



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

**Date:** Tuesday, May 23, 2017

**Time:** 7:35 P.M.

**Committee Present:** Councillor Ritsma - Chair Presiding, Councillor Ingram - Vice Chair, Mayor Mathieson, Councillor Beatty, Councillor Brown, Councillor Bunting, Councillor Henderson, Councillor Mark, Councillor McManus, Councillor Vassilakos

**Staff Present:** Rob Horne - Chief Administrative Officer, Joan Thomson - City Clerk, Andre Morin - Director of Corporate Services, Ed Dujlovic - Director of Infrastructure and Development Services, Carole Desmeules - Director of Social Services, David St. Louis - Director of Community Services, Jacqueline Mockler - Director of Human Resources, Jeff Leunissen - Manager of Development Services, John Paradis - Fire Chief, Tatiana Dafoe - Deputy Clerk

**1. Call to Order**

The Chair to call the Meeting to Order.

Councillor Clifford 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 Manager of Development Services

#### 4.1 576 O'Loane Avenue Planning Report files 31T15-001 and Z07-15 (PLA17-008)

Motion by \_\_\_\_\_

#### Staff Recommendation:

THAT the City of Stratford grant draft approval of the proposed Plan of Subdivision submitted by Ian Rawlings, prepared by GSP Group, certified by Erich Rueb O.L.S., Drawing No. dp16144b.dwg dated May 15, 2017, subject to the attached conditions, and change the Zoning By-law from an Agricultural (A-3) Zone in Township of Perth South Zoning By-Law 4-119 to:

- a Residential First Density (R1(5)-38) Zone to permit single detached dwellings with a special provision requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 11.5m;
- a Residential Second Density (R2(2)-45) Zone with special provisions requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 11.5m;
- a Residential Fourth Density (R4(2)-15) Zone to permit stacked townhouse dwellings and back to back townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 13.5m, and provisions for apartment dwellings;
- a Residential Fourth Density (R4(2)-16) Zone to permit stacked townhouse dwellings and back to back townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 13.5m, a maximum number of stories of 2.5m and provisions for apartment dwellings;
- a Residential Fourth Density (R4(2)-17) Zone to permit stacked townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 13.5m, a minimum rear yard depth of 9m and provisions for apartment dwellings; and
- a Residential Fourth Density (R4(2)-18) Zone to permit stacked townhouse dwellings and add special provisions for a minimum and maximum densities, a

minimum 10.5m setback from O'Loane Avenue, a maximum building height of 13.5m, and provisions for apartment dwellings; and,

- a Park (P) Zone because:

It is consistent with the Provincial Policy Statement and in conformity with the policies of the Official Plan.

It will permit development anticipated by, and planned for, in the West Secondary Plan.

It is the logical extension of planned residential development.

The public was consulted during the subdivision and 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.

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

## 5. Adjournment

Meeting Start Time:

Meeting End Time:

Motion by \_\_\_\_\_

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



## MANAGEMENT REPORT

**Date:** May 23, 2017  
**To:** Planning and Heritage Committee  
**From:** Jeff Leunissen, Manager of Development Services  
**Report#:** PLA17-008  
**Attachments:** None

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**Title:** Plan of Subdivision 31T15-001, Zone Change Application Z07-15, 576 O'Loane Avenue – Valley View Heights (St. Jacobs) Limited Planning Report 576 O'Loane Avenue Planning Report files 31T15-001 and Z07-15

**Objective:** The purpose of this report is to provide staff's evaluation and a recommendation on the plan of subdivision and the zoning applications for the property known as 576 O'Loane Avenue, legally described as Part Lot 6 Con 1 (Geographic Township of Downie) in the City of Stratford and located on the west side of O'Loane Avenue, north of the railway and northwest of the Jennann Subdivision.

**Background:** The subdivision application was submitted on November 23, 2015. A public meeting was held on February 22, 2016, regarding the proposed subdivision that included 91 single detached dwelling lots, 36 semi-detached dwelling lots, 6 street townhouse blocks, 1 townhouse block, 1 future development block, 2 park blocks and 1 stormwater management block all served by 6 new local roads.

The applicant responded to issues by staff and those raised at the public meeting and by submitting a revised proposed plan of subdivision and zone change application (on October 11, 2016). The revised proposed plan of subdivision contains 90 single detached dwelling lots, 24 semi-detached dwelling lots, 28 street townhouse blocks, 2 multiple development blocks with a total number of proposed units between 82-123, 1 park block and 1 stormwater management block all served by 5 new local roads. (see Figure 1) The subdivision would be accessed by two entrances from O'Loane Avenue. The lot frontages for single detached dwellings range from approximately 11.1m to 18.5m. Changes from the original submission necessitated a recirculation of the application and second Public Meeting which was held on December 12, 2016.

The main changes from the initial submission include extending the Stormwater Management Block along the entire depth of the railway lands, consolidating two park blocks into one location with 90 metres of frontage along Street 'D' and setting an increased maximum building height to allow for an increased roof pitch on residential buildings. There is also a second Medium Density Residential Block that is proposed to be located next to the commercial lands to the north which replaces some townhouse units and a road stub.

The initial zone change application intended to change the zoning of the above described lands from an Agricultural (A-3) Zone in Township of Perth South Zoning By-law No. 4-119 to the following zones in City of Stratford Zoning By-law No. 201-2000:

- Residential First Density (R1(5)-30) Zone which permits single detached dwellings to allow for a 10.5m setback from O'Loane Avenue;
- a Residential Second Density (R2(2)-34) Zone which permits one and two unit dwellings to allow for a 10.5m setback from O'Loane Avenue;
- a Residential Fourth Density (R4(2)) Zone which permits a mix of multi-unit forms of dwellings including townhouse dwellings, quadraplex dwellings and apartment dwellings, with a special provision to allow for a 10.5m setback from O'Loane Avenue; and
- a Park (P) Zone which permits an auditorium, a cemetery, a park a private club and a theatre.

The revised zone change application is intended to change the zoning to:

- a Residential First Density (R1(5)-38) Zone to permit single detached dwellings with a special provision requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 11.5m;
- a Residential Second Density (R2(2)-45) Zone to permit single detached, semi-detached and duplex dwellings with special provisions requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 11.5m,
- a Residential Fourth Density (R4(2)-15) Zone to permit apartment dwellings with a maximum density of 50 units per hectare, quadraplex dwellings, street townhouse dwellings, townhouse dwellings including stacked townhouse dwellings and back to back townhouse dwellings with special provisions requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 13.5m,
- a Residential Fourth Density (R4(2)-16) Zone to permit apartment dwellings with a maximum density of 50 units per hectare, quadraplex dwellings, street townhouse dwellings, townhouse dwellings including stacked townhouse dwellings and back to back townhouse dwellings with special provisions requiring a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 12.5m and a maximum number of stories of 2.5m; and
- a Park (P) Zone (See Figure 2).

The main changes from the initial zone change application is to increase the maximum height in all zones, to permit back-to-back townhouse dwellings on some multi-family

The site plan illustrates the layout of the O'Loane Avenue area, featuring several residential blocks and streets. The plan is bounded by the Canadian National Railway to the north and O'Loane Avenue to the east. The area is divided into several blocks, each with its own set of lots and dimensions.

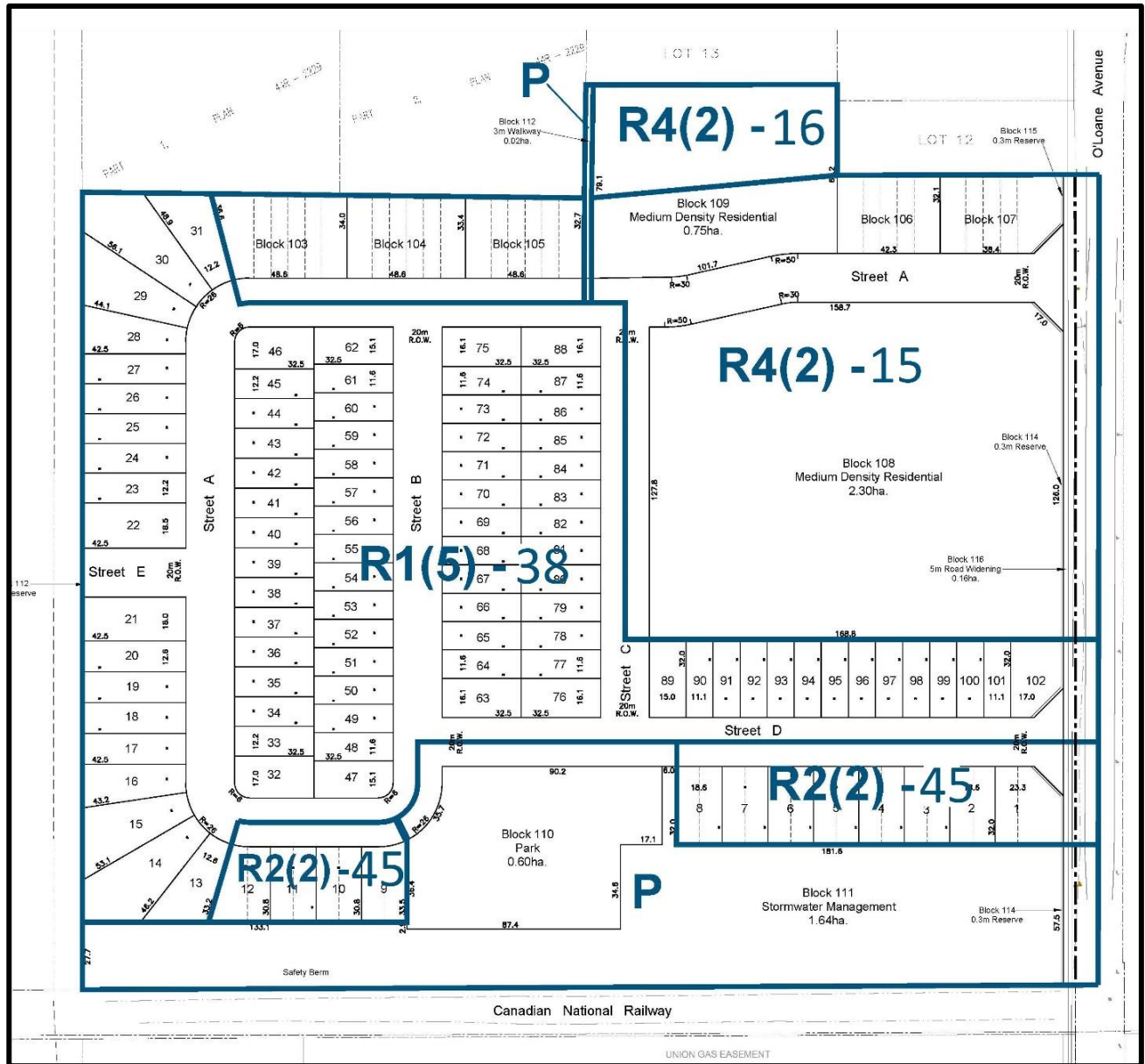
**Streets:**

- Street A:** A north-south street running through the center of the plan.
- Street B:** A north-south street running parallel to Street A.
- Street C:** A north-south street running parallel to Street B.
- Street D:** An east-west street running parallel to O'Loane Avenue.
- Street E:** A north-south street running parallel to Street A.

