

REGULAR MONTHLY COUNCIL MEETING

September 14, 2016

Approved Minutes

DATE: September 14, 2016
TIME: 4:35 p.m. – 7:00 p.m.
PLACE: Stratford Town Centre, 234 Shakespeare Drive

PRESENT: Deputy Mayor Randy Cooper; Councillors Gary Clow; Keith MacLean; Steve Ogden; Gail MacDonald; Diane Griffin; Robert Hughes, CAO; Kim O’Connell, Director of Finance and Technology; Jeremy Crosby, Director of Infrastructure, Kevin Reynolds, Development Officer, Joanne Weir, Recreation Director; Wendy Watts, Community Engagement Coordinator; and Mary McAskill, Recording Clerk

REGRETS: Nil

CHAIR: Mayor David Dunphy

1. CALL TO ORDER

Mayor Dunphy called the Regular Monthly Council Meeting to order at 4:35 p.m. and welcomed those in attendance.

2. APPROVAL OF THE AGENDA

It was moved by Councillor Diane Griffin and seconded by Councillor Steve Ogden that the agenda be approved as circulated. Motion Carried

3. MINUTES

It was moved by Deputy Mayor Cooper and seconded by Councillor Gail MacDonald that the Regular Monthly Meeting Minutes of August 10, 2016 be approved as presented. Motion Carried.

4. BUSINESS ARISING FROM MINUTES

Nil

5. PRESENTATIONS FROM THE FLOOR

Mayor Dunphy noted that this is the time for residents who wish to make a presentation to Council; however, it is important to note that it is not an opportunity for a dialogue between Council and residents.

Arlene Power - My name is Arlene Power and I live on Bayside Drive, and I am just going to give a little synopsis of the area. It is important to know the fragile history of the Bayside/Sunnyside area, as it plays an integral role in the water drainage system and that includes Marion Drive, Aylward Drive, and perhaps up to Sobey’s store. It is critical that

this area be respected environmentally. It is important to know who is responsible for the water pipes – the mains that go under the street – I believe that might be provincial. Who is responsible for the storm sewers and the catch basins, and finally who is responsible for water problems that arise? We have to know what this area can sustain in terms of development and what guarantees are in place. I would also like to note a little bit about traffic safety, and that is for all who travel on the Stratford Road – not just my street. There are school busses and there are the green busses and we have young families with children.

I will close with just a little story. It could be an urban legend; however, years ago people would walk with the overshoes in their homes in the spring of the year, so we have to be very careful.

Elizabeth - My name is Elizabeth and I am speaking for my neighbour who lives on the same street as me, and he asked me to come because he wasn't going to be able to be here. It is regarding the development behind the convenience store. Council wants density in subdivisions and that is a good thing. I have no issue with development that fits in an area. However, the fact is we are a subdivision without a park. I think we may be the only subdivision that doesn't have a park. The neighbourhood asked for one a few years ago and we didn't receive one, and because we do not have a park, we will be even denser than any other neighbourhood in Stratford. So why make our neighbourhood more dense than it needs to be. Thank you very much.

Paul from Bayside Drive – I am about 500 feet from the proposed development. I wasn't here when the motel was initially in the pre-planning stages - when the zone was changed from zone 1 to zone 2, I was somewhere else working, and we all can't get to meetings. Whoever zoned it from zone 1 to zone 2, it should have been cancelled because there are other reasons not to zone something from zone 1 to zone 2, and the biggest ones here are safety and water problems. This one is a major safety factor. If it hadn't been zoned from 1 to 2, we wouldn't be here tonight. Whoever bought the property from the store – the store gave them a little access road. If we were all doing our jobs I think that it should be cancelled, but it wasn't, and this will continue on until we correct the mistake. If we don't decide on better steps in this development we are going to make it worse. The store has 120 feet where traffic is coming in and out and it is a nightmare. It should be looked at further for the safety factor alone. I live on Bayside Drive and it is a great concern of mine. I hope you make a good decision and a proper one.

Mary McKinnon Walsh – I also live on Bayside Drive and there are two things I wanted to mention. When looking at the five-plex, we are looking at putting in a catch basin and storm sewer which we very much need. If they are doing that for five they will have to put the same in for four. With a development they have to be sure that the water is going to run off and that will be part of their plan. The other big thing is the safety which we brought up before. School bus stops and T-3 bus stops, and the safety issue is a major concern. Going from the animal hospital to Barkley Drive, the school bus was ahead of me and stopped four

times all the way down the street, and cars coming from the other direction were coming at a fair speed not knowing that the bus was there. I hope when the report came in regarding the traffic it was a realistic one, and if it's not maybe we should have some cameras down there to show what the realistic part of it really is. Thank you.

6. **CARI REPORT**

No Report

7. **CORRESPONDENCE**

A list of all correspondence sent and received since the last Council meeting was included in the meeting package.

8. **MAYOR'S REPORT**

Mayor Dunphy noted that he attended the following meetings and events since the last Council meeting:

- Attended the public meeting on the waste water treatment plant to review our two options being considered. It was a well attended event.
- Along with Robert, met with Minister Paula Bigger, Transportation, Infrastructure and Energy, and members of her department to discuss items of importance to Stratford.
- Attended the dedication of the Dr. David McKenna Trail at Our Lady of Assumption Parish.
- Along with Robert, met with Mark Minnis, leader of the Stratford Cadet Corp to discuss storage requires of their Troup.
- Attended a joint Council, Infrastructure, and Finance Committee meeting to discuss the two long term options of the waste water treatment plant. Another well attended meeting.
- Attended a meeting of the Stratford Business Group held at the Town Centre. The group is trying to raise the profile of the businesses in the Town.
- Along with Robert, met with Minister Robert Henderson, Minister of Health and Wellness, to discuss issues of importance to the Town, and how the Town and the province can work more collaboratively.
- Along with Councillors Clow, Griffin, and MacDonald participated in the Humane Society's Annual Golf Tournament – excellent afternoon of team building.
- Attended a "Retention of Newcomers: Results Presentation" and discussion hosted by the Province of PEI's Population Development Group.
- Attended a 'Tribute Concert' in honour of Hon. Barbara Hagerman who has been diagnosed with cancer. She is a Stratford resident and a former Lieutenant Governor of PEI.

