

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Dec 12, 2017</u>	Application #: <u>B-2/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 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: 64 Queen Street, Guelph, ON, N1E 4R8

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

All of Lot 35, Part of Lot 34, Registered Plan 127, as in INST MS59992, City of Guelph

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

If yes, describe:

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

If yes, explain: Mortgage as in Instrument No. WC490525 with Meridian Credit Union Limited located at 200 Speedvale Avenue West, Second Floor, Guelph, ON, N1H 1C3

## OWNER(S) INFORMATION:

Name:	<u>Charleston Homes Ltd. c/o Charlie Kuiken</u>		
Mailing Address:	<u>143 Dennis Street, PO Box 760</u>		
City:	<u>Rockwood</u>	Postal Code:	<u>N0B 2K0</u>
Home Phone:		Work Phone:	<u>519-856-4009</u>
Fax:		Email:	<u>ckuiken@charlestonhomes.ca</u>

## AGENT INFORMATION (If Any)

Name:	<u>Jamie Laws</u>		
Company:	<u>Van Harten Surveying Inc.</u>		
Mailing Address:	<u>423 Woolwich Street</u>		
City:	<u>Guelph</u>	Postal Code:	<u>N1H 3X3</u>
Home Phone:		Work Phone:	<u>519-821-2763 x 223</u>
Fax:	<u>519-821-2770</u>	Email:	<u>Jamie.Laws@vanharten.com</u>

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

**[X] Creation of a New Lot**

☐ Easement

☐ Right-of-Way

☐ Charge / Discharge

☐ Correction of Title

☐ Lease

☐ Addition to a Lot (submit deed for the lands to which the parcel will be added)

☐ Other: Explain

**To create a new lot for urban residential purposes.**

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
Future owner is not known.

## DESCRIPTION OF LAND INTENDED TO BE SEVERED

Frontage / Width: (m) <b>5.17 m</b>	Depth (m) <b>50.16m</b>	Area: (m²) <b>260m²</b>	Existing Use: <b>Residential Yard</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>Proposed Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Vacant Yard</b>			Proposed Use of Buildings/Structures (specify): <b>Residential (No Change)</b>	

## DESCRIPTION OF LAND INTENDED TO BE RETAINED

Frontage / Width: (m) <b>15.0m</b>	Depth (m) <b>50.19m</b>	Area: (m²) <b>753m²</b>	Existing Use: <b>Residential Yard</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>Stone wall around flagstone patio</b>			Proposed Buildings / Structures: <b>Proposed Dwelling</b>	
Use of Existing Buildings/Structures (specify): <b>Residential Yard</b>			Proposed Use of Buildings/Structures (specify): <b>Residential</b>	

## TYPE OF ACCESS TO THE RETAINED LANDS

☐ Provincial Highway
 ☒ Municipal Road **(Proposed)**

☐ Private Road
 ☐ Right-of-Way

☐ Other (Specify)

### TYPE OF ACCESS TO THE SEVERED LANDS

☐ Provincial Highway
 ☒ Municipal Road (**Proposed**)

☐ Private Road
 ☐ Right-of-Way

☐ Other (Specify)

### TYPE OF WATER SUPPLY TO THE RETAINED LANDS

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

### TYPE OF WATER SUPPLY TO THE SEVERED LANDS

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



<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <b>(Proposed)</b> <input type="checkbox"/> Other (Explain)	<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Septic Tank <b>(Proposed)</b> <input type="checkbox"/> Other (Explain)
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

**LAND USE**  
 What is the land use designation of the site in the Official Plan?    General Residential  
  
 Does the proposal conform?                      ☒ YES                                      ☐ NO  
  
 If No, has a separate application for an Official Plan Amendment been made?  
☐ Yes            ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 What is the current zoning of the subject lands?                      Residential Single Detached (R1.B) Zone  
  
 Does the proposed plan conform to the existing zoning?                      ☒ YES                                      ☐ NO  
  
 If No, have you made a concurrent application for Minor Variance?  
☐ Yes            ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**  
**Has the subject land ever been the subject of:**  
 a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?    ☐ YES                                      ☒ NO  
  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 b) An application for Consent under section 53 of the *Planning Act*?                                      ☐ YES                                      ☒ NO  
  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.  
 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

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

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

**Simultaneous application being made for a severance on Lot 36 and Lot 37 (PIN 71322-0119)**

**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**

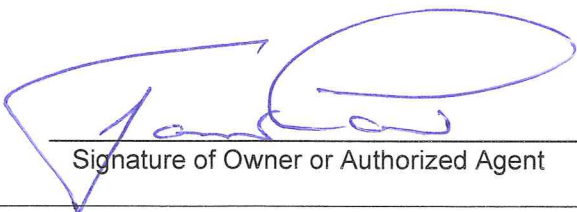
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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.



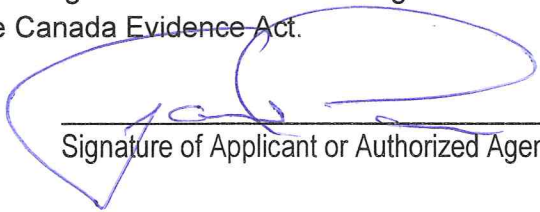
\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

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

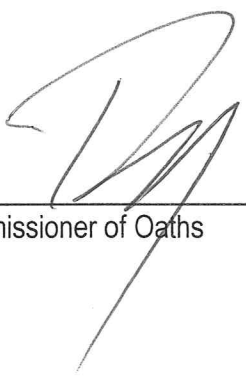
  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 12<sup>th</sup> day of DECEMBER, 20 17.

  
Commissioner of Oaths

**RONALD MAURICE MAK,  
A COMMISSIONER, ETC.,  
PROVINCE OF ONTARIO,  
FOR VAN HARTEN SURVEYING INC.  
EXPIRES APRIL 9, 2018.**  
(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

Charleston Homes Ltd. c/o Charlie Kuiken

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

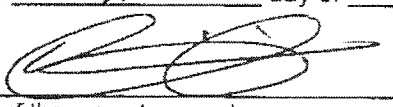
being the registered property owner(s) of

All of Lot 35, Part of Lot 34, Registered Plan 127, as in INST MS59992, City of Guelph / 64 Queen Street, Guelph, ON  
(Legal description and/or municipal address)

hereby authorize Jamie Laws of Van Harten Surveying Inc.  
(Authorized agent's name)

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

Dated this 17th day of Dec 20 12

  
(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.



December 12, 2017

23892-16

Jamie.Laws@vanharten.com

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

Attention: Mr. Lindsay Cline

Dear Ms. Cline:

**Re: Severance Applications & Sketch**  
**64 Queen Street**  
**All of Lots 35, 36 & 37, Part of Lot 34**  
**Registered Plan 127, as in Instrument No. MS59992**  
**PIN 71322-0118 & PIN 71322-0119**  
**City of Guelph**

RECEIVED  
DEC 13 2017  
CITY CLERK'S OFFICE

Please find enclosed two applications for severances on the above-mentioned properties. Included with this submission are copies of the sketch, completed application form, the required deed, PIN Report and Map, and a cheque to the City of Guelph for \$3,118 for the severance applications.

**Proposal:**

The proposal is to sever a portion of the above-mentioned property known as 64 Queen Street (PIN 71322-0119) and sever a portion of the adjacent vacant parcel to the west (PIN 71322-0118) and merge the parcels together in order to create a new parcel for urban residential purposes.

The Land to be Severed #1 is a vacant strip of land from PIN 71322-0118 which will have a width of 5.17m, depth of 50.16m and an area of 260m<sup>2</sup>. The Land to be Severed #2 from PIN 71322-0119 will have a width of 9.84m at the front, a width of 9.40m at the rear, depth of 50.13m and an area of 472m<sup>2</sup>. The newly created lot will have a combined area of 732m<sup>2</sup> and a new dwelling is proposed to be constructed for residential purposes.

Land to be Retained #1 will have an area of 753m<sup>2</sup> and contains an existing stone wall and flagstone patio. The Land to be Retained #2 will have an area of 1,054m<sup>2</sup> where an existing single detached dwelling will remain.

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

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

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

[www.vanharten.com](http://www.vanharten.com)



This proposal is very practical and provides a great opportunity to intensify the lands for residential purposes, while complying with the Residential R.1B Zoning By-laws requirements.

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

Van Harten Surveying Inc.

**James Laws**  
*Ontario Land Surveyor*

cc Charleston Homes Ltd., c/o Charlie Kuiken



November 6, 2018

23892-16

Jamie.Laws@vanharten.com

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

RECEIVED  
NOV 07 2018  
CITY CLERK'S OFFICE

**Re: Severance Applications & Sketch B-2/18 & B-3/18  
64 Queen Street  
All of Lots 35, 36 & 37, Part of Lot 34  
Registered Plan 127, as in Instrument No. MS59992  
PIN 71322-0118 & PIN 71322-0119  
City of Guelph**

Please find enclosed the deferred decision for the two applications for severances on the above-mentioned properties. Included with this submission is a cheque to the City of Guelph for \$496 to have the applications brought before the committee.

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

Van Harten Surveying Inc.

**James Laws**  
*Ontario Land Surveyor*

cc Charleston Homes Ltd., c/o Charlie Kuiken

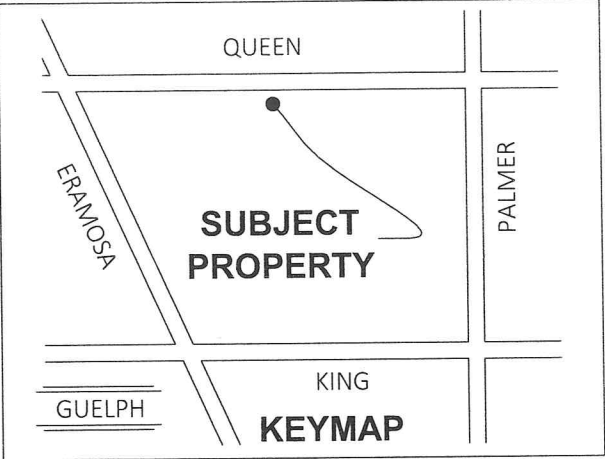
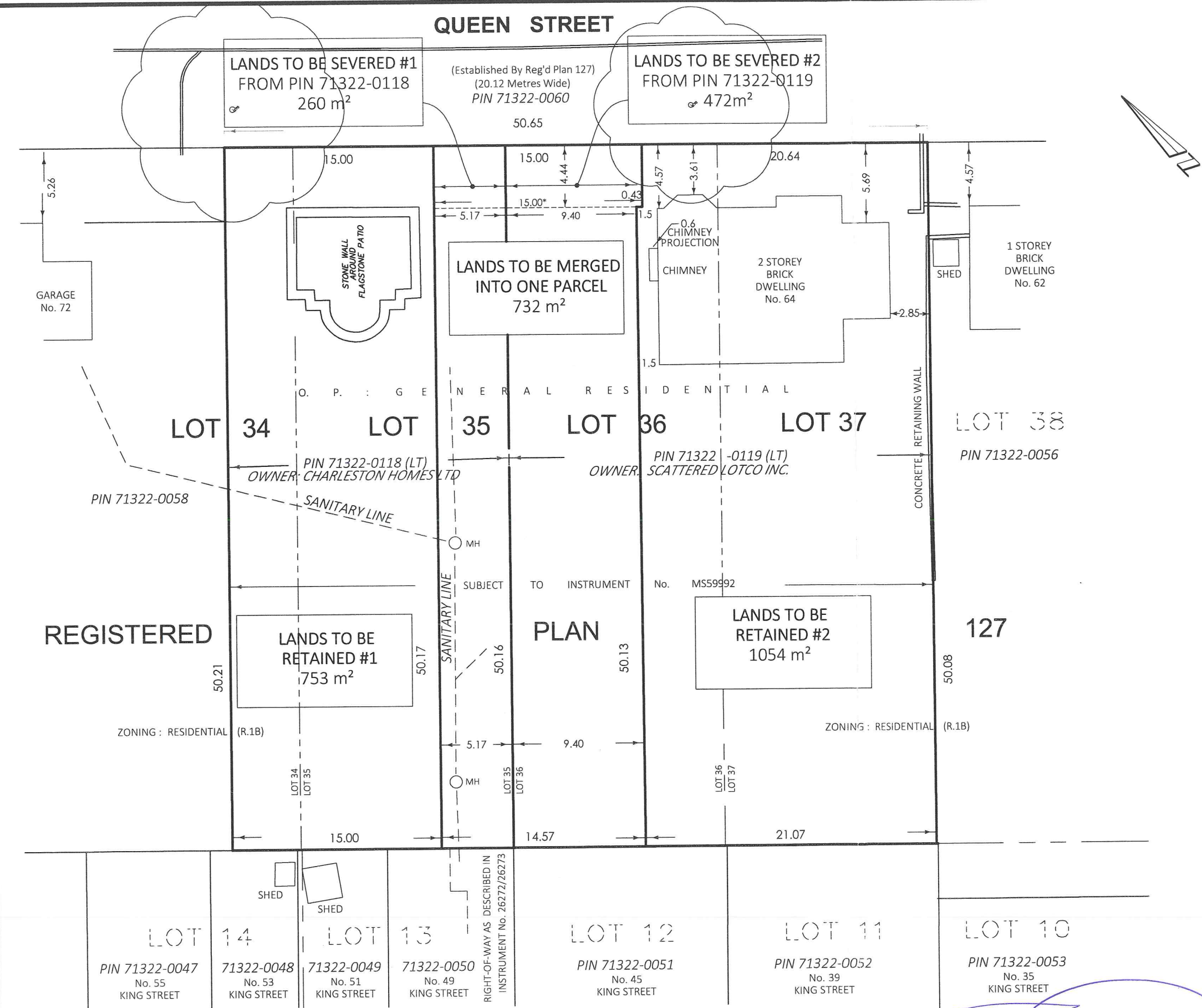
12 Memorial Avenue,  
Elmira, Ontario N3B 2R2  
Phone: 519-669-5070

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

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

[www.vanharten.com](http://www.vanharten.com)





SEVERANCE SKETCH  
ALL OF LOTS 35, 36 AND 37  
AND PART OF LOT 34  
REGISTERED PLAN 127  
CITY OF GUELPH  
COUNTY OF WELLINGTON

SCALE 1 : 300  
0 5 10 15 meters  
VAN HARTEN SURVEYING INC.

ZONING DESIGNATION : RESIDENTIAL (R1B)

ITEM	REQUIRED	RETAINED #2
MINIMUM LOT AREA	460m <sup>2</sup>	1054 m <sup>2</sup>
MINIMUM LOT FRONTAGE	15m	20.64m
MINIMUM FRONT YARD (SEE NOTE BELOW)		
MINIMUM INTERIOR SIDEYARD	1.5m	1.5m
REAR YARD	7.5m	34.5m

ITEM	REQUIRED	PARCEL TO MERGE
MINIMUM LOT FRONTAGE	15m	15.00m*

THIS SKETCH WAS PREPARED ON Tuesday, December 12, 2017 (AT FRONT YARD SETBACK) (SEE NOTE BELOW)

BOUNDARY INFORMATION COMPILED FROM A SURVEY COMPLETED BY VANHARTEN SURVEYING DATED JULY 14, 2016

NOTE:  
\*THE MINIMUM FRONT YARD SETBACK SET BACK BASED FROM 5.1.2.7 OF THE ZONING BYLAW IS 4.44m

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



Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: JAM	CHECKED BY: JML	PROJECT No. 23892-16

Dec 12, 2017-2:15pm  
G:\GUELPH\127\ACAD\SEV LT34-37 (QUEEN 64) UTM 2010 NR.dwg

- NOTES:
- THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
  - SUBJECT LANDS ARE ZONED RESIDENTIAL (R.1B)
  - SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF GENERAL RESIDENTIAL

THIS SKETCH WAS PREPARED ON THE 12TH DAY OF DECEMBER, 2017

JAMES M. LAWS  
ONTARIO LAND SURVEYOR

# DECISION

**COMMITTEE OF ADJUSTMENT**  
**APPLICATION NUMBERS B-2/18 AND B-3/18**

---




Moved, seconded and carried:

THAT Applications B-2/18 and B-3/18 for 64 Queen Street, be **DEFERRED** sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the applications will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

**REASONS:**

This application is deferred to allow the applicant time to further consult with staff.

**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 11, 2018.

**Dated: January 16, 2018**

**Signed:**



**The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is February 5, 2018.**

**Committee of Adjustment**

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



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	Revised Nov. 9/18 OFFICE USE ONLY	
	Date Received: <u>SEPT. 11/18</u>	Folder #: <u>A-78/18</u>
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☐ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

### PROPERTY INFORMATION:

Address of Property: 55 DUBLIN ST. S.

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

PART OF LOT 220 REGISTERED PLAN 8

### OWNER(S) INFORMATION:

966129 Ontario Inc. (TD)  
Name: GERARD HALEY, PAUL HALEY, JOHN HALEY  
Mailing Address: 1025 MARYHILL RD.  
City: BRESLAU, ONT. Postal Code: N0B 1M0  
Home Phone: 519-820-5093 Work Phone: —  
Fax: — Email: —

### AGENT INFORMATION (If Any)

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

Official Plan Designation:

Low Density  
Residential (TD)

Current Zoning Designation:

R.1B  
Lands within special policy area  
(section 12.4) (TD)

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

- A variance to permit a covered porch to have a 0 m front ych set back
- Variance to permit dwelling within sight line.

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

- We are in the flood plan so we can not have a livable basement so with two floors we take up more foot print for the new house, having the porch up to property line enables us to have room for the house with parking on back of property.
- Would like to keep proposal house in same location because moving it to the north would place the house close to property line - and to large healthy tree, which is on neighbour's property also. This enables to have green yard on north side of house.

## PROPERTY INFORMATION

Date property was purchased:	MAY/18	Date property was first built on:	1935
Date of proposed construction on property:	NOV/18	Length of time the existing uses of the subject property have continued:	approx. 1935

## 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: 16.45

Depth: 22.04

Area: 362.56

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	132 m <sup>2</sup>		Gross Floor Area:	272.4 m <sup>2</sup>	
Height of building:	4.3 m		Height of building:	5.5 m	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:	3 m		Driveway Width:	6.5 m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
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:	1.59 M		Front Yard Setback:	1.59 M	
Exterior Side Yard (corner lots only)	1.10 M		Exterior Side Yard (corner lots only)	1.2 M	
Side Yard Setback:	Left: 1.10 M	Right: 6.97 M	Side Yard Setback:	Left: 1.2 M	Right: 4.8 M
Rear Yard Setback	11.54 M		Rear Yard Setback	7.5 M	

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

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

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

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

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

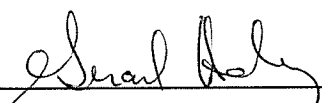
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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

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

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

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



Signature of Owner or Authorized Agent

---

Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

Gerard Haley  
 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 1<sup>st</sup> day of September, 2018.

Tristalyn DiLullo  
 Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
 A Commissioner, etc., Province of Ontario, for  
 The Corporation of the City of Guelph,  
 Expires January 8, 2019.

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

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

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

of \_\_\_\_\_  
(Legal description and/or municipal address)

hereby authorize \_\_\_\_\_  
(Authorized agent's name)

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

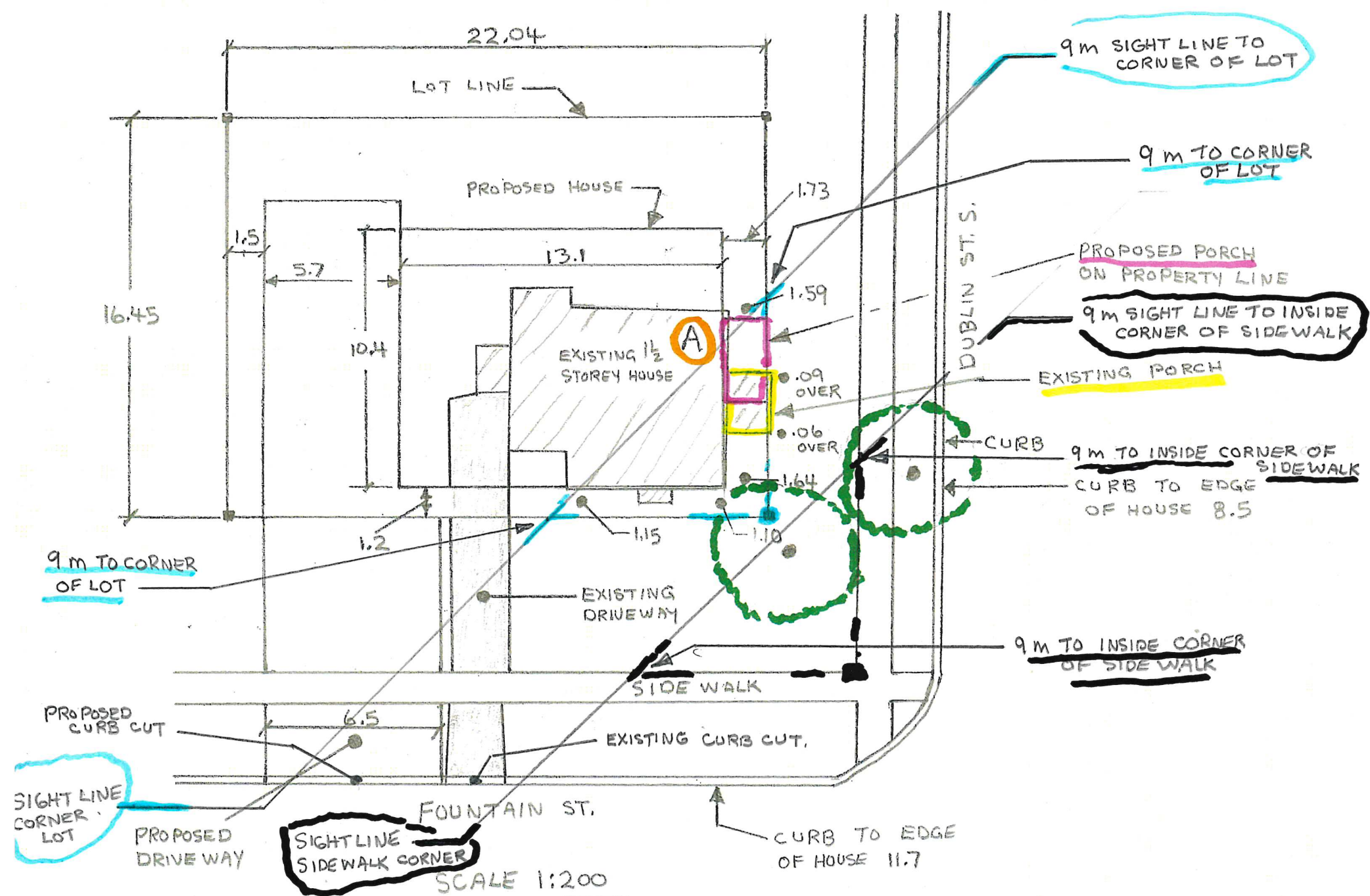
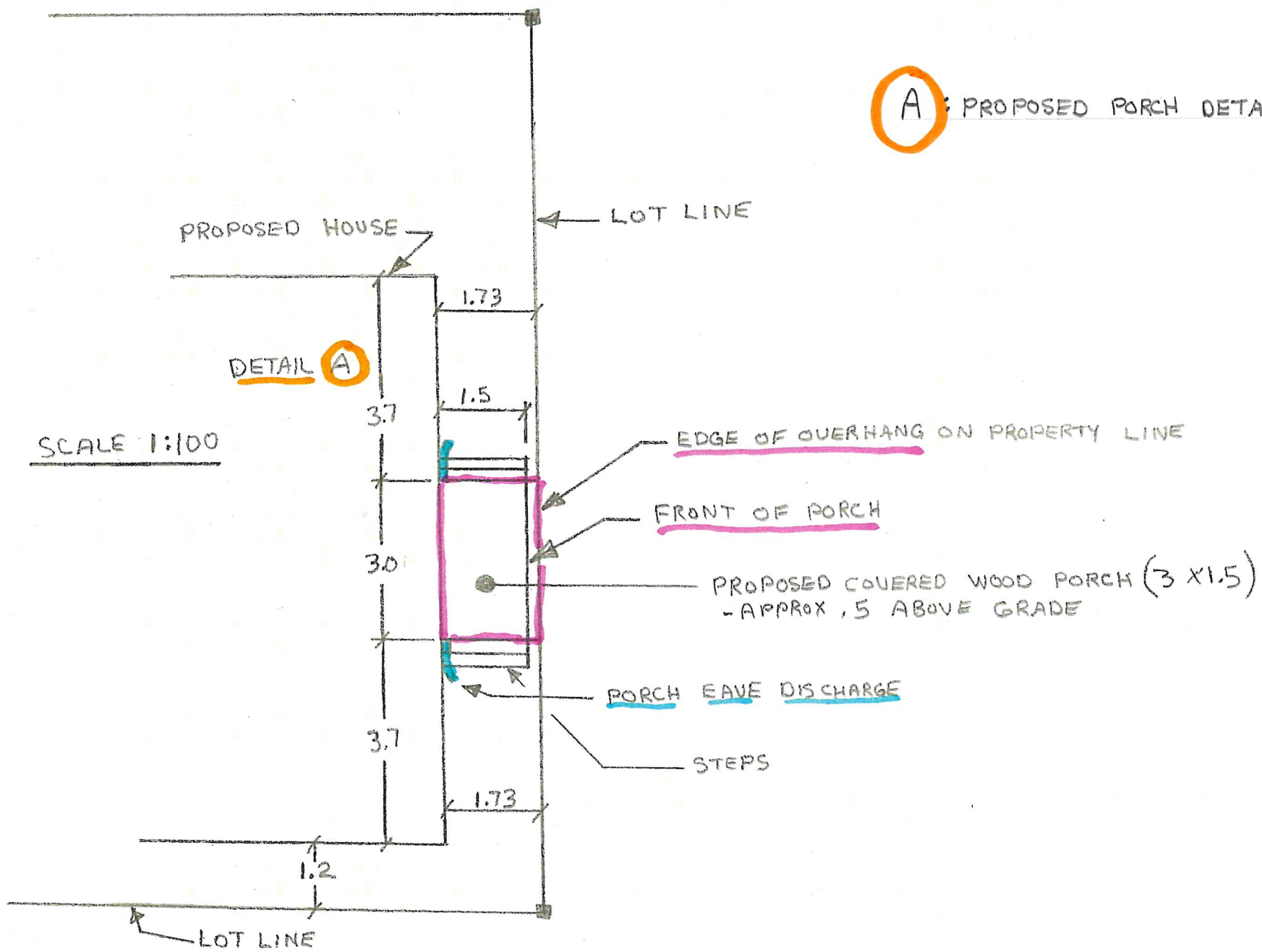
\_\_\_\_\_  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

### NOTES:

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

**A** : PROPOSED PORCH DETAIL



55 DUBLIN ST. S.

# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER A-78/18



Moved, seconded and carried:

THAT Application A-78/18 for 55 Dublin Street South, be **DEFERRED** sine die, and in accordance with the Committee's policy on an application deferred sine die, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

## REASONS:

The application is deferred to allow the applicant time to revise the application and apply for the additional variance.

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 October 25, 2018.

Dated: October 30, 2018

Signed:

**The last day on which a Notice  
of Appeal to the Local Planning  
Appeal Tribunal may be filed is  
November 14, 2018.**

Committee of Adjustment

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



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Nov 7/18</u>	Folder #: <u>A-85/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

### PROPERTY INFORMATION:

Address of Property: 41 PONDVIEW CRES.

