



**Stratford City Council
Regular Council Open Session
AGENDA**

Meeting #: 4576th
Date: Monday, April 8, 2019
Time: 7:00 P.M.
Location: Council Chamber, City Hall

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

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City Clerk, David St. Louis - Director of Community Services, Ed Dujlovic - Director of Infrastructure and Development Services, Michael Humble - Director of Corporate Services, Jacqueline Mockler - Director of Human Resources, John Paradis - Fire Chief, Jeff Leunissen - Manager of Development Services, Tatiana Dafoe - Deputy Clerk

Pages

1. Call to Order:

Mayor Mathieson, Chair presiding, to call the Council meeting to order.

Welcome to Grady Fischer, Mayor for the Day.

Singing of O Canada

Moment of Silent Reflection

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

- 3. Adoption of the Minutes:** 13 - 31
- Motion by _____
- THAT the Minutes of the Regular Meeting of Council dated March 25, 2019 and the Special Meeting of Council dated April 1, 2019 of The Corporation of the City of Stratford be adopted as printed.
- 4. Adoption of the Addendum/Addenda to the Agenda:**
- Motion by _____
- THAT the Addendum/Addenda to the Regular Agenda of Council and Standing Committees dated April 8, 2019, be added to the Agenda as printed.
- 5. Report of the Committee of the Whole In-Camera Session:**
- An In-camera Session is not scheduled for April 8, 2019.
- 6. Hearings of Deputations and Presentations:**
- None scheduled.
- 7. Orders of the Day:**
- 7.1 Resolution - Contract Administration and Inspection Services for Crane Avenue Reconstruction (COU19-024)** 32 - 33
- Motion by _____
- Staff Recommendation: THAT MTE Consultants Inc. be retained for Contract Administration and Inspection Services for the Crane Avenue Reconstruction at an estimated cost of \$89,309.55 including HST.
- 7.2 Resolution - Pleasant Drive Local Improvement Project Bylaw for Consideration (COU19-025)** 34 - 47
- Motion by _____
- Staff Recommendation: THAT Council approve the Pleasant Drive Reconstruction Project Local Improvement By-law.

7.3 Resolution - Special Occasion Permit

The Stratford-on-Avon Shrine Club is holding their annual chicken bbq on Saturday, May 4, 2019 at the Stratford Rotary Complex on McCarthy Road West, and are requesting a special occasion liquor licence.

The Fire and Building Departments provided no objections.

Motion by _____

THAT City Council does not express concern with the issuance of a special occasion permit for the Stratford on Avon Shrine Club Annual Chicken Barbeque to be held on May 4, 2019 at the Stratford Rotary Complex, 353 McCarthy Road West, subject to compliance with the City's Municipal Alcohol Risk Management Policy, the necessary permits being obtained and the required certificate of insurance being provided prior to the event

7.4 Proclamation - National Public Works Week

48 - 50

Motion by _____

THAT City Council hereby proclaims May 19-25, 2019 as "National Public Works Week" in the City of Stratford to help educate the public regarding the importance of our nation's public infrastructure and services and to recognize public works professionals who work in the public interest to build, manage and operate the essential infrastructure and services of our communities.

7.5 Correspondence - Local Planning Appeal Tribunal (LPAT) Decision regarding Proposed Official Plan Amendment No. 21 [Case No. PL160830]

51 - 71

Finding: The Tribunal will allow the appeal in part, will approve OPA 21 as modified for section 4.11 as found in Exhibit 20 and otherwise wholly dismisses the appeals of the Appellants.

For the information of Council.

7.6 Resolution - RFP-2019-07 Blue Box Recyclable Materials Processing (COU19-026)

72 - 74

Motion by _____

Staff Recommendation: THAT Council approve the award of RFP-2019-07 Blue Box Recyclable Materials Processing to Bluewater Recycling Association at \$185 per tonne plus HST;

AND THAT the Mayor and Clerk be authorized to sign the necessary contract documentation.

8. Business for Which Previous Notice Has Been Given:

8.1 Declaration of Surplus Land - 585 Douro Street

75

Motion by _____

THAT a 0.99 acre (40' x 1048') vacant parcel of municipal property known municipally as 585 Douro Street be declared surplus to the needs of The Corporation of the City of Stratford;

THAT the subject land at 585 Douro Street be sold via direct sale by the City;

AND THAT the proceeds from the sale be used to off-set unbudgeted City expenses in 2019.

9. Reports of the Standing Committees:

9.1 Report of the Infrastructure, Transportation and Safety Committee:

Motion by _____

THAT the Report of the Infrastructure, Transportation and Safety Committee dated April 8, 2019, be adopted as printed.

9.1.1 Douro Street Traffic Concerns from Waterloo Street to Romeo Street South (ITS19-008)

76 - 79

THAT the City use the portable speed display sign on Douro Street at various locations and intervals throughout the year.

9.1.2 Douro Street Traffic Concerns from Waterloo Street to Romeo Street South (ITS19-008)

THAT staff look into a blanket default 40km speed limit in the City of Stratford, reach out to stakeholders and report back to Sub-committee.

9.1.3 2019 Fire Dispatching Agreements (ITS19-012)

80 - 81

THAT Council approve the extensions and renewals for Fire Dispatching Services with Perth East, West Perth, North Perth, St Marys, Goderich, Huron East, Central Huron and Bluewater;

AND THAT the Mayor and City Clerk be authorized to execute the renewals.

9.1.4 2019 Housekeeping and Update of Traffic and Parking By-law 159-2008 (ITS19-010) 82 - 139

THAT the housekeeping amendments to Traffic and Parking By-law 159-2008 be approved as follows:

All areas noting "City of Stratford" updated to read "The Corporation of the City of Stratford";

The word "Disabled" updated to "Accessible" throughout the document, this includes Schedule 21 – Designated Parking for Persons with Disabilities;

All areas noting "Engineering and Public Works" updated to "Infrastructure and Development Services";

Descriptions of and instructions related to Pay and Display Machines updated to Pay by Plate Machines;

"Market Place" updated to "Market Square" where appropriate;

All references related to the Kiwanis Community Centre removed;

Schedule 3 has been deleted as currently in the City of Stratford no Mobility Bus specific stops exist;

Schedule 6, Angle Parking Only, has been updated for Market Place as this type of parking only exists on the south side of Market Place;

Schedule 8, Prohibited Turns, has been updated to remove the reference to the Kiwanis Community Centre and left turns southbound off Romeo Street onto Devon Street as a resolution was passed in 2001 in this regard;

Schedule 16 and 17, 30 Minutes Metered Zones and 4 Hour Metered Zones respectively, have been updated to reflect current status of each of these zones;

Schedule 22 has been updated to remove the Kiwanis Community Centre and Woolworth Co. as these are no longer City enforced parking spaces;

Section 83 has been updated to include that "no refunds shall be granted" when an excess amount of coins are deposited into a parking meter or Pay by Plate machine.

9.1.5 Amending the Terms of Reference for the Active Transportation Advisory Committee (ITS19-009) 140 - 141

THAT the Active Transportation Advisory Committee Terms of Reference be amended to include a representative from Cycle Stratford as a voting member.

9.2 Report of the Planning and Heritage Committee:

Motion by _____

THAT the Report of the Planning and Heritage Committee dated April 8, 2019, be adopted as printed.

9.2.1 Comprehensive Zoning By-law Review Update (PLA19-005) 142 - 183

THAT Committee receives this update on the Comprehensive Zoning By-law Review and confirms the direction set out in the August 2018 draft By-law and in the Report dated February 28, 2019.

9.2.2 Annual Building Permit Fee Report 2018 (PLA19-004) 184 - 186

THAT Council add the amount of \$59,560.01 into the Building Permit Reserve G-R07-BSUR-0000 established to administer and enforce the *Building Code Act*.

9.3 Report of the Finance and Labour Relations Committee:

Motion by _____

THAT the Report of the Finance and Labour Relations Committee dated April 8, 2019, be adopted as printed.

9.3.1 2018 Lottery Licence Activity Update (FIN19-007) 187 - 192

THAT the report entitled "2018 Lottery Licence Activity Update" be received for information.

9.3.2 2018 Treasurer's Statements for Development Charges and Cash In Lieu of Parkland Reserve Funds (FIN19-008) 193 - 198

THAT the 2018 Treasurer's Statement for City of Stratford Development Charges Reserve Funds be received for information;

AND THAT the 2018 Treasurer's Statement for City of Stratford Cash In Lieu of Parkland Reserve Fund be received for information.

9.4 Report of the Community Services Committee

Motion by _____

THAT the Report of the Community Services Committee dated April 8, 2019, be adopted as printed.

9.4.1 Outdoor Washroom Opening and Closing Policy (COM19-006) 199 - 202

THAT the proposed Outdoor Washroom Policy be approved.

9.4.2 Grass Sports Field Opening and Closing Policy (COM19-007) 203 - 205

THAT the proposed Grass Sports Field Policy be approved.

9.4.3 Goose Management Plan Update (COM19-008) 206 - 211

THAT Option 1, outlined in the Management Report entitled "Goose Management Plan Update" (COM19-008), be pursued;

AND THAT staff provide an update on the Goose Management Plan in the fall and that it be added to the 2020 budget.

10. Notice of Intent:

None scheduled.

11. Reading of the By-laws:

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

Motion by _____

THAT By-laws 11.1 to 11.12 be taken collectively.

Motion by _____

THAT By-laws 11.1 to 11.12 be given First and Second Readings.

Motion by _____

THAT By-laws 11.1 to 11.12 be given Third and Final Readings.

- | | | |
|-------------|--|------------|
| 11.1 | Acceptance of Proposal - Contract Administration and Inspection Services - Crane Avenue Reconstruction | 212 |
| | To authorize the acceptance of a proposal and the undertaking of the work by MTE Engineering Consultants Inc., for contract administration and inspection services for the Crane Avenue Reconstruction [RFP2018-53]. | |
| 11.2 | 2019 Fire Dispatching Agreement with West Perth | 213 |
| | To authorize the entering into and execution of an agreement with The Corporation of the Municipality of West Perth for certain fire dispatching services for a further two years until April 8, 2021. | |
| 11.3 | 2019 Fire Dispatching Agreement with Town of St. Marys | 214 |
| | To authorize the entering into and execution of an agreement with The Corporation of the Town of St. Marys for certain fire dispatching services for a further two years until April 8, 2021. | |
| 11.4 | 2019 Fire Dispatching Agreement with Perth East | 215 |
| | To authorize the entering into and execution of an agreement with The Corporation of the Township of Perth East for certain fire dispatching services for a further two years until April 8, 2021. | |
| 11.5 | 2019 Fire Dispatching Agreement with Huron East | 216 |
| | To authorize the entering into and execution of an agreement with The Corporation of the Municipality of Huron East for certain dispatching services for a further five years to April 8, 2024. | |
| 11.6 | 2019 Fire Dispatch Function Agreement with Town of Goderich | 217 |
| | To authorize the entering into and execution of an agreement with The Corporation of the Town of Goderich for certain emergency back up paging functions related to dispatch for one year until April 8, 2020. | |
| 11.7 | 2019 Fire Dispatching Agreement with Municipality of Bluewater | 218 |
| | To authorize the entering into and execution of an agreement with The Corporation of the Municipality of Bluewater for certain fire dispatching | |

services for a further two years until April 8, 2021.

11.8 2019 Fire Dispatching Agreement with Central Huron 219

To authorize the entering into and execution of an agreement with The Corporation of the Municipality of Central Huron for certain fire dispatching services for a further two years until April 8, 2021.

11.9 2019 Fire Dispatching Agreement with North Perth 220

To authorize the entering into and execution of an agreement with The Corporation of the Municipality of North Perth for certain fire dispatching services for a further two years until April 8, 2021.

11.10 Amendments to Traffic and Parking By-law 159-2008 221 - 224

To amend Traffic and Parking By-law 159-2008 as amended, for housekeeping amendments to various sections and schedules.

11.11 Pleasant Drive Local Improvement By-law 225 - 226

To authorize the construction of certain works on Pleasant Drive from Ontario Street to Devon Street as a local improvement under Ontario Regulation 586/06 of the Municipal Act, 2001.

11.12 Acceptance of Proposal for Blue Box Recycling Materials Processing 227

To authorize the acceptance of the proposal, execution of the contract and the undertaking of the work by Bluewater Recycling Association for the processing of Blue Box recyclable materials [RFP-2019-07].

12. Consent Agenda: CA-2019-031 to CA-2019-036 228 - 229

Council to advise if they wish to consider any items listed on the Consent Agenda.

13. New Business:

14. Adjournment to Standing Committees:

The next Regular Council meeting is Tuesday, April 23, 2019 in the Council Chamber, City Hall.

Motion by _____

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

- **Planning and Heritage Committee [7:15 pm or thereafter following the Regular Council meeting];**
- **Infrastructure, Transportation and Safety Committee [7:20 pm or thereafter following the Regular Council meeting];**
- **Finance and Labour Relations Committee [7:25 pm or thereafter following the Regular Council meeting];**

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

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 April 8, 2018 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

15.2 Committee Reports

15.2.1 Finance and Labour Relations Committee

Motion by _____

THAT Items 4.1 and 5.1 of the Finance and Labour Relations Committee meeting dated April 8, 2019 be adopted as follows:

4.1 Report of the 2019 Community Grants Evaluation Committee (FIN19-010)

THAT the management report regarding the 2019 Community Grants Evaluation Committee recommendations be received for information;

THAT Council approve the 2019 grant recommendations of the Community Grants Evaluation Committee, for total annual grants in the amount of \$518,410., as detailed in the attached chart;

THAT Council approve the 2019 grant recommendations of the Community Grants Evaluation Committee, for total fee waiver grants in the amount of \$344,510., as detailed in the attached chart;

THAT following the decision of Council regarding the awarding of 2019 Community Grants, that any appeals from applicants be forwarded to the Finance and Labour Relations Sub-committee to hear the appeals and to make a recommendation for Council's consideration;

AND THAT appeals be based on new or additional information not previously considered by the Community Grants Evaluation Committee.

5.1 2019 Grant Request for the Operation of the H.M.S Razzamajazz (FIN19-011)

Recommendation to be provided at the meeting.

15.3 Reading of the By-laws (reconvene):

230

The following By-law requires First and Second Readings and Third and Final Readings:

By-law 11.13 Confirmatory By-law

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on April 8, 2019.

Motion by _____

THAT By-law 11.13 be given First and Second Readings.

Motion by _____

THAT By-law 11.13 be given Third and Final Readings.

15.4 Adjournment of Council Meeting

Meeting Start Time:

Meeting End Time:

Motion by _____

THAT the April 8, 2019 Regular Council meeting adjourn.



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4574th
 Date: Monday, March 25, 2019
 Time: 7:00 P.M.
 Location: Council Chamber, City Hall

Council Present: Deputy Mayor Ritsma - Chair Presiding, Councillor Beatty, Councillor Bunting, Councillor Burbach, Councillor Gaffney, Councillor Henderson, Councillor Ingram, Councillor Sebben, Councillor Vassilakos

Regrets: Mayor Mathieson, Councillor Clifford

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City Clerk, David St. Louis - Director of Community Services, Ed Dujlovic - Director of Infrastructure and Development Services, Michael Humble - Director of Corporate Services, Jacqueline Mockler - Director of Human Resources, John Paradis - Fire Chief, Jeff Leunissen - Manager of Development Services, Tatiana Dafoe - Deputy Clerk, Mike Beitz - Corporate Communications Lead, Jeff Bannon - Planner, Kim McElroy - Manager of Ontario Works, Jim Bryson - Community Facilities Manager, Quin Malott - Cemetery/Parks & Forestry Manager

Also Present: Members of the Public and Media

1. Call to Order:

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

Singing of O Canada

Moment of Silent Reflection

Mayor Mathieson and Councillor Clifford provided regrets for this meeting.

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

Councillor Ingram declared a pecuniary interest on Items 4.1, 4.2 and 5.1 of the Community Services Committee agenda as her son is a member of the U13 Boys Resolution Basketball team.

Councillor Burbach declared a pecuniary interest on Items 4.1, 4.2 and 5.1 of the Community Services Committee agenda as a family member is a member of the Stratford Basketball Association.

3. **Adoption of the Minutes:**

R2019-118

Motion by Councillor Vassilakos

Seconded By Councillor Ingram

THAT the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated March 4, 2019 be adopted as printed.

Carried

4. **Adoption of the Addendum/Addenda to the Agenda:**

There was no addenda to be adopted at the March 25, 2019 Regular Council meeting.

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

5.1 From the March 4, 2019 Session under the Municipal Act, 2001, as amended, matters concerning the following items were considered

Disposal of Part Lot 20 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).

R2019-119

Motion by Councillor Henderson

Seconded By Councillor Beatty

THAT the By-law to authorize the sale of Part of Lot 20, Plan 44M-38 save and except Part 1 Plan 44R-5393 being all of PIN 53264-0151 (LT) in the Wright Business Park be listed for the March 25, 2019 Council meeting.

Carried

6. Hearings of Deputations and Presentations:

6.1 Presentation by Stratford Summer Music

R2019-120

Motion by Councillor Bunting

Seconded By Councillor Burbach

THAT the presentation by Mark Fewer regarding an update on Stratford Summer Music's 2019 program, be heard.

Carried

Mark Fewer, Artistic Director of Summer Music, provided Council with an update on the upcoming Summer Music season and planned events. Mr. Fewer advised there will be events featuring a variety of artists and music genres and that the Barge Series will continue. Approximately 40 percent will be free programming or pay what you can.

There will be new education initiatives such as school outreach programs outside the festival, adult life-long learning opportunities, children's programming/exposure series and an award for music education in the amount of \$1,500.

New programming initiatives include Stratford Summer Music Originals (Great Gathering/Cannabis Cantata), a focus on youth, expanded outdoor presence, and Stratford based artists connecting with guest artists in meaningful ways.

6.2 Zone Change Application Z02-19, 619 Huron Street, Public Meeting Planning Report (COU19-021)

R2019-121

Motion by Councillor Sebben

Seconded By Councillor Ingram

THAT the Council meeting adjourn to Public Meetings under the Planning Act to hear Zone Change Application Z02-19 with respect to 619 Huron Street and to hear Zone Change Application Z03-19 with respect to 376 Church Street, to reconvene at the conclusion of the Public Meetings.

Carried

*The Regular Council meeting adjourned to Public Council meetings at 7:16 p.m.

6.3 Zone Change Application Z03-19, 376 Church Street, Public Meeting Planning Report (COU19-022)

*The Regular Council meeting resumed at 7:54 p.m.

7. Orders of the Day:

7.1 Proclamation - National Deafblind Awareness Month

R2019-122

Motion by Councillor Henderson

Seconded By Councillor Vassilakos

THAT City Council hereby proclaims June 2019 as "National Deafblind Awareness Month" in the City of Stratford.

Carried

7.2 Correspondence - Essentials of Municipal Fire Protection Seminar

The Office of the Fire Marshal and Emergency Management is providing a decision makers seminar hosted by the Perth East Fire Department on April 17.

Members of Council wishing to attend were asked to make arrangements through the CAO's Office.

7.3 Correspondence - Upper Thames River Conservation Authority 2019 Budget

The UTRCA 2019 draft budget was reviewed and approved by the UTRCA's Board of Directors.

There is a thirty (30) day appeal period from receipt of the levy notice should the City wish to appeal its apportionment of the 2019 levy.

The City's 2019 Levy is \$417,599.

R2019-123

Motion by Councillor Beatty

Seconded By Councillor Gaffney

THAT the correspondence dated March 9, 2019 from the Upper Thames River Conservation Authority with respect to the 2019 Levy for the City of Stratford be received by City Council.

Carried

7.4 Resolution - Part Lot Control Application PLC01-19 for the lands known as 23, 25, 27, 29 Robertson Drive (COU19-019)

R2019-124

Motion by Councillor Ingram

Seconded By Councillor Vassilakos

THAT Council approve Part Lot Control application PLC01-19 to exempt Block 82 Registered Plan 44M-44 from Part Lot Control for one year from the date of the passing of the By-law to create the Parts shown on Reference Plan 44R-5600 to create four parcels of land and two easements.

Carried

7.5 Statement of Council Remuneration and Expenses for 2018 (COU19-020)

R2019-125

Motion by Councillor Ingram

Seconded By Councillor Burbach

THAT the report of the Director of Corporate Services dated March 25, 2019 regarding 2018 Council Remuneration and Expenses be received for information.

Carried

7.6 Proclamation - BeADonor Month

Every April, Ontarians celebrate BeADonor Month, a time in which all Ontarians are encouraged to show their support for organ and tissue donation by registering.

R2019-126

Motion by Councillor Henderson

Seconded By Councillor Vassilakos

THAT City Council hereby proclaims April 2019 as "BeADonor Month" in the City of Stratford.

Carried

8. Business for Which Previous Notice Has Been Given:

None scheduled.

9. Reports of the Standing Committees:

9.1 Report of the Finance and Labour Relations Committee:

R2019-127

Motion by Councillor Gaffney

Seconded By Councillor Bunting

THAT the Report of the Finance and Labour Relations Committee dated March 25, 2019, be adopted as printed.

Carried

9.1.1 Vacant / Excess Land Subclasses For Commercial and Industrial Properties (FIN19-006)

THAT the report of the Director of Corporate Services dated February 19, 2019 regarding tax policy considerations of vacant and excess land subclasses for commercial and industrial land be received for information;

AND THAT vacant/excess land subclasses for commercial and industrial properties be phased out as follows:

<u>Year</u>	<u>Commercial %</u>	<u>Industrial%</u>
2020	30% (current)	35% (current)
2021	15%	15%
2022	0%	0%

10. Notice of Intent:

10.1 Notice of Intent to Declare as Surplus and to Dispose

It was advised that at the April 8, 2019 Regular Council meeting, City Council intends to declare the following city-owned land as surplus to the needs of The Corporation of the City of Stratford and to dispose of the land:

- Block A, Registered Plan 376 known municipally as 585 Douro Street.

The city-owned land is vacant and zoned General Industrial I(2) with frontage of approximately 40 feet and depth of approximately 1048 feet and irregular in shape.

The Council meeting will begin at 7:00 pm in the Council Chamber City Hall. Questions about the subject land could be directed to the City Clerk at clerks@Stratford.ca before April 4, 2019.

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:

R2019-128

Motion by Councillor Beatty

Seconded By Councillor Bunting

THAT By-laws 36-2019 and 37-2019 be taken collectively.

Carried unanimously

R2019-129

Motion by Councillor Ingram

Seconded By Councillor Vassilakos

THAT By-laws 36-2019 and 37-2019 be given First and Second Readings.

Carried two-thirds support

R2019-130

Motion by Councillor Burbach

Seconded By Councillor Henderson

THAT By-laws 36-2019 and 37-2019 be given Third and Final Readings.
Carried

11.1 Part Lot Control - Robertson Drive - By-law 36-2019

To exempt Parts 1, 2, 3, 4, 5 and 6 on Plan 44R-5600 (23, 25, 27, 29 Robertson Drive) from the provisions of part-lot control for a period of one year for the purpose of conveying townhouse dwelling units to individual owners and to grant easements to allow access to rear yards.

11.2 Conveyance to 2567217 Ontario Ltd. - By-law 37-2019

To authorize the conveyance of Lot 20, Plan 44M-38 save and except Part 1 on Plan 44R-5393 in the Wright Business Park to 2567217 Ontario Limited.

12. Consent Agenda: CA-2019-025 to CA-2019-030

12.1 CA-2019-028

It was questioned when a management report regarding the reduction of bottled water would be presented for consideration. The Director of Infrastructure and Development Services advised it will be presented at the April Infrastructure, Transportation and Safety Sub-committee meeting.

13. New Business:

13.1 Road Maintenance - Pot Holes

It was questioned whether additional funds need to be allocated to address the amount of pot holes in the City. The Director of Infrastructure and Development Services advised an asset management plan is being

undertaken which will advise Council of the condition of roads and the costs to meet certain levels of service.

14. Adjournment to Standing Committees:

The next Regular Council meeting is April 8, 2019 in the Council Chamber, City Hall.

R2019-131

Motion by Councillor Burbach

Seconded By Councillor Gaffney

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

- **Community Services Committee [7:20 pm or thereafter following the Regular Council meeting];**
- **Infrastructure, Transportation and Safety Committee [7:30 pm or thereafter following the Regular Council meeting];**
- **Planning and Heritage Committee [7:40 pm or thereafter following the Regular Council meeting];**
- **Finance and Labour Relations Committee [7:50 pm 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 March 25, 2019 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

Councillor Ingram declared a pecuniary interest at the Reconvene meeting on items 4.1, 4.2 and 5.1 on the Community Services Committee agenda and Item 15.2.3 on the Reconvene portion as her son plays for the U13 Boys Resolution Basketball team.

Councillor Burbach declared a pecuniary interest at the Reconvene meeting on Items 4.1, 4.2 and 5.1 on the Community Services Committee agenda as a family member is a member of the Stratford Basketball Association.

15.2 Committee Reports

15.2.1 Infrastructure, Transportation and Safety Committee

R2019-132

Motion by Councillor Vassilakos

Seconded By Councillor Ingram

THAT Items 6.1, 8.1 and 8.2 of the Infrastructure, Transportation and Safety Committee meeting dated March 25, 2019 be adopted as follows:

6.1 2018 Water Summary Report (ITS19-006)

THAT the 2018 Water Summary Report be received for information.

6.1 2018 Water Summary Report (ITS19-006)

THAT staff develop and implement a plan, in consultation with the Health Unit, to increase public notice about possible risks regarding fluoride in the City's water, particularly to new parents.

8.1 Abandonment of a Portion of the Finnegan Municipal Drain and McFarlane Municipal Drain within City Limits (ITS19-007)

THAT the City of Stratford begin the process to abandon the portion of the Finnegan Municipal Drain that lies within the proposed development owned by Valleyview Heights (St. Jacobs) Ltd. and extends to the south side of Huron

Street;

AND THAT the City of Stratford begin the process to abandon the portion of the McFarlane Municipal Drain that lies within the proposed development owned by Valleyview Heights (St. Jacobs) Ltd.

8.2 St. Vincent Street South – Watermain Replacement Project Phase 2 (ITS19-011)

THAT Council receive for information the description of the proposed design for St. Vincent Street South Watermain Replacement Phase 2 Project;

**THAT Council receive for information the comments from the public open house conducted on January 16, 2019;
AND THAT Council approve the design for St. Vincent Street South Watermain Replacement Phase 2 Project for 2019 construction subject to funding in the 2019 budget.**

Carried

15.2.2 Finance and Labour Relations Committee

R2019-133

Motion by Councillor Gaffney

Seconded By Councillor Burbach

THAT Item 6.1 of the Finance and Labour Relations Committee meeting dated March 25, 2019 be adopted as follows:

6.1 2020 Stratfords of the World Reunion Logos and the Committee Logo (FIN19-009)

THAT approval by Council be given for use of the 2020 Stratfords of the World Reunion Logos and the Committee Logo to brand Stratfords of the World-Ontario and that a sample of each logo be lodged with the City Clerk.

Carried

15.2.3 Community Services Committee

R2019-134

Motion by Councillor Beatty

Seconded By Councillor Vassilakos

THAT should Mr. Underhill wish to host a poultry event at the Rotary Complex Venue November 2-6, 2020, that the Community Halls at the Rotary Complex be made available for use, and that a vehicular and pedestrian parking lot safety plan be obtained by the City, at the renter's cost. The Market Hall at the Agriplex would not be available at this time;

AND THAT should Mr. Underhill wish to obtain use of the Community Halls at the Rotary Complex, and the Market Hall and Fieldhouse at the Agriplex, that summer dates be considered.

Carried

15.3 Reading of the By-laws (reconvene):

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

By-law 11.3 - Confirmatory By-law - By-law 38-2019

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on March 25, 2019.

R2019-135

Motion by Councillor Bunting

Seconded By Councillor Vassilakos

THAT By-law 38-2019 be given First and Second Readings.

Carried two-thirds support

R2019-136

Motion by Councillor Sebben

Seconded By Councillor Henderson

THAT By-law 38-2019 be given Third and Final Readings.

Carried

15.4 Adjournment of Council Meeting

R2019-137

Motion by Councillor Ingram

Seconded By Councillor Burbach

THAT the March 25, 2019 Regular Council meeting adjourn.

Carried

Meeting Start Time: 7:00 P.M.

Meeting End Time: 8:06 P.M.

Reconvene Meeting Start Time: 10:04 P.M.

Reconvene Meeting End Time: 10:08 P.M.

Deputy Mayor – Martin Ritsma

Clerk - Joan Thomson



Stratford City Council Special Council Open Session MINUTES

Meeting #: 4575th
 Date: Monday, April 1, 2019
 Time: 6:07 P.M.
 Location: Council Chamber, City Hall

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

Regrets: Councillor Clifford

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City Clerk, Jacqueline Mockler – Director of Human Resources/Acting Director of Social Services, Michael Humble - Director of Corporate Services, David St. Louis - Director of Community Services, John Paradis - Fire Chief, Tatiana Dafoe - Deputy Clerk, Mike Beitz - Corporate Communications Lead, Nancy Roulston - Manager of Engineering, Michael Mousley - Transit Manager, Kim McElroy - Manager of Ontario Works, Krista Robinson - Systems Librarian

Also Present: Members of the Public and Media

1. **Call to Order:**

Mayor Mathieson, Chair presiding, called the Special Council meeting to order.

Councillor Clifford provided regrets for this meeting.

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 Thereof

A declaration of pecuniary interest was not made by a member at the April 1, 2019 Special Council meeting.

3. Delegations

3.1 Presentation by Caledonia Street Residents

The City Clerk advised a request was made to change the speakers and the order of the delegation. The list of speakers requested was:

- Bradley Bolton
- Joanne Kew
- Stephanie Shore
- Patricia Collins

R2019-138

Motion by Councillor Ritsma

Seconded By Councillor Burbach

THAT the presentation by Caledonia Street residents regarding transit matters on Caledonia Street be heard.

Carried

1. Mr. Bradley Bolton, advised he moved to Caledonia Street from a large and busy City in order to start a family and enjoy living on a quiet road. He liked that it was one-way and that it was not a transit route. There was no consultation on the new route and he believes in community consultation and participation and was disappointed in this precedent setting experience.

Mr. Bolton discussed the width of the street and concerns with the amount of space available as it is a one-way road. A bike lane cannot be added and that this street is used heavily by pedestrians. Children often play on the street, people walk to the Lion's Pool or

walk their animals, there are people rollerblading, walkers and a number of other users.

Concern was expressed that recycling trucks and cabs often travel down the street the wrong way and if the transit bus comes along it presents an issue. It was noted chaos is created when two big trucks meet.

Vehicles are often parked on the street which reduces the area that can be used by the transit bus and increases congestion.

2. Ms. Joanne Kew, advised the quiet neighbourhood of Caledonia needs to be maintained. Discussion was held on the active transportation plan adopted by Council. If the bus is re-routed to Britannia Street it would keep traffic in main areas and preserve this quiet street. The use of Caledonia Street as a transit route will increase danger and discourage active use by pedestrians.

Council was requested to provide safe active transportation routes for people, keep traffic away from residential neighbourhoods and to keep this road quiet.

3. Ms. Stephanie Shore, speaking on behalf of Sandra Huntley, advised she is an advocate for building city strength and would be speaking to three items, the importance of community, the pedestrian corridor, and precedent setting.

With respect to the importance of community, members were advised many pedestrians use this street for a lot of reasons and that neighbourhoods are created by those who use them. The tree lined neighbourhood streets make Stratford attractive and result in an increased amount of visitors annually.

With respect to the pedestrian corridor, this road has been used as one for over 100 years. In the 1900s, the parks board preserved the park system and created Upper Queen's Park. This corridor continues today with children from area schools walking to and from the Lion's Pool, and other pedestrians travelling to the barge series and other amenities in the downtown.

On the third topic, precedent setting, it was noted that in 1913 the Council of the day voted to preserve this area from being

transformed into the CNR rail. Members were requested to help the citizens preserve this street and other walkable neighbourhoods.

The neighbourhood is compromised and the community is being disrupted by the transit route being located here. Members were requested to reconsider their decision.

4. Ms. Patricia Collins, advised that in 2018 a recommendation was made to amend the bus routes and to route a bus down Caledonia Street. Following a review of consultation materials, she noted Caledonia was not on the list and there were no references to changes impacting Caledonia Street. Had the residents been made aware they would have attended the sessions and voiced their objections.

Concern was expressed that had due process been followed there would not be an issue of precedent setting by this request to remove the bus from this road. It was recommended that when significant changes are proposed, the City should ensure there is communication directly with the residents on the affected streets in advance. It was suggested the ad-hoc transit committee could be tasked with identifying issues with communication.

The City was requested to move the bus from Caledonia Street in good faith.

4. Orders of the Day:

4.1 St. James Church Bus Stop on Mornington Street Relocation (COU19-023)

R2019-139

Motion by Councillor Gaffney

Seconded By Councillor Beatty

THAT the bus stop be removed from in front of St. James Church on Mornington Street and relocated closer to Huron Street.

Carried

Discussion was held on the comprehensive consultation process regarding the changes to the transit routes held by the City. It was noted every street in the City has children.

Members were advised a discussion was held with a former resident of Caledonia Street when the transit bus was originally located there. They advised the bus did not cause any issues and continued to function as both a transit and pedestrian corridor.

The theory of urban planning was discussed and it was stated that to increase walkability, municipalities should also increase transit. The two work together and often times pedestrian safety around schools is compromised by parents driving their children to and from school and not by transit buses.

The residents of Caledonia Street were thanked for their well-researched presentations.

Discussion was held on the amount of traffic on Caledonia Street. It was noted speeding is an issue throughout the City. Stratford Police Services are investing in technology which will track the number of vehicles on a given street and record instances of speeding in order to target areas where the problem persists.

It was noted the Transit Manager is responsible for managing the transit system and ensuring the system runs efficiently. As the City expands and changes in ridership occur additional changes will have to be made to the system to ensure it continues to function well and serve its users.

R2019-140

Motion by Councillor Henderson
Seconded By Councillor Beatty

THAT the request from the Caledonia Street Residents to relocate the #3 McCarthy Route from Caledonia Street to Britannia Street be filed.

Carried

5. Reading of the By-laws:

A request was made to take the by-laws separately. Discussion was held on the 2019 budget.

R2019-141

Motion by Councillor Henderson
Seconded By Councillor Ingram

THAT By-law 39-2019 be read a First and Second Time.

Carried two-thirds support

R2019-142

Motion by Councillor Gaffney

Seconded By Councillor Vassilakos

THAT By-law 39-2019 be read a Third Time and Finally Passed

Carried

R2019-143

Motion by Councillor Ingram

Seconded By Councillor Vassilakos

THAT By-law 40-2019 be read a First and Second Time.

Carried two-thirds support

R2019-144

Motion by Councillor Beatty

Seconded By Councillor Henderson

THAT By-law 40-2019 be read a Third Time and Finally Passed.

Carried

5.1 Adoption of 2019 Budget - By-law 39-2019

To adopt the budget (estimates of revenues and expenditures) for tax supported and user pay purposes for the year 2019.

5.2 Confirmatory - By-law 40-2019

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on April 1, 2019.

6. Adjournment:

R2019-145

Motion by Councillor Gaffney

Seconded By Councillor Burbach

THAT the April 1, 2019 Special Council Meeting adjourn.

Carried

Meeting Start Time: 6:07 P.M.

Meeting End Time: 6:53 P.M.

Mayor - Daniel B. Mathieson

Clerk - Joan Thomson



MANAGEMENT REPORT

Date: April 8, 2019
To: Mayor and Council
From: Nancy Roulston, Manager of Engineering
Report#: COU19-024
Attachments: None

Title: Contract Administration and Inspection Services for Crane Avenue Reconstruction

Objective: To retain MTE Consultants Inc. for contract administration and inspection services for the Crane Avenue Reconstruction project.

Background: In October of 2018, a Request for Proposal (RFP) was issued seeking the services of an engineering consulting firm to obtain approvals, complete design, plans and specifications, and oversee the tendering, contract administration, and construction inspection for the reconstruction of Crane Avenue. Council, at its December 10, 2018 meeting, awarded the design portion of the work to MTE Consultants Inc., in the amount of \$31,500.00 excluding HST. The scope of work has subsequently been expanded to include the design of a new sanitary sewer, for \$6,150.00 excluding HST. This work was requested by investStratford, with all additional costs to be recovered by land sales in the future. In addition, as a result of the geotechnical work that has been completed, staff have authorized MTE to proceed with the production of an Environmental Activity and Sector Registry (EASR) report to monitor and document the dewatering efforts that will be required during construction.

The design portion of the project is nearing completion, MTE is preparing the tender, and in order to maintain the schedule for this project and allow construction to be completed this year, staff are recommending that MTE be retained to provide the contract administration and inspection services as proposed in their RFP submission.

Analysis: The RFP submission by MTE Consultants Inc. included an estimated \$40,473 (excluding HST) for construction services. This was the lowest price among the bids submitted. This original price did not include the original allowance for geotechnical services of \$6,500.

An EASR was not included as part of the original RFP as it was not possible to know if one was required until the geotechnical work was completed, nor was it possible to outline the extent of the work necessary to complete the EASR without the geotechnical report. The addition of a new sanitary sewer will increase the estimated time for construction, and incur additional inspection, geotechnical testing, and contract administration.

MTE has provided an updated estimate of fees for the construction and contract administration portion of the project in the amount of \$89,309.55 including HST which is \$80,426.02 after the partial HST rebate. This amount includes approximately \$8,000 for geotechnical testing, \$20,000 for the EASR, and \$9,400 for additional contract administration and inspection above the original estimate. Contract administration, inspection, and geotechnical costs will be invoiced to the City on a time and material basis, and as such, the final total costs will be dependent on the actual length of time for construction to be completed.

