

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: June 8, 2017	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-45/17

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: 16 Jodi Pl Guelph, Ontario N1H 7R1

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

Residential Dwelling Plan 658 Lot 63 City of Guelph, County of Wellington

OWNER(S) INFORMATION:

Name:	Brad Flood		
Mailing Address:	16 Jodi Pl		
City:	Guelph	Postal Code:	N1H 7R1
Home Phone:	519-265-5295	Work Phone:	905-330-5026
Fax:		Email:	bcflood@rogers.com

AGENT INFORMATION (If Any)

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

Official Plan Designation: General Residential	Current Zoning Designation: R1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): Minor variance for pool location. The city of Guelph Building Inspectors and Engineers have assessed the property and requested that the minor variance application be processed 4.5.5.3 to permit a swimming pool to be located 1.42m to the lot line when the bi-law requires a minimum of 1.5m to the property line.

Why is it not possible to comply with the provision of the by-law? (your explanation) We were not aware of the property line when the pool company installed the pool and sub sequentially we have obtain the building location survey that was utilized by the building engineers and building inspection to measure the pool and property lines location

PROPERTY INFORMATION			
Date property was purchased:	Sept 16, 2016	Date property was first built on:	1984
Date of proposed construction on property:		Length of time the existing uses of the subject property have continued:	
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Residential			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage(39.51')12.042m	Depth:(102.04')31.101m	Area:343.309m ²

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

EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	167.225m ²	Gross Floor Area:	
Height of building:	4.907m	Height of building:	
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		Attached <input type="checkbox"/> Detached <input type="checkbox"/>	
Width: 4.572m		Width:	
Length: 5.943m		Length:	
Driveway Width: 4.876m		Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: Pool 4.267m W, 7.31m L, 1.371m D		Describe details, including height:	

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

EXISTING		PROPOSED	
Front Yard Setback:	7.94M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 5.071 ^{2.66} M Right: 5.059 ^{2.36} M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	6.339M	Rear Yard Setback	M

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

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

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water ☒ Sanitary Sewer ☐ Storm Sewer ☐

If not available, by what means is it provided:

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16 007655 RS pending variance
Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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

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



Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Brad Flood, 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.

Brad Flood
 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 8th day of June, 2017.

Lindsay Alexandra Cline
 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)

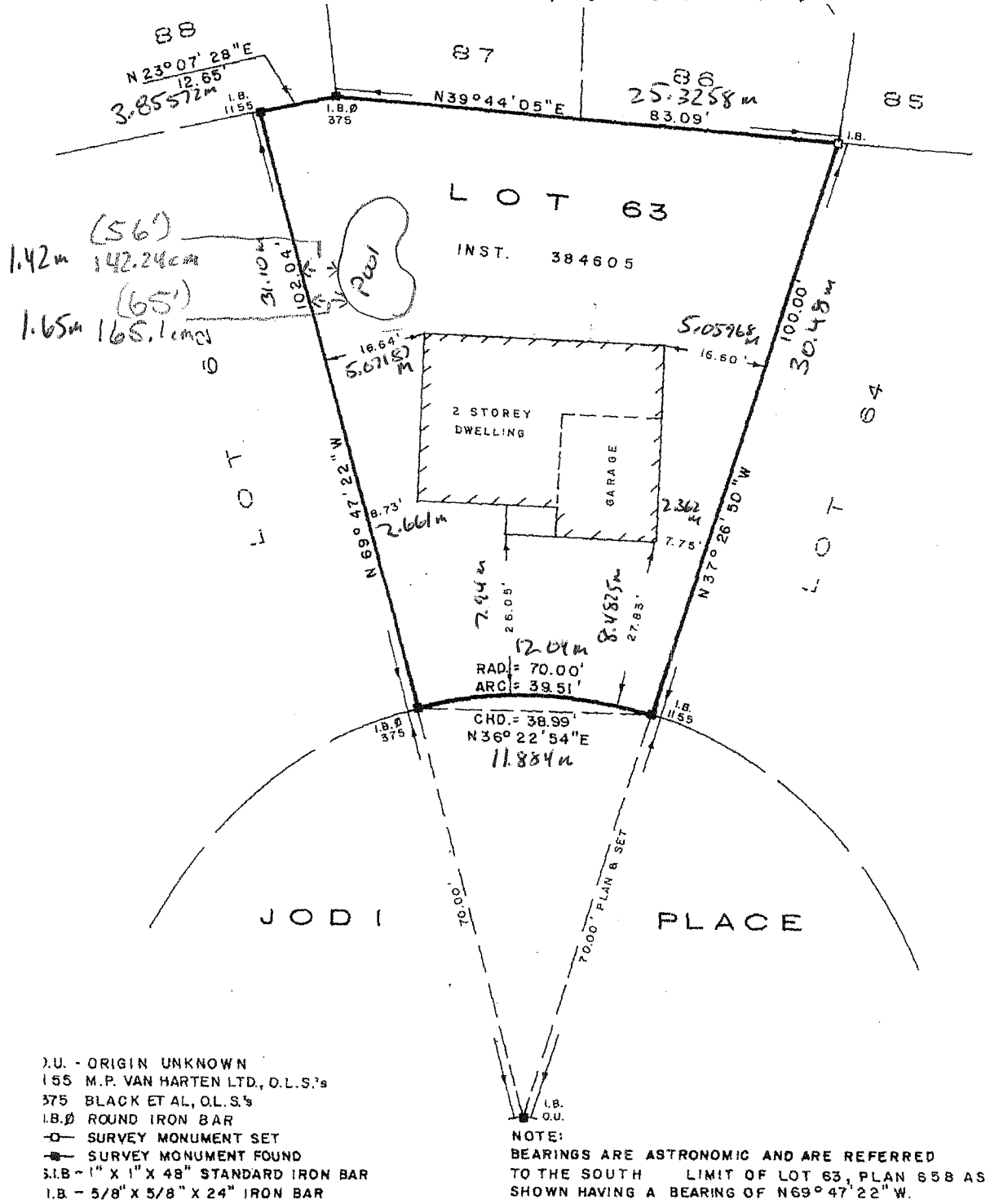
BUILDING LOCATION SURVEY

LOT 63, REG'D PLAN 658

CITY OF GUELPH
COUNTY OF WELLINGTON

SCALE: 1 Inch = 20 Feet

M.P. VAN HARTEN, O.L.S. - 1984



SURVEYOR'S
CERTIFICATE:

I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS
COMPLETED ON THE 20th DAY OF AUGUST, 1984.

PROJECT N^o
84-6428

M.P. VAN HARTEN LIMITED

ONTARIO LAND SURVEYORS
423 WOOLWICH STREET
GUELPH - ONTARIO

519-821-2763

M.P. VAN HARTEN O.L.S.

DATE: AUG. 20, 1984.

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RECEIVED

MAY 12 2017

IDES

Receipt
copy.
251 pm

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>June 12th/17</u>	Folder #:
	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: 101 Towell Drive

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

Lot 31 Plan 61M84, City of Guelph

OWNER(S) INFORMATION:

Name: Mark Campagnolo

Mailing Address: 101 Towell Drive

City: Guelph Postal Code: N1K 1Z5

Home Phone: _____ Work Phone: _____

Fax: _____ Email: mark@realtynfo.ca

AGENT INFORMATION (If Any)

Company: _____

Name: Mark Erchin

Mailing Address: 4 Glenhill Place

City: Guelph Postal Code: N1E 4G7

Work Phone: _____ Mobile Phone: 519 546-3335

Fax: _____ Email: mark@psiweb.ca

Official Plan Designation: <i>General Residential</i>	Current Zoning Designation: <i>R.10.</i>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): <i>A variance to Section 4.15.1.5 to permit an accessory apartment to have an area of 98.4 square metres in lieu of the permitted 80 sq metres</i>

Why is it not possible to comply with the provision of the by-law? (your explanation) <i>the basement apartment is over 860 sq ft and a minor variance is required</i>

PROPERTY INFORMATION			
Date property was purchased:	<i>July 26, 2010</i>	Date property was first built on:	<i>2010</i>
Date of proposed construction on property:	<i>(2010) already built</i>	Length of time the existing uses of the subject property have continued:	<i>2010</i>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): <i>residential</i>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <i>residential (with accessory apartment)</i>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <i>9.619 m</i> <i>31.56 ft.</i>	Depth: <i>43.47 m</i> <i>142.65 ft.</i>	Area: <i>455.96 sq m.</i>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
Main Building		Main Building	
Gross Floor Area:	3975 sq ft 369.28 sq m.	Gross Floor Area:	
Height of building:	2 storeys.	Height of building:	
Garage/Carport (if applicable)		Garage/Carport (if applicable)	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	5.89 m	Width:	
Length:	9.83 m	Length:	
Driveway Width:	5.83 m	Driveway Width:	
Accessory Structures (Shed, Gazebo, Pool, Deck)		Accessory Structures (Shed, Gazebo, Pool, Deck)	
Describe details, including height: Shed - 2.43 x 1.83 m, 2.14 m high Deck - see attached schedule		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	6.91 M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	NA	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 1.23 M Right: 1.24 M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	15.04 M	Rear Yard Setback	M

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

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)	
Water <input checked="" type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/> Storm Sewer <input 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"/>	11-002916 Rear Deck
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.

