



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

**Date:** Monday, June 27, 2022

**Time:** 7:05 P.M.

**Location:** Electronic Meeting

**Committee Present:** Councillor Ritsma - Chair Presiding, Councillor Ingram - 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, Taylor Crinklaw - Director of Infrastructure and Development Services, David St. Louis - Director of Community Services, Karmen Krueger - Director of Corporate Services, John Paradis - Fire Chief, Kim McElroy - Director of Social Services, Anne Kircos - Acting Director of Human Resources, Jodi Akins - Council Clerk Secretary, Jeff Bannon - Planner

To watch the Committee meeting live, please click the following link: <https://stratford-ca.zoom.us/j/81998710680?pwd=MWtXUkRIQldKZjZVGd6dnImMEpzQT09>

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 Planner**

**4.1. Planning Report, Zone Change Amendment Z02-22, 385 West Gore Street (PLA22-023)**

8 - 29

Following presentation of the staff report, the following persons have requested to address Committee on this matter:

- Jordan and Shelby Hayle, owners of the property;
- Susan Molenhuis, on behalf of neighbours to the subject property

Motion by

**THAT the correspondence from Thomas & Sandra Hunter received June 21, 2022 regarding Zone Change Amendment Z02-22 for 385 West Gore Street be received for information.**

Motion by

**THAT the delegations of Jordan and Shelby Hayle and Susan Molenhuis regarding Zone Change Amendment Z02-22 for 385 West Gore Street, be heard.**

Motion by

**Staff Recommendation: THAT application Z02-22 to amend the zoning at 385 West Gore Street from a Residential Second Density R2(1) Zone to a Residential Third Density (R3-\_\_\_) Zone with site specific regulations 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 application circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.

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

**4.2. Planning Report Draft Plan of Condominium Application 31CDM22-002, 84 Church Street (PLA22-024)**

30 - 44

Following presentation of the staff report, Caroline Baker, agent for the owner, has requested to address Committee on this matter.

Motion by

**THAT the delegation of Caroline Baker regarding Draft Plan of Condominium Application 31CDM22-002 for 84 Church Street, be heard.**

Motion by

**Staff Recommendation: THAT Council of the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Condominium 31CDM-22002 subject to the following conditions:**

- a. This approval applies to the Draft Plan of Condominium submitted by Baker Planning Group, prepared by MTE Ontario Land Surveyors Ltd. certified by Trevor McNeil, OLS, File No. 36618-101-D1 (L), drawing file name 36618-101-D1.DWG, dated March 31, 2022. The Plan contains a total of 5 residential units.
- b. This draft approval is for a Standard Plan of Condominium under Part X of the Condominium Act, 1998.
- c. The development is to be registered as one condominium corporation. The phase limits are to be to the satisfaction of the Manager of Planning.
- d. This approval of the draft plan applies for a period of five (5) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
- e. Prior to final approval for the registration of any phase of the condominium corporation within this development, a list of apartment numbers and the corresponding legal descriptions that will be in place upon registration of the plan of condominium shall be submitted to the City to the satisfaction of the Manager of Planning.
- f. Prior to final approval for the registration of any Condominium Corporation a plan shall be provided demonstrating that the unit boundaries in conjunction with the approved site plan are in compliance with the applicable Zoning By-law regulations.
- g. The Condominium Declaration shall contain appropriate provisions requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 to the

satisfaction of the Manager of Planning.

- h. Prior to final approval for the initial registration or any subsequent phase of the development as a condominium corporation by the Approval Authority, the Manager of Planning, City of Stratford, is to be advised in writing by the City of Stratford Corporate Services Department, Tax Division that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.
- i. Prior to final approval, the Owner shall make arrangements for the granting of any easements for utilities and municipal services.
- j. Prior to final approval, the Manager of Planning, is to be advised in writing, by the telecommunications company, that the Owner has made satisfactory arrangements with a telecommunications provider for the provision of permanent or temporary wire-line communications/telecommunication services to this plan.
- k. Prior to final approval, the Manager of Planning, is to be advised in writing, by Hydro One and/or Festival Hydro, that the Owner has made satisfactory arrangements with an electricity provider for the provision of permanent or temporary electricity services to this plan.
- l. Prior to final approval, the Manager of Planning, is to be advised in writing, by Enbridge Gas Inc., that its requirements with respect to easements and rights-of-way for services have been met.
- m. Prior to final approval for the registration or the development as a condominium corporation, the Manager of Planning is to be advised in writing by Canada Post that the Owner has confirmed mail delivery equipment has been supplied and installed to the satisfaction of Canada Post.
- n. That the Condominium Declaration proposed to be registered or any amendment thereto to effect the registration of a condominium phase shall be submitted for approval to the City's Manager of Planning. The said Declaration shall contain:
  - i. A provision that outlines that telecommunications, mail delivery equipment, water lines and appurtenances, hydro, perimeter fencing, parking, sanitary sewer lines and appurtenances are to be described as a common element and may include items that are external to the buildings and items that service more than one Unit or the Units and common elements and are to be operated, repaired, and maintained by the Condominium Corporation to the satisfaction of the Manager of Planning;
  - ii. A provision that unitized parking spaces are to be owned by residential unit owners; and

- iii. A provision that the condominium corporation agrees to maintain the subject lands in compliance with approved Site Plan.
- iv. Provisions requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 to the satisfaction of the Manager of Planning.
- o. That prior to final approval, the Owner provide a written undertaking directed to the City's Manager of Planning to register a Condominium Declaration which shall include the approved provisions as required in condition (n) hereof.
- p. That a comprehensive site audit, including the preparation of a site plan, a landscape plan, a site lighting plan and a grading plan, representing current site conditions, be submitted for acceptance to the City's Manager of Planning and that any site works required by said Manager to bring the property to a safe and functional standard, be provided to the satisfaction of the Manager. Such works may include enclosed garbage containers, and additional site lighting to provide safety for occupants, and upgraded landscaping to implement previously approved plans, and changes to the layout of the parking spaces and traffic aisles.
- q. That a Technical Building Audit be completed and submitted to the City's Chief Building Official for approval and any deficiencies identified under the Ontario Building Code, Fire Code, or Chapter 665 of the Municipal Code (Property Standards for Maintenance and Occupancy) be rectified to the satisfaction of the Chief Building Official.
- r. The digital copy of the plans provided are required containing the plan of condominium in Auto CAD native format (.dwg), stored as a single file, with all of the classes of features (eg. building footprint, Unit boundaries, interior roadways, access to public street, retaining walls, noise attenuation walls, fences, etc.) separated into different layers. For further information, please contact City of Stratford Infrastructure and Development Services Department.
- s. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City of Stratford a complete submission consisting of all required clearances and final plans, and to advise the City of Stratford in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City of Stratford, such submission will be returned to the Owner without detailed review by the City.

Notes:

1. Pursuant to Section 51(59) of the Planning Act, if a plan approved under Section 51(58) of the Planning Act is not registered within 30 days of approval, the City of Stratford may withdraw its approval.
2. If final approval is not given to this Plan, within 5 years of the draft approval date, and no extensions have been granted, draft approval shall lapse under subsection 51(32) of the Planning Act, R.S.O., 1990. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from the local municipality, must be received by the Approval Authority 60 days prior to the lapsing date.
3. All plans are to be prepared using total station survey and compatible with the latest version of AutoCAD. The final plan submitted for registration, engineered design drawings and construction record drawings are to be provided in print and digital format referenced to a control network compiled to the satisfaction of the City of Stratford Engineering Department in accordance with Ontario Basic Mapping (U.T.M. Grid 1:2000), for future use within the City's geographical information system.
4. For the purposes of clarification no Occupancy Permit shall not be issued and no occupancy shall be permitted for any particular unit until all of the requirements of the Ontario Building Code in relation to occupancy for any particular Unit has been achieved including but not limited to the Additional Work related to the Unit.
5. The Owner is advised that clearances from the following agencies are required:
  - City of Stratford Corporate Services Department, Tax Division
  - City of Stratford Infrastructure and Development Services Department, Manager of Planning
  - City of Stratford Infrastructure and Development Services Department, Chief Building Official
  - City of Stratford Infrastructure and Development Services Department, Engineering Division
  - Canada Post
  - Enbridge Gas Inc.
  - Festival Hydro
  - Bell Canada
6. The following is required for registration under the Registry Act and for City use:
  - Two (2) original mylars
  - Five (5) white paper prints

- One (1) digital copy

**AND THAT** the above is recommended for the following reasons:

- a. the request is consistent with the Provincial Policy Statement;  
and
- b. the request conforms with the goals, objectives and policies of  
the Official Plan.

