



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4670th
Date: Monday, November 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, David St. Louis - Director of Community Services, Kim
McElroy - Director of Social Services, John Paradis - Fire Chief,

Staff Present
Electronically: Taylor Crinklaw - Director of Infrastructure and Development
Services, Anne Kircos - Acting Director of Human Resources,
Chris Bantock - Deputy Clerk, Jodi Akins - Council Clerk
Secretary, Alyssa Bridge – Manager of Planning, Rachel Bossie –
Planner, Stephanie Potter – Policy and Research Associate

Also Present: Members of the public and media

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

Mayor Mathieson declared a pecuniary interest on Item 9.1.1, "Planning Report Zone Change Application Z08-21 & Draft Plan of Condominium Application 31CDM21-002, 100 Gordon Street (PLA21-024)" and Item 11.4, being a by-law to "Amend Zoning By-law 201-2000 to Rezone Lands Known Municipally as 100 Gordon Street", of the Regular Council agenda. The declaration was made as he is a shareholder in one of the corporations involved in the real estate transaction.

Councillor Gaffney declared a pecuniary interest on Item 4.1 "Modification to Draft Plan of Subdivision 31T18-002, 4110 Perth Line 36 (PLA21-027)", of the Planning and Heritage Committee agenda as he has an ownership interest in an abutting property.

3. Adoption of the Minutes:

R2021-492

Motion by Councillor Ingram

Seconded by Councillor Vassilakos

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

Carried

4. Adoption of the Addendum to the Agenda:

R2021-493

Motion by Councillor Sebben

Seconded by Councillor Henderson

THAT the Addendum to the Regular Agenda of Council and Standing Committees dated November 8, 2021, to add delegations and receipt of correspondence to Item 6.0 on the Regular Agenda, be added to the Agenda as printed.

Carried

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

5.1 At the October 25, 2021, Session, under the Municipal Act, 2001, as amended, matters concerning the following items were considered:

5.1 Appointments to Stratford Public Library Board - Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b));

6.1 Administrative Salary Review - Labour relations or employee negotiations (section 239.(2)(d)).

R2021-494

Motion by Councillor Burbach

Seconded by Councillor Ingram

THAT Ana Costa Reis and Mackenzie Kipfer be appointed as citizen representatives to the Stratford Public Library Board to fill mid-term vacancies to November 14, 2022, or until a successor is appointed by Council.

Carried

R2021-495

Motion by Councillor Clifford

Seconded by Councillor Gaffney

THAT City of Stratford Administrative employees receive an economic adjustment of 2% effective January 1, 2021, as previously funded in Council's approved 2021 budget;

THAT an annual economic adjustment equivalent to the CUPE 1385 union agreement increase for the duration of the agreement be implemented;

AND THAT the direction to implement an annual economic adjustment for Administrative employees, equivalent to the CUPE 1385 union agreement increase for the duration of the agreement, can be amended by Stratford City Council.

Carried

5.2 At the November 2, 2021, Session, under the Municipal Act, 2001, as amended, a matter concerning the following item was considered:

3.1 Good Governance Education and Training Session

[A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1). (section 239.(3.1))].

As the purpose of the In-camera Session was to provide education and training no direction was given.

5.3 The November 8, 2021, Session, under the Municipal Act, 2001, was cancelled.

6. Hearings of Deputations and Presentations:

6.1 Presentation by Stop Violence Against Women (VAW) Perth County

The City Clerk advised that Emily Schurter was unavailable but that Rose Rabidoux was present to address Council.

R2021-496

Motion by Councillor Burbach

Seconded by Councillor Ritsma

THAT the presentation by Stop Violence Against Women (VAW) Perth County Co-Chairs Emily Schurter and Rose Rabidoux, regarding the statistics collected by their organization and on the request to create a safer environment in the community, be heard.

Carried

Rose Rabidoux, Co-Chair, advised she was presenting before Council on behalf of Stop Violence Against Women (VAW) Perth County. She further advised that November is women abuse prevention month. Her organization is working to plan a COVID-19 and community friendly opportunity to raise awareness.

Ms. Rabidoux stated that violence against women is a form of gender-based discrimination and is the most widespread human rights violation in the world. She advised that over 19 organizations are represented on the VAW Perth County Committee and they work as a team to promote awareness, foster education, and enhance collaborative efforts around the community. She further advised that in 2020, Perth County saw just over 2000 calls to crises lines related to domestic violence, of which 726 came into Stratford Police Services. 17% of these cases were child protection cases and 26% were partner violence related.

Ms. Rabidoux noted that there are areas where growth could be seen in the community, such as shelters, housing waitlists, having a sexual assault centre in the County, and safe injection sites. She stated that COVID-19 has limited the impact of organizations but that one positive outcome was victims in court not needing to be in same space while cases were heard virtually.

The VAW Perth County team is working to provide an opportunity for individuals to stand against violence and will be at three locations on November 25, 2021. Others can support in their own areas where they feel safe. People can participate by acknowledging the problem and being a part of the solution. Ms. Rabidoux advised that the three locations are Stratford, Listowel and St. Marys. Individuals would start at 12:30 p.m., and form a line, standing 6ft apart, to stand against violence. She noted that prior to this day, individuals can also participate by sharing and tagging the movement on social media, wearing purple, and letting others know about the event. She advised that VAW Perth County would be requesting flags to be lowered to half-mast on Federal buildings on November 25th, including the peace tower.

