



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4729th
Date: Monday, September 25, 2023
Time: 7:00 P.M.
Location: Council Chamber, City Hall

Council Present: Mayor Ritsma - Chair Presiding, Councillor Biehn, Councillor Burbach, Councillor Henderson, Councillor Hunter, Councillor McCabe, Councillor Nijjar, Councillor Sebben, Councillor Wordofa

Regrets: Councillor Beatty, Councillor Briscoe

Staff Present: Joan Thomson - Chief Administrative Officer, Tatiana Dafoe - City Clerk, Kim McElroy - Director of Social Services, Tim Wolfe - Director of Community Services, Taylor Crinklaw - Director of Infrastructure Services, Karmen Krueger - Director of Corporate Services, Anne Kircos - Director of Human Resources, Adam Betteridge - Director of Building and Planning Services, Neil Anderson - Acting Fire Chief, Chris Bantock - Deputy Clerk, Joani Gerber – CEO of investStratford, Zac Gribble – Executive Director of Destination Stratford, Urja Modi- MHBC Intermediate Planner, Robyn McIntyre – MHBC Planner

Also Present: Members of the public and media

1. Call to Order:

Mayor Ritsma, Chair presiding, called the Council meeting to order.

Councillor Beatty and Councillor Briscoe provided regrets for this meeting.

Land Acknowledgment

Moment of Silent Reflection

Singing of O Canada

2. Declarations 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 to otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No declarations of pecuniary interest were made by a member at the September 25, 2023, Regular Council meeting.

3. Adoption of the Minutes:

R2023-427

Motion by Councillor Henderson

Seconded by Councillor Burbach

THAT the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated September 11, 2023 be adopted as printed.

Carried

4. Adoption of the Addenda to the Agenda:

R2023-428

Motion by Councillor Hunter

Seconded by Councillor McCabe

THAT the Addenda to the Regular Agenda of Council and Standing Committees dated September 25, 2023, to add Appointment of Director of Emergency Services/Fire Chief (COU23-116) and a draft By-law, be added to the Agenda as printed.

Carried

5. Report of the Committee of the Whole In-Camera Session:

5.1 At the September 25, 2023, Session, under the Municipal Act, 2001, as amended, matters concerning the following items were considered:

4.1 Proposed Disposition of Land in the Wright Business Park - Proposed or pending acquisition or disposal of land by the municipality or local board (section 239.(2)(c)) (includes municipal property leased for more than 21 years); and Advice that is subject to solicitor-client privilege including communications necessary for that purpose (section 239.(2)(f)).

5.1 Corporate Leadership Team Appointment - Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b)).

At the In-camera Session, direction was provided to the Chief Administrative Officer and City Solicitor on Item 4.1. Regarding Item 5.1, personal information was received and no direction was given.

6. Hearings of Deputations and Presentations:

None scheduled.

7. Orders of the Day:

7.1 Proclamation - Probus Month

R2023-429

Motion by Councillor Nijjar

Seconded by Councillor Biehn

THAT Stratford City Council hereby proclaims October 2023 as "Probus Month" in the City of Stratford.

Carried

7.2 Correspondence - Fire Prevention Week 2023

This year's Fire Prevention Week campaign, "Cooking safety starts with YOU! Pay attention to fire prevention", works to educate everyone about simple but important actions they can take to keep themselves and those around them safe from cooking fires.

From October 8 – 14, 2023, the Stratford Fire Department will participate in Fire Prevention Week through the following engagement opportunities:

- Radio advertisements aired on CJCS promoting a message of fire safety;
- Two-page advertisement in the Stratford Beacon Herald;

- Fire Prevention booth set up at Stratford Mall (formerly Festival Market Place), inside Canadian Tire, with educational materials and a Fire Prevention Officer on hand to engage with the public; and
- Social Media Campaign throughout the City of Stratford social media platforms.

This was provided for the information of Council.

7.3 Resolution - DTS BIA Public Art Proposal at 39 George Street (COU23-109)

R2023-430

Motion by Councillor Burbach

Seconded by Councillor Wordofa

THAT the painting of the concrete barriers located at 39 George Street W as facilitated and paid for by the Downtown Stratford Business Improvement Area, be approved.

In response to a question regarding feedback from neighboring businesses, the Director of Infrastructure Services advised that adjacent businesses and the police station were not consulted.

Mayor Ritsma called the question on the motion.