**Blocks and Lots:**

- Block 103:** Located in the northwest, containing lots 29, 30, and 31.
- Block 104:** Located in the north-central area, containing lots 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102.
- Block 105:** Located in the northeast, containing lots 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799

# Revised Zoning (Figure 2)





Site Characteristics:

Existing Use: vacant land (agriculture)

Frontage: 331 m (1086ft)

Depth: 407 m (1335ft)

Area: 13.75ha (33.6ac)

Shape: Irregular

Surrounding Land Uses:

North: Mix of residential dwellings, retail, truck terminal - Laidlaw buses, religious institution

East: Commercial and vacant residential land (commercial/residential)

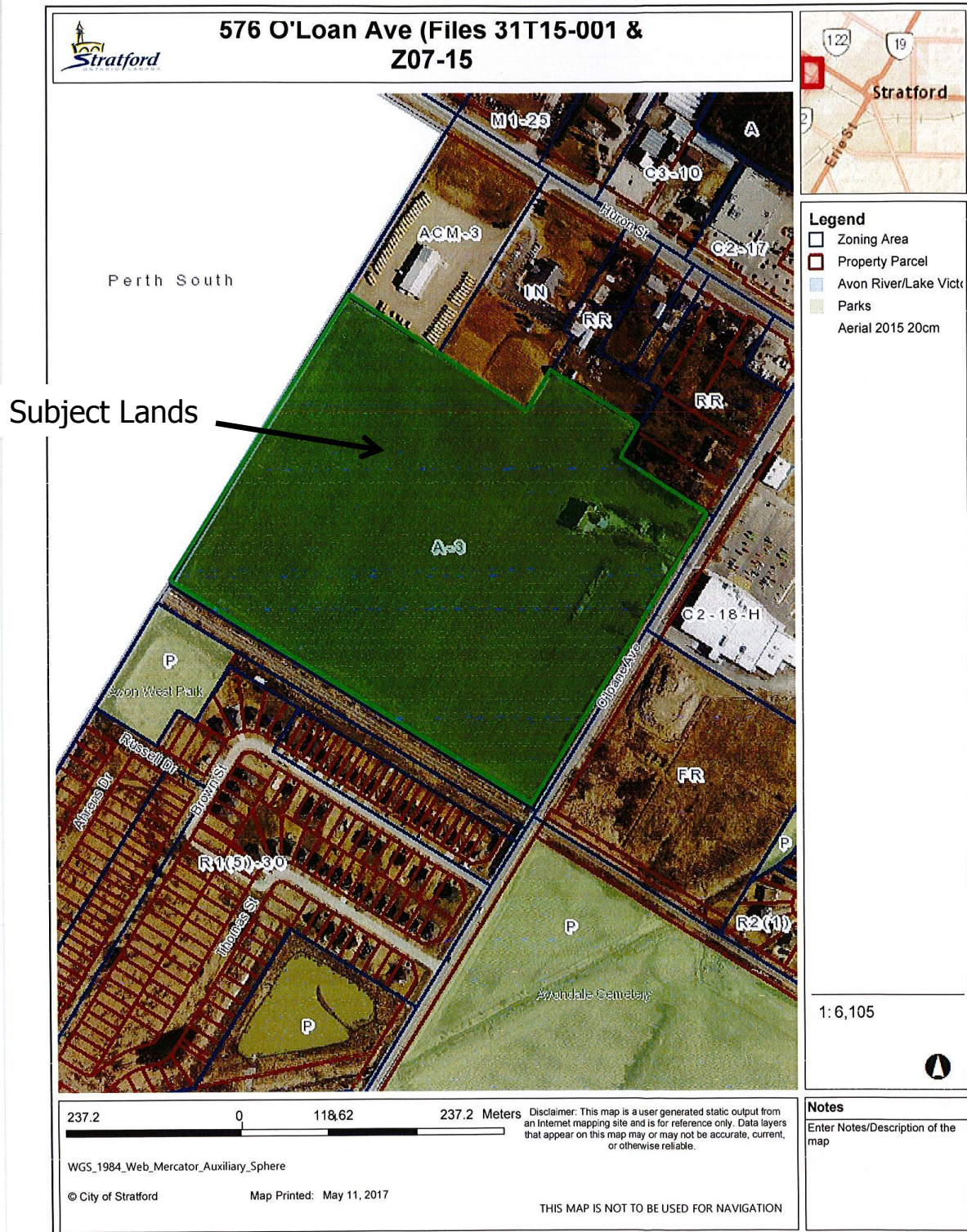
West: Agriculture (agriculture)

South: Residential (residential), railway tracks

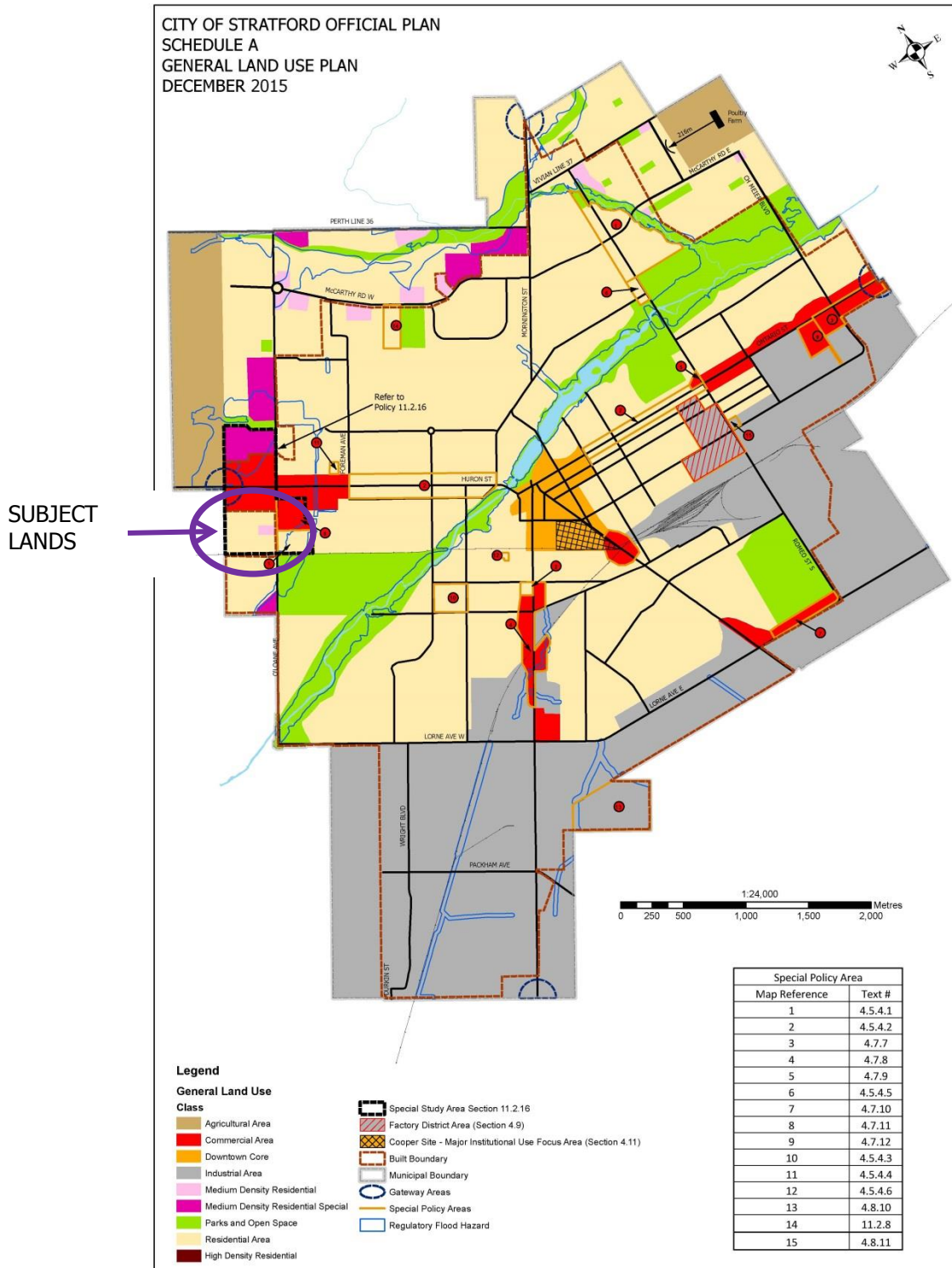
576 O'Loane Avenue (Photo 1)



Location and Zoning Map (Figure 3)



# Official Plan – Schedule “A” (Figure 4)



### Current Zoning By-Law

The lands are zoned Agricultural A-3 in the Township of Perth South Zoning By-Law 4-1999 which allows agricultural uses with the exception of dwellings and mobile homes. (Figure 3)

### Agency Comments

Circulation of the application to various agencies produced the following comments to date (updated to May 5, 2017):

#### City of Stratford Infrastructure and Development Services Department –Engineering Services

##### Stormwater Management Report Comments

- Additional details are required in regard to the proposed retaining wall to be used to allow back to front lot drainage, and the associated impacts it will have on neighbouring properties.
- Alterations to the culvert within O’Loane Avenue will only be considered if the developer directly facilitates negotiations with private land owner downstream, and if the developer is solely responsible for conducting all necessary regulatory procedures required to make alterations to an existing Municipal Drain.

