

REGULAR MONTHLY COUNCIL MEETING

October 8, 2008

Approved Minutes

DATE: October 8, 2008
TIME: 7:30 p.m. - 8:25 p.m.
PLACE: Stratford Town Centre, 234 Shakespeare Drive

PRESENT: Councillors Sandy McMillan; Gary Clow; Diane Griffin; Emile Gallant; Patrick Ross; Robert Hughes, CAO; Kim O'Connell, Manager of Finance and Administration; Jeremy Crosby, Manager Public Works and Utility; Vahid Ghomoshchi, Director of Planning and Mary McAskill, Recording Clerk

REGRETS: Mayor Kevin Jenkins and Ron Fisher, Recreation Director

CHAIR: Deputy Mayor Steve MacDonald

1. CALL TO ORDER

Deputy Mayor MacDonald called the October 8, 2008, Regular Monthly Council Meeting to order at 7:30 p.m. and welcomed those in attendance.

2. APPROVAL OF AGENDA

It was moved by Councillor Gary Clow and seconded by Councillor Patrick Ross that the agenda be approved with the following change: #13 Planning and Heritage will become item # 5 and the CARI report will move down to become item #13.

Discussion: None

Question: **CARRIED**

3. MINUTES

It was moved by Councillor Gary Clow and seconded by Councillor Diane Griffin that the Regular Monthly Meeting Minutes of September 10, 2008 be approved as circulated.

Discussion: None

Question: **CARRIED**

4. PRESENTATIONS

John Gallie of 63 Golfview Drive introduced himself and noted that he is representing the neighbourhood which would include the Fox Meadow subdivision plus the neighbours across the street on Kinlock Road. The issue is the application put forward by the developer to construct two apartment buildings on a lot located on the Kinlock Road. Mr. Gallie wanted to state up front that Marshall MacPherson is an excellent developer, but we do have strong reservations about this particular proposed project in our neighbourhood. We feel it would have a negative impact in a lot of areas. Mr. Gallie noted that he was hoping that the RCMP officer who lives in the neighbourhood would be here tonight because he was planning to

bring the results of a night on duty, and the number of people who do not stop at the stop sign since the intersection has become a four way stop. To say that we are concerned would certainly be an understatement, as we are more than just concerned because of the safety and the traffic that would develop with 24 units - 30 to 40 cars that could be coming and going from that subdivision and we have a concern of what that would do to the neighbours across the street and the danger it would be to their children. We also have concerns for the tarmac or the pave that would go up almost to the property of those people directly adjacent to the proposed subdivision, and the affect it would have on children with cars parking at night with lights shining in windows. We feel these safety issues are paramount. We also have other concerns such as the noise level and activity that would be generated. We are concerned about the impairment of the quality of living that would result and we think this would have a negative impact on the property values. There is already someone who has had an appraisal on their house and the appraisal came back conditional upon the proposed development. They were told by the appraiser that this project would have a negative impact on the value of the property. Mr. Gallie noted that his property was already constructed when he bought it, but anyone who bought lots and built on them stated that there was talk on what would be built there, and at that time the talk focused on the possibility of a seniors complex. We are hoping that Marshall will do a development that will complement the neighbourhood rather than impair the value of it. Our appeal to Council is that they turn down the application for the PURD.

Deputy Mayor MacDonald thanked Mr. Gallie for his comments noting that this issue will be dealt with following the Planning and Heritage report.

5. **PLANNING AND HERITAGE**

a) Report

A copy of the report was included in the agenda package for Council to review. Councillor McMillan took a moment to thank Mr. Gallie for his comments and added that she has received many emails on this issue, and one was from the RCMP officer mentioned earlier expressing his concern regarding the four way stop intersection. Councillor McMillan also noted that she concurs with Mr. Gallie's comments that Marshall MacPherson is a remarkable developer.

At this time Councillor McMillan briefly reviewed the Planning and Heritage report. She specifically noted the potential apartments in the Dale Drive area and she wanted to acknowledge that the planning department has done a wonderful job over the past few weeks protecting the long term interests of the Town in terms of street design. The department met with the developer and through negotiations and discussions they were able to arrive at a very positive resolution to the problem.

b) September 2008 Permit Summary

Included in agenda package for Council to review.

c) **Resolution PH015 - 2008 - Marshall MacPherson Ltd. - PURD Zone - Kinlock Rd. Special Permit Use**

Moved by Councillor Sandy McMillan

Seconded by Councillor Emile Gallant

WHEREAS an application has been received from Marshall MacPherson Ltd. to construct two 12 Unit Apartment buildings on parcel number 865550, (Approximately 2.35 Acres) currently owned by 1200161 PEI Inc. located on the Kinlock Road between the Fox Meadow Golf Course Subdivision and the existing Town Houses; and

