



Agriculture
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Agriculture
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August 2, 2022

Dale McKeigan, Town Planner
Town of Stratford
234 Shakespeare Drive
Stratford, PE C1B 2V8

Dear Mr. McKeigan:

RE: Amendments to Town of Stratford Zoning and Development Bylaw
(MA: ST2022E; Municipality: ZBLA #45K)

I am pleased to advise that I have approved the following amendments:

Zoning and Development Bylaw Amendments (Bylaw #45K, adopted May 11, 2022) regarding several text amendments to Zoning and Development Bylaw #45-Child Care, Lot Coverage, and Home Occupations to restrict lot coverage to forty percent (40%) for Duplex and Semi-Detached Dwellings within the R2 Zone, bring the Bylaw into accordance with the Early Learning and Child Care Act and Regulations, add Home-Based Child Care Facilities as a permitted business within a Home Occupation, and clarify the number of signs permitted to a Home Occupation.

Please note that the effective date of these amendments is the date of my signature.

Yours truly,

Hon. Darlene Compton
Minister of Agriculture and Land

Encl.

TOWN OF STRATFORD

ZONING AND DEVELOPMENT BYLAW AMENDMENT

BYLAW NUMBER 45K

A Bylaw to amend the Zoning and Development Bylaw, Bylaw # 45K, General Amendments.

This bylaw is made under the authority of the *Planning Act* R.S.P.E.I. 1988, Cap. C-P-8.

BE IT ENACTED by the Council of the Town of Stratford that the Zoning and Development Bylaw, Bylaw #45, be amended as follows:

1. Change the definition of "Child Care, Centre" from:

CHILD CARE, CENTRE – means an establishment that provides care and supervision for up to fifty (50) children, including an early childhood centre, occupational centre or school age child care centre.

To:

CHILD CARE, CENTRE – means an establishment that provides care and supervision for up to eighty (80) children, including an early childhood centre, preschool centre or school age child care centre; as regulated in the *Child Care Facilities Act* R.S.P.E.I 1988, Cap. C-5 and amendments thereto.

2. Add "Child Care Centre, Home-Based" to definitions:

CHILD CARE CENTRE, HOME-BASED - means any secondary use where the occupant provides care and supervision for up to eight (8) children; as regulated in the *Child Care Facilities Act* R.S.P.E.I 1988, Cap. C-5 and amendments thereto.

3. Remove the following definition of "Child Care Facility" in definitions:

CHILD CARE, FACILITY - means any place where or in which child care is offered at any time to:

- 1) more than six children;
- 2) more than five children all of whom are less than six years of age; or

3) *more than three children all of whom are less than two years of age.*

4. Remove the following definition of “Child Care, Neighbourhood” in definitions:

CHILD CARE, NEIGHBOURHOOD - *means any secondary use where the occupant provides care and supervision for seven (7) to fifteen (15) children, including an early childhood centre, occupational centre or school age child care centre.*

5. Change the definition of “Institutional Use” from:

INSTITUTIONAL USE – *means any use, other than a recreational use, established for the provision of a community service or for providing a public benefit, including: associations, cemeteries, religious institutions, colleges and universities, civic centres, medical clinics, hospitals, government offices, supportive housing, libraries, museums and art galleries; public and private schools, and child care facilities associated with an institutional use.*

To:

INSTITUTIONAL USE – *means any use, other than a Recreational Use, established for the provision of a community service or for providing a public benefit, including: associations, cemeteries, religious institutions, colleges and universities, civic centres, medical clinics, hospitals, government offices, supportive housing, libraries, museums and art galleries; public and private schools, and Child Care Centres associated with an Institutional Use.*

6. In Subsection 8.29.1.(d) Change:

The Floor Area devoted to the Home Occupation shall not be more than 25 percent of the combined Floor Area of all Buildings on the Lot, or 50 square metres (538 square feet), whichever is less;

To:

