



## **Stratford City Council Regular Council Open Session MINUTES**

Meeting #:	4645th
Date:	Monday, February 8, 2021
Time:	3:00 P.M.
Location:	Electronic Meeting
Council Present in Council Chambers:	Mayor Mathieson - Chair Presiding
Council Present Electronically:	Councillor Beatty, Councillor Bunting, Councillor Burbach, Councillor Clifford, Councillor Gaffney, Councillor Henderson, Councillor Ingram, Councillor Ritsma, Councillor Sebben, Councillor Vassilakos
Staff Present in Council Chambers:	Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Chris Bantock - Deputy Clerk
Staff Present Electronically:	David St. Louis - Director of Community Services, Ed Dujlovic - Director of Infrastructure and Development Services, Kim McElroy - Director of Social Services, John Paradis - Fire Chief, Jeff Bannon - Planner, Alyssa Bridge - Manager of Planning, Jodi Akins – Council Clerk Secretary, Marilyn Pickering – Manager of Tax Revenue

### **1. Call to Order:**

Mayor Mathieson, Chair presiding, called the Council meeting to order.

Moment of Silent Reflection

**2. Declarations of Pecuniary Interest and the General Nature Thereof:**

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and to otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No declarations of pecuniary interest were made by a member at the February 8, 2021 Regular Council meeting.

**3. Adoption of the Minutes:**

R2021-42

**Motion by** Councillor Vassilakos

**Seconded by** Councillor Beatty

**THAT the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated January 25, 2021 be adopted as printed.**

**Carried**

**4. Adoption of the Addendum to the Agenda:**

R2021-43

**Motion by** Councillor Bunting

**Seconded by** Councillor Ingram

**THAT the Addendum to the Regular Agenda of Council and Standing Committees dated February 8, 2021, to include a request to defer Item 5.3 on the Planning and Heritage Committee agenda and to receive correspondence related to Item 5.1 on the Infrastructure, Transportation and Safety Committee agenda, be added to the Agenda as printed.**

**Carried**

**5. Report of the Committee of the Whole In-Camera Session:**

**5.1 From the January 11, 2021 Session, under the Municipal Act, 2001, as amended, a matter concerning the following item was considered:**

Appointment of Councillor Representative to the SeedCo., Board of Directors

- Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b)).

R2021-44

**Motion by** Councillor Gaffney

**Seconded by** Councillor Bunting

**THAT Councillor Clifford be appointed to fill the vacant Councillor representative position on the Stratford Economic Enterprise Development Co. (SEED Co.) Board of Directors for the remainder of a four year term to November 14, 2022, or until a successor is appointed by Council.**

**Carried**

**5.2 From the January 11, 2021, Session under the Municipal Act, 2001, as amended, a matter concerning the following item was considered:**

Release of Option to Purchase for Lots 16, 17 and Part Lot 18 in the Wright Business Park

- Proposed or pending acquisition or disposal of land by the municipality or local board (section 239.(2)(c)) (includes municipal property leased for more than 21 years).

R2021-45

**Motion by** Councillor Vassilakos

**Seconded by** Councillor Clifford

**THAT the Mayor and Clerk, or their respective delegates, be authorized to sign the Release for Option to Purchase with respect to the lands and premises legally described as all of Lots 16 and 17, Plan 44M38 and Part of Lot 18, Plan 44R-38 designated as Parts 2 and 3 on Reference Plan 44R-5294 being all of PINs 53264-0109(LT), 53264-0110(LT), and 53264-0144(LT), City of Stratford, County of Perth.**

**Carried**

**5.3 At the February 8, 2021 Session, under the Municipal Act, 2001, as amended, matters concerning the following items were considered:**

The February 8, 2021 Committee of the Whole In-Camera session was cancelled and as such there were no items to be reported out on.

**6. Hearings of Deputations and Presentations:**

None scheduled.

