

## PLANNING REPORT

**Date:** December 16, 2024  
**To:** Mayor and Council  
**From:** Juliane vonWesterholt, BES, MCIP, RPP Consulting Planner  
**Report Number:** COU24-152  
**Attachments:** Official Plan Amendment;  
Zoning By-law Amendment;  
Draft Plan of Subdivision 31T-2201 Conditions.

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**Title:** Draft Plan of Subdivision 31T22-001; Official Plan Amendment OPA001-22;  
Zoning By-law Amendment Z07-22, Paradize Properties Development Ltd. Part of  
Lot 41, Concession 1 in the former Township of Easthope, County of Perth

### Objective:

- The purpose of the report is to provide a planning recommendation regarding a Draft Plan of Subdivision, an Official Plan Amendment, and a Zoning By-law Amendment to allow the subject lands to be developed with a residential subdivision which proposes 68 freehold townhouse lots.
- Planning staff recommends approval of the Official Plan Amendment (OPA) and Zoning by-law Amendment (ZBA).
- Planning staff recommends approval of the Draft Plan of Subdivision together with the OPA and ZBA applications, the approval should be subject to the conditions appended to this report.
- Community engagement included:
  - installation of a notice signs on the property.
  - a notice of application circulation letter to 23 property owners within 120 metres on September 26, 2022.
  - a public meeting was held on December 7, 2022, discussions with interested members of the public.
  - a notice of the statutory public meeting sent to all property owners within 120 metres; and

- notice of the public meeting was given in The Beacon Herald on November 12, 2022.
- This report supports the delivery of core services.

## **Background:**

Paradize Properties Development Ltd. has requested draft approval of a plan of subdivision together with the approval of an Official Plan Amendment and a Zoning By-law amendment to designate and zone the subject lands for medium density residential land use. The subject lands are located on the eastern boundary of the City with the Township of Perth East, have an area of 2.73 hectares with 175m of frontage along Perth Road 111, are currently vacant and being farmed.

### Background reports

A Planning Justification Report, a Functional Servicing Report, a Traffic Impact Study, a Stormwater Management Report and a Noise and Vibration Study and Geotechnical Study were submitted in support of the application. These reports have been updated and revised as part of the third submission, dated August 28, 2024, in response to public and agency comments.

### Surrounding Land Uses

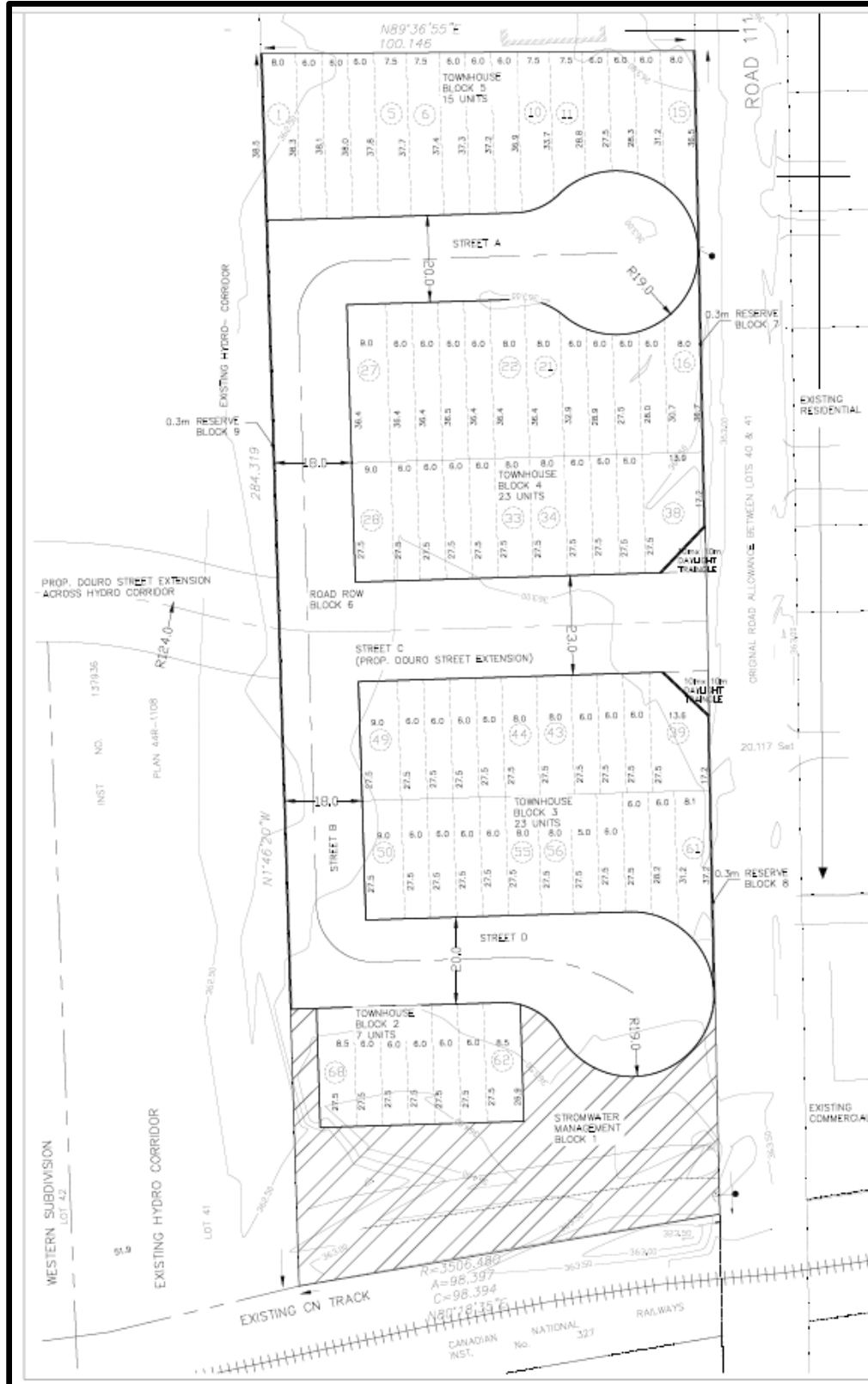
Lands to the north include commercial uses. A single detached rural dwelling and an industrial metal fabricating business (Benmet Steel) is located to the east. The CN rail corridor is located to the south of the subject lands, while a hydro corridor is located immediately to the west with a proposed plan of subdivision (Cachet 31T21-001) on lands further to the west of the hydro corridor.