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

LOT #179, PLAN #600

### OWNER(S) INFORMATION:

Name: PAUL + DIANE DRONE

Mailing Address: 41 PONDVIEW CR.

City: GUELPH Postal Code: N1E 3K2

Home Phone: 821-2226 <sup>cell</sup> Work Phone: 716-0520

Fax: \_\_\_\_\_ Email: pauldrone@sympatico.ca

### AGENT INFORMATION (If Any)

Company: \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Official Plan Designation:	Current Zoning Designation: <u>R.1 B.</u>
----------------------------	---

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

MINOR VARIANCE FROM SECT 4.5, ITEMS  
# 4.5.1.2<sup>(M)</sup> ~~4.5.2.1~~

VARIANCE TO PERMIT SHED IN EXT SIDE  
YARD WITH 0.60M DISTANCE FROM PROPERTY LINE  
AND 0.60 M FROM REAR PROPERTY LINE.

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

BUILDING (SHED) HAS BEEN BUILT FOR  
8-9 YRS. DID NOT NEED BUILDING PERMIT  
WHEN BUILT BECAUSE SHED WAS ONLY 100 SQ FT  
AND THEREFORE DID NOT NEED BUILDING PERMIT

PROPERTY INFORMATION			
Date property was purchased:	<u>JUNE 28, 1975</u>	Date property was first built on:	<u>1970</u>
Date of proposed construction on property:	<u>1970</u>	Length of time the existing uses of the subject property have continued:	<u>43 YEARS</u>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<u>RESIDENTIAL</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<u>RESIDENTIAL</u>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)			
Frontage:	<u>18.3 M</u>	Depth:	<u>43.66, 38.15 M</u>
		Area:	<u>(APPROX) 2434.05 SQ M</u>



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

EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	1000 (305 SQ M)		Gross Floor Area:		
Height of building:	3.66 M		Height of building:		
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>		Attached <input type="checkbox"/>	Detached <input type="checkbox"/>	
Width:	4.57 M		Width:		
Length:	8.54 M		Length:		
Driveway Width:	4.57 M		Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height: 9.29 M 10X10 WOOD FRAMED VINYL SIDED STORAGE SHED.			Describe details, including height:		

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

EXISTING			PROPOSED		
Front Yard Setback:	9.1 M		M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	7.66 M		M	Exterior Side Yard (corner lots only)	6.1 M (SHED) M
Side Yard Setback:	Left: 3.66 M	Right: 7.66 M	M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	10.50 M		M	Rear Yard Setback	6.1 M M

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

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

**MUNICIPAL SERVICES PROVIDED (please check the appropriate boxes)**

Water

Sanitary Sewer

Storm Sewer

If not available, by what means is it provided:

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

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

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

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

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

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

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

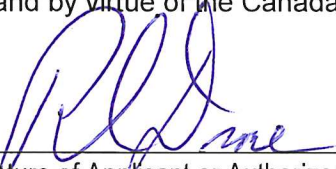
I, THE UNDERSIGNED, UNDERSTAND THAT EACH SIGN MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, PAUL DRONE, 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 7<sup>th</sup> day of November, 2018.

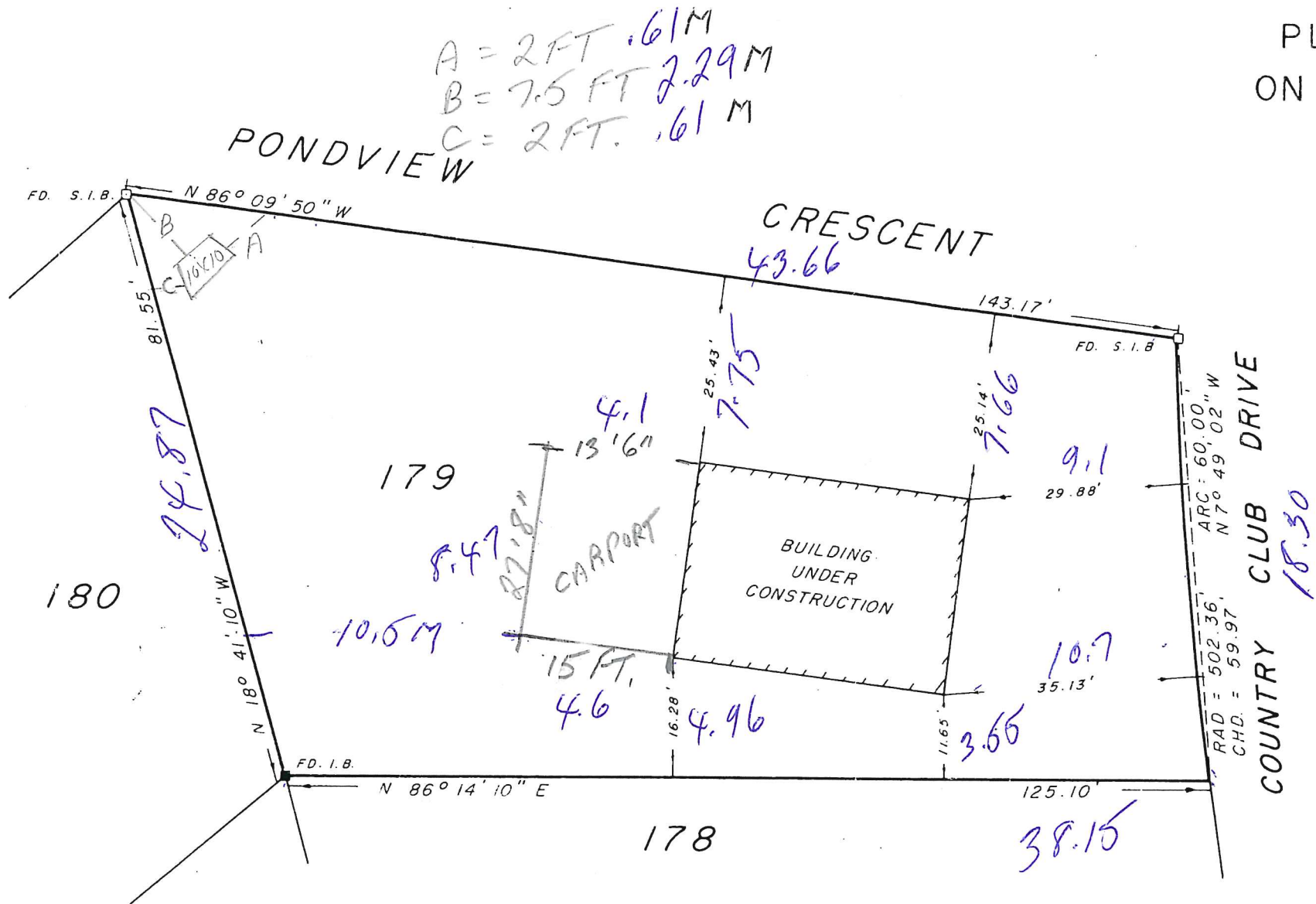
  
 Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
 A Commissioner, etc., Province of Ontario, for  
 The Corporation of the City of Guelph,  
 Expires January 8, 2019.

(official stamp of Commissioner of Oaths)



PLAN OF BUILDING LOCATION  
ON LOT 179, REG'D PLAN N° 600  
CITY OF GUELPH



SURVEYOR'S CERTIFICATE

I hereby certify that:

1. I have surveyed the property shown on this plan.
2. The improvements situate thereon are as shown and do not encroach or overlap on the properties lying adjacent thereto.

BLACK, SHOEMAKER & ROBINSON LIMITED

ONTARIO LAND SURVEYORS

351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO 822-4031

DATE: 24 FEBRUARY 1970

SCALE: 1 INCH = 20 FEET

FOR: KENNELLY CONSTRUCTION

PER:

*Black*

ONTARIO LAND SURVEYOR

PROJECT

70 - 1510

SEAL

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



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

## OFFICE USE ONLY

Date Received: Nov. 8/18

Folder #:

Application deemed complete:

☒ Yes ☐ No

A-86/18

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

*THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.*

### PROPERTY INFORMATION:

Address of Property: 154 Kathleen Street, Guelph ON N1H 4Y4

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

LOT 19 AND PART OF LOT 18, REGISTERED PLAN 412, CITY OF GUELPH, COUNTY OF WELLINGTON

### OWNER(S) INFORMATION:

Name: Julie Williams and John Flemming

Mailing Address: 154 Kathleen Street

City: Guelph

Postal Code: N1H 4Y4

Home Phone: \_\_\_\_\_

Work Phone: 519-820-6225

Fax: \_\_\_\_\_

Email: finishingtouches@golden.net

### AGENT INFORMATION (If Any)

Company: Crozier Designs Inc.

Name: Kevin Crozier

Mailing Address: 315 Union Street E.

City: Fergus

Postal Code: N1M 1W2

Work Phone: 519-787-4772

Mobile Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: info@crozierdesigns.com

Official Plan Designation: Low Density Residential

Current Zoning Designation: R.1B Map 23, Map 66

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

1. A reduction of the required rear yard setback from 5.79 m to 1.54 m (Table 5.1.2, Row 8)
2. A reduction of the parking/garage setback from 6.0 m to 4.87 m (Section 5.1.2.7 i) )

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

1. From Item 1 above. The property is a corner lot and the property owners require an increase in living space for both better access to the house and space within the house as well as maintaining their existing 1.5 car garage.  
Due to the size of the property and orientation of the interior of the building an addition into the rear yard is the only available choice for the added living space they require.
2. From Item 2 above. The existing 1.5 car garage currently has a 4.87 m setback from the property line. We are redeveloping a similarly sized garage with the same setback (4.87 m) to the property line as the existing garage.  
Due to the size of the property and orientation of the interior of the building an addition into the rear yard is the only available choice for the location of the revised garage and new entry into the house.

**PROPERTY INFORMATION**

Date property was purchased:	1996	Date property was first built on:	1949 for house, 1953 attached garage
Date of proposed construction on property:	2019	Length of time the existing uses of the subject property have continued:	Since 1949

**EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):** Single Family Residential**PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):** Single Family Residential**DIMENSIONS OF PROPERTY:** (please refer to your survey plan or site plan)Frontage: 28.96m  
(95.00')Depth: 19.29 m  
(63.28')Area: 558.4 m<sup>2</sup>



PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	161.85 m <sup>2</sup>		Gross Floor Area:	253.00 m <sup>2</sup>	
Height of building:	5.76 m		Height of building:	5.76 m	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>			Attached <input checked="" type="checkbox"/> Detached <input type="checkbox"/>		
Width:	6.32 m		Width:	6.52 m	
Length:	7.56 m		Length:	7.56 m	
Driveway Width:	5.25 m		Driveway Width:	5.98 m	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
Describe details, including height: Ext'g. Front Stoop: 2.35 m x 1.32 m (no roof); Ext'g. Rear Deck: 9.63 m x 4.53 m			Describe details, including height: Proposed Front Porch: 9.63 w x 2.19 d, 3.71 m h.; Proposed Kitchen Porch 1: 2.82 m x 1.71 m, 3 m +/- h; Proposed Mudroom Porch: 2.30 m x 1.71 m, 3 m +/- h		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	7.98 M		Front Yard Setback:	7.98 M	
Exterior Side Yard (corner lots only)	4.52 M		Exterior Side Yard (corner lots only)	4.52 M	
Side Yard Setback:	Left: 6.60 M	Right: M 4.52 <sup>TD</sup>	Side Yard Setback:	Left: 4.43 M	Right: M 4.52 <sup>TD</sup>
Rear Yard Setback	4.37 M		Rear Yard Setback	1.54 M	

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

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

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

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

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

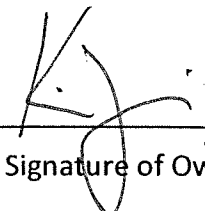
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For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

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

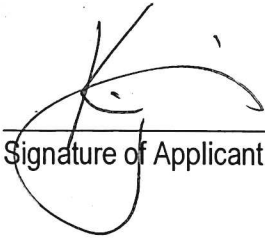
  
 KEVIN CORBIN  
 C/O CORBIN DESIGNS INC.  
 Signature of Owner or Authorized Agent

\_\_\_\_\_  
 Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Kevin Crozier c/o Crozier Designs Inc., of the City/Town of

Centre Wellington 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

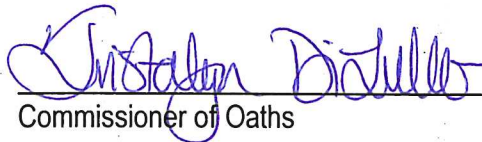
Signature of Applicant or Authorized Agent

**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 8<sup>th</sup> day of November, 2018.



Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
A Commissioner, etc., Province of Ontario, for  
The Corporation of the City of Guelph,  
Expires January 8, 2019.

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

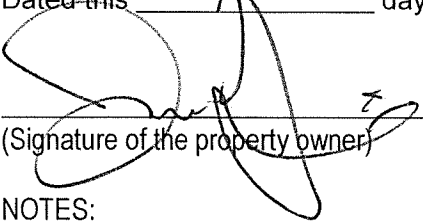
Jolie Williams AND John Fennell  
[Organization name / property owner's name(s)]

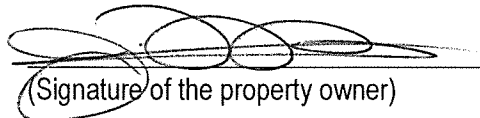
of 154 KATHLEEN STREET, WILFORD ON N1H 4Y4  
(Legal description and/or municipal address)

hereby authorize KEVIN COZIER c/o COZIER DESIGNS INC.  
(Authorized agent's name)

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

Dated this 7<sup>th</sup> day of November 2018

  
(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.

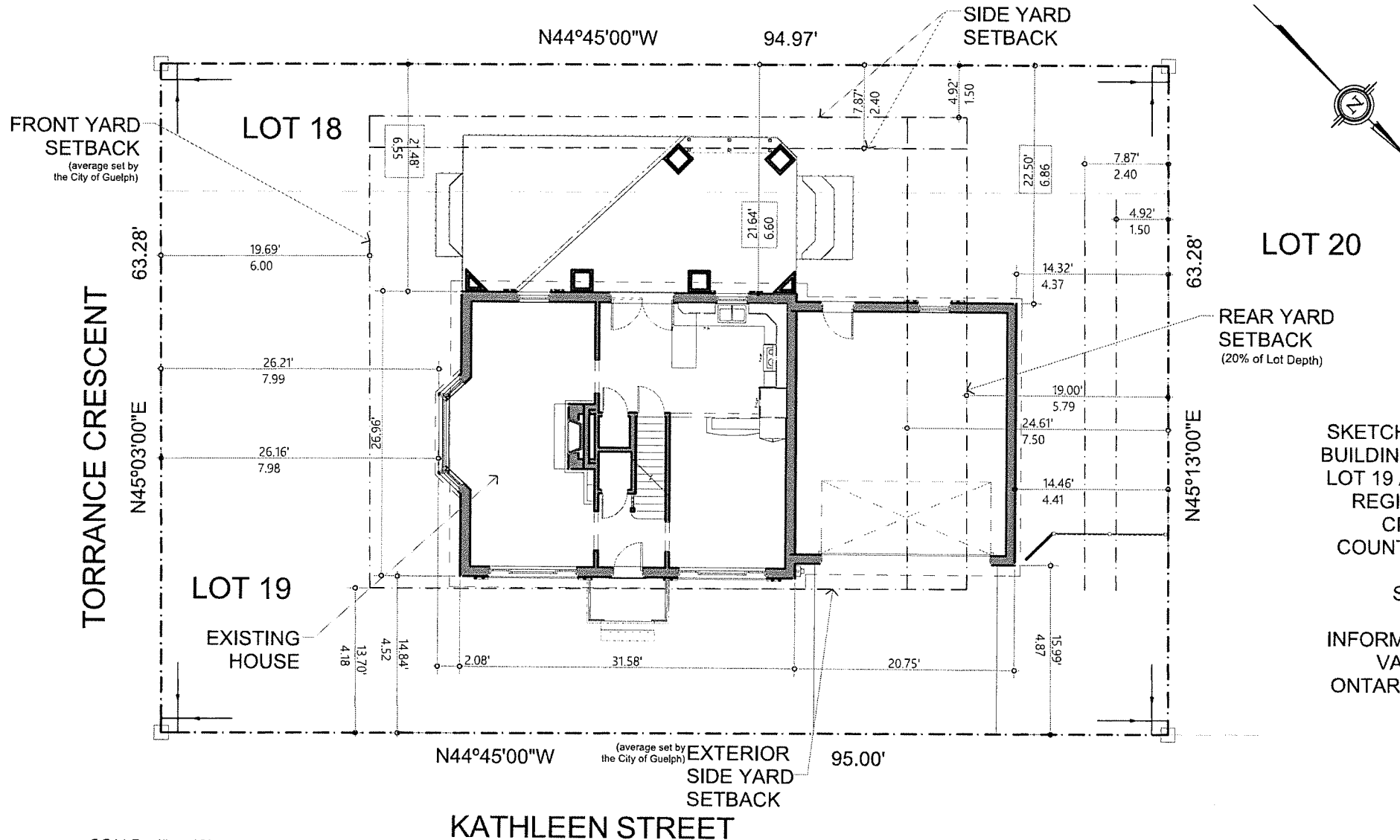


KEVIN CROZIER, B. ARCH.  
 315 UNION STREET, E.  
 FERGUS, ON N1M 1W2  
 Ph. 519-787-4772  
 Fax. 519-787-7623  
 E-MAIL: kcrozier@cogeco.ca  
 BCIN FIRM # 31068  
 BCIN DESIGNER # 22327

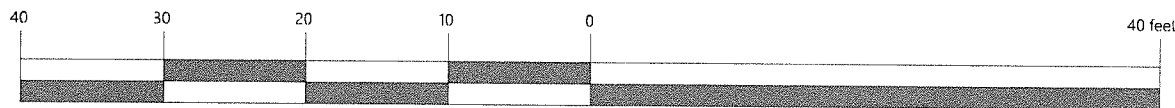
154 Kathleen Steet, Guelph, ON, Option Minor Variance

Julie Williams & John Flemming

2018-11-06



SCALE 1" = 10'



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

#### SITE INFORMATION:

Zone: R.1B  
Defined Area Map: 23 & 66  
Total Site Area: 6,010.97 sf. (558.4 m<sup>2</sup>)(0.138 acre)  
Ext'g. House Coverage: 871.07 sf. (80.9 m<sup>2</sup>)  
Ext'g. Attached Garage Coverage: 514.43 sf. (47.8 m<sup>2</sup>)  
Total Existing Coverage: 1,385.50 sf. (128.7 m<sup>2</sup>)  
Existing Building Ht.: 18.95 ft. (5.78 m)

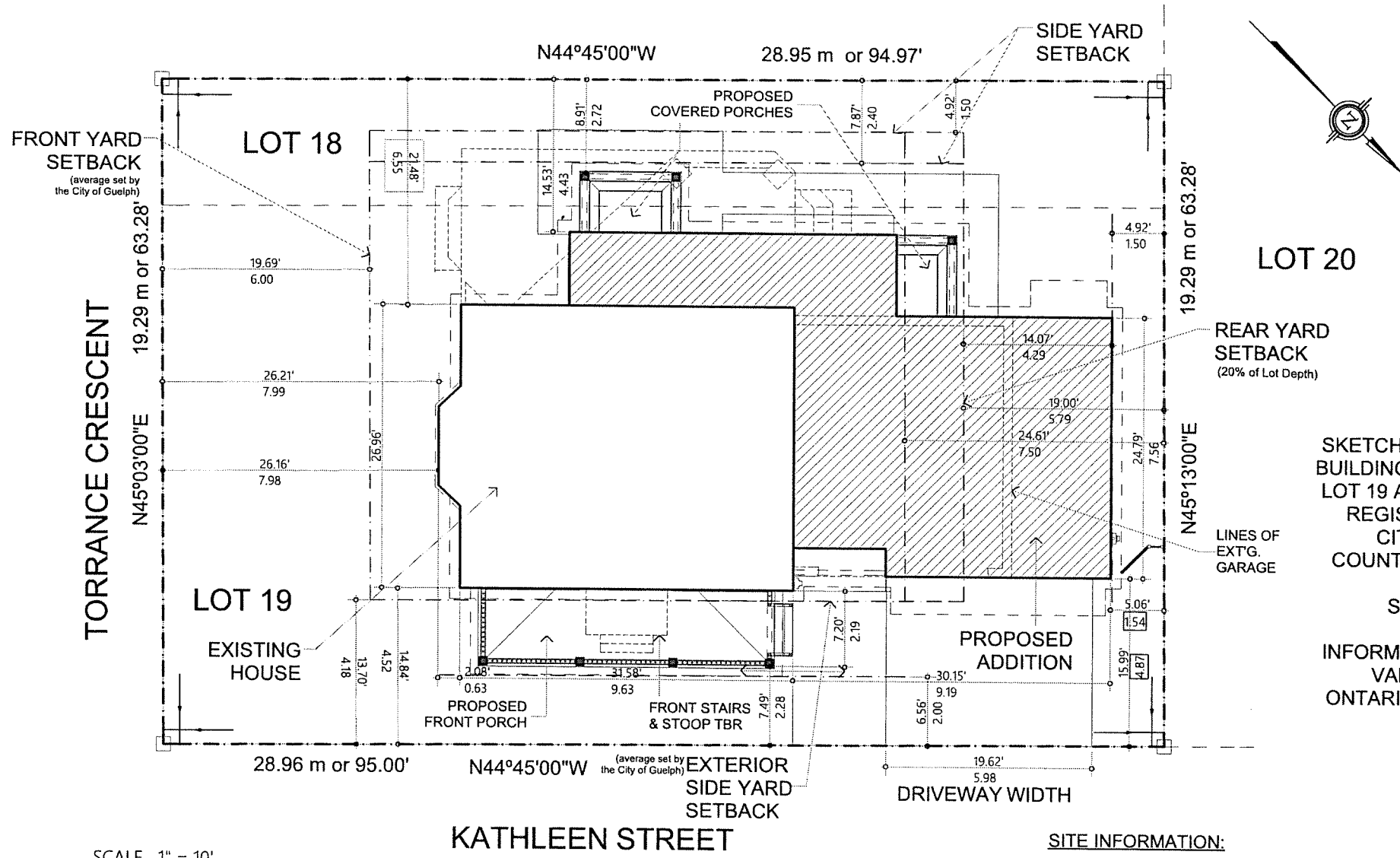
SKETCH OF PLAN SHOWING  
BUILDING LOCATION SURVEY  
LOT 19 AND PART OF LOT 18  
REGISTERED PLAN 412  
CITY OF GUELPH  
COUNTY OF WELLINGTON

SCALE: 1" = 10'

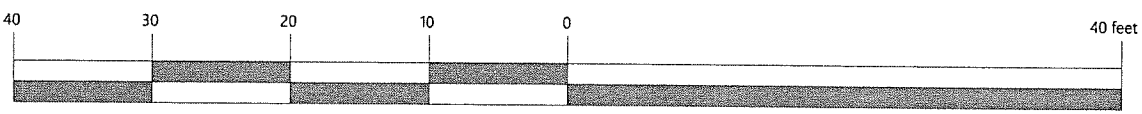
INFORMATION TAKEN FROM  
VAN HARTEN LTD.  
ONTARIO LAND SURVEYOR  
1983

DATE	2018-09-12	SK1
DRAWING TITLE:	Site Plan, As Built	
PROJECT:	Flemming - Williams, 154 Kathleen Street, Guelph, ON, N1H 4Y4	
PROJECT No.	18107	SCALE: AS NOTED
<p>All work performed &amp; materials supplied shall comply with the latest edition of the Ontario Building Code.</p> <p>Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.</p>		
KEVIN CROZIER, B. ARCH. 315 UNION STREET, E. FERGUS, ON NIM 1W2 Ph. 519-787-4772 Fax. 519-787-7623 E-MAIL kcrozier@copeco.ca BCIN FIRM # 31068 BCIN DESIGNER # 22327		





SCALE 1" = 10'



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

**SITE INFORMATION:**

Zone:	R.1B
Defined Area Map:	23 & 66
Total Site Area:	6,010.97 sf. (558.4 m <sup>2</sup> )(0.138 acre)
Ext'g. House Coverage:	871.07 sf. (80.9 m <sup>2</sup> )
Ext'g. Attached Garage Coverage:	514.43 sf. (47.8 m <sup>2</sup> )
Total Existing Coverage:	1,385.50 sf. (128.7 m <sup>2</sup> )
Total Proposed Coverage:	2,119.27 sf. (196.9 m <sup>2</sup> )
Existing Building Ht.:	18.95 ft. (5.78 m)
Proposed Building Ht.:	18.95 ft. (5.78 m)

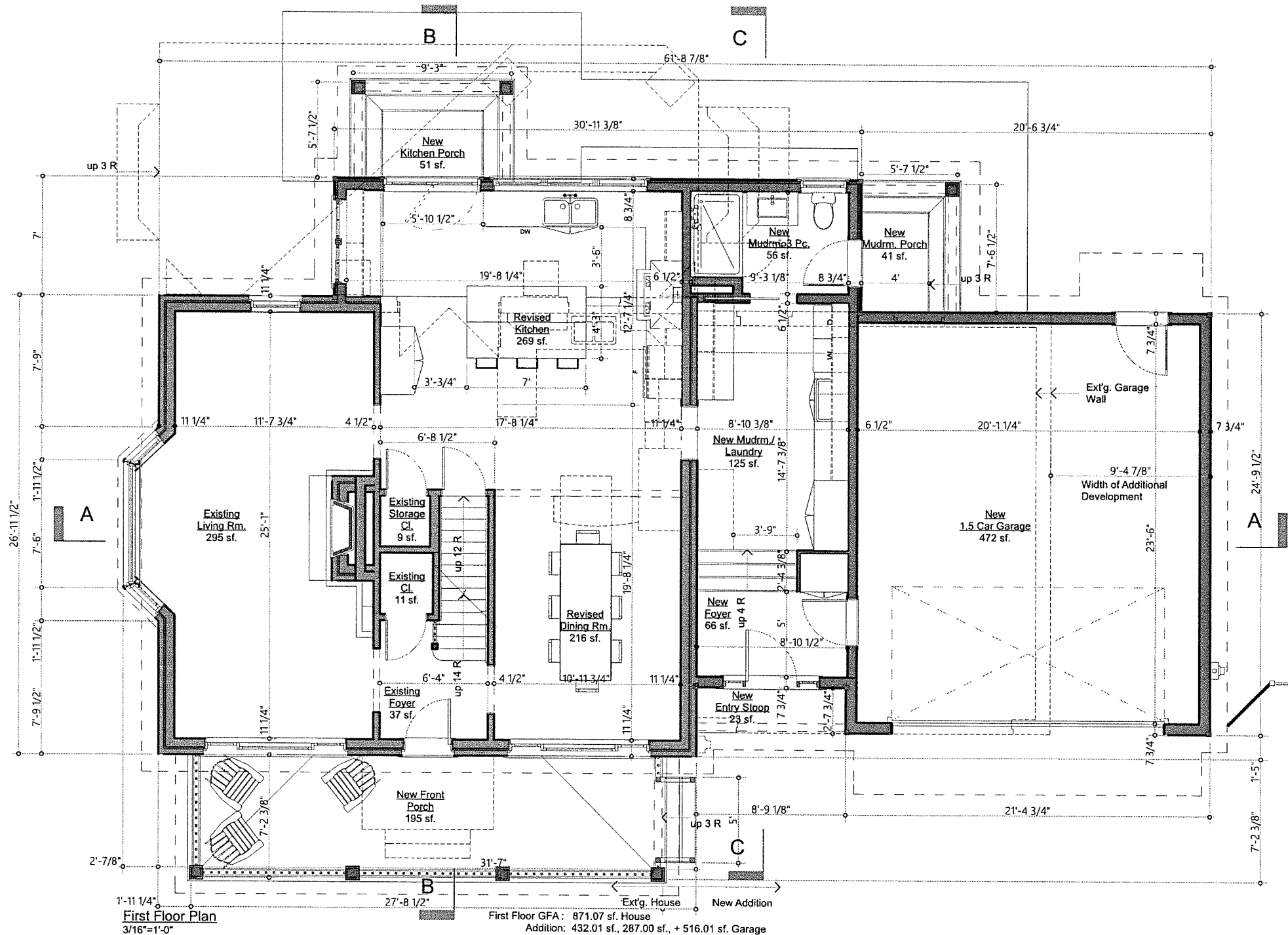
SKETCH OF PLAN SHOWING  
BUILDING LOCATION SURVEY  
LOT 19 AND PART OF LOT 18  
REGISTERED PLAN 412  
CITY OF GUELPH  
COUNTY OF WELLINGTON

