

REGULAR COUNCIL MEETING
October 12, 2022
Approved Minutes

DATE: October 12, 2022
TIME: 4:30 p.m. – 7:14 p.m.
PLACE: Council Chambers

ATTENDANCE: Deputy Mayor Gary Clow; Councillors Derek Smith; Gail MacDonald; Darren MacDougall; Jill Burridge; Steve Gallant; Jeremy Crosby, CAO; Kevin Reynolds, Director of Planning; Kim O’Connell; Director of Finance; Jeremy Pierce, Deputy CAO and Director of Recreation, Culture, and Events; Jeannie Gallant, Director of Infrastructure; and Mary McAskill, Recording Clerk

REGRETS: Nil

GUESTS: Constable Matt Muirhead

CHAIR: Mayor Steve Ogden

1. CALL TO ORDER

Mayor Steve Ogden called the Regular Monthly Council Meeting to order at 4:30 p.m. and welcomed those who were viewing via social media.

Mayor Ogden took a moment to acknowledge the land upon which we gather is the unceded territory of the Mi’Kmaq people, and we pay our respects to the Indigenous Mi’Kmaq people of this territory past, present, and future.

2. DECLARATIONS OF CONFLICT OF INTEREST

No declarations were made.

3. APPROVAL OF THE AGENDA

It was moved by Councillor Derek Smith and seconded by Deputy Mayor Clow that the agenda be approved as circulated.

4. ADOPTION OF THE MINUTES

It was moved by Deputy Mayor Clow and seconded by Councillor Derek Smith that the Regular Council Minutes of September 14, 2022, be approved as circulated. Motion Carried.

5. BUSINESS ARISING FROM THE MINUTES

Nil

6. PRESENTATIONS FROM THE FLOOR

Nil

7. MAYOR'S REPORT

The report was included in the agenda package for Council to review. Mayor Ogden reviewed his report as follows:

- A very difficult past couple of weeks because of the Hurricane and much sadness at the loss of Cece Aylward, wife of MLA James Aylward – our deepest condolences to the family
- Our deepest condolences also to Carter Livingstone who recently lost his grandfather
- Chaired the regular monthly meeting of the Committee of the Whole. The meeting was focused on providing emergency help to residents suffering as a result of Hurricane Fiona
- Had the honour of being invited by the Hindu Association of PEI to attend a ceremony to celebrate Navaratri
- Attended the regular monthly meetings of the Finance and Planning Committees
- Along with several Councillors and staff – participated in the PEI Municipal Climate Action Workshop
- Together with several Councillors, staff, and volunteers served residents at the Town Centre which opened the afternoon of September 24 to provide shelter, coffee, food, and shower facilities as part of our response to the crisis caused by Hurricane Fiona. The facility was open each day following the hurricane, and continues to be available for those still without power
- Attended an event to recognize Stratford's support for the 2023 Canada Winter Games
- Had the honour of attending the Provincial Memorial Service for Queen Elizabeth II
- Chaired a special meeting to discuss future plans for the Switch Program
- Attended internal meetings and looked after the day to day affairs of the Town.

8. CHIEF ADMINISTRATIVE OFFICER (CAO) REPORT

Report was included in the agenda package. The CAO gave an overview of his report as follows:

The CAO noted that he put out a call for staff to work following the hurricane even though the provincial offices were closed, and every staff member showed up. The Stratford and Area Watershed Improvement Group (SAWIG) and Council also helped. The CAO thanked the utility staff for their hard work keeping the pumping stations working.

Councillor Burridge asked if it would be a good idea to have backup power for our pumping stations and the CAO replied that it might not be feasible to put them at every station but at the larger stations it would absolutely be a great idea.

The CAO noted that we were in contact with the provincial EMO on a daily basis. Mayor Ogden noted that everything worked out very well and a good effort was put forward by everyone.