**5. Adjournment**

Meeting Start Time:

Meeting End Time:

Motion by

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



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## MANAGEMENT REPORT

**Date:** June 27, 2022  
**To:** Planning and Heritage Committee  
**From:** Alyssa Bridge, Manager of Planning  
**Report #:** PLA22-023  
**Attachments:** None

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**Title:** Planning Report, Zone Change Amendment Z02-22, 385 West Gore Street

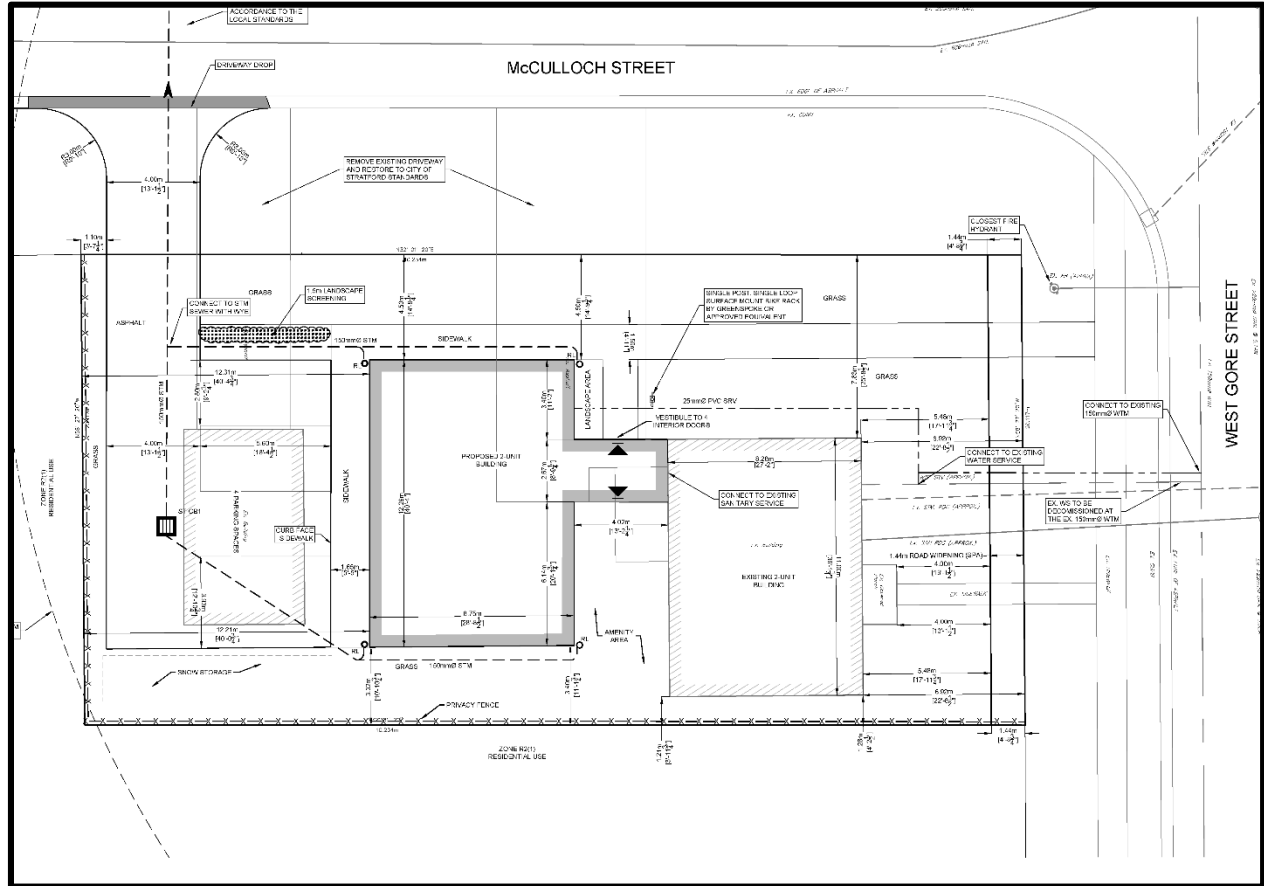
**Objective:** The purpose of this report is to provide staff's evaluation and recommendation on Zone Change Amendment Z02-22 application to rezone the lands from a Residential Second Density R2(1) zone to a Residential Third Density - Site Specific (R3-\_\_\_) zone to allow the existing dwelling to be converted to a quadruplex dwelling with a minimum front yard depth of 5.4m, a minimum lot frontage of 20m for a quadruplex dwelling, a minimum side yard width of 1.2m for a quadruplex dwelling and a minimum rear yard setback to a parking area of 1.1m for the lands known municipally as 385 West Gore Street.

The application was submitted on March 29, 2022. A Planning Justification Report, a conceptual site plan, building elevations and a functional servicing letter were submitted in support of the application.

**Background:** The subject lands are located on the southeast corner of West Gore Street and McCulloch Street, having an area of approximately 890m<sup>2</sup> (8712ft<sup>2</sup>). The subject lands are legally described as Plan 41 Lot 255 in the City of Stratford.



## Concept Plan:



## Analysis:

### Provincial Policy Statement

The 2020 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 decisions on planning matters are required to be consistent with the 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 PPS states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The policy also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Section 1.1.3.2 of the Provincial Policy Statement states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and support active transportation. Specifically, 1.1.3.2 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.*

The proposed development will efficiently use the subject land, it will contribute to a mix of land uses and densities that efficiently use land and resources and support active transportation. The City's infrastructure has adequate capacity to accommodate a quadruplex dwelling on the subject lands and the development is an efficient use of municipal infrastructure.

Section 1.4.3 of the Provincial Policy Statement states:

*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed.*

Sufficient off-street parking and amenity area is being provided on the subject lands and existing infrastructure is in place to support the proposed land use.

The PPS supports new developments which efficiently uses land, resources, infrastructure and public service facilities. The proposed quadruplex dwelling would contribute to a mix of land uses in the neighbourhood and is located on a public transit route. The proposal allows for the intensification of the lands on full municipal services which exist and have sufficient capacity to accommodate the proposed residential use.

The proposed Zoning By-law Amendment is consistent with the PPS, 2020.

#### City of Stratford Official Plan

The subject property is designated Residential Area in the Official Plan. This designation permits a range of residential uses including triplex dwellings, townhouse dwellings and low-rise apartments. The maximum permitted density in the Residential Area designation is 65 units per hectare.

West Gore Street is a collector street and McCulloch Street is a local street.

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 and design. Conflicts between land uses are to be minimized and complete communities, which meet residents' needs throughout their life, are encouraged.

As part of the City's Growth Management and Intensification Strategy, Section 3.2 of the Official Plan supports the review of existing zoning regulations and other development standards to remove barriers to intensification. These standards include parking and setback requirements. The intensification strategy also states a City intensification target of 25% for City-wide residential growth within the built boundary.

The requested setback reductions that recognize the existing building and proposed parking lot configuration will allow for additional dwelling units in a residential area that contributes to achieving the residential intensification target.

Section 3.4.1 of the Official Plan recognizes the need to protect the viability of the community by ensuring there is a full range of housing types designed to meet occupancy, health and safety standards, tenure, form and affordability for current and future residents. The proposed development contributes to a range of housing types and choice on a collector 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:*

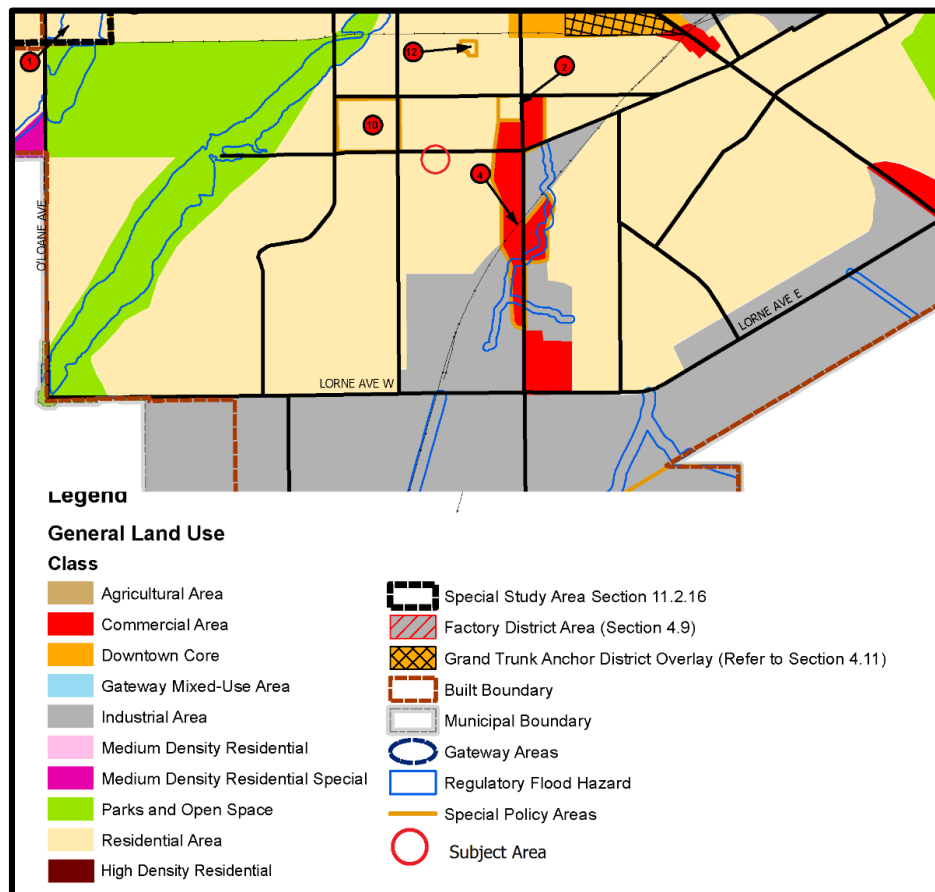
- i) scale of development respects the height, massing and density of adjacent buildings and is appropriate for the site;*
- ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;*
- iii) siting of buildings in relation to abutting properties ensures that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided;*

- iv) *satisfies the City with respect to the proposed grading, drainage and stormwater management, and, in particular that there is no impact on adjacent properties;*
- v) *has regard for the City's Urban Design and Landscape Guidelines.*

The scale of the proposed development respects the massing and density of other buildings along West Gore and McCulloch Streets and the proposed elevation is compatible with the character in the neighbourhood. A privacy fence is being proposed along the interior and rear lot lines to increase the privacy between adjacent property owners.

