



Stratford City Council Special Council Open Session AGENDA

Meeting #: 4543rd

Date: Wednesday, January 17, 2018

Time: 6:00 P.M.

Location: Council Chamber, City Hall

Council Present: Mayor Mathieson - Chair Presiding, Councillor Beatty, Councillor Brown, Councillor Bunting, Councillor Clifford, Councillor Henderson, Councillor Ingram, Councillor Mark, Councillor McManus, Councillor Ritsma, Councillor Vassilakos

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

Pages

1. Call to Order:

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

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

1 - 3

Motion by _____

THAT the Minutes of the Special Meeting of Council of The Corporation of the City of Stratford dated January 15, 2018 be adopted as printed.

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

4.1 From the January 17, 2018 Session under the Municipal Act, 2001, as amended, a matter concerning the following item was considered

Security of municipal property of the municipality or local board (section 239.(2) (a)) and Proposed or pending acquisition or disposal of land by the municipality or local board (section 239.(2) (c)).

5. Report of the Chief Administrative Officer:

5.1 Public Feedback on Council's Consideration of 48 Water Street as a Surplus Property (COU18-001)

4 - 36

Motion by _____

Staff Recommendation: That Report COU18-001 on public consultation respecting the consideration of 48 Water Street for disposition as surplus property be received for information.

Motion by _____

Recommendation: THAT

6. Reading of the By-law:

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

Motion by _____

THAT By-law 6.1 be given First and Second Readings.

Motion by _____

THAT By-law 6.1 be given Third and Final Readings.

6.1 Confirmatory By-law

37

To confirm the proceedings of Council of The Corporation of the City of

Stratford at its meeting held on January 17, 2018.

7. Adjournment:

Motion by _____

THAT the January 17, 2018 Special Council Meeting adjourn.



Stratford City Council Special Council Open Session MINUTES

Meeting #: 4542nd
 Date: Monday, January 15, 2018
 Time: 4:03 P.M.
 Location: Stratford Rotary Complex
 Halls A and B
 353 McCarthy Road West, Stratford

Council Present: Mayor Mathieson - Chair Presiding, Councillor Beatty, Councillor Brown, Councillor Bunting, *Councillor Clifford, Councillor Henderson, Councillor Ingram, Councillor Mark, Councillor McManus , Councillor Ritsma, Councillor Vassilakos

Staff Present: Rob Horne - Chief Administrative Officer, Ed Dujlovic - Director of Infrastructure and Development Services, David St. Louis - Director of Community Services, Joan Thomson - City Clerk, Tatiana Dafoe - Deputy Clerk, Mike Beitz - Corporate Communications Lead, Stephanie Potter - Policy and Research Associate, Members of the Clerk's Office including Nancy Bridges, Vicky Trotter, Jodi Akins, Danielle Clayton and Casey Riehl

Also Present: Paula Lombardi, City Solicitor, Members of the media and public

1. Call to Order:

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

2. **Declarations of Pecuniary Interest and the General Nature Thereof:**

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and to otherwise comply with the *Act*.

Name, Item and General Nature of Pecuniary Interest

No disclosures of pecuniary interest were made by a member of Council at the January 15, 2018 Special Council meeting.

3. **Adjournment to Public Meeting regarding 48 Water Street:**

Public comments received by January 11 by the City regarding the Notice of Intent to consider declaring as surplus and to dispose of 48 Water Street are attached to the January 15, 2018 Special Council Meeting agenda.

*Councillor Clifford now present at the meeting [4:12 p.m.]

R2018-016

Motion by Councillor Vassilakos

Seconded By Councillor Beatty

THAT the Special Council meeting adjourn to a Public Meeting for the purpose of hearing from the public regarding intent to declare surplus and dispose of 48 Water Street, Stratford, to reconvene following the Public Meeting.

Carried

The Council Meeting reconvened at 7:44 p.m.

4. **Reconvene Council - Reading of the By-law:**

R2018-017

Motion by Councillor Ritsma

Seconded By Councillor McManus

THAT By-law 4-2018 be given First and Second Readings.

Carried two-thirds support

R2018-018

Motion by Councillor Vassilakos

Seconded By Councillor Bunting

THAT By-law 4-2018 be given Third and Final Readings.

Carried

4.1 Confirmatory By-law - By-law 4-2018

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on January 15, 2018.

5. Adjournment:

R2018-019

Motion by Councillor Clifford

Seconded By Councillor Mark

THAT the January 15, 2018 Special Council Meeting adjourn.

Carried

Special Meeting Start Time: 4:03 p.m.

Public Meeting Start Time: 4:04 p.m.

Public Meeting End Time: 5:24 p.m.

Public Meeting Start Time: 7:00 p.m.

Public Meeting End Time: 7:44 p.m.

Special Meeting End Time: 7:45 p.m.

Mayor - Daniel B. Mathieson

Clerk - Joan Thomson



MANAGEMENT REPORT

Date: January 17, 2018
To: City Council
From: Rob Horne, Chief Administrative Officer
Report#: COU18-001
Attachments: 1. Staff presentation made at January 15, 2018 Public Consultation
 2. Staff Report of October 19, 2017 on Previous Public Consultation

Title: Public Feedback on Council's Consideration of 48 Water Street as a Surplus Property

Objective: To present the public feedback received respecting Council's latest consultation on considering 48 Water Street as a surplus property.

Background: On December 11, 2017, Stratford Council adopted the following resolutions:

THAT direction be given to staff to initiate a Notice of Intent to consider the disposition of land identified as 48 Water Street and all buildings to be surplus to the needs of The Corporation of the City of Stratford under Sale and Other Disposition of Land Policy P.3.1;

AND THAT Notice be given of a public meeting to be held on January 15, 2018 to hear from the public regarding the proposed declaration of 48 Water Street as surplus land in accordance with the Sale and Other Disposition of Land Policy P.3.1.

