



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

Date: Monday, June 8, 2020

Time: 3:15 P.M.

Location: Electronically

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

Staff Present: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Ed Dujlovic - Director of Infrastructure and Development Services, David St. Louis - Director of Community Services, Jeff Leunissen - Manager of Development Services, John Paradis - Fire Chief, Kim McElroy - Director of Social Services, Janice Beirness - Acting Director of Corporate Services, Jodi Akins - Council Clerk Secretary, Jeff Bannon - Planner

To watch the Council meeting live, please click the following link: <https://stratford-ca.zoom.us/j/98333511094?pwd=cEp1d1lGQTV4MGhSSE9GUmNGOFJjUT09>

A video recording of the meeting will also be available through a link on the City's website at <https://www.stratford.ca/en/index.aspx> following the meeting.

Pages

1. Call to Order

The Chair to call the Meeting to Order.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

The *Municipal Conflict of Interest Act* requires any member of Council declaring

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

Name, Item and General Nature of Pecuniary Interest

3. Delegations

None scheduled.

4. Report of the Manager of Development Services

4.1 Planning Report Zone Change Application Z05-19, a portion of 265 St. David Street, and Zone Change Application Z07-19, 122 Birmingham Street and a portion of 265 St. David Street (PLA20-005 and PLA20-006)

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Following presentation of the staff report, the following requested to address Committee with respect to this matter:

- Caroline Baker, agent for the applicant - Ms. Baker's presentation is attached to this agenda.
- Patrick O'Rourke
- Seana McKenna

Motion by _____

Staff Recommendation: THAT the presentations by Caroline Baker, Patrick O'Rourke and Seana McKenna be heard.

Motion by _____

Staff Recommendation: THAT City Council receive the supplemental information to be included with the Management Report dated March 9, 2020.

Motion by _____

Staff Recommendation:

THAT the zoning of the east portion of the property municipally known as 265 St. David Street, legally described as Lot 1 and Part of Lots 2, 13 and 14, Plan 84 BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential Fifth Density R5(1)-__ special provision Zone which restricts uses to the existing building (with an addition of not more than 10%), permits a maximum density of 32 units per hectare, allows an exterior side yard depth for a parking space of 2.7 m and a rear yard

depth for a parking space of 1.5 m for the following reasons:

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

THAT the zoning for the lands known municipally as 122 Birmingham Street and the west portion of the property municipally known as 265 St. David Street BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential First Density R1(3) Zone for the following reasons:

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

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

5. Adjournment

Meeting Start Time:

Meeting End Time:

Motion by _____

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



MANAGEMENT REPORT

Date: June 1, 2020
To: Planning and Heritage Committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA20-006
Attachments: Planning and Heritage Committee Report – March 9, 2020

Title: Planning Report Zone Change Application Z05-19, a portion of 265 St. David Street, and Zone Change Application Z07-19, 122 Birmingham Street and a portion of 265 St. David Street – recirculation notice

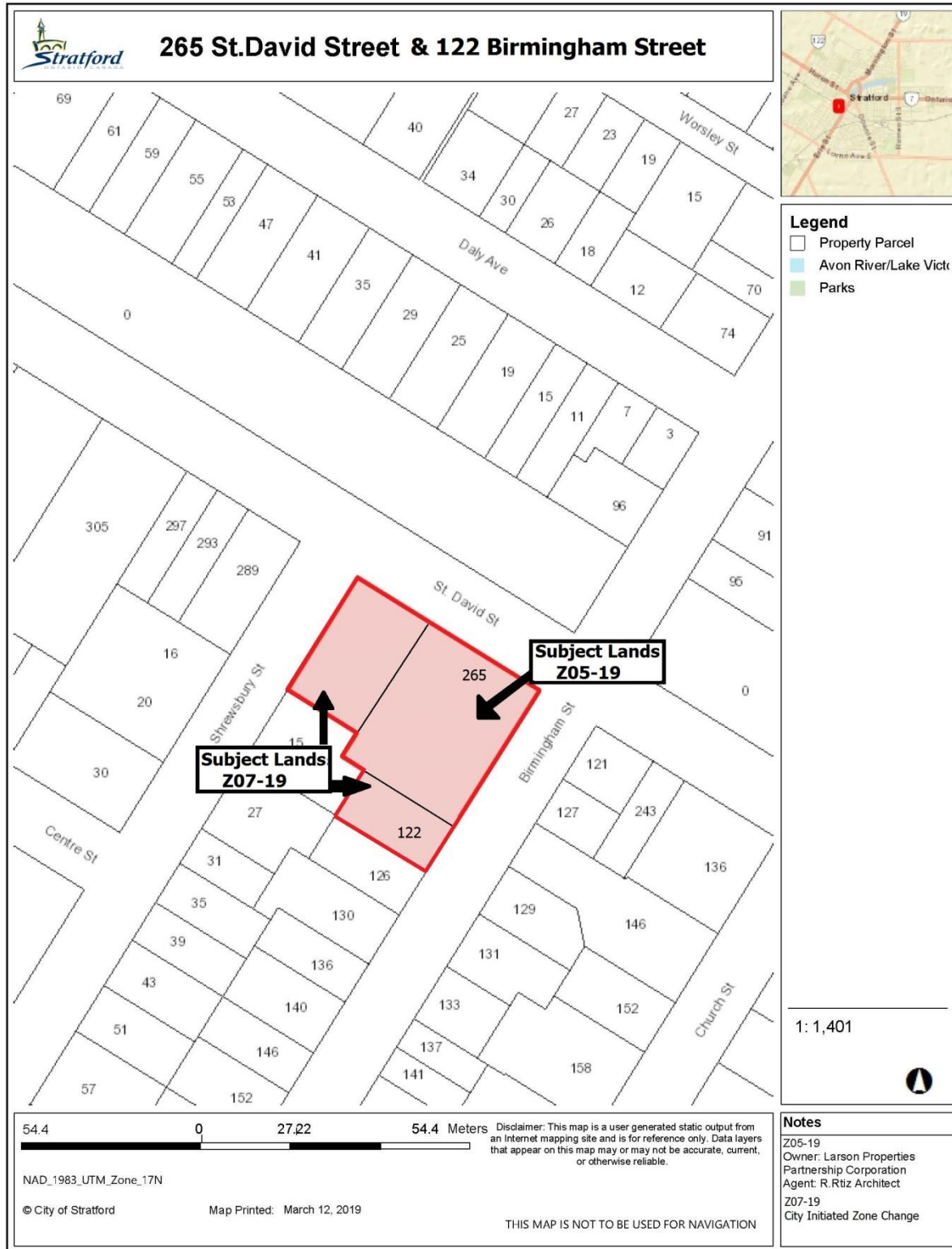
Objective: The purpose of this report is to provide an update to staff's recommendation on the Zone Change Application submitted by R. Ritz Architect on behalf of Larson Properties Partnership Corporation, accepted on March 5, 2019, for the northeast portion of 265 St. David Street and on the City initiated file Z07-19 for 122 Birmingham Street and the northwest portion of 265 St. David Street.

Background: Zone Change applications Z05-19 and Z07-19 were initially scheduled to be considered by the Planning and Heritage Committee on March 9, 2020. At the meeting, the Committee resolved that the matter be deferred to March 23, 2020 to allow for Planning staff to recirculate notice of the meeting to persons who requested notification of the scheduled meeting. The notice of rescheduled meeting was sent out on March 10, 2020 to the owner, agent, City Clerk, persons who responded to the circulation and persons who requested notification at the public meeting.

In light of the coronavirus (COVID-19) outbreak, the March 23, 2020 Planning and Heritage Committee meeting was cancelled.

On May 25, 2020, notice that Zone Change applications Z05-19 and Z07-19 would be considered by the Planning and Heritage Committee on June 8, 2020 was circulated to the owner, agent, City Clerk, persons who responded to the circulation and persons who requested notification at the public meeting.

Location and Zoning Map



Click here to enter text.

Financial Impact See Planning and Heritage Committee report dated March 9, 2020.

Alignment with Strategic Priorities:

Strengthening our Plans, Strategies and Partnerships

Communicating clearly with the public around our plans and activities.

Staff Recommendation: THAT City Council receive the supplemental information to be included with the Management Report dated March 9, 2020.

And Staff Recommendation from March 9, 2020 report:

1. **THAT the zoning of the east portion of the property municipally known as 265 St. David Street, legally described as Lot 1 and Part of Lots 2, 13 and 14, Plan 84 BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential Fifth Density R5(1)-__ special provision Zone which restricts uses to the existing building (with an addition of not more than 10%), permits a maximum density of 32 units per hectare, allows an exterior side yard depth for a parking space of 2.7 m and a rear yard depth for a parking space of 1.5 m for the following reasons:**
 - I. **the request is consistent with the Provincial Policy Statement;**
 - II. **the request is in conformity with the goals, objectives and policies of the Official Plan;**
 - III. **the zone change will provide for a development that is appropriate for the lands;**
 - IV. **public input has been considered.**

2. **THAT the zoning for the lands known municipally as 122 Birmingham Street and the west portion of the property municipally known as 265 St. David Street BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential First Density R1(3) Zone for the following reasons:**
 - I. **the request is consistent with the Provincial Policy Statement;**
 - II. **the request is in conformity with the goals, objectives and policies of the Official Plan;**
 - III. **the zone change will provide for a development that is appropriate for the lands;**
 - IV. **public input has been considered.**

3. **AND THAT Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act.**



Prepared by: Jeff Bannon, MCIP, RPP – Planner



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



Joan Thomson, Chief Administrative Officer



MANAGEMENT REPORT

Date: March 9, 2020
To: Planning and Heritage Committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA20-005
Attachments: None

Title: Z05-19 Z07-19 265 St. David Street and 122 Birmingham Planning Report.docx

Objective: The purpose of this report is to provide staff's recommendation on the Zone Change Application submitted by R. Ritz Architect on behalf of Larson Properties Partnership Corporation, accepted on March 5, 2019, for the northeast portion of 265 St. David Street and on the City initiated file Z07-19 for 122 Birmingham Street and the northwest portion of 265 St. David Street