The proposed amendment conforms with the Official Plan policies by allowing for adequate servicing of the units, respecting the height, massing and density of the neighbourhood, through siting the proposed addition to ensure that there are no negative impacts with respect to privacy, shadowing, setbacks and by providing adequate parking on-site.

Excerpt of Official Plan – Schedule “A”



City of Stratford Zoning By-law

The lands are zoned Residential R2(1) Zone which permits land uses that include a single detached, semi-detached, duplex, converted and triplex dwellings. The rezoning of the lands to a site specific Residential R3 - special zone would allow for the existing dwelling to be converted to a quadruplex dwelling.

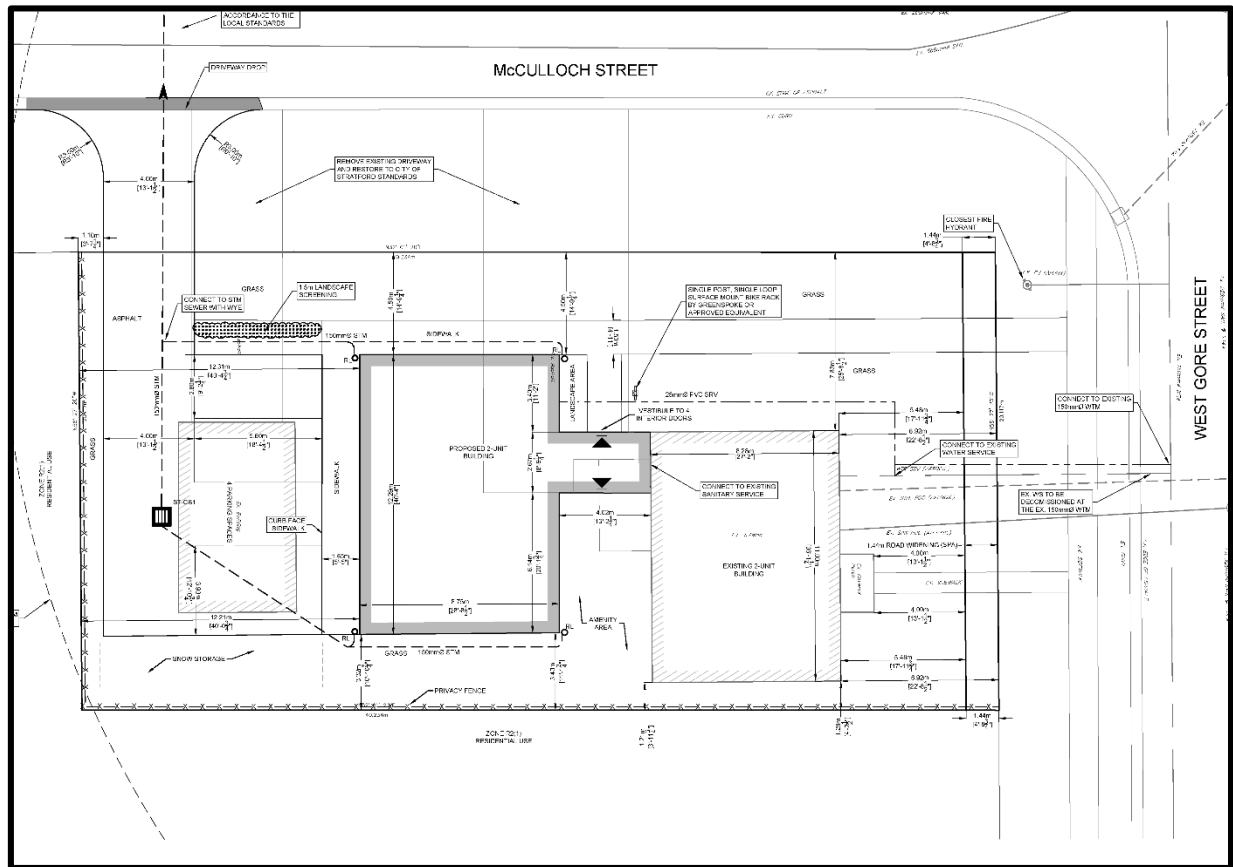
The proposed R3 Zone contains specific regulations for a quadruplex dwelling relating to parking, lot frontage, and setbacks. These requirements are to ensure that the property can accommodate the additional dwelling units while ensuring that amenity space, traffic, neighbourhood characteristics and compatibility with the surrounding neighbourhood is maintained.

The requested parking area setback reduction from 1.5m to 1.1m will still allow for appropriate buffering and screening of the parking area from the adjacent property line and the requested reductions in the front yard depth, and interior side yard setback are intended to recognize the existing building on the property. The front elevation is not being altered and the reduction in the required corner lot frontage for a quadruplex from 22m to 20m is not expected to impact the streetscape as the property is still able to meet minimum landscaped open space and lot coverage requirements while providing adequate amenity space and landscaping on the property. The size of the property would exceed the minimum lot area requirements for the proposed use, and the concept plan demonstrates that the lot will continue to meet all other zone requirements.

If approved, the owner will be required to submit a site plan approval for the quadruplex dwelling before a building permit can be issued. Engineering Services have noted that a road widening will be required from West Gore Street as part of the site plan approval.

The application maintains the intent of the Zoning By-law.

## Concept Plan



## Agency Comments

The application was circulated on April 13, 2022. The following comments have been received to date:

- Building Services: No concerns.
- Fire Department: No concerns.
- Canada Post:

## Service type and location

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

## Municipal requirements

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this application be approved, please provide notification of the new civic addresses as soon as possible.

### **Developer timeline and installation**

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the developer provided CMB pads.
- Engineering Services: No objection. Engineering requires a 1.44-metre-wide road widening from the West Gore Street frontage. Engineering has provided comments regarding this proposed development previously through the Formal Consultation process (FC48-21).

### Public Comments

Notice of the Application was sent to 97 abutting property owners on April 12, 2022. Notice was also included in the Town Crier public in the Beacon Herald on April 15, 2022. Three responses have been received with the residents expressing concerns with increased traffic and on-street parking, a concern with potential damage to an adjacent fence, drainage, noise, privacy, snow removal, changes to the character of the neighbourhood and the likelihood of future requests to change the zoning of other properties within the neighbourhood. Three delegations also expressed similar concerns at the public meeting including the potential decrease in property values in the neighbourhood that would result from the zone change.

### *Increased traffic*

The applicant has submitted a concept plan that shows how the property can accommodate the required four parking spaces for a quadruplex dwelling on the property. Engineering Services have not identified any traffic or parking related issues with this project. West Gore Street and McCulloch Street will remain below the traffic volume capacity on both streets. The Zoning By-law also allows a tenant or owner to park one commercial vehicle on the property provided it does not exceed a length of 6.0m or vehicle height of 2.3m and the submitted concept plan would not provide for the parking of a recreational vehicle within the proposed parking area.

The City has not received complaints about parking infractions on the subject lands and the property is able to provide the required parking for the intended land use which will alleviate off-street parking in the immediate vicinity. If complaints are received in the future, By-law enforcement will attend the property and enforce the Zoning By-law.

### *Privacy and Fencing*

An existing wood fence provides privacy for the adjacent neighbours. The requested reduction in the interior side yard setback is intended to recognize the existing building.

The proposed addition is shown to meet the Zoning By-law requirements in the R3 Zone and any building additions will be required to meet the setbacks prescribed in the Zoning By-law. Planning staff are recommending that the interior side yard setback is reduced for the existing building only.

#### *Site Plan Control*

The applicant will be required to obtain Site Plan approval for the proposed quadruplex dwelling. Plans submitted with the Site Plan application will be required to address drainage and snow removal on the property to ensure that there is no increased water run off to adjacent properties as the result of the development. Further, the applicant has the same responsibility as any property owner where they are expected to prevent any damage to adjacent properties and liable for any damage that may occur.

#### *Neighbourhood character*

Should a quadruplex be proposed on the subject lands, the applicant will be required to obtain site plan approval. The change in zoning would allow for an increase in building height from 10m to 12m. Building elevations will be reviewed as part of the process and the developer will be encouraged to use materials that are compatible with the surrounding area. The preliminary elevations show an increased height with the building elevation but does not include balconies with the building addition. Rezoning applications are analysed on a case-by-case basis and the Planning Act allows any property owner to submit applications such as a consent application or rezoning application on any property.

#### *Property values*

Comments were received that expressed concerns that the proposal will substantially reduce property values within the area. The Provincial Policy Statement and Official Plan encourage intensification and using existing land and infrastructure to achieve intensification. The proposed rezoning and current policies provide an appropriate balance between increasing land use potential and ensuring that any future developments are compatible with the existing surrounding land uses and neighbourhood characteristics. According to the Municipal Guide for Responding to NIMBY, prepared by Affordability and Choice Today, 26 studies were completed across Canada and the United States on the impacts of affordable housing on housing prices. Of the 26 studies, 25 concluded that there were no impacts on housing prices and the 26<sup>th</sup> study was inconclusive.