In implementing these resolutions, staff established a variety of opportunities for public input between December 27, 2017 and January 15, 2018. An estimated 225 people attended the public consultation on January 15, 2018. A copy of the staff presentation has been posted on the City's web page. In addition, the detailed comments received from the public have also been posted on the City web page.

Analysis: From December 27, 2017 and leading up to the January 15, 2018 public meeting, approximately 162 submissions were made by the public, comprised of 82 at the public meeting, 55 through the website, and 25 via email or dropped off at City Hall.

At the January 15, 2018 public meeting (comprised of two identical session formats, one at 4:00 pm, and the second at 7:00 pm), a total of 82 people were heard. In receiving submissions, no attempts were made to add up those opposed or in favour, as many of the public comments focus on specific considerations. However, many of the same themes were heard from the public as received during Council's public consultation in the fall of 2017 on the Stratford Festival's proposed redevelopment, including the public meeting on September 26, 2017 at the Rotary Complex. A copy of the October 19, 2017 staff report is appended to this report, and included the following themes used to describe public concerns at that time:

- Impact on existing users and transition plan;
- Implications to the Economy;
- Senior Government Funding;
- Land Disposition;
- Location;
- Parking; and
- Design (building and site).

The public input received during the December 27, 2017 to January 15, 2018 period was particularly centred on the following themes:

1. Community Cohesion

Many submissions noted the importance of community unity, and cautioned against making generalizations. For example, submissions spoke to fostering good community debate, while not dividing the community by age or interest, and the need to work together. In fact, community engagement has remained strong, and is a reflection of the deep caring found throughout the community respecting its' future.

2. Economic Importance of the Stratford Festival

Many submissions underscored the importance of the Festival to making local businesses viable, and that the strength of the Festival is directly tied to the prosperity of many businesses. It was also noted that the Festival must remain forward thinking to maintain and increase its draw as a national and international attraction, particularly in light of substantial competition.

3. The Challenge of Change

This was a consistent theme, but particularly for those users of 48 Water Street, including the Stratford Lakeside Active Adults Association (SLAAA), the Stratford Lawn Bowling Club, and the Rotary Club. Public submissions acknowledged that change is challenging, but that the benefits of proceeding would outweigh the anxiety that many people are currently feeling.

4. The Need for Viable Transition Arrangements

The public again emphasized the importance of workable solutions for potentially displaced users, particularly as it relates to the Agriplex.

5. Parking

The importance of public parking was underscored, including its ongoing availability and if possible, opportunities to expand and enhance parking for the many public users of this area of Stratford.

6. Green Space

The City's park system was frequently referenced, especially the importance of maintaining public access to green space (e.g. gardens) on the 48 Water Street property.

7. Potential Conditions of Disposition

Many public submissions spoke to the "lease versus sell" options, and the importance of the City obtaining fair market value for the property, should it proceed with disposition. Many of these concerns were linked to whether and how public access, use and enjoyment of the property could continue "in perpetuity".

8. Potential Grand Trunk Community Hub

Many submissions referenced the potential Grand Trunk Community Hub as a worthwhile objective, and encouraged Council to formally initiate this development, including setting aside funding for the facility. It was also noted by staff that both the University of Waterloo and the YMCA have indicated their interest in a financial partnership. Funding programs for community hubs have yet to be announced by senior government levels, despite concerted efforts by communities across Canada, including Stratford, to actively support the launch of such programs.

Finally, the themes presented in this report are not exhaustive, and individual submissions should be reviewed.

Financial Impact: A decision to support the disposition of the property would be followed by Council's consideration of a property transaction. The direction of funds from the proceeds of a property transaction would need to be subsequently considered by Stratford Council as well.

Staff Recommendation: That Report COU18-001 on public consultation respecting the consideration of 48 Water Street for disposition as surplus property be received for information.

A handwritten signature in black ink, appearing to read "Rob Horne". The signature is written in a cursive, flowing style.

Rob Horne, Chief Administrative Officer

Public Meeting:
Intent to Consider Declaring Surplus:
48 Water Street Property



January 15, 2018

Background:

- **October 27, 2016:** Council passes resolution that City staff be directed to meet with the Stratford Festival to obtain a full understanding of their redevelopment proposal and report back to City Council.
- **September 11, 2017:** Council passes resolution to initiate a public consultation process regarding redevelopment opportunities for the City-Owned property at 48 Water Street;
- **September 21-October 10, 2017:** Public consultation online, e-mail, telephone, mail, or in person. Over 850 submissions received;
- **September 26, 2017:** Public Open House held with 1000+ attendees here at the Rotary Complex;
- **November 30, 2017:** City staff issues public report relating to redevelopment opportunities for 48 Water Street. This report is available on the City's website and from the Clerk's Office upon request.

Council Direction:

