



THIS MEETING WILL BE WEBCAST ON THE [CITY'S PUBLIC YOUTUBE SITE](#) (CITYWATERLOO) AND MAY BE TELECAST ON PUBLIC TELEVISION



COUNCIL MEETING AGENDA - **REVISED**

Monday, September 23, 2024
2:00 PM

Mayor McCabe in the Chair

1. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
2. **CLOSED MEETING**

Recommendation:

That Council hold a closed meeting for the purposes of considering the following subject matter:

- a) a proposed or pending acquisition or disposition of land by the municipality or local board (potential acquisition of land/negotiations);
- b) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (OLT Update);
- c) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (OLT Update, By-Law Update); and
- d) security of the property of the municipality or local board (By-Law Update).

**COUNCIL MEETING WILL RECESS AND
RECONVENE AT 3:30 PM**

3. TERRITORIAL ACKNOWLEDGEMENT

4. MOMENT OF REFLECTION

5. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

6. DELEGATIONS

a) Volunteer Waterloo Region

Jane Hennig, Executive Director, Volunteer Waterloo Region

David Marsh, Chair of the Board, Volunteer Waterloo Region

7. CONSENT MOTION

That consent motion item (a) be approved.

a) Title: Customer Service Standards Policy

Report No.: IPPW2024-048

Prepared By: Leslie Hepditch

Recommendation:

1. That Council approve the Customer Service Standards Policy appended to IPPW2024-048.
2. That Council direct the Chief Administrative Officer (or designate) to present the Customer Service Standards Policy to all staff in fall 2024.

8. ITEMS REMOVED FROM THE CONSENT MOTION

9. STAFF REPORTS

a) Title: 2024 Get READI Plan

Report No.: CAO2024-027

Prepared By: Divya Handa

Presentation: Divya Handa
Katelyn Mitri, Taylor Newberry Consulting Inc.

Recommendation:

1. That Council receives report CAO2024-027, 2024 Get READI Plan, for information.

b) Title: Fire Safety Box By-law
Report No.: COM2024-029
Prepared By: Sandy van Solm

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Recommendation:

1. That Council approve report COM2024-029.
2. That Council approve the Fire Safety Box By-Law attached as Attachment A.
3. That Council approve the amendment to City of Waterloo General Administrative Penalty By-Law 2023-038 attached as Attachment B.

COUNCIL MEETING WILL RECESS AND RECONVENE AT 6:30 PM

**10. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE
THEREOF**

11. PUBLIC MEETINGS

Statutory Public Meeting

**a) Title: City of Waterloo Official Plan Review
(Phase 1), OPA No. 58**
Prepared by: Ric Martins
Ward No.: City-Wide

Presentation: Ric Martins

Correspondence: Steven Qi, Associate, Design Plan
Services Inc.

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Delegation:

1. Addison Milne-Price, Planner, Design Plan Services Inc.

12. CONSIDERATION OF NOTICE OF MOTION GIVEN AT PREVIOUS MEETING

None

13. NOTICE OF MOTION

None

14. COMMUNICATIONS AND CORRESPONDENCE

None

15. UNFINISHED BUSINESS

None

16. QUESTIONS

17. NEW BUSINESS

18. ENACTMENT OF BY-LAWS

Recommendation:

That the By-laws listed below be read a first, second and third time and finally passed, numbered sequentially commencing with By-law Number 2024-067 and that the Mayor and Clerk be authorized to sign them accordingly.

- a) By-law to Regulate the Installation and Maintenance of Fire Safety Boxes (COM2024-029, Council September 23, 2024)
- b) By-law to Amend City of Waterloo By-law #2023-038 to Provide for the Update of Monetary Penalties and Administrative Fees Schedule (COM2024-029, Council September 23, 2024)
- c) By-law to Amend By-law No. 2019-050 Being a Zoning By-law Controlling Land Use Development within City of Waterloo for 20 University Avenue East (IPPW2024-043, Council September 9, 2024)
- d) By-law to confirm all actions and proceedings of Council, September 23, 2024

19. ADJOURNMENT



STAFF REPORT
Fire Rescue Services

Title: Fire Safety Box By-law
Report Number: COM2024-029
Author: Sandy van Solm, Deputy Fire Chief
Council Date: September 23, 2024
File: N/A
Attachments: By-Law to regulate the installation and maintenance of fire safety boxes
By-Law to amend City of Waterloo General Administrative Penalty By-law 2023-038
Ward No.: All

Recommendations:

1. That Council approve report COM2024-029.
2. That Council approve the Fire Safety Box By-Law attached as Attachment A.
3. That Council approve the amendment to City of Waterloo General Administrative Penalty By-Law 2023-038 attached as Attachment B.

A. Executive Summary

This report presents a By-Law deemed necessary to ensure that every person who is required under section 2.8 of the Fire Code to prepare and implement a Fire Safety Plan approved by the Chief Fire Official in a Residential Occupancy and/or an Industrial Occupancy shall also install and maintain on their premises a Fire Safety Box and a Fire Department approved Lock Box or an Existing Lock Box, if they have one already installed. The By-Law contains provisions for the content and location of the boxes, as well as related offence and penalty provisions.

In the interests of fire safety and to prevent that Waterloo Fire Rescue resources are unnecessarily tied up at fire alarm incidents and consequently are unable to respond to other emergency calls, the By-Law proposes that building owners requiring a Fire Safety Box under this By-Law shall include up to date contact information for a designated person. The By-Law will require that the designated person attends the scene within 45 minutes to reset the fire alarm and take responsibility of the property. The presented By-Law includes a stand-by fee for any time exceeding 45 minutes that fire rescue crews are required to wait at the property.