The Floor Area devoted to the Home Occupation, excluding Home-Based Child Care Centres, shall not be more than 25 percent of the combined Floor Area of all Buildings on the Lot, or 50 square metres (538 square feet), whichever is less;

7. In Subsection 8.29.1.(e)(viii) Change:

No Display shall be permitted;

To:

No Display shall be permitted, not including one on-site premise sign under 0.26m²;

8. Subsection 8.29.1.(f) shall be revised by adding "*vi. Home-Based Child Care Centres.*" and renumbering the following:

from "*iv. Hairdressing Salon or barbershop; and*" to "*iv. Hairdressing Salon or barbershop;*"
from "*v. Photography Studio.*" to "*v. Photography Studio; and*"

9. Subsection 11.1.2. shall be revised by deleting the words "*iii. Home-Based Child Care Facilities;*" and renumbering the following:

from "*iv.*" to "*iii. Bed and Breakfast Establishments;*"
from "*v.*" to "*iv. Active and Passive Recreation;*"
from "*vi.*" to "*v. Accessory Buildings; and*"
from "*vii.*" to "*vi. Private Garages.*"

10. Subsection 11.1.4.(a) shall be revised by replacing "*iii. Neighbourhood Child Care Facilities;*" with "*iii. Child Care Centres;*"

11. Subsection 11.2.4.(a) shall be revised by removing "*ii. Neighbourhood Child Care Facilities;*" and "*viii. Day Care Homes.*" and renumbering the following:

from "*iii.*" to "*ii. Child Care Centres;*"
from "*iv.*" to "*iii. Convenience Stores;*"
from "*v.*" to "*iv. Health Clinics;*"
from "*vi. Group Homes,*" to "*v. Group Homes; and*"
from "*vii. Community Care Facilities; or*" to "*vi. Community Care Facilities.*"

12. Subsection 11.3.2. shall be revised by removing "*v. Home-Based Child Care Facilities;*" and "*vi. Neighbourhood Child Care Facilities;*" and renumbering the following:

from "*vii.*" to "*v. Health Clinics;*"
from "*viii.*" to "*vi. Parks and Playgrounds;*"
from "*ix.*" to "*vii. Active and Passive Recreation;*"
from "*x.*" to "*viii. Accessory Buildings; and*"
from "*xi.*" to "*ix. Private Garages.*"

13. In Subsection 11.3.7. Change:

Maximum Lot Coverage for any Town House Dwelling or Row House Dwelling shall be 40%, calculated based on the aggregate of all attached Dwelling Units and the aggregate of the Lots upon which they are situated.

To:

Maximum Lot Coverage for any Duplex or Semi-Detached Dwelling, Town House Dwelling or Row House Dwelling shall be 40%, calculated based on the aggregate of all attached Dwelling Units and the aggregate of the Lots upon which they are situated.

14. Subsection 11.4.2. shall be revised by removing "*v. Home-Based Child Care Facilities;*" and "*vi. Neighbourhood Child Care Facilities;*" and renumbering the following:

from "*vii.*" to "*v.*" *Senior Homes;*
from "*viii.*" to "*vi.*" *Supportive Housing;*
from "*ix. Accessory Buildings*" to "*vii. Accessory Buildings; and*"
from "*x.*" to "*viii.*" *Private Garages.*

15. Subsection 11.4.4.(a) shall be revised by removing "*i. Child Care Facilities;*" and renumbering the following:

from "*ii.*" to "*i.*" *First Floor Commercial;*
from "*iii.*" to "*ii.*" *Health Clinics;*
from "*iv.*" to "*iii.*" *Convenience Stores;*
from "*v. Child Care Centres*" to "*iv. Child Care Centres; and*"
from "*vi.*" to "*v.*" *Hospitals.*

