



STAFF REPORT
Planning

Title: Extension of the S·O·L·E·R (Support Our Local Economic Recovery) Initiative
Report Number: IPPW2022-044
Author: Joel Cotter
Meeting Type: Council Meeting
Council/Committee Date: June 27, 2022
File: Z-22-07
Attachments: Appendix A – Draft By-law
Ward No.: City Wide

Recommendations:

1. That Council approve report IPPW2022-044.
2. That Council support the extension of the S·O·L·E·R Initiative until December 31, 2023.
3. That Council approve the extension of Temporary Use Zoning By-law 2020-049 as amended, S·O·L·E·R Initiative, pursuant to Section 39 of the Planning Act, as set forth in IPPW2022-044.

4. That Council pass the following motion:

That the Province of Ontario continue to provide flexibility and support to businesses impacted by the COVID-19 pandemic by directing the AGCO Registrar to extend, pursuant to Section 153 of Regulation 746 made under the Liquor Licence and Control Act, 2019, the policy to allow for the temporary physical extension of premises (i.e., patios) until January 1, 2024, provided that the municipality supports the patio / patio expansion and all other applicable laws are met.

A. Report

The world-wide pandemic caused by Coronavirus (SARS-CoV-2) has negatively impacted many local businesses. Emergency orders closed many businesses, and restricted business operations in many sectors. These unprecedented measures were necessary to protect public health, well-being and safety. While emergency orders and most restrictions have been lifted, businesses continue to require support.

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In June 2020, Council launched the City's Support Our Local Economic Recovery (S·O·L·E·R) Initiative to support local businesses and artisans during the pandemic and to foster economic development. SOLER complements the City's Uptown Sidewalk Patio Program. However, it is not exclusive to patios. It is a flexible tool, establishing temporary land use planning permissions pursuant to Section 39 of the Planning Act, and is implemented through a nimble and versatile licencing program. More specifically, SOLER enables:

1. The temporary use of off-street parking areas, loading spaces and other spaces (including on-site open space areas) on non-municipal lands for any use permitted in the Zoning By-law applicable to the lands, subject to licence approval;
2. The temporary use of municipal lands for commercial purposes or cultural use, subject to licence approval;
3. The use of municipal lands for temporary signage to market and promote local businesses and artisans, subject to obtaining a permit.

The temporary use permissions were established by By-law 2020-049 (the "SOLER By-law"), as amended by By-laws 2020-083 and 2022-004, which expires on December 31, 2022, with the exception of light manufacturing, light assembly and light processing of personal protective equipment in the E1, E2, E2A and E2B zones which expires on November 1, 2023.

With the municipal election in the fall, it may be challenging to secure a council date in November / December to extend SOLER prior to its expiration. As such, staff is recommending that Council act now to extend all temporary use permissions set out in the SOLER By-law until December 31, 2023. The extension will further the City's support for local economic development / recovery. SOLER is a temporary initiative -- staff will re-evaluate SOLER in 2023, and report back to Council with recommendations on the initiative's future. In accordance with the SOLER By-law, Council will retain the ability to revoke the permissions set out therein, by by-law, prior to the expiry date.

In addition to extending SOLER, staff recommend that Council pass a motion requesting that the Province of Ontario continue to provide flexibility and support to businesses impacted by the COVID-19 pandemic by directing the AGCO Registrar to extend its policy to allow for the temporary physical extension of premises (i.e., patios) until January 1, 2024, provided that the municipality supports the patio / patio expansion and all other applicable laws are met.

B. Financial Implications

Operating costs will be incurred by the City of Waterloo to administer SOLER, which are unbudgeted. Divisions that contribute operating resources to SOLER include: Municipal

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Enforcement Services; Planning; Transportation Services; Building Standards; and Economic Development.

The Corporate Management Team (CMT) will monitor operating impacts on Divisions, including financial impacts, and will take appropriate action to lessen impacts while facilitating the success of SOLER.

C. Technology Implications

SOLER is implemented through an online licencing portal that requires continued support from staff in IMTS and Municipal Enforcement Services.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

Aligns with the City's 2019-2022 Strategic Plan, including the strategic goal and objective of fostering a robust and diversified economy.

E. Previous Reports on this Topic

CAO2020-008

CAO2020-015

CAO2021-023

IPPW2020-049

IPPW2020-077

IPPW2022-004

APPENDIX 'A'

DRAFT BY-LAW



THE CORPORATION OF THE CITY OF WATERLOO

BY-LAW NO. 2022 –

TEMPORARY USE ZONING BY-LAW CITY OF WATERLOO

SOLER Initiative Extension

WHEREAS:

1. By-law 2018-050 was passed by the Council of The Corporation of the City of Waterloo on September 10, 2018 and is in full force and effect.
2. Section 39 of the Planning Act R.S.O. 1990 c.P.23 (the “Act”) enables the council of a local municipality to pass a by-law under Section 34 of the Act to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited by the applicable Zoning By-law.
3. The Council of The Corporation of the City of Waterloo passed By-law 2020-049 pursuant to Section 39 of the Act to implement the City’s SOLER Initiative, as described in report IPPW2020-047.
4. The Council of The Corporation of the City of Waterloo passed By-law 2020-083 pursuant to Section 39 of the Act to extend and expand the City’s SOLER Initiative, as described in report IPPW2020-077.
5. The Council of The Corporation of the City of Waterloo passed By-law 2022-004 pursuant to Section 39 of the Act to extend the City’s SOLER Initiative, as described in report IPPW2022-004.
6. The Council of The Corporation of the City of Waterloo deems it desirable to further extend By-law 2020-049, as amended, as stated herein, and pass this temporary use zoning by-law pursuant to Section 39 of the Act.

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

1. Subsections 3(a) and 3(b) of By-law 2020-049 are hereby amended to read as follows:
 3. (a) Pursuant to subsections 39(2) and (3) of the Act, the temporary use zoning in Section 1 of this By-law shall be in effect until December 31, 2023.
 - (b) Pursuant to subsections 39(2) and (3) of the Act, the temporary use zoning in Section 1A of this By-law shall be in effect until December 31, 2023.
2. Section 4 of By-law 2020-049 is hereby amended to read as follows:
 4. Notwithstanding Clause 3, the temporary use zoning herein may be revoked prior to December 31, 2023 by by-law of The Corporation of the City of Waterloo in relation to one or more properties and/or uses.
3. This by-law shall come into force and effect on the date of its final passing thereof by the Council of the Corporation of the City of Waterloo, subject to the provisions of the Act.

Enacted this _____ day of _____, 2022.

D. Jaworsky, Mayor

J. Scott, City Clerk