



The Corporation of the City of Stratford
Infrastructure, Transportation and Safety Committee
Open Session
AGENDA

Date: Monday, August 8, 2022

Time: 7:10 P.M.

Location: Electronic Meeting

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

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

To watch the Committee meeting live, please click the following link: <https://stratford-ca.zoom.us/j/81888620847?pwd=b0dpVjBGYzILbXZ5NEhRdmx3L1ZRUT09>

A video recording of the meeting will also be available through a link on the City's website <https://calendar.stratford.ca/meetings> following the meeting.

Pages

1. Call to Order

The Vice-Chair to call the Meeting to Order.

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 | 6 - 11 |
| | Sub-committee minutes are attached for background regarding the discussion held at the July 27, 2022 Sub-committee meeting. | |
| 4. | Delegations | |
| | None scheduled. | |
| 5. | Report of the Chief Building Official | |
| 5.1. | Accommodation Licencing By-law (ITS22-022) | 12 - 35 |
| | <p>Motion by</p> <p>Staff Recommendation: THAT in accordance with Schedule 4 of the Notice Policy C.3.10, that a Public Meeting be held to hear from the public regarding the draft Accommodation Licensing By-law;</p> <p>AND THAT following the Public Meeting, staff prepare a report outlining public input received on the draft Accommodation Licensing By-law with a recommended approach for implementation.</p> | |
| 6. | Report of the Manager of Environmental Services | |
| 6.1. | Basement Isolation Subsidy Program Updates (ITS22-020) | 36 - 41 |
| | <p>Staff Recommendation: THAT the basement isolation subsidy program rebate amounts be increased to \$675.00, \$2,500.00, and \$3000.00, for valve installation, disconnection of weeping tile inside the foundation and disconnection of weeping tile from outside the foundation, respectively;</p> <p>AND THAT the updated subsidy application and general information documents be received.</p> <p>Motion by</p> <p>Sub-committee Recommendation: THAT the basement isolation subsidy program rebate amounts be increased to \$675.00, \$2,500.00, and \$3000.00, for valve installation, disconnection of weeping tile inside the foundation and disconnection of weeping tile from outside the foundation, respectively;</p> <p>AND THAT the updated subsidy application and general information documents be received.</p> | |

7. Report of the Manager of Public Works

7.1. Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024 to December 31, 2025 (ITS22-021) 42 - 47

This item is also listed for consideration on the August 8, 2022 reconvene Council agenda.

Staff Recommendation: THAT the Chief Administrative Officer be authorized to negotiate and enter into a contractual agreement for Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024, to December 31, 2025.

Motion by

Sub-committee Recommendation: THAT the Chief Administrative Officer be authorized to negotiate and enter into a contractual agreement for Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024, to December 31, 2025.

8. Report of the Project Manager

8.1. Bicycle Lanes on Fraser Drive and Forman Avenue (ITS22-008) 48 - 51

Staff Recommendation: THAT the report titled "Bicycle Lanes on Fraser Drive and Forman Avenue" (ITS22-008), be received for information.

Committee Decision: THAT the report titled "Bicycle Lanes on Fraser Drive and Forman Avenue" (ITS22-008), be deferred for staff to investigate consideration of a traffic proposal submitted by area residents.

Motion by

Sub-committee Recommendation: THAT the report titled "Bicycle Lanes on Fraser Drive and Forman Avenue" (ITS22-008), be received for information.

9. Report of the Deputy Clerk

9.1. Overnight Parking Strategy (ITS22-019) 52 - 56

This item is also listed for consideration on the August 8, 2022 reconvene Council agenda.

Staff Recommendation: THAT the Clerk be directed to bring forward a by-law to amend Section 8(1) - No Parking In Unposted Locations - of the Traffic and Parking By-law 159-2008, as amended, to add the following:

- in a manner that obstructs municipal snow clearing operations.

AND THAT staff be directed to undertake an application to the Ministry of the Attorney General, pursuant to the Provincial Offences Act, for Part II set fines to be utilized as follows:

1. \$60 voluntary payment within 7 days and \$80 set fine for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m.; and,
2. \$60 voluntary payment within 7 days and \$80 set fine for parking in a manner that obstructs municipal snow clearing operations.

Motion by

Sub-committee Recommendation: THAT the Clerk be directed to bring forward a by-law to amend Section 8(1) - No Parking In Unposted Locations - of the Traffic and Parking By-law 159-2008, as amended, to add the following:

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1. \$60 voluntary payment within 7 days and \$80 set fine for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m.; and,
2. \$60 voluntary payment within 7 days and \$80 set fine for parking in a manner that obstructs municipal snow clearing operations.

10. For the Information of Committee

10.1. Department Update

57 - 61

Sub-committee Discussion: The Director of Infrastructure and Development Services provided an update on department activities and ongoing projects noting the following:

- Romeo Street pedestrian crossing;
- Asphalt patch work continues;
- 215 Canada Day surveys have been received; and,
- Climate Change Program Manager posting has closed and several applications were received

Sub-committee questioned if the hydro seeding that has taken place on

Redford Cres is all of the grass repair scheduled to take place. The Director of Infrastructure and Development Services noted free seeding took place prior to the hydro seeding to assist with the regrowth.

A discussion took place regarding Huron Street traffic redirecting to the adjacent residential streets and if traffic calming measures could be put in place. The Director of Infrastructure and Development Services stated speed information signs are scheduled to be installed and police could potentially attend the area when possible. Staff is reviewing temporary speed humps that could be used for future projects however there is a supply delay.

10.2. Advisory Committee/Outside Board Minutes

62 - 72

The following Advisory Committee/Outside Board minutes are provided for the information of Committee:

- Active Transportation and Advisory Committee minutes of May 25, 2022
- Energy and Environment Committee minutes of April 7, 2022

11. Adjournment

Meeting Start Time:

Meeting End Time:

Motion by

Committee Decision: THAT the Infrastructure, Transportation and Safety Committee meeting adjourn.



The Corporation of the City of Stratford
Infrastructure, Transportation and Safety Sub-committee
MINUTES

Date: July 27, 2022
 Time: 4:30 P.M.
 Location: Electronic Meeting

Sub-committee Present: Councillor Burbach - Vice Chair Presiding, Councillor Vassilakos - Chair, Councillor Gaffney

Regrets: Councillor Ingram, Councillor Sebben

Staff Present: Taylor Crinklaw - Director of Infrastructure and Development Services, John Paradis - Fire Chief, Victoria Trotter - Recording Secretary, Chris Bantock - Deputy Clerk, Johnny Bowes - Manager of Environmental Services, Adam Ryan - Manager of Public Works

1. Call to Order

The Vice-Chair called the Meeting to Order.

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 July 27, 2022, Infrastructure, Transportation and Safety Sub-committee meeting.

3. Delegations

None were scheduled.

4. Report of the Manager of Environmental Services

4.1 Basement Isolation Subsidy Program Updates (ITS22-020)

Staff Recommendation: THAT the basement isolation subsidy program rebate amounts be increased to \$675.00, \$2,500.00, and \$3000.00, for valve installation, disconnection of weeping tile inside the foundation and disconnection of weeping tile from outside the foundation, respectively;

AND THAT the updated subsidy application and general information documents be received.

Sub-committee Discussion: The Manager of Environmental Services reviewed the management report. He noted the subsidy program was developed as one of the City's responses related to the floods that occurred in Stratford in 2002 and has not been updated to reflect current costs of materials and labour. The subsidy includes backwater valve installation, disconnection of weeping tile from the sanitary lateral and a sump pit/pump installation inside the foundation, and disconnection of weeping tile from the sanitary lateral and a sump pit/pump installation outside the foundation.

In response to questions from sub-committee about eligibility for the program, the Manager of Environmental Services stated residents are only eligible for the subsidy program once and in order to determine the number of eligible homes in the City cross connections at each property would need to be confirmed. He noted there is no exact age of homes which have cross connections installed and each property is reviewed upon request by the homeowner.

Sub-committee questioned if the local plumbing companies are aware of the subsidy program.

The Manager of Environmental Services noted some local companies are making their clients aware. He noted a portion of the update to the program is providing awareness through various avenues including social media.

In response to questions from sub-committee about subsidy availability, the Manager of Environmental Services stated that unused subsidy is placed into water reserves each year and that \$11,000 of the \$30,000 budgeted in 2022 has been granted.

Motion by Councillor Vassilakos

Sub-committee Recommendation: THAT the basement isolation subsidy program rebate amounts be increased to \$675.00, \$2,500.00, and \$3000.00, for valve installation, disconnection of weeping tile inside the foundation and disconnection of weeping tile from outside the foundation, respectively;

AND THAT the updated subsidy application and general information documents be received.

Carried

5. Report of the Manager of Public Works

5.1 Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024 to December 31, 2025 (ITS22-021)

Staff Recommendation: THAT the Chief Administrative Officer be authorized to negotiate and enter into a contractual agreement for Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024, to December 31, 2025.

Sub-committee Discussion: The Manager of Public Works reviewed the management report. He noted that, due to the potential Restricted Acts Period during the 2022 Municipal Election, staff are recommending the Chief Administrative Officer be authorized to negotiate and enter into a contractual agreement for blue box services.

Motion by Councillor Gaffney

Sub-committee Recommendation: THAT the Chief Administrative Officer be authorized to negotiate and enter into a contractual agreement for Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024, to December 31, 2025.

Carried

6. Report of the Deputy Clerk

6.1 Overnight Parking Strategy (ITS22-019)

Staff Recommendation: THAT the Clerk be directed to bring forward a by-law to amend Section 8(1) - No Parking In Unposted Locations - of the Traffic and Parking By-law 159-2008, as amended, to add the following:

- in a manner that obstructs municipal snow clearing operations.

AND THAT staff be directed to undertake an application to the Ministry of the Attorney General, pursuant to the Provincial Offences Act, for Part II set fines to be utilized as follows:

1. \$60 voluntary payment within 7 days and \$80 set fine for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m.; and,
2. \$60 voluntary payment within 7 days and \$80 set fine for parking in a manner that obstructs municipal snow clearing operations.

Sub-committee Discussion: The Deputy Clerk reviewed the management report. He noted the development of an overnight parking enforcement strategy was referred to staff in October, 2021. A three-pillar strategy was developed by staff including enhanced relationship with Stratford Police Services, enhanced education campaign and a review of set fines and offences. He stated staff are recommending an early fine of \$60 and a set fine of \$80 for overnight parking and obstructing snow clearing operations offences to bring Stratford in line with other municipalities.

Sub-committee questioned if it is possible to declare a snow event that would not permit vehicles to park during the day on street. The Director of Infrastructure and Development Services noted declaring an emergency snow event is aimed at relieving staff from snow removal deadlines. He noted vehicles are permitted to be towed through specific staff or Stratford Police Services. The Deputy Clerk noted the current focus is on overnight parking and once staff views the effectiveness of the strategy over the winter the option for declaration of a snow event could be considered.

In response to questions from Sub-committee about overnight parking, the Deputy Clerk noted the overnight parking portion of the by-law is in effect year-round.

Sub-committee questioned the effectiveness of installing overnight parking signage in problem areas. The Deputy Clerk noted placing signage on

some streets and not others may cause concerns from those parking on streets without signage. Additionally, sign clutter should be considered.

Sub-committee discussed the increase in the early payment and set fine noting that the increase would bring Stratford in line with other municipalities. The Deputy Clerk noted a review of all parking fines is planned to be undertaken in 2023.

Motion by Councillor Gaffney

Sub-committee Recommendation: THAT the Clerk be directed to bring forward a by-law to amend Section 8(1) - No Parking In Unposted Locations - of the Traffic and Parking By-law 159-2008, as amended, to add the following:

- **in a manner that obstructs municipal snow clearing operations.**

AND THAT staff be directed to undertake an application to the Ministry of the Attorney General, pursuant to the Provincial Offences Act, for Part II set fines to be utilized as follows:

1. **\$60 voluntary payment within 7 days and \$80 set fine for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m.; and,**
2. **\$60 voluntary payment within 7 days and \$80 set fine for parking in a manner that obstructs municipal snow clearing operations.**

Carried

7. Department Update

Sub-committee Discussion: The Director of Infrastructure and Development Services provided an update on department activities and ongoing projects noting the following:

- Romeo Street pedestrian crossing;
- Asphalt patch work continues;
- 215 Canada Day surveys have been received; and,
- Climate Change Program Manager posting has closed and several applications were received

Sub-committee questioned if the hydro seeding that has taken place on Redford Cres is all of the grass repair scheduled to take place. The Director of Infrastructure and Development Services noted free seeding took place prior to the hydro seeding to assist with the regrowth.

A discussion took place regarding Huron Street traffic redirecting to the adjacent residential streets and if traffic calming measures could be put in place. The Director of Infrastructure and Development Services stated speed information signs are scheduled to be installed and police could potentially attend the area when possible. Staff is reviewing temporary speed humps that could be used for future projects however there is a supply delay.

8. Advisory Committee/Outside Board Minutes

The following Advisory Committee/Outside Board minutes were provided for the information of Sub-committee:

- Active Transportation and Advisory Committee minutes of May 25, 2022
- Energy and Environment Committee minutes of April 7, 2022

9. Next Sub-committee Meeting

The next Infrastructure, Transportation and Safety Sub-committee meeting is August 24, 2022 at 4:30 p.m.

10. Adjournment

Motion by Councillor Vassilakos

Sub-committee Decision: THAT the Infrastructure, Transportation and Safety Sub-committee meeting adjourn.

Carried

Meeting Start Time: 4:30 P.M.

Meeting End Time: 5:02 P.M.



MANAGEMENT REPORT

Date: August 8, 2022
To: Infrastructure, Transportation and Safety Committee
From: Jonathan DeWeerd, Chief Building Official
Report#: ITS22-022
Attachments: Draft – Accommodation Licencing By-law and Schedule A

Title: Accommodation Licencing By-law

Objective: To provide an update to Council on the process for the approval of a licencing by-law for Accommodation units created within the City of Stratford to promote visitor and resident safety and to seek direction to schedule a public meeting in accordance with the schedule 4 of Notice Policy C.3.10.

