



**The Corporation of the City of Stratford  
Planning and Heritage Committee  
Open Session  
AGENDA**

**Date:** Tuesday, May 28, 2019

**Time:** 7:15 P.M.

**Location:** Council Chamber, City Hall

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

**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, Mike Beitz - Corporate Communications Lead

Pages

**1. Call to Order**

The Chair to call 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

### 3. Delegations

None scheduled.

### 4. Report of the Manager of Development Services

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

8 - 21

Motion by \_\_\_\_\_

**Staff 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

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

22 - 42

Motion by \_\_\_\_\_

Staff 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.

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

43 - 58

Motion by \_\_\_\_\_

#### Staff 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

IVthe 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.

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

59 - 79

Motion by \_\_\_\_\_

**Staff 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.

**5. Adjournment**

Meeting Start Time:

Meeting End Time:

Motion by \_\_\_\_\_

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



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## MANAGEMENT REPORT

**Date:** May 28, 2019  
**To:** Planning and Heritage Committee  
**From:** Jeff Leunissen, Manager of Development Services  
**Report#:** PLA19-013  
**Attachments:** None

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**Title:** Plan of Condominium Application 31CDM-19002

**Objective:** The purpose of this report is to consider draft approval of a Standard Plan of Condominium at 235 John Street North.

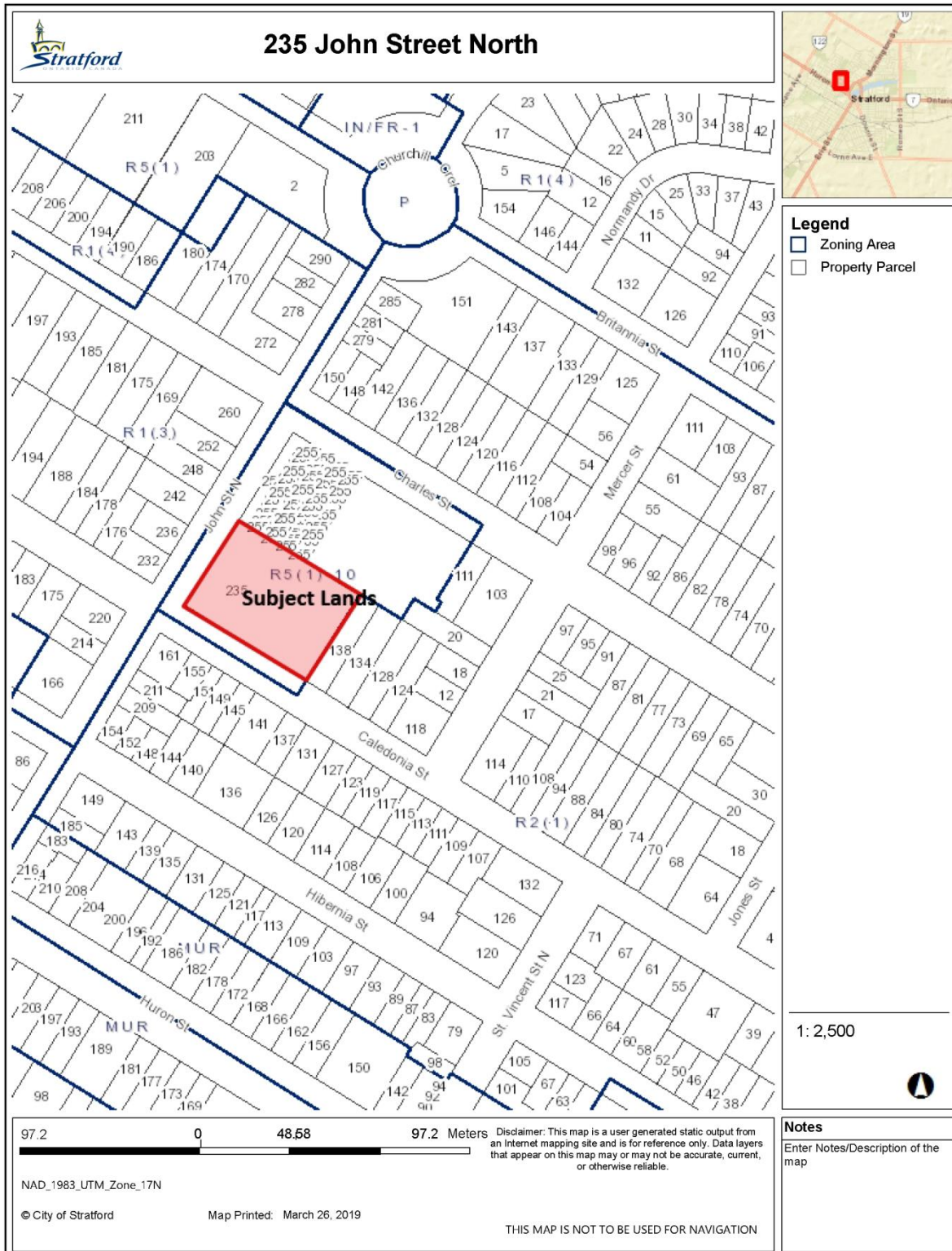
**Background:** A complete application for Standard Plan of Condominium was received February 7, 2019, for the subject lands known municipally as 235 John Street North, legally described as Pt Lots 109-114 RP 52, Parts 1- 3, 31-33, 44R-5394 in the City of Stratford. The subject lands are located on northeast corner of Caledonia Street and John Street North.

The original plan submitted with the application contained a total of 108 Units: 50 residential Units and 58 parking space Units. On April 29, 2019 the applicant amended their request and submitted a redline amended plan containing a total of 139 Units: 50 residential Units, 57 parking space Units and 32 storage Units.

The Units are proposed to be in private ownership. The remainder of the property is proposed to be common element.

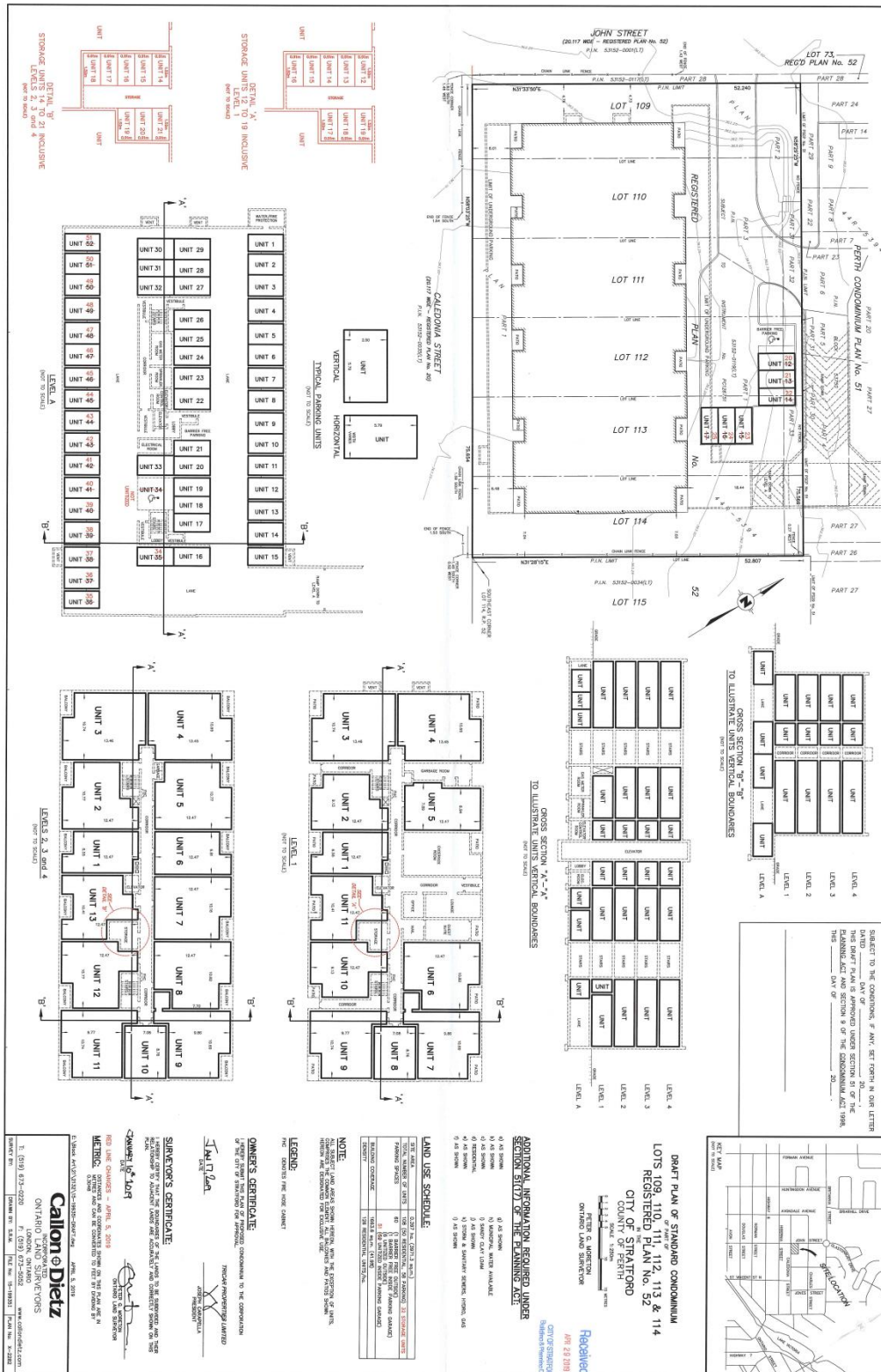


## Location and Zoning Map





# Proposed Plan of Condominium (Revised Request)





235 John Street North- view from John Street North



Site Characteristics:

Existing Use:	Residential (50 Unit apartment dwelling began construction April 2018)
Frontage:	52.24m (171.39ft)
Depth:	75.65m (248.2ft)
Area:	3971.3m <sup>2</sup> (42,746.72ft <sup>2</sup> )
Shape:	Regular

Surrounding Land Uses:

North:	Residential (51 unit apartment dwelling)
East:	Residential (single detached dwelling)
South:	Residential (single detached dwelling and quadraplex dwelling)
West:	Residential (single detached dwelling)



### Canada Post

- Canada Post will provide mail delivery service to the condominium through centralized Community Mail Boxes (CMBs).
- Canada Post will provide mail delivery service to apartments through centralized Lock Box Assembly.
- The development includes plans for (a) multi-unit building(s) with a common indoor entrance(s). The developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.
- Please update our office if the project description changes so that we may determine the impact (if any).
- Should this application be approved, please provide notification of the new civic addresses as soon as possible.
- Please provide Canada Post with an excavation date for the first foundation/ first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB pads.
- Additional developer requirements:
  - The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
  - The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
  - The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
  - The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
  - The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
    - Any required walkway across the boulevard, per municipal standards
    - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
    - A Community Mailbox concrete base pad per Canada Post specifications.

Infrastructure and Development Services Department- Engineering Division

- The Engineering Division has no objection to the application for a draft plan of condominium.

City of Stratford Clerks Department

- Is there sufficient parking allotted for this development for both the number of Units proposed and future visitors to the condominium?
- The Clerk's Office would like to continue to ensure sufficient parking is available on site so that residents/visitors are not relying on on-street parking areas.

City of Stratford Fire Department

- No issues at this time.

Wightman

- We have spoken with the developer and they have refused us access. If we were to get access we would use the existing duct that goes towards John Street North.

Infrastructure and Development Services Department- Building Division

- No objection.

Perth County

- No concerns.

Hydro One

- No concerns.

The Planning Act does not require a public meeting to be held prior to a municipality considering draft plan approval of a standard plan of condominium.

**History:** In 2008, the subject lands were rezoned from Residential Second Density R2(1) Zone to a Residential Fifth Density R5(1)-10 Zone specifically to allow the development of a retirement home/lodge(File #Z07-08). Special provisions included a maximum density of 138 Units per hectare and maximum lot coverage of 40%.

In May 2015, Tricar Properties Limited submitted an application for Site Plan Approval (File #SP06-15) for 235 John Street North and 255 John Street North. The property was granted Site Plan Approval in August of 2015 for two apartment dwellings (98 residential Units), underground parking and ground level parking that will be built in two phases. In July 2017, the site plan was amended on the portion of the site plan addressed 255 John Street North to add an additional dwelling unit, add an additional accessible parking space, add additional visitor parking and to add bicycle parking spaces. The City continues to hold securities on this Site Plan Agreement.

On August 24, 2016, Tricar Properties Limited submitted a Draft Plan of Condominium application for 255 John Street North (31CDM16-003). Draft approval was granted on December 12, 2016 and final approval, for 133 Units - 51 residential dwelling Units and 82 parking Units, was granted on July 31, 2017. The plan is registered as Perth Condominium Plan No. 51. This approval created easements for shared facilities for lands within site plan agreement SP06-15 and required unitized parking spaces to be owned by residential Unit owners within the lands included in SP06-15.

The building at 235 John Street North began construction in April 2018.

## **Analysis:**

### 2014 Provincial Policy Statement

Every planning decision in the Province of Ontario shall be consistent with the Provincial Policy Statement which came into effect on April 30, 2014. There are no Building Strong Healthy Communities, Wise Use and Management of Resources or Protecting Public Health and Safety issues with this application. The application is consistent with the Provincial Policy Statement.