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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

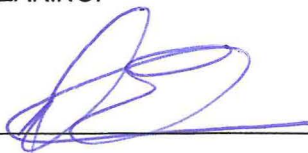
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I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Mark Enchin, 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 12th day of June, 20 17.


Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

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

of 101 Towell Drive, Guilph
(Legal description and/or municipal address)

hereby authorize Mark Enchin
(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 11th day of June 2017.

[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.

NOTES:

1. THIS PLAN MUST BE READ IN CONJUNCTION WITH THE APPROVED LOT GRADING PLAN.
2. LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 61M-84 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.
3. THE POSITION OF ALL POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
4. ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE LOT GRADING PLAN FOR REGISTERED PLAN 61M-84 AND ARE PROPOSED.

300.00

DENOTES PROPOSED GRADE BY BSR&D

300.00

DENOTES SPECIFIED HOUSE GRADE

300.00

DENOTES PROPOSED ELEVATION

DENOTES DIRECTION OF DRAINAGE



DENOTES IRON PIN TO BE SET ON SITE

T.F.

DENOTES TOP OF FOUNDATION

U.S.F.

DENOTES UNDERSIDE OF FOOTING

B.F.

DENOTES BASEMENT FLOOR

SKETCH

PREPARED FOR BUILDING PERMIT APPLICATION

SCALE 1 : 250



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.

City of Guelph

NOTE:

2.54 METRES (100 INCHES) ASSUMED FROM TOP OF FOUNDATION TO UNDERSIDE OF FOOTINGS

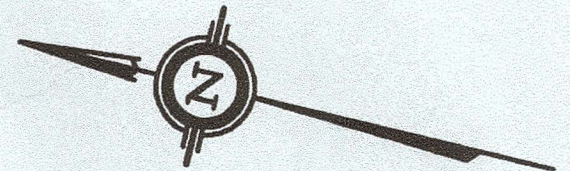
TOVELL DRIVE

R=150.000

A=9.617

C=9.615

N12°00'40"W



REGISTERED

PLAN 61M-84

32

30

R.1 D

ZONE

31

N79°49'30"E

N76°09'10"E

N27°01'50"W
12.731

BLOCK 190
REGISTERED PLAN 61M-68

Date: _____



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 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.

THIS SKETCH WAS PREPARED FOR 2124378 ONTARIO LTD. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

