



The Corporation of the City of Stratford Infrastructure, Transportation and Safety Committee MINUTES

Date: Monday, June 12, 2023
Time: 9:03 P.M.
Location: Council Chamber, City Hall

Committee Present:	Councillor Burbach - Chair Presiding, Councillor Nijjar - Vice Chair, Mayor Ritsma, Councillor Beatty, Councillor Biehn, Councillor Briscoe, Councillor Hunter, Councillor McCabe, Councillor Sebben, Councillor Wordofa
Regrets:	Councillor Henderson
Staff Present:	Tatiana Dafoe - City Clerk, Taylor Crinklaw - Director of Infrastructure and Development Services, John Paradis - Fire Chief, Karmen Krueger - Director of Corporate Services, Kim McElroy – Acting Chief Administrative Officer/Director of Social Services, Tim Wolfe - Director of Community Services, Anne Kircos - Director of Human Resources, Jodi Akins - Council Clerk Secretary
Also Present:	Members of the public and media

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

Councillor Biehn declared a pecuniary interest on the following Items:

- 4.1 - Request for Delegation by Jenna McNamara, and
- 5.1 - Request for Noise Control By-law Exemption - Jubilee Stratford (ITS23-017).

Councillor Biehn declared an indirect pecuniary interest as her husband is the pastor of the church seeking the Noise Control By-law exemption.

3. Sub-committee Minutes

Sub-committee minutes were provided for background regarding the discussion held at the May 24, 2023 Sub-committee meeting.

4. Delegations

4.1 Request for Delegation by Jenna McNamara

Committee Discussion:

Motion by Councillor Sebben

Seconded by Councillor McCabe

Committee Decision: THAT the delegation by Jenna McNamara be heard.

Carried

Councillor Biehn declared a pecuniary interest on item 4.1. As Councillor Biehn declared a pecuniary interest, she did not participate in the discussion or vote on this matter.

Jenna McNamara, as a representative of several residents on Morgan Street, expressed concerns about the request for a Noise Control By-law exemption request submitted by the Stratford Jubilee Church. Jenna McNamara stated:

- this has been an ongoing matter for the past few years;
- in 2021, a number of residents, excluding her own household, received notice about the erection of a non-permanent tent;

- the purpose of the non-permanent tent was to facilitate religious gatherings in the safety of the outdoors during the Covid-19 pandemic;
- the residents initially found solace for this temporary solution during the pandemic and endured the overwhelming volume of music emanating from the tent;
- at the time, the residents did not know it would become a reoccurring event and would subject them to religious services and loud music every weekend during the summer;
- her backyard is located approximately 40 feet away from the tent's location and when the decibel level exceeds permitted levels, they cannot enjoy their backyard and struggle to sleep during the event due to the amount of noise;
- although outdoor noise guidelines suggest that music should be lowered by 10:00 p.m. the band practices, including loud drum solos, and ceremonies themselves exceed well into the night and disregard those guidelines;
- in recent communications, the residents learned that in addition to weekend events there will be one event in the evening to 9:00 p.m.;
- while the residents are supportive of only one event in the evening, it does not deal with the disruption they experience on the weekends;
- the stop gap measure to ensure services could continue during the pandemic has turned into a regular summer weekend event;
- the World Health Organization declared the pandemic over and now there is no longer a need for an outdoor venue;
- the residents cannot bear the burden of sacrificing their happiness, experiencing sleep disturbances, and the disregard for residential noise by-laws; and
- many residents on Morgan Street hope the Church will use their existing indoor space for the holding of their services.

5. Report of the Events Coordinator

5.1 Request for Noise Control By-law Exemption - Jubilee Stratford (ITS23-017)

Staff Recommendation: THAT approval be given to the event organizers at Jubilee Stratford located at 707 Downie Street for an exemption to Noise Control By-law 113-79 for the outdoor Sunday Service every Sunday from 10:00 a.m. to 1:00 p.m. commencing Sunday, July 2, 2023, until Sunday, September 3, 2023, and for an additional service on Sunday, August 6, 2023 from 6:00 p.m. to 10:00 p.m., from the following provisions:

- Unreasonable noise [Schedule 1 clause 8],
- The operation of loudspeakers and amplification of sound [Schedule 2 Clause 2].

Committee Discussion: The Director of Community Services advised the required notice procedure was followed for this Noise Control By-law exemption request. Following the notice period, three (3) responses were received, one did not express any concerns and two responses were opposed to the request. The Director stated the music will be played from 10:00 a.m. to 1:00 p.m. There will be one evening event which will be held from 6:00 p.m. to 9:00 p.m. The Director noted correspondence was sent between the pastor of the church and a resident confirming the timing of the events would be adhered to.

A request was made for the motion to be amended to show the event on August 6, 2023, would be held from 6:00 p.m. to 9:00 p.m.

Motion by Councillor Briscoe

Seconded by Councillor Beatty

Committee Recommendation: THAT approval be given to the event organizers at Jubilee Stratford located at 707 Downie Street for an exemption to Noise Control By-law 113-79 for the outdoor Sunday Service every Sunday from 10:00 a.m. to 1:00 p.m. commencing Sunday, July 2, 2023, until Sunday, September 3, 2023, and for an additional service on Sunday, August 6, 2023 from 6:00 p.m. to 9:00 p.m., from the following provisions:

- Unreasonable noise [Schedule 1 clause 8],

- **The operation of loudspeakers and amplification of sound [Schedule 2 Clause 2].**

Discussion between members of Committee and staff was held as follows:

- whether any mitigation measures were discussed in response to the two opposition letters received;
- the letters having expressed noise related concerns, specifically that the houses are located directly behind the church and the amplifiers and speakers in the tent are pointed in the direction of the houses;
- it being questioned whether the speakers could be turned away to try and attenuate the noise;
- there likely being some mitigation measures that can be implemented to mitigate the noise level and placement of the speakers; and
- a member expressing concern that the City does not have the resources to measure the decibels and that the City does not know how loud or disruptive the event is for surrounding neighbours.

The Chair called the question on the motion.

Carried

6. Report of the Supervisor of Waste Operations

6.1 Master Service Agreement and Statements of Work between City of Stratford and Circular Materials (CMO) for Blue Box Services from May 1, 2024 to December 31, 2025 (ITS23-016)

Staff Recommendation: THAT The Corporation of the City of Stratford enter into an agreement with Circular Materials Ontario for the City of Stratford to be the service provider for Blue Box program recycling services for the Transition Period of May 1, 2024, to December 31, 2025;

AND THAT the Mayor and City Clerk, or their respective delegates, be authorized to sign the necessary agreement.

Committee Discussion: The Director of Infrastructure and Development Services provided an overview of the management report as follows:

- the purpose of the report being to bring forward the master service agreement and statements of work that staff negotiated with Circular Materials Ontario (CMO);
- the second purpose of the report being to seek approval to enter into the agreement with CMO for the transition period;
- background on the report being provided as follows:
 - in 2019 the Ministry of the Environment, Conservation, and Parks directed the transition to manage the blue box system to a full producer system whereby the producer is responsible for paying for all collection and recycling of residential materials;
 - the City of Stratford's transition period beginning on May 1, 2024 and ending on December 31, 2025;
 - the full producer pay system starting on January 1, 2026;
 - the City working with CMO to maintain the existing collection services during the transition period;
 - the City becoming the contractor with CMO through a master service agreement;
 - the City accomplishing this by maintaining the existing contract with Canada Waste Management who is effectively the subcontractor for this contract;
 - CMO covering the cost of collection and processing services for eligible sources;
 - eligible sources including residential dwellings, multi residential buildings, public spaces, schools, retirement and nursing homes;
 - eligible sources not including commercial or business entities;
 - the City having received the draft agreement in mid-April and there being an expectation that to proceed the agreement would be fully signed by the end of June 2023;
 - staff having worked hard to make adjustments to the agreement to meet the City's needs;

