

# Committee of Adjustment Application for Minor Variance

## Introduction – Minor Variance

An asterisk (\*) indicates a response is required

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## Pre-consultation with Zoning and Planning Services staff

**Was a Preliminary Zoning Review submitted for this proposal? (Residential properties only) \***

☒ Yes

☐ No

**Was Planning Services staff consulted? \***

☒ Yes

☐ No

## Committee of Adjustment fee(s)

Following the submission of this online form, Committee of Adjustment staff will contact you to complete the required fee payment and that until such time that the fee is received, the application will not be complete and will not be processed. For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

**I understand that following the submission of this online form, Committee of Adjustment staff will contact me to complete the required fee payment \***

☒ I agree

# Municipal Freedom of Information

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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 their 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 the owner/authorized agent, consultants and solicitors, will be part of the public record and will also be available to the general public. Therefore, information on this application and any supporting documentation provided by the owner/authorized agent, consultants and solicitors, will be **posted online** and available to the general public.

Questions regarding the collection, use, and disclosure of this information may be directed to the Information and Access Coordinator at [privacy@guelph.ca](mailto:privacy@guelph.ca) or 519-822-1260 extension 2349.

**I understand and provide my consent, that personal information, as defined by Section 2 of the MFIPPA is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. \***

☒ I agree

## Permission to enter the site

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**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. \***

☒ I agree

## Posting of Advisory Sign

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**I understand that each sign must be posted at least ten (10) days before the scheduled hearing of this application and be replaced, if necessary, until the day following the hearing. \***

☒ I agree



# Committee of Adjustment Application for Minor Variance

## Contact information

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## Registered owner

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If there is more than one owner, please include all registered owner(s) as listed on Transfer/Deed of Land.

**Name \***

Brent Butler

**Phone \***

(519) 831-6193

**Extension**

**Email \***

brent\_butler@hotmail.com

Mailing address

**Unit**

**Street address \***

14 O'Connor Lane

**City \***

Guelph

**Postal code \***

N1E 7G5

**Name \***

Courtney Butler

**Phone \***

(519) 993-6000

**Extension**

**Email \***

courtney.e.butler@gmail.com

Mailing address

**Unit**

**Street address \***

14 O'Connor Lane

**City \***

Guelph

**Postal code \***

N1E 7G5

**Is there an authorized agent? \***

☐ Yes

☒ No



# Committee of Adjustment Application for Minor Variance

## Property information

An asterisk (\*) indicates a response is required

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### Property address

**Street number \***

14

**Street \***

O'Connor Lane

**City \* ?**

Guelph

**Province \***

Ontario

**Postal code**

N1E 7G5

### Legal Description of the property

The legal description is the registered plan and lot number(s)

**Legal description of the property \***

Legal description of 14 O'Connor Lane: LOT 42, PLAN 61M18

Lot depth = approx. 35.5m

Lot frontage – approx. 14 m

Lot area approx. 478 sq.m

[Official Plan Designation – Schedule: Land Use \(PDF\)](#)

**Official Plan Designation – Land Use \***

Low Density Residential

**Current zoning designation \***

R.2-6

**Date property was purchased \***

9/22/2016



**Is a building or structure proposed? \***

☒ Yes

☐ No

**Date of proposed construction \***

8/3/2020



**Is this a vacant lot? \***

☐ Yes

☒ No

**Is this a corner lot? \***

☒ Yes

☐ No

**Length of time existing uses have continued \***

1 year

**Existing use of the subject property \***

Residential

**Dimensions of the property**

Please refer to survey plan or site plan

Frontage (metres) \*

14

Area (metres squared) \*

478

Depth (metres) \*

35.5



# Committee of Adjustment Application for Minor Variance

## Application details

An asterisk (\*) indicates a response is required

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## Purpose of the application

**Is the purpose of the application enlargement/extension of legal non-conforming use? \***

☐ Yes

☒ No

**Purpose of the application \* ?**

☐ new building

☐ building addition

☒ accessory structure

☐ accessory apartment

☐ fence height

☐ additional use

☐ variance(s) related to a consent application

☐ other

**Type of proposal (select all that apply) \***

☒ Existing

☐ Proposed

## Variance(s) required

[View the Zoning Bylaw](#)



**Section or table of Zoning Bylaw \***

4.5.1, 4.5.1.2,

**Proposed \***

0.55m

**Required \***

Setback of 4.5m

**Section or table of Zoning Bylaw \***

Table 4.7, Row 1

**Proposed \***

0.55m

**Required \***

Setback of 0.8m

## Why is it not possible to comply with the Zoning Bylaw?

**Please describe the reasons why the variance(s) are needed \* ?**

Minor variances are required because deck does not meet setbacks (within inches) and the gazebo is not permitted in the exterior side yard as per Guelph Bylaw.

As our home is on a corner lot with a larger side yard than backyard, we hired a contractor to help us maximize our outdoor living space to use it to its full potential, taking into account the safety/ best interest of our family, young child and dog. We were unaware of the zoning bylaw not permitting structures in the exterior side yard.

