

## **REGULAR MONTHLY COUNCIL MEETING**

**April 13, 2011**

### **Approved Minutes**

**DATE:** April 13, 2011  
**TIME:** 4:30 p.m. - 6:50 p.m.  
**PLACE:** Stratford Town Centre, 234 Shakespeare Drive

**PRESENT:** Deputy Mayor Gary Clow; Councillors Steve MacDonald; Diane Griffin; Emile Gallant; Randy Cooper; Steve Ogden; Jeremy Crosby, Manager Public Works and Utility; Joanne Weir, Recreation Coordinator; Kim O'Connell, Manager of Finance and Administration; Vahid Ghomoshchi, Director of Planning; Ron Fisher, Recreation Director; and Mary McAskill, Recording Clerk

**REGRETS:** Robert Hughes, CAO

**CHAIR:** Mayor David Dunphy

**1. CALL TO ORDER**

Mayor Dunphy called the Regular Monthly Council Meeting to order at 4:30 p.m. and welcomed those in attendance, and extended a special welcome to John and Mary Kenny, and our MP Lawrence MacAulay.

**2. APPROVAL OF AGENDA**

The agenda was approved as circulated.

**3. MINUTES**

It was moved by Councillor Gary Clow and seconded by Councillor Steve MacDonald that the March 9, 2011 Regular Monthly Council Meeting Minutes and the Public Meeting Minutes of April 6, 2011 be approved as circulated.

**4. PRESENTATION OF THE MACDOUGALL-MACINTYRE SENIOR VOLUNTEER OF THE YEAR AWARD**

Mayor Dunphy stated that it gives him great pleasure to present the MacDougall - MacIntyre Senior Volunteer of the Year Award this evening. The Town of Stratford's MacDougall-MacIntyre Senior Volunteer of the Year Award was established in 2006 to recognize people who volunteer their time and talent to increase the quality of life of our senior population. The award is presented annually to a person or persons who demonstrate a commitment to seniors in the Town of Stratford through outstanding volunteer service. This year we are pleased to honour long time resident and tireless volunteer John Kenny. Mr. Kenny has been an active volunteer with seniors and other organizations within the Town for many years. He is the past president of the Mayflower seniors group and is currently the president of the PEI Federation of Seniors. Mr. Kenny has participated as a board member for the Cross Roads Fire Department and is currently a member of the Town's Recreation Program Committee.

Mayor Dunphy noted that twenty years ago he and John Kenny, along with Everett MacDougall and Councillor Steve MacDonald were on the old Bunbury Council. He noted that at that time someone asked him to run for Council and back then there were no elections held like today. There was an annual meeting and you put your name forward to run for Council and made a little speech and everyone in attendance would vote. There were seven positions in total and the people who received the most votes were given the positions. Mayor Dunphy stated that he wasn't sure exactly how this was supposed to work, so one day John stopped in and he asked him exactly what he was supposed to do and John Kenny advised him to tell them he is a chartered accountant and that he will look after the money and everything will be fine. Mayor Dunphy noted that is what he did and that advice holds true even today and I want to thank John for all his advice over the years. Mayor Dunphy stated that he knows John quite well and he is a very deserving recipient and it is a great pleasure to present Mr. Kenny with the **MacDougall - MacIntyre Senior Volunteer of the Year Award**. At this time photographer Winston Maund took photos of the presentation.

Hon. Lawrence MacAulay was invited to come forth to congratulate Mr. Kenny and to present him with a token of appreciation.

Mr. Kenny was then asked if he would like to say a few words.

