

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Feb 8, 2018</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>B-7/18</u>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

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

## AGENT INFORMATION (If Any)

Name:	<u>Brian Collier</u>		
Company:	<u>Built By Engineers Construction Inc.</u>		
Mailing Address:	<u>Unit 8 - 520 Collier MacMillan Drive</u>		
City:	<u>Cambridge</u>	Postal Code:	<u>N1R 6R6</u>
Home Phone:		Work Phone:	<u>519-620-8886</u>
Fax:	<u>519-620-8885</u>	Email:	<u>b.collier@builtbyengineers.com</u>

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

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

A reciprocal easement over the entire severed lands for the retained lands is proposed

A reciprocal easement over the entire retained lands for the severed lands is proposed

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:

**DESCRIPTION OF LAND INTENDED TO BE SEVERED**

Frontage / Width: (m) 25.989	Depth (m) 102.572	Area: (m <sup>2</sup> ) 5,883.8	Existing Use: Commercial Mall	Proposed Use: Commercial Mall
Existing Buildings/Structures: 1 – single storey, 1,089.16m <sup>2</sup>			Proposed Buildings / Structures: Existing to remain	
Use of Existing Buildings/Structures (specify): Commercial mall			Proposed Use of Buildings/Structures (specify): Commercial mall	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) 102.563	Depth (m) 111.073	Area: (m <sup>2</sup> ) 8,188.8	Existing Use: Commercial Mall	Proposed Use: Commercial Mall
Existing Buildings/Structures: 1 – single storey, 2,298.19m <sup>2</sup>			Proposed Buildings / Structures: Existing to remain	
Use of Existing Buildings/Structures (specify): Commercial Mall			Proposed Use of Buildings/Structures (specify): Commercial Mall	

**TYPE OF ACCESS TO THE RETAINED LANDS**

- ☐ Provincial Highway
 ☒ Municipal Road  
☐ Private Road
 ☒ Right-of-Way  
☐ Other (Specify)

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway
 ☒ Municipal Road  
☐ Private Road
 ☒ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

- ☒ Municipally owned and operated
 ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated
 ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS**

- ☒ Municipally owned and operated
 ☐ Septic Tank  
☐ Other (Explain)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**

- ☒ Municipally owned and operated
 ☐ Septic Tank  
☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?	Is any portion of the land to be severed or retained located within a floodplain?
X No <input type="checkbox"/> Yes	X No <input type="checkbox"/> Yes

**LAND USE**What is the land use designation of the site in the Official Plan? Neighbourhood Commercial CentreDoes the proposal conform? X 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.1Does the proposed plan conform to the existing zoning? ☐ YES X NO (Parking for retained lands not met)

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

X Yes ☐ No FILE No.: A-80/16 Status: Application made Sep 9, 16. No FileApproved at Nov. 10/16

# yet

CoFA hearing**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 X NO

If yes, provide the following:

FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

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

If yes, provide the following:

FILE No.: B-22/16 Status: File lapsed - conditions not met

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	X		
Zoning By-law Amendment	X		
Plan of Subdivision	X		
Site Plan	X		
Building Permit	X		
Minor Variance		X	<u>A-80/16</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, of the City of                       
(town, city)

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

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

Declared before me at the \_\_\_\_\_ of \_\_\_\_\_ in the County/Regional Municipality of \_\_\_\_\_  
(city or town)  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Commissioner of Oaths

**LINDSAY ALEXANDRA CLINE,**

a Commissioner, etc., Province of Ontario,  
for THE CORPORATION OF THE  
CITY OF GUELPH.

**Expires March 6, 2020**

(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 EASTVIEW RD.

(Legal description and/or municipal address)

hereby authorize BRIAN COLLIER  
(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 8<sup>th</sup> day of FEBRUARY 20 18



(Signature of the property owner)

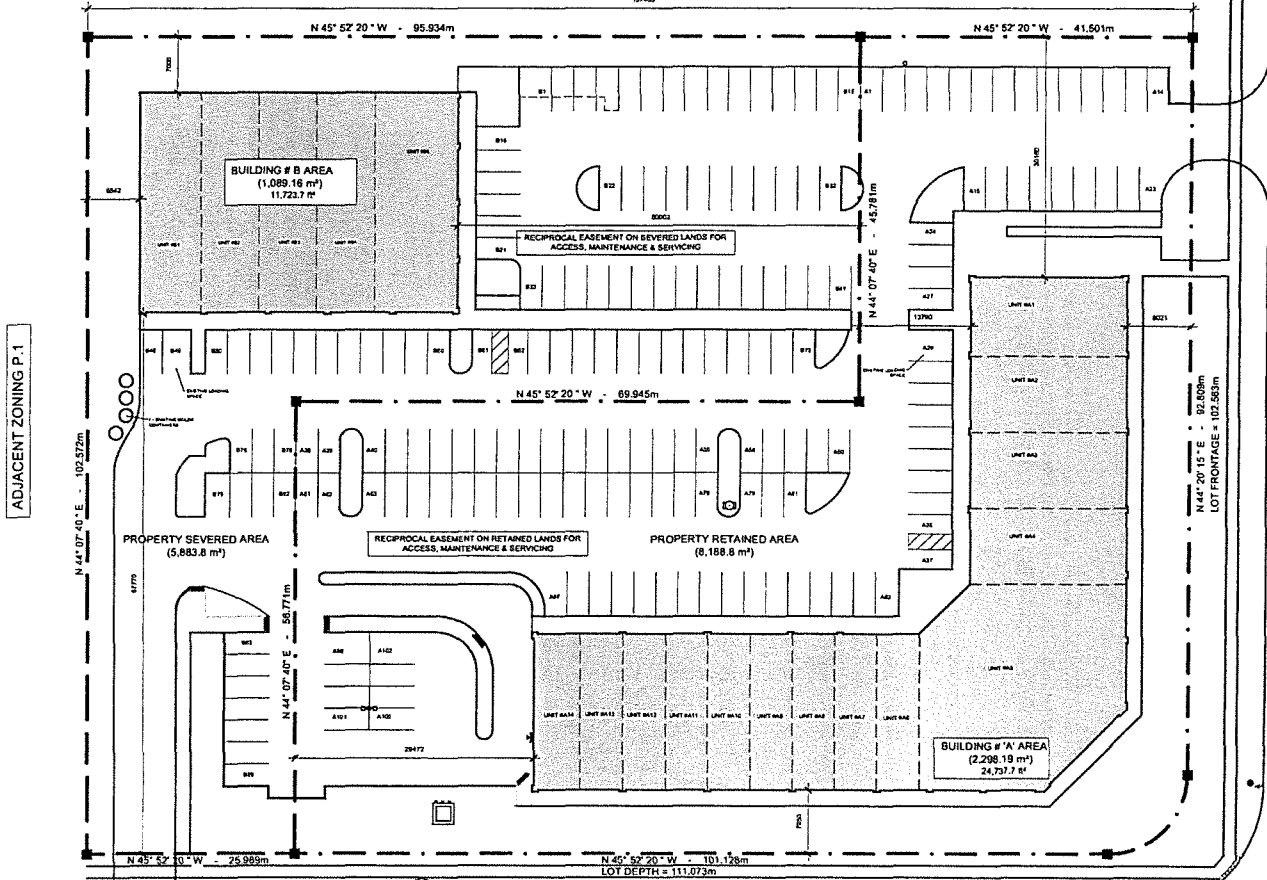
(Signature of the property owner)

### 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  
BLOCK 112, PLAN 61M144  
AS SET OUT IN PIN 71356-0856 (LT)  
CITY OF GUELPH  
320 EASTVIEW ROAD

ADJACENT ZONING R.3B



Watson Pkwy. N.

ADJACENT ZONING UR-5

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

PARKING REQUIREMENTS  
COMMERCIAL / RETAIL: 2,298.19 m² / 18.5 = 124.3 STALLS (140 STALLS)  
PARKING PROVIDED = 105 STALLS

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

PARKING REQUIREMENTS  
COMMERCIAL / RETAIL: 1,089.16 m² / 18.5 = 58.9 STALLS (67 STALLS)  
PARKING PROVIDED = 85 STALLS

TOTAL PARKING PROVIDED FROM EXISTING LOT = 194 STALLS

RETAINED PROPERTY ZONING COMPLIANCE CHART			
Commercial Type	Required	Provided	Compliance
Zone	R-3	R-3	Yes
Minimum Lot Frontage	30.0m	105.16m (From Eastview)	Yes
Minimum Front and Rear Yard	6 metres and in accordance with Section 4.2.4	6.00m (Front - Eastview) 7.00m (Rear - Westview)	Yes
Minimum Side Yard	3 metres unless otherwise adjacent to any additional lot in which case the minimum side yard shall be no less than 6 metres or one half the building height, whichever is greater.	10.2m	Yes
Minimum Rear Yard	One-half the building height but not less than 6 metres	13.8m	Yes
Maximum Building Height	3 storeys and in accordance with Sections 4.1.6 and 4.1.8	4.1 (Rear), 6.0 (Front)	Yes
Buffer Strips	Where a 50% corner abutment is required, a 50% corner abutment shall be provided. Where a 50% corner abutment is not required, a 50% corner abutment shall be provided.	Yes, at 50% corner abutment (Planning has been provided (existing))	Yes
Off-Street Parking	Minimum lot to Street Line (4.1.3.2.1) Screen parking with landscaping (4.1.3.2.2) Minimum parking stall 2.75m x 5.5m (4.1.3.2.3) Asphalt parking area (4.1.3.2.4) Minimum parking to be 1 per 18.5m <sup>2</sup> GFA	2.0m provided Screened 2.75m x 5.5m Asphalt 1 per 18.5m <sup>2</sup>	Yes Yes Yes Yes
Off-Street Loading	In accordance with Section 4.1.4	1 space	Yes
Minimum Landscaped Open Space	10% of Lot Area	2.0m <sup>2</sup> 1.8m <sup>2</sup> (13,000 sqm) provided	Yes
Outdoor Storage	In accordance with Section 4.1.3	None	Yes
Formal	In accordance with Section 4.1.3	No parking provided	Yes
Accessory Buildings or Structures	In accordance with Section 4.1.3	N/A	Yes
Enclosed Operations	In accordance with Section 4.1.3	Enclosed Building	Yes
Planting Area	A landscaped strip of land 3 metres in width shall be maintained adjacent to the Street Line, except for those areas required for other reasons.	Minimum 3.0m has been provided	Yes

SEVERED PROPERTY ZONING COMPLIANCE CHART			
Commercial Type	Required	Provided	Comforms
Zone	R-3	R-3	Yes
Minimum Lot Frontage	30.0m	105.16m (From Watson)	Yes
Minimum Front and Landscape Yard	6 metres and in accordance with Section 4.2.4	6.00m (Front - Watson)	Yes
Minimum Side Yard	3 metres unless otherwise adjacent to any residential lot in which case the minimum side yard shall be no less than 6 metres or one half the building height, whichever is greater.	6.00m (Side - Eastview)	Yes
Minimum Rear Yard	One-half the building height but not less than 6 metres.	7.00m	Yes
Maximum Building Height	3 storeys and in accordance with Sections 4.1.6 and 4.1.8	4.1 (Rear), 6.0 (Front) (Watson)	Yes
Buffer Strips	Where a 50% corner abutment is required, a 50% corner abutment shall be provided. Where a 50% corner abutment is not required, a 50% corner abutment shall be provided.	Yes, at 50% corner (additional) Planting has been provided on all sides	Yes
Off-Street Parking	Minimum lot to Street Line (4.1.3.2.1)	3.0m provided	Yes
	Screen parking with landscaping (4.1.3.2.2)	Screened	Yes
	Minimum parking stall 2.75m x 5.5m (4.1.3.2.3)	2.75m x 5.5m	Yes
	Asphalt parking area (4.1.3.2.4)	Asphalt	Yes
	Minimum parking to be 1 per 18.5m <sup>2</sup> GFA	1 per 18.5m <sup>2</sup>	Yes
Off-Street Loading	In accordance with Section 4.1.4	1 loading space	Yes
Minimum Landscaped Open Space	10% of Lot Area	18.1% (13,000 sqm) Provided	Yes
Outdoor Storage	In accordance with Section 4.1.3	None	Yes
Formal	In accordance with Section 4.1.3	No parking provided	Yes
Accessories Building or Structures	In accordance with Section 4.1.3	N/A	Yes
Enclosed operations	In accordance with Section 4.1.3	Enclosed Building	Yes
Planting Area	A landscaped strip of land 3 metres in width shall be maintained adjacent to the Street Line, except for those areas	Minimum 3.0m has been provided	Yes

NOTE:  
MAJOR VARIANCE APPLICATION NO. A-013 APPROVED A TOTAL OF 194 OFF-STREET PARKING SPACES WHICH THE BY-LAW REQUIRED A TOTAL OF 200 OFF-STREET PARKING SPACES (11 per 18.5m² OF GFA). DUE TO THIS PARKING CALCULATIONS FOR THE RETAINED PROPERTY CANNOT MEET THE REQUIREMENTS OF SECTION 4.1.3.

REVISIONS

Rev #	Date	Description
1	17-06-16	REVISION TO APPROVAL - AS PER CITY COMMENTS

INDIVIDUAL BCIN 21788

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

DESIGNED 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: Feb-28-2018	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-25/18

## 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: 546 Woolwich Street, Guelph

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

PLAN 251 PT LOTS 1 & 2 PLAN 148 PT LOT 27

## OWNER(S) INFORMATION:

Name: Gil Shcolyar - 2338804 Ontario Inc.  
 Mailing Address: 261 Arnold Avenue  
 City: Vaughan, ON Postal Code: L4J 1C3  
 Home Phone: 416-930-4719 Work Phone: 416-930-4719  
 Fax: Email: petrozold@rogers.com

## AGENT INFORMATION (If Any)

Company: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_ Email: \_\_\_\_\_



Official Plan Designation: *Low Density Residential*

Current Zoning Designation: Service Commercial (C.1-18)

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

To allow the use of a "Convenience Store" (as defined in the Guelph Zoning By-Law) in a C.1-18 Zone.

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

Current property zoning does not allow a "Convenience Store" (as defined in the Guelph Zoning By-Law) in a C.1-18 Zone.

**PROPERTY INFORMATION**

Date property was purchased:

*September 7, 2017*

Date property was first built on:

*N/A*

Date of proposed construction on property:

ASAP

Length of time the existing uses of the subject property have continued:

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

COMMERCIAL - Vehicle Service Station

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

COMMERCIAL - Gas Bar &amp; C-Store

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

Frontage:

44.3m

Depth:

28m

Area:

1100 sqm

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b> - SAME AS EXISTING (RENOVATION ONLY)		
Gross Floor Area:	122 sqm		Gross Floor Area:		
Height of building:	4.6m		Height of building:		
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	10.4m	M	Front Yard Setback:	10.4m	M
Exterior Side Yard (corner lots only)	25.2m	M	Exterior Side Yard (corner lots only)	25.2m	M
Side Yard Setback:	Left: M Right: 5.4	M	Side Yard Setback:	Left: M Right: 5.4	M
Rear Yard Setback	0.4	M	Rear Yard Setback	0.4	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 checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP16C057
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Renovation - Building Permit 17 007652 PR
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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**PERMISSION TO ENTER**

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**POSTING OF ADVISORY SIGN**

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


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



**AFFIDAVIT**

I/We, Gil Sheolyar, of the City/Town of  
Vaughan in County/Regional Municipality of York Region, 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.

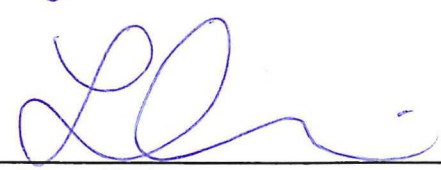
  
 Signature of Applicant or Authorized Agent

\_\_\_\_\_  
 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 28<sup>th</sup> day of February, 2018.

  
 Commissioner of Oaths

**LINDSAY ALEXANDRA CLINE,**  
 a Commissioner, etc., Province of Ontario,  
 for THE CORPORATION OF THE  
 CITY OF GUELPH.  
 Expires March 5, 2020  
 (official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

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

2398804 Ontario Inc. - Gil Shoolyar

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

of

546 Woolwich Street, Guelph

(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.





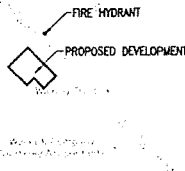
EARL STREET

WOOLWICH STREET

VERNEY STREET

Site Statistics - 516 Woolwich Street			
Zoning		Service Commercial (SC-3)	
Use of Property		Vehicle Gas Bar	
Zoning By Law	Required	Provided	
Lot Area	N/A	1100 sqm	
Minimum lot Frontage	30m	44.3m	
Minimum Front Yard	0m	10.5m (existing)	
Minimum Side Yard	0m	2.5m (existing)	
Minimum Side Yard	1m	5.4m (existing)	
Minimum Rear Yard	0m	0.2m (existing)	
Maximum Building Height	3 Storeys	1 Storey	
Off Street Parking	1 per 10 sqm of A (8 spaces)	N/A Accessible (10)	
Maximum Landscaped Open Space	10% of lot area (110 sqm)	30% (330 sqm)	

KEY PLAN



These design documents are prepared solely for the use by the party with whom the design professional has entered into a contract and there are no representations of any kind made by the design professional to any party with whom the design professional has not entered into a contract.

Do not scale drawings. The contractor shall check and verify all dimensions and report any errors and omissions to the engineer. This drawing is not to be used for construction unless marked as "Issued for construction", certified and dated.

THIS PLAN WAS PREPARED AS A GENERAL ARRANGEMENT FOR THE PROPOSED DEVELOPMENT. INFORMATION BASED ON EXISTING SURVEY BY BSRAD DATED JULY 25, 2004. SITE DIMENSIONS HAD NOT BEEN VERIFIED BY THIS OFFICE, AND SHALL BE USED ACCORDINGLY.

PRELIMINARY

- PLAN NOTES**
- THIS PLAN WAS PREPARED AS A GENERAL ARRANGEMENT TO CONFORM EXISTING OFF-STREET PARKING REQUIREMENTS SATISFY THE ZONING BY-LAW.
  - INFORMATION PROVIDED BY PETROGOLD.
  - SITE DIMENSIONS HAVE NOT BEEN FIELD VERIFIED BY ZOLTAN ENGINEERING INC. AND SHALL BE USED ACCORDINGLY.
  - THIS DRAWING SHALL NOT BE USED AS A BASIS FOR CONTRACTUAL OR COMMERCIAL DECISIONS UNLESS SPECIFICALLY NOTED IN WRITING.

REV.	DATE	ISSUED FOR APPROVAL	REMARKS
0	26NOV17		

**ZOLTAN**  
ENGINEERING  
4380 S Service Road, Suite #25  
Burlington, ON L7L 5Y6  
Tel: 905.331.8307 • Fax: 905.331.6840

PROJECT TITLE  
PROPOSED GAS BAR CANOPY  
516 WOOLWICH STREET  
GUELPH ONTARIO  
DRAWING TITLE  
ARRANGEMENT PLAN

SCALE	1:150
DATE	26NOV17
DRAWN	EP
DESIGNED	ZL
CHECKED	ZL

PROJECT No. 17-413  
SHEET No. AP1

# 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>Mar 9, 2018</u>	Folder #: <u>A-26/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?                      Yes **X**      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: 107 Westra Drive

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

Block 135, Plan 61M196

### OWNER(S) INFORMATION:

Name: 2522936 Ontario Inc. (Fusion Homes)

Mailing Address: 500 Hanlon Creek Blvd.

City: Guelph

Postal Code: N1C 0A1

Home Phone:

Work Phone: 519-826-6700 ext. 216

Fax: 519-826-6701

Email: kdestombe@fusionhomes.com

### AGENT INFORMATION (If Any)

Company: GSP Group Inc.

Name: Caroline Baker

Mailing Address: 201-72 Victoria Street South

City: Kitchener

Postal Code: N2G4Y9

Work Phone: 519-569-8883

Mobile Phone:

Fax:

Email: [cbaker@gspgroup.ca](mailto:cbaker@gspgroup.ca)

Official Plan Designation: Medium Density Residential

Current Zoning Designation: R.3A

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

1. To permit a minimum Ground Level Private Amenity Area of 7.2 square metres for Buildings A and B; whereas Section 5.3.2.5.1 a) of the Zoning By-law requires a minimum area of 20.0 square metres.
2. To remove the required Ground Level Private Amenity Area width and depth requirements for Buildings A and B; whereas Section 5.3.2.5.1 b) and c) of the Zoning By-law requires a minimum depth of 4.5 metres and a minimum width of 4.5 metres.
3. To permit a minimum Private Amenity Area for Stacked Townhouse Units above grade of 5.0 square metres for four (4) units in each Buildings A and B; whereas Section 5.3.2.5.2 a) of the Zoning By-law requires a minimum area of 10.0 square metres.
4. To permit a minimum distance of 10.0 metres between the face of Building A & C and Building B & D, each of which contains windows of Habitable Rooms; whereas, Section 5.3.2.3.1 of the Zoning By-Law requires a minimum distance of 15.0 metres.
5. To permit a minimum setback of 8.5 metres from a Private Amenity Area in Building A and B to a wall in Building C or D, which contains windows of Habitable Rooms which face the Private Amenity Area; whereas Section 5.3.2.3.4 of the Zoning By-law requires a minimum setback of 10.5 metres.

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

Please see attached Planning Justification Letter.

**PROPERTY INFORMATION**

Date property was purchased:	January 31, 2017	Date property was first built on:	n/a
Date of proposed construction on property:	2018	Length of time the existing uses of the subject property have continued:	3+ Years

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):** Vacant Land. Trees have been removed and Silt & Tree Protection Fencing installed per the approved Site Plan Drawings.

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):** Residential

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

Frontage: 100m      Depth: Irregular      Irregular ~140m      Area: 14,663m<sup>2</sup>

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

**EXISTING (DWELLINGS & BUILDINGS) – N/A**

**PROPOSED – See attached Figure 2**

<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:			Gross Floor Area:		
Height of building:			Height of building:		
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING – N/A			PROPOSED- See attached Figure 2		
Front Yard Setback:	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: M	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	M		Rear Yard Setback	M	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)					
Provincial Highway	Municipal Road X	Private Road	Water	Other (Specify)	

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)		
Water X	Sanitary Sewer X	Storm Sewer X
If not available, by what means is it provided:		

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

	No	Yes	File Number and File Status
Official Plan Amendment	X		
Zoning By-law Amendment	X		
Plan of Subdivision		X	Registered. 61M196
Site Plan		X	SP17-035 Approved (Phase 1), SP18-008
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.

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

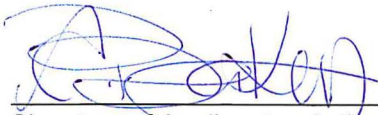
---

Signature of Owner or Authorized Agent



**AFFIDAVIT**

I/We, Caroline Baker, of the City/Town of  
 Stratford, 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

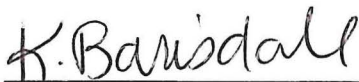
\_\_\_\_\_  
 Signature of Applicant or Authorized Agent

**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 Kitchener in the County/Regional Municipality of

Waterloo this 9 day of March, 2018.



