



Stratford Committee of Adjustment

Public Hearing Pursuant to Sections 45 and 53 of the *Planning Act R.S.O 1990, Ch. P.13.*

AGENDA

Date: Wednesday, April 17, 2024

Time: 4:00 p.m.

Location: Stratford City Council Chamber (upper level), located at 1 Wellington Street, Stratford.

Committee Members: Andy Bicanic – Chair, Charlene Gordon, Ajay Mishra, Justine Nigro

Staff: Adam Betteridge – Director of Building and Planning Services, Alex Burnett – Planner, Urja Modi – Consulting Planner, Anthony Fletcher – Recording Secretary

1. Call to Order

The Chair to call the meeting to order.

Opening remarks and land acknowledgement.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

The Municipal Conflict of Interest Act requires any member declaring a pecuniary interest and the general nature thereof, where the interest of a member has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member and to otherwise comply with the Act.

Name, Item and General Nature of Pecuniary Interest

3. Adoption of the Previous Minutes

Motion by: J. Nigro

Seconded by: C. Gordon

THAT the minutes from the Stratford Committee of Adjustment meeting dated March 20, 2024 be adopted as printed.

4. Current Applications

4.1 A13-24 – 114 Princess Street

Owner: Dominik and Kymm Franken

Agent: N/A

Request: The purpose of application A13-24 is to facilitate the conversion of an existing detached garage into an Additional Dwelling Unit (ADU), which are currently defined and regulated in the City's Zoning By-law as "Garden Suites" and "Second Suites".

The effect of the application will allow the conversion of the garage to a Garden Suite with the reduced setback to the rear lot line. The existing detached garage is situated approximately 1.4 m from the property's rear lot line; however, Garden Suites are required to be no closer than 2.5 m to a rear lot line (Section 4.10 e) of the City's Zoning By-law.

Variance requested:

1. Section 4.10 e) – Garden Suites, to permit an accessory dwelling unit (ADU) to be setback 1.4 m from the rear lot line.

Agency Comments

This minor variance application was circulated to agencies for comments on March 27, 2024. The following comments were received:

City of Stratford Building and Planning Services Department – Building Services:

No concerns with the proposed 1.4 m rear yard setback for the existing structure. Staff has concerns with the proposed parking as the access to spaces 1 & 2 shown on the Site Plan may not be able to be navigated. Instead, staff suggests the applicant look at relocating these spaces in tandem along the property line adjacent to the driveway.

City of Stratford Infrastructure Services Department – Engineering Division:

Damage Deposits are required prior to construction.

Confirm that the existing sanitary/storm/water services are appropriately size for the intended use in accordance with the OBC. If the existing services are to be used, confirm their condition prior to connecting. If new services are required, the public drain connection is to be installed by the City. Estimates and servicing deposits will be required. These estimates are generated by the Engineering Department and are the responsibility of the property owner/developer for payment.

Provide a drawing with the downspout locations, which are not to project the discharge onto the adjacent property. Verify that the existing lot drainage/grading plans does not negatively impact the adjacent lands.

City of Stratford Infrastructure Services Department – Water Services:

No concerns with the application. Only one water service per property.

Festival Hydro:

Customer to contact Festival Hydro requesting a service layout if alterations (or an upgrade) are required to the existing hydro service or metering to suit.

Fire Prevention and Community Services Department:

No comments or concerns.

A. Burnett presented the application and gave a brief overview of the report and concluding with recommending approval of the application.

D. Franken (Property Owner) gave a brief overview of the reasoning for this variance, explaining he wishes to stay closer to his son who lives in the main home and is dealing with health concerns.

Concerns were raised from Committee Members regarding parking and privacy.

A. Burnett explained that there are no parking restrictions as per new legislation in Bill 108 and as there are no windows proposed onto neighbouring properties, there are no privacy concerns.