**7. Orders of the Day:**

**7.1 Proclamation - Heritage Day**

R2021-46

**Motion by** Councillor Ingram

**Seconded by** Councillor Gaffney

**THAT City Council hereby proclaims February 15, 2021 as Heritage Day in the City of Stratford in celebration of our past and our future, and to inspire Canadians to embrace, explore and enjoy our enduring heritage.**

**Carried**

**7.2 Resolution - City of Stratford Display Advertising for Notices and Non-Statutory Ads Contract (COU21-012)**

R2021-47

**Motion by** Councillor Henderson

**Seconded by** Councillor Ingram

**THAT the City enter into a three year agreement, effective March 1, 2021, with The Beacon Herald, a division of Postmedia Inc., to continue to provide display advertising for notices and non-statutory ads under the same terms and conditions of the agreement entered into in 2016;**

**THAT an option to renew the agreement for two 12-month periods be included;**

**AND THAT the Mayor and Clerk be authorized to execute the necessary contract agreement.**

In response to a question, the City Clerk advised ads are circulated in the Marketplace and the Town Crier, on Thursday and Saturday respectively. This is done on a weekly basis unless there are no ads to be placed.

Mayor Mathieson called the question on the motion.

**Carried**

**7.3 Resolution - Award of RFP-2020-38 – Pay by Phone Municipal Parking System (COU21-013)**

R2021-48

**Motion by** Councillor Vassilakos

**Seconded by** Councillor Burbach

**THAT the proposal from HotSpot Parking Inc. (RFP-2020-38) for the provision of a Pay by Phone Municipal Parking System be accepted;**

**AND THAT the Mayor and Clerk, or their respective delegates, be authorized to execute all required contract documents.**

A question and answer period ensued between members and staff with respect to:

- the convenience fee charged being a standard required by mobile parking providers and HotSpot not charging a convenience fee to extend a parking session;
- integration of other parking features such as parking fine payment being explored by staff; and,
- use of the capital budget set aside for this project only being needed for extra features but not required for initial startup of the application.

Mayor Mathieson called the question on the motion.

**Carried**

**7.4 Resolution - Resident Parking Request (COU21-014)**

R2021-49

**Motion by** Councillor Clifford

**Seconded by** Councillor Bunting

**THAT the request from Mr. Coxon to park with no maximum time limits in the Upper Erie Lot during the provincial stay at home order be denied.**

**Carried**

**7.5 Resolution - Household Hazardous Waste Contract Extension (COU21-015)**

R2021-50

**Motion by** Councillor Henderson

**Seconded by** Councillor Vassilakos

**THAT the contract with Photech Environmental Inc. for the collection, processing and recycling of hazardous waste be extended, under the same terms and conditions, for a one year term to March 31, 2022.**

A question and answer period ensued between members and staff with respect to:

- the single year extension being the last year of a three-year contract; and,
- the expected release in 2021 of new rules surrounding producer responsible organizations and the impact on future contracts of this nature.

Mayor Mathieson called the question on the motion.

**Carried**

**7.6 Resolution - Maintaining an outdoor rink on the Avon River (COU21-016)**

R2021-51

**Motion by** Councillor Gaffney

**Seconded by** Councillor Beatty

**THAT the City take no action with maintaining an outdoor rink on the Avon River due to safety concerns;**

**AND THAT signage be placed along the riverbanks informing the public of the hazards.**

A question and answer period ensued between members and staff with respect to:

- Community Services matching the opening of facilities with the province's color coded system for COVID-19 restrictions;
- the maintenance of an outdoor rink in other locations not having been reviewed but noting that similar liability and safety concerns would be present at any outdoor rink;
- the placement of warning signs in consultation with the City Solicitor and Insurer; and,

- staff reviewing Policy C.1.9. for amendments related to on-ice winter activities being prohibited and signage placed following the first snowfall each year.

Mayor Mathieson called the question on the motion.

**Carried**

**8. Business for Which Previous Notice Has Been Given:**

None scheduled.

**9. Reports of the Standing Committees:**

**9.1 Report of the Planning and Heritage Committee:**

R2021-52

**Motion by** Councillor Burbach

**Seconded by** Councillor Ingram

**THAT the Report of the Planning and Heritage Committee dated February 8, 2021 be adopted as printed.**

**Carried**

**9.1.1 Planning Report Zone Change Application Z03-20, 533  
Romeo Street South (PLA21-003)**

THAT the zoning of 533 Romeo Street S BE CHANGED from a General Industrial (I2) Zone TO a General Industrial Special (I2-36) Zone which allows for an athletic training facility with a maximum gross floor area of 4,080 m<sup>2</sup> and a minimum parking requirement of 1 space per 50 m<sup>2</sup> of gross floor area BE APPROVED for the following reasons:

- I. the request is consistent with the Provincial Policy Statement;
- II. the request is in conformity with the goals, objectives and policies of the Official Plan;
- III. the zone change will provide for a development that is appropriate for the lands;
- IV. the public was consulted during the zone change circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.

**10. Notice of Intent:**

**10.1 Notice of Public Meeting under the Planning Act**

Stratford City Council will hold a Public Meeting under the Planning Act on Tuesday, February 23, 2021 at 3:00 p.m. to hear all interested persons with respect to Official Plan Amendment 001-21, Draft Plan of Subdivision Application 31T21-001 and Zone Change Application Z01-21 regarding 4117 Perth Line 36, Part Lots 3 and 4, Concession 2 in the City of Stratford.

Persons wishing to participate orally at the public meeting, were asked to contact the City Clerk no later than 10:00 a.m. on Tuesday, February 23, 2021.

**11. Reading of the By-laws:**

The following By-laws required First and Second Readings and Third and Final Readings and were taken collectively upon unanimous vote of Council present:

R2021-53

**Motion by** Councillor Beatty

**Seconded by** Councillor Burbach

**THAT By-laws 10-2021 to 16-2021 be taken collectively.**

The Chief Administrative Office advised that Spencer Steckley has been recommended for the position of Manager of Financial Services at the City of Stratford.

Mayor Mathieson called the question on the motion.

**Carried** unanimously

R2021-54

**Motion by** Councillor Sebben

**Seconded by** Councillor Vassilakos

**THAT By-laws 10-2021 to 16-2021 be read a First and Second Time.**

**Carried** two-thirds support

R2021-55

**Motion by** Councillor Gaffney

**Seconded by** Councillor Henderson

**THAT By-laws 10-2021 to 16-2021 be read a Third Time and Finally Passed.**

**Carried**

**11.1 Amendment Agreement with Upper Thames River Conservation Authority regarding Source Protection Enforcement - By-law 10-2021**

To authorize the entering into and execution of Amendment No. 2 Agreement to the Source Protection Part IV Enforcement Transfer Agreement with Upper Thames River Conservation Authority with respect to the enforcement and jurisdictional rights under Part IV of the *Clean Water Act* as part of the implementation of the Thames Sydenham and Region Source Protection Plan to December 31, 2023.

**11.2 Amendment Agreement with Upper Thames River Conservation Authority regarding Joint Risk Management Services - By-law 11-2021**

To authorize the entering into and execution of Amendment No. 2 Agreement to the Source Protection Joint Risk Management Services with Upper Thames River Conservation Authority, pursuant to the *Clean Water Act, 2006* regarding a joint program for the enforcement and jurisdictional rights under Part IV of the *Act* as part of the implementation of the Thames-Sydenham and Region Source Protection Plan to December 31, 2023.

**11.3 Appointment to SEEDCo. Board of Directors - By-law 12-2021**

To amend By-law 178-2018 as amended, to make a Council representative appointment to the Stratford Economic Enterprise Development Co. (SEED Co.) Board of Directors.

**11.4 Amend Zoning By-law 201-2000 with respect to 533 Romeo Street South - By-law 13-2021**

To amend Zoning By-law 201-2000 as amended, with respect to zone change Z03-20 to rezone the lands known municipally as 533 Romeo Street South, located on the east side of Romeo Street South between Park Street and Norfolk Street to allow for a site specific General Industrial I2 Zone.

**11.5 Award of Pay by Phone Municipal Parking System Request for Proposal - By-law 14-2021**

To authorize the awarding of the Pay by Phone Municipal Parking System request for proposal [RFP-2020-38] and the entering into of a contract with HotSpot Parking Inc.

**11.6 Appoint a Manager of Financial Services and Acting Treasurer - By-law 15-2021**

To appoint a Manager of Financial Services and Acting Treasurer for The Corporation of the City of Stratford and to repeal By-law 118-2003.

**11.7 Release from Option to Purchase - By-law 16-2021**

To authorize the entering into of the Release for Option to Purchase with respect to the lands and premises legally described as all of Lots 16 and 17, Plan 44M38 and Part of Lot 18, Plan 44R-38 designated as Parts 2 and 3 on Reference Plan 44R-5294 being all of PINs 53264-0109(LT), 53264-0110(LT), and 53264-0144(L T), City of Stratford, County of Perth.

