



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, February 19, 2025

Time: 4:00 p.m.

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

1. Call to Order

The Chair to call the meeting to order.

Opening remarks

Land acknowledgement

Respectful Conduct Statement

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. General Business

4. Adoption of the Previous Minutes

Motion by:

Seconded by:

THAT the minutes from the Stratford Committee of Adjustment hearing dated January 22, 2025 be adopted as printed.

5. Current Applications

5.1 A25-24 – 14 Milton Street

The purpose of this application A25-24 under Section 45(1) of the Planning Act, R.S.O. 1990 is for a reduction in the eastern side yard setback requirement to permit the construction of a two storey addition to the existing dwelling to accommodate another dwelling unit or a short term rental unit.

Variance requested:

1. Section 15.3.11: To reduce the eastern side yard setback from 4.2 metres to 1.61 metres.

The subject application was originally circulated on September 19, 2024, and was deferred from consideration at the October 16 Committee of Adjustment meeting pending the submission of a Heritage Impact Assessment, which has since been received.

5.2 A30-24 – Rhodes Court (Lot 43)

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the exterior side yard width requirement to allow the construction of a single detached dwelling.

Variance Requested:

1. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side of 2.5 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which final approval was recently issued with plan registration being imminent.

5.4 A31-24 – Manuel Street (Block 85)

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the exterior side yard width requirement to allow the construction of a street townhouse dwelling containing four (4) units.

Variance Requested:

1. Section 15.4.33 j) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side of 2.1 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which final approval was recently issued with plan registration being imminent.

5.5 A32-24 – 51 Shrewsbury Street

The purpose of the application is to recognize the existing side yard setback for an accessory structure built without a building permit by the previous property owners.

The effect of the application is to reduce the minimum required distance from an interior side lot

line for an accessory structure from 1 m to 0.59 m.

The accessory structure, which originally functioned as a garage (built prior to 1972), was converted into an accessory dwelling unit prior to 2016 when purchased by the current property owners. It has since been used as an office/studio space. Upon trying to sell the subject property, the applicant's discovered that a building permit had not been issued for the accessory structure. The requested minor variance is required to facilitate the issuance of the permit.

Variance Requested:

1. Table 4.1.2: Accessory Building or Structure Locations – to decrease the minimum required distance from an interior side lot line for an accessory structure from 1 m to 0.59 m.

5.6 A33-24 – Poett Avenue (Block 99)

The purpose of this application is seek to relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the exterior side yard width requirement to allow the construction of a street townhouse dwelling contains five (5) units.

Variance Requested:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which the issuance of final approval is anticipated in the first quarter of 2025.

5.7 A34-24 – Poett Avenue (Lot 63)

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the visibility triangle and the exterior side yard width requirements to allow the construction of a single detached dwelling.

Variance Requested:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.
2. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side yard of 2.5 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which the final approval was recently issued with plan registration being imminent.

5.8 A35-24 – Poett Avenue (Lot 64)

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning

By-law 10-2022 with respect to the visibility triangle and the exterior side yard width requirements to allow the construction of a single detached dwelling.

Variance Requested:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.
2. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side yard of 2.4 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which the issuance of final approval is anticipated in the first quarter of 2025.

6. **Next Meeting** – March 19, 2025 – City Hall Council Chambers (upper level), located at 1 Wellington Street, Stratford.

7. **Adjournment**

Motion by:

Seconded by:

THAT the February 19, 2025 Stratford Committee of Adjustment meeting adjourn.

Time Start:

Time End:

If you require this document in an alternate format, please contact City Hall at 519-271-0250 extension 5237 or email clerks@stratford.ca

REPORT TO THE COMMITTEE OF ADJUSTMENT

**Submitted By: Planning and Building Services Department
Planning Services Division**

Application No.: A25-24

Meeting Date: February 19, 2025

Owner: Ken & Ewa Murphy

Agent: N/A

Location: 14 Milton Street, legally described as Lot 39 and Part of Lot 42 on PLAN No. 75, Part 2 on Registered Plan 44R3277 in the City of Stratford

Zoning: R3-11 – Residential Third Density with site-specific provisions

Official Plan Designation: Downtown Core

Road Classification: Milton Street – Local Street

Purpose of Application:

The purpose of this application A25-24 under Section 45(1) of the Planning Act, R.S.O. 1990 is for a reduction in the eastern side yard setback requirement to permit the construction of a two storey addition to the existing dwelling to accommodate another dwelling unit or a short term rental unit.

Variance requested:

1. Section 15.3.11: To reduce the eastern side yard setback from 4.2 metres to 1.61 metres.

The subject application was originally circulated on September 19th, 2024, and was deferred from consideration at the October 16th Committee of Adjustment meeting pending the submission of a Heritage Impact Assessment, which has since been received.

Background:

Attachments

- Map 1 – Location & Zoning Map
- Map 2 – Concept Site Plan
- Figure 1 – Proposed Elevations
- Figure 2 – Site Photo

Site Characteristics

Existing Use:	Single detached dwelling with two guest rooms
Frontage:	23.77 m (78.00 ft)
Depth:	37.22 m (122.10 ft)
Area:	884.72 m ² (9523.80 ft ²)
Shape:	Rectangular

Surrounding Land Uses:

North:	Apartment Building (Heritage Designated Part IV)
East:	Single detached dwelling
South:	Apartment building (Heritage Designated Part IV)
West:	Commercial Building and Storage

Agency Comments

Circulation of the application to various agencies produced the following comments:

City of Stratford Infrastructure and Development Services Department – Engineering Division:

1. General Comments

- 1.1. A damage deposit of \$3,400.00 (plus administrative fee and HST) is required prior to construction as per “Schedule E” of the Fees and Charges By-Law 117-2023.
- 1.2. Adhere to the Private Tree Preservation By-Law #86-2020 regarding the existing tree identified on the property.

2. General Drawing Requirements

- 2.1. A grading plan submission is required during the Building permit application phase for review by the Engineering Division
 - 2.1.1. The overall lot grading cannot negatively impact the adjacent lands, and if grading permits positive overland flow towards the frontage should be established.
 - 2.1.2. A side yard swale may be beneficial along the east property line, and if possible shall be located on the common lot line between adjacent lots.
 - 2.1.3. More information regarding the grading plan submissions can be found in the City of Stratford Infrastructure Standards and Specification Manual.

3. Site Plan

- 3.1. The 'Lot Data' shown on the Site Plan is for the incorrect address (shown as 26 Oak Street).
- 3.2. Identify existing and proposed types surfacing (i.e. Sod, gravel, asphalt, concrete, etc.).
- 3.3. Show location of snow storage area.

4. Site Servicing

- 4.1. Confirm that the existing sanitary and water services are appropriately sized for the intended use in accordance with the OBC. It is the property owner's responsibility to confirm the condition of their existing services if they are to be reused. Provide the private drain connection (servicing) details once available to the Engineering Division.
 - 4.1.1. The City of Stratford recommends replacing all existing private service connections at this property, due to the age of the in our records.
 - 4.1.1.1. A newer sanitary public drain connection was installed in 2000, during the Milton Street Reconstruction, and is available and stubbed at the property line.
 - 4.1.1.2. A 450mm diameter storm sewer (main) installed in 2000, during the Milton Street Reconstruction, is available along the frontage of this address. If a new storm service is required, the Engineering Division will generate estimates for the work to be completed. Payment of these deposits are the responsibility of the property owner.
- 4.2. As per the City of Stratford Sewer By-Law 65-70:
 - 4.2.1. Section 8: Notwithstanding any other provision to the contrary, weeping tile shall not be connected to the sanitary private drain connection on any new construction or any exterior renovations to houses or additions added.
 - 4.2.2. Section 9: Notwithstanding any other provision to the contrary, unless permitted to do otherwise under this by-law, it shall be illegal to have rainwater leaders on any house in the City of Stratford connected to a sanitary sewer.

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

1. Variance Concerns

- 1.1. Concerns with the future proposal and Inn use on the property. With the proposed addition now creating a Triplex on the property we have concerns with the building meeting the definition of an Inn and its capability of being licensed through the Short-Term Rental By-Law.

2. General Comments

- 2.1. Applicant to submit all Planning Approvals to the Building Department for review with their building permit application. Current building permit application on hold until variance approved, or revisions made to show conformance with the Zoning By-Law.
- 2.2. Designer will be required to review spatial separation requirements in accordance with the Ontario Building Code and this will be reviewed at time of building permit review.

City of Stratford Clerks Department:

- Sufficient Parking to be provided on site

City of Stratford Community Services Department – Parks Division:

- No concerns

Festival Hydro:

- If there are any changes required to the existing electrical service or metering as part of the project, customer to contact Festival Hydro 'Services' to request a service layout.

CN Rail

It is noted that the subject site is located within 300 meters of CN's Stratford Rail Yard. CN has concerns of developing/densifying residential uses in proximity to rail yard operations.

CN requests for the implementation of the following criteria as conditions of an eventual application approval:

1. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of the new dwelling unit:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 1000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."

2. The implementation of the following mitigation measures in the dwelling design and construction:

- Inclusion of an air conditioning system,
- Acoustically upgraded windows meeting the minimum requirements of the Building Code and providing a maximum 35 dBA indoor limit for bedrooms and 40 dBA for living rooms, Locating noise sensitive rooms away from the railway side.

Canada Post:

- No comments unless the plans are modified where the development will be serviced within our current Community Mailbox infrastructure.

Upper Thames River Conservation Authority:

- No concerns.

Invest Stratford:

- The Housing Consortium supports additional residential density and thus supports this minor variance request. The applicant is encouraged to reach out to the Housing Consortium at housing@investstratford.com to discuss the possibility of new units being affordable.

Public Comments

A Public Notice was provided to neighbouring property owners within 60 metres on September 19th, 2024, in accordance with the provisions of the *Planning Act*. In addition, notice of the proposed application was published in the Town Crier of the Beacon Herald on September 21st, 2024. At the time of writing this report, no comments or concerns were received from the public. As no concerns were raised from members of the public in the circulation of the application last September, no further notice was provided in advance of the hearing of this application.

Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Planning Analysis:

Provincial Planning Statement (2024)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20th, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction

on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 2.2 of the PPS states that cities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. In addition, cities shall permit and facilitate all types of residential intensification, development as well as the introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3. Section 2.3.1.3 states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 2.3.2 of the PPS also states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources. Section 2.8.1 of the PPS states that planning authorities shall promote economic development and competitiveness by providing an appropriate mix and range of employment and considering the needs of existing and future businesses.

Staff is of the opinion that the proposal is consistent with the promotion of intensification policies as well as the appropriate range and mix of housing types and densities set forward by the PPS.

Does the variance meet the General Intent of the Official Plan?

The Subject Lands are designated 'Downtown Core' on Schedule 'A' of the Official Plan and further identified as being located within a 'Heritage Area' on Schedule 'E'. Milton Street is identified as a local road on 'Schedule D'.

As per Section 4.4.2, 'Downtown Core' designations permit a range of uses including, but not limited to retail; business, professional and administrative offices; business and personal services of all types, including hotels, conference facilities and other similar uses; culture, entertainment, dining and accommodation; government facilities, public administration and other institutional uses; facilities for community and indoor recreation activities and parks and open space. The 'Downtown Core' goals and objectives include encouraging re-development, enhancement and maintenance of a Downtown which is vibrant compact and multi-functional. Additionally, increasing diversity and number of residential opportunities is emphasized.

The applicant has requested a variance for a reduced eastern side yard setback from 4.2 metres to 1.61 metres to facilitate the construction of a 2 - storey addition to the property

to accommodate an additional dwelling unit or short-term rental unit. As the proposal will increase the number of residential opportunities in the Downtown Core and enhance the economic viability of the existing business on the subject property, the proposed addition is considered to conform to the Downtown Core policies of Section 4.4.

The subject lands are identified on Schedule 'E' of the Official Plan, as being located within a 'Heritage Area'. Section 3.5.8 provides a framework for infilling in 'Heritage Areas' that require that the inherent heritage qualities of the area be retained or enhanced through similar built form. As infilling policies are intended to be applied to the creation of additional residential units, this policy does apply.

Furthermore, the subject lands are abutting and adjacent to another Part IV Heritage Designated property under the *Ontario Heritage Act*. Section 3.5.7 viii) of the City's Official Plan requires "Development and site alteration on lands adjacent to designated heritage properties or heritage conservation districts shall not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved". As a Heritage Impact Assessment (HIA) was not initially received, the application was deferred in October 2023. An HIA was subsequently received in December 2023, prepared by *Archaeological Research Associates Ltd (ARA)*. The HIA concludes that the proposed addition will not have any negative impacts on the cultural heritage value or interest of the abutting properties. As a result, Staff are of the opinion that the proposal conforms to the Heritage policies of the Official Plan.

Does the variance meet the General Intent of the Zoning By-law?

The subject lands are zoned Residential Third Density R3-11 with Site Specific Regulations. As per section 15.3.11 of the Zoning By-law, 14 Milton Street permits all R3 zone uses in addition to an Inn. Section 6 within Zoning Bylaw 10-2022, permits R3 zones to have boarding house dwellings, converted dwelling, group home, quadruplex dwelling, single detached dwelling, and triplex dwellings. The surrounding neighbourhood primarily contains single detached dwellings, an apartment building, commercial uses, and a bus terminal.

The applicant has requested a variance to reduce the minimum eastern side yard setback from 4.2 metres to 1.61 metres to facilitate the development of a 2-storey addition to the property to accommodate an additional dwelling or short term rental unit.

It should be noted that the minimum 4.2 metre eastern side yard setback was implemented as part of a zone change application in 2021, as per Section 15.3.11 of the Zoning By-law. The standard minimum side yard setback in the R3 zone for a residential use is 1 metre, plus an additional 0.5 metre for each storey up to a maximum of 2.0 metres. The standard minimum side yard setback for a commercial use is 2.5 metres.

The intent of the minimum side yard setback is to allow for construction and maintenance, provide sufficient room for drainage away from the property line, and to ensure that there are no shadowing or privacy impacts on neighbouring properties. The requested minimum eastern side yard setback of 1.61 metres is greater than the minimum requirement in the R3 zone for a standard 2-storey residential property and 0.89 metres less than the required minimum setback for commercial properties. Planning Staff are of the opinion that the requested 1.61 metre setback will provide sufficient room for drainage and maintenance, and no shadowing or privacy concerns are anticipated. As a result, staff is satisfied that the requested variance maintains the general intent and purpose of the City's Zoning By-law.

Is the variance desirable for the appropriate development of the land?

The subject lands are classified as "Downtown Core" in the City's Official Plan and zoned Residential Third Density R3-11 in the Zoning By-law. The requested variance to reduce the minimum eastern side yard setback will facilitate the development of a 2-storey addition on the property to accommodate another dwelling unit or a short term rental unit. Upon discussions with the City's Building Department, the use of the addition may have different impacts on the Ontario Building Code requirements and the City's Licensing By-law. As a result, it is recommended that as a condition of approval, that a "letter of use" be submitted to the Building Department to demonstrate the purpose of the proposed addition. Subject to this condition, Planning Staff are of the opinion that the requested variance is desirable for the appropriate development of the land.

Staff acknowledge CN Rail's concerns regarding residential intensification in proximity to their rail line. However, the property's Downtown Core designation supports residential intensification where appropriate. Planning Staff recommend adding as a condition of approval that the applicant enter into a development agreement with the City to address CN's land compatibility concerns in relation to its rail yard.