Background: On February 14, 2022, Council approved a new comprehensive zoning by-law, which enables Short Term Rental Accommodation (STRA) units to be permitted within Single Detached, Semi-detached, Converted Dwelling and Townhouse Dwelling units. Staff have also identified that inns, hostels, and rooming and boarding houses, when providing short-term accommodation 28 days or less, should be included in the proposed licensing by-law. The intention of the licensing by-law ensures occupants are provided with safe accommodations in terms of fire and building safety and that the accommodations comply with Property Standards and general sanitary requirements. The licencing by-law will also ensure that short term rental operators/owners are made aware of their responsibility to comply with City by-laws and other regulations. The result is a more level playing field for accommodation providers. A licencing by-law as outlined in the City's Comprehensive Zoning by-law is required prior to the establishment of any STRA within the City. The existing by-law #180-2004 to licence Guest rooms, Bed and Breakfast Establishments, and Guest homes was used as the starting point for the creation of the new licensing by-law.

Analysis: As outlined in the attached draft Accommodation Licensing by-law, the City would have one by-law to deal with licencing of Bed and Breakfast establishments, Inns as defined in the licensing by-law, Short-Term Rental Accommodations, Hostels, Rooming and Boarding Houses and Short-Term Rentals. The intention would be to then rescind the current Licensing by-law.

Staff have reviewed licencing by-laws from similar communities including comparing fee structures for Municipalities with similar services being offered. Some of the communities used for comparison include: The Blue Mountains, Niagara on the Lake, Fort Erie, Huntsville, and Lambton Shores. In addition to reviewing similar by-laws, staff assessed the costs to implement and enforce the by-law with the goal of determining an appropriate fee structure.

The licencing by-law has been designed to use plain language, to add clarity to definitions, and to outline the required documentation that must be submitted to the City in order to obtain a licence for different types of short term rentals provided throughout the City. There is also a requirement through the zoning by-law that Short Term Rental Accommodations be utilized for a maximum number of total rental days of 180 calendar days per year where applicable, to ensure compliance with the zoning by-law requirements. This requirement however does not apply to all short term rentals, only those accommodations located in dwelling units.

The basis for the proposed by-law was the existing by-law to licence Beds and Breakfasts which has been modified to include additional language and the various types of accommodation. A new section has been added to define the processes for revoking or appealing decisions in relation to the licencing by-law. The provisions in this revised by-law also require a 'Responsible Person' to be designated by each accommodator who would be able to respond to any issues within half-an-hour of notification of any issues with the subject property.

After review, it is recommended that a registry/listing of short term rentals on the city website not be included in the draft Licensing By-law. In place, the City will maintain a listing of the short term rentals that are issued licenses and make the list available to the public upon request.

In considering the fee structure for short term rentals there are several options, however, staff are proposing a moratorium for the first year, meaning that all licences would be issued with NO annual fee in 2023. The rationale for the approach is to allow licensing to proceed without the requirement of fees and for the City to determine the costs of administering and enforcing the licencing program. This will have a financial impact on the 2023 budget in terms of administration costs, however, the levy impact is yet to be determined, as reserves may be an option to fund the cost in 2023, with the shift towards fees covering these costs in 2024 and beyond.

Once the program is underway, a review can be conducted as to the costs of administering the program, a flat annual rate of \$500.00 per type of accommodation rental is being proposed. This value is based on an approximate cost recovery approach and was determined by calculating the amount of time currently required by Staff to process and inspect each unit versus a cost per number of licenced rooms as was utilized in the previous by-law for bed and breakfasts. This fee approach is consistent with many of the municipalities researched during the review of this by-law. The

rationale for this change in fee structure from a per-room fee structure as the current by-law has, considered that the amount of time needed to process and inspect the property does not change significantly based on the number of rentable rooms, staff also considered that for the short term rentals specifically being a whole house rental that determining and charging per room would be cumbersome and of no real value. This formula provides for an equal playing field for short term accommodation providers. It is noted for the purposes of this Report, staff are not making a recommendation on future licensing fees.

The licensed premises will also be subject to the Municipal Accommodation Tax (MAT) with the licensing system being used to catalogue the number of operating STAs within the City.

Should an alternative fee structure wish to be considered, it could create a cost implication for operators and a different cost implication for the City.

Based on the number of currently licenced establishments and the possibility of new short term rental units, staff have researched and found there is the potential for 250 – 300 short term units eligible for licensing annually as part of this program. Staff have reviewed the amount of time required and anticipate approximately six (6) hours of staff time per property will be required for administration, inspection, and enforcement for each application.

It is our understanding from the municipalities consulted that a successful approach to implement this type of by-law includes a focused period of education to ensure compliance and then active enforcement. Through the transition, staff will be identifying both the legal and illegal short term rentals and bringing them into compliance with the licensing structure. The application of the licencing by-law will be an education-first approach, but staff will use enforcement as needed to ensure visitor and resident safety.

Administrative Penalties (AMP)

The draft licensing by-law contains provisions for Administrative penalties (AMP). This is an emerging approach to dealing with minor by-law infractions in a manner that is fair, effective and efficient. At present fines issued by enforcement officers under City By-laws are done so under the Provincial Offences Act and processed through the Provincial Offences Court system.

The AMP system transfers by-law disputes from the courtroom as a judicial process to the municipality as an administrative process. This approach is designed to streamline the enforcement process and increase compliance with City by-laws. AMP also aids in reducing congestion in the courts, expedites resolution and more effectively addresses nuisance behaviours in the community.

At present, a person who receives a ticket under the Provincial Offences Act may request a trial in the Provincial Offences Court. Under AMP, the process is:

- A person who is alleged to have contravened a city by-law receives a penalty notice instead of a Provincial Offences Act ticket
- The person may appeal to a screening officer. If not satisfied by the decision, the person may take the matter to an external Hearing Officer. The decision of the Hearing Officer is final and there is no further level of appeal.
- A person could not be prosecuted under both AMP and Provincial Offences Act ticket at the same time.

While we are recommending these AMP provisions be added to the Licensing Accommodation By-law at this time, AMP would not be activated by the City until approved by Council through the passage of a by-law and the system set up. A report on AMP will be provided at a later date.

In the meantime, the Provincial Offences Act provisions also included in the Licensing By-law would be the means for enforcement effective January 1, 2023.

Notice Policy

Based on schedule 4 of the Notice Policy C.3.10 staff would like authorization to schedule a public meeting to collect feedback on the draft accommodation licensing by-law.

Financial Implications:

Financial impact to current year operating budget:

The impact to the current year budget is expected to be minimal, The City will be focusing on preparing for the implementation of this licensing by-law effective January 1, 2023, subject to Council approval. This preparation work could be covered by existing approved budgets.

Financial impact on future year operating budget:

Revenue will be created through the user fees for licenses beginning January 1, 2024, subject to Council direction with respect to licensing fees. The licensed premises will be subject to the Municipal Accommodation Tax, with the licensing system being used to catalogue the number of operating STRAs within the City.

The fee revenue for the first year is expected to be zero, with the full costs being part of the 2023 budget. Once the fees begin, which is expected in 2024, revenue is expected to be between \$100,000 - \$150,000 annually. The proposed fees from the licenses are expected to cover staffing costs for administration and enforcement of the by-law so that taxation would not be required to supplement the cost of these uses within the City. If licensing revenues create a surplus, this surplus would be recorded in the by-law area and become part of the City's overall surplus or deficit. The intent is not

to create a surplus from fees – it is to cover costs, so ongoing reviews of fee revenues and expenses for all by-law administration and enforcement is required and typically performed during the budget process.

As the additional short term rental units are identified, there could be the effect of increasing the property's market value and taxable assessment over time. The changes in assessment will vary depending on the structural changes, the types of units, whether self-contained and other factors. This impact is not known at this time.

Legal considerations: The draft accommodation licensing by-law has been reviewed by the City's Solicitor.

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:

Health and Happiness

Encouraging active, social, meaningful lives to promote good health and wellbeing.

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.

Staff Recommendation: THAT in accordance with Schedule 4 of the Notice Policy C.3.10, that a Public Meeting be held to hear from the public regarding the draft Accommodation Licensing By-law;

AND THAT following the Public Meeting, staff prepare a report outlining public input received on the draft Accommodation Licensing By-law with a recommended approach for implementation.

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 XXX-2022
OF
THE CORPORATION OF THE CITY OF STRATFORD**

Being a By-law to license, regulate and govern the provision of short term rentals through the City including bed and breakfast establishments, inns, short term rental accommodations, hostels, rooming houses and boarding houses and short term rentals, in the City of Stratford and to repeal By-law 180-2004 and any amendments thereto.

AND WHEREAS section 10(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, (the "*Municipal Act, 2001*"), provides that a municipality may pass By-laws respecting: health safety and well-being of persons and property, including consumer protection and business licensing;

AND WHEREAS section 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9, 10 and 11 of the *Municipal Act, 2001*, a municipality may provide for a system of licenses with respect to a business and may:

- a. prohibit the carrying on or engaging in the business without a license;
- b. refuse to grant a licence, or revoke or suspend a licence;
- c. impose conditions as a requirement of obtaining, continuing to hold, or renewing a licence;
- d. impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold, or renew a licence;
- e. impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;

licence, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it.

AND WHEREAS Section 434.1(1) of the *Municipal Act, 2001* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a By-law of the municipality passed under the *Municipal Act, 2001*;

AND WHEREAS section 429(1) of the *Municipal Act, 2001*, provides that a municipality may establish a system of fines for offences under a By-law of the municipality passed under the *Municipal Act, 2001*;

AND WHEREAS the Council of The Corporation of the City of Stratford has deemed it necessary and expedient to regulate and License Short-Term Rentals and Bed and Breakfast Establishments;

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

1.0 Short Title

- 1.1. This By-law may be referred to as the "Short Term Rental Licensing By-law."

2.0 Definitions

- 2.1 For the purposes of this By-law the following terms are defined as follows:
 - a. **"Administrative Penalty"** means an administrative penalty administered pursuant to the Administrative Penalty Process By-law;
 - b. **"Administrative Penalty Process By-Law"** means a by-law of The Corporation of the City of Stratford being "A By-Law to Establish a Process for Administrative Penalties;"
 - c. **"Agent"** means a Person authorized in writing by an Owner to act on the Owner's or group of Owner's behalf;
 - d. **"Appeals Committee"** means a Committee or Tribunal duly appointed by by-law to conduct hearings under this By-law;
 - e. **"Applicable Law"** means any statute, rule, requirement, demand, order, direction, guideline, ordinance, by-law, policy or regulation of the federal, provincial, municipal government, governmental authority or agency as may be applicable to the operation of the Short-Term Rental;
 - f. **"Applicant"** means the person applying for a licence or renewal of a licence under this by-law and "application" has corresponding meaning;
 - g. **"Applicant Information"** means fulsome details of a person applying for or the renewal of a licence under this by-law and such information shall include their full name, date of birth, municipal address, telephone number and email address.
 - h. **"Articles of Incorporation"** means documents relating to an incorporated business pursuant to the *Business Corporations Act*, R.S.O. 1990 c.B.16, or the *Corporation Act*, 1990, c.C.28;

- i. **"Building"** means a structure occupying an area greater than ten (10) square metres consisting of a wall, roof, and floor or any of them, or a structural system serving the function thereof, including plumbing, works, fixtures and services appurtenant thereto;
- j. **"City"** means The Corporation of the City of Stratford or the lands within the geographic limits of The Corporation of the City of Stratford as the context requires;
- k. **"Chief Building Official"** means the Chief Building Official for the City, or any Person designated by the Chief Building Official;
- l. **"Fire Safety Instructions"** means the diagram and instructions to be placed in the unit that is governed by this By-law clearly setting out the precautions to be undertaken during a fire emergency. Fire Safety instructions are to depict graphically the location of each bedroom, smoke alarm, carbon monoxide alarm, fire extinguisher, emergency lighting, exit/egress doors or windows;
- m. **"Inn"** or **"Inns"** for the purposes of this by-law means a building used for the purposes of supplying temporary living accommodation to the travelling and/or vacationing public and containing a maximum of 5 guest rooms and are not restricted to occupancy by a person as their principal residence and may include 1 accessory dwelling unit for the owner or operator of the Inn;
- n. **"Licence"** means a licence issued under this By-law;
- o. **"Licensee"** means any Person, Responsible Person, agent, Owner or Operator applying for a Licence or Licences under the provisions of this By-law;
- p. **"Officer"** means a peace officer, Municipal Law Enforcement Officer, the Fire Chief or their designate, Chief Building Official or their designate, or other Person appointed by By-law to enforce the provisions of this By-law;
- q. **"Operator"** means any person (owner or tenant) who operates a Short-Term Rental;
- r. **"Owner"** means the registered owner of the lands or Premise or their authorized agent that is in lawful control of the lands or Premise;
- s. **"Person"** means an Individual, Owner, firm, proprietorship, partnership, association, syndicate, trust, corporation, department, bureau, agency, or other entity;
- t. **"Principal Residence"** means a Dwelling Unit owned or rented by an individual person, either alone or jointly with others, where the individual person is ordinarily a resident;

- u. **"Property"** means any land or Property where the Short Term Rental is located that is within the jurisdiction of the City;
- v. **"Provincial Offences Act"** means the *Provincial Offences Act*, R.S.O. 1990, c.P. 33, and all regulations thereto, as may be amended from time to time, or any successor thereof;
- w. **"Responsible Person"** means the Owner, Operator, or an agent assigned by the Owner or Licensee of the Short Term Rental dwelling to ensure that the Short Term Rental is operated in accordance with the provisions of this By-law, the Licences, and Applicable Law;
- x. **"Short Term Guest Room"** means for the purposes of this Short Term Accommodation Licensing By-law a room or group of rooms designed, occupied or intended to be occupied by one or more persons providing sleeping accommodations and may provide kitchen and sanitary facilities.
- y. **"Short Term Rental"** means a bed and breakfast establishment, short term rental accommodation, hostel, rooming house, boarding house as defined in the City's Comprehensive Zoning By-law as may be amended and/or replaced from time to time and shall also include Inns, and any other Short Term Guest Rooms that provide accommodation for a period of no more 28 consecutive days;
- z. **"Zoning By-law"** means the City's Zoning By-law 10-2022, as amended from time to time, or any successor thereof;

3.0 Short Term Rental Licence Required

- 3.1 No person shall carry on, or intend to carry on, any trade, business or occupation of a Short Term Rental for which a licence is required under this By-law unless that Person has first obtained a Licence as required under the terms and conditions of this By-law.
- 3.2 No person shall operate or permit to operate a Short Term Rental in a dwelling utilizing more rooms than is permitted by the City and as set out on the Licence issued by the City under the provisions of this By-law for the Short Term Rental establishment.
- 3.3 No Person shall rent, or communicate with anyone to rent, a Short Term Rental that Is not licensed pursuant to the provisions of this By-law.
- 3.4 No Person shall advertise, promote, broker, or offer for rent or lease any short term Rental without a valid Licence under this By-law.
- 3.5 Short Term Rentals shall at all times be required to comply with all Applicable Laws.
- 3.6 For greater clarity, the requirements of this By-law do not apply to a motel or hotel as defined in the Zoning By-law.