### Official Plan

The property is designated 'Residential Area' in the City of Stratford's Official Plan and is subject to the stable residential area policies. The goals and objectives within 'Residential Areas' include ensuring intensification is compatible in terms of scale, density and design with neighboring developments and adheres to sound planning principles relating to servicing, traffic, site design and amenities. Council deemed the Fifth Density Residential policies to be in conformity with the Official Plan when they adopted a site specific zoning by-law amendment in 2008.

In accordance with section 9.4, Plans of Condominium are to conform to the general policies and designations of the Official Plan and must create a minimum number of Units appropriate to allow for the reasonable, independent operation of a condominium corporation. The proposed Plan of Condominium conforms to the general policies and designations of the Official Plan and will allow for the reasonable, independent operation of a Condominium Corporation.

### Zoning By-Law

The property is zoned Residential Fifth Density-R5(1)-10, an apartment dwelling is a permitted use within the zone. Parking, landscaped open space, units per hectare, setbacks, height and lot coverage on lands within SP06-15 meets the Zoning By-law requirements.

### Plan of Condominium Issues

#### *Red-line amendments*

The proposed Plan of Condominium has been red-line amended to remove the proposed unitized accessible parking space and including it within the common elements area and to



add 32 storage Units. Staff have no issue with this as it will ensure that the accessible parking space is available within the common element area to whoever needs it.

#### *Off-Street Parking*

The applicant is proposing to unitize 57 parking spaces, 51 of which will be located underground. Six surface parking spaces are proposed to be unitized.

Combined 235 John Street North and 255 John Street North have a total of 153 off-street parking spaces, which exceeds the 1.5 parking spaces per dwelling unit requirement of the zoning by-law. If approved as proposed, 139 of these off-street parking spaces would be unitized, leaving 14 common element parking spaces.

When the Plan of Condominium for 255 John Street North was approved, the Declaration contained provisions to allow residents and visitors from this building to use common element parking spaces on 255 John Street North. The recommended conditions of Plan of Condominium would similarly require the Declaration to provisions to allow residents and visitors of 255 John Street North to park in any common element parking space on 235 John Street North. These reciprocating provisions will allow the site to function as a single development.

Five accessible spaces are available for this development.

#### *Storage Units*

The applicant is proposing 32 storage Units within the plan of condominium. The storage Units are to be used exclusively by the residential Unit owners. Unitizing storage Units is appropriate, but only if they are owned by residential Unit owners. It is recommended the conditions of draft approval require the Condominium Declaration to contain a provision requiring storage Units to be owned by residential Unit owners.

Draft Plan of Condominium conditions were sent to the applicant on May 9, 2019 and they have advised that they have no concerns with the conditions.

**Financial Impact:** No additional claims or expenses are expected as a result of this application. The City of Stratford is currently holding onto securities through the Site Plan Agreement for the proposed site works.

**Staff 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:**

- 1. 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.**

- 2. This draft approval is for a Standard Plan of Condominium under Part X of The Condominium Act, 1998.**
- 3. The development is to be registered as one Condominium Corporation.**
- 4. 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.**
- 5. 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:**
  - i. all buildings are substantially complete, safe and functional and ready for occupancy;**
  - ii. the Owner's engineer has submitted a final lot grading certificate which has been accepted by the City;**
  - iii. 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;**
  - iv. the fire route and fire route signs have been installed to the satisfaction of the City;**
  - v. 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**
  - vi. 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.**
- 6. 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:**
  - a. 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;**

- b. 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;
  - c. unitized parking spaces are to be owned by residential Unit owners within the lands included in SP06-15; and
  - d. all storage Units are owned by residential Unit owners.
7. 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.
  8. 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.
  9. 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.
  10. 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.
  11. 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.
  12. 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.**

- 13. 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:**

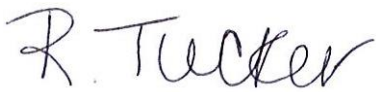
- 1. Pursuant to Section 51(59) of the Planning Act, if a plan approved under Section 51(58) of the Planning Act is not registered within 30 days of approval, the City of Stratford may withdraw its approval.**
- 2. All plans are to be prepared using total station survey and compatible with the latest 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.**

- 4. 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**

Prepared by:




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Rachel Tucker, Planner




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Recommended by: Jeff Leunissen, MCIP, RPP – Manager of Development Services




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Rob Horne—Chief Administrative Officer

g:\ais and management reports\2019\31cdm-19002 draft plan of condominium report 235 john street n.docx



## MANAGEMENT REPORT

**Date:** May 28, 2019  
**To:** Planning and Heritage Committee  
**From:** Jeff Leunissen, Manager of Development Services  
**Report#:** PLA19-014  
**Attachments:** None

**Title:** Planning Report-Official Plan Amendment O02-18 and Zone Change application Z09-18, 677 Erie Street

**Objective:** The purpose of this report is to provide staff's evaluation and recommendation on the applications submitted by GSP Group Inc., on behalf of Rambri Management Inc., to amend the Official Plan designation and Zoning By-law on 677 Erie Street. The application was submitted on August 10, 2018. The applicant subsequently requested revisions to the zone change application on November 13, 2018.

### Official Plan Amendment

The lands are currently designated 'Industrial Area' in the Official Plan. The proposed Official Plan amendment application is to apply a special policy area to the subject lands to permit a hotel on the eastern portion of the site.

### Zoning By-law Amendment

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.

In support of the above applications, the owner submitted a functional servicing and stormwater management report, a traffic impact study, and a planning justification report.

### **Background:**

**Subject Site:** The subject lands, known municipally as 677 Erie Street, are located on the southeast corner of Lorne Avenue East and Erie Street and legally described as Part of Lot C, Downie Concession 3, Parts 28-35 of Reference Plan 44R-5202 and Part Lot 29 on Reference Plan 44R-5197 in the City of Stratford.

Site Characteristics:

Existing Use: vacant land previously occupied by 2787m<sup>2</sup> industrial use  
 Frontage: 92m along Erie Street  
 Depth: 130m  
 Area: 1.33ha (3.3ac)  
 Shape: Regular

Surrounding Land Uses:

North: Glass Repair Establishment and Bowling Alley  
 East: Mixed Use Commercial  
 West: Vacant Industrial Building  
 South: Restaurant

Location and Zoning Map





Subject Lands – from Erie Street



Subject Lands – from Lorne Avenue East



Agency Comments

Circulation of the application to various agencies produced the following comments to date (May 14, 2019):

**City of Stratford Infrastructure and Development Services Department – Engineering Division:**

- No objection to the Official Plan Amendment or Zoning By-law Amendment.
- Engineering Division has reviewed the April 2018 Transportation Study, the July 2018 Phase 2 Transportation Study and the corresponding April 2019 addendum and accepts the justification and reasoning provided by the Developer's Transportation Engineer for the traffic movement that would be generated from the proposed development.

(Note: the Developer's Transportation Engineer recommends full turning movements on Lorne Avenue East and Erie Street and does not recommend alterations to existing left hand turn lanes.)

**City of Stratford Infrastructure and Development Services Department – Building Division:**

- No comments received.

**City of Stratford, Stratford Police**

- This can be a very busy intersection at certain times of the day so our primary concern would be the increased traffic the establishments would bring and the resulting access and egress issues to both Lorne Avenue and Erie Street.

**City of Stratford Fire Department**

- No comments at this time.

**Upper Thames River Conservation Authority**

- No concerns.

**Ministry of Municipal Affairs and Housing**

- No comments.

**Huron Perth Catholic District School Board**

- No concerns.

Public Comments:

Notice of the application was sent to 9 abutting property owners on November 14, 2018. Notice was also published in the Beacon Herald on November 17, 2018. The public meeting was held on December 10, 2018. No public comments have been received to date. Any public comments received after the completion of this report will be provided to the Planning and Heritage Committee.

## **Analysis:**

### Provincial Policy Statement

Every planning decision in the Province of Ontario shall be consistent with the Provincial Policy Statement (PPS) which came into effect on April 30, 2014. The 2014 PPS provides policy direction on matters of provincial interest relating to Building Strong Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety.

Building strong communities is achieved by promoting efficient land use and development patterns that accommodate an appropriate range and mix of uses including employment uses (commercial and industrial), promoting cost-effective development patterns to limit land consumption and servicing costs and by avoiding development patterns that cause environmental, public health or safety concerns (section 1.1.1.c).

The subject lands are within an employment area. The employment policies within section 1.3 of the PPS outlines that planning authorities shall promote economic development and competitiveness by providing an appropriate mix and range of employment uses to meet long term needs, by providing opportunities for a diversified economic base which support a wide range of economic activities and ancillary uses by encouraging compact, mixed-use developments that incorporate compatible employment uses and by ensuring that the necessary infrastructure is provided to support the current and projected needs. The proposal to add a hotel, gas bar and neighbourhood store would allow additional employment uses that are compatible with the area. To support the application the applicant provided a traffic impact study. The Engineering Division has advised that they accept the recommendations of the traffic impact study, that the existing road infrastructure is sufficient to support the proposal and that access to both Lorne Avenue East and Erie Street with full turning movements will not significantly impact the function of either street.

There are no Building Strong Communities, Wise Use and Management of Resources and Protecting Public Health and Safety concerns with these applications. The applications are consistent with the PPS.

### Official Plan

The lands are designated 'Industrial Area' which permits a range of uses including manufacturing, assembling, repair, wholesaling and storage of goods. The goals and objectives for 'Industrial Areas' include protection of employment areas in proximity to major goods movement facilities and a corridor for employment uses which require such locations.

Secondary uses that do not detract from the area for industrial purposes nor which would conflict with existing or potential future industrial uses, have the characteristics or functional requirements similar to industry, and do not pre-empt the ultimate development of the lands for industrial purposes may also be permitted. Permitted secondary uses

include motor vehicle sales and service establishments, research and development uses and education and training other than elementary schools shall also be permitted.

Accessory uses, which provide services for employees or increase the attractiveness of 'Industrial Areas' to industry, may be allowed provided that neighbouring areas designated for commercial purposes are not capable of providing the desired level of services to the 'Industrial Area'. Such uses are encouraged to develop in groups to form small commercial centres and would include neighbourhood stores, restaurants and personal care establishments.

The lands to the south, also designated 'Industrial Area', were previously rezoned by City Council to allow restaurants as an accessory use in an 'Industrial Area'. This has resulted in the area containing a group of commercial uses that service both area industrial uses and the general public. This group of commercial uses functions as a service commercial corridor.

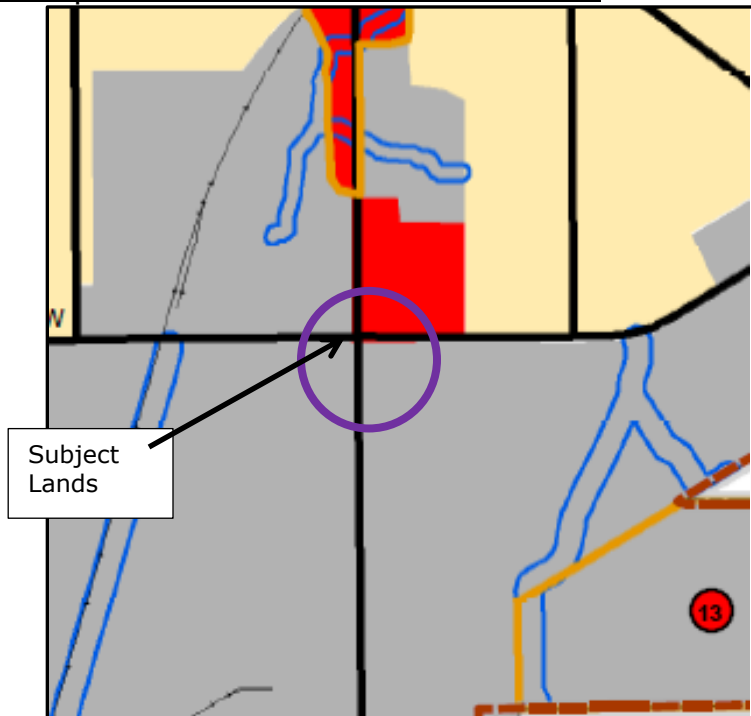
The accessory use policies note that any accessory uses may only be allowed provided that neighbouring areas designated for commercial purposes are not capable of providing the desired level of services to the 'Industrial Area'. Although there are other gas bars and neighbourhood stores on Erie Street, this site would also include a car wash and would serve the immediate surrounding 'Industrial Area' employees and would not detract from the existing commercial areas and would be in keeping with the overall uses within the area. There are no vacant commercial designated lands along Erie Street south of Lorne Avenue which could accommodate the proposed hotel use.

The requested Official Plan amendment would allow a hotel on the east portion of the lands. The economic development policies in section 3.3 of the Official Plan outline that the City shall promote the establishment of new accommodation establishments and facilities in order to provide the widest variety possible to meet the needs of all visitors to the City. Section 4.8.1 outlines that the goals and objectives of 'Industrial Areas' include encouraging the continued development of Stratford as a significant manufacturing and regional industrial service centre, and as a major centre for a diversified range of other employment uses while protecting the integrity of industrial areas. The proposed service commercial use is not considered a sensitive land use and will not create any land use conflicts between any of the existing uses or permitted uses on abutting properties. In addition the proposed service commercial use will not detract from other 'Commercial Areas' within the City given the size of the property and the nature of the requested use. The proposed hotel is appropriate for this location as it is in close proximity to the City limits, is along a major goods movement corridor as defined in the Official Plan, and it is in keeping with the character of the area. In addition to being a suitable location, the request will allow additional visitor accommodations in the City, will support employment uses in the area and will not create any land use conflicts or negatively impact the existing commercial uses.

