



## **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, October 15, 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 September 17, 2025 be adopted as printed.**

## 5. Current Applications

### 5.1 A19-25 – 41 Matilda Street

The purpose of the application is to permit a detached garage with an increased height, wall height, and increased floor area to accommodate a larger garage than is otherwise permitted. The effect of this application is to facilitate the development of a detached garage on the subject lands. The detached garage would be located in the rear yard and will require the removal of the existing shed.

Variances Requested:

1. Table 4.1.4: Accessory Use Regulations – to increase the maximum floor area for an accessory structure from 75 m<sup>2</sup> to 81 m<sup>2</sup>.
2. Table 4.1.4: Accessory Use Regulations – to increase the maximum height for an accessory structure from 5.0 m to 5.7 m.
3. Table 4.1.4: Accessory Use Regulations – to increase the maximum wall height for an accessory structure from 3.0 m to 3.35 m.

### 5.2 B05-25, B06-25, B08-25 – 3184 Vivian Line 37 B09-25, B10-25, B11-25 – 3188 Vivian Line 37

*Subject Property A: 3184 Vivian Line 37 (B05-25, B06-25, B08-25)*

The purpose of Consent Applications B05-25 and B06-25 is to establish two easements that were originally supposed to be created when the lands were sold by the City of Stratford and transferred ownership. In addition to these two easements, one new easement would be created. The proposed easements are outlined as follows and should be read in conjunction with the attached mapping:

- B05-25, Easement 1 – Original Easement for reciprocal access.
- B06-25, Easement 2 – Original Easement for fire and access.
- B08-25, Easement 3 – New Easement for stormwater management.

All three (3) easements are proposed to be in favour of the owner of Subject Property B, being Stratford LTC GP Inc.

*Subject Property B: 3188 Vivian Line 37 (B09-25, B10-25, B11-25)*

The purpose of Consent Applications B09-25 and B10-25 is to establish two easements that were originally supposed to be created when the lands were sold by the City of Stratford and transferred ownership. In addition to these two easements, one new easement would be created. The proposed easements are outlined as follows and should be read in conjunction with the attached mapping:

- B09-25, Easement 4 – Original Easement for reciprocal access.
- B10-25, Easement 5 – Original Easement for fire and access.
- B11-25, Easement 6 – New Easement for stormwater management.

All three (3) easements are proposed to be in favour of the owner of Subject Property A, being Stratford Lands Inc.

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

4. **Adjournment**

Motion by:

Seconded by:

**THAT the October 15, 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](mailto:clerks@stratford.ca).**



## **Stratford Committee of Adjustment**

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

### **MINUTES**

**Date:** Wednesday, September 17, 2025

**Time:** 4:00 p.m.

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

Attendance: Charlene Gordon, Roger Black, Dan Weagant, Ajay Mishra, Andy Bicanic

Staff in Attendance: Marc Bancroft - Manager of Planning, Anu Kumar – Planner, Ryan Queenan - Planner, Alexander Burnett - Alternate Secretary-Treasurer

#### **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

None declared.

#### **3. General Business**

None noted.



#### **4. Adoption of the Previous Minutes**

Motion by: R. Black  
Seconded by: C. Gordon

**THAT the minutes from the Stratford Committee of Adjustment hearing dated August 20, 2025 be adopted as printed.**

**Carried.**

#### **5. Current Applications**

##### **5.1 A15-25 – 293 Queen Street**

The purpose of the application is to permit a detached garage with an increased wall height, width, and an increased lot coverage to accommodate a larger garage than is otherwise permitted.

The effect of this application is to facilitate the expansion of an existing detached garage on the subject lands. The existing detached garage, with an area of 45.15 m<sup>2</sup>, is proposed to be enlarged to 63.41 m<sup>2</sup>. Additionally, the wall height is proposed to be increased to 3.68 m, while the maximum height will remain compliant. The detached garage will retain its existing shape while expanding in length and width. Specifically, the width is proposed to increase from 5.49 m to 6.71 m.

The report was presented by R. Queenan.

Question from the Committee to the applicant regarding the reason for the increased size of the garage. Applicant is looking to have increased space for personal use.

#### **Decision of the Committee**

Moved by: R. Black  
Seconded by: A. Mishra

**That the City of Stratford Committee of Adjustment APPROVE Application A15-25, submitted by Wallace Clayton Holst, for lands legally described as Plan 47 N PT LOT 549 in the City of Stratford, and municipally known as 293 Queen Street, as it relates to:**

1. Table 4.1.4: Accessory Use Regulations – to increase the maximum lot coverage for an accessory structure from 10% to 14.3%.
2. Table 4.1.4: Accessory Use Regulations – to increase the maximum wall height for an accessory structure from 3.0 m to 3.7 m.
3. Table 6.4.2: to increase the allowable garage width from sixty (60) percent of the elevation facing the front lot line or exterior side lot line, as stipulated by note ④ of the additional regulations for Table 6.4.2, to ninety (90) percent of the width of the dwelling facade.

For the following reasons:

1. The proposal is consistent with PPS
2. The proposal meets 4 tests of a minor variance

**Carried.**

#### **5.2. A17-25 – 990 O’Loane Avenue**

The purpose of this application is to permit a detached garage with an increased wall height and area.

The effect of this application is to facilitate the expansion of an existing detached garage on the subject lands. An addition of 74.14 m<sup>2</sup> is proposed to be added to the rear of the existing detached garage, to increase the existing garage floor area from 162.67 m<sup>2</sup> to 236.81 m<sup>2</sup>. The proposed addition would have a wall height of 3.66 m, and would follow the existing roof line. There would be no change to the façade of the existing garage.

The report was presented by R. Queenan.

#### **Decision of the Committee**

Moved by: A. Mishra

Seconded by: C. Gordon

**That the City of Stratford Committee of Adjustment APPROVE Application A17-25, submitted by Andrew Taylor on behalf of Tim Taylor, for lands legally described as CON 2 PT LOT 6, in the City of Stratford, and municipally known as 990 O’Loane Avenue:**

1. Table 4.1.4: Accessory Use Regulations – to increase the maximum floor area for an accessory structure from 100 m<sup>2</sup> to 236.8 m<sup>2</sup>.
2. Table 4.1.4: Accessory Use Regulations – to increase the maximum wall height for an accessory structure from 3.0m to 3.7 m.

For the following reasons:

1. The proposal is minor in nature

**Carried.**

#### **5.3. A18-25 – 45 Devon Street**

Motion to accept correspondence as information for this application: Comments received after circulation of the agenda.

Motion by: R. Black

Seconded by: D. Weagant

**Carried**

The purpose of the application is to allow a single detached residential dwelling comprised of three (3) dwelling units, each with a maximum gross floor area of 115 m<sup>2</sup>. The applicant is seeking relief regarding the maximum floor area requirement for Additional Residential Units (ARUs), whereas the City's zoning by-law requires the first unit to be the primary unit, with additional accessory residential units having a maximum gross floor area of 50% of the primary unit, up to a maximum of 100 m<sup>2</sup>. Additional Residential Units are defined and regulated in the City's Zoning By-law as "Garden Suites" and "Second Suites."

In 2019, the Provincial Government amended the Planning Act through Bill 108, known as the "More Homes, More Choice Act," by mandating municipalities to authorize the use of ARUs through zoning by-laws. The Planning Act permits up to two (2) ARUs within a single detached dwelling as of right. The application seeks to leverage these legislative changes to permit the proposed residential development on the subject property.

The effect of the application is to allow the replacement of the existing single-detached dwelling with a new single detached dwelling that includes three (3) dwelling units while maintaining a similar footprint to the existing dwelling on the subject property. The detached garage, located on the rear portion of the subject property, would be demolished. The proposed residential development would have one unit in the basement and two units with covered porches, living, dining, and kitchen spaces on the first floor, while bedrooms and other associated spaces would be on the second floor. The proposed development would have four (4) parking spaces and two (2) separate driveways: one from Devon Street to the north and one from Canterbury Avenue to the east.

The report was presented by A. Kumar.

Question from the Committee to the planner regarding if the basement windows will be egress windows. Question to be answered by the applicant.

Presentation by the applicant C. Baker.

Applicant answers previous question that egress windows will be provided and comply with the Ontario Building Code.