WHEREAS the land is located in the Planned Unit Residential Development Zone (PURD) and pursuant to subsection 12.3 apartment buildings are categorized as Special Permit Uses; and

WHEREAS a public meeting was held on September 17, 2008 to allow the Applicant to present the development proposal to the residents to obtain their input; and

WHEREAS two letters and a petition with 25 signatures stating that they are concerned that this new development will have a negative impact on their community by increasing traffic flow on an already very busy intersection, devaluing their properties and negatively impacting the landscape of the community have been received by the Town; and

WHEREAS considering the Town's Official Plan objectives for the PURD Zone, the proposal has not been recommended by the planning department.

BE IT RESOLVED that Council approve the application from Marshall MacPherson Ltd. to construct two 12 Unit Apartment buildings on parcel number 865550, (Approximately 2.35 acres) currently owned by 120061 PEI Inc. located on the Kinlock Road between the Fox Meadow Golf Course Subdivision and the existing Town Houses.

Discussion: This resolution does not bear the recommendation of the Planning and Heritage Committee.

Councillor Gallant noted that he chaired that meeting in Councillor McMillan's absence, and it was unanimous that the project just did not fit in the area.

Councillor Ross circulated photos of the area and noted that for him it is a safety issue.

Councillor Griffin stated that no matter what happens the intersection will get busier as other developments take place in the area. In regards to the

intersection Councillor Griffin noted that we are starting a program called Citizens on Patrol and added that what we need at that intersection is enforcement. She added that on the basis of planning board's recommendation she does plan to vote against the proposal. However, Councillor Griffin cautioned that there will ultimately be development on that property and some proposals that come forward might be an as of right use for the area and may not end up being very attractive. It is also possible that there may be a development proposed that does not require a public meeting - because it is an as of right use.

Question: **DENIED**

6. **CORRESPONDENCE**

Included in the agenda package for Council to review is a list of all correspondence received since the last Council meeting.

7. **MAYOR'S REPORT**

Included in the agenda package for Council to review. Councillor Griffin reiterated the remarks made in the report regarding the wonderful staff/council event that was held at Deputy Mayor MacDonald's home and thanked Deputy Mayor MacDonald and his wife Sally for their wonderful hospitality.

8. **CHIEF ADMINISTRATIVE OFFICER**

Included in the agenda package for Council to review. Robert noted that he is happy to report that we are holding our first paperless Council meeting. He added that we will continue training on the minute and action tracking functions of the program. Councillor Griffin stated that she finds everything working well and Councillor Clow agreed.

9. **PUBLIC WORKS**

a) **Report**

A report was circulated and Deputy Mayor MacDonald gave a brief overview noting that trail development is currently a priority for the public works department and trail designs are currently underway. Jeremy added that we hope to have the trail tenders ready to go and have the sections of trails completed by the end of November. Jeremy also noted that we are looking at paving some sections of trail such as the Mutch Drive and the trail located between Shakespeare Drive, Holland Drive and the underpass.

It was noted that the snow contract for the Town will be tendered this month. The contract is for two years with an optional year and usually begins by the middle of November.

Deputy Mayor MacDonald noted that once the new Utility truck arrives, the public works truck will be passed over to the recreation department and the old recreation truck will be advertised as surplus.

10. STRATFORD UTILITY CORPORATION**a) Report**

Included in the agenda package for Council to review. Councillor Ross noted that the tender for the Bunbury water project went out in two parts - Part A and Part B, and this was done to allow smaller companies to apply. Council Ross stated that Island Coastal and Birt and MacKay were awarded the tenders.

Councillor Ross stated that the Board is currently discussing geothermal wells and working to put a policy in place to help protect our wellfields. He also noted that a letter has been sent to well drillers asking that they notify the Town if they are drilling a well for geothermal heating purposes.

b) Financial Report

A copy of the financial statements was included in the package. Kim noted that collections of overdue accounts continues to be on-going.

11. RECREATION REPORT**a) Report**

A complete written report was included in the agenda package for Council to review. Councillor Clow stated that the fall and winter program flyers have been distributed and noted that there are more than 40 programs and special events from youth to seniors included in the flyer. Councillor Clow also noted that the recreation staff is doing a terrific job administering the programs.

The reconstruction of the MacNeill baseball field is underway and new sodding and dugouts will soon be complete. Councillor Clow also noted that construction on the indoor soccer complex is now underway.

