

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept 14/17</u>	Folder #: <u>A-72/17</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: 50 NORWICH ST W

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

LOT 835, Registered Plan 8

OWNER(S) INFORMATION:

Name: Julie + Andrew Goodwin
Mailing Address: 50 Norwich St. W.
City: Guelph Postal Code: N1H 2G9
Home Phone: 519 827-9386 Work Phone: 519 840-1964
Fax: — Email: juliegoodwin21@yahoo.ca

AGENT INFORMATION (If Any)

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

Official Plan Designation: <u>General Residential</u>	Current Zoning Designation: <u>R.1.B</u>
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):	
Exterior side yard setback 0.14m Section 5.1.2.7(i)	
Required rear yard setback 3.13m * Table 5.1.2 Row 8	
- Variance request is for 1.28m	

Why is it not possible to comply with the provision of the by-law? (your explanation)
Our existing covered porch already encroaches into the required setback of our rear yard. We would like to enclose this space to utilize it all year. The actual building area based on the zoning bylaw is a small fraction of the already existing structure. Therefore we are applying for a minor variance to address this issue.

PROPERTY INFORMATION			
Date property was purchased:	<u>July, 2008</u>	Date property was first built on:	<u>1870</u>
Date of proposed construction on property:	<u>Spring 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.): <u>Residential</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <u>Residential</u>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	<u>10.97m</u>	Depth:	<u>15.58m</u>
		Area:	<u>171m²</u>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	84.5 m ²		Gross Floor Area:	99.8 m ²	
Height of building:	1 storey		Height of building:	1 storey	
Garage/Carport (if applicable)	— N/A		Garage/Carport (if applicable)	— N/A	
Attached <input type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:	no change	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: small storage shed at side of house			Describe details, including height: no change.		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	1.55		M	Front Yard Setback:	1.55 M
Exterior Side Yard (corner lots only)	0.27		M	Exterior Side Yard (corner lots only)	0.27 M
Side Yard Setback:	Left: 2.05 M	Right: M		Side Yard Setback:	Left: 2.05 M Right: M
Rear Yard Setback	3.13m 0.91		M	Rear Yard Setback	1.28 M

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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

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


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Julie Goodwin, 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.

Julie Goodwin
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 14th day of September, 2017.

Llin
Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

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

Julie + Andrew Goodwin
 [Organization name / property owner's name(s)]

of 50 Norwich St. W.
 (Legal description and/or municipal address)

hereby authorize _____
 (Authorized agent's name)

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

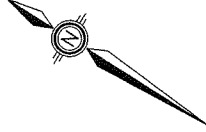
Dated this _____ day of _____ 20____.

 (Signature of the property owner)

 (Signature of the property owner)

NOTES:

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



ZONING DATA:

PROPERTY ZONING:
R1B, AS PER DEFINED AREA MAP 24,
CITY OF GUELPH BY-LAW (1995) - 1486-4
AS LAST AMENDED BY BY-LAW (2015) - 19915

PROJECT DATA:

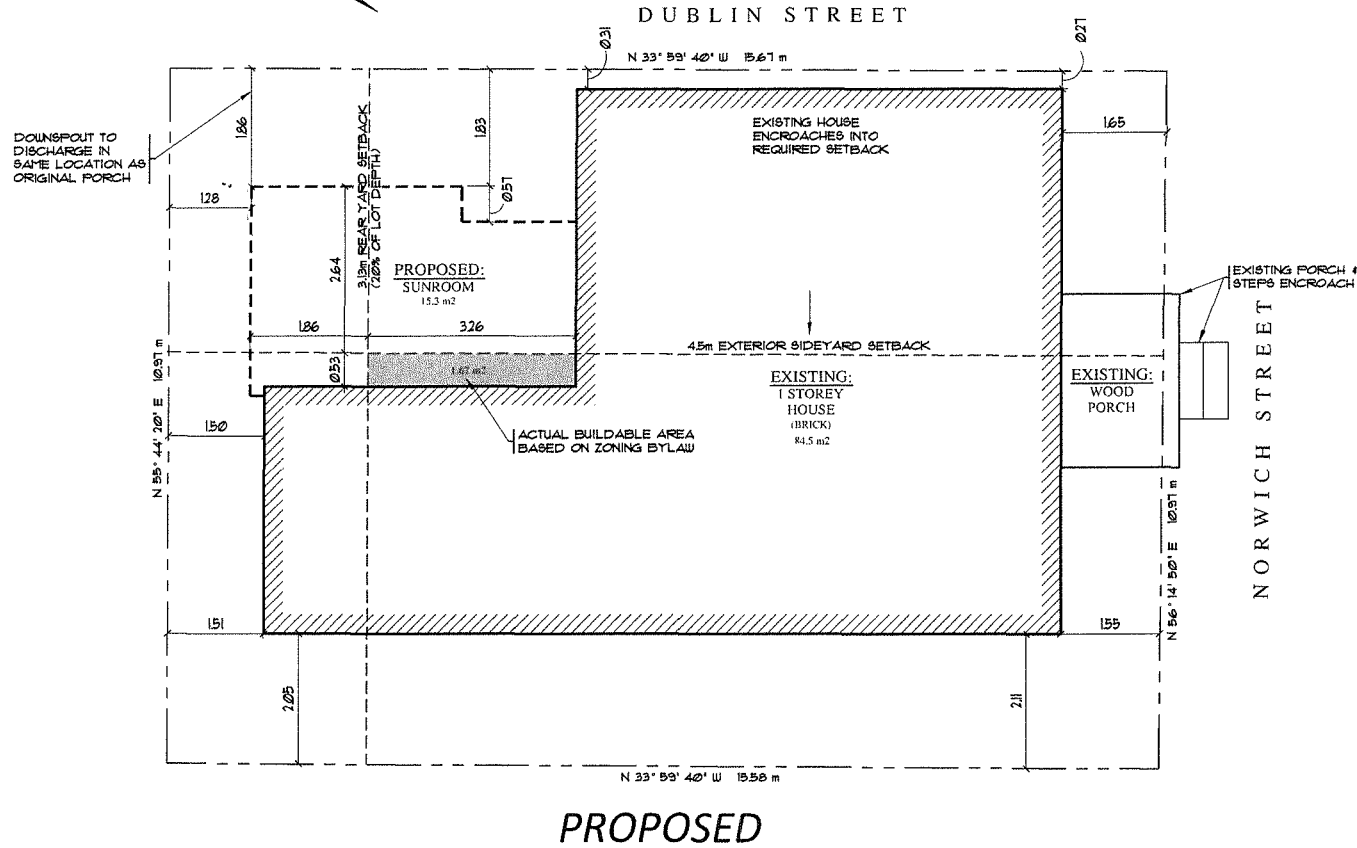
STREET ADDRESS: 50 NORWICH STREET

TOTAL LOT AREA: (171 m²)

DISTANCES SHOWN ON THIS PLAN
ARE IN METERS, REFER TO
ELEVATIONS FOR SPOT-ELEVATIONS

LEGEND

SYMBOL	DESCRIPTION
---	PROPERTY LINE
□	STANDARD IRON BAR
▼	ENTRY LOCATION
▨	EXTENT OF EXISTING STRUCTURES
▩	EXTENT OF PROPOSED STRUCTURE



P: 519-590-4620

I BENIE BOSSE, owner and take responsibility for
the design work on behalf of B&D Drafting &
Design Inc. (B&D) is a professional engineer
of the Building Code, I am qualified, and the firm
is registered, in the appropriate classes/categories.
Firm BCN: 41224
Individual BCN: 20333

Signee: _____

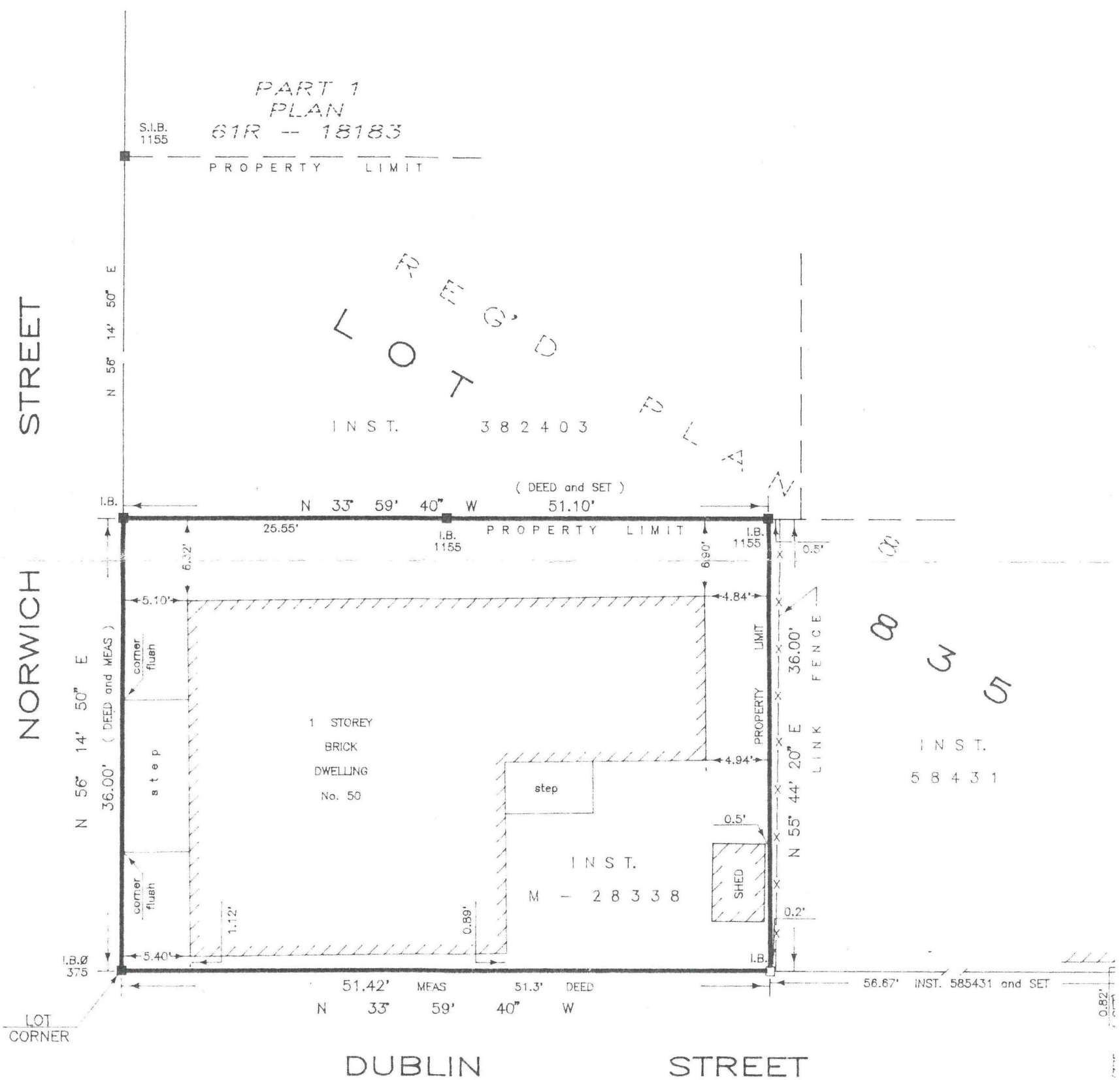
STATUS: MINOR VARIANCE	PLOTTED: JUNE 20, 2017
SCALE: 1:75	DRAWN BY: BLR
DATE: JUNE 20/2017	LAST REV: JUNE 20, 2017

PROJECT: **SUNROOM ADDITION**
50 NORWICH STREET (Goodwin Res.)
GUELPH, ONTARIO
TITLE: SITE PLAN:
PROPOSED

SHEET No: **2** OF **5**

of PART of
LOT 835, REGISTERED PLAN 8
CANADA COMPANY SURVEY
CITY of GUELPH
COUNTY of WELLINGTON



1989



(C) VAN HARTEN SURVEYING LTD.

