

COMMITTEE OF ADJUSTMENT

Planning Staff Report

Meeting date: July 3, 2025
Department: Building, By-law and Planning
Report No.: BBP-2025-60
Submitted by: Alyssa Soldo, Planner
Reviewed by: Tim Williams, Manager of Planning
Approved by: Jake DeRidder, Manager of Growth and Development
SUBJECT: **Application for Minor Variance (A13-2025) – 490 Petersen Avenue**
Owner: Craig Simmons

RECOMMENDATION: THAT: Application for Minor Variance A13-2025 be approved.

PURPOSE:

The purpose of the minor variance application is to seek relief from Section 5.3(5) of the Strathroy-Caradoc Zoning By-law to permit an addition to the existing single detached dwelling that is 1.35 m (4.4 ft) from the rear yard line, whereas a minimum 8 m (26.2 ft) rear yard setback is required in the 'R1' Zone. The application will facilitate the construction of a 53.85 m² (580 ft²) home addition which is to contain an attached secondary suite.

BACKGROUND:

The subject property is located on the west side of Petersen Avenue, east of Head Street North in Strathroy (see Location Map).

The property is a pie-shaped lot located in a cul-de-sac on the curved portion of the road. It is approximately 933 m² (10,033 ft²) in size with 14.3 m (47 ft) of frontage along Petersen Avenue. Petersen Avenue is classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc. The subject property currently contains a 158 m² (1,700 ft²) two-storey single detached dwelling. The property is municipally serviced with water and sanitary.

The applicant is proposing to construct a 53.85 m² (580 ft²) addition onto the existing dwelling to create an attached secondary suite for family use. As a result, the applicant is requesting a variance from the required rear yard setback of 8 m (26.2 ft) for a rear yard setback of 1.35 m (4.4) for the closest point

Staff Report No.: BBP-2025-60
July 3, 2025

Application for Minor Variance (A13-2025) – 490 Petersen Avenue Owner: Craig Simmons

of this addition to the property line. The rear property line is slanted, with its shallowest point in the left corner of the lot where the addition is proposed, and its farthest point in the right corner of the lot.

Surrounding land uses are predominately low density residential to the north, south, and west, and lands owned by the St. Clair Region Conservation Authority to the east.

POLICY AND REGULATION BACKGROUND:

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

County of Middlesex Official Plan

The subject lands are located within the Strathroy 'Settlement Area' according to the Middlesex County Official Plan.

Section 2.3 of the County Official Plan contains the County's growth management framework which directs that the majority of growth is to occur in designated settlement areas. The intent of the growth management framework is to make efficient use of existing infrastructure and to establish future development within settlement areas on full municipal services. The County Official Plan also encourages a wide variety of housing by type, size, and tenure achieved in part by way of intensification and redevelopment of vacant or otherwise underutilized lands.

Strathroy-Caradoc Official Plan

The subject lands are located within the Strathroy 'Settlement Area' according to *Schedule A: Structure Plan* and designated 'Residential' on *Schedule B: Land Use & Transportation Plan for the Settlement Area of Strathroy*, as contained within the Strathroy-Caradoc Official Plan.

The 'Residential' designation is intended for continued and future residential purposes, as well as lands to accommodate future expansion (s. 3.3.4). Within the 'Residential' designation, the primary use of lands shall be for residential purposes including a range of housing types and densities from single unit dwellings to high-rise apartment buildings.

Secondary dwelling units 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 and subject to standards prescribed by the Zoning By-law (s. 3.3.4.7.1).

Low density residential development in the form of single unit dwellings and two-unit dwellings shall continue to be the dominant form of residential development (s. 3.3.4.3).

The Strathroy Caradoc Official Plan has been updated through OPA 14 in 2022. The purpose of this Amendment is 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. The most significant relevant update to the Plan was the change in designation title from 'Residential' to 'Neighbourhoods'. This designation maintains the intent of the 'Residential' designation in that it continues to support and encourage a range of housing types

and densities. 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 'R1' zone permits single detached dwellings, secondary suites, and type I group homes. Lot provisions include a minimum lot area of 460 m², minimum lot frontage of 15 metres, minimum front yard depth/exterior side yard width of 5 metres, side yard width of 1.2 metres, rear yard depth of 8 metres, maximum lot coverage of 40%, and minimum landscaped open space of 40%.

Section 4.6(5)(a) of the Zoning By-law states that when secondary suite are located in a main dwelling, the gross floor area of the secondary suite shall not be greater than 80% of the gross floor area of the main dwelling to a maximum of 75m². The gross floor area of the main dwelling is 159.69 m² (1,719 ft²), therefore 80% is 127.75 m² (1,375.1 ft²) and the secondary suite is below this threshold as well as the 75m² requirement.

