



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

Date: Monday, June 10, 2019

Time: 7:30 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

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City Clerk, Ed Dujlovic - Director of Infrastructure and Development Services, 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, Mike Beitz - Corporate Communications Lead

Pages

1. Call to Order

The Chair to call the Meeting to Order.

Councillor Vassilakos provided regrets for this meeting.

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. Sub-committee Minutes 13 - 22

Sub-committee minutes are attached for background regarding the discussion held at the May 30, 2019 Sub-committee meeting.

4. Delegations

None scheduled.

5. Report of the Manager of Development Services

5.1 915, 925, 955 Ontario Street and 260 C.H. Meier Boulevard - Telecommunication Tower - Request for Letter of Concurrence from Landsquared (PLA19-024) 23 - 27

Martin Weatherall has requested to address Committee with respect to this matter.

*this item is also listed for consideration on the June 10, 2019 reconvene Council agenda.

Motion by _____

THAT Martin Weatherall be heard regarding health concerns related to the proposed telecommunications tower.

Motion by _____

Staff Recommendation: THAT Council consent to Landsquared request to issue a letter of concurrence for the proposed 40 m tall wireless telecommunication tower on the lands addressed 925 Ontario Street.

5.2 Planning Application Fees Review (PLA19-017) 28 - 41

Staff Recommendation: THAT the attached draft pre-planning application consultation by-law and proposed amendment to By-law 190-2018, Fees and Charges By-law, be received for information;

THAT staff consult with interested parties and obtain feedback on the attached draft pre-application consultation by-law and the proposed amendment to the Fees and Charges By-law;

THAT, following consultation, in accordance with the *Planning Act* and in

conformity with the Official Plan, staff submit to Council a pre-planning application consultation by-law for approval which requires applicants to consult with the City prior to submitting Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications;

THAT following consultation, in accordance with Section 69 of the *Planning Act*, staff submit to Council an amendment to Schedule "B" of By-law 190-2018, Fees and Charges By-law, to revise of fees for the processing of applications made in respect of planning matters;

AND THAT following consultation and an amendment to Schedule "B" to By-law 190-2018, Fees and Charges By-law, By-law 25-2004, a by-law to establish a tariff of fees for the processing of applications made in respect of planning matters be repealed.

Motion by _____

Sub-committee Recommendation: THAT the draft pre-planning application consultation by-law and proposed amendment to By-law 190-2018, Fees and Charges By-law presented at the May 30, 2019 Planning and Heritage Sub-committee meeting, be received for information;

THAT staff consult with interested parties and obtain feedback on the draft pre-application consultation by-law and the proposed amendment to the Fees and Charges By-law;

THAT, following consultation, in accordance with the *Planning Act* and in conformity with the Official Plan, staff submit to Council a pre-planning application consultation by-law for approval which requires applicants to consult with the City prior to submitting Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications;

THAT, following further review, staff submit to Council more detail regarding cost recovery for planning applications;

THAT following consultation, in accordance with Section 69 of the *Planning Act*, staff submit to Council an amendment to Schedule "B" of By-law 190-2018, Fees and Charges By-law, to revise fees for the processing of applications made in respect of planning matters;

AND THAT following consultation and an amendment to Schedule "B" to By-law 190-2018, Fees and Charges By-law, By-law 25-2004, a by-law to

establish a tariff of fees for the processing of applications made in respect of planning matters, be repealed.

5.3 City of Stratford Heritage Conservation District Standards Update (PLA19-018) 42 - 45

Staff Recommendation: THAT the Heritage Stratford resolution to update the Heritage Conservation District Standards be referred to the 2020 budget discussions;

And that Staff explore grant opportunities to fund, or partially fund, any update to the Heritage Conservation District Standards.

Motion by _____

Sub-committee Recommendation: THAT the Heritage Stratford resolution to update the Heritage Conservation District Standards be referred to the 2020 budget discussions;

AND THAT Staff explore grant opportunities to fund, or partially fund, any update to the Heritage Conservation District Standards.

5.4 Plan of Condominium Application 31CDM 17-001, Zone Change Application Z09-17, 355, 365 Douro Street, 267 King Street and 54 Frederick Street (PLA19-022) 46 - 77

Motion by _____

Staff Recommendation:

1. THAT the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Condominium 31CDM-17001 subject to the following conditions:

his approval applies to the draft plan submitted by 653431 Ontario Inc., prepared by MTE Ontario Land Surveyors Inc., certified by Trevor McNeil, File No. 31CDM-17001, drawing file name. vic17212d.dwg, dated December 18, 2017, as redline amended, The Plan contains 71 residential Units served by both Douro Street and an internal common element laneway located at 355 Douro Street.

This draft approval is for a Vacant Land Plan of Condominium under Part VIII of the Condominium Act, 1998.

The development is to be registered as one condominium corporation.

This approval of the draft plan applies for a period of five (5) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the

Approval Authority.

Prior to final approval, the plan is to be amended as shown in red on the draft plan and a plan is to be submitted showing the extension of the common element area below each unit and to the foundation wall to accommodate the water system 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 Approval Authority, the Manager of Development Services, City of Stratford, is to be advised in writing by the Municipal Building Official, that:

- i) site works in the common elements are substantially complete, the Owner's consulting engineer has submitted a final lot grading certificate which has been accepted by the City;
- ii) the proposed plan of condominium showing any "as constructed" buildings and structures has been submitted and accepted by the City as in compliance with all applicable zoning by-law regulations; and,
- iii) the fire route and fire route signs have been installed to the satisfaction of the City.

Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the City is to be satisfied that the development agreement (SP16-18) between the Owner and the City of Stratford has been registered against the lands to which it applies.

Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the Manager of Development Services, City of Stratford, is to be satisfied that the proposed plan of condominium showing any "as constructed" buildings and structures has been submitted and accepted by the City as in compliance with Subsection 155(1) of the Condominium Act, 1998.

The Condominium Declaration shall contain appropriate provisions setting out the responsibility for maintaining, repairing, and replacing services which serve:

- i) more than one Unit, whether or not those services are within the common elements or within a Unit;
- ii) the owner's Unit only, that are located within the owner's Unit or another Unit; and
- iii) the owner's Unit only, that are located within the common elements.

The description of the Common Elements in the Condominium Declaration shall include water lines below each unit and to the foundation wall to accommodate the water system and appurtenances, sanitary sewer lines and appurtenances and storm sewers and appurtenances to the satisfaction of the Manager of Engineering and the Manager of Environmental Services. These elements are to be operated, repaired and maintained by the Condominium Corporation.

All buildings and structures, if any, shown in the declaration and description to be included in the common elements such as pools or clubhouses shall be constructed prior to final approval.

Prior to final approval, the Owner's professional engineer shall provide certification to the Approval Authority that all buildings, structures, facilities and services (including landscaping and grading) shown in the declaration and description to be included in the common elements have been completed, installed and provided in accordance with the requirements of the Condominium Act, 1998.

Should all facilities and services (including landscaping and grading) not be installed and provided prior to final approval, the Owner's engineer shall have his professional engineer provide a written, detailed estimate of 100% of the cost to install and provide the facilities and services shown in the declaration and description to be included in the common elements, to the City's satisfaction, and provide security in the accepted amount plus 25% for administration and contingencies in a form acceptable to the City Treasurer. Should security already being held by the City under the authority of Section 41 of the Planning Act be partially or fully sufficient in form and amount to meet this requirement, the Condominium security requirement may be reduced or waived by the City. The City will not hold security for amenities such as pools, tennis courts, or clubhouses.

Should security be provided, the Owner shall enter into a condominium agreement with the City to be registered on title prior to final approval.

Prior to final approval, provision is made for an easement or other legal means to ensure the Condominium Corporation has access to maintain the perimeter fencing.

Prior to final approval for the registration of any condominium corporation within this development, 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 to the satisfaction of the Manager of Development Services.

The Condominium Declaration shall contain appropriate provisions

requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 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 Approval Authority, the Manager of Development Services, City of Stratford, 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.

1. 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.
2. The Condominium Declaration shall contain a provision that outlines that telecommunications, mail delivery equipment, water lines and appurtenances, hydro, perimeter fencing, 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 or the Units and common elements and are to be operated, repaired, and maintained by the Condominium Corporation to the satisfaction of the Manager of Development Services.
3. The Condominium Declaration shall contain a warning clause to be registered on title of each Unit within 300 metres of the railway right-of-way, warning prospective purchasers of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints for claims arising from the use of its facilities and/or operations.
4. The digital copy of the plans provided are required containing the plan of condominium in Auto CAD native format (.dwg), stored as a single file, with all of the classes of features (eg. building footprint, Unit boundaries, interior roadways, access to public street, retaining walls, noise attenuation walls, fences, etc.) separated into different layers. For further information, please contact City of Stratford Infrastructure and Development Services Department.

5. 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 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 City of Stratford, such submission will be returned to the Owner without detailed review by the City.

Notes:

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.

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.

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

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

1. That Zoning By-law 201-2000 be amended to change the zoning for the lands described as Lots 511 to 514, 521 to 524, 603 to 611, part of John Street (closed) and Part Lots 510, 525, 526, 612, and 619 to 621, Plan 47 and known municipally as 355, 365 Douro St, 267 King St. and 54 Frederick St., from a compound General Industrial / Future Residential I2-1/FR Zone and a General Industrial I2 Zone to a Residential Fourth Density Special Provision R4(2)-21 Zone, a Residential Fourth Density Special Provision R4(2)-22 Zone, a Residential Fourth Density Special Provision R4(2)-23 Zone, Residential Fourth Density Special Provision R4(2)-24 Zone and a Residential Second Density R2(2) Zone.

2. That A) and B) above are recommended 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 residential zoning that is appropriate for the uses of the lands.

1. That Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act.

6. Report of the Chief Building Official

6.1 Demolition Control By-Law (PLA19-023)

78 - 84

Motion by _____

Staff Recommendation: THAT Council receive the Demolition Control By-law report for information;

THAT Public Notification be given of Council's intent to consider passing a Demolition Control By-law;

AND THAT following the Public Notification, staff report back to Council

with comments received through the consultation process.

7. Report of the Stratford Town and Gown Committee

7.1 Request to Add Stratford Chefs School as Voting Member (PLA19-019) 85 - 86

Staff Recommendation: THAT the recommendation from the Stratford Town & Gown Advisory Committee to add an administrative representative from the Stratford Chefs School as a voting member, be approved.

Motion by _____

Sub-committee Recommendation: THAT the recommendation from the Stratford Town & Gown Advisory Committee to add an administrative representative from the Stratford Chefs School as a voting member, be approved.

8. Report of the Heritage Stratford Committee

8.1 Update By-law to Increase the number of Heritage Stratford members on the Heritage Review Committee (PLA19-020) 87 - 91

Staff Recommendation: THAT By-law 133-2004 as amended, be further amended to increase the composition of the Heritage Review Committee to five (5) members of Heritage Stratford, from the current three (3) members;

AND THAT quorum for reviews by the Heritage Review Committee would be a minimum of three (3) members.

Motion by _____

Sub-committee Recommendation: THAT By-law 133-2004 as amended, be further amended to increase the composition of the Heritage Permit Review Committee to five (5) members of Heritage Stratford, from the current three (3) members;

AND THAT quorum for reviews by the Heritage Permit Review Committee would be a minimum of three (3) members.

9. For the Information of Committee

9.1 Tree Cutting By-law on Private Property (PLA19-021) 92 - 97

Staff Recommendation: THAT Sub-committee receive this report on the Tree Cutting By-law on Private Property for information.

Sub-committee Decision: THAT Sub-committee receive this report on the Tree Cutting By-law on Private Property for information;

AND THAT staff bring a further report to Sub-committee with information on the St. Thomas Tree By-law for discussion.

The minutes for this item are included with the May 30, 2019 Planning and Heritage Sub-committee.

9.2 Project Update

98 - 99

Sub-committee Discussion: The Manager of Development Services provided updates on ongoing projects as follows:

Public meetings are scheduled on June 10 for zone change applications for 379 Romeo Street North and 265 St. David Street/122 Birmingham Street.

Minor variance, zone change application and site plan application numbers were reviewed, noting that site plan applications are down.

A decision on OPA 21 was received and an appeal was received with respect to Consent Application B07-17 for 265 St. David, although no hearing has been scheduled to date.

Building permit applications, particularly for singles, will be down for the first part of the year due to availability of lots. Completion of the Quinlan forcemain and pumping station is anticipated in September.

The Comprehensive Zoning by-law public meeting has been scheduled and staff are preparing hard copies of the draft by-law for Council. The meeting is scheduled for June 19.

Discussion took place regarding possible building permit locations that may come forward later in the year

9.3 Streetlights on Bradshaw Drive

A Sub-committee member advised that they received a call from a resident advising that there are no streetlights on one end of Bradshaw Drive.

The Manager confirmed that most of the street is unassumed by the City and it is an obligation of the subdivision agreement to install streetlights.

In response to a question from the Chair as to whether there are timing restrictions in the agreement stating that streetlights be installed before occupancy permits are issued, the Manager was not aware of any timing deadlines.

The Manager advised that he would send an e-mail to Sub-committee with more information.

10. Advisory Committee/Outside Board Minutes

100 - 118

The following Advisory Committee/Outside Board minutes are provided for the information of Committee:

Heritage Stratford Committee minutes of January 8, March 12 and April 9, 2019

11. Adjournment

Meeting Start Time:

Meeting End Time:

Motion by _____

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



The Corporation of the City of Stratford Planning and Heritage Sub-committee MINUTES

Date: May 30, 2019
 Time: 4:30 P.M.
 Location: Council Chamber, City Hall

Sub-committee Present: Councillor Ingram - Chair Presiding, Councillor Ritsma - Vice Chair, Councillor Vassilakos

Regrets: Councillor Bunting, Councillor Clifford

Staff Present: Jeff Leunissen - Manager of Development Services, Jodi Akins - Council Clerk Secretary, Quin Malott - Manager of Parks, Forestry and Cemetery

1. Call to Order

The Chair called the meeting to Order.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No disclosures of pecuniary interest were made at the May 30, 2019 Sub-committee meeting.

3. Delegations

None scheduled.

4. Report of the Manager of Parks, Forestry and Cemetery

4.1 Tree Cutting By-law on Private Property (PLA19-021)

Staff Recommendation: THAT Sub-committee receive this report on the Tree Cutting By-law on Private Property for information.

Sub-committee Discussion: The Manager of Parks, Forestry and Cemetery provided some background on this item, noting that the Tree By-law was amended in 2015 to add that if a planning application is in process, that no trees be removed until final approval of the application is given. There is a grey zone wherein someone could remove trees and then begin the planning process; however, staff do not see it as a big problem.

Staff reviewed by-laws of neighbouring municipalities in 2019. Some are very strict, such as London and Toronto. Stratford is of comparable size to St. Thomas and their by-law requires an application to remove trees on private property.

If Council wishes to proceed with amending the Tree By-law, staff requested direction on what the objective is, why, how detailed and how strict the by-law should be.

The Manager of Development Services stated that there should be a goal in mind such as retaining canopy cover or maintaining neighbourhoods. This will indicate whether the by-law needs a major rewrite. The Manager of Parks, Forestry and Cemetery expressed concerns with resources for enforcement.

It was suggested by a Sub-committee member that protection of tree canopy and climate change mitigation should be priority and that St. Thomas should be contacted to see if their by-law is working. It was also noted that the program should be cost neutral. The Manager of Parks, Forestry and Cemetery stated that he has spoken with their staff and has their by-law.

In response to a question regarding payment in lieu of replacement of trees, the Manager replied that the funds would go into the general tree fund, which manages and replaces trees in the parks system.

Motion by Councillor Ritsma

Sub-committee Decision: THAT Sub-committee receive this report on the Tree Cutting By-law on Private Property for information;

AND THAT staff bring a further report to Sub-committee with information on the St. Thomas Tree By-law for discussion.

Carried

5. Report of the Manager of Development Services

5.1 Planning Application Fees Review (PLA19-017)

Staff Recommendation: THAT the attached draft pre-planning application consultation by-law and proposed amendment to By-law 190-2018, Fees and Charges By-law, be received for information;

THAT staff consult with interested parties and obtain feedback on the attached draft pre-application consultation by-law and the proposed amendment to the Fees and Charges By-law;

THAT, following consultation, in accordance with the *Planning Act* and in conformity with the Official Plan, staff submit to Council a pre-planning application consultation by-law for approval which requires applicants to consult with the City prior to submitting Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications;

THAT following consultation, in accordance with Section 69 of the *Planning Act*, staff submit to Council an amendment to Schedule "B" of By-law 190-2018, Fees and Charges By-law, to revise of fees for the processing of applications made in respect of planning matters;

AND THAT following consultation and an amendment to Schedule "B" to By-law 190-2018, Fees and Charges By-law, By-law 25-2004, a by-law to

establish a tariff of fees for the processing of applications made in respect of planning matters be repealed.

Sub-committee Discussion: The Manager of Development Services advised that municipalities can pass by-laws to collect fees for planning applications. The last time this by-law was reviewed was in 2004.

The by-law allows for consumer price index increases, however, staff are doing a lot more work due to Planning Act changes. Staff have reviewed fees and referred to a review Kingston recently undertook which involved calculations based on "activity-based costing"

Staff looked at all planning applications the City has and there are some opportunities to compound them. In addition to current categories, new ones such as "recirculation" were added.

Staff have instituted a new process called pre-application consultation, which is provided for in the Planning Act and the City's Official Plan. As it is not currently mandatory, the City cannot charge a fee. The development community is in favour of preconsultation but with no fee attached to encourage early communication with staff.

Staff also looked at fees for subdivisions. Staff are proposing an alternative of one fee to get the plan of subdivision to draft approval and another at the time of subdivision agreement which would cover review of all drawings. This process would encourage fewer submissions of drawings. Staff are finding that as there is currently no penalty, drawing submissions can be poor, resulting in staff review of 4-5 sets of drawings.

Costs are not currently being recovered to review reports and drawings.

Staff are proposing that prior to enacting a by-law, the development community is consulted.

Discussion took place regarding fees for review of planning and engineering drawings as part of draft approval of subdivision plans. A suggestion was made that the fees should be separate. The Manager of Development Services stated that engineering drawings are not received until after draft approval is received.

In response to questions regarding cost recovery, the Manager of Development Services stated that cost savings are a benefit with pre-application consultation as applicants are more prepared when applications are submitted. The current gap in costs is being absorbed by the City and was partially subsidized with site plan fees last year.

In response to how close the City is to full cost recovery, it varies by year. Revenue projections were exceeded last year but they are not at full cost recovery. The Chair requested to see what a full cost recovery model looks like. The Manager stated that he estimates this change would add an additional \$20K per year in a typical year, which would cover the costs of an average application. He is unable to project subdivision fees.

In response to whether there has been any dialogue with stakeholders, the Manager advised that he has reached out to SABA but had not met with them prior to the meeting.

It was requested that more detail be provided on proposed fees, existing fees and average costs to see if they are getting close to cost recovery.

Motion by Councillor Vassilakos

Sub-committee Recommendation: THAT the draft pre-planning application consultation by-law and proposed amendment to By-law 190-2018, Fees and Charges By-law presented at the May 30, 2019 Planning and Heritage Sub-committee meeting, be received for information;

THAT staff consult with interested parties and obtain feedback on the draft pre-application consultation by-law and the proposed amendment to the Fees and Charges By-law;

THAT, following consultation, in accordance with the *Planning Act* and in conformity with the Official Plan, staff submit to Council a pre-planning application consultation by-law for approval which requires applicants to consult with the City prior to submitting Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications;

THAT, following further review, staff submit to Council more detail regarding cost recovery for planning applications;

THAT following consultation, in accordance with Section 69 of the *Planning Act*, staff submit to Council an amendment to Schedule "B" of By-law 190-2018, Fees and Charges By-law, to revise fees for the processing of applications made in respect of planning matters;

AND THAT following consultation and an amendment to Schedule "B" to By-law 190-2018, Fees and Charges By-law, By-law 25-2004, a by-law to establish a tariff of fees for the processing of applications made in respect of planning matters, be repealed.

Carried

5.2 City of Stratford Heritage Conservation District Standards Update (PLA19-018)

Staff Recommendation: THAT the Heritage Stratford resolution to update the Heritage Conservation District Standards be referred to the 2020 budget discussions;

And that Staff explore grant opportunities to fund, or partially fund, any update to the Heritage Conservation District Standards.

Sub-committee Discussion: The Manager of Development Services advised that there have been a number of changes to the Heritage Act since 2003 and it is recognized by members of Heritage Stratford and the City's Official Plan that the Heritage Conservation District Standards need to be updated.

Staff consulted other municipalities who have gone through this process and the cost varied greatly, depending on how much information they have to begin with and how much public consultation takes place. Costs ranged from \$30K to \$200K.

Staff are recommending referral of this review to the 2020 budget and will look for available grant opportunities.

It was noted that the current standards were done by a Committee of Council, not a consultant and are out of sync with the Heritage Act. It was suggested that the majority of Council does not have the expertise and if they are going to do it, they should do it right.

Motion by Councillor Vassilakos

Sub-committee Recommendation: THAT the Heritage Stratford resolution to update the Heritage Conservation District Standards be referred to the 2020 budget discussions;

AND THAT Staff explore grant opportunities to fund, or partially fund, any update to the Heritage Conservation District Standards.

Carried

6. Report of the Town and Gown Advisory Committee

6.1 Request to Add Stratford Chefs School as Voting Member (PLA19-019)

Staff Recommendation: THAT the recommendation from the Stratford Town & Gown Advisory Committee to add an administrative representative from the Stratford Chefs School as a voting member, be approved.

Sub-committee Discussion: It was stated by a Sub-committee member that it was recognized by the Committee that there are additional post-secondary opportunities other than the University in the City. The Chef School and Conestoga College have attended several meetings and the Chef School has shown interest in being more involved with the Committee.

Motion by Councillor Ritsma

Sub-committee Recommendation: THAT the recommendation from the Stratford Town & Gown Advisory Committee to add an administrative representative from the Stratford Chefs School as a voting member, be approved.

Carried

7. Report of the Heritage Stratford Committee

7.1 Update By-law to Increase the number of Heritage Stratford members on the Heritage Review Committee (PLA19-020)

Staff Recommendation: THAT By-law 133-2004 as amended, be further amended to increase the composition of the Heritage Review Committee to five (5) members of Heritage Stratford, from the current three (3) members;

AND THAT quorum for reviews by the Heritage Review Committee would be a minimum of three (3) members.