SCALE: 1" = 10'

INFORMATION TAKEN FROM  
VAN HARTEN LTD.  
ONTARIO LAND SURVEYOR  
1983

DATE	2018-11-06
DRAWING TITLE:	Site Plan, Option Minor Variance
PROJECT:	Julie Williams & John Flemming, 154 Kathleen Street, Guelph, ON, N1H 4Y4
PROJECT No:	18107
SCALE:	AS NOTED
<p>All work performed &amp; materials supplied shall comply with the latest edition of the Ontario Building Code.</p> <p>Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.</p>	
<p>KEVIN CROZIER, B. ARCH</p> <p>315 UNION STREET E</p> <p>FERGUS, ON N1M 1W2</p> <p>Ph. 519-787-4772</p> <p>Fax. 519-787-7623</p> <p>E-MAIL kcrozier@cogeo.ca</p> <p>BCIN FIRM # 31068</p> <p>PROJECT DESIGN INC. BCIN DESIGNER # 223327</p>	

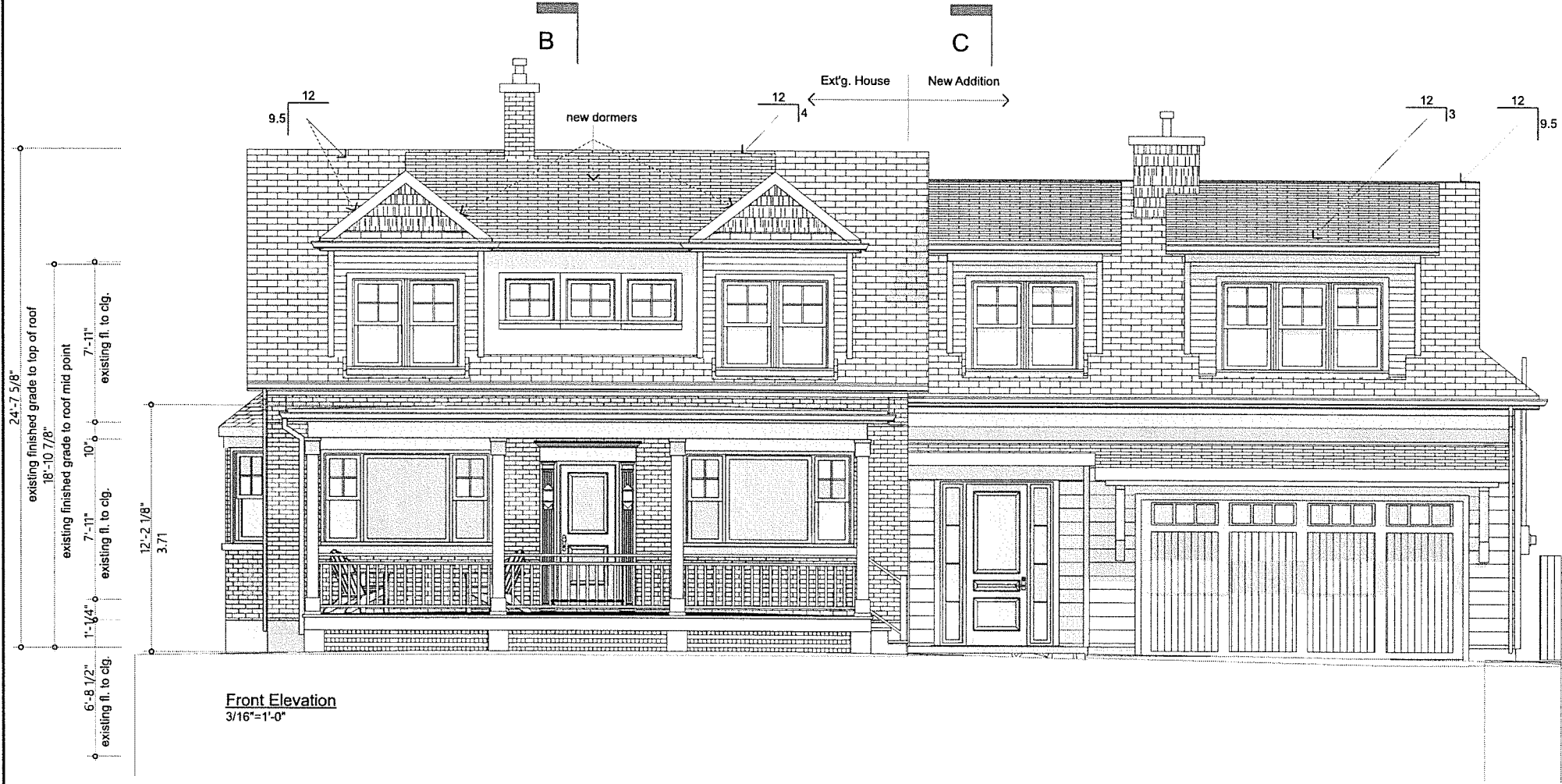




<b>DATE</b> 2018-11-06	<b>DRAWING TITLE:</b> First Floor Plan, Option Minor Variance	<b>PROJECT:</b> Julie Williams & John Flemming, 154 Kathleen Stet, Guelph, ON, N1H 4Y4
<b>SK3</b>	<b>SCALE:</b> AS NOTED PROJECT No. 18107	<b>KEVIN CROZIER &amp; ARCH</b> 315 UNION STREET, E. FERGUSON, ON N1M 1W2 Ph. 519-787-4772 E-MAIL kcrozier@crozier.ca BCIN FIRM # 31068 BCIN DESIGNER # 22327

All work performed & materials supplied shall comply with the latest edition of the Ontario Building Code.  
Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.





KEVIN CROZIER, B. ARCH.  
315 UNION STREET, E.  
KINGSTON, ONTARIO K7M 1Y2  
Ph: 613-787-4772  
Fax: 613-787-7623  
E-MAIL: kcrozier@crozierdesign.com  
BCIN FIRM # 31068  
BCIN DESIGNER # 22327

All work performed & materials supplied shall comply with the latest edition of the Ontario Building Code.  
Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.

DRAWING TITLE:  
**Front Elevation, Option Minor Variance**

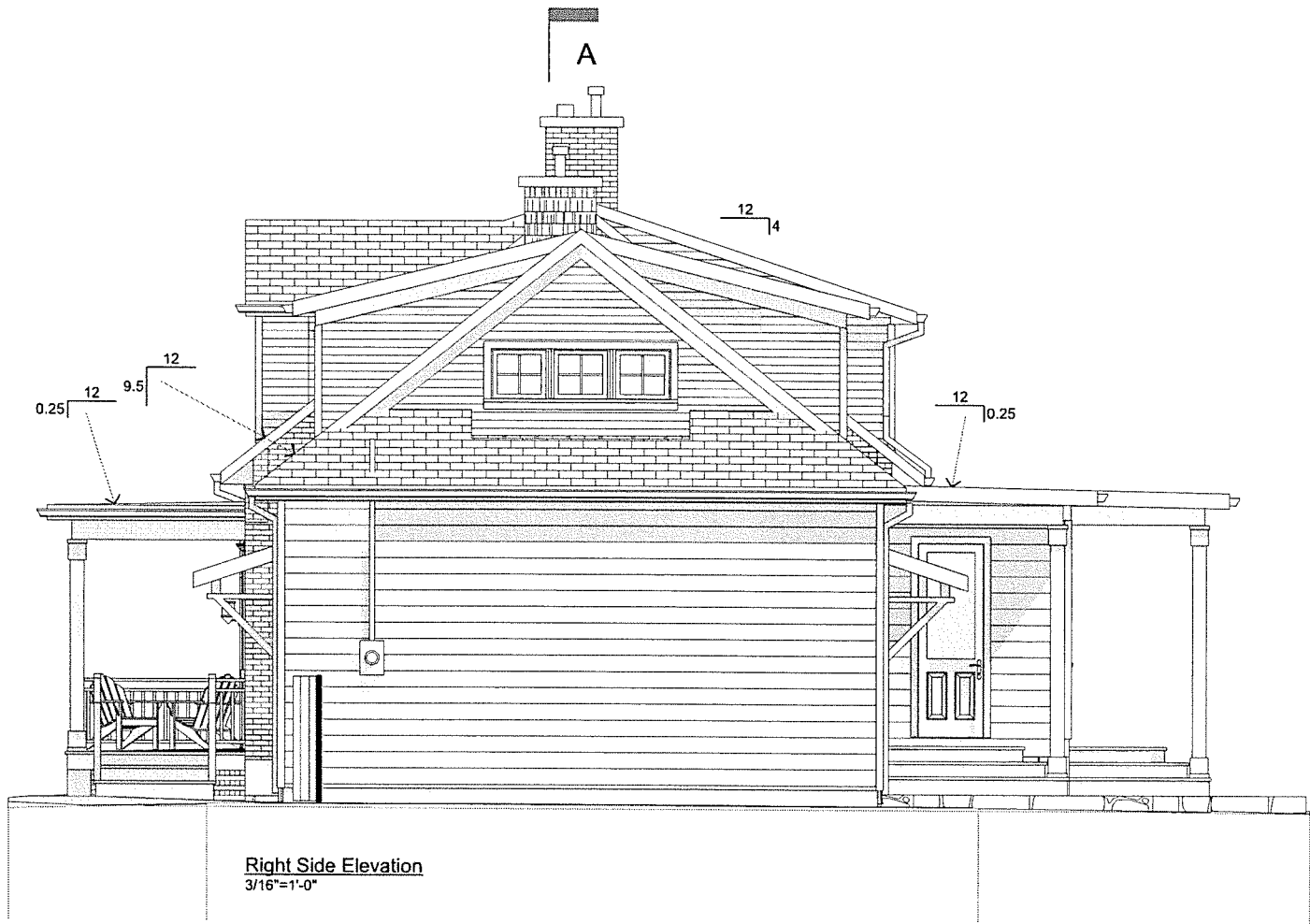
PROJECT:  
**Julie Williams & John Flemming, 154 Kathleen Steel, Guelph, ON, N1H 4Y4**

SCALE: AS NOTED

DATE  
2018-11-06

SK5

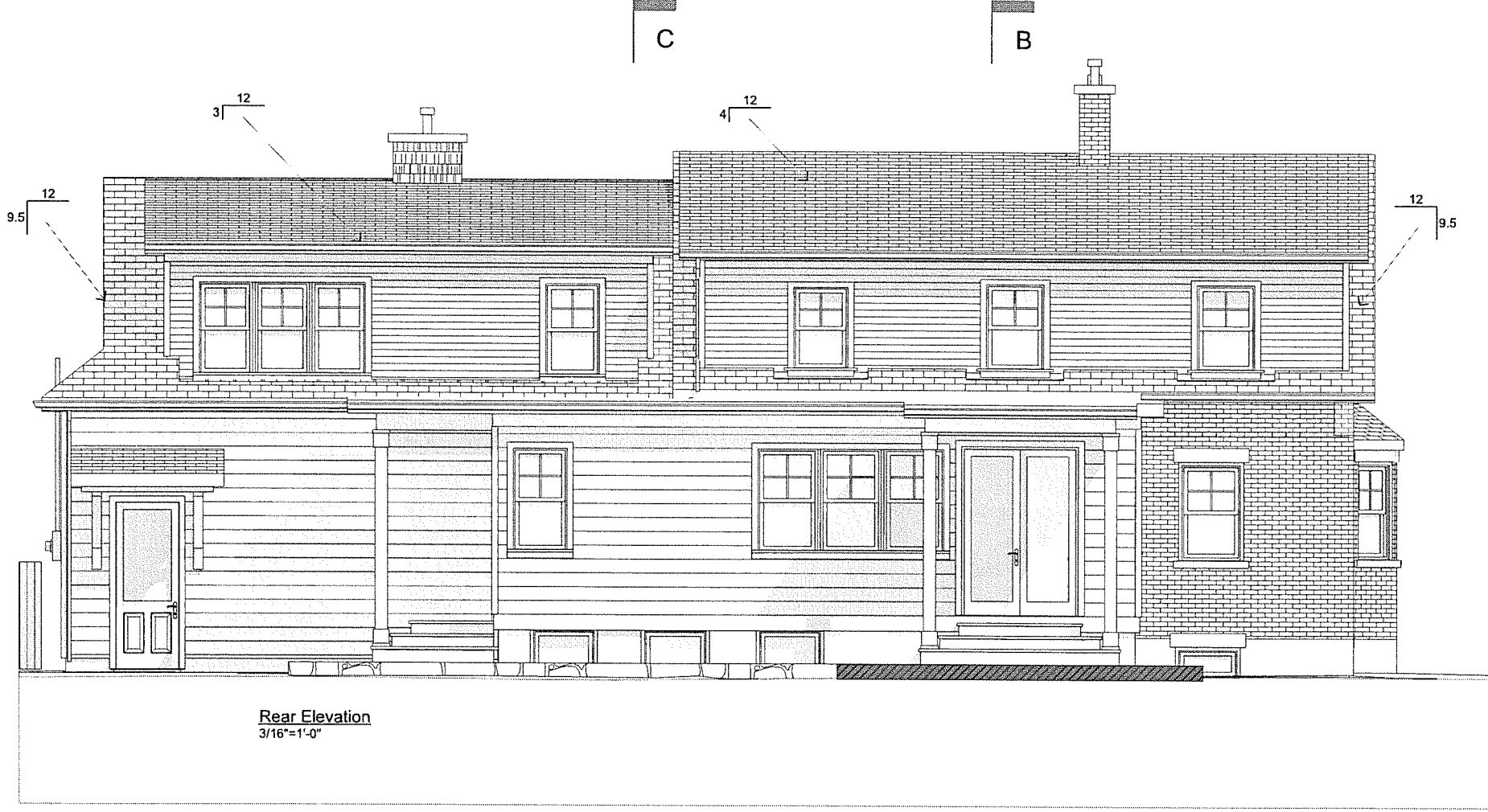




KEVIN CROZIER, B. ARCH.  
315 UNION STREET, E.  
FERGUS, ON N1M 1W2  
Ph. 519-787-4772  
E-MAIL kcrozier@crozier.ca

All work performed & materials supplied shall comply with the latest edition of the Ontario Building Code.  
Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.

DRAWING TITLE: Right Side Elevation, Option Minor Variance		DATE 2018-11-06
PROJECT: Julie Williams & John Flemming, 154 Kathleen Steet, Guelph, ON, N1H 4Y4		
PROJECT NO: 18107		SK6
SCALE: AS NOTED		



KEVIN CROZIER B. ARCH.  
315 UNION STREET, E.  
FERGUS, ON NIM 1W2  
Ph. 519-787-4772  
Fax. 519-787-7623  
EMAIL kcrozier@crozier.ca  
BCIN FIRM # 31068  
BCIN DESIGNER # 22327

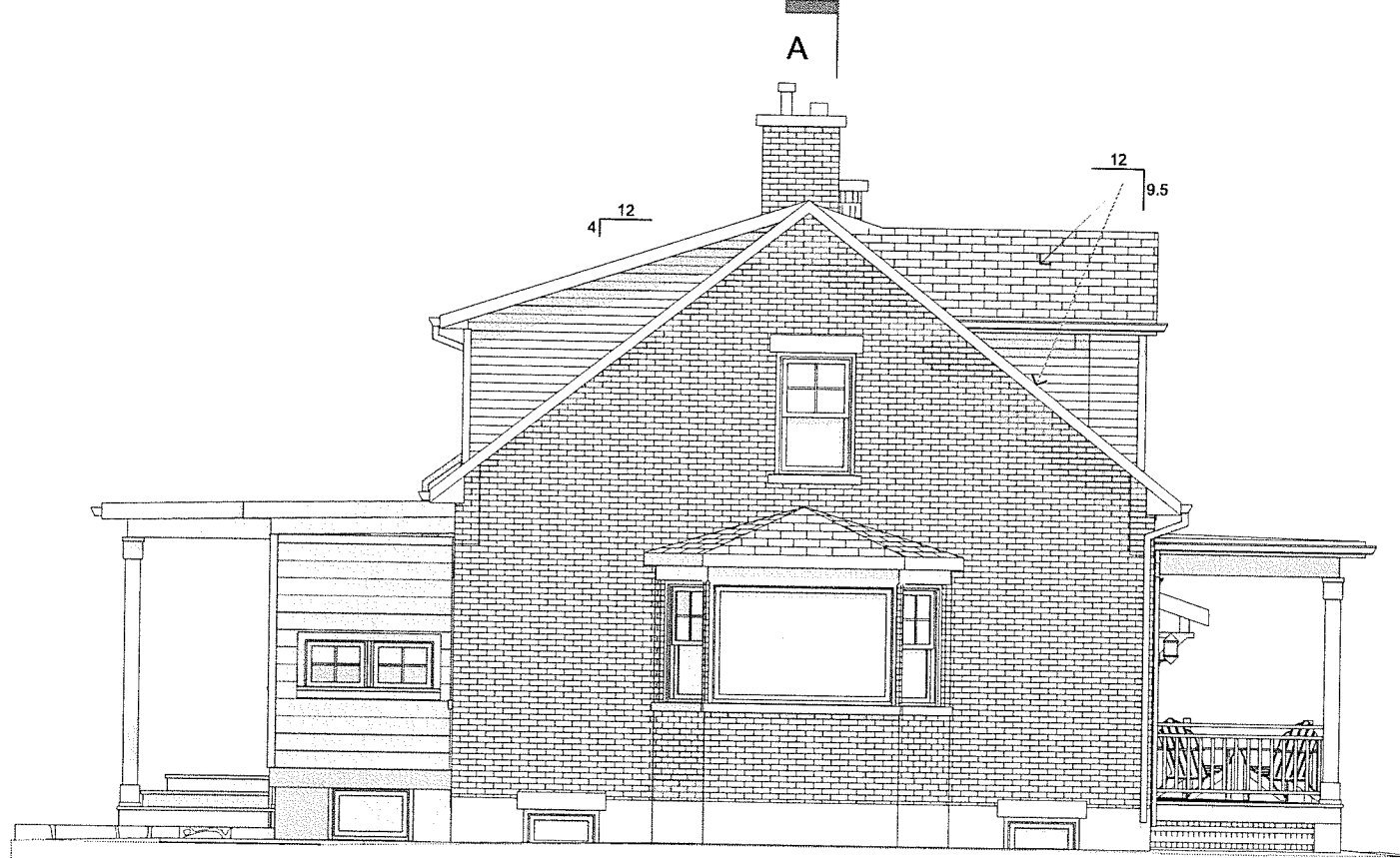
All work performed & materials supplied shall comply with the latest edition of the Ontario Building Code.  
Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.

DRAWING TITLE:  
Rear Elevation, Option Minor Variance

PROJECT:  
Julie Williams & John Flemming, 154 Kathleen Street, Guelph, ON, N1H 4Y4

PROJECT No: 18107 SCALE: AS NOTED

DATE  
2018-11-06  
SK7



Left Side Elevation  
3/16"=1'-0"



KEVIN CROZER B. ARCH  
315 UNION STREET E  
FERGUS, ON N1M 1W2  
Ph. 519-787-4772  
Fax. 519-787-7623  
E-Mail kcrozer@capeco.ca  
BCIN FIRM # 31068  
PEAN DESIGNER # 22324

All work performed & materials supplied shall comply with the latest edition of the Ontario Building Code.  
Contractor to confirm all existing measurements on site and inform the designer of any discrepancies.

DRAWING TITLE:

Left Side Elevation, Option Minor Variance

PROJECT:

Julie Williams & John Flemming, 154 Kathleen Street, Guelph, ON, N1H 4Y4

PROJECT No: 18107

SCALE:

AS NOTED

DATE

2018-11-06

SK8

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>NOV. 9/18</u>	Folder #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>A-87/18</u>

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒ No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 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: 2 Primrose Lane Guelph Ontario N1H 7V4

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

LOT 64, Reg Plan 674

## OWNER(S) INFORMATION:

Name: Tim Connolly  
Mailing Address: 2 Primrose Lane  
City: Guelph Postal Code: N1H 7V4  
Home Phone: 519 835 0058 Work Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_ Email: timconnolly@gmail.com

## AGENT INFORMATION (If Any)

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



Official Plan Designation: Low Density Residential (m)

Current Zoning Designation:

R.1B

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

Extension of Fence on Westwood Ave side to  
 Variance Section 4.20.9 to permit a fence 1.524 metres  
 in height in Front yard.  
 2nd Variance - Section 4.20.10.1 and 4.20.10.2 to permit  
 a fence in height 2.4892 metres in Side Yard

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

STUDENTS / Teenagers from Westwood School and GCV  
 entering property by hopping fence, with an existing  
 swimming pool the Westwood side of property fence  
 extension was completed using wood construction at a  
 height level = 2.4384 metres / 8ft. Fence also extends past mid  
 point of house to sightline requirement, from Front property line  
 equalling 9 metres. Further, a wrought Iron Fence professional  
 installed from sightline on Westwood running south to corner  
 point and attached/secured to House which also consist of  
 an Auto close Gate, Lockable. Wrought Iron Fence height = 1.524 metres  
 or 5'

## PROPERTY INFORMATION

Date property was purchased:	June 2016	Date property was first built on:	1988
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	1988

## 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:

19.8 (m)

Depth:

33.5 (m)

Area:

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)			
EXISTING (DWELLINGS & BUILDINGS)		PROPOSED	
<b>Main Building</b>		<b>Main Building</b>	
Gross Floor Area:	185.8 m <sup>2</sup> <del>2,000 sq. ft.</del>	Gross Floor Area:	
Height of building:	2 Stories	Height of building:	
<b>Garage/Carport (if applicable)</b>		<b>Garage/Carport (if applicable)</b>	
Attached <input checked="" type="checkbox"/>	Detached <input type="checkbox"/>	Attached <input type="checkbox"/>	Detached <input type="checkbox"/>
Width:	3.048 m (MS)	Width:	
Length:	6.096 m (MS)	Length:	
Driveway Width:	5.4 m (MS)	Driveway Width:	
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>	
Describe details, including height: Pool 9.75 x 9.75 m Vinyl Shed 3m x 3.65m		Describe details, including height:	

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND			
EXISTING		PROPOSED	
Front Yard Setback:	6.1 m M	Front Yard Setback:	M
Exterior Side Yard (corner lots only)	6.9 m M	Exterior Side Yard (corner lots only)	M
Side Yard Setback:	Left: 6.9 m M Right: 1.8 M	Side Yard Setback:	Left: M Right: M
Rear Yard Setback	12.19 m M	Rear Yard Setback	M

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

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

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

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

Zoning INFRACTION  
 17 006 707 - Pending, Seeking OPT 21  
 #12  
 contained within letter  
 dated Oct 2/2017



**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**

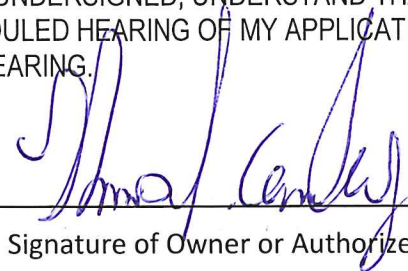
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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, THOM CONNELLY, 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]  
 Signature of Applicant or Authorized Agent

\_\_\_\_\_  
 Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Wellington this 9th day of November, 2018.

[Signature]  
 Commissioner of Oaths

TRISTALYN JISELLE DI LULLO,  
 A Commissioner, etc., Province of Ontario, for  
 The Corporation of the City of Guelph,  
 Expires January 8, 2019.

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

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

of \_\_\_\_\_  
(Legal description and/or municipal address)

hereby authorize \_\_\_\_\_  
(Authorized agent's name)

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Signature of the property owner)

\_\_\_\_\_  
(Signature of the property owner)

### NOTES:

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



## Mandeep Singh

---

**From:** thom connolly <thmconnolly@gmail.com>  
**Sent:** Thursday, November 22, 2018 11:35 AM  
**To:** Committee of Adjustment  
**Subject:** 2 primrose lane Guelph Ontario

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attn: Committee of adjustments:

This property is located in the sugarbush area of Guelph, which as you know, is located in a mature area servicing children walking to Westwood public school just 2 blocks south of this property.

In addition there are highschool students walking to and from GCVI and Our lady or Lourdes high schools and who also pass this house daily.

I purchased this property in May 2016.

The biggest safety concern I have is the potential for an accident or death of a student pertaining to the in-ground swimming pool located on this property.

There is the concern a child or teenager could endanger themselves by accidentally falling into the in-ground swimming pool when they had open access from the side yard (Westwood rd side) enabling them to hop the old 5" fence that was in place, Thus endangering themselves with the potential for accidental falls into the swimming pool, especially at night.

Although there used to be a 5" fence (running east to west) from the back corner of the house towards Westwood Road, For safety reasons I erected an 8' fence along the Westwood street sidewalk side (new fence running north -south), and I removed the previous 5' fence (running east-west) along the backside of the yard.

This new fence was erected past the halfway point of the home in a manner to purposefully prevent and/or detect children and/or teenagers from entering the side of the property. In addition I also erected a new 5' wrought iron fence (running east to west) and secured this to the new 8' fence running along Westwood road side.

The erection of this 5' wrought iron fence (running along the front of the house corner, east to west) does take into consideration the sightline regulations, pertaining to this corner property.

I'm happy to report this fence has been a great deterrence with a noticeable elimination of children and teenagers entering and staying off the property, and out of potential harms way from endangering themselves from falling into the in-ground pool.

I have experienced only 1 incident on Feb 14, 2017 with older age teenagers who were caught hoping the back fence to go to the neighbours property (for whatever reason). I contacted the Guelph Police Department and an officer completed a report. I applied under the freedom of information Act to receive a copy of the 'occurrence report' and is in my possession.

Lastly, after moving into this property, I would observe children and teenagers entering the property from the Westwood sidewalk and enter into my side the side yard, because it was open and accessible.

The students would often dispose of pop cans and litter onto the side yard. It was noticeable to observe on a summers night, teenagers entering into side yard drinking alcohol and urinating on the property. Often I would need to clean up the beer cans and garage left behind. Entering the back yard swimming pool by hopping the old 5' fence may have been their motive.

