



INFRASTRUCTURE, TRANSPORTATION AND SAFETY COMMITTEE ADDENDUM

Adoption of Addendum to the Infrastructure, Transportation and Safety Committee Agenda:

Motion by

THAT the Addendum to the Infrastructure, Transportation and Safety Committee Agenda dated February 14, 2022, be added to the agenda as printed to include the following:

6.0 Report of the City Clerk:

6.1 Encroachment Application for 7 Cobourg Street (ITS22-001)

Following publishing of the agenda, the following correspondence was received in support of this matter:

- Letter from Robert Lemon dated February 11, 2022
- Email from Kendra Fry, Stratford Summer Music, dated January 13, 2022
- Email from Allan Tye, President, ACO Stratford/Perth County, dated January 22, 2022
- Email from Neil Ironside, Ironside Architect, dated January 16, 2022
- Email from Herb Auerbach dated January 14, 2022
- Email from Carol Stephenson, Chair of Stratford Festival, dated January 14, 2022
- Email from Ann Cowan-Buitenhuis dated January 21, 2022
- Email from Nick Mills, Bosley Real Estate Ltd., dated January 17, 2022
- Email from Dr. Karel and Mrs. Yoka Terbrugge dated January 14, 2022
- Email from Mark Simone, Bijou Restaurant, dated January 24, 2022
- Letter from Paul Larocque, President and CEO of Arts Umbrella dated January 21, 2022

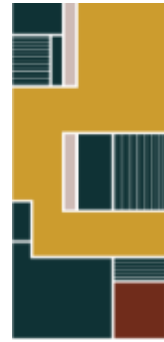
Motion by

THAT the correspondence from Robert Lemon dated February 11, 2022, along with various letters of support, regarding an encroachment application for 7 Cobourg Street, be received for information.

Robert Lemon, owner of 7 and 9 Cobourg Street, has requested to address Committee regarding this matter.

Motion by

THAT the delegation by Robert Lemon regarding an encroachment application for 7 Cobourg Street, be heard.



11 February 2022

Councilor Kathy Vassilakos, Chair
Infrastructure, Transportation and Safety Sub-committee
City of Stratford

RE: **7 Cobourg Street Encroachment - Report to ITS Committee 14 Feb 22**

As the owner of 7 Cobourg Street (through my company 2708959 Ontario Inc.), firstly I would like to thank you for being heard at the 26 January 2022 meeting of the ITS Sub-committee. I understand this item will be on the agenda for the full ITS Committee on 14 February 2022.

I was pleased that your sub-committee resolved to support the easement for the parking space as is allowed under Policy Manual for Encroachments (Policy P.3.2) which can be used for parking on a road allowance. It reads:

4. *Parking on Road Allowance*

Where additional parking cannot be provided on private property, and subject to prior approval of an application under the Planning Act, as required, an encroachment agreement may be approved to permit private parking on the road allowance or municipal property in accordance with the Fence and Hedge By-law.

I am willing to enter into an easement as outlined by the City Clerk, although do not agree that easements are justified for the ramp and planter as they have been in place, and approved by the issuance of the Occupancy Permit by the City of Stratford, since October 2001. I urge you to reconsider that part of the resolution.

As a property owner, business operator of the seven&nine Inn and taxpayer, having the use of the existing open and active single parking space located in my driveway is essential.

I urge the ITS Committee and City Council to understand my position and ask you to:

1. delete the requirement for an easement for the ramp and retaining wall/planter
2. approve the encroachment for the existing parking space as per Policy P.3.2(4)

Respectfully submitted,

Robert G. Lemon, BArch, MA, Retired Architect AIBC
Host and owner of seven&nine

STRATFORD SUMMER MUSIC

MARK FEWER, ARTISTIC DIRECTOR

January 13, 2022

Councillor Kathy Vassilakos,
Chair Infrastructure, Transportation and Safety Sub-committee

Dear Councillor Vassilakos:

I am writing to express my support for Seven & Nine as a community engaged accommodation provider as they seek a variance for their parking at 7 Cobourg.