Sub-committee Discussion: The Chair stated that staff have requested to amend the motion to read "Heritage Permit Review Committee".

The Manager of Development Services advised that the Heritage Review Committee receives a number of applications and it is a great demand on only three members to review them. They are requesting additional members to lighten the load.

In response to whether the members receive training to ensure consistency over time, Patrick O'Rourke, a member of the Heritage Review Committee, advised that there is no formal training, however, there is a standard evaluation form they use. He noted that the Committee members are volunteers with other responsibilities and the number and complexity of the applications has increased.

It was suggested by a Sub-committee member that if Council is going to hire someone in the future to update the Heritage Conservation District Standards, they could look at training for the Heritage Review Committee as well.

Motion by Councillor Vassilakos

Sub-committee Recommendation: THAT By-law 133-2004 as amended, be further amended to increase the composition of the Heritage Permit Review Committee to five (5) members of Heritage Stratford, from the current three (3) members;

AND THAT quorum for reviews by the Heritage Permit Review Committee would be a minimum of three (3) members.

Carried

8. Project Update

Sub-committee Discussion: The Manager of Development Services provided updates on ongoing projects as follows:

Public meetings are scheduled on June 10 for zone change applications for 379 Romeo Street North and 265 St. David Street/122 Birmingham Street.

Minor variance, zone change application and site plan application numbers were reviewed, noting that site plan applications are down.

A decision on OPA 21 was received and an appeal was received with respect to Consent Application B07-17 for 265 St. David, although no hearing has been scheduled to date.

Building permit applications, particularly for singles, will be down for the first part of the year due to availability of lots. Completion of the Quinlan forcemain and pumping station is anticipated in September.

The Comprehensive Zoning by-law public meeting has been scheduled and staff are preparing hard copies of the draft by-law for Council. The meeting is scheduled for June 19.

Discussion took place regarding possible building permit locations that may come forward later in the year.

9. New Business

9.1. Streetlights on Bradshaw Drive

A Sub-committee member advised that they received a call from a resident advising that there are no streetlights on one end of Bradshaw Drive.

The Manager confirmed that most of the street is unassumed by the City and it is an obligation of the subdivision agreement to install streetlights. In response to a question from the Chair as to whether there are timing

restrictions in the agreement stating that streetlights be installed before occupancy permits are issued, the Manager was not aware of any timing deadlines.

The Manager advised that he would send an e-mail to Sub-committee with more information.

10. Advisory Committee/Outside Board Minutes

The following Advisory Committee/Outside Board minutes are provided for the information of Sub-committee:

Heritage Stratford Committee minutes of January 8, March 12 and April 9, 2019

11. Next Sub-committee Meeting

The next Planning and Heritage Sub-committee meeting is June 27, 2019 at 4:30 p.m. in the Council Chamber, City Hall.

Councillor Vassilakos has provided regrets for this meeting.

12. Adjournment

Motion by Councillor Vassilakos

Sub-committee Decision: THAT the Planning and Heritage Sub-committee meeting adjourn.

Carried

Meeting Start Time: 4:31 pm

Meeting End Time: 5:28 pm



MANAGEMENT REPORT

Date: June 10, 2019
To: Planning and Heritage Committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA19-024
Attachments: None

Title: 915, 925, 955 Ontario Street and 260 C.H. Meier Boulevard - Telecommunication Tower - Request for Letter of Concurrence from Landsquared

Objective: To provide the City Council with background on the request received from Landsquared for a letter of concurrence to allow a telecommunication tower at 915, 925, 955 Ontario Street and 260 C.H. Meier Boulevard.

Background: The subject lands, municipally addressed as 915, 925, 955 Ontario Street and 260 C.H. Meier Boulevard are located at the southwest corner of C.H. Meier Boulevard and Ontario Street and currently contains a range of commercial uses and is an area of approximately 12.66 acres.

On March 26, 2019 Landsquared notified the City of their intent to build a 40m tall new wireless telecommunications facility on the portion of the subject lands addressed as 955 Ontario Street as shown on the plan on page 2. According to Landsquared, this location was chosen based on the current network improvement needs of wireless telecommunication companies. The tower is proposed to be designed to minimize the visual impact on the surrounding area and to accommodate multiple antenna equipment from Rogers, Bell, Telus and Freedom Mobile.

Communication towers are regulated by the federal government. Municipal zoning by-laws do not apply. Landsquared is required by the federal government to consult with the City when proposing a new tower.

Location Map



Process

The City of Stratford does not have its own telecommunications protocol. Landsquared has followed the Industry Canada Protocol for the installation of the proposed tower which includes the following:

- Municipal Circulation: Landsquared has advised that all required commenting agencies and departments were circulated and no concerns were received.
- Public Consultation Process: this included posting a notice in the Beacon Herald Newspaper on March 27, 2019 and sending a public information package by mail to all property owners within a radius of three times the tower height in this case the tower is proposed to be 40m in height resulting in a 120m circulation distance. The public notice included a 30 day commenting period.

One individual from the public responded after the commenting deadline. Below are the comments received:

- I object to the proposed siting of this telecommunications monopole at 955 Ontario St, Stratford, Ontario, for the following reasons:
 1. The telecommunications tower will emit very strong microwave radiation that is likely to cause long term health risks to many persons living nearby in the area of Atwood Dr, Devon St, Willow St, Babb Cres and to a lesser extent, to residents living even further away.
 2. There are many businesses located close to this location with hundreds of workers. They are likely to be exposed to powerful and dangerous microwave radiation for several hours each day. Their health will be at risk from this exposure.
 3. There are thousands of shoppers who attend at the businesses in this area and exposure to strong microwave radiation will put them all at risk.

The health dangers from exposure to microwave radiation have been studied for over sixty years. Many different cancers have been linked to microwave radiation, also DNA damage, damage to fertility, increase depression and suicide risk and many adverse biological effects. Many of these and other health effects have been clearly documented by scientists and medical specialists in the Bio Initiative Report, which can be accessed at [Bioinitiative 2012](http://www.bioinitiative.org).¹

247 scientists from 42 nations have signed an appeal to the United Nations about the need to protect people from electromagnetic fields and implement better safety standards [International EMF Scientist Appeal](https://www.emfscientist.org/index.php/emf-scientist-appeal) ².

¹ <http://www.bioinitiative.org>.

² <https://www.emfscientist.org/index.php/emf-scientist-appeal>

Here is a compilation of studies about cell phone tower radiation [Environmental Health Trust- Compilation of Research Studies on Cell Tower Radiation and Health](https://ehtrust.org/science/cell-towers-and-cell-antennae/compilation-of-research-studies-on-cell-tower-radiation-and-health/).³

The City of Stratford has a duty to protect its citizens from danger. A massive amount of scientific studies indicate that microwave radiation, as used by communications systems, is harmful to people, animals, birds and insects. Do not allow our citizens to be further endangered by this telecommunications tower.

Landsquared, as required by Industry Canada Standards, provided the following response to the public comments:

- In the conclusion of the article from Bio-Initiative, it pronounces that levels for RF related to new wireless technologies must be defined to be acceptable. They have provided a link (below) from Industry Canada that explains what radiofrequency energy is and how the Government of Canada is committed to protecting the health and safety of Canadians by exposure to RF energy.
- All the telecommunication towers proposed by Landsquared, on behalf of Rogers Communications, has adopted Health Canada's Safety Code 6, which is regulated by Innovation, Science and Economic Development. It determines that all installations must meet with the RF requirements. Innovation, Science and Economic Development also make routine audits to evaluate the current devices to ensure that RF exposure requirements are being met.

[Government of Canada Radiofrequency Energy and Safety](http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html)⁴

- Conclusion of public consultation: After consulting with the public, Landsquared has advised that they feel as though the proposed site is well located to provide improved wireless voice and data services in the targeted area and that the proposed site is situated and designed to have minimal impact on surrounding land uses.
- Request for concurrence: To conclude the municipal process, Landsquared is requesting the City of Stratford to issue a letter of concurrence.

Analysis:

Official Plan

The lands are designated 'Commercial Area- Special Policy Area 3' in the Official Plan. The special policy relating to the lands outlines that the lands are to be developed for the purposes of large integrated shopping complexes with large on-site parking areas with higher order landscaping. Public utilities are permitted within any land use designation as outlined in table 1. The utilities policies within section 7.6 of the Official Plan outlines that prior to approval of development all interested telecommunication providers and required

³ <https://ehtrust.org/science/cell-towers-and-cell-antennae/compilation-of-research-studies-on-cell-tower-radiation-and-health/>

⁴ <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

utilities shall be consulted with respect to their plan for service to support the proposed development. The City shall work with providers to determine appropriate locations for large equipment or cluster sites. Consideration shall be given to telecommunication facilities on private property. Utilities and telecommunication facilities shall be grouped, clustered or combined where possible to maximize the use of land and minimize the visual impact and shall be placed in a manner that does not visually detract from the streetscape.

The proposal is on private land and will not impact the municipal right of way. The tower is proposed to be designed to minimize the visual impact on the surrounding area and will be screened from the public realm by the existing building. The proposed tower will accommodate multiple antenna equipment from Rogers, Bell, Telus and Freedom Mobile rather than constructing a single carrier installation. The proposal is consistent with the Official Plan.

Zoning By-law

Telecommunication towers are not regulated by municipal zoning by-law.

The property is subject to an approved site plan (City File #SP274/ 274A). The telecommunications tower will result in the removal of one parking space. The site will meet the minimum parking requirements after the telecommunication tower is installed.

Financial Impact: None at this time.

Staff Recommendation: THAT Council consent to Landsquared request to issue a letter of concurrence for the proposed 40 m tall wireless telecommunication tower on the lands addressed 925 Ontario Street.



Rachel Tucker, Planner



Jeff Leunissen, Manager of Development Services



Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: May 30, 2019
To: Planning and Heritage Sub-Committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA19-017
Attachments: Draft By-laws

Title: Planning Application Fees Review

Objective: To update Planning Act Application fees

Background: Section 69(1) of the *Planning Act* allows municipalities to establish a tariff of fees for the processing of applications made in respect to planning matters. The fees shall be designed to meet only the anticipated costs of processing each type of application. Cross-subsidization of fees is not permitted. For example, fees collected from minor variance applications cannot subsidize costs incurred in the processing of site plan applications.

The last major review of *Planning Act* fees was conducted in the 2004 and resulted in By-law 25-2004. The By-law does allow for an annual increase by the percentage increase in the Consumer Price Index.

Since that time Council has reviewed fees on an as needed basis, primarily when it was determined the costs of processing a particular type of application was out of sync with the application fee. These reviews included 2007, 2009, and the most recently, 2012 when a fee was instituted for review and approval of a minor amendment to an approved site plan (Section 8.3.3. approval).

There have been considerable changes to the planning regime in Ontario since the mid 2000's and more are proposed. Pre-application consultation, complete applications, replacement of the OMB with the LPAT, shorter processing times, secondary suites, inclusionary zoning, mandatory dispute resolution, and consideration of a Council decision by the adjudicating body have all come into being since the 2004 fees review and further changes are expected.

Many of these changes to the planning regime have resulted in increased responsibilities for municipal Councils and staff. With increased responsibilities, comes increased time and expertise being placed on municipalities to review and reach a decision on planning applications. A greater emphasis is now placed on a municipal Council's decision and on public input. More information is being submitted with applications and municipal Councils are required to consider this information when making a decision. This translates in more in depth reports to municipal Councils and more staff time to synthesize information and include such information in reports.

While the existing Fees By-law does contain a provision to adjust the fees as per the Consumer Price Index, this has not accounted for the increased costs borne by the City. The costs for processing Planning Act applications should be borne by applicants and the existing fees are not covering municipal costs.

The review of *Planning Act* applications is an interdisciplinary task involving City of Stratford staff, (Development Services, Engineering Services, Clerks, Fire Prevention and Community Services), Festival Hydro, InvestStratford and the Upper Thames River Conservation Authority. Accordingly, costs incurred by these other departments and affiliated agencies are included in the cost calculations.

While an applicant may have to pay a fee to the Upper Thames River Conservation Authority to review an application or report, the City pays an annual fee to the UTRCA to provide floodplain and natural heritage management services. These UTRCA costs are indirect costs.

Analysis: Methodology

The City of Kingston recently went through a planning application fees review and they engaged Watson and Associates Economists Ltd. to undertake this review. While the actual costs to process applications will differ between Stratford and Kingston, the methodology used by Watson and Associates for determining cost was "activity-based costing" and this approach is considered appropriate for Stratford's fee's review. Activity-based costing uses processing efforts and associated costs from all municipal departments in service categories to determine costs. Since Planning is an interdisciplinary function which involves staff from a number of departments and divisions, costs from Development Services, Engineering Services, Clerks, Community Services, Festival Hydro and InvestStratford are included in the calculations. Activity-based costing includes direct and indirect costs. An example of an indirect cost would be IT support or rent for building space.

Direct costs for processing applications include the following:

- Wages and benefits of all City staff involved in an application (Development Services, Engineering Services, Clerks, etc.)
- Employee costs – conferences, mileage and education
- Administrative costs – photocopying, postage, newspaper advertising, office supplies
- Consultation with the City's solicitor

Cost for the decision maker (per diem for Committee of Adjustment)
 Membership Registration costs
 Other miscellaneous costs

Indirect costs for processing applications include the following:

Heat
 Hydro
 IT support
 Rent
 Maintenance and custodial costs
 Upper Thames River Conservation Authority annual fees

The Watson and Associates Report¹ indicates that indirect costs generally witnessed in Ontario range between 20-25%. Instead of spending considerable staff resources to investigate the portion of heating, hydro costs allocated to Development Services, costs for IT support, and the portion of maintenance and custodial costs applicable to Development Services staff, this review assumes indirect costs to be 23% of direct costs. When undertaking their review of planning fees in Kingston, Watsons and Associates took a similar approach.

Types of Applications

Below is a list of Planning Act applications:

- Official Plan Amendment
- Zoning By-law Amendment
- Plan of Subdivision
- Plan of Condominium
- Part Lot Control
- Extension of a Temporary Use
- Removal of a Holding Provision
- Site Plan Applications (new, amendments, minor amendments)
- Pre-consultation
- Minor Variance
- Consent
- Municipal Numbering
- Miscellaneous Reports

In addition to the types of applications listed above, it is common that applications are modified or revised in process, prior to a decision. These revisions may require recirculation of the application. The existing fee schedule does include a fee for recirculation of a minor variance or consent, but not an Official Plan Amendment, Zoning By-law Amendment or Plan of Subdivision. It is common for an Official Plan Amendment Application, Zone Change

¹ Planning Application Fees Review - City of Kingston, Watson & Associates Economists Ltd. October 11, 2018, page 9.

Application or Plan of Subdivision Application to be revised through the process to the point that a new circulation is required. This additional circulation does have a cost which should be reflected in the fee schedule.

- Recirculation of Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision
- Recirculation of a Minor Variance or a Consent
- Change of a Condition to a Minor Variance or Consent

Some applications are commonly processed concurrently, while others involve multiple applications on the same property. Examples of concurrent and multiple applications on the same property include the following:

- Minor variance/consent applications
- Official Plan/zone change applications
- Multiple consents on the same property
- Multiple parcels created through removal of part lot control

Costs associated with concurrent and multiple applications are often less than the combined cost of both applications because there may only be one planning report, one public meeting, a combined notice in the newspaper or duplicate conditions of provisional approval. New to the fee schedule for planning applications include fees for concurrent and multiple applications.

Pre-consultation

For several years, the City has encouraged pre-planning application consultation, often referred to as pre-consultation, on Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications for no fee. Since 2016 when this program was initiated, almost 60 projects have been reviewed through this voluntarily process. Applicants voluntarily submit material for pre-consultation because they believe it is in their interests to do so. Without having to prepare detailed drawings and engineering studies, applicants are able to obtain feedback from staff on critical issues which may be associated with their proposal. It also provides staff an opportunity to provide a list of background information/studies necessary for a speedier review of their application.

The *Planning Act* allows municipalities to require pre-application consultation if such a policy exists in their Official Plan; and the City's Official Plan, as amended by Official Plan Amendment No. 21, does contain policies requiring pre-application consultation for Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivisions, Draft Plan of Condominiums and Site Plans. In accordance with the policies of the Official Plan, staff recommends pre-application consultation be mandatory for Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications and has attached a draft by-law to that effect.

It is recognized in some instances, pre-application consultation may be of limited value. The draft by-law does contain a provision which allows the pre-application consultation to be waived by City of Stratford staff. Staff foresees this provision only being used where an application would not require a planning justification, background studies or engineering drawings.

Plans of Subdivision and Condominium

After reviewing the application fees for plans of subdivision and condominium, staff believes it should be adjusted to reflect the costs at the particular stage of approval. Currently, fees for plans of subdivision and condominium are \$9,167 (\$10,999 if greater than 50 lots) and \$1,222 to prepare the agreement. These two fees combined (\$10,389 for less than 50 lots and \$12,221 for subdivisions greater than 50 lots) only cover a portion of the costs associated with these types of applications. Further it has resulted in many subdivision applications with numerous drawing submissions.

To address the issue of poor or numerous submissions of engineering drawings, staff propose to reduce the base subdivision application fee to \$4,700, as it better reflects the actual costs to draft approval, maintain a fee for more than 50 lots and blocks, and revising the preparation of an agreement fee to a variable fee. Variable based on both the number of lots/blocks and the number of submissions. The base fee to prepare an agreement would be \$4,100, plus a fee of \$50 per lot and \$100 per block per submission of engineering drawings. This approach encourages fewer drawing submissions. For example, the fee with the first submission to prepare an agreement for a ten lot single detached dwelling subdivision would be \$4,600 (\$4,100 base fee + (number of lots x \$50 fee per lot)). With each successive engineering drawing submission, the fee would be \$500.

The fee with the first set of engineering drawings for a 50 lot subdivision with 5 multi-family blocks would be \$7,100 ((\$4,100 base fee + \$1,000 fee for greater than 50 lots/blocks + (number of lots x \$50 fee per lot) + (number of blocks x \$100 fee per block)). With each successive submission, the fee would be \$3,000 (number of lots x \$50 fee per lot) + (number of blocks x \$100 fee per block)).

Below is a comparison of the total existing and proposed fees for a 50 lot and 5 block subdivision and requiring 3 submissions of engineering drawings.

Existing Fee	
Pre-application Consultation (voluntary)	\$0
Application Fee	\$10,999
Preparation of Subdivision Agreement	\$1,222
Final Approval	\$612
Total	\$12,833
Proposed Fee	
Pre-Application Consultation	\$0
Application Fee	\$4,700
Additional fee for greater than 50 lots	\$1,000
Submission of First Set of Engineering Drawings	\$7,100
Submission of First Set of Engineering Drawings	\$3,000
Submission of First Set of Engineering Drawings	\$3,000
Final Approval	\$612
Total	\$19,412

Generally, the larger the subdivision or the greater number of lots or blocks, the more complex the issues, and more time is needed to resolve issues.

The proposed fee structure recommended for subdivisions and condominiums allots the fee to the stage of approval; it encourages fewer submissions of engineering drawings, and is variable based on size and complexity of the application.

Summary

Overall, planning costs have risen since the last review and the recommended fees are shown in the attachment. (Existing fees are also shown in the table.) There will be instances where fees will decrease if multiple consents are submitted for the same property at the same time or Official Plan Amendments and Zoning By-law Amendments are processed concurrently.

Planning fees are set by by-law and the current by-law to establish fees for the processing of planning applications is By-law 25-2004. By-law 25-2004 only deals with planning fees. Should Council amend planning fees in the future, it is recommended By-law 25-2004 be repealed and the fees be incorporated into the Fees and Charges By-law – By-law 190-2018 – not 25-2004.

Financial Impact: It is difficult to predict the financial impact the revisions to planning fees will have on total fees collected. Based on an “average” year, total Planning fees collected are expected to increase by 20% or approximately \$28,000.

Staff Recommendation: THAT the attached draft pre-planning application consultation by-law and proposed amendment to By-law 190-2018, Fees and Charges By-law, be received for information;

THAT staff consult with interested parties and obtain feedback on the attached draft pre-application consultation by-law and the proposed amendment to the Fees and Charges By-law;

THAT, following consultation, in accordance with the *Planning Act* and in conformity with the Official Plan, staff submit to Council a pre-planning application consultation by-law for approval which requires applicants to consult with the City prior to submitting Official Plan Amendments, Zone Change Applications, Plan of Subdivision Applications, Plan of Condominium Applications and Site Plan Applications;

THAT following consultation, in accordance with Section 69 of the *Planning Act*, staff submit to Council an amendment to Schedule "B" of By-law 190-2018, Fees and Charges By-law, to revise of fees for the processing of applications made in respect of planning matters.

AND THAT following consultation and an amendment to Schedule "B" to By-law 190-2018, Fees and Charges By-law, By-law 25-2004, a by-law to establish a tariff of fees for the processing of applications made in respect of planning matters be repealed.



Jeff Leunissen, Manager of Development Services



Ed, Dujlovic, Director of Infrastructure and Development Services



Rob Horne, Chief Administrative Officer

BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to require applicants to consult with
the City of Stratford prior to submission of a
development application (Pre-consultation By-law).

WHEREAS sections 22(3.1), 34(10.0.1), 41(3.1) and 51(16.1) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, provides that municipalities may, by by-law, require applicants to consult with the municipality prior to the submission of development applications;

AND WHEREAS the City of Stratford Official Plan contains provisions requiring pre-application consultation for Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivisions, Draft Plan of Condominiums and Site Plans;

AND WHEREAS the Council of The Corporation of the City of Stratford deems it appropriate to require pre-application consultation with applicants submitting development applications;

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

1. Definitions:

“act” shall mean the Planning Act, as amended.

“applicant” shall mean: to:

- (a) a person or public body requesting Council to amend the Official Plan of the Corporation of the City of Stratford under section 22 of the Act;
- (b) a person or public body requesting Council to amend the Zoning By-law of the Corporation of the City of Stratford under section 34 of the Act
- (c) a person or applying for approval of plans and drawings under section 41 of the Act;
- (d) an owner of land applying for approval of a plan of subdivision under section 51 of the Act;

- (e) a person who owns the freehold or leasehold estate of the land described in the description, applying for approval of a plan of condominium applying under section 9 of Condominium Act, as amended.

"Record of Consultation" shall mean:

- (a) the date, or dates, that the Consultation Meeting or is held;
- (b) a copy of a written summary of the proposed application to amend the Official Plan Amendment, to amend the Zoning By-law, to obtain Draft Plan of Subdivisions and Condominiums approval and Site Plans Approval, as the case may be;
- (c) a copy of a written statement identifying the information and materials from Section 8.3.1 of the Official Plan that may be needed to with an application.