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

(official stamp of Commissioner of Oaths)

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

## APPOINTMENT AND AUTHORIZATION

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

2522936 Ontario Inc. (Fusion Homes)  
 [Organization name / property owner's name(s)]

of 107 Westra Drive  
 (Legal description and/or municipal address)

hereby authorize Caroline Barker, GSP Group Inc.  
 (Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 2 day of March 2018.

  
 (Signature of the property owner)

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

*The person signing this appointment and authorization has 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.

March 9<sup>th</sup>, 2018

File No.: 17044

Trista Di Lullo, ACST(A), BA (Hons.)  
Secretary-Treasurer, Committee of Adjustment  
Council Committee Coordinator  
City Clerk's Department, Corporate Services  
Guelph City Hall, 1 Carden Street  
Guelph, ON N1H 3A1

RECEIVED  
MAR 09 2018  
CITY CLERK'S OFFICE

Re: Application for Minor Variance  
107 Westra Drive, Guelph  
2522936 Ontario Inc.

On behalf of 2522936 Ontario Inc. (Fusion Homes), GSP Group Inc. is pleased to submit a Minor Variance Application for a portion of land known municipally as 107 Westra Drive, Guelph ("the Site")(Figure 1).

Fusion Homes is proposing a two-phase townhouse development (Figure 2), consisting of:

- Phase 1: 52 Stacked Townhouses (Buildings C, D, E, F, G and H)
- Phase 2: 20 Stacked Townhouses (Buildings A and B)

The development includes 87 off-street parking spaces, of which 15 parking spaces are reserved for visitor parking. Access to the Site is obtained from Westra Drive. The development provides for a total of 1,456 square metres of common amenity space within three areas. The development will function as one overall condominium project.

Fusion is in the process of executing the Site Plan Agreement (City File No.: SP17-035) for Phase 1, with full site plan approval for Phase 1 is anticipated by mid-March, 2018. Phase 1 includes the access from Westra Drive, the internal condo road and the blocks within the northern portion of the Site. The development has been phased to address the preferred marketing approach and to allow for an efficient construction program, commencing at the rear of the Site. This was also done to allow Fusion additional time to finalize the design of the blocks fronting on Westra.

The subject Minor Variance Application applies to the Phase 2 portion of the development. Phase 2 includes two proposed blocks of stacked townhouses (Buildings A and B), which front onto Westra Drive. Each block contains:

- Ten (10) stacked townhouses

- Two (2) dwelling units on the ground floor, with a private amenity area of 7.2 square metres;
- Eight (8) dwelling units on the 2<sup>nd</sup> and 3<sup>rd</sup> Floor, with a private amenity area ranging from 5 square metres to 13.7 square metres in size; and,
- Eight (8) private garages on the ground floor, with direct access to Westra Drive.

Two (2) additional off-street parking spaces are provided at grade for each block for the units without garages. A Site Plan Application for Phase 2 is being filed with the City of Guelph concurrently to the Minor Variance Application.

### **Minor Variances**

The Phase 2 land is designated “Medium Density Residential” in the City of Guelph Official Plan (approved October 2017), and is zoned R.3A (Residential Townhouse) in Zoning By-law (1995) – 14864. The R.3A Zone permits stacked townhouses.

Through the design review process and on-going discussions with City planning staff, the need for five (5) variances have been identified to permit Phase 2 (Figure 3). The required variances are as follows:

1. To permit a minimum Ground Level Private Amenity Area of 7.2 square metres for Buildings A and B; whereas Section 5.3.2.5.1 a) of the Zoning By-law requires a minimum area of 20.0 square metres.
2. To remove the required Ground Level Private Amenity Area width and depth requirements for Buildings A and B; whereas Section 5.3.2.5.1 b) and c) of the Zoning By-law requires a minimum depth of 4.5 metres and a minimum width of 4.5 metres.
3. To permit a minimum Private Amenity Area for Stacked Townhouse Units above grade of 5.0 square metres for four (4) units in each Buildings A and B; whereas Section 5.3.2.5.2 a) of the Zoning By-law requires a minimum area of 10.0 square metres.
4. To permit a minimum distance of 10.0 metres between the face of Building A & C and Building B & D, each of which contains windows of Habitable Rooms; whereas, Section 5.3.2.3.1 of the Zoning By-Law requires a minimum distance of 15.0 metres.
5. To permit a minimum setback of 8.5 metres from a Private Amenity Area in Building A and B to a wall in Building C or D, which contains windows of Habitable Rooms

which face the Private Amenity Area; whereas Section 5.3.2.3.4 of the Zoning By-law requires a minimum setback of 10.5 metres.

### **Tests of Minor Variance**

Under Section 45 (1) of the Planning Act, there are four tests that a Minor Variance must meet:

1. *Do the Minor Variances maintain the general intent of the Official Plan?*

The Site is designated as Medium Density Residential in the City of Guelph Official Plan. Permitted uses include apartments and townhouses, with a maximum density of 100 units per hectare.

The requested variances will permit the construction of 20 stacked townhouse units, which would result in an overall development density of 50 units per hectare.

The proposed development provides for an efficient use of land and resources, within the urban area of Guelph. Municipal services are readily available on Westra Drive. The development further contributes to the range of housing types within the City of Guelph, providing alternative floor plans and low maintenance home ownership.

The proposed development and the associated variances support the major goals in the OP, including:

6. b) *Build a compact, mixed-use and transit-supportive community.*

6. c) *Plan and design an attractive urban landscape that reinforces and enhances Guelph's sense of place and identity while encouraging innovative design and development opportunities.*

2. *Does the Minor Variance maintain the general intent of the Zoning By-law?*

The proposed variances maintain the general intent of the Zoning By-law as they will permit the development of the Site for stacked townhouses with sufficient privacy and common and private amenity areas. The overall development meets the required maximum lot coverage, minimum landscape open space and maximum density. The following paragraphs provide a more detailed discussion on each of the six variances.



Variance #1:

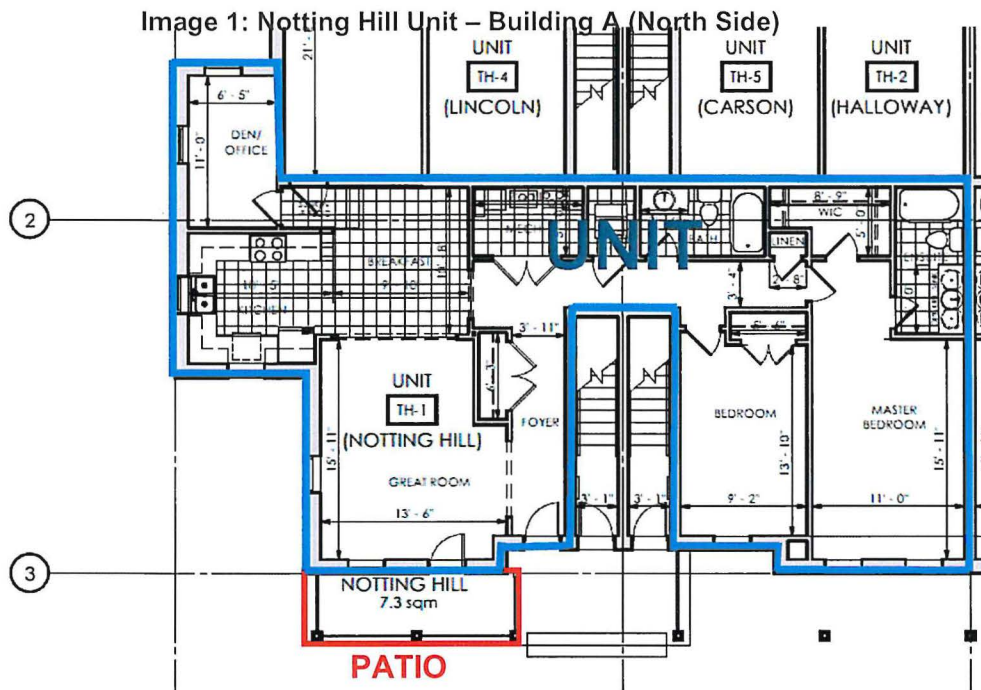
The request to permit a reduction in the required Ground Level Private Amenity Area for Buildings A and B from 20 square metres to 7.2 square metres meets the intent of the Zoning By-law.

It is our opinion that the purpose of the Private Amenity Areas is to provide access to fresh air for occupants, not to provide active recreation uses. The development provides for double the amount of common amenity area required by the Zoning By-law (20 square metres per dwelling unit versus the required 10 square metres), with an additional 720 square metres of common amenity area. The proposed common amenity areas, include both active and passive uses which include: gardens, seating areas, and large grassy areas. The common amenity areas provided will provide purposeful additional amenity space for residents.

Variance #2:

The request to remove the minimum width and depth requirements meet the general intent of the Zoning By-law. The intent of the regulations is to ensure that the private amenity area provided for each unit is usable for outdoor activities, including outdoor cooking and eating. As part of the Site Plan Application, a detailed Landscape Plan will be prepared to identify a combination of hard and soft landscaping for the private amenity areas for the ground floor units of Buildings A and B. The patio area has a depth of 1.57 metres and a length 6 metres, which, in our opinion provides sufficient room for a patio furniture.

The following graphic (Image 1) illustrates a sample ground level private amenity area for Buildings A and B.



### Variance #3:

The request to reduce the minimum Private Amenity Area for four (4) above grade dwelling units in each Buildings A and B from 10 square metres to 5.0 square metres meets the general intent of the Zoning By-law. The proposed patio areas are approximately 11 feet by 5 feet, which provides sufficient area for outdoor eating and access to fresh air, as is the intent of requiring an outdoor patio area for upper floor units. It is not the intent that the patio provides recreation opportunity for the occupants, as this need is met through the Common Amenity Area requirement and accessibility to parks and open space in the surrounding area.

The Common Amenity Area with the development exceeds the requirements within the Zoning By-law by over 700 square metres by over double. Both Buildings A and B are located adjacent to Common Amenity Areas, which provides for convenient access to outdoor space.

Variance #4:

The request to reduce the distance between two buildings with windows to habitable rooms maintains the general intent of the Zoning By-law. The intent of this regulation is to ensure firstly that occupants have privacy within any habitable room and secondly to implement the requirements of the Ontario Building Code (OBC) for fire separation between buildings.

A useful comparison to understand the physical separation required between two buildings with windows to a habitable room is the required side yard setback for a single detached dwelling, semi-detached dwelling and on-street townhouse. The Zoning By-law requires a minimum separation distance of 2.4 metres to 3.0 metres, with no restrictions on the location or number of windows on the side elevations. The Zoning By-law, in this regard, has established that a separation of 2.4 metres to 3.0 metres between buildings with windows to a habitable room provides for sufficient privacy.

The project designer has confirmed that the proposed building separation meets the regulations on the OBC. As such, it is our opinion that the variance meets the intent of the Zoning By-law.

Variance #5:

The request to reduce the setback between the Private Amenity Areas between Buildings A and B from 10.5 metres to 8.0 metres meet the general intent of the Zoning By-law. Firstly, this variance only applies to two (2) units, between:

1. The southern ground floor unit in Building A to the eastern elevation of Building C; and,
2. The northern ground floor unit in Building B to the eastern elevation of Building D.

The intent of the regulation is to ensure that the amenity areas have privacy and overlook from adjacent dwelling units is minimized. The proposed 8.5 metre setback would be similar to the setback required for a corner freehold lot, where the rear yard of the corner lot is adjacent to a side yard of an interior lot.

3. *Is the Minor Variance desirable for the lands?*
4. *Is the application minor?*

In our opinion, the proposed variances are desirable for the lands and are minor in nature. The variances will permit a form of residential development that is contemplated in both the Official Plan and Zoning By-law. The proposed site layout, as illustrated on the Site Plan, represents an efficient use of land that has access to municipal services and an established road network.

The proposed variances (#1 to #5) are internal to the Site, and more specifically to individual units. The variances allow for unique house designs that provide choice and flexibility in the Guelph market. Overall, the intent to provide privacy to unit occupants and sufficient private and common amenity area has been achieved. The variances seek to allow for alternative forms of meeting these requirements.

### **Summary**

It is our opinion that the Minor Variance Application represents good planning as it maintains the intent of the Official Plan and the Zoning By-law, is desirable for the Site and is minor in nature.

In support of the application, we hereby enclose:

- The required Application Fee, in the amount of \$951.00;
- One (1) original copy of the completed application form with authorization from the owner; and,
- 3 copies of the Minor Variance Sketch (1 at 11" x 17' and 2 at 8.5" x 11").

Should you have any questions, or require any additional information, please feel free to contact myself or Caroline Baker.

Yours truly,

**GSP Group Inc.**



Caroline Baker, MCIP, RPP  
Associate, Senior Planner

c.c      Ms. Kelley des Tombe, Fusion Homes

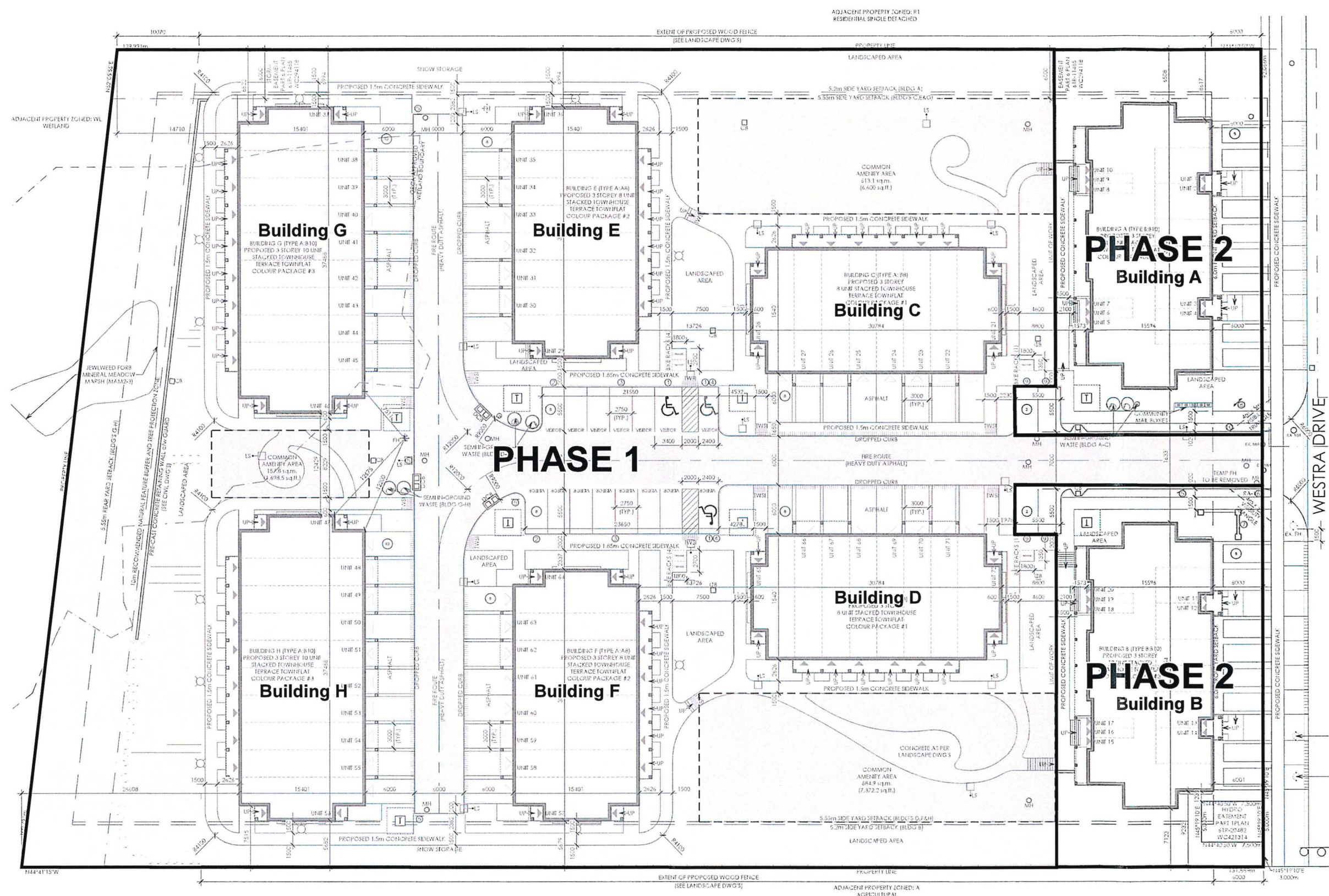




Site Location  
Source: Google Earth (2018)

Figure  
**1**











# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Nov. 7, 2017</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-17/17</u>

## TO BE COMPLETED BY APPLICANT

## PART 1

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: 69 Lowes Road

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

Part Lot 14, Registered Plan 467

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?

☒ No   ☐ Yes

If yes, describe:

Are the lands subject to any mortgages, easements, right-of-ways or other charges:

☒ No   ☐ Yes

If yes, explain:

### OWNER(S) INFORMATION:

Name: Gerald Wayne Grasley

Mailing Address: 69 Lowes Road

City: Guelph Postal Code: N1G 4X2

Home Phone: 519-824-3688 Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph Postal Code: N1H 8J1

Home Phone: \_\_\_\_\_ Work Phone: 519-822-4031

Fax: 519-822-1220 Email: nancy@bsrd.com

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

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

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:

None

**DESCRIPTION OF LAND INTENDED TO BE SEVERED (PART 1)**

Frontage / Width: (m) <b>15.00 M</b>	Depth (m) <b>39.704</b>	Area: (m <sup>2</sup> ) <b>597.8 sq.m.</b>	Existing Use: <b>Part of Single Detached Dwelling and lot</b>	Proposed Use: <b>Single Detached Residential</b>
Existing Buildings/Structures: <b>Part of existing single detached dwelling (to be removed)</b>			Proposed Buildings / Structures: <b>New single detached residential dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Single Detached Residential Dwelling</b>			Proposed Use of Buildings/Structures (specify): <b>Existing dwelling to be removed and new dwelling to be constructed on new lot</b>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) <b>18.223 m</b>	Depth (m) <b>39.014 m</b>	Area: (m <sup>2</sup> ) <b>714.4 sq.m.</b>	Existing Use: <b>Part of residential lot</b>	Proposed Use: <b>Single detached residential</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>New single detached residential dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>N/A</b>			Proposed Use of Buildings/Structures (specify): <b>Single detached residential</b>	

**TYPE OF ACCESS TO THE RETAINED LANDS**

- ☐ Provincial Highway
 ☒ Municipal Road  
☐ Private Road
 ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway
 ☒ Municipal Road  
☐ Private Road
 ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

- ☒ Municipally owned and operated
 ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated
 ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS**

- ☒ Municipally owned and operated
 ☐ Septic Tank  
☐ Other (Explain)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**

- ☒ Municipally owned and operated
 ☐ Septic Tank  
☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

☒ No ☐ Yes

Is any portion of the land to be severed or retained located within a floodplain?

☒ No ☐ Yes

### **LAND USE**

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

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? Single Detached residential (R.1B)

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

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

Yes No FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

### **HISTORY OF SUBJECT LANDS**

Has the subject land ever been the subject of:

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

If yes, provide the following:

FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

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

If yes, provide the following:

FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

In submitting this development application and supporting document, the owner/authorized agent, hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

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, Nancy Shoemaker, of the City of  
(town, city)

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

Nancy Shoemaker  
Signature of Applicant or Authorized Agent

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

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 31<sup>st</sup> day of October, 2017.

Kerry Francis Hillis  
Commissioner of Oaths

**Kerry Francis Hillis, a Commissioner, etc.**  
Province of Ontario, for Black, Shoemaker,  
Robinson & Donaldson Limited  
Expires January 29, 2019  
(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

**Gerald Wayne Grasley**

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

being the registered property owner(s) of

**69 Lowes Road**

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

hereby authorize **Black, Shoemaker, Robinson & Donaldson Limited**

\_\_\_\_\_  
(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 31<sup>st</sup> day of October 2017.

Gerry Wayne Grasley  
(Signature of the property owner)

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

**NOTES:**

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



**Consultation with City staff is encouraged prior to submission of this application.**

## OFFICE USE ONLY

Date Received: NOV-7, 2017

Application #:

Application deemed complete:

☒ Yes ☐ No

B-18/17

## TO BE COMPLETED BY APPLICANT

## PART 2

**Was there pre-consultation with Planning Services staff?**

**Yes X 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: 69 Lowes Road

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

Part Lot 14, Registered Plan 467

**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:**

**X No ☐ Yes**

If yes, explain:

## OWNER(S) INFORMATION:

Name: Gerald Wayne Grasley

Mailing Address: 69 Lowes Road

City: Guelph

Postal Code: N1G 4X2

Home Phone: 519-824-3688

Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

## AGENT INFORMATION (If Any)

Name: Nancy Shoemaker

Company: Black, Shoemaker, Robinson & Donaldson Limited

Mailing Address: 257 Woodlawn Road West, Unit 101

City: Guelph

Postal Code: N1H 8J1

Home Phone: \_\_\_\_\_

Work Phone: 519-822-4031

Fax: 519-822-1220

Email: nancy@bsrd.com

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

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

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
 None

**DESCRIPTION OF LAND INTENDED TO BE SEVERED (PART 2)**

Frontage / Width: (m) <b>15.00 M</b>	Depth (m) <b>39.392</b>	Area: (m <sup>2</sup> ) <b>593.3 sq.m.</b>	Existing Use: <b>Part of Single Detached Dwelling and lot</b>	Proposed Use: <b>Single Detached Residential</b>
Existing Buildings/Structures: <b>Part of existing single detached dwelling (to be removed)</b>			Proposed Buildings / Structures: <b>New single detached residential dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Single Detached Residential Dwelling</b>			Proposed Use of Buildings/Structures (specify): <b>Existing dwelling to be removed and new dwelling to be constructed on new lot</b>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) <b>18.223 m</b>	Depth (m) <b>39.014 m</b>	Area: (m <sup>2</sup> ) <b>714.4 sq.m.</b>	Existing Use: <b>Part of residential lot</b>	Proposed Use: <b>Single detached residential</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>New single detached residential dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>N/A</b>			Proposed Use of Buildings/Structures (specify): <b>Single detached residential</b>	

**TYPE OF ACCESS TO THE RETAINED LANDS**

- ☐ Provincial Highway
 ☒ Municipal Road  
☐ Private Road
 ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway
 ☒ Municipal Road  
☐ Private Road
 ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

- ☒ Municipally owned and operated
 ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated
 ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS**

- ☒ Municipally owned and operated
 ☐ Septic Tank  
☐ Other (Explain)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**

- ☒ Municipally owned and operated
 ☐ Septic Tank  
☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands?

☒ No ☐ Yes

Is any portion of the land to be severed or retained located within a floodplain?

