



COMMITTEE OF ADJUSTMENT Planning Staff Report

Meeting date: April 3, 2025
Department: Building, By-law & Planning
Report No.: BBP-2025-28
Submitted by: Alyssa Soldo, Planner
Reviewed by: Erin Besch, Planner
Approved by: Jake DeRidder, Senior Development Coordinator
SUBJECT: **Application for Minor Variance (A4-2025) 227 Front Street East**
Owner: Jason & Alexandra Hastings

RECOMMENDATION: THAT: Application for Minor Variance A4-2025 be approved.

PURPOSE:

The purpose of the application is to provide relief from Section 4.6(5)(b) of the Strathroy-Caradoc Zoning By-law to permit a secondary suite on the ground floor of an accessory building, whereas the Zoning By-law states that secondary suites when located in an accessory building shall not be permitted on the ground floor or below grade.

The variance will facilitate the construction of a 62.24 m² (670 ft²) secondary suite located in an accessory building in the rear yard of the residential property.

BACKGROUND:

The subject property is located on the north side of Front Street East, northwest of Metcalfe Street East (County Road 39). The property is approximately 1189 m² (12,800 ft²) in size with approximately 25 m (82 ft) of frontage along Front Street East, which is classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc. The lands contain an existing single detached dwelling that is 156 m² (1,679 ft²) in size, a storage shed that is 47 m² (505.9 ft²) and a garden shed that is 15 m² (161.5 ft²) in size. The single detached dwelling is connected to municipal water and sanitary services. (See location map)

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The proposed variance will permit a secondary suite on the ground floor of an accessory building, whereas they are restricted to the second story only. This will allow for greater accessibility for future tenants.

Surrounding land uses are primarily residential in nature.

POLICY AND REGULATION BACKGROUND:

The subject lands are located within the 'Residential' designation of the Strathroy-Caradoc Official Plan. The lands are located within the Settlement Area of Strathroy. The lands are located within the 'Low Density Residential (R1) Zone' of the Strathroy-Caradoc Zoning By-law.

Strathroy-Caradoc Official Plan

The Strathroy-Caradoc Official Plan provides relevant Goals and Objectives for the 'Strathroy Area' including:

- a) To accommodate the majority of population growth and the majority of residential and industrial development in the Municipality;
- b) To ensure development and redevelopment in Strathroy does not have a detrimental effect on the ability of the Municipality to provide the necessary infrastructure to accommodate it;
- c) To maintain at all times an adequate supply of housing in terms of dwelling types, tenure and affordability;
- j) To maintain the essential qualities of privacy, quiet enjoyment, public health and safety, and land use compatibility in residential areas.

Section 3.3.4.1 states that lands designated 'Residential' shall be primarily used for residential purposes including a range of housing types and densities from single unit dwellings to high-rise apartment buildings.

Section 3.3.4.7.1 states that the establishment of a secondary dwelling unit in a main residential use in the form of a single unit dwelling, semi-detached dwelling or a townhouse dwelling, or located in a building accessory to a main residential use, shall be permitted subject to standards prescribed by the Zoning By-law with respect to such matters including but not limited to floor area, exterior alterations, servicing, outdoor amenity area and parking.

Section 1.7(h) within the Strathroy-Caradoc Official Plan has regard for orderly development of safe and healthy communities.

Section 1.7(j) within the Strathroy-Caradoc Official Plan has regard for the adequate provision of a full range of housing, including affordable housing.

It should be noted that the Strathroy-Caradoc Council adopted Amendment No. 14 to the Official Plan in 2022. The purpose of the Amendment was to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Planning Statement (PPS), and reflect changing community needs for the next 25-years. OPA 14 is currently under appeal

and, while generally in line with the proposal, the updated policies are not determinative for this application.

Strathroy-Caradoc Zoning By-law

The subject property is zoned 'Low Density Residential (R1) Zone' according to the Strathroy-Caradoc Zoning By-law. The 'R1' zone permits single detached dwellings, secondary suites, and a Type I group home. Lot provisions include a minimum lot area of 460 m², minimum lot frontage of 15 m, front yard depth of 5 m, side yard width of 1.2 m, rear yard depth of 8 m, maximum lot coverage of 40%, and minimum landscaped open space of 40%. With the proposed secondary suite, the lot coverage on this property would be approximately 24%.

