



**BY-LAW NUMBER XXX-2023  
OF  
THE CORPORATION OF THE CITY OF STRATFORD**

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BEING a By-law to authorize the entering into and execution of an encroachment agreement with 1448456 Ontario Inc. to permit an existing fence that surrounds the property, existing ground sign, and five new wood framed and lattice signs affixed to existing fencing to encroach onto the Waterloo Street, William Street and Elizabeth Street municipal road allowances at 35 Waterloo Street.

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**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** The Corporation of the City of Stratford is the registered owner of the municipal property known as the Waterloo Street, William Street and Elizabeth Street road allowances;

**AND WHEREAS** the owner of 1448456 Ontario Inc. applied to The Corporation of the City of Stratford to permit an existing fence that surrounds the property, existing ground sign, and five new wood framed and lattice signs affixed to existing fencing to encroach onto the Waterloo Street, William Street and Elizabeth Street municipal road allowances at 35 Waterloo Street;

**AND WHEREAS** the Parties hereto agree to enter into an Agreement to permit the encroachment of an existing fence that surrounds the property, existing ground sign, and five new wood framed and lattice signs affixed to existing fencing as of the date of this by-law, for a total encroachment of 10.015 sq. ft, to encroach onto the Waterloo Street, William Street and Elizabeth Street municipal road allowance at 35 Waterloo Street as shown on Schedule “B” to the Agreement, to continue under certain terms and conditions as set out in the said Agreement;

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

1. That the Encroachment Agreement between The Corporation of the City of Stratford and 1448456 Ontario Inc. to permit an existing fence that surrounds the property, existing ground sign, and five new wood framed and lattice signs affixed to existing fencing as of the date of this by-law for a total encroachment of 10.015 sq. ft to encroach onto the Waterloo Street, William Street and Elizabeth Street municipal road allowances at 35 Waterloo Street, be entered into and the Mayor and Clerk, or their respective delegates, be and the same are hereby authorized to execute the said agreement on behalf of and for this Corporation and to affix the corporate seal thereto.
2. The Encroachment Agreement applies to the property known municipally as the Waterloo Street, William Street and Elizabeth Street municipal road allowances at 35 Waterloo Street, and more particularly described as:
  - Firstly: MARY ST PL 68 STRATFORD; PT LT 98 PL 68 STRATFORD PT 1, 44R283; PL LT 9 PL 68 STRATFORD AS IN R153571; SECONDLY: PT LT 48 CON 1 N EASTHOPE (TRAVELLED RD); BEING WATERLOO ST (AKA MARY ST) BTN LAKESIDE DR & MORNINGTON ST; STRATFORD PIN: 53127-0001 (LT)
  - ELIZABETH ST PL 68 STRATFORD BTN MARY ST & JAMES ST; STRATFORD PIN: 53127-0035 (LT)
  - WILLIAM ST PL 68 STRATFORD BTN MARY ST & JAMES ST; STRATFORD PIN: 53127-0088 (LT)
3. The City Solicitor is authorized to register the Encroachment Agreement referred to in Paragraph 1 herein, in the appropriate Land Registry office.
4. This By-law comes into force and takes upon final passage.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 27th day of November, 2023.

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Deputy Mayor – Harjinder Nijjar

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Clerk – Tatiana Dafoe