

MANAGEMENT REPORT

Date: June 27, 2024
To: Mayor and Council
From: Alexander Burnett, Planner
Report Number: COU24-068
Attachments: Public Correspondence Received to June 17, 2024

Title: Zone Change Application Z01-24 for 93 Trinity Street & 266 King Street in the City of Stratford

Objective: The purpose of this report is to describe the application submitted by Baker Planning Group, c/o Caroline Baker, for the lands known municipally as 93 Trinity Street & 266 King Street.

The Zone Change application requests to rezone the property from a Factory District (I4) zone that permits a variety of industrial uses, to a Site Specific Residential Fifth Density (R5(3)-___) Zone to permit Cluster Townhouse Dwellings in addition to all other uses permitted in the R5 zone. The Zone Change application is also requesting Site specific general provisions including a reduced parking rate, a maximum height of 36 metres (which would equate to 10 storeys as proposed), and reduced setbacks for the existing and proposed residential buildings.

This proposed change would facilitate the future development of the subject lands into a residential neighbourhood consisting of eleven residential buildings and 382 dwelling units.

As part of the complete Zone Change Application, the following documents were submitted:

- Planning Justification Report
- Traffic Impact and Parking Study Report
- Land Use Compatibility Assessment
- Noise Feasibility Study
- Heritage Impact Brief
- Urban Design Report
- Functional Servicing Report
- Geotechnical Report

Background: The site is located on the south side of Douro Street between Trinity Street and King Street. The subject lands are legally described as all of Lots 501-504, 531-534, 551-558, 575-582, 599, 600, 630-632, 649-651 and 656 of Part of College Street (Closed), Registered Plan No. 47, City of Stratford.

The subject lands are predominantly vacant, having been used as an Industrial factory previously (93 Trinity Street). 266 King Street is currently used as a single detached residential dwelling.

Site Characteristics:

Characteristic Information	Details
Frontage	Approximately 169m
Depth	Approximately 200m
Area	Approximately 28,500m ² (2.85 hectares)
Shape	Irregular

Official Plan Designation:

Schedule A: Industrial Area

Factory District Area

Schedule C: SPP Significant Threat Area

Schedule D: Collector (Douro Street) and Local (Trinity Street & King Street)