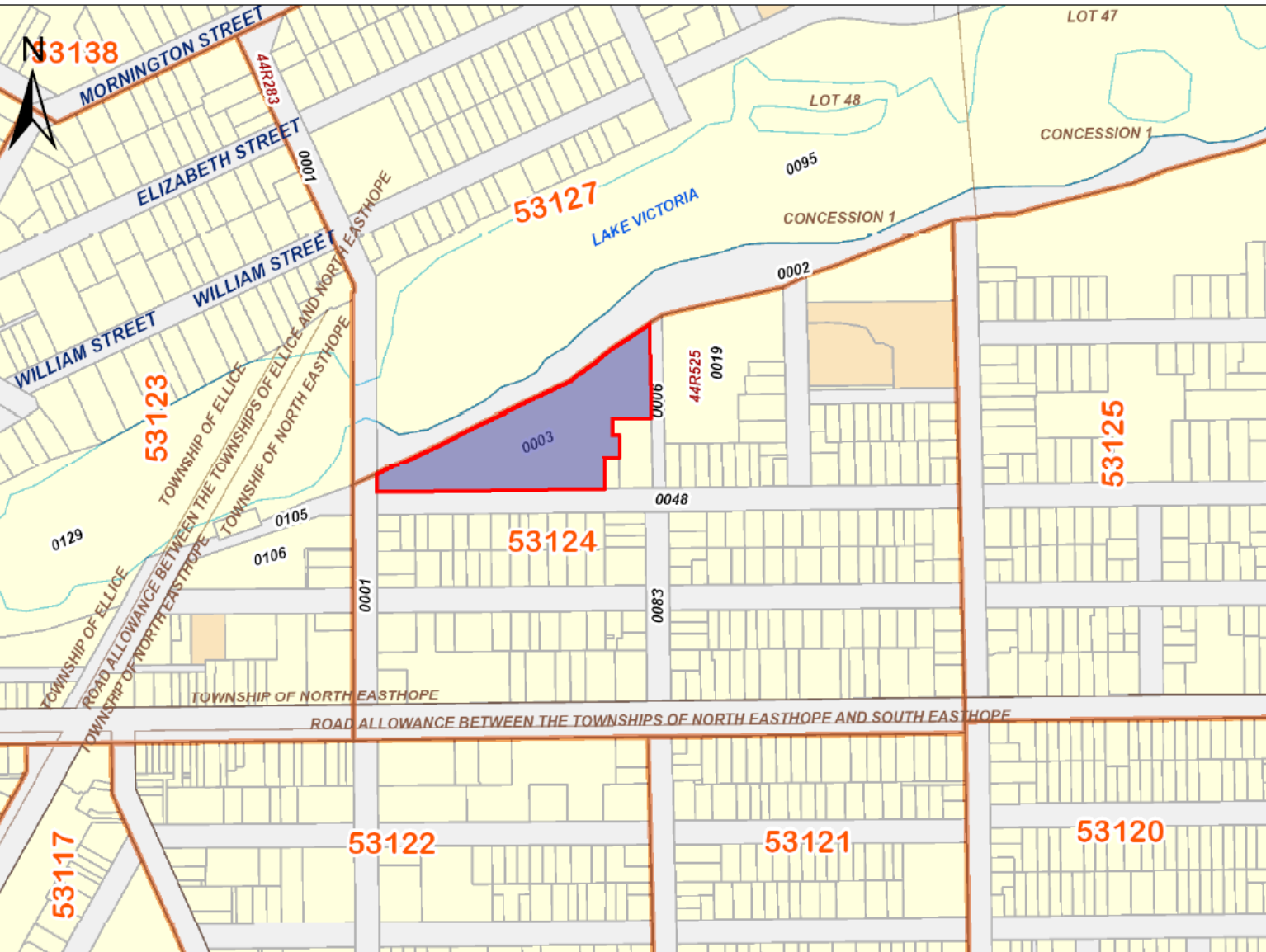
- **December 11, 2017:** Stratford City Council adopts the following resolution:

THAT direction be given to staff to initiate a Notice of Intent to consider the disposition of land identified as 48 Water Street and all buildings to be surplus to the needs of The Corporation of the City of Stratford under Sale and Other Disposition of Land Policy P.3.1;

AND THAT Notice be given of a public meeting to be held on January 15, 2018 to hear from the public regarding the proposed declaration of 48 Water Street as surplus land in accordance with the Sale and Other Disposition of Land Policy P.3.1.

The Property:

- The lands and buildings are owned by the City and are currently leased in part to the Stratford Festival and used by other organizations, including the Stratford Lakeside Active Adults Association (SLAAA), the Rotary Club, the Stratford Lawn Bowling Club, and the Kiwanis Club.



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SCALE
0 30 60 90 120
meters

PROPERTY INDEX MAP

PERTH(No. 44)

LEGEND

FREEHOLD PROPERTY
LEASEHOLD PROPERTY
LIMITED INTEREST PROPERTY
CONDOMINIUM PROPERTY
RETIRED PIN (MAP UPDATE PENDING)
PROPERTY NUMBER
BLOCK NUMBER
GEOGRAPHIC FABRIC
EASEMENT

0449
08050

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE
PROPERTY INFORMATION AS THIS MAP MAY
NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND
DOCUMENTS RECORDED IN THE LAND
REGISTRATION SYSTEM AND HAS BEEN PREPARED
FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT
REFERENCE PLANS ARE NOT ILLUSTRATED



Some Key Public/Community Interests:

- Current users (e.g. SLAAA, Stratford Lawn Bowling Club, Rotary Club, Kiwanis Club, and other users);
- Economic and cultural contributions of the Stratford Festival to the community;
- Significant senior government funding;
- Community building through design excellence;
- Publically accessible green space;
- Public parking;
- An aging facility;
- Grand Trunk Community Hub.

Public Notice Regarding this Meeting:

- **December 12 2017:**

- The December 11 council resolution regarding 48 Water Street posted on the City's Facebook page as part of the City Council Recap.

- **December 14 :**

- Notice of Council's intent to declare the lands as surplus to the needs of the Corporation of the City of Stratford advertised.
- Notice of Intent and Notice of Public Meeting on January 15, 2018 advertised on the City's website and in the Beacon Herald's Town Crier.

- **December 27:**

- Public feedback requested and electronic reply form created on the City's Notice of intent to declare lands as surplus posted on the City's website and public feedback requested by January 11, 2018 to accompany the agenda.

- **December 28:**

- Notice of Intent and Notice of Public Meeting advertised in the Beacon Herald's Town Crier.

- **January 4 2018:**

- Reminder notice of public meeting posted on the City's website and through social media.
- Printed meeting notice posted at the Stratford Rotary Complex.

- **January 9:**

- Reminder notice of public meeting posted on the City's website and through social media.
- Printed meeting notice posted at the Kiwanis Community Centre.

- **January 13:**

- Notice of Intent and Notice of Public Meeting advertised in the Beacon Herald's Town Crier.

Providing Feedback:

- **Public feedback accepted from December 27, 2017, to January 15, 2018;**
- Public feedback accepted online, by e-mail, regular mail, and can be dropped off to the Clerk's Office;
- Comment Cards are available in the atrium;
- Feedback can also be submitted online at:
www.stratfordcanada.ca/48water ;
- Feedback can also be submitted via e-mail to:
48Water@stratford.ca.