9. **CHIEF ADMINISTRATIVE OFFICER**

Included in the package for Council to review.

10. **INFRASTRUCTURE**

a) **Report**

Councillor Clow noted that some of the items being worked on by the infrastructure department are as follows:

Waste Water Treatment Plant Update – the system is currently operating well within parameters and being closely monitored. There are plans to proceed with a sludge removal program in the second cell of the lagoon later in the fall. A resolution is included in the package regarding the future upgrade of the system.

Inflow and Infiltration Study – the data collection is complete and we are still waiting to meet with the consultant to review the data. The project will continue well into 2016.

Rankin Water – this project is substantially complete and residents can now connect to the system. Currently, there are more than 40 residents who are in the process of connecting to the system. Reinstatement will continue into the fall of 2016.

Sidewalk Construction – the next phase of work on the Georgetown Road is well underway. Storm sewer, sidewalk and concrete curb construction is complete. The area for the bike lanes is prepared and paving should start shortly. The project should be complete by the end of September.

Bike Lanes – work should commence shortly on the Keppoch Road from Skye Lane to Woodlane Drive, to complete paved shoulders for bike lanes. This work is being completed with the partnership of the PEI Department of Transportation, Infrastructure and Energy.

Trans Canada Trail – the portion of trail between Williams Gate and Hollis Avenue on the Mason Road is being designed and should be tendered early in October. Construction will hopefully be complete before the end of December.

There were no major issues with the waste water collection system, or the water distribution system during the month of August.

a) **Resolution INC009-2016 Sewer Treatment Plant Option Selection**

Moved by Councillor Gary Clow

Seconded by Deputy Mayor Randy Cooper

WHEREAS Council has identified the need to replace the existing wastewater treatment plant and has followed an evidence-based approach to decision making by commissioning a number of engineering studies, negotiating with the City of Charlottetown, consulting with communities with SBR systems similar in size to

Stratford's sewer needs, and reviewing detailed financial and technical analysis of various options; and

WHEREAS Council has narrowed down the options for the replacement of the existing lagoon wastewater treatment system to two options as follows:

- Option 1 - pump the sewer to an upgraded Charlottetown Pollution Control Plant.
- Option 2 - build a new enclosed Sequencing Batch Reactor (SBR) treatment plant on the site of the existing plant.

AND WHEREAS residents were consulted on the two options via the delivery of a flyer to each household, an open house/presentation, and the receipt of comments via email and telephone; and

WHEREAS the majority of residents who made their views known were in support of Option 2 - build a new enclosed SBR treatment plant on the site of the existing plant; and

WHEREAS Council has carefully considered the cost, environmental impact, effluent quality and impact on the gateway and adjacent properties for both options; and

WHEREAS infrastructure funding is now available, for the first time, via the federal Clean Water and Wastewater Fund and the town submitted applications for both options in order to meet the application deadline in July.

BE IT RESOLVED that Option 2, build a new enclosed Sequencing Batch Reactor (SBR) treatment plant on the site of the existing plant, be selected as the option that best meets the long-term needs of Stratford, that the Infrastructure Secretariat be notified of the chosen option and that staff be hereby authorized to issue a request for proposals for detailed engineering design and tendering of the chosen option.

Discussion: It was noted that this resolution bears the recommendation of a joint meeting of Council, Infrastructure Committee, and the Finance and Technology Committee.

Councillor Clow stated that he became chair of the Infrastructure Committee two years ago and he has been dealing with a current system that has failed a number of times. He noted that the Town has been looking for a long term solution for a number of years and a lot of work has gone into this project. There were reviews done, and meetings with federal and provincial representatives, and now Council is ready to make a decision.

At the public meeting, the residents stated that their preference is for the Town to have control of its own plant, so it is before us tonight to make a decision.

Councillor Griffin stated that this is not a simple matter as we all know. Either of the two options would be a vast improvement over what we have today. For either option we had to be assured that we would be in a better situation. However, Councillor Griffin stated that she prefers the Charlottetown option because we are again putting a sewage treatment plant on our most valuable land – our waterfront, and she will be voting against the motion. The next group of people in the future will be saying the same thing if we keep it in Stratford. The plant will be smaller, but at some point it will need to be expanded.

Councillor Ogden stated that he will be supporting the motion as he feels it will be in the best interest of the residents. He added that his preference would be to defer this until we have more details on the provincial position. He was just informed that there is some indication that the province would provide some help with some of the issues that we have problems with. However, we have to make our decision based on the information we have because the window for funding will not last. Councillor Ogden stated that based on the current information, the only option he feels we have is to go with our own plant. It would be the most cost effective.

Deputy Mayor Cooper stated that we do need to talk about the financial impact going forward. There will be a significant increase in the sewer rates with either option. The economic impact of what can be done at the waterfront has been discussed, so whatever we choose there will still be significant infrastructure left at the site.

Deputy Mayor Cooper noted that another concern is the contract with the City of Charlottetown. It would have a significant impact because of what would need to be done in order to ship to Charlottetown, as well as all the unknowns in the future. He stated that he wished there was a way it could be better to ship to Charlottetown, but it's not, so he will be voting for the motion, as it is in the best interest of the residents.