Carried

7.4 Proclamation - Local Government Week 2023

R2023-431

Motion by Councillor Biehn

Seconded by Councillor McCabe

THAT Stratford City Council hereby proclaims October 15-21, 2023 as "Local Government Week" in the City of Stratford to increase public awareness of the important roles local governments play in our communities.

Carried

7.5 Resolution - Zone Change Application Z02-23, 203 and 209 Waterloo Street South, Stratford

Urja Modi, Intermediate Planner, from MHBC on behalf of the City, provided a PowerPoint presentation regarding zone change application Z02-23. Highlights of the presentation included:

- a public meeting having been held on August 14, 2023, with no comments received;
- the application proposing a 10 unit residential building with 11 parking spaces and 1 accessible parking space;
- staff no longer recommending that a holding provision be placed on the subject lands as required noise implementation measures can be achieved through site plan control;
- the road widening already having been conveyed;
- the subject lands being designated downtown core;
- the proposed development being a permitted use under the City's Official Plan; and
- comments having been received from agencies and city departments, including concerns from CN Rail requiring a noise and vibration study to be undertaken.

A question and answer period was held with respect to:

- the noise and vibration study being implemented through site plan control;
- Bill 23 initially exempting developments with 10 units or less from site plan control; and
- proximity to CN Rail providing for ability to take application through the site plan control process.

Tracey Pillon-Abbs, Principal Planner for the applicant advised they were in support of the staff recommendation, including that the initial request for a holding provision be replaced with site plan controls to streamline and complete a noise and vibration study.

Discussion continued with respect to:

- the request from CN Rail not having been asked for in the past and administration working to figure out how best to move forward;
- allowing development to occur under proper conditions through site plan control;

- the development prior to Bill 23 being required to go through site plan control;
- there being little mechanism to impose requirements through an agreement without site plan control;
- agency comments from CN Rail under the Planning Act requiring the development to go through site plan control when it otherwise would not have; and
- a conveyance no longer being required as the road widening has already been granted to the municipality.

The City Clerk clarified that the recommendation was to add that the development be subject to site plan control and remove the holding provision requirement.

R2023-432

Motion by Councillor McCabe

Seconded by Councillor Biehn

THAT application Z02-23 to amend the site-specific zoning at 203 and 209 Waterloo Street South to add the use of Cluster Townhouse Dwelling and to permit reduced front yard setbacks and walkways widths BE APPROVED for the following reasons:

- 1. The request is consistent with the Provincial Policy Statement;**
- 2. The request is in conformity with the goals, objectives, and policies of the Official Plan;**
- 3. The zone change will permit a residential development that is appropriate for the subject lands; and**
- 4. The public were consulted during the application circulation and comments that have been received in writing or at the public meeting have been reviewed, considered, and analyzed within the Planning Report.**

AND THAT Council require that the proposed development be subject to Site Plan Control in accordance with Section 41 of the Planning Act, RSO 1990, in order to implement the recommendations of a Noise and Vibration Study to address CN

Rail's requirements for such studies in close proximity to rail operations.

Carried

7.6 Resolution - Zone Change Application Z03-23, 473 Douro Street and 160, 169 and 172 Frederick Street

Urja Modi, Intermediate Planner, from MHBC on behalf of the City, provided a PowerPoint presentation regarding zone change application Z03-23. Highlights of the presentation included:

- a public meeting having been held on August 14, 2023, with no comments received;
- the application seeking to amend the Zoning By-law to implement consent applications;
- Zoning By-law amendment to implement consent applications;
- parcel 1 of the subject lands not having any amendments;
- parcel 2 of the subject lands having an amendment regarding lot depth;
- parcel 3 of the subject lands being proposed for light industrial uses;
- parcel 4 of the subject lands to become a parking area;
- staff having modified permitted uses for light industrial to remove animal shelter as a permitted use;
- a holding symbol being placed on parcels 3 and 4 until the completion of a noise study;
- the site currently designated as industrial under the City's Zoning By-law;
- Engineering staff comments being received regarding the conveyance of a 1.4 meter road widening and requirements of storm water management which will be addressed during site plan control;
- public concerns received and being reviewed further through site plan control including storm water management and potential

flooding on abutting lots, impacts on property lines and approximal hedge, and traffic impacts on the area; and

- it not being anticipated that the application will have any impact on abutting properties.

Discussion was held with respect to:

- confirmation that it will be light industrial uses permitted at 172 Frederick Street; and
- the noise study accounting for any permitted uses under light industrial with the exception of an animal shelter.

