

# 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](mailto: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)

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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

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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

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 \***

Terra View Custom  
Homes Ltd.

**Phone \***

(519) 763-8580

**Extension**

**Email \***

andrew@terra-  
view.com

## Mailing address

**Unit**

**Street address \***

**City \***

**Postal code \***

45 Speedvale Ave.  
E

Guelph

N1H 1J2

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

☒ Yes

☐ No

## Agent information

**Organization/company name**

Fryett Turner  
Architects Inc.

**Name \***

Robert Turner

**Phone \***

(519) 846-2201

**Email**

robert@ftarchitects  
.ca

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

☐ Yes

☒ No

**Agent mailing address**

**Street address \***

115 Metcalfe St.

**City \***

Elora

**Province \***

Ontario

**Postal code \***

N0B 1S0

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# Committee of Adjustment Application for Minor Variance

## Property information

An asterisk (\*) indicates a response is required

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### Property address

**Street number \***

5

**Street \***

Eramosa Road

**City \* ?**

Guelph

**Province \***

Ontario

**Postal code**

N1H 1J2

### Legal Description of the property

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

**Legal description of the property \***

PLAN 61M242 BLK 23

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

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

Low Density Greenfield Residential

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

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

R.3B-21

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

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

RL.3-4

**Date property was purchased \***

3/1/2006



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



Yes



No

**Date of proposed construction \***

6/30/2024



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



Yes



No

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



Yes



No

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

Land is currently vacant

**Proposed use of land \***

Residential

# Dimensions of the property

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Please refer to survey plan or site plan

**Frontage (metres) \***

100

**Area (metres squared) \***

2930.82

**Depth (metres) \***

32





# 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 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 \*

4.13.2.1

### Proposed \*

Parking to be a minimum 0.567 m from front lot line (Average 2.36 m).  
Parking to be minimum 1.47 m from rear lot line (Average 2.979 m).

### Required \*

Parking to be minimum 3 m from any lot line.

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

Table 5.3.2. Row 13

### Proposed \*

34.4% of lot area to be landscape

### Required \*

35% of lot area to be landscape

# 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 \*

Table 5.2.2.(a)

Proposed \*

Parking to be a minimum 0.567 m from front lot line (Average 2.36 m).  
Parking to be minimum 1.47 m from rear lot line (Average 2.979 m).

Required \*

Parking to be minimum 3 m from any lot line.

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

Table 6.11, Item F

Proposed \*

34.4% of lot area to be landscape

Required \*

35% of lot area to be landscape

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

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

- Minor Variance 1.

Required parking and drive aisle fit almost entirely within of the required setback. However, the available land requires that small portions of the parking spaces encroach on the 3 m setback. This encroachment affects only 23% of the site boundary on the North side and 24 % of the lot frontage facing Shakespeare Drive.

- Minor Variance 2.

The addition of 1x Type A Accessible space and the required access aisle to the exterior parking area requires slightly more land than was allowed for the previous version of the site plan. The reduction is only 2% of the total landscaped area.

**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 \*** 

PRE18-055S



# Committee of Adjustment Application for Minor Variance

## Building information

An asterisk (\*) indicates a response is required

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### Existing buildings and structures

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### Additional existing buildings

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

☐ Yes

☒ No



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

Proposed other structure

Please specify

Type of proposed structure \*

Residential Multi-Unit Apartment

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

3926.82

Number of stories of structure \*

3

Height of structure (metres) \*

10

Width of structure (metres) \*

24.2

Length of structure (metres) \*

61.1



# 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.

Proposed

**Front setback  
(metres) \***

3

**Rear setback  
(metres) \***

4.5

**Exterior setback  
(metres) \***

3

**Interior setback  
(metres) \***

4.5

### 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

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Types of Municipal Service (check all that apply)

☒ Water

☒ Sanitary  
sewer

☒ Storm  
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 \***

Robert Turner

**Date \***

5/10/2023



**Street address \***

115 Metcalfe St

**City \***

Elora

**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 \***

Robert Turner

**Date \***

5/10/2023



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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 \$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](#)

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

☒ I agree

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

vera@ftarchitects.ca

# Office use only

File number

**A-37/23**

## Address

5 Eramosa Road  
Guelph, Ontario  
N1H 1J2

Comments from staff

**Received May 9, 2023**