The proposed stand-by fee is intended to recover the City's costs while awaiting attendance of the designated person and is included in the Fees and Charges By-law. It is important to note that a timely response from a property owner, and/or their designate, ensures support for displaced persons as may be required. This also ensures fire and life safety systems are maintained and operating as they are intended.

For enforcement of the By-Law, the General Administrative Penalty By-law applies where a person fails to comply with a work order or order to discontinue activity with a set penalty amount of \$400 and \$800 for second and subsequent contraventions. This is provided for in the By-Law and put into force by the By-Law to amend City of Waterloo General Administrative Penalty By-Law 2023-038. In addition, there is an option in the By-Law to proceed with prosecutions under the *Provincial Offences Act*. The maximum fine for contravening the By-Law or failing to comply with an Order made under the By-Law, as proposed, is \$5,000. The Municipal Enforcement Division would be relied upon for enforcement of this By-Law, in collaboration with the Fire Prevention Division.

To provide owners sufficient time to comply to the proposed By-law the By-law will come into force and effect six months after the date of passing. A communications strategy will be implemented.

B. Financial Implications

Failing to comply with the By-law is an offence which, upon conviction, holds a fine up to \$5,000.00. The General Administrative Penalty By-law applies where a person fails to comply with a work order or order to discontinue activity with a set penalty amount of \$400 and \$800 for second and subsequent contraventions.

In addition, attending a scene beyond the initial 45-minute grace period has a possible charge to a maximum of \$739.32 for the first hour and \$369.64 every half hour afterwards in order to recoup staff time. It is anticipated that \$1478.64 may be collected a month if two incidents occur within a month.

The preference for Fire Rescue Services is to use fees to establish compliance and earning revenue is not expected to occur in the long term. As a result, revenue budgets have historically not been reached due to better compliance and the addition of these fees is not expected to generate additional revenue in the long term.

C. Technology Implications

None

D. Link to Strategic Plan

(Strategic Objectives: Reconciliation, Equity, Accessibility, Diversity and Inclusion; Environmental Sustainability and Climate Action; Complete Community; Infrastructure and Transportation Systems; Innovation and Future-Ready)

(Guiding Principles: Equity and Inclusion; Sustainability; Integrity; Workplace Wellbeing; Community-centred; Operational Excellence)

Innovation and Future-Ready: Offering an innovative solution to preventing fire service

resources to be tied up longer than needed and therefore unable to respond to other emergencies in the City.

Operational Excellence: We provide fiscally responsible, exceptional service that meets the needs of all residents in the City of Waterloo by limiting the time spent waiting for a responsible person.

E. Previous Reports on this Topic

None.



Fire Safety Box By-law COM2024-029

BACKGROUND

Under Section 2.8. of the Ontario Fire Code (OFC) an owner of a building of specific nature, as defined by the OFC, is required to have a Fire Safety Plan. The OFC does not require the owner to install and maintain on the premises a Fire Safety Box and Lock Box that is accessible to the Fire Department. The proposed By-Law provides for provisions to mandate the installation of such a box for residential and industrial buildings under Section 2.8. of the OFC.

Although section 2.8.2.1. of the OFC establishes the contents of the Fire Safety Plan, this Section does not prescribe that the owner must have designated person contact information readily available in the plan. This is a requirement generally imposed by municipalities and contained within the current recommended fire safety plan template. In the absence of up-to-date contact information, Waterloo Fire Rescue, when responding to a fire alarm, is not always able to reach anyone to reset the alarm. Consequently, at times, crews may be tied for an extended period of time, leaving them unable to respond to other calls. For context, in 2021 Waterloo Fire Rescue responded on average of over 2 false alarms daily (data from Fire Master Plan). This remained stable in 2023.

The proposed By-Law includes provisions that requires the owner to include contact information in the Fire Safety Box and to update the information as required, as well as to have a designated person attend the site within 45 minutes to reset the alarm. If a designated person is not available at the site within 45 minutes, the owner of the property may be charged a cost-recovery stand-by fee at an hourly rate as defined in the Fees and Charges By-law. It is important to note that a timely response from a property owner, and/or their designate ensures support for displaced persons as may be required. This also ensures fire and life safety systems are maintained and operating as they are intended.

Similar By-Laws for Fire Safety Boxes have been implemented in the Cities of London, Niagara Falls, Toronto, Guelph and Mississauga, although the City of Waterloo is unique in charging a standby fee for fire services when the designated person does not attend the site within 45 minutes. The reasoning behind the fee is to prevent fire crews being tied up unnecessarily leading to an inability to respond to other emergencies and to prevent idling trucks (especially in the winter as water tanks and pumps can freeze).

The General Administrative Penalty By-law applies where a person fails to comply with a work order or order to discontinue activity with a set penalty amount of \$400 and \$800 for second and subsequent contraventions. Failure to comply with the By-Law would be an offense which, upon conviction, holds a fine up to \$5,000.00.

