



STRATFORD CITY COUNCIL ADDENDA

Adoption of Addenda to the Regular Council Agenda:

Motion by

THAT the Addenda to the Regular Agenda of Council dated April 22, 2024, be added to the agenda as printed to include the following:

3. Adoption of the Minutes:

Attachment – February 26, 2024, Regular Council Minutes

THAT the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated February 26, 2024, be adopted as printed.

5. Report of the Committee of the Whole In-camera Session:

5.2 From the April 8, 2024, Session under the Municipal Act, 2001, as amended, the following matter was considered:

4.2 Proposed Disposition of Land 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)

Motion by

THAT The Corporation of the City of Stratford hereby consents to the sale of the property described as 105 Wright Blvd. in the Wright Business Park, legally described as Part of Lots 1 and 3, Concession 3 (Downie) designated as Parts 3, 4, 5, and 6 on Reference Plan 44R-4830, City of Stratford, County of Perth being all of PIN 53264-0137 (LT) to 2809185 Ontario Inc. (Feltz Design Build Ltd.)

11. Reading of the By-laws

Attachment – draft By-law 11.7

11.7 Transfer (conveyance) to 2809185 Ontario Inc. (Feltz Design Build Ltd.)

To authorize the transfer (conveyance) to 2809185 Ontario Inc. (Feltz Design Build Ltd.) of 105 Wright Blvd. in the Wright Business Park, legally described as Part of Lots 1 and 3, Concession 3 (Downie) designated as Parts 3, 4, 5, and 6 on Reference Plan 44R-4830, City of Stratford, County of Perth being all of PIN 53264-0137 (LT).



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4738th
Date: Monday, February 26, 2024
Time: 7:00 P.M.
Location: Council Chamber, City Hall

Council Present: Mayor Ritsma - Chair Presiding, Councillor Beatty, Councillor Burbach, Councillor Henderson, Councillor Hunter, Councillor McCabe, Councillor Nijjar, Councillor Sebben, Councillor Wordofa

Regrets: Councillor Biehn and Councillor Briscoe

Staff Present: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Kim McElroy - Director of Social Services, Tim Wolfe - Director of Community Services, Taylor Crinklaw - Director of Infrastructure Services, Karmen Krueger - Director of Corporate Services, Adam Betteridge - Director of Building and Planning Services, Neil Anderson - Director of Emergency Services/Fire Chief, Jeff Leunissen – Interim Manager of Planning, Shannon Archer – Business Integration Manager, Chris Van Bargaen – Deputy Fire Chief, Miranda Franken – Council Clerk Secretary

Also Present: Members of the Public and the Media

1. Call to Order:

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

Councillor Biehn and Councillor Briscoe provided regrets for this meeting.

Land Acknowledgment

Moment of Silent Reflection

Singing of O Canada

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

Councillor Nijjar declared a pecuniary interest on Items 7.4 and 11.4 related to "Zone Change Application Z06-23 for 607 and 609 Downie Street in the City of Stratford (COU24-025)". Councillor Nijjar is a director of the company that owns the property.

3. Adoption of the Minutes:

R2024-59

Motion by Councillor Nijjar

Seconded by Councillor Burbach

THAT the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated February 12, 2024 be adopted as printed.

Carried

4. Adoption of the Addenda to the Agenda:

R2024-60

Motion by Councillor Hunter

Seconded by Councillor Henderson

THAT the Addenda to the Regular Agenda of Council and Standing Committees dated February 26, 2024, to add delegations, be added to the Agenda as printed.

Carried

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

5.1 The February 26, 2024 Committee of the Whole In-camera Session was cancelled

6. Hearings of Deputations and Presentations:**6.1 Request for Delegation by Canadian Dairy XPO**

R2024-61

Motion by Councillor Beatty**Seconded by** Councillor Sebben**THAT the delegation by Jordon Underhill and Taylor Whitney, on behalf of the Canadian Dairy XPO, be heard.****Carried**

Jordon Underhill from the Canadian Dairy XPO and Taylor Whitney from ZPL Planning, referring to a PowerPoint presentation, provided an overview of their parking and sign requests for the upcoming Canadian Dairy XPO events. Highlights of the presentation were:

- this being the 10th anniversary of the Dairy XPO;
- 10 directional signs being requested along with the installation of a cow statue;
- there being a desire to provide appropriate parking for both staff and attendees;
- organizers looking at short, medium, and long term solutions to benefit the XPO and other groups using the Rotary Complex;
- a phased in parking plan being recommended; and
- approximately 15 hundred spaces being required.

Discussion was held on:

- a shuttle service to hotels having begun in 2018; and
- the need for increased parking at the Rotary Complex being experienced for several events.

6.2 ADDED - Request for Delegation Regarding Closed Meeting Investigation

R2024-62

Motion by Councillor McCabe**Seconded by** Councillor Burbach**THAT Mike Sullivan be heard.****Carried**

Mike Sullivan noted the Closed Meeting Investigation Report looked at all In-camera Council meetings between September 2018 to May 2023.

