



## **The Corporation of the City of Stratford Planning and Heritage Committee MINUTES**

Date: Tuesday, May 28, 2019

Time: 7:57 P.M.

Location: Council Chamber, City Hall

Committee Present: Councillor Ingram - Chair Presiding, Councillor Ritsma - Vice Chair, Mayor Mathieson, Councillor Beatty, Councillor Burbach, Councillor Gaffney, Councillor Henderson, Councillor Vassilakos

Regrets: Councillor Bunting, Councillor Clifford, Councillor Sebben

Staff Present: Rob Horne - Chief Administrative Officer, Michael Humble - Director of Corporate Services, David St. Louis - Director of Community Services, Jacqueline Mockler - Director of Human Resources, Jeff Leunissen - Manager of Development Services, John Paradis - Fire Chief, Kim McElroy - Director of Social Services, Joan Thomson - City Clerk, Tatiana Dafoe - Deputy Clerk, Rachel Tucker - Planner, Jeff Bannon - Planner, Taylor Crinklaw - Project Engineer

Also Present: Members of the Public and Media

### **1. Call to Order**

The Chair called the Meeting to Order.

## 2. Disclosure of Pecuniary Interest and the General Nature Thereof

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council 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 of Council and otherwise comply with the *Act*.

### Name, Item and General Nature of Pecuniary Interest

A declaration of pecuniary interest was not made by a member at the May 28, 2019 Planning and Heritage Committee meeting.

## 3. Delegations

None scheduled.

## 4. Report of the Manager of Development Services

### 4.1 Plan of Condominium Application 31CDM-19002 (PLA19-013)

**Committee Discussion:** The Planner, referring to a PowerPoint presentation, provided an overview of the standard plan of condominium consisting of 139 units: 50 residential, 57 parking spaces and 32 storage units. The units will be owned privately and the remainder of the property will be a common element.

It was noted the amended plan no longer unitized the underground accessible parking space, meaning it could be used by anyone requiring this space. Staff recommended granting draft approval of the Standard Plan of Condominium 31CDM-19002 as amended, subject to the 13 conditions listed in the Planning Report being met.

**Motion by** Councillor Ritsma

**Seconded By** Councillor Gaffney

**Committee Recommendation: THAT the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Condominium 31CDM-19002 subject to the following conditions:**

**This approval applies to the Draft Plan of Condominium 31CDM-**

**19002 for Tricar Properties Limited, prepared by Callon Dietz Incorporated Ontario Land Surveyors, certified by Peter G. Moreton OLS, dated January 2, 2019, redline amended April 5, 2019. The plan contains a total of 139 Units, 50 residential Units, 57 parking space Units and 32 storage Units, located at 235 John Street North.**

**This draft approval is for a Standard Plan of Condominium under Part X of The Condominium Act, 1998.**

**The development is to be registered as one Condominium Corporation.**

**This approval of the Draft Plan of Condominium applies for 5 years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.**

**Prior to final approval for the registration of any Condominium Corporation within the development by the City of Stratford, the Manager of Development Services, is to be advised in writing by the Municipal Building Official that:**

- 1. all buildings are substantially complete, safe and functional and ready for occupancy;**
- 2. the Owner's engineer has submitted a final lot grading certificate which has been accepted by the City;**
- 3. certification has been provided from the Owner's engineer that has been accepted by the City confirming that all site works (services and facilities) required for the registration are completed;**
- 4. the fire route and fire route signs have been installed to the satisfaction of the City;**
- 5. the proposed Plan of Condominium showing "as-constructed" buildings and structures has been submitted and accepted by the City and is in compliance with all applicable Zoning By-law regulations; and**
- 6. all obligations of the Owner, pursuant to the Site Plan Agreement with the City for lands within the Draft Plan of Condominium are substantially complete.**

**7. Prior to final approval for the registration of the Condominium Corporation, the Manager of Development Services is to be satisfied that the Condominium Declaration shall contain the appropriate provisions to ensure:**

**the registration of easements for the benefit of the Units, common elements, and servient tenements to provide for rights of access to, the use of and cost of maintenance of the joint facilities;**

**the required easements will be granted and the necessary joint use and maintenance agreement for shared facilities will be entered into for lands contained within the Site Plan Agreement SP06-15;**

**unitized parking spaces are to be owned by residential Unit owners within the lands included in SP06-15; and**

**all storage Units are owned by residential Unit owners.**

**Prior to final approval for the registration of the Condominium Corporation, a final plan is to be submitted to the City of Stratford that identifies the exclusive use areas with the residential Units they are intended for if proposed, to the satisfaction of the Manager of Development Services.**

**The Condominium Declaration shall contain a provision that outlines that telecommunications, mail delivery equipment, water lines and appurtenances, hydro, gas, accessible parking, visitor parking, sanitary sewer lines and appurtenances are to be described as a common element and may include items that are external to the buildings and items that service more than one Unit and all common elements and are to be operated, repaired, replaced and maintained by the Condominium Corporation to the satisfaction of the Manager of Development Services.**

**Prior to final approval for the registration of the Condominium Corporation, a list of residential Unit numbers and the corresponding legal descriptions that will be in place upon registration of the Plan of Condominium shall be submitted to the City of Stratford and accepted to the satisfaction of the Manager of Development Services.**

**That prior to final approval for the registration of the development as a condominium corporation by the City of**

**Stratford, the municipal addresses are to be assigned for all residential Units and the addresses are to be posted along the façade of the building in accordance with By-Law 47-2008, all to the satisfaction of the Manager of Development Services.**

**Prior to final approval for the registration of the development as a Condominium Corporation by the City of Stratford, the Manager of Development Services, is to be advised in writing by the City of Stratford Corporate Services Department, Tax Division that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.**

**Prior to final approval for the initial registration or any subsequent phase, the Manager of Development Services is to be advised in writing by Canada Post that the Owner has confirmed mail delivery equipment has been supplied and installed to the satisfaction of Canada Post.**

**Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City of Stratford a complete submission consisting of all required clearances, fees, and final plans, and to advise the City of Stratford in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.**

**Notes:**

- 1. Pursuant to Section 51(59) of the Planning Act, if a plan approved under Section 51(58) of the Planning Act is not registered within 30 days of approval, the City of Stratford may withdraw its approval.**
- 2. All plans are to be prepared using total station survey and compatible with the latest version of AutoCAD. The final plan submitted for registration, engineered design drawings and construction record drawings are to be provided in print and digital format referenced to a control network compiled to the satisfaction of the City of Stratford Infrastructure & Development Services, Engineering Division in accordance**

**with Ontario Basic Mapping (U.T.M. Grid 1:2000), for future use within the City's geographical information system.**

- 3. If final approval is not given to this Plan, within 5 years of the draft approval date, and no extensions have been granted, draft approval shall lapse under subsection 51(32) of the Planning Act, R.S.O., 1990. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from the local municipality, must be received by the Approval Authority 60 days prior to the lapsing date.**

**Please note that an updated review of the plan, and revisions to the conditions of approval, may be necessary if an extension is to be granted.**

- 1. The Owner is advised that clearances from the following agencies is required:**
  - City of Stratford Corporate Services Department, Tax Division**
  - City of Stratford Infrastructure and Development Services Department, Manager of Development Services**
  - City of Stratford Infrastructure and Development Services Department, Chief Building Official**
  - City of Stratford Infrastructure and Development Services Department, Engineering Division**
  - Canada Post**
  - Union Gas**

It was questioned whether there is sufficient parking allocated. The Planner advised it is sufficient. A request was made for the common elements to be detailed. The Planner advised the exercise room, lounge, mail room, parking, outdoor area and hallways are common elements.

It was questioned whether it is mandatory for developers to provide bike facilities. The Planner advised under the current by-law it is not a requirement but this is an item being considered.

The Chair called the question on the motion.

**Carried**

#### **4.2 Planning Report-Official Plan Amendment O02-18 and Zone Change application Z09-18, 677 Erie Street (PLA19-014)**

**Committee Discussion:** The Planner, referring to a PowerPoint presentation, provided an overview of the Official Plan Amendment application O02-18 and the Zoning By-law amendment Z09-18. It was noted the lands are currently designated 'Industrial Area' in the Official Plan. The proposed amendment is to apply a special policy area to the subject lands to permit a hotel on the eastern portion of the site.

The requested Zoning By-law amendment is to rezone the subject lands from General Industrial (I2-9) to General Industrial (I2-special) to permit in addition to the existing permitted uses in the I2-9 zone, a hotel on the eastern portion of the site and a gas bar and neighbourhood store on the western portion of the site.

It was recommended that the Official Plan amendment application be approved, that the west portion of the lands be zoned I2-32 and that the east portion of the lands be zoned I2-33. These recommendations were made because:

- the public interest was considered;
- the request is consistent with the Provincial Policy Statement;
- the request is consistent with the goals and objectives of the Official Plan;
- the request will facilitate development that is appropriate for the lands, is compatible with surrounding lands and is considered to be sound land use planning; and
- the request will encourage efficient use of land and infrastructure.

**Motion by** Councillor Gaffney

**Seconded By** Councillor Henderson

**Committee Recommendation:** **Official Plan Amendment:**

**THAT Official Plan Amendment application O02-18, an application to amend the 'Industrial Area' Official Plan designation on the east portion of 677 Erie Street to apply special policy area to allow a hotel BE APPROVED.**

**Zoning By-law Amendment:**

**THAT Zone Change application Z09-18, an application to amend the zoning on the subject lands from a General Industrial-Special—I2-9 Zone to a:**

- **General Industrial I2-32 Zone on the west portion of 677 Erie Street to allow in addition to the existing permitted uses in the I2-9 zone a gas bar and a neighbourhood store with a site specific regulation to limit the maximum floor area of the neighbourhood store to 300m<sup>2</sup>; and**
- **General Industrial I2-33 Zone on the east portion of 677 Erie Street to allow in addition to the permitted uses in the I2-9 zone a hotel BE APPROVED.**

**Approval of the Official Plan Amendment and Zoning By-law Amendment is recommended because:**

- 1. public interest was considered;**
- 2. the request is consistent with the Provincial Policy Statement;**
- 3. the request is consistent with the goals and objectives of the Official Plan;**
- 4. the request will facilitate development that is appropriate for the lands, is compatible with surrounding lands and is considered to be sound land use planning; and**
- 5. the request will encourage efficient use of land and infrastructure.**

It was questioned whether trees will be removed as a result of the development and if there will be an addition of a sidewalk. The Manager of Development Services advised any trees that do not need to be removed as part of this development will be protected by fencing and that a sidewalk will be considered through the site plan process.

Discussion was held on the traffic counts undertaken including the dates and times they were performed.

The Chair called the question on the motion.

**Carried**

#### **4.3 Planning Report Zone Change Application Z02-19, 619 Huron Street (PLA19-015)**

**Committee Discussion:** The Planner, referring to a PowerPoint presentation, provided an overview of the subject Zone Change application Z02-19. The proposed zone change is from a Rural Residential



- RR zone to a Highway Commercial - C2 Zone to permit a range of commercial uses including automotive uses, financial institution, hotel, neighbourhood store, retail store and supermarket.

Discussion was held on the agency comments received and that no comments were received from members of the public. It was recommended that the zone change amendment application be approved as:

- no public input was received;
- the request is consistent with the Provincial Policy Statement;
- the request is consistent with the goals, objectives and policies of the Official Plan; and
- the zone change will provide for a commercial zoning that is appropriate for the uses of the lands.

**Motion by** Councillor Ritsma

**Seconded By** Councillor Beatty

**Committee Recommendation:**

- 1. THAT Council resolve in accordance with Section 34(17) of the Planning Act, that no further public notice is required to consider change to require any development at 619 Huron Street to be connected to City services.**
- 2. And THAT the zoning of 619 Huron Street from a Rural Residential RR Zone (Township of Perth South Zoning) to a Highway Commercial C2-21 (City of Stratford Zoning) BE APPROVED for the following reasons:**

- I. no public input was received;**
- II. the request is consistent with the Provincial Policy Statement;**
- III. the request is consistent with the goals, objectives and policies of the Official Plan; and**
- IV. the zone change will provide for a commercial zoning that is appropriate for the uses of the lands.**

**AND THAT the lands known municipally as 619 Huron Street be repealed from inherited Township of Perth South Comprehensive Zoning By-law No. 4-1999.**

**Carried**

#### **4.4 Planning Report Zone Change Application Z03-19, 376 Church Street (PLA19-016)**

**Committee Discussion:** The Planner, referring to a PowerPoint presentation, provided an overview of the subject Zone Change application Z03-19. The application would change the zoning from a Residential Second Density R2(1) to a Residential Third Density R3 to permit converted dwellings, triplex dwellings, quadruplex dwellings, boarding house dwellings, religious institutions, day care centres and elementary schools. It was noted the applicant is proposing a quadruplex dwelling.

The agency comments and comments received from members of the public were discussed. The Planner recommended the zone change application be approved for the following reasons:

- the request is consistent with the Provincial Policy Statement;
- the request is in conformity with the goals, objectives and policies of the Official Plan;
- the zone change will provide for residential intensification that is appropriate for the development of the lands;
- public input has been considered.

Discussion was held on how the garbage would be stored, the impact of infill projects on neighbours and whether lower impact design was considered. The Planner advised the garbage would be stored outside and wheeled to the curb. He advised if there is more than three units then the City would utilize the site plan process to ensure land is developed as proposed. The use of lower impact design is being reviewed by Engineering but that it would not work for this site as it is too small.

A request was made to hear Carolyn Parr, a neighbouring resident.

**Motion by** Councillor Henderson

**Seconded By** Councillor Burbach

**THAT Carolyn Parr be heard regarding Zone Change Application Z03-19.**

**Carried**

Ms. Parr expressed concern that the subject application is not consistent with the Provincial Policy Statement. She noted five neighbouring properties have expressed concern with the proposed development and

that they are in support of a duplex which would be more modest and incremental.

Concern was expressed for the impact this development will have on property values, the privacy of the neighbours, the environment and local vegetation. It was noted this development will result in tall fences being installed which will eliminate the sense of community in this neighbourhood. Further concern was noted that the units will not be affordable.

**Motion by** Councillor Henderson

**Seconded By** Councillor Beatty

**Committee Recommendation: THAT the zoning of 376 Church Street be changed from a Residential Second Density R2(1) Zone to a Residential Third Density R3 Zone BE APPROVED for the following reasons:**

- 1. the request is consistent with the Provincial Policy Statement;**
- 2. the request is in conformity with the goals, objectives and policies of the Official Plan;**
- 3. the zone change will provide for residential intensification that is appropriate for the development of the lands**
- 4. public input has been considered.**

**Carried**

## **5. Adjournment**

**Motion by** Councillor Beatty

**Seconded By** Councillor Burbach

**Committee Decision: THAT the Planning and Heritage Committee meeting adjourn.**

**Carried**

Meeting Start Time: 7:57 P.M.

Meeting End Time: 8:42 P.M.