Question from the Committee regarding revisions to the required parking space dimensions. Applicant noted that sufficient space is provided, and the Site Plan will be revised.

Member of the public (Serena Sted): Concerns with increased street parking on surrounding streets as a result of the proposed development. Concerns with snow clearing with increased street parking.

Question from the Committee regarding parking requirements. Planner confirms that the application is meeting parking requirements.

## **Decision of the Committee**

Moved by: D. Weagant

Seconded by: R. Black

**That the City of Stratford Committee of Adjustment APPROVE Application A18-25, submitted by Baker Planning Group (c/o Caroline Baker) on behalf of Samuel Hall & Maxwell Hall, for lands known municipally as 45 Devon Street, legally described as PLAN 141, Lot 36 in the City of Stratford.**

1. Section 4.24.1 b) – A second suite shall not be greater than 50% of the gross floor area of the principal residential dwelling on the lot, up to a maximum size of 100 m<sup>2</sup>, whereas the proposed principal residential dwelling unit and the additional residential units would each have a maximum gross floor area of 115 m<sup>2</sup>.

Subject to the following condition:

1. That the applicant provide a revised Site Plan to the satisfaction of the Manager of Planning ensuring that the proposed parking spaces to be accommodated in the driveway located in the rear yard of the subject property comply with the City's Comprehensive Zoning By-law and that said spaces be wholly contained within the subject lands and not encroach within the road allowance.

For the following reasons:

1. The proposal is consistent with the PPS.
2. The proposal meets the 4 tests of a minor variance.

**Carried.**

### **5.4. B04-25 – 208 – 210 Forman Avenue**

The purpose and effect of this application is to sever the northern portion of the subject lands, municipally known as 210 Forman Ave, to permit individual dwelling units of an existing semi-detached dwelling to be wholly contained on separate lots. The proposed lot would have an area of 372.7 m<sup>2</sup>, a depth of 38.1 m, and a frontage of 9.82 m. The lands to be retained, municipally known as 208 Forman Ave, would have an area of 382.1 m<sup>2</sup>, a depth of 38.1 m, and a frontage of 9.99 m. Both the proposed severed and retained lands have road access to Forman Avenue and currently each contain one dwelling unit of an existing one (1) storey semi-detached dwelling. The northern portion of the subject lands (210 Forman Ave) also comprises a frame shed, whereas the southern portion (208 Forman Ave) also comprises a frame garage.

The report was presented by A. Kumar.

Presentation from the applicant (MTE Doug Reaume).

Question from the Committee regarding the proposal for a blanket easement. Discussions have not been had with Engineering regarding the potential for a blanket easement. Committee has concerns with blanket easement approach. Manager of Planning informs the Committee that approval of the blanket private easement will require future approval by the Committee. Applicant has a concern with the servicing condition, given the cost of separate services.

Discussion regarding potential deferral of the application so that Engineering can determine if a blanket easement is acceptable.

### **Decision of the Committee**

Moved by: R. Black

Seconded by: C. Gordon

**THAT the Application for Consent B04-25 with respect to 208 and 210 Forman Avenue be deferred until confirmation from the City's Engineering Department regarding the acceptance of a blanket servicing easement is received.**

**Carried.**

6. **Next Meeting** – October 15, 2025 – City Hall Council Chambers (upper level), located at 1 Wellington Street, Stratford.

### **7. Adjournment**

Motion by: C. Gordon

Seconded by: R. Black

**THAT the September 17, 2025 Stratford Committee of Adjustment hearing adjourn.**

**Time Start: 4:00 pm**

**Time End: 4:50 pm**

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

## **REPORT TO THE COMMITTEE OF ADJUSTMENT**

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

**Application No.: A19-25**

**Meeting Date: October 15, 2025**

**Owner: Robert Klingenberg**

**Agent: N/A**

**Location: 41 Matilda Street, legally described as PLAN 486 LOT 4 in the City of Stratford.**

**Zoning: R2(1) – Residential Second Density**

**Official Plan Designation: Residential Area**

**Road Classification: Matilda Street – Local Road**

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### **Purpose and Effect of Application:**

The purpose of the application is to permit a detached garage with an increased height, wall height, and increased floor area to accommodate a larger garage than is otherwise permitted.

The effect of this application is to facilitate the development of a detached garage on the subject lands. The detached garage would be located in the rear yard and will require the removal of the existing shed.

### **Variances Requested:**

1. Table 4.1.4: Accessory Use Regulations – to increase the maximum floor area for an accessory structure from 75 m<sup>2</sup> to 81 m<sup>2</sup>.
2. Table 4.1.4: Accessory Use Regulations – to increase the maximum height for an accessory structure from 5.0 m to 5.7 m.
3. Table 4.1.4: Accessory Use Regulations – to increase the maximum wall height for an accessory structure from 3.0 m to 3.4 m.

## **Background:**

### Attachments

- Map 1 – Zoning & Location Map
- Map 2 – Aerial Map
- Figure 1 – Concept Site Plan
- Figure 2 – Concept Floor Plan
- Figure 3 – Concept Elevations
- Figure 4 – Site Photo

### Site Characteristics

Existing Use: Single detached dwelling

Frontage: Approximately 18.30 m

Depth: Approximately 58.88 m

Area: Approximately 1,076.76 m<sup>2</sup>

Shape: Rectangular

### Surrounding Land Uses

North: Single detached dwellings

East: Single detached dwellings

South: Single detached dwellings, Commercial Uses

West: Single detached dwellings

### Agency Comments

This minor variance application was circulated to agencies for comments on September 19, 2025. The following comments were received:

#### **City of Stratford Infrastructure Services – Engineering Division:**

No comments or concerns.

#### **City of Stratford Infrastructure Services – Climate Action:**

No comments or concerns.

#### **City of Stratford Infrastructure Services – Environmental Services:**

No comments or concerns.

#### **City of Stratford Corporate Services – Clerk's Office:**

No comments or concerns related to parking.

#### **City of Stratford Fire Prevention:**

No comments or concerns.

**Festival Hydro:**

No concerns. If the customer is looking to upgrade or change the existing hydro service as part of the project, please contact Festival Hydro requesting that service layout be completed.

**Upper Thames River Conservation Authority:**

The subject lands are regulated due to the presence of a riverine flood hazard associated with the Roadhouse Drain [located east of the subject lands]. The UTRCA has reviewed the application offers the following comments:

As mentioned above, regulated areas mapping is approximate. The flood hazard associated with the Roadhouse Drain is larger than what is currently mapped.

The proponent contacted UTRCA staff in December of 2024 looking for development requirements specific to their proposal for an accessory structure in the rear yard.

Through those discussions, UTRCA Regulations staff communicated to the proponent that the flood hazard associated with the Roadhouse Drain was larger than currently mapped, and that flood proofing of the proposed structure would be required.

The accessory structure is proposed to be located within the UTRCA regulated area. A Section 28 Permit from UTRCA Regulations staff will be required prior to any construction or site alteration.

Section 28 Permit requirements were provided to the Proponent via email in February of 2025. Please contact UTRCA Regulations staff to confirm requirements.

[Notwithstanding this minor variance application, a Section 28 permit is applicable law under the Ontario Building Code.]

**Upper Thames River Conservation Authority – Source Water 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. For more information pertaining to drinking water source protections, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

**Public Comments**

Notice of the requested variance was sent to surrounding property owners on September 19, 2025. In addition, notice of the requested variance was published in the Town Crier of the Beacon Herald on September 27, 2025. At the time of writing this report, Planning staff have not received any public input. 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.

Section 2.3.1.2 of the PPS states that land use patterns within settlement areas should be based on a mix of land uses which effectively use land and resources and optimize existing and planned infrastructure. As the subject lands are located on an existing municipal street and the application proposed to use the rear yard more efficiently through the development of a detached garage, the proposal is consistent with the policies of the PPS. The requested variances encourage the use of existing infrastructure and would provide additional functional space to an existing residential property.

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 Area" on Schedule "A" of the Official Plan. The Residential Area policies allow for a range of dwelling types from single detached dwellings to 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. 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 generally maintain the structure and character of the immediate surrounding residential area.

The applicant has requested several minor variances to facilitate the development of a detached garage on the subject lands. These include minor variances for increased height, wall height and floor area for an accessory structure.

The proposed variances align with the Official Plan's vision by enhancing the property's utility while maintaining the character of the surrounding neighbourhood. The Official Plan supports the integration of accessory structures that contribute to residential functionality, ensuring they are compatible with and complementary to the existing built environment.

By increasing the maximum floor area to 81 m<sup>2</sup>, and adjusting the overall height to 5.7 metres with a wall height of 3.4 metres, the design supports contemporary residential needs. These adjustments provide the necessary space for modern storage and homeowner requirements without disrupting the neighbourhood's cohesive aesthetic.

The proposed garage is situated in the rear yard, ensuring minimal visibility from the street and thus maintaining the neighbourhood's visual character and integrity. The increased dimensions are carefully calibrated to enhance the site's usability while conforming to the broader community setting, consistent with the Official Plan's directive to uphold harmonious neighbourhood development.

As such, the requested variances for increased height, wall height and floor area for an accessory structure maintain the 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 Second Density R2(1) in the City of Stratford Zoning By-law 10-2022. This zone permits, however is not limited to, single detached dwellings and accessory structures. The surrounding area primarily contains single detached dwellings.

Section 4.1.4 of the City's Zoning By-law specifies accessory use regulations, including maximum floor area, height and wall height for structures, ensuring they are secondary to the main dwelling.

The intent of these regulations is to prevent privacy, shadowing or massing issues that could affect neighbouring properties. Additionally, these policies help maintain visual consistency with the surrounding area, preventing disruptions in neighbourhood character or streetscape appearance. Accessory structures like garages are required to maintain a visually harmonious environment, which is facilitated by limits on dimensions. The proposed variances seek to develop a detached garage without disrupting the visual harmony of the surrounding neighbourhood.

The thoughtful placement of the proposed detached garage, in tandem with perimeter landscaping, would make it so that there are no issues regarding shadowing, maintenance, privacy, or safety that could affect neighbouring properties. It is noted that the proposal is compliant with all setback, lot coverage, and landscaped open space requirements. Additionally, the proposed location in the rear yard would make the proposed garage difficult to see from the street, as per **Figure 4**.

The requested increase in accessory structure floor area, height, and wall height is intended to enhance functionality for modern residential needs while preserving visual aesthetics and coherence of the neighbourhood. As the proposed detached garage would be in the rear yard, the impact of massing alterations is minimized, and the impact on the streetscape is marginal.

As such, Staff are satisfied that the application maintains the general intent and purpose of the Zoning By-law.

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

The requested variances enhance the property's functionality by removing an existing shed and developing a detached garage. The location of the proposed garage in the rear yard minimizes visual impact on the streetscape, ensuring the neighbourhood's aesthetic integrity remains intact. The proposal fosters efficient land use, supports adaptability and future utility while maintaining respect for the area's residential character and overall zoning goals, thereby contributing positively to the community's development. As such, Staff is of the opinion that the requested variances are desirable for the appropriate development of the lands.

Are the requested variances minor in nature?

Whether a variance is considered minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. The proposed increases in floor area, height and wall height are not anticipated to adversely affect the character or aesthetics of the area, as the changes are designed to harmonize with the existing built environment. As the garage is located in the rear yard, any visual or spatial impact on neighbouring properties and the streetscape is minimized. These adjustments ensure the continued enjoyment of properties in the vicinity in compliance with the Zoning By-law. Therefore, the requested variances are deemed minor in nature, as they do not present significant adverse effects or disruptions to the local community.

**Recommendation:**

That the City of Stratford Committee of Adjustment **APPROVE** Application A19-25, submitted by Robert Klingenberg, for lands legally described as PLAN 486 LOT 4 in the City of Stratford, and municipally known as 41 Matilda Street, as it relates to:

1. Table 4.1.4: Accessory Use Regulations – to increase the maximum floor area for an accessory structure from 75 m<sup>2</sup> to 81 m<sup>2</sup>.
2. Table 4.1.4: Accessory Use Regulations – to increase the maximum height for an accessory structure from 5.0 m to 5.7 m.
3. Table 4.1.4: Accessory Use Regulations – to increase the maximum wall height for an accessory structure from 3.0 m to 3.4 m.

**Reasons**

The proposed relief is consistent with the Provincial Planning Statement.

And 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 conforms to the 'Residential Area' goals and objective policies of the Official Plan.

The requested relief maintains the intent and purpose of the City's Zoning By-law as no negative impacts regarding privacy, drainage, maintenance, or safety are anticipated as a result of the proposed detached garage.

The requested relief is desirable for the use of the land, facilitating the development of a detached garage to enhance functionality without compromising the neighbourhood's character.

The requested relief is minor in nature 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:**