Section 4.2(2) of the Zoning By-law limits the size of accessory structures within Residential Zones to a maximum of 15% of the lot coverage but must also not exceed 80% of the ground floor area of the dwelling. Given the dwelling's ground floor area of approximately 156 m² (1,679 ft²), the permitted maximum cumulative size of the accessory buildings and structures is 125 m² (1,345.5ft²). The existing sheds and proposed accessory building have a cumulative area of 124.24 m² (1,337.3 ft²), therefore meeting this '80% rule' for accessory structures.

Section 4.2(3) of the Zoning By-law states that habitable buildings in the R1 Zone are required to comply with a minimum interior lot line setback of 1.2 metres. The proposed secondary suite will meet this setback requirement.

Section 4.2(5) of the Zoning By-law limits the height of accessory buildings and structures to 4.5 m, or the height of the main building, whichever is lesser. The proposed secondary suite will be approximately 4 metres in height which is less than the height of the main dwelling.

Section 4.6(5)(b) of the Zoning By-law states that when located in an accessory building, the gross floor area of the secondary suite shall not be greater than 40% of the gross floor area of the main dwelling to a maximum of 75 m² and shall not be permitted on the ground floor or below grade. Given the dwelling's gross floor area of approximately 155.61 m² (1,675 ft²), 40% would be 62.24 m² (670 ft²). Therefore, the proposed secondary suite meets this GFA threshold but is not permitted on the ground floor.

Section 4.23(20h) of the Zoning By-law states that secondary suites are required to provide 1 parking space per dwelling unit.

CONSULTATION:

Notices have been circulated to agencies and the public in accordance with the requirements of the *Planning Act*. At the time this report was completed, the following comments were received:

The Building Department noted to ensure that the proposed design can meet the requirements of spatial separation between houses as per sections [OBC 9.10.15.1 to 9.10.15.5].

One comment was received from the public on the application at the time of preparing this report. They noted concerns about the location of the secondary suite and the potential for negative impacts to the enjoyment of their own property.

ANALYSIS:

Section 45 of the Planning Act allows a municipality to grant a minor variance to a zoning by-law based on four tests, as follows:

1. Is the variance considered minor in nature? YES

The application proposes to allow a secondary suite to be located on the ground floor of an accessory building. Staff are of the opinion that accommodation for accessibility can be considered minor in nature, as it allows for a greater range of housing opportunities for residents requiring accessibility accommodations and aging populations. Additionally, the accessory massing and position is permitted as of right.

2. Is the variance an appropriate use of the land? YES

The Strathroy-Caradoc Official Plan and Zoning By-law permit residential uses such as single detached dwellings and detached secondary suites. The proposed secondary suite is consistent in size with similar accessory buildings and secondary suites in the area. The secondary suite will meet all setback provisions and lot coverage requirements for an accessory building with a residential unit. Allowing the secondary suite to be located on the ground floor will ensure that the accessory building meets the height requirements and remains subordinate in size to the one-story single detached dwelling on the property. Concerning its location on the property in the rear yard, board on board fencing and vegetation buffering is present which assist in providing privacy for the neighbouring lots. As such, staff are of the opinion that the proposed secondary suite is appropriate for the development of the property.

3. Does the variance maintain the intent of the official plan? YES

The property is within the 'Residential' designation of the Official Plan, which permits a range of housing types and densities. A secondary suite encourages gentle intensification on existing infrastructure where it is compatible with servicing and offers an additional housing type within the neighbourhood. The Provincial Planning Statement and the County Official Plan both contain policies permitting ground floor additional residential units. The local Official Plan was updated to include provisions as well, however the document was appealed. As such, staff are relying on Section 6.1.(6) of the PPS. Staff are of the opinion that the requested variance will maintain the intent of the Official Plan.

4. Does the variance maintain the intent of the zoning by-law? YES

The intent of the requirement for secondary suites to be located on the second storey of an accessory building is to ensure the structure does not become a second dwelling on a property that may become severable in the future. Planning staff are satisfied that the location of the proposed structure in the rear yard does not present an opportunity for severance in the future and the property would be restricted from further severance through the policies of the Official Plan.

Further, secondary suites are required to provide one (1) parking space per residential unit. Single detached dwellings are required to provide three (3) parking spaces. The property can

easily accommodate both of these parking requirements for both residential units through the four (4) parking spaces provided in the driveway.

