

Haldimand County Committee of Adjustment



Minor Variance

Title: PLA-2025-090

Property Roll Number: 2810-151-001-00812-0000

Applicant: Chris Fraser

Agent: Valiuddin Mohammed

Legal Description: Caledonia Plan 82, Lot 20 known municipally as 15 Leith Court, Caledonia

For consideration on: July 22, 2025

Summary

Relief is requested from the rear yard setback requirements in the 'Urban Residential Type 1-A "(R1-A)" Zone of the Haldimand County Zoning By-Law HC 1-2020, to permit the construction of an addition to the exiting dwelling for an unheated sunroom. The requested rear yard setback for the structure is 5.98 metres (19.6 feet) whereas a minimum rear yard setback of 7.5 metres (24.6 feet) is required. Additionally the existing accessory building (storage shed) requires relief from the interior side yard (left) of 0.76 metres (2.4 feet) whereas 1.0 metre (3.3 feet) is required and rear yard (shed) setback of 0.62 metres (2 feet) whereas a minimum rear yard setback of 1.0 metre (3.3 feet) is required.

Recommendation

THAT application PLA-2025-090 be **APPROVED**. The application **meets** the four tests of a minor variance.

Prepared by: Ryan Michtics, Student Assistant – Planning & Development

Reviewed by: Mark Andrews, M.A., MCIP, RPP Senior Planner – Planning & Development

Reviewed by: Krystina Wheatley, Supervisor – Development Engineering and GIS, Planning & Development

Details of the Submission:

Proposal: Relief is requested from the provisions of Section 6.3 'Urban Residential Type 1-A "(R1-A)" Zone and 4.2 General Provisions of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Rear Yard Setback	7.5 metres (24.6 feet)	5.98 metres (19.6 feet)	1.52 metres (4.9 feet)

4.2 (d) Interior Side Yard Left (Shed)	1.0 metres (3.3 feet)	0.76 metres (2.4 feet)	0.24 metres (0.78 feet)
4.2 (d) Rear Yard (Shed)	1.0 metres (3.3 feet)	0.62 metres (2.0 feet)	0.38 metres (1.2 feet)

Site Features and Land Use:

The subject lands are located in the north-west quadrant of the urban area of Caledonia with frontage on Leith Court. There is an existing single detached dwelling on the subject lands, with an existing shed and deck on the rear end portion of the property. The surrounding lands uses are similar existing single detached dwellings.

The subject lands are designated “Residential” on Schedule “B.1” (Caledonia Urban Area Land Use Plan) in the Haldimand County Official Plan and zoned ‘Urban Residential Type 1-A “(R1-A)”’ in the Haldimand County Zoning By-Law HC 1-2020. The neighbourhood consists of low-density single detached dwellings.

Existing Intensive Livestock Operations:

Not applicable.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

Planning staff comment:

The subject lands are designated “Residential” on Schedule “B.1” (Caledonia Urban Area Land Use Plan) in the Haldimand County Official Plan. The “Residential” Designation permits single detached dwellings and accessory structures on the subject lands. The Official Plan does not have specific policies pertaining to lot sizes, building locations or accessory structures. The proposed addition is to increase usability for the existing dwelling. The requested variance will not impact the function or use of the property or impact adjacent properties.

It is the opinion of the planning staff, that this application for maintains the intent and purpose of the Haldimand County Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

Planning staff comment:

The subject application is seeking relief to permit an unheated sunroom with a rear yard setback of 5.98 metres (19.6 feet), whereas 7.5 metres (24.6 feet) is required – a decrease of 1.52 metres (5 feet). The intent of the rear yard setback is to ensure the accessory structure remains subordinate to the primary residential use and to limit potential impact on neighbouring lots. The subject lands is a pie-shaped lot, that increases its rear year further along the west side of the property. The requested reduction of 1.52 metres (5 feet), still provide ample amenity space for the property and sufficient setback to adjacent properties. The adjacent residential lot to the south (rear) of the subject lands has an existing detached garage which will assist in acting as a buffer, as well as being setback approximately 35 metres (115 feet) from the addition.

The location of the existing shed requires relief from the Zoning By-law, with an interior side year (left) of 0.76 metres (2.4 feet) whereas 1.0 metres (3.3 feet) is required and a rear yard setback

of 0.62 metres (2.0 feet) whereas 1.0 metres (3.3 feet) is required. Under Section 4.2 of the Zoning By-law“ No building, or structure which is accessory to any permitted residential use in any zone shall: d) be nearer than 1.0 metres (3.3 feet) of a lot line within an interior side yard or rear yard or 1.0 metres of an interior lot line within a required front yard;”

In this case, the interior side yard (left) proposes 0.76 metres (2.4 feet) which represents a deficiency of approximately 0.24 metres (0.78 feet), and the rear yard of the shed proposes 0.62 metres (2.0 feet), which represents a deficiency of approximately 0.38 metres (1.2 feet). The shed is existing and is wholly enclosed on the subject property. There is no anticipated visual or functional impact in permitted the structure to remain.

It is the opinion of Planning staff that the subject application maintains the general intent of the Zoning-By-law.

3. Is the application desirable for the appropriate development of the lands in question?

Planning staff comment:

The subject application has requested three (3) variances to permit the construction of an addition to the existing dwelling and to address deficiencies in the existing shed. The proposed addition to the home is an unheated sunroom.

The proposed reduction in the rear yard setback is required to make adequate space for the unheated sunroom. The interior side yard (left) and rear yard setback request relief from the current encroaching storage shed, with no negative impacts anticipated. Further, the requested relief from the rear yard setback is not anticipated to negatively impact the subject lands itself or any neighbouring lots both in terms of a visual and functional perspective.

It is the opinion of Planning staff that the subject application is appropriate and desirable for the lands in question.

4. Is the application minor?

Planning staff comment:

The cumulative impact of the request variances is considered minor. There is no anticipated visual or functional impact to either the subject lands or adjacent properties. The proposed sunroom addition is screened from any other users and will mimic the building footprint and design of the existing dwelling. Additionally, the shed has a small footprint, being only 9.29 sq. metres (99 square feet), and does not carry significant effects. . No concerns or objects have been identified or received regarding this proposal. For the reasons outlined above, it is the opinion of Planning staff that the subject application is minor.

The subject application **meets** the four tests of a minor variance.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services:

Maintain a distance of 4.8 meters (15.7 feet) from structure to overhead powerlines

Haldimand County Planning & Development Services – Development Technologist:

No comments or concerns.

Haldimand County Emergency Services:

No concerns with application

Roads Operations

No concerns with application..

Hydro One:

No concerns with the proposed addition to the residence at this property. It is advise that if the property owner would like any modifications be made to their existing hydro service, that they submit an upgrade request through the portal on the Hydro One website.

Municipal Property Assessment Corporation:

No comments received.

Mississaugas of the Credit:

No comments received.

Six Nations:

No comments received.

Public:

No comments received.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the Planning Act, R.S.O. 1990, c. P.13 on July 11, 2025

A copy of the staff report has been provided to the applicant.

Attachments:

1. PLA2025090 Location Map
2. PLA2025090 Owner Sketch