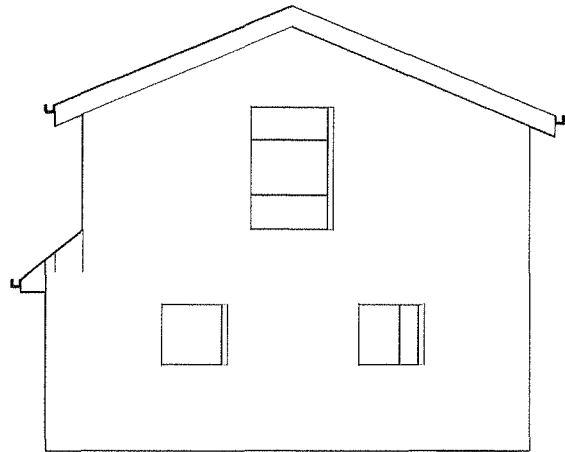
FRONT ELEVATION



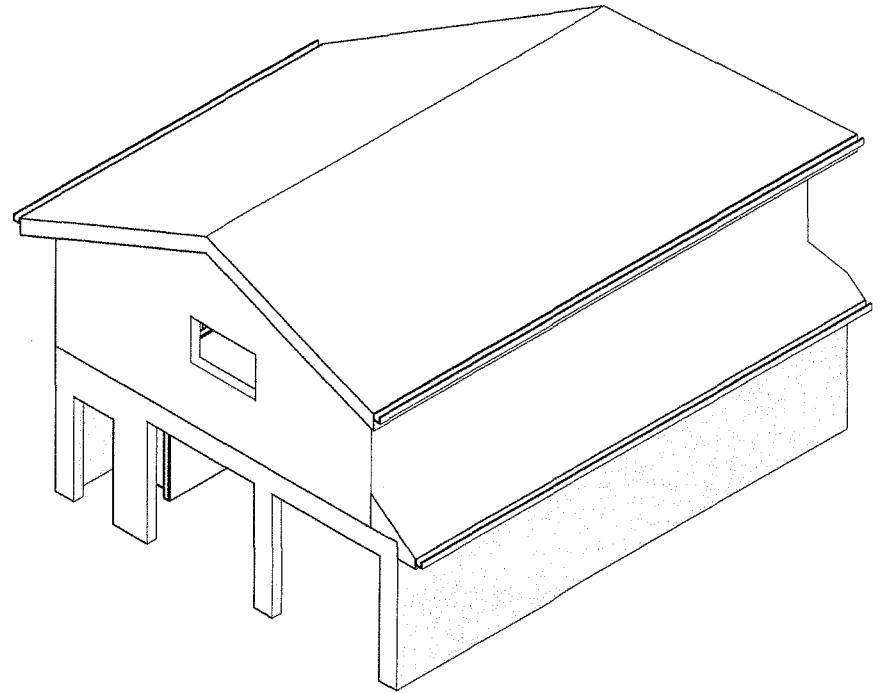
LEFT SIDE ELEVATION



BACK ELEVATION



FRONT AND RIGHT SIDE ELEVATION



17 Sultan St, Guelph

UNITS

INCHES

Metric

Aug 8, 2016

DRAWN BY

Julian Henry

SCALE

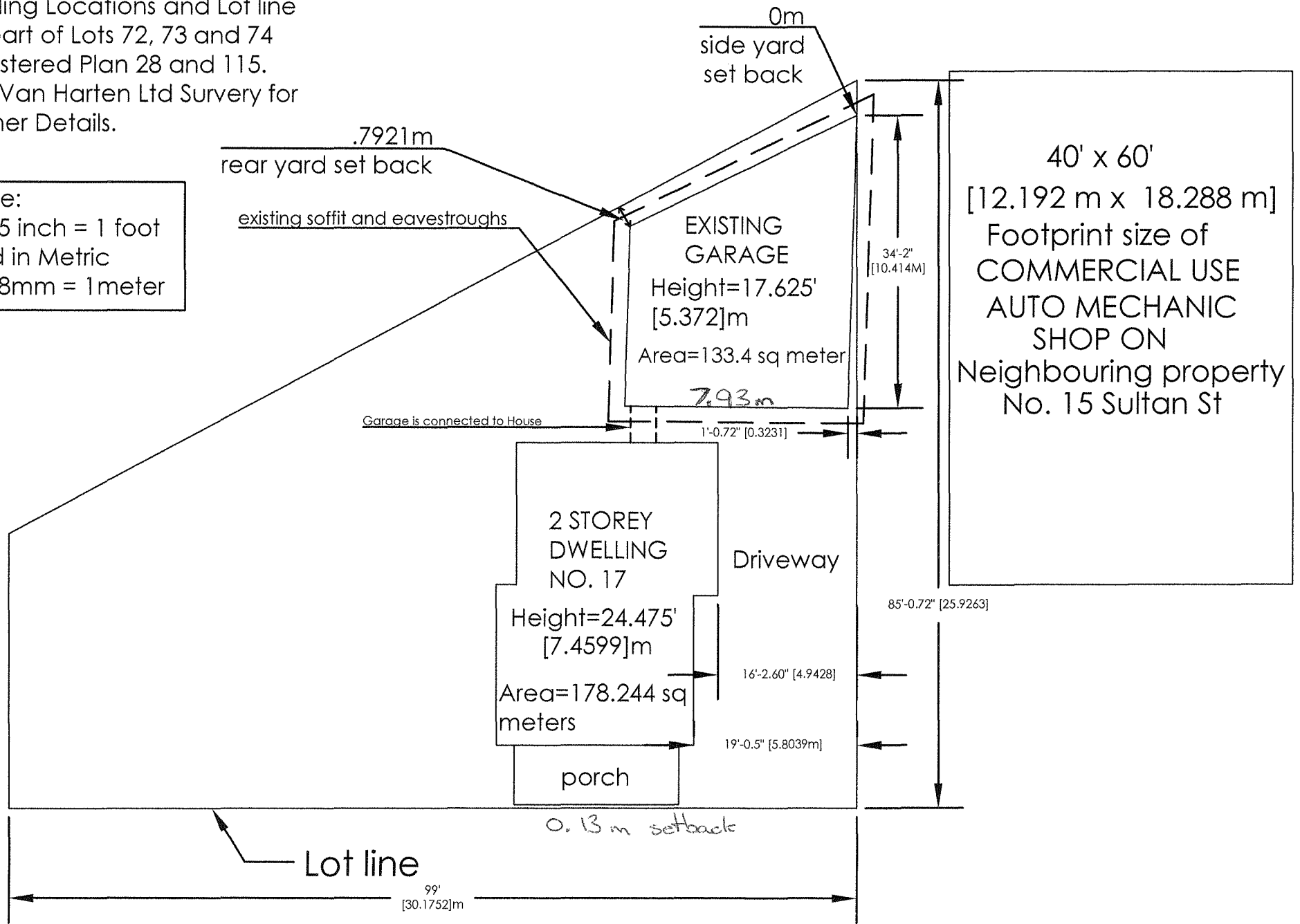
3/32"=1'

7.8mm=1m

Elevations with Replacement Roof

17 Sultan St, Guelph, Ontario
 Building Locations and Lot line
 on part of Lots 72, 73 and 74
 Registered Plan 28 and 115.
 See Van Harten Ltd Survery for
 Further Details.

Scale:
 .0625 inch = 1 foot
 and in Metric
 5.208mm = 1 meter



17 Sultan St, Guelph Ont

UNITS

Imperial

[Metric]

