

COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Apr. 26, 2017.</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-8/17</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: 1229 Victoria Road South

Legal description of property (registered plan number and lot number or other legal description):
Part Lot 10 Concession 8 Parts 1, 2, 3 61R-11983

Are there any easements, rights-of-ways or restrictive covenants affecting the subject land? No Yes
If yes, describe: Guelph Hydro WC152925

Are the lands subject to any mortgages, easements, right-of-ways or other charges: No Yes
If yes, explain: Coldpoint Holdings Ltd.

OWNER(S) INFORMATION:

Name: Westminister Woods Ltd

Mailing Address: 6783 Wellington Road #34 RR #22

City: Cambridge Postal Code: N3C 2V4

Home Phone: _____ Work Phone: 519-658-6656

Fax: _____ Email: aartinger@heritagehomes.com

AGENT INFORMATION (If Any)

Name: _____

Company: _____

Mailing Address: _____

City: _____ Postal Code: _____

Home Phone: _____ Work Phone: _____

Fax: _____ Email: _____

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:

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) 92.543 92.453 x0	Depth (m) 72.679	Area: (m ²) 9870	Existing Use: vacant	Proposed Use: residential
Existing Buildings/Structures: none		Proposed Buildings / Structures: 100 unit apartment building		
Use of Existing Buildings/Structures (specify):		Proposed Use of Buildings/Structures (specify): residential		

DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) 27.047	Depth (m) 92.764	Area: (m ²) 3494	Existing Use: vacant	Proposed Use: commercial
Existing Buildings/Structures: none		Proposed Buildings / Structures: TBD		
Use of Existing Buildings/Structures (specify):		Proposed Use of Buildings/Structures (specify): commercial		

<p>TYPE OF ACCESS TO THE RETAINED LANDS</p> <p> <input type="checkbox"/> Provincial Highway Municipal Road <input checked="" type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify) </p>	<p>TYPE OF ACCESS TO THE SEVERED LANDS</p> <p> <input type="checkbox"/> Provincial Highway x Municipal Road <input type="checkbox"/> Private Road <input type="checkbox"/> Right-of-Way <input type="checkbox"/> Other (Specify) </p>
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<p>TYPE OF WATER SUPPLY TO THE RETAINED LANDS</p> <p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify) </p>	<p>TYPE OF WATER SUPPLY TO THE SEVERED LANDS</p> <p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify) </p>
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<p>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</p> <p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) </p>	<p>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</p> <p> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) </p>
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Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
LAND USE What is the land use designation of the site in the Official Plan? <u>General Neighbourhood residential / commercial centre etc.</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>R-4A(H) etc. / NC(H) etc.</u>	
Does the proposed plan conform to the existing zoning? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If No, have you made a concurrent application for Minor Variance? <input type="checkbox"/> Yes <input type="checkbox"/> No FILE No.: _____ Status: _____	

HISTORY OF SUBJECT LANDS

Has the subject land ever been the subject of:

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*? YES NO
 If yes, provide the following:
 FILE No.: 23702502 Status: registered

b) An application for Consent under section 53 of the *Planning Act*? YES NO
 If yes, provide the following:
 FILE No.: SP12A025 Status: complete

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<u>OP 1501</u>
Zoning By-law Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>ZC 1507</u>
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>SP 15A049</u>
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, Alfred Artinger, of the City of
(town, city)

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]

Signature of Applicant or Authorized Agent

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

Declared before me at the
Guelph City of Guelph in the County/Regional Municipality of
(city or town)
Wellington this 26th day of April, 2017.

[Signature]

Commissioner of Oaths

(official stamp of Commissioner of Oaths)



SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA m ²
1			ALL OF	3494
2	PART OF 10	8	71186-3417	9820
3				7

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: MARCH 30, 2017

JAMES M. LAWS, O.L.S.

