

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



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

OFFICE USE ONLY

Date Received: April 6, 2018 Folder #:

Application deemed complete:

☒ Yes ☐ No

A-36/18

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: 73 Bagot Street

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

Part Lot 117, Plan 23 being PIN 71277-0024

OWNER(S) INFORMATION:

Name: Eric & Denise Bitton

Mailing Address: 73 Bagot Street

City: Guelph

Postal Code: N1H 5T5

Home Phone: _____

Work Phone: 519-994-0753

Fax: _____

Email: _____

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____

Postal Code: _____

Work Phone: _____

Mobile Phone: _____

Fax: _____

Email: _____

Official Plan Designation: residential

Current Zoning Designation: RB residential

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

We are proposing a 2 storey addition and are asking for a variance (side yard setback) of 0.84m instead of the zoning requirement for a R1B of 1.5m - variance of 0.84 metres (Table 5.1.2 Row 7)

We are proposing a 2 storey addition and are asking for a variance (front yard setback) of 0.2.6 m instead of the zoning requirement for a R1B zoning of 6m - variance of 2.6 metres (Table 5.1.2 Row 6).

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

The existing dwelling was built in this location and we have to construct the 2nd storey addition on the existing outside walls.

PROPERTY INFORMATION

Date property was purchased:	2005	Date property was first built on:	unknown
Date of proposed construction on property:	Summer 2018	Length of time the existing uses of the subject property have continued:	proposed

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: 14.8

Depth:

20.2

Area: 293.6

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

EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	94.2 sq m		Gross Floor Area:	90.1 sq m	
Height of building:	1 storey		Height of building:	2 storey	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input checked="" type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:	3.8		Width:		
Length:	6.4		Length:		
Driveway Width:	3.4m		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:	2.6 & 2.92M		Front Yard Setback:	2.6 & 2.92M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 0.84 M	Right: 3.85 M	Side Yard Setback:	Left: 0.84 M	Right: 3.85 M
Rear Yard Setback	7.6M		Rear Yard Setback	7.6M	

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
Previous Minor Variance Application

X
X

✓

A-112/13.

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, ERIC & DENISE BATTEN, of the City/Town of
GOELF 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

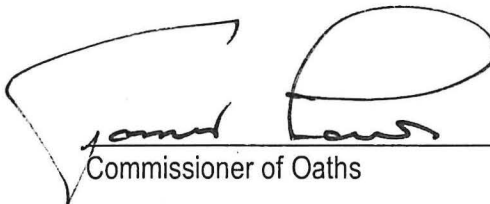
NOTE: The signature of applicant or authorized agent must be witnessed by a Commissioner. A Commissioner is available when submitting the application to Committee of Adjustment staff.

Declared before me at the

City/Town of GOELF in the County/Regional Municipality of
WELLINGTON this 6th day of APRIL, 2018.

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

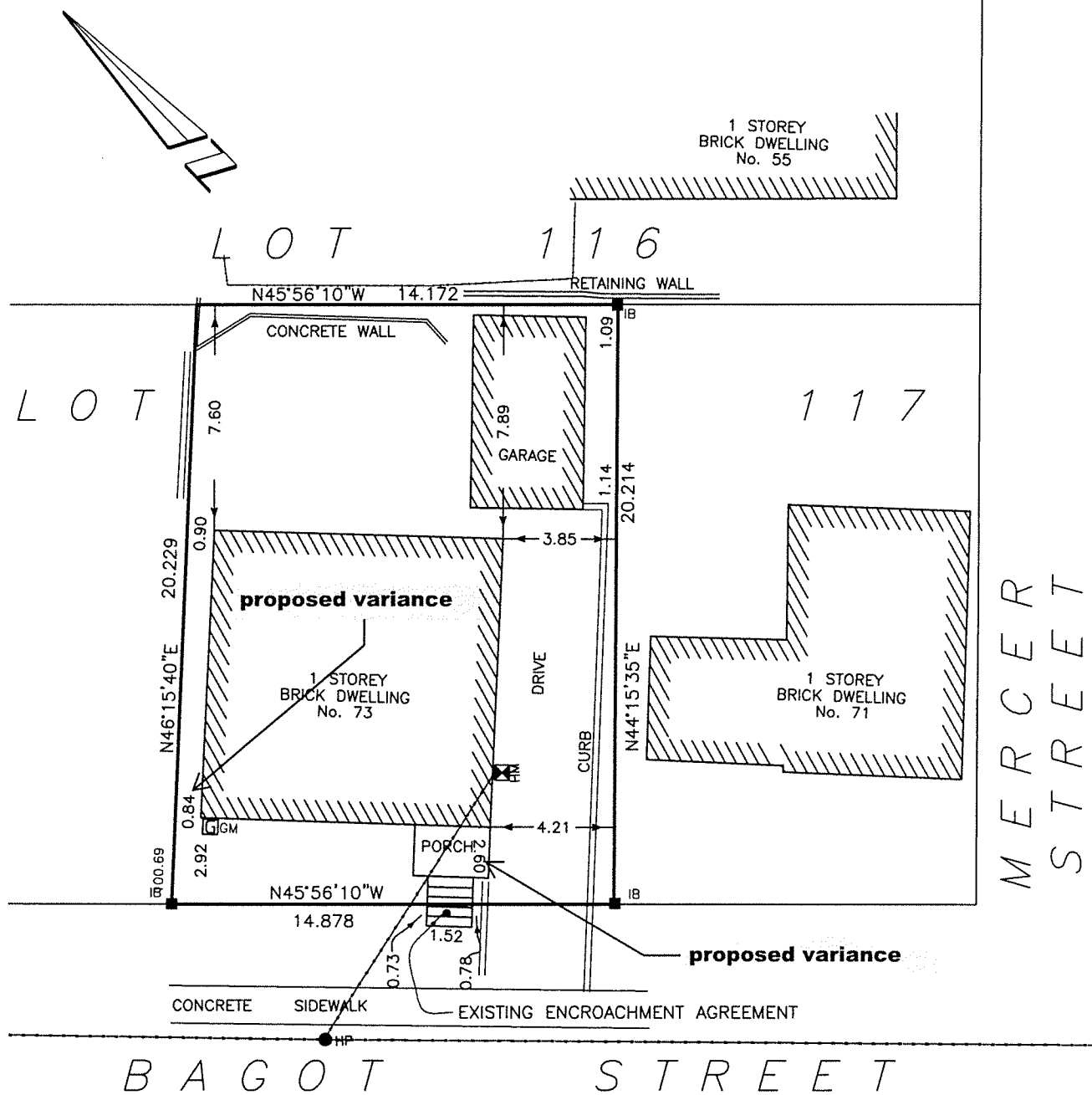
(official stamp of Commissioner of Oaths)


 Commissioner of Oaths

MINOR VARIANCE SKETCH
OF
PART LOT 117, REGISTERED PLAN 23
CITY OF GUELPH
COUNTY OF WELLINGTON
SCALE: 1 - 200

0 5 10 15 metres

VAN HARTEN SURVEYING INC.



REQUESTING A VARIANCE OF 0.82m FOR SIDEYARD SETBACK INSTEAD OF THE ZONING REQUIREMENT OF 1.5m. FOR THE PURPOSE OF A 2NDY STOREY ADDITION

NOTE:

THIS SKETCH WAS COMPILED FROM A SURVEY
COMPLETED BY VANHARTEN SURVEYING
DATED APRIL 27, 2007

DATED APRIL 4, 2018

JAMES M. LAWS, O.L.S.



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: JL

CHECKED BY: JL

PROJECT No. 17564-07

Apr 06, 2018-8:31am

C:\Program Files\MicroSurvey\MSCAD2015\templates\VH Template.dwt



ALL STEEL BEAMS & HSS COLUMNS TO BE GRADE 350W
ALL LUMBER TO BE SPF NO. 1/2 OR BETTER MINIMUM SOIL
BEARING CAPACITY TO BE 100KPa (2000psf)
PROVIDE SOLID BLOCKING @ WALLS ADJACENT TO WATER
CLOSETS TO FACILITATE FUTURE WATER CLOSET GRAB BARS

A-3

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>Apr 10, 2018</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-37/18</u>

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☐ No ☒

I REQUESTED A MEETING, HOWEVER IT WAS THOUGHT EVERYTHING WAS FINE
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: 118 Severn Drive Guelph, ON

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

Single detached with A Basement APARTMENT

OWNER(S) INFORMATION:

Name: Rick Companion + Helen White

Mailing Address: 118 Severn Drive

City: Guelph Postal Code: N1E 7K6

Home Phone: _____ Work Phone: _____

Fax: _____ Email: c.companion@sympatco.ca

AGENT INFORMATION (If Any)

Company: CHOX CONTRACTING

Name: IAN CHAN

Mailing Address: 85 Speedvale Ave W

City: Guelph Postal Code: N1H1K1

Work Phone: 226-203-0043 Mobile Phone: " "

Fax: _____ Email: ian@choxcontracting.com

Official Plan Designation: <u>Low Density Residential.</u>	Current Zoning Designation: <u>B.10-12</u>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):

The variance being applied for is to expand size of basement apartment. Currently, there is no practical place to have laundry for basement unit. Therefore, we are requesting to increase size of Apartment by 10.7 sq metres.

Bylaw Requirement - 80 m² / 45%

REGULATION # - SECTION 4.15.1.5

Proposed apartment size = 105.67 sq.m.

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

Basement Apartment has already been finished and in original plans, the idea of having a future WASHER/ DRYER WAS NOT CONSIDERED. ~~AND~~ A SOLUTION would be to PUT WASHER/ DRYER UNDER STAIRS LEADING TO BASEMENT.

PROPERTY INFORMATION

Date property was purchased:	<u>2015</u>	Date property was first built on:	<u>2005</u>
Date of proposed construction on property:	<u>JUNE 2018</u>	Length of time the existing uses of the subject property have continued:	<u>since built.</u>

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

RESIDENTIAL

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

RESIDENTIAL

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

Frontage: 31.53 FT <u>12 m</u>	Depth: 104.11 FT <u>32 m</u>	Area: 4151.87 FT² <u>384 m²</u>
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PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	373.93 m ²		Gross Floor Area:	373.93 m ²	
Height of building:	8.53 m		Height of building:	8.53 m	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	6.4 m		Width:	6.4 m	
Length:	4.87 m		Length:	4.87 m	
Driveway Width:	6.1 m		Driveway Width:	6.1 m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Deck in Backyard Height is 3m			Describe details, including height: Deck in Backyard Height is 3m		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	6.23 M		Front Yard Setback:	6.23 M	
Exterior Side Yard (corner lots only)	— M		Exterior Side Yard (corner lots only)	— M	
Side Yard Setback:	Left: 1.21 M	Right: .96 M	Side Yard Setback:	Left: 1.21 M	Right: .96 M
Rear Yard Setback	6.5 M		Rear Yard Setback	6.5 M	

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

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

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IAN CHAN




Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, IAN CHAN OF CHOX CONTRACTING, 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.

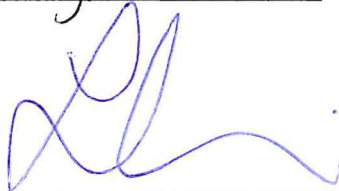

 Signature of Applicant or Authorized Agent

 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 10 day of April, 2018.



Commissioner of Oaths

ALEXANDRA CLINE,
 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)

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

of 118 SUTTON DRIVE GUELPH
(Legal description and/or municipal address)

hereby authorize Tan Chan OF CHOX CONTRACTING
(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.

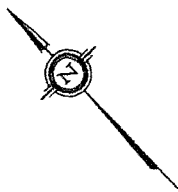
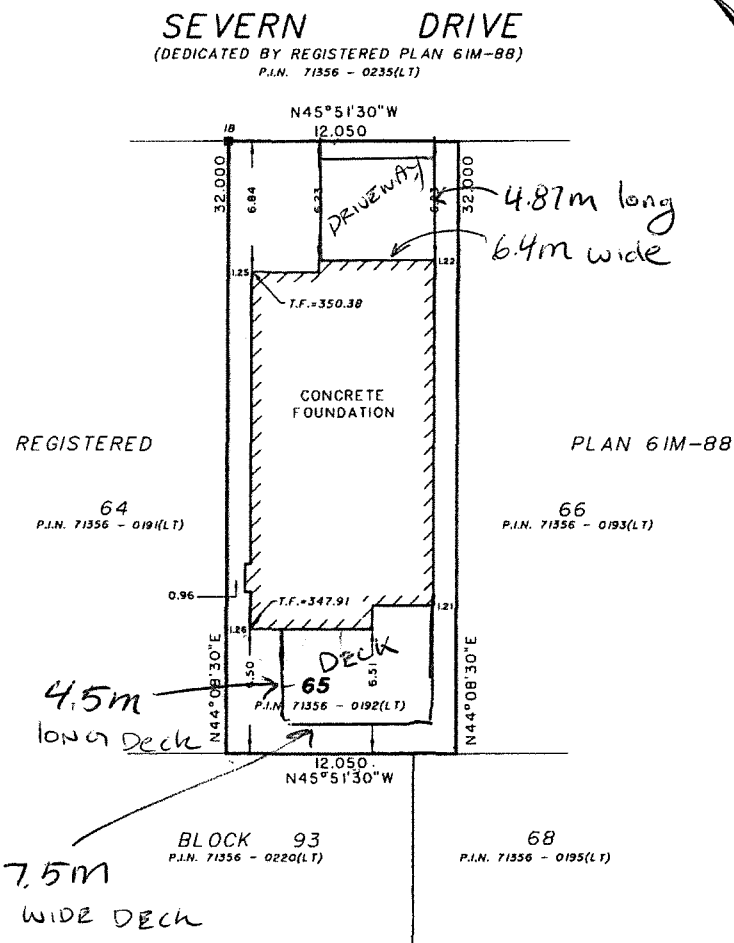
Dated this April day of 10th 2018.