*Mr. Kenny - relax folks, I am going to be here for a while. He stated that this is a surprise and an honour. I was really surprised when Steve informed me that I was getting this award - it is just great! Mayor Dunphy went back 20 years and I am going to go back farther than that - let's say 30 years. I was at Lloyd Martin's about 30 years ago and it was in the spring or summer - a few days before Bunbury Council. Mrs. Martin says to me that I better get down to that meeting because we need some young people and that's what I did. I went down and got on Council. Shortly after that our chairman at the time, Edison Shea, resigned for work related reasons and I became chairman for about 13 years. We had a great time. We had this mayor and we had the mayor before this one, so I groomed them all. That's all I have to say folks and thanks very much for coming, I really appreciate this.*

Mayor Dunphy noted that this is also the week of the volunteer and anyone who knows John knows he is always busy, and for any media here tonight who would like a great story on what a true volunteer and community builder is - John Kenny is a great example. Again, congratulations to John and his family.

5. **PRESENTATIONS FROM THE FLOOR**

Nil

6. **CARI REPORT**

Included in the package for Council to review.

**7. CORRESPONDENCE**

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

**8. MAYOR'S REPORT**

Included in the package for Council to review. Mayor Dunphy gave an overview of his report noting that since the last Council meeting he attended the following events and meetings:

- attended results matter corporate strategy session along with staff and some councillors
- along with CAO Robert Hughes - met with RCMP Superintendent Sue Hardy and Staff Sgt. Mike Murphy
- attended the Committee of the Whole meeting
- met with AL Arbic Consulting to review the Cultural Infrastructure Study and attended the presentation of the study to councillors and the Arts and Culture Committee
- attended the grand opening of No Frills on April 1, 2011 and this is a great addition to our community
- attended the Capital Area Coordination Committee meeting with Mayor Lee, Mayor Fullerton, the CAO's and Minister Sheridan and his staff
- met with Councillor Cooper and staff to review the draft audited financial statements with Grant Thornton
- was invited to speak at the MRSB speaker series and spoke on the 'Vision of Stratford'

**9. CHIEF ADMINISTRATIVE OFFICER**

Included in the package for Council to review.

**10. PUBLIC WORKS****a) Report**

Included in the package for Council to review. Councillor MacDonald gave a brief overview of his report noting that he and Jeremy Crosby met with Mark Sherren from the Department of Highways to determine the Town's priorities. He noted that he and Jeremy also toured the Town with Malcolm MacKenzie to see what areas are in need of paving this year so we can forward our recommendations to the province.

Councillor MacDonald noted that the sidewalk and bike path priorities have been reviewed by the committee and recommendations have been made to Council. The next section to be completed is on the Keppoch Road from Skye Lane to Bonavista Avenue.

Councillor Gallant stated that the section of Marion Drive from Stratford Road up to Aylward Drive is in worse shape than Aylward Drive and he wondered if this section could be included. Jeremy noted that the possible widening of Marion Drive is listed as one of the priorities, and would also include re-paving.

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

Included in the package for Council to review. Councillor Ogden gave a brief overview of his report noting that we are currently in the process of implementing the water safety plan for the utility. This plan will look at all aspects of safety for the delivery of clean, safe, consistent and properly conserved water.

It was noted that there is a tender out for the replacement of one of the utility trucks. The new truck is specified to be a half ton 4 x 4 extended cab truck with a full eight foot box. Then tender is scheduled to close on April 21, 2011.

Councillor Ogden noted that other issues staff has been dealing with is replacing the well #1 pump at the Reeves Estates water station - pump #2 was replaced in February; well #2 pump was replaced at the Park Lane water station; spring inspections for new home connections, and inspections of our infrastructure after the winter months has revealed manhole covers knocked off and service boxes that were damaged.

Emergency call-outs included the Mason Road pumping station overflow during extreme weather events and spring runoff, and a minor sewer back-up at a residence on the Mt. Herbert Road.

It was noted that the upcoming maintenance will included lift station cleaning; lift pump inspection, and maintenance and yearly sewer video inspection.

**b) Financial Statements**

Included in the package.

**12. RECREATION AND ENVIRONMENT****a) Report**

Included in the package for Council to review. Councillor Griffin noted that staff has been busy submitting grant proposal applications which is exceedingly important for the continuance of programs.

It was noted that a full summer day camp program will be offered this summer. The camp will operate for eight weeks and is available to youth between the ages of 8 - 12.