Schedule E: Heritage Area

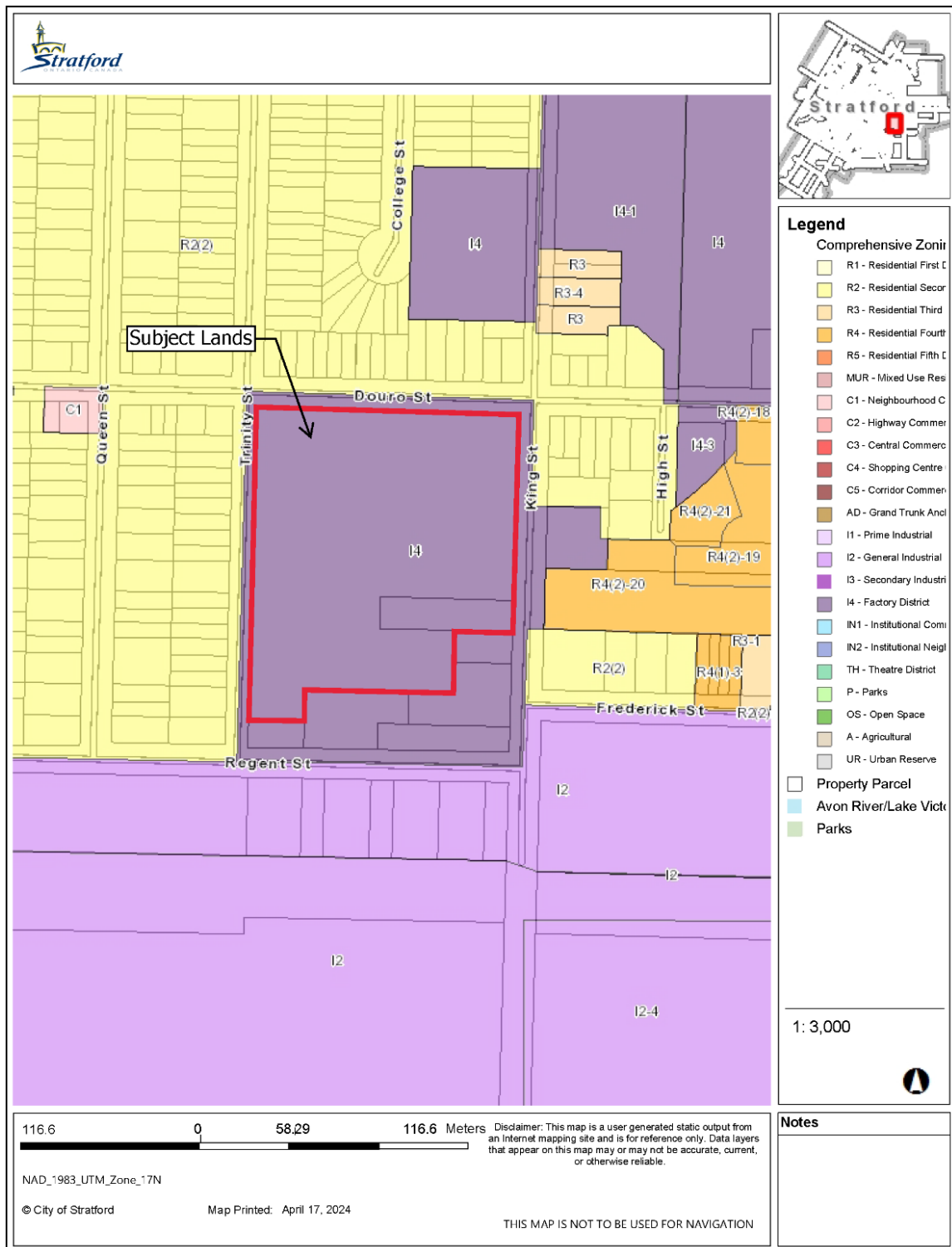
Zoning By-law:

Factory District (I4) Zone

Surrounding Land Uses:

Direction	Use
North	Residential
East	Residential, Industrial
South	Industrial
West	Residential

Location and Zoning Map:



Excerpt from Official Plan – Schedule A (Land Use):



Agency and Public Comments

Agency Comments

The application was circulated to all required agencies on April 17, 2024. The following comments have been received to date:

- City of Stratford, Building Services
 - Zoning By-law Amendment:
 - Clarification required about whether steps/stairs that provide access to the front of the building are included in the encroachment relief asked in item 3 of the attached Zone Change Amendment? Currently only noting balconies, porches and decks. Building K on the Site Plan, which is a stacked town, looks to have steps/stairs to the front entrances as noted on the renderings provided in the Planning Justification Report.

- General Comments for the Applicant:
 - This application is currently for a Proposed Zone Change, Building Division is only reviewing items relating to the Zone Change Application at this time and may have further requirements noted at time of Site Plan Application once application is submitted and reviewed.
 - Proposed distances to property lines may require additional measures under the Ontario Building Code (OBC) to be taken into consideration from the qualified designer for Spatial Separation requirements. This will be reviewed at time of Building Permit Application.
 - Any existing encroachments that are currently projecting over property lines will require encroachment agreements to be obtained.
- City of Stratford, Infrastructure Services Department – Engineering Division
 - Engineering does not object to the zone change provided that the development can be serviced as outlined in the Functional Servicing Report.
- Upper Thames River Conservation Authority
 - No objections or requirements for this application.
- CN Rail (Staff note that CN's comments herein, received by the City May 9th, 2024, pertain to the previously submitted Formal Consultation process for this proposal. As of the date of finalizing this report CN has yet provided comments on the subject Zone Change Application, however the below comments capture CN's concerns with this proposal.)
 - The Freight Rail Yard is a Class III facility per the D-series guidelines.
 - The 2020 PPS, per policy 1.2.6.1 and 1.2.6.2 of the PPS requires that a needs and alternatives test be completed in addition to assessing impacts from the industry and impacts on sensitive uses. This assessment was not provided as part of the land use compatibility review.
 - The FCM-RAC Guidelines note that sensitive uses should be prohibited 300 m away from the property line of the freight rail yard. This is consistent with the D-series Guidelines.
 - Table 4.5 – Facilities within the Minimum Separation Distance lists CN Rail as 117 metres from the site. Measuring property line to property line, the distance is approximately 37 metres. The D-series guidelines are based on potential impacts measured at the property line unless controlled by zoning. As zoning does not apply to CN Rail operations, confirmation is required regarding what assumptions were used for the 117-metre measurement.
 - Was an Air Quality and odour study conducted? Table 4.6 notes air and dust analysis only, based on desktop observations, curbside observations