16. Subsection 11.5.2. shall be revised by removing "*v. Home-Based Child Care Facilities;*" and "*vi. Neighbourhood Child Care Facilities;*" and renumbering the following:

from "*vii.*" to "*v.*" *Active and Passive Recreation;*
from "*viii.*" to "*vi.*" *Parks and Playgrounds;*
from "*ix.*" to "*vii.*" *Accessory Buildings;*
from "*x. Private Garages.*" to "*viii. Private Garages; and*"
from "*xi.*" to "*ix.*" *Public and/or Private Assisted Care Facilities.*

17. Subsection 11.5.3.(a) shall be revised by removing "*i. Group Child Care Centre;*", replacing "*Child Care Facilities;*" with "*Child Care Centres;*" and renumbering the following:

from "*ii.*" to "*i.*" *Community Care Facility;*
from "*iii.*" to "*ii.*" *Public and/or Private Assisted Care Facilities;*
from "*iv.*" to "*iii.*" *Child Care Centres;*
from "*v.*" to "*iv.*" *Health Clinics;*
from "*vi.*" to "*v.*" *Multiple Attached Dwellings; and*
from "*vii.*" to "*vi.*" *First Floor Commercial.*

18. Subsection 11.7.3.(a) shall be revised by replacing "*ii. Child Care Facilities;*" with "*ii. Child Care Centres;*"

19. Immediately after Subsection 11.8.2.(viii) Add New Subsection 11.8.3.:

11.8.3. SPECIAL PERMIT USES

(a) *Notwithstanding Subsection 11.8.2 above, Council may issue a Development Permit for the following uses subject to such terms and conditions as Council deems necessary:*

i. Child Care Centres.

(b) *Prior to the issuance of a Development Permit for a Special Permit Use Council shall ensure that it conforms to Section 11.1.4(b) of this Bylaw.*

20. In Section 11.8. Renumber Subsections (headings) as follows:

from "11.8.3." to "11.8.4." **SERVICING**

from "11.8.4." to "11.8.5." **DEVELOPMENT STANDARDS**

from "11.8.5." to "11.8.6." **LOT REQUIREMENTS**

from "11.8.6." to "11.8.7." **BUILDING HEIGHT**

from "11.8.7." to "11.8.8." **DEVELOPMENT SCHEME**

from "11.8.8." to "11.8.9." **DENSITY**

21. Subsection 11.9.3.(a) shall be revised by removing "*vi. Home-Based Child Care Facilities;*" and "*vii. Neighbourhood Child Care Facilities;*" and renumbering the following:

from "*viii.*" to "*vi.*" *Bed and Breakfast Establishments;*

from "*ix.*" to "*vii.*" *Active Recreation;*

from "*x.*" to "*viii.*" *Passive Recreation;*

from "*xi.*" to "*ix.*" *Accessory Buildings;*

from "*xii.*" to "*x.*" *Private Garages; and*

from "*xiii.*" to "*xi.*" *Community Gathering Places; and*

from "*xiv.*" to "*xii.*" *Convenience Stores.*

22. Subsection 11.9.4.(a) shall be revised by removing "*vi. Child Care Facilities;*" and renumbering the following:

from "*v. Public and/or Private Assisted Care Facilities;*" to "*v. Public and/or Private Assisted Care Facilities; and*"

from "vii." to "vi." *First Floor Commercial*.

23. Subsection 12.2.2. shall be revised by replacing "viii. *Child Care Facilities*;" with "viii. *Child Care Centres*;"

24. Subsection 12.3.2. shall be revised by replacing "vii. *Child Care Facilities*;" with "vii. *Child Care Centres*;"

25. Subsection 13.1.2. shall be revised by adding "ix. *Child Care Centres*;" and renumbering the following:

from "ix." to "x." *Recreational Uses*;
from "x." to "xi." *Household Service and Repair*;
from "xi." to "xii." *Accessory Structures*;
from "xii." to "xiii." *Temporary Commercial Uses*;
from "xiii." to "xiv." *Garden Centre*; and
from "xiv." to "xv." *Veterinary Hospitals and Kennels*.