Today is the final planned Public Meeting for Stratford City Council to listen to you.

Council will not be deliberating tonight.

How we will receive your input today:

- **Maximum of 3 minutes per speaker. You do not have to use the full three minutes** 😊;
- We will come to you with the microphones if you are unable to stand and wait for your turn;
- Please state your name and address before speaking;
- Please be respectful and listen to others;
- If your point has already been made, we ask that you simply add your support for that point;
- **Written submissions are as important as verbal submissions**; and
- City staff will be taking notes.

Next Steps:

- **Public input has been planned to conclude on January 15, 2018 (today).**
- Stratford City Council will review the feedback received and will hold a special meeting to formally consider whether or not to declare 48 Water Street as surplus property;
- If City decides to declare the property as surplus, Council will schedule a special meeting to declare the subject land surplus and determine the appropriate method of disposal in accordance with the City's policy;
- If declared surplus, a special Council meeting will be scheduled to consider By-Laws authorizing an agreement of disposal and conveyance.

Please Note:

- No decisions will be made by Stratford City Council tonight. This is the final planned public input session and provides you with an opportunity to provide feedback;
- The City anticipates that this entire process will be concluded in late January/early February 2018.

**Thank You
for your input into this important
community decision.**





MANAGEMENT REPORT

Date: October 19, 2017
To: Mayor and Council
From: Rob Horne, CAO
Report#: COU17-063
Attachments: None

Title: The Stratford Festival's Proposed Tom Patterson Theatre Redevelopment – Public Feedback

Objective: To present Stratford City Council with the public feedback received regarding the Stratford Festival's proposed Tom Patterson Theatre redevelopment.

Background: The Stratford Festival is seeking to redevelop the City-owned property at 48 Water Street.

Stratford City Council has made no decisions regarding the proposed project. However, the potential for a new theatre has generated significant interest in the community, as well as questions and concerns about how it would impact the property and its various user groups.

Therefore, at its September 11, 2017 meeting, City Council passed the following resolutions:

THAT Stratford City Council re-confirms to the community that it has made no final decision on the proposed redevelopment of the City-owned Tom Patterson property by the Stratford Festival, and will issue an updated communique with additional background;

THAT staff be directed to complete a full technical site plan review of the proposed Tom Patterson Theatre redevelopment, as recently released by the Stratford Festival to the public, and report the results to Council;

THAT special public input meetings be convened to hear delegations relative to the proposed Stratford Festival Tom

Patterson Theatre redevelopment, and invite representatives of the Stratford Festival to hear the submissions;

AND THAT these public input meetings be advertised widely.

Following Council direction to gather public input, the public had several opportunities to engage in this process:

1. Feedback Opportunities, September 21 to October 10, 2017

The City planned to accept public feedback regarding the Tom Patterson redevelopment up to September 30, 2017. However, given the significance of the project and the substantial community interest and impact, the deadline to submit feedback was extended until the Tuesday after Thanksgiving, October 10, 2017. Thus the City accepted public feedback over a three week period, between September 21 and October 10, 2017 through the following channels:

- i. Online feedback was accepted on the City's website at www.stratfordcanada.ca/TomPatterson;
- ii. Electronic feedback was also accepted via e-mail;
- iii. Verbal feedback was accepted over the phone;
- iv. Written feedback could be dropped off at any City information desk or mailed to City Hall;
- v. Comment cards were available to fill out in person at City information desks.

All feedback received is available to review on the City of Stratford's website: <http://www.stratfordcanada.ca/en/insidecityhall/resources/Tom-Patterson-Redevelopment/20170921-20171010---TPT-Feedback.pdf>

2. Public Open Houses, September 26, 2017

- Public Open Houses were held on September 26, 2017 at the Stratford Rotary Complex;
- To accommodate varied schedules and allow as many people as possible to participate, two sessions were held, the first from 3:00pm to 5:00pm and the second from 7:00pm to 9:00pm;
- Both open houses followed the same format, with a brief presentation from City staff and the Stratford Festival (available on the City's website by clicking [here](#)), followed by an audience question-and-answer period (open house notes are included in the public feedback document on the City's website, available by clicking [here](#));
- For those unable to attend, the City's Facebook (<https://www.facebook.com/cityofstratford/>) and Twitter

(<https://twitter.com/cityofstratford>) accounts were updated to reflect the comments offered by speakers throughout both open houses;

- Comment cards and post it notes were available to fill out at both Open House sessions. All written feedback received at the open houses is included in the online public feedback document, available by clicking [here](#);
- The Open House sessions were widely advertised through a variety of platforms, including a media release, a notice on the City of Stratford website, the Town Crier, social media posts on the City's Facebook and Twitter accounts, and notices pinned to bulletin boards at strategic locations, including the Rotary Complex and the Kiwanis Community Centre.

Analysis: During the three week public consultation process described above, the City received over 850 submissions. Given the significance of the project and importance of public input, the results of the public engagement process have not been tallied, scored, or interpreted, but have instead been provided in their entirety (with personal information redacted to comply with the Municipal Freedom of Information and Protection of Privacy Act) on the City's website, available by clicking [here](#).

However, based on the public input received, some themes have been identified to help inform Council's decision making process:

1. Impact on Existing Users and Transition Plan

Many respondents commented on the need to accommodate the various existing user groups should the project proceed. For example, concerns were expressed over the future of the Stratford Lawn Bowling Club and its potential to be shut down for a full year if relocated. Others expressed concern for senior citizens who frequently use the KCC for SLAAA meetings and activities, and wondered if the Agriplex would be able to accommodate them properly, particularly with limited public transportation services. Some commented on the impact to the Agriplex itself and are concerned that present activities and events on site will be disrupted. Some users commented that they would prefer to remain in the same location, and took issue with being displaced.

