



Stratford Committee of Adjustment

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

AGENDA

Date: Wednesday, April 17, 2024

Time: 4:00 p.m.

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

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

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

1. Call to Order

The Chair to call the meeting to order.

Opening remarks and land acknowledgement.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

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

Name, Item and General Nature of Pecuniary Interest

3. Adoption of the Previous Minutes

Motion by:

Seconded by:

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

4. Current Applications

4.1 A13-24 – 114 Princess Street

Owner: Dominik and Kymm Franken

Agent: N/A

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

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

Variance requested:

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

4.2 A14-24 – 4117 Perth Line 36

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

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

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

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

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

Variances requested:

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

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

6. Adjournment

Motion by:

Seconded by:

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

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: Building & Planning Services Department - Planning Division

Application No.: A13-24

Meeting Date: April 17, 2024

Owner: Dominik and Kymm Franken

Agent: N/A

Location: 114 Princess Street, legally described as PLAN 147 LOT 20 in the City of Stratford.

Zoning: R1(3) - Residential First Density

Official Plan Designation: Residential Area

Road Classification: Princess Street – Collector

Purpose of Application A13-24:

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

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

Background:

Attachments

- Map 1 – Existing Zoning & Location Map
- Map 2 – Aerial 2020 Map
- Map 3 – Site Plan
- Figure 1 – ADU Plan
- Figure 2 – Site Photo

Site Characteristics

Existing Use: Single detached dwelling
Frontage: 18.65 m
Depth: 26.5 m
Area: 663 m²
Shape: Quadrilateral

Surrounding Land Uses

North: Single detached dwellings
East: Commercial dairy distributor
South: Single detached dwellings
West: Single detached dwellings

Agency Comments

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

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

No concerns with the proposed 1.4 m rear yard setback for the existing structure.

Staff has concerns with the proposed parking as the access to spaces 1 & 2 shown on the Site Plan may not be able to be navigated. Instead, staff suggests the applicant look at relocating these spaces in tandem along the property line adjacent to the driveway.

City of Stratford Infrastructure Services Department – Engineering Division:

Damage Deposits are required prior to construction.

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

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

City of Stratford Infrastructure Services Department – Water Services:

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

Festival Hydro:

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

Fire Prevention and Community Services Department:

No comments or concerns.

Public Comments

Notice of the requested variance was sent to surrounding property owners on March 27, 2024. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on March 30, 2024. 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:

Planning Act

In September 2019 and November of 2022, the Government of Ontario passed Bill 108, the *More Homes, More Choices Act* and Bill 23, the *More Homes Built Faster Act*. As part of these legislations, changes to Ontario's *Planning Act* were made. One such change created new requirements for permitting Additional Dwelling Units (ADUs). As per Section 35.1, ADUs are permitted "as-of-right" on properties containing a single detached dwelling, semi-detached dwelling, or townhouse dwelling, without requiring a Zoning By-law Amendment. In addition, tandem parking for ADUs is now permitted.

The City of Stratford's Zoning By-law Section 4.10 - Garden Suites – permits ADUs by way of a site-specific Zoning By-law Amendment. As per Section 4.24.2 – Second Suite Parking Requirements – tandem parking is not permitted. However, as a result of the changes to the *Planning Act*, the Zoning By-law can no longer prohibit ADUs ancillary to a single detached dwelling without a Zoning Bylaw Amendment and tandem parking for second suites. As such, the proposed ADU meets the requirements of the Planning Act.

Staff does have concerns, however, about the proposed parking layout shown on the submitted Site Plan. Access to parking spaces 1 & 2 will be difficult to access given the narrow width of the existing driveway. Planning Staff recommends that only one parking space be located in front of the proposed ADU and that the remaining two required spaces be located in tandem in the driveway along the property line. As tandem parking for ADUs is now permitted, the revised parking layout will meet the requirements of the Planning Act, and Staff is of the opinion that the new layout will provide greater functionality.

Provincial Policy Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the PPS which came into effect on May 1, 2020. The 2020 PPS provides policy direction on matters of provincial interest relating to Building Strong Healthy Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Section 1.1.3 of the PPS 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 1.1.3.4 of the Policy states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety and Section 1.1.3.6 states new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.4.3 of the PPS states that the cities shall provide for an appropriate range and mix of housing types 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. The policy also supports promotion of densities for new housing which efficiently use land, resources, infrastructure, and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed.

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. The application will permit the construction of an ADU in a planned residential area within the City's built boundary and can be considered an efficient use of land and municipal infrastructure.

Does the request Maintain the General 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 and to achieve a mix of housing types to provide diversity in the housing stock and more affordable housing opportunities. In addition, the Official Plan includes development standards within Section 4.5.3.1 for stable residential areas. These policies direct development in existing residential areas to maintain the structure and character of the immediate surrounding residential area.

The applicant has requested a minor variance to reduce the rear yard setback for an ADU from 2.5 m to 1.4 m. The garage to be converted is existing and based on the submitted

site plan, the scale, massing, and height of the proposed dwelling is not considered to be out of character within the neighbourhood and is considered to conform to the Residential policies of Section 4.5. In addition, the creation of an accessory dwelling unit meets the goals and objectives of the "Residential Area" by diversifying the housing stock and providing more affordable housing opportunities. Off-street parking in conformity with the By-law will assist in maintaining the character of the neighbourhood. To ensure drainage from the ADU does not impact neighbouring properties, staff is recommending approval of the minor variance application be subject to a condition regarding stormwater being directed away from the property lines. As such, Staff is satisfied that application A13-24, subject to the noted condition, maintains the general intent and purpose of the Official Plan.