**12. Consent Agenda: CA-2021-010 to CA-2021-021**

Council did not advise of any items to be considered on the Consent Agenda.

**13. New Business:**

**13.1 City Hall Canada Flag**

Mayor Mathieson advised that staff are aware the Canadian flag atop City Hall has torn. The flag will be replaced once the mechanism to lower the flag has unfrozen.

**13.2 Stratford Community Safety Plan - Update**

A member noticed an item on the consent agenda related to community safety and well-being plans and asked for an update on the City's plan. The Director of Social Services advised that the first draft of the plan is being edited with the consultant and staff hope that it will be completed by the end of February.

**14. Adjournment to Standing Committees:**

The next Regular Council meeting is February 22, 2021 at 3:00 p.m.

R2021-56

**Motion by** Councillor Vassilakos

**Seconded by** Councillor Bunting

**THAT the Council meeting adjourn to convene into Standing Committees as follows:**

- **Planning and Heritage Committee [3:10 p.m. or thereafter following the Regular Council meeting];**
- **Finance and Labour Relations Committee [3:15 p.m. or thereafter following the Regular Council meeting];**
- **Infrastructure, Transportation and Safety Committee [3:20 p.m. or thereafter following the Regular Council meeting];**

**and to Committee of the Whole if necessary, and to reconvene into Council.**

**Carried**

**15. Council Reconvene:**

**15.1 Declarations of Pecuniary Interest made at Standing Committees**

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Declarations of Pecuniary Interest made at Standing Committee meetings held on February 8, 2021 with respect to the following Items and re-stated at the reconvene portion of the Council meeting:

Name, Item and General Nature of Pecuniary Interest

No declarations of pecuniary interest were made by a member at the February 8, 2021 Council reconvene meeting.

**15.2 Committee Reports**

**15.2.1 Planning and Heritage Committee**

R2021-57

**Motion by** Councillor Ritsma

**Seconded by** Councillor Ingram

**THAT Item 5.1 of the Planning and Heritage Committee meeting dated February 8, 2021 be adopted as follows:**

**5.1 Planning Report – Plan of Subdivision 31T15-001, 576 O'Loane Avenue (PLA21-002)**

**THAT the draft conditions of approval of plan of subdivision 31T15-001 be modified as follows:**

**Revise Condition #1 to read:**

**This draft approval applies to the draft plan submitted by Ian Rawlings, prepared by GSP Group, certified by Erich Rueb O.L.S., drawing no. dp16144b.dwg, dated May 15, 2017; as revised on May 5, 2020 which shows a total of 90 single-detached residential lots, 24 semi-detached residential lots, 46 street townhouse lots, 2 multiple unit blocks, one park block, four 0.3m reserve blocks, one stormwater management block, one walkway block and one block for road widenings served by 5 new local roads.**

**PARKLAND**

**Revise Condition #21 to read:**

**The Owner shall convey up to 5% of the lands included in this plan to the City of Stratford for park purposes. This shall include Block 151.**

**Revise Condition #22 to read:**

**Once a total of 55 units have been registered, excluding Lots 11 to 28 and Blocks 149, 150, Park Block 151 shall be conveyed in the next registration.**

**Revise Condition #23 to read:**

**Within one year of any registration that includes Park Block 151, the Owner shall grade and seed this Block at no cost to the City and to the satisfaction of the Director of Community Services and the Director of Infrastructure and Development Services.**

**Fencing**

**Revise Condition #24 to read:**

**Within one year of registration of the first phase, the Owner shall erect a 1.83 m high chain link fence without gates along the common property line between the railway**

**right-of-way and Block 152. Any other fencing arrangements shall be to the satisfaction of the Manager of Planning.**

**Revise Condition #25 to read:**

**Within one year of any registration that includes Lots 64, 65, 81-84, or 141-148, the Owner shall erect a 1.5 m high fence without gates along the rear property line of similar design and material.**

**Revise Condition #26 to read:**

**Within one year of the registration of Lots 84 & 141, the Owner shall erect a 1.5 m high fence along the west property line of Lot 141 and along the east property line of lot 84.**

**Revise Condition #27 to read:**

**Within one year of any registration that includes Lots 48 to 64 and the west limit of Block 152, the owner shall erect a height of 1.5m fence without gates along the rear lot line to prevent trespassing, to the satisfaction of the Manager of Planning.**