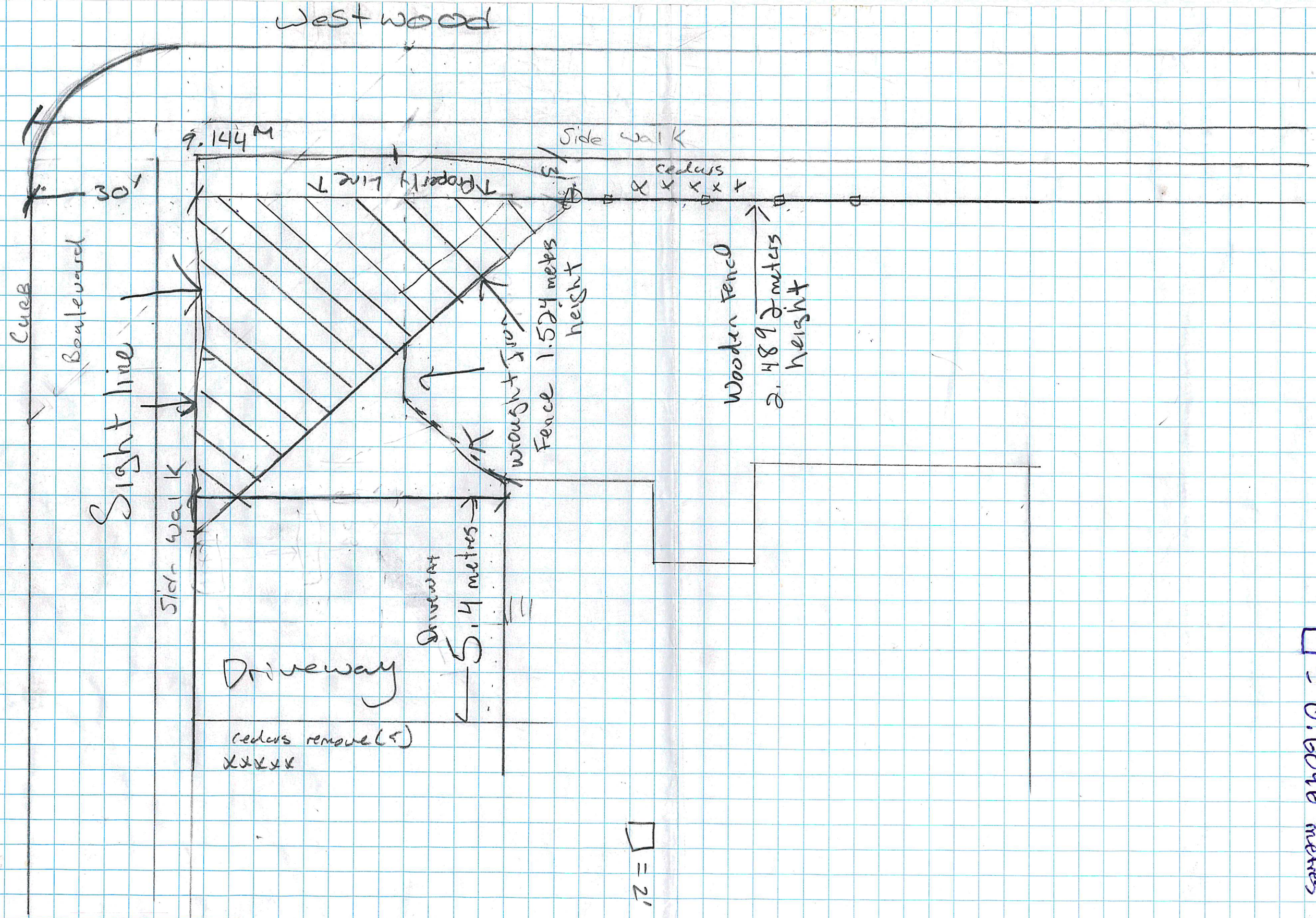
This issue has also been resolved as a direct result of the new fence erected. I trust this provides further insights into my application.

Thank you,

Thom Connolly



Primrose Lane

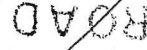


Fence height is 8'2" / 2.4892 metres



CITY OF GUELPH

A. B. DONALDSON



BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE  
EASTERLY LIMIT OF FERNANDEZ LANE AS BEING  
N 110°43'44"E AS SHOWN ON SES PLAN 674.

I CERTIFY THAT:

THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 11TH DAY OF NOVEMBER 1988

818 DENOTES SURVEY MADE BY THE FOUND  
818 DENOTES STATIONED 240

CC DENOTES CUT CROSS  
376 DENOTES BLACK. 91.91.

**BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED**  
**ONTARIO LAND SURVEYORS**

351 SPEEDVALE AVE. WEST, GUELPH, ONTARIO Q22-4031  
DATE: NOVEMBER 14 1989

SCALE: 1 INCH = 20 FEET

SCALE: 1 INCH = 20 FEET

8EAL

PER

*A. J. ...*

ONTARIO LAND

PROJECT  
88-6021

Google Maps

67 Wellington St W

2 Bristol Street Guelph (new fence erected beyond midpoint of house on side yard)

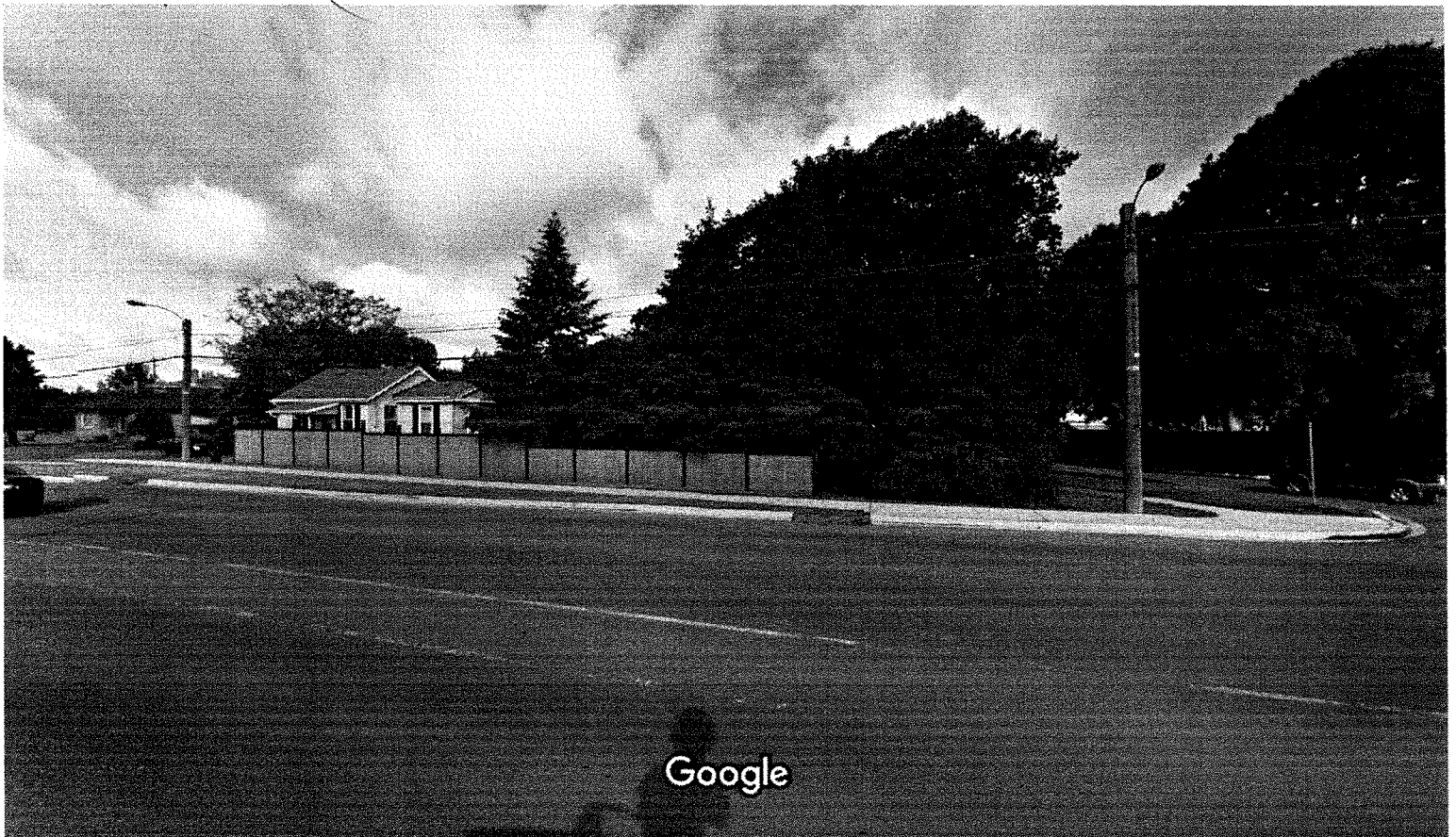

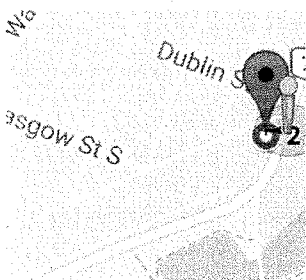


Image capture: Jun 2016 © 2018 Google

Guelph, Ontario

 Google, Inc.

Street View - Jun 2016





Google Maps

Elizabeth St

1 Walter Street (new fence erected beyond house midway point)



Image capture: Jul 2017 © 2018 Google

Guelph, Ontario

 Google, Inc.

Street View - Jul 2017

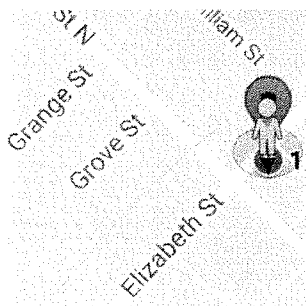



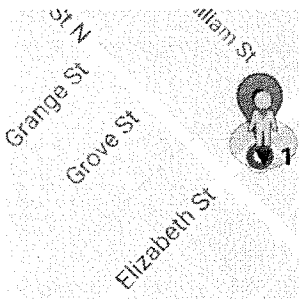


Image capture: Jul 2017 © 2018 Google

Guelph, Ontario

 Google, Inc.

Street View - Jul 2017



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



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

## OFFICE USE ONLY

Date Received: Nov 12, 2018

Folder #:

Application deemed complete:

☒ Yes ☐ No

A - 88 / 18

## TO BE COMPLETED BY APPLICANT

Was there pre-consultation with Planning Services staff?

Yes ☒

No ☐

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

## PROPERTY INFORMATION:

Address of Property: 97-101 Farquhar Street, Guelph, ON, N1H 3N4

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

Part of Lots 16 & 17, Registered Plan 8, Part 1, 61R-1558, City of Guelph

## OWNER(S) INFORMATION:

Name: Joseph & Helen GOMBITA

Mailing Address: 87 Edenvale Crescent

City: Toronto

Postal Code: M9A 4A5

Home Phone: 416-678-3827

Work Phone:

Fax:

Email:

hgombita@yahoo.com

## AGENT INFORMATION (If Any)

Company: Van Harten Surveying Inc.

Name: Jeff Buisman

Mailing Address: 423 Woolwich Street

City: Guelph

Postal Code: N1H 3X3

Work Phone: 519-821-2763 x 225

Mobile Phone:

Fax: 519-821-2770

Email:

Jeff.Buisman@vanharten.com

Official Plan Designation: Downtown Secondary Plan – Institutional or Office	Current Zoning Designation: Special Central Business District 2 Zone (CBD.2-1) and Special Downtown D.2 Zone (D.3-3)
---	--

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

A Minor Variance is being requested for the following item:

- A. To allow for a minimum of 13 off-site parking spaces instead of 19 (1 per unit) as required in Section 4.13.4.3.1 and Table 6.3.2.5.1, Row 1 of the Zoning By-law.
- B. To allow for parking spaces to be located in the front yard and to be 0m to the street line instead of 3m as required in Section 6.3.2.5.2.1.1
- C. To allow uncovered parking areas to be located within 0m to the street line instead of 3m as required in Section 4.13.2.3.
- D. To allow for 0 parking spaces to be located on the property. Section 4.13.1 requires every off-street parking area to be located on the same lot as the use requiring the parking.

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

See covering letter for justification on variance.

**PROPERTY INFORMATION**

Date property was purchased:	September 2008	Date property was first built on:	Many years ago
Date of proposed construction on property:	N/A	Length of time the existing uses of the subject property have continued:	Many years

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

PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.): Residential (No Change)

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

Frontage: 24.6m

Depth: 32.0m

Area: 791m<sup>2</sup>

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

EXISTING (DWELLINGS & BUILDINGS) – Existing Apartment Building		PROPOSED – N/A	
<u>Main Building</u>		<u>Main Building</u>	
Gross Floor Area:		Gross Floor Area:	

Height of building:	<b>3 storey stone building</b>		Height of building:		
Garage/Carport (if applicable) <b>N/A</b>			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height:			Describe details, including height:		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING – Apartment Building			PROPOSED – N/A		
Front Yard Setback:	<b>12.7 M</b>		Front Yard Setback:	<b>M</b>	
Exterior Side Yard (corner lots only)	<b>N/A</b>		Exterior Side Yard (corner lots only)	<b>M</b>	
Side Yard Setback:	Left: <b>0.08 M</b>	Right: <b>1.7 M</b>	Side Yard Setback:	Left: <b>M</b>	Right: <b>M</b>
Rear Yard Setback	<b>0 M</b>		Rear Yard Setback	<b>M</b>	

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

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

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

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

**Application A-42/17 was deferred at the June 8, 2017 hearing and it was not brought back to the Committee for consideration in time for the May 10, 2018 hearing and therefore withdrawn.**



**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

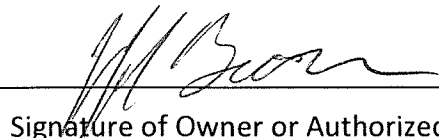
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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


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

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

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



Signature of Owner or Authorized Agent

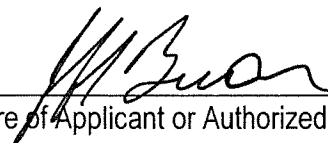


Signature of Owner or Authorized Agent

**AFFIDAVIT**

I/We, Jeff Buisman of Van Harten Surveying Inc., of the City/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

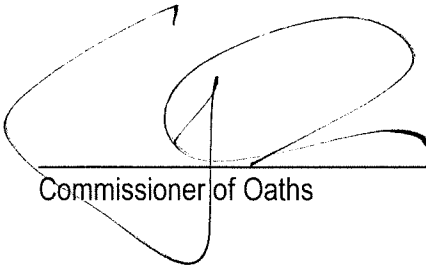
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

**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 November, 20 18.

  
Commissioner of Oaths

James Michael Laws,  
a Commissioner, etc.,  
Province of Ontario,  
for Van Harten Surveying Inc.  
Expires May 11, 2021.  
(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

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

Joseph & Helen GOMBITA

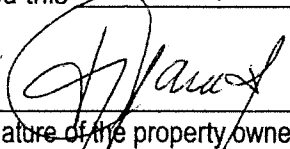
[Organization name / property owner's name(s)]

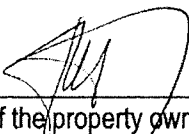
of Part of Lots 16 & 17, Registered Plan 8, Part 1, 61R-1558, City of Guelph / 97-101 Farquhar Street  
(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.  
(Authorized agent's name)

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

Dated this 7 day of NOVEMBER 2018.

  
(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.

November 12, 2018

24749-17

Jeff.Buisman@vanharten.com

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

Attention: Lindsay Cline

Dear Ms. Cline,

**Re: Minor Variance Application & Sketch  
Previous Application B-42/17  
97-101 Farquhar Street  
Part of Lots 16 & 17, Registered Plan 8  
Part 1, 61R-1558  
PIN 71285-0019  
City of Guelph**

Please find enclosed an application for a minor variance application on the above-mentioned property. Included with this submission are copies of the sketch, completed application form, Parking Pass Contract, Letter from City of Guelph dated September 2018, and cheque to the City of Guelph for \$951.00 for the Minor Variance application.

**Proposal:**

Previous minor variance application (B-42/17) was deferred at the June 2017 Committee of Adjustment meeting to allow time to have the Parking Agreement finalized. This application was not brought back to the Committee in time and the application was withdrawn. We are now resubmitting the Minor Variance application in order to meet the requirements of non-compliance letter sent by the City of Guelph September 5, 2018.

The following minor variance requests are being made for the subject property:

- A) To allow for a minimum of 13 off-site parking spaces instead of 19 (1 per unit) as required in Section 4.13.4.3.1 and Table 6.3.2.5.1, Row 1 of the Zoning By-law.
- B) To allow for parking spaces to be located in the front yard and to be 0m to the street line instead of 3m as required in Section 6.3.2.5.2.1.1
- C) To allow uncovered parking areas to be located within 0m to the street line instead of 3m as required in Section 4.13.2.3.

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

Elmira, ON:  
519-669-5070

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

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

Collingwood, ON:  
249-499-8359

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[www.vanharten.com](http://www.vanharten.com)



- D) To allow for 0 parking spaces to be located on the property. Section 4.13.1 requires every off-street parking area to be located on the same lot as the use requiring the parking.

This property was developed in the 1970's or 1980's to have 19 residential apartments. Arrangements were made at that time for 7 onsite and 12 off-site parking spots. Leases for the off-site parking spaces lapsed and the current owner had the understanding that all the parking requirements were met until she received a letter in November 2016 from the City of Guelph stating that the parking requirements are not being met.

Recent survey work discovered that the parking spots on the north side of the building are only partially on the subject property and that the majority of the parking spots are in the right-of-way of Farquhar Street. So right now there are no parking spots on the property.

After various discussions with the City of Guelph Staff, it was determined that a Parking Pass Contract was required to permit the 13 off-street parking spaces for the apartment building. The Parking Pass Contracts were with individual tenants and the property owner has spent considerable effort to have all the City Parking Pass Contracts transferred to the property owner's name rather than the individual tenants.



Figure 1: NORTH SIDE; SPACES 8-13 ON FARQUHAR STREET





Figure 2: SOUTH SIDE; SPACES 1-7 ON FOUNTAIN STREET

Although the parking spots are technically on the Fountain Street and Farquhar Street Right-of-Way's, they have functioned as parking spaces for this building for decades. The owner paid for all the improvements on the Fountain Street Right-of-Way including the retaining wall and asphalt.

The owner has informed us that of the 19 apartments, 6 apartments do not have a car and do not require parking. There is a growing trend to not have a car, especially for tenants of smaller, lower-cost rental units in a downtown area where public transit (including the GO Train station) is within an easy walking distance.

We feel that the request meets the four tests of a minor variance.



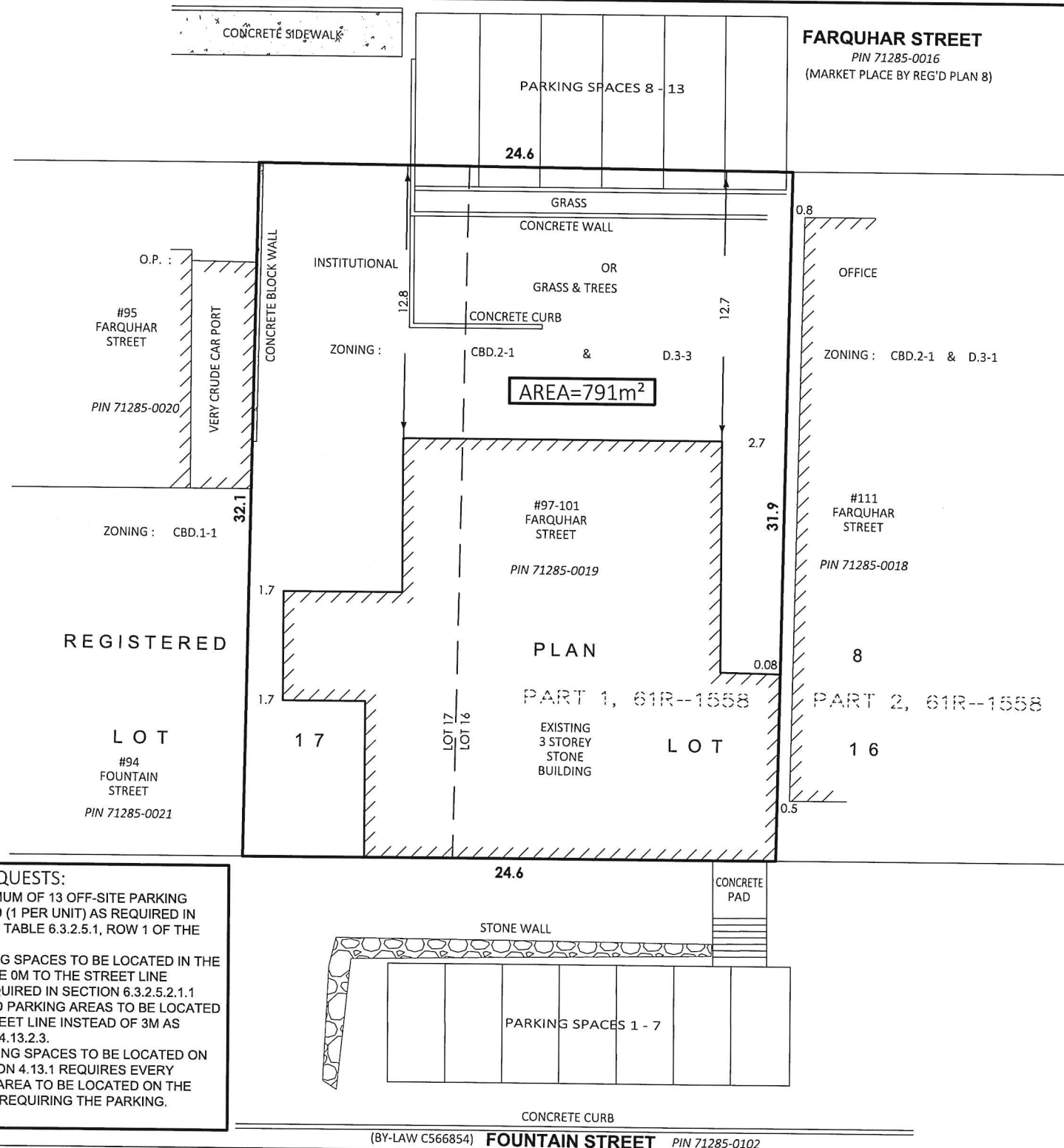
Please call me if you or the Planning Staff have any questions.

Very truly yours,  
Van Harten Surveying Inc.

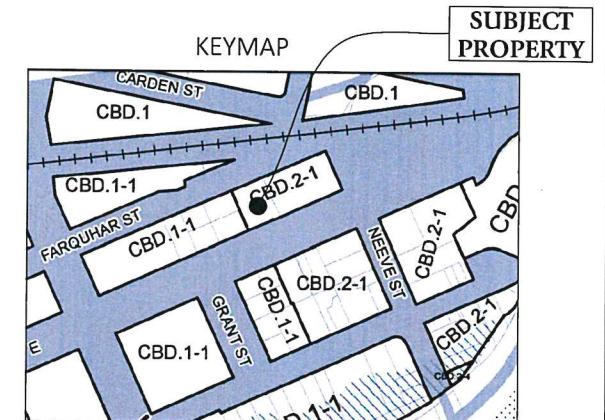
**Jeffrey E. Buisman** B.E.S, B.Sc.  
*Ontario Land Surveyor*

cc Helen Gombita  
cc Brian Horlick, Horlick, Levitt, Di Lella LLP  
cc Anna Marie O'Connell, Infrastructure, Development & Enterprise, City of Guelph





MINOR VARIANCE SKETCH  
PART OF LOTS 16 & 17  
REGISTERED PLAN 8  
CITY OF GUELPH  
COUNTY OF WELLINGTON



SCALE 1 : 200



VAN HARTEN SURVEYING INC.

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED CBD.2-1 AND D.3-3.
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF INSTITUTIONAL OR OFFICE.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED  
ON THE 9th DAY OF MAY 2017  
AMENDED ON THE 12th DAY OF NOVEMBER 2018

JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR

MINOR VARIANCE REQUESTS:

- A. TO ALLOW FOR A MINIMUM OF 13 OFF-SITE PARKING SPACES INSTEAD OF 19 (1 PER UNIT) AS REQUIRED IN SECTION 4.13.4.3.1 AND TABLE 6.3.2.5.1, ROW 1 OF THE ZONING BY-LAW.
- B. TO ALLOW FOR PARKING SPACES TO BE LOCATED IN THE FRONT YARD AND TO BE 0M TO THE STREET LINE INSTEAD OF 3M AS REQUIRED IN SECTION 6.3.2.5.2.1.1
- C. TO ALLOW UNCOVERED PARKING AREAS TO BE LOCATED WITHIN 0M TO THE STREET LINE INSTEAD OF 3M AS REQUIRED IN SECTION 4.13.2.3.
- D. TO ALLOW FOR 0 PARKING SPACES TO BE LOCATED ON THE PROPERTY. SECTION 4.13.1 REQUIRES EVERY OFF-STREET PARKING AREA TO BE LOCATED ON THE SAME LOT AS THE USE REQUIRING THE PARKING.



**Van Harten**  
SURVEYING INC.  
LAND SURVEYORS and ENGINEERS

Elmira  
Ph: 519-669-5070

Guelph  
Ph: 519-821-2763

Orangeville  
Ph: 519-940-4110

www.vanharten.com

info@vanharten.com

DRAWN BY: ARN

CHECKED BY: JEB

PROJECT No. 24749-17

Nov 12, 2018 - 10:11am

G:\GUELPH\008\1-68\acad\MV LOT 16,17 (GOMBITA) B.dwg

September 5, 2018

17 001293

Helen Gombita  
Joseph Gombita  
87 Edenvale Cres.  
Toronto ON M9A 4A5

**Re: 97 Farquhar Street**  
**FINAL NOTICE**

Further to the Zoning non-compliance letter sent to you on November 10, 2016 and March 15, 2017, the present parking situation at 97 Farquhar Street remains in non-compliance with the Zoning By-law. The property is zoned Central Business District CBD.2-1.

Zoning By-law No. (1995) -14864, Table 6.3.2, Row 9 requires that off street parking be provided in accordance with Section 4.13. This basically means that off street parking be provided on site, or be provided through the means of an agreement between others.

An amendment to the Zoning By-law in April 1978 allowed the creation of 19 residential units and identified the need for 19 parking spaces. Seven were to be provided on site and the remaining twelve were to be provided off-site. At present, there are currently no on-site parking spaces provided in accordance with the design standards of the Zoning By-law.

There are compliance options available:

- Apply for and receive approval of a variance from the Committee of Adjustment for relief of the parking requirements. Pre-consultation with our Planning Department is required to gauge support of such an application. For more information regarding the Committee of Adjustment process, please visit our website at: <http://guelph.ca/city-hall/council-and-committees/quasi-judicialadjudicative-committees/committee-of-adjustment/>. Please be advised that the previous committee of adjustment referral has expired July 24, 2018.
- Execute an off-site parking agreement with others. This may be an agreement with neighboring property owners if there are surplus spaces available.

If ALL of the 13 existing monthly parking permit customers and those that are on the waiting list for one of the 13 parking spaces agree to transfer their contract to sit under the umbrella of 97 Farquhar Street, an agreement can be entered into with 97 Farquhar Street to assign those 13 spaces. Parking Administration staff would need written verification from those who have a current parking contract and those who are on the waiting list, verifying that they are in agreement of the transfer. The contact for this process is Anna Marie O'Connell, Supervisor of Parking Administration. She can be contacted at 519-822-1260 extension 2254.

