



## **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