- 3.7 For greater clarity, the Licence does not permit a Short Term Rental to be used for the purposes of hosting events such as weddings, receptions, or any other similar group activity.
- 3.8 A Short Term Rental may display signage in compliance with the City's Sign By-law.

4.0 Application for a Short Term Rental Licence

- 4.1 Any Person seeking to obtain a new Licence shall submit a complete application to the Officer on the forms or in the manner prescribed by the Officer.
- 4.2 Any Person seeking to obtain or renew a Licence shall apply to the City for the Short Term Licence on an annual basis on or before January 31st.
- 4.3 No Application shall be accepted for a licence if the Applicants are under the age of 18 years.
- 4.4 Every Applicant for a Licence shall submit, to the satisfaction of the Officer, the following information:
 - a. Payment of the required licence fee, as set out in the City's Fees and Charges By-law, as amended from time to time;
 - b. The fully and correctly completed Short Term Rental application form;
 - c. The registered Owner and contact information;
 - d. The Owner, and if applicable, Agent (alternative) person and related contact information;
 - e. A floor plan of the Short Term Rental Property clearly indicating the location and number of Short Term Guest Rooms, the proposed total occupancy limit, and for each room Short Term Guest Room, accompanying photographs, its dimensions, a description of its proposed use and the proposed number of beds;
 - f. A Parking Management Plan that complies with the Zoning By-law;
 - g. A Fire Safety Protocol;
 - h. A letter of compliance from the Electrical Safety Authority dated within 12 months of the date of the application indicating the Property and that its proposed use complies with the Electrical Safety Code;

- i. A Fire Safety Checklist as set out in Schedule "A" to this By-law and photographs confirming the location of smoke and carbon monoxide alarms;
 - j. An inspection approved the by the City's Fire Chief or designate dated within the previous year stating that the property is in compliance with the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended, and its regulations and shall include a statement of the maximum occupancy permitted;
 - k. A certificate of insurance confirming that the Applicant has in place, at the time of the Application, general liability insurance of not less than Five Million Dollars (\$5,000,000) and confirmation that the Applicant's insurance policy contains coverage for damage from fire and does not prevent the Applicant from using the Property as a Short Term Rental, the Applicant's insurance is cancellable by the Applicant's insurer on nor more than 60 calendar days' prior notice, and/or any other such coverage as may be recommended by the City's insurer for the period covered by the licence;
 - l. Identification of adequate measures for the storage and disposal of waste/recycling and organics in accordance with this By-law;
 - m. Confirmation of sufficient levels of lighting to facilitate the safe passage of occupants;
 - n. Identify and maintain a self-enclosed structure or container for the disposal of garbage and waste that is readily accessible to utilizing the Short Term Rental;
 - o. Any other information required under this By-law.
- 4.5 The Officer shall not accept any application for a Short Term Rental until all of the requirements relating to the Application, as set out in this By-law, have been met.
- 4.6 The Licensee shall be responsible for informing the City in writing of any changes to the approved information contained in the Licence Application or any deviation to the approved plans within seven (7) calendar days of such change or deviation. Nothing in this By-law allows a Licensee to rent any room other than those identified and approved on the floor plans submitted with the Application for a Licence unless prior approval in writing is obtained from the City.
- 4.7 The Application fee is non-refundable regardless of the ultimate disposition of the Licence Application.
- 4.8 The submission of an Application for a Licence, including the applicable fee(s) does not entitle the Applicant to carry on, or intend to carry on a Short Term Rental. The Applicant is only entitled to carry on the Short Term Rental once the Licence has been issued under the provisions of this By-law.

5.0 Application for Renewal of a Short Term Licence

- 5.1 Every application for the renewal of a licence under this By-law, shall be made in a form satisfactory to the Officer and shall include:
- a. The fully and correctly completed renewal application form, if applicable;
 - b. The application renewal fee as set out in the City's Fees and Charges By-law, as amended from time to time;
 - c. In the event there are any changes to the floor plan, site plan, Parking Management Plan, or Fire Safety Protocol submitted with the original Application, the Applicant shall submit a revised floor plan, site plan, Parking Management Plan, and Fire Safety Protocol;
 - d. If any changes have been made to the power supply or electrical wiring of the Property, a letter of compliance from the Electrical Safety Authority dated within 12 months of the date of the renewal application confirming that the Property and its proposed use complies with the Electrical Safety Code;
 - e. Any other information required pursuant to this By-law.
- 5.2 A Short Term Rental Licence that is not renewed prior to the expiration date is no longer valid.
- 5.3 Licences are not transferable and shall remain the property of the City. A Licence shall be deemed to be void immediately upon change of ownership or location of the Short Term Rental or upon discontinuation of the Short Term Rental
- 5.4 The Application for Renewal fee is non-refundable regardless of the ultimate disposition of the Licence Application.

6.0 Inspections

- 6.1 Upon receipt of a complete Application as set out in the By-law, and all accompanying documentation in addition to the required fees, the City shall schedule an inspection of the Short Term Rental property at a reasonable time.
- 6.2 Upon any change identified in the Renewal Application the City may conduct an inspection following the submission of the Renewal Application in addition to the required fees in its discretion acting reasonably.
- 6.3 A Licence issued under this By-law is valid for a period of one (1) year, unless revoked prior to the one (1) year period coming to an end.

7.0 Review of the Licence Application or Renewal Application

- 7.1 The Officer in their discretion may reject a Licence Application or a Renewal Application where any of the documents required by this By-law have either not been filed or a deemed to be incomplete.
- 7.2 As part of the City's review of the Application or Renewal Application (collectively the "Applications") the Applications may be circulated to those agencies deemed appropriate or necessary or relevant by the Officer.
- 7.3 A person is not eligible to hold a licence if the proposed use of the land, building or structure is not permitted by the Zoning By-law that applies to the Property.

8.0 Issuance of Short Term Rental Licence

- 8.1 The City shall identify the Officer or Officers that are authorized to issue and renew Short Term Rental Licences in accordance with this By-law.
- 8.2 All Licences issued and renewed shall be signed by the Officer.
- 8.3 In the event a legal non-conforming Short Term Rental ceases to operate for a period of one year, a licence will no longer be issued for the legal non-conforming use.
- 8.4 The Licensee, upon issuance of a Licence and thereafter shall comply with all applicable provisions of this By-law.

9.0 Licence Conditions

- 9.1 The following conditions are attached to each Licence issued under this By-law:
 - a. The Short Term Rental must be lawfully constructed;
 - b. When the premise is occupied for the purposes of a Short Term Rental, a legible copy of the Licence shall be posted in a conspicuous location within one (1) metre of the interior of the Short Term Rental's primary residence;
 - c. A Licensee shall notify the Officer in writing within fifteen (15) calendar days of any change to any information provided to the City under the provisions of this By-law;
 - d. The Licensee shall ensure compliance with all Applicable Laws including but not limited to the: *Fire Protection and Prevention Act*; *Building Code Act*; *Electrical Safety Code*; *Health Protection and Promotion Act*; *Zoning By-law*; *Open Air Fire By-law*; *Property Standards By-law*; *Noise By-law*; *Sign By-law*;
 - e. At any time when the Property is occupied for the purposes of a Short Term Rental the Licensee shall ensure that no vehicle is

stopped or parked on any part of the Short Term Rental Property save and except for a parking space as identified on the Parking Management Plan filed pursuant to the provisions of this By-law;

- f. A copy of the floor plan contained within the Fire Safety Protocol shall be posted in a conspicuous location within one (1) metre of the interior of the Short Term Rental's primary entrance;
- g. The Licensee shall allow, at any reasonable time and in accordance with Applicable Law, the City to inspect the Short Term Rental Property to ensure compliance with this By-law;
- h. The Licensee shall include the Licence number in any advertisement or promotion related to the renting out of the Property intended to be used as a Short Term Rental;
- i. The Licensee shall ensure that the Licensee or their Agent is available to attend the Short Term Rental Property at all times within a period of no greater than thirty (30) minutes from the time of contact by way of telephone or email in the event of an emergency or exigent circumstances;
- j. The Licensee shall provide to the City an updated certificate of insurance as required by this By-law prior to the expiry of the current certificate of insurance;
- k. Where a Licensee is dissatisfied with any condition imposed by the Officer, the Licensee may request a review of the condition by the Appeal Tribunal.

10.0 Refusal to Issue or Renew a Short Term Rental Licence

10.1 The Officer may refuse to issue or renew a Licence:

- a. If all inspections required pursuant to this By-law have either not been completed or have not passed;
- b. Where the conduct of the Applicant or Licensee including the conduct of any officer, director, employee or Agent of an Applicant or Licensee affords reasonable cause to believe that the Applicant or Licensee will not carry on or operate the Short Term Rental in accordance with all Applicable Laws;
- c. The Applicant or Licensee owes any fine or fee or property taxes to the City in respect of the Short Term Rental Property;
- d. The Short Term Rental is subject to an order, or orders made pursuant to the following including but not limited to: a City By-law; the *Building Code Act*; the *Fire Protection and Prevention Act*; the Medical Officer of Health; and any other Applicable Law;

- e. The Short Term Rental Property does not comply with the City's Zoning By-law;
- f. The Officer has received an objection to the issuance of the Licence by the Chief Building Official and/or the Fire Chief;
- g. A Licence pursuant to this By-law has been revoked or suspended within the last two (2) years;
- h. The Applicant or Licensee has prior convictions under this By-law, or any other By-law, or any Applicable Law within the last five (5) years;
- i. Where there is a Court Order, or any other federal or provincial order ceasing or hindering the activity of the Short Term Rental.

11.0 Revocation or Suspension of a Short Term Rental Licence

- 11.1 The Officer has the power and authority to revoke or suspend a Licence at any time where:
 - a. The Licensee meets the circumstances set out in section 10.0 above;
 - b. There are reasonable grounds to believe that an Application or any other document or information provided on behalf of the Licensee contains a false statement and/or false information;
 - c. The Licence was issued in error;
 - d. The Officer becomes aware of a fact or facts that, if known at the time of the Application, may have resulted in the Officer refusing to issue the Licence.
- 11.2 A License issued under this By-law shall remain in effect until a decision to revoke or suspend the Licence has been made by the Officer or, where any appeal has been filed, the Appeal Tribunal.

12.0 Changes in Information

- 12.1 Where, at any time, there is a change in, or relating to, any of the information or documents required to be filed with the City under this By-law, the Applicant or Licensee, as the case may be, shall report the change in writing to the Officer no later than fifteen (15) calendar days following the change.

13.0 Term of the Short Term Rental Licence

- 13.1 Every Licence shall be in effect from the date of issuance as shown on the Licence:

- a. For the whole of the calendar year to which it applies, expiring on December 31st, of said calendar year; or
 - b. Where the Application for a Licence is received after January 1 and prior to the 2nd Monday in November of any calendar year, for the remainder of such calendar year, expiring on December 31st of said calendar year; or
 - c. Where the application for a Licence is received on or after the 2nd Monday in November but prior to December 31st in any calendar year, for the whole of the following calendar year, expiring on December 31st of that calendar year.
- 13.2 Every Licence shall be renewed no later than its date of expiry. Any License which is not renewed shall become null and void.
- 13.3 Every Licence shall immediately cease to be valid in the event the Short Term Rental ceases to operate.

14.0 Duplicate or Replacement Short Term Rental Licence

- 14.1 In the event that a Licence is issued in accordance with this By-law is lost or destroyed, the Officer upon written request by the Applicant or Licensee, and payment of a replacement fee as set out in the City's Fees and Charges By-law, shall issue a duplicate of the original Licence, upon which shall be stamped or marked "duplicate."
- 14.2 The issuance of a duplicate Licence in accordance with section 14.1 above shall not affect the expiry date of the Licence.

15.0 Alterations Prohibited

- 15.1 No person shall alter or deface a Licence in any way.
- 15.2 Every Licensee shall ensure that the Licence is not altered or defaced in any way.

16.0 Compliance with all Applicable Laws

- 16.1 The issuance of a Licence under the provisions of this By-law in no way and does not permit or condone the violation of any by-law, statute, order, or regulation in effect in the City, the Province of Ontario, or the Federal Government of Canada and it shall be the sole responsibility of the Licensee to ensure that such Applicable Laws is complied with at all times.

17.0 Appeals Procedure

- 17.1 Where the Officer refuses to issue or renew a Licence or where the Officer elects to suspend or revoke a Licence:
- a. The Officer shall send written notification advising the Applicant or Licensee of the refusal, suspension, or revocation of the Licence;

- b. The written notification of the Officer shall be sent by registered mail or e-mail to the Applicant or Licensee at the address of the Applicant or Licensee provided on the Application, or where a change of information has been provided by the Applicant or Licensee regarding address, at the address reflecting that change in information;
 - c. The written notification by the Officer shall:
 - i. Set out the grounds for the refusal, suspension, or revocation;
 - ii. Sign the written notification;
 - iii. Indicate the final date and time by which the Applicant or Licensee may appeal the decision of the Officer to suspend, revoke, refuse to issue or renew the Licence, and the method for doing so, as set out in this By-law; and,
 - iv. Indicate the hearing of appeals fee, as set out in the City's Fees and Charges By-law, as amended from time to time; and
 - d. The Applicant or Licensee may appeal the decision of the Officer to suspend, revoke or refuse to issue or renew the Licence, by filing a written request with the City Clerk, which request must set out the grounds or basis for the request, and must be received in the Clerks Department no later than 4:00 pm on the fourteenth (14th) calendar day from the date on the notice is deemed received by the Applicant or Licensee. Such notice shall be deemed received five (5) business days after it has been mailed or on the following business day after it has been emailed;
 - e. The Applicant or Licensee shall have no right to appeal the decision of the Officer to suspend, revoke, or refuse to issue or renew the Licence as a result of a Fire Code or Building Code violations. Such appeal of the Fire Code or Building Code violations are subject to the appeal rights as set out in the *Building Code Act* and/or the *Fire Protection and Promotion Act*.
- 17.2 If no written request for an appeal is received from the Applicant or Licensee prior to the deadline for filing such appeal:
- a. no extension of the time to request an appeal or hearing will be granted; and,
 - b. the decision of the Officer shall be final.
- 17.3 The fee payable by the Owner or Licensee for the hearing shall be set out in the City's Fees and Charges By-law, as amended.