2. The Manager of Development Services and his or her designate(s) are authorized to:
 - (a) conduct pre-application consultations for Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivisions, Draft Plan of Condominiums and Site Plans;
 - (b) identify the information and material necessary for processing Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivisions, Draft Plan of Condominiums and Site Plans,
 - (i) prior to submission and
 - (j)
 - (k) acceptance of a development application, as items necessary for the application to be deemed complete under the *Planning Act* and City of Stratford Official Plan; and,
 - (ii) during the processing of development applications in cases where information and materials cannot reasonably be provided at the time of submission of the application.
 - (c) waive the requirement for a pre-application consultation when, in his/her opinion, it has been deemed to be unnecessary for a complete review of the application.
3. Applicants shall pre-consult with municipal staff prior to submission of an Official Plan Amendments, Zoning By-law Amendments, Draft Plan of Subdivisions, Draft Plan of Condominiums and Site Plan application in order to identify the information necessary to the processing of an application
4. The Manager of Development Services, or his or her designate shall prepare a Record of Consultation and deliver it to the applicant within thirty (30) days of the date of the last consultation meeting

5. This by-law may be referred to as the "Pre-consultation By-law".
6. This by-law shall come into force and take effect upon the final passing thereof.

Read a FIRST, SECOND AND THIRD TIME AND

FINALLY PASSED this the xxth day of xxxxxxxx 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson

PROPOSED AMENDMENT TO
SCHEDULE "B" OF FEES AND CHARGES BY-LAW
BY-LAW 190-2018

enacted this ____ day of _____, 2019.

* These rates shall come into effect on ____, 2019

* These rates shall automatically increase and be rounded to the nearest dollar on the first day of January (commencing in 2020) in each year by the percentage increase in the All Items Index of the Consumer Price Index (not seasonally adjusted) published by Statistics Canada during the 12-month period ending on October in the year immediately proceeding the rate increase date.

Service	Comments	Proposed Fee	Existing Fee
PLANNING FEES	In addition to the application fees listed below in sections A) to G), where the City requires assistance from its solicitors or other technical or professional consultants in the processing of any of the types of applications listed below, the applicant shall be responsible for reimbursing all legal and consulting fees incurred by the City, at the City's actual cost. Depending on the amount of such fees which the City expects to incur on any given application, the City may also require the applicant to enter into an agreement with respect to the payment of such fees and may, where appropriate, require security to be posted.		
A) Application Fees	i) Applications for an Amendment to the Zoning By-law	\$4,350	\$2,689
	ii) Applications for an Amendment to the Official Plan	\$5,300	\$4,890
	iii) Concurrent Applications for an Amendment to the Official Plan and Zoning By-law	\$5,850	\$7,579
	iv) Applications for an Amendment to the Official Plan and/or Zoning By-law requiring recirculation	\$1,100	currently no fee

Service	Comments	Proposed Fee	Existing Fee
	v) Applications to the Committee of Adjustment for minor variance from By-laws passed pursuant to the <i>Planning Act</i> : a) If an application requires a recirculation	\$1,200 \$675	\$918 \$582
	vi) Applications to the Committee of Adjustment for consent for one lot/easement (severance): a) Each additional lot/easement (severance) b) If an application requires a recirculation	\$1,350 \$200 \$700	\$977 \$977 \$582
	vii) Applications to the Committee of Adjustment for a change to conditions of approval	\$500	\$366
	viii) Concurrent Applications to the Committee of Adjustment for consent and minor variance	\$1,600	\$1,895
	viii) Applications for the passing of a Part-Lot Control exemption by-law: a) For each additional new part created:	\$1,400 \$100	\$244 \$123
	ix) Applications for the removal of a Holding provision	\$1,850	\$700
	x) Applications to extend a Temporary Use	\$1,350	currently no fee
	xi) Application for Pre-Application Consultation	\$0	currently no fee
B) Site Plan Application	i) Applications for site plan approval: a) An additional fee will be added if building or addition is equal to or greater than 3,716 m ² or 40,000 sq.ft. or greater than 50 units	\$3,200 \$1,000	\$3,145 \$1,165

Service	Comments	Proposed Fee	Existing Fee
	ii) Applications for an amendment to a site plan agreement	\$2,150	\$1,222 or \$918
	iii) Applications for a minor amendment to a site plan agreement (Section 8.3.3.)	\$400	\$134
	iv) Applications for site plan approval for infill developments	\$1,700	\$3,145
	v) Letter of conformity relating to site plan agreement compliance	\$89	\$89
C) General	i) Letters of conformity (other than By-law 92-75) – with survey	\$89	\$89
	ii) Letters of conformity – without survey	\$74	\$74
	iii) Letters of conformity without survey – 2 business day response time	\$135	\$135
	iv) Letters of conformity with survey – 2 business day response time	\$152	\$152
	v) Full size registered plans, plans of condominium, city street maps	\$20	currently no fee
	vi) Custom Plots	\$40	currently no fee
	iv) Change of Municipal address	\$140	\$123
D) Development, Subdivision and Condominium Servicing Agreements:	i) Administrative fees for preparation and registration of an agreement (applicable with the first submission only): a) variable fee per single detached dwelling lot per submission b) variable fee per block per submission (excluding road widening and reserve blocks)	\$4,100 plus variable fee \$50 \$100	\$1,222
	ii) Lot releases: a) for the first lot: b) for each additional lot in the same application:	\$123 \$11	\$123 \$11

Service	Comments	Proposed Fee	Existing Fee
E) Plan of Subdivision, Vacant Land Condominium & Common Element Plans of Condominium	i) Up to 50 development lots/blocks/units:	\$4,700	\$9167
	a) An additional fee will be added if greater than 50 units is proposed	\$1,000	
	ii) More than 50 development lots/blocks/units		\$10,999
	ii) Revisions to draft conditions of approval (recirculation required)	\$1,100	\$1,222
	iii) Revisions to draft conditions of approval (no recirculation required)	\$400	\$1,222
	iv) Registration of final plan	\$612	\$612
	v) Extension of Draft Approval:		
	a) Recirculation required	\$1,100	currently no fee
	b) No recirculation required	\$400	
F) Standard, Amalgamated, Phased and Leasehold Condominium	i) Up to 50 units	\$4,100	\$5,043
	c) An additional fee will be added if greater than 50 units is proposed	\$1,000	
	ii) More than 50 units		\$7,486
	ii) Revisions to draft conditions of approval (recirculation required):	\$1,100	\$1,222
	iii) Revisions to draft conditions of approval (no recirculation required)	\$400	\$1,222
	iv) Registration of final plan	\$612	\$612
	v) Condominium Exemption	\$1,218	\$1,218
G) Miscellaneous Reports	i) Deeming Application	\$1,000	\$2,55



MANAGEMENT REPORT

Date: April 25, 2019
To: Planning and Heritage Sub-Committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA19-018
Attachments: None

Title: City of Stratford Heritage Conservation District Standards Update

Objective: To provide background information to the Planning and Heritage Sub-Committee in order to consider the Heritage Stratford resolution of September 11, 2018 to review and update the City of Stratford Heritage Conservation District (HCD) Standards.

Background:

On September 11, 2018, Heritage Stratford resolved the following:

That the City reviews and updates the Heritage Conservation District Standards.

At the February 25, 2019 Regular Council meeting, City Council adopted the following recommendation of the Planning and Heritage Committee:

THAT the Heritage Stratford resolution to update the Heritage Conservation District Standards be referred to staff for a report.

History

On October 27, 1997, Council passed By-law No. 173-97 which established the downtown core as a Heritage Conservation District under Section 41 of the Ontario Heritage Act. Also on October 27, 1997, Council passed By-law No. 174-97, a By-law to establish certain guidelines for the implementation of the Heritage Conservation District. This By-law established the process for which alterations and demolitions in the Heritage Conservation District would be considered; it does not contain recommendations on how to maintain the character of buildings in the downtown core. (The most recent amendment to By-law No. 174-97 was in 2014.)

Council has adopted standards to protect and enhance the building stock in the downtown core. The City of Stratford Heritage Conservation District Standards were adopted by Municipal Council resolution on February 24, 2003. The Standards were the product of the Heritage District Committee, an eleven member committee consisting of one Councillor and 10 members of the community that was formed in 1998. The purpose of the Standards is that they are to be used by staff and the Municipal Heritage Committee to review proposed alterations.

In 2005, the Province of Ontario amended the Ontario Heritage Act. When new Heritage Conservation Districts are adopted by a municipality, they are to include the following:

- A Statement of Objectives,
- A Statement of the District's Cultural Heritage Value or Interest,
- A Description of the Heritage Attributes, and
- Policy Statements and Guidelines.

There are currently 132 Heritage Conservation Districts in the Province. Roughly half of all the Heritage Conservation Districts were created prior to the 2005 amendment to the *Ontario Heritage Act* and less than 5 of the pre-2005 approved Heritage Conservation Districts have been updated since 2005.

The need to update the Heritage Conservation District is recognized in the City of Stratford Official Plan. Section 3.5.4 i) of the Official Plan indicates the Heritage Conservation District is to be reviewed and revised as necessary, as soon as possible, to ensure it complies with the Ontario Heritage Act.

Analysis: In 2015, staff, at the request of Planning and Heritage Sub-committee and in consultation with the Permit Review Committee of Heritage Stratford, created a Heritage Alteration Evaluation Form. There were multiple reasons why an evaluation form was created: to ensure alteration permits were evaluated against the Council adopted Standards, to better track application recommendations, and to maintain consistency (as staff and members of the Permit Review Committee change over time). While the Evaluation Form has succeeded in meeting its objectives, it has brought to light some of the shortcomings of the By-laws and Standards.

Stratford's Heritage Conservation By-laws delineate the HCD area and set out a process to review and approve (or refuse) alteration and demolition permits, but it does not contain overall objectives, a statement of the areas heritage value, a description of heritage attributes or guidelines. While components of these elements are contained in the Council adopted Standards, without clear objectives it is sometimes difficult to evaluate a proposal when it does not exactly match the Standards. Without a description of the heritage attributes, it is challenging to know which architectural elements must be protected.

The Heritage Conservation District Standards play a significant role in the character of the City of Stratford. Perhaps it is stated best in the Official Plan: "In large measure, the Downtown core defines the City of Stratford, establishing the identity and image of the City

for both residents and visitors.” To maintain this identity and image, Section 4.4.4., of the Official Plan, states the City should use the legislation available to maintain the distinctive character of the Downtown and to ensure the design, form and scale of new development and of redevelopment, respects and ideally enhances the established character of the downtown.

The Standards are used by numerous groups in the City. Staff and Heritage Stratford use the Standards to evaluate alteration applications. Property owners use the Standards when considering development and maintenance of their properties, and building professionals use the Standards when preparing concepts and permit applications.

Planning staff are not heritage specialists. In order to ensure any review or update fulfills the requirements of the Ontario Heritage Act and also meet the needs of property owners, members of Heritage Stratford and staff; staff are of the opinion that expertise from outside the organization is required. Staff recommends a qualified heritage consultant should be retained to assist in the creation of new or revised standards.

Staff has consulted other municipalities who have updated their Heritage Conservation Districts (Kingston and Goderich), the Ministry of Culture, and a heritage consultant and found the cost to update a Heritage Conservation District can vary greatly. Cost to update a Heritage Conservation District will vary depending on the scope of public consultation, the inventory of existing buildings, and the number of properties. Updates across the province have ranged from \$30,000 for a relatively minor revision to \$200,000 for a detailed update which includes undertaking an inventory of buildings and public consultation. Goderich updated its Heritage Conservation Districts in 2014 at a cost of just under \$90,000. Funding for the Town of Goderich Heritage Conservation District Study was provided by the Ontario Ministry of Tourism, Culture and Sport, Creative Community Prosperity Fund.

Whether the cost to update the standards is on the low end of the range outlined above, or more in line with costs experienced by Goderich, the costs to update the Heritage Conservation District and/or Standards should be weighed against other priorities of the City. For this reason, staff recommend this request should be referred to the 2020 budget discussions.

Financial Impact: None. This request should be referred to the 2020 budget discussions.

Staff Recommendation: **THAT the Heritage Stratford resolution to update the Heritage Conservation District Standards be referred to the 2020 budget discussions.**

AND THAT Staff explore grant opportunities to fund, or partially fund, any update to the Heritage Conservation District Standards.

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Jeff Leunissen, Manager of Development Services

A handwritten signature in blue ink, appearing to be 'Ed', with a long horizontal flourish extending to the right.

Ed Dujlovic, Director of Infrastructure and Development Services

A handwritten signature in black ink, appearing to be 'Rob Horne', written in a cursive style.

Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: June 10, 2019
To: Planning and Heritage Committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA19-022
Attachments: None

Title: Plan of Condominium Application 31CDM 17-001, Zone Change Application Z09-17, 355, 365 Douro Street, 267 King Street and 54 Frederick Street

Objective: The purpose of this report is to consider draft approval of a vacant land plan of condominium and to consider the zone change application for the properties located on the south side of Douro Street and on the east side of King Street.

Background:

Plan of Condominium 31CDM17-001

An application for Draft Plan of Condominium was received on December 27, 2017 for the lands known municipally as 355, 365 Douro Street, 267 King Street and rear of 54 Frederick Street and legally described as Lots 511 to 514, 521 to 524, 603 to 611, part of John Street (closed) and Part Lots 510, 525, 526, 612, and 619 to 621, Plan 47 in the City of Stratford. The subject property is located on the south side of Douro Street and on the east side of King Street.

The proposed vacant land plan of condominium contains 71 Residential Units and is to be served by both Douro Street and an internal common element laneway. The condominium would be accessed by entrances on Douro Street and King Street. The Units are intended to be in private ownership, a road widening is shown on Douro Street, and the remaining lands would be common element area. The proposed Plan of Condominium would create a new parcel of land with 21.7 m of frontage on Frederick Street as a remnant parcel of land.

Zone Change Z09-17

An application to change the zoning was received on December 27, 2017 for the lands known municipally as 355, 365 Douro Street, 267 King Street and 54 Frederick Street and legally described as Lots 511 to 514, 522 to 524, 603 to 611, part of John Street (closed)

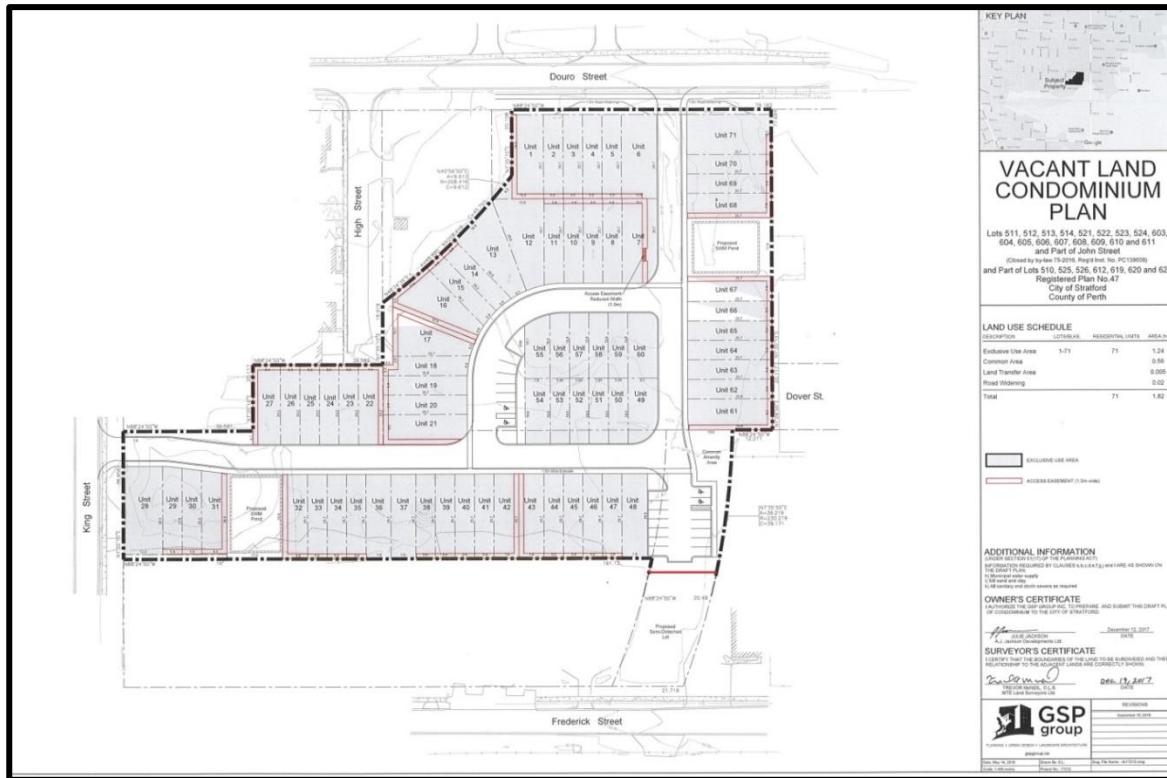
and Part Lots 510, 525, 526, 612, and 619 to 621, Plan 47 in the City of Stratford. The subject property is located on the south side of Douro Street, east side of King Street and on the north side of Frederick Street. Subsequently, the applicant submitted a revision to the requested rezoning on September 10, 2018.

The proposed zone change application is intended to change the zoning of the above described lands from a compound General Industrial/Future Residential I2-1/FR Zone which permits a broad range of industrial uses, including warehouses, manufacturing and assembly establishments, a private club and a range of motor vehicle uses; existing single detached dwellings; a group home and home occupations and a General Industrial I2 Zone to Residential Fourth Density Special Provision R4(2)-Zone and a Residential Second Density R2(2) Zone. The Residential Fourth Density Special Provision R4(2) Zone would permit apartment dwellings, nursing homes, quadruplex dwellings, seniors' apartment dwellings, street townhouse dwellings and townhouse dwellings with special provisions relating to tandem parking spaces, setbacks, density, landscape open space, lot coverage, building height, the defined front lot line of the property, visitor off-street parking spaces and the allowance of back-to-back townhouses. The Residential Second Density R2(2) Zone would permit single detached, semi-detached, duplex and converted dwellings, religious institutions and elementary schools.

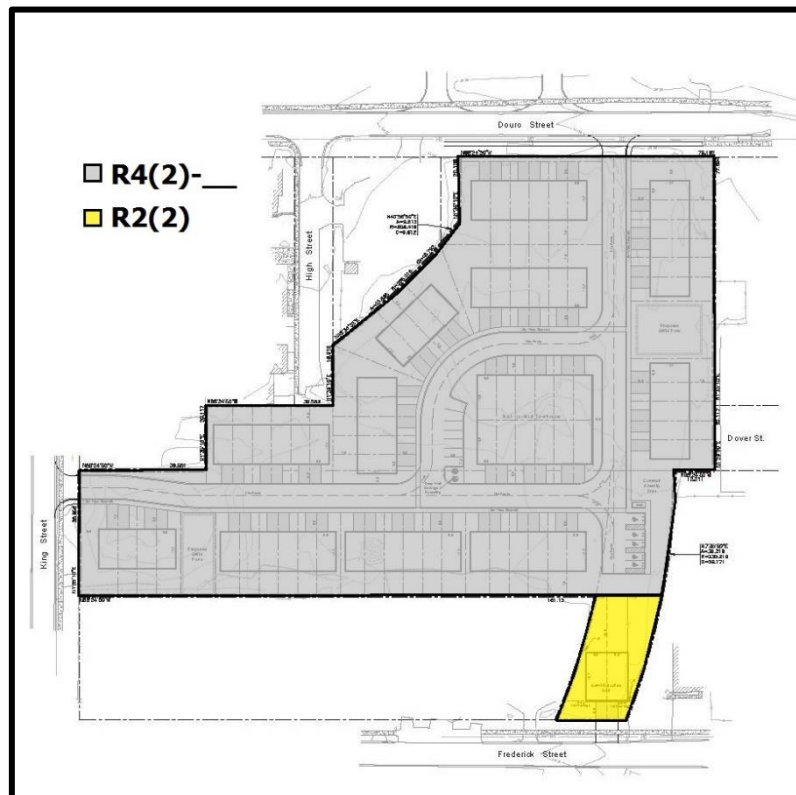
In support of the above-noted applications, the applicant submitted the following studies:

- Planning Justification Report, GSP Group, December 2017
- Functional Servicing and Stormwater Management Design Report, BluePlan Engineering, December 2017, revisions received February 2019 and May 2019
- Traffic Impact Study, Paradigm Transportation Solutions Limited, February 2019

Proposed Vacant Land Plan of Condominium with Red-Line Amendments



Requested Zoning

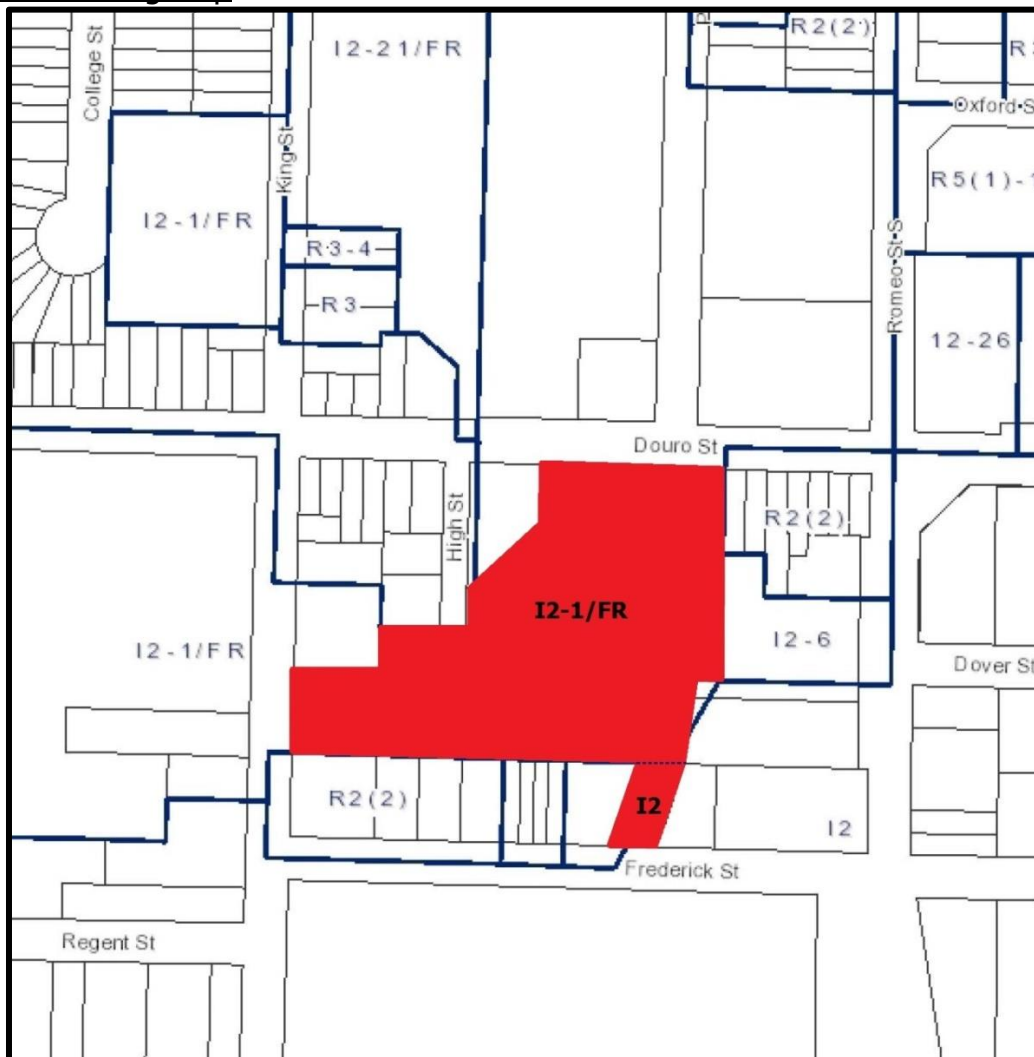


Site Characteristics:

Existing Use: vacant land
 Frontage: 79.2 m (259.8 ft) on Douro Street
 Depth: 175.7 m (576.4 ft)
 Area: 1.96 ha (4.84 ac)
 Shape: irregular

Surrounding Land Uses:

North: Single detached dwellings, Stratford Festival Archives, industrial Building (Residential/Industrial)
 East: Single detached dwellings, office, motor vehicle repair (Residential/Industrial)
 West: Industrial building, single detached dwellings (Industrial/Residential)
 South: Motor vehicle repair, range of residential dwellings, public works yard (Industrial/ Residential)

Location and Zoning Map

Douro Street frontage



King Street frontage



Frederick Street frontage



High Street frontage



Agency Comments

Circulation of the draft plan to agencies on February 5, 2018 resulted in the following comments:

Engineering Division

- The applicant must revise and update their Functional Servicing and Stormwater Management Report during the draft plan of Condominium and/or Site Plan application process. (The applicant submitted an updated Report May 2019)
- The Engineering Division has no concerns with the submitted Traffic Study.
- The Engineering Division does not object to the zone change.