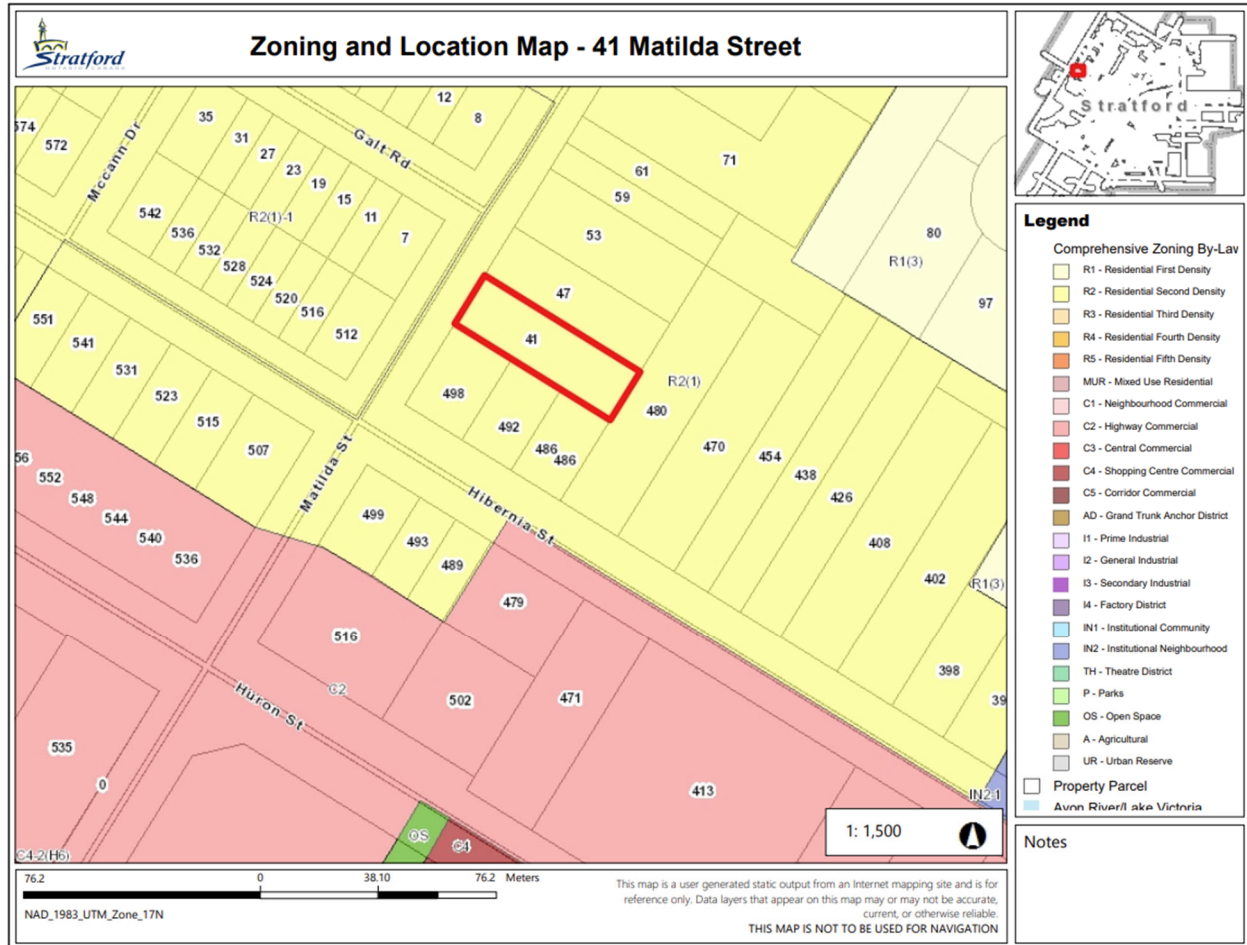
Ryan Queenan, Planner

**Reviewed, Recommended, & Approved by:**

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

**Report finalized:** October 9<sup>th</sup>, 2025

## Map 1 – Zoning & Location Map



**Aerial Map - 41 Matilda Street**

**Legend**

- Property Parcel
- Avon River/Lake Victoria
- Parks

Aerial 2020 16cm

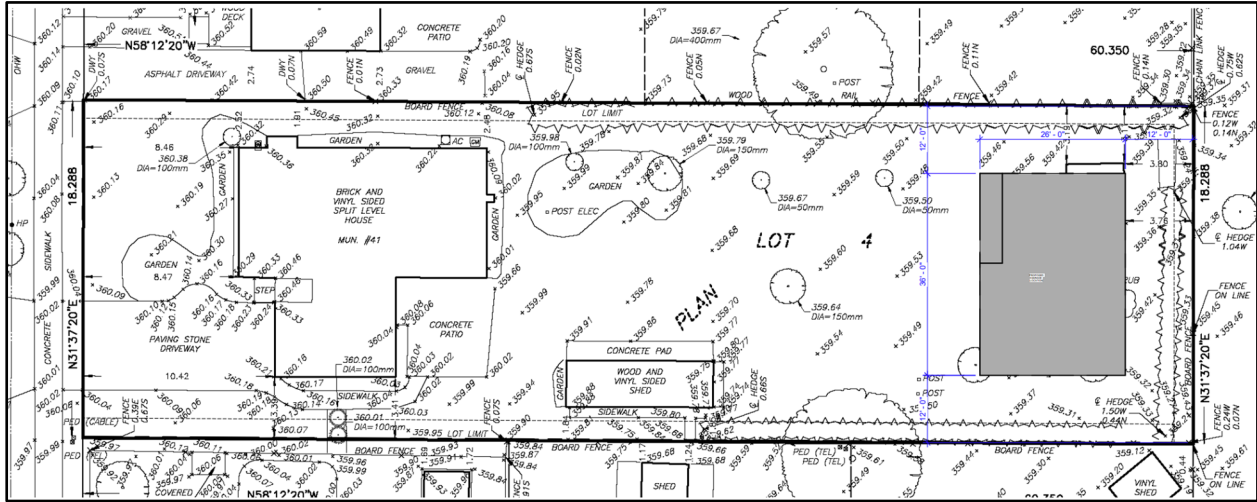
Scale: 1:1,500

NAD\_1983\_UTM\_Zone\_17N

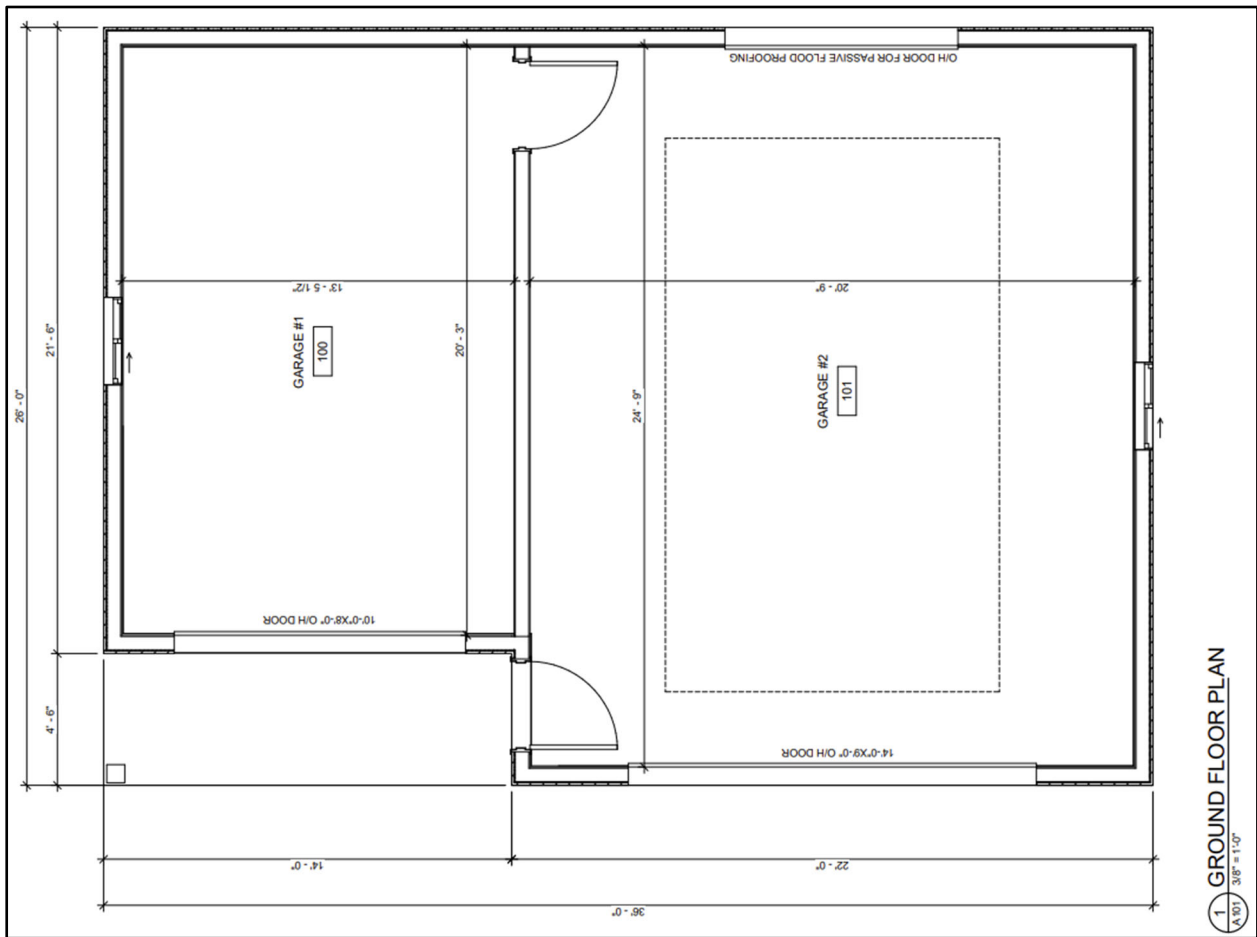
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