Financial Impact: The 2019 Capital budget includes \$1,760,000 for the Crane Avenue Reconstruction project for design and construction. investStratford has committed to recover all final costs for this project from its land sales.

Staff Recommendation: THAT MTE Consultants Inc. be retained for Contract Administration and Inspection Services for the Crane Avenue Reconstruction at an estimated cost of \$89,309.55 including HST.



Nancy Roulston, Manager of Engineering



Ed Dujlovic, Director of Infrastructure and Development Services



Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: April 8, 2019
To: Mayor and Council
From: Taylor Crinklaw, Project Engineer
Report#: COU19-025
Attachments: Pleasant Drive Local Improvement Project By-Law;
 Management Report ITS18-030

Title: Pleasant Drive Local Improvement Project Bylaw for Consideration

Objective: To obtain Council approval for the Pleasant Drive Reconstruction Project By-law for Local Improvement.

Background: On May 30, 2018, the Engineering Division presented the management report (ITS18-030) to the Infrastructure, Transportation and Safety (ITS) Sub-committee. In this meeting and on the June 11, 2018, ITS Committee meeting of Council, the design and local improvement process was discussed in detail. The existing infrastructure is substandard to current practice and deteriorated. The watermain, sanitary sewer and storm sewer proposed would be replaced at the City's costs, while the roadwork and sidewalk would be subject to Local Improvement Charges. At the meeting on June 25, 2018, Council approved the Pleasant Drive Reconstruction project to proceed as Local Improvement project under the Municipal Act, 2001, Ontario Regulation 586/06 Local Improvement Charges: Priority Liens Status. The corresponding Local Improvement Charges were approved such that 40% of the roadwork and sidewalk would be paid for by the property owners and the remaining 60% would be covered by the City.

Residents were provided notice August 3, 2018, informing them that their opportunity to oppose the Local Improvement Charges would be via submitting a formal petition to Clerk's Division by September 4, 2018. A total of 16 residents submitted a response. Four property owners accepted the project as is. Eleven property owners accepted the Local Improvement Charges for the project, but opposed the bus route and the road widening. The only individual to oppose the Local Improvement Charges has since rescinded their objection. As a result of receiving no objections, the City is deemed to have the Local Planning Appeals Tribunal (LPAT) approval under O.Reg. 586/06, s. 8(4) and may proceed with the Local Improvement.

During the June 11, 2018, meeting a motion was made for staff to review the Local Improvement Policy in the first quarter of 2019. The Pleasant Drive Local Improvement project was put on hold until the policy was updated, and subsequently reviewed and supported by Council.

Analysis: With authorization under O. Reg. 586/06 under Section 8(4) and the updated City's Local Improvement Policy; the Engineering Division recommends to proceed with the Council endorsed motion to prepare a by-law for Local Improvement on Pleasant Drive for Council's consideration. The proposed by-law is attached.

Financial Impact: The 2019 capital budget contains a total of \$1,600,000 for this project to be funded as follows:

Federal Gas Tax Reserve	\$	669,000	R-R11-FED
Water Reserve	\$	190,000	R-R11-WATER
Public Works Capital Reserve	\$	211,000	R-R11-PWCA
Private Share (LI Charges)	\$	230,000	
Storm Reserve	\$	300,000	R-R11-STRM
	\$	1,600,000	

Staff Recommendation: THAT Council approve the Pleasant Drive Reconstruction Project Local Improvement By-law.



Taylor Crinklaw, Project Engineer



Ed Dujlovic, Director of Infrastructure and Development Services



Rob Horne, Chief Administrative Officer



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

BEING a By-law to authorize the construction of certain works on Pleasant Drive from Ontario Street to Devon Street as a local improvement under Ontario Regulation 586/06 of the *Municipal Act, 2001*.

WHEREAS the Council of The Corporation of the City of Stratford proposes to undertake roadwork (the "Roadwork") and install a 1.5 m sidewalk ("the sidewalk") on the east side only of Pleasant Drive from Ontario Street to Devon Street as local improvement under Ontario Regulation 586/06 of the *Municipal Act, 2001* (the "Work");

AND WHEREAS the Council of The Corporation of the City of Stratford has given consideration to the requirements of Ontario Regulation 586/06 – Local Improvement Charges – Priority Lien Status made under the *Municipal Act, 2001*;

AND WHEREAS the Council of The Corporation of the City of Stratford at its meeting on April 8, 2019, adopted the recommendation of the Infrastructure, Transportation and Safety Committee pertaining to the proposed local improvement project;

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

1. That construction of the Work set out in Schedule "A" attached to this By-law, shall be done as a local improvement under Section 5 of Ontario Regulation 586/06 of the *Municipal Act, 2001*, for the purpose of raising part of the cost of the Work by imposing special charges on lots abutting on the Work and/or immediately benefitting from the works in accordance with the provisions set out in the Regulation.
2. That any person whose lot is specially assessed be permitted to commute, for payment in cash, the special rate, any time after the certification of the special assessment roll by the City Treasurer, by a single payment equal to the remaining principal plus interest since the last instalment. The Municipality shall use the rate of interest set out in Schedule "A" when performing the calculation.

3. That the work shall be carried on and executed under the direction and orders of the Director of Infrastructure and Development Services or his/her designate.
4. That Schedule "A" attached hereto forms part of this By-law.

READ a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson

THIS IS SCHEDULE "A" TO BY-LAW

adopted this 8th day of April, 2019

Description and Details of the WorkDescription of Work

- Roadwork and a 1.5 m sidewalk on the east side only of Pleasant Drive, from Ontario Street to Devon Street.
- Estimated service life of the Roadwork is 50 years.
- Estimated service life of Sidewalk is 25 to 40 years.

Details of Road and Sidewalk Work

- The estimated cost of the Road and Sidewalk work is \$640,000 of which 60% is to be paid by the Municipality.
- The estimated cost per metre frontage is \$ 310.
- The actual rate per metre frontage, when determined, shall be specially assessed upon the land abutting directly on the Roadwork.
- The special assessment is to be paid in 10 equal annual instalments at 5% interest or one lump sum payment without interest.



MANAGEMENT REPORT

Date: May 11, 2018
To: Infrastructure, Transportation and Safety Sub-committee
From: Taylor Crinklaw, Project Engineer
Report#: ITS18-030
Attachments: Open House Comments and Responses; Street Photos

Title: Pleasant Drive Local Improvement Project – Open House and Recommendations

Objective: To present the comments and concerns from the Open House and to obtain Council approval to initiate the Pleasant Drive Reconstruction Project as a Local Improvement under the Municipal Act in order to propose reconstruction as part of the 2019 Capital Budget.

Background: Pleasant Drive was developed in 1954 under the jurisdiction of the Township of North Easthope and the street was annexed into the City of Stratford in 1966. This street is located 500 m east of Romeo Street, and runs for 410 m from Ontario Street to Devon Street. The municipal infrastructure within Pleasant Drive is considered substandard for an urban development with an average unimproved road width of 6.1 m roadside ditches and no sidewalk.

The existing infrastructure within the road does not meet current standards and has significantly deteriorated. The condition of the road is poor and is subject to remedial work. Street drainage has become ineffective due to the backfilling of ditches and culverts over time and contributes to roadside ponding occurring with greater frequency, expediting the deterioration and failure of the road. There are no existing maintenance access easements for the 150 mm clay tile storm sewers installed in the property rear yards in 1954.

There is a 200 mm diameter vitrified clay sanitary sewer installed in 1954 that runs the entire length of the street. The sanitary sewer is in fair structural condition; however, it was installed poorly. As a result, many of the pipes contain sags with standing sewage. At these standing sewage locations multiple residential service connections exist. In addition to being poorly installed, the sewer is fairly flat, which restricts pipe flow. Partial blockages have occurred on multiple occasions, and this sewer is currently undergoing enhanced maintenance to ensure services are maintained. The shallow sewer also makes it difficult

for residents to connect to the sewer; at least one resident requires a pump to get their sewage to the municipal system.

The existing 150 mm cast iron watermain that was installed in 1954 is approaching its expected life of approximately 70 years. This pipe has suffered eight breaks since 1990.

The Engineering Division notified the Infrastructure, Transportation and Safety Sub-Committee on February 28, 2018, of their intent to present at a public open house the preliminary reconstruction design, Council's Local Improvement Policy (L.3.1), and estimates of local improvement costing to the property owners of Pleasant Drive.

On April 5th, 2018, a notice of Open House containing project information was hand delivered to all properties on Pleasant Drive. On April 6th, 2018, a notice of Open House was mailed to property owners with rentals. The notice was also posted to the City Website and on Facebook.

The Open House was held on Monday, April 30th, 2018, in the City Hall Auditorium from 5:00 p.m. to 7:00 p.m. A total of 24 residents from 17 of the 35 properties on the street attended the open house. Two of the properties are zoned commercial. The Manager of Engineering, the Manager of Transit, the Project Engineer, and the Engineering Design Technician from the City were available throughout the meeting to handle questions raised by the residents. The property owners unable to attend the Open House were requested to contact Engineering staff to review project plans and specific property information.

The following design objectives were discussed by the Engineering Division in the Open House as follows:

- The existing 150 mm cast iron watermain installed in 1954 would be replaced with a 150 mm PVC pipe.
- The existing 200 mm vitrified clay sanitary sewer installed in 1954 would be replaced with a 200 mm PVC pipe that is deeper and steeper to improve flow.
- Stormwater management, including grading and storm sewers, would be directed to the storm sewer system within the street right-of-way.
- The existing 6.1 m wide road with 200 mm granular base and with surface treatment (typical rural tar and chip) would be replaced with an 8.5 m road with structurally adequate 600 mm granular base, curb and gutter.
- A 1.5 m wide accessible sidewalk would be proposed for the east side only.

The following local improvement aspects of the project were discussed by the Engineering Division at the Open House as follows:

- Local Improvement is supported by the Municipal Act for the recovery of capital infrastructure costs from the nearby benefitting properties.
- The City has a longstanding record of Local Improvement projects, most recently:
 - Dawson Street Sidewalk (2018);

- Matilda Street Reconstruction (2015); and
 - Mornington Street Sidewalk (2015).
- The Engineering Division is only proposing charges for road (including curb and gutter) and sidewalk work and not the entire costs of reconstruction.
- Local Improvement charges breakdown was provided showing that the approximate cost for each property is \$460 per linear metre of frontage receiving road and sidewalk improvements. Frontage being the width of a lot that abuts the City right-of-way. The breakdown is as follows:
 - 50% of the costs of sidewalk is the property owners cost (25% per side)
 - 60% of the costs of roadwork is the property owners cost (30% per side)
- A general outline was provided of the Local Improvement process.
 - Council to review and either accept, modify or reject staff's proposal.
 - Property owners are provided an opportunity to appeal the Local Improvement.
 - Council may initiate the plan to proceed with Local Improvement, at which property owners are given a chance to appeal the respective charges.
 - If sufficient appeals received, then need to submit proposed by-law to the Ontario Municipal Board for approval.
 - Final costs provided once work is complete.
 - Property owners are provided an opportunity to appeal costs at the Court of Revision thereafter.
 - Tax Office arranges for annual payments.
- The method for how property owners may voice their concerns and object to the process was also provided.

A detailed list of specific questions and City Staff responses is outlined in the attached letter.

Overall, the project received both positive and negative responses. The majority of residents understood the requirement to replace and upgrade municipal infrastructure. In general, there was a positive response about the installation of a sidewalk. The disapproving comments and concerns were mainly related to the costs incurred by the residents. There were also residents that were hesitant about the proposed road width (8.5m), the idea of Pleasant Drive being part of a bus route and the idea of taking away the road's rural feel.

Analysis: This proposed Local Improvement project requests that charges be only for the road and sidewalk improvements. The average width of Pleasant Drive is 6.1 m. The road is unimproved, with roadside ditches, and no sidewalks (See attached pictures). The road base consists of only 200 mm of granular material and a basic surface treatment (typical rural road tar and chip). The road would be upgraded to the City's standard to a width of 8.5 m and with curb and gutter. Since the properties already have stormwater infrastructure in the rear yards (without easement), the City would be replacing that infrastructure to within the City right-of-way at no costs to the property owner. Council Policy L.3.1 – Local Improvements identifies that 60% of the cost of roadwork is to be

covered by the property owners. This means that 30% of the costs are to be covered by the property owners on the east side of the street and 30% of the costs are to be covered by the property owners on the west side of the street. Similarly, the cost to install sidewalk on one side (east side) only, would be 50% of the costs (25% per side).

Based on policy rates noted above, the average estimated charge for local improvement to the property owners is \$9,000, with the least being \$5,000 and the most being \$17,000. The estimates are subject to change based on detailed design and tendered prices. Charges are considered to be a lien and are added to the Tax Roll; and may be paid off over an agreed upon time frame (typically up to 10 years).

The proposed sanitary and water infrastructure replacement work is proposed to be budgeted as part of the 2019 City capital work.

Financial Impact: The total estimated cost based on a preliminary design for the project is \$1,600,000 including HST. An estimated \$310,000 would be recovered from Local Improvement charges.

Pleasant Drive was budgeted in the 10-year capital forecast at \$705,000. This estimate was based on not making the improvements and full replacements noted above; but by only doing the minimum repairs and resurfacing work required to make the road function adequately. Further investigations into the deteriorating infrastructure identify that all services should be replaced at the time of construction, escalating the reconstruction costs to the estimated \$1,600,000 that we have identified in this report.

Staff Recommendation: THAT staff are authorized to proceed under the provisions of the Municipal Act, 2001, Ont. Reg. 586/06 to initiate the local improvement process, for installation of sidewalk, curb and gutter and road work as part of the Pleasant Drive Reconstruction Project, including giving notice of intention to the public and owners of the lots liable to be specially charged;

THAT should sufficient petitions against the proposed local improvement be received in accordance with the Municipal Act, 2001, Ont. Reg. 586/06, the City apply to the Ontario Municipal Board under Section 8 for approval to undertake the proposed work as a local improvement;

THAT the by-law be prepared for Council consideration in 2018, subject to OMB approval;

AND THAT the project be referred to the 2019 Budget process.

A handwritten signature in blue ink, appearing to read "Taylor Crinklaw".

Taylor Crinklaw, Project Engineer

A handwritten signature in blue ink, appearing to read "Ed Dujlovic".

Ed Dujlovic, Director of Infrastructure and Development Services

A handwritten signature in black ink, appearing to read "Rob Horne".

Rob Horne, Chief Administrative Officer



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

(519) 271-0250 Ext. 222
Fax: (519) 271-1427
www.stratford.ca

April 30, 2018

Pleasant Drive Open House Questions, Comments and Responses

The following list includes questions, comments and responses generated from the Pleasant Drive Reconstruction Project Open House, held April 30, 2018, from 5 PM to 7 PM at the City Hall Auditorium.

Local Improvement Comments

Comments 1: How much will this project increase our taxes?

Response 1: Taxes are based on the assessed value of the property, zoning and tax rates. The assessed property values may go up slightly due to improvements.

Comment 2: We have been paying the same tax rates as other streets, why isn't this project covered by the City?

Response 2: The purchase of a new house includes the upfront costs to pay for municipal services (water, storm, sanitary, roads, sidewalk, etc.).

Comment 3: Why is the cost structure for the road 60% residents and 40% City when Matilda Street residents paid 40%?

Response 3: The fee structure presented is based on the current City policy.

Comment 4: Can I object to the project and/or the Local Improvement Charges?

Response 4: The process to speak at sub-committee was explained and provided in the form of a handout.

Comment 5: Are we paying to provide a better roadway for transit?

Response 5: Regardless if Pleasant Drive was a bus route it would still be proposed as a Local Improvement project. The road structure is being increased from the typical resident road to accommodate the bus traffic loading. Costs associated with an increased road structure will be paid for by the City.

Project Design Comments

Comment 6: What happens to the abandoned sanitary sewer?

Response 6: The sanitary sewer is typically removed during the installation of the new sewer. In this case the replacement sewer is in an alternate location and therefore it will be filled with grout and abandoned.

Comment 7: Can the sidewalk be continued along the south side Devon Street to connect to the existing sidewalk east of Pleasant Drive?

Response 7: Devon Street is a collector road. According to City policy it should have two sidewalks and the construction of the sidewalk extension would be beneficial. Staff will review the option to continue the sidewalk.

Comment 8: Why was the east side of the road selected to have the sidewalk?

Response 8: The east side was selected for the following reasons. The bus route will travel north bound on Pleasant Drive with a stop on the eastside of the road. The east side resulted in fewer conflicts with utilities, trees and private structures. A Canada Post community mailbox is located on Willow Street immediately east of Pleasant Drive.

Comment 9: Why does the street need a sidewalk?

Response 9: Sidewalks provide safe and level corridors for pedestrians. City policy is to have one sidewalk on a residential streets.

Comment 10: Why does the road have to be so wide?

Response 10: The road was designed with a road width of 8.5m to allow on street parking, two-way traffic, bus traffic, emergency vehicle access while providing snow storage required to reduce winter maintenance. Currently cars park on the shoulder or roadside ditch, once curbs are constructed this will not be possible.

Comment 11: Can the aerial hydro lines be buried during construction?

Response 11: There is no plan to bury the hydro lines. Residents can request to have individual hydro ducts installed during construction. The cost of this would be at the property owner's expense.

Comment 12: I don't want the bus route to include Pleasant Drive.

Response 12: Noted.

Construction Comments

Comment 13: Where can we park during construction?

Response 13: A board was prepared for the open house to show permitted parking. Willow Street was recommended for on street parking during the construction project.

Comment 14: How long will the project take?

Response 14: The project is estimated to take three months.

Comment 15: Will there be ponding in my front yard?

Response 15: The project will improve drainage.

Comment 16: How is garbage collected during construction?

Response 16: During construction to Contractor will collect the garbage and take it to the corner for pickup by the City garbage Contractor.

Prepared by Nick Sheldon

Reviewed by Taylor Crinklaw

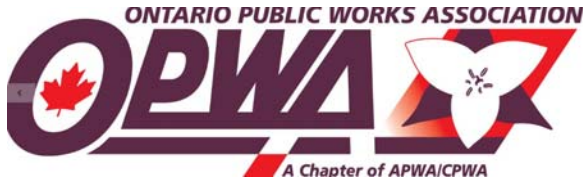
2018 Street Photos of Pleasant Drive



Ponding at the commercial driveway entrances on Pleasant Drive, near Ontario Street.



Ponding and road fatigue on Pleasant Drive, facing North toward Devon Street.



Ontario Publics Works Association (OPWA)
 1525 Cornwall Road, Unit 22
 Oakville, ON
 L6J 0B2

March 29, 2019

Via Email

Dear Mayor and Council:

Re: 2019 National Public Works Week
May 19 – 25, 2019
"It Starts Here"

Since 1960, public works officials in Canada and the United States have celebrated National Public Works Week. This annual observance, which takes place during the third full week in May, is designed to educate the public regarding the importance of our nation's public infrastructure and services. It serves, moreover, as a time to recognize the contributions of public works professionals who work in the public interest to build, manage and operate the essential infrastructure and services of our communities. The week is organized by the Canadian Public Works Association (CPWA) and the American Public Works Association (APWA) and is being celebrated for its 59th year in 2019.

The theme for the 2019 National Public Works Week is **"It Starts Here"**. This theme represents the many facets of modern civilization that grow out of the efforts put forth by the public works professionals across North America. What starts here? *Infrastructure* starts with public works... *Growth and innovation* starts with public works... *Mobility* starts with public works... *Security* starts with public works... *Healthy communities* start with public works... The bottom line is that citizens' quality of life starts with public works.

As a steward of your municipality's public interest, we appeal to you to lend your support to our efforts by issuing a proclamation officially recognizing May 19–25, 2019 as National Public Works Week. Enclosed for your consideration is a draft proclamation. We hope to have all proclamations in our possession by April 30, 2019.

Together, the more than 30,000 members of CPWA and APWA in North America design, build, operate, and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings, and other structures and facilities essential to our economy and way of life. Their dedication and expertise at all levels of government are a capital investment in the growth, development, economic health—and ultimate stability—of the nation. Therefore, we believe it is in the national interest to honour those who devote their lives to its service.

An effective public works program requires the confidence and informed support of all our citizens. To help public works professionals win that confidence and support, it is the mission of CPWA and APWA to promote professional excellence and public awareness through education, advocacy and the exchange of knowledge.

Through a variety of public education activities conducted by CPWA, its chapters and individual public works agencies—particularly during National Public Works Week—tens of thousands of adults and children have been shown the importance of the role of public works in society. The program also seeks to enhance the prestige of the professionals, operators and administrators serving in public works positions and to arouse the interest of young people to pursue careers in the field.

We as the Ontario Chapter, and on behalf of CPWA and APWA, respectfully request that you join other Canadian and U.S. Municipalities in proclaiming the importance of public works to the quality of life in our nations and affirm the contributions of public works professionals.

Should you have questions, please contact me at:

Angela Storey
2019 President, Ontario Chapter
astorey@hamilton.ca
905-546-2424 x 6483

Sincerely,

A handwritten signature in cursive script that reads "A. Storey".

Angela Storey
2019 President
Ontario Chapter, Canadian Public Works Association

National Public Works Week
May 19–25, 2019
"It Starts Here"

Municipal Proclamation

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Ontario; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees from provincial and municipal governments and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in Canada to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities,

WHEREAS, the year 2018 marks the 58th annual National Public Works Week sponsored by the American Public Works Association and Canadian Public Works Association be it now,

RESOLVED, We, the Mayor and Council of **MUNICIPALITY** do hereby designate the week May 19–25, 2019 as National Public Works Week; I urge all our people to join with representatives of the Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Municipality to be affixed,

DONE at the _____, Ontario this _____ the day of _____ 2019.

Mayor

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: March 25, 2019

CASE NO(S): PL160830

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1353837 Ontario Inc. and Lawrence Ryan
Subject:	Proposed Official Plan Amendment No. 21
Municipality:	City of Stratford
OMB Case No.:	PL160830
OMB File No.:	PL160830
OMB Case Name:	1353837 Ontario Inc. v. Stratford

Heard: January 28 -31, 2019 in Stratford, Ontario

APPEARANCES:

Parties

Counsel

City of Stratford (“City”)

C. Williams/D. Neligan

Ministry of Municipal Affairs and
Housing (“MMAH”)

J. Page/J. Evola (Student at law)

1353837 Ontario Inc. and Lawrence
Ryan (“Appellants”)

J. Doherty/J. Minnes/ T. Neill (Student at law)

**DECISION DELIVERED BY BLAIR S. TAYLOR AND ORDER OF THE
TRIBUNAL**

INTRODUCTION

[1] This appeal is but one of over 20 pieces of litigation between the Appellants and the City.

BACKGROUND AND CONTEXT

[2] The City in 2011 commenced its land use planning process to update its 1993 Official Plan. To that end Official Plan Amendment No. 19 (“OPA 19”) was adopted by City Council.

[3] Subsequently the City annexed certain additional lands which required agricultural policies to be included in the City’s Official Plan. Consequently the City repealed OPA 19 and adopted Official Plan Amendment No. 21 (“OPA 21”).

[4] OPA 21 was adopted on December 14, 2015 and the MMAH approved OPA 21 on July 21, 2016.

[5] The Appellants were the only parties to appeal OPA 21.

THE HEARING FOCUS

[6] The focus of the hearing was with regard to section 4.11 of OPA 21. As will be set out in greater detail below, in the lead up to the hearing, the City proposed certain modifications to OPA 21 as set out in the witness statement of its land use planner which were later further modified as in Exhibit 20.

DECISION

[7] The Tribunal has considered the evidence of the witnesses, the evidence of the participants, and the submissions of counsel. The Tribunal has had regard for the matters of Provincial Interest as set out in section 2 of the *Planning Act* (“PA”) and for

the decision of the approval authority and the information it had in making its decision, has found that OPA 21 with the modifications in Exhibit 20 is consistent with the Provincial Policy Statement 2014 (“PPS”), constitutes good planning, and is in the public interest.

[8] Accordingly the Tribunal finds that it will allow the appeal in part, approve OPA 21 as modified by Exhibit 20 and otherwise the appeals of the Appellants are wholly dismissed.

THE SUBJECT LANDS

[9] At issue in this appeal are the lands known municipally as 105 St. Patrick’s Street/350 Downie Street and have been known locally as “the Cooper site”, or “the CNR site”, but for the purposes of this hearing will be referred to as “the Subject Lands”.

BRIEF CHRONOLOGY

[10] In brief form the Tribunal will outline a number of events leading up to this hearing:

- January 1993 the City adopted its Official Plan.
- November 1994 the MMAH approved it with a 2013 planning horizon.
- June 5, 2009 the Subject Lands were expropriated from the Appellants by the City.
- May 27, 2014 OPA 19 was adopted (no agricultural policies).
- January 1, 2015 the City annexed certain agricultural lands.
- September 28, 2015 there was a statutory public meeting to repeal OPA 19.

- November 23, 2015 is the date of the Planning Staff report for the OPA 21.
- December 14, 2015 City Council adopted OPA 21.
- June 24, 2016 the Appellants objected to OPA 21 to the MMAH.
- June 29, 2016 MMAH staff recommended approval of OPA 21 as modified.
- July 21, 2016 OPA21 was approved by the MMAH.
- August 10, 2016 the Appellants appealed all of OPA 21.
- February 2, 2017 the Appellants' appeals were restricted to a site specific appeal of OPA 21 for the Subject Lands.
- November 17, 2017 the Ontario Municipal Board dismissed the City's Motion to Dismiss the appeal by the Appellants against OPA 21.
- April 24, 2018 the Ontario Municipal Board issued its Procedural Order and Issues List including issues concerning the following provisions of OPA 21: subsection 2.3(1); subsection 2.3(viii); subsection 3.5.1; subsection 3.5.3; subsection 3.5.4; subsection 3.5.7(ii); subsection 3.5.7(viii); subsection 3.5.8; subsection 3.6.3; subsection 3.6.4; subsection 4.4.6; subsection 4.4.10; subsection 4.7.2; subsection 4.7.8; subsection 4.9; subsection 5.5; subsection 6.6.3; subsection 8.4(ii) and subsection 8.4(vii).
- November 16, 2018 a "without prejudice" offer to settle was forwarded to the Appellants' counsel from the City's counsel.
- November 26, 2018 the "without prejudice" offer was made a "with prejudice" offer by the City.

- November 30, 2018 the witness statement by David Cuming (Appellants' witness) was filed.
- December 21, 2018, the witness statements of Melanie Hare and Chris Borgal were filed, based on the settlement offer.
- December 21, 2018 a letter from City's counsel confirmed that the City will be proceeding to the hearing on the basis of the with prejudice settlement offer.
- January 11, 2019 the Reply Witness Statement by David Cuming was filed.
- January 14, 2019 the Reply Witness Statement by Lawrence Ryan was filed indicating he was not aware of the settlement offer until December 21, 2018.

STATUTORY PROVISIONS

[11] Section 26 of the PA requires a municipality to revise its official plan to conform with provincial plans, have regard to matters of provincial interest as set out in section 2 of the PA and to be consistent with policy statements. In this case the approval authority is the MMAH.

[12] Section 1 sets out the purposes of the PA which are:

- (a) to promote the sustainable economic development and healthy natural environment within the policy and by the means provided under this Act;
- (b) to provide for a land use planning system led by provincial policy;
- (c) to integrate matters of provincial interest in provincial and municipal planning decisions;
- (d) to provide for planning processes that are fair by making them open, accessible, timely and efficient;
- (e) to encourage the cooperation and coordination among various interests; and
- (f) to recognize the decision-making authority and accountability of municipal councils in planning.

[13] The matters of provincial interest set out in section 2 include:

- (d) the conservation of features of significant architectural, cultural, historical, archeological or scientific interest;
- (h) the orderly development of safe and healthy communities;
- (n) the resolution of planning conflicts involving public and private interests; and
- (p) the appropriate location of growth and development.

[14] Section 2.1(1) of the PA states that:

When an approval authority or the Municipal Board makes a decision under this Act that relates to a planning matter, it shall have regard to, (a) any decision that is made under this Act by a municipal council or by an approval authority and relates to the same planning matter; and (b) any information and material that the municipal council or approval authority considered in making the decision described in clause (a).

[15] Further section 3(5) of the PA states:

A decision of the council of a municipality, local board, planning board, a minister of the Crown and a ministry, board, commission or agency of the government including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, (a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision ...

[16] Finally with regard to the PA, the Tribunal would reference section 17(50) which states the following:

On an appeal or a transfer, the Municipal Board may approve all or part of the plan as all or part of an official plan, make modifications to all or part of the plan and approve all or part of the plan as modified as an official plan or refuse all or part of the plan. (Emphasis added)

PPS

[17] Of specific relevance in this hearing are the following provisions from the PPS. First from Part 3 –“How to Read the PPS”:

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social

factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated and long-time approach to planning, and recognizes linkages among policy areas.

[18] Also from Part 3 is the section entitled “Read the Entire Provincial Policy Statement”:

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the implementation and interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

[19] Section 2.6 is entitled Cultural Heritage and Archaeology and policy 2.6.1 states:

Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

[20] Section 2.6.3 states:

Planning authorities shall not permit development and site alterations on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been determined that the heritage attributes of the protected heritage property will be conserved.

[21] Section 4.7 of the Implementation and Interpretation section states in part:

The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

[22] Also relevant from the PPS are the following definitions:

Built Heritage Resource: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built Heritage Resources are generally located on property that has been designated under Parts IV and V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or

interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural Heritage Landscapes: means a defined geographic area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, railways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National, Historic Site or District designation, or a UNESCO World Heritage Site).

Significant: means ... (e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event or a people.

JURISPRUDENCE

[23] In the determination of this matter the Tribunal has taken guidance from the following cases.

[24] In the *City of Toronto v. Goldless Properties Inc.* 67 O.R. (3rd Edition 3D) pg. 441, the Court of Appeal said at paragraph 49:

In this regard it is important to bear in mind that the purpose of an official plan is to set out a framework of: “goals, objectives and policies” to shape and discipline specific operative planning decisions. An official plan rises above the level of detailed regulation and establishes the broad principles that are to govern the municipality’s land use planning generally. As explained by Saunders, J. in [pg. 458] *Bele Himmel Investments Ltd. v. City of Mississauga* [1982] O.J. #1200 (QL), 13 O.M.B.R. 17 (HJC) at paragraph 22, pg. 27 O.M.B.R. :

“Official plans are not set statutes and should not be construed as such in growing municipalities such as Mississauga, official plans set out the present policy of the community concerning its future physical, social and economic development.”

In our view, it is essential to bear in mind the legislative purpose when interpreting scope of authority to adopt an official plan. The permissible scope for an official plan must be sufficient to embrace all matters that the legislature deems relevant for planning purposes.

[25] In *Cloverdale Shopping Centre Ltd. et al v. Township of Etobicoke, et al* [1966] 2 O.R. pg. 439 (“*Cloverdale*”) the Court said:

The Minister or the Board is not deciding a lis in the sense that the issue is confined to those for or against the proposal but he or it has to consider the safety, welfare and conveniences i.e. the interest, of the public in the municipalities affected. In doing so the Minister or equally the Board is required to “act judicially” but not beyond the sense that the parties are to be accorded a full and fair hearing and their submissions considered. When this has been accorded to the parties, the decision – an administrative decision – has then to be made. The decision is not a decision upon the objections to the proposal; those objections may be and frequently are, of validity and importance; they may however, be overruled upon the larger considerations of administrative policy.

[26] And finally from the *City of Toronto v. Avenue Road Eglinton Community Association*, 2019 ONSC 146 the Tribunal notes that Divisional Court said at paragraph 51:

The City’s and the Ministry’s position that the Board’s decision is unreasonable because it ignores the framework that the Legislature adopted for the implementation of the development permit system ignored several key facts about that framework. First, the Act provides for a right of appeal to the Board from the passage of an official plan amendment. To adjudicate official plan amendment appeals, the Board is required to balance a variety of different stakeholder interests and produce a result that is consistent with the Provincial Policy Statement, conforms to any applicable provincial plan, and represents good planning. The Board is not simply adjudicating on a lis between two parties. To properly perform its function, the Board requires broad procedural discretion to scope and shape the hearing of appeals before it.

THE HEARING

[27] Testifying on behalf of the Appellants were the following: Robert Shipley, qualified as a land use planner with expertise in heritage; David Cuming, land use and cultural heritage resource planner; and one of the Appellants Lawrence Ryan.

[28] The Tribunal also heard from participants Dean Robinson, Roger Hilderly and Lesley Walker-Fitzpatrick.

[29] On behalf of the City, the Tribunal heard from land use planner Melanie Hare and

Chris Brogal qualified as an expert in heritage planning and conservation.

[30] There is one area of agreement between the parties and the participants and that is as it relates to the importance of the Subject Lands.

[31] The uncontradicted evidence is that the Subject Lands were formerly used as the railway repair shop of the Grand Trunk Railway. The Grand Trunk repair building is about 160,000 square feet in size, was sufficiently robust in construction to enable diesel locomotives to be hoisted into the air by crane to enable repair work to be done to the undercarriage of the diesel locomotives.

[32] There is no disagreement among the experts and the participants that the Subject Lands are of local, provincial, national and perhaps even international heritage significance. It is agreed that the Subject Lands are not designated under the *Ontario Heritage Act*.

[33] It is also agreed that there is no *Ontario Heritage Act* matter before the Tribunal but that the Tribunal is only dealing with the OPA 21 under the PA.

[34] Notwithstanding the fact that the without prejudice offer by the City was sent to the Appellants' counsel on November 16, 2018 (two weeks prior to the date for witness statements by the Appellants), it is clear Mr. Cuming was not aware of the offer to settle until he saw the witness statement of Melanie Hare as of December 21, 2018. Similarly Lawrence Ryan in his Reply Witness Statement states that he was not aware of the Offer to Settle until he had seen the December 21, 2018 witness statement.

[35] To the Tribunal that gap in knowledge is a matter external to the consideration of this appeal. Suffice it to say that the with prejudice offer to settle by the City was an attempt to address a number of the Appellants' issues through proposed modifications to OPA 21.

[36] Notwithstanding those modifications, Mr. Cuming remained of the view that the

settlement provisions originally found in Exhibit 16 and as refined in Exhibit 20 were not in any measurable way an improvement on the original OPA 21 Section 4.11 policies.

[37] He testified that there was no evidence that the Exhibit 16 policies were subject to any review or consultation or that they were processed through any PA requirements for public meetings; that the proposed new section 4.11.2 under-estimated the quantity, quality and significance of the built heritage resources and that they were an inadequate response to any meaningful conservation.

[38] Curiously the Reply Witness Statement of Lawrence Ryan (Exhibit 10 at Paragraph 22 and 23) states:

- 22 135 [1353837 Ontario Inc.] was first made aware of the proposed section 4.11 when the City provided their Responding Witness Statements on December 21, 2018.
- 23 The proposed section 4.11 proposed by the City confirms 135 partial success in this appeal...

He too however complains that the City did not undergo a public process nor did it consult with the public in any meaningful way with regard to the proposed modifications.

[39] The original version of section 4.11 is found in OPA 21 at Exhibit 2, Tab 36, Page 805. There section 4.11 is referenced as being the Cooper Site – Major Institutional Use Focus Area. Section 4.11.2 under Permitted Uses provides for largely Public Institution or Public Service Facility Use. Section 4.11.3 notes that the City is in the process of determining the future of the existing structure on the Cooper site which may include demolition, partial preservation, rehabilitation and/or commemoration. And section 4.11.4 provides that the City will go through a master plan process for the development of the lands on the Cooper site.

[40] Exhibit 16 contains a track changes version of the proposed modifications to section 4.11, and as proposed by the City whereby the following changes are made:

- a. The name of the area is changed to the Grand Trunk Anchor District;

- b. Reference is made to the Young Men's Christian Association and the University of Waterloo activities on the Subject Lands;
- c. That the Subject Lands will be subject to the policies of the Downtown Core designation in the Official Plan. (All of the other permitted uses proposed in section 4.11.2 are deleted.)
- d. Section 4.11.2 is significantly reworked to note that the Subject Lands contain a significant built heritage resource, that the City is in the process of determining the future of the Grand Trunk building, the options include ... "rehabilitation, adaptive – reuse, partial preservation, conservation, commemoration and/or demolition in whole or in part. Given the significance of the built heritage resource a heritage impact assessment shall be submitted for any development or permit application in the Grand Trunk Anchor District."

[41] The proposed section 4.11 carries on to deal with parking in the downtown area, the Master Plan Process, and Bonus Eligibility for Height and/or Density for a number of factors and makes some modest alterations in terms of mapping to ensure the entire Subject Lands were mapped as Downtown Core Area.

PARTICIPANTS

[42] The Tribunal heard from three participants whose interest in this matter the Tribunal finds to be separate and distinct from that of the Appellants.

[43] The Tribunal is of the view that the participants' angst stems from the original wording of OPA 21 in section 4.11.3 under the heading Commemoration/Preservation where the policy states that the City is in the process of determining the future of the existing structure on the Cooper site which may include "demolition", partial preservation, rehabilitation and/or commemoration.

[44] From the evidence the Tribunal heard, it seemed clear that the phraseology used in section 4.11.3 which lists “demolition” as the first option caused significant mistrust between elements of the public and City Council due to the fact that the Subject Lands had been recommended to be designated under the *Ontario Heritage Act* to City Council but City Council had declined to do that. Thus with demolition as being the first option in section 4.11.3, it may have served to heighten the concerns of the participants that the structure would be totally demolished.

[45] The revised wording in Exhibit 20 under section 4.1.1(iii) provides: to ensure that the historic use of the Grand Trunk Anchor District is commemorated and the Grand Trunk building is conserved with an emphasis on the importance of rail to the development of the City. This proposed modification did provide some degree of comfort to the participants, however the wording of as found in section 4.11.2 in the listing of options which was revised to read rehabilitation, adaptive – reuse, partial preservation, conservation, commemoration and/or demolition in whole or in part, still raised concerns with the participants due to the retention of the word “demolition”.

APPELLANTS’ CASE

[46] It was Mr. Cuming’s opinion section 4.11 as found in Exhibit 20 was not an improvement on the proposed section 4.11 policies as found in the original OPA 21 and it was his opinion OPA 21 section 4.11 policies should be deleted in their entirety.

[47] He was of the view that the Subject Lands were better protected under the Heritage Conservation provisions of OPA 21 in section 3.5.1 under Purpose where it states: “... the City recognizes the significance of these resources and will provide for their conservation, including adaptive reuse, in accordance with the provisions of the *Ontario Heritage Act*, the *Cemeteries Act*, and the *Planning Act* and other relevant legislation.”

[48] Further he took the Tribunal to a number of policies in section 3.5.7 Implementation: (ii) City Resources where it states:

The City shall protect and maintain all City owned heritage resources to the highest standard to set a model for heritage conservation, while providing for adaptive reuse.

To (iii) Regulatory and Other Legislative Tools:

(a) the City shall use available regulatory and other legislative tools to protect heritage resources including the power to stop demolition and alteration of designated properties under the *Ontario Heritage Act* ...

To (iv) Heritage Easements:

The City may acquire heritage easements and enter into development agreements as appropriate for the protection of heritage resources and landscapes.

To (viii) Adjacent lands:

Development and site alteration on lands adjacent to designated heritage properties or heritage conservation districts shall not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. The City shall require submission of a heritage impact assessment prepared by a qualified professional to address this requirement.

And finally to section 3.5.8 Infilling in Heritage Areas where it states:

That in the Heritage Areas and the Heritage Corridors as shown on Schedule E, the City will ensure that, where infilling is proposed or municipal services are being installed or upgraded, the inherent heritage qualities of the area or corridor will be retained, restored and ideally enhanced unless overriding conditions of public health and safety warrant otherwise.

[49] It was Mr. Cuming's opinion that the inclusion of the word "demolition" in section 4.11.2 of Exhibit 20 was the antithesis of what was intended in section 2.6.1 of the PPS where significant built heritage resources and significant cultural heritage landscapes shall be conserved.

[50] It was his opinion that the heritage provisions as found in Exhibit 20 were not consistent with the PPS and that the Subject Lands would be better off with the existing

heritage provisions in OPA 21.

[51] The final witness for the Appellants was Lawrence Ryan who testified that he wanted to see changes to the land use schedules for OPA 21 which would include depicting the so-called “undisputed lands” and the “disputed lands” between he and the City.

[52] The Tribunal also heard that Mr. Ryan’s primary concern was that the City had created an official plan amendment that set the Subject Lands up to be sold.

[53] His evidence was that section 4.11 of OPA 21 prejudiced his company and that the Tribunal should note that the City is trying to do indirectly what they cannot do directly and that the Tribunal should either delete section 4.11 in its entirety or ensure that the policy protects his rights under section 2(n) of the PA which references the resolution of planning conflicts involving public and private interests as a matter of provincial interest.

CITY’S CASE

[54] The Tribunal heard from land use planner Melanie Hare with regard to her involvement in this matter. She indicated that Appendix C to her witness statement of December 21, 2018 contained the original set of proposed modifications to OPA 21, which was an attempt by the City to address the concerns of the Appellants as they related to the wording of section 4.11.

[55] In response to the evidence of the Appellants, she had done further revisions to Exhibit 16 and produced Exhibit 20 which is a track change version of modified Ex.16, to address concerns of the Appellants in their evidence in chief.

[56] She testified that if the Tribunal were not approve section 4.11, then there would be no site specific policy direction with regard to the Grand Trunk Anchor District, no recognition of the City’s intent with regard to the Grand Trunk building, no intent with

regard to parking on the Subject Lands, and no intent with regard to the master plan process.

[57] In her view, OPA 21 with the proposed modifications as found in Exhibit 20, was consistent with the PPS as being a growth area pursuant to section 1.1.3.1 where the focus of growth was in a settlement area and to promote redevelopment including brownfield sites which the Subject Lands are. Further, it was her opinion that OPA 21 was consistent with the long-term economic prosperity set out in section 1.7.1 of the PPS especially with regard to: (a) promoting opportunities for economic development and community investment readiness; (b) optimizing the long-term availability and use of land resources, infrastructure; (c) maintaining and where possible enhancing the vitality and viability of downtowns and main streets; (d) encouraging a sense of place by promoting well-designed built form and cultural planning and by conserving features that helped to define character, including built heritage resources and cultural landscapes; and (e) promoting the redevelopment of brownfield sites.

[58] She agreed that section 2.6.1 references that significant built heritage resources and significant cultural heritage landscapes shall be conserved but noted the definition of conserved does not preclude demolition and that the Subject Lands had not been designated under the *Ontario Heritage Act*.

[59] She agreed that section 4.7 of the PPS states that the official plan is the most important vehicle for the implementation of the PPS and submitted that this has been done through section 4.11 as found in Exhibit 20 where a range of options are set out firstly for rehabilitation, adaptive reuse, partial preservation, conservation, commemoration and/or demolition in whole or in part and that the master plan which has now been completed (Exhibit 1, Tab 30) specifically references the adaptive reuse of the Grand Trunk building.

[60] She disagreed with Mr. Cuming's evidence as it related to the deletion of section 4.11 as being inconsistent with the PPS.

[61] Further she indicated that while Mr. Cuming sought to rely on other policies of OPA 21, while those policies were in force and of effect for all of the other lands in the City of Stratford, that the entire OPA 21 had been appealed by the Appellants and if OPA 21 were not approved by the Tribunal, the fallback position for the Subject Lands would be the 1993 Official Plan which precedes both the PPS of 2005 and the PPS of 2014.

[62] In cross-examination Ms. Hare was asked if the definition of conserved in the PPS did not include any mention of demolition to which she responded that she agreed, but that the definition of conserved does not include any mention of adaptive reuse or any of the other options that are available. She was asked if demolition was the antithesis of conserved to which she disagreed testifying that demolition may not be a preferred alternative but it is not precluded from the definition of conserved.

[63] The Tribunal heard from Chris Borgal whose knowledge of the Subject Lands dates from 2010 when the City retained him to examine the Subject Lands and he provided an independent review at that time. Subsequently in preparation for this hearing he was retained again due to his familiarity with the area and with the Subject Lands and the Grand Trunk building.

[64] Addressing the issue of demolition he noted that the definition of conserved in the PPS does not include demolition but that it also did not use the word preservation. Thus he was of the view that it entailed a wide range of options.

[65] He testified that for example with regard to the current refurbishment of Massey Hall in Toronto, that it was necessary to remove part of the building to allow for a larger back of house for the auditorium.

[66] With regard to the Subject Lands, the concept of a full and complete demolition of the Subject Lands is not supported by him but that some demolition of part of the building might be necessary for the viable adaptive reuse of the Subject Lands.

MMAH'S CASE

[67] Finally the Tribunal heard from Eric Boyd, the Acting Manager of Community Planning for the Ministry of Municipal Affairs and Housing. Mr. Boyd described the “one window” process in the provincial government with regard to OPA 19 and 21 and that his Ministry was the lead and had circulated the OPAs to the other ministries to provide comments from their areas of expertise and that the Ministry makes the decision. He indicated that the Ministry of Tourism, Culture and Sport (which ministry has responsibility for heritage matters) had been circulated and it had no comments with regard specifically to section 4.11 of OPA 19 and OPA 21.

[68] He confirmed that the Ministry had received submissions from members of the public and that the Appellants had also written making submissions again as to the Appellants' particular interest in the Subject Lands. He stated that the Ministry had approved the OPA 21, that he had first seen the proposed modifications in the witness statement of Ms. Hare on December 21, 2018 and that he had had no significant concerns with them but he contacted the Ministry of Tourism, Culture and Sport and circulated the email to them and followed up with a phone call to the manager and the heritage planner to see if there were any concerns or revisions needed and that there were no significant concerns or comments.

[69] He concurred with the land use planning opinion of Ms. Hare.

[70] His opinion was that OPA 21 implemented the policy direction in the PPS and that it was consistent with the PPS. He stated that it was not uncommon for there to be special sites mentioned in the official plan of a municipality. In this case there was a large significant built heritage structure and that it was good planning to have a special policy for such a building and lands as it would provide the basis for the municipality to do more planning work i.e. through a master plan, that it would acknowledge and recognize the comments that had come in from the public with regard to the Subject Lands and that the PA in section 24 requires that public works be done in accordance with the official plan. Therefore he was supportive of Exhibit 20 that it took into account

the provincial interest laid in section 2 of the PA, it was consistent with the PPS, and represented good planning.

FINDINGS

[71] The purpose of an official plan is to shape broad principles to govern the municipality's land use planning.

[72] On an appeal of an official plan, the courts have said since *Cloverdale* in 1966 and as recently as Avenue Road Eglinton Community Association in 2019, that the Tribunal is not acting like a court and deciding a *lis* between the parties. While the Tribunal has to act "judicially" in terms of a fair and transparent hearing, once that has been accorded to the parties, the Tribunal then makes an administrative decision that considers matters of provincial interest, consistency with the PPS, conformity with any provincial plans, good planning and the public interest.

[73] On an appeal of an official plan, section 17(50) of the PA enables the Tribunal to make modifications to all or part of the official plan that has already gone through the PA process with public and statutory meetings where the public is consulted.

[74] In this case, the Tribunal prefers the evidence of Ms. Hare, Mr. Boyd and Mr. Borgal.

[75] The Tribunal does not agree with the opinion of Mr. Cuming that if the Tribunal were to allow the Appellants' appeal that the Subject Lands would be protected by other provisions in OPA 21. Had the Appellants narrowed the appeal to just section 4.11 that might have been the case, but that was never done, as evidenced by the Issues List in the Procedural Order issued by the Tribunal.

[76] The Tribunal finds that the interests of the Appellants are separate from the interests of the participants.

[77] The Tribunal finds that the participants' interests seek to have the Grand Trunk building preserved in toto, and the mere reference to "demolition" strikes fear and consternation in the hearts of the participants.

[78] Some comfort was taken by the participants in the master planning exercise which has been completed and seeks the adaptive reuse of the Grand Trunk building but participant concerns remain when OPA 21 as found in Exhibit 20 still includes reference to "demolition".

[79] The Tribunal construes the interests of the Appellants to be self-interest and not public interest as evidenced by Mr. Ryan's desire that the land use schedules of OPA 21 should depict the "disputed lands" and the "undisputed lands", in reference to his other on-going litigation with the City.

[80] The Tribunal in considering this matter notes the following circumstances: the Subject Lands are located in the heart of the City's downtown, are adjacent to a heritage district, the Subject Lands contain a building integral to the City's history and agreed by all to be a significant built heritage resource, but located in a brownfield area.

[81] In such circumstances, the Tribunal finds that the City ought to have as wide a range of options available to it so as to enable the possible adaptive reuse of the Grand Trunk building and the Subject Lands being reclaimed from a brownfield site, due to their prominent location within the downtown area of the City.

[82] The Tribunal does not agree that demolition is the antithesis of conserved as set out in the definition in the PPS. As Mr. Borgal explained sometimes some demolition may be necessary to effect the adaptive reuse of a significant built heritage resource.

[83] While that may cause angst for the participants, the Tribunal finds that it would not be appropriate to tie the hands of the City with regard to a very important public asset in the downtown of the City.

[84] Thus the Tribunal will allow the appeal in part, will approve OPA 21 as modified for section 4.11 as found in Exhibit 20 and otherwise wholly dismisses the appeals of the Appellants.

[85] This is the Order of the Tribunal.

“Blair S. Taylor”

BLAIR S. TAYLOR
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario - Environment and Land Division
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248



MANAGEMENT REPORT

Date: April 8, 2019
To: Mayor and Council
From: Ed Dujlovic
Report#: COU19-026
Attachments: None

Title: RFP-2019-07 Blue Box Recyclable Materials Processing

Objective: To award the contract for the processing of recyclable materials.

Background: The City currently has a contract with Bluewater Recycling Association for the processing of blue box materials that expires at the end of April 2019. Currently, the processing fee is \$90 per tonne. The processing fee was deducted from the revenue. We were guaranteed no costs for the duration of the contract 2012-Spring 2019. Over the contract duration, we received over \$160,000 in revenue from the sale of our blue box materials and were not invoiced for expenses, even though in the last few years the costs exceeded revenues. In an audit of our Datacall, the Datacall is the source of data for determining the net blue box system cost and for allocating funding under the Blue Box Program Plan, it was reiterated that the City of Stratford had a very favourable agreement.

There has been a huge industry change regarding the markets for blue box materials. In December 2017, a Chinese Directive was issued that resulted in 24 recycled materials being banned from import. In March 2018, China directed that recyclable materials must have a contamination rate of less than 0.5%. In the spring of 2018, U.S. shipments of recyclable materials to China were halted. In December 2018, 32 additional materials were banned by China. December 2019 will see 16 more materials banned and by December 2020 there will be a complete ban of recyclable imports in favour of Chinese domestic sources.

The world impact on recyclable material markets was significant as China was managing 90% of the market. The trickle effect is that more countries are now banning imports. Domestic markets have shown an over-supply of materials resulting in lower commodity prices. The U.S. reaction has seen a 25% cut in mixed paper from recycling programs, 45% cut in mixed plastics and 31% increase in landfilling recyclables from lack of markets. Some U.S. cities have temporarily stopped their recycling programs.

Analysis: Three processing contractors expressed an interest in responding to the RFP. Only one submission was received. It was from Bluewater Recycling Association, our current recycling processor. The fee submitted for the processing of recycled materials is \$185 per tonne an increase of \$95 per tonne.

In addition to the increased fee, there will also be an elimination of certain materials that are difficult to process and are of little value in the commodity market.

- Cartons - this includes tetra packs, milk cartons and ice cream containers. They are a laminated product that needs to be kept separate from other commodities otherwise they become a contamination issue.
- Aluminum Foil – it is difficult to sort and the foil disintegrates in the smelter.
- Aerosol Containers - They contribute to hundreds of fires in processing facilities every year, each jeopardizing the safety of the workers and they cause significant risks to the processing facility.
- Paint Cans - The industry is converting to plastic paint cans with a metal top which are not recyclable.
- Beverage Cups - Beverage cups have never been part of our program, but because the word got out that we were testing them for a while, people assumed they were recyclable. Beverage cups are a laminated product much like cartons and they are even more difficult to separate from the rest of the materials and recycle in the end partly because of the ink used on the outside of the cups.
- Small Items - This is a new problem for us. In the 1990's, everything was large and club pack sized. Today, everything is becoming individualized in small sizes of greater variety. The bottom line is we are essentially trying to sort out confetti and it is nearly impossible. Now that quality matters (markets want 99.5% pure material), anything below a certain size, 75mm (3 inches), has to be screened out to purify the rest of the materials.

Financial Impact: The 2019 waste management budget was adjusted for the increased cost of processing recyclable materials in the amount of \$250,000.

The budgeted transfer to reserve for 2019 has been reduced by a corresponding amount and now is anticipated to be \$143,400.

Staff Recommendation: THAT Council approve the award of RFP-2019-07 Blue Box Recyclable Materials Processing to Bluewater Recycling Association at \$185 per tonne plus HST;

AND THAT the Mayor and Clerk be authorized to sign the necessary contract documentation.



Ed Dujlovic, Director of Infrastructure and Development Services



Rob Horne, Chief Administrative Officer



Stratford Map



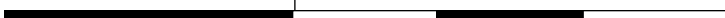
Legend

- Property Parcel
- Avon River/Lake Victoria
- Parks
- Aerial 2015 20cm

1: 4,000



155.4 0 77.72 155.4 Meters



NAD_1983_UTM_Zone_17N

© City of Stratford

Map Printed: February 21, 2019

Disclaimer: This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

585 Douro St.



MANAGEMENT REPORT

Date: February 27, 2019
To: Infrastructure, Transportation and Safety Sub-committee
From: Ed Dujlovic, Director of Infrastructure and Development Services
Report#: ITS19-008
Attachments: None

Title: Douro Street Traffic Concerns from Waterloo Street to Romeo Street South

Objective: To address traffic concerns on Douro Street from Waterloo Street to Romeo Street South.

Background: At the November 28, 2018 Infrastructure, Transportation and Safety Sub-Committee meeting, the following motion was passed:

THAT the matter of speeding and signage on Douro Street raised by Penny Dufour and Michael Lacoursiere be referred to Staff to review;

AND THAT a report be brought back to Infrastructure, Transportation and Safety Sub-committee.

Douro Street is classified as a collector road in the City's Official Plan. Between Waterloo Street and Front Street Douro Street has a width of 6.8 metres; from Front Street to Romeo Street South Douro Street is 7.3 metres wide; with sidewalk on both sides, no on street parking, and only one all-way stop located at Front Street.

Accident data provided by the Stratford Police for the section of Douro Street from Waterloo Street to Romeo Street South from the start of 2014 to September of 2018 shows that there have been 46 accidents with 26 of the 46 incidents occurring at the intersections of Douro Street and Waterloo Street and Douro Street and Romeo Street.

Previously, traffic counts and speed statistics have been collected on Douro Street. The following chart provides information on volumes and speeds measured.

Location on Douro between	Bay Street and Well Street	Trinity Street and King Street	Nile Street and Front Street	Waterloo Street and Nile Street
Date	July 2014	August 2016	August 2016	July 2014
Duration	1 day	7 day	5 day	1 day
Median	44.9 km/h	50.0 km/h	45.5 km/h	46.3 km/h
95 percentile	53.9 km/h	60.4 km/h	55.6 km/h	55.9 km/h
Max speed	80.7 km/h	90.8 km/h	85.7 km/h	80.7 km/h
Vehicles/day	5512	4562	4402	5394
Vehicles over 60 km/h per day	81	251	57	38

It has been suggested that additional stop signs at various intersections be installed and that the posted speed be reduced to 40km/h.

Analysis: As indicated, Douro Street is classified as a collector road and does carry a higher volume of traffic than a local street. It provides a connection to the City's downtown to the industrial/commercial area at the east end of the City.

It has been suggested that all-way stops be installed at several of the intersections along Douro Street to reduce the speed of traffic. The purpose of all-way stops is to control right-of-way conflicts. Other than the Front Street and Douro Street intersection, there are no other intersections along Douro Street between Waterloo Street and Romeo Street South that justify the installation of an all-way stop.

At a recent Zero Vision workshop attended by City staff, the subject of using stop signs to calm traffic was discussed. The panel rejected this method of traffic calming. Factors that have contributed to this position are:

- increase the risk of rear-end crashes;
- worsen delays at adjacent intersections by causing traffic to leave the intersection equally spaced;
- increase noise to neighbouring properties;
- increase speed away from the intersections;
- reduce respect for stop signs when drivers perceive a stop to be unnecessary in the absence of conflicting traffic; accordingly,
- this results in a decrease to the safety of pedestrians at the intersection.

If additional stops were to be introduced, this may have the unintended consequence of diverting traffic to other nearby streets.

It was also suggested that the speed limit be reduced to 40km/h. The following chart provides information on volumes and speeds measured for roads in Stratford posted at 40km/h.

	Mornington Street between James Street and Glendon Drive	West Gore Street between St. Vincent Street and John Street	John Street between West Gore Street and Cambria Street
Date	June 2014	July 2014	August 2014
Duration	1 day	1 day	1 day
Median	53.7 km/h	46.9 km/h	44.9 km/h
95 percentile	64.7 km/h	56.3 km/h	54.3 km/h
Max speed	118.2 km/h	69.1 km/h	72.2 km/h
Vehicles/day	8346	5144	5870
Vehicles over 60 km/h per day	1536	83	57

The majority of the results are similar to Douro Street. What the data indicates is that posting a lower speed limit does not reduce the median speed of traffic.

The City is awaiting the delivery of a new portable speed display sign. City staff intends to use the sign throughout the City in response to concerns that have been raised in regard to speeds on local streets. Studies have shown that speed display signs can be effective in reducing operating speeds in the long term; the greatest speed reductions are gained shortly after a speed display sign is installed. Permitting permanent installations may lead to a proliferation of speed display signs which could lessen the visual impact of the signs where they are needed most. To maximize effectiveness, speed display signs should only be used on a temporary basis at locations where they are most needed.

Financial Impact: None at this time.

Staff Recommendation: **THAT the City use the portable speed display sign on Douro Street at various locations and intervals throughout the year.**



Ed Dujlovic, Director of Infrastructure and Development Services

A handwritten signature in black ink that reads "Rob Horne". The signature is written in a cursive style with a large, stylized "R" and "H".

Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: February 20, 2019
To: Infrastructure, Transportation and Safety Sub-committee
From: John Paradis, Fire Chief
Report#: ITS19-012
Attachments: None

Title: 2019 Fire Dispatching Agreements

Objective: To consider approving the renewal of the Fire Dispatching Agreements Expiring at the end of 2018.

Background: The following municipalities have requested extensions/renewals of their current dispatching agreements:

1. Perth East – 2 years;
2. West Perth – 2 years;
3. North Perth – 2 years;
4. St Marys/Perth South – 2 years;
5. Central Huron/Bluewater – 2 years;
6. Goderich – 1 year; and
7. Huron East – 5 years

Analysis: Municipalities have expressed they are happy with the services provided by the Stratford Fire Department over the years but some are requesting short extensions while awaiting the possibility of any future upgrades to the current dispatching system.

Like the previous agreements, there is an inclusion that this agreement may be terminated on 90 days written notice given to either party.

Financial Impact: These dispatching agreements will generate \$116,768.35 plus HST in revenue for 2019.

The yearly dispatching fees for all extensions/renewals are calculated as follows:

2019 – 2018 end rate + CPI (2.29%) + HST (13%)

2020 – 2019 end rate + CPI (TBD) + HST
2021 – 2020 end rate + CPI (TBD) + HST
2022 – 2021 end rate + CPI (TBD) + HST
2023 – 2022 end rate + CPI (TBD) + HST

Staff Recommendation: THAT Council approve the extensions and renewals for Fire Dispatching Services with Perth East, West Perth, North Perth, St Marys/Perth South, Goderich, Huron East, and Central Huron/Bluewater

AND THAT the Mayor and City Clerk be authorized to execute the renewal.



John Paradis, Fire Chief



Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: February 27, 2019
To: Infrastructure, Transportation and Safety Sub-committee
From: Tatiana Dafoe, Deputy Clerk
Report#: ITS19-010
Attachments:

1. Traffic and Parking By-law 159-2008 with Tracked Changes
2. Schedule 1 – No Stopping with Tracked Changes
3. Schedule 3 – Exemptions for Mobility Bus with Tracked Changes
4. Schedule 6 – Angle Parking Only with Tracked Changes
5. Schedule 8 – Prohibited Turns with Tracked Changes
6. Schedule 16 – 30 Minute Metered Zones with Tracked Changes
7. Schedule 17 – 4 Hour Metered Zones with Tracked Changes
8. Schedule 21 – Designated Parking for Persons with Disabilities with Tracked Changes
9. Schedule 22 – Parking Lots with Tracked Changes

Title: 2019 Housekeeping and Update of Traffic and Parking By-law 159-2008

Objective: To update Traffic and Parking By-law 159-2008 due to technical and housekeeping changes.

Background: Staff has completed a comprehensive review of Traffic and Parking By-law 159-2008. Various items have been identified as housekeeping matters and updates related to the Pay by Plate machines.

Analysis: Upon review of the Traffic and Parking By-law the following housekeeping items were identified:

- All areas noting "City of Stratford" updated to read "The Corporation of the City of Stratford".
- The word "Disabled" updated to "Accessible" throughout the document, this includes Schedule 21 – Designated Parking for Persons with Disabilities.
- All areas noting "Engineering and Public Works" updated to "Infrastructure and Development Services".

- Descriptions of and instructions related to Pay and Display Machines updated to Pay by Plate Machines.
- "Market Place" updated to "Market Square" where appropriate.
- All references related to the Kiwanis Community Centre removed.
- Schedule 1 has been updated to remove No Stopping on St. Patrick Street between Erie Street and Wellington Street during the hours of 11:30 a.m. to 1:00 p.m. and 4:00 p.m. to 6:00 p.m. (except Sundays).
- Schedule 1 has been updated to remove No Stopping on Ontario Street North side from Romeo Street Westerly to C.N.R. Railway crossing as this is covered in the under the No Stopping on Ontario Street North side from Waterloo Street to the East City limits.
- Schedule 3 has been deleted as currently in the City of Stratford no Mobility Bus specific stops exist.
- Schedule 6, Angle Parking Only, has been updated for Market Place as this type of parking only exists on the south side of Market Place.
- Schedule 8, Prohibited Turns, has been updated to remove the reference to the Kiwanis Community Centre and left turns southbound off Romeo Street onto Devon Street as a resolution was passed in 2001 in this regard.
- Schedule 16 and 17, 30 Minutes Metered Zones and 4 Hour Metered Zones respectively, have been updated to reflect current status of each of these zones.
- Schedule 22 has been updated to remove the Kiwanis Community Centre and Woolworth Co. as these are no longer City enforced parking spaces.
- Section 83 has been updated to include that "no refunds shall be granted" when an excess amount of coins are deposited into a parking meter or Pay by Plate machine.

Financial Impact: None.


Staff Recommendations: THAT the housekeeping amendments to Traffic and Parking By-law 159-2008 be approved as follows:

- All areas noting "City of Stratford" updated to read "The Corporation of the City of Stratford";

- The word “Disabled” updated to “Accessible” throughout the document, this includes Schedule 21 – Designated Parking for Persons with Disabilities;
- All areas noting “Engineering and Public Works” updated to “Infrastructure and Development Services”;
- Descriptions of and instructions related to Pay and Display Machines updated to Pay by Plate Machines;
- “Market Place” updated to “Market Square” where appropriate;
- All references related to the Kiwanis Community Centre removed;
- Schedule 3 has been deleted as currently in the City of Stratford no Mobility Bus specific stops exist;
- Schedule 6, Angle Parking Only, has been updated for Market Place as this type of parking only exists on the south side of Market Place;
- Schedule 8, Prohibited Turns, has been updated to remove the reference to the Kiwanis Community Centre and left turns southbound off Romeo Street onto Devon Street as a resolution was passed in 2001 in this regard;
- Schedule 16 and 17, 30 Minutes Metered Zones and 4 Hour Metered Zones respectively, have been updated to reflect current status of each of these zones;
- Schedule 22 has been updated to remove the Kiwanis Community Centre and Woolworth Co. as these are no longer City enforced parking spaces;
- Section 83 has been updated to include that “no refunds shall be granted” when an excess amount of coins are deposited into a parking meter or Pay by Plate machine.



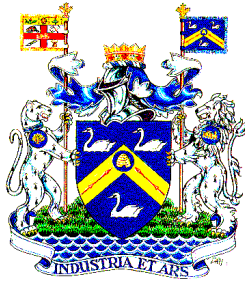
Tatiana Dafoe, Deputy Clerk

A handwritten signature in black ink, appearing to read "Michael Humble", written over a horizontal line.

Michael Humble, Director of Corporate Services

A handwritten signature in black ink, appearing to read "Rob Horne", written over a horizontal line.

Rob Horne, Chief Administrative Officer



**BY-LAW NUMBER 159-2008
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to regulate traffic and the parking of motor vehicles in the City of Stratford

TABLE OF SECTIONS

<u>Section</u>	<u>Description</u>
1	Definitions
2	Enforcement

PART 1 - TRAFFIC

<u>Section</u>	<u>Description</u>
3	Erection of Control Devices
4	Manner of Parallel Parking
5	Manner of Angle Parking
6	Manner of Parking on One-Way Street
7	No Stopping
8	No Parking in Unposted Locations
9	No Parking in Posted Locations
10	No Parking on Specified Streets
11	No Parking at Bus/Mobility Bus Stops
12	No Parking at Taxi Stands
13	Parking During Emergencies and Special Events
14	Restricted Parking on Specified Streets
15	Angle Parking Permitted on Specified Streets
16	Prohibited Times of Loading and Unloading
17	Manner of Parking Motorcycles
18	Prohibited Turns
19	Obstructing Traffic
20	Traffic Signs
21	Funeral & Other Processions
22	One-Way Streets
23	Through Highways
24	Heavy Truck Restrictions

25	School Bus Loading Zones
26	Use of Sidewalk
27	Coasting or Sliding
28	Skateboarding/In-line skating
29	Bicycles/Motorcycles
30	Exemption for Emergency Vehicles
31	Motor Vehicles to be Locked
32	Higher and Lower Speed Limits

PART 2 - METERED ON-STREET PARKING

<u>Section</u>	<u>Description</u>
33	15 Minute Metered Zones
34	30 Minute Metered Zones
35	3 Hour Metered Zones
36	12 Hour Metered Zones
37	On-Street Parking Meter Zones
38	Installation of Meters
39	Parking Spaces on Streets with Zones
40	One Vehicle in Parking Space
41	Operation of Parking Meter for Space
42	Time Limits for Zones
43	Coinage Authorized
44	Lawful Use of Space
45	Parking Overtime
46	Extension of Parking Time
47	Vehicle Parked Overtime
48	Display of Permits
49	Meter Hoods
50	Municipal Official Permit
51	Special and Media Permits
52	Unauthorized Devices
53	Tampering with Meters
54	Inapplicable on Sundays and Holidays

PART 3 - METERED OFF-STREET MUNICIPAL PARKING

<u>Section</u>	<u>Description</u>
55	Metered Municipal Parking Lots
56	Lawful Use of Space
57	Government/Utility Vehicles
58	Previous Sections Apply
59	Semi-Annual Parking Permits
60	No Long Vehicle Parking

PART 4 - UNMETERED OFF-STREET MUNICIPAL PARKING

<u>Section</u>	<u>Description</u>
61	Unmetered Municipal Parking Lots
62	Lawful Use of Space
63	No Long Vehicle Parking
64-69	Other parking requirements for off street parking

PART 5 - FIRE ROUTES

<u>Section</u>	<u>Description</u>
70	Tampering with Signs
71	Conflicting Signs on Fire Routes
72	Unauthorized Use of Signs
73	No Parking On Fire Route

PART 6 - PARKING FOR PERSONS WITH DISABILITIES

<u>Section</u>	<u>Description</u>
74	Parking Space for Disabled Persons
75	Display of Permit
76	Prohibitions Regarding Permits
77	Physical Characteristics, Location and Allocation of Designated Parking Spaces

PART 7 – PRIVATELY OWNED LOTS

<u>Section</u>	<u>Description</u>
78	Privately-Owned Off Street Parking Lots

PART 8 – MOTORIZED SNOW VEHICLES

<u>Section</u>	<u>Description</u>
79	Operation of Motorized Snow Vehicles

PART 9 – GENERAL PROVISIONS

<u>Section</u>	<u>Description</u>
80	General Penalty
81	Illegally Parked Vehicles

82	Towing of Illegally Parked Vehicles
83	Excess Coins in Parking Meters
84	Executive Acts Authorized
85	Headings Not Part of By-law
86	Deviation from Form
87	Conflict with <i>Highway Traffic Act</i>
88	Existing Signage
89	Commencement
90	Short Title

WHEREAS section 27(1) of the *Municipal Act, 2001, S.O. 2001 c.* as amended, provides that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS highways, including parking and traffic on highways is within the jurisdiction of The Corporation of the City of Stratford (hereinafter "the City"), being a single-tier municipality;

AND WHEREAS regard has been given to the *Highway Traffic Act, 1990* as amended to ensure that this by-law is consistent with the said Act.

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

TRAFFIC AND PARKING BY-LAW

Definitions

1. In this by-law, unless a contrary intention appears,

"agricultural purposes" means **lands zoned for agricultural purposes or lawfully used as such as of the date of this by-law** where animals or birds are lawfully kept for grazing, breeding, raising, boarding, training, or for the tillage of soil, rowing, harvesting of vegetables, fruits, field crops or landscaping materials;

"angle parking" – is defined as parking a vehicle on an angle usually at 45 degrees to the curb or as defined by the parking markings.

"bicycle" includes a tricycle and/or a unicycle but does not include a motor assisted vehicle;

"boulevard" means that portion of every road allowance within the limits of the City including islands in cul-de-sacs, which is not used as a sidewalk, driveway access, traveled roadway or shoulder;

"bus" means a motor vehicle designed for carrying ten or more passengers but does not include a Mobility Bus;

"bus stop" means that portion of roadway abutting the curb or portion of shoulder abutting the roadway, indicated by a posted authorized sign for the purpose of stopping buses operated by The Corporation of the City of Stratford while picking up or discharging passengers;

"bicycle lane" is a dedicated portion of the roadway for bicycle use, which is designated by a lane marking, separating the portion of roadway used by motor vehicles from the portion of roadway used by bicycles;

"commercial motor vehicle" means any motor vehicle having permanently attached thereto a truck or delivery body, and includes ambulances, hearses, casket wagons, fire apparatus, motor buses and tractors used for hauling purposes on the highways;

"Corporation" means The Corporation of the City of Stratford;

"Council" means the Council of The Corporation of the City of Stratford;

"crosswalk" means

- (i) that part of a roadway at an intersection that is included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs from the edges of the roadway, or
- (ii) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or other markings on the surface thereof;

"curb" includes the edge of the traveled portion of a street or roadway;

"curb lane" includes the traffic or parking lane immediately adjacent to the curb;

"designated parking space" means a parking space designated under this by-law for the exclusive use of a vehicle displaying an accessible parking permit in accordance with the requirements of the *Highway Traffic Act*, as amended, the regulations made thereunder and this by-law;

"Director" means the Director of Infrastructure and Development Services or any employee or agent of the Corporation designated by the Director to act on his or her behalf;

"Accessible parking permit" means a permit which is issued under the *Highway Traffic Act* and is currently valid or a permit or other marker or device which is issued by another jurisdiction that is currently valid and recognized under the *Highway Traffic Act* and the regulations thereunder.

"double parking" means the parking of a vehicle on any roadway beside another vehicle which is legally parked adjacent to the curb of the roadway or edge of the roadway, so that vehicles are side by side or any part of the vehicles is side by side;

"driveway access" means the portion of a road allowance which is improved to permit the passage of vehicles between the adjacent roadway and the abutting property;

"Fire Chief" means the Fire Chief of the Corporation or a person designated to act on her or her behalf;

"fire department" means the Fire Department of the Corporation;

"fire route" means any private access, route, road, way, lane, ramp, or other means of vehicular access to or egress from a building as designated by the Corporation and may include part of a parking lot set aside for use by emergency vehicles;

"gross weight" means the combined weight of vehicle and load;

"heavy truck" means any commercial motor vehicle which has a rated gross vehicle weight exceeding 5 tonne (5,000 kilograms or 11,023 pounds) according to the current permit or vehicle registration which has been issued under the *Highway Traffic Act*, or its foreign equivalent for such vehicle, regardless of the actual weight of such vehicles, but does not include a vehicle operated by or on behalf of the Corporation or a school vehicle which is in the course of transporting children or persons with a disability to and from school;

"holiday" means a holiday as defined under the *Retail Business Holidays Act*;

"identifying marker", when used with respect to parking for persons with a disability means the accessible parking permit issued by the Ministry of Transportation under the authority of the *Highway Traffic Act*;

"intersection" means the area contained within the prolongation or connection of the lateral curb lines, or if none, then of the lateral boundary lines of two or more highways which join one another at an angle, whether or not one road allowance crosses the other;

"loading" means the physical activity of moving merchandise from or to a property or another vehicle and the physical activity of passengers entering or departing a vehicle;

"Mobility stop" means that portion of the roadway abutting the curb or area in a municipal parking lot or street, indicated by a posted authorized sign for the purpose of stopping vehicles operated by the Corporation while picking up or discharging passengers;

"Mobility Bus" means a motor vehicle designated to carry wheel chair and/or ambulatory passengers, which displays an identification sign and is operated by or for the Corporation;

"motor vehicle" includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in this by-law, and any other vehicle propelled or driven

otherwise than by muscular power, but does not include motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road building machine within the meaning of the *Highway Traffic Act*;

"motorized snow vehicle" means a self-propelled vehicle designed to be driven primarily on the snow;

"municipal parking lot" means any open area or portion of a structure owned by the City, other than a street or highway, intended for the parking of vehicles and on which there are designated parking spaces, whether their use involves the payment of a fee or otherwise;

"one-way street" means a street upon which vehicular traffic is limited to movement in only one direction;

"park" or "parking", when prohibited, means the standing of a vehicle whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading;

"parking meter" means a device, sometimes referred to as an "individual parking meter", which indicates thereon the length of time during which a vehicle may be parked, which device has as a part thereof a receptacle for the receiving and storing of coins and a slot or place in which coins may be deposited to activate a timing mechanism to indicate the passage of the interval of time following the deposit of a coin or coins therein, the measurement of which interval is determined by the coin or coins so deposited, and which device also displays a signal when the said interval of time has elapsed; and a device, sometimes referred to as a "pay by plate parking machine", which has as a part thereof a receptacle for the receiving and storing of coins and a slot or place in which coins may be deposited and a slot for credit cards to be received to provide payment for the requested allotment of time, provided that the correct licence plate is entered to the machine, and provide a receipt if requested by the user;

"parking meter zone" means a part of a street or municipal parking lot designated by this by-law for parking purposes timed by parking meters;

"parking space" means a portion of the surface of the roadway or municipal parking lot designated by suitable markings, the use of which may be controlled and regulated by a parking meter ;

"person" includes any person, firm, partnership, association, corporation, company or organization of any kind;

"person with a disability" means, for purposes of this by-law, a person who has been issued an accessible parking permit;

"private roadway", means any private road, lane, ramp or other vehicular access to or egress from a building or structure, which is not a highway, and it may include part of a parking lot;

"police chief" means the person who may, from time to time, be appointed by the Stratford Police Service Board to the position of police chief of the Corporation, or his or her designate;

"police officer" means a member of the City of Stratford Police Service;

"public parking lot or parking facility" means an off-street parking lot or other parking facility to which the public has access whether on payment of a fee or otherwise;

"road allowance" means all allowances for roads, except in so far as they have been **closed** according to law, made by the Crown surveyors, all highways laid out or established under the authority of any statute, all roads on which public money has been expended for opening them or on which statute labour has been usually performed, all roads dedicated by the owner of the land to public use, and all alterations and deviations of and all bridges over any such allowance for highway or road;

"roadway" means the part of the road allowance that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a road allowance includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively;

"rollerblades, in-line skates and rollerskates" means a boot-type footwear upon which a number of wheels are affixed to the centre of the length of the sole thereof and are laced or secured onto a person's feet for the purpose of transportation by muscular power;

"school bus" means a bus that is used for the transportation of:

- i) children or
 - ii) persons with disabilities to or from a training centre
- which meets the provisions of the *Highway Traffic Act* and bears on the front and rear thereof the words "school bus" and on the rear thereof the words "Do not pass when signals flashing";

"school vehicle" means a vehicle that is used for the transportation of:

- i) persons to or from school, or
- ii) persons with disabilities to or from a training centre, which meets the provisions of the *Highway Traffic Act* and shall only include the following:
 - a) a school bus
 - b) a bus and
 - c) a vehicle that is designed to carry less than ten passengers and is used for the transportation of persons and which is identified by public vehicle plates and/or school safety stickers;

"shoulder" means that portion of every road allowance which abuts the roadway and which is designed and intended for passage or stopping of motor vehicles but which extends no more than 3.6 metres in width from the limit of the roadway;

"sidewalk" means any municipal walkway, or that portion of a street between the curb line or the lateral line of a roadway and the adjacent property line, primarily intended for the use of pedestrians;

"skateboard" means a form of conveyance without self propulsion consisting of any number of wheels attached to a flat surface that is designed to support the weight of a rider;

"skateboarding, rollerskating, rollerblading, in-line skating" means the activity of using each of the objects respectively;

"stand or standing" means the halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers;

"stop" or "stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a constable or other police officer or of a traffic control sign or signal;

"street" or "highway" includes a common and public highway, street, avenue, parkway, driveway access, square, place, bridge, viaduct or trestle designed and intended for or used by the general public for the passage of vehicles (traveled roadway) and includes the area between the lateral property lines thereof and as such includes the road allowance;

"through highway" means any highway or part of a highway designated as such by by-law of the City and all intersecting highways are marked by a stop sign or yield sign in compliance with the regulations of the Ministry of Transportation;

"time" means, where any expression of time occurs or where any hour or other period of time is stated, standard time or daylight saving time, whichever is in effect in the City pursuant to the *Time Act*;

"towed vehicle" means a vehicle towed or otherwise conveyed by a tow truck;

"towing" means the movement of a vehicle by a Tow Truck, whether such vehicle is picked up at or delivered to a location within the City.