Canada Post

- Canada Post will provide mail delivery service to the subdivision through centralized Community Mailboxes (CMB's).
- If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

Building

- No comments or concerns.

Fire

- No issues or concerns.

Huron Perth Catholic District School Board

- No concerns.

Hydro One

- No comments or concerns.

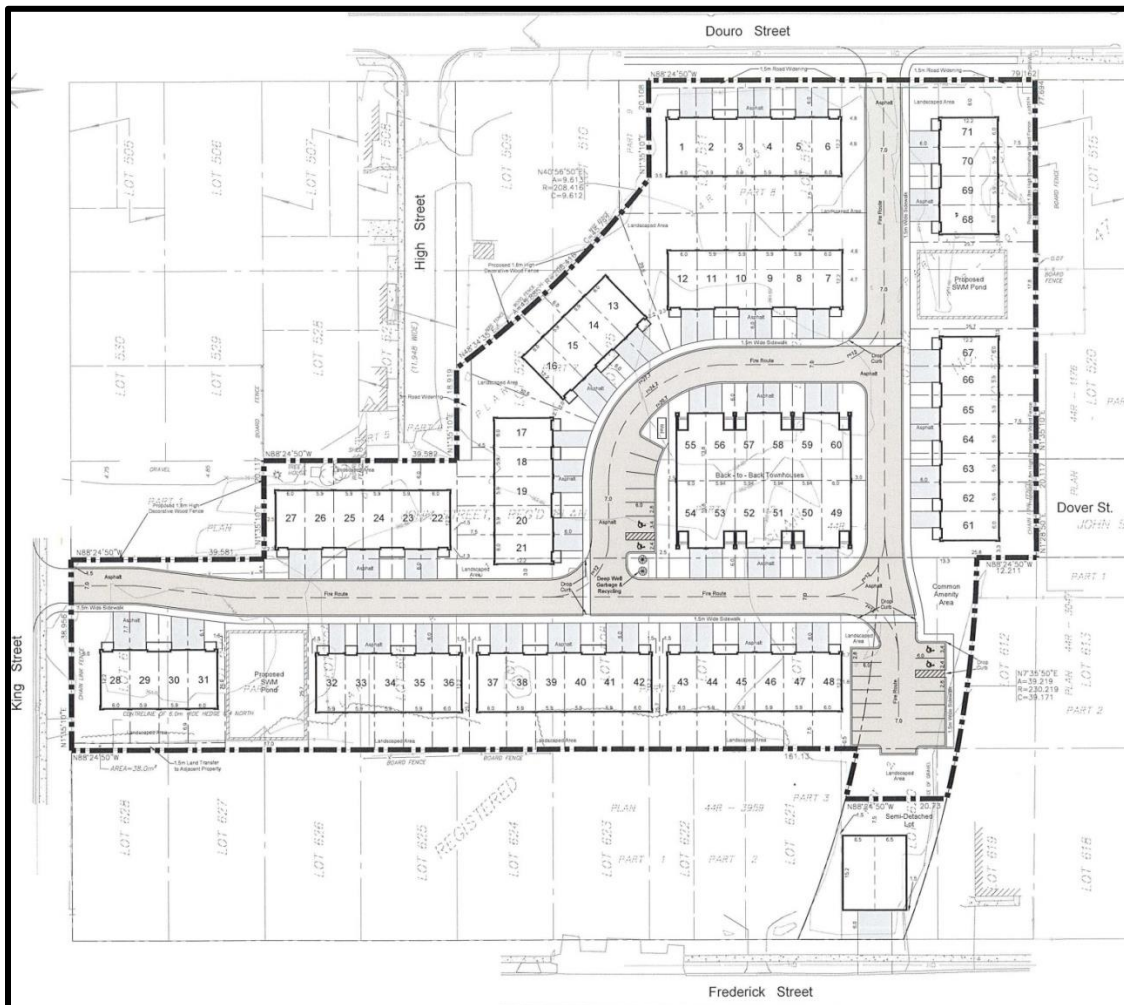
Canadian National Railway

- Please note that CN owns the corridor south of the subject property, however it is operated by Goderich-Exeter Railway (GEXR). GEXR may have additional comments with respect to the subject applications.
- It should be noted that CN has concerns of developing/densifying residential uses abutting our railway right-of-way. This is due to noise, vibration and potential trespass issues that will result. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. Please refer to CN's guidelines for the development of sensitive uses in proximity to railways (attached). CN urges the municipality pursue the implementation of the criterion as conditions of an eventual project approval.

Be advised that in the event of the proposal moving forward, CN will be anticipating the opportunity to review detailed plans/studies, including a noise study, as well as seeking to enter into an Agreement with the owner, the registration of an environmental easement on title, as well as a warning clause.

History: The owners have submitted a site plan application (SP06-18) concurrently with the proposed Plan of Condominium and Zone Change application. The site plan application is currently under review. The registration of the proposed Plan of Condominium would result in the severance of the lands that have frontage on Frederick Street and which are intended for a semi-detached dwelling development. The subject lands formerly contained two bulk fuel depots which both closed by 1986. A Record of Site Condition was filed on October 10, 2017 in the Environmental Site Registry in response to the Phase 1 and Phase 2 Environmental Site Assessments that were prepared by the owner.

Site Plan



Analysis:

2014 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.

Section 1.1.3.2 of the Provincial Policy Statement 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 1.1.3.3 of the Provincial Policy Statement states:

"Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs".

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:*

a) permitting and facilitating: all forms of housing required to meet the social, health and well-being requirements of current and future residents".

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

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".

Section 1.6.6.1b)2) of the Provincial Policy Statement states:

"Planning for sewage and water services shall ensure that these systems are provided in a manner that is feasible, financially viable and complies with all regulatory requirements".

The PPS supports new housing which efficiently uses land, resources, infrastructure and public service facilities. The policies also support the use of active transportation and transit in areas where it exists and the redevelopment of former brownfield sites. The proposal allows for the intensification of the lands to allow for 71 residential dwelling units within the plan of condominium and a semi-detached dwelling lot that is outside of the proposed plan of condominium which would be developed on full municipal services. The lands are located

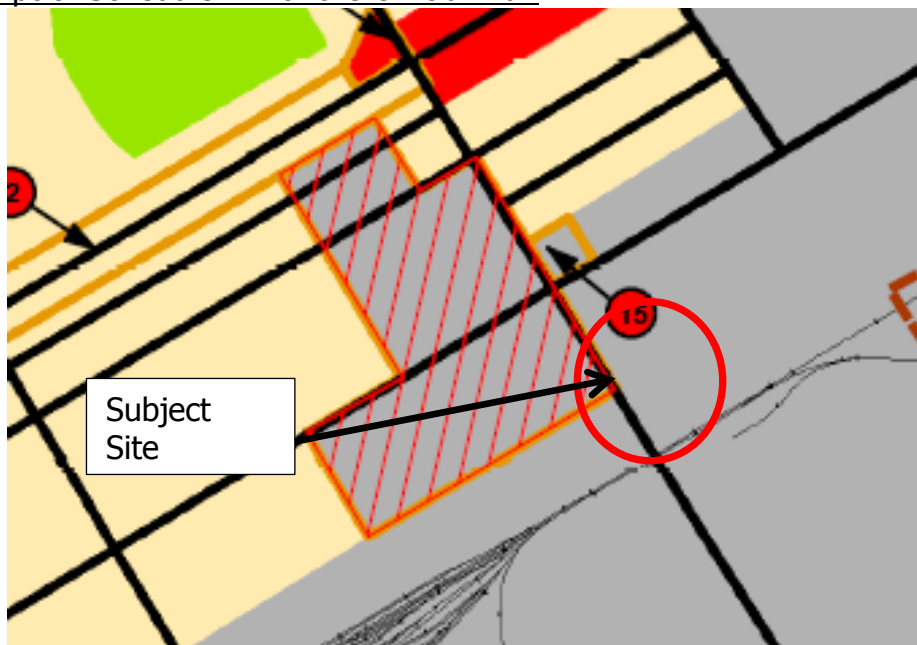
on a public transit route and would allow for residential re-development on lands that were previously contaminated.

The proposal is considered to be consistent with the Provincial Policy Statement policies.

Official Plan

The property is designated as Factory District Area on Schedule 'B' and is identified as 'Heritage Area' on Schedule 'E' in the Official Plan. Douro Street is classified as a collector street. King Street, High Street and Frederick Street are all classified as local streets. The Factory District Area policies allow industrial uses. They also encourage the conversion of former industrial sites to alternative uses, including residential uses, provided that the lands are no longer required for industrial purposes and the proposed uses do not conflict with the remaining industrial uses in the area. The lands have been vacant for a considerable period of time and are no longer a preferred site for industrial uses. Reuse of the lands for residential purposes is considered to be in conformity with the Factory District policies in the Official Plan.

Excerpt of Schedule "A" of the Official Plan



Legend

General Land Use

Class

- Agricultural Area
- Commercial Area
- Downtown Core
- Gateway Mixed-Use Area
- 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)
- Grand Trunk Anchor District Overlay (Refer to Section 4.11)
- Built Boundary
- Municipal Boundary
- Gateway Areas
- Regulatory Flood Hazard
- Special Policy Areas

Section 3.2.2 of the Official Plan states that the City's intensification target is 25% of City-wide residential growth within the "Built Boundary" and in order to support the intensification target and promote efficient use of land and infrastructure the City shall:

"Review existing zoning regulations and other development standards to remove barriers to intensification including parking standards and setback requirements, and to establish minimum standards where appropriate. At the same time, to ensure that intensification in any neighbourhood or property is appropriate, the City will ensure that new and renovated/converted housing is designed to meet occupancy, health and safety standards. The City may also include regulations in the Zoning By-law such as the number of bedrooms per unit, by structure type, maximum gross floor area, maximum parking area coverage and minimum landscaped open space requirements"

The proposed development contributes to the range of medium density housing within the Built Boundary and conforms to the City's growth management policy. The proposed development standards allow development that contributes to the City meeting its intensification target.

Section 9.4 of the Official Plan recommends the minimum number of units to be included in each condominium to be seven or a number which is appropriate to allow for the reasonable, independent operation of a condominium corporation. The proposed phased plan contains 71 residential units that are to be registered by one Condominium Corporation.

Section 5.6.2 of the Official Plan requires that an impact assessment for methane gas and leachate migration in soils within 500m of landfill sites is required prior to any development approval. The applicant has submitted a Phase 1 and Phase 2 Environmental Site Assessment and the Ministry of the Environment issued a Record of Site Condition on October 10, 2017.

The development recognizes the conversion of a former industrial site that is in an area that is providing residential units within the 'Factory District' designation.

The Factory District Area designation encourages the conversion of industrial uses to residential uses provided that the buildings are no longer required or in demand for industrial purposes and provided such uses do not lead to conflicts with remaining industrial uses in the area. The subject lands are now vacant and the applicant has stated that there has been no interest or demand for further industrial development on the lands and there are limited industrial land uses in the area. Residential dwellings separate the City's Public Works yard from the proposed condominium and the proposed semi-detached dwelling would be compatible with other similar residential uses on Frederick Street.

The development also proposes alterations to the parking standards (tandem parking) and setback requirements in order to accommodate the proposed development that is

considered to conform to the City's Official Plan.

Urban Design and Landscape Guidelines

The City's Urban Design and Landscape Guidelines state that residential buildings on infill sites should be designed to respect the height, massing and setbacks of existing developments. The intent of the guidelines is to support intensification where appropriate through compatible and complementary infill and redevelopment. Through the recommended zoning and concurrent site plan application, staff has reviewed the submitted proposal including the proposed elevations and believes it satisfies the Urban Design Guidelines.

Proposed Elevations

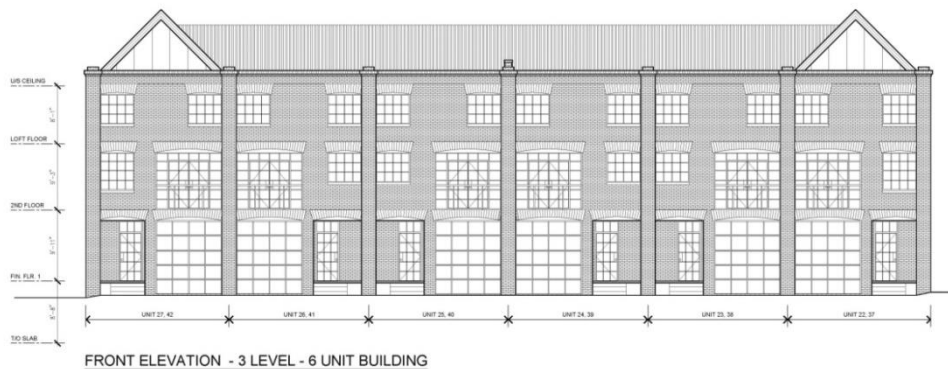
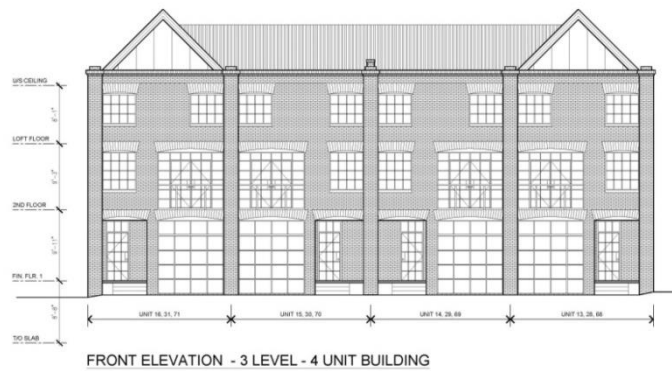
6 Unit – 2 Level Townhouse (Douro Street)



7 Unit building and 5 Unit building



Back to Back Units



Zoning By-Law

The subject lands are zoned General Industrial/Future Residential I2-1/FR and General Industrial I2. The General Industrial I2 Zone permits broad range of industrial uses, including warehouses, manufacturing and assembly establishments, a private club and a range of motor vehicle uses and the Future Residential Zone (FR) permits existing single detached dwelling, group home and home occupation.

The applicant has requested Residential Fourth Density R4(2) special provision zone and a Residential Second Density R2(2) Zone.

The Residential Fourth Density R4(2) special provision zone permits apartment dwellings, nursing homes, quadruplex dwellings, seniors' apartment dwellings, street townhouse dwellings and townhouse dwellings. The applicant has also requested special provisions:

- to allow back to back townhouse units,
- to recognize Douro Street as the front lot line,
- to permit tandem parking to count towards required parking spaces,
- to allow a setback of 6.0 m from Douro Street,
- to permit a maximum density of 40 units per hectare (uph) or 35 uph if 1,225m² of common element landscaped open space is provided
- to permit a rear yard depth of 7.5
- to allow a minimum visitor off-street parking spaces of 0.25 per dwelling unit
- to permit a range of minimum side yard width
- to permit a maximum lot coverage of 40%
- to permit a maximum building height range of 10m to 13.5m

The Residential Second Density R2(2) Zone would permit single detached, semi-detached, duplex and converted dwellings, religious institutions and elementary schools.

The intent of the requested zoning is to allow for a cluster townhouse development similar to the regulations that are being contemplated with the City's updated Zoning By-Law. The zoning is proposed to be structured to allow for a development that is regulated by the external lot lines of the condominium and the maximum height and density provisions in the Zoning By-Law. Further, the applicant will be required to obtain a site plan approval in order to develop the townhouse dwellings as proposed.

The proposed Zoning By-Law has been structured to include a maximum density of 35 units per hectare unless the developer can provide a minimum of 1,225m² of landscaped open space. If the minimum landscaped open space of 1,225 m² is provided, the development may be developed to a maximum of 40 units per hectare. This provision ensures that there is adequate amenity area for the residents within the condominium.

The proposed Zoning By-Law has allowed for greater building heights interior to the property and adjacent to the eastern property boundary which is commercial zoned. This variable maximum building height ensures future buildings maintain the character of

existing residential buildings in the area and will increase the compatibility of the development with the surrounding neighbourhood.

Draft Plan of Condominium

The proposed vacant land plan of condominium contains 71 Residential Units, an internal common element laneway with access to both Douro Street and King Street and two internal common element stormwater management areas. Six residential units will front onto Douro Street and these units will have driveway access to Douro Street.

Red-line amendments

The proposed Plan of Condominium has been red-line amended for a reduction in the southern lot boundary. The reduced boundary will allow for an increase in the size of the semi-detached dwelling and would result in a more uniform condominium boundary. A further red-line amendment is required to extend the common element area below each unit to the foundation wall to accommodate the water service.

Proposed plan of condominium conditions will ensure the lands are developed as shown on the plan and site plan. Appropriate security will be required to protect both the City and future residents. It is recommended the conditions of draft plan approval expire in 5 years as conditions may change that warrant a review of draft plan conditions. If the plan is not registered in 5 years, they may request an extension of draft approval and the City would have an opportunity to review draft plan conditions to ensure they are appropriate for the development.

Draft Plan of Condominium conditions were sent to the applicant on May 24, 2019 and the proposed Zoning By-Law was sent to the applicant on October 30, 2018. Staff are not aware of any concerns with the proposed conditions.

Other Issues

Public concerns

One letter was received from a neighbour located adjacent to the west property boundary. The neighbour has expressed concerns with privacy to their property and has requested that fencing be installed along the property boundary. The neighbour also has requested information relating to elevations, the timing of construction which may impact traffic and safety on King Street, and has concerns with existing property boundary disputes.

The applicant has applied for site plan approval and plans have progressed sufficiently to recommend draft approval of the plan of condominium and zoning amendment. A development agreement will be required prior to any construction on the subject lands and the applicant will be required to construct a board on board fence or provide a landscape screening to buffer the development from surrounding lands. A draft of the proposed building elevations have been provided within this report. There will be some construction traffic resulting from the proposed development which can be accommodated from the access points on High Street and Douro Street. The submitted Plan of Condominium has

been surveyed and certified by MTE Land Surveyors Ltd. Any further property boundary disputes would be considered a civil matter.

Traffic Impact Study

A traffic impact study was prepared by Paradigm Transportation Solutions Limited and submitted to the City of Stratford on February 22, 2019, with revisions received May of this year. The traffic study recommended that garbage and recycling areas be located next to unit #49/60 to improve site lines and recommended that the City of Stratford monitor the future operation of the Douro Street and Romeo Street intersection to ensure signal timings reflect the forecast travel patterns. Engineering Services have reviewed and accepted the traffic study.

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

The applicable Development Charges are expected to be approximately \$764,315 (2019 rates). This calculation is based upon 71 townhouse units at \$10,363 per unit (\$735,773) plus 2 semi-detached units at \$14,271 per unit (\$28,542). Development Charges 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.

This Zoning By-law Amendment and Plan of Condominium 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.