Mayor Mathieson thanked Ms. Rabidoux for her support and leadership. He advised Stratford City Council would support and participate in the initiatives being organized by VAW Perth County.

6.2 Official Plan Amendment Application OPA01-20 and Zone Change Application Z06-20, 370-396 Ontario Street

R2021-497

Motion by Councillor Burbach

Seconded by Councillor Ritsma

THAT the following persons be heard regarding Official Plan

**Amendment Application OPA01-20 and Zone Change Application
Z06-20, 370-396 Ontario Street:**

- Thor Dingman
- Ted Nescier
- Hayden Bulbrook
- Richard Wood
- Barb Shaughnessy
- Lesley Walker-Fitzpatrick
- Caroline Annandale
- Sharon Collingwood
- Robert Ritz
- Nancy Smith
- Gary Annandale
- Mike Sullivan
- Benjamin Holthof and Marcus Letourneau
- Jane Marie Mitchell
- Emily Elliot
- Patrick O'Rourke

Carried

Thor Dingman directed attention to images from the City's Official Plan. He noted specifically the City's eastern corridor, the commercial area on Romeo Street, the yellow area of the downtown, the connecting link special policy area, and the various zonings from the City's Zoning By-law. Mr. Dingman advised he is opposed to this application as the proponent has not demonstrated that the development would not undermine or weaken the City's downtown core.

Mr. Dingman stated that 95% of building types along the corridor are single detached or converted single dwellings. He questioned why there has been no mention of providing a buffer to the downtown core. He further stated that the establishment of the mixed-use residential (MUR) zone in the area has been consistent for decades along the corridor. As an architectural designer, Mr. Dingman believes the MUR along the heritage entry corridor needs to be consistently reinforced and contributes to specific purpose to transition from commercial areas to the heritage core. He stated that the proposed Official Plan amendment is inconsistent with good planning and requested that it be rejected.

Ted Niescier advised he lives on Water Street and noted his letter which identified this being a costly process to defend. He stated that he feels like rules can be changed for the highest bidder and that there is a huge area

of the neighborhood that will become another step closer to strip malls if this is approved. Mr. Niescier requested that the zoning change be rejected.

Hayden Bulbrook stated that he wants to see something happen in this area but that amending the Official Plan should not be necessary. Rezoning to high density will have a significant impact and this development will have consequences on built heritage and community values. He stated that it is untrue that this development will not be precedent setting. Mr. Bulbrook advised that he moved away from Stratford recently but wants to come back, but only to a community that has charm. He asked Council to oppose the Official Plan amendment and rezoning to uphold the values of Stratford.

Richard Wood stated that he understands the proposed development has resulted in passionate opposition. He noted that over 1,000 people have expressed strong interest in heritage preservation since the start of this process and believes they have reached as many as 20,000 residents with their messaging. He stated that affordability and accessibility were not aspects of this development, and that the environment would be impacted due to demolishing existing houses rather than repurposing them. Mr. Wood stated that this development only maximizes developer profit and that approving it would impact precedent for future possible violations from other developers.

Barb Shaughnessy advised she is new to Stratford and is a former Regional Councillor for the Region of Peel. As a former Regional Councillor, she was fortunate to learn about development challenges, developer self-interest, and backfilling. She stated that Councillors are meant to question reports and not take anything at face value. Ms. Shaughnessy stated that the development goes against the Official Plan, against the existing Zoning By-law and does not respect heritage value. Concern was expressed that developers will always want more than what is allowed, and that this application will set a precedent, if approved. She further stated that developers should not be allowed to redesign this community and that elected officials are stewards that must defend built heritage. She requested that the residents be listened to, and that Council say no to this application.

Lesley Walker-Fitzpatrick stated that the decision on this development will deeply affect growth patterns of Stratford. She advised she is a member

of Climate Reality and recognizes that the earth is in a climate crises. She has heard citizens advocating for reasonable intensification and have offered compromise and mediation which does not require an amendment to the Official Plan. She stated that Council needs to listen to citizens and that developers have too much power to buy land and construct cookie cutter buildings. This has led to many cities having serious problems as a result.

Councillor Sebben departed the meeting at 3:47 p.m.

She further stated that this development is not the responsible environmental option as it would release significant waste in demolition and construction.

Councillor Sebben returned to the meeting at 3:48 p.m.

She stated the heritage worthy houses should be retrofitted to be energy efficient.

Councillor Sebben departed and returned to the meeting at 3:50 p.m.

With respect to growth forecasts identified in the Official Plan, she questioned why intensification was being sought for this parcel of land, especially with the risk of the units becoming Airbnb's. She requested that Council vote no to this amendment application.

Caroline Annandale stated that citizens can see this proposal is not the best move forward and she is proud that so many people care for this City. She referenced a slide from a presentation from a local resident which contained an alternative proposal that is well thought out for how this land can be intensified. She stated there is no need to change the Official Plan.

Councillor Sebben departed the meeting at 3:52 p.m.

Ms. Annandale stated intensification can be achieved while providing a mix of more affordable housing options and being respectful of the environment and the surrounding area.