Councillor Griffin noted that we had a very successful winter carnival this year. There was great participation and a major highlight of the event was the turnout for the Celebration of Island Life which attracted more than 400 residents to several multi-cultural organizations within the Town. The next big events will be the Strawberry Festival and our annual Canada Day celebrations.

Councillor Griffin noted that the Seventh Annual Stratford Jamboree was held on March 12 and a total of 23 teams participated.

Youth Can-Do has been extremely busy with the production of Shakespeare's "A Midsummer Night's Dream" at the youth room of the Cotton Centre.

It was noted that the dog park will be closed from mid April to the second week in May for seeding and fertilizing.

Mayor Dunphy asked if we have anything planned for a town cleanup now that the snow is gone and Councillor Griffin replied that we haven't done anything in the past, but it is certainly worthwhile to look at. Councillor Ogden noted that the Women's Institute conducts a cleanup in May and the Scouts also have a cleanup day. Mayor Dunphy stated that if we all work together we could do a great job.

### **13. FINANCE AND ADMINISTRATION**

#### **a) Report**

Councillor Cooper noted that it was a busy first few months of the year, as we were preparing the budget for 2011 and closing the books for 2010. There was a tremendous effort put into this work and he took a moment to thank both Kim and Robert and also the staff who worked behind the scenes. He noted that the full audited statements for 2010 are now on our website for viewing. Councillor Cooper noted that the Town had another clean audit and ended the year with a consolidated surplus of \$668,087. The consolidated statements consist of the Town, the Utility and the Stratford Business Park.

Councillor Cooper noted that the Public Sector Accounting Board (PSAB) requirements were put in place for all municipalities in Canada and this has changed the look of municipal financial statements. We are now required to depreciate our capital assets over the useful life of the asset instead of paying for an asset from the general fund. This means that most municipalities would need to carry a surplus to be able to cover off the principal payments on their debt.

It was noted that the Town has been fortunate to have healthy surpluses over the past number of years, and the surpluses have helped the Town pay down the debt out of the surplus instead of having to acquire additional financing. The Town ended 2010 with a surplus of \$226,661 and out of that we ensure that we have enough to pay down our principal payments, with the rest of the surplus going towards the purchase of capital.

It was noted that the Stratford Utility Corporation ended the year 2010 with a surplus of \$427,429 of which \$104,465 automatically goes into a water supply capital contribution reserve that will be used for capital in the future. The utility has grown substantially over the past number of years with the extension of water and sewer lines

to many areas of the Town. These extensions have increased the debt of the utility which means that the utility needs to have a surplus to make the principal payments on the debt. The Utility requires a surplus of \$142,014 each year to cover the principal payments.

Councillor Cooper noted that the Stratford Business Park ended with a surplus of \$13,997.

Councillor Cooper stated that we are looking forward to the election coming to a close to start lobbying for infrastructure dollars so we can continue with our utility projects.

Councillor Cooper also offered his congratulations to John Kenny on being chosen for the Senior Volunteer of the Year Award noting that he has done a great job over the past number of years.

Mayor Dunphy noted that the surplus numbers look large, but we have a debt repayment target of 4% per year which we are exceeding. It is great to be proactive in looking after the finances, so if a time comes when we have to embark on a capital project we are in good shape to do it.

**b) Financial Statements**

Included in the package for Council to review.

**14. PLANNING AND HERITAGE**

**a) Report**

Included in the package for Council to review. Deputy Mayor Clow stated that the Planning and Heritage Committee held a meeting on Monday, April 11 and the resolutions that will be coming forth were discussed at great length.

**b) Permit Summary**

Included in the package for Council to review.