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF VAN HARTEN SURVEYING

LEGEND:

-  SURVEY MONUMENT SET
 SURVEY MONUMENT FOUND
 S.I.B. STANDARD IRON BAR
 S.S.I.B. SHORT STANDARD IRON BAR

1.B. IRON BAR
1.B.2. ROUND IRON BAR
375 BLACK ET AL. O.L.S.'s
1155 VAN HARTEN SURVEYING LTD., O.L.S.'s
C.C. CUT CROSS
DEED INST. M-28338

NOTE: BEARINGS ARE REFERRED TO THE SOUTH LIMIT OF
NORWICH STREET AS SHOWN, HAVING AN ASSUMED
COURSE OF N 56° 14' 50" E

89

CHECK

FOR: TESCHKE Sale to KERFOOT and RYE

VAN HARTEN SURVEYING LTD.
ONTARIO LAND SURVEYORS

423 WOOLWICH STREET - GUELPH, ONTARIO

PHONE: 519 - 821 - 2763

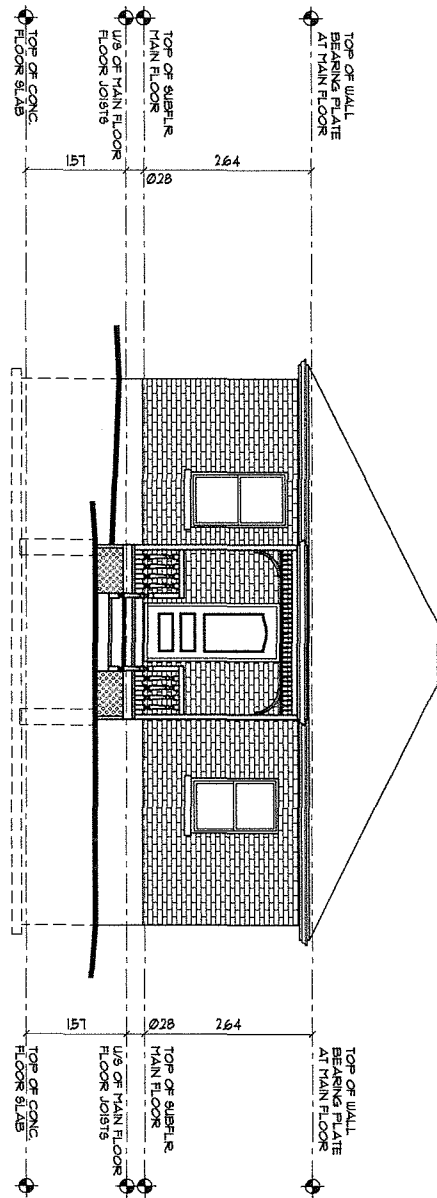
SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:
THE FIELD SURVEY REPRESENTED ON
THIS PLAN WAS COMPLETED ON THE
25th DAY OF MAY, 1989

L. VAN HARTEN, O.L.S.

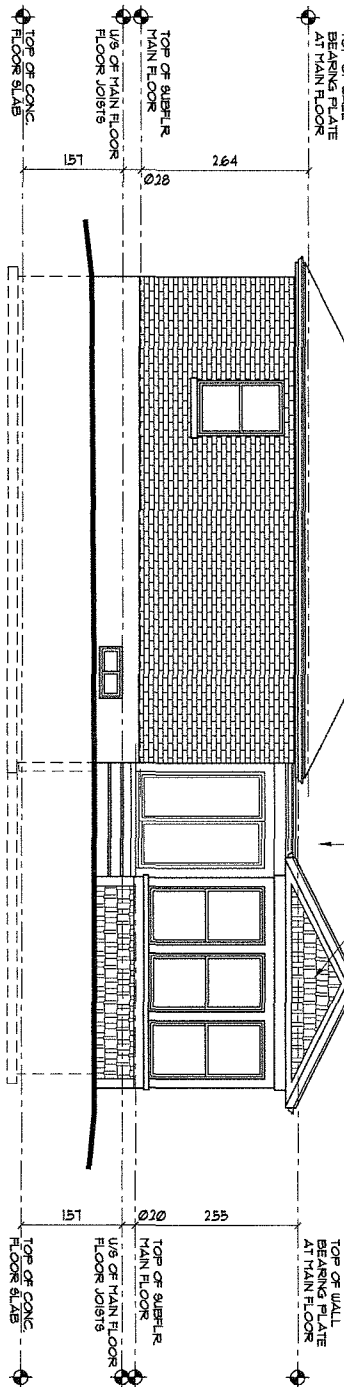
DATE: JUNE 1, 1989

FRONT ELEVATION

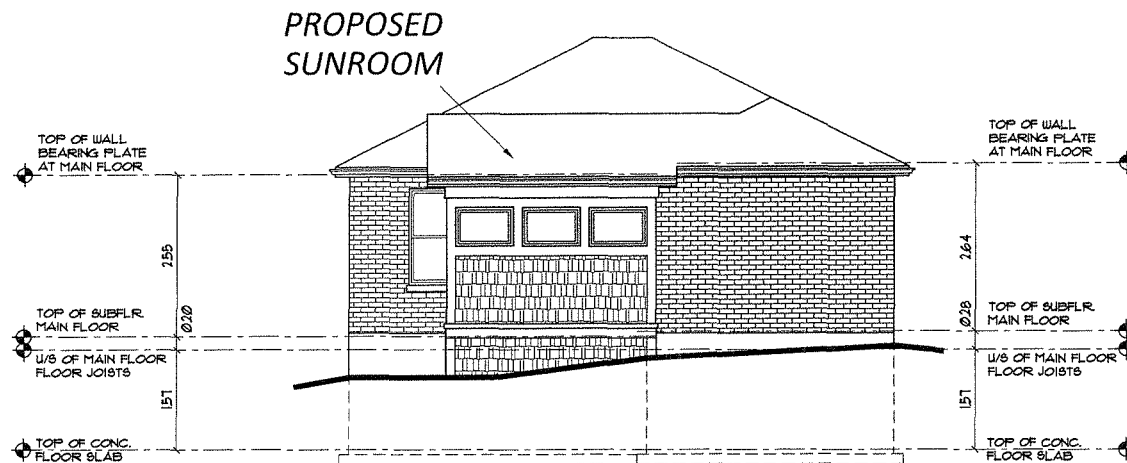


PROPOSED SUNROOM

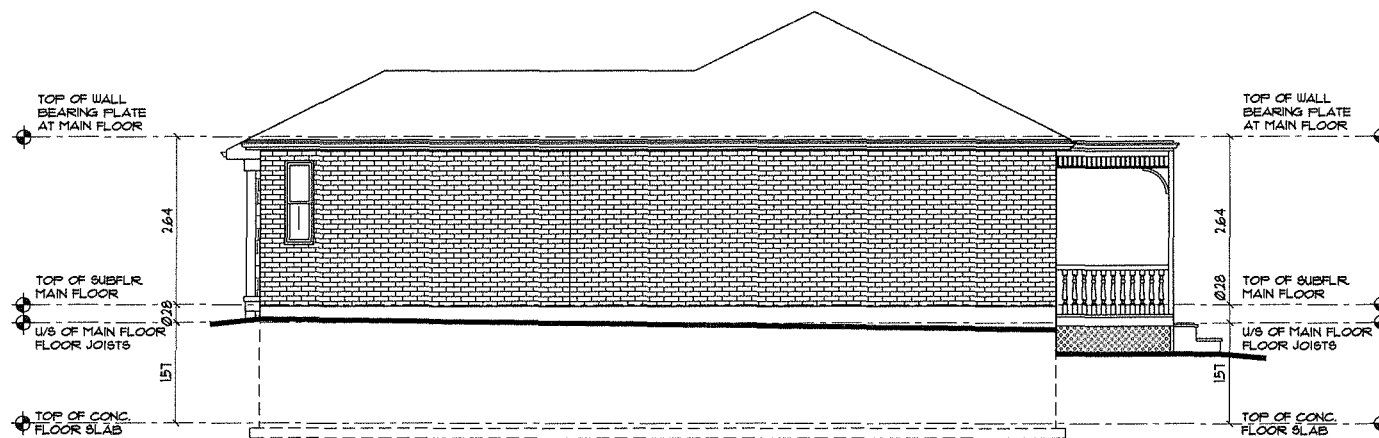
RIGHT SIDE ELEVATION



3 OF 5	PROJECT: SUNROOM ADDITION 50 NORWICH STREET (Goodwin Res.) GUELPH, ONTARIO	STATUS: MINOR VARIANCE PLOTTED: JUNE 20, 2017 SCALE: 1:75 DRWN BY: BLR	I, BERNIE ROSS, review and take responsibility for the design work on behalf of BLR Drafting & Design registered under Division C, Part 3 (3.2.4) of the Building Code, 1 cm qualified, and the firm is registered, in the appropriate classes/categories. Firm BCIN: 41224 Individual BCIN: 20333 Signed: _____	 P) 519-590-4620
	TITLE: FRONT & RIGHT SIDE ELEVATION: PROPOSED	DATE: JUNE 20/2017 LAST REV: JUNE 20, 2017		



REAR ELEVATION



LEFT SIDE ELEVATION



PJ 519-590-4620

I, **BRUCE GOSSETT**, architect and sole proprietor, for the design work on behalf of **B.D. Drafting & Design** registered under Division C, Part 3 (2.2.4) of the **Professional Engineers Act** of Ontario, 1990, as registered in the appropriate statutory categories.

Firm BCN: 41321
Individual BCN: 20333

Signed:

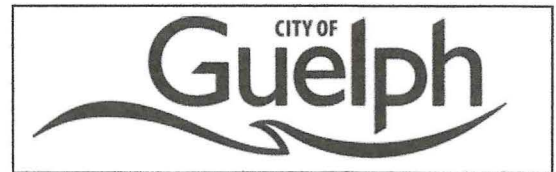
STATUS: MINOR VARIANCE
PLOTTED: JUNE 20, 2017
SCALE: 1/75
DRAWN BY: B.D.
DATE: JUNE 20/2017
LAST REV: JUNE 20, 2017

PROJECT: **SUNROOM ADDITION**
50 NORWICH STREET (Goodwin Res.)
GUELPH, ONTARIO

TITLE: **REAR & RIGHT SIDE ELEVATION:**
PROPOSED

SHEET No: **4** OF **5**

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 28, 2017</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Application #: <u>A-73/17</u>

TO BE COMPLETED BY APPLICANT

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

August 8, 2017 pre-consultation meeting

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: 1460 and 1474 Gordon Street, City of Guelph

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

Part of Lot 8, Concession 8, City of Guelph

OWNER(S) INFORMATION:

Name: Knoro Developments Ltd.
Mailing Address: 1-200 Southgate Drive
City: Guelph Postal Code: N1G 4P5
Home Phone: _____ Work Phone: (519) 763-7038
Fax: _____ Email: t.brown@knightelectical.ca

AGENT INFORMATION (If Any)

Company: Astrid J. Clos Planning Consultants
Name: Astrid Clos
Mailing Address: 423 Woolwich Street, Suite 201
City: Guelph, Ontario Postal Code: N1H 3X3
Work Phone: 519-837-7526 Mobile Phone: _____
Fax: 519-836-9568 Email: astrid.clos@ajcplanning.ca

Official Plan Designation: current: Mixed Office-Residential
OPA No. 48: Mixed Office Commercial

Current Zoning: Specialized OR-39 Zone

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

In addition to the uses permitted by the OR-39 Zone in section 6.5.3.39.1, that a maximum of 540 m² of GFA as a Retail Establishment with a maximum individual Retail Establishment unit size of 250 m² also be permitted.

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

The current Official Plan (September 2014 Consolidation) designates the property as Mixed Office-Residential which does not include retail as a permitted use.

The owner has had a number of Retail Establishment use inquiries (ie. paint store, decor store, wild bird food and accessories supply store, pet food store etc.) These uses have not been allowed to locate in this plaza due to non-compliance with the current OR-39 Zone.

Based on the OPA 48 Mixed Office/Commercial designation of the property which permits small scale retail commercial, the owner is requesting that Retail Establishment be added as a permitted use to the current zoning through this minor variance application.

In order to keep the Retail Establishment small scale, in conformity with OPA No. 48, the owner is proposing to have a maximum GFA applied to this property. 40% of the total area of the plaza is 540 m². Capping the GFA of retail Establishment at 40% of the total floor area of the plaza restricts it to being small scale. In addition, it is proposed that individual Retail Establishment uses be a maximum of 250 m² per Retail Establishment use to also meet the small scale intent of OPA No. 48.

The parking calculation has been completed using the maximum 540 m² of Retail Establishment. This results in a total of 65 parking spaces being required. The site now provides 75 parking spaces. The existing parking provided on the property is able to accommodate the addition of the proposed Retail Establishment use. The parking calculation has been included at the end of application.

PROPERTY INFORMATION

Date property was purchased:	2002	Date property was first built on:	unknown
Date of proposed construction on property:	No construction required.	Length of time the existing uses of the subject property have continued:	unknown

EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): Existing mixed use site including, commercial and residential uses.

PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): The existing buildings and parking will continue. The minor variance would allow Retail Establishment with restrictions to the existing uses of the plaza. No changes are proposed to be made to the site.

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

Frontage: 71 m Depth: 65 m (irregular) Area: ha m²

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

EXISTING (BUILDINGS)		PROPOSED	
Main Building		Main Building	No change
Gross Floor Area:	1,350 m ²	Gross Floor Area:	
Height of building:	Two storey	Height of building:	
Garage/Carport (if applicable) N/A		Garage/Carport (if applicable) N/A	

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 (see plan provided)			PROPOSED No change		
Front Yard Setback:	7.5 M		Front Yard Setback:	M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 3.3 M	Right: 12 M	Side Yard Setback:	Left: M	Right: M
Rear Yard Setback	14 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
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Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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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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For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

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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.



Tim Brown, Knoro Developments Ltd.
I have the authority to bind the corporation
Signature of Owner

September 28, 2017

Date

AFFIDAVIT

I, Astrid Clos, Astrid J. Clos Planning Consultants, 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.

Astrid Clos, Astrid J. Clos Planning Consultants
Signature of Agent

SEPT. 28, 2017

Date

NOTE: The Signature of applicant or authorized agent must be witnessed by a Commissioner

Declared before me at the

City of Guelph in the County of Wellington this SEPT. 28 day of , 2017.

Commissioner of Oaths

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

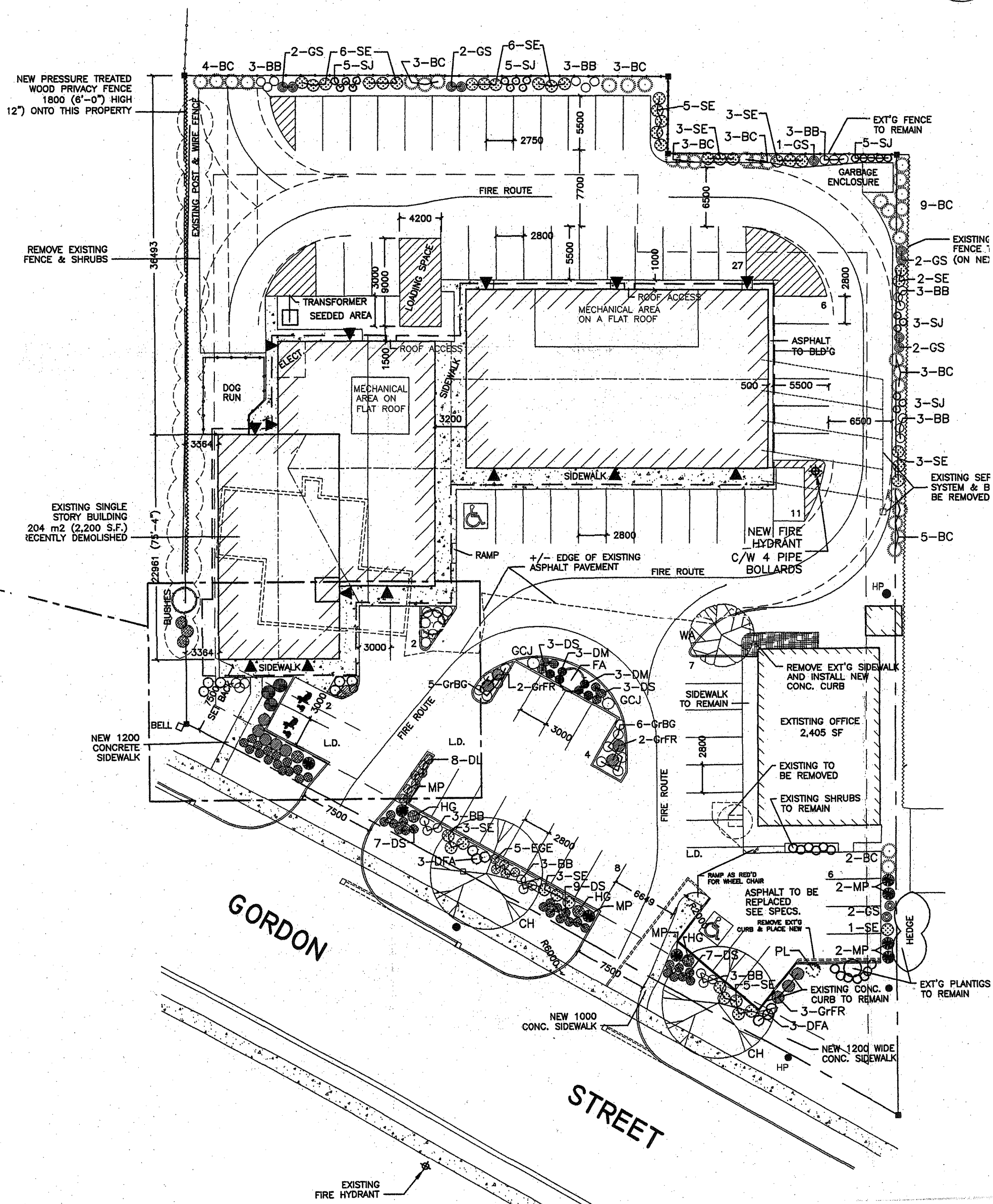
(official stamp of Commissioner of Oaths)

Parking Calculation with the Existing Uses

Tenant	Zoning Use	Parking Ratio	Floor area	Parking Spaces Required
Campus Estates Animal Hospital	Veterinary Service	1 per 25 m ² G.F.A.	276 m ²	11.04
Guelph Veterinary Specialty Hospital	Veterinary Service	1 per 25 m ² G.F.A.	278.5 m ²	11.14
Fusion Hair Salon	Personal Service	1 per 16.5 m ² G.F.A	185.5 m ²	11.24
Arista Dental Centre	Medical Office 1 practitioner	7 per practitioner	140 m ²	7
Anne Maden Spa	Personal Service	1 per 16.5 m ² G.F.A	96 m ²	5.81
Vacant (previously Lucie's Bakery)	Convenience Store	1 per 16.5 m ² G.F.A	226 m ²	13.69
one bedroom apartment	Dwelling Unit	4.15.2.4 minimum of 1 off-street Parking Space per Dwelling Unit	-	1
one bedroom apartment	Dwelling Unit		-	1
Bachelor apartment	Dwelling Unit		-	1
2 bedroom apartment	Dwelling Unit		-	1
TOTAL Parking Spaces Required	-	-	-	64
Total Parking Spaces Provided	-	-	-	75

Parking Calculation with the Maximum 540 m² Retail Establishment

Zoning Use	Parking Ratio	Floor area	Parking Spaces Required
Veterinary Service	1 per 25 m ² G.F.A.	522 m ²	20.88
Medical Office 1 practitioner	7 per practitioner	140 m ²	7
Retail Establishment	1 per 16.5 m ² G.F.A	540 m ²	32.72
Dwelling Unit	4.15.2.4 minimum of 1 off-street Parking Space per Dwelling Unit	-	1
Dwelling Unit		-	1
Dwelling Unit		-	1
Dwelling Unit		-	1
TOTAL Parking Spaces Required	-	-	65
Total Parking Spaces Provided			75



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>Oct 5, 2017</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-74/17</u>

TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 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: 85 Knightswood Blvd Guelph ON N1E 3W8

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

Lot 79, Plan 445

OWNER(S) INFORMATION:

Name: KIEU-DANH NGUYEN

Mailing Address: 85 KNIGHTSWOOD BLVD.

City: GUELPH ON Postal Code: N1E 3W8

Home Phone: 519-829-0282 Work Phone: 519-829-0282

Fax: _____ Email: ki.massage.therapy@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:

R.1.B Single Detached

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

* A variance from Section 4.13.2.1 to permit the legal off-street parking space to be located within 6m of the street line & in front of the wall of the main building

* A variance from Section 4.13.7.2.1 to permit a driveway width of 7.5m

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

The current uses doesn't compliant with the zoning by-law so I need to apply for the minor variances.

In 1979 the previous owner was issued a permit to convert the garage to a living space & the work was not completed to restore the off street parking space set out on the permit. In 2016, I applied for a business municipal licence and this is why this issue came up. To comply I have to move the driveway to the right side of the house & extended 18ft along the back or convert the living space back to the garage or apply for a variance to use what I have. I chose to go with the variance because moving the driveway is very costly.

PROPERTY INFORMATION

Date property was purchased:

June 12 2012

Date property was first built on:

1958

Date of proposed construction on property:

N/A

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

since built.

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

Residential

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

Residential

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

Frontage:

18.288 m

Depth:

36.576 m

Area:

668.9 m²

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

EXISTING (DWELLINGS & BUILDINGS)				PROPOSED			
Main Building				Main Building			
Gross Floor Area:	1433 Sq Ft.			Gross Floor Area:	Same		
Height of building:	one story			Height of building:	Same.		
Garage/Carport (if applicable) N/A				Garage/Carport (if applicable) N/A			
Attached <input type="checkbox"/> Detached <input type="checkbox"/>				Attached <input type="checkbox"/> Detached <input type="checkbox"/>			
Width:				Width:			
Length:				Length:			
Driveway Width:	8.07 m			Driveway Width:	7.5 m		
Accessory Structures (Shed, Gazebo, Pool, Deck)				Accessory Structures (Shed, Gazebo, Pool, Deck)			
Describe details, including height: Shed #1 5.03m x 3.81m Shed #2 3.05m x 2.44m				Describe details, including height: Same			

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

EXISTING				PROPOSED - No change			
Front Yard Setback:	9.35m		M	Front Yard Setback:			M
Exterior Side Yard (corner lots only)	6.26m		M	Exterior Side Yard (corner lots only)			M
Side Yard Setback:	Left: 1.51m	Right: 1.54m	M	Side Yard Setback:	Left: M	Right: M	M
Rear Yard Setback	11.83m		M	Rear Yard Setback			M

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

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

MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)

Water ☒

Sanitary Sewer ☒

Storm Sewer ☒

If not available, by what means is it provided:

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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

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

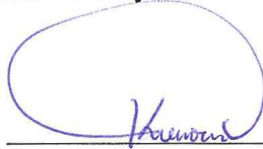


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, KIEU-DANH THI NGUYEN., 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.

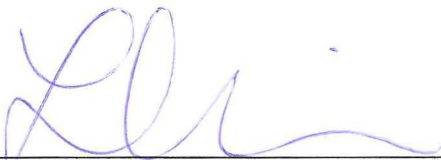

 Signature of Applicant or Authorized Agent

 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 5th day of October, 20 17.


 Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

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

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

of _____
(Legal description and/or municipal address)

hereby authorize _____
(Authorized agent's name)

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

Dated this _____ day of _____ 20____.

(Signature of the property owner)

(Signature of the property owner)

NOTES:

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

LOT 42

PIN 71306-0039 (LT)

P1 & MEAS
N45°02'00"W

P1 & MEAS
18.288

LOT 80

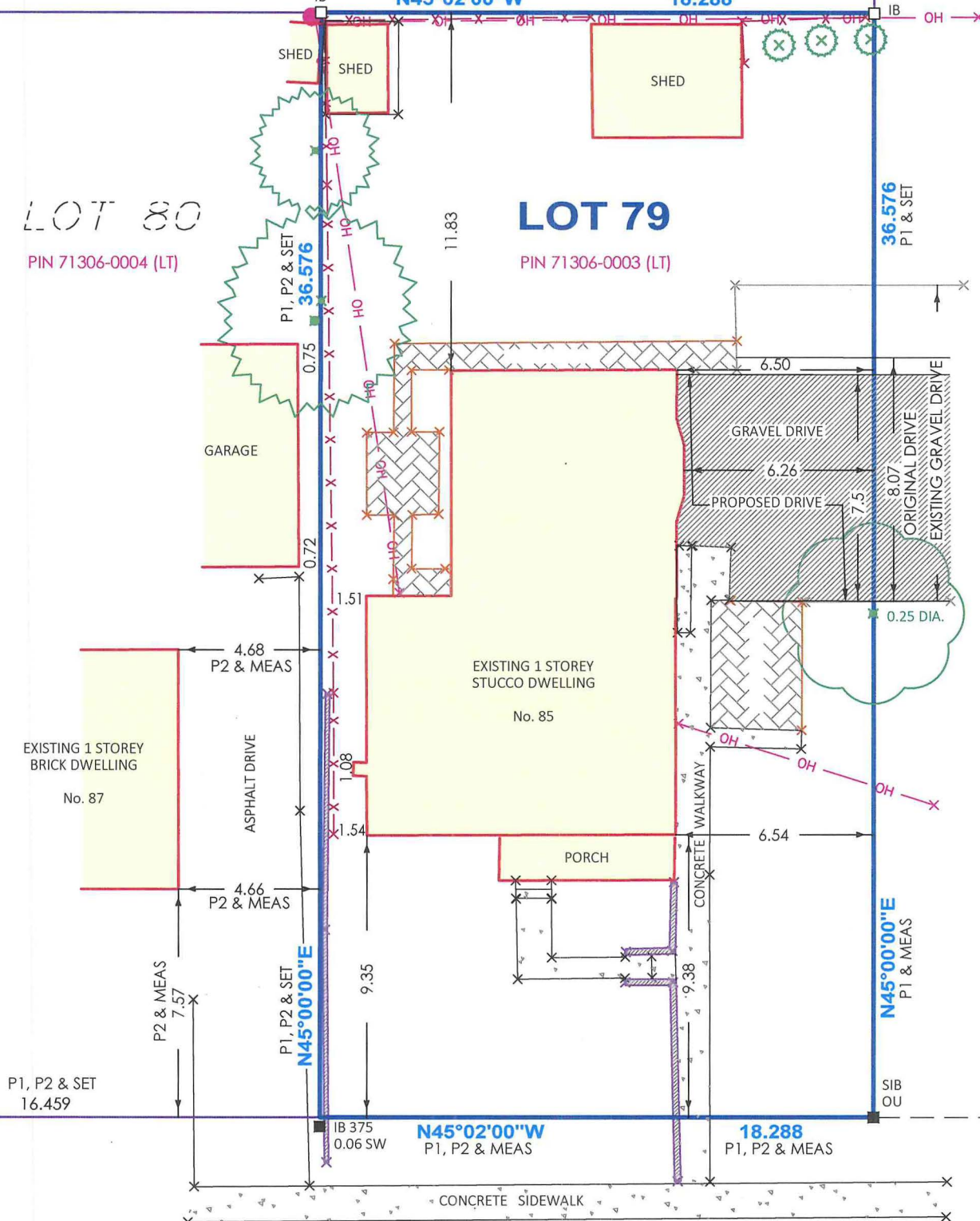
PIN 71306-0004 (LT)

LOT 79

PIN 71306-0003 (LT)

LANGSIDE STREET

PIN 71306-0187 (LT)



KNIGHTSWOOD BOULEVARD

(BY REGISTERED PLAN 445) (22.86m WIDE)
PIN 71306-0001 (LT)

SKETCH SHOWING DRIVEWAY
PLAN OF
ALL OF LOT 79, REGISTERED PLAN 445
CITY OF GUELPH
COUNTY OF WELLINGTON

SCALE: 1 - 200

0 5 10 15 metres

VAN HARTEN SURVEYING INC.

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THIS SURVEY WAS COMPLETED ON THE 12th DAY OF SEPTEMBER, 2017.

JOHN S. SCOTT, O.L.S.

DATE: OCTOBER 5, 2017



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: S.A.P.

CHECKED BY: J.S.S.

PROJECT No. 25041-17

Oct 05, 2017-7:59am

G:\GUELPH\445\ACAD\SKETCH LOT 79 (NGUYEN).dwg

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NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF VAN HARTEN SURVEYING INC.

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>Oct 10, 2017</u>	Folder #: <u>A-75/17</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: 35 Milson Cres, Guelph, N1C 1G9, ON, Canada

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

PLAN 61M-55 LOT 39

OWNER(S) INFORMATION:

Name: Golam Islam and Preethi Jayanth

Mailing Address: 35 Milson Cres

City: Guelph Postal Code: N1C 1G9

Home Phone: 519-546-9363 Work Phone: _____

Fax: _____ Email: shaharior@gmail.com

AGENT INFORMATION (If Any)

Company: NA

Name: _____

Mailing Address: _____

City: _____ Postal Code: _____

Work Phone: _____ Mobile Phone: _____

Fax: _____ Email: _____

Official Plan Designation: <i>General Residential</i>	Current Zoning Designation: R.1C, MAP 12
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NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required):
We put in an application to legalize our basement apartment which was finished at the time of purchased and were denied as it has been discovered by the City of Guelph that the size of the apartment is slightly bigger than the zoning by law. According to section 4.15.1.5 of the City of Guelph by-law, an accessory apartment shall not exceed 45% of the total floor area of the building and shall not exceed a maximum of 80 square meters in Floor Area, whichever is lesser.
Our proposed basement apartment has 93.2 square meter floor area which is only 27.5% of the total floor area of the building and only 13.2 square meter more than the lesser maximum area allowed (80 square meters) under current by law. Hence we are applying to the adjustment committee to grant a minor variance.

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

PROPERTY INFORMATION			
Date property was purchased:	JAN 7, 2016	Date property was first built on:	AUG 2003
Date of proposed construction on property:	JAN 2018	Length of time the existing uses of the subject property have continued:	1st Owner: Approx. 12 years Current owner: 1 year 7 months
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: 13.3 M	Depth: 35.4 M	Area: 470.8 sq M

Why it is not Possible to comply with the provision of the By law?

Background:

35 Milson Crescent, N1C1G9 was built in 2003 by Reids Heritage Home (Plan 61M-55 LOT 39).

The building permit describes as Two Storey Single Detached Dwelling – C/w basement finished- includes 3pc, & rear 12x12 deck (Silvercreek Model).

We have purchased the house in January 2016 from the first owner and that time both the main floor and basement were rented to two different tenants. The real estate agent informed us that the owner has been renting the basement for 10-11 years and the basement was built by the builder and he showed us the City of Guelph Website where the building permit status was as mentioned above. The realtor informed us that the house was extended extra 2 feet wide and we were shown the comparison based on the dimensions of similar Silvercreek model houses in the area.

During the whole stressful home buying process, it did not occur to us that the kitchen in the basement apartment could have been built without a building permit as the basement was finished by the original builder. For a period of 11 years, the original owner rented the basement and seemed to have the luck of not getting noticed by the city of Guelph building inspectors.

In 2016 after purchasing the house, I advertised to rent the basement and was approached by a single father with a child with disability. Being considerate, we agreed to rent the basement to them. Soon the city of Guelph sent us correspondence mentioning that they received a complaint and would like to inspect the rental unit. This correspondence was then followed by a physical inspection. At that time, it was revealed that the kitchen in the basement was built without a building permit and that we cannot rent the basement apartment to any tenants. Moreover, due to the changes in the zoning by-law, we must apply for an Accessory Apartment Permit. This revelation caused us financial losses as we had to pay compensation to the family with whom we signed a lease agreement.

However, we have decided to apply for the accessory apartment permit and later were told that according to the zoning by-law section 4.15.1.5, our apartment size is bigger than the size stipulated for an accessory apartment. The size of the apartment is 93.2 square meter including a separate laundry room and utility room, only 13.2 square meter more than the size that calls for a minor variance application.

Reason for inability to comply:

We have received the basement apartment from the original owner where everything was already built. If we have to reduce the size of the apartment, it will be a huge financial burden which is not an affordable option for us. Any modification may affect structural integrity. Furthermore, it would also affect the functionality of the apartment as the apartment has its own laundry facility. Spacious foyer, washroom and kitchen area along with the provision of separate laundry area and bigger utility room adds to healthier living condition and enhances the safety of the users.

Hence, we are unable to comply with the provision of the by law and requesting to the committee to grant a minor variance.

A handwritten signature in black ink, appearing to read "Andrew", is written over a horizontal line.

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building NA		
Gross Floor Area:	230.5 M ²		Gross Floor Area:		
Height of building:			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:	5.43 M		Width:		
Length:	5.65 M		Length:		
Driveway Width:	5.5 M		Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: Deck: 13.38 sq. M ; W x L 3.657 M x 3.657 M Height from Ground : 1.68 M			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	6.3 M		Front Yard Setback:	NA M	
Exterior Side Yard (corner lots only)	NA M		Exterior Side Yard (corner lots only)	NA M	
Side Yard Setback:	Left: 1.68 M	Right: 1.3 M	Side Yard Setback:	Left: NA M	Right: NA M
Rear Yard Setback	9.52 M		Rear Yard Setback	NA M	

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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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.

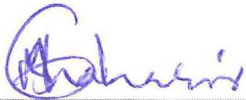


Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, Gulam Islam, 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.



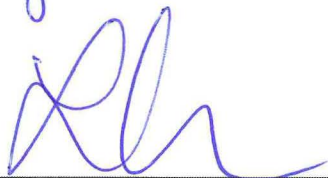
Signature of Applicant or Authorized Agent

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 10th day of October, 20 17.



Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

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

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

of _____
(Legal description and/or municipal address)

hereby authorize _____
(Authorized agent's name)

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

Dated this _____ day of _____ 20_____.

(Signature of the property owner)

(Signature of the property owner)

NOTES:

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

SKETCH FOR BUILDING PERMIT APPLICATION LOT 39, REGISTERED PLAN 61M-55 CITY OF GUELPH

SCALE: 1 - 250

- UN: - THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
- IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE PROPOSED FOOTING ELEVATION ALLOWS GRAVITY CONNECTION TO SEWER LINES.
- © - THIS SKETCH IS PROTECTED BY COPYRIGHT.
- THIS LOT MAY CONTAIN STRUCTURAL FILL.

NOTE: LOT DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 61M-55 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

ZONE R1.C

FRONT YARD = 6.0m MIN.
SIDE YARD = 1.2m MIN.
REAR YARD = 7.5m MIN.

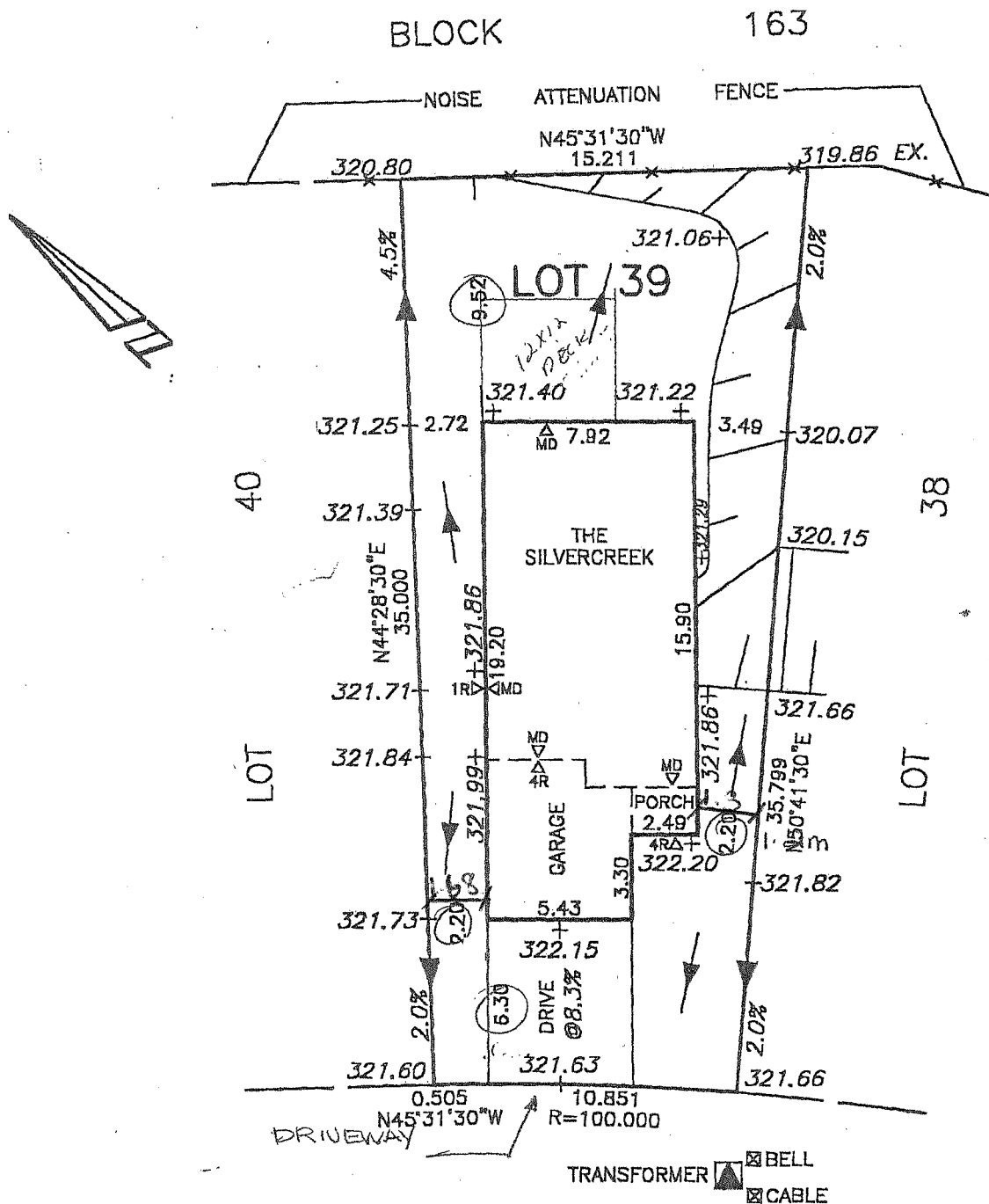
SODDED AREA
= 289.7 m²

LOT AREA - 470.8m² / 5068.0sq.ft.

WIDTH - 13.3m / 43.6ft.

DEPTH - 35.4m / 116.1ft.

TOP OF FOUNDATION = 322.75
UNDERSIDE OF FOOTING = 320.23
BASEMENT FLOOR = 320.46
FINISHED FLOOR = 323.00
LANDING = 322.01
GARAGE CUT = 0.60
FROST FOOTING'S REQUIRED
⊙ REAR (MIN. = 320.00)



MILSON CRESCENT

(20.0 METRES WIDE)

THIS IS NOT
AN ORIGINAL COPY
UNLESS
EMBOSSED WITH
SEAL

P38

AMENDED (HOUSE CHANGED): JULY 10, 2003 WH

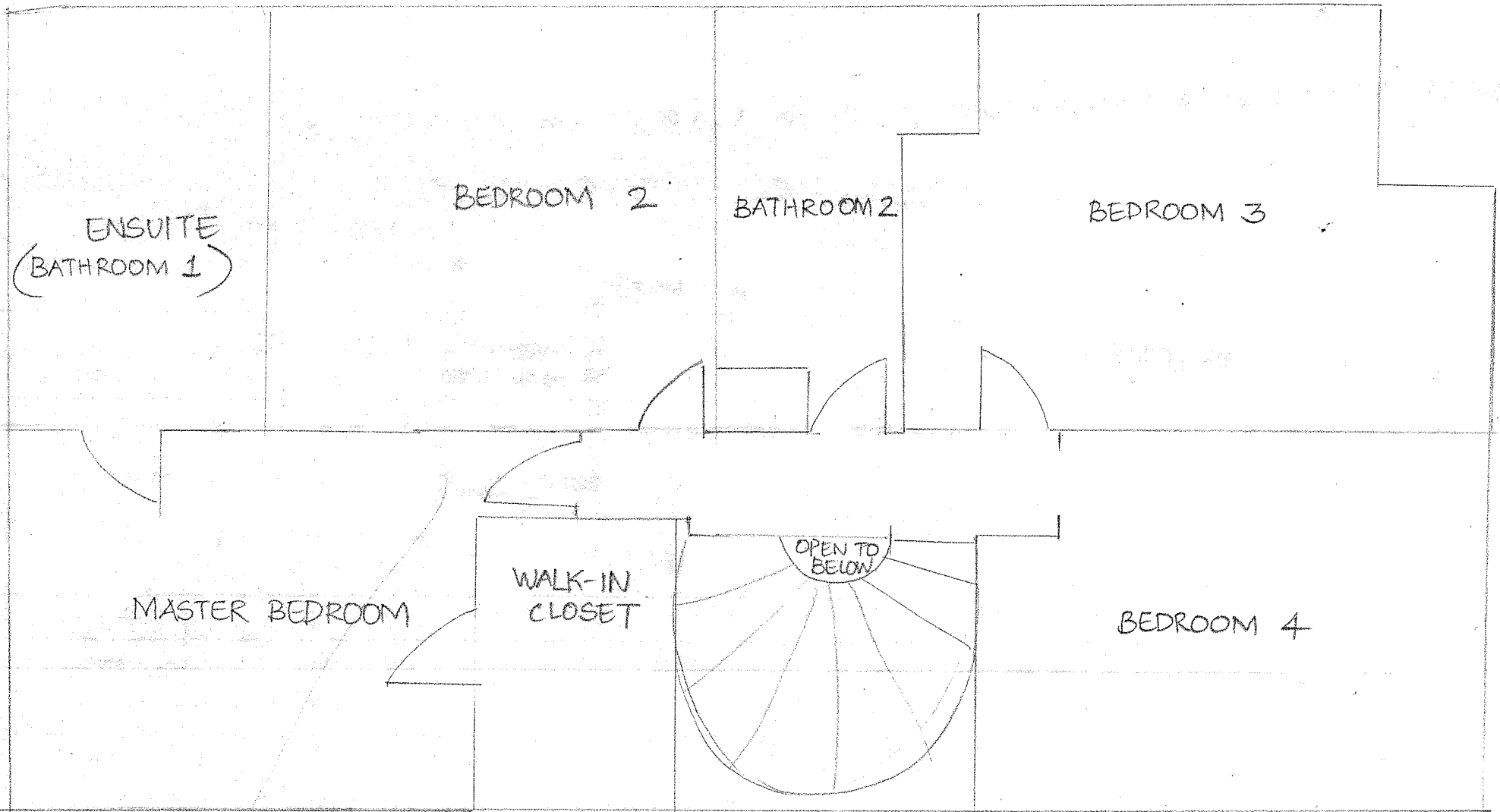
FOR: REID'S HERITAGE HOMES LTD.

JUL 11, 2003 - 12:18pm
G:\GuelphM\61M-55\Acad\F3

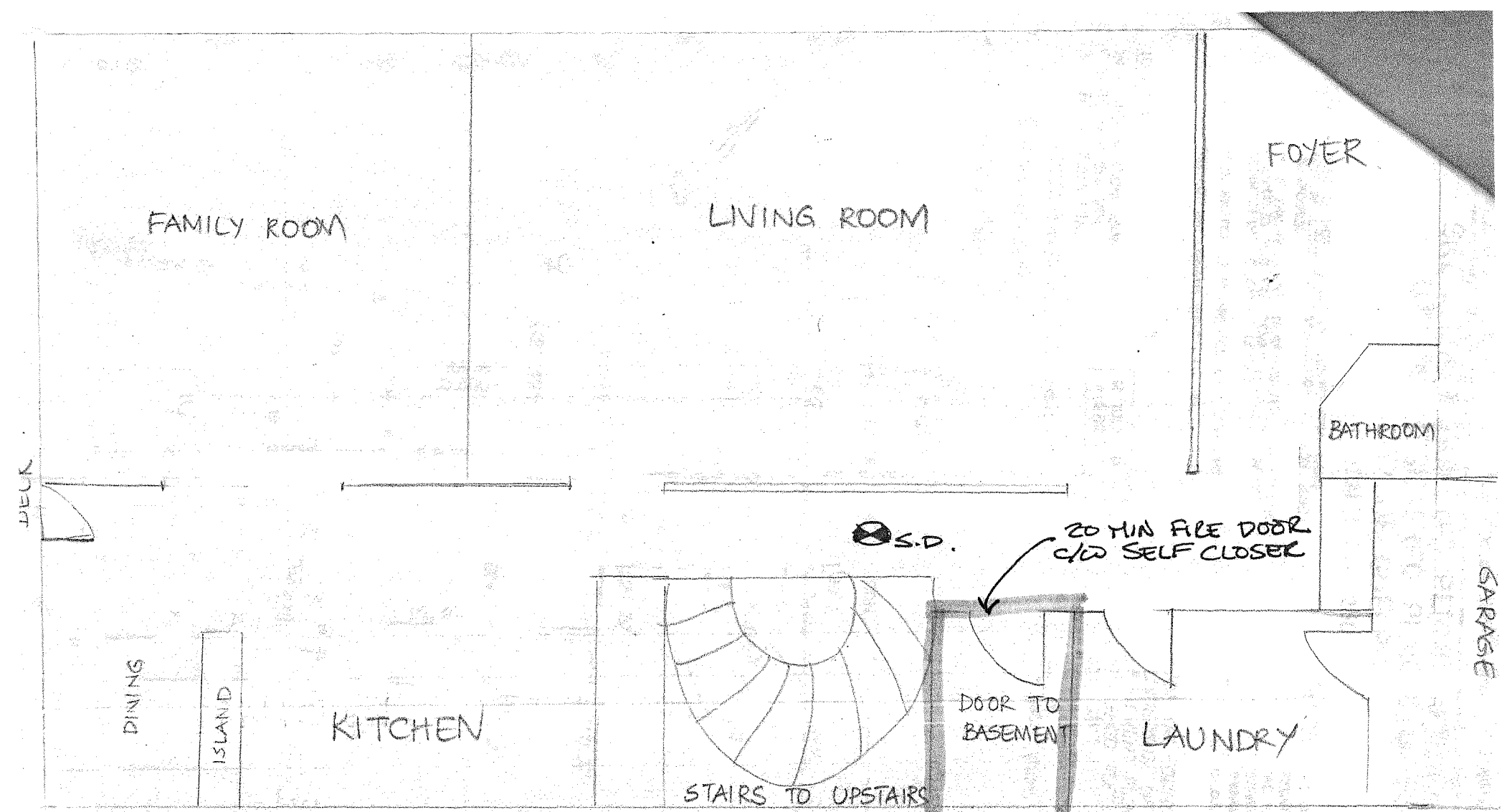
VAN HARTEN SURVEYING INC.
ONTARIO LAND SURVEYORS

PROJECT NO. 14817-01

DATE: MAY 23, 2003

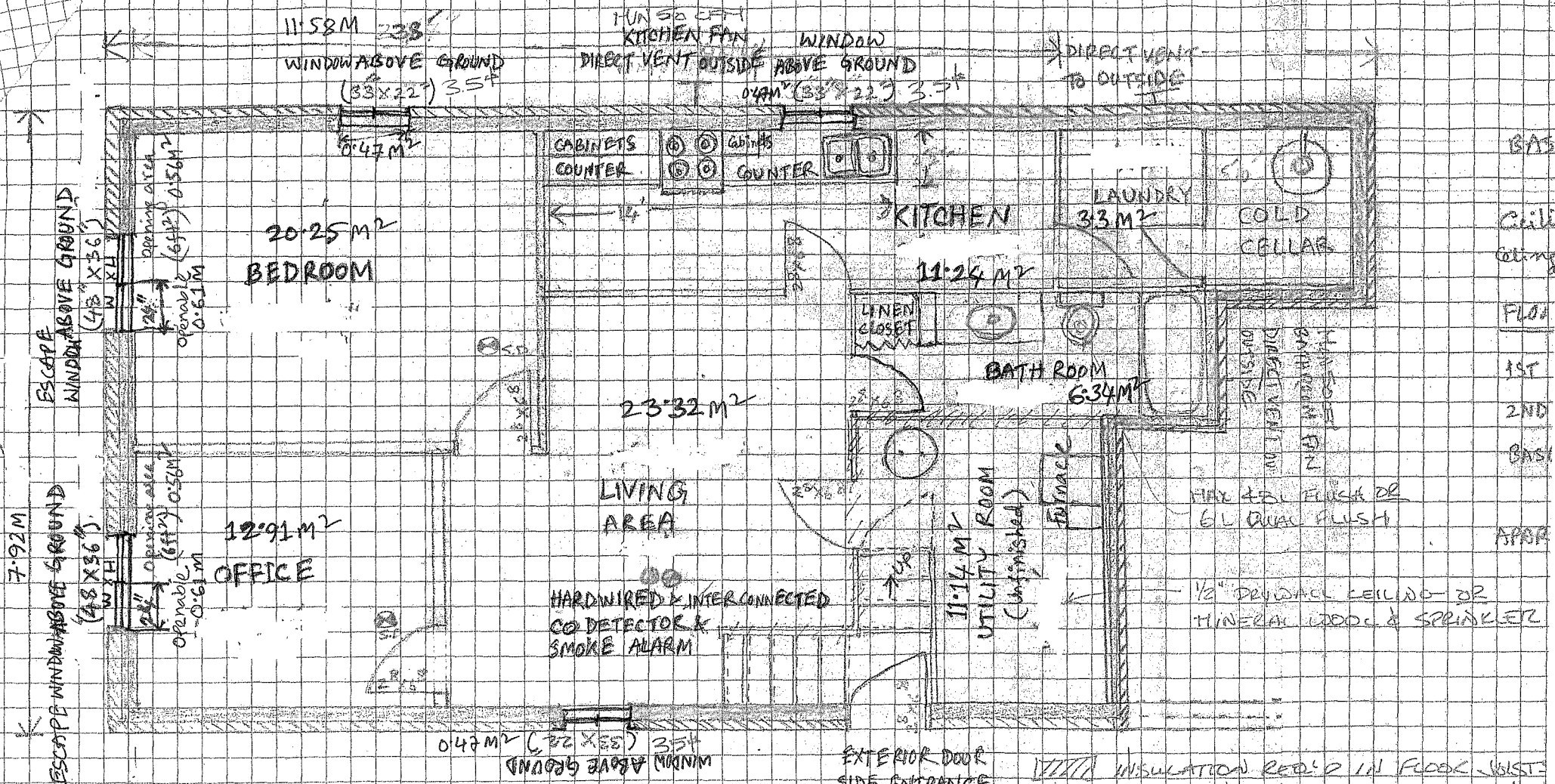


'LAYOUT OF UPSTAIRS'



LAYOUT OF GROUND FLOOR

30 MIN FIRE SEPARATION REQ'D, 1/2" DRYWALL ON BOTH SIDES



BASEMENT APARTMENT
FLOOR PLAN (35 MILSON CRES.)
Floor Area 1003 sq.ft / 93.2 m²

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>OCT. 10, 2017</u>	Folder #: <u>A-76/17</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: 11 Kent Street

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

M-127412

OWNER(S) INFORMATION:

Name: Jarrett Swantek, Shane Swantek, Bonnie Swantek

Mailing Address: 11 Kent Street

City: Guelph Postal Code: N1H 3B6

Home Phone: 519 731 0151 Work Phone:

Fax: Email: jarrett.swantek@hotmail.com

AGENT INFORMATION (If Any)

Company:

Name:

Mailing Address:

City: Postal Code:

Work Phone: Mobile Phone:

Fax: Email:

Official Plan Designation: <u>General Residential.</u>	Current Zoning Designation: <u>Residential</u>
--	--

NATURE AND EXTENT OF RELIEF APPLIED FOR (variances required): <u>Extend legal non-conforming use of the building</u>

Why is it not possible to comply with the provision of the by-law? (your explanation) <u>11 Kent sits on the front property line is non-conforming</u> <u>↳ Front Set-Back = 0m</u>

PROPERTY INFORMATION			
Date property was purchased:	<u>July 17, 2015</u>	Date property was first built on:	<u>1857</u>
Date of proposed construction on property:	<u>ASAP</u>	Length of time the existing uses of the subject property have continued:	<u>since built.</u>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.): <u>Residential</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): <u>Residential</u>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <u>9.9m.</u>	Depth: <u>30.97m.</u>	Area: <u>1046.99m.</u>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	81.61m ²		Gross Floor Area:	86.07m ²	
Height of building:	12.75m		Height of building:	12.75m	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	5.2m		Width:	5.2m	
Length:	9.9m		Length:	9.9m	
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		
Front Yard Setback:			0 M	Front Yard Setback:	0 M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 4.3 M	Right: 0 M		Side Yard Setback:	Left: 2.5 M Right: 0 M
Rear Yard Setback	17.85 M			Rear Yard Setback	17.85 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"/>	15 008683
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	A-48/16 - 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

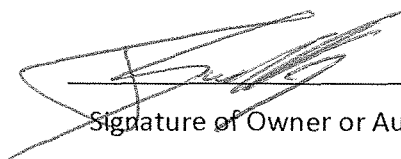
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, Jarrett Swank, 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.

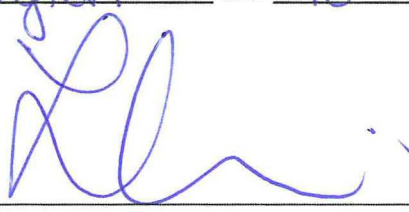

Signature of Applicant or Authorized Agent

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.

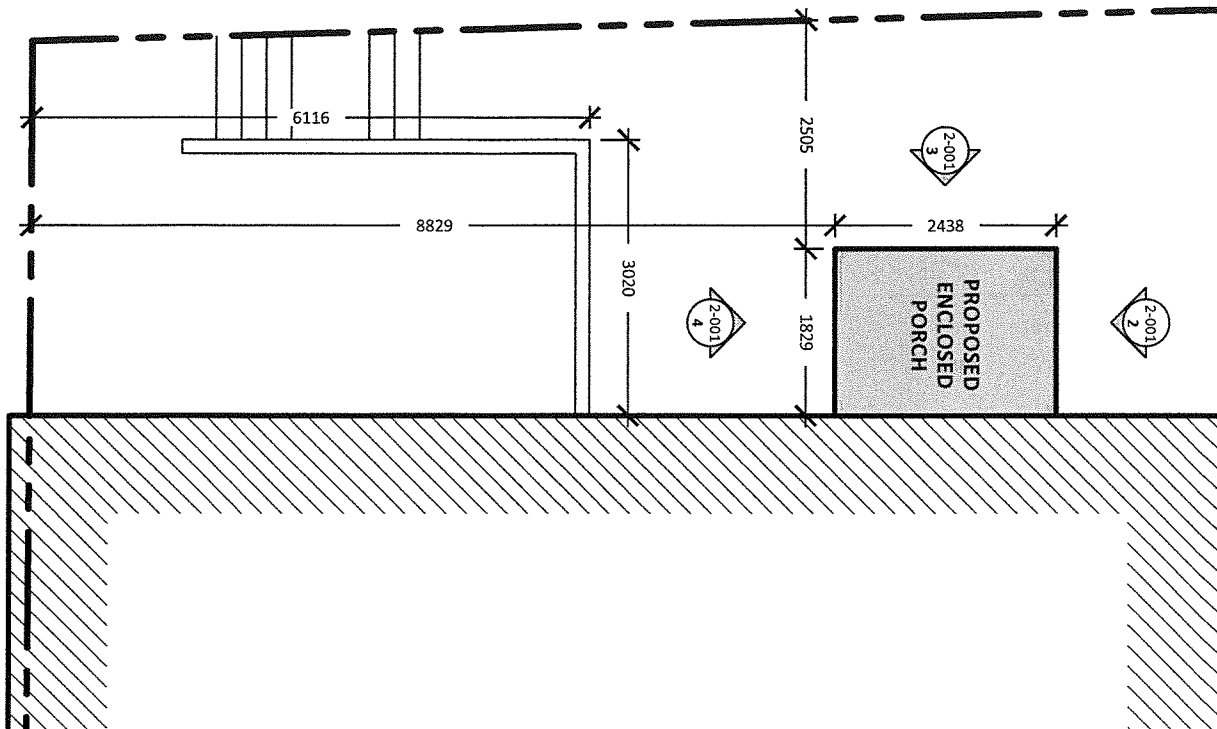
Declared before me at the

City/Town of Guelph in the County/Regional Municipality of Wellington this 10th day of October, 20 17.

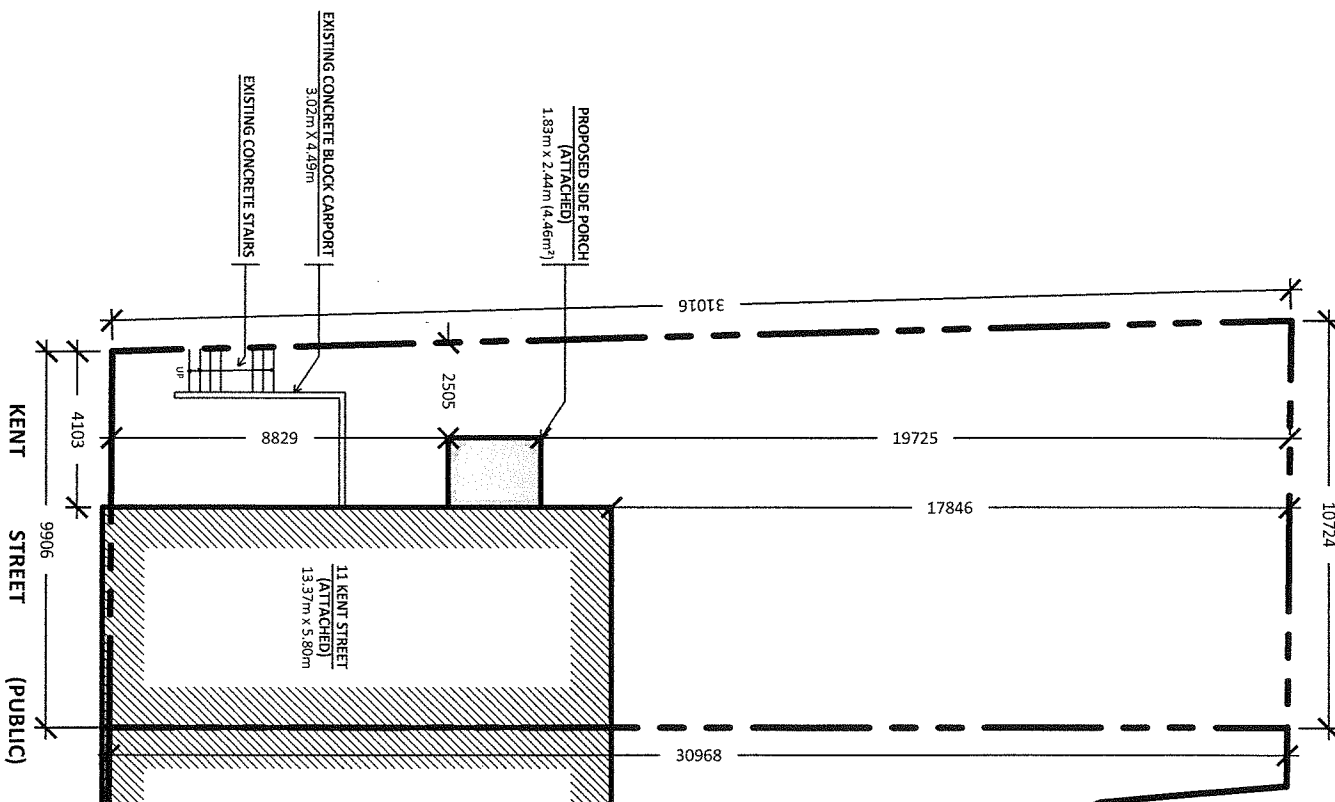

Commissioner of Oaths

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

01
PARTIAL SITE PLAN



02
SITE PLAN



DRAWING NAME

ATTACHED GARAGE

CLIENT

11 KENT STREET

PROJECT

EXTERIOR SITE WORK

DWG 0-004xx

REVISIONS

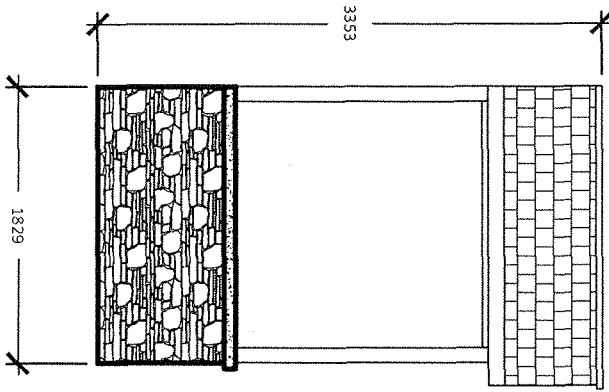
NO.	DATE (YY/MM/DD)	COMMENTS

NOTES

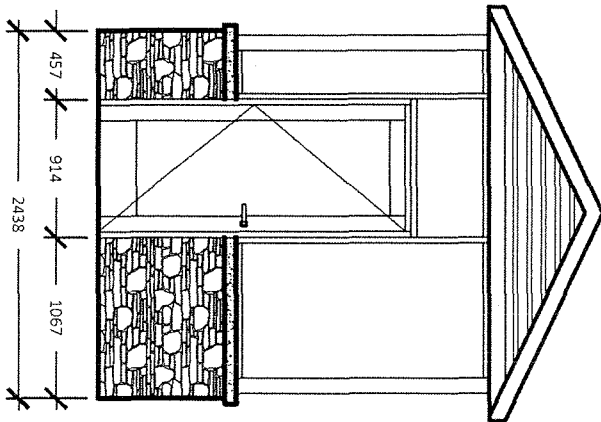
THIS DRAWING AND ALL ASSOCIATED INFORMATION, NOTES AND CONTENT IS THE SOLE PROPERTY OF ITS CREATOR AND IS NOT TO BE DUPLICATED, DISTRIBUTED OR USED FOR ANY OTHER PURPOSE WITHOUT WRITTEN AUTHORIZATION.

CREATED BY: JARRETT SWANTEK
 DATE CREATED (YY/MM/DD): APRIL 28, 2016
 SCALE: N.T.S.
 MODIFIED BY:
 DATE MODIFIED (YY/MM/DD):

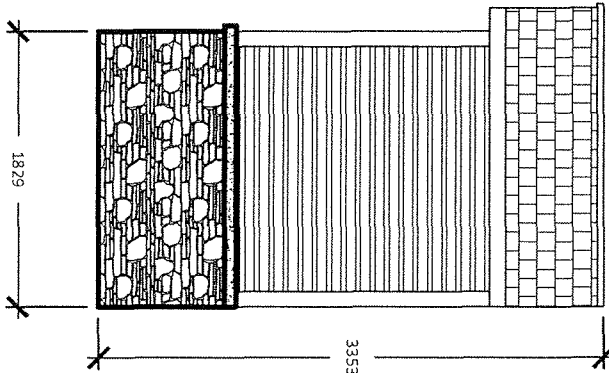
02
ELEVATION



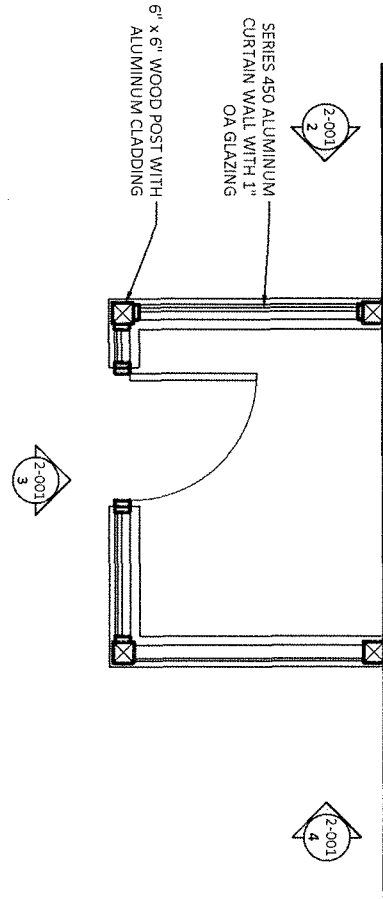
03
ELEVATION



04
ELEVATION



01
PLAN VIEW



DRAWING NAME

ATTACHED PORCH
ELEVATION

DWG 2-001xx

CLIENT

11 KENT STREET

PROJECT

EXTERIOR SITE WORK

REVISIONS

NO.	DATE (YY/MM/DD)	COMMENTS

NOTES

THIS DRAWING AND ALL ASSOCIATED INFORMATION, NOTES AND CONTENT IS THE SOLE PROPERTY OF ITS CREATOR AND IS NOT TO BE DUPLICATED, DISTRIBUTED OR USED FOR ANY OTHER PURPOSE WITHOUT WRITTEN AUTHORIZATION.

CREATED BY: JARRETT SWANTEK

DATE CREATED (YY/MM/DD): APRIL 28, 2016

SCALE: N.T.S.

MODIFIED BY:

DATE MODIFIED (YY/MM/DD):

COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Revised Oct. 17, 2017.

Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Sept. 6, 2017</u>	Folder #: <u>A-64/17</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: 10 CHESTER ST, GUELPH

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

REGISTERED PLAN 361 LOT 4B

OWNER(S) INFORMATION:

Name: JANE AND TYLER WILSON

Mailing Address: 10 CHESTER ST

City: GUELPH Postal Code: N1H 1K6

Home Phone: TYLER - 226-971-1819 Work Phone: JANE 226-979-7333

Fax: _____ Email: tylerjwilson@gmail.com

e.jane.wilson14@gmail.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: R.1B

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

MINOR VARIANCES REQUIRED DUE TO DISTANCE OF
PROPOSED ADDITION FROM FRONT PROPERTY LINE.

A VARIANCE TO SECTION 5-1-2-7(i) IS REQUIRED TO PERMIT
A SETBACK OF ~~2.5~~ 2.2m WHEN THE BY-LAW REQUIRES A SETBACK
OF 5.35

A VARIANCE TO TABLE 4.7 ROW 3 OPEN, ROOFED PORCH NOT
EXCEEDING 1 STORY IN HEIGHT TO PROTECT 2.6 METRES
IN FRONT YARD, , WHEREAS 2.4m IS PERMITTED.

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

THIS IS THE ONLY SUITABLE LOCATION FOR THE PROPOSED
ADDITION TO THE FRONT ENTRY.

PROPERTY INFORMATION

Date property was purchased:	APRIL 29 2014	Date property was first built on:	UNKNOWN
Date of proposed construction on property:	OCT. 15 2017	Length of time the existing uses of the subject property have continued:	UNKNOWN

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: 12 m

Depth: 27.74 m

Area: 333 m²

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
Main Building			Main Building		
Gross Floor Area:	65.24 55.24 m ²		Gross Floor Area:	64.71 m ²	
Height of building:	5.5m		Height of building:	5.5m	
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:	1.98m		Driveway Width:	1.98m	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: BACK DECK 23m ² SHED 8.2 m ² 2.7m TALL 3.3m TALL			Describe details, including height: FRONT DECK 5.23m ² BACK DECK 23m ² 3.3m TALL SHED 8.2 m ² 2.7m TALL		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	5m 4.8m		M	Front Yard Setback:	2.49m 2.21 M
Exterior Side Yard (corner lots only)			M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 1.9m M	Right: 3.2m M		Side Yard Setback:	Left: 1.9m M Right: 3.2m M
Rear Yard Setback	14.9m		M	Rear Yard Setback	14.9m M

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Building Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Consent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B-13/07
Previous Minor Variance Application	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-32/07

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

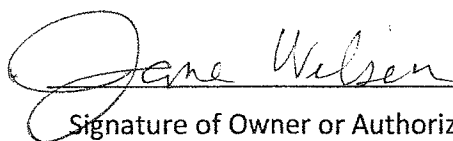
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.

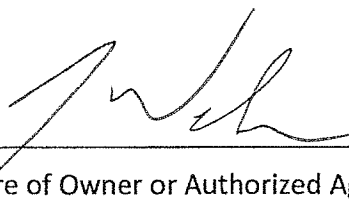
For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

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, Jane Wilson, 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.

Jane Wilson
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 6th day of September, 2017.

[Signature]
Commissioner of Oaths

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

APPOINTMENT AND AUTHORIZATION

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

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

of _____
(Legal description and/or municipal address)

hereby authorize _____
(Authorized agent's name)

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

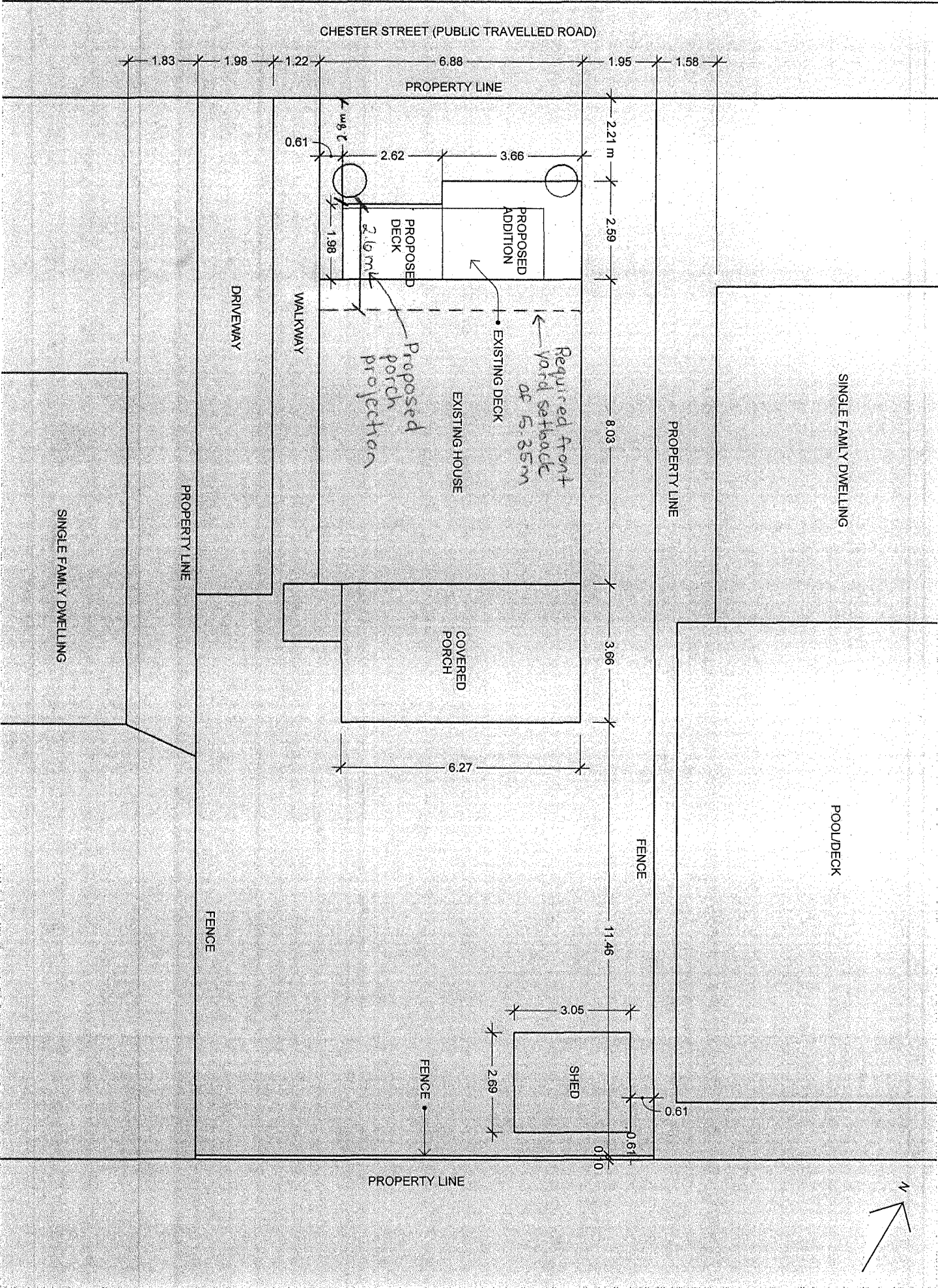
Dated this _____ day of _____ 20____.

(Signature of the property owner)

(Signature of the property owner)

NOTES:

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



DRAWN BY
EJW
DESCRIPTION
10 CHESTER ST

PROJECT NO.
PROJECT
APPLICATION

ISSUE
09.05.2017
RE-ISSUE
10.16.2017

SCALE 1:100