

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-41/21  
Location: 54 Milson Crescent  
Hearing Date: August 12, 2021  
Owner: Adam and Katie Miller  
Agent: N/A  
Official Plan Designation: Low Density Residential  
Zoning: Residential Single Detached (R.1D) Zone

**By-Law Requirements:** The By-law requires an accessory building or structure to occupy a yard other than a front yard or required exterior side yard on a lot.

**Request:** The applicant is seeking relief from the By-Law requirements to permit the proposed accessory structure (shed) to be located in the exterior side yard.

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## Staff Recommendation

Approval

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## Recommended Conditions

None

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## Comments

### Planning Services

The subject lands are designated "Low Density Residential" in the Official Plan. This designation applies to residential areas within the Built-Up Area of the City which are currently predominantly low-density in character. The predominant land use in this designation is residential and includes single detached, semi-detached, duplex dwellings and multiple unit residential buildings, such as townhouses and apartments. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1D) according to Zoning By-law (1995)-14864, as amended. The R.1D zone permits single detached dwellings and other related accessory uses. The applicant is proposing to construct an accessory structure (shed) in the exterior side yard; whereas Section 4.5.1 of

the Zoning By-law states an accessory building or structure may occupy a yard other than a front yard or required exterior side yard.

The purpose and intent of the accessory building or structure zoning regulation is to provide a consistent streetscape for buildings and structures on corner lots and to ensure the corner lot sight line triangle is not obstructed. The location of the shed is within the rear corner of a fenced in yard, which negates any concern of impacts to the streetscape. The 9 metres by 9 metres corner lot sight line triangle is not being obstructed. Adequate setbacks which meet the required minimum 0.6 metre accessory building or structure setback from the lot lines, as shown on the application site sketch, are proposed for storm water drainage and to provide maintenance for the shed.

The requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law, is considered desirable for the development of the land and is considered to be minor in nature.

Planning staff recommend approval of the variance.

### **Engineering Services**

Engineering has no concerns with the applicant's request to seek relief from the By-law requirements to permit the proposed accessory structure (shed) to be located in the exterior side yard.

We agree with recommendations made by the Planning and Building staff.

### **Building Services**

The property is located in the Residential Single Detached (R.1D) Zone. The applicant is proposing to construct an accessory building in the exterior side yard. A variance from Section 4.5.1 of Zoning By-law (1995)-14864, as amended, is being requested. Building Services notes that the proposed accessory building will be behind a fence and does not obstruct any sight lines.

Building Services does not object to this application. A building permit is required for any accessory structure greater than 10 square metres, at which time requirements under the Ontario Building Code will be reviewed.

### **Comments from the Public**

None

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### **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

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