It was noted that the recreation department hosted its first *Volunteer Registration Expo* on September 5 and 6, with approximately 30 organizations participating.

12. FINANCE & ADMINISTRATION**a) No Report**

Councillor Gallant noted that there is no written report, as the committee has not met since the last Council meeting.

Councillor Gallant noted that staff is in the process of finalizing the Town's telephone contracts. Robert added that we had an RFP out for a Geographical Information System (GIS) that closed last week which we are now reviewing.

b) Financial Statements

A copy of the financial statements was included in the agenda package.

13. CARI REPORT

- a) A complete written report was included in the agenda package for Council to review.

14. COMMITTEE OF THE WHOLE

Nil

15. SAFETY SERVICES AND ENVIRONMENT**a) Report**

A complete written report was included in the agenda package for Council to review. Councillor Griffin noted that because the Safety Services and Environment Committee did not meet over the summer, the September meeting had a very full agenda. One of the main issues for discussion was the Nuisance Bylaw and Councillor Griffin noted that we have obtained a legal opinion from the Town's legal counsel. The committee will have further discussion on the bylaw at the next meeting, and once it has been completely reviewed a recommendation from the committee will be brought forward to Council.

b) Street Lights

No Report

c) Humane Society Report

The Humane Society report for the month of September was included in the meeting agenda package for Council to review.

d) RCMP Report

No Report

e) Cross Roads Rural Community Fire Company

No Report

f) Public Transit

Councillor Griffin noted that transit system is working very well on one of the routes and we will be discussing with our provider what can be done to encourage further use of the system.

Councillor Gallant stated that he would like to see more promotion of the system - especially routes that may not be doing well. Councillor McMillan asked how long before Trius Tours would start to "tweak" the routes and Councillor Griffin replied that there is no set time, but thinks that it would be at least two or three months. She added that the shelters will not be placed until the routes have been established.

Robert stated that we have approval from HRD to hire someone to go door to door to conduct a transit survey - which will also help raise the profile of the system. There was

some discussion on the shelters and Councillor Griffin will follow up to see if they have been ordered.

16. ECONOMIC DEVELOPMENT COMMITTEE

a) Report

Included in the agenda package for Council to review. Councillor Gallant stated that Rob Smith from Minister MacKay's office attended our last meeting and gave a presentation on the Build Canada Fund and a discussion followed.

It was noted that since the Stratford Area Business Association (SABA) folded, the business community does not have an official voice and we are encouraging the Chamber of Commerce to have a Stratford presence. The Chamber agreed to sponsor a meeting which was held here at the Town hall and all who attended expressed an interest in the idea.

17. HUMAN RESOURCE COMMITTEE

No Report

18. OTHER COMMITTEES

a) Stratford Seniors Complex

Included in the agenda package for Council to review. Deputy Mayor MacDonald noted that there is one vacancy in the seniors complex which should be filled very soon.

19. PROCLAMATION - Restorative Justice Week

Whereas: *in the face of crime or conflict, restorative justice offers a philosophy and approach that views these matters principally as harm done to people and relationships; and*

Whereas: *restorative justice approaches strive to provide support and opportunities for the voluntary participation and communication between those affected by crime and conflict (victims, offenders, community) to encourage accountability, reparation and a movement towards understanding, feelings of satisfaction, healing and closure; and*

Whereas: *this year's theme for Restorative Justice Week is "Fostering a Restorative Worldview," Facing the Questions, it is an opportunity to learn, educate and celebrate along with other communities across the country about restorative justice during the week.*

Therefore,

Be it Resolved *that I Kevin Jenkins, Mayor of Stratford, do hereby proclaim November 16 - 23, 2008, as Restorative Justice Week in the Town of Stratford.*

In Witness,

Whereof: I have set my hand and caused the seal of the Town of Stratford to be affixed hereto.

20. OTHER BUSINESS

a) Election Forum

Councillor Gallant stated that the Town hosted a federal election forum on October 6 and the turnout was good. He added that he feels this is something we should continue to do in the future as residents appreciate it.

b) Remembrance Day

Councillor Clow stated that November 11 is fast approaching and hopes to see as many Councillors as possible attend. Councillor McMillan added that additional Stratford heros will be introduced (new banners being displayed) and for the first time world war one heros will also be displayed on banners, and this is being sponsored by the Stratford Rotary Club.

Deputy Mayor MacDonald took a moment to thank Council and CAO Robert Hughes for the 15 minute crash course on how to run a 'paperless' meeting.

21. ADJOURNMENT

There being no further business, the monthly Council meeting adjourned at 8:28 p.m.

Steve MacDonald, Deputy Mayor

Robert Hughes, CAO