- Conducted interviews for the project manager position
- Met with Council and residents of the Rosebank Road to discuss permanent speed humps
- Attended a meeting regarding the future needs of Vue Works and what is needed for upgrades to our system
- Attended a special meeting to discuss the Switch Program options
- Attended an asset management meeting
- Attended the housing supply challenge working group meeting
- Met with department heads regarding the placement of a memorial in the Town
- Met with a transit bus manufacturer (Latenda) interested in placing a bid for our upcoming RFP for electric busses
- Attended the Federation of Prince Edward Island Municipalities (FPEIM) Municipal Climate Action Plan Conference
- Hurricane Fiona emergency planning meeting with members of our Emergency Operations Centre (EOC) in preparation for the storm and its aftermath
- September 26 through September 30 – response to Hurricane Fiona included the opening of the reception centre and mobilizing staff and resources for residents' assistance and cleanup. Maintained daily communications with provincial EMO and Municipal Affairs regarding the status of the reception centre and damage throughout the Town. I want to thank all the staff, the Stratford and Area Watershed Improvement Group (SAWIG), volunteers, and the Mayor and Council who helped prepare and operate the reception centre post Fiona. In the initial days after the storm, we had between 1500 to 2000 residents through the centre for device charging, hot coffee, tea, water, snacks, and some hot meals. It was a real team effort that took a lot of challenging work and coordination. I want to give a special thank you to the utility staff who worked day and night to keep our sewer pump stations powered to minimize sewer backups into homes and businesses.

In addition to the above, continued to work on the Organizational Review RFP as time allowed, updated the Stratford Switch Program file, reviewed infrastructure projects and timelines, spent considerable time on the Housing Demand Study file, and dealt with various staff HR-related issues. Also attended to other Town and Utility related business as required.

Councillor Smith— *before I start my reports tonight, I thought a brief report on the Fiona storm would be in order for the people of Stratford.*

Observations

- 1. The Town emergency plan was put into place and seemed to have worked well.*
- 2. A review will take place to see if any improvement should be added to the plan.*

Town Staff and Council

- 1. The Town staff worked very hard and well as a team to keep the Town on a solid footing during and after the storm for a number of days. I believe that this is due to the dedication of the staff, the direction of the managers, and the leadership of our CAO. For this you have my many thanks for a job well done.*
- 2. The Town Council also worked well together. This is due in large part to the direction given to us through our CAO.*

Businesses

I will note that Stratford businesses performed very well in providing for the needs of the people of Stratford. I would like to point out two businesses that were a driving force in this.

- 1. Stratford Petro Can - this business had a power source for their gas pumps so that gasoline could be obtained for the running of generators and vehicles. Petro Can employees ensured that the obtaining of gas was done in an orderly fashion.*
- 2. Mike and Andreea's No Frills - this business had the foresight to provide, free of charge, a number of food stuffs to the Town Hall so that food could be given to the large number of people who came to the Town Hall for services.*

Service Clubs

There were quite a few service clubs that gave support to all of PEI. I would like to point out one organization – the Lions Club of PEI, and especially the Stratford Lions Club, who upon hearing the need for food stepped forward with a large number of pies. Well done Lions – well done and thank you.

Emergency Services – Our own Emergency Services

I would like to say thank you to the RCMP, transit, and the Humane Society for their ongoing help during this time.

Fire Department

Once again when we knew the storm was going to hit PEI, the Cross Roads Fire Department put an action plan in place. They had the department ready to go before the impact of the storm. This meant that the station was staffed with its members before, during, and after the

storm for a lengthy period of time. This meant that the members left their own homes and families to help the Town. For this I salute you and thank you.

Volunteers

Last, but not at all the least, I strongly feel that one major reason for our Town doing well through all of this was because of its citizens. There are many people to thank individually, but here are some:

- 1. To the children of the Town staff who helped out.*
- 2. The outstanding service of the Stratford youth group. This group, under the director of Duane Pineau, answered the call and came and helped at the Town Hall emergency shelter. They were here every day and carried out a large number of duties with a smile on their faces. They also brought along some of their friends and their families to help. When we had too many helpers for the jobs, these youth went out into their own neighbourhoods and helped in things like cleaning up yards, just making friendly conversations, or maybe just giving a hug.*
- 3. To the neighbours helping neighbours – clearing trees, providing food, and helping in whatever way they could for each other. Thank you.*

My observation in all of this is that in the aftermath of our worst hurricane, the Town of Stratford is ready for its future growth – not because of its location or services, but because of the people who live here and their strong loyalty to our Town. To all, please except my admiration to all of you in this time of hardship. Thank you.

9. SAFETY SERVICES

- a)** The report was included in the agenda package for Council to review. Councillor Smith noted that the fire company held a recruitment drive in September and received 29 applications. They will now fill the open positions from those applications.

