

City of Stratford



OFFICIAL PLAN

Approved July 21, 2016

Consolidated June 10, 2019

This document represents a consolidation of the Official Plan of the City of Stratford adopted by Council on January 25, 1993 and subsequently approved by the Ministry of Municipal Affairs on November 28, 1994. It includes comprehensive Official Plan Amendment No. 21 which was adopted by Council on December 14, 2015 and approved by the Ministry of Municipal Affairs on July 21, 2016.

OPA No. 21 was deemed to come into effect on the day it was approved by the Ministry.

This consolidation has been prepared for convenience. For precise reference to any policies or map schedules contained within this Plan, please consult the City of Stratford Development Services Division.

This forward does not form part of the Official Plan.

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1. INTRODUCTION

1.1 PURPOSE

The Official Plan of the City of Stratford establishes the “goals, objective and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality ... and such other matters as may be prescribed” (Section 16(1) of the *Planning Act*).

More specifically, the Official Plan of the City of Stratford is designed to achieve the following:

- i) To establish the vision statement and the planning goals and objectives of the City as to the type of community desired and the quality of life to be achieved.
- ii) To establish, in general terms, the desired type, form, pattern, intensity and character of land use and the principles and policies of the City governing the future development, re-development and improvement of the municipality.
- iii) To assist the City in determining its position and actions on all matters related to the use of land and the development and re-development of the municipality including environmental protection, economic and sustainable development, housing, *heritage resources*, urban design, community improvement, transportation, services and utilities.
- iv) To guide the City with respect to legislation, policies, programs and actions designed to ensure the health, safety, welfare, convenience and enjoyment of both its existing and future residents.
- v) To provide the basis for the preparation and amendment of zoning by-laws and other by-laws affecting the use and the development of land in the City.
- vi) To assist all public bodies and agencies (including federal, provincial and local) and neighbouring municipalities concerned with or having a direct interest in the City of Stratford in making their decisions and in determining their future actions, needs or requirements in matters pertaining to or affecting the City.
- vii) To inform the general public, special interest groups, private interests and enterprises of the intended nature and direction of the use of land and the development, re-development, servicing and improvement of the City and how the general public and these groups and interests may access and participate effectively in the planning process of the City.
- viii) To provide a framework for the preparation of more detailed plans and strategies for smaller areas of the municipality.

- ix) To reduce uncertainty and to prevent premature development by generally prescribing the use of land, the transportation network, the servicing *infrastructure* and the sequence and timing of development.
- x) To indicate how the City has had regard to the policy statements, guidelines, approval processes, and other directives which express the provincial interest in planning and development at the municipal level.

1.2 PLANNING AREA

The Official Plan applies to all the lands within the City of Stratford boundaries.

1.3 PLANNING PERIOD

The policies and designations of the Plan are intended to guide the City to the year 2033. However, as new information becomes available, the Official Plan shall be reviewed a minimum of every five years to ensure that it reflects changes to matters such as provincial policy, updated projections with respect to population and employment, and to extend the planning period.

1.4 BASIS

This Official Plan reflects a major update to the City's fourth Official Plan which was originally adopted in 1993 and approved in 1994. The Plan is based on background studies carried out in 2012, as well as public review and input during the years 2012-2014. It is also consistent with the Provincial Policy Statement which came into effect on March 1, 2005.

1.5 ORGANIZATION OF THE PLAN

The Official Plan consists of the following major components, as well as a series of schedules:

- Section 1 Introduction
- Section 2 Vision and Guiding Principles
- Section 3 General Policy Directions
- Section 4 Land Use Strategy
- Section 5 Environment and Sustainability Strategy
- Section 6 Community Design Strategy
- Section 7 Community Infrastructure
- Section 8 Development Application Review Requirements
- Section 9 Implementation
- Section 10 Interpretation
- Section 11 Secondary Plans

1.6 LEGAL EFFECT

The Official Plan is prepared in accordance with the *Planning Act* which gives the Plan its legal effect. This legal effect is established through Section 24 of the Act which states that generally no public work may be carried out, and no by-law may be passed, for any purpose that does not conform to the Official Plan.

Section 3(5) of the *Planning Act* also requires that any authority that makes decisions which affects planning matters, shall be consistent with provincial policy statements issued in accordance with Section 3(1) of the Act, and conform to provincial plans.

1.7 HOW TO READ THIS PLAN

This Official Plan shall be read in its entirety and all relevant policies are applied to each situation. Words and phrases in ***bold italic*** are defined. Definitions are found in Section 10.6. Introductory paragraphs in italic to various subsection within Section 4, Land Use Strategy, as well as any photographs, are provided for information purposes and context only.

2. VISION AND GUIDING PRINCIPLES

2.1 PURPOSE

The Community Vision and Guiding Principles upon which the Official Plan is based represent expressions of general intent which are not to be interpreted as direct statements of planning policy. It is not proposed that they be applied directly to any development or **redevelopment** proposal, rather they form the basis for the formulation of the policies in the Plan.

2.2 VISION STATEMENT

To Be The Best Place To Live, Work and Play.

2.3 GUIDING PRINCIPLES

- i) Community Excellence – Strive for excellence in all areas – economic, technological, environmental, cultural and social – while maintaining the community’s heritage and charm.
- ii) 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.
- iii) Economic Development – Maintain a strong and diverse economy based on the most advanced available **infrastructure**, as well as a strong system of community services including education.



Confederation Park looking West from Romeo St S., Photo Credit: Google Streetview

- iv) Environmental Protection - Protect and enhance the City's natural environment including the natural heritage features and areas and the open space system, air quality and water quality and quantity, as well as providing protection from natural hazards.
- v) Sustainable Development – Work to ensure that development is socially, environmentally and economically sustainable with the resilience to respond to climate change.
- vi) **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.



New residential development - Photo credit: Google Streetview

- vii) Heritage Conservation - Protect areas, landmarks and features which provide a physical link to the early development of Stratford and which contribute to its distinct character and sense of place.
- viii) Community Improvement - Upgrade physical, economic and social conditions where such conditions have been identified as being below accepted standards or where necessary to achieve the City's goals for economic development.
- ix) 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.
- x) 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.

- xi) Public Participation - Provide ample, effective and meaningful opportunities to increase public awareness and participation in the planning process using an approach which is responsive and flexible.
- xii) Preservation of Agriculture – Encourage the continuation of agriculture and associated uses and discourage these areas from premature redevelopment.



Stratford Transit System, Photo Credit: Google Streetview

3. GENERAL POLICY DIRECTIONS

3.1 PURPOSE

This section provides general policy direction regarding a range of strategic matters which affect the City as a whole including:

- i) growth management;
- ii) housing;
- iii) heritage conservation; and,
- iv) community improvement.

3.2 GROWTH MANAGEMENT

3.2.1 Growth Forecast

- i) The Plan is based on a population which is forecast to grow from 30,900 in 2011 to 33,600 in 2033.
- ii) The City will work to maintain and improve its 2011 employment activity rate of 65% and high live-work ratio during the planning period. The Plan is based on employment which is forecast to grow from 19,900 in 2006 to 22,600 in 2033.
- iii) The City's housing mix target for 2033 is 53% low density, 17% medium density and 30% high density.

3.2.2 Intensification Strategy

- i) The City's **intensification** target is 25% of City-wide residential growth within the "**Built Boundary**" as designated on Schedule "A", General Land Use Plan, between 2013 and 2033. The City shall also promote efficient use of land and **infrastructure** in all areas of the community including lands in the **Built Boundary** and lands between the **Built Boundary** and the City boundary which are recognized as **designated greenfield areas**.
- ii) To support achievement of the City's **intensification** target and promote efficient use of land and **infrastructure**, the City shall implement the following **Intensification** Strategy, provided that any such development must also conform with all the other policies of this Plan:
 - a) Review existing zoning regulations and other development standards to remove barriers to **intensification** including parking standards and setback requirements, and to establish minimum standards where appropriate. At the same time, to ensure that **intensification** in any neighbourhood or property is appropriate, the City will ensure that new and renovated/converted housing is

designed to meet occupancy, health and safety standards. The City may also include regulations in the Zoning By-law such as the number of bedrooms per unit, by structure type, maximum gross floor area, maximum parking area coverage and minimum landscaped open space requirements;

- b) Encourage residential development in conjunction with non-residential uses in Commercial Areas on arterial roads in accordance with the policies of Sections 4.6 and 4.7;
- c) Evaluate the potential for establishing community improvement plans for Commercial Areas on arterial roads or other areas being considered for **intensification** to allow for the use of development incentives to encourage **redevelopment** and infill;
- d) Use the bonus provisions of Section 9.2.6 of the Plan and other mechanisms such as pre-zoning to encourage **intensification** in Commercial Areas on arterial roads and other areas considered appropriate for **intensification**;
- e) Discourage applications which result in the “downzoning” of sites which have the potential for **intensification**.
- f) Permit limited **intensification** in Residential Areas of a scale and built form which reflects the surrounding area, subject to the criteria of Section 4.5.3.1;
- g) Permit the creation of second suites in low density residential units in accordance with the *Planning Act* and the criteria of Section 4.3, Table 1;
- h) Monitor **intensification** rates in relation to the City’s **intensification** target on an annual basis; and,
- i) Review the status of **intensification** every five years and, where the **intensification** target is not being achieved, consider additional initiatives to encourage **intensification** such as the prioritization of the processing of development applications for such development and the phasing of development.

3.2.3 Major **Redevelopment** Sites

- i) Major **redevelopment** areas outside the Downtown Core include significant existing land uses which seek to redevelop such as major institutional or commercial uses. These sites are exclusive of industrial sites which are subject to the policies of Section 3.2.4. Major **redevelopment** sites shall have the potential for residential or mixed use development and shall:
 - a) generally exceed two hectares in area, although smaller sites may also be considered based on a determination by the City; and,
 - b) be located on an arterial or collector road, but not in a Mixed Use Corridor Area, Industrial Area or in Parks and Open Space Areas.
- ii) In evaluating proposals for new development, a detailed analysis of the site shall be required by the City including submission of the following studies:
 - a) Master plan which addresses the transition from the existing development to the interim and ultimate **redevelopment** of the site; and,

- b) Supporting technical studies as set out in Section 8, but including in particular an urban and sustainable design study.
- iii) The following criteria will be used to evaluate such development proposals in addition to the other applicable policies of this Plan:
 - a) height, massing and scale are appropriate for the site in relation to **adjacent** Residential Areas, and with respect to existing and proposed new streets, transit facilities, parks and open space;
 - b) ground floor uses, and the design of the ground floor of buildings, will maximize the safety and activity of **adjacent** streets and open spaces, in particular development will be oriented to public streets, and reverse lotting shall not be permitted;
 - c) service areas and surface parking will not be located in the front yard of buildings and will be located and screened to minimize impacts on streets and residential uses;
 - d) public safety, views and accessibility, both physically and visually, to public facilities including parks and other natural features, will be a key consideration in the design of development;
 - e) building design which ensures that shadow impacts, particularly on the backyards of existing residential buildings in **adjacent** Residential Areas, are minimal;
 - f) the City is satisfied with the proposed grading, drainage and stormwater management, and there is no impact on **adjacent** properties;
 - g) protection of trees and other natural heritage features identified as significant by the City;
 - h) does not significantly restrict or prevent development of **adjacent** properties;
 - i) development provides sufficient parking, which may take into consideration on-street parking; and,
 - j) transit and other transportation facilities are adequate to serve the proposed development, or specific measures are proposed to address the identified issues.

3.2.4 Industrial Area Conversion

Applications to redesignate lands in the “Industrial Area” designation to non-employment uses will be generally prohibited. The City may permit conversion only through a **comprehensive review**, where it is demonstrated that:

- i) the land is not required for employment purposes over the long term; and,
- ii) there is a need for the conversion.

In addition, the **comprehensive review** will also consider the appropriateness of the redesignation with respect to matters such as topography; soils; drainage; stormwater management; the potential for conflicts with **adjacent** land uses including any

functional or operating restrictions which may be required on **adjacent** employment uses; natural heritage features and functions; and any retail market impacts. To address these matters the City may require submission of studies in accordance with the provisions of Section 8 of this Plan.

For the purposes of this policy, retail uses are considered non-employment uses.

3.2.5 City Boundary Expansions

In 2010, the Province approved the staged annexation of 182.6 hectares of land to the City to occur between 2011 and 2019, with the first annexation occurring in January 1, 2011. Any future expansion of the City Boundary beyond those lands included in the 2010 staged annexation may only occur, consistent with the policies of the Provincial Policy Statement, as part of a **comprehensive review** and only when it has been demonstrated that:

- i) sufficient opportunities for growth are not available through **intensification, redevelopment** and **designated growth areas** to accommodate the projected needs over the identified planning horizon;
- ii) the **infrastructure** and **public service facilities** which are planned and available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
- iii) in **prime agricultural areas**:
 - a) the lands do not comprise **specialty crop areas**;
 - b) alternative locations have been evaluated, and
 - there are no reasonable alternatives which avoid **prime agricultural areas**;
 - and,
 - there are no reasonable alternatives on lower priority agricultural lands in **prime agricultural areas**;
- iv) the new or expanding settlement area is in compliance with the minimum distance formulae; and
- v) impacts from the expanded City boundary on agricultural operations which are **adjacent** or close to the City are mitigated to the extent feasible.

In addition, in determining the most appropriate direction for boundary expansion the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety of the Provincial Policy Statement shall be applied.

Applications for an expansion of the City boundary cannot be appealed if the application is refused by the City or where the City has not made a decision.

3.3 ECONOMIC DEVELOPMENT

The City will continue to maintain and enhance its economic strength and diversity building on its strengths as a light manufacturing and regional industrial service centre; arts, tourism, culture and education centre; and digital media cluster and agricultural centre. In particular, the City will:

- i) ensure an adequate inventory of designated, zoned and serviced land is available suitable for accommodating the expansion of existing industry and the accommodation of new industry as well as other employment uses;
- ii) attract industry and other employment uses by having land available at competitive prices, the City may acquire, service and resell land for industrial and other employment purposes;
- iii) promote the Downtown Core as an important employment area for retail, service, office and entertainment uses;
- iv) continue to actively promote Stratford as a cultural tourism destination with the Stratford Festival as its central focus and will endeavour to attract new tourism related activities and facilities which complement or do not conflict with its central tourism focus;
- v) protect and enhance the river park system, the Downtown and other elements in view of the importance these elements have on the City's tourism image and their special interest to visitors, as well as in attracting new residents and businesses to the community;
- vi) encourage the upgrading of existing accommodation establishments (e.g. hotels, bed and breakfast operations) and promote the establishment of new accommodation establishments and facilities in order to provide the widest variety possible to meet the needs of all visitors to the City; and,
- vii) discourage any proposed change in use which results in the encroachment of a sensitive land use towards an existing industry or an industrial area in accordance with the guidelines of the Ministry of Environment.

3.4 HOUSING

3.4.1 Provision of Housing Options

The City 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;
- iii) advocating and partnering with senior levels of government, and where appropriate the County of Perth, to promote the development of **affordable** housing, and in particular social housing, in the City;
- iv) pursuing funding mechanisms, including provincial and federal financial assistance programs, for **affordable** housing initiatives in the City;
- v) working with community groups, social housing providers and developers, and where appropriate the County of Perth, to facilitate the development of **affordable** housing, including social housing projects and housing for those with special needs, where development conforms with the policies of this Plan;
- vi) monitoring demographic/socio-economic trends and **affordable** housing needs in the City on a five year basis with a target of achieving at least 25% of all new units constructed within the affordability limits applicable to regional market area; and,
- vii) ensuring new and renovated/converted housing is designed to meet occupancy, health and safety standards.

3.4.2 Integration of *Affordable* Housing

Where **affordable** housing proposals generally conform with the policies of this Plan, the City shall encourage the integration of **affordable** housing within the wider housing market to yield a balanced housing and social mix by:

- i) encouraging the provision of **affordable** housing in plans of subdivision in particular through consideration of the utilization of alternative development techniques, lot sizes, and housing designs where these may lower costs of residential housing development in an effort to lower new unit housing costs;

- ii) considering development of a “Housing First” policy which entails the use of municipally owned (or other public) surplus lands which are appropriate for residential development for housing projects, a certain percentage of which would be required to be **affordable**;
- iii) supporting the inclusion of **affordable** housing and in particular special needs housing development as part of **intensification** projects developed in accordance with the policies of Section 3.2.2 and 3.2.3;
- iv) encouraging the preservation and rehabilitation of existing housing to maintain housing stock through enforcement of the Building Code and the Property Standards By-law and any other applicable occupancy, health and safety standards;
- v) regulating conversions of rental housing to other forms or tenure of housing;
- vi) considering the potential to streamline and/or expedite the approvals process for **affordable** housing projects;
- vii) assessing the potential for financial incentives for **affordable** housing projects including development charge reductions or exemptions and the potential use of municipal funds for social housing programs; and,
- viii) considering the development of a residential rental licensing by-law under the *Municipal Act* to ensure that landlords/investors satisfy occupancy, health and safety standards for affordable rental living accommodation where such is provided in single detached dwellings, lodging houses and other similar dwellings.

3.4.3 Student Housing

The City will work with education institutions in the City which require student residential accommodation through the Town and Gown Committee to identify, plan for, and facilitate a mix of student accommodations that integrates with the community and meets occupancy, health and safety standards including:

- i) encouraging a range of housing for students in the Downtown Core, arterial road corridors and neighbourhoods throughout the City on transit routes; and,
- ii) working with the post secondary institutions to develop a student housing policy including an accreditation program for off-campus housing providers, funding of a Student Housing Office and providing information on City by-laws and regulations.

3.5 HERITAGE CONSERVATION

3.5.1 Purpose

Heritage resources include buildings, structures, features or areas of architectural, historical or archaeological interest including cemeteries and unmarked burials and urban districts and heritage landscapes. The City recognizes the significance of these resources and will provide for their conservation, including adaptive reuse, in accordance with the provisions of the Ontario *Heritage Act*, the *Cemeteries Act* and the *Planning Act* and other relevant legislation. In addition, the City will:

- i) identify ***heritage resources*** through a continuing process of inventory, survey and evaluation as a basis for the management of these resources;
- ii) promote awareness of the City's heritage and encourage public and private stewardship of these resources; and,
- iii) where it becomes aware that First Nations have an interest, establish protocols for dialogue on planning and development matters with First Nations representatives whose interests have been identified as encompassing all or part of the City.

3.5.2 Municipal Heritage Committee

The City shall maintain a Municipal Heritage Committee - Heritage Stratford - pursuant to the Ontario *Heritage Act*, to advise and assist Council on heritage matters which affect the City.

3.5.3 Heritage Designation

- i) The City shall continue to designate by by-law individual properties and groups of properties, as well as cultural heritage landscapes, pursuant to the provisions of the Ontario *Heritage Act* utilizing criteria for determining heritage value or interest established by provincial regulation under the Ontario *Heritage Act* and the following municipal criteria:
 - a) prehistoric and historical associations with a theme of human history that is representative of cultural processes in the settlement, development and use of land in the City;
 - b) prehistoric and historical associations with the life and activities of a person, group, institution or organization that has made a significant contribution to the City;
 - c) architectural, engineering, landscape design, physical, craft and/or artistic value;
 - d) scenic amenity with associated views and vistas that provide a recognizable sense of position or place;
 - e) contextual value in defining the historical, visual, scenic, physical and functional character of an area; and,
 - f) landmark value.

These criteria may be refined without amendment to this Plan, and guidelines developed for their use as appropriate.

- ii) The City shall work with Heritage Stratford and individual property owners, to recognize significant ***heritage resources*** through appropriate forms of commemoration (i.e. plaques, signage) and through the provision of information (i.e. pamphlets, walking tours), as resources permit.

3.5.4 Heritage Conservation Districts

- i) The City has already established one Heritage District pursuant to the Ontario *Heritage Act* prior to April 2005 and prepared a Heritage Conservation District Plans for that area which is the Downtown Core (See Appendix I).

This Plan will be reviewed and revised as necessary as soon as possible to ensure that it complies with the Ontario *Heritage Act*. In the meantime, all development in this Heritage District shall continue to be evaluated based on conformity with the Heritage District Plan and where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada.

- ii) In considering the designation of additional Heritage Districts, the City, in consultation with Heritage Stratford, shall have regard for the following criteria for establishing such Districts:
 - a) a group of buildings, features and spaces that reflect an aspect of local history, through association with a person, group or activity;
 - b) Buildings or structures that are of architectural or vernacular value or interest; and/or,
 - c) Important physical and aesthetic characteristics that provide a context for *heritage resources* or associations with the district, including features such as buildings, structures, landscapes, topography, natural heritage and archaeological sites.
- iii) Prior to the designation of a Heritage Conservation District, the Municipality:
 - a) may enact a by-law under the provisions of the Ontario *Heritage Act* to designate a heritage conservation study area for up to one year, and the by-law may prohibit or set limitations with respect to the alteration of property and the erection, demolition or removal of buildings or structures or classes of buildings or structures in the study area;
 - b) shall carry out a detailed study of the area in accordance with the requirements of the Ontario *Heritage Act*;
 - c) prepare and adopt a Heritage Conservation District Plan which will encourage conservation through controls and incentives and establish criteria for controlling demolition and regulating design through the establishment of the distinctive features which warrant the creation of the district; and,

- d) encourage public participation throughout the process leading to the adoption of the Heritage Conservation District Plan.
- iv) Where the City, having satisfied the provisions of Section 3.5.4 iii), deems it appropriate to designate a Heritage Conservation District, a by-law shall be passed under the Ontario *Heritage Act*.
- v) Development in Heritage Conservation Districts shall:
 - a) be reviewed in the context of the applicable Heritage District Plan and any Heritage Conservation District Guidelines and, where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada; and,
 - b) require a heritage permit if any alterations or changes to the appearance of the property and the buildings and structures on the property are to be made, including all additions and alterations to buildings and structures on the property, demolition of buildings or structures on the property, all new construction, and landscaping and/or alteration to the property.

Development shall also require a heritage permit if it involves an application for financial assistance.

- vi) **Intensification** shall be limited and shall conform with any applicable Heritage District Plan and Heritage Conservation District Guidelines, and where appropriate Parks Canada Guidelines for the Conservation of Historic Places in Canada, and the following criteria:
 - a) Conversion of existing built **heritage resources** where the original building fabric, heritage attributes and architectural features are retained and any new additions are no higher than the existing building and placed to the rear of the lot substantially behind the principal facade. In addition, side additions may be considered where it is demonstrated the addition will be appropriate and sensitive to (or not detract from) the existing building's heritage attributes. Alterations to principal facades and any changes to the front or flankage yard shall be limited. A cultural impact assessment may be required for such proposals.
 - b) Infill where there will be no demolition, destruction or loss of **heritage resources**. A heritage impact assessment may be required for such proposals.
- vii) Properties designated under Part IV of the Ontario *Heritage Act* may be included as part of a heritage conservation district, and properties in a district may also be designated under Part IV.

3.5.5 Heritage Register

The City shall maintain, pursuant to the Ontario *Heritage Act*, a Register of Property of Cultural Heritage Value or Interest. The Register may include property that has not been designated under the Ontario *Heritage Act*, but that Council believes to be of heritage value or interest. Council shall consult with Heritage Stratford prior to making modifications to the Register involving properties which are not designated. The provisions of the Ontario *Heritage Act* respecting demolition of ***heritage resources*** listed in the Register shall apply.

3.5.6 Archaeological Resources

The City recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential in the municipality. The City shall require the protection, conservation or mitigation of any sites of archaeological value and areas of archaeological potential which are identified as provided for under the *Planning Act*, *Cemeteries Act*, Ontario *Heritage Act*, and other Provincial legislation.

Where development is proposed in areas of archaeological potential identified in accordance with Ministry of Culture criteria, an archaeological resource assessment will be carried out in accordance with the requirements of Section 8 of the Plan. Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. The City recognizes that there may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. Any alterations to known archaeological sites shall only be performed by licensed archaeologists in accordance with Ministry of Culture requirements and shall maintain the heritage integrity of the site.

The City shall require that the appropriate First Nations will be provided with notification in regard to the identification of burial sites and significant archaeological resources relating to activities of their ancestors

3.5.7 Implementation

i) Grants and Loans

The City may establish and maintain heritage grant and loan programs for the funding of the maintenance and conservation of heritage properties for owners and /or long term lessees of designated heritage properties, properties in heritage conservation districts or properties with registered heritage easements. Such programs shall include guidelines to determine eligibility for funding and to advise on appropriate conservation techniques.

ii) City Resources

The City shall protect and maintain all City owned **heritage resources** to the highest standard to set a model for heritage conservation, while providing for adaptive reuse.

iii) Regulatory and other Legislative Tools

- a) The City shall use available regulatory and other legislative tools to protect **heritage resources** including the power to stop demolition and alteration of designated properties under the Ontario *Heritage Act*; the use of zoning provisions to regulate use, bulk, form, location and setbacks; the use of the bonus provisions of the *Planning Act* to protect **heritage resources**; the use of site plan control to ensure that new development is compatible with **heritage resources**; the use of parkland dedication to conserve significant **heritage resources**; and the establishment of community improvement plans.
- b) The City shall administer the *Ontarios with Disabilities Act*, the Ontario Building Code and related codes and regulations to permit maximum conservation and re-use of **heritage resources** while still ensuring the health and safety of the public.

iv) Heritage Easements

The City may acquire heritage easements and enter into development agreements, as appropriate, for the protection of **heritage resources** and landscapes.

v) Density Transfer

The City may permit the transfer of density rights from sites with **heritage resources** to other properties to facilitate the preservation or adaptive reuse of a **heritage resource**.

vi) Maintenance

The City may establish and enforce minimum standards for the maintenance of the heritage attributes of designated heritage properties.

vii) Relocation of **Heritage Resources**

All options for on-site retention of **heritage resources** must be exhausted before relocation will be considered. Where relocation has been determined by the City to be the only alternative, relocation to another site within the same development shall be the first priority, and second to a sympathetic site in the City.

viii) *Adjacent* Lands

Development and site alteration on lands ***adjacent*** to designated heritage properties or heritage conservation districts shall not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. The City shall require submission of a heritage impact assessment prepared by a qualified professional to address this requirement. .

3.5.8 Infilling in Heritage Areas

In the 'Heritage Areas' and the 'Heritage Corridors' as shown on Schedule "E", the City will ensure that, where infilling is proposed or municipal services are being installed or upgraded, the inherent heritage qualities of the area or corridor will be retained, restored and ideally enhanced unless overriding conditions of public health and safety warrant otherwise.

3.6 COMMUNITY IMPROVEMENT

3.6.1 General

Community improvement includes those activities both public and private which maintain, rehabilitate and redevelop the existing physical environment to accommodate and encourage improvements to the social and economic environment.

3.6.2 Community Improvement Areas

All lands within the City Limits of the City of Stratford, including brownfields, are considered eligible for Community Improvement initiatives, and eligible to be designated as a "Community Improvement Project Area", pursuant to the provisions of Section 28 of the Ontario *Planning Act*.

3.6.3 Community Improvement Plans

It is intended that community improvement will be achieved primarily by the designation (by by-law) of 'community improvement project areas' and the preparation of 'community improvement plans' pursuant to the *Planning Act*. These plans will identify specific improvement projects to be undertaken and the method of financing these improvements. Opportunities will be provided for public input in the preparation of these plans prior to their adoption.

3.6.4 Priorities

The decision to undertake the preparation of a community improvement plan and establishment of priorities for undertaking specific community improvement projects will be established based on public input and upon consideration of the following:

- i) the nature and degree of deficiencies which exist;
- ii) the extent to which the City is able to allocate funds for community improvement given other municipal priorities and financial constraints;
- iii) the nature and availability of programs, grants, and subsidies from other levels of government and the potential financial contribution from those directly benefitting from the proposed improvements;
- iv) the logical order and sequence of undertaking improvements; and,
- v) the probable impact that public expenditures may have on inducing rehabilitation and improvements to private property.

3.6.5 Heritage Properties

The City will encourage the upgrading of architecturally and historically significant properties or areas within community improvement areas by designation under the Ontario *Heritage Act* and by supporting applications by property owners for heritage preservation loans.

3.6.6 Implementation

In addition to the preparation and implementation of Community Improvement Plans, the City shall encourage community improvement through:

- i) participation in federal and provincial programs and the encouragement of private sector involvement in such programs where applicable;
- ii) enforcement of its Property Standards By-law to ensure minimum standards of building conditions and property maintenance; and,
- iii) by working with the City Centre Committee, which is the Downtown Core Business Improvement Area, and other community groups to maintain and enhance the viability of the Downtown Core and other areas of the City.

4. LAND USE STRATEGY

4.1 PURPOSE

The land use designations on Schedule "A", General Land Use Plan, establish the general pattern of development for the City during the planning period. The policies for these designations are set out in this section. Development shall also conform to all the other policies of the Plan.

4.2 COMMUNITY STRUCTURE

The City of Stratford, as presently constituted, comprises an irregularly shaped area of approximately 2,830 hectares (7,000 acres). Topographically, the City is generally featureless with the exception of the Avon River which meanders through the municipality from northeast to southwest and which forms the basis of a continuous linear open space system. In the central area of the City, this open space system has been landscaped for park purposes while elsewhere it remains largely in a natural state. The Court Drain, a tributary of the Avon River, provides a minor change in relief in the north end of the municipality.

A distinguishing characteristic of Stratford and one which has had a strong influence on the development of the City is its radial pattern of major streets which converge on the 'Downtown Core'. Three of these streets (Huron Street, Ontario Street and Erie Street) are named after the Great Lakes which lie in the direction they take beyond the City boundary. The railway, follows a route to the south of the 'Downtown Core' and, more or less, in the same alignment as the Avon River, is also a significant defining feature of the municipality.

At the centre of the City lies the 'Downtown Core', undoubtedly the City's heart and the area of most intensive development and diverse activity. In order to retain and enhance this diversity, this Plan intends to safeguard and strengthen the key uses and components of the 'Downtown Core', which are identified as retailing, offices, business and personal services, culture, entertainment, dining and accommodation, public administration, and community and recreation activities. The retail sector in the Core requires particular attention, as its relative importance to residents of the City and surrounding regional area has declined in recent years. The Core is compact and characterized by a low profile of two and three storey buildings. While the west, north and east sides of the Core are surrounded by residential development, the south side abuts an underutilized area formerly occupied by railway and industrial uses. The City's oldest residential areas are located closest to the Core while the City of Stratford's newest residential areas are located on the periphery of the City. Commercial development, not unexpectedly, has taken place along the major streets leading to the Core and, in particular, along Ontario Street between Romeo Street and the City

boundary and it is the concentration of retail development in this particular location that has resulted in the relative prominence of 'Downtown Core' retailing being eroded over recent years. Industrial development in the City is generally concentrated around the periphery of the City from southeast to southwest.