Helen White
(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.



SURVEYOR'S REAL PROPERTY REPORT, PART I
PLAN OF
LOT 65,
REGISTERED PLAN 61M-88
CITY OF GUELPH
COUNTY OF WELLINGTON

KERRY F. HILLIS - Ontario Land Surveyor

SCALE 1 : 250

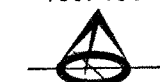
METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES:

1. BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHWESTERLY LIMIT OF SEVERN DRIVE AS BEING N45°51'30"W IN ACCORDANCE WITH REGISTERED PLAN 61M-88
2. UNLESS OTHERWISE NOTED ALL BUILDING TIES SHOWN HEREON ARE PERPENDICULAR TO PROPERTY LINES.
3. PROPERTY LINES ARE UNFENCED UNLESS OTHERWISE NOTED.

■ DENOTES SURVEY MONUMENT FOUND (375 UNLESS SHOWN OTHERWISE)
1B DENOTES IRON BAR
T.F. DENOTES TOP OF FOUNDATION

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1567166



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
in accordance with
Regulation 1026, Section 29(3).

PART 2

THIS PLAN MUST BE READ IN
CONJUNCTION WITH SURVEY
REPORT DATED AUG. 5, 2005.

THIS REPORT WAS PREPARED FOR
PIDEL HOMES
AND THE UNDERSIGNED ACCEPTS
NO RESPONSIBILITY FOR USE
BY OTHER PARTIES.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 30th DAY OF JUNE, 2005.

AUGUST 5, 2005

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: AUGUST 5, 2005

RS

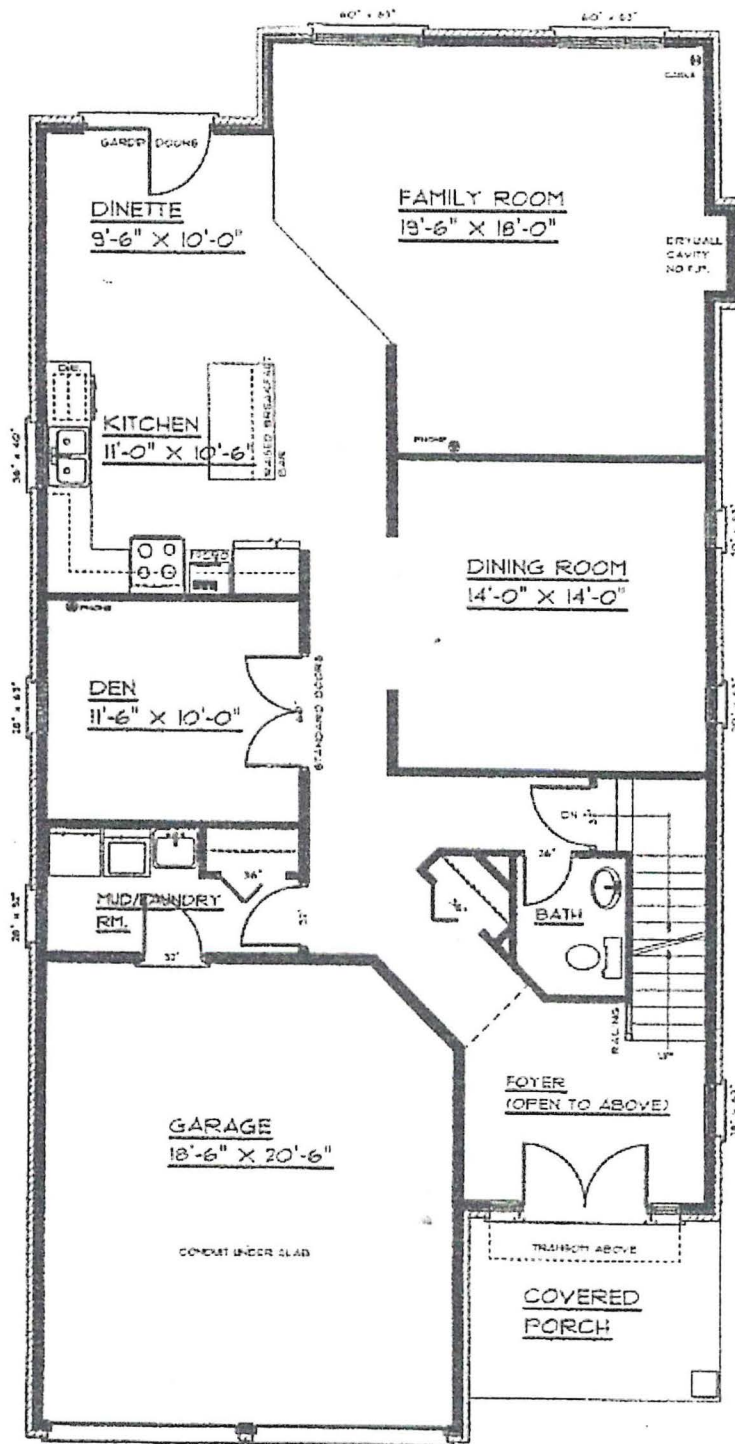
PROJECT 03-4705-62

MONUMENTATION USED TO
RE-ESTABLISH THE SOUTH-
WESTERLY LIMIT OF SEVERN
DRIVE AND THE BOUNDARY OF
LOT 65.

REFERENCE MONUMENTS
4013 & 4469
ON RECORD WITH
BSR&D LTD.



UPPER FLOOR AREA: 1345 SQ. FT.



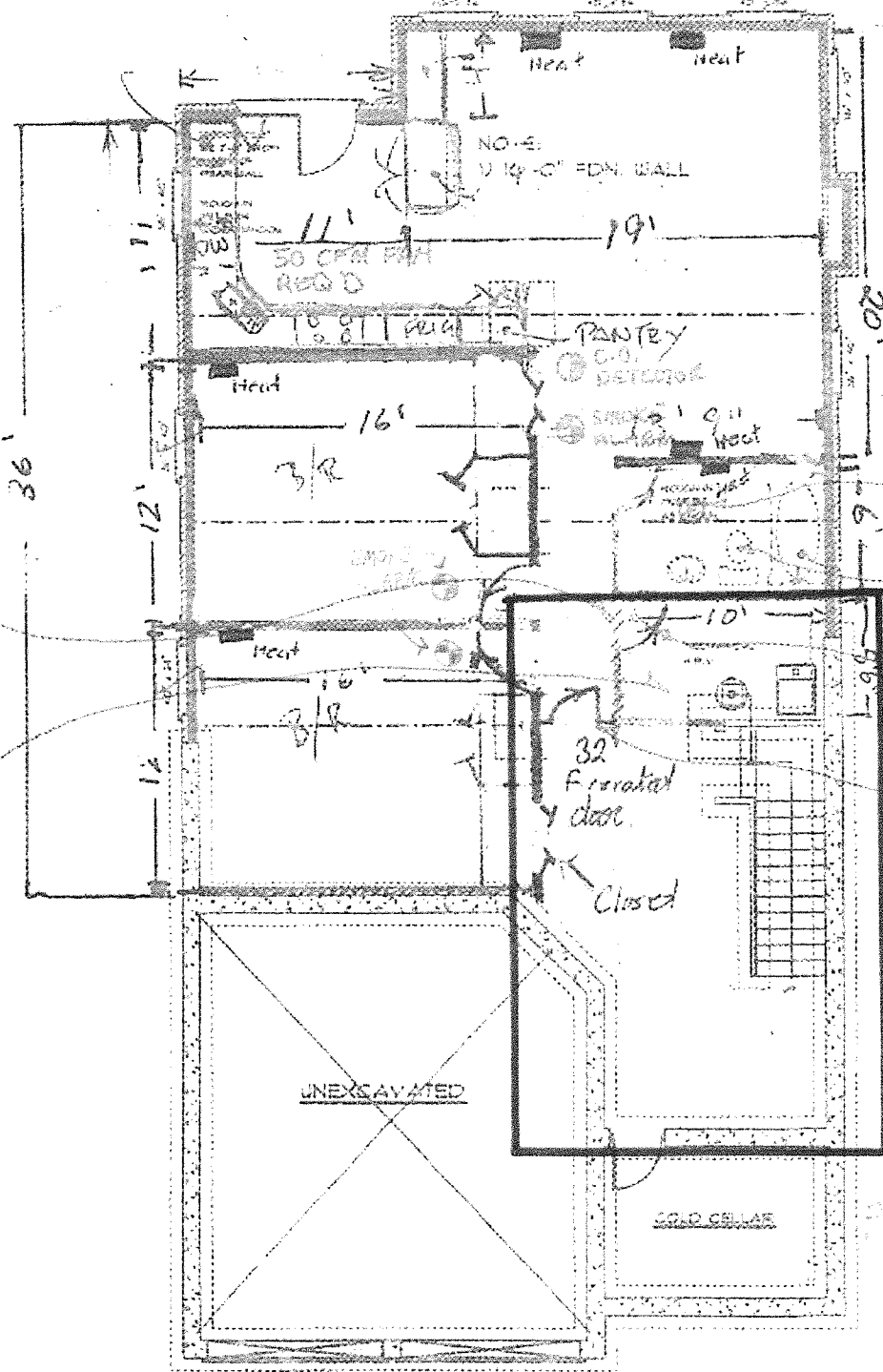
LOT 65 SEVERN MAIN FLOOR PLAN

MAIN FLOOR AREA: 1340 S.Q. FT.
UPPER FLOOR AREA: 1345 S.Q. FT.
TOTAL FLOOR AREA: 2685 S.Q. FT.

NOTE:
1) GRILLES FRONT ONLY
2) CONDUIT UNDER SLAB
3) 10'-0" HIGH BSMT. WALLS

INSULATION IS REQUIRED IN THE MECHANICAL ROOMS, JOISTS BEARING WALLS, SEPARATIONS, FINISHED & UNFINISHED PORTIONS.

CEILING IN FORMAGE ROOM TO BE DRYWALLED OR INSTALL SPRINKLER HEAD AND MINERAL WOOL.