Councillor Sebben returned to the meeting 3:53 p.m.

She thanked those who voted to deny this application in the past and asked that those who supported it previously to reconsider their position and join others in denying the development.

Sharon Collingwood advised of a website which is being maintained and updated with important information by the Queen/Trow neighborhood. Ms. Collingwood stated that environmental aspects have not been thought about deeply enough. The 47-car parking lot proposed will also contribute to creating an urban heat island that will collect heat during the day and radiate it out at night. Ms. Collingwood stated that red herring arguments should be avoided to keep the discussion focused. She stated that not having access to density measurements is also concerning and questioned imposing this development without understanding the overall picture Ms. Collingwood requested that the development be denied until further studies can be completed.

Robert Ritz identified the need to meet a 25% intensification target within the City's built boundary as a possible reason why this development was being considered. Mr. Ritz referenced the projected population growth, in connection with the intensification target, and stated that this equates to approximately 16 new units per year being needed. He stated that the other development proposed and accepted by the neighborhood exceeds the 25% intensification target and does not require an amendment to the Official Plan. Official Plan amendments require a need to change and if there is no need identified then change is not required. He requested that the application be denied.

Nancy Smith stated the importance of this decision before Council and the impact that intensification is having all over the province. Ms. Smith further stated that the City's Official Plan required balancing heritage when maximizing intensification and that the Provincial Policy Statement is the primary tool for making these decisions, not the Ontario Heritage Act. She noted the likelihood of an appeal should the development go ahead and the timing of a tribunal hearing being late in 2022. Ms. Smith advised the best outcome would be to deny the application and invoke mediation in accordance with the Planning Act. Through mediation a solution can be identified that meets the needs of the developer and the community.

Councillor Bunting departed the meeting at 4:16 p.m.

Gary Annandale requested that members who supported the development previously reconsider their decision as there is no need for an amendment to the Official Plan. He identified Council's declaration of a climate emergency and that it would be better for the environment to refurbish the existing buildings.

Councillor Bunting returned to the meeting at 4:17 p.m.

He stated that stacked townhouses are against the character of the area and will dwarf surrounding buildings. Mr. Annandale stated he believes the neighborhood should constitute a heritage landscape and that this new development will not provide access to younger residents due to being priced at market rate once available. He further stated that the proposed development is not reasonable for the area and requested that it be rejected, and the community be invited to mediation.

Mike Sullivan was not available to speak at this time.

Benjamin Holthof and Marcus Letourneau were not available to speak at this time

Jane Marie Mitchell was not available to speak at this time.

Emily Elliot advised she was attending on behalf of the proponent to support the development. She stated that significant revisions have been made following different periods of feedback and concerns from residents. Ms. Elliot advised that the proposal before Council today contemplates intensification of the site, is designed to enhance the heritage corridor, will add diversity to the housing stock in the area, and adds new units during a housing crisis.

Discussion ensued with respect to:

- the sale price of the stacked townhouses being based on the market rate at the time of sale;
- the type of energy used to heat and cool the buildings being determined through site plan approval;
- various sustainability measures such as energy star windows, energy efficient heating, and LED lighting not having been determined at this time;
- the installation of electric vehicle charging stations being determined through site plan approval;

Councillor Beatty departed and returned to the meeting at 4:28 p.m.

- low impact development measures regarding storm water management being determined through site plan approval;

- satisfying bike parking requirements in accordance with the City's new Zoning By-law;
- determining preferred waste collection details through site plan approval;
- accessibility details, including steps at building entrances, being determined through site plan approval; and,
- townhouse entrances all fronting onto Ontario Street.

Councillor Gaffney departed the meeting at 4:32 p.m.

Now being present at the meeting, Marcus Letourneau addressed Council and stated that the revised design is still not consistent with the Provincial Policy Statement and does not conform to the City's Official Plan.

Councillor Gaffney returned to the meeting at 4:34 p.m.

Mr. Letourneau stated the current design introduces taller and longer buildings and there is a need to conduct additional studies to properly assess its impact on the area. He noted the previous heritage inventory review did not identify these properties but that they would now meet the requirements and should be considered significant under the Provincial Policy Statement. Mr. Letourneau further stated that no archeological assessment had been completed and that these properties required it due to being along a heritage corridor.

Discussion ensued with respect to the maximum building height along the local heritage corridor being the best fit at 2 to 3 stories depending on design and architectural options incorporated.

Patrick O'Rourke addressed Council and noted the conflict between the proponent and staff, and residents. Mr. O'Rourke stated that this conflict illustrates the need to take a broader look and ask if the development is good for Stratford. He further stated that the Official Plan is intended to provide guidance and a future vision for Stratford. He questioned why this development, why in this place, and if this was a good time for development.

It was the consensus of Council to take a brief recess. Council recessed at 4:42 p.m. and resumed at 4:49 p.m.