##### Water Model Report Comments

- The report noted that Block 108, (Block ‘A’ on the servicing plan) as proposed requires a fire protection rating of 150 L/s, which is unattainable with the proposed watermain network. In order to address this limitation, the proposed detailed design will determine if Block ‘A’ will require a reduction in block size or the addition of a firewall or an alteration to the watermain network.

##### Pedestrian Access Review Report Comments

- Note that public transit routes are currently under review and subject to change.
- Note that the City has received multiple complaints from pedestrians trying to cross O’Loane for the Avon West Subdivision.

##### Noise and Vibration Feasibility Study Report Comments

- Provide the number of locomotives and cars, and their direction for the study.
- Explain further why fencing is only at the corners of the properties that have noise exceedances.



Upper Thames River Conservation Authority

- no objection (UTRCA has reviewed the Stormwater Management Report as prepared by Meritech Engineering and have provided comments to the applicant)

Huron-Perth Catholic District School Board

- no concerns

Fire Department

- no concerns

Community Services

- Park Block to be fenced along Stormwater Management boundary

Ministry of Transportation (original circulation)

- The proposed subdivision and lands are located within the Stratford Connecting Link and do not directly impact the highway (property) limit as all access is limited to the City of Stratford road network. To ensure that stormwater runoff from this property does not affect our highway drainage system or right-of-way, we would like to review the site grading/drainage plans and a stormwater management report may be required if there are any positive or negative upstream or downstream impacts to the highway drainage system.

CN Railway

- This new development is in close proximity to railway right-of-way. This implies that there is a possibility of noise, vibration and potential trespassing and safety issues that will result of this development.

In these circumstances it's very important to consult the Guide for New Development in Proximity to a Railway Operation about the proximity issues for a development in proximity of a railway. This guideline is key for the safety and well-being of future occupants. GEXR highly suggest that the City of Stratford considers all these criteria in order to introduce the development in line with the railway.

Another important document to consider is the Grade Crossing Regulation ("GCR"). According to the GCR, if a significant change is made to the use of a grade crossing, we must conduct a Detailed Safety Assessment. In this case, the construction of a new residential development might raise the Average Annual Daily Traffic on the road and change the Design Vehicle.

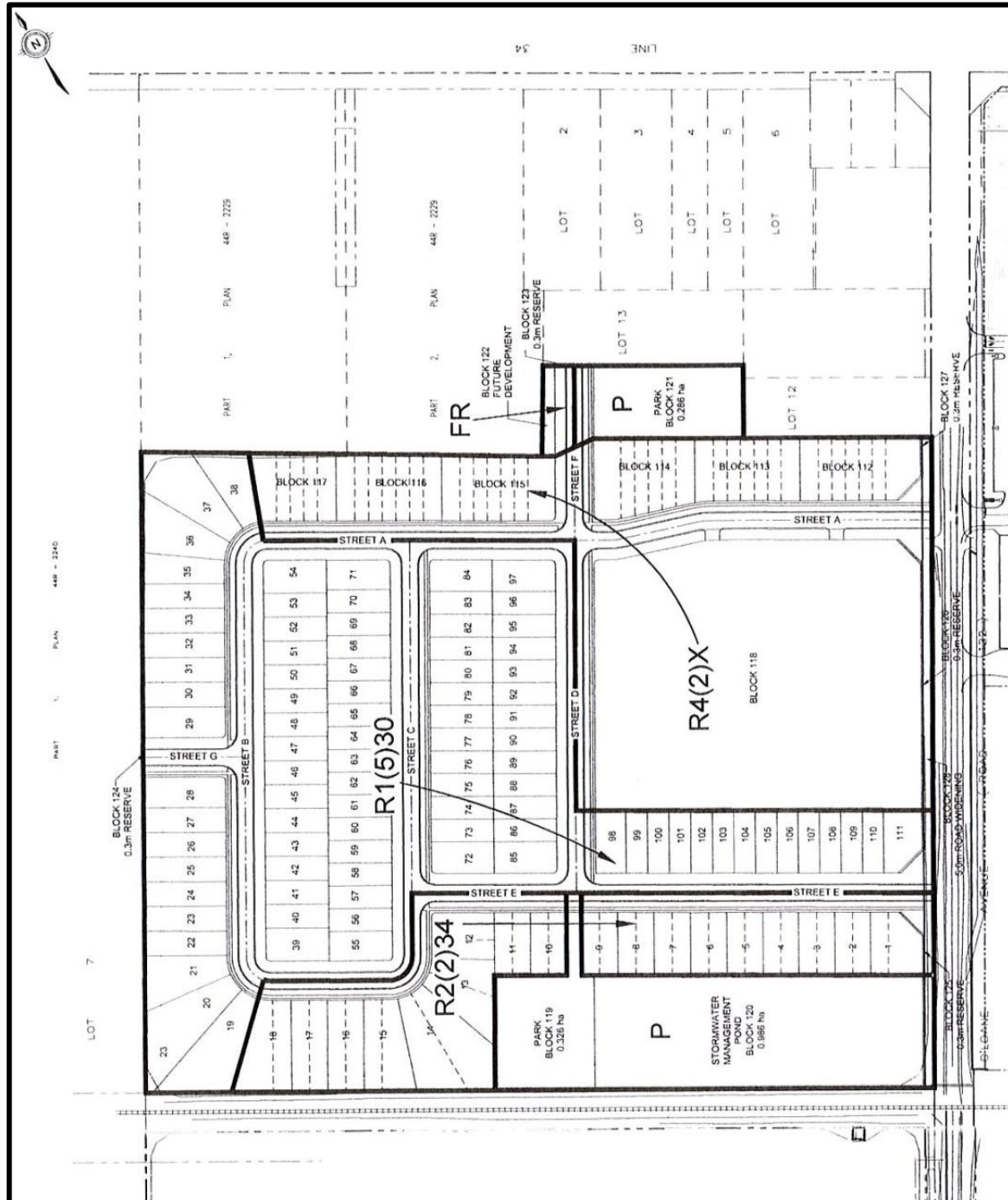
County of Perth (original circulation)

- no concerns

### Canada Post

- Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).

### Initial Draft Plan and Zoning Application (Figure 5)



## Public Comments

There were several issues raised at the initial public meeting and through the original circulation. Respondents have expressed a concern with the height and density of the medium density blocks (Blocks 112-117) and have suggested that it should be located closer to the railway line. There were also several opinions regarding the best location for the road connection to Huron Street and some residents to the north of the subject lands have expressed a need to have services available to allow for the future expansion of their properties. The neighbours to the north also requested screening from the development in the form of a fence and/or a hedge and a respondent also suggested that the townhouse dwellings should be replaced with a less dense form of housing. The adjacent property owner to the west is asking for a fence to be erected to prevent trespassing onto his agricultural land and residents requested that the park block was to be fenced. There is a concern from adjacent property owners who believe that there may be an excess of stormwater runoff that may not be accommodated within the subject lands.

## **Analysis:**

### Public Concerns

The applicant has revised the proposed plan to address public and agency concerns heard at the public meeting.

### *Stormwater Management*

The applicant has submitted a Stormwater Management Report to the Upper Thames River Conservation Area and Engineering Services of the City of Stratford and the stormwater management block has been extended along the full length of the southern boundary (abutting the railway lands) to allow for improved drainage of the subject and abutting lands. This also provides a greater separation for proposed residential dwellings from the railway right-of-way.

### *Road connections*

The road stub shown on the original plan as 'Street F' has been removed to prevent Huron Street commercial traffic from entering the residential subdivision and to alleviate future traffic concerns that would result from a road connection on Huron Street in close proximity to the O'Loane Avenue and Huron Street intersection. This approach has been supported by Engineering Services. With the original draft plan submission, there was a potential for conflicts with the increased commercial traffic on local roads within the residential plan of subdivision.

### *Servicing*

Neighbours on Huron Street have stated that they would prefer to have their properties serviced through this subdivision development instead of having to wait for services to be extended along Huron Street. The residential development was never intended to be the catalyst to ensure that services would be extended to Commercial properties along Huron Street. The subdivision plan has been revised to remove a road stub that may have created

vehicular conflicts on Huron Street as the future road connection would be located in close proximity to an intersection. As the road stub has been removed, Engineering Services have stated that they would not be in support of servicing properties on Huron Street through an easement on Block 109. Servicing for Huron Street properties should be from Huron Street. The inclusion of any such easement would also unreasonably encumber the residential development potential on Block 109.

### *Fencing*

Adjacent landowners have expressed some concerns with privacy and the potential for trespassing onto neighbouring lands. The proposed conditions of approval include a provision to install fencing abutting agricultural land. This is intended to prevent trespassing and residential yard encroachments into the farmland.

The adjacent property owners along Huron Street expressed similar concerns regarding fencing and privacy abutting their property. The revised plan has eliminated the proposed road connection but has included a walkway block. The City is not intending to install a formal walkway until the adjacent lands to the north are developed for commercial purposes. Planning staff are of the opinion that a fence to control trespassing is not needed in this instance as pedestrian traffic will not be directed to travel along the walkway block until a commercial development has taken place.