#### Summary

The Zoning By-law Amendment (Z02-22) is consistent with the PPS, conforms with the City's Official Plan and the intent of the Zoning By-law, is 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 Implications:**

#### **Financial impact on future year operating budget:**

No municipal expenses are anticipated to support the rezoning application and no additional municipal assets will be added to the asset management plan as requiring maintenance and replacement.

Development charges to convert the existing duplex dwelling into a quadruplex dwelling are waived for the third unit but will apply to the fourth unit at a rate of \$12,602.00 (2022).

The property will continue to be assessed as residential. If the property alterations result in changes to assessed property value, it will impact the assessment and taxes collected.

### **Alignment with Strategic Priorities:**

#### **Strengthening our Plans, Strategies and Partnerships**

Partnering with the community to make plans for our collective priorities in arts, culture, heritage and more. Communicating clearly with the public around our plans and activities.

#### **Developing our Resources**

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

### **Alignment with One Planet Principles:**

#### **Health and Happiness**

Encouraging active, social, meaningful lives to promote good health and wellbeing.

#### **Equity and Local Economy**

Creating safe, equitable places to live and work which support local prosperity and international fair trade.

#### **Culture and Community**

Nurturing local identity and heritage, empowering communities and promoting a culture of sustainable living.

**Staff Recommendation: THAT application Z02-22 to amend the zoning at 385 West Gore Street from a Residential Second Density R2(1) Zone to a Residential Third Density (R3-\_\_\_) Zone with site specific regulations 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 application circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.

**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:** Taylor Crinklaw, Director of Infrastructure and Development Services  
 Joan Thomson, Chief Administrative Officer

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BEING a By-law to amend By-law 10-2022 as amended, with respect to zone change application Z02-22 to amend the Residential Second Density R2(1) zone at 385 West Gore located on the southeast corner of West Gore Street and McCulloch Street to a Residential Third Density R3 zone with site specific regulations.

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**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 10-2022, as amended, known as the City of Stratford 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 10-2022, is hereby amended:

by changing from Residential Second Density R2(1) Zone to Residential Third Density R3 Zone with site specific regulations, those lands outlined in heavy solid lines and described as Residential Third Density R3 Zone with site specific regulations R3-\_\_ on Schedule "A", attached hereto and forming part of this By-law, and known municipally as 385 West Gore Street, Stratford Ontario.

2. That By-law 10-2022 as amended, be further amended by adding to Section 15.3 being the Exceptions of the Residential Third Density R3 Zone the following:

"15.3.\_

- a) Defined Area (385 West Gore Street)

Residential Third Density R3 -\_\_ as shown on Schedule "A", Map

- b) Minimum corner lot frontage – quadruplex: 20m

- c) Minimum front yard depth: 5.4m

- d) Minimum quadruplex interior side yard – existing building: 1.2m

- e) Minimum rear yard setback to parking area: 1.1m

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 \_\_\_\_ day of \_\_\_\_\_, 2022.

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Mayor – Daniel B. Mathieson

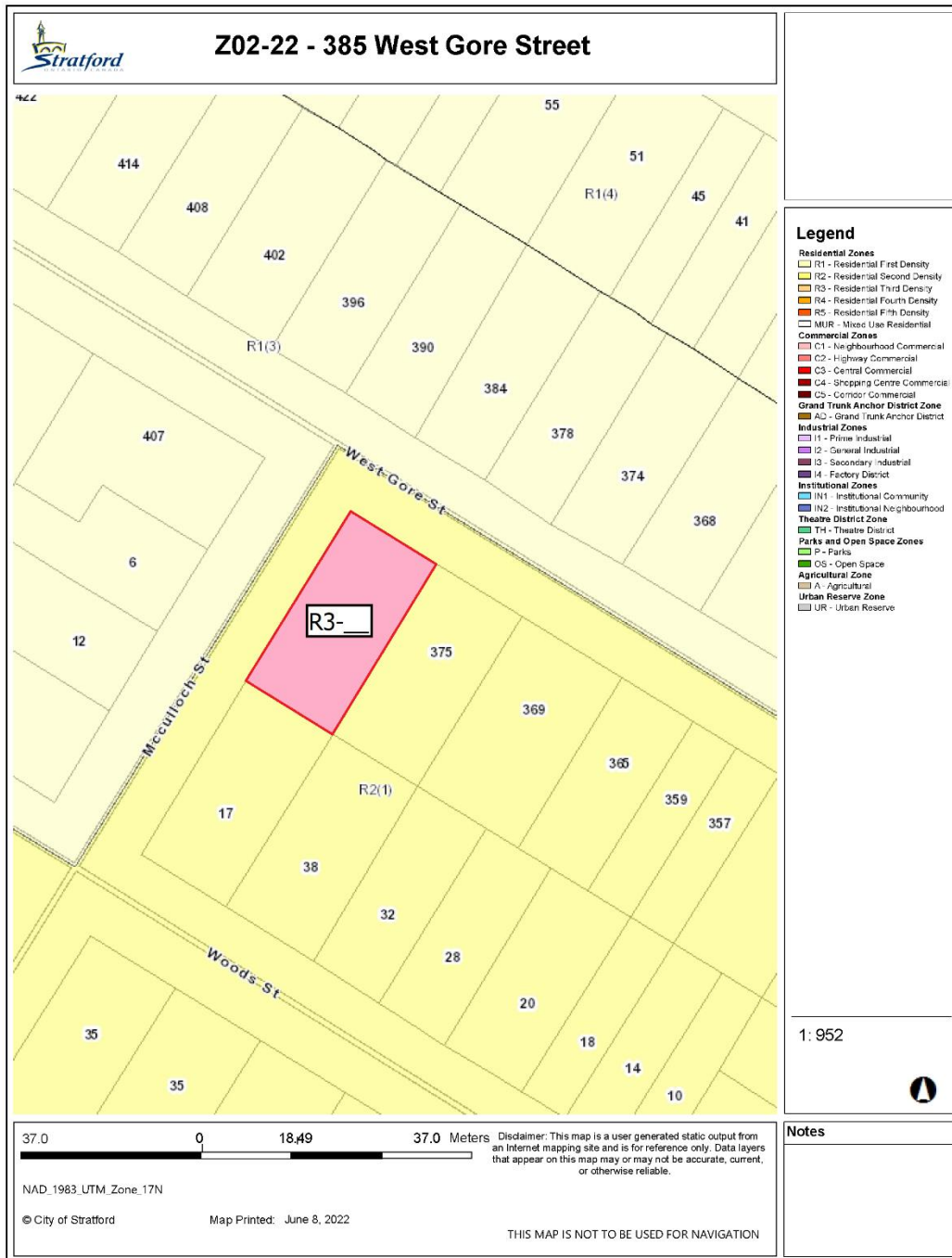
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Clerk – Tatiana Dafoe

**This is Schedule "A" to By-law XX-2022  
Adopted this \_\_\_ day of \_\_\_\_\_, 2022**

Amending 10-2022  
of  
The Corporation of the City of Stratford

**385 West Gore St**





## **CITY OF STRATFORD PUBLIC MEETING MINUTES**

A **PUBLIC MEETING** was held on Monday, May 16, 2022, at 6:03 p.m., via electronic participation to give the public and Council an opportunity to hear all interested persons with respect to Zone Change Application Z02-22, relating to 385 West Gore Street in the City of Stratford.

**COUNCIL PRESENT:** Mayor Mathieson – Chair presiding, Councillors Graham Bunting, Tom Clifford, Dave Gaffney, Bonnie Henderson, Danielle Ingram, Martin Ritsma and Kathy Vassilakos.

**STAFF PRESENT:** Joan Thomson – Chief Administrative Officer, John Paradis - Fire Chief, Taylor Crinklaw - Director of Infrastructure and Development Services, David St. Louis – Director of Community Services, Kim McElroy – Director of Social Services, Anne Kircos - Acting Director of Human Resources, Alyssa Bridge – Manager of Planning, Jeff Bannon – Planner, Chris Bantock – Deputy Clerk, and Danielle Clayton – Recording Secretary.

**ALSO PRESENT:** Jordan Hayle, Susan Molenhuis, Mark Flanagan, Sharon McTavish, and members of the public.

**REGRETS:** Councillor Sebben and Councillor Beatty

Mayor Mathieson called the meeting to order and stated 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 Z02-22, relating to 385 West Gore Street in the City of Stratford.

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

### **STAFF PRESENTATION**

Jeff Bannon, City Planner, reviewed the PowerPoint presentation stating that the proposed Zone Change amendment is to rezone the lands from Residential Second Density R2(1) zone to a Residential Third Density – Site Specific zone. This would allow for the existing dwelling to be converted to a quadruplex dwelling with a minimum front yard depth of 5.4m, a minimum lot frontage of 20m for a quadruplex dwelling, a minimum side yard width of 1.2m for a quadruplex dwelling and a minimum rear yard setback to a parking area of 1.1m. A Planning Justification Report, a conceptual site plan, building elevations and a functional servicing letter were all submitted in support of the application.

