



**BY-LAW NUMBER XX-2024
OF
THE CORPORATION OF THE CITY OF STRATFORD**

BEING a By-law to authorize the entering into and execution of an encroachment agreement with 6520910 Canada Corporation to permit the existing wood porch and steps located at 639 Ontario Street (Lot 49), sidewalk (ramped) and sign located at 649 Ontario Street (Lot 50/51/52) and the enclosed porch and steps located at 663 Ontario Street (Lot 53) to encroach onto the Ontario Street municipal road allowance at 639, 649 and 663 Ontario Street.

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 Ontario Street road allowance;

AND WHEREAS the owner of 6520910 Canada Corporation applied to The Corporation of the City of Stratford to permit the existing wood porch and steps located at 639 Ontario Street (Lot 49), sidewalk (ramped) and sign located at 649 Ontario Street (Lot 50/51/52) and the enclosed porch and steps located at 663 Ontario Street (Lot 53) to encroach onto the Ontario Street municipal road allowance at 639, 649 and 663 Ontario Street;

AND WHEREAS the Parties hereto agree to enter into an Agreement to permit the existing wood porch and steps located at 639 Ontario Street (Lot 49), sidewalk (ramped) and sign located at 649 Ontario Street (Lot 50/51/52) and the enclosed porch and steps located at 663 Ontario Street (Lot 53), as of the date of this by-law and for a total encroachment of 44.04m², to encroach onto the Ontario Street municipal road allowance at 639, 649 and 663 Ontario 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 6520910 Canada Corporation in Ontario to permit the existing wood porch and steps located at 639 Ontario Street (Lot 49), sidewalk (ramped) and sign located at 649 Ontario Street (Lot 50/51/52) and the enclosed porch and steps located at 663 Ontario Street (Lot 53) as of the date of this by-law for a total encroachment of 44.04m² to encroach onto the Ontario Street municipal road allowances at 639, 649 and 663 Ontario 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 Ontario Street municipal road allowance at 639, 649 and 663 Ontario Street, and more particularly described as:
 - LT 49 PL 47 STRATFORD; LT 50 PL 47 STRATFORD; LT 51 PL 47 STRATFORD; LT 52 PL 47 STRATFORD; LT 53 PL 47 STRATFORD; LT 67 PL 47 STRATFORD; LT 68 PL 47 STRATFORD; LT 69 PL 47 STRATFORD; PT LT 66 PL 47 STRATFORD AS IN R252376; 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 15th day of October, 2024.

Mayor – Martin Ritsma

Clerk – Tatiana Dafoe