Tracey Pillon-Abbs, Principal Planner for the applicant advised they were in support of the staff recommendation. Further, they are also supportive of going through site plan control and the implementation of a holding provision.

R2023-433

Motion by Councillor Hunter

Seconded by Councillor Burbach

THAT application Z03-23 to amend the site-specific zoning at 473 Douro Street and 160, 169 and 172 Frederick Street to permit: reduced lot areas, lot frontages and lot depths; limited light industrial uses on 172 Frederick Street, as altered by Staff; and, the off-site location of required parking at 169 Frederick Street servicing 172 Frederick Street BE APPROVED for the following reasons:

- 1. The request is consistent with the Provincial Policy Statement;**
- 2. The request is in conformity with the goals, objectives, and policies of the Official Plan;**
- 3. The zone change will permit the development of additional industrial buildings on underutilized lands;**
- 4. The zone change will satisfy the conditions of the provisionally-approved consent to sever applications (B01-23 & B02-23) for the subject lands; and**

- 5. The public were consulted during the application circulation and comments that have been received in writing or at the public meeting have been reviewed, considered, and analyzed within the Planning Report.**

AND THAT Council place a Holding Symbol on the subject lands to limit the permitted uses on the site municipally addressed 172 Frederick Street to existing, legally established uses in existence on the date of passing of the Bylaw, and to limit the permitted uses on the sites municipally addressed 473 Douro Street and 160 Frederick Street to all permitted uses of the General Industrial (I2) zone for the following reasons:

- 1. To warrant the submission of a Noise Impact Study to the City, to the satisfaction of the City, to evaluate and mitigate potential adverse noise impacts on the surrounding residential land uses.**

AND THAT Council pass a resolution that no further notice is required under Section 34(17) of the Planning Act, for the following reasons:

- 1. The alterations to the proposed Zoning By-law Amendment proposal are minor in nature, being limited to the placing a Holding Symbol on the Subject Lands requiring the completion of a Noise Study prior to deeming a Site Plan Approval for 172 Frederick Street and, the removal of a requested use from the list of permitted light industrial uses for 172 Frederick Street.**

Carried

7.7 Resolution - 2024 Fees and Charges (COU23-113)

Motion by Councillor Nijjar

Seconded by Councillor McCabe

THAT the By-law to set the 2024 fees and charges for services performed by the City of Stratford be adopted as presented, to take effect January 1, 2024.

A question and answer period was held between members and staff with respect to:

- some fees ending in cents and staff taking this into consideration for 2025;
- it being reported that the fee for single swim family decreased but the schedule identifying a cost of \$16; and
- consideration for family passes of skating and aquatics both being \$15.

R2023-434

Motion by Councillor Burbach

Seconded by Councillor Henderson

THAT the Draft 2024 Fees and Charges By-law be amended to set the fee for skating and aquatics family passes at a rate of \$15.00.

Carried

Discussion continued with respect to the five day camp increase to \$190 being quite significant and a preference to keep it at a cost of \$155.

R2023-435

Motion by Councillor Sebben

Seconded by Councillor Henderson

THAT the Draft 2024 Fees and Charges By-law be amended to set the fee for 5-day Week Day Camps at a rate of \$155.00.

Carried

R2023-436

Motion by Councillor Burbach

Seconded by Councillor Henderson

THAT the Draft 2024 Fees and Charges By-law be amended to set the fee for bag tags at the 2023 rate of \$3.75.

Discussion continued with respect to:

- seeing savings over time with the new blue box program;
- concern with reducing too many user fees when costs of delivery are going up;
- the importance of people paying for the services they actually use; and
- garbage collection being a necessary service and not an optional service for those who want to participate.

Mayor Ritsma called the question on the amending motion.

Carried

Mayor Ritsma called the question on the main motion, as amended.

R2023-437

Motion by Councillor Nijjar

Seconded by Councillor McCabe

THAT the By-law to set the 2024 fees and charges for services performed by the City of Stratford be adopted as amended to include the following changes:

- **the fee for a family pass for skating and aquatics to be \$15.00;**
- **the fee for the 5-day Week Day Camps to be \$155.00; and**
- **the fee for a bag tag to remain at the 2023 rate of \$3.75;**

AND THAT the By-law take effect January 1, 2024.