R2021-498

Motion by Councillor Ritsma

Seconded by Councillor Ingram

THAT correspondence from the following persons be received regarding Official Plan Amendment Application OPA01-20 and Zone Change Application Z06-20, 370-396 Ontario Street:

- Mona Thomas
- Barbara Collier Blackburn
- Pia Zeni
- Joyce Steinacker
- Hayden Bulbrook
- Dan Schneider
- Charlene Gordon
- Jeff Thomas
- Seana McKenna
- Allan Tye
- Kim Foster and Kevin Gormley
- Thor Dingman
- Mike Sullivan
- Mary Walton
- Penny Dufour
- Patricia Hagedorn
- Richard Wood
- Julia Schneider
- Cynthia Venables
- Mary Beaty
- Richard Kapp
- Michael Welsh
- Elin Becker
- Joan Bidell
- Sara Topham

Carried

7. Orders of the Day:

7.1 Resolution - Consulting Services for the Transportation Master Plan (COU21-111)

R2021-499

Motion by Councillor Vassilakos

Seconded by Councillor Burbach

THAT the Request for Proposal (RFP2021-46) for Transportation Master Plan Consulting Services be awarded to IBI Group

Professional Services Inc. at a total cost of \$180,940.12 including HST;

AND THAT the Mayor and City Clerk, or their respective delegates, be authorized to sign the Contract agreement.

Carried

7.2 Resolution - Connecting Links Program for Ontario Street (COU21-112)

R2021-500

Motion by Councillor Bunting

Seconded by Councillor Gaffney

THAT pre-budget approval is authorized for Ontario Street Resurfacing from Gordon Street to 420m east of C.H. Meier Boulevard to be constructed in 2022 at an estimated cost of \$1,500,000;

AND THAT the City submit an application to the Connecting Links Program 2022-2023 to obtain up to 90% of the eligible project costs for the Ontario Street Resurfacing project, with the remainder of the project to be funded by the existing Storm Capital Reserve;

AND THAT the Director of Corporate Services be authorized to sign and submit the application on behalf of the municipal corporation.

Timing of the road closure was questioned should the City's application be successful. The Director of Infrastructure and Development Services advised the anticipated timeline to start would be May or June of 2022 and that work would be completed a couple months thereafter. Should the City's application be unsuccessful then the project would be canceled.

Mayor Mathieson called the question on the motion.

Carried

7.3 Resolution - Service Delivery Review – Transfer Payment Agreement for Municipal Modernization Program Intake 2, Implementation Stream (COU21-113)

R2021-501

Motion by Councillor Vassilakos

Seconded by Councillor Burbach

THAT the Mayor, City Clerk and Chief Administrative Officer, or their respective delegates, be authorized to execute the Transfer Payment Agreement and other necessary documentation and reports with the Ontario Ministry of Municipal Affairs and Housing as required for the purpose of implementing the Service Delivery Review – Reduce the Use of Paper business case with funding from the Municipal Modernization Program, Intake 2.

Carried

7.4 Resolution - Winterfest 2021 Request for Exemption from By-Law 5-2006 (COU21-114)

R2021-502

Motion by Councillor Sebben

Seconded by Councillor Beatty

THAT an exemption to Section 8.2 (a) of By-law 5-2006 be granted to The Stratford Winter-Land BIA Committee to allow for an open burn from 4:00 pm – 9:00pm on Friday November 26 and on Saturday, November 27 and Sunday November 28, 2021 from 9am – 5:00pm in the Market Square;

THAT Delegation of Authority By-law 135-2017, as amended, be further amended to delegate authority to the Fire Chief or the Deputy Fire Chief to approve exemptions to the Open Burn By-law 5-2006 for events, subject to the event being held annually, the original request for exemption to the Open Burn By-law being previously approved by Stratford City Council, and subject to no concerns being identified by the Fire Chief or Deputy Fire Chief;

AND THAT should concerns to an Open Burn By-law exemption request from an event organizer be identified by the Fire Chief or Deputy Fire Chief, the request shall be presented to Stratford City Council for consideration at a Regular meeting.

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:

A request was made for each item under the Report of the Planning and Heritage Committee to be taken separately.

Having declared a pecuniary interest on Item 9.1.1, Mayor Mathieson vacated the Chair at 4:56 p.m.

Deputy Mayor Ritsma assumed the Chair.

R2021-503

Motion by Councillor Ingram

Seconded by Councillor Clifford

THAT Item 9.1.1 of the Report of the Planning and Heritage Committee dated November 8, 2021 be adopted as printed.

Carried

Mayor Mathieson, having declared a pecuniary interest on this matter did not vote or participate in the discussion.

Mayor Mathieson resumed the Chair at 4:56 p.m.

R2021-504

Motion by Councillor Gaffney

Seconded by Councillor Vassilakos

THAT Item 9.1.2 of the Report of the Planning and Heritage Committee dated November 8, 2021 be adopted as printed.

Carried

R2021-505

Motion by Councillor Ingram

Seconded by Councillor Vassilakos

THAT Item 9.1.3 of the Report of the Planning and Heritage Committee dated November 8, 2021 be adopted as printed.

Staff were requested to provide an overview of the process should the application be denied. The Manager of Planning provided an overview of the process should Council deny the application, including issuance of a notice of decision by staff which would be delivered to the applicant and anyone who formally requested notice. A 20-day appeal period is provided for, and should an appeal be submitted to the Ontario Land Tribunal, it would be in their hands to review and eventually would result in a hearing.

The Chief Administrative Officer advised that along with the recommendation from Committee, the management report has considered all statutory and legislative requirements, including an analysis of the Provincial Policy Statement, the Official Plan, and the Comprehensive Zoning By-law. Whether Council chooses to approve, deny, or refer back to staff, the decision on this matter is subject to appeal.