The Official Plan for the City of Stratford recognizes the existing physical structure of the City and attempts to reinforce it through its goals and objectives, and land use designations and policies.

The land use designation on Schedule "A", General Land Use Plan, generally reflect the following key structural elements of the City:

i) Downtown Core

The historic mixed use centre is focused on the three major arterial roads which converge in the Core – Ontario Street, Erie Street and Huron Street.

ii) Mixed Use Corridors

The three major arterial roads – Ontario Street, Erie Street and Huron Street - serve as "main streets" for the community lined with a mix of commercial, residential, institutional and industrial uses.

iii) Residential Areas

Residential development is focused in stable, well established residential neighbourhoods. These neighbourhoods include a range of related uses such as parks and schools. In addition, undeveloped lands on the periphery of the City are designated to permit future residential development.

iv) Industrial Areas

Industrial development is focused in industrial districts in the south end of the City.

v) Parks and Open Space System

The City has an extensive parks and open space system, although few significant natural heritage features. The Avon River and associated open space are the focus of the parks and open space system.

iv) Agricultural Areas

The City has recently annexed agricultural lands. These areas will continue to be used for non-intensive agricultural and associated uses.

4.3 LAND USES PERMITTED IN ALL DESIGNATIONS

The following land uses shall be permitted in all the land use designations on Schedule "A".

i) Outlets for Stormwater Management Facilities;

- ii) Forest and Tree Management Uses;
- iii) Fish, Wildlife and Conservation Management Uses;
- iv) Archaeological Activities subject to the Regulations of the **Conservation Authority** and zoning by-law;
- v) Legally existing uses, buildings and structures;
- vi) Replacement of legally existing uses, buildings and structures, as well as additions and modifications to existing uses, buildings and structures subject to the regulations of the zoning by-law;
- vii) Non-intensive recreation uses such as nature viewing and pedestrian trail activities;
- viii) Watershed management and flood and erosion control projects carried out or supervised by a public authority.

The land uses in Table 1 shall also be permitted in all land use designations subject to the specific conditions identified in the Table except where prohibited, restricted or otherwise regulated by other legislation such as the *Clean Water Act* or the *Conservation Authorities Act*.

<p style="text-align: center;">Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)</p>	
Land Use	Related Conditions
Public Uses and <i>infrastructure</i>	Public uses including schools and parks, works yards, water intake and filtration plants, sewage treatment plants or similar uses are permitted in all designations above the UTRCA Regulatory Limit. In addition, water intake and filtration plants and sewage treatment plants may be permitted in the regulatory flood line subject to the regulations of the UTRCA. However such uses must be sited, designed and constructed to ensure compatibility with <i>adjacent</i> uses and to minimize impacts on natural systems. In addition, where such uses are located in a Residential Area designation they are subject to an amendment to the zoning by-law.
Community Gardens	Community gardens shall be permitted in all designations, with the exception that such uses shall not be permitted in natural heritage features as identified in Section 5.2.
Home Occupations	Home occupation and home day nursery uses, subject to the regulations of the zoning by-law, and in accordance with the following policies: i) the use is clearly secondary to a residential use of the property; ii) the property is the principal residence of the person operating the use; iii) the number of employees not resident at the property are limited in accordance with the zoning by-law regulations; and, iv) adequate parking can be provided.
Second Suites	Second suites may be permitted in a single detached, semi-detached or townhouse dwelling unit above the UTRCA Regulatory Limit, if there is no <i>garden suite</i> on the same lot, subject to the regulations of the zoning and licensing by-laws and other relevant provincial and municipal regulations. Second suites shall not be subject to the density provisions of this Plan.

<p style="text-align: center;">Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)</p>	
Land Use	Related Conditions
<i>Garden Suites</i>	A <i>garden suite</i> may be permitted on the same lot as a single detached, semi-detached or townhouse dwelling in an existing or new accessory building above the UTRCA Regulatory Limit. Such a use shall be permitted on a temporary basis in accordance with the <i>Planning Act</i> and subject to an amendment to the zoning by-law and City licensing requirements, and provided that the use may be subject to site plan approval, where deemed necessary, to ensure adequate buffering and/or appropriate placement of the unit. However, where a <i>garden suite</i> is constructed no second suite shall be permitted within the principal dwelling unit; and the <i>garden suite</i> may not be conveyed separately from the principal dwelling unit. The <i>garden suite</i> shall not be included in the determination of residential density, but may be included in calculating the requirements for parkland and other services.
Lodging Houses	Lodging houses with no more than 5 lodging units in the Downtown Core, Commercial Areas and Special Policy Area 2 in existing single detached residential dwellings above the UTRCA Regulatory Limit, subject to the regulations of the zoning by-law and City licensing requirements.
Accessory Uses	Accessory uses subject to the regulations of the zoning by-law.
Public Utility Uses and hydro or energy projects	Public utility uses, telecommunications/communications <i>infrastructure</i> , gas pipeline <i>infrastructure</i> and hydro and energy projects, subject to any regulatory requirements such as the provisions of the <i>Environmental Assessment Act</i> , provided that the City shall encourage the placement of utilities underground wherever it is feasible.
Wind Turbines. District energy facilities, solar panels and geothermal and other similar uses	In accordance with the provisions of the <i>Green Energy Act</i> where applicable.
Day nursery uses	Day nursery uses, other than home day nursery uses subject to the regulations of the zoning by-law, and provided such uses are located in an institutional use such as a place of worship or a school or are located on an arterial or collector road and above the UTRCA Regulatory Limit.

<p style="text-align: center;">Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)</p>	
Land Use	Related Conditions
Convenience commercial uses	<p><i>Convenience commercial uses</i> shall include uses which provide for the day-to-day needs of the surrounding area and the travelling public. They may include convenience stores, personal services such as hair dressers, barbers, dry cleaners and small restaurants. Such uses shall require an amendment to the zoning by-law. Such uses will be evaluated based on submission of a conceptual site plan and conformity with the following criteria:</p> <p>Industrial Areas <i>Convenience commercial uses</i> in the Industrial Area designation shall be subject to the provisions of Section 4.8.4.</p> <p><u>Access</u> Site has direct access to an arterial or collector road where safe pedestrian access is available, including direct pedestrian access to the surrounding residential area.</p> <p><u>Location</u></p> <ul style="list-style-type: none"> i) Site is located <i>adjacent</i> to other community facilities in a residential area, or with other service facilities in an employment area; and/or, ii) Use is integrated with a high density residential development or an employment use; iii) Site is located in an area not presently well served by existing commercial uses; and, iv) Site is located above the UTRCA Regulatory Limit. <p><u>Site</u> Any site <i>adjacent</i> to residential uses shall be of a sufficient size to provide for adequate buffering for the residential uses and parking. The site shall generally not exceed an area of 0.6 ha. (1.48 acres).</p> <p><u>Scale</u> Development shall be small scale with no more than three commercial establishments. The maximum size of an establishment shall generally not exceed 235 square metres (2,530 sq. ft.).</p> <p><u>Residential/Office Secondary Uses</u> Where free standing <i>convenience commercial uses</i> are proposed</p>

<p align="center">Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)</p>	
Land Use	Related Conditions
Convenience commercial uses (continued)	<p>in a residential area, residential or office units may be permitted to the rear of the commercial use or on the second floor of such a use.</p> <p><u>Site Design</u> Uses oriented to vehicle use such as restaurants with drive-through facilities shall submit a concept plan and traffic study which demonstrates that the development does not compromise the safe and efficient movements of pedestrians and cyclists; and is designed to be easily accessible by, and oriented to, pedestrian traffic. In addition a noise and light impact study will be required in accordance with Section 8.3.1 iv) where such uses abut or are adjacent to residential or other sensitive uses.</p>
Wayside pits or quarries or portable asphalt plants for public road construction purposes	<p>Wayside pits or quarries or portable asphalt plants and portable concrete plants, used for a public authority contract shall be permitted on a temporary basis subject to the <i>Aggregate Resources Act</i>, the Ministry of Transportation Wayside Pits and Quarries Criteria and Ministry of the Environment guidelines as required. Further, the City seeks active involvement with the Ministry of Natural Resources in the issuance of permits under the <i>Aggregate Resources Act</i> to ensure the following criteria are satisfied:</p> <ul style="list-style-type: none"> - minimizes environmental disruption; - incompatibilities with surrounding uses, particularly agricultural and residential uses, can be mitigated in an appropriate manner through the provision of buffering, engineering solutions or other similar approaches; - appropriate controls are placed on the pit or quarry's location and rehabilitation; and, - the site has been evaluated for archaeological potential.
Visitor Accommodation in Private Homes	<p>The City recognizes the importance of accommodating visitors in private homes (e.g. 'bed and breakfast', guest homes and similar establishments) in a manner which complements the needs of theatre-goers, while at the same time the need for measures to reduce conflicts arising from tourism activity impacting on residential areas. These establishments are frequently found in older dwellings, originally designed for residential occupancy, in higher quality residential areas. The City will, therefore, make every effort to ensure minimum standards of health, safety and occupancy for patrons are complied with and adequate measures are taken to protect residential areas from any adverse impacts arising out of the operation of these establishments. Proposals for new establishments</p>

<p style="text-align: center;">Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)</p>	
Land Use	Related Conditions
Visitor Accommodation in Private Homes - continued	<p>may be evaluated on the basis of the following criteria:</p> <ul style="list-style-type: none"> i) suitability of the dwelling for the use intended; ii) number of rooms proposed to be used; iii) adequacy of the municipal water supply system and sanitary sewage system to handle increased flows; iv) external changes proposed to the dwelling and yards including parking areas, driveways, signage and building additions; v) accommodation of required parking; vi) ability to meet the requirements of the Ontario Building Code; vii) compliance with the Zoning By-law; and; viii) The site is above the UTRCA Regulatory Limit. <p>There are occasions where site and situation suggest that a greater number of guestrooms than allowed as-of-right in the zoning by-law could be given consideration by Council provided that the following criteria are complied with:</p> <ul style="list-style-type: none"> i) Proposals for a greater number of guestrooms than permitted in the zoning by-law shall be considered by way of a zoning by-law amendment. ii) There is sufficient lot area to comfortably accommodate the increase in the number of rooms. Generally this applies to large lots which exceed the minimum lot area requirements of the zoning by-law and are sufficiently distanced from their neighbours so that the increase in the number of rooms has no significant impact. Applications proposing to increase the maximum number of guestrooms beyond the limit set by the zoning by-law should meet or exceed the lot area per guestroom ratio as set through the zoning by-law. iii) There is sufficient lot area to accommodate off-street vehicle parking at the rate of one parking space per guestroom plus two parking spaces for the dwelling unit. Tandem parking shall be restricted to no more than two vehicles in tandem. iv) There is sufficient lot area to allow for 75% of the rear yard to be landscaped open space. v) An application for a larger Bed and Breakfast shall be separated

<p style="text-align: center;">Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)</p>	
Land Use	Related Conditions
<p>Visitor Accommodation in Private Homes - continued</p>	<p>from any other Bed and Breakfast that has guestrooms exceeding the number permitted as-of-right in the zoning by-law by a distance of 500 metres.</p> <p>vi) Preference will be given for a greater number of rooms where the dwelling unit is designated under the <i>Ontario Heritage Act</i>. In such cases, the application will be considered in accordance with criteria listed under the first set of subsections i) to vii) in this section of Table 1.</p> <p>vii) A Bed and Breakfast establishment operating since 1995 shall be considered in accordance with criteria listed in under the first set of subsections i) to vii) in this section of Table 1.</p>
<p><i>Group Homes, Small Scale</i></p>	<p><u>Location</u> Group homes may be located in all land use designations as shown on Schedule "A B" which permit a residential use above the UTRCA Regulatory Limit.</p> <p><u>Zoning By-law</u> Group homes may be permitted in all residential zones and in certain commercial and industrial zones. The zones in which group homes may be permitted as well as the regulations pertaining to them including lot area, yard and landscaping requirements and parking, will be specified in the Zoning By-law.</p> <p><u>Registration</u> The City shall require the registration of group homes in accordance with the provisions of the <i>Municipal Act</i>. As a condition of registration, the owner and/or operator of a group home shall be required to demonstrate compliance with the Ontario Building Code, the Ontario Fire Code, and the City's Zoning By-law and Maintenance and Occupancy Standards By-law. Inspections shall be conducted, as necessary, by the City prior to registration. The registration of group homes shall be subject to annual renewal.</p>

Table 1 <u>Land Uses Permitted In All Designations</u> (except in the Regulatory Flood Line)	
Land Use	Related Conditions
<i>Group Homes, Small Scale</i> <i>(continued)</i>	<u>Public Input</u> The City may establish a process for reviewing and approving applications for the registration of group homes and the appropriate means to ensure that the public is informed, in a timely manner, of any proposal to establish a group home in the City.
Video and Pinball Arcades	<u>Location</u> Privately owned and/or operated video and pinball arcade establishments will be prohibited in the 'Downtown Core' and all other land use designations with the exception of 'Commercial Areas' and 'Industrial Areas'. Within 'Commercial Areas' and 'Industrial Areas', locations may be further restricted and regulations established in the Zoning By-law to ensure the potential for adverse impacts on neighbouring uses and residential areas is minimized. <u>Non-Profit Establishments</u> Within the 'Downtown Core', video and pinball arcades operated by a non-profit service club or body may be permitted provided the City is satisfied with the location, size and nature of the proposed facility. Proposals to establish such facilities will be considered on a case-by-case basis and will require an amendment to the Zoning By-law. <u>Amusement Arcade By-law</u> The City will review its Amusement Arcade By-law to ensure regulations pertaining to video and pinball arcades are consistent with the Zoning By-law and are effective in minimizing the potential for social problems that may be often associated with these establishments.

4.4 DOWNTOWN CORE

Stratford's Downtown core is a compact, multi-use and multi-functional area located at the historic and geographic centre of the City. Its strategic location at the centre of the City and at the termination of five major arterial roads makes it highly accessible to all parts of the City and the surrounding region and is considered a major contributing factor for its continued health and prosperity. The compactness and the intensity of development which characterizes the 'Downtown Core' facilitates pedestrian circulation and activity and serves to strengthen the identity of the core. In large measure, the Downtown Core defines the City of Stratford, establishing the identity and image of the

City for both residents and visitors. While the Downtown Core' remains the City's primary retail focus in terms of the policy intent of this Plan, the relative prominence of Downtown Core' retailing has been eroded over recent years, and requires increased attention and emphasis in the City's planning and development approval process for retail land uses. The 'Downtown Core' is also the centre of government and business being the location of the Perth County Court House, City Hall and the County of Perth Administration offices and Council Chambers. It is also a public gathering place; a meeting place for residents (of all ages) and visitors; a place not only for shopping but also for conducting business and government affairs; and a place also for entertainment, dining and enjoyment. It has a distinctive character defined by its centrality, its architecture and historic buildings, its converging street pattern, its compactness and its diversity of uses and activity.

The range of land uses in the Downtown Core is much wider than that of any other location in the City, ensuring that the Downtown area can function as the true "central place" for the community. This location provides the greatest opportunity for multi-purpose trips for those residing some distance from the Downtown and provides an inherent synergy and efficiency for both the Downtown functions and for the residents involved. This range of land uses is also a unique benefit for the residents of the central parts of Stratford having immediate access to such a full range of goods and services.

4.4.1 Goals and Objectives for the Downtown Core

- i) To encourage the development, re-development, enhancement and maintenance of a Downtown which is vibrant, compact, multi-functional, attractive and people friendly and which constitutes the primary focus of the City with its own distinct identity and character.
- ii) To maintain the Downtown as the City's centre for retail and service trade and government services and to reverse the relative decline in the retail sector by establishing the 'Downtown Core' as the location of first choice for new retail development.
- iii) To increase the diversity and number of residential opportunities.
- iv) To encourage the rehabilitation and 'recycling' of functionally obsolete buildings and floor space no longer suited for the purpose for which they were originally designed or built.
- v) To make more efficient and productive use of municipally owned land used for public parking in the Downtown while at the same time not abandoning the City's long practice of providing convenient, inexpensive parking.

Policies for the Downtown Core

4.4.2 Permitted Uses

Because the 'Downtown Core' is the heart of the City, not only in geographic, community identity and historic terms, but also as the healthy and fully functioning central place for activities of significance to residents of the City and surrounding region, the priority uses for the 'Downtown Core' shall be:

- i) all types of retail uses, including specialized and/or comprehensive retail facilities serving a City-wide or regional customer base, and retailers oriented to theatre patrons, tourists and visitors, as well as retail facilities oriented to the daily and weekly needs of residents, especially those located in and around the 'Downtown Core';
- ii) business, professional and administrative offices;
- iii) business and personal services of all types, including hotels, conference facilities and other similar uses;
- iv) culture, entertainment, dining and accommodation;
- v) governmental facilities, public administration and other institutional uses;
- vi) facilities for community and indoor recreation activities and parks and open space.

In recognition of the diversity and multi-purpose role of the 'Downtown Core' as designated on Schedule "A", a wide range of uses will be permitted including, but not limited to, the priority uses identified above. Additional permitted uses shall include small scale, unobtrusive manufacturing, wholesaling and repair uses. Residential uses are also permitted in the upper stories of commercial buildings, as a component of mixed use developments, or in former industrial or commercial buildings no longer suited for their original purpose, or in free standing structures. Uses that do not make an intensive use of land will be discouraged. The actual permitted uses will be set out in the Zoning By-law.

4.4.3 Compactness and Intensity

The City recognizes the importance of compactness and intensity of development as critical elements in maintaining the distinctive character of the 'Downtown Core', its 'people-friendly' environment and in its continued ability to fulfill its multi-functional role. Proposals, therefore, which would serve to undermine the compactness of the 'Downtown Core' by resulting in or leading to a proliferation of development beyond its boundary, or which would not constitute an intensive use of land, or which would not be conducive or convenient to pedestrian activity will be discouraged.

4.4.4 Design, Form, and Scale of New Development

To maintain the distinctive character of the 'Downtown Core', the City will encourage and use the legislation available to ensure that the design, form and scale of new development, of *redevelopment*, and of signage respects, and ideally enhances, the established character and fabric of the Downtown and does not introduce elements of building or site design which are inconsistent or contrary to its established character and fabric.

4.4.5 Resident Population

The City recognizes the importance and benefits of an increased resident population in the 'Downtown Core'. For its residents, the 'Downtown Core' offers a unique living environment in the City. At the same time, a resident population enhances the vibrancy and safety of the 'Downtown Core' (particularly after the close of the working day), provides an additional market for Downtown shops and services, and provides a viable use for functionally obsolete buildings and floor space. The City will, therefore, encourage the conversion of upper storey floor space and obsolete buildings to residential purposes as well as encourage new residential construction in the form of free standing structures towards the periphery of the core or as a component of mixed use development projects. To this end, the City will participate in programs of other government levels designed to facilitate the provision of residential accommodation in the 'Downtown Core' and may introduce measures (such as low cost loan programs, reduction or elimination of development charges, review of zoning regulations) to facilitate residential development in the 'Downtown Core'.

4.4.5 Public Investment

The City will continue to maintain and undertake improvements and public investment in the 'Downtown Core' in order to make it more attractive, distinctive, convenient and safer to residents, workers, users and visitors as well as potential developers and investors. Without limiting the generality of the following, these improvements may include pedestrian amenities; street lighting and signage; tree planting, landscaping and buffering; public art; public squares and parks; views and viewing areas; vehicular circulation, parking and loading; amenities for users of public transit; and upgrading of municipal services.

4.4.6 Municipally-Owned Lands

The City recognizes the strategic importance and development potential of municipally-owned land in the 'Downtown Core' and may actively encourage the development of these lands in a manner which will set an example for Downtown development; which will fulfill a need in the 'Downtown Core' or in the community in general; and which complements existing activities and facilities. The City will, therefore, consider

conveying these lands or entering into joint ventures or long term leases of municipally owned land to facilitate desirable development. The acquisition and assembly of land by the City may also be undertaken where necessary to facilitate development and where the benefits of such acquisition or assembly are clearly apparent. In the development of these lands, the City may retain design control; may require the provision of public amenities; and may require assurances that any existing on-site parking will be retained by requiring the provision of an equivalent or greater amount of parking within the development or at convenient alternative locations elsewhere in the 'Downtown Core'. The City will also consider appropriate measures to encourage and support the viability of 'brownfields' *redevelopment* to facilitate reuse and *redevelopment* of lands.

4.4.7 Public Facilities and Services

In the location or relocation of public facilities or services (and, in particular, cultural facilities) provided by the City or any of its agencies, the City will consider first the feasibility and desirability of establishing such facilities or services in the 'Downtown Core'. The City will also actively encourage the provincial and federal government and their agents and crown corporations to locate any regional facilities serving the area to locate in the 'Downtown Core' consistent with the goals and objectives of this Plan.

4.4.8 Parking

The supply, cost and convenience of parking in the 'Downtown Core', both on-street and off-street, is considered a vital element to its continued economic health. The City will, therefore, maintain and increase (where feasible) the supply of parking in the 'Downtown Core'. Where *redevelopment* or traffic management measures would lead to a loss of municipally owned or operated, off-street parking or on-street parking, every effort will be made to ensure an equivalent amount is provided at a comparable cost and location.

4.4.9 Cash-in-lieu of Parking

The City may require, as a condition of development in the 'Downtown Core', the provision of adequate parking or alternatively cash-in-lieu thereof — such monies being placed in a reserve fund to be utilized by the City for the provision of parking elsewhere in the 'Downtown Core'. Alternatively, the City may grant relief from its parking requirements where, in its opinion, such requirements constitute an insurmountable obstacle to otherwise desirable development or rehabilitation in the 'Downtown Core'.

4.4.10 Heritage Buildings and Streetscapes

Certain buildings, groups of buildings and streetscapes within the 'Downtown Core', because of their architecture or history, contribute in a significant way to its identity and character and, as a result, the City as-a-whole. Amongst the most noteworthy in this regard are City Hall, Perth County Court House, Festival Square, Market Square,

Ontario Street and York Street. The City recognizes the significance of these and other landmarks and similar areas in the 'Downtown Core' and may take measures to protect their continued existence and integrity (in accordance with Section 3.5 of this Plan) to encourage their restoration, maintenance and functional use; and to enhance their surroundings.

4.4.11 Market Square

The City recognizes the particular uniqueness, special role and untapped potential of Market Square in the centre of the 'Downtown Core'. Efforts will be made to protect and preserve the distinctive architectural character of Market Square and to create a more people friendly environment as well as a public gathering place for civic events and activities.

4.4.12 Truck Traffic

The City will implement or assist in the implementation of measures to reduce truck traffic through the 'Downtown Core' where the cost is not substantial and it is financially feasible for the City to do so.

4.4.13 City Centre Committee

The City recognizes and supports the 'City Centre Committee' as a forum for expressing the views of the business community to Council on matters related to the 'Downtown Core', in assisting the City in undertaking physical improvements and in promoting the core as the City's primary retail, business and service centre.

4.5 RESIDENTIAL AREAS

Residential areas, the most extensive of all land use areas in the City, generally surround the 'Downtown Core' and stretch to the City boundary except where they are interrupted by lands designated and developed for industrial or commercial or open space purposes. Within the older, inner-city neighbourhoods, the homes of the more affluent were established north and west of the 'Downtown Core' while the homes of the working class were concentrated to the south and to the east of the core closest to the railway and industry in the classic tradition of 18th and early 19th century urban development in North America.

Today, the variation in residential areas between the old inner City neighbourhoods of the 'Downtown Core' and the new residential areas currently being developed on the boundary of the City is striking. Differences exist in the age, type and design of housing as well as in the amenities provided within neighbourhoods. Most of the neighbourhoods in the older part of the City were developed on a tight grid pattern with sidewalks on both sides of the street, whereas the newer areas are characterized by a

curvilinear street pattern of wide streets with limited sidewalks, typical of post war suburban development. Perhaps the most extreme example of these developments is the Glastonbury Crescent area designed by E.D. Faludi, one of the pioneer planners of the country.

While existing residential areas of the City are characterized by low density, one and two unit dwellings, medium and higher density forms have developed primarily in, or in close proximity to, the 'Downtown Core' or near the edge of the City as a component in the development of large, previously undeveloped parcels. Existing residential areas are generally of high standard with only scattered or isolated cases of substandard housing conditions.

The remaining large undeveloped areas of the City are located on or near its boundary. Not only are these areas the farthest removed from the 'Downtown Core', they are also amongst the most costly areas to develop as a result of the need to extend major trunk services and road connections including a crossing of the Avon River. The potential for flood susceptibility is also a factor.

While the City may be justifiably proud of the quality of its residential areas and the apparent satisfaction of its residents; changes in the relationships of persons occupying households, de-institutionalization, the evolution and increase in home occupations, and provincial initiatives with respect to affordability, intensification and reduced auto-dependency are likely to have a profound effect on residential areas in the City. Other factors creating stress on established residential areas of the City are the emergence of bed and breakfast establishments and other tourism related impacts which have not always been well received by residents.

4.5.1 Goals and Objectives for Residential Areas

- i) To maintain in all residential areas the essential neighbourhood qualities of quiet enjoyment, privacy, upkeep, public health and safety and basic municipal services.
- ii) To ensure that where **intensification** of development is proposed in residential areas, it is compatible in terms of scale, density and design with neighbouring development and adheres to sound planning principles related to servicing, traffic, site design and amenities, provided there is sufficient capacity in the City's municipal services to accommodate that development.
- 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.
- v) To allow certain non-residential uses in residential areas which are complementary to, or compatible with, the neighbourhood or which meet neighbourhood needs, and which do not individually or cumulatively undermine essential neighbourhood qualities.
- vi) To provide neighbourhood parks and other open space facilities which are within convenient and safe walking distance of residents.

4.5.2 Permitted Uses

Areas designated "Residential Area" on Schedule "A" shall permit low and medium density residential uses 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. The permitted uses, buildings and structures are low density residential including single detached, semi-detached and duplex dwellings. In addition, medium density residential including 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. Specific areas may be designated 'Medium Density Residential' on Schedule "A" in a Secondary Plan Area, or where the City determines that a specific site should be designated for such development, generally however, the location of medium density development shall be controlled through the zoning by-law.

4.5.3 Policies

4.5.3.1 Stable Residential Areas

Stable residential areas are residential areas where potential new development or **redevelopment** is limited. Any **intensification** will be modest and incremental occurring through changes such as development of vacant lots, accessory apartments, or other forms of residential housing that meet the criteria below. Applications for new development in such areas shall be evaluated based on their ability to generally maintain the following elements of the structure and character of the immediate surrounding residential area:

- i) scale of development respects the height, massing and density of **adjacent** buildings and is appropriate for the site;
- ii) respects the nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;

- iii) respects the relationship between the rear wall of buildings and rear yard open spaces;
- iv) siting of buildings in relation to abutting properties ensures that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided;
- v) conforms with density provisions of the Section 4.5.3.3;
- vi) conforms with the policies of Section 3.5, Heritage Conservation and preserves designated and listed heritage buildings and structures, and where located ***adjacent*** to such buildings and structures is designed to be compatible;
- vii) respects the residential lotting pattern in the immediate surrounding area;
- viii) satisfies the City with respect to the proposed grading, drainage and stormwater management, and, in particular that there is no impact on ***adjacent*** properties;
- ix) development has direct access from a public or condominium road;
- x) alignment of any proposed streets with existing streets promotes acceptable traffic circulation;
- xi) any proposed streets are adequate to accommodate municipal services;
- xii) protection of ***significant trees*** and other natural features identified as significant by the City;
- xiii) does not hamper or prevent orderly development of ***adjacent*** properties;
- xiv) garages are designed so that they are not the dominant feature in the streetscape; and,
- xv) has regard for the City's Urban Design and Landscape Guidelines.

In addition, regard shall be had to the policies of Section 6, Community Design Strategy, and particularly in areas of historical or architectural interest to the policies of Sections 3.5, Heritage Conservation.

For the purposes of this policy, the immediate surrounding residential area shall be defined by:

- i) the existing road pattern, and particularly boundaries created by arterial or collector roads;

- ii) the existing lotting pattern;
- iii) boundaries created by physical features such as streams;
- iv) the prevailing building type including any special built form features; and,
- v) any special landscape or other features.

4.5.3.2 New Residential Areas

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.
- iii) the road pattern is a modified, rectilinear grid pattern which provides for the maximum possible degree of connectivity internally, and externally with the existing developed areas and abutting arterial and collector roads with short blocks to promote active transportation modes; and,
- iv) the development incorporates linkages to the City's parks and open space system and/or incorporates private or public open space features which serve as focal points for the residential development and/or structural elements which define the character and structure of the area.

4.5.3.3 Density

The density ranges for residential development shall be:

- i) Low Density
 - a) 12 units per net hectare (5 units per net acre) minimum
 - b) 25 units per net hectare (10 units per net acre) maximum

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.

4.5.3.4 Height

The maximum height for residential development shall be three storeys in Stable Residential Areas and four storeys in New Residential Areas.

4.5.4 Special Provisions

4.5.4.1 Special Policy Areas Undeveloped and Underutilized Lands

In undeveloped or partially developed residential areas identified as 'Special Policy Areas 1' on Schedule "A", where a commitment has not been given by the City or the Province with respect to the type and density of residential development, the City shall expect a mix of housing types; that at least 25% of all housing units to be provided will be within the affordability range established by the Province from time to time; and that the average density of residential development will be at least 25 units per hectare. These areas, however, will only be allowed to develop after assurance is provided that there will be sufficient capacity in the sanitary sewage system to accommodate the development. Until that assurance is provided, the use of these lands shall be limited to those uses existing as of the date of adoption of this Plan.

4.5.4.2 Special Policy Areas Mixed Use

Within 'Special Policy Areas 2' identified on Schedule "A", a mix of residential, commercial and institutional uses will be encouraged. The type, intermixing, and location of non-residential uses and the development standards and sign regulations applying to them, however, will be carefully controlled and designed to ensure land use compatibility; to prevent the introduction of uses detrimental to the established and desired residential and heritage character of these areas; and to prevent an undermining or weakening of the 'Downtown Core'.