BY-LAW CONTENTS

The By-law contains the following provisions:

1. The owner of a Residential Occupancy and/or an Industrial Occupancy that require a fire safety plan shall install and maintain a Fire Safety Box, in which contact information for the owner or a designated person is included and a Lock Box for the keys to any service room and/or main entrance as applicable.
2. The Fire Safety Box and Lock Box shall be surface mounted within 3 metres of the main entrance between 1.5 and 1.8 metres above the ground.
3. An existing lock box for service room/entrance keys may continue to be used.
4. The Chief Fire Official may approve alternate locations for Fire Safety Box and Lock Box.
5. In the event of a fire alarm, the owner of the premises or their agent must attend at the premises within 45 minutes of the fire alarm becoming engaged. Failure to do so will entitle Waterloo Fire Services to monitor the property and charge a cost-recovery stand-by fee as defined by the Fees and Charges By-Law.
6. No person, other than an officer or member of the Fire Department acting in the course of their duties or the Owner of the premises or their authorized agent, shall interfere with Fire Safety Boxes or Lock Boxes or otherwise open them except for the purposes to updating the fire safety plan components or keys for service rooms/main entrance.
7. The City may enter upon the premises to conduct inspections for the purposes of ensuring that this By-Law and/or any order made thereunder are complied with.
8. The City may issue a Work Order or Order to Discontinue Activity in the event that a contravention of the By-Law has occurred.
9. Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the General Administrative Penalty By-law, be liable to pay an administrative penalty and any administrative fees.
10. Failure to comply with any of the provisions of the By-Law or with any order made thereunder shall constitute an offence, and any person convicted of such an offence shall be liable to pay a maximum fine of \$5,000.

IMPLEMENTATION

To enable building owners to comply to the By-Law by installing a Fire Safety Box and Lock Box, a six month procedural grace period from the day of enactment of the By-Law is included in the By-Law.



THE CORPORATION OF THE CITY OF WATERLOO

BY-LAW NO. 2024 –

BY-LAW TO REGULATE THE INSTALLATION AND MAINTENANCE OF FIRE SAFETY BOXES

WHEREAS clause 11(2) 8. of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Municipal Act*"), provides that a municipality has the authority to enact by-laws to protect the safety of persons and property;

AND WHEREAS subsection 8(1) of the *Municipal Act* provides that the powers of a municipality under the *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 clause 7.1(1)(a) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended (the "*Fire Protection and Prevention Act*"), provides that a municipality may pass a by-law regulating fire prevention, including the prevention and spreading of fires;

AND WHEREAS Ontario Regulation 213/07: Fire Code, made pursuant to Part IV of the *Fire Protection and Prevention Act* (the "Fire Code"), sets out requirements for the preparation, approval and implementation of fire safety plans;

AND WHEREAS pursuant to the Fire Code, fire safety plans are to be kept in a location approved by the Chief Fire Official;

AND WHEREAS this By-law shall not fetter the discretion of the Chief Fire Official with respect to approved locations of fire safety plans;

AND WHEREAS subsection 7.1(4) of the *Fire Protection and Prevention Act* provides that a municipality may appoint an officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by-laws enacted in accordance with section 7.1 have been complied with;

AND WHEREAS subsection 6(3) of the *Fire Protection and Prevention Act* provides that a fire chief is the person who is ultimately responsible to the council of a municipality that appointed them for the delivery of fire protection services;

AND WHEREAS Part XIV of the *Municipal Act* applies with necessary modifications to by-laws passed by the council of a municipality under any other general or special Act except as otherwise provided in that Act;

AND WHEREAS section 391 of the *Municipal Act* establishes that a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS section 425 of the *Municipal Act* establishes that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS it is the opinion of the Council for the Corporation of the City of Waterloo that the health and safety of persons and property within the City of Waterloo would be enhanced by the mandatory installation of fire safety boxes;

THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WATERLOO ENACTS AS FOLLOWS:

INTERPRETATION

1. For the purposes of this By-law,

“Chief Fire Official” has the same meaning as in the Fire Code, O. Reg 213/07 (the “*Fire Code*”);

“Designated Provision” means any section of this By-law designated in accordance with section 38 of this By-Law;

“Existing Lock Box” means a cabinet or box used for the storage of keys to service rooms and/or main entrance as applicable that was in place prior to the date on which this By-law comes into force and effect;

“Fees and Charges By-law” means the City’s by-law with that title, being by-law no. 2022 - 084, as amended or replaced from time to time.

“Fire Chief” means the Fire Chief appointed by the Council of the City under the *Fire Protection and Prevention Act* for the Fire Department of the City and includes, in the absence of the Fire Chief, a Deputy Fire Chief or their relevant designate;

“Fire Department” means the Fire Services Division of the City and includes its officers and members;

“Fire Protection Services” has the same meaning as in the *Fire Protection and Prevention Act*;

“Fire Safety Box” means a metal cabinet that is locked with a padlock for the storage of the items identified in section 11 of this By-law;

“Fire Safety Plan” means a fire safety plan as described in the Fire Code;

“General Administrative Penalty By-law” means the General Administrative Penalty By-law of the City, as amended from time to time, or any successor thereof;

“Industrial Occupancy” shall have the same meaning as set out in the *Fire Code*;

“Lock Box” means the fire department approved metal cabinet or box that is locked with a padlock for the storage of keys to service rooms/main entrance;

“Municipal Law Enforcement Officer” means a person appointed by the Corporation of the City of Waterloo as a Municipal Law Enforcement Officer pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended;

“Owner” shall have the same meaning as set out in the regulations made under the *Fire Code*;

“Padlock” means a padlock that is non-reinforced and is capable of being cut by a bolt cutter;

“Residential Occupancy” shall have the same meaning as set out in the *Fire Code*; and,

“Service room” means a room in a building used to contain equipment associated with building services.

2. In this By-law, a reference to any Act, regulation or by-law is to that Act, regulation or by-law as amended or re-enacted from time to time.

ADMINISTRATION OF BY-LAW

3. The Fire Chief shall be responsible for the administration of this By-law.

4. The Fire Chief, the Chief Fire Official and any person employed by the City as a fire prevention officer in the Fire Department are appointed as officers for the purposes of entering upon the premises to which this by-law applies at any reasonable time to inspect the premises to determine whether this By-law has been complied with.
5. A Municipal Law Enforcement Officer is also appointed as an officer for the purposes of exercising the power given under section 4.