Mr. Lemon has been extremely generous with Stratford Summer Music, offering us the usage of Seven & Nine for board retreats, fundraising dinners and accommodations for our artists; all free of charge to us. He is a deeply engaged member of the Stratford Community and with Seven & Nine is adding an additional variety of accommodation to all of the wonderful offerings that Stratford has for tourists.

Having come and gone from that area a good deal to take part in our river BargeMusic series, I have never found that the parking spot interferes with access along Cobourg or is a visual disturbance in the area.

Thanks for your time and consideration,



Kendra Fry
Stratford Summer Music
General Manager

BY EMAIL

January 22, 2022

Councillor Kathy Vassilakos

Chair, Infrastructure, Transportation and Safety Sub-committee

City of Stratford, City Hall

Stratford, Ontario N5A 2L3

Re: 7 Cobourg Street parking issue

Dear Councillor Vassilakos:

I am writing regarding a parking issue at 7 Cobourg Street that will be before the City's Infrastructure, Transportation and Safety Committee on January 26th.

The property at 7 Cobourg Street falls within Stratford's downtown Heritage Conservation District designated under Part V of the Ontario Heritage Act (OHA).

You may also be aware that the property at 7 Cobourg Street is under active consideration for individual designation under Part IV of the OHA. The Stratford/Perth County Branch of Architectural Conservancy Ontario (ACO) strongly supports this initiative, which would result in Stratford's first designation of a twenty-first century heritage structure.

It is ACO's experience that urban heritage properties, which are often found in the older sections of our towns and cities, frequently have unusual or quirky issues with their descriptions or boundaries. In addition, older urban areas were not designed for such modern needs as car traffic and parking. These matters call for careful consideration by municipal and planning authorities. In a particular case, the situation may require nuanced treatment or accommodation to ensure that the property can function and its use remains viable.

We understand the issue here — encroachment on the Cobourg Street road allowance and noncompliance with the city's parking requirements — is a historical one, which goes back over 20 years to the construction of the Tower House in 2001. We also understand the issue can be addressed through an easement agreement between the property owner and the city, which would allow for one parking space in front of the building without obstructing the street or sidewalk.

Stratford/Perth County ACO supports this approach as a reasonable way to address the issue here. We urge the Infrastructure, Transportation and Safety Committee to recommend this solution to City Council.

Allan Tye

President, ACO Stratford/Perth County

IRONSIDE

ARCHITECT

425 Durie Street, Toronto, ON
416.761.9691 M6S 3G5

ironsidearchitect.ca

16 January 2022

To:

Councillor Kathy Vassilakos, chair
Infrastructure, Transportation and Safety Sub-committee City of Stratford

Re:

7 Cobourg Street Parking Easement

I am writing in support of Robert Lemon's ITS case regarding #7 Cobourg Street in Stratford, specifically addressing the importance of allowing an existing parking space that has been in use for 20 years to be conveyed into a permanent and approved parking space.

I believe that The City of Stratford's and Mr. Lemon's best interests are aligned on this matter.

What was in Stratford's best interests 3 years ago? To see the Rundles Restaurant property conveyed into a viable business, and to see the Tower House maintain its reputation as an important architectural destination.

If the current encroachment issue had been apparent in 2019 it is certain that the sale would not have taken place and that both properties might have continued to languish on the market.

Speaking as a frequent visitor to Stratford, staying at #7 Cobourg Street greatly enhanced the tourist experience, bringing a unique and important option to staying in this beautiful town. There are many potential travellers like myself who will come here not only for the theatre and the food, but also to experience world class public and private architecture.

After two years of the pandemic, Stratford knows and embraces the notion that theatre alone will not guarantee the success of this town. As a "drive to" destination, it is essential that premium accommodation such as #7 Cobourg Street include a parking space. This is especially important in an area where public parking can quite suddenly be challenging to find.

