



The Corporation of the City of Stratford Planning and Heritage Committee MINUTES

Date: Thursday, October 21, 2021
Time: 6:01 P.M.
Location: Electronic Meeting

Committee Present in Council Chambers: Councillor Ritsma - Chair Presiding

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

Staff Present in Council Chambers: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Chris Bantock - Deputy Clerk

Staff Present Electronically: Taylor Crinklaw - Director of Infrastructure and Development Services, John Paradis - Fire Chief, Alyssa Bridge - Manager of Planning, Jeff Leunissen – Planner

Also Present: Members of the public.

1. Call to Order

The Chair called the Meeting to Order.

A moment of silent reflection was held following the passing of Martha Henry.

*Mayor Mathieson now present at the meeting at 6:02 p.m.

2. Disclosure of Pecuniary Interest and the General Nature Thereof

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

Name, Item and General Nature of Pecuniary Interest

No declarations of pecuniary interest were made by a member at the October 21, 2021, Planning and Heritage Committee meeting.

3. Delegations

None scheduled.

4. Adoption of the Addendum to the Agenda

Motion by Councillor Henderson

Seconded by Councillor Clifford

Committee Decision: THAT the Addendum to the Agenda of the Planning and Heritage Committee dated October 21, 2021, to add receipt of correspondence, be added to the Agenda as printed.

Carried

Motion by Councillor Henderson

Seconded by Councillor Clifford

Committee Decision: THAT the correspondence from Airbnb dated October 15, 2021 in response to the draft Comprehensive Zoning By-law for the City of Stratford and its short term rental regulations be received for information.

Carried

5. Report of the Manager of Planning

5.1 Final Draft Comprehensive Zoning By-law for the City of Stratford (PLA21-023)

Staff Recommendation: THAT Council adopt the new Comprehensive Zoning By-law dated August 24, 2021;

THAT Council repeal City of Stratford Comprehensive Zoning By-law No. 201-2000 in its entirety;

THAT Council repeal the Township of Perth East Zoning By-law No. 30-1999 as it applies to those lands located within City limits in its entirety;

THAT Council repeal the Township of Perth South Zoning By-law No. 4-1999 as it applies to those lands located within City limits with the exception of the 2020 annexation lands;

THAT Council, in accordance with Section 34 (10.0.0.2) of the Planning Act, declare that all zoning by-law amendment applications may be submitted before the second anniversary of the day this By-law is adopted and the previous By-laws are replaced;

THAT the Comprehensive Zoning By-law contain amended zoning for 94 Dickens Place being a R5(1) zone with site specific regulations for a maximum height of 15 metres and a maximum density of 100 units per hectare;

AND THAT Council direct staff to prepare a licensing by-law for Short Term Rental Accommodations.

Council takes the actions above for the following reasons:

- The actions above have regard for the Planning Act and are consistent with the Provincial Policy Statement;
- The actions above implement and conform with the City of Stratford Official Plan;
- The actions above are the result of a comprehensive public consultation process that included
 - over 150 individuals attending one of 4 open houses or the statutory public meeting,
 - approximately 150 individuals who provided feedback and/or requested to be kept informed of the process (on the mailing list);
 - discussions with stakeholder groups; and
 - offered feedback through the City's Shaping Stratford web-page;
- The new Comprehensive By-law will be more user friendly; and
- The new Comprehensive By-law is considered appropriate and will result in sound land use planning.

Committee Discussion: The Manager of Planning, referring to a PowerPoint presentation, provided an overview of the final draft Comprehensive Zoning By-law for the City of Stratford. Highlights of the presentation included:

- the by-law being the primary tool to regulate the use of land in the City;
- the new by-law implementing policies of the City's updated Official Plan;
- all existing zoning by-laws being repealed and replaced;
- introducing a more modern structure and by-law format;
- new zones introduced such as a new industrial zone, theatre district zone, grand trunk anchor district zone, and new agriculture zone district;
- key changes such as those related to the environment, parking, secondary suites, B&Bs, and short term rental accommodations;
- requirements for short term rental accommodations being permitted in a principal residence for a maximum of 180 days;
- a comprehensive public consultation process having been undertaken;
- staff recommending adoption of a short term rental licensing by-law;
- amendments to the new zoning by-law being restricted for a period of two years unless Council resolves otherwise; and,
- a site-specific change being recommended for 94 Dickens Place to recognize the existing zoning permissions and to align with the development concept currently under site plan review.