18.0 Hearing of Appeals

- 18.1 Upon receipt of a written request for a hearing and the required fee for the hearing received from the Applicant or Licensee, in accordance with the terms and conditions of this By-law the Appeal Committee shall:
- a. fix a date and time for such matter to be heard by the Appeal Committee within a period of sixty (60) days of receipt of the appeal; and,
 - b. send by registered mail or hand delivery or email the notice of hearing which shall include the date, time, and location of the hearing, at least fifteen (15) prior to the date and time fixed for such hearing, to the Applicant or Licensee, the Officer or any other Person who has requested such notification in writing from the Appeal Tribunal.

19.0 Hearing Procedure

- 19.1 The following procedure shall be followed for appeals relating to the refusing, suspending, or revoking of any Licence under this By-law:
- a. The Appeal Committee or its designate shall circulate copies of all reports from any Persons who may be involved in the matter, to the Applicant, Licensee or any other Person to whom notice of the hearing has been given;
 - b. the Applicant or Licensee, either personally or through an agent or legal counsel, shall be afforded an opportunity to present such material and evidence relevant to the issue before the Appeal Committee, and may ask any questions of any Person presenting evidence, relating to the evidence presented;
 - c. The Officer of the City either through its legal counsel or representative shall be afforded an opportunity to present such material and evidence relevant to the issue before the Appeal Committee, and may ask any questions of any Person presenting evidence, relating to the evidence presented;
 - d. The Appeal Committee may afford any other Person who has a direct interest in the matters under discussion, an opportunity to present material and evidence relevant to the issue before the Appeal Committee;
 - e. The provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990. c.S. 22, as amended, or any successor thereof, shall apply to all hearings, conducted by the Appeal Committee under this By-law; and,
 - f. Any Person presenting evidence relevant to the hearing must be present to answer questions in relation to that evidence.

- 19.2 In the event that the Applicant or Licensee who has been sent notice of the hearing does not appear at the scheduled time and place of the hearing, the Appeal Committee may proceed with the hearing in absence of the Applicant or Licensee and if so, the Applicant or Licensee shall not be entitled to any further proceeding or further notice of proceedings.
- 19.3 At the conclusion of a hearing, the Appeal Committee may give its decision orally or reserve its decision, but in any case the Appeal Committee or its designate shall provide its decision in writing and shall set out the reasons for the decision, within thirty (30) days of the hearing to the Applicant or Licensee and the Officer.
- 19.4 The Appeal Committee, in making its decision, may uphold or vary the decision of the Officer, or impose conditions, including special conditions as a requirement of continuing to hold a License.
- 19.5 The decision of the Appeal Committee issued under the By-law is final.

20.0 Enforcement

- 20.1 The provisions of this By-law may be enforced by an Officer, or other authorized or designated employee or agent of the City.
- 20.2 No Person shall obstruct or hinder or attempt to obstruct or hinder an Officer or other authorized employee or agent of the City in the exercise of a power or the performance of a duty under this By-Law.
- 20.3 Subject to the provisions set out below, every Officer shall have the right to enter lands to conduct an inspection to determine whether the provisions of this By-Law and any order(s) issued hereunder are being complied with in accordance with the provisions of Sections 435 and 436 of the *Municipal Act*.
- 20.4 Where an Officer has reasonable grounds to believe that an offence under this By-Law has been committed by a Person, the Officer may require the name, address, and proof of identity of that Person.
- 20.5 Failure to provide proof of identification satisfactory to an Officer when requested to do so pursuant to the provisions of this By-Law shall constitute obstruction of an Officer under this By-Law.
- 20.6 No Person exercising a power of entry on behalf of the City shall enter or remain in any room or place actually being used as a Short Term Rental unless such power of entry is in compliance with Applicable Law.
- 20.7 Where the City has given prior notification of its intention to enter to the occupier of the land as required by Section 435 of the *Municipal Act, 2001* and the entry is authorized under sections 79, 80 or 446 of the *Municipal Act, 2001*.

21.0 Orders

- 21.1 In the event that the City's designate and/or an Officer determines that a Person has contravened any provision of this By-Law, an Order may be made requiring the Person who contravened the By-Law or who caused or permitted the contravention, to discontinue the contravening activity and take any reasonable steps to correct the contravention.
- 21.2 No person shall fail to comply with an Order issued pursuant to the provisions off this By-Law.
- 21.3 An order issued pursuant to the provisions of this By-Law shall set out:
 - a. reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
 - b. the steps that must be taken to correct the contravention and the date by which there must be compliance with the order.
- 21.4 If a Person fails to do a matter or thing as directed or required by this By-Law, including failing to comply with an order issued under this By-Law, the City may do the matter or thing at the Person's sole costs and expense. The City may recover the costs of doing a matter or thing from the Person directed or required to do it by action or by adding the costs to the Person's tax roll and collecting them in the same manner as and like property taxes.

22.0 Offence and Penalty Provisions

- 22.1 Every Person who contravenes any provision of this By-law, including any Schedule hereto, is guilty of an offence;
- 22.2 Every Person, director or officer of a corporation who knowingly is involved in or aware of the contravention by the corporation of any provision of this By-law, including any Schedule hereto, is guilty of an offence.
- 22.3 Every offence under this By-law is designated as a continuing offence.
- 22.4 An Officer who finds that a Person has contravened a provision of this By-law may issue a penalty notice pursuant to the City's Administrative Penalty By-law. Administrative Penalty By-law applies to each administrative penalty issued pursuant to this By-law.
- 22.5 Notwithstanding section 22.2 above, every Person who contravenes any provision of this By-law is guilty of an offence as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, and all such offences are designated as continuing offences.
- 22.6 Every Operator, officer or director of a corporation who knowingly concurs in the contravention of any provision of this By-law or the failure to comply with an order issued under this By-law is guilty of an

offence as provided in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33 and all such offences are designated as continuing offences.

- 22.7 Upon conviction, every Person, and every officer or director of a corporation that contravenes any provision of this By-law is liable, for each day or part of a day that the offence continues, to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- 22.8 Where a corporation is convicted of an offence under this By-law the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.
- 22.9 As provided in section 431 of the *Municipal Act, 2001*, if a Person has been convicted of an offence under this By-law, the Ontario Court of Justice or any Court of competent jurisdiction may, in addition to any penalty imposed on the Person convicted, issue an order:
 - a. prohibiting the continuation of the offence by the Person convicted; and
 - b. requiring the Person convicted to correct the contravention in the manner and within the period that the Court considers appropriate.
- 22.10 If a Person is required to pay an Administrative Penalty under the provisions of this By-law, the Person shall not be charged with an offence in respect of the same contravention.
- 22.11 In accordance with the provisions of the *Municipal Act, 2001*, the treasurer of the City may add unpaid fees, charges, and fines under this By-law to the tax roll and collect them in the same and a like manner as property taxes.
- 22.12 The terms used in this By-law shall have the same definition as set out in the City's Comprehensive Zoning By-law unless such term is specifically defined in this By-law.
- 22.13 Pursuant to section 447 of the *Municipal Act, 2001*, where an owner is convicted of knowingly carrying on or engaging in the business of operating a Short Term Rental in respect of any Property or any part of any Property without a License required by this By-law, or a person is convicted of any other contravention of this By-law and a court determines that the owner or occupant of the Property or part of the Property in respect of which the conviction was made knew or ought to have known of the conduct which formed the subject-matter of the conviction or of any pattern of similar conduct, the court may order that the Property or part of the Property be closed to any use for a period not exceeding two (2) years.

23.0 Conflict and Severability

- 23.1 If any portion of this By-law of the City is found to be in conflict with

any other provision of any building, fire, safety or other By-law of the City or regulations, the provision which establishes the higher standard shall prevail.

- 23.2 If a court of competent jurisdiction declares any provision or any part of a provision of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law that each and every provision of this By-law authorized by law be applied and enforced in accordance with its terms to the extent possible according to law.

24.0 Schedule

- 24.1 The Schedules attached hereto forms part of this By-law.

25.0 Effective Date

- 25.1 This by-law comes into effect on January 1, 2023.

26.0 Repeal

- 26.1 By-law 180-2004 and all its amendments are hereby repealed effective December 31, 2022.

Read a FIRST, SECOND and THIRD TIME and

FINALLY PASSED this ---th day of ----, 2022.

Mayor – Daniel B. Mathieson

Clerk – Tatiana Dafoe

**This is Schedule “A” to By-law XXX-2022
of
The Corporation of the City of Stratford**

5205535.10

Fire Department Checklists

Short Term Rental Airbnb/VRBO

Short Term Rental Bed and Breakfast

Short Term Rental Inns



MANAGEMENT REPORT

Date: July 27, 2022
To: Infrastructure, Transportation and Safety Sub-committee
From: Johnny Bowes, Manager of Environmental Services
Report #: ITS22-020
Attachments: Draft Basement Isolation Program General Information, Application for Basement Isolation and Weeping Tile Sump Pump Subsidy Program

Title: Basement Isolation Subsidy Program Updates

Objective: To update the existing documentation and subsidy rebate amounts related to the City's basement isolation program.

Background: The original basement isolation subsidy program was developed as one of the City's responses and programs related to the floods that occurred in Stratford in 2002. At the time, the subsidy was created to assist only property owners who were affected from any flooding in 2000, 2001 and 2002. Over time, the eligibility broadened to allow residents who were not impacted by the floods to apply for the subsidies. The program gives rebates to property owners who qualify for the program and had work done such as: disconnecting their stormwater plumbing from their sanitary laterals, installing new sump pumps after cross connection disconnection, and installing backwater valves.

Applicants are required to get estimates for the work to be completed by licensed plumbers and obtain plumbing permits from the City. Once the application is reviewed and approved by staff, the property owners begin the work. Once completed, the owner submits the paid invoices showing the work was completed and have the City building inspectors inspect and close the permit. After all the requirements are met, the City issues the applicable rebates to the property owners.

The documentation such as the general requirements and application as well as the subsidy amounts are being recommended for update since the original intent of the subsidy programs inception in 2005.

Analysis: With increases in costs since 2005 for contracted services such as plumbing and associated materials, the current subsidy amounts should be increased to better reflect current costs for these services. Staff reviewed the invoices submitted with the

basement isolation subsidy applications from the last 3 years as well as what other comparable municipalities are offering for subsidy rebates.

Based on this data review, staff is recommending the following adjustments:

- Backwater Valve installation: Increase from a maximum rebate of \$500.00 to \$675.00
- Disconnection of weeping tile from the sanitary lateral and a sump pit/pump installation inside the foundation: increase from a maximum of \$2000.00 to \$2500.00
- Disconnection of weeping tile from the sanitary lateral and a sump pit/pump installation outside the foundation: increase from a maximum of \$2600.00 to \$3000.00

It should be noted that the sump pump portion of the subsidy is only applicable when there is a cross connection to the sanitary lateral. The subsidy does not cover sump replacements or standalone installations.

The other documentation associated with this program such as the application and general requirements overview, need to be updated to reflect current AODA standards as well other edits such as removing the requirement that you must have been impacted by the 2000-2002 floods for example. These updated documents have been included with this management report.

Financial Implications:

Financial impact to current year operating budget:

The City budgeted \$30,000 for the basement isolation subsidy program in 2022. At this time, the City has issued \$8,100 to residents who have applied for and completed the isolation subsidy process in 2022. We may see a resurgence in the program with increased public awareness and if the new subsidy amounts are approved by Council.

Financial impact on future year operating budget:

Historically, the City has budgeted \$30,000 for this program and has never exceeded the budget. The program has not been advertised and promoted very much in the past so if we see an increase in participation in 2022, staff may recommend this amount be increased for 2023. This would be identified in the 2023 Budget for Council's consideration at that time.

Alignment with Strategic Priorities:

Developing our Resources

Optimizing Stratford's physical assets and digital resources. Planning a sustainable future for Stratford's resources and environment.

Alignment with One Planet Principles:

Sustainable Water

Using water efficiently, protecting local water resources and reducing flooding and drought.

Material and Products

Using materials from sustainable sources and promoting products which help people reduce consumption.

Staff Recommendation: THAT the basement isolation subsidy program rebate amounts be increased to \$675.00, \$2,500.00, and \$3000.00, for valve installation, disconnection of weeping tile inside the foundation and disconnection of weeping tile from outside the foundation, respectively;

AND THAT the updated subsidy application and general information documents be received.

Prepared by:	Johnny Bowes, Manager of Environmental Services
Recommended by:	Taylor Crinklaw, Director of Infrastructure and Development Services
	Joan Thomson, Chief Administrative Officer



Infrastructure and Development Services Department
82 Erie Street, 3rd Floor
Stratford ON N5A 2M4

(519) 271-0250 Ext. 222
engpub@stratford.ca
www.stratford.ca

Application for Basement Isolation and Weeping Tile Sump Pump Subsidy Program

1. Applicant Information:

Owner Name	
Owner's Mailing Address	
Owner's Phone Number(s)	
Address Where the Work is Being Completed	

2. Estimates and Plan Information:

Please identify cost estimates secured for the work. Amounts listed must include taxes.
Note: the lowest or any price for an individual item will not necessarily be accepted.