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

- reasons being provided by Council if denying the application, including how the decision is consistent with the Provincial Policy Statement, conforms with the Official Plan, and how public input was considered;
- the possibility of directing mediation through Council resolution in accordance with the Planning Act;
- the City not having the ability to negotiate an application without the willingness of the applicant;
- fencing being required along the West and North side of the development in accordance with the Zoning By-law;
- the fumigation of buildings before demolition being added as a stipulation of the application permit process;
- whether the remaining accessibility and environmental concerns can be addressed through the site plan process;

Councillor Sebben departed the meeting at 5:06 p.m., and returned at 5:07 p.m.

- site plan review currently being delegated to staff but an exception allowing referral to Council where the application is complex or complicated; and,
- the Planning Act not having a statutory requirement for a public meeting if site plan review is referred to Council for approval.

A request was made for a recorded vote to be taken.

Discussion continued regarding:

- the need to balance environmental needs and urban sprawl;

- construction waste impacting the environment regardless of how the land is developed;
- the importance of adding new units in the midst of a housing crisis;
- surrounding properties increasing in value as a result of the development;
- comments from delegates being similar in nature to those received previously and being addressed in the staff report; and,
- the legislative differences between a heritage area and heritage corridor, and development guidelines and definitions for these being set out in the Ontario Heritage Act and the City's Official Plan.

A recorded vote was undertaken:

In Support (7): Councillor Bunting, Councillor Vassilakos, Councillor Ingram, Councillor Burbach, Mayor Mathieson, Councillor Henderson, Councillor Beatty

Opposed (4) Councillor Sebben, Councillor Ritsma, Councillor Clifford, Councillor Gaffney

Carried

R2021-506

Motion by Councillor Henderson

Seconded by Councillor Ingram

THAT the site plan for 370-396 Ontario Street be reviewed and subject to approval by Stratford City Council.

Carried

9.1.1 Planning Report Zone Change Application Z08-21 & Draft Plan of Condominium Application 31CDM21-002, 100 Gordon Street (PLA21-024)

THAT the zoning of 100 Gordon Street BE CHANGED from a Highway Commercial C2-9 zone to a Residential Fifth Density R5-special R5(1)-22 zone with site specific regulations to allow a rear yard depth of 5.2m, an northern side yard width of 2.6m, a depth of 5.6m for parking spaces and a maximum driveway width of 9.1m and BE APPROVED for the following reasons:

- the request is consistent with the Provincial Policy Statement;
- the request is in conformity with the goals, objectives and policies of the Official Plan;
- the zone change will provide for a development that is appropriate for the lands; and
- the public was consulted during the zone change circulation and no public input was received.

THAT Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act;

AND THAT the City of Stratford pursuant to Section 51(31) of the Planning Act grant draft approval to Plan of Condominium 31CDM-21002 subject to the following conditions:

- This approval applies to the Draft Plan of Condominium submitted by Baker Planning Group, prepared by N.A. Geomatics Inc., certified by David J. Raithby, OLS, File No. 21-6018, drawing file name 21-6018-DRAFT.dwg, dated Oct 12, 2021. The Plan contains a total of 16 units including 7 residential units and 9 parking units.
- This draft approval is for a Standard Plan of Condominium under Part X of the Condominium Act, 1998.
- The development is to be registered as one condominium corporation.
- This approval of the draft plan applies for a period of five (5) years, and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
- Prior to final approval for the registration of any condominium corporation within the development , the City of Stratford, is to be advised in writing that:
 1. the Owner's consulting engineer has submitted a final lot grading certificate which has been accepted by the City within the phase limits;

2. the proposed plan of condominium showing any “as constructed” buildings and structures has been submitted and accepted by the City as in compliance with all applicable zoning by-law regulations; within the phase limits; and,
 3. the fire route and fire route signs have been installed to the satisfaction of the City.
- Prior to the registration of the Condominium the Owner shall:
 1. Construct each building and structure to, at a minimum, the standard of “has been constructed”, as defined by subsection 6(1) of Ontario Regulation 48/01, and at a minimum to the state of being sufficient to ensure the independent operation of the condominium corporation and the condominium development in perpetuity (the “Minimum Construction Requirements”). This information shall be evidenced by an engineer’s signed certification (to be appended as Schedule G to the Declaration, and to be in the form required by subsection 5(8) of Ontario Regulation 48/01), that all buildings and structures within the lands subject to the plan of condominium application have been constructed in accordance with the regulations made under the Condominium Act, 1998, including in respect to all matters set out in section 6(1) of Ontario Regulation 48/01.
 2. Complete, in addition to the Minimum Construction Requirements, all other works described on the approved Site Plan, engineering drawings, and building permit drawings for the development and the lands subject to the plan of condominium application, and have all building inspections passed by the Chief Building Official or his/her designate of the City of Stratford (the “Additional Work”).

