



**BY-LAW NUMBER XXX-2024  
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 The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario to permit the existing concrete steps, sidewalk and handrail to encroach onto the Huron Street municipal road allowance at 96 Huron Street.

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**WHEREAS** Section 8.(1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, ("the Municipal Act, 2001"), 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 Huron Street road allowance;

**AND WHEREAS** the owner of The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario applied to The Corporation of the City of Stratford to permit the existing concrete steps, sidewalk and handrail to encroach onto the Huron Street municipal road allowance at 96 Huron Street;

**AND WHEREAS** the Parties hereto agree to enter into an Agreement to permit the encroachment permit the existing concrete steps, sidewalk and handrail as of the date of this by-law, for a total encroachment of 47.17m<sup>2</sup>, to encroach onto the Huron Street municipal road allowance at 96 Huron 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 The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario to permit the existing concrete steps, sidewalk and handrail as of the date of this by-law for a total encroachment of 47.17m<sup>2</sup> to encroach onto the Huron Street municipal road allowances at 96 Huron 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 Huron Street municipal road allowance at 96 Huron Street, and more particularly described as:
  - LOT 393 PLAN 20 STRATFORD; LOT 394 PLAN 20 STRATFORD; LOT 395 PLAN 20 STRATFORD; LOT 93 PLAN 20 STRATFORD; LOT 94 PLAN 20 STRATFORD; LOT 95 PLAN 20 STRATFORD AS IN R209946; T/W AN EASEMENT OVER PTS 4, 5 & 6 44R-5027 AS IN R128929 (FIRSTLY); S/T & T/W AN EASEMENT OVER PTS 2,3 44R-5027 AS IN R128929 (SECONDLY AND THIRDLY): SAVE & EXCEPT PTS 1,2 44R-5027; CITY OF STRATFORD
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 9th day of September, 2024.

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Mayor – Martin Ritsma

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Clerk – Tatiana Dafoe