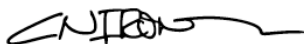
Speaking as an architect, it is painful to see one of the most highly regarded examples of Canadian architecture, on a par with Frank Lloyd Wright's Falling Water in the United States,

placed in jeopardy over what should be a minor accommodation by the city which has the good fortune to be associated with it.

Finding ways to preserve historically important buildings has always taken the trust and partnership of civic leaders and business leaders. If the parking is not resolved in favour of the current owner, how will that impact the future value and prospects for the property? Will Stratford have a derelict building on a prominent location? Will the community be adversely affected by a decision in favour of protecting a discreet and established parking space?

Mr. Lemon has invested enormous effort and expense in his visionary contribution to Stratford. Notwithstanding all the technical issues that might have been highlighted, I believe that true leadership will seek solutions that encourage entrepreneurs like Mr. Lemon to contribute to the positive social, cultural and physical growth of Stratford.

Regards,



Neil Ironside, OAA

From: Herb Auerbach [REDACTED]
Subject: 7 Cobourg Street Parking Easement-
Date: January 14, 2022 at 4:08:53 PM PST
To: [REDACTED]
Cc: Robert Lemon [REDACTED]

Attention:
Councillor Kathy Vassilakos, chair Infrastructure,
Transportation and Safety Sub-committee
City of Stratford, Ontario

Dear Councillor Vassilakos

I am an architect and annual Patron of the Stratford Festival and last year for the first time I was fortunate to be able to book accommodation in the award winning Tower House, which itself has become a tourist attraction, especially among architects and lovers of modern buildings. .

I have learned that the availability of this wonderful building as accommodation at Stratford may be in jeopardy because of a need to legitimize the parking space in front of the building.

Being able to provide convenient and accessible parking is intrinsic to the function and attractiveness of this unique accommodation especially for older guests like myself.

I cannot overemphasize how important having a facility like Tower House available as accommodation in Stratford is to the cultural image of the city.

From: "Carol Stephenson" <[REDACTED]>
Subject: Easment-7 Cobourg
Date: January 14, 2022 at 8:56:18 AM PST
To: [REDACTED]

Councillor Kathy Vassilakos, Chair of Infrastructure, Transportation and Safety Sub-Committee,

I am writing this note to support the application of Mr. Robert Lemon for an easement to allow one parking spot at 7 Cobourg St.

I have stayed as a guest at 7 Cobourg St. and it is essential to have parking as there is very limited parking nearby. It is a wonderful restored property and will attract guests from across the country and outside of Canada.

Given the easement will not obstruct the sidewalk, I think it is logical to allow this easement. It will support an important business in Stratford that enhances the beauty of this area.

Sincerely,
Carol Stephenson, Chair of Stratford Festival and previous guest of 7 Cobourg St.

From: Ann Cowan-buitenhuis <[REDACTED]>
Subject: 7 Cobourg St. Parking Easement, ITS Sub Committee Meeting Wed Jan 26
Date: January 21, 2022 at 2:05:52 PM PST
To: [REDACTED]

Dear Chair Vassilakos,

I am writing in support of Robert Lemon's request for a parking easement at 7 Cobourg Street, which I understand will come before the ITS Sub Committee next week.

I grew up in Petrolia, another one of Ontario's historic towns and came to Stratford many times a year beginning as a teenager in the early sixties. Trips to the Festival every summer and fall were part of our family and school traditions and have continued to the present.

Last September I came from Vancouver to see one of Martha Henry's last performances, and stayed at the Tower House for four days. I was grateful to have the time to explore the City in order to appreciate how carefully the town has been stewarded through the decades of change that began when the railway yards relocated.

Finding a way to build anew and respect the traditions of generations past is a challenge; and so, I appreciate that cities take easements and by-law changes very seriously. Particularly parking in densifying communities. I live in the historic West End of Vancouver and I know the City and Community struggle to balance everyone's best interests.