Deputy Mayor Clow stated that it is alarming to hear that there were 40 false alarm calls and he asked if there was a plan in place to look at a way to deter the false alarms. Councillor Smith replied that he has requested that the new part-time employee start looking into the false alarms. He noted that if there is a false alarm at a house, we answer the call. However, if there are three false alarms at the same house – this is something that should be looked into. Deputy Mayor Clow felt that it should be investigated, and we should try to come up with a solution or policy because it costs a lot of money each time the fire department responds to a false alarm. Councillor Smith stated that the companies that install the systems sometimes do not service them and that could be part of the problem.

b) Street Light

No Report

c) RCMP

Councillor Smith asked Constable Muirhead to introduce himself. Constable Matt Muirhead noted that he is a constable with the Stratford RCMP Detachment and has been here with his family since the beginning of Covid. Before coming to PEI, he noted that he worked as an RCMP officer in New Brunswick for six years and is originally from Montreal.

Councillor Smith reviewed the report for the month of September as follows:

Traffic Occurrences:

- 13 motor vehicle accidents in September and they all seem to be related to the construction taking place on the Trans Canada Highway
- 3 impaired operations
- 2 Off Road Vehicle Act
- 4 check stops
- 44 tickets issued for the month
- 4 warning tickets issued

Index Checks:

There were 80 index checks completed during the month of September

False Alarms:

The Stratford RCMP responded to 24 false alarms calls in September

Wellbeing Checks:

There were 10 wellbeing checks during the month of September

Constable Muirhead noted that he worked during the storm, and he sent his family to Cornwall to his parent's house. He explained that he lived in Johnston's River, and he stayed at home because he had to work the following day. However, because of the trees that came down he had to wait to get out. Constable Muirhead stated that it was great to see the people in the community coming together to cut down the trees, so people were able to get around.

d) Humane Society Report

The report for the month of September was included in the agenda package.

e) Transit

The report for the month of September was included in the agenda package. Councillor Smith noted that there were 206 riders per day, and this does not include the hurricane, and it's great to see these numbers.

f) Cross Roads Fire Department

The report for the month of September and the fire chief's report was included in the agenda package.

Fire chief Kevin Reynolds noted that there was a storm duty crew of 12 who stayed at the fire hall for approximately 24 hours before they were able to safely make their way home and respond to additional calls following the hurricane. There were a number of calls that came in over a period of time during the actual storm and there were more than 50 calls since the storm occurred, and all but two or three were storm related. Kevin took a moment to thank the Town for building the Emergency Services building as they did, because it had full power for the members who were there, and it highlights how important that is when there is an event like this.

Members who had no power started to prepare some meals and it was great to see everyone coming together. Once people got their power they started to share their generators.

Kevin noted that we did respond to some carbon monoxide calls, and some were false alarms, but there was one that had actual readings in the house – there was a permanent generator mounted outside and there was an issue with the screening on it and it got into the intake of the house. The members were all checked out by EMS as well as the residents of the home. Kevin noted that there was a lot of press around the use of generators and the Fire Marshall's Office was making sure people understood how to use them, but he couldn't say for sure if everyone adhered to the proper procedures.

10. RECREATION, CULTURE AND EVENTS

a) Report

The report was included in the agenda package. Councillor Gallant gave an overview of his report as follows:

Hurricane Fiona – thank you to everyone who has contributed to the community cleanup in the aftermath of Hurricane Fiona that had significantly damaged homes, businesses, facilities, parks, trails, and shorelines.

The Town was able to lend a helping hand by providing the Town Centre as a reception centre starting Saturday, September 24 and running right through to Friday, October 7. Thank you to all who helped as residents and guests needed a facility that provided showers, snacks, coffee, charging stations, and some warmth with the mass power outage.

Councillor Gallant took a moment to thank Ray and Jeff Murphy who stepped up and provided hot meals for seniors.

The Town experienced considerable tree and trail damage at Cotton Park and Fullerton's Creek Conservation Park while also seeing damage to trees in many neighbourhood parks. Nevertheless, the Town is committed to restoring parks, trails, and facilities.

Arts and Culture – Adult and youth art programs were slated to begin at the beginning of October but were delayed due to the hurricane and the resulting cleanup process but opened on October 12, 2022.