The townhouse Blocks 103, 104 and 105 are adjacent to the Huron Street properties and will be subject to a future site plan approval before they can be developed. Fencing at the rear of those Blocks will be addressed through that future site plan application. The townhouse Blocks 106 and 107 are adjacent to the side yard of a residential development. Planning staff are of the opinion that a privacy fence of a minimum height of 1.83m should be included in the draft conditions of approval to increase compatibility with proposed townhouses to the south. While an increase in the maximum height of the townhouse dwellings is proposed, impacts can be addressed through an increased minimum rear yard setback of 9.0 metres (from 7.5metres) and through privacy fencing.

### *Land use*

Property owners have also expressed a concern with the density and height of the proposed multiple blocks and location of the medium density developments. The applicant has taken into consideration the existing height restrictions on the Huron Street properties that are outside of the Plan of Subdivision in order to ensure that the building heights are compatible with the proposed zoning. The City's Official Plan has identified the multiple block location and has set density targets that are to be met by the developer. In order to meet the density targets in the Official Plan, the development has resulted in a mix of dwelling types. Building Height and density will be discussed further within the Zoning By-Law section.

### Provincial Policy Statement

Every planning decision in the Province of Ontario shall be consistent with the Provincial Policy Statement which came into effect on April 30, 2014.



Section 1.1.3 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. Section 1.4.3 of the Provincial Policy Statement states that the City shall provide for an appropriate range and mix of housing types and densities by permitting and facilitating all forms of residential housing required to meet the social, health and well-being requirements of current and future residents. The policy also supports promotion of 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.

The proposal represents densities of development that are consistent with the Provincial Policy Statement policies and is located within walking distance of commercial businesses and public transit.

The Policy Statement recognizes in Section 1.1.3.8 that "*expanding settlement areas are to be in compliance with the minimum distance separation formulae and impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible*". There is currently no livestock potential on the lands which are adjacent to the subject property and Planning staff is recommending that as a condition of approval that fencing be required to minimize trespassing on the agricultural lands.

The development will be consistent with the Provincial Policy Statement as it will be located on full municipal services and the applicant has submitted an archaeological assessment which has been entered into the Ontario Public Register of Archaeological Reports. The Policy Statement also requires that development should be directed away from areas with natural or human man hazards and the proposed subdivision is not located near any known hazards.

The proposed draft plan and requested zone change has been reviewed against the 2014 Provincial Policy Statement and is deemed to be consistent with the 2014 Provincial Policy Statement.

#### Official Plan Designation

The property is designated as Residential Area and Medium Density Residential with a special policy in the Official Plan (11.2.16) and the lands were included as part of the West Secondary Plan. The special policy recognizes lands are part of a larger area that have been identified through the City's Commercial Needs Study and Official Plan Amendment No.10 adopted by City Council on October 24, 2007 as the potential location for large format retail development that cannot be accommodated or attracted to the Downtown Core. The applicant has not proposed retail development with the proposed development and as such the special provisions would not apply to this proposal. O'Loane Avenue is classified as an arterial street.

Section 4.5.1 of the Official Plan states:

*iii) To achieve a mix of housing types and a minimum average density of housing in the development of new residential areas in order to provide diversity in the housing stock, more affordable housing opportunities and a more efficient investment and ongoing maintenance of municipal services and facilities.*

*iv) To create new residential neighbourhoods which have a sense of identity, which encourage neighbourhood interaction, which are less auto-dependent and which are designed to establish and maintain essential neighbourhood qualities.*

Section 4.5.3.2 of the Official Plan states:

In new residential areas or significant **redevelopment** areas, applications for development shall be evaluated based on their conformity all other applicable policies of this Plan and the following criteria:

- i) mix of development forms and densities;
- ii) medium density residential uses are encouraged and shall be:
  - a) intermixed with low density development in smaller groups;
  - b) primarily street oriented in design; and
  - c) located **adjacent** to collector and arterial roads, park and greenland areas, community facilities and commercial areas and/or as a physical transition between high and low density residential development.

Section 4.5.3.4 of the Official Plan recognizes that the maximum height of development in new residential areas is four storeys.

The proposed plan shows the potential development of between 224 and 265 dwelling units. The subject lands are designated as Residential and Medium Density residential and the proposed range of units conforms to the Official Plan Policies and results in density of between 16.3 to 19.3 units per hectare.

#### Zoning By-Law

The proposed zone change application is intended to change the zoning to a mix of residential zones and a Park (P) Zone in the City of Stratford Zoning By-law. In each of the requested residential zones, the applicant has requested an increase in the maximum height.

Each of the requested zones will be addressed below.

#### Residential First Density (R1(5)-38) Zone

The applicant is proposing to permit single detached dwellings with a special provision requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height

of 11.5m. The proposed lot sizes range from 11.1m to 18.5m and will allow for an increased building height that is compatible with surrounding properties and is appropriate for the residential development. The developer is also able to provide for adequate on-street parking between the proposed lots and the proposed setback from O'Loane Avenue will provide for a consistent streetscape that aligns buildings with the developed lands to the south of the subject lands.

#### Residential Second Density (R2(2)-45) Zone

The applicant is proposing to permit single detached, semi-detached and duplex dwellings with special provisions requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 11.5m. The proposed lot sizes are intended for semi-detached dwellings and measure 18.6m for interior lots and 23.3m for the corner lot that is adjacent to O'Loane Avenue. The zoning will allow for an increased building height that is compatible with surrounding properties and is appropriate for the residential development. The developer is also able to provide for adequate on-street parking between the proposed lots and the proposed setback from O'Loane Avenue will provide for a consistent streetscape that aligns buildings with the developed lands to the south of the subject lands.

#### Residential Fourth Density (R4(2)-15) Zone

The applicant is proposing to permit apartment dwellings with a maximum density of 50 units per hectare, quadruplex dwellings, street townhouse dwellings, townhouse dwellings including stacked townhouse dwellings and back to back townhouse dwellings with special provisions requiring a minimum 10.5m setback from O'Loane Avenue and a maximum building height of 13.5m. Planning staff are intending to include apartment dwelling requirements and define stacked townhouse dwellings, back to back townhouse dwellings as permitted uses within the zone for clarity. Planning staff will also include minimum and maximum density requirements for the zone in order to ensure that the Medium Density requirements of the Official Plan have been met. The developer of Block 108 will be subject to a future site plan application and will be required to meet the City's design requirements at that time. The proposed setback from O'Loane Avenue will provide for a consistent streetscape that aligns buildings with the developed lands to the south of the subject lands. The requested increase to the building height will allow for buildings that are able to meet the minimum density requirements in the Official Plan and the proposed height increase is not expected to negatively impact the surrounding lands as Block 108 is separated from adjacent lands by other forms of residential development and an arterial road.

#### Residential Fourth Density (R4(2)-16) Zone

The applicant is proposing to permit apartment dwellings with a maximum density of 50 units per hectare, quadruplex dwellings, street townhouse dwellings, townhouse dwellings including stacked townhouse dwellings and back to back townhouse dwellings with special provisions requiring a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 12.5m and a maximum number of stories of 2.5; and Park (P) Zone. Planning staff are intending to include apartment dwelling requirements and define stacked townhouse dwellings, back to back townhouse dwellings as permitted uses within the zone for clarity. Planning staff are not recommending that a density requirement be placed on the property

as the zones have been split to separate the lands that are designated as Medium Density Residential from the rest of the Residential Fourth Density zones. The proposed height of 12.5m is compatible with the allowed heights for the adjacent lands to the north and the restriction of maximum number of stories to 2.5 prevents the development of a higher structure with a flat roof would not be in keeping with the surrounding area.

#### Residential Fourth Density (R4(2)-17) Zone

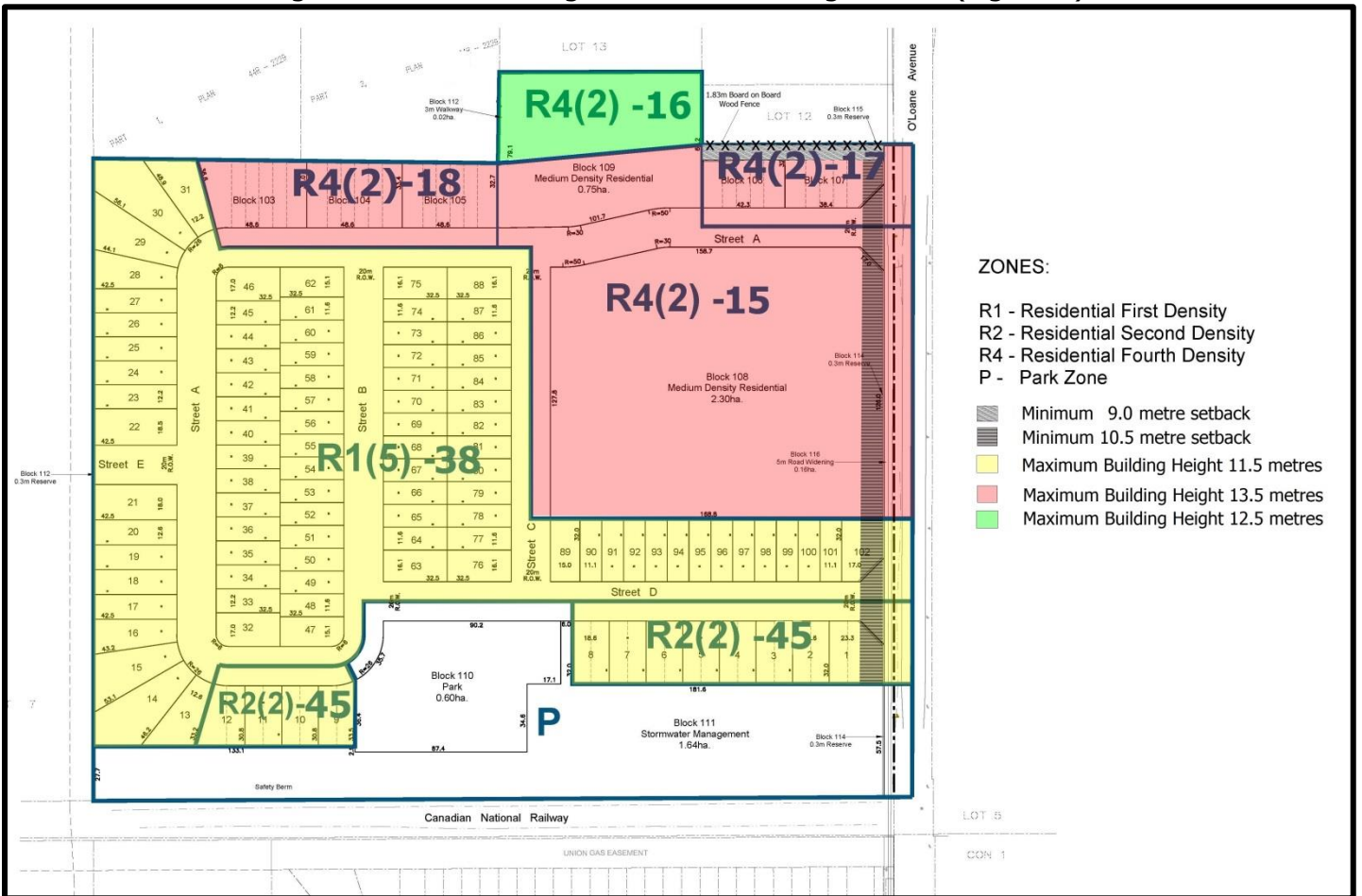
The applicant is proposing to permit stacked townhouse dwellings, back to back townhouse dwellings, provisions for apartment dwellings and special provisions requiring a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 13.5m and a minimum rear yard depth of 9.0m. Subsequently, the applicant has indicated they are not proposing back to back townhouses and apartment dwellings on Blocks 106 and 107.