The Planner advised that the subject lands are on the southeast corner of West Gore Street and McCulloch Street which covers approximately 890 sq.m. (8712 sq.ft.). The subject property is designated Residential Area in the Official Plan which allows for a range of

residential uses including triplex dwellings, townhouse dwellings and low-rise apartments. The Planner advised that the subject lands are zoned Residential R2(1) Zone which permits land uses including a single detached, semi-detached, duplex, converted and triplex dwellings. The rezoning of the subject lands to a site specific Residential R3-special zone would allow for the existing dwelling to be converted to a quadruplex dwelling.

The application was circulated for comments and the Community Services Department, Festival Hydro, Fire Department and Building Services had no concerns with the application. Canada Post provided mail delivery service information. The Engineering Department advised that they had no objection but a 1.44-metre road widening from the West Gore Street frontage would be required. Notices were also sent to 97 abutting property owners on April 12, 2022, and a notice was included in the Town Crier in the Beacon Herald on April 15, 2022. To date, three responses were received prior to the planning report being finalized and three additional responses were received prior to the meeting.

The Planner advised that concerns from residents have been raised including increased traffic and on-street parking, potential damage to an adjacent fence, drainage, noise, privacy, snow removal, changes to the character of the neighbourhood, the likelihood of future requests to change the zoning of other properties within the neighbourhood, a decrease in property values and a lack of amenity area on the subject property.

## **QUESTIONS FROM COUNCIL**

Councillor Ingram questioned if in the Zoning By-law it differentiates between a parking area or a property line. The Planner advised that for the dwelling itself, it does not differentiate but that there is a section in the Zoning By-law that requires a minimum rear yard setback to a parking area of 1.5m. The applicant is proposing to provide a 1.1m rear yard setback.

Councillor Ingram requested that the Planner define what a parking area is. The Planner stated that the Zoning By-law defines a parking area as "an area provided to park motor vehicles and includes any related parking isles and parking spaces. It includes private garage, or a parking area located within the building or a structure but does not include any part of the street, lane or the driveway."

Councillor Ingram questioned if the intent of the definition was for low-rise residential or for higher density residential. The Planner advised that it is intended for all types of land use. Parking areas tend to be provided for anything more than four units as more parking spaces are required. If it is three units or less it is easier to provide parking on the property.

Councillor Clifford questioned if there was adequate parking. The Planner advised that the applicants are providing adequate parking and that they require four parking spaces on the property which they can provide.

Councillor Henderson questioned if someone could own property, but not live there and store vehicles at that property. The Planner stated that the intention of the Zoning By-law is to provide parking for the subject lands. There are provisions in the By-law that if the property owner wished to complete the process of having parking located off the site, that is an option. Parking can be provided on a different property, but it must be recognized through the Zoning By-law. Councillor Henderson stated that letters were received from residents concerned with the storing of a truck at the subject property and questioned if the Planner will investigate to see if the property owner has applied for this to be permitted. The Planner advised it was his understand that the current parking spaces are being used by the tenants. He further advised that By-law Enforcement would be able to look into this but it would be difficult to prove who is actually storing vehicles on the property.

### **APPLICANT PRESENTATION**

Jordan Hayle, Hayle Housing Inc., thanked Council for their questions and the Planner for the presentation on the zone change application. Mr. Hayle advised that Grit Engineering Inc. was hired to develop the site plan and to ensure that adequate parking is provided. It was noted that the consultant from Grit Engineering Inc. has been made aware of the requirements such as snow storage and amenities. Currently there are two driveways on the subject lands, one has parking for 4-6 vehicles directly off McCulloch Street and then the existing driveway which leads to the existing garage. The applicant noted that the area in front and behind of the proposed vestibule can become an amenity area as well as the frontage onto West Gore Street.

In response to previous questions from Council, Mr. Hayle stated that his work vehicles are parked at the subject lands and that he would be willing to work with the Planning Department to receive approval to park there.

In response to public comments the applicant advised that there are currently two adjacent fences between the neighbouring properties and that there is no anticipation that these fences would be harmed during the construction. The fencing is approximately 8ft high and offer full privacy. The applicant stated that the drainage concerns from residents will be handled during the design of the property. It was stated that the existing garage will come down and the new building will reflect the existing neighbourhood. Mr. Hayle acknowledged that the on-street parking is an issue. The current tenant often will park their vehicle on the road so that their support worker is able to park in the driveway. It was noted that in the new design, there should be enough parking to allow for the support worker to be parked in the driveway. Mr. Hayle confirmed that he spoke to the neighbours in close proximity to the property prior to the notice being mailed out.

### **QUESTIONS FROM COUNCIL**

Councillor Ritsma questioned if each unit would be responsible for handling their own garbage disposal. Mr. Hayle stated that currently each tenant is responsible to take their



own garbage to the curb. Councillor Ritsma asked if there were any plans for a dumpster to be located on the site. Mr. Hayle advised that there are no plans to have a dumpster.

## **QUESTIONS FROM THE PUBLIC**

The Deputy Clerk advised that there were three registered delegations.

Susan Molenhuis thanked Council and City staff for the opportunity to speak. Ms. Molenhuis indicated that she was speaking on behalf of herself and several neighbours. A neighbourhood meeting was held to discuss the area and proposed change. She indicated that the block is extremely congested and making the corner at West Gore Street and McCulloch Street is difficult. Multiple vehicles park on the side of the roads daily and photos have been sent to the Deputy Clerk to display.

Ms. Molenhuis spoke to the first photo that was shown stating that the truck and trailer were parked across from a driveway on McCulloch Street. The second photo showed two vehicles parked on opposite sides of the street making it difficult to pass in between. Ms. Molenhuis indicated that driveways on the subject property were sitting empty and a recreation vehicle and a work truck were parked in the second driveway. It was noted that it would be extremely difficult to have an emergency vehicle or garbage truck make it down the street and that this congestion has been ongoing for approximately 15 years. She advised that recently a fire truck was unable to park on McCulloch Street and had to park on West Gore Street. Mailboxes are also located at this corner and add an increase in traffic daily. The third photo showed the point of view from the driveway of 12 McCulloch Street. It was a different angle showing the vehicles parked across from various driveways, the work truck in the driveway along with the recreation vehicle parked to the side. Ms. Molenhuis emphasised that parking is a daily concern and that the driveway at the subject property has multiple trailers that sit there.

Ms. Molenhuis stated that the area is mainly low-density bungalows and single-family residences. The subject property is one of the few properties that is a duplex unit within approximately four blocks. Concerns have been raised by neighbours with possibly doubling the units on the corner property which will bring more traffic. Ms. Molenhuis advised that there is another set of mailboxes at the end of McCulloch Street that service Woods Street and Easton Street. In the block between Easson Street and Woods Street there are no sidewalks. There are many children who are walking on the streets to get to school. Neighbours have raised concerns that residents of West Gore Street park on McCulloch Street as there is no parking on St. Vincent Street, Birmingham Street or John Street. As well, many people park on McCulloch Street to walk to the hospital. She stated that McCulloch Street looks like a nice, quiet street and a great place to add more housing, but it is a very busy area.

Ms. Molenhuis stated that she is an advocate and a voice for more housing but also is an advocate and a voice for the rights of the neighbours. She stated that there will be more

traffic and congestion added to the area with the change of the property. Ms. Molenhuis stated that the neighbours have asked questions regarding the number of bedrooms, bathrooms and the number of units being added. She indicated that there is a large problem with citizens using properties as Airbnb. The number of units are important as often multiple people are living in a small unit which increases traffic coming and going from the property. She questions how many people will be living at this property. Ms. Molenhuis stated that there is a need for an increase in housing, but this property is not affordable housing but for-profit housing. Many citizens have bought in this area as a retirement plan and are mainly senior citizens. There is a concern that property values will be affected if a fourplex is approved and that it could turn into multiunit housing for students. She questioned if this change is approved, would this create a precedent for the City. It was stated that lots in the neighbourhood were 66ft by 132ft and it was questioned if every lot could be approved to house a fourplex and increased income.

Ms. Molenhuis thanked Council for their time and asked that the neighbours be kept in mind. She indicated that many senior citizens in the area could not attend the meeting but are upset that there could be a large building built that does not suit the neighbourhood and could be overlooking their yards.

Sharon McTavish questioned if changes are made to an R3 zone if it would permit others in the City to do the same. Concerns were raised regarding the possibility of balconies and if it will affect her property which is beside the subject property. She advised that if balconies are permitted, they would overlook directly into her backyard which would leave her with no privacy.

Ms. McTavish indicated that there are parking concerns as vehicles are constantly parked on the street. It is difficult to turn off and on to McCulloch Street and that emergency vehicles cannot maneuver the street and must back up to turn around. She stated that there is a partial fence in between her property and the subject property. There is enough room where a passthrough would be available for people to walk between the houses causing additional noise. Mr. McTavish expressed concerns regarding the residents of the proposed unit's balconies with an increase in noise and parties. She stated that her wish is for it to stay a single-family home as they purchased in this area as a retirement plan. It was expressed that permitting this change would destroy the characteristics of the neighbourhood.

The Mayor stated that every property owner within the City of Stratford has the right to apply for rezoning of their property. It is the independent right of any property owner to ask for their property to be rezoned.

Mark Flanagan acknowledged that growth, renovations and new homes are needed. He stated that there are four properties near the subject property that are double lots. It was noted that these homes could also apply to change the zoning to permitted more dwelling units. He expressed that if one zone change is approved, it would be easier for the next one

to be passed. If this is allowed, it will be changing the residential area. Mr. Flanagan agreed that the mailboxes cause issues in driving down McCulloch Street.