Does the request Maintain the General 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. This zone permits single detached dwellings and ADUs (which are permitted ancillary to a single detached dwelling). The surrounding area primarily contains single detached dwellings, and a small-scale commercial use.

Section 4.10 e) of the Zoning By-law requires that ADUs have a rear yard setback of 2.5 m. The applicant is proposing to convert an existing garage into an ADU that has a rear yard setback of 1.4 m. This is a variance of 1.1 m. The intent of the rear yard setback provision in the Zoning By-law is to provide adequate space for maintenance and drainage, as well as to limit impacts on the privacy of neighbouring properties.

The garage is existing, and Staff is unaware of any current maintenance or drainage issues. However, to ensure there are no future issues with the ADU, Staff is recommending that the owner provide documentation, to the satisfaction of the City, that the ADU is not directing water towards the adjacent property lines. In addition, no negative impacts to the privacy of neighbouring properties are anticipated, as the proposed ADU will not have any windows abutting the rear and side property lines. As such, and subject to the noted condition, Staff is of the opinion that the requested minor variance maintains the general intent and purpose of the Zoning Bylaw.

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 decrease the minimum required rear yard setback for an ADU from 2.5 m to 1.4 m. The proposed ADU is in compliance with all other applicable zoning requirements such as maximum floor area and height. However, as the garage to be converted is currently existing, it does not meet the setback requirements for an ADU. Rather than demolishing the existing garage and reconstructing a new ADU, the applicant is proposing to convert the garage into an ADU to maximize time and resources. As such, subject to the

recommended conditions being imposed, Staff is of the opinion that the requested variance is desirable for the appropriate development of the lands.

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 minor variance would facilitate the conversion of the existing garage into an ADU on the subject lands. Subject to conditions, staff is 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 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 A13-24, submitted by Dominik and Kymm Franken, for lands legally described as PLAN 147 LOT 20 in the City of Stratford and municipally known as 114 Princess Street, as it relates to:

1. Section 4.10 e) – Garden Suites, to permit an accessory dwelling unit (ADU) to be setback 1.4 m from the rear lot line, subject to the following condition:
 - i) That the Owner submit documentation to the City of Stratford which demonstrates that water from the ADU is not directed onto abutting property lines, to the satisfaction of the Director of Building and Planning Services.

The requested 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 proposed ADU, subject to conditions, meets the Residential policies of the Official Plan and promotes diversifying housing stock and providing affordable housing opportunities.

The requested relief maintains the general intent and purpose of the City's Zoning By-law as subject to conditions, the ADU will not have any drainage, maintenance, or privacy issues on neighbouring properties.

The requested relief is desirable for the use of the land as it will facilitate the construction of an ADU on the subject property.

The requested relief is minor as the requested variance 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, Planner

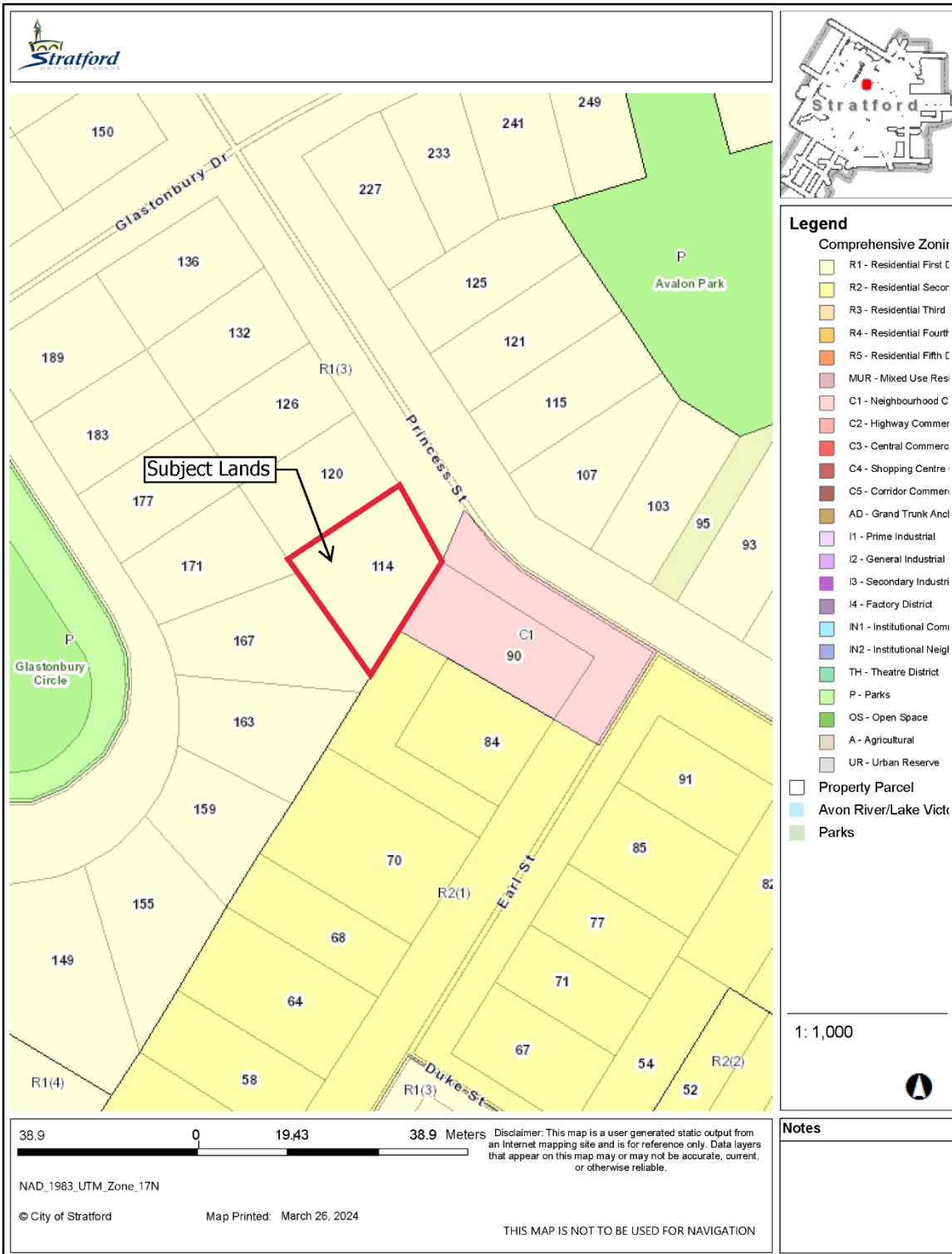
Recommended & approved by:

Adam Betteridge, MCIP, RPP

Director of Building and Planning

Report finalized: April 10, 2024

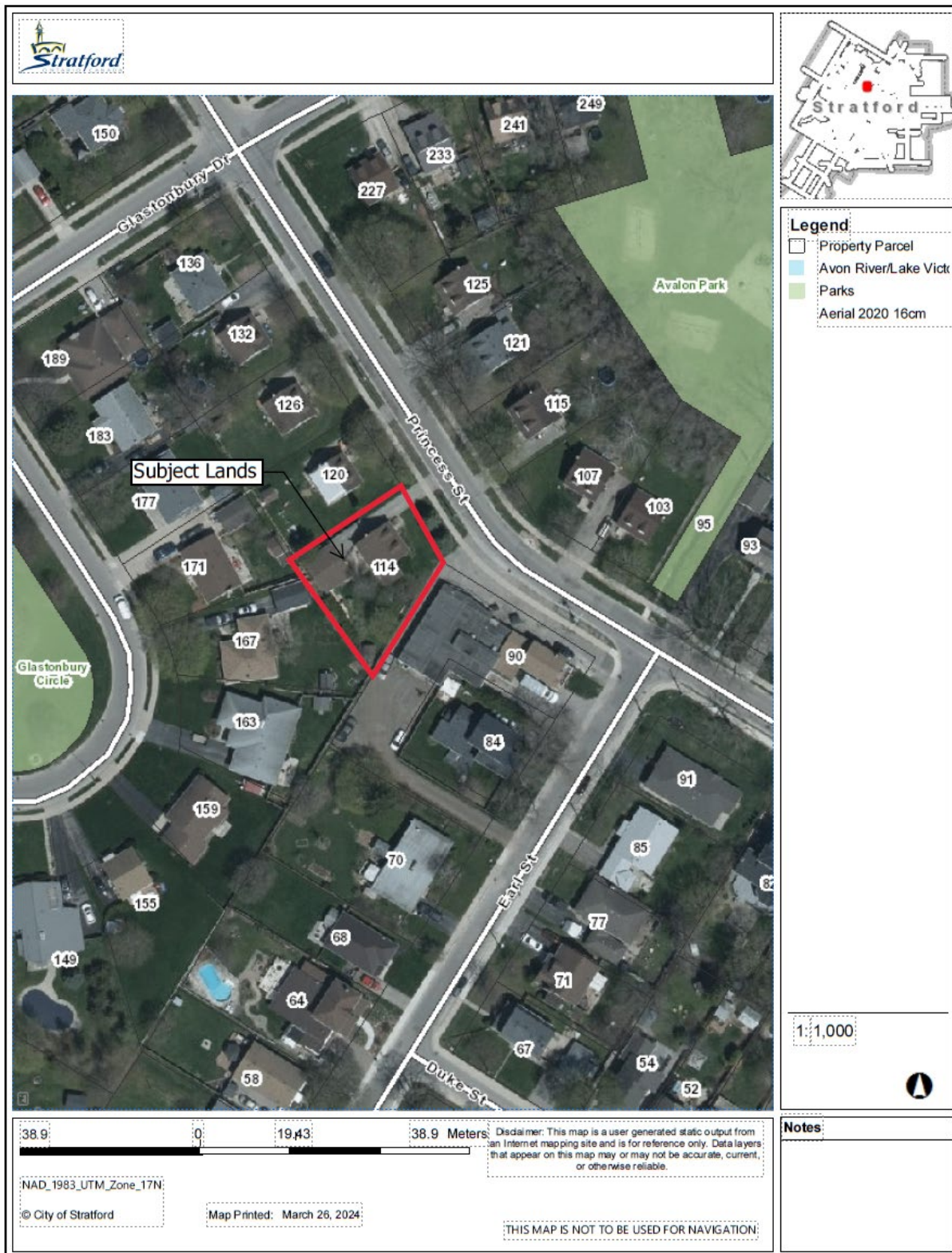
Map 1 – Location & Zoning Map
File # A13-24
Dominik and Kymm Franken – 114 Princess Street