For the purpose of these applications, the applicant submitted a traffic impact study that assessed the impacts the requested uses would have on Lorne Avenue East and Erie Street. The traffic impact study concluded that the impacts were minimal and that full movements onto Erie Street and Lorne Avenue East are appropriate for the requested uses. Engineering Division has reviewed and has accepted the traffic impact study (and addendum) and has no objections to the applications. Section 7.2.7 of the Official Plan outlines that the City shall require access points on arterial and collector roads to be shared by adjoining land uses, where practicable, to minimize traffic hazards. Through the site plan process Engineering Division will review the proposed site design, on site traffic control measures and requested accesses against the applicable policies. Any proposed internal connections will be reviewed to ensure the appropriate site plan amendments, agreements and right-of-way's as applicable are provided.

The requested Zoning By-law Amendment is consistent with the Official Plan and Official Plan Amendment is in keeping with the overall goals and objectives of the Official Plan.

#### Excerpt of Schedule "A" of the Official Plan



#### **Legend**

##### **General Land Use**

##### **Class**

- Agricultural Area
- Commercial Area
- Downtown Core
- Industrial Area
- Medium Density Residential
- Medium Density Residential Special
- Parks and Open Space
- Residential Area
- High Density Residential

- Special Study Area Section 11.2.16
- Factory District Area (Section 4.9)
- Cooper Site - Major Institutional Use Focus Area (Section 4.11)
- Built Boundary
- Municipal Boundary
- Gateway Areas
- Special Policy Areas
- Regulatory Flood Hazard

### Zoning By-law

The subject lands are currently zoned General Industrial-Special (I2-9) which permits a range of uses such as a business office of a consulting engineer or surveyor, a car wash, a commercial school, a data centre, a dry cleaning establishment, an equipment service establishment, a factory store, a food processing establishment, an industrial use, a motor vehicle repair shop, a motor vehicle sales or rental establishment, a motor vehicle service station, a private club, a public use, a scientific or medical laboratory, a recreational park, a veterinarian clinic and a warehouse.

The owner is requesting to add a gas bar and neighbourhood store as a permitted use on the west portion of the site to clarify the nature of the proposed use. The I2-9 zone currently allows a motor vehicle service station which permits the sale of fuel only where the building contains facilities for the repair and maintenance of motor vehicles. The applicant is not proposing any extensive repair or maintenance facilities for motor vehicles.

The applicant is requesting a gas bar and neighbourhood store. New format gas bars often include the sale of convenience items. The neighbourhood store will be accessory to the gas bar. To ensure that the neighbourhood store accessory to the gas bar, it is recommended it be limited to a maximum of 300 m<sup>2</sup> in size. This is consistent with the proposed regulations in the Draft Comprehensive Zoning By-law. While the concept plan on page 3 of this report shows the convenience store to be 365m<sup>2</sup>, the neighbourhood store on the site plan application is approximately 140 m<sup>2</sup>. Staff has contacted the applicant regarding the maximum floor area for a neighbourhood store and they have no objection. Minor revisions to the site plan application would be required if the applicant proposed any neighbourhood store greater than 141 m<sup>2</sup>.

The east portion of the lands is proposed to be zoned to allow a hotel. As demonstrated on the concept plan, the lands are adequately sized to accommodate a hotel and associated parking. The addition of a hotel to the list of permitted uses will not negatively impact any of the surrounding lands and is compatible with existing adjacent uses.

Through the concept plan and materials submitted with this application, the applicant has demonstrated that the site can adequately accommodate the requested uses and comply with the applicable zoning by-law regulations. As such staff has no issue with the requested zone change with the provision to ensure that the neighbourhood store is limited in size.

### Other:

Should the Planning and Heritage Committee not approve the staff recommendation, the motion shall include a statement outlining how the decision/ recommendation of the Planning and Heritage Committee is consistent with the Provincial Policy Statement, conforms to the City of Stratford Official Plan and how public input was considered.

The applicant is aware of the staff recommendation and has no issues.



**Financial Impact:** No municipal infrastructure is required for the proposed development. Development charges at a rate of \$2.59 per ft<sup>2</sup> (2019) is applicable for commercial uses.

**Staff 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:**

- I. public interest was considered;**
- II. the request is consistent with the Provincial Policy Statement;**
- III. the request is consistent with the goals and objectives of the Official Plan;**
- IV. 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**
- V. the request will encourage efficient use of land and infrastructure.**

*R. Tucker*

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Prepared by: Rachel Tucker, Planner

*Jeff Leunissen*

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Recommended by: Jeff Leunissen, MCIP, RPP – Manager of Development Services

A handwritten signature in black ink that reads "Rob Horne". The signature is written in a cursive, flowing style.

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Rob Horne, Chief Administrative Officer



## AMENDMENT NO. 28 TO THE OFFICIAL PLAN OF THE CITY OF STRATFORD

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### **Section 1 – Title and Components**

This amendment shall be referred to as Amendment No. 28 to the Official Plan of the City of Stratford. Sections 1 to 4 constitute background information and are not part of the formal Amendment. Section 5 constitutes the formally adopted Amendment to the Official Plan.

### **Section 2 – Purpose of the Amendment**

The purpose of this amendment is to designate the east portion of the lands known municipally as 677 Erie Street from 'Industrial Area' to 'Industrial Area' with a Special Policy to allow the development of a hotel.

### **Section 3 – Location**

The Subject Lands constitute the east portion of the lands known municipally as 677 Erie Street and have an area of approximately 0.6 ha. 667 Erie Street is located on the southeast corner of Lorne Avenue East and Erie Street and are legally described as Part of Lot C, Downie Concession 3, Parts 28-35 of Reference Plan 44R-5202 and Part Lot 29 on Reference Plan 44R-5197 in the City of Stratford.

### **Section 4 – Basis of Amendment**

The subject lands are located in an area that contains predominately commercial uses. Although the lands have historically been used for industrial purposes the industrial uses were removed from the site and north portion of the site is now proposed to be developed for hotel.

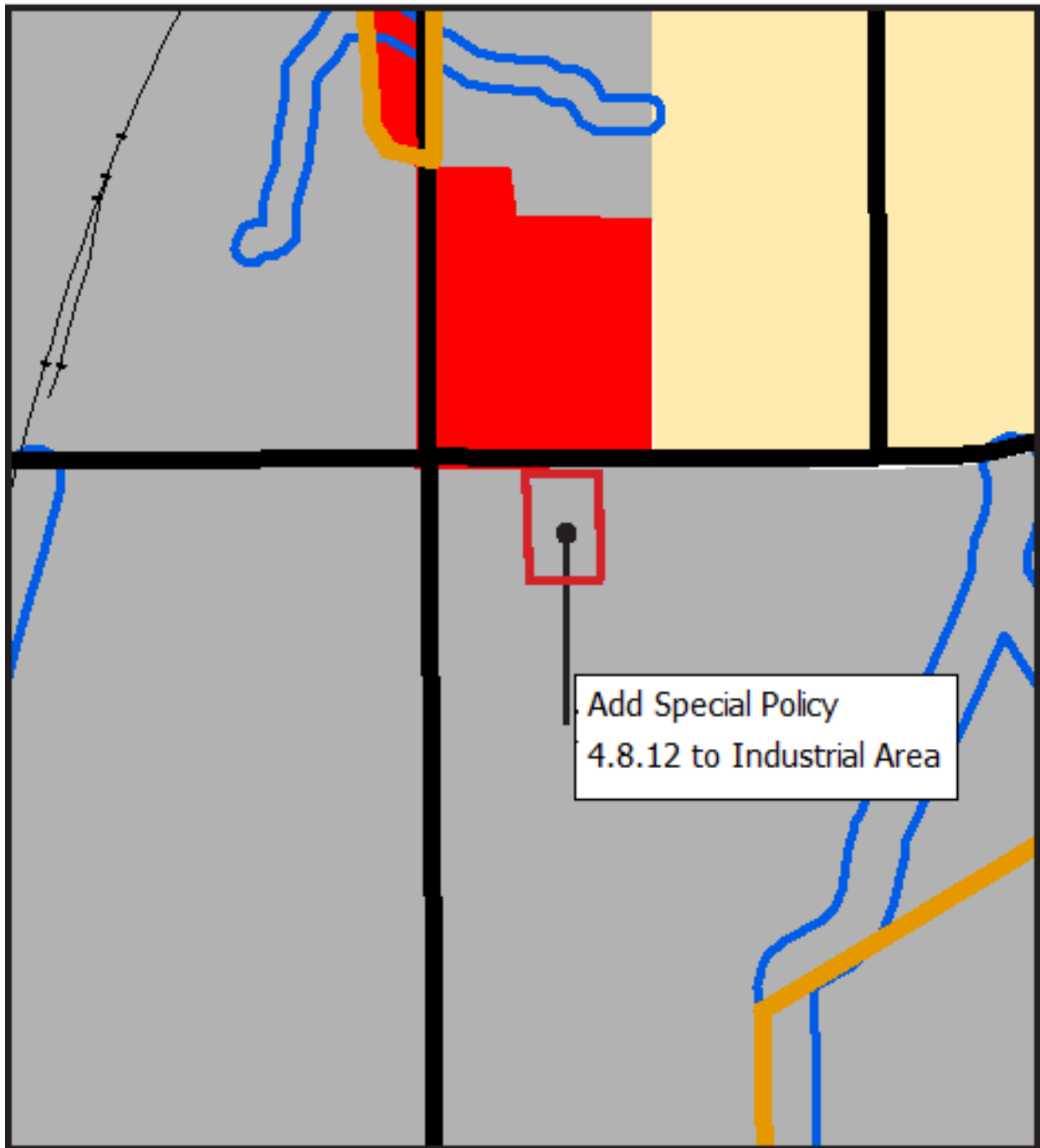
Council believes allowing a hotel use on the site will serve both area industrial uses and members of the public. Allowing a hotel use that will serve the area will encourage industrial development and it will meet the needs of visitors to the City.

### **Section 5 – The Amendment**

The Official Plan of the City of Stratford is amended as follows:

- (a) Schedule "A" of the Official Plan of the City of Stratford is amended by changing the land use designation of the east portion of the lands known municipally as 677 Erie Street from 'Industrial Area' to 'Industrial Area' with a Special Policy Area 21 ; and
- (b) By adding the Section 4.8.12 to the Official Plan:  
"Notwithstanding the policies within section 4.8, a hotel shall be permitted on the portion of the lands within Special Policy Area 21."

Schedule "A"  
To Official Plan Amendment No. 28



## Draft By-law

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Being a By-law to amend By-law 201-2000 as amended, with respect to zone change application Z09-18 to rezone 677 Erie Street, located on the southeast corner of Lorne Avenue East and Erie Street, legally described as Part of Lot C, Downie Concession 3, Parts 28-35 of Reference Plan 44R-5202 and Part Lot 29 on Reference Plan 44R-5197 in the City of Stratford.

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**WHEREAS** authority is given to the Council of The Corporation of the City of Stratford by Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, to pass this by-law;

**AND WHEREAS** the said Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

**AND WHEREAS** the Council of The Corporation of the City of Stratford deems it in the public interest that By-law 201-2000, as amended, known as the Zoning By-law, be further amended.

**NOW THEREFORE BE IT ENACTED** by the Council of The Corporation of the City of Stratford as follows:

1. That Schedule "A", Map 7 to By-law 201-2000 as amended, is hereby amended:

by adding those lands outlined in heavy solid lines and described as General Industrial with site specific regulations I2-32, General Industrial with site specific regulations I2-33 on "A", attached hereto and forming part of this By-law, and more particularly described as Part of Lot C, Downie Concession 3, Parts 28-35 of Reference Plan 44R-5202 and Part Lot 29 on Reference Plan 44R-5197 in the City of Stratford and known municipally as 677 Erie Street.