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

CONSULTATION:

The application has been circulated to agencies and the public in accordance with the provisions of the *Planning Act*.

The St. Clair Region Conservation Authority has no concerns with the proposed application.

No comments have been received from the public on the application at the time of preparing this report.

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

In regard to the reduction in the rear yard setback from 8 m to 1.35 m, staff are of the opinion that the variance can be considered minor in nature, due to the shape of the rear yard lot line being angled in such a way which creates this shallow rear corner lot line. While residential lots are surrounding this property, no impacts are expected due to the presence of a privacy fence, the addition being narrow and only one-storey in height, and the variance pertaining to only one corner of this structure which sits closer to the rear lot line whereas most of the addition is further set back. Amenity space can still be sufficiently provided in the rear yard where the lot runs deeper. Room for drainage and maintenance purposes will also continue to be provided as the applicant is maintaining lot coverage requirements and side yard setbacks to allow for access to the rear yard. Therefore, planning staff are of the opinion that the variance can be considered minor in nature.

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

The proposed decrease in rear yard depth would maintain the residential use of the lands and would be consistent with the character of the area. While the dimensions of this lot are unique, the requested setback would allow for the property to be used similar to its neighbouring lots for residential purposes. The requested rear yard setback is not expected to impact the neighbouring residential lots due to the existing fencing and the window configuration being higher in elevation but smaller in size to only provide light rather than impede on a neighbour's privacy. The secondary suite addition meets lot coverage requirements and all other setback provisions. As such, staff are of the opinion that the proposed addition 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, including low-density single detached dwellings and secondary suites. A secondary suite encourages gentle intensification on existing infrastructure where it is compatible with servicing and offers an additional housing type within the neighbourhood. As such, 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 rear yard depth provision is to ensure appropriate separation between dwellings and the abutting lands to provide for privacy and adequate amenity area. This provision also provides a separation distance from upstairs windows in dwellings into adjacent yards. While the closest corner to the rear lot is proposed to be setback 1.35 metres, the rest of the structure will be further setback and staff believe that sufficient separation can still be provided with the request. The existing fencing between properties will alleviate privacy concerns. An adequate amenity area will continue to be provided in the remaining rear yard where the lot depth is much greater.

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

Therefore, it is the opinion of staff that the intent of the Zoning By-law is maintained.

In summary, it is staff's opinion that the application meets the four tests of the *Planning Act* required in order to grant the minor variances.

CONCLUSION:

Based on the above analysis, it is recommended that the application to permit a rear yard setback of 1.35 m (4.4 ft) to facilitate the construction of a 53.85 m² (580 ft²) residential addition for the purposes of an attached secondary suite be **approved**.