Planning staff are of the opinion that back to back townhouses, apartment dwellings, nursing homes and senior's apartment dwellings cannot be functionally accommodated on the proposed R4(2)-17 Zone lands and staff are recommending that those uses be removed from the zone. The developer of each Block will be subject to a future site plan application and will be required to meet the City's design requirements at that time. The proposed setback from O'Loane Avenue will provide for a consistent streetscape that aligns buildings with the developed lands to the south of the subject lands. The impacts of the requested increase to the building height will be mitigated by implementing a minimum rear yard setback of 9.0m and a requirement to construct a privacy fence with a minimum height of 1.83m.

#### Residential Fourth Density (R4(2)-18) Zone

The applicant is proposing to permit stacked townhouse dwellings, back to back townhouse dwellings, provisions for apartment dwellings and special provisions requiring a minimum 10.5m setback from O'Loane Avenue, a maximum building height of 13.5m and a minimum rear yard depth of 13.5m. Similar to Blocks 106 and 107, the applicant subsequently indicated they are not proposing back to back townhouses and apartment dwellings on Blocks 103, 104 and 105. Planning staff are of the opinion that back to back townhouses, apartment dwellings, nursing homes and seniors apartment dwellings cannot be functionally accommodated on Blocks 103, 104 and 105 and staff are recommending that those uses not be included in the R4(2)-18 Zone. The developer of each Block will be subject to a future site plan application and will be required to provide a uniform fence at the rear of the lots and will be required to meet the City's design requirements at that time. The existing developments to the north are orientated towards Huron Street and are separated from the development by large rear yards. As a result of the distance separation, it is not expected that the increase in height will have a negative impact on the adjacent properties. The proposed zone no longer has frontage on O'Loane Avenue and will not require a reduction in the minimum setback requirement.

## Recommended Zoning with Maximum Height and Setback Regulations (Figure 6)



### *Building Heights*

The developer is proposing a mix of dwelling types and units within the subdivision with increased building heights for the residential dwellings. The City's Zoning By-Law defines height as being measured between the average grade at the base of a building to the highest point of the building. The applicant has noted that they need the additional height in order to accommodate dwellings that have a higher pitched roof and to resolve issues where the grade of properties may not be uniform around the perimeter of the dwellings. The applicant has noted that they have had some difficulty with the placement of some building plans within their subdivision to the south of the railway lands due to the change in grades within that area. The subdivision represents a development that is separated from neighbouring lands to the south by an elevated railway and to the lands to the east by an arterial road. The lands to the west are agricultural and the lands immediately to the north have an existing zoning that allows for a maximum building height of 12.5 metres. The applicant has requested that lands that are proposed to be zoned as R4(2)-16 have a maximum height of 12.5m to match the zoning outside of the plan of subdivision and they have also agreed to limit the number of stories to 2.5 in order to increase compatibility with the adjacent property. With the exception of the property at 606 O'Loane, the increased height is significantly separated from existing dwellings and is not expected to negatively

impact the surrounding properties. The property at 606 O'Loane has a side yard that is approximately 9 metres from the property boundary. Planning staff are recommending that a rear yard setback of 9 metres in conjunction with a 1.83m high privacy fence to address the potential increased height for the townhouse development.

Concept Elevation of 6 Unit Townhouse Dwelling (Figure 7)



Concept Elevation of 6 Unit Townhouse Dwelling (Figure 8)



### *Proposed setbacks*

The applicant has requested a setback of 10.5 metres from O'Loane Avenue in place of 15 metres. The reduced setback is identical to the existing subdivision zoning to the south and would allow for a consistent streetscape to be developed along O'Loane Avenue. The reduced setback would also allow for a larger building footprint to be placed on corner properties which are a predominant feature when entering into the subdivision. Planning staff have no concerns with this reduced setback.

### *Density Targets*

The subject property is designated as Residential Area with a portion of the lands designated as Medium Density Residential. The applicant is required to meet the density requirements for both designations and the Land Use plan defines the area that is to accommodate medium density residential development. The overall density for the subject lands is proposed to be between 16.3 and 19.3 units per hectare and the density of multiple residential blocks is to be between 26.9 and 40.3 units per hectare. The proposed density targets and location of the townhouse and multiple residential blocks location comply with the City's Official Plan.



Lots and blocks in the proposed plan conform to the requested zoning and will permit development that is compatible with existing and planned area uses. There have been changes to the requested zoning provisions including changes to the requested height in each zone in order to address concerns raised by the public and staff and in order to accommodate the requested form of residential development. If Council intends to approve the proposed plan of subdivision and zoning, they must pass a resolution that no further notice is required under Section 34(17) of the Planning Act.

### **Subdivision Design**

Housing Mix - The applicant is proposing a subdivision containing 90 single detached dwelling lots, 24 semi-detached dwelling lots, 28 street townhouse blocks, 2 multiple development blocks which are expected to accommodate between approximately 82-123 units, 1 park block and 1 stormwater management block all served by 5 new local roads. This mix of land uses and housing types will serve future residents and provide a choice in housing type in conformity with the policies of the Official Plan.

Road Pattern and Traffic - The proposed plan contains 5 local roads, 2 of which access points to O'Loane Avenue. Providing two means to access the subdivision meets the needs of emergency services. As there are no connections to existing streets except O'Loane Avenue and no potential for cut-through traffic, expected traffic volumes on planned streets will not exceed the ability of the streets to accommodate future traffic. As the expected traffic volumes can be accommodated on the existing streets, including O'Loane Avenue, staff do not believe that a Detailed Safety Assessment will be necessary to address the at grade railway crossing.

At the public meeting, some area residents expressed concerns that the traffic from the proposed subdivision will cause further delays when they try to access O'Loane Avenue. O'Loane Avenue is a two lane arterial road that is intended to carry large volumes of traffic. Single lane arterial roads are generally considered to have a capacity of 800-900 vehicles per hour. In 2015, this section of O'Loane carried 542 vehicles per hour at peak periods in both directions and the volume is projected to increase to 918 vehicles per hour at peak periods in both directions in 2021. The proposed subdivision will not increase traffic volumes on O'Loane Avenue beyond its ability to functionally accommodate traffic.

In response to the City receiving a number of complaints from area residents trying to cross O'Loane Avenue, the applicant submitted a Pedestrian Access Review Study. The Study recommends the installation of a pedestrian refuge island on O'Loane Avenue, warning signs to drivers of the presence of pedestrians and that staff monitor pedestrian activity after full-buildout to see if a protected crossing is warranted. If it is not possible to construct a pedestrian refuge within the existing pavement width, the Study recommends a sidewalk on the west side of O'Loane Avenue from Street 'D' (formerly Street 'E') to Huron Street to provide a safe walking area on both sides of the street. Engineering Services has reviewed this report and believe an intersection pedestrian crossing would provide a better connectivity to the City's sidewalk and pedestrian trail network. The recommended

conditions of draft approval require the developer to construct an intersection pedestrian signal on O’Loane Avenue at no cost to the City.

Abutting a Railway Right-of-Way – The Provincial Policy Statement requires infrastructure corridors, which includes a railway right-of-way, to be protected to meet current and projected needs. Development which could negatively affect the use of the corridor shall not be permitted. In order to not negatively impact this infrastructure corridor, sensitive land uses are separated from the railway right-of-way by the stormwater management facility resulting in dwelling units being set back more than 30 m from the railway right-of-way. In addition, the recommended conditions of draft approval include the following measures to both protect the corridor and protect future residents:

- A 2.5 metre earthen berm;
- 1.83 metre high chain link fence along the property line;
- Warning clauses included in the subdivision agreement advising purchasers of increased sound levels due to rail traffic;
- Clauses in the subdivision agreement requiring forced air central heating with the potential to accommodate central air conditioning; and
- The erection of a sign warning of possible noise impacts.

The combination of measures will protect the infrastructure corridor and future residents from adverse impacts and will be consistent with the Provincial Policy Statement.

