

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

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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Property information

An asterisk (*) indicates a response is required

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Property address

Street number *

93-97

Street *

Surrey Street East

City * ?

Guelph

Province *

Ontario

Postal code

N1L 1G6

Legal Description of the property

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

Legal description of the property *

Part of Lot 16, Plan 33, as in CS48791 and Part of Park Lot 84, Plan 8, as in and T/W MS94408; City of Guelph

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

Official Plan Designation – Land Use *

Mixed Use 1 and 2 and Special Policy Area

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

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

Downtown 2 - D.2 and D.2-10 and Special Policy Area

Date property was purchased *

10/31/2023

📅

Is a building or structure proposed? *

☒ Yes☐ No

Date of proposed construction *

4/1/2025

📅

Is this a vacant lot? *

☐ Yes☒ No

Date existing buildings or structures were built *

2/1/1975

📅

Length of time existing uses have continued *

Decades

Existing use of the subject property *

Commercial

Dimensions of the property

Please refer to survey plan or site plan

Frontage (metres) *	Area (metres squared) *	Depth (metres) *
25.4	1010	43.7



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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

Purpose of the application *



- | | |
|--|---|
| <input checked="" type="checkbox"/> new building | <input type="checkbox"/> accessory structure |
| <input type="checkbox"/> fence height | <input 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 |

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 *

Minimum Front or Exterior Side Yard to be Average of Adjacent Setbacks or 3m – Table 9.6, Row A – Under Appeal

Proposed *

Minimum Front or Exterior Side Yard to be Average of Adjacent Setbacks or 3m

Required *

Minimum Front or Exterior Side Yard to be Average of Adjacent Setbacks or 3m

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

Minimum Interior Side Yard to be 1.5m – Table 9.6, Row B – Under Appeal (proposal complies – administrative variance required)

Proposed *

Minimum Interior Side Yard to be 1.5m

Required *

Minimum Interior Side Yard to be 1.5m

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

To permit the Minimum Rear Yard to be 8.3m vs 10.0m required in Section Table 9.6, Row C

Proposed *

8.3

Required *

10.0

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

Minimum & Maximum Building Height – In accordance with Section 9.3(c) - 3 to 6 storeys per Schedule B-4 (angular plane 4 or >) – Table 9.7 – Under Appeal (proposal complies – administrative variance required)

Proposed *

Minimum & Maximum Building Height – In accordance with Section 9.3(c) - 3 to 6 storeys per Schedule B-4 (angular plane 4 or >)

Required *

Minimum & Maximum Building Height – In accordance with Section 9.3(c) - 3 to 6 storeys per Schedule B-4 (angular plane 4 or >)

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

To permit a Minimum Floor Space Index to be 0.9 vs 1.5 required in Table 9.7

Proposed *

0.9

Required *

1.5

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

Pursuant to Bill 185 remove vehicle parking requirement in the MTSA - Table 5.4, Row 1 (proposal complies – administrative variance required)

Proposed *

Pursuant to Bill 185 remove vehicle parking requirement in the MTSA

Required *

Pursuant to Bill 185 remove vehicle parking requirement in the MTSA

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

Pursuant to Bill 185 remove bicycle parking requirements in the MTSA - Table 5.8, Row 1, Additional Regulation 1 (proposal complies – administrative variance required)

Proposed *

Pursuant to Bill 185 remove bicycle parking requirements in the MTSA

Required *

Pursuant to Bill 185 remove bicycle parking requirements in the MTSA

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

Pursuant to Bill 185 remove related EV parking requirements in the MTSA - Section 5.9 (proposal complies – administrative variance required)

Proposed *

Pursuant to Bill 185 remove related EV parking requirements in the MTSA

Required *

Pursuant to Bill 185 remove related EV parking requirements in the MTSA

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

Parking Space Dimensions – Apartment with over 3 units – 2.75m x 5.5m – Table 5.2, Row 3 - Under Appeal (proposal complies – administrative variance required)

Proposed *

2.75m x 5.5m

Required *

2.75m x 5.5m

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

Proposed *

Required *

0.5

3.0

To permit a minimum setback of Parking Area from Any Lot Line to be 0.5m vs 3.0m required in Section 5.2.2.a)

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

Proposed *

Required *

1.2

3.0

To permit a Minimum Setback of Parking Area from the Building, Entrance or Window of Habitable Room to be 1.2m vs 3.0m required in Section 5.2.2.b) (actual variance required)

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

Proposed *

Required *

Location of Access Driveway – Minimum of 1.5m from any utility structure or City owned tree

Location of Access Driveway – Minimum of 1.5m from any utility structure or City owned tree

Location of Access Driveway – Minimum of 1.5m from any utility structure or City owned tree – Section 5.2.2.d) – Under Appeal (proposal complies – administrative variance required)

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

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

The subject property contains an existing commercial/service building at #93-97 Surrey Street East. The proposal is to demolish the existing building and construct a 3 storey, 9-unit residential apartment building. Minor variances are required to accommodate some design elements of the proposed building and to address certain sections of the zoning by-law that are under appeal – the latter are considered administrative variance requests. Please see the covering letter for more details.

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 type="checkbox"/> Consent |
| <input type="checkbox"/> 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) *

231

Number of stories of main building *

1

Height of the main building (metres) *

6

Width of the main building (metres) *

20

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

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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) *

2.1

Rear setback (metres) *

21.6

Proposed

Front setback (metres) *

2.5

Rear setback (metres) *

8.3

Type of Access to the Subject Lands

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

- | | |
|---|--|
| <input type="checkbox"/> Provincial highway | <input checked="" type="checkbox"/> Municipal road |
| <input type="checkbox"/> Private road | <input type="checkbox"/> Water |
| <input type="checkbox"/> Other | |

Types of Municipal Services

Types of Municipal Service (check all that apply)

- ☒ Water
- ☒ Sanitary
sewer
- ☒ Storm
sewer

Office use only

File number

A-29/25

Address

93-97 Surrey Street East
Guelph, Ontario
N1L 1G6

Comments from staff

Received February 11, 2025