File Z05-19

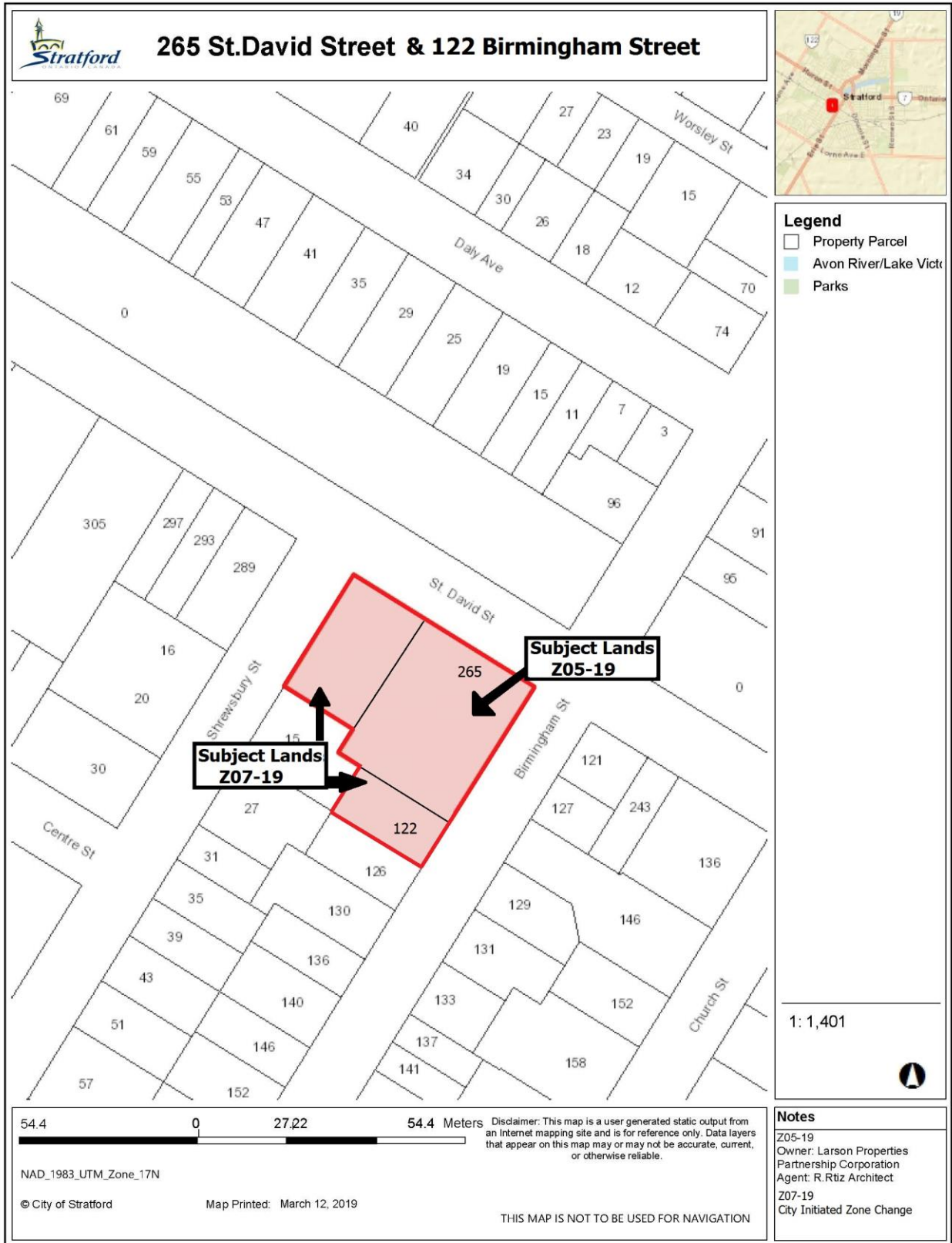
The proposed Zone Change Amendment requests a change to the zoning for a portion of the property municipally known as 265 St. David Street from a Residential First Density R1(3)-27 Zone to a Residential Fifth Density – R5(1) Zone to permit apartment dwellings, nursing homes, senior's apartment dwellings and a retirement home/lodge. The applicant has also requested special regulations to allow a parking setback of 3.3 m from the exterior side yard with a 1.5 m planting strip and a parking setback of 1.5m from the rear yard with a 1.5 m planting strip. The applicant's request to change the parking rate from 1.5 spaces per dwelling unit to 1 space per dwelling unit was subsequently withdrawn.

A Planning Justification Report was submitted with the application.

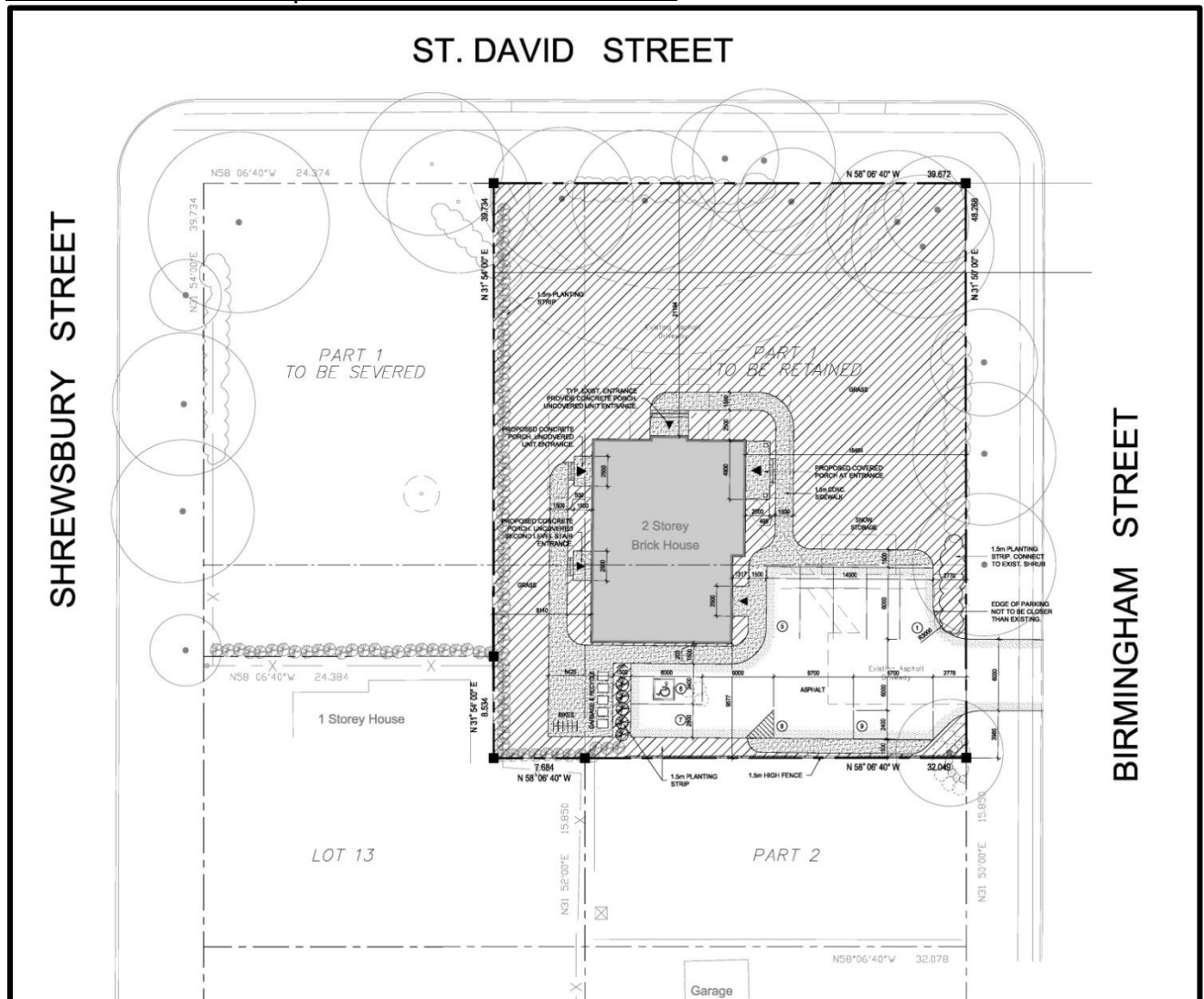
File Z07-19

This City initiated review would change the zoning of the property municipally known as 122 Birmingham Street and the west portion of 265 St. David Street from a Residential First Density R1(3)-27 Zone which permits a banquet hall, a 3 unit converted dwelling, a single detached dwelling and a group home, to a Residential First Density R1(3) Zone which would permit a single detached dwelling and a group home.

Location and Zoning Map



Z05-19 Revised Concept Plan – 265 St. David Street



Background: 265 St David Street is located on the south side of St. David Street between Birmingham and Shrewsbury Streets. The subject lands of application Z05-19 are located on the east portion of the property and are legally described as Lot 1 and Part of Lots 2, 13 and 14, Plan 84. The subject lands have an approximate area of 1,915.9 m², 39.67 m of frontage on St David Street and 48.27 m of frontage on Birmingham Street.

The subject lands of application Z07-19 are located on the west portion of the property municipally known as 265 St. David Street and the property municipally known as 122 Birmingham Street.

Site Characteristics (Z05-19 and Z07-19)

	Z05-19 East portion of 265 St. David Street	Z07-19 West portion of 265 St. David Street	Z07-19 122 Birmingham
Existing Use	Converted Dwelling	Vacant	Vacant
Frontage:	39.7 m	24.4 m	15.8 m
Depth:	48.3 m	39.7 m	32 m
Area:	1 916 m ²	968.7 m ²	505.6 m ²
Shape:	Rectangular	Rectangular	Rectangular

Surrounding Land Uses:

North: Railway lands

East: Single detached and apartment dwellings (Residential)

West: Single and Semi-detached dwellings (Residential) - 289 St. David Street and 16/20 Shrewsbury Street are designated under Part IV of the Ontario Heritage Act

South: Single detached dwellings and vacant residential lot (Residential)