Estimate Number	Name of Firm	Weeping Tile Sump Pump: From Storm	Weeping Tile Sump Pump: From Sanitary	Sewage Ejector	Backwater Valve: Storm	Backwater Valve: Sanitary
1.		\$	\$	\$	\$	\$
2.		\$	\$	\$	\$	\$
3.		\$	\$	\$	\$	\$

For Staff Use:

Work Approved and Amount Approved for Each of:	\$	\$	\$	\$	\$
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Date Application Received: _____ Date Application Approved: _____

Approving Staff Signature: _____

3. Inspection Report (For Staff Use)

Inspection	<input type="checkbox"/> Backwater Valve <input type="checkbox"/> Sump Pump <input type="checkbox"/> Sewage Ejector
Type of Weeping Tile Connection	<input type="checkbox"/> Inside <input type="checkbox"/> Outside
Permit Number	
Date Approved	
Name of Inspector	

4. Cost Verification and Release

Total Cost of Work	
Work Completed by	
Date Work Completed	

Please Attach:

☐ Final Invoice and Proof of Payment

I hereby release The Corporation of the City of Stratford from any and all future claims, damages, or losses to myself or to my property, including but not limited to sewer surcharging or flooding, arising from or attributable to the installation, operation or maintenance of any component of the installation including sump pumps, sewage ejectors, back water valves and related assemblies subsidized by the City of Stratford.

Signature of Owner

Date

Notice of Collection

The personal information collected on this form is collected by The Corporation of the City of Stratford under the authority of the Municipal Act, 2001, and will be used by Infrastructure and Development Services staff for the purpose of administering the Basement Isolation and Weeping Tile Sump Pump Subsidy Program, and in the delivery of public works programs and services in the City. Questions about the collection and use of this information may be made to the City Clerk, P.O. Box 818, Stratford, Ontario, N5A 6W1, or by telephone 519-271-0250 ext. 5329 during business hours.



.....

5. Payment Approval (For Staff Use)

Backflow Valve (maximum of \$675) _____

Sump Pump (Inside Weeping Tile Connection, maximum of \$2,500) _____

Sump Pump (Outside Weeping Tile Connection, maximum of \$3,000) _____

Sewage Ejector Installation (maximum of \$2,000): _____

Staff Signature: _____ Date: _____





MANAGEMENT REPORT

Date: July 27, 2022
To: Infrastructure, Transportation and Safety Sub-Committee
From: Adam Ryan, Manager of Public Works
Report #: ITS22-021
Attachments: None

Title: Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024 to December 31, 2025

Objective: To inform Council of Blue Box Program transition development towards an Extended Producer Responsibility system, and to advise Council of the intended approach for Blue Box services during the transition period of May 1, 2024, to December 31, 2025.

Background:

Update on the Blue Box Program transition to producer responsibility and recent amendment to the Regulation

It is noted that staff and other Ontario municipal jurisdictions have long been supportive of the provincial transition to full producer responsibility in that a province-wide common collection system would:

- enhance and standardize the list of Blue Box materials,
- provide high, progressive, and enforceable diversion targets, and
- remove the financial burden of the Blue Box Program from municipalities, shifting it to producers who are responsible for the design and production of packaging.

The draft Blue Box Regulation was finalized by the province on June 3, 2021, but was subsequently amended on April 13, 2022. The province indicated the amendment will not impact the Regulation's outcomes and will not affect the timeline for municipal transition; they therefore did not post the amendment for public comment.

The amendment (O. Reg. 349/22) made the following key changes to the initial Regulation (O. Reg. 391/21):

- Removed the allocation table requirement, that identified which Producer/Producer Responsibility Organization (PRO) would be responsible for

Blue Box Programs in which municipalities and removed the requirement for the PROs to develop rules for the producer led Blue Box Program.

- Made each producer responsible for meeting collection requirements from eligible sources (single-family homes, seasonal homes, current multi-residential buildings, schools, specified retirement and long-term care homes and specified public spaces).
- Required PROs representing the majority (over 66%) of Blue Box tonnage to provide a report on how they will establish a province-wide collection system to the regulator Resource Recovery and Productivity Authority (RPRA). The report will include how the PROs will establish and operate the collection system, how they will make collected material available for processing and where, and how they will provide promotion and education.
- Exempted newspaper publishers from responsibility for the Blue Box Program but continues to require newspapers be collected in the Blue Box.

A PRO establishes contracts with a producer or group of producers. Effectively PROs assist producers to ensure they meet regulatory requirements. There are currently four PROs registered with RPRA regarding the Blue Box Program:

- Circular Materials (CMO)
- Ryse Solutions Ontario (Ryse)
- Resource Recovery Alliance
- Canadian Beverage Container Recycling Association

Representing over 66% of Blue Box material, Ryse and CMO, submitted their joint plan on July 1st identifying how they intend to implement, operate, and administer, the common collection system across the Province. This report identifies CMO as the common collection system administrator. As the collection system administrator, they intend to implement a cohesive provincial-wide system.

As administrator, CMO is seeking responses from all 365 Ontario municipalities and 28 First Nations operating Blue Box programs regarding their intent to enter into a contract with CMO for the transition period from May 1, 2024, to December 31, 2025. Soon, Stratford will need to decide whether to maintain existing services by providing services to producers for the transition period under negotiated terms or to decline and have CMO provide their own collection system for Stratford. Due to municipal elections the deciding point may fall under the period of restricted acts, between August 19, to November 14, 2022.

Analysis:

Circular Materials (CMO)

CMO has requested interested municipalities and First Nations communities to become Blue Box recycling service providers to CMO under the terms of a Master Service Agreement (MSA) from the municipality's transition date until the end of 2025, when all

transitions to producer responsibility are to be completed. Municipalities and First Nation communities that enter the agreement will continue to service single-family and current multi-family households, maintaining the same collection days and frequency of collection, same materials currently accepted and use of same set out containers. Municipalities may also continue to service current Industrial, Commercial, and Institutional (IC&I), locations at a cost to the municipality and operation of existing drop-off depots.

CMO is pressing for commitments so that they can maximize the time they have to transition and arrange necessary collection contracts. Staff have already provided Stratford's collection details as part of developing a future contract. It is expected that if the City provides collection services for CMO that this agreement will be required to be entered into in the Fall of 2022.

If the City were not to provide services under the existing waste collections contract with Canada Waste Management, early termination costs could apply. The Contract stipulates early termination of the Contract based on amendments legislation could come at an estimated costs of \$490,000 including HST.

Key aspects of CMO's MSAs and SoWs for the transition period

The Master Service Agreement (MSA) contains overarching terms and conditions that apply to each of the Statements of Work (SoW). There are separate SoWs for each area of business that a municipality may choose to enter with CMO. Current versions of the documents specify services to include:

- Curbside recycling collection – Municipalities may provide service directly or subcontract the actual collection service. Municipalities are directly responsible for the service standards, specifications, and service level credits contained in the MSA and SoW, even if a contractor provides service under an existing waste collection agreement.
- Depot collection service – This includes operation of the depot. The City would be responsible for monitoring, and segregation of eligible (residential) and ineligible (IC&I) sources.
- Promotion and education (P&E) – This includes assisting CMO in the design and development of P&E material, and incorporation of CMO's P&E materials in the City's communications.
- Public space collection services – This includes a set number of bins in public spaces.

For the most part, if the City proceeds with CMO for the transition period, May 1, 2024, to December 31, 2025, services will remain relatively unchanged. O. Reg 391/21 does not require collection at: industrial or commercial properties, business improvement areas (BIAs), commercial farms, places of worship, weekend campgrounds, commercial properties along residential routes, public facing areas of municipal buildings or facilities (e.g., libraries, arenas), and not-for-profit organizations. Even though the City would be

paying for additional services for locations above that currently receive service, the City's net financial contribution to the transitional Blue Box Program is anticipated to be much less than what it is currently.

CMO's intentions for 2026 (post-transition)

All PROs still have many details to work out for collection services post-2026. CMO has indicated, if a municipality's curbside collection contract extends into or beyond 2026, the municipality could continue to deliver collection services until the contract expires. The main stipulation being that the municipality must execute a subsequent MSA and SoW that will be used to contract for services after January 1, 2026, as part of CMO's collection request for proposal. This document is not available yet. The City is currently in contract with Canadian Waste Management to collect and transport Blue Box materials until November 30th, 2026. If the City were to break the Contract early, on January 1st, 2026, the estimated cost would be \$200,000 including HST.

Post-2026, CMO anticipates that if a municipality decides to be involved, it would be largely limited to a contract administrative role; one that would be built into the CMOs awarded collection contract. An agreement would have to be made between the City and CMO and the stipulations of entering into a MSA and SoW would also apply.

If a municipality does not desire to participate beyond the end of 2025, CMO has indicated it will procure recycling collection services directly with waste collection companies to service broader catchment areas with a variety of other potential changes (days/frequency of service, single/dual stream collection, etc.). No further details on this have been provided yet. CMO has also suggested that municipalities time their garbage and organics collection RFPs to coincide with CMO's timing to allow respondents to submit proposals in parallel for each RFP.

CMO has also suggested that municipalities could continue to operate their existing depots beyond December 31, 2025. Prior to that date, a depot-by-depot assessment will be completed on which they will base decisions about which depots CMO will support in 2026. CMO noted that the number and location of depots will likely be reduced in 2026. They have also indicated effective 2026, Blue Box material dropped off at depots would be segregated by eligible (e.g. residential) and ineligible (e.g. non-residential) sources.

Summary

While alternatives are available, maintaining existing services and corresponding collection contracts as proposed through CMO's transition plan will minimize disruption to Stratford residents, who will be experiencing the full transition to a new system in 2026. It would also ensure costs for early contract termination are avoided. The costs to maintain services considered ineligible, mainly commercial, and industrial, are estimated at \$65,000 for the transition period of May 1, 2024, to December 31, 2025. This is relatively low as these sources only represent a small fraction (~8%) of the

overall collected material. Though the specific details remain to be finalized, it is anticipated that funding from CMO will cover the remaining collection services costs.

Due to the potentially tight timelines for entering into a contract with CMO and to ensure the City can still enter into the necessary multi-year contractual agreements during a period of restricted acts, staff are requesting delegated authorization to negotiate and execute such agreements.

As this legislative change is still being developed, staff will communicate any necessary updates as information is received.

Financial Implications:

Financial impact to current year operating budget:

No impact anticipated to the current year operating budget.

Financial impact on future year operating budget:

Starting in 2024, the City anticipates a significant reduction in recycling services' operating costs. If the City enters into an agreement to maintain existing services, CMO would fund most recycling services. The Blue Box Program currently costs about \$638,600 net cost to operate. The 2022 budget outlines an expense of \$542,000 for bi-weekly collection and \$438,600 for processing. Revenue in the budget includes \$306,000 from the Province for collection services and \$36,000 in revenue from the sale of recyclable material.

Proceeding with CMO and maintaining current recycling service programs in place starting from May 1, 2024, up until the end of 2025 is anticipated to be a net expense to the City to the amount of \$65,000. This is much less than the estimated \$638,600 currently incurred for 2022 and avoids the contractual penalty of up to \$490,000 including HST for early termination of the City's waste collection contract. Post-2026, there will still be a significant reduction in recycling services operating costs, however, it will be dependent on the still-to-be established post-transition service levels.

Link to asset management plan and strategy:

A reduction in municipal equipment and facility assets may occur starting 2026, if the recycling depot and services are discontinued. This has the effect of reducing pressure on the municipal asset replacement plan as well as the reduction in operating costs noted above.

Legal considerations:

The City's solicitor will review any CMO transition contracts.

Alignment with Strategic Priorities:

Developing our Resources

Optimizing Stratford's physical assets and digital resources. Planning a sustainable future for Stratford's resources and environment.

Widening our Economic Opportunities

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

Alignment with One Planet Principles:

Material and Products

Using materials from sustainable sources and promoting products which help people reduce consumption.

Zero Waste

Reducing consumption, reusing, and recycling to achieve zero waste and zero pollution.

Staff Recommendation: THAT the Chief Administrative Officer be authorized to negotiate and enter into a contractual agreement for Blue Box Services with Circular Materials Ontario for the Transition Period of May 1, 2024, to December 31, 2025.

Prepared by:	Adam Ryan, Manager of Public Works
Recommended by:	Taylor Crinklaw, Director of Infrastructure and Development Services
	Karmen Krueger, CPA, CA, Acting Chief Administrative Officer



MANAGEMENT REPORT

Date: April 27, 2022
To: Infrastructure, Transportation & Safety Sub-committee
From: Nathan Bottema, Project Manager
Report#: ITS22-008
Attachments: Typical Bike Lane Cross-Sections

Title: Bicycle Lanes on Fraser Drive and Forman Avenue

Objective: To provide information to Council regarding the concerns that have been raised with respect to the bicycle lanes on Fraser Drive and Forman Avenue from McCarthy Road to Short Street.

Background: At the August 24, 2020 Council meeting the following motion was approved:

THAT the correspondence from Fraser Drive and Forman Avenue residents expressing concerns about bike paths, safety and lack of parking be referred to staff for a comprehensive report on the various issues.

Fraser Drive and Forman Avenue were constructed as part of subdivision development in 2012. During the subdivision approval process in 2011, a report was presented to Council regarding the installation of a bike lane on Forman Avenue from McCarthy Road to Short Street. It should be noted that Fraser Drive was intended to be part of Forman Avenue. The report included the proposed roadway cross-section design and after discussion, Council passed the following motion:

THAT staff be directed to include sidewalks and bike lanes on both sides of Forman Avenue Extension during the design phase of the Northwest Stratford 2009 Developments Inc. subdivision.

The Bike and Pedestrian Master Plan (BPMP) completed in 2014 identifies bike lanes on Fraser Drive and Forman Avenue as a secondary (neighbourhood/local) route. This route provides connections between local destinations (e.g. schools, parks, arena, community centre) and feeds into the primary spine system on McCarthy. The BPMP identifies secondary systems as routes to be more comfortable/safe alternatives for children travelling to school or those who prefer a quieter cycling environment.

Analysis: Fraser Drive and Forman Avenue are collector roads, transit routes (McCarthy Route) and have an Annual Average Daily Traffic (AADT) of 3500 vehicles per day (2020). The 23 metre right of way consists of an 11.5-metre-wide asphalt surface with 1.5-metre-wide bicycle lanes in each direction. Upon implementation of the bicycle lanes in June of 2020, staff received several concerns from the public related to loss of parking, speeding, cyclist safety, and construction vehicle use.

Traffic Data

A localized speed review was conducted to evaluate compliance and educate motorists if speeding was identified. Speed data was collected from September 15th to 30th, 2020 on Fraser Drive. The average speed of motorists in this section was 47 km/h, with 85% of vehicles travelling less than 54 km/h. Subsequently, a portable radar speed display sign or driver feedback sign was installed to make motorists aware of their speed and encourage compliance with the posted speed limit. Police have requested to be made aware of the installation of the speed feedback signs and the associated results so that they can follow up with enforcement accordingly.

There have been no collisions reported at the intersection of Fraser Drive and Forman Avenue.

Cyclist Safety

Cyclist safety is directly related to motor vehicle speeds. Ontario Traffic Manual (OTM) Book 18 states that conventional bike lanes (current configuration) are best suited for two-lane roadways with motor vehicle speeds of 50 km/h or less and low-to-moderate volumes of motor vehicle traffic.

Staff have evaluated different bicycle lane safety measures and have elected to install a 0.5 m buffer zone between the bicycle lane and travel lane, as illustrated in the attachment, to improve cyclist safety and reduce vehicle speed. Narrower travel lanes are a common traffic calming strategy to reduce speed, and additional space between vehicles and cyclists contributes to the perception of safety among cyclists. The additional 1.0 kilometer of solid white line pavement marking has been added to the 2022 annual pavement marking contract scope of work.

Onstreet Parking

Parking is not permitted on Fraser Drive and Forman Avenue. Parking is permitted on all intersecting streets in accordance with the Traffic and Parking By-law, except for Short Street and McCarthy Road West where bicycle lanes exist.

There is not sufficient space to reallocate the roadway lane configuration to include bicycle lanes and on-street parking. Typical roadway widths that include bicycle lanes and parking are recommended to be 14.6 metres wide. This is based on the OTM recommended lane widths for travel lanes with bus routes (3.3 m), bicycle lanes along parking (1.5m), a required buffer zone between parking aisles and bicycle lanes (0.5m), and on-street parking aisles (2.0 m).

Heavy Vehicles

To prevent the through movement of heavy trucks on the local residential roads in the northwest corner of the City, the Traffic and Parking By-law 159-2008 Schedule 12 – Heavy Truck Restrictions was amended in January 2021 to include Fraser Drive and Forman Avenue. Signage has been installed and developers have been instructed to inform their workforce. Police are aware of the change and monitor the area appropriately.

Financial Implications:

Financial impact on 2022 and future year operating budgets:

The additional line painting will be funded through the 2022 road painting operating budget. The estimated annual cost for the additional pavement marking is \$550.00.

Alignment with Strategic Priorities:

Mobility, Accessibility and Design Excellence

Improving ways to get around, to and from Stratford by public transit, active transportation and private vehicle.

Developing our Resources

Optimizing Stratford's physical assets and digital resources. Planning a sustainable future for Stratford's resources and environment.

Alignment with One Planet Principles:

Health and Happiness

Encouraging active, social, meaningful lives to promote good health and wellbeing.

Travel and Transport

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

Staff Recommendation: THAT the report titled "Bicycle Lanes on Fraser Drive and Forman Avenue" (ITS22-008), be received for information.

Prepared by:

Recommended by:

Nathan Bottema, Project Manager

Taylor Crinklaw, Director of Infrastructure and
Development Services

Joan Thomson, Chief Administrative Officer

Attachment 1: Typical Roadway Cross-Sections

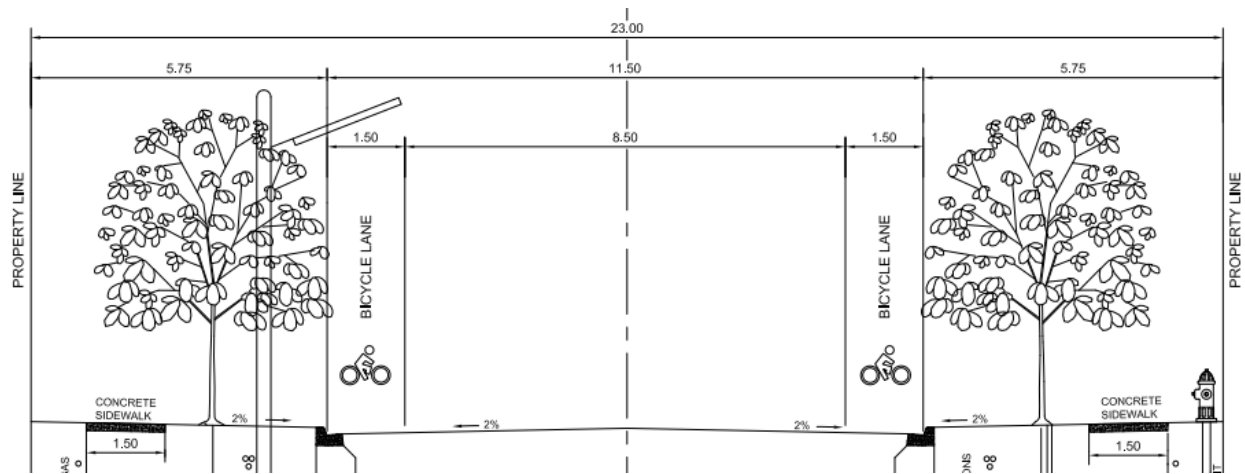


Figure 1: Typical 23.00 metre right of way (with bicycle lanes) cross-section



Figure 2: Typical Roadway cross-section with bicycle lane buffer zones



MANAGEMENT REPORT

Date: July 27, 2022
To: Infrastructure, Transportation and Safety Sub-committee
From: Chris Bantock, Deputy Clerk
Report #: ITS22-019
Attachments: None

Title: Overnight Parking Strategy

Objective: To follow up on a referral to staff regarding the development of an overnight parking strategy. This report identifies recent administrative adjustments, in addition to recommendations for Council's consideration related to overnight parking.

Background: The City's Traffic and Parking By-law 159-2008 currently prohibits overnight parking as follows:

8. (1) No person shall park a vehicle in any of the following places during the specified times:

(j) on any roadway, shoulder, or City parking lot between 2:00 a.m. and 6:00 a.m., unless otherwise designated.

Historically, Stratford Police have been responsible for enforcing this section of the By-law given that the City's Parking Enforcement Officers do not work overnight. Enforcement of such activity in the past by Stratford Police has been largely completed on a complaint basis, whether residents call Stratford Police directly or the Clerk's Office to advise of overnight parking infractions.

At the October 4, 2021, Finance and Labour Relations Committee meeting, the following resolution was passed:

Committee Decision: THAT the development of an overnight parking enforcement strategy be referred to staff in coordination with Stratford Police Services.

The purpose of this report is to follow up on the above noted resolution with respect to an overnight parking strategy. The strategy proposes to continue recently implemented administrative efforts, in addition to a review of enforcement activity and subsequent fines for Council's consideration.

Analysis: A three pillar overnight parking strategy has been developed by staff in consultation with staff from the Infrastructure and Development Services department and Stratford Police Services. The three pillars are:

1. Enhanced relationship with Stratford Police
2. Enhanced education campaign
3. Review of set fines and offences

Enhanced Relationship with Stratford Police

Recognizing the important role that Stratford Police play in enforcing overnight parking provisions, City staff have been working to increase communications and the way in which overnight parking enforcement is undertaken and tracked. When undertaking enforcement in the past, such actions have typically been reactive. For example, a resident shares concerns with the Clerk's Office about vehicles parking overnight on their street. This concern is then shared with Stratford Police and enforcement of the area is requested. This type of response typically works well to resolve individual cases, however, it does not prevent new contraventions.

In looking at the volume of overnight parking concerns received during different times of the year, most concerns are typically received during winter months. These concerns also present a significant challenge for the City's Public Works staff that are responsible for snow clearing activities. Recognizing this, the Clerk's Office has initiated a more proactive approach to overnight parking enforcement which involves coordinating with Public Works to identify upcoming snow fall events and requesting enforcement activities from Stratford Police leading up to such events. This approach aims to deter individuals who may otherwise park on street overnight from doing so while City snow clearing activities are being undertaken.

Administratively, staff have also created a new tracking tool, shared between the Clerk's Office and Stratford Police, which monitors overnight parking concerns. This tool tracks concerns by type, date, and location, in addition to comments from Stratford Police and if any tickets were issued. While only in place since December of last year, staff are hopeful that this tool will better assist future decision making related to overnight parking.

Enhanced Education Campaign

As noted in the above section, while overnight parking concerns are not absent from warmer months of the year, it is clear that more significant concerns are continuously identified during winter months. Beyond proactive enforcement, staff developed an education campaign to increase awareness of on street overnight parking provisions. To set the campaign up for success, a plan was developed with the City's Corporate Communications Specialist to expand our reached audience and delivery frequency. To address the former, communications were developed across a variety of platforms including Facebook, Twitter, Town Crier, radio, the City's website, and posters displayed

at City Hall and other City facilities. To ensure reminders were also frequent and timely, the plan spanned from December through March and included regularly scheduled posts across all noted platforms, in addition to specific posts for upcoming snow fall events. It is the intent of staff to continue this campaign each year during winter months.

Review of Set Fines and Offences

Having addressed enforcement and communications, the final pillar of the overnight parking strategy is fines. Set fines, as defined under the Provincial Offences Act, 1990, are the amount of fine set by the Chief Justice of the Ontario Court of Justice for an offence for the purpose of proceedings commenced under Part I or II. Being that the set fines under review here are related to parking infractions, the Act identifies such as Part II offences. Furthermore, the Act then permits municipal by-laws to create an offence, subject to there being legislative authority to do so. As it currently stands, the City's Traffic and Parking By-law contains the following provisions which define an offence related to issues identified from overnight parking:

Section 8(1) (No Parking In Unposted Locations) – No person shall park a vehicle in any of the following places during the specified times:

- j) On any roadway, shoulder, or City parking lot between 2:00 a.m. and 6:00 a.m., unless otherwise designated

Section 82 (Towing of Illegally Parked Vehicles) – Where a vehicle has been left parked, standing, or stopped and is:

- c) interfering with snow removal and/or winter maintenance activities

Of the above provisions, section 8(1)(j) is an offence creating provision with set fine amounts approved by the Chief Justice of the Ontario Court of Justice. The set fine for this offence is currently \$15.00 if paid within 7 days, or \$20.00 thereafter.

In a survey of municipal parking fines, conducted in 2019 by the Ontario Transit Commission Parking Committee, Stratford was reported as having the lowest set fine for overnight parking of the 28 municipalities surveyed. For reference, the average set fine amongst these municipalities was just over \$35. Also polled within this survey was the set fine amount for interfering with snow removal. While Stratford does not currently have an approved set fine amount for this offence, surveyed municipalities had an average fine amount at the time of almost \$60.

When speaking recently with several of these municipalities with a set fine for interfering with snow removal, ticketing would often be completed first thing in the morning during regular enforcement hours. Parking enforcement would be notified by snow plow operators of locations where vehicles parked on the street had impacted their ability to properly clear the road. Upon attending these locations, should it be apparent that the vehicle was parked overnight and interfered with snow removal (i.e.

covered in snow and/or plow marks go around or up to the vehicle) then a ticket would be issued. In some municipalities, such as the Town of Collingwood, their police services would continue to ticket for overnight parking infractions. Understanding that not all vehicles parked overnight may be ticketed on a given night, the addition of a set fine for interfering with snow removal should provide increased deterrence to parking overnight during winter months. It is also possible that a vehicle in a single night could receive both a ticket for overnight parking and for interfering with snow removal operations given that the two infractions are separate of one another.

Considering the above, staff recommend imposing a new offence creating provision under the Traffic and Parking By-law and set fine amount for obstructing municipal snow clearing operations. To do so, the following is proposed as an amendment to the Traffic and Parking By-law:

Section 8(1) (No Parking In Unposted Locations) – No person shall park a vehicle in any of the following places during the specified times:

s) in a manner that obstructs municipal snow clearing operations

With respect to a set fine amount for the above, staff recommend an early fine (voluntary payment within 7 days) of \$60 and a set fine of \$80. Setting fines in this amount would put the City in line with other municipalities with the same offence creating provision such as Collingwood, Clarington, Kitchener, Peterborough, and Whitby.

Furthermore, staff are also recommending an update to the set fine amount for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m. The current amounts set by the City for this offence are an early fine (voluntary payment within 7 days) of \$15 and set fine of \$20. The recommendation from staff is to match the new fine noted above and increase this to an early fine (voluntary payment within 7 days) of \$60 and set fine of \$80. Again, this puts the City in line with set fine amounts seen in other municipalities.

Should Council approve the recommended updates to the City's Traffic and Parking By-law and the set fine amounts for the offence creating provisions noted above, staff would proceed to make an application to the Ministry of the Attorney General to confirm the new and increased set fine amounts.

Financial Implications:

Financial impact to current year operating budget:

The addition of new and increased set fines will provide for increased revenue within the fines collected of the City's Parking Division. The impact to the current year operating budget is unknown at this time as staff will have to await confirmation from the Ministry of the Attorney General, following Council approval, before beginning to collect these new set fine amounts.

Financial impact on future year operating budget:

Over the last four month winter period of December 1, 2021 to March 21, 2022, Stratford Police Services issued 152 parking tickets for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m. If all of these tickets were paid at the current early rate (being \$15.00), the City would have collected \$2,280 in parking fines. If the adjusted set fine was in place, the City would have potentially collected \$9,120. If it is assumed conservatively that 30% of these cases also had interfered with municipal snow clearing operations, this would have added a further potential collection of \$2,700. Based on this, parking fine collection of these same 152 tickets could have the potential to increase over 400% in the future.

Staff would like to note the intent of the proposed amendments is not to increase revenue for the City. The intent is to deter contraventions of the Traffic and Parking By-law and to assist with snow clearing and street sweeping operations.

Alignment with Strategic Priorities:

Not applicable: This report seeks to add and increase set fines for the City of Stratford to deter contraventions of the Traffic and Parking By-law and does not directly relate to any of the Strategic Priorities.

Alignment with One Planet Principles:

Not applicable: This report seeks to add and increase set fines for the City of Stratford to deter contraventions of the Traffic and Parking By-law and does not directly relate to any of the One Planet Principles.

Staff Recommendation: THAT the Clerk be directed to bring forward a by-law to amend Section 8(1) - No Parking In Unposted Locations - of the Traffic and Parking By-law 159-2008, as amended, to add the following:

- **in a manner that obstructs municipal snow clearing operations.**

AND THAT staff be directed to undertake an application to the Ministry of the Attorney General, pursuant to the Provincial Offences Act, for Part II set fines to be utilized as follows:

- 1. \$60 voluntary payment within 7 days and \$80 set fine for parking on a roadway or shoulder between 2:00 a.m. and 6:00 a.m.; and,**
- 2. \$60 voluntary payment within 7 days and \$80 set fine for parking in a manner that obstructs municipal snow clearing operations.**

Prepared by: Chris Bantock, Deputy Clerk
Recommended by: Karmen Krueger, CPA, CA, Director of Corporate Services
 Karmen Krueger, CPA, CA, Acting Chief Administrative Officer

Infrastructure, Transportation and Safety Sub-Committee
IDS Update Regarding Capital Projects, Engineering and Operations
July 2022

Capital Projects

Studies

- Transportation Master Plan Update
 - RFP for consultant services awarded to IBI Group, new Transportation Master Plan will be updated and incorporate the Bike and Pedestrian Master Plan
 - Round 1 Engagement summary report available on the Engage website
 - Phase 1 report due mid July, Phase 2, identify and evaluate alternatives is commencing
 - Next public consultation anticipated this Fall.
- Storm Model and Master Plan Update
 - RFP for consultant services being prepared
 - Update to existing storm model and consolidation of all existing storm master plans and EA reports
 - Climate change adaptation to be included
- Sanitary Master Plan Update
 - RFP for consultant services awarded to Civica, kick-off meeting early June
 - New sanitary model to be used to update existing sanitary master plan and incorporate all lands annexed since 2004

Reconstruction Projects

- Online Updates
 - Engage Stratford website being used to keep up-to date progress of ongoing projects and reconstruction jobs on the City's website.
- Queen Street Storm Sewer
 - Tender awarded to Birnam Excavating Ltd.
 - Construction complete, minor restoration outstanding
- Redford Crescent Reconstruction
 - Tender awarded to Bre-Ex Construction Inc.
 - various repairs and deficiencies outstanding
- Asphalt Resurfacing 2022
 - Proposed Lorne Avenue from Romeo to Home
 - Ontario Street resurfacing from east City limits to Gordon Street received Connecting Link funding, work is included in tender
 - Tender award scheduled for July 13
- Huron Street Reconstruction, Phase 1
 - Connecting Link funded project, Design and Contract Admin awarded to IBI Group

- New watermain, sanitary sewer, storm sewer, roadway
 - Tender awarded to Steve Smith Construction, construction ongoing
- Sidewalk projects 2022
 - Walnut Street, Martin Street, Cambria Street from John to St. Vincent, John Street from north of Cambria to Centre – tender to be issued in July
 - McCarthy Road east of Mornington – on hold until results of funding application is known
 - Future designs for Douro Street and McCarthy Road West underway
- Argyle Street and McKenzie Street Reconstruction 2022
 - Full reconstruction with new watermains, sanitary and storm sewers
 - Tender awarded to Elgin Construction
 - Construction scheduled to begin early July
- T J Dolan Multi-use Trail
 - Tender awarded to Steve Smith Construction, construction complete

Other

- Bridge and Culvert Improvements
 - RFPs being prepared for a consultant to design the replacement of the concrete retaining walls near the CN overpass on TJ Dolan Drive, consultant to design the deck rehabilitation for Dunn's Bridge
 - Repair work to Tom Patterson Island bridge and Waterloo Street bridge complete.
- Concrete and Asphalt Restoration
 - New multi-year tender to replace damaged concrete sidewalk, curbs and asphalt road cuts, including restoration works.
 - Tender awarded to Royal Crown Construction, work ongoing
- Pedestrian Crossing Improvements
 - Downtown Traffic Study presented at Council in January 2021
 - Design work and plans for Ontario/Church/St. Andrew, Downie/George, and other intersections ongoing
 - Tenders anticipated in July for Ontario/Church/St. Andrew
 - When the draft design(s) is complete for Downie/George intersection, a public consultation session will be held
- Sewer Relining
 - Sanitary and Storm sewer relining to reduce infiltration and rehabilitate deficient sewers
 - Tender awarded to Clearwater Structures Inc.
 - Contractor commencing with prep work mid July
- Watermain Relining
 - Willow Street from Pleasant Drive to Devon Street
 - Tender awarded to Fer-Pal Construction Ltd
- Portia Watermain Extension
 - Dead end watermain providing poor water quality to residents, to be extended to Devon Street for proper looping

- Tender planned for July
- Infrastructure Canada Active Transportation Fund Application
 - Applications submitted for three projects – Erie Street Multi-Use Trail Rehabilitation and Extension, McCarthy Road Bike Lane and Sidewalk Installation, and Douro Street and CH Meier Boulevard Multi-Use Trail
 - If successful, funding will cover up to 60% of capital costs
 - Successful projects will be added to the 2023 capital budget
 - Current status of application – “under review”
- Landfill Gas Expansion project – final restoration underway
- Landfill Cell 3B Development – contract awarded to York 1 Environmental Ltd. ; work to begin mid July
- Pride Crosswalk Repair and Installation
 - A slight adjustment to the design is proposed, the intent is to go towards the traditional ladder style crosswalk. The proposed design better aligns with accessibility comments made in the previous year’s review.

Divisional Updates

Engineering Division Works

- Review of development engineering plans and reports for various proposed subdivisions
- Review of formal Consultations, Site plan applications, zone change applications, and various other planning matters
- Installation of Wightman infrastructure as part of the multi-year fibre to home initiative is now complete
- Inspection services for subdivision construction ongoing
- Compiling data for asset management project
- Design ongoing for other contemplated 2022 projects
- City wide pavement evaluation completed for 2022, summary report due July

Operations Update: Water

- Dufferin Tower Cleaning and Inspection pushed back to the fall – Need updated Rescue Plans for the tower
- Watermain breaks so far in 2022 = 25
- Chestnut Well is still offline. VFD Failure – Waiting on warranty repairs
- Staff just completed our MECP Required 36 Month Risk Assessment with our consultant
- Staff returning to Festival Hydro Facility on July 11th.

Operations Update: Wastewater

- 2 minor Spills reports sent to spills action centre in the last month
- New Sewermain Acoustic Inspection Program is now underway.
- Ongoing excavations – about 1 per week (HSA’s, spot repairs etc.)

Operations Update: Water Pollution Control Plan

- No recent major issues or overflows with the WPCP – Working on small capital and annual maintenance
- This is the time of the year where we see our true flows into the plant. Representative of the city because there is little to no rain or infiltration
 - True flows are around 15,000m³/day which is about half of our allowable flow into the plant under our ECA (36,660m³/day)

Operations Update: Public Works

- First round of street sweeping is complete. Second round is well underway
- Asphalt crews are completing hot mix overlays on streets in need
- Retro reflectivity sign inspection is almost complete
- Storm work continues with maintenance flushing
- The contractor who completes our catch basin cleaning has provided us with a list of deficiencies. Crews continue to work on the list
- The department is extremely busy with special events throughout the month. Many requests requiring road closures, barricades, recycling carts and bike racks
- Canada Day event post evaluation underway, public survey with over 200 respondents closes July 31.
- Report an issue form on City's website continues to be highly used and successful at addressing residents and businesses concerns and issues as they arise. <https://forms.stratford.ca/Report-an-Issue>

Climate Change Internal Working Group

- Eight meetings to date.
- Many members attending webinars, conferences and workshops.
- Have been in contact with many other municipalities regarding aspects of climate change initiatives being pursued by the working group.
- Climate Change Program Manager position compensation is under evaluation.
- Short term focus (3 to 6 months):
 - Build knowledge and internal capacity (Ongoing)
 - Review existing municipalities frameworks on Climate Change (Ongoing)
 - Post and fill Climate Change Program Manager position (Ongoing)
 - Develop framework for funding strategies (Ongoing)
 - Evaluating how sub-groups may operate internally (Ongoing)
 - Developing a public communication of recent corporate initiatives, referencing GHG Reduction Plan (ongoing)
- Midterm focus (up to year end):
 - Establish primary internal framework
 - Determine sub-working groups (e.g. industry specific)
 - Built template for funding strategies

- 2023 budget
- Long term objectives:
 - Develop working strategic plan and objectives
- Work Group Members: Director of Infrastructure and Development Services, Fire Chief, Manager of Planning, Fleet Supervisor, Manager of Child Care and Early Years, Manager of Community Facilities, Manager of Transit, Corporate Initiatives Lead

Attainable Housing – Special Project

- Project is ongoing. Implementation of Key Action Items from the “A Road Map for Attainable Market Housing Development” as received and approved by Council in June, 2021
- Action Items include:
 - Hiring a project manager to lead the implementation work plan
 - Providing Council with a toolkit of possible incentives to encourage attainable housing development, including financial modeling
 - Developing forms, tools, RFP documentation to support incentives and toolkit items as approved by Council
 - Supporting the development of a pilot project on one of two parcels of City-owned land (Vivian Line)
- Matching funding being confirmed
- Short term focus (July-September, 2022)
 - Hire Project Manager/Management (Complete – Baker Planning Group)
 - Complete RFP for Planning Consultant Support to build toolkit of possible incentives (Complete – Stantec)
 - Begin public and stakeholder consultations, online and in person (Sept, 2022)
 - Background, research (Ongoing)
- Midterm focus (September-December, 2022)
 - Draft policy direction, incentive programs, return on investment
 - Ongoing public and stakeholder consultations, online and in person
- Long term objectives (December 2022-March, 2023)
 - Present Toolkit, possible Community Improvement Plan and financial incentive package to Council
 - Ongoing public and stakeholder consultations, online and in person
 - Support Council and City Staff in the development of a pilot project (Vivian Line)
- Internal working group members: Chief Administrative Officer, Director of Social Services, Manager of Housing, Director of Finance and Corporate Services, Director of Infrastructure and Development Services, CEO of investStratford, Managing Director of investStratford



Active Transportation Advisory Committee

MINUTES

A meeting of the Active Transportation Advisory Committee (ATAC) was held on Wednesday, May 25, 2022 at 7:07 p.m., electronically.

Committee Members Present: David Daglish – Chair presiding, Councillor Vassilakos, Bernard Goward, Pat Ranney, Felicity Sutcliffe – Energy & Environment Advisory Committee

Staff Present: Vicky Trotter – Recording Secretary and Nick Sheldon – Project Manager

Also Present: Sarah Merkel – HPPH

Regrets: John Zelek, Donald Hathaway, Lee Chandler and Inspector Jason Clark – Stratford Police Services

1. Call to Order

The Chair called the meeting to order at 7:07 p.m.

2. Declarations of Pecuniary Interest and The General Nature Thereof

None declared.

3. Adoption of Previous Minutes

Motion by Councillor Vassilakos

Seconded by Felicity Sutcliffe

THAT the minutes from the Active Transportation Advisory Committee meeting dated April 27, 2022 be adopted as printed. Carried

Active Transportation Advisory Committee
May 25, 2022

4. Business Arising from Previous Minutes

4.1 T.J. Dolan Trail – Councillor Vassilakos

Councillor Vassilakos requested an update from staff on the status of the T.J. Dolan Trail portion of the Wayfinding project. Nick Sheldon, Project Manager, stated he would follow up with the City Clerk to obtain an update on the project.

Felicity Sutcliffe stated a number of trees have been planted to assist in deterring users from going off trail. Councillor Vassilakos noted the signage to be included is a large trailhead, rules and regulations and trail marker explanation.

Bernard Goward stated the Avon Trail group met with Quin Malott, Manager of Parks, Forestry and Cemetery, to mark locations for 12 posts at key locations for signage and blazes.

4.2 Bike Month 2022 – Sarah Merkel

Sarah Merkel advised the Sub-committee met to discuss bike month and noted the following:

- Request submitted to HPPH Communications Team to promote Bike Month
- Request submitted for graphics support from HPPH
- Request to HPPH Schools Teams to send information out to local schools
- Calendar of events created for the month

Councillor Vassilakos noted that Mike Beitz, Corporate Communications Specialist, can assist the Committee in promoting bike month. She also noted the City does not permit individual groups to have social media accounts.

Ms. Merkel reviewed the events currently on the calendar including:

- Walk and Wheel Wednesdays
- Car Free Friday
- Can-Bike Programs
- Stratford Live Music Festival

A discussion took place and it was determined that Ms. Merkel would contact the Downie Optimists for permission to include their bike rodeo on the events calendar.

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Councillor Vassilakos stated the Cycle Stratford Can-Bike instructional sessions have not confirmed a location at this time due to the cost to rent a portion of the Rotary Complex parking lot and use of the washrooms at the facility. She questioned if a portion of the bike month funds could be used to support the event. The Recording Secretary confirmed that the 2022 budget included \$500 for bike month promotion. Councillor Vassilakos stated the cost for the rental is \$436.80 plus tax.

A discussion took place regarding additional costs for bike month. It was confirmed that the only other costs for bike month would be prizes for the proposed contests including posting a selfie with a specific hashtag.

Motion by Felicity Sutcliffe

Seconded by Pat Ranney

THAT \$300 from the Bike Month Promotion portion of the 2022 Active Transportation Advisory Committee budget be donated to Cycle Stratford to offset the costs to rent the Rotary Complex for the Can-Bike courses. Carried

Ms. Merkel requested the Recording Secretary forward the Bingo Card to members of the Committee for suggestions prior to it being sent to the schools and placed on social media.

A discussion took place regarding the Cycle Success program and having various cycling facilities promoted weekly on social media. It was determined the following members would provide photos for the following dates:

- June 2 - Councillor Vassilakos with Mayor Mathieson on Romeo Street and Mornington Street Bike Lanes
- June 9 - Felicity Sutcliffe & Pat Ranney, Cycle Stratford Social
- June 16 - Sarah Merkel, family biking on McCarthy Avenue and Forman Avenue Bike Lanes
- June 23 - Felicity Sutcliffe & Pat Ranney, multi-use trail on Lorne Avenue
- June 30 - group photo, T.J. Dolan multi-use trail

Ms. Merkel stated the last item for bike month is the bike valet at the Farmer's Market on Saturdays. Councillor Vassilakos noted that volunteers must be present in order to have the bike valet at the Market. Additionally, a motion could be made to have Community Services add additional bike racks at the Rotary Complex. Nick Sheldon, Project Manager, confirmed that Public Works stores bike racks, which are owned by the Stratford City Centre BIA and there are pre-determined locations for the racks. It would need to be confirmed if there are any extras.

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Councillor Vassilakos noted that large bike racks were installed at the library and York Street. It was suggested that completing a review of areas outside the downtown core which would benefit from bike racks would be helpful. A brief discussion took place and it was determined that additional bike rack locations should be discussed at a subsequent meeting and input should be obtained from Cycle Stratford.

A discussion took place regarding availability of volunteers for the bike valet at the Market. It was determined there were sufficient volunteers to proceed with placing the bike valet at the Market and time to promote for June 18 only.

Councillor Vassilakos noted four prizes valued at \$50 each for the bike month contests would be sufficient.

Motion by Councillor Vassilakos

Seconded by Pat Ranney

THAT \$200 of the \$500 in the 2022 Active Transportation Advisory Committee budget for Cycle Month Promotion be used towards four prizes for the June 2022 Bike Month in principle, provided that there are no concerns from staff. Carried

5. New Business

5.1 Status of Report Card Project

David Daglish noted the Report Card Project was led by Councillor Burbach who is currently on a leave of absence. Councillor Vassilakos indicated she would follow up with Councillor Burbach and requested the item be relisted on the June agenda.

5.2 Status of Avon Trail Wayfinding Project

This item was discussed under Item 4.1.

5.3 Speed Limits – Donald Hathaway

Nick Sheldon, Project Manager, confirmed that the recommendation regarding a reduction in speed limit to 40km/h has been referred to staff. Mr. Sheldon advised there is currently no timeline on when a report will be completed.

5.4 Cleaning of Bike Lanes

David Daglish advised John Zelek raised a concern regarding bike lanes being cleaned of debris. He noted the Recording Secretary provided information from Public Works that concerns should be remitted through the Report a Problem portion of the City's Website. Councillor Vassilakos noted that when a concern is remitted through this process a work order is created. Sarah Merkel stated she

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used Report a Problem on the website regarding debris on the road and Public Works attended the following day.

5.5 Sidewalk Stencils

Sarah Merkel noted sidewalk stencils and required supplies were purchased prior to the pandemic to paint in school zones. Approval was granted by the City at that time. Ms. Merkel confirmed the stencils and supplies are located at Public Works and questioned if they could be painted prior to the return to school in the fall. Councillor Vassilakos requested the Recording Secretary connect with staff on this matter. Ms. Merkel asked for her contact information be provided to appropriate staff to review the current mapping of locations for the project.

6. Date of Next Meeting – June 22, 2022 at 7:00 p.m., electronically

7. Adjournment

Motion by Councillor Vassilakos

Seconded by Felicity Sutcliffe

THAT the May 25, 2022, ATAC meeting adjourn. Carried

Start Time: 7:07 P.M.

End Time: 8:05 P.M.



Energy & Environment Advisory Committee

MINUTES

A meeting of the Energy & Environment Advisory Committee (E&E) was held on April 7, 2022 at 4:00 p.m., electronically.

Committee Members Present: Councillor Jo-Dee Burbach – Chair Presiding, Craig Merkley, Councillor Bonnie Henderson, Vanni Azzano, Sammie Orr, Mike Sullivan, Anita Jacobsen, Felicity Sutcliffe, Patricia Osoko, Geoff Krauter, Emily Skelding, Mike Jorna

Staff Present: Adam Ryan – Manager of Public Works, Casey Riehl – Recording Secretary

Absent: Kate Simpson – Waste Reduction Coordinator

1. Call to Order

Councillor Burbach, Chair presiding, called the meeting to order at 4:03 p.m.

2. Declaration of Pecuniary Interest

None declared.

3. Adoption of Previous Minutes

Motion by Mike Sullivan

Seconded by Craig Merkley

THAT the minutes from the Energy & Environment Advisory Committee meeting dated March 3, 2022, be adopted as printed. Carried

4. Delegate: Adam Ryan, Manager of Public Works – Salt Management Plan

Adam Ryan, Manager of Public Works, reported that they implemented a Public Works Winter Operations Plan in 2020 that was endorsed and adopted by City Council. Part of the plan is to outline how Public Works performs their winter operations, hours of services, types of equipment used and a brief materials list. Salt and salt brine are included in the materials list to fight snow and ice in the city.

Geoff Krauter now present at the meeting at 4:05 p.m.

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They have included a specific salt management portion to the Winter Operations Plan, showing the City's commitment to reducing the environmental effects of excessive salt use and also ensures that Stratford remains consistent with Environment Canada's stated objectives. Staff has been working on this section, with a few areas still under review to be finalized.

Emily Sykes now present at the meeting at 4:06 p.m.

Along with the types of equipment used, the plan also shows the application rates. The City currently uses electronic salt application devices in all of the trucks, and they get calibrated annually before the winter season to ensure that they are spreading the least amount of salt, while maintaining safe sidewalks, roadways, and parking lots.

Mr. Ryan stated that using salt brine is an efficient way for staff to manage the roadways and sidewalks. It prohibits the excessive build-up of ice and also reduces the amount of actual rock salt used during an event. The brine used in the last few years, contributes to less salt being used. In 2019, Public Works used 3800 tons of salt in the City of Stratford, in 2020 they used 50,000 liters of brine, reducing rock salt usage to 2500 tons.

A large part of the plan is to identify the salt-vulnerable areas within the City, such as roads and sidewalks that are near bodies of water, including bridges. Staff is working with conservation authorities to completely identify all the salt-vulnerable areas to map them out and reduce the application amounts in those areas.

Mr. Ryan stated that the Winter Operations Plan will be a living document that staff will review and update annually. Once the current updates are complete, he will forward a copy to E&E.

The final section in the plan is best practices. It outlines the best practices through the Transportation Association of Canada and shows what the current practices are in Stratford. The goal will be to continuously make improvements to this section.

Sammie Orr inquired if staff has considered using any other substances other than salt. Mr. Ryan reported that they do always look into alternative solutions, and they do use some sand (pickled sand – 60% sand, 40% salt). The sand is used when it gets much colder, generally salt becomes less effective below -10. There is no melting action with sand, it is strictly for traction.

Mike Jorna inquired about the reduction of 1000 tons of salt between 2019 and 2020 by the use of brine and if the City purchases the brine or whether it is mixed. Mr. Ryan stated that they purchase the brine, as Stratford's Public Works yard does not allow for this. Mr. Jorna inquired if there is a difference in the overall amount of salt that ends up in the river and whether both the brine and the rock salt end up there. Mr. Ryan stated that they do not spread the brine on all of the City streets, it is limited and not used near the river. However he does recognize that eventually it does find its' way

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into the waterways. Studies show that with the direct application of the brine onto the roadway, there is no bounce-off like the rock salt onto the shoulder or boulevard. Mr. Jorna further inquired if potassium chloride is any more benign for the river system than sodium chloride. Mr. Ryan stated that they are currently researching it as part of the plan.

Vanni Azzano stated that even sand will find its way into the waterways and increase siltation. He inquired if calcium chloride has ever been used at the municipal level, or whether it is so cost-prohibitive it has not been considered an option. Mr. Ryan stated that cost is the main factor for not using it.

Mike Sullivan inquired if the Province pays for any of the road clearing for the Provincial highways or whether it is all paid for by the City of Stratford. Mr. Ryan stated that the City pays for it all.

Craig Merkley inquired if the calibration of the trucks at the beginning of the season holds for the whole winter. Mr. Ryan stated that they do bring the trucks in periodically throughout the season if the operators feel that the truck is spreading differently, or something does not seem right. They also check the calibration when the trucks are in for general maintenance. Mr. Merkley inquired if the sidewalk spreaders can turn the salt off at intersections. He questioned whether it is something that happens automatically or whether it is done manually by the driver. He noted that he has seen piles of salt at the corners where the spreader sits. Mr. Ryan stated that most of the sidewalk spreaders are older models and only have manual shutoffs. In this case, it will be driver error for not shutting it off while stopped at an intersection. Staff has looked into adding manual shutoffs to some of the older models. Mr. Merkley inquired on the status of using beet juice technology. Mr. Ryan stated that using beet juice was not practical. Prices began to increase and there were many complaints regarding the discolouration of everything that touched it, i.e. cars, boots, pants.

Mike Sullivan inquired if the UTRCA tests the water for salt levels at different times throughout the year. Craig Merkley stated that they do test the water, however, does not believe that they test for salt on a routine basis. He stated the Ministry of the Environment may test it as part of their routine, however the closest testing station downstream from Stratford is on Road 20. Councillor Burbach inquired if someone from A.R.E.A could test for salt. Mr. Merkley advised he would contact a representative to inquire. Vanni Azzano added that in the Avon River Watershed report card from 2017, it looked at chloride (road salt) and the levels have increased steadily in the 1980's but have shown improvement in recent years and remain below the Provincial guideline.

Councillor Henderson inquired if Craig Merkley could inquire with A.R.E.A if they could provide E&E an overall water report for the Avon River. Mr. Merkley stated he has the most recent figures and will provide a report to members.

Emily Skelding inquired if a lot of the salt gets captured in the storm drains and gets treated at the treatment facility. Craig Merkley stated that no it does not, and it goes directly into the waterways, which is common for municipalities.

Councillor Henderson inquired if in Southwestern Ontario, whether anyone is completing any studies on how to reduce the use of road salt. Mr. Ryan stated that it is really up to the individual municipalities' preference and the level of service that they want to provide. It is on the radar for all municipalities, and they work towards finding ways to limit the amount they are using, such as automatic spreaders and operator training.

Mike Jorna stated that in the past, one of the greatest improvements of the salinity of the Avon River occurred when they moved the snow dump away from the Old Grove to the landfill site. He questioned where the snow is taken currently. Mr. Ryan stated that it is still taken to an area near the landfill site.

Adam Ryan, Manager of Public Works, departed the meeting at 4:33 p.m.

5. Updates from Carbon Reduction, Ecological and I.C.I. Waste Reduction Working Groups

Ecological

Craig Merkley reported that the work has been completed along the shoreline, the rocks on the south side near the Tom Patterson Theatre have all been fixed and they reinforced the toe slope.

E&E received the \$5,000.00 grant they applied for with the Invasive Species Council of Canada. The funds will be used over the next couple of years to help control invasive species in the T.J. Dolan area.

Vanni Azzano reported that the Tree Power event is taking place this Saturday and all the trees have been sold.

Craig Merkley stated that on April 23rd they will be doing a walk around the Lake as part of Green Week to see the recent work completed if anyone wants to join the tour.

Carbon Reduction

Emily Skelding reported that they are in talks with Climate Momentum to possibly set up a table on April 23rd during their event to talk about the greener homes grant. Councillor Henderson advised she has the E&E banner.

I.C.I. Waste Reduction

Sammie Orr reported that they have been focusing on supermarkets and grocery stores reducing plastics. They are looking at a Green Star type of program to honour businesses for their environmental initiatives, similar to the program in St. Marys.

6. Update from Active Transportation Advisory Committee

Felicity Sutcliffe updated the committee that Sarah Merkel from HPHA held a visioning session with members, discussing items they would like to see included in the transportation master plan as preparation for the upcoming stakeholders meeting.

7. Business Arising from Previous Minutes

7.1 Land Acknowledgement Update – Councillor Burbach

Councillor Burbach reported that staff has reached out to Indigenous groups in the area and have not received much feedback. Staff will continue to work on consultation activities to properly prepare a land acknowledgement.

7.2 Update on Climate Action Plan/Tax Deferral Program to Encourage Green Development in Stratford – Councillor Burbach

Councillor Burbach reported that the Climate Action Plan Working Group is making progress. The working group is made up of senior staff, with the plan to expand the members if needed. They are currently focusing on defining the staff role of the Climate Co-ordinator. The goal is to have the Co-ordinator hired by June 2022.

Mike Sullivan has sent E&E members a document from the Federation of Canadian Municipalities about creating green development standards and their suggestion that it should be part of a City's official plan. He inquired if Councillor Burbach approached the Climate Action Plan Working group about E&E doing a presentation. Councillor Burbach stated that they would welcome a presentation from E&E, however, would like to wait until the Climate Change Co-ordinator is hired. As they will be heading the project, it makes sense that they are there for the discussion.

Mike Sullivan inquired about the recent plan to sell off surplus land to developers for attainable housing for half price and also half price development charges. It was questioned whether there is any notion of green development standards being applied to this or whether these types of sales are going to slip through before any climate action plan takes place. Councillor Henderson will contact Joani Gerber, CEO of investStratford, to inquire if she can provide some information on what the green component of the grant is.

7.3 Update from Council on Trow Avenue Development

No new updates to report.

8. New Business

8.1 FCM – Green Development Standards

Mike Jorna suggested E&E review the document Mike Sullivan provided and prepare for a discussion at the May meeting. The Committee could pass a

Energy & Environment Advisory Committee
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resolution requesting Council consider adopting the report or at the very least the areas that apply to Stratford.

9. Upcoming Events

- Festival Hydro Tree Power Event – Saturday, April 9, 2022 (8-2 p.m.)
- River Clean Up – Saturday, April 23, 2022 (10-12 p.m.)

10. Date of Next Meeting – May 5, 2022 – 4:00 p.m., electronically

11. Adjournment

Motion by Emily Skelding

Seconded by Vanni Azzano

THAT the April 7, 2022 Energy & Environment Advisory Committee meeting adjourn. Carried

Meeting Start Time: 4:03 P.M.

Meeting End Time: 5:12 P.M.