



## **STRATFORD CITY COUNCIL ADDENDA**

Adoption of Addenda to the Council Agenda:

Motion by

**THAT the Addenda to the Regular Agenda of Council dated February 27, 2023, be added to the agenda as printed to include the following:**

### **7.0 Orders of the Day:**

- 7.2 Resolution - Subdivision Agreement and Part Lot Control Exemption By-law for the Daly Avenue and Worsley Street Residential Development (COU23-030)

Attachment – Management Report COU23-030 dated February 27, 2023

Motion by

**Staff Recommendation: THAT the Mayor and Clerk, or their respective delegates, be authorized on behalf of The Corporation of the City of Stratford to enter into a Subdivision Agreement with Daly Developments Inc. for the development of the Daly Avenue and Worsley Street Residential Development;**

**AND THAT a Part Lot Control Exemption By-law be adopted to facilitate the easements required for the purposes of a retaining wall, sanitary sewers, and storm drainage as they relate to the Daly Worsley subdivision.**

### **11.0 Reading of the By-laws:**

- 11.8 Entering into and Execution of a Subdivision Agreement for the Daly Avenue and Worsley Street Residential Development

To authorize the entering into and execution of a Subdivision Agreement with Daly Development Inc. for the Daly Avenue and Worsley Street Residential Development.

Attachment – Draft By-law 11.8

11.9 Exempt Certain Lands from Part Lot Control

To exempt certain lands from Part Lot Control, being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Registered Plan 44M-\_\_\_\_\_, in the City of Stratford, County of Perth.

Attachment – Draft By-law 11.9

## MANAGEMENT REPORT

**Date:** February 27, 2023  
**To:** Mayor and Council  
**From:** Nathan Bottema, Project Engineer  
**Report#:** COU23-030  
**Attachments:** Daly Avenue Draft 44M Plan

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**Title:** Subdivision Agreement and Part Lot Control Exemption By-law for the Daly Avenue and Worsley Street Residential Development

**Objective:** To enter into a subdivision servicing agreement with Daly Development Inc. for the Daly Avenue and Worsley Street Residential Development and approve a Part Lot Control Exemption By-law.

**Background:** Council granted draft approval for the proposed subdivision, and other lands, at the October 12, 2021 meeting. The development is located on the north side of Daly Avenue between St. Vincent Street South and Birmingham Street. The subdivision consists of 11 lots for two (2) single detached dwelling units, seven (7) semi-detached dwelling units, and two (2) duplex dwelling units on lands identified as 40, 48, 50, 60, 66, and 72 Daly Avenue.

**Analysis:** Daly Development Inc. has completed a servicing design in accordance with City of Stratford standards and the draft plan conditions.

The subdivision agreement requires the developer to dedicate a 3.35m easement along the Worsley Street frontage to the City of Stratford for municipal purposes.

In addition, the agreement will require the developer to extend the sidewalk along Daly Avenue, and replace the existing sidewalk, curb, and portions of the asphalt roadway along the Worsley Street and Daly Avenue frontage.

The topography of the subject land slopes downwards from Daly Avenue to Worsley Street. Servicing easements are required to provide sanitary sewer connections and overland stormwater drainage for the six (6) lots on Daly Avenue to the existing municipal infrastructure on Worsley Avenue. An easement is also required along two (2) lots on Daly Avenue for a retaining wall needed to maintain the existing buildings and adjacent properties' lot grades.

The developer is to provide the appropriate fees, securities, and proof of insurance as required by the subdivision agreement upon entering the agreement in addition to the payment of all City fees incurred as a result of the proposed development.

### **Financial Implications:**

#### **Financial impact to current year operating budget:**

There are no immediate impacts to the annual operating and maintenance costs for the roads, sidewalks, sewers and watermains due to the early stages of this project. All legal fees for registration of the agreement and City administrative costs including legal fees are the responsibility of the developer.

#### **Financial impact on future years' operating budget:**

Once the City assumes the subdivision, there will be operational costs that accompany the annual operations and maintenance for the roads, sidewalks, sewers and watermains. The increase in annual operations and maintenance costs are expected to be low because there are minimal changes to the existing municipal infrastructure.

### **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:**

#### **Land and Nature**

Protecting and restoring land for the benefit of people and wildlife.

#### **Travel and Transport**

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

**Staff Recommendation: THAT the Mayor and Clerk be authorized on behalf of The Corporation of the City of Stratford to enter into a Subdivision Agreement with Daly Developments Inc. for the development of the Daly Avenue and Worsley Street Residential Development.**

**AND FURTHER THAT the Part-Lot Control Exemption By-law to facilitate the easements required for the purposes of a Retaining Wall, Sanitary Sewers and Storm Drainage as they relate to the Daly Worsley subdivision, be approved.**

**Prepared by:**

**Recommended by:**

Nathan Bottema, Project Engineer

Taylor Crinklaw, Director of Infrastructure and  
Development Services

Joan Thomson, Chief Administrative Officer

APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990, C.P. 13 AS AMENDED, BY THE COUNCIL OF THE CORPORATION OF CITY OF STRATFORD, THIS \_\_\_\_\_ TH DAY OF \_\_\_\_\_, 2022.

MARTIN RITSMA – MAYOR

JOAN THOMSON – CITY CLERK  
WE HAVE THE AUTHORITY TO BIND THE CORPORATION

PLAN 44M–\_\_\_\_\_

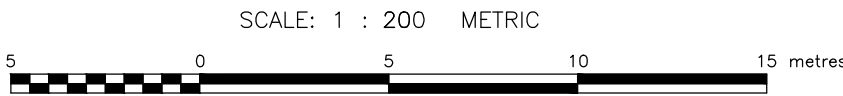
I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF PERTH (No. 44) AT \_\_\_\_\_ O'CLOCK ON THE \_\_\_\_\_ TH DAY OF \_\_\_\_\_, 2022, AND ENTERED IN THE REGISTER(S) \_\_\_\_\_ FOR P.I.N. 53140–0133 (LT) AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No. \_\_\_\_\_.

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF PERTH (NO.44)

THIS PLAN COMPRISES ALL OF THE LAND SHOWN AS P.I.N. 53140–0133 (LT)

PLAN OF SUBDIVISION

OF ALL OF  
LOTS 7, 8, 9, 10, 11 & 12  
REGISTERED PLAN No. 74  
IN THE  
CITY OF STRATFORD  
COUNTY OF PERTH



METRIC:  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

MONUMENTATION NOTE:  
ALL SET BARS ARE 18'S UNLESS OTHERWISE NOTED

INTEGRATED SURVEY INFORMATION  
FOR CONVERSION TO ASTRONOMIC BEARING A ROTATION OF 0°12'20" COUNTER–CLOCKWISE CAN BE APPLIED TO THE BEARINGS ON THIS PLAN.  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0)  
DISTANCES HEREON ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999600200.  
OBSERVED REFERENCE POINTS (ORP's): UTM ZONE 17, NAD83 (CSRS) (2010.0)  
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4801985.38	500825.19
ORP B	4801878.86	500900.18

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE–ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

LEGEND

□ denotes SET	MEAS denotes MEASURED
■ denotes FOUND	WIT denotes WITNESS
SIB denotes STANDARD IRON BAR	INST. denotes INSTRUMENT
IB denotes IRON BAR	No. denotes NUMBER
PB denotes PLASTIC BAR	P1 denotes DEPOSITED 44R–5647
WIB denotes ROUND IRON BAR	P.I.N. denotes PROPERTY IDENTIFICATION No.
CM denotes CONCRETE MONUMENT	
OU denotes ORIGIN UNKNOWN	

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT :  
1. LOTS 1 TO 11 (INCLUSIVE) HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.  
DAILY DEVELOPMENT INC.  
DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

PAUL VELDMAN  
'I HAVE THE AUTHORITY TO BIND THE CORPORATION'

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND AND THE REGULATIONS MADE UNDER THEM.  
2. THE SURVEY WAS COMPLETED ON NOVEMBER 30th, 2022.

DATE \_\_\_\_\_ DAVID RATHBY, OLS  
McKECHNIE SURVEYING LTD.

THIS PLAN OF SURVEY RELATES TO THE AOLS PLAN SUBMISSION V–XXXXX

DRAWN BY B. SHRUBSALL	FILE NO. 22–135
CHECKED BY D.J.R.	FILE NO. GRIT GE21–0025–1

GRIT  
ENGINEERING



FIELD:  
INTEGRATION:  
CADD: GE22–0164–1–RPLAN.dwg  
85 McIntyre Drive  
KITCHENER, ONTARIO  
N2R 1H6  
TEL : (519) 578–5570  
email : plans@kwsurveys.ca



**BY-LAW NUMBER XX-2023  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

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BEING a By-law to authorize the entering into and execution of a Subdivision Agreement with Daly Development Inc. for the Daly Avenue and Worsley Street Residential Development.

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

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

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

**AND WHEREAS** a decision was made by Council of The Corporation of the City of Stratford on October 12, 2021 to grant draft approval for the proposed subdivision, and other lands;

**AND WHEREAS** the Parties hereto wish to enter into a Subdivision Agreement with Daly Development Inc. for the Daly Avenue and Worsley Street Residential Development;

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

1. That the Subdivision Agreement between Daly Development Inc. and The Corporation of the City of Stratford be entered into and the Mayor and Clerk, or their respective delegates, be and are hereby authorized to execute the said Subdivision Agreement on behalf of and for this corporation and to affix the corporate seal thereto.
2. The lands referred to in this Subdivision Agreement are described as:
  - a. 40, 48, 50, 60, 66 and 72 Daly Avenue, legally described as Lots 7, 8, 9, 10, 11, and 12, Registered Plan 74 in the City of Stratford, County of Perth, shown as PIN 53140-0133 (LT).
3. The City Solicitor is authorized to cause the Subdivision Agreement referred to in Paragraph 1 herein, to be registered on title against the lands referred to in Paragraph 2 herein.

Read a FIRST, SECOND and THIRD time and  
FINALLY PASSED this 27th day of February, 2023.

\_\_\_\_\_  
Mayor – Martin Ritsma

\_\_\_\_\_  
Clerk – Tatiana Dafoe



**BY-LAW NUMBER XX-2023  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

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BEING a By-law to exempt certain lands from Part Lot Control, being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Registered Plan 44M-\_\_\_\_, in the City of Stratford, County of Perth.

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**WHEREAS** the Council for The Corporation of the City of Stratford pursuant to section 50(7) of the Planning Act, R.S.O. 1990, c.P. 13, as amended (the "Planning Act"), and pursuant to the written request from Daly Development Inc. considers it is expedient to exempt from Part Lot Control the lands described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Registered Plan 44M-\_\_\_\_, in the City of Stratford, County of Perth, being Parts 1 to 35, Plan 44R-\_\_\_\_ in the City of Stratford, County of Perth;

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

1. That section 50(5) of the Planning Act, does not apply to the following:

Those certain parcels or tracts of land and premises situate, lying and being located in the City of Stratford, in the County of Perth, being composed of:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 Registered Plan 44M-\_\_\_\_, in the City of Stratford, County of Perth, being Parts 1 to 35, Plan 44R-\_\_\_\_, City of Stratford, County of Perth, for the purposes of establishing easements for the Retaining Wall, Sanitary Sewers and Storm Drainage Systems as required by the Subdivision Agreement dated February 27, 2023 and shall not apply for any other purpose.

2. That this by-law comes into force and effect when it is approved by the City of Stratford and pursuant to the provisions of section 50(7.3) of the Planning Act shall expire on a day that is 18 months from the date upon which this by-law is passed by the Council for The Corporation of the City of Stratford without any further action being required of Council, unless at any time prior to the expiry of this by-law, Council amends this by-law to extend the time period specified in this section for the expiration of the by-law.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 27th day of February, 2023.

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Mayor – Martin Ritsma

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Clerk – Tatiana Dafoe