2. That By-law 201-2000 as amended, be further amended by adding section 18.4.32 being the Exceptions of the General Industrial I2 Zone with the following:

- 18.4.32    a) Defined Area (southeast corner of Lorne Avenue East and Erie Street)  
                   I2-32 as shown on Schedule "A", Map 7

b) Permitted Uses

- business office of a consulting engineer or surveyor
- car wash
- commercial school
- data centre
- dry cleaning establishment
- equipment service establishment
- factory store
- food processing establishment
- gas bar
- industrial use
- motor vehicle repair shop
- motor vehicle sales or rental establishment
- motor vehicle service station
- neighbourhood store
- private club
- public use
- scientific or medical laboratory
- recreational park
- veterinarian clinic
- warehouse

c) maximum floor area of a neighbourhood store 300 m<sup>2</sup>

3. That By-law 201-2000 as amended, be further amended by adding section 18.4.33 being the Exceptions of the General Industrial I2 Zone with the following:

18.4.33 a) Defined Area (approximately 61 m east of the intersection of Lorne Avenue East and Erie Street)

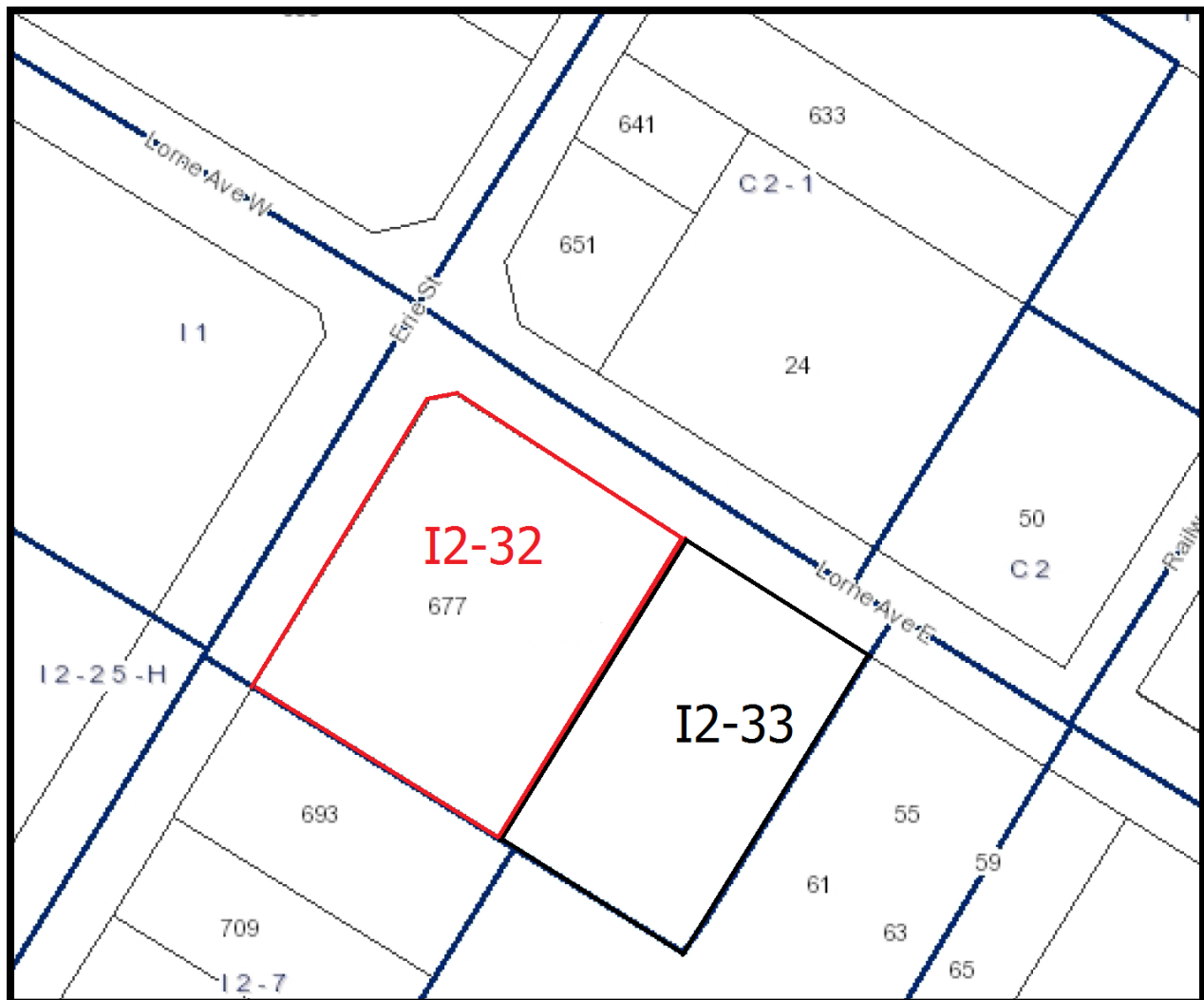
I2-33 as shown on Schedule "A", Map 7

b) Permitted Uses

- business office of a consulting engineer or surveyor
- car wash
- commercial school
- data centre
- dry cleaning establishment

- equipment service establishment
- factory store
- food processing establishment
- hotel
- industrial use
- motor vehicle repair shop
- motor vehicle sales or rental establishment
- motor vehicle service station
- private club
- public use
- scientific or medical laboratory
- recreational park
- veterinarian clinic
- warehouse

This By-law shall come into effect upon Final Passage and in accordance with the *Planning Act*.

**Schedule "A" to By-law \_\_\_\_-2019**



## **CITY OF STRATFORD PUBLIC MEETING MINUTES**

A **PUBLIC MEETING** was held on Monday, December 10, 2018 at 7:08pm in the Council Chamber, City Hall, Stratford to give the public and Council an opportunity to hear all interested persons with respect to Official Plan Amendment O02-18 and Zone Change Application Z09-18 that affects the property municipally known as 677 Erie Street.

**COUNCIL PRESENT:** Mayor Dan Mathieson - Chair presiding, Councillors Martin Ritsma, Tom Clifford, Bonnie Henderson, Graham Bunting, Danielle Ingram, Kathy Vassilakos, Jo-Dee Burbach and Dave Gaffney.

**REGRETS:** David St. Louis - Director of Community Services and Councillors Brad Beatty and Cody Sebben

**STAFF PRESENT:** Rob Horne – CAO, Mike Humble – Director of Corporate Services, Ed Dujlovic – Director of Infrastructure & Development Services, John Paradis – Fire Chief, Carole Desmeules – Director of Social Services, Jacqueline Mockler – Director of Human Resources, Tatiana Dafoe – Deputy Clerk, Jodi Akins – Council Clerk Secretary, Rachel Tucker – City Planner, Jeff Leunissen – Manager of Development Services and Nancy Bridges – Recording Secretary.

**ALSO PRESENT:** Members of the public, Media.

Mayor Mathieson called the meeting to order and stated that the purpose of the meeting is to give Council and the public an opportunity to hear all interested persons with respect to Official Plan Amendment O02-18 and Zone Change Application Z09-18 that affects the property municipally known as 677 Erie Street, City of Stratford.

Mayor Mathieson explained the order of procedure for the public meeting.

### **STAFF PRESENTATION:**

Rachel Tucker, City Planner, stated that the purpose of the Official Plan Amendment application is to change the lands from Industrial to Industrial Special policy, to permit a hotel on the eastern portion of the site. The zone change would allow 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. The planner described the subject lands as being 3.3 acres in size and noted the surrounding land uses. The site is currently vacant.

The planner noted that the application had been circulated to various agencies. Responses included the following comments to date:

- The Stratford Police Services expressed concerns with the increased volume of traffic and the resulting access and egress issues to both Lorne Avenue and Erie Street.
- The Ministry of Municipal Affairs and Housing Department requested comment on if the Official Plan re-designation of the lands to "Industrial-Special" to permit a hotel would be considered an 'employment area conversion' and noted that if it is that section 1.3.2.2 of the Provincial Policy Statement would apply.

The planner stated that the Engineering Division is reviewing the Traffic Study and that comments are to follow.

### **QUESTIONS FROM COUNCIL:**

Councillor Ingram inquired whether the traffic impact study had addressed the issue of cut-through traffic.

The planner noted that it had not been considered but could be included in a future report.

Councillor Ingram also wondered if a record of site condition was required.

The planner noted that this is only required for conversion to sensitive land uses.

Councillor Ingram asked how many property owners received the notice.

The planner noted that notice was circulated to nine (9) property owners.

Councillor Henderson inquired whether there would be any restrictions for access to the property. For example: no left-hand turns at certain entrances/exits.

The planner indicated that this will be looked at and addressed in a future planning report.

### **APPLICANT PRESENTATION:**

Brandon Flewwelling, representing GSP Group, outlined the location of the subject lands and the surrounding land uses. He noted that the proposal includes a four-storey hotel, to include approximately 80-90 rooms. A market analysis study was presented to various hotel chains and the market research gathered from this helped to determine the proposed size and configuration of the hotel.

Mr. Flewwelling stated that the main reason for the zone change application for the gas bar/neighbourhood store is clarification of the wording. The clarification would confirm that the proposal is for a gas bar only and does not involve a motor vehicle repair shop. He noted that city staff are currently reviewing the proposed plan. There is the potential that in the future the two portions of the property would be severed.

Mr. Flewwelling noted that the traffic study contemplated full traffic movement from both entrances/exits and it revealed that volumes would not be significantly impacted. He then



provided a brief description of the surrounding properties and noted that an additional hotel is needed in the city.

Zone I2-9 permits many uses including a motor vehicle service station however it leaves a grey area for interpretation. In the proposal the property will have a gas station but no repair shop. Staff recommended getting clarification of the zoning to be totally clear with what is planned for the property to avoid delays with the process in the future.

Mr. Flewwelling re-stated that the traffic study projected into the future and revealed total traffic conditions will continue to operate well going forward. Findings also showed that sanitary, water and stormwater management were adequate.

### **QUESTIONS FROM COUNCIL:**

Councillor Henderson inquired whether there would be new sidewalks around the property.

Mr. Flewwelling noted that this issue is currently being reviewed.

Councillor Henderson asked for clarification whether the stormwater management system could sustain the additional water from the car wash.

Mr. Flewwelling noted that a car wash is an existing permitted use on the site and that the water from the car wash was considered when reviewing stormwater management for the site.

Councillor Henderson expressed concern with the increased traffic, especially on Erie Street.

Mr. Flewwelling stated that the traffic study acknowledged the increase during peak hours and the structure of the surrounding roads and all were deemed acceptable.

Councillor Clifford asked for clarification on the location of the main entrance.

Mr. Flewwelling noted that there would be a centralized access off Lorne Avenue and a secondary entrance on Erie Street. The traffic study did not look at cut-through traffic as this is a difficult issue to predict.

Councillor Burbach inquired whether there has been any consideration for pedestrian pathways and sidewalks through the site to accommodate pedestrian traffic.

Mr. Flewwelling stated that a detailed site plan has not been done yet however a sidewalk is a safe assumption for the property.

Councillor Henderson asked whether the Lorne Avenue entrance would remain in the current location and if accessibility issues were in the design.

Mr. Flewwelling noted that the Lorne Avenue entrance would remain in the same location and that full accessibility of the site still needs to be worked out.

**QUESTIONS FROM THE PUBLIC:**

None.

Mayor Mathieson adjourned the meeting at 7:32pm

**Requests to receive further information, as indicated on the form at the public meeting on December 10, 2018 were received from the following:**

Leanne McPhie



## MANAGEMENT REPORT

**Date:** May 28, 2019  
**To:** Planning and Heritage Committee  
**From:** Jeff Leunissen, Manager of Development Services  
**Report#:** PLA19-015  
**Attachments:** None

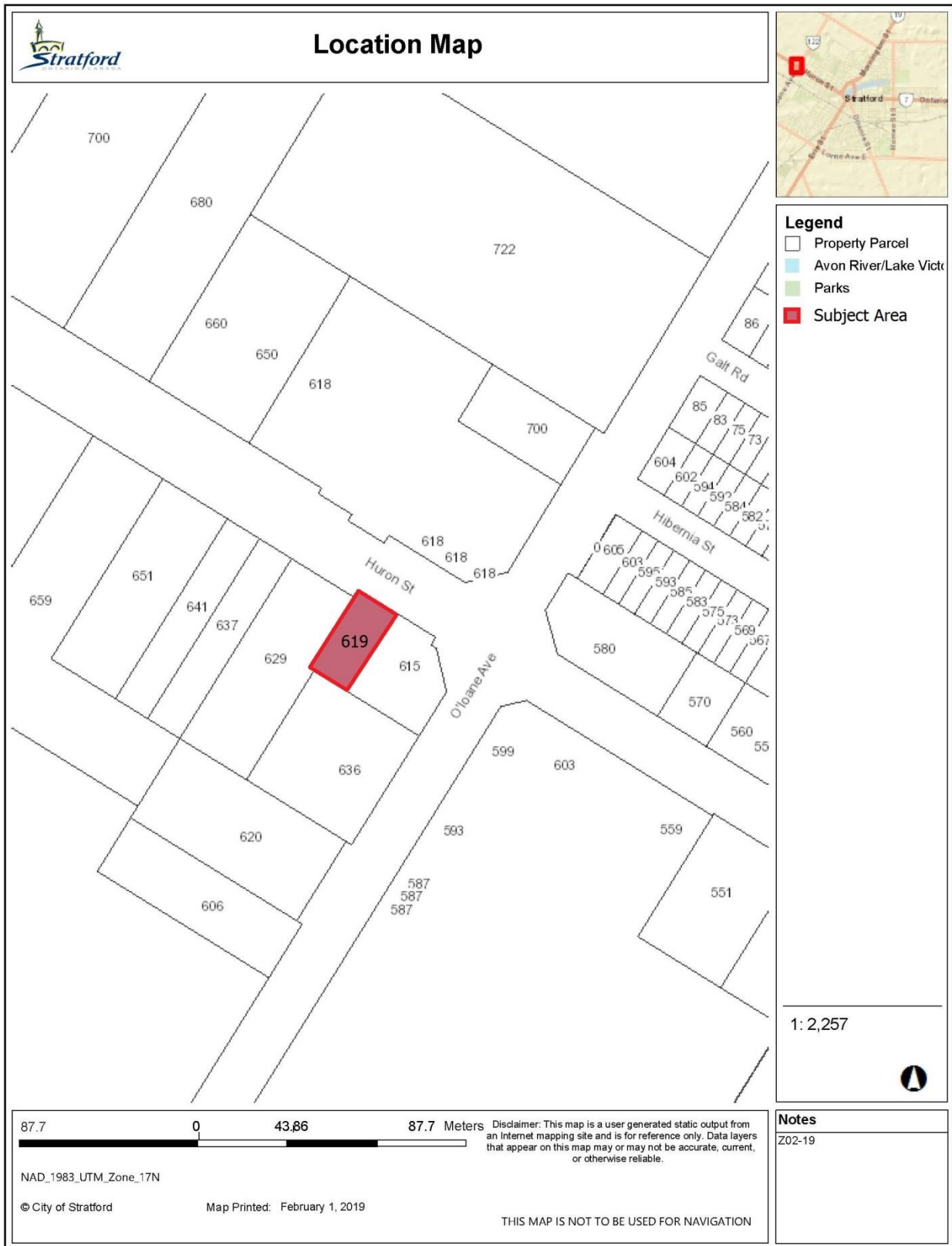
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**Title:** Planning Report Zone Change Application Z02-19, 619 Huron Street