### Plan of Subdivision

The proposed plan of subdivision contains 68 street townhouse dwelling lots and one storm water management block. The proposed plan of subdivision includes four new local streets with one central access point to County Road 111. This centrally located street will connect to the lands to the west of the hydro corridor and easterly to Perth County Road 111 to form the extension of Douro Street. Lot frontages for the street townhouses range from approximately 6 m to 14 m. No parkland has been provided as part of the plan of subdivision and the 5% cash-in-lieu of parkland payment is proposed instead.

A noise berm is located at the southern portion of the subdivision to mitigate noise and provide safety from the CN railway located to the south of the subject lands. In addition to the noise berm, a 2.1 m high acoustical fence (noise wall) is proposed along the eastern property line along the County Road 111 frontage to mitigate road noise and stationary noise from the Benmet Steel.

Third and Final submission of Draft Plan of Subdivision



## Official Plan

The lands were annexed and incorporated into the City of Stratford limits in 2016 and are located between the boundary of the East Secondary Plan and the City limit. The area has not been designated in the City's Official Plan and as a result, continues to retain an Urban Fringe designation from the County of Perth Official Plan. An Official Plan amendment is required to re-designate the lands to a Medium Density Residential designation in the City of Stratford Official Plan.

The applicant is proposing to apply the Medium Density Residential Designation with a Special Provision to allow a maximum of 65 units per hectares which aligns with the proposed R4 zoning. The provisions as found in the adjacent East Secondary Plan, would allow for a minimum density of 25 units per hectare, a maximum density of 100 units per hectare, a maximum height of 6 storeys and a minimum of 40% of new housing units being in forms other than single detached dwellings. The proposed Medium Density with a Special Provision would permit a maximum of 4 storeys and a maximum density of 65 units per hectare in consistency with the Medium Density Residential (R4) zone.

Section 11.3.2 outlines the applicable Medium Density Residential policies in the Secondary Plan. The Secondary Plan policies of this designation refer back to Sections 4.5.3.2, 4.5.3.3 and 4.5.3.4 of the Official Plan, with the exception that the maximum density per net hectare, which shall be 100 and the maximum height being six storeys.

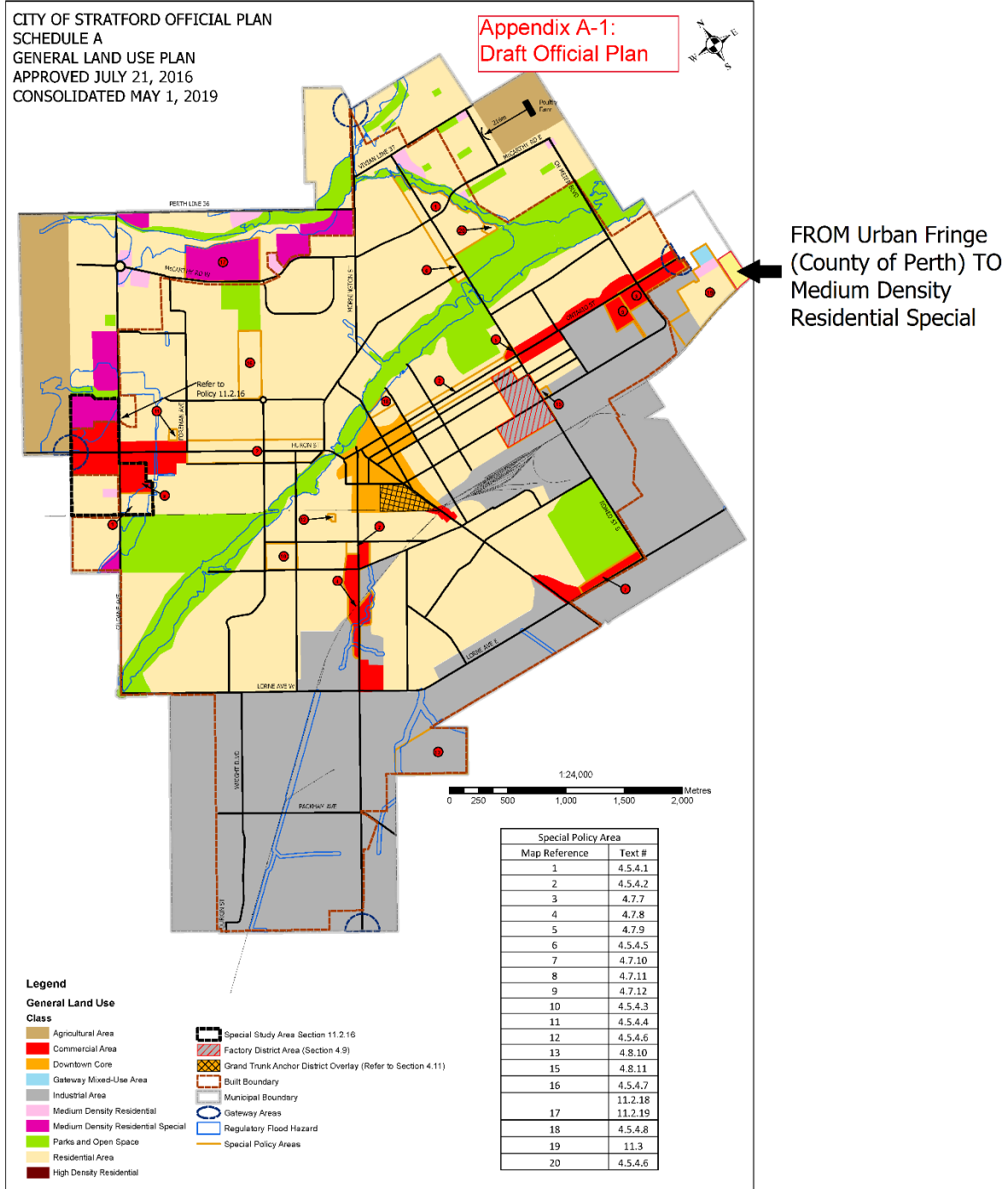
To achieve the target of 25% of new housing to be affordable to low- and moderate-income households as set out in Policy 3.4.1 vi) a mix of housing types and sizes shall be developed within the Residential designation with a minimum of 40% of new housing units being in forms other than single detached dwellings. The applicants have applied for 68 freehold street fronting townhouses which help achieve the target of 25% of new housing to be low to moderate income households and also provides for a built form other than single detached residential.

In accordance with the policies 11.3.3.3 a traffic study was prepared and circulated to the appropriate agencies including the Township of Perth East, who provided comments during the circulation. This plan also implements the policy direction of Section 11.3.3.4 which requires that an east-west collector road connects to Road 111. As will be discussed in the policy review section, the extension of Douro Street or "Street C" in the plan of subdivision will achieve this objective.