REQUIREMENTS AND PROHIBITIONS

6. Every person who is required under section 2.8 of the *Fire Code* to prepare and implement a Fire Safety Plan approved by the Chief Fire Official in a Residential Occupancy and/or an Industrial Occupancy shall also install and maintain on their premises one of the following:
 - a) a Fire Safety Box and a Fire Department approved Lock Box; or
 - b) a Fire Safety Box and an Existing Lock Box.
7. Every person to whom section 6 applies shall ensure that the Fire Safety Box, Lock Box, and/or Existing Lock Box, as required, comply with the following requirements:
 - a) Every Fire Safety Box required under this By-law shall be:
 - i) surface mounted within three metres of the main entrance of the premises at a height between 1.5 and 1.8 metres above the floor;
 - ii) securely mounted to an interior wall of the premises; and
 - iii) of sufficient size to hold all the contents prescribed for a Fire Safety Box by this By-law, including an unfolded Fire Safety Plan.
 - b) Every Lock Box required under this By-law shall be:
 - i) surface mounted within three metres of the main entrance of the premises at a height between 1.5 and 1.8 metres above the floor; and,
 - ii) securely mounted to an exterior wall of the premises.

c) Every Lock Box and Existing Lock Box under this By-law shall be:

- iii) of sufficient size to hold the keys to service rooms and/or main entrance as applicable as required by section 13 of this By-Law.

8. Notwithstanding subsections 7(a) and 7(b), the Fire Safety Box and/or Lock Box may be located in a place on the premises other than within three metres of the main entrance, but only with the prior written approval of the Chief Fire Official.
9. Where the prior written approval of the Chief Fire Official as referred to in section 8 is provided, the Fire Safety Box and/or Lock Box shall be located in the place so approved.
10. An Existing Lock Box is not required to meet the requirements of subsections 7(a) and 7(b). However, should an existing Lock Box not meet the location requirements under section 7(a) and 7(b), a written notice clearly identifying the location of the existing Lock Box shall be posted within three metres of the main entrance of the premises at a height between 1.5 and 1.8 metres above the floor.
11. Every Fire Safety Box required under this By-law shall at all times contain:
 - a) a copy of the site plan, building schematics and list of building specific hazards from the approved Fire Safety Plan;
 - b) an unlocked replacement padlock capable of locking the Fire Safety Box and Lock Box where applicable;
 - c) up-to-date contact information for the Owner of the premises or the Owner's authorized agent at which the Owner or the Owner's authorized agent may be reached in the event that the premises' fire alarm is engaged.
12. Every Lock Box or Existing Lock Box required under this By-law shall at all times contain the keys required by section 13.

SERVICE ROOMS AND MAIN ENTRANCE

13. Every person who is the Owner of a premises that has Service Rooms and/or a locked main entrance and to whom section 6 of this By-Law applies shall supply to the Fire Department a full working set of keys to open the Service Rooms and/or main entrance, and for this purpose shall place the keys in the Lock Box or the Existing Lock Box required under this by-law, as the case may be.

14. The keys referred to in section 13 of this By-Law shall at all times be equipped with metal or plastic tags that contain completed up-to-date information clearly identifying the Service Rooms and doors that the keys open.
15. No person, other than an officer or member of the Fire Department acting in the course of their duties, or the Owner of the premises or their authorized agent, for the purposes of updating identification information or replacing defective keys, shall remove the keys from the Lock Box or the Existing Lock box, as the case may be, or remove or change the identification for the keys.
16. When updating identification information or replacing defective keys, the Owner of the premises or their authorized agent shall act promptly so as to ensure that at all times the Fire Department has immediately available to it a full working set of keys with complete, up-to-date identification information.

LOCKED BOX

17. The Fire Safety Box, Lock Box and Existing Lock Box shall be locked at all times,
 - (a) except where the Fire Department requires access; or
 - (b) except for the purposes of having their contents updated.
18. The Owner or their authorized agent shall at all times be responsible for the ongoing maintenance and repair of the Fire Safety Box, Lock Box, and/or Existing Lock Box, including all contents therein.

OWNER RESPONSE TO FIRE ALARMS

19. The Owner of any premises to which this By-law applies or authorized agent, if the contact information of an authorized agent is included in the Fire Safety Box in accordance with subsection 11(c), shall attend at the premises within 45 minutes of the fire alarm for the premises becoming engaged;
20. In the event that the Owner of any premises to which this By-law applies or the Owner's authorized agent does not attend at the premises within 45 minutes of the fire alarm for the premises becoming engaged, the Fire Department may monitor

the property and may charge a stand-by fee as prescribed by the Fees and Charges By-Law, as amended or replaced from time to time.

INTERFERENCE WITH INSTALLATION OR ENFORCEMENT

21. No Owner of any premises to which this By-law applies shall refuse to allow, or shall prevent or interfere with, the installation and maintenance of a Fire Safety Box, Lock Box or Existing Lock Box required by this By-law.
22. No person shall hinder, obstruct or interfere with a person duly appointed to enforce this By-law in the exercise of their powers and duties.