To discuss the Zoning issues, please contact the undersigned at 519-837-5615 extension 2340 or email [bruce.aubrey@guelph.ca](mailto:bruce.aubrey@guelph.ca) to begin the compliance process. We ask that this process be initiated by **November 5, 2018**.

We thank you for your anticipated cooperation with this matter.

Sincerely,



**Bruce Aubrey**  
Zoning Inspector II

Building Services  
Location: 1 Carden Street – 3<sup>rd</sup> Floor

T 519-837-5615 x 2340  
F 519-822-4632  
E [bruce.aubrey@guelph.ca](mailto:bruce.aubrey@guelph.ca)

**City Hall**  
1 Carden St  
Guelph, ON  
Canada  
N1H 3A1





# Parking Pass Contract - Farquhar Off Street Residential Permit

Printed: 03-Oct-2018, 10:16 AM

User: tferris

97 FARQUHAR UNITS

Helen Gombita  
87 Edenvale Crst.  
Toronto ON M9A 4A5 Canada

Home #:  
Business #: (416) 247-5281  
Email:

Confirmation # 282161  
Issued: 03-Oct-2018

Parking Facility: Farquhar Off Street Residential Permit  
Group: Public  
Permit #:

PAYING FOR 13 PERMITS

Account Contact: 97 Farquar Units

## Vehicle Information:

Licence	.
RO	Yes
Colour	.
Model	.
Year	.
Make	.

## Pass Information:

Permit Fee:	\$73.70
Extra Fee:	\$0.00
Tax:	\$9.58
	<u>\$83.28</u>

Pass Term: Monthly  
Effective: Mon 01-Oct-2018  
Car Pool: No



Date: OCTOBER 3, 2010

**Credit Card Payment**

Name of Account: DR. JOSEPH GOMBITA / HELEN GOMBITA  
Contact's Telephone #: 416 247 5281 or 647 6783827  
Cardholder Name: DR. JOSEPH GOMBITA / HELEN GOMBITA  
Parking Location: 97 FARQUHAR ST. GUELPH, ONT.  
Permit Number:             
Credit card Number:                       
Expiration date:                       
Amount to Pay: \$1082.64 (13 Permits)  
Comments: 97farquhar@gmail.com

I understand that payments will be process on the first business day of the month and that if the payment is declined an administrative fee of \$50.00 plus HST will be charged.

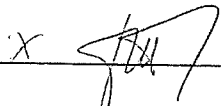
Signature of card holder: \_\_\_\_\_

Thank you

Operations & Transit | Traffic & Parking Services  
City of Guelph  
T 519-822-1260 x 2888 | F 519-822-1751  
guelph.ca

## Pre-Authorized Payment Form

I/We Helen Gombita  
authorize the City of Guelph to debit my/our account indicated above in the amount of \$73.70 plus applicable taxes on the 1st working day of each month.  
Each payment shall be the same as if I/We had personally issued a cheque authorizing the Bank to pay The City of Guelph as indicated and to debit the amount specified to my/our account.  
I/We understand that the Bank is not responsible to verify whether these payments are properly debited to my/our account.  
A delivery of this authorization to The City of Guelph constitutes delivery by me/us to the Bank.  
I/We are all the persons who are required to sign on the above account.  
A Void cheque must accompany this form.

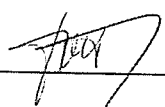
Customer's Signature: 

Date: October 03, 2018

## Procedures and Regulations of Parking Contract

- ☒ We will accept pre-authorized payment (requires a void cheque) or monthly post-dated cheques as payment. I acknowledge that a replacement parking passcard costs \$30.39 +HST (effective Feb 1, 2017).
- ☒ Cancellation: It is your responsibility to notify the Parking Office in writing 30 days in advance of terminating or of any changes of information or payment for this contract. Termination must coincide with the end of a calendar month.
- ☒ Annual Renewal: It is your responsibility to come in to the office at least one month in advance of the permit expiration with Registered Ownership to obtain a new Validation Sticker, and leave post-dated cheques if applicable. Failure to renew the permit 30 days in advance will result in termination of this contract.
- ☒ This Parking Contract may be terminated at any time by the City of Guelph. The City will attempt to advise passcard holders in writing, at least 30 days prior, of any rate change, authorized permit parking levels and/or new regulations.
- ☒ The use of this passcard is only for the person named above. No substitute cars may park without the consent of our office. Any attempt of fraudulent use of this passcard may result in termination of this contract without adjustment.
- ☒ Charges are for use of parking space only. The City assumes no responsibility whatsoever for loss or damage due to fire, theft, collision, or otherwise to the vehicle or its contents.
- ☒ This permit must be displayed on your rear-view mirror. Failure to do so may result in issuance of a Parking Infraction Notice. Not applicable to passcard users.
- ☒ If any payment I make to the City is returned by any financial institution as "non-negotiable" or "NSF", I agree to pay to the City the administrative fee in effect at the time.
- ☒ I agree to park my vehicle in accordance with the rules posted at the parking facility.
- ☒ Parking in this lot is restricted to 48 consecutive hours.

I understand and will comply with the regulations, and acknowledge receipt of a copy of the "Procedure and Regulations of Parking Contract".

Customer's Signature: 

Date: October 03, 2018

Amount Paid: \_\_\_\_\_ PAP Start: \_\_\_\_\_ Chq #: \_\_\_\_\_ Paid in Full: \_\_\_\_\_ Clerk: tferris

# DECISION

**COMMITTEE OF ADJUSTMENT**  
**APPLICATION NUMBER: A-42/17**



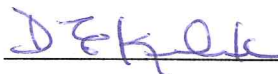
The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section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

THAT Application A-42/17 for 97-101 Farquhar Street, be **DEFERRED** sinedie, and in accordance with the Committee's policy on applications deferred sinedie, that the application will be considered to be withdrawn if not dealt with within 12 months of deferral and that the deferral fee be paid prior to reconsideration of the application.

**REASONS:**

This application is deferred to allow the applicant to review with staff where and how the required parking spaces will be accommodated.

**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 meeting held on June 8, 2017.

**Dated: June 13, 2017**

**Signed:**



**The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is June 28, 2017.**

**Committee of Adjustment**

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

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Nov. 12 / 2018	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	B-21/18

## TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

## PROPERTY INFORMATION:

Address of Property: 99 Grange Street, Guelph

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

Part of Lot 10, Registered Plan 298, as in Instrument No. ROS612065, City of Guelph

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

If yes, describe:

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

If yes, explain:

## OWNER(S) INFORMATION:

Name: 2123274 Ontario Inc. c/o Terry Ellery

Mailing Address: 38 Grange Street

City: Guelph Postal Code: N1E 2T7

Home Phone: 519-823-6148 Work Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: terrygranite@gmail.com

## AGENT INFORMATION (If Any)

Name: Jeff Buisman

Company: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph Postal Code: N1H 3X3

Home Phone: \_\_\_\_\_ Work Phone: 519-821-2763 x 225

Fax: 519-821-2770 Email: Jeff.Buisman@vanharten.com



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

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

To sever 142m<sup>2</sup> of vacant land from 99 Grange Street (PIN 71333-0031) and merge it with the parcel to the rear at 101 Grange Street (PIN 71333-0176) for continued urban residential use.

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

**DESCRIPTION OF LAND INTENDED TO BE SEVERED**

Frontage / Width: (m) <b>15.8m</b>	Depth (m) <b>9.0m</b>	Area: (m <sup>2</sup> ) <b>142m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>Residential (No Change)</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>N/A</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) <b>15.8m</b>	Depth (m) <b>36.7m</b>	Area: (m <sup>2</sup> ) <b>581m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>Residential (No Change)</b>
Existing Buildings/Structures: <b>Dwelling and Garage</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>Residential</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

**TYPE OF ACCESS TO THE RETAINED LANDS**

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

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway                      ☒ Municipal Road – **Existing on Lands to be Added to**  
☐ Private Road                      ☐ Right-of-Way  
☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

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

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated                      ☐ Privately Owned Well  
 – **Existing on Lands to be Added to**  
☐ Other (Specify)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE  
RETAINED LANDS**

☒ Municipally owned and operated    ☐ Septic Tank  
**– Existing**  
☐ Other (Explain)

**TYPE OF SEWAGE DISPOSAL PROPOSED TO THE  
SEVERED LANDS**

☒ Municipally owned and operated –    ☐ Septic Tank  
**Existing on Lands to be Added to**  
☐ Other (Explain)

Is there a Provincially Significant Wetland (e.g. swamp, bog)  
located on the subject lands?

☒ No                                      ☐ Yes

Is any portion of the land to be severed or retained located  
within a floodplain?

☒ No                                      ☐ Yes

**LAND USE**

What is the land use designation of the site in the Official Plan? Low Density Residential

Does the proposal conform?    ☒ YES                                      ☐ NO

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

☐ Yes    ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_

What is the current zoning of the subject lands? Residential R.1B

Does the proposed plan conform to the existing zoning?    ☒ YES                                      ☐ NO

If No, have you made a concurrent application for Minor Variance?

☐ Yes    ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**

**Has the subject land ever been the subject of:**

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?    ☐ YES                                      ☒ NO

If yes, provide the following:

FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_

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

If yes, provide the following:

FILE No.: B-8/14 & B-9/14                      Status: Approved

Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.

If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

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

	No	Yes	File Number and File Status
Official Plan Amendment	X		
Zoning By-law Amendment	X		
Plan of Subdivision	X		
Site Plan	X		
Building Permit	X		
Minor Variance	X		
Previous Minor Variance Application		X	A-26/14 & A-25/14 – Both approved

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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

**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

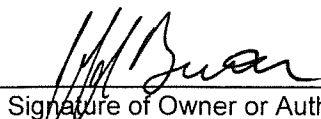
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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

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

Each sign must be posted a minimum of 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 (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.

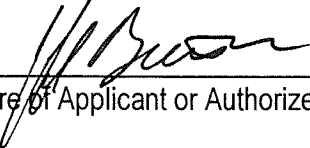
  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

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

  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 12 day of November, 20 18.

James Michael Laws,  
a Commissioner, etc.,  
Province of Ontario,  
for Van Harten Surveying Inc.  
Expires May 11, 2021.

\_\_\_\_\_  
Commissioner of Oaths

  
(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

2123274 ONTARIO INC. c/o Terry Ellery  
[Organization name / property owner's name(s)]

being the registered property owner(s) of

Part Lot 10, Reg'd Plan 298, as in INST. ROS612065, City of Guelph / 99 Grange Street  
(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.  
(Authorized agent's name)

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

Dated this 2nd day of October 2018.

  
(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.

November 12, 2018

25712-18

Jeff.Buisman@vanharten.com

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

Attention: Ms. Lindsay Cline

Dear Ms. Cline:

**Re: Severance Application & Sketch**  
**99 Grange Street**  
**Part of Lot 10, Plan 298; PIN 71333-0031**  
**101 Grange Street**  
**Part of Lots 8, 9 & 10, Plan 298**  
**Parts 1 & 4, 61R-20371; PIN 71333-0176**  
**City of Guelph**

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

**Proposal:**

The proposal is to sever a small portion of land from the rear of 99 Grange Street (PIN 71333-0031) and merge it with the parcel to the rear at 101 Grange Street (PIN 71333-0176) for continued residential use. The adjusted configuration will allow for more flexibility in the design of the future house at 101 Grange.

The Severed Parcel has a width of 15.8m, depth of 9.0m with an area of 142m<sup>2</sup>. The Retained Parcel has an area of 580m<sup>2</sup> where the existing dwelling and garage will remain and the R.1B Zoning requirements are met.

The Lands to be Added To is currently vacant and a dwelling is proposed to be built. A previous minor variance was approved for the reduced frontage and the remaining Zoning requirements are met.

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

Elmira, ON:  
519-669-5070

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

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

Collingwood, ON:  
249-499-8359

---

[www.vanharten.com](http://www.vanharten.com)



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

Very truly yours,  
Van Harten Surveying Inc.

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

cc Terry Ellery

LOT 42	LOT 43	LOT 44	LOT 45	LOT 46	LOT 47
PIN 71333-0040 #158	PIN 71333-0039 #160	PIN 71333-0038 #172	PIN 71333-0037 #176	PIN 71333-0036 #178	
REGISTERED		PLAN			227

# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-25/14



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 Table 5.1.2 Row 4 and 7 of Zoning By-law (1995)-14864, as amended, for lands to be municipally known as 103 Grange Street (severed parcel),




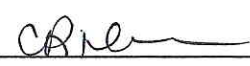
- a) to permit a lot frontage of 12.2 metres (40 feet) when the By-law requires that a minimum lot frontage be provided equal to the average of the existing frontages within the same City Block Face and not greater than the frontage identified in Table 5.1.2 [15 metres (49.21 feet) required], and,
- b) to permit right and left side yards setbacks of 1.2 metres (3.93 feet) when the By-law requires that a minimum side yard of 1.5 metres (4.92 feet) is provided,

be approved,

subject to the following conditions:

- 1. The driveway shall be restricted to a maximum width of 6 metres.
- 2. That the conditions imposed for Application B-9/14 be and form part of this approval."

Members of Committee  
Concurring in this Decision

I, Minna Bunnett, 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 April 10, 2014.

Dated: April 16, 2014

Signed:



The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is April 30, 2014.

Committee of Adjustment

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



# DECISION



## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER A-26/14


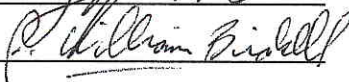


The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 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 Table 5.1.2 Row 4 of Zoning By-law (1995)-14864, as amended, for lands to be known municipally as 101 Grange Street (retained parcel), to permit a lot frontage of 9.64 metres (31.62 feet) when the By-law requires that a minimum lot frontage be provided equal to the average of the existing frontages within the same City Block Face and not greater than the frontage identified in Table 5.1.2 [15 metres (49.21 feet) required], be approved,

subject to the following conditions:

1. The driveway shall be restricted to a maximum width of 5 metres.
2. That the conditions imposed for Application B-9/14 be and form part of this approval."

Members of Committee  
Concurring in this Decision

I, Minna Bunnett, 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 April 10, 2014.

Dated: April 16, 2014

Signed:



The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is April 30, 2014.

Committee of Adjustment

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

# DECISION

## COMMITTEE OF ADJUSTMENT

### APPLICATION NUMBER B-8/14



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 Part Lot 10, Registered Plan 298, 97 Grange Street, a parcel with a width of 30.5 metres (100 feet) and a depth of 55.3 metres (181.4 feet), as a lot addition to Part Lot 9, Part Lot 8, Registered Plan 298 (referred to as "lands to be retained 1" on severance sketch prepared by Van Harten Surveying Inc., dated March 4, 2014, Project No. 21900-14), be approved,

subject to the following conditions:

1. That the proposed severed parcel of land be conveyed to the abutting 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 prior to issuance of a building permit, the applicant make satisfactory arrangement with the Technical Services Department of Guelph Hydro Electric Systems Inc. for the servicing of the combined lots via an underground service. All costs associated with this service would be at the applicant's expense.
4. That 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, prior to April 16, 2015.
5. 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.
6. 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.




# DECISION


COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-8/14

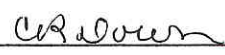


7. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2010) which can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

Members of Committee  
Concurring in this Decision

  
William Trishell

  
RD Stumm

  
C. Brown

I, Minna Bunnett, 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 April 10, 2014.

Dated: April 16, 2014

Signed:



The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is May 5, 2014.

Committee of Adjustment

T 519-837-5615  
F 519-822-4632  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)

# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-9/14



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 Lot 9, Part Lot 8, Registered Plan 298, 61R4686, Part 2 and Part 3, to be known municipally as 103 Grange Street, a parcel with a frontage along Grange Street of 12.2 metres (40 feet) and a depth of 41.1 metres (134.84 feet), be approved,

subject to the following conditions:

1. That the existing 1 storey brick dwelling and 1 storey frame addition on the severed portion be completely demolished and removed from the subject property in accordance with the Demolition Control By-law, prior to endorsement of the deeds.
2. Prior to the endorsement of the deeds, the owner shall be responsible for all of the costs associated with the demolition and removal of the existing dwelling and the brick garage from the severed property.
3. Prior to the issuance of any building permit for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
4. Prior to the issuance of any building permit for the lands, the owner shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, By-law (1990)-13545 and By-law (2007)-18225, as amended from time to time, or any successor thereof.
5. That a site plan be submitted to, and approved by the General Manager of Planning Services and the City Engineer, prior to the issuance of a building permit for the new dwelling on the severed parcel indicating:
  - a. The location and design of the new dwelling;
  - b. All trees on the subject property, including the extent of their canopies that may be impacted by the development. Any trees within the City boulevard must also be shown, including appropriate protective measures to maintain them throughout the development process. The plan should identify trees to be retained, removed and/or replaced and the location and type of appropriate methods to protect the trees to be retained during all phases of construction.
  - c. The location of the new dwelling with a setback that is in character with the surrounding area;
  - d. Grading, drainage and servicing information;



# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-9/14



6. That no vegetation removal shall occur during the breeding bird season (May-July), as per the Migratory Bird Act.
7. That the elevation and design drawings for the new dwelling on the severed parcel be submitted to, and approved by the General Manager of Planning Services, prior to the issuance of a building permit for the new dwelling in order for staff to ensure that the design of the new dwelling respects the character of the surrounding neighbourhood in all aspects including the proposed massing, building setbacks and the size and location of any proposed garage.
8. That prior to any works including demolition, tree removal, grading or construction, the applicant shall provide a Tree Inventory and Preservation Plan prepared by a certified arborist in accordance with the Private Tree Protection By-law (2010)-19058, and The Tree Inventory and Preservation Plan should seek to preserve as many mature trees as feasible.
9. That prior to the issuance of any building permit, the applicant provide a Landscaping, Replanting and Replacement Plan illustrating replacement trees and vegetation in accordance with the Private Tree Protection By-law (2010)-19058.
10. That prior to the issuance of a building permit for the severed parcel, any required tree protection fencing be erected on-site and inspected by staff to the satisfaction of the General Manager of Planning Services.
11. That the applicant pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit;
12. That prior to the endorsement of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
13. That the owner pays the watermain frontage charge of \$8.00 per foot of frontage for 71.65 feet (21.84 metres), prior to endorsonation of the deeds.
14. That the owner deeds to the City free of all encumbrances a 3.05-metre (10.00 feet) wide parcel of land for a road widening across the entire frontage of 103 grange Street as shown in red on the owners site plan, prior to endorsonation of the deeds.
15. That prior to endorsonation of the deeds, the owner shall have an Ontario Land Surveyor prepare a reference plan identifying the required road widening.



# DECISION

## COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-9/14



16. That the owner pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
17. The owner shall demolish the existing house known as 103 Grange Street, prior to endorsonation of the deeds.
18. That the owner pays the actual cost of the removal of the existing sanitary and water service laterals from the road allowance, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of any building permits.
19. That the owner pays all the costs associated with the removal of the existing sanitary and water service laterals to the existing house from the proposed severed lands and retained lands, satisfactory to the Plumbing/Sewage System Inspector, prior to endorsonation of the deeds.
20. That the owner pays the actual cost of constructing new sanitary and water service laterals to the proposed retained lands and the proposed severed lands including the cost of any curb cuts and/or curb fills required, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of any building permits.
21. That the owner pays the actual cost of the construction of the new driveway entrances including the required curb cuts and/or curb fills, with the estimated cost of the works as determined necessary by the General Manager/City Engineer being paid, prior to the issuance of any building permits.
22. That prior to the issuance of any building permits on the proposed retained lands and the proposed severed lands, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the proposed retained lands and the proposed severed lands.
23. That the owner enters into a Storm Sewer Agreement, as established by the City, providing for a grading and drainage plan, registered on title, prior to endorsonation of the deeds.
24. That the owner grades, develops and maintains the site in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer.
25. That the owner constructs the new dwelling at such an elevation that all above grade levels of the building can be serviced with a gravity connection to the sanitary sewer and any connections below grade meet the requirements of the Ontario Building Code.
26. That a legal off-street parking space is created on the proposed retained lands and the proposed severed lands at a minimum setback of 6.0-metres from the Grange Street property line.



# DECISION

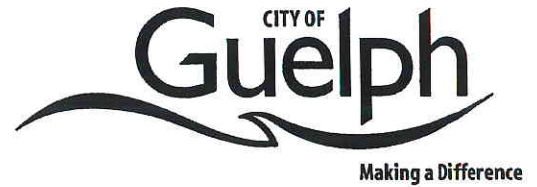
COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-9/14



27. Prior to the issuance of any building permit, the owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
28. Prior to the issuance of a building permit, the owner agrees to install sump pumps unless a gravity outlet for the foundation drain can be provided on the lot. Furthermore, all sump pumps must be discharged to the rear yard.
29. That the owner shall make arrangements satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. for the installation of an underground hydro service to the proposed new dwelling, prior to the issuance of a building permit.
30. That the owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the issuance of any building permits.
31. The owner shall ensure that all telephone service and cable TV service on the lands shall be underground. The owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services, prior to the issuance of any building permits.
32. That prior to issuance of a building permit, the applicant make satisfactory arrangement with the Technical Services Department of Guelph Hydro Electric Systems Inc. for the servicing of the combined lots via an underground service. All costs associated with this service would be at the applicant's expense.
33. That prior to endorsonation of the deeds, the owner shall enter into an agreement with the City, registered on title, satisfactory to the General Manager/City Engineer, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
34. That 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, prior to April 16, 2015.
35. 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.
36. 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.

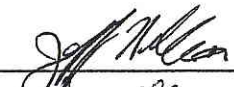
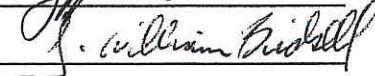


# DECISION

COMMITTEE OF ADJUSTMENT  
APPLICATION NUMBER B-9/14



37. 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](mailto:cofa@guelph.ca)) or supplied on a compact disk."

Members of Committee  
Concurring in this Decision

I, Minna Bunnett, 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 April 10, 2014.

Dated: April 16, 2014

Signed: 

The last day on which a Notice  
of Appeal to the Ontario  
Municipal Board may be filed  
is May 5, 2014.

Committee of Adjustment

T 519-837-5615  
F 519-822-4632  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)



# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: <u>Nov. 13, 2018</u>	Folder #: <u>A-89/18</u>
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 45 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

### PROPERTY INFORMATION:

Address of Property: 115 Dufferin St. Guelph. N1H 4A5

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

PART LOT 7, PART LOT 8 PLAN 31

### OWNER(S) INFORMATION:

Name: CHRIS AHLERS AND TAMMY RATCLIFF  
Mailing Address: 115 DUFFERIN ST.  
City: GUELPH      Postal Code: N1H 4A5  
Home Phone: 519-831-8644      Work Phone: 519-767-1317  
Fax: 519-767-1471      Email: chrsahlers@gmail.com

### AGENT INFORMATION (If Any)

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



Official Plan Designation: <u>PT. LOTS 7+8 Plan 31</u>	Current Zoning Designation: <u>R1B</u>
--	--

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

BUILDING HEIGHT - BYLAW 4.5.2.1

From 3.6m to 5.1m

5.9 (TD)

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

THE EXTRA HEIGHT IS REQUIRED TO MAKE THE SECOND FLOOR ~~USEFUL~~ USABLE AS A WORKSHOP.

PROPERTY INFORMATION			
Date property was purchased:	<u>Sept 2017</u>	Date property was first built on:	<u>? 1938</u>
Date of proposed construction on property:	<u>2019</u>	Length of time the existing uses of the subject property have continued:	<u>80 yrs.</u>
EXISTING USE OF THE SUBJECT PROPERTY (Residential/Commercial/Industrial etc.):			
<u>RESIDENTIAL.</u>			
PROPOSED USE OF LAND (Residential/Commercial/Industrial etc.):			
<u>RESIDENTIAL.</u>			

DIMENSIONS OF PROPERTY: (please refer to your survey plan or site plan)		
Frontage: <u>9.75 M (32 ft)</u>	Depth: <u>30.18 m</u> <u>40.45 m (99 ft)</u> <u>29.56 (97 ft)</u>	Area: <u>481.46 m<sup>2</sup></u>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<u>Main Building</u>			<u>Main Building</u>		
Gross Floor Area:	131		Gross Floor Area:	131	
Height of building:	8.08		Height of building:	8.08	
Garage/Carport (if applicable)			Garage/Carport (if applicable)		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:	7		Length:	6.17	
Driveway Width:	3.8		Driveway Width:	3.8	
Accessory Structures (Shed, Gazebo, Pool, Deck)			Accessory Structures (Shed, Gazebo, Pool, Deck)		
Describe details, including height: 1.5 storey Workshop 4.5 m high			Describe details, including height: 2 storey Workshop 5.1 m High 5.9 m <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">TD</span>		

LOCATION OF ALL BUILDINGS AND STRUCTURES ON OR PROPOSED FOR THE SUBJECT LAND					
EXISTING			PROPOSED		
Front Yard Setback:	2.95		M	Front Yard Setback:	2.95 M
Exterior Side Yard (corner lots only)	.78		M	Exterior Side Yard (corner lots only)	.78 M
Side Yard Setback:	Left: M	Right: 1.65	M	Side Yard Setback:	Left: M Right: 1.65 M
Rear Yard Setback	.75		M	Rear Yard Setback	1.5 M

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

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

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

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

MUNICIPAL FREEDOM OF INFORMATION DECLARATION:

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

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

PERMISSION TO ENTER

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

POSTING OF ADVISORY SIGN

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

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

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

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

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



Signature of Owner or Authorized Agent

---

Signature of Owner or Authorized Agent

AFFIDAVIT

I/We, CHRIS AHLERS, 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

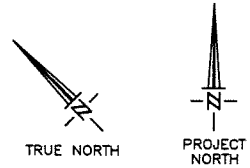
Wellington. this 13<sup>th</sup> day of November., 20 18.

  
 Commissioner of Oaths

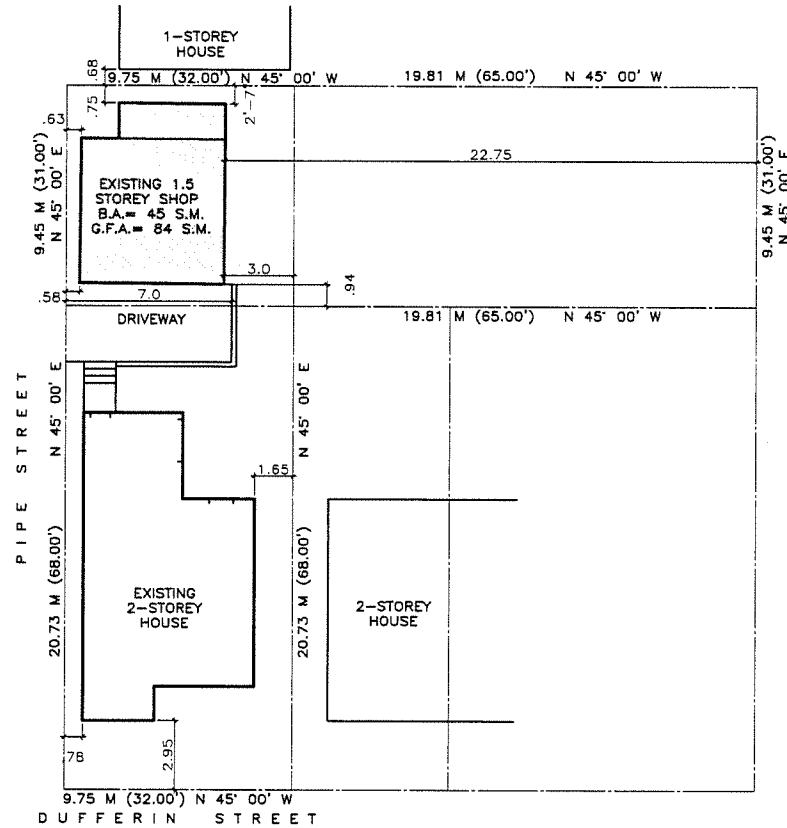
**LINDSAY ALEXANDRA CLINE,**  
 a Commissioner, etc., Province of Ontario,  
 for THE CORPORATION OF THE  
 CITY OF GUELPH.  
 Expires March 6, 2020

(official stamp of Commissioner of Oaths)





SITE PLAN BASED ON  
BLACK, SHOEMAKER & ROBINSON O.L.S.  
PLAN OF SURVEY  
LOT 7, REGISTERED PLAN ###  
CITY OF GUELPH  
DATED: JULY 16, 1968



1  
EX-0 EXISTING SITE PLAN  
SCALE: 1:200 METRIC

PROJECT:  
NEW WORKSHOP  
115 DUFFERIN STREET / 9 PIPE STREET  
GUELPH, ON

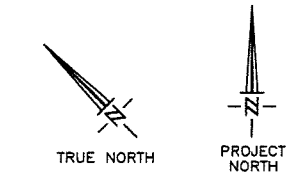
DRAWING:  
EXISTING  
SITE PLAN

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.