Map 2 – Aerial 2020 Map

File # A13-24

Dominik and Kymm Franken – 114 Princess Street



Map 3 – Site Plan
File # A13-24
Dominik and Kymm Franken – 114 Princess Street

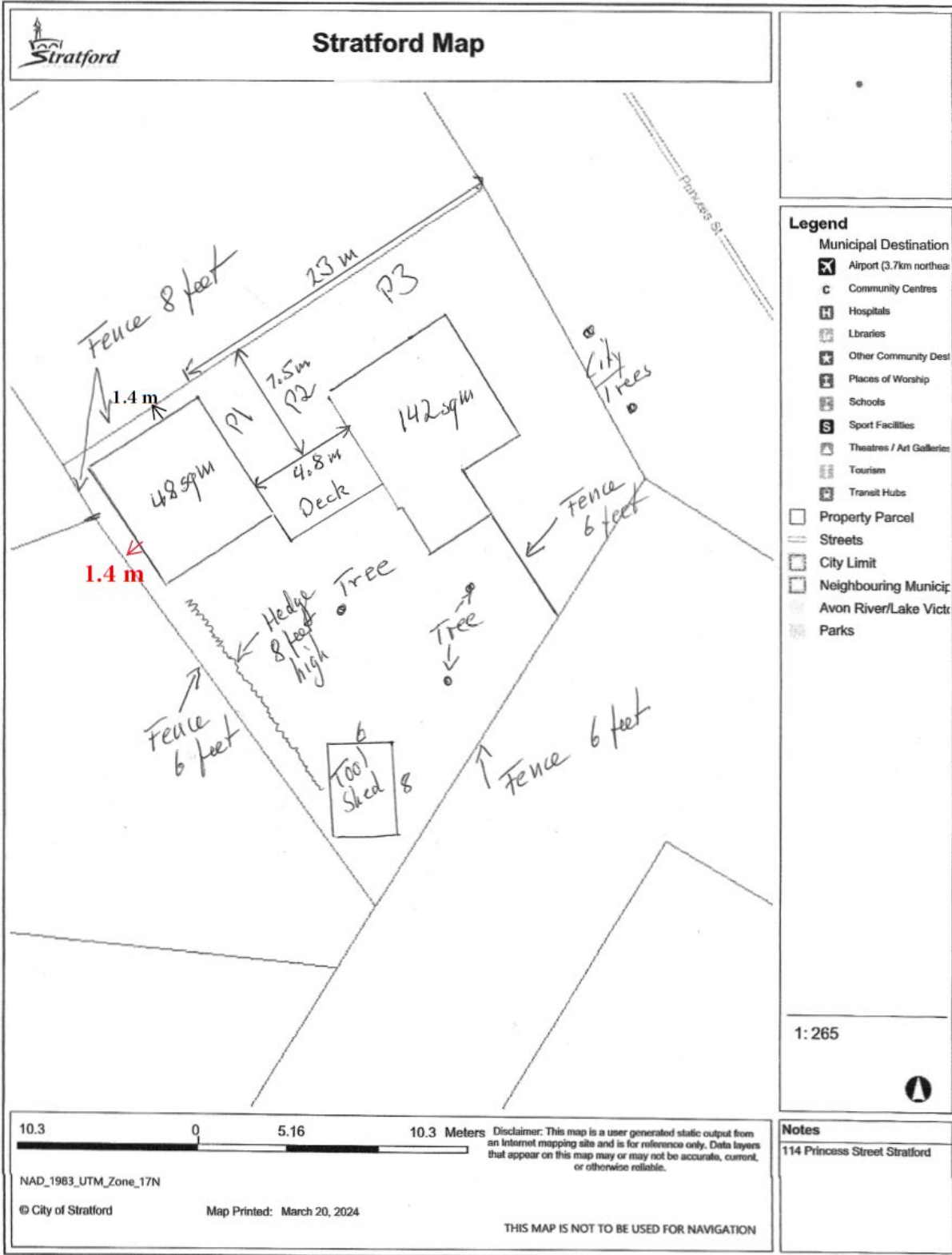


Figure 1 – ADU Plan
File # A13-24
Dominik and Kymm Franken – 114 Princess Street

KEYPLAN3D

Granny Suite 114 Princess Street



Figure 2 – Site Photo (April 4, 2024)

File # A13-24

Dominik and Kymm Franken – 114 Princess Street



REPORT TO THE COMMITTEE OF ADJUSTMENT

Submitted By: Building & Planning Services Department - Planning Division

Application No.: A14-24

Meeting Date: April 17, 2024

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

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

Location: 4117 Perth Line 36, located on the south side of Perth Line 36 between O'Loane Avenue and Mornington Street, legally described as Parts 1, 4-6 and 8-10 on 44R-6110 in the City of Stratford.

Zoning: Residential Fourth Density – R4(2)-28(H23)

Official Plan Designation: Residential Area
Medium Density Residential
Parks and Open Space

Road Classification: Perth Line 36 (Quinlan Road) – Collector Street

Purpose and Effect of Application A14-24:

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

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

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

Variance(s) requested:

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

Background:

Attachments

- Map 1 – Existing Zoning & Location Map
- Map 2 – Aerial 2020 Map
- Figure 1 – Concept Site Plan
- Figure 2 – Illustration of Requested Variance
- Figure 3 – Site Photo 1 (April 3, 2024)
- Figure 4 – Site Photo 2 (April 3, 2024)

Site Characteristics

Existing Use: Under construction / Vacant

Frontage: ~ 812.4 m

Depth: Irregular

Area: ~ 142551.4 m²

Shape: Irregular

Surrounding Land Uses

North: Agricultural

East: Agricultural

South: Open Space

West: Residential

Agency Comments

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

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

- No concerns from Building at this time.

City of Stratford Infrastructure Services Department – Engineering Division:

- No comments or concerns.

City of Stratford Infrastructure Services Department – Water Division:

- No comment.

City of Stratford Community Services:

- No issues with the proposed minor variance.