"tow truck" means a motor vehicle for towing or otherwise conveying vehicles, as defined in the *Highway Traffic Act*, whether or not any such towed or conveyed vehicle is intact or in operable condition.

"tractor-trailer unit" means the combination of a commercial motor vehicle and a trailer or semi-trailer;

"traffic" includes pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any street for the purposes of travel;

"traffic control device" means any sign or other device erected or placed by the City under the authority of the *Highway Traffic Act* for the purpose of guiding, directing or regulating traffic;

"traffic signal" means any device manually, electrically or mechanically operated for the regulation of traffic as authorized by the *Highway Traffic Act*;

"U-turn" means to turn a vehicle upon a highway so as to proceed in the opposite direction;

"vehicle" includes a motor vehicle, motor assisted bicycle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle, the cars of electric or steam railways running only upon rails;

"vehicle of a person with a disability" means any vehicle displaying an identifying marker in accordance with Part 6 of this by-law.

"Veteran Licence Plate" means an Ontario veteran graphic licence plate issued by the Province of Ontario to eligible veterans:

- a) passenger and commercial veteran graphic plates displaying a red poppy and the word "Veteran" underneath the poppy;
- b) motorcycle veteran graphic plates displaying the poppy with the word "Veteran" underneath."

Enforcement of By-law

2. This by-law may be enforced by a police officer or a municipal law enforcement officer appointed by Council.

PART 1 - TRAFFIC

Erection of Control Devices

3.
 - (1) Traffic control devices for the purpose of guiding, directing and regulating traffic may be erected as authorized by the Council.
 - (2) No person shall place or exhibit any unauthorized device, sign, standard or other marking upon any street attempting or purporting to guide, direct or regulate traffic or the parking of vehicles on a street.
 - (3) No unauthorized person shall give any signal or direction attempting or purporting to direct traffic unless in an emergency to direct traffic around the scene of an accident, or obstacle, excavation, debris, glass or other hazard.

- (4) No unauthorized person shall wilfully remove, deface or injure any traffic control device.

Manner of Parallel Parking

4. (1) No person shall park a vehicle on any street except upon the right-hand side of the roadway, having regard for the direction in which the vehicle is required to proceed, and when parked on a roadway, the right front and rear wheels or runners of the vehicle shall be parallel to and distant not more than 0.3 metres from the right-hand edge of the roadway adjacent to which such vehicle is parked.
- (2) Subsection (1) shall not apply where angle parking is authorized by this by-law, or upon one-way streets as authorized by this by-law.

Manner of Angle Parking

5. (1) Where angle parking is permitted, no person shall park a vehicle except within the limits defined by pavement markings and in all cases so that the front end of the vehicle is nearest to the curb or the edge of the street.
- (2) Notwithstanding subsection (1), no person shall park a vehicle at an angle if:
 - a) the load being carried extends beyond the rear of the vehicle; or
 - b) the vehicle has attached to it a trailer as defined by the *Highway Traffic Act*; or
 - c) such vehicle obstructs or interferes with traffic in any way while so parked.

Manner of Parking on One-Way Street

6. (1) Subject to subsection (2), all persons may park vehicles on both sides of a one-way street in the permitted locations and facing in the direction in which the vehicle is required to proceed.
- (2) Unless otherwise regulated, when parked on the left hand side of the roadway, determined by the permitted direction of travel, the left front and left rear wheels or runners of the vehicle shall be parallel to and distant not more than 0.3 metres from the edge of the roadway adjacent to which such vehicle is parked.

No Stopping (Schedule 1)

7. (1) No person shall stop a vehicle in a manner known as "double parking" or in any traffic lane other than the curb lane.
- (2) No person shall stop a vehicle or any part of a vehicle upon the streets set out in Column 1 of Schedule 1 of this by-law, the side or sides of streets set out in

the corresponding line or lines in Column 2 thereof, between the points set out in Column 3 thereof, and during the prohibited time or times set out in Column 4 thereof, when "No Stopping" signs have been erected and are on display and which indicate the prohibited time or times.

- (3) Subsection (2) does not apply to:
- a) a passenger vehicle of the Corporation when using bus stops,
 - b) a school vehicle engaged in the transportation of persons when such vehicle is stopped to discharge or pick up passengers,

No Parking In Unposted Locations

8. (1) No person shall park a vehicle in any of the following places during the specified times:
- a) in such a manner so that any part of the vehicle is situated upon or over a sidewalk at any time;
 - b) between a sidewalk and the adjacent roadway at any time;
 - c) on any boulevard or any island within a court at any time, except where authorized by by-law;
 - d) on a roadway or shoulder in front of a public or private driveway access or lane at any time;
 - e) within an intersection at any time;
 - f) within 3 metres of a fire hydrant or where the hydrant is set back from the edge of the roadway, within 3 metres of the point at which the prolongation of the centre line of the hydrant at right angles to the edge of the roadway intersects such edge at any time;
 - g) on a crosswalk at any time;
 - h) on any street in a manner which obstructs traffic at any time;
 - i) in a position that will prevent the convenient removal of any other vehicle previously parked at any time;
 - j) on any roadway or shoulder between 2:00 a.m. and 6:00 a.m.;
 - k) on any ramp or manoeuvring area established by by-law as part of a parking arrangement at any time;
 - l) within 15 metres of any intersection controlled by traffic signals at any time;

- m) At the entrance to any public or private lane or driveway at any time;
 - n) At places where municipal service work is being undertaken at any time;
 - o) opposite the approach and/or impede the entering or exiting of any public lane or driveway where the roadway is less than 8.5 metres in width measured from curb line to curb line at any time;
 - p) Upon any bridge or culvert at any time;
 - q) Upon any municipal park or municipal open space area at any time, except in designated parking spaces;
 - r) On, or in such a manner as to obstruct any designated bicycle lane, provided that this shall not prohibit a momentary stopping of transit buses at signs marking a bus stop, taxis while actively engaged in receiving or discharging passengers, or other motor vehicles while actively engaged in receiving or discharging passengers.
 - s) Within 10 metres of any intersection.
- (2) No person shall stand or park any vehicle directly opposite another vehicle which is already standing/parking on the other side of the street, where such standing or parking would prevent the free passage of the two lines of traffic; or where, unless otherwise permitted in this by-law, the roadway is less than 30 feet (9.144 meters)
- (3) Nothing in subsection (1) shall prohibit the proper parking of bicycles in a bicycle rack erected or approved by the Corporation.

No Parking In Posted Locations

9. (1) No person shall park a vehicle or any part of a vehicle in the following locations when appropriate signs have been erected and are on display, which signs are hereby authorized:
- a) in front of the entrance to an office building;
 - b) within 10 metres of any intersection;
 - c) within 8 metres of the location of a fire hall and the premises used in connection therewith on that side of the street on which such fire hall is located, or on the opposite side of the street within 8 metres of a point opposite the centre exit of such fire hall;
 - d) within a school bus loading/unloading zone;
 - e) within 15 metres of any intersection controlled by traffic signals.

- f) Notwithstanding any other parking lines applied to the pavement to designate parking spaces, where yellow markings have been applied by the City to the curb to designate no parking areas adjacent to parking spaces on the South side of Water Street, no person shall park or stand any vehicle in a designated parking space on Water Street where such parked or standing vehicle extends beyond or over the yellow markings.
- (2) Nothing in subsection (1) shall prohibit the proper parking of bicycles in a bicycle rack erected or approved by the Corporation

No Parking On Specified Streets (Schedule 2)

- 10. No person shall park a vehicle or any part of a vehicle on the streets hereinafter set out in Column 1 in Schedule 2 of this by-law, the side or sides of streets set out in the corresponding line or lines in Column 2 thereof, between the points set out in Column 3 thereof and, during the prohibited time or times set out in Column 4 thereof, when appropriate signs have been erected and are on display, which signs are hereby authorized.

No Parking at Mobility Bus Stops (Schedule 3)

- 11. (1) In certain areas as described in Schedule 3, a Mobility Bus is exempt from the parking, standing and stopping provisions that are contained in this by-law.
- (2) No person, other than a Mobility Bus driver, shall park, stand or stop a vehicle in the Mobility Bus zone.

No Parking at Taxi Stands (Schedule 4)

- 12. When appropriate signs are erected and are on display, which signs are hereby authorized, no person other than those persons operating a taxi cab under a valid licence issued by the Corporation shall park or stop a vehicle or any part of a vehicle to load or unload on any streets set out in Column 1 in Schedule 4 of this by-law, the side or sides of streets set out in Column 2 thereof, between the streets or parts thereof set out in Columns 3 and 4, thereof, at a time designed in Column 5, which areas are hereby designated as Taxi Stands.

Parking During Emergencies and Special Events

- 13. (1) Notwithstanding any other provisions of this by-law to the contrary, in case of fire, a parade, an assembly of persons, a congestion of traffic, a construction project or an emergency, parking may be restricted or prohibited by the Director or his authorized representative or the Chief of Police acting through police officers, and no person shall park a vehicle in contravention of such restrictions or prohibition.
- (2) For the purposes of this section, "emergency" includes a snow fall or other act of God which hinders, restricts or prohibits movement of vehicles or pedestrians on a highway.

Restricted Parking on Specified Streets (Schedule 5)

14. When appropriate signs have been erected and are on display, which signs are hereby authorized, no person shall park a vehicle or any part of a vehicle on any of the streets set out in Column 1 in Schedule 5 of this by-law, the side or sides of streets set out in Column 2 thereof, between the streets or parts thereof set out in Column 3 thereof, and during the time or times set out in Column 4 thereof within the maximum period permitted as set out in Column 5.

Angle Parking Permitted On Specified Streets (Schedule 6)

15. (1) No person shall park a vehicle except at any angle, in a manner as described in section 5, on any of the streets set out in Schedule 6 of this by-law.
- (2) No person shall angle park a vehicle on a street when angle parking is not permitted.

Prohibited Times of Loading and Unloading (Schedule 7)

16. As set forth in Schedule 7, no person shall park, stand or stop a vehicle in those areas designated as a loading/unloading zone/space.

Manner of Parking Motorcycles

17. (1) No person shall park a motorcycle at more than an angle of forty-five degrees to the curb.
- (2) Where a parking space is designated by markings, no person shall park more than three motorcycles in one space.

Prohibited Turns (Schedule 8)

18. (1) No driver or operator of a vehicle upon a street shall make a U-turn.
- (2) Where an official sign forbidding a left or right turn or both has been posted in accordance with Schedule 8 of this By-law, every driver or operator of a vehicle shall obey such sign.

Obstructing Traffic

19. (1) No owner or operator of a motor vehicle shall obstruct a street with a motor vehicle that becomes stalled or, for any reason, cannot be moved by its ordinary motive power.
- (2) Any vehicle stopped on any street shall be moved away by the owner or operator thereof at the direction of a police officer when traffic congestion, proximity to a fire or any other condition renders the removal of such vehicle expedient.

Traffic Signs (Schedule 9)

20. (1) The *Highway Traffic Act* requires stop signs at intersections on through streets.
- (2) Yield signs are authorized and shall be installed facing the traffic proceeding in the directions indicated in Column 1 of Schedule 9 of this by-law, on the streets set out in Column 2 thereof, at the intersecting streets set out in Column 3 thereof.

Funeral and Other Processions

21. No person shall drive a vehicle so that it interferes with a funeral or other authorized procession in motion, except under the direction of a police officer.

One-Way Streets (Schedule 10)

22. (1) The streets set out in Column 1 of Schedule 10 of this by-law between the limits set out in Columns 2 and 3 are hereby designated for one-way traffic only in the directions set out in Column 4.
- (2) No person shall drive in the opposite direction on any one-way street.

Through Highways (Schedule 11)

23. The streets or parts of streets set out in Schedule 11 of this By-law, are designed and declared to be through highways, but shall not include any intersecting highways where traffic signals are installed.

Heavy Truck Restrictions (Schedule 12)

24. (1) In this section "prohibited street" means any street or part thereof within the City set forth out in Schedule 12 of this by-law and upon which there are erected signs prohibiting heavy trucks.
- (2) No person shall operate or park a heavy truck on a prohibited street.
- (3) Subsection (2) does not apply where a heavy truck is being necessarily operated in the usual conduct of business and proceeds by way of the shortest route to or from any street or part thereof set forth in Schedule 13 of this by-law.
- (4) The Director shall keep and maintain accurate maps illustrating those streets or parts thereof in Schedule 12, which maps shall be available to the public.

School Bus Loading Zones (Schedule 13)

25. (1) Streets or portions thereof as set out in Column 1 of Schedule 13 of this By-law, on the side of the street set out in Column 2, thereof, between the parts of the streets set out in Column 3 are hereby designated as School Bus Zones

- (2) No person shall park a school bus or any part of a school bus except entirely in a School Bus Zone.
- (3) No person shall park, stop or stand a vehicle in a School Bus Zone.

Use of Sidewalk

- 26. No person shall use any sidewalk for any purpose other than pedestrian traffic, except as specifically permitted by this or any other by-law.

Coasting or Sliding

- 27. No person shall coast or slide by the use of any hand-sleigh or toboggan on any street.

Skateboarding/In-line skating

- 28. (1) No person shall in-line skate, rollerblade, rollerskate or skateboard on any portion of Market Square, except as set out in section (4) (g) , nor any sidewalk within the City, excepting those portions of the sidewalk adjacent to the following streets:
 - (a) Ontario Street, east of Romeo Street; and
 - (b) the asphalted sidewalk/bicycle path on the west side of Erie Street, south of Lorne Avenue.
- (2) No person shall in-line skate, rollerblade, rollerskate or skateboard on any private property without the written consent or permission of the occupier or owner of the property and the onus of proof of such consent or permission shall be on the person who is in-line skating, rollerblading, rollerskating, or skateboarding, as the case may be.
- (3) No person shall in-line skate, rollerblade, rollerskate or skateboard on any steps, ramps, driveways or sidewalks of any building owned or occupied by the City.
- (4) No person shall in-line skate, rollerblade, rollerskate or skateboard in or on any path, access way, stairs or steps leading to or on:
 - (a) the Cenotaph located on York Street;
 - (b) the Memorial Gardens located on Ontario Street;
 - (c) the Bandshell located on Veterans Drive (formerly Lakeside Drive);
 - (d) the Bandshell/Pavillion in Upper Queen's Park;
 - (e) the Avondale Cemetery or;
 - (f)
 - (g) any portion of that area being those roads, sidewalks and boulevards lying between the Westerly limit of Downie Street on the East, the Easterly limit of Wellington Street on the West, City Hall on the North and the commercial business fronts on the South, which area is municipally known as "Market Square".

- (5) Persons who in-line skate, rollerblade, rollerskate or skateboard on roadways shall comply with the following regulations:
- (a) persons in-line skating, rollerblading, rollerskating or skateboarding upon all roadways shall do so near the right-hand curb or edge of the pavement in such a manner as to prevent undue interference with the flow of traffic, except where reasonably necessary to avoid conditions that would make it unsafe to continue along the right-hand curb edge. Conditions to be taken into consideration shall include, but not be limited to, fixed or moving objects, vehicles, bicycles, in-line skaters, pedestrians, animals, surface hazards, or traffic lanes too narrow for persons who are in-line skating, rollerblading, rollerskating or skateboarding.
 - (b) Persons rollerblading or in-line skating or rollerskating or skateboarding shall do so in single file;
 - (c) Persons rollerblading or in-line skating or rollerskating or skateboarding shall do so with due care and attention to their own safety and the safety of others;
 - (d) Persons rollerblading or in-line skating or rollerskating or skateboarding shall not do so while under the influence of alcohol or drugs;
 - (e) No person shall draw or tow, using a bicycle, vehicle or in-line skates, rollerblades, rollerskates or a skateboard, any other person using a bicycle, in-line skates, rollerblades, rollerskates, or a skateboard;
 - (f) No person using in-line skates, rollerblades, rollerskates, or a skateboard shall be drawn or towed by any animal, domestic pet, person or vehicle.

Bicycles/ Motorcycles

29. (1) Two or more persons riding bicycles or motorcycles shall not ride abreast or nearly so on any street, except in the course of overtaking and passing other vehicles.
- (2) No operator of any bicycle or motorcycle shall ride on any sidewalk except for the portion of sidewalk adjacent to the following streets: Ontario Street, east of Romeo Street and the asphalted sidewalk/bicycle path on the west side of Erie Street, south of Lorne Avenue.
- (3) No driver or rider of a bicycle shall operate the bicycle except as near as possible to the right-hand curb.

Exemption for Emergency Vehicles

30. The provisions of this by-law do not apply to those vehicles such as Fire, Police and Ambulances when attending or responding to an emergency situation.

Motor Vehicles to be Locked

31. (1) No person driving or in charge of a motor vehicle, other than a commercial motor vehicle, shall allow the same to stand unattended unless,
- (a) the doors of the vehicle are locked and its windows are closed; and
 - (b) the key is not in the ignition or in a readily accessible location in the vehicle, so as to prevent the operation of the vehicle by any person not authorized by the owner, driver or person in charge.

Higher and Lower Speed Limits (Schedule 14)

32. (1) The streets set out in Column 1 of Schedule 14 of this By-law, between the limits set out in Columns 2 and 3, are hereby restricted to maximum rates of speed as set out in Column 4. The speed limit for all remaining roads and highways is restricted to 50 km/hr.
- (2) No person shall operate a motor vehicle at a speed in excess of this By-law.
- (3) No driver of a vehicle shall drive within the limits of any park at a greater speed than 30 kilometres per hour.

PART 2 - METERED ON-STREET PARKING

15 Minute Metered Zones (Schedule 15)

33. 15 minute parking is permitted on the streets set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.

30 Minute Metered Zones (Schedule 16)

34. 30 minute parking is permitted on the streets set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.

~~3 Hour Metered Zones (Schedule 17)~~

- ~~35. Three hour parking is permitted on the streets set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.~~

4 Hour Metered Zones (Schedule 17)

35. Four hour parking is permitted on the streets set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.

12 Hour Metered Zones (Schedule 18)

36. 12 hour parking is permitted on the streets set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.

On-Street Parking Meter Zones

37. The erection, maintenance and operation of parking meters with the necessary standards for the purpose of controlling and regulating the parking of vehicles and the measuring and recording of the duration of such parking upon the streets or portions thereof set out in Schedules 15, 16, 17, and 18 of this by-law, and hereby designated as Parking Meter Zones, is hereby authorized.

Installation of Meters

38. (1) Except as provided by subsection (2), an individual parking meter shall be installed upon the curb adjacent to each parking space within Parking Meter Zones and such parking space shall have lines or markings painted or placed upon the curb or upon the roadway adjacent to each parking meter in a manner sufficient to indicate the parking space for which such meter is to be used.
- (2) In the case of Parking Meter Zones in which parking is timed by pay by plate parking meters and in respect of which appropriate signs are erected and on display, which signs are hereby authorized, one or more pay by plate parking meters shall be placed at a location or locations convenient to a number of parking spaces within such Parking Meter Zones and such parking spaces shall have lines or markings painted or placed upon the curb or upon the roadway in a manner sufficient to indicate the parking space for which such meters are to be used.

Parking Spaces on Streets with Zones

39. (1) Subject to subsection (2), no person shall park a vehicle on any street or portion thereof designated as a Parking Meter Zone except in such a position that the vehicle shall be entirely within the area indicated as a parking space;
- (2) Any vehicle that by reason of its size, necessarily occupies more than one parking space or portion thereof shall be entirely within the said Parking Meter Zone upon being parked. If a vehicle is larger or longer, the driver shall pay for all parking spaces that are taken up by the vehicle with attachments.
- (3) Subsection (1) of this section does not apply to bicycles properly parked in a bicycle rack erected or approved by the Corporation.

One Vehicle In Parking Space

40. (1) No person shall park more than one vehicle in any one parking space at any one time.
- (2) No person shall park a vehicle in a parking space that is partly or completely occupied by another vehicle.
- (3) Subsections (1) and (2) of this section do not apply to a person parking a motorcycle in a parking space occupied by another motorcycle so long as the number of motorcycles does not exceed three.

Operation of Parking Meter for Space

41. (1) Subject to subsection (2), no person shall park a vehicle on any street or portion thereof designated as a Parking Meter Zone unless,
- a) in the case where an individual parking meter is installed adjacent to the parking space used by such vehicle, the parking meter is forthwith placed in operation by the deposit of a coin; or
 - b) in the case where parking in the parking space used by such vehicle is timed by pay by plate parking meters, one such meter is placed in operation by the deposit of a coin or payment with credit card and the correct licence plate number is entered into the machine .
- (2) No person shall park any vehicle that by reason of its size, necessarily occupies more than one parking space or portion thereof unless,
- a) in the case where an individual parking meter is installed adjacent to each space used in whole or in part by such vehicle, the meter for each space occupied shall be placed in operation; or
 - b) in the case where parking in each space used in whole or in part by such vehicle is timed by pay by plate parking meters.
- (3) Subsection (1) does not apply to bicycles properly parked in a bicycle rack erected or approved by the Corporation.
- (4) Subsection (1) herein does not apply to a motor vehicle displaying a valid Province of Ontario Veteran licence plate.

Time Limits for Zones

42. (1) No person shall park a vehicle in any parking space within a Parking Meter Zone set out in Columns 1 and 2 of Table 1 herein unless there is immediately deposited in the appropriate parking meter a sum of money in coin or coins for the parking time set out in Column 3 thereof. The amounts are set out in the Corporation's User Fee By-law.

Table 1

Column 1 Schedule	Column 2 Zone	Column 3 Duration of Parking
16	15 minute parking Maximum allowed	up to 15 Minutes
17	30 minute Parking Maximum Allowed	up to 30 minutes
18	4 Hour Parking Maximum Allowed	up to 4 Hours
19	12 Hour Parking Maximum Allowed	up to 12 Hours

- (2) [Deleted by By-law 130-2012]
- (3) [Deleted by By-law 130-2012]
- (4) No person shall park a motorcycle in any parking space within a Parking Meter Zone set out in Columns 1 and 2 of Table 1 herein unless there is immediately deposited in the appropriate parking meter a sum of money in coin or coins for the parking time set out in Column 3 thereof or is one of three motorcycle operators who parks in a parking meter space where time has already been purchased.
- (5) Subsection (1) and (4) herein do not apply to any motor vehicle or motorcycle displaying a valid Province of Ontario Veteran licence plate.
- (6) Persons with disabilities holding a valid government issued accessible parking permit are exempt from depositing payment in parking meters for the parking time as set out in Column 3 of Table 1 when parked in a parking space.

Coinage Authorized

- 43. (1) No person shall deposit, cause to be deposited or attempt to deposit in any parking meter any coin or coins other than those of the Government of Canada or the United States of America.
- (2) No person shall deposit, cause to be deposited or attempt to deposit in any parking meter any slug, device, token, substance, object or any bent, punched, damaged or mutilated coin.

Lawful Use of Space

- 44. (1) Except as provided for in subsection (2) of this section upon placing the parking meter into operation, the parking space adjacent to the vehicle may be lawfully occupied by such vehicle for the period of parking time equivalent to the coins deposited.

- (2) In the case of Parking Meter Zones in which parking is timed by pay by plate parking meters, in accordance with the requirements of this by-law, one parking space in the parking meter zone for which said meter is applicable may be lawfully occupied by such vehicle for the time period equivalent to the coins deposited.

Parking Overtime

45. No person shall permit a vehicle to be parked in the same parking space for a longer period at any one time than the maximum period allowable for such zone as provided in this by-law.

Extension of Parking Time

46. No person shall deposit or cause to be deposited in any parking meter any coin or coins for the purpose of obtaining an extension of parking time beyond the maximum period prescribed by this by-law for the parking of vehicles in the zone adjacent to such meter.

Vehicle Parked Overtime

47. (1) No person shall leave parked a vehicle in any parking space or part thereof,
 - (a) in the case where an individual parking meter is installed adjacent to the space used in whole or in part by such vehicle, when the parking meter for such space occupied indicates expired time or a violation; or
 - (b) in the case where parking in the space used in whole or in part by such vehicle is timed by pay by plate parking meters,
 - (i)
 - (ii) beyond the time and date indicated by the pay by plate machine at time of payment and shown on the confirmation screen;
 - (c) in the case where more than one motorcycle is parked when the parking meter for such space occupied indicates no unexpired time or a violation, all motorcycles occupying such space will be in violation.

Display of Permits

48. (1) Deleted by By-law 53-2012.
- (2) Deleted by By-law 53-2012.
- (3) No person shall display on a vehicle such permit other than one issued for the then current year.

- (4) A replacement parking permit may be issued for a fee in accordance with the by-law providing that the holder of the original permit presents satisfactory evidence that the original permit has been removed from the windshield so that the vehicle to which it was attached can no longer use it.
- (5) No person shall photocopy or display a photocopy of a parking permit.
- (6) No person shall tamper with, deface or alter a permit issued for parking by the City.

Meter Hoods

- 49. (1) Meter hoods can be rented for construction vehicles parked at meters while doing renovations on buildings in the downtown core; or when required for moving vans that must park at meters.
- (2) If a contractor is going to be using a dumpster and locating it on a downtown street, he/she must:
 - (a) obtain a street permit from the Infrastructure and Development Services Department; and
 - (b) complete and sign a Meter hood rental form.
- (3) There shall be a limit of two hoods (4 spaces) in any section of a block of a parking area at any one time unless otherwise authorized by Council at a cost which shall be identified in the Fees and Charges By-law.
- (4) No unauthorized person shall park at a meter with a hood contained thereon.

Municipal Official Permits

- 50. As authorized by the City Clerk, municipal official permits may be issued to City Council Members and staff. These permits are not to be transferred and any lost permits must be reported to the City Clerk's office so that the permit can be replaced.

Special and Media Permits

- 51. (1) (a) As authorized by the City Clerk, a maximum of two (2) permits may be issued to those companies attending council meetings and media functions. No person shall use a media permit when they are not covering a City related media event or City Council meeting, Committee meeting or Sub-committee meeting.
- (b) Media companies wishing to obtain more than 2 media parking permits for their company shall be eligible to purchase the media permits for a fee specified in the City's Fees and Charges By-law.
- (2) Notwithstanding 51 (1)(a) and (b), Media Permits shall be used for parking in the lower Erie Street lot only, and media wishing to park in other Municipal lots or

along City Streets must pay for parking at the required hourly rate or purchase a parking permit for a fee specified by the City's Fees and Charges By-law.

- (3) (a) As authorized by the City Clerk, special permits may be issued to those persons requiring to park close to City Hall or at another municipal facility on a short term basis only. This may include but is not limited to consultants working for the City, OMB Chair/staff, municipal staff in the event of illness or injury, etc.
- (b) Special permits shall not be sold to the general public.

Unauthorized Devices

52. No person shall place or exhibit upon any street any unauthorized device attempting or purporting to control or regulate the parking of vehicles.

Tampering With Meters

53. Unless authorized by the Corporation, no person shall willfully or deliberately move, remove, alter or tamper with any parking meter or pay by plate machine erected or placed upon a street or on property owned or leased by the Corporation or under its direction.

Inapplicable on Sundays and Holidays

54. The provisions of this Part, except for sections 40, 52 and 53, shall not apply to the parking of vehicles on Sundays or holidays under the *Retail Business Holidays Act*.

PART 3 - METERED OFF-STREET MUNICIPAL PARKING

Metered Municipal Parking Lots

55. The premises, owned or leased by the Corporation and described in Table 2 herein, are hereby designated as Municipal Parking Lots to be used for the metered parking of motor vehicles until the premises are otherwise required.

Table 2

Column 1 Lot Number	Column 2 Lot Name	Column 3 Description
1	St. Patrick Lot (Justice Building)	The premises as outlined in Schedule " 22 " 12 hour meters
2	Ontario Street Lot	The premises as outlined in Schedule "22 " 9 – 4 hour meters and 11-12 hour meters 1 – 30 minute meter

Column 1 Lot Number	Column 2 Lot Name	Column 3 Description
3	York Street Lot	The premises as outlined in Schedule " 22 " 4 hour meters
4	Albert Street Lot	The premises as outlined in Schedule " 22 " 4 hour meters
5	Erie Street Lot "A"	The premises as outlined in Schedule " 22 " 4 hour meters
6	Erie Street Lot "B" and "C"	The premises as outlined in Schedule " 22 " 4 hour meters at a lower rate
7	George Street	The premises as outlined in Schedule "22 " 12 hour meters
8	Erie/St. Patrick Street (Kalbfleish Lot)	The premises as outlined in Schedule "22" 12 hour meters

(By-law 53-2012)

Lawful Use of Space

56.1 Each lot mentioned in Column 1 of Table 3 herein shall be operated on a payment basis during the times mentioned in Column 2 thereof on each day mentioned in Column 3 thereof and during such times on such days no person shall park a motor vehicle on any of the parking lots except in a designated parking space, and upon parking the said motor vehicle the operator thereof shall pay a fee therefor forthwith

- (a) in the case where an individual parking meter is installed adjacent to the space, by depositing a coin or coins in the parking meter provided for such space; and
- (b) in the case where parking in the space is timed by one or more pay by plate parking meters, by depositing a coin or coins or credit card in one such meter and entering the correct licence plate;

for the parking time desired mentioned in Column 4 thereof. The amounts are set out in the Corporation's User Fee By-Law.

Table 3

Column 1 Lot Number	Column 2 Times	Column 3 Days	Column 4 Duration of Parking
1 (St. Patrick)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	12 hours maximum
2 (Ontario)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	Variation of 30 minutes, 4 hours and 12 hours depending on the meter.
3 (York)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	4 hours maximum
4 (Albert Street)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	4 hours maximum
5 (Erie St)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	4 hours maximum
6 (Erie St B&C)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	4 hours maximum
7 (George St)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	12 hours maximum
8 (Kalbfleish)	9 a.m. to 6 p.m.	Monday to Saturday Inclusive	12 hours maximum

(53-2012)

- 56.1 Section 56 herein does not apply to a motor vehicle displaying a valid Province of Ontario Veteran licence plate.
- 56.2 Persons with disabilities holding a valid government issued accessible parking permit are exempt from depositing payment in parking meters and machines for the parking time as set out in Column 2 of Table 3 when parked in a parking space.
57. Notwithstanding Section 56 of this by-law, in metered off street Municipal Parking Lots, persons parking marked vehicles that identify them as vehicles belonging to a police force, the fire department, Festival Hydro, the Corporation and/or the Ministry of Transportation, are not required to pay for the use of a parking space.

Previous Sections Apply

58. Sections 40, 41, 42(2), 42(3), 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54 apply with the necessary modifications to this Part of this by-law.

Parking Permits (Schedule 19)

59. (1) The City Clerk or designate is hereby authorized and directed to provide parking permits, as identified in Schedule 19, for each metered off-street Municipal Parking Lot mentioned in section 55, whereby the purchaser of the permit agrees to the conditions described below:
- a) that the permit is issued for one specific lot at a rate set by the Corporation in accordance with the User Fee By-Law with no obligation to the City to renew the permit for a term;
 - b) that the permit will be displayed by placing it on the interior windshield or on the dash board with the permit number clearly in view;
 - c) that the permit is valid for the specific lot identified at time of purchase of the permit and is not transferable to any other lot; and
 - d) that the permit is valid for the licence plated vehicle identified by the owner at the time of purchase of the permit and is not transferable to any other vehicle.
- (2) When the parking permit described in sub-section (1) of this section is appropriately displayed, the vehicle is permitted to park in the specified parking lot for which the permit was purchased without inserting coins into a parking meter or pay by plate machine.
- (3) No person who has purchased a parking permit shall park a vehicle on a municipal parking lot without displaying the parking permit issued for that specific parking lot as described in sub-section (1)(a) of this section herein.
- (4) No person shall use an expired parking permit unless authorized to do so.
- (5) A replacement parking permit may be issued for a fee.
- (6) No person shall photocopy parking permits.
- (7) No person shall tamper with, deface or alter a parking permit.

No Long Vehicle Parking

60. No person shall park any motor vehicle in excess of 6.1 meters in length in any of the parking lots mentioned in sections 55 at anytime.

PART 4 - UNMETERED OFF-STREET MUNICIPAL PARKING

Unmetered Municipal Parking Lots

61. The following premises owned by the Corporation and described in Table 4 herein are hereby designated as Municipal Parking Lots to be used for the unmetered parking of motor vehicles until the premises are otherwise required.

Table 4

Column 1 Lot Number	Column 2 Lot Name	Column 3 Description
11	Cooper Lot (105 St. Patrick St.)	The premises on attached as Schedule 22
12	Downie Lot (17 George St.)	The premises on attached as Schedule 22
13	Stratford Jail (30 St. Andrew St.)	The premises on attached as Schedule 22
14	removed	
16	Stratford Place Hotel (136 Ontario St)	The premises on attached as Schedule 22 Pay and display
17	removed	removed

Lawful Use of Space

62. For each lot mentioned in Column 1 of Table 5 herein, no person shall park a motor vehicle beyond the maximum number of consecutive hours mentioned in Column 4 thereof during the times mentioned in Column 2 thereof on any of the days mentioned in Column 3 thereof, and during such times on such days no person shall park a motor vehicle on any of the parking lots except in a designated parking space.

Table 5

Column 1 Lot Number	Column 2 Times	Column 3 Days	Column 4 Maximum Limit
11	24 hours	7 days a week	72 hours
12	24 hours	7 days a week	72 hours
13	24 hours	7 days a week	72 hours
14	As per agreement		
15	As per agreement		

16	As per agreement		
17	removed		

No Long Vehicle Parking

63. No person shall park any motor vehicle in excess of 6.1 meters in length in any of the parking lots mentioned in section 61 at any time. Bus parking is available on those areas marked on St. Patrick Street and in the Downie Street Parking Lot.

Other Parking Requirements for Off-Street Parking For Both Metered and Unmetered Spaces

64. No person shall park and leave unattended a vehicle on any aisle abutting parking spaces in an off-street parking lot.
65. No person shall drive a motor vehicle into or out of an off-street parking lot other than from the designated entrances and exists.
66. No person shall use any portion of an off-street parking lot in such a manner as to endanger the person or property of another.
67. No person shall use any portion of an off-street parking lot as a place for buying and selling of merchandise of any kind whatsoever.
68. No person shall at any time park any immobile or unlicensed vehicle in an off-street parking lot set out in Schedule 2 of this By-law.
69. No person shall at any time park any vehicle for the purpose of washing or repairing a vehicle in an off-street parking lot as set out in Schedule 2 of this By-law.

PART 5 - FIRE ROUTES

Tampering With Signs

70. No person shall move, remove or interfere with a fire route sign along a fire route or obstruct a view of the fire route sign along a fire route.

Conflicting Signs on Fire Routes

71. No person shall erect or maintain along a fire route any sign which may conflict or be confused with a fire route sign.

Unauthorized Use of Signs

72. No person shall erect or maintain a facsimile of a fire route sign along any private roadway, whether a fire route or not.

No Parking In Fire Route (Schedule 20)

73. (1) No person shall park, stop or stand a vehicle along a fire route or in such a manner that any part of a vehicle is located within the fire route as designated on schedule 20 of this by-law.
- (2) Subsection (1) does not apply to a passenger vehicle of the Corporation using bus stops when appropriate signs are erected and on display, which signs are hereby authorized.
- (3) A peace officer, a police officer, a special constable, an officer appointed for the carrying out of the Provisions of the *Highway Traffic Act* and the City By-law enforcement officer as special constable may cause a vehicle in violation of (1) to be moved or taken to and placed in suitable place and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided in the *Repair and Storage Lien Act*.

PART 6 - PARKING FOR PERSONS WITH DISABILITIES**Parking Space for Persons with Disabilities (Schedule 21)**

74. Notwithstanding the provisions of this or any other by-law, no person shall park, stand, stop or leave a motor vehicle in any designated parking space set out in Schedule 21 of this by-law except a motor vehicle,
- (a) that is operated by or carries a person with a disability, and
- (b) that is identified by an accessible parking permit.

Display of Permit

75. (1) An accessible parking permit shall be displayed on:
- (a) the inner surface of the windshield, as close as practicable to the drivers side and as close as practicable to the left-hand side of the motor vehicle, or
- (b) the outer surface of the sun visor on the drivers side of the motor vehicle so as to be visible through the windshield from the exterior of the car when the sun visor is in a lowered position.

Prohibitions Regarding Permits

76. (1) No person shall
- (a) use or permit the use of a defaced or altered accessible parking permit furnished by the Minister of Transportation;

- (b) use or permit the use of an accessible parking permit furnished by the Ministry of Transportation except the disabled person to whom the permit is issued; or a person transporting such person with a disability;
- (c) without the authority of the person to whom an accessible parking permit has been issued, remove a disabled parking permit furnished by the Ministry of Transportation from a motor vehicle.

Location and Allocation of Designated Parking Spaces

77. (1) A designated parking space shall be distinctly indicated in accordance with the requirements of the *Highway Traffic Act* and as further provided by the Corporation's Accessibility Guidelines.
- (2) The Corporation's Accessibility Guidelines shall be regarded to when installing/establishing such parking spaces.

PART 7 - PRIVATELY-OWNED LOTS/PRIVATE PROPERTY

Privately-Owned Off Street Parking Lots

78. (1) All privately-owned parking lots shall erect and display signs stating the conditions on which a motor vehicle may be parked or left on the property or prohibiting the parking or leaving of a motor vehicle on the property.
- (2) No person shall permit a vehicle to be parked in a privately - owned parking lot or other parking facility without the authorization of the owner of the parking lot or parking facility when signs are posted at all entrances to such parking lot or parking facility prohibiting such unauthorized parking.
- (3) No person shall permit a vehicle to be parked in the same parking space in a privately-owned parking lot or other parking facility for a longer period at any one time than the maximum period allowable, if any, for such vehicle as prescribed by signs posted upon such lot or facility.
- (4) No person shall park or leave a motor vehicle on private property without the written consent of the owner or the occupant of the property.

PART 8 – MOTORIZED SNOW VEHICLES

79. (1) Motorized snow vehicles may be operated within the City between the hours of 6:30 am to 11:30 pm on Sunday, Monday, Tuesday, Wednesday and Thursday and between the hours of 6:30 am to 12:00 midnight on Friday and Saturday.
- (2) Motorized snow vehicles shall not travel along any municipal sidewalk within the City, but shall be permitted to cross such sidewalks for the purpose of

traveling from private property to a roadway or from a roadway to private property.

PART 9 - GENERAL PROVISIONS

General Penalty

80. (1) Except where otherwise expressly provided by this by-law or the *Highway Traffic Act*, every person who
- (a) contravenes any provision of this by-law; or
 - (b) is the owner of a vehicle that is parked, standing or stopped in contravention of any provision of this by-law,
- is guilty of an offence and on conviction is liable to any penalty as provided in the *Provincial Offences Act*.
- (2) Despite subsection (1), any person who contravenes any section Part 6 of this by-law is guilty of an offence and on conviction is liable to a fine of not less than \$300.00.

Illegally Parked Vehicles

81. Where a vehicle has been left parked, standing or stopped in contravention of this By-law, the owner of the vehicle, notwithstanding that he was not the driver of the vehicle at the time of the contravention, is guilty of an offence and is liable to the fine prescribed for the offence unless, at the time of the offence, the vehicle was in the possession of some person other than the owner without the owner's consent.

Towing of Illegally Parked Vehicles

82. Where a vehicle has been parked in contravention of any of the provisions of this By-law, or during a street event where streets and/or parking lots are closed by the City, a police officer/by-law enforcement officer may, in addition to attaching a parking infraction notice to the vehicle, cause the vehicle to be taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, shall be a lien upon the vehicle which may be enforced in the manner provided in Part III of the *Repair and Storage Liens Act*.

Excess Coins in Parking Meters

83. Where a person deposits one or more coins in a parking meter in excess of that required for the parking time allowed by the meter, no change shall be remitted, no increase in parking time shall be allowed and no refunds shall be granted

Executive Acts Authorized

84. The Mayor and staff of the Corporation are hereby authorized to do all things and to execute on behalf of and under the seal of the Corporation any document necessary to give effect to this by-law.

Headings Not Part of By-law

85. The headings in the body of this By-law form no part of the By-law but are inserted for convenience of reference only.

Deviation From Form

86. Where a form or words or expressions are prescribed in any Schedule to this By-law, deviations therefrom not affecting the substance or calculated to mislead do not vitiate them.

Conflict With *Highway Traffic Act*

87. In the event of conflict between the provisions of this By-law and the *Highway Traffic Act*, the provisions of the Highway Traffic Act prevail.

Signage

88. Any signage previously erected under the authority of the by-laws listed in (1) that is compliant with the provisions of this by-law shall be observed and enforced as if such signage had been erected under the authority of this by-law.

Commencement

89. This By-law comes into force and takes effect on when approval from the Ministry of the Attorneys Office is received with respect to the fine amounts.

Short Title

90. The short title of this By-law is the *Traffic and Parking By-law*.

- ~~91. Notwithstanding anything contained in this By-law, City Council hereby grants three-hour free parking on Saturdays from the first Saturday in December to the last Saturday in April, that all other traffic and parking provisions in this By-law remain in force and effect and that Council, by resolution of Council, may amend, change or revise this Three-Hour Free Parking on Saturday from the first Saturday in December to the last Saturday in April program at any time and with any conditions as Council determines from time to time.~~

Deleted by By-law 152-2017

91. Notwithstanding anything contained in this By-law, City Council hereby grants four-hour free parking on Saturdays from the first Saturday in December to the last Saturday in April, that all other traffic and parking provisions in this By-law remain in force and effect and that Council, by resolution of Council, may amend, change or revise this Four-Hour Free Parking on Saturday from the first Saturday in December

to the last Saturday in April program at any time and with any conditions as Council determines from time to time.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 15th day of December, 2008.

"Daniel B. Mathieson"

Mayor – Dan Mathieson

"Joan Thomson"

Clerk – Joan Thomson

TABLE OF SCHEDULES

SCHEDULE	SECTION	DESCRIPTION
1	7	Prohibited Stopping on Specified Street
2	10	Prohibited Parking on Specified Street
3	11	Exemptions for Mobility Bus
4	12	Prohibited Parking at Taxi Stands
5	14	Restricted Parking on Specified Streets
6	15	Angle Parking Permitted on Specified Streets
7	16	Prohibited Times of Loading and Unloading
8	18	Prohibited Turns
9	20	Entering Highway (Yield Signs on Specified Streets)
10	22	One Way Streets
11	23	Through Highways
12	24	Heavy Truck Restrictions
13	25	School Bus Loading Zones
14	32	Higher/Lower Speed Limits
15	33	15 Minute Metered Zones
16	34	30 Minute Metered Zones
17	35	4 Hour Metered Zones
18	36	12 Hour Metered Zones
19	59	Parking Permits
20	73	Designated Fire Routes
21	74	Designated Parking Spaces for Persons with Disabilities
22		Description of Municipal Parking Lots

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period
Albert Street	North	From the east curb line of Waterloo Street to a point 15.24 metres (50 ft) east	Anytime
Albert Street	South	From Downie Street to a point 54 feet (16.5m) east of the east curb line of Downie Street	Anytime (Motorcycles Excluded)
Bedford Drive	Both	From a point 49 metres north of the north curb line of Park Lane Drive to a point 136.5 metres north of the north curb line of Park Lane Drive	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m. and 3:00 p.m. to 4:00 p.m. Mon. to Fri. 9-2010
Bedford Drive	East	From a point 110 metres North of the north curblin Of Park Lane Drive to a Point 136.5 metres north Of the north curblin of Park Lane Drive	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m. and 3:00 p.m. to 4:00 p.m. Mon. to Fri. 9-2010 61-2011
Bedford Drive	East	From a point 49 metres North of the North curblin of Park Lane Drive to a point 165 metres North of the North curblin of Park Lane Drive	8:00 a.m. to 9:00 a.m., and 3:00 p.m. to 4:00 p.m. Mon. to Fri. 61-2011
Bedford Drive	West	From the North curblin of Glendon Road to a point 322 metres North of the North curblin of Glendon Road	8:00 a.m. to 9:00 a.m., and 3:00 p.m. to 4:00 p.m. Mon. to Fri. 61-2011
Bedford Drive	West	From a point 49 metres North of the north curblin Of Park Lane Drive to a Point 136.5 metres North Of the north curblin of Park Lane Drive	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m. and 3:00 p.m. to 4:00 p.m. 9-2010

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period
			Mon. to Fri.
Bedford Drive	East and West Sides	From the north-east cul-de sac to Graff Avenue	8:00 a.m. to 9:00 a.m. and 3:00 p.m. and 4:00 p.m. Monday to Friday. inclusive
Bruce Street	North	From the westerly curb line of Essex Street to a point 56 metres east of the easterly curb line of Taylor Street	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m. and 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive
Bruce Street	South	From 35 metres West of the West curb line of Essex Street to a point 128 metres Westerly therefrom	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m. and 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive
Birmingham St.	Both	From a point 66 metres to a point 88 metres south of the south curb line of West Gore Street	Anytime
Caledonia Street	North	No Standing from 50 metres East of the East curblane of John Street to a point 33.5 metres Easterly therefrom	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday
Charles Street	South	No Standing from the Easterly curblane of John Street to a point 119.6 metres	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m., and 3:00 p.m. to 4:00

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period	
		Easterly therefrom	p.m., Monday to Friday	
Charles Street	North	No Stopping from the Easterly curblane of John Street to a point 119.6 metres Easterly therefrom	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m., and 3:00 p.m. to 4:00 p.m., Monday to Friday	
Dover Street	North	From the easterly curb line of Romeo Street to the easterly limit of Dover Street	Anytime	
Dover Street	South	From a point 127 meters east of the easterly curb line of Romeo Street to a point 172.5 Meters east of the easterly Curb line of Romeo Street	Anytime	141-2013
Downie Street	East	Ontario Street to Albert Street	Anytime	
Erie Street	West	Ontario Street 37.8 metres (124 ft) south	Anytime	
Erie Street	East	Ontario Street 13.72 metres (45 ft) south	Anytime	
Erie Street	East	A point 518.16 metres (1700 ft) north of Gibb side road to a point 670.56 metres (2200 ft) north	Anytime	
Erie Street	West	A point 518.16 metres (1700 ft) north of Gibb side road to a point 670.56 metres (2200 ft) north	Anytime	
Erie Street	Both	From Lorne Avenue to Crane Avenue	Anytime	

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period
Forman Avenue	West	A point 430 feet (131.06 metres) north of the north curb of Britannia Street and a point 850 feet (259.08 metres) north of the north curb of Britannia Street	
Forman Avenue	East	Britannia Street to a point 98 feet (30 m) northerly therefrom	8:00 a.m. to 4:00 p.m. Monday-Friday
Forman Avenue	East	From a point 853 feet (260m) to a point 1181 feet (360m) north of Britannia Street	8:00 a.m. to 4:00 p.m. Monday-Friday
John Street	East	Caledonia and Charles Street	Anytime except 9:30 a.m. to 11:30 a.m.
John Street	West	Caledonia and Charles Street	Anytime except 9:30 a.m. to 11:30 a.m.
Louise Street	West	From a point 51 metres North of the North curb of Whitelock Street to the North curbline of Blake Street	Monday to Friday 9-2010 8:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m.
Louise Street	West	From a point 51 metres North of the north curb of Whitelock Street to a Point 15 metres northerly	Monday to Friday 9-2010 8:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m. 27-2011
Louise Street	West	From a point 51 metres North of the North curb of Whitelock Street to a point 64 metres Northerly	Monday to Friday 8:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m. 27-2011
Mowat Street	West	From a point 72.5 metres South of the South curb Line of West Gore Street	From 8:00 a.m. to 9:00 a.m., from 11:30 a.m. to 1:00

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period
		to a point 134.5 metres further South	p.m. and from 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive
Mowat Street	East	From a point 65 metres South of the South curb line of West Gore Street to a point 106.5 metres further South	From 8:00 a.m. to 9:00 a.m., from 11:30 a.m. to 1:00 p.m. and from 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive
Ontario Street	North	Downie Street 60 feet (18.29 metres) east	Anytime
Ontario Street	North	Erie Street 105 feet (32 metres) west	Anytime
Ontario Street	South	Erie Street 125 feet (38.1 metres) west	Anytime
Ontario Street	South	Downie Street 31 feet (9.45 metres) east	Anytime
Ontario Street	North	From Waterloo Street to the East City limits	Anytime
Ontario Street	South	From a point 26.2 metres East of the Easterly curb line of Waterloo Street to the East City limits	Anytime
Queen Street	East	From Water Street to 126 metres north of the north curblane of Water Street	Anytime
Queen Street	West	From Ballantyne Avenue to Lakeside Drive	Anytime
Rebecca Street	South	From a point 138 metres east of the east curb line of Waterloo	8 a.m. to 9:30 a.m. 2 p.m. to 4:00 p.m.

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period
		Street South to a point 36 metres easterly therefrom.	Monday to Friday 165-2015
Romeo Street	West	A point 253 feet (77.11 metres) north of Douro St. to a point 600 feet (182.88 metres) north of Douro Street	Anytime
Romeo Street	Both	From C. N. Spur Line at Norfolk Street to Lorne Ave.	Anytime
Romeo Street S.	East	A point 71 metres south of Park Street to a point 101 metres southerly therefrom	Anytime
Strachan Street	East	From a point 30 metres South of the South curb line of West Gore Street to a point 87 metres further South	From 8:00 a.m. to 9:00 a.m., from 11:30 a.m. to 1:00 p.m. and from 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive
Strachan Street	West	From the South curb line of West Gore Street to a point 124.7 metres Southerly therefrom	From 8:00 a.m. to 9:00 a.m., from 11:30 a.m. to 1:00 p.m. and from 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive
St. Vincent St.	East	From Moderwell Street to a point 136.5 metres south of Moderwell Street	Anytime
St. Vincent St.	West	From a point 21.2 metres north of the north curb line of Patricia Road (north loop) to a point 110.1 metres southerly therefrom	8:00 a.m. to 9:00 a.m., 11:30 a.m. to 1:00 p.m. and 3:00 p.m. to 4:00 p.m. Monday to Friday both inclusive

SCHEDULE 1 - PROHIBITED STOPPING ON SPECIFIED STREETS

COLUMN 1 Street	COLUMN 2 Side	COLUMN 3 Between	COLUMN 4 Period
Waterloo Street	West	From Ontario Street to Albert Street	Anytime
Waterloo Street	East	From the north curb line of Albert Street to a point 15.24 metres (50 ft) north	Anytime
Waterloo Street	Both	From Ontario Street to Cobourg Street	Anytime
York Street	South	Erie Street and Huron Street	Anytime

SCHEDULE 3 - MOBILITY BUS STOPS

SCHEDULE 6 – ANGLE PARKING ONLY

Angle parking is permitted only in these areas:

- Coburg Street, north side, from Waterloo St. to Erie Street
- Market Place, south side, from Downie Street to Wellington Street.
- Wellington Street., west side, from Downie Street to St. Patrick Street.
- St. Andrew Street, north side, from Church Street to 25m east of Birmingham Street

SCHEDULE 8 - PROHIBITED TURNS

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Street	Direction	Turns Prohibited	Period
York Street and Huron Street	Emerging from York Street onto Huron Street	Left	Anytime

SCHEDULE 16 - 30 MINUTE METERED ZONES

30 minute parking on the street hereinafter set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To
Downie Street	East	Ontario Street	Albert Street
Erie Street	West	Ontario Street	St. Patrick Street
Wellington Street	West	Downie Street	St. Patrick Street
George Street	South	Downie Street	St. Patrick Street

SCHEDULE 17 - 4 HOUR METERED ZONES

4 hour parking on the street hereinafter set out in Column 1, the side or sides of streets set out in the corresponding line or lines in Column 2, between the streets or parts thereof set out in Columns 3 and 4.

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To
Albert Street	North	Downie Street	Waterloo Street
Albert Street	South	Downie Street	Waterloo Street
Brunswick Street	North	Downie Street	Waterloo Street
Brunswick Street	South	Downie Street	Waterloo Street
Church Street	East	St. Patrick Street	Ontario Street
Downie Street	West	Ontario Street	Past St. Patrick Street
Downie Street	East	Albert Street	Douro Street
Erie Street	West	Ontario Street	St. Patrick Street
Erie Street	East	Ontario Street	St. Patrick Street
George Street	North	St. Patrick Street	Waterloo Street
George Street	South	St. Patrick Street	Waterloo Street
Market Place	South	Downie Street	Wellington Street
Market Place	North	Downie Street	Wellington Street
Market Place	South	Downie Street	Wellington Street
Ontario Street	North	Huron Street	Waterloo Street
Ontario Street	South	Huron Street	Waterloo Street
St. Andrew Street	North	Church Street	Birmingham Street
St. Patrick Street	North	Erie Street	Wellington Street
St. Patrick Street	South	Cooper Street	Wellington Street
Water Street	South	Nile Street	Waterloo Street
Waterloo Street	West	George Street	Douro Street
Waterloo Street	East	Douro Street	Downie Street
Wellington Street	West	Downie Street	St. Patrick Street

SCHEDULE 21 – DESIGNATED PARKING SPACES for PERSONS with Disabilities

- a) The pavement immediately adjacent to the curb on Wellington Street on the west side, from a point 17 feet (5.2 metres) southerly from the southerly limit of the most northerly crosswalk from Market Place, to a point 29 feet (8.8 metres) southerly from the said crosswalk.
- b) The pavement immediately adjacent to the curb on the south side of Brunswick Street measured from a point 41.6 metres east of the east curb of Downie Street to a point 5.4 metres southerly therefrom (being the space between two driveway entrances).
- c) The pavement immediately adjacent to the curb on the south side of Ontario Street measured from a point 36.6 metres (120 feet) west of the westerly curb line of Waterloo Street to a point 6.1 metres (20 feet) westerly therefrom.
- d) The pavement immediately adjacent to the curb on the east side of Waterloo Street measured from a point 25 metres (82 feet) south of the south curb line of Douro Street to a point 5.48 metres (18 feet) southerly therefrom.
- e) The pavement immediately adjacent to the curb on the East side of Waterloo Street measured from a point 19 metres (62.3 feet) south of the south curb line of Douro Street to a point 6.0 metres (19.6 feet) southerly therefrom, on Sundays only.
- f) The pavement immediately adjacent to the curb on the north side of Simcoe Street measured from a point 78 metres east of the east curb line of Downie Street to a point 6 metres easterly therefrom and from a point 96 metres east of the east curb line of Downie Street to a point 6 metres easterly therefrom.
- g) The pavement immediately adjacent to the curb on the south side of Lakeside Drive measured from a point 11.2 metres east of the east curblane of Front Street to a point 19.4 metres East therefrom.
- h) The pavement immediately adjacent to the curb on the west side of Wellington Street measured from a point 6 metres South of the West curblane of Downie Street to the first angled parking space adjacent thereto.
- i) The Easterly parking space on the South side of Albert Street in front of 51 Albert Street.
- j) The Northerly parking space on the East side of Downie Street at the Southeast corner of Downie Street and Albert Street.

SCHEDULE 21 – DESIGNATED PARKING SPACES for PERSONS with Disabilities

- k) The parking spaces immediately adjacent to the curb on the east side of Downie Street starting from a point 24.7 metres (81 feet) north of the north curb line of George Street to a point 37.3 metres (122 feet) northerly therefrom ~~for the hours of 1:00 p.m. to 5:00 p.m. and 7:00 p.m. to 11:00 p.m.~~
Amended by By-law 152-2017
- l) The parking spaces immediately adjacent to the curb on the north side of George Street starting from a point 22.0 metres (72 feet) west of the west curb line of Waterloo Street to a point 35.5 metres (116 feet) westerly therefrom ~~for the hours of 1:00 p.m. to 5:00 p.m. and 7:00 p.m. to 11:00 p.m.~~
Amended by By-law 152-2017
- 44-2009 m) The westerly parking space on the south side of Cobourg Street in front of 21 Cobourg Street.
- 220-2009 n) The parking spaces immediately adjacent to the curb and gutter line, on the East side of Richard Monette Way starting and following the curb line from the BC (beginning of Curbe) of the intersection of Richard Monette Way and the Westerly end of the Bus Parking lane, to a point 58 metres Northerly and then to a point 26 metres further Northerly.
- 80 -2013 o) The parking space immediately adjacent to the curb on the South side of George Street East starting from a point 41.6 m east of the east curb line of Downie Street to a point 5.6 m easterly therefrom.
- 79-2015 p) The two (2) parking spaces on Lakeside Drive either side of the existing curb cut at Lower Queen's Park (at transformer) with the area in the middle of the two (2) spots as the curb cut access.
- 97-2015 q) ~~The parking space immediately adjacent to the curb on the west side of McCulloch Street starting from a point 10 m north of the north curb line of Easson Street to a point 8 m northerly therefrom, until October 31, 2015 or until the completion of the construction project for Easson Street whichever is longer.~~

~~That the City Clerk is authorized to remove the temporary provision in Paragraph 1 from Traffic and Parking By-law 159-2008 as amended, once the temporary parking space is no longer required in accordance with this By-law.~~

SCHEDULE 21 – DESIGNATED PARKING SPACES for PERSONS with Disabilities

SCHEDULE 22 - DESCRIPTION OF PARKING LOTS

Column 1 Name of Lot	Column 2 Description
St. Patrick	Those lands lying between George Street and St. Patrick Street and being composed of the north half of Lot 23, the North half of Lot 24, and Lot 25 to 38 inclusive in Plans 6 and 7, hereinafter referred to as Parking Lot 1, and those lands lying on the westerly side of a twenty (20) foot wide lane as shown on Registered Plan Number Six (6) for the City of Stratford, commencing at the most easterly corner of Lot Number Nineteen (19) according to Registered Plan Number Six (6) and extending northerly twenty (20) feet in perpendicular width for a distance of one hundred and ninety-one (191) feet, hereinafter referred to as Parking Lot 1 (a).
York Street	Those lands lying between York Street and the Avon River commencing at a point 134.0 feet from North-East intersection of Huron and York Street, then from the point of commencement, 274.5 feet more or less easterly to a point, then North-Westerly for a distance of 115.0 feet to a point, then Westerly for a distance of 210.0 feet to a point, then South 70 feet to the point of commencement, hereinafter referred to as Parking Lot 3.
Albert Street	Those lands lying on the North side of Albert Street and being composed of Lot 205 and west half of Lot 206, Plan 20, hereinafter referred to as Parking Lot 4.
Erie Street	<p>i) Those lands lying on the east side of Erie Street and being composed of Lot 54 and Part of Lots 53 and 55, Plan 20, designated as Parts 6, 7, 8, 9, 10 and II, and part of Parts 12, 13 and 17, Plan 44R-630, as shown on the sketch attached hereto and marked as Parcel "A" all of which is hereinafter referred to as Parking Lot 5 (a).</p> <p>ii) Those lands lying on the east side of Erie Street and being composed of Lots 110 and 111, Plan 20, designated as Parts 3, 4 and 5, Plan 44R-630, as shown on the sketch attached hereto and marked as Parcel "B" hereinafter referred to as Parking Lot 5 (b).</p> <p>iii) Those lands lying on the east side of Erie Street and being composed of Lot 112, Plan 20, designated as Parts 1 and 2, Plan 44R-630, as shown on the sketch attached hereto, and marked Parcel "C" hereinafter referred to as Parking Lot 5 (c).</p>
Ontario Street	i) Those lands lying between Ontario Street and Cobourg Street and being composed of Part of Lots 3 and 4, Plan 20, City of Stratford, designated as Part 6 on Reference Plan 44R-3342, as more clearly shown on the sketch attached hereto and

SCHEDULE 22 - DESCRIPTION OF PARKING LOTS

Column 1 Name of Lot	Column 2 Description
	forming Schedule "A" to this by-law, are hereby known as "Parking Lot 2;"
ii)	Those lands lying between Ontario Street and Cobourg Street and being composed of Part of Lots 203 and 204, Plan 20, City of Stratford, designated as Parts 1 and 2 on Reference Plan 44R-3342, as more clearly shown on the sketch attached hereto and forming Schedule "A" to this by-law, are hereby known as "Parking Lot 2(a);"
iii)	Those lands lying between Ontario Street and Cobourg Street and being composed of Part of Lots 203 and 204, Plan 20, City of Stratford, designated as Parts 1, 2 and 3 on Reference Plan 44R-3342, as more clearly shown on the sketch attached hereto and forming Schedule "A" to this by-law, are hereby known as "Parking Lot 2(b)."
iv)	Those lands lying between Ontario Street and Cobourg Street and being composed of Part of Lots 4, 5 and 202, Plan 20, City of Stratford, designated as Part 4 on Reference Plan 44R-3342, as more clearly shown on the sketch attached hereto and forming Schedule "A" to this by-law, specifically the second or upper level of the parking garage, are hereby known as "Parking Lot 2(c)."
Jail	That area of land being part of the south-west part of Lot K, Registered Plan 20, being situated to the north of the property known as the Stratford Jail, 30 St. Andrews Street, said lands being shown as Part "A" on the following sketch, is hereby designated as a parking area and except as hereinafter provided, is subject to the provisions of this by-law and shall be known as Parking Lot Number 6, and is further known as Lots 6 (a), 6 (b) and 6 (c) in respect to certain areas and restrictions on the use of the said lot. Notwithstanding Section 3 hereof, no meters shall be erected on this parking area.
George Street	Those lands lying on the north side of George Street west, consisting of Lots 21, 22 and 23 Registered Plan 87, Stratford, hereinafter referred to as Parking Lot 7.
Arena	Those lands lying South of Lakeside Drive and East of Morenz Drive and being composed of Lot 575 and the North Part of Lot 574, Plan 20, known as the William Allman Memorial Arena parking lot, are hereby known as Parking Lot 9.

SCHEDULE 22 - DESCRIPTION OF PARKING LOTS

Column 1 Name of Lot	Column 2 Description
Dufferin Arena	Part of Lot 3, Concession 2, formerly in the Gore of the Township of Downie, now in the City of Stratford, being part of Block B, Plan 409, known as the Dufferin Arena parking lot, are hereby known as Parking Lot 10 (non-metered lot).
Rotary Arena	Part of Lot 3, Concession 1, formerly in the Township of Ellice, now in the City of Stratford, known as the Rotary Arena parking lot, are hereby known as Parking Lot 11 (non-metered lot).
Downie Street	Those lands lying on the West side of Downie Street, South of St. Patrick Street, North of St. David Street, adjacent to Shakespeare Street and Milton Street, comprising of an irregular shaped parcel of land as generally outlined and shown on Schedule A to By-law 103-2003 is hereby established as Municipal Parking Lot Number 12 and known as the Downie Street Parking Lot.
Justice Building	The northerly portion of Parking Lot 1, being the area shaded on the sketch attached hereto, is hereby designated as a Parking area for the exclusive use of the employees of this Corporation and other staff working in the Administration of Justice Building, 17 George Street, whom have been designated to park in the said area by the municipal council of the City of Stratford.
County of Perth	No owner or operator of a vehicle shall park in the area described in subsection (a) unless such vehicle has been authorized to display a sign as issued by the Municipal Council of the City of Stratford indicating that such vehicle is entitled to park in the said area.
Kalbfleisch Lot	Municipal address of 128 St. Patrick Street, Stratford



MANAGEMENT REPORT

Date: February 27, 2019
To: Infrastructure, Transportation and Safety Sub-committee
From: Joan Thomson, City Clerk
Report#: ITS19-009
Attachments: N/A

Title: Amending the Terms of Reference for the Active Transportation Advisory Committee

Objective: To consider amending the Terms of Reference to include a member of Cycle Stratford on the Active Transportation Advisory Committee.

Background: Geoff Love, a representative from Cycle Stratford, requested at a Council meeting that the composition of ATAC be amended to include a Cycle Stratford member. Prior to seeking a nominee from Cycle Stratford, the Terms of Reference should first be amended.

Analysis: The composition of ATAC would increase to 10 voting members and would require 6 people in attendance to meet quorum.

Financial Impact: N/A

Staff Recommendation: **THAT the Active Transportation Advisory Committee Terms of Reference be amended to include a representative from Cycle Stratford as a voting member.**

Joan Thomson, Clerk

Michael Humble, Director of Corporate Services

A handwritten signature in black ink that reads "Rob Horne". The signature is written in a cursive style with a large, stylized "R" and "H".

Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: February 28, 2019
To: Planning and Heritage Sub-committee
From: Jeff Leunissen, Manager of Development Services
Report#: PLA19-005
Attachments: None

Title: Comprehensive Zoning By-law Review Update

Objective: To provide Sub-committee: (i) an update on the major changes proposed to the Comprehensive Zoning By-law; (ii) report on the feedback received to date from the public; (iii) to confirm the direction on major changes; and (iv) obtain direction on how the draft Comprehensive Zoning By-law should be revised to reflect the priorities of Council.

Background:

Process

Following adoption of a comprehensive amendment to the City of Stratford Official Plan on December 14, 2014 (Official Plan Amendment No. 19), the City retained MMM Group, a WSP Company, at a total price of \$79,690 (excluding HST), to undertake a comprehensive review of the City's Comprehensive Zoning By-law (February 9, 2015).

This review was undertaken in accordance with Section 26(8) of *The Planning Act* which states that "no later than three years after a revision under subsection (1) or (8) comes into effect, the Council of the municipality shall amend all zoning by-laws that are in effect in the municipality to ensure that they conform with the official plan." The reason the *Planning Act* requires zoning by-laws to be amended following adoption of a comprehensive Official Plan amendment is because a zoning by-law is the principal tool relied upon to implement the policies of the official plan. Zoning by-laws control the use of land through regulations and the placement of buildings and structures on a lot.

In December 2015, the City of Stratford repealed Official Plan Amendment No. 19 and adopted Official Plan Amendment No. 21. OPA No. 21 built on the foundations of OPA 19 and included Ministry of Municipal Affairs and Housing comments, updated mapping from the Upper Thames River Conservation Authority, Agricultural policies and lands annexed into the City of Stratford on January 1, 2015. On July 21, 2016, the Ministry of Municipal Affairs and Housing approved OPA No. 21 without any amendments (representing the new

Official Plan for the City of Stratford). One site specific appeal to OPA No. 21 has been received and is proceeding to a hearing.

As reported to Council in June of 2017, staff and its consultant have held two stakeholder meetings and two Public Information Centres (PIC's) on the entire comprehensive by-law update and one PIC focusing with just Bed and Breakfast Establishments and Short Term Rental Accommodations.

A second draft Comprehensive Zoning By-law was released to the public for review and feedback on August 15, 2018. More than 100 individuals were notified by email the draft by-law was available for public review. A Public Information Centre was held on November 14, 2018 to review the draft by-law. Notice of the Public Information Centre was sent to the same individuals who were notified of the By-law being posted on the Shaping Stratford website. In addition to the email notice, Notice of the Public Information Centre was advertised in the Town Crier on October 20, 2018, October 27, 2018 and November 3, 2018. Approximately 50 individuals attended the PIC on November 14, 2018.

The format of the November 2018 PIC differed from previous PIC's. After allowing time to review information boards and a presentation on the following:

- the purpose of a zoning by-law,
- the process to date, and
- the major changes to the by-law by the consultant,

attendees were invited into smaller groups to facilitate dialogue. Feedback on the PIC format was generally positive. Both the presentation and display boards have been posted on the www.shapingstratford.ca website.

A stakeholder meeting was also held on November 14, 2018. A broad range of groups and organizations were invited with representatives from the Communities in Bloom Committee, Town and Gown Committee, Stratford and Area Builders Association, Stratford and Area Bed and Breakfast Association, Heritage Stratford, City Centre BIA and Housing Division attending.

In response to releasing the second draft of the Comprehensive Zoning By-law on www.shapingstratford.ca website and the PIC, staff has received 26 written responses from 25 individuals/property owner representatives. Many respondents commented on the proposed Short Term Rental Accommodations regulations. Below is a table showing the nature of the responses received on that topic. It is noted that not every respondent provided rationale why they either support or oppose the proposed regulations and some respondents provided several reasons for their position.

	Support Proposed Short Term Rental Accommodations Regulations	Oppose Proposed Short Term Rental Accommodations Regulations
	XXXXX XXXXX	XXXXX
Issues		
Impact on Neighbourhoods	XX Negligible	Significant XXXXX X
Parking	XXX Too Restrictive	Negative Impact on Neighbourhood X
Limited to Principal Resident	XXX Disagree	Agree
Economics	XX	
Going to Happen Anyways	X	
Enforcement	X	X
Equity between B&B's and STRA	X	X
Allow in limited areas of the City	X	

For those individuals who expressed concerns with short term rental accommodations, not knowing their neighbours, absentee landlords and on and off-street parking were raised most often.

Housing Division has provided detailed comments on the draft by-law. Their comments are below:

2.5.3 Bonus Provisions

Housing Division is pleased the By-law identifies affordable housing as an eligible community benefit under Section 2.5.3.5, to be exchanged for increases in building heights and densities. Housing has requested that "affordable rental housing" be added to the list of eligible community benefits in Table 2.5.3.

4.3 Bed and Breakfast Establishments and Short Term Rental Accommodations

Housing Division has advised they are pleased to see the By-law restricts the use of Short Term Rental Accommodations to the principal resident. The increase in short term rental market could negatively impact the already limited supply of

long term housing in Stratford. According to CMHC (October 2018), the current vacancy rate for the City of Stratford is 1.8%, which is well below the health rental benchmark of 3%. The scarcity this creates could eventually contribute to a higher housing and rental prices. Short term rentals also have the unintended consequences of changing the character and social cohesion of neighbourhoods.

4.10 Group Homes

Section (b) states that: "No other uses shall be permitted on a lot used as a group home". One of our community partners, L'Arche, is proposing to renovate 426 Britannia St. into a fully accessible space where individuals with disabilities can live and participate in activities. The basement and main floor would contain administration offices and activity rooms for their clients, many of whom will not reside in the building. The second floor would contain six one-bedroom suites. CMHC is currently considering supporting this development, and the Housing Division would like to support it. We would like to ensure that this type of development would be allowed under the proposed Zoning By-Laws.

4.24 Secondary Suites

Like Garden Suites, Housing Division is pleased to see that the proposed Zoning By-Law permits the use of Second Suites. Secondary units are one of the most inexpensive ways to increase the stock of affordable rental housing in a community. They also have the added benefit of providing homeowners an opportunity to earn additional income to help meet the costs of homeownership. Why are Secondary Suites restricted from lots that are only accessible by a private street?

Proposed Changes to the Zoning By-law

Below is a list of major changes to the Comprehensive Zoning By-law.

- New format
- New definitions
- Revisions to the Bed and Breakfast Establishment provisions
- New Short Term Rental Accommodations regulations
- Revised Home occupations regulations
- Revised Parking Regulations including – revisions to the minimum size of a parking space, revised barrier free parking requirements, new shared parking provisions, cash-in-lieu of parking and new bicycle parking requirements
- Revised Drive Through, Stacking Lanes and Stacking Space regulations
- Revised Non-conforming Uses provisions
- New regulations allowing Second Suites
- New Source Protection regulations (Wellhead Protection Areas)
- New Overlay of Upper Thames River Conservation Authority Regulated Areas
- New Bonus Provisions
- New Holding Provisions
- New structure to allow for Temporary Zones

- New Theatre Zone
- New Grand Trunk Anchor District Zone
- New Open Space Zones
- Revisions to the Industrial Zone structure
- New Urban Reserve Zone
- New Agricultural Zone

Each of the proposed changes are reviewed in greater detail below. Public feedback on the change, if any, is in italics.

It is worth noting that the scope of work for this project did not include pre-zoning underutilized lands for new or additional uses. Neither staff nor its consultants have the information necessary to undertake a site specific review of underutilized or underdeveloped lands and propose alternate zoning through this project. Further, this project does not allow the site specific community consultation necessary with pre-zoning lands for a broad range of new or different uses. One exception to this approach is proposed zoning for the Cooper Block. As part of the Grand Trunk District Master Plan, the City conducted a detailed evaluation of the Cooper Block and undertook extensive public consultation. Based on the work conducted through the Master Plan process, staff believe it is possible, and would be appropriate, to pre-zone the Cooper Block lands for uses recommended by the Master Plan.

Analysis:

- New format –
The format has been revised for easier reading and wayfinding. Some of these changes include:
 - a separate section dealing specifically with parking and loading areas
 - sections in the by-law are colour coded and zone colours match the zone section. For example the residential section and residential zones are the same orange
 - uses and regulations (minimum lot area, frontage, etc.; setbacks) displayed in a table format
 - many defined terms are illustrated to show definitions
 - defined terms are shown in italics and they hyper-linked to the definition
 - zone exceptions grouped in one section (Section 15)

No concerns have been raised by the public about the format of the Draft By-law.

- Holding Provisions – Section 2.5.2
Official Plan Amendment No. 21 contains provisions to allow for a Holding Provision to be applied. Holding provisions allow lands to be zoned for their intended purpose while limiting development until certain criteria is satisfied. For example, lands may be suitable for a broad range of industrial uses but only

when full municipal services are available. The draft By-law sets the framework for the easy application and removal of Holding Provisions.

Pre-determined Holding Provisions have been included in the by-law to address common issues such as adequacy of services (H1), submission of heritage impact assessment (H9), submission of a market study or financial impact study (H13), submission of a tree analysis or tree preservation study (H11) and submission of a traffic impact study (H7). Application of a Holding provision would be a decision of Council. Similarly removal of a Holding provision requires Council approval. Pre-determined Holding Provisions ensure consistency in application and transparency.

No public feedback

- Bonus Provisions – Section 2.5.3

Official Plan Amendment No. 21 contains Height and Density Bonus Provisions. "Bonusing" as it is often referred to, authorizes an increase in height or density for elements of a development that are considered to be in the public interest. For example, height bonusing may be permitted if an applicant provides an increase in the amount of public open space, day care facilities, affordable housing, and/or underground or in-ground parking. The proposed by-law contains provisions to implement this policy. The proposed by-law sets out the standard that must be achieved to permit the increase in height or density. For example, for every 100 m² of public open space in excess of the required parkland dedication, the number of dwelling units may be increased by one. Application of Bonusing Provisions would be through a site specific zone change application approved by Council.

Housing Division is supportive of proposed regulations allowing bonusing for affordable housing and recommends it be included in the Bonus Zoning applied to the Grand Trunk District Zone. Planning staff support this recommendation.

No public feedback

- Temporary Use Zones – Section 2.5.4

Official Plan Amendment No. 21 contains provisions for the application of Temporary Use Zones. A Temporary Use Zones permits a property to be used for a use not allowed by the Official Plan for a period of up to three years. For example, Council may allow a property designated Residential Area to be used as commercial parking lot without an Official Plan Amendment for three years. Application of a Temporary Use Zone requires Council approval. Temporary Use Zones lapse upon the passing of the pre-determined date if not extended by

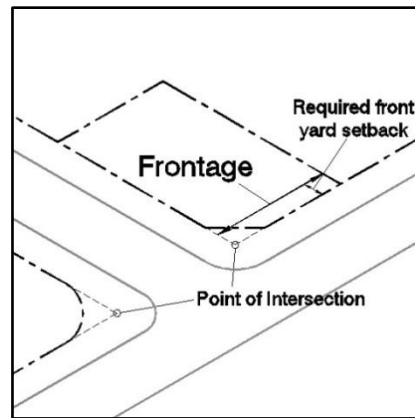
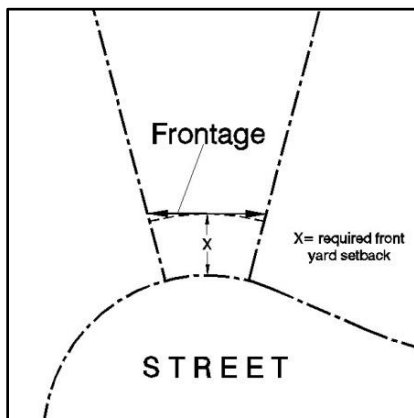
Council. The draft By-law sets the framework for the easy application of Temporary Use Zones.

No public feedback

- Definitions – Section 3

New contemporary definitions have been added such as BREW-PUB, BREW YOUR OWN ESTABLISHMENT, CLUSTER and COMDOMINIUM.

Included with some definitions are illustrations. An example of such an illustration is below. These illustrations are for Lot Frontage.



Not included in the two drafts released to date, but which staff is considering, is modifying the definition of dwelling unit to limit the number of bedrooms to five. The reason for this change is that staff has seen a number of building permits recently depicting 8 and 10 bedrooms. These permits pose a challenge to determine if the dwelling unit is functioning as a single housekeeping unit, as intended by the by-law, or if they are functioning as a boarding or lodging house or a group home. Section 35 of *The Planning Act* does not permit a zoning by-law to include regulations that have the effect of distinguishing persons who are related and persons who are unrelated in respect of occupancy of a building, but it does allow zoning to limit intensity. Dwelling units with greater than five bedrooms have greater demands on municipal services, a greater need for off-street parking spaces, and are more likely to be used as boarding or lodging houses. Based on the 2016 Census, less than 5.5% of private households in Stratford contain 5 or more persons. (The census does not contain information on the number of households containing 6 or more persons.) Inclusion of such a provision would impact a small number of households. Other municipalities have placed limits in the number of bedrooms within a dwelling unit including London – 5, Ottawa – 4 and Waterloo – 4.

Generally, there has been little feedback regarding the definitions section of the by-law with the exception of the definition of Short Term Rental Establishment,

Principal Resident and Height. Feedback on the definition of Short Term Rental Establishment and Principal Resident will be addressed elsewhere in this report.

Regarding the definition of Height, staff received a request to change the definition height from average finished grade to the highest point of the building to the average finished grade to the highest point for a flat roof or the mean height between the eaves and ridge for a sloped roof. In essence this request is to go back to the definition of height contained in the 1979 Zoning By-law. Council previously changed the definition of height for a number of reasons including ease in interpretation and application. In response to recent requests to increase the maximum height for some multi-family forms of dwellings and concerns raised through this process, the proposed by-law contains an increase in the maximum height regulations in the R3, R4 and R5 zones.

As staff has only recently considered limiting the number of bedrooms for a dwelling unit, the public has not had an opportunity to provide feedback on this issue. Staff intend to include the intent to limit the number of bedrooms in a dwelling unit in the Notice of Public Meeting and to specifically raise it at the next Public Meeting.

Several people have inquired about the definition of "Principal Residence" or "Principal Resident". Specifically, they have asked what is required to determine what constitutes a person's principal residence. The existing by-law defines principal residence and no change is proposed to the definition regarding a person's principal residence and that is the address "identified by that person as his or her place of residence for financial, legal or government related purposes". The draft by-law proposes to remove the clause allowing a dwelling unit to be occupied by someone other than a principal resident if they are attending school or a person employed by the Festival on a seasonal basis. This change is in response to zoning requirements that limit zoning by-laws to zoning the use not the user. The Ontario Human Rights Code prohibits discrimination based on a number of factors including age and "students" are generally within one age range. If Council believes short term rental accommodations should be limited to the principal resident, further review is required to ensure the regulations are consistent with the Planning Act and will be upheld should there be any court challenges.

Staff has received feedback requesting cannabis retail stores be treated as other retail stores. On January 14, 2019, Council resolved, in response to the Provinces regulations on the sale of cannabis in Ontario, that "cannabis retail stores be permitted to operate within the City of Stratford." However, the location of cannabis retail stores will be governed by the applicable legislative requirements.

- Bed & Breakfast Establishment and Short Term Rental Accommodations – Section 4.3
The Official Plan contains specific provisions to allow visitor accommodations in private homes. Visitor accommodation in private homes is recognized for the role it plays in complementing the needs of theatre-goers. The Official Plan also contains provision allowing measures to be taken to reduce conflicts in residential areas. Measures which may be taken include limiting the number of rooms, ensuring the site has adequate municipal services, ensuring the site is of sufficient size to accommodate additional parking, that the lands are above the regulatory flood line and that a high percentage of the rear yard continues to be landscaped open space. The policies allow larger operations to dwellings designated under the *Ontario Heritage Act*.

Bed and Breakfast Establishments

Many of the proposed regulations for B&B's are unchanged from the current Zoning By-law.

Existing provisions

- Current B&B regulations limit B&B's to single detached dwellings
- B&B's continue to be required to be operated by the principal resident
- One Accessory Guest Room allowed every single detached dwelling
- Licensing required for B&B's and Accessory Guest Rooms
- Each B&B bedroom requires an additional parking space
- Tandem parking permitted

Changes

- Regulations are in a table format for easier reading
- The proposed regulations would allow B&B in a broader range of dwelling types. B&B's would be permitted in single detached dwellings, semi-detached dwellings, converted dwellings, townhouse dwellings and apartment dwellings (A converted dwelling is a dwelling originally constructed as a single detached dwelling that has been altered to contain more than 1 dwelling unit.)
- Clarification that operating one Accessory Guest Room is a B&B and requires a license
- Tandem parking limited to a maximum depth of 2 vehicles
- A B&B cannot operate on the same lot as a secondary suite

Generally, feedback on the changes to the B&B regulations has been positive. There have been some concerns with the provision that would limit tandem parking to two spaces. How will it affect existing B&B's? B&B's established prior to the new provisions coming into effect would be allowed to continue to operate as a legal non-conforming use, but any changes or alterations to their operation would have to comply with the new provisions. For example, if a B&B already employed tandem parking of more than 2 vehicles, that would be permitted to continue. If that same B&B proposed an additional bedroom, the parking space

for the additional bedroom would be limited to 2 tandem spaces. Staff has also received feedback both in support and opposed to allowing B&B's in townhouse dwellings. Broadening the range of dwelling types in which B&B's would be permitted is consistent with the Provincial requirement to allow secondary suites in a range of dwelling types and is not expected to result in significant new impacts on residential neighbourhoods. Further, as parking is required for B&B's, the number of locations where B&B's would be permitted within a townhouse dwelling will be limited.

Some feedback has not been supportive of the changes specifically allowing B&B's in residential areas. The concerns raised include increased noise, parking problems, the impact of commercial uses in residential areas, in general. Council has previously determined that B&B's provide a vital role in meeting the temporary accommodation needs of visitors, particularly accommodating theatre patrons, and there are no plans to deviate from that previous decision. The proposed changes provide a greater range of dwelling types which would allow a B&B while ensuring those properties have the ability to accommodate the additional use without adversely affecting abutting properties.

Some feedback has also been received regarding "inns", specifically that there is the potential for abuse of the regulations because inns do not require a license and allow short term accommodation.

The proposed definition of inn is "a building used for the purposes of supplying temporary living accommodation to the public, and containing a maximum of 10 guest rooms, dwelling units or combination thereof wherein such dwelling units are not restricted to occupancy by a person as their principal residence and may include 1 accessory dwelling unit for the owner or operator thereof." Inns are currently allowed, and proposed to continue to be allowed, in the Central Commercial C3 and Mixed Use Residential MUR Zones.

The existing and proposed definition of "inn" would allow a bed and breakfast establishment or a short term rental accommodation without a license.

The Province of Ontario regulates establishments which cater to the travelling public and which have more than six bedrooms through the Hotel Registration of Guests Act. It does not regulate home-sharing uses.

In order to protect the safety of the travelling public in a similar manner as Bed and Breakfast Establishments and Short Term Rental Establishments, Council should consider requiring "inns" containing six or less rooms to be licensed.

It is noted one minor change has been proposed to the existing definition of "inn" and that is to delete "for a fee". Removal of reference to a fee would result

in the by-law being consistent with other zoning by-laws such as Kitchener, London, and Niagara-on-the-Lake. This change would not impact licensing.

Short Term Rental Accommodations

The proposed by-law introduces a new use: Short Term Rental Accommodations (STRA). A Short Term Rental Accommodation is the commercial use of an entire dwelling unit by a principal resident that may be rented for a period of up to 28 days for temporary accommodation. A short term rental accommodation is not a hotel, motel, bed and breakfast establishment. The principal resident shall not reside in the dwelling unit while the Short Term Rental Accommodation is being rented. Regulations permitting STRA's is considered desirable for a number of reasons including, they allow visitor accommodation that meet the needs of tourists, which plays a vital role in the local economy supporting both the Stratford Festival and area property owners; allowing STRA's recognizes existing trends in visitor accommodations; and STRA's provides an additional accommodation option especially for larger families/groups.

The City of Stratford currently permits the short term of an entire dwelling unit in the C3 and MUR Zones through the use "inn." The proposed by-law continues to allow "inns" and would allow Short Term Rental Accommodations as a new permitted use with the following provisions:

- Allowing STRA in all single detached dwellings, semi-detached dwellings, converted dwellings, townhouse dwellings and apartment dwellings
- STRA occupied by the principal resident
- Limiting STRA rental for a period of 28 consecutive days
- STRA must be licensed
- Requirement of 0.67 parking spaces per bedroom
- A STRA cannot be on the same lot as a secondary suite

Web-based services such as Airbnb, VRBO, kijiji, etc. advertise both traditional Bed and Breakfast Establishments and Short Term Rental Accommodations. Staff does not have comprehensive data on STRA's in Stratford because such uses are not currently permitted; however, in 2017 AirBnB reported they had 93 active listings with 73 hosts for Stratford. 77% of hosts rent out their unit/suite less than 60 nights per year with 9% of hosts renting out their unit/suite more than 120 days per year. The typical host rented out a unit/suite 34 nights per year. Airbnb also reported that 63% of listings are for an entire dwelling unit (STRA). A recent search of Airbnb for Stratford generated well over 100 options, from individuals rooms to entire dwelling units, and ranging in price from \$26 to \$796. It appears most listings are by the principal resident who rent their units/suites to supplement their income. A small percentage of listings are not occupied by the principal resident and revenue generated by renting units/suites is more than supplemental.

What is the rationale for limiting rental for 28 consecutive days? The purpose of the 28 day limit is to ensure the rental never exceeds one month. Some provisions of the Residential Tenancies Act refer to 28 days. Restricting any rental to not more than 28 days ensures the provisions of the Residential Tenancies Act do not apply.

What are other communities doing? Many communities such as Toronto and Vancouver are taking a similar approach as proposed in the Draft By-law in that they are restricting STRA's to the principal resident. Part of the rationale for this requirement is the desire to reduce impacts on the rental housing stock. Other communities, such as Kitchener, permit STRAs in mixed use areas. (Kitchener refers STRA as a Tourist House.). Some seasonal communities, such as Niagara-on-the-Lake and Town of the Blue Mountains, do allow STRA's dwelling units in some residential areas. Niagara-on-the-Lake permits STRA in what is known as the "Old Town Community" and Town of the Blue Mountains STRAs in communities in close proximity to the ski hills.

Much of the feedback on the draft Comprehensive Zoning By-law has been regarding the Short Term Rental Accommodations regulations. Most of those who provided comments on this issue have been in support of permitting STRA and they are either operating some type of short term accommodations currently or would like to operate short term rental in the future. Representatives of the B&B community are generally supportive of the proposed STRA regulations. They have consistently requested that B&B's and STRA be regulated in a similar manner and the proposed regulations do treat both in a similar fashion. Both would require licensing, and with licensing comes fees, inspections and mandatory insurance, both have minimum parking requirements, and both are allowed in similar types of dwellings. Some individuals have questioned the need to license STRA and B&B's at all, as most are registered on websites and if they are not clean and safe, they would not receive a positive evaluation.

In preparing regulations around STRA's, staff is attempting to balance the needs of tourists, changes in the way people book accommodations, the local economy, including the needs of property owners, with the desire to promote stable residential neighbourhoods and the need to maintain a rental housing stock.

At the public open house dealing with just Bed and Breakfast Establishments, and Short Term Rental Accommodations staff asked attendees for feedback on the types of restrictions, if any, which should be placed on B&B and STRA. Below is a dot matrix board showing preferences. There was little support for locational restrictions.

Board 5

REFINEMENT OF OPTION 3
COMPREHENSIVE REGULATIONS
FOR ACCESSORY GUEST ROOMS, B&B'S & SHORT-TERM RENTAL ACCOMMODATIONS TO ADDRESS COMMUNITY ISSUES (ASSUME LICENSING)

(IDENTIFY THE THREE BOXES MOST IMPORTANT TO YOU – 3 YELLOW DOTS)

LOCATIONAL CRITERIA: PROXIMITY TO FESTIVAL FACILITIES & DOWNTOWN	SITE CRITERIA: PARKING
LOCATIONAL CRITERIA: RESTRICTED TO ARTERIAL ROADS	SITE CRITERIA: ALLOWED IN SINGLE DETACHED DWELLING ONLY
LOCATIONAL CRITERIA: RESTRICTED TO ARTERIAL AND COLLECTOR ROADS	SITE CRITERIA: ALLOWED IN MULTI-UNIT BUILDINGS
LOCATIONAL CRITERIA: ONLY ALLOWED IN CERTAIN ZONES	LIMIT ON THE NUMBER OF LICENCES ISSUED
LOCATIONAL CRITERIA ONLY	ALLOWED PROVIDED THEY DO NOT IMPACT HOUSING MARKET
LOCATIONAL CRITERIA: SEPARATION DISTANCE	ALL OF THE ABOVE
ALLOWED WITH REGULATIONS TIED TO OWNERSHIP	

In place of locational restrictions, such as only on certain categories of streets or within certain zones, staff has prepared draft regulations that would permit both B&B's and STRA throughout the community subject to regulations regarding type of dwelling, parking, licensing, and being operated by the principal resident.

The draft By-law proposes to limit Short Term Rental Accommodations to being operated by the principal resident, similar to what is required for B&B's. This approach is supported by Housing Division Staff as Stratford already has a very low vacancy rate and changes which may further reduce the number of rental housing units may contribute to higher prices. As noted above, if Council believes the regulations should limit the operation of Short Term Rental Accommodations to the principal resident, staff intends to review this matter further to ensure it would be upheld by any possible court action. If it is not possible to limit STRA to "principal resident", staff will investigate alternatives which attempt to achieve a similar balance of objectives. It is noted that if it is not possible to restrict STRA's to the principal resident, revisions to the B&B regulations will be required as they too, restrict the use to the principal resident.

Staff is seeking direction whether STRA's should be limited to the principal resident or not. Tying to a principal resident would promote property owners knowing each other, minimize the creation of absentee-landlord short term rental accommodations and greater oversight of on and off street parking associated with any commercial use of the property. If Council does not support tying a STRA to a principal resident, other restrictions such as separation distances, limiting STRA's to certain geographic locations, or limiting the maximum number (through municipal licensing), would be explored as to not place any limits STRA's would impact the rental housing stock.

Parking

As with B&B's, a parking rate based on the number of bedrooms is proposed for STRA's. The August 2018 version of the Draft By-law recommended 0.67 spaces per bedroom, but with rounding provision in the By-law, this rate would require a 3 bedroom STRA to provide 3 off-street parking spaces. It is recommended the parking rate per bedroom be reduced slightly to 0.66 spaces per unit and this would permit a three bedroom STRA with only 2 off-street parking spaces. A larger STRA, one containing 4 bedrooms, would require 3 off-street parking spaces. Parking needs for STRA's do differ in one respect from B&B's. There is no need to provide parking for an operator or principal resident with a STRA as the principal resident does not occupy the unit when it is being used as a STRA.

What to do with existing Short Term Rental Accommodations

A number of individuals have inquired whether the City will recognize existing STRA's. It is difficult to provide one response that will deal with all situations. As existing STRA were not approved by the City, they may not satisfy the regulations deemed by Council to be necessary for compatible, functional STRA's in residential neighbourhoods. For example, they may not meet the parking requirements.

When the City reviewed Bed and Breakfast Establishments in the early 2000's, a similar request was made by the B&B operators and at that time, it was recommended that "any B&B that is not considered a permitted use be considered on its merits and on a case by case basis." For B&B's and STRA's, as there were some in existence at that time, that meant a site specific zone change application which included public notice and a public meeting. The approach employed by Council to non-conforming B&B's in the early 2000's was appropriate and it remains appropriate today. Those STRA's that comply with any new regulations adopted by Council would be permitted to continue, provided they comply with the regulations and obtain a license, and those that do not comply have the opportunity to have their use evaluated and approved on a site specific basis.

- Drive Throughs, Stacking Lanes and Stacking Spaces – Section 4.7

The current by-law requires 10 stacking spaces for all drive-through's. The proposed regulations would vary the number of stacking spaces by type of use. For example, a restaurant would require 10 stacking spaces while a financial institution requires only 4. The proposed regulations would also prohibit drive-throughs in the Central Business District.

No public feedback

- Group Homes – Section 4.10

The Group Home regulations have been modified by removing the maximum number of group homes permitted in the City, in each Ward and the minimum separation distance between group homes. In addition, the definition of Group Home has been modified to no longer contain a minimum number of people receiving treatment. The changes are consistent with recent trends regarding group home zoning regulations throughout Ontario.

Housing Division is supportive of the proposed Group Home regulations. Housing has requested that the zoning by-law allow the type of project being planned by L'Arche at 426 Britannia Street. 426 Britannia Street was recently the subject of a site specific zone change to permit the L'Arche proposal and this site specific zoning will be incorporated into the new Comprehensive By-law.

- Home Occupations – Section 4.12

Revised Home Occupations provisions to allow home occupations in all dwelling units, not only single detached dwellings, types, they allow a small percentage of the space, 15% retail to be used for retail purposes, they require 1 additional parking space for the home occupation use in tandem and they limit the floor area to a maximum of 30 m² (323 ft²).

Some public feedback has been received regarding the requirement for an additional parking space and the allowing of up to 15% for retail use. The intent of this provision is to allow uses to sell a small amount of products related to their use. For example, a personal care home occupation would be permitted to sell shampoo, conditioner, etc. Limiting the area of retail 15% would mean a 30m² home occupation would be permitted 4.5m² (48ft² or 6 ft x 8 ft) of retail. Requiring 1 parking space for the home occupation use is intended to lessen any impacts on area streets.

- Non-conforming Uses – Section 4.17

Stratford's first Zoning By-law was adopted on October 15, 1951. This date is critical when determining if use was legally established. One way to support whether a use existed prior to October 15, 1951 is the submission of an Affidavit. As 68 years has passed since the first Zoning By-law came into effect, it is often not possible to provide an Affidavit and thus difficult to determine if the use existed prior to October 1951. This section has been revised to, in effect, reset the clock to May 28, 1979. This date was selected because it is the day Comprehensive Zoning By-law No. 4 – 79 came into effect.

Upon further review, staff believes resetting the clock to May 1979, may not achieve the desired effect of setting a date to one which a property owner can reasonably prove existence of a use. Council is expected to pass the new Comprehensive Zoning By-law later this year which means approximately 40 years will have passed since May 1979.

Staff believes resetting the clock to another date should be reviewed further. If a use has existed for a considerable period of time without any complaints and has achieved an acceptable level of compatibility in the neighbourhood such that no complaints have been received, staff believe it should be allowed to continue to exist provided the property owner obtains any necessary permits. The regulations regarding non-conforming uses is continuing to be reviewed and the effective date may be different than the May 28, 1979 date contained in the draft by-law.

Public feedback has generally been supportive of this approach.

- Second Suite Regulations – Section 4.24

In accordance with changes to the *Planning Act* and Official Plan Amendment No. 21, the draft By-law would allow a secondary suite in all single detached, semi-detached and townhouse dwellings. A secondary suite is a separate, self-contained dwelling unit. Permitting secondary suites is considered a principle tool to increase the rental housing stock and provide affordable housing.

The proposed zoning would allow secondary suites as-of-right in the dwelling types listed. The proposed regulations would limit secondary suites to a maximum of three bedrooms, to being less than 50% of the main dwelling unit to a maximum of 100 m², to require a separate entrance, and to require 1 additional parking space for the unit. Secondary suites are subject to the requirements of the Ontario Building Code.

Housing Division is supportive of the draft Secondary Suite regulations, but questioned why secondary suites are not permitted on lots only accessible by a

private street. Private streets are not maintained to City standards. Staff is concerned with as-of-right intensification on lots that may not be accessible to emergency services. Should a property owner on a private street wish to erect a secondary suite, they would be able to submit a zone change application and have the matter considered on a site-specific basis.

Very little public feedback has been received regarding secondary suites. Those who have responded are generally supportive of the proposed regulations as it is expected to assist in providing more rental and affordable housing. Some respondents have questioned why any additional required parking cannot be in tandem.

- Source Protection (Wellhead Protection Areas) – Section 4.28

Official Plan No. 21 contains policies on the identification and implementation of the City's Source Protection Plan. Within areas identified on Schedule "C" to the Official Plan, the proposed Zoning By-law prohibits uses and activities that may have an impact on Wellhead Protection Areas.

No public feedback.

- Upper Thames River Conservation Authority Regulated Area – Section 4.29

Official Plan No. 21 contains policies limiting, and in some cases prohibiting development, in natural hazard areas. Upper Thames River Conservation Authority Regulated Areas are shown on Schedule "A" as an overlay indicating the lands are subject to UTRCA review and permitting.

The Comprehensive Zoning By-law is the City's primary tool to determine land uses and it is a very public document. Showing the Regulated Areas on Schedule "A" is considered an effective means to inform property owners whether they are subject to UTRCA Regulation Area policies.

No public feedback.

- Parking and Loading Requirements - Section 5

Parking and loading spaces are now within a separate section (Section 5). In addition to this structural change, other changes include the following:

- requiring 2 off street parking spaces per single detached dwelling
- Reduction in the size of a parking space from 2.8m x 6m to 2.6m x 5.6m
- mandatory bicycle parking
- changing the width of barrier free parking spaces from a uniform 4.5 m to 3.4 m and 2.4 m with a 1.5 m pedestrian access aisle (Type A and B)
- provisions for shared parking

- provisions for cash-in-lieu of parking in the Central Business District
- provisions to allow required parking to be located off-site if secured in an agreement
- revisions to minimum driveway aisle widths
- provisions to prohibit the parking of large vehicles (buses, vehicles with more than three axles, large trailers and farm tractors) on residentially zoned lands.

2 Spaces for Single Detached Dwellings

The current Zoning By-law requires 1 off-street parking space for a single detached dwelling. This parking space is not permitted to be within the front yard setback. The By-law does permit the parking of a vehicle in the driveway leading to a setback. Functionally, the existing Zoning By-law creates two parking spaces for each single detached dwelling.

The Draft Comprehensive By-law proposes to increase the required number of off-street parking spaces for single detached dwellings to 2 spaces. This change would reflect actual demand for parking associated with a single detached dwelling. Staff has researched what parking requirements are in other municipalities and determined there is not a consistent approach across the province. Ottawa, Kingston, Windsor, Kitchener and Waterloo all require 1 off-street parking space per single detached dwelling while London, Woodstock, Orillia, and St Mary's require 2 parking spaces per unit.

Within some Residential zones, the draft By-law requires a minimum setback of 4.5 m. It is not possible to park a vehicle between the minimum setback and the road allowance. In order to meet the actual demand for off-street parking and to encourage dwellings which frame the public realm, staff has proposed the By-law require 2 off-street parking spaces per single detached dwelling.

The change from one required parking space to two will not impose a hardship on existing single detached dwellings as the new regulation will apply to new single detached dwellings only.

Size of a Parking Space

The draft By-law proposes to reduce the minimum size of a parking space from 2.8 m x 6.0 m to 2.6 m by 5.6 m (9.18 ft x 19.68 ft to 8.53 ft x 18.37 ft). This reduction in the size of a parking space is intended to match the trend to smaller, more fuel efficient vehicles. It is recognized a reduction in parking space size slightly reduces costs associated with development as providing required parking is a cost of developing lands.

Most vehicles have dimensions less than the proposed minimum dimension of a parking space, but there will be some, particularly pickup trucks, which are longer than 5.6 m in length.

The minimum width of a parking space and driveway for a single detached, semi-detached, converted and townhouse dwelling is a proposed 2.4 m (7.87 ft). This is the same requirement which currently exists for single detached and semi-detached dwellings. As the standard width of a garage door is 2.44 m, reducing the width of a parking space and driveway for townhouse dwellings will allow the parking space in a garage of a townhouse dwelling to be applied to meet the minimum parking requirements. It will also reduce the number of minor variance applications in the future.

Barrier Free Parking Spaces

The proposed by-law changes the name and size of parking spaces for those with limited mobility. The change in name is from “parking space for the physically challenged” to “barrier free parking space” and the size is changing from a width of 4.5 m to a width of 3.4 m plus a 1.5 m pedestrian aisle (Type A) and 2.4 m wide plus a 1.5 m pedestrian aisle (Type B). This new standard meets the minimum standards of the Province as set out in Ontario Regulation 191/11.

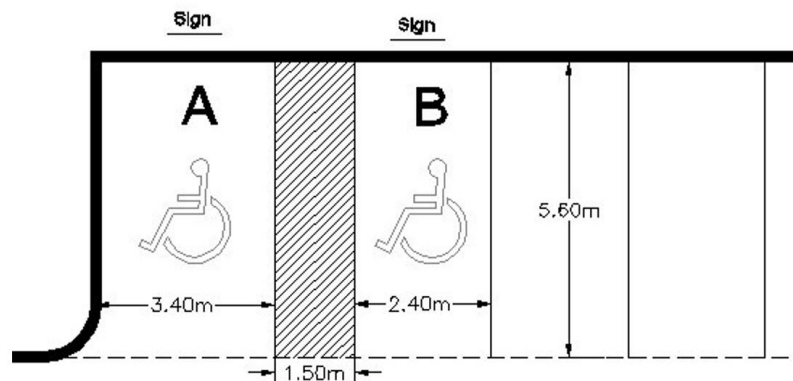


Illustration of Type A and Type B Barrier Free Parking Spaces

On December 4, 2018 the Accessibility Advisory Committee passed a motion requesting a change to the current By-law for Type B accessible spots. They resolved that all future Type B parking spots in the City of Stratford be 2.6 m wide.

Prior to the adoption of this motion, the Accessibility Advisory Committee expressed concerns with the width of accessible parking spaces in Market Square. They were particularly concerned that individuals had been ticketed in the accessible parking space because their vehicle was parked on the pedestrian aisle. The Clerk's Division has advised that tickets have been issued to vehicles who park in the accessible parking space and also obstruct the pedestrian aisle.

Shared Parking

In a mixed use building, parking for offices is generally greatest in the morning and afternoon while demand for residential use is greatest in the evenings and

weekends. The introduction of shared parking provisions into the By-law will allow the same parking space to meet the requirements of both uses. Depending on the mix of uses, it may allow for a reduction in the total number of parking spaces required.

Central Business District Exemption

The current Zoning By-law exempts buildings, structures or uses in the Central Business District from any requirement to provide parking; although buildings erected after May 28, 1979 are required to provide 1 parking space per dwelling unit. The draft By-law contains a revised exemption for the Central Business District. Specifically, the new provision would exempt legally existing buildings and structures from any parking requirements provided they do not increase the overall gross floor area on the lot. Generally, internal renovations and changes to uses would not necessitate additional parking, whereas a new building or an addition would require parking be provided.

Minimum parking requirements in the Central Business District differ from other areas for several reasons. Firstly, the Central Business District is the historic and geographic centre of the City. It contains different development patterns, different property fabric and a unique mix of uses. It is simply not possible for every building or use to provide on-site parking. Secondly, Stratford's Central Business District is a Heritage Conservation District and area specific parking provisions encourage (or at least don't discourage) the adaptive re-use of these designated buildings. Lastly, the City of Stratford maintains commercial parking lots in and around the Central Business District which fulfills the demand for parking.

Cash-in-lieu of Parking in the Central Business District

Since 1993, the City's Official Plan has allowed cash-in-lieu of parking in the Downtown Core designation; however, there is nothing in the Comprehensive Zoning By-law to implement this policy. As a result, any proposal to provide cash-in-lieu of parking requires additional planning approvals (either a minor variance or zone change). The Draft By-law contains a regulation which exempts a landowner in the Central Business District from providing required vehicle or bicycle parking for non-residential uses if they have entered into an agreement with the City respecting cash-in-lieu of parking in accordance with Section 40 of the *Planning Act*. Any agreement would require the approval of Council.

Off-Site Parking

The draft By-law contains provisions for off-site parking as allowed by the Official Plan. Off-site parking must be secured in an agreement registered on title, cannot be for required visitor, barrier free, loading and bicycle spaces, and must be within 400 m from the subject site. The 400 m separation distance was taken from the Ministry of Transportation Transit-Supportive Land Use Planning Guidelines which indicates pedestrians are not likely to walk greater than 400 m

from a residential use or place of employment to a transit stop. Upon further review, staff believes a 400 m separation distance between parking and a use is too great to function as intended. Such a large separation distance is likely to result in both on and off-street parking problems in the area of the use. For this reason, staff believes the maximum separation distance from a use to off-site parking should be reduced to 200 m. A 200 m separation distance would be more in keeping with the Transit-Supportive Land Use Planning Guidelines which recommend transit stops be spaced at 200 m to 250 m intervals.

The City of London also allows for off-site parking in commercial zones. London's by-law requires off-site parking to be within 150 m of the use.

Provisions prohibiting large vehicles on residentially zoned lands are new to Stratford, but common in many urban municipalities including Kitchener, London and Woodstock. The new provisions would not prohibit a property owner from parking a large or commercial vehicle on their property, if they were doing it prior to the passage of the By-law.

General support for revised parking provisions, some question as to the need for 2 spaces per single detached dwelling, some questions on reducing parking spaces for apartment dwellings, and the size of barrier free parking spaces. The changes to the barrier free parking standards are to meet provincial standards. No feedback on provisions to prohibit the parking of large vehicles on residentially zoned lands.

There have been some questions regarding the new parking provisions, but no concerns received.

- Grand Trunk Anchor District Zone - Section 8

New zone to recognize the site specific policy in Official Plan Amendment No. 21 and the Grand Trunk District Master Plan. This section of OPA No. 21 is not yet in effect and is the subject of an appeal. A Decision is pending. Implementation of this Zone is contingent on the site specific policy coming into effect.

The same individual who appealed the Cooper Site – Major Institutional Use Focus Area policies contained in Official Plan Amendment No. 21 has expressed concerns with the proposed Grand Trunk Anchor District Zone.

- New Industrial Zones – Section 9

The existing Zoning By-law contains two base industrial zones: Prime Industrial I1 and General Industrial I2. The proposed By-law contains a third base industrial zone: I3. Main permitted industrial uses will continue to be listed in either the I1 or I2 zones and accessory or ancillary uses will be included in the I3

zone. With the creation of a new base zone for industrial uses, it is hoped fewer site specific industrial zones will be required in the future.

No public feedback.

New Open Space Zone – Section 10

The existing Zoning By-law contains a Park (P) Zone and this zone permits a range of uses from a park and a cemetery to an auditorium and a theatre. The Park (P) Zone has been applied to a wide range of locations including neighbourhood parks, city wide parks (Upper Queens Park), natural areas (T.J. Dolan Natural Area) and lands within the regulated floodplain. The draft plan proposes a new Open Space Zone to be applied to natural areas and lands below the floodplain. The new Open Space Zone would permit parks and conservation uses, but not theatres and auditoriums. It is not consistent with the OPA No. 21 to permit a theatre or auditorium in a natural area or below the floodplain.

The proposed By-law will contain a Park (P) Zone and the Park (P) Zone is proposed to be applied to neighbourhood and regional parks and would permit the same range of uses as currently permitted by the Park Zone in By-law 201-2000 including auditoriums, private clubs and theatres.

No public feedback.

- Tom Patterson Theatre – Section 11

A new zone to recognize the site specific zone change adopted by Council on June 25, 2018, for the Tom Patterson Theatre redevelopment.

No public feedback.

- New Agricultural – Section 13

Official Plan No. 21 designates lands within the City of Stratford as Agriculture Area. As By-law No. 201-2000 does not have any agriculture zones or contain any provisions to allow new agricultural uses, a new zone is needed to implement the Agriculture Area policies of OPA No. 21. The new Agriculture A Zone will permit both agriculture uses and agriculture-related uses (farm commercial and industrial uses). Livestock facilities are limited to existing uses only.

No public feedback.

- New Urban Reserve Zone – Section 14

The existing Zoning By-law applies a Future Residential (FR), Future Commercial (FC) or Future Industrial (FI) Zone to lands that are designated for urban uses, but where it is premature to apply a zone which permits new buildings and structures. In place of a Future Residential, Future Commercial or Future Industrial, the proposed By-law has applied an Urban Reserve (UR) Zone.

The Official Plan allows a limited range of uses in all designations. For example, some convenience commercial uses are allowed within a Residential Area designation and these uses would normally be zoned Neighbourhood Commercial C1. The Future Residential zoning suggests only residential uses will be permitted in the future while the Urban Reserve approach suggests the full range of uses allowed by the Official Plan will be considered. The Urban Reserve (UR) Zone approach is preferred as it does not predetermine future development zoning.

No public feedback.

Next Steps

Upon confirmation of the approach taken in the draft Comprehensive Zoning By-law or direction to change the approach, staff will work with the consultant and schedule the statutory Public Meeting, expected in April. Notice of the Public Meeting will be sent to individuals who have participated in the project to date, to stakeholders and agencies. Notice of the Public Meeting will also be posted on the City's website, the Shaping Stratford website and advertised in the Town Crier. Based on feedback from the public and the direction of Council, final changes will be made to the draft By-law and a final by-law submitted to Council for adoption before the fall 2019.

Recent changes to the *Planning Act* mean that upon adoption of a Comprehensive Zoning By-law amendment, no person or public body shall submit an application for an amendment to the By-law before the second anniversary of the day on which Council repeals the previous By-law unless Council declares by resolution an application is permitted.

Financial Impact: None at this time.