Decision of the Committee

Moved by: J. Nigro

Seconded by: A. Mishra

THAT Application A13-24, submitted by Dominik and Kymm Franken, for lands legally described as PLAN 147 LOT 20 in the City of Stratford and municipally known as 114 Princess Street, as it relates to:

1. Section 4.10 e) – Garden Suites, to permit an accessory dwelling unit (ADU) to be setback 1.4 m from the rear lot line, subject to the following condition:

Be approved, subject to the following condition:

i) That the Owner submit documentation to the City of Stratford which demonstrates that water from the ADU is not directed onto abutting property lines, to the satisfaction of the Director of Building and Planning Services.

Carried.

Reason for Decision:

1. No public input was received.
2. Provides additional housing units.

4.2 A14-24 – 4117 Perth Line 36

Owner: Quinlan Road Developments LP (c/o Kevin Fergin)

Agent: Baker Planning Group (c/o Caroline Baker)

Request: The lands subject to application A14-24 are currently under development for a new residential community totaling 362 dwelling units, and as designed and approved through previous City Planning Applications as identified below. The new residential community is being developed in three phases, with phase one currently undergoing construction.

The purpose of this application under Section 45(1) of the Planning Act, R.S.O. 1990 is to reduce the minimum side-yard setbacks between building walls with windows to habitable rooms, where the building walls do not constitute a rear yard amenity area, from 4 metres to 3 metres. The reduced distance between building walls applies 1.5-metre side-yard setbacks to each end unit, rather than the required 2-metre side-yard setback and provides a combined side-yard distance of 3.0 metres between townhouse blocks.

The effect of this application is to permit one window along the sides of the townhouse blocks to support additional light within the associated habitable rooms. The minor variance request applies to each of the proposed townhouse blocks for the entirety of the subject lands.

Variances requested:

1. Table 8-3 – Section 15.4.28 – to reduce the minimum setback between building walls with windows to habitable rooms, where the building walls do not constitute a rear yard amenity area, from 4 metres to 3 metres to facilitate the construction of future townhouse dwellings.

Agency Comments

This minor variance application was circulated to agencies for comments on March 27, 2024. The following comments were received:

City of Stratford Building and Planning Services Department – Building Services:

- No concerns from Building at this time.

City of Stratford Infrastructure Services Department – Engineering Division:

- No comments or concerns.

City of Stratford Infrastructure Services Department – Water Division:

- No comment.

City of Stratford Community Services:

- No issues with the proposed minor variance.

Fire Prevention and Community Services Department:

- No comments.

Festival Hydro:

- No comments, as this development is being serviced by Hydro One.

Upper Thames River Conservation Authority (UTRCA):

- The subject lands are regulated by the UTRCA due to the presence of riverine flooding hazards associated with the McNamara Drain. The UTRCA has indicated that they will review the grading and floodproofing for the development as part of the Site Plan Approval process. The UTRCA has no objections with the Minor Variance application.

U. Modi presented the application and gave a brief overview of the report and concluding with recommending approval of the application.

Jeff Robinson explains this variance is being requested to allow for more natural light to enter the living spaces of the homes while still providing privacy.

Decision of the Committee

Moved by: J. Nigro

Seconded by: C. Gordon

THAT Application A14-24, submitted by Baker Planning Group (c/o Caroline Baker), for lands legally described as Parts 1, 4, 5, 6, 8, 9 and 10 on 44R-6110 in the City of Stratford and municipally known as 4117 Perth Line 36, as it relates to:

1. That the minimum setback between building walls with windows to habitable rooms, where the building walls do not constitute a rear yard amenity area as outlined in Section 15.4.28, be reduced from 4 metres to 3 metres to facilitate the construction of future townhouse dwellings.

Be approved.

AND THAT the Committee of Adjustment pass a resolution that no further notice is required under Section 45(5) of the Planning Act.

Carried.

Reason for Decision:

1. No public input was received.
2. Minor in nature.

5. **Next Meeting** – May 15, 2024, at 4:00 p.m. – City Hall Council Chambers (upper level), located at 1 Wellington Street, Stratford.

6. **Adjournment**

Moved by: J. Nigro

Seconded by: A. Mishra

THAT the April 17, 2024 Stratford Committee of Adjustment meeting adjourn.

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