Fire Prevention and Community Services Department:

- No comments.

Festival Hydro:

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

Upper Thames River Conservation Authority (UTRCA):

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

Other Applications

- Official Plan Amendment; File Number: OPA01-21
- Zone Change; File Number: Z01-21
- Site Plan Control; File Number: SP09-22
- Draft Plan of Subdivision; File Number: 31T21-001
- Minor Variance; File Number: A25-23
 - Request for similar reduction for units fronting onto Perth Line
 - Approved by Committee of Adjustment on October 30, 2023

Public Comments

Public Notice was provided to neighbouring property owners on March 28, 2024. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on March 28, 2024, satisfying the notice requirements of the Planning Act. At the time of the writing of this report, no public comments had been received. Any additional public comments received after the date of completion of the report will be provided to the Committee of Adjustment.

Analysis:

Provincial Policy Statement (PPS)

All planning decisions in the Province of Ontario shall be consistent with the PPS which came into effect on May 1, 2020. The 2020 PPS provides policy direction on matters of provincial interest relating to Building Strong Healthy Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Building strong communities is achieved by promoting efficient development and land use patterns that accommodate an appropriate range and mix of residential uses that meet the social, health and well-being requirements and by avoiding development patterns that cause environmental, public health or safety concerns. The requested variance satisfies the Building Strong Healthy Communities, Wise Use and Management of Resources or Protecting Public Health and Safety policies of the 2020 PPS.

Section 3.1.1 of the PPS states that development, shall be directed outside of hazardous lands adjacent to rivers, streams and small inland lakes impacted by flooding or erosion hazards. The Upper Thames River Conservation Authority (UTRCA) has provincially delegated authority for the natural hazard policies of the PPS and they have indicated that the proposed residential development is located within the riverine flooding hazard associated with the McNamara (B-Court) Drain. Furthermore, the UTRCA has mentioned that they have no objection to the requested variance and that further comments on the grading and floodproofing of the development will be provided during the Site Plan Approval process.

Based on the foregoing, staff is of the opinion that the request variance is consistent with the Provincial Policy Statement.

Does the requested variance maintain the general intent and purpose of the Official Plan?

The property is designated "Residential Area", "Medium Density Residential" and "Parks and Open Space" on Schedule "A" of the City of Stratford Official Plan". The Residential Area designation permit a range of low and medium density residential uses, including single-detached, semi-detached, duplex, triplex, townhouse, low rise apartment, back-to-back townhouse, and stacked townhouse dwellings.

The subject lands are located within the Stratford West Secondary Plan Area. The Medium Density Residential designation within the Stratford West Secondary Plan Area permit townhouses or apartment type residential uses with a minimum and maximum residential density of between 30 and 100 units per hectare.

The maximum height permitted for lands designated Residential Area and Medium Density Residential in a New Residential Area, as applicable to the subject lands, shall be 4 storeys.

The Parks and Open Space designation is intended for a range of passive recreational purposes, private amenity space, as natural areas, or for purposes of conservation due to their susceptibility to flooding or erosion.

The applicant has requested a variance to reduce the minimum setback between building walls with windows to habitable rooms, where the building walls do not constitute a rear yard amenity area from 4 m to 3 m to facilitate the construction of future townhouse dwellings. The variance is associated to townhouse dwellings that do not exceed 4-storeys in height, and are located within a Plan of Subdivision that achieves and maintains the required density.

Accordingly, staff is of the opinion that the requested variance maintains the general intent and purpose of the Official Plan.

Does the requested variance maintain the general intent and purpose of the Zoning By-law?

The subject lands are zoned Residential Fourth Density R4(2)-28(H23) by the City of Stratford Zoning By-law 10-2022. The R4(2) zoning permits uses a range of residential uses, such as cluster housing, single detached, semi-detached, triplex, townhouse dwelling, back-to-back townhouse dwelling, stacked townhouse dwelling and apartment dwellings. The site-specific provision, as detailed under Policy 15.4.28 of the City's Zoning By-law, establishes several site-specific criteria, including, but not limited to, the regulation of setbacks and distances between buildings. The Holding Provision H23 limits the overall development to 392 dwelling units and is not impacted by the requested variance. The intent of this regulation is to ensure compatible and functional development with the required amount of infrastructure and access.

Policy 15.4.28 of the City's Zoning By-law establishes a minimum setback requirement between building walls with windows to habitable rooms, where the building walls do not constitute a rear yard amenity area, of 4-metres. This establishes a required 2-metre building-facing side-yard setback per end unit of a townhouse block. The intent of this regulation is to ensure sufficient amount of space is provided for maneuverability, accessibility and safety.

The requested variances facilitates future townhouse development that is in-keeping with the Zoning By-law, continues to be functional, and is not anticipated to have adverse impacts on surrounding land uses. Further, the requested variance provides a side-yard setback of 1.5 metres between the townhouse blocks rather than the required 2-metre setback, leaving sufficient space between the two townhouse blocks (total of 3.0m) for maneuverability and access around the dwelling. It is important to note that the City's building department has no comments or concerns related to this variance at this time.

Based on the foregoing, staff is of the opinion that the requested variance maintains the general intent and purpose of the Zoning By-law.

Is the requested variance desirable for the appropriate development or use of the land?

The subject lands are planned for residential development, as permitted by the City's Official Plan and the City's Zoning By-law. The requested variance will facilitate the development of residential townhouses that are consistent with current development patterns, and will contribute to greater enjoyment of space through the inclusion of additional windows.

Staff is of the opinion that the variance is desirable for the appropriate development and use of the land.