A question and answer period ensued between members and staff with respect to:

- the 180 day maximum permitted period for principal residences only applying to short term rental accommodators licensed under the future by-law;
- the proposed Comprehensive Zoning By-law not containing requirements for developments to install EV charging stations and staff coming back with recommendations;

- the proposed short term rental licensing by-law providing details on implementation while the draft Comprehensive Zoning By-law provides for where and when short term rentals are permitted;
- previous Council direction being to limit short term rentals for principal residences at a maximum of 180 days per year;
- any proposed amendments to the final draft Comprehensive Zoning By-law being discussed and brought forward by Committee;
- residential parking width for two spaces within a private garage being too narrow; and,
- the width of a parking space where double parking is provided in a private garage needing to be 5.6m if the width for a single space is 2.8m.

Motion by Councillor Ingram

Seconded by Councillor Burbach

Committee Decision: THAT section 5.2(b)(i) of the Final Draft Comprehensive Zoning By-law be amended to state the minimum width of a parking stall in a parking garage shall be 2.8m;

THAT section 5.2(b)(ii) be removed;

AND THAT the remaining sections be renumbered accordingly.

Discussion continued regarding the minimum width of a private garage opening not being impacted by the motion on the floor.

The Chair called the question on the motion.

Carried

Discussion ensued with respect to:

- references to the OMB being changed to Ontario Land Tribunal (OLT); and,
- allowing short term rentals to be at properties other than a principal residence.

Motion by Councillor Bunting

Seconded By Councillor Clifford

Committee Recommendation: THAT the section requiring short term rentals to be operated at primary residences in the City of Stratford in the

draft Comprehensive Zoning By-law, be amended to permit homeowners to operate a short term rental at another location in the City.

Discussion continued regarding:

- Council having previously discussed provisions for short term rentals;
- the need for more affordable rentals in the City;
- noise and neighborhood concerns when operating a rental not at a principal residence;
- difficulties with enforcing the operation of short term rentals outside of a principal residence;
- the definition of a short term rental being implicit that the homeowner is not there while being rented out;
- Stratford Police Services being responsible for enforcing noise complaints;
- the differences between operating a B&B or an Inn compared to a short term rental;
- more restrictive licensing requirements resulting in owners closing or selling their properties;
- short term rentals being a significant component of accommodations in the City;
- the impact to tourism and business if fewer accommodations are available; and,
- acknowledging the letter received from Shelley Windsor that was circulated to Committee members.

The City Clerk advised that a motion to reconsider must be passed before considering the motion on the floor. Previous direction from Council on December 21, 2020, directed staff to limit short term rental accommodations to principal residences for a maximum of 180 days and incorporate safety inspections as part of the City's licensing process of short term rentals in the Comprehensive Zoning By-law.

Clarification was provided that the motion to reconsider must come from two members on the prevailing side of the initial motion, in accordance with the City's Procedural By-law.

Motion by Mayor Mathieson

Seconded by Councillor Gaffney

Committee Recommendation: THAT the December 21, 2020 resolution (R2020-705) regarding short term rental accommodations provisions be reconsidered.

The City Clerk advised that two-thirds majority of full Council, or 8 members, is required to pass a motion to reconsider. The City Clerk advised that for the matter to be reconsidered, the motion to reconsider must be passed. If passed, further motions could then be brought forward

The Chair called the question on the motion.

Defeated

No further discussion was held on this matter as the motion to reconsider was defeated.

It was questioned whether a motion to refer the review of electric vehicle charging stations for certain developments under the new by-law to staff was required. The City Clerk advised that direction could be received for staff to review.

Motion by Councillor Clifford

Seconded by Councillor Gaffney

Committee Recommendation: THAT the requirement to install electric vehicle charging stations for certain developments under the City's Comprehensive Zoning By-law, be referred to staff.

Carried

Motion by Councillor Vassilakos

Seconded by Councillor Henderson

Committee Decision: THAT the correspondence dated October 6, 2021 from Baker Planning Group regarding the Draft Comprehensive Zoning By-law (July 2021) and 94 Dickens Place, Stratford be received for information.

Carried

Motion by Councillor Gaffney

Seconded by Councillor Ingram

Committee Recommendation: THAT Council adopt the new

Comprehensive Zoning By-law dated August 24, 2021, as amended;

THAT Council repeal City of Stratford Comprehensive Zoning By-law No. 201-2000 in its entirety;

THAT Council repeal the Township of Perth East Zoning By-law No. 30-1999 as it applies to those lands located within City limits in its entirety;

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 - **over 150 individuals attending one of 4 open houses or the statutory public meeting,**
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- **discussions with stakeholder groups; and**
- **offered feedback through the City's Shaping Stratford web-page;**
- **The new Comprehensive By-law will be more user friendly; and**
- **The new Comprehensive By-law is considered appropriate and will result in sound land use planning.**

Carried

6. Adjournment

Motion by Councillor Clifford

Seconded by Councillor Sebben

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

Carried

Meeting Start Time: 6:01 P.M.

Meeting End Time: 7:00 P.M.