Further, to ensure compatibility of land uses in accordance with Policy 11.3.5, a Noise and Vibration study was completed by Vintec Acoustics and the recommendations of the study are to be implemented through appropriate draft plan approval conditions. These measures include a 2.0m noise berm along the southern perimeter of the subdivision for vibration and noise emanating from the CN Railway and a 2.1-metre-high acoustical barrier along the eastern property line adjacent to Road 111 for road noise and stationary noise from a nearby metal fabricating industrial use (Benmet Steel). All

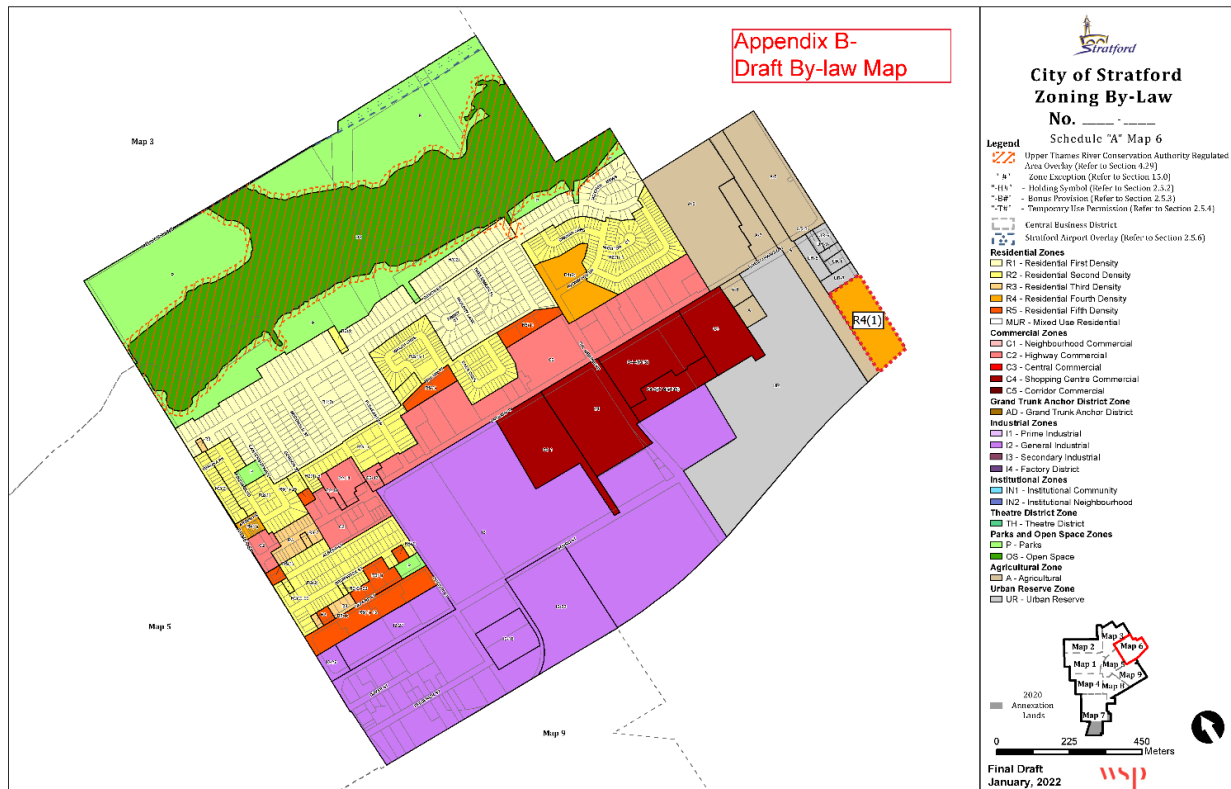
appropriate mitigation measures will be implemented through the plan of subdivision conditions.

Proposed Amendment to Official Plan Schedule 'A', General Land Use Plan



## Zoning Bylaw Amendment

The intent of the proposed zone change application is to rezone the subject lands from an Urban Reserve (UR-4) Zone to a Residential Fourth Density R4(1) Zone. The Residential R4(1) Zone permits street townhouse dwellings with a minimum lot area of 180 m<sup>2</sup> and a minimum lot frontage of 6 m.