KERRY F. HILLIS
ONTARIO LAND SURVEYOR

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BLACK, SHOEMAKER, ROBINSON & DONALDSON
LIMITED

BSR&D

Ontario Land Surveyors
Urban and Rural Planners

351 Speedvale Avenue West
Guelph, Ontario N1H 1C6

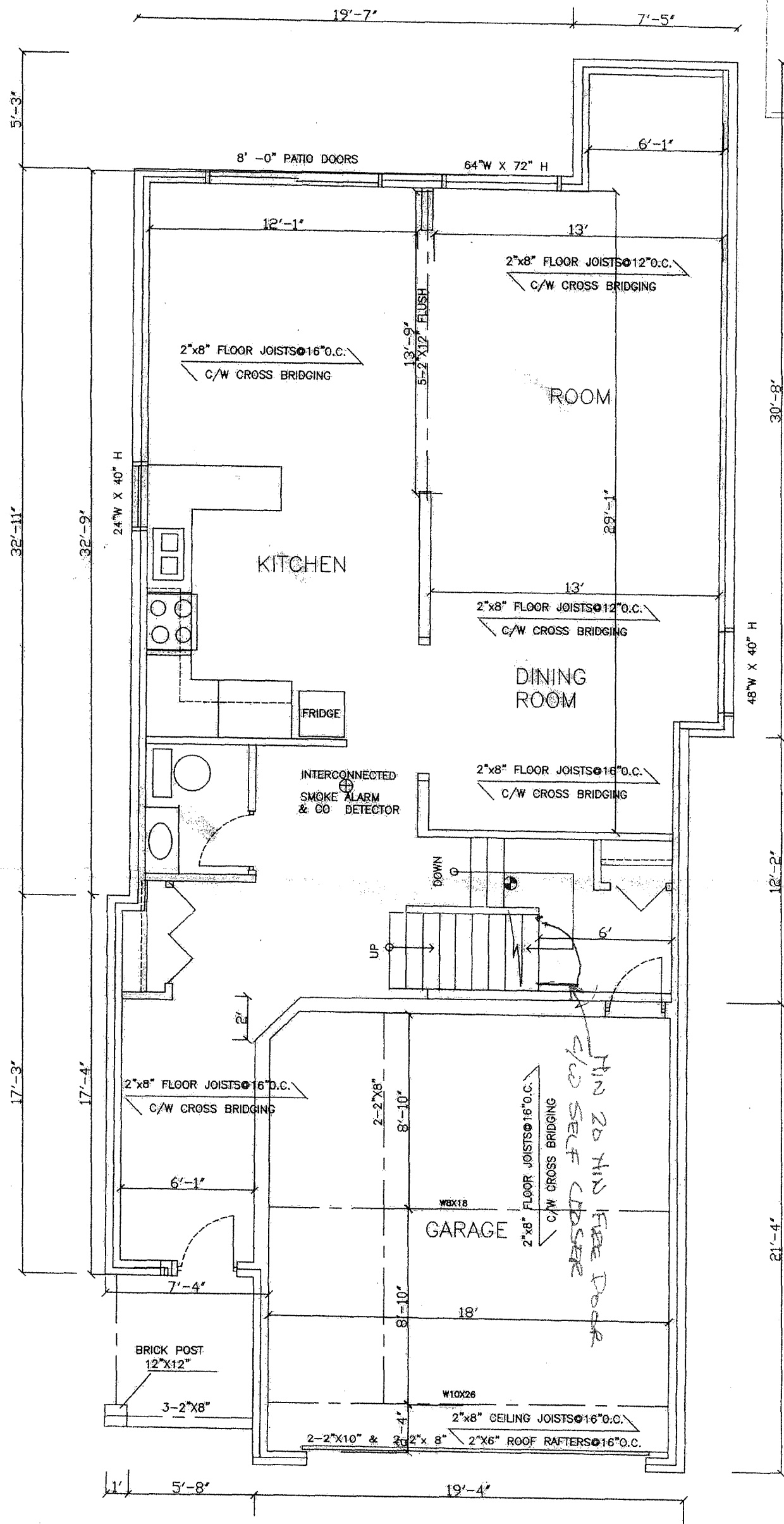
FAX: (519) 822-1220
TEL: (519) 822-4031

DATE: MAY 7, 2010

DM

PROJECT 10-8477

30 MIN FIRE SEPARATION REQ'D, 1/2" DRY WALL ON BOTH SIDES.
REFER TO SPECIAL CONDITIONS FOR ADDITIONAL REQUIREMENTS



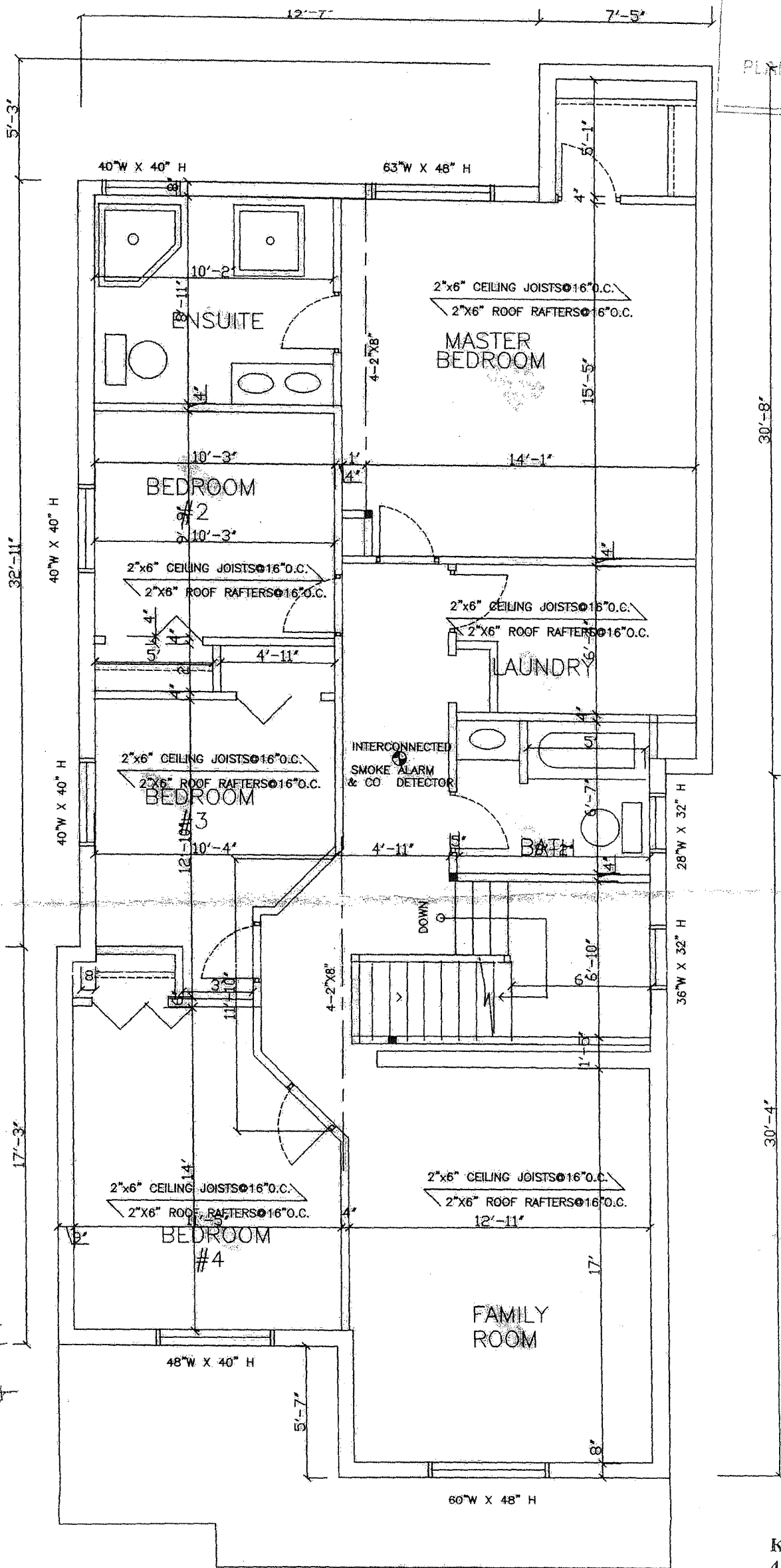
MAIN FLOOR PLAN

Building Services
MAY 11 2010
PLANS REVIEWED BY: *[Signature]*



Kamco Technique Ltée
48 George ST. N Unit 7
Cambridge Ont.
N1S 2M8

DRAWN BY: C.H.
SCALE: 3/16" = 1'0"
MAY. 2010



2ND FLOOR	1440 #
1ST FLOOR	1126 #
BASEMENT	1126 #
TOTAL	3692 #
APARTMENT	1059 #
PERCENT	29 %

NOT OK.

SECOND FLOOR PLAN



Kamco Technique Ltée
48 George ST. N Unit 7
Cambridge Ont.
N1S 2M8

DRAWN BY: C.H.
SCALE: 3/16" = 1'0"
MAY. 2010

88.5" ceiling height.
66.5" height (dust) ceiling

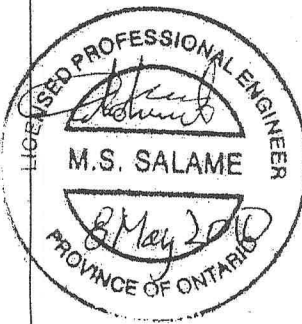
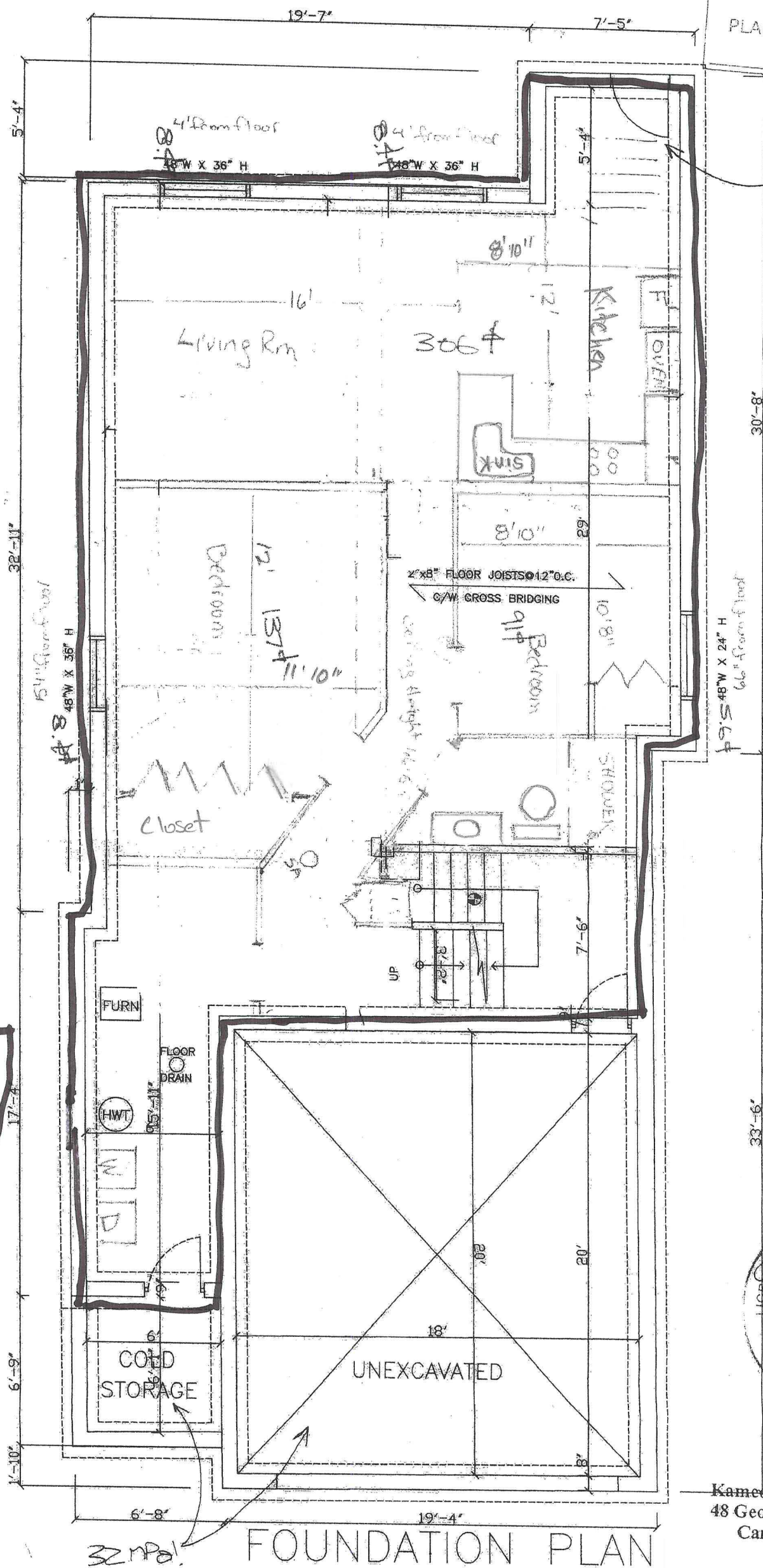
Service

MAY 17 2010

PLANS REVIEWED BY:

LANDING REQ'D
INSIDE DOOR.

Accessory Apt
98.4 sq.m.



Kameo Technique Ltée
48 George ST. N Unit 7
Cambridge Ont.
N1S 2M8

88 PINNACLE CRS. GUELPH, ONT.

(519)836-4084

DRAWN BY: C.H.

SCALE: 3/16" = 1'0"

MAY. 2010

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>June 13, 2017</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>A-47/17</u>

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: 155 Suffolk Street Street

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

Lot 15 and Part of Lot 14, Registered Plan 29 and Part Park Lot 10, Registered Plan 8

OWNER(S) INFORMATION:

Name: Susan Barber Holdings Limited

Mailing Address: 167 Suffolk Street West

City: Guelph Postal Code: N1H 2J7

Home Phone: _____ Work Phone: 519-824-0310

Fax: _____ Email: jbarber@barberholding.ca
sbarber@barberholding.ca

AGENT INFORMATION (If Any)

Company: Black, Shoemaker, Robinson & Donaldson Limited on behalf of Georgian Bay Crematorium Services Ltd.

Name: Nancy Shoemaker

Mailing Address: 351 Speedvale Avenue West

City: Guelph Postal Code: N1H 1C6

Work Phone: 519-822-4031 Mobile Phone: _____

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

Official Plan Designation: General Residential

Current Zoning Designation: Commercial (C.1)

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

Section 6.1.1 of by-law specifies Permitted Uses. The owner is seeking a use variance to permit office uses to a maximum of 223 square metres.

Section 4.13 of by-law specifies Parking requirements. The owner is seeking a minor variance to recognize 84 parking spaces in lieu of 100 spaces.

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

The second floor of this building is not suitable for most uses permitted in the C.1 Zone. In addition, office use will reduce the overall parking requirements for this property.

Parking for 155 and 167 Suffolk Street is shared due to previous agreements. The ratios for this site are excessive given occupancy of 167 Suffolk Street. In addition, the current site development provides more parking that has been needed on a daily basis. There is no opportunity to provide additional parking as the site plan shows full development and the buildings are existing.

PROPERTY INFORMATION

Date property was purchased:	March 17, 2011 although family has owned property since 1961	Date property was first built on:	unknown
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	Over 57 years

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

Two storey Commercial Building containing a variety tenants

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

Same as above allowing office uses on the 2nd floor to a maximum of 223 square metres

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

Frontage: Suffolk: 32.2 m and
Yorkshire:- 68.6 m

Depth: 71.5 m

Area: 0.228 sq.m.