**c) Resolution PH007-2011 - Building Bylaw #32 - 2<sup>nd</sup> Reading**

**Moved by Deputy Mayor Clow**

**Seconded by Councillor Gallant**

**WHEREAS** Town of Stratford is committed to provide building inspection services in order to enhance public safety and protect Stratford residents' right to live, work and play in a safe and quality environment;

**WHEREAS** the draft of the Town’s proposed “Building Bylaw” presented to residents, developers, and builders on the public meeting was held on February 16, 2011; and

**WHEREAS** no negative feedback or issues have been received during and/or after the public meeting; and

**WHEREAS** the draft of the bylaw has been reviewed by the Town’s lawyer; and

**WHEREAS** the “National Building Code of Canada – 2010” would be adopted as schedule to the Town’s building bylaw.

**BE IT RESOLVED** that Bylaw #32 Building Bylaw be hereby read and approved a second time.

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

Question: **CARRIED**

**d) Resolution PH008-2011 Building Bylaw #32 - Adoption**

**Moved by Deputy Mayor Clow  
Seconded by Councillor Ogden**

**WHEREAS** Town of Stratford is committed to provide building inspection services in order to enhance public safety and protect Stratford residents’ right to live, work and play in a safe and quality environment;

**WHEREAS** the draft of the Town’s proposed “Building Bylaw” presented to residents, developers, and builders on the public meeting was held on February 16, 2011; and

**WHEREAS** no negative feedback or issues have been received during and/or after the public meeting; and

**WHEREAS** the draft of the bylaw has been reviewed by the Town’s lawyer; and

**WHEREAS** the “National Building Code of Canada – 2010” would be adopted as schedule to the Town’s building bylaw; and

**WHEREAS** Bylaw #32 has been read for 1st and 2nd time by Council.

**BE IT RESOLVED** that Bylaw #32 is formally 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 formally declare the said bylaw to be passed.

Discussion: None

Question: **CARRIED**

**e) Resolution PH009-2011 (DP013-11) Cornerstone Baptist Church 295 Shakespeare Drive**

**Moved by Deputy Mayor Clow  
Seconded by Councillor Griffin**

**WHEREAS** an application has been received from Cornerstone Baptist Church to construct a 2 story (3670 square foot), Institutional building on parcel number 1013677, Lot 07-A (6 acre) located at 295 Shakespeare Drive within the Town Centre Institutional Zone (TCI); and

**WHEREAS** the proposed Institutional building will be fully serviced with both municipal sewer and water and driveway access will be located directly onto Shakespeare Drive; and

**WHEREAS** the proposed building is located within the Core Area, Town Centre Institutional Zone (TCI) therefore requiring the building to be designed using the Architectural Design Guidelines as outlined in Appendix “D” of Bylaw 29-A;

**BE IT RESOLVED** that approval be granted to the application from Cornerstone Baptist Church to construct a 2 story (3670 square foot), Institutional building on parcel number 1013677, Lot 07-A located at 295 Shakespeare subject to the following:

1. That comments and/or approvals shall be received from the following:
  - a. Department of Transportation and Infrastructure Renewal
  - b. Department of Environment, Energy and Forestry
2. Conformance with the drawings and plans designed by N46 Architects as attached to the application submitted to the Town.
3. That a storm water management plan be designed by a qualified engineer and submitted for review by the Town.
4. All other relative provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw are satisfied prior to obtaining a Development Permit

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

Mayor Dunphy asked why this had to come to Council and Vahid explained that because it is an institutional building, it is required to come before Council for approval.

Mayor Dunphy asked if the National Building Code will apply here and Vahid replied that it will depend on the effective date of the Code.

Vahid explained the phases with the aid of the overhead projector.

Councillor Cooper asked if the land from Shakespeare to the highway will be groomed and Deputy Mayor Clow replied that this was not something that was discussed, but hopefully they are going to groom it. Councillor Griffin would suggest that there is more to 'green' than cutting the grass. She noted that if trees are planted in the area, the area would be much more environmentally friendly and much more sustainable.