ENFORCEMENT

23. The Fire Department shall, at all times, be permitted to have access, and shall have access, to any Fire Safety Box, Lock Box and Existing Lock Box required under this By-law, including the contents prescribed in this By-law and for these purposes may use any means available to obtain access to or open the Fire Safety Box, Lock Box or Existing Lock Box.
24. An officer appointed pursuant to section 4 or 5 of this By-law may, upon producing proper identification, enter upon any premises at any reasonable time without a warrant for the purposes of inspecting the property to determine:
 - (a) whether this By-law has been complied with; or
 - (b) whether an order made under this By-law has been complied with.
25. For the purposes of an inspection, an officer appointed pursuant to section 4 or 5 of this By-law may:
 - (a) require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the Fire Safety Box, Lock Box or Existing Lockbox, or their prescribed contents;
 - (b) inspect and remove documents or things relevant to the Fire Safety Box, Lock Box or Existing Lockbox, or their prescribed contents for the purposes of making copies or extracts;

- (c) require information from any person concerning a matter related to the Fire Safety Box, Lock Box or Existing Lockbox, or their prescribed contents;
 - (d) be accompanied by a person who has special or expert knowledge in relation to the Fire Safety Box, Lock Box or Existing Lockbox, or their prescribed contents;
 - (e) alone or in conjunction with a person who has special or expert knowledge, make examinations or take photographs necessary for the purposes of the inspection; and
26. The City may charge the Owner of the premises a fee or charge pursuant to the City's Fees and Charges By-law to conduct an inspection, including increased fees for multiple inspections.

WORK ORDER

27. Where an officer appointed pursuant to section 4 or 5 of this By-law is satisfied that a contravention of this By-law has occurred, the officer may make an order requiring the person who caused or permitted the contravention or the Owner of the premises to do work to correct the contravention.
28. An order under section 27 shall set out:
- (a) the reasonable particulars of the contravention adequate to identify the contravention and the location of the premises on which the contravention occurred or is occurring; and
 - (b) the work to be done and the date by which the work must be completed.
29. An order under section 27 may require work to be done even though the facts which constitute the contravention were present before this By-law came into force.
30. Any person who fails to comply with an order issued under section 27 is guilty of an offence.

ORDER TO DISCONTINUE ACTIVITY

31. Where an officer appointed pursuant to section 4 or 5 of this By-law is satisfied that a contravention of this By-law has occurred, the officer may make an order requiring the person who caused or permitted the contravention or the Owner of the premises to discontinue the contravening activity.
32. An order under section 31 shall set out:
 - (a) the reasonable particulars of the contravention adequate to identify the contravention and the location of the premises on which the contravention occurred or is occurring; and
 - (b) the work to be done and the date by which there must be compliance with the order.
33. Any person who fails to comply with an order issued under section 31 is guilty of an offence.

REMEDIAL ACTION

34. If a person is ordered to do work under section 27 of this By-law and that person defaults in complying with that order, the City may take steps to remediate the contravention, and any damages caused by the contravention, at the expense of the person directed or required to do the work by the order.
35. The City may recover the costs of doing any remedial work from the person directed or required to do the work by either action or by adding the costs to the tax roll of that person and collecting them in a like manner as property taxes.
36. The costs outlined in section 35 shall include interest calculated at a rate of fifteen (15) per cent per annum, calculated for the period commencing on the first day the City incurs the costs and ending on the day the costs, including the interest, are either paid in full or added to the tax roll.

OFFENCE AND PENALTY

37. Any person who contravenes any provision of this By-law, or who fails to comply with an order made under sections 27 or 31 of this By-law, is guilty of an offence

and upon conviction is liable to a fine not exceeding of Five Thousand Dollars (\$5,000.00).

38. Sections 30 and 33 of this By-law are hereby designated as parts of this By-law to which the General Administrative Penalty By-law applies.
39. Any person who contravenes any Designated Provision of this By-law shall, upon issuance of a penalty notice in accordance with the General Administrative Penalty By-law, be liable to pay an administrative penalty and any administrative fees.

GENERAL

40. If any section or sections of this By-law or parts thereof are found in any court or tribunal of competent jurisdiction to be illegal or beyond the power of the Council to enact, such section or sections shall be deemed severed from the balance of the By-law, which shall continue to operate in full force.
41. Nothing in this By-law relieves a person from complying with any provision of any federal or provincial law or regulation, other by-law, or any requirement of any lawful permit or licence.

SHORT TITLE

42. This By-law may be cited as the "Fire Safety Box By-law".

COMING INTO FORCE

43. This By-law shall come into force and effect six (6) months after the date of passing.

Enacted this _____ day of _____, 2024.

D. McCabe, Mayor

J. Finley-Swaren, City Clerk



THE CORPORATION OF THE CITY OF WATERLOO

BY-LAW NO. 2024 –

BY-LAW TO AMEND CITY OF WATERLOO BY-LAW #2023 - 038 TO PROVIDE FOR THE UPDATE OF MONETARY PENALTIES AND ADMINISTRATIVE FEES SCHEDULE

WHEREAS the City of Waterloo has By-law #2023 - 038 being a By-law to provide for a system of administrative penalties and administrative fees for certain designated City by-laws in the City of Waterloo;

AND WHEREAS the Council for the City of Waterloo considers it desirable and necessary to amend By-law #2023 – 038 to provide for updates to certain short form wordings of designated By-laws in Schedule A of the By-law;

THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WATERLOO ENACTS AS FOLLOWS:

1. Schedule A of By-law 2023 - 038 , as amended, is hereby amended by adding the following chart to said schedule:

FIRE SAFETY BOX BY-LAW NO. 2024-***, AS AMENDED				
COLUMN 1 ITEM	COLUMN 2 DESIGNATED PROVISION	COLUMN 3 SHORT FORM WORDING	COLUMN 4 SET PENALTY AMOUNT	COLUMN 5 PENALTY AMOUNT FOR SECOND AND SUBSEQUENT CONTRAVENTIONS
1.	30	Fail to comply with a Work Order	\$400.00	\$800.00
2.	33	Fail to comply with an Order to Discontinue	\$400.00	\$800.00

Enacted this _ day of _____, 2024.