Subject Lands - St. David Street frontage

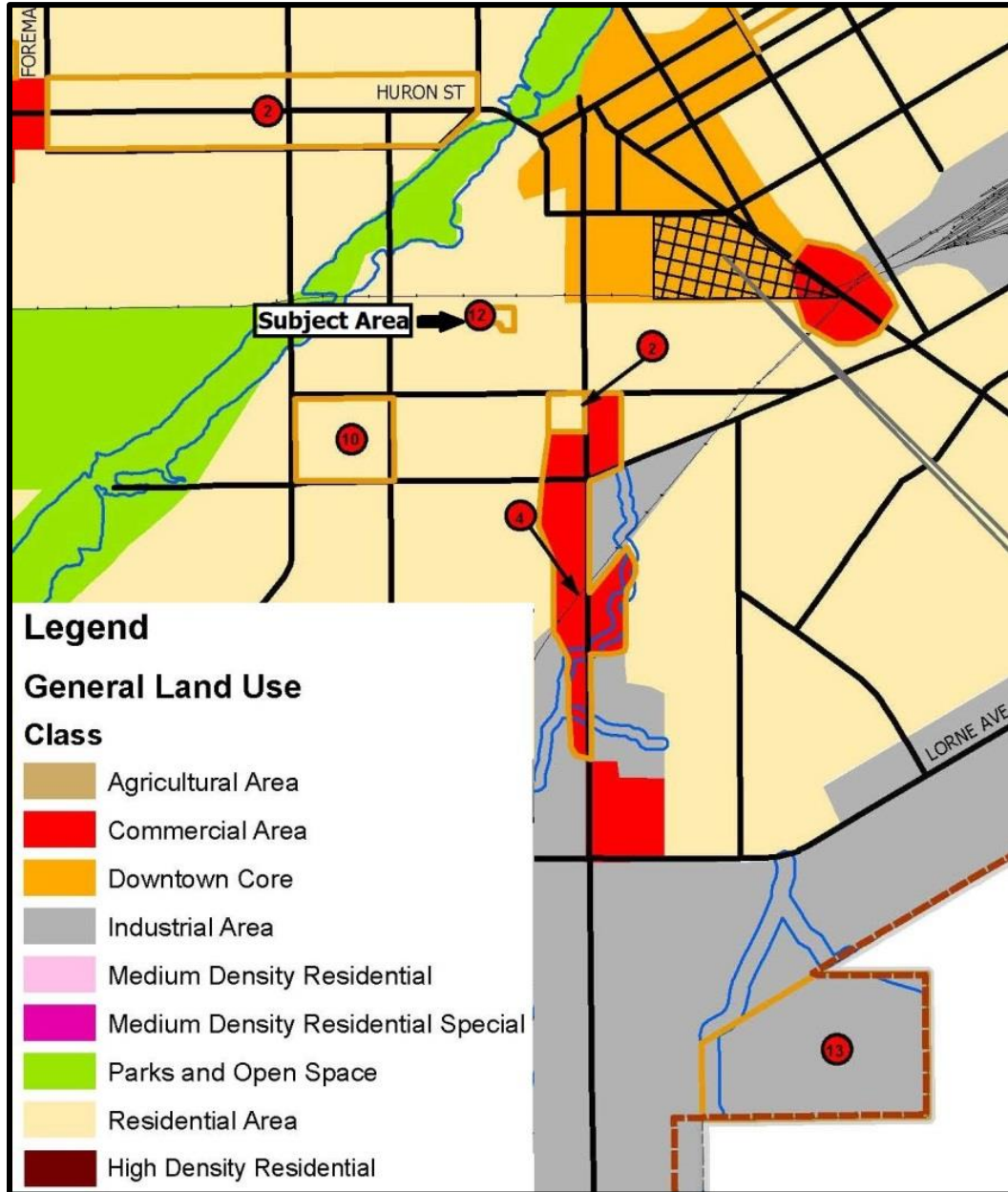


Birmingham frontage

Official Plan Designation: 'Residential Area', Special Policy Area #12 and Heritage Area. Special Policy #12 states that "notwithstanding the "Residential Area" designation as illustrated on Schedule "A" – General Land Use Plan that applies to 265 St. David Street, the property permitted to be used for a small, indoor banquet facility comprising catered sit-down dinners not prepared on-site, to be served to pre-booked private parties to occupy not more than 150 m² of the total 400 m² of interior floor area of the existing building with a maximum capacity of 48 persons. A minimum of 24 parking spaces will be provided on-site."

St. David Street, Shrewsbury Street and Birmingham Street are all classified as local streets.

Excerpt from Schedule "A" - Official Plan, General Land Use Plan



Zoning By-Law

The subject lands are zoned Residential First Density R1(3)-27 which permits the following uses:

- 3 converted dwellings
- A small indoor banquet facility within the existing building to occupy not more than 150 m²
- All other uses in the R1 Zone.
 - a group home
 - a single detached dwelling.

History

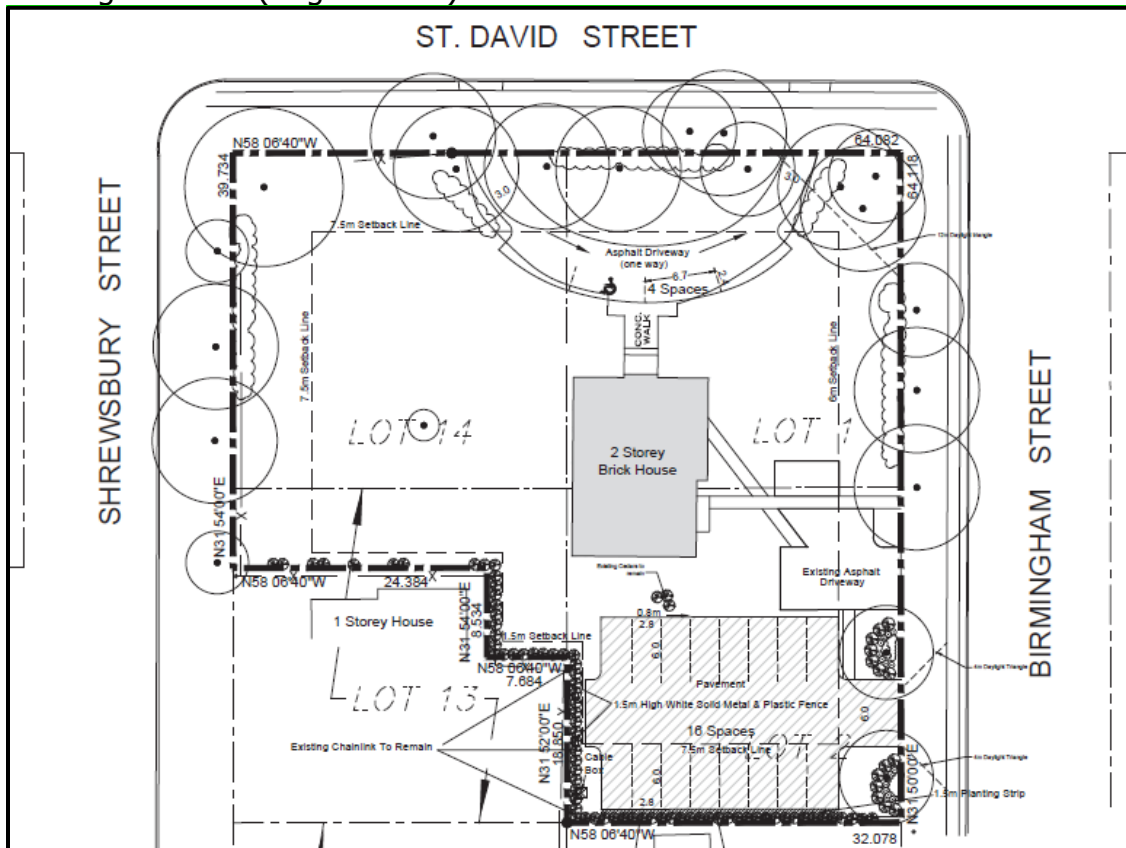
The west portion of the property of 265 St. David Street was granted a provisional consent to be severed as part of application B06-17. This decision was appealed by a member of the public and the appeal was heard by the Local Planning Appeal Tribunal.

The oral decision of the appeal was given on January 23, 2020. The appellant, the City of Stratford and Larson Properties Partnership Corporation were successful in reaching a settlement which was agreed to by the Local Planning Appeal Tribunal. The settlement amended the conditions of the consent approved by the City of Stratford Committee of Adjustment by including detailed design requirements that specify height, massing, setbacks and elevations. In addition, the conditions require the owner to request in writing that the City designate the retained property at 265 St. David Street under Part IV of the Ontario Heritage Act.

Additional Information

A Site Plan Agreement is registered on title of the lands currently known as 265 St. David Street. It was approved and registered on title prior to the lands at 122 Birmingham Street being severed. It contains both a site plan and elevations. The conditions of provisional approval of consent B06-17 require either a new site plan agreement or an amendment to the existing site plan agreement.

Existing Site Plan (August 2018)



The lands known municipally have been the subject of a number of *Planning Act* Applications since the mid-2000s.

- 2007 – a site specific Official Plan Amendment and Zone Change application to permit a banquet hall. Approved by the OMB
- 2015 – three consent applications and a minor variance application to permit the creation of three new building lots. Refused by the OMB
- 2017 – two consent applications and a minor variance application to permit the creation of two new building lots. The consent to permit a new lot on Birmingham was approved by the Committee of Adjustment in 2017. The consent to permit a new lot on the corner of St. David Street and Shrewsbury Street was granted provisional approval by the Committee of Adjustment in March 2019. That decision was appealed and the oral decision from the Local Planning Appeal Tribunal granting a provisional approval subject to amended conditions was granted in January of 2020. The minor variance application was withdrawn.

Agency Comments

The application was circulated to the various agencies for review and comment. The following summary represents the comments received to date (March 2, 2020):

Infrastructure and Development Services – Engineering Division

The Engineering Division has reviewed the notice of zone change application noted above. At the Site Plan stage the following will apply.

- A new sanitary service is required unless evidence is provided that the existing service condition is satisfactory to Engineering. An upgraded water service is also recommended.
- The site is currently under Site Plan Control and as such stormwater management (quantity and quality control) is required to be maintained.

The Engineering Division does not object to the zone change.

Huron Perth Catholic District School Board

- No concerns.

Festival Hydro

- No concerns.

Public Comments

Six responses have been received to date with two respondents not providing comments and only requesting further information on the file. The respondents expressed the following concerns:

- re-zoning of the lands should not occur while a portion of the lands are currently under appeal (city file B06-17);
- renovations and additions to the white house should not be permitted as the owner had previously stated that the building would be restored and not renovated; any parking reduction would create additional on-street parking on

Birmingham Street; the development would not be in keeping with the character of the neighbourhood and the increase in density is not compatible in the area; any rezoning of 122 Birmingham should include a requirement that the recommendations of the Heritage Impact Assessment are completed; and

- ongoing construction and recent sand blasting has created further negative impacts to the neighbours.

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

Notice of Consideration for these applications were circulated on February 24, 2020

Analysis:

2014 Provincial Policy Statement

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

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

Section 1.1.1 of the Provincial Policy Statement states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

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 that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock.

Section 1.4.3b) 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

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

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 the provision of a mix of housing types and densities that support the needs of current and future residents. The requested zoning allows for an apartment dwelling within an existing building with parking that can be provided on the subject lands.

The surrounding area is residential: predominately single detached dwellings; however, there are some multi-family buildings in the area. Similar to the application under consideration, the property known municipally as 146 Church Street, which is a through-lot and has frontage on the east side of Birmingham Street, contains 10 dwelling units in a converted building.

The development will allow increase to the range of housing types on a property that can accommodate the increased density, which is located in close proximity to the downtown and is located on a bus route. The lands would allow for a more intense use on the subject property in a serviced area that can accommodate the increased water and sewage demands.

The Wise Use and Management of Resources policies include the following:

Section 2.6.1 of the Provincial Policy Statement states: *"Significant built heritage resources and significant cultural heritage landscapes shall be conserved".*

Section 2.6.3 of the Provincial Policy Statement states: 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The subject lands of Z05-19 are not designated under the Ontario Heritage Act and are not adjacent to a designated property. The City initiated rezoning of the northwest portion of the lands (the provisionally approved consent lands) are adjacent to designated properties. The lands were part of a consent application that was appealed to the Local Planning Appeal Tribunal. A Heritage Impact Assessment (HIA) was completed in support of this consent application and the decision granted by the Local Planning Appeal Tribunal incorporates the recommendations of the HIA. For example, the conditions of the decision requires site plan approval on the severed lot prior to any new building being erected together with design elements for that building including height of the building, location of any garage, setback from St. David Street, roof style, window styles and façade organization.

The lands known municipally as 122 Birmingham Street are not adjacent to any lands designated under the Ontario Heritage Act.

The conservation of significant heritage resources has been incorporated into the provisional approval of B06-17. In addition, a condition of the provisional approval decision requires the property owner to ask City Council to designate the existing building at 265 St. David Street.

There are no Protecting Public Health and Safety issues with these applications.