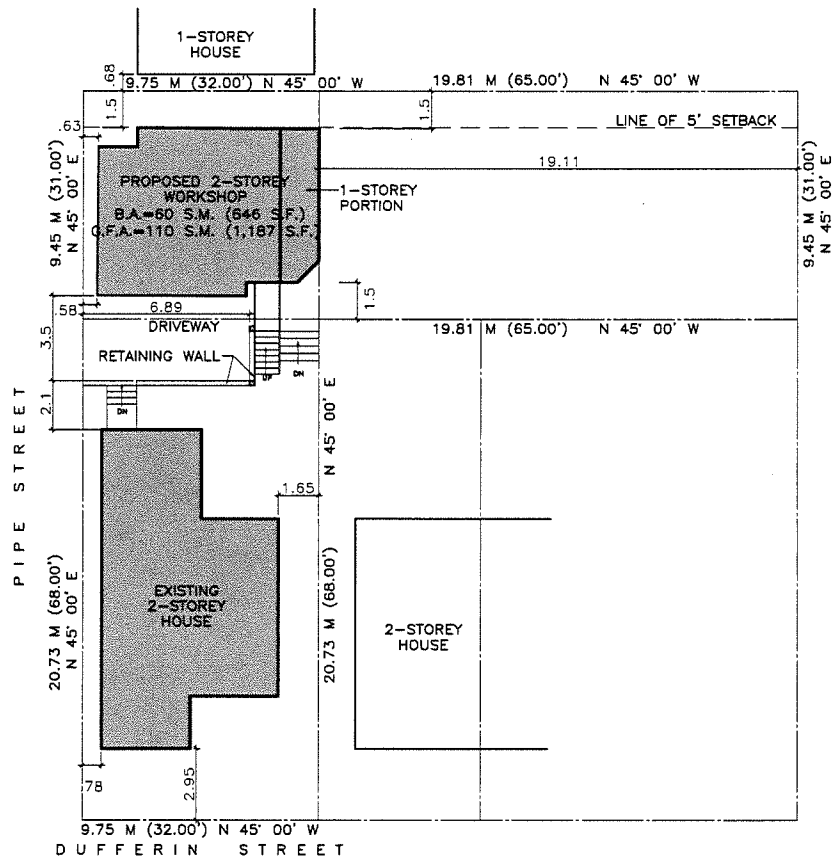
SCALE:  
AS NOTED

DATE: 12.NOV.2018  
DRAWN BY: TD  
STATUS: ISSUED FOR C OF A

EX0



SITE PLAN BASED ON  
BLACK, SHOEMAKER & ROBINSON O.L.S.  
PLAN OF SURVEY  
LOT 7, REGISTERED PLAN ###  
CITY OF GUELPH  
DATED: JULY 16, 1968



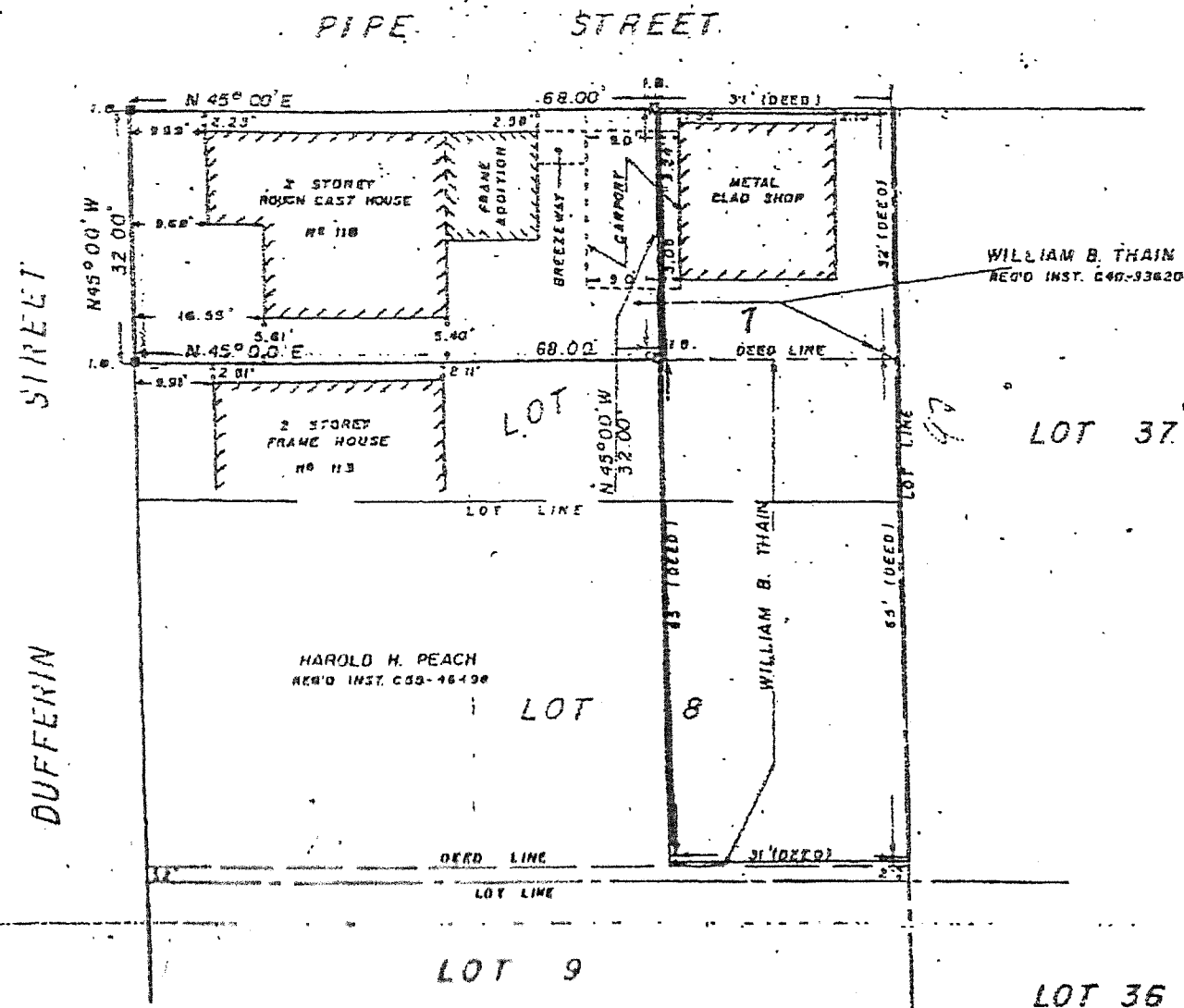
1  
A-0 PROPOSED SITE PLAN  
SCALE: 1:200 METRIC

	PROJECT: WORKSHOP ADDITION 115 DUFFERIN STREET / 9 PIPE STREET GUELPH, ON	DRAWING: PROPOSED 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: 12.NOV.2018	A-0
					DRAWN BY: TD	
					STATUS: ISSUED FOR C OF A	

OF PART OF 73  
LOT 7, REG'D PLAN N  
CITY OF GUELPH

Distances are in feet and decimals.  
Bearings are referred to PIPE STREET  
as being N 45° E.

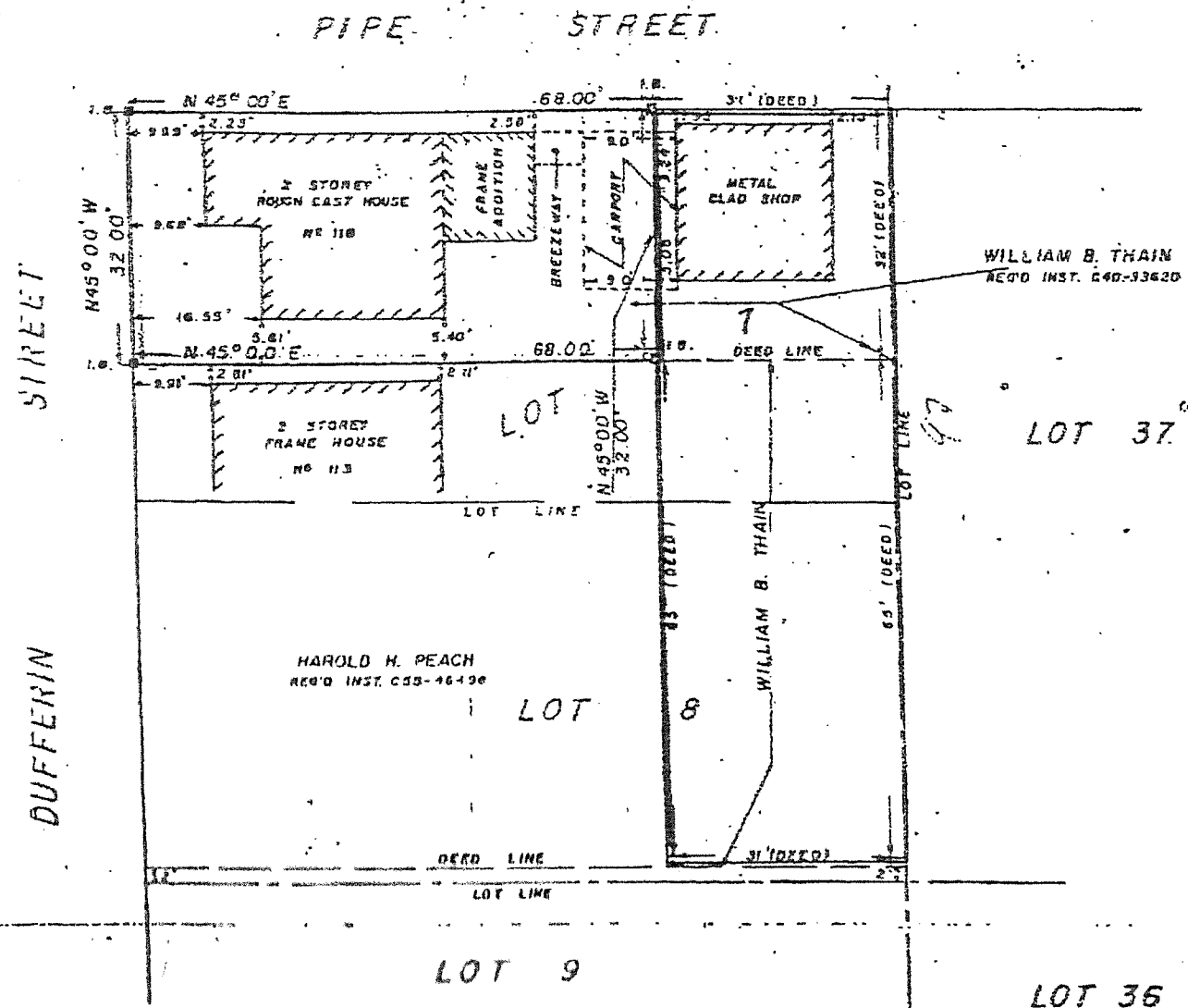
PER: R. L. Gosselin  
ONTARIO LAND SURVEYOR



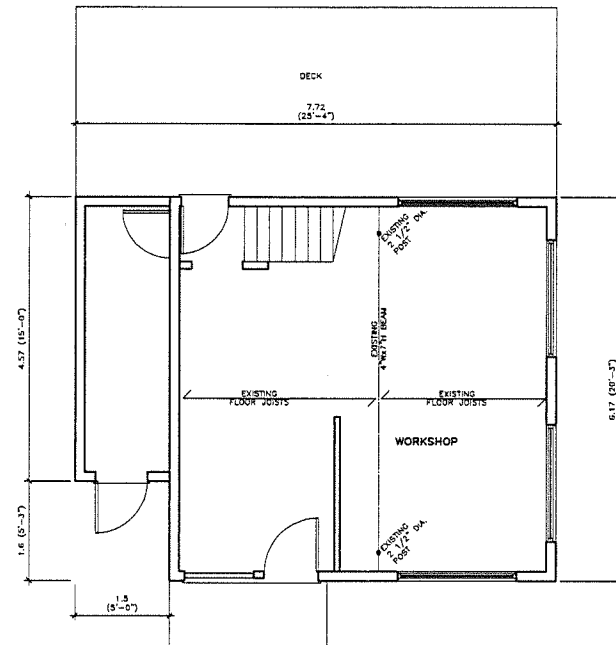
OF PART OF 73  
7, REG'D PLAN N  
CITY OF GUELPH

Distances are in feet and decimals.  
Bearings are referred to PIPE STREET  
as being N 45° E.

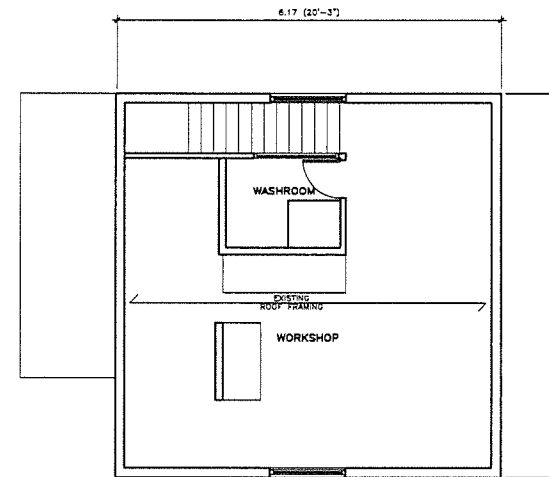
PER: H. J. G. G. G. G.  
ONTARIO LAND SURVEYOR





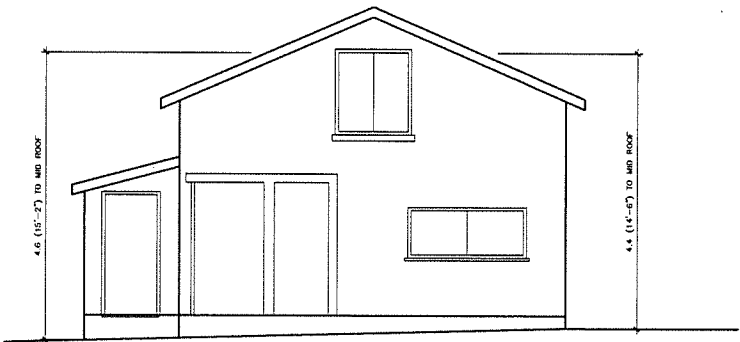


**1**  
**EX-1** EXISTING GROUND FLOOR PLAN  
SCALE: 1:75

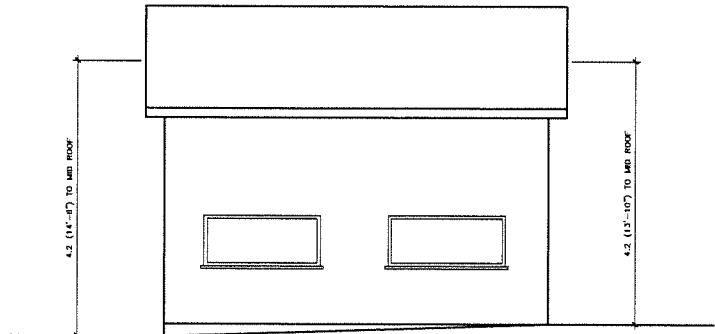


**2**  
**EX-1** EXISTING SECOND FLOOR PLAN  
SCALE: 1:75

	<b>PROJECT:</b> NEW WORKSHOP 115 DUFFERIN STREET / 9 PIPE STREET GUELPH, ON	<b>DRAWING:</b> EXISTING FLOOR 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.	<b>SCALE:</b> AS NOTED	<b>DATE:</b> 12.NOV.2018 <b>DRAWN BY:</b> TD <b>STATUS:</b> ISSUED FOR C OF A	<b>EX1</b>
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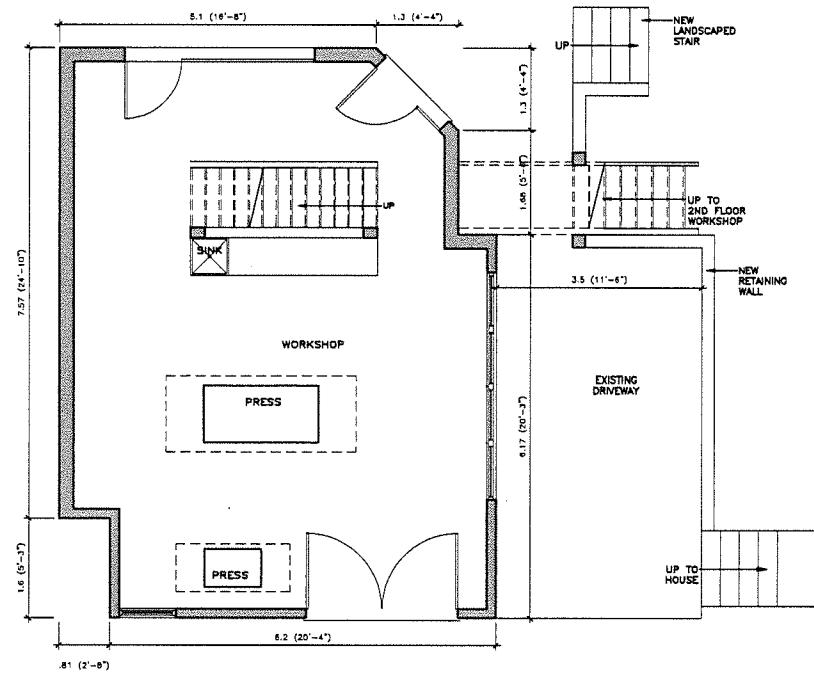


1  
EX-2 EXISTING EAST ELEVATION (FRONT)  
SCALE: 1:75

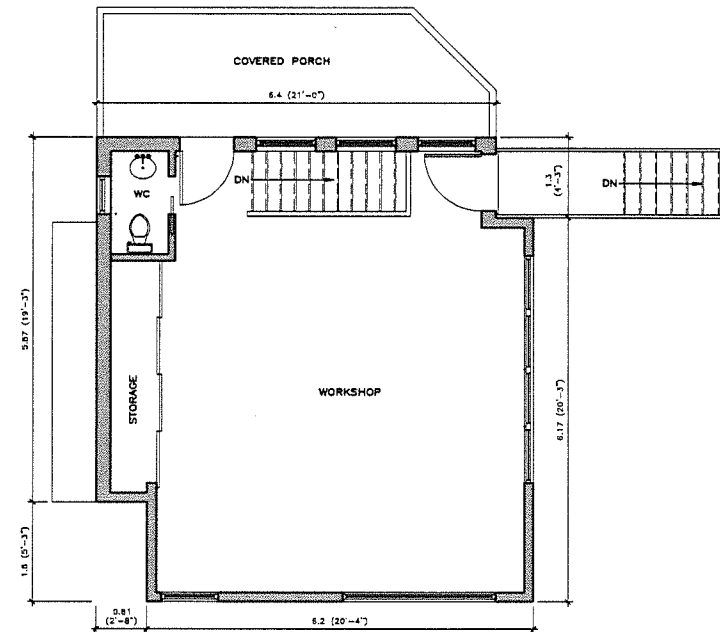


2  
EX-2 EXISTING SOUTH ELEVATION (SIDE)  
SCALE: 1:75

	PROJECT: NEW WORKSHOP 115 DUFFERIN STREET / 9 PIPE STREET GUELPH, ON	DRAWING: EXISTING FRONT & SIDE 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: 12.NOV.2018	EX2
					DRAWN BY: TD	
					STATUS: ISSUED FOR C OF A	

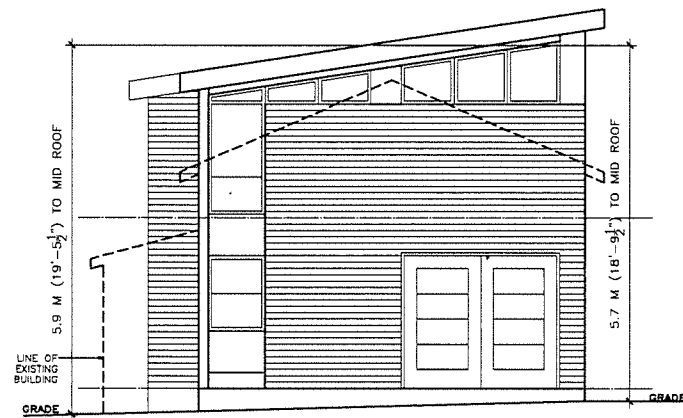


1  
A-1 GROUND FLOOR PLAN  
SCALE: 1:75

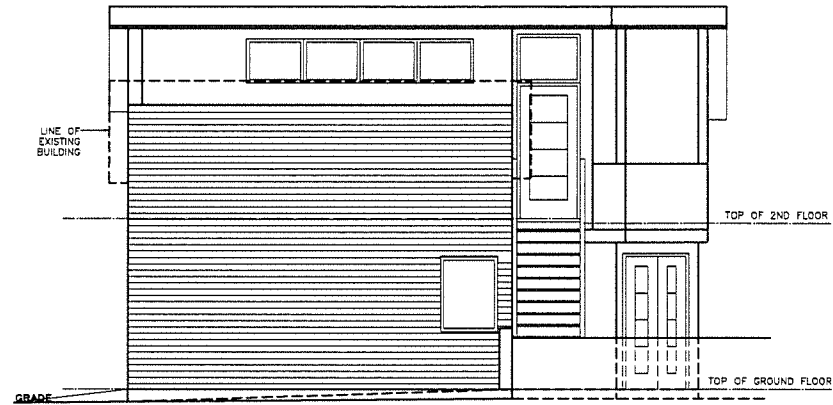


2  
A-1 SECOND FLOOR PLAN  
SCALE: 1:75

	<b>PROJECT:</b> NEW WORKSHOP 115 DUFFERIN STREET / 9 PIPE STREET GUELPH, ON	<b>DRAWING:</b> PROPOSED FLOOR 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.	<b>SCALE:</b> AS NOTED	<b>DATE:</b> 12.NOV.2018 <b>DRAWN BY:</b> TD <b>STATUS:</b> ISSUED FOR C OF A	<b>A-1</b>
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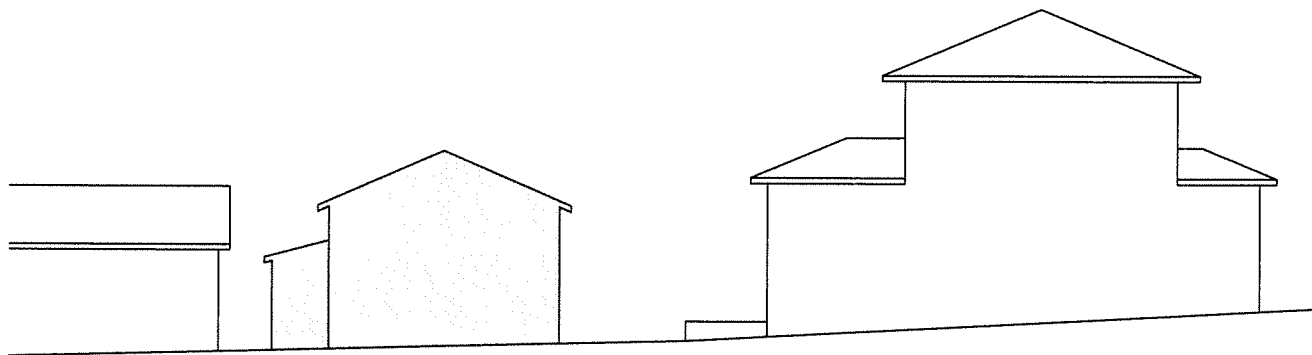
1  
A-2 PROPOSED EAST ELEVATION (FRONT)  
SCALE: 1:75



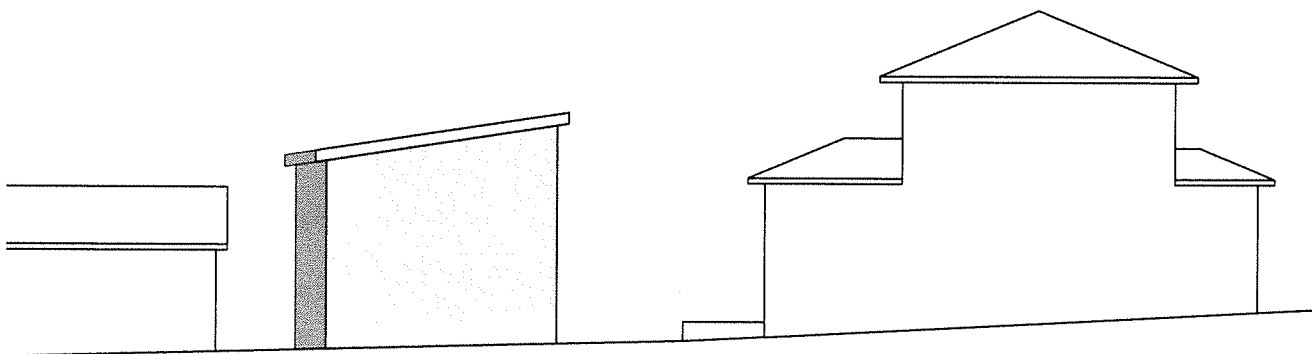
2  
A-2 PROPOSED SOUTH ELEVATION (SIDE)  
SCALE: 1:75

	<b>PROJECT:</b> NEW WORKSHOP 115 DUFFERIN STREET / 9 PIPE STREET GUELPH, ON	<b>DRAWING:</b> PROPOSED FRONT & SIDE 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.	<b>SCALE:</b> AS NOTED	<b>DATE:</b> 12.NOV.2018 <b>DRAWN BY:</b> TD <b>STATUS:</b> ISSUED FOR C OF A	<b>A-2</b>
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1  
A-3  
EXISTING STREETSCAPE  
SCALE: 1:125



2  
A-3  
PROPOSED STREETSCAPE  
SCALE: 1:125

	<b>PROJECT:</b> NEW WORKSHOP 115 DUFFERIN STREET / 9 PIPE STREET GUELPH, ON	<b>DRAWING:</b> PROPOSED STREETSCAPE ON PIPE ST.	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.	<b>SCALE:</b>  AS NOTED	<b>DATE:</b> 12.NOV.2018 <b>DRAWN BY:</b> TD <b>STATUS:</b> ISSUED FOR C OF A	<b>A-3</b>
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# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Nov 13 / 2018	Application #:
	Application deemed complete: <input type="checkbox"/> Yes <input type="checkbox"/> No	B-22/18

## TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

## PROPERTY INFORMATION:

Address of Property: 314 Edinburgh Road North, Guelph

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

Part Lot 10, Division A, as in INST ROS562349, T/W INST MS40554, T/W Easement Over Part 2, 61R-11054 as in WC238775, Township of Guelph, City of Guelph

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

If yes, describe: Easement Ending August 2016 as in Instrument WC238775, over Part 2, 61R-11054 (45 Dawson Road)

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

If yes, explain: Right-of-Way as in INST. MS40554 over 45 Dawson Road

Mortgage as in Instrument No. WC288353 with JAB Holdings Inc. located at 23 Sunrise Court, Guelph, ON, N1K 1J4

## OWNER(S) INFORMATION:

Name:	1708467 ONTARIO LIMITED c/o Bill Green & Lori Green		
Mailing Address:	27 Campion Avenue		
City:	Guelph	Postal Code:	N1H 5L2
Home Phone:		Work Phone:	519-822-6414
Fax:		Email:	bgreen@wmgreenroofing.ca

## AGENT INFORMATION (If Any)

Name:	Jeff Buisman		
Company:	Van Harten Surveying Inc.		
Mailing Address:	423 Woolwich Street		
City:	Guelph	Postal Code:	N1H 3X3
Home Phone:		Work Phone:	519-821-2763 x 225
Fax:	519-821-2770	Email:	Jeff.Buisman@vanharten.com

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

To sever a 74m<sup>2</sup> portion of land from 314 Edinburgh Road (PIN 71272-0201) and merge it with the surrounding parcel at 310 Edinburgh Road (PIN 71272-0200) for a boundary adjustment.

