

PUBLIC MEETING
Proposed Amendments to the
Zoning & Subdivision Control (Development) Bylaw,
Bylaw #29

DATE: April 6, 2011

PLACE: Stratford Town Hall, 234 Shakespeare Drive

TIME: 7:05 P.M. – 7:16 p.m.

COUNCIL: Councillor Diane Griffin, Councillor Steve Ogden, and Councillor Steve MacDonald (arrived at 7:14 p.m.)

STAFF: Vahid Ghomoshchi, Director of Planning, Kevin Reynolds, Development Officer, Joshua Collins, Building Inspector, and Adele Gillis, Recording Clerk.

PUBLIC: Leslee Sack, Kevin Jenkins

Call to Order: Councillor Diane Griffin, Vice-Chair of Planning & Heritage Committee called the meeting to order at 7:05 p.m.

Councillor Diane Griffin: I would like to note that there is a hand out copy of the proposed Amendment to Bylaw #29 - Town of Stratford Zoning and Subdivision Control (Development) Bylaw for residents.

Kevin Jenkins: I really didn't need to see the whole presentation as I only have a couple of questions.

Councillor Diane Griffin: What I would like to do at this point is if anybody has any questions answer them first rather than going through the whole presentation, or if you would like to have the presentation first that would also be fine. You (Leslee Sack) mentioned that someone else may be coming and would have a lot of questions.

Leslee Sack: I did mention that someone else would be coming, but I'm not sure when she will be here.

Councillor Diane Griffin: Did you want to have the presentation first, before we start with the questions, or do you have some specific questions? We could take both sets of questions and that might cover the base.

Leslee Sack : I have a problem with the replacement of the Town of Stratford's Building Bylaw to the National Code of Canada Law without specific reference to the Law, and the specification of that Law. Will that be in the presentation?

Kevin Reynolds, Development Officer: No, it will not be in the presentation.

Leslee Sack: How do we know the difference between the existing Law and the Code of Canada Law?

Kevin Reynolds, Development Officer: There is no existing document that is adopted by the Town at this point in time that deals with building specifics. This will be the first adoption that the Town will have of the National Building Code of Canada (NBCC.) We have developed a Building Bylaw that covers what the Town will be doing, as far as inspection and what authority we will have. We are adopting the NBCC as the document that we will be following.

Leslee Sack: Did we not review that at the last meeting?

Kevin Reynolds, Development Officer: Yes, we did review the Building Bylaw and these are the amendments. We have a Development Bylaw, which is our Zoning and Subdivision Control (Development) Bylaw #29 that we have to make some amendments to since we incorporated the new Building Bylaw. These are items that were listed previously in the Development Bylaw. Now that the Building Bylaw has been put in place, these items needed to be amended to bring it into line with the Building Bylaw. Some items are deleted in their entirety because they are now controlled in the Building Bylaw. There is a list of those items in the presentation.

Leslee Sack: If we want a copy of the NBCC can we get it from you?

Kevin Reynolds, Development Officer: We do not have copies of the NBCC to give out.

Councillor Diane Griffin: Anyone who wants to look at the NBCC could come into the office and review the document.

Joshua Collin, Building Inspector: You may be able to view the Code for a month or so on line, but I believe that you have to pay to view the NBCC.

Leslee Sack: How can we make an informed decision on the NBCC, if we can't view it?

Kevin Reynolds, Development Officer: We are not here to debate the NBCC.

Leslee Sack: I just want to know what the NBCC is, so I can vote for it to be here in Stratford, or is it here in Stratford anyway?

Councillor Diane Griffin: The NBCC was not here previously and this is why we are working it into the Bylaws and adopting it. Charlottetown and Summerside have already adopted the NBCC.

Lesslee Sack: Previously, we did not have a code.

Kevin Reynolds, Development Officer: None that was being enforced by this local Municipality or the Province of PEI.

Joshua Collins, Building Inspector: PEI and NFLD are the only two provinces in Canada that haven't formally adopted the NBCC. Newfoundland has to some extent, but not province wide.

Councillor Diane Griffin: If anyone wants to view the Bylaw, there are very welcome to come to the office.

Kevin Reynolds, Development Officer: Yes, absolutely, anyone wishing to review the NBCC could come into the office. It is a very detailed document and the reading of the document isn't the easiest. It is a very technical document and Joshua has done extensive training on the Code to ensure that you are interpreting things properly.

Kevin Jenkins: I am a little unclear as to whether this applies to all development in the Town, or if it is just dwelling units, or does it apply to garages, accessory buildings or just single family homes, duplexes, triplexes?

Can you give an example or two of what the impact this might have to someone looking to build a new house? What are the extra costs?

Joshua Collins, Building Inspector: It doesn't really apply if you are building a baby barn; there is a certain size requirement that you have to be over before the NBCC will come into effect. If you are building a detached garage, we would review it against the NBCC.

Kevin Jenkins: Would you need a complete set of plans stamped by an architect.

Joshua Collins, Building Inspector: As long as you can provide a set of plans showing a floor plan, elevation plan, a cross section. You could do the plans yourself, as long as they are legible and to some sort of scale that we can work with.

Kevin Jenkins: Does the NBCC come into play for a garage or barn?

Joshua Collin, Building Inspector: It will, but before you would need an architect or engineer and you would need to be building a large detailed building like a commercial or industrial building or a certain size - over three stories or 600 sq. m.

Kevin Reynolds, Development Officer: Anything over 200 sq. ft. brings into effect the NBCC but does not bring into effect that you have to have an architect or engineer to stamp the building plans.

Kevin Jenkins: The NBCC doesn't necessary mean that you have to have a stamped set of plans?

Kevin Reynolds, Development Officer: The building will have to be designed and constructed to the NBCC, and there are a lot of local building supply places that have draft people in-house who do designs up to a certain square footage. The code actually requires that you have a licensed architect or engineer approve the drawings.

Kevin Jenkins: What is that square footage?

Kevin Reynolds, Development Officer: I believe that it is 600 sq. m. or 6,000 sq. ft.

Councillor Diane Griffin: The cost doesn't really kick in until unless you are hiring a professional architect. What are the other costs?

Kevin Reynolds, Development Officer: Currently the Development Permit Fee is \$0.11 sq. ft. for all closed in space. When the Building Code comes into effect the fee will change to \$0.15 sq. ft. That will cover the additional cost of reviewing the drawings that are submitted to ensure they meet the NBCC, and also the onsite inspection of the construction itself to ensure it is being constructed to Code.

Kevin Jenkins: Is that square footage the footprint of the building or the livable square footage?

Kevin Reynolds, Development Officer: All closed in space of the home, first, second levels, garage, and bonus rooms, anything that is finished in the house. Currently, we charge for unfinished basements so there was no need to have an additional permit from the Town. Now that we have the NBCC in place, if you finish the basement you will be required to obtain a permit because you will need to have an inspection on the work that is being completed. At that time you will be charged a fee for what you are finishing - based on the size of the room.

Leslee Sack: What if you are extending you deck?

Kevin Reynolds, Development Officer: There is a basic fee required for decks that is currently in place now and it is a flat fee of \$25.00.

Councillor Diane Griffin: Any further questions? At this point, unless there is a request, I don't think that we are obligated to go through the five and half pages, but you do have the report in written form and if you have any further comments or questions, please send them to us, either Joshua or Kevin.

Kevin Reynolds, Development Officer. Even though there are a number of pages, basically every second paragraph, with the exception of what is highlighted in yellow, the first couple of lines are new Definitions that had to be added to the Development Bylaw. All items are text changes that are being made. We wrote out what the current Bylaw looks like and what we are proposing to remove has a strike out in black. The paragraph below shows its Amendment to read as it is written in its entirety and the yellow highlight is showing the new words that were added to that particular paragraph. In some instances, it is the whole paragraph in its entirety, and in other instances we are deleting sections in its entirety. It looks like there is more to it than there actually is, but in order to ensure that people understand that this is what the current Bylaw looks like, and what we are proposing the Bylaw to look like at the end of the day.

Councillor Diane Griffin: We are proposing that this document of the proposed amendment will go to Planning & Heritage on April 11 and to Council on the April 13. If anyone has comments they should get them in within the next few days.

Kevin Reynolds, Development Officer: These Amendments will go for first reading of Council on April 13, but even after first reading it there are questions they can still be submitted and be taken into consideration. However, If there are immediate concerns we would like to have them prior to the Planning & Heritage Meeting.

Diane Griffin: Welcome Councillor MacDonald, I'm now about to adjourn the meeting. Thank you for your interest.

Meeting adjourned at 7:16 p.m.