Is the requested variance minor?

Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. The proposed variance would facilitate the development of a 2-storey addition containing a dwelling unit or short-term rental unit. Staff are of the opinion that, subject to the recommended condition, the requested variance will not have an adverse impact on the character of the

area or the ability of adjacent property owners to use their property in accordance with the Zoning By-law. As such, the requested variance is considered minor.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A25-24, submitted by Ken and Ewa Murphy for lands described as Lot 39 and Part of Lot 42 on Registered Plan 75 and municipally addressed as 14 Milton Street in the City of Stratford, as it relates to:

1. Section 15.3.11 – to reduce the eastern yard setback from from 4.2 metres to 1.61 metres for the proposed secondary storey addition;

Subject to the following conditions:

- i) That the applicant submit a "letter of use" to the City's Building Department to demonstrate the purpose of the proposed addition, to the satisfaction of the City's Chief Building Official.
- ii) That the applicant enter into a development agreement with the City to address land compatibility concerns, to the satisfaction of CN Rail and the City's Manager of Planning.

Reasons

The proposed relief is consistent with the Provincial Planning Statement.

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

The requested relief maintains the general intent and purpose of the Official Plan as the proposal facilitate the development of 2-storey addition on the subject property that meets the Residential policies of the Official Plan.

The requested relief maintains the general intent and purpose of the City's Zoning By-law as the proposal will not have privacy or drainage impacts on neighbouring properties.

The requested relief is desirable for the use of the land as it will facilitate the development of a 2-storey addition on the subject lands.

The requested relief is minor, as the requested variances will not affect the ability of neighbouring property owners to use their land in accordance with the provisions of the Zoning By-law.

Prepared by:

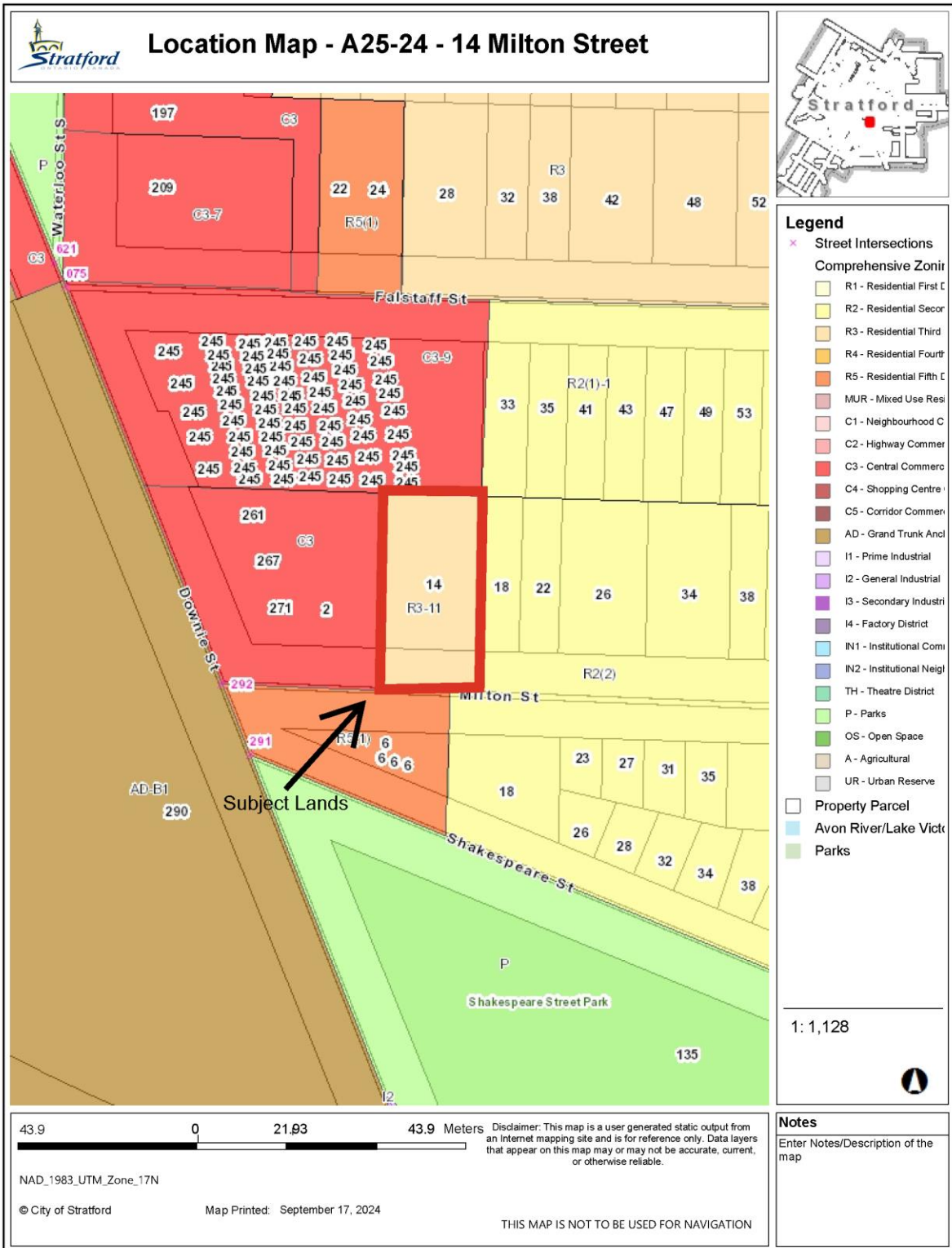
Alexander Burnett, Intermediate
Planner

Reviewed, Recommended, & Approved by:

Marc Bancroft, Manager of
Planning, MPL, MCIP, RPP

Report finalized: February 12th, 2025

Map 1 – Location & Zoning Map
File # A25-24
Ken & Ewa Murphy – 14 Milton Street



Map 2 - Concept Site Plan
File # A25-24
Ken & Ewa Murphy – 14 Milton Street

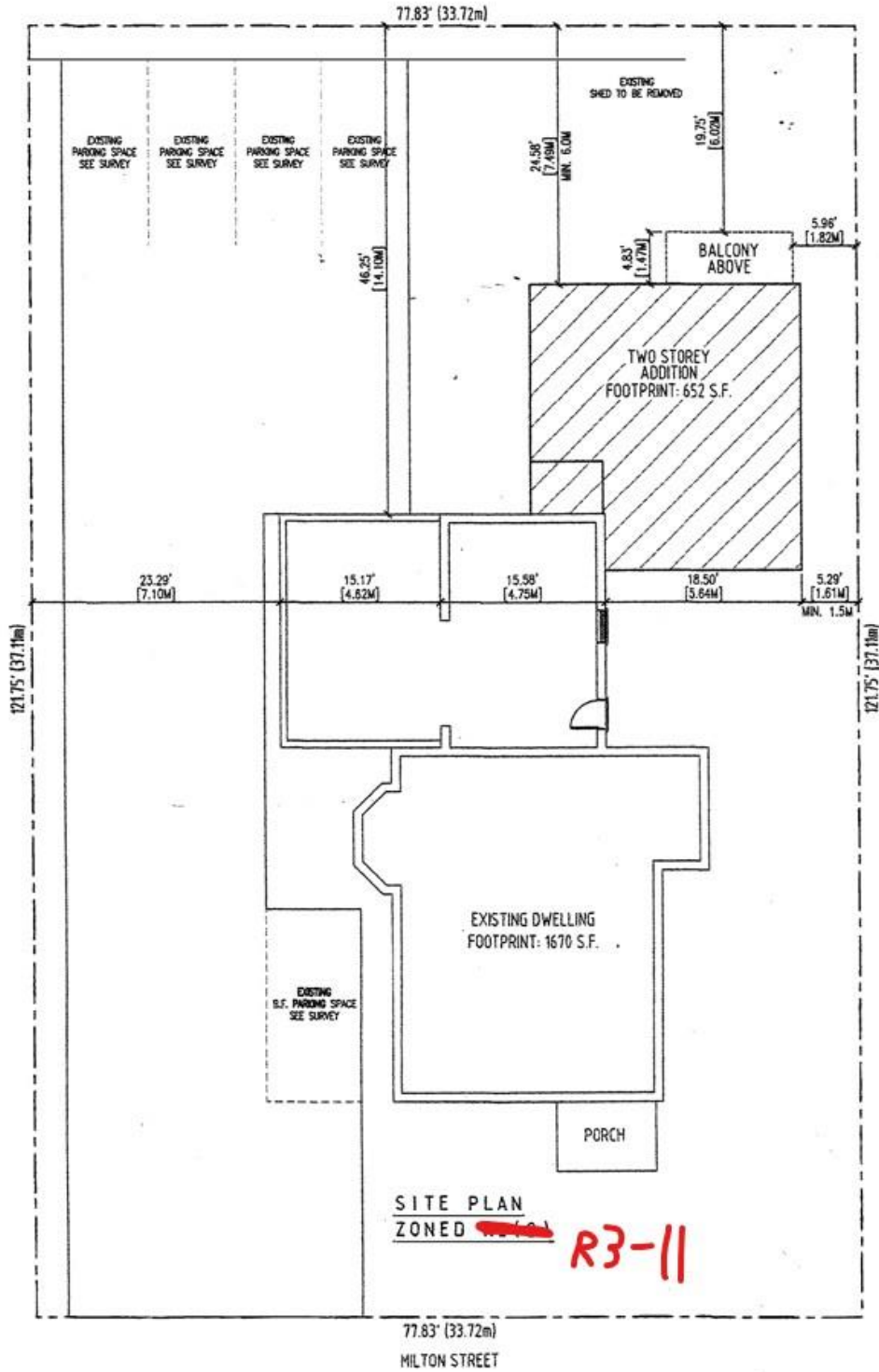


Figure 1 – Proposed Elevations
File # A25-24
Ken & Ewa Murphy – 14 Milton Street

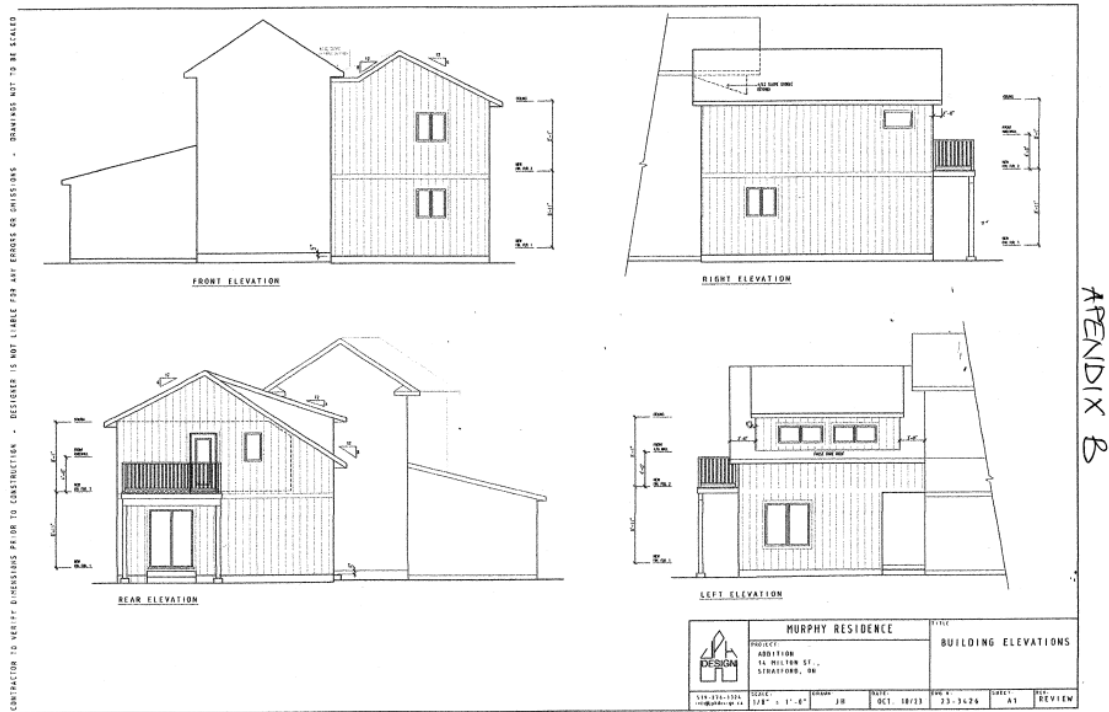


Figure 2 – Site Photo – February 10th, 2025
File # A25-24
Ken & Ewa Murphy – 14 Milton Street



REPORT TO THE COMMITTEE OF ADJUSTMENT

**Submitted By: Building & Planning Services Department
Planning Division**

Application No.: A30-24

Meeting Date: February 19, 2025

Owner: Cachet Developments (Stratford) Inc. c/o Marcus Gagliardi

Agent: Glen Schnarr & Associates c/o Mark Condello

Location: 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; more specifically, the subject property is Lot 43 on the proposed final plan of subdivision, situated on the east and north sides of Rhodes Court off Hepburn Place.

Zoning: Residential Second Density – R2(2)-46

**Official Plan Designation: Residential Area
/ Special Policy Area 19**

Road Classification: Rhodes Court – Proposed Local Road

Purpose of Application:

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the exterior side yard width requirement to allow the construction of a single detached dwelling.

Variance Requested:

1. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side of 2.5 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which final approval was recently issued with plan registration being imminent.

Background:

Attachments

- Map 1 – Zoning & Location Map
- Map 2 – Minor Variance Sketch
- Map 3 – Site Plan

Site Characteristics

Existing Use: Vacant, single detached dwelling planned.

Frontage: 11.5 m

Depth: 30.5

Area: 372 m²

Shape: Generally Rectangular

Surrounding Land Uses to Lot 43 (subject property)

North: Vacant, zoned for single detached dwelling

East: Vacant, zoned for single detached dwelling

South: Vacant, zoned for single detached dwelling

West: Vacant, zoned for single detached dwelling

Agency Comments

This minor variance application was circulated to agencies for comments on January 31, 2025. The following comments were received:

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

A reduced side yard may impact spatial separation calculations; ensure all building permit applications take the desired setback into account when considering spatial separation.

City of Stratford Infrastructure Services Department – Engineering Division:

No comments or concerns.

City of Stratford Community Services Department – Parks:

No concerns.

City of Stratford Fire Department – Fire Prevention:

No comments.

Upper Thames River Conservation Authority:

No objections. Through their Risk Management Official / Risk Management Inspector with respect to Drinking Water Source Protection, the subject lands are not located within a vulnerable area and therefore the property is not designated for restricted land use under S. 59 of the Clean Water Act, 2006.

Ministry of Transportation:

MTO has no requirement for this application.

Public Comments

Notice of the requested variance was sent to surrounding property owners on January 31, 2025 in accordance with the *Planning Act*. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on February 1, 2025. At the time of writing this report, no comments or concerns were received from the public. Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:Provincial Planning Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 2.2 of the PPS states that cities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. Section 2.3.1.3 states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Staff are of the opinion that the proposal is consistent with the promotion of intensification policies as well as the appropriate range and mix of housing types and densities set forward by the PPS.

Section 45 of the *Planning Act* allows the Committee of Adjustment to grant relief from zoning by-law requirements subject to four tests, as follows:

Does the request Maintain the Intent and Purpose of the Official Plan?

The property is designated Residential in the Official Plan. The Residential policies allow for a range of dwelling types from single detached and semi-detached dwellings to townhouses and low-rise apartment buildings. The 'Residential' goals and objectives include maintaining essential neighbourhood qualities, privacy, upkeep, public health, safety, and compatibility with the surrounding neighbourhood and to achieve a mix of housing types to provide diversity in the housing stock and more affordable housing opportunities.