Highlights of the delegation included:

- the investigation having found that at 127 of those meetings where votes took place, 1/3 of Council voting was illegal;
- of the 416 votes, 281 were legitimate and 135 should have been held in public meetings;
- Council not being allowed to make substantive decisions in secret;
- an overview of votes taken being provided;
- the Investigator noting the frequency of illegal voting diminished after the report;
- there having been fewer meetings following the new Council;
- there being no penalties in law for Council's misbehaviour;
- the Clerk creating the agenda and determining which items should be in-camera;
- it being up to Council to decide to follow the Clerk's agenda or move items off the agenda and discuss in public;
- 12 of the 14 reasons for discussing a matter in-camera being optional and not mandatory;
- since 2018, only once has a member of Council tried to move an item into a public meeting and it failed due to the lack of a seconder;
- the Clerk being the person who places draft motions on an agenda for Council which Council can amend or reject;
- generally, it is the Clerk who advises Council on what motions can and cannot be brought and voted on and it is the Clerk who best understands the rules and procedures but it is the Chair of the meeting and Council who is responsible for knowing and following the rules;
- Clerk having recommended the report be forwarded to the City Solicitor for review before acting on the recommendations in the report;

- the Closed Meeting Investigator having made several recommendations and offered to attend and answer questions from Council;
- the law requiring Council to receive the report and to pass a resolution stating how they intend to deal with the findings of the investigation;
- there not being a need to spend more money on this matter; and
- provided an overview of the recommendations made by the Closed Meeting Investigator in the Report and recommending Council heed the advice.

6.3 ADDED - Request for Delegation Regarding the 2024 Budget

R2024-63

Motion by Councillor Hunter

Seconded by Councillor Burbach

THAT Mike Sullivan and Jane Marie Mitchell be heard.

Carried

Jane Marie Mitchell requested to speak to Council about including funding for climate change initiatives in the draft 2024 budget. Highlights of the delegation included:

- Council having made a Declaration of Climate Emergency in February 2020 and set targets for 2030 and 2050 in line with the targets of the Canadian Government;
- the Corporation having worked on its internal plans and strategies and using a climate lens to evaluate its actions;
- the Corporation being one small part of the emissions created in Stratford and it being time to include the citizens and businesses and their actions to make a bigger impact toward the set targets;
- assistance being needed to keep up with the workload and to expand public awareness and education;
- concerns being expressed with the capacity of the Climate Change Programs Manager;
- there being several environmental groups undertaking education on a smaller scale and needing to work with the City to have a greater impact on the reduction of greenhouse gas emissions;

- climate change work cannot be put off any longer;
- citizens needing to decrease their own emissions;
- the Climate Change Coordinator position being necessary and should not be deferred; and
- recommending the position be included in the 2024 budget.

It was noted that \$730,245 represents a 1% increase to the budget, that the budget has been gone through by Committee and decisions made to reduce the amount of the budget. It was further noted the City does have a Climate Change Programs Manager and that the new position was deferred to the 2025 draft budget and it has not been lost.

Jane Marie Mitchell responded that the Climate Change Programs Manager has more work in 2024 and that it is time to include the community which has been left out.

A member noted the government is providing information on climate change and that other organizations provide programs, such as energy audits. Jane Marie Mitchell responded that grant money is gone now.

Mike Sullivan requested to speak to Council about putting funding requested for action on climate change back into the draft 2024 budget. Highlights of the delegation included:

- the line items are necessary to allow the Manager to continue work and being opposed to any reductions;
- being a subscriber to notices the City puts on its website;
- expressing concerns with the deadline for providing comments on the draft budget;
- expressing concerns with the process and timeline to register as a delegation and stating the Clerk has quietly changed the rules for deputations;

The Mayor requested the delegate speak to the budget. Mr. Sullivan continued discussing the rules for appearing as a delegation. The Mayor asked the delegate to confine remarks to the request related to the budget. Mr. Sullivan continued to discuss the rules for delegations.

A member stated that Council had fulsome discussion on the Climate Coordinator position and encouraged members of the public to look at the discussion if interested.

A member stated residents have not had an issue being added to an addenda and asked if there was a rules change and not being aware of one. Members were advised it would be referred to staff.

7. Orders of the Day:

7.1 Resolution - CDX Parking Requests 2024 - 2025 (COU24-017)

Motion by Councillor McCabe

Seconded by Councillor Hunter

THAT the Alternate Parking Plan Report provided by CDX be received;

THAT temporary angle parking on the north side of McCarthy Road West from Fire Hall 2 to Orr Street for the Canadian Dairy XPO in 2024 and 2025 be considered if the alternate parking locations outlined in the CDX parking report are not feasible options;

AND THAT all costs associated with event parking be the responsibility of the Canadian Dairy XPO.