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 surrounding neighbourhood includes agricultural lands to the north and east, the McNamara Drain to the south and a future amenity area and residential uses to the west.

The requested variance intends to reduce the minimum setback between building walls with windows to habitable rooms between townhouse blocks, where the building walls do not constitute a rear yard amenity area from 4 m to 3 m. The variance facilitates an additional window on the ends of the townhouse blocks, while providing reduced distances between end building walls of the townhouse blocks, as shown on **Figure 1 – Master Site Plan**.

Staff is of the opinion that the requested variances will not have any adverse impacts on the character of the area nor 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 A14-24, submitted by Baker Planning Group (c/o Caroline Baker), for lands legally described as Parts 1, 4, 5, 6, 8, 9 and 10 on 44R-6110 in the City of Stratford and municipally known as 4117 Perth Line 36, as it relates to:

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

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

The requested variance maintains the general intent and purpose of the Official Plan as the proposal conforms to the Residential and Stratford West Secondary Plan Area policies of the Official Plan.

The requested variance maintains the general intent and purpose of the City's Zoning By-law as the townhouses are a permitted and compatible use, and adverse impacts are not anticipated on maneuverability, access, and function of the site or adjacent properties.

The requested variance is desirable for the use of the land as it will facilitate the construction of townhouse blocks with end units with additional windows on the subject property.

The requested variance is minor as the requested variance will not affect the ability of neighbouring property owners to use their land in accordance with the provisions of the Zoning By-law and no negative impacts are anticipated from the approval of this variance.

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

Prepared by:

Urja Modi
Consulting Planner (Intermediate Planner, MHBC Planning Ltd.)

Reviewed by:

Juliane vonWesterholt, MCIP, RPP
Consulting Planner (Associate, MHBC Planning Ltd.)

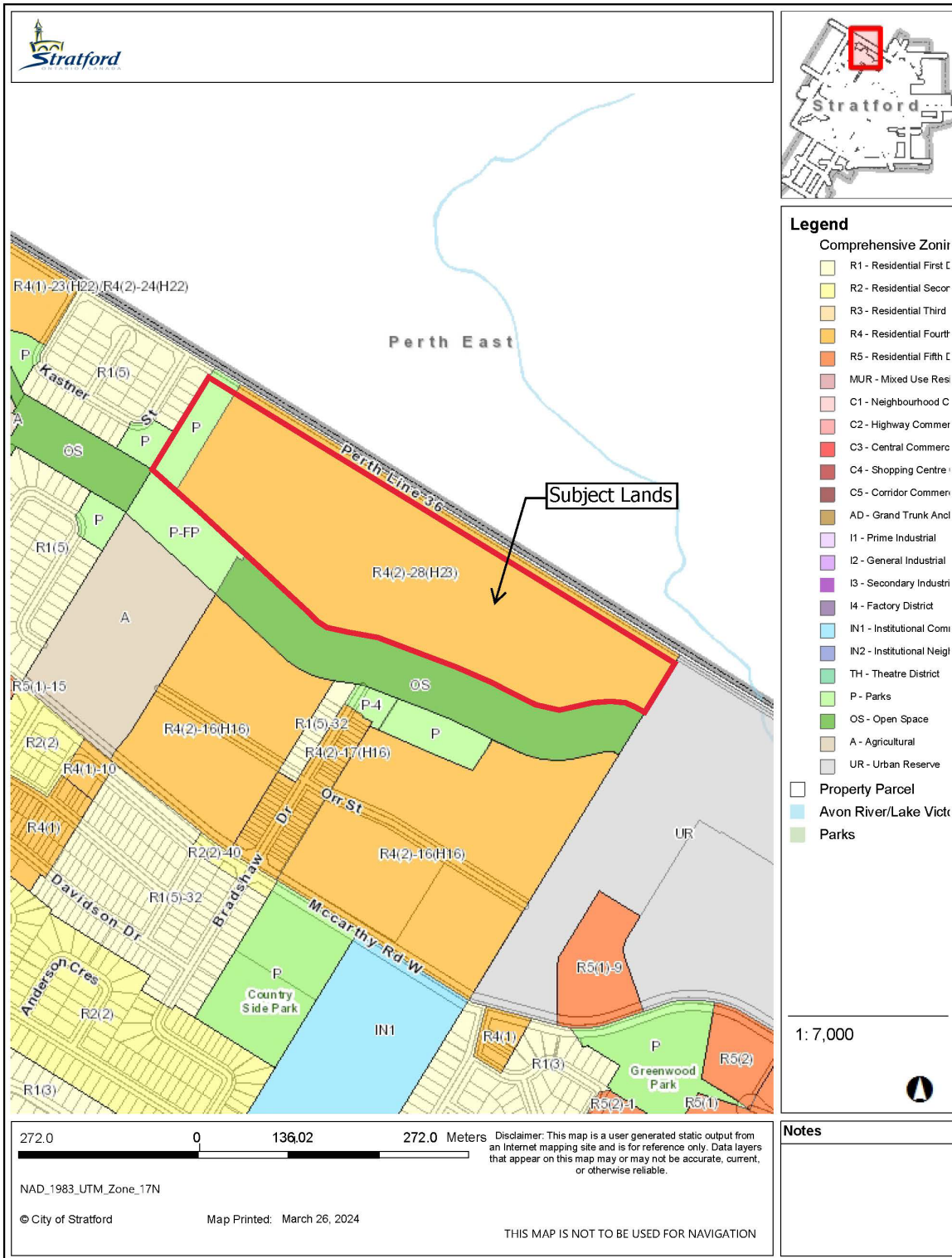
Pierre Chauvin, MCIP, RPP
Consulting Planner (Partner, MHBC Planning Ltd.)

Approved by:

Adam Betteridge, MCIP, RPP
Director of Building and Planning

Report finalized: April 11, 2024

Map 1 – Location & Zoning Map
File # A14-24
Quinlan Road Developments LP – 4117 Perth Line 36



Map 2 – Aerial 2020 Map
File # A14-24
Quinlan Road Developments LP – 4117 Perth Line 36

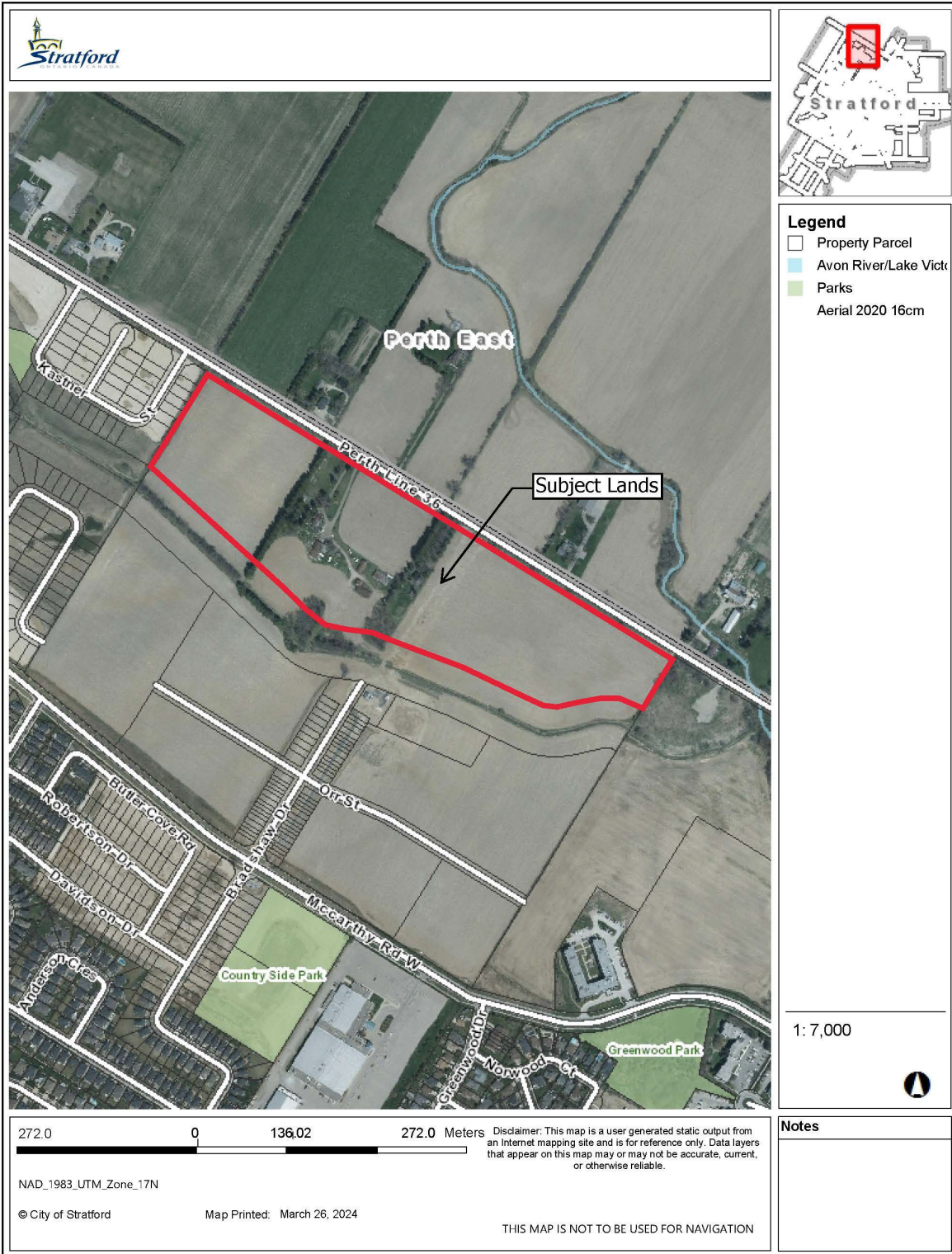


Figure 1 – Concept Site Plan File # A14-24 Quinlan Road Developments LP – 4117 Perth Line 36