249.44^{1/2}
 APT. MEAT = 1021 SF²
 TOTAL AREA = 2685 SF²
 45% TOTAL = 1208 SF²
 MAX. PERMITTED AREA = 1076 SF

50 CFM FAN
 6 L MAX FLOW
 32" DOOR MINIMUM
 20 MINUTE FIRE RATED DOOR Q/W ULC LISTED CLOSER
 30 MINUTE FIRE SEPARATION (1/2" DRY WALL ON BOTH SIDES OF WALL)

Outlined Area plus attached with supposed variance

LOT 65 SEVERN
 BASEMENT FLOOR PLAN
 118 Severn

NOTE:
 1/2" 10'-0" FDN. WALL

1021 sq'
 Including Mechanical

FLOOR AREA	1ST FLOOR	124.5 m ²
	2ND FLOOR	124.5 m ²
	Basement	124.5 m ²
	TOTAL	373.93 m ²

1/8" = 1'-0"

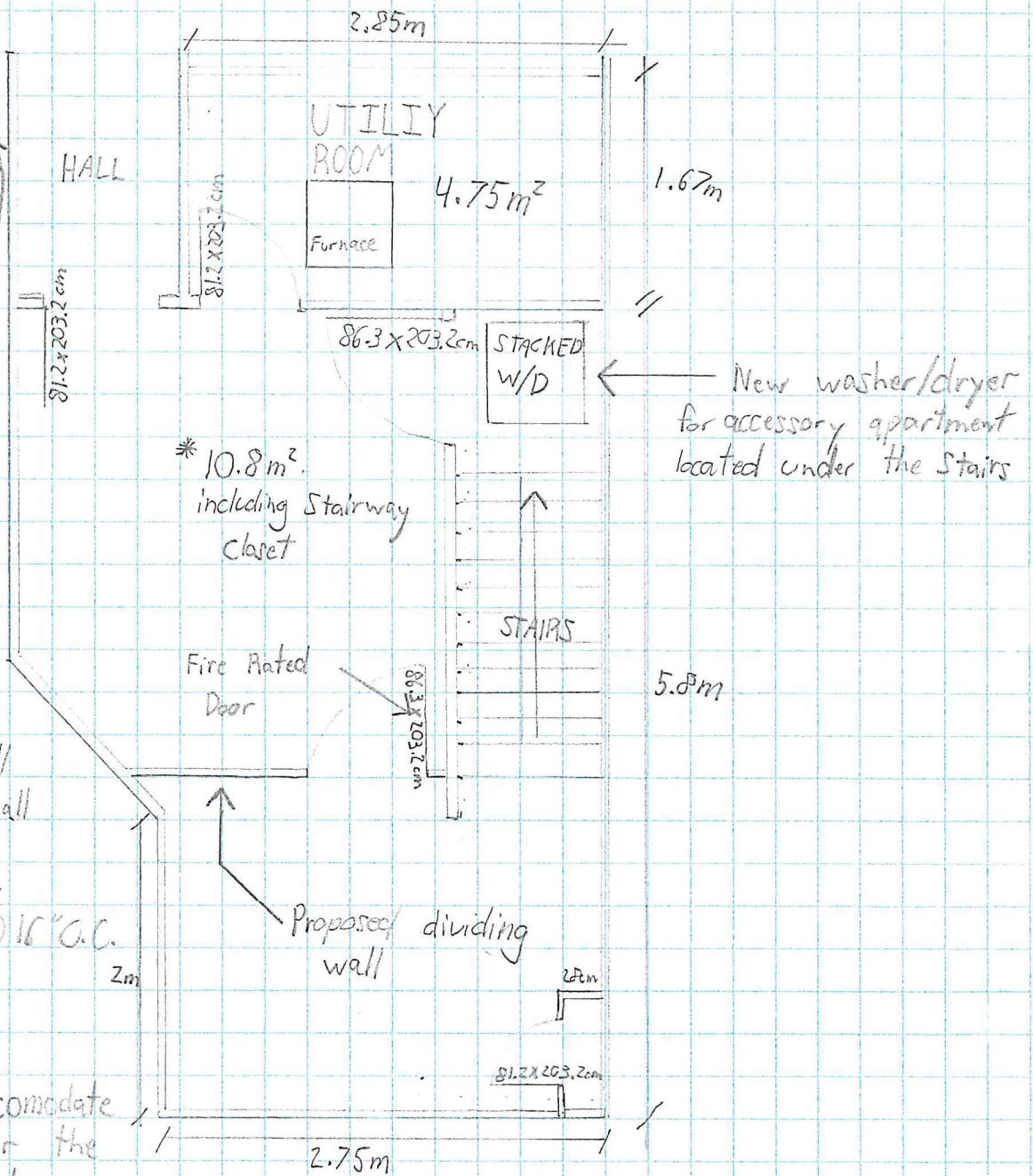
VARIANCE FOR BASEMENT 118 SEVERN DR.

Floor Area

First Floor	124.5m ²
Second Floor	124.8m ²
Basement	124.5m ²
Total	373.93m ²

$$\begin{aligned} \text{Apt \%} &= 105.67\text{m}^2 \\ &\div 249.44\text{m}^2 \\ &= 42\% \end{aligned}$$

Purposed



NOTES:

- Wall Finisher: 1/2" Drywall
- Ceiling Finisher: 1/2" Drywall
- Typical Exterior walls
- 6 mil vapour Barrier
- 2x4 Wood studs @ 16" O.C.

VARIANCE:

To add to accommodate a washer/dryer for the accessory apartment.

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 110, 2018</u>	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>B-13/18</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: 9 Eden Street, Guelph, ON

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

Part of Lot 16, East of Galt and Guelph Railway, Registered Plan 52; Part of Lot 9, Registered Plan 206, City of Guelph

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

☒ No ☐ Yes

If yes, describe:

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

☒ No ☐ Yes

If yes, explain:

None

OWNER(S) INFORMATION:

Name: Juzef & Stanislaw KUZYK

Mailing Address: 7 Eden Street

City: Guelph

Postal Code: N1H 3E2

Home Phone: _____

Work Phone: 519-824-0676

Fax: _____

Email: johnkuzyk@mail.com

AGENT INFORMATION (If Any)

Name: Jeff Buisman

Company: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph

Postal Code: N1H 3X3

Home Phone: _____

Work Phone: 519-821-2763 x 225

Fax: 519-821-2770

Email: Jeff.Buisman@vanharten.com

PURPOSE OF APPLICATION (please check appropriate space):

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

Lot line adjustment urban residential purposes. To sever 359m² of land from the
 North side of 9 Eden Street and merge it with 7 Eden Street for additional yard
 space and parking.

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

Current owners

DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) 5.0m / 9.3m	Depth (m) 50.2m	Area: (m ²) 359m²	Existing Use: Residential	Proposed Use: Residential
Existing Buildings/Structures: None			Proposed Buildings / Structures: Parking area	
Use of Existing Buildings/Structures (specify): Residential			Proposed Use of Buildings/Structures (specify): Residential (No Change)	

DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) 30.4m / 13.8m	Depth (m) 51.5m	Area: (m ²) 1,120m²	Existing Use: Residential; vacant land	Proposed Use: Residential
Existing Buildings/Structures: Greenhouse			Proposed Buildings / Structures: Eventual construction of a new dwelling	
Use of Existing Buildings/Structures (specify): Storage			Proposed Use of Buildings/Structures (specify): Residential	

TYPE OF ACCESS TO THE RETAINED LANDS

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

TYPE OF ACCESS TO THE SEVERED LANDS

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

TYPE OF WATER SUPPLY TO THE RETAINED LANDS

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

TYPE OF WATER SUPPLY TO THE SEVERED LANDS

- ☒ Municipally owned and operated ☐ Privately Owned Well
 – **Existing on lands to be added to**
☐ Other (Specify) Not required for

TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank – Proposed <input type="checkbox"/> Other (Explain)	TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank – Existing on lands to be added to <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? 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? Residential R.1B & Residential R.1B-49(H)

 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 type="checkbox"/>	<input checked="" type="checkbox"/>	ZC1618 – Approved on March 19, 2018 – By-law No. (2018)-20254
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

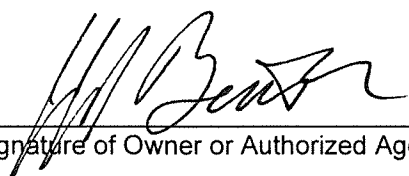
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.



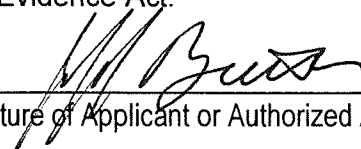
Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

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

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

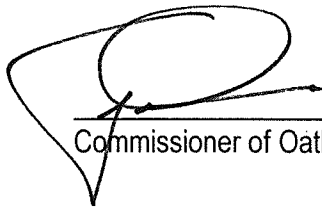

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

City of Guelph in the County/Regional Municipality of
(city or town)
Wellington this 10th day of April, 2018.


Commissioner of Oaths

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

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Stanislawa KUZYK

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

being the registered property owner(s) of

Part Lot 16, East of Galt & Guelph Railway, Reg'd Plan 52; Part Lot 9, Reg'd Plan 206,

City of Guelph / 9 Eden Street

(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.

(Authorized agent's name)

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

Dated this 28 day of March 2018.

Kuzyk Stan

(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.

April 10, 2018

14730-01

Jeff.Buisman@vanharten.com

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

Attention: Ms. Lindsay Cline

Dear Ms. Cline:

**Re: Lot Line Adjustment Application & Sketch
Previous Zoning By-law Amendment Application (ZC1618)
7 & 9 Eden Street
Part of Lot 16, East Side of Galt and Guelph Railway
Registered Plan 52 and Part of Lot 9, Registered Plan 206
PIN 71278-0406 & PIN 71278-0404
City of Guelph**

Please find enclosed an application for a lot line adjustment severance on the above-mentioned property. Included with this submission are copies of the sketch, completed application form, Site Plan, the required deeds, PIN Report and Map, and a cheque to the City of Guelph for \$1,586 for the application fee.

Proposal:

The proposal is to increase the width of the property owned by Joseph & Stanislaw Kuzyk at 7 Eden Street (PIN 71278-0404) by acquiring a 5.0m to 9.3m wide strip of land from 9 Eden Street (PIN 71278-0406), also owned by the Kuzyk's. The proposed severed parcel will have an area of 359m² and will be used for additional yard space and a parking area for the existing dwelling on 7 Eden Street. The merged parcel will be 31.0m wide and contains an existing dwelling, coach house and two sheds. The retained parcel will have a frontage of 30.4m, depth of 51.5m and an area of 1,120m² where a dwelling is proposed to be built in the future.

A previous Zoning By-law Amendment Application (#ZC1618) for the subject property was submitted and approved by Council March 19, 2018. Zoning By-law No. (2018)-20254 re-zoned the lands from Residential R.1B to a Specialized Residential R.1B-49 with a Holding Provision. The Zone Change was required in order to convert the existing garage residence into a coach house with specific regulations. One of the Holding Provisions is a lot line adjustment to sever a portion of the vacant parcel at 9 Eden Street and merge it with the house parcel at 7 Eden Street for additional yard space and parking for the existing dwelling. The coach house will have a separate parking spot in front of the building.

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

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

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

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

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.



LAND SURVEYORS and ENGINEERS

The retained parcel conforms to the Residential R.1B Zoning By-law requirements and the proposed merged parcel conforms to the new Specialized R.1B-49 (H) Zoning By-law requirements.

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

Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read "Jeff Buisman", is written over a light blue horizontal line.

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

cc Joseph & Stanislaw Kuzyk

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>Apr. 9/18</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-38/18</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: 65 Suffolk St. West

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

Registered Plan #156, part of Lots 4 & 5 PIN #71292-0136 (LT)

OWNER(S) INFORMATION:

Name: Tyler McIntyre and Cynthia Lennon

Mailing Address: 65 Suffolk St. West

City: Guelph

Postal Code: N1H 2J1

Home Phone: 226-979-4239

Work Phone: 519-821-2060 x2070

Fax: _____

Email: Mcintyre.tandc@gmail.com

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____

Postal Code: _____

Work Phone: _____

Mobile Phone: _____

Fax: _____

Email: _____

Official Plan Designation: <u>Low Density</u> (TD) General Residential	Current Zoning Designation: R1B
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):	
1) Use – Semi-Detached Dwelling – Regulation 5.1.1	<u>enlarge/extend legal non-conforming use</u> (TD)
2) Accessory Structure Setbacks/Coverage – Regulation 4.5.1.2	<u>0m setback</u> (TD)
3) Other: Uncovered Porch not more than 1.2m – Table 4.7, Row 1	<u>0m setback</u> (TD)
4) Building setbacks – right side 1.31m required 1.5m by 5.1.2	<u>not needed</u> (TD)
<u>Left Side 0m</u> (TD)	
<u>shared setback</u>	

Why is it not possible to comply with the provision of the by-law? (your explanation)	
1) Current Dwelling has existed as a Semi Detached since 1928	
2) Play Structure positioned by both parties on the lot line as a shared structure. It has a height of 2.47m, which is in compliance	
3) Proposed deck meets compliance of 0.0m from lot line if property is acknowledged as semi-detached dwelling (see variance #1)	
4) <u>Existing structure 1.31m from right property line. Proposed structure will be 1.5m in compliance.</u>	

PROPERTY INFORMATION			
Date property was purchased:	April 2010	Date property was first built on:	1928
Date of proposed construction on property:	September 2018	Length of time the existing uses of the subject property have continued:	1928-2018
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: 7.827m	Depth: 55.893m	Area: 437.47m

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

EXISTING (DWELLINGS & BUILDINGS)

Main Building

Gross Floor Area: 132 sm
Height of building: 7.8m to mid-roof

Garage/Carport (if applicable)

Attached ☐ Detached ☒

Width: 6.1m

Length: 6.1m

Driveway Width: 4.895 (easement)

Accessory Structures (Shed, Gazebo, Pool, Deck): Play Structure

Describe details, including height:

Shared Play Structure

(Strandles both our property lines) = 1.8m x 2.5m x 2.74m

PROPOSED

Main Building

Gross Floor Area: 192 sm
Height of building: 7.8m to mid-roof

Garage/Carport (if applicable)

Attached ☐ Detached ☒

Width: No Change

Length: No Change

Driveway Width: No Change

Accessory Structures (Shed, Gazebo, Pool, Deck): Play Structure

Describe details, including height:

No Change

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

EXISTING				PROPOSED			
Front Yard Setback:	5.14 M			Front Yard Setback:	5.14 M		
Exterior Side Yard (corner lots only)	M			Exterior Side Yard (corner lots only)	M		
Side Yard Setback:	Left:	0 M	Right: 1.4 M	Side Yard Setback:	Left:	0 M	Right: 1.5 M
Rear Yard Setback	39.71 M			Rear Yard Setback	34.63 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

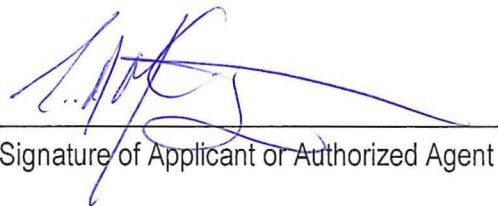
Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, _____ Tyler McIntyre and Cynthia Lennon _____, 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



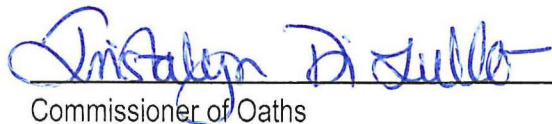
Signature of Applicant or Authorized Agent

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 9th day of April, 2018.