D. McCabe, Mayor

J. Finley-Swaren, City Clerk



**DESIGN
PLAN
SERVICES**
TOWN
PLANNING
CONSULTANTS

Planning and Development Services
City of Waterloo
100 Regina Street S
Waterloo ON
N2J 4A8

August 30, 2024

DPS File: 24150

**RE: Official Plan Review Public Meeting, OPA No. 58
 Comments on Draft Updated City of Waterloo Official Plan – June 2024
 321 Weber Street North, City of Waterloo
 Regional Municipality of Waterloo
 Social Titan Labs Inc.**

We are writing this letter on behalf of our client, Social Titan Labs Inc., who is the property owner of 321 Weber Street North, City of Waterloo (“Subject Property”). This letter constitutes our formal submission of comments on the June 2024 Draft Updated City of Waterloo Official Plan released on the City’s website.

The Subject Property is located in the south-east portion of the Columbia district, within the City of Waterloo, in the Regional Municipality of Waterloo. It is more specifically located on the west side of Weber Street North, south of Columbia Street East, and north of University Avenue East. The Subject Property is currently occupied by a single-storey commercial building, home to a restaurant (Wild Wings), café (Games on Tap Board Game Café), and recreational facility (Bad Axe Throwing). The Subject Property is a total of 3010.1 m² (0.31 ha) in size and is generally rectangular in shape, with approximately 30.5 metres of frontage on Weber Street North. To the north of the Subject Property, there are predominantly single-storey commercial uses, including a used car dealership to the immediate north. The lands west of the Subject Property are largely made up of mid-rise residential uses, including student housing to accommodate the nearby post-secondary schools. To the south of the Subject Property there is a variety of commercial uses, consisting of one to two storey buildings. To the east of the Subject Property there are employment lands which include an industrial warehouse for furniture, the Waterloo Regional Police Services, and industrial warehouses for automotive parts.

Comments on Draft Updated City of Waterloo Official Plan – June 2024

The June 2024 draft Official Plan proposes to maintain the Subject Property's designation as "Corridor Commercial" as per Schedule A1 of the draft Official Plan (see Schedule "A" to this letter). The updated principles and vision of the draft Official Plan place emphasis on economic sustainability through the efficient use of land and providing opportunities for commercial and employment growth, as well as an increase in supply and diversity of housing. There is also emphasis placed on social sustainability, which draws on creating spaces to meet the needs of a growing and diversifying population. We respectfully submit that the proposed "Corridor Commercial" designation of the Subject Property and surrounding lands, does not serve to effectively meet the principles, vision, and policies of the draft Official Plan. The surrounding lands we refer to are west of Weber Street North, east of Regina Street North, south of Columbia Street East, and north of University Avenue East. The Subject Property and surrounding lands are hereafter referred to as the "Subject Lands". The designation immediately north and west of the Subject Lands has changed from "Corridor Commercial" in the current Official Plan to "Mixed-Use Community" in the draft Official Plan. We believe the change in designation to "Mixed-Use Community" should continue south along the west side of Weber Street North to include the Subject Lands (see Schedule "B"). "Mixed-Use Community" would be the most appropriate designation for the Subject Lands to meet the principles, vision, and policies of the draft Official Plan by accommodating a variety of uses, including commercial, retail, service, and residential spaces. This suggested change in designation of the Subject Lands is reinforced by proposed chapter 3, which emphasizes the need for intensification within the Built-Up Areas to efficiently use land and community infrastructure while limiting outward expansion. The planned function of "Corridor Commercial" as per proposed section 10.2.2.6 is to accommodate commercial uses that require vehicular accessibility, large format buildings, and catering to the travelling public. The planned function of "Mixed-Use Community" as per proposed section 10.2.2.3 is to accommodate a range of uses, including commercial, retail, services, and residential and they are designed to create complete communities with a strong commercial focus. Given the context of the surrounding area and the lands immediately adjacent to the west being designated high-rise residential and lands to the east being designated employment under the draft Official Plan, a "Mixed-Use Community" designation is well suited to serve the immediate and surrounding area of the Subject Lands. The "Corridor Commercial" designation may not be the most effective and appropriate use of the Subject Lands as the large format buildings, large surface parking lots, and catering to the travelling public are likely not necessary when a more complete community can be achieved by providing additional live/work opportunities within the area. Furthermore, changing the Subject Lands to a "Mixed-Use Community" designation is consistent with the Provincial Planning Statement 2024, by accommodating growth in complete communities through convenient access to a mix of jobs, services, and range of housing options.

We would note that the Province of Ontario recently released the Provincial Planning Statement 2024 ("PPS"), which will come into effect on October 20th, 2024. This Plan supports that all municipalities in the Province should be looking to encourage intensification throughout settlement areas and to achieve complete communities that can provide a variety of choices for living, working

and playing throughout an entire lifetime. The “Corridor Commercial” designation of the Subject Lands does not serve to implement the provincial policies and objectives that promote efficient development and a range and mix of housing options within settlement areas. Specifically, policies 2.1.6(a), 2.2.1(b)-(d), 2.3.1.1, 2.3.1.2(a)-(e), 2.3.1.3, 2.8.1.1(d), 2.9.1(a) of the PPS. These policies emphasize accommodating a range of housing options through intensification and redevelopment, particularly within settlement areas, and including underutilized commercial sites. They also encourage a mix of land uses to optimize land and resource use. Furthermore, the policies listed above in the PPS emphasize the achievement of complete communities, which feature a diverse mix of land uses, including residential and employment opportunities, as well as encouraging compact built form. This aligns with both provincial and municipal objectives to foster resilient communities that support live/work arrangements, as highlighted in Ontario’s Housing Affordability Task Force Report (released in 2022), which stresses the need for diverse housing options and increase of housing supply. A “Mixed-Use Community” designation of the Subject Lands is appropriate and contemplated by these policies.