The property is also located within Special Policy Area 19 on Schedule 'A' of the Official Plan, being the Stratford East Planning Area. This Special Policy Area provides supplementary policy direction on matters such as medium-density residential uses, road access, parkland, compatibility with existing industrial uses and the need for a comprehensive plan of subdivision development process. Recognizing the subject property is a lot on a plan of subdivision and there are no issues of compatibility considering the surrounding area is to be comprised of low-density residential uses in the form of single detached dwellings, this development conforms to Special Policy Area 19.

This proposal will neither negatively impact the subject property nor the surrounding area as the lot will remain sufficiently sized to accommodate the proposed residential development. The Residential goals and objectives of the Official Plan will be maintained, and the development will promote the diversity of housing stock in the City. As such, the requested variance maintains the general intent and purpose of the Official Plan.

Does the request Maintain the Intent and Purpose of the Zoning By-law?

The subject property is zoned Residential Second Density R2(2)-46 under the City of Stratford Comprehensive Zoning By-law 10-2022, which permits single detached dwellings. The applicant is requesting to reduce the minimum exterior side yard width from 3.5 m to 2.5 m considering the subject property's side lot lines are not parallel with the property being narrower at the front and wider at the rear. The intent of the minimum exterior side yard width provision is to ensure a safe distance between the dwelling and the flanking street, as well as to maintain the privacy of residents.

Planning staff are generally satisfied that the requested variance will facilitate development that is considered an efficient use of the land. The requested variance will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. Notwithstanding the exterior side yard requirement, it is not unusual for lots with a rear yard to rear yard interface to have reduced exterior side yards, considering driveway access would be from the fronting street as opposed to

the flanking street. As such, Staff are of the opinion that the requested variance will ensure a safe distance between the side of the single detached dwelling and the flanking street as well as the requested variance will maintain the privacy of residents. As such, this variance maintains the intent and purpose of the Zoning By-law.

Is the requested variance desirable for the appropriate development of the lands?

The subject property is designated Residential / Special Policy Area 19 in the City's Official Plan and zoned Residential Second Density R2(2)-46 in the City's Zoning By-law. The requested variance is to permit a reduced exterior side yard width of 2.5 metres, to facilitate the development of a single detached dwelling. The proposed dwelling complies to all other applicable zoning requirements. Staff are of the opinion that the requested variance is desirable for the appropriate development of the lands.

Is the requested variance minor in nature?

Whether a variance is minor is based on the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that the requested variance will have any adverse impact on the character of the area or the ability of adjacent residents to use their property in accordance with the Zoning By-law. As such, the requested variance is considered minor in nature.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A30-24, submitted by Glen Schnarr & Associates (c/o Mark Condello) on behalf of Cachet Developments (Stratford) Inc. (c/o Marcus Gagliardi), for lands known municipally as 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; being Lot 43 on the proposed final plan of subdivision, situated on north and east sides of Rhodes Court, as it relates to:

1. Section 15.2.46 g) of the City of Stratford Comprehensive Zoning By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side of 2.5 metres is being requested.

Reasons

The requested relief is consistent with the Provincial Planning Statement.

The requested relief also meets the four tests of a minor variance as set out in Section 45(1) of the *Planning Act* as follows:

The requested relief maintains the intent and purpose of the Official Plan as the proposal meets the Residential and Special Policy Area 19 policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Comprehensive Zoning By-law as the requested variance will ensure a safe and adequate distance between the side of the single detached dwelling and the flanking street, as well as maintain the privacy of residents.

The requested relief is desirable for the use of the land as it will facilitate the construction of a single detached dwelling on the subject property.

The requested relief is minor in nature as the requested variance will not affect the ability of neighbouring residents to use their land in accordance with the provisions of the Zoning By-law.

**Prepared, Recommended
& Approved by:**

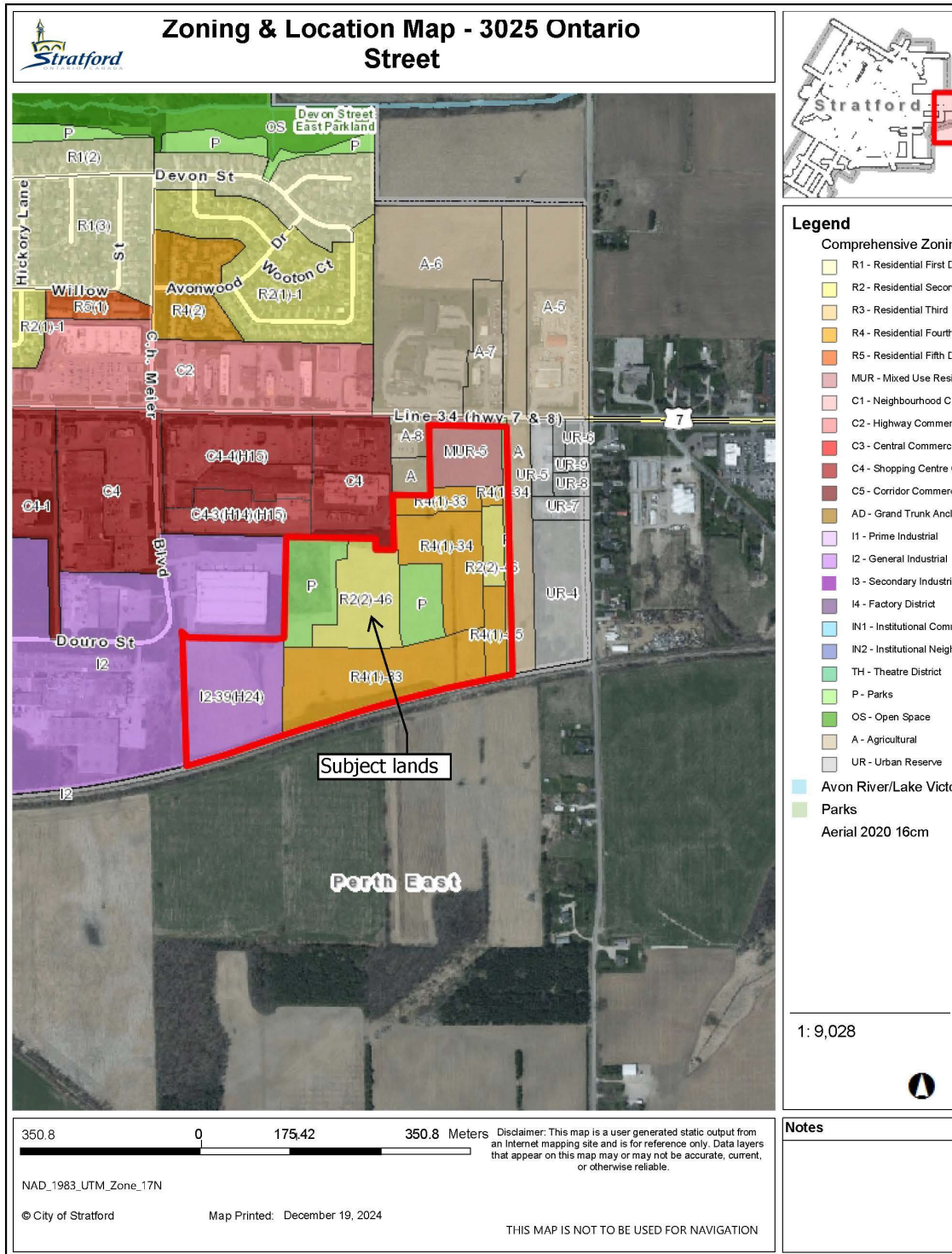
Marc Bancroft, MPL, MCIP, RPP
Manager of Planning

Report finalized: February 13, 2025

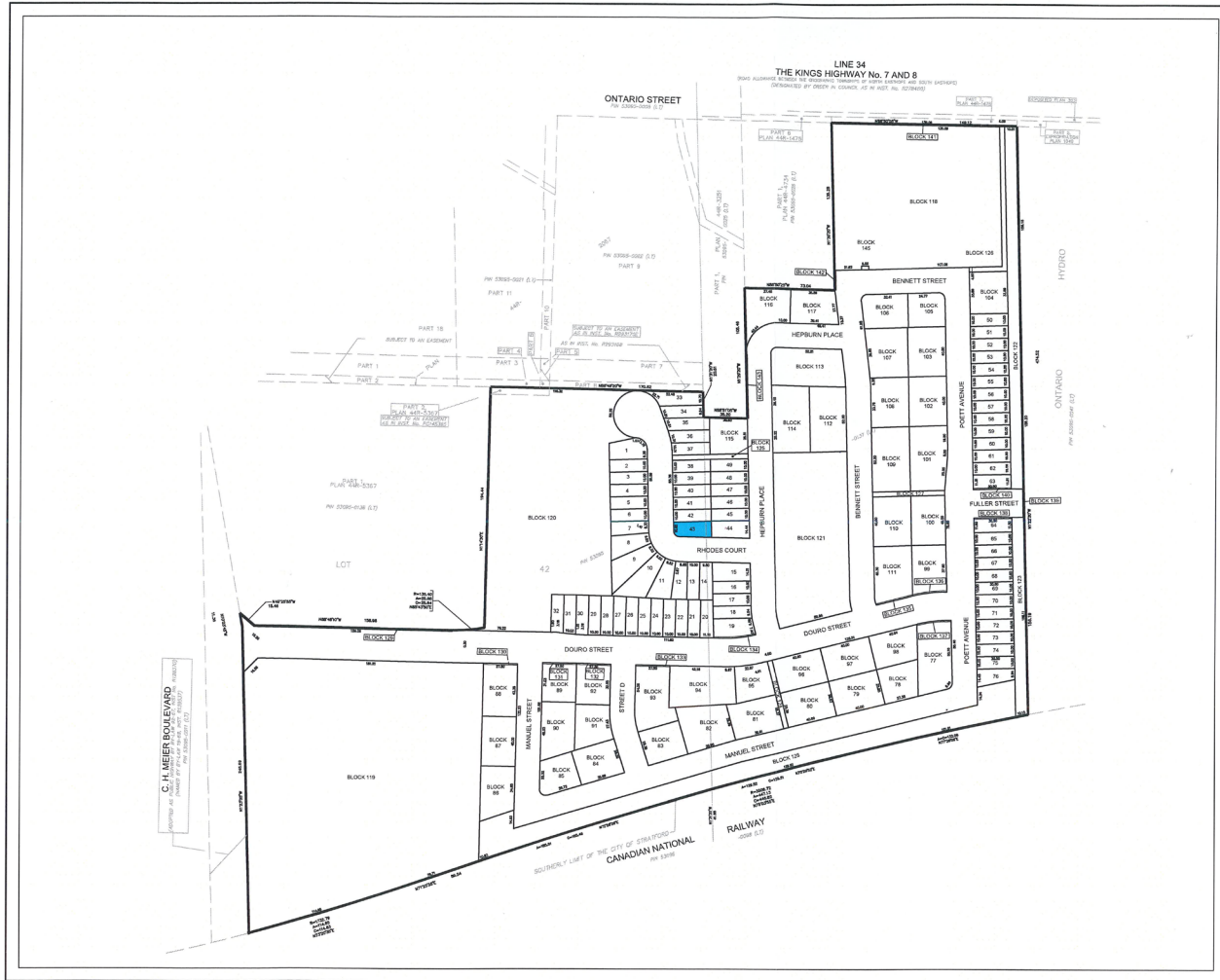
Map 1 – Location & Zoning Map

File #A30-24

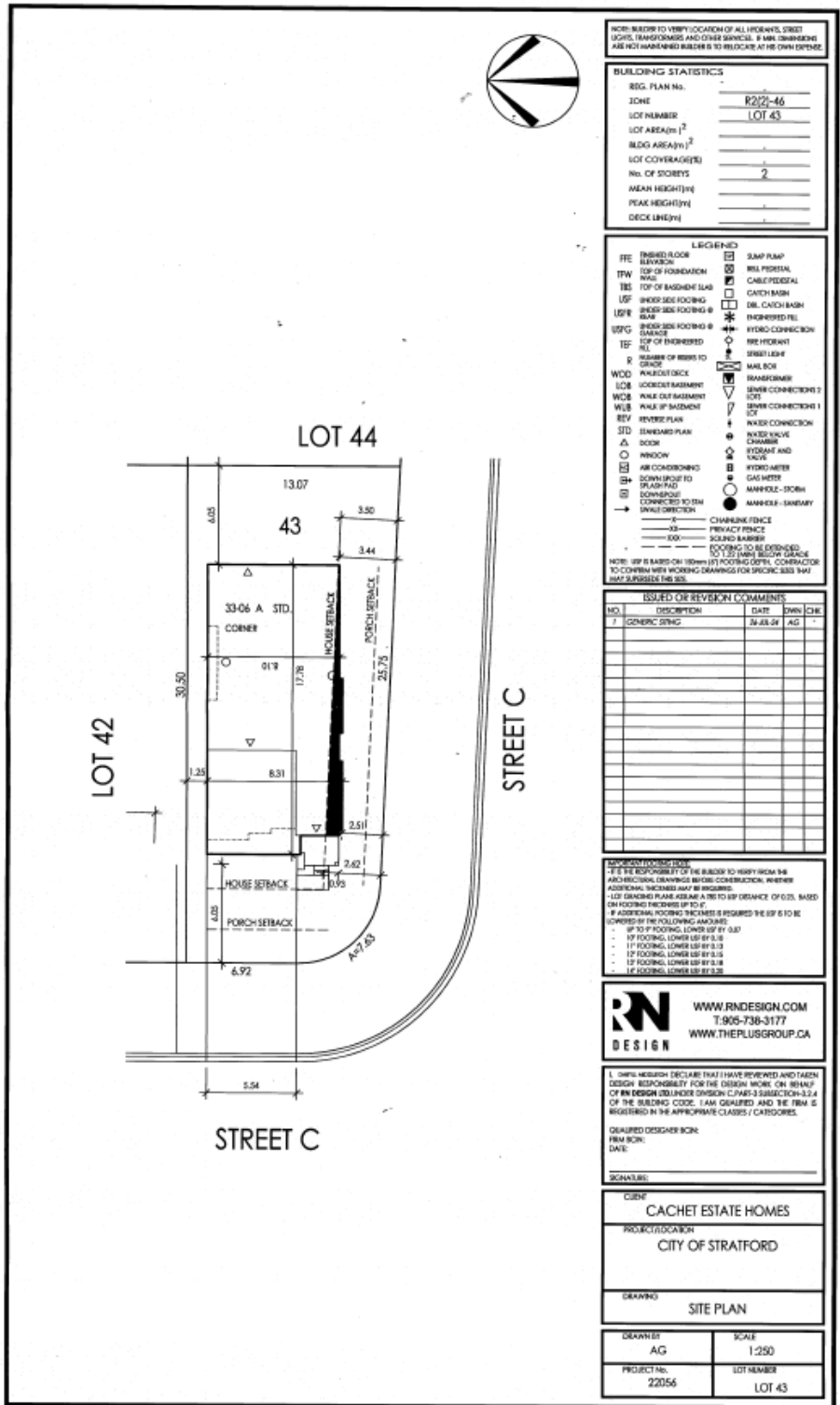
Cachet Developments (Stratford) Inc. – Lot 43, Rhodes Court



**Map 2 – Minor Variance Sketch
File #A30-24
Cachet Developments (Stratford) Inc. – Lot 43, Rhodes Court**



Map 3 – Site Plan
File #A30-24
Cachet Developments (Stratford) Inc. – Lot 43, Rhodes Court



REPORT TO THE COMMITTEE OF ADJUSTMENT

Submitted By: Building & Planning Services Department -
Planning Division

Application No.: A31-24

Meeting Date: February 19, 2025

Owner: Cachet Developments (Stratford) Inc. c/o Marcus Gagliardi

Agent: Glen Schnarr & Associates c/o Mark Condello

Location: 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; more specifically, the subject property is Block 85 on the proposed final plan of subdivision, situated on the north and east sides of Manuel Street, just south of the Douro Street extension.