Carried

7.8 Resolution - 47 Downie Roof Replacement – T-2023-49 Award (COU23-114)

R2023-438

Motion by Councillor McCabe

Seconded by Councillor Hunter

THAT the Tender (T-2023-49) for the replacement of the upper and lower roofing systems at 47 Downie Street, be awarded to Nedlaw Roofing Ltd. at a total cost of \$153,035.90, including HST;

THAT Facilities Capital Reserve Fund R-R11-FACI be used to provide the funding required;

AND THAT if additional work is required, subject to approval by the Director of Community Services, an additional contingency of \$8,000 be authorized to fund any potential issues that are not within the scope of work from Facilities Capital Reserve Fund R-R11-FACI.

Carried

7.9 Resolution - Stratford Public Library Partial Roof Replacement – T-2023-50 Award (COU23-115)

R2023-439

Motion by Councillor McCabe

Seconded by Councillor Hunter

THAT the T-2023-50 for the replacement of the upper roofing system at the Stratford Public Library be awarded to Smith-Peat Roofing and Sheet Metal Ltd. for a total cost of \$167,420.80, including HST;

THAT Facilities Capital Reserve Fund R-R11-FACI be used to provide the funding required;

AND THAT if additional work is required, subject to approval by the Director of Community Services, an additional contingency of an additional \$7,000 be authorized to fund any potential issues that are not within the scope of work from Facilities Capital Reserve Fund R-R11-FACI.

Carried

7.10 ADDED - Resolution - Appointment of Director of Emergency Services/Fire Chief

The Chief Administrative Officer (CAO) advised that, following the resignation of the Fire Chief, recruitment was undertaken for a replacement as there is a requirement for the City to have a Fire Chief. The CAO advised that Neil Anderson is being recommended for the position, effective September 26, 2023. A by-law for appointment will also be considered at this meeting.

R2023-440

Motion by Councillor Biehn

Seconded by Councillor Wordofa

THAT Neil Anderson be appointed Director of Emergency Services / Fire Chief for The Corporation of the City of Stratford effective September 26, 2023;

AND THAT a By-law authorizing the appointment and repeal of By-law 7-2015 be adopted.

Carried

8. Business for Which Previous Notice Has Been Given:

None scheduled.

9. Reports of the Standing Committees:

There were no Standing Committee reports to be considered by Council.

10. Notice of Intent:

10.1 Notice of Motion

At the October 10, 2023, Regular Council meeting, Councillor Biehn intends to put forward the following motion for consideration:

THAT Stratford City Council send a letter to the Federal Government to request home heating bills be exempt from the Federal Carbon Tax.

11. Reading of the By-laws:

The following By-laws required First and Second Readings and Third and Final Readings and were taken collectively upon unanimous vote of Council present:

R2023-441

Motion by Councillor Henderson

Seconded by Councillor Burbach

THAT By-laws 117-2023 to 123-2023 be taken collectively.

Carried unanimously

R2023-442

Motion by Councillor Biehn

Seconded by Councillor Burbach

THAT By-laws 117-2023 to 123-2023 be read a First and Second Time.

Carried two-thirds support

R2023-443

Motion by Councillor Hunter

Seconded by Councillor Burbach

THAT By-laws 117-2023 to 123-2023 be read a Third Time and Finally Passed.

Carried

11.1 Fees and Charges for 2024 - By-law 117-2023

To establish fees and charges to be collected by The Corporation of the City of Stratford and to repeal By-law 128-2022 as amended.

11.2 Amend City of Stratford Zoning By-law 10-2022 to Rezone the Lands Known Municipally as 203 and 209 Waterloo Street - By-law 118-2023

To amend Zoning By-law 10-2022, as amended, with respect to Zone Change Application Z02-23 to rezone part of Part Lots 3, 4 and 5, Lot 4, Plan 75, City of Stratford, designated as Parts 2, 3, and 4 on Registered Reference Plan No. 44R-5097.

11.3 Amend City of Stratford Zoning By-law 10-2022 to Rezone the Lands Known Municipally as 473 Douro Street and 172 Frederick Street - By-law 119-2023

To amend Zoning By-law 10-2022 as amended, with respect to Zone Change Application Z03-23 to rezone Pt Corrie's Private Lane Plan 102 Stratford, Pt Lot 29 Plan 102 Stratford, Pt Lot 30 Plan 102; being parts 1, 3, 4 Reference Plan 44R-4828 Stratford as shown in PIN 53138-0091 and Pt Lot 10 Plan 70 Stratford as in R223756 in the City of Stratford as shown in PIN 53138-0065.

11.4 Award Tender for Roofing Systems at 47 Downie Street - By-law 120-2023

To authorize the acceptance of a tender from Nedlaw Roofing Ltd. for the replacement of the upper and lower roofing systems at 47 Downie Street (T-2023-49).