The Region of Waterloo recently adopted Regional Official Plan Amendment 6, which contains a strong focus on intensification and 15-minute neighbourhoods. For these neighbourhoods to function, they need to be designed with a diverse mix of land uses and provide a full range of housing to accommodate a range of incomes and household sizes. They also require development densities with enough people living and working in the area to support a broad range of services. As per chapter 2 of the Regional Official Plan Amendment 6, 15-minute neighbourhoods provide a foundation to achieve reduced greenhouse gas emissions and air pollution by minimizing the need for automobile travel and reducing the need for long distance commuting. This is reinforced by section 4.2 of the Region’s Policy Direction Paper on Climate Change (released in January 2021), which emphasizes intensifying land uses along corridors to provide an opportunity to enhance the active transportation and transit network. The Region also released the Impact of Land-use Options on GHG Emissions Brief in 2022, which states that adding density and providing a more compact built environment can reduce energy needs, requires a lower cost to operate, and has fewer greenhouse gas emissions. These climate change directions are supported by policy 2.9.1(a) of the PPS, which states that planning authorities shall plan to reduce greenhouse gas emissions through an approach that supports compact, transit-supportive, and complete communities. The “Corridor Commercial” designation of the Subject Lands will likely not meet the Province or Region’s objective of supporting compact development patterns, mitigating the impacts of climate change, and providing opportunities for live/work as effectively as the “Mixed-Use Community” designation.

Additionally, in 2022 the government introduced the More Homes Built Faster Act to address the lack of housing supply. With this, the Province assigned the City of Waterloo with a housing target of 16,000 new units from 2022 to 2031. Designating the Subject Lands “Mixed-Use Community” will help facilitate the creation of new housing to meet the City’s housing target.

The proposed designation of the Subject Lands to “Mixed-Use Community” is further supported by the City of Waterloo’s Commercial and Employment Policy Study Review, which was prepared by urbanMetrics inc in September 2022, and emphasizes that mixed-use development, including commercial components, is crucial to meet the growing demand as the City expands. The Policy

Study Review also suggests that existing commercial corridors can be revitalized with the addition of residents and support from surrounding employees. Additionally, incorporating a variety of uses into these areas can attract a broader range of users and help mitigate economic risks. A key finding in section 6 of this Policy Study Review states “intensification of large retail properties with large surface parking areas represents an opportunity to reinvest in, diversify and make commercial centres more resilient”. Considering that there are many large surface parking areas within the Subject Lands, we see an opportunity to intensify and promote efficient development.

Next Steps

Accordingly, it is our respectful opinion that, it would be appropriate for the City of Waterloo to support the proposed land use designation of “Mixed-Use Community” for the Subject Property and Subject Lands, as shown on Schedule “B” of this correspondence. The proposed “Mixed-Use Community” designation of the Subject Lands for future intensification will allow a range and mix of housing types and to achieve complete communities and contribute to meeting the housing target by 2031 assigned to the City by the Province of Ontario.

We would appreciate the opportunity to continue discussions with City Personnel on the land use designation proposed for the Subject Lands and the Subject Property and respectfully request the City considers our request to advance a “Mixed-Use Community” designation.

Should you have any questions or concerns please do not hesitate to contact the undersigned.