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED – N/A		
Main Building			Main Building		
Gross Floor Area:	1,752 square metres		Gross Floor Area:		
Height of building:	2 storey		Height of building:		
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED – No change		
Front Yard Setback:	Suffolk Street 4.4 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	Yorkshire 0.2 M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 2.1 M	Right: N/A	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	7.0 M		Rear Yard Setback	M	

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

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)	
Water <input checked="" type="checkbox"/>	Sanitary Sewer <input checked="" type="checkbox"/> Storm Sewer <input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	A-118/83 veterinary clinic/office – approved A-142/79 coffee and donut shop - approved

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

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 Guelph in the County of

Wellington this 12th day of June, 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, being the registered property owner(s)

Susan Barber Holdings Limited

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

of 155 Suffolk Street

(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 _12th_____ day of _June_____ 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.



June 12, 2017

351 Speedvale Avenue West
Guelph, Ontario N1H 1C6

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

Project: 15-0114

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

Attention: Trista Di Lullo

**Re: Application for Minor Variance
Lot 15 and Part of Lot 14, Registered Plan 29 and Part Park Lot 10, Registered Plan 8
(Parts 4 and 5, Plan 61R-1271)
155 Suffolk Street (also known as 208 Yorkshire Street)
Owner: Susan Barber Holdings Limited**

Please find enclosed a completed "Application for Minor Variance" on the above-noted property. Also enclosed is a cheque in the amount of \$935.00 to cover the City's processing fees. Finally, I have attached a sketch of the current site development as it affects the subject building and the adjacent building, plus a floor plant for the second floor of this building where the use variance is being requested.

The subject property is located on the northwest corner of Yorkshire Street and Suffolk Street and is zoned Convenience Commercial (C.1). Although I cannot confirm the original date of construction of this building, the property has been used as a commercial mall for over 57 years.

One of the major issues with the continued viability of the commercial building is the limited number of uses that are currently permitted under the C.1 zoning. Given the size of the existing building at 1,752 square metres (18,862 square feet), it is not reasonable to expect this building to be fully tenanted with this limited list of uses. In fact, the site is not suited for a day care or group home without appropriate outdoor amenity areas, leaving personal service establishment, take out restaurant, convenience store and artisan studio the only uses available to the site. In addition, all of the uses included under the C.1 zoning have parking requirements ranging between 1 space /9 square metres to 1 space/16.5 square metres which, if fully tenanted, leaves the site deficient in parking.

The purpose of this application is to seek:

- a) A use variance to permit 223 square metres (2,400 square feet) on the second floor of this building to be used for office space.
- b) A parking variance to recognize a total parking for this property to be 84 spaces in lieu of 100 spaces.

Over the years there have been a number of office type uses within the building; however they have been associated with another use. For example there is a Committee of Adjustment approval for a veterinary clinic/office to occupy a portion of the building. The owner has two office type uses interested in leasing approximately 139 square metres (1,500 square feet) and 84 square metres (900 square feet) respectively for a total of 223 square metres (2,400 square feet). The parking regulation for an office use is 1 space/33 square metres of floor area. Therefore, the office results in a parking requirement of 7 spaces whereas the continued use of this area for C.1 uses would require provision of 14 parking spaces.

I have also attached a Council report prepared by staff to address the parking issues associated with 155 and 167 Suffolk Street. Although I cannot see where these parking regulations were ever implemented, it does show the staff recommendations regarding not only the parking requirements for both properties, but also the opinion that the second floor of this building would be used for office type uses.

167 Suffolk and 155 Suffolk Street have been developed under a joint site plan and parking agreement. The building associated with 167 Suffolk Street is the home of Barber Glass which is considered a legal non-conforming manufacturing facility and has accommodated a number of manufacturing operations since its construction in 1862. To clarify the parking requirements, the following chart shows the existing parking requirements for this site.

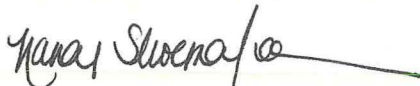
Address	Use	Area (sq.m.)	Parking Ratio	Required Parking
167 Suffolk Street	<ul style="list-style-type: none"> Barber Glass manufacturing 	1,198	1 sp./50 m ² for first 1,000 m ² + 1 sp./100 m ² between 1,000 & 5,000 m ²	20 + 2 = 22
	<ul style="list-style-type: none"> Barber Glass retail 	474	1 space/16.5 m ²	29 spaces
	<ul style="list-style-type: none"> Vacant 	1603	Remaining calculation using 1 sp./100 m ²	16
Total for 167 Suffolk Street		3,275		67 spaces
155 Suffolk Street	<ul style="list-style-type: none"> Vet clinic 	156	1 sp./25 m ²	6.24
	<ul style="list-style-type: none"> Pizza (take-out) 	67	1 sp./9 m ²	7.4
	<ul style="list-style-type: none"> Retail 	1306	1 sp./16.5 m ²	79.2
	<ul style="list-style-type: none"> Office 	223	1 sp./33 m ²	7
Total for 155 Suffolk Street		1,752		100
Total Parking				167

The Site Plan shows a total of 151 spaces can be provided on these two properties. Given that a significant amount of parking can be developed for this property if required and staff has previously considered the parking ratios for this site to be excessive, a 10% variation in the parking requirement should be considered minor.

Should you have any questions, please call me.

Yours very truly

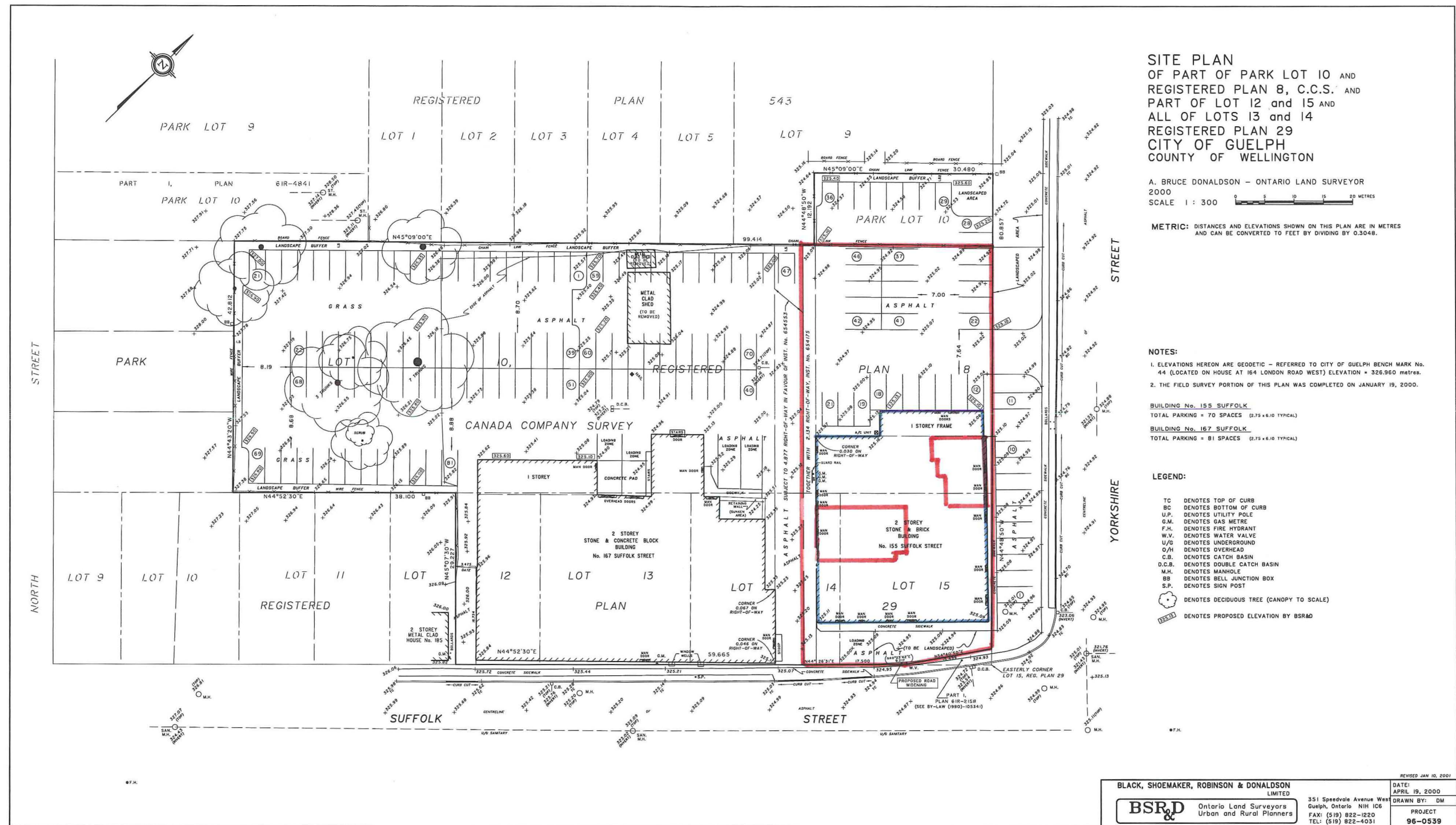
BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED



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

Attachments

Copy: Susan Barber Holdings Limited





LEGEND

- XXXFT² ROOM TAG
- USABLE FT² ROOM TAG
- X GRID TAG
- EXISTING GLAZED DOOR
- EXISTING SOLID DOOR
- A-xx DRAWING # REFERENCE
- VACANT SPACE

NOTES

- THIS DRAWING REPRESENTS THE BUILDING LAYOUT AND SIZE.
- DIMENSIONS ARE SHOWN DUE TO THE NATURE OF THE BUILDING. MEASUREMENTS SHOULD BE SITE VERIFIED TO ENSURE ACCURACY PRIOR TO CONSTRUCTION.