Date

DRAWN BY

Julian Henry

SCALE

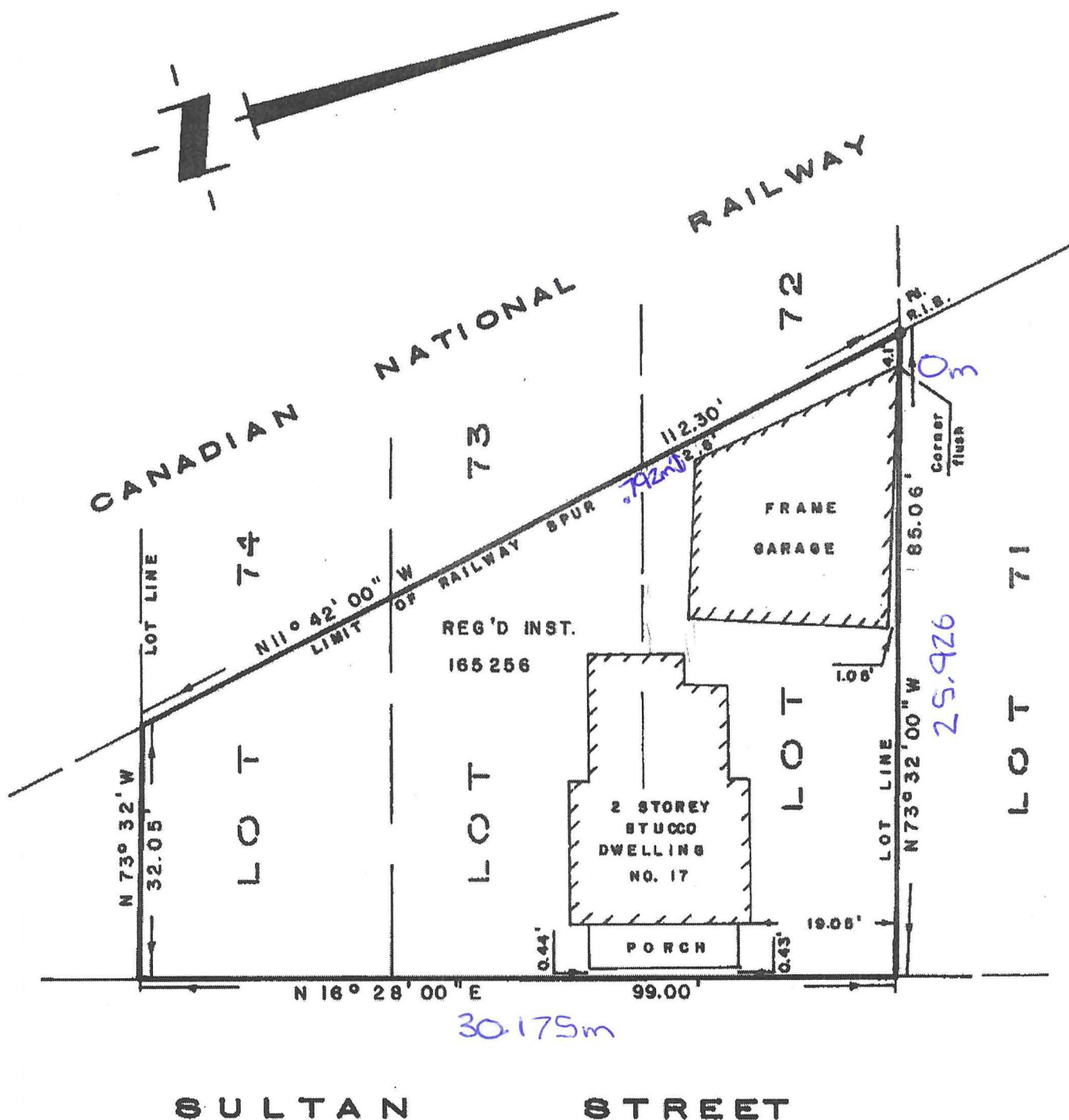
1/16"= 1'

5.208mm=1m

June 07, 2016

**PLAN OF BUILDING LOCATION
ON PART OF
LOTS 72, 73 AND 74
REGISTERED PLAN 28 AND 115
CITY OF GUELPH**

SCALE: 1 Inch = 20 Feet



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. 78 - 673
	M. P. VAN HARTEN LIMITED ONTARIO LAND SURVEYORS 423 WOOLWICH STREET GUELPH - ONTARIO PHONE: 981-2783	PER: <i>M. P. Van Harten</i> M. P. VAN HARTEN

September 13, 2016

Committee of Adjustments
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Attention: Dylan McMahon

Dear Sir:

**Re: Committee of Adjustment Applications
87 Mary Street / 3 Forest Street Linkage**

We submit herewith on behalf of our clients two Minor Variance Applications with respect to 87 Mary Street and 3 Forest Street, Guelph, Ontario. The purpose of these applications is to permit the continuance of an existing linkage between the two properties, the creation of which required relief from the side yard and rear yard requirements.

The previous Applications A-93/09 and A-94/09 contained conditions that required the structure to be removed within seven (7) years. The linkage and renovations to the properties were completed and the linkage has now been in existence for approximately seven (7) years. The linkage has proved quite beneficial to the use of the properties by the owners. In addition, it has proved to be of no consequence to the use and enjoyment of the surrounding properties. The properties have and will continue to be in separate names to facilitate the future sale of either property.

The owners are quite prepared to enter into a new site plan agreement to be registered on the title of both properties that would require the linked structure remain in separate ownership and that the link structure would be removed if and when there is any change in title for either property.