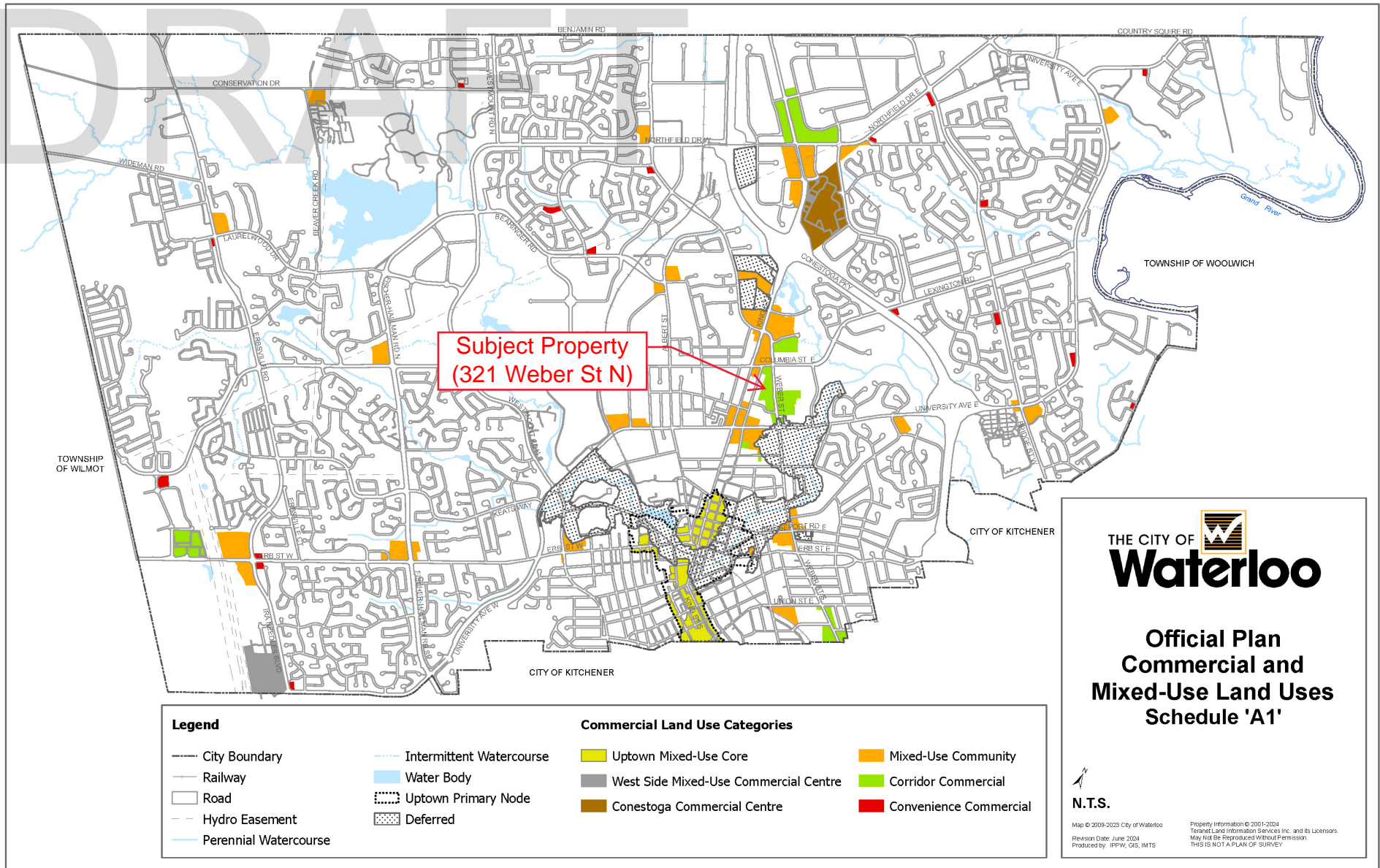
Sincerely,

Design Plan Services Inc.



Steven Qi, MA Planning, MCIP, RPP, PMP
Associate

Encl.
SQ/mm



Schedule A - Location of Subject Property on City of Waterloo Draft Official Plan Schedule 'A1'

Council Meeting

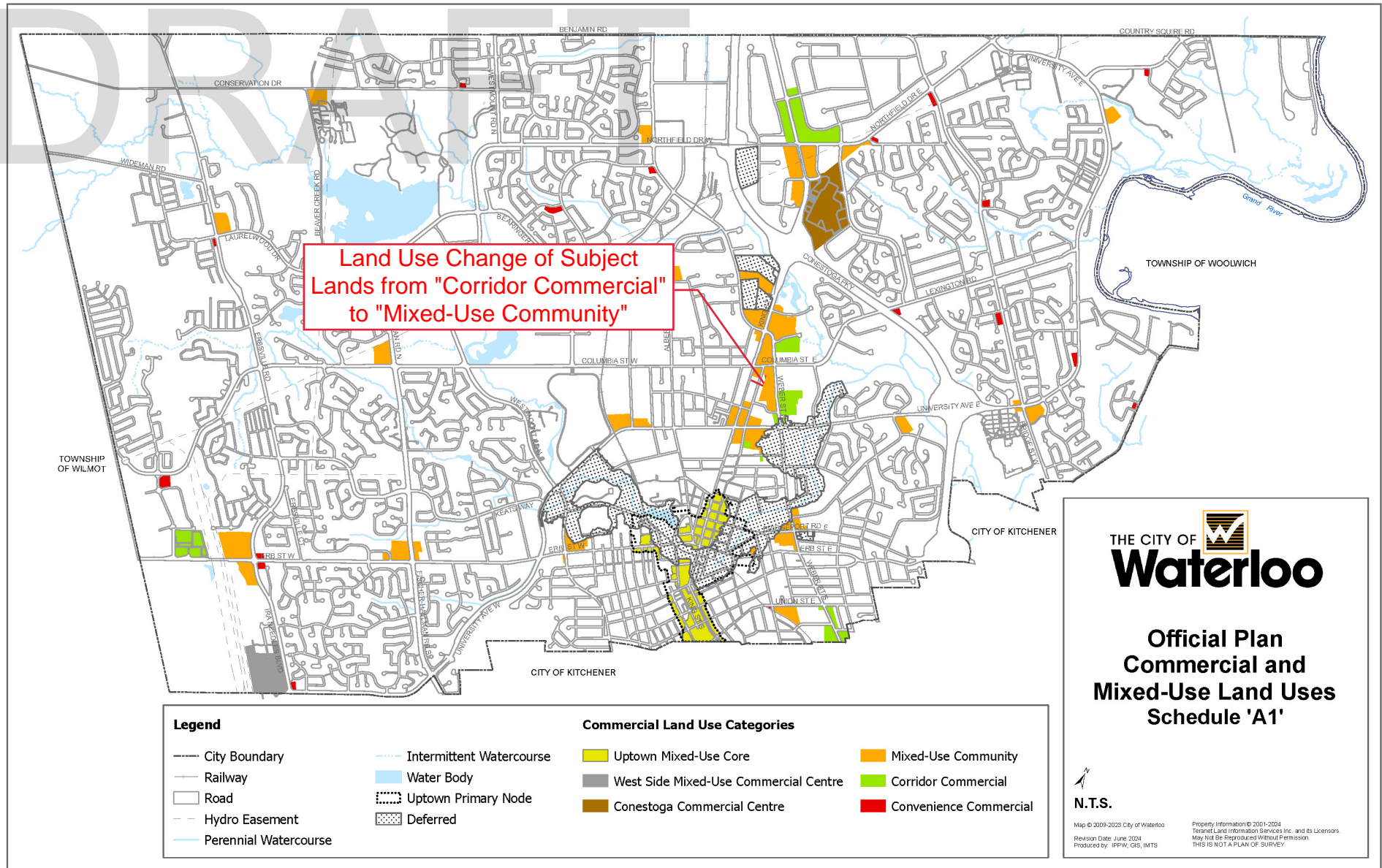
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Schedule B - Subject Lands - Land Use Change on City of Waterloo Draft Official Plan Schedule 'A1' Council Meeting Page 28 of 28

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