TRUE NORTH

PROJECT NORTH



City of Guelph

DEPARTMENT: Planning and Business Development

PREPARED BY: Cam Thomas
Planner

APPROVED BY: Tom Slomke
Tom Slomke, Director of
Planning and Business
Development

REPORT #: A-7

DATE: August 4, 1998

SUBJECT: Recommended Revised Parking Regulations for Rezoning of Barber Lands (155 and 167 Suffolk Street West) (File Number ZC910)

(98-87)

REASON FOR REPORT:

To obtain Council's support for the modification of parking requirements for future uses associated with the rezoning of the Barber properties located on the northwest corner of Yorkshire Street North and Suffolk Street.

RECOMMENDATIONS:

"THAT Guelph City Council support the modified off-street parking regulations provided in italicized print in Schedule 1, (Revised Zoning portion of Resolution) for the rezoning of properties owned by the Barber Family at 155 Suffolk Street West and 167 Suffolk Street West" and that City Council has determined that no further public notice is required, in accordance with Section 34 (17) of The Planning Act, R.S.O. 1990, c.P.13 to implement the modification."

FUNDING: N/A

BACKGROUND:

On February 2, 1998, Guelph City Council passed a resolution that will allow lands owned by the Barber family to be rezoned to 2 Specialized CR (Commercial Residential) Zones. The rezoning will permit a slightly broader range of uses on both of the sites and will address some of the existing uses that were not permitted under the existing limited zoning classifications. The By-law for the rezoning of these properties has not been passed at this time.

Council supported Staff's recommendation for special parking provisions on the properties including the allowance for off-site parking for patrons of 155 Suffolk Street West (the corner property), and the deferral of additional parking for 167 Suffolk Street West until such time that the parking is actually required. Specific parking regulations for the 2 properties were also supported which include the following:

Parcel "A" (155 Suffolk Street West)

Main Floor - 1 space/ 16.5 square metres of GFA for retail uses (= 57 spaces)

Second Floor - 1 space/ 33.5 square metres of GFA for office-oriented uses (= 28 spaces)

Parcel "B" (167 Suffolk Street West)

86 spaces for various specialized retail (furniture, glass, art), and associated workshop and storage space

Total Parking Required - 171 spaces

In preparing a site plan control agreement and an off-site parking agreement to implement

the various recommendations for the rezoning of these lands, it was determined that several modifications would be required to the parking regulations for the 2 sites to recognize the actual amount of parking that can be provided. The actual amount of parking that is available is in the range of 137-140 spaces. In the February 2, 1998 Planning Report, this matter was recognized in principle and is documented in both the Planning Division and Works Department comments. Staff would also note that the issue of parking was not previously a concern with the abutting neighbours of these properties.

Both Planning and Works Staff agree that the following modifications to the parking requirements would be appropriate for the 2 properties:

Parcel "A" (155 Suffolk Street West)

Main Floor - 1 space/ 21 square metres of GFA for retail uses (= 43 spaces)

Second Floor - 1 space/38 square metres of GFA for office-oriented uses (= 25 spaces)

Parcel "B" : Barber Glass, Gallery and Interiors (167 Suffolk Street West)

69 spaces for various specialized retail (furniture, glass, art), and associated workshop and storage space .

Total Parking Required - 137 spaces

The modified parking regulations would enable Staff to proceed with the formalization of the agreements, the review of a site plan and the eventual passing of the amending by-law.



LOCATION MAP

Cam Thomas
 Cam Thomas
 Planner

Jim Forbes
 Assistant Director of Planning and
 Business Development

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: June 13, 2017	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-48/17

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: 12 Brant Avenue

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

Part of Block 'B', Registered Plan 589

OWNER(S) INFORMATION:

Name:	1822997 Ontario Ltd.		
Mailing Address:	114 Autumn Ridge Trail		
City:	Kitchener	Postal Code:	N2P 2K1
Home Phone:	519-893-4900	Work Phone:	519-504-9060
Fax:	519-342-4847	Email:	Guptamanish73@hotmail.com

AGENT INFORMATION (If Any)

Company:	Labreche Patterson & Associates Inc.		
Name:	Hans Madan		
Mailing Address:	330 -F, Trillium Drive,		
City:	Kitchener	Postal Code	N2E3J2
Work Phone:	519-896-5955	Mobile Phone:	519-577-1771
Fax:	519-896-5335	Email:	hans@lpplan.com

Official Plan Designation: Medium Density Residential	Current Zoning Designation: R.4A
---	----------------------------------

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
1. Side yard (west) setback for Parking : 0.3M whereas 3.0M is required under Section 4.13.2.2 of Zoning By-law
2. Parking: 28 Spaces whereas 39 are required under Section 4.13.4.3 of Zoning By-law
3. Common Amenity area: 520 S.M. whereas 740 S. M. is required under Section 5.4.2.4.1 of Zoning By-law
4. Side yard (east): 4.0M whereas 7.5M required under Section 5.4.2.1 of Zoning By-law
5. Side yard (east): 1.4M whereas 7.0M (Half the height of building) required under Section 5.4.2.1 of Zoning By-law and as per Table 5.4.2., Row 8

Why is it not possible to comply with the provision of the by-law? (your explanation)
1. Parking side yard variance is required due to total distance between the existing building and the westerly property line and to maximize the number of parking spaces.
2. The site plan has been designed to provide maximum number of parking spaces. This is considered sufficient based on existing parking utilization and expected reduced demand from the proposed affordable housing as many tenants will not have vehicles. A parking study is under preparation by LMM Engineering Inc., nearing completion and will be submitted early in the week of June 19 th .
3. Maximum feasible Common amenity area has been provided and is considered sufficient based on limited use by current tenants.
4. The easterly side yard variances are for a portion of the building only and are required due to the angle of the easterly property line.
5. As in no. 4.

PROPERTY INFORMATION			
Date property was purchased:	May 7, 2010	Date property was first built on:	1970 +/-
Date of proposed construction on property:	Fall, 2017	Length of time the existing uses of the subject property have continued:	45 years +/-
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): 16 unit (Existing 15 units plus building permit has been issued for one unit but not yet built) residential apartment building.			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): 27 unit residential apartment building.			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: 38.4m	Depth: 82.322m	Area: 2757.4 S.M.

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	1415.2 S.M.		Gross Floor Area:	980.4 S.M.	
Height of building:	3.5 Storeys		Height of building:	4 Storeys (12M +/-)	
Garage/Carport (if applicable) N.A.			Garage/Carport (if applicable) N. N.		
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: N. A. 1			Describe details, including height: N. A.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	10.9 M		Front Yard Setback:	10.9 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 15.1 M	Right: 6.7 M	Side Yard Setback:	Left: 15.1 M	Right: 1.4 M
Rear Yard Setback	43.8 M		Rear Yard Setback	26.6 M	

- 4.0 M side Yard to a window

TYPE OF ACCESS TO THE SUBJECT LANDS (please check the appropriate boxes)				
Provincial Highway	Municipal Road <input checked="" type="checkbox"/>	Private Road	Water	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"/>	Not yet submitted (SAP16A015 – Preliminary)
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not yet submitted
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, Hans Madan _____, of the City of 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

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

Waterloo this 12th day of June, 2017.



Commissioner of Oaths

Victor Claude Labreche, a Commissioner,
etc., Province of Ontario, for Labreche
Patterson & Associates Inc.
Expires November 7, 2018.

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

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

Manish Gupta, President, 1822997 Ontario Ltd. _____
 [Organization name / property owner's name(s)]

of 12 Brant Avenue, Guelph, Part of Block 'B' R. P. 589 _____
 (Legal description and/or municipal address)

hereby authorize Hans Madan, Labreche Paterson & Associates 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 12 day of JUNE 2017.



 (Signature of the property owner)

 (Signature of the property owner)

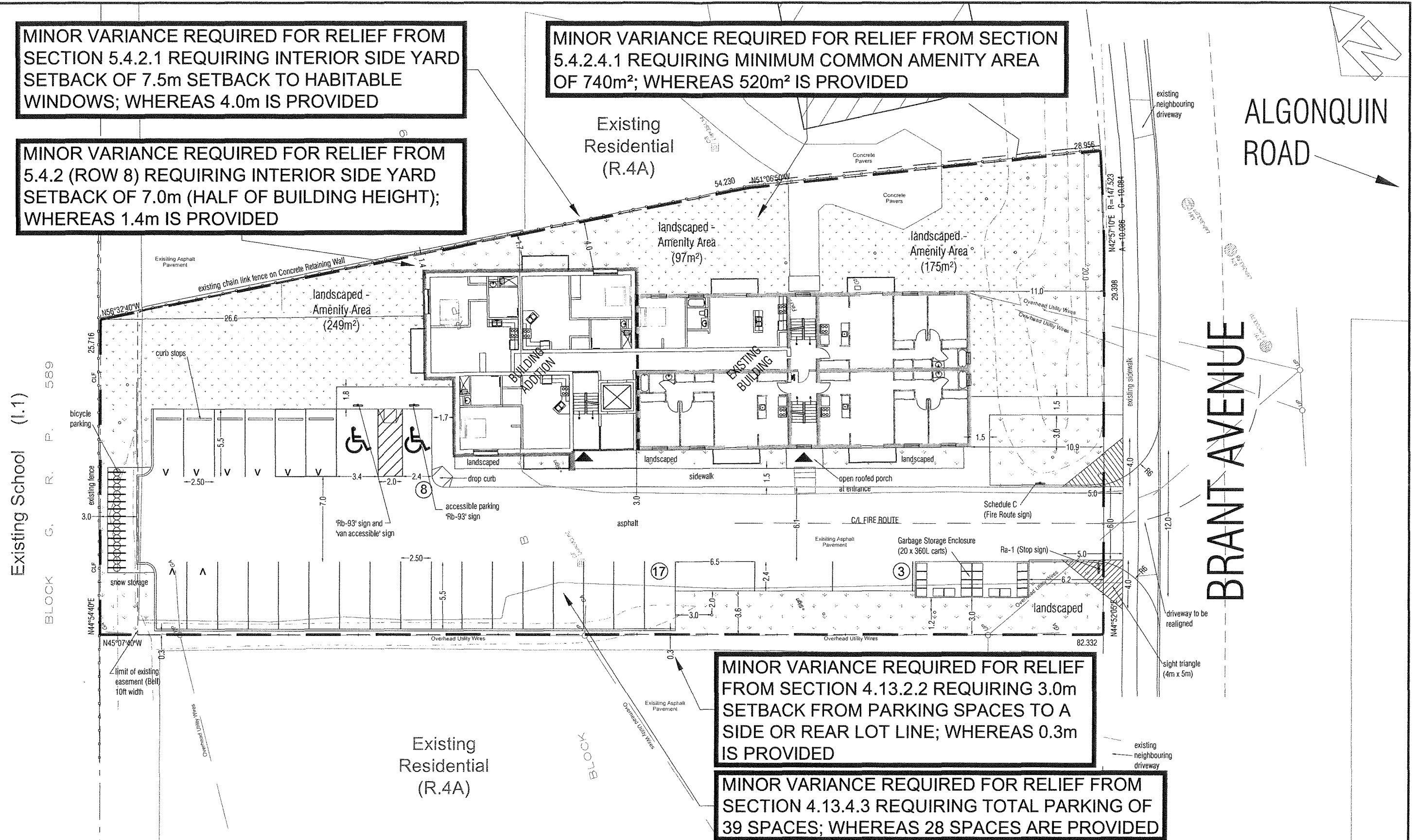
NOTES: (MANISH GUPTA)

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.

MINOR VARIANCE REQUIRED FOR RELIEF FROM SECTION 5.4.2.1 REQUIRING INTERIOR SIDE YARD SETBACK OF 7.5m SETBACK TO HABITABLE WINDOWS; WHEREAS 4.0m IS PROVIDED

MINOR VARIANCE REQUIRED FOR RELIEF FROM 5.4.2 (ROW 8) REQUIRING INTERIOR SIDE YARD SETBACK OF 7.0m (HALF OF BUILDING HEIGHT); WHEREAS 1.4m IS PROVIDED

MINOR VARIANCE REQUIRED FOR RELIEF FROM SECTION 5.4.2.4.1 REQUIRING MINIMUM COMMON AMENITY AREA OF 740m²; WHEREAS 520m² IS PROVIDED



MINOR VARIANCE REQUIRED FOR RELIEF FROM SECTION 4.13.2.2 REQUIRING 3.0m SETBACK FROM PARKING SPACES TO A SIDE OR REAR LOT LINE; WHEREAS 0.3m IS PROVIDED

MINOR VARIANCE REQUIRED FOR RELIEF FROM SECTION 4.13.4.3 REQUIRING TOTAL PARKING OF 39 SPACES; WHEREAS 28 SPACES ARE PROVIDED

MINOR VARIANCE SKETCH 12 BRANT AVENUE CITY OF GUELPH

SCALE 1:300 (PAPER SIZE: 11x17)

PROJECT No. P-874



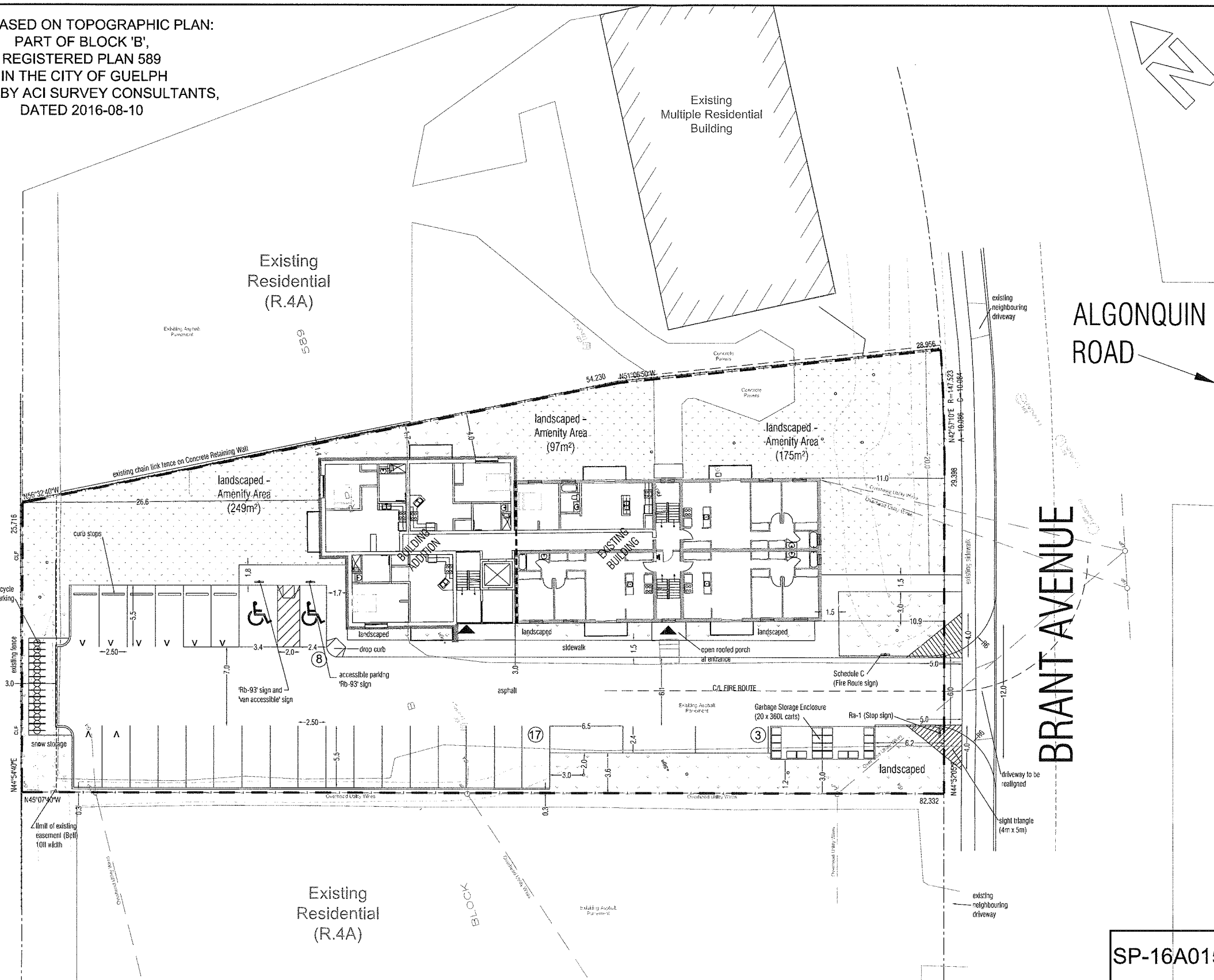
Labreche Patterson & Associates Inc.
Professional Planners, Development Consultants, Project Managers

330-F Trillium Drive
Kitchener, Ontario
N2E 3J2
P - (519) 896-5955
F - (519) 896-5355

PLAN BASED ON TOPOGRAPHIC PLAN:
PART OF BLOCK 'B',
REGISTERED PLAN 589
IN THE CITY OF GUELPH
DRAWN BY ACI SURVEY CONSULTANTS,
DATED 2016-08-10

Existing School (I.1)

BLOCK G. R. P. 589



SITE PLAN

1822997 ONTARIO LTD.

PART OF BLOCK 'B',
REGISTERED PLAN 589
12 BRANT AVENUE
CITY OF GUELPH
WELLINGTON COUNTY

KEY PLAN
SCALE 1:10,000

SUBJECT SITE

GENERAL NOTES:

1. AS PER SECTION 5.4.2.4 OF THE ZBL, THE COMMON AMENITY AREA REQUIRED SHALL BE A MIN. 30m² PER UNIT UP TO 20 UNITS, FOR EACH ADDITIONAL UNIT A MIN. OF 20m² PER UNIT. IT SHALL BE AGGREGATED INTO AREAS OF NOT LESS THAN 50m², WITH LENGTH THAT DOES NOT EXCEED 4 TIMES WIDTH.
2. AS PER SECTION 5.4.2.4 OF THE ZBL, THE COMMON AMENITY AREA SHALL PROVIDE RECREATIONAL FACILITIES.
3. AS PER SECTION 4.13.4.3 OF THE ZBL, THE NUMBER OF REQUIRED PARKING SPACES FOR AN APARTMENT BUILDING IS 1.5 SPACES FOR THE FIRST 20 UNITS, PLUS 1.25 SPACES FOR EACH ADDITIONAL UNIT.
4. AS PER SECTION 4.13.5 OF THE ZBL, A MINIMUM OF 20% OF THE REQUIRED PARKING SHALL BE PROVIDED FOR THE EXCLUSIVE USE OF VISITORS.