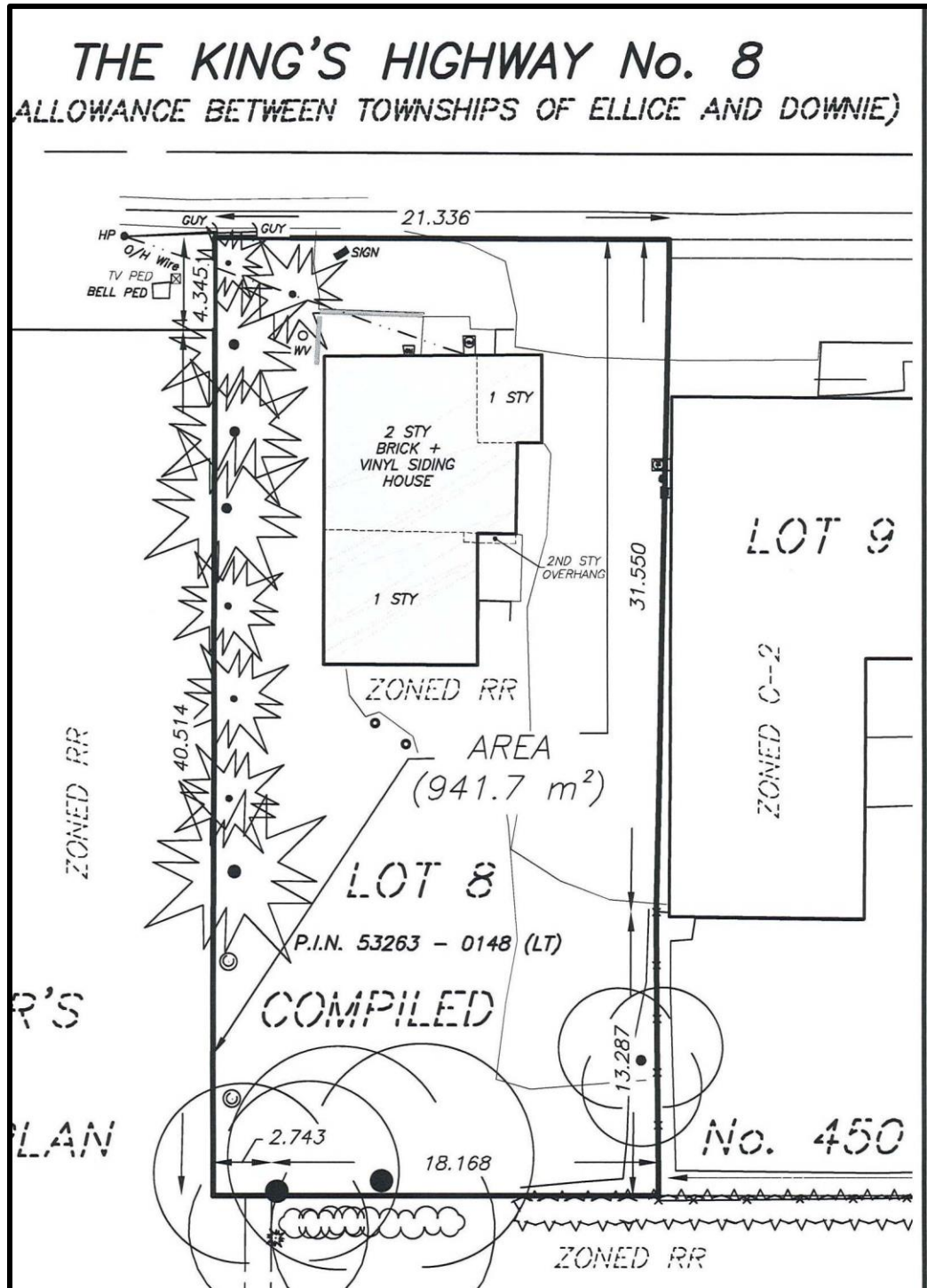
**Objective:** The purpose of this report is to provide staff's recommendation on the Zone Change Application submitted by A & D Groenestege Farms Ltd.(Trevor McNeil, agent), accepted on January 21, 2019, to rezone the property at 619 Huron Street from Rural Residential – RR Zone, in the inherited Township of Perth South Zoning By-law, to a Highway Commercial Special C2 Zone in the City of Stratford Zoning By-Law No. 201-2000 to permit a range of commercial uses including automotive uses, financial institutions, hotels, neighbourhood stores, retail stores and supermarkets.

There were no additional Planning studies or reports submitted with the application.

## Location Map



## Existing Plan



**Background:**

The subject lands are located on the south side of Huron Street between the City limit and O'Loane Avenue and are legally described as Part Lot 8 Plan 450. The subject lands have 21.3 m of frontage on Huron Street and an approximate area of 941 m<sup>2</sup>.

Site Characteristics:

Existing Use:	Residential Dwelling
Frontage:	21.3 m (70 ft)
Depth:	44.8 m (147 ft)
Area:	941 m <sup>2</sup> (0.23 ac)
Shape:	Rectangular
Services:	Private

Surrounding Land Uses:

North:	Commercial Plaza
East:	Commercial Plaza
West:	Residential Dwelling
South:	Single Family Dwelling

Agency Comments

The applications were circulated to the various agencies for review and comment. The following summary represents the comments received to date (May 13, 2019):

Infrastructure and Development Services – Engineering Division

- Engineering Services have reviewed the notice of zone change and has no objection to the zone change. Engineering Services notes there are no municipal services (sanitary or water) available to this property. At the Site Plan stage, servicing and stormwater management (quantity and quality control) will be required.

Building Services

- No concerns at this time.

Fire Department

- No issues.

Upper Thames River Conservation Authority

- No objection.

Township of Perth East

- No concerns.

Festival Hydro

- No concerns, outside of territory.

### Subject Lands - 619 Huron Street



### Public Comments

No comments have been received from the public.

### **Analysis:**

#### Existing Situation

On September 28, 2018, Council passed a Zoning By-law Amendment for 615 Huron Street, the property to the immediate east, to change the zoning from Light Industrial (M1-4) in the Township of Perth South Zoning By-law to Highway Commercial C2 in the City of Stratford Zoning By-law. There were no appeals to this zoning amendment.

The subject lands contain a residential building that is not connected to city services. The applicant stated at the public meeting that it is the owner's intention to demolish the existing structure on the property and redevelop with 615 Huron Street.

The City of Stratford is currently updating the City's Comprehensive Zoning By-Law. The subject lands are included in the new comprehensive Zoning By-Law and, in the most recent draft, are shown as Urban Reserve (UR) Zone. The Urban Reserve Zone is intended to

recognize existing uses on the property while demonstrating that the lands are intended to be rezoned to commercial uses in the future. Should the zone change be approved, the zoning will be incorporated into the new Comprehensive Zoning By-law.

Changing the zoning of the subject lands, either now or after adoption of the Comprehensive Zoning By-law, will be required prior to any redevelopment. There is no advantage to delay redevelopment on the subject lands until the new Zoning By-Law has been approved.

### 2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest and is set out in three main areas: Building Strong Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety. All development applications shall be consistent with the Provincial Policy Statement ("PPS").

Building strong communities is achieved by promoting efficient development and land use patterns and avoiding development patterns that cause environmental, public health or safety concerns.

Section 1.1.1 of the Provincial Policy Statement states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.

Section 1.1.3.2 of the Provincial Policy Statement states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and support active transportation.

If the property is developed in conjunction with 615 Huron Street, the proposed development would represent an opportunity for the re-development of a building on full services that meets the intent of the Provincial Policy Statement. The property is located within close proximity to a public transit route and the infrastructure required for the development is already in place if the lands are consolidated with 615 Huron Street.

Section 1.6.6 of the Provincial Policy Statement states municipal sewage services are the preferred form of servicing for settlement areas. Redevelopment within settlement areas on existing sewage services and municipal water services should be promoted wherever feasible.

The recommended Zoning By-Law contains provisions requiring re-development to be on municipal services.

The request to develop the subject lands for a commercial building is appropriate and the recommended Zoning By-Law amendment is consistent with the 2014 Provincial Policy Statement.

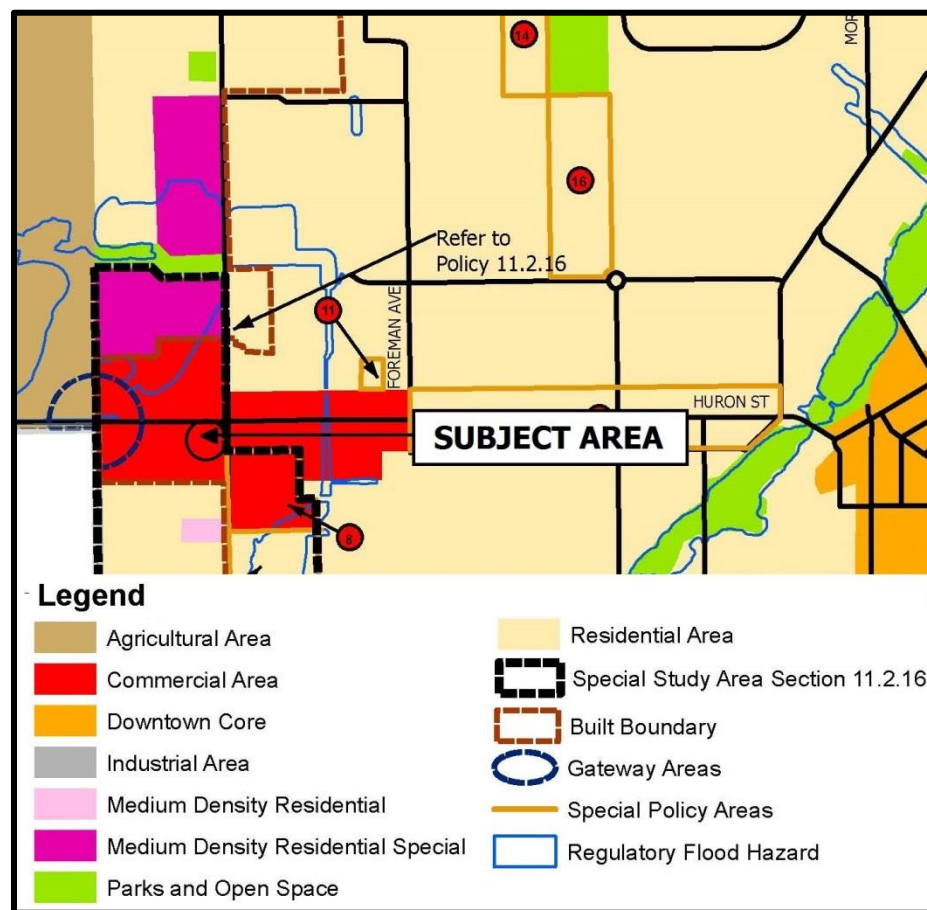


### Official Plan

The property is designated as Commercial Area with special policy 11.2.16 in the Official Plan. The primary commercial uses will be those uses which require large land requirements for buildings, on-site parking, and outdoor storage, as well as, uses engaged in convenience goods and services. The special policy identifies lands through the City's Commercial Needs Study and Official Plan Amendment No. 10 as the potential location for large format retail development that cannot be accommodated or attracted to the Downtown Core. The future building size must be below the threshold of 1,858m<sup>2</sup> or further planning reports, traffic impact studies, and a retail market demand/impact study would be required with any site plan application.

### Excerpt of Schedule "A"

#### Land Use of the Official Plan



The applicant has yet to submit plans that show how the property is going to be developed. The property owner will be required to obtain site plan approval for any development on the lands and the owner will be required to ensure that the development conforms to Section 6.2.3 v) of the Official Plan which states that the siting of parking areas, and the siting of buildings, particularly on arterial and collector roads, shall generally assist in the creation of high quality streetscapes. The combined development of the two properties will need to

emphasize the commercial nature of the property and contribute to the streetscape along both Huron Street and O'Loane Avenue.