We can confirm that the conditions relating to both past applications have been fully complied with.

We look forward to having this matter addressed by the Committee in due course.

Yours very truly,
SMITH VALERIOTE LAW FIRM LLP


John E. Valeriote, B.B.A., J.D.

JEV/jg

c. Thomas and Jane Funk

email:jvaleriote@smithvaleriote.com
assistant:jgreen@smithvaleriote.com

Reply to:

MAILING ADDRESS

P.O. Box 1240, Guelph, ON N1H 6N6

ADDRESS

105 Silvercreek Pkwy. N., Suite 100, Guelph, ON N1H 6S4

TF 800 746 0685 F 519 837 1617

Reply to:

MAILING ADDRESS

P.O. Box 128, Fergus, ON N1M 2W7

ADDRESS

265 Bridge St., Fergus, ON N1M 1T7

T 519 843 1960 F 519 843 6888

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. 13, 2016</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>A-78/16</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: <u>87 Mary Street, Guelph, Ontario</u>			
Legal description of property (registered plan number and lot number or other legal description): <u>PT PARK LOT 8, PLAN 37 AS IN MS120010 ; GUELPH</u>			
OWNER(S) INFORMATION:			
Name:	<u>Thomas F. Funk and Lois Jane Funk</u>		
Mailing Address:	<u>87 Mary Street</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1G 2A9</u>
Home Phone:	<u>519-827-5995</u>	Work Phone:	_____
Fax:	_____	Email:	_____
AGENT INFORMATION (If Any)			
Company:	<u>SmithValeriotte Law Firm LLP</u>		
Name:	<u>John E. Valeriotte</u>		
Mailing Address:	<u>100-105 Silvercreek Parkway North</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 6S4</u>
Work Phone:	<u>519-837-2100 ext. 320</u>	Mobile Phone:	<u>519-212-1349</u>
Fax:	<u>519-837-1617</u>	Email:	<u>jvaleriotte@smithvaleriotte.com</u>

Official Plan Designation: Residential	Current Zoning Designation: R.1A
--	----------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
- To permit the continuance of an existing 0 metre sideyard for an indefinite period of time
- The previous decisions (A-93/09 and A-94/09) permitted the 0 metre sideyard but required it to be removed within 7 years of the issuance of the building permit
- Table S.1.2 – Row 17 (by-law requires 1.5 m)

Why is it not possible to comply with the provision of the by-law? (your explanation)
- The existence of the link over the last 7 years has confirmed no conflict with the use of the properties. In addition, the use and enjoyment of the surrounding properties has not been negatively impacted

PROPERTY INFORMATION			
Date property was purchased:	September 15, 1972	Date property was first built on:	
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	7 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: 16.46 m	See Attached Sketch	Depth: 33.75 m	Area: 555.53 m ²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	227.612 m ²	Gross Floor Area:	N/A
Height of building:	2 storey	Height of building:	
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	2.8956 m	Width:	
Length:	7.1628 m	Length:	
Driveway Width:	5.4864 m	Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: See Sketch Attached		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	7.64 M	Front Yard Setback:	7.64 M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 0 M Right: 0.15 M	Side Yard Setback:	Left: 0 M Right: 0.15 M
Rear Yard Setback	12.4968 M	Rear Yard Setback	12.4968 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 type="checkbox"/>	<input checked="" type="checkbox"/>	See Attached Decisions for A-93/09 and A-94/09

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

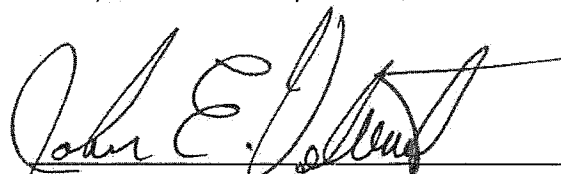
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.

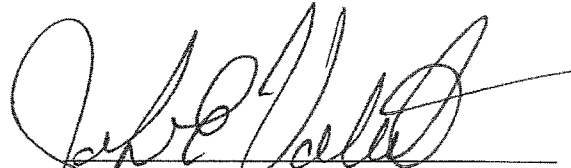
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



John E. Valeriote
Signature of Owner or Authorized Agent

AFFIDAVIT

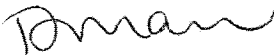
I, John E. Valeriote, of the City of Guelph in the Province of Ontario, solemnly declare that all of the above statements contained in this application are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.