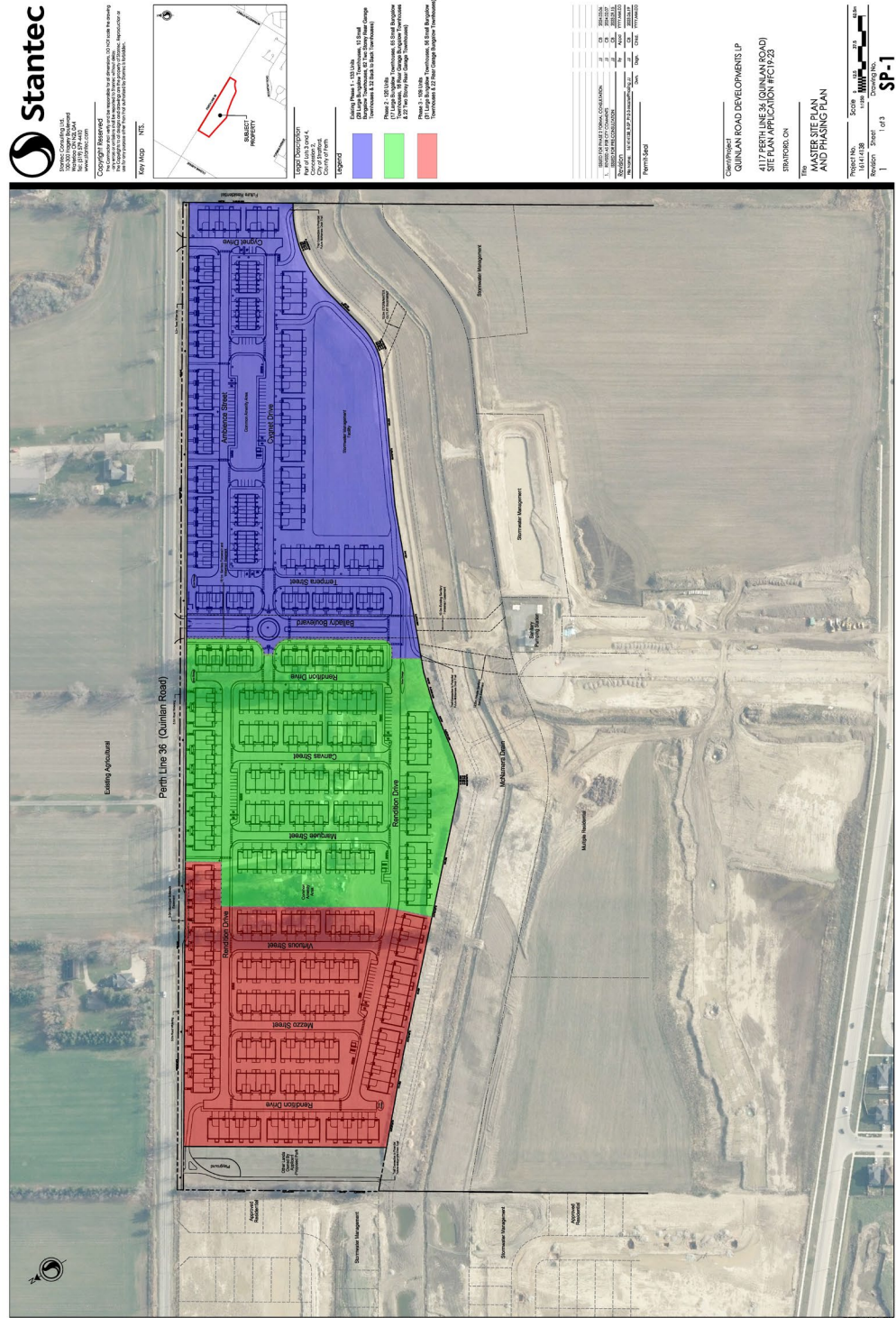


Figure 2 – Illustration of Requested Variance
File # A14-24
Quinlan Road Developments LP – 4117 Perth Line 36

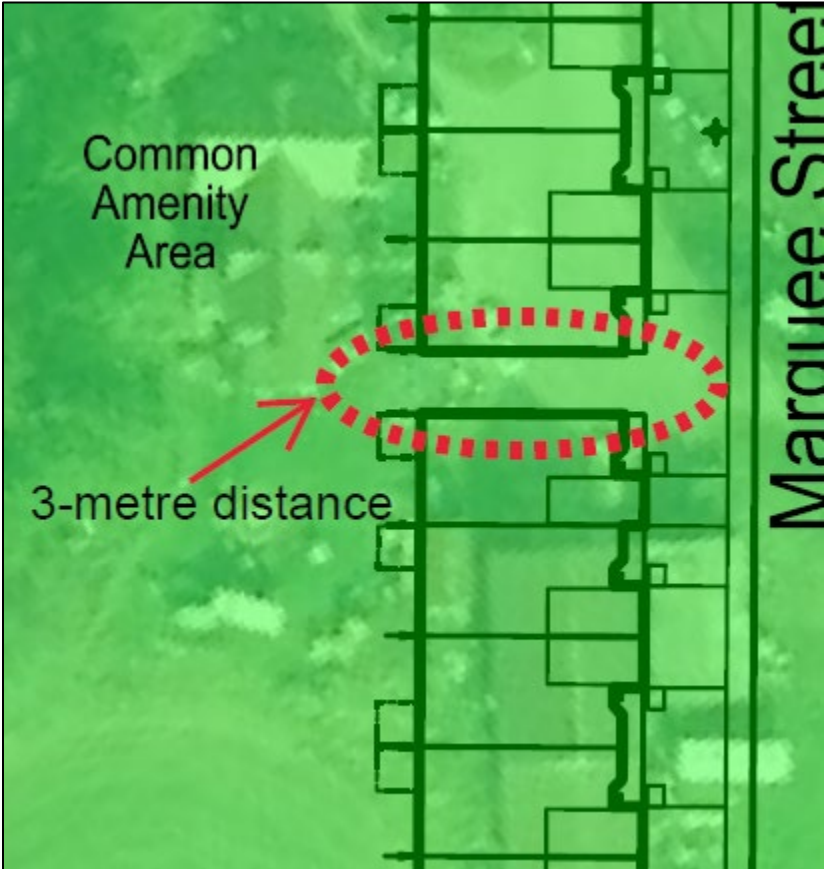


Figure 3 – Site Photo
File # A14-24
Quinlan Road Developments LP – 4117 Perth Line 36



Figure 4 – Site Photo
File # A14-24
Quinlan Road Developments LP – 4117 Perth Line 36