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)

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>Apr. 9/18</u>	Folder #: <u>A-39/18</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: 67 Suffolk St West, Guelph, N1H2J1

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

Part of Lots 4 & 5, Registered Plan 156 & Part Lot 6, Registered Plan 145

R0697288

PIN 71292-0135 (LT)

OWNER(S) INFORMATION:

Name: Matthew Shacklady & Jennifer McCready

Mailing Address: 67 Suffolk St West

City: Guelph

Postal Code: N1H 2J1

Home Phone: 519-822-3618

Work Phone: 519-831-9042

Fax: _____

Email: Mccready_shacklady@yahoo.ca

AGENT INFORMATION (If Any)

Company: _____

Name: _____

Mailing Address: _____

City: _____

Postal Code: _____

Work Phone: _____

Mobile Phone: _____

Fax: _____

Email: _____

<p><i>TD Low Density</i></p> <p>Official Plan Designation: General Residential</p>	Current Zoning Designation: R1B
--	---------------------------------

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

Use- Proposed Semi Detached Dwelling in R1B area- (Not Permitted)- Regulation 5.1.1

enlarge/extend legal non-conforming use (TD)

Building Setbacks- Proposed Left Side 0.9m, Right Side 0m- (Required 1.5m)- Regulation 5.1.2.7 (i), Table 5.1.2, row 7

Accessory Structure- Shed- Proposed Setback 0.29m- (Required 0.6m)- Regulation 4.5.1.2

Accessory Structure- Playhouse- Proposed Setback 0m- (Required 0.6m)- Regulations 4.5.1.2

Other: Exterior Stair- Proposed Setback 0m- (Required 0.6m)- Table 4.7, row 12

Other: Uncovered Porch not more than 1.2m- Proposed Setback 0.1m- (Required 0.6m)- Table 4.7, row 1

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

Use- This building has existed for 90 years as a semi-detached dwelling on the property.

Building Setbacks- Right side @ 0m due to semi-detached nature of building. Left side- The existing home is already outside the setbacks. We have reduced the width of the addition from the original structure of the house to come as close as possible to the bylaw while still maintaining a livable space inside and reducing the visual massing at the side of the house. We do not have the ability to add square footage to the front or sides of this property. The lot line jogs into the property rather unexpectedly, making it impossible to have an addition in line with the current house and making it awkward, even with a reduced width, to meet the setback requirements along this angled line.

Accessory Structure- The shed was positioned for maximum efficient property usage and has been in place for 10 years. Height is 2.2m- compliant.

Accessory Structure- The play "structure" was positioned by both parties as shared play equipment on the lot line. Height is 2.74m- compliant. See also definition of 'structure' not including play equipment.

Other- Exterior Stair- The exterior stair would be most effective on the shared lot line so that we maximize our use of the backyard area and do not impede access down the outer side of the house or get too close to the outer lot line. See also 5.2.2.4- permissible if we are semi-detached.

Other- Uncovered Porch- The porch allows us entry into the 1st level of the house without restricting our use of the backyard. The plan for #65 is to also have stairs/porch on the 'inside' of the yard so that we each have our stairwells on the interior side of the properties- not unlike the front of our houses. See also Table 4.7, row 1 *** (Note 3), where the allowable setback is 0.0 where a dwelling requiring 0.0 side lot (such as a semi-detached building) is permitted. See also 5.2.2.4- permissible if we are semi-detached.

PROPERTY INFORMATION

Date property was purchased:	Mar 2007	Date property was first built on:	1928
Date of proposed construction on property:	Sept 2018	Length of time the existing uses of the subject property have continued:	90 years

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

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

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

Frontage: 7.388m Depth: 55.992m Area: 413.669m²

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:	132 sq m		Gross Floor Area:	191 sq m	
Height of building:	7.8m to mid-roof		Height of building:	7.8m to mid-roof	
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: Shed- 2x3m, height 2.2m Play Structure- 1.8x2.5m, height 2.74m			Describe details, including height: Shed- 2x3m, height 2.2m Play Structure- 1.8x2.5m, height 2.74m		

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

EXISTING			PROPOSED		
Front Yard Setback:	5.09 M		Front Yard Setback:	5.09 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 1.02 M	Right: 0 M	Side Yard Setback:	Left: 0.9 M	Right: 0 M
Rear Yard Setback	<i>to bottom of stairs -</i> 36.610 M		Rear Yard Setback	<i>to new addition -</i> 36.610 M	

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

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

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water ☒ Sanitary Sewer ☒ Storm Sewer ☒

If not available, by what means is it provided:

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

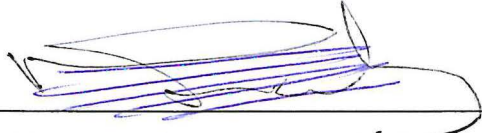
A sign will be made available to you upon once the application has been processed and hearing time set. You are directed to post the sign in a prominent location that will enable the public to observe the sign. The location of each sign will depend on the lot and location of structures on it; however,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

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

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

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

THE HEARING.



Signature of Owner or Authorized Agent



Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, _____ Matthew Shacklady & Jennifer McCready _____, 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

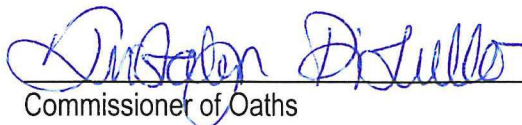


Signature of Applicant or Authorized Agent

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 _____

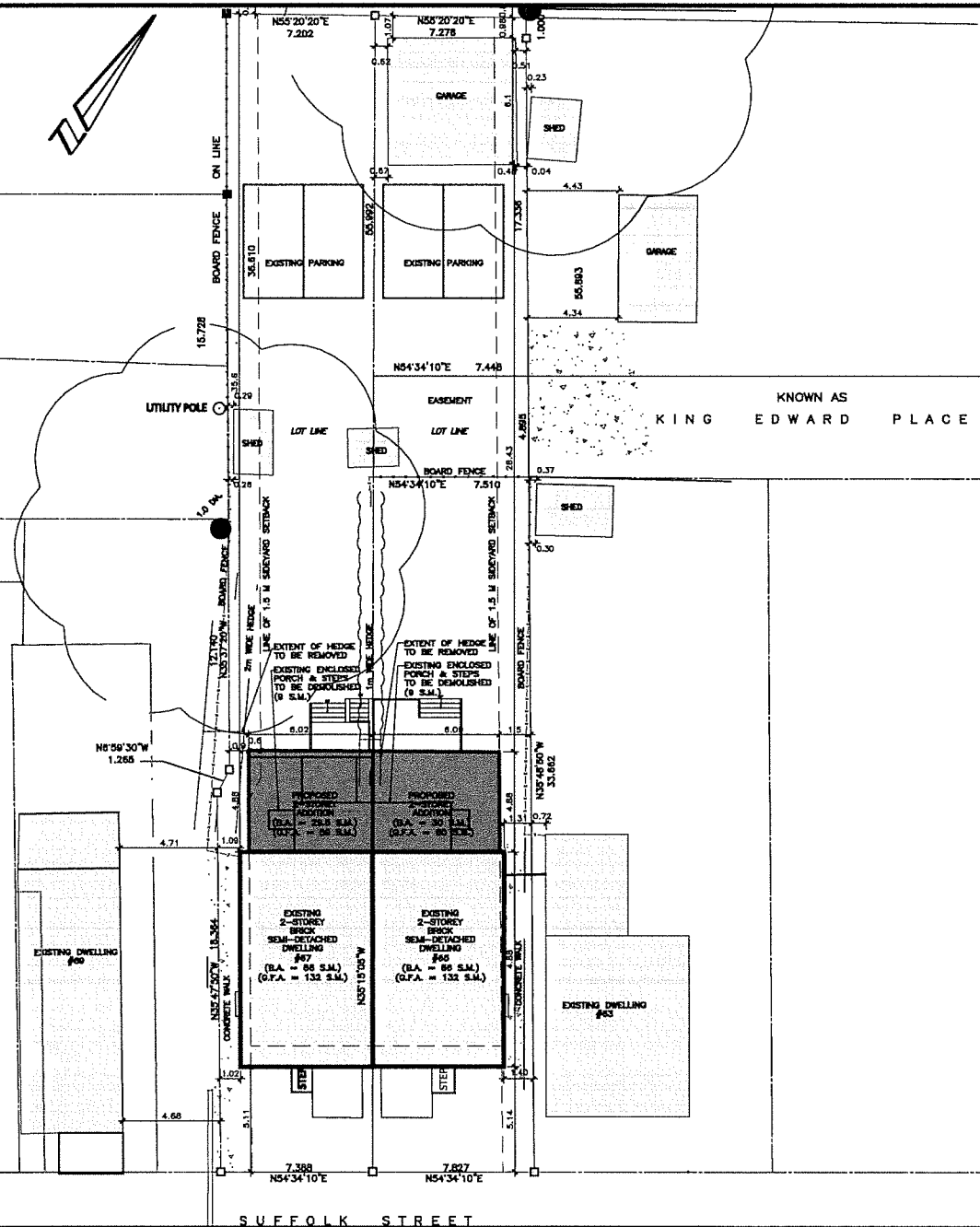
_____ Wellington _____ this 9th day of April, 2018.


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)