Discussion was held between members and staff with respect to:

- active transportation being difficult with little infrastructure for cyclists available when McCarthy Road and the bike lanes are used for parking;
- it being recognized there is not enough parking at the Rotary Complex for events;
- concerns being expressed with the removal of the berm;
- the redesign of the Rotary Complex parking lot completed by MTE in 2018 adding active transportation, increasing safety and adding 40% more parking spaces bringing the total to over 1,000;
- the redesign having been included in the 10 year capital plan;
- the project being completed in a phased in approach over three years;
- McCarthy Road having been closed in 2023 and the same plan being proposed for the event in 2024;
- an all-day road closure not being necessary as the active time is between 7-9 a.m.; and

- Fire Services recommending a road closure between 7-9 a.m.

A request was made to add the following clause to the motion:

- THAT a road closure on McCarthy Road and Mornington Street be permitted from 7:00 a.m. - 9:00 a.m. daily during the event.

Mayor Ritsma called the question on the motion as revised as follows:

R2024-64

Motion by Councillor McCabe

Seconded by Councillor Hunter

THAT the Alternate Parking Plan Report provided by CDX be received;

THAT temporary angle parking on the north side of McCarthy Road West from Fire Hall 2 to Orr Street for the Canadian Dairy XPO in 2024 and 2025 be considered if the alternate parking locations outlined in the CDX parking report are not feasible options;

THAT a road closure on McCarthy Road and Mornington Street be permitted from 7:00 a.m. - 9:00 a.m. daily during the event;

AND THAT all costs associated with event parking be the responsibility of the Canadian Dairy XPO.

Carried

7.2 Resolution - Proposed Exemption from Sign By-law #159-2004 for the Canadian Dairy Expo (COU24-019)

R2024-65

Motion by Councillor Nijjar

Seconded by Councillor Beatty

THAT the Canadian Dairy Expo Sign Variance Application to Sign By-law #159-2004 be approved as follows:

- **The nine (9) temporary sidewalk signs and one (1) cow statue be permitted for the temporary period of March 20, 2024 to April 10, 2024, on City property at the following locations:**
 - **Mornington Street at the City's northerly limits;**
 - **McCarthy Road West at Mornington Street (2 signs);**

- **McCarthy Road East at Romeo Street;**
- **Ontario Street at the City's easterly limits (2 signs);**
- **Huron Street at the City's westerly limits;**
- **Downie Street (Road 112) at the City's southerly limits;**
- **Erie Street at Line 32; and**
- **Northeast corner of McCarthy Road West and Mornington Avenue (Cow Statue);**
- **The two (2) banner signs, one (1) cow statue and five (5) directional signs be permitted for the temporary period of April 1, 2024 to April 5, 2024 on the City's Rotary Complex property (353 McCarthy Road West).**

Carried

7.3 Resolution - Zone Change Application Z05-23 for 245 Downie Street in the City of Stratford (COU24-024)

The Interim Manager of Planning, referring to a PowerPoint presentation, provided an overview of Zone Change Application Z05-23 for 245 Downie Street, Stratford. Highlights of the presentation included:

- the purpose of the application being to amend the site-specific Central Commercial (C3-9) zoning on the subject lands to permit, in addition to those uses already permitted, an "inn" with up to 56 dwelling units;
- a letter having been received on February 1st to modify the application to allow an inn to be permitted in all dwelling units;
- the location and size of the lands being noted;
- lands being subject to a site specific zone change in 2018 to allow dwelling units behind the commercial units on the main floor which was supported by Council;
- the zone change allowing for the adaptive reuse of the industrial building for both long and short term accommodations;
- a plan of condominium having also been approved in 2020;
- the lands being designated "downtown core area" in the Official Plan (OP);

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- the goals of the downtown core designation in the OP increasing diversity and number of residential opportunities along with rehabilitating and recycling functionally obsolete buildings which was part of the rationale for supporting the zone change application;
- the OP speaking to maintaining a 10 year supply of lands designated for housing and the PPS having updated this to 15 years;
- these lands not having been included in any inventory of residential lands as they are designated commercial;
- the request to modify the definition not contravening the OP's housing policies;
- no objections from agencies or departments having been received,
- CN having asked for an environmental easement and staff not recommending this provision be included as additional dwelling units are not being added;
- comments having been received from the public such as concerns with the loss of long term housing stock, impact on affordable housing stock, insufficient parking and authorization from the applicant;
- the C3 zone permitting a hotel and the conversion not requiring zoning approval;
- the City's Accommodation Licensing By-law applying to the units;
- with respect to parking, lands within the central business district not requiring additional parking if no additional floor space is being added;
- application authorized by the President of the Perth Condominium Corporation No. 58;
- this application not setting precedence for the City because of its zoning/designation, it is within a plan of condominium, contains more than 10 units and is not a change to short term rental accommodation regulations;

- additional concerns raised by members of the public having been received that were not related to land use planning and were not addressed in the report; and
- recommending approval of the zone change as it is consistent with the PPS, conforms to the policies of OP, and public comments received were considered.

