

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



Committee of Adjustment Application for Minor Variance

Contact information

An asterisk (*) indicates a response is required

Registered owner

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

Name *

Carolyn Incedon

Phone *

(519) 823-0212

Extension

Email *

doveandmike@icloud.ca

Mailing address

Unit

261

Street address *

Arthur st N

City *

Guelph

Postal code *

N1E4W1

Name *

Melody Incedon

Phone *

(519) 830-2672

Extension

Email *

smelodious26@gmail.ca

Mailing address

Unit

261

Street address *

Arthur st n

City *

Guelph

Postal code *

N1E4W1

Is there an authorized agent? *

Yes

No

Agent information

Organization/company name

Exhibition Builder
& Co. LTD

Name *

Ian Chan

Phone *

(226) 203-0043

Email

ian@exhibitionbuilders.ca

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

Yes

No

Agent mailing address

Street address *

259 Arthur st n

City *

Guelph

Province *

Ontario

Postal code *

N1E4W1



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

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Property address

Street number *

261

Street *

Arthur Street North

City * ?

Guelph

Province *

Ontario

Postal code

N1E4W1

Legal Description of the property

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

Legal description of the property *

Residential single detached home

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

Official Plan Designation – Land Use *

Plan 40 Pt Lot 31

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

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

R.1B

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

Date property was purchased *

6/6/1990



Is a building or structure proposed? *

Yes

No

Date of proposed construction *

7/4/2023



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) *

18.5

Area (metres squared) *

592

Depth (metres) *

32



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 4.7 Row 2

Proposed *

Variance for uncovered porch to be 3.35m off grade, Exceeding the height of the main floor entry level.

Required *

Uncovered porch above 1.2 m to a maximum height not exceeding the main floor/entry level.

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 *

4.7.7

Proposed *

Variance for uncovered porch to be 3.35m off grade, Exceeding the height of the main floor entry level.

Required *

Uncovered porch above 1.2 m to a maximum height not exceeding the main floor/entry level.

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

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

For an existing permit and application at 261 arthur st N in Guelph we wanted to add exterior stairs on the 2nd floor balcony and in turn it will become an uncovered balcony. The proposed landing and stairs would convert the balcony into a uncovered porch. The zoning by-law states that an uncovered porch cannot exceed the max height of the main floor/entry level.

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

- | | |
|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning Bylaw Amendment |
| <input type="checkbox"/> Plan of Subdivision | <input type="checkbox"/> Site Plan |
| <input checked="" type="checkbox"/> Building Permit | <input type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Building Permit application number * ?

22 003794 000 01 BRR

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) ***

2800

**Number of stories of
main building ***

2

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

10

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

9

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

18

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

Proposed buildings and structures

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

- Accessory structure
- Building addition
- Deck
- Porch
- Other

Proposed porch

Gross floor area of proposed porch (square metres) *

Number of stories of proposed porch *

Height of porch (metres) *

Width of porch (metres) *

Length of porch (metres) *



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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.

Existing

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right setback (metres) *

Proposed

Front setback (metres) *

Rear setback (metres) *

Left setback (metres) *

Right 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



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 *

Date *

Street address *

City *

Province *

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 *

Date *

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? *

ian@exhibitionbuilders.ca

Office use only

File number

A-46/23

Address

261 Arthur Street North
Guelph, Ontario
N1E4W1

Comments from staff

Received June 13, 2023