☒ No ☐ Yes

### LAND USE

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

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? Single Detached residential (R.1B)

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

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

Yes No FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

### HISTORY OF SUBJECT LANDS

Has the subject land ever been the subject of:

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

If yes, provide the following:

FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

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

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Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

In submitting this development application and supporting document, the owner/authorized agent), hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Access, Privacy and Records Specialist, City Clerk's Department, 1 Carden Street, Guelph, Ontario, N1H 3A1

**PERMISSION TO ENTER**

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

**POSTING OF ADVISORY SIGN**

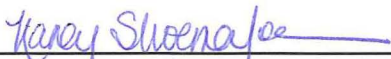
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent



**AFFIDAVIT**

I/We, Nancy Shoemaker, of the City of  
(town, city)

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

Nancy Shoemaker  
Signature of Applicant or Authorized Agent

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

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 31st day of October, 2017.

Kerry Francis Hillis  
Commissioner of Oaths

**Kerry Francis Hillis, a Commissioner, etc.**  
Province of Ontario, for Black, Shoemaker,  
Robinson & Donaldson Limited  
Expires January 29, 2019

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

**Gerald Wayne Grasley**

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

being the registered property owner(s) of

**69 Lowes Road**


(Legal description and/or municipal address)

hereby authorize **Black, Shoemaker, Robinson & Donaldson Limited**

(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 31<sup>st</sup> day of October, 2017.

  
(Signature of the property owner)

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

### NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

November 7, 2017

Project: 17-14-409

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

Attention: Trista Di Lullo

**Re: Applications for Consent  
Part Lot 14, Registered Plan 467  
69 Lowes Road  
Owner: Gerald Wayne Grasley**

---

Please find enclosed two completed "Applications for Consent" for the above-noted property. Also enclosed is a cheque in the amount of \$3,118.00 to cover the City's processing fees. Finally, I have attached a sketch of the proposed severances.

The subject property is located on the northerly corner of Lowes Road and Dawn Avenue. It is currently zoned single detached residential (R.1B) and there is an existing dwelling located on the property.

This proposal will result in the creation of two new residential lots and a retained parcel. It will be necessary to remove the existing dwelling from this property to accommodate the new lots. The three lots will comply with the current R.1B zoning regulations.

As part of the pre-consultation meeting with the City, engineering staff requested a Functional Servicing and Stormwater Management Brief be provided along with this application. I have enclosed 4 copies of this report.

Finally, I include the completed Section 59 Policy Applicability Review.

Should you have any questions, please call me.

Yours very truly

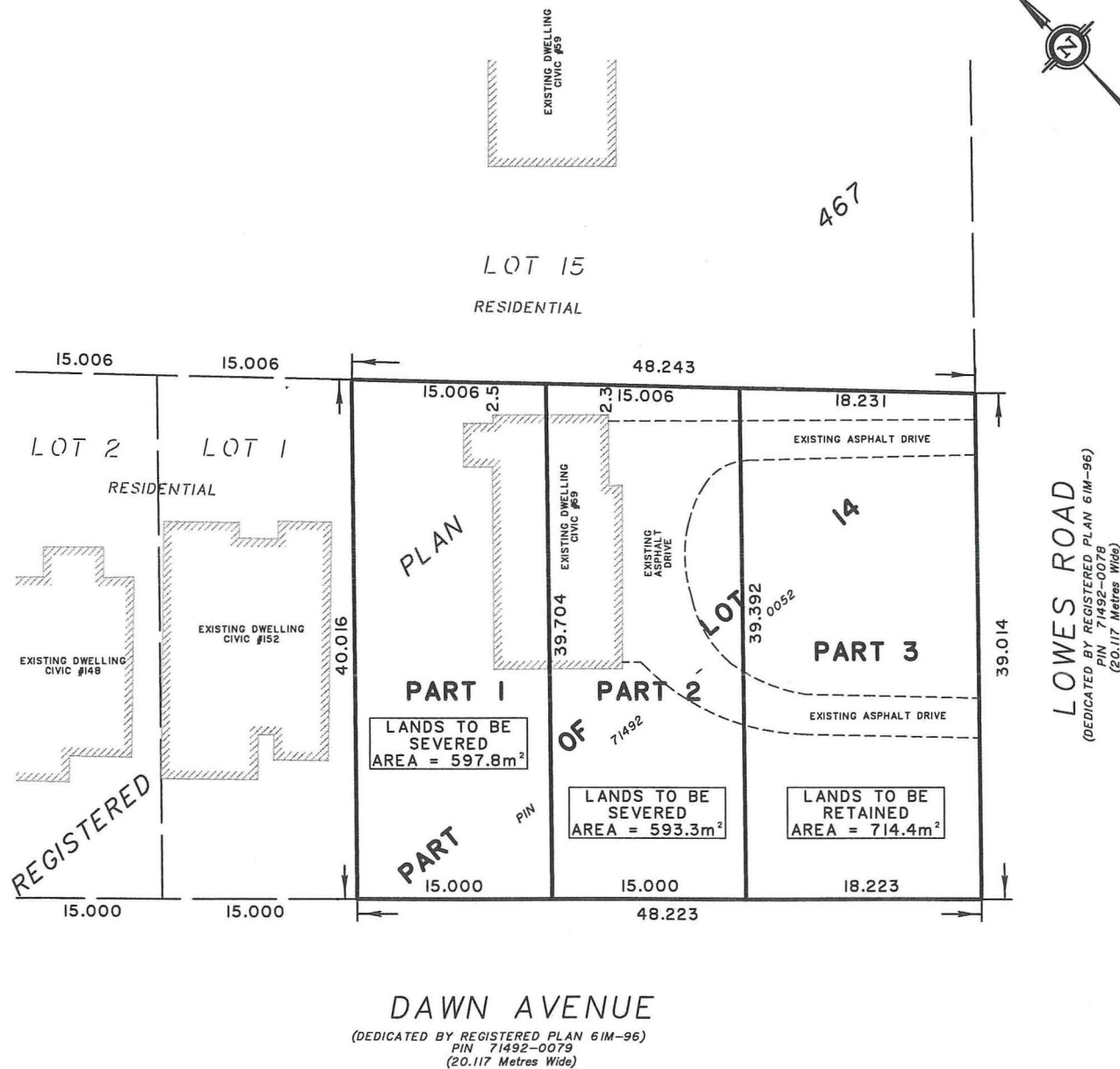
**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**



**Nancy Shoemaker, B.A.A., M.C.I.P., R.P.P.**

Attachments

Copy: Dave Schenkel



# SKETCH

## PREPARED FOR SEVERANCE APPLICATION

### PART OF LOT 14

### REGISTERED PLAN 467

### CITY OF GUELPH

### COUNTY OF WELLINGTON

SCALE 1 : 400 0 10 20 30 METRES

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

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED  
EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

#### NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES
2. SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1B) HAVE AN O.P. DESIGNATION OF GENERAL RESIDENTIAL
3. DISTANCES ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED FOR DAVE SHENKEL  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY OTHER PARTIES.

*Kerry F. Hillis*  
KERRY F. HILLIS  
ONTARIO LAND SURVEYOR

© COPYRIGHT 2017: REPRODUCTION, DISTRIBUTION OR ALTERATION OF THIS PLAN, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED IS STRICTLY PROHIBITED.

BLACK, SHOEMAKER, ROBINSON & DONALDSON  
LIMITED

**BSR&D** Ontario Land Surveyors  
Urban and Rural Planners  
A wholly owned subsidiary of J.D.Barnes Ltd.

351 Speedvale Avenue West  
Guelph, Ontario N1H 1C6

TEL: (519) 822-4031  
FAX: (519) 822-1220

DATE: JUNE 1, 2017

SG

PROJECT 17-14-409-2



# 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>Mar. 12/18</u>	Folder #: <u>A-27/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?      Yes ☒      No ☐

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 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: 14 London Road West

Legal description of property (registered plan number and lot number or other legal description):  
Part of Lot 73 Reg'd Plan 35

## OWNER(S) INFORMATION:

Name: Tyler Schad Pettipiere

Mailing Address: 14 London Road. West

City: Guelph      Postal Code: N1H 2B5

Home Phone: 1-519-400-7823      Work Phone: (519) 837-2670 Ext. 3680

Fax: \_\_\_\_\_      Email: tylerp@wellington.ca  
pettipierem@yahoo.com

## AGENT INFORMATION (If Any)

Company: Pioneer Craftsmen Ltd.

Name: Paul Meier

Mailing Address: 1510 Victoria Street. North

City: Kitchener      Postal Code: N2B 3E2

Work Phone: 519-743-4461 x230      Mobile Phone: 519-588-7532

Fax: 519-743-6991      Email: paul@pioneercraftsmen.com



Official Plan Designation: **Low Density Residential**

Current Zoning Designation: **Residential Single Detached R1B**

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

Require relief from side yard setback on the west side of the home to build a second storey addition flush with the existing main floor brick wall structure. Requesting a set back of .839m at the front corner of the addition to 1.213m set back at the rear west corner of the addition instead of the existing zoning requiring a 1.5m side yard setback.

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

Structurally it is more feasible to have the upper addition wall built inline or flush with the existing structural wall of the house.  
Architectural the house will look better balanced with both sides of the addition being flush with the lower level structural side walls  
This proposed architectural design is more historically accurate and would be the expected design of a second storey home from that period  
The required size of a bedroom in the OBC can be accommodated with this design

**PROPERTY INFORMATION**

Date property was purchased:	<b>May of 2012</b>	Date property was first built on:	<b>1900's</b>
Date of proposed construction on property:	<b>June or July of 2018</b>	Length of time the existing uses of the subject property have continued:	<b>100+ yrs</b>

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

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Residential**

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

Frontage: 15.24 m

Depth: 23.49m & 20.69 m

Area: 302.84 m

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	123.81 sq metres		Gross Floor Area:	86.42 sq. metre (addition )	
Height of building:	6.28m (from grade)		Height of building:	9.21m	
<b>Garage/Carport (if applicable) N/A</b>			<b>Garage/Carport (if applicable) N/A</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:	3.73m		Driveway Width:	3.73m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height: current brick bungalow with cottage roof ht. 6.28m to peak from grade			Describe details, including height: 86.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	.567 M		Front Yard Setback:	5.577m (addition) M	
Exterior Side Yard (corner lots only)	N/A M		Exterior Side Yard (corner lots only)	N/A M	
Side Yard Setback:	Left: 2.787 M	Right: .695 M	Side Yard Setback:	Left: 2.787 M	Right: .839 M
Rear Yard Setback	6.61 M		Rear Yard Setback	6.61 M	

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)				
Provincial Highway	Municipal Road x	Private Road	Water	Other (Specify)

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)		
Water x	Sanitary Sewer x	Storm Sewer x
If not available, by what means is it provided:		

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

	No	Yes	File Number and File Status
Official Plan Amendment	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.

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, Rachel Meier, of the City/Town of  
Waterloo in County/Regional Municipality of Waterloo, solemnly

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

  
 Signature of Applicant or Authorized Agent

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

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

Declared before me at the

City/Town of Guelph in the County/Regional Municipality of  
Wellington this 12<sup>th</sup> day of March, 2018.

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

  
 Commissioner of Oaths

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

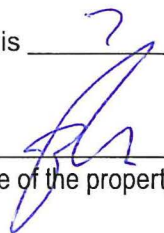
TYLER PETTIERE, MELISSA PETTIERE  
[Organization name / property owner's name(s)]

of 14 London Rd W, Guelph, ON, N1H 2B5  
(Legal description and/or municipal address)

hereby authorize PAUL MEIER  
(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 7 day of MARCH 2018.

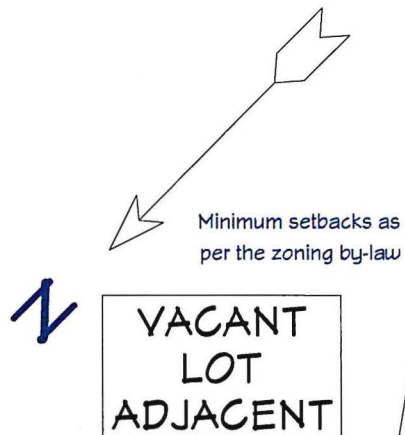
  
(Signature of the property owner)

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

### NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.





(PROPOSED)

$$1/8'' = 1'-0''$$

LONDON ROAD



1510 VICTORIA ST. N. KITCHENER ON,  
N2B 3E2  
TEL: 519-743-4461 FAX: 519-743-6491  
[www.ploneercraftsmen.com](http://www.ploneercraftsmen.com)

RESIDENCE:  
**Tyler & Melissa  
Pettipiere  
Addition**

14 LONDON RD. WEST  
GUELPH, ON

DATE:

06-MARCH-2018

PROJECT #:

TBD

PROJECT MANAGER:

GEORGE KOCHHAR

DESIGNER:PAUL MEIER  
BCIN: 22946

I HAVE REVIEWED THIS PLAN AND DO  
HEREBY TAKE RESPONSIBILITY FOR  
DESIGN ACTIVITIES RELATING TO IT, WITH  
LIMITED AND OR NO RESPONSIBILITY OF  
CERTAIN PARTS, COMPONENTS OR  
SYSTEMS SO INSTALLED IF  
CONSTRUCTED IN THIS HOUSE  
REQUIRING ENGINEERING, HEATING,  
PLUMBING, ELECTRICAL OR OTHER  
CABLE, PHONE OR COMPUTER SYSTEMS  
ETC.

SIGNED: \_\_\_\_\_

**DRAWING:**

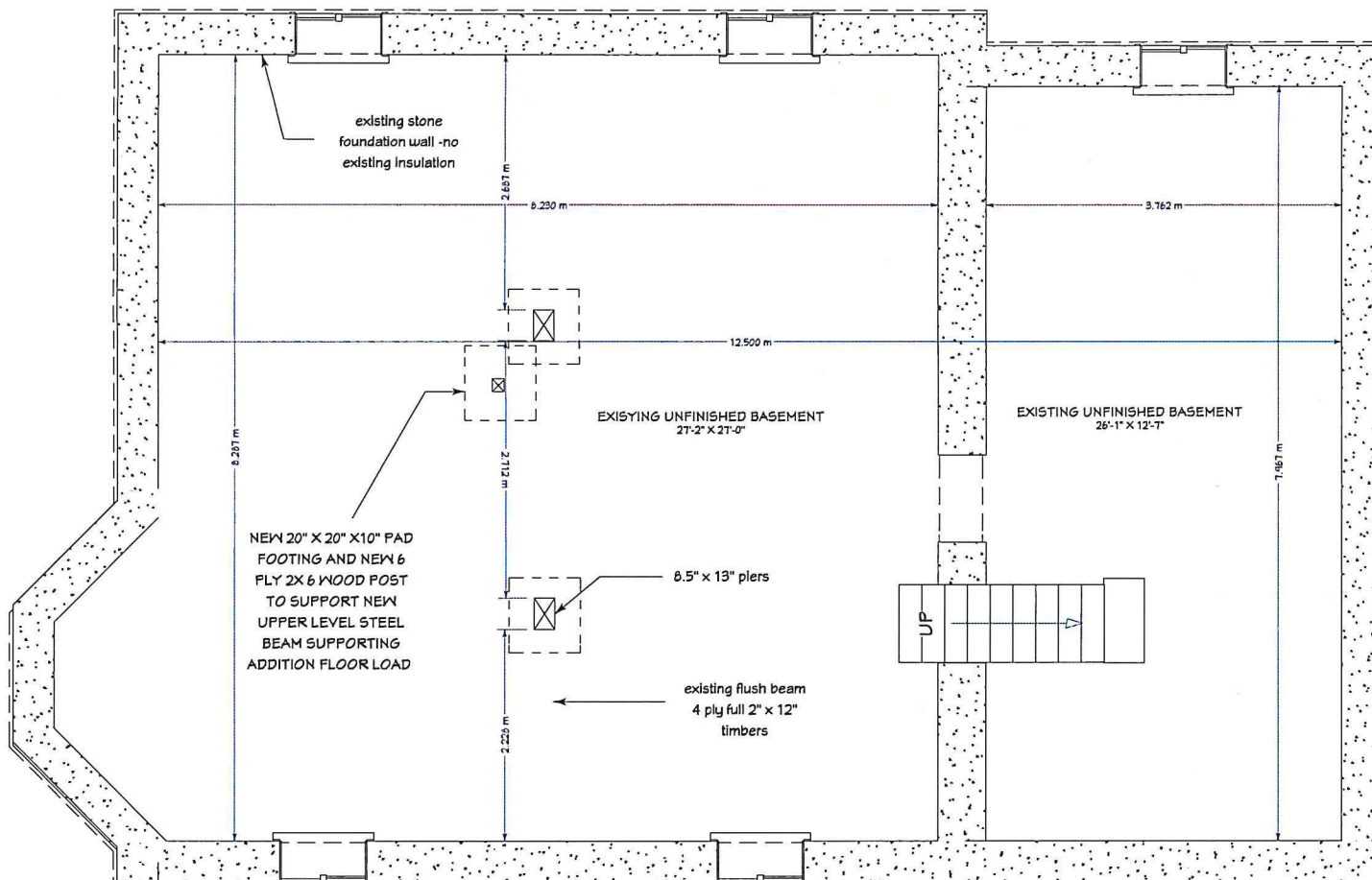
## SITE PLAN

SCALE:

$$1/8'' = 1'-0''$$

PAGE:

2



## FOUNDATION PLAN

(EXISTING)

1/4" = 1'-0"



1510 VICTORIA ST. N. KITCHENER ON,  
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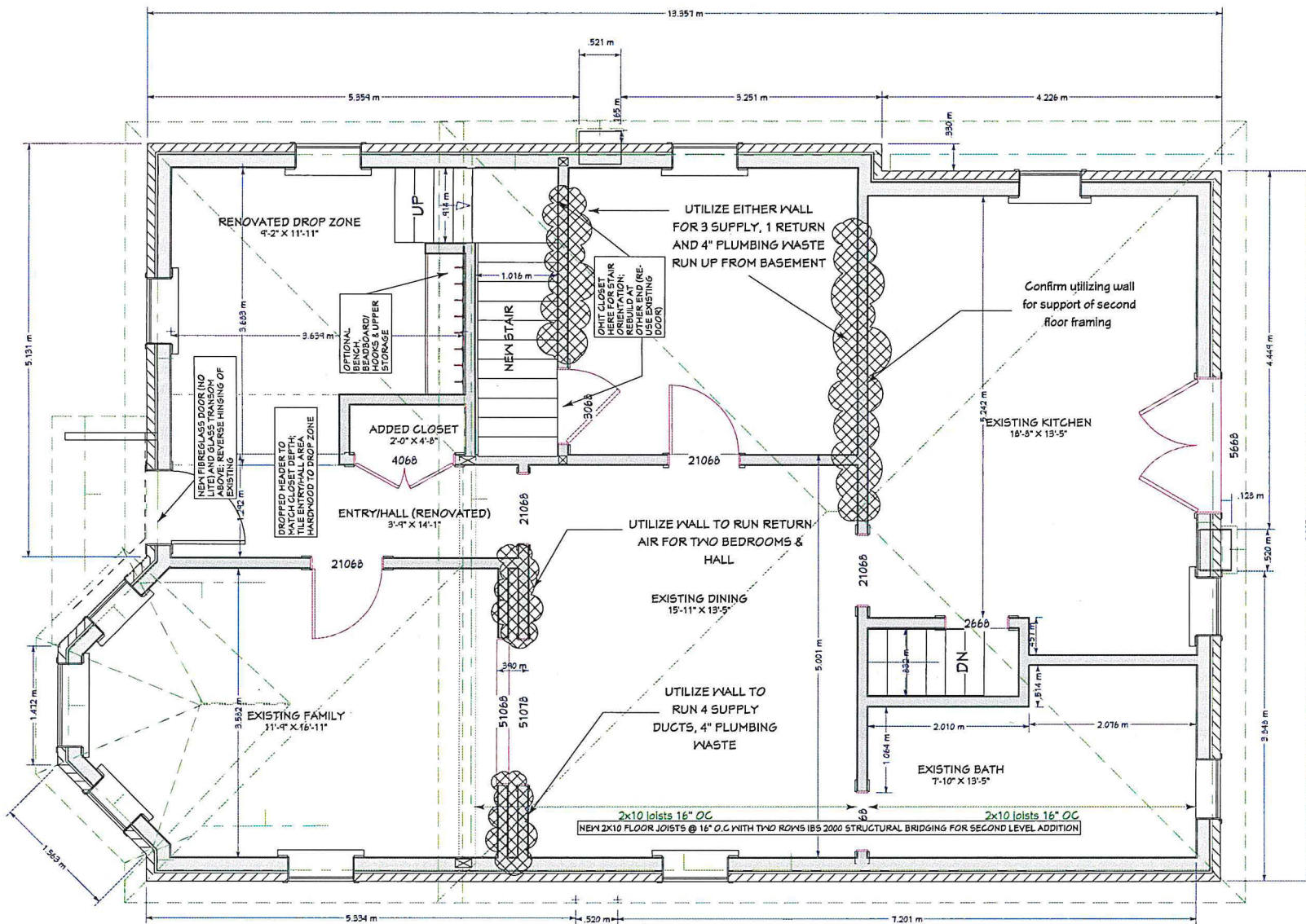
DRAWING:  
**FOUNDATION  
PLAN**

SCALE:  
1/4" = 1'-0"

PAGE:  
**3**

LIVING AREA  
1218 SQ. FT.





## GROUND FLOOR PLAN

(EXISTING WITH STRUCTURAL ALTERATIONS AND RENOVATED MUDROOM)

1/4" = 1'-0"



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RESIDENCE:  
**Tyler & Melissa  
Pettiquire  
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14 LONDON RD. WEST  
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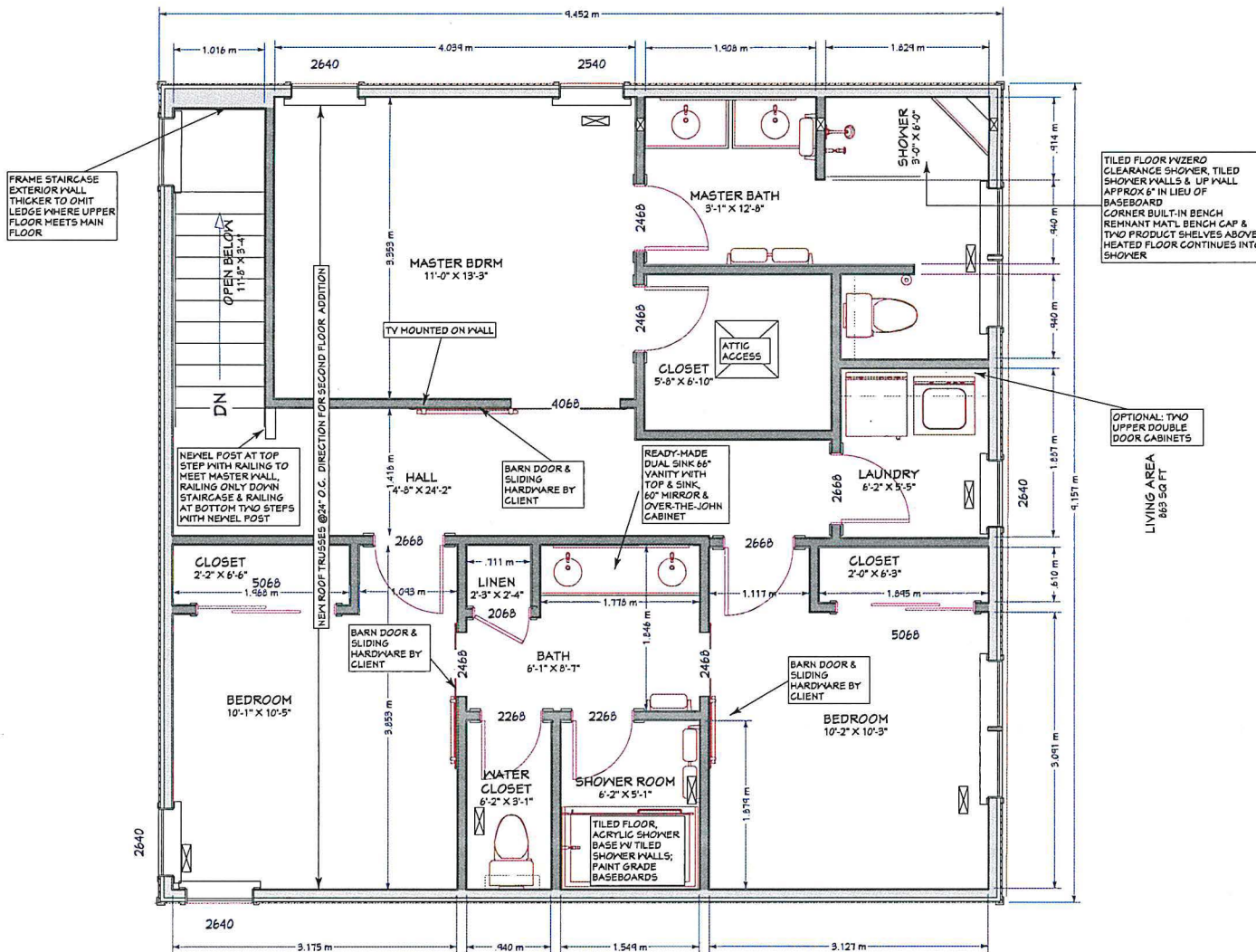
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ETC.

SIGNED: \_\_\_\_\_

DRAWING:  
**GROUND  
FLOOR PLAN**

SCALE:  
1/4" = 1'-0"

PAGE:  
**4**



## SECOND FLOOR PLAN

(PROPOSED)

1/4" = 1'-0"



1510 VICTORIA ST. N. KITCHENER ON,  
N2B 3E2  
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RESIDENCE:  
**Tyler & Melissa  
Pettiapiere  
Addition**  
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GUELPH, ON

DATE:  
06-MARCH-2018

PROJECT #:  
TBD

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GEORGE KOCHHAR

DESIGNER: PAUL MEIER  
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ETC.

SIGNED: \_\_\_\_\_

DRAWING:  
**SECOND FLOOR  
ADDITION PLAN**

SCALE:  
1/4" = 1'-0"

PAGE:  
**5**





# **NORTH ELEVATION**

(PROPOSED)

1/4" = 1'-0"



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06-MARCH-2018

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PROJECT MANAGER:  
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DESIGNER: PAUL MEIER  
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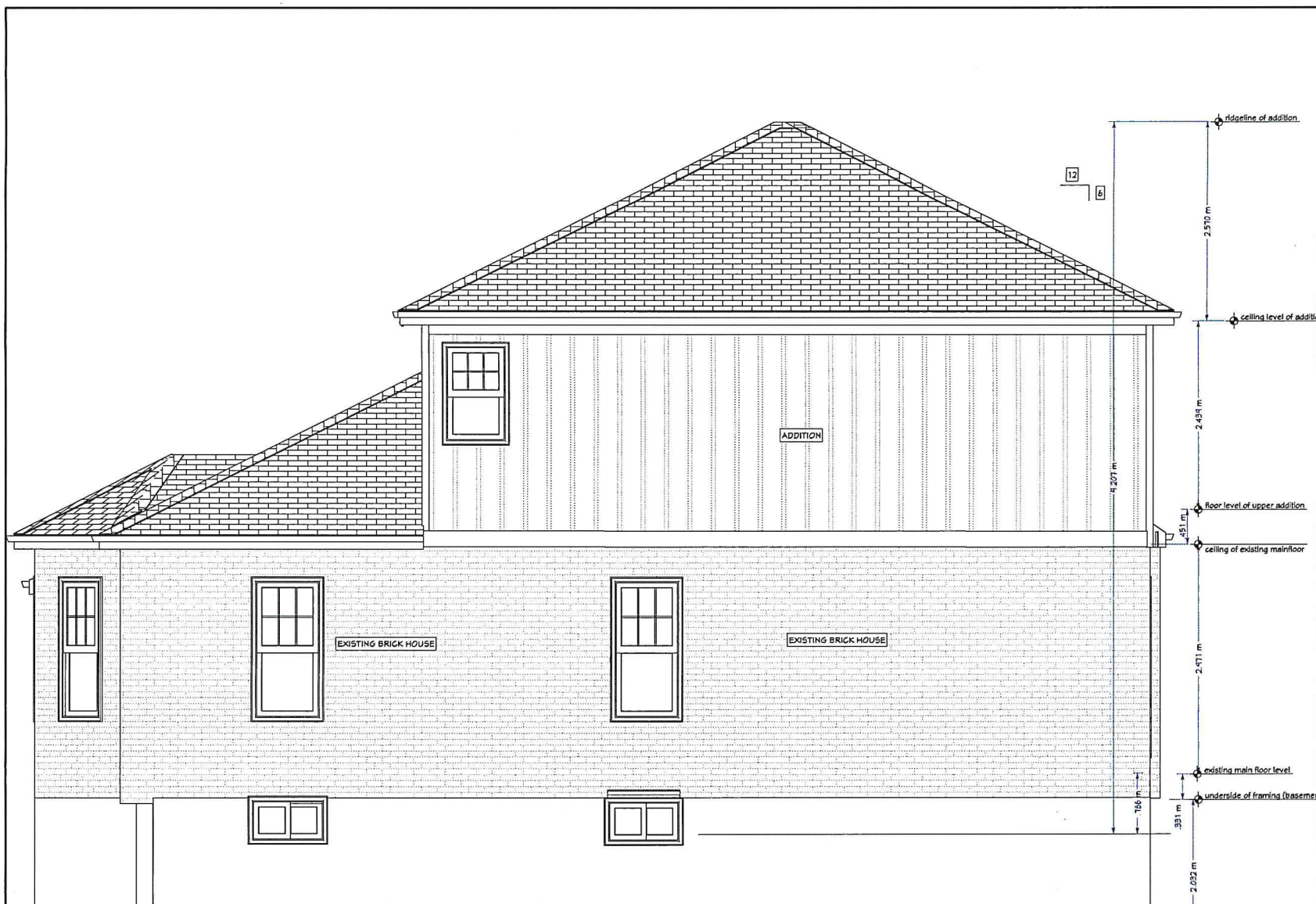
I HAVE REVIEWED THIS PLAN AND DO  
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SIGNED: \_\_\_\_\_

DRAWING:  
**NORTH  
ELEVATION**

SCALE:  
1/4" = 1'-0"

PAGE:  
**6**



## WEST ELEVATION

(PROPOSED)

1/4" = 1'-0"



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DESIGNER: PAUL MEIER  
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ETC.

SIGNED: \_\_\_\_\_

DRAWING:

**WEST  
ELEVATION**

SCALE:

1/4" = 1'-0"

PAGE:

**7**





## EAST ELEVATION

(PROPOSED)

1/4" = 1'-0"



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06-MARCH-2018

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DRAWING:

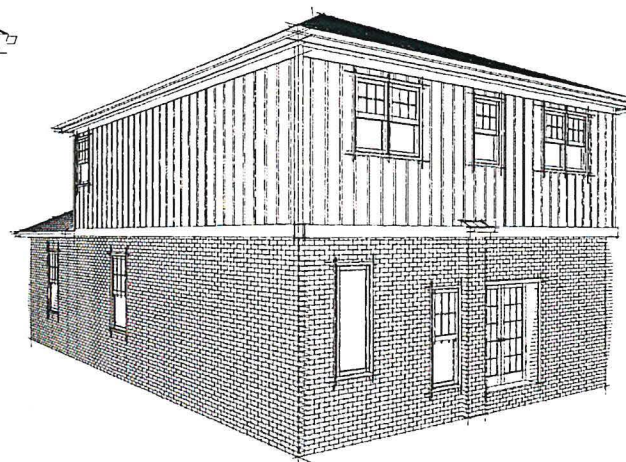
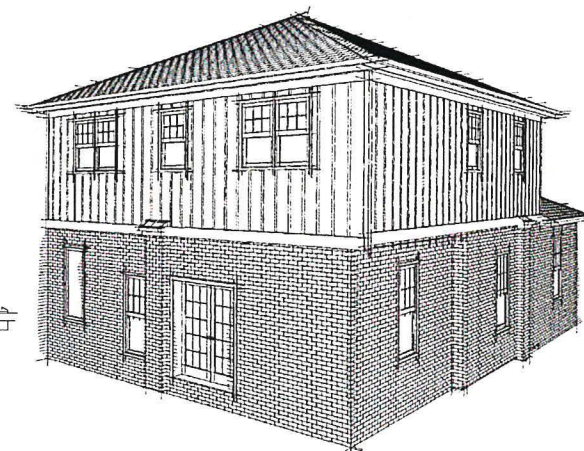
**EAST  
ELEVATION**

SCALE:

1/4" = 1'-0"

PAGE:

8



## SOUTH ELEVATION

(PROPOSED)

$1/4" = 1'-0"$



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GUELPH, ON

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GEORGE KOCHHAR

DESIGNER: PAUL MEIER  
BCIN: 22946

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SIGNED: \_\_\_\_\_

DRAWING:

**NORTH  
ELEVATION**

SCALE:

$1/4" = 1'-0"$

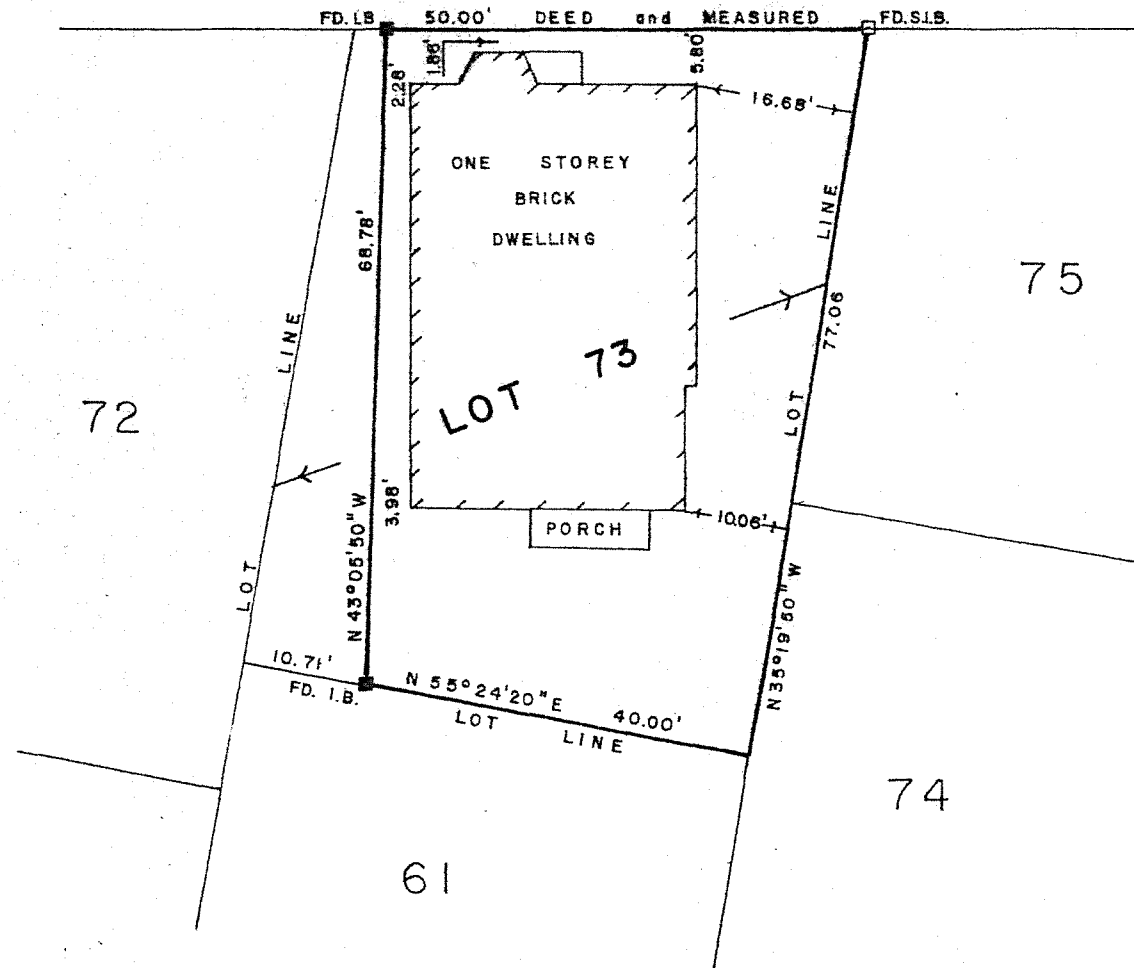
PAGE:

9



# LONDON ROAD

N 45°00'00" E (Governing Bearing)



## PLAN OF SURVEY

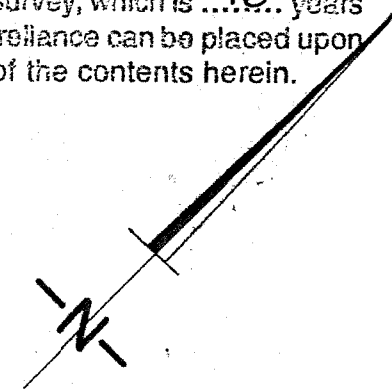
OF PART OF

LOT 73, REG'D PLAN 35

CITY of GUELPH

SCALE: 1 inch = 20 feet

VAN HARTEN SURVEYING INC.,  
disclaims any liability as to the current accuracy  
of the contents of this survey, which is <sup>46</sup>... years  
old and advise that no reliance can be placed upon  
the current accuracy of the contents herein.



M. P. VAN HARTEN  
ONTARIO LAND SURVEYOR

*M. P. Van Harten*

NOVEMBER 30, 1971.

R.R. 5, GUELPH, ONTARIO  
HAMILTON DRIVE  
PHONE: 821-2763

**MJ 71-496**

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.

## OFFICE USE ONLY

Date Received: Mar. 12, 2018

Folder #:

Application deemed complete:

☒ Yes ☐ No

A-29/17

## 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: 728 York Rd. Guelph, ON N1E 6A5

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

Part lot 2 & 3, Concession 3, division C, Township of Guelph as in ROS620728; Guelph

### OWNER(S) INFORMATION:

Name: 2599211 Ontaqrio Inc.

Mailing Address: 728 - 732 York Rd.

City: Guelph

Postal Code: N1E 6A5

Home Phone: (416) 909-9109

Work Phone:

Fax:

Email:

alaadaud@gmail.com

### AGENT INFORMATION (If Any)

Company: Taste Fine Foods

Name: Dan Baker

Mailing Address: 728 York Rd.

City: Guelph

Postal Code: N1E 6A5

Work Phone: (519) 823-6700

Mobile Phone: (905) 616-9457

Fax:

Email:

goodfood@tastefinefoods.ca

Official Plan Designation: Service Commercial	Current Zoning Designation: SC.2-10
---	-------------------------------------

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

I would like a minor variance to the zoning to allow for a catering company to operate at this location. The current zoning allows for both a licensed restaurant and a take-out restaurant but a catering operation is excluded.

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

Taste Fine Foods is an off-site catering company whose business does not fit the definition of a take out restaurant

**PROPERTY INFORMATION**

Date property was purchased:	November 2017	Date property was first built on:	1926
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	1926

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

Mixed commercial and residential - 3 apts. (728A+B, 103 Beaumont Ges) confirmed by owner March 15/2018.

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):**

Same - Mixed Commercial and residential

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

Frontage: Approx  
82 Meters

Depth: irregular  
15.25 meters

Area: Approx .28  
Hecters



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

EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b> <i>As per attached drawings</i>			<b>Main Building</b> <i>No changes Proposed</i>		
Gross Floor Area:	<i>409.3 sq/m</i>		Gross Floor Area:		
Height of building:	<i>2 stories</i>		Height of building:		
Garage/Carport (if applicable) <i>N/A</i>			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

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

EXISTING – <i>As per attached drawings</i>			PROPOSED – <i>No changes Proposed</i>		
Front Yard Setback:	<i>1 met</i>		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: <i>43.4</i> M	Right: <i>15.25</i> M		Side Yard Setback:	Left: M Right: M
Rear Yard Setback	<i>5.5</i>		M	Rear Yard Setback	M

**TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)**

Provincial Highway ☒ Municipal Road ☒ Private Road ☐ Water ☐ Other (Specify)

**MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)**Water ☒Sanitary Sewer ☒Storm Sewer ☒

If not available, by what means is it provided:

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input 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, DAN BAKER, 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<sup>th</sup> day of March, 20 18.

  
Commissioner of Oaths

**LINDSAY ALEXANDRA C**  
a Commissioner, etc., Province of O.N.  
for THE CORPORATION OF THE  
CITY OF GUELPH  
Expires March 6, 2020

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

2599211 Ontario . Inc.

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

of

728 yord rd

(Legal description and/or municipal address)

hereby authorize

DAN BAKER

(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 January day of 09 2018.



(Signature of the property owner)

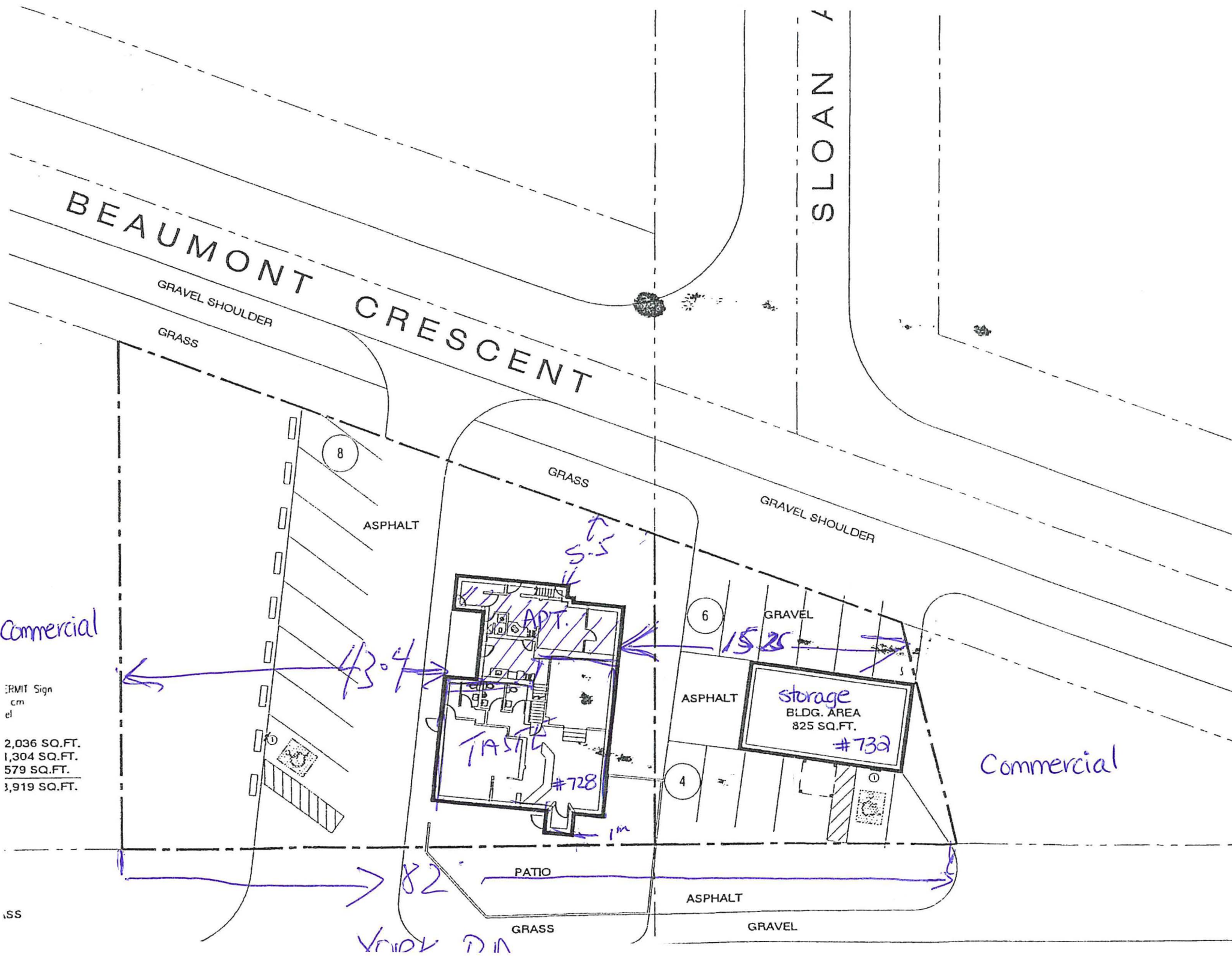


(Signature of the property owner)

### NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.





BEAUMONT CRESCENT

SLOAN

GRAVEL SHOULDER

GRASS

8

ASPHALT

GRASS

GRAVEL SHOULDER

6

GRAVEL

ASPHALT

4

storage  
BLDG. AREA  
825 SQ.FT.  
#732

Commercial

Commercial

PERMIT Sign  
cm  
el  
  
2,036 SQ.FT.  
1,304 SQ.FT.  
579 SQ.FT.  
3,919 SQ.FT.