Discussion was held between members and staff with respect to:

- each dwelling unit requiring its own "inn" license;
- there being 56 residential units and 8 commercial units in the building;
- there being one Accommodation Licensing By-law that deals with inns and short term accommodations;
- short term accommodations being permitted in residential areas that are owned and operated by the principal resident which operate for a maximum of 28 days per month and 180 days per year;
- there being no similar provisions for inns in the By-law;
- the OP not allowing inns in a residential area, Council having removed the option for short term rentals in apartment buildings to protect the housing stock in residential areas;
- the units being required to obtain an inn license which would be valid between April 1st - October 31st, once the license ceases the unit would be long term residential;
- concerns being expressed with the regulations for short term rental accommodations;
- the current definition of an inn being limited to a maximum of 10 units in a building;
- inns that are 10 units or more falling under the definition of a hotel/motel and are exempt from obtaining a license but would be subject to the municipal accommodation tax (MAT);
- the property currently being zoned to allow an inn and also a hotel;

- the form of the building not being a hotel and part of the reason for the zone change application being to allow them to operate short term accommodations within the building that has been constructed; and
- the option for short term accommodations being included in the condominium declaration.

R2024-66

Motion by Councillor Henderson

Seconded by Councillor Burbach

THAT Brendan McKenna, member of the ownership group of 245 Downie Street, Barb Shaughnessy and Mike Sullivan be heard.

Carried

Brendan McKenna provided information to Council in support of the application as follows:

- being a manager and director of a company that manages small hotels, boutique hotels, vacation properties, and short term accommodations;
- their company finding controlled and legislated works for Airbnb while protecting land use and residential areas;
- there being people onsite 24 hours a day;
- their company not working in residential zones or supporting Airbnb in residential zones;
- being a liaison between the board and residents in the building;
- concerns being able to be addressed through their organization;
- the zone change application allowing for additional flexibility and use of the space; and
- no licence applications having been submitted to date.

Discussion was held between members and Brendan McKenna. Highlights included:

- there being 20 short term rental units in the building, not all of which are active;
- these units being rented to students and creatives off season;

- short term rental units affiliated with the company being monitored and ensured they are registered with the City;
- the Kressley Group being a broker or manager and not owning any units;
- process for collection of the municipal accommodation tax being noted and not requiring additional staff;
- the definition for short term or transient accommodation in the MAT By-law being less than 30 days; and
- bed and breakfast accommodators being subject to a separate by-law.

Barb Shaughnessy expressed concern about misinformation being given to Council. The Chair requested the delegate present on the matter and to not critique another presenter. Barb Shaughnessy noted:

- an accommodator does not need to be licensed to remit the MAT;
- concerns being expressed about the lack of housing for Stratford residents;
- the downtown core needing a population year round to keep businesses going;
- the Bradshaw Loft having the right to amend their zoning but requesting Council not support the removal of homes without studies being completed;
- concerns being expressed about the public notice issued for the application;
- questioning why the Bradshaw Loft did not appeal the zoning by-law previously;
- commenting on personal information about the Planner on the file and being asked to limit comments about staff;
- questioning how the application fulfills the provincial policy statement;
- reviewing contents of the report;
- noting an inn is not a full-time residence, nor a 56 unit condo;

- providing an overview of what a temporary living accommodation is;
- the C3 zoning allowing inns and other uses which need to be qualified;
- amendments to the zoning by-law providing opportunities for appeal to the Ontario Land Tribunal; and
- noting several reasons have been provided to not support the application.

A member noted the operation is being run as intended and that renting to students for part of the year and to other interested parties was contemplated. Barb Shaughnessy noted there are no issues with renting to students but that there will be issues if it is an inn. The Director of Building and Planning Services noted the zone change application does not require owners to obtain a licence.

Mike Sullivan spoke to Council about the application noting:

- concerns with the suggestion that if they are not licensed they do not have to remit the MAT;
- the MAT being separate from the Accommodation Licensing By-law;
- concern that the proposal removes attainable housing;
- listings identifying units as single family dwellings and not part of an inn or Airbnb;

Councillor Beatty left the meeting at 9:13 p.m.

- questioning whether the Mayor has a pecuniary interest on this matter as he understood he and the former Mayor rent facilities and office space at the property and the Mayor confirming he does not;
- the application being signed by the chairperson for the Board of Directors as the owner of the property;
- each condominium corporation having a declaration and questioning whether it contains the word "inn";
- the decision to file the application requiring a vote by all owners;

- stating Council must reject the application as fraudulent based on the information provided by him; and
- noting legal action can be taken by one of the 56 owners for damages.

Discussion on the application continued. Highlights of the discussion included:

- information required to be provided to the third party collector of the MAT being noted;
- there being no opportunity to retroactively collect the MAT prior to the implementation of the by-law;

Councillor Beatty returned to the meeting at 9:16 p.m.