26. Subsection 13.1.4.(a) shall be revised by removing "iii. *Child Care Facilities*;" and renumbering the following:

from "i. *Automobile Service Stations*;" to "i. *Automobile Service Stations*; and"
from "ii. *Community Care Facilities*; and" to "ii. *Community Care Facilities*."

27. Subsection 13.2.2. shall be revised by adding "ix. *Child Care Centres*;" and renumbering the following:

from "ix." to "x." *Recreational Uses*;
from "x." to "xi." *Household Service and Repair*;
from "xi." to "xii." *Temporary Commercial Uses*;
from "xii." to "xiii." *Accessory Buildings*;
from "xiii." to "xiv." *Nursery and Garden Centres*;
from "xiv." to "xv." *Health Clinics*; and
from "xv." to "xvi." *Veterinary Hospitals and Kennels*.

28. Subsection 13.3.2. shall be revised by removing "vii. *Day Care Home*; and" and renumbering the following:

from "vi. *Health Clinics*;" to "vi. *Health Clinics*; and"
from "viii. *Accessory Structures*." to "vii. *Accessory Structures*."

29. Subsection 13.3.3.(a) shall be revised by replacing "*iii. Neighbourhood Child Care.*" with "*iii. Child Care Centres.*"

30. Subsection 13.4.2. shall be revised by adding "*ix. Child Care Centres;*" and renumbering the following:

- from "(a)" to "i." *Retail Stores;*
- from "(b)" to "ii." *Business and Professional Offices;*
- from "(c)" to "iii." *Service and Personal Service Shops;*
- from "(d)" to "iv." *Banking and Financial Service Shops;*
- from "(e)" to "v." *Restaurants and Lounges;*
- from "(f)" to "vi." *Hotels, Motels or other Tourist Establishments;*
- from "(g)" to "vii." *Entertainment Facilities;*
- from "(h)" to "viii." *Institutional Buildings;*
- from "(i)" to "x." *Accessory Buildings;*
- from "(j)" to "xi." *Garden Centres; and*
- from "(k)" to "xii." *Health Clinics.*

31. Subsection 13.5.2. shall be revised by adding "*ix. Child Care Centres;*" and renumbering the following:

- from "ix." to "x." *Restaurants and Lounges;*
- from "x." to "xi." *Retail Stores; and*
- from "xi." to "xii." *Service and Personal Service Shops.*

32. Remove Subsection "14.1.3. ***SPECIAL PERMITTED USE***" in its entirety:

14.1.3. SPECIAL PERMITTED USE

(a) *Notwithstanding Subsection 14.1.2, Council may issue a Development Permit for the following uses subject to such terms and conditions as Council deems necessary:*

- i. Neighbourhood Childcare;*
- ii. Child Care Centre.*

(b) *Prior to the issuance of a Development Permit for a Special Permit Use Council shall ensure that it conforms to Section 11.1.4(b) of this Bylaw.*

33. In Subsection 14.1. renumber Subsections as follows:

- from "14.1.4" to "14.1.3." ***LOT REQUIREMENTS***
- from "14.1.5." to "14.1.4." ***SPECIAL REQUIREMENTS: INDUSTRIAL ZONES ADJACENT TO RESIDENTIAL ZONES***

from "14.1.6." to "14.1.5." **SERVICING**

34. Subsection 14.2.2. shall be revised by replacing "x. *Childcare Centre;*" with "x. *Child Care Centres;* and" removing "xi. *Neighbourhood Childcare;* and" and renumbering the following:

from "xii." to "xi." *Accessory Buildings.*

35. Subsection 15.1.2. shall be revised by adding "ix. *Child Care Centres;*" and renumbering the following:

from "ix." to "x." *Accessory Buildings; and*
from "x." to "xi." *Accessory Farm Dwellings.*