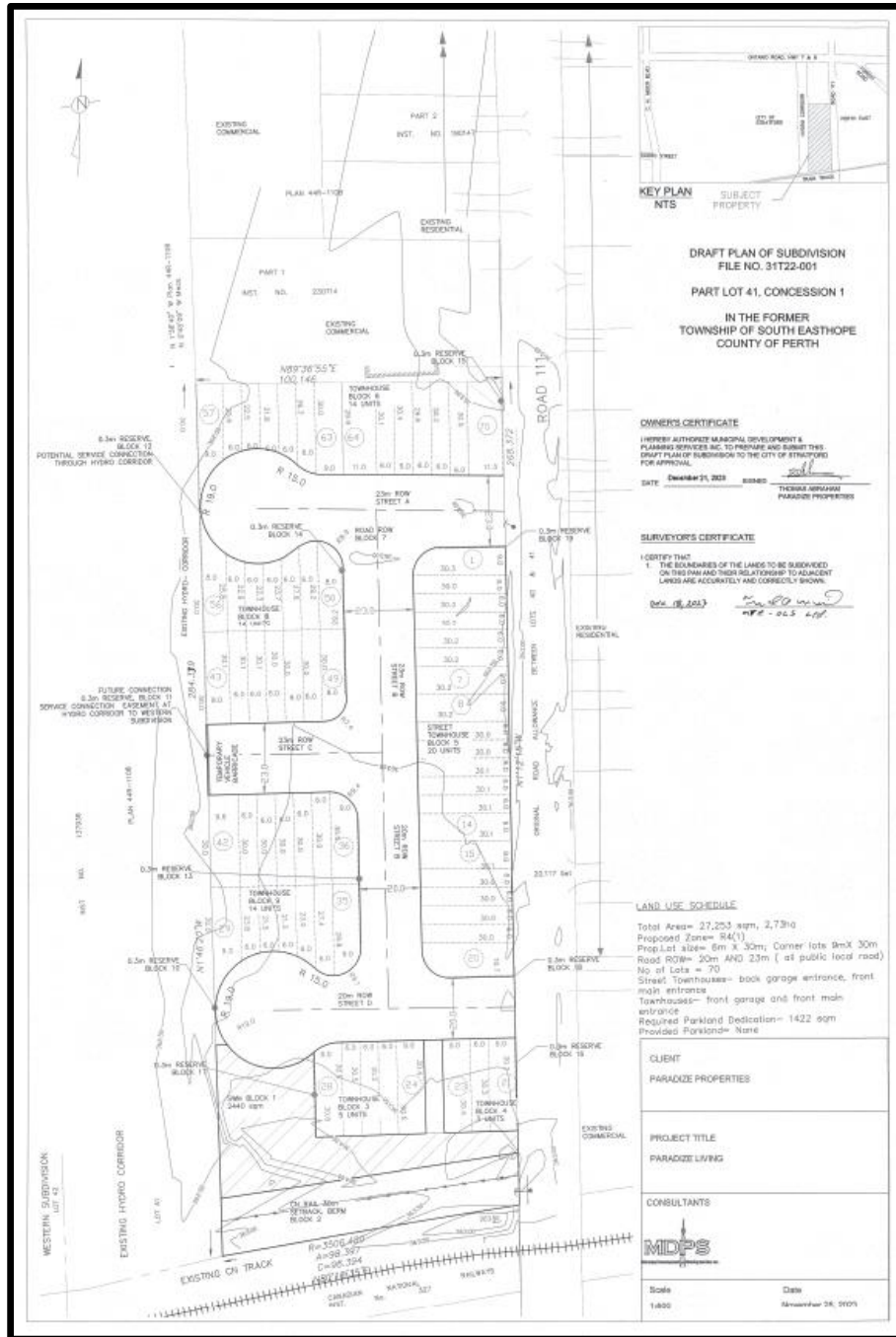
## Background/ Applications

The subject applications were submitted in June of 2022 and finally received and deemed complete on July 28, 2022, and subsequently circulated to commenting agencies and departments, as well as the property owners within 120m of the subject lands.

A public meeting was held in consideration of these applications on December 7, 2022.

Since the initial circulation, the plan has been slightly revised to address some of the comments from the commenting agencies or departments and was resubmitted on December 22, 2023, after addressing staff comments supplied in February 2023. The Second submission was recirculated in January 30, 2024 and shown below.

Draft Plan Second submission



The 2023 plan shows two entrances from County Road 111 to two separate Cul-de-Sacs (Streets A and D connected via Street B and Douro Street (Street C) extending from the west (Cachet Lands) through the hydro corridor and ending in a "T" intersection.

Subsequently, two 'in-person' meetings were held with the ownership group, City staff and the consultant for the owners to discuss the plan in more detail.

At these meetings, City staff including consulting planners from MHBC Planning, discussed the merits of the application and identified concerns with the design concept presented. Concerns over the design of the plan were identified including the somewhat inefficient layout of the plan of subdivision recognizing that the site has some constraints, such as the hydro corridor to the west with limited access to County Road 111 to the east and the CN rail lands to the south.

The following concerns were raised by staff at both meetings with the applicants:

- Homogeneous nature of the development with only one built form option for the entire subdivision, which does not provide a variety of housing options;
- The proposed lot sizes are rather large and with the land dedicated to public road in a subdivision reduces the density potential for these lands;
- A significant amount of land was proposed for roads, which is a less efficient use of the lands and requires the municipality to assume additional infrastructure and long-term maintenance costs;
- Location for visitor parking and lack of amenity space was raised during the meetings.

### **Alternative option for Development of the lands**

Staff presented an alternative to the plan of subdivision for the development of the subject lands. The design of the subject lands in the form of a Vacant Land Condominium (VLC), despite the known constraints mentioned above, identified a conceptual plan that consisted of additional density with a variety of medium density-built form options, fewer and narrower roads not to be assumed by the municipality and opportunities for the provision of some private amenity space with sufficient visitor parking.

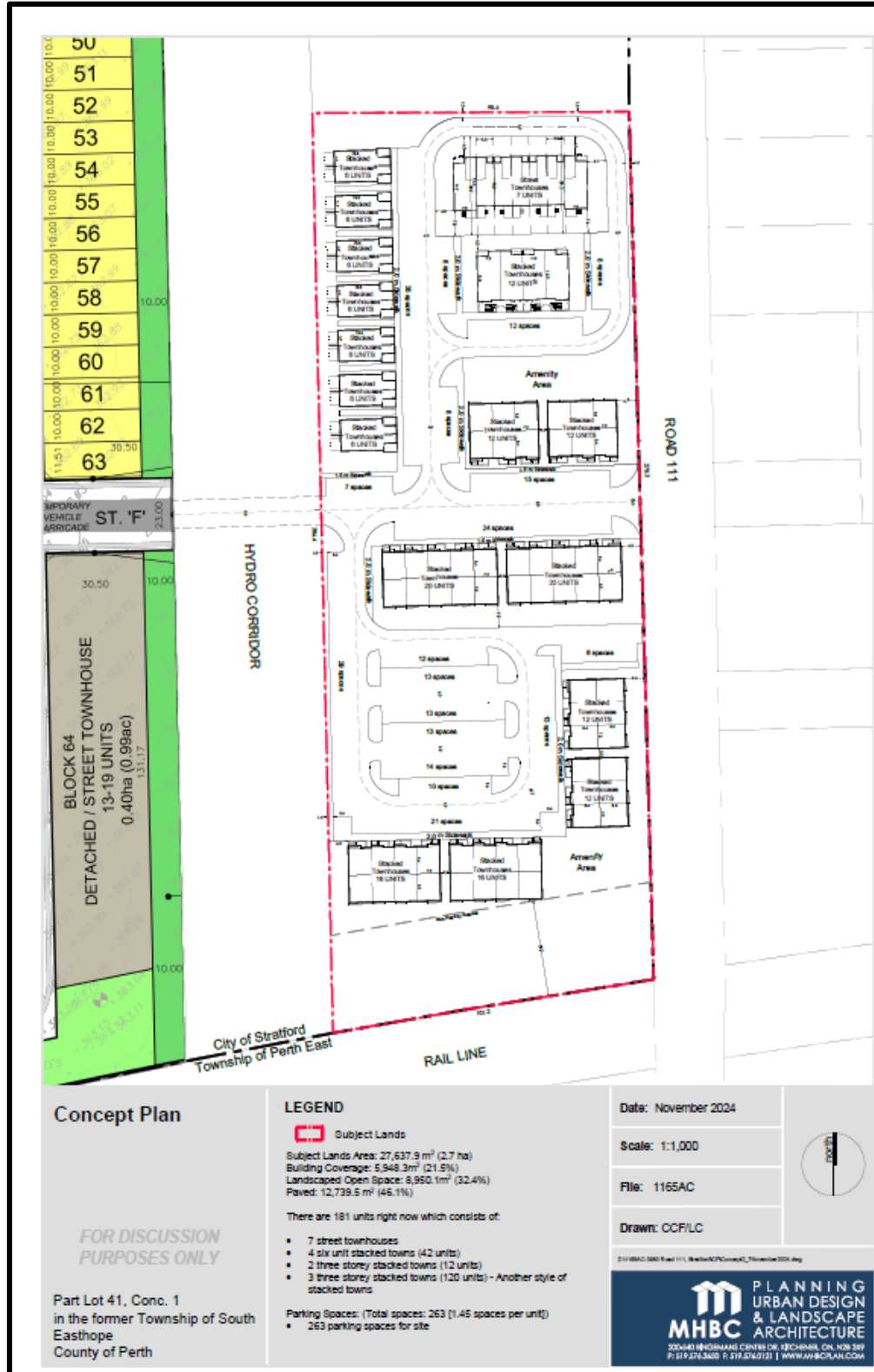
The applicants were advised of the benefits of the VLC over a plan of subdivision, as outlined above, for their consideration. An example of a design for the subject lands as a Vacant Land Condominium similar to the one presented to the applicants is provided for Council's information below.