To maintain the predominantly residential and heritage character of these areas and to minimize conflicts between residential and non-residential uses, blocks or parts of blocks within these areas may be zoned exclusively for residential purposes and the piecemeal conversion to non-residential uses discouraged. The demolition or insensitive alteration of existing dwellings and their replacement with buildings or additions of a commercial style will be prohibited unless it can be demonstrated to the City that the replacement building is designed in an architectural manner consistent with and sympathetic to the established residential and heritage character of the area. Rather, the conversion or enlargement of existing residential buildings in a manner which retains their external character or alternatively their replacement by buildings designed

in an architectural manner consistent with and sympathetic to the established residential and heritage character of the area will be expected.

Commercial uses will be restricted and generally limited to office uses (both business and professional), specialty retail shops and small restaurants with limited parking requirements which retain and enhance on-site amenity. Those commercial uses (including institutional uses) which generate a large demand for parking and the extensive conversion of amenity space, or which require frequent shipments of merchandise shall not be permitted.

4.5.4.3 Special Policy Area 10 for the Stratford General Hospital block bounded by West Gore, Cambria, John South and St. Vincent South Streets

In addition to the uses permitted in a Residential designation, a HOSTEL may be permitted within the existing former nurses residence building, on the lands designated Residential, owned by the Stratford General Hospital, and bounded by West Gore, Cambria, John South and St. Vincent South Streets.

4.5.4.4 Special Policy Area 11 - 380 Hibernia Street

In addition to the uses permitted under Section 4.5.2, business and professional office uses are permitted within the existing building.

4.5.4.5 Special Policy Area 6 - Romeo St. N

On the lands west of Romeo Street North, north of the Avon River and south of Delamere Ave., identified as "Residential with a Special Policy Area" on Schedule 'B' "A" the range of permitted uses will be limited to 'residential', 'clinic' and 'office'. Clinic space will be limited to 200 m², and the offices to 380 m²."

4.5.4.6 Special Policy Area 12 - Stratford Whitehouse

Notwithstanding the "Residential Area" designation as illustrated on Schedule "A" – General Land Use Plan that applies to 265 St. David Street, the property permitted to be used for a small, indoor banquet facility comprising catered sit-down dinners not prepared on-site, to be served to pre-booked private parties to occupy not more than 150 m² of the total 400 m² of interior floor area of the existing building with a maximum capacity of 48 persons. A minimum of 24 parking spaces will be provided on-site.

4.5.4.7 Special Policy Area 16 - North side of Britannia Street, west of Glastonbury Drive (old fairgrounds)

On the lands located on the north side of Britannia Street, west of Glastonbury Drive, having 170 m of frontage and an area of 11.5 ha, and municipally known as 24 Glastonbury Drive – the old fairgrounds, the following additional policies apply:

- New residential dwellings shall have a minimum net density of 25 unit per hectare (10 units per acre);
- Future buildings shall have a form, massing and appearance that is consistent with the character of adjacent buildings, and,
- Future development shall provide a public road access to the City of Stratford Rotary Complex.

4.5.4.8 North side of Water Street, south side of Lakeside Drive, east of Morenz Drive, and west of Waterloo Street (Tom Patterson Theatre)

On the lands identified on the attached Schedule 'A' the following additional uses shall be permitted: Theatre; Special Event Space; Theatre Restaurant; Business and/or, Professional Offices; Theatre Retail Store; and Theatre Classroom.

4.5.4.9 97 Kelly's Lane

Notwithstanding the policies within section 4.5.3.1 ix), development off of a private right-of-way shall be permitted on lands within Special Policy Area 20.

4.6 HIGH DENSITY RESIDENTIAL AREA

4.6.1 Goals and Objectives for High Density Residential Areas

- i) To recognize established high density residential areas and ensure that new uses generally respect the existing character and density of these areas and ***adjacent*** development; and,
- ii) To provide for the creation of new high density residential areas in locations which generally respect ***adjacent*** development.

Policies for High Density Residential Areas

4.6.2 Permitted Uses

The permitted uses are:

- i) medium density residential including townhouse dwellings, low rise apartments and stacked townhouses, but shall generally not include single detached, semi-detached or duplex dwellings; and,
- ii) high density residential including high rise apartments.

In addition, in areas located arterial roads, development may incorporate commercial, office and institutional components as part of mixed use developments.

4.6.3 Established High Density Residential Areas

Established high density residential areas are those areas where potential new development or **redevelopment** is limited. Applications for new development in such areas shall be evaluated based on their ability to generally maintain the following elements of the structure and character of the surrounding high density residential area:

- i) the scale of development with respect to the height and massing of buildings;
- ii) nature of the streetscape as defined by such elements as landscaped areas, and the relationship between the public street, front yards and primary entrances to buildings;
- iii) relationship between the rear wall of buildings and rear yard open spaces;
- iv) design and siting of buildings in relation to abutting properties, including any abutting lands in the Residential Area designation, to ensure that there will be no significant negative impacts with respect to privacy and shadowing and appropriate buffering can be provided;
- v) retention of the existing street pattern, unless modifications will improve accessibility for active transportation modes; and,
- vi) any proposed **redevelopment** shall take into consideration *adjacent* uses including low density development, as well as **adjacent** development across a street.

A holding zone may be used to ensure that the appropriate review of new development is undertaken in accordance with these criteria.

4.6.4 New High Density Residential Areas

Applications for new High Density Residential Area designations shall require an Official Plan amendment and shall be evaluated based on their conformity with the applicable policies of this Plan and the following criteria:

- i) a mix of development forms and densities;
- ii) high density residential uses are:
 - a) intermixed with medium density development and/or commercial, office and institutional components as part of mixed use developments;
 - b) primarily street oriented in design; and,
 - c) located with direct access to collector and arterial roads, park and greenland areas, community facilities and/or commercial areas.
- iii) designed to ensure that there are no significant negative impacts with respect to privacy and shadowing, and that appropriate buffering can be provided for any **adjacent** lands in the Residential Area designation;
- v) size and scale of the development is such that it can be integrated with any **adjacent** residential areas, in particular conforms with the policies of Section 3.5, Heritage Conservation and preserves designated and listed heritage buildings and structures, and where located **adjacent** to such buildings and structures is designed to be compatible; and,
- vi) municipal services with the capacity to accommodate the proposed development are, or can be made, available.

4.6.5 Density

The minimum density for development in the High Density Residential Area designation shall be 65 units per net hectare (26 units per net acre). The maximum density for residential development in the High Density Residential Area designation shall be 100 units per net hectare (40 units per net acre).

4.6.6 Height

The maximum height for development in the High Density Residential Area designation shall be six storeys. The minimum height shall be three storeys, other than a podium which forms part of a building may be two storeys.

4.7 COMMERCIAL AREAS

A significant amount of commercial development has and continues to take place outside the 'Downtown Core' of the City of Stratford. The most significant areas are the highway commercial strips which have developed along Ontario Street east of Romeo Street and Huron Street west of Forman Avenue. Development in these areas is more suburban than urban in form, having developed since the advent of the automobile which has and continues to have a profound effect on the nature in which cities develop today. Not surprisingly, these areas exhibit a strong orientation to and dependency on

the automobile. Establishments commonly found in these areas include motor vehicle sales and service, motor vehicle specialty repair shops, motels and restaurants, food stores, fast food restaurants, furniture outlets and other uses requiring or desiring large land areas for outside storage and parking. Small commercial plazas or strip malls are also popular. These areas have become the popular location of national and international commercial franchise establishments which have contributed significantly to the nondescript visual character of these areas. At Ontario Street and C.H. Meier Blvd., two large shopping complexes have been established, making this particular area a major retail focus of the City.

Other areas include remnant commercial areas detached from the 'Downtown Core' but of similar vintage, neighbourhood convenience centres serving residential areas, and areas of concentrated automobile dealerships. The most noteworthy of these is the small commercial area south of the railway tracks on Downie Street which developed largely as a result of the nearby existence of the railway. Other areas are located on arterial roads leading to the 'Downtown Core' and originally developed for residential purposes but as a result of increased traffic and permissive zoning have evolved into commercial areas (such as Erie Street south of Cambria Street).

The commercial areas which have developed at the periphery of the City along major entrances or gateways to the City often form the first impression of the City. Unlike the 'Downtown Core', however, these areas offer little in terms of a unique identity or distinctive character. The Stratford Gateway Plan (1985), a pilot project of the Ministry of Municipal Affairs using Ontario Street as a case study, documented existing conditions in the corridor, suggested improvements and recommended an implementation strategy which would result in a more distinctive and aesthetically pleasing appearance of these areas. While the study was endorsed by the City and has been used as a basis for achieving a higher standard of development and redevelopment on individual sites, and in the design of key parts of the right-of-way, more can be achieved in terms of overall improvement. A more comprehensive and integrated approach focusing on the public road allowance based on the City of Stratford Urban Design and Landscape Guidelines, 2013, is necessary to the achievement of a distinct visual identity and a significant aesthetic improvement, not only on Ontario Street but also on sections of Huron Street and Erie Street. In addition, changes in the policy and regulatory approach to encourage more urban forms of development with buildings oriented to the street and mixed use development will also contribute to the development of a more distinctive character.

4.7.1 Goals and Objectives for Commercial Areas

- i) To maintain and enhance Stratford's strong commercial structure, focused on the 'Downtown Core' as the central element of an east-west commercial axis along Ontario and Huron Streets, and ensure healthy interaction and balance among these retail locations.

- ii) To facilitate the provision of a wide variety of commercial uses capable of offering the full range of goods and services required or desired by the community at the lowest possible prices.
- iii) To recognize the legitimate locational and site requirements of certain types of commercial uses which are not readily available in the 'Downtown Core' but are available in outlying areas along high traffic carrying arterial roads.
- iv) To maintain and enhance the economic viability of all commercial areas.
- v) To achieve development and **redevelopment** in commercial areas which is orderly and integrated, aesthetically pleasing and distinctive, well maintained, and convenient and safe to users.
- vi) To ensure the optimal use of lands and buildings designated, zoned and available for commercial purposes before designating or zoning additional lands for these purposes.
- vii) To ensure that the designation or development of commercial areas outside the Downtown does not have a detrimental or adverse economic impact on the 'Downtown Core'.

Policies for Commercial Areas

4.7.2 Permitted Uses

Within 'Commercial Areas' designated on Schedule "A" lying along Ontario Street (east of Romeo Street), Huron Street (west of Forman Avenue) and Lorne Avenue (east of Downie Street), the primary commercial uses will be those with large land requirements for building purposes, on-site parking and outside storage as well as those uses engaged in the provision of convenience goods and services. The actual uses permitted in these areas will be set out in the Zoning By-law. These areas are intended to be developed in a linear and space extensive manner as opposed to the intensive compact form of development characteristic of the 'Downtown Core'. Sufficient land is to be provided for purposes of on-site parking, landscaping, buffering and, if required, outside storage. To minimize entrances along arterial roads, common or shared access to commercial establishments will be encouraged as well as vehicular linkages between commercial establishments.

The retail commercial health of the 'Downtown Core' is profoundly affected by the amount and location of retail development that is permitted to occur in non-Downtown areas of the City. Indeed, the relative significance of Downtown retailing has been eroded in recent years, primarily by the concentration of retail activities in the vicinity of Ontario Street and C.H. Meier Blvd. It is the intent of this plan to redirect the attention of retail interests and reassert greater retail recognition of the 'Downtown Core' as well

as other potential retail locations in Stratford, and thereby move towards a commercial structure characterized by healthy interaction and balance. For these reasons, there shall be no redesignations or zoning of any additional lands in the Ontario Street east area, generally between Romeo Street and the City limit, which would have the effect of permitting: (i) any new retail facilities for Department Store Type Merchandise (DSTM) or food shopping; or (ii) any further expansions of existing retail facilities for DSTM or food shopping. For clarification, this policy does not affect, and is not intended to affect, the existing commercial designations and zoning rights for lands in the Ontario Street east area, generally between Romeo Street and the City limit.

While the 'Downtown Core' shall be regarded as the location of first choice for new retail development, it is recognized that there may be circumstances where a Downtown location is demonstrably not available or appropriate for warranted new retail uses, and for such circumstances this Plan recognizes the potential for retail expansion in the vicinity of Huron Street and O'Loane Avenue. The resulting expansion in that vicinity, which shall occur only in accordance with Section 4.7.12 and other applicable provisions of this Plan, would strengthen the major commercial structure of Stratford being the east-west axis along Ontario and Huron Streets, with the 'Downtown Core' occupying the preferred and central position.

In addition to commercial uses, high density residential development and mixed use development shall also be permitted in the Commercial Area Designation in accordance with the policies of this section and Section 4.6, and subject to an amendment to the zoning by-law.

4.7.3 Major Corridors

In light of the location of 'Commercial Areas' along the major corridors or entrances to the City, a high standard of building design, site design and signage will be expected in order that a more visually pleasing and distinctive image, based on the City of Stratford Urban Design and Landscape Guidelines, 2013, and befitting the City of Stratford will be created. To assist in this effort, the City may, in consultation and with the cooperation of affected property owners and merchants, prepare detailed designs and guidelines and may amend its Sign By-law to more effectively regulate the number, size and placement of signs along these commercial corridors. In addition, the City may make improvements to municipally-owned lands and facilities including lighting, signage, removal of overhead wiring and landscaping.

4.7.4 Land Use Conflicts

Existing or potential land use conflicts within 'Commercial Areas' and between these areas and lands lying *adjacent* shall be eliminated or at least reduced to acceptable levels by the use of separate zone categories in the Zoning By-law and the application of appropriate buffering measures.

4.7.5 Monitoring Commercial Needs

The City will monitor trends in the availability of commercial floor space as well as undeveloped land within 'Commercial Areas' to evaluate applications to designate additional lands for commercial purposes.

4.7.6 Implementation Provisions for Retail Development

Applications for Official Plan Amendment, Zoning By-law Amendment and/or Minor Variance to permit new or expanded retail commercial uses or developments shall be accompanied by appropriate studies to assess the justification for and the impact of the proposals. These studies shall include:

- i) Planning report(s) assessing amongst other matters the appropriateness of the proposed application and the probable impact of the proposal on the structure of the City and on the neighbourhood and/or community where the development is to be located;
- ii) Traffic impact studies addressing such matters as traffic generation and road and intersection capacity, access points, transit accessibility, turning movements and other road network or operational improvements to accommodate the proposal;
- iii) Retail market demand and impact study. Studies of retail demands and impacts shall be based on acceptable population growth projections, information on changes in retail inventory, spending patterns and other applicable factors. The type and size of warranted facilities shall be specified, and the study shall identify impacts on the role, planned function and economic viability of existing and planned commercial areas in the City. The scope of a study may be reduced where information provided in a commercial needs study prepared by the City or a retail market demand and impact study submitted to and accepted by the City remains current; and,
- iv) Other studies that may be required by the City.

The City may, and in the case of major applications shall, obtain peer review assistance in assessing the market, traffic, planning or other pre requisite studies submitted by an applicant, and the City's costs for such peer review shall be reimbursed by the applicant.

The study requirements set out in i) through iv) above be varied or waived if the application does not involve new or expanded retail uses of a type or amount sufficient to pose a planning concern in relation to the policies of this Plan and/or if sufficient up-to-date information is already available to enable full and proper consideration of the application. In making this determination, the City will generally consider that a retail market study is not required for applications involving less than 1,858 square metres

(20,000 square feet) of new or expanded retail floor area, although a retail market study may be required by the City, at its discretion, for such application.

Any implementing planning instrument shall, in accordance with this section and other applicable provisions of this Plan, establish or set out guidance for the accommodation of the warranted retail development and shall provide specific direction for the implementation of appropriate limitations on the size and type and phasing of the development and/or particular retail uses.

Pro-active development promotion and direct City action in the Downtown Core' or elsewhere in the City's commercial structure may be undertaken in order to encourage desired development and change.

4.7.7 Special Policy Area 3 - Shopping Centres

Within the 'Commercial Area' identified as a 'Special Policy Area' on Schedule "A" and lying on the south side of Ontario Street at C.H. Meier Blvd. lands have been developed and re-developed for the purposes of large integrated shopping complexes on large parcels with extensive areas set aside for on-site parking. Uses permitted in these complexes include the full range of retail goods and services from large department stores and food stores, auto repair facilities, retail stores and specialty shops, personal and business services restaurants and entertainment facilities, to convenience stores and services. The actual permitted uses and the development standards applying to these complexes will be set out in the Zoning By-law.

In light of the strategic location of these shopping complexes at the main entrance to the City and the attraction of the public to them, **redevelopment**, revitalization and beautification will be encouraged to achieve the following:

- i) more imaginative architectural treatment and creative site design with particular emphasis along the Ontario Street frontage and at the intersection of C.H. Meier Boulevard and Ontario Street;
- ii) integration of development east and west of C.H. Meier Boulevard to facilitate pedestrian/vehicular movement between the complexes; and,
- iii) aesthetically distinctive on-site landscaping including tree planting, lighting and signage.

The designation of additional lands for these or similar complexes is not considered necessary and may have a potentially detrimental impact on the 'Downtown Core'. For this reason, there shall be no redesignations or zoning of additional lands in the Ontario Street east area which would have the effect of permitting:

- (i) any new retail facilities for Department Store Type Merchandise (DSTM) or food shopping; or

- (ii) any further expansions of existing retail facilities for DSTM or food shopping. For clarification, this policy does not affect, and is not intended to affect, the existing commercial designations and zoning rights for lands in the Ontario Street east area, generally between Romeo Street and the City limit.

4.7.8 Special Policy Area 4 - Erie Street and Downie Street

Within 'Commercial Areas' identified as 'Special Policy Areas' designated on Schedule "A", the history of development is much older and has been characterized, in some cases, by the replacement of residential uses by commercial uses (e.g. along Downie Street south of the railway, and along Erie Street south of Cambria Street). New commercial development is restricted by the presence of existing dwellings and buildings, shallow lot depths and multiple land ownership. A potential exists to restore some of the lost heritage character of these areas and, in the process, provide these areas with a more distinctive identity than they have at present or compared with more recently developed commercial areas in the City. The range of commercial uses permitted in these areas will, therefore, be restricted to those which respect the established built environment and which represent a more compatible fit with the nature of these areas. Proposals which would be sympathetic in design and character with the former heritage qualities of the area; which would result in the restoration of some of its lost heritage quality; and which are compatible with existing development will be encouraged.

4.7.9 Special Policy Area 5- Romeo Street - Ontario Street

In 'Commercial Areas' lying at the northwesterly corner of the intersection of Ontario Street and Romeo Street and identified as 'Special Policy Areas' on Schedule "B A", the range of commercial uses will be restricted to accommodation establishments and other tourist related retail and service uses. **Redevelopment** may be controlled by the City to ensure accommodation facilities will constitute the principle use and are established first. The size and type of tourist related commercial uses will be restricted to those which are considered complementary to accommodation establishments and which are considered appropriate in these areas given their special characteristics and location. The Zoning By-law will identify the uses permitted and any size restrictions which may apply. Creative building and site design is considered essential, as well as sensitivity to the image and character of the surrounding area and neighbouring uses.

4.7.10 Special Policy Area 7- Lorne Avenue

Development of the 'Commercial Area' on Lorne Avenue located east of Morgan Street, and identified as a 'Special Policy Area' on Schedule "A", has been constrained by the proximity of this area to the City's landfill site and the previous lack of municipal water and sewage services. The following conditions shall apply:

- i) new development shall be required to connect to the City's water supply system and sanitary sewage system;
- ii) new development shall be contingent on studies conducted at the expense of the owner which examine and address the impact of the City's landfill on the subject lands, and the impact of the proposed development on the on-going and future operations of the landfill, including its eventual expansion, closure and reuse. The studies shall be conducted by qualified professionals and shall have regard for the legislation and guidelines of the Ministry of Environment.

4.7.11 Special Policy Area 8 5.4 hectares south of Huron Street and east of O'Loane Avenue.

Notwithstanding the Commercial Area designation on the lands shown on Schedule 1 "A" south of Huron Street and east of O'Loane Avenue, the following provisions shall apply:

- i) Uses be limited to a maximum gross floor area of 13,000 square metres (140,000 square feet) including a supermarket with a maximum gross floor area of 4,631 square metres (49,849 square feet); and,
- ii) the first phase of development shall have of approximately 9,717 square metres (104,600 square feet) gross floor area of supermarket and non-supermarket retail, office and service uses, and Phase 2 will consist of approximately 3,000 square metres (32,293 square feet) gross floor area of non-supermarket retail, office and service uses.

Notwithstanding any other the provisions of this Plan, the phasing will be established through the use of a holding symbol as part of the site specific zoning in the Zoning By-law in accordance with the *Planning Act*, and removal of the holding symbol in accordance with the provisions of the Act will be upon consideration of a market study submitted by the proponent of the Phase 2 development that satisfies the City that such additional uses and gross floor area can be accommodated without impacts on the role, planned function and economic viability of existing and planned commercial areas in the City.

4.7.12 Special Policy Area 9 the west side of C.H. Meier at Ontario Street

Notwithstanding the Commercial Area designation on lands shown on Schedule 1 "A", the commercial uses shall be restricted to a supermarket as set out in the zoning by-law. Prior to the adoption of any zoning by-law amendment to allow additional commercial uses, other than service or automotive based commercial uses which are less than a total of 1,000 m², a retail impact study will first be required. The study must

indicate the economic feasibility and retail impact of the additional commercial development and whether it will adversely affect the economic viability of the Downtown Core or other commercially designated areas.

In light of the strategic location of this land at the main entrance to the City, higher landscaping, architectural and site design shall be encouraged.

4.7.13 Special Study Area -Potential Future Retail in Huron/O'Loane Vicinity

This Plan recognizes the future potential for expanded retail development in the general vicinity of Huron Street and O'Loane Avenue. This area is identified in recognition of its strategic location in Stratford's commercial structure within the east-west commercial axis along Ontario and Huron Streets, and in recognition of the potential benefit of additional development to anchor the western element of the structure. Such development may initially consist of smaller, neighbourhood-oriented stores of the type that would customarily serve residential needs in the area.

The additional retail potential of this location, as a potential location for warranted new large format retail development for which a 'Downtown Core' location is demonstrably not available or appropriate, shall only be realized when appropriate amendments to this plan and to the zoning by law are brought forward for consideration in accordance with the following:

- i) Updated market support and impact studies in accordance with the requirements of the Implementation Provisions for Retail Development in Section 4.7.6 of this Plan, shall be provided to establish that the proposed retail use(s) responds to identified public needs and the level of adverse impact on the planned function of other retail locations is acceptable.
- ii) A planning study or evidence of other satisfactory investigations of potential locations within the 'Downtown Core' shall be required, in order to demonstrate that a 'Downtown Core' location is not available or appropriate for the proposed uses.
- iii) An implementing Official Plan amendment, in accordance with this section and other applicable provisions of this Plan, shall also establish a comprehensive framework of designations and policies to accommodate the warranted development and shall provide specific policy directions for the implementation, through zoning by-law amendments, of appropriate limitations on the size, type and phasing of the development and/or with respect to particular retail uses.

4.8 INDUSTRIAL AREAS

There are two major industrial areas in the City; namely, the 'Erie Industrial Park' located generally south of Lorne Avenue in the south end of the City and the 'Romeo Industrial Park' located south of Ontario Street and east of Romeo Street in the east

end of the City. Smaller, yet significant industrial areas are the 'Lorne Avenue Industrial Area', the 'Monteith-Linton Industrial Area' and the so-called 'Old East-End Factory District' located south of Ontario Street, east of the 'Downtown Core'.

Within the Factory District' are a number of large, antiquated multi-storey industrial buildings not well suited to today's modern day industrial requirements. As these buildings date back to Stratford's major role as a furniture manufacturer, they are vivid remaining examples of the City's industrial heritage. In the preparation of the City's Residential Intensification Study (1991) this area was investigated and included a case study of one particular building now partially occupied by a variety of industrial and industrial related uses. The study concluded that these multi-storey buildings are, in many cases, no longer suited or used for purposes for which they were originally designed and occupied. Conversion to residential use was considered to represents a viable alternative, compatible with neighbouring residential uses which may be found in a number of isolated pockets within the industrial area and adjacent to the area to the north and west. As these buildings remain occupied or partially occupied by industrial and industrial-like uses (e.g. storage, repair, wholesaling), conversion of any particular building would only be appropriate if the building had no remaining viable use for industrial and industrial related purposes and its conversion to residential use would not be incompatible with remaining industrial uses and activities. The Provincial Policy Statement, 2005 only permits conversion of employment areas to non-employment uses through a comprehensive review. However, given the long standing nature of the policy direction for this area, the policies permitting conversion have been maintained in the 2013 Official Plan and a comprehensive review would not be required for their conversion. A special designation has been established for this area in Section 4.9.

4.8.1 Goals and Objectives for Industrial Areas

- i) To encourage the continued development of Stratford as a significant manufacturing and regional industrial service centre, as well as a major centre for a diversified range of other employment uses.
- ii) To ensure that areas are available within the City which are highly suited to meeting the requirements of industry and which do not lead to conflicts with neighbouring non-industrial uses. In particular, the City will protect employment areas in proximity to **major goods movement facilities and corridors** for employment uses which require such locations.
- iii) To encourage industrial development which will not make excessive demands on the City's water supply system or generate high volumes of waste water which would discharge into the City's sanitary sewage system.

- iv) To maintain the integrity of industrial areas for industrial purposes and to discourage those uses which will be detrimental to industry or which reduce the potential attraction of these areas for future industrial development.
- v) To encourage industries to adopt Best Management Practice's MP's and in particular to pursue Environmental Management Systems (EMS – ISO 14000). These are voluntary standards designed to assist in achieving environmental and economic gains through effective environmental management systems.

Policies for Industrial Areas

4.8.2 Primary Uses

In designated 'Industrial Areas' on Schedule "A", the primary permitted uses will be for the manufacturing, assembling, repairing, wholesaling or storage of any goods, substance, article or thing. Warehousing, truck terminals, data processing and building trades are also permitted

4.8.3 Secondary Uses

Secondary uses may also be permitted in an 'Industrial Area' which do not detract from the area for industrial purposes nor which would conflict with existing or potential future industrial uses. These uses include:

- i) uses which have characteristics or functional requirements similar to industry including the City's Landfill Site;
- ii) uses (such as outdoor recreation uses) which would potentially conflict with neighbouring uses in other areas of the City;
- iii) uses which do not pre-empt the ultimate development of lands for industrial purposes;
- iv) motor vehicle sales and service establishments;
- v) institutional uses;
- vi) office uses not considered by the City to be appropriate for location in the Downtown Core;
- vii) research and development uses; and,
- viii) education and training other than elementary schools.

Non-essential commercial uses as well as commercial uses which attract a large number of patrons will not be permitted in 'Industrial Areas'. Such uses will be encouraged to locate in designated 'Commercial Areas' or in the 'Downtown Core'.

4.8.4 Accessory Uses

The following accessory uses may also be permitted in an 'Industrial Area':

- i) factory retail and wholesale outlets provided they are clearly incidental in terms of space occupied to the industrial use they are related to with such uses generally not exceeding 25% of the total floor area of the industrial use to a maximum size established in the Zoning By-law;
- ii) uses which provide services for employees and 'Industrial Areas' or which increase the attractiveness of 'Industrial Areas' to industry provided that neighbouring areas designated for commercial purposes are not capable of providing the desired level of service to the 'Industrial Area'. Such uses will be encouraged to develop in groups to form small commercial centres which would serve as a focus for this type of activity within an 'Industrial Area'. All such uses shall be zoned in a separate category in the Zoning By-law which will identify the range of commercial uses permitted and the appropriate development standards and regulations;
- iii) accommodation or accessory living quarters for persons such as caretakers and security personnel;
- iv) open storage provided that open storage shall be prohibited in the front yard and yards abutting or across a street from existing or planned residential development, exterior side yards along arterial roads and shall be discouraged in the side yards in industrial areas; and,
- v) outside display provided that such displays shall be regulated in the zoning by-law based on factors such as the nature of the materials/objects being displayed and the related landscaping.

4.8.5 Hazardous Uses

Notwithstanding the policies of Sections 4.8.2, 4.8.3 and 4.8.4, the City shall not permit industrial uses which are considered to be a significant health and safety concern. Where there is an issue with the potential impact of an industrial uses, a risk assessment will be carried out and the City shall be satisfied that the potential for impacts is not significant. The risk assessment will consider, among other matters identified by the City, any applicable federal/provincial/municipal or special body regulation and/or guidelines, as well as emergency management and the capabilities of emergency services. The assessment shall evaluate the impacts of the proposed use and whether appropriate mitigation measures can be developed to reduce the impacts

to a level acceptable to the City. Mitigation measures that may be considered include stormwater management features which would allow containment of materials that may be released during a fire, explosion or spill.

4.8.6 Buffering Measures

The City will ensure that adequate distance separation and buffering measures will be provided between industry and ***adjacent*** non-industrial, sensitive land uses. Required separation distances will be established having regard for the Ministry of Environment guidelines. In addition to minimum separation distances, such measures as fencing and landscaping may also be required. The obligation to provide adequate buffering or similar measures will be on the encroaching land use. Consideration should be given to the effectiveness of separation distances, buffering and other measures against the ability of industry to maintain compliance with air or other emissions approvals issued by the Province. Consideration shall also be given to future industrial processes and abatement equipment that may be contemplated by the affected industry.

4.8.7 Decommissioning

Where the *redevelopment* of industrial or other potentially contaminated sites is proposed, decommissioning may be required as set out in Section 5.8 and Section 8.3.1 x).

4.8.8 Industrial Area Conversions

Other than the lands subject to the policies of Section 4.9, conversions of lands in the Industrial Area designation to a non-industrial designation or use shall only be permitted by the City through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and there is a need for the conversion. In addition, the City shall be satisfied that there is existing and/or planned municipal services to accommodate the proposed use and that the conversion will not:

- i) negatively impact the viability of the remaining lands in the *adjacent* Industrial Area designation;
- ii) create land use conflicts; and,
- iii) affect the achievement of the other policies of this plan including the achievement of the City's employment target and the City's commercial policies.

For the purposes of this policy, major retail uses and all other commercial uses other than those permitted by Sections 4.8.3 and 4.8.4 are considered non-industrial uses.