Staff Recommendation:

A) THAT the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Condominium 31CDM-17001 subject to the following conditions:

- 1. This approval applies to the draft plan submitted by 653431 Ontario Inc., prepared by MTE Ontario Land Surveyors Inc., certified by Trevor McNeil, File No. 31CDM-17001, drawing file name. vic17212d.dwg, dated December 18, 2017, as redline amended, The Plan contains 71 residential Units served by both Douro Street and an internal common element laneway located at 355 Douro Street.**
- 2. This draft approval is for a Vacant Land Plan of Condominium under Part VIII of the Condominium Act, 1998.**
- 3. The development is to be registered as one condominium corporation.**

4. **This approval of the draft plan applies for a period of five (5) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.**
5. **Prior to final approval, the plan is to be amended as shown in red on the draft plan and a plan is to be submitted showing the extension of the common element area below each unit and to the foundation wall to accommodate the water system to the satisfaction of the Manager of Development Services.**
6. **Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the Manager of Development Services, City of Stratford, is to be advised in writing by the Municipal Building Official, that:**
 - i) **site works in the common elements are substantially complete, the Owner's consulting engineer has submitted a final lot grading certificate which has been accepted by the City;**
 - ii) **the proposed plan of condominium showing any "as constructed" buildings and structures has been submitted and accepted by the City as in compliance with all applicable zoning by-law regulations; and,**
 - iii) **the fire route and fire route signs have been installed to the satisfaction of the City.**
7. **Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the City is to be satisfied that the development agreement (SP16-18) between the Owner and the City of Stratford has been registered against the lands to which it applies.**
8. **Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the Manager of Development Services, City of Stratford, is to be satisfied that the proposed plan of condominium showing any "as constructed" buildings and structures has been submitted and accepted by the City as in compliance with Subsection 155(1) of the Condominium Act, 1998.**
9. **The Condominium Declaration shall contain appropriate provisions setting out the responsibility for maintaining, repairing, and replacing services which serve:**
 - i) **more than one Unit, whether or not those services are within the common elements or within a Unit;**

- ii) the owner's Unit only, that are located within the owner's Unit or another Unit; and
 - iii) the owner's Unit only, that are located within the common elements.
10. The description of the Common Elements in the Condominium Declaration shall include water lines below each unit and to the foundation wall to accommodate the water system and appurtenances, sanitary sewer lines and appurtenances and storm sewers and appurtenances to the satisfaction of the Manager of Engineering and the Manager of Environmental Services. These elements are to be operated, repaired and maintained by the Condominium Corporation.
 11. All buildings and structures, if any, shown in the declaration and description to be included in the common elements such as pools or clubhouses shall be constructed prior to final approval.
 12. Prior to final approval, the Owner's professional engineer shall provide certification to the Approval Authority that all buildings, structures, facilities and services (including landscaping and grading) shown in the declaration and description to be included in the common elements have been completed, installed and provided in accordance with the requirements of the Condominium Act, 1998.
- Should all facilities and services (including landscaping and grading) not be installed and provided prior to final approval, the Owner's engineer shall have his professional engineer provide a written, detailed estimate of 100% of the cost to install and provide the facilities and services shown in the declaration and description to be included in the common elements, to the City's satisfaction, and provide security in the accepted amount plus 25% for administration and contingencies in a form acceptable to the City Treasurer. Should security already being held by the City under the authority of Section 41 of the Planning Act be partially or fully sufficient in form and amount to meet this requirement, the Condominium security requirement may be reduced or waived by the City. The City will not hold security for amenities such as pools, tennis courts, or clubhouses.
- Should security be provided, the Owner shall enter into a condominium agreement with the City to be registered on title prior to final approval.
13. Prior to final approval, provision is made for an easement or other legal means to ensure the Condominium Corporation has access to maintain the perimeter fencing.

- 14. Prior to final approval for the registration of any condominium corporation within this development, 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 to the satisfaction of the Manager of Development Services.**
- 15. The Condominium Declaration shall contain appropriate provisions requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 to the satisfaction of the Manager of Development Services.**
- 16. Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the Manager of Development Services, City of Stratford, 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.**
- 17. 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.**
- 18. The Condominium Declaration shall contain a provision that outlines that telecommunications, mail delivery equipment, water lines and appurtenances, hydro, perimeter fencing, 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 or the Units and common elements and are to be operated, repaired, and maintained by the Condominium Corporation to the satisfaction of the Manager of Development Services.**
- 19. The Condominium Declaration shall contain a warning clause to be registered on title of each Unit within 300 metres of the railway right-of-way, warning prospective purchasers of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints for claims arising from the use of its facilities and/or operations.**

20. **The digital copy of the plans provided are required containing the plan of condominium in Auto CAD native format (.dwg), stored as a single file, with all of the classes of features (eg. building footprint, Unit boundaries, interior roadways, access to public street, retaining walls, noise attenuation walls, fences, etc.) separated into different layers. For further information, please contact City of Stratford Infrastructure and Development Services Department.**
21. **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 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 City of Stratford, 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. **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.**
3. **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 Engineering Department in accordance with Ontario Basic Mapping (U.T.M. Grid 1:2000), for future use within the City's geographical information system.**
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**

B) That Zoning By-law 201-2000 be amended to change the zoning for the lands described as Lots 511 to 514, 521 to 524, 603 to 611, part of John Street (closed) and Part Lots 510, 525, 526, 612, and 619 to 621, Plan 47 and known municipally as 355, 365 Douro St, 267 King St. and 54 Frederick St., from a compound General Industrial / Future Residential I2-1/FR Zone and a General Industrial I2 Zone to a Residential Fourth Density Special Provision R4(2)-21 Zone, a Residential Fourth Density Special Provision R4(2)-22 Zone, a Residential Fourth Density Special Provision R4(2)-23 Zone, Residential Fourth Density Special Provision R4(2)-24 Zone and a Residential Second Density R2(2) Zone.

C) That A) and B) above are recommended 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 residential zoning that is appropriate for the uses of the lands.**

D) That Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act.



Prepared by: Jeff Bannan, MCIP, RPP – Planner



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

A handwritten signature in black ink, reading "Rob Horne". The letters are cursive and fluid, with the first name "Rob" and last name "Horne" clearly distinguishable.

Rob Horne, Chief Administrative Officer

Draft By-law

Being a By-law to amend By-law 201-2000 as amended, with respect to zone change application Z09-17 by 653431 Ontario Inc., to rezone Lots 511 to 514, 521 to 524, 603 to 611, part of John Street (closed) and Part Lots 510, 525, 526, 612, and 619 to 621, Plan 47 known municipally as 355, 365 Douro St, 267 King St. and 54 Frederick St to allow for residential development in the City of Stratford.

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 5 to By-law 201-2000 as amended, is hereby amended:

by changing from a compound General Industrial / Future Residential I2-1/FR Zone and a General Industrial I2 Zone to a Residential Fourth Density Special Provision R4(2)-21 Zone, a Residential Fourth Density Special Provision R4(2)-22 Zone, a Residential Fourth Density Special Provision R4(2)-23 Zone, Residential Fourth Density Special Provision R4(2)-24 Zone and a Residential Second Density R2(2) Zone those lands outlined in heavy solid lines on Schedule "A", attached hereto and forming part of this By-law, and more particularly described as Lots 511 to 514, 521 to 524, 603 to 611, part of John Street (closed) and Part Lots 510, 525, 526, 612, and 619 to 621, Plan 47 known municipally as 355, 365 Douro St, 267 King St. and 54 Frederick St.

2. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

"8.4.21 a) Defined Area (South side of Douro Street and on the east side of King Street)

R4(2)-21 as shown on Schedule "A", Map 5

- b) Permitted uses
 - back-to-back townhouse dwelling
 - townhouse dwelling
- c) Front Lot Line Douro Street
- d) Required parking spaces to be allowed in tandem and count toward the minimum required parking for each individual townhouse dwelling
- e) Minimum visitor off-street parking spaces per dwelling unit 0.25
- f) Maximum lot coverage 40%
- g) Maximum density 40uph
- h) Minimum common element landscaped open space 1225m²
- i) Minimum setback
 - Douro Street 6.0m
- j) Minimum interior side yard width 6.0 m
- k) Minimum rear yard depth 7.5 m
- l) Minimum setback from a patio door to a patio door 12.0 m
- m) Minimum setback from a patio door to a side wall 6.0m
- n) Minimum setback from an end unit wall to end unit wall 2.5m
- o) Maximum building height 10.5m
- p) For the purposes of the Defined Area, internal lot lines created by the condominium process and zoning boundaries shall not be construed to be lot lines for the purposes of zoning regulations and that all applicable regulations of this Bylaw relative to the whole lot and its external lot lines, existing prior to any Condominium Plan registration are complied with.

3. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

- "8.4.22 a) Defined Area (South side of Douro Street and on the east side of King Street)
R4(2)-22 as shown on Schedule "A", Map 5
- b) Permitted uses and regulations
 - All uses and regulations as described in the R4(2)-21 Zone
 - c) Maximum building height 13m

4. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

- "8.4.23 a) Defined Area (South side of Douro Street and on the east side of King Street)

R4(2)-23 as shown on Schedule "A", Map 5

b) Permitted uses and regulations

- All uses and regulations as described in the R4(2)-21 Zone

c) Minimum setback

- High Street 6.0m
- King Street 6.0m

d) Minimum interior side yard width 2.3 m

5. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

"8.4.24 a) Defined Area (South side of Douro Street and on the east side of King Street)

R4(2)-24 as shown on Schedule "A", Map 5

b) Permitted uses and regulations

- All uses and regulations as described in the R4(2)-21 Zone

c) Minimum setback

- High Street 4.5m

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

Read a FIRST, SECOND AND THIRD TIME AND

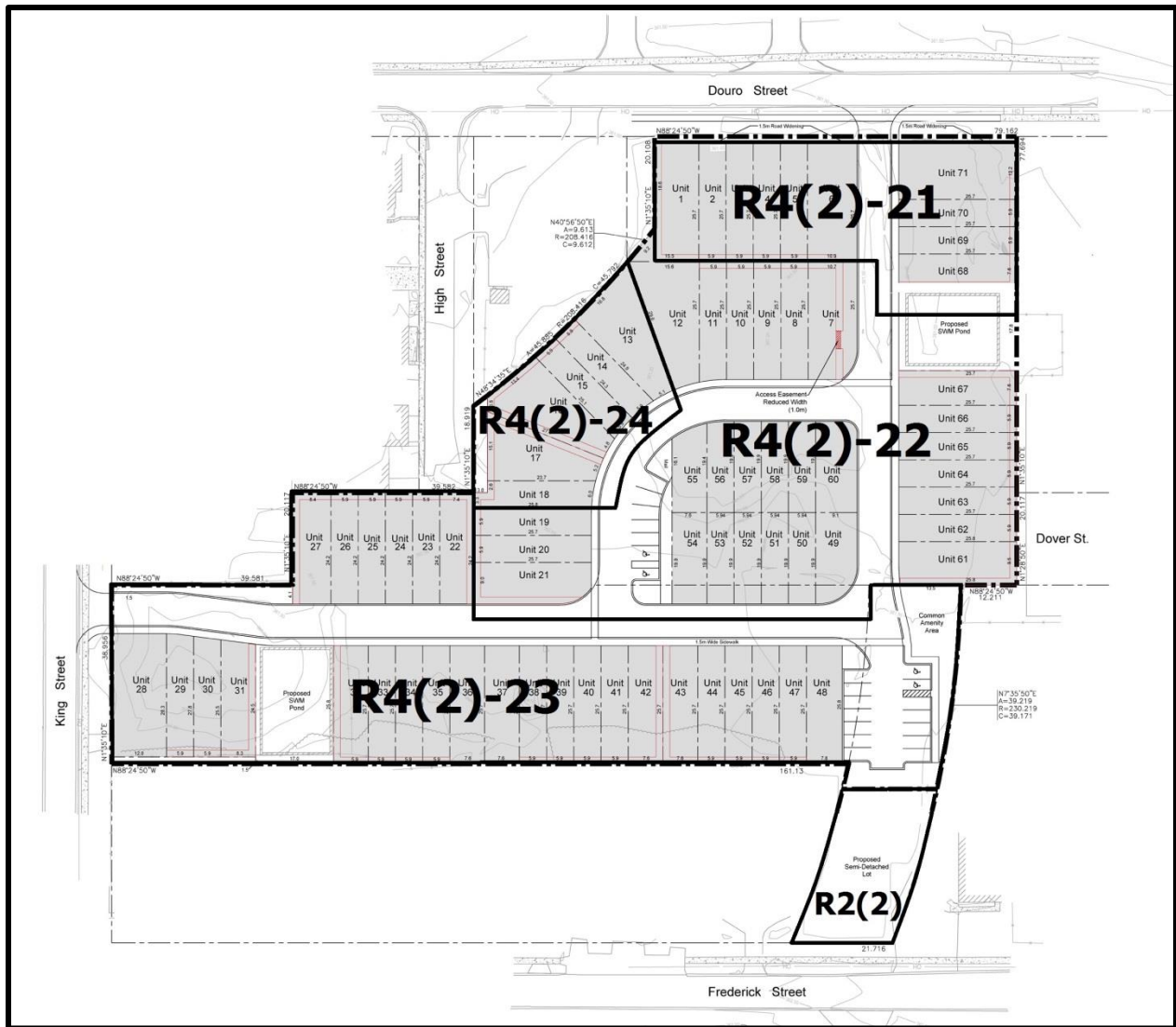
FINALLY PASSED this the xxth day of xxxxxx 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson

Schedule "A" to By-law ____-2019

355, 365 Douro Street, 267 King Street and 54 Frederick Street





CITY OF STRATFORD PUBLIC MEETING MINUTES

A **PUBLIC MEETING** was held on Monday, February 26, 2018 at 7:40p.m. 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 Z09-17 and Plan of Condominium 31CDM17-001, that affects the properties municipally known as 355, 365 Douro Street, 267 King Street and 54 Frederick Street, City of Stratford.

COUNCIL PRESENT: Deputy Mayor Martin Ritsma - Chair presiding, Councillors Tom Clifford, Bonnie Henderson, Graham Bunting, George Brown, Danielle Ingram, Frank Mark, Kerry McManus and Kathy Vassilakos.

REGRETS: Mayor Dan Mathieson, Councillor Brad Beatty and Ed Dujlovic – Director of Infrastructure & Development Services

STAFF PRESENT: Mike Humble – Director of Corporate Services, David St. Louis - Director of Community Services, Carole Desmeules – Director of Social Services, John Paradis – Fire Chief, Tatiana Dafoe – Deputy Clerk, Joan Thomson – 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 Z09-17 and Plan of Condominium 31CDM17-001, that affects the properties municipally known as 355, 365 Douro Street, 267 King Street and 54 Frederick Street, City of Stratford.

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

STAFF PRESENTATION:

Jeff Bannon, City Planner, described the locations relating to the applications and outlined the existing zoning versus the changes that are requested. The proposed zoning would allow for apartment dwellings, nursing homes, quadruplex dwellings, townhouse dwellings, etc. The request includes special provisions relating to tandem parking, setbacks, landscape provisions, etc. He outlined that the applicant has provided the City with various reports and studies, including a Planning Justification Report, Functional Servicing report and Stormwater Management Analysis and Environmental Site Assessment, which has been submitted to the Ministry of the Environment and Climate Change.

The Planner stated that the developer intends to use the R2(2) lands for a semi-detached dwelling, that is outside the plan of condominium. The Plan of condominium is for 71 condominium units and is accessed from Douro Street and King Street. The units will be privately owned and it shows a road widening on Douro Street and the remaining lands would be common element area. The proposed plan of condominium is intended to create a new parcel of land with 21.7 m of frontage on Frederick Street as a remnant parcel of land.

The Planner outlined the locations of the two Stormwater management ponds. These will be part of the common element. There will be a total of 154 parking spaces, which includes 7 visitor parking spaces and 5 barrier free spaces. He described the subject lands, the frontages of the area and nature of the surrounding properties.

He explained that the property is designated as Factory District Area on Schedule "B" and as Heritage Area on Schedule "E" in the Official Plan. The area allows for industrial uses and encourages the conversion to alternative uses, including residential uses, provided that the lands are no longer required for industrial purposes.

The Planner outlined that the proposed special provisions would allow back to back townhouse units, recognize Douro Street as the front lot line, permit tandem parking to count towards required parking spaces, and various changes to setback, density, rear yard depth, lot coverage and building height. He noted there will be two entrance points and the proposed plans would have a mix of 2 and 3 storey dwellings.

The plans were circulated to agencies and 60 area residents. Staff have received 1 letter from an adjacent property owner. The concerns were related to existing property boundaries and elevations.

QUESTIONS FROM COUNCIL:

Councillor Henderson inquired whether all the units will have steps up to the front entrance and whether any units will be accessible.

The Planner noted that barrier free parking spaces and accessible units could be provided if requested. The five barrier free spaces on the plans are for visitors.

Councillor Ingram inquired whether there is an amenity space requirement in the area. She also asked where the closest park was located.

The Planner noted there is a minimum landscaped area for the property but the amenity space is typically in the rear yard of the units. He stated that no analysis has been completed regarding the closest park or transit routes, but they would be done in the future.

Councillor Ingram noted that the driveways appear to be small and wondered whether an analysis was done to determine if there is enough space to accommodate a car, as the garage will probably be used for storage.

The Planner noted that the garage will have a minimum depth of 6 meters to accommodate a car and the driveway will also have a minimum depth of 6 meters.

Councillor Ingram inquired whether there was on street parking in addition to the 7 visitor spots.

The Planner stated they could ask the developer to provide information regarding on street parking options, however it may only be possible on side streets, not directly affected by the driveways.

Council Vassilakos would like additional information regarding back to back townhouses and amenity space, as this type of orientation is new and unusual for our area.

The Planner stated that this information would be provided to the Planning and Heritage Committee.

Councillor Brown asked for clarification on the location of stormwater management ponds.

The Planner clarified the locations.

Councillor Henderson inquired what design had been submitted for the R2 area and what was the open, white space on the design.

The Planner stated that the area in question was designed for a single semi-detached dwelling and the white space on the plan currently occupied by dwellings.

APPLICANT PRESENTATION:

Caroline Baker, from GSP Group, spoke on behalf of the applicant, A. J. Jackson Developments. She provided an overview of the site, noting it is 2 hectares in size, has 4 frontages and is an irregular shape. She stated the parcel of land has been vacant for a number of years and has had various uses in the past. The owner has prepared Phase 1 and 2 Environmental Assessments and has obtained Record of Site Condition from the Ministry of the Environment and Climate Change.

Ms. Baker described the development proposal as being 71 dwelling units, including 12 back to back townhouses and 59 cluster townhouses and a semi-detached unit that fronts on Frederick Street and would not be part of the condominium. The size and shape of the site make back to back townhouses beneficial. She stated that back to back townhouses are becoming very popular in other areas. She noted there are two dry stormwater ponds that

will be landscaped and an amenity area to the East of the back to back townhouses. There will be 12 visitor parking spaces, including 5 barrier free spaces.

Ms. Baker described the site plan and rendering, noting the amenity area, the townhouse units would have large second floor balconies and the developer intends to respect the historical past of the area with the building design.

Ms. Baker noted that the current by-law is structured in a way that it zones each individual townhouse on its own and the applicant is asking for site specific regulations. These requests include permitting back to back townhouses, recognizing tandem parking spaces and allowing for a maximum building height of 3 storeys, among others.

Ms. Baker described the area in terms of the Official Plan and noted that site contamination has been addressed and that the development satisfies Heritage area policies. She noted they tried to structure the zoning in light of the City's draft zoning by-law, including density, landscape open space requirements, lot coverage and building heights. They also tried to respect the various neighbours in terms of yard setbacks. Ms. Baker provided details of the specific setback amounts surrounding the property.

Ms. Baker noted that the application included technical reports: Functional Servicing and Stormwater Report, Record of Site Condition and Traffic Impact Study, to understand the impacts at Douro and Romeo. She then reviewed the next steps and noted that the site plan application will be submitted shortly.

QUESTIONS FROM COUNCIL:

Councillor Brown inquired about the average square footage of the townhouse units and the cost.

Ms. Baker stated the units will range from 1600-1800 square feet and that she was unsure of the cost.

Councillor Henderson asked whether there would be any accessible units as they all appear to have stairs in the rendering.

Ms. Baker noted that the building elevations will vary and some units will not have stairs in the front of the building.

Councillor Henderson also expressed concerns with the number of visitor parking spaces and whether the barrier free spots could be moved. She also inquired about the greenspace.

Ms. Baker noted that there are 7 regular parking spots and 5 accessible spots. She clarified the location of the parking spots on the drawing. She also noted the location of the mailbox is next to the amenity area that includes a bench. She noted there are no requirements for

common amenity space in townhouse units in the current by-law because cluster townhouses are seen to have a front and rear yard.

Councillor Henderson requested clarification on the exit/entrance of the semi-detached unit.

Ms. Baker stated that this unit will be separate from the condominium development and will have its own entry and will not have access from the condominium property.

Councillor McManus asked for clarification whether the 5 accessible spots were for accessible needs only. She also recommended that the accessible spots be more spread out and that 7 visitor spots is low for 71 units.

Ms. Baker confirmed that the barrier free spots are for accessible uses only and that there are requirements for proper signage, similar to the City.

Councillor Clifford inquired about the property line of the residential property at King St and Frederick St.

Ms. Baker noted that both parties have sought advice and are working through any issues relating to property lines.

Councillor Ingram inquired about units 17 and 18 and that it appears they have frontage on both High Street as well as the internal street. She wondered how it was going to be handled so these units do not have frontage on both streets.

Ms. Baker said this is being considered and both trees and fencing are being looked into to create a barrier.

Councillor Vassilakos inquired about on street parking and the limited visitor parking. She wondered if there would be areas where on street parking is permitted.

Ms. Baker noted that the current design does not permit on street parking within the condominium however there may be space on King Street and Frederick Street. It is the applicant's understanding that tandem parking will be permitted in the new draft by-law.

QUESTIONS FROM PUBLIC:

Ken Wood expressed concerns with the housing development and the cost of the units. He stated that the City of Stratford has an abundance of high end units and needs more affordable housing.

Michelle Firman expressed concerns with the focus on adding more affordable housing and not the state of the current low income housing in the City. She noted that she would like to see changes to housing laws to require better upkeep to the pre-existing housing. Ms.

Firman noted that cooperatively owned housing units would be better than affordable housing.

Catherine Hewitt stated a concern for the increased traffic at the Douro Street intersection.

Dave Zorgdrager noted that he is a property owner wedged between the developments and is in favour of developing the site, but has concerns with the volume of properties in the proposal. He expressed concerns with increased traffic and resident safety.

Ray Harsant noted he had concerns with lack of accessible parking, increased density and traffic and suggested collaborating with the Community Hub for affordable housing options.

Deputy Mayor Ritsma then adjourned the meeting at 8:27p.m.

Requests to receive further information, as indicated on the form at the public meeting on February 26, 2018 were received from the following:

Lawrence Ryan	Dave Zorgdrager
Julie Dingman	Catherine Hewitt



MANAGEMENT REPORT

Date: June 10, 2019
To: Planning and Heritage Committee
From: Jonathan DeWeerd, Chief Building Official
Report#: PLA19-023
Attachments: Demolition Control By-law Process

Title: Demolition Control By-Law

Objective: To recommend a Demolition Control By-law for the City of Stratford.