Zoning: Residential Fourth Density – R4(1)-33

Official Plan Designation: Residential Area
/ Special Policy Area 19

Road Classification: Manuel Street – Proposed Local Road

Purpose of Application:

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the exterior side yard width requirement to allow the construction of a street townhouse dwelling containing four (4) units.

Variance Requested:

1. Section 15.4.33 j) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side of 2.1 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which final approval was recently issued with plan registration being imminent.

Background:

Attachments

- Map 1 – Zoning & Location Map
- Map 2 – Minor Variance Sketch
- Map 3 – Site Plan

Site Characteristics

Existing Use: Vacant, Street townhouse dwellings planned.

Frontage: 29.4 m

Depth: irregular

Area: 867 m²

Shape: Generally Rectangular

Surrounding Land Uses to Block 85 (subject property)

North: Vacant, zoned for street townhouse dwellings

East: Vacant, zoned for street townhouse dwellings

South: Open space in the form of a railway berm

West: Vacant, zoned for street townhouse dwellings

Agency Comments

This minor variance application was circulated to agencies for comments on January 31, 2025. The following comments were received:

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

Reduction in the exterior side yard setback may impact spatial separation calculations, ensure all building permit applications take the desired setback into account when considering spatial separation.

City of Stratford Infrastructure Services Department – Engineering Division:

Maintain the 3.0 m easement along the north and east property lines of Block 85.

City of Stratford Community Services Department – Parks:

No concerns.

Upper Thames River Conservation Authority:

No objections. Through their Risk Management Official / Risk Management Inspector with respect to Drinking Water Source Protection, the subject lands are not located within a vulnerable area and therefore the property is not designated for restricted land use under S. 59 of the *Clean Water Act, 2006*.

City of Stratford Fire Department – Fire Prevention:

No comments.

Public Comments

Notice of the requested variance was sent to surrounding property owners on January 31, 2025 in accordance with the *Planning Act*. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on February 1, 2025. At the time of writing this report, no comments or concerns were received from the public. Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:

Provincial Planning Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 2.2 of the PPS states that cities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. Section 2.3.1.3 states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Staff are of the opinion that the proposal is consistent with the promotion of intensification policies as well as the appropriate range and mix of housing types and densities set forward by the PPS.

Section 45 of the *Planning Act* allows the Committee of Adjustment to grant relief from zoning by-law requirements subject to four tests, as follows:

Does the request Maintain the Intent and Purpose of the Official Plan?

The property is designated Residential in the Official Plan. The Residential policies allow for a range of dwelling types from single detached and semi-detached dwellings to townhouses and low-rise apartment buildings. The 'Residential' goals and objectives include maintaining essential neighbourhood qualities, privacy, upkeep, public health, safety, and compatibility with the surrounding neighbourhood and to achieve a mix of housing types to provide diversity in the housing stock and more affordable housing opportunities.

The property is also located within Special Policy Area 19 on Schedule 'A' of the Official Plan, being the Stratford East Planning Area. This Special Policy Area provides supplementary policy direction on matters such as medium density residential uses, road access, parkland, compatibility with existing industrial uses and the need for a comprehensive plan of subdivision development process. Considering the subject property is a block in a plan of subdivision and compatibility can be achieved through any applicable mitigation measures required under the subdivision agreement, the proposed development conforms to Special Policy Area 19.

This proposal will neither negatively impact the subject property nor the surrounding area as the lot will remain sufficiently sized to accommodate the proposed residential development. The Residential goals and objectives of the Official Plan will be maintained, and the development will promote the diversity of housing stock in the City. As such, the requested variance maintains the general intent and purpose of the Official Plan.

Does the request Maintain the Intent and Purpose of the Zoning By-law?

The subject lands are zoned Residential Fourth Density R4(1)-33 under the City of Stratford Comprehensive Zoning By-law 10-2022, which permits street townhouse dwellings. The applicant is requesting to reduce the minimum exterior side yard width from 3.5 m to 2.1 m considering the subject property's side lot lines are not parallel with the property being wider at the front and narrower at the rear. The intent of the minimum exterior side yard width provision is to ensure a safe distance between residential dwellings and adjacent roads, as well as to maintain the privacy of residents.

Planning staff are generally satisfied that the requested variance will facilitate development that is considered an efficient use of the land and promotes a mix of residential forms. The variance applies specifically to the street townhouse unit on the west side of the building block to which the majority of the unit meets the required exterior side yard width except for the northwest corner of the unit as shown on the attached sketch. The requested variance will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. As such, Staff are of the opinion that the requested variance will ensure a safe distance between the end townhouse dwelling unit and adjacent Manuel Street and maintain the privacy of residents. As such, this variance maintains the intent and purpose of the Zoning By-law.

Is the requested variance desirable for the appropriate development of the lands?

The subject property is designated Residential / Special Policy Area 19 in the City's Official Plan and zoned Residential Fourth Density R4(1)-33 in the City's Zoning By-law. The requested variance is to permit a reduced exterior side yard width of 2.1 metres, to facilitate the development of townhouse dwellings. The proposed townhouse dwellings comply to all other applicable zoning requirements. Staff are of the opinion that the requested variance is desirable for the appropriate development of the lands.

Is the requested variance minor in nature?

Whether a variance is minor is based on the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that the requested variance will have any adverse impact on the character of the area or the ability of adjacent residents to use their property in accordance with the Zoning By-law. As such, the requested variance is considered minor in nature.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A31-24, submitted by Glen Schnarr & Associates (c/o Mark Condello) on behalf of Cachet Developments (Stratford) Inc. (c/o Marcus Gagliardi), for lands known municipally as 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; being Block 85 on the proposed final plan of subdivision, situated on north and east sides of Manuel Street, just south of the Douro Street extension, as it relates to:

1. Section 15.4.33 j) of the City of Stratford Comprehensive Zoning By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side of 2.1 metres is being requested.

Reasons

The requested relief is consistent with the Provincial Planning Statement.

The requested relief also meets the four tests of a minor variance as set out in Section 45(1) of the *Planning Act* as follows:

The requested relief maintains the intent and purpose of the Official Plan as the proposal meets the Residential and Special Policy Area 19 policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Comprehensive Zoning By-law as the requested variance will ensure a safe distance between the end townhouse dwelling unit and adjacent Manuel Street as well as it would maintain the privacy of residents.

The requested relief is desirable for the use of the land as it will facilitate the construction of townhouse dwellings on the subject lands.

The requested relief is minor in nature as the requested variance will not affect the ability of neighbouring residents to use their land in accordance with the provisions of the Zoning By-law.

**Prepared, Recommended
& Approved by:**

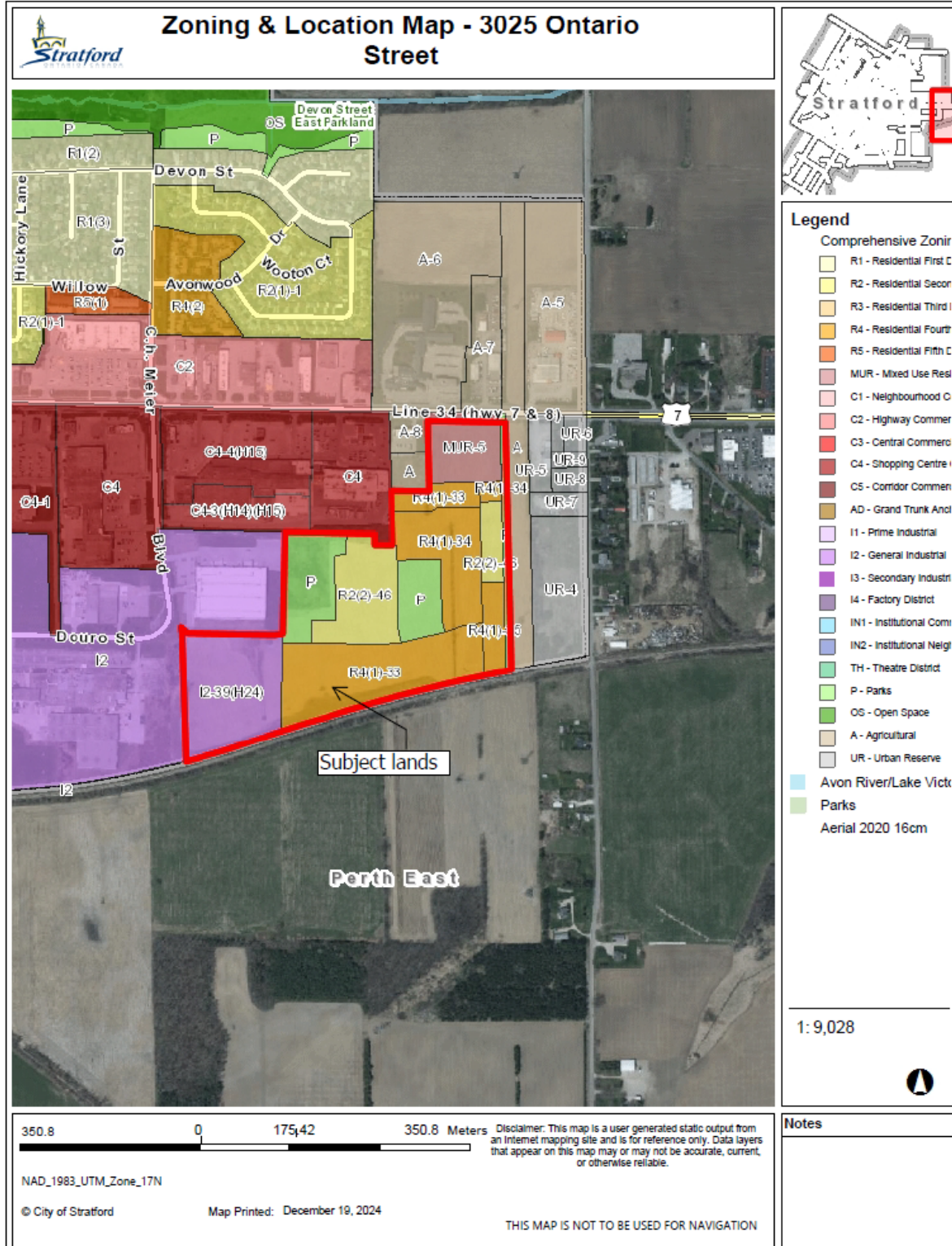
Marc Bancroft, MPL, MCIP, RPP
Manager of Planning

Report finalized: February 13, 2025

Map 1 – Location & Zoning Map

File #A31-24

Cachet Developments (Stratford) Inc. – Block 85, Manuel Street



**Map 2 – Minor Variance Sketch
 File #A31-24
 Cachet Developments (Stratford) Inc. – Block 85, Manuel Street**



REPORT TO THE COMMITTEE OF ADJUSTMENT

Submitted By: Building & Planning Services Department - Planning Division

Application No.: A32-24

Meeting Date: February 19, 2025

Owner: Richard Colgan & Lesley McKeever

Agent: Artas Engineering + Design Inc.

Location: 51 Shrewsbury Street, legally described as Plan 84 S Part Lot 10 in the City of Stratford.

Zoning: Residential First Density – R1(3)

**Official Plan Designation: Residential Area
Heritage Area**

Road Classification: Shrewsbury Street – Local

Purpose and Effect of Application A32-24:

The purpose of the application is to recognize the existing side yard setback for an accessory structure built without a building permit by the previous property owners.

The effect of the application is to reduce the minimum required distance from an interior side lot line for an accessory structure from 1 m to 0.59 m.

The accessory structure, which originally functioned as a garage (built prior to 1972), was converted into an accessory dwelling unit prior to 2016 when purchased by the current property owners. It has since been used as an office/studio space. Upon trying to sell the subject property, the applicant's discovered that a building permit had not been issued for the accessory structure. The requested minor variance is required to facilitate the issuance of the permit.

Variance Requested:

1. Table 4.1.2: Accessory Building or Structure Locations – to decrease the minimum required distance from an interior side lot line for an accessory structure from 1 m to 0.59 m.

Background:

Attachments

- Map 1 – Existing Zoning & Location Map
- Map 2 – Property Survey
- Figure 1 – Site Photo

Site Characteristics

Existing Use: Single detached dwelling
Frontage: 16 m
Depth: 32 m
Area: 512 m²
Shape: Rectangular

Surrounding Land Uses

North: Single detached dwellings
East: Single detached dwellings
South: Single detached dwellings
West: Single detached dwellings

Agency Comments

This minor variance application was circulated to agencies for comments on January 31, 2025. The following comments were received:

City of Stratford Building and Planning Department – Building Services:

A Building Permit is required to convert the garage to an Additional Residential Unit.

The reduced side yard setback will require the adjacent exterior wall to have a 45-minute fire resistance rating as per 9.10.15.5.(2) of the Ontario Building Code, ensure this rating is provided on building permit applications for the conversion of the unit.

City of Stratford Infrastructure Services Department – Engineering Division:

Due to the age of the existing building (converted to ADU prior to 2016), the Engineering has no concerns with the existing building interior side lot line offset. However, it is the responsibility of the property owner to verify that the existing lot drainage (grading) does not negatively impact the adjacent lands. Confirm the downspout locations do not project the discharge onto the adjacent property.

Fire Prevention:

No comments or concerns.

Community Services Department:

No concerns.

Festival Hydro:

No concerns – if the customer or customers contractor requires any changes to the existing hydro service, they shall reach out the Festival Hydro requesting a service layout.

Public Comments

Notice of the requested variance was sent to surrounding property owners on January 31, 2025. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on February 1st, 2025. At the time of writing this report four (4) letters of support have been received from the public in response to the requested variance.

Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:Provincial Planning Statement (2024)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20th, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

As the accessory structure is existing and no concerns were received from the public, Staff are of the opinion that the requested variance will allow for the continued use of the structure and is considered to be consistent with the PPS.

Does the request Maintain the Intent and Purpose of the Official Plan?

The property is designated "Residential Area" in the Official Plan. The Residential Area policies allow for a range of dwelling types from single detached and semi-detached dwellings to townhouses and low-rise apartment buildings. The 'Residential Area' goals and objectives include maintaining essential neighbourhood qualities, privacy, upkeep, public health, safety, and compatibility with the surrounding neighbourhood.

The applicant has requested a variance to reduce the minimum requirements for an interior side yard from 1.0 m to 0.59 m for an existing accessory structure. The massing and height of the accessory structure is not considered to be out of character within the neighbourhood and no windows are located along the side lot line, maintaining the privacy of abutting properties. In addition, to ensure drainage from the accessory structure does not impact neighbouring properties, staff are recommending approval of the minor variance application be subject to a condition regarding the redirection of any downspouts from discharging onto the side lot line. Staff are of the opinion that the requested minor variance, subject to the recommended condition, conforms to the Residential policies of the Official Plan. The accessory structure is compatible with the surrounding neighbourhood, will maintain the privacy of neighbouring properties, and subject to the noted condition, will not result in any negative drainage impacts. As such, Staff are satisfied that application A32-24 maintains the intent and purpose of the Official Plan.