- staff not having identified any major concerns with the draft agreement and it having been reviewed by the City's Solicitor;
- the draft agreement outlining how the existing service will remain relatively the same during the transition period and the majority of costs being covered by CMO;
- since CMO, under the new legislation, is not required to provide services for commercial or industrial sectors, staff anticipate a slight adjustment to existing services for these sectors during the transition period which will likely impact small businesses in the downtown core;
- the management report highlighting key considerations and level of remuneration from CMO as follows:
 - curbside collection will be compensated on a per stop basis for an estimated total of \$1.7 million;
 - in comparison, the existing contract for curbside collection would cost approximately \$1.72 million, which is fairly comparable in cost recovery;
 - the City being expected to pay for ineligible sources from commercial and industrial sectors and the cost is approximately \$65,000 during the transition period;
 - CMO providing compensation in the amount of \$100,000 to maintain recycling collection at the depot which seemed fair and reasonable to staff as it exceeds service contract costs and is anticipated to cover staff time;
 - for community promotion and education, CMO will compensate the City \$20,000, and staff anticipate spending \$10,000 on these initiatives;
- supporting this request will minimize the impact to residents and businesses during the transition period and avoid elevated costs of approximately \$490,000 to cancel existing waste collection contracts; and
- the cost recovery from CMO is fair and reasonable and gives both staff and residents time to adjust to new service expectations.

Motion by Mayor Ritsma

Seconded by Councillor Beatty

Committee Recommendation: THAT The Corporation of the City of Stratford enter into an agreement with Circular Materials Ontario for the City of Stratford to be the service provider for Blue Box program recycling services for the Transition Period of May 1, 2024, to December 31, 2025;

AND THAT the Mayor and City Clerk, or their respective delegates, be authorized to sign the necessary agreement.

A member questioned whether there are any changes residents should anticipate. The Director of Infrastructure and Development Services advised during the transition period the City will be maintaining the service with the same contractor and that residents will not notice any changes. The Director stated small businesses that currently receive collection services which are now considered ineligible might see some adjustments. The Director provided an example that any new business after 2024 will no longer be able to be a part of the collection system. For these cases, staff will need to review and identify a way to manage the service during the transition period which might mean staff physically picking up the recycling material from those businesses.

The Chair called the question on the motion.

Carried

7. Sub-committee Recommendation

7.1 Request for Delegation by Jason Azevedo and Melanie Hepburn

Jason Azevedo and Melanie Hepburn requested to address Sub-committee to ask for a by-law to be prepared which would allow them to operate their business in Stratford. This request relates to Ontario Regulation O. Reg 411/22 under the Highway Traffic Act. Under this Ontario Regulation, municipalities can participate in Pilot Programs which permit the operation of large quadricycles on roads.

Sub-committee Recommendation: THAT staff prepare a report regarding the use of large quadricycles on City streets for consideration by Sub-committee.

Motion by Councillor Beatty

Seconded by Councillor Hunter

Committee Recommendation: THAT staff prepare a report regarding the use of large quadricycles on City streets for consideration by Sub-committee.

Carried

8. For the Information of Committee

8.1 Department Update

The Director provided an update on department activities and ongoing projects.

8.2 Advisory Committee/Outside Board Minutes

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

- Accessibility Advisory Committee minutes of April 4, 2023
- Active Transportation Advisory Committee minutes of March 22, 2023
- Energy and Environment Advisory Committee minutes of April 6, 2023

9. Adjournment

Motion by Councillor Sebben

Seconded by Councillor Nijjar

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

Carried

Meeting Start Time: 9:03 P.M.

Meeting End Time: 9:21 P.M.