In accordance with the *Planning Act*, there is no appeal with respect to the decision of City Council to refuse, or fail to adopt, any official plan or zoning by-law amendment applications that proposes to remove any land from the Industrial Area designation.

4.8.9 Erie Street Gateway

Erie Street is an important “Gateway” to the City. Development of lands in the Industrial Area designation along Erie Street shall be designed to reflect this key role in accordance with the policies of Section 6, Community Design Strategy.

4.8.10 Special Policy Area 13 – Lands annexed on January 1, 2006

On the lands that were annexed on January 1, 2006, permitted uses shall be restricted to industrial uses as permitted under Section 4.8.2 of the Official Plan. Public service uses shall also be permitted. The secondary uses as defined in Section 4.8.3 are not permitted on these lands.

The natural heritage features on the subject property as identified in the report titled “Proposed Industrial Development Environmental Impact Study Report” prepared by Earth Tech Canada Inc, and dated November 18, 2005 are protected and preserved through the zoning by-law and the site plan agreement for the lands. If new development is proposed on the site it shall be subject to the submission of required studies in accordance with Section 8 of this Plan and an environmental impact study.

4.8.11 Special Policy Area 14 - Northeast corner of Romeo Street South and Douro Street

On the lands located on the northeast corner of Romeo Street South and Douro Street (municipally known as 305 Romeo Street South), in addition to the uses permitted under 4.8.2, 4.8.3. and 4.8.4, the following additional uses may be allowed professional office, business office, personal services establishment, retail (up to 929m² or 10,000ft²), restaurant and financial institution.

4.8.12

Notwithstanding the policies within section 4.8, a hotel shall be permitted on the portion of the lands within Special Policy Area 21.

4.9 FACTORY DISTRICT AREA

The lands in the Factory District Area as designated on Schedule “A” shall be subject to the policies of the Industrial Area designation in Section 4.8 of this Plan. However, the following additional policies shall be applicable:

4.9.1 Conversion

Proposals to convert industrial buildings and former industrial sites to alternative uses, including residential uses, in the 'Factory District Area' lying generally west of Romeo Street and north of the CN railway, will be encouraged provided these buildings are no longer required or are in demand for industrial or related purposes and provided such alternative uses do not conflict or lead to conflicts with remaining industrial uses in the area. Further, the conversion of these lands to non-industrial uses shall not require a **comprehensive review** in accordance with Section 3.2.4 of this Plan. All such building conversions to non-industrial uses may require substantial rehabilitation to achieve compliance with the Ontario Building Code. Due to their link with the City's industrial past, a number of these buildings have significant heritage value. Through the conversion process to alternative uses, this heritage value is capable of being preserved and will be expected. Conversion to alternative uses will require an amendment to the Zoning By-law to establish appropriate development standards and to provide opportunities for input from neighbouring industry and residents.

4.9.2 Remnant Housing

A number of 'pockets' of old remnant housing dating back to the late 1800's and early 1900's remain in the 'Factory District Area' lying west of Romeo Street and north of the railway, despite the long established history of the industrial designation and zoning of this area. These 'pockets' are unlikely to be acquired or used for industrial purposes and, therefore, may be zoned for residential purposes to prevent future land use incompatibilities by the piecemeal conversion to industrial uses, to encourage stability and rehabilitation, and to allow for reasonable additions.

4.10 PARK AND OPEN SPACE AREAS

The City of Stratford has a long established history of providing recreational facilities and parkland and protecting land along the Avon River as open space. This legacy has resulted in an abundant supply of recreational facilities; public parks and open space compared to accepted standards and has been a major element in creating a favourable impression for visitors and in creating the image of Stratford as the 'Festival City'.

4.10.1 Goals and Objectives

- i) To ensure an adequate supply and distribution of parks, open space and outdoor recreation facilities are provided for existing and future residents.
- ii) To develop an interconnected system of parks and open space using the Avon River as the system's key component.
- iii) To ensure that parkland and open space is readily accessible to all residents of the community.

- iv) To respond, in a timely and appropriate fashion, to changes in the recreation needs of the residents of the community.

Policies for Parks and Open Space Areas

4.10.2 Permitted Uses

Areas designated as 'Parks and Open Space' on Schedule "A" are intended to be maintained primarily for passive recreational purposes, private amenity space, as natural areas, or for purposes of conservation due to their susceptibility to flooding or erosion. Golf courses and cemeteries due to their nature and size constitute large areas of passive greenspace and may also be designated. In addition, major recreation complexes which serve the City as a whole may also be permitted in the Parks and Open Space Area designation.

Neighbourhood parks and city parks are intended primarily for the purposes of meeting the recreation needs of the community and may be located throughout the municipality. They are, therefore, not specifically designated as 'Parks and Open Space Areas' although they are permitted within the Parks and Open Space designation.

4.10.3 Policies

Development within open space areas shall be in accordance with the policies of Section 5.0, Environment and Sustainability Strategy and other relevant policies of this Plan. Parks shall be developed in accordance with the policies of Section 7.7, Parks and Leisure Services and other relevant policies of this plan.

4.11 THE GRAND TRUNK ANCHOR DISTRICT

The Grand Trunk Anchor District is an area within the Downtown Core, generally located south of St. Patrick Street, east of Cooper Street, west of Downie Street, north of the railway at the southern periphery of the downtown commercial area. The Grand Trunk Anchor District is the original location of the Grand Trunk Railway shops. The remnant industrial building in the District is now known as the Grand Trunk Building. With the first building being completed in 1871, the Railway shops (Grand Trunk and later Canadian National) would see numerous expansions over the years and more than 1,500 employees at one time before being sold to the Cooper-Bessemer Corp. in 1963. In 1986 Cooper-Bessemer closed the facility. The Stratford-Perth YMCA has been in operation for a number of decades in the District, providing community-orientated programs and activities. In 2012, The University of Waterloo opened the new Global Business and Digital Arts Program in a dedicated building in the District, bringing new life to the area.

The lands in the Grand Trunk Anchor District as designated on Schedule "A" shall be

subject to the policies of the Downtown Core designation in Section 4.4 of this Plan. However, the following additional policies shall be applicable:

4.11.1 Goals and Objectives for the Grand Trunk Anchor District

- i) To encourage public and institutional uses which will restore a sense of purpose and vibrancy to the Grand Trunk Anchor District making it a focus of activity in the southern part of the Downtown Core.
- ii) To ensure that development in the Grand Trunk Anchor District complements and supports the role of the rest of the Downtown Core as the primary focus of the City with its own distinct character and identity.
- iii) To ensure that the historic use of the Grand Trunk Anchor District is commemorated and the Grand Trunk Building is conserved with an emphasis on the importance of rail to the development of the City.

4.11.2 Commemoration/Conservation

The Grand Trunk Anchor District contains a significant built heritage resource, known as the Grand Trunk Building. The built heritage resource and associated property shall be subject to the policies of Heritage Conservation in Section 3.5 of this Plan, where appropriate. The City is in the process of determining the future of the Grand Trunk Building which may include rehabilitation, adaptive re-use, partial preservation, conservation, commemoration and /or demolition in whole or in part. Given the significance of the built heritage resource, a Heritage Impact Assessment shall be submitted for any development or permit application in the Grand Trunk Anchor District.

4.11.3 Parking

The Grand Trunk Anchor District currently supplies parking for Downtown Stratford which is recognized as a vital element to Downtown Stratford's continued economic health. Retaining and/or augmenting that parking supply, and considering new transportation demand initiatives for Downtown Stratford, shall be addressed in future development plans.

4.11.4 Master Plan Process

Development of the lands in the Grand Trunk Anchor District shall be in accordance with a Master Plan prepared and adopted by the City which will establish the general land use and transportation structure, and provide direction for other related issues such as servicing, urban design and site structure, building massing and scale, land use, contextual relationship, conservation of significant built heritage resources, parking and phasing.

4.11.5 Bonus Eligibility

The policies of Section 9.2.6 of this Plan shall apply to lands in the Grand Trunk Anchor District. Development in the Grand Trunk Anchor District is eligible for bonus height and/or density if a combination of the following community benefits are provided to the satisfaction of the City:

- a) Child care centre
- b) Bicycle sharing infrastructure/program
- c) Significant Public Realm improvements
- d) Public art contributions
- e) Heritage conservation
- f) Zero-carbon buildings (as-built)
- g) Reduced carbon emissions
- h) Affordable Housing
- i) Accessible design beyond minimum legislative standards
- j) Smart technology implementation

4.12 AGRICULTURAL AREAS

Recent annexations have brought agricultural land into the City limits. The Agricultural Area policies are intended to allow for a full range of non-intensive agricultural and associated uses and the continuation of existing uses. Redevelopment within Agricultural Areas, including the creation of new lots, will be discouraged. Minor lot line adjustments will be allowed under certain conditions.

4.12.1 Goals and Objectives of Agricultural Areas

- i) To encourage the continuation of non-intensive agricultural and associated uses and existing uses.
- ii) To minimize the potential for land use conflicts between agricultural and non-agricultural uses.
- iii) To prevent the premature redevelopment of annexed agricultural lands.
- iv) To discourage redevelopment and lot creation that could negatively impact comprehensive planning.

4.12.2 Permitted Uses

In areas designated "Agricultural Area" on Schedule "A", the primary permitted uses will be for agricultural uses including but not limited to a full range of non-intensive

agricultural uses, such as cash crop farming, market gardening, specialty crops, nurseries; farm dwellings; accessory farm buildings and structures; ***on-farm diversified uses***, **agriculture-related uses**, and home occupations. The minimum lot area of an agricultural use will be included in the Zoning By-law.

4.12.3 Existing Uses

Uses which legally exist on the date of Council adoption of this policy, including non-farm residential dwellings, may be regarded as a permitted use in the Zoning By-law.

4.12.4 On-Farm Diversified Uses

On-farm diversified uses are allowed as they provide supplemental income which support the farming operation. ***On-farm diversified uses*** are intended to be small-scale and secondary to the principle use of the farm property. ***On-farm diversified uses*** shall be operated by a resident of the farm, shall have not more than one off-farm resident employee and may be conducted in a building other than the dwelling provided it is located in the farm cluster. ***On-farm diversified uses*** may be permitted by an amendment to the Zoning By-law.

4.12.5 Agriculture-Related Uses

Agriculture –related uses are allowed as they provide a direct service to area agriculture uses. **Agriculture-related uses** will be not be required to be on municipal services but shall be restricted to “dry” operations. Further, the amount of land for the use will be the minimum necessary to support the use and servicing needs. Agriculture-related uses may be permitted by an amendment to the Zoning By-law and will be subject to site plan approval.

4.12.6 Consent to Sever

New lot creation on lands designated Agricultural Area will generally be discouraged. Minor lot line adjustments may be allowed provided the lot adjustment does not have any adverse impacts on the surrounding uses, create a separate building lot or undersized lot, or negatively impact the comprehensive redevelopment of the area.

4.13 GATEWAY MIXED USE AREA

The lands designated Gateway Mixed Use Area are located along Ontario Street / Highway 7/8 at the easterly limit of the City of Stratford. These lands were formerly within the Township of Perth East and area specific policies are necessary in order to advance city building initiatives that would foster the current and future economic and social wellbeing of the City. The subject lands are strategically located at the eastern gateway of the City of Stratford/ providing an opportunity to establish development

that achieves a sense of arrival to the City while being complementary to the surrounding context.

4.13.1 Goals and Objectives:

- i) To establish a gateway location to the City of Stratford.
- ii) To achieve a broad mix of commercial and residential uses that are compatible in terms of scale/ density and design with neighbouring development and adhere to sound planning principles related to servicing/ traffic/ site design and amenities.
- iii) To provide for a development form that is compatible with and complementary to the existing commercial areas to the west.

4.13.2 Permitted Uses

Areas designated Gateway Mixed Use shall permit:

- i) RESIDENTIAL: medium and high density type residential uses including apartments above the first floor in a mixed-use building and small lot single detached/ semi-detached/ duplex/ and triplex dwellings/ townhouse dwellings/ apartments/ retirement residences (including assisted living/ retirement/ memory care and long term care facilities)/ back-to-back and stacked townhouses.
- ii) COMMERCIAL: the primary commercial uses will be those with large land requirements for building purposes/ on-site parking and outside storage as well as those uses engaged in the provision of convenience goods and services. The actual uses permitted in these areas will be set out in the Zoning By-law.
- iii) For clarity/ Section 4.7.2 shall not apply to the Gateway Mixed Use designation.

4.13.3 Design and Development Considerations

- i) Where residential uses are proposed/ the minimum density policies contained in Section 4.5.3.3.ii) shall apply. The maximum density per net hectare shall be 100 units;
- ii) Residential uses may locate on the upper floors of permitted commercial uses (in a mixed form) and/or to the rear of permitted commercial uses;
- iii) The maximum height for buildings shall be 6 storeys;
- iv) 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 Gateway Mixed Use designation with a minimum of 40% of new housing units being in forms other than single detached dwellings or cluster single detached dwellings;

- v) The block pattern should reflect a rectilinear grid pattern which provides for the maximum possible degree of connectivity internally and externally with adjacent areas and abutting arterial and collector roads with crosswalks to promote walkability;
- vi) The development will incorporate linkages to the City's parks and open space system/ the City's transportation network and/or other points of interest. Linkages to private or public open space features may serve as focal points for the residential development and/or structural elements which define the character and structure of the area;
- vii) Commercial uses should be designed to have direct frontage on Ontario Street with the option of residential above for integration (in a mixed-use form) and/or to the rear of commercial uses;
- viii) Buildings and structures shall incorporate architectural/ landscaping or other features which emphasize the unique nature of the community;
- ix) Buildings or structures are sited and massed toward Ontario Street / Highway 8;
- x) Parking areas shall generally be at the rear or side of buildings/ and can be at the front of buildings subject to screening;
- xi) Signage shall present a positive visual image of the City; and,
- xii) Design shall be in keeping with the City of Stratford Urban Design and Landscape Guidelines.

4.13.4 Land Use Conflicts

Existing or potential land use conflicts within Gateway Mixed Use Areas and between these areas and adjacent lands shall be reduced to acceptable levels by the use of separation distances and / or other mitigation measures.

4.13.5 Implementation Provisions for Retail Development

Applications for Zoning By-law Amendment and/or Minor Variance to permit new or expanded retail commercial uses or developments above 1/858 m² (20/000 sq ft) shall be accompanied by appropriate studies to assess the justification for and the impact of

the proposals in accordance with Policy 4.7.6 of the Official Plan.

5. ENVIRONMENT AND SUSTAINABILITY STRATEGY

5.1 PURPOSE

The preservation, conservation and enhancement of the environment is important to sustain life, maintain health and provide for an improved quality of life for residents of Stratford. For the purposes of this Plan, environment refers to the natural, built and cultural environments, which include air, soil, water, plant and animal life, social and cultural conditions, buildings or structures or any combination thereof, and the direct or indirect impacts of human activities. The policies of this section establish the basis for the protection of the environment and a framework for sustainable and resilient development including direction with respect to:

- i) Natural Heritage Features;
- ii) Flood and Erosion Prone Areas;
- iii) Water Resources;
- iv) Lands **Adjacent** to Railways;
- v) Lands **Adjacent** to Landfill Sites;
- vi) Lands **Adjacent** to Sewage Treatment Plants;
- vii) Contaminated Sites;
- viii) Petroleum Resources; and,
- ix) Sustainability Strategy.

5.2 NATURAL HERITAGE FEATURES

5.2.1 Natural Heritage Features and Conservation Authority Regulation Limit

The City has a very limited number of natural heritage features including woodland and wetland areas. In addition, certain areas are regulated by the Upper Thames River Conservation Authority (UTRCA) because of their proximity to natural heritage features located outside the City boundary. Schedule "B", Natural Heritage and Natural Hazards, identifies the following features which have been identified based on the Stratford Natural Heritage Study:

- i) Wetlands;
- ii) Wetland Hazards;
- iii) Anthropogenic Woodlands/Park;
- iv) Natural and Naturalized Woodlands; and,
- v) Natural Heritage System Plantings.

Schedule "B" also identifies the UTRCA Regulation Limit. The Regulation Limit identifies hazard features including Riverine Flooding Hazards, Riverine Erosion Hazards,

Wetlands and Areas of Interference surrounding Wetlands. It is also recognized that the Regulation Limit may include natural heritage features.

5.2.2 Natural Heritage Feature Boundaries

- i) The areas identified as natural heritage features such as Wetland Units (MNR), Wetland Hazards (UTRCA), Anthropogenic Woodlands/Park, Natural and Naturalized Woodlands and NHS Plantings, were identified based on a general background analysis. The precise location of these features and their boundaries shall be established to the satisfaction of the City in consultation with the UTRCA.
- ii) An Official Plan amendment shall not be required for boundary refinements or deletion of any natural heritage feature identified on Schedule "B", subject to the approval of the City, in consultation with the UTRCA and the Ministry of Natural Resources where applicable, an environmental impact study and/or other detailed information required by the City. The UTRCA shall also be satisfied with respect to its own legislative and regulatory powers.
- iii) Notwithstanding that no significant natural heritage features have been identified in the City, if through further study a significant wetland, significant woodland, significant valleyland, significant wildlife habitat, significant area of natural and scientific interest, fish habitat or the habitat of endangered and threatened species is identified, the policies under 5.2.2 shall apply. The City may request that studies be completed to identify potential presence of natural heritage features in support of an application.

When a natural heritage feature is identified, it shall be designated on Schedule B. An Official Plan amendment shall be required for any significant change to the boundary or the deletion or a feature.

No development and site alteration shall be permitted within a significant wetland. Development or site alteration shall not be permitted on the adjacent lands to a significant wetland, unless the ecological function of the adjacent lands has been evaluated, and it has been demonstrated that there will be no negative impacts on the feature or its ecological functions.

Development and site alteration shall not be permitted within or adjacent to a significant woodland, significant valleyland, significant wildlife habitat, or a significant area of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the features or their ecological functions. Significant woodlands shall be identified using criteria established by the Ministry of Natural Resources and Forestry.

Woodland boundaries have been identified as Anthropogenic Woodlands/Parks, Natural and Naturalized Woodlands, and Natural Heritage Plantings on Schedule B.

Development and site alteration shall not be permitted within fish habitat or the habitat of endangered species or threatened species, except in accordance with provincial and federal requirements.

5.2.3 Permitted Uses

The permitted uses in the lands designated as natural heritage features on Schedule "B" and the related Regulation Limit shall be limited to the following, provided that the UTRCA is satisfied with respect to its own legislative and regulatory powers:

- i) existing uses and limited expansion to existing buildings and structures, or the replacement of a building or structure which has been destroyed by fire or other disaster;
- ii) conservation and preservation of the natural environment;
- iii) recreational uses with limited impact on the natural features and their natural functions;
- iv) development or land disturbance for required stream bank erosion protection, and fish, wildlife and conservation management, provided that any required reconstruction of a watercourse is completed in a way which creates a natural appearing stream environment with variable side slope, tree landscaping and a meandering channel;
- ix) Existing and planned road crossings and related services and utilities in the general area of the designations on Schedule "D"; and,
- x) Stormwater management facilities which are located outside any natural heritage feature.

5.2.4 Environmental Impact Study

When development or site alteration is proposed, in accordance with 5.2.2 (iii), the submission and approval of an Environmental Impact Study (EIS) will be required to the satisfaction of the City, in consultation with the UTRCA. An EIS will be completed by a qualified individual, and will include:

- i) A description of the application, including existing and proposed land uses on the site and the existing land uses adjacent to the site.;

- ii) Recommendations on natural heritage feature boundaries, the identification of any potential negative impacts, proposed mitigation measures and measures to enhance natural heritage features where possible.;
- iii) Any requirements specified by the UTRCA to address potential matters under their regulation; and,
- iv) Any other provincial or federal requirements (e.g., Endangered Species Act, Fisheries Act).

The City may also request that an EIS be completed to confirm the presence or absence of natural heritage features on or adjacent to the site, in support of an application.

5.2.5 Ownership

- i) The City shall seek acquisition of lands identified as “Wetland Unit”, “Wetland Hazards” and “Natural and Naturalized Woodlands” on Schedule “B” based on their significance by the City or other public agency at no cost using various land securement tools. However, the identification on Schedule “B” does not imply that the lands will be purchased by a public agency or that they are free and open to the public.
- ii) Where the lands identified as in subsection 5.2.5 i) are not acquired by a public agency, the City may seek the maintenance and enhancement of the lands through the use of stewardship agreements.
- iii) Lands identified as “Floodline”, “UTRCA Regulation Limit”, “Wetland Unit”, “Wetland Hazards”, “Anthropogenic Woodlands/Park”, “Natural and Naturalized Woodlands” and “NHS Plantings” on Schedule “B” may not be acceptable to the City as part of, or all of, the dedication requirement for public park purposes under the *Planning Act*. All lands dedicated shall be conveyed in a physical state satisfactory to the City.

5.2.6 Hazardous Forest Types for Wildland Fires

Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.

Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with **wildland fire assessment and mitigation standards**.

5.3 NATURAL HAZARDS

5.3.1 Purpose

The intent of these policies with respect to flooding hazards and erosion hazards are::

- i) To protect life and property from the risks associated with natural hazard processes;
- ii) To ensure vehicles and peoples have a way of safely entering and exiting during times of flooding, erosion and emergencies;
- iii) To ensure that no new hazards are created and existing hazards are not aggravated; and,
- iv) To ensure that no adverse environmental impacts will result.

5.3.2 Location and Limits

Flooding Hazards and erosion hazards within the UTRCA Regulatory Limit shown on Schedule "A" and Schedule "B" comprise those lands primarily associated with the Avon River and its tributaries. These lands are hazardous or potentially hazardous to development and a risk to life and property as a result of their susceptibility to flooding, erosion, subsidence, slumping or inundation. The areas within the UTRCA Regulation Limit are subject to flooding; erosion; wetlands and the area of interference surrounding wetlands are shown on Schedule "A" and Schedule "B" are representative of the hazard mapping of the Upper Thames River Conservation Authority. Their limits will be more precisely determined, in consultation with the Upper Thames River Conservation Authority.

An Official Plan Amendment will not be required for minor revisions to the boundaries of Natural Hazards, where such revisions are supported through appropriate technical studies and/or assessments, site plans and/or other plans as required and approved by the Upper Thames River Conservation Authority

5.3.3 Natural Hazards

UTRCA Regulation Limit mapping will be used as a basis for initially evaluating development proposals. Prior to the adoption of any amendment to the Official Plan and/or Zoning By-law, or the approval to any draft plan of subdivision or condominium or site plan. Additional studies through the completion of engineering floodline mapping, as site specific geotechnical study or engineering assessment may first be required for the area proposed to be developed.

5.3.4 Changes to Boundaries

If flood control or other works have been undertaken or more detailed surveys and mapping are available which result in significant changes to the areas identified as

flooding hazards and erosion hazards on Schedule "A" and Schedule "B", such changes shall be incorporated by way of amendment to this Plan.

5.3.5 Zoning By-law

The City will use its Zoning By-law to further regulate development in the Regulation Limit by such measures as minimum setbacks from open drains and natural watercourses and, where feasible, specific land use zones where buildings and structures will be prohibited.

5.3.6 New Buildings and Structures

Within the flooding hazards and erosion hazards established by the Upper Thames River Conservation Authority as shown on Schedule "CA" and Schedule "B", buildings and structures will generally be prohibited with the exception of those buildings and structures associated with and necessarily located in, or *adjacent* to, the floodplain. (e.g. flood and erosion control works, bridges). The enlargement or replacement of existing buildings and structures shall be permitted in accordance with Section 5.3.7.

5.3.7 Existing Buildings and Structures: Renovation and Alteration

Buildings or structures located or partially located in the 'Regulatory Flood Line' as determined by the Upper Thames River Conservation Authority, may be renovated or altered in accordance with the following provisions:

- i) adverse effects on the hydraulic characteristics of flood flows as determined by the Conservation Authority will not occur;
- ii) the use associated with the replacement structure and development does not increase risk to property damage or public safety (e.g. converting from habitable to non-habitable);
- iii) any new floor space created within the flood plain, including basements, shall not be below the elevation of the existing first floor space. The creation of new habitable floor space or rooms will not be permitted below the elevation of the existing first floor;
- iv) such renovations or alterations including mechanical and electrical services shall be floodproofed to the regulatory flood elevation. Under certain circumstances, a relaxation in the level of flood proofing required may be permitted where approved by the Conservation Authority; and,

- v) ingress and egress should be “safe” or “dry” pursuant to contemporary floodproofing guidelines in addition to Provincial Policy and/or achieve the maximum level of flood protection determined to be feasible and practical based on existing infrastructure

5.3.8 Existing Buildings and Structures: Replacement and Reconstruction

Buildings or structures located or partially located in flooding hazards and erosion hazards as shown on Schedule “A” and Schedule “B” and which have been destroyed or partially destroyed by fire or other natural causes may be replaced or reconstructed in accordance with the regulations of the Upper Thames River Conservation Authority.

5.3.9 Acquisition

By identifying flooding hazards and erosion hazards, it is not intended to imply that these lands will be acquired by the City or some other public authority due to their limited use and development potential.

5.3.10 Parkland Dedication

Where the subdivision or development of a parcel of land is proposed, part of which lies within a flooding hazards and erosion hazards, then such lands may not be acceptable to the City as part of, or all of, the dedication requirement for public park purposes under the *Planning Act*. All lands dedicated shall be conveyed in a physical state satisfactory to the City.

5.3.11 Placement and Removal of Fill

The placing or removal of fill of any kind, whether originating on the site or elsewhere, within the UTRCA Regulation Limit established by the Upper Thames River Conservation Authority will only be permitted in accordance with the Authority’s regulations. The City will advise the Conservation Authority in those cases where it has reason to believe the placing or removal of fill is being illegally undertaken.

5.4 WATER RESOURCES

5.4.1 Purpose

In conformity with the *Clean Water Act*, 2006 and the Thames-Sydenham Source Protection Plan, it is the intent of the Official Plan to protect existing and future sources of drinking water.

5.4.2 Thames- Sydenham Source Protection Plan (SPP) Legal Effect

All planning decisions shall be in conformity with the policies of the SPP, as may be amended from time to time, that address significant drinking water threats in accordance with Section 39 (1)(a) of the *Clean Water Act*. All planning decisions shall

have regard for the policies of the SPP, as may be amended from time to time, that address low and moderate municipal drinking water threats in accordance with Section 39(1) (b) of the *Clean Water Act*.

5.4.3 Significant Threat Policy Applicability Areas

Vulnerable areas in which a significant drinking water threat could occur are identified on Schedule "C" as "Significant Threat Areas". The mapping of vulnerable areas is provided for information purposes only. For accuracy and more detailed information, reference should be made to the SPP, dated November 14, 2014 (available at <http://www.sourcewaterprotection.on.ca/source-protection-plan/amended-proposed-source-protection-plan/>) and the detailed mapping in the related Assessment Report, dated August 12, 2011 (available at <http://www.sourcewaterprotection.on.ca/utrca-assessment-report/>) as may be updated from time to time. Within the vulnerable areas identified in the SPP, any use or activity that is, or would be, a significant drinking water threat is required to conform with all the applicable SPP policies and, as such, may be prohibited, restricted or otherwise regulated by those policies. Significant drinking water threats which are prohibited shall be those identified in accordance with the significant drinking water threat specific policies of the SPP. Vulnerable areas include wellhead protection areas, ***significant groundwater recharge areas*** and ***highly vulnerable aquifers***.

5.4.4 Water Resource Conservation and Enhancement

- i) The City shall promote the efficient and sustainable use of water resources in all new developments and municipal operations. This may include mitigative measures and/or alternative development approaches to protect, improve or restore surface and ground water features and their hydrologic functions.
- ii) The City shall support the preparation of watershed and subwatershed plans.

5.5 LANDS ADJACENT TO RAILWAYS

5.5.1 Purpose

The intent of the policies with respect to land *adjacent* to railways is:

- 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,
- ii) To maximize the safety of residents, employees and others in development located *adjacent* to rail facilities.

5.5.2 Attenuation Measures

To minimize land use conflicts between new residential development and places of public assembly and railway corridors, attenuation measures will be required to buffer these uses from railways in noise sensitive and vibration sensitive areas.

5.5.3 Noise Sensitivity Areas

Noise sensitivity areas are considered to be those areas lying within 300 metres of the CN railway.

- i) Prior to approval of a residential development proposal or place of public assembly within a noise sensitivity area, the City shall consult with the owner/operator of the railway, and may require that the proponent engage the services of a recognized acoustical consulting engineer to undertake a 'noise evaluation' study. The study shall identify the total noise impact on the development site from all sources and shall demonstrate whether noise control measures are required to satisfy the Ministry of the Environment's sound level criteria. The study shall be prepared to the satisfaction of the City in consultation with the owner/operator of the railway. Where a need is demonstrated, the study shall recommend the appropriate noise reduction measures to be applied.
- ii) As a condition to the approval of a residential development or a place of public assembly and where the 'noise evaluation' study demonstrates a need, the proponent shall have a detailed 'acoustical design' study prepared and submitted to the City, and the owner/operator of the railway. Where development is proposed by plan of subdivision, or condominium, the approved noise control measures as specified in the accepted 'acoustical design' study shall be included in the subdivision/condominium agreement.

5.5.4 Vibration Sensitivity Areas

- i) 'Vibration Sensitive Areas' are considered to be those areas lying within 75 metres of a railway:
 - a) Prior to approval of a residential development proposal or place of public assembly within a 'Vibration Sensitive Area', the City, where it considers it appropriate, shall consult with the owner/operator of the railway, and may require that the proponent engage the services of a consulting engineer recognized in monitoring ground-borne vibration levels. The study shall identify any vibration impact and the mitigation measures to be applied in consultation with and to the satisfaction of the owner/operator of the railway.

- b) Where the study demonstrates a need, appropriate and practical attenuation measures shall be provided for in the draft plan of subdivision and / or condominium approval and any related agreement or other development agreement. These measures shall be designed and implemented to the satisfaction of the City in consultation with the owner/operator of the railway.
- c) Where new industrial development which is a potential major source of vibration, is proposed within 75 metres (264 feet) of existing residential development, a vibration study shall be carried out to the satisfaction of the City, in accordance with Section 8.3.1 v) of this Plan.

5.5.5 Other Mitigation and Safety Measures

In addition to any noise and vibration impact mitigation measures, other mitigation and safety measures such as increased setbacks, intervening berms and security fencing may be required as a condition of subdivision approval or other development approvals where a proposed residential development or place of public assembly lies within 300 metres of a railway.

5.5.6 Warnings

Where residential development or a place of public assembly is proposed within 300 metres of a railway, a suitable agreement between the City and the owner/proponent shall specify that future owners will be advised that, despite the inclusion of noise and/or vibration control measures within the development, alterations to rail operations may occur which may adversely affect the living environment and enjoyment of the residents. Where appropriate, such agreements will provide for the registration of the warning clause on title.

5.6 LAND ADJACENT TO LANDFILL SITES

5.6.1 Purpose

The intent of these policies is to minimize the potential risks to public health and safety from the off-site impacts associated with both active and abandoned landfill sites.

5.6.2 Landfill Impact Assessment

Due to the potential for methane gas and leachate migration in soils within 500 metres of the perimeter of fill areas of landfill sites, a study of possible impacts and mitigation measures may be required prior to the approval of any development proposal or the issuance of any building permit affecting lands in the area shown on Schedule "C" as "500 m Soil Test Area". These studies shall be conducted by qualified professionals and shall have regard for the legislation and guidelines of the Ministry of Environment.

5.6.3 Monitoring of Methane and Leachate

The City will monitor and take measures within its active landfill site to reduce the potential for the uncontrolled release and migration of methane gas and leachate.

5.6.4 Former Landfill Sites

As required by the *Environmental Protection Act*, the reuse or *redevelopment* of a former landfill site may not proceed without the prior approval of the Ministry of Environment.

5.7 LAND ADJACENT TO SEWAGE TREATMENT PLANT

5.7.1 Purpose

The purpose of these policies is to minimize the impact of offensive odours from the City's sewage treatment plant on neighbouring residential uses.

5.7.2 Minimum Separation Distance

A minimum separation distance of 150 metres shall be applied from the perimeter of the City's sewage treatment plant site as shown on Schedule "C", and any new residential development.

5.7.3 Preferred Uses

Open space, recreational and other non-sensitive uses will be the preferred land uses within the minimum separation distance surrounding the City's sewage treatment plant as shown on Schedule "C"

5.8 CONTAMINATED SITES

When development is proposed, the applicant must demonstrate that on-site soil quality is suitable for the proposed use in accordance with the provisions of Section 8.3.1. x). Where site remediation is required the City shall be satisfied with respect to the implementation of remediation prior to development approval.

5.9 PETROLEUM RESOURCES

5.9.1 Purpose

The City contains an active well (Stratford Natural Gas Co. – Stratford Well) as identified on Schedule "C" which should be protected for long-term use.

5.9.2 Protection of Long-Term Resource Supply

Petroleum resources in the City shall be protected from development and activities that would preclude or hinder expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. In areas adjacent to known petroleum resources in the City, development and activities which would preclude or hinder the establishment of new operations or access to the resource shall only be permitted if:

- i) Resource use would not be feasible; or,
- ii) The proposed land use or development serves a greater long-term public interest; and;
- iii) Issues of public health, public safety and environmental impact are addressed.

5.9.3 Rehabilitation

Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken where feasible.

5.10 SUSTAINABILITY STRATEGY

5.10.1 Purpose

The City is committed to, and has already made significant progress in, developing a "culture of conservation" which reflects the principle of sustainable development - "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."¹

The Sustainability Strategy provides policies with respect to the implementation of this principle as it relates to development form as well as the framework for the creation of an Integrated Community Sustainability Plan (ICSP) for conservation of water, air quality, energy and other resources and waste reduction, transportation, environmental monitoring and education. Related policies for heritage conservation are found in Section 3.5 of the Plan.

¹The Bruntland Commission (1983)

5.10.2 Development Form

The City will encourage, in accordance with the policies of this Plan and the Urban Design and Landscape Guidelines, development which is based on the principle of sustainable development, including City facilities. The City will also work with other public agencies to encourage them to follow the same principle. In particular, the City will encourage development designed to:

- i) reduce the consumption of energy, land and other non-renewable resources including support for energy efficient building and opportunities for co-generation;
- ii) minimize the waste of materials, water and other limited resources;
- iii) create livable, healthy and productive environments;
- iv) reduce greenhouse gases; and,
- v) enhance biodiversity, ecological function, and the natural heritage system, including the provision of wildlife habitat and linkages.

5.10.3 Integrated Community Sustainability Plan

The City shall develop an Integrated Community Sustainability Plan (ICSP) or equivalent in consultation with other agencies including the UTRCA and the County of Perth. The Plan will build on existing initiatives such as the Roundtable on the Environment for the 21st Century Report. The ICSP will be designed with specific, achievable actions which reflect the City's financial constraints, to implement the following directions:

- i) To enhance water conservation including water demand management for the efficient use of water; water recycling to maximize the reuse and recycling of water and the use of rainwater harvesting, lot level conveyance and Low Impact Development Stormwater Management (LID) for Stormwater Management;
- ii) To promote energy conservation including energy conservation for municipally owned facilities, identification of opportunities for alternative energy generation and distribution; and, energy demand management to reduce energy consumption;
- iii) To improve air quality protection, including reduction in emissions from vehicular and other sources and promotion of approaches such as green roofs;
- iv) To further reduce per capita waste generation;
- v) To develop targets and related environmental monitoring programs;

- vi) To reflect other related initiatives including tree preservation, community gardens, naturalization, and heritage conservation; and,
- vii) To ensure that environmental education is a key component of all aspects of the Plan.

An ICSP shall be defined as a long term plan, developed in consultation with community members, that provides direction for the community to realize sustainability objectives it has for environmental, cultural, social and economic dimensions of its identity.

6. COMMUNITY DESIGN STRATEGY

6.1 PURPOSE

The purpose of the Community Design Strategy is to ensure that the City's distinctive identity, visual quality and urban character is maintained and enhanced. Those characteristics are reflected in the design of private and public development within the City. This section outlines general design policies for the City, as well as specific policies related to streetscapes, views, landscape design, safe community design, accessibility and visitability, active transportation, external building design, signage, Downtown Core and Gateways.

The policies provide a framework for the review of development and plans for public **infrastructure** and facilities. In addition, the City has adopted Urban Design and Landscape Guidelines. All development applications and proposals for new or expanded City facilities shall be evaluated by the City to ensure that they are consistent with the Guidelines.

6.2 GENERAL

6.2.1 Sustainability

Elements of community design, including street networks, land uses, open spaces, stormwater management and roadway design all play a role in ensuring that the performance of new and existing neighbourhoods and development are sustainable and resilient and that residents can make sustainable transportation choices. The City shall review its current design standards to ensure that development is as sustainable and resilient as possible. In particular development should be encouraged to be designed to:

- i) Provide for a mix of uses where appropriate in accordance with the policies of Section 4 of this Plan;
- ii) Ensure a street system which maximizes connectivity and is designed to promote **active transportation**;
- iii) Protect existing natural heritage and hydrological features in accordance with the policies of Section 5.2;
- iv) Permit community gardens where appropriate in accordance with the policies of Section 4.3;
- v) Reduce impervious hard surfaces;

- vi) Utilize Low Impact Development (LIDs) facilities and maintain natural drainage networks where feasible;
- vii) Use locally sourced materials; and,
- viii) Utilize sustainable building design which includes buildings which reduce energy consumption, use water reduction technologies, recycle waste water, provide waste management facilities, and minimize water runoff.

6.2.2 Street System

- i) 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 continuous and direct movement within a development area, and between the development area, abutting areas and the existing community. In addition, blocks should be limited in length to reduce the need for mid-block connections and promote ***active transportation***.
- ii) Street patterns in existing areas shall not be modified except:
 - a) where the rights-of-way are significantly below City standards and the need for widening has been identified in the Transportation Master Plan or an update of that study, recognizing that in Heritage Conservation Districts widening will generally not be permitted and where essential will be minimized and sensitive to the heritage character of the area;
 - b) to introduce ***traffic calming*** techniques;
 - c) through the introduction of boulevards, wide sidewalks, landscaped medians or other techniques on arterial and collector roads to mitigate the visual impact of existing wide rights-of-way;
 - d) the introduction of bicycle paths and lanes, as appropriate to the function of the road;
 - e) the introduction of additional streets to improve connectivity within the street system; and,
 - f) other modifications deemed necessary by the City to improve the operation of the street.

6.2.3 Streetscape Design

The layout of streets, configuration of lots and the siting of buildings shall ensure that:

- i) there is no reverse lotting unless it is demonstrated to the City that there is no other alternative design due to topographic or other physical site constraints. If there is no alternative to reverse lotting it will be kept to the minimum and landscaping, as well as site design will be used to mitigate the impact on the streetscape;

- ii) noise sensitive properties will be buffered through mechanisms such as restrictions on the type of land use, building design, building location on the lot, location of outdoor living space and through the provision of landscaping such as enhanced planting of street trees. Buffering such as noise fences, berms and rear lotting, with the exception in subsection i) above, which restrict visual and physical access to the street shall generally not be utilized;
- iii) there is unobstructed street frontage **adjacent** to public open space and natural heritage and hydrologic features, where appropriate, and subject to appropriate design to ensure that there will be no negative environmental impacts;
- iv) pavement, sidewalk and right-of-way widths, as well as the provision of bicycle lanes and paths, reflect the function of the street and minimize the paved area;
- v) the siting of parking areas, and the siting and massing of buildings and structures on all streets, but particularly on arterial and collector streets, shall generally assist in the creation of high quality streetscapes and, in particular, regard shall be had to providing a sense of enclosure to the street by situating building mass **adjacent** to the street, and particularly at intersections, to frame the street space;
- vi) in residential areas, garages shall be designed so that they are not the dominant feature in the streetscape. In particular, garages shall generally not project beyond the facade of the building and where they do such a projection should be to a maximum of 1 metre or other maximum established in the zoning by-law. Further, the percentage of dwelling frontage occupied by the garage shall be limited in the zoning by-law;
- vii) parking areas for non-residential uses or apartments or other large scale residential uses shall be designed to minimize areas where they directly front on the street, and where they do front on the street to reduce their visual impact both on the adjoining streetscape and on users by:
 - a) screening of the parking lot at the street through the use of such features as low fences, walls and a substantial landscaping buffer, excluding the area of any buildings and driveway crossings;
 - b) locating the building and parking on the site in a manner which reduces their impact on the street, and where buildings are located close to the streetline, no parking shall be permitted between the buildings and the street;
 - c) a reduction in the scale of large parking areas through their compartmentalization into smaller areas by means of landscaping; and,
 - d) joint access where feasible
- viii) landscaping and/or architectural features provide for the definition of the street and public open space, framing of views and focal points, direction of pedestrian

movement and demarcation of areas with different functions as appropriate through features such as low masonry walls/ metal fences, rockery, special building and roofline treatments, landmark features (e.g. clocks, towers, cupolas, bays, pergolas, weather vanes, art), outdoor activity areas (e.g. patios, plazas, squares), extensive plant material and other identifiable features; and,;

- ix) the coordinated design and integration of service **infrastructure** and utilities will contribute to the visual quality of the streetscape and, in particular, service and open storage areas and utilities and services should be sited away from prominent views from the street to minimize impacts, alternative design options for locating such facilities should be considered, and only where there is no alternative should they be sited in view sensitive locations, in which case decorative screening shall be required.

6.2.4 Views

- i) New development shall be designed to preserve, enhance and/or create significant views of the following features:
 - a) Avon River;
 - b) important institutional or other buildings, structures and facilities such as City Hall and the Perth County Court House,/County of Perth Administration Building;
 - c) open spaces; and,
 - d) natural features.
- ii) Public buildings and other major buildings, facilities, and structures shall be encouraged to locate:
 - a) at the termination of a street or view corridor; and,
 - b) at the intersections of arterial or collector roads.

6.2.5 Landscape Design

The City shall ensure that appropriate landscaping is provided in new development and **redevelopment** to:

- i) maintain and enhance the character of existing developed areas;
- ii) allow for the creation of strong landscaped features in newly developing areas, including stormwater management facilities which shall be designed as important components of the parks and open space system, such that they will be incorporated in development in a manner which enhances views and access through street frontage; and,

- iii) protect and enhance natural heritage and hydrologic features and open space areas having regard for the policies of Sections 4 and 5.

6.2.6 Safe Community Design

To promote safety and security in public places and minimize the potential for crime, urban design should result in clear, unobstructed views of areas such as parking lots, parks, public institutions and open spaces, while streetscapes should be designed to encourage active public use and natural surveillance opportunities. In particular, the following measures which reflect the principles of Crime Prevention through Environmental Design (CPTED) shall be followed:

- i) the design and siting of new buildings and structures shall provide opportunities for visual overlook and ease of public access to ***adjacent*** streets, parks and open spaces;
- ii) clear, unobstructed views to parks and open spaces shall be provided from adjoining streets;
- iii) appropriate lighting, visibility and opportunities for informal surveillance shall be provided for all walkways, parking lots, parking garages and open space areas;
- iv) landscape elements shall be selected and sited in order to maintain views for safety and surveillance;
- v) the sharing of such facilities as parking and walkways shall be encouraged to increase use and public presence in such areas;
- vi) design which promotes a sense of community ownership for public spaces by maximizing use, control and surveillance opportunities by occupants of ***adjacent*** buildings and frequency of use by the public shall be encouraged;
- vii) the provision of views into, out of, and through, publicly accessible interior spaces shall be encouraged; and,
- viii) design which precludes entrapment or the perception of entrapment through properly identified exits and signage shall be encouraged.

6.2.7 Accessibility and Visitability

The City is developing a five year plan, as required under the *Accessibility for Ontarians with Disabilities Act*, to ensure that people of all abilities can use the services and participate in the events the City of Stratford offers. It shall be a policy of the City to work towards the goal of equal access for all persons to public buildings and facilities,

and to encourage the public and private sector to adopt similar goals with respect to their facilities as required to implement the relevant Provincial legislation. The City shall work with the Stratford Accessibility Advisory Committee and citizens to continually refine and update a comprehensive, long term strategy for implementation which identifies barriers and proposes options to overcome them, allocates resources for education and change, and monitors progress towards those ends. In particular, the principles of universal design should be applied to all public spaces and within new developments to ensure access and visitability for all individuals, while recognizing the need for balance where designated heritage properties or properties in Heritage Conservation Districts are involved. Regard shall also be given to the Ontario Building Code and the *Ontarians with Disabilities Act*, as well as the City's Urban Design and Landscape Guidelines, the Heritage District Guidelines and, where appropriate, the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada.

6.2.8 Active Transportation

In considering the design of public and private facilities, a key consideration shall be features which contribute to enhancements to the ability for movement by pedestrians and bicyclists and other active transportation modes, as well as individuals with mobility challenges. At the same time, the need for balance in Heritage Conservation Districts will be recognized.

All decisions regarding active transportation will be consistent with the directions in the City's Master Bike and Pedestrian Master Plan. These include additions to the City's multi-use trail system, the use of wide sidewalks, and the provision of bicycle parking and other facilities for bicycles. In particular, in considering pedestrian movement on specific sites, the following shall apply:

- i) direct and clearly defined pedestrian connections which form an extension of the public transportation system, shall be required throughout sites with one main pedestrian connection between all buildings and all ***adjacent*** municipal streets and sidewalks, and secondary connections for improved pedestrian access as appropriate;
- ii) principal pedestrian routes shall be functionally separated from parking and driveway areas and should utilize a variety of surface materials, textures, colour, landscaping and changes in elevation;
- iii) on large sites street furniture such as benches, waste receptacles, bicycle racks and pedestrian level lighting should be provided along main pedestrian routes where appropriate; and,

- iv) opportunities for pedestrian connections with **adjacent** sites should also be explored, and will be required wherever feasible.

6.2.9 External Building Design

When considering, as part of site plan approval, the external design of buildings and the design of the **adjacent** streetscape, the City shall take into account all the policies of this Plan, particularly the policies of this Community Design Strategy. In addition, the external design of buildings will be evaluated by the City to ensure that the design is consistent with the directions in the City's Urban Design and Landscape Guidelines and, in particular:

- i) includes sustainable building practices such as the use of green roofs and solar panels with the achievement of LEED or Energy Star or other similar certification or equivalent being encouraged;
- ii) complements the massing patterns, rhythms, character and context of **adjacent** existing development, while recognizing that built form evolves over time and that new buildings should not necessarily replicate existing buildings;
- iii) clearly defines public and private spaces;
- iv) is designed to incorporate the principles of universal design to ensure access and visitability for all individuals, while recognizing the need for balance where designated heritage properties and properties in Heritage Conservation Districts are involved;
- v) is in scale with surrounding development;
- vi) is designed to ensure that all buildings, and, in particular, any commercial, mixed use or institutional buildings are designed to animate and create a positive interface with the street through:
 - a) the use of architecture and facade treatment (e.g. landmark features, recesses, projections, canopies) of the buildings, including appropriate variation in materials and textures and colours of building materials to reflect the heritage of the community;
 - b) front doors and generous real windows, or in some cases three dimensional display windows, on any major walls facing streets;
 - c) strong pedestrian connections to the street for all development; and,
 - d) the location of outdoor activity areas (e.g. patios), landscaping and other site design elements.

6.2.10 Signage

Provisions for signs within private development shall comply with the City's Sign By-law. In addition, the appearance of signs should reinforce the character of development through design and choice of colour, material and their placement at entrance areas and on building facades. Signs should be integrated into the site plan and building design to ensure coordination of design.

6.3 DOWNTOWN CORE

The Downtown Core is, and will continue to be, the focal point of the community for residents and visitors. It is a mixed use area with its own unique heritage character which is recognized through its designation as a Heritage Conservation District. To ensure that this character is reflected in new development, the City shall carefully review the general design of new buildings and structures through the site plan process to ensure that the development reflects the general design policies of this Plan as appropriate and in particular that:

- i) the scale and massing of new construction is consistent with surrounding buildings;
- ii) the existing building setback from the street line is generally maintained;
- iii) pedestrian oriented uses are encouraged to locate at grade level particularly along Ontario and Downie Street Streets;
- iv) development reflects the directions in the Heritage District Conservation Plan and the related policies in Section 3.5 of this Plan.

6.4 GATEWAYS

6.4.1 Development Criteria

Gateway areas shall be created at major entrances to the City as designated on Schedule "A" as the City's resources permit. Further development in these areas shall generally conform to the following:

- i) buildings and structures shall incorporate architectural, landscaping or other features which emphasize the unique nature of the community;
- ii) buildings or structures are sited and massed toward the major intersections;;
- iii) parking areas shall be at the rear or side of buildings; and,
- iv) signage shall present a positive visual image of the city.

6.4.2 Streetscape Improvements

The City shall continue its program of streetscape improvements in these areas, incorporating features such as enhanced landscaping, public art, unique lighting, and signage in the road allowance to clearly identify gateway areas.

7. COMMUNITY INFRASTRUCTURE

7.1 PURPOSE

This section provides direction with respect to the provision of the ***infrastructure*** and ***public service facilities*** which is required to support the development of the City including transportation, water, wastewater, stormwater management, waste management, utilities, recreation, schools and other services. The City will give consideration, before the development of new ***infrastructure*** and ***public service facilities***, to the optimization of the use of existing ***infrastructure*** and ***public service facilities*** and opportunities for adaptive reuse, wherever feasible.

7.2 COMPLETE STREET/ACTIVE TRANSPORTATION

7.2.1 Road Classification

City streets shall be planned and developed in accordance with the City of Stratford Transportation Master Plan (TMP) and Bike and Pedestrian Master Plan. They shall be planned and developed as multi-modal transportation corridors that are generally designed within an urban cross section to safely accommodate pedestrian, bicycle, transit and vehicular movement, including ***traffic calming*** measures as appropriate, as well as complying with the City's streetscaping and accessibility/visitability design policies in Section 6. Such facilities shall generally be designed to conform to the standards in Table 2 and the other applicable policies of this Plan. However, the City may accept roads with reduced standards only if other alternatives are not available and provided the City is satisfied, based on an evaluation carried out by the City at the cost of the applicant, that such roads and lanes can serve the anticipated traffic volumes.

Table 2 Road Standards		
Road Classification	Road Allowances Width	Function
Arterial	30 metres	Serves regional and local travel demand by carrying large volumes of all types of vehicular traffic. Direct access from abutting properties may be restricted.
Collector	23 metres	Serves local travel demands providing connections within neighbourhoods.
Local	20 metres	Serves local travel demands by providing direct access from abutting

Table 2 Road Standards		
Road Classification	Road Allowances Width	Function
		properties to the road system.
Industrial Collector	26 metres	Serves local travel demands by providing connections within industrial areas.
Industrial Local	23 metres	Serves local travel demands by providing direct access from abutting properties to the road system within industrial areas

7.2.2 Road Planning

- i) The City shall work co-operatively with the County and the Province and **adjacent** municipalities to integrate the planning of the municipal road network with the road systems under other jurisdictions. The City shall also work with the railways to maintain existing rights-of-way over the railway.
- ii) The location of City roads shall generally conform to the designations on Schedule "D", and will also be determined through the preparation of any Secondary Plans, recognizing that development of major new transportation **infrastructure** may be subject to an Environmental Assessment, in addition to the Master Transportation Plan which satisfies Phases 1 and 2 of the Environmental Assessment process. Regardless, the proposed locations of new roads are conceptual and will only be finally determined as part of any required Environmental Assessments which may be completed as a component of the subdivision review process. No amendment shall be required to this Plan as a result of changes to the road alignments.
- iii) With respect to widening of existing roads as indicated in Section 6.2.2, where roads meet the criteria identified in Section 6.2.2, the City shall require, where possible, as a condition of approval of any new development or **redevelopment** that sufficient lands be conveyed to the City to provide the right-of-way width established in Table 2; Schedule "D", Road Network Plan; or the existing road allowance width immediately adjacent, whichever is the greater, unless it conflicts with the Heritage Conservation District guidelines or the location of an existing building. For alignment locations on existing roads, where not defined by an Environmental Assessment, the land will generally be conveyed equally on either side of the centre line of the

original road allowance, except for boundary roads. No amendment to this Plan shall be required to implement modifications to existing right-of-ways.

It is recognized there may also be instances where the establishment of rights-of-way to normal minimum City standards might not be appropriate for reasons of community design, economics or physical features such as existing building setbacks and/or mature trees. Where road rights-of-way are proposed to deviate from normal City standards, a study shall be generally undertaken to justify the deviation.

- iv) Although Lakeside Drive is designated on Schedule "D" as a collector road, its location within the river park system and its use as the principle means of access to the Festival Theatre as the main link between the "Downtown Core" and the Festival Theatre make it unique and distinguish it from other collector roads in the City. In the redesign and reconstruction of Lakeshore Drive and the adoption of traffic control measures, particular attention will be required to ensure changes or improvements maintain and ideally enhance the image and ambience of the river park system and the Festival Theatre.
- v) In addition to securing the rights-of-way in accordance with the requirements of Table 2 and Schedule "D", or the existing road allowance limit immediately adjacent, whichever is greater, the City may require additional lands at intersections to provide for daylight triangles, exclusive turning lanes, bus queue jump lands and transit stop amenities, as well as lands for other special treatments including the construction of bridges, overpasses and depressed sections of roadways, and lay-by parking zones *adjacent* to schools. Further, additional lands may also be required in accordance with approved Environmental Assessments. In addition, where the road allowance is irregular, the City may require lands to ensure a consistent right-of-way to provide for a functional distribution of services. Such additional right-of-way requirements shall be kept to a minimum and shall be determined at the time of the design of the transportation facilities and will become part of the required right-of-way.
- vi) The reconstruction of the existing roads to an urban cross section and the construction of the remainder of the transportation facilities will be planned as part of the development review process, recognizing that where applicable, municipal road projects and transit facilities may be subject to Environmental Assessment Approval requirements.

7.2.3 Transit

- i) The City shall continue to promote and maintain its public transit system, and will enhance and extend the service as appropriate, if it is financially feasible to do so.

- ii) To enhance the potential for the success of the operation of the transit system, regard shall be had to the following transit-supportive guidelines in the development review and approval process:
 - a) new development shall generally be located as close as possible to existing transit service;
 - b) contiguous development should be encouraged within new areas being built by multiple owners, so that planned transit service may be phased in efficiently along permanent routes;
 - c) development shall be encouraged at densities and in locations which support a cost effective transit service;
 - d) generally streets designated as transit routes should be designed to arterial or collector road standards and spaced to ensure full coverage and avoid duplication of service;
 - e) collector road linkages to enable connectivity between neighbouring residential areas shall be required where possible in new development; and,
 - f) where possible transit facilities should be located between 300 metres (984 feet) and 700 metres (2,296 feet) or less actual walking distance from residential development.

7.2.4 Pedestrian/Cyclist/Accessibility Facilities

The City's objective is the establishment of a transportation system throughout the community that will allow residents to safely, conveniently and easily travel using active transportation modes and which is designed to be accessible. The City shall promote transit, cycling and walking and other active transportation modes in accordance with the Bike and Pedestrian Master Plan. The City will design transportation facilities to be accessible and barrier free in accordance with universal design principles.

- i) The primary system for pedestrian movement shall be the sidewalk system. Provision shall be made wherever possible for sidewalks on both sides of all arterial and collector roads and on one side of all local streets, at a minimum, with the exception of cul-de-sacs without a walkway at the end of the cul-de-sac, and streets with a limited number of homes on them or other special circumstances as determined by the City.
- ii) Bicycle movement shall generally be accommodated in road right-of-ways. Bicycle lanes, shall be included in road right-of-ways for new arterial and collector roads, and the addition of lanes for bicycles on existing arterial and collector roads shall be considered where it is financially feasible to do so. The City will also continue to develop trail systems for both pedestrian and bicycles.
- iii) Both in existing and future development, the transportation system shall be designed to be accessible and to provide for active transportation modes including

the supportive **infrastructure** required for safe, convenient cycling and walking. In considering the design of active transportation modes, the City shall have regard for the following:

- a) providing for bicycle lanes in the construction and reconstruction of streets and bridges;
- b) encouraging and supporting measures which will provide for barrier-free design for cycling, pedestrian and disability facilities;
- c) ensuring that lands for bicycle/pedestrian paths are included where required in the land requirements for roads;
- d) ensuring that the privacy of **adjacent** property owners are factored into the design process for pedestrian and cycling routes;
- e) ensuring that all pedestrian and cycling routes are designed to be safe;
- f) ensuring the provision of appropriate signage related to active transportation modes including signage for significant cycling routes on secondary streets;
- g) ensuring the installation of bicycle parking at major nodes including commercial, recreational and employment areas; and,
- h) incorporating other supportive **infrastructure** as required such as bicycle racks on buses.

7.2.5 Rail Service

The City recognizes the importance of rail service both for passengers and freight. The City will encourage the railways to continue to provide a safe and efficient service to both residents and employment uses in the community and surrounding areas.

7.2.6 Rail Safety

The City shall review, as required, areas of conflict between the rail operations and pedestrian and vehicular movements, as well as conflicts with land uses abutting the rail lines including:

- i) the provision of protective measures such as daylighting triangles, signals, gates and combinations thereof;
- ii) the possible elimination of level crossings; and,
- iii) the incorporation of safety measures such as the provision of security fencing and/or berms for abutting land uses.

7.2.7 Parking

7.2.7.1 General Parking Requirements

- i) The City shall require, as a condition of development or **redevelopment**, that:

- a) adequate off-street vehicular parking and loading facilities be provided which are planned and engineered to allow access to all parking spaces;
 - b) ingress and egress to parking and loading areas be limited in number and designed to acceptable standards for traffic safety; and,
 - c) access points on arterial and collector roads be shared by adjoining land uses, where practicable, to minimize traffic hazards.
- ii) Notwithstanding the Policies of Section 7.2.7.1 i), the City shall encourage the retention and expansion of on-street parking in areas where it would not interfere with the efficient movement of traffic. Further, in areas where on-street parking is provided, the City may consider reduction of the on-site parking standards.
 - iii) The City may by by-law reduce the parking requirements in the Zoning By-law for a mixed use or high density residential development.
 - iv) The City shall establish in the Zoning By-law standards for bicycle parking and related facilities.

7.2.7.2 Downtown Core Parking Requirements

- i) The City will maintain and enhance the supply of short term parking for shoppers and visitors within the Downtown Core and accessible parking for the short and medium term needs of residents and employees including parking for public uses.
- ii) In recognition of the difficulty of providing on-site parking within the Downtown Core, the City:
 - a) shall encourage the owner or operator of any building or site which cannot satisfy the requirements of the zoning by-law with respect to parking to investigate alternative arrangements for the provision of off-street parking areas and/or the fulfilment of parking requirements at alternative locations through agreement with the municipality in accordance with the *Planning Act*;
 - b) may consider the acquisition of lands in appropriate locations for the provision of off-street parking within the Downtown Core where severe parking and/or loading problems exist;
 - c) may, at its discretion, enter into an agreement with the owner or operator of a building within the Downtown Core to provide for the payment of cash-in-lieu of all or part of the zoning by-law requirements pertaining to the provision of off-street parking in accordance with the *Planning Act* provided that the City is satisfied that the parking needs of the development can be met;
 - d) may review parking standards in the zoning by-law, through a parking analysis at its discretion and may reduce the parking standards in recognition of the built form and existing level of parking in the Downtown area and notwithstanding any other provision of this Plan; and,

- e) may, in reviewing a proposal for **redevelopment** in the Downtown Core, recognize the existing parking situation, and provide for a reduced parking standard provided such **redevelopment** shall not result in a significantly greater deficit of parking spaces. Similarly, the Committee of Adjustment may utilize this policy to grant a variance provided the parking deficiency is not significantly increased.

7.2.7.3 Downtown Core Loading Requirements

In the Downtown Core where it is clear that off-street loading facilities cannot reasonably be provided, the City may, in the implementing zoning by-law, permit on-street loading activities, provided the *Highway Traffic Act* or other relevant municipal by-laws are not contravened.

Where on-street loading activities are permitted, the City may require the owner or applicant to enter into one or more agreements with regard to the facility or services to be provided or matters to be addressed. In considering such an agreement, the City shall be satisfied that the special loading space arrangement proposed will:

- i) be accessible;
- ii) not impact negatively on **adjacent** uses or traffic patterns;
- iii) be adequate to meet the needs of all uses proposed;
- iv) not limit the development potential of **adjacent** properties; and,
- v) not rely on existing public parking facilities in such a way as to reduce their effectiveness.