Others advocated for the relocation of user groups to the proposed Community Hub, and expressed support for the Agriplex transition plan. Others supported the Festival's proposed inclusion of a community space within the new theatre.

2. Global Competitiveness/Local Economic Implications

Proponents of the Stratford Festival's proposal cited the need to replace the aging Tom Patterson Theatre in order to remain competitive in the global marketplace, particularly with nearby competing theatre municipalities such as Chicago, New York, and Toronto. Many noted that the Stratford Festival is a key economic driver in our community, and that several local businesses are dependent on the continued success of the Festival.

Others noted that the scope of the project may be too large and may represent a threat to the Festival if seats cannot be filled on a continual basis. Some recommended a more modest reconstruction or renovation.

3. Senior Government Funding

Respondents expressed concerns that a delay in this process would result in the loss of \$20 million in senior government funding pledged to the Festival by the Government of Ontario. Others noted that the project should be approved to make use of this \$20 million in allocated funding, as the opportunity will be lost otherwise. Some noted that the Festival's project should not be put on hold until senior government funding is confirmed for the proposed Community Hub, as delaying the process could result in a loss of funding. Concerns were expressed over the loss of \$5 million in funding if the project is not approved and underway before March 31, 2018 and asked that Council make a decision to proceed as quickly as possible.

4. Land Disposition

Some respondents took issue with the sale of municipal property. Some feel that a long-term lease would be more appropriate than a sale. Others feel that this project is an inappropriate use of municipal property and that the property should remain fully open and accessible for residents of Stratford.

5. Location

Some respondents felt strongly that the proposed new theatre should remain in its present location due to the importance of remaining on the waterfront. Many feel that this will best enable the Festival to stay competitive with other (larger) municipalities, including Chicago, New York, and Toronto.

However, other respondents indicated that the new theatre does not need to be located on the waterfront to stay competitive and might be more appropriately located elsewhere, with some suggesting the Cooper Block as an option. Others proposed keeping the reconstructed theatre near the water, but in a different location.

6. Parking

Concerns were raised over the cost and availability of parking at the new theatre, particularly if this venue also houses a community centre. Some commented that

parking at the Allman Arena could also be impacted. Others are concerned about the traffic impact for arena and community centre patrons, pedestrians, and local residents.

7. Design (building and site)

Some respondents expressed great enthusiasm for the design of the building and the gardens and felt that it would complement the waterfront and downtown.

Others felt the design was too modern and/or too elaborate to fit in with the existing downtown architecture and riverfront. Some expressed concerns that the proposed building is too large, and a more modest design would be more affordable and appropriate for the theatre and surrounding area.

Others expressed concern over the impact the all glass building would have on birds and stressed the environmental impact to wildlife.

Please note that the themes highlighted above are not exhaustive, and that individual submissions should be reviewed.

Financial Impact:

a) Proposed Tom Patterson Redevelopment (Capital Costs):

Provincial Government (announced):	\$20 million
Federal Government (unannounced):	\$20 million
Fundraising:	<u>\$20 million</u>
TOTAL (approximate and excluding endowment):	\$60 million

*Note that this government funding could be used for the development and construction of the new theatre only (excludes purchase/lease and transitional space costs)

b) Relocation of User Groups:

The Stratford Festival has offered to provide up to \$500,000 to finance the relocation of user groups to interim locations.

Comments from the CAO:

The public consultation process relating to the proposed Tom Patterson redevelopment resulted in very sizable public participation. With over 850 submissions and in excess of one thousand people at the two public forums at the Rotary Complex, the community was truly engaged. Staff made best efforts to ensure the debate was well informed, and that the unknowns were clearly enunciated (e.g. whether a Federal funding commitment will be made).

As Council will note, staff did not add up or interpret individual submissions to respect the varying concerns and interests of the public. However, highlighting key themes was undertaken to identify focus areas to Council. These themes will also be valuable in informing the content of subsequent staff reports.

Given staff's understanding of Provincial funding requirements and the project complexity, it is important to bring this matter to Council for a decision in the next few weeks. Both budget implications to the taxpayer and moving displaced users will be very important considerations of staff should Council agree to proceed.

Staff Recommendation: THAT Council proceed expeditiously to a decision in November 2017 regarding the proposed Stratford Festival Tom Patterson Theatre redevelopment;

AND THAT the public input received be used as input for Council deliberation in November 2017.



Stephanie Potter, Policy and Research Associate



Rob Horne, Chief Administrative Officer



CITY OF STRATFORD PUBLIC MEETING MINUTES

A **PUBLIC MEETING** was held on Monday, January 15, 2018 at 4:04 p.m. at the Rotary Complex, Halls A & B, 353 McCarthy Road W., to hear all interested persons with respect to the Notice of Intent to consider declaring as surplus and to dispose of 48 Water Street.

COUNCIL PRESENT: Mayor Mathieson - Chair presiding, Councillors Beatty, Brown, Bunting, *Clifford, Henderson, Ingram, Mark, McManus, Ritsma and Vassilakos.

REGRETS: None.

STAFF PRESENT: Rob Horne – CAO, Michael Humble – Director of Corporate Services, Ed Dujlovic - Director of Infrastructure & Development Services, David St. Louis – Director of Community Services, Joan Thomson – City Clerk, Tatiana Dafoe – Deputy Clerk , Stephanie Potter – Policy and Research Associate, *Pat Shantz – Administrative Assistant to Mayor, *Christa Robinson – Administrative Assistant to the Director, Jodi Akins – Council Clerk Secretary, Casey Riehl – Advisory Committee Secretary, and Customer Services Clerks Nancy Bridges, Victoria Trotter and Danielle Clayton.

ALSO PRESENT: Paula Lombardi – City Solicitor, media, members of the public.

After adjourning from a Special Council meeting, Mayor Mathieson called the public meeting to order and stated that the purpose of the meeting is to give Council and the public an opportunity to hear all interested persons with respect to the Notice of Intent to consider declaring as surplus and to dispose of 48 Water Street, Stratford.