- the design of the building being for short term rentals or for students;
- owners of units not being required to obtain an inn license if the application is approved or to sublet or lease the condo unit;
- owners being able to have a short term accommodation in a hotel unit if the building was modified to meet Building Code standards, alternatively a maximum of 10 units could be used as an inn under the current definition;
- the issue being that more than 10 units would like to use their dwelling as an inn necessitating a revision to the definition;
- the Accommodation Licensing By-law having two provisions, one for short term rental accommodations operated by a principal residence for a period of less than 28 days and no more than 180 days per year and also allowing for the licensing of an inn for a maximum of five guest rooms;
- short term accommodation being defined in the by-laws as being occupied by the principal residence and not being allowed in an apartment building and this option not being available at this location because of the form of the building;
- an inn not having a time limit applied and an accommodation license being issued to an inn;
- the owners of the units having been circulated the notice of the application as well as the surrounding area;

- the condominium declaration mentioning temporary accommodation; and
- there being a need for attainable housing in the community along with housing for all levels to encourage recovery post pandemic.

R2024-67

Motion by Councillor Beatty

Seconded by Councillor Hunter

THAT application Z05-23, to amend the Central Commercial (C3-9) Zone provisions of the City of Stratford Zoning By-law No. 10-2022, and as they apply to lands in the City at 245 Downie Street, BE APPROVED WITH REVISIONS to allow:

The definition of an inn be defined as “a building or portion thereof, used for the purposes of supplying temporary living accommodation to the public, and containing guest rooms, dwelling units or a combination thereof, wherein such dwelling units are not restricted to occupancy by a person as their principal residence.”

All other uses and site-specific provisions in the C3-9 zone.

THAT approval be granted for the following reasons:

- 1. The request is consistent with the Provincial Policy Statement;**
- 2. The request is in conformity with the policies of the Official Plan;**
- 3. The zone change will facilitate the expansion of a permitted use into an existing mixed-use building that is appropriate for the subject lands;**
- 4. Inclusion and comprehensive analysis of public feedback received during the application circulation and at the public meeting has been appropriately addressed within the Planning Report; and,**
- 5. Public input was received and considered.**

AND THAT, in accordance with Section 34(17) of the Planning Act no further notice is required.

Councillor Sebben requested a recorded vote be taken. Discussion was held by members on the application and whether they are in support or opposed of the motion.

The recorded vote was undertaken as follows:

Support (7): Councillor McCabe, Mayor Ritsma, Councillor Henderson, Councillor Beatty, Councillor Hunter, Councillor Nijjar, and Councillor Burbach

Opposed (2): Councillor Sebben and Councillor Wordofa,

Absent (2): Councillor Biehn and Councillor Briscoe

Carried

The meeting recessed at 9:30 p.m. and resumed at 9.37 p.m.

7.4 Resolution - Zone Change Application Z06-23 for 607 and 609 Downie Street in the City of Stratford (COU24-025)

The Interim Manager of Planning, referring to a PowerPoint Presentation, provided an overview of Zone Change Application Z06-23 for 607 and 609 Downie Street. Highlights of the presentation included:

- the purpose of the application being to add a special provision to the Neighbourhood Commercial 1 Zone to add additional uses: single detached dwelling, motor vehicle repair shop, motor vehicle sales and services establishment and a business office;
- a request being received to remove the use of a motor vehicle sales and service station;
- the zoning, location, and use of the subject lands being noted;
- history of the property being noted specifically:
 - a garage having been operated on the property prior to 1969,
 - in 1973 South End Service having operated from the site providing small engine repair and fuel sales, in addition to an existing dwelling unit,
 - in 2015, fuel sales having ended and the site becoming vacant in 2020, and

- in 2023 a building permit application having been received for commercial renovation;
- the zone change history being noted;
- the property being designated Residential Area in the City's Official Plan (OP);
- the Neighbourhood Commercial 1 Zone allowing a range of commercial uses including: convenience store, drycleaner, garage, gas stop, small restaurant, while also allowing a dwelling unit attached to the main commercial use;
- application having been circulated to agencies and no objections having been received;
- one comment having been received from an area resident asking about soil sampling and whether the underground pumps have been removed;
- a Phase II Environmental Assessment having been submitted and not mentioning anything about finding tanks on the property and stated the site was suitable for commercial use and no further investigation was required; and
- staff recommending approval of the zone change application from C1 to C1-Special (C1-5) to permit the existing single detached dwelling, motor vehicle repair establishment within the existing building, motor vehicle sales and service establishment within the existing building, a business office, and other uses permitted in this zone, and that the gas bar and motor vehicle sales and service station be removed as the application is:
 - consistent with the Provincial Policy Statement;
 - consistent with the OP and Residential Policies Table 1 and Section 9.2.3;
 - repurposing existing commercial building is an appropriate use of lands; and
 - public feedback received was addressed.

