



TOWN OF STRATFORD

RESOLUTION

No. PH030-09 - Official Plan and Zoning Amendment to Bylaw #29 - A004-2009

Amendment to Section 5.23 - Outdoor Swimming Pools

Adoption

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Motion Withdrawn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>Steve MacDonald</u>

WHEREAS; pursuant to the Provincial Planning Act and under Section 24 of the Development Bylaw, a Public Meeting was held on July 22, 2009 to review section # 5.23 Outdoor Swimming Pools, of the Town of Stratford Zoning and Subdivision (Development) Bylaw #29.

WHEREAS at the public meeting (July 22, 2009) participants were satisfied with the current fence height provision in the bylaw and suggested some additional changes to the swimming pool regulations to increase safety

WHEREAS the proposed amendment A004-09 to Bylaw # 29, the Stratford Zoning and Subdivision Control (Development) Bylaw was read and approved a second time by Council on September 9, 2009.

BE IT RESOLVED that A004-2009 Zoning Amendment to Bylaw #29, the Stratford Zoning and Subdivision Control (Development) Bylaw, be 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.

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 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 September 9, 2009

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