Councillor Kathy Vassilakos
Chair
Infrastructure, Transportation and Safety Sub-committees
City of Stratford

January 17, 2022

RE: 7 Cobourg Street Parking Easement – Report to ITS Sub-committee

Councillor Vassilakos,

I am writing in relation to a staff report regarding 7 Cobourg Street that will be before the Infrastructure, Transportation and Safety Sub-committee on January 26, 2022, asking for your support for the parking easement in the Cobourg Street road allowance.

To introduce myself, I am a Broker with Bosley Real Estate Ltd. living in Cambridge and a patron of the seven&nine inn which occupies both 7 and 9 Cobourg Street. Having supported Robert Lemon, the owner of these two properties, in his purchase and having spent time enjoying the inn, and in particular “The Tower House” at 7 Cobourg, I think it would be unfair to Robert and a mistake for the City of Stratford not to support his requested parking easement.

Robert’s decision to purchase 7 Cobourg was not made lightly. Rather, it was informed based on considerable due diligence wherein both Robert and his legal team were in continual contact with the seller, community and city planners to validate zoning, use, title and title related matters in support of his vision for 7 Cobourg.

A seemingly exhaustive process spanning more than a month at great personal expense to Robert where parking was one of the central concerns of his due diligence, at no time during this process was the failure of existing parking to meet the City’s parking requirements discovered or disclosed by anyone, and that includes the City. Yet a request for a zoning variance made well over a year into Robert’s ownership of the property has revealed the existing parking space to be non-conforming and illegal for over the past 20 years despite its continual use.

Robert would not have bought the property had he known the parking was unlawful (with the chances of acquiring a parking easement being questionable at best). Its absence has a considerable negative impact on value because it handicaps the property’s potential uses and its utility from both a real estate and real property perspective.

To now exclaim “buyer beware” and deny the parking easement would be unfair given the innocuous impact the spot has on the status quo of the area in light of Robert’s efforts to preserve and improve the downtown core as an active custodian of “The Tower House” and the negative financial consequences that would come from the denial of the requested easement.

Certainly, the unavailability of parking will impact a consumer’s decision to stay at seven&nine as well as the market value of the property, and why would the City of Stratford want to handicap businesses that draw and sustain tourism in the city? To my mind, it only makes sense to approve the requested easement.

Sincerely,



Nick Mills
Broker with Bosley Real Estate Ltd. and Patron on seven&nine

Councillor Kathy Vassilakos, Chair
Infrastructure, Transportation and Safety Sub-committee
City of Stratford,

Toronto, January 14, 2022

Dear Kathy Vassilakos,

We are writing this letter in support of our friend, Robert Lemon, *Host and Owner* of properties 7 and 9 Cobourg St, better known as an Inn, called *seven&nine*.

On January 26, 2022, the property at 7 Cobourg St (Tower House) will be before your committee, which will discuss the issue regarding its single, existing driveway. A situation that has existed for the past 20 years.

We spent a most enjoyable four days at Tower House in fall. The fact that there is parking right in front of the building made it easy for us to gain easy access through the main door. Especially since we experienced the first major snowfall of the season the afternoon we arrived.

The single car driveway slopes down to the main door and is adjacent to a large concrete planter. In no way does a parked car interfere with the public sidewalk in front of the building.

For us, when booking another stay at this wonderful property, parking is essential, especially when the festival season resumes and parking in the downtown heritage district will be in short supply.

We trust that your committee will support the encroachment as can be allowed by the Policy Manual.

Kind regards,

Dr. Karel and Mrs. Yoka Terbrugge

Toronto ON

Monday, January 24, 2022

Hand Delivered

Attention: Councillor Kathy Vassilakos, Chair...Infrastructure, Transportation & Safety Sub-committee, City of Stratford.

RE: 7 Cobourg Street Parking – Report to ITS Sub-committee

Dear Kathy,

To introduce myself, my name is Mark Simone, owner of the Bijou Restaurant on Wellington Street.