Alternatively, at the sole discretion of the City of Stratford, the Owner may provide a comprehensive report and cost estimate for completion of all outstanding Additional Work prepared by an Engineer in good standing with the Professional Engineer’s of Ontario to the satisfaction of the City of Stratford, acting

reasonably (the "Report"). The Report shall itemize all outstanding Additional Cost Requirements for the condominium development, and provide a detailed breakdown of estimated costs to complete such work, pay unpaid works, plus a 15% contingency value being the total Additional Work to the satisfaction of the City of Stratford. Prior to condominium registration, the total value of the Additional Work shall be provided to the City of Stratford in an irrevocable Letter of Credit, the form and content of which shall be acceptable to the City and the City Solicitor. The Letter of Credit shall provide the City of Stratford with the security to cover the costs associated with all of the outstanding Additional Work until the building permit has been closed.

In the event the Owner fails or neglects to:

1. complete all of the outstanding Additional Work; or,
2. pay for unpaid works;

then the City of Stratford shall provide written notice (the "City Notice") of such failure or neglect and require the Owner to rectify the failure or neglect within a specified reasonably period of time. If the Owner has not rectified the failure or neglect within the timeline set out in the City Notice, or is not diligently working towards remedying the failure or neglect (other than a financial default), as determined by the City of Stratford in its sole and absolute discretion then the City of Stratford may draw down or call upon the Letter of Credit in part or in full to complete the outstanding Additional Work and/or pay for the unpaid works within 15 days after giving notification to the Owner of

the City's intent to complete the Additional Work. The Letter of Credit shall be released upon the completion of the outstanding Addition Work (including required maintenance and warranty periods) and payment of all unpaid works to the satisfaction of the City of Stratford.

- Prior to final approval for the registration of the Condominium Plan, the Manager of Planning is to be satisfied that the Condominium Declaration shall contain the appropriate provisions to ensure:
 1. unitized parking spaces are to be owned by residential unit owners.
- Prior to final approval for the registration of any condominium corporation within this development, a list of apartment numbers and the corresponding legal descriptions that will be in place upon registration of the plan of condominium shall be submitted to the City to the satisfaction of the Manager of Planning.
- Prior to final approval for the registration of any Condominium Corporation a plan shall be provided demonstrating that the unit boundaries in conjunction with the approved site plan are in compliance with the applicable Zoning By-law regulations.
- The Condominium Declaration shall contain appropriate provisions requiring municipal addressing and/or door point numbers to be posted on the façade of each Unit in accordance the City's Municipal Addressing By-law 47-2008 to the satisfaction of the Manager of Planning.
- Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, the Manager of Planning, City of Stratford, is to be advised in writing by the City of Stratford Corporate Services Department, Tax Division that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.

- Prior to final approval for the registration or the development as a condominium corporation, the Manager of Planning is to be advised in writing by Canada Post that the Owner has confirmed mail delivery equipment has been supplied and installed to the satisfaction of Canada Post.
- The Condominium Declaration shall contain a provision that outlines that telecommunications, mail delivery equipment, water lines and appurtenances, hydro, perimeter fencing, parking, sanitary sewer lines and appurtenances are to be described as a common element and may include items that are external to the buildings and items that service more than one Unit or the Units and common elements and are to be operated, repaired, and maintained by the Condominium Corporation to the satisfaction of the Manager of Planning.
- The digital copy of the plans provided are required containing the plan of condominium in Auto CAD native format (.dwg), stored as a single file, with all of the classes of features (eg. building footprint, Unit boundaries, interior roadways, access to public street, retaining walls, noise attenuation walls, fences, etc.) separated into different layers. For further information, please contact City of Stratford Infrastructure and Development Services Department.
- Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City of Stratford a complete submission consisting of all required clearances and final plans, and to advise the City of Stratford in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City of Stratford, such submission will be returned to the Owner without detailed review by the City.

Notes:

- Pursuant to Section 51(59) of the Planning Act, if a plan approved under Section 51(58) of the Planning Act is not

registered within 30 days of approval, the City of Stratford may withdraw its approval.

- If final approval is not given to this Plan, within 5 years of the draft approval date, and no extensions have been granted, draft approval shall lapse under subsection 51(32) of the Planning Act, R.S.O., 1990. If the Owner wishes to request an extension to draft approval, a written explanation, together with a resolution from the local municipality, must be received by the Approval Authority 60 days prior to the lapsing date.
- All plans are to be prepared using total station survey and compatible with the latest version of AutoCAD. The final plan submitted for registration, engineered design drawings and construction record drawings are to be provided in print and digital format referenced to a control network compiled to the satisfaction of the City of Stratford Engineering Department in accordance with Ontario Basic Mapping (U.T.M. Grid 1:2000), for future use within the City's geographical information system.
- For the purposes of clarification no Occupancy Permit shall not be issued and no occupancy shall be permitted for any particular unit until all of the requirements of the Ontario Building Code in relation to occupancy for any particular Unit has been achieved including but not limited to the Additional Work related to the Unit.
- The Owner is advised that clearances from the following agencies are required:
 - City of Stratford Corporate Services Department, Tax Division
 - City of Stratford Infrastructure and Development Services Department, Manager of Planning
 - City of Stratford Infrastructure and Development Services Department, Chief Building Official
 - City of Stratford Infrastructure and Development Services Department, Engineering Division
 - Canada Post

That the above is recommended for the following reasons:

1. the request is consistent with the Provincial Policy Statement; and
2. the request conforms with the goals, objectives and policies of the Official Plan

9.1.2 Planning Report, Zoning By-law Amendment Application Z05-21, 16 Blake Street (PLA21-025)

THAT Application Z05-21 to amend the zoning on 16 Blake Street located on the east side of Blake Street from a Residential Second Density R2(1) Zone to a Residential Third Density R3 Zone to permit a triplex dwelling BE APPROVED for the following reasons:

- I. public interest was considered;
- II. the request is consistent with the Provincial Policy Statement and conforms with the Official Plan;
- III. 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; and
- IV. the request will facilitate development that is appropriate for the lands, is compatible with the surrounding lands and is good planning.