ATTACHMENTS

Location Map

Site Plan

Elevations

Rendering

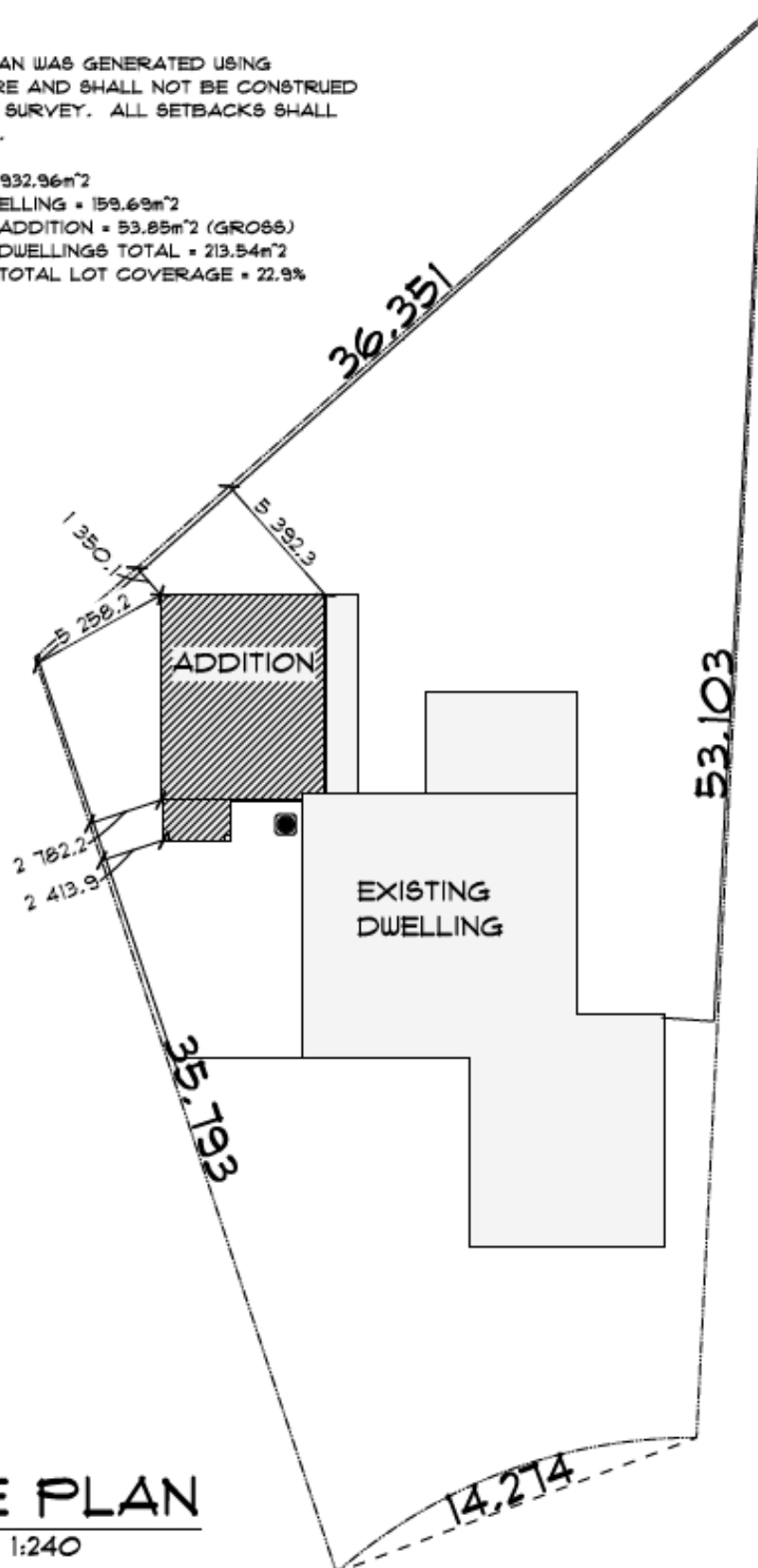
Location Map



Site Plan

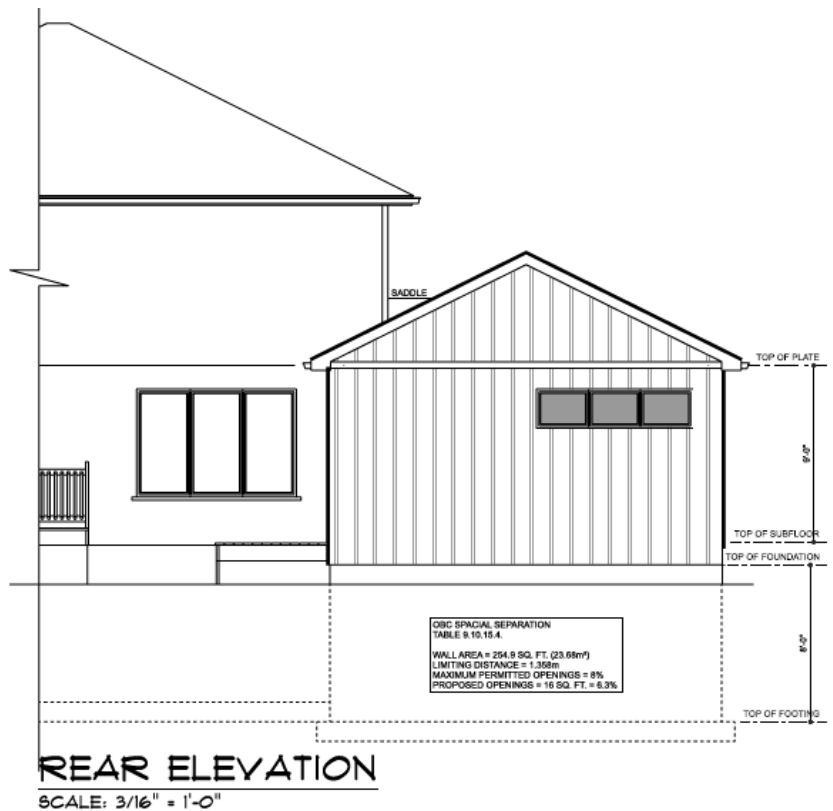
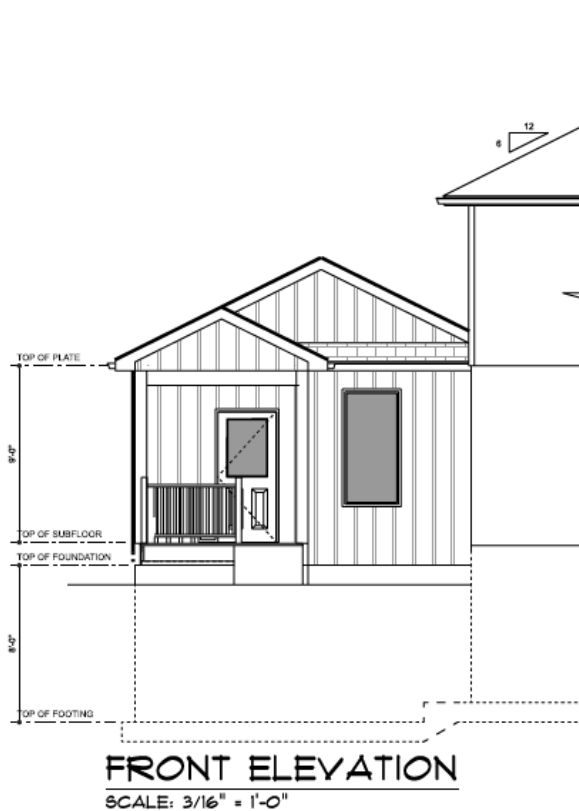
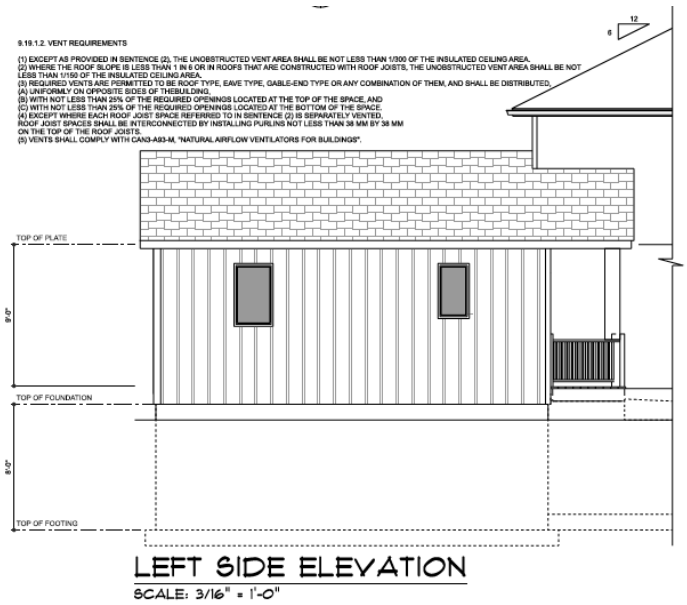
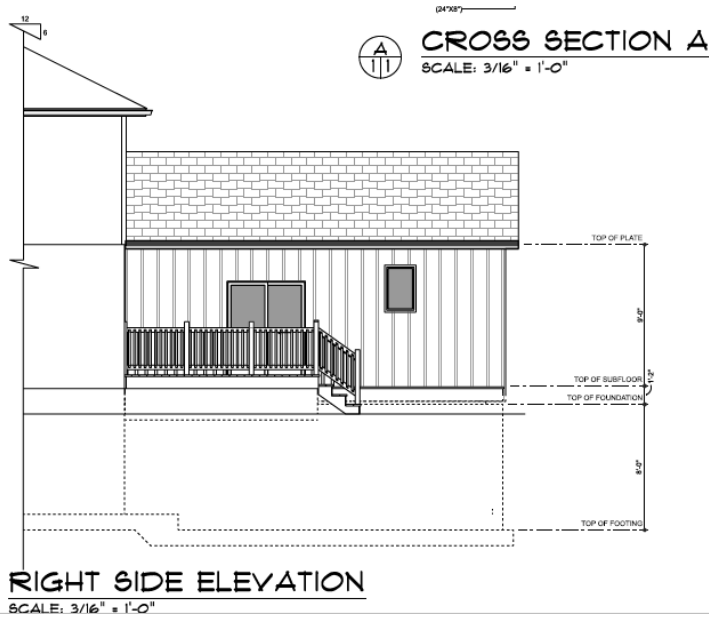
NOTE:
THIS SITE PLAN WAS GENERATED USING
GIS SOFTWARE AND SHALL NOT BE CONSTRUED
AS A LEGAL SURVEY. ALL SETBACKS SHALL
BE VERIFIED.

LOT AREA = 932.96m²
EXISTING DWELLING = 159.69m²
PROPOSED ADDITION = 53.85m² (GROSS)
PROPOSED DWELLINGS TOTAL = 213.54m²
PROPOSED TOTAL LOT COVERAGE = 22.9%



SITE PLAN
SCALE: 1:240

Elevation Drawings



Renderings