Mayor Mathieson explained the order of procedure for the public meeting.

Joan Thomson, City Clerk, provided basic instructions to the public regarding the microphones.

STAFF PRESENTATION:

The Chief Administrative Officer reviewed a Power Point presentation noting the background timeline and Council direction that was given on December 11, 2017 to initiate a Notice of Intent to consider the disposition of land identified as 48 Water Street and that notice be given of a public meeting on January 15, 2018. A detailed property description and a map showing the property at 48 Water Street was provided. The Chief Administrative Officer stated that the lands and buildings are currently owned by the City and are leased in part to the Stratford Festival and other organizations. It was noted that some of the key public

interests were a plan to replace an aging facility, moving of current users to newer facilities, economic vitality of the Festival, parking, and the Community Hub concept.

The Chief Administrative Officer reviewed the process for the public meeting and the next steps to take place in the following days and weeks.

*Councillor Clifford now present - 4:14pm

QUESTIONS FROM PUBLIC:

Pat Hulme asked why no reason has been given for declaring the land surplus.

Mayor Mathieson responded that no decision has been made at this point and the public meeting is being held to obtain feedback from the public.

Ken Wood asked if the application for grants for the Tom Patterson Theatre were joint applications between the City and the Festival Theatre.

Mayor Mathieson responded that they were not joint applications. The grants the Theatre applied for were cultural which is different from infrastructure grants. Mayor Mathieson stated that he was present at one of the grant meetings in Ottawa.

Mr. Wood asked how an estimate of the value of the land is obtained.

The Chief Administrative Officer responded that the public meeting is part of the process and if Council makes a decision to declare the land as surplus an appraisal will be completed. The land would be sold at a minimum of fair market value.

Mr. Wood asked if there has been a decision made between selling or leasing of the land. He believes a fifty year lease at \$250,000 per year would be fair.

Mayor Mathieson responded that no decision has been made at this time and that legal counsel has reviewed both selling and leasing the land.

Dan Graver stated that if the land is sold he would like to see a mechanism in place that the land is returned to the City if the Festival ceases to operate. He is favour of selling the land.

Mayor Mathieson stated that Council has asked legal counsel to provide information regarding a transfer of the lands.

Laverne Marshall asked how we can call this land surplus when it is used seven days a week including by the 900 members of the Stratford Lakeside Active Adults Association (SLAAA). He asked if the land is declared surplus where the City plans to put the people that are being displaced.

The Chief Administrative Officer responded that the Agriplex has been identified as an option for the current activities that are taking place at the Kiwanis Centre.

Mr. Marshall responded that he went to the Agriplex and he does not understand how it is possible to make the space work.

The Chief Administrative Officer responded that a lot of detailed work has gone into the plans for the Agriplex to ensure that each of the current activities will have a space.

Ron Dodson stated that everyone wants the Festival to succeed. He proposed a Canadian compromise that the City sells the footprint of the building and the remainder is leased based on fair market value. This would permit on-going cash flow which could be directed to the operation of the Hub. He asked that Council not get bogged down in deferment motions but rather make a decision on the information available at this time.

Elaine Strawbridge stated she is concerned that the funding the Theatre has received will have too much weight on the decision made by Council. There are other options such as the old fairgrounds and the Cooper Site for the Theatre to build on. She is a theatre lover and suggested that the building be torn down and a similar one built in the same place. She stated that parking is a large issue that needs to be addressed and the disruption to the City needs to be considered.

Pat Hulme stated she believes that the new theatre will be built and noted that the Theatre does not need all of the parkland. She noted previous provincial decisions regarding the 407 Highway and loss of revenue. Ms. Hulme stated that you cannot shuffle everyone around to the Agriplex and that the members like the Kiwanis due to the location. She is not sure the Community Hub is a good idea. Ms. Hulme stated that the same situation took place when the City debated selling Festival Hydro and now we know it was better to not sell it.

Anne Lake stated she is in favour of Council helping the theatre and that not everyone appreciates how lucky we are to have the theatre. Funding similar to this does not often happen and therefore, she encourages Council sell or lease the land to ensure that the economic advantages will continue.

Joan Boshart stated that in the 1920's Thomas Orr fought to save the parkland and it was later designated as floodplain. In the Beacon Herald year in review article, it is noted that the City hopes to have shovels in the ground of the Community Hub project within the next five years. It was indicated that SLAAA would not be at the Agriplex indefinitely, but it appears that way if a Community Hub is five years away from being started. She stated that some members may not live long enough to see the Community Hub. Ms. Boshart

noted that the plans for the Theatre show 600 seats and there is already an issue with parking and no other business would be able to develop without proper parking. Members of SLAAA are interested to see how each Member of Council votes on this matter. She believes that Council is not interested in the public's concerns and that the plan is already set in place. Ms. Boshart noted concern that if the land is sold it will be gone forever. She also stated that it was misleading to label the land at 48 Water Street and asked if the land will be auctioned off if declared surplus.

The Chief Administrative Officer responded that Provincial legislation requires the City to have a process for declaring land as surplus and that it can be sold as an RFP, sole purchase or in another manner.

Mayor Mathieson stated that this has been an agonizing process for Council and they have not made a decision to date. He also noted that Council represents all of the citizens of Stratford.

Councillor Henderson stated one parking spot is required for every four seats and that the last plan showed 155 parking spaces.

Bernie Laus stated that Stratford is a wonderful community. If the Theatre thinks they can use bully tactics to remove the seniors from the Kiwanis Centre without back lash they are incorrect. Mr. Laus noted that the parkland was saved from the railway 100 years ago and it can be saved again. The plans are ill conceived and the location was chosen wrongly. He would like to see the project sent back to the drawing board to develop a cooperative space. He does not support the project.

Sam Moore stated he is the Vice President of Stratford Lakeside Active Adults Association and has been involved in the City and the Theatre for many years. He stated there is a rumor that SLAAA has been badgered into moving to the Agriplex and that is not true. The City and the Theatre has done their best to make the move painless and we are lucky to have the Agriplex and the money invested into it. Mr. Moore noted he supports the development of the Tom Patterson Theatre and he hopes Council moves quickly and decisively.