Upon adoption of the Comprehensive Zoning By-law there will be an opportunity to appeal the By-law to the Local Planning Appeal Tribunal (LPAT). An appeal to the LPAT must explain how the existing part or parts of the By-law are inconsistent with the Provincial Policy Statement and/or fail to conform to the City's Official Plan.

Staff Recommendation: THAT Council receive this update on the Comprehensive Zoning By-law Review and confirm the direction set out in the August 2018 draft By-law and in this report.

Or

THAT Council receive this update on the Comprehensive Zoning By-law review and confirm the direction set out in the August 2018 draft By-law and in this report the following revisions:

- ***(To be completed by Sub-committee/Committee/Council)***
-
-



Jeff Leunissen, Manager of Development Services



Ed Dujlovic, Director of Infrastructure and Development Services



Rob Horne, Chief Administrative Officer

Comprehensive Zoning By-law Review Update and Directions

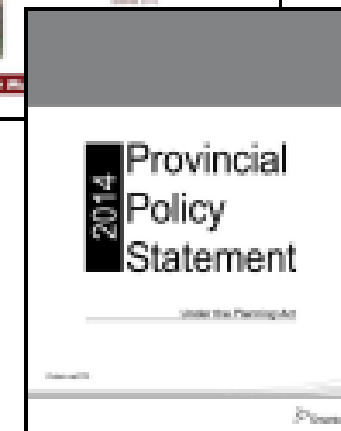
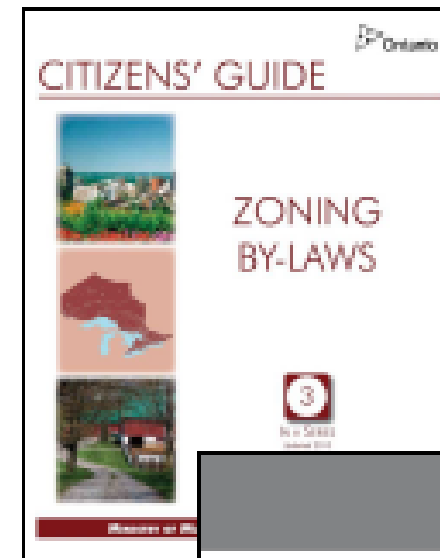


Planning and Heritage Sub-Committee - February 28, 2019



WHAT IS A ZONING BY-LAW?

- A by-law passed by a municipality to regulate the use of land and the placement of buildings and structures on a lot.
- Divides the municipality into various zone categories (i.e., residential, commercial, industrial, open space).
- Specifies how the land may be used:
 - permitted uses
 - where buildings are located (required yard setbacks)
 - scale and intensity of buildings (height, density, lot coverage limits)
 - parking requirements
 - hazard areas and natural features
- Zoning By-law is the City's primary tool to control the use of land and must implement the City's new Official Plan.

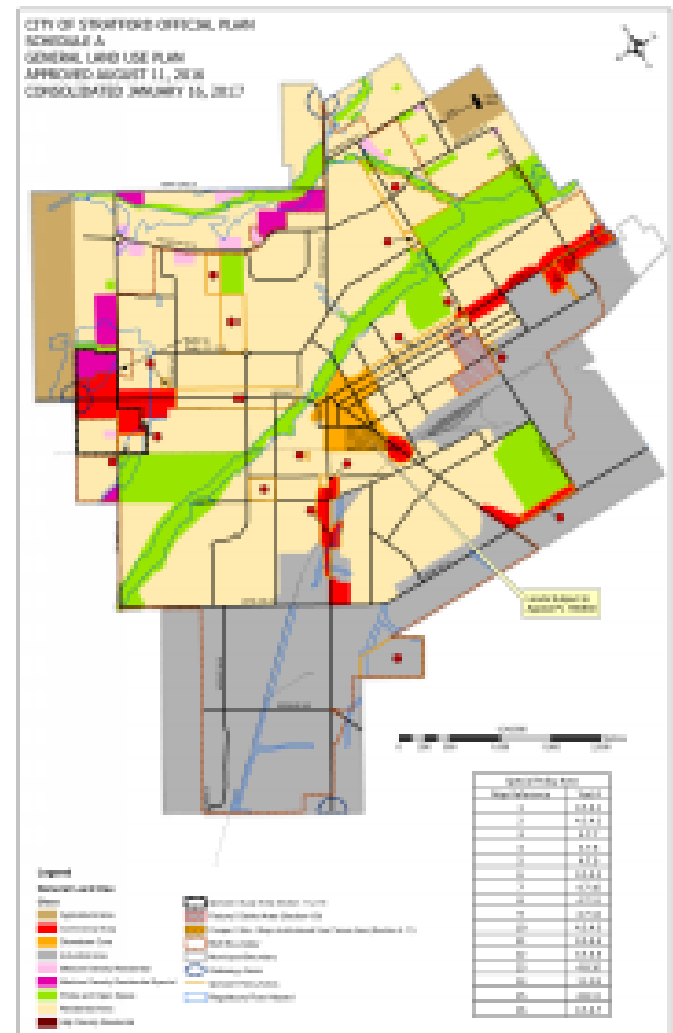


Zoning By-law needs to implement the City's new Official Plan:

- translate broad policies into zone regulations; and
- consider appropriate built forms and permitted uses.

New Official Plan (August 2016):

- Comprehensive update to the Official Plan.
- Downtown Core is the focus of compact, mixed use development.
- protection of Stable Residential Areas.
- strengthen the existing commercial structure.
- protect industrial areas for employment uses and complementary uses.



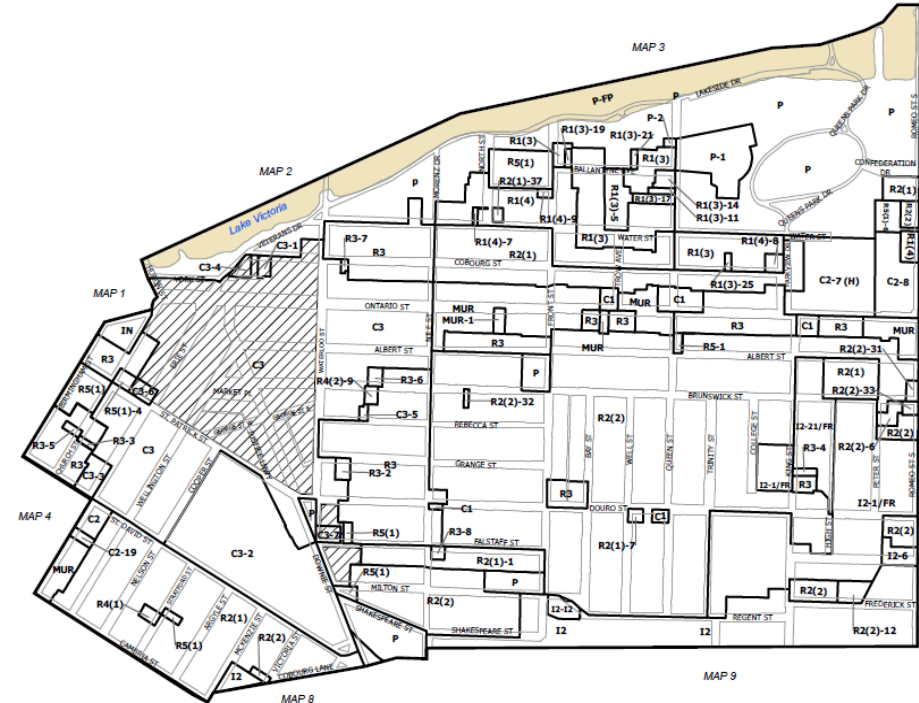
By-law¹⁶⁹ 201-2000

RESIDENTIAL FIRST DENSITY (R1) ZONE

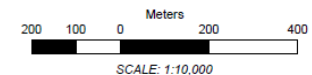
1 PERMITTED USES

- group home
- single detached dwelling

	B	C	D	E	F
	ZONE VARIATION STANDARD ^①	R1(1)	R1(2)	R1(3)	R1(4)
1	Lot Area: Interior lot	1200 m ²	600 m ²	450 m ²	360 m ²
2	Lot Area: Corner lot	1500 m ²	750 m ²	600 m ²	550 m ²
3	Lot Frontage: interior lot	30 m	20 m	15 m	12 m
4	Lot Frontage: corner lot	35 m	25 m	20 m	18 m
5	Lot Depth	40 m	30 m	30 m	30 m
6	Front Yard Depth / Exterior Side Yard Width	10 m ^②	7.5 m ^②	7.5 m ^②	4.5 m ^③
7	Side Yard Width	5.0 m	1.0 m ^④	1.0 m ^④	1.0 m ^④
8	Aggregate Side Yard Width	10 m	3.5 m	3.0 m	3.0 m
9	Rear Yard Depth	10 m	7.5 m	7.5 m	7.5 m
10	Maximum Lot Coverage	30%	35%	35%	40%
11	Maximum Height	10 m	10 m	10 m	10 m
12	Maximum Number of Dwellings per Lot	1	1	1	1
13	Landscaped Open Space	50%	40%	35%	30%



City of STRATFORD
Zoning By-law No.201-2000
Revised: June 2, 2014, Consolidated Version



SCHEDULE



PROJECT PURPOSE AND TIMELINE

The City is undertaking a review and update to replace the current Zoning By-law No. 201-2000, with a new Comprehensive Zoning By-law.

Focus of review:

- Conform to City's new Official Plan and recent provincial policy/legislation.
- Provide updated and contemporary zoning regulations.

The work program is divided into three stages:

- Stage 1 - Data Collection and Background Review (fall 2015)
- Stage 2 - Draft Zoning By-law (2016-2018)
- Stage 3 - Final Zoning By-law and Council Adoption (2019)



Proposed Changes to the Comprehensive Zoning By-law

- New format
- New definitions
- Revisions to the Bed and Breakfast Establishment provisions
- New Short Term Rental Accommodations regulations
- Revised Home occupations regulations
- Revised Parking Regulations including – revisions to the minimum size of a parking space, revised barrier free parking requirements, new shared parking provisions, cash-in-lieu of parking and new bicycle parking requirements
- Revised Drive Through, Stacking Lanes and Stacking Space regulations
- Revised Non-conforming Uses provisions
- New regulations allowing Second Suites
- New Source Protection regulations (Wellhead Protection Areas)
- New Overlay of Upper Thames River Conservation Authority Regulated Areas
- New Bonus Provisions
- New Holding Provisions
- New structure to allow for Temporary Zones
- New Theatre Zone
- New Grand Trunk Anchor District Zone
- New Open Space Zones
- Revisions to the Industrial Zone structure
- New Urban Reserve Zone
- New Agricultural Zone



IMPROVED FORMAT AND ORGANIZATION

172

SECTION 6.0
RESIDENTIAL ZONES

1.

SECTION 6 RESIDENTIAL ZONES

THE CITY OF STRATFORD HAS NO INTENTION TO REZONE ANY OF ITS ZONES FOR THE PURPOSE OF THE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW.

6.1 List of Applicable Zones

2.

6.2 Permitted Uses

THE CITY OF STRATFORD HAS NO INTENTION TO REZONE ANY OF ITS ZONES FOR THE PURPOSE OF THE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW.

3.

4.

THE CITY OF STRATFORD HAS NO INTENTION TO REZONE ANY OF ITS ZONES FOR THE PURPOSE OF THE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW.

SECTION 5.0
GENERAL ZONING REGULATIONS

5.

SECTION 5 GENERAL ZONING REGULATIONS

THE CITY OF STRATFORD HAS NO INTENTION TO REZONE ANY OF ITS ZONES FOR THE PURPOSE OF THE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW.

6.

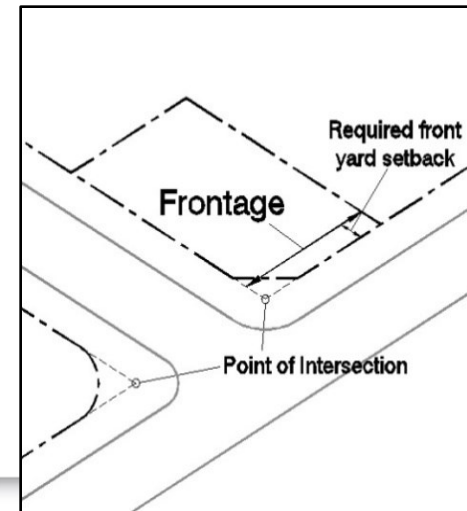
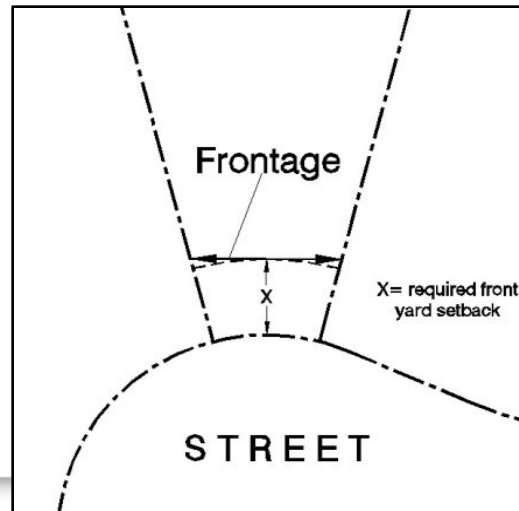
THE CITY OF STRATFORD HAS NO INTENTION TO REZONE ANY OF ITS ZONES FOR THE PURPOSE OF THE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW. ANY REZONE REQUESTS WILL BE HANDLED IN ACCORDANCE WITH THE APPLICABLE ZONING BY-LAW.

1. Sections are colour coded for easier document wayfinding.
2. Zones are organized together by common uses.
3. Permitted Use and Zone Regulations are organized in tables for easier reference.
4. Defined terms are *italicized* for convenience.
5. Separate section on Parking and Loading requirements.
6. Updated and colour zone mapping Schedules.
7. Illustrations added to help clarify certain defined terms.
8. Site-specific zone exceptions are organized in a separate section.



- Holding Provisions – Section 2.5.2
- Bonus Provisions – Section 2.5.3
- Temporary Use Zones – Section 2.5.4
- Definitions – Section 3

illustrations.

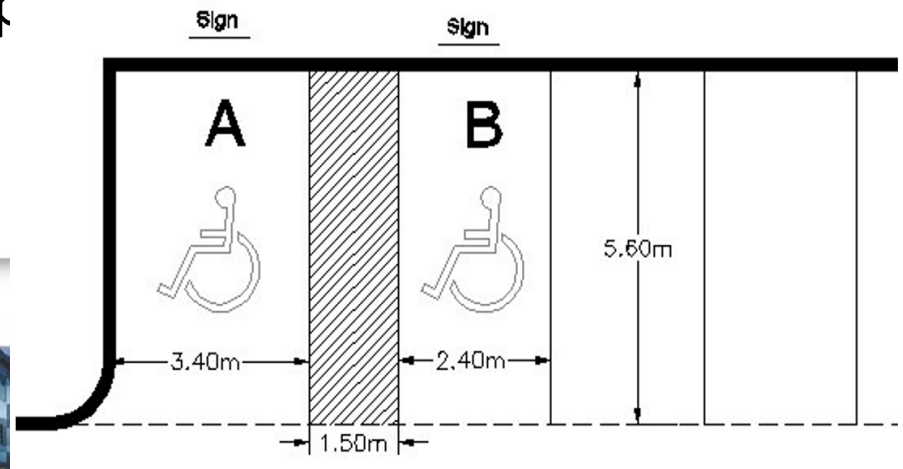


- Drive Throughs, Stacking Lanes and Stacking Spaces – Section 4.7
- Group Homes – Section 4.10
- Home Occupations – Section 4.12
- Non-conforming Uses – Section 4.17
- Second Suite Regulations – Section 4.24
- Source Protection (Wellhead Protection Areas) – Section 4.28



Parking and Loading Requirements - Section 5

- Requiring 2 off street parking spaces per single detached dwelling
- Reduction in the size of a parking space from 2.8m x 6m to 2.6m x 5.6m
- mandatory bicycle parking
- changing the width of barrier free parking spaces from a uniform 4.5 m to 3.4 m and 2.4 m with a 1.5 m pedestrian access aisle (Type A and B)



Parking and Loading¹⁷⁶ Continued

- provisions for shared parking

Table 5.1.1 Shared Parking Space Formulae

Use	Morning Occupancy Rate	Afternoon Occupancy Rate	Evening Occupancy Rate
<u>Office</u> (including a <u>clinic</u> , <u>professional office</u> , or <u>business office</u>)	100	95	10
Retail/Commercial Use, <u>Shopping Centre</u>	60	100	85
<u>Restaurant</u>	20	60	100
Visitor Parking for an Residential <u>Dwelling</u>	20	35	100
<u>Hotel</u>	70	70	100

- provisions for cash-in-lieu of parking in the Central Business District



Parking and Loading Continued

- provisions for cash-in-lieu of parking in the Central Business District
- provisions to allow required parking to be located off-site if secured in an agreement
- revisions to minimum driveway aisle widths
- provisions to prohibit the parking of large vehicles (buses, vehicles with more than three axles, large trailers and farm tractors) on residentially zoned lands.



- Grand Trunk Anchor District Zone - Section 8
- New Industrial Zones – Section 9
- New Open Space Zone – Section 10
- Tom Patterson Theatre – Section 11
- New Agricultural – Section 13
- New Urban Reserve Zone – Section 14



- Existing provisions

- Current B&B regulations limit B&B's to single detached dwellings
- B&B's continue to be required to be operated by the principal resident
- One Accessory Guest Room allowed every single detached dwelling
- Licensing required for B&B's and Accessory Guest Rooms
- Each B&B bedroom requires an additional parking space
- Tandem parking permitted

- Changes

- Regulations are in a table format for easier reading
- The proposed regulations would allow B&B in a broader range of dwelling types. B&B's would be permitted in single detached dwellings, semi-detached dwellings, converted dwellings, townhouse dwellings and apartment dwellings (A converted dwelling is a dwelling originally constructed as a single detached dwelling that has been altered to contain more than 1 dwelling unit.)
- Clarification that operating one Accessory Guest Room is a B&B and requires a license
- Tandem parking limited to a maximum depth of 2 vehicles
- A B&B cannot operate on the same lot as a secondary suite



Short Term Rental Accommodations

- Allowing STRA in all single detached dwellings, semi-detached dwellings, converted dwellings, townhouse dwellings and apartment dwellings
- STRA occupied by the principal resident
- Limiting STRA rental for a period of 28 consecutive days
- STRA must be licensed
- Requirement of 0.67 parking spaces per bedroom
- A STRA cannot be on the same lot as a secondary suite



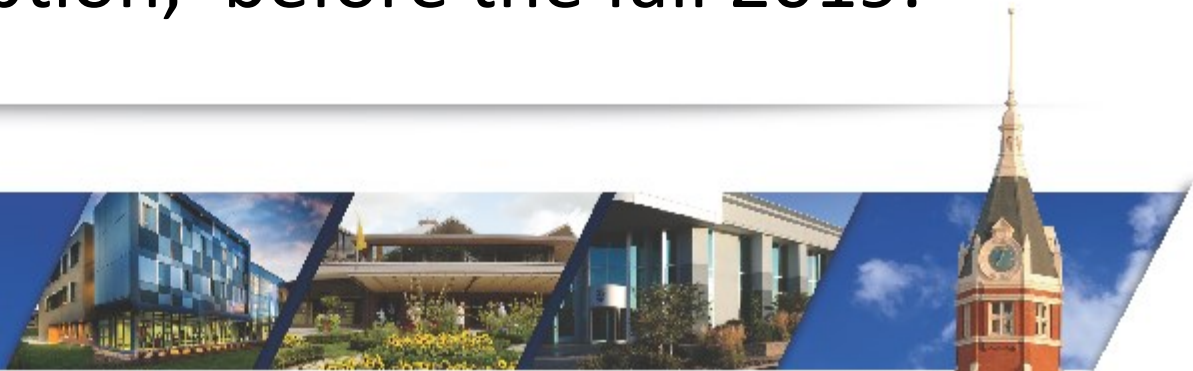
Bed and Breakfast Establishments and Short Term Rental Establishments – Table

Table 4.3.1: Bed and Breakfast Establishment and Short Term Rental Accommodation Requirements						
	181	Type of Dwelling				
		Single detached dwelling	Semi-detached dwelling (each unit)	Converted dwelling	Townhouse dwelling (each unit)	Apartment dwelling
Permitted Dwelling Type of the Principal Resident	bed and breakfast establishment	Permitted	Permitted	Permitted	Permitted	Permitted
	short term rental accommodation	Permitted	Permitted	Permitted (only in the unit the Principal Resident resides in)	Permitted	Permitted (only in the unit the Principal Resident resides in)
Permitted Dwelling Type of a Non Principal Resident (i.e., Absentee Owner)	bed and breakfast establishment	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
	short term rental accommodation	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
Permitted Zones	bed and breakfast establishment	R1, R2, R3, R4, R5, MUR, C2, C3, and A Zones				
	short term rental accommodation	R1, R2, R3, R4, R5, MUR, C1, C2, C3 and Zones				
Maximum number by type of dwelling	bed and breakfast establishment	1	1	Equal to the number of units	1	Equal to the number of units
	short term rental accommodation	1	1	50% of the units to a maximum of 5	1	50% of the units to a maximum of 5
Maximum number of bedrooms	bed and breakfast establishment	R1 Zone (Local Street): 2 bedrooms R1 Zone (Collector or Arterial Street): 4 bedrooms R1 Zone (Erie Street, Huron Street or Ontario Street): no maximum R2 and R3 Zones (Local, Collector or Arterial Street): 4 bedrooms R2 and R3 Zones (Erie Street, Huron Street or Ontario Street): no maximum R4 and R5 Zones: 2 bedrooms MUR, C2, and C3 Zones: no maximum A Zone: 4 bedrooms (provided an expansion to the existing dwelling is not permitted)				
	short term rental accommodation	Not Applicable				



Next Steps

- Revise By-law based on feedback from Council
- Schedule the Statutory Public Meeting, probably in April or May
- Based on direction from the public meeting, staff and our consultant will make final revisions to the By-law and submit it to Council for adoption, before the fall 2019.



Comprehensive Zoning By-law Review Update and Directions

Questions or Comments





MANAGEMENT REPORT

Date: February 28, 2019
To: Planning and Heritage Sub-committee
From: Jonathan DeWeerd, Chief Building Official
Report#: PLA19-004
Attachments: None

Title: Annual Building Permit Fee Report 2018

Objective: To consider permit fees collected and operational costs for 2018.

Background: In accordance with subsection 7(4) of the *Building Code Act*, 1992 S.O. 1992, Chapter 23, as amended, the City is required to prepare a report on the permit fees received and the direct and indirect costs to administer and enforce the *Building Code Act* in its area of jurisdiction. A Building Permit Reserve has been established to ensure funds are available to administer and enforce the *Building Code Act* in the event of an economic slowdown. The *Building Code Act* does not set minimum or maximum reserve fund amounts. Previously, Council approved the Building Permit Reserve to have a target balance of one year's operating costs (direct and indirect), which is in line with other municipalities.

Currently, Stratford's Building Permit Reserve has a balance of \$497,131.69.

Analysis: The following table shows total fees and total costs for the calendar year of January 1 to December 31, 2018:

Total Building Permit fees received in 2018		\$911,367.28
Total Direct Costs (Division) to administer and enforce the <i>Building Code Act</i> including the review of applications for permits and inspection of buildings	\$764,857.27	
Total Indirect Costs (Corporate) of administration and enforcement of the <i>Building Code Act</i> including support and overhead costs	\$86,950.00	
Total Direct Costs (Department) and Indirect Costs (Corporate)	\$851,807.27	\$851,807.27
Permit Fees received less Direct and Indirect Costs*		\$59,560.01*

*Permit fees are not collected for City projects and basement isolation programs.

December 31, 2018 Building Permit Reserve	\$497,917.65
2018 Permit Fees received less Direct and Indirect Costs	\$59,560.01
December 31, 2018 Building Permit Reserve if 2018 surplus is added to Building Permit Reserve	\$557,477.66

If the 2018 surplus is added to the Building Permit Reserve, the fund would be at 65% of the total costs for 2018.

Direct and indirect costs increased from \$631,678.74 in 2017 to \$851,807.27 in 2018, which is \$220,128.53 or approximately a 35% increase in costs. This increase was mainly due to a number of large and complex projects, requiring plan examination assistance, as well as, transition services from RSM Building Consultants. The transition services provided by RSM enabled the department to provide continuous, quality customer service during the time of vacancy of the Chief Building Official and MBO II positions during the course of the past year. Transition services were comprised of approximately 5 months of coverage in 2018 prior to a full time Chief Building Official being hired, and 4 months of transition services for Building Inspectors prior to replacing two Buildings Inspectors.


During the past year, Building Services also incurred increased legal fees and an above-average number of permit applications that required staff overtime and plan examination services to be contracted out. With the hiring of a new MBO III position in 2019, Building staff is optimistic that there will be less reliance required on the outside consultant, providing potential cost savings to the department.

The reserve fund is intended to ensure that, even if building activity in a municipality goes down, Building Division services can continue to be provided for a time without affecting the municipality's finances or staffing. Money in the reserve fund can only be used for costs of delivering services related to the administration and enforcement of the *Building Code Act* such as staffing for plan review, permit issuing, and inspections.

The reserve balance is now sitting at approximately 65% of the target level. City Staff will continue to review this balance in accordance with Bill 124 *Building Code Statute Law Amendment Act*, 2001 to determine what can be done with future surpluses.

Financial Impact: \$59,560.01 surplus to be added to the Building Permit Reserve account number G-R07-BSUR-0000 established to administer and enforce the *Building Code Act*. The new balance in the reserve would be \$557,477.66

Staff Recommendation: **THAT Council add the amount of \$59,560.01 into the Building Permit Reserve G-R07-BSUR-0000 established to administer and enforce the *Building Code Act*.**



Jonathan DeWeerd, Chief Building Official



Ed Dujlovic, Director Infrastructure & Development Services



Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: March 25, 2019
To: Finance and Labour Relations Committee
From: Tatiana Dafoe, Deputy Clerk
Report#: FIN19-007
Attachments: Regular Bingo Averages and Amounts 2016, 2017 and 2018

Title: 2018 Lottery Licence Activity Update

Objective: To provide information on lottery licence activities in 2018.

Background: Municipalities have been given the authority to issue lottery licences to eligible local charitable or religious organizations for lottery events where the prize is less than \$50,000. In order for an activity to be considered a lottery scheme there must be three components - a prize, a chance to win and a fee.

Eligible organizations for lottery licensing must be either non-profits or registered charities and have been operating for at least one year.

Each year staff provides an update on municipal lottery activity within the City. Lottery events include:

- Bingo
- Nevada (Break Open Tickets)
- Raffle/Bazaar lotteries with prize boards of \$50,000 and under
- Catch the Ace

Analysis: The table below identifies the number of licences issued per year by category.

	2016	2017	2018
Bingo*	49	47	43
Nevada	10	6	9
Raffle	27	25	23
Catch the Ace	N/A	1	1
Total	86	79	76

* bingo licence for a particular group may be for multiple events

Raffles

The raffle licence category generally includes groups selling tickets for specific merchandise prizes however 50/50 draws are becoming popular as well. Generally, raffles coincide with special events already taking place in the City. There were 37 organizations with active raffle lottery licences issued by the City in 2018.

Nevada

Nevada licences are generally issued for a period of six (6) months to one (1) year and the locations of ticket sales must be registered with the Alcohol and Gaming Commission of Ontario. There are 5 organizations that have active Break Open Ticket licences issued by the City.

Catch the Ace

In 2018, the first catch the ace lottery licence was issued and completed. The original licence resulted in \$698.33 in licence fees being collected as of December 31, 2018. The group sold 9,311 out of a possible 19,200 tickets, with an average weekly sale of 232 tickets.

In 2018, the Alcohol and Gaming Commission of Ontario (AGCO) announced they would be extending their catch the ace pilot project. As a result of the extension, the City was able to issue a second lottery licence to the same group for 2019. The current licence has resulted in \$54.63 in licence fees being collected to date.

Bingo

The attached tables provide further information on bingos, including club's net revenue, total average share, average attendance and average money spent per player. The average share per event and average attendance decreased and the average amount spent per person increased slightly from 2017. The bingo association experienced one month of no net revenue, therefore none of the clubs received a share.

Summary

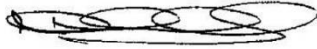
The number of lottery events in the City continues to decrease which could be a result of a variety of reasons (organizations choosing to pursue a provincial licence, holding less events, or conducting other events like a silent auction which do not require a licence). The revenue received from lottery licences has not been significantly impacted and issuing these licences continues to be a central service provided by the Clerk's Office.

Financial Impact: The revenue received from lottery licences in 2018 was \$54,432 (2017 - \$54,810).

Staff Recommendation: THAT the report entitled "2018 Lottery Licence Activity Update" be received for information.



Tatiana Dafoe, Deputy Clerk



Michael Humble, Director of Corporate Services

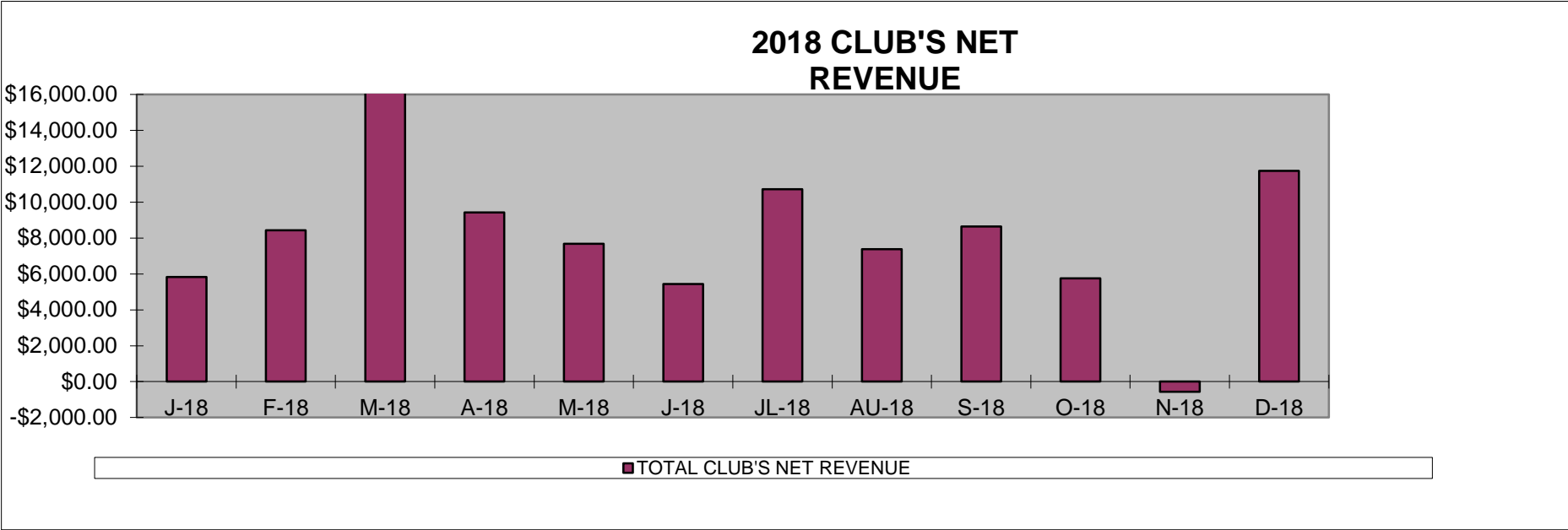


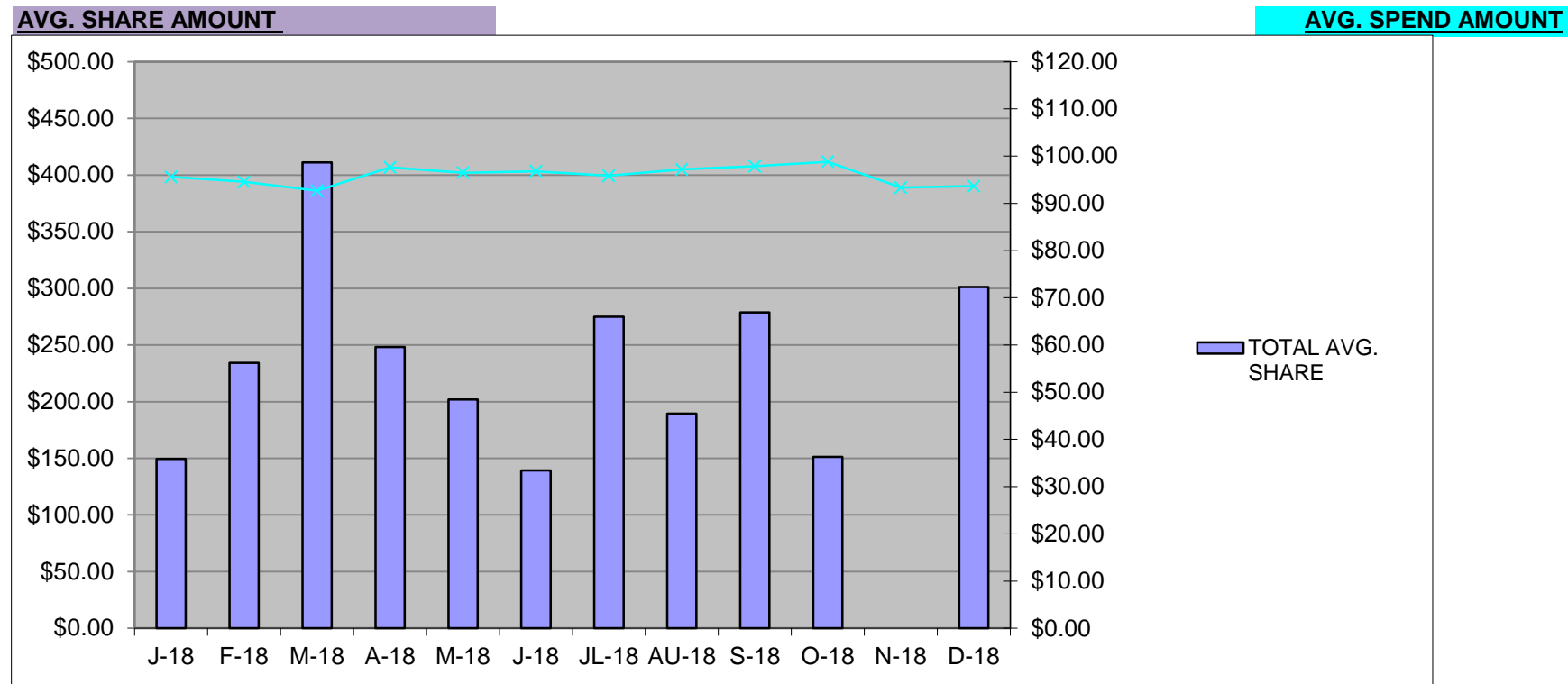
Rob Horne, Chief Administrative Officer

2018

REGULAR BINGO AVERAGES

<u>DATE</u>	<u>TOTAL CLUB'S NET REVENUE</u>	<u>NO.# OF EVENTS PER MONTH</u>	<u>TOTAL AVG. SHARE</u>	<u>AVG. ATTENDANCE</u>	<u>AVG. SPEND</u>
J-18	\$5,828.20	39	\$149.44	48.03	\$ 95.59
F-18	\$8,429.27	36	\$234.15	51.11	\$ 94.56
M-18	\$16,440.89	40	\$411.02	59.03	\$ 92.65
A-18	\$9,428.89	38	\$248.13	49.13	\$ 97.61
M-18	\$7,674.90	38	\$201.97	51.05	\$ 96.47
J-18	\$5,435.95	39	\$139.38	45.72	\$ 96.79
JL-18	\$10,718.26	39	\$274.83	52.46	\$ 95.83
AU-18	\$7,384.89	39	\$189.36	49.9	\$ 97.19
S-18	\$8,645.58	31	\$278.89	51.23	\$ 97.85
O-18	\$5,749.58	38	\$151.30	48.74	\$ 98.79
N-18	-\$568.29	38	\$0.00	43.13	\$ 93.34
D-18	\$11,742.10	39	\$301.08	52.23	\$ 93.65
MONTHLY AVG.'S:	\$8,075.85		\$214.96	50.15	\$95.86







MANAGEMENT REPORT

Date: March 25, 2019
To: Finance & Labour Relations Committee
From: Michael Humble, Director of Corporate Services
Report#: FIN19-008
Attachments: 2018 Treasurer's Statement – Development Charges Reserve Funds
 2018 Treasurer's Statement – Cash In Lieu of Parkland Reserve Fund

Title: 2018 Treasurer's Statements for Development Charges and Cash In Lieu of Parkland Reserve Funds

Objective: To provide Council with these two reports for the year ending December 31, 2018.

Background: In accordance with the Development Charges Act, 1997 and the City's Development Charges By-law 45-2017, the Treasurer is required to provide Council with an annual financial statement on the development charges reserve funds.

Furthermore, the Treasurer is also required to provide Council with an annual financial statement on the City's Cash In Lieu of Parkland reserve fund.

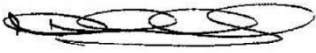
Once reviewed by Council, these reports must be made available for the public, and are forwarded to the Ministry of Municipal Affairs & Housing on request.

Analysis: Please see the attached reports.

Financial Impact: There is no financial impact from these reports, as the recommendations relate specifically to the City of Stratford's legislated reporting requirements.

Staff Recommendation: **THAT the 2018 Treasurer's Statement for City of Stratford Development Charges Reserve Funds be received for information;**

AND THAT the 2018 Treasurer's Statement for City of Stratford Cash In Lieu of Parkland Reserve Fund be received for information.

A handwritten signature in black ink, appearing to read "Michael Humble", with a horizontal line drawn underneath it.