The City may require the applicant to demonstrate that the proposal complies with the above criteria.

7.2.7.4 Temporary Zoning

Notwithstanding any other policies of this Plan, where lands are vacant and may be advantageously utilized to provide off-street parking to overcome existing deficiencies, the City may authorize the temporary use of such lands to provide off-street parking pursuant to the provisions of the *Planning Act*. In authorizing the temporary use of lands for the provision of off-street parking, the City shall give consideration to the following matters, namely:

- i) that the temporary use of vacant lands to provide off-street parking will not adversely affect **adjacent** residential areas and will not create a hazard for either pedestrian or vehicular traffic;

- ii) that the temporary parking areas are sited and designed to reflect the best interests of the area in which they are situated; and,
- iii) that any demolition of buildings and structures on the site was authorized by the City.

7.2.8 Travel Demand Management

The City recognizes the role that travel demand management can play in promoting more efficient use of transportation *infrastructure*, making the use of private vehicles more sustainable and encouraging increased use of transit and active transportation modes. The City shall encourage businesses and/or organizations to prepare and administer transportation demand management strategies including flexible working hours, car pooling, provision of shower and change facilities for bicyclists, and priority parking for car pool and hybrid vehicles. The City shall consider reduced parking standards for developments which submit a travel demand management plan to the City.

7.3 WATER AND WASTEWATER SERVICES

- i) All new urban development shall be connected to municipal water and sanitary sewer systems and shall only be permitted where the systems have adequate capacity to service such development and/or *redevelopment*.
- ii) Changes to, or extensions of, the municipal water and sanitary sewer systems shall be in accordance with the requirements of the water operating authority and the Stratford Sanitary Sewer Master Plan respectively.
- iii) The City shall undertake strategies for water conservation and other water demand management initiatives to enhance the capacity of its wells and water pollution control plant.

7.4 STORMWATER MANAGEMENT

All new development shall comply with the recommendations of the following plans and any updates to them or other new studies adopted by the City, with respect to stormwater management as applicable.

- i) City-Wide Storm System Master Plan;
- ii) South Side Storm System Class Environmental Assessment;
- iii) South Side Storm System Class Environmental Assessment Addendum;
- iv) Court Drain Sub-watershed Study;
- v) North East Community Secondary Plan; and,
- vi) Stratford West Community Secondary Plan.

No amendments to the Official Plan shall be required to implement the directions in the Master Plan or other stormwater management plans, or for the use of Low Impact Development Design Standards (LIDs).

7.5 WASTE MANAGEMENT

7.5.1 Landfill Site: Disposal

Non-hazardous waste generated in the City will continue to be disposed of at the City's owned and operated landfill site. Measures will be taken to maintain a high reserve capacity at the site and to increase its life expectancy. These measures shall include, but not necessarily be limited to, curbside recycling, leaf composting, a tire and cardboard ban at the landfill site and recycling of fine paper and metals.

7.5.2 Landfill Site: Monitoring, Operations and Closure

The City will implement a program for the regular monitoring and testing of groundwater quality and methane gas production which may be affected by or be the result of its landfill operation. Appropriate measures to minimize the migration of leachate or emissions of methane gas or any other contaminants resulting from landfilling operations will be implemented. In addition, a comprehensive operational and closure plan will be prepared for the site along with an indication of the ultimate reserve capacity of the site.

7.6 UTILITIES

- i) Prior to approval of development, all interested telecommunications providers and required utilities are to be consulted with respect to their plans for services to support the proposed development. The City shall work with the providers to determine appropriate locations for large equipment or cluster sites.
- ii) All telecommunications services and utilities should be located within an initial common trench, whenever possible, to avoid unnecessary digging and disruption on municipal rights of way.
- iii) Consideration shall be given to the location of telecommunication facilities and utilities within public rights of way as well as on private property. Utilities and telecommunications facilities shall be grouped/clustered or combined where possible to maximize the use of land and, where applicable, to minimize visual impact. Utilities and telecommunications facilities shall be placed in such a manner so as to not visually detract from the streetscape. The City shall encourage utility and telecommunications providers to consider innovative methods to make these

facilities less noticeable including containing such services on or within streetscape features such as gateways, light standards, bulk water meters and transit shelters.

7.7 PARKS AND LEISURE SERVICES

7.7.1 Master Plan

The City will base development of parks and leisure services on the 2005 Strategic Master Plan to Provide For Leisure Services and Facilities Report and the parks policies of Section 4.10 of this Plan.

7.7.2 Joint Facilities and Programs

The City shall explore opportunities to develop programs and facilities within maximized partnership agreements and multi-use formats in order to use all the community's assets, to achieve capital and operating economies of scale and to improve user convenience and accessibility.

7.7.3 Types of Parks

Neighbourhood or local parks are to be established to serve the needs of the immediate area and will be generally used for child level recreation facilities, unorganized recreation activities, and passive landscaped open space. Safe and proximate access will be key factors in maintaining existing neighbourhood parks and in establishing new ones. City parks, on the other hand, are to be established to serve the community-at-large and equipped with facilities for active organized recreational activities for all age groups and may include areas of passive open space.

7.7.4 Maintenance of Neighbourhood Parks

In view of their relatively high maintenance, costs, the City will consider alternative means of maintaining neighbourhood parks. These alternatives will include greater involvement of the neighbourhood and community groups as well as the private sector.

7.7.5 Open Space System

A continuous open space system based on the Avon River and its tributaries shall be established characterized by a natural environment of trees, wilderness and landscaped open space. City parks and local parks will be joined to the system wherever feasible by pedestrian walkways and bikeways. Every effort will be made to keep substantial parts of the system in their natural state.

7.7.6 Passive Open Space

Passive open space such as natural areas, landscaped areas, small parkettes, pedestrian walkways, landscaped boulevards and land that is unsuitable for any other urban purpose may be acquired or leased and maintained to contribute to the quality of the urban environment and the general aesthetics of the City.

7.7.7 Linear Recreation Facilities

In view of the aging population of the City, the increased interest in physical fitness and in order to promote the general health and welfare of all residents of the community, increased emphasis will be placed on providing linear recreational facilities such as walkways, walking trails, cross-country ski trails and bikeways in accordance with the City's Bike and Pedestrian Master Plan.

7.7.8 Determining Parkland Adequacy

For determining the adequacy of parkland in the City and to provide a basis for future parkland acquisitions, the following classification system in Table 3 is adopted.

Table 3 Parkland Requirements				
	hectares per 1000 population	minimum size (in hectares)	preferred size (in hectares)	maximum radius for areas served (in km)
Neighbourhood Parks	1	1.2 - 1.6	2	1
City Parks	1.5	4	6 - 8	2
Specialized Open Space	2.5	variable	variable	variable
Total Parkland	5			

7.7.9 Parkland Needs

The City shall attempt to ensure that a minimum of 5 hectares per 1000 population of public parkland and open space is provided at all times. The classification system is intended to be used as a guide with the actual location and amount (if any) of parkland dedication being determined at the time development is being proposed or at the time community improvement schemes are being considered.

7.7.10 Accessibility

In the location, design and development of recreation facilities and parks and open space, a concerted effort will be made to ensure that these facilities and areas are accessible to all residents of the City.

7.7.11 Parks and Schools

The provision of parkland will be coordinated, wherever feasible, with schools so that a complementary and efficient integration of facilities may be achieved. More particularly, the establishment of neighbourhood parks will be coordinated with elementary schools, and the establishment of city parks will be coordinated with secondary schools or other senior educational institutions.

7.7.12 Parks and Undeveloped Areas

In all new developing areas of the City, a full complement of parks and open space is intended to be acquired in accordance with the adopted standards.

7.7.13 Parks and *Redevelopment*

Where new development or *redevelopment* is proposed and wherever a deficiency exists, every effort will be made to acquire sufficient parkland to bring the location and amount available up to the adopted standards in accordance with the following requirements:

- i) In order to ensure the City's parkland standard is maintained the City shall, as a condition of plan of subdivision, consent and site plan approval, require the conveyance of land for parkland or other public recreational purposes based on the parkland conveyance provisions of the *Planning Act*, specifically:
 - a) in the case of land proposed for development or *redevelopment* for commercial or industrial purposes, 2 percent of the land proposed for development or *redevelopment* or with a plan of subdivision as the case may be; and,
 - b) 5 percent of the land in all other cases, provided that in the case of land proposed for development or *redevelopment* for residential purposes, the City may require that land be conveyed instead at a rate up to one hectare for each 300 dwelling units, subject to any dedication reductions permitted by an implementing parkland dedication by-law.
- ii) The City may, at its discretion, request cash payment in lieu of land for park purposes to the value of the land otherwise required to be conveyed; such cash will be expended in accordance with the provisions of the *Planning Act*. Cash-in-lieu shall be calculated and paid at the time of issuance of buildings permits or earlier as agreed by the City and the development proponent. The City may also exchange

lands, or accept lots-in-lieu. The proceeds may be applied to the needs of the parkland system.

- iii) Notwithstanding the provisions of Sections 7.7.13 i) and ii), the City may make adjustments to the parkland conveyance requirements for any development approval, in accordance with the *Planning Act*, the parkland dedication by-law and/or any applicable development agreement.

7.7.14 Evaluating Parkland Acquisitions

In evaluating proposals for the acquisition or dedication of land for neighbourhood or city parks, rectangularly shaped and relatively flat parcels shall be preferred such that development of these lands for recreational facilities is not limited by configuration or topography. Land shall be sufficiently sized to satisfy the functional requirements for the recreation facilities to be ultimately provided and be free of any restrictions such as susceptibility to flooding or erosion which might preclude the development of recreation facilities. Local streets shall be the preferred location for neighbourhood parks while arterial roads, collector roads and lands in or adjacent to Open Space and Parks Areas 'Industrial Areas' shall be the preferred location for city parks.

7.7.15 Developer's Requirements

To properly evaluate parkland dedication proposals, developers will be required to provide the following:

- i) A plan showing external boundaries; total size of parcel (and subparcels if appropriate); topographic information; species, age and condition of significant natural vegetation; pedestrian access and street frontage; and,
- ii) A concept plan delineating possible use areas for both active and passive recreation activities and their basic dimensions.

7.7.16 Conditions of Acceptance

Where lands proposed to be dedicated for parks or open space purposes are deemed to be acceptable to the City, minimum conditions for improvement may be stipulated and provided for in an agreement between the developer and the City. These conditions shall include:

- i) submission of a detailed site plan and grading plan prepared by a qualified landscape architect (at the developer's expense) in consultation with the Community Services Department;
- ii) grading, servicing and seeding of the lands and, where stipulated, site development by the developer within a specified time frame.

All lands dedicated to the City for park purposes shall be conveyed in a physical condition satisfactory to the City.

7.8 PUBLIC CULTURAL FACILITIES

7.8.1 Library System

The City has an active library system. Lands and/or space acquired for library purposes shall be in accordance with the Library's policies, practices and guidelines and such facilities shall be encouraged to locate in central locations, particularly the Downtown Core, easily accessible to the public.

7.8.2 Other Facilities

The Stratford-Perth Museum, Gallery Stratford and the Stratford- Perth Archives provide significant resources for the City. The City will work to enhance these services.

7.9 PUBLICLY FUNDED SCHOOLS

- i) The City will work with the Boards of Education to ensure the establishment of an adequate number and distribution of school sites.
- ii) School sites shall generally be developed in accordance with the respective policies, practices and guidelines of the School Boards taking into account Provincial and municipal planning policies which encourage efficient use of land as directed by Provincial policy and as reflected in this Plan.
- iii) The City shall encourage the reservation and ultimate location of sites for publicly funded schools ***adjacent*** to parks and recreation centres to allow shared use of facilities. The City shall work with the Boards of Education to continue to maximize public use of school facilities.
- iv) The City recognizes that not all sites identified as school sites will be required for school development and that some existing schools may be closed. Where a school is not developed on all or a portion of a particular site or a school is closed, alternative development shall be permitted without an amendment to this Plan. All school blocks will be zoned to permit alternative uses permitted by the underlying land use designation including other institutional and residential uses. As part of the approval of a plan of subdivision, a lotting plan shall be submitted to demonstrate that the school block is configured in a manner which will permit future development for residential uses.

7.10 COMMUNITY FACILITIES

- i) Community facilities include facilities designed to meet the social and cultural needs of the residents including places of worship, day care facilities, and the facilities of community organizations such as cultural and arts groups. The City recognizes the important role such groups play, and the contributions they make, to building socially sustainable and complete communities.
- ii) The City shall permit and encourage the location of such uses throughout the City provided that:
 - a) the size, height, massing and scale of the use is compatible with the character of **adjacent** development;
 - b) sites are located on arterial or collector streets, with public transit routes; and,
 - c) opportunities for the joint use of parking lots with **adjacent** uses in order to reduce land requirements is encouraged.
- iii) The City will work actively with community organizations, including faith groups, and landowners to facilitate the establishment of community facilities through the planning process. In particular, the City shall:
 - a) establish policies for City owned facilities which make them accessible for use by such organizations;
 - b) encourage landowners to make sites available for these organizations; and,
 - c) encourage other public agencies to make their facilities accessible to these organizations.

7.11 HEALTH SERVICES

The City shall work with the Stratford General Hospital, and other government and service health agencies and the community to assist in providing accessible health service to the community.

7.12 EMERGENCY SERVICES

- i) The City shall work to ensure efficient and effective allocation of Fire Department Station sites, and Police services to serve the City as it develops, in consultation with the City's Fire Department and Police Service. The City will also work with the County of Perth with respect to the provision of Emergency Medical Service.
- ii) The City shall consult with the City's Fire Department and Police Service and the County of Perth with respect to the specific locations of required facilities and the design of the street system to ensure that response time is minimized. Such facilities shall have convenient access to arterial roads, a close relationship to the

intended service area, and shall be integrated with surrounding development including appropriate architectural design, siting and landscaping.

- iii) Development proposals shall be reviewed to ensure they are designed to accommodate emergency vehicles and other safety considerations.
- iv) Lands and/or space acquired for emergency services purposes shall be in accordance with the respective policies, practices and guidelines of the City or agency.

8. DEVELOPMENT APPLICATION REVIEW REQUIREMENTS

8.1 PURPOSE

All development applications in the City of Stratford shall be subject to review in accordance with the policies of this section, and the other applicable policies of this Plan, as well as the City's Urban Design and Landscape Guidelines. In addition, the City may require development to be subject to the site plan control provisions of the *Planning Act*.

8.2 PRE-CONSULTATION

8.2.1 Pre-Consultation Process

Consultation with the City prior to the submission of a development application requiring *Planning Act* approval is encouraged, and shall be required for applications for approval of Official Plan amendments, Zoning By-law amendments, draft plan of subdivision, draft plan of condominiums and site plans. Affected agencies such as the UTRCA are encouraged to participate where appropriate.

8.2.2 Required Information and Materials

The *Planning Act* and its regulations prescribe the submission of certain information and materials as part of any development application. The City may require information and materials to support any development application in addition to that prescribed, including maps, drawings, reports and technical studies as established in Section 8.3. The specific requirements for an application to be deemed to be a "complete" application shall be determined by the City as part of the pre-consultation process, in consultation with the appropriate agencies.

8.3. REQUIRED INFORMATION AND MATERIALS

8.3.1 Information Requirements

As part of the pre-consultation process, the City will determine which of the following information and materials shall be required to be submitted as part of any application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision, draft plan of condominium and site plan, or for other applications. The City will advise the applicant in writing of the required submission requirements. Such required information and material shall be prepared at the applicant's expense and carried out by qualified professionals.

i) Background Information

A plan or survey of the subject site identifying all existing ***significant trees*** and watercourses, and natural heritage features, which may be the habitat of endangered

and threatened species, significant wetlands, significant woodlands, significant valley lands, significant wildlife habitat, and significant areas of natural and scientific interest, existing buildings and structures and contours.

ii) Plans

Plans, including, where applicable, site grading and landscaping plans, elevations, and other documentation such as 3D computer modelling, physical models, a ***shadow study*** and photo montages:

- a) describing the proposed development and its relationship to the existing streetscape in particular building envelopes, accesses and parking areas;
- b) demonstrating how stormwater, erosion and sedimentation will be controlled on site including the use of Low Impact Development approaches; and,
- c) describing proposed landscaping and any modifications to existing ***significant trees*** and landscaping.

iii) Tree Analysis

Where new development is to occur on a piece of land, a landscaping plan and an Arborist Report or similar report prepared by a qualified professional acceptable to the City shall be submitted and approved by the City either at the time of application or as a condition of approval at the direction of the City. Such a report shall include the identification of any tree or vegetation species at risk (e.g. Butternut Tree) and appropriate proposed mitigation (i.e. avoidance, buffers, setbacks).

iv) Noise and ***Light Impact Studies***

A noise impact study shall be carried out where residential uses or other sensitive uses, as defined by Ministry of the Environment Environmental Noise Guideline, are proposed and the site is ***adjacent*** to a major noise source such as a Provincial Highway, arterial road, County Road, railway or industrial use. In particular, any proposed development within 300 metres of a railway right-of-way may be required to undertake noise studies carried out by a qualified acoustical consultant to the satisfaction of the City in accordance with Ministry of the Environment guidelines, and where applicable, in consultation with the appropriate rail company.

Further, the requirements of the Ministry of the Environment guidelines, with respect to the need for noise impact studies shall apply to new commercial, industrial or institutional development which is a potential major noise source, such as, but not limited to, uses which have associated with them on-going construction activity, outdoor heat rejection systems (including cooling towers) and outdoor exhaust fans, or other stationary noise sources such as railways yards, major truck stops, major hydro transformers, or natural gas compressors. Where required by the guidelines, a noise impact study shall be carried out to the satisfaction of the City. In addition a noise impact study shall be required where drive-through uses

abut residential or similar sensitive uses and a light impact study shall be required for commercial uses which abut residential or similar sensitive uses.

Light impact studies may be required where commercial, industrial or other major development is proposed which may create impacts in terms of associated external lighting on adjacent residential development.

v) Vibration Study

A vibration study shall be required at the request of the Province, the City, or the applicable railway where the site is within 75 metres (246 feet) of a railway right-of-way and may be required for any Provincial Highway or arterial road. Such a study shall be carried out to the satisfaction of the City, in consultation with the appropriate government agency or railway.

Further, where new industrial development, which is a potential major source of vibration, such as metal forming industries including punch presses or drop forges, is proposed within 75 metres (246 feet) of existing residential development, a vibration study shall be carried out to the satisfaction of the City.

vi) Heritage Impact Assessment

Where the site includes a building of architectural and/or historical merit designated under the *Heritage Act* or located in a designated Heritage Conservation District, a cultural heritage landscape or other heritage resource, or the site is **adjacent** to such a heritage resource as determined by the City, a heritage impact assessment, prepared by a qualified professional(s) in the field, shall be required to be submitted to the City. Such a study shall demonstrate to the satisfaction of the City that:

- a) the proposal will not adversely impact the heritage significance of the property or the area in which it is located or to which it is **adjacent**; or,
- b) it is not physically feasible to maintain the cultural heritage building or structure, landscape or resource, where that building, structure, landscape or resource is not designated under the *Ontario Heritage Act*.

vii) Archaeological Resource Assessment

Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the City and developed by a licensed archaeologist. Where there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within a site, a Stage I Archaeological Assessment conducted by licensed archaeologists in accordance with current Ministry of Culture standards and guidelines shall be required. The assessment shall be submitted to the City and the Province. The assessment should address further evaluation necessary to develop a final resource management strategy and the submission of any further reports required by the City or the Province. In addition, the provisions

of the *Cemeteries Act* and its regulations shall be applied when marked and unmarked cemeteries or burial places are encountered during development, assessment or any activity.

viii) Land Use Compatibility

a) Industrial Development

Where applicable, information or necessary studies shall be provided to assist in the establishment of a separation distance, having regard for the Ministry of the Environment guidelines "Compatibility Between Industrial Facilities and Sensitive Uses" or other relevant guidelines, between proposed industrial development and potentially incompatible uses.

b) Existing Active Livestock Operations

Where residential development, or institutional development which involves regular occupancy such as schools, are proposed adjacent to active livestock operations, including operations outside the City boundary, an assessment of the potential for land use conflicts between the existing active livestock operation and the new residential or institutional development, and the potential means to alleviate conflicts, will be carried out.

c) Aggregate Operations

In areas adjacent to known deposits of mineral aggregate resource outside the City boundary, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall be evaluated and only permitted if :

- resource use would not be feasible; or
- the proposed land use-or development serves a greater long-term public interest; and,
- issues of public health, public safety and environmental impact are addressed.

ix) Stormwater Management and other Engineering Considerations

Where applicable, in accordance with Ministry of the Environment guidelines, a Master Drainage Plan shall be prepared, or the City shall require a stormwater study. In addition, any other additional studies required to address engineering considerations may be required including:

- a) functional servicing study or servicing plan;
- b) hydrogeology, soils and/or geotechnical/slope stability study;
- c) hydraulic analysis of floodplain delineation;
- d) erosion and sediment control plan;
- e) water balance study, hydrological assessment, and/or water analysis report; and,
- f) operation maintenance report.

x) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use. Where site remediation is required the City shall be satisfied with respect to the implementation of remediation prior to development approval. Specifically, where the City, other public body, or the applicant has identified potential site contamination the City shall require the applicant to complete a Phase I assessment, in accordance with the Ministry of the Environment's Guidelines for Use at Contaminated Sites in Ontario. The Phase I assessment will be reviewed by the City to ensure there is no contamination prior to the granting of any development approvals. If there is evidence of contamination, the applicant will be required to submit a Phase 2 assessment in accordance with the Ministry of the Environment's Guidelines. If the site is found to be contaminated, the City shall require the applicant to submit a Ministry of the Environment acknowledged Record of Site Condition to the City to verify site clean-up prior to the granting of a building permit.

xi) Transportation Analysis

Where the City has identified concerns with traffic impacts, a transportation analysis carried out by a qualified transportation engineer shall be required. This may deal with on- and/or off- site traffic impacts. In addition, for all proposed development, the proponent shall submit studies or other information which demonstrates how the development has been designed to accommodate pedestrians, bicyclists and other active transportation modes, as well as accessibility to transit.

xii) Air Quality

Where the City identifies concerns with impacts on air quality, including odours, dust appropriate studies by qualified professional shall be required.

xiii) Development **Adjacent** to Sewage Treatment Plants

Where development of any sensitive uses, including residential units, is proposed within 150 metres (492 feet) of a sewage treatment plant with a design capacity equal to or less than 25,000 cubic metres per day, a feasibility study must be submitted in accordance with Ministry of the Environment's Guideline D-2 "Compatibility Between Sewage Treatment Facilities and Sensitive Land Uses." The feasibility study should address application of noise reduction equipment to any potential noise source, the degree and type of odour mitigation applied to the facility and other contaminants of concern.

xiv) Urban and Sustainable Design

The submission of an urban and sustainable design study which identifies how the proposed development satisfies the City's Community Design Strategy policies in Section 6 of this Plan, Official Plan policies related to sustainability and the City's Urban Design and Landscape Guidelines shall be submitted with any development required by the City. In addition, a **shadow study** and 3D computer modeling and

other contextual documentation including photo montages, shall be required in support of the urban and sustainable design study.

xv) Other Environmental Studies

All necessary studies shall be required to address environmental considerations including studies which address:

- a) demarcation of physical and stable top of bank;
- b) demarcation of the limits of natural heritage and hydrologic features;
- c) fish habitat assessment; and,
- d) natural features restoration plan.

Such studies may include an environmental impact study with terms of reference established by the City in consultation with the Conservation Authority and/or the Ministry of Natural Resources.

xvi) Financial and Market Considerations

Financial and market considerations shall be addressed through the submission of the following studies:

- a) Market impact study;
- b) Financial impact study; and,
- c) Capital impact assessment.

xvii) Density Reduction Justification Report

Applications that propose residential densities that are less than the minimums established in the Plan, and/or which require the down-zoning of sites which are zoned to permit medium and high density housing, including mixed use sites to permit lower density housing are contrary to the policies of the Plan and while the City may have to consider such applications they shall require an amendment to the Plan. Such applications shall be required to provide a Density Reduction Justification Report in accordance with Terms of Reference approved by the City that assesses the implications of the proposal on the City's ability to meet the **intensification** and density targets in this Plan and the impact on other sites zoned for medium and high density housing in the surrounding area. Such a study shall be carried out by a consultant retained by the City at the cost of the applicant or where carried out by the applicant, will be peer reviewed by the City at the cost of the applicant.

xviii) **Comprehensive Review**

A comprehensive review, where required, shall be carried out in accordance with Terms of Reference approved by the City which addresses the relevant criteria of this Plan. Such a study shall be carried out by a consultant retained by the City at the cost of the applicant or where carried out by the applicant, will be peer reviewed by the City at the cost of the applicant.

xix) Source Water Protection

For any area identified through the SPP where there is the potential for a drinking water threat, no application may be submitted until the risk management official appointed under the *Clean Water Act*, 2006 issues a “notice” to the person in accordance with the Act. Such notice, any related required risk management plan and any other information identified related to the SPP shall be required to be submitted as part of an application.

xx) Other Information

In addition to the requirements of Sections 8.3.1 i) -xxi), the applicant shall be required to submit any other supporting information and materials that may be identified by the City during the pre-consultation process as being relevant and necessary to the evaluation of the particular application.

8.3.2 Scale, Scope and Timing of Submissions

- i) The scale, scope and timing of any required information and material, particularly any reports and technical studies, is dependent on the nature of the proposal, its relationship to the ***adjacent*** land uses and the type of planning approval required. It is also dependent on the natural features that exist on and ***adjacent*** to the subject site. An environmental impact study or other environmental studies, where required, must be completed at the appropriate time of year.
- ii) Where this Plan requires the submission of technical studies by the applicant in support of a development application, the City may, at its discretion and after consultation with the applicant, require that such studies be carried out by a consultant retained by the City at the cost of the applicant. The City will generally not carry out peer reviews but may do so at its sole discretion. In either case, the applicant shall have input in the establishment of the terms of reference for such a study and a specific cost limit shall be established prior to the commencement of the study.

8.3.3 Complete Application

An application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or draft plan of condominium or site plan shall be considered complete under the *Planning Act* only when all the following items have been provided to the City:

- i) an application form;
- ii) any information or materials prescribed by statute;
- iii) a pre-consultation form;
- iv) any supporting information or materials required to be provided in accordance with Section 8.3.1; and,
- v) the prescribed application fee.

8.4 DEVELOPMENT EVALUATION CRITERIA

Development proposals shall generally conform with the following criteria, in addition to any of the applicable policies of this Plan:

i) Design and Sustainability

The appropriateness of the design and sustainability of the proposal shall be evaluated in accordance with the policies of the Community Design Strategy in Section 6 and the City's Urban Design and Landscape Guidelines. In particular, where new development is proposed abutting existing residential development it shall be designed to be compatible with that existing development with respect to scale and massing. Adequate buffering will also be provided. Consideration will be given to shadow studies and 3D modelling in assessing the compatibility of such proposals. In addition, development may be subject to the site plan control provisions of the *Planning Act*.

ii) Heritage Preservation and Archaeological Protection

Buildings, landscapes and other resources containing heritage value or interest are preserved on site and/or integrated into the development in an appropriate manner and/or preserved in some other manner. Standard archaeological potential criteria in accordance with Ministry of Tourism and Culture guidelines will be used to evaluate future development areas and expansion proposals for impacts on significant resources. Recommended processes and procedures for archaeological management will be implemented through a variety of measures including, but not limited to, the mitigation, preservation, and/or resource excavation, removal and documentation, of all archaeological resources to the satisfaction of the City and approval of the Province, and taking into consideration dialogue with the First Nations and their interests.

iii) Open Space and Parks System

Development shall only be permitted in areas designated on Schedule "A" as part of the Open Space and Parks System in accordance with the policies of Section 4.10 of this Plan.

iv) Watercourses

All watercourses shall be, where feasible, maintained or enhanced as distinct ecosystems, and lands immediately **adjacent** to these watercourses shall be retained or rehabilitated to a natural self-sustaining state. Alterations to watercourses, including riparian features such as intermittent streams and drainage swales, shall generally be discouraged. However, the necessity for retention /restoration of riparian features such as intermittent streams and drainage swales, will be evaluated on a site by site basis and some modifications of these features

may be approved, provided the function of the feature is maintained, where deemed appropriate by the City, in consultation with the Conservation Authority.

v) Sewer and Water Services and Stormwater Management

Development shall be serviced in accordance with the provisions of Section 7 of this Plan.

vi) Soil Quality

The applicant must demonstrate that on-site soil quality is suitable for the proposed use in accordance with the provisions of Section 8.3.1 x). Where site remediation is required the City shall be satisfied with respect to the implementation of remediation prior to development approval.

vii) Noise and Vibration Impact and Safety Measure

Where the site is **adjacent** to a major noise source such as a Provincial Highway, arterial road, County Road, railway or industrial use, the City, in consultation with the appropriate government agency and, if applicable, the appropriate railway, shall be satisfied that appropriate measures to mitigate any adverse effects of noise and vibration can be implemented. Furthermore, for sites **adjacent** to a railway, the City, in consultation with the applicable railway, shall be satisfied that appropriate safety measures such as setbacks, berms and security fencing are provided.

viii) Transportation

The applicant must demonstrate that the existing road system can accommodate any traffic impacts or can be modified to do so at the cost of the applicant. In addition, the applicant must demonstrate how the development has been designed to promote access and use by pedestrians, bicyclists and other active transportation modes, as well as accessibility to transit.

ix) Air Quality

Where the City identifies potential concerns with air quality, the applicant must demonstrate that any impacts on air quality can be appropriately mitigated at the cost of the applicant.

x) Development **Adjacent** to Sewage Treatment Plants

The applicant must demonstrate that any impacts arising from proximity to a sewage treatment plant can be appropriately mitigated in accordance with Ministry of the Environment Guidelines.

xi) Density Reductions

Applications that propose the down-zoning of sites which are zoned to permit medium and high density housing or mixed use development, including residential uses to permit lower density housing, shall be generally be discouraged. The City may consider approval of such an application if the required Density Reduction

Justification Report demonstrates that the reduction in density will not significantly affect the City's ability to achieve its *intensification* and density targets and/or that the downzoning is compensated for by the creation of additional medium or high density residential development elsewhere in the City.

xii) Accessibility and Visitability

Development shall be designed to meet universal design principles and legislative requirements with respect to accessibility and visitability.

xiii) Land Use Compatibility

Where applicable, compatibility between proposed development and potentially incompatible uses will be assessed having regard for relevant guidelines and the recommendations of required studies.

xiv) Comprehensive Review

The results of a ***comprehensive review*** will demonstrate to the City that the relevant criteria and policies of this Plan are satisfied.

xv) Source Water Protection Plan

Development shall conform with the Source Water Protection Plan, and the *Clean Water Act*, 2006.

9. IMPLEMENTATION

9.1 GENERAL

The policies of this Plan shall be implemented by the powers conferred on the City of Stratford by the *Planning Act*, the *Municipal Act* and other applicable statutes. In particular, this Plan shall be implemented by the zoning by-law and/or development permit by-law, subdivision control, consents, site plan control, maintenance and occupancy standards bylaw, community improvement plans, licensing controls under the *Municipal Act* and the provision of municipal services and public works in accordance with the policies set out in this section. The City shall also make use of other tools including the City's Urban Design and Landscape Guidelines, alternative development standards, and heritage conservation districts and guidelines. However, notwithstanding the foregoing, all planning decisions shall be in conformity with the Thames-Sydenham and Region Source Protection Plan, as amended from time to time.

9.2 ZONING BY-LAW

9.2.1 Amendment to Conform to Plan

- i) It shall be the policy of this Plan that the City shall amend the comprehensive zoning by-law and such other by-laws as may be necessary to conform with, and to give effect to, the provisions of this Plan. In particular, the City shall add minimum and maximum standards to the Zoning By-law as appropriate to ensure development is street and transit oriented and maximizes the use of land.
- ii) Until such time as the zoning by-law can be amended to bring it into conformity with this Plan, or repealed to allow a new zoning by-law or development permit by-law to be enacted, the present zoning by-law shall remain in effect. However, any amendments, including temporary use or interim control by-laws, shall be in conformity with this Plan

9.2.2 Extent of Zoning Permissions

- i) The Zoning By-law may not permit the full range of uses or densities in any designation and may limit the permissions based on the character or physical condition of a site and/or may require site specific zoning approvals to realize the full extent of Official Plan policies.
- ii) No provision of this Plan shall require the City to zone undeveloped lands to permit immediate development for the designated use. Rather, where lands are designated, but development is not immediately permitted, the lands shall generally be zoned to limit permitted uses to existing uses, environment conservation, public

uses and utilities or similar uses. Such areas shall only be rezoned for their designated use upon compliance with the relevant provisions of this Plan.

9.2.3 Non-Conforming Uses

i) Existing Non- conforming Uses:

A legally established land use which does not conform to the Plan may be recognized as a permitted use in the Zoning By-law provided that:

- a) The use does not involve hazardous activities or substances that threaten the safety of the surround area;
- b) The use does not contribute to air or water pollution problems;
- c) the use can, or has achieved, an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area;
- d) The long-term continuation and any potential expansion of the use will not detract from the general intent of the Official Plan;
- e) Recognition of the use in the Zoning By-law is not likely to result in proposals to amend the Plan to allow similar types of uses; and,
- f) The use conforms to the SPP.

ii) Expansion, Enlargement or Change of Existing Non-conforming Uses:

A use which does not conform to the Official Plan, but is recognized as a permitted use in the Zoning By-law, may be zoned to allow for expansion or enlargement or may be zoned to another more compatible use, without the need for an Official Plan amendment, provided the modifications to the use can meet the following criteria:

- a) The modifications will not add to any air, noise or water pollution problems and does not involve hazardous activities or substances that threaten the safety of the surrounding area;
- b) The modified use will continue to achieve an acceptable measure of compatibility with the adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area;
- c) The modifications will not detract from the general intent of the Official Plan for the development of the area;
- d) Any expansion or enlargement which increases the lot area of the non-conforming use will be subject to a zone change application and review under the policies of this Plan; and,
- e) The use conforms to the SPP.

iii) Non-Conforming to the Official Plan and Zoning By-law:

Uses which do not conform to both the Official Plan and the Zoning By-law and which do not meet the criteria in Section 9.2.3 i) and ii), should, over the longer term, cease to exist, or relocate to an area where they will conform to the Plan:

- a) Notwithstanding the general intent of this policy, there may be instances where, to avoid unnecessary hardship, it is desirable and appropriate to allow the expansion or enlargement of such a use, or to allow a change in the use to a similar or more compatible type of activity. Under the provisions of the *Planning Act*, a proposal to allow the expansion or enlargement of a legal non-conforming use or to allow a change in a legal non-conforming use may be considered by way of an application to the Committee of Adjustment. Matters to be considered by the Committee in the consideration of such applications shall focus on ensuring that such modifications will result in a significant improvement to any impacts from the use, particularly on immediate abutting properties. In addition, conformity with the SPP shall be required;
- b) Where a non-conforming use is clearly incompatible with or hazardous to adjacent uses, is associated with some form of blight in the surrounding area, or otherwise interferes with the implementation of the Plan, the City may consider acquisition of the property to terminate the use or may exchange land to provide for the relocation of the use to a more appropriate area. However, the City shall not be required to undertake such action.
- c) Recognition of the use in the Zoning By-law is not likely to result in proposals to amend the Plan to allow similar types of uses.

9.2.4 Holding Provisions

A By-law may be passed pursuant to the provisions of the *Planning Act*, to zone lands for their intended purpose and further impose a holding provision by use of the Holding Symbol "H" in accordance with the following provisions:

- i) where the lands are designated in any designation which permits development, and a plan of subdivision has received draft plan approval;
- ii) where the lands are designated in any designation which permits development, and a plan of condominium has received draft plan approval;
- iii) where a proposal has been received which conforms with the intent of this Plan and development is to proceed by means of a Site Plan Agreement;
- iv) where the lands are designated for development, but, the provision of sewer and/or water services, stormwater management and/or roads has not yet been resolved but the City deems the provision of such services to be close to resolution;

- v) where development is required to be phased;
- vi) where additional studies are required although the principle of development has been established; or
- vii) other conditions as required.

No development of those lands affected by a holding provision shall be permitted and the Holding symbol shall not be removed until such time as the proposal has been approved by the City and all the provisions of this Plan, and, as may be applicable, the conditions of draft plan approval or site plan, have been complied with. In the interim period until the Holding provision is removed in accordance with the provisions of this Plan and the *Planning Act*, the uses permitted shall be restricted to those existing as of the date of adoption of this Plan, conservation and preservation of the natural environment, public uses and utilities or other similar uses or other uses identified by the City.

9.2.5 Temporary Use By-laws

Pursuant to the provisions of the *Planning Act*, by-laws may be passed to permit the temporary use of lands, buildings or structures for a period of up to three years, which may not conform to this Plan, provided that the following requirements are complied with:

- i) that the use is compatible with surrounding land uses and activities; and,
- ii) that such temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are complied with.

Such a by-law shall define the area to which it applies and prescribe the period of time for which the authorization shall be in effect having regard for the appropriateness of the use and the temporary nature of the use or activity.

The Municipality may pass subsequent by-laws granting extensions of up to three years to a temporary use by-law; however, once the subsequent by-law has lapsed, the use permitted by the by-law must cease and if the use continues it will be viewed as an illegal use in regard to the implementing zoning by-law.

9.2.6 Height and Density Bonus Provisions

Pursuant to provisions the *Planning Act*, a zoning by-law may authorize increases in the height and density of development, otherwise permitted by the by-law, that will be permitted in return for the provision of such facilities, services or other matters are set

out in the zoning by-law. The City's objectives in authorizing such increases in height or density are:

- i) to encourage the provision of underground or in-building parking for attached housing or mixed use development;
- ii) to encourage the preservation and conservation of buildings or structures of historical, contextual or architectural merit or heritage value or interest;
- iii) to encourage the protection of natural features such as woodlot, wetland and environmental linkages;
- iv) to encourage the provision of parkland above and beyond that required through the provisions of this Plan;
- v) to encourage the provision of unique urban design features above and beyond the requirements of this Plan;
- vi) to encourage the provision of the trails system, day care and other public or quasi-public facilities;
- vii) to encourage the creation of mixed use and/or high density residential development on sites which conform to the policies of this Plan in the ***Built Boundary***;
- viii) to encourage the provision of ***affordable*** housing;
- ix) to encourage sustainable building and site design and similar features;
- x) to encourage employment; and,
- xi) any other public benefit identified in a City study.

A site-specific zoning by-law will establish detailed development standards that would apply when a bonus is awarded and the relationship between these standards and the conditions which must be met, if the bonus standards are to apply.

In the granting of a height and density bonus, the City may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or other matters to be provided.

The maximum residential density and height permitted through the bonus provisions may exceed that which is permitted in the general Official Plan policies. However, no residential development may be granted bonus density or height in excess of 30 percent beyond the maximum density or height provided in the parent zoning by-law.

However, where residential development satisfies a minimum of three of the City's objectives for authorizing increases in height or density, consideration may be given to a further increase in height or density provided that such an increase shall not be in excess of 50 percent of the maximum permitted density or height provided in the parent zoning by-law.

9.2.7 Development Permit By-law

A By-law may be passed pursuant to the provisions of Section 70.2 of the *Planning Act* to establish a development permit system, instead of traditional zoning regulations, to control all classes of land use in the City or in defined areas of the City. Under the development permit system, approvals of minor variations in standards within specific established parameters may be delegated to City staff by Council. An applicant may refer an application for a staff approved development permit to Council for their review. A range of conditions may be imposed prior to the issuance of a development permit by the City including commitments to specific design, tree planting, travel demand management and sustainability plans.

9.2.8 Interim Control By-laws

Interim Control By-laws may be passed in accordance with the provisions of the *Planning Act* to control the use of lands and buildings within designated areas of the City until such time as studies required by the City to assess planning and engineering issues are prepared and approved. The By-law may specify a time period (which shall not exceed one year) prohibiting the use of land, buildings and structures, except for those purposes as set out in the By-law.

In the event that the review or study related to an Interim Control By-law has not been finalized within one year, the City may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided that total period of time it is in effect does not exceed two years from the day of passing of the Interim Control By-law.

If Council has not passed a by-law under the *Planning Act* subsequent to the completion or review of the study within the period of time specified in the Interim Control By-law, the provisions of any zoning by-law passed under the Act that applied to the subject lands immediately prior to the coming into force of the Interim Control By-law again come into force.

9.3 PLANS OF SUBDIVISION

9.3.1 Subject Area

All lands in the City are subject to subdivision control and part-lot control.

9.3.2 Criteria

A plan of subdivision shall generally be required:

- i) where a new road or significant extension to an existing road and/or sewer and water services is required; or,
- ii) where more than five lots are being created and/or the owner is retaining sufficient lands for the development of additional lots; or,
- iii) where the City deems it in the public interest for the proper development of the lands.

9.3.3 Deeming

The City may consider adoption of a by-law under Section 50(4) of the *Planning Act* deeming old, registered, undeveloped plans of subdivision which are inadequate due to matters such as lot size, inadequate access or inappropriate location, and which have been registered for eight years or more not to be registered.

9.3.4 Evaluation Criteria

In evaluating applications for approval of plans of subdivision, the City shall consider all matters contained in Sections 50 and 51 of the *Planning Act*. In addition, only those plans of subdivision or condominium shall be approved for development which:

- i) conform with the designations and policies of this Plan;
- ii) can be supplied with adequate services and community facilities; and,
- iii) will not adversely affect the financial status of the City.

9.3.5 Conditions of Draft Plan Approval

The City as a condition of draft plan approval pursuant to the *Planning Act* shall require that the owner of lands subject to a plan of subdivision:

- i) enter into one or more agreements which may be registered against the title of the subject lands; and,
- ii) satisfy other necessary conditions, considered reasonable, prior to final approval and registration and to meet the conditions within a time specified by the City in the approval, or the approval will lapse.

9.4 PLANS OF CONDOMINIUM

Only those development proposals submitted under the *Condominium Act* that conform to the general policies and designations of this Plan, including as applicable the policies of Sections 9.3.4 and 9.3.5, and which can be provided with adequate services shall be approved. The minimum number of units to be included in each condominium shall be seven, or a number which is appropriate to allow for the reasonable, independent operation of a condominium corporation.

9.5 CONSENTS

9.5.1 Evaluation Criteria

Consents, shall only be permitted in accordance with the policies of this Plan and where the consent does not prejudice the future or existing development of the land or abutting lands and specifically where:

- i) a plan of subdivision is not required to ensure the proper and orderly development of the lands, which shall generally be where more than five lots are being created and in accordance with the policies of Section 9.3 of this Plan;
- ii) the proposed consents will not adversely affect the financial status of the City;
- iii) the proposed use is compatible with **adjacent** land uses and in an existing built-up residential area the lot size, frontage and configuration of the severed and retained lots shall generally be in keeping with the existing development in the area;
- iv) the proposed lots front on, and have direct access from, an improved public road which is maintained on a year-round basis and which is of a reasonable standard of construction;
- v) the access to the proposed lot shall not create a traffic hazard or serve to increase an existing traffic hazard as a result of limited sight lines, curves or grades;
- vi) the additional lots do not extend or create a strip of development nor limit the potential for development of the retained lands and **adjacent** lands, and a consent shall be given favourable consideration if it has the effect of infilling;
- vii) the proposed lots can be adequately serviced;
- viii) the lot frontage and area of the proposed lots are adequate for the existing and proposed uses and comply with the Zoning By-law. Where it is not possible to

meet the standards of the Zoning By-law, an amendment or variance shall be required as a condition of approval, where such action is considered appropriate;

- ix) a consent shall generally not be granted within the Regulatory Flood Line on Schedules "A" and "B" when the intended use is the construction of a permanent building or structure;
- x) the consent will not negatively impact on a site which is a designated heritage site or which is on the City's Register of Property of Cultural Heritage Value or Interest ; and,
- xi) the consent will not result in negative impacts on the "Wetland Unit (MNR)", "Wetland Hazards (UTRCA)", "Natural and Naturalized Woodland", "Anthropogenic Woodlands/Park" and "NHS Plantings" features as designated on Schedule "B" to this Plan which impacts will be evaluated in accordance with the policies of Section 5.2 of this Plan.

In addition, a consent for mortgage discharge purposes may be permitted provided that the use of land shall not change upon completion of the discharge. Further, a consent for technical or legal purposes may also be permitted where a separate lot is not being created such as a boundary adjustment, provided that the lots that are the subject to the application comply with or can be brought into compliance with the Zoning By-law.

9.5.2 Conditions

The Committee of Adjustment may attach any conditions deemed reasonable by the Committee to a consent authorized by the *Planning Act* including, but not limited to the following:

- i) dedications for appropriate road widenings or one foot reserves;
- ii) the payment of taxes, development charges and other charges as established by the City;
- iii) the dedication of land for park purposes or the payment of cash-in-lieu of parkland;
- iv) provision for the extension of municipal services and stormwater management;
- v) the submission of a registered reference plan to the Committee of Adjustment prior to the consent being finalized;
- vi) approval of a site plan;
- vii) entering into one or more Agreements, which are to be registered on title, dealing with such matters as the Committee considers necessary, including but not limited

to the provision of municipal or other services tree protection, screening, setbacks and neighbourhood character;

viii) the designation of a listed heritage property provided such a designation can be properly justified; and,

ix) any other conditions considered appropriate by the Committee.

All applicable conditions shall be to the satisfaction of and at no cost to the City or the Committee.

9.5.3 Submission Requirements

In addition, to any other required information, a consent for a land severance shall only be considered where a sketch plan is submitted which is drawn to scale and which indicates the true dimensions of the lot; the proposed location, height, floor area and dimensions of any building or structure proposed for such lot; the dimensions of any yards, setbacks, landscaped open space; and, the location of all existing buildings or structures *adjacent* to the lot which is to be severed.

9.5.4 Depth and Width Requirements

A consent to a land severance shall generally be denied where the effect is to create a lot of disproportionate depth and width.

9.6 SITE PLAN CONTROL

9.6.1 Site Plan Control Area

All lands in the City of Stratford shall be designated as a site plan control area and may be subject to site plan control by-laws in accordance with Section 41 of the *Planning Act*. The provisions of the *Planning Act* with respect to site plan control may be used with respect to all uses, including low density residential uses, or designations within the Official Plan with the objective of ensuring development implements the policies of this Plan and is consistent with the Urban Design and Landscape Guidelines. However, the following uses shall not be subject to site plan control, and the City may through the site plan control by-law provide for other exemptions which are deemed appropriate:

i) agricultural and farm related buildings or structures which are utilized in farming operations;

ii) electric power facilities including wind turbines and solar panels; and,

iii) single, semi-detached and duplex dwellings in new residential areas.

9.6.2 Site Plan Requirements

No development or *redevelopment* shall be undertaken within an area which is the subject of a site plan control by-law, including residential buildings with less than twenty five units or expansions of buildings involving an increase in floor area of more than 15%, unless the City has approved one or both of the following:

- i) Site plans showing the location of all buildings and structures existing or to be erected and all servicing, stormwater management and utility facilities, grading, landscaping, and works to be provided; and,
- ii) Drawings showing plans, elevations and cross-section views for each building to be erected including the massing and conceptual design, the relationship of the buildings to **adjacent** buildings, streets and exterior public areas, and the provision of interior walkways, stairs, elevators, escalators to which the public has access from streets, open spaces and interior walkways in **adjacent** buildings.

9.6.3 Site Plan Agreement

In accordance with the *Planning Act*, the owner of land may be required to enter into a Development Agreement and provide to the satisfaction and at no expense to the City, any or all requirements set out in the *Planning Act*.

9.6.4 Parkland and Road Widening Dedication

Where a proposed development is subject to site plan control, the dedication of land for park purposes or the payment of cash-in-lieu of parkland shall be a condition of approval in accordance with the provisions of Section 7.7. In addition, the dedication of the widening needed to achieve the road rights-of-way established in Table 2 to this Plan, shall be required along the frontage and flankage of the development as a condition of site plan approval except with respect to the requirements of Section 7.2.2 iii). Such dedication shall be granted to the City free of all charges.

9.6.5 Exterior Design and Sustainable Design Elements

In addition to the other provisions of this section, the City may use the site plan approval powers specifically set out in Section 41(4)(2)(d),(e) and(f) of the *Planning Act* to implement any of the policies in this Official Plan, through the control of:

- i) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is exterior design;

- ii) the sustainable design elements on any adjoining municipal road including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and,
- iii) facilities designed to have regard for accessibility of persons with disabilities.

9.7 PROPERTY STANDARDS AND SIGN CONTROL

9.7.1 Minimum Standards

The City shall maintain, and update as required, its Property Maintenance and Occupancy Standards By-law in accordance with the Ontario Building Code. It shall also regularly review and update its Sign By-law and other licensing by-laws (e.g. Bed and Breakfast, Group Home).

9.7.2 Property Standards Enforcement

- i) The City shall appoint a Property Standards Officer who will be responsible for administering and enforcing the Property Maintenance and Occupancy By-law.
- ii) The City shall also appoint a Property Standards Committee for the purpose of hearing appeals against an order of the Property Standards Officer.

9.8 MUNICIPAL FINANCE

9.8.1 Capital Works

It is intended that the City shall prepare a capital works programme in conformity with the proposals and policies of this Plan. The Plan will allow the City to assess immediate and long-term requirements and plan major expenditures taking into account all the financial resources available to the City. The programme would be reviewed annually.

9.8.2 Development Charges

The City shall review and update its Development Charges By-law in conformity with this Plan.

9.8.3 Other Financial or Development Requirements

Prior to the final approval of any development in the City of Stratford, the City or Committee of Adjustment may require the owner to enter into servicing and other agreements including subdivision, site plan or development agreements, including front

end requirements or accelerated payments and projected development charges that will ensure that the development can be adequately serviced and that an appropriate contribution has been secured toward the provision of community service and other such matters as may be required by the City or Committee of Adjustment including the dedication of lands and the placement, massing and conceptual design and scale of buildings, site facilities, landscaping and storm drainage.

In particular:

- i) Prior to the approval of development, the City shall be satisfied as to the availability of water supply and sewer capacity to accommodate said development and related storm management facilities. This may require front end or accelerated payment agreements and limitations to be placed on development.
- ii) Prior to the registration of any development, the owner shall have entered into any required servicing agreement, including any front end requirements or accelerated payments with the City that will identify the capital expenditures associated with the servicing of the lands.
- iii) Prior to any development approvals, an assessment of ***infrastructure*** cost requirements to accommodate the development, including development phasing, the timing of ***infrastructure*** emplacement, and the methods of financing including developer front end or accelerated payment agreements shall be addressed in conjunction with other proponent's developments as required.

9.8.4 Developers Group Agreement(s)

Prior to the final approval of development on lands in Secondary Plan areas, or any other large scale development areas involving a number of landowners, the City may require that landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development.

9.9 LAND DEDICATION AND ACQUISITION

9.9.1 Parkland Dedication

Parkland acquisition shall be carried out in accordance with the policies of Section 7.7 of this Plan.

9.9.2 Parks and Open Space System

The City shall consider the acquisition at no or minimal cost of the lands which form part of the Parks and Open Space System designation on Schedule "A" which are not already in public ownership. A wide range of mechanisms would be used to achieve

this objective including acquisition in accordance with the *Planning Act*, negotiation as a condition of development approval, development bonus under Section 37 of the *Planning Act*, property tax exemptions for non-usable land areas, easements registered on title, land exchanges, donations, gifts, bequests and lease agreements.

9.9.3 Other Lands

The City shall generally acquire other lands required to implement the policies of this Plan in accordance with the provisions of the *Planning Act*, *Municipal Act*, the *Development Charges Act* or any other applicable statute. However, consideration will be given to the use of other mechanisms where appropriate. In particular, recognizing the importance of active recreation facilities to residents of the City, the municipality will use all available mechanisms to attain land and funding for such facilities and their on-going operation.

9.10 PUBLIC SECTOR

It is the objective of this Plan to achieve the agreement of all public agencies involved in any aspect of development in the City of Stratford, to comply with the policies of this Plan, the regulations of the zoning by-law and other related policies, regulations and guidelines, in order to achieve the implementation of the policies of the Plan.

9.11 LEGISLATION UNDER THE MUNICIPAL ACT

The City shall review their existing legislation pursuant to the *Municipal Act* and amend it as required.

9.12 FURTHER AMENDMENTS TO PLAN

Amendments may be made to the Official Plan at any time in accordance with the *Planning Act* to revise it and/or incorporate new objectives, policies and designations. In particular, the City shall, not less frequently than every five years, review the Plan in accordance with the requirements of the *Planning Act*.

Any amendments will reflect the result of detailed background analysis and review and any required studies. In considering an amendment to the Plan, regard shall be had to the following criteria, where applicable, which are in addition to those specified in the remainder of this Plan:

- i) The need for the proposed amendment;
- ii) The extent to which the existing areas in the proposed designations are developed and the nature and appropriateness of such existing development;

- iii) The physical suitability of the land for the proposed use;
- iv) The location of the areas under consideration with respect to:
 - a) the adequacy of the existing and proposed road system in relation to the development of such proposed areas;
 - b) the convenience and accessibility of the site for vehicular, bicycle and pedestrian traffic and traffic safety in relation thereto; and
 - c) the adequacy and availability of the municipal water and sewage facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations submitted by the applicant or agencies.
- v) The compatibility of the proposed use with uses in the surrounding area; and,
- vi) The potential effect of the proposed use on the financial position of the City.

9.13 SECONDARY PLANS

9.13.1 Relationship to the Official Plan

- i) Secondary Plans shall be prepared as required in accordance with the policies of this Plan. Secondary Plans shall generally provide more detailed policy direction than the Official Plan with respect to specific issues related to the Secondary Plan area. Such plans shall be adopted as an amendment to this Plan and will be incorporated into Section 11 of the Plan.
- ii) Secondary Plans shall generally conform to, and be designed to implement the policies of this Plan. However, where there is a conflict between the policies of the Official Plan and the Secondary Plan, the Secondary Plan policies will supersede those of the Official Plan for the area which is the subject of the Secondary Plan.

9.13.2 Current Secondary Plans

The following Secondary Plans have been adopted and approved and are found in Section 11 of the Official Plan:

- a) Section 11.1 - North East Community Secondary Plan; and,
- b) Section 11.2 - Stratford West Secondary Plan.
- c) Section 11.3 – Stratford East Planning Area

9.14 PUBLIC PARTICIPATION

9.14.1 Information Dissemination

The City will endeavour to provide information to the general public on all planning matters and proposals in a manner which is informative, understandable, timely, and cost efficient.

9.14.2 Measures for Public Participation

The City will use a variety of measures to increase public awareness and provide increased opportunities for public participation in the planning process. The measures used may include posting of notices on property where changes in use are proposed; mailing of notices to *adjacent* property owners; public meetings, open houses and workshop forums; publication of notices in the newspaper and on the City's web site and social media; posting of notices on public display boards; news releases or columns in the newspaper; and posting of presentations and reporting on the City's web site.

9.14.3 Public Register

The City will establish, and thereafter maintain, a register of individuals, special interest groups and organizations, businesses, and agencies who have indicated an interest in being kept informed on a regular basis of planning matters and proposals, studies and activities in the City and will distribute on a cost recovery basis, such information to these persons or bodies as it becomes available.

9.14.4 Aboriginal Communities

The appropriate Aboriginal Communities shall be provided notification in regard to the identification of burial sites and significant archaeological resources relating to the activities of their ancestors. If the City of Stratford initiates the preparation of an Archaeological Management Plan, the appropriate Aboriginal Communities shall be notified and invited to participate in the process.

9.14.5 Statutory Requirements

Notification to the residents of the City of public meetings in accordance with the *Planning Act* shall follow the procedures required by the Act or may exceed the requirements in accordance with the provisions of Section 9.14.2. However, the City may make technical changes to the Official Plan and/or zoning by-law without an amendment, a public meeting or public notice provided such changes do not affect the policies or intent of the Official Plan for such matters as the following:

- i) changes to the numbers of sections or order of sections, but does not add or delete sections;

- ii) consolidates previously approved amendments in a new document without altering any approved policies or maps;
- iii) corrects grammatical or typographical errors;
- iv) changes references to legislation where the legislation has changed;
- v) delete obsolete provisions; and,
- vi) altering language to obtain a uniform mode of expression.

In addition, no amendment to this Plan is required to construct new or expanded infrastructure subject to and approved under the *Environmental Assessment Act*.

9.14.6 Extension of Minimum Statutory Requirements

Where a planning or related matter under consideration by the City has a statutory requirement for public notice and input, the City will extend the minimum municipal requirements under the Act and provide additional opportunities for public participation where such matters are considered to be complex, have significant or potentially significant adverse impacts, or where significant public interest is likely to be generated.

9.14.7 Matters without Statutory Requirements

Where a planning or related matter is under consideration by the City and there is no statutory requirement for public participation under the *Planning Act*, the City may provide opportunities for public input prior to making a decision on the matter.

9.14.8 Advisory Committees

In the preparation of a secondary plan, community improvement plan, heritage conservation district plan, special study, five year official plan review or similar initiative, the City may appoint an advisory committee or task force of interested citizens and stakeholders as a means of providing the City with pro-active, sustained and substantive input.

9.14.9 Individual Rights

The City will not use or invoke the public participation process where it would constitute an unwarranted or unreasonable delay to a person's legal right to obtain a permit or other municipal approval for which he or she is otherwise entitled to by law.

9.14.10 Abusive Rights

Where the City is of the opinion that public participation in the consideration of any planning matter before it is, or has become, obstructive and an abuse of process resulting in undue delays, the City may terminate the public participation process and bring the matter to a decision.

9.14.11 Appeals to the Ontario Municipal Board

Where a notice of a appeal has been filed to the Ontario Municipal Board, the City will review the appeal and determine its position in respect of the appeal. Where the City is of the opinion that the appeal is vexatious, frivolous or made only for the purposes of delay, the City will notify the Board and request that the appeal be denied without a hearing.

9.15 MONITORING

The City shall monitor the implementation of the Official Plan, including measures designed to conform to Provincial Plans:

- i) through regular reports from City staff on the effectiveness of the Official Plan policies in responding to development, protecting the City's resources including heritage and natural resources, and implementing the ***intensification*** strategy including designated greenfield densities, ***intensification*** and ***affordable*** housing targets; and,
- ii) a formal review every five years to ensure that the Plan continues to conform to the Provincial Policy Statement and any other relevant Provincial Plans and policies; is consistent with matters of provincial interest and reflects the needs and conditions within the City.

The City shall also encourage the Upper Thames River Conservation Authority and the Province to establish environmental monitoring programs in order to measure the effectiveness of the environmental policies of this Plan and any Watershed Plans, as well as the Thames-Sydenham and Region Source Protection Plan applicable to the City. The City may participate in such programs as its financial resources permit. Notwithstanding the foregoing, the City shall carry out monitoring which is specifically required of the City by the SPP.

10. INTERPRETATION

10.1 GENERAL

The Plan is a statement of policy. It is intended as a guide to Council and therefore, must be interpreted in general terms, provided the intent is maintained. Further, the Plan shall be read in its entirety and all relevant policies applied to each situation. Words and phrases in ***bold italic*** are defined. Definitions are found in Section 10.6. Introductory paragraphs in italic to various subsection of Section 4, Land Use Strategy, as well as any photographs or other illustrations, are provided for information purposes and context only.

10.2 BOUNDARIES

It is intended that the boundaries of the land use designations as delineated on Schedule "A" and the boundaries and alignments of the various components set forth on Schedules "B", "C", "D" and "E" are to be considered as approximate. Such boundaries and alignments are considered absolute only where bounded by roads, railways, watercourses, shoreline areas, transmission lines or other clearly discernable geographic features. Amendments to this Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or the location of roads or other boundaries provided the general intent of this Plan is maintained. Notwithstanding the foregoing, with respect to the boundaries of natural features, the policies of Section 5.2.2 apply.

10.3 FIGURES AND QUANTITIES

It is intended that all figures and quantities be considered as approximate only and not absolute in order to provide for the necessary flexibility in the administration and interpretation of this document. An amendment to this Plan shall not be required for any reasonable variance from any of the proposed figures.

10.4 PERMITTED USES

The permitted uses are included in this Plan to illustrate the type, nature and range of uses and activities permitted within each of the respective land use designations. Specific uses shall be defined in the Zoning By-law.