Question: **CARRIED**

f) **Resolution PH010-2011 - (DP28-11) Ray MacLeod Addition to Commercial Building - 16 Myrtle Street**

**Moved by Deputy Mayor Clow  
Seconded by Councillor Griffin**

**WHEREAS** an application has been received from Ray MacLeod to construct an addition of to the existing commercial building located at 16 Myrtle St., on Parcel number 916254 (approx. 1.1 acre), located in the Stratford Business Park; and

**WHEREAS** Mr. MacLeod is proposing to add an additional 4,300 sq. ft. to the existing 6,000 sq. ft. commercial building; and

**WHEREAS** this building falls under Part 3, (Group A, addition to Group D creating Multiple Major Occupancy) of the National Building Code, Council approval is required prior to the issuance of a development permit.

**BE IT RESOLVED** that Council grant approval to a request from Mr. Ray MacLeod to construct a 4,300 sq. ft. addition to the existing commercial building on parcel number 916254, Lot #4(a) located at 16 Myrtle Street within the Stratford Business Park subject to the following:

1. Conformance with the conceptual drawings as designed by Richard Arsenault (Professional Engineer) and attached to the application submitted to the Town
2. All other relative provisions of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw are satisfied prior to obtaining a Development Permit

Discussion: It was noted that this resolution bears the recommendation of the Planning and Heritage Committee. Deputy Mayor Clow noted that it is an extension of an existing building and all the guidelines of the business park are being met.

Question: **CARRIED**

**g) Resolution PH011-2011 - Bevan's Subdivision Kinlock Road - Revision to Preliminary Approval**

**Moved by Deputy Mayor Clow  
Seconded by Councillor Gallant**

**WHEREAS** in August 2010 Council granted preliminary approval to the Trevor Bevan's application to subdivide the land part of parcels No 613315 and No. 720458 and No 721480 and a part of parcel No.410662 located in Kinlock Road and build 2 Single Family Dwellings and 4 Semi-Detached duplexes; and

**WHEREAS** in March 2011 the developer submitted a new proposal to consolidate lots No. 5 and 6 and develop a 6 unit townhouses in the proposed new lot to amend the preliminary plan. That proposal was denied by Council on March 9; and

**WHEREAS** the developer submitted another concept plan proposing to subdivide the proposed land into three Semi-detached Dwelling with two panhandle lots; and

**WHEREAS** Mr. Bevan is also requesting the 9.9% variance on parcel number 410662 with the total area of 9960 sq ft. (as approved in the original proposal) in order to provide adequate space for two proposed drive ways; and

**WHEREAS** Mr. Bevan is offering \$3,000 cash in lieu of parkland dedication for the new proposal; and

**WHEREAS** the Development Bylaw Section 5-15 LOT FRONTAGE indicates that "In any Zone, Lots designed with a reduced Frontage along a bend or curve in a Street or facing a cul-de-sac may be approved by Council if, in the opinion of Council, adequate

and safe access is provided and the Lot width at the front Building Line measures at least as much as the minimum Lot Frontage for the Zone”

**BE IT RESOLVED** that preliminary approval is granted to Trevor Bevan’s new proposal to subdivide the parcels No 613315 and No. 720458 and No 721480 and a part of parcel No.410662 located in Kinlock Road and build 3 Semi-Detached Dwelling subject to meet all other subdivision and development bylaw requirements.

**BE IT FURTHER RESOLVED** that a 9.9 percent variance be granted to the new lot size of parcel No. 410662 with the total area of 9960 sq ft.

**BE IT FURTHER RESOLVED** that the developer shall pay \$5000 to the town as cash in lieu of parkland dedication.

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

Councillor Gallant asked if this blends in to the neighbourhood and Deputy Mayor Clow replied that most of the homes in the area are single family dwellings, but the area is zoned R2.

Councillor Cooper asked for clarification on what is meant by preliminary approval and Vahid replied that council approved the design. However, because of construction costs Mr. Bevan came back with a new plan. That plan was rejected because it did not fit in with the established character of the neighbourhood. Mr. Bevan then came with a new concept plan proposing to subdivide the land into three semi-detached buildings with two panhandle lots.