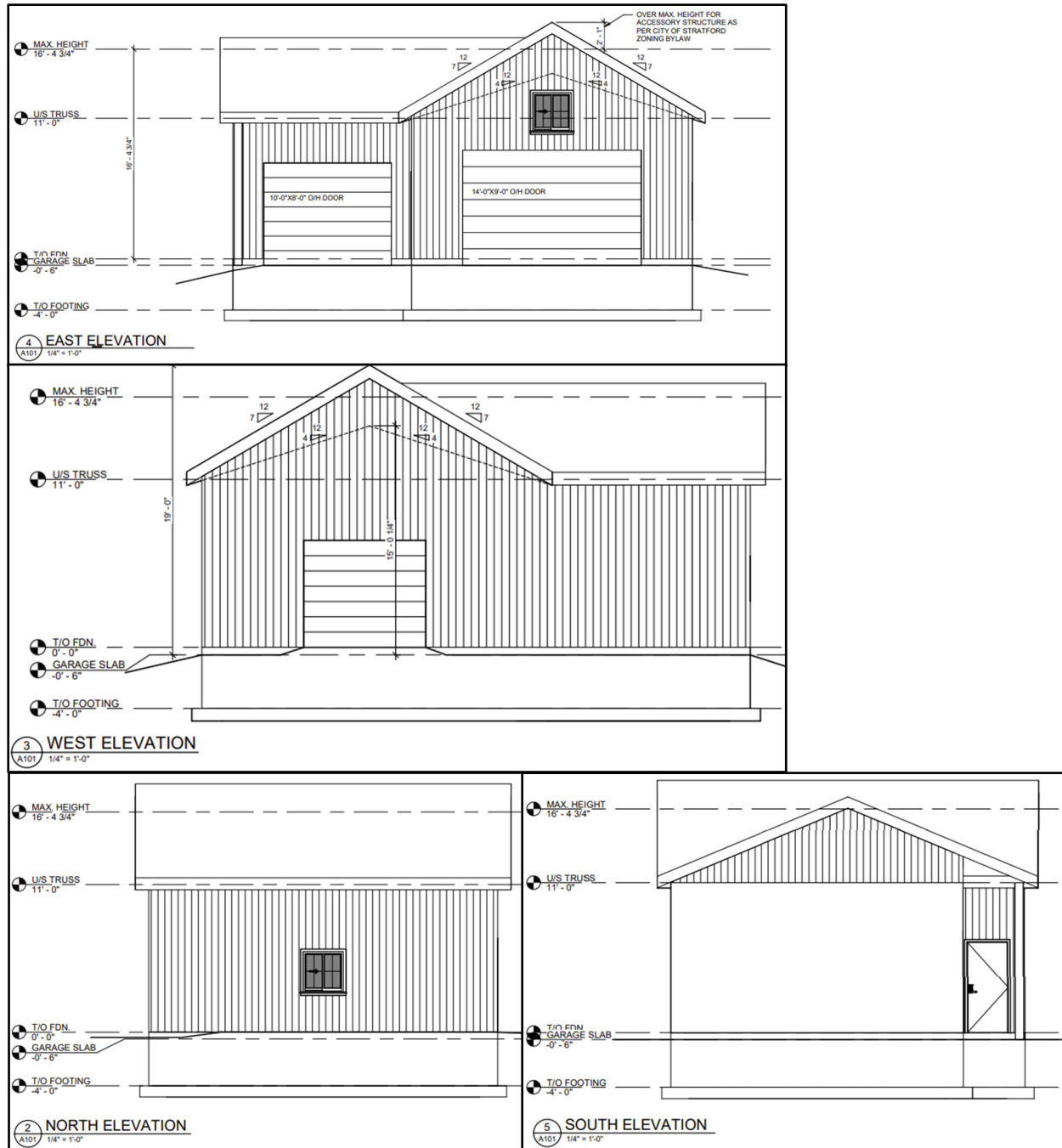
**Figure 1 – Concept Site Plan**



**Figure 2 – Concept Floor Plan**



**Figure 3 – Concept Elevations**





**Figure 4 – Site Photo**



*41 Matilda Street as seen from Matilda Street looking east (October 6, 2025)*

## **REPORT TO THE COMMITTEE OF ADJUSTMENT**

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

**Application No.:** B05-25, B06-25, B08-25, B09-25, B10-25, B11-25

**Meeting Date:** October 15, 2025

**Owner:** 3184 Vivian Line 37 – STRATFORD LANDS INC.  
3188 Vivian Line 37 – STRATFORD LTC GP Inc.

**Agent:** GSP Group c/o Rachel Bossie + Michael Serra

**Location:** 3184 Vivian Line 37 – Part of Lot 45, Concession 3 N Easthope Designated as Parts 2, 4, and 7 on Plan 44R-6270; S/T PC226444, PC226446, PC226449; Perth East, County of Perth, being Part of PIN 53080-0027(LT).  
3188 Vivian Line 37 – Part of Lot 45, Concession 3 N Easthope designated as Parts 3, 5 and 6 Plan 44R6270; S/T PC226444, PC226446, PC226449; Perth East, County of Perth, being Part of PIN (53080-0027(LT)).

**Zoning:** 3184 Vivian Line 37 – Institutional Community 4, Holding Provision 27 ("IN1-4 (H27)")  
3188 Vivian Line 37 – Institutional Community 3 ("IN1-3")

**Official Plan Designation:** Residential Area

**Road Classification:** Vivian Line 37 – Collector Road

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### **Purpose of Application**

*Subject Property A: 3184 Vivian Line 37 (B05-25, B06-25, B08-25)*

The purpose of Consent Applications B05-25 and B06-25 is to establish two easements that were originally supposed to be created when the lands were sold by the City of Stratford and transferred ownership. In addition to these two easements, one additional easement would be created. The proposed easements are outlined as follows and should be read in conjunction with the attached mapping:

- B05-25, Easement 1 – Original Easement for reciprocal access.
- B06-25, Easement 2 – Original Easement for fire and access.
- B08-25, Easement 3 – New Easement for stormwater management.

All three (3) easements are proposed to be in favour of the owner of Subject Property B, being Stratford LTC GP Inc.

*Subject Property B: 3188 Vivian Line 37 (B09-25, B10-25, B11-25)*

The purpose of Consent Applications B09-25 and B10-25 is to establish two easements that were originally supposed to be created when the lands were sold by the City of Stratford and transferred ownership. In addition to these two easements, one additional easement would be created. The proposed easements are outlined as follows and should be read in conjunction with the attached mapping:

- B09-25, Easement 4 – Original Easement for reciprocal access.
- B10-25, Easement 5 – Original Easement for fire and access.
- B11-25, Easement 6 – New Easement for stormwater management.

All three (3) easements are proposed to be in favour of the owner of Subject Property A, being Stratford Lands Inc.

## **Background**

### Attachments

Map 1 – Existing Zoning & Location Map

Map 2 – Official Plan Map

Reference Plan 44R-6270

Concept Plan A – Subject Property A Easement Map (B05-25, B06-25, B08-25)

Concept Plan B – Subject Property B Easement Map (B09-25, B10-25, B11-25)

### Site Characteristics

*Subject Property A: 3184 Vivian Line 37 (B05-25, B06-25, B08-25)*

Existing Use: Vacant.

Frontage: 64.66 metres

Depth: 90.74 metres (variable)

Area: 6,492 square metres (0.65 hectares)

Shape: Generally Rectangular

*Subject Property B: 3188 Vivian Line 37 (B09-25, B10-25, B11-25)*

Existing Use: Community Institutional, Long Term Care Home.

Frontage: 29.97 metres

Depth: 167.66 metres (variable)

Area: 16,320 square metres (1.63 hectares)

Shape: Irregular

### Surrounding Land Uses

*Subject Property A: 3184 Vivian Line 37 (B05-25, B06-25, B08-25)*

North: Community Institutional

East: Residential

South: Residential

West: Residential

*Subject Property B: 3188 Vivian Line 37 (B09-25, B10-25, B11-25)*

North: Agricultural

East: Agricultural / Residential

South: Vacant / Future Community Institutional

West: Residential

### History

Official Plan Amendment OPA01-24 and Zoning By-law Amendment Z02-24 ("previous OPA and ZBA") were approved in September 2024 to establish the policies and regulations to permit the development of a Long Term Care continuum at 3184-3188 Vivian Line 37. Specifically, the development includes a 5-storey, 288-bed Nursing Home at 3188 Vivian Line 37 and a 5 and 7 storey, 150-bed / 164-unit Retirement Home and Apartment building at 3184 Vivian Line 37.

The detailed design of both properties, including their grading, servicing, parking, landscaping, amenities, and other components, were reviewed and approved as part of Site Plan applications SP04-24 and SP05-25, respectively. These site plan applications were also approved, and the associated agreements were registered in 2024.

As part of the consideration of OPA01-24, Z02-24, SP04-24, and SP05-24, a number of easements were proposed to provide reciprocal access across property lines where the

buildings connected and to establish fire access routes for emergency vehicles, among others. These easements were to be created as the ownership of the lands was transferred to the current owners. However, the easements have not formally been created due to technicalities with the sequence of transferring the land ownership and registering the easements.

The Applicant has submitted Consent Applications B05-25, B06-25, B09-25 and B10-25 to formally re-establish the easements that were intended to be created when the lands originally transferred ownership. These applications are considered technical consents. Technical consents are sometimes required to address discrepancies in the land transfer and registration process to ensure parcels and easements are formally created.

The Applicant has submitted Consent Applications B08-25 and B11-25 at the same time as the technical consent applications. Applications B08-25 and B11-25 propose to create new easements for stormwater management purposes which were not originally considered as part of OPA01-24, Z02-24, SP04-24, and SP05-24.

#### Agency Comments

The application was circulated to various agencies for comments on September 23, 2025. The following comments have been provided to date:

##### *Hydro One*

- No comments or concerns.

##### *Upper Thames River Conservation Authority*

- No objections or requirements for this application.
- The UTRCA noted that the same comments they provided for OPA01-24, Z02-24, SP04-24, and SP05-24 remain valid. These comments also indicate no objections or requirements.

##### *City of Stratford Climate Action*

- No comments or concerns.