Events – Unfortunately, for the third consecutive year Fall Fest needed to be cancelled due to the pending Hurricane. The months of planning for the much anticipated event will now be utilized for next year.

Programs – Fall program registration is now open with all adult programming beginning on Monday, September 12 and the Skills & Drills program will start on October 15.

Fitness Area & Gymnasium – The Town Centre fitness area has experienced a surge in daily attendance, and this has become standard for the fall as residents look for indoor opportunities to reach their personal fitness goals. The facility saw an average of 192 people in September and that number should continue to rise throughout the fall and winter.

It has been great to see the return of regular programming and other events being staged once again in the gym. Red Rock Wrestling hosted their first Stratford show on Friday, October 7, 2022. It was the first time they have been able to host an event since May of 2019. On October 8, the PEI Reptile/Pet Expo held their exposition in the gymnasium.

Stratford Youth Centre and Council - The Youth Centre closed from September 26 through to October 2, 2022, due to the Hurricane Fiona recovery. The centre reopened on Monday, October 3 once it was deemed safe to have groups gather at the Robert Cotton facility. Youth centre members volunteered at the Town Centre reception warming area. In addition, they were encouraged to help their neighbours with property cleanup and approximately a dozen youth responded by helping others in the community on their own time.

Sport Fields – All fields are currently closed for maintenance as the recreation infrastructure staff continues to focus on Hurricane Fiona cleanup of Town properties,

active transportation corridors, trails, and parks. Lower MacNeill was the lone exception, as it was prepared for the Stratford U22 to finish their season.

Elections PEI – Elections PEI will be setting up office in the Keppoch/Kinlock room as of October 11 through to November 10 for the municipal elections. The following voting days are booked in the gymnasium:

- October 29, 2022
- October 31, 2022
- November 4, 2022
- November 7, 2022

11. FINANCE AND TECHNOLOGY

a) The report was included in the agenda package for Council to review. Councillor MacDonald gave a brief review of her report as follows:

- The tourism levy will be coming forward for first reading. It will then be sent out to residents for consultation
- Quarterly governance meeting with Switch representatives was held
- Working on the long term forecast and staff will be consulting with other directors from each department to review the forecast
- Virtual meetings to work on Sustainable Procurement Policy with Reeve Consulting were held
- Attended the climate change adaptation session that was held at the Delta
- Staff helped work in the Town's reception centre following Hurricane Fiona
- We are currently gathering consumption data on our utility customers based on dwelling type
- Staff attended the AIM Conference that was held in September
- Utility bills have been processed and e-bills have been sent out
- Staff is quite busy due to a temporary staff shortage within the department.

b) Financial Statements

Included in the agenda package for Council to review. Councillor MacDonald briefly reviewed the statements.

c) Resolution FT009-2022 Tourism Accommodation Levy Bylaw – Bylaw #54 – 1st Reading

Moved by Councillor Gail MacDonald

Seconded by Councillor Derek Smith

WHEREAS the Town of Stratford has developed a Tourism Accommodation Bylaw to collect a levy on all accommodations including tourist establishments that are booked through accommodation platforms; and

WHEREAS the levy shall be collected at the time of the purchase on the total amount of the purchase price and shall be remitted to the Town at the prescribed times and in the prescribed manner as set forth in this bylaw; and

WHEREAS the proceeds raised by the levy shall be used to promote the Town as a tourist destination; and

WHEREAS a bylaw is required to enable the application of the Tourism Accommodation Levy.

BE IT RESOLVED that the attached Tourism Accommodation Levy Bylaw, Bylaw #54, be hereby read and approved a first time.

Discussion: This resolution bears the recommendation of the Finance and Technology Committee and the Sustainability Committee.

Deputy Mayor Clow asked if we send letters out to all the businesses and the finance director Kim O'Connell replied that there will be consultation between the first and second reading. She also noted that the bylaw will not come into effect until April 1, 2023.

Councillor Burrridge asked if it made sense to do consultation between first and second reading and Kim replied yes, it is part of our engagement strategy. Councillor Burrridge felt that it would make more sense to do the public consultation before the first reading. The CAO replied that typically we would do the consultation before first reading, but we wanted to keep the process moving along, but Council could defer it.