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

Official Plan

The property is designated 'Residential Area', Special Policy Area #12 and is located within a 'Heritage Area' in the Official Plan. St. David Street, Shrewsbury Street and Birmingham Street are all classified as local streets.

The guiding principles of the Official Plan include the encouragement of appropriate intensification and infill which reflects the existing context of the City with respect to factors such as height, design, and heritage conservation that protects areas, landmarks and features which contribute to its distinct character and sense of place from the early development of Stratford.

Special Policy Area #12 allows the property at 265 St. David Street to be used for a small, indoor banquet facility comprising catered sit-down dinners not prepared on-site, to be serviced to pre-booked private parties to occupy not more than 150 m² of the total 400 m² of interior floor area of the existing building with a maximum capacity of 48 persons. A minimum of 24 parking spaces will be provided on-site.

The applicant has received a provisional consent (written LPAT decision pending) to allow for the creation of a severed parcel on the northwest portion of the lands. Upon final approval of the consent, the retained lands would no longer be able to meet the parking requirements set out in Special Policy Area #12 and would no longer be considered appropriate for indoor banquet facility uses. Should the applications B06-17 and Z05-19 be approved, it is recommended Special Policy Area #12 be deleted through the next Official Plan review.

Section 3.2.2 of the City's Official Plan policies on Intensification states:

i) The City's intensification target is 25% of City-wide residential growth within the "Built Boundary" as designated on Schedule "A", General Land Use Plan, between 2013 and 2033. The City shall also promote efficient use of land and infrastructure in all areas of the community including lands in the Built Boundary and lands between the Built Boundary and the City boundary which are recognized as designated greenfield areas.

ii) To support achievement of the City's intensification target and promote efficient use of land and infrastructure, the City shall implement the following Intensification Strategy, provided that any such development must also conform with all the other policies of this Plan:

a) 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;

f) Permit limited intensification in Residential Areas of a scale and built form which reflects the surrounding area, subject to the criteria of Section 4.5.3.1;

The Official Plan supports residential intensification within the Built Boundary. There is sufficient infrastructure surrounding the subject lands to allow for the reuse of the existing converted dwelling/banquet hall use to an apartment building. The area of the lands to be zoned R5 is significantly larger than many other properties in the neighbourhood. This larger area can support intensification without altering the character of the area.

The applicant has also requested a reduction in the setback to the parking lot area in order to accommodate the required parking on the property. The Official Plan policy supports removal of barriers to allow for intensification. In this instance, the reduction of parking setback will not impact the ability to screen the parking area. Sufficient setback remains for a 1.5 m planting strip which will reduce impacts on the streetscape and is considered an improvement over the 16 parking spaces required to support the banquet facility.

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

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

- i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;*

- ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;*
- vii) respects the residential lotting pattern in the immediate surrounding area;*
- xi) any proposed streets are adequate to accommodate municipal services;*
- xv) has regard for the City's Urban Design and Landscape Guidelines.*

In addition, regard shall be had to the policies of Section 6, Community Design Strategy, and particularly in areas of historical or architectural interest to the policies of Sections 3.5, Heritage Conservation."

Section 3.5.8 of the Official Plan states: "In the 'Heritage Areas' and the 'Heritage Corridors' as shown on Schedule 'E', the City will ensure that, where infilling is proposed or municipal services are being installed or upgraded, the inherent heritage qualities of the area or corridor will be retained, restored and ideally enhanced unless overriding conditions of public health and safety warrant otherwise."

Planning staff are recommending the above-note Official Plan policies be implemented through a special provision in the recommended Residential R5 zone restricting any apartment building uses to the existing building save and except a small addition of not more than 10% to allow for a proper entrance or a more functional dwelling unit. This provision will ensure that the scale of the development of the six unit apartment building will continue to be compatible with the streetscape as the building massing will remain relatively unchanged as required by the Official Plan.

Restricting any apartment building use to the existing building will also protect the landscaped area between the building and St. David Street. Staff has advised the applicant of the recommendation to limit the proposed use to the existing building and they have no objection.

The Official Plan allows for a density range of 12 to 65 units per hectare in Section 4.5.3.3. The proposed development on the lands intended to be rezoned Residential Fifth Density would result in a density of 32 units per hectare. Staff recommends inclusion of a maximum density provision in the R5 zone of 32 units per hectare which will contribute to ensuring that the density of the development continues to be compatible with the neighbourhood.

The recommended R5 zoning with special provisions on density and which limits the uses to the existing building with a minimal increase in size would allow for a development that meets the density requirements of the Official Plan.

The lands which are subject to the City initiated zone change contain a single detached dwelling and provisionally approved severed lot. The provisionally approved severed lot is adjacent to a property designated under the Ontario Heritage Act. Section 3.5.7. viii) of the Official Plan states no development shall be permitted adjacent to a designated heritage property except where it has been evaluated and demonstrated any heritage attributes will

be conserved. The City shall require a Heritage Impact Assessment by a qualified individual to address this requirement. A Heritage Impact Assessment was prepared in association with consent application B06-17 and its recommendations have been incorporated into the conditions of provisional approval.

Changing the zoning of 122 Shrewsbury and the northwest portion of 265 St. David Street from R1(3)-27 to R1(3) conforms to the Residential Area policies and the Heritage policies of 3.5.

Zoning By-Law

The subject lands are zoned Residential First Density R1(3)-27 which permits a 3 unit converted dwelling, a small indoor banquet facility, a group home and a single detached dwelling.

The requested Residential Fifth Density R5 Zone would permit apartment dwellings, nursing home, senior's apartment dwellings and a retirement home/lodge. The applicant is proposing a six unit apartment dwelling.

The concept plan submitted with the application demonstrates the lands can accommodate an apartment building and the required off-street parking without significant changes to the building and property. Limiting any apartment building use to the existing building would ensure intensification of the property would not alter the character of the area.

Planning staff are recommending that the density is limited to 32 units per hectare for the following reasons: to ensure that the existing building is not expanded to a point where it has a greater impact on the surrounding neighbourhood, to ensure satisfying the required parking does not result in a significant reduction of landscaped open space and to be consistent with the Minutes of Settlement which requires the applicant to request Council designate the property under the Ontario Heritage Act.

The applicant has also requested a parking setback of 2.7 m from the exterior side yard with a 1.5 m planting strip instead of the circulated request for a 3.3 m setback. Staff has no concerns with this requested provision as it continues to allow for screening between the road allowance and parking. The property is of sufficient size to accommodate all the required parking. Staff believes a reduction in the parking setback will allow parking to be provided at the rear of the property, thus maintaining the stately front yard.

Zoning By-law 201-2000 defines converted dwellings as "an existing single detached dwelling that has been altered or otherwise converted to contain more than one (1) dwelling unit." The By-law also defines "existing". "Existing, when used in reference to a use, lot, building or structure, means a use, lot, building or structure lawfully in existence on the date of the passage of this by-law". As By-law 201-2000 was passed on November 9, 2000 and there were no single detached dwelling existing on November 9, 2000 on the lot granted a provisional consent or 122 Birmingham, a converted dwelling is not a permitted use on these lands. These lands are not of sufficient size to support a small indoor banquet facility. For these reasons, the R1(3)-27 zoning is no longer appropriate for the lands to be

severed or 122 Birmingham Street. The R1(3) zoning which applies to the surrounding lands which permits either a group home or a single detached dwelling is considered appropriate for these lands.

The City has contacted the owner of 122 Birmingham Street regarding the possibility of the zoning being changed from R1(3)-27 to R1(3) and he has no objection.

Planning staff have reviewed the requested zone change application and are of the opinion, the proposed regulations will allow development that is comparable to other properties in the area and is considered appropriate of the development of the lands.

Public Concerns

In response to the Notice of Application and at the Public Meeting, the public has raised a number of issues. Each of these issues are addressed below.

Timing of the Rezoning Application

Residents expressed a concern with having a decision being made on a rezoning application when a portion of the lands were under appeal to the Local Planning Appeal Tribunal (LPAT). The LPAT has given an oral decision which was based on the minutes of settlement between the applicant, the appellant and the City of Stratford. The decision is now in effect and it is reasonable to now consider the rezoning applications.

Parking

Area residents are also concerned the additional dwelling units will result in additional on-street parking that may cause problems on the adjacent streets. The applicant has withdrawn their request for a reduced parking rate for the 6 dwelling units and they have requested a special provision to permit the exterior side yard parking setback to be 2.7 m. As noted above, staff support this request as there continues to be sufficient setback to screen the parking and parking in the rear yard is preferred to situating the required parking in the front yard. The applicant has submitted a concept plan that demonstrates how parking can be accommodated on the subject lands. The design is only a preliminary design but the plan demonstrates that with some revisions parking will be able to be provided on private property.

Density and compatibility

Area residents are concerned about the increase in density and that the apartment dwellings would not be compatible in the area. The lands proposed to be zoned Residential R5 lands have an area of 1916 m². While this is not the largest lot in the general area, it is larger than many lots on Birmingham and Shrewsbury Streets. Lots on Birmingham and Shrewsbury Streets generally range in lot area from 360 m² 728 m².

Although, the surrounding properties to the east, south and west are predominantly single detached dwellings there are multi-unit residential uses in close proximity to the development. For example, there is a semidetached dwelling located across the street from the subject lands on Shrewsbury Street (16/20 Shrewsbury St) and the rear yard of a 10

unit apartment building is located across the street from the property on Birmingham Street (146 Church Street).

The original property was used as a 3 unit converted dwelling and a banquet hall. Impacts from the previous uses would have been more disruptive to the surrounding neighbours and out of character for the area than two single detached dwellings and a 6 unit apartment building.

The applicant has made revisions to their concept which demonstrated that they can satisfy the minimum parking requirements for a 6 unit apartment building. A planting strip will be required to screen the parking and to improve the streetscape on Birmingham Street. The resulting density is well within the Official Plan regulations and restricting the apartment use to the existing building will ensure compatibility with surrounding uses.

Heritage

Area residents have asked that the recommendations of the Heritage Impact Assessment be completed for the property at 122 Birmingham Street that the heritage qualities in the area are to be protected. 122 Birmingham Street is not adjacent to any properties designated under the Ontario Heritage Act. Further, a building permit has been issued for 122 Birmingham Street in conformity with the Zoning By-law and Building Code. There is no rationale to complete a Heritage Impact Assessment for 122 Birmingham Street.

In association with the application for consent B06-17, the applicant has submitted a Heritage Impact Assessment and the recommendations of the assessment have been included in the provisional approval. Also through the provisional approval for B06-17, the applicant has agreed to request that Council designate the retained property under the Ontario Heritage Act. Lastly, conditions of the severance also ensure that any existing boulevard trees are to be retained. Staff is of the opinion the above measures satisfy the Heritage policies of the Official Plan.

Impacts of Renovation

A concern with the recent sandblasting and the ongoing construction was raised by the public. A part of the minutes of settlement from the consent application, the owner has agreed to request the designation of the existing building at 265 St. David Street. If approved by City Council this would protect the exterior of the dwelling and ensure that the architectural features of the dwelling are preserved. Construction will continue to take place within the interior of the dwelling and eventually a new building is expected to be constructed on the corner of Shrewsbury and St. David Street.

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

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.

Financial Impact: No municipal expenses are anticipated to support the development. Development Charges will be calculated for the additional dwelling units that are to be constructed.

Strategic Priority that Aligns with Recommendation:

Developing our Resources

Optimizing Stratford's physical assets and digital resources. Planning a sustainable future for Stratford's resources and environment.

Staff Recommendation:

1. **THAT the zoning of the east portion of the property municipally known as 265 St. David Street, legally described as Lot 1 and Part of Lots 2, 13 and 14, Plan 84 BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential Fifth Density R5(1)-__ special provision Zone which restricts uses to the existing building (with an addition of not more than 10%), permits a maximum density of 32 units per hectare, allows an exterior side yard depth for a parking space of 2.7 m and a rear yard depth for a parking space of 1.5 m for the following reasons:**
 - I. **the request is consistent with the Provincial Policy Statement;**
 - II. **the request is in conformity with the goals, objectives and policies of the Official Plan;**
 - III. **the zone change will provide for a development that is appropriate for the lands;**
 - IV. **public input has been considered.**

2. **THAT the zoning for the lands known municipally as 122 Birmingham Street and the west portion of the property municipally known as 265 St. David Street BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential First Density R1(3) Zone for the following reasons:**
 - I. **the request is consistent with the Provincial Policy Statement;**
 - II. **the request is in conformity with the goals, objectives and policies of the Official Plan;**
 - III. **the zone change will provide for a development that is appropriate for the lands;**
 - IV. **public input has been considered.**

3. **AND THAT Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act.**



Prepared by: Jeff Bannon, MCIP, RPP – Planner



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



Joan Thomson, Acting Chief Administrative Officer

BEING a By-law to amend Zoning By-law 201-2000 as amended, with respect to zone change Z05-19 to rezone a portion of the lands known municipally as 265 St. David Street, located on the southwest corner of St. David Street and Birmingham Street to allow for a site specific Residential Fifth Density R5(1) Zone.

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

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

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

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

1. That Schedule "A", Map 4 to By-law 201-2000 as amended, is hereby amended:

by changing from a Residential First Density R1(3)-27 Zone to a Residential Fifth Density with site specific regulations R5(1) __ 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 legally described as Lot 1 and Part of Lots 2, 13 and 14, Plan 84 and known municipally as part of 265 St. David Street.

2. That By-law 201-2000 as amended, be further amended by adding to Section 9.4, being the Exceptions of the General Industrial I2 Zone the following:

- "9.4. __ a) Defined Area (265 St. David Street)
R5(1)-__ as shown on Schedule "A", Map 4
- b) Permitted Uses
- All uses in the R5 zone are restricted to the existing building
- c) Minimum exterior side yard setback to a parking space 2.7m

c) Minimum rear yard setback to a parking space 1.5m

d) Maximum density 32 units per ha

e) Maximum size of all expansions to the existing building 10%

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

Read a FIRST, SECOND AND THIRD TIME AND

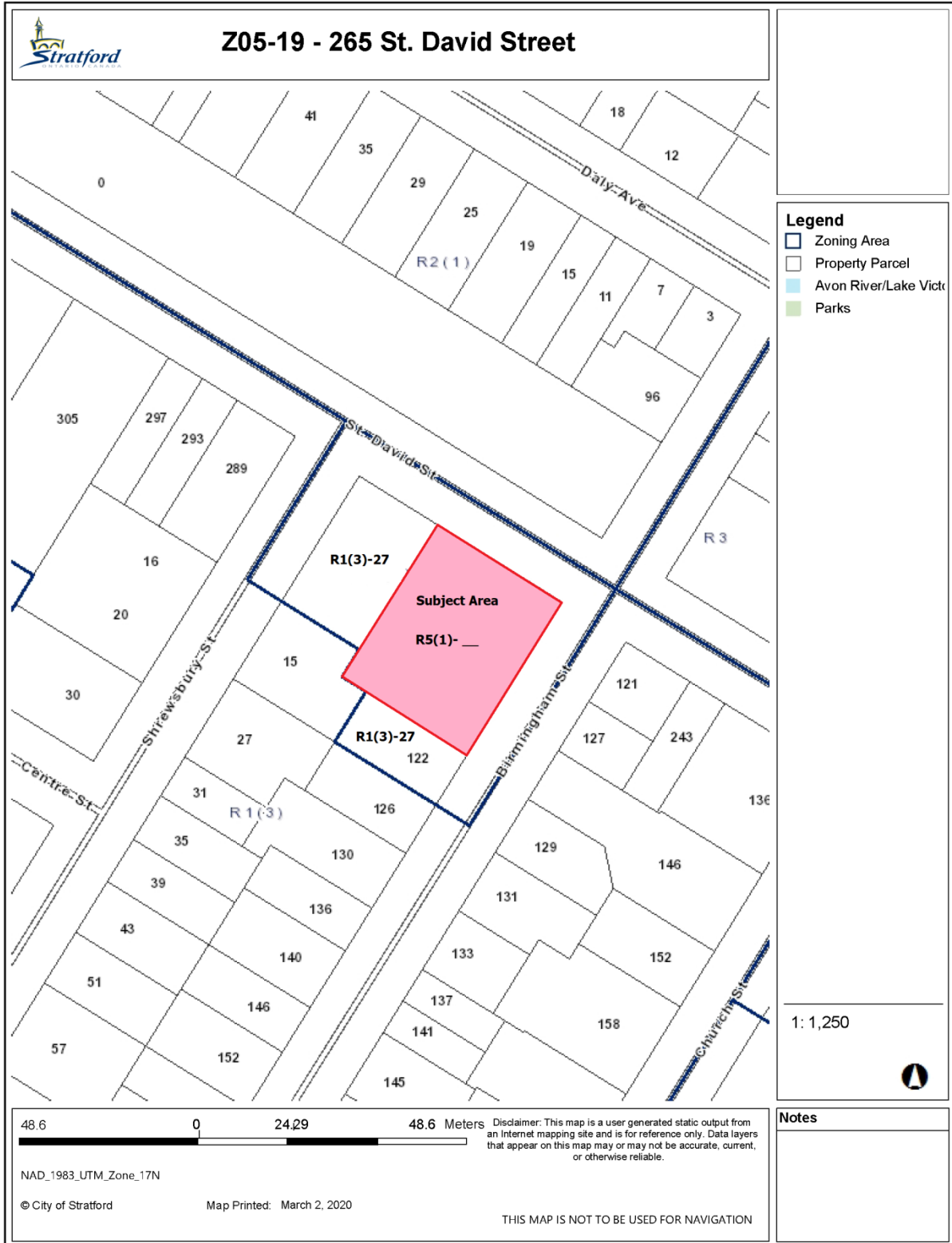
FINALLY PASSED this the ___th day of _____ 2020.

Mayor – Daniel B. Mathieson

Acting Clerk – Tatiana Dafoe

Schedule "A" to By-law ???-2020

265 St. David Street



BEING a By-law to amend Zoning By-law 201-2000 as amended, with respect to zone change Z07-19 to rezone 122 Birmingham Street and a portion of the lands known municipally as 265 St. David Street, located on the southeast corner of St. David Street and Shrewsbury Street and on the west side of Birmingham Street between St. David Street and Cambria Street to a Residential First Density R1(3) Zone.

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

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

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

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

1. That Schedule "A", Map 4 to By-law 201-2000 as amended, is hereby amended:

by changing from a Residential First Density R1(3)-27 Zone to a Residential First Density R1(3) 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 legally described as Part of Lots 1, 2, 13 and 14, Plan 84 and known municipally as part of 265 St. David Street and 122 Birmingham Street.
2. This By-law shall come into effect upon Final Passage and in accordance with the Planning Act.

Read a FIRST, SECOND AND THIRD TIME AND

FINALLY PASSED this the ___th day of _____ 2020.

Mayor – Daniel B. Mathieson

Acting Clerk – Tatiana Dafoe

Schedule "A" to By-law ???-2020

265 St. David Street





CITY OF STRATFORD PUBLIC MEETING MINUTES

A **PUBLIC MEETING** was held on Monday, June 10, 2019 at 8:15pm 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 Applications Z05-19, relating to 265 St. David Street and Z07-19, relating to 122 Birmingham Street in the City of Stratford.

COUNCIL PRESENT: Mayor Mathieson – Chair presiding, Councillors Martin Ritsma, Bonnie Henderson, Graham Bunting, Danielle Ingram, Jo-Dee Burbach, Cody Sebben, Brad Beatty, Tom Clifford and Dave Gaffney.

REGRETS: Councillor Vassilakos

STAFF PRESENT: Rob Horne – CAO, Mike Humble – Director of Corporate Services, Ed Dujlovic – Director of Infrastructure & Development Services, John Paradis – Fire Chief, David St. Louis - Director of Community Services, Jacqueline Mockler – Director of Human Resources, Kim McElroy – Director of Social Services, Joan Thomson – City Clerk, Jeff Bannon – City Planner, Jeff Leunissen – Manager of Development Services and Nancy Bridges – Recording Secretary.

ALSO PRESENT: Members of the public, Media.

Mayor Mathieson called the meeting to order and stated that the purpose of the meeting is to give Council and the public an opportunity to hear all interested persons with respect to Zone Change Applications Z05-19, relating to 265 St. David Street and Z07-19, relating to 122 Birmingham Street in the City of Stratford.

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

STAFF PRESENTATION:

The City Planner outlined that the purpose of the applications was to change the zoning for a portion of 265 St. David Street from a Residential First Density R1(3)-27 zone to a Residential Fifth Density – R5(1) zone to permit apartment dwellings, nursing homes, senior's apartment dwellings and a retirement home/lodge. He noted there is also a request for a special regulation to allow six residential units with parking at a rate of one parking space per dwelling unit, a parking setback of 3.3m from the exterior side yard with a 1.5m planting strip and a parking setback of 1.5m from the rear yard with a 1.5m planting strip.

The Planner noted that the City of Stratford initiated the zone change amendment Z07-19. This would change the zoning of 122 Birmingham Street and the west portion of 265 St. David Street to permit a single detached dwelling and a group home. He noted that the

west portion of the property of 265 St. David Street was recently granted a provisional consent to be severed as part of application B06-17 and this decision has been appealed. The Planner noted the applicant is proposing a six unit apartment dwelling.

The Planner described the surrounding uses as railway lands and residential dwellings. The property is designated 'Residential Area', Special policy Area #12 and is located within a 'Heritage Area' in the Official Plan. A site plan agreement is registered on title for 265 St. David Street and was approved prior to the severance therefore any redevelopment of the site will require a new site plan agreement or an amendment.

The application was circulated to various agencies and the public and staff received the following comments:

- At the site plan stage a new sanitary service is required, an upgraded water service is recommended and stormwater management is required to be maintained
- Re-zoning should not occur while a portion of the lands are currently under appeal
- Renovations should not be permitted as the owner had previously stated that the building would be restored and not renovated
- Any reduction in parking would result in on-street parking
- Negative impacts of the recent sand blasting
- Heritage Impact Assessment recommended

The Planner noted that the subject lands have had numerous planning act applications including consent to permit a new lot on the corner of St. David Street and Shrewsbury Street was given provisional approval in March 2019. This decision by the Committee of Adjustment has been appealed and the minor variance application was withdrawn.