John E. Valeriote
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, Province of Ontario, this 13th day of September, 2016.



Commissioner of Oaths

(official stamp of Commissioner of Oaths)

Donna Marie Mair, a Commissioner, etc.,
Province of Ontario, for
SmithValeriote Law Firm LLP.
Expires October 16, 2018.

APPOINTMENT AND AUTHORIZATION

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

THOMAS F. FUNK AND LOIS JANE FUNK
[Organization name / property owner's name(s)]

of

**PT PARK LOT 8, PLAN 37 AS IN MS120010 ; GUELPH
87 MARY STREET, GUELPH, ONTARIO**
(Legal description and/or municipal address)

hereby authorize

SMITHVALERIOTE LAW FIRM LLP / JOHN E. VALERIOTE
(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.

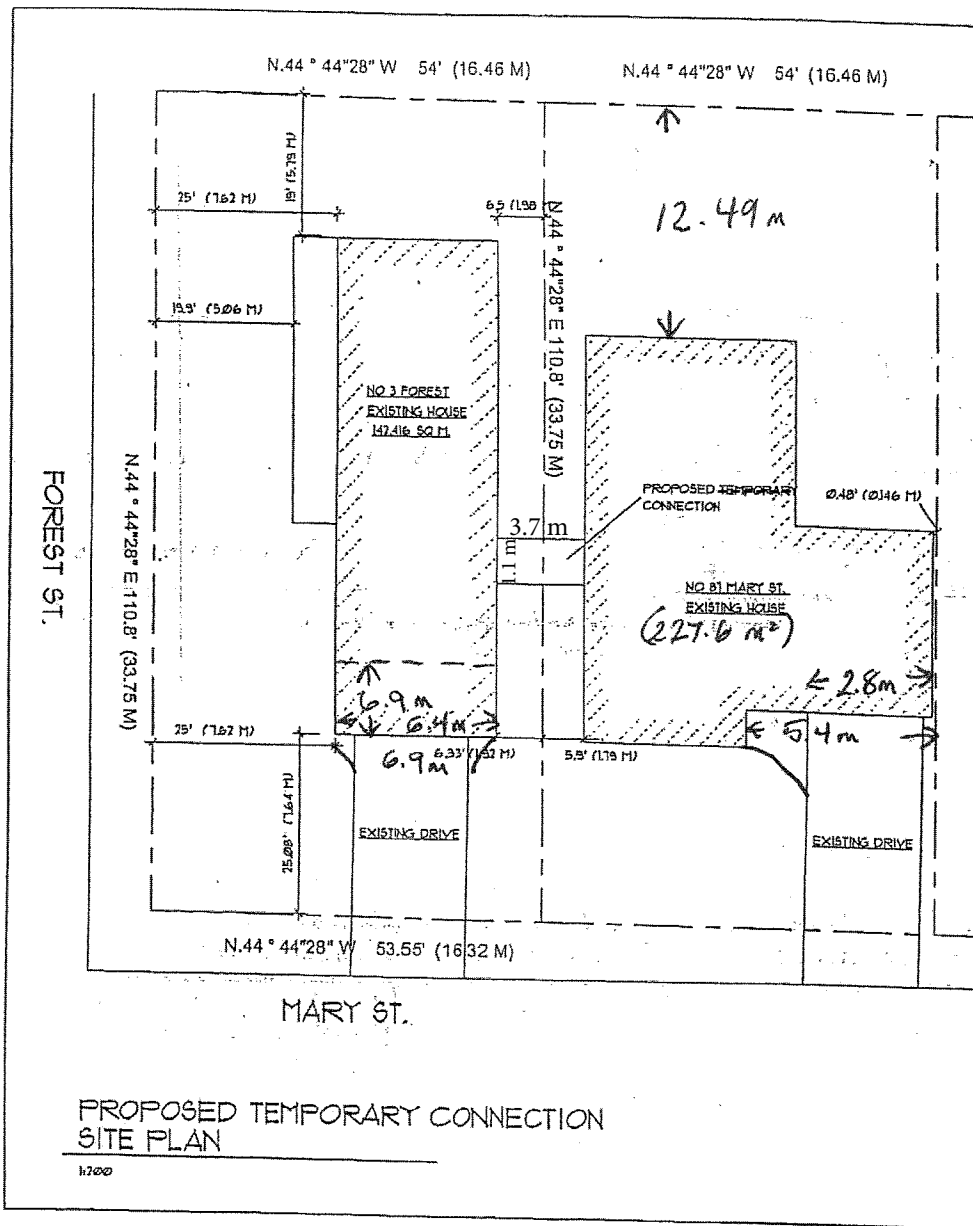
Dated this 13th day of September, 2016.