Road Noise – The Noise Impact Study submitted with the application also makes recommendations to minimize road noise impacts. Similar to rail noise impacts, the study recommends warning clauses and forced air central heating that can accommodate air conditioning. The study also recommends noise barrier for some lots and blocks and that central air conditioning be installed. Installation of central air conditioning allows the resident to maintain a comfortable environment should they wish to close the windows to reduce noise levels. Similar to rail noise issues, the recommended conditions of draft approval address road noise.

Parkland Dedication – Block 110 - The initial submission proposed 2 relatively small park blocks. Staff had concerns about this design, as it would limit how these parks could be used and they would increase maintenance costs. The subdivision is not so large that it cannot be served by one park.

The revised park proposal, consisting of one larger park adjacent to the stormwater management block will provide better service to the community. It is large enough to accommodate a range of activities, it can be linked to the abutting stormwater management facility providing a much larger open space area and will be less costly to maintain than the original proposal. It is located at the terminus of 2 streets which will provide for an aesthetically pleasing streetscape.

Linkages to External Lands - Being bound by an arterial road, a railway right-of-way and the municipal boundary, there are few opportunities to link this community with existing and future lands. As with the subdivision to the south, a road connection has been included

along the Western portion of the plan to allow for a possible future connection to lands to the west Street "E". This road will only be finished if residential development takes place on lands to the west. A walkway (Block 112) has been included to allow pedestrians convenient access to the future commercial lands on Huron Street. As noted above, a road connection to the lands to the north is not included as they are planned for commercial uses and allowing commercial traffic on local, residential roads will result in future compatibility complaints.

Servicing – Engineering Services have noted that Block 108 (Block 'A' within the servicing plan) requires a reduction in the block size, addition of a firewall or alteration to the watermain network. The developer will be required to obtain site plan approval for any development within Block 108. Should water servicing be an issue, the developer will be required to submit reports which demonstrate water servicing to the satisfaction of the Engineering Services at that time.

Conclusion The proposed plan of subdivision contains a mix of housing types which will meet the needs of the community. Staff believes the recommended conditions of draft approval will mitigate impacts from surrounding lands (road, rail) and will ensure appropriate services are installed to meet the needs of future residents. With the recommended conditions, the proposed plan conforms to the Provincial Policy Statement, the City's Official Plan and is considered sound land use planning.

Planning staff consulted with the applicant on the proposed conditions of subdivision approval and the special provisions in the recommended zoning amendment.

**Financial impact:** Sanitary sewer upgrades to service lands to the northwest are expected to cost approximately \$15,000.

Development charges expected to be collected, based on the proposed number and type of unit, is as follows:

114 single or semi-detached dwelling units x \$13,558 per unit (2017 rate):	\$1,545,612
110 – 151 apartment units x \$9845 per unit (2017 rate):	\$1,082,950 to \$1,486,595
<b>Total:</b>	<b>\$2,628,562 to \$3,032,207</b>

#### Council Adopted Strategic Priorities

On January 27, 2014, Council adopted Strategic Priorities for the next three to five years. The three priority pillars are: Long Term Financial Planning, Affordable Living, and Active Healthy Lifestyle. The development includes a parkland dedication that will allow the City to develop park space that is in close proximity to future residents which promotes an active healthy lifestyle in the City of Stratford. This application is consistent with the Strategic Priorities as it promotes a residential product that is located in close proximity to community services and supports sustainable funding for infrastructure.

**Staff Recommendation:**

- 1) That the City of Stratford grant draft approval of the proposed Plan of Subdivision submitted by Ian Rawlings, prepared by GSP Group, certified by Erich Rueb O.L.S., Drawing No. dp16144b.dwg dated May 15, 2017, subject to the attached conditions, and change the Zoning By-law from an Agricultural (A-3) Zone in Township of Perth South Zoning By-Law 4-119 to:**

- **a Residential First Density (R1(5)-38) Zone to permit single detached dwellings with a special provision requiring a minimum 10.5m setback from O’Loane Avenue and a maximum building height of 11.5m;**
- **a Residential Second Density (R2(2)-45) Zone with special provisions requiring a minimum 10.5m setback from O’Loane Avenue and a maximum building height of 11.5m;**
- **a Residential Fourth Density (R4(2)-15) Zone to permit stacked townhouse dwellings and back to back townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O’Loane Avenue, a maximum building height of 13.5m, and provisions for apartment dwellings;**
- **a Residential Fourth Density (R4(2)-16) Zone to permit stacked townhouse dwellings and back to back townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O’Loane Avenue, a maximum building height of 13.5m, a maximum number of stories of 2.5m and provisions for apartment dwellings;**
- **a Residential Fourth Density (R4(2)-17) Zone to permit stacked townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O’Loane Avenue, a maximum building height of 13.5m, a minimum rear yard depth of 9m and provisions for apartment dwellings; and**
- **a Residential Fourth Density (R4(2)-18) Zone to permit stacked townhouse dwellings and add special provisions for a minimum and maximum densities, a minimum 10.5m setback from O’Loane Avenue, a maximum building height of 13.5m, and provisions for apartment dwellings; and,**
- **a Park (P) Zone because:**

- 1) It is consistent with the Provincial Policy Statement and in conformity with the policies of the Official Plan.**

**2) It will permit development anticipated by, and planned for, in the West Secondary Plan.**

**3) It is the logical extension of planned residential development.**

**4) The public was consulted during the subdivision and 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.**

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




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




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




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Rob Horne, Chief Administrative Officer

## **Conditions of Draft Approval**

That the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Subdivision 31T15-001 subject to the following conditions:

1. This draft approval applies to the draft plan submitted by Ian Rawlings, prepared by GSP Group, certified by Erich Rueb O.L.S., drawing no. dp16144b.dwg, dated May 15, 2017, which shows a total of 90 single-detached residential lots, 24 semi-detached residential lots, 28 street townhouse lots, 2 multiple unit blocks, one park block, four 0.3m reserve blocks, one stormwater management block, one walkway block and one block for road widenings served by 5 new local roads.
2. This approval of the draft plan applies for seven years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The street(s) shall be named to the satisfaction of the Manager of Development Services.
5. The municipal address shall be assigned to the satisfaction of the Manager of Development Services.
6. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of Stratford and referenced to NAD83UTM Zone 17 horizon control network for the City of Stratford mapping program.
7. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8. The Owner shall satisfy all the requirements, financial and otherwise, of the City of Stratford in order to implement the conditions of this draft approval.
9. The subdivision agreement between the Owner and the City of Stratford shall be registered against the lands to which it applies.
10. The Owner shall grant to the appropriate authorities such easements and/or land dedications as may be required for utility, road, drainage or other municipal purposes.

11. Phasing of the registration of this subdivision (if any) shall be to the satisfaction of the Manager of Development Services and the Director of Infrastructure and Development Services.
12. Prior to Final Approval, all required connections from this plan to municipal services shall be available.
13. In conjunction with the submission of Engineering drawings, the Owner shall submit an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of Stratford and Ministry of Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction. Prior to any work on the site, the Owner shall implement these measures satisfactory to the Director of Infrastructure and Development Services.
14. In conjunction with the submission of Engineering drawings, the Owner shall submit a report prepared by a qualified consultant, and if necessary a detailed hydro geological investigation carried out by a qualified consultant, to determine the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area, to the satisfaction of the City's Infrastructure and Development Services Department. If necessary, the report shall also address any potential contamination impacts that may be anticipated or experienced as a result of the said construction. Any recommendations outlined in the report shall be reviewed and approved by the City's Director of Infrastructure and Development Services, included in the pertinent agreement(s) with the City of Stratford prior to any work on the site. Should any remedial works be recommended in the report, the Owner shall complete these works prior to issuance of Certificate of Approval, to the satisfaction of the City, at no cost to the City.
15. Prior to any grading on the site, the Owner shall decommission and permanently cap any abandoned water wells located on the property, in accordance with the Ontario Water Resources Act and the Ministry of Environment requirements and file the necessary reports with the Ministry of the Environment and the City of Stratford.
16. In conjunction with the submission of Engineering drawings, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this plan. All class EA's must be completed prior to the submission of engineering drawings.
17. The Owner's professional engineer shall provide inspection services for all work required for the development of the plan, and have its professional engineer supply the City with a certificate of compliance upon completion in accordance with the plans approved by the Director of Infrastructure and Development Services. The



Owner's professional engineer shall provide full time inspection for all underground works.

18. The Owner shall comply with all City of Stratford standards, guidelines and requirements in the design of this draft plan including required engineering drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the Director of Infrastructure and Development Services.
19. The Owner shall pay in full all Engineering Administration fees, as determined by the Director of Infrastructure and Development Services, prior to any construction activity on the site.
20. That prior to final approval the Owner shall pay in full all financial obligations/encumbrances owing to the City on the said lands, including property taxes and local improvement charges.

### **PARKLAND**

21. The Owner shall convey up to 5% of the lands included in this plan to the City of Stratford for park purposes. This shall include Block 110.
22. Once a total of 55 units have been registered, excluding Blocks 108 and 109, Park Block 110 shall be included in any registration.
23. Within one year of any registration that includes Park Block 110, the Owner shall grade and seed this Block at no cost to the City and to the satisfaction of the Director of Community Services and the Director of Infrastructure and Development Services.

### **FENCING**

24. Within one year of registration of the first phase, the Owner shall erect a 1.83 m high chain link fence without gates along the common property line between the railway right-of-way and Block 111. Any other fencing arrangements shall be to the satisfaction of the Manager of Development Services.
25. Within one year of any registration that includes Lots 1-14, the Owner shall erect a 1.5 m high fence without gates along the rear property line of similar design and material.
26. Within one year of the registration of Lots 8 & 9, the Owner shall erect a 1.5 m high fence along the west property line of Lot 8 and along the east property line of lot 9.

27. Within one year of any registration that includes Lots 14 to 30 and the west limit of Block 111, the owner shall erect a height of 1.5m fence without gates along the rear lot line to prevent trespassing, to the satisfaction of the Manager of Development Services.
28. Within one year of any registration that includes Blocks 106 and 107, the owner shall erect a height of 1.83m board on board fence the rear lot line to the satisfaction of the Manager of Development Services.

### **WALKWAYS**

29. Concurrent with final approval of the plan which includes Block 109, the Owner shall convey walkway Block 112 the City of Stratford. The Owner shall construct a 3.0 m walkway in accordance with City of Stratford standards or provide security to the City.

### **EXISTING STRUCTURES**

30. Prior to final approval, the Owner shall remove, or demolish any structures that exist on the subject lands.

### **RAIL**

31. Prior to occupancy of Lots 1 through 14, an earthen berm shall be constructed to a minimum height of 2.5 metres above grade at the property line having slopes no steeper than 2.5 to 1. The berm shall be adjoining and parallel to the railway right-of-way.

### **NOISE ATTENUATION**

32. The Owner has submitted a Noise and Feasibility Study dated September 21, 2015 prepared by HGC Engineering which recommends noise abatement measures. The recommendations of this study which include noise walls, EW5 Construction or equivalent, forced air central heating signs to accommodate air conditioning, central air conditioning and waring clauses are to be implemented as outlined below, to the satisfaction of the City of Stratford,
  - i. Prior to occupancy for Lots 1, 102 and Block 107, the Owner shall construct a 2 meter high noise attenuation wall between Lots 1, 102, Block 107 and O'Loane Avenue; between Lot 1 and Block 111; between Lot 102 and Block 108; between the easterly unit of Block 107 and the northern extents of the subdivision plan; and the most easterly end unit of Block 107, Lots 1, 102 and O'Loane Avenue, along the limits of this Plan, at the Owner's expense;

- ii. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lots 2-8, 9-14, 101 and the second and third most easterly units of Block 107:

"Purchasers are advised that sound levels due to increasing road and rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels activities exceed the noise criteria of the Municipality and the Ministry of Environment."

"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision."

- iii. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lots 1,102 and the most easterly unit of Block 107:

"Purchasers are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road and rail traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels activities exceed the noise criteria of the Municipality and the Ministry of Environment and Climate Change."

"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision."

- iv. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lots 2-8, 9-14, 101, 102, the most easterly unit of Block 107 and the second and third most easterly units of Block 107:

"This dwelling unit has been fitted with a forced air heating system and ducting was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the Ministry of Environment and Climate Change. (Note: The location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts and comply with criteria of Ministry of Environment and Climate Change publication NPC-300 as applicable.)"

"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision."

- v. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lot 1:

"This dwelling unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the Ministry of Environment and Climate Change.

"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision."

- vi. The following warning clauses shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for the affected lots:

"Purchasers are advised that despite the inclusion of noise control measures within the subdivision and within the individual building unit, noise levels may continue to be of concern, occasionally interfering with some activities of the dwelling occupants. There may be alterations to or expansions of the Rail facilities on such right-of-way in the future including the possibility that the Railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual dwellings; and the Railway will not be responsible for any complaints or claims arising from the use of its facilities and/or operations."

"Warning to Solicitors: Solicitors are advised to stress the importance of the above noted warning clause when advising their clients on the purchase of units in the subdivision."

33. No openings in the noise attenuation fence shall be permitted unless otherwise approved by the Manager of Development Services.

34. The subdivision agreement shall contain clauses requiring the erection and maintenance of a warning sign adjacent to the subdivision sign containing the following information:

- a) identifying the Lots or Blocks that have been identified by the noise and vibration studies which may experience noise and vibration impacts;
  - b) identifying the type and location of the acoustical and safety (chain-link) fencing; and,
  - c) contains a statement that GEXR Rail operates on a 24 hour a day basis.
- The warning sign can be in text form or a combination of text/sketch form. The sign may be removed after 70 percent of completion of the subdivision.

35. The subdivision agreement shall contain a warning clause to be registered on title of each Lot/Block to be used for dwellings within 300 metres of the railway right-of-way, warning prospective purchasers of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuation measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints for claims arising from the use of its facilities and/or operations.

### **SANITARY SERVICING**

36. The Owner shall construct and connect the proposed sanitary sewers to serve this development to the existing sanitary sewer on O'Loane Avenue to the satisfaction of the Director of Infrastructure and Development Services.
37. The Owner shall not connect any weeping tile connections into the sanitary sewers within this plan.
38. In conjunction with the engineering drawings submission, the Owner shall have its professional engineer provide a sanitary servicing report that at the minimum shall include a sanitary drainage area plan confirming drainage area limits, and identify and confirm in writing the residual capacity limit for the existing downstream sewer system (to the trunk sewer), all to the satisfaction of the Director of Infrastructure and Development Services.

### **STORMWATER SERVICING**

39. Concurrent with final approval of the plan, the Owner shall provide all required and adequate land dedications related to the stormwater works, including Block 111, satisfactory to the City.
40. In conjunction with the submission of the engineering drawings, the Owner shall have their consulting engineer submit a stormwater servicing report/plan (functional report where facilities are proposed) satisfactory to the Director of Infrastructure and Development Services. This report shall include identification of the major and minor stormwater overland flow routes for the entire catchment area to the satisfaction of the Director of Infrastructure and Development Services.
41. Prior to the Manager of Engineering providing confirmation to the Chief Building Official that municipal services are in place, the Owner shall construct and have operational stormwater servicing works and major overland flow routes satisfactory to the Director of Infrastructure and Development Services.

42. The Owner shall have its consulting professional engineer design and supervise the construction of the stormwater servicing works, including any temporary works, to the satisfaction of the Director of Infrastructure and Development Services.
43. In the event that the works include a stormwater facility, the Owner shall have their professional engineer submit semi-annual monitoring reports to the City Engineer demonstrating that the works perform in accordance with the approved design criteria. The reports are to provide test results on the volume and nature of the sediment accumulating in the works. The Owner shall ensure that the monitoring program commences when building permits have been issued on fifty percent (50%) of the lots in the plan and shall continue until assumption.
44. The Owner shall address forthwith any deficiencies of the stormwater works and/or monitoring program.
45. Prior to assumption, the Owner shall abandon the existing municipal drains in accordance with the requirements of the Drainage Act, and construct and have operational stormwater servicing works and major overland flow routes satisfactory to the Director of Infrastructure and Development Services.
46. Prior to assumption, the Owner shall operate, monitor and maintain the works. The Owner shall ensure that any removal and disposal of sediment is to an approved site satisfactory to the Director of Infrastructure and Development Services.
47. Prior to final approval, the Owner's consulting engineer shall certify that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of the City, or any approval given by the City Engineer, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

**WATER:  
WATER SERVICING**

48. The Owner shall construct and connect the proposed watermain to serve this plan to the existing watermain on O'Loane Avenue to the satisfaction of the Director of Infrastructure and Development Services.
49. In conjunction with the engineering drawings submission, the Owner shall have its professional engineer provide a water servicing report to the satisfaction of the Manager of Environmental Services.
50. In conjunction with the engineering drawings submission, the Owner shall submit an overall water plan (secondary water main infrastructure) for this subdivision which is

to be compatible with adjacent subdivisions and approved by the City's Director of Infrastructure and Development Services.

51. The Owner shall have its professional engineer determine if there is sufficient water turnover to ensure water quality and determine how many homes need to be built and occupied to maintain water quality in the water system. If the water quality cannot be maintained in the short term, the Owner shall install automatic blow offs, where necessary, to the satisfaction of the Manager and Environmental Services, or make suitable arrangements with Water Operations for the maintenance of the system in the interim.

## **TRANSPORTATION/ROADS**

52. The Owner shall terminate Street 'E' at the westerly limit of this Plan to the satisfaction of the Director of Infrastructure and Development Services.
53. Where the plan is to be phased, any dead ends and open sides of road allowances shall be terminated in 0.3 metre reserves to be conveyed to the City of Stratford until required for the future production of such road allowance.
54. The Owner shall construct a 1.5 metres (5') sidewalk on the outside of the following streets within a time-frame as directed by the Director of Infrastructure and Development:
  - i) Street 'A'
  - ii) Street 'B'
  - iii) Street 'C'
  - iv) Street 'D'
  - v) Street 'E'
  - vi) West side of O'Loane Avenue, from the southerly limit to the northerly limit of this plan
55. Prior to final approval, in conjunction with the construction of Street 'E', the Owner shall install and maintain a barrier at the western limit of Street 'E' until directed by the City to remove this barrier. The removal of the barrier is at the cost of the Owner.
56. The Owner shall establish and maintain a Traffic Management Plan (TMP), when directed by the City, in conformance with City guidelines and to the satisfaction of the Director of Infrastructure and Development Services for any construction activity that will occur on existing public roadways needed to provide services for this plan of subdivision. The TMP is a construction scheduling tool intended to harmonize a construction project's physical requirements with the operational requirements of the City of Stratford, the transportation needs of road users and access concerns of area property owners. The Owner's contractor(s) shall undertake the work within



the prescribed operational constraints of the TMP. The TMP will be submitted and become a requirement of the engineering drawings for this plan of subdivision.

57. Should temporary turning facilities for vehicles be provided as required by the Director of Infrastructure and Development Services, they shall be shown on the final plans as easements. These easements shall be conveyed to and held by the City of Stratford until the extension of the road allowance, when the blocks shall be conveyed without charge to the owners of abutting Lots or Blocks.
58. Should temporary measures be required for any phase of this subdivision, construction costs for these temporary measures shall be borne by the Owner and any cost to remove the temporary measure shall be borne by the Owner.
59. The Owner shall construct Streets 'A', 'B', 'C', 'D', and 'E' to local road standards.
60. The Owner shall construct all municipal services for the subject lands at the sole expense of the Owner.
61. The subdivision agreement shall make provision for the Owner to construct an intersection pedestrian signal on O'Loane Avenue at no cost to the City and to the satisfaction of the Director of Infrastructure and Development.