The subject lands are at the intersection of two arterial roads, Huron Street and O'Loane Avenue respectively. Arterial roads service both regional and local traffic and direct access to abutting properties may be restricted.

Section 7.3 of the Official Plan states that all new urban development is to be connected to municipal water and sanitary sewer systems and shall only be permitted where systems have the capacity to accommodate the development. If the subject property is consolidated with 615 Huron Street, the services for 615 Huron Street could then accommodate services for the development of both parcels. Alternatively, the subject lands should only be developed if services are extended to the property.

Section 7.4 of the Official Plan states that all new development shall comply with the City-Wide Storm System Master Plan and the Stratford West Community Secondary Plan. The applicant will be required to submit grading and drainage plans and a stormwater management design as part of the future site plan approval process. Engineering staff have reviewed the zone change application and note that stormwater management will also need to be completed as part of the site plan approval.

Engineering Services have not identified a requirement for a road widening.

The zone change application has been reviewed against the policies of the Official Plan and with provisions contained in the recommended Zoning By-Law the amendment is considered to be in conformity with the Official Plan.

#### Zoning By-Law

The lands are zoned Rural Residential – RR in inherited Township of Perth South Zoning By-law. The RR Zone permits single detached dwellings, home occupations and bed and breakfast establishments on private services.

The applicant is requesting a Highway Commercial C2 Zone in City of Stratford Zoning By-law No. 201-2000 which would permit a range of commercial uses including automotive uses, financial institutions, hotels, neighbourhood stores, retail stores and supermarkets.

The existing Township of Perth South Zoning was retained when the lands were annexed into the City in 2004. Annexed lands typically retain their existing zoning until such time that a property owner decides to re-develop the lands or until the City has completed an update of both the Official Plan and Zoning By-Law. In this instance, the City's Official Plan has been updated and the City is in the process of completing a review of the Zoning By-Law. The proposed zoning would bring the property into conformity with the Commercial Area policies of the Official Plan and the Highway Commercial Zone is a continuation of the zoning on the lands to the north and east of the subject property.

### Existing Zoning Map



The applicant is intending to develop 615 Huron Street in conjunction with 619 Huron Street. This would allow for a suitable parcel that could accommodate a greater range of commercial development than could be accommodated by either individual property. The applicant would be able to accommodate a range of building configurations that would meet the setback and parking requirements of the Zoning By-Law.

Section 3.16 of the Zoning By-Law states that every building within the City is to be serviced by a public water supply system and a public sanitary sewer system. There is a 50mm water service at the front of the subject lands but it is undersized and unable to support any development on the property and there is no sanitary service along the frontage of the subject lands.

The property at 615 Huron Street, which is under the same ownership, has both a water service and a sanitary service. If the owner does not merge the properties on title or develop the lands under a joint site plan agreement with 615 Huron Street, they would be required to extend services to the property in order to conform to the policies of the Official Plan. Planning staff are recommending that the zoning include a provision requiring development in any new building to be on full municipal services to inform the property owner of this requirement.

#### Urban Design and Landscape Guidelines

Council approved the City's Urban Design and Landscape Guidelines in May 2014. The arterial roads policy states that main streets should transition to a more urban character and include a high level of design in the pedestrian realm. The commercial buildings policy states that buildings should have a strong street edge with direct access to the sidewalk. An asphalt path currently exists along the Huron Street and O'Loane Avenue frontages. The proposed development will be reviewed against the Urban Design and Landscape Guidelines during the site plan approval process and staff will ensure that any proposed development will conform to the policies in the Urban Design and Landscape Guidelines.

This Zoning By-law Amendment is consistent with the PPS, in keeping with the Official Plan provisions and the intent of the Zoning By-law, is considered to be consistent with the City's Strategic Priorities, and represents good planning.

Staff has advised the owner of the proposed special provision to the by-law and they have no objection.

**Financial Impact:** No municipal expenses are anticipated to support the development. Commercial uses are subject to development charges at a rate of \$2.59 per square foot. The applicable development charges will be calculated as part of the Building Permit application in accordance with the Development Charges By-law.

#### Other

Should the Planning and Heritage Committee not approve the staff recommendation, the motion shall include a statement outlining how the recommendation of the Planning and Heritage Committee complies with the Provincial Policy Statement and the City of Stratford Official Plan and how public input was considered.

#### **Staff 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.**




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Prepared by: Jeff Bannon, MCIP, RPP – Planner




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Recommended by: Jeff Leunissen, MCIP, RPP – Manager of Development Services




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Rob Horne, Chief Administrative Officer

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BEING a By-law to amend Zoning By-law 201-2000 as amended, with respect to zone change Z02-18 to rezone the lands known municipally as 619 Huron Street, located on the south side of Huron Street between the City limit and O'Loane Avenue to allow for a Highway Commercial (C2) Zone.

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**WHEREAS** authority is given to the Council of The Corporation of the City of Stratford by Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, to pass this by-law;

**AND WHEREAS** the said Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

**AND WHEREAS** the Council of The Corporation of the City of Stratford deems it in the public interest that By-law 201-2000, as amended, known as the Zoning By-law, be further amended.

**NOW THEREFORE BE IT ENACTED** by the Council of The Corporation of the City of Stratford as follows:

1. That Schedule "A", Map 1A to By-law 201-2000 as amended, is hereby amended:  
  
by changing from a Rural Residential RR (Township of Perth South Zoning) Zone to a Highway Commercial (C2-21) Zone those lands outlined in heavy solid lines and described as Highway Commercial (C2-21) Zone on Schedule "A", attached hereto and forming part of this By-law, and more particularly described as Part Lot 8, Plan 450 in the City of Stratford and known municipally as 619 Huron Street.
2. That By-law 201-2000 as amended, be further amended by adding to Section 13.4, being the Exceptions of the Highway Commercial C2 Zone the following:
 

"13.4.21      a) Defined Area (619 Huron Street)  
C2-21 as shown on Schedule "A", Map 1A

b) Any use in a new building shall only be permitted if connected to municipal water and municipal sanitary services.
3. The Township of Perth South Comprehensive Zoning By-law No. 4-1999 as it applies to those lands outlined in heavy solid lines and described as Highway Commercial

(C2-21) Zone on Schedule "A", more particularly described as Part Lot 8, Plan 450 in the City of Stratford and known municipally as 619 Huron Street are hereby repealed.

4. This By-law shall come into effect upon Final Passage and in accordance with the Planning Act.

Read a FIRST, SECOND AND THIRD TIME AND

FINALLY PASSED this the xx<sup>th</sup> day of xxxxxxxx 2019.

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Mayor – Daniel B. Mathieson

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Clerk – Joan Thomson







## **CITY OF STRATFORD PUBLIC MEETING MINUTES**

A **PUBLIC MEETING** was held on Monday, March 25, 2019 at 7:16pm in the Council Chamber, City Hall, Stratford to give the public and Council an opportunity to hear all interested persons with respect to Zone Change Application Z02-19, relating to 619 Huron Street in the City of Stratford.

**COUNCIL PRESENT:** Deputy Mayor Ritsma – Chair presiding, Councillors Bonnie Henderson, Graham Bunting, Danielle Ingram, Kathy Vassilakos, Jo-Dee Burbach, Cody Sebben, Brad Beatty and Dave Gaffney.

**REGRETS:** Mayor Mathieson and Councillor Tom Clifford

**STAFF PRESENT:** Rob Horne – CAO, Mike Humble – Director of Corporate Services, Ed Dujlovic – Director of Infrastructure & Development Services, David St. Louis - Director of Community Services, Jacqueline Mockler – Director of Human Resources, Joan Thomson – City Clerk, Tatiana Dafoe – Deputy Clerk, Jeff Bannon – City Planner, Jeff Leunissen – Manager of Development Services and Nancy Bridges – Recording Secretary.

**ALSO PRESENT:** Members of the public, Media.

Deputy Mayor Ritsma called the meeting to order and stated that the purpose of the meeting is to give Council and the public an opportunity to hear all interested persons with respect to Zone Change Application Z02-19, 619 Huron Street in the City of Stratford.

Deputy Mayor Ritsma explained the order of procedure for the public meeting.

### **STAFF PRESENTATION:**

The City Planner described the property at 619 Huron Street and explained that the zone change is to change from a Rural Residential – RR Zone in inherited Township of Perth South zoning by-law to Highway Commercial – C2 Zone in the City of Stratford zoning by-law No.201-2000. The purpose of the zone change is to permit a range of commercial uses including automotive uses, financial institutions, hotels, neighbourhood store, retail stores and supermarkets.

The Planner stated that no concept plan has been received to date and that the property owner also owns the property to the East and has discussed consolidating the two properties.

The subject lands have 21.3m of frontage on Huron Street and an approximate area of 941m<sup>2</sup>. The Planner stated the surrounding land uses are: commercial plaza, residential dwelling and single family dwelling.

The Official Plan designates the property as Commercial Area with special policy 11.2.16 that identifies lands through the City's Commercial Needs Study and Official Plan Amendment No.10 as the potential location for large format retail development that cannot be accommodated or attracted to the downtown core. Additional reports and studies may be required depending on the requests in the site plan application.

The application was circulated to various agencies and the responses included the following:

- Engineering services notes there are no sanitary or water services available on this property

No comments were received from the public.

The Planner stated that in September 2018 Council passed a zone change amendment on the property to the East and there have been no appeals to this amendment.

#### **QUESTIONS FROM COUNCIL:**

Councillor Henderson inquired why there are no services to this property.

The Planner stated that services have not been extended past O'Loane Avenue at this time and that development will determine when an extension happens. Currently the properties in the area are using well water.

#### **APPLICANT PRESENTATION:**

Trevor McNeil (MTE OLS Ltd.), the agent on the file, clarified that the applicant does intend to merge the two properties and that they have had interest to purchase the property.

#### **QUESTIONS FROM COUNCIL:**

Councillor Ingram asked if the intent was to demolish the two buildings.

Mr. McNeil indicated that the plan was to demolish and rebuild.

#### **QUESTIONS FROM THE PUBLIC:**

None.

Deputy Mayor Ritsma adjourned the meeting at 7:24pm

**There were no requests to receive further information, as indicated on the form at the public meeting on March 25, 2019.**



## MANAGEMENT REPORT

**Date:** May 28, 2019  
**To:** Planning and Heritage Committee  
**From:** Jeff Leunissen, Manager of Development Services  
**Report#:** PLA19-016  
**Attachments:** None

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**Title:** Planning Report Zone Change Application Z03-19, 376 Church Street

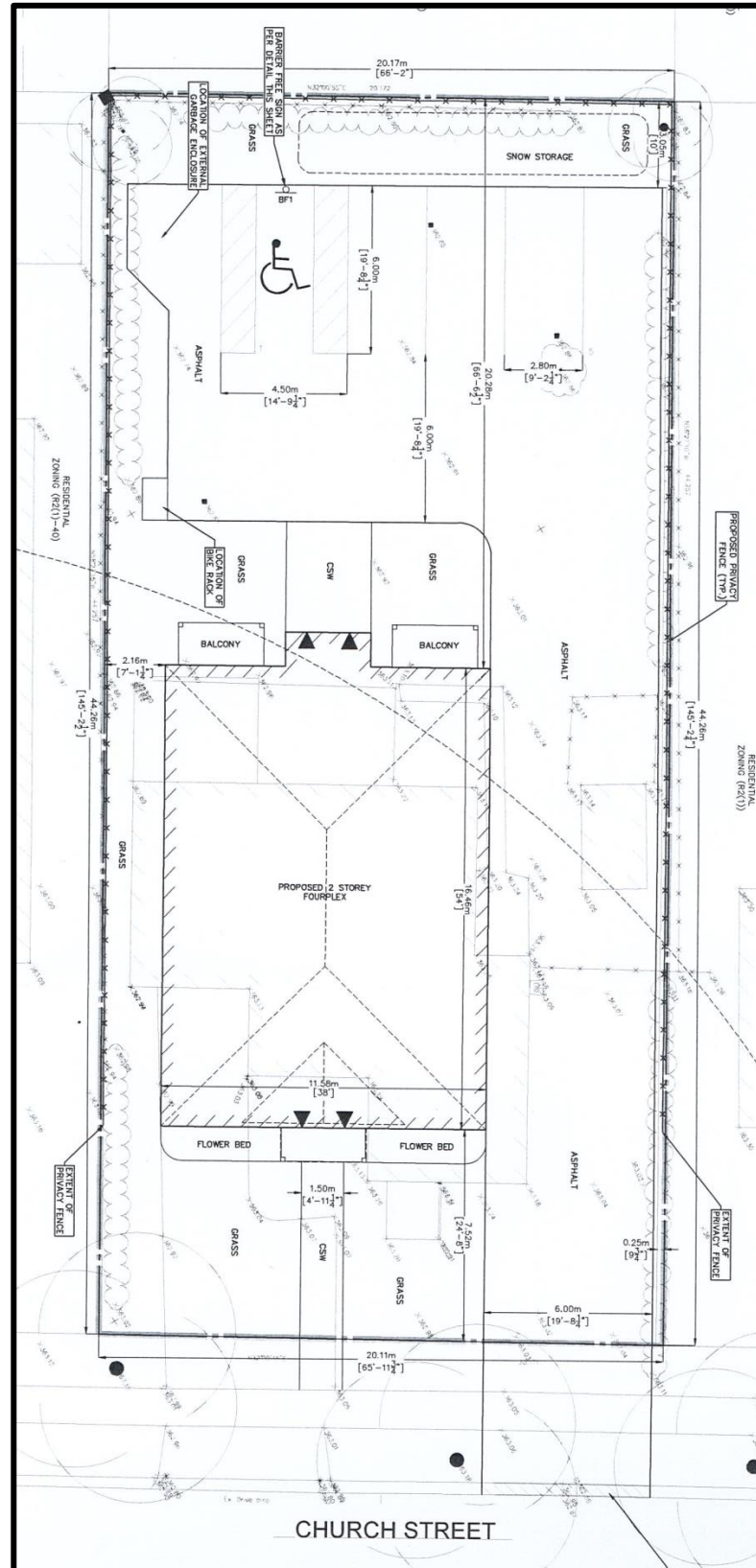
**Objective:** The purpose of this report is to provide staff's recommendation on the Zone Change Application submitted by Pol Quality Homes (GSP Group Inc., agent), accepted on January 21, 2019, to rezone the property at 376 Church Street from a Second Density - R2(1) Zone to Residential Third Density - R3 Zone to permit converted dwellings, triplex dwellings, quadruplex dwellings, boarding house dwellings, religious institutions, day care centres and elementary schools. The applicant is proposing a quadruplex dwelling.