Mayor Dunphy noted that if he was asked a year ago he would have said the preferred answer would be to ship to Charlottetown. However, staff has done a lot of work and we are very comfortable making a decision tonight. Cost is a factor and it is less expensive to build our own plan, but it is not necessarily the only factor.

Mayor Dunphy thanked staff, Council, and all the residents who participated in the public engagement session which helped Council to come to a decision.

Question: **CARRIED (1 Against – Councillor Diane Griffin)**

11. RECREATION, CULTURE AND EVENTS

a) Report

The report was included in the agenda package for Council to review. Councillor MacDonald gave an overview of her report noting that the Recreation and Events Committee continues to plan for the hosting of additional special events. The Stratford Community Expo will be held on Saturday, September 24, 2016 from 8:00 a.m. to 12:00 p.m. and local businesses have been invited to participate. The Stratford Lions Club will again be hosting their pancake breakfast in support of the Glen Stewart and Stratford Elementary breakfast programs.

The fall and winter program guide was distributed the first week of September, and the recreation staff is very excited in presenting our largest and most diverse range of programs to date. All programs will begin operations the first week of October.

The Stratford Farmer's Market will continue to operate each Saturday and will finish for the year on September 24.

Stratford Culture Days will be held on Sunday, October 2 at the Town Centre. The Arts and Culture Committee is organizing a 'Stratford Magical History Tour.' The T-3 busses will be on hand at the Town Centre for three guided history tours of Stratford.

The Stratford Youth Centre plans to open for the season on September 20, and the first day will focus on an open house to show the new expansion and some minor renovations.

The Stratford Skatepark Steering Committee continues to meet on a regular basis. Recently, the committee invited both youth and parents to see the latest 3D concept drawings. The committee has been focusing on design and will now turn its focus to fundraising.

Councillor MacDonald noted that for the first time in Baseball PEI history, a female team from PEI took part in the 2016 Atlantic 14 and under female tournament in Hammonds Plains Nova Scotia from September 9 to 11. This is a major stepping stone for female Baseball in PEI and the team won the gold medal. A special mention goes out to player Lily Aitkens, who is a resident of Stratford, and coaching staff who are also from the Stratford Baseball Association – Mark Pinette, MacKenzie Pinette, and Jonathan Pinette.

12. FINANCE AND TECHNOLOGY

a) No Report

Deputy Mayor Cooper noted that the committee did not meet over the summer.

b) Financial Statements

The financial statements for the Town and the Utility were included in the meeting package.

13. PLANNING, DEVELOPMENT AND HERITAGE

a) Report

Included in the package for Council to review. Councillor Griffin noted that most of the items addressed at the meeting will be coming forward in the resolutions.

b) Permit Summary

The permit summary was included in the package for Council to review.

c) Resolution PH011-2016 – Maple Isle Homes – Proposed 5 Unit Town House

Moved by Councillor Diane Griffin

Seconded by Deputy Mayor Randy Cooper

WHEREAS an application has been received from Maple Isle Homes to develop a 5 unit townhouse dwelling on parcel numbers 847400 and 847392 having areas of 0.4 acres and 0.27 acres respectively located on the Stratford Road behind the old Stogies Convenience store; and

WHEREAS these two parcels of land are currently approved lots located in the Two-Family Residential Zone (R2) and area accessed via a 24 foot private right-of-way beside the existing convenience store; and

WHEREAS the two parcels will be consolidated into one lot to build a 5 unit townhouse as a “conditional use” within the R2 Zone; and

WHEREAS in the R2 Zone, residential density is regulated by the lot coverage and other lot requirements, not a maximum density such as in PURD, R3 and Core Area zones. For this proposal, located within the R2 zone, there is a minimum requirement of 20,000sq.ft. and a frontage requirement of 146 feet. The two subject lots, when consolidated together would have a 29,185 sq.ft. lot size and 204 feet of frontage along the private roadway providing access the property. Therefore the proposal does meet the lot requirements of this zone.

BE IT RESOLVED that approval be granted to application DP088-16 for a conditional use received from Maple Isle Homes to develop a 5 unit townhouse dwelling on parcel numbers 847400 and 847392, which will be consolidated as part of this application, having an area of 0.67 acres in total, located just off Stratford Road (behind the Roadside Store, which was formerly Stogies Convenience) subject to the following:

1. Conformance with the conceptual drawings as attached to the application submitted to the Town;
2. That a stormwater management plan shall be submitted and approved by the Town of Stratford and the DOTIE, and;
3. All other relevant provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw are satisfied prior to the issuance of the Development Permit.

Discussion: It was noted that this resolution bears the recommendation of the Planning, Development and Heritage Committee.

For information purposes Mayor Dunphy noted that this resolution was deferred at the last Council meeting.

Councillor Griffin stated that there was considerable discussion on the resolution at the last Council meeting, and there was considerable input from residents. She noted that the site plan, the storm water management plan, and the waste management plan were included in the agenda package. A lot of questions that came up previously have been answered, and the recommendation from the Planning, Development and Heritage Committee still stands to approve the resolution.

Mayor Dunphy noted that one of the issues last month was storm water management. Council felt there wasn't enough information from the province to address the concerns that were raised. The second issue was the traffic safety issue.