Staff advised there were no questions submitted via the electronic Q & A during the meeting.

Councillor Henderson referred to the pictures that were shown indicating that the recreational vehicle was parked on the grass. From her understanding of the Zoning By-law, parking for a recreational vehicle is only permitted on a driveway. Councillor Henderson questioned if an application is made to have a work vehicle park at a property that is not their residence, could that application be refused.

The Planner advised that there is an option to refuse the application. The application would be handled the same way as a Zone Change Application, where permission would be required to allow parking on a property. There are provisions in the Zoning By-law that regulate the number of commercial vehicles that are allowed. The Planner advised that a discussion can be had with the applicant to get a better understanding of the vehicles on the property and provide education.

Councillor Henderson questioned if it would be possible to make a "No Parking" zone on one side of the street and if the road was wide enough to permit vehicles parking across from driveways.

Councillor Gaffney requested clarification if there were businesses being run out of the subject property.

The Planner advised that he was not aware if a business is being run out of the property. It was stated that one commercial vehicle is permitted on the property. There are restrictions on the size of the commercial vehicles. The Planner referred to the photos that were previously shown and stated that the commercial vehicles in the photos were larger than what is allowed under the Zoning By-law.

The Deputy Clerk read the questions from the chat box advising that it was from Susan Molenhuis stating, "We need to know how many bedrooms and baths are in each unit.", "There are too many driveways already." and "Canada Post is already there."

The applicant, Jordan Hayle, stated that they became owners of the property in October. He acknowledged that many neighbours have been there for years. Mr. Hayle stated that they are good neighbours and he personally knocked on doors to try to discuss the proposed changes and any concerns that the neighbourhood may have. He agreed that parking on McCulloch Street is an issue and has spoke to the current tenants about parking. It was noted that his vehicle does not stay at the subject property permanently, but he does attend the property for repairs when needed.

The Mayor noted that the matter will be considered at a future Planning and Heritage Committee meeting and that a video recording of the meeting would be posted to the City's website.

The Mayor adjourned the meeting at 6:40 p.m.

**The following requested to receive further information from the public meeting on May 16, 2022.**

- Sharon McTavish

Thomas & Sandra Hunter  
402 West Gore Street  
Stratford, ON N5A 1L1

Reference:

NOTICE OF CONSIDERATION OF PLANNING APPLICATION

Owner: Hayle Housing Inc.  
385 West Gore Street

My wife and I are the property owners of 402 West Gore Street, diagonally across from 385 West Gore Street the property under consideration for the zoning change.

This is to inform you of our opposition to this zone change. I attended a local meeting with the neighbors concerned of this change and found that I agree with their concerns. I am unable to participate in the City council meeting scheduled for the 27<sup>th</sup> as I do not use Zoom to access it. I just want my opposition noted by the committee holding the hearing.

The traffic problem is bad enough on West Gore and if this densification is allowed it will set a precedent for other property owners to do the same.

The single-family zoning was one reason we considered when we purchased this property in 2014 and we do not see why the City would change the Master Plan for this purpose.

Thank you



Thomas J. Hunter





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## MANAGEMENT REPORT

**Date:** June 27, 2022  
**To:** Planning and Heritage Committee  
**From:** Jeff Bannon, MCIP, RPP Planner  
**Report #:** PLA22-024  
**Attachments:** None

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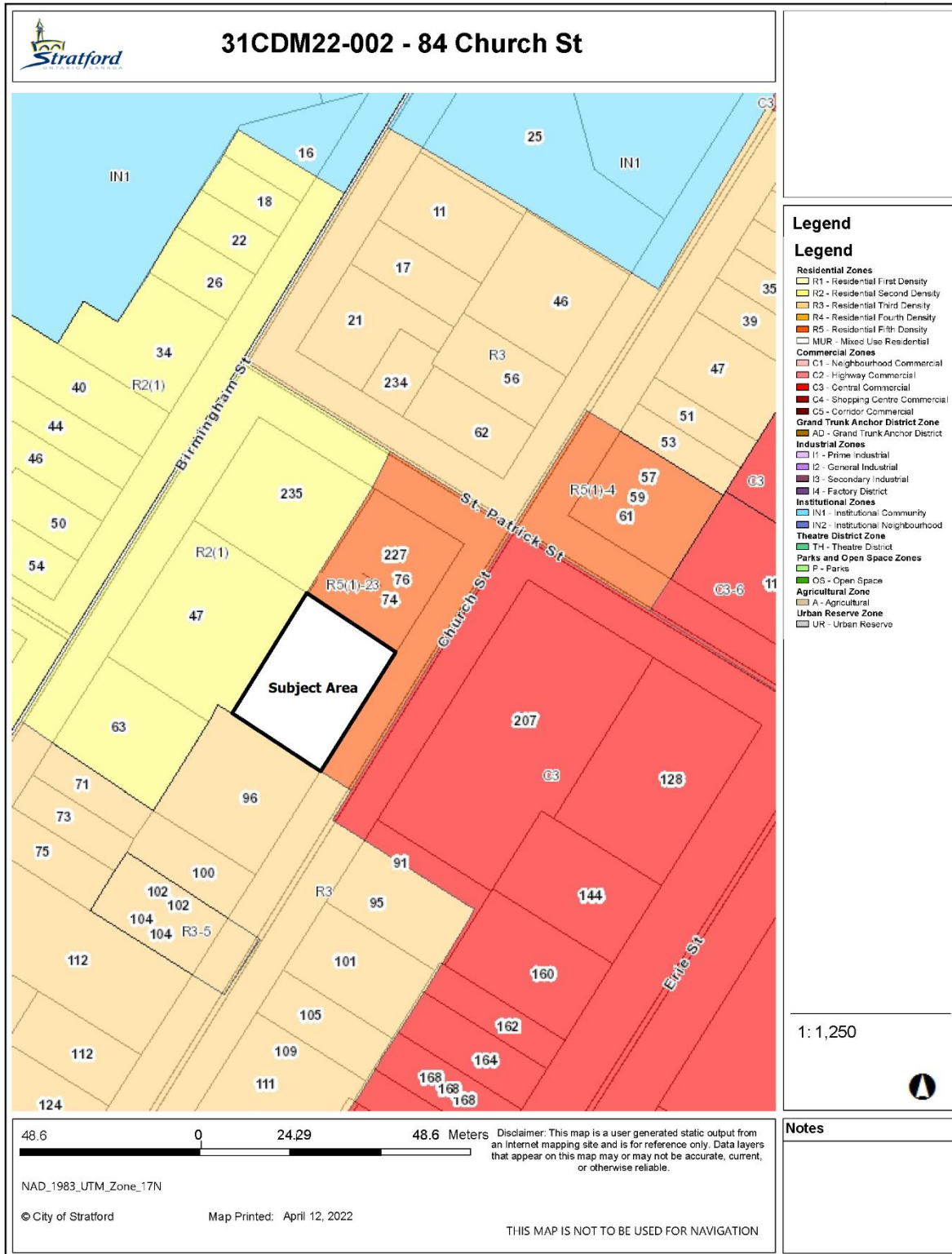
**Title:** Planning Report Draft Plan of Condominium Application 31CDM22-002, 84 Church Street

**Objective:** The purpose of this report is to consider draft approval of a plan of condominium submitted by Baker Planning Group on behalf of LCIR2 Inc. and LCI Holdings Corp. at 84 Church Street.