,



1 SITE PLAN
A1.0 SCALE: 1:250 METRIC

PROJECT:
HOUSE ADDITION
65-67 SUFFOLK ST.
GUELPH, ON

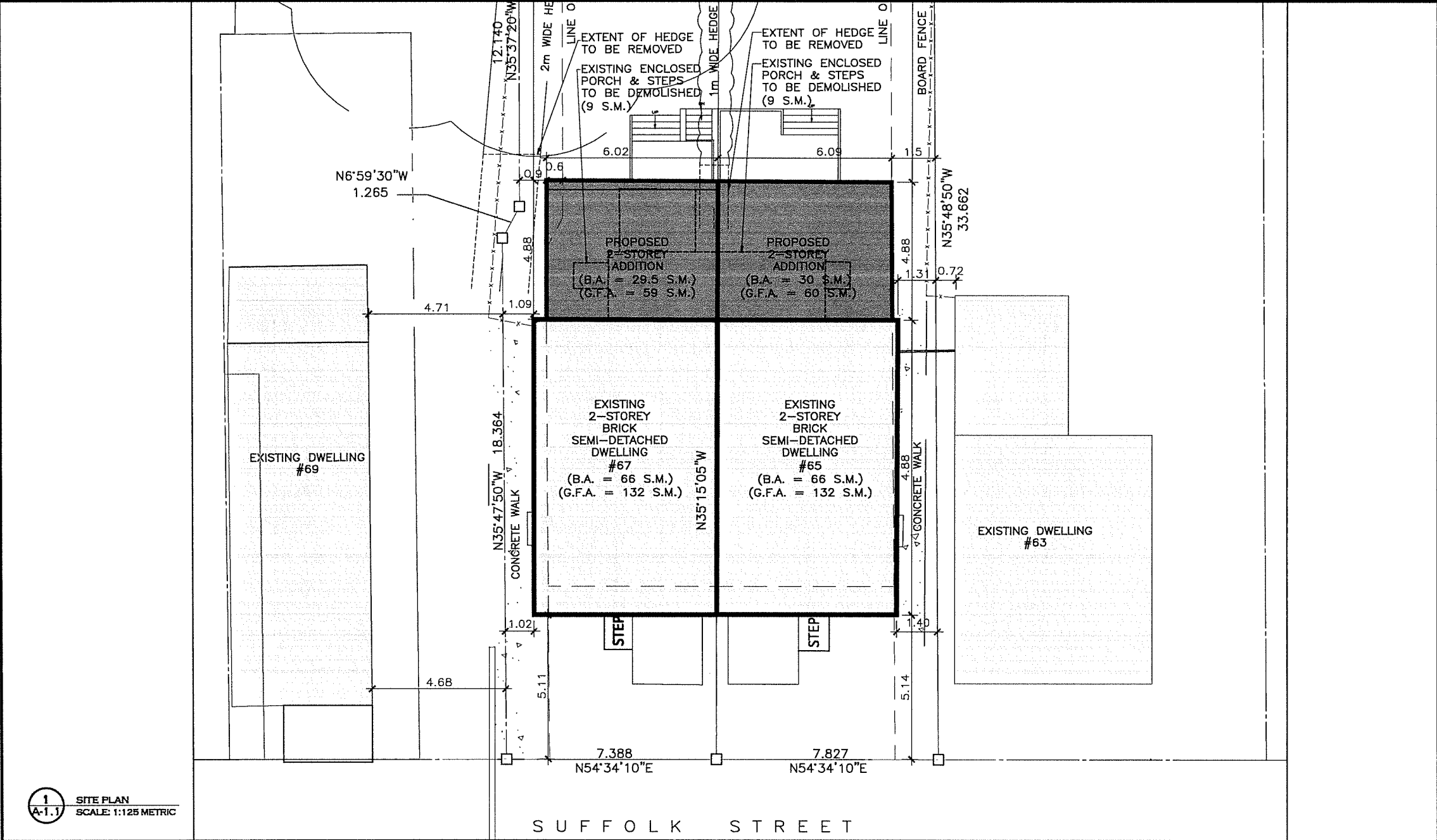
DRAWING:
SITE PLAN

OWNER'S GENERAL CONTRACTOR TO
VERIFY ALL DIMENSIONS ON SITE PRIOR
TO THE COMMENCEMENT OF THE
WORK. REPORT ANY DISCREPANCIES
TO THE DESIGNER. DO NOT SCALE
DRAWINGS.

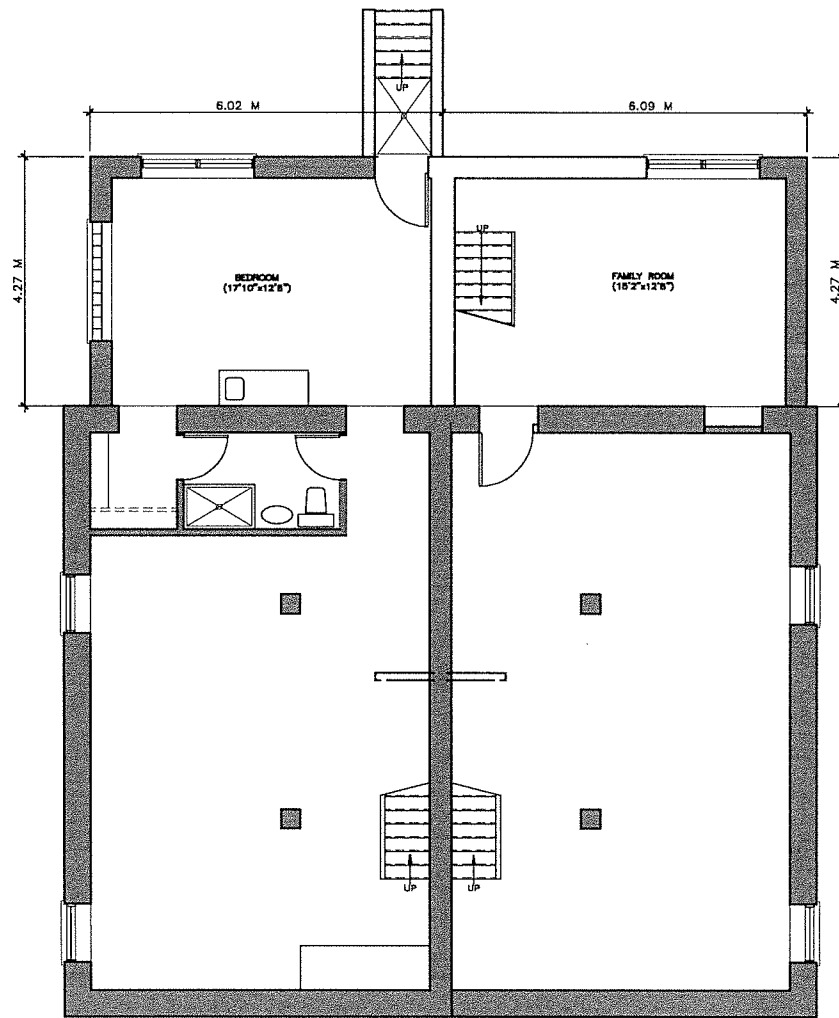
SCALE:
1:250 METRIC

DATE: 22.JAN.2018
DRAWN BY: TD
STATUS: ISSUED FOR REVIEW

A1.0



	PROJECT: HOUSE ADDITION 65-67 SUFFOLK ST. GUELPH, ON	DRAWING: SITE PLAN	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: 1:125	DATE: 22.JAN.2018	A1.1
					DRAWN BY: TD	
					STATUS: ISSUED FOR REVIEW	



1
A-2

PROPOSED BASEMENT FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT:
HOUSE ADDITION
65-67 SUFFOLK ST
GUELPH, ON

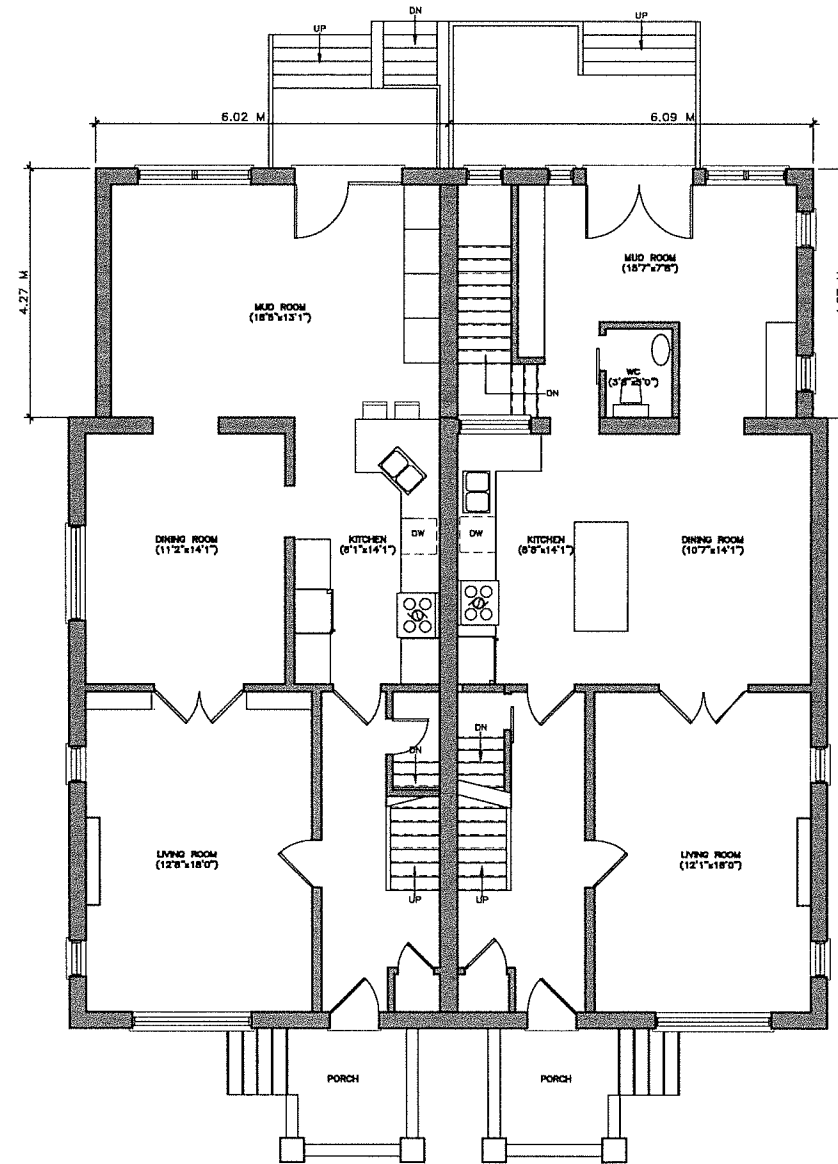
DRAWING:
PROPOSED BASEMENT
FLOOR PLAN

OWNER'S GENERAL CONTRACTOR TO
VERIFY ALL DIMENSIONS ON SITE PRIOR
TO THE COMMENCEMENT OF THE
WORK. REPORT ANY DISCREPANCIES
TO THE DESIGNER. DO NOT SCALE
DRAWINGS.

SCALE:
1/8" = 1'-0"

DATE: 22.JAN.2018
DRAWN BY: TD
STATUS: ISSUED FOR REVIEW

A-2



1
A-3 PROPOSE GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

PROJECT:

HOUSE ADDITION
65-67 SUFFOLK ST
GUELPH, ON

DRAWING:

**PROPOSED GROUND
FLOOR PLAN**

OWNER'S GENERAL CONTRACTOR TO
VERIFY ALL DIMENSIONS ON SITE PRIOR
TO THE COMMENCEMENT OF THE
WORK. REPORT ANY DISCREPANCIES
TO THE DESIGNER. DO NOT SCALE
DRAWINGS.

SCALE:

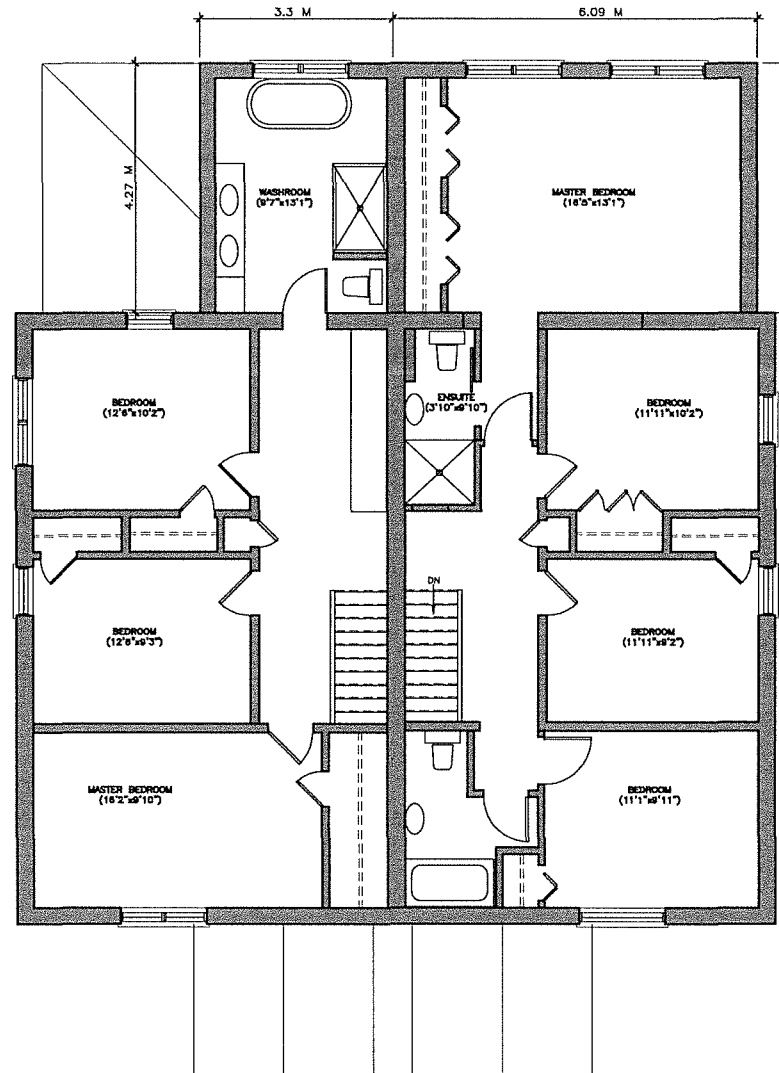
1/8" = 1'-0"

