

Committee of Adjustment Application for Minor Variance

Introduction – Minor Variance

An asterisk (*) indicates a response is required

Page 2 of 10

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

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.

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



Committee of Adjustment Application for Minor Variance

Property information

An asterisk (*) indicates a response is required

Property address

Street number *

Street *

City * ?

Province *

Postal code

Legal Description of the property

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

Legal description of the property *

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

Official Plan Designation – Land Use *

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

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

Date property was purchased *

11/2/2020



Is a building or structure proposed? *

Yes

No

Is this a vacant lot? *

Yes

No

Date existing buildings or structures were built *

1/1/1924



Length of time existing uses have continued *

Since the dwelling was built in 1914 (the above field doesn't allow me to select older than 1924)

Existing use of the subject property *

Residential

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *

17.30

Area (metres squared) *

420

Depth (metres) *

24.35



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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? *

- No
- Yes

In addition to the application for extension/enlargement of a Legal Non-conforming Use, is a minor variance(s) required? *

- Yes
- No

Purpose of the application *



- | | |
|--------------------------------------------|----------------------------------------------------------------------------------|
| <input type="checkbox"/> new building | <input type="checkbox"/> accessory structure |
| <input type="checkbox"/> fence height | <input checked="" type="checkbox"/> variance(s) related to a consent application |
| <input type="checkbox"/> building addition | <input type="checkbox"/> accessory apartment |
| <input type="checkbox"/> additional use | <input type="checkbox"/> other |

Please specify variance(s) *

Please see variances listed on the sketch, in the cover letter, and below.

Please specify if this minor variance application relates to the severed or retained parcel *

- severed parcel
- retained parcel

Type of proposal (select all that apply) *

- Existing
- Proposed

Variance(s) required under City of Guelph Zoning By-law

[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 *

Proposed *

Required *

Table 6.3, Row A - Maximum front yard setback (legal non-conforming)

14.21

10.00

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

Proposed *

Required *

Table 6.3, Row D - Minimum rear yard setback (legal non-conforming)

0.70

4.88

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

Proposed *

Required *

SECTION 5.2.1(a)(i) - Location of parking space (legal non-conforming)

In front of the front wall of the main building

To the rear of the front wall of the main building

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

Proposed *

Required *

TABLE 6.3, ROW C - Minimum interior side yard (under appeal)

1.2M ON ONE SIDE OF DWELLING UNIT AND 0.6M ON THE OTHER SIDE

1.2M ON ONE SIDE OF DWELLING UNIT AND 0.6M ON THE OTHER SIDE

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

Proposed *

Required *

TABLE 5.10, ROW 2 - Maximum driveway width (under appeal)

50% OF THE LOT FRONTAGE OR 5m, WHICHEVER IS GREATER

50% OF THE LOT FRONTAGE OR 5m, WHICHEVER IS GREATER

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

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

Three of the minor variances are legal non-conforming and have existed for decades. Two of these minor variances (Front and rear yard setbacks) are unchanged by the severance application. The location of the driveway and parking currently exists in front of the front wall of the main building, but as a result of the severance, we are proposing to move the driveway and parking to a new location on the lot, but still in front of the front wall of the main building. Two of the minor variances are administrative in nature as the proposal complies with these items, however, they are under appeal and have yet to be resolved at the Ontario Land Tribunal (OLT). Approval of the applications by the Committee will simply enable the proposed development to proceed in advance of the remaining appealed sections being resolved at the OLT. Please see the attached cover letter for more information.

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 type="checkbox"/> Building Permit | <input checked="" type="checkbox"/> Consent |
| <input type="checkbox"/> Previous Minor Variance Application | |

Consent reference/application number * 

Consent application being made simultaneously



Committee of Adjustment Application for Minor Variance

Building information

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Existing buildings and structures

Main building (dwelling and building)

Gross floor area of main building (square metres) *

92

Number of stories of main building *

2

Height of the main building (metres) *

9

Width of the main building (metres) *

10.7

Length of the main building (metres) *

9.4

Additional existing buildings

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

Yes

No



Committee of Adjustment Application for Minor Variance

Setbacks, access and services

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Existing

Front setback (metres) *

Rear setback (metres) *

Type of Access to the Subject Lands

Type of Access to the Subject Lands (check all that apply) *

- Provincial highway
- Private road
- Other
- Municipal road
- Water

Types of Municipal Services

Types of Municipal Service (check all that apply)

- Water
- Sanitary sewer
- Storm sewer

Office use only

File number

A-93/24

Address

39 Armstrong Avenue
Guelph, Ontario
N1E 5W9

Comments from staff

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