ZONING REQUIREMENTS:

ZONING	REQUIRED	PROVIDED	CONFORMS
R4-A	APARTMENT	APARTMENT	YES
USE	650m²	2,757.4m²	YES
LOT AREA	15m	38.4m	YES
MAX. DENSITY (UNITS/HA)	100	83.5	YES
MAX. BUILDING HEIGHT	8 STOREY	3 STOREY	YES
MIN. COMMON AMENITY AREA	740m²	521.0m²	NO
MIN. LANDSCAPED OPEN SPACE	20% (lot area)	35%	YES
FLOOR SPACE INDEX	1.0	0.65	YES
BUILDING SETBACKS			
FRONT YARD	6.0m	10.9m	YES
INTERIOR SIDE YARD (0.5 BUILDING HEIGHT)	3.0m OR 7.5m	1.4m	NO
SIDE YARDS WITH WINDOWS TO HABITABLE ROOMS	10.5m	4.0m	NO
REAR YARD (GREATER OF: 20% LOT DEPTH, 0.5 x BUILDING HEIGHT, 7.5m)	10.5m	26.6m	YES
PARKING			
APARTMENT BUILDING	39 SPACES	28 SPACES	NO
SETBACK FROM LOT LINE	3.0m	0.3m	NO

LAND USE SCHEDULE

LAND USE	AREA	#UNITS
EXISTING BUILDING	353.2m²	12
PROPOSED ADDITION	245.1m²	
LANDSCAPED AREAS	881.2m²	
ASPHALT / HARD SURFACE AREAS	1,177.5m²	
TOTAL	2,757.4m² (0.68 acres)	27

REVISIONS

DATE	DESCRIPTION	BY
MAR-2-2017	REVISIONS FOLLOWING STAFF COMMENTS DATED FEB-1-2017	E.T.
MAR-9-2017	REVISIONS TO NUMBER OF UNITS & ASSOCIATED REQUIREMENTS	E.T.
MAY-2-2017	GARBAGE STORAGE RELOCATED TO ALLOW FOR CURB-SIDE PICK-UP	E.T.

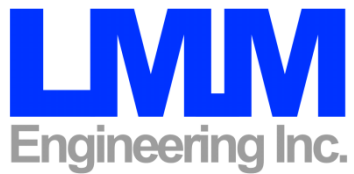
APPROVALS BLOCK

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THE SCALE OF THIS DRAWING IS ACCURATE
WHEN PLOTTED ON 24 x 36 PAPER SIZE

DATE	SCALE
MAY 2, 2017	1 : 150
DRAWN BY E.T.	
FILE NAME SP-MAY-2-2017	0 5 meters
PROJECT NO. P-574-15	DRAWING NO. S.P. 1

SP-16A015



TRAFFIC &
PARKING
CONSULTANTS

PARKING STUDY

12 BRANT AVENUE

Residential Apartments

Guelph, Wellington County, Ontario

For:

1822997 Ontario Inc.
114 Autumn Ridge Trail
Kitchener, ON N2E 1E7
c/o Hans Madan
Labreche Patterson & Associates Inc

By:

LMM Engineering Inc.
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June 21, 2017

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1.0 INTRODUCTION

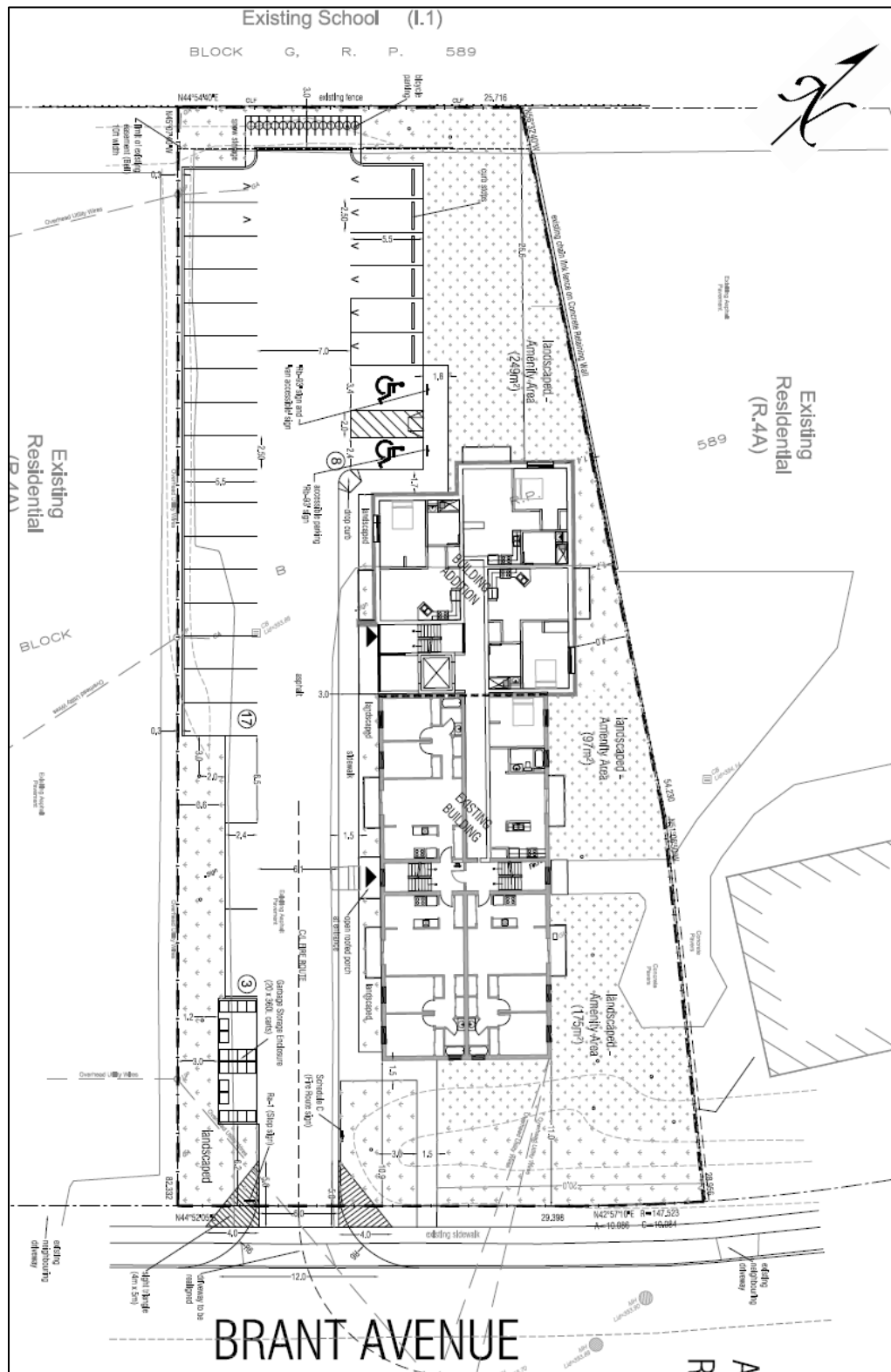
LMM Engineering Inc. was retained by 1822997 Ontario Inc. to undertake a parking study for the proposed expansion to an existing residential building located on the north side of Brant Avenue just east of Victoria Road North in the City of Guelph, Wellington County, Ontario.

The proposed development consists of adding another building with 12 additional multifamily residential apartment units to the subject site with the existing residential apartment building (15 units). The site location map is shown in **Figure 1-1** and the servicing and grading plan is shown in **Figure 1-2**.

Figure 1-1 Site Location Map



Figure 1-2 Site Plan



2.0 DEVELOPMENT PROPOSAL

As mentioned in Section 1.0 *Introduction*, the proposed development will consist of an expansion to the existing residential apartment building. The site location map is shown in Figure 1-1 and the site plan is shown in Figure 1-2.

2.1 EXISTING RESIDENTIAL DEVELOPMENT

The existing residential development consists of an apartment building with 15 apartment units.

The owner confirmed that at the time of the parking utilization surveys, the existing building was 100% occupied.

2.2 PROPOSED EXPANSION

It is proposed to construct a building addition which would add 12 apartment units to the subject site. It is noted that the owner is proposing to apply for affordable housing funding for some of the existing and proposed units. It is likely that the residents of some of the affordable housing units would not own vehicles and therefore, the overall vehicle ownership within the building would be low.

3.0 ZONING BY-LAW REQUIREMENTS

According to the architect's calculations, the zoning by-law requirements for the entire site would be 39 parking spaces, based on 1.5 spaces/unit for the first 20 units (30 spaces) plus 1.25 spaces/unit for the additional 7 units (9 spaces).