Michael Humble, Director of Corporate Services

A handwritten signature in black ink, appearing to read "Rob Horne", with a horizontal line drawn underneath it.

Rob Horne, Chief Administrative Officer

THE CORPORATION OF THE CITY OF STRATFORD 2018 ANNUAL TREASURER'S STATEMENT OF DEVELOPMENT CHARGE RESERVE FUNDS														
Development Charge Categories	GENERAL SERVICES								INFRASTRUCTURE SERVICES					Total
	Transit	Fire Protection	Police	Municipal Parking	Outdoor Recreation	Indoor Recreation	Library	Administr.	Road&Traffic Signals	Other Transportat.	Water Services	Wastewater Services	Storm Water Management	
Opening Balance - Jan 01, 2018	\$ 419,355	\$ 1,070,397	\$ 665,296	\$ 55,207	\$ 1,186,152	\$ 1,972,533	\$ 928,626	\$ 388,262	\$ 1,371,000	\$ 237,752	\$ 313,673	\$ 763,091	-\$ 400,332	\$ 8,971,012
Plus:														
Development Charge Collections	62,930	65,597	57,922	22,512	294,417	652,889	93,848	20,293	844,088	110,153	105,729	898,142	0	3,228,520
Interest	8,359	20,395	12,846	1,241	24,770	42,794	18,052	7,364	33,589	5,476	6,825	22,899	-7,386	197,224
Repayment of Monies Borrowed from Fund	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sub Total	71,289	85,992	70,768	23,753	319,187	695,683	111,900	27,657	877,677	115,629	112,554	921,041	-7,386	3,425,744
Less:														
Amts. Transferred to Capital Funds	94,131	0	0	0	199,997	121,346	0	13,464	391,959	0	11,561	1,038,654	0	1,871,112
Amts. Loaned to Other DC Service Categories	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Credits	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sub Total	94,131	0	0	0	199,997	121,346	0	13,464	391,959	0	11,561	1,038,654	0	1,871,112
Closing Balance - Dec 31, 2018	\$ 396,513	\$ 1,156,389	\$ 736,064	\$ 78,960	\$ 1,305,342	\$ 2,546,870	\$ 1,040,526	\$ 402,455	\$ 1,856,718	\$ 353,381	\$ 414,666	\$ 645,478	-\$ 407,718	\$ 10,525,644

The Municipality is compliant with S.S. 59.1 (1) of the Development Charges Act, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed except as permitted by the Development Charges Act or another Act.

THE CORPORATION OF THE CITY OF STRATFORD
Amounts Transferred to Capital Funds - Capital Fund Transactions

Project Name	Gross Capital Cost	Funding Source						Total
		DC Reserve Fund	Other Reserves	Grants	Other Contributions	Debt Financing	Tax Levy	
Roads & Traffic Signals								
McCarthy Road East Ext	541,256	403,520	137,736	0	0	0	0	541,256
Sub Total - Roads & Traffic Signals	541,256	403,520	137,736	0	0	0	0	541,256
Wastewater Services								
Mornington/Vivian Sanitary Trunk	529,118	470,915	58,203	0	0	0	0	529,118
Quinlan PS Engineering	567,739	567,739	0	0	0	0	0	567,739
Sub Total - Wastewater Services	1,096,857	1,038,654	58,203	0	0	0	0	1,096,857
Transit Services								
Transit Hub	2,218,161	94,131	500,000	529,815	0	1,094,215	0	2,218,161
Sub Total - Transit Services	2,218,161	94,131	500,000	529,815	0	1,094,215	0	2,218,161
Outdoor Recreation								
North Shore Washroom	222,219	199,997	22,222	0	0	0	0	222,219
Sub Total - Outdoor Recreation	222,219	199,997	22,222	0	0	0	0	222,219
Indoor Recreation								
Recreation Centre	121,346	121,346	0	0	0	0	0	121,346
Sub Total - Indoor Recreation	121,346	121,346	0	0	0	0	0	121,346
Administration								
Development Charge study	9,815	9,815	0	0	0	0	0	9,815
Zoning By-Law Update	4,055	3,649	406	0	0	0	0	4,055
Sub Total - Administration	13,870	13,464	406	0	0	0	0	13,870
Grand Total	\$ 4,213,709	\$ 1,871,112	\$ 718,567	\$ 529,815	\$ -	\$ 1,094,215	\$ -	\$ 4,213,709

THE CORPORATION OF THE CITY OF STRATFORD Statement of Credit Holder Transaction					
Credit Holder	Applicable DC Reserve Fund	Credit Balance Outstanding Beginning of 2018	Additional Credits Granted 2018	Credits Used By Holder 2018	Credit Balance Outstanding End of 2018
Credits Under Section 17 of O. Reg. 82/98					
Grand Total		\$ -	\$ -	\$ -	\$ -

There were no credits given during the year 2018, and there are no credits outstanding at Dec 31, 2018 relating to any service or service category to which the Fund was established.

THE CORPORATION OF THE CITY OF STRATFORD

**Treasurer's Statement Under Section 42 of the Planning Act
Cash in Lieu of Parkland**

For the Year Ended - December 31, 2018

	<u>Fund Entries</u>	<u>Totals</u>
Opening Balance - January 1, 2018		\$344,481.40
Cash in Lieu Collected During 2018	118,668.63	
2018 Reserve Fund Interest	7,482.07	126,150.70
Total Funds Available		\$470,632.10
Less: Funds Spent During 2018	0.00	
	0.00	0.00
Closing Balance - December 31, 2018		\$470,632.10



MANAGEMENT REPORT

Date: February 15, 2019
To: Community Services Sub-committee
From: David St. Louis, Director
Report#: COM19-006
Attachments: Policy

Title: Outdoor Washroom Opening and Closing Policy

Objective: To consider establishing a policy outlining the dates that city-owned outdoor washroom facilities will be opened and closed each year.

Background: The purpose of the Washroom Policy is to establish effective operating hours for public usage while maintaining existing budget.

Our outdoor washroom facilities include:

- Allman Arena
- North Shore
- Upper Queens Park
- Tourist Booth
- SERC
- Packham Road
- Anne Hathaway Splash Pad

Analysis: Currently, the city-owned outdoor washroom facilities are opened May 1st as full-time staff becomes available the beginning of May with the closing of the Allman and Dufferin arenas for the summer. The washrooms are then closed October 1st as the staff is once again required to operate the Allman and Dufferin arenas.

The October 1st closing allows staff time to winterize the facilities as they are not heated to ambient temperature. The Allman Arena indoor washrooms are then available from 8:30am – 10:30pm, seven-days a week.

Our current budget permits the department to utilize the same full-time staff from the arenas at the above outdoor locations during the spring and summer months.

Exceptions to the above opening and closing dates include Remembrance Day Ceremonies where the Tourist Booth washroom facility is left open later than October 1st, and the Day of Mourning Ceremony where the Upper Queens Park washroom facility is open prior to May 1st. Opening and closing the washrooms for these events results in overtime costs.

The following municipalities were contacted regarding their outdoor washroom facility opening and closing information:

- Brantford
 - No written policy currently in place
 - Washrooms open for spring, close in fall
- Cambridge
 - No written policy currently in place
 - Washroom facilities are opened and closed based on budget allotment
- St. Thomas
 - No written policy currently in place
 - Standard opening is May long weekend and closing is Labour Day, decided by Parks Department
- Woodstock
 - No written policy currently in place
 - Standard opening is May 1st and closing is Thanksgiving Monday, decided by Parks Department
- London
 - No written policy currently in place
 - Opened based on need, closed when they no longer have staff to maintain them (seasonals leave)

Financial Impact: No financial impact.

Staff Recommendation: **THAT the proposed Outdoor Washroom Policy be approved.**



Director of Community Services

A handwritten signature in black ink that reads "Rob Horne". The letters are cursive and fluid, with the first name "Rob" and last name "Horne" clearly distinguishable.

Rob Horne, Chief Administrative Officer

The Corporation of the City of Stratford

Policy Manual

C.1 Community Services

Dept: Community Services

Committee: Community Services

C. Outdoor Washroom Opening and Closing Policy

Adopted:

Amended:

Reaffirmed:

Related Documents:

☒ Council Policy ☐ Administrative Policy

A) Purpose

The purpose of the Washroom Policy is to establish effective operating hours for public usage while maintaining existing budget.

B) Scope

This policy applies to all city-owned outdoor washroom facilities operated and maintained by the City of Stratford as per the list below:

Outdoor Washroom Facilities	Opening	Closing	Hours of Operation
Allman Arena North Shore Upper Queens Park Tourist Booth SERC Packham Road Anne Hathaway Splash Pad	May 1 st	October 1 st	9:00am – 9:00pm
Indoor Washroom Facilities	Opening	Closing	Hours of Operation
Allman Arena	October 1 st	April 30 th	8:30am – 10:30pm

C) Exceptions

If washrooms are required outside of these hours for special events, the Community Services Department, Recreation Division is to be contacted.



MANAGEMENT REPORT

Date: February 15, 2019
To: Community Services Sub-committee
From: David St. Louis, Director
Report#: COM19-007
Attachments: Policy

Title: Grass Sports Field Opening and Closing Policy

Objective: To consider establishing a policy outlining the dates that city-owned grass sports fields and ball diamonds will be opened and closed each year.

Background: The purpose of the Grass Sports Field Policy is to establish effective opening and closing dates for public usage while maintaining existing budget.

Analysis: Currently, the city-owned grass fields and diamonds are opened May 1st and closed the end of September, weather permitting at the call of the Parks, Forestry and Cemetery Manager. This timeline ensures that the fields are dry enough to be played on in the spring, and ensures that needed maintenance can be scheduled in the fall.

Fall maintenance includes:

- Goal mouth re-sodding
- Field aerations and re-seeding
- Fall turf recuperation

The exception to the above no use before May 1st is the rugby field (surrounded by the track) at SERC. The high schools are able to use this field for rugby practice, with the understanding that they will reimburse the City for any repairs that need to be done as a result of their use.

The following municipalities were contacted regarding their sports field opening and closing information:

- Brantford
 - No written policy currently in place

- Sports fields/diamonds open May 1st (weather permitting) and close October 31st, at the call of the Parks Manager
- Cambridge
 - No written policy currently in place
 - Sports fields/diamonds open May 1st (weather permitting) and close October, at the call of the Parks Manager
 - Smaller sports fields are closed mid-September
- St. Thomas
 - No written policy currently in place
 - Standard opening is May long weekend and closing is Labour Day, (weather permitting), decided by Parks Department
- Woodstock
 - No written policy currently in place
 - Standard opening is May 1st and closing is Thanksgiving Monday, (weather permitting), decided by Parks Department
- London
 - No written policy currently in place
 - Opened based on need, closed when they no longer have staff to maintain them (seasonal employees leave)

Financial Impact: No financial impact.

Staff Recommendation: **THAT the proposed Grass Sports Field Policy be approved.**



Director of Community Services



Rob Horne, Chief Administrative Officer

The Corporation of the City of Stratford

Policy Manual

C.1 Community Services

Dept: Community Services

Committee: Community Services

C. Grass Sports Field Opening and Closing Policy

Adopted:

Amended:

Reaffirmed:

Related Documents:

☒ Council Policy ☐ Administrative Policy

A) Purpose

The purpose of this policy is to establish effective opening and closing dates for public usage while maintaining existing budget.

B) Scope

This policy applies to all city-owned grass sports fields and ball diamonds operated and maintained by the City of Stratford.

Surface Type	LIT and UNLIT	
	Opening	Closing
Ball Diamond	*May 1 st	*October 1 st
Soccer Field	*May 1 st	*October 1 st

***Opening and closing dates are weather permitting and at the call of the Parks, Forestry and Cemetery Manager.**

C) Exceptions

If grass sports fields or ball diamonds are required outside of these hours for special events, the Community Services Department, Parks Division is to be contacted.



MANAGEMENT REPORT

Date: February 26, 2019
To: Community Services Sub-committee
From: Parks, Forestry and Cemetery Manager
Report#: COM19-008
Attachments: Goose Management Plan (Approved by Council February 2016)

Title: Goose Management Plan Update

Objective: To provide an update to Council's request for information on the initiative to obtain dogs for the purpose of chasing away geese along the Avon River (September 24, 2018 Council).

Background: The City of Stratford is a community like many others that face complications directly linked to over population of geese. This issue is leaving our community with multiple spaces being left undesirable for public use. Staff is often faced with several calls pertaining to the issues linked to the overpopulation such as the large volume of feces on pathways, parkland and sport fields. The calls are always negative in nature with citizens and tourists alike upset about the same concerns.

There are also disruptions in traffic as traffic is often stopped completely on the streets surrounding the river, with many delays taking place in front of the Festival Theatre and parking lot on Lakeside Drive. The geese are slowly crossing the road and also sitting on the road in large numbers.

Staff also spend several hours a week (seven-days a week starting 2019) sweeping walkways in the morning around the river but are still unable to keep it clear due to the volume of geese present.

Analysis: The City of Stratford Goose Management Plan was approved by the Board of Park Management in November 2015 and by Council in February 2016. The Community Services Department has implemented five of the six strategies included in the plan:

- Curtailing reproduction through egg oiling
- Public education on why not to feed geese
- Amend the City wildlife feeding bylaw to include wild fowl

- Posting signage in the area to advise public of consequences to feeding wild fowl
- Landscape modifications – increased vegetation barriers around the river area and in high priority areas to reduce the attractiveness of the habitat
- Continued pathway sweeping seven days a week

The final strategy of the plan that could be implemented is geese pestering, using a combination of trained dogs, drones and/or laser lights. The laser is a tool used either at dawn or dusk to scare the birds away. At no point will any fowl be put in harm's way. The pestering program we are recommending is only to scare the birds by replicating predators in the area.

The focus of the pestering would be solely on the geese population.

Option #1:

Beginning mid/late March, begin a hazing process and start to apply pressure on the birds. This will be done with highly trained dogs, drones and laser lights which create the illusion of a predator inhabiting the area. Multiple daily visits are anticipated. This will continue until mid-June or until molting begins. The cost for this program is \$32,000.00.

Option #2:

Beginning late March/early April, begin a hazing process using highly trained dogs, drones and laser lights which create the illusion of a predator inhabiting the area. This program will run until mid/late November, with a break in June -July to pull back from birds that have molted their flight feathers. Multiple daily visits are anticipated. This dedicated program has proven to be the most effective manner. The cost for this program is \$54,000.00.

It is worth noting that long term success to working the birds is directly tied to a commitment to this program.

Use of Dogs:

The use of dogs is carried out in a careful and low key manner with extreme attention devoted to safety and attention to detail. The trained dogs are able to successfully chase the geese in a safe and proficient manner and respond with excellence to obedience in the field.

Use of Drones:

The drones are flown toward the geese by a trained drone enthusiast with experience in predator intimidation of birds. The geese perceive the drone as a physical danger that is coming towards them and fly away.

Use of Laser Lights:

Laser lights are used during dawn and dusk, by a trained professional with a handheld laser. The geese perceive the laser beam as a physical danger that is coming towards them and fly away.

Current Practice Today:

The department will continue current program of curtailing reproduction through egg oiling, as well as sweeping of walkways.

Financial Impact:

Total cost for Option#1 is \$32,000;

Total cost for Option #2 is \$54,000.

These costs have not been budgeted for in the 2019 budget.

Staff Recommendation: For the information and direction of Council.


Parks, Forestry and Cemetery Manager



Director of Community Services



Rob Horne, Chief Administrative Officer



City of Stratford Goose Management Plan

Background:

In response to public complaints regarding Canada Geese interfering with the public use and enjoyment of parkland around the Avon River, the Community Services Department wishes to implement control measures to control the geese.

Several control measures have been implemented in the past to control geese population and access to parkland with limited success. These previously attempted measures include:

- Mechanical sweeping and removal of mess left behind by the geese.
- Distribution of educational material to the public in an effort to reduce feeding.
- Landscape modifications around river bank (limited mowing adjacent to water's edge)

The above methods have not proved successful in altering the geese population and their access to parkland.

Area:

The affected area consists of City of Stratford owned parkland adjacent to the Avon River (Lake Victoria), as well as the area known as Lower Queens Park. The grass areas and pathways around the river are high pedestrian and vehicle traffic areas, especially during the May to November tourist season.



Number of Geese:

In this area we have counted 50-60 geese present at any given time. This is a high traffic area and the geese are collecting on the road making it difficult for cars to pass as well as dangerous for the geese as they are getting hit.

Duration and Nature:

The geese population in Stratford has been increasing steadily since 2013. There is a wide availability of fertilized and mowed grass which is preferred by geese for grazing. The geese are also receiving supplemental feedings of corn as several citizens bring corn to feed the geese and ducks.

The abundance of geese in the area causes the following problems:

- Geese droppings foul the pathways around the river as well as the grass area and sport fields;
- The presence of geese can deter some users, specifically those with small children, from using the space as geese with nests or young can be aggressive towards humans and pets;
- The large number of geese congregate on the pathways and roadways making it difficult for pedestrians to walk and vehicles to drive along the road.

Root Cause:

The Avon River offers the geese nearly two kilometers of easily accessible open water. This body of water is shared by many ducks and mute swans (the swans are owned by the City of Stratford). Around the river there are several acres of mowed grass along with many available nesting sites near the shoreline (areas with tall grass away from predators).

Educating the public on the dangers of feeding the geese has not deterred the citizens who feel the birds will starve if they are not fed.

Target Number of Geese:

Our ideal target number of geese would be zero.

Short Term Solutions:

1. Staff will increase the information available to the public about the concerns of feeding geese in an attempt to deter feeding.
2. To amend the City of Stratford's Wildlife Feeding By-law to include feeding of geese.
3. Posting of signage around the area to advise the public of the consequences of feeding geese.
4. Continue pathway cleaning at a minimum and when existing staff and equipment resources are available. Increased cleaning prior to long weekends and community events.

Long Term Plan:

Along with continuing the proposed short term solutions listed above, the City of Stratford will undertake the following strategies:

1. Egg-oiling – considered a humane geese management technique this involves applying mineral oil to the egg's surface while they are positioned in the nest. The oil closes the pores in the egg shell preventing the egg from hatching.
2. Further landscaping modifications – increase the vegetative barriers around the river area and in high priority areas to reduce the attractiveness of the habitat.
3. Geese pestering – implement a geese pestering program using dogs under the control of a qualified handler to pester and move geese populations from public use areas.

In order to undertake the strategies listed in the long term plan all necessary permits will be obtained.

October 2015



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to authorize the acceptance of a proposal and the undertaking of the work for Contract Administration and Inspection Services for Crane Avenue Reconstruction [RFP-2018-53].

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 a natural person 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 Request for Proposal was issued by The Corporation of the City of Stratford for the provision of Contract Administration and Inspection Services for Crane Avenue Reconstruction RFP2018-53;

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

1. That the proposal of MTE Engineering Consultants Inc., for Contract Administration and Inspection Services for the Crane Avenue Reconstruction [RFP-2018-53] be accepted.
2. The accepted amount of the proposal is \$89,309.55 including HST.
3. That MTE Engineering Consultants Inc., is authorized to undertake Contract Administration and Inspection Services for the Crane Avenue Reconstruction [RFP-2018-53] pursuant to the said RFP and as directed by the Director of Infrastructure and Development Services, or designate, of The Corporation of the City of Stratford.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Municipality of West Perth for the provision of fire alarm dispatching services by the Stratford Fire Department for a two-year term until April 8, 2021.

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 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 The Corporation of the Municipality of West Perth continues to provide fire protection and suppression services in its fire service area as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Municipality of West Perth wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS the Council of The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Municipality of West Perth subject to certain terms and conditions;

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

1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Municipality of West Perth with respect to the provision of fire alarm dispatching services be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Town of St. Marys for the provision of fire dispatching services by the Stratford Fire Department for two-years until April 8, 2021.

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 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 The Corporation of the Town of St. Marys continues to provide fire protection and suppression services in certain parts of St. Marys as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Town of St. Marys wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Town of St. Marys subject to certain terms and conditions;

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

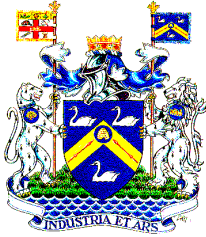
1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Town of St. Marys with respect to the provision of fire alarm dispatching services for a two-year term until April 8, 2021 be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



**BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Township of Perth East for the provision of fire alarm dispatching services two years until July 31, 2021.

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 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 The Corporation of the Township of Perth East continues to provide fire protection and suppression services in certain parts of Perth East as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Township of Perth East wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Township of Perth East subject to certain terms and conditions;

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

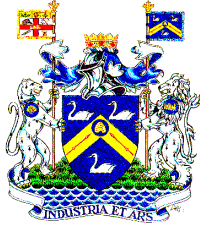
1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Township of Perth East with respect to the provision of fire alarm dispatching services for two years until July 31, 2021 be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Municipality of Huron East for the provision of fire alarm dispatching services for five years until April 8, 2024.

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 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 The Corporation of the Municipality of Huron East continues to provide fire protection and suppression services in its fire service area as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Municipality of Huron East wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Municipality of Huron East subject to certain terms and conditions;

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

1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Municipality of Huron East with respect to the provision of fire alarm dispatching services be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



**BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Town of Goderich for the provision of emergency back-up paging functions related to dispatching services by the Stratford Fire Department for one year until April 8, 2020.

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 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 The Corporation of the Town of Goderich continues to provide fire protection and suppression services in its fire service area as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Town of Goderich wishes the Fire Department for Stratford to continue to provide certain functions related to emergency back up paging functions related to the dispatch of fire and emergency equipment and personnel;

AND WHEREAS the Council of The Corporation of the City of Stratford has agreed to provide emergency back-up paging functions related to the dispatch of fire and emergency equipment and personnel services to the Town of Goderich, subject to certain terms and conditions;

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

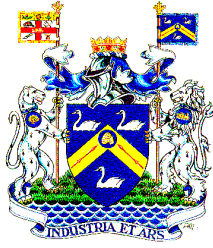
1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Town of Goderich with respect to the provision of back-up fire alarm dispatching services be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Municipality of Bluewater for the provision of fire alarm dispatching services by the Stratford Fire Department for two years until April 8, 2021.

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 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 The Corporation of the Municipality of Bluewater continues to provide fire protection and suppression services in its fire service area as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Municipality of Bluewater wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Municipality of Bluewater subject to certain terms and conditions;

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

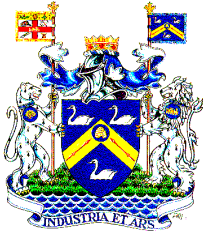
1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Municipality of Bluewater with respect to the provision of fire alarm dispatching services be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



**BY-LAW NUMBER - 2019
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Municipality of Central Huron for the provision of fire alarm dispatching services by the Stratford Fire Department for two years until April 8, 2021.

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 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 The Corporation of the Municipality of Central Huron continues to provide fire protection and suppression services in its fire service area as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Municipality of Central Huron wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Municipality of Central Huron subject to certain terms and conditions;

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

1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Municipality of Central Huron with respect to the provision of fire alarm dispatching services be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



**BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to authorize the entering into and execution of an agreement with The Corporation of the Municipality of North Perth for the provision of fire alarm dispatching services by the Stratford Fire Department for two years until April 8, 2021.

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 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 The Corporation of the Municipality of North Perth continues to provide fire protection and suppression services in certain parts of North Perth as shown in Schedule "A" to the Agreement referred to in Paragraph 1 below;

AND WHEREAS The Corporation of the Municipality of North Perth wishes the Fire Department for Stratford to continue to provide certain functions related to dispatch of fire and emergency equipment and personnel;

AND WHEREAS The Corporation of the City of Stratford has agreed to provide certain fire alarm dispatching services to The Corporation of the Municipality of North Perth subject to certain terms and conditions;

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

1. That the agreement dated the 8th day of April, 2019 between The Corporation of the City of Stratford and The Corporation of the Municipality of North Perth with respect to the provision of fire alarm dispatching services for a two years be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this Corporation, and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to amend sections of the Traffic and Parking By-law 159-2008 as amended, for housekeeping amendments.

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 Council of The Corporation of the City of Stratford adopted Traffic and Parking By-law 159-2008 to regulate traffic and the parking of motor vehicles in the City of Stratford;

AND WHEREAS Council has amended Traffic and Parking By-law 159-2008 from time to time as necessary to further regulate traffic and parking of motor vehicles;

AND WHEREAS Council deems it necessary to further amend Traffic and Parking By-law 159-2008 for housekeeping amendments;

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

1. That Traffic and Parking By-law 159-2008 as amended, be further amended as follows:
 - a) That references to "City of Stratford" be amended to "The Corporation of the City of Stratford" throughout the By-law.
 - b) That references to "Disabled" or "disabled" be amended to "Accessible" or "accessible" throughout the By-law
 - c) That the title of "Schedule 21 – Designated Parking for Persons with Disabilities" be amended to "Schedule 21 – Accessible Parking Spaces."
 - d) That references to "Engineering and Public Works" be amended to "Infrastructure and Development Services" throughout the By-law.
 - e) That descriptions and instructions related to "Pay and Display Machine" be amended to "Pay by Plate Machine" throughout the By-law and Schedules.
 - f) That references to "Market Place" be amended to "Market Square" where appropriate throughout the By-law.
 - g) That provisions for the Kiwanis Community Centre be deleted from the By-law and Schedules.

2. That Section 1 Definitions of Traffic and Parking By-law 159-2008 as amended, be amended so that the definition of parking meter now reads:

“ **"parking meter"** means a device, sometimes referred to as an "individual parking meter", which indicates thereon the length of time during which a vehicle may be parked, which device has as a part thereof a receptacle for the receiving and storing of coins and a slot or place in which coins may be deposited to activate a timing mechanism to indicate the passage of the interval of time following the deposit of a coin or coins therein, the measurement of which interval is determined by the coin or coins so deposited, and which device also displays a signal when the said interval of time has elapsed; and a device, sometimes referred to as a "pay by plate machine", which has as a part thereof a receptacle for the receiving and storing of coins and a slot for credit cards to be received to provide payment for the requested allotment of time provided that the correct licence plate is entered in to the pay by plate parking machine and provides a receipt if requested to the user;”

3. That subsection 28 (4) of Traffic and Parking By-law 159-2008 as amended, be amended to delete subsection (f) as shown below from the Section and that the remaining subsections be renumbered accordingly:

“f) in the parking lot or accesways at the Kiwanis Community Centre on Lakeside Drive:”

4. That subsection 41 (1) b) of Traffic and Parking By-law 159-2008 as amended, be amended so that subsection b) now reads as follows:

“b) in the case where parking in the parking space used by such vehicle is timed by pay by plate machine, one such machine is placed in operation by the deposit of a coin or coins or payment with credit card and correct licence plate number is entered into the pay by plate machine.”

5. That subsection 41 (2) b) of Traffic and Parking By-law 159-2008 as amended, be amended so that subsection b) now reads as follows:

“b) in the case where parking in each space used in whole or in part by such vehicle is timed by a pay by plate machine.”

6. That subsection 44 (2) of Traffic and Parking By-law 159-2008 as amended, be amended so that subsection (2) now reads as follows:

“(2) In the case of Parking Meter Zones in which parking is timed by pay by plate machines in accordance with the requirements of this By-law, one parking space in the parking meter zone for which said pay by plate machine is applicable may be lawfully occupied by such vehicle for the time period equivalent to the coins deposited or credit card payment made.”

7. That subsection 47 (1) (b) of Traffic and Parking By-law 159-2008 as amended, be amended to delete subsection (b) (i) in its entirety, and to amend subsection (b) (ii) so that subsection (b) now reads:

“b) in the case where parking in the space used in whole or in part such vehicle is timed by pay by plate machine beyond the time and date indicated by the pay by plate machine at time of payment and shown on the confirmation screen;”

8. That Section 50 of Traffic and Parking By-law 159-2008 as amended, be amended to remove the words “as approved by their appropriate Manager”.

9. That Table 2 in Section 55 of Traffic and Parking By-law 159-2008 as amended, be amended to remove the word "Street" immediately after "Kalbfleish" and before "Lot".
10. That subsection 56.1 (b) of Traffic and Parking By-law 159-2008 as amended, be amended so that subsection (b) now reads:

`b) in the case where parking in the space is timed by one or more pay by plate machines, by depositing a coin or coins or making a credit card payment in one such machine and entering the correct licence plate."
11. That subsection 59 (2) of Traffic and Parking By-law 159-2008 as amended, be amended so that subsection (2) now reads:

"(2) When the parking permit described in subsection (1) of this section is appropriately displayed, the vehicle is permitted to park in the specified parking lot for which the permit was purchased without inserting coins into a parking meter or pay by place machine or making a credit card payment at a pay by plate machine."
12. That Table 4 in Section 61 of Traffic and Parking By-law 159-2008 as amended, be amended to delete the following:

"15 Woolworth Co. (64 Albert St) The premises on attached as Schedule 22 Pay and Display"
13. That Section 83 of Traffic and Parking By-law 159-2008 as amended, be amended so that Section 83 now reads:

"83. Where a person deposits one or more coins in a parking meter or Pay by Plate machine in excess of that required for the parking time allowed by the parking meter or the pay by plate machine, no change shall be remitted, no increase in parking time shall be allowed and no refunds shall be granted."
14. That Schedule 1 – Prohibited Stopping on Specified Streets to Traffic and Parking By-law 159-2008 as amended, be further amended to delete the following:

"St. Patrick St.	Both	From Erie Street to Wellington Street	11:30 a.m. to 1:00 p.m., 4:00 p.m. to 6:00 p.m. EXCEPT SUNDAY"
"Ontario Street	North	From Romeo Street Westerly to C.N.R. Railway crossing	Anytime"
15. That Schedule 8 – Prohibited Turns to Traffic and Parking By-law 159-2008 as amended, be further amended to delete the following:

"Lakeside Drive	West-bound vehicles turning left into the Westerly entrance to the Kiwanis Community Centre which is situated approximately 150 metres East of Waterloo Street	Left	Anytime"
"Romeo Street	Southbound vehicles turning left onto	Left	Anytime"

Devon Street

16. That Schedule 16 – 30 Minute Metered Zones to Traffic and Parking By-law 159-2008 as amended, be further amended to delete the following:

“Downie Street West Ontario Street Wellington Street”

“Erie Street West Ontario Street St. Patrick Street”

and,

That the following be added to Schedule 16 – 30 Minute Metered Zones

“Downie Street East Ontario Street Albert Street”

“Erie Street West Ontario Street St. Patrick Street”

“Wellington Street West Downie Street St. Patrick Street”

“George Street W South Downie Street St. Patrick Street”

17. That Schedule 17 – 4 Hour Metered Zones to Traffic and Parking By-law 159-2008 as amended, be further amended to delete the word “Island” from following:

“Market Place Island North Downie Street Wellington Street”

“Market Place Island South Downie Street Wellington Street”

18. That Schedule 22 – Description of Parking Lots to Traffic and Parking By-law 159-2008 as amended, be further amended to delete the following:

“KCC Those lands lying South of Lakeside Drive and West of Morenz Drive and being composed of Part of Lots 570 and 571, Plan 20, known as the Kiwanis Community Centre parking lot, are hereby known as Parking Lot 8.”

“Woolworth Co. The balance of those lands known as Lots 238,239, 245 and 246, Registered Plan No. 20 for the City of Stratford are hereby established as Parking Lot Number 15”.

19. The provisions of this By-law shall come into effect upon final passage.
20. All other provisions of Traffic and Parking By-law 159-2008, as amended, shall remain in force and effect.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to authorize the construction of certain works on Pleasant Drive from Ontario Street to Devon Street as a local improvement under Ontario Regulation 586/06 of the *Municipal Act, 2001*.

WHEREAS the Council of The Corporation of the City of Stratford proposes to undertake roadwork (the "Roadwork") and install a 1.5 m sidewalk ("the sidewalk") on the east side only of Pleasant Drive from Ontario Street to Devon Street as local improvement under Ontario Regulation 586/06 of the *Municipal Act, 2001* (the "Work");

AND WHEREAS the Council of The Corporation of the City of Stratford has given consideration to the requirements of Ontario Regulation 586/06 – Local Improvement Charges – Priority Lien Status made under the *Municipal Act, 2001*;

AND WHEREAS the Council of The Corporation of the City of Stratford at its meeting on April 8, 2019, adopted the recommendation of the Infrastructure, Transportation and Safety Committee pertaining to the proposed local improvement project;

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

1. That construction of the Work set out in Schedule "A" attached to this By-law, shall be done as a local improvement under Section 5 of Ontario Regulation 586/06 of the *Municipal Act, 2001*, for the purpose of raising part of the cost of the Work by imposing special charges on lots abutting on the Work and/or immediately benefitting from the works in accordance with the provisions set out in the Regulation.
2. That any person whose lot is specially assessed be permitted to commute, for payment in cash, the special rate, any time after the certification of the special assessment roll by the City Treasurer, by a single payment equal to the remaining principal plus interest since the last instalment. The Municipality shall use the rate of interest set out in Schedule "A" when performing the calculation.
3. That the work shall be carried on and executed under the direction and orders of the Director of Infrastructure and Development Services or his/her designate.
4. That Schedule "A" attached hereto forms part of this By-law.

READ a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson

THIS IS SCHEDULE "A" TO BY-LAW -2019

adopted this 8th day of April, 2019

Description and Details of the WorkDescription of Work

- Roadwork and a 1.5 m sidewalk on the east side only of Pleasant Drive, from Ontario Street to Devon Street.
- Estimated service life of the Roadwork is 50 years.
- Estimated service life of Sidewalk is 25 to 40 years.

Details of Road and Sidewalk Work

- The estimated cost of the Road and Sidewalk work is \$640,000 of which 60% is to be paid by the Municipality.
- The estimated cost per metre frontage is \$310.
- The actual rate per metre frontage, when determined, shall be specially assessed upon the land abutting directly on the Roadwork.
- The special assessment is to be paid in 10 equal annual instalments at 5% interest or one lump sum payment without interest.



**BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a by-law to authorize the acceptance of the proposal, execution of the contract and the undertaking of the work by Bluewater Recycling Association for the processing of Blue Box recyclable materials [RFP-2019-07].

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 a natural person 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;

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

1. That the proposal [RFP-2019-07] submitted by Bluewater Recycling Association for the processing of Blue Box recyclable materials be accepted, and the Mayor and Clerk or their respective delegates of The Corporation of the City of Stratford are hereby authorized to execute the contract on behalf of the Corporation for the said work and to affix the Corporate seal thereto.
2. The accepted amount of the proposal is \$185 per tonne plus HST.
3. That Bluewater Recycling Association is hereby authorized to undertake the work pursuant to the said contract and as further directed by the Director of Infrastructure and Development Services or designate.

READ a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



STRATFORD CITY COUNCIL CONSENT AGENDA

April 8, 2019

REFERENCE NO. CONSENT AGENDA ITEM

- | | |
|-------------|---|
| CA-2019-031 | <p>In accordance with By-law 135-2017 the Infrastructure and Development Services Department provides notification that the following streets were temporarily closed to through traffic, local traffic only:</p> <ul style="list-style-type: none"> • East Gore Street from Borden Street to Taylor Street on Friday, March 22 at 2:00 p.m. until further notice, due to road conditions. • Morenz Drive from Water Street to Lakeside Drive on Tuesday, April 2 from 7:00 a.m. to 12:00 p.m. to facilitate the removal of 11 trees at the West side of Morenz Drive from Lakeside Drive to approximately 55m south of the intersection. This work is part of the Festival Theatre Expansion project. <p>Emergency Services were notified.</p> |
| CA-2019-032 | <p>In accordance with By-law 135-2017, the Director of Community Services provides notification that an exemption to Noise Control By-law 113-79 has been granted to the Canadian Cancer Society for the 2019 Relay for Life on Friday, May 31 from 6:30 pm to 12:00 am on Saturday, June 1. This event is taking place at Stratford Central Secondary School, 60 St. Andrew Street.</p> |
| CA-2019-033 | <p>Notification that the Infrastructure and Development Services Department, Engineering Division, intends to call for tenders in accordance with the City's Purchasing Policy for the Pleasant Drive Local Improvement Project.</p> |
| CA-2019-034 | <p>Notification that the London Health Sciences Foundation – London Spring Dream Lottery is selling raffle tickets. Provincial Licences 10699, 10700 and 10701 were issued for ticket sales in Ontario. Tickets will be sold at Shoppers Drugmart for a draw that will take place July 17, 2019.</p> |
| CA-2019-035 | <p>Notification that the Social Services Department, Housing Division, intends to call quotations in accordance with the City's Purchasing Policy for Stratford and County move out and cleaning of apartments and family units.</p> |

CA-2019-036

Notification that the Fleet Division, Infrastructure & Development Services Department, intends to call quotations in accordance with the City's Purchasing Policy for the purchase of:

- Parking Enforcement Vehicle
- Valve Turner/Trailer unit
- Sidewalk Grinder
- Shop Hoist
- Water Service Truck
- Cemetery Backhoe/Loader with attachments



BY-LAW NUMBER -2019
OF
THE CORPORATION OF THE CITY OF STRATFORD

BEING a By-law to confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on April 8, 2019.

WHEREAS subsection 5(1) of the *Municipal Act, 2001, S.O. 2001 c.25* as amended, provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS subsection 5(3) of the *Act* provides that the powers of council are to be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Stratford at this meeting be confirmed and adopted by By-law;

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

1. That the action of the Council at its meeting held on April 8, 2019 in respect of each report, motion, resolution, recommendation or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each report, motion, resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Mayor of the Council and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to the said action, to obtain approvals where required, and, except where otherwise provided, to execute all documents necessary in that behalf in accordance with the by-laws of the Council relating thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 8th day of April, 2019.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson