



The Corporation of the City of Stratford
Planning and Heritage Committee
Open Session
AGENDA

Date: Monday, April 11, 2022

Time: 7:15 P.M.

Location: Electronic Meeting

Committee Present: Councillor Ritsma - Chair Presiding, Mayor Mathieson, Councillor Beatty, Councillor Bunting, Councillor Burbach, Councillor Clifford, Councillor Gaffney, Councillor Henderson, Councillor Sebben, Councillor Vassilakos

Staff Present: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Taylor Crinklaw - Director of Infrastructure and Development Services, David St. Louis - Director of Community Services, Karmen Krueger - Director of Corporate Services, John Paradis - Fire Chief, Kim McElroy - Director of Social Services, Anne Kircos - Acting Director of Human Resources, Jodi Akins - Council Clerk Secretary, Jonathan DeWeerd - Chief Building Official

To watch the Committee meeting live, please click the following link: <https://stratford-ca.zoom.us/j/83971146472?pwd=clRqWnRHcmZJUzgvVDYwTW1raGFHQQT09>

A video recording of the meeting will also be available through a link on the City's website at <https://www.stratford.ca/en/index.aspx> following the meeting.

Pages

1. Call to Order

The Chair to call the Meeting to Order.

Councillor Ingram provided regrets for this meeting.

2. Disclosure 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 otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

3. Sub-committee Minutes

4 - 7

Sub-committee minutes are attached for background regarding the discussion held at the March 31, 2022 Sub-committee meeting.

4. Delegations

None scheduled.

5. Report of the Chief Building Official

5.1. Secondary Suite Registration By-law (PLA22-010)

8 - 15

Staff Recommendation: THAT Council adopt the Secondary Suite Registration By-law;

AND THAT Schedule B of the Fees and Charges By-law 172-2021, as amended, be further amended, by adding the following fees to the schedule:

Registration of a new Secondary Suite - \$250.00

Renewal of previously registered Secondary Suite - \$150.00

Motion by _____

Sub-committee Recommendation: THAT Council adopt the Secondary Suite Registration By-law;

AND THAT Schedule B of the Fees and Charges By-law 172-2021, as amended, be further amended, by adding the following fees to the schedule:

- Registration of a new Secondary Suite - \$250.00
- Renewal of previously registered Secondary Suite - \$150.00

6. For the Information of Committee

6.1. Project Update

16 - 18

Sub-committee Discussion: The Chair advised that the project update was circulated to Sub-committee. In response to Sub-committee questioning, the Director of Infrastructure and Development Services advised that progress has been made on the extension of McCarthy Road, but it is not ready to be presented to Council.

Concern was stated by Sub-committee regarding the intersection of Lorne Avenue and O'Loane Avenue. There is population growth in the area and it was asked whether there was anything being brought forward to improve safety at the intersection. The Director advised he would discuss with staff and bring information forward in the next Infrastructure, Transportation and Safety Sub-committee department update.

7. Adjournment

Meeting Start Time:

Meeting End Time:

Motion by _____

Committee Decision: THAT the Planning and Heritage Committee meeting adjourn.



The Corporation of the City of Stratford Planning and Heritage Sub-committee MINUTES

Date: March 31, 2022
 Time: 4:30 P.M.
 Location: Electronic Meeting

Sub-committee Present: Councillor Ritsma - Chair Presiding, Councillor Bunting, Councillor Clifford, Councillor Vassilakos

Regrets: Councillor Ingram - Vice-Chair

Staff Present: Tatiana Dafoe - City Clerk, Jonathan DeWeerd - Chief Building Official, Taylor Crinklaw - Director of Infrastructure and Development Services, Jodi Akins - Council Clerk Secretary,

Also Present: Members of the Public

1. Call to Order

The Chair called the meeting to Order.

Councillor Ingram provided regrets for this meeting.

2. Disclosure 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 otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No disclosures of pecuniary interest were made by a member at the March 31, 2022, Planning and Heritage Sub-committee meeting.

3. Delegations

None scheduled.

4. Report of the Chief Building Official

4.1 Secondary Suite Registration By-law (PLA22-010)

Staff Recommendation: THAT Council adopt the Secondary Suite Registration By-law;

AND THAT Schedule B of the Fees and Charges By-law 172-2021, as amended, be further amended, by adding the following fees to the schedule:

Registration of a new Secondary Suite - \$250.00

Renewal of previously registered Secondary Suite - \$150.00

Sub-committee Discussion: The Chief Building Official advised the objective is to adopt a Registration By-law for secondary suite units created within the City to promote consumer safety. A high-level review of the report was provided. Council adopted a new Comprehensive Zoning By-law in February 2022 which permits secondary suites to be permitted within certain dwelling units. Registration of those units will promote consumer safety, ensure that emergency services are aware of the unit and ensure the suite is included in garbage and green bin pickup. The proposed fees were reviewed.

It was questioned whether there would be a public-facing registry, noting it could be used for renters to ensure that the units are legal and safe. The Chief Building Official confirmed that was the intention.

In response to Sub-committee questioning, the Chief Building Official advised of the following:

- there will be an inspection process and that the fee is intended to recoup those costs;
- the fees are on par with other municipalities or may be on the low side, as the City wants to encourage additional housing options;
- many municipalities only have a one time registration;

- the three-year renewal was recommended by the City Solicitor to ensure that insurance has been maintained on the property;
- parking requirements will be reviewed through the registration process;
- staff are expecting 50-75 applications annually;
- 4 applications have been received since March 11, 2022; and
- staff would like to begin promoting the program once approved by Council as people may not be aware that they have this option.

Motion by Councillor Vassilakos

Sub-committee Recommendation: THAT Council adopt the Secondary Suite Registration By-law;

AND THAT Schedule B of the Fees and Charges By-law 172-2021, as amended, be further amended, by adding the following fees to the schedule:

- **Registration of a new Secondary Suite - \$250.00**
- **Renewal of previously registered Secondary Suite - \$150.00**

Carried

5. Project Update

Sub-committee Discussion: The Chair advised that the project update was circulated to Sub-committee. In response to Sub-committee questioning, the Director of Infrastructure and Development Services advised that progress has been made on the extension of McCarthy Road, but it is not ready to be presented to Council.

Concern was stated by Sub-committee regarding the intersection of Lorne Avenue and O'Loane Avenue. There is population growth in the area and it was asked whether there was anything being brought forward to improve safety at the intersection. The Director advised he would discuss with staff and bring information forward in the next Infrastructure, Transportation and Safety Sub-committee department update.

6. Advisory Committee/Outside Board Minutes

There were no Advisory Committee/Outside Board minutes to be provided to Sub-committee.

7. Next Sub-committee Meeting

The next Planning and Heritage Sub-committee meeting is Thursday, April 28, 2022 at 4:30 p.m.

8. Adjournment

Motion by Councillor Bunting

Sub-committee Decision: THAT the Planning and Heritage Sub-committee meeting adjourn.

Carried

Meeting Start Time: 4:30 P.M.

Meeting End Time: 4:40 P.M.



MANAGEMENT REPORT

Date: March 31, 2022
To: Planning and Heritage Sub-committee
From: Jonathan DeWeerd, Chief Building Official
Report #: PLA22-010
Attachments: Draft – Secondary Suite Registration By-law

Title: Secondary Suite Registration By-law

Objective: To approve a Registration By-law for Secondary Suite units created within the City of Stratford to promote consumer safety.

Background: On February 14, 2022, Council approved a new Comprehensive Zoning By-law which permits secondary suites units to be permitted within Single Detached, Semi-detached and Townhouse Dwelling units. The purpose of a registration by-law is to promote consumer safety as well as ensure the units are known to first responders including: Fire, Police, and EMS. The program would include the registration of a municipal street number to ensure the suite is included in garbage pick-up and mail delivery.

Analysis: As outlined in the attached draft Secondary Suite Registration By-law, the City would maintain a registry of safe and permitted secondary suites on the City's website so the public can view. It is anticipated that the cost to register a Secondary Suite would be \$250.00 for an initial registered unit and \$150.00 for renewals which would be required every three years. Based on known permit information over recent years due to changes in the Planning Act, the activity would have translated into approximately 30-50 units and approximately \$12,500.00 in revenues per year. Fees for the registration will be added to the City's Fees and Charges By-law and will be subject to annual inflationary increases in accordance with the policy. It is expected that the administration of this by-law will be facilitated with current staffing complement within the Building Division. Additional staff resources may be required in future years should secondary suite creation exceed expectations of 50-75 new units per year.

Financial Implications:

Financial impact to current year operating budget:

Fees associated with registering secondary suites are difficult to estimate as this is a new program, but since adopting the zoning by-law (By-law 10-2022) staff have already

seen several applications for this type of housing. These fees will be captured in the Building Division and captured as By-law revenue. The fees collected would be used to offset the existing staff time administration and the registry maintenance, but should the program exceed staff current staff capacity, the additional fee revenue would be used to reduce any extra costs. Comprehensive review of the program at that time would be undertaken to ensure benefit outweighs costs.

In addition to fees collected, the additional units will likely result in additional taxable assessment over time. The change in assessment will vary depending on the structural changes, the types of units, whether self-contained and other factors.

Financial impact on future year operating budget:

May require additional staffing in future years depending on success of program which would be funded from the fees collected and a subsequent increase in the application fee. Council approval of additional staffing requirements will be obtained at that time.

Alignment with Strategic Priorities:

Strengthening our Plans, Strategies and Partnerships

Partnering with the community to make plans for our collective priorities in arts, culture, heritage and more. Communicating clearly with the public around our plans and activities.

Widening our Economic Opportunities

Strengthening Stratford's economy by developing, attracting, and retaining a diversity of businesses and talent.

Alignment with One Planet Principles:

Equity and Local Economy

Creating safe, equitable places to live and work which support local prosperity and international fair trade.

Culture and Community

Nurturing local identity and heritage, empowering communities and promoting a culture of sustainable living.

Travel and Transport

Reducing the need to travel, encouraging walking, cycling and low carbon transport.

Zero Carbon Energy

Making buildings and manufacturing energy efficient and supplying all energy with renewables.

Staff Recommendation: THAT Council adopt the Secondary Suite Registration By-law;

AND THAT Schedule B of the Fees and Charges By-law 172-2021, as amended, be further amended, by adding the following fees to the schedule:

- **Registration of a new Secondary Suite - \$250.00**
- **Renewal of previously registered Secondary Suite - \$150.00**

Prepared by:

Jonathan DeWeerd, Chief Building Official

Recommended by:

Taylor Crinklaw, Director of Infrastructure and
Development Services

Joan Thomson, Chief Administrative Officer



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

BEING a By-law to establish a Registration By-law for
Secondary Suites in the City of Stratford.

WHEREAS Section 8(1) of the *Municipal Act, 2001*, S.O. 201, c.25 (the "*Municipal Act, 2001*") provides that the powers of a municipality under the *Municipal Act, 2001* shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to the municipal issues;

AND WHEREAS section 10(2) of the *Municipal Act, 2001* authorizes municipalities to pass by-laws respecting the health, safety, and well-being of persons and the protection of persons and property;

NOW THEREFORE the Council of the Corporation of the City of Stratford enacts the following:

This By-law may be commonly referred to as the "**Secondary Suite Registration By-law**".

1.0 Definitions

For the purposes of this By-law:

"City" means The Corporation of the City of Stratford;

"Council" means the Council of The Corporation of the City of Stratford;

"Dwelling" means a detached dwelling, or semi-detached dwelling, or a townhouse dwelling;

"Emergency Services" or "EMS" means services including Fire, Police and Ambulance;

"Fee" means the applicable fee prescribed by the Fees and Charges By-law, as amended;

"Inspector" includes an employee of the City whose duties include the inspection(s) of buildings and the enforcement of the Ontario Building Code, the Ontario Fire Code, and the City's Zoning By-law and/or the City's Property Standards By-law and who are appointed pursuant to Part 2 of this By-law;

"Owner" means the Person who holds legal title to the property and shall include, any person managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee;

"Person" includes an individual, a corporation and its directors and officers, or a partnership;

"Registrar" means each of the City's Chief Building Official or the Chief Building Official's designate;

"Registry" means the written or computerized public record established and maintained by the Registrar in which information is set out in respect of Secondary Suites that are registered with the City;

"Secondary Suite" means a dwelling unit situated within a Dwelling having a floor area that is less than the floor area of the Dwelling in the same building, and:

- a) consists of a self-contained set of rooms located in a building or structure;
- b) is used as residential premises;
- c) contains kitchen and bathroom facilities that are used only by the occupants of the Secondary Suite unit;
- d) is used or is intended to be used as a single housekeeping unit by one or more persons and containing living, cooking, eating, sleeping and sanitary facilities,
- e) has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit; and,
- f) meets the definition of a Secondary Suite as set out in the City's Zoning By-law 10-2022, as may be amended or replaced from time to time.

2.0 Appointment of Inspectors

The following persons and classes of persons employed by the City are appointed as inspectors for the purposes of this By-law:

- a) Chief Building Official;
- b) Inspectors pursuant to Part VI of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, including, without limitation, the Fire Chief;
- c) A Building Inspector as prescribed in By-law 8-2009 as may be amended or replaced from time to time; and
- d) An Officer as prescribed in By-law 60-2003 as may be amended or replaced from time to time.

3.0 Requirement to Register

Every Owner of a Dwelling containing a Secondary Suite shall complete and submit an application for the Registration of any Secondary Suite to the Registrar in the form prescribed by the Registrar.

4.0 Application

No person other than the Owner of a Dwelling may submit an Application in the form prescribed by the Registrar for the registration of the Secondary Suite.

5.0 Application Requirements

Every Owner shall submit to the Registrar:

- a) The completed Application for registration of a Secondary Suite;
- b) The applicable Registration fee as set out in the City's Fees and Charges By-law as may be amended from time to time;
- c) All of the information and documents as set out in the Application form and as the Registrar may, in the Registrar's sole and absolute discretion, deem necessary.

The Secondary Suite will be registered by the Registrar for a period of three (3) years upon the Registrar being satisfied, in their sole and absolute discretion, that the Secondary Suite complies with the requirements of this By-law and all other Applicable Law.

6.0 Registration

Prior to registration, every Secondary Suite and Dwelling shall be inspected by an Inspector and be in full compliance with all Applicable Law and the standards applicable to the Secondary Suite including but not limited to:

- a) the City's Zoning By-law, as amended;
- b) the City's Property Standards By-law, as amended;
- c) the Building Code Act, 1992, SO 1992, c 23, as amended, where applicable;
- d) the Building Code, O Reg 332/12, as amended, where applicable;
- e) the Fire Protection and Prevention Act, 1997, SO 1997, c 4, as amended, where applicable; and
- f) the Fire Code, O Reg 213/07, as amended, where applicable.

Where an inspection determines any non-compliance with the required standards, the Owner shall obtain all required permits and approvals, and pay any required fees, where necessary, and make any required repairs to comply with the standards and arrange for a re-inspection by the Inspector.

Any fees incurred by the Inspector for the performance of the Inspection and/or re-inspection shall be paid by the Owner prior to the Registration of the Secondary Suite.

The Owner shall renew the Secondary Suite Registration every three (3) years from the initial date of registration, and deposit with the Registrar a renewal fee as prescribed by the City's Fees and Charges By-law.

In the event that the Owner fails to renew their Secondary Suite registration for a period of three (3) months, a new application and Registration fee shall be required to be submitted to the City.

If a property is sold, the new Owner shall be required to renew the Secondary Suite registration.

7.0 Public Register

The Registrar shall maintain a written and/or electronic record respecting each Secondary Suite for which an Application for registration has been approved (the "Registry"). The Registry shall include, at a minimum, the following:

- a) the municipal address of the Dwelling containing the Secondary Suite; and
- b) the registration date of the Secondary Suite.

Upon issuance of a Registration to a Secondary Suite on the Registry, the Registrar shall send written notice advising that the Dwelling and Secondary Suite are registered with the City to the following:

- a) the Owner;
- b) Emergency Services (Fire, Police, EMS);
- c) Infrastructure and Development Services (Building, Planning, Waste Collection); and
- d) City Clerk.

The City Clerk shall maintain and keep records of all applications and registrations for Secondary Suites, including the Registry.

8.0 Revocation

The Registrar shall refuse to register any Secondary Suite when any of the requirements set out in this By-law have not been, or are not being, met. The City shall retain the Application fee submitted notwithstanding if the Registrar makes a decision to either refuse or revoke a registration.

The Registrar may revoke the registration of any Secondary Suite that:

- a) at any time after being registered, ceases to meet any Applicable Law and/or standard;
- b) was issued based on mistaken, false, incorrect and/or misleading information; or
- c) was determined to have been issued in error.

Where the Registrar intends to revoke the registration of any Secondary Suite, the Registrar shall give notice of intent to revoke the registration of any Secondary Suite no later than thirty (30) days prior to the date of revocation. The Registrar shall send written notice by either, personal delivery, email or registered mail to the Owner of the Dwelling containing the Dwelling Unit advising of the revocation and the reasons for the revocation. Copies of the written notice shall be sent to the parties listed in section 7 of this By-law.

Notwithstanding the above in the event of the issuance of Order against the Dwelling under the Building Code Act and/or the Fire Protection Prevention Act the registration shall be immediately revoked.

An Inspector may take any necessary steps deemed appropriate and necessary to achieve compliance with Applicable Law and the standards set out in section 7, where a contravention of the standards is identified.

9.0 Penalty

Every person who contravenes any provision of this By-law is guilty of an offence pursuant to the Provincial Offences Act, R.S.O. 1990, c.P. 33.

Every Person who is charged with an offence under this By-law in accordance with Part III of the Provincial Offences Act and is found guilty of the offence, is liable, in addition to any other penalties:

- 1) if a living person, to a fine of not more than \$25,000; or
- 2) if a corporation, to a fine of not more than \$50,000.

Where an owner is convicted of knowingly carrying on or engaging in a trade, calling, business or occupation on, in, or in respect of any premises or part thereof without a License required by a by-law passed under the Municipal Act, 2001, the Court shall order that the premises or part thereof be closed to any use for any period not exceeding two years.

10.0 Administration

This By-law shall be administered by the Registrar, or their duly authorized representative.

11.0 Severability

In the event that any of the provisions of this By-law are deemed invalid or void, in whole or in part, by any Court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

12.0 Headings

The headings of sections, paragraphs, clauses and/or sentences in this By-law are inserted for ease of reference only and do not affect the interpretation of this By-law.

13.0 Number/Gender

All words and personal pronouns relating to words contained in this By-law shall be read and constructed with the number and gender of the person referred to in each case.

14.0 Legislation

References in this By-law to legislation, including regulations and municipal by-laws, shall be deemed to include such legislation as amended, including successor legislation.

15.0 Effective Date

This by-law shall take effect on xxx.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this xxth day of xx, 2022.

Mayor – Daniel B. Mathieson

Clerk – Tatiana Dafoe

Project Update – March 31, 2022

Recent Plan of Subdivision Applications

31T21-002 – 525 O’Loane Avenue (includes Zone Change Application Z07-21), 69 residential units (single detached, semi detached and townhouse) are proposed.

31T21-003 – 3025 Line 34 (includes Zone Change Application Z13-21), 452 residential units (single detached and townhouses) are proposed.

Recent Plan of Condominium Applications

31CDM21-003 – 500 McCarthy Road West, 193 townhouse units are proposed through a vacant land plan of condominium.

31CDM22-001- 379 Romeo Street, 30 residential units and 37 parking space units are proposed through a standard condominium.

Recent Zone Change Applications

- Z07-21 – 525 O’Loane Avenue
- Z10-21 – 3202 Vivian Line 37 – Change from Future Residential to R5(1)
- Z11-21 – 30 Queensland Road – Change from C1-2 to R5(2)
- Z13-21 – 3025 Line 34
- Z12-21 – 7 and 9 Cobourg Street – Change from C3 to C3 site-specific
- Z15-21 – 555 Downie Street – change from C1 to a C1 site specific
- Z16-21 – 4192 Short Street – from Agriculture to a R2 and R4 site specific
- Z18-21 – 4110 Perth Line 36 – from R1 to R4
- Z18-21 – 4110 Perth Line 36 - From R1 to a R1 site specific

Site Plan Applications Under Review

- SP13-18 – 677 Erie Street (Gas Station)
- SP05-20 – 74 Church Street
- SP02-21 – 677 Erie Street (Hotel)
- SP05-21 – 3797 Downie Road 112
- SP10-21 – 1041 Erie Street
- SP18-21 – 37 Dickens Place
- SP20-21 – 500 McCarthy Road West
- SP21-21 – 7 St. Patrick Street
- SP22-21 – 429 Huron Street
- SP01-22 – 401 Erie Street
- SP02-22 – 118 Crane Avenue
- SP03-22 – 76 Crane Avenue
- SP04-22 – 3202 Vivian Line 37

- SP05-22 – 440 Wright Boulevard

Comprehensive Zoning By-law Review

- The new Comprehensive Zoning By-law was adopted by City Council on February 14, 2022. No appeals were received and the new By-law is now in force and effect.

Ontario Land Tribunal Hearings

- Official Plan Amendment OPA 01-20 and Zone Change Application Z06-20 for 370-396 Ontario Street. No hearing events have been scheduled.

Committee of Adjustment Applications

	2022 (To date)	2021	2020	2019	2018	2017
Consents	4	13	11	16	11	23
Minor Variances	8	43	22	22	13	33

Other Planning Applications

	2022 (To date)	2021	2020	2019	2018	2017
Official Plan Amendment Applications	0	3	1	0	3	1
Zone Change Applications (Holding Provision Applications)	(1)	18 (1)	6 (1)	11	10 (1)	9 (2)
Plan of Subdivision Applications	0	3	0	1	3	1
Plan of Condominium Applications	1	3	0	4	1	1
Part Lot Control Applications	0	1	0	2	1	2
Site Plan Applications	5	22	11	17	26	22
Formal Consultation Submissions*	4	50	22	19	23	25

*In 2021, 50 applications for Formal Consultation were received. As of March 28, 2022, 21 of the 50 Formal Consultations have resulted in formal Planning Applications. Of these, two applications were deemed incomplete.

New Dwelling Unit Permits Issued

Dwelling Type	2022	2021	2020	2019
Single detached dwellings	6	127	41	23
Duplex/Semi-Detached dwellings	0	0	2	2
Triplex/Quad Dwellings	0	4	0	5
Townhouse Dwelling	30	78	45	14
Apartment Dwelling	0	32	10	59
Other (Conversions)	2	4	3	5
Total	38	245	101	108
Total Number of Permits	54	566	458	465