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

Date: Monday, August 24, 2020
Time: 3:15 P.M.
Location: Electronically

Committee Present: Councillor Ritsma - Vice Chair Presiding, Mayor Mathieson, Councillor Beatty, Councillor Bunting, 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, John Paradis - Fire Chief, Kim McElroy - Director of Social Services, Janice Beirness - Acting Director of Corporate Services, Jeff Bannon - Planner

To watch the Council meeting live, please click the following link:
https://stratford-ca.zoom.us/j/93419678440?pwd=bkVLYmszVXJHMVdaRm44UnIwbTQzdz09
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.

1. **Call to Order**

   The Vice-Chair to call the Meeting to Order.

   The Chair and Councillor Burbach 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. **Delegations**

None scheduled.

4. **Report of the Director of Infrastructure and Development Services**

4.1 **Planning Report Zone Change Application Z11-19, 173 Huron Street**

(PLA20-008)

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

- Dezia Kirkham

Correspondence was also received from the following and is attached to
this agenda:

- Dezia Kirkham and family
- Stephen Pearce
- John Dungey and Sarah Neville

Motion by ________________

THAT the correspondence from Dezia Kirkham, Stephen Pearce and John
Dungey and Sarah Neville regarding Zone Change Application Z11-19 for
173 Huron Street, be received.

Motion by ________________

THAT Dezia Kirkham be heard regarding Zone Change Application Z11-
19.

Motion by ________________

Staff Recommendation: THAT the zoning of 173 Huron Street BE
CHANGED from a Mixed Use Residential Zone (MUR) TO a Mixed Use
Residential Zone Special (MUR- ___) BE APPROVED for the following
reasons:

1. the request is consistent with the Provincial Policy Statement;
2. the request is in conformity with the goals, objectives and
policies of the Official Plan;

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

4. the public was consulted during the zone change circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.

5. **Adjournment**

   Meeting Start Time:
   Meeting End Time:

   Motion by ________________
   Committee Decision: THAT the Planning and Heritage Committee meeting adjourn.
MANAGEMENT REPORT

Date: August 24, 2020
To: Planning and Heritage Committee
From: Ed Dujlovic, Director of Infrastructure & Development Services
Report#: PLA20-008
Attachments: None

Title: Planning Report Zone Change Application Z11-19, 173 Huron Street

Objective: The purpose of this report is to provide staff’s recommendation on the Zone Change Application submitted by Ryan St. Pierre and Krista Hurley St. Pierre to change the zoning of the property municipally known as 173 Huron Street from a Mixed Use Residential (MUR) Zone to a Mixed Use Residential Zone (MUR) Special Zone to permit a triplex dwelling as an additional permitted use.

The application was accepted on November 27, 2019.

A Planning Justification Report was submitted with the application.
Location and Zoning Map

Z11-19 - 173 Huron Street

Legend
- Zoning Area
- Property Parcel
- Avon River/Lake Vichy
- Parks

Subject Area

Disclaimer: This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

NAD 1983 UTM Zone 17N

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Map Printed: December 5, 2019

THIS MAP IS NOT TO BE USED FOR NAVIGATION
Background:
The subject lands of application Z11-19 are located on the south side of Huron Street between John Street North and St. Vincent Street North and are legally described as W PT LOT 74 PLAN 20 in the City of Stratford. The subject lands have an approximate area of 522.9 m$^2$ (5,628 ft$^2$), and a lot frontage of 12.8 m (42 ft).

Site Characteristics

Existing Use: Duplex dwelling
Frontage: 12.8 m (42 ft)
Depth: 41.2 m (135.3 ft)
Area: 522.9 m$^2$ (5,628 ft$^2$)
Shape: Rectangular

Surrounding Land Uses:
North: Single Detached Dwellings (Residential)
East: Mixed Use Dwelling (Dentist/Residential)
West: Single Detached Dwelling (Residential)
South: Single Detached Dwelling (Residential)

Subject Lands – 173 Huron Street
Agency Comments
Circulation of the application to various agencies produced the following comments to date (August 18, 2020):

Building Services
• Any renovations or changes to the existing building will require a building permit to be applied for, accompanied with drawings demonstrating compliance with the Ontario Building Code.

Engineering Services
• Engineering Services does not object to the zone change.

Festival Hydro
• No concerns.

Upper Thames River Conservation Authority
• No objections.