and “experience with similar entities.” While CN Rail’s main focus is on impacts from noise and vibration, adverse effects from odour are a land use planning consideration for the applicant.

- Should the development satisfy the concerns noted above a Development Agreement securing any required noise, vibration and air quality mitigation will be required to be executed prior to approval (i.e. prior to the zoning bylaw being adopted/enacted by Council).
- Should the development satisfy the concerns noted above an Easement Agreement with respect to emissions from CN Rail will be required to be executed prior to approval (i.e. prior to the zoning bylaw being adopted/enacted by Council).

Although a more comprehensive assessment will be detailed in a forthcoming Management Report, Planning Staff are cognizant of the concerns raised by CN. However, it is also recognized that the City’s Official Plan supports the transition of this area from industrial to residential use, contingent upon ensuring that this transition does not adversely affect the remaining industrial activities in the vicinity. Planning Staff agree that appropriate measures will need to be implemented to mitigate any nuisance impacts effectively.

Discussions have also taken place with the City’s Fire Department regarding the proposed development’s impact on the City’s firefighting ability. When evaluating development proposals, the City’s Fire Department upholds strict criteria based on the Ontario Building and Fire Codes, including sprinkler systems, number of exits, areas of refuge, fire separation ratings, standpipe or fire dept connections, and accessible water supplies and flows. These criteria are evaluated as part of the Site Plan Approval and Building Permit process. The City’s aerial truck can project water onto the roof of a 10-storey building and as such, the City’s Fire Department has no concerns with the current Zone Change application.

Any agency comments received after the finalization of this report will be provided to Council. All agency comments will be reviewed, analysed, and responded to in the subsequent report to Council.

Public Comments

Notice of the Application was also sent to surrounding property owners on April 26, 2024, and Notice of Application was also published in the Town Crier section of the Beacon Herald on April 27, 2024, all in accordance with the requirements of the *Planning Act, R.S.O., 1990, c. P.13*. Notice of the reschedule public meeting was sent to surrounding property owners on May 31, 2024 and also published in the Town Crier section of the Beacon Herald on June 1, 2024, in accordance with the requirements of the *Planning Act, R.S.O., 1990, c. P.13*.

As of the date that this report was finalized, 23 letters from the public have been received in response to the Zone Change application. These letters have been attached

at the end of this report and will be reviewed, analysed, and responded to in the subsequent recommendation report to Council.

Any additional public comments received after the finalization of this report will be provided to Council. All public comments will be reviewed, analysed, and responded to in the subsequent recommendation report to Council.

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 planning decisions within the Province of Ontario are required to be consistent with the Provincial Policy Statement, 2020 (PPS). Section 1 of the PPS directs focus on the importance of building strong healthy communities. Section 3 of the PPS provides direction on the wise use and management of resources.

Employment Areas

The PPS guides the protection and preservation of employment areas for current and future uses. Included in this direction are policies for the conversion of lands within employment areas to non-employment uses. Section 1.3.2.5 of the PPS sets forth criteria for the conversion of existing employment areas to non-employment uses beyond a comprehensive review. As per Section 4.91 of the City's Official Plan, lands within the Factory District Area will be encouraged to convert to residential uses, provided that the buildings are no longer required or in demand for industrial purposes and that the proposed residential uses do not conflict with the remaining industrial uses in the area. As the existing building is vacant and not planned for any future industrial use, and planned infrastructure and public services are available to accommodate the proposed residential use, the proposal meets the employment Area policies of the PPS.