DATE: 22.JAN.2018

DRAWN BY: TD

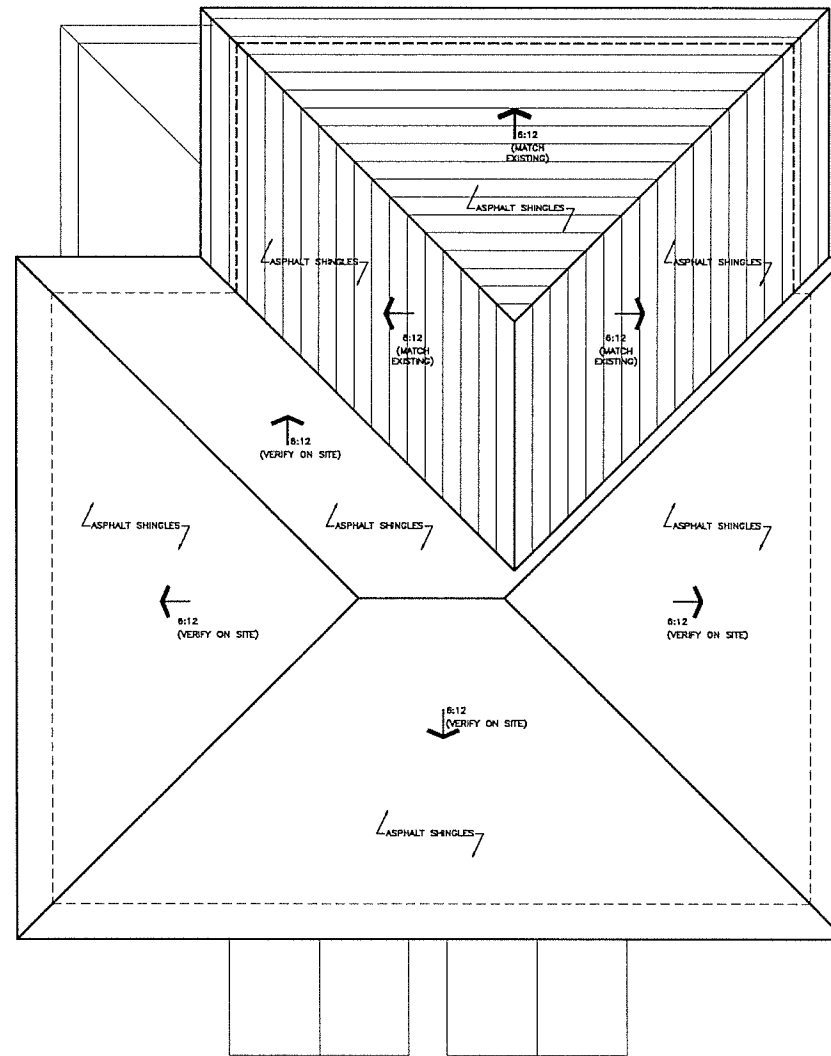
STATUS: ISSUED FOR REVIEW

A-3



1
A-4 PROPOSED 2ND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

	PROJECT: HOUSE ADDITION 65-67 SUFFOLK ST GUELPH, ON	DRAWING: PROPOSED 2ND FLOOR PLAN	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: 1/8" = 1'-0"	DATE: 22.JAN.2018	A-4
					DRAWN BY: TD	
					STATUS: ISSUED FOR REVIEW	



1
A-5
PROPOSED ROOF PLAN
SCALE: 1/8" = 1'-0"

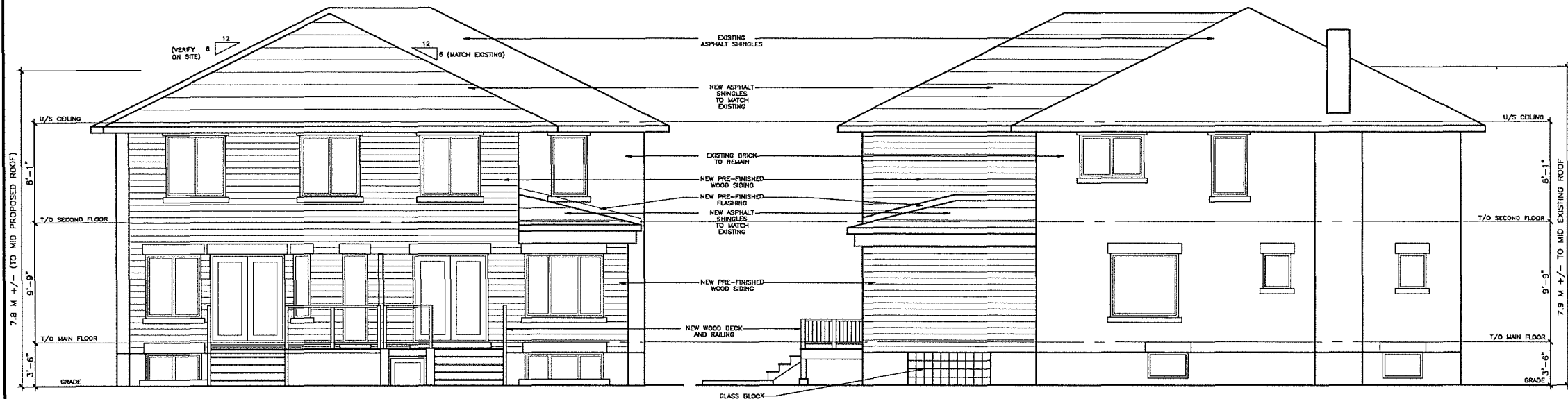
	PROJECT: HOUSE ADDITION 65-67 SUFFOLK ST GUELPH, ON	DRAWING: PROPOSED ROOF PLAN	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: 1/8" = 1'-0"	DATE: 22.JAN.2018 DRAWN BY: TD STATUS: ISSUED FOR REVIEW	A-5
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1
A-6 **SOUTH ELEVATION (EXISTING TO REMAIN)**
SCALE: 1/8" = 1'-0"

2
A-6 **PROPOSED EAST ELEVATION**
SCALE: 1/8" = 1'-0"

	PROJECT: HOUSE ADDITION 65-67 SUFFOLK ST GUELPH, ON	DRAWING: PROPOSED SOUTH & EAST ELEVATIONS	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: 1/8" = 1'-0"	DATE: 22.JAN.2018 DRAWN BY: TD STATUS: ISSUED FOR REVIEW	A-6
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1
A-7
PROPOSED NORTH ELEVATION
SCALE: 1/8" = 1'-0"

2
A-7
PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

	PROJECT: HOUSE ADDITION 65-67 SUFFOLK ST GUELPH, ON	DRAWING: PROPOSED NORTH & WEST ELEVATIONS	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: 1/8" = 1'-0"	DATE: 22.JAN.2018 DRAWN BY: TD STATUS: ISSUED FOR REVIEW	A-7

REAR YARD #69, HEDGES LINE #67 ↗



REAR YARD #67 SURFACE ↗



HEDGE RACE BETWEEN #67 AND #69 ↗



REAR YARD #69 SURFACE ↗



REAR YARD #65 SURFACE ↗



VACANT LOT HIGHER GRADE ↗



FRONT DOWNSPOUTS ↗



INFLATABLE CATCH BASIN, REAR #65 ↗



REAR DOWNSPOUTS ↗

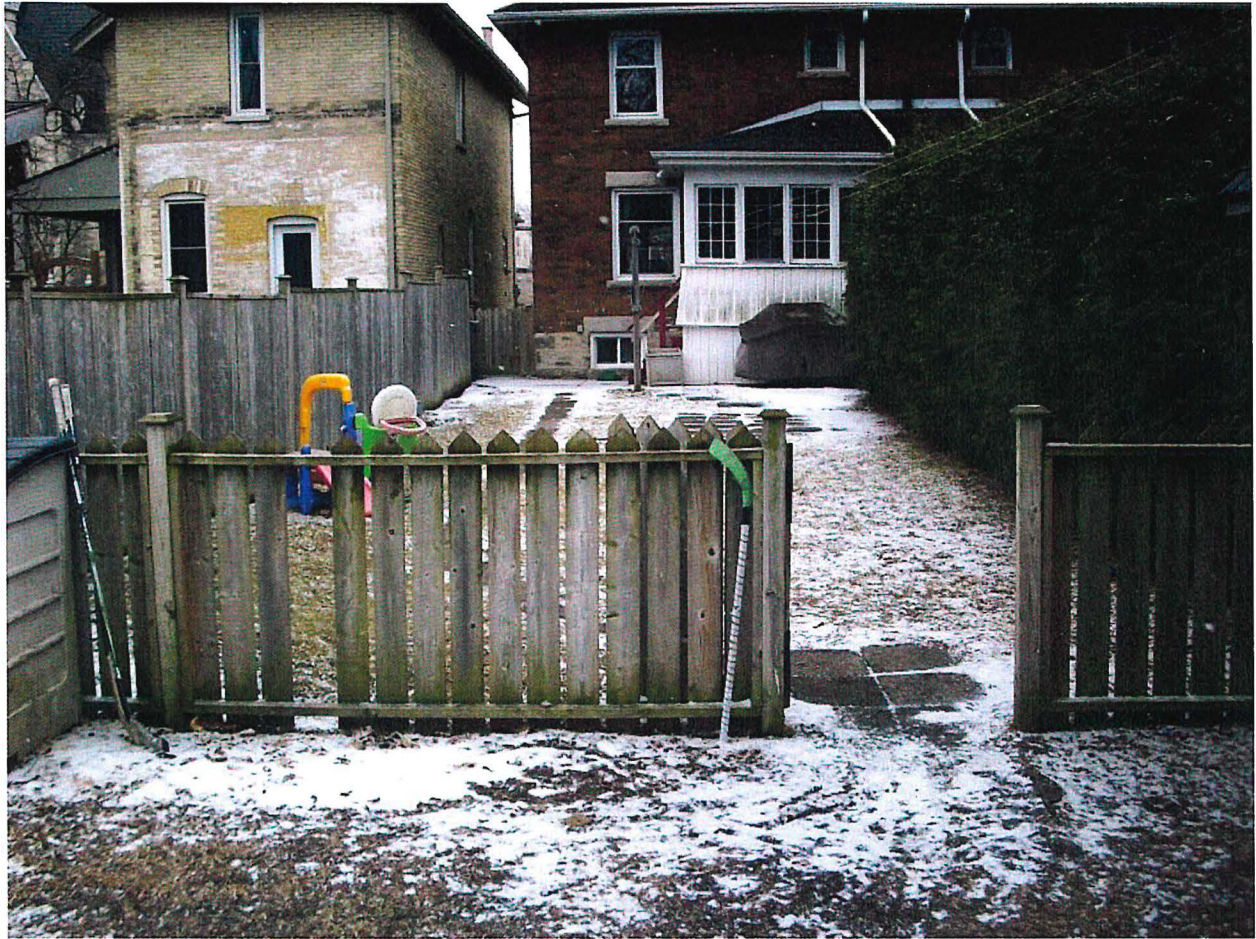




Front downspouts

67 suffolk st w | 65 Suffolk St. W.

Van Harten site review



rear yard 65 Suffolk St. W.

VanHarten site review



rear downspouts
existing porch.

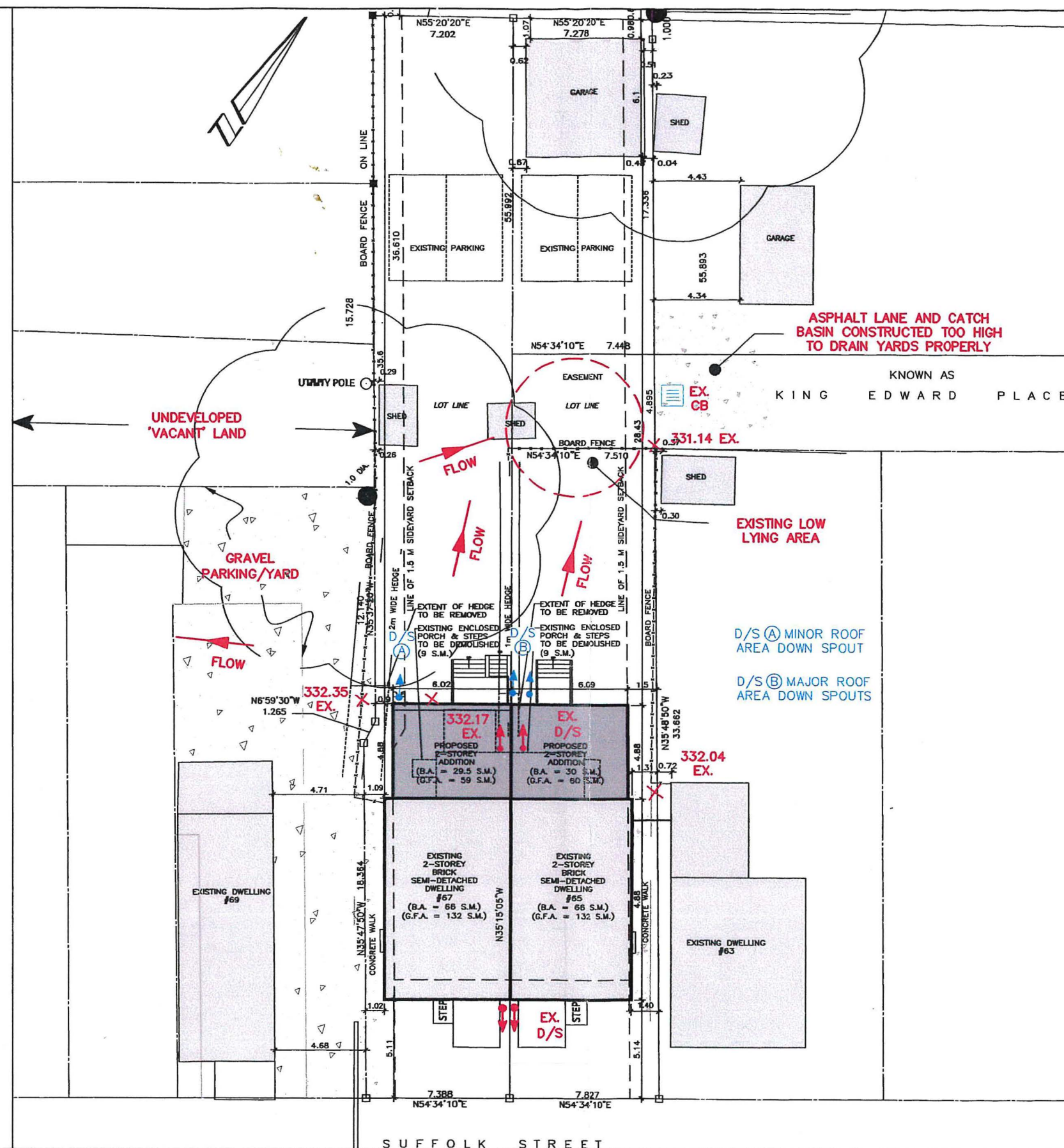
Van Harten site review

rear yard @ 65 Suffolk w.

play structure.



Laneway Storm Drain
@ King Edward Place



VAN HARTEN SURVEYING INC MARK-UP LEGEND	
ABC	EXISTING IN RED
ABC	PROPOSED IN BLUE
	CATCH BASIN
	FLOW ARROWS
	D/S

1
A1.0 SITE PLAN
SCALE: 1:250 METRIC

PROJECT: HOUSE ADDITION 65-67 SUFFOLK ST. GUELPH, ON	DRAWING: SITE PLAN	OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS.	SCALE: 1:250 METRIC	DATE: 15.JAN.2018	A1.0
				DRAWN BY: TD	
				STATUS: ISSUED FOR REVIEW	

March 16, 2018
Project 25154-17
will.verwey@vanharten.com

Engineering and Capital Infrastructure Services
City of Guelph
1 Carden Street
Guelph, ON
N1H 3A1

Attention: Shophan Daniel

Dear Sir,

**Re: Minor Variance Application
65 and 67 Suffolk Street
City of Guelph**

On March 12, 2018 I attended the site. The following is my summary of the existing drainage patterns. I think you will come to the same conclusions that I have once you review the site. I have attached a pdf of a markup of the client's sketch that illustrates a few items to note as well as a few elevations taken from our building location survey. We do not have a topographic available for this property. As this is for an addition permit only, it typically does not require (or warrant the expense of) a full topographic survey.

Consistent with the older areas of the City, the drainage of this general area is a bit haphazard and can never meet or be made to meet current design standards. Having said that, the rear yard of the subject property has adequate drainage away from the semi-detached dwelling out to the area in the vicinity of the sheds and laneway of #65 and #67 Suffolk Street. This area around the sheds is the lowest point of the yards and is periodically subject to ponding during heavy rain events. This ponding is mostly at #65's rear yard and the fence that abuts the access easement. It is not possible to regrade this low area to alleviate this intermittent ponding due to the low grade of the existing garage of #65 Suffolk, and the matching grade of the rear yard of the abutting property at #63 Suffolk. The surrounding areas are just not high enough to allow any regrading. Again this situation is consistent with the older areas of the City. The historical drainage pattern must remain. The only possible way to alleviate this ponding would be to regrade the paved City laneway to a slightly lower elevation, and to lower with it the City catch basin located at this lane way's end so that it will more readily accept runoff from the surrounding properties.

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

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

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

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

www.vanharten.com

R.P. Magahay, B.A. J.E. Buisman, B.Sc., O.L.S. R.M. Mak, B.Sc., O.L.S. J.M. Laws, B.Sc., O.L.S. J.M. Duffy, P.Eng.



LAND SURVEYORS and ENGINEERS

The hedge along the west limit of #67 Suffolk is a ridge line more or less between that property and #69 Suffolk. The rear yard of #69 Suffolk is completely gravel with drainage away from its foundation to a rudimentary apron swale of sorts that then sheets off to the west. It is doubtful that #67 Suffolk contributes any drainage to #69 Suffolk's property.

If the downspouts of the proposed addition are located consistent with their current location and their discharge direction (see my attached sketch) then the drainage of the subject lot will remain more or less self-contained just as it currently is. After the proposed addition is built, the historical drainage patterns of this immediate area will remain as they have always been. The slight increase in impervious area of the proposed addition may cause a slight increase in ponding on this property, but is consistent with what they experience now and can only be alleviated by lowering the City catch basin.

As building permits for additions are not normally subject to the Engineering department's review, we are hoping that other than insisting that the downspouts of the proposed addition are directed to discharge only into the rear yard of the subject property that there is not much more Engineering oversight warranted for this minor variance. I do think that the City should investigate lowering the grade at the end of the City laneway to improve the drainage situation for this general area.

Please review and let me know if you require anything further from us so that Engineering can support this minor variance application.

Very truly yours,
Will Verwey

Van Harten Surveying Inc.

Encl. House Addition Sketch
Encl. Property Photos

COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



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

OFFICE USE ONLY

Date Received: April 10, 2018

Application #:

Application deemed complete:

☒ Yes ☐ No

B-14/18

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 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: 129 Elmira Road South

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

Parts 1, 2, 3, 4, 23, 24, and 26 on Plan 61R-20091 (copy of plan attached – See Figure 3)

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

☐ No ☒ Yes

If yes, describe: Access & servicing easements with adjacent Costco site.

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

☐ No ☒ Yes

If yes, explain: Access & servicing easements with adjacent Costco site.

OWNER(S) INFORMATION:

Name: Armel Corporation

Mailing Address: 199 Bay St, Suite 2900, P.O. Box 459

City: Toronto

Postal Code: M5L 1G4

Home Phone: _____

Work Phone: 416 214 6833

Fax: _____

Email: chris@armel.ca

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**
☒ **Easements**
☐ 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

See cover letter for explanation of easements being requested.

See attached sketch (Fig 2) for details of lot to be created (severed) & details of easements.

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:
Severed parcel to be retained by a separate Armel company and leased to Lowe's.

DESCRIPTION OF LAND INTENDED TO BE SEVERED – see attached Sketch – Figure 1

Frontage / Width: (m) See sketch – Figure 1	Depth (m) See sketch – Figure 1	Area: (m ²) See sketch – Figure 1	Existing Use: Vacant	Proposed Use: Commercial
Existing Buildings/Structures: None			Proposed Buildings / Structures: Lowe's	
Use of Existing Buildings/Structures (specify): n/a			Proposed Use of Buildings/Structures (specify): Commercial / Retail	

DESCRIPTION OF LAND INTENDED TO BE RETAINED – see attached Sketch – Figure 1

Frontage / Width: (m) See sketch – Figure 1	Depth (m) See sketch – Figure 1	Area: (m ²) See sketch – Figure 1	Existing Use: Vacant	Proposed Use: Future Retail
Existing Buildings/Structures: None			Proposed Buildings / Structures: Commercial - subject to future site plan approval	
Use of Existing Buildings/Structures (specify): n/a			Proposed Use of Buildings/Structures (specify): Commercial / Retail	

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) – Access by way of easement**

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?

Community
Mixed Use Node Centre (TD)

Does the proposal conform?

☒ YES

☐ NO

If No, has a separate application for an Official Plan Amendment been made?

☐ Yes

☐ No

FILE No.:

Status:

What is the current zoning of the subject lands?

CC - 24

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.: B-17/13

Status: Approved – parcel transferred to Costco 07/18/13

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 type="checkbox"/>	<input checked="" type="checkbox"/>	SP15C030 – dwg package is approved / awaiting execution of site plan agreement
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Minor Variance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN


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

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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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, Chris Corosky, of the City of _____
 (town, city)

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 of Toronto in the County/Regional Municipality of _____
 (city or town)
 this 9th day of April, 2018.

Arthur McLeod
 Commissioner of Oaths

(official stamp of Commissioner of Oaths)

APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Armel Corporation

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

being the registered property owner(s) of

129 Elmira Road South. Parts 1, 2, 3, 4, 23, 24, and 26 on Plan 61R-20091

(Legal description and/or municipal address)

hereby authorize Chris Corosky

to submit application(s) to the Committee of Adjustment in relation to the application.

Dated this 10th day of APRIL 2018.

Chris Corosky, Vice President
(I have 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.



City of Guelph
1 Carden Street
Guelph, Ontario Canada
N1H 3A1

April 10, 2018

Attention: Ms. Trista Di Lullo, Secretary-Treasurer, Committee of Adjustment

Re: 129 Elmira Road South – Application for Parcel Severance & Easements (Armel / Lowes)

With respect to our above noted property and further to my previous discussions with City staff, attached is our application to the Committee of Adjustment for easements and a land severance to facilitate the proposed Lowe's home improvement centre.

The Committee previously approved easements and a severance to accommodate the adjacent Costco, which is now operating just to the north of the proposed Lowes area. The current applications to the Committee will sync with previous Costco approvals, and enable the proposed Lowe's to occupy the Severed Commercial parcel, with future Armel retail development to occur on the Retained Commercial parcel (attached Figure 1).

The Severed Commercial Parcel and Retained Commercial Parcel are designated Mixed Use Node and zoned CC-24. This application, and the proposed development fully conforms with both the Official Plan and the Zoning By-law. The Lowes site layout on the Severed Commercial parcel has been reviewed by the City's Site Plan Committee. All site plan drawings and reports for the proposed Lowe's are now in an approvable form, so all that is required to formalize site plan approval is the execution of the site plan agreement.

As noted, there are two components to this application, a parcel severance, and various easements for access, servicing, and utilities, and maintenance:

1. The requested parcel severance corresponds to the proposed Lowe's lease line. Armel will retain ownership of the Severed Commercial parcel. This approach best facilitates our dealings with Lowe's and will greatly simplify future property tax assignment. Attached Figure 1 illustrates the location of the proposed Severed Commercial parcel, the Retained Commercial parcel, Additional Retained Lands, and the location of the previous severance granted for the Costco parcel.
2. The required easements listed below correspond to the lettering on the attached colour coded sketch (attached Figure 2) that illustrates each of the following:
 - a. An easement in favour of the Severed Commercial Parcel over the Retained Commercial Parcel for municipal services to the Severed Commercial Parcel (storm sewer, sanitary sewer, water) over the Retained Commercial parcel.
 - b. An easement in favour of the Severed Commercial Parcel over the Retained Commercial Parcel for utilities to the Severed Commercial Parcel (gas, hydro, phone, cable, etc) over the Retained Commercial parcel.
 - c. An easement in favour of the Retained Commercial Parcel over the Severed Commercial Parcel to enable hydro looping from the transformer on the Severed Commercial parcel back out to the Retained Commercial parcel.

... / 2

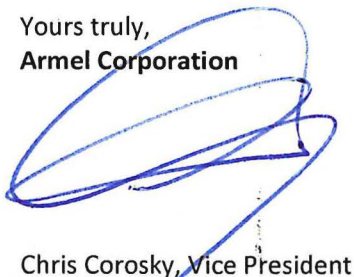
- d. An easement in favour of the Retained Commercial Parcel over the Severed Commercial Parcel to provide for vehicular and pedestrian connection between the Costco lands and the Severed and Retained Commercial parcels – marked as the Costco easement on Figure 2.
- e. An Access Drive easement (i) in favour of the Severed Commercial Parcel and (ii) in favour of the Additional Retained Lands, in each case over the main driveway on the Retained Commercial Parcel into the site from Elmira Road to the Severed Commercial parcel.
- f. Mutual driveway access easements between the Retained Parcel and Severed Commercial parcels in favour of each other over the proposed Shared Drive Aisle. The proposed severance line runs down the centre of the proposed Shared Drive Aisle.
- g. General (blanket) easement: (i) in favour of the Severed Commercial parcel over the common areas of the Retained Commercial Parcel to provide access from the Severed Commercial parcel for pedestrian and vehicular ingress and egress, and access to the proposed pylon sign located on the Retained Commercial parcel; (ii) in favour of the Retained Commercial Parcel over the common areas of the Severed Commercial Parcel to provide an easement for access from the Retained Commercial parcel across the Severed Commercial Parcel to the retaining wall; and (iii) in favour of the Additional Retained Lands to provide access across the common areas of the Severed Commercial parcel for pedestrian and vehicular ingress and egress, and access to the drainage swale located just behind the Severed Commercial Parcel on the Additional Retained Lands (in the Township).