History
The lands were previously the subject of a zone change application. In 2016, a zone change application was submitted by 2500208 Ontario Inc. to change the zone to a Residential Third Density R3 Zone to allow for a triplex or quadruplex dwelling (our file Z01-16). The Planning and Heritage Committee recommended refusal of the application at the November 28, 2016 meeting. The decision was brought forward to the Council Meeting held on December 12, 2016. Council passed a referral motion at the meeting to allow the applicant the opportunity to amend the application with respect to greenspace and for staff to review the reasons for recommending refusal of the application. A supplementary report was prepared for the February 13, 2017 Council meeting. Council received the supplementary report and referred the zone change application back to the Planning and Heritage Committee on February 27, 2017. The owner subsequently withdrew the zone change application on February 24, 2017.

On November 14, 2017, a building permit application was submitted Mr. St. Pierre to construct a duplex dwelling on the subject lands. A building permit for a duplex dwelling was issued on January 17, 2018.

Public Comments:
Notice of the application was sent to 98 surrounding property owners on December 30, 2019. Notice was also published in the Beacon Herald on January 4, 2020. Five responses to the Notice have been received to date.

One respondent noted that they would like to speak at the public meeting. Four other respondents expressed the following concerns:
• allowing a residential use on the main floor of the building would weaken the intent of the mixed-use zone;
• the property is too small to support the proposed use;
• there is a lack of amenity space; and,
• the existing duplex dwelling has decreased the value of the properties in the neighbourhood.

It was also noted in the responses that the previous owner had applied for a rezoning of the lands that had been refused and that the current owners have built a building that was always intended to be used as a triplex.

Two residents also spoke at the public meeting. They expressed concerns that were noted through the circulation responses and stated that the proposed triplex does not fit into the existing neighbourhood.

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

(Planning Note: Zone Change Application Z01-16 was not refused Council. The application was withdrawn prior to a Decision being made by Council.)

Analysis:
2020 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest and is broken down 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.

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”.

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 a triplex dwelling in an existing building with adequate parking that is located in the rear yard and screened from the street.

The surrounding area is comprised of predominately existing single detached dwellings, converted dwellings and mixed use dwellings that allow for limited commercial uses that are located on the ground floor with residential units above.

The development will allow for an increase to the range of housing types in the area 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.

Wise use and management of resource policies include natural heritage, water, agriculture and cultural heritage and archaeology. Significant built heritage resources, which are defined as significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to the community, shall be conserved. There are no Wise Use and Management of Resources policies applicable to this application.

Protecting public health and safety relate to natural and human made hazards such as areas prone to flooding, mine hazards, oil and gas hazards. There are no Protecting Public Health and Safety policies applicable to this application.

The subject lands are not located within any hazard areas and there are no significant built heritage resources adjacent to the property. The request to develop the subject lands for a triplex is appropriate for the subject lands and is consistent with the 2014 Provincial Policy Statement.

Official Plan
The property is designated as Residential Area – Mixed Use. This portion of Huron Street is identified as a Heritage Corridor and Huron Street is classified as an arterial street.
The Residential - Mixed Use policies encourage a mix of residential, commercial and institutional uses. The mixing of non-residential uses is intended to be carefully controlled and designed to ensure land use compatibility; to prevent the introduction of detrimental uses into established residential and heritage areas and to prevent a weakening of the Downtown Core.

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:

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 proposal to add an additional dwelling unit within the existing building meets the definition of intensification in the Official Plan. The Official Plan supports residential intensification within the Built Boundary as it results in a more efficient use of land and infrastructure subject to specific criteria. There is sufficient lot area and municipal infrastructure to allow for an additional dwelling unit on the subject lands. The applicant has submitted a concept plan that shows how parking can be accommodated on the property without impacting the character of the area.

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.”

The Official Plan does not define the heritage qualities of the Mixed Use area. The characteristics of development along this Mixed Use area includes one to two storey buildings, covered porches, entrances facing the street, sidewalks to the front entrance, sloped roofs, parking along the side or rear and landscaping in the front yard. While the existing building/property contains many of these characteristic, the most noticeable difference between the existing building and other buildings along this section of Huron Street is the height of the front façade from the grade to roof-line. The front facade is 2 ½ storeys in height. The maximum front façade of other buildings in the area is 2 storeys.

The existing building conforms to the Mixed Use Residential MUR zoning. It is considered inappropriate not to allow intensification in a building that was constructed in conformity with the existing zoning solely on the basis the front facade is one half storey higher than other buildings along this section of Huron Street.