QUESTIONS FROM COUNCIL:

Councillor Ingram inquired about the size of the proposed units.

The Planner referred the question to the applicant.

Councillor Ingram asked for clarification whether there would further requests for additional renovations.

The Planner noted the current request is for internal renovations.

APPLICANT PRESENTATION:

Robert Ritz, representing the applicant, noted the zoning amendment is to permit a 6 unit converted dwelling in an existing 3 unit converted dwelling and banquet hall. He noted that portions of the property have been severed over the years. He responded to the previous question from Councillor Ingram, stating that the smaller units would be 400 sq ft and the larger unit would be 700 sq ft. The proposed development will include a first floor, two bedroom accessible unit. The applicant is proposing an addition to the second floor to allow for a two bedroom unit at the rear of the building.

Mr. Ritz noted that according to the zoning by-law a total of 6 parking spaces would be required for the converted six unit dwelling. With the use of tandem parking, eight parking spaces are possible, including one accessible spot. He clarified that the property is not a heritage designated structure and is not located in a heritage district.

Mr. Ritz noted that due to the proximity to other designated buildings, a Heritage Impact Assessment was prepared and submitted. He referenced other larger structures in the area that have become converted dwellings or B&B's. He acknowledged the appeal that is underway regarding the severance. In response to concerns over renovating the building, he stated that renovations were needed in order to convert the banquet hall into apartments.

QUESTIONS FROM COUNCIL:

Councillor Henderson inquired on the timeline to complete the building so it resembles the concept picture.

Mr. Ritz stated the applicant is still reviewing the options for getting the brick back to the original colours. There are no plans to complete the exterior without being part of the entire construction plan.

Councillor Gaffney noted that the regulations require 1.5 spaces per unit for a reason and he had concerns with reducing this number.

The Planner noted the requirement of 1.5 spaces for an apartment building is to allow for a second car or visitor parking.

Councillor Ingram inquired whether the addition to the second floor would require an amendment to the site plan.

The Planner stated that a site plan amendment would be required.

QUESTIONS FROM THE PUBLIC:

Patrick O'Rourke stated that he felt the zone change application was premature, as the severance has only been provisionally approved and is under appeal. He expressed his displeasure with the way the applicant is proceeding with making changes to the property as they are not consistent with what is being communicated to the community. He noted that the proposed six unit dwelling is not consistent with the other dwellings in the area and that the reduced parking could have a negative impact.

Mr. O'Rourke stated that the severance appeal should be completed prior to considering the rezoning application. He noted that the City needs to ensure that the development is consistent with the official plan and that it maintains the heritage character of the building.

Councillor Ingram asked staff whether it is best for the applications to run concurrently.

The Planner noted that the City does not want to have two remnant properties and will look at the issue as a whole and report at a future Planning and Heritage meeting.

Thor Dingman agreed that the zoning issue is premature as the severance is under appeal. Mr. Dingman stated that the adjacent properties that have heritage designations should be taken into account when making a decision for the property. He stated that the Heritage Impact Assessment was incomplete and the suggested mitigations (ex. leaves on trees) were not valid for maintaining the heritage designations of the neighbouring properties.

Victoria Colby expressed concerns with the current management of the three units and that adding an additional three units would add to the problems. She noted that the property has decreased the surrounding property values and that her request to speak to Mr. Larson has not been fulfilled.

A resident read a letter on behalf of Shawn McKenna, noting the following concerns:

- Application is premature
- Large setbacks are important to the look of the area
- Removal of pillars has taken away from the uniqueness of the building
- Incorrect information being given to community from the applicant regarding restoration
- Lack of parking
- Snow storage
- Concerns with how the City has dealt with previous issues
- Would like the City to protect heritage buildings

Jane Homan noted that she would like to see the house saved and that it should have an owner who takes pride in the home. She would like to see the home restored to a single-family home and for the City to uphold the decisions made by the Ontario Municipal Board. Ms. Homan noted her displeasure with the removal of the pillars and the reduction of parking.

Michael Davis questioned Mr. Larson's ability to manage the property and noted the additional police presence due to disturbances in the current units.

The Planner noted that Provincial Policy has supported intensification and the City will probably continue to see an increase in applications.

Councillor Clifford inquired on the number of units currently allowed in the building.

The Planner noted that three units were permitted.

Mr. Ritz noted that the applicant is attempting to make the property work for himself and the neighbours. There are bylaws and Policies that need to be followed. There are

currently three units on the second floor and the proposal will add three on the main level to match. He noted that once the renovations are complete the property will attract a better tenant and hopefully alleviate the disturbances. The lands are no longer appropriate for a banquet hall. There is the possibility of adding additional parking to the property but noted that the locations may be undesirable for the neighbours.

Mayor Mathieson adjourned the meeting at 9:20pm.

The following requests to receive further information were received, as indicated on the form at the public meeting on June 10, 2019.

Thor Dingman

Michael Davis

Marta Andrekovic

Jane Homan

Jim and Elvira Gaylor

Anthony Wise and Victoria Colby

Nancy Fail

Cheryl Nickel

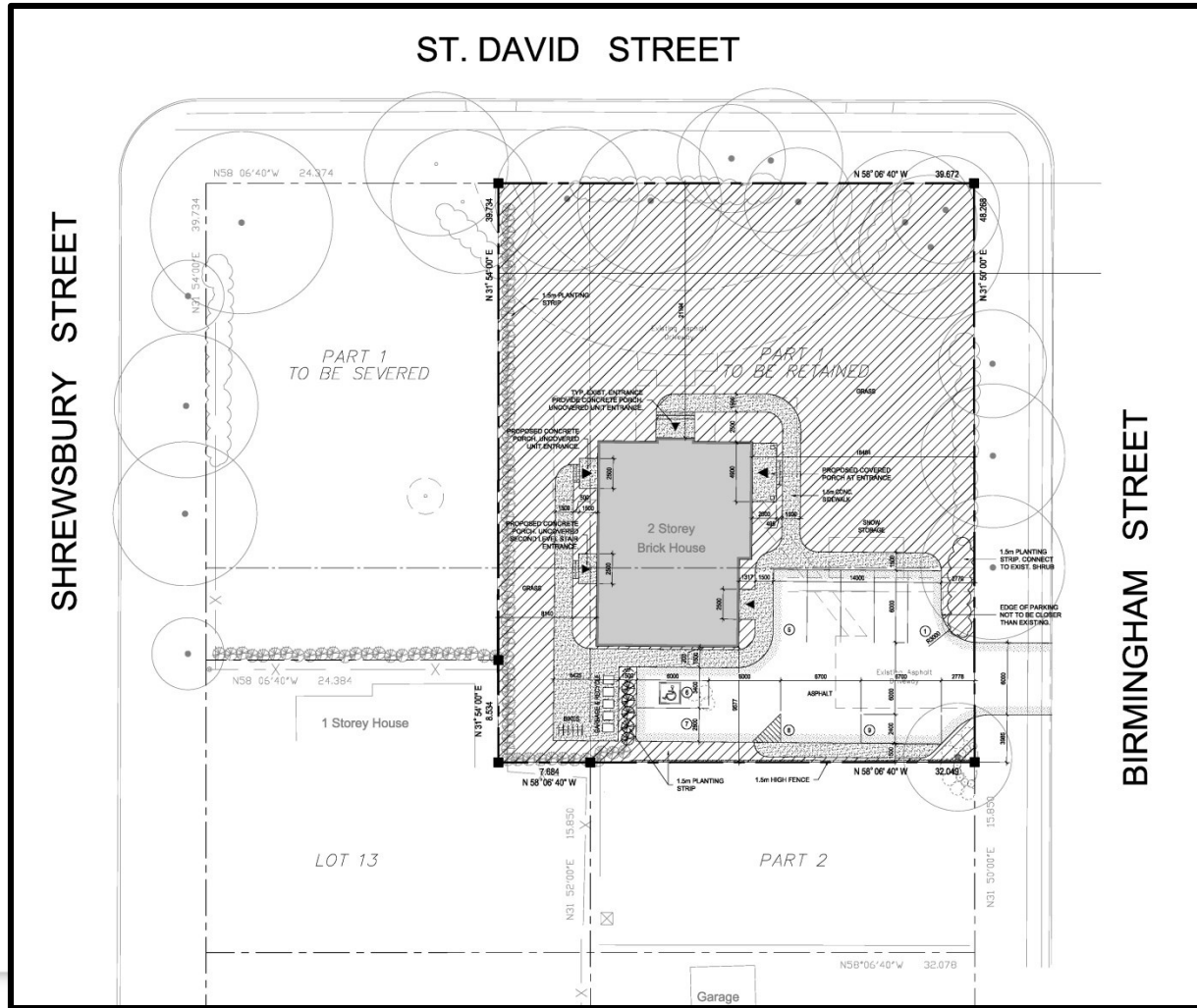
Connie Stewart

Mary O'Rourke

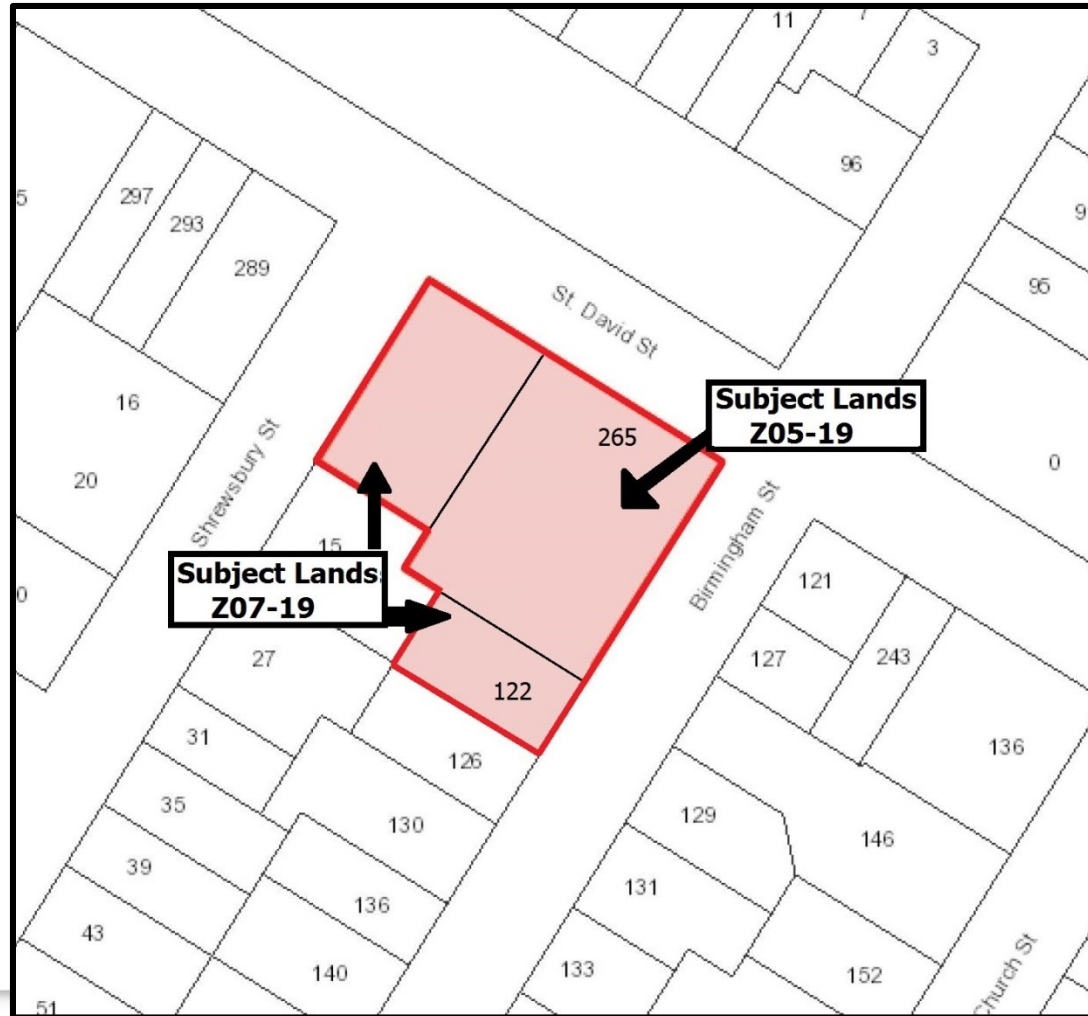
265 St. David Street &
122 Birmingham Street
Z05-19, Z07-19