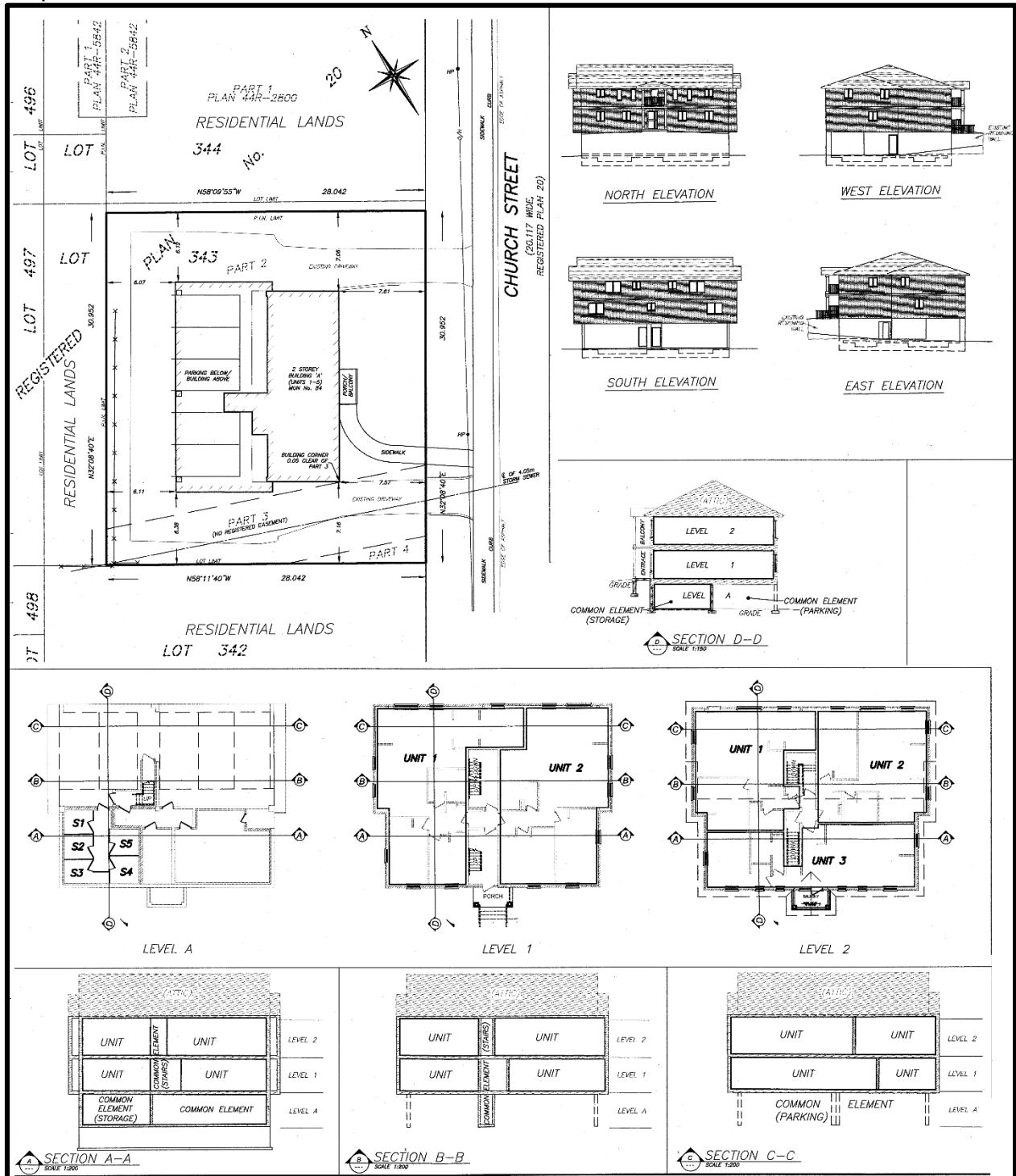
The proposed draft plan contains a total of 5 residential units. The remainder of the plan is proposed to be common elements that include parking spaces, storage space, landscape areas, corridors and stairwells.

The draft plan of condominium application was deemed complete on April 11, 2022.

# Location and Zoning Map:



# Proposed Plan of Condominium:





**Background:**Site Characteristics:

Characteristic	Information
Existing Use:	5 Unit apartment dwelling
Frontage:	28 metres
Depth	31 metres
Area	868 square metres
Shape	Regular

Surrounding Land Uses:

Direction	Use
North	Residential
East	Vacant commercial
South	Commercial
West	Residential

Subject Land – 84 Church Street (Photo taken June 7, 2022)

### Agency Comments – Draft Plan of Condominium application

The application was circulated on April 22, 2022. The following comments have been received to date:

City Clerk's Department: No concerns provided that sufficient parking is being provided on the property.

Conseil scolaire Viamonde: No comment.

Engineering Division: The Engineering Department requires an easement over the storm arch along the westerly limits of the project (parts 3 and 4 of 44R-2800).

Fire Department: No comment.

Enbridge Gas: The owner/developer is to provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

Heritage Stratford: No concerns.

Community Services: No concerns.

#### Canada Post:

- Service type and location
  1. Canada Post will provide mail delivery service to the condominium through Centralized Mail Boxes (CMB's).
  2. Canada Post will provide mail delivery service to the Apartments through centralized Lock Box Assembly.
  3. The development includes plans for (a) multi-unit building(s) with a common indoor entrance(s). The developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.
- Developer timeline and installation
  1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the developer provided CMB pads.
- Additional Developer Requirements:
  1. The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
  2. The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.

3. The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
4. The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
5. The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - Any required walkway across the boulevard, per municipal standards
  - Any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications)
  - A Community Mailbox concrete base pad per Canada Post specifications.

Hydro One: No concerns.

Huron Perth Catholic District School Board: No concerns.

Building Services: No concerns/conditions on the existing building for the condominium as long as there is no proposed construction at this building and the occupancy/units remain as existing.

Upper Thames River Conservation Authority:

- The subject site is outside of the regulated area and the UTRCA has no objections.

The Planning Act does not require a public meeting to be held prior to a municipality considering draft plan approval of a standard Plan of Condominium.

## **Analysis:**

### 2020 Provincial Policy Statement

The 2020 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 decisions on planning matters are required to 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 promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The policy also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Section 1.1.3.2 of the Provincial Policy Statement states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and support active transportation. Specifically, 1.1.3.2 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.*

The building proposed for condominium ownership is existing and utilizes existing municipal infrastructure.

Section 1.4.3 of the Provincial Policy Statement states:

*Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed.*

Sufficient off-street parking and amenity area is being provided on the subject lands and existing infrastructure is in place to support the proposed land use.

The PPS supports developments which efficiently uses land, resources, infrastructure and public service facilities. The condominium conversion of the existing apartment building would contribute to the continuation of a mix of land uses in the neighbourhood that is located within a short distance to a public transit route. The proposal allows for the intensification of the lands on full municipal services which exist and have sufficient capacity to accommodate the residential use. The proposed Draft Plan of Condominium is consistent with the 2020 PPS.

#### Official Plan

The subject property is designated "Residential Area" in the Official Plan. This designation permits a range of residential uses including triplex dwellings, townhouse dwellings and low-rise apartments.

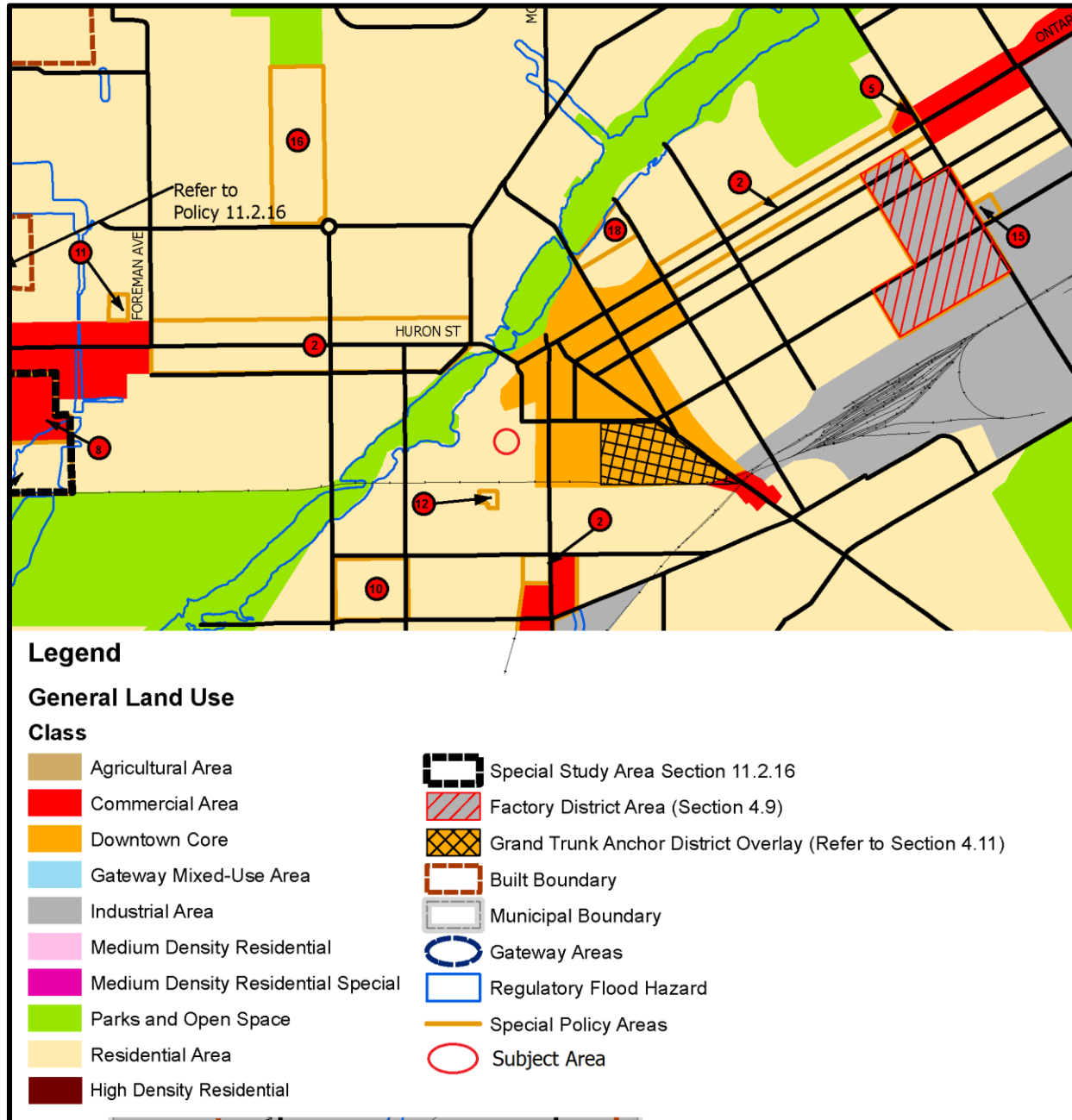
Church Street is classified as a collector street.

Section 3.4.1 of the Official Plan recognizes the need to protect the viability of the community by ensuring there is a full range of housing types designed to meet occupancy, health and safety standards, tenure, form and affordability for current and future residents. The proposed development contributes to a range of housing types and choices that are near the Central Business District.

The scale of the development respects the massing and density of other buildings along Church Street, fencing exists along the rear property line and as there are no changes being made to the exterior façade the building will continue to be compatible with the character in the neighbourhood. As a result there are no additional impacts to the privacy of adjacent residences as a result of the proposed Plan of Condominium.

In accordance with section 9.4, Plans of Condominium are to conform to the general policies and designations of the Official Plan and must create a minimum number of units appropriate to allow for the reasonable, independent operation of a condominium corporation. The proposed draft Plan of Condominium conforms to the general policies and designations of the Official Plan and will allow for the reasonable, independent operation of a Condominium Corporation.

### Excerpt of Schedule 'A' to the Official Plan



### Zoning By-law

The subject property is zoned Residential Fifth Density R5(1)-23 in the City's Zoning By-law and an apartment building is a permitted use.

The site plan agreement for the existing 5 unit apartment building was registered on November 30, 1993. Although the subject property does not meet the existing density and parking requirements in the current Zoning By-law, the property still complies with

the site plan agreement and the proposed condominium conversion will not require changes to the number of dwelling units or parking spaces.

Staff are of the opinion that the proposed Plan of Condominium shows how the property will continue to functionally accommodate the proposed apartment building with minimal impacts on the streetscape of the neighbourhood.

The draft Plan of Condominium includes 5 storage spaces and 5 parking spaces as part of the common element. The proposed Draft Plan of Condominium with 5 legal non-conforming dwelling units and parking spaces will continue to meet the Zoning By-Law requirements.

Draft Plan of Condominium conditions were sent to the applicant on June 9, 2022.

This Draft Plan of Condominium is consistent with the PPS, is in conformity with the Official Plan provisions, meets the intent of the Zoning By-law, is 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 Implications:** No municipal expenses are anticipated to support the development. Due to the nature of the proposed development, no additional municipal assets will be added to the asset management plan as requiring maintenance and replacement.

## **Alignment with Strategic Priorities**

### **Strengthening our Plans, Strategies and Partnerships**

Partnering with the community to make plans for our collective priorities in arts, culture, heritage and more. Communicating clearly with the public around our plans and activities.

## **Alignment with One Planet Principles**

### **Health and Happiness**

Encouraging active, social, meaningful lives to promote good health and wellbeing.

### **Equity and Local Economy**

Creating safe, equitable places to live and work which support local prosperity and international fair trade.

**Staff Recommendation: THAT Council of the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Condominium 31CDM-22002 subject to the following conditions:**

- a. **This approval applies to the Draft Plan of Condominium submitted by Baker Planning Group, prepared by MTE Ontario Land Surveyors Ltd. certified by Trevor McNeil, OLS, File No. 36618-101-D1 (L), drawing file name 36618-101-D1.DWG, dated March 31, 2022. The Plan contains a total of 5 residential units.**
- b. **This draft approval is for a Standard Plan of Condominium under Part X of the Condominium Act, 1998.**
- c. **The development is to be registered as one condominium corporation. The phase limits are to be to the satisfaction of the Manager of Planning.**
- d. **This approval of the draft plan applies for a period of five (5) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.**
- e. **Prior to final approval for the registration of any phase of the condominium corporation within this development, a list of apartment numbers and the corresponding legal descriptions that will be in place upon registration of the plan of condominium shall be submitted to the City to the satisfaction of the Manager of Planning.**
- f. **Prior to final approval for the registration of any Condominium Corporation a plan shall be provided demonstrating that the unit boundaries in conjunction with the approved site plan are in compliance with the applicable Zoning By-law regulations.**
- g. **The Condominium Declaration shall contain appropriate provisions requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 to the satisfaction of the Manager of Planning.**
- h. **Prior to final approval for the initial registration or any subsequent phase of the development as a condominium corporation by the Approval Authority, the Manager of Planning, City of Stratford, is to be advised in writing by the City of Stratford Corporate Services Department, Tax Division that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.**



- i. Prior to final approval, the Owner shall make arrangements for the granting of any easements for utilities and municipal services.**
- j. Prior to final approval, the Manager of Planning, is to be advised in writing, by the telecommunications company, that the Owner has made satisfactory arrangements with a telecommunications provider for the provision of permanent or temporary wire-line communications/telecommunication services to this plan.**
- k. Prior to final approval, the Manager of Planning, is to be advised in writing, by Hydro One and/or Festival Hydro, that the Owner has made satisfactory arrangements with an electricity provider for the provision of permanent or temporary electricity services to this plan.**
- l. Prior to final approval, the Manager of Planning, is to be advised in writing, by Enbridge Gas Inc., that its requirements with respect to easements and rights-of-way for services have been met.**
- m. Prior to final approval for the registration or the development as a condominium corporation, the Manager of Planning is to be advised in writing by Canada Post that the Owner has confirmed mail delivery equipment has been supplied and installed to the satisfaction of Canada Post.**
- n. That the Condominium Declaration proposed to be registered or any amendment thereto to effect the registration of a condominium phase shall be submitted for approval to the City's Manager of Planning. The said Declaration shall contain:**
  - i. A provision that outlines that telecommunications, mail delivery equipment, water lines and appurtenances, hydro, perimeter fencing, parking, sanitary sewer lines and appurtenances are to be described as a common element and may include items that are external to the buildings and items that service more than one Unit or the Units and common elements and are to be operated, repaired, and maintained by the Condominium Corporation to the satisfaction of the Manager of Planning;**
  - ii. A provision that unitized parking spaces are to be owned by residential unit owners; and**
  - iii. A provision that the condominium corporation agrees to maintain the subject lands in compliance with approved Site Plan.**

- iv. **Provisions requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 to the satisfaction of the Manager of Planning.**
- o. **That prior to final approval, the Owner provide a written undertaking directed to the City's Manager of Planning to register a Condominium Declaration which shall include the approved provisions as required in condition (n) hereof.**
- p. **That a comprehensive site audit, including the preparation of a site plan, a landscape plan, a site lighting plan and a grading plan, representing current site conditions, be submitted for acceptance to the City's Manager of Planning and that any site works required by said Manager to bring the property to a safe and functional standard, be provided to the satisfaction of the Manager. Such works may include enclosed garbage containers, and additional site lighting to provide safety for occupants, and upgraded landscaping to implement previously approved plans, and changes to the layout of the parking spaces and traffic aisles.**
- q. **That a Technical Building Audit be completed and submitted to the City's Chief Building Official for approval and any deficiencies identified under the Ontario Building Code, Fire Code, or Chapter 665 of the Municipal Code (Property Standards for Maintenance and Occupancy) be rectified to the satisfaction of the Chief Building Official.**
- r. **The digital copy of the plans provided are required containing the plan of condominium in Auto CAD native format (.dwg), stored as a single file, with all of the classes of features (eg. building footprint, Unit boundaries, interior roadways, access to public street, retaining walls, noise attenuation walls, fences, etc.) separated into different layers. For further information, please contact City of Stratford Infrastructure and Development Services Department.**
- s. **Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City of Stratford a complete submission consisting of all required clearances and final plans, and to advise the City of Stratford in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City of Stratford, such**

**submission will be returned to the Owner without detailed review by the City.**

**Notes:**

- 1. Pursuant to Section 51(59) of the Planning Act, if a plan approved under Section 51(58) of the Planning Act is not registered within 30 days of approval, the City of Stratford may withdraw its approval.**
- 2. If final approval is not given to this Plan, within 5 years of the draft approval date, and no extensions have been granted, draft approval shall lapse under subsection 51(32) of the Planning Act, R.S.O., 1990. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from the local municipality, must be received by the Approval Authority 60 days prior to the lapsing date.**
- 3. All plans are to be prepared using total station survey and compatible with the latest version of AutoCAD. The final plan submitted for registration, engineered design drawings and construction record drawings are to be provided in print and digital format referenced to a control network compiled to the satisfaction of the City of Stratford Engineering Department in accordance with Ontario Basic Mapping (U.T.M. Grid 1:2000), for future use within the City's geographical information system.**
- 4. For the purposes of clarification no Occupancy Permit shall not be issued and no occupancy shall be permitted for any particular unit until all of the requirements of the Ontario Building Code in relation to occupancy for any particular Unit has been achieved including but not limited to the Additional Work related to the Unit.**
- 5. The Owner is advised that clearances from the following agencies are required:**
  - City of Stratford Corporate Services Department, Tax Division**
  - City of Stratford Infrastructure and Development Services Department, Manager of Planning**
  - City of Stratford Infrastructure and Development Services Department, Chief Building Official**
  - City of Stratford Infrastructure and Development Services Department, Engineering Division**
  - Canada Post**
  - Enbridge Gas Inc.**
  - Festival Hydro**
  - Bell Canada**

**6. The following is required for registration under the Registry Act and for City use:**

- **Two (2) original mylars**
- **Five (5) white paper prints**
- **One (1) digital copy**

**AND THAT the above is recommended for the following reasons:**

- a. the request is consistent with the Provincial Policy Statement;  
and**
- b. the request conforms with the goals, objectives and policies of  
the Official Plan.**

**Prepared by:**

Jeff Bannon, MCIP, RPP Planner

**Recommended by:**

Taylor Crinklaw, Director of Infrastructure and  
Development Services  
Joan Thomson, Chief Administrative Officer