The concept below shows the following densities and are for illustrative purposes only to demonstrate alternatives for development of the lands.

- 7 street townhouses
- 4 four 6-unit stacked towns (42 units)
- 2 three storey stacked towns (12 units)
- 3 three storey stacked towns (120 units) - Another style of stacked towns
- Parking Spaces: Total spaces: 263 (1.45 spaces per unit)



**Figure 2- Conceptual Vacant Land Condominium Plan**



Despite several meetings with the owners and their consultants, the plan of subdivision is being pursued together with a zoning by-law amendment to create 4 internal roads that constitute approximately a third of the area of the site and 68 street fronting towns.

The third submission was received by the City on August 28, 2024. The plan did not significantly change from the second submission, but the orientation of the streets was inverted on the plan and there was only one road "Street C" (Douro Street) intersecting with County Road 111 to address the comments raised by the Township of Perth East. The third submission showed 68 street-fronting townhouse units rather than 70 units, as shown in the second submission and showed an extension of Douro Street to County Road 111 with Cul-de-Sacs (Streets A and D) from either side of Douro Street. (see applicant's draft Plan on Page 3 of the report).

Further conversations occurred with the applicant's consulting planner, to explore other zoning options to provide more flexibility for additional built form options besides street fronting townhouses, and to confirm the applicant wishes to pursue the plan of subdivision approach. A last alternative was presented by Staff to the applicants, which involved the creation of large blocks for development and the extension of Douro Street via Plan of subdivision with a more flexible and broader R4 zone, to provide a variety of medium density built-form options for development of these lands besides the street fronting townhomes proposed by the applicants.

This Staff alternative was proposed to eliminate the need for further Official Plan or Zoning approvals should a potential new owner wish to develop the lands within a "medium density" designation in a different manner. For instance, the lands, could be developed via vacant land condominium or site plan or a combination thereof rather than a plan of subdivision, as the road widths could be reduced and the densities as well as the variety of built form options such as stacked townhouses, back-to-back town houses and cluster towns or small 3 to 4 storey apartment walk ups could be considered for these lands.

As this property is somewhat isolated from the adjacent lands to the west due largely to the Hydro corridor, it is an ideal parcel with frontage along the County Road 111 for a broader range of mixed use-built form options including townhouses, stacked townhouses, back-to-back town houses, as well as semi-detached and small walk-up apartments up to 4 storeys. These lands, located on the fringe of the City, do not back onto other residential lands and are not within an established residential area.

## **REPORT:**

The applications seek approval of a draft plan of subdivision together with Official Plan and Zoning by-law amendments to permit the development of the subject lands with 68 free-hold townhouses. The subdivision proposed includes the creation of 4 new municipal streets which comprise approximately 34% of the total land area for the subject lands. The southerly most road (proposed Douro Street extension), which

transects the property in a west to east direction, will provide connection to lands planned for a residential subdivision to the west and to Perth County Road 111 to the east, which has a rural cross section and limited opportunities for additional access points.



*Image of subject lands facing west from Perth County Road 11*



*Image of the subject lands facing south toward CN railway lands.*

Lands immediately to the north on the western side of Perth County Road 111 contain an automotive service centre. Three residential lots are located further to the north of this commercial site, while the east side of the road contain a mix of industrial and residential uses including Benmet Steel and Metal and McKay Woodwork. To the east of these industrial uses, is Forest Road Stor-All.

The plan of subdivision will contain a storm water management pond and a railway berm to the south of the proposed extension of Douro Street, which acts as a buffer from the railway lands along the southern property line. This assists with noise mitigation and safety for the lots fronting onto (Street D) as it creates greater separation from the noise source.

In response to comments by CN Railway, a rail berm and naturalized buffer Block 1 is required along the south side of the subdivision for a 2.0 m high berm. This block will be improved with naturalized vegetation and dedicated to the City. Block 1 also contains the stormwater management pond to accommodate existing flows from the CN Railway and the Hydro One corridor. This Block is functionally necessary to manage storm water flows and noise mitigation and is not appropriate for dedication as parkland dedication and not acceptable to the Community Services Department. Parkland will be taken as 5 % cash in lieu. A park that is located within the Cachet lands to the west. The residents of this development will access to the park in the Cachet plan. As a result, the area has sufficient park space in proximity to the subject lands.

Requirements for a 2.1 m high noise attenuation wall along Perth County Road 111 will be determined and implemented at the detailed design stage and set out in the subdivision agreement as a condition of draft approval. The Noise wall will be located on private property, and it is recommended that the City request an easement and lumpsum payment from the landowner for the long-term maintenance of the noise wall. This will be further defined as a condition of draft plan approval.

### **Agency Comments**

Building Services -Indicated that the requirements/ recommendations of the Noise Study and Vibration Study are to be included as conditions within the Subdivision Agreement. Building staff had no concerns with the proposed OPA and ZBA. The following comments will form part of the conditions of draft plan approval:

- A Record of Site Condition will be required prior to submission of Building Permits.
- Geotechnical Soils Report of all excavation are required to be submitted to the Building Inspector at time of excavation/footing inspection prior to the placement of concrete.
- Residential Foundation and Basement Designs are to be completed in conformance with the recommendations in the Geotechnical Investigation Report completed by MTE. These items will need to be addressed in the Building Design Drawings that are submitted for Building Permit Application: Foundation walls of proposed construction must be waterproofed in conformance with 9.13.3, qualified designer will be required to be meet these standards of the OBC with the Building Permit Application, and design of the foundation should reference the Geotechnical Investigation Report completed by MTE.
- Foundation Wall are to be designed by a P.Eng to resist lateral earth pressure.
- Groundwater levels as mentioned in this report are to be verified and confirmed for each building. Footing designs within the groundwater levels will need to be reviewed by a P.Eng.

Infrastructure Services- indicated that the collector "Street C" is required to include bike lanes. In addition, final versions of the Functional Servicing Report are to be provided. The Mullin Drain is to be abandoned, and the subdivision limits are to be adjusted accordingly. An easement shall be provided over the Hydro One corridor to extend water and sanitary services to the adjacent subdivision not including the CN lands. The owner must provide written confirmation of the easement and lastly, written confirmation from CN Railway is required to confirm their acceptance of the Stormwater Pond discharge. A Watermain Hydraulic analysis is required. Recommendations of the Noise and Vibration study shall be implemented.

All these matters have been addressed through appropriate draft plan approval conditions.

### Community Services – Parks

Permits will be required for any tree removals and a plan for residential tree plantings will be required. In addition, cash-in-lieu of 5% parkland will be required.

### Enbridge Gas Inc.

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/ developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

### Bell Canada

The plan is acceptable for a 9-1-1 data base.

### Canada Post

Canada Post has reviewed the proposal for the above noted Development and has determined that the completed project will be serviced by centralized mail delivery provided through Canada Post Community Mailboxes. Our centralized delivery policy will apply for any buildings of 3 or more self-contained units with a common indoor area. For these units the owner/developer will be required to install a mail panel and provide access to Canada Post.

Conditions for approval are included in the Draft plan Conditions of approval appended to this report.

CN Rail The subject site is located in proximity to the CN railway corridor. CN advised that with respect to the reduced setback, a minimum setback of 30 metres is required in conjunction with the safety berm to afford a maximum level of mitigation for residential uses. CN setback requirements are as per the recommendations developed by the Railway Association of Canada and the Federation of Canadian Municipalities. CN has reviewed the noise and vibration report, storm water management report and site plan for the subject site and are satisfied with the report.

Conditions for draft plan approval have been incorporated into the Appendix C of the report addressing CN's comments.

### Festival Hydro-no comments

HONI One- Prior to HONI providing its final approval, the developer must make arrangements that are satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor

and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.

Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.

At the developer's expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.

The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be at the expense of the developer. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.

All these matters have been addressed through appropriate draft plan approval conditions.

#### Township of Perth East

1. That the owner builds the abutting portion of Road 111 to the municipal standard including sidewalks and lighting, as required;
2. That no driveways for the plan of subdivision encroach on Road 111;
3. That the owner submits a Traffic Impact Study so that the Township can assess whether any further Right of Way and signaling improvements are warranted;
4. That Council direct staff to work with the City of Stratford to petition the MTO to implement better traffic control measures at the intersection of Road 111 and Line 34.

For your reference, the Perth East Design Standards can be found here <https://www.pertheast.ca/en/municipal-services/planning.aspx>.

Huron-Perth Catholic District School Board- no concerns

UTRCA- no objections

Public comments-Notice of Application was sent to adjacent property owners via a notice of application circulation letter. Letters were sent to 23 property owners within 120 metres on September 26, 2022. A public meeting was held on December 7, 2022.

Two written comments were received on the application from members of the public. One comment was in full support of the applications. The second letter expressed concerns over the potential for increased traffic and noise as well as potential glare from traffic.

The applicants were required to conduct a Traffic Impact Study. The Study prepared by MDPS demonstrated that the Douro Street extension (Street C) with County Road 111 can function according to an acceptable level of service and does not create detrimental impacts to the existing road network during the AM and PM peak hours of operation.

## **Policy Review**

### **Planning Act, R.S.O. 1990, c. P.13 25.**

#### **Section 2 Matters of Provincial Interest**

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development;

These matters of provincial interest are addressed and are implemented through the Provincial Planning Statement, 2024, as it directs how and where development is to occur. The subject lands are being proposed for more intensive development, and the location of the development is appropriate. The provision of street fronting townhouses will help the City achieve an adequate range of housing options. Section (2) also directs the provision of a full range of housing options. While a range can be provided throughout the City, this site is proposed only with a single built form, the street-fronting townhouse, which does not provide for a variety of housing options, which are available within a Medium Density designation. However, it is important to note that the approved Cachet subdivision (31T21-001) is located to the west of the hydro corridor and contains a variety of built form options and densities including a mixed-use block, single detached lots, street townhouses, a centrally located park and an industrial block. Together with the lands to the west the objective of achieving a variety of housing options is satisfied.

Although, the development of these lands as proposed, may not be the most efficient use of the lands, staff recognizes that there are constraints to the subject lands which



limits the type and scale of development possible. It is worthy to mention that with this design, there is a significant amount of road infrastructure (approximately 1/3 of the area of the property), which is expensive to develop and will be assumed by the municipality to maintain over the life of subdivision. This may have potential financial implications for the municipality, as the current development may not generate the as much development charges and /or the long-term tax base if other forms of development were contemplated.

The City's Official Plan is the most important vehicle for the implementation of the Provincial Planning Statement, 2024 and to ensure Provincial policy is adhered to. Therefore, the City of Stratford Official Plan policies were reviewed with regards to the achievement of the goals and objectives of PPS and will be discussed in the analysis section below.

### **Provincial Planning Statement (PPS) 2024**

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The 2024 PPS took effect on October 20, 2024. The PPS sets out the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. The PPS is supportive of efficient development patterns that optimize the use of land, resources, and public investment in infrastructure and public service facilities. Further, the PPS directs the development of new housing to locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs and promotes densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities.

### **Vision**

Ontario is a vast, fast-growing province that will see the building of more homes for all Ontarians. The province has set a goal of getting at least 1.5 million homes built by 2031. Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs.

The PPS encourages efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities. The PPS also promotes land use patterns with a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.

### **Policy 2.1 Planning for People and Homes**

Policy 2.1.4 directs municipalities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.

Policy 2.1.6 states that Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;

## **2.2 Housing**

Policy 2.2.1. directs Planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by:

- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

## **2.3 Settlement Areas and Settlement Area Boundary Expansions**

Policy 2.3.1.2 states that land use patterns within settlement areas should be based on densities and a mix of land uses which include:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation.

Policy 2.3.1.3. directs Planning authorities to support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities. This plan provides for additional housing at a scale that is appropriate for the site with its limitations and makes better use of the subject lands.

## **Official Plan**

### **2.2 VISION STATEMENT**

The City of Stratford's vision is "To Be the Best Place to Live, Work and Play".

### **2.3 GUIDING PRINCIPLES**

Section 2.3 of the Official plan establishes 12 guiding principles for the City. This report will focus on the following four principles as they specifically pertain to the development of these lands:

Complete Community – Minimize conflict between land uses, while encouraging the development of a complete community which meets resident's needs for daily living throughout an entire lifetime.

Intensification – Encourage appropriate intensification and infill, including mixed use development, which reflects the existing context of the City with respect to factors such as height and design.

Transportation System for all users – A coordinated approach to planning and transportation that creates a transportation system for all users be they pedestrians, drivers, cyclists, or transit riders, regardless of physical ability or age.

Infrastructure and Community Services - To provide public infrastructure and community services in an orderly and coordinated manner, including encouraging the use of innovative or alternative techniques of service provision.

### **3.4 HOUSING**

#### **3.4.1 Provision of Housing Options**

The City of Stratford recognizes the need to protect the viability of the community by ensuring that there is a full range of housing choices which are designed to meet occupancy, health and safety standards, in terms of tenure, form and affordability for current and future residents of varying economic and physical capabilities, household type and age cohort which contributes to a community characterized by inclusiveness. The City shall encourage and assist with the provision of wide continuum of housing options, including housing for people with special needs, in accordance with its financial capabilities by:

- i) maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;

- ii) maintaining at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

Section 4.5.2 states that low and medium density residential uses are permitted in a "Residential Area" in accordance with the policies of this section including the height and density requirements of Sections 4.5.3.3 and 4.5.3.4. which outline density and height minimums and maximums for lands within a medium density designation as follows. These differ from the densities noted above which are contained in the Secondary Plan policies however, these densities are consistent with the R4 zone regulations.

The density ranges for residential development shall be:

- ii) Medium Density
  - a) 25 units per net hectare (10 units per net acre) minimum
  - b) 65 units per net hectare (26 units per net acre) maximum.

The maximum height for residential development shall be three storeys in Stable Residential Areas and four storeys in New Residential Areas. As the lands are within a new area, the maximum height could be up to 4 storeys.

Permitted uses within a medium density residential designation, such as is proposed for the subject lands include small lot single detached, semi-detached, duplex, and triplex dwellings, townhouse dwellings, low rise apartments, back-to-back and stacked townhouses may be permitted subject to the policies of Section 4.5.3.

Section 5.5 outlines policies regarding development in proximity to Railway lands which are intended:

- i) To mitigate the impact of railway noise and vibration on nearby residents and places of public assembly;
- ii) To minimize the possible impact from train operations which may affect nearby occupied dwellings or other places of public assembly; and,
- iii) To maximize the safety of residents, employees and others in development located adjacent to rail facilities.

Sections 5.5.5 and 5.5.6 of the Official Plan require attenuation measures and Noise Evaluation and Vibration studies for lands adjacent to the CN Railway, as well as warning clauses and other safety and mitigation measures. These will be implemented through draft plan approval conditions as per the recommendations of the Noise and Vibration Study prepared by Vintec Acoustics.

The subject lands are located to the north of the CN Railway lands and are also to the west of a metal fabrication business. As part of the review of the planning applications, a noise and vibration study prepared by Vintec Acoustics dated August 2, 2024, made

recommendations for noise warning clauses to be registered on title and required 2.1m acoustical walls along the easterly property line along County Road 111 and a 2.3 m noise berm along the southern boundary with the CN railway lands. The proposed draft plan shows the berm adjacent to the CN railway lands to the south and the draft plan approval conditions include conditions for the appropriate warning clauses to be added as conditions of approval at the time of the approval of the plan of subdivision.

Section 6.2.2 of the Official Plan directs that street patterns in newly developing areas will be designed to reflect an interconnected street system with a modified grid pattern or other approaches, which facilitate a continuous and direct movement within a development area and between the development area, abutting areas and the existing community.

### **Analysis:**

The proposed draft plan of subdivision, Official Plan Amendment, and Zoning By-law Amendment applications represent infill development of lands that have been annexed to the City of Stratford. The proposed medium density designation is appropriate for this peripheral location and will complete the development along the eastern boundary of the City. The lands, although somewhat isolated with some locational constraints due to CN and Hydro lands, continue to have development potential to provide additional housing at a density that will make better use of municipal services and infrastructure. The proposal meets the minimum density requirements and provides a homogeneous form of housing and proposes significant infrastructure investment to accommodate this proposed form of medium density development via plan of subdivision.

As noted above, the lands may be more efficiently developed through other means that could result in lower operational costs to the municipality, should these alternative means be pursued as mentioned above. While some of the objectives of the PPS are adhered to, the principle objective of Section 2.3.1.3 to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities has not been satisfied on this single site, but can be achieved as part of the broader community which include the Cachet lands to the west of the hydro corridor. Together with these lands, the area can be developed more efficiently despite the constraints identified and can achieve a better mix of housing options.

The Provincial Policy together with the Official Plan encourage development that provide for a variety of housing options, makes efficient use of infrastructure and public services and provide for the safe and orderly development of lands within the settlement area. The development of the subject lands as proposed would serve to intensify the lands, however, the lands would not be developed in the most efficient manner if reviewed as an isolated parcel of land, as there is a third of the land that is comprised of new roads that will have to be assumed by the municipality to be maintained for the long term. In short, the current proposed development can achieve

the objectives of the provincial policies and the official plan concerning the provision of housing and orderly development and efficient use of municipal infrastructure, however, there may be better and more efficient ways to achieve these objectives that have not been explored by the owners.

It is important to recognise that the lands are constrained by their proximity to the CN Rail lands to the south, the hydro corridor to the west and the restricted access along County of Perth Road 111 to one access point. This site is further constrained by stationery and road/rail noise sources in the area. The subdivision on this narrow and small parcel of land (2.73 hectares) would result in one third of the land area as roads if the lands are to be developed via plan of subdivision, since the roads must be larger to satisfy municipal standards. In recognition of the lands being at the outer fringe of the City, adjacent to the hydro corridor, with the constraints identified, subdivision design options are limited and the best use of the lands to the extent possible given all the constraints has been proposed.

In addition, there is only one access proposed through the hydro lands, which connect these lands to the Cachet subdivision to the west. This also has implications on the connectivity and further isolates the subject lands and has implications on the design and the ability to fully satisfy all objectives for efficient subdivision design.

A key objective of the Official plan is to make Stratford the "Best Place to Live, Work and Play." This is achieved through many means including planning and development of our neighbourhoods. The Official plan encourages development that will achieve a complete community, through intensification at a density that supports the wise use of infrastructure.