APT.  
TASTE  
#728

PATIO

ASPHALT

GRASS

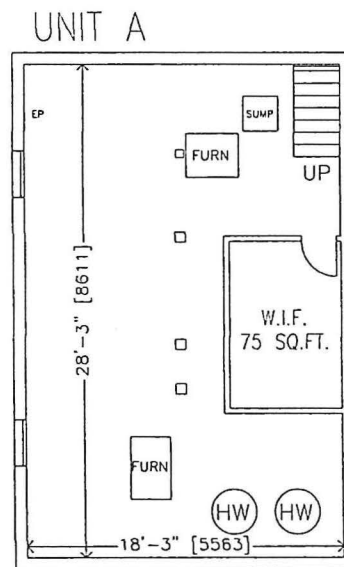
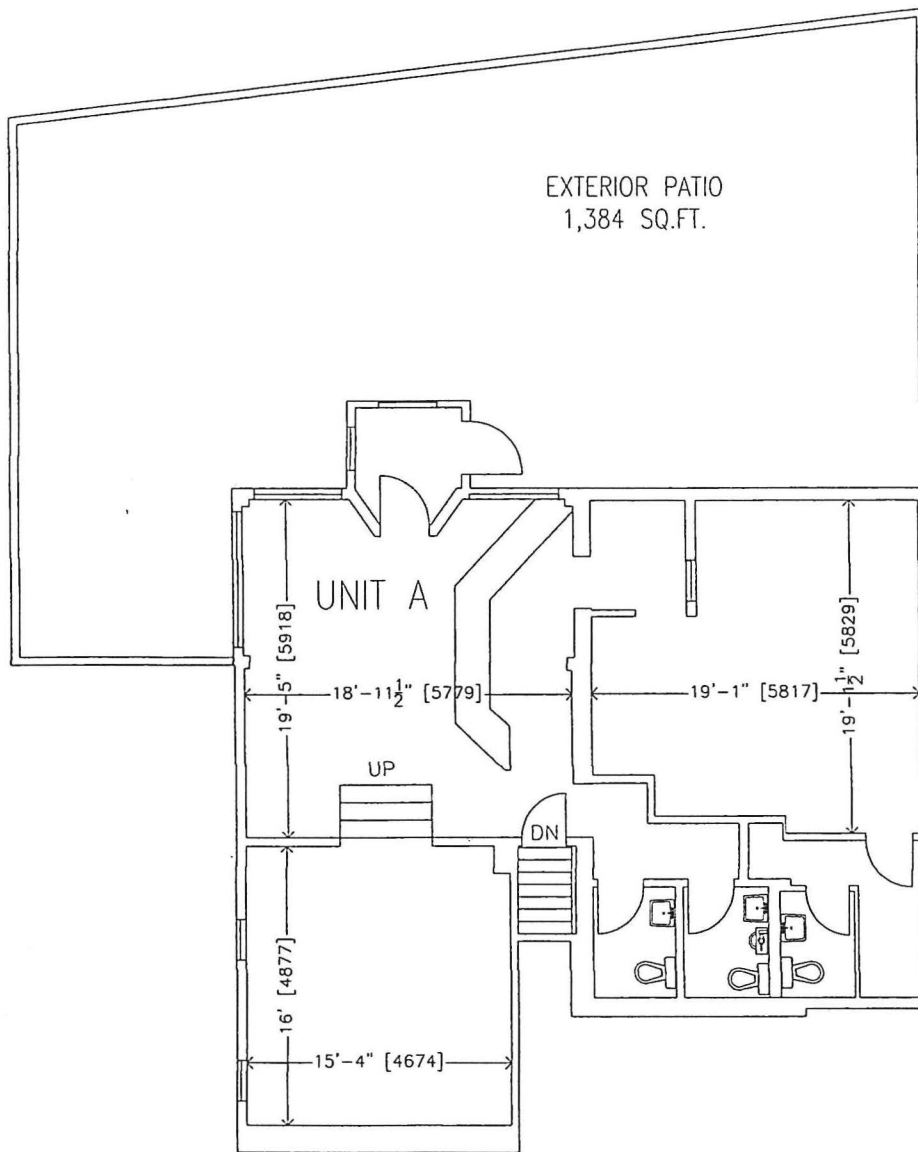
GRAVEL

SS

82'

VIEW DIA





UNIT A  
 MAIN FLOOR: 1,343 SF  
 BASEMENT LEVEL: 579 SF  
 TOTAL AREA: 1,922 SF  
 PATIO: 1,384 SF

- 409.3 sq/m

BASEMENT

PREPARED BY:



(905) 628-1818  
 FAX: (905) 627-4154

LOCATION:

728 YORK ROAD  
 GUELPH, ONTARIO



PREPARED FOR:

MASON REAL ESTATE

DATE:

28 AUGUST 2012

FILE:

728YORK.DWG

SCALE:

NTS

# 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>Mar 13, 2018</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-30/18</u>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes ☒ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

## PROPERTY INFORMATION:

Address of Property: 7 OAK ST GUELPH

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

CON 7 PT LOT 2 RP 61R-9383 Part 1

## OWNER(S) INFORMATION:

Name: DAN + ANJA GANZUR

Mailing Address: 7 OAK ST

City: GUELPH Postal Code: N1Z 2M8

Home Phone: 519 763 4417 Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: EXCELBIZ@HOTMAIL.COM

## AGENT INFORMATION (If Any)

Company: STUART BOWEN CONSTRUCTION LTD

Name: STUART BOWEN

Mailing Address: 330 ALBERT ST W

City: FERRIS Postal Code: N1M 1X6

Work Phone: \_\_\_\_\_ Mobile Phone: 519 572 0855

Fax: 519 741 1174 Email: MAIL@SOLARTECH-CA

Official Plan Designation: <i>Low Density Residential.</i>	Current Zoning Designation: <i>R-1B</i>
--	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<i>RELIEF FROM REAR YARD SETBACK</i>
<i>7.5 REQUIRED</i>
<i>3.75 REQUESTED</i>

Why is it not possible to comply with the provision of the by-law? (your explanation)
<i>NOT ENOUGH SPACE</i>

PROPERTY INFORMATION			
Date property was purchased:	<i>JULY 1 2018</i>	Date property was first built on:	<i>2003</i>
Date of proposed construction on property:	<i>SPRING 2018</i>	Length of time the existing uses of the subject property have continued:	<i>15 YRS</i>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<i>SINGLE FAMILY WITH ACCESSORY APT</i>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<i>SINGLE FAMILY " " "</i>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	<i>15m</i>	Depth:	<i>27.42 m</i>
		Area:	<i>574.3 m<sup>2</sup></i>



PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	173 m <sup>2</sup> BASEMENT	Gross Floor Area:	5000 m <sup>2</sup>
Height of building:	7m MAIN FLOOR 346 TOTAL	Height of building:	26.44 m <sup>2</sup>
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:	7m 7m	Width:	
Length:	6.25 6.25	Length:	
Driveway Width:	7m	Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height:		Describe details, including height:	
SHED 2m x 3m 2.5m HT			

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	6.08 M	Front Yard Setback:	14m M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 1.53 M Right: 1.54 M	Side Yard Setback:	Left: 16 M Right: 2.5 M
Rear Yard Setback	8.03 M	Rear Yard Setback	3.75 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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	8-2103
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, STUART BOWEN, of the City/Town of  
FERRIS in County/Regional Municipality of WELINGTON COUN<sup>TY</sup>, 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 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 12th day of March, 20 18.

[Signature]  
 Commissioner of Oaths

**LINDSAY ALEXANDRA CLINE.**  
 a Commissioner, etc., Province of Ontario,  
 for THE CORPORATION OF THE  
 CITY OF GUELPH.  
**Expires March 6, 2020**  
 (official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

Dan and Anja Gangur  
[Organization name / property owner's name(s)]

of 7 Oak Street  
(Legal description and/or municipal address)

hereby authorize STUART Bawren  
(Authorized agent's name)

as my/our agent for the purpose of submitting an application(s) to the Committee of Adjustment and acting on my/our behalf in relation to the application.

Dated this 20 day of FEB 2018

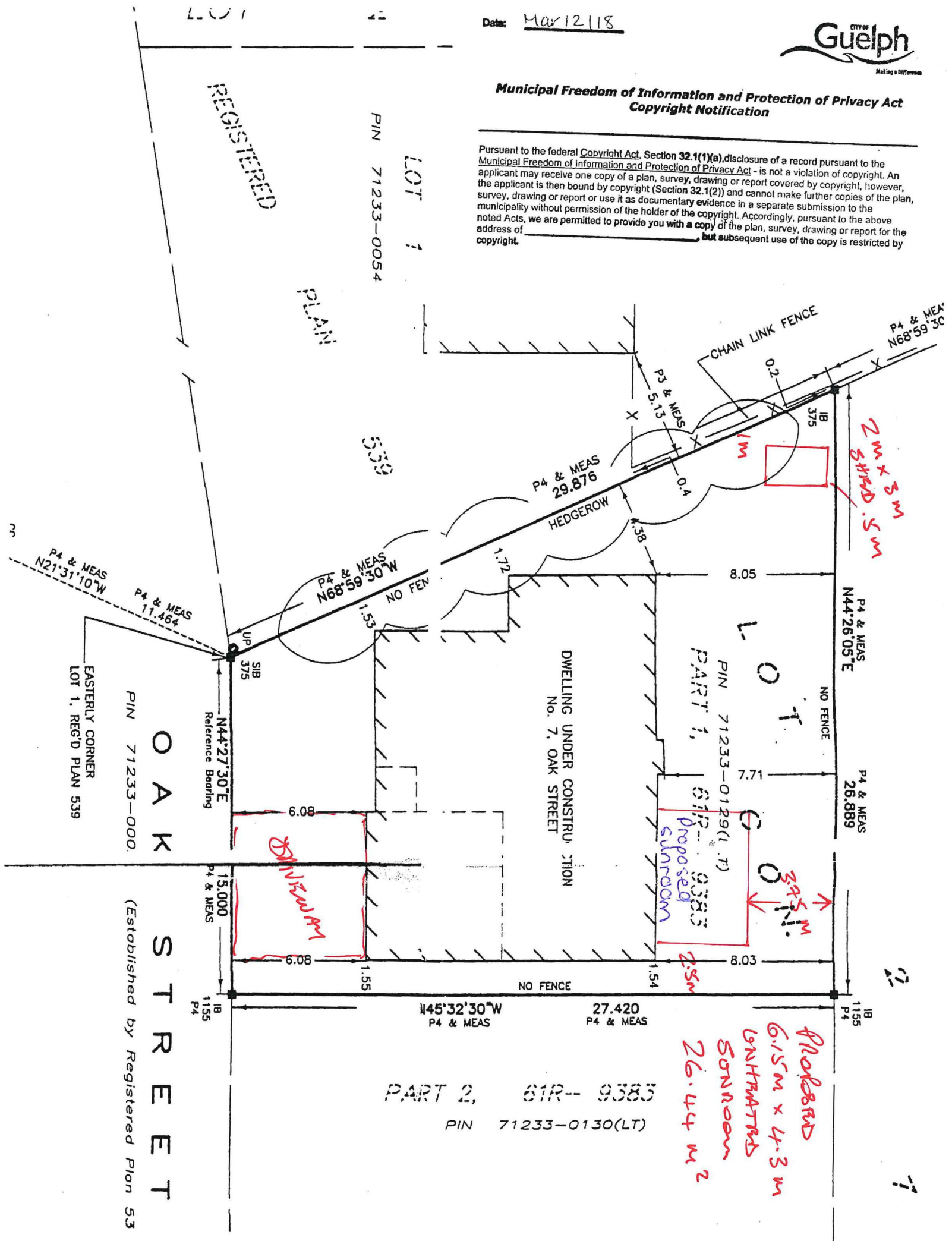
[Signature]  
(Signature of the property owner)

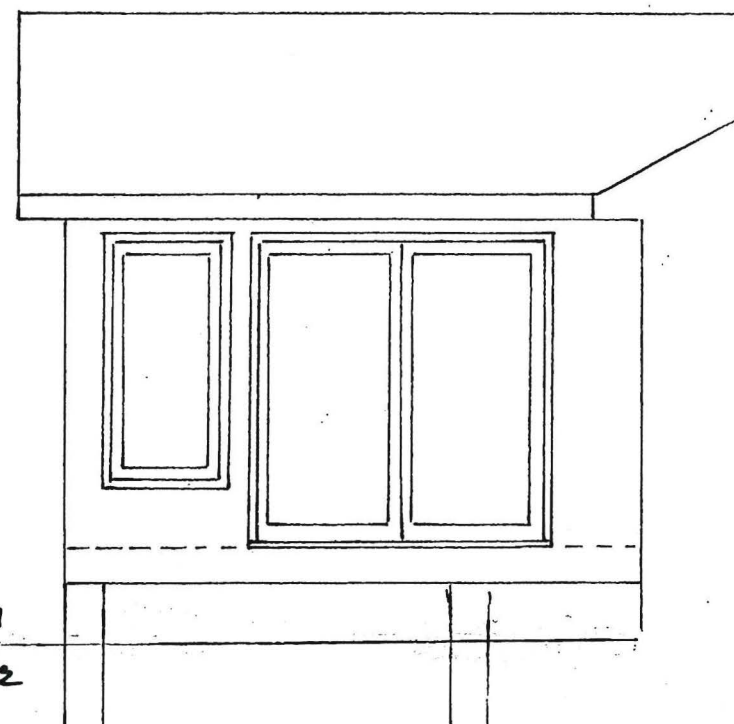
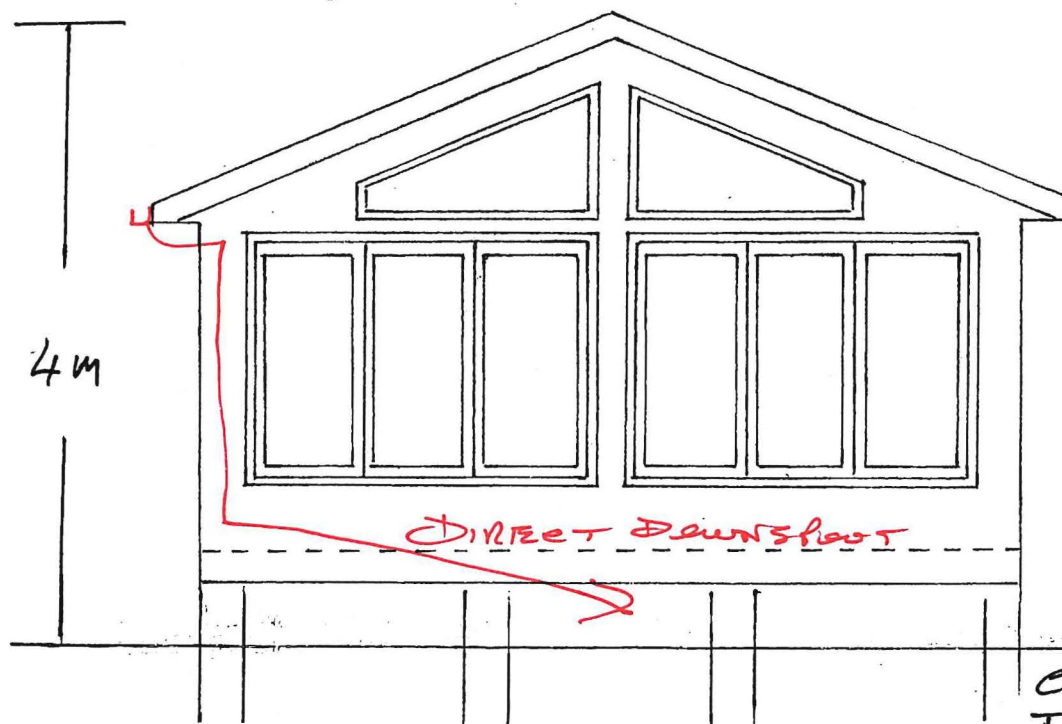
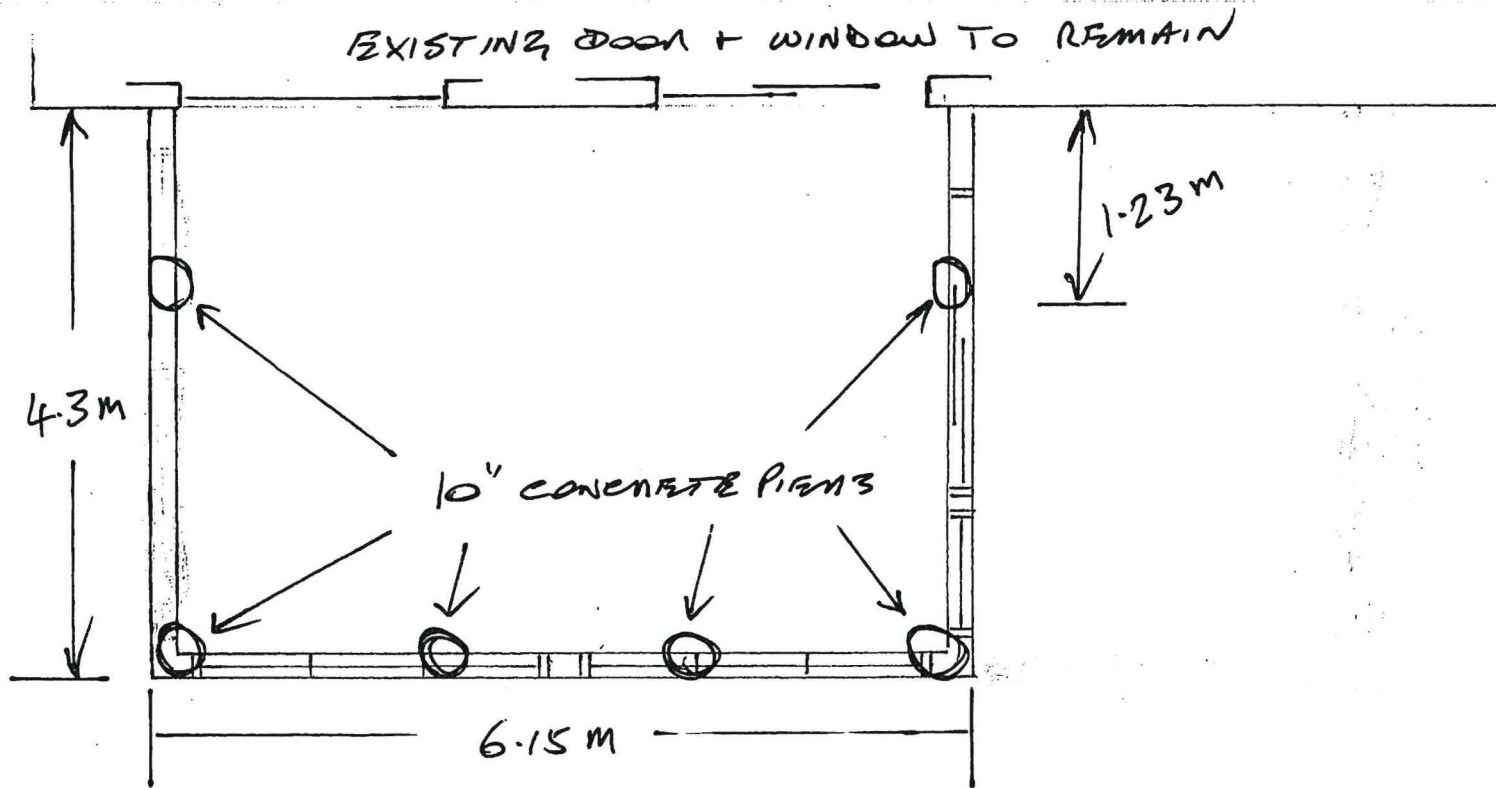
[Signature]  
(Signature of the property owner)

### NOTES:

1. If the owner is a corporation, this appointment and authorization shall include the statement that the person signing this appointment and authorization has authority to bind the corporation (or alternatively, the corporate seal shall be affixed hereto).
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.

Pursuant to the federal Copyright Act, Section 32.1(1)(a), disclosure of a record pursuant to the Municipal Freedom of Information and Protection of Privacy Act - is not a violation of copyright. An applicant may receive one copy of a plan, survey, drawing or report covered by copyright, however, the applicant is then bound by copyright (Section 32.1(2)) and cannot make further copies of the plan, survey, drawing or report or use it as documentary evidence in a separate submission to the municipality without permission of the holder of the copyright. Accordingly, pursuant to the above noted Acts, we are permitted to provide you with a copy of the plan, survey, drawing or report for the address of \_\_\_\_\_, but subsequent use of the copy is restricted by copyright.







# 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>Mar. 13, 2018</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-31/18</u>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff? Yes ☐ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

## PROPERTY INFORMATION:

Address of Property: 51 TROY CRES

Legal description of property (registered plan number and lot number or other legal description):  
Plan 815 Lot 56

## OWNER(S) INFORMATION:

Name: CARA & AL MURSALIN

Mailing Address: 51 TROY CRES

City: GUELPH Postal Code: N1E 6W8

Home Phone: 519 763 6987 Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: CARA.MURSALIN@HOTMAIL.COM

## AGENT INFORMATION (If Any)

Company: STUART BOWEN CONSTRUCTION LTD

Name: STUART BOWEN

Mailing Address: 330 ALBERT ST W

City: FERRIS Postal Code: N1M 1X6

Work Phone: \_\_\_\_\_ Mobile Phone: 519 572 0855

Fax: 519 741 1174 Email: MAIL@SOLARTECH.CA

Official Plan Designation: <i>Low Density Residential</i>	Current Zoning Designation: <i>R.1D</i>
---	---

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
<i>RELIEF FROM REAR YARD SETBACK</i>
<i>7.5 M REQUIRED</i>
<i>4.3 REQUESTED</i>

Why is it not possible to comply with the provision of the by-law? (your explanation)
<i>NOT ENOUGH ROOM</i>

PROPERTY INFORMATION			
Date property was purchased:	<i>2007</i>	Date property was first built on:	<i>1991</i>
Date of proposed construction on property:	<i>SPRING 2018</i>	Length of time the existing uses of the subject property have continued:	<i>27 YRS</i>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<i>SINGLE FAMILY</i>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<i>SINGLE FAMILY</i>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	<i>8m</i>	Depth:	<i>20.1 m</i>
Area:	<i>220.8 m<sup>2</sup></i>		

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<b>Main Building</b> 32m <sup>2</sup> BASE/MAIN/2ND		<b>Main Building</b> SUNROOM	
Gross Floor Area:	96 m <sup>2</sup> TOTAL	Gross Floor Area:	18.16 m <sup>2</sup>
Height of building:	8 m	Height of building:	4.6 m
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:	3 m	Width:	
Length:	3.7 m	Length:	
Driveway Width:	3 m	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:	4 m		M	Front Yard Setback:	<del>3.5</del> 4 M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	
Side Yard Setback:	Left: 2.4 M	Right: 2.5 M		Side Yard Setback:	Left: 2.4 M Right: 2.5 M
Rear Yard Setback	8		M	Rear Yard Setback	4.3 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 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, STUART BOWEN, of the City/Town of  
FERRIS 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.

SRB  
 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<sup>th</sup> day of March, 20 18.

[Signature]  
 Commissioner of Oaths

**LINDSAY ALEXANDRA CLINE**  
 a Commissioner, etc., Province of Ontario  
 for THE CORPORATION OF THE  
 CITY OF GUELPH.  
 (official stamp Expires March 6, 2020 Oaths)

## APPOINTMENT AND AUTHORIZATION

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

CARA MURSALIN

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

of

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

hereby authorize

SPB

(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 26 day of FEB 2018.

Cara Mursalin  
(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.



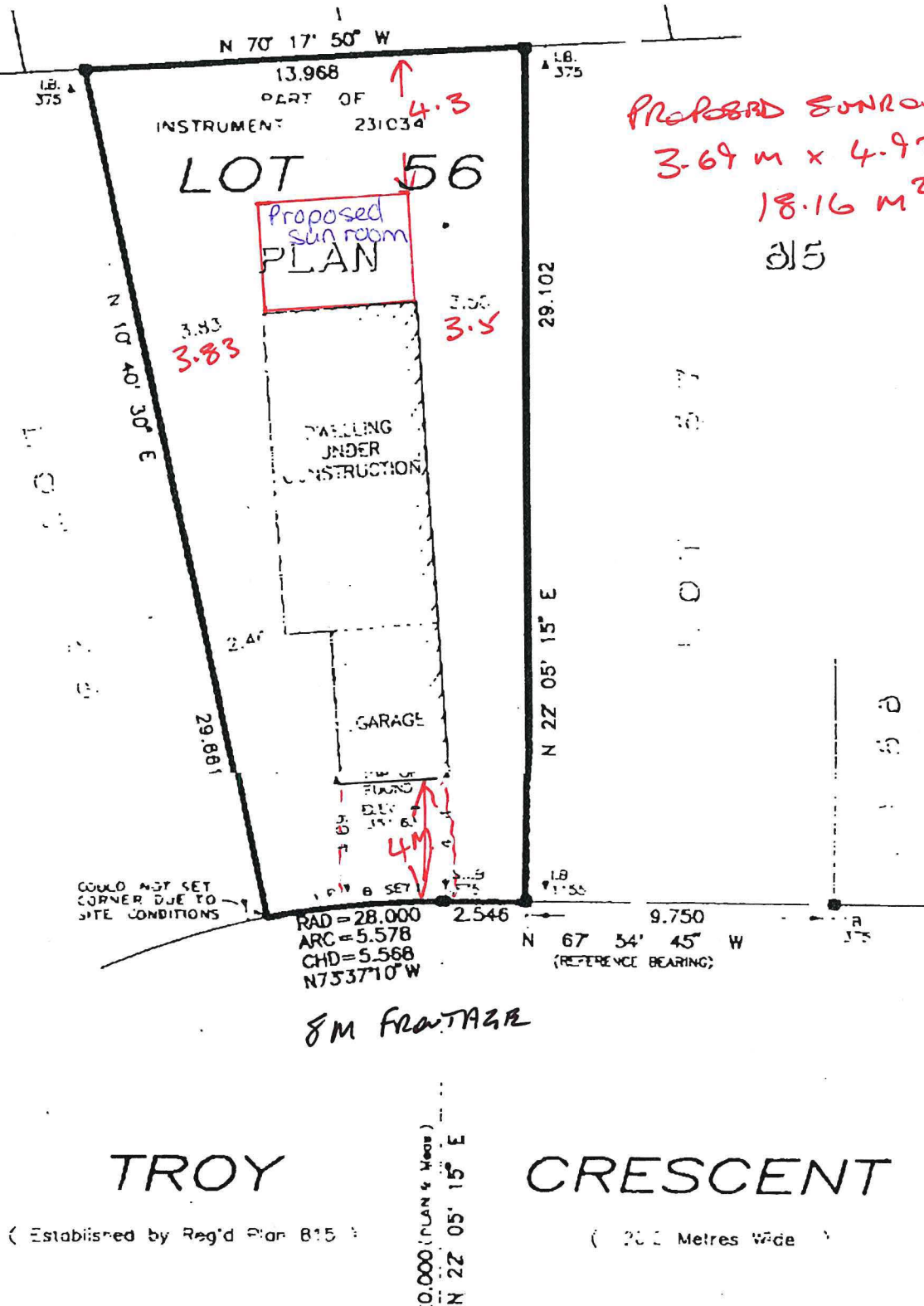
EXIST 8M  
SUNROOM 3.69  
RELIEF 4.31  
REGISTERED

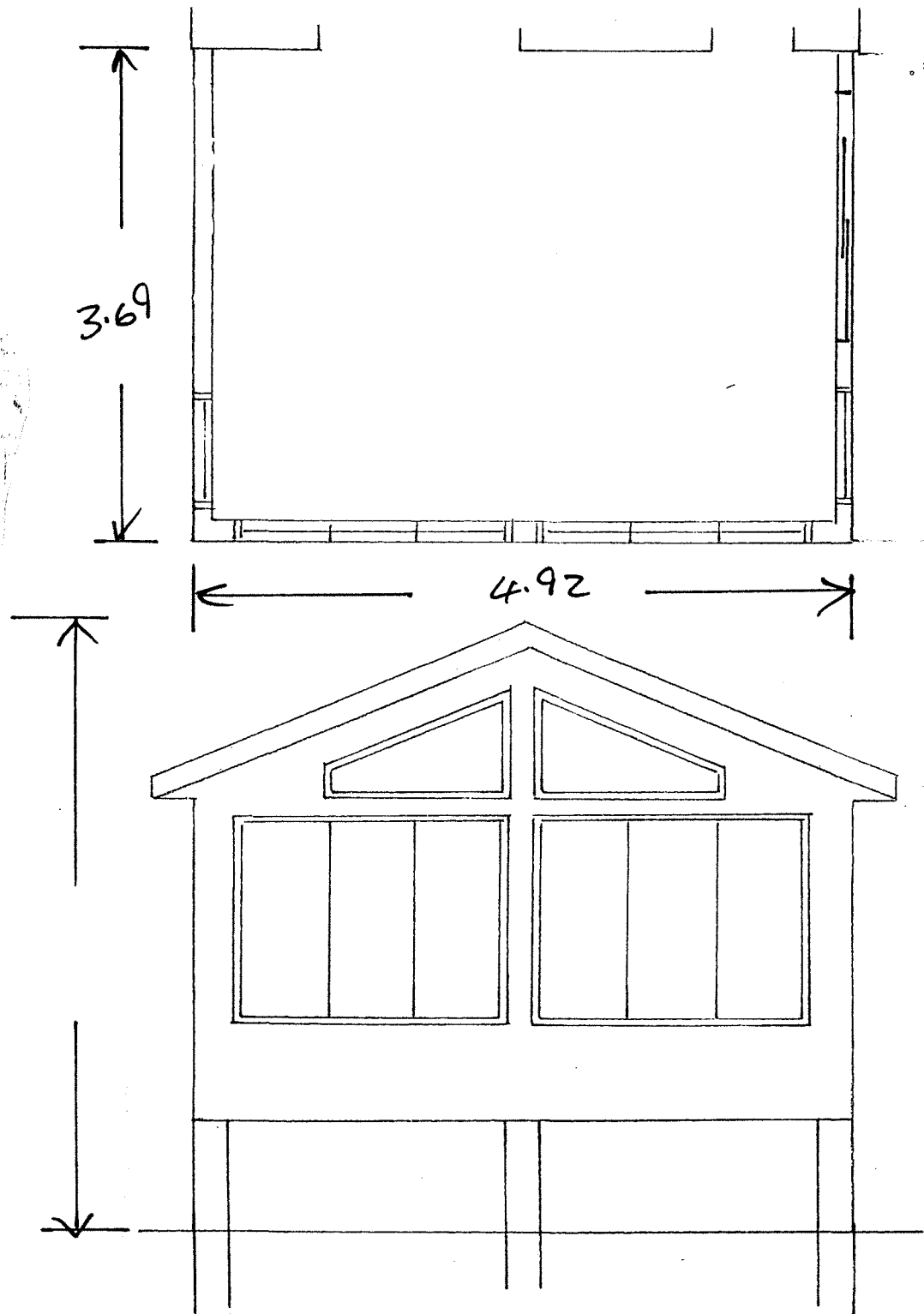
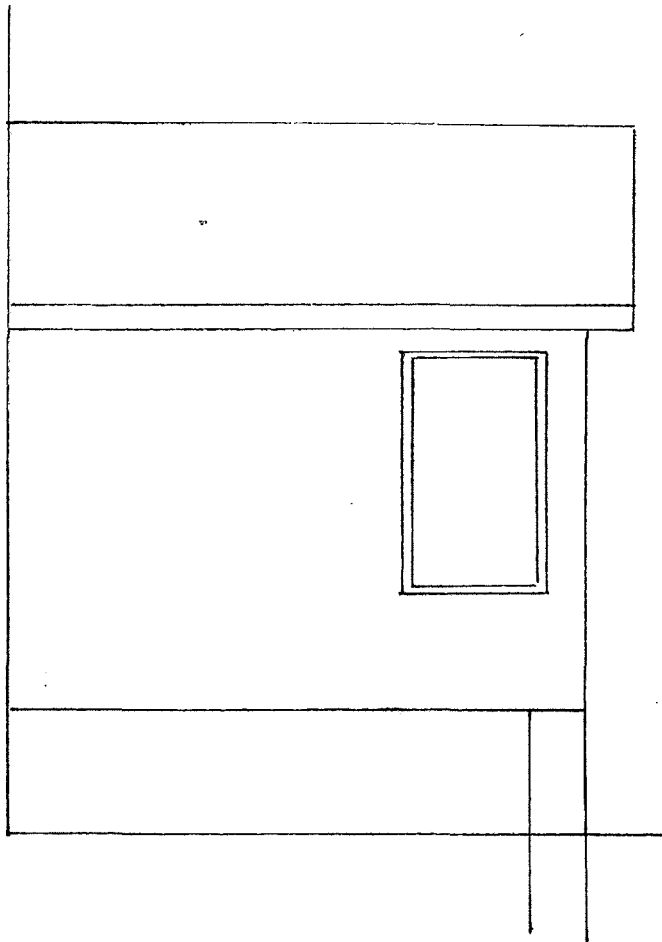
PROPOSED SUNROOM  
3.69 m x 4.92 m  
18.16 m<sup>2</sup>  
@15

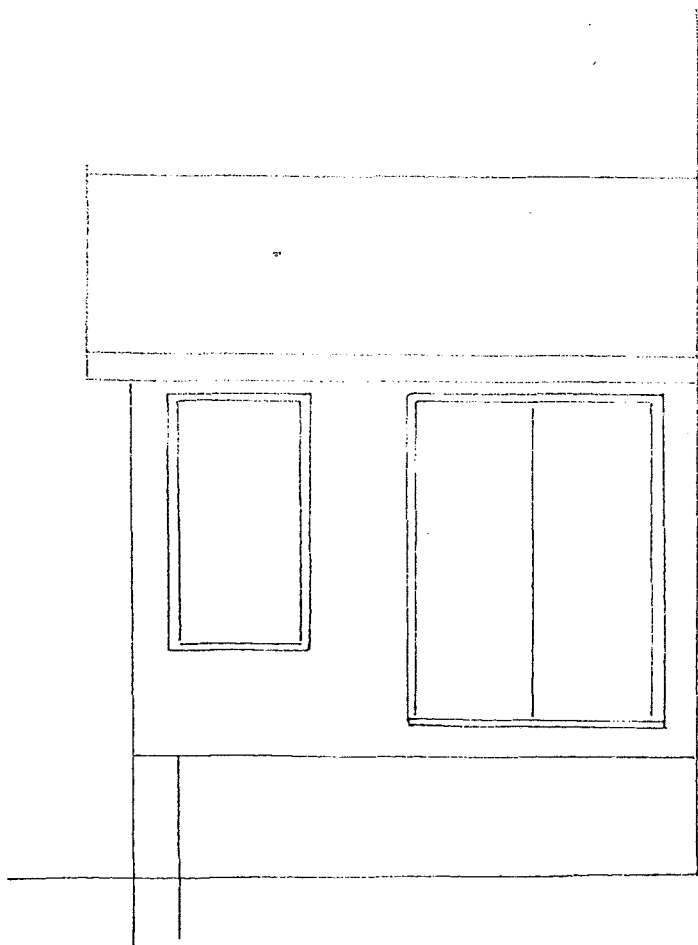


**Municipal Freedom of Information and Protection of Privacy Act  
Copyright Notification**

Pursuant to the federal Copyright Act, Section 32.1(1)(a), disclosure of a record pursuant to the Municipal Freedom of Information and Protection of Privacy Act - is not a violation of copyright. An applicant may receive one copy of a plan, survey, drawing or report covered by copyright, however, the applicant is then bound by copyright (Section 32.1(2)) and cannot make further copies of the plan, survey, drawing or report or use it as documentary evidence in a separate submission to the Municipality without permission of the holder of the copyright. Accordingly, pursuant to the above Acts, we are permitted to provide you with a copy of the plan, survey, drawing or report for the record, but subsequent use of the copy is restricted by copyright.









# 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>March 13, 2018</u>	Folder #: <u>A-32/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?      Yes ☒      No ☐

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 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: 14 Mayfair Court, Guelph

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

Lot 132, Plan 610, Guelph; 71488-0020 LT

### OWNER(S) INFORMATION:

Name: Sharon Margaret Cunningham & James David Cunningham (Estate)

Mailing Address: 14 Mayfair Court

City: Guelph, ON

Postal Code: N1G 3S1

Home Phone: \_\_\_\_\_

Work Phone: 416-709-3083

Fax: \_\_\_\_\_

Email: Bethkis2@gmail.com

### AGENT INFORMATION (If Any)

Company: SmithValeriotte Law Firm LLP

Name: Kevin Thompson

Mailing Address: 100-105 Silvercreek Pkwy N.

City: Guelph

Postal Code: N1H 6S4

Work Phone: 519-837-2100 x315

Mobile Phone: \_\_\_\_\_

Fax: 519-837-1617

Email: kthompson@svlaw.ca

Official Plan Designation: Low Density Residential

Current Zoning Designation: R.1B

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

Relief is sought from section 4.15.1.5 of Zoning By-law (1995)-14864, which requires that accessory apartments not exceed 45% of the total Floor Area of the Building and shall not exceed 80 square metres, whichever is lesser. The proposed accessory apartment is 92 square metres, and comprises 38.6% of the GFA.

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

Due to the layout of the basement (where the accessory apartment is proposed), with the stairwell in a central location, there are functional limitations to limiting the size of the accessory apartment so that it is accessory and subordinate to the main dwelling. A formerly proposed bedroom area is now being proposed as an unfinished storage area for the exclusive use by the main dwelling's occupant. The accessory apartment occupant would have no access to this area. Practically speaking, because of the central location of the stairwell, there is no possible way to arrange the layout to further reduce the floor area of the proposed accessory apartment below 80 square metres. At 38.6% of the total GFA, it is well below the size of the main dwelling, making it truly accessory, and maintaining the intent of the zoning. The actual variance sought is minor as it will have no impact on any adjacent properties, and it is desirable in order to facilitate additional secondary rental housing stock.

**PROPERTY INFORMATION**

Date property was purchased:	1997	Date property was first built on:	1966-1969
Date of proposed construction on property:	Spring 2018	Length of time the existing uses of the subject property have continued:	Residential since 1966

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

**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):** Residential two-unit dwelling with accessory apartment

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

Frontage: 11.6 m                      Depth: 31.5 m                      Area: 682 m<sup>2</sup>

**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:	238 m <sup>2</sup>	Gross Floor Area:	238 m <sup>2</sup> (of which 92 m <sup>2</sup> (38.6%) will be an accessory apartment)

Height of building:	<b>1 storey</b>		Height of building:	<b>SAME</b>	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:	<b>6.1 m</b>		Width:	<b>SAME</b>	
Length:	<b>6.0 m+</b>		Length:	<b>SAME</b>	
Driveway Width:	<b>6.1 m</b>		Driveway Width:	<b>SAME</b>	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck): N/A</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck): N/A</b>		
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:	7.51 m		Front Yard Setback:	No change	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	No change	
Side Yard Setback:	Left: 2m	Right: 3m	Side Yard Setback:	Left: no change	Right: no change
Rear Yard Setback	7m		Rear Yard Setback	No change	

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

<b>MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)</b>		
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"/>	(forthcoming permit application – no file # yet)
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**

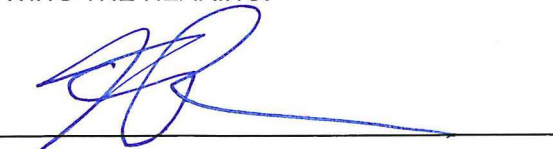
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, 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/Regional Municipality of \_\_\_\_\_  
 \_\_\_\_\_ this 13<sup>TH</sup> day of MARCH, 20 18.

**James Prosser**  
 Barrister, Commissioner and Notary Public  
 LSUC No. 67378P

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

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

Sharon Cunningham (personally and for the Estate of James David Cunningham)  
[Organization name / property owner's name(s)]

of 14 Mayfair Court, Guelph  
(Legal description and/or municipal address)

hereby authorize Kevin Thompson, SmithValeriote 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 Mar 13 day of 2018.

Sharon Cunningham  
(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.

## GENERAL NOTES

- UNLESS NOTED OTHERWISE ON THE DRAWINGS, THE FOLLOWING NOTES SHALL GOVERN.
- ALL WORK ON THIS PROJECT SHALL CONFORM TO THE 2012 ONTARIO BUILDING CODE (OBC 2012), ANY LOCAL REGULATIONS AND BYLAWS, AND THE CURRENT OCCUPATIONAL HEALTH AND SAFETY ACT (OHSa) AND CURRENT REGULATIONS FOR CONSTRUCTION PROJECTS. ALL CODES AND STANDARDS SHALL BE THOSE REFERENCED IN OBC 2012.
- ALL STANDARDS ARE TO BE THE YEAR, EDITIONS, DOCUMENT NUMBERS, ETC AS PER OBC 2012 DIVISION B, T.1.3.1.2. WHERE DISCREPANCIES EXIST BETWEEN OUR DRAWINGS AND T.1.3.1.2, THE TABLE SHALL GOVERN UNLESS NOTED OTHERWISE.
- THIS SET OF DRAWINGS SUPERCEDES AND REPLACES ALL PREVIOUS DRAWINGS.
- READ THESE DRAWINGS IN CONJUNCTION WITH ALL RELATED CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL VERIFY ALL CONDITIONS AND MEASUREMENTS AT THE SITE AND VERIFY ALL DIMENSIONS GIVEN ON THE STRUCTURAL DRAWINGS WITH THE ARCHITECTURAL DRAWINGS. REPORT TO THE ENGINEER ANY DISCREPANCIES OR UNSATISFACTORY CONDITIONS WHICH MAY ADVERSELY AFFECT THE PROPER COMPLETION OF THE PROJECT BEFORE PROCEEDING WITH THE WORK.
- IF ANY STRUCTURAL DISCREPANCIES ON THE DRAWINGS EXIST, THE MOST STRINGENT SHALL APPLY.
- DRAWINGS ARE NOT TO BE SCALED.
- CONSTRUCTION LOADINGS SHALL NOT EXCEED THE SPECIFIED DESIGN LOADS INDICATED ON THE DRAWINGS. THE CONTRACTOR SHALL MAKE ADEQUATE PROVISION FOR CONSTRUCTION LOADS AND TEMPORARY BRACING TO KEEP STRUCTURE PLUMB AND IN TRUE ALIGNMENT AT ALL PHASES OF CONSTRUCTION. ANY BRACING MEMBERS SHOWN ON THE DRAWINGS ARE REQUIRED FOR THE FINISHED STRUCTURE AND MAY NOT BE SUFFICIENT FOR ERECTION PURPOSES.
- NEW BASEMENT UNIT TO MEET THE REQUIREMENTS OF TABLE 2.1.1.10

## WOOD CONSTRUCTION

- ALL WOOD-FRAME CONSTRUCTION SHALL CONFORM TO OBC 9.23. U.N.O. ON THE DRAWINGS.
- LUMBER SHALL BE SPF No. 1/2 OR BETTER UNLESS NOTED OTHERWISE. MOISTURE CONTENT SHALL BE 19% OR LESS.
- LUMBER SHALL NOT BE NOTCHED OR DRILLED IN THE FIELD WITHOUT PERMISSION OF TACOMA ENGINEERS.
- THICKNESS AND TYPE OF SUBFLOOR, ROOF SHEATHING AND WALL SHEATHING SHALL CONFORM TO 9.23.14., 9.23.15., AND 9.23.16 RESPECTIVELY.
- BOLTED CONNECTIONS SHALL BE MADE USING GRADE A307 BOLTS, UNLESS NOTED OTHERWISE.
- WOOD IS NOT PERMITTED TO BEAR DIRECTLY ON MASONRY OR CONCRETE WITHOUT PROTECTION. PROVIDE EITHER PRESSURE TREATED LUMBER, SUITABLE WOOD PRESERVATIVE OR 6 MIL (0.152mm) POLYETHYLENE SHEET.
- SOLID HORIZONTAL BRIDGING SHALL BE PROVIDED AT 1200mm (4'-0") O.C. IN THE FIRST TWO JOIST SPACES ADJACENT TO THE EXTERIOR WALLS. BRIDGING SHALL BE ATTACHED TO THE EXTERIOR WALL TO PROVIDE LATERAL STABILITY.
- PROVIDE 38mm x 38mm (2X2) DIAGONAL CROSS BRIDGING OR SOLID BLOCKING AT MAXIMUM 2.1m (8'2") O.C. FOR ALL SAWN JOIST LOCATIONS.
- PROVIDE SOLID WOOD HORIZONTAL BLOCKING AT MAXIMUM 3.0m (10'-0") O.C. FOR ALL FRAMED WALLS. INSTALL MORE FREQUENTLY WHEN SO NOTED ON THE ARCHITECTURAL OR STRUCTURAL WALL DRAWINGS (EG. FOR BLOCKING OF SHEAR WALLS, OR FOR LATERAL STUD SUPPORT).
- ALL NAILS USED SHALL CONFORM TO STEEL WIRE NAILS AND SPIKES AS DEFINED IN CSA STANDARD B111 "WIRE NAILS, SPIKES AND STAPLES" UNLESS NOTED OTHERWISE.
- ALL NAILS AND FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD ARE TO BE HOT DIP GALVANIZED (TO CSA-G164) OR STAINLESS STEEL.
- FOR SOLID AND BUILT UP MEMBERS (TRUSSES, BEAMS, LINTELS) PROVIDE A BUILT UP POST WITH AN EQUAL OR GREATER THICKNESS UNLESS NOTED OTHERWISE. ALL BUILT UP POSTS TO BE CONTINUOUS (INCLUDING TRANSFER BLOCKING AT FLOORS) DOWN TO THE FOUNDATIONS.
- ALL BUILT UP MEMBERS TO BE FASTENED TOGETHER WITH TWO 75mm (3") SPIRAL NAILS AT 300mm (12") O.C. FOR EVERY PLY UNLESS NOTED OTHERWISE. MULTI-PLY ENGINEERED LUMBER BEAMS TO BE FASTENED AS PER THE MANUFACTURER'S SPECIFICATIONS.
- ALL PRE-ENGINEERED STEEL CONNECTORS (EG. SIMPSON STRONG TIE) ARE TO HAVE THE CORRECT NUMBER AND SIZE OF FASTENERS, AS PER THE MANUFACTURER'S PRODUCT CATALOGUE.
- PROVIDE SOLID BLOCKING OR MECHANICAL CONNECTIONS AT THE TOP AND BOTTOMS OF BEAMS AT BEARING POINTS TO PREVENT MOVEMENT OR ROTATION.

## BUILDING CODE NOTES:

### SEPARATION OF SUITES:

#### SUITES:

REQUIRED = SUITES SEPARATED FROM ANOTHER SUITE BY A 45 MIN. F.R.R AS PER 9.10.9.14  
PROVIDED = 30 MIN. F.R.R ON CEILING AS PER PART 11 - F130

### EGRESS WINDOW:

THE EGRESS WINDOW IS A 30" (0.762m) x 19" (0.482m) WITH AN AREA OF 0.367m.sq. MEETING THE MIN. AREA REQUIREMENTS OF 0.35m.sq AS PER 9.9.10.1.  
THIS CASEMENT WINDOW TO OPEN AT 90° TO THE EXTERIOR, AND BE UNOBSTRUCTED

### NATURAL LIGHT:

#### BEDROOM #1:

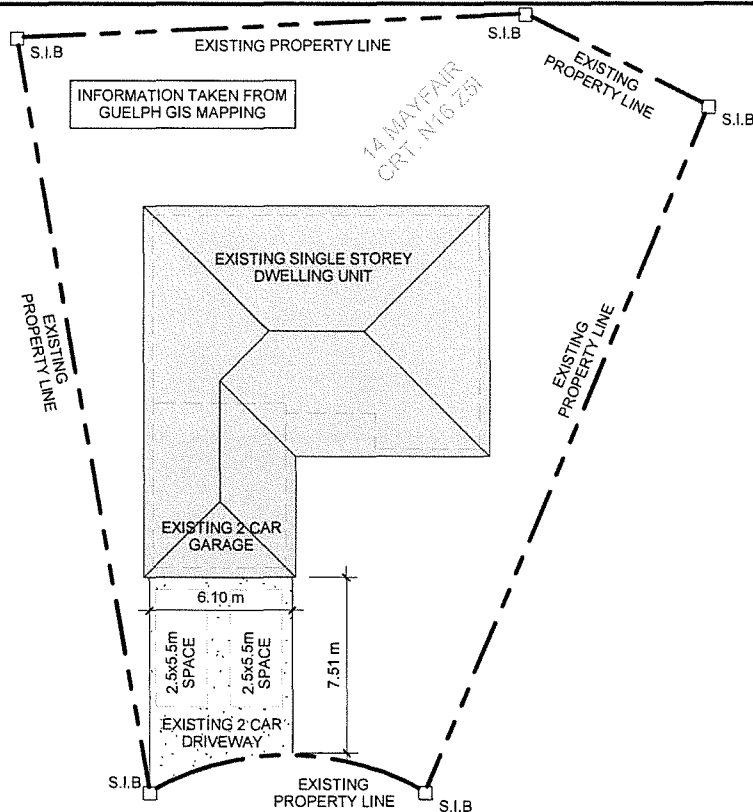
NEW 30" (0.762m) x 24" (0.609m) = 0.464m.sq.  
BEDROOM AREA (174 SF.) = 16.17m.sq  
PERCENTAGE = 2.87% MEETING THE REQUIREMENTS OF 9.7.2.3 AND PART 11 C107

#### BEDROOM #2:

NEW 30" (0.762m) x 19" (0.482m) = 0.367m.sq.  
BEDROOM AREA (174 SF.) = 13.56m.sq  
PERCENTAGE = 2.70% MEETING THE REQUIREMENTS OF 9.7.2.3 AND PART 11 C107

### LIVING/DINING:

EXISTING 120" (3.048) x 24" (0.609m) = 1.856m.sq  
NEW 30" (0.762m) x 19" (0.482m) = 0.367m.sq  
LIVING/DINING AREA (379 SF.) = 35.21m.sq  
PERCENTAGE = 6.31% MEETING THE REQUIREMENTS OF 9.7.2.3 AND PART 11 C107



## 1 EXISTING SITE PLAN

SCALE: 1" = 20'-0"

MAYFAIR CRT.

## WALL SCHEDULE

<b>W1</b>	<b>NEW EXTERIOR WALL</b>  1/2" DRYWALL 2"x4" WOOD STUDS AT 16" O.C R 20 SPRAY INSULATION (VAPOUR BARRIER) EXISTING FOUNDATION WALL	<b>W3</b>	<b>NEW INTERIOR SEPARATION WALL (W1e) - 45 MIN. F.R.R</b>  1/2" TYPE X DRYWALL EXISTING STUDS AT MIN. 16" O.C 1/2" TYPE X DRYWALL  * NOTE: KEEP EXISTING 1/2" GYPSUM BOARD AND ADD NEW 1/2" TYPE X GYPSUM BOARD, NEW GYPSUM BOARD TO RUN FROM FINISHED FLOOR TO U/S OF CEILING
<b>W2</b>	<b>NEW INTERIOR WALL</b>  1/2" DRYWALL 2"x4" WOOD STUDS AT 16" O.C 1/2" DRYWALL	<b>W4</b>	<b>NEW INTERIOR MECH. SEPARATION WALL (W1d) - 1 HR. F.R.R</b>  5/8" TYPE X DRYWALL EXISTING STUDS AT MIN. 16" O.C 5/8" TYPE X DRYWALL  * NOTE: KEEP EXISTING 1/2" GYPSUM BOARD AND ADD NEW 5/8" GYPSUM BOARD, NEW GYPSUM BOARD TO RUN FROM FINISHED FLOOR TO U/S OF CEILING

### CEILING NOTES:

- NEW CEILING TO BE ADDED TO UNDERSIDE OF JOISTS IN THE FULL BASEMENT : F8d - (30 MIN. F.R.R AND 50 S.T.C)
  - EXISTING SUBFLOOR AND JOISTS TO REMAIN
  - BATT INSULATION
  - RESILIENT METAL CHANNELS @ 24" O.C
  - 1 LAYERS OF 5/8" GYPSUM, LAPPED
- NEW CEILING TO BE ADDED TO UNDERSIDE OF JOISTS IN THE MECH. ROOM: F9c - (1 hr F.R.R AND 52 S.T.C)
  - EXISTING SUBFLOOR AND JOISTS TO REMAIN
  - BATT INSULATION
  - RESILIENT METAL CHANNELS @ 16" O.C
  - 2 LAYERS OF 5/8" GYPSUM, LAPPED

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No.	Date	Issue
2	02.27.18	REVISED AS PER CITY COMMENTS

**TACOMA**  
ENGINEERS  
176 Speedvale Avenue West  
Guelph, Ontario N1H 1C3  
Tel: 519.763.2000 Fax: 519.824.2000  
www.tacomaengineers.com



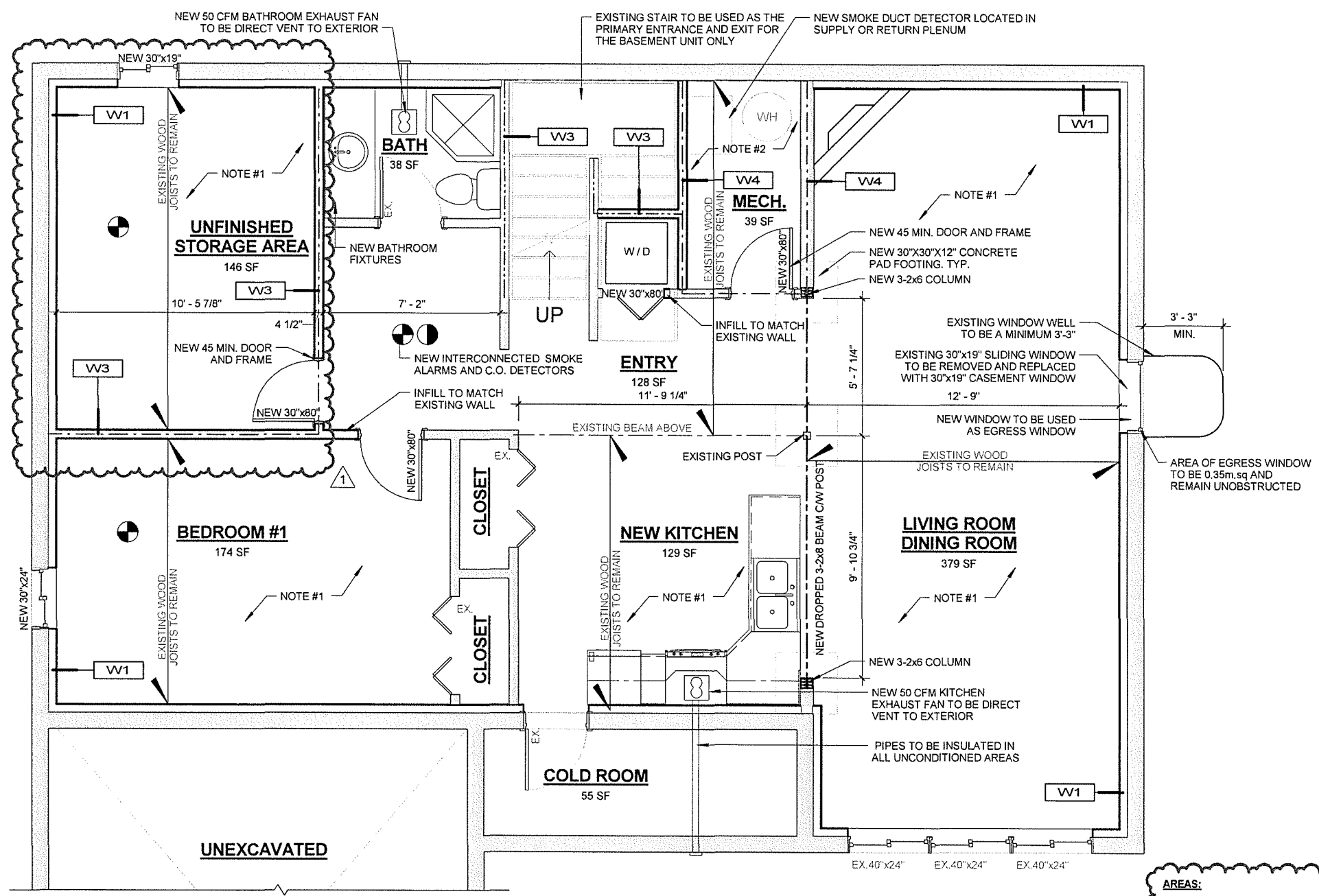
Client  
**BRUCE WYSE**  
14 Mayfair Ct. Guelph, ON N1G 2S1

Project Title  
**NEW BASEMENT APARTMENT**

Drawing  
**SCHEDULES / NOTES AND SITE PLAN**

Scale	As indicated	Dwg.#	<b>S1</b>
Date	AUG. 2016		
Drawn by	J.KELLY		
Project No.	TE-28323-16		





**1** **PROPOSED BASEMENT PLAN**  
S3 SCALE: 1/4" = 1'-0"

**AREAS:**  
GROSS FLOOR AREA: 2565.5sq.ft  
APARTMENT FLOOR AREA: 990.25sq.ft  
PROPOSED PERCENTAGE: 38.6%

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No.	Date	Issue
2	02.27.18	REVISED AS PER CITY COMMENTS
1	02.07.18	REVISED AS PER OWNERS COMMENTS

**TACOMA**  
ENGINEERS  
176 Speedvale Avenue West  
Guelph, Ontario N1H 1C3  
Tel: 519.763.2000 Fax: 519.824.2000  
www.tacomaengineers.com



Client  
**BRUCE WYSE**  
14 Mayfair Ct, Guelph, ON N1G 2S1

Project Title  
**NEW BASEMENT APARTMENT**

Drawing  
**PROPOSED BASEMENT PLAN**

Scale 1/4" = 1'-0"  
Date AUG. 2016  
Drawn by Author  
Project No. TE-28323-16  
Dwg. # **S3**

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>March 7, 2018</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-11/18</u>

**TO BE COMPLETED BY APPLICANT – RELEASE OF ORIGINAL HEAD LEASE, EXISTING RESTATED AND AMENDED HEAD LEASE FROM LANDS TO BE INCLUDED IN BREAKOUT LEASE #5 AND PARTIAL DISCHARGE OF EXISTING MORTGAGE**

**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: 69 Bayberry Drive, Guelph

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

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?      ☐ No      ☒ Yes

If yes, describe: Union Gas, Guelph Hydro, Rogers, Bell Canada

Are the lands subject to any mortgages, easements, right-of-ways or other charges:      ☐ No      ☒ Yes

If yes, explain: Canadian Imperial Bank of Commerce

## OWNER(S) INFORMATION:

Name:	<u>University of Guelph</u>		
Mailing Address:	<u>25 University Avenue East</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1G 1M8</u>
Home Phone:		Work Phone:	<u>519-767-5013</u>
Fax:	<u>519-763-4974</u>	Email:	<u>d.oleary@exec.uoguelph.ca</u>

## AGENT INFORMATION (If Any)

Name:	<u>Alfred Artinger</u>		
Company:	<u>Reid's Heritage Homes Ltd.</u>		
Mailing Address:	<u>6783 Wellington Road No. 34, R.R.#22</u>		
City:	<u>Cambridge</u>	Postal Code:	<u>N3C 2V4</u>
Home Phone:		Work Phone:	<u>519-658-6656</u>
Fax:	<u>519-654-9746</u>	Email:	<u>aartinger@heritagehomes.com</u>

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

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

to release the original head lease, existing restated and amended head lease from the lands to be included in the new breakout lease, see attached description.

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
 VBA Apartments Inc.

**DESCRIPTION OF LAND INTENDED TO BE SEVERED**

Frontage / Width: (m)	Depth (m)	Area: (m <sup>2</sup> )	Existing Use: residential	Proposed Use: residential
Existing Buildings/Structures:			Proposed Buildings / Structures: <b>retirement apartment</b>	
Use of Existing Buildings/Structures (specify):			Proposed Use of Buildings/Structures (specify): <b>retirement community</b>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m)	Depth (m)	Area: (m <sup>2</sup> )	Existing Use: residential	Proposed Use: residential
Existing Buildings/Structures: Singles, Detached Towns			Proposed Buildings / Structures: Towns	
Use of Existing Buildings/Structures (specify): <b>Retirement Community</b>			Proposed Use of Buildings/Structures (specify): Retirement Community	

**TYPE OF ACCESS TO THE RETAINED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road  
☒ Private Road                      ☒ Right-of-Way  
☐ Other (Specify)

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road  
☒ Private Road                      ☒ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

- ☒ Municipally owned and operated      ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated      ☐ Privately Owned Well  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS****TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**

<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank  <input type="checkbox"/> Other (Explain) _____	<input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank  <input type="checkbox"/> Other (Explain) _____
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
<b><u>LAND USE</u></b> What is the land use designation of the site in the Official Plan? <u>Residential</u>	
Does the proposal conform? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If No, has a separate application for an Official Plan Amendment been made? <input type="checkbox"/> Yes <input type="checkbox"/> No                      FILE No.: _____                      Status: _____	
What is the current zoning of the subject lands? <u>RR 2</u>	
Does the proposed plan conform to the existing zoning? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO  If No, have you made a concurrent application for Minor Variance? <input type="checkbox"/> Yes <input type="checkbox"/> No                      FILE No.: _____                      Status: _____	

<b><u>HISTORY OF SUBJECT LANDS</u></b>	
Has the subject land ever been the subject of:	
a) An application for approval of a Plan of Subdivision under section 51 of the <i>Planning Act</i> ?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If yes, provide the following: FILE No.: _____                      Status: _____	
b) An application for Consent under section 53 of the <i>Planning Act</i> ?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If yes, provide the following: FILE No.: <u>SEE ATTACHED</u> 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

In submitting this development application and supporting document, the owner/authorized agent), hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Access, Privacy and Records Specialist, City Clerk's Department, 1 Carden Street, Guelph, Ontario, N1H 3A1

**PERMISSION TO ENTER**

The owner or authorized agent hereby authorizes the Committee of Adjustment members and City of Guelph staff to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.

**POSTING OF ADVISORY SIGN**

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

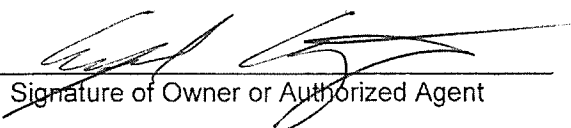
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

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

Each sign must be posted a minimum of ten (10) days prior to the scheduled hearing, until the day following the hearing. Please fill in the information below indicating your agreement to post the sign(s) as required. This form must be submitted with the application in order that it may be placed in the file as evidence that you have met with the Planning Act requirements. Failure to post the sign as required may result in a deferral of the application.

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

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

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

**AFFIDAVIT**

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

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

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

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 7th day of March, 20 18.

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

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

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, University of Guelph, (property owner's name(s))

being the registered property owner(s) of

69 Bayberry Drive

(Legal description and/or municipal address)

hereby authorize Alfred Artinger of Reid's Heritage Homes Ltd.

(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 17 day of March 2018.

University of Guelph

Per:



(Signature of the property owner)

We have authority to bind the Corporation

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

NOTES: VICE PRESIDENT  
FINANCE ADMINISTRATION RISK UNIVERSITY OF GUELPH

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.



**PROPOSED DESCRIPTION FOR THE FOLLOWING:**

- 1. PROPOSED DETERMINATION/SURRENDER OF ORIGINAL HEAD LEASE  
DATED SEPT. 12, 1996 AND REGISTERED AS RO758372;**
- 2. PROPOSED DETERMINATION/SURRENDER OF AMENDED AND RESTATED  
HEAD LEASE DATED NOV. 7, 2003 AND REGISTERED AS WC45084; AND**
- 3. PROPOSED PARTIAL DISCHARGE OF CHARGE IN FAVOUR OF CANADIAN  
IMPERIAL BANK OF COMMERCE REGISTERED AS WC60154**

**TO BE STAMPED WITH SEVERANCE STAMP**

**PART OF PINS - 71505-0985 (LT)**

That part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949.

Subject to **RO722025, RO725822, RO794109, LT10254** over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949;

Subject to an easement over Parts 2, 4 and 15 on 61R10127 and Parts 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on 61R20949 (Leasehold) in favour of Parts 1, 3, 7, 8 and 14 on 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC120709**;

Subject to an easement over Parts 2 and 4 on 61R10127 (Leasehold) in favour of Parts 1, 3, 7, 8 and 14 on 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC120709**;

Subject to easements over Parts 2, 4 and 15 on 61R10127 and Parts 2, 3, 10, 11, 12, 13, 14 and 21 on 61R20949 in favour of Parts 1, 3, 7, 8 and 14 on 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC122178**;

Subject to an easement over Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on 61R20949 in favour of Parts 1, 3, 7, 8 and 14 on 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC129036**;

Subject to an easement over Parts 2 and 4 on 61R10127 and Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on 61R20949 in favour of Parts 1, 3, 7, 8 and 14 on 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC129036**;

Subject to easements over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Parts 2, 3 and 4 on 61R11638 as in **WC424104**;

Subject to an easement over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Rogers Communications Inc. as in **WC\_\_\_\_\_**;

Together with an easement over Parts 1, 3 and 14 on 61R10127 (Leasehold) in favour of Parts 2, 4 and 15 on 61R10127 and Part 5 on 61R20949 as in **WC120709**;

Together with an easement over Part 3 on 61R10127 (Leasehold) in favour of Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on 61R20949 as in **WC120709**;

Together with an easement over Parts 1 and 3 on 61R10127 (Leasehold) in favour of Parts 2, 4 and 15 on 61R10127 and Part 5 on 61R-20949 as in **WC120709**;

Together with an easement over part of Wellington Leasehold Condominium Plan No. 134, more particularly described as Part 3 on 61R10127 in favour of Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on 61R20949 as in **WC122177**;

Together with easements over part of Wellington Leasehold Condominium Plan No. 134, more particularly described as Parts 1, 3 and 14 on 61R10127 in favour of Parts 2, 4 and 15 on 61R10127 and Part 5 on 61R20949 as in **WC122179**;

Together with an easement over and through the common elements and Parking Units of Wellington Leasehold Condominium Plan No. 134 in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 as in **WC129036**;

Together with easements over Parts 2, 3 and 4 on 61R11638 in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 as in **WC423131**.

a) An application for Consent under section 53 of the *Planning Act*?

☒ YES

☐ NO

If yes, provide the following:

FILE No.: B-4/05 Status: Complete

FILE No.: B-45/13 Status: Complete

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>March 7, 2018</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-12/18</u>

## TO BE COMPLETED BY APPLICANT – BREAKOUT LEASE FROM HEAD LEASE PLUS EASEMENTS

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: 69 Bayberry Drive, Guelph

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

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land?      ☐ No      ☒ Yes

If yes, describe: Union Gas, Guelph Hydro, Rogers, Bell Canada

Are the lands subject to any mortgages, easements, right-of-ways or other charges:      ☐ No      ☒ Yes

If yes, explain: Canadian Imperial Bank of Commerce

### OWNER(S) INFORMATION:

Name:	<u>University of Guelph</u>		
Mailing Address:	<u>25 University Avenue East</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1G 1M8</u>
Home Phone:		Work Phone:	<u>519-767-5013</u>
Fax:	<u>519-763-4974</u>	Email:	<u>d.oleary@exec.uoguelph.ca</u>

### AGENT INFORMATION (If Any)

Name:	<u>Alfred Artinger</u>		
Company:	<u>Reid's Heritage Homes Ltd.</u>		
Mailing Address:	<u>6783 Wellington Road No. 34, R.R.#22</u>		
City:	<u>Cambridge</u>	Postal Code:	<u>N3C 2V4</u>
Home Phone:		Work Phone:	<u>519-658-6656</u>
Fax:	<u>519-654-9746</u>	Email:	<u>aartering@heritagehomes.com</u>



**PURPOSE OF APPLICATION (please check appropriate space):**☐ Creation of a New Lot☐ Easement☐ Right-of-Way☐ Charge / Discharge☐ Correction of Title☒ Lease☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)☐ Other: Explain

to provide a breakout lease from the head lease and easements, see attached description

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
 VBA Apartments Inc.

**DESCRIPTION OF LAND INTENDED TO BE SEVERED**

Frontage / Width: (m)	Depth (m)	Area: (m <sup>2</sup> )	Existing Use: residential	Proposed Use: residential
Existing Buildings/Structures:			Proposed Buildings / Structures: <b>retirement apartment</b>	
Use of Existing Buildings/Structures (specify):			Proposed Use of Buildings/Structures (specify): <b>retirement community</b>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m)	Depth (m)	Area: (m <sup>2</sup> )	Existing Use: residential	Proposed Use: residential
Existing Buildings/Structures: Singles, Detached Towns			Proposed Buildings / Structures: Towns	
Use of Existing Buildings/Structures (specify): <b>Retirement Community</b>			Proposed Use of Buildings/Structures (specify): Retirement Community	

**TYPE OF ACCESS TO THE RETAINED LANDS**☐ Provincial Highway☒ Municipal Road☒ Private Road☒ Right-of-Way☐ Other (Specify)**TYPE OF ACCESS TO THE SEVERED LANDS**☐ Provincial Highway☒ Municipal Road☒ Private Road☒ Right-of-Way☐ Other (Specify)**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**☒ Municipally owned and operated☐ Privately Owned Well☐ Other (Specify)**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**☒ Municipally owned and operated☐ Privately Owned Well☐ Other (Specify)**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS**☒ Municipally owned and operated☐ Septic Tank**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS**☒ Municipally owned and operated☐ Septic Tank

<input type="checkbox"/> Other (Explain)	<input type="checkbox"/> Other (Explain)
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

**LAND USE**

What is the land use designation of the site in the Official Plan? Residential

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?    RR 2

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

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

☐ Yes    ☐ No            FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**

Has the subject land ever been the subject of:

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

If yes, provide the following:

FILE No.: \_\_\_\_\_ Status: \_\_\_\_\_

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

If yes, provide the following:

FILE No.: SEE ATTACHED            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 type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

Previous Minor Variance Application

☒☐

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**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

In submitting this development application and supporting document, the owner/authorized agent), hereby acknowledge the City of Guelph will provide public access to all development applications and supporting documentation, and provide my consent, that personal information, as defined by Section 2 of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

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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**

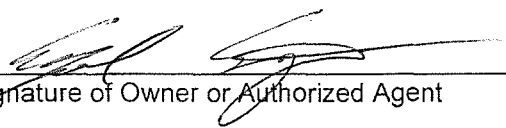
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A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however, the sign should be placed so as to be legible from the roadway in order that the public can see the sign and make note of the telephone number should they wish to make inquiries. In most cases, please post the sign on a stake as you would a real estate sign.

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Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent



**AFFIDAVIT**

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

[Signature]  
Signature of Applicant or Authorized Agent

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

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 7th day of March, 20 18.

[Signature]  
Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned, University of Guelph, (property owner's name(s))

being the registered property owner(s) of

69 Bayberry Drive

(Legal description and/or municipal address)

hereby authorize Alfred Artinger of Reid's Heritage Homes Ltd.

(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 17 day of March, 2018.

University of Guelph

Per:



(Signature of the property owner)

We have authority to bind the Corporation

(Signature of the property owner)

NOTES: VICE PRESIDENT  
FINANCE ADMINISTRATION RISK UNIVERSITY OF GUELPH

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.

<p><b>PROPOSED DESCRIPTION FOR THE PROPOSED LEASE TO BE STAMPED WITH SEVERANCE STAMP AND NEW TRANSFER EASEMENTS (breakout lease #5)</b></p>
---

**PART OF PIN - 71505-0985 (LT)**

That part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949.

Subject to **RO722025, RO725822, RO794109, LT10254** over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949;

Subject to an easement over Parts 2, 4 and 15 on 61R10127 and Parts 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 (Leasehold) in favour of Parts 1, 3, 7, 8 and 14 on Reference Plan 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC120709**;

Subject to an easement over Parts 2 and 4 on Reference Plan 61R10127 (Leasehold) in favour of Parts 1, 3, 7, 8 and 14 on Reference Plan 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC120709**;

Subject to easements over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 2, 3, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Parts 1, 3, 7, 8 and 14 on Reference Plan 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC122178**;

Subject to an easement over Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Parts 1, 3, 7, 8 and 14 on Reference Plan 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC129036**;

Subject to an easement over Parts 2 and 4 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Parts 1, 3, 7, 8 and 14 on Reference Plan 61R10127 (now Wellington Leasehold Condominium Plan No. 134) as in **WC129036**;

Subject to easements over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Parts 2, 3 and 4 on Reference Plan 61R11638 as in **WC424104**;

Subject to an easement over Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 in favour of Rogers Communications Inc. as in **WC\_\_\_\_\_**;

Together with an easement over Parts 1, 3 and 14 on Reference Plan 61R10127 (Leasehold) in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Part 5 on Reference Plan 61R20949 as in **WC120709**;

Together with an easement over Part 3 on Reference Plan 61R10127 (Leasehold) in favour of Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 as in **WC120709**;

Together with an easement over Parts 1 and 3 on Reference Plan 61R10127 (Leasehold) in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Part 5 on Reference Plan 61R-20949 as in **WC120709**;

Together with an easement over part of Wellington Leasehold Condominium Plan No. 134, more particularly described as Part 3 on Reference Plan 61R10127 in favour of Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 as in **WC122177**;

Together with easements over part of Wellington Leasehold Condominium Plan No. 134, more particularly described as Parts 1, 3 and 14 on Reference Plan 61R10127 in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Part 5 on Reference Plan 61R20949 as in **WC122179**;

Together with an easement over and through the common elements and Parking Units of Wellington Leasehold Condominium Plan No. 134 in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 as in **WC129036**;

Together with easements over Parts 2, 3 and 4 on Reference Plan 61R11638 in favour of Parts 2, 4 and 15 on Reference Plan 61R10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R20949 as in **WC423131**.

#### **APPURTENANT EASEMENTS**

##### **DRIVEWAY INGRESS AND EGRESS**

**Dominant Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

**Servient Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 1, 4, 5 and 9 on Reference Plan 61R-10123.

Together with a non-exclusive easement for the term of the Breakout Lease No. 5 and any renewals and extensions thereof, for pedestrian and motor vehicle ingress and egress across over, along, upon and through the Servient Lands to and from the Dominant Lands including the right of ingress to and egress from the Dominant Lands by way of and through driveways, walkways and sidewalks connecting the Servient Lands to and from Stone Road. The easement hereby granted shall be exercised only along areas constructed for and designated for motor vehicle laneways and pedestrian access routes as the case may be established by the tenant/lessee or owner of the Servient Lands, acting reasonably.

##### **CORRIDOR UNIT INGRESS AND EGRESS**

**Dominant Lands:** Part of PIN 71505-0985 (LT)



Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

**Servient Lands:** PIN 71834-0321 (LT)

Unit 232, Level A, Wellington Leasehold Condominium Plan No. 134 and its appurtenant interest.

Together with a non-exclusive easement for the term of the Breakout Lease No. 5 and any renewals and extensions thereof, for the purposes of pedestrian ingress and egress across over, along, upon and through the Servient Lands being a Corridor Unit, to and from the Dominant Lands in order to access the Storage Units located within Wellington Leasehold Condominium Plan No. 134.

### **PARKING AND PEDESTRIAN INGRESS AND EGRESS**

**Dominant Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

**Servient Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 1, 2 and 3 on Reference Plan 61R-9413 save and except therefrom Parts 1, 2, 3, 4, 7, 8, 14 and 15 on 61R-10127, Parts 2, 3 and 4 on Reference Plan 61R-11638, Parts 1, 4, 5 and 9 on Reference Plan 61R-10123 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 on Reference Plan 61R-20949.

Together with a non-exclusive easement for the term of the Breakout Lease No. 5 and any renewals and extensions thereof, for pedestrian and motor vehicle ingress and egress across over, along, upon and through the Servient Lands to and from the Dominant Lands including the right of ingress to and egress from the Dominant Lands by way of and through driveways, parking lots, walkways and sidewalks connecting the Servient Lands to and from driveways and buildings within the Servient Lands. The easement hereby granted shall be exercised only along areas constructed for and designated for motor vehicle laneways, parking lots and pedestrian access routes as the case may be established by the tenant/lessee or owner of the Servient Lands, acting reasonably.

### **COMMON SERVICES**

**Dominant Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

**Servient Lands:**

Firstly: Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 1, 2 and 3 on Reference Plan 61R-9413 save and except therefrom Parts 1, 2, 3, 4, 7, 8, 14 and 15 on 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

Secondly: PIN 71505-1166 (LT)

Part of Lots 1 and 2, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Part 1 of Reference Plan 61R-4398 save and except Registered Plan 779, Parts 1, 2 and 3 of Reference Plan 61R-9413, Parts 1 and 2 of Reference Plan 61R-20556 and Part 2 of Reference Plan 61R-20930.

Thirdly: PIN 71505-0675 (LT)

Block 86, Plan 779.

Together with a non-exclusive easement for the term of the Breakout Lease No. 5 and any renewals and extensions thereof, upon, over, in, under and across the Servient Lands for the purposes of the construction, repair, replacement, operation, use and maintenance of Common Services therein and thereon together with the right to flow storm and other water, fuel (including without limiting the generality of the foregoing natural gas), potable water, sewage, electricity, radio, television, internet or other reception or transmission signals through the appropriate Common Service located therein to and from the Dominant Lands upon, through, over, in, under and across the Servient Lands.

**CONSTRUCTION, INSPECTION, MAINTENANCE, REPAIR AND REPLACEMENT**

**Dominant Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

**Servient Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 1, 2 and 3 on Reference Plan 61R-9413 save and except therefrom Parts 1, 2, 3, 4, 7, 8, 14 and 15 on 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

Together with a non-exclusive easement for the term of the Breakout Lease No. 5 and any renewals and extensions thereof, over, along, upon and through the Servient Lands for the purposes of completion of the construction and/or the inspection, maintenance, repair and/or replacement of any and all buildings, structures and site works approved for construction by municipal approved site or other plans on the Dominant Lands provided the use of the Servient Lands is not unreasonably and significantly impaired on account thereof.

## **SURFACE WATER**

### **Dominant Lands:** Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 2, 4 and 15 on Reference Plan 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

### **Servient Lands:**

#### Firstly: Part of PIN 71505-0985 (LT)

Part of Lot 1, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Parts 1, 2 and 3 on Reference Plan 61R-9413 save and except therefrom Parts 1, 2, 3, 4, 7, 8, 14 and 15 on 61R-10127 and Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 21 on Reference Plan 61R-20949.

#### Secondly: PIN 71505-1166 (LT)

Part of Lots 1 and 2, Concession 8 (Geographic Township of Puslinch), City of Guelph, County of Wellington, designated as Part 1 of Reference Plan 61R-4398 save and except Registered Plan 779, Parts 1, 2 and 3 of Reference Plan 61R-9413, Parts 1 and 2 of Reference Plan 61R-20556 and Part 2 of Reference Plan 61R-20930.

#### Thirdly: PIN 71505-0675 (LT)

Block 86, Plan 779.

Together with a non-exclusive easement for the term of the Breakout Lease No. 5 and any renewals and extensions thereof, to allow the free and unimpeded right to flow surface waters from any and all parts of the Dominant Lands to, upon, over, through, in, under and across any and all parts of the Servient Lands, including storm water flows to, upon, over, through, in, under and across any and all parts of the Servient Lands from any and all parts of the Dominant Lands. The easement hereby granted is conditional on and subject to the Dominant Lands being in compliance with all grading requirements required by the Municipality or any other governmental authority with jurisdiction with respect to the same.

(collectively the "Easements Granted")

### **General**

Despite the granting or retention of the Easements Granted and/or the Easements Reserved as the case may be, the same shall not and do not impair, restrict or prohibit the construction, use and/or operation within the lands subject to any such easement of any existing or future building, structure, roadway, driveway, service, Common Services, landscape or other feature or other component:

- (a) provided for, permitted by or required by any municipal approved site, landscape, grading, drainage, storm water management, servicing, engineering or similar plan;
- (b) provided for, permitted by or required by any applicable municipal, site, condominium or development agreement or any other agreement with the relevant Municipality; or
- (c) where the same is constructed with a municipal building permit.

(All the foregoing collectively being the "Permitted Construction")

For clarity, no Common Service can be installed, constructed or placed so as to cause any significant impairment to any building, structure, roadway, driveway, service, other Common Services, landscape or other feature or other component provided for, permitted by or required by any municipal approved site, landscape, grading, drainage, storm water management or similar plan or any applicable municipal development agreement or constructed with a municipal building permit. It is recognized that no easement granted herein to install any Common Service after the date of this document's registration in the Land Titles Office has any right to interfere with or compromise any buildings, structures, roadways, driveways, services, Common Services, landscape or other features or other components provided for, permitted by or required by any municipal approved site, landscape, grading, drainage, storm water management or similar plan or any applicable municipal development agreement or constructed with a municipal building permit.

Each of the easements granted and reserved in herein:

- (a) contemplates and is intended to accommodate further development on the Dominant Lands and significant increase in use of the Servient Lands in all instances from that which exists as of the date of the registration of this document; and
- (b) allows for and contemplates further subdivision of the Dominant Lands all of which subdivided parcels (if any) share in the full right to the enjoyment of this easement and whose use thereof will cause significant increase in use of the Servient Lands in all instances from that which exists as of the date of the registration of this document.



a) An application for Consent under section 53 of the *Planning Act*?

☒ YES

☐ NO

If yes, provide the following:

FILE No.: B-4/05 Status: Complete

FILE No.: B-45/13 Status: Complete

March 6, 2018

City of Guelph  
Committee Of Adjustment  
Attention: Trista DiLullo  
City Hall, 1 Carden Street  
Guelph, ON N1H 3A1

Dear Ms. DiLullo:

**RE: Applications for Consent - VBA Apartments Inc.  
Village by the Arboretum  
File No. 16218**

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The Village by the Arboretum is a residential lifestyle community located on lands that are owned by the University of Guelph ("UG"). All of the lands were originally leased by UG to Reid's Heritage Homes Ltd. ("Reid's").

The project has been developed in five phases. Phases 1 through 4 consist of single family homes and townhomes all of which are subleased to the residents pursuant to subleases that are less than 21 years in length. As such, no severances are required.

Phase 5 consists of multi residential buildings. The first of which is Wellington Leasehold Condominium No. 134 and the second of which is the Arbour Trails assisted living building. In both of those cases, a "breakout lease" was entered into between UG and the owner of the building. This was required as the owner of the relevant building was not Reid's and as such a new lease arrangement was required to be entered into between UG and the owner of the building.

In the case of Wellington Leasehold Condominium No. 134, the breakout lease is between UG and Wellington Leasehold Condominium No. 134. In the case of Arbour Trails, the breakout lease is between UG and Village by the Arboretum Inc., the corporation that owns the assisted living facility.

The concept of the breakout lease is to remove the existing head lease between Reid's and UG on the lands in question (ie the location of the building) and replace it with the breakout lease. As these breakout leases exceed 21 years, a severance is required for the breakout lease and the easements associated with the breakout lease.

The final building requiring a breakout lease is being built on the remaining undeveloped property in Phase 5 and will consist of a 93 unit leasehold condominium. In principle, this is very similar to the existing leasehold condominium, Wellington Leasehold Condominium No. 134.


What is being requested is that a severance consent be approved for a breakout lease between UG and VBA Apartments Inc. The breakout lease will be for the building footprint and a small amount of yard area between the patios located on the ground level. The effect of this will be to remove the head lease between UG and Reid's and replace it with the breakout lease between UG and VBA Apartments Inc. There will also be severances requested for the associated easements that are required for access and services to the new condominium building.

Again, the severances being requested are consistent with those obtained in conjunction with Wellington Leasehold Condominium No. 134 and Arbour Trails.

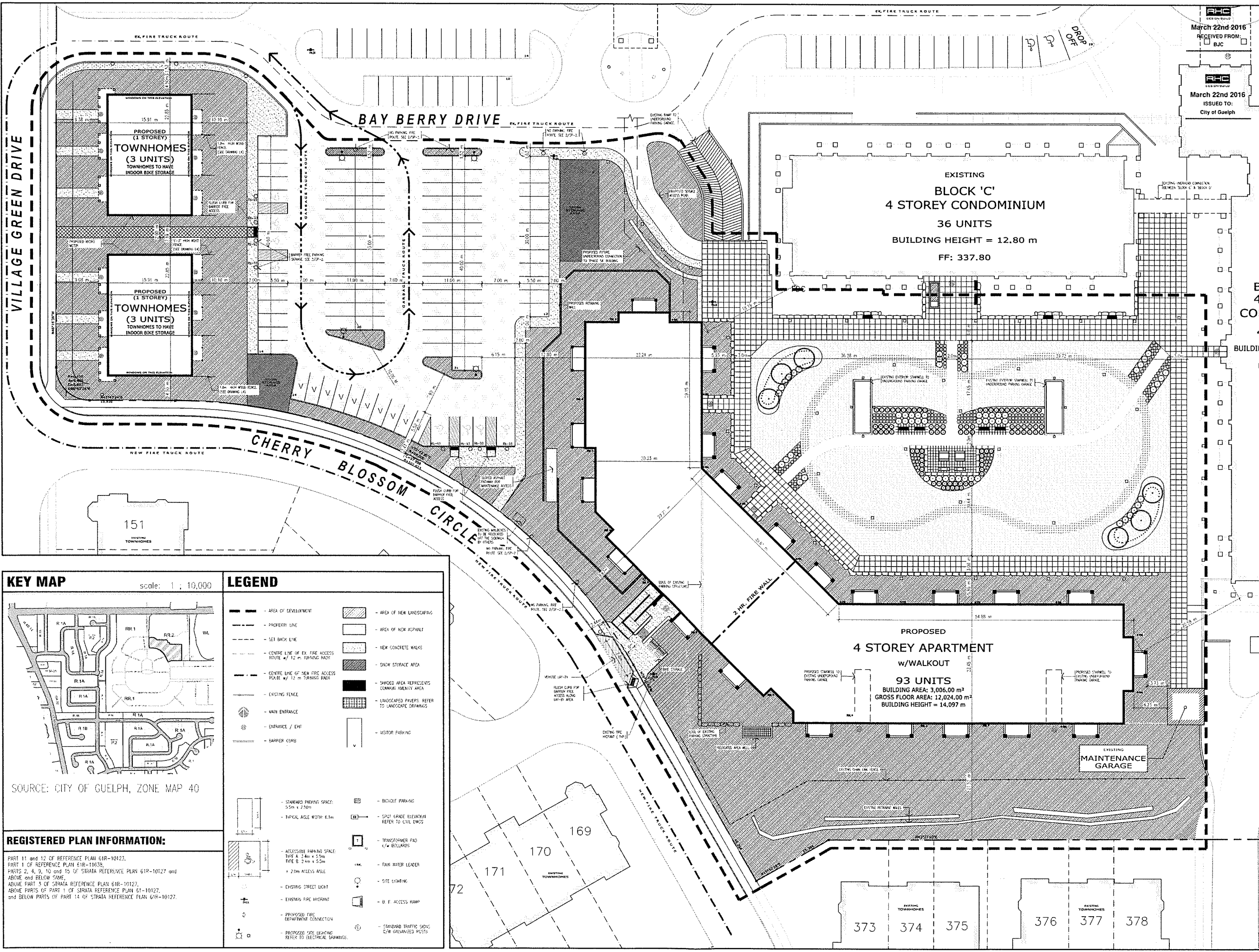
I trust this provides an explanation of the purpose behind the request but please feel free to contact me if you have any further questions.

Yours truly,

**ROBSON CARPENTER LLP**

per:   
William Thompson  
/dh





March 22nd 2016  
RECEIVED FROM:  
BJC

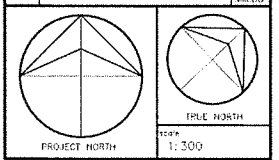
March 22nd 2016  
ISSUED TO:  
City of Guelph



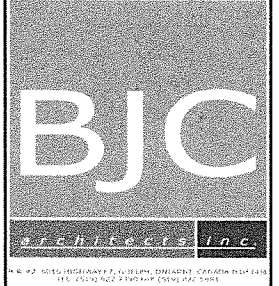
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No.	REVISIONS	date	BY	DATE
01	ISSUED FOR SITE PLAN APPROVAL (SUBMISSION 01)	2015.07.27		
02	ISSUED FOR SITE PLAN APPROVAL (SUBMISSION 02)	2015.09.09		
03	ISSUED FOR SITE PLAN APPROVAL (SUBMISSION 03)	2015.10.19		
04	ISSUED FOR SITE PLAN APPROVAL (SUBMISSION 04)	2015.11.16		
05	ISSUED FOR SITE PLAN APPROVAL (SUBMISSION 05)	2016.02.08		
06	ISSUED FOR SITE PLAN APPROVAL (SUBMISSION 06)	2016.03.21		



drawn: SWB  
checked: BJC  
date: 2016.03.21



client  
RHC DESIGN BUILD

6783 WELLINGTON ROAD #34  
CAMBRIDGE ONTARIO

project  
VILLAGE BY THE ARBORETUM  
GUELPH

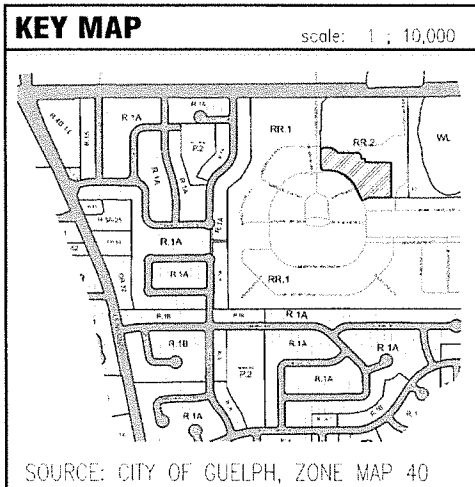
221 STONE ROAD EAST,  
33 VILLAGE GREEN DRIVE  
GUELPH ONTARIO

drawing title  
SITE PLAN

Site Plan File No.: SP15A032

project no  
14-193

sheet no  
SP-1 06



REGISTERED PLAN INFORMATION:  
PART 11 and 12 OF REFERENCE PLAN 61R-10123,  
PART 1 OF REFERENCE PLAN 61R-11633,  
PARTS 2, 4, 9, 10 and 15 OF STRATA REFERENCE PLAN 61R-10127 and  
ABOVE and BELOW SAME,  
ABOVE PART 5 OF STRATA REFERENCE PLAN 61R-10127,  
ABOVE PARTS OF PART 1 OF STRATA REFERENCE PLAN 61-10127,  
and BELOW PARTS OF PART 14 OF STRATA REFERENCE PLAN 61R-10127.

- LEGEND**
- AREA OF DEVELOPMENT
  - PROPERTY LINE
  - SET BACK LINE
  - CENTRE LINE OF EX. FIRE ACCESS ROUTE w/ 12 m TURNING RADIUS
  - CENTRE LINE OF NEW FIRE ACCESS ROUTE w/ 12 m TURNING RADIUS
  - EXISTING FENCE
  - MAIN ENTRANCE
  - ENTRANCE / EXIT
  - BARRIER CURB
  - AREA OF NEW LANDSCAPING
  - AREA OF NOW ASPHALT
  - NEW CONCRETE WALKS
  - SNOW STORAGE AREA
  - SHADED AREA REPRESENTS COMMON AMENITY AREA
  - LANDSCAPED PAVERS REFER TO LANDSCAPE DRAWINGS
  - VISITOR PARKING
  - STANDARD PARKING SPACE: 5.5m x 2.5m
  - TYPICAL AISLE WIDTH: 6.3m
  - ACCESSIBLE PARKING SPACE: TYPE A: 3.4m x 5.5m TYPE B: 2.4m x 5.5m
  - 7.0m ACCESS AISLE
  - EXISTING STREET LIGHT
  - EXISTING FIRE HYDRANT
  - PROPOSED FIRE DEPARTMENT CONNECTION
  - PROPOSED SITE LIGHTING REFER TO ELECTRICAL DRAWINGS
  - BIKE/PED PARKING
  - SPOT GRADE ELEVATION REFER TO CIVIL ENGINE
  - TRANSFORMER PAD 6.4m DIAMETER
  - RAIN WATER LEADER
  - SITE LIGHTING
  - B. F. ACCESS RAMP
  - STANDARD TRAFFIC SMOKE C/W GRANULATED PESTS