## **FIRE**

62. The Owner shall not burn any materials on site.

## **OTHER UTILITIES**

63. Prior to the entering into a subdivision agreement, the Owner shall obtain approval from the City and Festival Hydro and/or Hydro One for an electrical layout for the area. Any new addition and/or relocation of existing electrical infrastructure will be at the Owner's expense.
64. In conjunction with the submission of Engineering drawings, the Owner shall submit a street lighting plan for approval by both the City and either Festival Hydro or Hydro One
65. Prior to final approval the Owner developer shall confirm that sufficient communication/telecommunication infrastructure is provided to the proposed development. The Owner shall also demonstrate to the satisfaction of the City of Stratford that sufficient communication/telecommunication services for emergency management services are provided.

66. In conjunction with the submission of Engineering drawings, the Owner shall submit a Utility Coordination Plan for the approval of the City and other appropriate authorities.
67. The subdivision agreement shall make provision for the planting of trees in the boulevard to the satisfaction of the Director of Community Services.
68. The subdivision agreement shall make provision for subdivision signs not exceeding ten square metres in area to be erected at locations in the subdivision as designated by the City. Such signs shall have printed thereon the plan of the subdivision as registered, showing the street pattern, community mail box locations, the proposed use of each parcel of land therein and the name and address of the owner. Such signs shall be erected and maintained to the satisfaction of the City during the progress of development and shall be removed upon the completion of the work. No sign permit is required for this sign.
69. The subdivision agreement shall make provision for the physical location of Community Mail Boxes which satisfies the requirements of Canada Post.
70. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority 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 Approval Authority, such submission will be returned to the Owner without detailed review by the City.
71. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the Manager of Development Services and the Director of Infrastructure and Development Services. The Owner acknowledges that, in the event that a submission does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

## **Clearance Conditions**

1. That prior to the signing of the final plan by the Mayor, the City is to be advised by Festival Hydro and/or Hydro One that conditions 63 and 64 have been carried out to their satisfaction.

## **NOTES TO DRAFT APPROVAL**

1. The applicant is directed to Section 51(39) and 51(43) of the Planning Act, R.S.O. 1990 as amended, regarding referral of any imposed conditions to the Ontario Municipal Board. Requests for referrals are to be directed to the Subdivision Approval Authority of the City of Stratford.
2. It is the applicant's responsibility to fulfill the conditions for draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the City of Stratford, to the attention of the Manager of Development Services, Infrastructure and Development Services Department, City of Stratford, quoting the above-noted file number.
3. All plans are to be prepared using total station survey and compatible with the latest version of AutoCAD. The final plan submitted for final approval, 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. The Owner/developer is advised that the provisions of the Development Charge By-law apply to this draft approval.
5. Required agreements with the municipality will be prepared by the City of Stratford upon written request being received by the Manager of Engineering of the City of Stratford Infrastructure and Development Services Department from the applicant.
6. The applicant should consult with an Ontario Land Surveyor for this proposed plan concerning final approval requirements relative to the Certification of Titles Act.
7. The final plan approved by Corporation of the City of Stratford must be registered within thirty (30) days or the Corporation may withdraw its approval under Section 51(59) of the Planning Act, R.S.O. 1990 as amended.
8. All plans of subdivision are to be prepared and presented in metric units.

9. Inauguration, or extension of a piped water supply, a sewage system or a storm drainage system, is subject to the approval of the Ministry of the Environment under Section 23 and 24 of the Ontario Water Resources Act, R.S.O. 1980.
10. Easements required for utility or drainage purposes should be granted to the appropriate authority. Contact Infrastructure and Development Services Department prior to any transfer of easements to the City of Stratford.
11. Some of the conditions of draft approval will be cleared through the inclusion of appropriate requirements in the subdivision agreement, where acceptable to the City of Stratford.
12. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise or lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on wooden poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
13. Any ornamental gateways proposed for the subdivision shall not be allowed on City lands and the City shall assume no responsibility for their maintenance.
14. Privacy fences shall be placed on private properties. Fencing designs will be consistent with City standards and shall be the responsibility of the individual property Owners; and any noise walls required shall not be placed on City property namely Noise barriers on Arterial Roads.

## Draft By-law

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Being a By-law to amend By-law 201-2000 as amended, with respect to zone change application Z07-15 by Valley View Heights (St. Jacobs) Limited to rezone Part Lot 6 Con 1 (Geographic Township of Downie) known municipally as 576 O'Loane Avenue to allow for a subdivision development in the City of Stratford.

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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 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 1A to By-law 201-2000 as amended, is hereby amended:

by changing from Agricultural Zone A-3 Zone in the Perth South Zoning By-Law 4-1999 to a Residential First Density R1(5)-38 Zone, a Residential Second Density R2(2)-45 Zone, a Residential Fourth Density R4(2)-15 Zone, a Residential Fourth Density R4(2)-16 Zone, a Residential Fourth Density R4(2)-17 Zone, a Residential Fourth Density R4(2)-18 Zone and a Park (P) 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 Part Lot 6 Con 1 (Geographic Township of Downie) and known municipally as 576 O'Loane Avenue.

2. The Township of Perth South Zoning By-law No. 4-1999 as it applies to the subject lands on Schedule "A" is hereby repealed.
3. That By-law 201-2000 as amended, be further amended by adding to Section 5.4, being the Exceptions of the Residential First Density Zone the following:

**"5.4.38**    a) Defined Area (576 O'Loane Avenue)  
R1(5)-38 as shown on Schedule "A", Map 1A

- b) Minimum setback  
       - O'Loane Avenue 10.5m
- c) Maximum building height 11.5m

4. That By-law 201-2000 as amended, be further amended by adding to Section 6.4, being the Exceptions of the Residential Second Density Zone the following:

"6.4.45 a) Defined Area (576 O'Loane Avenue)  
       R2(2)-45 as shown on Schedule "A", Map 1A

- b) Minimum setback  
       - O'Loane Avenue 10.5m
- c) Maximum building height 11.5m

5. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

"8.4.15 a) Defined Area (Blocks 108 & 109 - 576 O'Loane Avenue)  
       R4(2)-15 as shown on Schedule "A", Map 1A

- b) Permitted Uses
- apartment dwelling
  - back to back townhouse dwelling
  - nursing home
  - quadruplex dwelling
  - seniors' apartment dwelling
  - stacked townhouse dwelling
  - street townhouse dwelling
  - townhouse dwelling

c) For the purposes of the Defined Area, minimum lot area, lot frontage, lot depth and setbacks are deemed to be to the exterior boundary of the Block.

d) Minimum setback

- O'Loane Avenue	10.5m
e) <u>Minimum Density</u>	25 uph
f) <u>Maximum Density</u>	65 uph
g) <u>Minimum Lot Area – interior lot – apartment dwelling, back to back or stacked townhouse dwelling</u>	605 m <sup>2</sup>
h) <u>Minimum Lot Area – corner lot – apartment dwelling, back to back or stacked townhouse dwelling</u>	680 m <sup>2</sup>
i) <u>Minimum Lot Frontage –interior lot – apartment dwelling, back to back or stacked townhouse dwelling</u>	18m
j) <u>Minimum Lot Frontage –corner lot – apartment dwelling, back to back or stacked townhouse dwelling</u>	21m
k) <u>Minimum Lot Depth</u>	36m
l) <u>Minimum Front Yard Depth / Exterior Side Yard Width</u>	4.5m
m) <u>Minimum Front Yard Depth / Exterior Side Yard Width to a garage</u>	6.0m
n) <u>Minimum Side Yard Width</u>	1.5m
o) <u>Minimum Rear Yard Depth</u>	6.0m
p) <u>Maximum Building Height</u>	13.5m
p) <u>Maximum Lot Coverage</u>	40%

6. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

"8.4.16 a) Defined Area (Block 109 - 576 O'Loane Avenue)  
R4(2)-16 as shown on Schedule "A", Map 1A

b) Permitted Uses

- apartment dwelling
- back to back townhouse dwelling
- nursing home
- quadruplex dwelling
- seniors' apartment dwelling
- stacked townhouse dwelling
- street townhouse dwelling
- townhouse dwelling

c) For the purposes of the Defined Area, minimum lot area, lot frontage, lot depth and setbacks are deemed to be to the exterior boundary of the Block.

c) Minimum Lot Area – interior lot – apartment dwelling, back to back or stacked townhouse dwelling 605 m<sup>2</sup>

d) Minimum Lot Area – corner lot – apartment dwelling, back to back or stacked townhouse dwelling 680 m<sup>2</sup>

e) Minimum Lot Frontage –interior lot – apartment dwelling, back to back or stacked townhouse dwelling 18m

f) Minimum Lot Frontage –corner lot – apartment dwelling, back to back or stacked townhouse dwelling 21m

g) Minimum Lot Depth 36m

h) Minimum Front Yard Depth / Exterior Side Yard Width 4.5m

i) Minimum Front Yard Depth / Exterior Side Yard Width to a garage 6.0m

j) Minimum Side Yard Width 1.5m

k) Minimum Rear Yard Depth 6.0m

l) Maximum Building Height 13.5m



m) Maximum Lot Coverage 40%

n) Maximum Number of Stories 2.5

7. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

"8.4.17 a) Defined Area (576 O'Loane Avenue)  
R4(2)-17 as shown on Schedule "A", Map 1A

b) Permitted Uses

- quadruplex dwelling
- street townhouse dwelling
- townhouse dwelling

c) Minimum setback  
- O'Loane Avenue 10.5m

d) Minimum Rear Yard Depth 9.0m

e) Maximum Building Height 13.5m

8. That By-law 201-2000 as amended, be further amended by adding to Section 8.4, being the Exceptions of the Residential Fourth Density Zone the following:

"8.4.18 a) Defined Area (576 O'Loane Avenue)  
R4(2)-18 as shown on Schedule "A", Map 1A

b) Permitted Uses

- quadruplex dwelling
- street townhouse dwelling
- townhouse dwelling

c) Maximum Building Height 13.5m

9. To be completed by the Clerks Department

## Schedule "A" to By-law \_\_\_\_-2017

576 O'Loane Avenue

