



TOWN OF STRATFORD RESOLUTION

No. PH022-2025 – VA001-25 – Shaun Coady – 10 Ledwell Lane (PID 329649) – Variance Requests to Side and Rear Yard Setbacks

Motion Carried _____
Motion Lost X
Motion Deferred _____

Council Chambers
Town Council

June 11, 2025

Committee Planning & Heritage
Moved by Councilor Jeff MacDonald
Seconded by Councilor Steve Gallant

WHEREAS an application has been received from Shaun Coady. for Variances to side and rear yard setbacks for a proposed addition (DP019-25 two vehicle garage) to the existing dwelling at 10 Ledwell Lane on PID 329649 within the Low Density Residential Large Lot (R1L) Zone; and

WHEREAS the required minimum side yard setback is 12 feet and the Variance request is to reduce the setback by 4 feet to allow for an 8 foot setback (or 33.33 %); and the required minimum rear yard setback is 25 feet and the Variance request is to reduce the setback by 8 feet to allow a 17 foot setback (or 32 %), both of which are Major Variances;

WHEREAS the existing lot is legal non-conforming lot (substandard size) and the existing dwelling is a legal non-conforming dwelling (substandard front yard setback);

WHEREAS pursuant to subsection 6.1.2. of the Zoning and Development Bylaw #45, Variance applications shall demonstrate one of several 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*
- c) *the Variance is consistent with the intent and purpose of the Official Plan;*

WHEREAS, pursuant to Section 8.12.1(d) Council may grant a variance to the rear yard, front yard or side yard setback requirements to an extent that is reasonable and feasible and does not compromise the safety, convenience of the character of the neighbourhood and may issue a permit on a non-conforming lot;

WHEREAS on April 17, 2025, in accordance with subsection 6.1.6. where a Variance in excess of ten percent (10%) is being requested, fifteen (15) 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 May 2, 2025; and

BE IT RESOLVED that approval be granted to an application from Shaun Coady for Variances to side yard and rear yard setbacks for a proposed addition to the existing dwelling (DP019-25 two vehicle garage) at 10 Ledwell Lane on PID 329649 within the Low Density Residential Large Lot (R1L) Zone subject to the following conditions:

1. The minimum side yard setback for the proposed addition shown in DP019-25 is granted a variance of 33.33% and must be a minimum of 8 ft.
2. The minimum rear yard setback for the proposed addition shown in DP019-25 is granted a variance of 32% and must be a minimum of 17 ft.
3. That the proposed addition shown on DP019-25 must comply with all other relevant provisions of the Town of Stratford Zoning and Development Bylaw, Bylaw #45 are met.

This resolution does not bear the recommendation of the Planning & Heritage Committee as discussed at a meeting held on June 2, 2025, and an email poll conducted between June 4-6, 2025.