Councillor Cooper stated that each driveway would end up being a part of each lot so would they become separate PID numbers, and Vahid replied this is a little unusual because normally a driveway is part of one lot. However, in this case this driveway should be divided by two and then they will have this driveway for these two lots (demonstrated on the overhead projector). Vahid noted that this was clarified for the developer that they cannot subdivide these two lots in the future. Councillor Cooper stated that his concern is not whether they can be subdivided in the future. He stated that there must be some access to the land now where the owner can drive over the vacant piece of land and he would like to know what happens at the time of construction, especially when there are two separate driveways owned, or going to be on two separate pieces of land.

When it comes to construction and drainage, I expect there is no ditch in there because it is a driveway, or is ditching required along the adjacent properties? Councillor Cooper added that he is not as concerned with the one he is proposing to develop which would be on the south side of the proposal, but more to the north side - would there be proposed ditching there, and Vahid replied that we didn't ask for a storm water plan now because this is just a concept plan. If we agree with the general concept then we will ask for design of the drainage system, as well as all other requirements. Councillor Cooper asked if they would have to meet the driveway standard and not the roadway standard? Are there rules and regulations in place to ensure that the adjacent property owners aren't affected, and Vahid replied that we definitely consider the adjacent property, but this is not a private road. Again, we don't know all the details, but the developer is here this and he can give a further explanation if you want him to.

Mayor Dunphy asked if each driveway is part of each lot and Vahid replied that each two-unit would have one driveway. Mayor Dunphy asked for clarification on the term 'unusual' that Vahid used when explaining and Vahid replied that the ownership of each unit is unusual because normally when a duplex is built you can subdivide the two units and sell separately. But these units have a shared driveway and cannot be subdivided.

The developer noted that Vahid mentioned that there is a 100 foot frontage on each of the lots and when they are divided there is only 29 feet entering each of the lots, so we planned on having a duplex and having it owner occupied and maybe having them rent the second side - but not divide the lot in half.

Mayor Dunphy asked if under normal circumstances would this be something we would approve, and Vahid replied yes we would approve it if they have access to the road.

Mayor Dunphy stated that as a point of clarification, the last whereas where it states *in any zone lots designed with a reduced frontage along a bend or curve in a street or facing a cul-de-sac may be approved by Council if, in the opinion of Council, adequate and safe access is provided and the lot width at the front building line measures at least as much as the minimum lot frontage for the zone* - this is not the case here. Vahid stated that this is the closest thing we could find in the bylaw to

explain this situation because these two lots are duplexes and they don't have frontage in the public road, but they have frontage in the actual lot - just not facing the public road.

Mayor Dunphy stated that in the resolution it states *in any zone with lots designed with a reduced frontage along a bend or curve in a street or facing a cul-de-sac ....*this is integral to the resolution, but it doesn't apply here. Deputy Mayor Clow stated that basically what we are approving here are the driveways because they are private and because they are not fronting on a cul-de-sac or highway. Vahid noted that we need to get access from the Kinlock Road to the lot and this is why we need the panhandle access.

Mayor Dunphy noted that when we voted last month against the previous proposal it was because it wasn't in harmony with the neighbourhood. He asked how this is in harmony versus the last proposal and Vahid replied that this is semi-detached, and we already have some semi-detached in the area. Vahid added that it is zoned R2.

Councillor Ogden did want to express some concern that there is more population being added to this area, but there is no parkland in the immediate area for the children to play. He knows it is unreasonable to expect the developer to provide a park when it is a private subdivision, but he questioned where are the kids going to play. Councillor Ogden stated that he would like to see some creative solution to this concern. He also noted that another concern he has is the number of driveways coming out together - within a short distance of each other. If it has been approved by highways so I guess it is okay, but he noted that he did vote against it at the planning meeting for this reason. He noted that he knows there is no requirement to do so, but he would like to see some contact being made with the neighbours. Councillor Ogden stated that there has been some concern expressed to him by email and telephone from people in the area who are opposed to this development, and for this reason he is not in favour of it at this time.

