

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 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

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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 *

Malcolm Carter

Phone *

(519) 827-5390

Extension

Email *

malcolmcarter@g
mx.com

Mailing address

Unit

107

Street address *

McElderry Rd

City *

Guelph

Postal code *

N1G 4J7

Name *

Debbie Carter

Phone *

(519) 242-9413

Extension

Email *

mont.k-
w@sympatico.ca

Mailing address

Unit

107

Street address *

McElderry Rd

City *

Guelph

Postal code *

N1G 4J7

Name *

Colin Carter

Phone *

(519) 242-9452

Extension

Email *

colincartr@gmail.c
om

Mailing address

Unit

7939

Street address *

Mill Rd

City *

Guelph/Eramosa

Postal code *

N1H 6J1

Is there an authorized agent? *

☐ Yes

☒ No



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Property information

An asterisk (*) indicates a response is required

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Property address

Street number *

204

Street *

Alma Street North

City * ?

Guelph

Province *

Ontario

Postal code

N1H 5X5

Legal Description of the property

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

Legal description of the property *

lot 24 reg'd plan 538

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

Official Plan Designation – Land Use *

RL.1 low density residential

[Zoning Designation under Zoning By-law \(1995\)-14864 – Interactive Map](#)

Current zoning designation under Zoning By-law (1995)-14864, as amended *

R1.B low density residential

Zoning Designation under Zoning By-law (2023)-20790, as amended – Interactive Map

Current zoning designation under Zoning By-law (2023)-20790, as amended *

RL.1 low density residential

Date property was purchased *

12/1/2022



Is a building or structure proposed? *

☐ Yes

☒ No

Is this a vacant lot? *

☐ Yes

☒ No

Is this a corner lot? *

☐ Yes

☒ No

Length of time existing uses have continued *

unknown

Existing use of the subject property *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

18.82

Area (metres squared) *

581.16

Depth (metres) *

30.88



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 under Zoning By-law (1995)-14864, as amended

The City of Guelph recently approved a new Zoning By-law. This means that applicants will need to apply under both the current, and previous Zoning By-law while the transition occurs. Please ensure you are applying for variances under both Zoning By-law (1995)-14864, as amended and Zoning By-law (2023)-20790, as amended.

[View the Zoning Bylaw](#)

Are variance(s) from Zoning By-law (1995)-14864, as amended, required? *

☒ Yes

☐ No

Section or table of Zoning Bylaw (1995)-14864, as amended *

table 5.1.2 side yard setback

Proposed *

.54m

Required *

1.5m

Section or table of Zoning Bylaw (1995)-14864, as amended *

table 5.1.2 rear yard setback

Proposed *

3.96m

Required *

6.17m

Section or table of Zoning Bylaw (1995)-14864, as amended *

Section 4 - 4.15.1.7.4 height of accessory

Proposed *

5m

Required *

4.775m

Variance(s) required under Zoning By-law (2023)-20790, as amended

[View the Zoning Bylaw](#)

Are variance(s) from Zoning By-law (2023)-20790, as amended, required? *

☒ Yes

☐ No

Section or table of Zoning Bylaw (2023)-20790, as amended *

4.12.1D (vii) side yard setback

Proposed *

.54m

Required *

1.5m

Section or table of Zoning Bylaw (2023)-20790, as amended *

4.12.1D (vii) rear yard setback

Proposed *

3.96m

Required *

6.17m

Section or table of Zoning Bylaw (2023)-20790, as amended *

4.12.1D (iii) maximum height

Proposed *

5

Required *

4.775

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

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

Conversion of existing concrete block garage to ARDU. Existing structure cannot be moved and is ideally suited to conversion to ARDU as it provides optimal rear yard space amenity. Fire and sound concerns with neighbouring properties are minimized with the existing concrete structure. No windows or doors to face neighbours. As a note your discussion paper of 2020 for ARDU's recommended 0.6m setbacks

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 | |



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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) *

185.8

Number of stories of main building *

1

Height of the main building (metres) *

4.8

Width of the main building (metres) *

7.62

Length of the main building (metres) *

12.2

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

Other

Please specify

Type of structure *		Gross floor area of structure (square metres) *	
Garage		39.7	
Number of stories of structure *	Height of structure (metres) *	Width of structure (metres) *	Length of structure (metres) *
1	3.69	5.49	8.53



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Setbacks, access and services

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Existing

Front setback (metres) *

7.89

Rear setback (metres) *

15.3

Left setback (metres) *

1.8

Right setback (metres) *

1.8

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 |
|---|--|---|



Committee of Adjustment Application for Minor Variance

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 *

Malcolm Carter

Date *

5/17/2023



Street address *

107 McElderry Rd

City *

Guelph

Province *

Ontario

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? *

mont.k-w@sympatico.ca

Office use only

File number

A-34/23

Address

204 Alma Street North
Guelph, Ontario
N1H 5X5

Comments from staff

Received May 9, 2023