



TOWN OF STRATFORD

RESOLUTION

No. PH029-09 - Official Plan and Zoning Amendment to Bylaw #29 - A004-2009

Amendment to Section 5.23 - Outdoor Swimming Pools

2nd Reading

Motion Carried ✓
Motion Lost _____
Motion Withdrawn _____

Council Chambers
Town Hall

September 9, 2009

| | |
|------------------------|--------------------------------|
| Committee | <u>Planning & Heritage</u> |
| Moved by Councillor | <u>Gary Clow</u> |
| Seconded by Councillor | <u>Diane Griffin</u> |

WHEREAS Councillor Patrick Ross requested that Planning Board review the regulations for swimming pools within the Town, particularly the height requirement for a fence, based on research from *Safe Kids Canada*; and

WHEREAS Planning Board reviewed the swimming pool regulations and is satisfied with the current fence height provision in the bylaw but has suggested some additional changes to the swimming pool regulations to increase safety; and

WHEREAS the proposed changes to the swimming pool regulations were presented to residents at a Public Meeting on Wednesday, July 22, 2009 to solicit input into the proposed changes.

BE IT RESOLVED that Zoning Amendment #29 - **A004-2009**, a bylaw to amend the Town of Stratford Zoning and Subdivision Control (Development) Bylaw, be hereby read and approved a second time.

ZONING AMENDMENT #29 - A004-2009

A BYLAW TO AMEND THE TOWN OF STRATFORD ZONING AND SUBDIVISION CONTROL (DEVELOPMENT) BYLAW #29

The Council of the Town of Stratford under authority vested in it by Section 18 and Section 19 of the Planning Act R S P E I 1988 Cap P-8 hereby enacts as follows:

That Section # 5.23 Outdoor Swimming Pools, of the Town of Stratford Zoning and Subdivision (Development) Bylaw #29, be hereby replaced with new section 5.23 as follows:.

5.23 Outdoor Swimming Pools

- (1) The installation of an outdoor Swimming Pool shall be permitted in any Zone in accordance with the following provisions:
 - (i) the Property Owner shall first obtain a Development Permit from the Town;
 - (ii) a minimum 1.8m (6 ft.) high Fence shall be constructed in such a manner so as to impede unauthorized persons from entering over or under the Fence and the Fence and shall be designed to restrict climbing and the Fence shall be aesthetically presentable and preference will be given to a wood Fence;
 - (iii) any gate on the Fence shall be self-closing and self-latching;
 - (iv) a four-sided fence shall be requested. However, the development officer may retain the ability for a home/building to take the place of the fourth wall of enclosure. Residents can take responsibility for locking doors leading to pool decks within the home.
 - (v) the Developer shall agree that other reasonable initiatives regarding maintenance and safety which are reasonable and prudent shall be carried out either at the initiative of the Developer or the Town, the cost of which shall be borne by the Developer;
 - (vi) no outdoor Swimming Pool shall be installed in any required Front Yard or Flankage Yard.

This bylaw was read and approved a 1st time by Council at a meeting held on August 17, 2009

This bylaw was read and approved a 2nd time by Council at a meeting held on September 9, 2009.

This bylaw was adopted by Council at a meeting held on _____

Kevin Jenkins, Mayor

Robert G. Hughes,
Chief Administrative Officer

This bylaw is hereby declared to be passed and proclaimed as a bylaw of the Town of Stratford
on this _____ day of _____, 2009.

Hon. Carolyn Bertram
Minister of Communities, Cultural Affairs &
Labour