Tom Funk
THOMAS F. FUNK
(Signature of the property owner)

Lois Jane Funk
LOIS JANE FUNK
(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.



DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-93/09



The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 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(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2-Row 7 of Zoning By-law (1995)-14864, as amended, for 87 Mary Street, to permit a temporary link between 87 Mary Street and 3 Forest Street, which will be situate 0 metres from the left side lot line when the By-law requires a minimum side yard of 1.5 metres (4.92 feet), be approved, subject to the following conditions:

1. That the owner enters into a Site Plan Agreement registered on title for each property prior to the issuance of the building permit, which requires that the temporary covered link structure be removed and the area restored within 7 years of the issuance of the building permit, and that the properties affected by this application remain in separate titles and that the temporary link be removed if there is any change in title for either property.
2. That prior to issuance of a building permit, the applicant makes arrangements for the relocation of the existing overhead hydro service stack at 87 Mary Street, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. The relocation will be at the owner's expense."

Members of Committee
Concurring in this Decision

I, Kimberli Fairfull, 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 meeting held on January 12, 2010.

Dated: January 15, 2010

Signed:

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is February 1, 2010.

Community Design and Development Services
Building Services

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-94/09



Making a Difference

The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 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(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, variances from the requirements of Table 5.1.2-Rows 6A and 7 and Section 5.1.2.7(i) of Zoning By-law (1995)-14864, as amended, for 3 Forest Street,

- a) to construct a temporary link between 3 Forest Street and 87 Mary Street which will be situate 0 metres from the right side lot line when the By-law requires a minimum side yard of 1.5 metres (4.92 feet);
- b) to reconstruct the attached garage and add a second storey addition with dormers which will be situate 7.64 metres (25.08 feet) from Mary Street and 7.62 metres (25 feet) from Forest Street when the By-law requires a minimum setback of 11.26 metres (36.9 feet) from Mary Street and 8.3 metres (27.52 feet) from Forest Street, and,
- c) to permit a dormer addition on the existing dwelling which will be situate 5.06 metres (19.9 feet) from the Forest Street property line when the By-law requires a minimum setback of 8.3 metres (27.52 feet)

be approved, subject to the following conditions:

1. That the owner enters into a Site Plan Agreement registered on title for each property prior to the issuance of the building permit, which requires that the temporary covered link structure be removed and the area restored within 7 years of the issuance of the building permit, and that the properties affected by this application remain in separate titles and that the temporary link be removed if there is any change in title for either property.
2. That prior to issuance of a building permit, the applicant makes arrangements for the relocation of the existing overhead hydro service stack at 3 Forest Street, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. The relocation will be at the owner's expense."

Members of Committee
Concurring in this Decision

I, Kimberli Fairfull, 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 meeting held on January 12, 2010.

Dated: January 15, 2010

Signed:

The last day on which a Notice
of Appeal to the Ontario
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is February 1, 2010.

Community Design and Development Services
Building Services

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Official Plan Designation: Residential	Current Zoning Designation: R.1A
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
- To permit the continuance of an existing 0 metre sideyard for an indefinite period of time
- The previous decisions (A-93/09 and A-94/09) permitted the 0 metre sideyard but required it to be removed within 7 years of the issuance of the building permit
- Table S.1.2 – Row 17 (by-law requires 1.5m)

Why is it not possible to comply with the provision of the by-law? (your explanation)
- The existence of the link over the last 7 years has confirmed no conflict with the use of the properties. In addition, the use and enjoyment of the surrounding properties has not been negatively impacted

PROPERTY INFORMATION			
Date property was purchased:	April 30, 2009	Date property was first built on:	
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	7 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: 16.32 m	See Attached Sketch	Depth: 33.75m	Area: 550.8m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	142.416 sq m	Gross Floor Area:	N/A
Height of building:	2 storey	Height of building:	
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	6.4008 m	Width:	
Length:	6.6802 m	Length:	
Driveway Width:	6.9596 m	Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: See Sketch Attached		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING		PROPOSED			
Front Yard Setback:	7.64 M		Front Yard Setback:	7.64 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 5.79 M	Right: 7.64 M	Side Yard Setback:	Left: 5.79 M	Right: 7.64 M
Rear Yard Setback	0 M		Rear Yard Setback	0 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 type="checkbox"/>	<input checked="" type="checkbox"/>	See Attached Decisions for A-93/09 and A-94/09