However, there are alternative ways to develop the lands through a combination of planning processes including a plan of subdivision to create the extension of the municipal right-of-way Douro Street (Street C), and then a vacant land or standard condominiums to create further smaller privately owned roads (less than 20m rights-of-way) and development blocks or parcels north and south of Street C. The benefit of this approach is that the narrower private roads would free up additional land for development including other medium density, built forms such as stacked towns, back-to-back towns or 4-storey walk up apartments which could result in land that is more efficiently used and less infrastructure that must be assumed by the municipality.

The subdivision, as proposed, contemplates a road design pattern, other than the preferred modified grid pattern, which is intended to encourage active transportation and connectivity. This approach to development of the subject lands was discussed with the owners and in the end, the subdivision process remained the applicant's preferred approach for the development of the subject lands.

As previously noted, the condominium process has the potential to result in a more efficient use of the land, with less land consumed by municipal roadways and less infrastructure for the municipality to assume after the development is completed, while

achieving higher densities and providing more housing. In turn, this could result in a wiser use of infrastructure than the presently proposed plan of subdivision. Additionally, by developing the lands in the alternative design option as identified above, the potential densities could more than exceed the unit yield of 68 units as proposed by this development. This would help the municipality achieve the objective of providing for accommodating growth for 10 years and maintaining a 3-year supply of housing at a density that is higher than the minimum density of 25 units per hectares for these lands within the medium density designation. However, it is important to note that this option would also add costs to the future homeowners in the form of condominium fees, which may make the homes less affordable.

Although the development, as proposed, may not necessarily provide “best” means to achieve the key Official Plan objective of making Stratford the best place to live, work and play on a “per lot basis”, however, when reviewed as a whole, together with the constraints associated with the subject lands, this is making the “best” of a constrained situation. Staff recognizes that development of these lands as proposed, may have the potential to increase the infrastructure maintenance costs that are taken on by the municipality and may result in fewer residential homes being built and made available to address the housing supply in the city, despite the modest intensification proposed by the current development applications. Staff further recognizes that the subject lands are relatively small, are isolated and have constraints associated with the hydro corridor and CN lands, as well as the surrounding land uses.

Council should consider the best means to achieve its provincial and local objectives for growth, development and the provision of housing, as well as the efficient use of municipal infrastructure and services. The medium density designation permits a variety of built-form options for provision of housing that could be explored for the subject lands to help achieve the provincial and official plan objectives mentioned above.

### **Zoning By-law**

The subject lands are currently Urban Reserve (UR-4) Zone which is a carry over zone resulting from the annexation of the lands from the Town of Perth East. The applicant has requested a Residential Fourth Density R4(1) Zone. The Residential R4(1) Zone **only** permits street townhouse dwellings with a minimum lot area of 180 m<sup>2</sup> and a minimum lot frontage of 6 m.

Through discussions with the applicant’s planning consultant, staff suggested providing a more flexible zoning category besides the Residential R4(1) zone to an R4 zone that permits the full range of medium density uses rather than limiting the use to one single built form option, namely street fronting townhouses. In turn, this would permit other medium density built-form options such as cluster towns, stacked towns, or back-to-back towns, or small walk-up apartments, should the lands be developed by others without the need for a zoning by-law amendment (provided all regulations are complied with) were these uses to be proposed. The applicants support this approach.

To safeguard the potential to sterilize these lands should they not be developed by the current owners, the lands would be suitable for several built-form options permitted within the medium density land use designation with the approval of a broader R4 zone for the subject lands. Additionally, this may result in more efficient use of the land and provide opportunities for additional density where appropriate. To implement this approach, it is recommended that the proposed R4 zone be applied to permit all the medium density permitted uses and built form options for the subject lands.

The applicants are not seeking any site-specific regulations, as the plan conforms to the R4(1) regulations. However, as noted above it is suggested that one be included to provide the flexibility for other medium density-built form options should this plan not be developed as proposed.

#### Draft Plan Conditions:

Draft Plan Conditions are appended to this report. The conditions address all the agency comments noted in the previous section. All conditions must be cleared by the developer within 5 years of granting draft plan approval. Upon recommendation by Council, staff will prepare the draft plan agreement to be signed by the developer and registered on the title of the property. These include noise attenuation, municipal water, storm water and wastewater sewers, roads, parks, requirements for a subdivision agreement governing each phase of the development, and all subdivision requirements on public lands. The requirements are appropriate for the safe and orderly development of the subdivision and fulfill the requirements of the Planning Act.

Based on the above review and analysis, City of Stratford staff is of the opinion that the attached Zoning By-law amendment and Draft Plan of Subdivision, as proposed to be modified and recommended by staff are consistent with the PPS, conform with the City's Official Plan and maintain the intent of the Zoning By-law.

#### **Financial Implications:**

All municipal infrastructure to be installed at the developer's expense will eventually be assumed and maintained by the City upon assumption of the subdivision works at which time will be considered as part of the City's asset management plan. At this point, the City will incorporate future rehabilitation and replacement into the long-term financial forecasting and financial planning process.

**Staff Recommendation: THAT the Zoning By-law amendment, as recommended by staff for application Z07-22 to rezone the subject lands municipally known as 3980 Road 111 to Residential Fourth Density Zone with site specific regulations (R4), BE APPROVED.**

**THAT the Official Plan amendment, as recommended by staff for application OPA 001-22 to redesignate the subject lands municipally known as 3980 Road 111 to Medium Density Residential BE APPROVED.**



**THAT Draft Plan of Subdivision 31T-2201, submitted by Paradize Properties Development Ltd. prepared by Municipal Development and Planning Services Inc. (MDPS), dated August 28, 2024 for lands known municipally as 3980 Road 111 originally surveyed by Trevor D.A. Mc Neill, O.L.S., on May 3,2022, , BE APROVED by the City of Stratford pursuant to Section 51(31) of the Planning Act subject to the conditions listed in Attachment 3 to Report COU24-152).**

**Approval of the Zoning By-law and Official Plan amendments, and the Draft Plan of Subdivision is recommended for the following reasons:**

- I. Public interest was considered;**
- II. The recommended approvals are consistent with the Provincial Planning Statement;**
- III. The recommended Official Plan and Zoning By-law amendments will facilitate development that is appropriate for the lands;**
- IV. It will provide for a range of housing types to meet the needs of existing and future residents; and**
- V. It is an efficient use of land and infrastructure.**

**Recommended by:** Juliane vonWesterholt MCIP, RPP Consulting Planner  
**Reviewed by:** Pierre Chauvin, MCIP, RPP, Consulting Planner  
Marc Bancroft, MPL, MCIP, RPP, Manager of Planning  
Adam Betteridge, MPA, MCIP, RPP, Director of Building  
and Planning Services  
**Approved for Council by:** Joan Thomson, Chief Administrative Officer