The property is also located within a "Heritage Area" on Schedule "E" of the Official Plan. As the accessory structure is not proposed to be used a residential unit, the heritage infilling policies of the Official Plan do not apply. As a result, the application conforms to the Heritage Conservation policies of the Official Plan.

Does the request Maintain the Intent and Purpose of the Zoning By-law?

The subject lands are zoned Residential First Density R1(3) in the City of Stratford Zoning By-law 10-2022 which permits single detached dwellings and accessory structures. The surrounding area primarily contains single detached dwellings. Table 4.1.2 – Accessory Building or Structure Locations – requires a minimum distance from an interior side lot line for accessory structures of 1.0 metres in the R1(3) zone. The existing structure does not meet this requirement as the distance between the interior lot line from the structure is 0.59 metres.

The subject minor variance seeks to permit a minimum distance from an interior side lot line for an accessory structure of 0.59 m which is a variance of 0.41 m less than the minimum required by the Zoning By-law. The intent of the minimum distance from an interior side lot line provision for accessory structures in the Zoning By-law is to allow for construction and maintenance, to allow for drainage to be directed away from a property line and to maintain privacy. Staff are unaware of any privacy or maintenance issues with

the existing structure. However, to ensure there are no future issues with the structure, Staff is recommending that the owner provide documentation, to the satisfaction of the City, that the structure is not directing water towards the adjacent property lines. Subject to this condition, Staff are of the opinion that the requested minor variance maintains the intent and purpose of the Zoning By-law.

Are the requested variances desirable for the appropriate development of the lands?

The subject lands are classified as "Residential" in the City's Official Plan and zoned Residential First Density R1(3) in the Zoning By-law. The requested variance is to permit a minimum distance from an interior side lot line for an accessory structure of 0.59 m. The existing structure and subject property are in compliance with all other applicable zoning requirements. The garage was constructed prior to 1972 by the previous property owner without a building permit and it is the applicant's intention to have a building permit issued before selling the property. As such, subject to the recommended condition being imposed, Staff are of the opinion that the requested variance is desirable for the appropriate development of the lands.

Are the requested variances minor in nature?

Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that the requested variance will have an adverse impact on the character of the area or the ability of adjacent property owners to use their property in accordance with the Zoning By-law as the structure is existing and no concerns have been received.

The proposed minor variance would facilitate the continued existence of the accessory structure. The requested variance for minimum distance from an interior side yard lot line for accessory structures is 0.59 m. Subject to the recommended condition, staff are of the opinion that the requested variance will not have an adverse impact on the character of the area or the ability of adjacent property owners to use their property. As such, the requested variance is considered minor.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A32-24, submitted by Richard Colgan & Lesley McKeever, for lands legally described as Plan 84 S Part Lot 10 in the City of Stratford and municipally known as 51 Shrewsbury Street, as it relates to:

1. Table 4.1.2 – Accessory Building or Structure Locations: to reduce the minimum distance from an interior side lot line and rear yard lot line from 1.0 m to 0.59 m, subject to the following condition:

- i) The Owner submit documentation to the City of Stratford which demonstrates that any downspouts from the roof of the accessory structure do not discharge onto the side lot line, to the satisfaction of the Manager of Planning Services.

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

The requested relief maintains the intent and purpose of the Official Plan as the proposal, subject to the recommended condition, meets the Stable Residential policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Zoning By-law as subject to the recommended condition, the accessory structure will not have privacy, maintenance, or drainage impacts on neighbouring properties.

The requested relief is desirable for the use of the land as it will facilitate the continued use of the existing structure on the subject lands.

The requested relief is minor in nature as the reduction in the minimum distance from an interior side lot line and rear yard lot line for accessory structures will not affect the ability of neighbouring property owners to use their land in accordance with the provisions of the Zoning By-law.

Prepared by: Alexander Burnett, Intermediate Planner

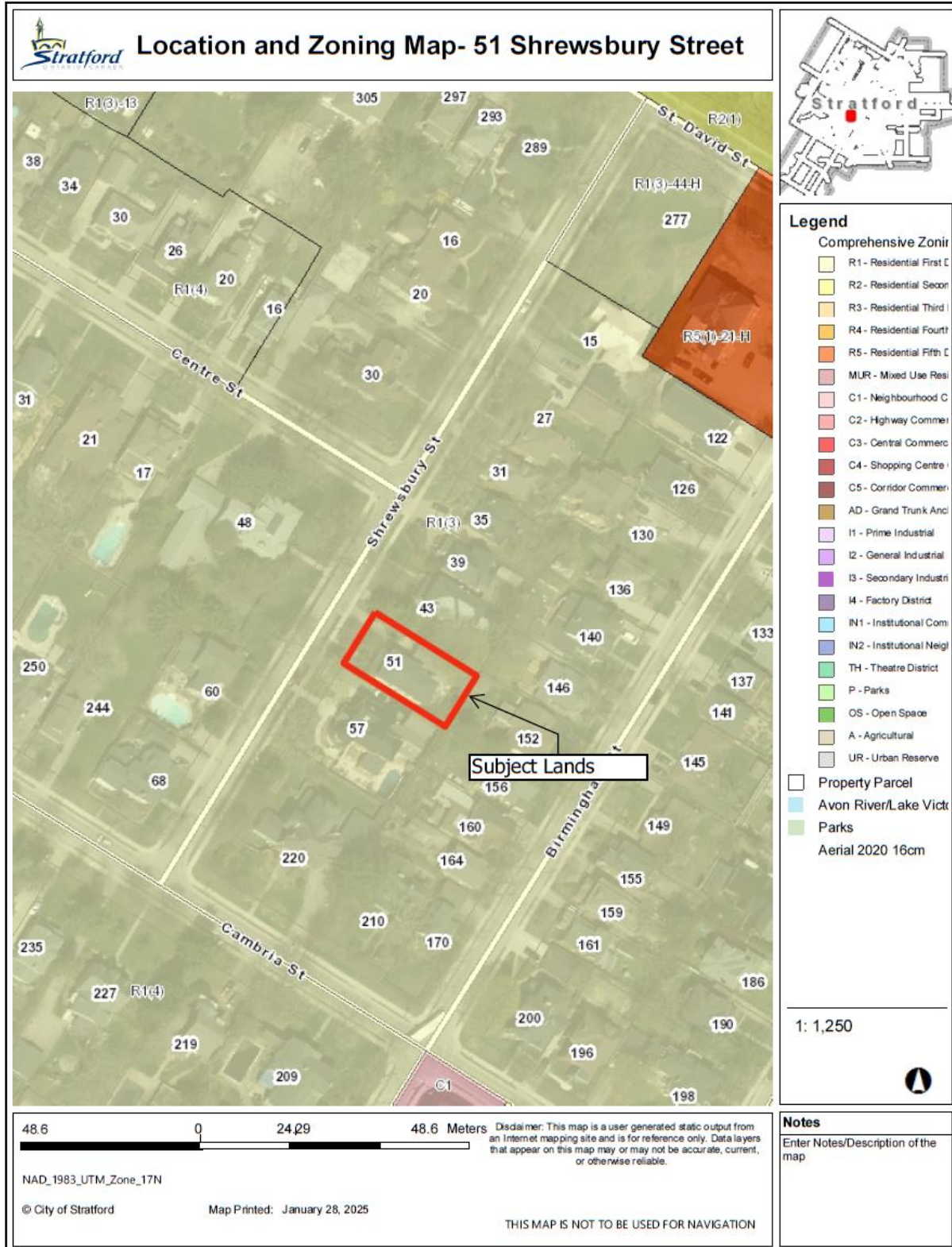
Reviewed, Recommended, & Approved by: Marc Bancroft, Manager of Planning, MPL, MCIP, RPP

Report finalized: February 13th, 2025

Map 1 – Location & Zoning Map

File # A32-24

Richard Colgan & Lesley McKeever – 51 Shrewsbury Street



Map 2 – Property Survey

File # A32-24

Richard Colgan & Lesley McKeever – 51 Shrewsbury Street

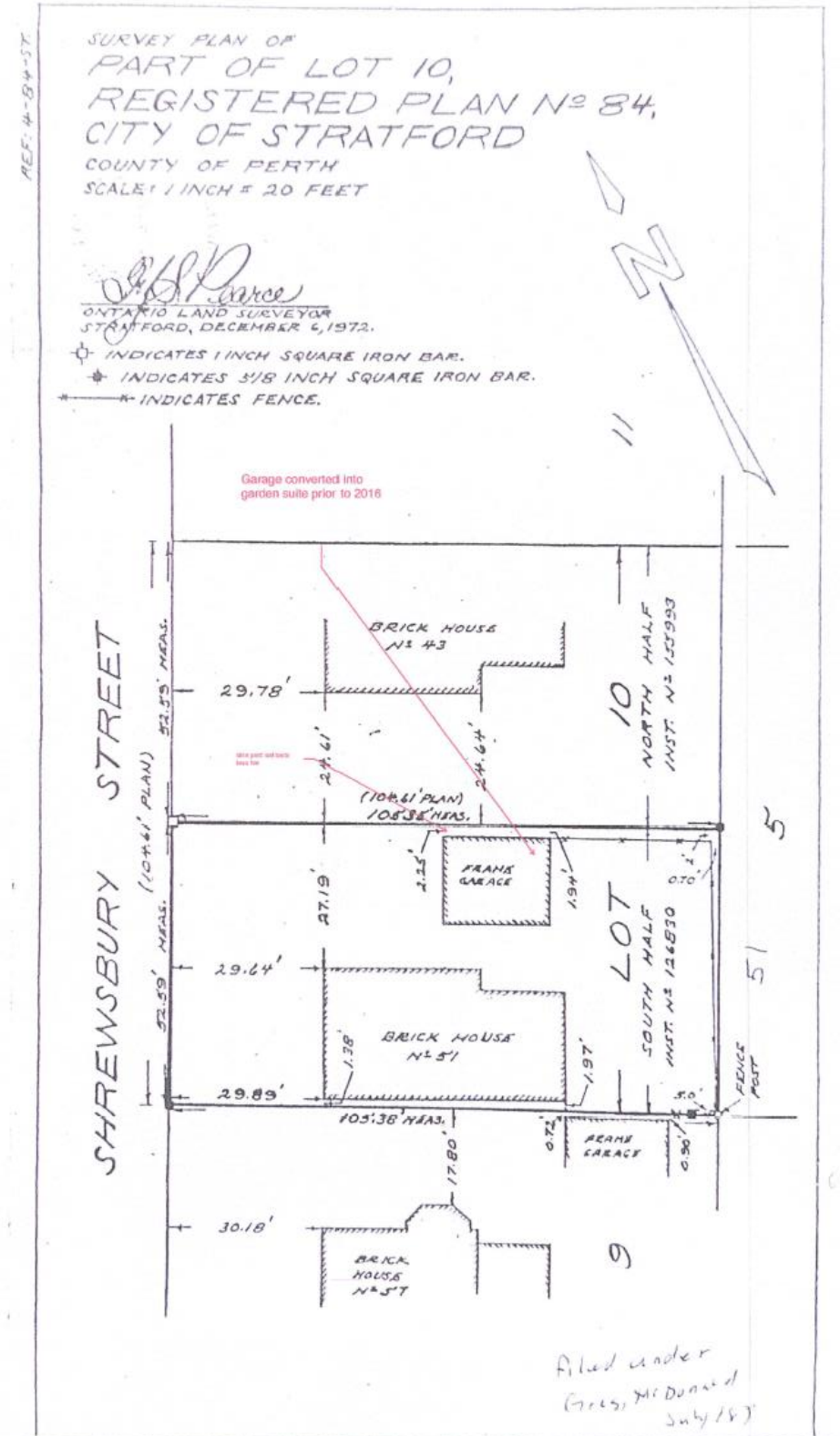


Figure 1 – Site Photo – February 10th, 2025

File # A32-24

Richard Colgan & Lesley McKeever – 51 Shrewsbury Street



Public Comments Received

A32-24 – 51 Shrewsbury Street

From: [Martine Becu](#)
To: [Planning Division](#)
Subject: Variance Application A32-24
Date: Thursday, February 6, 2025 11:26:01 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to express my support for our neighbours variance application (A32-24) at 51 Shrewsbury Street. My husband and I are home owners at 39 Shrewsbury Street and we have no objections to the variance.

Thank you,
Martine Becu
39 Shrewsbury Street
Stratford, ON N5A 2V4

From: J & E Gaylor
To: Alexander Burnett
Subject: Committee of Adjustment notice re: 51 Shrewsbury St.
Date: Friday, February 7, 2025 10:23:13 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Alexander Burnett

This is to inform the Planning division, City of Stratford, that Jim and Elvira Gaylor, residents and owners at 27 Shrewsbury St., have no objection to decreasing the minimum distance from the interior side lot proposed for 51 Shrewsbury St. We believe this will allow for prudent use of the present building and property.

Jim and Elvira Gaylor

From: [Arlene Jillard](#)
To: [Alexander Burnett](#); [Planning Division](#); [Eva Baker](#)
Subject: Committee of Adjustment Hearing re 51 Shrewsbury Street, Stratford (Plan 84 S Part Lot 10)
Date: Thursday, February 6, 2025 3:27:38 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Burnett and the City Planning Department Staff:

I am writing in support of the variance requested by Lesley (note, not "Kesley" as written in your letter) McKeever and Richard Colgan to their property at 51 Shrewsbury Street to accommodate a garage retrofit which was done many years ago by the previous owners, Susan and Ross Starkweather, without any permits.

I live across the street at 60 Shrewsbury Street and have known Lesley and Rich since they purchased the house. In fact, I lived briefly in the garage suite in order to be separated from members of my family in my house during a period of Covid quarantine.

The Starkweathers did not make the information about the lack of permits available to Lesley and Richard when they purchased the house. Nor did this issue come to light by any other means when they purchased the house from the Starkweathers. Therefore, it would be grossly unfair to Lesley and Richard to penalize them now for that issue. That they might have to bear the brunt of the malfeasance of a previous owner who is clearly in the wrong, would be inappropriate and ill-advised.

Please grant Lesley and Richard the variance as requested, to decrease the minimum required distance from an interior side lot line for an accessory structure from 1 m to 0.59 m. From my perspective, the retrofit did not change anything about the location of the previously existing garage. This need for a variance probably goes back decades to the original builder of that garage.

Thank you for giving me the opportunity to support Lesley and Richard.

Sincerely,
Arlene Jillard

From: Michael Steingard
To: Planning Division
Subject: Neighbour - Regarding Application No.: A32-42
Date: Thursday, February 6, 2025 9:27:04 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear City Representative or Committee,

We are writing to express our support for our neighbor's minor variance application to reduce the minimum required distance from the interior side lot line for their accessory structure at 51 Shrewsbury St. As the adjacent property owners at 43 Shrewsbury St, we have no objections to this request and fully support their application to decrease the setback from 1m to 0.59m.

Please feel free to contact us if you require any further information.