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;*

The proposed triplex can be accommodated within the existing dwelling. With the exception of one additional parking space there are no changes being proposed to the exterior of the existing building. The proposed triplex represents a modest intensification of the building as the height, massing and scale of the triplex will remain unchanged and the impacts of the building on the surrounding area will also remain unchanged. The current City policy does not require site plan approval for triplex dwellings. The site has already been developed and the existing Zoning By-Law will provide further controls on any future expansion.

The proposed development represents a slight increase in density on the subject lands along an arterial street with minimal changes to the exterior of the building. The requested zoning conforms to the Official Plan.

**Zoning By-Law**

The lands are zoned Mixed Use Residential Zone (MUR) which permits existing single detached dwellings, duplex, boarding house and converted dwellings, clinic, group home, dwelling unit, home occupation, day nursery, hostel, inn, nursing home, religious institution, retirement home and specialized medical offices. The zone also allows business or professional office, commercial school, personal care establishment and studio if they operate within an existing dwelling that contains at least one dwelling unit.

The revised site plan locates all parking spaces to the rear of the property, screening it from the public realm. With the exception of allowing a dwelling unit in the basement, no other special zoning provisions such as setback, height, landscape open space or maximum lot coverage are required in order to accommodate the additional dwelling unit.

The MUR Zone has been applied to all properties on the north and south sides of Huron Street between St Vincent Street North and St. John Street North. Development of a similar height, massing and scale is permitted as-of-right along this blockface.

**Public Comments**

**Building Mass and Scale**

The existing duplex dwelling was constructed in accordance with Mixed Use Residential (MUR) Zoning By-Law requirements. The building massing and setbacks are not proposed to be changed through the rezoning application and the only change to the exterior of the building is to add additional parking. Other properties along this blockface are permitted to construct a new building, or addition, to a similar height, mass and scale as the existing building.

The submitted concept plan demonstrates that the property can adequately function and the building conforms to the setback, coverage and landscaped open space of the Mixed Use Residential zone.
Size of Property and Amenity Space
Huron Street is classified as an arterial road and the rezoning application to allow for a triplex dwelling will not significantly increase the amount of traffic along Huron Street. The submitted concept plan demonstrates how vehicles will maneuver properly on the land and enter and exit from Huron Street in a safe and forward motion. The proposed plan also shows an amenity area directly outside of the rear entrance with an open area at the rear of the property that can be used for snow or garbage storage. In addition, two of the units have a large covered porch. The design meets the Zoning By-Law requirements for minimum landscape open space and is below the maximum lot coverage.

The property is located a walking distance of approximately 415 metres to the Lions Pool, 250 metres to T.J. Dolan Drive and parkland that connects to the T.J. Dolan Natural Area, 987 metres to Avalon Park (playground equipment) on Princess Street and 970 metres to the Fairgrounds (playground equipment).

Impacts on Mixed Use Residential Area
The intent of the Mixed Use Residential Area is to allow residential land uses with limited accessory commercial uses within residential dwellings. The proposed triplex use maintains the residential character of the neighbourhood and would not detract from the intent of the mixed use designation or zone.

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

Compatibility with Neighbourhood
The existing building conforms to the MUR Zone regulations and similar regulations are in effect on both sides of Huron Street between St Vincent Street North and St. John Street North. The intent of the Zoning By-Law is to allow for parking to be located at the rear of a property for multi-unit dwellings. This allows for an attractive streetscape in the neighbourhood that is not dominated by large parking areas. Parking is located in the rear of the property and the four parking spaces exceed the requirements of the Zoning By-Law. The parking area is screened from the adjacent neighbours to the west and south by an existing fence.

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

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. The applicable Development Charges are expected to be $10,558 for the additional unit which will be collected as part of the Building Permit application in accordance with the Development Charges By-Law.

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: THAT the zoning of 173 Huron Street BE CHANGED from a Mixed Use Residential Zone (MUR) TO a Mixed Use Residential Zone Special (MUR-____) BE APPROVED for the following reasons:

I. the request is consistent with the Provincial Policy Statement;
II. the request is in conformity with the goals, objectives and policies of the Official Plan;
III. the zone change will provide for a development that is appropriate for the lands;
IV. the public was consulted during the zone change circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.

