



TOWN OF STRATFORD RESOLUTION

No. PH017-2024 – SD025-23 – Bernard Land Surveys
180 Keppoch Road (PID 529917) – Change to Existing Lots

Motion Carried _____
Motion Lost _____ **X** _____
Motion Withdrawn _____

Council Chambers
Town Council

August 14, 2024

Committee
Moved by Councilor
Seconded by Councilor

Planning & Heritage
Jeff MacDonald
Steve Gallant

WHEREAS an application has been received from Bernard Land Surveys to subdivide parcel number 529917 (approx. 4,226 m² in total area) into 2 single detached dwelling lots. The new lot 23-2 having access via a panhandle from Keppoch Road and the remaining lot 23-1 maintaining the existing access on Keppoch Road; and

WHEREAS both the new lot, lot 23-2, and the remaining land are proposed to be serviced by municipal sewer and on-site water, until such time that the water main is extended. Both lots are proposed to meet the minimum lot standards as described in the Zoning and Development Bylaw #45 (the Bylaw), with the new lot meeting the Provincial Subdivision and Development Regulations for panhandle lots; and

WHEREAS the application has been circulated to the Department of Transportation and Infrastructure (DTI) for comment on the proposed access including safe sight distance where no concerns were raised, as well as to the Stratford Utility Corporation; and

WHEREAS a concept drainage plan was prepared to show how stormwater may be directed to minimize the impact to adjacent properties and Spinnaker Drive, the private road below the proposed subdivision; and

WHEREAS in accordance with *Section 4.4 Changes to Existing Lots* of the Bylaw:

- 4.4.1. *No Person shall reduce the dimensions or change the Use of any Lot in an approved Subdivision where Council deems these would be a detrimental effect on neighbouring Property owners.*
- 4.4.2. *Where an application to subdivide land would change the dimensions or the Use of a Lot in an existing approved Subdivision, Council shall notify all Property owners within 150 metres (500 feet) of the boundaries of the Lot in writing, informing them of the details of the application and soliciting their comments.*

WHEREAS on July 10th, 2024 thirty-one (31) notification letters were sent to property owners within 150 metres of the subject property informing them of the details of the application and soliciting their comments on the proposed subdivision. As of the deadline for comments, July 29,

2024, three (3) responses have been received. Comments received on the proposed subdivision voiced concerns regarding the notification process, further development of surrounding properties, change to the character of the neighbourhood, and additional accesses off the Keppoch Road.

WHEREAS in accordance with *Section 11.1.6.(c) Lot Requirements* within the Low Density Residential Large Lot (R1L) Zone of the Bylaw:

11.1.6. (c) *Notwithstanding meeting minimum lot requirements, within existing approved subdivisions, Council may require that new developments conform with the development standards and development character which have been established, even if these standards exceed the minimum standards stated.*

WHEREAS a Planners Report has been prepared evaluating the application in conformance with the Official Plan citing several objectives and policies in conflict including those that address maintaining the character of the existing neighbourhood. Also noting approval of the application would set a precedent in the Town.

BE IT RESOLVED that approval be granted to an application received from Bernard Land Surveys to subdivide parcel number 529917 (approx. 4,226 m² in total area) into 2 single detached dwelling lots subject to the following conditions:

1. Conformance with a Plan of Survey prepared by Bernard Land Surveys showing Lots 23-1 & 23-2 being proposed severances of lands identified as PID 529917 in possession of James Gerard Trainor and Jill Trainor, Plan No. 23-130, Dated: September 14, 2023.
2. That the final Plan of Survey contains all drainage structures within drainage easements to be registered on the property.
3. That the final Drainage Plan directs stormwater from the right of the proposed driveway into the infiltration swale.
4. That a 6-foot fence be erected in accordance with the Bylaw along the property line between the proposed panhandle lot and the property located at 174 Keppoch Road (PID 518894), to screen the driveway from the adjacent lot.
5. At such time that the private road, Spinnaker Drive, is made public, access to the panhandle lot shall be redirected onto Spinnaker Drive and the existing access off Keppoch Road shall be removed.
6. That all other relevant provisions of the Town of Stratford Zoning and Development Bylaw, Bylaw # 45, are met.
7. That preliminary approval shall be valid for a period of 3 years.

This resolution does not bear the recommendation of the Planning & Heritage Committee as discussed at a meeting held August 5, 2024.