A Planning Justification Report and Functional Servicing Report were also submitted with the application.

## Location Map



# Concept Plan



**Background:** The subject lands are located on the west side of Church Street between Monteith Avenue and Easson Street, are legally described as Lot 141 Plan 41, and have an approximate area of 891 m<sup>2</sup> and a lot frontage of 20.1 m.

Site Characteristics:

Existing Use:	Single Detached Dwelling
Frontage:	20.1 m (66 ft)
Depth:	44 m (144 ft)
Area:	891 m <sup>2</sup> (0.22 ac)
Shape:	Rectangular

Surrounding Land Uses:

North:	Single Detached Dwelling
East:	Service Trade
West:	Single Detached Dwelling
South:	Single Detached Dwelling

Agency Comments

The applications were circulated to the various agencies for review and comment. The following summary represents the comments received to date (May 13, 2019):

Infrastructure and Development Services – Engineering Division

- Engineering Services have reviewed the notice of zone change and have no objection to the zone change. Engineering Services notes that at the Site Plan stage the following will apply:
  - New municipal services (sanitary, storm and water) are required as per City standards.
  - Stormwater management (quantity and quality control) is required.

Building Services

- No concerns at this time.

Fire Department

- No issues.

Upper Thames River Conservation Authority

- No objection.

Huron Perth Catholic District School Board

- No concerns.

Festival Hydro

- No concerns.

Subject Lands – 376 Church Street





### Public Comments

Five written responses have been received to date. Several respondents have expressed concerns with having a quadruplex in the area and noted that they would be satisfied with a duplex dwelling. Other respondents have concerns with the amount of traffic and noise already on Church Street, the potential that the development would devalue their property, the size of the proposed dwelling and the lack of green space on the lands, the impacts of parking and lights on neighbouring properties, privacy, a need for fencing and the potential for water runoff from the snow storage onto their property. They are also concerned with problems from having outdoor garbage storage and the general maintenance of the property.

Two members of the public spoke at the Public Meeting on March 25, 2019. In addition to the concerns raised above, one member of the public raised a concern with snow removal.

Comments from the public are addressed in the Analysis Section of this report.

### **Analysis:**

### Existing Characteristics

The subject lands currently contain a vacant single detached dwelling. Surroundings land uses consist of single and semi-detached dwellings (to the north and west), a service trade to the east and single and duplex dwellings to the south. Church Street is a local street with on-street parking allowed on both sides of the street.

### 2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest and is set out in three main areas: Building Strong Communities, Wise Use and Management of Resources, and Protecting Public Health and Safety. All development applications shall be consistent with the Provincial Policy Statement ("PPS").

Building strong communities is achieved by promoting efficient development and land use patterns and avoiding development patterns that cause environmental, public health or safety concerns.

Section 1.1.1 of the Provincial Policy Statement states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.

Section 1.1.3.2 of the Provincial Policy Statement states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and support active transportation. Specifically 1.1.3.2 states:

*"Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public services facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion".*

Section 1.4.3 of the Provincial Policy Statement states:

*"Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

- b) permitting and facilitating: 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents"*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed".*

The City's infrastructure has adequate capacity to accommodate a quadruplex on the subject lands and Engineering Services have identified that new municipal services to the building will be required for the proposed quadruplex dwelling.



The PPS supports new housing which efficiently uses land, resources, infrastructure and public service facilities. The proposed quadruplex would contribute to a mix of land uses in the neighbourhood and is located on a public transit route. The proposal allows for the intensification of the lands to allow for a quadruplex dwelling on full municipal services which already exist. The lands promote active transportation as they are in close proximity to recreational facilities and located on a public transit route. The request to develop the subject lands for a quadruplex is considered to be consistent with the 2014 Provincial Policy Statement.

### Official Plan

The property is designated as Residential Area in the Official Plan. The Residential Area designation allows for a range of dwelling types from single detached and semi-detached dwellings to low-rise apartment dwellings and quadruplex dwellings.

Church Street is classified as a local street.

The Guiding Principles of the Official Plan include the encouragement of appropriate intensification and infill which reflects the existing context of the City with respect to factors such as height, design. Conflicts between land uses are to be minimized and complete communities, which meet residents' needs throughout their life, are encouraged.

The Official Plan supports intensification within Stable Residential Areas that is modest and incremental and that maintains criteria identified in Section 4.5.3.1. The section states:

*"Stable residential areas are residential areas where potential new development or redevelopment is limited. Any intensification will be modest and incremental occurring through changes such as development of vacant lots, accessory apartments, or other forms of residential housing that meet the criteria below. Applications for new development in such areas shall be evaluated based on their ability to generally maintain the following elements of the structure and character of the immediate surrounding residential area:*

- i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;*
- ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;*
- iv) siting of buildings in relation to abutting properties ensures that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided;*
- viii) satisfies the City with respect to the proposed grading, drainage and stormwater management, and, in particular that there is no impact on adjacent properties;*
- xv) has regard for the City's Urban Design and Landscape Guidelines.*

The scale of the development respects the massing and density of other buildings along Church Street and the proposed façade is not out of character in the neighbourhood. The proposed development is considered to be in keeping with other properties in the area and is considered to satisfy the policies of Section 4.5.3.1 of the Official Plan.

Under the Goals and Objectives for Residential Areas Section 4.5.1 reads:

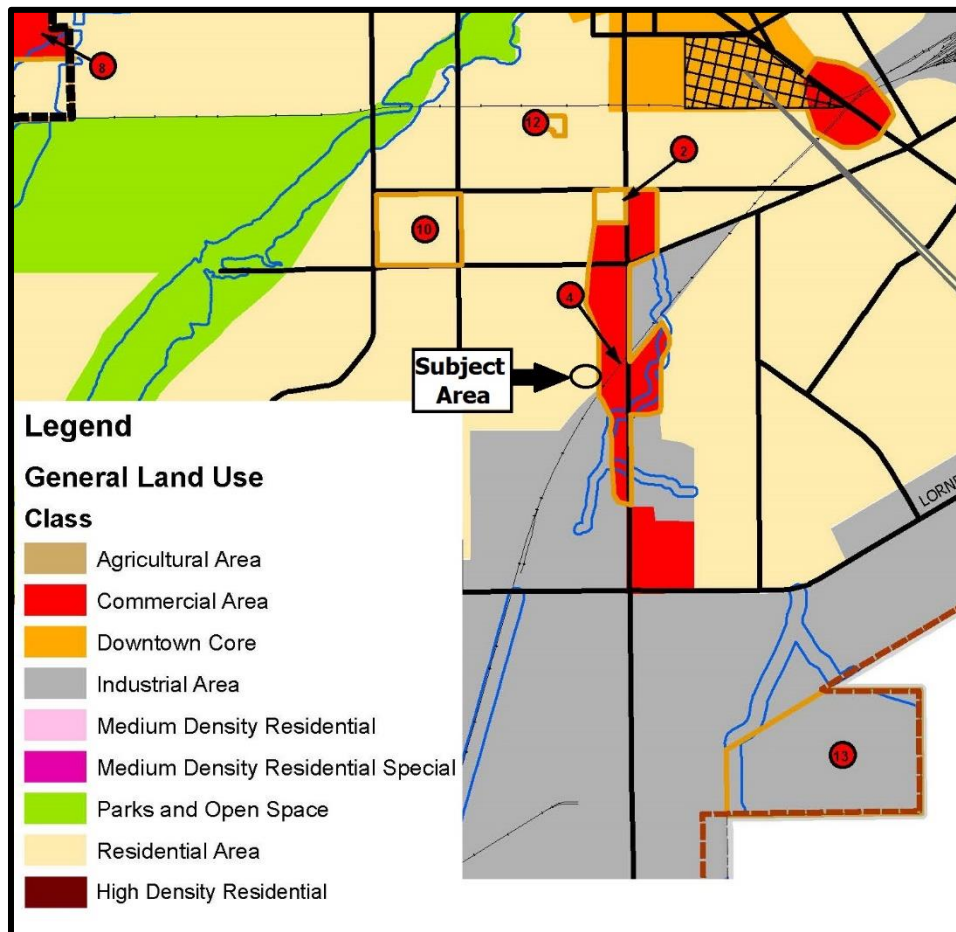
- ii) To ensure that where intensification of development is proposed in residential areas, it is compatible in terms of scale, density and design with neighbouring development and adheres to sound planning principles related to servicing, traffic, site design and amenities, provided there is sufficient capacity in the City's municipal services to accommodate that development.*
- iii) To achieve a mix of housing types and a minimum average density of housing in the development of new residential areas in order to provide diversity in the housing stock, more affordable housing opportunities and a more efficient investment and ongoing maintenance of municipal services and facilities.*

The proposed zone change encourages the re-development of a lot that will contribute to the provision of varied housing densities within the City. The infilling policies of the Official Plan encourage development that is compatible with, and sensitive to, existing development in the area. In this situation, the character of the Church Street area is that of an area in transition with single detached, duplex and semi-detached dwellings to the north and west a duplex dwelling to the south and a service trade to the east. Building heights in the area range from one and two storeys. The applicant has submitted a sketch that shows a building containing four units can be situated on the property and meet proposed side yard requirements, and have a height that is similar to other dwellings within the neighbourhood. Fencing will be required around the exterior of the rear yard amenity area and the privacy impacts on the adjacent properties are not increased as a result of the increased density.

Engineering Services has stated that the existing service to the property will need to be replaced to accommodate the proposed quadruplex and notes that stormwater management will also need to be completed as part of the site plan approval. Engineering Services has no concerns with capacity of the services on Church Street. The applicant is required to submit for site plan approval for the quadruplex and staff will review the submission against the City's Urban Design and Landscaping policy.

The proposed zone change application has been reviewed against the policies of the Official Plan and is considered to be in conformity with the plan.

Excerpt of Schedule "A"  
Land Use of the Official Plan



Zoning By-law

The lands are zoned Residential Second Density R2(1) Zone which permit a range of low profile, low density uses such as boarding house dwelling, converted dwelling, duplex dwelling, single detached dwelling, semi-detached dwelling. Also permitted are a day nursery, elementary school, group home, home occupation, and a religious institution.

The applicant is requesting a Residential Third Density R3 Zone in City of Stratford Zoning By-law No. 201-2000 which would permit converted dwellings, triplex dwellings, quadruplex dwellings, boarding house dwellings, religious institutions, day care centres and elementary schools. The applicant is proposing a quadruplex dwelling.

The applicant has submitted a sketch that demonstrates that they will be able to meet all requirements of the Residential R3 Zone with the proposed quadruplex dwelling. The sketch shows how the property can functionally accommodate a quadruplex dwelling with minimal impacts on the streetscape of the neighbourhood.

As the property is able to functionally accommodate the proposed use and is in an area of area of transition, staff believe a site specific zone change to allow a mix of multi-family uses, including a quadruplex, is considered appropriate and appropriate for the development of the lands.

Planning staff recognize that there are several other properties that are of similar size within the same block face and that these other properties may also be able to support intensification in the future. As these other similarly sized properties are not opposite a service trade, no action should be taken on these other properties at this time. Should other property owners in this area request a similar zoning, Planning staff believe the entire blockface should be assessed to determine the appropriate long-term land use.

Planning staff have reviewed the requested zone change application and are of the opinion, the proposed zoning would allow for a development that is considered appropriate of the development of the lands.

#### Existing Zoning Map



## Issues Raised By the Public

### Density and compatibility

Area residents are concerned about the increase in density and that the proposed new dwellings will not be compatible with existing area buildings. Planning staff have reviewed City records and can confirm that the closest quadruplex dwelling in the area is located at 21 Moderwell Street which is approximately 220m away (as the crow flies) and that there are 4 quadruplex dwellings located on Moderwell Street. There is also a duplex dwelling located two properties to the south at 390 Church Street and several semi-detached dwellings located to the north of the subject lands on the east side of Church Street.