Background: At the March 28, 2019 Planning & Heritage Sub-Committee meeting, the committee requested that staff consult with the Stratford & Area Builders' Association (SABA) regarding their concerns with the Demolition Control By-law and consider any changes prior to the committee meeting.

Analysis: On April 11, 2019, staff met with members of SABA to consider their concerns with the draft by-law. At this meeting SABA suggested some minor changes to the by-law as noted below:

- Alter definition of 'Dwelling Unit' to match Ontario Building Code (OBC) definition;
- Add verbiage to section 3 of the by-law with regard to properties where a draft plan of subdivision has been registered on title;
- Extend timeframe in section 5 (b) from 2 to 3 years for the replacement Dwelling Unit to be erected.

Based on these comments and in conjunction with our Solicitor, we have modified the draft Demolition By-law to include the following changes as noted below:

- The definition of 'Dwelling Unit' has been changed to match the OBC definition, we also deemed it necessary to define 'Suite' to provide additional clarity to the by-law;
- Verbiage was added to section 3 (h) for residential demolition projects within a registered draft plan of subdivision;
- The timeframe for replacement structure in section 5 (b) has been extended to 3 years to allow additional time to replace the residential dwelling unit.

Staff is submitting for consideration the attached By-Law and also submitting the expected process for Demolition Control permits (attached).

The attached By-Law has been prepared with input from the City solicitor.

In addition to a Demolition Control Permit, a Demolition Permit or Building Permit, as applicable, issued under the Building Code Act, will also be required prior to demolition of a dwelling unit.

Financial Impact: Staff currently process and collect fees for an average of 6.2 dwelling unit demolition permits each year. There will be some additional cost for permits which are referred to Council for consideration and if a charge has to be placed on the tax levy. It is anticipated that the current fees for demolition permits will adequately cover the costs for this program; however, staff will monitor resources required to implement this By-law and if additional fees are required, they will be requested as part of the Building Permit annual fee review.

Staff Recommendation: THAT Council receive the Demolition Control By-law report for information;

THAT Public Notification be given of Council's intent to consider passing a Demolition Control By-law;

AND THAT following the Public Notification, staff report back to Council with comments received through the consultation process.



Jonathan DeWeerd, Chief Building Official



Ed Dujlovic, Director of Infrastructure and Development Services



Rob Horne, Chief Administrative Officer

Demolition Control By-law

Being a By-law of The Corporation of the City of Stratford pursuant to the *Planning Act, R.S.O. 1990, c. P.13*, as amended, respecting the designation of an area of demolition control and the requirement for a permit for demolition of residential buildings.

WHEREAS authority is given to the Council of The Corporation of the City of Stratford pursuant to Section 33 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, to designate as an area of demolition control any area within the City of Stratford to which a standards of maintenance and occupancy by-law under Section 15.1 of the *Building Code Act, 1992, S.O. 1992 c.23* applies;

AND WHEREAS Property Standards By-law No. 141-2002 prescribes standards of maintenance and occupancy for all properties in the City of Stratford pursuant to Section 15.1 of the *Building Code Act, 1992, S.O. 1992 c. 23*;

AND WHEREAS authority is given to the Council of The Corporation of the City of Stratford pursuant to Section 33(3) and 33(6) of the *Planning Act, R.S.O. 1990, c. P.13*, to issue or refuse to issue a permit to demolish a residential property;

AND WHEREAS authority is given to the Council of The Corporation of the City of Stratford by Section 23.1 of the *Municipal Act, 2001, S.O. 2001 c.25*, as amended, to delegate its powers and duties to any person, subject to the restrictions set out in Sections 23.2 to 23.5, inclusive, of the *Municipal Act, 2001*;

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

1. In this By-law:

- (a) "Act" means the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended.
- (b) "Chief Building Official" means the Chief Building Official or his/her delegate appointed by by-law of The Corporation of the City of Stratford under subsection 3(2) of the Act for the purposes of enforcement of the Act.
- (c) "City" means the geographic area of the City of Stratford or the municipal corporation, as the context requires;

- (d) "Council" means the Council of The Corporation of the City of Stratford;
 - (e) "Demolish" or "Demolition" means to do anything in the removal of a building or any material part thereof as defined in Section 1(1) of the Act;
 - (f) "Demolition Permit" means a document issued by The Corporation of the City of Stratford in accordance with the Act indicating that the person has obtained permission pursuant to this by-law to Demolish a Residential Property;
 - (g) "Dwelling Unit" means any property or suite that is used or intended to be used for a domestic establishment or housekeeping unit and used by one or more persons and generally contains cooking, eating, living, sleeping and sanitary facilities;
 - (h) "Residential Property" means a building that contains one or more dwelling units, but does not include subordinate or accessory buildings the use of which is incidental to the use of the main building;
 - (i) "Suite" means a single room or series of rooms of complementary use, operated under a single tenancy, and includes,
 - a) dwelling units,
 - b) individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories, and
 - c) individual stores and individual or complementary rooms for business and personal services occupancies.
2. All areas within the boundaries of the City are designated as a demolition control area.
 3. No person shall demolish a Residential Property in the City without being issued a Demolition Permit pursuant to the by-law, unless:
 - (a) the demolition of a part of the Residential Property does not reduce the number of Dwelling Units in the Residential Property;
 - (b) the Residential Property is not a permitted use under the current zoning by-law;
 - (c) the Residential Property is owned by the City and the Demolition is required for the imminent implementation of a City capital works project previously approved by Council;
 - (d) the Residential Property is a mobile home;
 - (e) the Residential Property has been found to be unsafe under Section 15.9 of the Act or to be an immediate danger to the health and safety of any person under

Section 15.10 of the Act and a demolition order has been issued under either Section of the Act;

- (f) the demolition of the Residential Property is necessary to allow for the environmental remediation of the site and completion of a record of site condition as specified by a qualified professional under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended;
 - (g) the residential property is exempt under any provincial or federal statute; or
 - (h) the residential property is situated within a draft plan of subdivision and an agreement for the draft plan of subdivision has been registered on title;
4. Council hereby delegates its authority under subsections 33(3), 33(6) and 33(7) of the *Planning Act* to the Chief Building Official with respect to issuing or refusing Demolition Permits for Residential Properties, with the following exceptions:
- (a) the authority to issue a Demolition Permit for a Residential Property designated under Parts IV or V of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended;
 - (b) the Chief Building Official deems it appropriate at his/her discretion to refer an application to Council for the issuance or refusal of a demolition permit.
5. A Demolition Permit may be subject to the following conditions:
- (a) that the applicant for the Demolition Permit has applied for and received a building permit under Section 8 of the Act for a replacement building on the property;
 - (b) that if the replacement building is not erected within three (3) years of the issuance of the Demolition Permit of the existing Residential Property, the City shall be paid the sum of [Twenty-Thousand (\$20,000) Dollars] for each Dwelling Unit Demolished, which sum:
 - i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
 - ii) is a lien or charge on the property until paid; and
 - (c) that the applicant for the Demolition Permit has registered on the title to the property notice of conditions set out in (b) above in a form satisfactory to the Chief Building Official and City Solicitor.
6. Any person who Demolishes a Residential Property or permits the Demolition of a Residential Property without a Demolition Permit in contravention of this by-law is guilty of an offence and on conviction is liable to a fine of not more than Fifty-

Thousand (\$50,000) dollars for each Dwelling Unit contained in the Residential Property, the whole or any portion of which Residential Property has been Demolished.

7. This by-law shall come into force and effect upon the date of the approval of the set fines pursuant to the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.

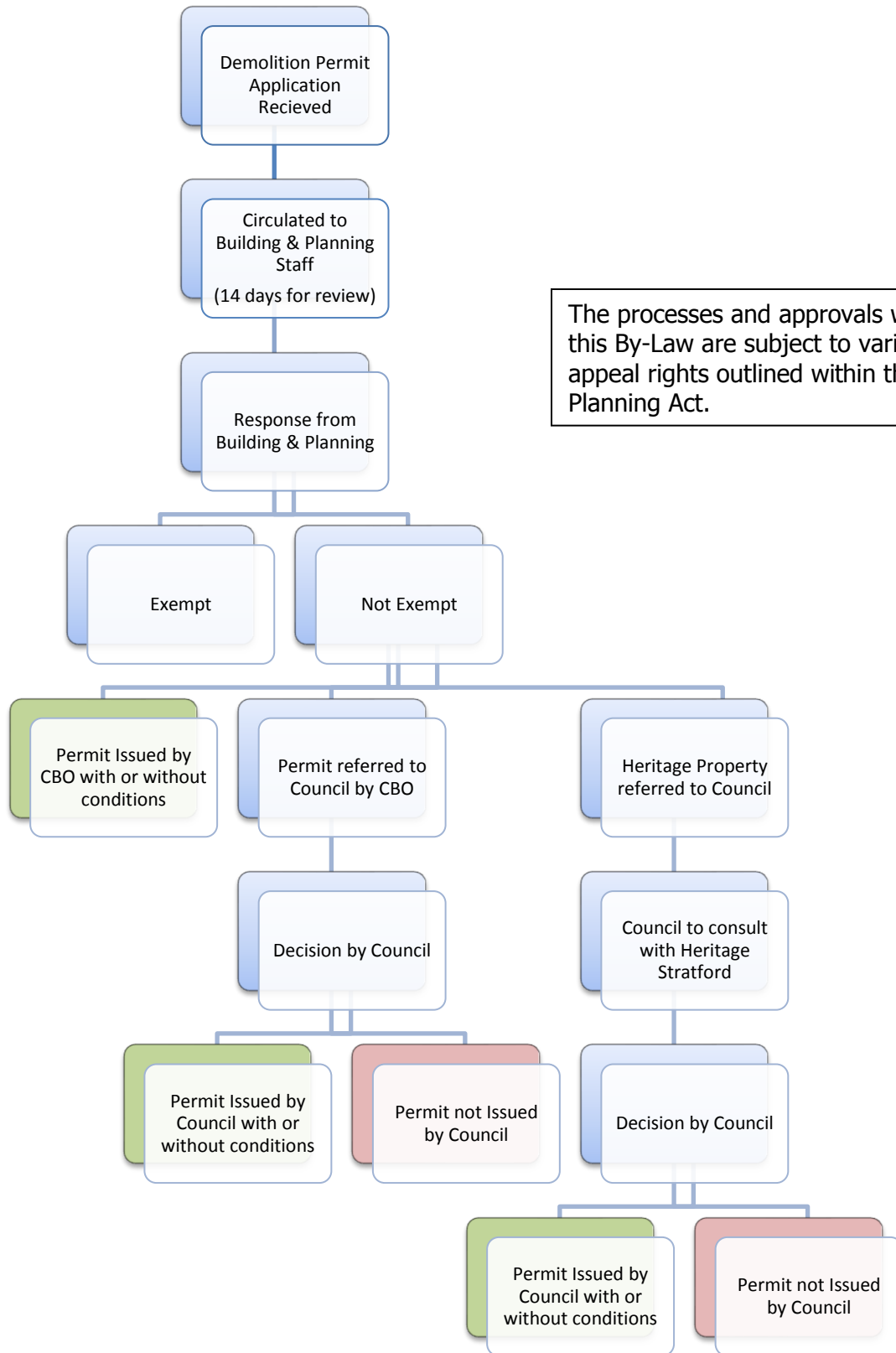
READ a FIRST, SECOND and THIRD TIME and

FINALLY PASSED this the _____ day of June, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson

Demolition Control By-law Process





MANAGEMENT REPORT

Date: May 30, 2019
To: Planning and Heritage Sub-committee
From: Town & Gown Advisory Committee
Report#: PLA19-019
Attachments: No

Title: Request to Add Stratford Chefs School as Voting Member

Objective: To update the Terms of Reference to include a new voting position for the Stratford Chefs School.

Background: The Stratford Chefs School has attended the last few Town & Gown Committee meetings and has expressed that they would be interested in having a position on Town & Gown. The committee members have previously discussed that having the Chefs School as part of the committee would be beneficial, as they host many students at the school each year.

Recommendation: That the Stratford Town & Gown Advisory Committee requests Council add a representative from the Stratford Chefs School as a voting member of the Town & Gown Advisory Committee. Carried.

Analysis: Stratford City Council established the Stratford Town and Gown Advisory Committee to serve as a forum for the exchange of information on issues and initiatives involving post-secondary institutions vis-à-vis The Corporation of the City of Stratford and the community, and recommends potential responses related thereto.

MANDATE:

The mandate of the Advisory Committee is the following:

- to provide a multi-disciplinary forum for open discussion;
- to facilitate communication among constituent groups;
- to assist in developing solutions to problems of common interest; and
- to promote and support activities to ensure a safe and healthy community.

It was clarified that the representative from the Stratford Chefs School would be an administrative representative and not a student representative. The Advisory Committee meeting times conflict with student activities in the late afternoon.

Financial Impact: None identified with establishing this additional position. All expenses of the Advisory Committee are paid from their annual operating budget approved by City Council.

Staff Recommendation: **THAT the recommendation from the Stratford Town & Gown Advisory Committee to add an administrative representative from the Stratford Chefs School as a voting member, be approved.**



Joan Thomson, City Clerk



Michael Humble, Director of Corporate Services



Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: April 25, 2019
To: Planning and Heritage Sub-committee
From: Heritage Stratford Advisory Committee
Report#: PLA19-020
Attachments: By-law 133-2004 as amended

Title: Update By-law to Increase the number of Heritage Stratford members on the Heritage Review Committee

Objective: Heritage Stratford would like to increase the number of committee members on their permit review committee to ensure there is always three members available to participate in the reviews.

Background: Currently, there are three members of Heritage Stratford required to sit on the Heritage Review Committee as per the By-law. The By-law states that:

"The Heritage Review Committee shall consist of the Heritage Stratford Chair and two other members."

Due to busy schedules, it is not always possible to have all three members of the review committee available on short notice to do reviews. It would be beneficial to add two more members for a total of five committee members, increasing the availability of at least three members to meet to do the reviews.

Heritage Stratford Advisory Committee Recommendation: That Council update the current by-law that states the Heritage Review Committee consists of three members and expand it to five members.

Analysis: The recommendation of Heritage Stratford to increase the composition of the Heritage Review Committee should assist the Committee in scheduling and completing the required permit reviews. Quorum for conducting reviews would be a minimum of three (3) of the five (5) members of the Heritage Review Committee.

Financial Impact: There is no impact on the Heritage Stratford budget regarding this proposed change.

Staff Recommendation: THAT By-law 133-2004 as amended, be further amended to increase the composition of the Heritage Review Committee to five (5) members of Heritage Stratford, from the current three (3) members;

AND THAT quorum for reviews by the Heritage Review Committee would be a minimum of three (3) members.



Joan Thomson, City Clerk



Michael Humble, Director of Corporate Services



Rob Horne, Chief Administrative Officer



**BY-LAW NUMBER 133-2004
OF THE CORPORATION OF
THE CITY OF STRATFORD**

BEING a By-law to establish a municipal heritage committee to be known as Heritage Stratford and to outline the advisory role of Heritage Stratford.

WHEREAS section 28 of the *Ontario Heritage Act R.S.O. 1990, chapter O.18 as amended*, provides that the council of a municipality may by by-law establish a municipal heritage committee to advise and assist the council on matters relating Part IV and Part V matters and such other heritage matters as the council may specify by by-law;

AND WHEREAS the Council of The Corporation of the City of Stratford enacted By-law 70-81 to establish a local architectural conservation advisory committee (LACAC);

AND WHEREAS the Council of The Corporation of the City of Stratford has amended By-law 70-81 since its enactment, as deemed necessary;

AND WHEREAS the Council of The Corporation of the City of Stratford, upon the advice of the Stratford Municipal Heritage Committee, deems it in the public interest to change the name to Heritage Stratford and to enact a by-law related to the advisory role of Heritage Stratford;

NOW THEREFORE BE IT ENACTED as a By-law of The Corporation of the City of Stratford as follows:

1.
 - a) A committee to be known as Heritage Stratford is hereby established. Heritage Stratford is a committee of concerned citizens appointed by the Council of The Corporation of the City of Stratford to advise Council on heritage issues (under the *Ontario Heritage Act*), and helps to ensure the citizens of Stratford that plans for change and progress are developed in a manner which recognizes the historical continuity of our community.
 - b) Members of the committee shall be appointed by Stratford City Council and shall continue in office until their term has expired, or until a successor has been appointed by City Council, or the member resigns.
2.
 - a) The committee shall consist of 9 members concerned with the aims of heritage conservation as follows: one of whom shall be a member of Council, one member shall be a representative of the Stratford and Area Builders Association (SABA) and 7 citizens. The citizens and SABA representative shall be eligible electors of Stratford knowledgeable in architecture, art, local history, and interested citizens. Members shall serve without remuneration.
 - b) The committee shall be supplied with a recording secretary from the Office of the City Clerk, with meeting rooms, with office supplies and stationary and such other materials as might be necessary. The committee shall establish an estimate of its Operating Budget for each year and submit it to the Director of Corporate Services as directed, for consideration by City Council during the annual budget process. City Council may approve or modify or add to such estimate before establishing the annual budget for the use of Stratford Heritage.

3. The committee shall be primarily concerned with providing advice and assistance to owners and occupants of Stratford properties:
 - a) Buildings primarily, but not necessarily within the Heritage Conservation District of the City of Stratford as defined by By-law and buildings in the Heritage Areas and Corridors identified in the Official Plan.
 - b) Designation of potential heritage buildings and other significant properties and offering advice in matters established by the Architectural Conservancy of Ontario, and the renovation of existing buildings, or the construction of new buildings, in order that their design be consistent with the general atmosphere and appearance of the area surrounding, especially at City Hall. To this end, the committee may request Council to designate an area of historical or architectural value or interest and may request of council to:
 - i) acquire property in the City;
 - ii) to take steps to prohibit demolition, destruction, or alterations of such buildings without the approval of Council.
 - c) Long term planning
 - d) Advocacy for heritage conservation
4. The Chief Building Official or designate is delegated the following powers in accordance with the *Ontario Heritage Act*:
 - a) Power to consent to alterations.
 - b) Power to issue permits for alterations.
- 4.1 On receipt of any information indicating:
 - a) an application for a Demolition Permit concerning:
 - i) properties designated under Part IV of the *Ontario Heritage Act*,
 - ii) properties in the Heritage Conservation District (HCD) of the City of Stratford as defined by By-law; and
 - iii) all properties identified on the Inventory of Stratford's Significant Buildings,
 - b) an application for a Building Permit concerning:
 - i) properties designated under Part IV of the *Ontario Heritage Act*, that, in the opinion of the Chief Building Official or designate, will likely affect any of the property's heritage attributes.
 - ii) the exterior facades of properties in the Heritage Conservation District of the City of Stratford as defined by By-law, that, in the opinion of the Chief Building Official or designate will not or may not conform with the Heritage Conservation District Standards,
 - c) an application for an Addition or Erection Building Permit concerning:
 - i) properties designated under Part IV of the *Ontario Heritage Act*
 - ii) the exterior facades of properties in the Heritage Conservation District of the City of Stratford as defined by by-law,
 - d) an application for a Sign Permit concerning:
 - i) properties in the Heritage Conservation District of the City of Stratford as defined by Bylaw, that, in the opinion of the Chief Building Official or designate will not or may not comply with the requirements of the City of Stratford Sign By-law and an application for sign by-law variance is submitted

- ii) properties designated under Part IV of the *Ontario Heritage Act*, that, in the opinion of the Chief Building Official or designate, will likely affect any of the property's heritage attributes,

the Chief Building Official or designate shall notify each member of Heritage Stratford's Heritage Review Committee of such information. The Heritage Review Committee shall consist of the Heritage Stratford Chair and two other members.

The Heritage Review Committee shall review the information received, the Committee may contact the owner of the subject property to offer advice and assistance. The Heritage Review Committee, within 5 working days of receipt of the information, shall provide comments to the Chief Building Official or designate.

The Chief Building Official or designate may issue consent or permit for alterations in accordance with the *Ontario Heritage Act* if the Heritage Review Committee finds the information submitted:

- 1. is not detrimental to any heritage attribute
- 2. the owner is in agreement with any conditions the Heritage Review Committee proposes
- 3. is not detrimental to the building façade, or,
- 4. no comments from the Heritage Review Committee are received within 5 working days.

In all other cases Council shall issue or refuse consent and issue or refuse permits in accordance with the *Ontario Heritage Act*.

- 5. The Committee shall meet monthly, unless determined otherwise by the Chair of the Committee and copies of its minutes shall be distributed by the City Clerk to members of Council and department heads as required.
- 6. The Committee shall be governed by Procedural By-law 216-2002, as applicable, or any successor by-law thereto, and by the Policy on Council Appointed Advisory Committees and any other applicable policies, procedures or guidelines of the City.
- 7. The Committee shall be charged with the preparation of a building inventory.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 30th day of August, 2004.

"Daniel Mathieson"
Mayor – Daniel B. Mathieson

"Joan Thomson"
Clerk – Joan Thomson



MANAGEMENT REPORT

Date: May 30, 2019
To: Planning and Heritage Sub-committee
From: Quin Malott, Manager of Parks, Forestry and Cemetery
 Jeff Leunissen, Manager of Development Services
Report#: PLA19-021
Attachments: None

Title: Tree Cutting By-law on Private Property

Objective: To report back to Council on the resolution that staff review the current tree cutting by-law and by-laws from other municipalities.

Background: On December 12, 2016, Council resolved the following:

That the request from the Hamlet Heritage Community Association to enact a comprehensive tree protection By-law be referred to staff and the Planning and Heritage Sub-Committee, that the City of Stratford current tree by-laws be reviewed as well as tree by-laws from other municipalities for further discussion and modification for a private property tree by-law.

A similar resolution to review the Tree By-law was adopted on September 22, 2014. In response, staff prepared a report that was submitted to Sub-committee in November 2014. Ultimately, that review resulted in Council adopting the following on February 23, 2015:

That staff make the necessary arrangements to amend By-law 1-2006, a By-law to prohibit or regulate the destruction or injury of trees in woodlands, to add the following provision:

“Where there is a *Planning Act* application involving an approval, all trees upon any property in the City shall be protected from injury or destruction from any site alteration, until the issuance of a permit and/or the receipt of final approval of any applicable *Planning Act* application.”

No action was taken at that time to include provisions to regulate the injury or destruction of trees on private property.

Analysis: For the 2015 review, staff was able to find three tree cutting models which differed from Stratford's. Stratford's By-law and the other three by-laws are summarized below.