In addition to the illustrative sketches (Figures 1 and 2), also attached hereto are:

- i. A copy of deposited Reference Plan 61R-20091. This reference plan was prepared to describe the land previously severed as the Costco parcel. Conversely Plan 61R-20091 also describes current remaining Armel lands that are the subject of this application (Figure 3)
- ii. A copy of a draft reference plan that describes the parcel to be severed, and the proposed easements a through f noted above (Figure 4).

We look forward to discussing our application at the May 10th 2018 meeting of the Committee of Adjustment. If you have any questions in the meantime, please feel free to contact me.

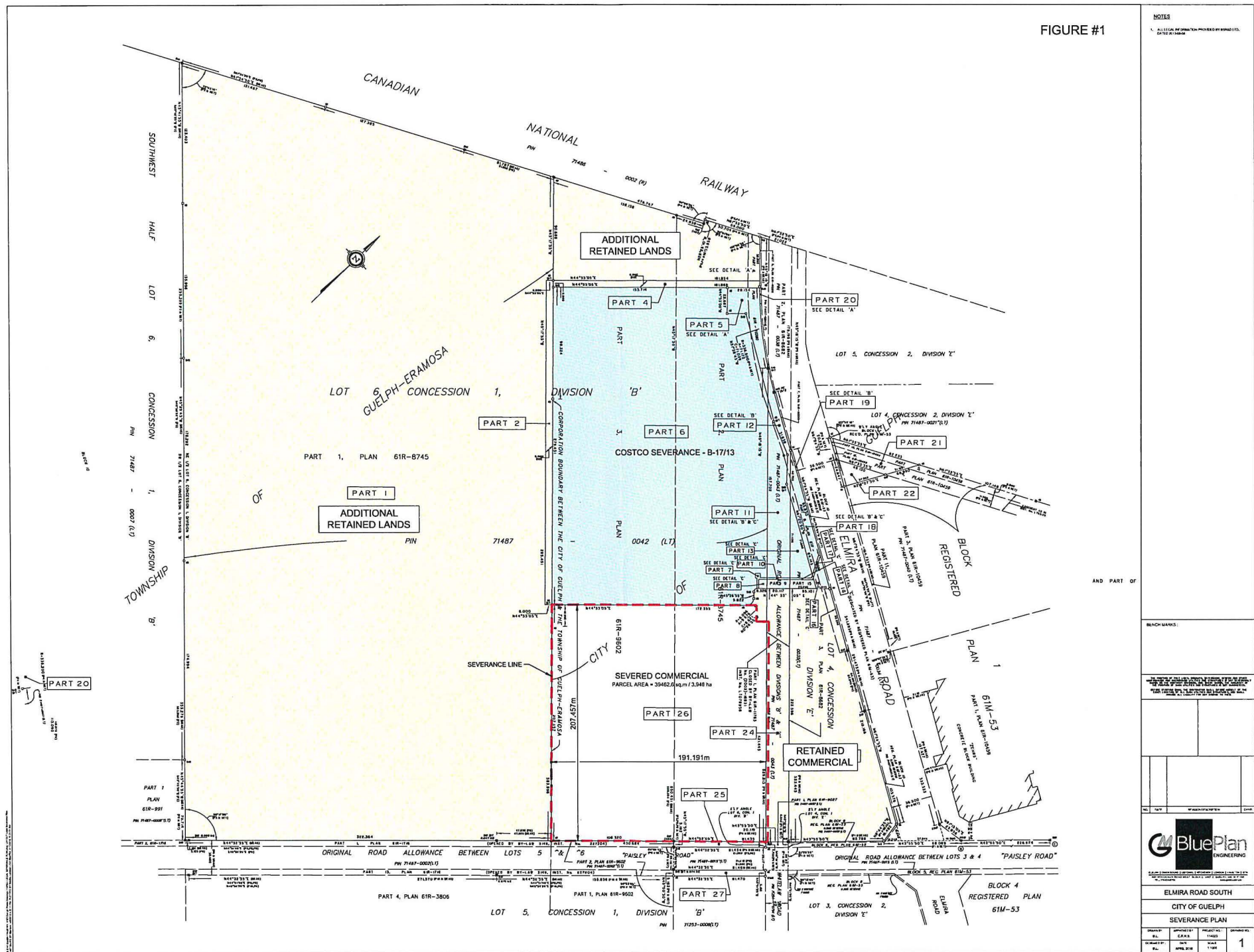
Yours truly,
Armel Corporation

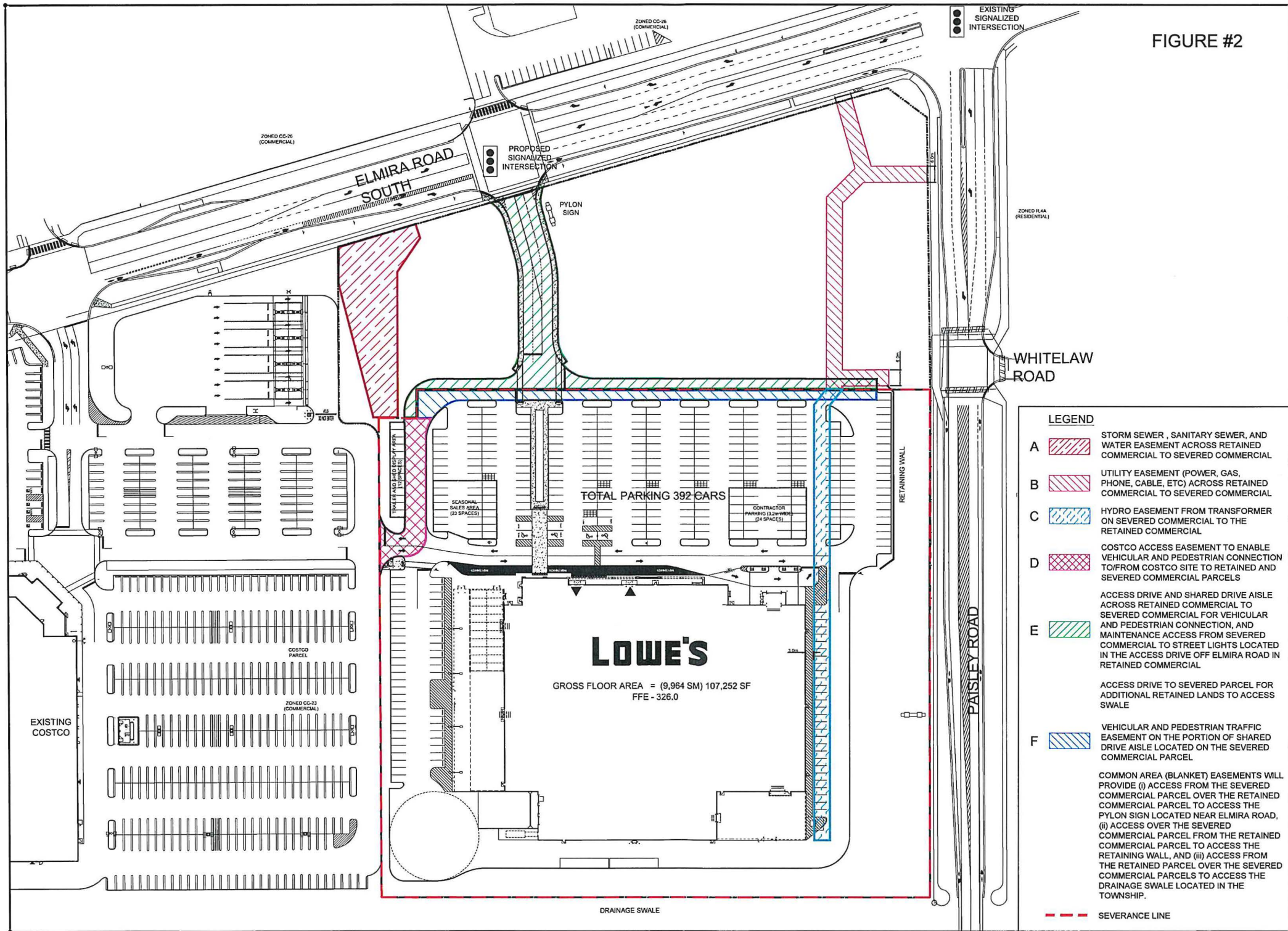


Chris Corosky, Vice President

Attachments

Completed Application Form
Figure 1 – Severance Plan
Figure 2 – Easement Sketch
Figure 3 – Reference Plan 61M-20091
Figure 4 – Draft Reference Plan describing severed parcel & easements

[illegible]



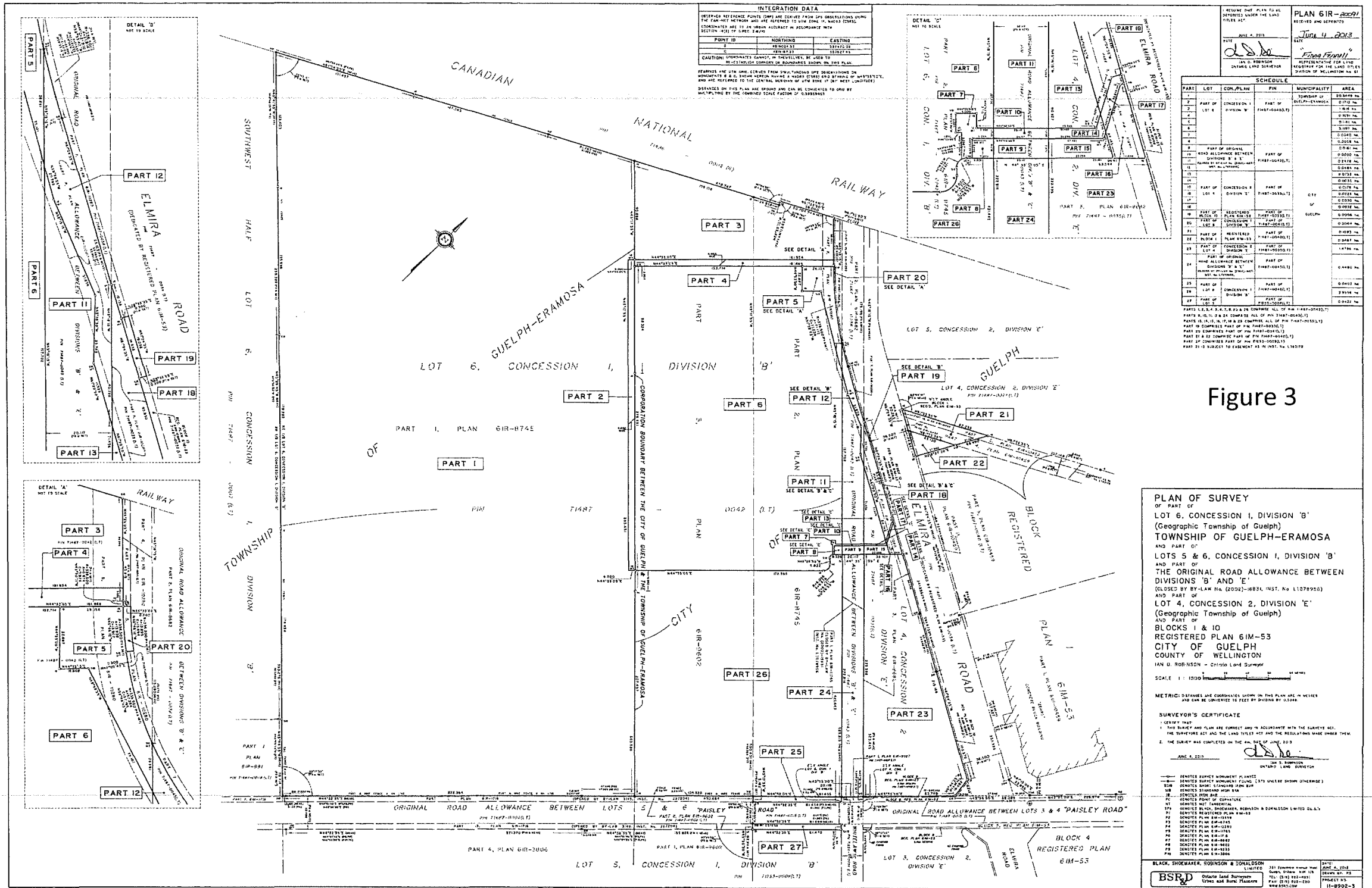


Figure 4