10.5 LEGISLATION

Where this Plan makes reference to a Federal or Provincial Act, regulation or guideline or Ministry, such reference shall include any subsequent amendments or replacements.

10.6 DEFINITIONS

Active Transportation

Active transportation or active transportation mode means any method of travel that is human powered such as walking and bicycling.

Adjacent

Adjacent as it applies generally to urban development including protected heritage properties shall mean beside, behind and abutting, as well as across a street from a property, and where it applies to a protected heritage property shall also include any lands which are considered contiguous to the property.

Adjacent where it applies to natural features shall mean those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of **adjacent** lands for significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, and significant areas of natural and scientific interest (life science) shall be defined as 120 m. For significant areas of natural and scientific interest (earth science), the extent of adjacent lands shall be 50 m.

Affordable

Means:

- i) in the case of ownership housing, the least expensive of:
 - a) housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low and moderate income households; or
 - b) housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional market area;
- ii) in the case of rental housing, the least expensive of:
 - a) a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
 - b) a unit for which the rent is at or below the average rent of a unit in the regional market area.

Agriculture-Related Uses

Means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Area of Natural and Scientific Interest (ANSI)

An area of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Best Management Practices

"**Best Management Practices**" is a general term used in the Ministry of the Environment guidelines designating procedures for stormwater quality and quantity control. The techniques considered to be Best Management Practices reduce pollutants available for transport by run-off before it is discharged. **Best Management Practices** requires that stormwater management for new subdivisions be implemented in an environmentally sensitive manner with one of the prime objectives being to maintain water quality.

Brownfield Sites

Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built Boundary

The **built boundary** includes those lands in the City's current boundary which are already built up, or the subject of a draft approved application, as of the year 2013.

Convenience Commercial Use

A **convenience commercial use** shall apply to either individual or groups of commercial and personal service uses serving the daily needs of residents or employees within the immediate area.

Comprehensive Review

An official plan review, particularly a review related to land needs, including industrial land needs, which is initiated by the City, or an official plan amendment which is initiated or adopted by the City, which:

- i) is based on a review of population and employment projections and which reflect projections and allocations by the City and **provincial plans**, where applicable; considers alternative directions for growth or development; and determines how best to accommodate this growth while protecting provincial interests;
- ii) utilizes opportunities to accommodate projected growth or development through **intensification** and **redevelopment**; and considers physical constraints to accommodating the proposed development within existing settlement boundaries;
- iii) is integrated with planning for **infrastructure** and **public service facilities**, and

considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;

- iv) confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
- vi) Confirms that sewage and water services can be provided in accordance with policy 1.6.6 of the Provincial Policy Statement 2014; and,
- v) considers cross-jurisdictional issues.

Density, Gross

This term shall mean the area of land including the lot area, local and collector streets, parks, including trails, schools, institutional uses and all open space lands with the exception of lands designated "Wetland Unit(MNR)", "Wetland Hazards(UTRCA)", "Anthropogenic Woodlands/Park", "Natural or Naturalized Woodlands" or "NHS Plantings" on Schedule "B".

Density, Net

This term shall mean the lot area .

Designated Greenfield Area or Designated Growth Areas

The area within the City, but not the built boundary, specifically lands within the City designated for growth over the long-term planning horizon, but which have not yet been fully developed. These areas include lands which are ***designated and available*** for residential growth, as well as lands required for employment and other uses.

Designated and Available

Means lands designated for residential use, provided that where a secondary plan is required before development, applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purpose of this definition.

Ecological Function

Means the natural processes, product or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes.

Endangered Species

A species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official Species at Risk List, as updated and amended from time to time.

Fish Habitat

As defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Floor Space Index

The gross area of all buildings on a lot divided by the lot area.

Garden Suite

A garden suite, as referenced in the *Planning Act*, is a small independent building, physically separate from the principal dwelling unit with which it is associated, which may be used as a dwelling unit, or for activities accessory to those permitted in the principal dwelling unit, and which may have a primary access from a rear lane abutting the lot upon which both the garden suite and its associated principal dwelling unit are located.

Group Home, Small Scale

A form of housing where 3 to 10 persons share accommodation with support services.

Habitat of Endangered and Threatened Species

- a) With respect to a species list on the Species at Risk in Ontario List as endangered or threatened for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ministry of Natural Resources and Forestry; and places in the areas described in clause (a) or (b) whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Heritage Resources, Uses or Areas

Heritage resources features, uses or areas include resources, features, uses or areas of architectural, historical or archaeological interest including cemeteries and unmarked burials and urban districts and landscapes.

Highly Vulnerable Aquifer (HVA)

A Highly Vulnerable Aquifer, as defined in the *Clean Water Act*, is an aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of its intrinsic susceptibility, as a function of the thickness and permeability of overlay layers, or by preferential pathways to the aquifer.

Infrastructure

Means physical structures (facilities and corridors) that form the foundation for development. **Infrastructure** includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/ telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification

Means the development of a property, site or area at a higher density than currently existing through:

- i) **redevelopment**, including the reuse of brownfield sites;
- ii) the development of vacant and/or underutilized lots within previously developed areas;
- iii) infill development; and,
- iv) the expansion or conversion of existing buildings.

Light Studies

Light Studies illustrate the impact of development in terms of associated external lighting including but not limited to, light trespass, glare, Urban Sky Glow, and shadowing, as well as and, where applicable, impacts from internal lighting including but not limited to light trespass and glare.

Municipal Wellhead Protection Area

This term shall mean the surface and subsurface area surrounding a municipal water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as to eventually reach the water well or well field.

Major Goods Movement Facilities and corridors

Means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples including inter-modal facilities, airports, rail facilities, truck terminals, freight corridors, and haul routes and primary transportation corridors used for the movement of goods.

Natural Heritage Features and Areas

Means features and areas, including significant wetlands, fish habitat, significant woodlands, significant valleylands, habitat of endangered species and threatened species, significant wildlife habitat and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Hazardous Lands

Means property or lands that could be unsafe for development due to naturally occurring processes and includes land, and land covered by water, to the furthest

landward limit of the flooding hazard or erosion hazard limits as delineated by the Conservation Authority.

Negative Impact

- a) In regard to fish habitat, any permanent alteration to, or destruction of fish habitat except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- b) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

On –Farm Diversified Uses

Means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Prime Agricultural Areas

Means land that includes ***specialty crop areas*** and/or Canada Land Inventory Classes 1, 2 and 3 soils, in this order of priority for protection.

Public Service Facilities

Means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include ***infrastructure***.

Redevelopment

Means the creation of new units, uses or lots on previously developed lands in existing communities, including ***brownfield sites***.

Shadow Studies

Shadow Studies illustrate the impact of development in terms of sun and daylight access to the surrounding context including surrounding buildings, the public realm, public and private open space.

Significant

- i) In regard to wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;

- ii) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ministry of Natural Resources and Forestry; and
- iii) in regard to other features in policy 5.2.2, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system.

Significant Groundwater Recharge Area

The area where an aquifer is replenished from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands, and from human interventions, such as stormwater management systems, and whose recharge rate exceeds a threshold specified in the *Clean Water Act*.

Significant Trees

Trees of 0.3 m (.98 ft.) caliper in size at breast height or trees which are of a significant species as determined by a qualified professional.

Specialty Crop Area

Means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops and crops from agriculturally developed organic soil lands are predominately grown, usually resulting from:

- i) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions or a combination of both; and/or
- ii) a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

Threatened Species

A species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official Species at Risk List, as updated and amended from time to time.

Traffic Calming

This term shall mean a form of transportation planning which seeks to harmonize the use of streets by automobiles, pedestrians, bicyclists, and other street uses.

This is accomplished through the use of streetscape design devices and techniques including sidewalks that diversify street uses and control traffic volumes and speed in neighbourhoods while maintaining maximum mobility and access. Traffic calming also attempts to make drivers aware of the fact that they are sharing the space of a street with other users.

Valleyland

A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Wayside Pits and Quarries

Means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wellhead Protection Area

The surface and subsurface area surrounding a water well or well field that supplies a municipal water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

Wetland

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland Fire Assessment and Mitigation Standards

The combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife Habitat

Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands

Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and long-term storage of carbon, provision on wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest".

11. SECONDARY PLANS

11.1 NORTH EAST COMMUNITY SECONDARY PLAN – SECONDARY PLAN AREA 1

11.1.1 Vision Statement of Future Land Uses

The Northeast community is a significant area to accommodate new residential growth in the City of Stratford. This area is bounded by two bio-physical boundaries, being the Court Drain and Avon River. The interconnection of this community will occur through the extensions of McCarthy Road and C.H. Meier Boulevard to provide vehicular, pedestrian and cycling linkages to the existing building community of Stratford. These roads will assist in rectifying traffic problems being experienced within the existing road network. Roundabouts are considered to be a viable alternative to signalized intersections, that will be investigated for construction at the intersection of arterial and collector roads in this community.

Natural environmental features will be preserved, particularly the Category 1 Core Greenspace lands associated with the Court Drain. In addition, two woodlots of local ecological significance and important to residents will be designated as Locally Significant Natural Areas to preserve the City's natural heritage.

Bannerman Drain will be rehabilitated through an investigation of alternatives for the under-sized culvert at the abandoned rail line to redefine the associated Regulatory Flood Line, and promote a more efficient use of land.

This community will be predominantly low density residential uses containing mainly single detached homes, with some medium density (townhouse or walk-up apartments) and opportunities for ***affordable*** housing. The density will meet the target of 25 units per hectare. The design of the community will reflect a fused-grid, generally comprised of 16 hectare (40 acre) blocks of local streets, divided internally by crescents and cul-de-sacs that have direct pedestrian access to parkland. This design promotes a better quality of life by balancing the need to be connected by the automobile to destinations outside of the neighbourhood, and the enjoyment of pedestrian linkages throughout the neighbourhood.

The distribution of parkland throughout is an important component of the design for the Northeast community. In addition a network of community trails parallel to the Court Drain and *adjacent* to the north limits of the golf course lands will provide off-street pedestrian, cycling and hiking opportunities for residents in the vicinity of Vivian / Romeo Streets to C.H. Meier Boulevard.

Community facilities, including a community park comprising 3.0 hectares and two school blocks will be located in the centre of the community. These facilities will

become an area of significant interaction for residents for active recreation, education and other community events. These uses will be directly accessible through the arterial and collector road network.

To promote the cohesiveness of the residential community, noise mitigation of traffic from the arterial and collector roads, will only occur through the provision of service roads and side-lotting. No back-lotting with noise attenuation walls/berms will be permitted. This will encourage interaction of pedestrians, greater safety, and integration of the people and land uses on these major streets.

The development of this residential neighbourhood shall be phased through a logical extension of roads and municipal services beginning from the west to the east. A minimum of two access points for vehicular traffic and the looping of municipal services will be required for any phase of urban development throughout this community. Stormwater management facilities will implement the findings of the Court Drain Subwatershed Study and the ***Best Management Practices*** of the Upper Thames River Conservation Authority and the City of Stratford.

In all, the Northeast community will become a significant residential neighbourhood, well designed to promote a high quality of life for existing and future residents.

Accordingly, the following are the policies for implementation of this vision:

11.1.2 Policies

11.1.2.1

The City will investigate the alternative to signalization of cross intersections through the construction of roundabouts at the intersections of McCarthy Road and C.H. Meier Boulevard, and the north-south Collector Road and McCarthy Road to determine their suitability, prior to proceeding with the construction of the extensions of these roads in these locations.

11.1.2.2

The Court Drain is a Category 1 Core Greenspace and a significant natural heritage resource. Its boundaries are coincident with the greater limits of the Regulatory Flood elevation and Environmental Corridor as defined by the Court Drain Subwatershed Study. These lands are designated Parks and Open Space Area in the Official Plan. Development is prohibited in this area, with the exception of flood and erosion control structures.

11.1.2.3

The two woodlots, located south of Vivian Street and north of the Avon River, are hereby designated as “Locally Significant Natural Areas”, which is defined as:

“lands that contain locally significant terrestrial forestry features, and are deemed to be appropriate for their local aesthetic attributes. Development is prohibited in these areas.”

11.1.2.4

Environmental Impact Study will be required in accordance with the policies of Section 8.3 of the Official Plan for the development of any lands immediately adjacent the Court Drain and the two Locally Significant Natural Areas to identify any impacts, recommend alternatives and implement mitigation measures to ensure the long-term viability and health of these natural heritage resources.

11.1.2.5

The City, in consultation with the Upper Thames River Conservation Authority and private landowners, will investigate opportunities for community trail linkages within the Category 1 Core Greenspace lands defined by the limits of the greater Regulatory Flood Line and Environmental Corridor as set out in the Court Drain Subwatershed Study. These trails will minimize the impacts on the natural heritage resources features and extend from Vivian / Romeo to the southerly limits of the Court Drain, and on the north side of the golf course lands to C.H. Meier Boulevard.

11.1.2.6

The Court Drain Subwatershed Study currently defines the limits of the Regulatory Flood Line associated with Bannerman Drain. In consultation with the Upper Thames River Conservation Authority, the City will undertake a Class Environmental Assessment of the culvert at the abandoned rail line to assess the options available to redefine the Regulatory Flood Line of Bannerman Drain to promote a more efficient use of lands.

11.1.2.7

Notwithstanding Schedule “D” – Road Network Plan of the Official Plan, the local road network for the Northeast Community will be encouraged to be designed in a grid pattern of 16 hectare (40 acre) quadrants, divided into crescents and some cul-de-sacs that are each interconnected by parkland to promote pedestrian movements within those quadrants.

11.1.2.8

Parkland for the entire Northeast Community will be distributed as illustrated on Schedule "A" – General Land Use Plan and in accordance with Section 4 of the Official Plan, with a Community Park comprising 3.0 hectares proposed to be located immediately south of McCarthy Road, east of the Court Drain to provide significant active recreational activities for residents of the City of Stratford.

11.1.2.9

Two elementary school blocks, one public and one separate school, may be constructed on lands having an area of 2.0 hectares each, to be located on the north side of McCarthy Road.

11.1.2.10

To facilitate safety of pedestrians and minimize potential conflicts between vehicular and pedestrian traffic, it is recommended that additional pavement width be provided along the frontage of the two school blocks to be incorporated into the design for construction of McCarthy Road.

11.1.2.11

Stormwater management facilities are required to be constructed to provide water quality and quantity controls in conformity with ***best management practices*** of the Upper Thames River Conservation Authority and City of Stratford. Stormwater Management Analysis and Implementation Plans will be required to support all development applications and to implement the findings of the Court Drain Subwatershed Study. This analysis should provide at-source stormwater management solutions, including dry wells, infiltration galleries and other acceptable techniques in accordance with approved standards.

11.1.2.12

While the predominant use of land will be low density residential uses, medium density residential uses restricted to townhouse, quadruplex or apartment type residential uses, will be developed within minimum and maximum densities of 30 to 100 units per hectare on those areas designated Medium Density Residential on Schedule "A" – General Land Use Plan.

Other medium density residential uses are encouraged in this community to be located in accordance with the location criteria of Section 4.5 of the Official Plan.

11.1.2.13

For all low density residential land uses proposed *adjacent* to the arterial roads (McCarthy Road and C.H. Meier Boulevard) as designated on Schedule "D" Road Network Plan, a Noise Study shall be undertaken in support of any development application to assess the impact noise generated by projected traffic in accordance with the Ministry of Environment Guidelines for sensitive land uses. Mitigation measures in the form of side lotting or service roads parallel to the arterial roads will be required to be constructed, and in no case shall noise attenuation walls/berm be acceptable.

11.1.2.14

The logical and orderly phasing and development of the Northeast community shall occur. A minimum of two access points and the looping of municipal services shall occur at all times to ensure appropriate vehicular movements, safety for emergency services, and water and sanitary services for the neighbourhood. The lands generally located south of the extension of McCarthy Road require the construction of a sanitary pumping station and forcemain to be located in the south portion of the community. This pumping station will relay sewerage flows to the Romeo Street Pump Station, which has sufficient capacity for the development of these lands.

11.1.2.15

No urban use of lands shall be permitted inside an arc measuring 216 metres from the operation of an existing livestock operation (poultry) located east of the pre-2015 annexation municipal boundary and south of Vivian Street, subject to the approval by the City of Stratford. The lands within the arc constitute the minimum distance separation (MDS) and are hereby designated as Special Policy Area.

11.2 STRATFORD WEST SECONDARY PLAN AREA – SECONDARY PLAN AREA 2

The Stratford West community is one of the primary areas to accommodate new residential growth in the City of Stratford. The reconstruction of O'Loane Avenue with trunk sanitary and water services will facilitate the logical growth of this community. Concurrently, the north-central and east lands will proceed through the construction of Quinlan Sewage Pumping Station and Forceman to provide sanitary service in the interim to the Vivian/Romeo Pumping Station and, ultimately, redirect sewage flows to the O'Loane Trunk Sanitary Sewer.

The westerly extension of McCarthy Road to O'Loane Avenue will provide the arterial road connection for vehicular, pedestrian and cycling linkages between this future community and the exiting built community in Stratford.

Land uses will be predominately low density residential uses, although a "Medium Density Residential" and "Medium Density Residential Special" designation is imposed on particular blocks to ensure a minimum residential density of between 30 to 100 units per hectare (Medium Density designation) and 23 units per hectare (Medium Density Special designation). Other uses include a potential elementary separate school located in close proximity to St. Michael's Secondary School, and commercial uses on both the north and south sides of Huron Road to provide a broad range of service commercial and some retail commercial uses to this community and western Stratford.

The Stratford West Community will become a significant residential neighbourhood, well designed to promote a high quality of life for existing and future residents. Accordingly, the following are the policies for implementation into the City of Stratford Official Plan.

11.2.1

The Court and McNamara Drains are Category 1 and 2 Core Greenspaces and contain Significant Natural Heritage features. The boundaries are coincident with the greater limits of the Regulatory Floodline and environmental corridor (after remediation of the flood plain in accordance with the Flood Plan Management and Storm Water Management Analysis Study. McNamara and Court Drains, 2007) These lands are designated "Parks and Open Space Area" in the Official Plan. Development within the Core Greenspace area is prohibited, with the exception of flood and erosion control structures, and community trails in consultation with the Upper Thames River Conservation Authority.

11.2.2

The existing flood plain associated with the Court and McNamara Drains [as shown on Figure 4 of the Stratford West Secondary Plan Final Report (2008)], is to be modified in consultation with the Upper Thames Conservation Authority by private land owners through cut and fill grading activities. Approvals from the City and UTRCA are required prior to any grading works. Until such works are implemented, the flood plan constraint remains and only those land uses permitted in such flood areas are permitted.

11.2.3

In consultation with the Upper Thames River Conservation Authority and the City, private landowners will be required to have a Drainage Report prepared by a qualified Drainage Engineer to replace the culverts associated with the Roadhouse Drain at O'Loane Avenue and Matilda Street, and the removal of the gabion drop structure upstream to the City limit. These works will significantly reduce the area encumbered by the existing 250-year Floodline. Until such works are constructed, the encumbrance remains and is identified as a constraint to urban land uses below the existing floodline.

11.2.4

Once the remedial flood plan works have been completed, certified and accepted to the satisfaction of the City and the UTRCA for the McNamara, Court and Roadhouse Drains, the “new” 250-year Floodline will apply in accordance with the Flood Plan Management and Storm Water Management Analysis: Court and McNamara Drains Final Report (2007), and the Roadhouse Drain Master Drainage Plan Final Report (2007). Subsequently, the land use designations for urban uses are to apply in accordance with the balance of the policies of the Official Plan.

11.2.5

Lands located east of O’Loane Avenue and south of Huron Street being the southerly reach of the Roadhouse Drain in the City are located outside of the Stratford West Secondary Plan study area. However, these lands were included in the Roadhouse Drain Master Drainage Plan Final Report (2007), which provided information and recommendations applicable to those properties. As a result, the limits of the existing 250-year Floodline are subject to the remedial measures identified in the proceeding policy. These remedial works must be constructed to the satisfaction of the City and UTRCA before the “new” 250-year Floodline applies and development occurs.

11.2.6

Environmental Impact Study will be required in accordance with the Policies of Section 8.3 of the Official Plan for the development of any lands immediately **adjacent** and along the entire length of the Court and McNamara Drains. The development of any lands immediately **adjacent** to these features should be assessed by EIS to identify impacts, recommend alternatives, and implement mitigation measures to ensure the long-term viability and health of these natural heritage resources. The EIS will define the limits of the natural heritage areas for preservation and appropriate buffers to the satisfaction of the City and the Upper Thames River Conservation Authority.

In addition, there are a number of Fringe Greenspace lands associated with small woodlots, hedgerows, and man-made ponds and associated amenity areas that should be considered for inclusion in any development applications through a general vegetation overview and tree preservation plan.

11.2.7

The City, in consultation with the Upper Thames River Conservation Authority and private land owners, will investigate opportunities for community trail linkages within the Category 1 and 2 Core Greenspace defined as per Policy 11.2.1 and, designated “Open Space and Parks” in the Official Plan. These trails will minimize the impacts on

the heritage resource features and provide pedestrian and cycling connections along the Court and McNamara Drains to other destination points such as the Stratford Rotary Recreation Complex, schools and parkland.

11.2.8

An expansion of the existing community park / Rotary Recreation Complex is required. The City will determine the appropriate location and configuration of the expansion of the community park, generally to be located immediately west and abutting the existing park. This will be undertaken in accordance with the parkland dedication provisions of the *Planning Act* when development applications for these lands are submitted by private landowners.

11.2.9

The City will investigate the alternative of a roundabout versus signalization of the intersection of McCarthy Road and O'Loane Avenue to determine the suitability, prior to proceeding with construction of the extension of McCarthy Road and the reconstruction of O'Loane Avenue in this location.

11.2.10

Stormwater management facilities are required to be constructed to provide water quality and quantity controls in conformity with current requirements of the Upper Thames River Conservation Authority and City of Stratford. Stormwater Management Analysis and Implementation Plans will be required to support all development applications and to implement the finds of the Flood Plain Management and Storm Water Management Plan: McNamara and Court Drains (2007) and the Roadhouse Drain Master Drainage Plan (2007).

11.2.11

While the predominate use of land will be low density residential uses, medium density residential uses such as townhomes or apartment type residential uses, will be developed on lands designated "Medium Density Residential" and "Medium Density Residential Special" designations of the Official Plan, as follows:

- i) Medium Density Residential: will be developed into only townhouses, quadraplexes or apartment type dwellings with a minimum and maximum residential density of between 30 and 100 units per hectare on those areas designated Medium Density Residential on Schedule "A" – General Land Use Plan.
- ii) Medium Density Residential Special: will be developed into a mix of low density and medium density types of residential dwellings having a residential density of 23

units per hectare on those lands designated Medium Density Residential Special on Schedule "A" – General Land Use Plan.

Other medium density residential uses are encouraged in this community to be located on lands designated "Residential" in accordance with the location criteria of Section 4.5 of the Official Plan.

11.2.12

One separate elementary school block may be constructed on lands having an area of approximately 2.0 hectares to be located on the east side of O'Loane Avenue, immediately north of Short Street. These lands will be designated "Residential Area" on Schedule "A" – General Land Use Plan.

11.2.13

To facilitate safety of pedestrians and minimize potential conflicts between vehicular and pedestrian traffic, it is recommended that additional pavement width be provided along the frontage of the proposed school block to be incorporated into the design for drop-off and pickup of students in the reconstruction of Short Street and/or O'Loane Avenue.

11.2.14

For all low density residential land uses proposed *adjacent* to McCarthy Road (arterial road) and O'Loane Avenue as designated on Schedule "D" – Road Network Plan, a Noise Study shall be undertaken in support of any development application to assess the impact and mitigation of noise generated by projected traffic in accordance with the Ministry of Environment Guidelines for Noise Assessment in Land Use Planning. Innovate mitigation measures including those set out in the subsequent Urban Design and Landscape Guidelines shall be implemented.

11.2.15

The logical and orderly phasing and development of the Stratford West Community shall occur. A minimum of two access points and the looping of municipal water services shall occur at all times to ensure appropriate vehicular movements, safety for emergency services, and water and sanitary services. The lands generally located in the north central and northwest portions of the Stratford West Community require the construction of a Sanitary Pumping Station and Forcemain to be located in the north central area, immediately south of McNamara Drain. This Quinlan Pumping Station and Forcemain will relay sewerage flows to the Vivian/Romeo Street Pumping Station in the interim, which has sufficient capacity for the development of these lands. Upon the extension of the O'Loane Avenue Trunk Sanitary Sewer and the Vivian/Romeo Station

approaching capacity, the “ultimate forcemain” will be constructed to relay sewerage flows from the Quinlan Pump Station to the O’Loane Trunk Sanitary Sewer.

11.2.16

Notwithstanding the land use designations and policies applicable to the lands in the vicinity of Huron Street and O’Loane Avenue, delineated by a heavy dashed line on Schedule “A” – General Land Use Plan and marked as “Refer to Policy 11.2.16 ”, these lands have been identified, through the City’s Commercial Needs Study (2002) 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. As such, Policies 4.7.13 and 4.7.6 of the Official Plan shall apply to the lands delineated on Schedule “A” – General Land Use Plan such that, prior to any approval by Council of any application for retail development or re-development on any portion of the lands, the requirements of Policies 4.7.13 and 4.7.6 shall have been carried out and/or implemented to the satisfaction of City Council.

11.2.17

That an Archaeological Assessment be completed to the satisfaction of the Ministry of Citizenship and Culture prior to the approval of any development application for lands immediately *adjacent* to the St. Joseph’s Cemetery located on the west side of O’Loane Avenue and designated “Parks and Open Space” in the Official Plan.

11.2.18

Notwithstanding the uses permitted in the Medium Density Residential designation, within Special Policy Area 17, the following additional residential uses shall be permitted: single detached; semi-detached; townhouse dwellings; apartment type dwellings; back-to-back and stacked townhouses.

11.2.19

Notwithstanding the density provided in the Medium Density Residential designation, within Special Policy Area 17 the following residential densities shall apply:

- a. A minimum density of 16 units per net hectare and a maximum density of 100 units per net hectare.

Notwithstanding the height provided in a section 4.5.3.4 within the Medium Density Residential designation within Special Policy Area 17 the following residential heights shall apply:

- a. A maximum height of 6 storeys for apartment dwellings; and
- b. A maximum height of 4 storeys for all other residential uses.

11.3 STRATFORD EAST PLANNING AREA

On the lands located on the south side of Highway 7 & 8/ east of C.H. Meier Blvd/ having a 139.6m frontage (Highway 7 & 8) and an area of 21.8 ha/ and legally described as Lot 41 and Lot 42 Concession I/ in the City of Stratford the following additional policies apply:

11.3.1 Industrial Area

On the lands located south of Festival Marketplace Shopping Centre/ east of C.H. Meier Boulevard and north of the CN Railway Tracks, notwithstanding the uses permitted in the "Industrial Areas" designation, only the following light industrial and service commercial uses shall be permitted: the manufacturing, assembling, repairing/ wholesaling or storage of any goods/ substance/ article or thing in a wholly enclosed building. Only the following secondary uses shall be permitted: outdoor recreation uses; motor vehicle sales and service establishments; limited office uses not otherwise permitted in the Downtown Core; research and development uses; and education and training other than elementary schools. Accessory industrial uses as listed in Section 4.8.4 shall also be permitted.

11.3.2 Medium Density Residential Area

In the Medium Density Residential area/ the policies of sections 4.5.3.2, 4.5.3.3 and 4.5.3.4, apply with the exception that the maximum density per net hectare shall be 100 and the maximum height shall be 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.

11.3.3 Roads

11.3.3.1

In order to serve the public interest and provide for emergency services/ two means of access to the subject lands will be required. While it is preferred both means of access be by way of a public road/ one means of access may be permitted on a temporary basis by way of an easement. The development of individual properties in the Gateway Mixed Use designation with access to Ontario Street / Highway 8/ may be developed with only one access to a public street

11.3.3.2

Access to the lands will be addressed in conjunction with future Plan of Subdivision application.

11.3.3.3

Prior to granting draft approval to any Plan of Subdivision/ the City will consult with affected agencies/ the Ministry of Transportation and the Township of Perth East on access and road impact issues. Consolation shall include providing the Ministry of Transportation and the Township of Perth East a copy of any Transportation Study for review and comments.

11.3.3.4

The east/west collector is intended to extend easterly to connect with Road 111.

11.3.3.5

In conjunction with any Plan of Subdivision application/ a Transportation Study will be required that identifies and assesses the impacts of the proposed development on abutting properties/ and existing and proposed streets/ including Road 111. The transportation study shall be to the satisfaction of the City of Stratford and/as it pertains to Road 111/ to the Township of Perth East/ acting reasonably.

11.3.3.6

As development of the subject lands may occur before a connection to Road 111 is approved and traffic volumes on Road 111 may ultimately be generated as a result of development on the subject lands/ the future developer of these lands may be required to enter into an agreement with the City to address road improvements on area roads prior to final approval of a Plan of Subdivision. In addition/ the future developer of these lands may be required to enter into an agreement with the Township of Perth East in order to ensure that the recommendations of the Transportation Study/ as it relates to Road 111/ are implemented by the future developer.

11.3.3.7

No local roads will be permitted to intersect with Highway 7 & 8/ only driveway access shall be permitted to the 'Gateway Mixed Use Area' lands.

11.3.4 Parks

Neighbourhood parks shall be considered during the Plan of Subdivision process. Generally neighbourhood parks are to be centrally located/ with pedestrian and road access and shall be designed to facilitate community connectivity.

11.3.5 Compatibility of Uses

In order to ensure conflicts between land uses do not occur in the future/ separation distances from industrial uses shall be in accordance with the MOE D-6 Guidelines. The location and massing of new buildings in the residential designations must be compatible with surrounding existing commercial land uses. The City will require that mitigation measures/ such as screening, landscaping/ fencing/ and setbacks/ be implemented through the zoning and development review process to minimize the

potential for any undue impacts/ including stormwater management, on surrounding existing commercial uses.

11.3.6. Comprehensive Development

The preferred approach to developing the subject lands is through a comprehensive plan of subdivision process; however, individual lots may be created through the consent process if municipal services are available and if creation of the lot does not negatively affect the development of the remainder of the lands for intended uses.