Proposed Easement of 104m<sup>2</sup> for waterline on No. 310 in favour of No. 314

Name of person(s) [purchaser, lessee, mortgagee etc.] to whom land or interest in land is intended to be conveyed, leased or mortgaged:  
1708466 Ontario Limited

**DESCRIPTION OF LAND INTENDED TO BE SEVERED**

Frontage / Width: (m) <b>13.3m / 11.5m</b>	Depth (m) <b>6.0m</b>	Area: (m <sup>2</sup> ) <b>74m<sup>2</sup></b>	Existing Use: <b>Residential - Vacant Land</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>None</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>N/A</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

**DESCRIPTION OF LAND INTENDED TO BE RETAINED**

Frontage / Width: (m) <b>41.6m / 68.6m</b>	Depth (m) <b>95.3m</b>	Area: (m <sup>2</sup> ) <b>5,250m<sup>2</sup></b>	Existing Use: <b>Residential</b>	Proposed Use: <b>No Change</b>
Existing Buildings/Structures: <b>Dwelling, Garage and Shed</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>N/A</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

**TYPE OF ACCESS TO THE RETAINED LANDS**

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

**TYPE OF ACCESS TO THE SEVERED LANDS**

- ☐ Provincial Highway      ☒ Municipal Road – **On Lands to be Added to**
- ☐ Private Road      ☐ Right-of-Way
- ☐ Other (Specify)

**TYPE OF WATER SUPPLY TO THE RETAINED LANDS**

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

**TYPE OF WATER SUPPLY TO THE SEVERED LANDS**

- ☒ Municipally owned and operated      ☐ Privately Owned Well  
– **On Lands to be Added to**
- ☐ Other (Specify)

<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</b> <input type="checkbox"/> Municipally owned and operated <input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) _____	<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</b> <input type="checkbox"/> Municipally owned and operated <input checked="" type="checkbox"/> Septic Tank – On Lands to be Added to <input type="checkbox"/> Other (Explain) _____
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

**LAND USE**

What is the land use designation of the site in the Official Plan? Industrial

Does the proposal conform?     ☒ YES     ☐ NO

If No, has a separate application for an Official Plan Amendment been made?  
☐ Yes     ☐ No     FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

What is the current zoning of the subject lands? Industrial (B.4)

Does the proposed plan conform to the existing zoning?     ☒ YES     ☐ NO

If No, have you made a concurrent application for Minor Variance?  
☐ Yes     ☐ No     FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**

**Has the subject land ever been the subject of:**

a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?     ☐ YES     ☒ NO

If yes, provide the following:  
 FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

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

If yes, provide the following:  
 FILE No.: \_\_\_\_\_     Status: \_\_\_\_\_

Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.  
 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.



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

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

**A severance application is being submitted simultaneously for #310 Edinburgh Road**

**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**

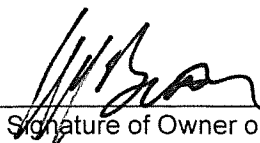
This will confirm the requirement of the Committee of Adjustment for a sign to be posted by all applicants or authorized agents on each property under application.

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 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 (10) DAYS BEFORE THE SCHEDULED HEARING OF MY APPLICATION AND BE REPLACED, IF NECESSARY, UNTIL THE DAY FOLLOWING THE HEARING.



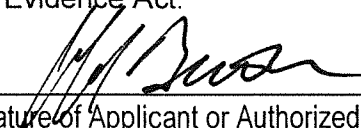
Signature of Owner or Authorized Agent

Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

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

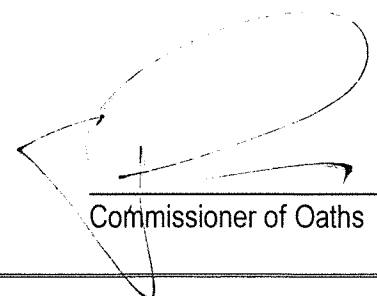
  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

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

Declared before me at the

City of Guelph in the County/~~Regional Municipality~~ of  
(city or town)  
Wellington this 13 day of November, 20 19.

  
\_\_\_\_\_  
Commissioner of Oaths

James Michael Laws,  
a Commissioner, etc.,  
Province of Ontario,  
for Van Harten Surveying Inc.  
Expires May 11, 2021.

(official stamp of Commissioner of Oaths)

## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

1708467 ONTARIO LIMITED c/o Bill Green & Lori Green

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

being the registered property owner(s) of

Part Lot 10, Division A, as in INST ROS562349, T/W INST MS40554, T/W Easement Over Part 2, 61R-11054 as in WC238775, Township of Guelph, City of Guelph / 314 Edinburgh Road North, Guelph  
(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.  
(Authorized agent's name)

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

Dated this 12<sup>th</sup> day of November 2018.

[Signature]  
(Signature of the property owner)

[Signature]  
(Signature of the property owner)

### NOTES:

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

# COMMITTEE OF ADJUSTMENT APPLICATION FOR CONSENT



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Nov 13 / 2018	Application #:
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B-23/18

## TO BE COMPLETED BY APPLICANT

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

THE UNDERSIGNED HEREBY APPLIES TO THE COMMITTEE OF ADJUSTMENT FOR THE CITY OF GUELPH UNDER SECTION 53 OF THE PLANNING ACT, R.S.O. 1990, C.P.13, AS DESCRIBED IN THIS APPLICATION, FROM BY-LAW NO. (1995)-14864, AS AMENDED.

### PROPERTY INFORMATION:

Address of Property: 310 Edinburgh Road North, Guelph

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

Part Lot 10, Division A, as in INST ROS583605, TW Easement Over Part 2, 61R-11054 as in WC238775, Township of Guelph, City of Guelph

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

If yes, describe: Easement as in Instrument WC238775, over Part 2, 61R-11054

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

If yes, explain:

### OWNER(S) INFORMATION:

Name: 1708466 ONTARIO LIMITED c/o Bill Green & Lori Green

Mailing Address: 27 Campion Avenue

City: Guelph      Postal Code: N1H 5L2

Home Phone: \_\_\_\_\_      Work Phone: 519-822-6414

Fax: \_\_\_\_\_      Email: bgreen@wmgreenroofing.ca

### AGENT INFORMATION (If Any)

Name: Jeff Buisman

Company: Van Harten Surveying Inc.

Mailing Address: 423 Woolwich Street

City: Guelph      Postal Code: N1H 3X3

Home Phone: \_\_\_\_\_      Work Phone: 519-821-2763 x 225

Fax: 519-821-2770      Email: Jeff.Buisman@vanharten.com



DESCRIPTION OF LAND INTENDED TO BE SEVERED				
Frontage / Width: (m) <b>13.7m</b>	Depth (m) <b>16.9m</b>	Area: (m²) <b>231m²</b>	Existing Use: <b>Residential</b>	Proposed Use: <b>Residential</b>
Existing Buildings/Structures: <b>Part of Shed</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>Storage</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	
DESCRIPTION OF LAND INTENDED TO BE RETAINED				
Frontage / Width: (m) <b>27.0m / 25.2</b>	Depth (m) <b>40.8</b>	Area: (m²) <b>1,018m²</b>	Existing Use: <b>Residential</b>	Proposed Use: <b>No Change</b>
Existing Buildings/Structures: <b>Dwelling</b>			Proposed Buildings / Structures: <b>None</b>	
Use of Existing Buildings/Structures (specify): <b>Residential</b>			Proposed Use of Buildings/Structures (specify): <b>N/A</b>	

TYPE OF ACCESS TO THE RETAINED LANDS		TYPE OF ACCESS TO THE SEVERED LANDS	
<input type="checkbox"/> Provincial Highway	<input checked="" type="checkbox"/> Municipal Road – <b>Existing</b>	<input type="checkbox"/> Provincial Highway	<input checked="" type="checkbox"/> Municipal Road – <b>On Lands to be Added to</b>
<input type="checkbox"/> Private Road	<input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Private Road	<input type="checkbox"/> Right-of-Way
<input type="checkbox"/> Other (Specify)		<input type="checkbox"/> Other (Specify)	

<b>TYPE OF WATER SUPPLY TO THE RETAINED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <input type="checkbox"/> Other (Specify)	<b>TYPE OF WATER SUPPLY TO THE SEVERED LANDS</b> <input checked="" type="checkbox"/> Municipally owned and operated <input type="checkbox"/> Privately Owned Well <b>– On Lands to be Added to</b> <input type="checkbox"/> Other (Specify)
---	--

<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE RETAINED LANDS</b> <input type="checkbox"/> Municipally owned and operated <input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Other (Explain) _____	<b>TYPE OF SEWAGE DISPOSAL PROPOSED TO THE SEVERED LANDS</b> <input type="checkbox"/> Municipally owned and operated <input checked="" type="checkbox"/> Septic Tank – On Lands to be Added to <input type="checkbox"/> Other (Explain) _____
Is there a Provincially Significant Wetland (e.g. swamp, bog) located on the subject lands? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Is any portion of the land to be severed or retained located within a floodplain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes

**LAND USE**  
 What is the land use designation of the site in the Official Plan? Industrial  
  
 Does the proposal conform?     ☒ YES                                      ☐ NO  
  
 If No, has a separate application for an Official Plan Amendment been made?  
☐ Yes     ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 What is the current zoning of the subject lands? Industrial (B.4)  
  
 Does the proposed plan conform to the existing zoning?     ☒ YES                                      ☐ NO  
  
 If No, have you made a concurrent application for Minor Variance?  
☐ Yes     ☐ No                      FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_

**HISTORY OF SUBJECT LANDS**  
 Has the subject land ever been the subject of:  
  
 a) An application for approval of a Plan of Subdivision under section 51 of the *Planning Act*?     ☐ YES                                      ☒ NO  
  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 b) An application for Consent under section 53 of the *Planning Act*?                                      ☐ YES                                      ☒ NO  
  
 If yes, provide the following:  
 FILE No.: \_\_\_\_\_                      Status: \_\_\_\_\_  
  
 Please indicate the previous severance(s) and supply the following information for each parcel severed: Transferee's name, date of the transfer and use of the parcel transferred; and attach the information to this application.  
 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application on a separate page.

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

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

**A severance application is being submitted simultaneously for #314 Edinburgh Road**

**MUNICIPAL FREEDOM OF INFORMATION DECLARATION:**

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

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**PERMISSION TO ENTER**

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

**POSTING OF ADVISORY SIGN**

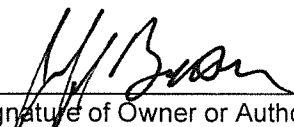
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For commercial or industrial buildings, it may be appropriate to post the sign on the front wall of the building or at its entrance.

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



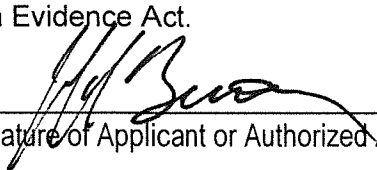
\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Owner or Authorized Agent

**AFFIDAVIT**

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

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

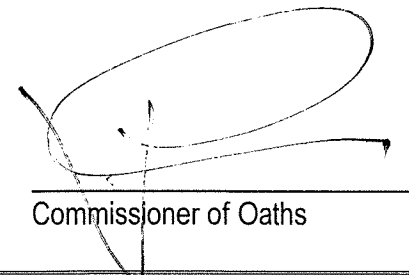
  
\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

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

Declared before me at the

City of Guelph in the County/Regional Municipality of  
(city or town)  
Wellington this 13 day of November, 20 18.

  
\_\_\_\_\_  
Commissioner of Oaths

James Michael Laws,  
a Commissioner, etc.,  
Province of Ontario,  
for Van Harten Surveying Inc.  
Expires May 11, 2021.

(official stamp of Commissioner of Oaths)



## APPOINTMENT AND AUTHORIZATION

I / We, the undersigned,

1708466 ONTARIO LIMITED c/o Bill Green & Lori Green

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

being the registered property owner(s) of

Part Lot 10, Division A, as in INST ROS583605, T/W Easement Over Part 2, 61R-11054 as in WC238775,  
Township of Guelph, City of Guelph / 310 Edinburgh Road North, Guelph

(Legal description and/or municipal address)

hereby authorize Jeff Buisman of Van Harten Surveying Inc.

(Authorized agent's name)

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

Dated this 12<sup>th</sup> day of November 2018

[Signature]

(Signature of the property owner)

[Signature]

(Signature of the property owner)

### NOTES:

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

November 13, 2018

23268-15

Jeff.Buisman@vanharten.com

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

Attention: Ms. Lindsay Cline

Dear Ms. Cline:

**Re: Lot Line Adjustment Severances & Sketch  
310 & 314 Edinburgh Road North  
Part of Lot 10, Division A  
PIN 71272-0200 & PIN 71272-0201  
Geographic Township of Guelph  
City of Guelph**

Please find enclosed two applications for a lot line adjustment severance on the above-mentioned properties. Included with this submission are copies of the sketch, completed application forms, the required deeds, PIN Report and Map, and a cheque to the City of Guelph for \$3,172.00 for the severance application fees.

**Proposal:**

The purpose is to reconfigure the two properties at 310 Edinburgh Road North (PIN 71272-0200) and 314 Edinburgh Road North (PIN 71272-0201) for a more logistical configuration, as well as to create an easement over 310 Edinburgh for the water line serving 314 Edinburgh.

The parcel at No. 310 contains an existing dwelling and shed and has current area of 1,249 m<sup>2</sup>. The proposed lot line adjustment would sever a 231 m<sup>2</sup> portion of land (shown as (1) on the sketch) and merge it with the adjacent parcel at No. 314 (shown as (5) on the sketch). The existing shed is currently on both properties and this lot line adjustment would allow for the shed to remain fully on No. 314. The retained parcel at No. 310 (shown as (4) on the sketch) will have an area of 1,092 m<sup>2</sup> where the dwelling will remain.

The parcel at No. 314 contains an existing dwelling, garage and portion of the shed from No. 310 with a current area of 5,324 m<sup>2</sup>. The proposed lot line adjustment will sever a 74 m<sup>2</sup> parcel of vacant land (shown as (2) on the sketch) and merge it with No. 310 for continued residential use (shown as (4) on the sketch). The retained parcel at No. 314 (shown as (5) on the sketch) will have an area of 5,481 m<sup>2</sup> where the dwelling, garage and shed will remain.

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

Elmira, ON:  
519-669-5070

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

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

Collingwood, ON:  
249-499-8359

[www.vanharten.com](http://www.vanharten.com)



An easement is being proposed for a waterline over parcels (2) and (3) on the sketch, in favour of No. 314. The area of the proposed easement is 104 m<sup>2</sup>.

The existing zoning for these parcels is Industrial B.4 and we consider the zoning to be met through legal non-confirming purposes.

The subject properties have been part of numerous discussions and review with the City of Guelph for years. After our most recent discussions, it was determined that the proposed lot line adjustments and easement are the most practical way to reconfigure the properties.

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

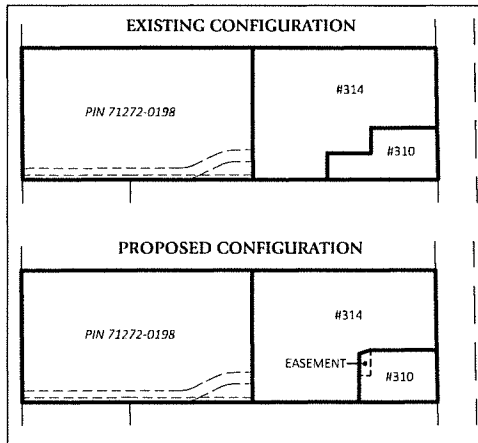
Very truly yours,  
Van Harten Surveying Inc.

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

cc Bill Green  
cc Lori Green

**KEYMAP**

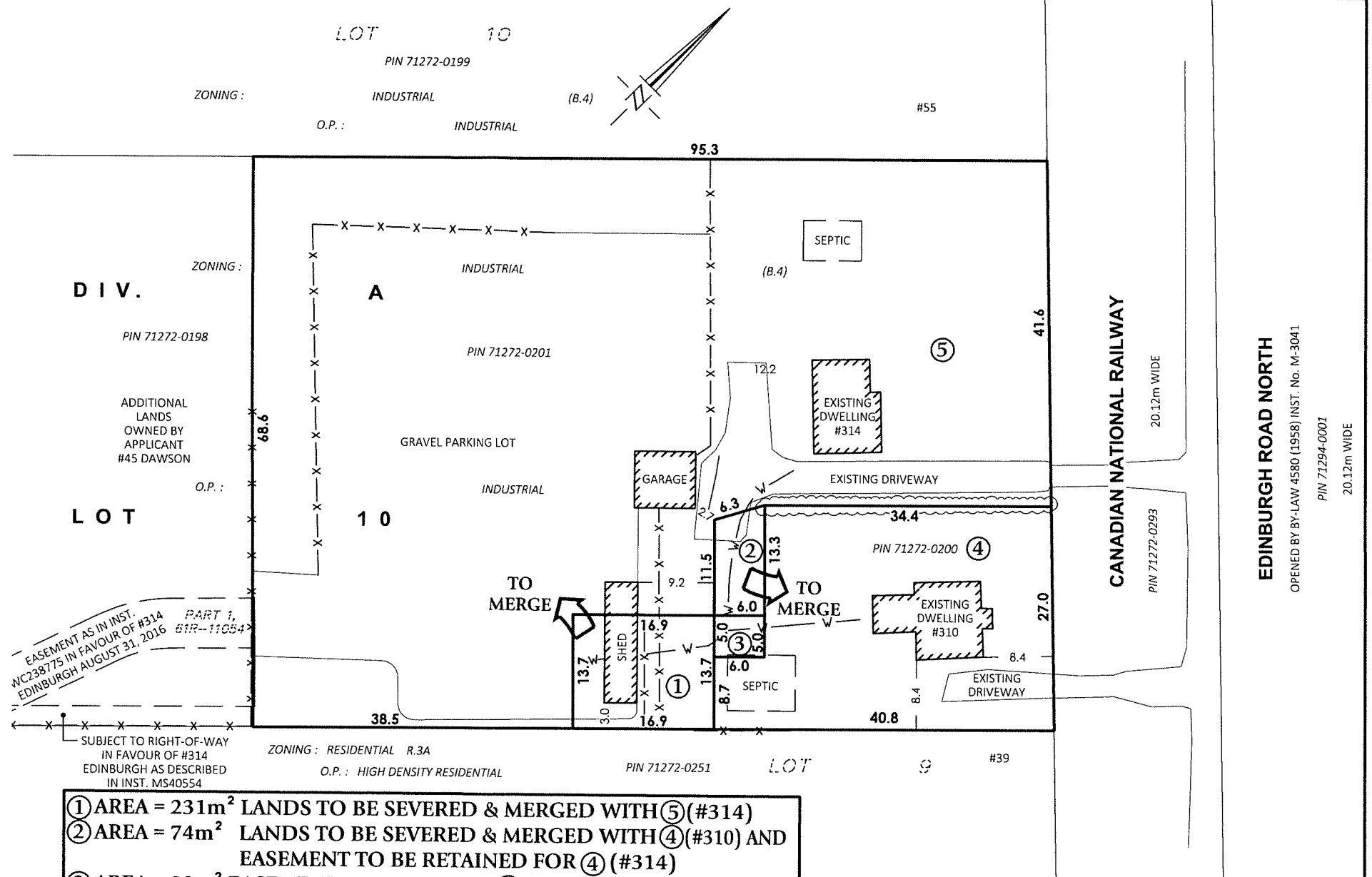
The keymap shows a street grid with Dawson Rd running diagonally from the top-left to the bottom-right. Wilcox Rd runs diagonally from the bottom-left to the top-right, intersecting Dawson Rd. Colquhoun Park is located to the right of Wilcox Rd. Dawson St runs horizontally across the bottom of the map. A specific lot on Dawson Rd, just north of Wilcox Rd, is highlighted with a black square and a dot. A line connects this highlighted lot to a callout box labeled "SUBJECT PROPERTY".



0 5 10 20 30 meters

NOTES:

1. **THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.**
2. SUBJECT LANDS ARE ZONED INDUSTRIAL (B.4).
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF INDUSTRIAL.
4. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
5. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.



- ① AREA = 231m<sup>2</sup> LANDS TO BE SEVERED & MERGED WITH ⑤ (#314)  
 ② AREA = 74m<sup>2</sup> LANDS TO BE SEVERED & MERGED WITH ④ (#310) AND  
 EASEMENT TO BE RETAINED FOR ④ (#314)  
 ③ AREA = 30m<sup>2</sup> EASEMENT IN FAVOUR OF ⑤ (#314)  
 ④ AREA = 1018m<sup>2</sup> LANDS TO BE ADDED TO AND RETAINED (#310)  
 ⑤ AREA = 5250m<sup>2</sup> LANDS TO BE ADDED TO AND RETAINED (#314)

SURVEYORS CERTIFICATE:

THIS SKETCH WAS PREPARED  
ON THE 13th DAY OF NOVEMBER 2018.

  
JEFFREY E. BUISMAN  
ONTARIO LAND SURVEYOR



Elmira Ph: 519-669-5070	Guelph Ph: 519-821-2763	Orangeville Ph: 519-940-4110
www.vanharten.com		info@vanharten.com
DRAWN BY: ARN	CHECKED BY: JEB	PROJECT No. 23268-15
Nov 07, 2018 - 8: 58am C:\GUELPH\DivA\Edinburgh 310-314\acad\SEV PTLOT10 (GREENCOR) UTM.dwg		

# COMMITTEE OF ADJUSTMENT APPLICATION FOR MINOR VARIANCE



Consultation with City staff is encouraged prior to submission of this application.	OFFICE USE ONLY	
	Date Received: Nov 13 / 2018	Folder #: 18
	Application deemed complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A-90/88(MS)

## 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: 412 Laird Road

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

PT LOT 10, PLAN 687, PART 1 61R3679

### OWNER(S) INFORMATION:

Name:	2244919 Ontario Ltd. (c/o Jamie Russell and Mark Roberts)		
Mailing Address:	920 Edinburgh Road South		
City:	Guelph	Postal Code:	N1G 4Y3
Home Phone:		Work Phone:	59-515-0411
Fax:		Email:	jamie@hydrastone.com/mark.r@propertylinkms.com

### AGENT INFORMATION (If Any)

Company:	GSP Group Inc.		
Name:	Sarah Code/Hugh Handy		
Mailing Address:	72 Victoria Street South Suite 201		
City:	Kitchener	Postal Code:	N2G 4Y9
Work Phone:	519-569-8883	Mobile Phone:	
Fax:		Email:	scode@gspgroup.ca



Official Plan Designation: Industrial	Current Zoning Designation: B.2
---------------------------------------	---------------------------------

<b>NATURE AND EXTENT OF RELIEF APPLIED FOR</b> (variances required): To permit office as a standalone use whereas Section 7.1.1.1 permits office as an accessory use, provided that it is subordinate, incidental and exclusively devoted to a permitted use.

<b>Why is it not possible to comply with the provision of the by-law? (your explanation)</b> Office is not a standalone permitted use in the B.2 Zone. Please see attached cover letter for justification.

<b>PROPERTY INFORMATION</b>			
Date property was purchased:	2018	Date property was first built on:	Unknown
Date of proposed construction on property:	Spring 2019	Length of time the existing uses of the subject property have continued:	Unknown
<b>EXISTING USE OF THE SUBJECT PROPERTY</b> (Residential/Commercial/Industrial etc.): Industrial building which is vacant.			
<b>PROPOSED USE OF LAND</b> (Residential/Commercial/Industrial etc.): Two storey office building			

<b>DIMENSIONS OF PROPERTY:</b> (please refer to your survey plan or site plan)		
Frontage: 48.76m	Depth: 91.5 m	Area: 4,458.74 m <sup>2</sup>

PARTICULARS OF ALL BUILDINGS AND STRUCTURES ON THE PROPERTY (in metric)					
EXISTING (DWELLINGS & BUILDINGS)			PROPOSED		
<b>Main Building</b>			<b>Main Building</b>		
Gross Floor Area:	616.5 m <sup>2</sup>		Gross Floor Area:	2,120 m <sup>2</sup>	
Height of building:	1 storey		Height of building:	2 storeys (10 m)	
<b>Garage/Carport (if applicable)</b>			<b>Garage/Carport (if applicable)</b>		
Attached <input type="checkbox"/> Detached <input type="checkbox"/>			Attached <input type="checkbox"/> Detached <input type="checkbox"/>		
Width:			Width:		
Length:			Length:		
Driveway Width:			Driveway Width:		
<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>			<b>Accessory Structures (Shed, Gazebo, Pool, Deck)</b>		
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:	18.2 M		Front Yard Setback:	6.0 M	
Exterior Side Yard (corner lots only)	M		Exterior Side Yard (corner lots only)	M	
Side Yard Setback:	Left: 9.13 M	Right: M	Side Yard Setback:	Left: (west) 6.0 M	Right: (east) 16.75 M
Rear Yard Setback	47.9 M		Rear Yard Setback	43.46 M	

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

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

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

	No	Yes	File Number and File Status
Official Plan Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Plan of Subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SP18-028
Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	18 004446 DP
Consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Previous Minor Variance Application	<input type="checkbox"/>	<input type="checkbox"/>	Unknown

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

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

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

Declared before me at the

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

Waterloo this 14<sup>th</sup> day of November, 2018.

\_\_\_\_\_  
Commissioner of Oaths

Kristen Alexia Barisdale, a Commissioner, etc.,  
Regional Municipality of Waterloo, for GSP Group Inc.  
Expires February 22, 2019.

(official stamp of Commissioner of Oaths)

**APPOINTMENT AND AUTHORIZATION**

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

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

of 412 Laird Road  
(Legal description and/or municipal address)

hereby authorize GSP Group Inc.  
(Authorized agent's name)

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

Dated this 8 day of November 2018.