##### *City of Stratford Clerks Division*

- No concerns related to parking.

##### *Township of Perth East*

- Planning staff have no concerns with the applications.

### *Sourcewater Protection*

- The subject lands **are** located within a vulnerable area to which the policies of the Thames-Sydenham and Region Source Protection Plan apply. The land use proposed at the above noted property has been designated as a restricted land use under Section 59 of the Clean Water Act, 2006. Within these designated restricted land use areas, a notice from the Risk Management Official is required prior to approval of any Planning Act or Building Permit application. **Please contact your Municipalities Risk Management Official, Olivia Orsini at [orsinio@thamesriver.ca](mailto:orsinio@thamesriver.ca) for more information.**
- For more information pertaining to drinking water source protection, please refer to the approved Source Protection Plan <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

### Public Comments

Public Notice was provided in accordance with the provisions of the Planning Act. Neighbouring property owners were circulated a Public Notice on September 23, 2025. Additionally, the Notice of Application and Public Meeting was advertised in the Town Crier on September 27, 2025.

At the time of the writing of this report, no public comments had been received. Any public comments received after the date of completion of this report will be provided to the Committee of Adjustment for consideration.

### **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.

The PPS 2024 states that infrastructure and public services shall be provided in an efficient manner while accommodating projected needs (3.1.1). Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety (3.1.3).

With respect to servicing, the PPS 2024 states that planning for stormwater management shall be integrated with planning for other services to ensure systems are optimized (3.6.8a) and minimize or prevent increases in stormwater volumes where possible (3.6.8b). Further, planning for stormwater management shall maximize the extent and function of vegetative and pervious surfaces (3.6.8e)

The proposal would re-establish two easements for reciprocal access between the subject lands to support the provision of public services at the Long Term Care Home and future Retirement Home (B05-25 Easement 1 and B09-25 Easement 4). The proposal would also re-establish two easements to establish fire access to the subject properties to support the effective and efficient delivery of emergency management services (B06-25 Easement 2 and B10-25 Easement 5). Finally, the proposal would create two easements for stormwater management to allow volume dispersion over larger vegetated and pervious areas (B09-25 Easement 3 and B11-25 Easement 6). As such, Staff are satisfied that the proposal is consistent with the PPS.

### Official Plan

#### *Residential Areas Designation*

The subject lands are designated Residential Areas in the Official Plan, which permits the existing and future uses on the subject properties.

#### *Consent Evaluation Criteria – Technical Consents for Re-Establishing Easements*

Section 9.5.1 of the Official Plan provides evaluation criteria for consent applications and states that, *"a consent for technical or legal purposes may also be permitted where a separate lot is not being created such as a boundary adjustment, provided that the lots that are the subject to the application comply with or can be brought into compliance with the Zoning By-law."*

The re-creation of the four easements for access purposes (B05-25 Easement 1, B06-25 Easement 2, B09-25 Easement 4, and B10-25 Easement 5) is considered a technical

consent as explained earlier in this report. There are no new lots or parcels proposed by the technical consent applications. The subject lands comply with the requirements of the Zoning By-law as provided for by previously approved Zoning By-law Amendment application Z02-24.

#### *Consent Evaluation Criteria – New Easements*

Two new easements are proposed which were not previously considered by the City: B08-25 Easement 3 and B11-25 Easement 6. These applications would create stormwater management easements over their respective parcels, being B08-25 for 3184 Vivian Line 37 and B11-25 for 3188 Vivian Line 37. There are no new parcels or lots proposed by these applications. With respect to these two new easements, the applicable criteria from Section 9.5.1 of the Official Plan are outlined below followed by a response from Staff.

*"ii) the proposed consents will not adversely affect the financial status of the City;"*

The subject applications are not anticipated to adversely affect the financial status of the City. The subject applications re-establish and create easements to support the function of the subject properties.

*"iii) the proposed use is compatible with adjacent land uses and in an existing built-up residential area the lot size, frontage and configuration of the severed and retained lots shall generally be in keeping with the existing development in the area;"*

The subject applications would not change the Community Institutional uses presently existing on or planned for the subject lands, and which are permitted in the Residential Areas designation. The subject applications would support the function of the subject properties by supporting stormwater management drainage on the subject properties.

*"ix) a consent shall generally not be granted within the Regulatory Flood Line on Schedules "A" and "B" when the intended use is the construction of a permanent building or structure;"*

The subject properties are not within the Regulatory Flood Line as shown on Schedules "A" and "B" of the Official Plan. Further, the subject applications would create easements and does not request the approval to construct any new permanent buildings or structures. Any buildings or structures shown in the registered Site Plan Agreements on the subject lands have been reviewed and considered through previous applications for the subject properties.



Based on the foregoing, Staff are satisfied that the subject applications appropriately address the applicable consent criteria included in the Official Plan.

## **Recommendation**

**THAT the City of Stratford Committee of Adjustment APPROVE Applications B05-25, B06-25, and B08-25 as submitted by GSP Group c/o Rachel Bossie and Michael Serra on behalf of Stratford Lands Inc. to create access, fire access, and stormwater management easements at Part of Lot 45, Concession 3 N Easthope Designated as Parts 2, 4, and 7 on Plan 44R-6270; S/T PC226444, PC226446, PC226449; Perth East, County of Perth, being Part of PIN 53080-0027(LT), municipally known as 3184 Vivian Line 37, subject to the following conditions:**

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within two years of the date of the notice of decision. That the said Certificate of Consent be issued concurrently with the Certificate of Consent for Applications B09-25, B10-25, and B11-25.
2. That satisfactory arrangements be made with the City of Stratford for the payment of any outstanding Municipal property taxes.
3. That any outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the City.
4. That prior to the stamping of the deeds, the applicant shall provide to the City a copy of the deposited reference plan in an electronic format compatible with the latest version of AutoCAD referenced to NAD83 UTM Zone 17 Horizontal Control Network for the City of Stratford. This Reference Plan shall be created from survey information utilizing the City's Survey Control Network. It is the responsibility of the applicant to obtain the necessary Reference Sketches and associated information required to complete the survey from the City.
5. That prior to the stamping of the deeds, the applicant shall provide a draft transfer prepared by the applicant's legal representative.
6. Prior to the stamping of the deeds, for the purposes of satisfying any of the above conditions, the Owner shall file with the City of Stratford a complete submission

consisting of all required clearances and final plans, and to advise the City of Stratford in writing how each of the conditions has been satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by The City of Stratford, such submission will be returned to the Owner without detailed review by the City.

**For the following reasons:**

Consent Applications B05-25, B06-25, and B08-25:

1. Are consistent with the Provincial Planning Statement.
2. Conform to the City of Stratford Official Plan.
3. Comply with the City of Stratford Zoning By-law.

**AND THAT the City of Stratford Committee of Adjustment APPROVE Applications B09-25, B10-25, and B11-25 as submitted by GSP Group c/o Rachel Bossie and Michael Serra on behalf of Stratford LTC GP Inc. to create access, fire access, and stormwater management easements at Part of Lot 45, Concession 3 N Easthope designated as Parts 3, 5 and 6 Plan 44R6270; S/T PC226444, PC226446, PC226449; Perth East, County of Perth, being Part of PIN (53080-0027(LT), municipally known as 3188 Vivian Line 37, subject to the following conditions:**

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within two years of the date of the notice of decision. That the said Certificate of Consent be issued concurrently with the Certificate of Consent for Applications B05-25, B06-25, and B08-25.
2. That satisfactory arrangements be made with the City of Stratford for the payment of any outstanding Municipal property taxes.
3. That any outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the City.
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**For the following reasons:**

Consent Applications B09-25, B10-25, and B11-25:

1. Are consistent with the Provincial Planning Statement.
2. Conform to the City of Stratford Official Plan.
3. Comply with the City of Stratford Zoning By-law.