R2024-68

Motion by Councillor Hunter

Seconded by Councillor Beatty

THAT application Z06-23 to amend the zoning of 607 and 609 Downie Street from a Neighbourhood Commercial C1 Zone to a Neighbourhood Commercial Special (C1-5) Zone with site specific regulations BE APPROVED to allow:

- **The uses of “single detached dwelling”, “motor vehicle repair shop”, “motor vehicle sales or service establishment”, and “business office” to be permitted in addition to the currently permitted C1 uses.**
- **The definition of motor vehicle repair shop be defined as “a building which contains facilities for the repair and maintenance of vehicles on the premises and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed.”**
- **Motor vehicle repair shop activities occur within the existing building.**
- **Motor vehicle sales and rental establishments display areas are only permitted on existing asphalt and gravel parking areas.**
- **Lighting associated with motor vehicle repair shop or motor vehicle sales and rental establishment, if any, shall not spill onto abutting properties.**
- **“motor vehicle service station” and “gas bar” be removed from the list of permitted uses.**

AND THAT approval be granted for the following reasons:

- 1. The request is consistent with the Provincial Policy Statement;**
- 2. The request is in conformity with the policies of the Official Plan;**
- 3. The zone change will facilitate the re-purposing of an existing commercial building that is appropriate for the subject lands; and,**

4. Inclusion and comprehensive analysis of public feedback received during the application circulation and at the public meeting has been appropriately addressed within the Planning Report.

5. Public Input was received and considered.

Carried

Councillor Nijjar having declared a pecuniary interest on this matter did not participate in the discussion or vote.

7.5 Resolution - 2024 Municipal Budget and By-law Adoption (COU24-018)

R2024-69

Motion by Councillor Hunter

Seconded by Councillor McCabe

THAT the draft 2024 Budget as amended, be adopted with a levy increase of \$7,065,862 and total tax levy of \$80,090,376;

AND THAT the 2024 Budget By-law be adopted as presented.

Councillor Sebben requested a recorded vote be undertaken and provided comments on the proposed increase.

The recorded vote was undertaken as follows:

Support (7): Councillor McCabe, Councillor Wordofa, Councillor Henderson, Councillor Beatty, Councillor Hunter, Councillor Nijjar, and Councillor Burbach

Opposed (2): Councillor Sebben and Mayor Ritsma

Absent (2): Councillor Biehn and Councillor Briscoe

Carried

7.6 Resolution - Management Report - Ontario Regulation 284-09 Excluded Expenses (COU24-023)

R2024-70

Motion by Councillor Burbach

Seconded by Councillor McCabe

THAT the report dated February 26, 2024, from the Director of Corporate Services regarding legislative requirements of Ontario Regulation 284/09, and the impact of excluded expenses from the City's 2024 budget, be received.

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Carried**7.7 Resolution - Mobile Parking Payment System Contract Extension (COU24-020)**

R2024-71

Motion by Councillor Hunter**Seconded by** Councillor Nijjar

THAT the Amendment No. 1 to the Software License and Services Agreement with HotSpot Parking Inc. for the provision of a pay by phone municipal parking payment system be authorized for a five (5) year term to March 4, 2029;

AND THAT the Mayor and Clerk, or their respective delegates, be authorized to execute the Amendment No. 1 to the Software License and Services Agreement on behalf of The Corporation of the City of Stratford.

Carried**7.8 Resolution - Municipal Accommodation Tax (MAT) Update 2023 (COU24-022)**

R2024-72

Motion by Councillor Henderson**Seconded by** Councillor Nijjar

THAT the report titled, "Municipal Accommodation Tax (MAT) Update 2023" (COU24-22), dated February 26, 2024, be received for information.

Carried**7.9 Resolution - 2024 Household Hazardous Waste Agreement (COU24-028)**

R2024-73

Motion by Councillor Wordofa**Seconded by** Councillor Burbach

THAT The Corporation of the City of Stratford enter into an agreement with The Corporation of the Township of Perth East for the disposal of Household Hazardous Waste generated in the Township at the City's Household Hazardous Waste Events for a 2-year term commencing April 15, 2024, and terminating May 15, 2026;

AND THAT the Mayor and Clerk, or their respective delegates, be authorized to execute the agreement on behalf of The Corporation of the City of Stratford.

Carried

7.10 Resolution - Ontario DriveON Digital Vehicle Inspection Stations Program Changes (COU24-026)

R2024-74

Motion by Councillor Hunter

Seconded by Councillor Nijjar

THAT the Ontario DriveON Program Performance Contract for Private Fleet Vehicle Inspection Centres with His Majesty the King in Right of Ontario as represented by the Director of Vehicle Inspection Standards, Ministry of Transportation, be entered into for a term until May 26, 2028;

AND THAT the Director of Infrastructure Services for the City be authorized to execute the Contract on behalf of the municipal corporation.

Carried

7.11 Resolution - Stratford Live Music & Food

R2024-75

Motion by Councillor McCabe

Seconded by Councillor Wordofa

THAT City Council hereby designates the 2024 Stratford Live Music & Food event to be held June 21, 22 and 23, 2024 around the Veteran's Drive Band Shell and in the York Street Parking Lot, as having municipal significance for the purpose of obtaining liquor licenses from the AGCO, subject to compliance with the City's Municipal Alcohol Risk Policy and the required certificates of insurance being provided.

