# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: June 26, 2019 | Folder #: A-76/19 |
| | Application deemed complete: ☑ Yes ☐ 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:**

(JD) 288- Address of Property: 282 Victoria Road North, Guelph

Legal description of property (registered plan number and lot number or other legal description):
Part of Lot 5, Division F, ~~(west side of Eramosa Rd as in instrument No. MS91245)~~ (JD)

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: Suncor Energy Inc
Mailing Address: 3275 Rebecca St
City: Oakville Ont Postal Code: L6L 6N5
Home Phone: Work Phone: 416-434-6827
Fax: Email: bellist@suncor.com

**AGENT INFORMATION** (If Any)

Company: Suncor Energy
Name: Robert Elliott
Mailing Address: 3275 Rebecca St
City: ~~(Guelph)~~ Oakville Postal Code L6L 6N5
Work Phone: Mobile Phone: 416-434-6827
Fax: Email: bellist@suncor.com

| Official Plan Designation: Neighbourhood Commercial centre (JD) | Current Zoning Designation: NC - 1 (JD) |
|---|---|

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

Section 6.2.1.1 (JD)

In a decision dated, January 15, 2019, the Committee of Adjustment rendered a decision on Application # A-8/19, approving a commercial school use up to 50% of the gross floor area. There is approx 6000 sq ft of vacant space left in the building - see attached diagram, unit 5. Most potential tenants (dance studios, physical fitness) require the full 6000. The request is to increase the maximum gross floor area from 50% to 75%

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

cannot find suitable tenants.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | Dec 20, 2011 | Date property was first built on: | (A/A) 1975 (JD) |
| Date of proposed construction on property: | N/A | Length of time the existing uses of the subject property have continued: | 8 years |

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

Commercial

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

Commercial

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

Frontage: 72m Depth: 91m Area: 6,500 $m^2$

| PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric) | | | | | |
|---|---|---|---|---|---|
| **EXISTING (DWELLINGS & BUILDINGS)** | | | **PROPOSED** | | |
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | 12,853 sf | | Gross Floor Area: | | |
| Height of building: | 12 ft | | Height of building: | | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ Detached ☐ | | | Attached ☐ Detached ☐ | | |
| Width: | | | Width: | | |
| Length: | | | Length: | | |
| Driveway Width: | | | Driveway Width: | | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | |
| **Describe details, including height:** | | | **Describe details, including height:** | | |

| LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND | | | | | |
|---|---|---|---|---|---|
| **EXISTING** | | | **PROPOSED** | | |
| Front Yard Setback: | 33 M | | Front Yard Setback: | M | |
| Exterior Side Yard (corner lots only) | 6 M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: M | Right: M | Side Yard Setback: | Left: M | Right: M |
| Rear Yard Setback | 32 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | X | | |
| Consent | X | | |
| Previous Minor Variance Application | | X | A-8/19 |

## 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 Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

## 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.

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, Suncor Energy Inc, of the City/Town of Oakville in County/Regional Municipality of Halton, 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

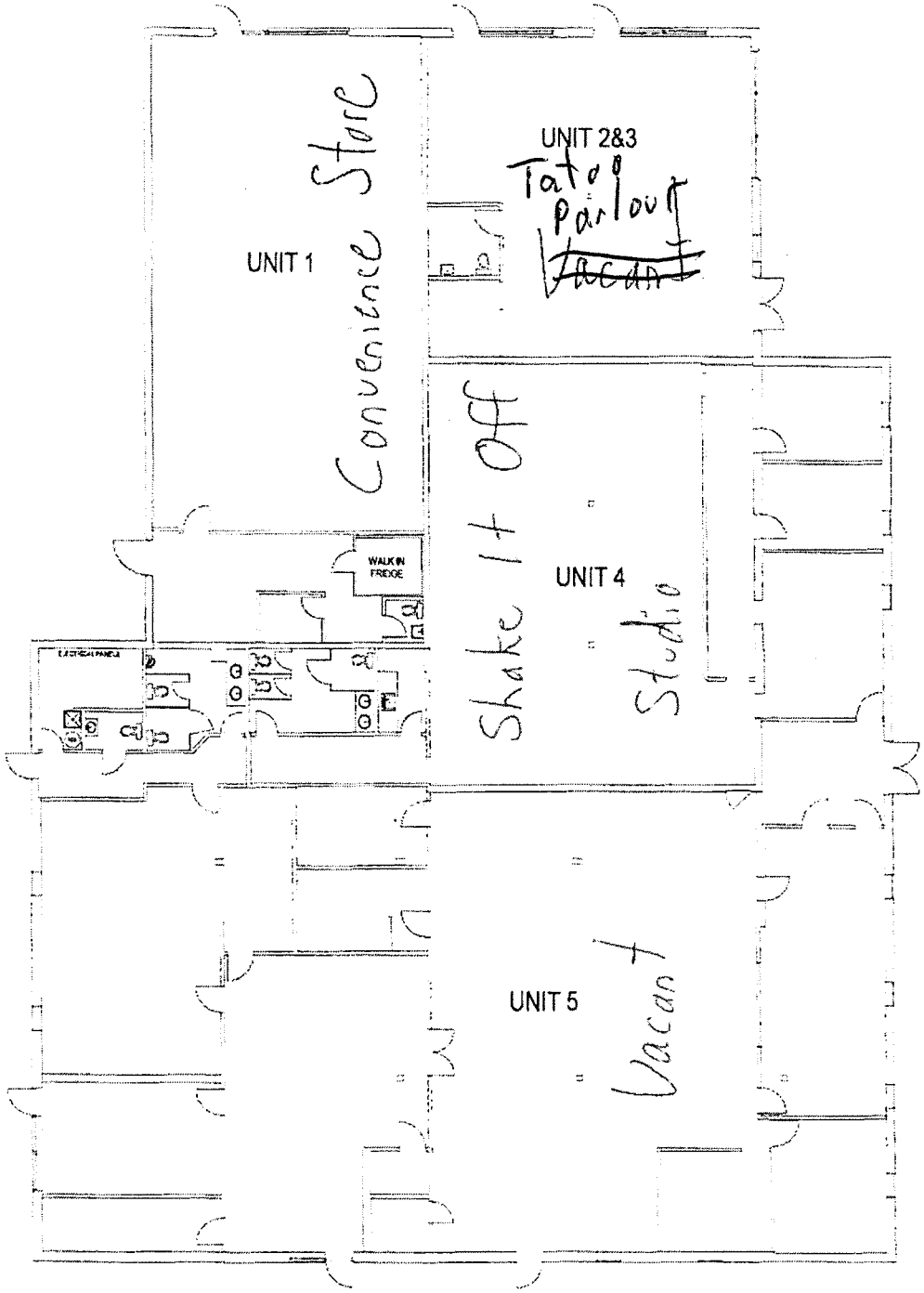
City/Town of Oakville in the County/Regional Municipality of

Halton this 4 day of June, 20 22.

Lina Corbeil, a Commissioner, etc.,
Province of Ontario, Canada,
for Suncor Energy Products Partnership.
Expires June 4, 2022

Commissioner of Oaths

(official stamp of Commissioner of Oaths)




| | |
|---|---|
| UNIT 1: | 2,355 SF |
| UNIT 2&3: | 1,513 SF |
| UNIT 4: | 2,974 SF |
| UNIT 5: | 6,011 SF |
| TOTAL AREA: | 12,853 SF |

PREPARED BY:

MEASUREX
(905) 628-1818

LOCATION:

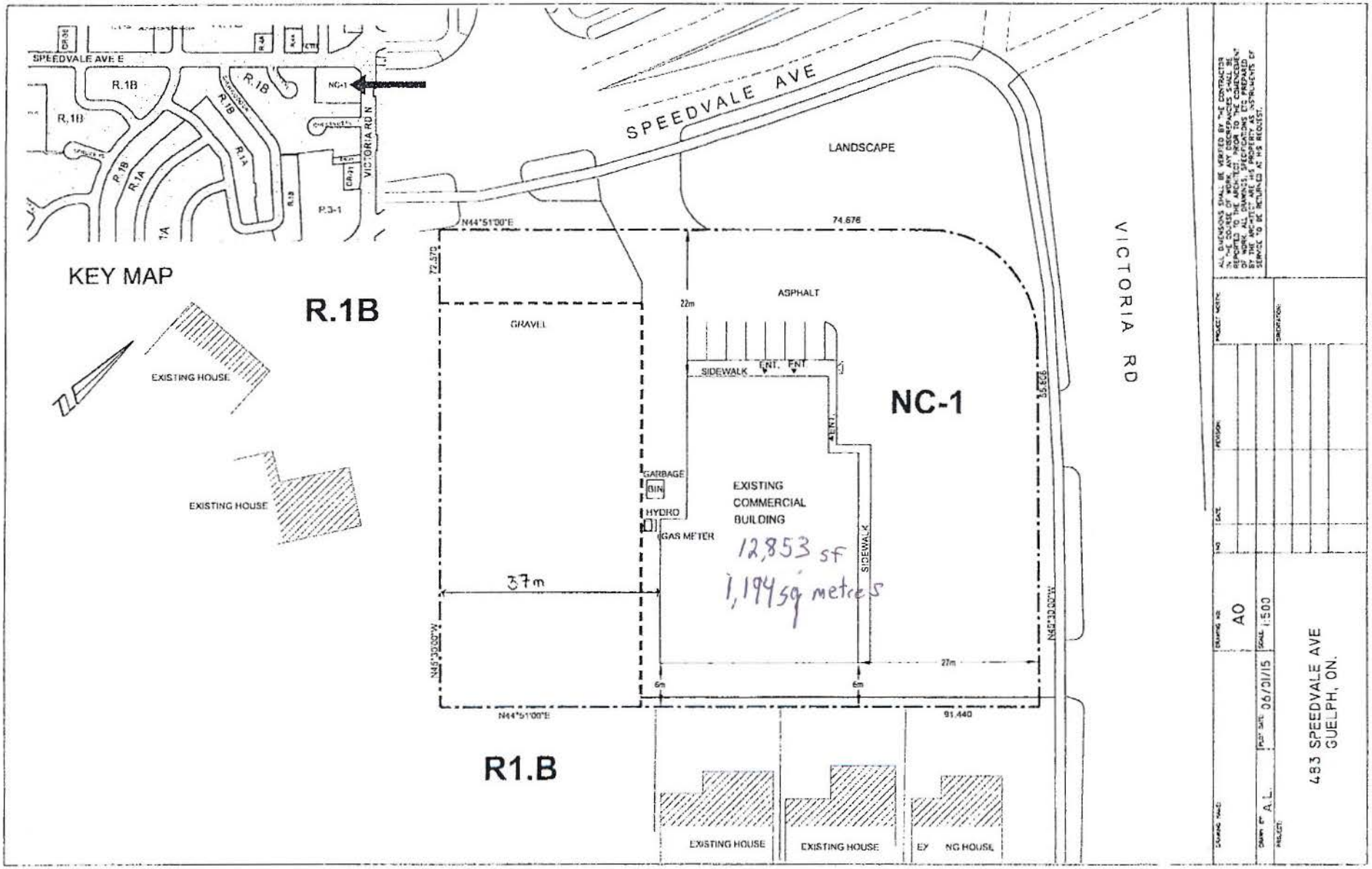
485 SPEEDVALE AVENUE E.
GUELPH, ONTARIO

PREPARED FOR:
Primus Property Management Inc.

DATE:
MAY 30, 2018

FILE: 485-SPEEEDVALE.dwg

SCALE: NTS


SPEEDVALE AVE E
R.1B
R.1A
NC-1
VICTORIA RD N
P.3-1
KEY MAP
R.1B
EXISTING HOUSE
EXISTING HOUSE
SPEEDVALE AVE
LANDSCAPE
VICTORIA RD
N44°51'00"E
74.676
72.570
22m
ASPHALT
GRAVEL
SIDEWALK
ENT.
ENT.
NC-1
GARBAGE
BIN
HYDRO
GAS METER
EXISTING
COMMERCIAL
BUILDING
12,853 sf
1,194sq metres
SIDEWALK
37m
N45°30'00"W
27m
6m
6m
N44°51'00"E
91.440
R1.B
EXISTING HOUSE
EXISTING HOUSE
EXISTING HOUSE
ALL DIMENSIONS SHALL BE VERIFIED BY THE CONTRACTOR
AND ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT PRIOR TO THE COMMENCEMENT
OF WORK. ALL DRAWINGS, SPECIFICATIONS ETC PREPARED
BY THE ARCHITECT ARE HIS PROPERTY AS INSTRUMENTS OF
SERVICE TO BE RETURNED AT HIS REQUEST.
A0
SCALE 1:500
DATE 06/01/15
DRAWN BY A.L.
483 SPEEDVALE AVE
GUELPH, ON.

# DECISION

**COMMITTEE OF ADJUSTMENT**
**APPLICATION NUMBER A-8/19**

CITY OF Guelph
Making a Difference

The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 6.2.1.1 of Zoning By-law (1995)-14864, as amended, for 282 Victoria Road North, to permit a commercial school use (Zumba Studio) in the existing commercial building, when the By-law does not permit a commercial school use in the NC-1 Zone, be **APPROVED**, subject to the following condition:

1. That the commercial school use on the subject property be limited to less than 50 percent of the total gross floor area of the commercial plaza.

REASONS:

This application is approved, as it is the opinion of the Committee that, with the above noted condition of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

**Members of Committee Concurring in this Decision**

I, Trista Di Lullo, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a hearing held on January 10, 2019.

**Dated:** January 15, 2019

**Signed:** Trista Di Lullo

**The last day on which a Notice of Appeal to the Local Planning Appeal Tribunal may be filed is January 30, 2019.**

**Committee of Adjustment**

T 519-822-1260 x2524
F 519-763-1269
E cofa@guelph.ca

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 2, 2019 | Folder #: A-77/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 83 Essex St., Guelph, ON N1H 3K9

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

Part of Lot 383, Reg. Plan 8

**OWNER(S) INFORMATION:**

Name: Guelph Black Heritage Society
Mailing Address: 214 - 304 Stone Rd W
City: Guelph
Postal Code: N1G 4W4
Home Phone:
Work Phone: 519-837-2519
Fax:
Email: info@guelphblackheritage.
denisel francise@hotmail.com

**AGENT INFORMATION** (If Any)

Company: Joel Bartlett Architect Inc.
Name: Joel Bartlett
Mailing Address: 40 Walnut Drive
City: Guelph, ON
Postal Code: N1E 4B3
Work Phone: 519 831 6726
Mobile Phone: 519 831 6726
Fax:
Email: joel@jbai.ca

| Official Plan Designation: Low Density Residential | Current Zoning Designation: R1.B |
|---|---|

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

1. R.1B Zone requirements – addition to a legal conforming use (Section 2.5.3.3) (JD)
2. Minimum south side yard (Table 5.1.2, Row 7) (JD)
3. Off-street parking (Section 4.13.4.4) (JD)

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

1. Existing use is not a permitted use under R1.B zoning
2. Site area restriction due to size of addition and exterior barrier free ramp requirements
3. Site area restriction - parking required = 9; proposed = 3

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | December, 2012 | Date property was first built on: | ~1880 |
| Date of proposed construction on property: | October, 2019 | Length of time the existing uses of the subject property have continued: | ~139 years |

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

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

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

Frontage: 15.66 Depth: 38.78 Area: 588.335 m2

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

| EXISTING (DWELLINGS & BUILDINGS) | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | 238.52 m2 (includes basement) | | Gross Floor Area: | 321.48 m2 (includes basement) | |
| Height of building: | 7.5m | | Height of building: | 7.5m | |
| **Garage/Carport (if applicable)** N/A | | | **Garage/Carport (if applicable)** N/A | | |
| Attached ☐ Detached ☐ | | | Attached ☐ Detached ☐ | | |
| Width: | | | Width: | | |
| Length: | | | Length: | | |
| Driveway Width: | | | Driveway Width: | | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** N/A | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** N/A | | |
| **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: | 2.13 M | | Front Yard Setback: | 2.13 M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: 0.60 M | Right: 5.50 M | Side Yard Setback: | Left: 1.21 (addtion) M | Right: 5.50 M |
| Rear Yard Setback | 22.46 M | | Rear Yard Setback | 13.76 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 | x | | |
| Zoning By-law Amendment | x | | |
| Plan of Subdivision | x | | |
| Site Plan | | x | SP19-010 |
| Building Permit | | x | Not filed yet |
| Consent | x | | |
| Previous Minor Variance Application | x | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

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

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

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Denise Francis, 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 2nd day of August, 2019.

Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

# APPOINTMENT AND AUTHORIZATION

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

GUELPH BLACK HERITAGE SOCIETY
[Organization name / property owner's name(s)] DENISE FRANCIS, PRESIDENT / TREASURER

of 83 ESSEX ST GUELPH
(Legal description and/or municipal address)

hereby authorize JOEL BARTLETT
(Authorized agent's name)

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

Dated this 2 day of AUGUST 2019.

(Signature of the property owner)

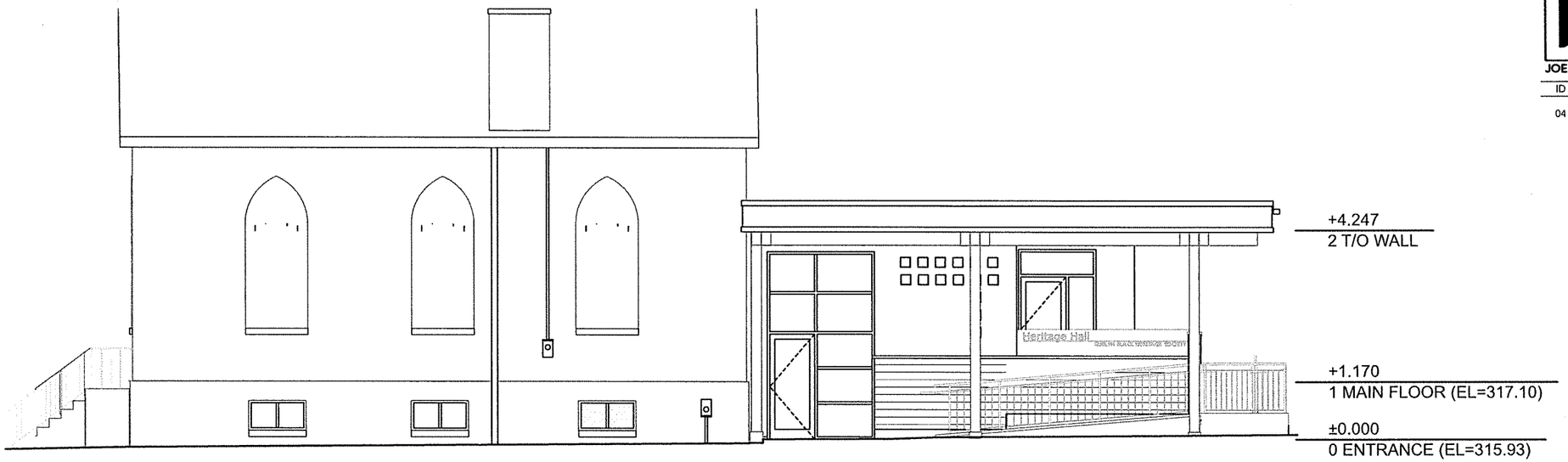
(Signature of the property owner)

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.

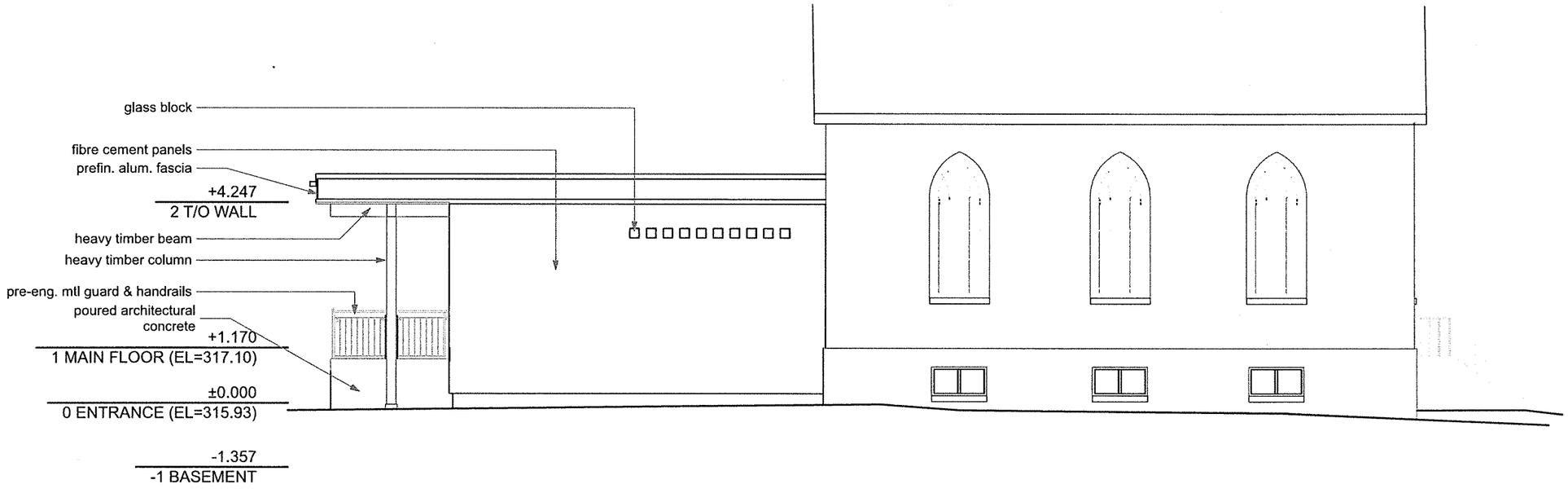
JOEL BARTLETT ARCHITECT INC.
P: 519 831 6726
E: joel@jbai.ca
www.jbai.ca

| ID | Issue Name | Date |
|---|---|---|
| 04 | Minor Variance App'n | 2019-07-31 |




1

NORTH ELEVATION
1:100




2

SOUTH ELEVATION
1:100

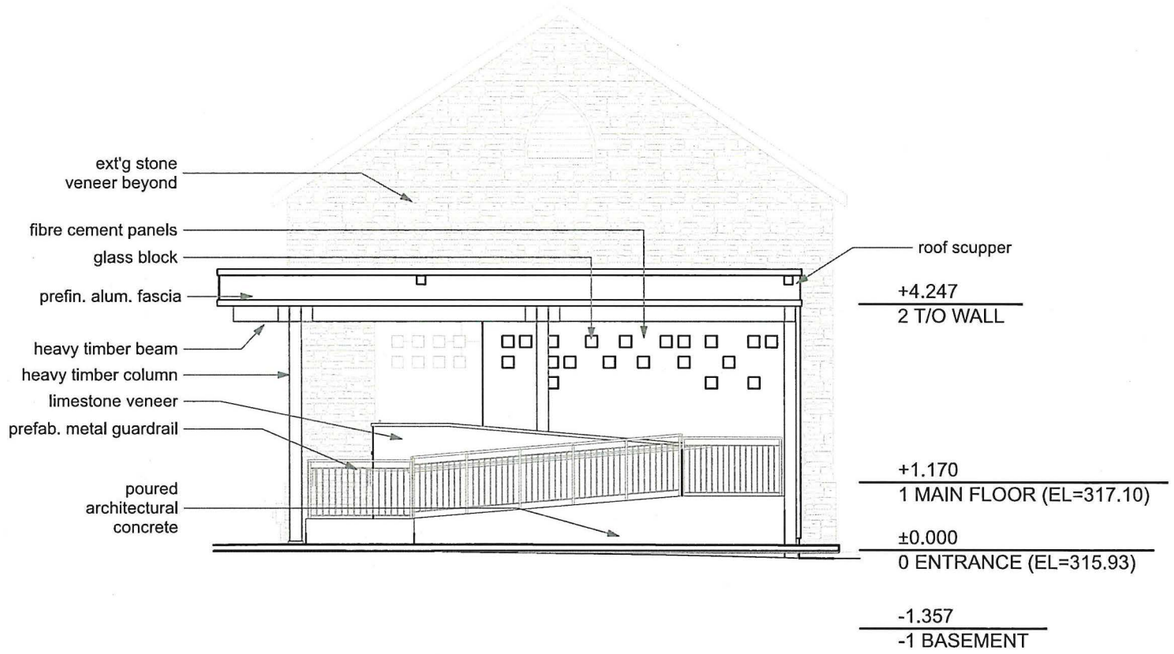
PROJECT
Heritage Hall Addition & Renovation

83 Essex St., Guelph, ON

DRAWING NAME
ELEVATIONS

| | |
|---|---|
| PLOT DATE: 2019-07-31 | |
| SCALE: AS NOTED | DRAWING NO.: A.07 |
| PROJECT NO.: 1719 | |

LAST SAVED: 2019-07-31




1 SOUTH ELEVATION
1:100

2 PERSPECTIVE - N/W ELEVATIONS

JOEL BARTLETT ARCHITECT INC.
P: 519 831 6726
E: joel@jbai.ca
www.jbai.ca

| ID | Issue Name | Date |
|---|---|---|
| 04 | Minor Variance App'n | 2019-07-31 |

PROJECT
Heritage Hall Addition & Renovation

83 Essex St., Guelph, ON

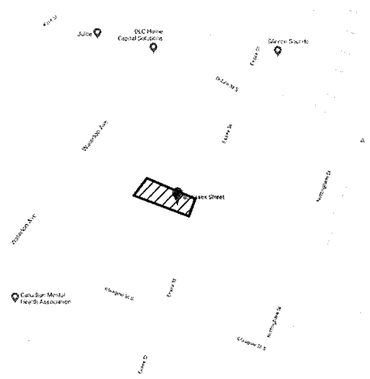
DRAWING NAME
ELEVATIONS

| | |
|---|---|
| PLOT DATE 2019-07-31 | |
| SCALE AS NOTED | DRAWING NO. A.08 |
| PROJECT NO. 1719 | |

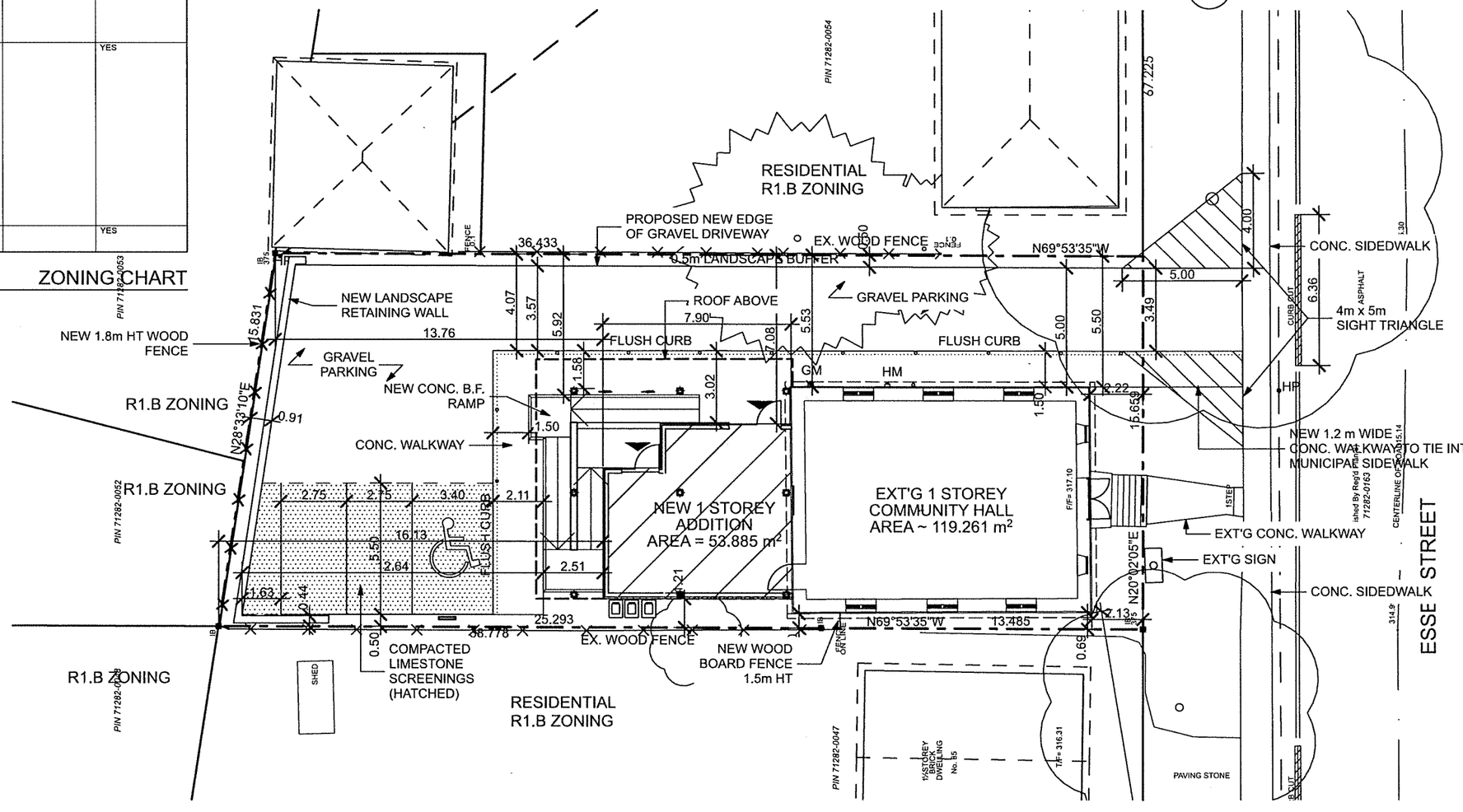
LAST SAVED: 2019-07-11

| REGULATIONS | REQUIRED | PROVIDED | CONFORMS |
|---|---|---|---|
| ZONING R.1B | | | |
| MIN. LOT AREA | 460 m2 | 588.335 m2 | YES |
| MIN. LOT FRONTAGE | 15m | 15.66 m | YES |
| MIN. FRONT YARD | 6m | 2.13m | EXISTING LEGAL NON-CONFORMING |
| MAX. BUILDING HEIGHT | 3 storeys | 1 STOREY | YES |
| MIN. EXT. SIDE YARD | 4.5m | N/A | N/A |
| MIN. SIDE YARD | 1.5m (1 storey) | NORTH: 5.50m<br>SOUTH: 1.21m | NORTH: YES<br>SOUTH: NO |
| | | | |
| MIN. REAR YARD | 7.5m or 20% of Lot Depth, whichever is less | 13.76m | YES |
| ACCESSORY BUILDINGS | N/A | | |
| FENCES | In accordance with Section 4.20.<br>4.20.11 located in the interior Side Yard shall not exceed 1.9 metres in height.<br>4.20.12 located in the Rear Yard shall not exceed 2.5 metres in height. | 1.8m ht | YES |
| OFF-STREET PARKING | In accordance with Section 4.13.<br>Type of Use:<br>Public Hall<br>1 parking space/10 m2<br><br>GFA (Addition only)<br>= 82.962 m2<br><br>Parking Spaces Required = 9 | 3<br><br>(2 standard parking spaces + 1 'Type A' accessible parking space) | NO |
| MIN. LANDSCAPED OPEN SPACE | The Front Yard on any Lot, excepting the Driveway (Residential) shall be landscaped and no parking shall be permitted within this Landscaped Open Space. Despite the definition of Landscaped Open Space, a minimum area of 0.5 metres between the Driveway (Residential) and nearest Lot Line must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species. | | YES |
| GARBAGE, RUSE AND STORAGE | In accordance with Section 4.9. | | YES |

2 ZONING CHART



3 CONTEXT PLAN




1 SITE PLAN
1:200


JOEL BARTLETT ARCHITECT INC.
P: 519 831 6726
E: joel@jbai.ca
www.jbai.ca


| ID | Issue Name | Date |
|---|---|---|
| 04 | Minor Variance App'n | 2019-07-31 |

PLAN OF SURVEY
TAKEN FROM
PART OF LOT 383
REGISTERED PLAN 8
IN THE
GEOGRAPHIC TOWNSHIP OF GUELPH
CITY OF GUELPH
COUNTY OF WELLINGTON
PREPARED BY
VAN HARTEN SURVEYING LTD.
2018

PROJECT
Heritage Hall Addition & Renovation

83 Essex St., Guelph, ON

DRAWING NAME
SITE PLAN

| | |
|---|---|
| PLOT DATE 2019-07-31 | |
| SCALE AS NOTED | DRAWING NO. A.01 |
| PROJECT NO: 1719 | |

LAST SAVED: 2019-07-31

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 12, 2019 | Folder #: A-78/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 80 Pleasant Road Guelph ON N1E 3Z4

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

Lot 119, Plan 528

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: Brittany Green & Dan Mohle

Mailing Address: 80 Pleasant Road

City: Guelph Postal Code: N1E 3Z4

Home Phone: 226 821 0075 (cell) Work Phone:

Fax: Email: brittany-green10@hotmail.com

**AGENT INFORMATION** (If Any)

Company:

Name:

Mailing Address:

City: Postal Code

Work Phone: Mobile Phone:

Fax: Email:

| Official Plan Designation: | Low density residential (~~R1B Zone~~) | Current Zoning Designation: | R.1B Zone |
|---|---|---|---|

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

Interior side yard setback variance (0.6m) for new construction garage.

Table 5.1.2, Row 7 to permit a right side yard setback of 0.6m for the proposed garage.

Even though the by-law requirement is 1.5m we are proposing a variance of 0.6m at the right side yard setback.

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

The existing garage structure is a built-in carport. We would like to tear down this structure and build a more functional garage to facilitate additional storage & room for parking our vehicle. Due to the nature of our pie-shaped lot & in wanting to keep with the look of our neighbourhood, we propose a side yard setback variance for our garage.

**PROPERTY INFORMATION**

| Date property was purchased: | May 1 2014 | Date property was first built on: | 1959 |
|---|---|---|---|
| Date of proposed construction on property: | October 2019 | Length of time the existing uses of the subject property have continued: | 1959 - present |

**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: 16.764 m Depth: 30.48 m Area: 510.97 $m^2$

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

| EXISTING (DWELLINGS & BUILDINGS) | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | 91.97 $m^2$ | | Gross Floor Area: | 108.697 $m^2$ | |
| Height of building: | 4.4196 m | | Height of building: | 4.4196 m | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☑ Detached ☐ | | | Attached ☑ Detached ☐ | | |
| Width: | 3.2004 m | | Width: | 3.9624 m | |
| Length: | 7.3152 m | | Length: | 12.8016 m | |
| Driveway Width: | 4.4958 m | | Driveway Width: | 4.4958 m | |
| **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: | 8.039 M | | Front Yard Setback: | 7.01 M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: 1.651 M | Right: 1.5 M | Side Yard Setback: | Left: 1.651 M | Right: 0.622 M |
| Rear Yard Setback | 14.693 M | | Rear Yard Setback | 14.725 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | X | | |
| Consent | X | | |
| Previous Minor Variance Application | X | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

**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.

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.

Brittany Breen

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Brittany Green, 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.

Brittany Green
Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

City/Town of Guelph in the County/Regional Municipality of Wellington this 12 day of August, 2019.

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

EXISTING REAR PROPERTY LINE

EXISTING P.T. WOOD FENCE TO REMAIN.

EXISTING
LANDSCAPED
BACKYARD AREA

MINIMUM REAR YARD SETBACK 7.5 METERS (25'-0")

EXISTING P.T. WOOD FENCE TO REMAIN.

PROPOSED SIDE YARD SETBACK 0.6 METERS (2'-0")

MINIMUM SIDE YARD SETBACK 1.5 METERS (5'-0")

PROPOSED
INTERIOR SIDE YARD SETBACK
VARIANCE TABLE 5.1.2 (7)
0.6 METERS

EXISTING
WOOD DECK
23'-0" X 14'-10"

PROPOSED
GARAGE
ADDITION

PROPOSED MINIMUM
INTERIOR PARKING SPACE
3 METERS X 6.0 METERS
(10'-0" X 19'-8")

EXISTING FRONT PROPERTY LINE

EXISTING
SINGLE FAMILY DWELLING
80 PLEASANT ROAD,
GUELPH, ONTARIO

EXISTING
WOOD FENCE

EXISTING MINIMUM
EXTERIOR PARKING SPACE
2.5 METERS X 5.5 METERS
(8'-3" X 18'-1")

OUTLINE OF
EXISTING CONCRETE
PORCH + FOUNDATION
TO BE REMOVED.

PROPOSED
ADDITION

EXISTING
LANDSCAPED PLANTING BED AREA

MINIMUM FRONT YARD SETBACK
6.0 METERS (20'-0")

PROPOSED
OPEN COVERED PORCH

PROPOSED NEW SIDEWALK

THE GREEN-MOHLE RESIDENCE
80 PLEASANT ROAD, GUELPH, ONTARIO
SITE PLAN

SCALE: 1:100

EXISTING
LANDSCAPED
FRONT AREA

EXISTING FRONT PROPERTY LINE

EXISTING
ASPHALT DRIVEWAY
(4508 WIDE)

EXISTING CONCRETE SIDEWALK

EXISTING TREE
TO REMAIN

EXISTING CONCRETE CURB

PLEASANT ROAD

William Spira
ARCHITECTURAL ILLUSTRATION & DESIGN
53 Pleasant Road, Guelph, Ontario, Canada N1E 3Z5
tel: 519.822.5687 fax: 519.822.6062 email: billspira@sympatico.ca

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 12, 2019 | Folder #: A-79/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 1159 Victoria Road South

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

Part of Lot 5 Concession 8, Geographic Township of Puslinch, City of Guelph, County of Wellington

RP 61R11928 PT PART 1 (JD)

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

| | | | |
|---|---|---|---|
| Name: | Victoria Park Village Inc. c/o Adam Nesbitt | | |
| Mailing Address: | PO Box 220 | | |
| City: | Burlington | Postal Code: | L7P 0N4 |
| Home Phone: | | Work Phone: | 905-336-7335 |
| Fax: | | Email: | anesbitt@mikmadahomes.com |

**AGENT INFORMATION** (If Any)

| | | | |
|---|---|---|---|
| Company: | IBI Group | | |
| Name: | Tracy Tucker | | |
| Mailing Address: | 200-360 James St N | | |
| City: | Hamilton | Postal Code | L8L 1H5 |
| Work Phone: | 905-546-1010 | Mobile Phone: | |
| Fax: | | Email: | tracy.tucker@ibigroup.com |

| | |
|---|---|
| **Official Plan Designation:** Low Density Greenfield Residential | **Current Zoning Designation:** R.4A-38 |

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

To permit a real estate sale office as an occasional use on the subject lands prior to to issuance of a building permit and the site being considered an active construction site, for a period of 5 years. The minor variance is to allow for the sales trailer to be located on Block 107, until such time that Block 107 is developed. Section 4.21.5 (JD)

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

In order to obtain a building permit, owner's need to have a minimum number of sales, this cannot be done without a sales trailer being situated on the subject lands prior to the site being considered a construction site (defined as a site which has a building permit issued). As such a minor variance is required to permit a sales trailer to be located on the subject lands in advance of a building permit being issued. The lands are part of the overall Victoria Park Village subdivision and a sales trailer is required for the two remaining medium density residential blocks.

Further the sales office is currently located south of the proposed location adjacent to Block 108. At this time the owner is proposing to move the office to allow for the construction of the neighbourhood park.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | January 2012 | Date property was first built on: | n/a |
| Date of proposed construction on property: | Block 106 - Fall 2019<br>Block 107 - TBD | Length of time the existing uses of the subject property have continued: | |

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

Vacant

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

Residential

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

Frontage: ±230m Depth: varies Area: 38 ha

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

| EXISTING (DWELLINGS & BUILDINGS) | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | | | Gross Floor Area: | ±235.6m² | |
| Height of building: | | | Height of building: | 1 storey | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ | Detached ☐ | | Attached ☐ | Detached ☐ | |
| Width: | | | Width: | | |
| Length: | | | Length: | | |
| Driveway Width: | | | Driveway Width: | | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | |
| **Describe details, including height:** | | | **Describe details, including height:** | | |

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

| EXISTING | | | PROPOSED | | |
|---|---|---|---|---|---|
| Front Yard Setback: | M | | Front Yard Setback: | 12.7 M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | ±150 M | |
| Side Yard Setback: | Left: M | Right: M | Side Yard Setback: | Left: M | Right: 32.6 M |
| Rear Yard Setback | M | | Rear Yard Setback | ±260 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 | X | | |
| Zoning By-law Amendment | | | |
| Plan of Subdivision | | X | SP12A042 (JD) |
| Site Plan | X | | |
| Building Permit | X | | |
| Consent | X | | |
| Previous Minor Variance Application | | | |

## 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 Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

## 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.

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.

X _____

Signature of Owner or Authorized Agent

_____

Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

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

_____ this 8th day of August, 2019.

Commissioner of Oaths

Jared Vail Marcus, a Commissioner, etc.,
Province of Ontario,
for IBI Group.
Expires December 5, 2020.

(official stamp of Commissioner of Oaths)

# APPOINTMENT AND AUTHORIZATION

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

Victoria Park Village Inc.

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

of Part of Lot 5 Concession 8, Geographic Township of Puslinch, City of Guelph, County of Wellington

(Legal description and/or municipal address)

hereby authorize IBI Group

(Authorized agent's name)

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

Dated this 7 day of Aug 2019.

X

(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.

IBI GROUP
200 East Wing – 360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010
ibigroup.com

August 12, 2019

Ms. Trista Di Lullo
Secretary-Treasurer, Committee of Adjustment
City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Dear Ms. Di Lullo:

**APPLICATION FOR MINOR VARIANCE**
**1159 VICTORIA ROAD SOUTH, GUELPH**

On behalf of the owner, Victoria Park Village Inc., we are pleased to submit the enclosed application for Minor Variance, for the lands located at 1159 Victoria Road South, Guelph. In support of the application, please find enclosed the following:

- One (1) copy of the completes application form;
- Two (2) copies of the proposed Site Plan; and,
- One (1) cheque in the amount of $989.00, made payable to the City of Guelph

Development Proposal

The proposed minor variance is to permit a real estate sales trailer on the subject lands, in advance of a building permit being issued on the lands, and to be located on the subject lands for up to 5 years. A real estate sales trailer is a permitted use, within the Zoning By-law, provided that the site is a construction site. Through our previous discussions with staff it was noted that a construction site is defined as a site for which a building permit has been issued.

The existing sales office is located on a portion of the subject lands which is to be developed in the near future, and as such needs to be moved to another area of the site.

Planning Act Section 45 (1) Compliance

Section 45(1) of the Planning Act permits the Committee of Adjustment to grant Minor Variances from the Zoning By-law provided they meet what is known as the four (4) tests. The four (4) tests are:

1. Is the variance is minor in nature?
2. Is the variance desirable for the appropriate?
3. Does the variance maintain general intent and purpose of the Official Plan?
4. Does the variance maintain general intent and purpose of the Zoning By-law?

The following will provide an analysis of the proposed variances against the four tests.

**Variance 1: Occasional Use – Real Estate Sales Trailer**

The current zoning by-law permits real estate sales trailers, as an occasional use, provided that the lands are an active construction site. Sales trailers are permitted on the subject lands until such time that construction is complete or a final building inspection is completed, whichever

occurs first. Occasional uses are only permitted for a limited time period of not more than 90 days per calendar year.

The proposed variance is to permit a real estate sales trailer prior to the lands being an active construction site, and for a period of up to 5 years.

1. **Is the Variance Minor in Nature?**

   The proposed variance is technical in nature. A real estate sales trailer is required in order to make sales for the proposed development. The lands as a whole are currently being developed. However, a building permit cannot be obtained for the proposed location of the real estate sales trailer, until the lands are registered and financing requirements have been achieved through meeting a minimum number of sales. Further, the Sales trailer is existing on the lands in a different location but is required to be moved to allow for development of the current location. Given the above, it is our opinion that the proposed variance is minor in nature and there are no adverse impacts as a result of the requested variance.

2. **Is the Variance Desirable and Appropriate?**

   The proposed variances will allow for the owner to relocate the Real Estate Sale Trailer to a new portion of the proposed development, prior to the lands being considered an active construction site. This will allow the owner to make the required sales for the development in order to obtain the required financing to obtain building permits for the subject lands. Further, a previous variance was approved to establish the real estate sales trailer on the subject lands. However due to the phasing of the development the sales trailer is required to move to another location on the subject lands. The proposed variance will also permit the sales trailer to remain on the lands until such time that the new location is to be developed or for 5 years, whichever is lesser. As such, it is our opinion that the proposed variance is desirable and appropriate for the subject lands.

3. **Does the Variance Maintain the General Intent and Purpose of the Official Plan?**

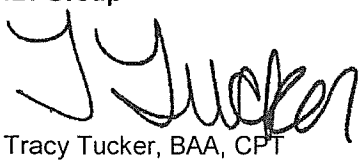
   The Official Plan permits residential uses on the subject lands. The proposed Real Estate Sales trailer will be used to sell the future residential units on the subject lands. As such the propose variances maintain the general intent and purpose of the Official Plan.

4. **Does the Variance Maintain General Intent and Purpose of the Zoning By-law?**

   The purpose of the Zoning By-law is to ensure that a real estate sales trailer is not located prematurely on a site, and that the use is not established as a long term use on the lands. The purpose of the requested variance is to allow for a sales trailer to be located on the subject lands prior to the lands being considered a construction site, in order to permit for the required sale of units, prior to obtaining a building permit. A building permit cannot be applied for unless the owner has financing and financing cannot be approved until a minimum number of sales have been achieved. Further, the sales trailer is to be used for the entire subdivision, including the medium density block developments, and is currently located on an existing block which is to be developed, as such the sales trailer needs to be reloacted. Given the scale of the overall subdivision, it is our opinion that the requested variance to permit a sales trailer in advance of the lands being considered a construction site and for a maximum of five years, maintains the general intent and purpose of the Zoning By-law.

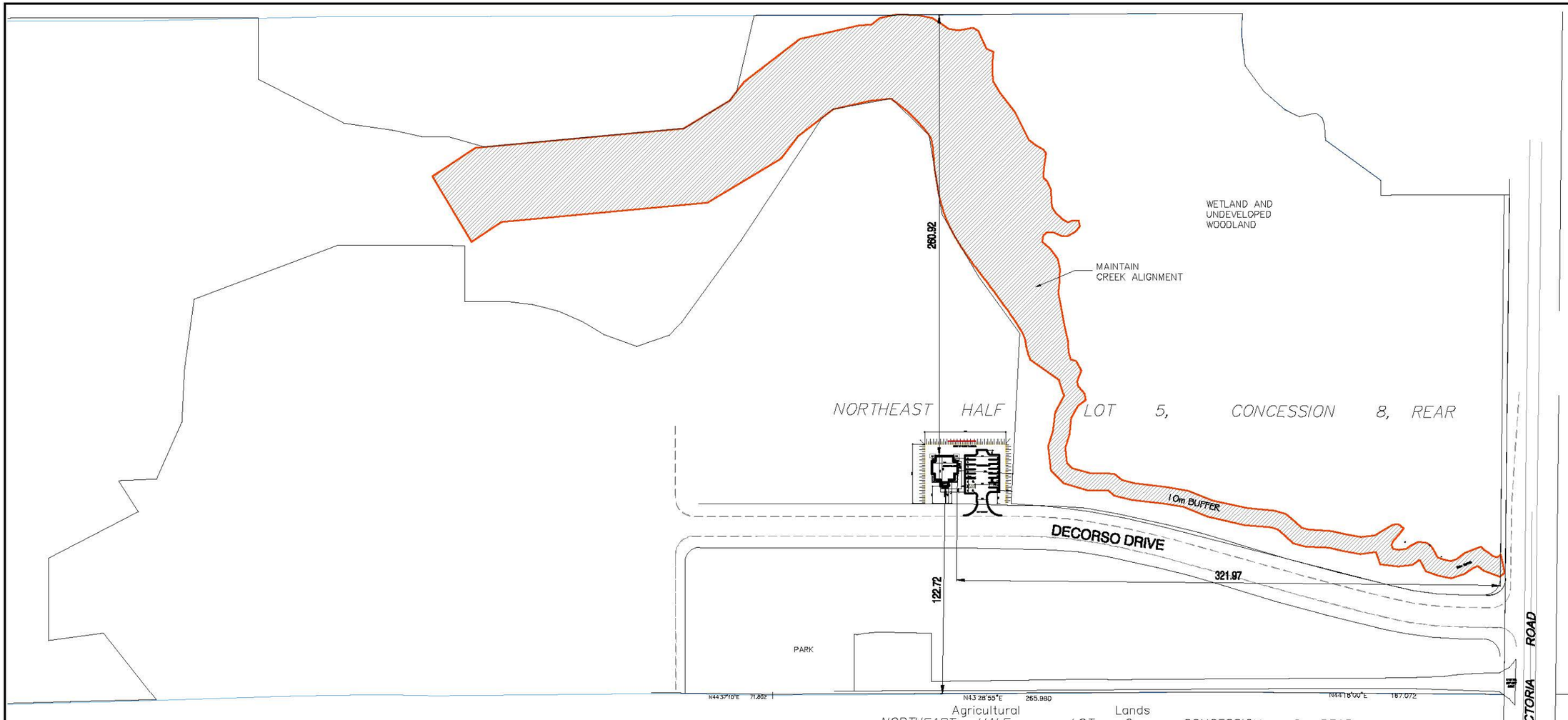
We trust that the enclosed is in order. However, should you have any questions or require further information, please do not hesitate to contact the undersigned.

Regards,
**IBI Group**



Tracy Tucker, BAA, CPT
Project Coordinator

Cc: Victoria Park Village Inc., c/o Mr. Adam Nesbitt, Owner




NORTH

**NOTE:** A FIRE ACCESS ROUTE MUST BE MAINTAINED AT ALL TIMES

**KEY MAP** N.T.S.

## LEGEND

- STORM CONNECTION
- SANITARY CONNECTION
- WATER CONNECTION
- HYDRO CONNECTION
- DOUBLE CATCH BASIN
- CATCH BASIN
- STREET LIGHT
- HYDRANT
- TRANSFORMER
- CABLE TV PEDESTAL
- BELL PEDESTAL
- ENTRANCE DOOR LOCATION
- GARAGE DOOR LOCATION
- MAIL — COMMUNITY MAILBOX
- ENGINEERED FILL LOT
- VALVE AND CHAMBER
- SANITARY MANHOLE
- STORM MANHOLE
- AIR-CONDITIONING UNIT
- 100.00 — PROPOSED GRADE
- (100.00) — EXISTING GRADE
- SW 100.00 — PROPOSED SWALE GRADE
- DOWNSPOUT LOCATION
- TELECOM. JUNCTION BOX
- PROPOSED BERM
- SWALE DIRECTION
- HYDRO METER
- GAS METER
- F.FLR. — FINISHED FLOOR ELEVATION
- T/WALL — TOP OF FOUNDATION WALL
- F.SLAB — FIN. BASEMENT FLOOR SLAB
- U/FTG. — UNDERSIDE FOOTING ELEVATION

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO JARDIN DESIGN GROUP INC. PRIOR TO COMMENCEMENT OF WORK.

JARDIN DESIGN GROUP INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURE AND/OR ENGINEERING INFORMATION SHOWN ON THESE DRAWINGS OR FOR CONSTRUCTION STARTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH WORK.

AS CONSTRUCTED INVERTS MUST BE VERIFIED PRIOR TO POURING FOOTINGS.

JARDIN DESIGN GROUP INC. HAS NOT BEEN RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUB-CONTRACTOR TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

THIS DRAWING IS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF JARDIN DESIGN GROUP INC. THIS DRAWING IS NOT TO BE SCALED.

| No: | DATE: | WORK DESCRIPTION: |
|---|---|---|
| 10 | | |
| 9 | | |
| 8 | JULY 25, 2019 | REVISED AS PER CITY COMMENTS RE-ISSUED TO CLIENT. |
| 7 | APR.11, 2019 | UPDATED SALES PAVILION LOCATION & RE-ISSUED TO CLIENT. |
| 6 | JAN. 28, 2017 | UPDATED SALES PAVILION FOOTPRINT & RE-ISSUED TO CLIENT. |
| 5 | JAN. 12, 2017 | REV. PARKING LOCATION AS PER CLIENTS COMMENTS & RE-ISSUED TO CLIENT. |
| 4 | OCT. 02, 2012 | REVISED TO SCALE FACTOR OF 1:2500 AS PER CITY. COMMENTS & ISSUED TO CLIENT. |
| 3 | AUG 15 2012 | REVISED AS PER ENG. COMMENTS AND REISSUED TO CLIENT. |
| 2 | AUG. 13,2012 | SHIFTED SALES OFFICE INTO BLOCK 134 & ISSUED TO CLIENT. |
| 1 | SEPT. 15,2011 | ISSUED FOR ENGINEERS GRADING REVIEW |

jardin
DESIGN GROUP INC
64 JARDIN DR. SUITE 3A
VAUGHAN ONT. L4K 3P3
TEL: 905 660-3377 FAX: 905 660-3713
EMAIL: info@jardindesign.ca

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer

QUALIFICATION INFORMATION

| Walter Botter | | 21031 |
|---|---|---|
| NAME | SIGNATURE | BCIN |

REGISTRATION INFORMATION

| jardin design group inc. | | 27763 |
|---|---|---|
| FIRM NAME | | BCIN |

# SITE PLAN

COUNTRY GREEN /MIKMADA HOMES
SALES PAVILION (GUELPH)

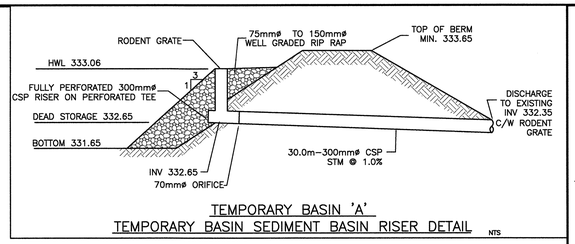
BILD

| TYPE | SP | |
|---|---|---|
| SCALE: | 1:2500 | |
| PROJ. No. | 11-64 | No. 1 |

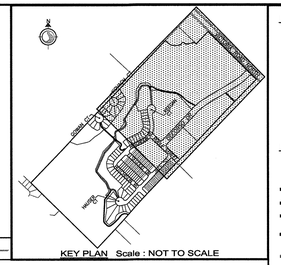
DRAWN BY: AJL DRAWING NAME: --

# TEMPORARY SEDIMENTATION BASIN SPECS

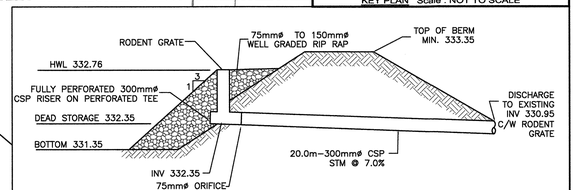
| BASIN # | CONTRIBUTING AREA (ha) | TOP OF DIVERSION BERM/SWALE | HIGHWATER LEVEL (H.W.L.) | TOP DEAD STORAGE/OVERFLOW (ELEV) | BOTTOM (ELEV) | DEAD STORAGE (REQ'D/PROVIDED) | LIVE STORAGE DRAWDOWNS (HRS.) |
|---|---|---|---|---|---|---|---|
| A | 3.78 | 333.65 | 333.06 | 332.65 | 331.65 | 699/700 | 20.1 |
| B | 7.28 | 333.35 | 332.76 | 332.35 | 331.35 | 1347/1400 | 38.5 |



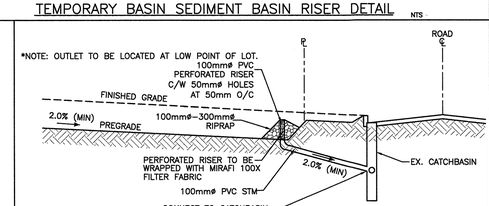

TEMPORARY BASIN 'A'
TEMPORARY BASIN SEDIMENT BASIN RISER DETAIL NTS




KEY PLAN Scale : NOT TO SCALE




TEMPORARY BASIN 'B'
TEMPORARY BASIN SEDIMENT BASIN RISER DETAIL NTS




DETAIL OF STORM SERVICE OUTLET NTS

**PREGRADING SPECIFICATION**

–STRUCTURAL FILL TO 1.8m± BELOW FINISHED GRADE.

–PRE–GRADING OF A & D TYPE LOTS TO BE 0.80m± BELOW FINISHED GRADE.

–PRE–GRADING OF B TYPE LOTS TO BE:
- 0.80m± BELOW FINISHED GRADE FROM ROW TO 14.0m.
- 0.60m± BELOW FINISHED GRADE ON LOT TRANSITIONAL SLOPE
- 0.30m± BELOW FINISHED GRADE FROM TOE OF SLOPE TO BACK OF LOT

–PRE–GRADING OF TOWNHOMES AND MULTI FAMILY BLOCKS TO BE 1.00m± BELOW FINISHED GRADE.

–PRE–GRADING OF ALL INTERNAL ROAD RIGHT OF WAYS TO BE 0.70m± BELOW FINISHED GRADE.

–PRE–GRADING OF SEMI–DETACHED LOTS TO BE 0.90m± BELOW FINISHED GRADE.

–PRE–GRADING OF PARKS, TRAIL, AND SWM BLOCKS TO BE 0.30m± BELOW FINISHED GRADE.

North:

LEGEND:

- CONSTRUCTION ENTRANCE
- SILT FENCE
- PHASE 1 HEAVY DUTY SILT FENCE
- PHASE 2 HEAVY DUTY SILT FENCE
- PAIGE WIRE TREE PROTECTION SILT FENCE
- DRAINAGE BOUNDARY
- OVERLAND FLOW
- SURFACE FLOW DIRECTION
- RIP RAP OR ROCK CHECK DAM
- EXISTING TREES TO BE SAVED
- 348.00 ORIGINAL GROUND CONTOUR
- (S) STORM SERVICE OUTLET
- DIVERSION SWALE/BERM
- EROSION CONTROL BLANKET
- STOCKPILE
- SEDIMENT BASIN/BERMED SLOPES

ALL DIMENSIONS AND ELEVATIONS ARE IN METRES UNLESS OTHERWISE NOTED.

PIPE SIZES ARE IN MILLIMETRES.

NOTE: LOCATIONS OF UTILITY STRUCTURES ARE APPROX.

⊠ BELL PEDESTAL / CABLE PEDESTAL / TRANSFORMER
HYDRO LIGHT STANDARD
COMMUNITY MAIL BOX

The position of existing above ground and underground utilities and facilities are not necessarily shown on the drawings, and where shown, the accuracy of the position of such utilities and facilities is not guaranteed. Before starting work, the contractor shall confirm the exact location of all existing utilities and facilities, and shall assume all liability for damage to them. Drawings shall not be used for construction unless sealed. All work to be performed in accordance with the Occupational Health & Safety Act 1990.

GENERAL NOTES:

1. BENCHMARK: GUELPH BENCHMARK #392. BENCHMARK PLATE ON TRAFFIC CONTROL BOX LOCATED ON SOUTH WEST CORNER OF THE INTERSECTION OF ARKELL ROAD AND VICTORIA ROAD. ELEVATION=336.245m
2. LEGAL INFORMATION TAKEN FROM J.D. BARNES LTD. REFERENCE #11–30–246–00 DATED JANUARY 6, 2015.
3. TOPOGRAPHICAL SURVEY DONE BY OTHERS. ADDITIONAL TOPO DONE BY STANTEC DATED FEBRUARY, 2015.

| No. | DATE | DESCRIPTION | BY: | CHK'D. |
|---|---|---|---|---|
| 5 | 16.12.16 | FIFTH SUBMISSION/SERVICING TENDER | MHH | KRB |
| 4 | 16.10.19 | FOURTH/MOE SUBMISSION | MHH | KRB |
| 3 | 16.09.19 | ADDT'L TPSF VICTORIA RD TURN LANE | MHH | KRB |
| 2 | 16.06.24 | THIRD SUBMISSION | MHH | KRB |
| 1 | 15.12.23 | SECOND SUBMISSION | MHH | KRB |

SCHEDULE OF REVISIONS

CITY OF Guelph
Making a Difference

ENGINEERING SERVICES

OVERALL PREGRADING, EROSION & SEDIMENTATION CONTROL PLAN

VICTORIA PARK VILLAGE

DESIGNED BY:

APPROVED BY:

CERTIFIED ENGINEERING TECHNOLOGIST — KEVIN BROUSSEAU — No 804296

LICENSED PROFESSIONAL ENGINEER — K.M. FERGIN — JAN 30/17 — PROVINCE OF ONTARIO

Stantec
100-300 Hagey Boulevard. Waterloo, ON. N2L 0A4
Tel. 519.579.4410 www.stantec.com

| SCALES: | CHECKED BY: |
|---|---|
| 1:1000 | KRB |
| DATE DRAWN: APRIL 24/15 | CONTRACT No. 2-1704 |
| DRAWN BY: MHH | DRAWING No. C-600 |

# - 000

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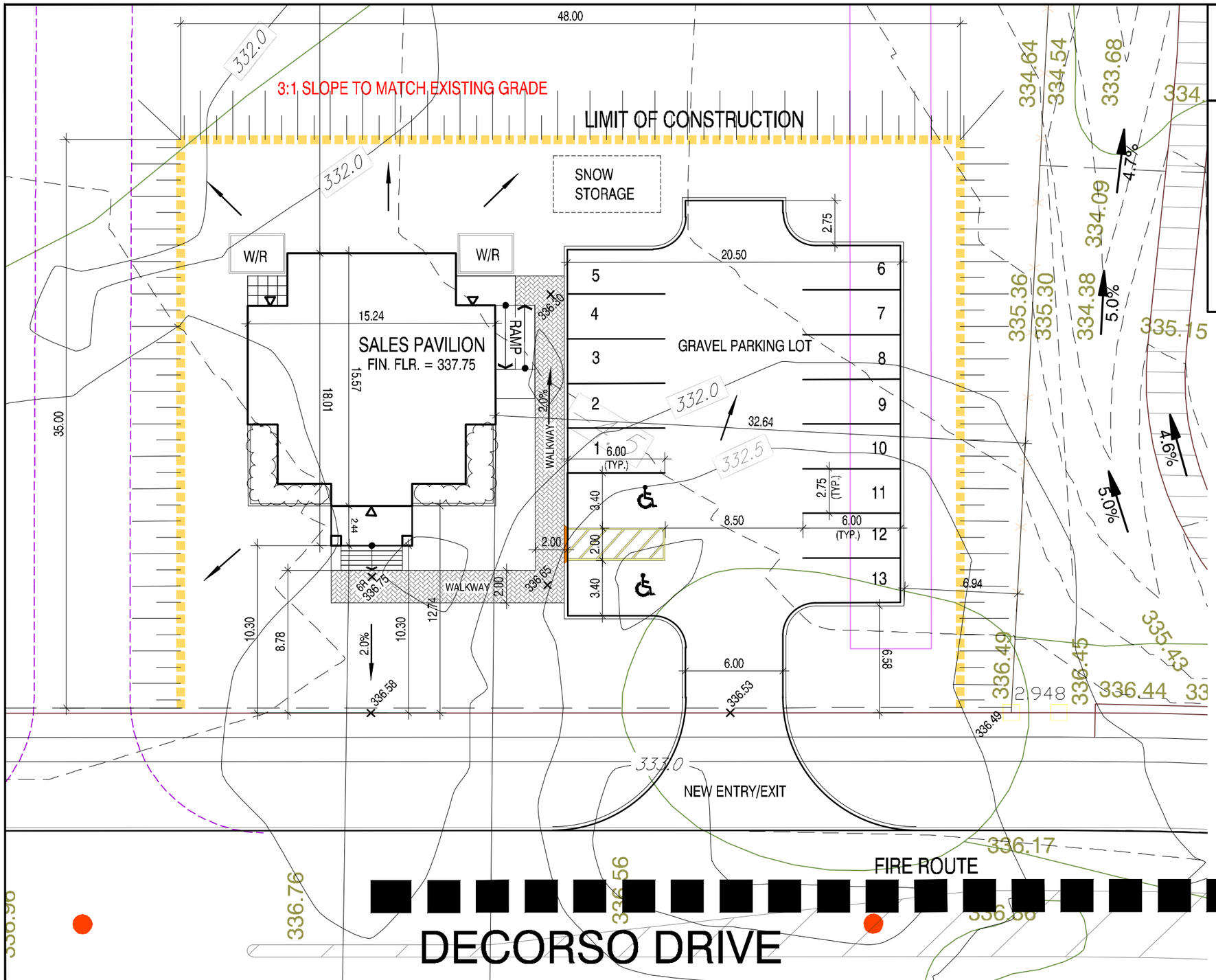
7/20/2017 1:59:26 PM By: Hutchinson, Michael




## OWNER

ADAM NESBITT
MIKMADA HOMES
E-MAIL:adam@mikmadahomes.com

## ZONING REGULATIONS-R4A-39

| REGULATION | REQUIRED | PROVIDE |
|---|---|---|
| MIN. LOT AREA | 650 Sqm | 1720 Sqm |
| LOT FRONTAGE | 15m (min) | 32m |
| MIN. FRONT YARD | 6.0m | 13.55m |
| MIN. SIDE YARD | 6.0m | 27m |
| MIN. REAR YARD | 7.5m | 7.5m |
| HEIGHT | 8 Storey's | 2 1/2 Storey's |

**Note:**

1. STORM WATER CONTROL- SURFACE FLOW DRAINAGE PER INDICATED ARROWS

2. EXISTING ESC FENCING LOCATED AROUND PERIMETER OF BLK 107

NOTE:
SALES PAVILION FIN. FLR. ELEVATION MAY VARY AS PER SITE SPECIFIC CONDITION. PLEASE VERIFY PRIOR TO CONSTRUCTION.

## LEGEND

- STORM CONNECTION
- SANITARY CONNECTION
- W — WATER CONNECTION
- H — HYDRO CONNECTION
- DOUBLE CATCH BASIN
- CATCH BASIN
- STREET LIGHT
- HYDRANT
- TRANSFORMER
- CABLE TV PEDESTAL
- BELL PEDESTAL
- ENTRANCE DOOR LOCATION
- GARAGE DOOR LOCATION
- MAIL — COMMUNITY MAILBOX
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- VALVE AND CHAMBER
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- AIR-CONDITIONING UNIT
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| 6 | JULY 25, 2018 | UPDATED SALES PAVILION LOCATION & RE-ISSUED TO CLIENT. |
| 5 | JAN. 26, 2017 | UPDATED SALES PAVILION FOOTPRINT & RE-ISSUED TO CLIENT. |
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| 1 | SEPT. 15,2011 | ISSUED FOR ENGINEERS GRADING REVIEW |


jardin DESIGN GROUP INC
64 JARDIN DR. SUITE 3A
VAUGHAN ONT. L4K 3P3
TEL: 905 660-3377 FAX: 905 660-3713
EMAIL: info@jardindesign.ca


The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer

QUALIFICATION INFORMATION

| Walter Botter | | 21031 |
|---|---|---|
| NAME | SIGNATURE | BCIN |

REGISTRATION INFORMATION

| jardin design group inc. | | 27763 |
|---|---|---|
| FIRM NAME | | BCIN |

# SITE PLAN

COUNTRY GREEN/MIKMADA HOMES
SALES PAVILION (GUELPH)

BILD

| TYPE | SP | |
|---|---|---|
| SCALE | 1:250 | |
| PROJ. No. | 11-64 | No. 3 |

DRAWN BY: AL | DRAWING NAME: --

# DECISION

**COMMITTEE OF ADJUSTMENT**
**APPLICATION NUMBER A-37/12**

**AMENDED**

CITY OF Guelph
Making a Difference

The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.21.1 of Zoning By-law (1995)-14864, as amended, for 1159 Victoria Road South, to establish a temporary real estate sales office when the By-law does not permit occasional uses in the R.4A-39 zone, be approved, subject to the following conditions:

1. That the owner enters into a Site Plan Agreement registered on the title of the property prior to the issuance of a building permit, requiring that the real estate sales office be removed within three (3) years of the issuance of the building permit.

2. That prior to the issuance of a building permit, the owner satisfies conditions 2 to 14 of the Draft Plan of Subdivision pertaining to grading and site alteration."

**Members of Committee Concurring in this Decision**

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on March 13, 2012.

**Dated:** March 16, 2012

**Signed:**

**Committee of Adjustment**

**The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is April 2, 2012**

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

# DECISION

**COMMITTEE OF ADJUSTMENT**
**APPLICATION NUMBER B-15/16**

CITY OF Guelph
Making a Difference

The Committee, having had regard to the matters under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Concession 8, Rear Part Lot 5, (proposed "lands to be reconveyed" as shown on a sketch prepared by J.D. Barnes Limited, dated January 27, 2012, ref. no. 11-30-246-00-C), municipally known as 1159 Victoria Road South, an irregularly shaped parcel in the north corner of the lot, with a depth of 82.9 metres, and area of 5,483 square metres, as a lot addition to the rear of Concession 8, Rear Part Lot 5, Part 1 of Reference Plan 61R-5887, municipally known as 1115 Victoria Road South, be **APPROVED**, subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting property owner as a lot addition only (Form 3 Certificate).

2. That the following covenant is incorporated in the deed: "The conveyance of (Severed Lands - legal description - Lot and Plan), City of Guelph, County of Wellington, designated as (Part and 61R-Plan Number) as a lot addition only to (Legal Description of Lands to be joined with - Lot and Plan), and shall not be conveyed as a separate parcel from (Legal Description of Lands to be joined with - Lot and Plan)."

3. That the owner deeds to the City free of all encumbrances a 3.0-metre (9.84 feet) wide parcel of land for a road widening across the entire frontage of 1115 Victoria Road South, (Part of Northeast Half of Lot 5, Concession 8, Rear (Geographic Township of Puslinch), Part 1, Reference Plan 61R-5887), City of Guelph, prior to endorsation of the deeds.

4. Prior to endorsation of the deeds, the owner shall submit a Phase 1 Environmental Site Assessment in accordance with the Record of Site Condition regulation (O. Reg. 153/04 as amended), describing the current conditions of the property known municipally as 1115 Victoria Road South to the satisfaction of the City. The City also requires the Qualified Person responsible for preparing the Phase 1 Environmental Site Assessment to submit a reliance letter, to indicate that, despite any limitations or qualifications included in the report, the City is authorized to rely on all information and opinion provide in the report.

5. If contamination is found, prior to endorsation of the deeds, the owner shall complete the following at his expense:

   a) Submit all environmental assessment reports, including reliance letter, prepared in accordance with the Record of Site Condition regulation (O. Reg. 153/04 as amended), describing the current conditions of the property known municipally as 1115 Victoria Road South and the proposed remedial action plan to the satisfaction of the City;

   b) Complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the property known municipally as 1115 Victoria Road South meet the Site Condition Standards of the intended land use; and,

   c) File a Record of Site Condition on the Provincial Environmental Registry for the property known municipally as 1115 Victoria Road South and submit the MOECC acknowledgement letter for the Record of Site Condition to the satisfaction of the General Manager/City Engineer.

# DECISION

**COMMITTEE OF ADJUSTMENT**
**APPLICATION NUMBER B-15/16**

CITY OF Guelph
Making a Difference

The Committee, having had regard to the matters under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

6. That upon fulfilling and complying with all of the above-noted conditions, the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement.

7. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.

8. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.

9. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk.

REASONS:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets the criteria of section 51(24) of the Planning Act to which all consent applications must adhere.

**Important: Pursuant to Section 53(41) of the *Planning Act*, the applicant shall have a period of one (1) year from the giving of the Notice of Decision to fulfil all of the above noted conditions. If the applicant has not fulfilled all of the conditions within this time period, the application shall thereupon be deemed to be refused.**
**Deadline to fulfil conditions: (May 17, 2017).**

**Members of Committee Concurring in this Decision**

I, Dylan McMahon, Acting Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on May 12, 2016.

**Dated: May 17, 2016**

**Signed:**

**Committee of Adjustment**

**The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is June 6, 2016.**

T 519-822-1260 x2524
F 519-763-1269
E cofa@guelph.ca

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 12, 2019 | Folder #: A-80/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 51 MOUNTFORD DRIVE, GUELPH

Legal description of property (registered plan number and lot number or other legal description):
LOT 184, PLAN 637; GUELPH

**OWNER(S) INFORMATION:**

Name: SEAN CARROLL
Mailing Address: 51 MOUNTFORD DRIVE
City: GUELPH Postal Code: N1E 6E7
Home Phone: 416-540-8228 Work Phone:
Fax: Email: carrollsean_2001@hotmail.com

**AGENT INFORMATION** (If Any)

Company:
Name: LARRY CARROLL
Mailing Address: 897 WILLIAM STREET
City: LONDON Postal Code N5Y 2S7
Work Phone: 519-660-8240 Mobile Phone:
Fax: Email:

| Official Plan Designation: LOW DENSITY RESIDENTIAL | Current Zoning Designation: R.1C |
|---|---|

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

DRIVEWAY MINOR VARIANCE FOR BASEMENT APARTMENT TO ALLOW FOR 3 CAR STACKED PARKING AS PER Sec 4.15.1.4.1.

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

DRIVE WAY IS NOT WIDE ENOUGH FOR TWO CARS TO PARK SIDE BY SIDE FOR BASEMENT APARTMENT COMPLIANCE.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | JULY 20TH, 2018 | Date property was first built on: | 1974 |
| Date of proposed construction on property: | EXISTING | Length of time the existing uses of the subject property have continued: | 1974 |

**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: 13.72 Depth: 30.48 Area: 418.06

| PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric) | | | | | |
|---|---|---|---|---|---|
| **EXISTING (DWELLINGS & BUILDINGS)** | | | **PROPOSED** | | |
| **Main Building** | | | **Main Building** | NO CHANGE | |
| Gross Floor Area: | 162.95 | | Gross Floor Area: | | |
| Height of building: | 2 STORIES | | Height of building: | | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ Detached ☐ | | | Attached ☐ Detached ☐ | | |
| Width: | | | Width: | | |
| Length: | | | Length: | | |
| Driveway Width: | | | Driveway Width: | | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | |
| **Describe details, including height:** | | | **Describe details, including height:** | | |

| LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND | | | | | |
|---|---|---|---|---|---|
| **EXISTING** | | | **PROPOSED** NO CHANGE | | |
| Front Yard Setback: | 7.83 M | | Front Yard Setback: | M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: 4.80 M | Right: 1.62 M | Side Yard Setback: | Left: M | Right: M |
| Rear Yard Setback | 15.74 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 | | | |
| Zoning By-law Amendment | | | |
| Plan of Subdivision | | | |
| Site Plan | | | |
| Building Permit | | ✓ | 19 4056 RX PENDING |
| Consent | | | |
| Previous Minor Variance Application | | | |

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

Signature of Applicant or Authorized Agent

Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Wellington this 12 day of August, 2019.

Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

# APPOINTMENT AND AUTHORIZATION

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

SEAN CARROLL

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

of 51 MOUNTFORD DRIVE, GUELPH, ON, N1E 6E7

(Legal description and/or municipal address)

hereby authorize LARRY CARROLL

(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 2ND day of AUGUST 2019.

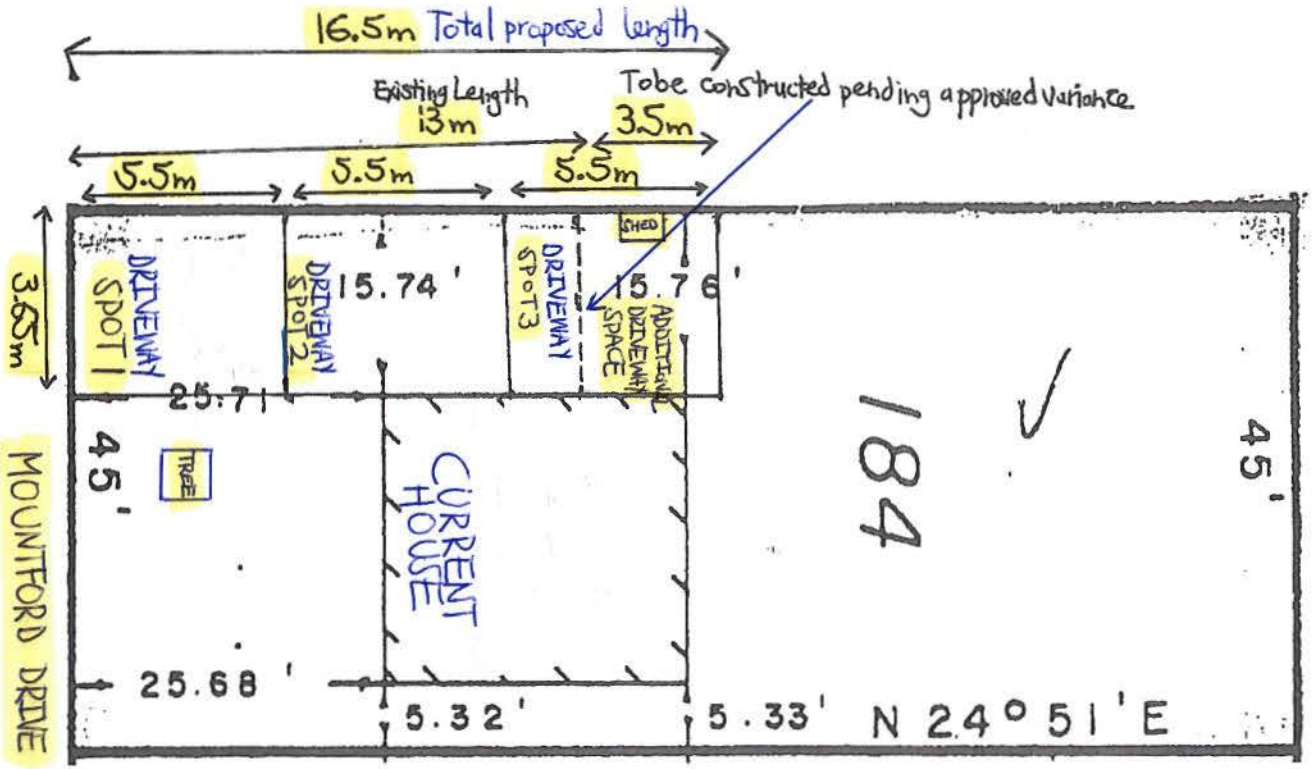
(Signature of the property owner)

(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).

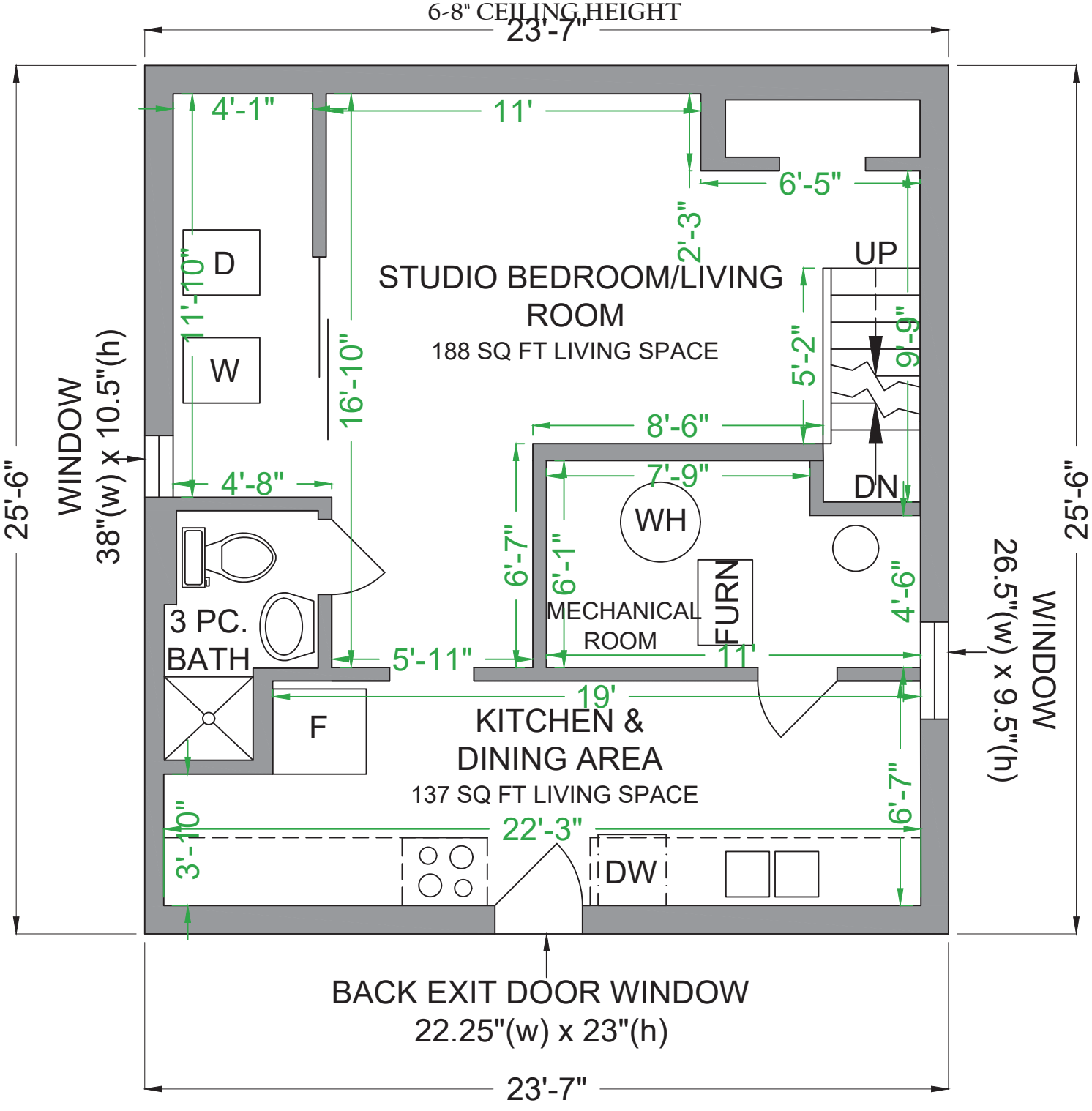
2. If the agent or representative is a firm or corporation, specify whether all members of the firm or corporation are appointed or, if not, specify by name(s) the person(s) of the firm or corporation that are appointed.


16.5m Total proposed length
Existing Length 13m
To be constructed pending approved variance
3.5m
5.5m
5.5m
5.5m
3.65m
DRIVEWAY SPOT 1
DRIVEWAY SPOT 2
DRIVEWAY SPOT 3
ADDITIONAL DRIVEWAY SPACE
SHED
15.74'
15.76'
25.7'
45'
TREE
CURRENT HOUSE
184
45'
MOUNTFORD DRIVE
25.68'
5.32'
5.33'
N 24°51'E

# LOWER FLOOR

## 503 SQ. FT.

6-8" CEILING HEIGHT




0' 5' 10'

SCALE

51 MOUNTFOD DR
MARCH 08, 2019

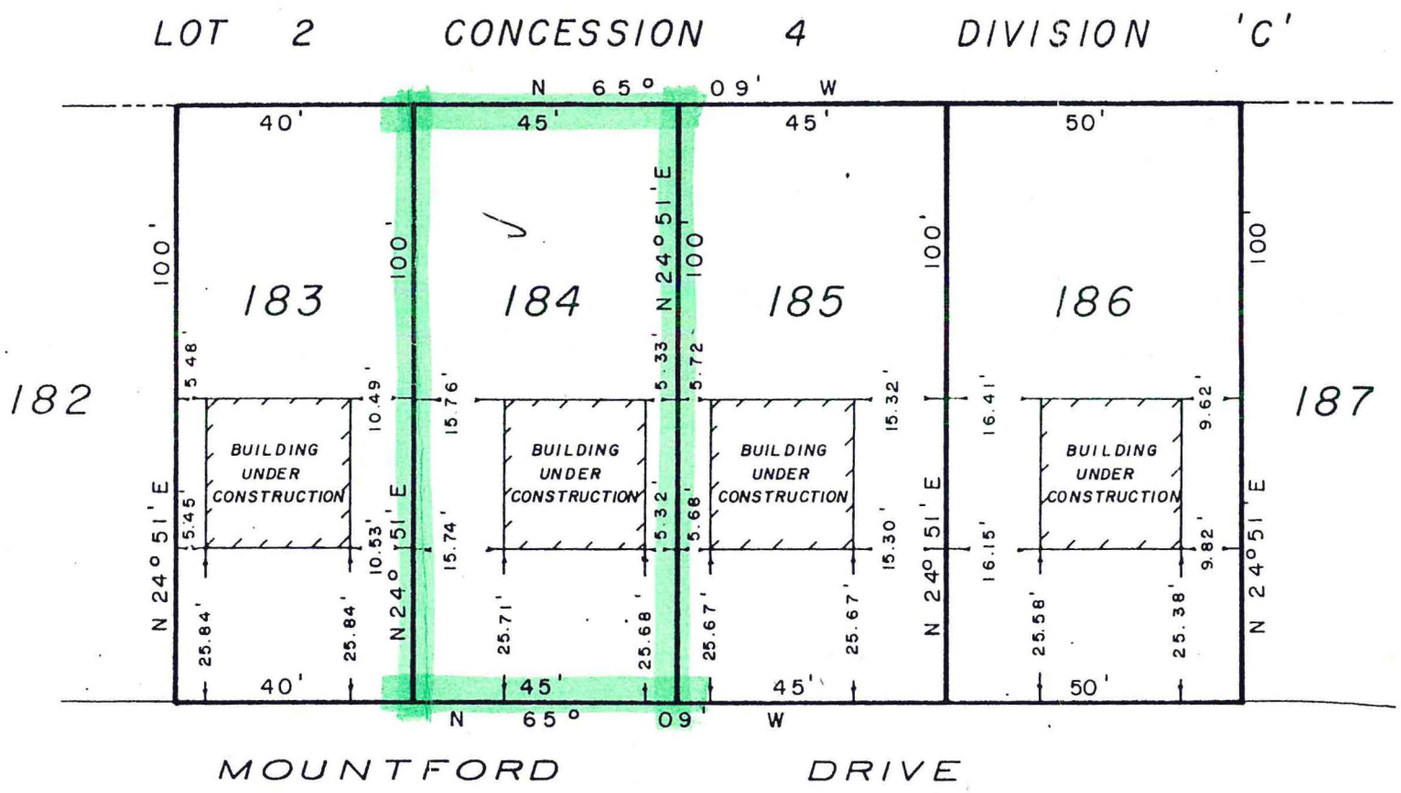
PREPARED FOR THE EXCLUSIVE USE OF SEAN CARROLL
PLANS MAY NOT BE 100% ACCURATE, IF CRITICAL BUYER TO VERIFY.

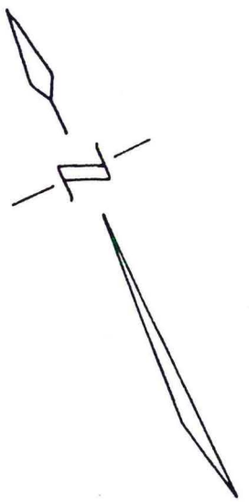
| FLOOR | AREA (SQ. FT.) | |
|---|---|---|
| | FINISHED | UNFINISHED |
| LOWER | 503 | 72 |
| | | |
| TOTAL | 503 | 72 |


PROPERMEASURE™ PRECISION

226-567-0032
luis@propermeasure.com
www.propermeasure.com

# PLAN OF BUILDING LOCATIONS
# ON LOTS 183, 184, 185, & 186, REGISTERED PLAN 637
# CITY OF GUELPH



## SURVEYOR'S CERTIFICATE

I hereby certify that:

1 I have surveyed the properties shown on this plan.

2 The improvements situate hereon are as shown and do not encroach or overlap on the properties lying adjacent thereto.

SEAL

**BLACK, SHOEMAKER & ROBINSON LIMITED**
ONTARIO LAND SURVEYORS
351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031

| | |
|---|---|
| DATE: 11 JULY 1974 | SCALE: 1 INCH = 30 FEET |
| FOR: COSMO CARERE | |

PER: S.M. Black
ONTARIO LAND SURVEYOR

PROJECT
74-4170-1

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 13, 2019 | Folder #: A-81/19 |
| | Application deemed complete: ☐ Yes ☐ 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: 1131 Gordon Street, Guelph, ON, N1L 1H2

Legal description of property (registered plan number and lot number or other legal description): 714900400

Puslinch Con 7 PT Lots 4 and 5 (JD)

**OWNER(S) INFORMATION:** 1876698 Ontario INC c/o Byounski Kim

| | | | |
|---|---|---|---|
| Name: | ~~Young and Nick Kim~~ | | |
| Mailing Address: | 392 Kincardine Terrace | | |
| City: | Milton, ON | Postal Code: | L9T 8E9 |
| Home Phone: | 519.622.1588 (Nick) | Work Phone: | |
| Fax: | | Email: | Nicca_is@icloud.com |

**AGENT INFORMATION** (If Any)

| | | | |
|---|---|---|---|
| Company: | Orchard Design Studio Inc. | | |
| Name: | Corey Wehrle | | |
| Mailing Address: | 1315 Bishop Street N, Suite 200 | | |
| City: | Cambridge, ON | Postal Code | N1R 6Z2 |
| Work Phone: | 519.620.0414 x 312 | Mobile Phone: | |
| Fax: | 519.620.0717 | Email: | cwehrle@orcharddesign.ca |

| Official Plan Designation: Medium Density Residential | Current Zoning Designation: R3.A-60(H) |
|---|---|

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

Building coverage on the subject property exceeds the allowable/. The required maximum coverage is 30% and the proposed is 32.58%

Required building coverage is 554.09 and the proposed is 601.sq.m.

R3.A-60(H) Zone

Maximum building coverage = 30.00% TABLE 5.3.2 ROW 8

Proposed building coverage = 32.58%

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

Due to the size limitation on the lot and the absence of basements the square footage is reduced. With the requirement of 2 parking spaces, garbage storage and utilities the ground floor is not utilized for useable living space. In order to increase the amount of square footage in the units we need to maximize the main and second floors of the units. In doing this our building area is slightly over maximum coverage by 47sq.m.(506sq.ft.). We believe that exceeding the coverage will not vastly affect the look of the development and cause affliction to the Neighbouring properties.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | 2012 | Date property was first built on: | N/A |
| Date of proposed construction on property: | June 2019 | Length of time the existing uses of the subject property have continued: | N/A |

**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: | 27.44m | Depth: | 67.19m | Area: | 1,846.98sq.m |
|---|---|---|---|---|---|

| PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric) | | | | | |
|---|---|---|---|---|---|
| **EXISTING (DWELLINGS & BUILDINGS)** | | | **PROPOSED** | | |
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | | | Gross Floor Area: | **1416.21** | |
| Height of building: | | | Height of building: | **10.30m** | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached □ | Detached □ | | Attached ■ | Detached □ | |
| Width: | | | Width: | **3.05m** | |
| Length: | | | Length: | **6.05m** | |
| Driveway Width: | | | Driveway Width: | **N/A** | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | |
| **Describe details, including height:** | | | **Describe details, including height: N/A** | | |

| LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND | | | | | |
|---|---|---|---|---|---|
| **EXISTING** | | | **PROPOSED** | | |
| Front Yard Setback: | M | | Front Yard Setback: | 4.73m | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | N/A | |
| Side Yard Setback: | Left: M | Right: M | Side Yard Setback: | Left: 6m | Right: 9.08m |
| Rear Yard Setback | M | | Rear Yard Setback | 14.52m | |

**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 ■

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| | No | Yes | File Number and File Status |
|---|---|---|---|
| Official Plan Amendment | √ | | |
| Zoning By-law Amendment | √ | | |
| Plan of Subdivision | √ | | |
| Site Plan | | √ | SP18-037 (SD) |
| Building Permit | √ | | |
| Consent | √ | | |
| Previous Minor Variance Application | √ | | |

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Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, 1876698 ONTARIO INC / Byoung Ki Kim, 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

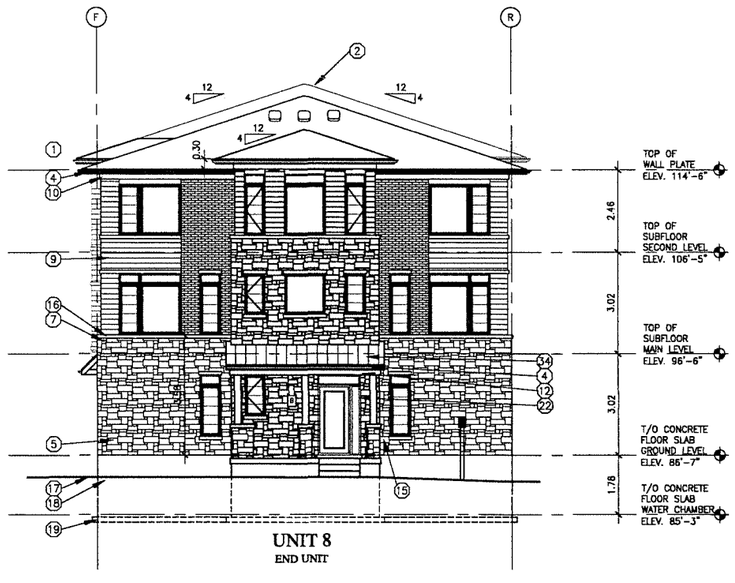
Wellington this 13 day of August, 2019.

Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

Front Elevation




Right Side Elevation

## MATERIAL LEGEND:

1. ASPHALT SHINGLES
2. PREFINISHED ROOF VENT
3. 1 ½"x ⅜" BREAK IN ALUMINUM FASCIA
4. PREFINISHED ALUMINUM EAVESTROUGH, FASCIA AND SOFFIT
5. BRICK VENEER
6. STONE VENEER
7. BRICK/STONE SOLDIER COURSE
8. PREFINISHED VERTICAL/HORIZONTAL SIDING
9. PREFINISHED HORIZONTAL WOOD GRAIN SIDING
10. 6" ALUMINUM FRIEZE BOARD
11. PREFINISHED 6" BATTEN
12. ALUMINUM CLAD PORCH BEAM
13. 42" HIGH RAILING/GUARD
14. PRECAST CONCRETE ENTRY STEPS
15. PRECAST CONCRETE SILL
16. CONTINUOUS PRECAST CONCRETE SILL
17. FINISHED GRADE
18. CONCRETE FOUNDATION
19. CONCRETE FOOTING
20. CAST-IN PLACE CONCRETE
21. ENTRY STAIRS
22. PRE FINISHED WINDOW WELL
23. DECORATIVE COLUMN SURROUND STRUCTURAL POST (ON 14" SQ. STONE PIER WHERE SHOWN)
24. COACH LIGHT
25. DECORATIVE BRACKET
26. PRESSURE TREATED WOOD DECK
27. ROOF SADDLE
28. PREFINISHED GABLE DECORATION
29. ALUMINUM CLAD 2x2 ON BOX-OUT PANEL
30. RAISED CEILING BEYOND
31. 1.8m HIGH WOOD PRIVACY FENCE
32. LIGHT FIXTURE
33. ADDRESS STONE
34. STANDING SEAM METAL ROOF

## GENERAL NOTES:

1. PROVIDE GUARDS (CONFORMING TO DIVISION B, PART 9.8.8 OF THE 2012 ONTARIO BUILDING CODE AND SB-7 TYPE GUARDS FOR HOUSING AND SMALL BUILDINGS) AT PORCH WHERE DISTANCE FROM PORCH TO GRADE IS 2'-0" OR GREATER.
2. FOR WALK-OUT & PART WALK-OUT LOTS STEP CONC. FOUNDATION AS REQ'D FOR PROPOSED GRADES ENSURING A MAX. OF 4'-0" OF LATERALLY UNSUPPORTED WALL
3. WINDOW SIZES SHOWN ARE APPROXIMATE. EXACT ROUGH OPENINGS TO BE DETERMINED BY WINDOW MANUFACTURERS SPECIFICATIONS.
4. INTERIOR OF THE CARPORTS TO BE FINISHED WITH BRICK

ORCHARD
DESIGN STUDIO INC.
519-620-0414

I, Corey Wahda, review and take responsibility for the design work on behalf of our firm Orchard Design Studio Incorporated registered under Division C, Part 3 (3.2.4) of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.
Firm BCIN: 28615
Individual BCIN: 37253
Signed:

STATUS: MINOR VARIANCE
PLOTTED:
SCALE: 1:250
DWN BY: CRW
DATE: FEBRUARY 2019
REV.

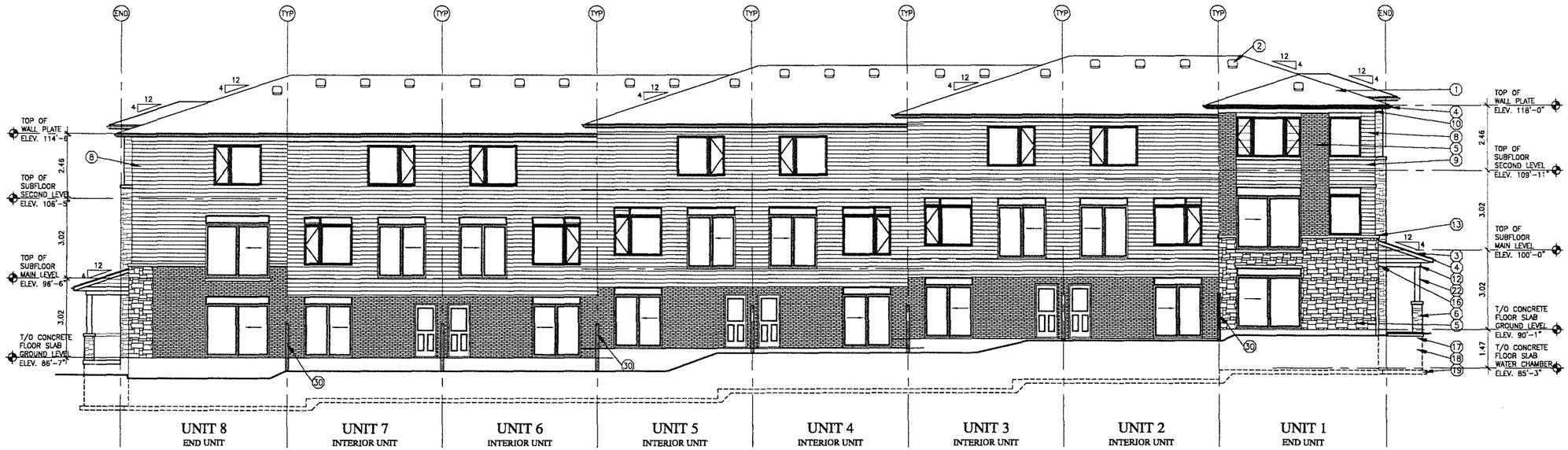
PROJECT
GORDON STREET TOWNS
PART OF LOTS 4 & 5, CONCESSION 7
1131 GORDON STREET, GUELPH, ONTARIO

TITLE
FRONT AND RRIGHT SIDE ELEVATIONS

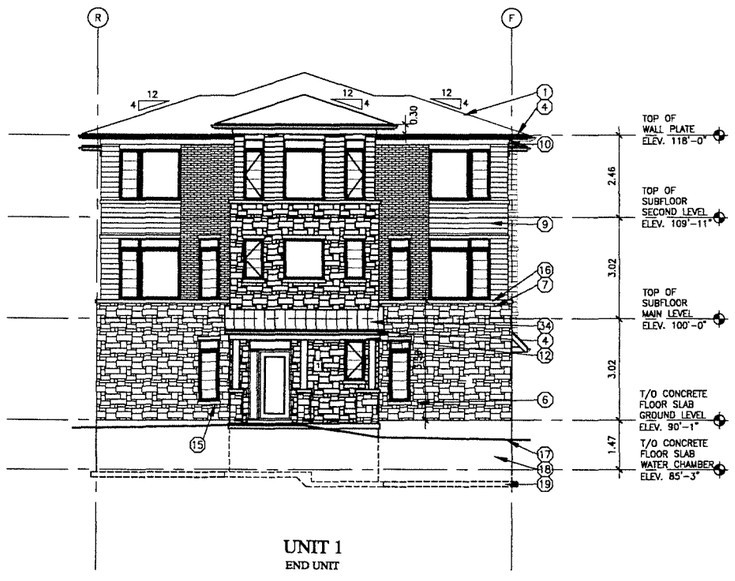
SHEET No.
EP1

FILE:
FOLDER: 1131 GORDON STREET

DRAWINGS ARE NOT TO BE SCALED. REPORT ANY DISCREPANCIES TO ARCHARD DESIGN BEFORE PROCEEDING WITH THE WORK




Rear Elevation




Left Side Elevation - Facing Gordon

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Individual BCIN: 37253
Signed:

STATUS: MINOR VARIANCE
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DATE: FEBRUARY 2019
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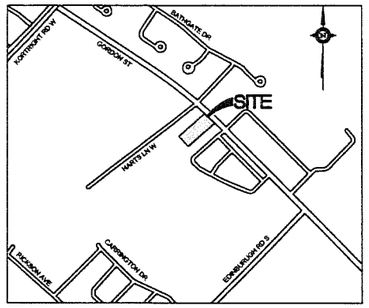
GORDON STREET TOWNS
PART OF LOTS 4 & 5, CONCESSION 7
1131 GORDON STREET, GUELPH, ONTARIO

TITLE
REAR AND LEFT SIDE ELEVATIONS

SHEET No.
EP2

FILE:
FOLDER: 1131 GORDON STREET

DRAWINGS ARE NOT TO BE SCALED. REPORT ANY DISCREPANCIES TO ORCHARD DESIGN BEFORE PROCEEDING

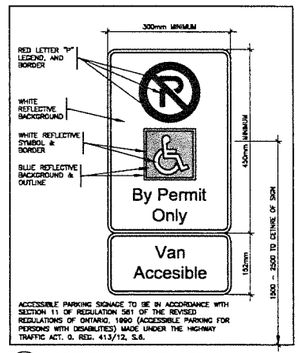



KEY MAP

## SITE PLAN NOTES:

1. ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THIS PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF DEVELOPMENT AND REAL ESTATE DIVISION, PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT.
2. FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
3. MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE AT MINIMUM 8.00M UNLESS OTHERWISE STATED.
4. ALL DRIVEWAYS FROM PROPERTY LINES FOR THE FIRST 7.5M SHALL BE WITHIN 5 % MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10 % MAXIMUM GRADES.
5. THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
   - BUILDING PERMIT
   - ROAD CUT PERMITS
   - APPROACH APPROVAL PERMITS
   - ENCROACHMENT AGREEMENTS (IF REQUIRED)
   - COMMITTEE OF ADJUSTMENT
   - SEWER AND WATER PERMITS
   - RELOCATION OF SERVICES
6. ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOD AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
7. FOR VISIBILITY TRIANGLES AT THE VEHICULAR ACCESS POINTS, THE FOLLOWING NOTE TO BE PROVIDED:

   "3.0 METRE BY 5.0 METRE VISIBILITY TRIANGLES IN WHICH THE MAX. HEIGHT OF ANY OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METRES ABOVE THE CORRESPONDING PERPENDICULAR CENTRE LINE ELEVATION OF THE ADJACENT STREET".
8. ALL SIGNAGE SHALL COMPLY WITH SIGN BY LAW NO. (1996)-17785
9. THIS PROPERTY IS ELIGIBLE FOR WEEKLY COLLECTION OF GARBAGE, RECYCLING, ORGANICS AND LEAF AND YARD WASTE THROUGH THE CITY OF GUELPH SUBJECT TO COMPLIANCE WITH SPECIFICATIONS INDICATED BY THE OPERATIONS AND WASTE MANAGEMENT DIVISION AND SUBJECT TO COMPLIANCE WITH THE CITY'S SOLID WASTE MANAGEMENT BY-LAW (2011)-19199.
10. GARBAGE PICK-UP TO BE PUBLIC ALONG GORDON
11. THIS BUILDING IS SUBJECT TO THE CITY OF GUELPH RADON MITIGATION PROGRAM. BUILDINGS THAT EXCEED 50m² SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE RADON MITIGATION REQUIREMENTS OF THE ONTARIO BUILDING CODE
12. ENSURE BARRIER FREE REQUIREMENTS ARE MET AS PER THE CITY OF GUELPH 2015 FACILITY ACCESSIBILITY DESIGN MANUAL




ACCESSIBLE PARKING SIGNAGE TO BE IN ACCORDANCE WITH SECTION 11 OF REGULATION 581 OF THE REVISED REGULATIONS OF ONTARIO, 1990 (ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES) MADE UNDER THE HIGHWAY TRAFFIC ACT. O. REG. 413/12, S.6.

1 / SP1 BARRIER FREE SIGN DETAIL (RB-93) NOT TO SCALE

## LEGEND

- IRON BAR
- PROPERTY LINE
- MAN DOOR ENTRANCE / EXIT.
- 6.0m WIDE FIRE ROUTE
- VISITOR PARKING SPACE (SIGNED ON SITE)
- 1.8m HIGH PRIVACY FENCE
- STOP SIGN (RA-1)
- NO PARKING ANYTIME SIGN (SCHEDULE D)
- NO PARKING ANYTIME SIGN (SCHEDULE C)
- BARRIER FREE PARKING SIGN (RB-93) MOUNTED ON STEEL U-CHANNEL POST
- HYDRANT

## BUILDING DATA

ALL BUILDINGS TO BE DESIGNED IN ACCORDANCE TO PART 9 OF THE ONTARIO BUILDING CODE COMBUSTIBLE CONSTRUCTION UP TO 3 STOREYS IN BUILDING HEIGHT

## NOTES

1. OUTDOOR LIGHTING TO BE DIRECTED AWAY FROM ABUTTING RESIDENCES.
2. FOR ALL FENCE DETAILS REFER TO LANDSCAPE PLAN.

## PROPERTY OWNER

K RENOVATIONS
NICK & YOUNG KIM
392 KINCARDINE TERRACE
MILTON, ON
L9T 8E9
P: 519.222.1588
e: nicco_i_k@icloud.com

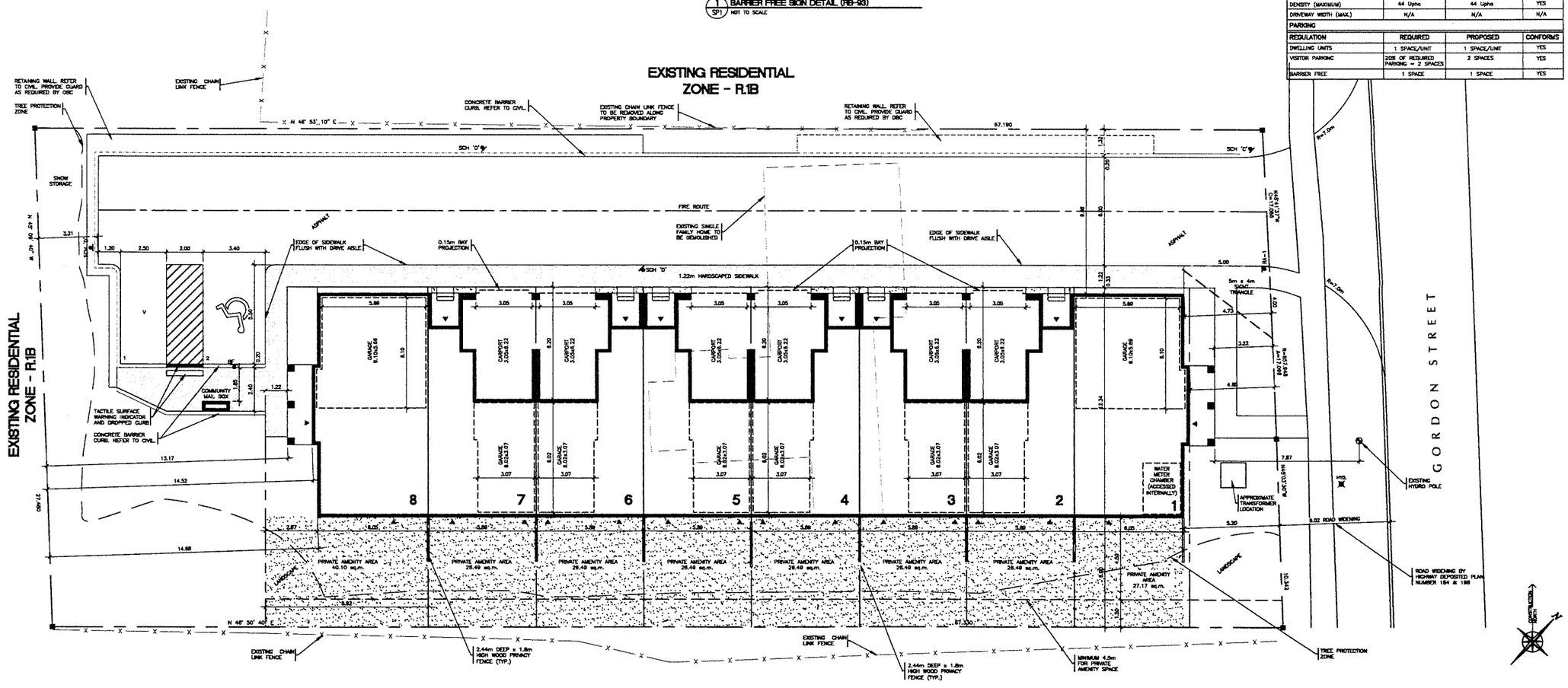
## SITE DATA - R.3A-60(1) Zoning - Specialized Cluster Townhouse

| REGULATION | REQUIRED | PROPOSED | CONFORMS |
|---|---|---|---|
| LOT AREA (MINIMUM) | 800 sq.m. | 1,848.98 sq.m. (0.18ha) | YES |
| LOT AREA / DWELLING (MIN.) | 230 sq.m. | 230.55 sq.m. | YES |
| LOT FRONTAGE (MINIMUM) | 18.00 m | 27.44 m | YES |
| FRONT YARD (MINIMUM) | 4.50 m | 4.73 m | YES |
| EXTERIOR SIDE YARD (MINIMUM) | N/A | N/A | N/A |
| SIDE YARD (MINIMUM) HALF BUILDING HEIGHT | 5.40 m | 6.00 m | YES |
| REAR YARD (MINIMUM) HALF BUILDING HEIGHT | 5.40 m | 14.52 m | YES |
| BUILDING COVERAGE (MAXIMUM) | 30% (554.09 sq.m.) | 32.58% (601.77 sq.m.) | NO |
| BUILDING HEIGHT (MAXIMUM) | 3 STOREYS AND IN ACCORDANCE w/ SECTIONS 4.16/4.18 | 3 STOREYS | YES |
| DISTANCE BETWEEN BLDGS (MIN.) | N/A | N/A | N/A |
| COMMON AMENITY AREA (MIN.) | N/A | N/A | N/A |
| PRIVATE AMENITY AREA (MIN.) | 20.0 sq.m./UNIT | 28.48 sq.m. | YES |
| LANDSCAPE OPEN SPACE (MIN.) | 40% (738.79 sq.m.) | 45.20% (834.79 sq.m.) | YES |
| BUFFER STRIP | WHERE R.3.A ZONE ABUTS ANY OTHER RESIDENTIAL ZONE OR ANY INSTITUTIONAL, PARK, WETLAND OR URBAN RESERVE ZONE A BUFFER STRIP SHALL BE PROVIDED. BUFFER STRIPS MAY BE LOCATED IN A REQUIRED SIDE OR REAR YARD | | YES |
| FENCES | IN ACCORDANCE w/ SECTION 4.20 | | YES |
| OFF-STREET PARKING | IN ACCORDANCE w/ SECTION 4.13 | | YES |
| ACCESSORY BLDGS/STRUCTURE | IN ACCORDANCE w/ SECTION 4.5 | | YES |
| NO. OF UNITS IN A ROW (MAX.) | 8 | 8 | YES |
| ACCESSORY BLDGS/STRUCTURE | IN ACCORDANCE w/ SECTION 4.9 | | YES |
| DENSITY (MAXIMUM) | 44 Upha | 44 Upha | YES |
| DRIVEWAY WIDTH (MAX.) | N/A | N/A | N/A |

**PARKING**

| REGULATION | REQUIRED | PROPOSED | CONFORMS |
|---|---|---|---|
| DWELLING UNITS | 1 SPACE/UNIT | 1 SPACE/UNIT | YES |
| VISITOR PARKING | 20% OF REQUIRED PARKING = 2 SPACES | 2 SPACES | YES |
| BARRIER FREE | 1 SPACE | 1 SPACE | YES |

## EXISTING RESIDENTIAL ZONE - R.1B




## EXISTING RESIDENTIAL ZONE - R.3A-34

FOLDER: 1131 GORDON STREET

FILE:

ORCHARD DESIGN STUDIO INC.
519.620.0414

I, Corey Webster, review and take responsibility for the design work on behalf of our firm Orchard Design Studio Incorporated registered under Division C, Part 3 (3.2.4) of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.
Firm BCIN: 28615
Individual BCIN: 37253
Signed:

STATUS: MINOR VARIANCE
PLOTTED:
SCALE: 1:350
DWN BY: CRW
DATE: FEBRUARY 2019
REV:

PROJECT
**GORDON STREET TOWNS**
**PART OF LOTS 4 & 5, CONCESSION 7**
**1131 GORDON STREET, GUELPH, ONTARIO**

TITLE **SITE PLAN**

SHEET No. **SP1**

DRAWINGS ARE NOT TO BE SCALED. REPORT ANY INDEPENDENCIES TO ARCHITECT IMMEDIATELY. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. ALL DRAWINGS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MUST BE RETURNED UPON REQUEST.

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 13, 2019 | Folder #: A-82/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 12 FORBES AVENUE

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

PART 2 61R-21023

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: GEORGE STAIKOS AND MARGARET ELIZABETH ANN STRY/BOSCH.
Mailing Address: 59 PAISLEY STREET
City: GUELPH Postal Code: N1H 2N7
Home Phone: 416-919-8142 Work Phone:
Fax: Email: MSTRYBOSCH@MAIL.COM

**AGENT INFORMATION** (If Any)

Company: TERRA VIEW CONSTRUCTION LTD.
Name: DAVID BRIX.
Mailing Address: 45 SPEEDVALE AVE EAST UNIT 5
City: GUELPH. Postal Code N1H 1J2
Work Phone: 519-763-8580 Mobile Phone:
Fax: 519-763-7296 Email: dave@terra-view.com.

| Official Plan Designation: ~~(R1B RESIDENTIAL)~~ LOW DENSITY RESIDENTIAL. | Current Zoning Designation: R1B |
|---|---|

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

REDUCED EXTERIOR SIDEYARD TO 5.62M FROM REQUIRED 6M.

TABLE 5.12 ROW 6A, SECTION 5.12.7

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

OWNER PURCHASED LOT WITH A CULTURAL HERITAGE IMPACT REPORT WHICH SHOWED A BUILDING ENVELOPE FROM VAN HARTEN SURVEYING SHOWING A 4.5M EXT. SIDEYARD SETBACK AND A CUSTOM PLAN HAS BEEN DESIGNED WITH THIS IN MIND AS THE PLAN IS TO RETAIN THE EXISTING DETATCHED GARAGE.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | APRIL 2019 | Date property was first built on: | N/A. |
| Date of proposed construction on property: | FALL 2019. | Length of time the existing uses of the subject property have continued: | N/A. |

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

RESIDENTIAL - VACANT EXCEPT FOR GARAGE

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

RESIDENTIAL WITH SINGLE FAMILY HOME.

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

Frontage: 19.3M Depth: 40.303M. Area: 778M²

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

| EXISTING (DWELLINGS & BUILDINGS) | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** NONE | | | **Main Building** | | |
| Gross Floor Area: | | | Gross Floor Area: | 270 m² | |
| Height of building: | | | Height of building: | 7.9 m. | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ Detached ☑ | | | Attached ☐ Detached ☑ | | |
| Width: | 6.7M | | Width: | 6.7M | |
| Length: | 6.7M. | | Length: | 6.7M | |
| Driveway Width: | 6.7M. | | Driveway Width: | 6.7M | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** NONE | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | |
| **Describe details, including height:** 3.6M. | | | **Describe details, including height:** 3.6M. | | |

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

| EXISTING (GARAGE). | | | PROPOSED | | |
|---|---|---|---|---|---|
| Front Yard Setback: | 28.5 M | | Front Yard Setback: | 6.5 M | |
| Exterior Side Yard (corner lots only) | 9.5 M | | Exterior Side Yard (corner lots only) | 5.62 M | |
| Side Yard Setback: | Left: 9.43 M | Right: 2.2 M | Side Yard Setback: | Left: 5.62 M | Right: 1.56 M |
| Rear Yard Setback | 5.13 M | | Rear Yard Setback | 20.86 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | X | | |
| Consent | X | | |
| Previous Minor Variance Application | X | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

**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.

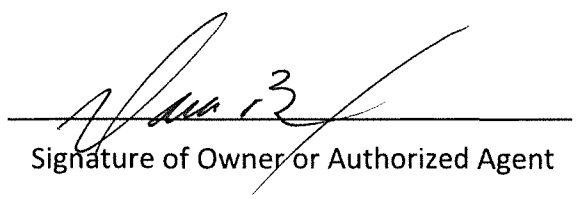
**POSTING OF ADVISORY SIGN**

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.

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

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 13 day of August, 2019.

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

# APPOINTMENT AND AUTHORIZATION

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

12 Forbes Ave M (S) Margaret Stryboseh & George Stavkos
[Organization name / property owner's name(s)]

of 12 Forbes Ave.
(Legal description and/or municipal address)

hereby authorize TERRA VIEW CONSTRUCTION LTD (DAVID BRIK)
(Authorized agent's name)

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

Dated this 12TH day of AUGUST 2019.

(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: R1B

FRONT YARD – 6.00 MIN.
SIDE YARD
1 TO 2 STOREYS – 1.5 MIN.
OVER 2 STOREYS – 2.4 MIN.
EXTERIOR SIDE YARD – 4.50 MIN.
REAR YARD – 7.5 MIN.

MINOR VARIANCE TO TO ALLOW A 3.47m FRONT YARD SETBACK. RELIEF REQUESTED IS 2.53m.

SKETCH FOR MINOR VARIANCE
PART 2, DEPOSITED PLAN 61R–21023
BEING PART OF LOTS 1 & 2
REGISTERED PLAN 37
CITY OF GUELPH

**SCALE: 1 – 300**

# FORBES AVENUE

PIN 71239–0088 (LT)

CURB
CONCRETE SIDEWALK
N43°44'10"E 19.300
6.41
6.52
40.291
4.43
3.47
3.47
SIGHT LINE
4.46
5.62
40.303
1.56
PORCH
3.21
2.46
1.56
1.57
PROPOSED DWELLING
AREA=165.6m²
?
EXISTING 1 1/2 STOREY STONE DWELLING
No. 14
3.14
5.62
1.56
AREA=778m²
4.97
PART 1
DEPOSIT
2.44
PART 2
PLAN 61R–21023
PIN 71239–0137 (LT)
EXISTING BUILDING
BOARD FENCE ON LINE
PIN 71239–0136 (LT)
20.86
20.86
STONE PILLAR
9.50
N46°09'10"W
EXISTING GARAGE
PAVINGSTONE DRIVEWAY
LOT 2
LOT 1
N46°09'10"W
2.2
9.43
STONE PILLAR
REG'D PLAN 37
5.13
LOT LINE
5.19
0.3
BOARD FENCE
0.5
N43°46'25"E 19.300
LOT 2
LOT 1
EXISTING DWELLING
REGISTERED PLAN 526
LOT 3
PIN 71239–0090 (LT)
FAIRVIEW BOULEVARD
PIN 71239–0116 (LT)
GORDON STREET
PIN 71239–0001 (LT)

Aug 09,2019–10:50am
G:\GUELPH\037\Acad\MV PT LOT 1 & 2 (TERRA VIEW) UTM 2010 NR.dwg

THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL


Van Harten SURVEYING INC.
LAND SURVEYORS and ENGINEERS
423 WOOLWICH STREET – GUELPH, ONTARIO
PHONE (519) 821–2763 FAX 821–2770


FOR: TERRA VIEW CONSTRUCTION LTD.
PROJECT NO. 27448–19
DATE: AUGUST 8, 2019
PART 1 – SKETCH FOR MINOR VARIANCE SAP

**CAUTION:**
– 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 DEPOSIT PLAN 61R–21023 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 13, 2019 | Folder #: A-83/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 212 CARRINGTON DRIVE

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

LOT 63 61M-224.

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: TERRA VIEW CONSTRUCTION LTD.
Mailing Address: 45 SPEEDVALE AVENUE EAST UNIT 5
City: GUELPH. Postal Code: N1H 1J2
Home Phone: 519-763-8580 Work Phone:
Fax: 519-763-7296 Email: dave@terra-view.com.

**AGENT INFORMATION** (If Any)

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

| Official Plan Designation: (~~RESIDENTIAL~~). LOW DENSITY RESIDENTIAL | Current Zoning Designation: R2-3 |
|---|---|

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

~~(1) CURRENT ZONING ONLY PERMITS A 5M WIDE DRIVEWAY BUT HOME TO BE CONSTRUCTED HAS A 6M WIDE GARAGE. VARIANCE IS TO PERMIT 6M WIDE DRIVEWAY)~~

2) HOME TO BE A MODEL HOME AND HAVE A CONNECTION FROM FOYER TO LOT 64 WHILE A MODEL.

TABLE 5.1.2 ROW 7, ~~LEFT~~ RIGHT. SIDEYARD

MB

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

HOME TO BE CONSTRUCTED HAS A 6M WIDE GARAGE

- FOR CONVENIENCE OF BUYERS HOME WILL HAVE TEMPORARY CONNECTION TO LOT 64.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | FALL 2012 | Date property was first built on: | N/A. |
| Date of proposed construction on property: | FALL 2019. | Length of time the existing uses of the subject property have continued: | N/A. |

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

VACANT LAND.

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

SINGLE FAMILY DWELLING.

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

Frontage: 12.265 m Depth: 32 m Area: 392.48 m²

| PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric) | | | | | |
|---|---|---|---|---|---|
| **EXISTING (DWELLINGS & BUILDINGS)** | | | **PROPOSED** | | |
| **Main Building** N/A. | | | **Main Building** | | |
| Gross Floor Area: | | | Gross Floor Area: | 304 m² | |
| Height of building: | | | Height of building: | 8.5 m. | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ Detached ☐ | | | Attached ☑ Detached ☐ | | |
| Width: | | | Width: 5.7 m | | |
| Length: | | | Length: 6 m | | |
| Driveway Width: | | | Driveway Width: | 6m. | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** N/A. | | |
| **Describe details, including height:** | | | **Describe details, including height:** | | |

| LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND | | | | | |
|---|---|---|---|---|---|
| **EXISTING** N/A. | | | **PROPOSED** | | |
| Front Yard Setback: | M | | Front Yard Setback: | 6.1 | M |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | | M |
| Side Yard Setback: | Left: M | Right: M | Side Yard Setback: | Left: 1.56 M | Right: 1.56 M |
| Rear Yard Setback | M | | Rear Yard Setback | 9.14. | 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | | X | Folder 366905 - Review (JD) |
| Consent | X | | |
| Previous Minor Variance Application | X | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

**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.

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, DAVID BRIX, 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 13 day of August, 2019.

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

Commissioner of Oaths

(official stamp of Commissioner of Oaths)

# SKETCH FOR BUILDING PERMIT APPLICATION
# LOT 63, REGISTERED PLAN 61M–224
# CITY OF GUELPH
## SCALE: 1 – 250

**CAUTION:**
- 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–224 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

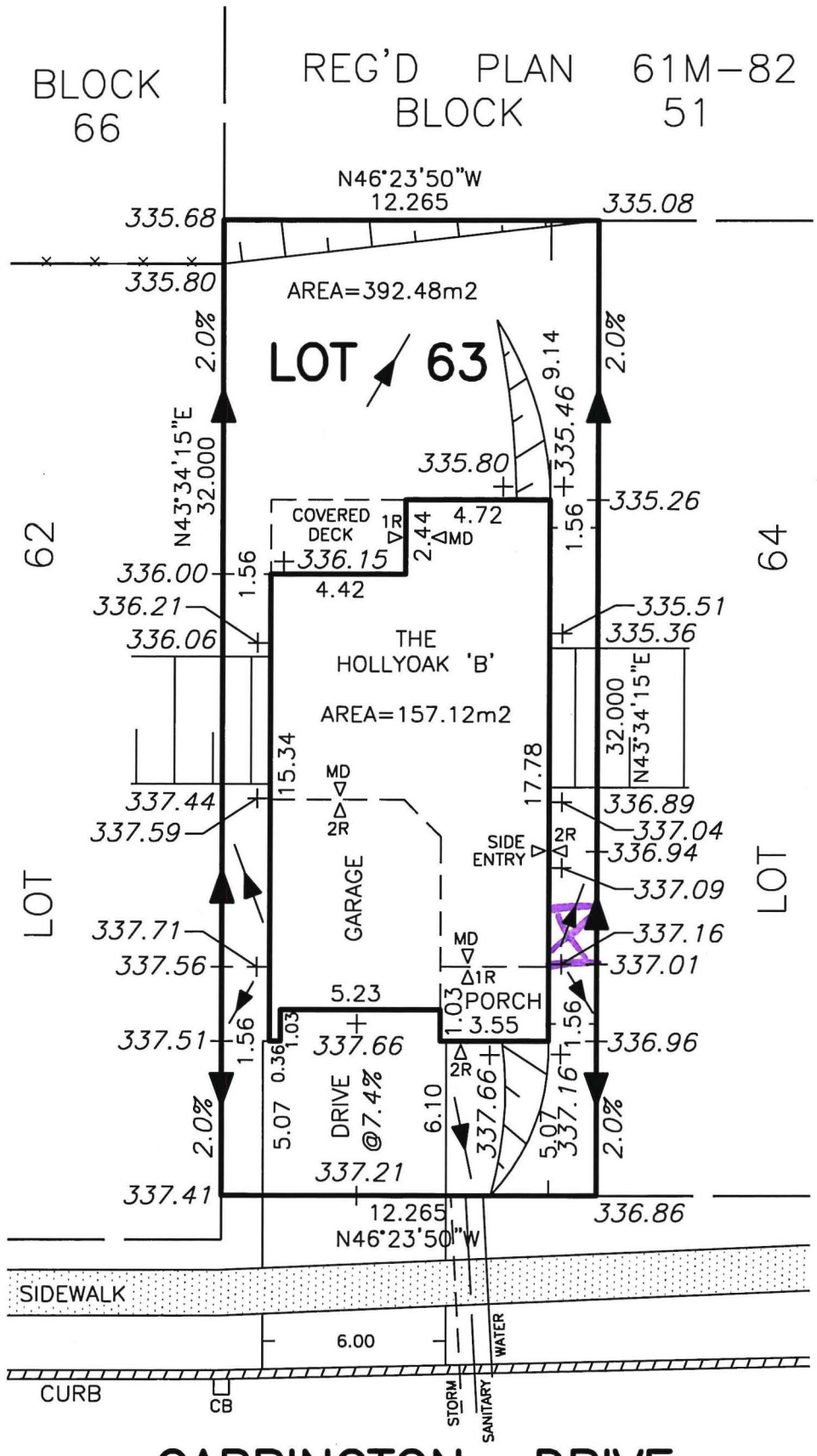
*TOP OF FOUNDATION = 337.91*
*UNDERSIDE OF FOOTING = 335.07*
*BASEMENT FLOOR = 335.35*
*FINISHED FLOOR = 338.21*
*SIDE ENTRY = 337.45*
*GARAGE CUT TO FINISHED SLAB = 0.25*
*FROST FOOTINGS REQUIRED*
*(MIN. = 334.24)*

ZONING: R2–3

FRONT YARD – 6.00 MIN.
FRONT YARD – 3.60 MIN. TO PORCH
SIDE YARD – 1.20 MIN. (OPENINGS)
SIDE YARD – 0.60 MIN. (NO OPENINGS)
REAR YARD – 20% OF LOT DEPTH (6.40 MIN.)

*NOTES:*
- *FOUNDATION DRAINS CONNECTED TO SEWER.*
- *SEASONAL HIGH GROUND WATER ELEVATION = 335.30 (AS PER GRADING PLAN)*
- *0.15m (6") SLOPE REQUIRED ON GARAGE SLAB.*
- *8'–10" FOUNDATION WALL HEIGHT.*

SODDED AREA =199.4m2




# CARRINGTON DRIVE
( 17.0 METRES WIDE )

AMENDED (ADD SERVICING): JULY 22, 2019

Jul 22,2019–9:37am
G:\GUELPHM\61M–224\ACAD\P63.dwg

ASSOCIATION OF ONTARIO LAND SURVEYORS
VAN HARTEN
July 22, 2019


**Van Harten SURVEYING INC.**
LAND SURVEYORS and ENGINEERS
423 WOOLWICH STREET – GUELPH, ONTARIO
PHONE (519) 821–2763 FAX 821–2770


FOR: **TERRA VIEW HOMES INC.**
PROJECT NO. 24201–16
DATE: JULY 8, 2019
P63 TML

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 13, 2019 | Folder #: A-84/19 |
| | Application deemed complete: ☐ Yes ☐ 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: 214 CARRINGTON DRIVE

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

LOT 64 61M-224.

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: TERRA VIEW CONSTRUCTION LTD.
Mailing Address: 45 SPEEDVALE AVENUE EAST UNIT 5
City: GUELPH. Postal Code: N1H 1J2
Home Phone: 519-763-3580 Work Phone:
Fax: 519-763-7296 Email: dave@terra-view.com.

**AGENT INFORMATION** (If Any)

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

| Official Plan Designation: ~~(RESIDENTIAL)~~ LOW DENSITY RESIDENTIAL. | Current Zoning Designation: R2-3 |
|---|---|

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

1) ~~CURRENT ZONING ONLY PERMITS A 5M WIDE DRIVEWAY BUT HOME TO BE CONSTRUCTED HAS A 6M WIDE GARAGE. - VARIANCE IS TO PERMIT 6M WIDE DRIVEWAY).~~

2) HOME TO BE USED AS A MODEL HOME WITH GARAGE USED AS SALES OFFICE WITH TEMPORARY CONNECTION TO GARAGE OF LOT 65 AND FOYER OF LOT 63

TABLE 5.12 ROW 7 - BOTH RIGHT + LEFT SIDEYARD SETBACK SECTION 4.13.2.1.

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

HOME TO BE CONSTRUCTED HAS A 6M WIDE GARAGE

- GARAGE TO HOUSE SALES OFFICE AND FOR CONVENIENCE OF BUYERS WILL BE CONNECTED TO HOMES ON LOTS 63 AND 65.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | FALL 2012 | Date property was first built on: | N/A. |
| Date of proposed construction on property: | FALL 2019. | Length of time the existing uses of the subject property have continued: | N/A. |

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

VACANT LAND.

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

SINGLE FAMILY DWELLING.

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

Frontage: 12.265 M Depth: 32 M Area: 392.48 $M^2$

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

| EXISTING (DWELLINGS & BUILDINGS) N/A. | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | | | Gross Floor Area: | 252.6 | |
| Height of building: | | | Height of building: | 7.6 | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ Detached ☐ | | | Attached ☑ Detached ☐ | | |
| Width: | | | Width: 5.8 | | |
| Length: | | | Length: 6 | | |
| Driveway Width: | | | Driveway Width: | 6 | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** N/A. | | |
| **Describe details, including height:** | | | **Describe details, including height:** | | |

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

| EXISTING N/A. | | | PROPOSED | | |
|---|---|---|---|---|---|
| Front Yard Setback: | M | | Front Yard Setback: | 6.3 M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: M | Right: M | Side Yard Setback: | Left: 1.56 M | Right: 1.56 M |
| Rear Yard Setback | M | | Rear Yard Setback | 9.36 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | | X | Folder 366962 |
| Consent | X | | |
| Previous Minor Variance Application | X | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

**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.

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, DAVID BRIX, 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 13 day of August, 2019.

Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

# SKETCH FOR BUILDING PERMIT APPLICATION
# LOT 64, REGISTERED PLAN 61M–224
# CITY OF GUELPH
## SCALE: 1 – 250

**CAUTION:** – 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–224 AND HAVE NOT BEEN VERIFIED BY SURVEY.
PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

ZONING: R2–3

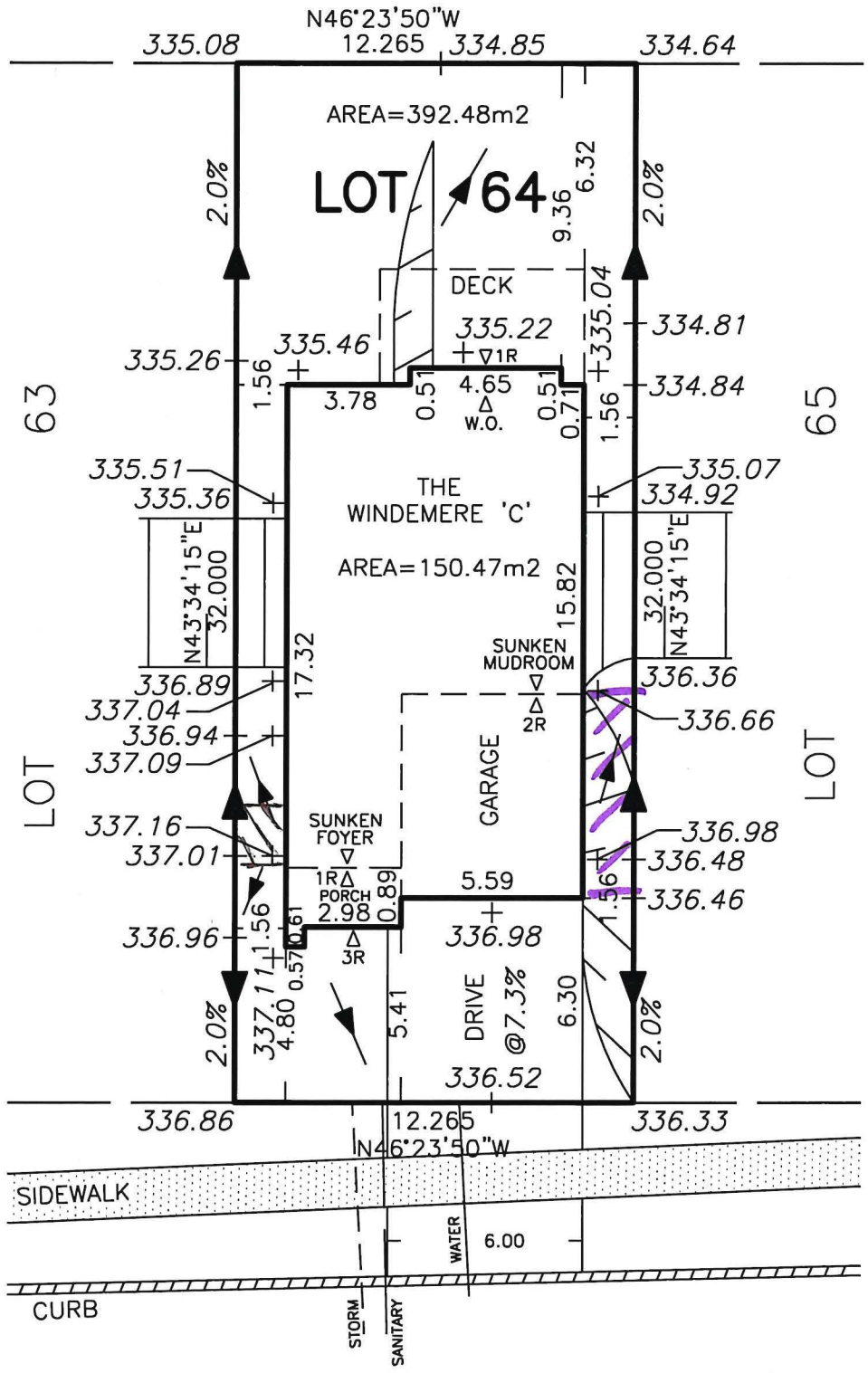
FRONT YARD – 6.00 MIN.
FRONT YARD – 3.60 MIN. TO PORCH
SIDE YARD – 1.20 MIN. (OPENINGS)
SIDE YARD – 0.60 MIN. (NO OPENINGS)
REAR YARD – 20% OF LOT DEPTH
REAR YARD – 0.60 MIN. TO DECK (6.40 MIN.)

*TOP OF FOUNDATION @ GARAGE SIDE = 337.18*
*TOP OF FOUNDATION @ PORCH/GARAGE FRONT = 337.36*
*TOP OF FOUNDATION @ SIDE/MUDROOM = 337.23*
*TOP OF FOUNDATION = 337.61*
*UNDERSIDE OF FOOTING = 335.09*
*BASEMENT FLOOR = 335.37*
*FINISHED FLOOR = 337.91*
*SUNKEN FOYER = 337.61*
*SUNKEN MUDROOM = 337.53*
*GARAGE CUT FROM TOP OF FOUNDATION @ FRONT PORCH/GARAGE TO FINISHED SLAB = 0.38*
*FROST FOOTINGS REQUIRED (MIN. = 333.82)*

*NOTES:*

- *FOUNDATION DRAINS CONNECTED TO SEWER.*
- *SEASONAL HIGH GROUND WATER ELEVATION = 334.75 (AS PER GRADING PLAN)*
- *0.15m (6") SLOPE REQUIRED ON GARAGE SLAB.*

SODDED AREA =204.3m2




# CARRINGTON DRIVE

( 17.0 METRES WIDE )

Jul 22,2019–10:13am
G:\GUELPHM\61M–224\ACAD\P64.dwg

AMENDED (ADD SERVICING): JULY 22, 2019
AMENDED (GRADING): JULY 12, 2019

ASSOCIATION OF ONTARIO LAND SURVEYORS
VAN HARTEN
July 22, 2019

**Van Harten**
SURVEYING INC.
LAND SURVEYORS and ENGINEERS
423 WOOLWICH STREET – GUELPH, ONTARIO
PHONE (519) 821–2763 FAX 821–2770

FOR:
**TERRA VIEW HOMES INC.**

PROJECT NO. 24201–16

DATE: JULY 8, 2019

P64 TML

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 13, 2019 | Folder #: A-85/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 216 CARRINGTON DRIVE

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

LOT 65 61M-224.

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: TERRA VIEW CONSTRUCTION LTD.
Mailing Address: 45 SPEEDVALE AVENUE EAST UNIT 5
City: GUELPH. Postal Code: N1H 1J2
Home Phone: 519-763-3580 Work Phone:
Fax: 519-763-7296 Email: dave@terra-view.com.

**AGENT INFORMATION** (If Any)

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

| Official Plan Designation: ~~(RESIDENTIAL)~~ LOW DENSITY RESIDENTIAL. | Current Zoning Designation: R2-3 |
|---|---|

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

~~1) CURRENT ZONING ONLY PERMITS A 5M WIDE DRIVEWAY BUT HOME TO BE CONSTRUCTED HAS A 6M WIDE GARAGE. VARIANCE IS TO PERMIT 6M WIDE DRIVEWAY.~~

2) HOME TO BE USED AS A MODEL HOME WITH GARAGE USED AS SALES OFFICE WITH TEMPORARY CONNECTION TO GARAGE OF LOT 64 ~~LEFT~~

TABLE 5.1.2 ROW 7 - ~~RIGHT~~ SIDEYARD SETBACK.

SECTION 4.13.2.1. LD

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

HOME TO BE CONSTRUCTED HAS A 6M WIDE GARAGE

- GARAGE TO HOUSE SALES OFFICE AND FOR CONVENIENCE OF BUYERS WILL BE CONNECTED TO GARAGE OF LOT 64.

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | FALL 2012 | Date property was first built on: | N/A. |
| Date of proposed construction on property: | FALL 2019. | Length of time the existing uses of the subject property have continued: | N/A. |

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

VACANT LAND.

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

SINGLE FAMILY DWELLING.

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

Frontage: 12.265 m Depth: 32 m Area: 392.48 $m^2$

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

| EXISTING (DWELLINGS & BUILDINGS) N/A. | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | | | Gross Floor Area: | 269 | |
| Height of building: | | | Height of building: | 7.9. | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ Detached ☐ | | | Attached ☑ Detached ☐ | | |
| Width: | | | Width: 6M | | |
| Length: | | | Length: 6M | | |
| Driveway Width: | | | Driveway Width: | 6M | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** N/A. | | |
| **Describe details, including height:** | | | **Describe details, including height:** | | |

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

| EXISTING N/A. | | | PROPOSED | | |
|---|---|---|---|---|---|
| Front Yard Setback: | M | | Front Yard Setback: | 6.1 M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: M | Right: M | Side Yard Setback: | Left: 1.31 M | Right: 1.31 M |
| Rear Yard Setback | M | | Rear Yard Setback | 8.34. 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | | X | Folder 367094. |
| Consent | X | | |
| Previous Minor Variance Application | X | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

**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.

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, DAVID BRIX, 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 13 day of August, 2019.

Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

# SKETCH FOR BUILDING PERMIT APPLICATION
# LOT 65, REGISTERED PLAN 61M–224
# CITY OF GUELPH
## SCALE: 1 – 250

**CAUTION:**
- 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–224 AND HAVE NOT BEEN VERIFIED BY SURVEY.
PROPOSED BUILDING POSITIONED BY CALCULATION, NOT BY ACTUAL SURVEY.

ZONING: R2–3

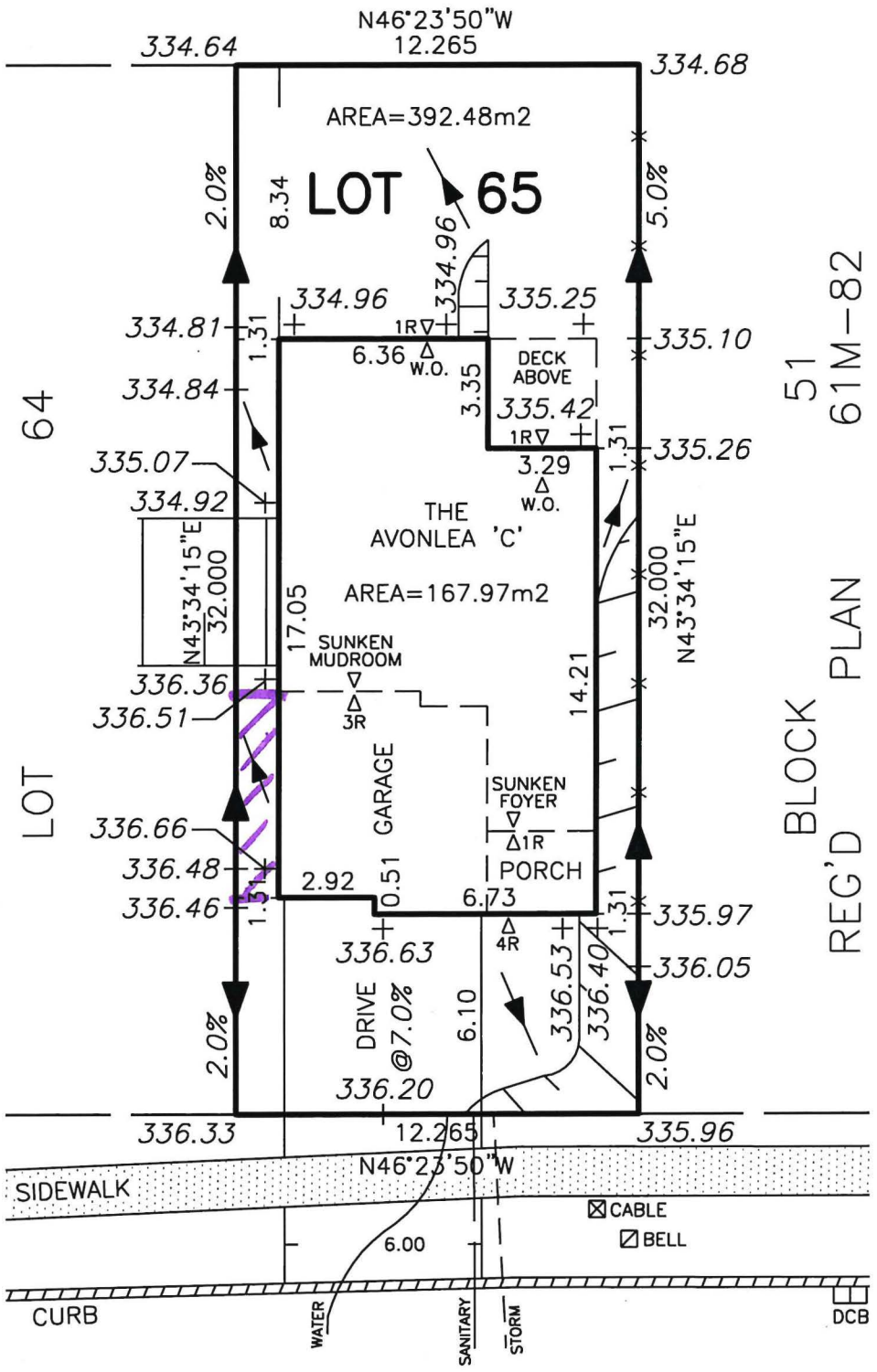
FRONT YARD – 6.00 MIN.
FRONT YARD – 3.60 MIN. TO PORCH
SIDE YARD – 1.20 MIN. (OPENINGS)
SIDE YARD – 0.60 MIN. (NO OPENINGS)
REAR YARD – 20% OF LOT DEPTH (6.40 MIN.)

*TOP OF FOUNDATION @ GARAGE/MUDROOM = 337.10*
*TOP OF FOUNDATION @ PORCH = 337.22*
*TOP OF FOUNDATION = 337.35*
*UNDERSIDE OF FOOTING = 334.83*
*BASEMENT FLOOR = 335.11*
*FINISHED FLOOR = 337.65*
*SUNKEN FOYER = 337.47*
*SUNKEN MUDROOM = 337.27*
*GARAGE CUT FROM TOP OF FOUNDATION @ GARAGE TO FINISHED SLAB = 0.47*
*FROST FOOTINGS REQUIRED (MIN. = 333.74)*

*NOTES:*

- *FOUNDATION DRAINS CONNECTED TO SEWER.*
- *SEASONAL HIGH GROUND WATER ELEVATION = 334.20 (AS PER GRADING PLAN)*

SODDED AREA =186.3m2




# CARRINGTON DRIVE

( 17.0 METRES WIDE )

Jul 22,2019–10:41am
G:\GUELPHM\61M–224\ACAD\P65.dwg

ASSOCIATION OF ONTARIO LAND SURVEYORS
VAN HARTEN
July 22, 2019

AMENDED (ADD SERVICING): JULY 22, 2019
AMENDED (GRADING): JULY 16, 2019


**Van Harten SURVEYING INC.**
LAND SURVEYORS and ENGINEERS
423 WOOLWICH STREET – GUELPH, ONTARIO
PHONE (519) 821–2763 FAX 821–2770


FOR: **TERRA VIEW HOMES INC.**
PROJECT NO. 24201–16
DATE: JULY 8, 2019
P65 TML

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR MINOR VARIANCE

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: August 13, 2019 | Folder #: A-86/19 |
| | Application deemed complete: ☑ Yes ☐ 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: 24 Durham St, Guelph ON N1H-2Y2

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

Part Lot 3 Reg. Plan 185

**REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)**

Name: Darin Bryce & Kerri Bryce
Mailing Address: 24 Durham St.
City: Guelph Postal Code: N1H-2Y2
Home Phone: 519-546-8665 Work Phone:
Fax: Email: dbryce16@gmail.com

**AGENT INFORMATION** (If Any)

Company:
Name: Corinne Maloney
Mailing Address: 3 Cambridge St
City: Guelph Postal Code N1H-2T8
Work Phone: Mobile Phone: 519-249-6201
Fax: Email: corinne@maloney.tc

| Official Plan Designation: low density residential | Current Zoning Designation: R.1B |
|---|---|

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

a variance to Sections 4.13.2.1 and 5.1.2.7 to permit the required parking spot to be located 4.32m from the front property line.

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

- the new construction limits how far back into the lot the parking spot(s) are.
  Note: still able to accomodate two cars with the proposed new build

**PROPERTY INFORMATION**

| | | | |
|---|---|---|---|
| Date property was purchased: | 1997 | Date property was first built on: | 1900 |
| Date of proposed construction on property: | Nov 2019 | Length of time the existing uses of the subject property have continued: | 1900 |

**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: 12.72m Depth: 32.028 Area: 407.39616

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

| EXISTING (DWELLINGS & BUILDINGS) | | | PROPOSED | | |
|---|---|---|---|---|---|
| **Main Building** | | | **Main Building** | | |
| Gross Floor Area: | ~~531.44 m²~~ 468 m² | | Gross Floor Area: | 531.44 m² | |
| Height of building: | 2 stories | | Height of building: | 2 - stories | |
| **Garage/Carport (if applicable)** | | | **Garage/Carport (if applicable)** | | |
| Attached ☐ | Detached ☐ | | Attached ☑ | Detached ☐ | |
| Width: | | | Width: 3.21m | | |
| Length: | | | Length: 6.96m | | |
| Driveway Width: | | | Driveway Width: 4.91m | | |
| **Accessory Structures (Shed, Gazebo, Pool, Deck)** shed | | | **Accessory Structures (Shed, Gazebo, Pool, Deck)** shed | | |
| **Describe details, including height:** 9.3 m² | | | **Describe details, including height:** 9.3m² | | |

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

| EXISTING | | | PROPOSED | | |
|---|---|---|---|---|---|
| Front Yard Setback: | 3.28 M | | Front Yard Setback: | 3.28 M | |
| Exterior Side Yard (corner lots only) | M | | Exterior Side Yard (corner lots only) | M | |
| Side Yard Setback: | Left: 4.91 M | Right: 0.83 M | Side Yard Setback: | Left: 1.58 M | Right: 0.83 M |
| Rear Yard Setback | 13.16 M | | Rear Yard Setback | 13.16 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 | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | X | | |
| Consent | X | | |
| Previous Minor Variance Application | X | | |

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

**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.

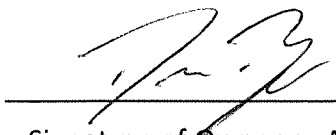
**POSTING OF ADVISORY SIGN**

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.

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, Darin Bryce, 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 13 day of August, 2019.

Commissioner of Oaths

JUAN ANTONIO da SILVA CABRAL
A Commissioner etc. Province of Ontario for
The Corporation of the City of Guelph
Expires July 19, 2022

(official stamp of Commissioner of Oaths)

# APPOINTMENT AND AUTHORIZATION

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

Dorin Bryce

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

of 24 Durham St.

(Legal description and/or municipal address)

hereby authorize Corinne Maloney

(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 13 day of August 2019.

(Signature of the property owner)

(Signature of the property owner)

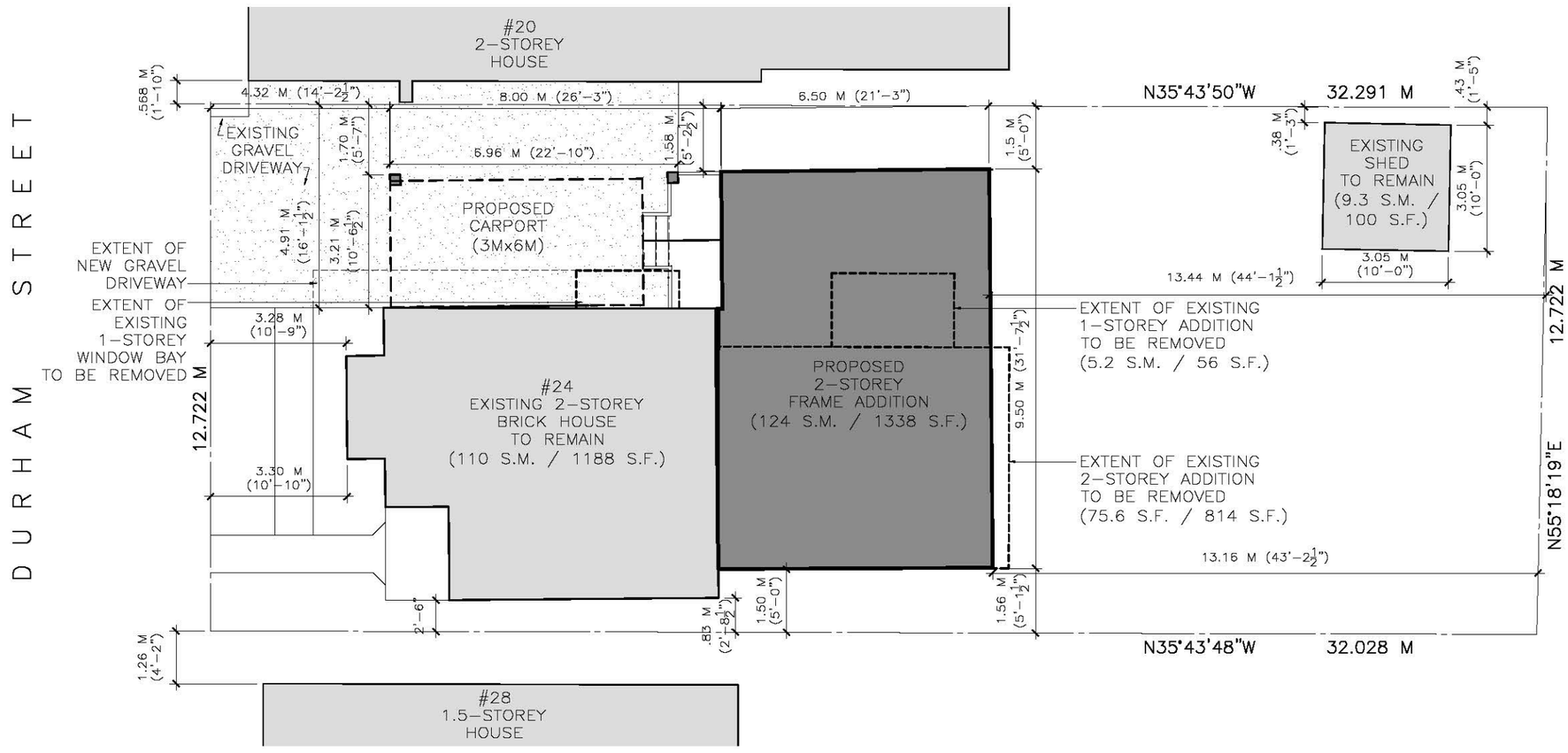
NOTES:

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.

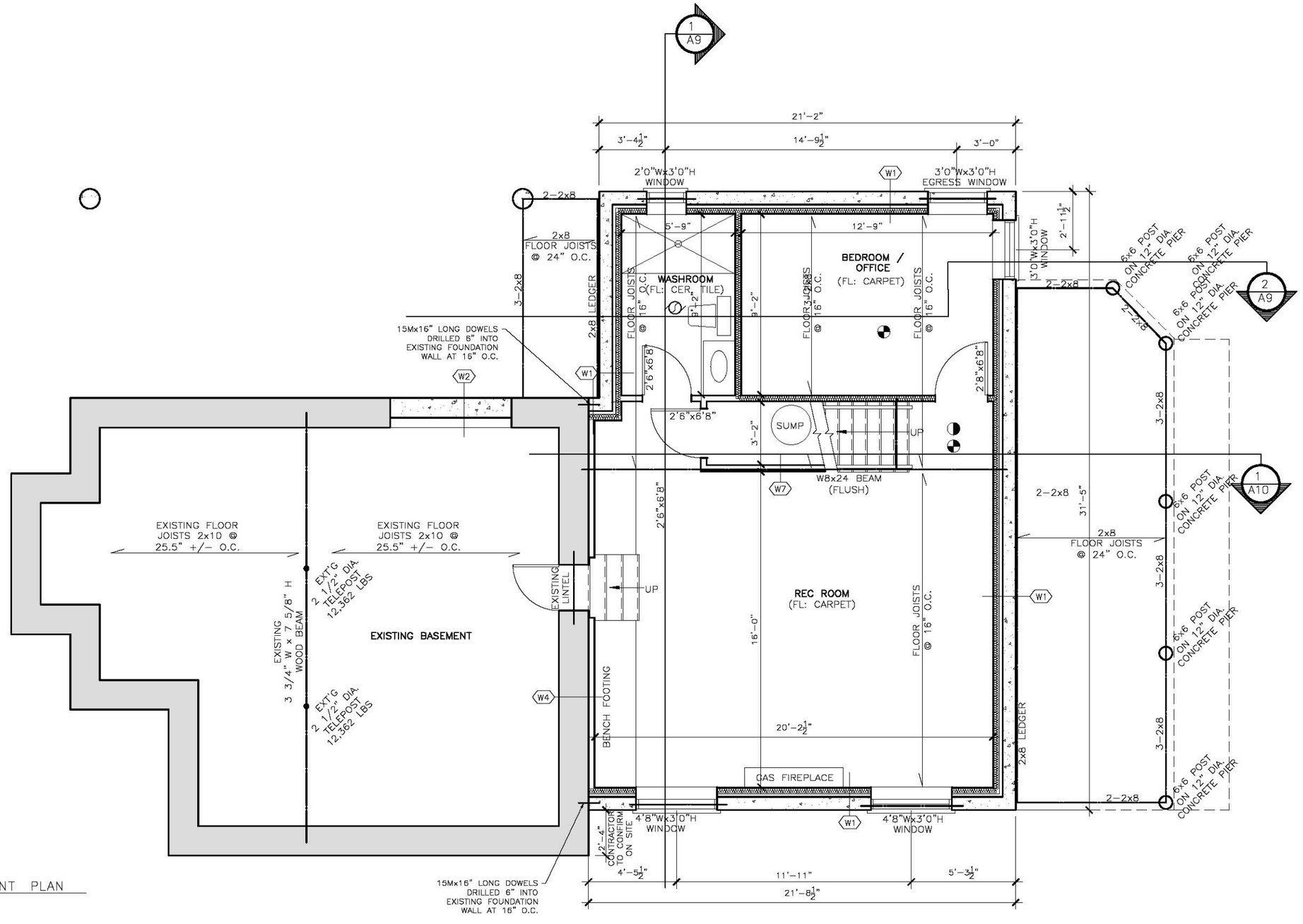
PART OF LOT 3
REGISTERED PLAN 185
CITY OF GUELPH
COUNTY OF WELLINGTON

SITE PLAN BASED ON
SURVEY DRAWING
BY VAN HARTEN, O.L.S.
FEB 21, 2019



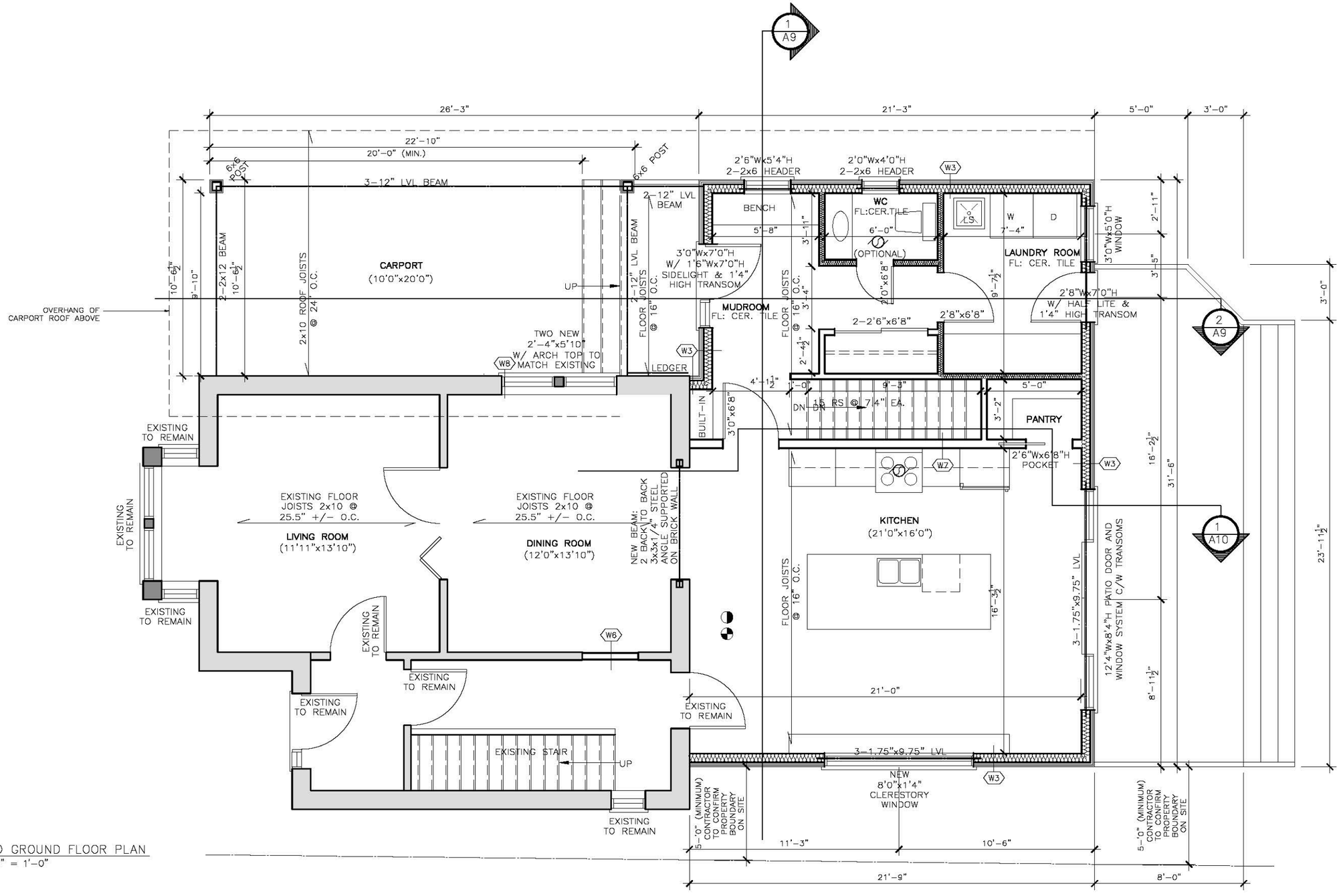

1/A0 SITE PLAN
SCALE: 1:125 METRIC

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A0 |



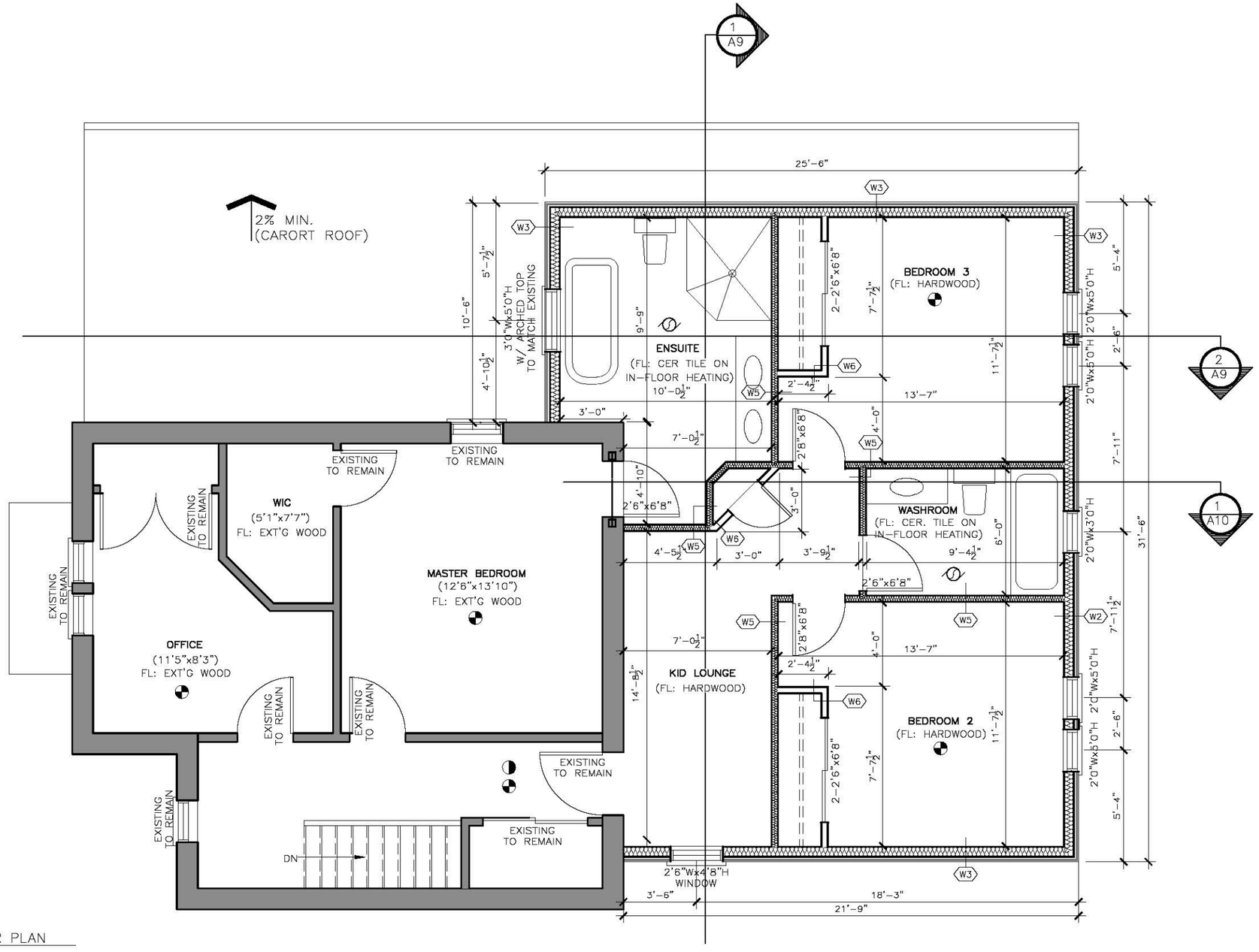

1 A1 PROPOSED BASEMENT PLAN
SCALE: 3/16" = 1'–0"

| | | | | | |
|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>GUELPH, ON | DRAWING: PROPOSED BASEMENT 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A1 |



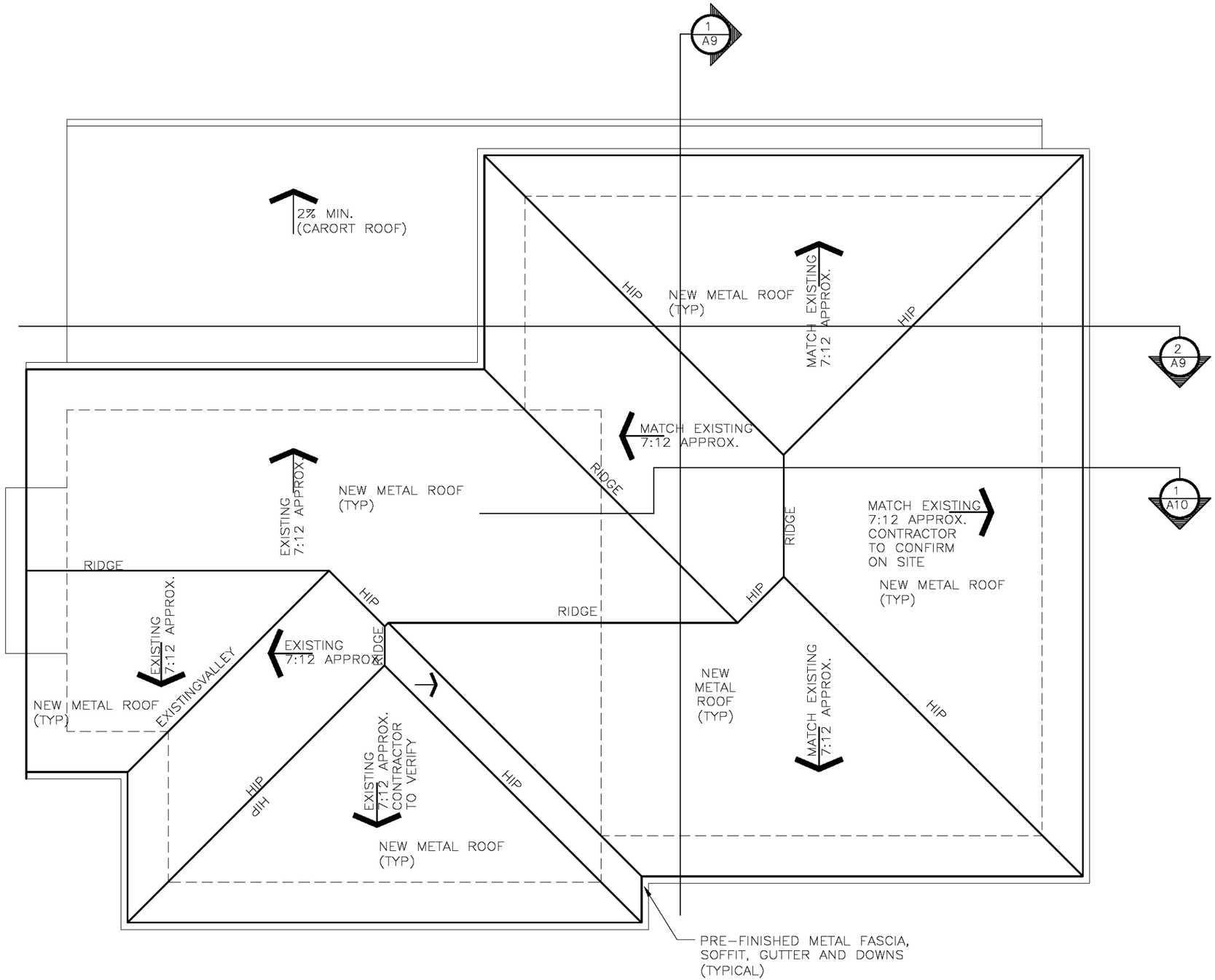

1 A2 PROPOSED GROUND FLOOR PLAN
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION 24 DURHAM STREET 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A2 |




1 A3 PROPOSED 2ND FLOOR PLAN
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION 24 DURHAM STREET 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A3 |

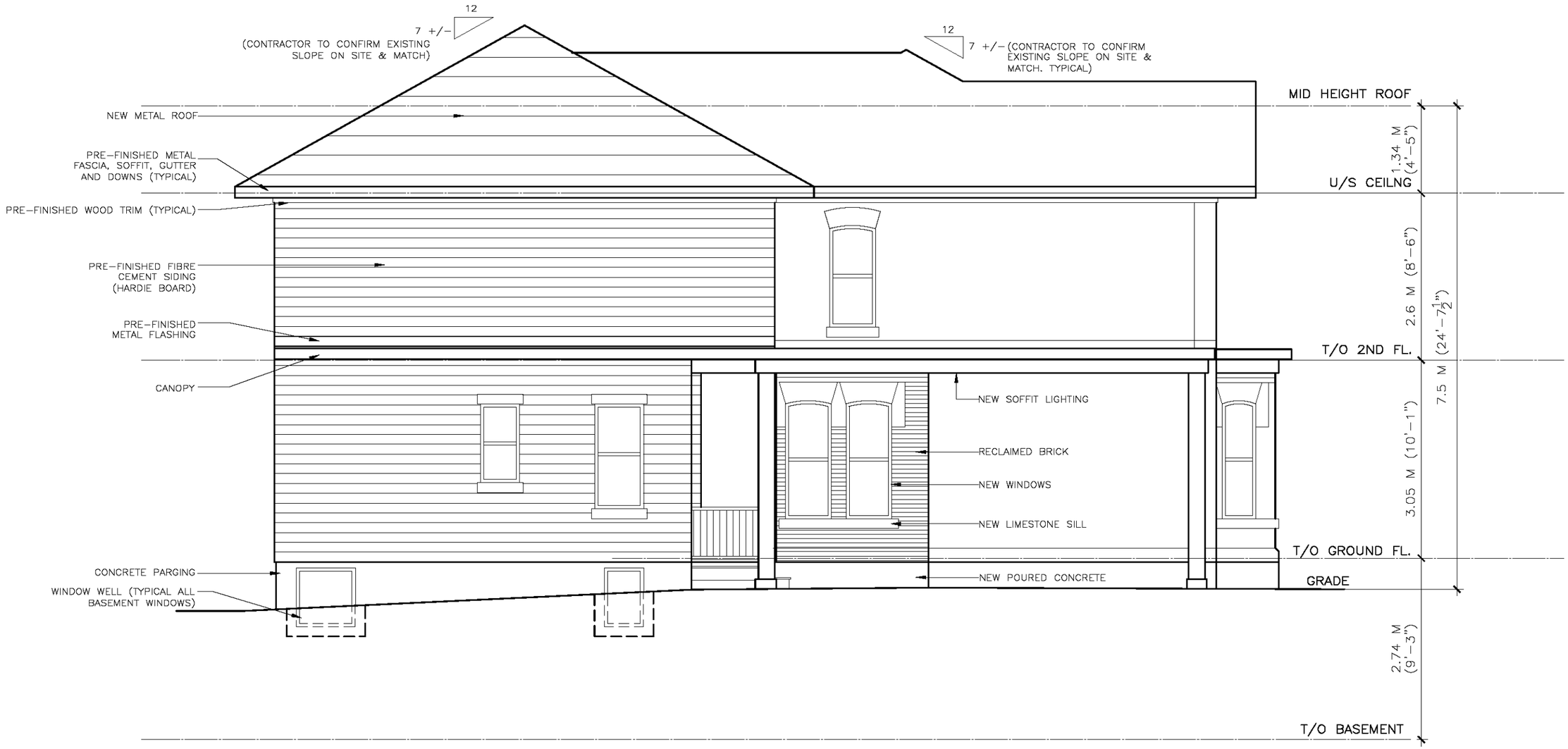



1 / A4 PROPOSED ROOF PLAN
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A4 |

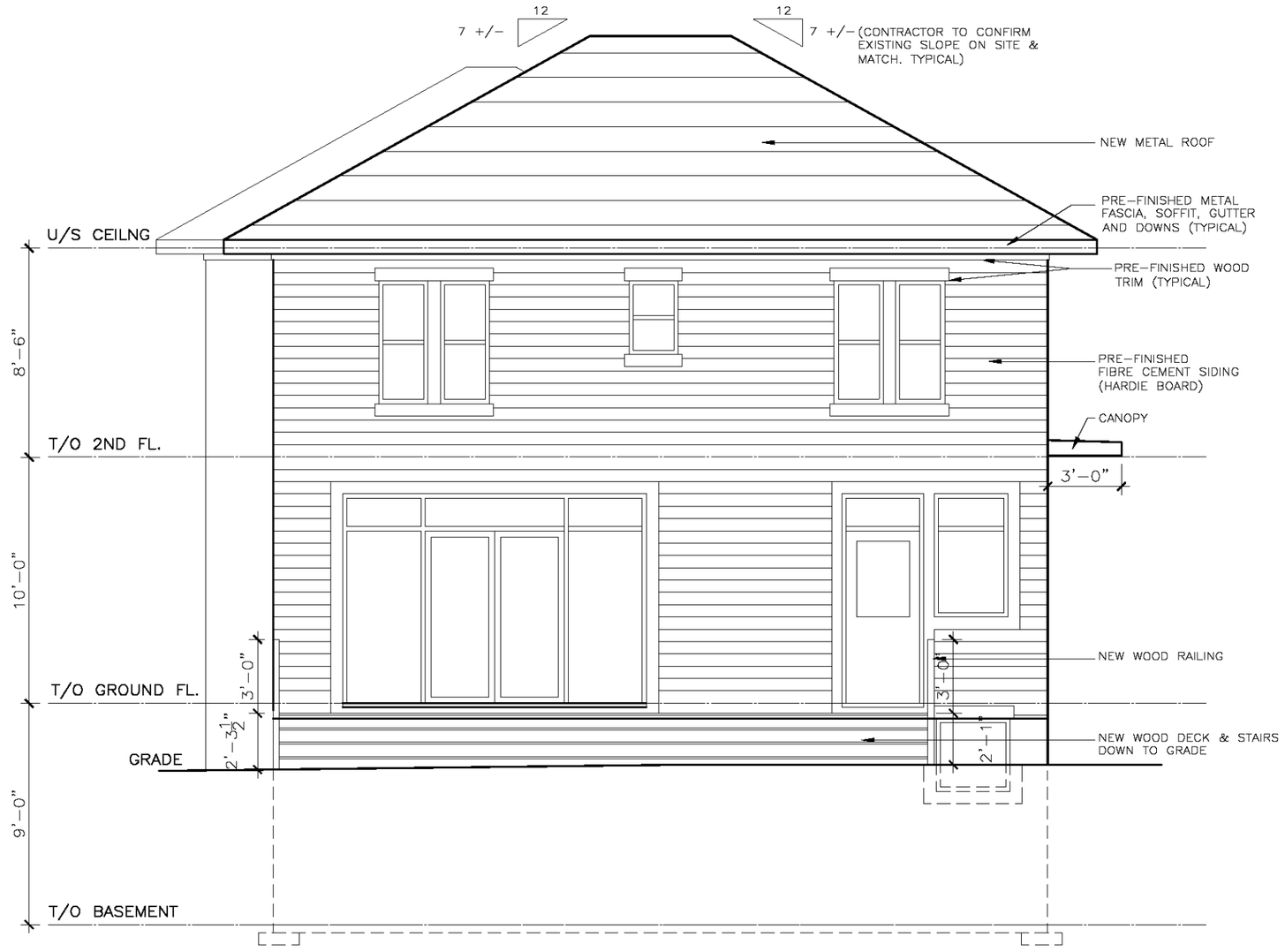
1/A5 PROPOSED NORTH (FRONT) ELEVATION
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION 24 DURHAM STREET GUELPH, ON | DRAWING: PROPOSED NORTH (FRONT) ELEVATION | 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A5 |



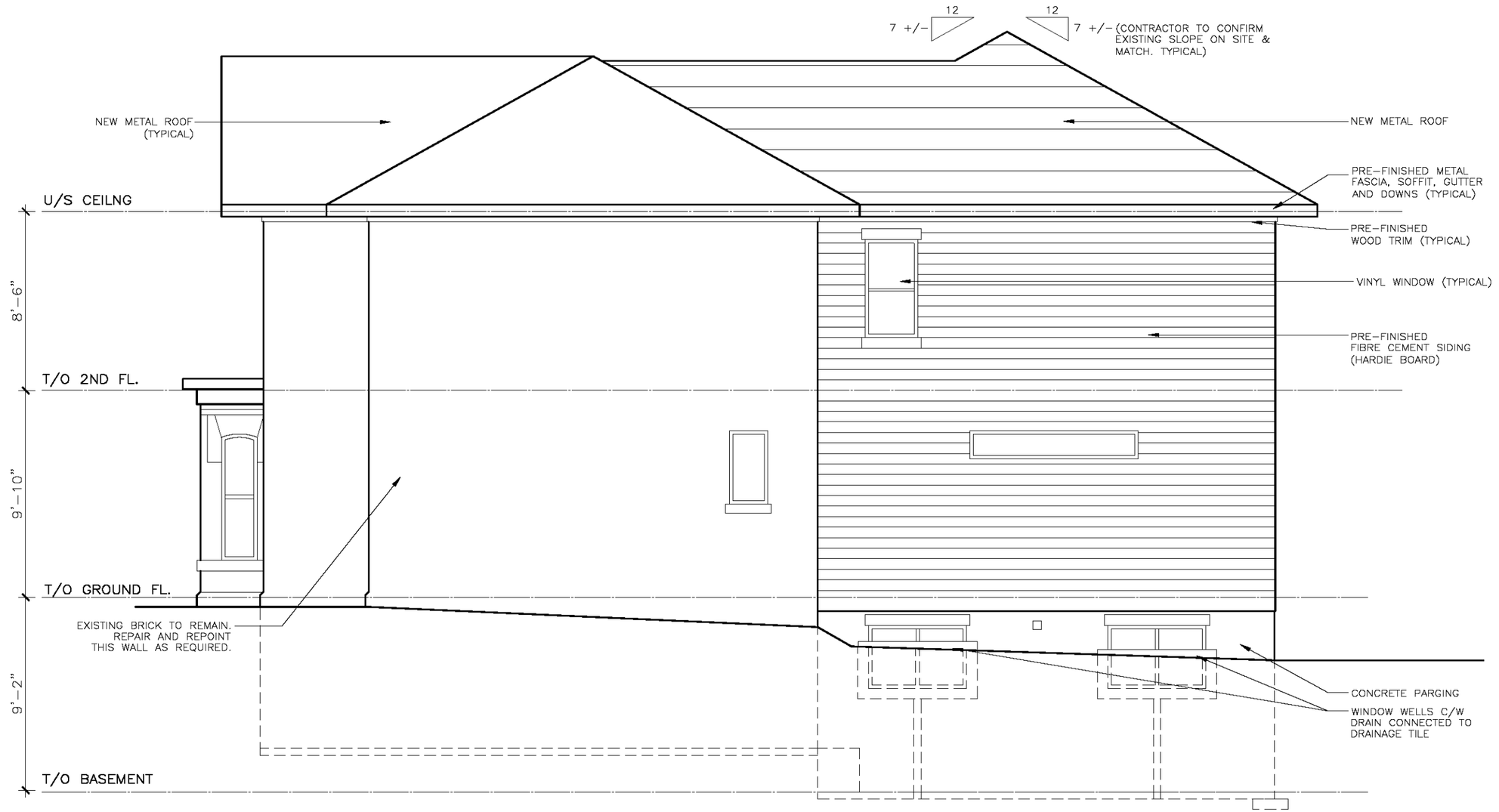

1/A6 PROPOSED EAST ELEVATION
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>GUELPH, ON | DRAWING: PROPOSED EAST ELEVATION | 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A6 |



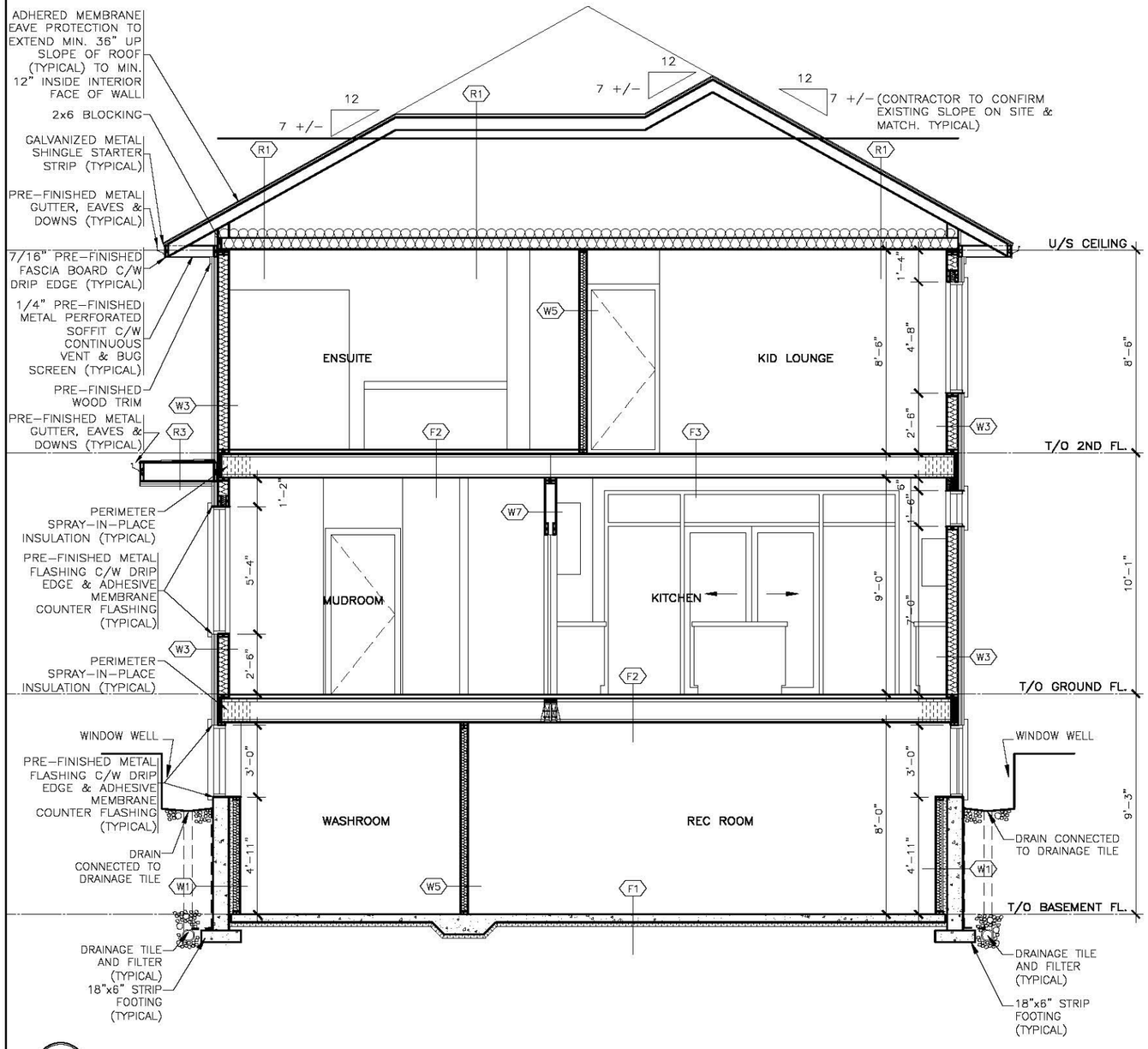

1 / A7 PROPOSED SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION 24 DURHAM STREET GUELPH, ON | DRAWING: PROPOSED SOUTH ELEVATION | 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A7 |

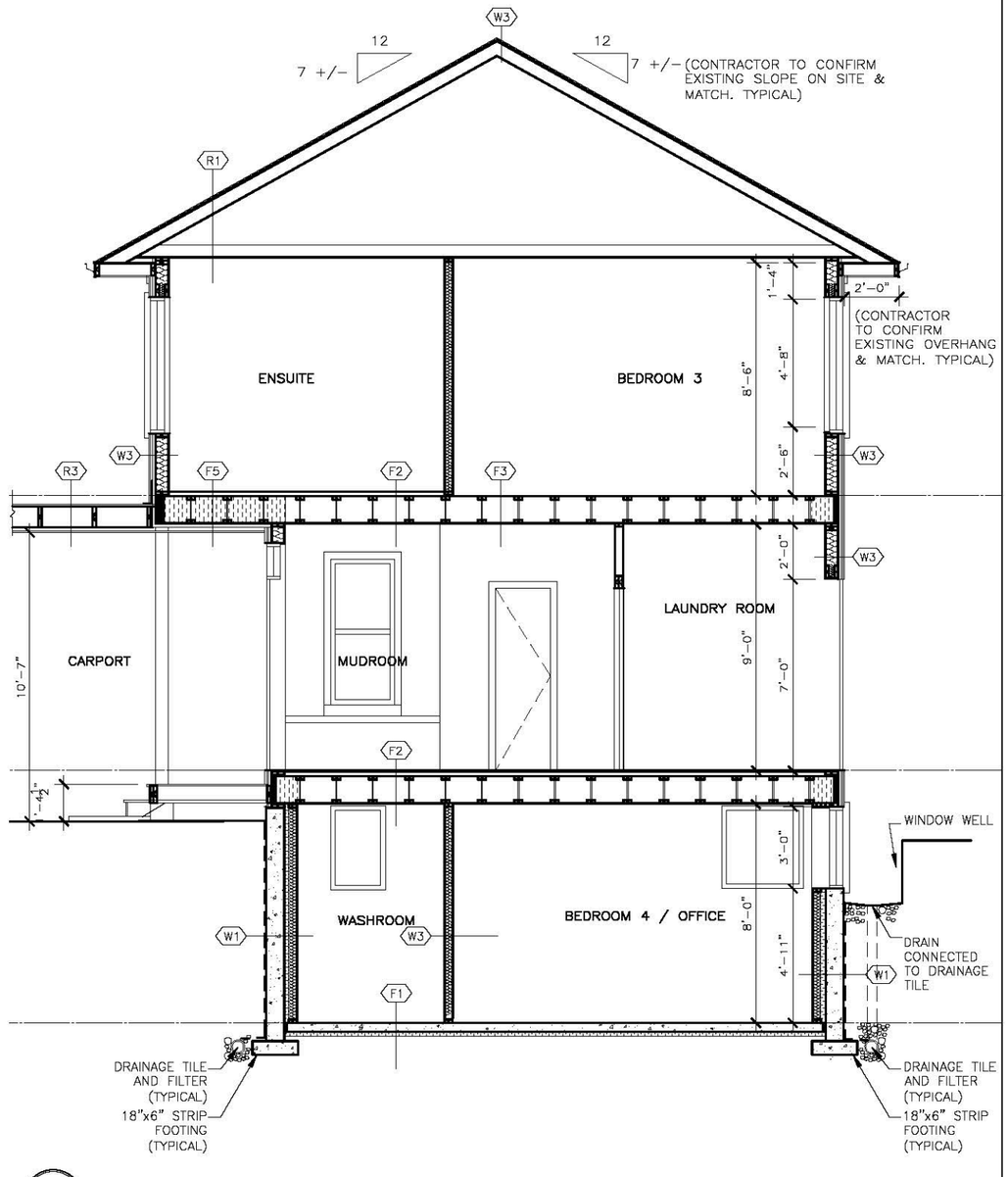



1/A8 PROPOSED WEST ELEVATION
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION 24 DURHAM STREET GUELPH, ON | DRAWING: PROPOSED WEST ELEVATION | 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A8 |

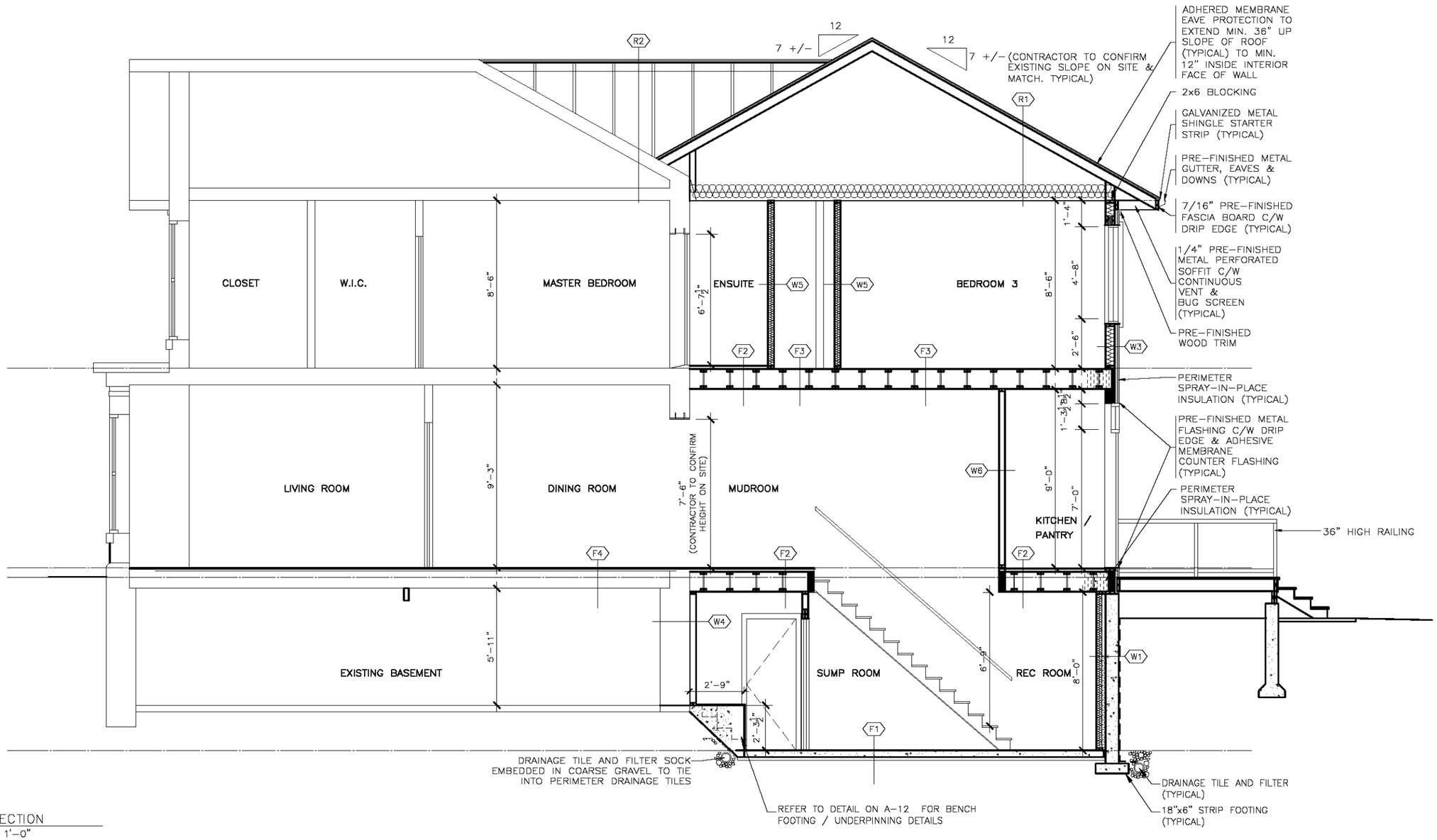



1 / A9 PROPOSED SECTION
SCALE: 3/16" = 1'-0"



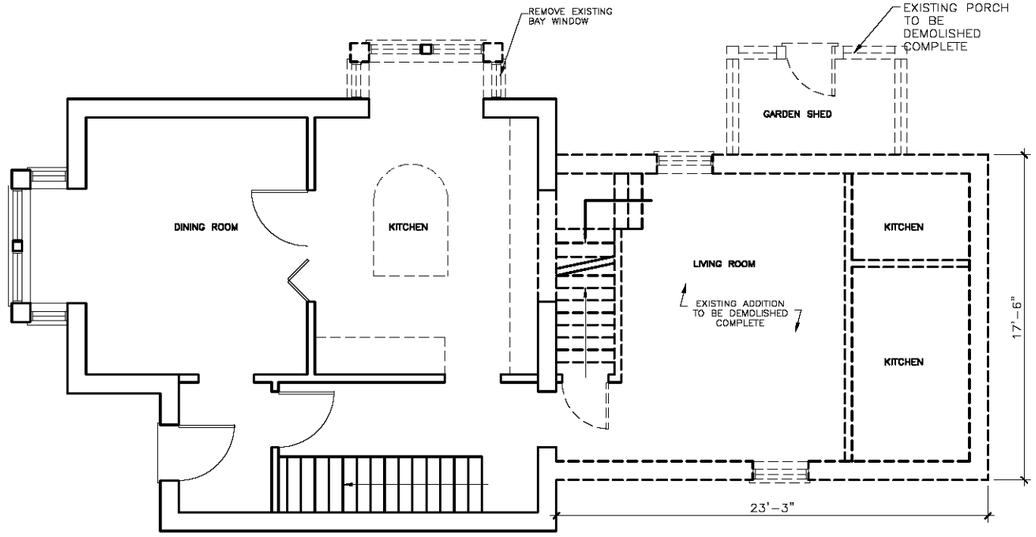

2 / A9 PROPOSED SECTION
SCALE: 3/16" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>GUELPH, ON | DRAWING: PROPOSED SECTIONS | 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | A9 |

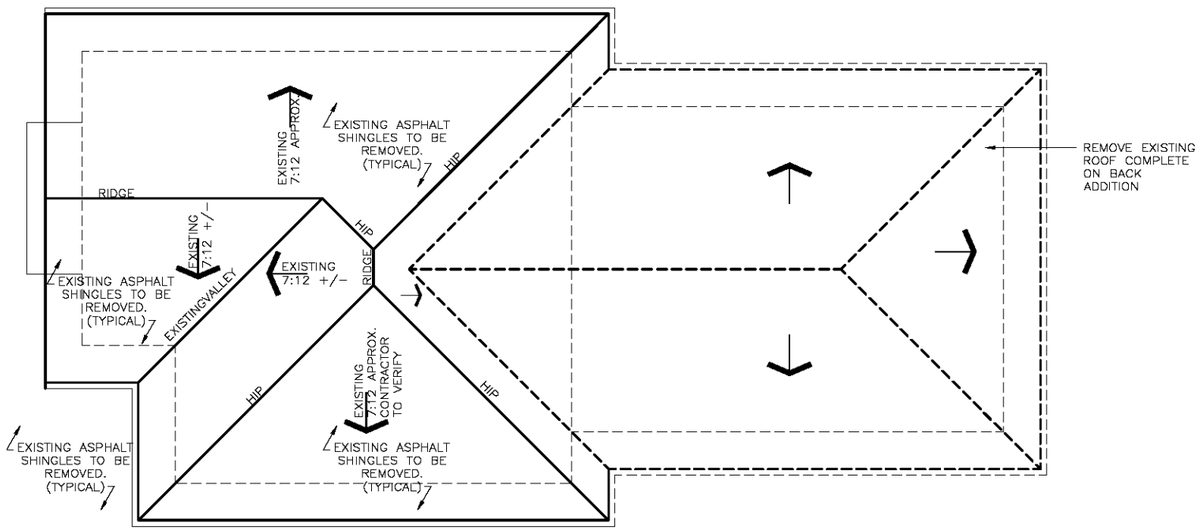



1 / A-10 PROPSOED SECTION
SCALE: 3/16" = 1'-0"

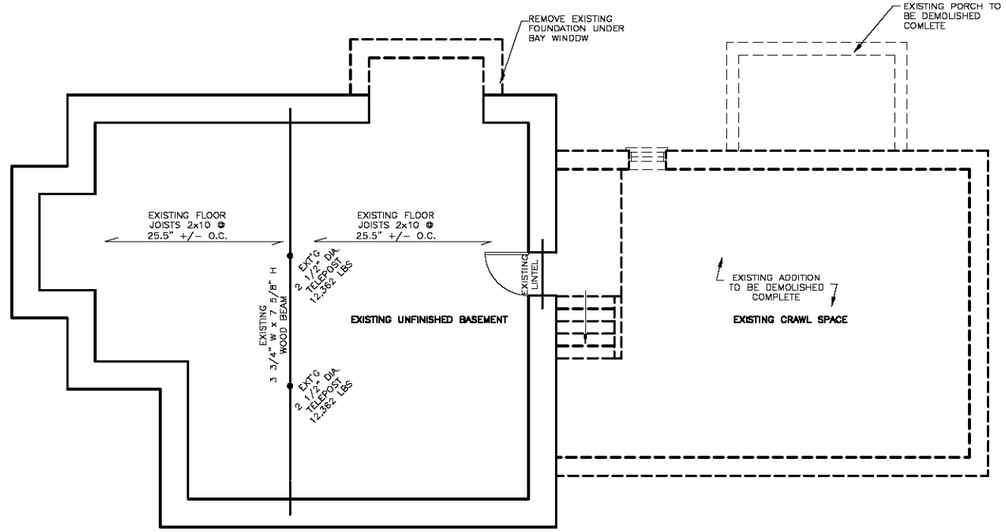
| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION 24 DURHAM STREET GUELPH, ON | DRAWING: PROPOSED SECTION | OWNER'S GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF THE WORK. REPORT ANY DISCREPANCIES TO THE DESIGNER. DO NOT SCALE DRAWINGS. | SCALE: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR REVIEW | A10 |



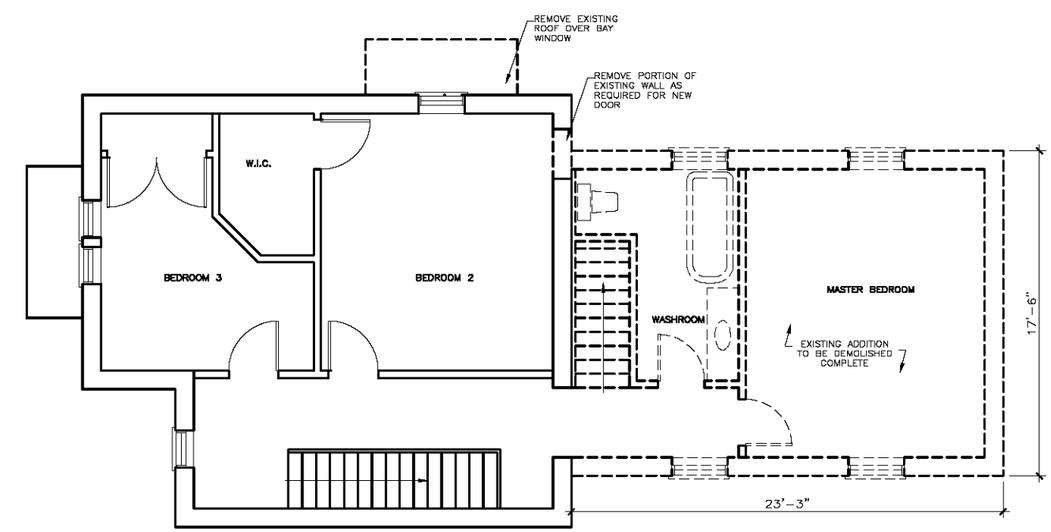

2 EX1 EXISTING / DEMOLITION GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"




4 EX1 EXISTING / DEMOLITION ROOF PLAN
SCALE: 1/8" = 1'-0"



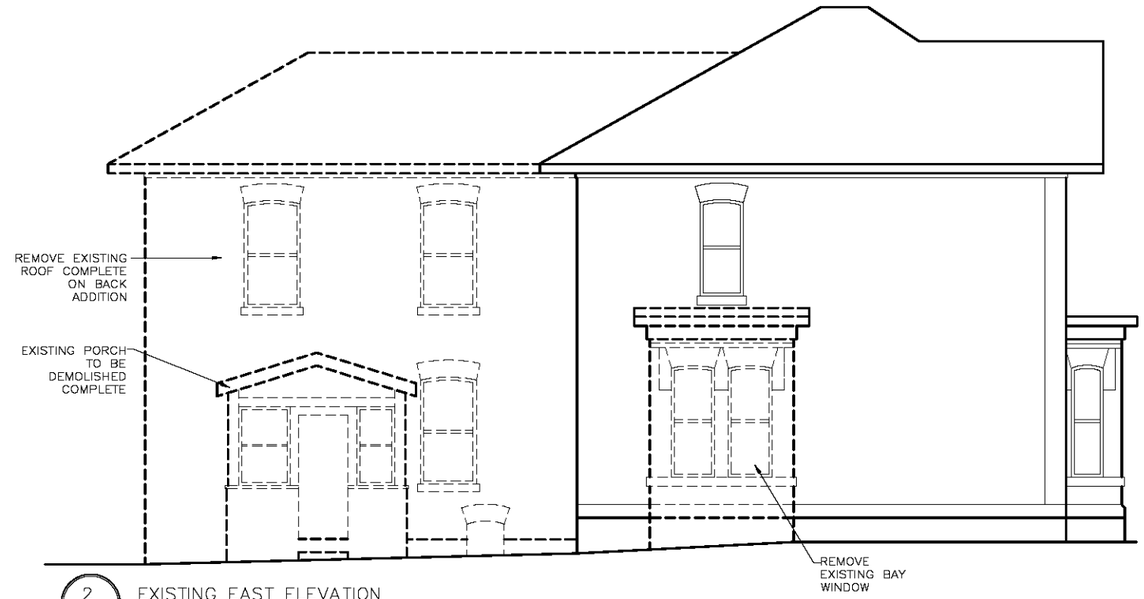

1 EX1 EXISTING / DEMOLITION BASEMENT PLAN
SCALE: 1/8" = 1'-0"



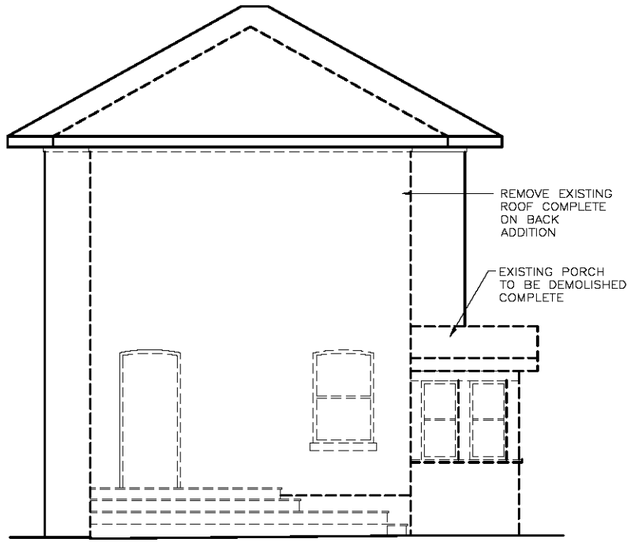

3 EX1 EXISTING / DEMOLITION 2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>GUELPH, ON | DRAWING: EXISTING / DEMOLITION PLANS | 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | EX1 |

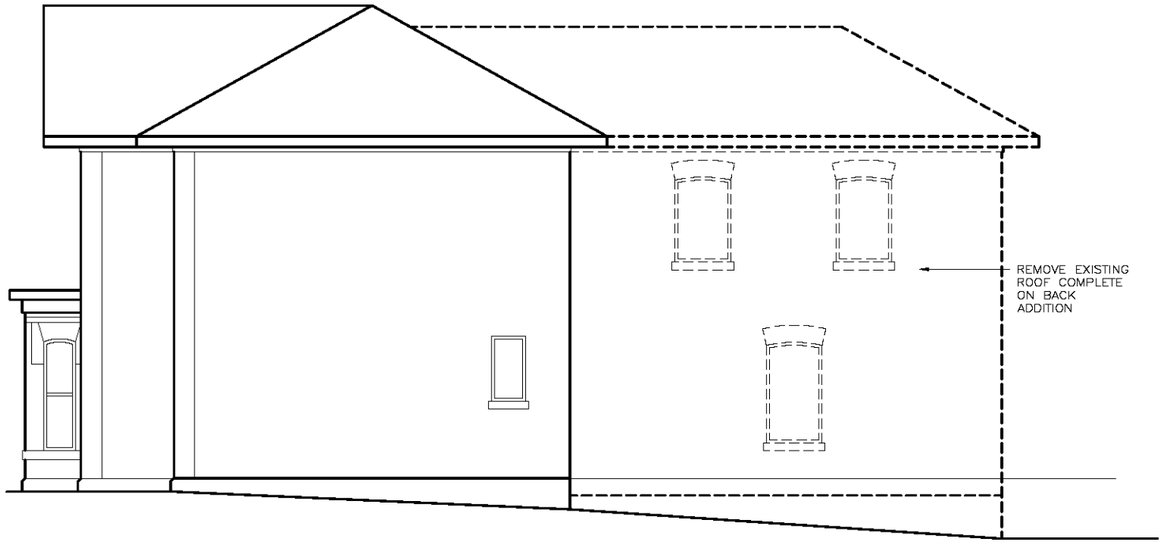
1 EX2 EXISTING NORTH ELEVATION
SCALE: 1/8" = 1'-0"




2 EX2 EXISTING EAST ELEVATION
SCALE: 1/8" = 1'-0"




3 EX2 EXISTING SOUTH ELEVATION
SCALE: 1/8" = 1'-0"




4 EX2 EXISTING WEST ELEVATION
SCALE: 1/8" = 1'-0"

| | | | | | | |
|---|---|---|---|---|---|---|
| | PROJECT: HOUSE ADDITION & RENOVATION<br>24 DURHAM STREET<br>GUELPH, ON | DRAWING: EXISTING 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: AS NOTED | DATE: 13.AUG.2019<br>DRAWN BY: TD<br>STATUS: ISSUED FOR C OF A | EX2 |

# COMMITTEE OF ADJUSTMENT
# APPLICATION FOR CONSENT

CITY OF Guelph
Making a Difference

| Consultation with City staff is encouraged prior to submission of this application. | OFFICE USE ONLY | |
|---|---|---|
| | Date Received: July 25, 2019 | Application #: B-12/19 |
| | Application deemed complete: ☐ Yes ☐ 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 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: 328 - 386 (JD) ~~328~~ Speedvale Avenue East, Unit F01

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

Part of Lot 'B', Broken Front Concession, Division 'F', City of Guelph.

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

If yes, describe: GUELPH SUBJECT TO AN EASEMENT IN GROSS OVER PT 1, 61R11227 AS IN WC264121

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

If yes, explain:

## REGISTERED OWNER(S) INFORMATION: (Please indicate name(s) exactly as shown on Transfer/Deed of Land)

| | | | |
|---|---|---|---|
| Name: | 328 Speedvale Commercial Centre Inc. | | |
| Mailing Address: | 163 Cartwright Avenue / c/o Allen Schacht (JD) | | |
| City: | Toronto | Postal Code: | M6A 2X5 |
| Home Phone: | | Work Phone: | 226-751-3095 |
| Fax: | | Email: | aschacht@firmcapital.com (JD) |

## AGENT INFORMATION (If Any)

| | | | |
|---|---|---|---|
| Name: | Jonathan Kitchen | | |
| Company: | Dillon Consulting Limited | | |
| Mailing Address: | 51 Breithaupt Street, Suite 200 | | |
| City: | Kitchener | Postal Code: | N2H 5G5 |
| Home Phone: | | Work Phone: | 519-571-9833 ext. 3120 |
| Fax: | 519-571-7424 | Email: | jkitchen@dillon.ca / afarkas@dillon.ca |

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

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

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

The TDL Group Limited

## DESCRIPTION OF LAND INTENDED TO BE SEVERED (Leased)

| Frontage / Width: (m) | Depth (m) | Area: (m²) | Existing Use: | Proposed Use: |
|---|---|---|---|---|
| | | 599 + drive thru | Quick Service Restaurant - Tim Hortons | Same |

| Existing Buildings/Structures: | Proposed Buildings / Structures: |
|---|---|
| 1 | Same |
| Use of Existing Buildings/Structures (specify): Quick Service Restaurant - Tim Hortons | Proposed Use of Buildings/Structures (specify): Same |

## DESCRIPTION OF LAND INTENDED TO BE RETAINED (Subject Lands)

| Frontage / Width: (m) | Depth (m) | Area: (m²) | Existing Use: | Proposed Use: |
|---|---|---|---|---|
| 174.13 | 223.42 | ~38,300 | Shopping Centre Plaza | Same |

| Existing Buildings/Structures: | Proposed Buildings / Structures: |
|---|---|
| 4 | Same |
| Use of Existing Buildings/Structures (specify): Quick Service Restaurants, Hair Salon, Health Food Store, LCBO, Fitness Centre, Dry Cleaners, Food Market, Bookstore, Bank, Grocery Store | Proposed Use of Buildings/Structures (specify): Same |

| TYPE OF ACCESS TO THE RETAINED LANDS | | TYPE OF ACCESS TO THE SEVERED LANDS | |
|---|---|---|---|
| ⌋ Provincial Highway | Ξ Municipal Road | ⌋ Provincial Highway | Ξ Municipal Road |
| ⌋ Private Road | □ Right-of-Way | ⌋ Private Road | □ Right-of-Way |
| ⌋ Other (Specify) | | ⌋ Other (Specify) | |

| TYPE OF WATER SUPPLY TO THE RETAINED LANDS | | TYPE OF WATER SUPPLY TO THE SEVERED LANDS | |
|---|---|---|---|
| X Municipally owned and operated | □ Privately Owned Well | X Municipally owned and operated | □ Privately Owned Well |
| ⌋ Other (Specify) | | ⌋ Other (Specify) | |

| TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS | | TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS | |
|---|---|---|---|
| X Municipally owned and operated | □ Septic Tank | X Municipally owned and operated | □ Septic Tank |
| ⌋ Other (Explain) | | ⌋ Other (Explain) | |

| Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? | Is any portion of the land to be severed or retained located within a floodplain? |
|---|---|
| X No ☐ Yes | X No ☐ Yes |

## LAND USE

**What is the current official plan designation of the subject lands:**

Neighbourhood Commercial Centre

**Does the proposal conform with the City of Guelph Official Plan?** Ξ YES ☐ NOf

yes, provide an explanation of how the application conforms with the City of Guelph Official Plan:

The subject land is designated in the City's Official Plan as Neighbourhood Commercial Centre. The Neighbourhood Commercial Centre designation establishes "local convenience and neighbourhood commercial uses within a convenient walking distance of residential areas" (9.4.4(a)) and "employment districts" (9.4.4(c)). The OP identifies "commercial, retail and service" as permitted land uses (9.4.4(11)). The applicant fulfills this requirement.

If no, has an application for an Official Plan Amendment been submitted? ☐ YES Ξ NO

File No.:_____ Status: _____

**What is the current zoning designation of the subject lands:** CC-10, Commercial Shopping Centre Zone

**Does the proposal for the subject lands conform to the existing zoning?** Ξ YES ☐ NO

If no, has an application for a minor variance or rezoning been submitted? ☐ YES ☐ NO

File No.:_____ Status: _____

## PROVINCIAL POLICY

**Is this application consistent with the Provincial Policy Statement issued under subsection 3(1) of the *Planning Act*?** Ξ YES ☐ NO

Provide explanation:

This Application for Consent ensures long-term economic activities and employment opportunities on the leased site, and complies with PPS 1.3.1(b), "providing opportunities for a diversified economic base, including maintaining a range of choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses."

**Does this application conform to the Growth Plan for the Greater Golden Horseshoe?** Ξ YES ☐ NO

Provide explanation:

The leased site and subject lands conform to the policies set out in the Growth Plan. Maintaining employment on the subject lands ensures the leased site is protected for "appropriate employment uses over the long-term" (GPGH, 2.2.5(6)) and, as it is located within the urban boundary of the City of Guelph, is integrated with "adjacent non-employment areas ... developing vibrant, mixed-use areas" (GPGH, 2.2.5(7b)).

**Is the subject land within an area of land designated under any other provincial plan or plans?** ☐ YES Ξ NO

If yes, indicate which plan(s) and provide explanation:

_____

_____

## HISTORY OF SUBJECT LAND

**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 Ξ NO

If yes, provide the following:
File No.: _____ Status: _____

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

If yes, provide the following:
File No.: _____ Status: _____

Is this application a resubmission of a previous application? ☐ YES Ξ NO

If yes, please provide previous file number and describe how this application has changed from the original application:

_____

_____

Has any land been severed from the parcel originally acquired by the owner of the subject land? ☐ YES Ξ NO

If yes, provide transferee's name(s), date of transfer, and uses of the severed land:

_____

_____

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

| | No | Yes | File Number and File Status |
|---|---|---|---|
| Official Plan Amendment | X | | |
| Zoning By-law Amendment | X | | |
| Plan of Subdivision | X | | |
| Site Plan | X | | |
| Building Permit | X | | |
| Minor Variance | X | | |
| Previous Minor Variance Application | X | | |

## MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at privacy@guelph.ca or 519-822-1260 ext. 2349.

## 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.

Each sign must be posted a minimum of fourteen (14) 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 (14) 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, Dillon Consulting Limited (Jonathan Kitchen), 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 Guelph City (city or town) of Guelph in the County/Regional Municipality of Wellington this 25th day of July, 20 19.

Commissioner of Oaths

LINDSAY ALEXANDRA CLIFT
a Commissioner, etc., Province of Ont.
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,

328 Speedvale Commercial Centre Inc.
[Organization name / property owner's name(s)]

being the registered property owner(s) of

328 Speedvale Avenue E, Unit F01
(Legal description and/or municipal address)

hereby authorize Dillon Consulting Limited (Jonathan Kitchen)
(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 23rd day of July 2019.

(Signature of the property owner) As Agent

(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.

July 26, 2019

Committee of Adjustment, Planning Approvals
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

**Attention:** Trista Dalulo, Secretary-Treasurer

***Re: Application for Consent for a Lease Greater than 21 Years***
***Tim Hortons Store #101542 – 386 Speedvale Avenue East (328 Speedvale Avenue East, Unit F01)***

Dillon Consulting Limited (Dillon) has been authorized by 232 Speedvale Commercial Centre Inc. (the Landlord) to facilitate the Consent process under the Planning Act to permit the lease agreement registered on title between the Landlord and The TDL Group Corp. (the Tenant) to be extended for a period of 21 years or greater at 386 Speedvale Avenue East (328 Speedvale Avenue East, Unit F01) (subject lands).

The lease between the Landlord and the Tenant for 328 Speedvale Avenue East, Unit F01 was executed on November 10 1996, with commencement on November 9, 1997. The lease period was for ten (10) years, with the option to renew for another ten years at its completion. The lease was renewed for ten years in 2007 and again for ten years in 2017. The current lease is set to expire in 2027. With renewals and extensions from the date of signing in 1996, the lease period is for 31 years.

As required by the *Planning Act,* any conveyance of land or the creation of any interest or entitlement in land if it exceeds a period of 21 years or more pursuant to s. 50(3) unless relief is granted under the specific exception of s. 50(3)(f):

> *A consent is given to convey, mortgage or charge the land or grant, assign or exercise a power of appointment in respect of the land or enter into an agreement in respect of land or with the land*

We understand the intent of this application is to seek relief from the *Planning Act* in order for the TDL Group Corp. to remain in their current location for a period greater than 21 years, thus allowing the existing lease agreement to be extended. The purpose of giving Consent therefore is largely an administrative exercise. We confirm there are no other approvals under the *Planning Act* required or being applied for to create this interest in the property at this time.

DILLON CONSULTING

235 Yorkland Blvd.
Suite 800
Toronto, Ontario
Canada
M2J 4Y8
Telephone
416.229.4646
Fax
416.229.4692

## Alignment with Provincial Policy

Under subsection 3(5) of the *Planning Act*, all decisions rendered by the Committee of Adjustment must be consistent with the *Provincial Policy Statement, 2014* and must conform with all provincial plans that may apply to the subject lands.

### Conformity with Provincial Plans

At the time of this application, neither the dominant nor servient parcels fall within the regulated area of any provincial plan currently in effect.

## Application for Consent

This letter and associated submission materials constitute an application for Consent in support of the existing Tenant to continue operations. We request that this application be heard by the next available Committee of Adjustment hearing.

| Required Material | Copies | Dated |
|---|---|---|
| Application Form | 1 | July 26, 2019 |
| Application Fee cheque | 1 | March 21, 2019 (Cheque #116788) |
| Site Plan (11x17") | 1 | |
| Site Plan (8.5x14") | 1 | |

## Closing

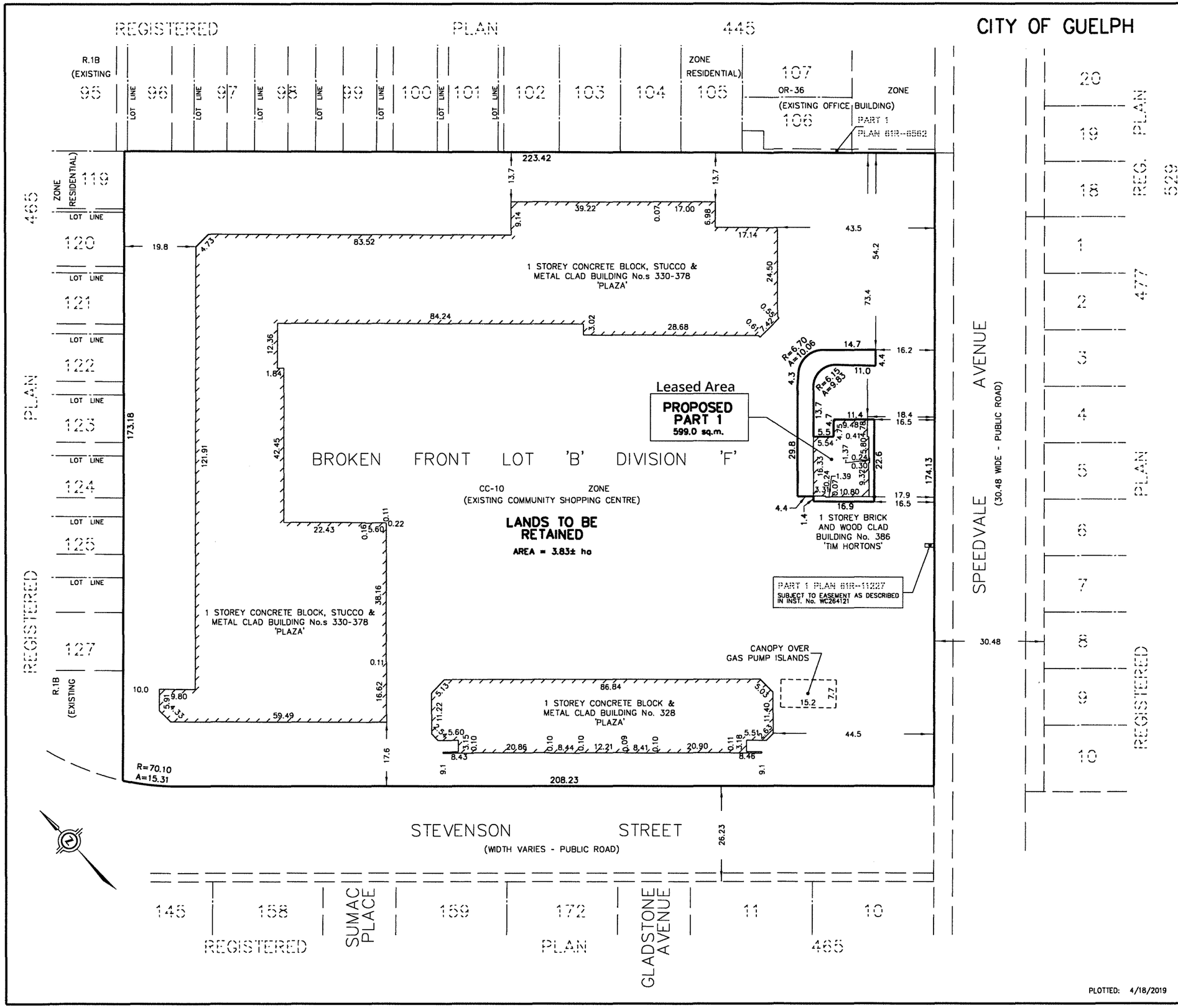
On behalf of the landlord, we trust that this submission is to the satisfaction of the City of Guelph. Should you have any questions or wish to discuss this application, please contact Jonathan Kitchen by phone (**519.571.9833 ext. 3120**) or by email (**jkitchen@dillon.ca**). In his absence, please contact Amy Farkas (**519.948.5000 ext. 3205**) or by email (**afarkas@dillon.ca**).

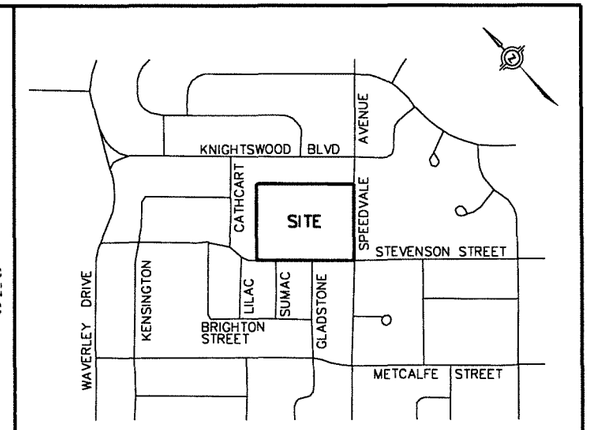
Yours sincerely,

**DILLON CONSULTING LIMITED**

**Jonathan Kitchen, BES, MScPl**
*Planner*

JAK:jak
Enclosure(s) or Attachment(s)
Our file: 18-8629




KEYPLAN
SCALE 1 : 10,000

# SKETCH

PREPARED FOR CONSENT LEASE APPLICATION

BLACK, SHOEMAKER, ROBINSON & DONALDSON

SCALE 1 : 750

25 0 10 20 30 40 50 metres

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

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

## NOTES

THIS PLAN REPRESENTS A COMPILATION OF VARIOUS PLANS AND DEEDS AND DOES NOT REFLECT THE RESULTS OF AN ACTUAL CURRENT FIELD SURVEY.

THIS SKETCH WAS PREPARED FOR DILLON CONSULTING LIMITED AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

DATE

RAYMOND J. SIBTHORP
ONTARIO LAND SURVEYOR


BSR&D ONTARIO LAND SURVEYORS URBAN & RURAL PLANNERS SURVEYING MAPPING GIS
A wholly owned subsidiary of J.D. Barnes Ltd.
257 WOODLAWN ROAD WEST #101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com


| DRAWN BY: | CHECKED BY: | REFERENCE NO.: |
|---|---|---|
| DM | | 19-14-893 |
| FILE: G:\19-14-893\00\Drawing\19-14-893-SEV.dgn | | DATED: APRIL 11, 2019 |

PLOTTED: 4/18/2019