Revised Concept Plan – Z05-19



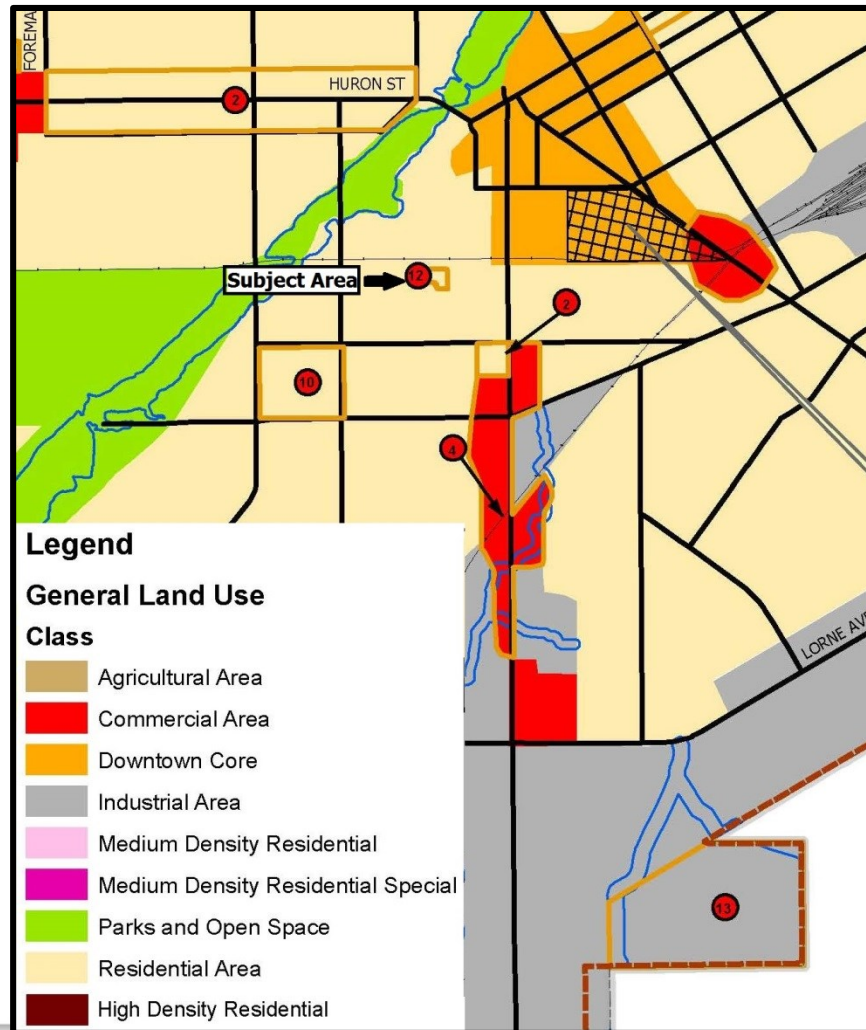
Subject Lands



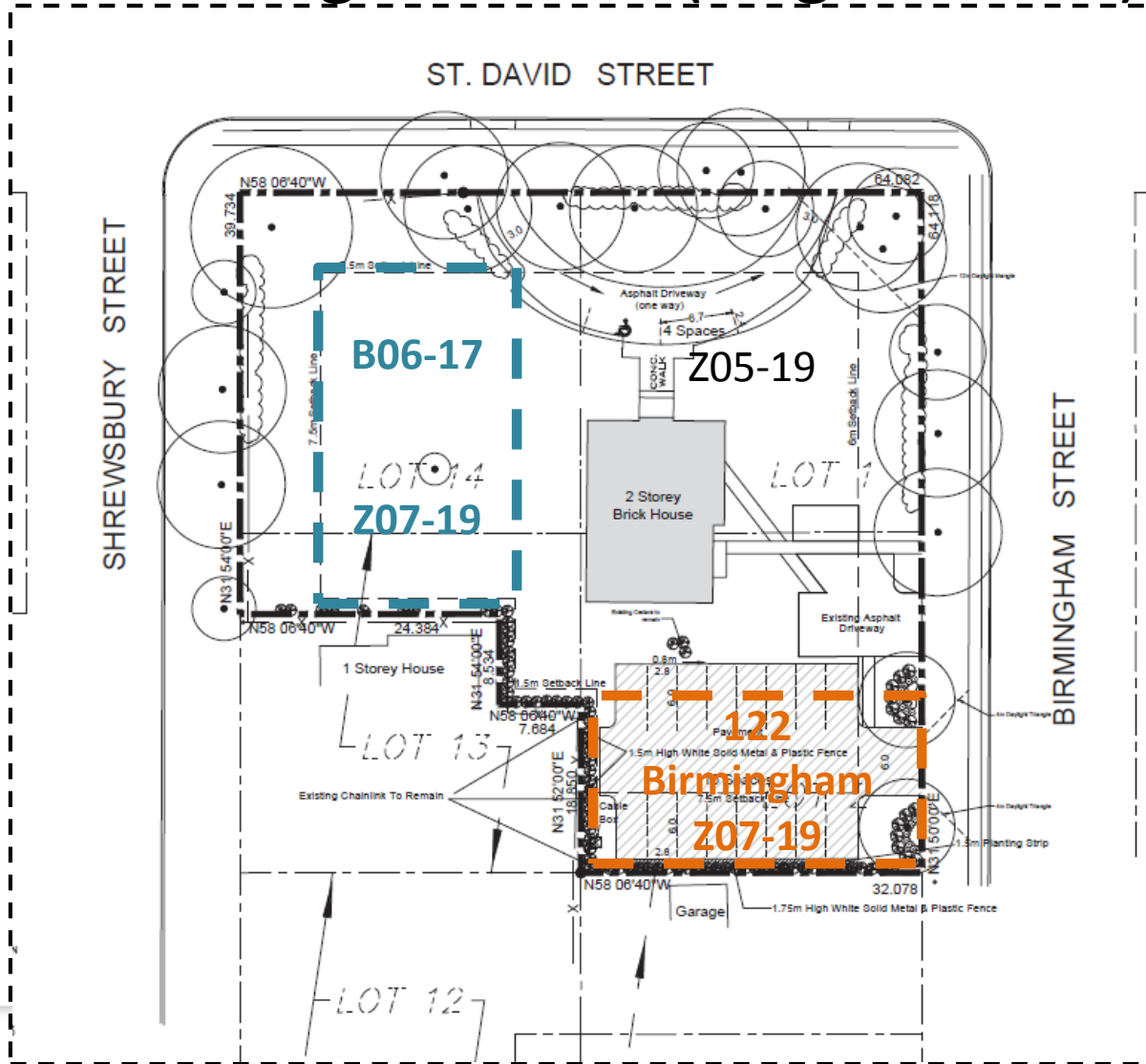
Subject⁴⁰ Lands



Excerpt of Schedule ⁴¹'A' Land Use



Existing Site Plan⁴² (August 2018)



Agency Circulation Comments

Engineering Services

The Engineering Division has reviewed the notice of zone change application noted above. At the Site Plan stage the following will apply.

- A new sanitary service is required unless evidence is provided that the existing service condition is satisfactory to Engineering. An upgraded water service is also recommended.
- The site is currently under Site Plan Control and as such stormwater management (quantity and quality control) is required to be maintained.
- The Engineering Division does not object to the zone change.

Huron Perth Catholic District School Board, Festival Hydro

- No concerns

Festival Hydro

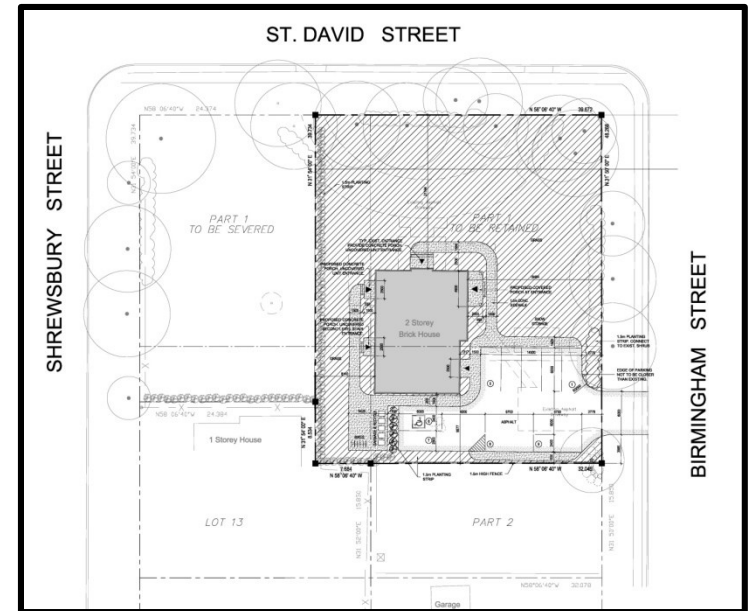
- No concerns.