PLAN 61R-
RECEIVED AND DEPOSITED

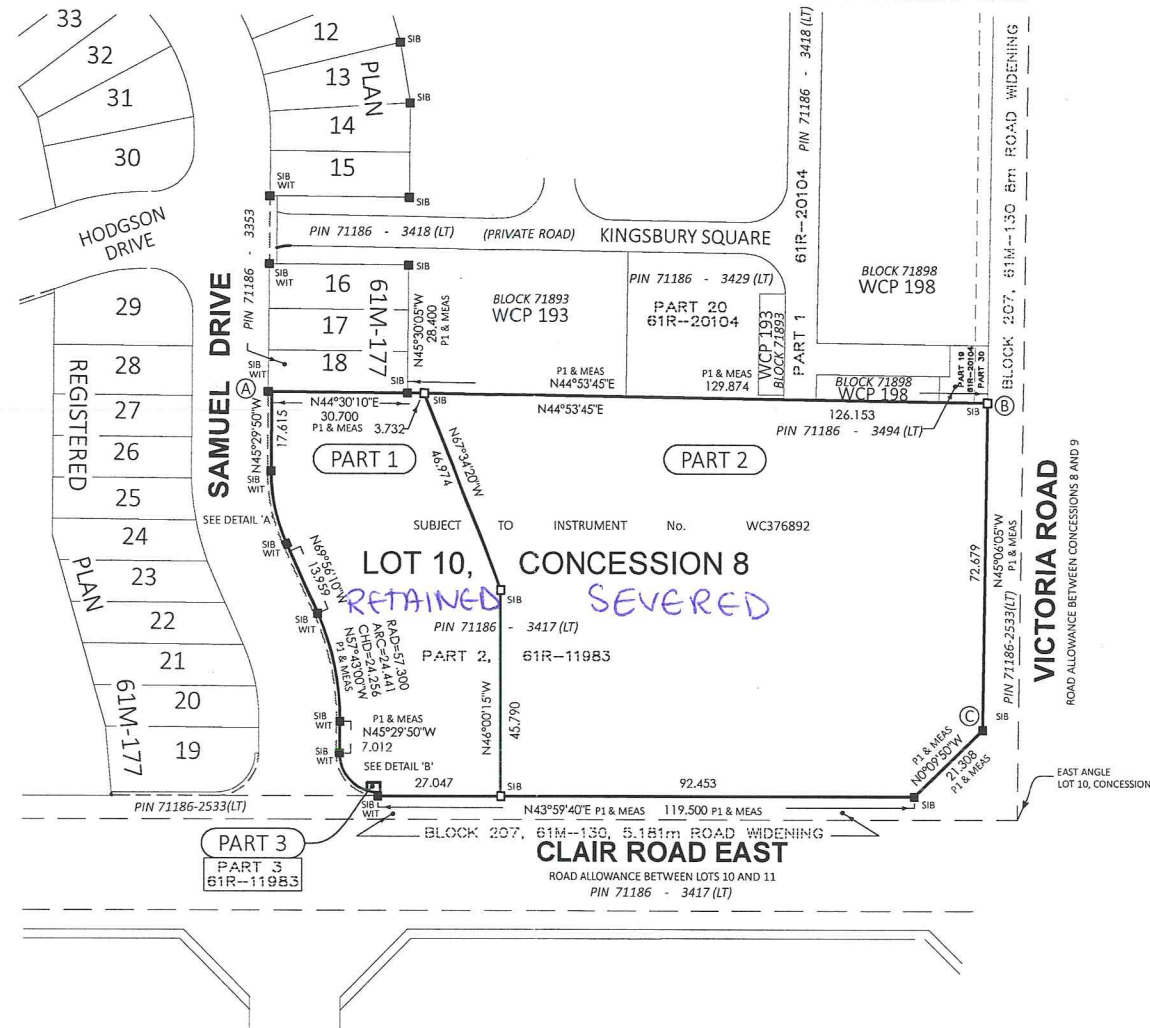
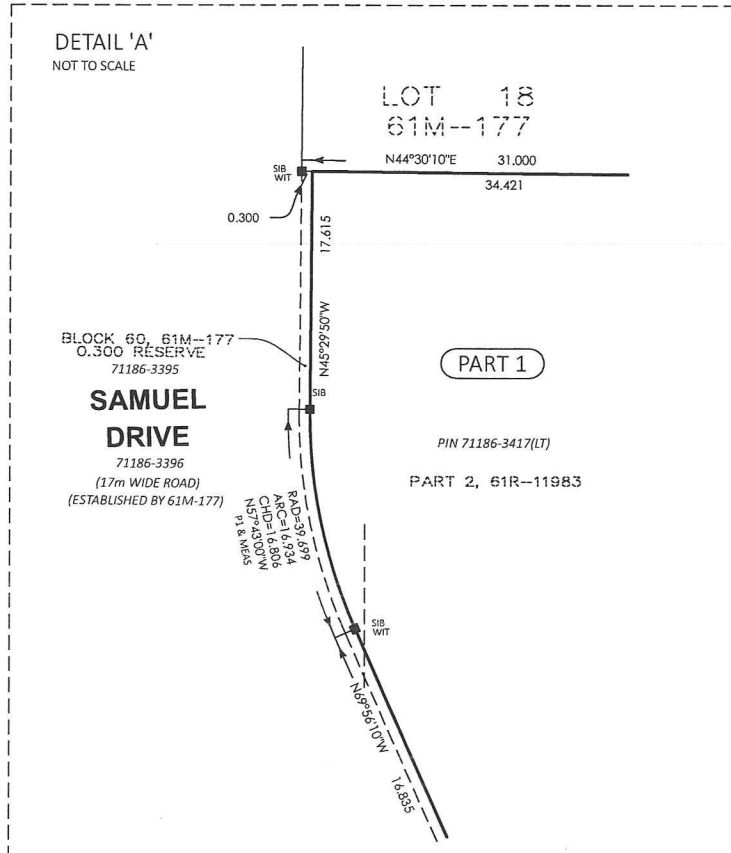
DATE: _____