__________________________
Prepared by: Jeff Bannon, MCIP, RPP – Planner

____________________
Recommended by: Ed Dujlovic, Director of Infrastructure & Development Services

____________________
Joan Thomson, Chief Administrative Officer

August 18, 2020
BEING a By-law to amend Zoning By-law 201-2000 as amended, with respect to zone change Z11-19 to rezone the lands known municipally as 173 Huron Street, located on the south side of Huron Street between John Street North and St. Vincent Street North to allow for a site specific Mixed Use Residential MUR 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 1 to By-law 201-2000 as amended, is hereby amended:

   by changing from a Mixed Use Residential MUR Zone to Mixed Use Residential Special with site specific regulations MUR- ___ 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 W PT LOT 74 PLAN 20 and known municipally as part of 173 Huron Street.

2. That By-law 201-2000 as amended, be further amended by adding to Section 10.4, being the Exceptions of the Mixed Use Residential MUR Zone the following:

   "10.4. a) **Defined Area** (173 Huron Street)
   MUR-__ as shown on Schedule “A”, Map 1
b) Permitted Uses
   • Triplex dwelling
   • all uses permitted in the MUR Zone

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 xxth day of xxxxxxx 2020.

____________________
Mayor – Daniel B. Mathieson

____________________
City Clerk – Tatiana Dafoe
Schedule “A” to By-law ???-2020

173 Huron Street
A PUBLIC MEETING was held on Monday, January 27, 2020 at 7:03 p.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 Z11-19, relating to 173 Huron Street in the City of Stratford.

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

REGRETS: None.

STAFF PRESENT: Joan Thomson – Acting CAO, David St. Louis - Director of Community Services, Mike Humble – Director of Corporate Services, Ed Dujlovic – Director of Infrastructure & Development Services, John Paradis – Fire Chief, Jacqueline Mockler – Director of Human Resources, Kim McElroy – Director of Social Services, Tatiana Dafoe – Acting Clerk, Jeff Leunissen – Manager of Development Services, Jeff Bannon – Planner, Rachel Bossie – Planner, Victoria Trotter – Recording Secretary 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 Application Z11-19, relating to 173 Huron Street in the City of Stratford.

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

STAFF PRESENTATION:
Jeff Bannon, City Planner, stated the purpose of the zone change is to change the zoning of the property municipally known as 173 Huron Street from a Mixed Use Residential Zone to a Mixed Use Residential Zone Special Zone to permit a triplex dwelling as an additional permitted use. He noted the property is located on the south side of Huron Street between John Street North and St. Vincent Street North. The property has an area of 522 m² and frontage of 12.8 m. The surrounding lands are single detached dwellings and a mixed use dwelling that contains a dentist office.

The planner noted current zoning allows for single detached dwellings, duplex, boarding house and converted dwellings, clinic, group home, dwelling unit, home occupation, day nursery, hostel, inn, nursing home, religious institution, retirement home and specialized medical offices. The Official Plan designates the property as Residential Area – Mixed Use
and it allows for the rezoning of lands exclusively for residential purposes to maintain the predominant residential and heritage character of the Mixed Use area.

The planner advised the lands were previously the subject of a zone change application near the end of 2016 in order to change the zone to a Residential Third Density R3 Zone to allow for a triplex or quadruplex dwelling. The owner withdrew the zone change application on February 24, 2017.

The application was circulated to various agencies with the following responses:
- building permits will be required if any renovations or changes to the existing building are planned, and
- upgraded grading plan required.

He noted that comments were received from four members of the public, including:
- property too small to support proposed use;
- lack of amenity space;
- duplex has decreased value of surrounding properties, and
- concerns that building was always intended to be used as a triplex.

**QUESTIONS FROM COUNCIL:** None.

**APPLICANT PRESENTATION:**
Ryan St. Pierre, owner of property, noted he and his wife purchased the vacant lot with the intent of building their family home along with a third floor rental. Their concept for the development was to increase the property value of surrounding dwellings and a lot of time was spent ensuring it fit into the character and heritage of the area. He has received positive feedback from neighbours on the design of the building. He stated that he had no knowledge of the previous attempt to rezone the property at the time of purchase.

In response to concerns previously brought forward from the public, he noted:

1. Lack of amenities – property was built with high end finishes and the amenities, such as large porches, will appeal to a certain demographic for that type of property.

2. Triplex – the original intent of the property was a duplex with his main residence being located on the bottom two floors and a rental property on the top floor.

He noted that hostility from a neighbour has made it impossible and unsafe for him to move his young family into the residence. A decision was made to stay in their current residence and reconfigure the property into a triplex.