Resilient Development and Land Use Patterns

The PPS promotes direction on managing change and promoting efficient land uses and development patterns. Healthy, liveable, and safe communities are sustained by efficient land use patterns and development that sustain the financial well-being of the province and municipalities as well as the promotion of the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns and standards to minimize land consumption.

The proposal can be considered efficient development as it is an adaptive re-use of an existing, vacant building and site. The proposed residential use will contribute to the sustained financial well-being of the municipality and redevelopment of the neighbourhood. Additionally, the policy direction indicates that developments are to ensure the necessary infrastructure and public service facilities are, or could be, made available to meet the current and projected needs of the proposed development. The

subject lands are located along Douro Street between Trinity and King Street, which are in proximity of the Downtown Core and offer full municipal services.

Settlement Areas

The PPS states that settlement areas are to be the focus of growth and development. The City of Stratford is identified as a settlement area under the PPS. The proposal is to re-purpose an existing vacant building and site located in proximity to the downtown core and has access to municipal services.

Land Use Compatibility

The PPS directs developments to avoid potential adverse effects from odour, noise and other contaminants on the surrounding neighbourhood. The proposed development would establish a residential use in an industrial zone that previously was used as a factory. Land use compatibility concerns will be addressed as part of Planning's recommendation report to Council.

Long Term Economic Prosperity

The PPS promotes the long-term economic viability of communities by encouraging optimized land development, community investment, and sustainable tourism. The re-purposing of the vacant building and site in proximity of the Downtown Core for residential use will positively impact the long-term economic viability of the City.

Cultural Heritage

The PPS directs municipalities to conserve significant built heritage resources. The subject property is not located within the City's Heritage Conservation District (HCD) and is not designated as a Part IV designated property under the Ontario Heritage Act. However, the proposal includes the adaptive re-use of the existing vacant building in the effort to conserve the heritage attributes of the property and neighbourhood.

City of Stratford Official Plan

The subject lands are designated "Industrial Area" in the City of Stratford's Official Plan and further identified as being within the "Factory District Area" special policy area and "Heritage Area" on Schedule "E".

Goals and objectives of the Industrial Area Designation include the continued development of manufacturing and industrial services, efficient use of the City's infrastructure, and protection of employment areas. In addition, as the subject lands are within the Factory District Area, the proposal is subject to the policies of Section 4.9 of the Official Plan. The Factory District Area policies of the Official Plan encourage the conversion of former industrial sites into residential uses, provided that the buildings are no longer required or in demand for industrial purposes and that the proposed residential uses do not conflict with the remaining industrial uses in the area. Further, the conversion of lands within the Factory District Area to residential use does not require a comprehensive review in accordance with Section 3.2.4 of the Official Plan. As such, it is anticipated that the conversion to residential use will conform to the Industrial Area and Factory District Area policies of the Official Plan.

Heritage Area

The subject lands are subject to the Heritage area policies of the Official Plan, which ensure that where infill is proposed in Heritage areas or corridors, the inherent heritage qualities of the area or corridor are retained, restored, or enhanced. The applicant is proposing to repurpose the existing vacant buildings on the subject lands into residential uses, while retaining the heritage attributes of the buildings and character of the neighbourhood. Preservation of the property will maintain the continuous heritage frontage along Douro and Trinity Street and meets the Heritage goals of the Official Plan.

Other policies may apply.