Carried

7.12 Proclamation - International Women's Day

R2024-76

Motion by Councillor Burbach

Seconded by Councillor Wordofa

THAT Stratford City Council hereby proclaims March 8, 2024 as "International Women's Day" in the City of Stratford to mark

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the economic, political, cultural and social achievements of women.

Carried

7.13 Proclamation - Epilepsy Awareness Month

R2024-77

Motion by Councillor Sebben

Seconded by Councillor Henderson

THAT Stratford City Council hereby proclaims March as "Epilepsy Awareness Month" in the City of Stratford in recognition of the 1 in 100 people living with epilepsy and the approximate 1 in 10 people who will have a single seizure in their lifetime.

Carried

7.14 Correspondence - Resignation from Committee of Adjustment

R2024-78

Motion by Councillor Hunter

Seconded by Councillor Burbach

THAT the resignation of Peter Moreton from the Committee of Adjustment be accepted.

Carried

7.15 Resolution - Closed Meeting Investigation Reports (COU24-027)

R2024-79

Motion by Councillor Hunter

Seconded by Councillor Beatty

THAT the Closed Meeting Investigation Reports dated February 20, 2024, be received;

AND THAT the recommendations contained in the Closed Meeting Investigation Reports be referred to staff and legal counsel for review and to prepare a report for consideration at a future Regular Council meeting.

Carried

8. Business for Which Previous Notice Has Been Given:

None noted.

9. Reports of the Standing Committees:

9.1 Report of the Infrastructure, Transportation and Safety Committee:

R2024-80

Motion by Councillor Burbach

Seconded by Councillor McCabe

THAT the Report of the Infrastructure, Transportation and Safety Committee dated February 26, 2024, be adopted as printed.

Carried

9.1.1 Stratford Landfill Public Input Invited December 2023 (ITS24-001)

THAT Council consider any comments received;

AND THAT the report on the Stratford Landfill Public Input December 2023 be received for information.

10. Notice of Intent:

None noted.

11. Reading of the By-laws:

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

Motion by Councillor Beatty

Seconded by Councillor Hunter

THAT By-laws 11.1 to 11.3 and 11.5 be taken collectively.

A request was made to take Items 11.1 and 11.3 separately. A decision was made to take all by-laws individually.

R2024-73

Motion by Councillor Hunter

Seconded by Councillor Nijjar

THAT By-law 17-2024 be read a First and Second Time.

Carried two-thirds support

R2024-74

Motion by Councillor Beatty

Seconded by Councillor Nijjar

THAT By-law 17-2024 be read a Third Time and Finally Passed.

Carried

R2024-75

Motion by Councillor Burbach**Seconded by** Councillor McCabe**THAT By-law 18-2024 be read a First and Second Time.****Carried** two-thirds support

R2024-76

Motion by Councillor Hunter**Seconded by** Councillor Nijjar**THAT By-law 18-2024 be read a Third Time and Finally Passed.****Carried**

R2024-77

Motion by Councillor Beatty**Seconded by** Councillor Burbach**THAT By-law 19-2024 be read a First and Second Time.****Carried** two-thirds support

R2024-78

Motion by Councillor Hunter**Seconded by** Councillor McCabe**THAT By-law 19-2024 be read a Third Time and Finally Passed.****Carried**

R2024-79

Motion by Councillor Hunter**Seconded by** Councillor Sebben**THAT By-law 20-2024 be read a First and Second Time.****Carried** two-thirds support

Councillor Nijjar having declared a pecuniary interest on the matter did not participate in the discussion or vote.

R2024-80

Motion by Councillor Henderson**Seconded by** Councillor Beatty**THAT By-law 20-2024 be read a Third Time and Finally Passed.****Carried**

Councillor Nijjar having declared a pecuniary interest on the matter did not participate in the discussion or vote.

R2024-81

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Motion by Councillor Burbach

Seconded by Councillor Henderson

THAT By-law 21-2024 be read a First and Second Time.

Carried two-thirds support

R2024-82

Motion by Councillor McCabe

Seconded by Councillor Nijjar

THAT By-law 21-2024 be read a Third Time and Finally Passed.

Carried

11.1 Adoption of 2024 Budget - By-law 17-2024

To adopt the budget (estimates of revenues and expenditures) for tax supported and user pay purposes for the year 2024.

11.2 Pay by Phone Parking Payment System Agreement - By-law 18-2024

To authorize the execution of the Amendment No. 1 to the Software License and Services agreement with HotSpot Parking Inc. for the delivery of a pay by phone parking payment system.

11.3 To Amend By-law 10-2022 with Respect to Zoning By-law Amendment Application Z05-23 - By-law 19-2024

To amend By-law 10-2022 as amended, with respect to Zoning By-law Amendment application Z05-23, 245 Downie Street, located on the southeast corner of Downie Street and Falstaff Street, legally described as Lots 40, 41, and 44 and Part of Lot 45, PLAN 75 in the City of Stratford to amend the existing site specific Central Commercial C3-9 by adding a definition which will apply to this zone only.