**Other development applications that relate to this minor variance. Has the subject land ever been the subject of:**

☐ Official Plan Amendment

☐ Zoning Bylaw Amendment

☐ Plan of Subdivision

☐ Site Plan

☒ Building Permit

☐ Consent

☐ Previous Minor Variance Application

**Building Permit application number \* ?**

21 002986 000 00

**Has the property been subject of a site-specific by-law amendment (rezoning) within the last two years? \***

☐ Yes

☒ No



# Committee of Adjustment Application for Minor Variance

## Building information

An asterisk (\*) indicates a response is required

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### Existing buildings and structures

#### Main building (dwelling and building)

**Gross floor area of main building (square metres) \***

101.8

**Number of stories of main building \***

1

**Height of the main building (metres) \***

6.1

**Width of the main building (metres) \***

6.76

**Length of the main building (metres) \***

17.93

### Additional existing buildings

**Are there any additional buildings or structures on the subject property? \***

☒ Yes

☐ No

Select the buildings or structures that are on the subject property?  
(check all that apply) \*

- ☒ Accessory structure
- ☒ Deck
- ☐ Porch
- ☐ Other

Accessory structure

Gross floor area of accessory structure  
(square metres) \*

15.95

Number of stories of accessory structure \*

1

Height of accessory  
structure (metres) \*

3.5

Width of accessory  
structure (metres) \*

4.02

Length of accessory  
structure (metres) \*

4.11

Deck

Gross floor area of deck (square metres) \*

52.41

Number of stories of deck \*

1

Height of deck  
(metres) \*

0.40

Width of deck  
(metres) \*

5.46

Length of deck  
(metres) \*

10.30



# Committee of Adjustment Application for Minor Variance

## Building information (continued)

An asterisk (\*) indicates a response is required

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## Proposed buildings and structures

Add a proposed building or structure (check all that apply) \*

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Accessory structure | <input type="checkbox"/> Building addition |
| <input checked="" type="checkbox"/> Deck                | <input type="checkbox"/> Porch             |
| <input type="checkbox"/> Other                          |  |

### Proposed accessory structure

Gross floor area of proposed accessory structure (square metres) \*

15.95

Number of stories of the proposed accessory structure \*

1

Height of proposed accessory structure (metres) \*

3.5

Width of proposed accessory structure (metres) \*

4.02

Length of proposed accessory structure (metres) \*

4.11

### Proposed deck

Gross floor area of proposed deck (square metres) \*

56.24

Height of deck (metres) \*

0.40

Width of deck (metres) \*

5.46

Length of deck (metres) \*

10.30



# Committee of Adjustment Application for Minor Variance

## Setbacks, access and services

An asterisk (\*) indicates a response is required

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### Setbacks for all Buildings and Structures

A setback is the distance from a property line to the nearest wall/structure/building.

#### Existing

**Front setback  
(metres) \***

18.60

**Rear setback  
(metres) \***

12.13

**Exterior setback  
(metres) \***

0.55

**Interior setback  
(metres) \***

8.96

#### Proposed

**Front setback  
(metres) \***

18.60

**Rear setback  
(metres) \***

12.13

**Exterior setback  
(metres) \***

0.55

**Interior setback  
(metres) \***

8.96

## Type of Access to the Subject Lands

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**Type of Access to the Subject Lands (check all that apply) \***

- |   |  |
|---|--|
| <input type="checkbox"/> Provincial highway | <input checked="" type="checkbox"/> Municipal road |
| <input type="checkbox"/> Private road       | <input type="checkbox"/> Water                     |
| <input type="checkbox"/> Other              |  |

## Types of Municipal Services

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**Types of Municipal Service (check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Water | <input checked="" type="checkbox"/> Sanitary<br>sewer | <input checked="" type="checkbox"/> Storm<br>sewer |
|---|---|--|





# Committee of Adjustment Application for Minor Variance

## Summary and review

An asterisk (\*) indicates a response is required

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## Sworn Declaration

I 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.

**Name \***

Brent Butler

**Date \***

11/8/2021



**Street address \***

14 O'Connor Lane

**City \***

Guelph

**Province \***

Ontario

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## Additional fees

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### Committee of Adjustment

For the application fee related to the Committee of Adjustment, please visit the [Committee of Adjustment fees](#) page.

### Conservation Authority - GRCA

Should the lands be within an area of interest to the [Grand River Conservation Authority](#) (GRCA), a further fee may be required for GRCA comments.

### Legal and Realty Services

Any municipal agreement required as a condition of minor variance approval will be subject to a fee of \$412.00 plus HST and applicable search and registration costs.

### Building Services

For fees related to permits issued by Building Services, please visit [Building Services fee webpage](#)

### Other Fees

For information on any other additional user fees, please visit the [2021 User Fee Guide](#)

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**I have read and understood the statements above the above. \***

☒ I agree

**What email address would you like us to contact you with? \***

brent\_butler@hotmail.com

# Office use only

File number

**A-55/21**

## Address

14 O'Connor Lane  
Guelph, Ontario  
N1E 7G5

Comments from staff

**Application received: November 9, 2021**