



TOWN OF STRATFORD RESOLUTION

No. PH016-2024 - VA002-24 – Dawne Scantlebury– Rosebank Road near Connolly Lane (PID 444216) – 1 Lot Subdivision with Major Variance to Lot Frontage

Motion Carried X
Motion Lost
Motion Deferred

Council Chambers
Town Council

July 10, 2024

Committee
Moved by Councillor
Seconded by Councillor

Planning & Heritage
Jeff MacDonald
Steve Gallant

WHEREAS an application has been received from Dawne Scantlebury to subdivide parcel number 444216, located on Rosebank Road near Connolly Lane, into two (2) single detached dwelling lots. The proposed lots are in the Low-Density Residential Zone (R1) which requires the Minimum Frontage to be 22 m (72 ft.). The Preliminary Plan of Survey shows the proposed two (2) lots each having 18.89 m (61.98 ft.) of Frontage, which is approximately 3.1 m (10 ft.) less than the Minimum Frontage Requirement, thereby requiring a **13.92% variance**; and

WHEREAS pursuant to subsection 6.1.2. of the Zoning and Development Bylaw #45, Variance applications shall demonstrate one of a number of tests for justifying a Variance approval. This application has been considered against the following tests:

- a) *the lot in question has peculiar conditions, including small Lot size, irregular Lot shape, or exceptional topographical conditions, which make it impractical to develop in strict conformity with Bylaw standards;*
- b) *strict application of all Bylaw standards would impose undue hardship on the Applicant by excluding the Applicant from the same rights and privileges for reasonable Use of his/her Lot as enjoyed by other persons in the same zone; and*

WHEREAS on June 30, 2024, in accordance with subsection 6.1.6. where a Variance in excess of ten percent (10%) is being requested, twenty-seven (27) notification letters were sent to property owners who own parcels) of lands which are located in whole (or in part) within sixty-one metres (61 m) or two hundred feet (200 ft.) from any lot line of the parcel being proposed for the Variance. Two (2) response letters were received before the comment deadline on June 24, 2024.

BE IT RESOLVED That approval be granted to an application from Dawne Scantlebury to subdivide PID 444216 into 2 lots of residential use (single detached dwellings) subject to the following:

1. That a Plan of Survey be prepared by a professional surveyor licensed to practice in Prince Edward Island showing the two (2) lots as per the Preliminary Plan for Lot 2022-1 & Lot 2022.2 as prepared by Mantha Land Surveys, DWG. No. M-24-154 Dated: May 5, 2024.
2. The minimum lot frontage for the two (2) lots listed in condition 1, has been granted a variance of 13.92% and must be a minimum of 18.89 m (61.98 ft.)
3. That the sewer and water systems shall be designed in accordance with the Stratford Utility Corporation Servicing Standards, that the Developer/Property Owner make payment of all applicable capital contribution fees as required by the Utility Corporation, and in accordance with preliminary servicing comments as follows:
 - a. Payment of the one-time domestic water supply contribution fee for the new line.
 - b. Payment of the one-time sewer treatment contribution fee for the new line.
 - c. All water and sewer work to be coordinated and inspected by the Utility.
4. A Joint Access Easement and Agreement must be prepared for the proposed driveway, shown on the preliminary Plan of Survey. The agreement must be registered on the titles of both lots
5. That all other relevant provisions of the Town of Stratford Zoning and Development Bylaw, Bylaw # 45, are met.
6. That preliminary approval shall be valid for a period of 3 years.

This resolution bears the recommendation of the Planning & Heritage Committee as discussed at a meeting held on July 2, 2024.