Stratford By-laws

Two By-laws are currently in effect which deal with the cutting of trees on private property and they are: the "Stratford Street Tree By-law", By-law No. 5-2003 (adopted in 2003), and the Trees in Woodlands By-law, By-law No. 1-2006 (adopted in 2006). The Stratford Street Tree By-law regulates trees, all or part of which, are located above or below a public highway. In essence, this By-law gives the City the right to trim or cut trees on private property if they affect a public highway. The second By-law is the Trees in Woodlands By-law and it applies to "woodlands". The By-law defines woodlands as:

- 1,000 trees of any size per hectare;
- 750 trees measuring 5 cm diameter per hectare;
- 500 trees measuring 12 cm diameter per hectare; or
- 250 trees measuring 20 cm diameter per hectare.

No person shall destroy or cause to be destroyed any tree located in woodlands in the City of Stratford. Further, the By-law prohibits the injury or destruction of any tree if the site is involved in a Planning Act application. Exceptions to these regulations may be granted by Council.

Summary of 2014 Findings

- By-laws which regulate tree cutting on all private properties. The City of Toronto requires a permit to injure, destroy, remove or permit the injury of a tree which has a diameter of 30 cm or greater 1.4 m in height above ground.
- By-laws which regulate tree cutting on properties above a certain size. The City of Ottawa's By-law contains a set of regulations that applies to properties greater than 1 ha in size and a different set of regulations for properties less than 1 ha in size. For properties less than 1 ha in size, a permit is required to injure or destroy a "distinctive" tree; and a "distinctive tree" is a tree with a diameter of 50 cm or greater. The City of Kitchener exempts the requirement to obtain a permit for properties that are less than 0.4 ha (1 ac) in size.
- By-laws which regulate tree cutting within identifiable features. At the time, the City of London regulated the cutting of trees within an "Environmental Protection Area". Environmental Protection Areas were defined as areas designated as Open Space and/or Environmental Review in the Official Plan and/or those lands zoned as Environmental Review and/or Open Space (OS5) in the City's zoning by-law. (The City of London has since amended its By-law and the revised By-law is reviewed below.)

At the time of the 2014 review, the City of London By-law most closely resembled the City of Stratford's By-laws. Stratford prohibits the cutting of trees on private property only where the lands are considered a "woodlot". "Woodlots" are defined by the By-law as having certain number of trees of a certain diameter within a prescribed area.

2019 Review of Other Municipalities

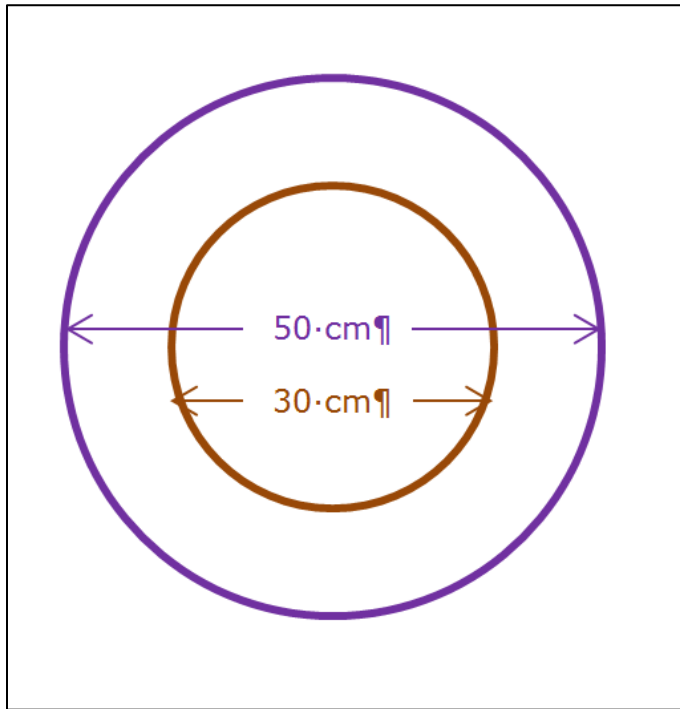
- The City of London now requires a permit to cut or injure a tree within a "tree protection area" and for "distinctive trees" within their Urban Growth Boundary. "Tree protection areas" include parks, open space areas and other environmental features; and "distinctive trees" are trees with a diameter equal or greater than 50 cm 1.4 m above ground.
- St Thomas has enacted a By-law which prohibits the injury or destruction of a tree having a trunk diameter of greater than 30 cm diameter at breast height (DBH) without a permit. If the tree is a dead or severely diseased tree, a hazard tree, a tree on property owned by a not-for-profit corporation, or a tree owned by an individual living below the Low Income Cut Off (LICO), as determined by Statistics Canada, the fee is waived.

St. Thomas adopted its private property tree By-law in October 2017. In 2018, the first full year it was in effect, 89 applications were received with 66 being approved.

- City of St. Catharines is considering a tree cutting by-law on private property which distinguishes between deciduous and coniferous trees. A permit is required to injure or destroy a deciduous tree 30 cm or greater at breast height and for a coniferous tree 20 cm or greater at breast height. St. Catharines is also considering requiring a permit if the tree is an identified species and if it is a significant tree. Council would determine whether the tree is considered a significant tree.

The City of London requires a permit to injure or destroy a tree on private property if it has a diameter of 50 cm or greater while the cities of St. Thomas and St. Catharines require a permit for trees 30 cm or greater in diameter. (St. Catharines is proposing a permit be required for coniferous trees 20 cm or greater in diameter.) The illustration below shows the difference between a tree with a diameter of 50 cm and a diameter of 30 cm.

Comparison between 50 cm diameter and 30 cm diameter



As is evident from a review of other municipalities' by-laws, there is a broad range of approaches taken by municipalities in Ontario on how to regulate the injury or removal of trees on private property.

Where a municipality has enacted a tree cutting by-law on private property, they have all required the applicant to submit the following:

- An application form
- An application fee – while fees vary considerably, from \$0 to over \$743.21 (if the permit is located on the boundary between two properties and it is being removed because of construction), many are \$100.

In addition to the above submission requirements, all the tree cutting by-laws reviewed contain provisions requiring, or requiring at the discretion of the individual authorized to issue a permit, the following:

- A report identifying location, species, size, and condition of tree, often prepared by an arborist or other qualified individual;
- Written consent of the owner if the tree is located on multiple properties;
- A tree protection plan, if there are nearby trees intended to be preserved, and
- The ability to issue an approval on conditions. Possible conditions include the requirement to plant a tree or trees in place of the tree proposed to be removed.

Should Council wish to proceed with a by-law which prohibits the destruction or injury of trees on private property, the scope of consideration should include:

- What main goal or objective is the by-law intended to achieve? Is the by-law intended to maintain the City's canopy cover, is there a canopy coverage the City is working to achieve, is it to protect residential neighbourhoods or is it to boost the image of the City?
- On which model should any by-law be drafted, should it apply to all properties, should it apply to trees above a certain diameter and what would that diameter be, should it exempt certain species and should it apply only to areas near parks and other open space areas?
- What information/material would be required to be submitted with an application? Is an arborist's report required with all applications, at the discretion of the permit issuer or not at all?
- What would be the costs to the municipality? Each application would need to be verified through a site visit by someone qualified to review the submitted material? Does the application fee cover 100% of the cost of the program or is it partially subsidized through general tax revenue?
- What would be the cost to the property owner? Currently, a property owner is responsible to cover the cost of the tree removal. Additional costs would include the application fee, possible cost of an arborist's report, possible cost of planting a replacement tree or paying cash-in-lieu of planting a tree.
- Establishing a process for reviewing applications such as criteria, timelines, appeal process and enforcement.

While staff would not want to pre-determine the outcome of any review, staff believe any by-law should be based on the following principles:

- A report of some sort would be required to support the application. This would minimize the time municipal staff spend on the review and approval of applications.
- The program should be 100% self-funding. Budgets are stretched and are not able to absorb additional programs.
- In almost all circumstances, permits would be issued conditionally upon the planting of a tree or upon the payment of cash-in-lieu of planting a tree. If there is no desire to plant a replacement tree, why regulate the injury or destruction of trees.
- While the by-law may include an appeal process, most applications should be dealt with at the staff level. Preparation of reports to sub-committee is time consuming and preparing numerous reports would impact service levels in other areas.

Financial Impact: A financial analysis would be completed should Council which to proceed with any by-law.

Staff Recommendation: THAT Sub-committee receive this report on the Tree Cutting By-law on Private Property for information.



Quin Malott
Manager of Parks, Forestry and Cemetery



Jeff Leunissen
Manager of Development Services



Rob Horne, Chief Administrative Officer

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Project Update –May 2019

Recent Zone Change Applications

379 Romeo Street North – to permit a mix of residential units including a 'shared living residence'

In response to the zone change application received on a portion of 265 St. David St (our file Z05-19), the City initiated a review of the zoning on the remainder of 265 St David St and 122 Birmingham (our file Z07-19)

Recent Plan of Condominium Applications

456 Lorne Avenue West – 52 residential units, 77 parking units and 37 storage locker units (our file 31CDM19-004)

Recent Site Plan Applications Under Review

Committee of Adjustment

	2019 (To Date)	2018	2017	2016	2015
Consents	10	11	23	6	18
Minor Variances	8	13	33	25	31

Other Planning Applications	2019 Year to Date	2018	2017
Official Plan Amendment Applications		3	1
Zone Change Applications (Holding Provision Applications)	7	10 (1)	9 (2)
Plan of Subdivision Applications		3	1
Plan of Condominium Applications	4	1	1
Part Lot Control Applications	1	1	2
Site Plan Applications	4	26	22
OMB Hearings	1	3	1
Formal Consultation Submissions	11	23	25

Local Planning Appeal Tribunal

Decision on OPA No. 21 appeal received. OPA is now in effect in its entirety
Appeal received on Consent Application B07-17. No hearing scheduled to date.

New Dwelling Unit Permits Issued

Dwelling Type	2019 (To Date)	2018	2017	2016	Five Year Average (2014-18)^{1 2}
Single detached dwellings	9	92	102	103	85.8
Duplex/Semi-Detached dwellings	0	8	4	28	9
Triplex/Quad Dwellings	0	0	0	8	3
Townhouse Dwelling	0	4	12	37	26
Apartment Dwelling	0	339	59	53	109
Other	0	4	1	4	3
Total	9	442	179	234	226
Total Number of Permits	207	534	547	626	
Total Construction Value \$	14,194,148	191,067,060	86,859,411	83,913,429	

¹Numbers rounded for convenience purposes.

²On average, 6 dwelling units are demolished each year

Significant Building Permits Recently Issued or Currently Under Review

60 St. Andrews Street.– alterations to a secondary school

Comprehensive Zoning By-law Review

Notice of the Statutory Public Meeting for the Comprehensive Zoning By-law review was advertised in the Beacon Herald and Notice was sent to all those who participated in the process by email on Thursday, May 30, 2019.

The Statutory Public Meeting is scheduled for Wednesday June 19, 2019 at 7:00 pm in Council Chambers.

The final version of the Draft By-law is available for review on www.shapingstratford.ca



A meeting of the **Heritage Stratford Committee** was held on the above date at 7:00 p.m., City Hall Annex (Avon Room), 82 Erie Street, Stratford ON

Present: Patrick O'Rourke, Cambria Ravenhill, Jacob Vankooten, Amanda Langis, Howard Shubert, Jayne Trachsel, Robin Thornrose, *Councillor Danielle Ingram

Staff Present: Jeff Leunissen –Manager of Development Services, Rachel Tucker – Planner, *Jonathan DeWeerd – Chief Building Official, Casey Riehl–Recording Secretary

Also Present: *Thor Dingman, Allan Tye

Absent: Robbin Hewitt

MINUTES

1.0 CALL TO ORDER

Patrick O'Rourke called the meeting to order at 7:00 p.m.

2.0 DISCLOSURE OF PECUNIARY INTEREST

None declared.

3.0 INTRODUCTIONS

Members, staff and guests introduced themselves.

4.0 DELEGATE: Jonathan DeWeerd – Draft Demolition Control By-law

Jonathan DeWeerd discussed the draft demolition control by-law with committee members. He reviewed the management report and highlighted the main areas of the by-law and the proposed updates/changes. The intent is to not lose housing stock within the City of Stratford.

Jayne Trachsel inquired if a new house must be lived in by the two year deadline. Mr. DeWeerd explained that an occupancy permit would have to be issued by the end of the two years.

Howard Shubert inquired if there were any regulations in place prior to this draft by-law. Mr. DeWeerd noted that there were not regulations for control of demolition. They followed the building code act, unless it was a designated building.

*Councillor Danielle Ingram now present (7:20 p.m.)

Mr. DeWeerd explained that the next steps will be to receive any formal feedback and comments from Heritage Stratford and compile a report back to Council. Pending any changes or concerns, staff will be sending the recommended by-law to Council in February for their approval. Once the set fines are approved, the by-law will come into effect.

Patrick O'Rourke suggested that instead of reading "a permit may be subject to the following conditions..." perhaps it should read "a permit will be subject to the following conditions..."

Patrick O'Rourke also suggested that Heritage Stratford review the demolition permit and the proposed new building at the same time. A process needs to be put into place to include Heritage Stratford as a whole committee for the reviews.

Members inquired if a project is going to take longer than the two year time limit, is there an option to apply for a possible extension depending on circumstances? Mr. DeWeerd will include this comment for consideration. Jeff Leunissen noted that the Planning Act states the project must be complete within two years. Two years is the maximum time frame allowed by the provisions in the Act.

Staff asked members to please forward all comments regarding content and process to the recording secretary by the end of January, so that they can be included for consideration.

*Jonathan DeWeerd no longer present (7:30 p.m.)

5.0 ADOPTION OF PREVIOUS MINUTES – November 20, 2018

Motion by Cambria Ravenhill, seconded by Amanda Langis to adopt the minutes dated November 20, 2018 as printed. Carried.

6.0 ELECTION OF 2019 CHAIR & VICE-CHAIR

Staff declared nominations for the 2019 Chair of the Heritage Stratford Advisory Committee Open.

Cambria Ravenhill nominated Patrick O'Rourke.

Staff asked if there were any further nominations. No further nominations were made.

Motion by Councillor Ingram, seconded by Amanda Langis to close nominations for the 2019 Chair of the Heritage Stratford Advisory Committee. Carried.

Patrick O'Rourke indicated that he would allow his nomination to stand.

Motion by Councillor Ingram, seconded by Cambria Ravenhill to elect Patrick O'Rourke as the 2019 Chair of the Heritage Stratford Advisory Committee. Carried.

Staff declared nominations for the 2019 Vice-Chair of the Heritage Stratford Advisory Committee Open.

Amanda Langis nominated Cambria Ravenhill.
Cambria Ravenhill nominated Amanda Langis.

Staff asked if there were any further nominations. No further nominations were made.

Motion by Councillor Ingram, seconded by Jacob Vankooten to close nominations for the 2019 Heritage Stratford Advisory Committee Vice-Chair. Carried.

Cambria Ravenhill indicated that she would not allow her nomination to stand.
Amanda Langis indicated that she would allow her nomination to stand.

Motion by Councillor Ingram, seconded by Cambria Ravenhill to elect Amanda Langis as the 2019 Vice-Chair of the Heritage Stratford Advisory Committee. Carried.

7.0 BUSINESS ARISING FROM PREVIOUS MINUTES

(a) Update on Heritage Stratford Brochures

Jayne Trachsel has volunteered to look at re-producing digital copies of the heritage brochures. Patrick O'Rourke will provide hard copies of the brochures to Ms. Trachsel.

(b) Update on Auditorium Photographs – Patrick O'Rourke

Patrick O'Rourke reported that the last four photographs have been framed and he will arrange with staff to get them hung up in the Auditorium at City Hall. Mr. O'Rourke and Amanda Langis will work on a map/guide cataloging the placement of the photographs around the Auditorium.

Mr. O'Rourke noted that during the process of gathering the last four photographs of the designated properties, he came across approximately 8-10

interesting photographs of old buildings and properties, such as the old Waterloo Street skating rink and the old YMCA building. He suggested that these photographs are very interesting to see and wondered if they could be displayed somewhere. Councillor Ingram suggested that perhaps at the Rotary Complex, on one of the walls outside the rinks or the halls. She will contact the Director of Community of Services to inquire if he would be interested in displaying them.

(c) Heritage Inventory Update – Rachel Tucker

Rachel Tucker updated the committee that she is working on a draft management report to outline the process to be followed for the properties on the non-designated list. She hopes to send the report to Council in February. She will forward both the designated and non-designated lists to all members so everyone has the most up to date versions.

(d) Update on Heritage Alteration Permit Application & Permit Review Sub-committee Evaluation Form – Rachel Tucker

Rachel Tucker reported that staff has completed the heritage alteration permit application. She will circulate the draft to committee members. They are now beginning to work on the evaluation form. Their goal is to try and pair it with the Part V properties and HCD standards, to make it easier to follow.

(e) Update on Heritage Conservation District Standards – Jeff Leunissen

This request is to go to the Planning & Heritage Sub-committee to request that Infrastructure & Development Services investigate the cost of hiring a consultant to review the standards. Patrick O'Rourke inquired if this project could be split up into steps? Step one being a review of the existing standards. He inquired if this might be a project that Margaret Rowell would be interested in. Rachel Tucker will inquire with Ms. Rowell to see if this is a project that she would be interested in undertaking.

(f) Update on James Anderson Award

Staff reported that so far there has only been one nomination received. The deadline for nominations is January 31, 2019. Staff will inquire if Mike Beitz will post the information on social media again. Nomination forms are available for pick up at the Clerk's office and online.

8.0 DESIGNATION UPDATES

Stratford Fairground Gates – Rachel Tucker reported that Clerk's staff has posted the intent to designated by-law in the newspaper last week.

Land Registry – No new update.

9.0 DEVELOPMENT SERVICES REPORT (January 2019) – Rachel Tucker

Rachel Tucker circulated and reviewed the January building and sign permits. Robin Thornrose inquired if impact assessments are available for HS members to review. Ms. Tucker stated that they are available and she will forward any requested H.I.A.'s to members.

Howard Shubert inquired if minor variances are requested, are they site-specific? Staff noted that they are site-specific. Jeff Leunissen noted that not all minor variances or consent applications will require a heritage impact assessment. This is a new requirement for Stratford as part of the recently updated Official Plan. If you are adjacent to a heritage property or the HCD, an analysis must be done to state how it will impact the designated heritage property.

Members discussed that there is nothing stated in the heritage guidelines referencing accessibility requirements. It is something that the review sub-committee must balance between preserving heritage and meeting accessibility needs.

10.0 BLUE PLAQUE UPDATE

A draft management report has been prepared for the Clerk for Council's information regarding a blue plaque for Dr. Robert Salter. The current property owners inquired if they sell their property, would the new owners have the option of removing the plaque if they choose to do so. Members agreed that that would be the right of the property owner to request it be removed.

The Blue Plaque sub-committee will work on an updated description that better explains the program to post on the City's website.

11.0 NEW BUSINESS

(a) Wayfinding Study – Patrick O'Rourke

Patrick O'Rourke reported that a consultant has been hired by the city to conduct a wayfinding study. There will be a public open house held and the committee hopes that HS can possibly be consulted at some point in the process. Jeff Leunissen assured the committee that the HCD is at the forefront of considerations during the process.

(b) Heritage Day Proclamation (February 18, 2019) – Patrick O'Rourke

Patrick O'Rourke suggested that Heritage Stratford could request that Council declare February 19, 2019 as Heritage Day in Stratford.

Motion by Cambria Ravenhill, seconded by Amanda Langis that the Heritage Stratford Advisory Committee requests Council hereby proclaim February 18, 2019 as Heritage Day in the City of Stratford in celebration of our past and our future, and to inspire Canadians to embrace, explore and enjoy our enduring heritage. Carried.

(c) Budget Presentation – Patrick O'Rourke

Patrick O'Rourke updated the committee that he will be doing a budget presentation to the Finance & Labour Relations Sub-committee on Saturday, January 12, 2019 to support the HS annual report and 2019 budget request.

(d) Annual Review of HS Terms of Reference

The committee has reviewed their terms of reference and have determined that there are no updates or changes required at this time.

(e) Heritage Stratford Sub-Committees

With the change in committee members now on HS, the four sub-committees will need to be updated with additional members. Further discussion at the February meeting.

Permit Review: Pat O'Rourke, Jacob Vankooten, Robbin Hewitt

Designations: Amanda Langis, Cambria Ravenhill + 1 new member

Awards: Amanda Langis, Robbin Hewitt + 1 new member

Blue Plaque: Cambria Ravenhill, Pat O'Rourke + 1 new member

(f) Architectural Conservancy of Ontario – Thor Dingman

Thor Dingman, president of the ACO, addressed the Heritage Committee to discuss keeping in touch with HS in the future on heritage issues going on in Stratford. The ACO has been hearing from the public lately regarding demolition concerns in the city. During Heritage Week, the ACO is holding an information session on February, 21, 2019 in the City Hall Auditorium. The event is called Streets, Trees and Infill with guest speaker Wes Kinghorn. Mr. Dingman has invited HS members to attend.

12.0 NEXT MEETING DATE – Tuesday, February 12, 2019 at 7:00 p.m. – Avon Rm.

13.0 ADJOURNMENT

Motion by Cambria Ravenhill, seconded by Jacob Vankooten to adjourn the meeting. Carried.

Time: 9:15 p.m.



A meeting of the **Heritage Stratford Committee** was held on the above date at 7:00 p.m., City Hall Annex (Avon Room), 82 Erie Street, Stratford ON

Present: Patrick O'Rourke – Chair Presiding, Jacob Vankooten, Amanda Langis, Jayne Trachsel, Robin Thornrose, *Councillor Danielle Ingram, Robbin Hewitt

Staff Present: Jeff Leunissen –Manager of Development Services, Rachel Tucker – Planner, Casey Riehl–Recording Secretary

Also Present: *Galen Simmons - Beacon Herald, *Michael Wilson – Wilson Architects, *Rita Osypa, *Paul Veldman – Urbanistyc, *Dwight Nelson – Minister, Knox Church, *Douglas de Gannes, *Members of Knox Church congregation

Absent: Howard Shubert, Cambria Ravenhill

M I N U T E S

1.0 CALL TO ORDER

Patrick O'Rourke called the meeting to order at 7:00 p.m.

2.0 DISCLOSURE OF PECUNIARY INTEREST

None declared.

3.0 ADOPTION OF PREVIOUS MINUTES – January 8, 2019

Motion by Robin Thornrose, seconded by Jayne Trachsel to adopt the minutes dated January 8, 2019 as printed. Carried.