Prepared by: Robyn McIntyre, BES, RPP, MCIP, Consulting Planner

Reviewed by: Pierre Chauvin, MA, RPP, MCIP, Consulting Planner

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

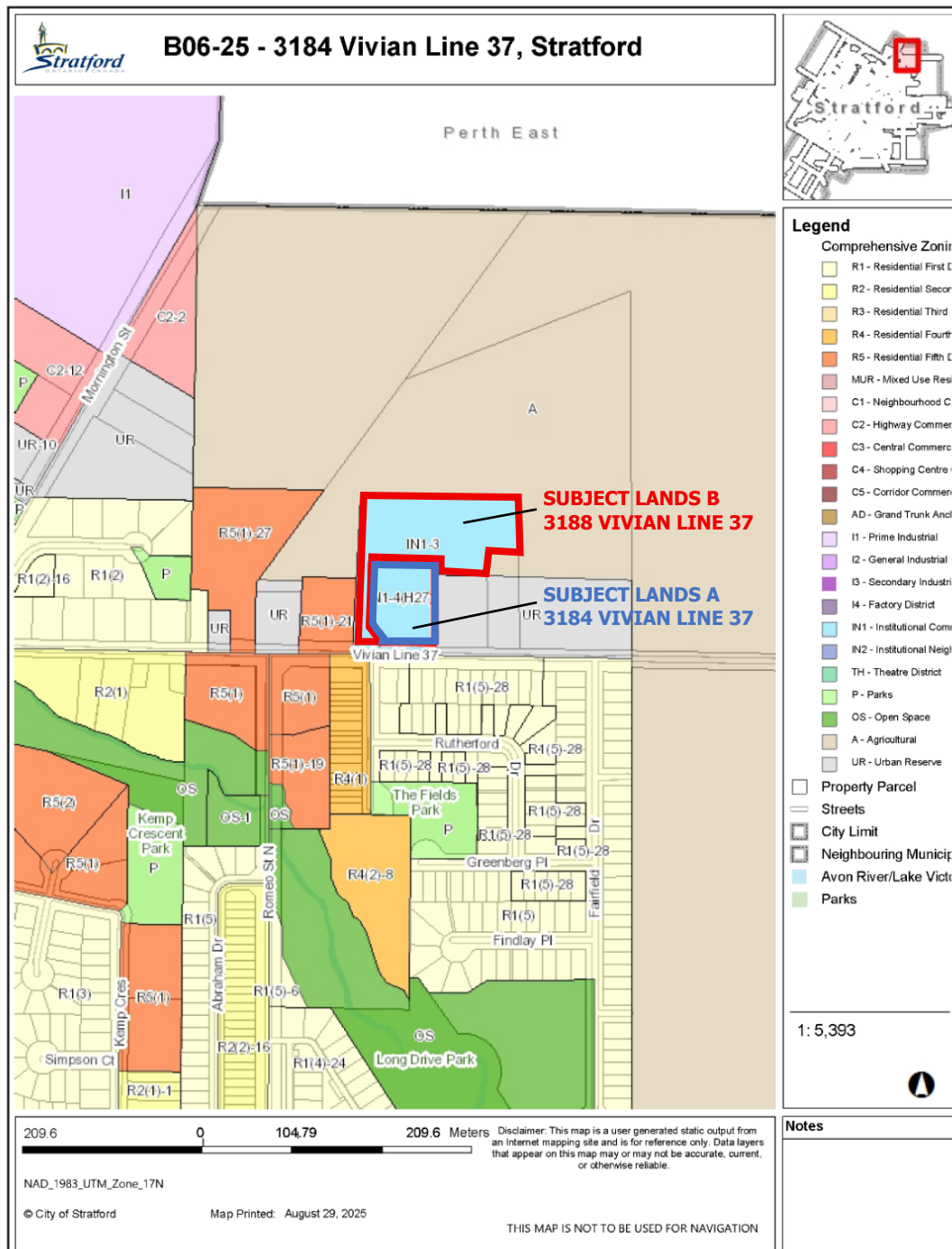
Report finalized: October 9, 2025

## Map 1 – Existing Zoning and Location Map

File #B05-25, B06-25, B08-25, B09-25, B10-25, B11-25

3184 Vivian Line 37, Stratford – Stratford Lands Inc.

3188 Vivian Line 37, Stratford – Stratford LTC GP Inc. .

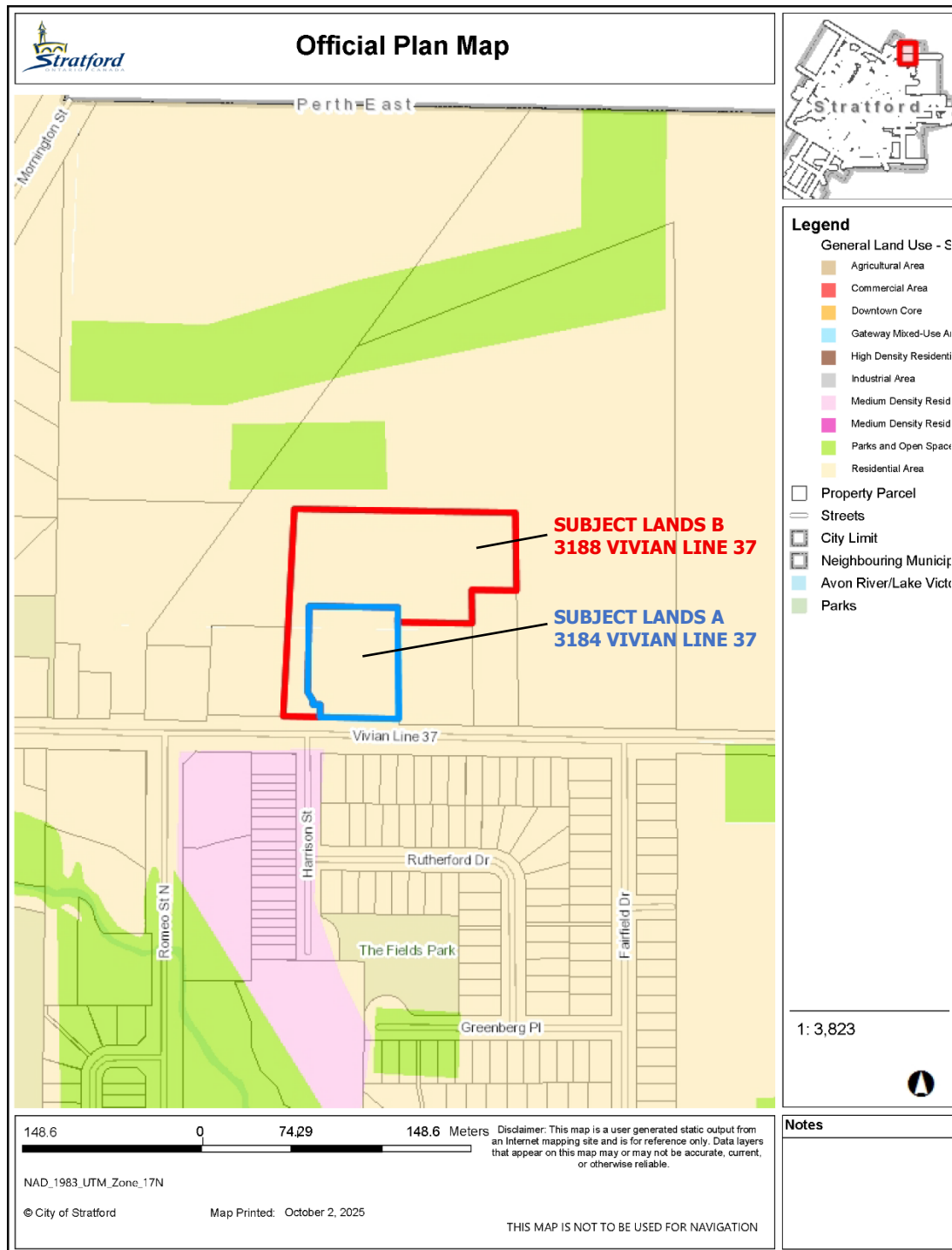


## Map 2 – Official Plan Map

File #B05-25, B06-25, B08-25, B09-25, B10-25, B11-25

3184 Vivian Line 37, Stratford – Stratford Lands Inc.

3188 Vivian Line 37, Stratford – Stratford LTC GP Inc. .

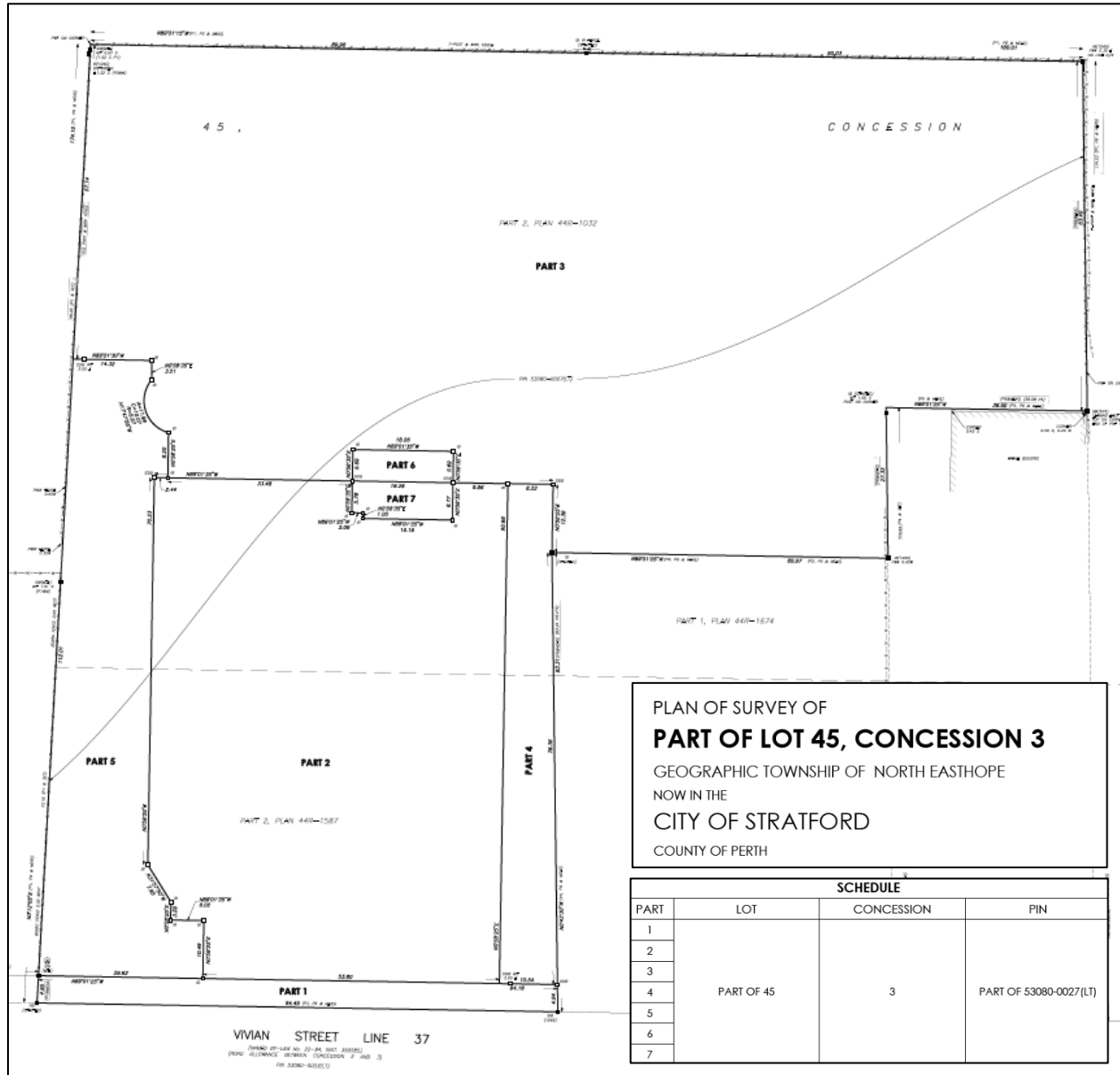


**Reference Plan 44R-6270**

**File #B05-25, B06-25, B08-25, B09-25, B10-25, B11-25**

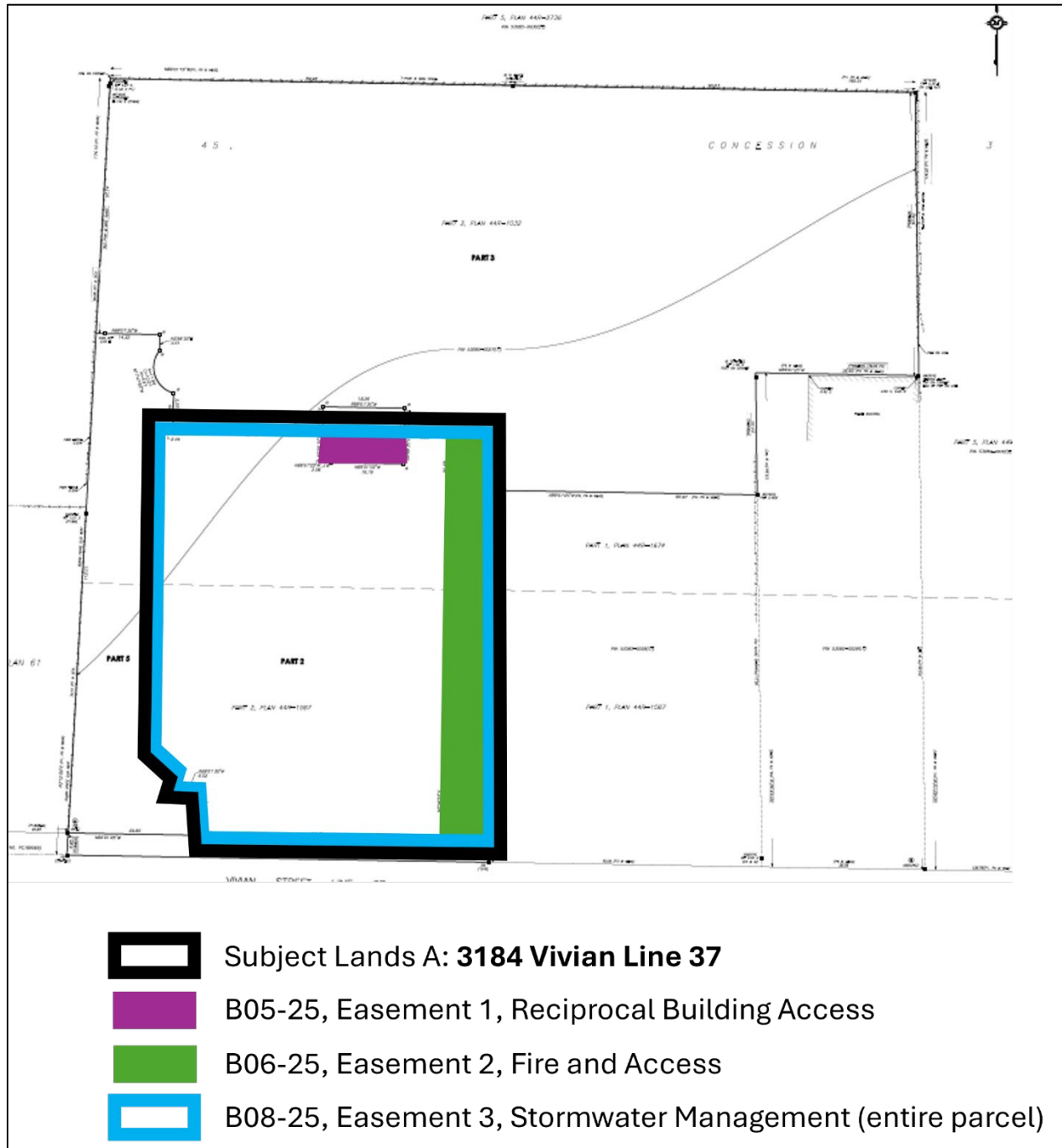
**3184 Vivian Line 37, Stratford – Stratford Lands Inc.**

**3188 Vivian Line 37, Stratford – Stratford LTC GP Inc. .**



*Note: As this Plan is originally 24" by 36" it has been cropped to fit into this report showing the subject lands and pertinent title block portions only. A fulsome version of this Plan can be accessed by contacting the City of Stratford's Planning Division at [planning@stratford.ca](mailto:planning@stratford.ca).*

**Concept Plan A – Subject Property A Easement Map**  
**File #B05-25, B06-25, B08-25**  
**3184 Vivian Line 37, Stratford – Stratford Lands Inc.**



**Concept Plan B – Subject Property B Easement Map**  
**File # B09-25, B10-25, B11-25**  
**3188 Vivian Line 37, Stratford – Stratford LTC GP Inc. .**