Opposite the subject lands is a service trade. The lands are considered to be in an area of transition between commercial uses to the east and single and semi-detached dwellings to the north and west.

The proposed lots meet the minimum lot area of the R3 zone and the quadruplex dwelling has a similar façade as a duplex dwelling when looking at the property from the Church Street frontage.

### Privacy and Lighting

The adjacent property owners along the rear and south property lines have expressed a concern with the impacts on their privacy and they have requested that a fence be installed between the lots. The sketch submitted by the applicant shows a fence around the exterior of the subject lands. The applicant will be required to submit an application for site plan approval and staff will ensure that a board-on-board privacy fence or landscape screen is planted to alleviate some concerns with the privacy impacts on the neighbouring lands. The fence will also provide for a reduction in headlight glare from residential parking at the rear of the property and will help to reduce some of the noise that is generated from the quadruplex use.

The City's Property Standards By-law does contain provisions which require exterior lighting to be directed or deflected away from adjacent lots.

The proposed Residential R3 Zone and the existing Residential R2(1) Zone contain the same maximum building height – 10 metres.

Through a combination of zoning, property standards and site plan approval, privacy and lighting on abutting properties are not expected to be significantly different than what would occur under the existing zoning.

### Parking

The intent of the Zoning By-Law is to allow for parking to be located at the rear of a property for multi-unit dwellings. This allows for an attractive streetscape in the neighbourhood that is not dominated by large parking areas. The proposed parking is located in the rear of the property and it will be screened from adjacent properties by a

board on board fence or other suitable landscape screening. The applicant increased compatibility with the streetscape by providing a single driveway into the rear parking lot.

The applicant is proposing five parking spaces for the quadruplex dwelling which exceeds the requirement of four parking spaces in the Zoning By-Law and will provide adequate parking for the residents on the subject lands.

#### Drainage

A concern has been raised by residents regarding the potential impact of additional stormwater that may run to adjacent properties. Engineering Services would review the proposed development as part of any site plan approval to ensure that there is no increase in the amount of water that runs to other adjacent properties. This review will include any impacts of snow storage at the rear of the parking lot area. In addition, security is taken through the site plan approval process to ensure the grading is in accordance with the approved plan.

#### Amenity and Landscape Open Space

The sketch provided with the application meets the landscaped open space requirements of the Zoning By-Law and an amenity space has been provided at the rear of the property between the parking lot and the proposed building. Monteith Avenue Park is also located less than 100 metres to the south of the subject lands which provides an active playground for residents.

#### Traffic

Church Street is classified as a local street and the rezoning application to allow for a quadruplex dwelling will not significantly increase the amount of traffic on Church Street. The subject property is proposing a single driveway and the proposed sketch demonstrates how traffic will be able to function properly on the land and enter and exit from Church Street in a safe and forward motion.

Engineering Services has not expressed any concerns that residential intensification on this property will have an impact on traffic on Church Street.

#### Impacts on property values

The impact on property values of affordable housing and higher-density development has been studied in Canada and the United States across a variety of neighbourhoods and development proposals. Twenty-Five studies of affordable housing concluded that there was no impact on property values, a 26<sup>th</sup> study was inconclusive.

#### Garbage and Property Maintenance

The applicant will be required to obtain site plan approval for the proposed quadruplex and the site plan agreement will detail the location of any outdoor storage. The applicant has identified the location of a garbage enclosure on the site plan and the property owner will be expected to continue to maintain the subject lands. If a complaint is received regarding

property maintenance, By-Law Enforcement Officers would investigate and enforce the Maintenance and Occupancy of Property By-Law.

#### Snow Storage/Removal

The concept plan demonstrates there is some space for snow storage in both the front and rear yards. Should snow removal be required, it will be the owner's responsibility as it would be with any multi-family building.

#### Urban Design and Landscape Guidelines

Council approved Urban Design and Landscape Guidelines during the review of the Official Plan. The policies state that residential buildings on infill sites should be designed to respect the height, massing and setbacks of existing developments. Also, through creative and careful architectural design, it is possible to recognize the existing context and character of a stable residential neighbourhood and allow for the evolution of architectural style and innovation in built form. The proposed quadruplex replicates some architectural elements of other residential dwellings within the neighbourhood and the proposed building is shown with a setback that matches existing building setbacks along the blockface of Church Street. The proposed development will be reviewed against the Urban Design and Landscape Guidelines during the site plan approval process and staff will ensure that any proposed development will conform to the policies in the Urban Design and Landscape Guidelines.

This Zoning By-law Amendment is consistent with the PPS, in keeping with the Official Plan provisions and the intent of the Zoning By-law, is considered to be appropriate for the development of the lands and represents good planning.

**Financial Impact:** No municipal expenses are anticipated to support the development.

The applicable Development Charges are expected to be approximately \$27,181 (\$41,452 [4 x 10,363 - non-apartment multiple] - \$14,271 – single detached dwelling) and will be collected as part of the Building Permit application in accordance with the Development Charges By-law.

#### Other

Should the Planning and Heritage Committee not approve the staff recommendation, the motion shall include a statement outlining how the recommendation of the Planning and Heritage Committee complies with the Provincial Policy Statement and the City of Stratford Official Plan and how public input was considered.

**Staff 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:**

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




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Prepared by: Jeff Bannon, MCIP, RPP – Planner




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Recommended by: Jeff Leunissen, MCIP, RPP – Manager of Development Services




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Rob Horne, Chief Administrative Officer



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BEING a By-law to amend Zoning By-law 201-2000 as amended, with respect to zone change Z03-19 to rezone the lands known municipally as 376 Church Street, located on the west side of Church Street between Monteith Avenue and Easson Street to allow for a Residential Third Density R3 Zone.

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**WHEREAS** authority is given to the Council of The Corporation of the City of Stratford by Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, to pass this by-law;

**AND WHEREAS** the said Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

**AND WHEREAS** the Council of The Corporation of the City of Stratford deems it in the public interest that By-law 201-2000, as amended, known as the Zoning By-law, be further amended.

**NOW THEREFORE BE IT ENACTED** by the Council of The Corporation of the City of Stratford as follows:

1. That Schedule "A", Map 4 to By-law 201-2000 as amended, is hereby amended:  
  
by changing from a Residential Second Density R2(1) Zone to a Residential Third Density R3 Zone those lands outlined in heavy solid lines and described as Residential R3 Zone on Schedule "A", attached hereto and forming part of this By-law, and more particularly described as Lot 141 Plan 41 in the City of Stratford and known municipally as 376 Church Street.
2. This By-law shall come into effect upon Final Passage and in accordance with the Planning Act.

Read a FIRST, SECOND AND THIRD TIME AND

FINALLY PASSED this the xx<sup>th</sup> day of xxxxxxxx 2019.

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Mayor – Daniel B. Mathieson

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Clerk – Joan Thomson

## Schedule "A" to By-law ???-2019

376 Church Street, west side of Church Street between Monteith Avenue and Easson Street.





## CITY OF STRATFORD PUBLIC MEETING MINUTES

A **PUBLIC MEETING** was held on Monday, March 25, 2019 at 7:24pm in the Council Chamber, City Hall, Stratford to give the public and Council an opportunity to hear all interested persons with respect to Zone Change Application Z03-19, 376 Church Street in the City of Stratford.

**COUNCIL PRESENT:** Deputy Mayor Ritsma – Chair presiding, Councillors Bonnie Henderson, Graham Bunting, Danielle Ingram, Kathy Vassilakos, Jo-Dee Burbach, Cody Sebben, Brad Beatty and Dave Gaffney.

**REGRETS:** Mayor Mathieson and Councillor Tom Clifford

**STAFF PRESENT:** Rob Horne – CAO, Mike Humble – Director of Corporate Services, Ed Dujlovic – Director of Infrastructure & Development Services, David St. Louis - Director of Community Services, Jacqueline Mockler – Director of Human Resources, Joan Thomson – City Clerk, Tatiana Dafoe – Deputy Clerk, Jeff Bannon – City Planner, Jeff Leunissen – Manager of Development Services and Nancy Bridges – Recording Secretary.

**ALSO PRESENT:** Members of the public, Media.

Deputy Mayor Ritsma called the meeting to order and stated that the purpose of the meeting is to give Council and the public an opportunity to hear all interested persons with respect to Zone Change Application Z03-19, 376 Church Street in the City of Stratford.

Deputy Mayor Ritsma explained the order of procedure for the public meeting.

### **STAFF PRESENTATION:**

The City Planner described the property at 376 Church Street and explained that the application is to change from a Second Density – R2(1) Zone to Residential Third Density – R3 Zone. The purpose of the zone change is to permit a quadruplex dwelling.

The subject lands have 20.1m of frontage on Church Street and an approximate area of 891m<sup>2</sup>. The Planner stated the surrounding land uses are: single detached dwellings and service trade.

The Official Plan designates the property as Residential Area which allows for a range of dwelling types from single detached and semi-detached to townhouses and low-rise apartment buildings. The residential third density R3 zone permits various dwellings, including quadruplex dwellings, which must have a minimum lot frontage of 18m and a minimum lot area of 550m<sup>2</sup>.

The application was circulated to various agencies and the responses included the following:

- Engineering has no objection to the zone change, but at the site plan stage new municipal services and stormwater management are required.
- CN Rail requested the developer look at building materials (ex. windows) to attempt to mitigate some noise from the railway.

The public expressed concerns with the following:

- Quadruplex
- Increased traffic and noise
- Devaluation of surrounding properties
- Size of building
- Parking, lights and snow removal
- General maintenance of property
- Privacy
- Lack of amenity space

The Planner stated that staff identified a few concerns and the developer has addressed the following:

- Two driveways have been reduced to one driveway on the right side of the property
- Staff requested garbage be kept at the rear

### **QUESTIONS FROM COUNCIL:**

Councillor Henderson inquired if the new development would be the same height as the current dwelling, the location of the driveway and if the front tree would be taken down.

The Planner stated the new building will be a two-storey building, the driveway will be on the north side of the property with two-way traffic and the intent is for the tree to remain.

Councillor Ingram stated there are other duplexes in the area but inquired if the closest quadruplex is on St. Vincent Street.

The Planner was unsure of the exact location but would include this information in a future report.

Councillor Gaffney inquired how many parking spots are required for a quadruplex.

The Planner indicated four parking spots are required for a quadruplex and that the developer has included five spots in the design.

### **APPLICANT PRESENTATION:**

Brandon Flewwelling (GSP Group), the agent on file, described the location of the proposed quadruplex and presented a photo of the planned building. The proposed design has two doors in the front for the lower units and two in the rear for the upper units and that it will

appear as a duplex from the street. The dwelling will be all brick, two storeys, with parking in the rear. The zone change is required to allow a quadruplex.

Mr. Flewwelling stated the following aspects about the property:

- 1 accessible parking spot
- Green area across back of property
- Will be a rental property
- Property will be maintained by a contracted property maintenance company
- Fence surrounding property
- Intent is to keep the tree in front of the property

In response to the concerns made by the public the agent stated there are no other special regulations required to accommodate a quadruplex on the property, parking will be hidden at the rear of the property and there will be green space at the front.

### **QUESTIONS FROM COUNCIL:**

Councillor Vassilakos inquired whether there would be any accessible units.

Mr. Flewwelling stated that accessible units could be considered for the units on the main level.

Councillor Ingram inquired if the property will be affordable rentals.

Mr. Flewwelling indicated that there are no plans to make the property official affordable housing.

### **QUESTIONS FROM THE PUBLIC:**

Carolyn Parr stated she previously expressed concerns to staff, including:

- Quadruplex does not fit into neighbourhood, as most dwellings are single detached bungalows
- Decreased privacy
- Increased traffic
- Decreased property values
- Parking at rear, including headlights and noise at all hours of the day
- Snow and garbage removal

She stated that a fence will not do enough to lessen the increased noise and lights. She indicated neighbours agree that the property needs repair and have been trying to keep the area looking good. Ms. Parr would rather see another single family home or duplex with parking at the front, instead of a quadruplex.

Dave Bick stated that a duplex would be a better option for the property. He intends to build a fence and inquired about fencing regulations.

The Planner stated that there is a 3.6m setback required on the north side because of the driveway, but that the fence could go up to the property boundary on the south side as long as there are no other sight lines requirements.

Mr. Bick also inquired about fence height regulations, distance from the building and if there are going to be balconies at the rear of the building.

The Planner stated there are no height regulations as long as the fence meets all other requirements, the fence appears to be 5-6ft in the plans and that the design can be altered during the site plan approval process. He believes the plans show patios on the ground and not balconies.

Mr. Flewwelling, the agent, emphasized that the developer understands the concerns and has tried to pick a good design for the area. Fencing and landscaping will be used to address the concern regarding headlights and lessen the impact on neighbours. Professional maintenance will help keep up the look of the property and that a duplex has not been considered as an alternative option at this time. Details such as, garbage and fencing can be discussed during the site plan approval process.

Councillor Henderson asked for clarification on whether there were balconies or patios in the rear of the property and if there were two entrances at the back.

Mr. Flewwelling clarified they are small balconies and that the entrance to the top floor units will be at the back of the building.

Deputy Mayor Ritsma adjourned the meeting at 7:54pm

**Requests to receive further information, as indicated on the form at the public meeting on March 25, 2019 were received from the following:**

Carolyn Parr

Dave Bick