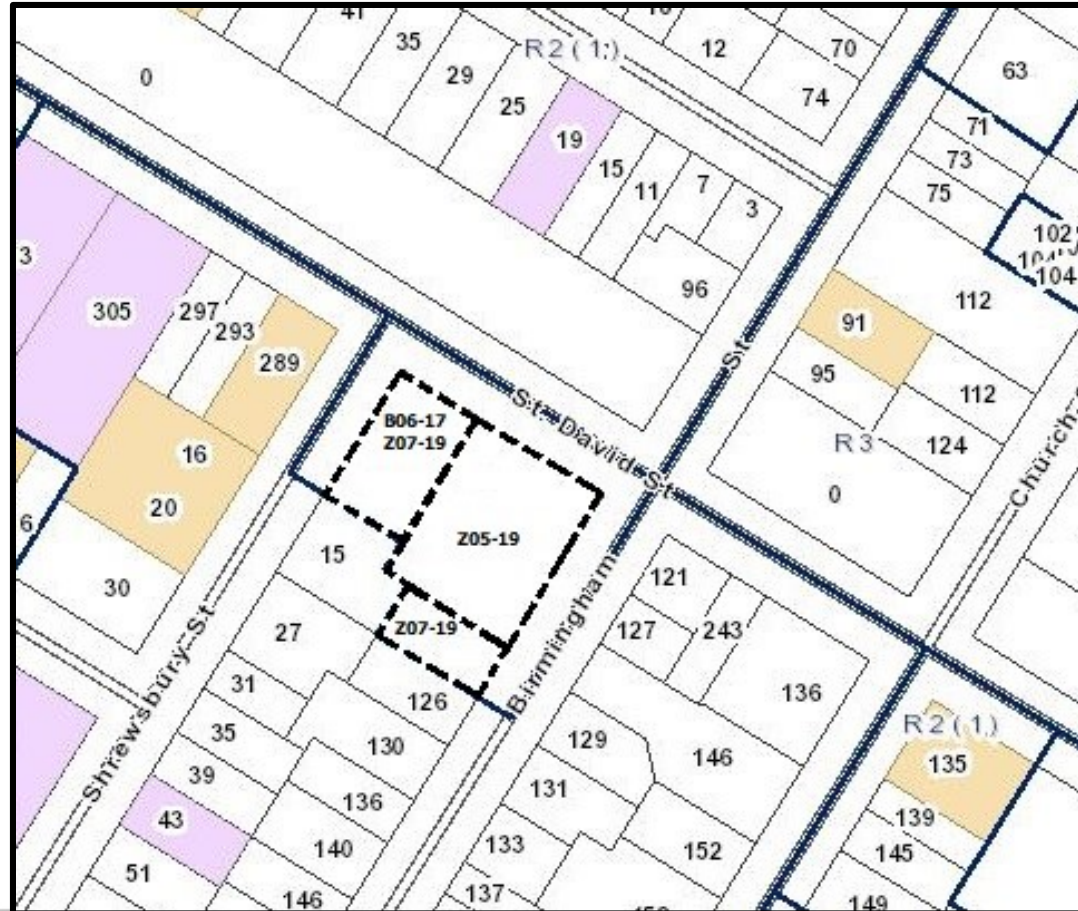
Public Circulation Concerns

Six responses have been received to date with two respondents not providing comments and only requesting further information on the file. The respondents concerns have been categorized as follows:

- Timing of rezoning application
- Parking
- Density and compatibility
- Heritage
- Impacts of Renovations



Heritage Properties

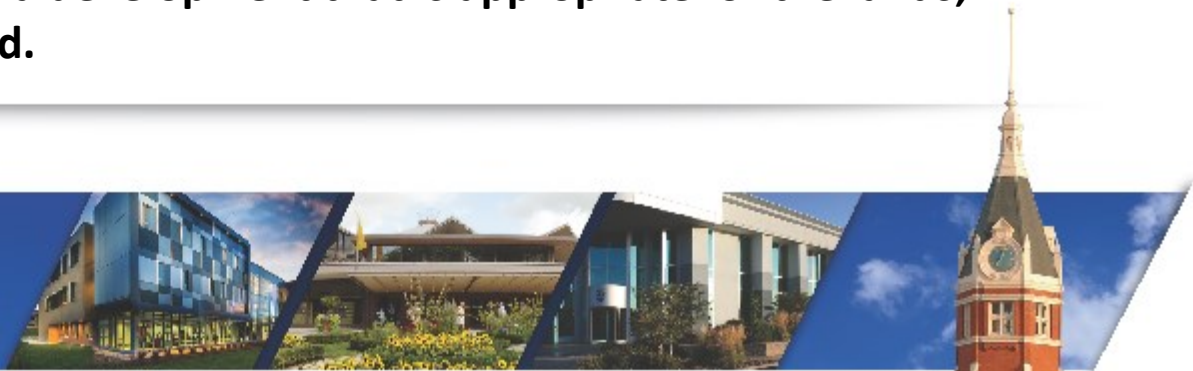


Recommendation⁴⁶

Staff Recommendation - THAT City Council receive the supplemental information to be included with the Management Report dated March 9, 2020.

And Staff Recommendation from March 9, 2020 report -THAT the zoning of the east portion of the property municipally known as 265 St. David Street, legally described as Lot 1 and Part of Lots 2, 13 and 14, Plan 84 BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential Fifth Density R5(1)-__ special provision Zone which restricts uses to the existing building (with an addition of not more than 10%), permits a maximum density of 32 units per hectare, allows an exterior side yard depth for a parking space of 2.7 m and a rear yard depth for a parking space of 1.5 m for the following reasons:

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



Recommendation⁴⁷

Staff Recommendation (continued):

THAT the zoning for the lands known municipally as 122 Birmingham Street and the west portion of the property municipally known as 265 St. David Street BE CHANGED from a Residential First Density R1(3)-27 Zone to a Residential First Density R1(3) Zone for the following reasons:

the request is consistent with the Provincial Policy Statement;

the request is in conformity with the goals, objectives and policies of the Official Plan;

the zone change will provide for a development that is appropriate for the lands;

public input has been considered.

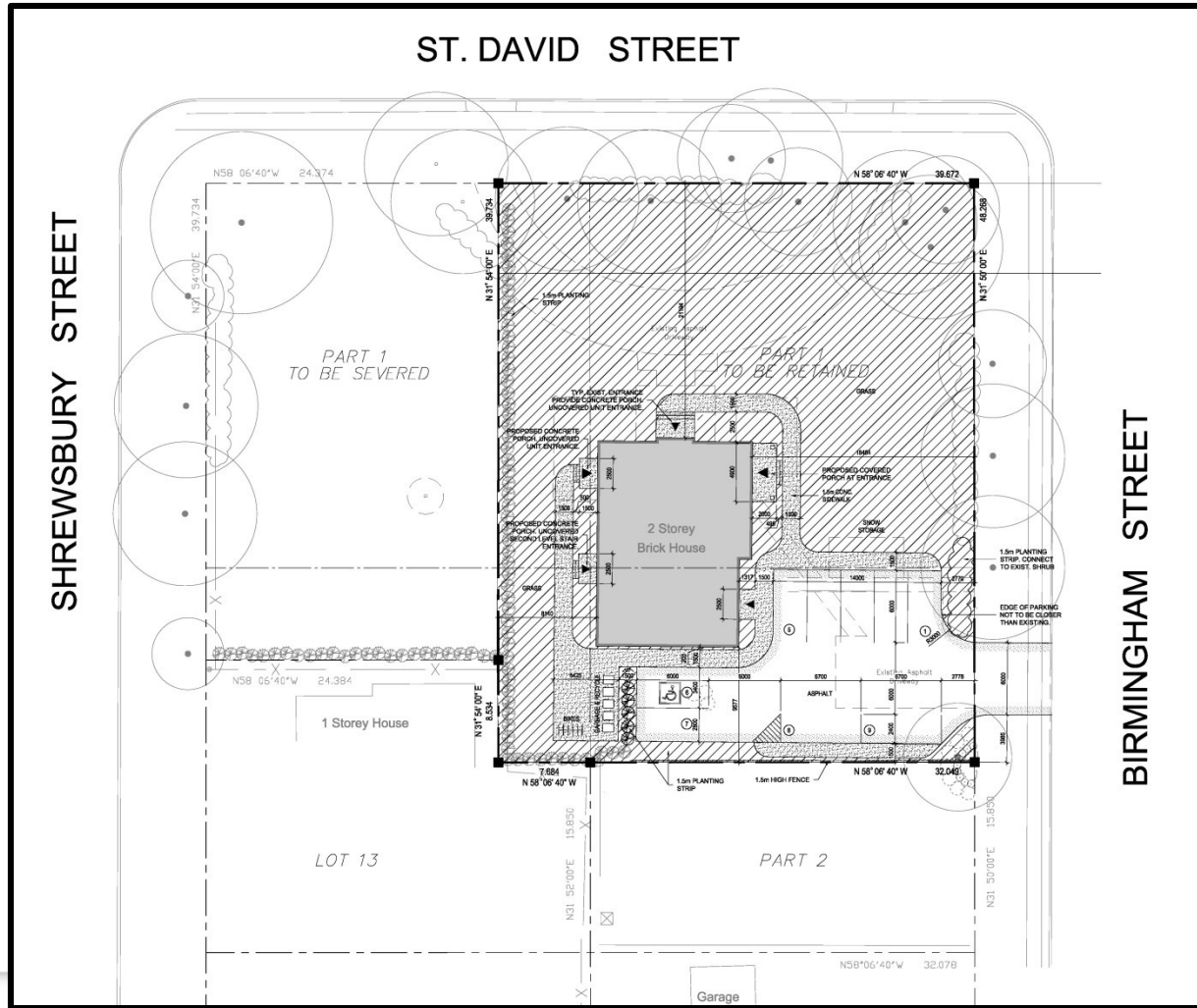
AND THAT Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act.



265 St. David⁴⁸ Street &
122 Birmingham Street
Z05-19, Z07-19



Revised Concept Plan – Z05-19



**Planning & Heritage
Committee Meeting**
June 8, 2020

265 St. David Street
Zoning By-law Amendment
City File No.: Z07-19

Larson Properties Partnership Company



Project Overview

- Zoning By-law Amendment to permit the conversion of existing structure at 265 St. David Street:
 - From: 3 converted dwelling units and a banquet facility
 - To: 6 dwelling units wholly contained in the existing structure

Zoning By-law Amendment

Rezone the Site from R1(3)-27 to a site-specific R5(1) Zone with the following restrictions:

- To permit a maximum of 6 dwelling units within the existing structure
- To permit a maximum increase in gross floor area of 10%
- To permit a reduced exterior side yard of 2.7 metres to a parking area

Response to Public Meeting

Comments from the Public Meeting held June 10, 2019, included:

- Rezoning to be considered after the Consent Appeal is settled
- Maintain the heritage character of the building
- Complete the HIA for the Consent Application
- Request to maintain existing building setbacks
- Lack of parking
- Protecting heritage buildings

Response to Public Meeting

- The Consent Appeal has been settled (January 24, 2020) with an Oral Order from LPAT granting the severance with modified conditions
- Applicant has agreed to request to Council that the existing structure be designated under the Heritage Act
- The existing setbacks to the building are being maintained
- The Application has increased the provision of parking to meet the Zoning By-law

Planning Opinion

- Modest intensification within settlement area, utilizing existing infrastructure
- Access to a municipal road and full municipal services
- Building to be protected, with a future request to designate under Heritage Act
- Provides for range of dwelling units in proximity to work, shopping, schools, parks and transit)
- Complies with zoning regulations, including off-street parking
- Minor reduction on exterior side yard to parking area – in keeping with parking situation on Birmingham (driveways with cars parked to the sidewalk)
- The parking area, with 9 spaces is substantially smaller than previous 24 space parking lot
- Returns the zoning on the Site to residential
- Site Plan Approval will be required