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

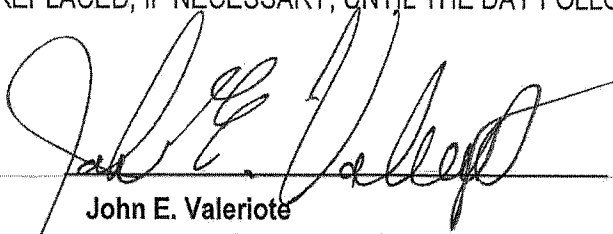
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.

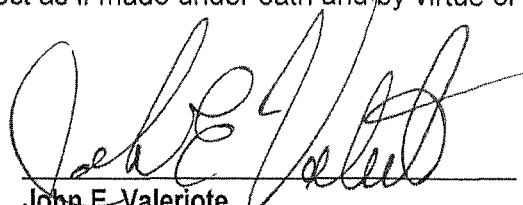
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



John E. Valeriote
Signature of Owner or Authorized Agent

AFFIDAVIT

I, **John E. Valeriote**, of the City of Guelph in the Province of Ontario, 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.



John E. Valeriote
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, Province of Ontario, this 13th day of September, 2016.



Commissioner of Oaths

Donna Marie Mair, a Commissioner, etc.
Province of Ontario, for
Smith Valeriote Law Firm LLP.
Expires October 16, 2018.
(Official Stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

JANE GAYLORD FUNK
[Organization name / property owner's name(s)]

of

**PT PARK LOT 8, PLAN 37 AS IN MS75811 ; GUELPH
3 FOREST STREET, GUELPH, ONTARIO**
(Legal description and/or municipal address)

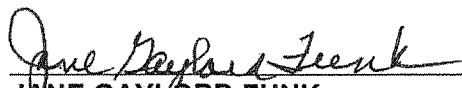
hereby authorize

SMITHVALERIOTE LAW FIRM LLP / JOHN E. VALERIOTE
(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.

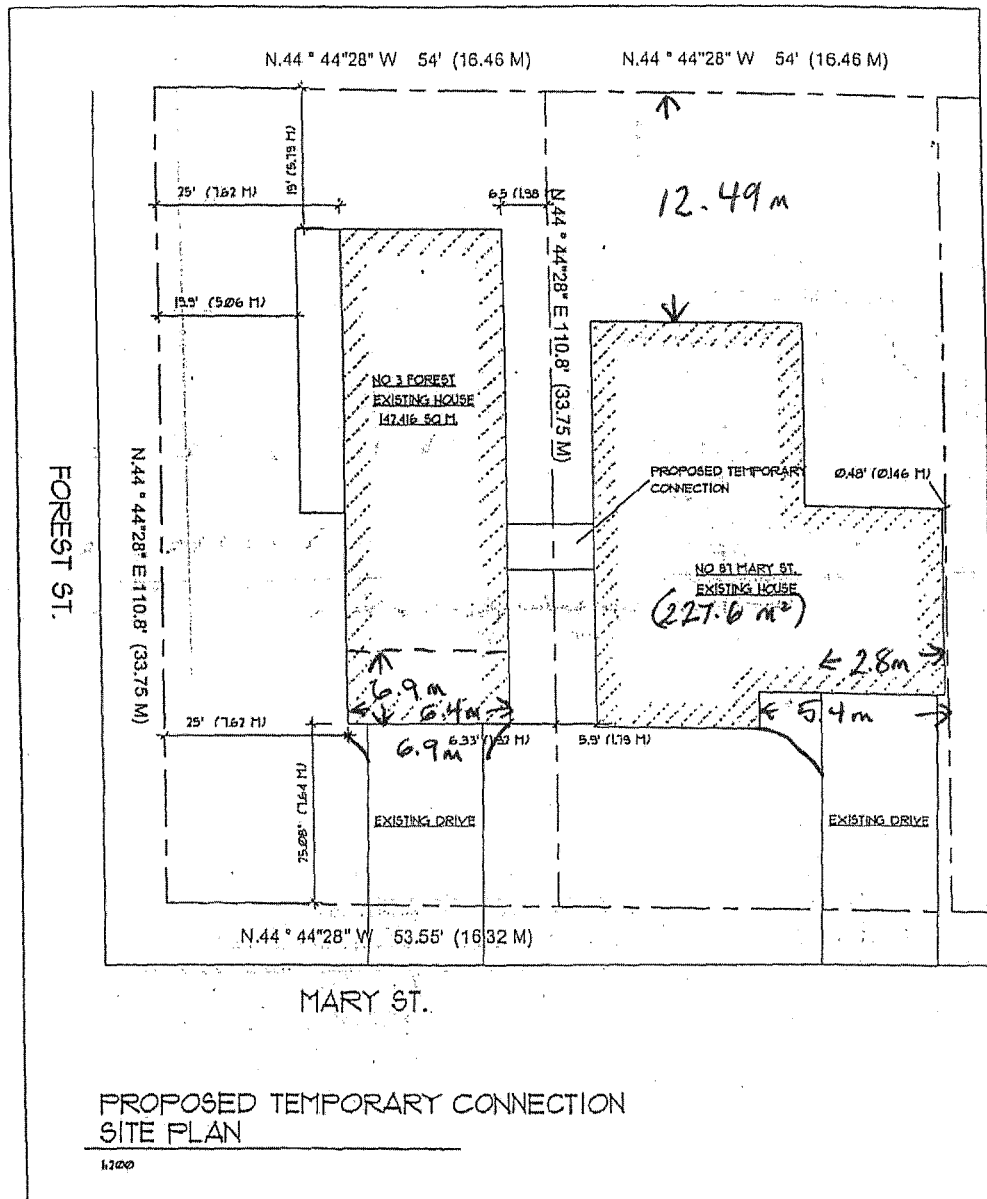
Dated this 13th day of September, 2016.