Best regards,
Michael & Kailyn Steingard
43 Shrewsbury St, Stratford, ON
N5A 2V4

REPORT TO THE COMMITTEE OF ADJUSTMENT

**Submitted By: Building & Planning Services Department -
Planning Division**

Application No.: A33-24

Meeting Date: February 19, 2025

Owner: Cachet Developments (Stratford) Inc. c/o Marcus Gagliardi

Agent: Glen Schnarr & Associates c/o Mark Condello

Location: 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; more specifically, the subject property is Block 99 on the proposed final plan of subdivision, situated on the north of the Douro Street extension and on the west side of Poett Avenue.

Zoning: Residential Fourth Density – R4(1)-34

**Official Plan Designation: Residential Area
/ Special Policy Area 19**

**Road Classification: Douro Street extension – Proposed Collector Road
Poett Avenue (north of Douro Street extension) –
Proposed Collector Road**

Purpose of Application:

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the exterior side yard width requirement to allow the construction of a street townhouse dwelling contains five (5) units.

Variance Requested:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which the issuance of final approval is anticipated in the first quarter of 2025.

To address the concerns raised by the Infrastructure Services Department – Engineering Division in the circulation of the subject application, the applicant has amended their application and is now seeking a reduced 8.5 metre visibility triangle compared to the 12 metre requirement. After plotting the triangle on the original layout of the proposed townhouse dwelling block, it was determined that the building would comply with an 8.5 metre triangle.

Background:

Attachments

- Map 1 – Zoning & Location Map
- Map 2 – Minor Variance Sketch
- Map 3 – Site Plan

Site Characteristics

Existing Use: Vacant, Street townhouse dwellings planned.

Frontage: 37.8 m

Depth: 27.5 m

Area: 1,062.7 m²

Shape: Generally Rectangular

0.3 m Reserve: north side of Douro Street

Surrounding Land Uses to Block 99 (subject property)

North: Vacant, zoned for street townhouse dwellings

East: Vacant, zoned for single detached dwellings

South: Vacant, zoned for street townhouse dwellings

West: Vacant, zoned for street townhouse dwellings

Agency Comments

This minor variance application was circulated to agencies for comments on January 31, 2025. The following comments were received:

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

Reduced triangle requirements may impact spatial separation calculations; ensure all building permit applications take the desired setback into account when considering spatial separation.

City of Stratford Infrastructure Services Department – Engineering Division:

No concerns with the application as amended.

City of Stratford Community Services Department – Parks:

No concerns.

Upper Thames River Conservation Authority:

No objections. Through their Risk Management Official / Risk Management Inspector with respect to Drinking Water Source Protection, the subject lands are not located within a vulnerable area and therefore the property is not designated for restricted land use under S. 59 of the *Clean Water Act, 2006*.

City of Stratford Fire Department – Fire Prevention:

No comments.

Public Comments

Notice of the requested variance was sent to surrounding property owners on December 31, 2025 in accordance with the *Planning Act*. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on February 1, 2025. At the time of writing this report, no comments or concerns were received from the public. Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:

Provincial Planning Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 2.2 of the PPS states that cities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. Section 2.3.1.3 states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Staff are of the opinion that the proposal is consistent with the promotion of intensification policies as well as the appropriate range and mix of housing types and densities set forward by the PPS.

Section 45 of the *Planning Act* allows the Committee of Adjustment to grant relief from zoning by-law requirements subject to four tests, as follows:

Does the request Maintain the Intent and Purpose of the Official Plan?

The property is designated Residential in the Official Plan. The Residential policies allow for a range of dwelling types from single detached and semi-detached dwellings to townhouses and low-rise apartment buildings. The 'Residential' goals and objectives include maintaining essential neighbourhood qualities, privacy, upkeep, public health, safety, and compatibility with the surrounding neighbourhood and to achieve a mix of housing types to provide diversity in the housing stock and more affordable housing opportunities.

The property is also located within Special Policy Area 19 on Schedule 'A' of the Official Plan, being the Stratford East Planning Area. This Special Policy Area provides supplementary policy direction on matters such as medium density residential uses, road access, parkland, compatibility with existing industrial uses and the need for a comprehensive plan of subdivision development process. Considering the subject property is a block in a plan of subdivision and compatibility can be achieved through any applicable mitigation measures required under the subdivision agreement, the proposed development conforms to Special Policy Area 19.

This proposal will neither negatively impact the subject property nor the surrounding area as the lot will remain sufficiently sized to accommodate the proposed residential development. The Residential goals and objectives of the Official Plan will be maintained, and the development will promote the diversity of housing stock in the City. As such, the requested variance maintains the general intent and purpose of the Official Plan.

Does the request Maintain the Intent and Purpose of the Zoning By-law?

The subject lands are zoned Residential Fourth Density R4(1)-34 under the City of Stratford Comprehensive Zoning By-law 10-2022, which permits street townhouse dwellings. The applicant is requesting to reduce the visibility triangle from 12 metres to 8.5 metres. A minimum visibility triangle of 12 metres is required where a collector road intersects with a collector road. The purpose and intent of a visibility triangle is to ensure clear sight lines between all road users and to ensure the safe passage of vehicles at intersecting streets.

The Douro Street extension has a collector road classification and was intended to provide an east-west connection to Road 111 as per the City's Official Plan. Through the draft plan of subdivision and rezoning process, it was determined that an existing hydro transmission tower on the abutting lands to the east could not be shifted and as such prevented the extension of Douro Street to the east limit of this subdivision. To ensure an east-west connection to Road 111, Poett Avenue provides a short jog at the east end of Douro Street and ties into Fuller Street to complete an east-west collector road connection. Notwithstanding the road classification, Poett Avenue would function as a local road. Under the Zoning By-law, a minimum sight visibility triangle of 3 metres is required where a collector road intersects a local road. Furthermore, it is unlikely that the

eventual east-west collector link to and from Line 111 through the abutting lands would operate as a bona fide collector road given the road jog with its controlled intersections. A reduced sight visibility triangle of 8.5 metres is appropriate for the subject property under these circumstances.

The requested variance will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. As such, Staff are of the opinion that the requested variance shall ensure clear sight lines between all road uses and encourage the safe passage of vehicles at intersecting streets. As such, this variance maintains the intent and purpose of the Zoning By-law.

Is the requested variance desirable for the appropriate development of the lands?

The subject property is designated Residential / Special Policy Area 19 in the City's Official Plan and zoned Residential Fourth Density R4(1)-34 in the City's Zoning By-law. The requested variance is to permit a reduced visibility triangle of 8.5 metres, to facilitate the development of townhouse dwellings. The proposed townhouse dwellings comply to all other applicable zoning requirements. Staff are of the opinion that the requested variance is desirable for the appropriate development of the lands.

Is the requested variance minor in nature?

Whether a variance is minor is based on the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that the requested variance will have any adverse impact on the character of the area or the ability of adjacent residents to use their property in accordance with the Zoning By-law. As such, the requested variance is considered minor in nature.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A31-24 as amended, submitted by Glen Schnarr & Associates (c/o Mark Condello) on behalf of Cachet Developments (Stratford) Inc. (c/o Marcus Gagliardi), for lands known municipally as 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; being Block 99 on the proposed final plan of subdivision, situated on north of the Douro Street extension and on the west side of Poett Avenue, as it relates to:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 8.5 metres is being requested.

Reasons

The requested relief is consistent with the Provincial Planning Statement.

The requested relief also meets the four tests of a minor variance as set out in Section 45(1) of the *Planning Act* as follows:

The requested relief maintains the intent and purpose of the Official Plan as the proposal meets the Residential and Special Policy Area 19 policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Comprehensive Zoning By-law as the requested variance will ensure clear sight lines between all road uses and encourage the safe passage of vehicles at intersecting streets.

The requested relief is desirable for the use of the land as it will facilitate the construction of townhouse dwellings on the subject lands.

The requested relief is minor in nature as the requested variance will not affect the ability of neighbouring residents to use their land in accordance with the provisions of the Zoning By-law.

**Prepared, Recommended
& Approved by:**

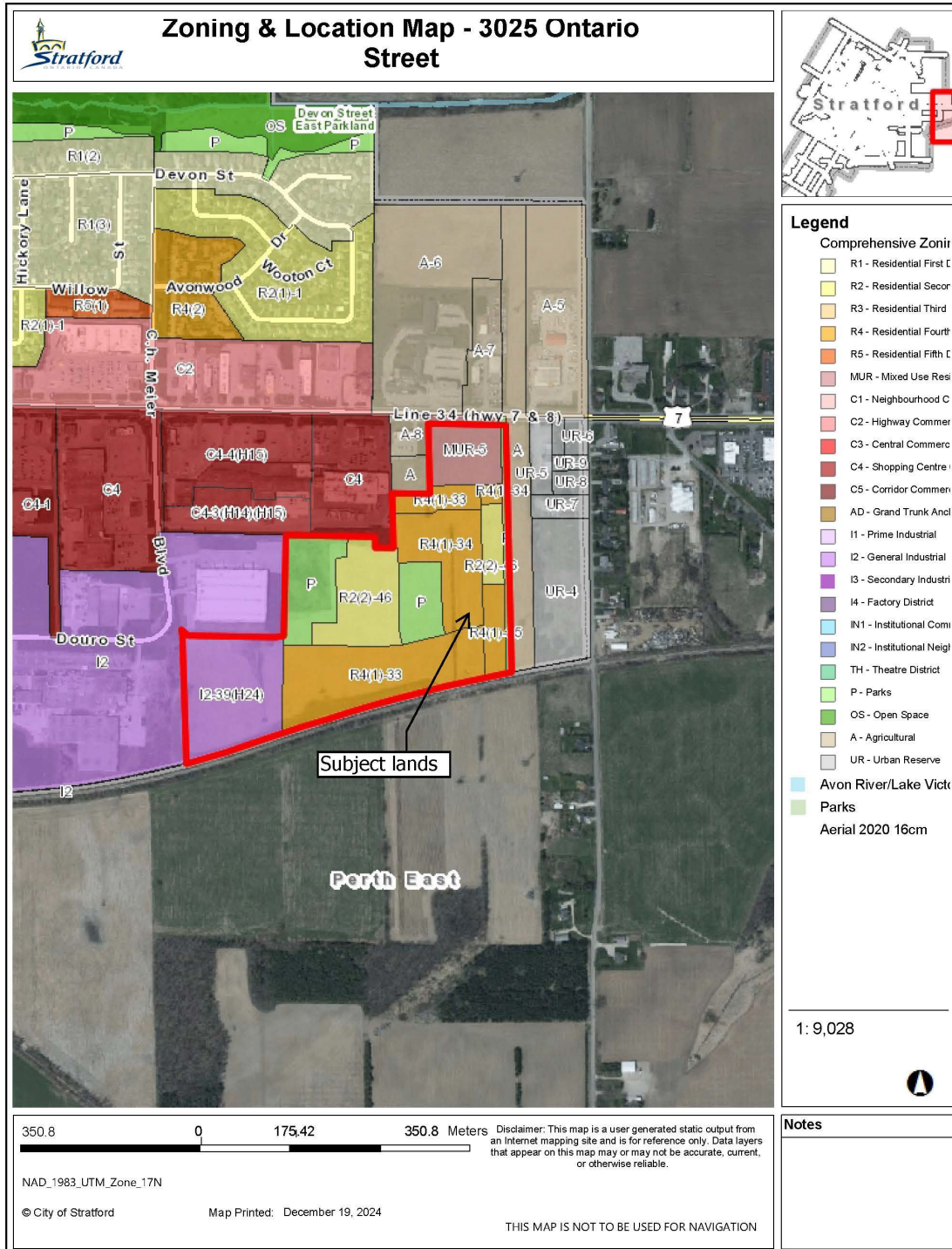
Marc Bancroft, MPL, MCIP, RPP
Manager of Planning

Report finalized: February 13, 2025

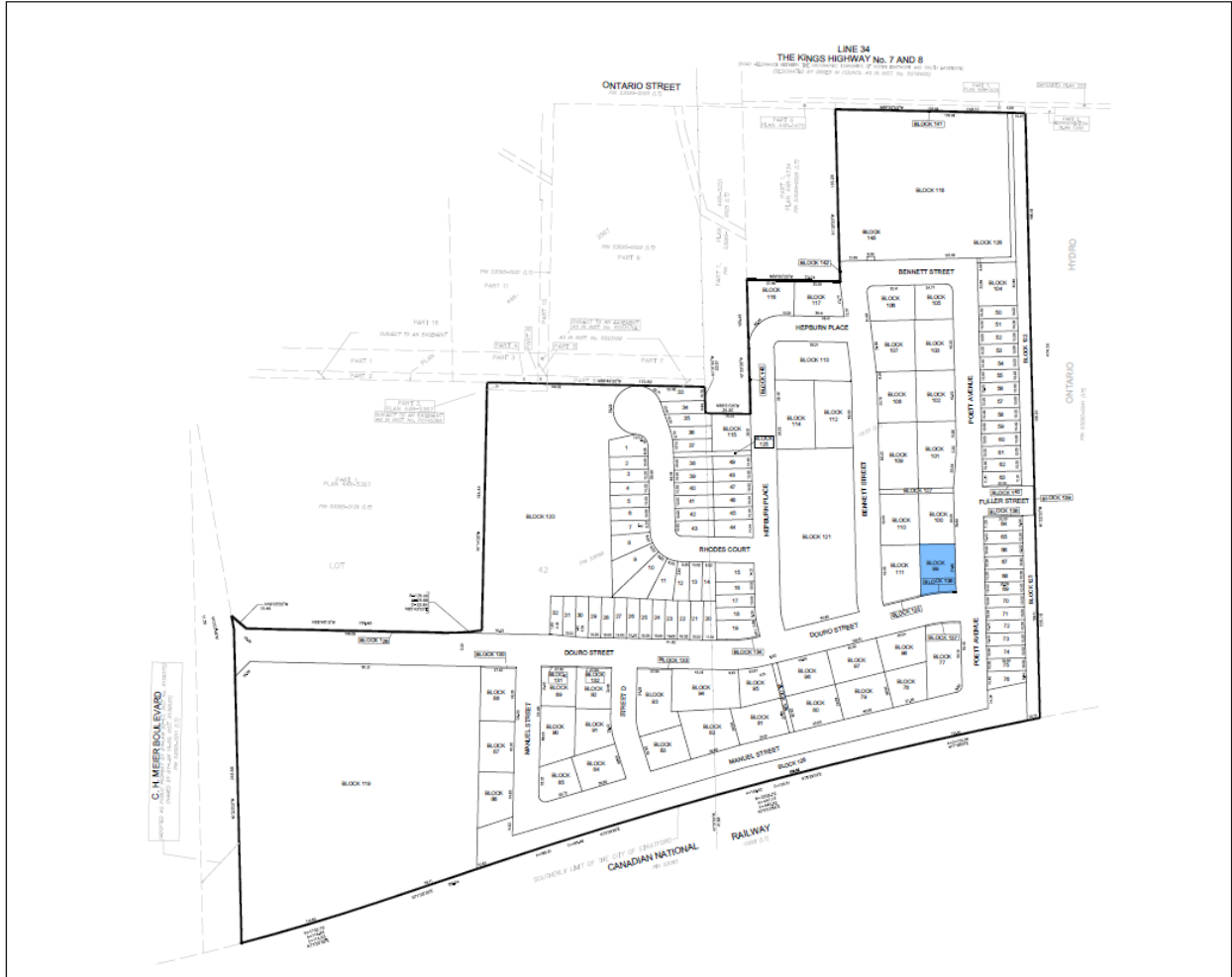
Map 1 – Location & Zoning Map

File #A33-24

Cachet Developments (Stratford) Inc. – Block 99, Poett Avenue



Map 2 – Minor Variance Sketch
File #A33-24
Cachet Developments (Stratford) Inc. – Block 99, Poett Avenue



REPORT TO THE COMMITTEE OF ADJUSTMENT

**Submitted By: Building & Planning Services Department -
Planning Division**

Application No.: A34-24

Meeting Date: February 19, 2025

Owner: Cachet Developments (Stratford) Inc. c/o Marcus Gagliardi

Agent: Glen Schnarr & Associates c/o Mark Condello

Location: 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; more specifically, the subject property is Lot 63 on the proposed final plan of subdivision, situated on the east side of Poett Avenue and on the north side of Fuller Street.

