

# 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 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

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 \***

David Ing

**Phone \***

(519) 241-0078

**Extension**

**Email \***

david@norfolkmanor.ca

## Mailing address

**Unit**

**Street address \***

147 Westmount Road

**City \***

Guelph

**Postal code \***

N1H 5J3

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

Yes

No

## Agent information

**Organization/company name**

J. William Birdsell,  
Architect

**Name \***

Bill Birdsell

**Phone \***

(519) 822-9999

**Email**

billbirdsellarch@g  
mail.com

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

Yes

No

**Agent mailing address**

**Street address \***

809-1042 Paisley  
Road

**City \***

Guelph

**Province \***

Ontario

**Postal code \***

N1K 0C5

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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 \***

93

**Street \***

Hayes Avenue

**City \*** 

Guelph

**Province \***

Ontario

**Postal code**

N1E 5V7

### Legal Description of the property

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

**Legal description of the property \***

Lot 49 - Registered Plan 351

[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 \***

R.1C-3

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

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

RL.2

**Date property was purchased \***

6/30/2020



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

Yes

No

**Date of proposed construction \***

4/1/2024



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

Yes

No

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

Yes

No

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

50 years

**Proposed use of land \***

Residential

## Dimensions of the property

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Please refer to survey plan or site plan

**Frontage (metres) \***

7.62

**Area (metres squared) \***

236

**Depth (metres) \***

30.97



# 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](#)

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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 \***

**Proposed \***

**Required \***

Table 5.1.2 Row 3 (lot area)

236 sq. m

370 sq. m

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

**Proposed \***

**Required \***

Table 5.1.2 Row 4 (Lot Frontage)

7.62 m

9.0 m

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

**Proposed \***

**Required \***

Table 5.1.2 Row 7 (Side Yard)

0.92 / 0.60 m

1.2 m

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

**Proposed \***

**Required \***

Table 4.7 Row 12 permits exterior stair max. projection of 1.5m into rear yard setback of 6.2m

3.91m

1.5m

**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 6.2: RL.1 and RL.2 single detached dwelling Lot Area

**Proposed \***

236 sq. m

**Required \***

275 sq. m

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

Table 6.2: RL.1 and RL.2 single detached dwelling Lot Frontage

**Proposed \***

7.62 m

**Required \***

9 m

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

Table 6.3: RL.1 and RL.2 single detached dwelling Interior side yard

**Proposed \***

0.92 m

**Required \***

1.2 m on one side

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

Table 4.1 Row 7 permits exterior stair max. projection of 1.5m into rear yard setback of 6.2m

**Proposed \***

3.91m

**Required \***

1.5m

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

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

The existing lot is small but a modest house has been designed that meets the majority of the Zoning Bylaw requirements.

The existing lot does not meet the area and frontage requirements but it is existing.

The side yard setbacks under the current Zoning Bylaw can not be met due to the frontage width of the existing lot.

The side yard setbacks under the 2023 Zoning Bylaw have been met on one side but can not be met on the other side due to the frontage width of the existing lot.

**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

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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

### Proposed buildings and structures

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

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

### Proposed deck

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

Height of deck (metres) \*

Width of deck (metres) \*

Length of deck (metres) \*

### Proposed porch

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

6.44

**Number of stories of proposed porch \***

1

**Height of porch (metres) \***

0.5

**Width of porch (metres) \***

2.64

**Length of porch (metres) \***

2.43

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# Committee of Adjustment Application for Minor Variance

## 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.

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

**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: \***

storm water is drained away from the house by way of swales.



# 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 \***

J. William Birdsell, Architect

**Date \***

1/10/2024



**Street address \***

809-1042 Paisley  
Road

**City \***

Guelph

**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 \***

Bill Birdsell

**Date \***

12/20/2023



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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? \***

billbirdsellarch@gmail.com

# Office use only

File number

**A-8/24**

## Address

93 Hayes Avenue  
Guelph, Ontario  
N1E 5V7

Comments from staff

**Received January 9, 2024**