Upon talking to Robert Lemon, I had to give my head a shake that a simple “common sense solution” of grandfathering one parking spot predicated on twenty years of activity which has never triggered a single complaint might not be allowed to maintain status.

“As a fellow business owner, I support Robert’s opposition to these recommendations and urge the ITS Subcommittee. and instead *delete* the requirement for a ramp and planter easement and *approve* a parking space as allowed under Policy Manual for Encroachments Policy P.3.2 (4)”

Business challenges have never been more imposing, the road to business normality is still unclear. Robert had the extra misfortune of initiating a new business undertaking at the same time the pandemic started.

I have shared this matter with several other business owners throughout Stratford and we keenly await a “common sense solution”.

Best regards,

Mark Simone

Owner

Bijou Restaurant,

74 Wellington Street, Stratford Ontario, N5A 2M5

(519) 273-5000, [REDACTED]



January 21, 2022

Councillor Kathy Vassilakos, Chair
Infrastructure, Transportation and Safety Sub-committee
City of Stratford

Re: 7 Cobourg Street Parking Easement – Report to ITS Sub-committee

Dear Ms. Vassilakos,

In advance of a staff report to be brought before the Infrastructure, Transportation and Safety Sub-committee on January 26, 2022, regarding the Tower House property at 7 Cobourg Street, I am writing to request your support for the parking easement in the Cobourg Street road allowance.

I have known the property owner, Robert Lemon, for more than two decades, most recently in my position as President & CEO of Arts Umbrella, a nationally renowned arts education organization for young people situated in Vancouver, British Columbia and, previously, in my role as the Associate Director of the Vancouver Art Gallery. In 2019, Mr. Lemon made a transformative gift to Arts Umbrella of \$2 million – in memory of his late partner, Robert Ledingham – to name our new School of Theatre, Music & Film. This leadership gift was part of a \$38 million building campaign to repurpose the former Emily Carr University for Arts Umbrella in order to significantly increase our organization's capacity to serve Canadian children and youth.

As part of Mr. Lemon's commitment to Arts Umbrella, he is now working to create a new partnership between our organization and the Stratford Festival through the creation of a scholarship program for Arts Umbrella Theatre students to gain a valuable educational experience at the Stratford Festival. The Stratford Prize would provide full scholarships for high school students that would include an immersive program provided by the Festival, all travel, a stipend to cover living expenses, and complimentary accommodation in Tower House at 7 Cobourg Street. This annual prize would represent the first scholarship program of its kind for high school students interested in pursuing a pre-professional career path in Theatre.

Mr. Lemon is an outstanding member of the Vancouver arts community. He volunteers and provides meaningful philanthropic support to many cultural organizations, including the Vancouver Art Gallery, Ballet BC, the Vancouver Recital Society, and Arts Umbrella, among many others. As an architect specializing in heritage and restoration, Mr. Lemon has also devoted many years to preserving Vancouver's heritage buildings, most notably through his volunteer work as Chair of the Vancouver Heritage Foundation. In 2019, Mr. Lemon purchased the properties at 7 and 9 Cobourg Street comprised of both Tower House and the former Rundles restaurant. Having grown up in Southwestern Ontario and having a long history with the Stratford Festival, I know that he wishes to continue his philanthropic and volunteer work within the Stratford community, including major support of the Stratford Festival and Stratford Summer Music Festival. I have already had the great pleasure of visiting the property at 7 Cobourg Street and experiencing the Stratford Festival. Mr. Lemon has invested significantly to repurpose this entire property in order to enhance the immediate neighbourhood and larger community. I used the small parking spot in front of the property which, as I recall, did not interfere with the sidewalk in any way. This small parking space is especially convenient, given the scarcity of parking in downtown Stratford.

Thank you for your consideration of this request. Should you have any questions, please do not hesitate to contact me directly at plarocque@artsumbrella.com or by telephone at [REDACTED]

Sincerely,

Paul Larocque
President & CEO

cc: City of Stratford Councillors Jo-Dee Burbach, Dave Gaffney, Danielle Ingram, Cody Sebben