Councillor MacLean reiterated his concern of the private roadway. He noted that usually the street is separate from the land you build on, but in this case the lot size includes the road, and he doesn't think we should be calling this lot .67 of an acre. Development officer Kevin Reynolds stated that the idea behind this proposal is that all three of these parcels are to be consolidated as one (using the overhead Kevin outlined the parcels). It is going to be operated as a condominium ownership model. The idea of including the square footage in the lot is ultimately consolidated together. Just to ensure that things are clarified – an email went out this afternoon to Council with a copy of the original survey plan attached that showed the breakdown of the area. Kevin stated that he did the calculations to show that even excluding parcel A, the two lots which contain about 21,000 square feet meet the bylaw requirement. In order to construct a five unit building you are required to have 20,000 square feet of area and 146 feet

of legal frontage on a public or private right-of-way. This development has 21,000 square feet – excluding parcel A, and it has 204 feet of frontage along the private right-of-way that is identified as parcel A. Parcel A is the actual private lane way coming in.

Councillor MacLean stated that he still believes that it is not as safe as a regular roadway. From a regular development you would be going 33 feet from the centre of the road, but this proposal you are only going 24 feet from the private road. It's an R2 and he believes there should only be four units. He noted that it doesn't make sense for the bylaw to have 100 feet of frontage for a duplex, and if you have three units it is still 100 feet. If they were doing two duplexes (4 units) they would need 200 feet, but for five units they only need 146 feet.

Kevin stated that when you compare a single detached home or a duplex home that is on two separate lots – there are two separate side yards that have to be separated 12 feet on each side between structures. When you take away the sideyards and put a unit in, which is being proposed by the developer, it is a five unit townhouse, so essentially the outside footprint of the building doesn't go any further to the right or the left of the two duplexes that would be on the property, but the centre property line where the two setbacks would be adjacent to each other are now removed. Instead of having two setbacks between the buildings - there is a unit. That is why when you compare a duplex at 100 feet of frontage and a three unit building at only 100 feet of frontage, the difference is there are no sideyard requirements because the three units are attached.

Councillor MacLean asked if we know what percentage of the 21,000 square feet of the building is used and Kevin replied that he doesn't have that information in front of him, but it is allowed to be up to 40% per row house. If it exceeded 40% it wouldn't be allowed because all other relevant conditions of the bylaw have to be met.

Councillor MacDonald wanted to go on record as agreeing with some of the residents in attendance who believes that a full traffic evaluation has not been done in this area and she will not be supporting the resolution.

Kevin stated that we have received written information on both the safety, and site distance location of the proposed driveway, as well as the last five years of accident history of the Stratford Road within the general vicinity. This item was discussed and tabled at the planning board meeting. This is not being done without the scrutiny of the province looking at the site distance requirements, as well as the accident history of the area. The

reason the proposed driveway has superior site distance to the public street is because it is outside of the curve, and is exceeding the requirements of the province. Kevin added that the report does talk about the possibility of minor conflicts between the convenience store parking lot and the access for the driveway. The traffic accident history analyzed over the past five years shows there were five accidents – two at the Marion Drive intersection, two at Bayside Drive intersection, and one was in the vicinity of the proposed driveway location. The major contributing factors were speed and alcohol, and speed and alcohol were the contributing factors where the person went off the road at the proposed driveway location.

Councillor Clow stated that he also has concerns about the traffic. He noted that he took the time to go to the location at 8:00 a.m. one morning and again at 5:00 p.m. to observe the traffic. He noted that there was a lot of speeding in the area and the traffic going in and out of the store was horrendous. He also had concerns regarding emergency vehicles and the waste management trucks getting in and out. Using the overhead, Kevin indicated that there is a designated turn around area and the waste watch receptacles will be at the end of the asphalt, so there will be no backing out by any service or residential vehicles. Councillor Clow stated that the report that came back from the province stated that they would expect that there may be some potential interaction between traffic from this new development and the store traffic that may lead to conflict or concern. He believes there is a safety issue regarding the traffic.

For clarification, Mayor Dunphy stated that the in discussions with the province the issue was the convenience store and cars backing out, but in the proposed development cars would be driving out and not be backing out.

Councillor Ogden also feels there are safety issues. He noted that if an updated traffic study was done it would show that area is one of the busiest traffic areas in the Town after the Trans Canada. He noted that it is zoned for two duplexes and one of the things we have to be aware of is the character of the surrounding neighbourhood. Because of the safety concerns Councillor Ogden stated that he will not be supporting the resolution.

Mayor Dunphy noted that a big issue for him was the storm water management and we have determined that there are definitely existing issues. He asked if no development takes place what happens with the current water issues, and Kevin replied that as part of the review for this proposal there was a meeting with the province's capital projects staff and

their maintenance staff, and a pipe that runs down to Bayside Drive was identified. The proposal of this developer is to put in a catch basin and a storm sewer pipe to go into the larger storm sewer system. What they planned to do is elevate the amount of flow that has to now go through the small pipe (Kevin demonstrated on the overhead). There is a question whether or not the small pipe is working and the province is waiting for a rainfall to go to the site to see if water is exiting the pipe. However, regardless of development, the province will look into the status of that stormwater pipe. Kevin stated that in fairness, he doesn't think the province was aware of the condition of the pipe or that it even existed, but we brought it to their attention and they are looking into it.

Deputy Mayor Cooper stated that if the five unit doesn't work out, two duplexes are already allowed and the developer does not have to come back to Council. He understands that there are stormwater management guidelines that have to be met and noted that there have been significant discussions about the stormwater management in this area. He stated that we are talking about one extra unit – possibly one to two cars for the unit. In 2011, we started talking about the flooded basements in the Dale Drive area and they are still flooding today, and he has no faith that the province will fix the problem. He noted that there may be a traffic safety concern on the Stratford Road at certain times during the day, but we have law enforcement who is supposed to take care of the speeders. Deputy Mayor Cooper stated that we are talking about one unit, one family, 24 feet, and possibly two cars. We are getting to a point where we can fix the stormwater management problems for the neighbours guaranteed - if we approve this development, but not if we deny this proposal.

