

City of Stratford

COMMITTEE OF ADJUSTMENT

A Public Hearing was held by the Committee of Adjustment on October 20, 2022 at 3:00 P.M. in the Tim Taylor Lounge at the Rotary Complex for the purpose of hearing the following applications.

**MEMBERS PRESENT:** Charlene Gordon, Kevin Silver, Roger Black, Dave Hunt

**MEMBER REGRETS:** Gerry Reynolds

**STAFF PRESENT:** Jeff Bannon - Planner/Secretary Treasurer, Kehlar Hillyer - Recording Secretary, Andrea Hachler – Planning Manager

**Call to Order**

The Chair called the Meeting to Order at 3:00 P.M.

**Adoption of Minutes**

Committee members confirmed the minutes of September 15, 2022, and concurred with the decisions made by those members who heard the applications.

**Conflict of Pecuniary Interest**

**N/A**

**A20-22 – 82 Charles Street Planner: M. Ivany**

*Purpose:* The purpose of this application under Section 44 of the Planning Act, R.S.O. 1990 is to reduce the minimum front yard depth, minimum aggregate side yard width, minimum interior side yard width on the east and west sides of the property to facilitate the construction of a sun room and an addition to the attached garage.

Variances Requested:

Table 6.4.2 – Regulations in the Residential Second Density R2(1) Zone to reduce the minimum front yard depth from 6.0m to 4.5m.

2. Table 6.4.2 - Regulations in the Residential Second Density R2(1) Zone – to reduce the minimum interior side yard width on the east and west sides of the property from 1.5m to 0.85m.

3. Table 6.4.2 – Regulations in the Residential Second Density R2(1) Zone to reduce the minimum aggregate side yard width for a single detached dwelling from 3m to 1.7m

**Agency Comments:**

**Engineering Department** – The storm water run-off from all downspouts or impervious surfaces shall be contained within the limits of the property from which it originated and discharge to the abutting municipal storm drainage facility

**Water Division** - no concerns.

**Building Division** - Designer is to review the Spatial Separation requirements of the Ontario Building Code and provide their review on the submitted Building Permit Application. Exterior walls may require a Fire Rating to be designed and constructed.

- Building Permits are required to be applied for, for the proposed additions to the existing dwelling & attached garage. Any Minor Variance approvals are required to be submitted with the Building Permit Application.
- As-Built Survey is to be provided to the Building Inspector confirming setbacks at time of Foundation Inspection prior to framing commencing, once Building Permit has been issued by the Chief Building Official.

**Festival Hydro** - No concerns related to this application from a hydro perspective. The customer or the customers contractor is to contact Festival Hydro requesting a service layout if alterations to the hydro service and/or hydro metering are required in order to support the project.

**UTRCA** - no concerns.

**Parks Division** - I will have our staff prune the tree back from the house and low limb it to reduce potential construction damage to the tree.

I am less concerned of construction damage, then I am from the emerald ash bore, considering this is an ash tree.

My prediction is this tree will see its demise within the next year or so due to this devastating insect which has already caused the loss of most to all ash trees in Stratford and Eastern North America in the last 10 years.

Shawn, please have the tree pruned off the house and low limbed for construction.

Monitor for EAB this coming season.

Jeff Bannon introduced the application on behalf of Miranda Ivany who is the planner on this file and noted that public input was received in the form of one letter of objection. The letter indicated concerns regarding lot frontage, fences, and the mature tree. The Planner on the file is in support of the application.

Robert Ritz (322 Ontario St) from R. Ritz Architect was in attendance to represent the application.

R. Ritz utilized a diagram of the subject property to explain the project.

R. Ritz – the intention of the project is to re-build the front veranda and also build an addition on the rear of the garage. The house is already non-conforming as the front of the structure is wider than at the back. The request is minor in nature and supported by the Planning department. Other structures on this block are closer to the roadway than what is being proposed in this application so the application reflects the character of the neighbourhood.

R. Ritz addressed the concerns raised within the public input by displaying a photo of the subject tree. The tree will survive construction even if there is some damage to the root structure. The owner is in agreement that they do not want to lose the tree.

### **Decision of the Committee**

Moved by C. Gordon and seconded by R. Black that application A20-22 to reduce the minimum front yard depth to 4.5m, to reduce the minimum aggregate side yard width to 1.7m, to reduce the minimum interior side yard width on the east and west sides of the property to 0.85m to facilitate the construction of a sun room and an addition to the attached garage be approved subject to the following:

1. That all eaves and downspouts are to be directed onto the subject property;
2. That an As-Built Survey is provided to the Building Inspector confirming setbacks at time of Foundation Inspection prior to framing commencing, once Building Permit has been issued by the Chief Building Official.

### **Carried.**

Reasons for the Decision

1. Public input was considered
2. The minor variance requested is minor in nature

### **Adjournment**

Motion by R. Black and seconded by D. Hunt to adjourn the meeting. Carried.

Time: 3:08 P.M.

Jeff Bannon, MCIP, RPP  
Secretary Treasurer

Kehlar Hillyer, Recording Secretary