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WELLINGTON No. 61

PARTS 1, 2 AND 3 SUBJECT TO INSTRUMENT No. WC376892
PART 3 IS SUBJECT TO WC376892 & WC152925

**PLAN OF SURVEY OF
PART OF LOT 10
CONCESSION 8
GEOGRAPHIC TOWNSHIP OF PUSLINCH
CITY OF GUELPH
COUNTY OF WELLINGTON**

SCALE 1 : 1000
VAN HARTEN SURVEYING INC.



LEGEND:

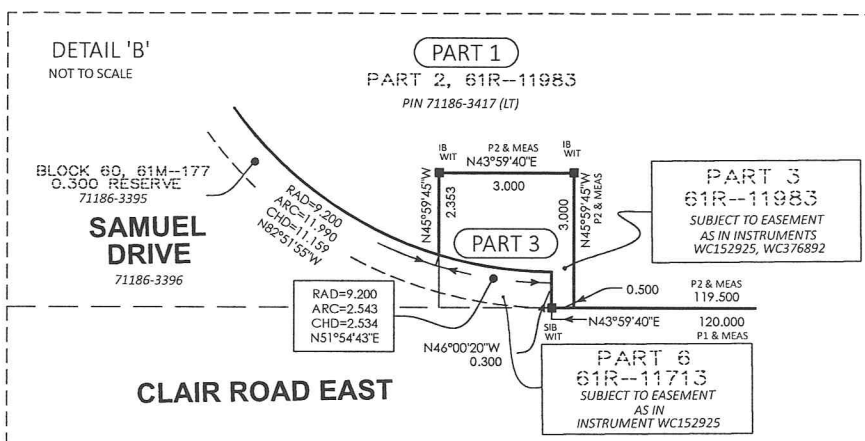
- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES .025 x .025 x 1.20 STANDARD IRON BAR
- IB DENOTES .015 x .015 x 0.60 IRON BAR
- SSIB DENOTES .025 x .025 x 0.60 SHORT STANDARD IRON BAR
- RP DENOTES .015 DIA. x 0.07 ROUND IRON BAR WITH STAMPED WASHER
- PB DENOTES .025 x .025 x 0.30 PLASTIC BAR
- CC DENOTES CUT CROSS
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- VH DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
- WCP DENOTES WELLINGTON CONDOMINIUM PLAN
- P1 DENOTES DEPOSITED PLAN 61R-11983 BY (VH)

BEARING AND COORDINATE NOTE:

- BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, NAD 83 (CSRS-2010) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN AVERAGED COMBINED SCALE FACTOR OF 0.99960697
- COORDINATES ON THIS PLAN ARE UTM, ZONE 17, NAD83 (CSRS-2010) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

UTM COORDINATES (METRES)		
POINT ID	NORTHING	EASTING
A	4,818,128.44	566,795.23
B	4,818,242.50	566,908.57
C	4,818,191.21	566,960.02

THESE COORDINATE VALUES COMPLY WITH SECTION 14(2) O. REG 216/10. THESE COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THIS SURVEY WAS COMPLETED ON THE 30TH DAY OF MARCH, 2017

DATE: Monday, April 17, 2017

JAMES M. LAWS
ONTARIO LAND SURVEYOR

METRIC:

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



Van Harten
SURVEYING INC.
LAND SURVEYORS and ENGINEERS

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

www.vanharten.com info@vanharten.com

DRAWN BY: JAM CHECKED BY: JML PROJECT No. 21094-12

Apr 17, 2017-2:25pm
G:\PUSLINCH\Con8\LOT10\CONDO\KINGSBURY SQUARE\KINGSBURY C\CACAD\RP PT10 (NEIGH COM) UTM.d