Mayor Ogden asked if changes could be made after the consultation and before the second reading and the CAO replied that yes changes can be made. Councillor MacDonald added that if any member of Council has an issue with the bylaw, they can make their points known before the second reading. Councillor MacDonald noted that this draft bylaw has gone through two committees (Finance and Technology and Sustainability) and there will be a new Council in December, and that is part of the reason we moved it along a little bit quicker. Councillor MacDonald stated that the bylaw has been worked on for about a year and a half at this point, but she did add there is no great urgency, and we could go back and let those businesses who have accommodations a little more time to review it.

Councillor Burrridge noted that the Town will be going out for consultation, but the first reading will have already been passed, and she wondered how meaningful the engagement will be to the business community. Councillor Burrridge noted that short term rentals is also included in this bylaw and she asked how we will identify our stakeholders and Kim replied they will be identified through Tourism PEI.

Deputy Mayor Clow felt that it should be deferred, and all the facts should be on the table.

Amendment RESOLUTION

It was moved by Deputy Mayor Clow and seconded by Councillor Derek Smith to defer the first reading of the bylaw until next month.

Discussion: Councillor Burrridge stated that she doesn't want to move this item onto the new Council or to the new committees, and she added that public consultation will be done. Councillor Burrridge noted that we can be very transparent why we are doing it this way. and by doing it this way we have the potential to get it done before the new Council takes over.

Question: **MOTION WAS WITHDRAWN**

Vote on original Resolution

Question: **CARRIED**

12. PLANNING, DEVELOPMENT AND HERITAGE

a) Report

The report was included in the agenda package for Council to review. Councillor MacDougall gave a brief overview of his report. He noted that the committee discussed the development on Irving Avenue. He noted that the developer eliminated the underground parking, so they no longer require the density bonus for the proposed developments.

Councillor MacDougall noted that an application was received for a temporary permit to operate a food truck and we are looking at a bylaw to manage these types of requests. Being that the application was for a temporary permit the committee felt they could approve the permit.

The Gray Group provided an update for the Cross Roads development in the core area and the next step for this proposal is to hold a formal public meeting.

Mayor Ogden noted that he attended the planning meeting and asked that his name be added under the attendance.

b) Permit Summary

Included in the agenda package for Council to review. Councillor MacDougall briefly reviewed the summary. He noted that there was a significant increase at the start of the year, but it has tapered off during the past few months. However, we are still two million dollars ahead of last year's number.

c) Resolution PH032-2022 – A003-22 General Text Amendments – Town of Stratford Zoning and Development Bylaw #45-L – 2nd Reading

Moved by Councillor Darren MacDougall

Seconded by Deputy Mayor Gary Clow

WHEREAS several text amendments to the Zoning and Development Bylaw #45 have been identified to modernize the Home Occupations section to reflect changing times and to respond to new opportunities, as well as other text amendments bringing updated language to improve the Zoning and Development Bylaw #45; and

WHEREAS a public meeting was held on July 27, 2022, at 7:00 p.m., and was live streamed on the Town's Facebook and YouTube. Residents were given until August 1, 2022, to submit their comments; and

WHEREAS one comment was received from the public regarding the required text amendments.

BE IT RESOLVED that Bylaw #45-L, a bylaw to amend the Town of Stratford Zoning and Development Bylaw, Bylaw #45, be hereby read and approved a second time.

Discussion: This resolution bears the recommendation of the Planning, Development, and Heritage Committee and the Committee of the Whole.

Question: **CARRIED**

d) Resolution PH033-2022 – A003-22 – General Text Amendments – Town of Stratford Zoning and Development Bylaw #45-L - Adoption

Moved by Councillor Darren MacDougall

Seconded by Deputy Mayor Gary Clow

WHEREAS Bylaw #45-L, a bylaw to amend the Town of Stratford Zoning and Development Bylaw, Bylaw #45, was read and approved a first time on September 14, 2022; and

WHEREAS Bylaw #45-L, a bylaw to amend the Town of Stratford Zoning and Development Bylaw, Bylaw #45, was read and approved a second time on October 12, 2022.

BE IT RESOLVED that Bylaw #45-L, a bylaw to amend the Town of Stratford Zoning and Development Bylaw, Bylaw #45, be hereby adopted and that the Mayor and Chief Administrative Officer be authorized to affix their signatures and the corporate seal of the Town thereto and to be formally declared the said Bylaw passed.

Discussion: Nil

Question: **CARRIED**

e) **Resolution PH034-2022 – 10660477 Canada Inc. – Mixed Use Development with Height Exemption – Irving Avenue**

Moved by Councillor Darren MacDougall

Seconded by Deputy Mayor Gary Clow

WHEREAS an application has been received from 10660477 Canada Inc. for a 7920 sq. ft. commercial building as well as two 5-storey mixed use buildings, (each containing 60 apartment units and 13,960 sq. ft. of commercial space), requiring a height exemption of 62 feet, on parcel numbers 790246 and 739003 (5.03 acres in total) located on Irving Avenue within the Mason Road Mixed Use (MRMU) zone; and

WHEREAS the new building design has been reviewed in detail by Planning Department staff and some minor revisions were made to reflect staff's review to ensure the design meets the design guidelines for the Mason Road Core Area (MRCA).

WHEREAS the two apartment buildings are to be located within the Mason Road Mixed Use zone which has a maximum building height of 12m (40ft); and

WHEREAS a height exemption is required for the project to proceed, and comments have been received from the local fire company regarding the height.

BE IT RESOLVED that approval be granted to an application received from 10660477 Canada Inc. for a 7920 sq. ft. commercial building as well as two 5-storey mixed use buildings, (each containing 60 apartment units and 13,960 sq. ft. of commercial space), thereby requiring a height exemption of 62 feet, located on parcel numbers 790246 and 739003 (5.03 acres in total) located on Irving Avenue subject to the following conditions:

1. The site plan shall be revised to show all internal sidewalks to be connected, as well as the garbage container(s) shall be located in a more central location to better serve all buildings;
2. Provision is made for unobstructed access around the building's exteriors for year-round emergency services access;

3. The buildings design and construction are in accordance with the plans submitted from Spitfire Design Co, Flight no: 4450, dated August 24, 2022;
4. The buildings contain an operational sprinkler system with adequate fire rated central water pressure or an internal standpipe system with adequate water capacity and pressure;
5. In accordance with comments obtained from the Crossroads Rural Community Fire Company:
 - a) Unobstructed access to the site must be maintained during the construction of the building and the internal road system.
 - b) The building and site must be reviewed to ensure that the design is in line compliance with NFPA 1141.
6. All other relevant provisions of the Town of Stratford Zoning and Development Bylaw #45 are met.
7. All parcels of land must be consolidated prior to the issuance of any development permits.

Discussion: This resolution bears the recommendation of the Planning, Development and Heritage Committee.

Councillor Gallant asked if there was any discussion regarding affordable units and Councillor MacDougall replied that there was not.

The planning director Kevin Reynolds noted that the original proposal that was shown at the public meeting had the appropriate number of underground parking spots. He explained that in order to receive a density bonus for the proposed developments, the developers were required to provide 75% of underground parking. When they went into a more detailed design there was an insufficient number of underground parking spots which resulted in the developers no longer being eligible for the density increase. The planning department proposed that the concept plans be redesigned to include 75% underground parking or on-the-ground parking to requalify for the density bonus. However, the developers chose to remove 10 residential units that were proposed to be on the second floor of the third building, and they proposed removing all the underground parking. With these units removed, the developers did not require the density bonus for the proposed developments. Kevin displayed the proposed designs on the overhead.

Deputy Mayor Clow asked about the garbage containers and with the aid of the overhead Kevin showed where the large commercial garbage containers would be located.

Councillor MacDonald asked if the fire department signed off on this proposal and Kevin replied that they did sign off on the original 62 feet and that has not changed.

Councillor MacDonald asked about the greenspace and Kevin replied that there will now be less greenspace and more asphalt because of the on-ground parking. He added that there is no requirement for greenspace on a development proposal. Councillor MacDonald stated that she is hearing criticism at the door for more greenspace for apartments. Kevin noted that there is a significant greenspace at the back of the property.

