

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

It is **highly recommended** that a [Preliminary Zoning Review](#) and pre-consultation with Planning Services staff be completed prior to submitting your application to the Committee of Adjustment. Failure to do so may result in your application being deferred, refused or deemed incomplete.

[Preliminary Zoning Review form](#)

If you would like to schedule a pre-consultation with Planning staff, please email planning@guelph.ca before submitting this form.

I understand that a Preliminary Zoning Review and pre-consultation with Planning Services staff is highly recommended *

I agree

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 and the fee refund policy, 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

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 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

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

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



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Contact information

An asterisk (*) indicates a response is required

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Registered owner

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

Name *

Paisley + Whitelaw
Inc. c/o Joel
Pearce

Phone *

(519) 578-2734

Extension

Email *

joel@schembripm.
com

Mailing address

Unit

Street address *

401 Fountain
Street North

City *

Cambridge

Postal code *

N3H 1H7

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

MHBC Planning Ltd.

Name *

Trevor Hawkins

Phone *

(519) 573-3650

Email

thawkins@mhbcp
lan.com

Is the agent mailing address the same as the one for the registered owner? *

Yes

No

Agent mailing address

Street address *

540 Bingemans
Centre Drive, Suite
200

City *

Kitchener

Province *

Ontario

Postal code *

N2B 3X9



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Property information

An asterisk (*) indicates a response is required

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Property address

Street number *

201

Street *

Elmira Road South

City * ?

Guelph

Province *

Ontario

Postal code

N1K 1R2

Legal Description of the property

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

Legal description of the property *

PART OF LOTS 2 & 3, CONCESSION 2, DIVISION 'E', (GEOGRAPHIC TOWNSHIP OF GUELPH) CITY OF GUELPH

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

Official Plan Designation – Land Use *

Medium Density Residential and Significant Natural Areas & Natural Areas; Strategic Growth Area (OPA 80)

[Current Zoning Designation – Interactive Map](#)

Current zoning designation *

R.4A

Date property was purchased *

2/15/2017



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

9/1/2023



Is this a vacant lot? *

Yes

No

Is this a corner lot? *

Yes

No

Length of time existing uses have continued *

Residential development currently under construction. Three apartment buildings and one parking structure has received site plan approval. Building A under construction, foundation permit issued for Building B. Please see cover letter for more information

Proposed use of land *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

112

Area (metres squared) *

61937

Depth (metres) *

95



Committee of Adjustment Application for Minor Variance

Application details

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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 *

4.16.2 Angular Plane Applied to a Street

Proposed *

59 degrees

Required *

45 degrees

Section or table of Zoning Bylaw *

3.1 Interpretation definition of "Finished Grade"

Proposed *

"Finished Grade" means the finished grade at the front entrance to the building facing Whitelaw Road, as per submitted figure. (See cover letter for more information).

Required *

"Finished Grade" means the average elevation of the finished surface of the ground, excluding any artificial embankment, immediately adjoining the base of the exterior walls or supports of a Building or Structure

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

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

Please see attached Cover Letter and planning justification for more details.

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

Site Plan reference/application number * 

SP17A007 and SP-22-096



Committee of Adjustment Application for Minor Variance

Building information

An asterisk (*) indicates a response is required

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Existing buildings and structures

Additional existing buildings

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

Yes

No



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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) *

Accessory structure

Building addition

Deck

Porch

Other

Proposed other structure

Please specify

Type of proposed structure *

Residential apartment building. Please see attached cover letter for details and overall development of subject property

Gross floor area of proposed structure (square metres) *

19694

Number of stories of structure *

8

Height of structure (metres) *

26.565

Width of structure (metres) *

25

Length of structure (metres) *

106



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Setbacks, access and services

An asterisk (*) indicates a response is required

Setbacks for all Buildings and Structures

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

Proposed

Front setback (metres) *

Rear setback (metres) *

Exterior setback (metres) *

Interior setback (metres) *

Type of Access to the Subject Lands

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

Provincial highway

Municipal road

Private road

Water

Other

Types of Municipal Services

Types of Municipal Service (check all that apply)

Water

Sanitary
sewer

Storm
sewer

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Summary and review

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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 *

Trevor Hawkins

Date *

3/10/2023



Street address *

540 Binghamans
Centre Drive, Suite
200

City *

Kitchener

Province *

Ontario

Appointment and Authorization

I have been authorized by the registered property owner(s) as the agent for the purpose of submitting an application(s) to the Committee of Adjustment and I am acting on behalf of the owner(s) in relation to this application.

Name *

Trevor Hawkins

Date *

3/10/2023



Additional fees

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 \$428.00 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 [2023 User Fee Guide](#)

I have read and understood the statements above. *

I agree

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

thawkins@mhbcplan.com

Office use only

File number

A-19/23

Address

201 Elmira Road South
Guelph, Ontario
N1K 1R2

Comments from staff

Received: March 14, 2023