[Signature]  
(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.







SHAPING GREAT COMMUNITIES

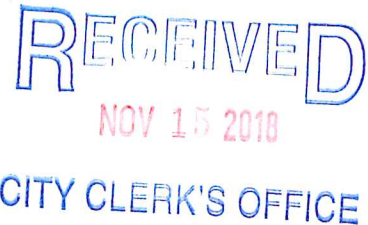
November 13, 2018

File No: 17366

City of Guelph  
City Clerk's Department, Corporate Services  
1 Carden Street  
Guelph, ON N1H 3A1

Attention: Ms. Trista Di Lullo, ACST(A), BA (Hons.)  
Secretary-Treasurer, Committee of Adjustment

Re: **Application for Minor Variance**  
**412 Laird Road, Guelph**  
**2244919 Ontario Ltd.**



Dear Ms. Di Lullo:

On behalf of our client, 2244919 Ontario Ltd., GSP Group is pleased to submit a Minor Variance Application for the property municipally known as 412 Laird Road in the City of Guelph (the "Site"). The Site is located in the south end of the City of Guelph, east of Highway 6 and Southgate Drive.

The Site is designated Industrial in the City of Guelph Official Plan and is zoned Industrial (B.2) Zone in the City of Guelph Zoning By-law.

The Site is 0.45 hectares and has 48.8 metres of frontage along Laird Road. There is one existing building on the Site which is rectangular in shape and is proposed to be demolished. A site plan application has been submitted (File No. SP18-028) which contemplates a two storey office building, 2,114 m<sup>2</sup> in size with 70 parking spaces (the "Proposed Development"). We are working to address some minor outstanding Staff comments with respect to the Site Plan.

There is the need for a Minor Variance Application to permit the proposed use, being a standalone office building. The variance is as follows:

1. To permit office as a stand alone use whereas Section 7.1.1.1 of the Zoning By-law permits office as an accessory use, provided that it is subordinate, incidental and exclusively devoted to a permitted use.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883  
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477  
gspgroup.ca

## Tests of Minor Variance

Under Section 45 (1) of the Planning Act, there are four tests that a Minor Variance must meet. A review of the four tests is provided below with respect to office being a standalone use on the Site and any impacts of the permitted increase in office use:

*1. Does the Minor Variance maintain the general intent of the Official Plan?*

General intensification policies are contained in Section 3.7 of the Official Plan. The following are applicable to the minor variance application:

*3. Within the built-up area the following general intensification policies shall apply:*

*iii) vacant or underutilized lots, greyfield and brownfield sites will be revitalized through the promotion of infill development, redevelopment and expansions or conversion of existing buildings;*

*iv) the City will plan and provide for a diverse and compatible mix of land uses, including residential and employment uses to support vibrant communities.*

It is our opinion that the Proposed Application will facilitate development of an underutilized lot as the existing building is currently vacant. The Proposed Development represents appropriate redevelopment.

The proposed standalone office use will provide additional employment opportunities and modern office space within the Hanlon Business Park.

The Proposed Development will provide for a higher level of urban design and contribution to the public realm than currently exists on the Site today. Please refer to the enclosed proposed Building Elevations.

The Site is designated Industrial in the Official Plan. General objectives for lands designated Industrial that apply to the proposed Minor Variance Application are as follows:

- b) To ensure the efficient use of existing industrial land and promote redevelopment of under-used or brownfield site;*
- c) To promote and provide for the needs of, and facilitate the establishment of small-scale industries, incubator-type establishments and the expansion of existing industries.*
- d) To promote and implement high urban design standards and landscaping to ensure attractive industrial developments.*

- e) *To prevent the establishment of offensive trades and nuisances that will hinder the orderly development of the community and be detrimental to the environment.*

Permitted uses in the Industrial designation include but are not limited to: computer and data processing, research and development facilities, printing, publishing and broadcasting facilities, and complementary uses such as offices, restaurants, financial institutions which are compatible with the development and operation of industrial uses.

The Proposed Development will realize the efficient use of land and the redevelopment of an existing parcel that is currently underutilized. The Proposed Development contemplates a well-designed office building with landscaping that will contribute to the streetscape along Laird Road. Elevations of the proposed building are included with this application. The proposed office use will be compatible with the surrounding uses and will not create any negative impacts. The Proposed Development could accommodate incubator-type establishments among many other industrial related office uses.

It is our opinion that the proposed office use meets the intent of the Official Plan as a number of the permitted uses could be accommodated in the proposed office building.

2. *Does the Minor Variance maintain the general intent of the Zoning By-law?*

The proposed variance maintains the general intent of the Zoning By-law as office is a permitted use if it is accessory to the uses permitted in Section 7.1.1. The permitted uses in the B.2 Zone include: catering service, cleaning establishment, commercial school, computer establishment, manufacturing, print shop, repair service, research establishment, towing establishment, tradesperson's shop, trucking shop, trucking operation, warehouse.

There is the possibility that the proposed office building could accommodate a commercial school, computer establishment, research establishment which are permitted uses in the B.2 Zone, however, the tenants have not been confirmed at this time.

It is our opinion that the proposed office use will allow for the Site to be redeveloped and that this use meets the intent of the Zoning By-law which permits office as a subordinate use. All other zoning regulations can be met including setbacks, height, landscaped area and parking requirements.

3. *Is the Minor Variance desirable for the lands?*

In our opinion, the proposed variance is desirable for the lands. The variance will permit a high quality, office development in a desirable location. The variance to permit a

standalone office will not have any negative impacts on the adjacent properties and will improve the streetscape of Laird Road. The existing building on the Site is vacant which is not a desirable use of serviced land within the built-up area. In our opinion the requested variance is desirable as it provides for greater flexibility for the use of a Site that is currently vacant.

*4. Is the application minor?*

In our opinion the variance to permit a standalone office on the Site is minor. From a land use planning perspective office uses are anticipated within this zone and will not have an impact on the surrounding neighbourhood. Sufficient parking can be accommodated as per the Zoning By-law (64 spaces required, 68 spaces provided). Garbage is proposed within the building and loading is screened from the street.

**Conclusion**

It is our opinion that the Minor Variance Application represents good planning and maintains the intent of the Official Plan and the Zoning By-law, is desirable for the Site and is minor in nature.

In support of the application, we hereby enclose:

- One (1) copy of the completed application form with authorization from the Owner;
- A cheque in the amount of \$951.00 payable to the City of Guelph for the required Application Fee;
- Two (2) copies of the proposed Site Plan, (1 at 24x36 and 1 at 8.5x11);
- One (1) copy of the proposed Building Elevations.

Should you have any questions or require any additional information, please do not hesitate myself or Sarah Code.

Yours truly,

**GSP Group Inc.**

A handwritten signature in black ink, appearing to read "Hugh Handy". The signature is fluid and cursive, with the first name "Hugh" and last name "Handy" clearly distinguishable.

Hugh Handy, MCIP, RPP  
Senior Associate



Trista Di Lullo:

October 18, 2018

Secretary-Treasurer Committee of Adjustment

Re: A-41/18-728 Eramosa Road

RECEIVED  
OCT 23 2018  
CITY CLERK'S OFFICE

Trista, I understand from James Fryett that we are required to write a letter to request the refund of the deferral fee which we paid for this application to be heard at a later date than the original June 14<sup>th</sup> meeting. This application was complete and in our opinion warranted at the time but it was the City staff who was recommending deferral as we were still in the Site Plan Approval process. We agreed to the deferral for the simple reason that it would not be supported had we continued with the scheduled meeting. We felt that having the variance approved prior to completing our Site Plan review with staff would assist us as should the variance have not been granted it would have impacted the building massing and form. We would like to formally request the deferral fee of \$248.00 be returned to us as we feel the deferral recommendation was not warranted.

Thanks for your consideration

David Brix



President-Terra View Custom Homes LTD.



45 Speedvale Ave East, Unit #5, Guelph, Ontario N1H 1J2 Tel (519)763-8580 Fax (519)763-7296

Website: [www.terra-view.com](http://www.terra-view.com)

# COMMITTEE OF ADJUSTMENT REQUEST FOR REFUND



It is the policy of the Guelph Committee of Adjustment that any request for refund of application fees be submitted to the Secretary-Treasurer in writing, for forwarding to the Committee of Adjustment for decision.

Please complete the following form outlining the details of your request. Please note that any refund will be issued to the original payee only.

1. Application number: A-59-18 A-75/18
2. Date of hearing: Oct 11/18
3. Name of owner: Michael E. Hall
4. Name of agent (if applicable): \_\_\_\_\_
5. Refund requested by: ☒ Owner ☐ Agent
6. Original payment type: ☐ Cash ☐ Cheque ☒ Credit ☐ Debit
7. Refund amount that is being requested: \$951.00
8. Refund to be: ☒ Mailed ☐ Picked up at City Hall
9. Mailing address:

181 King St.  
Guelph, Ont.  
N1E 4R3

10. Reasons for request (please provide as much detail as possible. Any supporting documentation can be attached to this form):

see attached -

## Staff Use Only

Committee decision (circle one):

Approve / Refuse

Date of decision:

Refund amount:

Date cheque requisition sent:

Request  
received  
Oct 23/18

The owner, Mr. Hall, applied to the Committee of Adjustment for permission to add a small addition to the rear of an existing property at 181 King Street, Guelph. Prior to the hearing on July 12, 2018, Mr. Hall and his architect met with City staff in the Engineering and Planning departments to receive their comments and to settle any outstanding issues. The Engineering Department requested a topographical survey and Mr. Hall complied with that request.

Permission was granted for such addition and the Decision was issued on July 12, 2018. A copy of the Decision was received by Mr. Hall on July 17, 2018. The Decision contained a condition that required Mr. Hall to apply for an Encroachment Agreement regarding concrete stairs and a retaining wall built by the City at the front of the subject property. This condition was never mentioned to Mr. Hall prior to the hearing and was not a matter of concern with the Engineering department when their preliminary meetings took place.

Mr. Hall attempted to deal with the City when he received a written copy of the Decision by phoning a number of times up to August 1, 2018 when the appeal period for the Decision ended. He was unsuccessful in speaking to anyone who had knowledge of the matter because of holidays and paternity leave issues with City staff.

Mr. Hall, in the meantime, spoke to a number of other residents of King Street, all of whom have similar stairs and retaining walls at their property. He researched the work done after Hurricane Hazel in the 1950's when there was subsidence in the area of King Street, probably resulting in the City decision to reinforce the earth around the homes on King Street. Mr. Hall had a further survey completed to clarify and confirm that neither the stairs nor the retaining wall was on his property.

The second Committee of Adjustment application (October 11, 2018) was the result of the City failing to inform Mr. Hall of its concerns in a timely fashion and failing to conduct its own investigation into the history of the stairs and the retaining wall.

This matter was settled with the City by the complete removal of that condition (#2) of the July 12, 2018 order. Had that condition not been included in the July 12<sup>th</sup> Decision, Mr. Hall would not have had to bring the second application to the Committee of Adjustment and would have started construction in August 2018, such construction still not having started because of the delay.

Hence, money expended on the second application should be returned to Mr. Hall and borne by the City.

# COMMITTEE OF ADJUSTMENT REQUEST FOR REFUND



**It is the policy of the Guelph Committee of Adjustment that any request for refund of application fees be submitted to the Secretary-Treasurer in writing, for forwarding to the Committee of Adjustment for decision.**

**Please complete the following form outlining the details of your request. Please note that any refund will be issued to the original payee only.**

1. Application number: \_\_\_\_\_

2. Date of hearing: \_\_\_\_\_

3. Name of owner: Maurcen Blackwood + Cheryl Cadogan

4. Name of agent (if applicable): \_\_\_\_\_

5. Refund requested by: ☒ Owner ☐ Agent

6. Original payment type: ☐ Cash ☐ Cheque ☐ Credit ☐ Debit W/A.

7. Refund amount that is being requested: Waive fees related to minor variance application fee  
Full cost of embroiling

8. Refund to be: ☐ Mailed ☐ Picked up at City Hall

9. Mailing address:

110 Ontario St  
Guelph, ON  
N1E 3B2

10. Reasons for request (please provide as much detail as possible. Any supporting documentation can be attached to this form):

See attached letter

## Staff Use Only

Committee decision (circle one): ☐ Approve ☐ Refuse

Date of decision:

Refund amount:

Date cheque requisition sent:



October 25, 2018

Committee of Adjustment  
City Hall, 1 Carden Street  
Guelph, Ontario N1H 3A1  
T 519-822-1260 ext. 2524  
F 519-763-1269  
E [cofa@guelph.ca](mailto:cofa@guelph.ca)

RECEIVED  
OCT 30 2018  
CITY CLERK'S OFFICE

RE: 110 Ontario St. Guelph, ON N1E 3B2

To Whom It May Concern:

We are sending this letter to request the city to waive the fees in anticipation of submission of an application for minor variance. We have resided at 110 Ontario St for 15 years. Unfortunately in that time we have both experienced significant health issues that have resulted in both of us being unable to work. Maureen has Multiple Sclerosis along with multiple concussions. She spends most of her day in bed with the curtains drawn but we are hopeful that she will improve and be able to get out occasionally. Currently she is residing at Riverside Glen while the house next door to our home is being demolished and re-constructed. She has only been able to stay there with the financial assistance of family and friends. The noise and jarring involved in our neighbour's rebuilding process has compromised her multiple concussions. Cheryl has also experienced significant disability related to a car accident resulting in an Acquired Brain Injury.

Currently we have a driveway that unfortunately is not functional for Maureen to get in and out of the vehicle; she uses a wheelchair for mobility. There is another area on the other side of our home that has adequate room for her to gain access to our vehicle however we will require the curb to be cut away. It is not safe for her to attempt to get in and out of the vehicle on the road. We are both receiving a disability pension from CPP and as a result this would cause undue financial hardship, so we would appreciate accommodation on the cut-out and fill-in (if necessary).

Please consider our request to have the fees associated with this application waived.

Thank you,

Maureen Blackwood

  
Cheryl Cadogan





Environment and Land Tribunals Ontario  
**Local Planning Appeal Tribunal**  
 655 Bay Street, Suite 1500  
 Toronto ON M5G 1E5  
 Telephone: 416-212-6349  
 Toll Free: 1-866-448-2248  
 Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca)

# Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

LPAT Case Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

**RECEIVED**

**NOV 14 2018**

**IDES**

To file an appeal, select one or more below \*

- ☒ Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- ☐ Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act*, 2017, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- ☐ Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

## 1 A. Appeal Type (Please check all applicable boxes) \*

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
<b>Official Plan or Official Plan Amendment</b>	<input type="checkbox"/> Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	<input type="checkbox"/> Approval Authority failed to make a decision on the plan within 210 days, or within 300 days if Approval Authority extended the appeal up to 90 days	17(40)
	<input type="checkbox"/> Council failed to adopt the requested amendment within 210 days	22(7)
	<input type="checkbox"/> Council refuses to adopt the requested amendment	
<b>Zoning By-law or Zoning By-law Amendment</b>	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 150 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision within 210 days where the application is associated with an Official Plan Amendment	
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
<b>Interim Control Zoning By-law</b>	<input type="checkbox"/> Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	<input type="checkbox"/> Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)

Subject of Appeal	Type of Appeal	Reference (Section)
Site Plan	<input type="checkbox"/> Application for a site plan – council failed to make a decision within 30 days	41(12)
	<input type="checkbox"/> Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
Minor Variance	<input checked="" type="checkbox"/> Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision that approved or refused the application	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
Plan of Subdivision	<input type="checkbox"/> Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 180 days	51(34)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved a plan of subdivision	
	<input type="checkbox"/> Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	<input type="checkbox"/> Appeal a lapsing provision imposed by an Approval Authority	51(39)
	<input type="checkbox"/> Appeal conditions imposed by an Approval Authority	
	<input type="checkbox"/> Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	<input type="checkbox"/> Appeal changed conditions	51(48)

**1 B. Appeal Type (Please check all applicable boxes) \* Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal). \***

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal of a <b>decision</b> by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> by Council or Approval Authority on an OP or OPA following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>decision</b> within 210 days by Council following a LPAT decision	22(7) and 22(11.0.12)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> within 210 days by Council following a LPAT decision	
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal of a <b>refusal</b> within 150 days by Council following a LPAT decision	34(11) and 34(26.5)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> within 150 days by Council following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council following a LPAT decision	34(19) and 34(26.5)

**1 C. Other Appeal Types (Please check all applicable boxes) \***

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Development Charges Act Matters</b>		
<b>Development Charge By-law</b>	<input type="checkbox"/> Appeal a Development Charge By-law	14
	<input type="checkbox"/> Appeal an amendment to a Development Charge By-law	19(1)
<b>Development Charge Complaint</b>	<input type="checkbox"/> Appeal municipality's decision regarding a complaint	22(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	22(2)
<b>Front-ending Agreement</b>	<input type="checkbox"/> Objection to a front-ending agreement	47
	<input type="checkbox"/> Objection to an amendment to a front-ending agreement	50
<b>Education Act Matters</b>		
<b>Education Development Charge By-law</b>	<input type="checkbox"/> Appeal an Education Development Charge By-law	257.65
	<input type="checkbox"/> Appeal an amendment to an Education Development Charge By-law	257.74(1)
<b>Education Development Charge Complaint</b>	<input type="checkbox"/> Appeal approval authority's decision regarding a complaint	257.87(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	257.87(2)
<b>Aggregate Resources Act Matters</b>		
<b>Aggregate Removal Licence</b>	<input type="checkbox"/> One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	<input type="checkbox"/> One or more objections against an application for a 'Class B' aggregate removal licence	
	<input type="checkbox"/> Application for a 'Class A' licence – refused by Minister	11(11)
	<input type="checkbox"/> Application for a 'Class B' licence – refused by Minister	
	<input type="checkbox"/> Changes to conditions to a licence	13(6)
	<input type="checkbox"/> Amendment of site plans	16(8)
	<input type="checkbox"/> Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
	<input type="checkbox"/> Revocation of licence	20(4)
<b>Municipal Act Matters</b>		
<b>Ward Boundary By-law</b>	<input type="checkbox"/> Appeal the passing of a by-law to divide the municipality into wards	222(4)
	<input type="checkbox"/> Appeal the passing of a by-law to redivide the municipality into wards	

Subject of Appeal	Type of Appeal	Reference (Section)
	<input type="checkbox"/> Appeal the passing of a by-law to dissolve the existing wards	
<b>Ontario Heritage Act Matters</b>		
<b>Heritage Conservation District</b>	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation district	41(4)
<b>Other Act Matters</b>		
Subject of Appeal	Act/Legislation Name	Section Number
Subject of Appeal	Act/Legislation Name	Section Number
Subject of Appeal	Act/Legislation Name	Section Number

## 2. Location Information

Address and/or Legal Description of property subject to the appeal \*

12 Knevitt Place  
Municipality \*  
Guelph, ON  
Upper Tier (Example: county, district, region)  
Wellington County

## 3. Appellant/Objector Information

**Note:** You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.

Last Name \*  
Krikorian  
First Name \*  
John  
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Email Address  
johnkrikorian@outlook.com  
Daytime Telephone Number \*  
519 803 2933 ext.  
Alternate Telephone

**Mailing Address**

Unit Number	Street Number *	Street Name *	PO Box
	8	Knevitt Place	
City/Town *	Province *	Country *	Postal Code *
Guelph	ON	Canada	N1G 2S7

## 4. Representative Information

☐ I hereby authorize the named company and/or individual(s) to represent me

Last  
First Name

Company Name

Professional Title

Email Address

**Mailing Address**

Unit Number	Street Number	Street Name	PO Box
City/Town	Province	Country	Postal Code

**Note:** If you are representing the appellant and are not licensed under the *Law Society Act*, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

- ☐ I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

**5. Appeal reasons/explanation (MANDATORY)**

Municipal Reference Number(s) \*

A-80/18, A-81/18, A-82/18

For appeals of Official Plans, Official Plan Amendments, Zoning Bylaws and Zoning By-law Amendments, please see information on the LPAT website [<http://elto.gov.on.ca/tribunals/lpat/lpat-process/>] detailing the requirement to set out the nature of your appeal and the reasons for your appeal based on requirement A or B, **or**, for some appeal types, both A and B:

A: If you are appealing a **decision** of a Council or Approval Authority, outline which part of the decision is:\*

- ☐ Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the *Planning Act*
- ☐ Fails to conform with or conflicts with a provincial plan
- ☐ Fails to conform with an applicable Official Plan

Please explain: \*



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B: If you are appealing a **non-decision or decision to refuse** of a Council or Approval Authority for **subsection 22(7) or 34(11)**, outline how your application brings the Official Plan, Official Plan Amendment or Zoning By-Law into conformity with: \*

- ☐ the provincial policy statement, issued under subsection 3(1) of the *Planning Act*
- ☐ a provincial plan
- ☐ the upper-tier municipality's Official Plan

Please explain: \*

---

**For all other appeal types**

Outline the nature of the appeal and the reasons for the appeal

Proposed minor variances do not satisfy  
all 4 criteria of the City of Guelph.  
Please see attached sheets.

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**Oral/written submissions to council**

If applicable, did you make your opinions regarding this matter known to council?

- ☐ Oral submissions at a public meeting of council  
☒ Written submissions to council

**Planning Act matters only**

**Applicable only to official plans/amendments, zoning by-laws/amendments and minor variances that came into effect/  
were passed on or after July 1, 2016. (Bill 73)**

Is the 2-year no application restriction under section 22(2.2) or 34(10.0.0.2) or 45(1.4) applicable?

- ☐ Yes ☐ No

**6. Related Matters**

Are there other appeals not yet filed with the Municipality?

- ☐ Yes ☒ No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

- ☒ Yes ☐ No ▼

if yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)

B-18/18 and B-19/18  
Request to Sever 2 new lots (and retain one  
for a total of 3)

## 7. Case Information

For *Planning Act* appeals selected in Section 1A for Subsections 17(24), 17(36), 17(40), 22(7), 34(11), 34(19), and 51(34):

Detail the nature and/or expertise of witnesses you will have available should the Tribunal Member require oral evidence at the proceeding. (For example: land use planner, architect, engineer, etc.)

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**For all other appeal types :**

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).

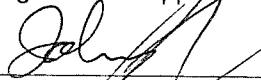
## 8. Required Fee

Total Fee Submitted \* \$ 300

Payment Method \* ☐ Certified cheque ☒ Money Order ☐ Lawyer's general or trust account cheque

## 9. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
John Krikorian		2018/11/14

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.

We do not feel a variance is appropriate in this situation for the purpose of allowing three undersized lots to be developed in this neighbourhood, and instead feel it much more appropriate to only allow the lot to be severed into two legal sized lots.

Minor variances are defined different for each municipality. For example Ottawa describes them as “often necessitated by circumstances peculiar to a property which prevent the owner from developing it in a way which conforms to a Zoning By-law.”, while Mississauga describes the Minor Variance process as “a method to seek relief through a Committee of Adjustment when hardship or circumstances do not allow you to meet the standards listed in the by-law,” while the city of Guelph also has 4 “tests” that must be considered and passed before a variance is approved.

However, the one constant of any description of a minor variance is that their purpose is to *alleviate a hardship, not as a loophole*.

According to the City of Guelph Official Plan (2018, pg 237), the 4 Considerations are

- i) That the requested variance is minor in nature;
  - ii) That the intent and purpose of the Zoning By-law is maintained;
  - iii) That the general intent and purpose of the Official Plan is maintained; and
  - iv) That the variance is desirable for the appropriate development and use of the land, building or structure.
- 
- i) Is the proposed Variance minor?

This is the whole question. If it were one lot, at 3.6 feet (1.1m), then we could agree it is a fairly minor variance. Planning services (in the COA Comments of the October 25<sup>th</sup> meeting) calls 1.1 meters “negligible”, but multiply that by three and we say it is not. Although it is certainly beneficial for those wishing to pass this severance to treat it as only one variance at 1.1m, that is not what it is. There are plenty of instances where individuals have had to change plans for far less than 3.6 feet, let alone 10.8 feet.

We are not talking about a shed that cannot be located a minimum of 0.6m away from a property line because a protected tree is in the way (indeed, that would be a hardship). But as previously mentioned a minor variance is supposed to alleviate a hardship, not to be used as a loophole solely for the purpose of gain to an individual.

We believe that these variances are both too large and too important to be considered minor. There will be immediate impact on neighbouring lots in terms of loss of sunlight and privacy which may result from the height of 3 new buildings. We are also concerned that the 3 dwellings will not have adequate parking space for their residents which will result in increased street parking. Most concerning to us is the significant alteration to the built form and character on Knevitt Place. We feel that our neighbourhood is deserving of the protection of its character and that the proposed developments, in particular the allowance of 3 lots in a current single property is out of scale and character, resulting in a visually inconsistent streetscape. According to GRCA mapping, the approximate frontages of the other properties on Knevitt Place are as follows:

- 4 Knevitt Place: ~38.1m
- 8 Knevitt Place: ~38.1m



- 14 Knevitt Place: ~45.8m
- 7 Kneviit Place: ~30.5m
- 11 Knevitt Place: even with the recently approved severance of this lot, the frontages of the 2 new lots at this property will still be 23.1 and 23.3 m
- 17 Kneviit Place: ~27.5m

In addition, while the proposed lots would meet the zoning by-law minimum required lot areas, we would like the Tribunal to consider the areas of those lots which directly abut 12 Knevitt Place when considering the consistency of the aesthetics. According to GRCA mapping, the approximate lot areas of these properties are as follows:

- 8 Kneviit Place: ~1750m<sup>2</sup>
- 17 Kneviit Place: ~1700m<sup>2</sup>
- 659 Hanlon Rd: ~2200m<sup>2</sup>
- 673 Hanlon Rd: ~1800m<sup>2</sup>
- 679 Hanlon Rd: ~1500m<sup>2</sup>
- 5 Crane Ave: ~1400m<sup>2</sup>

- ii) Is the proposed variance desirable for the appropriate development of the lands in question?

We are concerned that by granting this application, it is not desirable as it sets a precedent within the area that the by-laws are malleable to suit the desires of developers. We believe this could gradually allow for the continued destruction of the built form of the neighbourhood.

- iii) Does the proposed variance maintain the general intent and purpose of the Zoning By-law?

We believe that by allowing 3 new undersized dwellings on lots which are incongruent with the rest of the street will not only disrupt the aesthetics, as previously stated, but it will also pose potential issues on our small street which is not equipped with the space to handle the extra street parking and traffic and that the walkability of the street will suffer due to a mixture of sidewalks and no sidewalks.

It is our view that if 3 Minor Variances are required to fit these 3 new lots (where there was only one previously) then no, it does not maintain the general intent and purpose of the zoning By-law, which requires a minimum of 15 meter frontage per lot.

We feel that fitting two legal sized lots would be far more appropriate, and cause fewer, if any, objections from other residents.

- iv) Does the proposed variance maintain the general intent and purpose of the Official Plan

While we can appreciate that this application supports Guelph's desire for intensification, we also feel that it contradicts other parts of the plan, which consider green spaces (which will be lost) and pedestrian-bicycle friendly neighbourhoods (concerns which were mentioned in the

COA meetings). I suppose it depends on what is more important: A target population number set by the previous provincial government, or other more local aspects of the city's Official Plan.

Thank you for your time and consideration

A handwritten signature in black ink, appearing to read 'John Krikorian', with a long, sweeping horizontal stroke extending to the right.

John Krikorian