

# 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

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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

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## Registered owner

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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



# Committee of Adjustment Application for Minor Variance

## 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](#)

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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](#)

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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

# 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) \***

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

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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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# Committee of Adjustment Application for Minor Variance

## Setbacks, access and services

An asterisk (\*) indicates a response is required

### Existing

**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 \***

Malcolm Carter

**Date \***

5/17/2023



**Street address \***

107 McElderry Rd

**City \***

Guelph

**Province \***

Ontario

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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? \***

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**