City of Stratford Zoning By-law

The subject lands are zoned Factory District (I4) Zone. The zone change application requests to amend sections 4.20.1, 4.30.1, 5.1, 6.2, and 6.4.5, which include Permitted Yard Encroachments, Minimum Parking Space Requirements, Permitted Uses in Residential Zones, and Regulations in the Residential Fifth Density (R5) Zone. The request is to change the Factory District (I4) Zoning to Residential Fifth Density (R5) Zoning and add the following:

- To add the uses of "Cluster Townhouse Dwellings" to the currently permitted uses, in addition to all other uses permitted in the R5 Zone.
- Notwithstanding Section 3, the lot lines shall be deemed as follows:
 - a) Douro Street – Front Lot Line
 - b) Trinity Street – Exterior Side Lot Line
 - c) King Street – Exterior Side Lot Line
- Notwithstanding Section 4.20.1, balconies, porches, and decks are permitted to encroach into the required front yard setback and exterior side yard setback and shall be no closer than 0 metres from the lot line of an existing building.
- Notwithstanding Section 4.20.1, architectural adornments including but necessarily restricted to, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, and pilasters, shall be no closer than 0 metres from any lot line to an existing building.
- Notwithstanding Section 4.30.1, a walkway connecting to a dwelling unit shall have a maximum width of 2.0 metres.
- Notwithstanding Section 5.0, off-street parking shall be provided as follows:
 - a) Studio/1 Bedroom Dwelling Unit: 0.75 parking spaces/unit
 - b) 2 and 3-Bedroom Dwelling Unit: 1 parking spaces/unit
 - c) Cluster Townhouse Dwelling: 1.5 parking spaces/unit
- Notwithstanding Table 5.5.1, one (1) loading space per 100 dwelling unit is required.
- Notwithstanding Table 6.4.5:
 - a) Maximum Density: 1.5 Floor Space Ratio
 - b) Maximum Lot Coverage: 45%
 - c) Maximum Height: 36 metres

- d) Minimum Front Yard Depth:
 - i) Existing Buildings: 0 metres
 - ii) New buildings: 4.5 metres
- e) Minimum Exterior Side Yard Width:
 - i) Existing Buildings: 0 metres
 - ii) New buildings: 1.5 metres
- f) Minimum setback to a property line for any building or structure greater than 22 metres: 18 metres
- g) Minimum Rear Yard Depth:
 - i) Cluster Townhouse: 4 metres
 - ii) Apartment Building: 7.5 metres
- For the purposes of the R5(3)-XX Zone, Floor Space Ratio shall mean the figure obtained when the gross floor area on a lot is divided by the lot area. Only gross floor area that constitutes a storey shall contribute to the calculation of the Floor Space Ratio.

Height

The existing vacant buildings on the subject lands have an approximate height of 15 metres. The current Factory District (I4) Zoning permits a maximum height of 30 metres. The proposal requests to increase the maximum height for the Residential Fifth Density (R5) Zone to 36 metres, to facilitate the development of a 10-storey apartment building.

Parking

The applicant is proposing to develop 382 dwelling units on the subject lands, consisting of a combination studio, 1–3-bedroom apartments, and townhouse dwellings. Based on the current minimum parking requirements in the City's Zoning By-law, the proposed development will require 495 parking spaces. The applicant is requesting reduced parking requirements for each type of dwelling, for a total of 393 parking spaces on the site. This is relief of 102 parking spaces that the applicant states will assist with reducing overall land and construction costs.

Yard Setbacks

As part of the Zone Change application, the applicant is requesting various site-specific provisions to reduce yard setbacks on the site. This request for reducing the minimum yard setbacks on the site includes front and exterior yard setbacks of 0 metres, to facilitate the conversion of the existing buildings being located on the property line to residential use.

Site Plan Requirements

As per the City of Stratford's Site Plan Control By-law, the development of the subject lands to residential use will require Site Plan Approval.

Financial Implications:**Not applicable:**

The financial implications of this application, if any, will be included in the final report.

Alignment with Strategic Priorities:**Not applicable:**

Alignment with the City's Strategic Priorities will be included in the final report.

Alignment with One Planet Principles:**Not applicable:**

Alignment with the City's One Planet Principles will be included in the final report.

Staff Recommendation: THAT Council hear all interested persons with respect to Zoning By-law Amendment Application Z01-24 for 93 Trinity Street and 266 King Street in the City of Stratford.

Prepared by:

Alexander Burnett, Planner

Recommended by:

Adam Betteridge, MPA, MCIP, RPP, Director of Building and Planning Services

Joan Thomson, Chief Administrative Officer