Zoning: Residential Second Density – R2(2)-46

**Official Plan Designation: Residential Area
/ Special Policy Area 19**

**Road Classification: Poett Avenue (between Douro Street extension and Fuller Street) – Proposed Collector Road
Fuller Street – Proposed Collector Road**

Purpose of Application:

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the visibility triangle and the exterior side yard width requirements to allow the construction of a single detached dwelling.

Variance Requested:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.
2. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side yard of 2.5 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which the final approval was recently issued with plan registration being imminent.

Background:

Attachments

- Map 1 – Zoning & Location Map
- Map 2 – Minor Variance Sketch
- Map 3 – Site Plan

Site Characteristics

Existing Use: Vacant, single detached dwelling planned.

Frontage: 11.5 m

Depth: 30.5 m

Area: 351 m²

Shape: Rectangular

0.3 m Reserve: north side of Fuller Street

Surrounding Land Uses to Lot 63 (subject property)

North: Vacant, zoned for single detached dwellings

East: Vacant, zoned for agriculture

South: Vacant, zoned for single detached dwellings

West: Vacant, zoned for street townhouse dwellings

Agency Comments

This minor variance application was circulated to agencies for comments on January 31, 2025. The following comments were received:

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

Reduction in exterior side yard width may impact spatial separation calculations; ensure all building permit applications take the desired setback into account when considering spatial separation.

City of Stratford Infrastructure Services Department – Engineering Division:

A 3.0m x 3.0m daylight triangle is acceptable. Maintain the existing requirements with respect to the 0.3m reserve along south property line.

City of Stratford Community Services Department – Parks:

No concerns.

City of Stratford Fire Department – Fire Prevention:

No comments.

Upper Thames River Conservation Authority:

No objections. Through their Risk Management Official / Risk Management Inspector with respect to Drinking Water Source Protection, the subject lands are not located within a vulnerable area and therefore the property is not designated for restricted land use under S. 59 of the *Clean Water Act, 2006*.

Public Comments

Notice of the requested variance was sent to surrounding property owners on January 31, 2025 in accordance with the *Planning Act*. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on February 1, 2025. At the time of writing this report, no comments or concerns were received from the public. Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:

Provincial Planning Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 2.2 of the PPS states that cities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. Section 2.3.1.3 states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Staff are of the opinion that the proposal is consistent with the promotion of intensification policies as well as the appropriate range and mix of housing types and densities set forward by the PPS.

Section 45 of the *Planning Act* allows the Committee of Adjustment to grant relief from zoning by-law requirements subject to four tests, as follows:

Does the request Maintain the Intent and Purpose of the Official Plan?

The property is designated Residential in the Official Plan. The Residential policies allow for a range of dwelling types from single detached and semi-detached dwellings to townhouses and low-rise apartment buildings. The 'Residential' goals and objectives include maintaining essential neighbourhood qualities, privacy, upkeep, public health, safety, and compatibility with the surrounding neighbourhood and to achieve a mix of housing types to provide diversity in the housing stock and more affordable housing opportunities.

The property is also located within Special Policy Area 19 on Schedule 'A' of the Official Plan, being the Stratford East Planning Area. This Special Policy Area provides supplementary policy direction on matters such as medium density residential uses, road access, parkland, compatibility with existing industrial uses and the need for a comprehensive plan of subdivision development process. Considering the subject property is a lot on a plan of subdivision and compatibility can be achieved through any applicable mitigation measures required under the subdivision agreement, the proposed development conforms to Special Policy Area 19.

This proposal will neither negatively impact the subject property nor the surrounding area as the lot will remain sufficiently sized to accommodate the proposed residential development. The Residential goals and objectives of the Official Plan will be maintained, and the development will promote the diversity of housing stock in the City. As such, the requested variance maintains the general intent and purpose of the Official Plan.

Does the request Maintain the Intent and Purpose of the Zoning By-law?

The subject lands are zoned Residential Second Density R2(2)-46 under the City of Stratford Comprehensive Zoning By-law 10-2022, which permits single detached dwellings. The applicant is requesting a reduced visibility triangle of 3 metres and a reduced exterior side yard width of 2.5 metres. A minimum visibility triangle of 12 metres is required where a collector road intersects with a collector road whereas an exterior side yard width of 3.5 metres is required. The purpose and intent of a visibility triangle is to ensure clear sight lines between all road users and to encourage the safe passage of vehicles at intersecting streets. The purpose and intent of the minimum exterior side yard width provision is to ensure a safe distance between the dwelling and the flanking street, as well as to maintain the privacy of residents.

The Douro Street extension has a collector road classification and was intended to provide an east-west connection to Road 111 as per the City's Official Plan. Through the draft plan of subdivision and rezoning process for the development of this subdivision, it was determined that an existing hydro transmission tower on the abutting lands to the east could not be shifted and as such, prevented the direct extension of Douro Street to the east limit of this subdivision. To provide an east-west connection to Road 111, Poett Avenue provides a short jog at the east end of Douro Street and ties into Fuller Street to complete an east-west collector road connection through the abutting lands. Notwithstanding the road classification, Poett Avenue would function as a local road. Under the Zoning By-law, a minimum sight visibility triangle of 3 metres is required where a collector road intersects a local road. Given Poett Avenue functions as a local road and the planned east-west connection to Road 111 is less conducive to accommodating cut-through traffic given the Poett Avenue road jog, a reduced sight visibility triangle of 3 metres is appropriate for the subject property under these circumstances.

Planning staff are generally satisfied that the requested variance will facilitate development that is considered an efficient use of the land. The requested variance will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. Staff are of the opinion that the requested variance will ensure a safe distance between the side of the single detached dwelling and the flanking street as well as the requested variance will maintain the privacy of residents. As such, this variance maintains the intent and purpose of the Zoning By-law.

The requested variance will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. As such, Staff are of the opinion that the requested variance shall ensure clear sight lines between all road uses and encourage the safe passage of vehicles at intersecting streets, as well as ensure a safe distance between the side of the dwelling and the flanking street and maintain the privacy of residents. As such, this variance maintains the intent and purpose of the Zoning By-law.

Is the requested variance desirable for the appropriate development of the lands?

The subject property is designated Residential / Special Policy Area 19 in the City's Official Plan and zoned Residential Fourth Density R2(2)-46 in the City's Zoning By-law. The requested variance is to permit a reduced visibility triangle of 3 metres and a reduced exterior side yard width of 2.5 metres to facilitate the construction of a single detached dwelling. The proposed dwelling complies to all other applicable zoning requirements. Staff are of the opinion that the requested variance is desirable for the appropriate development of the lands.

Is the requested variance minor in nature?

Whether a variance is minor is based on the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that the requested variance will have any adverse impact on the character of the area or the ability of adjacent residents to use their property in accordance with the Zoning By-law. As such, the requested variance is considered minor in nature.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A34-24, submitted by Glen Schnarr & Associates (c/o Mark Condello) on behalf of Cachet Developments (Stratford) Inc. (c/o Marcus Gagliardi), for lands known municipally as 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; being Lot 63 on the proposed final plan of subdivision, situated on the east side of Poett Avenue and on the north side of Fuller Street, as it relates to:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.
2. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side yard of 2.5 metres is being requested.

Reasons

The requested relief is consistent with the Provincial Planning Statement.

The requested relief also meets the four tests of a minor variance as set out in Section 45(1) of the *Planning Act* as follows:

The requested relief maintains the intent and purpose of the Official Plan as the proposal meets the Residential and Special Policy Area 19 policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Comprehensive Zoning By-law as the requested variance will ensure clear sight lines between all road uses and encourage the safe passage of vehicles at intersecting streets as well as ensure a safe and adequate distance between the side of the single detached dwelling and the flanking street and maintain the privacy of residents.

The requested relief is desirable for the use of the land as it will facilitate the construction of a single detached dwelling on the subject lands.

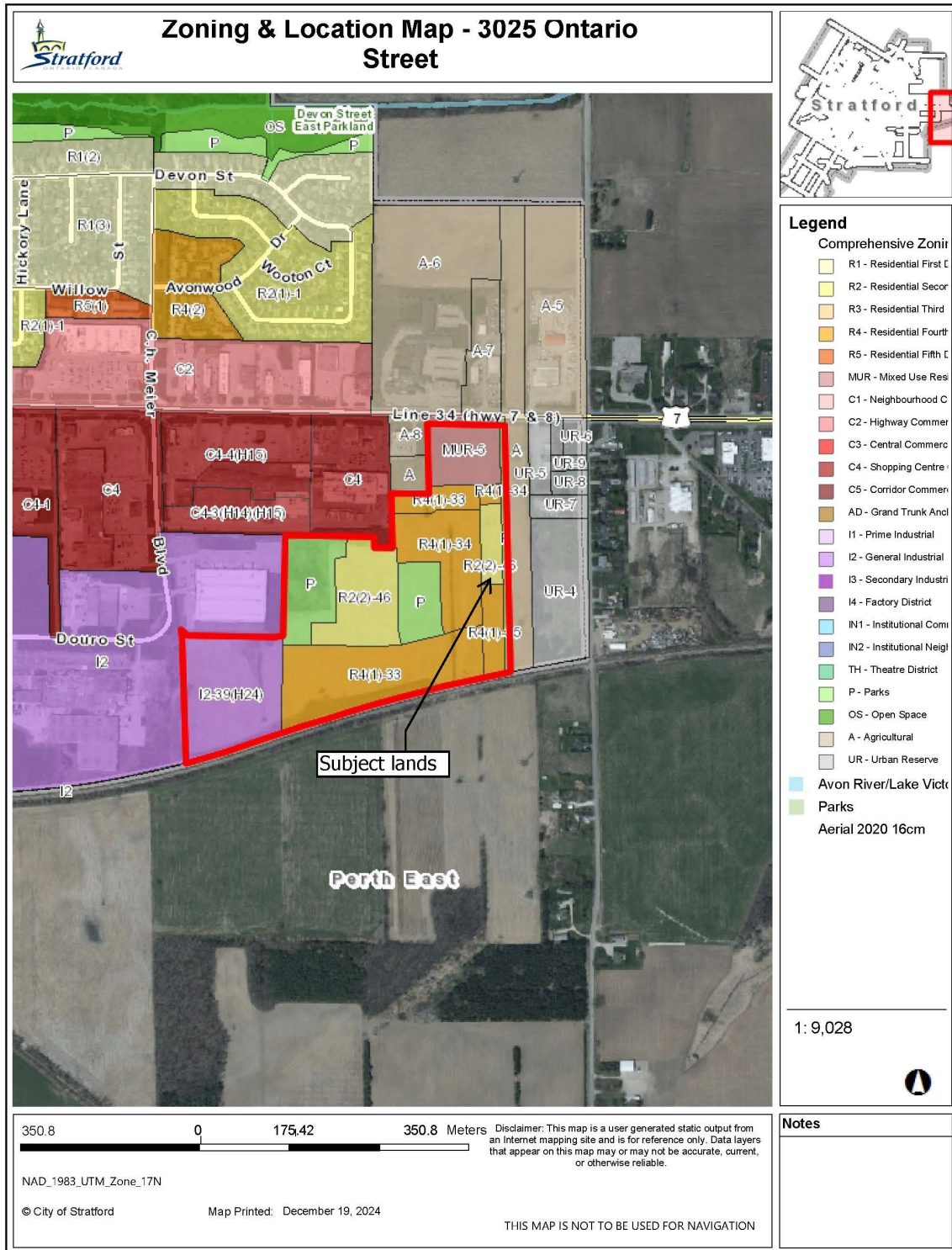
The requested relief is minor in nature as the requested variance will not affect the ability of neighbouring residents to use their land in accordance with the provisions of the Zoning By-law.

**Prepared, Recommended
& Approved by:**

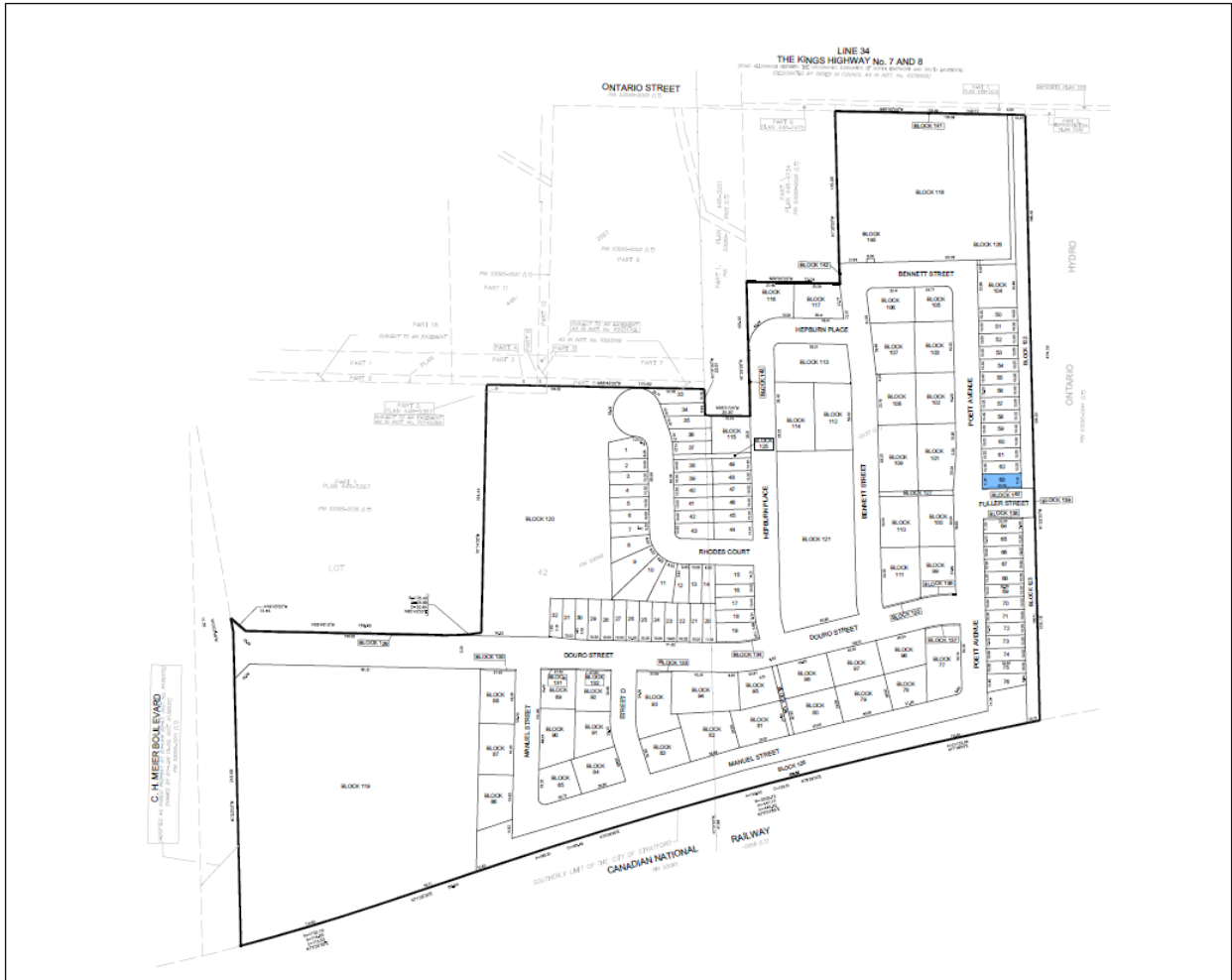
Marc Bancroft, MPL, MCIP, RPP
Manager of Planning

Report finalized: February 13, 2025

Map 1 – Location & Zoning Map
File #A34-24
Cachet Developments (Stratford) Inc. – Lot 63, Poett Avenue



Map 2 – Minor Variance Sketch
File #A34-24
Cachet Developments (Stratford) Inc. – Lot 63, Poett Avenue



REPORT TO THE COMMITTEE OF ADJUSTMENT

Submitted By: Building & Planning Services Department -
Planning Division

Application No.: A35-24

Meeting Date: February 19, 2025

Owner: Cachet Developments (Stratford) Inc. c/o Marcus Gagliardi

Agent: Glen Schnarr & Associates c/o Mark Condello

Location: 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; more specifically, the subject property is Lot 64 on the proposed final plan of subdivision, situated on the east side of Poett Avenue and on the south side of Fuller Street.