**QUESTIONS FROM COUNCIL:**
Councillor Sebben inquired whether Mr. St. Pierre had ever used the property as a primary residence and what changes would be required to convert the building to a triplex.
Mr. St. Pierre noted that his family had not used the property as their primary residence. He stated that minor changes would be required to convert to a triplex, such as adding a door.

Councillor Henderson asked if there is enough parking on-site.

Mr. St. Pierre stated there are four parking spaces.

**QUESTIONS FROM THE PUBLIC:**

John Dungey noted he lives near the property and expressed concern with the presence of three hydro meters prior to approval of a triplex. He noted he had spoken to one of the builders during construction and was told they were building a triplex. He believes the building was never intended to be a duplex.

Stephanie Flood agreed that it appears the building was always intended to be a triplex with the installation of three hydro meters. She advised she does not like the aesthetics of the building and does not think it fits into the surrounding area. Concern was expressed that lights from the building shine continuously.

Mr. St. Pierre provided brief closing remarks, noting that a significant amount of money, time and effort was put into this project to ensure they came up with a concept that they were happy with. He understands there are concerns and that some may not like the chosen design however it is impossible to please everyone. The original plans were for a duplex, with the bottom two floors intended to be his primary residence.

Councillor Sebben asked Mr. St. Pierre if there were any tenants occupying the basement.

Mr. St. Pierre noted there is nobody living in the basement currently.

Mr. Dungey questioned the presence of three hydro meters on the building.

Mr. St. Pierre noted the third meter was installed when they decided to remain at their current residence and not move into the subject property. He advised it is more economical to plan ahead and the third meter was installed to cover all possibilities down the road.

Ms. Flood inquired if there were plans to permanently run the property as an AirBnB.

Mr. St. Pierre clarified that they did have short terms guests during the summer while they were looking for long term tenants. They currently have one long term tenant. He noted the property was intended to be their permanent residence and they were not intending to use it as a triplex. He does not have plans to run it as an AirBnB.

There were no further questions or comments from members of Council or the public.
Mayor Mathieson noted the matter will be considered at a future Planning and Heritage committee meeting.

Mayor Mathieson adjourned the meeting at 7:27 p.m.

The following requests to receive further information were received, as indicated on the forms at the public meeting on January 27, 2020.

John Dungey
Dezia Kirkham
From: Dezia Kirkham
Sent: Sunday, August 16, 2020 4:19 PM
To: Tatiana Dafoe
Subject: Zone change for 173 Huron st

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Planning and Heritage Committee

We are the owners of the property --- Huron st next to 173 Huron my name is Dezia Kirkham and I’m writing on behalf of all my family. We strongly oppose this zone change. This building has been a deception from the start. Lies piled on top of lies and what kind of example will you be sending if you allow this to go through. We have some serious concerns in allowing this zone change. Where will kids play?, as it goes now they play in a crowded parking lot ,they have to cross a busy highway or walk 30 mins to the nearest actual park and not just an area with grass. There is no green space. The property plans submitted are not true to the property as it is now. The neighbours and community have been opposed to this change from the very start and from the start there has been three hydro and gas meters. As well as 2 air conditioning units with obvious projections of installing a 3rd air conditioning unit that are less than a meter from the property line. These units are combustible and should be covered with some sort of noise cancelling and fire proofing or fencing to contain them. The building is actually 3 stories, the front of the building has an open pit with no railing, grading between properties has never been finished properly and damage to our property and home still remain. Multiply contractors have told us it’s a triplex and it has been advertised as a triplex. Who will be held responsible for this? Please hold this builder/contractor/landlord accountable for what they’re plans were and how they submitted this development 3 years ago, ”a family home with one rental unit”. In denying this zone change it will show precedence and inform builders that trying to change zoning by-laws will not be achieved by lies and deceit and it will also show that council has concerns for the existing residents who live in this city that get harassed and bullied by developers and contractors during infilling of vacant lots. This infill of an apartment building has not been sympathetic to our family or property. This experience has been detrimental to our property value our style of living, our privacy and happiness here in this the City Of Stratford. Our concerns go far beyond just the above mentioned details

Thank you

Dezia, John, Grant, Avery Kirkham
From: Stephen Pearce  
Sent: Sunday, August 16, 2020 8:03 AM  
To: Tatiana Dafoe <TDafoe@stratford.ca>  
Subject: 173 Huron Street

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Greetings,

My name is Stephen Pearce and I own the property next to 173 Huron Street. My address is --- Huron. I am north for the summer and have no internet and therefore cannot participate in the on line meeting regarding the zone change for 173 Huron.