(Signature of the property owner)


JANE GAYLORD FUNK
(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.



DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-93/09



The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 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(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Table 5.1.2-Row 7 of Zoning By-law (1995)-14864, as amended, for 87 Mary Street, to permit a temporary link between 87 Mary Street and 3 Forest Street, which will be situate 0 metres from the left side lot line when the By-law requires a minimum side yard of 1.5 metres (4.92 feet), be approved, subject to the following conditions:

1. That the owner enters into a Site Plan Agreement registered on title for each property prior to the issuance of the building permit, which requires that the temporary covered link structure be removed and the area restored within 7 years of the issuance of the building permit, and that the properties affected by this application remain in separate titles and that the temporary link be removed if there is any change in title for either property.
2. That prior to issuance of a building permit, the applicant makes arrangements for the relocation of the existing overhead hydro service stack at 87 Mary Street, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. The relocation will be at the owner's expense."

Members of Committee
Concurring in this Decision

I, Kimberli Fairfull, 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 meeting held on January 12, 2010.

Dated: January 15, 2010

Signed:

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Building Services

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DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-94/09



The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 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(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, variances from the requirements of Table 5.1.2-Rows 6A and 7 and Section 5.1.2.7(i) of Zoning By-law (1995)-14864, as amended, for 3 Forest Street,

- a) to construct a temporary link between 3 Forest Street and 87 Mary Street which will be situate 0 metres from the right side lot line when the By-law requires a minimum side yard of 1.5 metres (4.92 feet);
- b) to reconstruct the attached garage and add a second storey addition with dormers which will be situate 7.64 metres (25.08 feet) from Mary Street and 7.62 metres (25 feet) from Forest Street when the By-law requires a minimum setback of 11.26 metres (36.9 feet) from Mary Street and 8.3 metres (27.52 feet) from Forest Street, and,
- c) to permit a dormer addition on the existing dwelling which will be situate 5.06 metres (19.9 feet) from the Forest Street property line when the By-law requires a minimum setback of 8.3 metres (27.52 feet)

be approved, subject to the following conditions:

- 1. That the owner enters into a Site Plan Agreement registered on title for each property prior to the issuance of the building permit, which requires that the temporary covered link structure be removed and the area restored within 7 years of the issuance of the building permit, and that the properties affected by this application remain in separate titles and that the temporary link be removed if there is any change in title for either property.
- 2. That prior to issuance of a building permit, the applicant makes arrangements for the relocation of the existing overhead hydro service stack at 3 Forest Street, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. The relocation will be at the owner's expense."

Members of Committee
Concurring in this Decision

I, Kimberli Fairfull, 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 meeting held on January 12, 2010.

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