9.1.3 Planning Report, Official Plan Amendment Application OPA01-20 and Zone Change Amendment Z06-20, 370-396 Ontario Street (PLA21-026)

THAT application OP01-20 to redesignate 380, 388, 390 and 396 Ontario Street from Residential Area to a Special High Density Residential Area to permit a maximum height of 14.5m and a maximum density of 91 units per hectare and application Z06-20 to amend the zoning on 380, 388, 390 and 396 Ontario Street from MUR and C1 to a Residential Fourth Density R4(2) to permit stacked townhouse dwelling units with site specific regulations BE APPROVED for the following reasons:

1. the request is consistent with the Provincial Policy Statement;

2. the request is in conformity with the goals, objectives and policies of the Official Plan;
3. the Official Plan Amendment and zone change will provide for a development that is appropriate for the lands;
4. the public was consulted during the application circulation and comments that have been received in writing or at the public meeting have been reviewed, considered and analyzed within the Planning report.

AND THAT Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act.

9.2 Report of the Social Services Committee

R2021-507

Motion by Councillor Henderson

Seconded by Councillor Sebben

THAT the Report of the Social Services Committee dated November 8, 2021 be adopted as printed.

Carried

9.2.1 Housing Focused Street Outreach Program (SOC21-013)

THAT the report titled "Housing Focused Street Outreach Program" (SOC21-013) be received for information.

10. Notice of Intent:

None scheduled.

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:

A request was made for By-laws 11.1, 11.2 and 11.4 to be taken separately.

R2021-508

Motion by Councillor Ritsma

Seconded by Councillor Sebben

THAT By-laws 145-2021 to 149-2021 be taken collectively.

A request was made for a recorded vote to be taken for By-laws 11.1 and 11.2.

Mayor Mathieson called the question on the motion.

Carried unanimously

R2021-509

Motion by Councillor Bunting

Seconded by Councillor Clifford

THAT By-laws 145-2021 to 149-2021 be read a First and Second Time.

Carried two-thirds support

R2021-510

Motion by Councillor Gaffney

Seconded by Councillor Henderson

THAT By-laws 145-2021 to 149-2021 be read a Third Time and Finally Passed.

Carried

Having previously declared a pecuniary interest on By-law 11.4, Mayor Mathieson vacated the Chair at 5:50 p.m.

Deputy Mayor Ritsma assumed the Chair.

R2021-511

Motion by Councillor Ingram

Seconded by Councillor Sebben

THAT By-law 150-2021 be read a First and Second Time.

Carried two-thirds support

R2021-512

Motion by Councillor Bunting

Seconded by Councillor Beatty

THAT By-law 150-2021 be read a Third Time and Finally Passed.

Carried

Mayor Mathieson, having declared a pecuniary interest on this item did not vote or participate in the discussion.

Mayor Mathieson resumed the Chair at 5:51 p.m.

R2021-513

Motion by Councillor Clifford

Seconded by Councillor Gaffney

THAT By-laws 151-2021 and 152-2021 be taken collectively.

Defeated

As By-laws 11.1 and 11.2 did not receive unanimous support they were not taken collectively and were considered separately.

R2021-514

Motion by Councillor Ingram

Seconded by Councillor Vassilakos

THAT By-law 151-2021 be read a First and Second Time.

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

- staff providing a recommendation and detailed evaluation of the site plan application when it is brought before Council for consideration;
- the site plan being limited to exterior design and site function in accordance with the Planning Act;
- site plan decisions to be made within 30 days after receiving an application and only being appealable by the applicant;
- bike racks, accessibility, permeable pavement and electric vehicle charging stations being items that can be reviewed during the site plan process;
- Council not being permitted to require accessibility measures above and beyond the Building Code; and,
- having the Energy and Environment Advisory Committee be involved in reviewing the site plan, along with the Accessibility Advisory Committee.

A recorded vote was undertaken:

In Support (7): Councillor Bunting, Councillor Vassilakos, Councillor Ingram, Councillor Burbach, Mayor Mathieson, Councillor Henderson, Councillor Beatty

Opposed (4) Councillor Sebben, Councillor Ritsma, Councillor Clifford, Councillor Gaffney

Carried

The City Clerk advised that two-thirds support is required when by-laws are being read a First and Second Time, in order to move to Third and Final reading, in accordance with the Procedure By-law. As two-thirds support was not reached,

2 members in the opposition would be required to make a motion to suspend the rules of procedure in order to have the by-law read and Third and Final Time at the November 8th Council meeting.

Having not received two-thirds support, the Third and Final reading of By-law 11.1 will be placed on the agenda for consideration at the next regular meeting of Council.