At this time I would like to officially oppose the proposed zone changes to 173 Huron Street. It is not reasonable to think three families can live on a lot that size. There is no area for children to play and no parks nearby for them without crossing heavy traffic or water hazards.

We (the existing neighborhood) have opposed this high occupancy unit since it's inception. We have been overcome by trickery and deception. The building was built by changing the description now it is to be changed to the building we opposed in the beginning. There was no intent for it to be a duplex. It had three hydro meters from construction. In my mind it is clear that the building department was aware of these attempts to circumvent existing zoning laws.

It is my hope that Council will not approve this zone change. In denying it they will show that zoning laws will not be circumvented by trickery. It will also show that Council has concern for existing residents.

Regards

Stephen Pearce
Date: August 19, 2020

To: Mayor and Council

From: John Dungey and Sarah Neville, Norman St., Stratford

Re: Zone Change Application Z11-19 for 173 Huron Street

We do not feel comfortable appearing as a delegation under the current conditions necessitated by the response to the Covid-19 virus.

This document is prepared without having access to the Staff Report. We do not understand why the Staff Report cannot be available when a meeting is announced, in this case August 11. This would give all parties a chance to thoroughly examine the report over a few week days rather than try to do it over a weekend just before the meeting. We hope a councillor can ask staff why these reports appear just before the meeting. Perhaps Stratford City Council can direct staff to have the Staff Report ready when the meeting is announced.

We object to the proposed zoning change and ask you to consider the following:

1. At the meeting on January 27, the developer admitted when being questioned by myself that the building was constructed to be easily converted into a triplex dwelling and that he chose that design in case he ever wanted to do that in the future. Normally when a building is being built that does not comply with the zoning of the lot, permission is asked before the building is started. Meetings are held and neighbours and interested parties have a right to comment and perhaps protect their own interests. Of course, that is not the case here. We have lost the right to influence the development in our neighbourhood.

2. If there would have been meetings in advance of building this structure we would have been against this triplex building being built. The finishes and the design do not fit in with the neighbourhood. The lot is much too small for a triplex building. A true duplex would much better fit the neighbourhood and would also provide some space for outdoor amenities for the residents of the duplex on the lot. A true duplex would preserve the value of the neighbouring properties, rather than lessen the neighbour's property values as this building has done. We would have been strongly fighting for our point of view in the hopes that the developer would see the errors in his plan.

3. If this zone change application is approved other developers could see this as a precedent. Developers could construct the building they want and tell staff whatever they need to hear in order to get the building built. The protections and processes contained in Zoning By-Law will be worthless. Please protect your own By-Law.

Yours truly

John Dungey

Sarah Neville
173 Huron Street
Z11-19
Concept Plan – Z11-19
Location and Zoning Map
Subject lands – photo taken Jan. 24, 2020
Excerpt of Schedule ‘A’ Land Use

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
- Subject Area

Refer to Policy 11.2.16
Building Services
• Any renovations or changes to the existing building will require a building permit to be applied for, accompanied with drawings demonstrating compliance with the Ontario Building Code.

Engineering Services
• Engineering Services does not object to the zone change.

Festival Hydro
• No concerns.

Upper Thames River Conservation Authority
• No objections.
Public Circulation Concerns

Five responses have been received to date with four respondents providing comments and one requesting to speak at this public meeting. The respondents expressed the following concerns:

• Residential use shouldn’t be allowed on the main floor and weakens the intent of the mixed-use zone
• Property is too small to support a triplex
• Lack of amenity space
• Existing duplex has decreased property values
• Previous rezoning was refused and current owners were always intending to build a triplex
Staff Recommendation:
THAT the zoning of 173 Huron Street BE CHANGED from a Mixed Use Residential Zone (MUR) TO a Mixed Use Residential Zone Special (MUR- ____) BE APPROVED for the following reasons:

-the request is consistent with the Provincial Policy Statement;
-the request is in conformity with the goals, objectives and policies of the Official Plan;
-the zone change will provide for a development that is appropriate for the lands;
-the public was consulted during the zone change circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.
173 Huron Street
Z11-19

Stratford
Ontario Canada
Dramatically Different!
Concept Plan – Z11-19