11.4 To Amend By-law 10-2022 with Respect to Zoning By-law Amendment Application Z06-23 - By-law 20-2024

To amend By-law 10-2022 as amended, with respect Zoning By-law Amendment application Z06-23, 607 and 609 Downie Street, located on the east side of Downie Street between Norfolk Street and Bruce Street, legally described as Lots 33, 34, and 35 PLAN 381 in the City of Stratford to add and remove to the list of permitted uses, and add limitations to those uses.

11.5 Hazardous Waste Agreement with The Township of Perth East - By-law 21-2024

To authorize the execution of an agreement with The Township of Perth East for the disposal of household hazardous waste generated in the Township at the City's Household Hazardous Waste Events.

12. Consent Agenda: CA-2024-018 and CA-2024-020 to CA-2024-023

12.1 CA-2024-018

R2024-74

Motion by Councillor Henderson

Seconded by Councillor Burbach

THAT CA-2024-018, being a resolution from The Corporation of the Municipality of Calvin regarding a Provincial and National Fire Fighting Strategy, be endorsed.

Carried

13. New Business:

13.1 Staff Recognition

Adam Ryan, Manager of Public Works, and Jeff Leunissen, Interim Manager of Planning, were thanked for their contributions to the City.

14. Adjournment to Standing Committees:

The next Regular Council meeting is March 25, 2024 in the Council Chamber, City Hall.

R2024-75

Motion by Councillor Burbach

Seconded by Councillor Sebben

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

- **Social Services Committee [7:05 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 26, 2024 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 26, 2024, reconvene Council meeting.

15.2 Reading of the By-laws (reconvene):

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

By-law 11.6 Confirmatory By-law - By-law 22-2024

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on February 26, 2024.

R2024-76

Motion by Councillor McCabe

Seconded by Councillor Burbach

THAT By-law 22-2024 be read a First and Second Time.

Carried two-thirds support

R2024-77

Motion by Councillor McCabe

Seconded by Councillor Hunter

THAT By-law 22-2024 be read a Third Time and Finally Passed.

Carried

15.3 Adjournment of Council Meeting

Discussion was held on comments made during the meeting and the intent behind them.

R2024-78

Motion by Councillor Beatty

Seconded by Councillor Nijjar

THAT the February 26, 2024 Regular Council meeting adjourn.

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Carried

Meeting Start Time: 7:00 P.M.

Meeting End Time: 10:00 P.M.

Reconvene Meeting Start Time: 10:08 P.M.

Reconvene Meeting End Time: 10:15 P.M.

Mayor - Martin Ritsma

Clerk - Tatiana Dafoe



**BY-LAW NUMBER XXX-2024
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to authorize the transfer (conveyance) to 2809185 Ontario Inc. (Feltz Design Build Ltd.) of 105 Wright Blvd. in the Wright Business Park, legally described as Part of Lots 1 and 3, Concession 3 (Downie) designated as Parts 3, 4, 5, and 6 on Reference Plan 44R-4830, City of Stratford, County of Perth being all of PIN 53264-0137 (LT).

WHEREAS Section 8.(1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, ("the Municipal Act, 2001") provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 10.(1) of the Municipal Act, 2001 provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Section 10(2) of the Municipal Act, 2001 provides that a single-tier municipality may pass by-laws respecting economic, social and environment well-being of the municipality;

AND WHEREAS the Council of The Corporation of the City of Stratford delegated authority by By-law 135-2017 as amended, to the Chief Administrative Officer to enter into agreements of purchase and sale in accordance with established Council policies, for vacant city-owned land in the Wright Business Park or in city-owned land in an industrial plan of subdivision, or in a city-owned designated business park, under certain conditions;

AND WHEREAS The Corporation of the City of Stratford entered into an Agreement of Purchase and Sale dated April 9, 2024 with 2809185 Ontario Inc. (Feltz Design Build Ltd.) for certain property described in Paragraph 2 herein;

AND WHEREAS a condition of the Agreement of Purchase and Sale is the passage of a by-law to authorize the sale of the property upon the terms and conditions contained in the Agreement by Council of The Corporation of the City of Stratford;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

1. **That the lands described in Paragraph 2 herein shall be conveyed to 2809185 Ontario Inc. (Feltz Design Build Ltd.)**
2. **That the lands referred to in Section 1 hereof are described as 105 Wright Blvd. in the Wright Business Park, legally described as Part of Lots 1 and 3, Concession 3 (Downie) designated as Parts 3, 4, 5, and 6 on Reference Plan 44R-4830, City of Stratford, County of Perth being all of PIN 53264-0137 (LT).**
3. **That the Mayor and Clerk, or their respective delegates, representing The Corporation of the City of Stratford, are hereby authorized to execute all necessary documents to transfer (convey) the lands described in Paragraph 2 herein to 2809185 Ontario Inc. (Feltz Design Build Ltd.) that have been prepared by or reviewed by the City's Solicitor.**

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 22nd day of April, 2024.

Mayor – Martin Ritsma

Clerk – Tatiana Dafoe