

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

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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 *

Arfan Shafique

Phone *

(519) 362-5664

Extension

Email *

arfan.shafique@gmail.com

Mailing address

Unit

Street address *

84 Northumberland Street

City *

Guelph

Postal code *

N1H 3A8

Name *

Salman Shafique

Phone *

(519) 362-4100

Extension

Email *

salman.shafique@hotmail.com

Mailing address

Unit

Street address *

84 Northumberland Street

City *

Guelph

Postal code *

N1H 3A8

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 *

59

Street *

Division Street

City * ?

Guelph

Province *

Ontario

Postal code

N1H 1R1

Legal Description of the property

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

Legal description of the property *

Lot # PT 44
Plan # 172

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

Official Plan Designation – Land Use *

Low Density Residential

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

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

C.1

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

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

CC

Date property was purchased *

8/1/2011



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 *

Snice it was bought

Existing use of the subject property *

Commercial

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

10.3

Area (metres squared) *

605.46

Depth (metres) *

30

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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 6.1.2 Row 6

Proposed *

1.39 Existing
Ground Fl. 2m 2nd
Floor

Required *

6 Meters

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 8.3(C)

Proposed *

1.39 Existing
Ground Fl. 2m 2nd
Floor

Required *

6 Meters

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

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

The required setbacks for the CC zone are:

The Existing Ground floor has a setback of 1.4 meters at its closest point to the rear lot.

The Proposed addition onto the existing 2nd floor residential, we are proposing a setback of 2 meters at its closest point to the rear property. Please refer to siteplan included in the Permit Drawings.

Minimum Front or Exterior Side Yard: 6 metres, or at least as great as the Front Yard of a Building located on an abutting Lot, but not less than 3 metres.

Minimum Side Yard: One half the Building Height, but not less than 3 metres.

Minimum Rear Yard: 20% of the Lot Depth to a maximum of 7.5 metres.

The rear yard is the lot line abutting 57 Division Street.

There are zoning concerns with the second storey addition in the rear yard.

The rear yard setback is 20% of the lot depth or 7.5 m. The lot depth is approximately 30 metres, therefore, a 6 metre rear yard setback is required to the new second storey addition and only 2 metres is being proposed.

The front yard and exterior side yard setbacks comply. The exterior side yard is proposed at 3 metres and this meets the requirement of not being less than 3 m.

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) ***

215.35

**Number of stories of
main building ***

2

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

7.1

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

14

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

12

Additional existing buildings

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

Yes

No



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Setbacks, access and services

An asterisk (*) indicates a response is required

Existing

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

If not all of the above are available, please indicate how water, sewage disposal or storm drainage is provided, such as a well, septic system, ditch or swale: *

By the city of Guelph



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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 *

Arfan Shafique

Date *

5/10/2023 

Street address *

59 Division St

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? *

arfan.shafique@gmail.com

Office use only

File number

A-33/23

Address

59 Division Street
Guelph, Ontario
N1H 1R1

Comments from staff

Received May 9, 2023