It is proposed to provide 28 parking spaces on site.

4.0 EXISTING PARKING UTILIZATION

Parking utilization surveys were conducted on behalf of LMM Engineering on Tuesday, June 13, 2017 and Wednesday, June 14, 2017 at the subject site from 5:00 PM – 10:00 PM. The Urban Land Institute (ULI) Shared Parking document indicates that for a residential apartment building, the peak parking utilization occurs between 5:00 PM to 10:00 PM. The results of the parking utilization surveys is shown in Table 4-1.

The parking utilization survey indicates that the current peak parking demand at the site was 13 parking spaces at 5:30 PM – 6:00 PM on Tuesday and at 5:00 PM on Wednesday.

Table 4-1 Parking Utilization Survey Results

Time Period Starting	Occupied Parking Spaces	
	Tuesday, June 13, 2017	Wednesday, June 14, 2017
At Observation Start	11	13
5:00:00 PM	11	12
5:15:00 PM	11	12
5:30:00 PM	13	12
5:45:00 PM	13	11
6:00:00 PM	13	12
6:15:00 PM	11	12
6:30:00 PM	11	12
6:45:00 PM	10	11
7:00:00 PM	10	11
7:15:00 PM	9	11
7:30:00 PM	9	11
7:45:00 PM	8	11
8:00:00 PM	8	11
8:15:00 PM	9	11
8:30:00 PM	9	11
8:45:00 PM	9	11
9:00:00 PM	9	12
9:15:00 PM	9	12
9:30:00 PM	9	12
9:45:00 PM	9	12

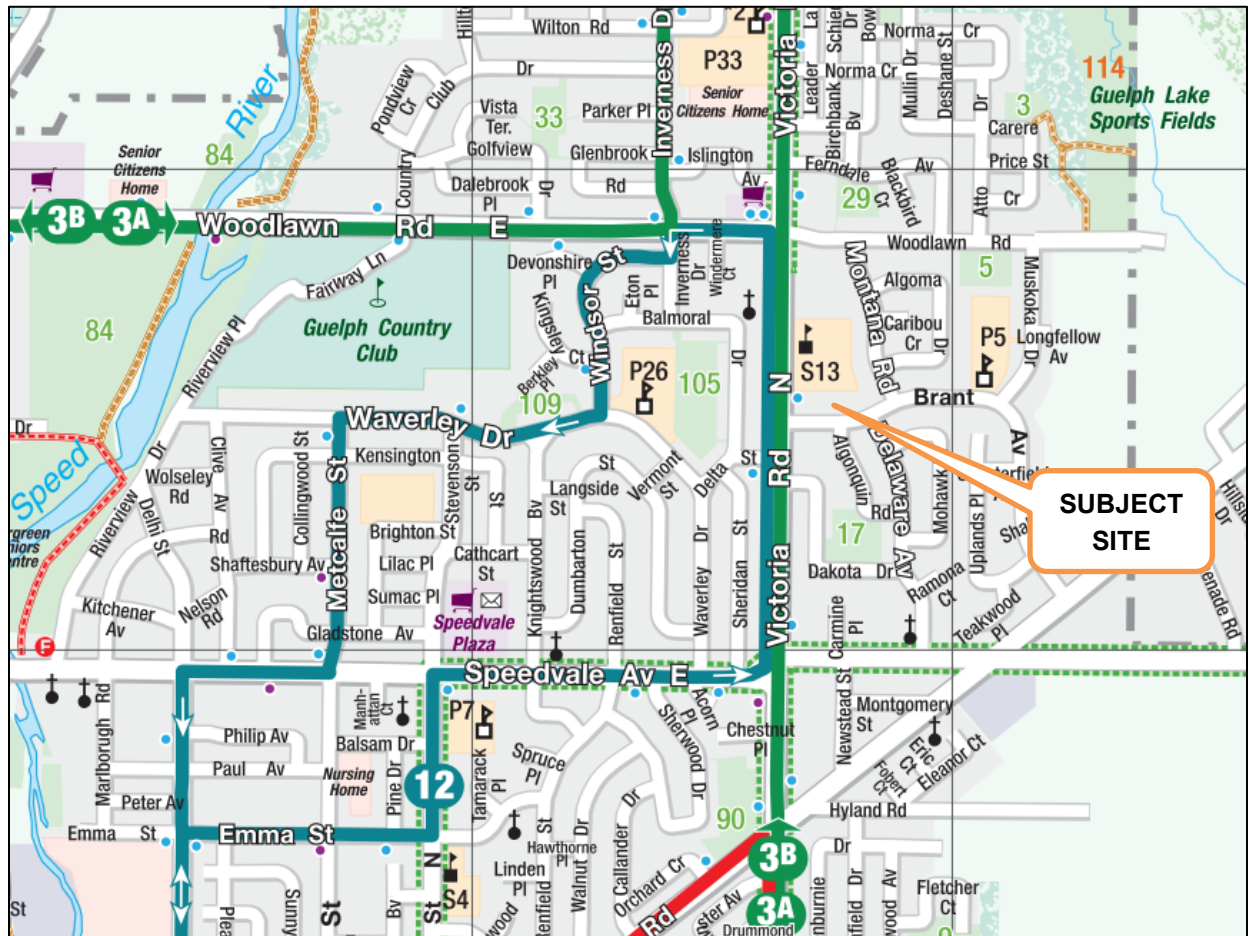
5.0 TRANSPORTATION DEMAND MANAGEMENT

The transit service within the vicinity of the subject site is shown in Figure 5-1. The subject site is located within 240 m walking distance from bus stops on Victoria Road N. The bus stops are served by the following routes:

- Route 3A / 3B – East Loop which has 30-minute frequency from approximately 6:00 AM – midnight on weekdays and weekends with limited service on holidays. The route provides service to Guelph Central Station which provides connections to GO Transit service.
- Route 12 – Hospital which has 30-minute frequency from approximately 6:00 AM – 12:30 AM on weekdays and weekends with limited service on holidays. This route also provides service to Guelph Central Station which provides connections to GO Transit service.

The subject site has excellent access to transit service and likely experiences higher than average transit modal share.

Figure 5-1 Transit Service in the Vicinity of the Subject Site



6.0 PARKING DEMAND

The parking demand for the proposed development was determined based on the existing parking utilization at the site.

The parking utilization survey conducted indicated that the peak parking demand at the site would be 13 parking spaces at 5:00 PM – 6:00 PM for the existing 15 units. This is equivalent to a rate of 0.87 parking spaces/unit.

With the proposed total 27 residential units, the future parking demand would be 23 parking spaces based on the existing parking utilization.

The parking provision of 28 parking spaces is expected to be adequate for the anticipated peak parking demand.

7.0 COMPARISON TO OTHER MUNICIPALITIES

As noted, the zoning by-law requirements for the proposed development are 1.5 spaces/dwelling unit for the first 20 units and 1.25 spaces/dwelling unit for the remaining dwelling units. This requirement is compared to other municipalities in the area as follows:

- City of Waterloo – 1.0 to 1.5 spaces/unit
- City of Cambridge – 1.0 spaces/dwelling unit plus 1.0 spaces/4 dwelling units for parking so equivalent to 1.25 spaces/dwelling unit. (City of Cambridge Zoning By-Law Consolidation January 2012)
- City of Burlington – 1.25 spaces/dwelling unit for a one-bedroom unit which is what is proposed for the additional units (City of Burlington website)
- City of London – 1.0 spaces/dwelling unit for duplex, triplex, townhouse and apartment and no additional parking required for converted dwelling of conversion of existing space to residential units. (City of London Zoning By-Law No. Z-1 – Section 4 – City of London website)

The above comparison indicates that the City of Guelph's requirements are high compared to other municipalities in the area.

It is noted that other municipalities are removing or reviewing the need to review minimum parking requirements, especially in urban areas to provide transportation demand management and encourage residents to live without a vehicle. For example, the City of Ottawa (By-law No. 2016-249) reduces and in some cases, eliminates the minimum number of parking spaces required for development in the inner-urban area. This is based on a Minimum Parking Review: Review of Best Practices which specifically identified the practice of “exempting predominant low-rise housing forms from minimum parking requirements” as an approach that might be applicable in Ottawa.

8.0 CONCLUSIONS AND RECOMMENDATIONS

LMM Engineering Inc. was retained by 1822997 Ontario Inc. to undertake a parking study to evaluate the parking demand site circulation for a proposed expansion to an existing residential building located at 12 Brant Ave. in the City of Guelph, Wellington County, Ontario.

The proposed development will consist of the addition of 12 additional multi-family residential units in an addition to an existing building with 15 multi-family residential units. The owner is applying for affordable housing funding so it is expected that the vehicle ownership at the site will be low. There are also excellent transit provisions within walking distance of the subject site. It is also noted that the City's by-law requirements for apartments are higher than other municipalities in the area (London, Burlington, Cambridge) and that some municipalities (eg. Ottawa) are removing minimum parking requirements for developments in urban areas.

Based on a parking utilization study conducted at the existing site, the peak parking demand is expected to be 23 parking spaces. Twenty-eight (28) parking spaces are proposed for the site. The parking provisions are expected to adequately meet the peak parking demand for the proposed development.