R2021-515

Motion by Councillor Ingram

Seconded by Councillor Vassilakos

THAT By-law 152-2021 be read a First and Second Time.

A recorded vote was undertaken:

In Support (7): Councillor Bunting, Councillor Vassilakos, Councillor Ingram, Councillor Burbach, Mayor Mathieson, Councillor Henderson, Councillor Beatty

Opposed (4) Councillor Sebben, Councillor Ritsma, Councillor Clifford, Councillor Gaffney

Carried

The City Clerk advised that two-thirds support is required when by-laws are being read a First and Second Time, to move to Third and Final reading, in accordance with the Procedure By-law. As two-thirds support was not reached, 2 members in the opposition would be required to make a motion to suspend the rules of procedure in order to have the by-law read and Third and Final Time at today's meeting.

Having not received two-thirds support, the Third and Final reading of By-law 11.2 will be placed on the agenda for consideration at the next regular meeting of Council.

11.1 Amend Zoning By-law 201-2000 to Rezone Lands Known Municipally as 380, 388, 390 and 396 Ontario Street - By-law 151-2021

To amend By-law 201-2000 as amended, with respect to zone change application Z06-20 to amend the Mixed-Use Residential (MUR) and Neighbourhood Commercial (C1) Zones on 380, 388, 390 and 396 Ontario Street located on the north side of Ontario Street between Queen Street and Trow Avenue to a Residential Fourth Density R4(2) zone with site specific regulations.

11.2 Adopt Official Plan Amendment No. 30 - By-law 152-2021

To adopt Official Plan Amendment No. 30 to redesignate the subject lands from 'Residential Area - Special Policy Area 2' to 'High Density Residential – Special Policy Area 22'.

11.3 Acceptance of Proposal and Undertaking of Work for Transportation Master Plan Consulting Services - By-law 145-2021

To authorize the acceptance of the proposal and the undertaking of the work by IBI Group Professional Services Inc., for Transportation Master Plan consulting services [RFP-2021-46].

11.4 Amend Zoning By-law 201-2000 to Rezone Lands Known Municipally as 100 Gordon Street - By-law 150-2021

To amend Zoning By-law 201-2000 as amended, with respect to zone change Z08-21 to rezone the lands known municipally as 100 Gordon Street, located on the west side of Gordon Street between Ontario Street and Willow Street to allow for a site specific Residential Fifth Density R5 Zone.

11.5 Amend Zoning By-law 201-2000 to Rezone Lands Known Municipally as 16 Blake Street - By-law 146-2021

To amend By-law 201-2000 as amended, with respect to zone change application Z05-21, to rezone the lands known municipally as 16 Blake Street, legally described as Plan 69 Lot 40, located on the east side of Blake Street between Dufferin Street and Crooks Street in the City of Stratford to allow for a Residential Third Density (R3) Zone.

11.6 Amend By-law 178-2018 to Make Appointments to the Stratford Public Library Board - By-law 147-2021

To amend By-law 178-2018, as amended, to make appointments to the Stratford Public Library Board.

11.7 Authorize Execution of Transfer Payment Agreement for Municipal Modernization Program Intake 2 Funding - By-law 148-2021

To authorize the execution of the Transfer Payment Agreement and other related documents for funding under the Municipal Modernization

Program, Intake 2, between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of Stratford.

11.8 Amend By-law 135-2017 to Delegate Authority to Approve Exemptions to the Open Air Burning By-law - By-law 149-2021

To amend By-law 135-2017, as amended, to delegate Council's authority to the Fire Chief or the Deputy Fire Chief to approve exemptions to Open Air Burning By-law 5-2006.

12. Consent Agenda: CA-2021-134

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

13. New Business:

There were no new business items discussed at the meeting.

14. Adjournment to Standing Committees:

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

R2021-516

Motion by Councillor Gaffney

Seconded by Councillor Bunting

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

- **Infrastructure, Transportation and Safety Committee [3:05 p.m. or thereafter following the Regular Council meeting];**
- **Finance and Labour Relations Committee [3:10 p.m. or thereafter following the Regular Council meeting];**
- **Planning and Heritage Committee [3:15 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 November 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

Councillor Gaffney declared a pecuniary interest on Item 4.1 "Modification to Draft Plan of Subdivision 31T18-002, 4110 Perth Line 36 (PLA21-027)", of the Planning and Heritage Committee agenda as he has an ownership interest in an abutting property.

15.2 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 153-2021

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

R2021-517

Motion by Councillor Henderson

Seconded by Councillor Burbach

THAT By-law 153-2021 be read a First and Second Time.

Carried two-thirds support

R2021-518

Motion by Councillor Clifford

Seconded by Councillor Ingram

THAT By-law 153-2021 be read a Third Time and Finally Passed.

Carried

15.3 Adjournment of Council Meeting

R2021-519

Motion by Councillor Sebben

Seconded by Councillor Burbach

THAT the November 8, 2021 Regular Council meeting adjourn.

Carried

Meeting Start Time: 3:00 P.M.

Meeting End Time: 6:04 P.M.

Reconvene Meeting Start Time: 6:48 P.M.

Reconvene Meeting End Time: 6:50 P.M.

Mayor - Daniel B. Mathieson

Clerk - Tatiana Dafoe