**Revise Condition #28 to read:**

**Within one year of any registration that includes Lots 1 to 10, the owner shall erect a height of 1.83m board on board fence on the rear lot line to the satisfaction of the Manager of Planning.**

### **WALKWAYS**

**Revise Condition #29 to read:**

**Concurrent with final approval of the plan which includes Block 150, the Owner shall convey walkway Block 153 the City of Stratford. The Owner shall construct a 3.0 m walkway in accordance with City of Stratford standards or provide security to the City.**

### **RAIL**

**Revise Condition #31 to read:**

**Prior to occupancy of Lots 64, 65, 81-84, or 141-148, an earthen berm shall be constructed to a minimum height of 2 metres above grade at the property line having slopes no steeper than 3 to 1. The berm shall be adjoining and parallel to the railway right-of-way.**

**NOISE ATTENUATION**

**Revise Conditions #32 i,ii, iii, iv and v to read:**

**The Owner has submitted a Noise and Feasibility Study dated September 21, 2015 prepared by HGC Engineering which recommends noise abatement measures. The recommendations of this study which include noise walls, EW5 Construction or equivalent, forced air central heating sized to accommodate air conditioning, central air conditioning and warning clauses are to be implemented as outlined below, to the satisfaction of the City of Stratford,**

- i. Prior to occupancy for Lots 1, 140, and 148, the Owner shall construct a 2 meter high noise attenuation wall between Lots 140, 148, Lot 1 and O'Loane Avenue; between Lot 148 and Block 152; between Lot 140 and Block 149; and between Lot 1 and the northern extents of the subdivision plan.**
- ii. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lots 2, 3, 64, 65, 81-84, 139 and 141-147:**

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

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

**iii. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lots 1, 140 and 148:**

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

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

**iv. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lots 1-3, 64, 65, 81-84, 139, 140 and 141-147:**

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

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

- v. The following warning clause shall be included in the subdivision agreement to be registered on Title and in subsequent Offers of Purchase and Sale for Lot 148:

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

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

#### **STORMWATER SERVICING**

**Revise Condition #39 to read:**

**Concurrent with final approval of the plan, the Owner shall provide all required and adequate land dedications related to the stormwater works, including Block 152, satisfactory to the City.**

**Carried**

#### **15.2.2 Infrastructure, Transportation and Safety Committee**

R2021-58

**Motion by** Councillor Henderson

**Seconded by** Councillor Burbach

**THAT Item 5.1 of the Infrastructure, Transportation and Safety Committee meeting dated February 8, 2021 be adopted, as amended, as follows:**

**5.1 Proposed Closure of T. J. Dolan Drive from St. Vincent Street South to St. David Street (ITS21-002)**

**THAT Council approve the permanent closure of T.J. Dolan Drive from St. Vincent Street South to St. David Street;**

**THAT Staff prepare a road closure by-law for T.J. Dolan Drive from St. Vincent Street South to St. David Street to be presented at a future Council meeting;**

**AND THAT Staff proceed to give notice of a public meeting regarding Council's consideration a by-law to permanently close T.J. Dolan Drive from St. David Street to Centre Street for conversion to a multi use trail.**

**Carried**

**15.3 Reading of the By-laws (reconvene):**

The following By-law required First and Second Readings and Third and Final Readings:

**Confirmatory By-law - By-law 17-2021**

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on February 8, 2021.

R2021-59

**Motion by** Councillor Bunting

**Seconded by** Councillor Burbach

**THAT By-law 17-2021 be read a First and Second Time.**

**Carried** two-thirds support

R2021-60

**Motion by** Councillor Gaffney

**Seconded by** Councillor Beatty

**THAT By-law 17-2021 be read a Third Time and Finally Passed.**

**Carried**

**15.4 Adjournment of Council Meeting**

R2021-61

**Motion by** Councillor Vassilakos

**Seconded by** Councillor Sebben

**THAT the February 8, 2021 Regular Council meeting adjourn.**

**Carried**

Meeting Start Time: 3:00 P.M.

Meeting End Time: 3:19 P.M.

Reconvene Meeting Start Time: 3:36 P.M.  
Reconvene Meeting End Time: 3:38 P.M.

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Mayor - Daniel B. Mathieson

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Clerk - Tatiana Dafoe