Mindy Gough stated this project is a visionary project and it will help to move the City forward. The plan was created by people with a vision for the future so let's get on with it.

Wendy McNaughton stated her support for the redevelopment of the Tom Patterson Theatre. The senior component is growing and the Kiwanis facility is getting too small. Once this project is complete focus needs to be moved to the Community Hub.

Scott Wishart stated that his only concern is the level of dialogue that has been adversarial. The Theatre is not faceless and gives back to the community and that we are all in this together.

Laverne Marshall stated he is all for the festival but does not agree with the location. He is concerned that people who own property on Water Street and Cobourg Street will suffer from the redevelopment. Additionally, when the parking is changed to pay parking, people will move to the streets to park for free.

Mayor Mathieson responded that the City has been in discussions with the Theatre regarding parking for free during the winter months.

David Prosser stated that he is currently an employee of the Festival Theatre and is almost a senior. He looks forward to retirement and the cultural dimension for seniors in the City.

June Lyoness stated that she is going to be removed from the Kiwanis Centre and will most likely not be alive to see the Community Hub.

Dorothy Van Esbroeck stated that one of her concerns is the loss of the washroom when using the walking paths at the river. She asked if the City has ever been asked to sell the land by the river and if this fits the recreation master plan. Ages 55 to 60 and 60 to 65 are the two largest age groups in the City. Ms. Van Esbroeck expressed concern that not all of the costs have been considered, including the health costs as the new location is not walkable. She read a quote from the book *A Star Dance*.

Evelyn Adams noted that she does not use the Kiwanis Centre but does not agree with displacing the seniors. She stated that she does agree that something must be done with the Tom Patterson Theatre.

Cathy Hill stated she supports the redevelopment of the Tom Patterson Theatre but has concerns regarding parking and various other issues. A lot of Bed and Breakfast establishments, restaurants, shops, etc. need the theatre.

Dan Graver asked if the redevelopment moves forward, what is the process for meeting the needs of the neighbourhood. They have received various drawings of the proposal but have not received a view from Water Street.

The Chief Administrative Officer noted that a site plan will need to be approved by the City once all details have been confirmed.

Mayor Mathieson noted that during the site plan process the Upper Thames River Conversation Authority reviews and comments on the site plan.

*Christa Robinson now absent – 5:00pm

June Lyoness noted that she is the oldest member of SLAAA and will be disappointed that the school children will not be able to attend various events once SLAAA relocates to the Agriplex, due to lack of funding for school transportation. She will not attend as many events because she refuses to use the elevator at the Agriplex as she is worried about the fire hazard of having numerous people with mobility issues on the second floor.

Annette MacDonald inquired about what happened to the proposed plan for the new theatre that included a recreation complex for seniors.

Mayor Mathieson noted that council did not like that design as it would cost the City between \$7-8 million and take away from the amount of parking that could be incorporated into another design.

Ken Wood noted the magnitude of the decision before Council and that they need to ensure they use all the information available to them and consider how it will affect future generations.

Eleanor Kane indicated that she moved here because of the theatre and has gained a respect for the people that make Stratford what it is, such as those who developed the park system. She expressed support for the idea of splitting the land into an area that is sold and an area that is leased.

Kelly Walker commended the United Church population for embracing change and amalgamating two churches into one and doing so while making incredible changes and upgrades. It should be less about the physical location of SLAAA and more about ensuring there's a wonderful future ahead for the group.

Nancy Schaff encouraged Council to take action and make a decision that people can embrace positively. The funding announcements that are being made by the Festival are adding to the confusion about what decisions have already been made behind closed doors. She agreed with the comments made by Mr. Dodson, however thought that the footprint of the building could be somewhere else in the City.

Mayor Mathieson noted that the Provincial and Federal Government grants are separate and he did not anticipate another programming announcement prior to the Provincial Election. Council is waiting to see exactly what funds are available through these grants before any decisions are made on other projects.

Michael Welsh, a member of SLAAA, stated that he is in support of the theatre project and wanted to clarify that some of the other citizens don't speak for the entire organization. He expressed concern with declaring the land as surplus and asked Council what they intend to do with the funds if the property is sold. He complimented the Festival on their vision and

drive to stay ahead of its competitors. He fears that Council will make a poor decision and the theatre will follow in the footsteps of Sears Canada. He asked that Council keep the theatre's vision in mind and invest in what keeps Stratford alive.

Rob Horne, CAO, agreed that the word "surplus" comes from Provincial legislation and is old and outdated. Staff have previously provided reports with recommendations for funding the proposed community hub. There are ongoing discussions regarding maintaining public access and use of 48 Water Street.

Elin Becker agreed with the comments from SLAAA Vice President, Sam Moore, regarding his support for the theatre project. She would like council to make a decision quickly so the project can move ahead.

Mayor Mathieson noted that he and representatives from the theatre have been in contact with the government ministers and would be surprised if they took back grant money for not meeting a deadline, especially prior to an election. Such large decisions should not be rushed and Council needs to make sure that all legal agreements are in place before proceeding.

Mayor Mathieson explained where to find information after the meeting and complimented the public for their respectful comments and behaviour.

Motion by Councillor Brown, seconded by Councillor Henderson. (5:25pm)
THAT the January 15, 2018 public meeting adjourn until 7:00pm.

*Christa Robinson and Pat Shantz now in attendance – 7:00pm

Mayor Mathieson called the public meeting to order and re-stated that the purpose of the meeting is to give Council and the public an opportunity to hear all interested persons with respect to the Notice of Intent to consider declaring as surplus and to dispose of 48 Water Street, Stratford.