11.5 Appoint Building Inspectors - By-law 121-2023

To amend By-law 8-2009, as amended, to appoint Wilyam Swift, Mike McKean of RSM Building Consultants, John Drahorat of RSM Building Consultants, and Andy Lamers of RSM Building Consultants as Inspector under the Building Code Act for The Corporation of the City of Stratford.

**11.6 Award Tender for Roofing Systems at the Stratford Public Library
- By-law 122-2023**

To authorize the acceptance of a tender from Smith-Peat Roofing and Sheet Metal Ltd. for the replacement of the upper roofing system at the Stratford Public Library, 19 St. Andrews Street (T-2023-50).

11.7 ADDED - Appointment of Director of Emergency Services/Fire Chief - By-law 123-2023

To appoint Neil Anderson as Director of Emergency Services / Fire Chief in the City of Stratford effective September 26, 2023 and to repeal By-law 7-2015

12. Consent Agenda: CA-2023-112 to CA-2023-114

Council did not advise of any items to be considered on the Consent Agenda.

13. New Business:

13.1 GO Train Services

A member advised, following announcement of the cancelled GO Train Service to Stratford, that a petition had been collected with over 2,500 signatures asking for Metrolinx and the Ontario government to continue the service. The petition is entitled "Save the London to Toronto Go Train Route". It was stated that for Council to receive this petition, petition organizers must submit it before October 3, 2023, and that the petition would then be presented at the October 10, 2023, Council meeting.

Motion by Councillor Burbach

Seconded by Councillor McCabe

THAT the petition entitled "Save the London to Toronto Go Train Route", upon receipt by staff, be forwarded directly to the Minister of Transportation and the Chief Executive Officer of Metrolinx.

The City Clerk advised of procedural and privacy concerns with respect to forwarding the petition in this manner. Members were advised that it would be the preference of staff to wait until October 10 when it could be received by Council.

Mayor Ritsma advised that his office has been in contact with both levels of government and the local MPP to get an audience with Metrolinx. It was confirmed that this is a concern of staff and the Mayor's Office, of

which both are pursuing VIA and Metrolinx to come to the table for discussions. It was further advised that Transport Canada continues to work on a proposal and long term solution.

The motion on the floor was withdrawn.

R2023-444

Motion by Councillor Burbach

Seconded by Councillor McCabe

THAT staff be directed to request a meeting with the Minister of Transportation and the Chief Executive Officer of Metrolinx regarding the cancellation of the GO Train service to Stratford.

The Mayor advised that letters have already been sent twice to both parties.

Mayor Ritsma called the question on the motion.

Carried

14. Adjournment to Standing Committees:

The next Regular Council meeting is October 10, 2023 in the Council Chamber, City Hall.

R2023-445

Motion by Councillor Hunter

Seconded by Councillor Burbach

THAT the Council meeting adjourn to convene into Standing Committees as follows:

- **Finance and Labour Relations Committee [7:05 p.m. or thereafter following the Regular Council meeting];**

and to Committee of the Whole if necessary, and to reconvene into Council.

Carried

15. Council Reconvene:

15.1 Declarations of Pecuniary Interest made at Standing Committees

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.

Declarations of Pecuniary Interest made at Standing Committee meetings held on September 25, 2023 with respect to the following Items and re-stated at the reconvene portion of the Council meeting:

Name, Item and General Nature of Pecuniary Interest

No declarations of pecuniary interest were made by a member at the September 25, 2023, reconvene Council meeting.

15.2 Reading of the By-laws (reconvene):

The following By-law required First and Second Reading and Third and Final Reading:

Confirmatory By-law - By-law 224-2023

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on September 25, 2023.

R2023-446

Motion by Councillor Burbach

Seconded by Councillor McCabe

THAT By-law 224-2023 be read a First and Second Time.

Carried two-thirds support

R2023-447

Motion by Councillor Hunter

Seconded by Councillor Nijjar

THAT By-law 224-2023 be read a Third Time and Finally Passed.

Carried

15.3 Adjournment of Council Meeting

R2023-448

Motion by Councillor Sebben

Seconded by Councillor Burbach

THAT the September 25, 2023 Regular Council meeting adjourn.

Carried

Meeting Start Time: 7:00 P.M.

Meeting End Time: 7:54 P.M.

Reconvene Meeting Start Time: 8:34 P.M.

Reconvene Meeting End Time: 8:35 P.M.

Mayor - Martin Ritsma

Clerk - Tatiana Dafoe