Councillor Cooper stated that his concern is that he is not seeing a lot of difference with the costing from the initial concept. Vahid noted that if this new development proposal is approved, the road would not need to be constructed to the road standard.

It was noted that the \$5,000 parkland dedication was approved in 2010 and although the developer is offering \$3,000 cash-in-lieu for the new proposal, the planning board said no, we agreed on \$5,000 when it was

a ten unit project and saw no need to reduce the amount to \$3,000. Councillor Clow reminded everyone that we are looking at six units right now and if it is denied, we are going back to ten units.

Vahid noted that the building bylaw will be in place when the building is constructed and it will have to meet all the standards.

Question: **CARRIED (2 Against Councillor Ogden and Councillor Cooper)**

**h) Resolution PH012-2011 - Development Bylaw #29 - Proposed Amendments - 1<sup>st</sup> Reading**

**Moved by Deputy Mayor Clow  
Seconded by Councillor Steve Ogden**

**WHEREAS** in order to make integration between the Town's existing Development Bylaw # 29 and the new "Building Bylaw #32" as well as, remove any inconsistencies; and

**WHEREAS** the Development Bylaw has been reviewed and amended by the Town's lawyer; and

**WHEREAS** in order to make the current Development Bylaw #29 more efficient the planning staff suggested some correction and minor alterations to the Development Bylaw #29; and

**WHEREAS** the list of these proposed amendments were presented to the residents and stakeholders at a public meeting on April 6, 2011; and

**WHEREAS** no negative feedback or issues were addressed during or after the public meeting;

**BE IT RESOLVED** that the proposed amendments to Development Bylaw #29 be hereby read and approved a first time.

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

Question: **CARRIED**

**i) Resolution PH013-2011 - Development Permit Fee Schedule C - Proposed Amendments**

**Moved by Deputy Mayor Clow  
Seconded By Councillor Randy Cooper**

**WHEREAS** Town of Stratford is committed to provide building inspection services in order to enhance public safety and protect Stratford residents' right to live and work in a safe and quality building; and

**WHEREAS** the Building Bylaw, Bylaw #32 has been formally approved by Council; and

**WHEREAS** In order to account for part of the additional costs associated with the inspection services and to align the fees closer to the other municipalities in the province the development permit fees Council requested a review of the current Development Permit Fee Schedule;

**BE IT RESOLVED** that Council grant approval to the Development Permit Fee Schedule - Schedule "C" of the Town of Stratford Zoning and Subdivision Control (Development) Bylaw as amended.

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

Question: **CARRIED**

j) **Resolution PH014-2011 - VA001-11 - James Smith - Height Variance Request - 46 Owen Lane**

**Moved by Deputy Mayor Clow**  
**Seconded by Councillor Steve Ogden**

**WHEREAS** the maximum height of a private detached garage is fifteen (15') feet, in order to achieve architectural harmony with the slope of the roof on the proposed house, the applicants are requesting a 41.7% height variance in their proposed garage i.e. excess from 15 feet to 21.25 feet

**WHEREAS** Council may authorize variances in excess of ten (10%) percent from the provisions of the Bylaw, if Council deems such a variance is desirable and appropriate and if such a variance is in keeping with the general intent and purpose of the Bylaw; and

**WHEREAS** on March 23, 2011 twelve (12) notification letters were sent to property owners within 200 feet of the subject property to solicit their comments on the height variance request and two comments have been received from neighboring property owners. One neighbour stated "...the garage is too big and would not be in favour of the variance." Another neighbour expressed that "I don't believe that the height of the building...should create any problem. But the placement of the new building would probably be concern..." and

**WHEREAS** the Planning and Heritage Committee reviewed the application and supported the requested variance at the meeting on April 1, 2011; and

**WHEREAS** Section 23.1(7) of the Development Bylaw indicates that “Where a variance in excess of ten percent (10%) is being considered, Council shall hold a public meeting to provide details of the proposed variance and to allow input from residents and Property Owners.”