Zoning: Residential Fourth Density – R4(1)-35

Official Plan Designation: Residential Area
/ Special Policy Area 19

Road Classification: Poett Avenue (between Douro Street extension and Fuller Street) – Proposed Collector Road
Fuller Street – Proposed Collector Road

Purpose of Application:

The purpose of this application is to seek relief from the City of Stratford Comprehensive Zoning By-law 10-2022 with respect to the visibility triangle and the exterior side yard width requirements to allow the construction of a single detached dwelling.

Variance Requested:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 3 metres is being requested.
2. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side yard of 2.4 metres is being requested.

The lands are also subject to Application for Draft Plan of Subdivision (File No. 31T21-001) approved by City Council on March 27, 2023 subject to conditions. A subdivision agreement was executed and registered on title under Instrument Number PC228295 on January 7, 2025, to which the issuance of final approval is anticipated in the first quarter of 2025.

In response to the concerns raised by the Infrastructure Services Department – Engineering Division in the circulation of the subject application, the applicant has amended their application and is now seeking a reduced 5.4 metre visibility triangle compared to the 12 metre requirement. After plotting the triangle on the original layout of the proposed single detached dwelling, it was determined that the development could comply with a 5.4 metre visibility triangle subject to the driveway width being slightly reduced. Staff was not able to receive a revised site plan in time to include with this report given the agenda deadline.

Background:

Attachments

- Map 1 – Zoning & Location Map
- Map 2 – Minor Variance Sketch
- Map 3 – Site Plan

Site Characteristics

Existing Use: Vacant, single detached dwelling planned.

Frontage: 11.5 m

Depth: 30.5 m

Area: 351 m²

Shape: Rectangular

0.3 m Reserve: south side of Fuller Street

Surrounding Land Uses to Lot 64 (subject property)

North: Vacant, zoned for single detached dwellings

East: Vacant, zoned for agriculture

South: Vacant, zoned for single detached dwellings

West: Vacant, zoned for street townhouse dwellings

Agency Comments

This minor variance application was circulated to agencies for comments on January 31, 2025. The following comments were received:

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

Reduced triangle requirements may impact spatial separation calculations; ensure all building permit applications take the desired setback into account when considering spatial separation.

City of Stratford Infrastructure Services Department – Engineering Division:

No concerns with the application as amended.

City of Stratford Community Services Department – Parks:

No concerns.

City of Stratford Fire Department – Fire Prevention:

No comments.

Upper Thames River Conservation Authority:

No objections. Through their Risk Management Official / Risk Management Inspector with respect to Drinking Water Source Protection, the subject lands are not located within a vulnerable area and therefore the property is not designated for restricted land use under S. 59 of the *Clean Water Act, 2006*.

Public Comments

Notice of the requested variance was sent to surrounding property owners on January 31, 2025 in accordance with the *Planning Act*. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on February 1, 2025. At the time of writing this report, no comments or concerns were received from the public. Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:

Provincial Planning Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the Provincial Planning Statement (PPS) which came into effect on October 20, 2024, which is intended to streamline the provincial planning framework and replaces the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe, with an emphasis on more enabling housing policies. The 2024 PPS provides policy direction on matters of provincial interest relating to Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 2.2 of the PPS states that cities shall provide for an appropriate range and mix of housing options and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. Section 2.3.1.3 states that planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Staff are of the opinion that the proposal is consistent with the promotion of intensification policies as well as the appropriate range and mix of housing types and densities set forward by the PPS.

Section 45 of the *Planning Act* allows the Committee of Adjustment to grant relief from zoning by-law requirements subject to four tests, as follows:

Does the request Maintain the Intent and Purpose of the Official Plan?

The property is designated Residential in the Official Plan. The Residential policies allow for a range of dwelling types from single detached and semi-detached dwellings to townhouses and low-rise apartment buildings. The 'Residential' goals and objectives include maintaining essential neighbourhood qualities, privacy, upkeep, public health, safety, and compatibility with the surrounding neighbourhood and to achieve a mix of housing types to provide diversity in the housing stock and more affordable housing opportunities.

The property is also located within Special Policy Area 19 on Schedule 'A' of the Official Plan, being the Stratford East Planning Area. This Special Policy Area provides supplementary policy direction on matters such as medium density residential uses, road access, parkland, compatibility with existing industrial uses and the need for a comprehensive plan of subdivision development process. Considering the subject property is a lot on a plan of subdivision and compatibility can be achieved through any applicable mitigation measures required under the subdivision agreement, the proposed development conforms to Special Policy Area 19.

This proposal will neither negatively impact the subject property nor the surrounding area as the lot will remain sufficiently sized to accommodate the proposed residential development. The Residential goals and objectives of the Official Plan will be maintained, and the development will promote the diversity of housing stock in the City. As such, the requested variance maintains the general intent and purpose of the Official Plan.

Does the request Maintain the Intent and Purpose of the Zoning By-law?

The subject lands are zoned Residential Fourth Density R4(1)-35 under the City of Stratford Comprehensive Zoning By-law 10-2022, which permits single detached dwellings. The applicant is requesting a reduced visibility triangle of 5.4 metres and a reduced exterior side yard width of 2.4 metres. A minimum visibility triangle of 12 metres is required where a collector road intersects with a collector road whereas an exterior side yard width of 3.5 metres is required. The purpose and intent of a visibility triangle is to ensure clear sight lines between all road users and to encourage the safe passage of vehicles at intersecting streets. The purpose and intent of the minimum exterior side yard width provision is to ensure a safe distance between the dwelling and the flanking street, as well as to maintain the privacy of residents.

The Douro Street extension has a collector road classification and was intended to provide an east-west connection to Road 111 as per the City's Official Plan. Through the draft plan of subdivision and rezoning process, it was determined that an existing hydro transmission tower on the abutting lands to the east could not be shifted and as such, prevented the extension of Douro Street to the east limit of this subdivision. To ensure an east-west connection to Road 111, Poett Avenue provides a short jog at the east end of Douro Street and ties into Fuller Street to complete an east-west collector road connection through the abutting lands. Notwithstanding the road classification, Poett Avenue will function as a local road. Under the Zoning By-law, a minimum sight visibility triangle of 3 metres is required where a collector road intersects a local road. Furthermore, it is unlikely that the eventual east-west collector link to and from Line 111 through the abutting lands would operate as a bona fide collector road given the road jog with its controlled intersections. A reduced sight visibility triangle of 8.5 metres is appropriate for the subject property under these circumstances.

Planning staff are generally satisfied that the requested variance to reduce the minimum exterior side yard width will facilitate development that is considered an efficient use of the land. The requested variance will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. Notwithstanding the exterior side yard requirement, it is not unusual for lots with a rear yard to rear yard orientation (such as the subject property) to have reduced exterior side yards. As such, Staff are of the opinion that the requested variance will ensure a safe distance between the side of the single detached dwelling and the flanking street as well as the requested variance will maintain the privacy of residents. As such, this variance maintains the intent and purpose of the Zoning By-law.

The requested variance to reduce the minimum visibility triangle will not negatively impact surrounding properties or their ability to use their property in accordance with the Zoning By-law. As such, Staff are of the opinion that the requested variance shall ensure clear sight lines between all road uses and encourage the safe passage of vehicles at intersecting streets, as well as ensure a safe distance between the side of the dwelling and the flanking street and maintain the privacy of residents. As such, this variance maintains the intent and purpose of the Zoning By-law.

Is the requested variance desirable for the appropriate development of the lands?

The subject property is designated Residential / Special Policy Area 19 in the City's Official Plan and zoned Residential Fourth Density R4(1)-35 in the City's Zoning By-law. The requested variance is to permit a reduced visibility triangle of 5.4 metres and a reduced exterior side yard width of 2.4 metres to facilitate the construction of a single detached dwelling. The proposed dwelling complies to all other applicable zoning requirements. Staff are of the opinion that the requested variance is desirable for the appropriate development of the lands.

Is the requested variance minor in nature?

Whether a variance is minor is based on the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that the requested variance will have any adverse impact on the character of the area or the ability of adjacent residents to use their property in accordance with the Zoning By-law. As such, the requested variance is considered minor in nature.

Recommendation:

THAT the City of Stratford Committee of Adjustment APPROVE Application A35-24, as amended, submitted by Glen Schnarr & Associates (c/o Mark Condello) on behalf of Cachet Developments (Stratford) Inc. (c/o Marcus Gagliardi), for lands known municipally as 3025 Ontario Street, legally described as Part of Lots 41 and 42, Concession 1 (geographic Township of South Easthope), now in the City of Stratford; being Lot 64 on the proposed final plan of subdivision, situated on the east side of Poett Avenue and on the south side of Fuller Street, as it relates to:

1. Section 4.7.2 of the By-law requires a minimum visibility triangle of 12 metres measured along the street line of intersecting collector roads whereas a reduced visibility triangle of 5.4 metres is being requested.
2. Section 15.2.46 g) of the By-law requires a minimum exterior side yard width of 3.5 metres whereas a reduced exterior side yard of 2.4 metres is being requested.

Reasons

The requested relief is consistent with the Provincial Planning Statement.

The requested relief also meets the four tests of a minor variance as set out in Section 45(1) of the *Planning Act* as follows:

The requested relief maintains the intent and purpose of the Official Plan as the proposal meets the Residential and Special Policy Area 19 policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Comprehensive Zoning By-law as the requested variance will ensure clear sight lines between all road uses and encourage the safe passage of vehicles at intersecting streets as well as ensure a safe and adequate distance between the side of the single detached dwelling and the flanking street and maintain the privacy of residents.

The requested relief is desirable for the use of the land as it will facilitate the construction of a single detached dwelling on the subject lands.

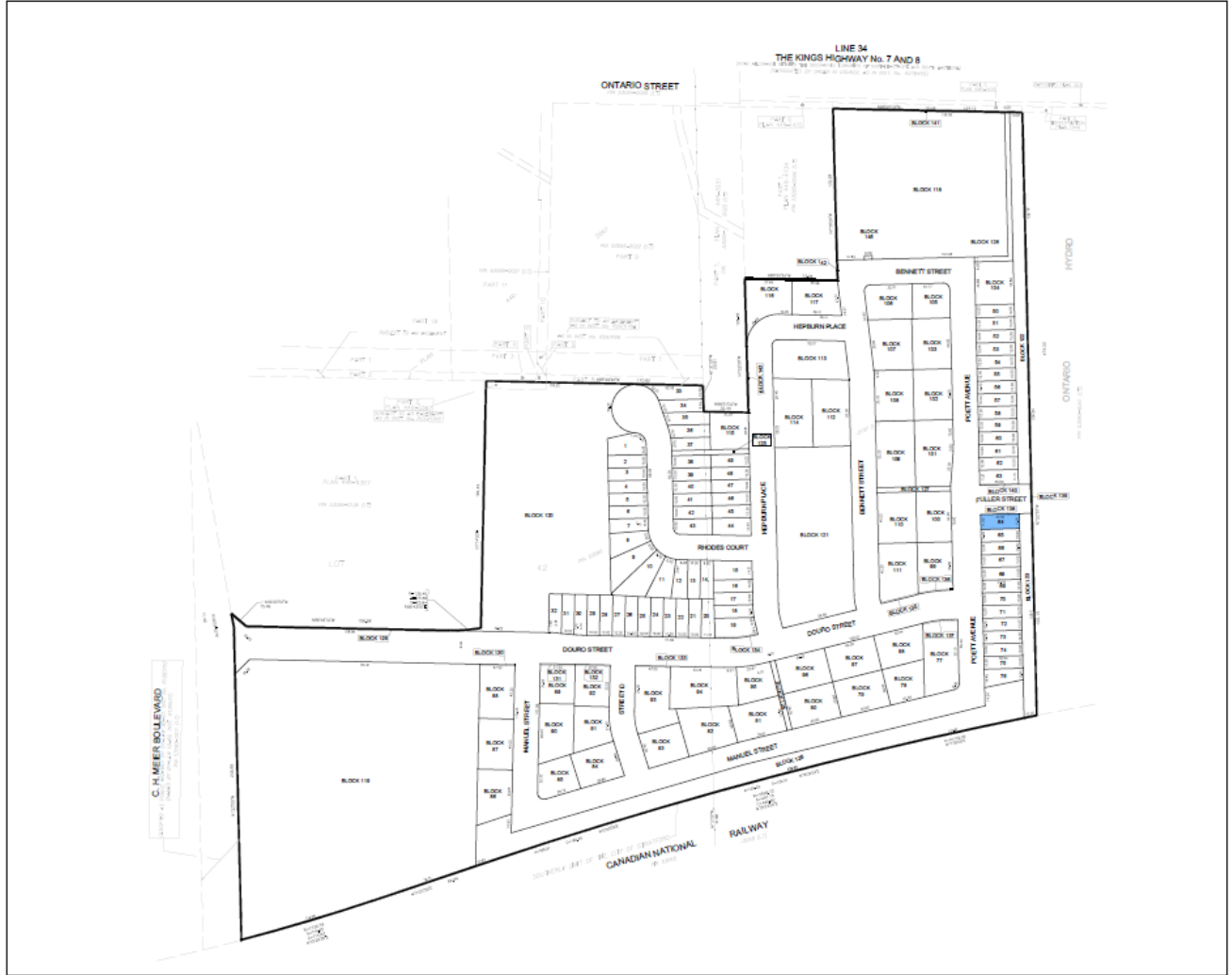
The requested relief is minor in nature as the requested variance will not affect the ability of neighbouring residents to use their land in accordance with the provisions of the Zoning By-law.

**Prepared, Recommended
& Approved by:**

Marc Bancroft, MPL, MCIP, RPP
Manager of Planning

Report finalized: February 13, 2025

Map 2 – Minor Variance Sketch
File #A35-24
Cachet Developments (Stratford) Inc. – Lot 64, Poett Avenue



Map 3 – Site Plan
File #A35-24
Cachet Developments (Stratford) Inc. – Lot 64, Poett Avenue