36. In Section 17 renumber Subsection headings as follows:

from "17.1." to "16.3." **TOWN CENTRE OPEN SPACE ZONE (TCOS)**
from "17.1.1." to "16.3.1." **GENERAL**
from "17.1.2." to "16.3.2." **PERMITTED USES**
from "17.1.3." to "16.3.3." **SERVICING**
from "17.1.4." to "16.3.4." **LOT REQUIREMENTS**
from "17.2." to "16.4." **WATERFRONT PUBLIC SPACE ZONE (WPS)**
from "17.2.1." to "16.4.1." **GENERAL**
from "17.2.2." to "16.4.2." **PERMITTED USES**
from "17.2.3." to "16.4.3." **SPECIAL PERMIT USES**
from "17.2.4." to "16.4.4." **TRANSIENT OR TEMPORARY COMMERCIAL USES**
from "17.2.5." to "16.4.5." **SERVICING**
from "17.2.6." to "16.4.6." **DEVELOPMENT STANDARDS**
from "17.2.7." to "16.4.7." **LOT REQUIREMENTS**
from "17.3." to "17.1." **PUBLIC SERVICE AND INSTITUTIONAL ZONE (PSI)**
from "17.3.1." to "17.1.1." **GENERAL**

37. Subsection 17.3.2. shall be revised by renumbering the heading "17.3.2" to "17.1.2" **PERMITTED USES** and replacing "ix. *Child Care Facilities;*" with "ix. *Child Care Centres;*"

38. In Subsection 17.3. renumber Subsection headings as follows:

from "17.3.3." to "17.1.3." **SPECIAL PERMIT USES**
from "17.3.4." to "17.1.4." **LOT REQUIREMENTS**
from "17.3.5." to "17.1.5." **SERVICING**

39. In Subsection 17.4. renumber Subsections headings as follows:

from 17.4. to 17.2. **TOWN CENTRE INSTITUTIONAL (TCI)**

from 17.4.1. to 17.2.1. **GENERAL**

40. Subsection 17.4.2. shall be revised by renumbering the heading "17.4.2" to "17.2.2" **PERMITTED USES**, adding "iv. *Child Care Centres*;" and renumbering the following:

from "(a)" to "i." *Institutional Buildings*;

from "(b)" to "ii." *Group Homes*;

from "(c)" to "iii." *Community Care Facilities*;

from "(d)" to "v." *Civic Centres*;

from "(e)" to "vi." *Municipal Buildings*;

from "(f)" to "vii." *Accessory Buildings/Structures*;

from "(g)" to "viii." *Public and Private Parks*;

from "(h)" to "ix." *Recreational Uses*;

from "(i)" to "x." *Health Clinics*; and

from "(j)" to "xi." *Nursing Homes*.

41. Subsection 17.4.3 (heading) shall be revised by renumbering "17.4.3." to "17.2.3." **SERVICING**

42. Subsection 17.4.4 shall be revised by renumbering the Subsection heading from "17.4.4" to "17.2.4" **DEVELOPMENT STANDARDS** and removing only the letter "(a)"

43. Subsection 17.2.4.(b) shall be revised by adding the Subsection heading "17.2.5. **LOT REQUIREMENTS**" and removing only the letter "(b)"

This Bylaw received first reading and formal approval at the Town Council meeting of April 13, 2022.

This Bylaw received second reading and final approval at the Town Council meeting of May 11, 2022.

This bylaw was formally adopted by Council at a meeting held on May 11, 2022.

This bylaw is hereby declared to be passed and proclaimed as a bylaw of the Town of Stratford on this 11 day of May 2022.

Witness the corporate seal of the Town.



Mayor



Chief Administrative Officer

This bylaw is hereby declared to be passed and proclaimed as a bylaw of the Town of Stratford on this 2nd day of August, 2022.



Hon. Darlene Compton
Minister of Agriculture and Land