



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

Date: March 2, 2023
Time: 4:30 P.M.
Location: Council Chamber, City Hall

Sub-committee Present: Councillor Sebben - Chair Presiding, Councillor Burbach - Vice Chair, Councillor Biehn, Councillor McCabe, Councillor Wordofa

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

Also Present: Kate Mehlenbacher – Canadian Dairy XPO, Members of the Public

1. Call to Order

The 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 March 2, 2023, Planning and Heritage Sub-committee meeting.

3. Delegations

3.1 Request for Delegation by Canadian Dairy XPO

Kate Mehlenbacher, on behalf of the Canadian Dairy XPO, requested to address Sub-committee with respect to Item 4.1 of this agenda, "Requested Exemptions from Sign By-law 159-2004 Canadian Dairy XPO [CDX]". The purpose of the delegation was to request approval of the requested exemptions from the Sign By-law.

Motion by Councillor Burbach

Sub-committee Decision: THAT the delegation by Kate Mehlenbacher on behalf of the Dairy XPO regarding their request for exemption to the Sign By-law, be heard.

Carried

Sub-committee Discussion: Kate Mehlenbacher, on behalf of the Canadian Dairy XPO, stated they are requesting a Sign By-law exemption for their event as follows:

- directional signage to help direct participants to the facility;
- one sign would have the date of the event on it to let residents know it will be April 5-6, 2023; and,
- they would also like to have a cow statue installed on a side street to help with event spirit.

It was questioned by Sub-committee if the signs have already been created. Ms. Mehlenbacher stated they are a sandwich board type sign with directional signage on them and they have used them for many years.

It was further questioned by Sub-committee whether there have been any complaints related to signage in previous years. The Chief Building Official stated he was not aware of any previous complaints.

4. Report of the Municipal Law Enforcement Officer

4.1 Requested Exemptions from Sign By-law 159-2004 Canadian Dairy Expo [CDX] (PLA23-003)

Staff Recommendation: THAT the sign variance for nine (9) Temporary Sidewalk signs and one (1) cow statue located on municipal property throughout the city, be denied.

Sub-committee Discussion: The Chief Building Official provided an overview of the management report. Highlights of the overview included:

- applicants requesting the signs be installed from March 27 to April 7, 2023, with the event being held from April 5 and 6, 2023;
- staff not being supportive of the exemption request;
- the signs having been allowed under a previous Sign By-law but now being prohibited as they are on City property increasing risk;
- the signs exceeding the maximum height and size for sandwich board signs; and,
- should Council wish to permit the signs, staff having provided recommendations that an engineering report be submitted for anchorage of the signs and \$5 million in liability insurance be obtained.

A question and answer period between the Chief Building Official and Sub-committee took place as follows:

- the size for sandwich board signs in the By-law being a best practice size;
- there initially being a rounding down error in the By-law but it since being corrected;
- concern being noted with setting precedent if the request is approved;
- intention of the Sign By-law being safety and appropriate use of City property;
- in the past there having been one permit obtained for all of the signs, including the cow statue;
- the expectation of staff being that an engineer would be available but not being aware of the cost;
- the engineering report providing assurance that the signs would not blow down as they are large in size;
- staff having contact information for event organizers who would be contacted to address any issues with the signs if approved;

- it making sense for the event to have directional signage and the possible reduction in issues related to traffic;
- it being suggested that it would take a strong windstorm to blow the signs down;
- there being support for the event and for allowing the Sign By-law variance;
- a suggestion that the Sign By-law be amended so that signs would be permitted in similar circumstances for fairness if these signs are approved; and.
- the proposed cow being the same statue used previously.

Motion by Councillor Burbach

Sub-committee Recommendation: THAT the Sign By-law exemption request from the Canadian Dairy XPO for nine (9) Temporary Sidewalk signs be denied.

Carried

Motion by Councillor Burbach

Sub-committee Recommendation: THAT the Sign By-law exemption request from the Canadian Dairy XPO to install one (1) cow statue at the northeast corner of McCarthy Road West and Mornington Avenue be approved.

Carried

With respect to sandwich board signs in general, concerns have been noted by the Downtown Stratford BIA as follows:

- the height at 1m is problematic because pre-made signs are 45 inches;
- the current Sign By-law forces businesses to have custom signs made and it is more expensive;
- concern with the requirement for a yearly application due to the time and expense; and,
- consideration of a three-year sandwich board sign permit, or when a new sign is needed is requested.

Sub-committee Recommendation: THAT staff review amending Sign By-law 159-2004, as amended, to increase the height of

sandwich board signs to 45 inches and to require consideration of sandwich board sign applications every three years, or when a new sign is obtained;

AND THAT a report be presented at a future Planning and Heritage Sub-committee meeting.

Support from business owners for those amendments was noted, as well as concern about changing the By-law if a previous Council saw fit to adopt it and signs had already been created to meet those standards.

The Chair called the question on the motion.

Carried

5. Report of the Chief Building Official

5.1 Annual Building Permit Fee Report 2021 (PLA23-002)

Staff Recommendation: THAT the 2021 Building Inspection Admin G-251-2400 surplus of \$287,853.11, be approved for transfer to the Building Permit Reserve G-07-BSUR-0000;

AND THAT staff be directed to make the 2021 Annual Report on Building Permit Fees (Management Report PLA23-002), available to the public, as required by subsection 7(5) of the Building Code Act, by posting a copy on the City's website.

Sub-committee Discussion: The Chief Building Official provided an overview of the management report. Highlights of the overview included:

- this report being to consider permit fees collected for operational costs in 2021;
- a further report being prepared for 2022 fees;
- the Building Code Act establishing that Council is responsible for administration of the Code and appointing of staff to ensure administration and enforcement of building permitting services;
- as per the Building Code Act, the City being required to present an annual report on permit fees received and direct and indirect costs to administer and enforce the Act;
- as of December 2021, the balance in the reserve fund being \$29,022.16;

- the Building Division being a revenue neutral department and the reserve being used to draw from in the case that revenue does not meet expenses;
- fees collected in 2021 being just over \$1 million;
- direct and indirect costs for 2021 as noted in the report being reviewed;
- the fees collected minus the costs resulting in a surplus of \$287,853.11;
- staff recommending the surplus be added to the reserve fund, which would increase the reserve fund to \$316,875.27;
- there being a 5% increase in overall costs in 2021, due to a return in average spending following Covid and an increase in consultant fees due to a staff vacancy; and,
- Council having previously given direction to have one (1) years worth of operating costs and those costs being approximately \$600-700k per year.

Motion by Councillor Burbach

Sub-committee Recommendation: THAT the 2021 Building Inspection Admin G-251-2400 surplus of \$287,853.11, be approved for transfer to the Building Permit Reserve G-07-BSUR-0000;

AND THAT staff be directed to make the 2021 Annual Report on Building Permit Fees (Management Report PLA23-002), available to the public, as required by subsection 7(5) of the Building Code Act, by posting a copy on the City's website.

Carried

6. Department Update

Sub-committee Discussion: The Manager of Planning advised staff are working on a format to share division information with Sub-committee. Historically, staff shared active planning application information and building permit numbers and that information is being reviewed to ensure confidentiality is maintained. Information in future department updates may include recently approved applications as they are the ones that will be noticed in the community.

The Manager advised that the Official Plan review proposals have been reviewed. Staff will be bringing forward a report to recommend a candidate in the near future. The consultant is recommending a timeline of March 2024 for the review to be complete, with completing at the latest by July 2024.

It was questioned by Sub-committee whether there was a timeline for completion of the review. The Manager stated that it is intended to be a five year update, however, the last update was completed in 2014 so a review is overdue. It was suggested it was a good time to be doing a review as there have been many legislative changes from the Province, with more to come.

It was questioned by Sub-committee whether the accompanying documents to the Official Plan would also be reviewed. The Manager stated that the consultant is undertaking a comprehensive review. That review includes a vacant land inventory, population projections, a land need analysis, and a review of natural heritage. This will provide information on whether additional land is required for residential, commercial, or industrial development.

7. Advisory Committee/Outside Board Minutes

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

8. Next Sub-committee Meeting

The next Planning and Heritage Sub-committee meeting is March 30, 2023 at 4:30 p.m. in the Council Chamber, City Hall.

9. Adjournment

Motion by Councillor McCabe

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

Carried

Meeting Start Time: 4:30 P.M.

Meeting End Time: 4:57 P.M.