Question: **CARRIED**

f) Resolution PH035-2022 – DP208-22 – Temporary Commercial Use – Haltorre Food Truck -14 Kinlock Road

**Moved by Councillor Darren MacDougall
Seconded by Deputy Mayor Gary Clow**

WHEREAS An application has been received from Haltorre Farms to for a Temporary Commercial permit to operate a Food Truck on parcel number 1011782, located at 14 Kinlock Road within the Mason Road Commercial (MRC) Zone; and

WHEREAS in accordance with section 8.34. TEMPORARY COMMERCIAL USES of the Zoning and Development Bylaw #45: temporary Development permits may be issued for a temporary commercial use subject to compliance with the following:

- (a) the Development shall not result in any traffic hazard;
- (b) the Development shall not interfere with the parking requirements of permanent users of the Lot on which the Development will be located;
- (c) the Development shall not create a public nuisance;
- (d) the temporary permit shall not exceed a twenty (20) week period;
- (e) the Applicant shall provide a letter of approval from the Property Owner of the Lot on which the temporary Development will be situated;
- (f) where required, the Applicant shall satisfy Council that such Development complies with all health regulations.

BE IT RESOLVED that approval be granted to an application received from Haltorre Farms for a Temporary Commercial Use permit to operate a Food Truck on parcel number 1011782, located at 14 Kinlock Road within the Mason Road Commercial (MRC) Zone subject to the following conditions:

- (a) the Development shall not result in any traffic hazard;
- (b) the Development shall not interfere with the parking requirements of permanent users of the Lot on which the Development will be located;
- (c) the Development shall not create a public nuisance;
- (d) the temporary permit shall not exceed a twenty (20) week period;
- (e) the Applicant shall provide a letter of approval from the Property Owner of the Lot on which the temporary Development will be situated;
- (f) where required, the Applicant shall satisfy Council that such Development complies with all health regulations.
- (g) that the food truck shall be removed from the property once the Temporary Commercial Permit has expired.

Discussion: This resolution bears the recommendation of the Planning, Development, and Heritage Committee.

Councillor Derek Smith had asked if the food truck would be covered off for fire protection, police protection, and are taxes being paid and he noted that his question is answered under section e) of the conditions - *the Applicant shall provide a letter of approval from the Property Owner of the Lot on which the temporary Development will be situated.*

Mayor Ogden noted that staff is currently creating a food truck bylaw which will be a great help and will identify any outstanding issues.

Kevin noted that in our last resident survey there were a few questions asked related to food trucks and there was quite a strong support for food trucks within the community. The planning department was tasked to investigate the details and it is on the work plan. Once the department has finished working on the Short Term Rentals Bylaw, the staff will be able to begin the work on the food trucks. We will likely create something similar to Charlottetown's Street Vendor Bylaw, and it will be separate from the Development Bylaw. It will contain a lot of conditions such as where and when food trucks will be permitted to operate. Kevin added that there is typically an annual operating fee.

For clarification, Mayor Ogden noted that this application complies with the health and safety requirements of the Zoning and Development Bylaw, and Kevin replied that it is allowed based on it being a temporary commercial use with the conditions that are attached to the recommendation. Mayor Ogden asked if Council would have the discretion to not proceed with this – if they chose, and Kevin replied that Council does have that discretion. Councillor MacDonald noted that if something was to happen in three weeks after setting up that was not to Council's liking could we pull the permit, and Kevin replied that it would need to be something outside the conditions you have given approval for.

Councillor MacDonald asked if we checked with Mount Stewart to see if they were happy with the food truck when the food truck was set up there, and Kevin replied that we did not contact Mount Stewart.

Councillor BurrIDGE noted that because we will be writing our Food Truck Bylaw she sees this as an opportunity; it will give us a temporary permit scenario and we can learn from it. She added that she sees the positive and she sees a little bit of negative because we will be putting a food truck close to Phinley's, who have new owners and will be trying to make a go of it.

Councillor Gallant stated that we don't have a Food Truck Bylaw and there is a new business at Phinley's, and they are paying commercial tax and we will be putting a food truck right beside them. He added that he is in favour of food trucks but felt that we do need some control.

Kevin stated that we did do a survey of the residents last year and there was very strong support for food trucks, and we are proposing to write a Food Truck Bylaw for that purpose, but if Council feels that the resident survey is not correct, and you don't want to go ahead with a Food Truck Bylaw that is within Council's authority. Kevin added that the direction given to the planning department was to create a Food Truck Bylaw as part of their workplan. Councillor MacDonald asked when the Food Truck Bylaw might be ready, and Kevin replied that it will be ready before the end of March.

Councillor MacDougall noted that in the discussion at the planning board meeting one of the benefits of allowing this temporary food truck was that it is temporary, and it is happening when we are developing the bylaw, so

it is timely, and there was a consensus within the committee to recommend the application be approved. Councillor MacDougall added that the owners are responsible business people who are from Stratford, and they have a record of operating responsibly. In speaking for the committee, they viewed this application as favourable, and it is also an opportunity to have a pilot project and learn from it.

Councillor Gallant would like to see some hours imposed on the food truck; however, Councillor Burrige noted that they are located in a commercial zone and if we imposed operating hours on them we would have to do it for everyone.

Councillor MacDonald wondered if the owners could make a presentation at the Committee of the Whole and then we could bring the application back to the next meeting. Councillor MacDougall noted that if the 'stumbling block' are the operating hours, we rely on responsible businesses, and they are not going to be open when their market isn't available because it wouldn't make sense.

Question: **CARRIED**

g) Resolution PH036-2022 – The Gray Group – The Cross Roads -Urban Core Area Plan Call for Public Meeting

Moved by Councillor Darren MacDougall

Seconded by Deputy Mayor Gary Clow

WHEREAS an application has been received from the Gray Group (Concord Properties) which outlines the Cross Roads Urban Core Plan containing a number of proposed rezonings and bylaw amendments, designed by Fathom Studios for all the land within the core area of Stratford owned by the Gray Group; and

WHEREAS this plan was originally presented to Planning Board and Council via a Zoom meeting held on June 3, 2020, and

WHEREAS since the original presentation there have been numerous meetings with the Gray Group and Fathom Studios resulting in some revisions being incorporated into the proposal.

BE IT RESOLVED that a public meeting be scheduled for November 23, 2022, at 7:00 p.m.

to solicit input from residents on the proposal received from the Gray Group (Concord Properties) which the Cross Roads Urban Core Plan containing a number of proposed rezonings and bylaw amendments, designed by Fathom Studios for all the land within the core area of Stratford owned by the Gray Group.

Discussion: This resolution bears the recommendation of the Planning, Development, and Heritage Committee.

Councillor Smith felt that this meeting will be well attended by residents so we will need a large room.

Councillor MacDonald asked if this presentation would include all the area owned by the Gray Group and Kevin replied that it will include everything within the core of Stratford. Councillor MacDonald stated that she is hearing from residents that they would like plenty of opportunity to hold a discussion and state their opinions.

Councillor Smith asked if we could ask people to sign up if they plan to attend and Kevin replied that it will be a hybrid meeting and we won't be turning anyone away.

Councillor Burrridge felt that this will be a key consultation and she is excited to see where it goes.

Question: **CARRIED**

13. INFRASTRUCTURE

a) Report

The Report was included in the package for Council to review.

14. COMMITTEE OF THE WHOLE

No Report

15. SUSTAINABILITY COMMITTEE

Report was included in the agenda package for Council to review.

16. ACCOUNTABILITY AND ENGAGEMENT

No Report – there will be an in-person meeting held in October.

17. HUMAN RESOURCES

No Report

18. INQUIRIES BY MEMBERS OF COUNCIL

Councillor MacDonald took a moment to thank all staff and volunteers for their untiring work for the week and a half after Hurricane Fiona. There were many comments on how wonderful the Stratford youth members were - making pot after pot of coffee and helping people charge their devices, as well as serving hot meals to those in attendance. She also thanked the staff of the PEI School Program who were on-site making those delicious hot meals daily.

Councillor MacDonald took a moment to explain her absence from last month's Council meeting. She noted that she was a newly elected member of the Federation of Canadian Municipalities (FCM) Board and she was attending her first board meeting in Sherwood Park Alberta, and she will provide a report at the next Committee of the Whole.

19. OTHER COMMITTEES

a) Stratford Senior's Complex

Report was included in the package for Council to review.

b) Community Campus Implementation Committee

Councillor Burridge stated that there is nothing new to report at this time.

20. APPOINTMENTS TO THE COMMITTEE

Nil

21. PROCLAMATIONS

Nil

22. OTHER BUSINESS

Nil

23. ADJOURNMENT

There being no further business, the meeting adjourned at 7:14 p.m.

Mayor Steve Ogden

Jeremy Crosby, CAO