**BE IT RESOLVED** that Council call a Public Meeting on April 27, 2011 to present the proposed application and consult with residents and property owners.

Discussion: Councillor Griffin stated that this is a very large variance and she can’t support it. Councillor Cooper stated that he would not want to vote on the variance before a public meeting was held.

For clarification it was noted that this resolution is only to approve a public meeting and not to approve the variance.

Question: **CARRIED**

Mayor Dunphy stated that at the last meeting he had asked that the Planning and Heritage Committee to discuss the parkland dedication fee and noted that a parkland dedication of \$5,000 cash-in-lieu was presented and approved tonight. He asked if the committee had discussed the dedication fee, and Deputy Mayor Clow replied that it was on the agenda of the last meeting; however the meeting ran over too long and the item had to be deferred. Deputy Mayor Clow stated that it has been carried over to the next meeting which will be held in two weeks. He noted that it will be a noon time meeting and extended an invitation to Mayor Dunphy to attend. Mayor Dunphy stated that his issue is tonight we voted on a dedication fee that was certainly not 10% of the land.

15. **COMMITTEE OF THE WHOLE**

Nil

16. **SAFETY SERVICES**

**a) Report**

Included in the package for Council to review. Councillor Gallant gave an overview of his report noting that Corporal Martin Roy and Constable Mitch King attended the meeting.

**b) Street Light Report**

No Report.

**c) RCMP Report**

The RCMP report for the month of March was included in the package. Deputy Mayor Clow noted that summary tickets are down.

Councillor Gallant noted that the Traffic Safety Committee has had their first meeting and they will continue to meet over the next few weeks.

**d) Humane Society Report**

No Report.

**e) Transit Report**

Included in the package. It was noted that the March numbers are up over the January and February numbers.

**f) Fire Company Report**

No Report.

**17. ECONOMIC DEVELOPMENT****a) Report**

Included in the package for Council to review. Mayor Dunphy noted that Robert gave a presentation on the Sustainable Stratford Initiative and in particular the parts of the strategy that relate to economic development. Within the Sustainable Stratford Initiative, we are at the stage where we are setting goals and measurement parameters. The committee will take that information and whatever the Town deems as being important, and they will drill down and pick a few things to focus their efforts on. It was noted that the Newsletter/website Committee has been set (members are listing in the report).

Mayor Dunphy noted that the committee decided to discontinue with the economic development analyzer tool as it was being under utilized.

Councillor Ogden noted that his neighbour Bus Gay asked that the Town's businesses and services be included in the newsletter at least once a year.

It was noted that the King of Clubs and Outerlimit Sports have relocated to Charlottetown and Doug Deacon will follow up with the owner and do an exit interview.

**18. HUMAN RESOURCES**

No Report

**18. OTHER COMMITTEES****a) Stratford Seniors Complex**

Included in the package for council to review. Councillor MacDonald noted that the

committee is planning a benefit bingo to be held on June 13, 2011, and the proceeds will be used to replace some of the common area furniture.

**19. PROCLAMATIONS**

**Whereas:** *Statistics Canada will conduct the Census of Population on Tuesday, May 10, 2011; and*

**Whereas:** *the Town of Stratford supports the census because census information is important for our community and is vital for planning services such as schools, daycare, police services and fire protection; and*

**Whereas:** *the Statistics Act requires that personal information provided on census questionnaires will be kept strictly confidential.*

**Therefore,**  
**Be it Resolved** *that I David Dunphy, Mayor of Stratford, do hereby declare the week of May 9 to 13 as **Census Week** in Stratford, and call upon all residents to complete and return their census questionnaires online at [www.census2011.gc.ca](http://www.census2011.gc.ca) or by mail by Tuesday, May 10, 2011.*

**In Witness,**

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

**20. OTHER BUSINESS**

Nil

**21. ADJOURNMENT**

There being no further business the meeting adjourned at 6:50 p.m.

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**David Dunphy, Mayor**

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**Robert Hughes, CAO**