In summary, given the above it is staff's opinion that the application meets the intent of the Zoning By-law and the four tests of the Planning Act required in order to grant a minor variance.

CONCLUSION:

Based on the above analysis, it is recommended that the application for relief from Section 4.6(5)(b) of the Zoning By-law to permit a 62.24 m² (670 ft²) secondary suite on the ground floor of an accessory building **be approved.**

ATTACHMENTS

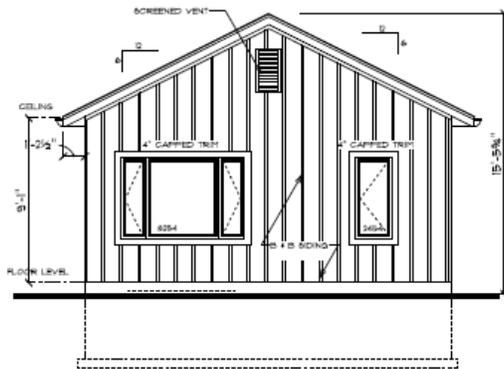
Location Map

Elevation Drawings

Location Map

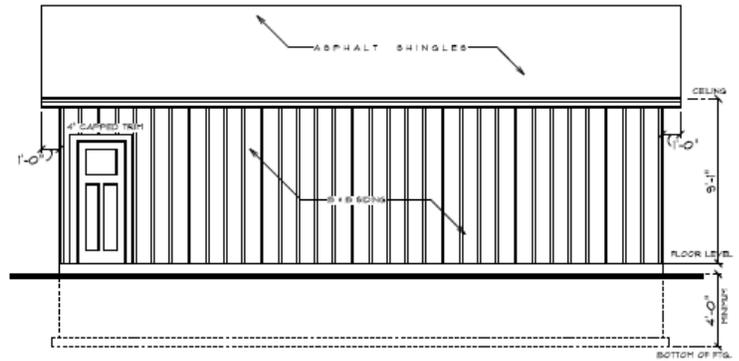


Elevation Drawings



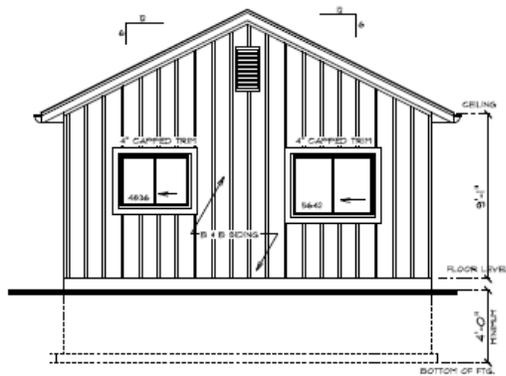
FRONT ELEVATION

WALL AREA = 191.0 sq. ft. GLASS AREA = 39.7 sq. ft.



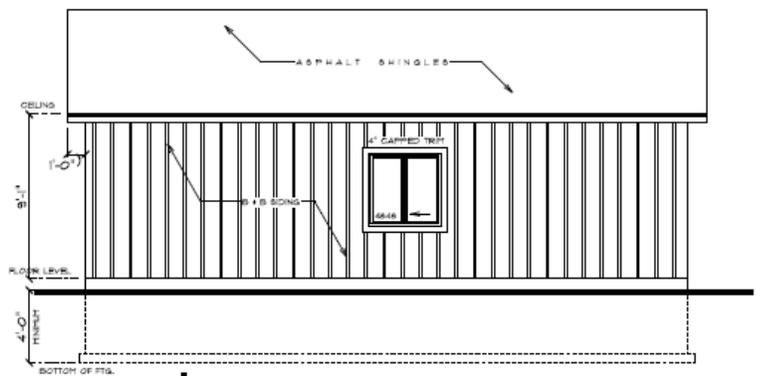
RIGHT ELEVATION

WALL AREA = 304.7 sq. ft. GLASS AREA = 20.9 sq. ft.



REAR ELEVATION

WALL AREA = 191.5 sq. ft. GLASS AREA = 28.3 sq. ft.



LEFT ELEVATION

WALL AREA = 304.7 sq. ft. GLASS AREA = 16.0 sq. ft.