4.0 BUSINESS ARISING FROM PREVIOUS MINUTES

(a) Heritage Stratford Sub-Committees/Working Groups

Members discussed the various sub-committees that Heritage Stratford has and who would like to volunteer on any of them. Updated list below.

*Councillor Danielle Ingram now present (7:05 p.m.)

Permit Review: Pat O'Rourke, Jacob Vankooten, Robbin Hewitt,
(Alternates: Amanda Langis, Robin Thornrose)

Designations: Amanda Langis, Cambria Ravenhill, Robin Thornrose

Awards: Amanda Langis, Robbin Hewitt, Jayne Trachsel

Blue Plaques: Cambria Ravenhill, Pat O'Rourke, Danielle Ingram

Patrick O'Rourke discussed with members the idea of adding two more permanent positions on the permit review committee. With holidays and conflicts of interest, sometimes it is difficult to have enough members available to do the review. If the members were increased from three to five, the likelihood of having three or more people available to do a review would be better. Staff will include the alternates in the e-mails moving forward.

Motion by Councillor Danielle Ingram, seconded by Amanda Langis that the Heritage Stratford Advisory Committee requests Council update the current by-law that states the Heritage Stratford Permit Review Sub-committee consists of three members and expand it to five members. Carried.

(b) Updated HS Brochure – Jayne Trachsel

Jayne Trachsel has completed the upgraded HS brochure. She has simplified the brochure and formatted it to resemble an old fashioned heritage post card. She has used the information contained in the old brochure and pared it down. The new style will be much more cost-effective to print. Ms. Trachsel will research some printing costs for next meeting and present a few different versions with different fonts, etc.

*Delegates and members of the public now present (7:25 p.m.)

5.0 DELEGATE – Michael Wilson – Knox Church Renovations/Addition

Dwight Nelson, current minister at Knox Church, provided the committee with some background information on how the church congregation has worked over the last two years to design the current concept. Michael Wilson explained the design concepts that would incorporate the adjacent property to the north, which would house the new addition of a residential condominium development. With the new residential project, Knox church would have additional use of some public areas. The existing church would undergo interior renovations, such as addressing accessibility issues. The architects have used colour, material and design elements to marry the two buildings as best as possible. Douglas de Gannes shared with the committee some examples of how other churches have done similar renovations and additions. Mr. de Gannes added that places of worship all over the province are at risk of demolition. It is their hope that this is not the case for Stratford's Knox Church and the carefully thought out plans will ensure the congregation can continue to worship in the existing church.

sanctuary long into the future and the community will benefit from the new auditorium spaces.

Some questions raised by Heritage Stratford members are if there are plans to incorporate green space on the grounds of the new and existing development. Mr. Wilson explained they have designed a courtyard; however it is hardscaped and doubles as an alley through to Ontario Street. They would be open to trying to incorporate some plantings/vines/trees on the pedestrian level.

Members inquired about how they intend to visually join the two buildings to make them look like they belong together. The design will see the front façade of the existing church get an upgrade with some glazing to look warm and inviting and the new addition will incorporate some of the church design, such as stained glass windows. Members are empathetic to the design dilemma of combining modern and traditional.

Jayne Trachsel inquired if the house beside the church is designated and if the church is not able to purchase it, what happens? Mr. Wilson noted that the house itself is not designated, however it is in a designated district, which is Part V. The church does have the property under contract to purchase, however, if something were to change and they could not purchase it, the entire project would be compromised. Once purchased, the church intends to relocate the house to another property within Stratford. Rachel Tucker inquired if the Architects had researched if the house could be designated under Part IV at its new location? Patrick O'Rourke stated that this could maintain heritage protection for the building in a different form, in a different location. They have not inquired about this option, but will do so and send the information to staff. Jeff Leunissen noted that they may be required to confirm the new location prior to doing so. Michael Wilson suggested that the simple fact of moving the house to the new location is a significant event in history and that alone would be a reason for designating it.

Councillor Ingram inquired if the underground parking levels are above the water table. Michael Wilson noted that they are not certain at this point about the third level, however they are above Victoria Lake. If the third level is an issue, the plan can eliminate this lower level. Geotechnical studies will determine if the third level is an option.

Councillor Ingram inquired with staff how they determine height. Do they determine it at the ground floor level or the average finished grade as the building meets the street? Rachel Tucker explained it is at the finished grade. Councillor Ingram noted that this then makes the new structure closer to a 75ft. building, not 65 ft. The new portion of the building will be higher than the existing church. The architects will request the applicable permits to address the height of the building.

Councillor Ingram inquired if a design element could be incorporated for the blank side of the new addition facing Stratford Place and Cobourg Street. All the other sides of the new addition have interesting design features, however this side is very large and blank. Designers will look into a possible solution.

Jeff Leunissen stated that the process will begin with a plan for the proper permits being applied for and secured, heritage approvals, Council approvals, re-zoning and minor variance considerations. Staff will work with the architects to prepare a road map of different approvals and options required. Heritage Stratford will continue to work with the architects along the way, with ongoing permit reviews when required.

*Michael Wilson and members of Knox congregation no longer present (8:20 p.m.)

6.0 DELEGATE: Paul Veldman – 230 Ontario Street (former Baptist Church)

Paul Veldman shared updated exterior design drawings of the new condo development, incorporating suggestions from Heritage Stratford, which include a lower height, additional glass and lighter brick. They have been working with Development Services staff on the site plan process, including a shadow study, and have initiated the minor variance application for the property. They have received feedback from neighbours of the property and other citizens. With this feedback they have altered their minor variance application to reflect the removal of the protrusion that required the minor variance. They have been able to take into consideration many of the suggestions, with the exception of a neighbouring property with a dual access driveway. It is far beyond the financial means of the congregation to repair the church and maintain the building. The developers found it challenging to re-develop the building for an alternate use, leaving demolition as the path to move forward. The church congregation will still maintain a small assembly space to gather within the new development. Mr. Veldman shared with the committee a sample of the lighter red brick they are proposing to use. Developers are hoping to start the project this fall, with a projected 16-month process from start to finish. They have completed the geotechnical and environmental studies for this property. They are also continuing to work on parking solutions.

Councillor Ingram inquired if it was possible to salvage the bricks from the church to use on the new condominiums? Mr. Veldman stated that they researched this idea, however due to many unknown variables, this option is not economically feasible. She also inquired if some of the bricks could be salvaged and used on part of the tower of the new building. Mr. Veldman stated that this is a more viable option, however the concrete in the tower anchors the concrete on the lower part of the building. He noted that it could perhaps be used in some other capacity.

Patrick O'Rourke thanked Mr. Veldman for taking into consideration the previous feedback and suggestions that Heritage Stratford provided them in moving forward with the development.

*Paul Veldman no longer present (8:55 p.m.)

BUSINESS ARISING FROM PREVIOUS MINUTES - CONTINUED

(c) James Anderson Award Update

The committee received five nominations for the 2018 James Anderson Award. The packages will be reviewed by the awards sub-committee and a recommendation will be discussed at the next Heritage Stratford meeting. Patrick O'Rourke noted that this year marks the 25th Anniversary of James Anderson's death. Sub-committee members may make arrangements to visit some of the sites of the built nominees. The committee plans to hold the ceremony in June. Danielle Ingram will insure the 2017 recipients are added to the website.

*Galen Simmons no longer present (9:07 p.m.)

(d) Update on Auditorium Photographs – Patrick O'Rourke

Patrick O'Rourke updated the committee that the four new photographs are framed and now hanging in the auditorium. Mr. O'Rourke and Amanda Langis are working on mapping the pictures and creating a list. Mr. O'Rourke provided Rachel Tucker with the electronic high-resolution file of all the properties.

After discussion at the previous Heritage Stratford meeting, Mr. O'Rourke has completed framing the remaining two photographs from the archives of old buildings throughout Stratford. These photographs will be displayed at the Rotary Complex.

Motion by Amanda Langis, seconded by Councillor Ingram that Heritage Stratford spends \$57.40 to complete the framing of the photographs to be displayed at the Stratford Rotary Complex. Carried.

(e) Heritage Inventory Update – Rachel Tucker

Rachel Tucker has completed the report regarding the non-designated heritage inventory for Sub-committee outlining the importance of the list and the process involved. Staff is recommending holding a public open house to inform property owners what the register is and how the process works. The feedback from the open house is beneficial for staff to work towards a smooth process with property owners, as well as other citizens who might be interested in getting their property on the list.

(f) Update on Heritage Alteration Permit Application & Permit Review Sub-Committee Evaluation Form – Rachel Tucker

Rachel Tucker and Russell Harley are close to completing the heritage alteration permit application updates and are now focusing on the evaluation form revisions.

(g) Update on Heritage Conservation District Standards – Jeff Leunissen

Jeff Leunissen updated the committee that the recommendation to update the standards was referred to staff by Sub-committee. He has contacted other municipalities who have updated their standards and the fees and costs involved were very high. They range anywhere from \$80,000.00 to \$200,000.00 for the update. He also reported that most municipalities have not updated their heritage standards. He will continue to reach out to municipalities to gain some background information on the best way to move forward with this project. The final step in the process will ultimately be budget approval in the 2020 budget.

7.0 DESIGNATION UPDATES

Stratford Fairground Gates – Rachel Tucker reported that Council has designated the Fairgrounds Gates. The designation sub-committee will complete their process now; which includes taking a picture to include in the auditorium collection, order the plaque and have it mounted and to hold a small ceremony to commemorate it. Members agreed that the best location for the plaque would be to mount it directly on the stone gates.

8.0 DEVELOPMENT SERVICES REPORT (February/March 2019) – Rachel Tucker

Rachel Tucker circulated and reviewed the list of permit and sign applications.

9.0 BLUE PLAQUE UPDATE

The blue plaque sub-committee will have the plaque ordered and write up a media release once a date has been confirmed for the installation on the property. Patrick O'Rourke asked if the sub-committee would continue to work towards updating the description of the blue plaque program and nomination form.

10.0 NEW BUSINESS

(a) Wayfinding Study – Patrick O'Rourke

Patrick O'Rourke and Jayne Trachsel attended the wayfinding session. The main focus on the initial session was on aesthetics. There will be future sessions held to address additional aspects.

- (b) **Heritage Day Proclamation (February 18, 2019) – Patrick O'Rourke**
Council proclaimed February 18, 2019 as Heritage Day in Stratford at the February 11, 2019 meeting.
- (c) **Heritage Stratford – Speaking Event – Patrick O'Rourke**
Patrick O'Rourke was contacted by a local seniors group to see if Heritage Stratford would be available to attend their April 9th meeting to speak about heritage matters in Stratford. Jayne Trachsel has volunteered to attend with Patrick O'Rourke. They will also reach out to other Heritage Stratford members not present at the meeting tonight to see if they would like to participate.
- (d) **Ontario Heritage Conference (May 30-June 1, 2019)**
Patrick O'Rourke reported that this year's conference is being held in the Goderich/Bluewater area. There is a budget for members to attend conferences and he encouraged anyone who is interested in attending to visit the website. The early-bird registration date is not until after the April Heritage meeting. At that point members can confirm who will be attending.
- (e) **Stratford & District Historical Society – Jayne Trachsel**
Jayne Trachsel updated the committee that a new group has submitted their application to become the Stratford & District Historical Society. The purpose of the society is to advance education by improving the public understanding and awareness of the history of Stratford and surrounding areas. Their hope is to organize special events to highlight interesting historical people and events. They will also work closely with Stratford Tourism.
- (f) **Architectural Conservancy of Ontario (ACO) – Stratford-Perth Branch Streets, Trees and Infill Event**
Jeff Leunissen reported that he attended the recent event organized by the ACO. It was well attended and informative. The speaker's view of a Heritage Conservation District was more of a focus on the people, rather than the actual buildings. The ACO plans on advocating for infill development, saving trees, sidewalks, etc.

11.0 NEXT MEETING DATE – Tuesday, April 9, 2019 at 7:00 p.m. – Avon Rm.

12.0 ADJOURNMENT

Motion by Councillor Ingram, seconded by Jacob Vankooten to adjourn the meeting. Carried.

Time: 9:50 p.m.



A meeting of the **Heritage Stratford Committee** was held on the above date at 7:00 p.m., City Hall Annex (Avon Room), 82 Erie Street, Stratford ON

Members Present: Patrick O'Rourke – Chair Presiding, *Jacob Vankooten, Jayne Trachsel, *Robin Thornrose, *Councillor Danielle Ingram, Robbin Hewitt, Howard Shubert, Cambria Ravenhill

Staff Present: Jeff Leunissen –Manager of Development Services, Rachel Tucker – Planner, Casey Riehl–Recording Secretary

Also Present: *Michael Wilson – Wilson Architects, *Paul Veldman – Urbanistyc Inc.

Absent: Amanda Langis

M I N U T E S

1.0 CALL TO ORDER

Patrick O'Rourke called the meeting to order at 7:00 p.m.

2.0 DISCLOSURE OF PECUNIARY INTEREST

None declared.

3.0 ADOPTION OF PREVIOUS MINUTES – March 12, 2019

Motion by Jayne Trachsel, seconded by Cambria Ravenhill to adopt the minutes dated March 12, 2019 as printed. Carried.

*Michael Wilson now present (7:05 p.m.)

4.0 DELEGATES: MICHAEL WILSON & PAUL VELDMAN – 42 Waterloo St. S.

Paul Veldman shared with the committee an architects report outlining the preliminary historical analysis of the property at 42 Waterloo Street South and the reasons for eligibility for Part IV designation. Mr. Veldman stated the building can be relocated and will provide a confirmation report once he received it. Michael Wilson shared a preliminary sketch of the proposed new property and how the building will sit on the lot. Robbin Hewitt stated that it is exciting to see the prospect of relocating and preserving this building and not demolishing it.

*Robin Thornrose now present (7:15 p.m.)

Mr. Veldman and Mr. Wilson are looking for support from Heritage Stratford to keep moving forward with their development plans at the Knox Church.

Robbin Hewitt stated it is her opinion that the height of the new building facing Cobourg Street is a concern for her. Mr. Veldman noted that they will work with staff to obtain the proper permits to be approved for the height and work on the design to make it more appealing. Mr. Wilson suggested they might consider terracing the condominiums on that side to lessen the look of the height.

Jayne Trachsel noted that areas of the building appear vary dark in colour and possibly windows could be extended to lighten it up. Mr. Wilson explained that there is a building code requirement for spacial separation, but perhaps a lighter colour could be explored.

Jeff Leunissen explained that the next step will be for the developers to do a formal consultation with staff and solidify plans. Staff will direct them on the zone change application, heritage impact assessment, design briefs, planning justification report, and ensure that all the proper studies are complete. The zone change application will be circulated to Heritage Stratford for feedback. The final decision for the zone change will be made by Council. The second step will be to complete a site plan and concurrent demolition permits and heritage alteration permits, which will also require Council approval.

Rachel Tucker will e-mail the plans to Heritage Stratford members.

Patrick O'Rourke explained that once there is a site plan and final design drawings, Heritage Stratford will at that point be able to provide feedback on the project.

*Michael Wilson and Paul Veldman no longer present (7:35 p.m.)

Howard Shubert inquired if moving the 42 Waterloo Street property sets precedence for moving buildings in Stratford. Mr. O'Rourke stated that the original plan was to demolish the residence; moving it is the alternative, and does not feel it sets a precedence. Members do agree that they are open to the proposed design of the adaptive re-use for the church, as opposed to demolishing it.

5.0 BUSINESS ARISING FROM PREVIOUS MINUTES

(a) Updated HS Brochure – Jayne Trachsel

Jayne Trachsel has obtained some quotes to print the Heritage Stratford postcards. She will work on having three proofs for the committee to review for the next meeting. Once one is chosen, staff will have it reviewed by the City

Clerk and the Accessibility Coordinator. At that point, the committee can decide how many they would like to order.

(b) Heritage Inventory Update – Rachel Tucker

Rachel Tucker has completed the report requesting to proceed with the list of 44 properties for the non-designated list. The report outlines the process and the next steps involved in the list. It also includes an opt-out option to being on the list. The report was presented to Committee for their consideration. Ms. Tucker's next step will be to begin preparing packages to send to the 44 property owners and setting an open-house date. If Council approves the list, the packages will be hand delivered by Heritage Stratford members. This will give members an opportunity to answer any questions a property owner may have and personally invite them to the open-house. Staff will post additional information about the list on the website to help answer questions property owners may have. Staff will also look at a tentative date in June to hold the open-house. Ms. Tucker will e-mail the list to members.

(c) Update on Heritage Alteration Permit Application & Permit Review Sub-Committee Evaluation Form – Rachel Tucker

Rachel Tucker reported they are close to completing the application form. Staff will begin working on the evaluation form after the non-designated registry open-house has been organized and held.

(d) Heritage Conservation District Standards Update – J. Leunissen

Jeff Leunissen updated the committee that a management report is going to the Planning & Heritage Sub-committee meeting on April 25, 2019. Staff's recommendation is that the project be referred to the 2020 budget. The cost to update the standards varies greatly, depending on the amount of public consultation a consultant does, as well as the amount of buildings in the Heritage Conservation District. The updates can range from \$30,000.00 to \$250,000.00. There are grant opportunities to help with the updates, which will be explored once the project moves ahead. Robbin Hewitt inquired if Heritage Stratford could begin exploring grant options now, as they can sometimes have lengthy lead times. Mr. Leunissen suggested that members can do some initial research if they would like, however until the project is approved, there is not much information that can be provided to determine the scope and amount of funding required.

(e) James Anderson Award Selection

The awards committee has reviewed the submissions received and is recommending three recipients. One recipient in the Built category under commercial and another Built category recipient under residential. They are also recommending a recipient in the Cultural Heritage category.

Motion by Robbin Hewitt, seconded by Robin Thornrose that the Heritage Stratford Advisory Committee presents 2018 James Anderson Awards to:

**36 Ontario Street, Stratford ON – Built Category (Commercial)
46 Norman Street, Stratford ON – Built Category (Residential)
Rick and Carole Huband – Cultural Heritage Category**

Carried.

As chair, Patrick O'Rourke will contact the unsuccessful nominees to thank them for their submissions. Staff will contact the three recipients to let them know they are being awarded the award and that a tentative date of June 11, 2019 has been set for the event.

Motion by Jacob Vankooten, seconded by Jayne Trachsel that the Heritage Stratford Advisory Committee spends up to a maximum of \$600.00 to cover the cost of framing the James Anderson Awards, engraving the plaque, refreshments and supplies for the James Anderson Event on June 11, 2019. Carried.

*Councillor Danielle Ingram no longer present (8:30 p.m.)

(f) Heritage Speaking Event (Apr. 9/19) – J. Trachsel/R. Hewitt

Jayne Trachsel and Robbin Hewitt spoke earlier today to a group who were interested in hearing about heritage. They shared with the group some interesting heritage background on various buildings in Stratford, such as City Hall. The audience was quite receptive and Ms. Trachsel and Ms. Hewitt were able to answer their questions and concerns regarding heritage issues, as well as designation questions.

(g) ON Heritage Conference (May 30 – June 1) – Bluewater/Goderich

Members discussed the upcoming Ontario Heritage Conference and members are interested in attending, as it is being held close to Stratford this year. There are funds in the 2019 budget for conferences that would cover the registration fee and any costs associated with attending for HS members who wish to attend. Members can register online and submit their receipts to staff.

Motion by Robbin Hewitt, seconded by Cambria Ravenhill that the Heritage Stratford Advisory Committee spends up to a maximum of \$3,000.00 to cover registration fees and travel expenses incurred by committee members to attend the 2019 Ontario Heritage Conference (May 31-June 1) in Bluewater/Goderich. Carried.

6.0 DESIGNATION UPDATES

Stratford Fairground Gates – Patrick O'Rourke will look after ordering the plaque to be placed on the gates. He also suggested meeting with Councillor Gaffney and representatives from the Ag Society to determine the best placement of the plaque. A photo will be taken after the plaque has been mounted.

7.0 DEVELOPMENT SERVICES REPORT (April 2019) – Rachel Tucker

Rachel Tucker reviewed the Development Services report for April.

Robbin Hewitt inquired how HS members should handle a situation where you see work being done on a heritage building, however it appears they are not adhering to the work outlined in the approved permits. Jeff Leunissen explained that if members come across this situation, to contact him or staff, and they will look after investigating the situation. Patrick O'Rourke inquired if it would be possible for the Chief Building Official or Development Services staff to notify HS members when emergency or last-minute work is being performed on buildings around the city? It would be helpful to be informed in case they come across the work being done and question it.

*Jacob Vankooten no longer present (8:55 p.m.)

8.0 BLUE PLAQUE UPDATE

Patrick O'Rourke requested the blue plaque sub-committee review the current program description and work on updating the wording to better reflect the intention of the plaques.

Mr. O'Rourke will also order the Dr. Salter blue plaque when he orders the Fairgrounds one. The blue plaque sub-committee will organize a date to celebrate Dr. Salter's plaque being placed on Front Street.

9.0 NEW BUSINESS

(a) Expectations of Heritage Stratford Committee Members Outside of Meetings – Patrick O'Rourke

Patrick O'Rourke addressed a member's question regarding what HS members are permitted to discuss outside of committee meetings. Mr. O'Rourke explained that the Heritage Stratford meetings are public meetings and any information discussed or presented during the meeting is public knowledge. Any member of the public is welcome to attend advisory meetings to observe and be present for any presentations. Any statement on behalf of the committee should come from the Chair of that committee. Rachel Tucker noted that information contained in heritage applications that are reviewed by the committee are confidential until permits are issued; at that point in the process, it becomes public information.

(b) Ministry of Tourism, Culture & Sport – Letter of Waiver

Jeff Leunissen previously circulated the annual letter that Heritage Stratford receives from the Ministry of Tourism, Culture & Sport which allows all heritage advisory committees to do research at the land title office free of charge.

(c) SABA Alternate Representative

Jacob Vankooten inquired if there were still alternate positions available on Heritage Stratford for SABA representatives. He is currently the SABA rep; however he has had an inquiry from SABA regarding interest in being an alternate. Patrick O'Rourke will contact Jacob Vankooten and have SABA submit in writing that they wish to have an alternate SABA rep on Heritage Stratford.

10.0 NEXT MEETING DATE – Tuesday, May 14, 2019 at 7:00 p.m. – Avon Rm.

11.0 ADJOURNMENT

Motion by Robbin Hewitt, seconded by Jayne Trachsel to adjourn the meeting. Carried.

Time: 9:15 p.m.