Councillor Ogden stated that the zoning that was established in that area was established for a reason. It was established that two duplexes would be appropriate for that area. On a conditional use Council has the discretion whether or not to approve it, and Council needs to consider the overall character of the neighbourhood, and the resident's concerns are important as well. Councillor Ogden thinks that Council is well within its right to ask that the current zoning be respected.

Mayor Dunphy stated that we are within our right to deny the proposal; however, we have learned over the past five weeks that neighbours in the area are having some major water issues. We also know of other areas of the Town where there are issues that were to be corrected by the province but that has not happened and those issues are still ongoing. Potentially, this water issue could be looked after by the measures being proposed by this development. However, if the development doesn't take place as

proposed, it is possible that the residents of the area could come back in a year or two complaining of water issues - which is not our issue – it is the province's issue. Councillor Ogden stated that he was not saying that stormwater was his primary concern. His primary concern was the input from the residents, keeping the character of the neighbourhood and respecting the zoning as it exists now. He feels that either way the stormwater issue is on its way to resolution.

Question: **(LOST)** (Against – Councillors Clow, MacDonald, Ogden and MacLean)

c) **Resolution PH012-2016 – Bylaw #29-F 2nd Reading**

Moved by Councillor Diane Griffin

Seconded by Councillor Steve Ogden

WHEREAS an application was received from 7711557 Canada Inc. for 29 Stratford Road, involving a portion of PID #328021 (0.54 acres) for a zoning amendment from the Two-Family Residential Zone (R2) to the proposed Multiple Family Residential Zone (R3) under the Town of Stratford Zoning and Subdivision (Development) Control Bylaw, Bylaw #29, Appendix A: Zoning Map;

AND WHEREAS the remnant portion of this parcel of land (0.26 acres) is currently zoned Multiple Family Residential Zone (R3);

AND WHEREAS the proposed rezoning is to allow for the development of a 20 unit, 3 story multi-unit building with underground parking;

AND WHEREAS notification letters were sent to 42 residents and landowners within a five hundred foot radius to solicit input on the proposed zoning amendment, with one letter received voicing two concerns regarding the placement of the building and the appropriateness of a 16.3 % variance from the maximum permitted density and no responses opposing the proposed zoning amendment;

AND WHEREAS a public meeting was held on July 27, 2016 to discuss the application.

BE IT RESOLVED that Bylaw #29 F, a Bylaw to amend Bylaw #29, the Town of Stratford Zoning and Subdivision (Development) Control Bylaw, Bylaw #29, be hereby read and approved a second time.

Discussion: It was noted that this resolution bears the recommendation of the Planning, Development and Heritage Committee.

Mayor Dunphy stated that there was a lengthy discussion at last month's Council meeting on this proposal and Councillor Griffin agreed. She

noted that we also heard a presentation from the floor. Councillor Griffin stated that what we have is a property that has a split zoning and the developer is asking to have it all rezoned to R3 so the proposal can go forward. She noted that the nice thing about this proposal is that the building is set back on the lot to try and save as many trees as possible.

It was noted that one of the concerns raised was where the entrance of the garage would be and we are proposing that could change. There was also a concern expressed by one of the shareholders of the neighbouring building about the building being too close to theirs, but upon inspection it was found to be in the correct location. Councillor Griffin noted that the underground parking is something that is in demand and we would like to see some in our community. She feels this is an appropriate use for this area and she will be supporting the motion.

Councillor Ogden stated that he will also be supporting the motion. In order to alleviate any perception of contradiction, he explained that this development has an advantage to the Town. It is on a straight away, although he noted that he does have some concerns because of the amount of traffic. Councillor Ogden stated that there is a longer term solution if another entrance was made on MacKinnon Drive – the school traffic could be diverted to this entrance. However, this proposal has a definite benefit to the Town in that it has underground parking and it does meet a need that has been identified in our housing study, and these are the reasons he will support it.

Councillor MacLean stated that this is the rezoning and Councillor Griffin replied that a resolution for a variance request will be coming up later in the agenda. Councillor MacLean stated that he wished there was a way to connect them, because once they get the zoning they don't necessarily have to do the development they gave us. They could just go with the 17 units. Councillor MacLean also has concerns regarding the traffic. He feels that we need to have the traffic taken care of before we increase the density of the area. He noted that our traffic study numbers are based on a study that was done in 2010.

Robert noted that he received a phone call from Tim Banks, who was the shareholder of the neighbouring building who spoke at the last Council meeting. He wanted his concerns reiterated about the building being moved ahead and further away from his building, and if it is not, he will appeal it. Robert also noted that because this is a resolution for rezoning it is not really the right place to make this request, it would be the resolution

to approve the building permit. However, he has made his point and Robert agreed to pass it along to Council.

Deputy Mayor Cooper added that Mr. Banks made the comment at the last meeting that he supports the development – just not the placement of the building.

Question: **CARRIED (1 against – Councillor Keith MacLean)**

d) Resolution PH013-2016 – Bylaw #29-F Adoption

Moved by Councillor Diane Griffin

Seconded by Councillor Gary Clow

WHEREAS Bylaw #29 F a bylaw to amend Bylaw #29 Appendix A - Zoning Map of the Town of Stratford Zoning and Subdivision (Development) Control Bylaw was read and approved a first time on August 10, 2016; and

WHEREAS Bylaw #29 F a bylaw to amend Bylaw #29 Appendix A - Zoning Map of the Town of Stratford Zoning and Subdivision (Development) Control Bylaw was read and approved as amended a second time on September 14, 2016

BE IT RESOLVED that Bylaw 29F, a Bylaw to amend Bylaw #29 the Town of Stratford Zoning and Subdivision (Development) Control Bylaw, 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: None

Question: **CARRIED**

e) Resolution PH014-2016 – 7711557 Canada Inc. – Variance Request – 29 Stratford Road

Moved by Councillor Diane Griffin

Seconded by Councillor Steve Ogden

WHEREAS an application has been received from 7711557 for a variance request of 2.8 units per acre (or 16.3%) to the current R3 Zone maximum density of 20 units per acre allowing for a 20 unit building to be constructed on parcel number 328021(approx. 0.8 acres) located at 29 Stratford Road; and

WHEREAS this property has recently been rezoned to Multiple Family Residential (R3); and

WHEREAS the developer has engaged the services of a traffic engineer to study the proposed development and the conclusion stating that the traffic impact resulting from the proposed apartment building will be negligible, and the project may proceed as planned without risking exceeding the capacity of the road.

BE IT RESOLVED that approval be granted to an application from 7711557 for a variance request of 2.8 units per acre (or 16.3%) to the current R3 Zone maximum density of 20 units per acre allowing for a 20 unit building to be constructed on parcel number 328021(approx. 0.8 acres) located at 29 Stratford Road subject to the following:

1. That the development be designed in accordance with the conceptual design drawings as submitted by SableARC Studios, Drawings Sk-1 to Sk-12, dated April 8, 2016.

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

A lot of the discussion has already taken place under the resolution for the zoning request. However Councillor Griffin noted that the underground parking is a feature that is very attractive to people who want to live in Stratford, especially seniors, and it will be an asset to Stratford.

Councillor Griffin noted that one of the comments made was regarding the entrance door and the developer is agreeable to having the door moved to the side of the building which will enhance the attractiveness of the building. She stated that we are trying to save as many of the trees as possible, but also noted that a lot of the trees that are termed heritage trees are actually not native species. The Town has asked that an arborist be contracted to look at the property and advise Council on what trees can be saved. What we want to see is no 'net loss' of trees.

Kevin stated that the lot in question is .8 of an acre in size, so based on the 20 units per acre it works out to be 17 units that they can put on it. The developer has proposed a design for a 20 unit building that they would like Council to approve to offset the cost of putting in the underground parking.

For clarification Mayor Dunphy stated that we are voting on the variance so the developer can proceed to the next step.

Question: **CARRIED**

f) **Resolution PH015-2016 – DP105-16 – SSG2 Partners Inc. – 24 Unit Apartment Building**

Moved by Councillor Diane Griffin

Seconded by Councillor Steve Ogden

WHEREAS application has been received from SSG2 Partners Inc. to develop a 24-unit, 3 storey apartment building on parcel number 653576 (approx.. 2.17 acres) located at 36 Kinlock Road; and

WHEREAS on May 13, 2015 Council approved a change of use from a 48-unit Community Care Facility to two 24-unit Apartments, which was a special permitted use under the Bylaw. This change of use also revised the general concept plan for the 6-lot, 147-unit proposal made by Greenway Realty Inc. (now SSG2 Partners Inc.), which received preliminary approval on September 11, 2013; and

WHEREAS this application is the first of two 24-unit buildings for this lot; and

WHEREAS the 3-storey building will be fully serviced with municipal sewer and water, will contain underground parking for 24 vehicles, will have a sprinkler system for fire protection for both buildings, and the design of the building allows for all of the IWMC carts to be stored underground; and

WHEREAS due to the width of the building and the slope of roof being proposed in the design, the roof height will exceed the 35-foot maximum allowed within the PURD Zone, having an overall roof height 44 feet, 8 inches. Staff emphasized at the height to the eave of the building is still only 32 feet and the additional 12 feet is all roof slope as the building is only 3 stories.

In accordance with Section 5.8 of the Bylaw, the Height Restriction Exemption states:

- (2) Council may allow a Building in excess of 10.5 m (35 ft) if the following requirements are met:
- (i) the design and construction are in accordance with the latest version of the National Building Code;
 - (ii) provision is made for unobstructed access around the Building exterior year round for firefighting purposes;
 - (iii) the Building contains a sprinkler system with adequate fire rated central water pressure or an internal standpipe system with adequate water capacity and pressure;
 - (iv) approval is obtained from the Crossroads Rural Community Fire Company;
- and

- (v) building design components such as building material, scale, and form are reviewed and assessed by Council and will not create Architectural Disharmony with the surrounding buildings and Streetscape.

BE IT RESOLVED that preliminary approval be given to an application from SSG2 Partners Inc. to develop a 24-unit, 3 storey apartment building with underground parking, on parcel number 653576 (approx. 2.17 acres), located at 36 Kinlock Road subject to the following:

1. Conformance with the conceptual drawings, as attached to the application submitted to the Town;
2. That a stormwater management plan for the site be submitted and approved by the Town of Stratford and the provincial department of Transportation, Infrastructure and Energy;
3. That all conditions listed under Section 5.8 (2) are complied with to the satisfaction of the Development Officer, and;
4. All other relevant provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw are satisfied prior to the issuance of the Development Permit.

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

Mayor Dunphy noted for the benefit of the media in attendance this project is on the Kinlock Road across from Aintree Drive on the former Smallwood property. With the aid of the overhead Kevin stated that the developer is proposing two 24 units on these properties. A year ago Council approved a change of use from a 48-unit Community Care Facility to two 24-unit apartments, which was a special permitted use under the bylaw.

The developer is proposing to have 24 underground parking spaces in each building with additional above ground parking for visitors. The handicap spaces are also marked on the site plan. Kevin noted that they are eight spaces shy of the bylaw requirement for the overall development of the property. However, with the first building, and with the underground parking that they are proposing, they will exceed the bylaw requirement of 1.5 parking spaces per unit. When the second building is built they will actually be eight spaces under the bylaw requirement. There is a provision in the bylaw that Council can allow for reduced parking ratio. Kevin noted that we typically don't need that 1.5 ratio when you have a large building, but we have asked the architect to show the shadow layer right

along the property line – where the eight additional parking spaces would be allocated on the site, if it ever became an issue in the future.

They are also proposing that all their waste watch carts will be located in the basement of the building which is within the parking garage. Planning has suggested that a pedestrian access be added to the development, and they have shown the recognition that they will separate the vehicles from the pedestrians. There is also a common gathering spot proposed.

Kevin displayed the storm water management plan noting the location of the two retention ponds. All of the storm water from this proposed development will be collected in an enclosed storm sewer system and it will be piped to the first dry retention pond. Kevin noted that there was communication between the engineer who is designing the storm water system and the engineer with the province, who approves the storm water systems, and she is suggesting maybe a different route for the storm water. However, either way 100% of the storm water will go into the retention site.

Kevin displayed an overview of the floor plan and described it in detail. It was noted that the width of the building and the slope of roof being proposed will exceed the 35-foot maximum allowed, and this is where we have to ask Council if they will grant a height exemption. It is important to note that it is still only a three storey building and that it is the upper portion of the roof that is exceeding the height allowance. It was also noted that the building is designed to have full fire protection within the entire building.

Councillor MacDonald asked how far the entrances of the buildings would be from Aintree and Kevin demonstrated using the overhead. He noted that at the time the special permitted use we had traffic data reviewed by an engineer.

For clarification Mayor Dunphy noted that the motion is for a variance for the roof. Kevin added that it is for the building itself, and within the building design the roof height exceeds 35 feet, so if you approve the design you will also be approving a roof height exemption from 35 feet to 42 feet.

Question: **CARRIED**

g) **Resolution PH016-2016 – DP104-16 – Crombie REIT – Commercial Plaza Expansion**

Moved by Councillor Diane Griffin

Seconded by Councillor Gail MacDonald

WHEREAS an application has been received from Crombie REIT to further renovate and expand the existing Kinlock Plaza on parcel number 859637, located at 9 Kinlock Road within the Town Centre Commercial Zone (TCC); and

WHEREAS an application involving the addition of 11,083 sq.ft. of floor area as well as a complete redesign of the exterior and interior Sobeys portion of the building was approved by Council in May 2016; and

WHEREAS this application would renovate and expand the existing plaza attached to the west of the main Sobeys store; and

WHEREAS this development is located within the Town Centre Core Area (TCCA) it must be designed in accordance with the Design Guidelines for the TCC Zone. All aspects of the conceptual design plans submitted have been reviewed and meet the design guidelines for the TCC Zone.

BE IT RESOLVED that preliminary approval be granted to an application from Crombie REIT to renovate and expand the existing Kinlock Plaza on parcel number 859637, located at 9 Kinlock Road within the Town Centre Commercial Zone (TCC). - The renovation will include the addition of 8,420 sq.ft. of floor area as well as a complete redesign of the exterior and interior of the building subject to the following:

1. Conformance with the conceptual drawings attached to the application submitted to the Town.
2. That the Building be designed in accordance with the 2010 National Building Code.
3. That comments and approval be received from the Stratford Infrastructure Department in regards to the relocation of existing municipal sewer and water lines for the proposed expansion.
4. All other relevant provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw are satisfied prior to obtaining a Development Permit.

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

Using the overhead Kevin showed the site plan and noted that a complete redesign of the exterior and interior Sobeys portion of the building was approved by Council in May 2016. It shows all the landscaping features and all the landscaping beds and the screening that will happen.

It was noted that all aspects of the conceptual design plans submitted have been reviewed and meet the design guidelines for the TCC Zone.

Question: **CARRIED**

Councillor Griffin noted that there will be an ad in the Guardian on Saturday, September 17 regarding the public consultation for the bylaw review. The September 21, 2016 meeting date will be cancelled and the topic that was scheduled for that meeting will be discussed at the October 19, 2016 consultation. The two topics on October 19 will now include *Where We Live* and *Where We Work*.

14. COMMITTEE OF THE WHOLE

a) Resolution CW006-2016 Steering Committee Member Appointment

Moved by Councillor Steve Ogden

Seconded by Councillor Gail MacDonald

WHEREAS Council has established Special Committees and sub-committees to those Special Committees in Bylaw #33, the Stratford Committee Bylaw, to advise and assist Council in its deliberations; and

WHEREAS the Bylaw provides for the appointment of residents by Council to provide public input to Council in its deliberations; and

WHEREAS Council has also established a steering committee to oversee the development of a Skatepark in Stratford.

BE IT RESOLVED that Gavin Giroux be appointed to the Skateboard Park Steering Committee.

Discussion: It was noted that this resolution bears the recommendation of the Committee of the Whole.

Question: **CARRIED**

b) Resolution CW007-2016 Steering Committee Member Appointment

Moved by Councillor Gail MacDonald

Seconded by Deputy Mayor Randy Cooper

WHEREAS Council has established Special Committees and sub-committees to those Special Committees in Bylaw #33, the Stratford Committee Bylaw, to advise and assist Council in its deliberations; and

WHEREAS the Bylaw provides for the appointment of residents by Council to provide public input to Council in its deliberations; and

WHEREAS Mike Chapman has put his name forward to sit on the Events Sub-Committee.

BE IT RESOLVED that Mike Chapman be appointed to the Events Sub-Committee for the remainder of the two year term ending December 31, 2016.

Discussion: This resolution bears the recommendation of the Committee of the Whole.

Question: **CARRIED**

15 SAFETY SERVICES

a) Report

The report was included in the meeting package for Council to review. Councillor Ogden briefly highlighted his report noting that the committee discussed the process for resident requests of speed bumps installation in their area. There was also a presentation from a resident regarding the installation process, and staff is going to review it and bring back some recommendations to the committee.

The committee had some crosswalk requests and one of the issues that arose from that is that the Town needs to prioritize its requests to the Provincial Department Transportation and Infrastructure Renewal.

b) Street Light Report

Nil

c) RCMP Report

The RCMP report for the month of August was included in the agenda package. Councillor Ogden thanked the RCMP and the Charlottetown Police for their joint effort in catching the ‘screen cutter.’

Deputy Mayor Cooper asked if the partying that is taking place at Tea Hill Park was addressed and Councillor Ogden replied that it was and the RCMP will be patrolling the area. Citizens on Patrol attended the meeting and they will also be patrolling the area.

d) Humane Society Report

The Humane Society Report for the month of August was included in the meeting package for Council to review. Councillor Ogden noted that there have been some recent dog issues and the committee is reviewing the dangerous dog section of the animal bylaw to address them.

e) Transit Report

The Transit Report for the month of August was included in the meeting package for Council to review. It was noted that the numbers are up from last August.

Mayor Dunphy noted that the numbers in August were 120 versus 110 in August of the previous year so we are going in the right direction.

f) Fire Company

No Report

16. SUSTAINABILITY

a) No Report

Mayor Dunphy gave a brief verbal report noting that the committee will be reviewing the pesticide bylaw in the fall to see if the application process can be streamlined.

It was noted that the Town will be hosting the Chamber of Commerce Business Mixer on Thursday, September 15 from 4:30 p.m. to 6:30 p.m.

The Stratford business group has been holding regular monthly meetings and this is a result of the *Think Stratford initiative*. The group is trying to create awareness of the businesses located in the Town.

The Diversity and Inclusion Committee met last week and the committee is reviewing their masterplan. As a result of the plan, a new appointment process policy has been developed so that Town committees will reflect the community as much as possible.

b) Resolution SC004-2016 Committee Appointment Process Policy

Moved by Diane Griffin

Seconded by Gary Clow

WHEREAS the Town of Stratford has a vision of a more sustainable community which includes welcoming and meeting the needs of all residents regardless of their ability, religion, ethnicity, sexuality or other distinguishing factor; and

WHEREAS Council relies on the advice of residents who volunteer to sit on town committees that cover all aspects of town policy and operations; and

WHEREAS Council would like the membership of town committees to be more representative of the broader community to ensure that all perspectives are considered in order to achieve our goal of welcoming and meeting the needs of all residents.

BE IT RESOLVED that the attached Policy, Policy # 2016-SC-01 - the Committee Appointment Process Policy, be hereby adopted.

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

Question: **CARRIED**

c) **Resolution SC005-2016 Approval of the Terms of Reference for the Community Energy Plan Steering Committee and Appointment of Members to the Committee**

Moved by Deputy Randy Cooper
Seconded by Councillor Diane Griffin

WHEREAS the Town of Stratford is a progressive community that has a high potential for creating and sustaining a community energy plan; and

WHEREAS the Federation of Canadian Municipalities (FCM) Green Municipal Fund has provided funding to hire a Community Energy Plan Coordinator; and

WHEREAS a terms of reference has been created for the Community Energy Plan Steering Committee, to oversee the development of a Community Energy Plan for Stratford.

BE IT RESOLVED that the attached Terms of Reference be hereby adopted.

BE IT ALSO RESOLVED that the following persons be appointed as members of the Community Energy Plan Steering Committee:

- Mayor David Dunphy, Chair
- Councillor Diane Griffin, Vice Chair
- Kelly Farrar, Stratford and Area Watershed Improvement Group Representative
- Mike Proud, Province of PEI Representative
- Aaron MacDougall, Resident Representative

- Dave Barrett, Maritime Electric Representative
- Jill Burrige, Business Representative

Discussion: This resolution bears the recommendation of the Committee of the Whole.

Question: **CARRIED**

18. ACCOUNTABILITY AND ENGAGEMENT

a) No Report

19. HUMAN RESOURCES

No Report

20. OTHER COMMITTEES

- a) Stratford Seniors Complex** – Councillor MacDonald gave a brief verbal report noting that there are no issues at the complex. She also noted that fall cleanup around the building will be starting soon.

21. PROCLAMATIONS

PROSTATE CANCER AWARENESS MONTH SEPTEMBER 2016

WHEREAS prostate cancer is the most common cancer to affect Canadian men; and

WHEREAS one in eight Canadian men will be diagnosed with the disease in his lifetime; and

WHEREAS an estimate 24, 000 Canadian men will be diagnosed with prostate cancer this year; and

WHEREAS the survival rate for prostate cancer can be more than 90% when detected early; and

WHEREAS those with a family history of the disease, or those of African or Caribbean descent are at a greater risk of developing prostate cancer; and

WHEREAS Prostate Cancer Canada recommends that men get a PSA test in their 40's to establish their baseline.

THEREFORE, BE IT RESOLVED that I, David Dunphy, Mayor of the Town of Stratford, do hereby proclaim September 2016 as Prostate Cancer Awareness Month in the Town of Stratford.

IN WITNESS WHEREOF, I hereby set my hand this 14th day of September 2016.

22. OTHER BUSINESS

None

23. ADJOURNMENT

There being no further business, the meeting adjourned at 7:00 p.m.

Mayor David Dunphy

Robert Hughes, CAO