STAFF PRESENTATION:

The Chief Administrative Officer reviewed a Power Point presentation noting the background timeline and Council direction that was given on December 11, 2017 to initiate a Notice of Intent to consider the disposition of land identified as 48 Water Street and that notice be given of a public meeting on January 15, 2018. A detailed property description and a map of showing the property at 48 Water Street was provided. The Chief Administrative Officer stated that the lands and buildings are currently owned by the City and are leased in part to the Stratford Festival and other organizations. It was noted that some of the key public interests were a plan to replace an aging facility, moving of current user to newer facilities, economic vitality of the Festival, parking, and the Community Hub concept.

The Chief Administrative Officer reviewed the process for the public meeting and the next steps to take place in the following days and weeks.

QUESTIONS FROM PUBLIC:

Bob Zarichansky stated that he would like to hear why there didn't seem to be any consideration of renting the land during the presentation. He expressed concerns that there was not a full explanation of what the City is planning on doing and stated that the full story was not being presented to the public.

In response to public questioning, Mayor Mathieson responded that the purpose of the public meeting was for consideration of declaring 48 Water Street to be surplus prior to disposing of the subject land and building.

Mr. Zarichansky stated that there was no explanation of renting options presented to the public.

Mayor Mathieson noted that the public meeting was for public input for consideration of declaring 48 Water Street surplus or the option of leasing the land.

Bob Verdun noted that he is looking forward to something impressive being built on the 48 Water Street site. He does sympathize with the senior citizens and acknowledges that they are being uprooted but does support the project fully. He asked that Council consider what the City of Stratford would look like today if the Tom Patterson Theatre had not succeeded. This is an opportunity that should not be turned down.

Mr. Verdun noted that this is something that should be celebrated and will take the City of Stratford to another level. We can do better than what is currently on the site and this will move us forward as a City. Mr. Verdun stated that he supports the City and is ready for the project to move forward.

Pierre Gadbois, owns a Bed and Breakfast and is the President of the Stratford and Area Bed & Breakfast Association. Mr. Gadbois stated that he is in favour of the Tom Patterson project. He noted that as a business, he would certainly prefer to own land than lease it. Mr. Gadbois thanked staff and council for their continued work on this project.

Steve Landers asked if the Optimist Club was included in the 48 Water Street plan.

In response to public questioning, Mayor Mathieson stated the festival is undertaking that transaction with the Optimist Club.

Lorne Bolton noted that he is a senior citizen and does not want to tell his grandkids that a major proposal slipped through the fingers of the City.

Dorothy Van Esbroeck asked councillors if they have seen what truly happens in each room at the Kiwanis Centre. Ms. Van Esbroeck asked if a building plan was provided of what the AgriPlex would look like.

In response to public questioning, the Chief Administrative Officer noted that each councillor knows the Kiwanis Centre well and that arrangements are being made to accommodate the groups. He noted that the City is sensitive of the needs of the groups.

Mayor Mathieson noted that the building plans were with the tender documents and that the Community Services Director and Manager have been involved with the design of the space.

David Collier, noted that he is under the Stratford Lakeside Active Adults Association age but has had conversations with his children about the project. His children will be the future users and that the City needs to consider all future users.

Rob Verdun, noted that he has been a volunteer in the past for the Festival and that at one point the Festival ran the risk of not surviving. It is amazing that the Festival is not asking for a dime from the City and has support from the community.

Mr. Verdun noted that as a City we need to ensure the strong base of support gets better.

Becky Douglas, asked council and staff if the project does not go ahead what would happen to the site and money.

In response, the Chief Administrative Officer stated that a report would be done to show the results of this project not moving forward and work needed on the existing building

Anne Champion noted that she is a downtown business owner and that a decision to move forward is needed. Change is hard but the benefit will outway the anxiety of change. Ms. Champion stated that it would be great if the process began sooner rather than later.

Marg Bossence requested the pros and cons of renting versus selling.

In response, the CAO stated that it is a two-step process. First, Council needs to decide whether to declare the land surplus. If they did declare it surplus, they would then decide how to dispose of the land. A long term lease is very similar to an outright sale of the land and there is ongoing public interest in both options.

In response to whether the City is allowed to sell parkland, the CAO confirmed that Council can do so.

Ray Harsant raised questions regarding the process for appraisal of the land and whether any consideration had been given to the suggestion that part of the land is sold for an

immediate influx of funds and part be leased for long term cash flow. The CAO responded that with regard to the business aspect, economic, social and environmental factors are being considered. Mayor Mathieson stated that all options have been looked at by experts.

The City solicitor, Paula Lombardi, in response to a request for clarification from Mayor Mathieson, stated that from a legal perspective it is complicated to sell only a portion of a larger piece of land. A better option would be to sell the property and encumber it as necessary.

Mr. Harsant stated that he is fully supportive of the Festival and this project and is glad to see an end of January/early February deadline. In response to his question regarding parking needs, Mayor Mathieson advised that there are currently 130 parking spots and they are looking at increasing that by 30-40 spots.

Murray Scott showed Council a photograph of Tom Patterson and noted that he did exceptional things for City of Stratford. He is in favour of honouring the memory of Mr. Patterson.

Kyle McGraw has submitted written comments which were included with the agenda for this meeting and requested that Council take them very seriously and consider asset management in relation to this matter. He is aware that this is a great project and it will be an economic boon for the City but he has concerns with parking and congestion. He urged Council members to consider what surplus means to the City and suggested that the sale of this land is a drastic step. He has concerns with moving the users of the building around and feels they should have the peace of mind of a secure, stable home as they have currently at the Kiwanis Community Centre. If this project does not proceed without the sale of the land, Council should consider what that says about their relationship with the Festival.

The Public Meeting adjourned and the Special Council meeting reconvened at 7:45 pm.

In addition to the comments made at the Public Meeting, the following written comments were provided between the end of December 2017 until Noon on January 16, 2018:

82 at the public meeting;
55 through the website;
25 via e-mail or dropped off to the clerk's office



BY-LAW NUMBER -2018
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 January 17, 2018.

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 January 17, 2018 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 17th day of January, 2018.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson