

**14 - Resolutions
9 - Bylaws**



Amended:
PW – Resolution #1 revised &
Resolution #2 Company name
revised.
Finance - Resolution #3 added.

**CITY OF CHARLOTTETOWN
MONTHLY MEETING OF COUNCIL
TUESDAY, NOVEMBER 13, 2018 AT 7:00 PM
COUNCIL CHAMBERS - CITY HALL, 199 QUEEN STREET**

- 1. Call to Order**
- 2. Declarations of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Adoption of Previous Draft Minutes**
 - Regular Meeting – October 9, 2018
 - Public and Special Meetings – October 23 and November 1, 2018
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
 - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
 - Monthly Report
 - Seven (7) Resolutions
 - 1st Rdg of the Z&D Bylaw – rezone, lot consolidation/SD and CDA amendment Mt. Edward Rd (PID#s 390740 & 492405)
 - 1st Rdg of the Z&D Bylaw – for off-lot parking related to 80 Grafton St. (PID#340265)
 - 1st Rdg of the Z&D Bylaw – zone property at/near 137 Belgrave Dr. to R-1L (PID#s 1073634 & 625574)
 - 6.2 Intergovernmental Affairs & Event Attraction – Coun. Kevin Ramsay, Chair**
 - Monthly Report
 - No Resolutions
 - 1st Readings (5) – Code of Conduct Bylaw, Conflict of Interest Bylaw, Fees Bylaw, Grants Bylaw and Reserve Funds Bylaw
 - 6.3 Parks, Recreation & Leisure Activities – Coun. Mitchell Tweel, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.4 Protective & Emergency Services – Coun. Jason Coady, Chair**
 - Monthly Report
 - No Resolutions
 - 6.5 Water & Sewer Utility - Deputy Mayor Mike Duffy, Chair**
 - Monthly Report
 - One (1) Resolution

6.6 Public Works & Urban Beautification – Coun. Terry Bernard, Chair

- Monthly Report
- Two (2) Resolutions

6.7 Economic Development, Tourism, Arts & Culture – Coun. Bob Doiron, Chair

- Monthly Report
- No Resolutions

6.8 Environment & Sustainability – Deputy Mayor Mike Duffy, Chair

- Monthly Report
- No Resolutions

6.9 Advanced Planning, Priorities & Special Projects – Coun. Kevin Ramsay, Chair

- Monthly Report
- No Resolutions

6.10 Finance, Audit & Tendering – Coun. Melissa Hilton, Chair

- Monthly Report
- Three (3) Resolutions

6.11 Human Resources, Communications & Admin – Coun. Terry MacLeod, Chair

- Monthly Report
- No Resolutions
- Superannuation Plan Bylaw Amendment Bylaw

6.12 New Business

- No Resolutions

7. Motion to Adjourn



DRAFT

**Regular Meeting of Council
Tuesday, October 9, 2018 at 7:00 PM
Council Chambers, City Hall, 199 Queen Street**

Deputy Mayor Mike Duffy Presiding

<u>Present:</u>	Councillor Greg Rivard Councillor Kevin Ramsay Councillor Melissa Hilton	Councillor Mitchell Tweel Councillor Eddie Rice Councillor Jason Coady
<u>Also:</u>	Peter Kelly, CAO Alex Forbes, PM Randy MacDonald, FC Scott Adams, PWM Richard MacEwen, UM David Hooley, CS	Scott Messervey, DCAO Paul Smith, PC Frank Quinn, PRM Paul Johnston, IAMM Alicia Packwood, CA Tracey McLean, RMC
<u>Regrets:</u>	Mayor Clifford Lee Councillor Terry MacLeod Wayne Long, EDO Laurel Lea, TO Ramona Doyle, SO	Councillor Terry Bernard Councillor Bob Doiron Ron Atkinson, EconDO Bethany Kautzarick, HRC

Presentation: Deputy Mayor Duffy recognized the recent promotion of Cpl. Sean Coombs as the new Deputy Police Chief. Cpl. Coombs was then presented with his badge by the Deputy Mayor, Chief Smith and Councillor Jason Coady, Chair of the Protective and Emergency Services Committee.

- 1. Call to Order**
Deputy Mayor Duffy called the meeting to order.
- 2. Declarations of Conflict of Interest**
No conflicts were declared.
- 3. Approval of Agenda**
Moved by Councillor Greg Rivard and Seconded by Councillor Melissa Hilton that the agenda be approved. Carried.
- 4. Adoption of Previous Draft Minutes**
Moved by Councillor Greg Rivard and Seconded by Councillor Kevin Ramsay that the draft minutes of the previous meetings now be adopted. Carried.
 - Regular Meeting – September 10, 2018
 - Committee Meetings of Council (open) – September 10 & October 3, 2018
 - Special Meetings – September 15 & 27, 2018
- 5. Business Arising out of the Minutes**
No business arose from the minutes.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 Planning & Heritage – Coun. Greg Rivard, Chair

Councillor Rivard indicated his Committee's report was included in the weekend package.

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

Whereas, Council directed staff on August 13, 2018 to draft a revised Building Code Bylaw to implement the adoption of the 2015 National Building Code,

Therefore Be It Resolved, that the Building Code Bylaw dated June 13, 2011, be repealed in its entirety and replaced with Building Code Bylaw 2018-12 (as attached) dated October 9, 2018, be approved.

CARRIED 6-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the request to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan, be approved to proceed to public consultation.

CARRIED 6-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

Whereas at Council's public meeting on July 25, 2018, concerns were raised by the public with regard to the proposed rezoning application for the property at MacRae Drive/Norwood Road (PID #192401).

Whereas on August 13, 2018, this application was deferred by Council to see whether the applicant could resolve some of the concerns expressed by the residents.

Whereas the applicant has written to Council on October 9, 2018 requesting that this application be withdrawn;

And Whereas under section 4.29.7 it is mandatory that Council exercise its discretion as to whether or not to allow the application to be withdrawn and re-submitted at a later date before the expiration of one (1) year and make a determination as to the disposition of the application;

BE IT RESOLVED

That pursuant to section 4.29.7 it be recommended that Council approve the applicant's request of October 9, 2018 to withdraw his rezoning application.

CARRIED 6-0

Councillor Rivard noted that the applicant requested the withdrawal so he can further consult with the local residents and then bring it back in the spring of 2019 as opposed to waiting a full year to reapply.

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the request to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913), be approved.

Councillor Rivard indicated that Planning Staff recommended to Planning Board that the application be rejected due to the fact that the nature of the business operates with frequent appointments and is not included in the Zoning & Development Bylaw as-of-right home occupation. He further indicated nine (9) letters from local residents were received with eight (8) being in opposition.

DEFEATED 6-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the request for the following items be approved to proceed to public consultation:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for a portion of the property located on Mount Edward Road (PID #390740);
2. Amend Appendix "H" – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for a portion of the property located on Mount Edward Road (PID #390740);
3. Amend Appendix "A" – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for the property located on Mount Edward Road (PID #492405);
4. Amend Appendix "H" – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for the property located on Mount Edward Road (PID #492405);

5. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405), subject to the receipt of final pinned survey plans; and
6. Amend Appendix "G" – Comprehensive Development Area Lands and Uses of the Zoning & Development By-law from allowing a residential building on the street with the back portion vacant to 143 residential dwelling units on 5.05 acres of the property located on Mount Edward Road (PID #390740), subject to the approval of the Development Concept Plan and the signing of a Development Agreement.

CARRIED 6-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the request to obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide the existing (26 standard parking spaces) and required parking (up to 28 standard parking spaces and 4 mobility parking spaces) off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10 years which is contrary to the Zoning & Development By-law (2018-11).

The site specific exemption also includes the following three (3) variances:

1. Reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft; and
2. Reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and
3. Reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft, be approved to proceed to public consultation.

CARRIED 6-0

1st reading of the Building Code Bylaw – Repeal the existing Building Code Bylaw in its entirety and replace it with the proposed Building Code Bylaw.

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

THAT THE "CITY OF CHARLOTTETOWN BUILDING CODE BYLAW, BYLAW 2018-12", be read a first time.

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

THAT the said Bylaw (2018-12) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 6-0

2nd reading of the Zoning and Development Bylaw – Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1L) Zone to the Open Space (OS) Zone for the property located at 34 Jardine Street (PID #1053032); Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1L) Zone to the Open Space (OS) Zone for the property located at Lot 2009-1 Skyline Drive (PID #1034685); and Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Open Space (OS) Zone to the Single-Detached Residential (R-1L) Zone for the property located at Lot 2002-6 Amanda Drive (PID #939819).

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the "City of Charlottetown Zoning and Development Bylaw (2018-09-01) be read a second time and that the said Bylaw be now adopted.

CARRIED 6-0

2nd reading of the Zoning and Development Bylaw – Amend Section 5.2.15 and Section 5.13.3 of the Zoning & Development By-law in order to allow additional signage to identify points of access / egress on institutional properties seven (7) acres or larger.

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the "City of Charlottetown Zoning and Development Bylaw" (2018-09-02) be read a second time and that the said Bylaw be now adopted.

CARRIED 6-0

6.2 Human Resources, Communications & Admin – Coun. Terry MacLeod, Chair
Councillor Rivard, on behalf of Councillor MacLeod, indicated the Committee’s report was included in the weekend package.

1ST reading of the Superannuation Plan Bylaw - amend the Plan provisions of the Plan for the purpose of adding compassionate care leave to the approved leaves during which a Member can continue to accrue Pensionable Service, and ii) for allowing a Member to purchase past service during a period of part-time, seasonal, entry level seasonal, casual, or contract employment basis, occurring prior to the date upon which they became a Member of the Plan.

**Moved by Councillor Melissa Hilton
Seconded by Councillor Kevin Ramsay**

RESOLVED:

THAT the bylaw to amend the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" #2018-13 be read a first time.

**Moved by Councillor Melissa Hilton
Seconded by Councillor Kevin Ramsay**

RESOLVED:

THAT the bylaw be now approved and that it be entitled the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" #2018-13 and that it be read a second time at the next Public Meeting of Council.

CARRIED 6-0

- 6.3 Intergovernmental Affairs & Event Attraction – Coun. Kevin Ramsay, Chair**
Councillor Ramsay indicated his Committee's report was included in the weekend package.

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the City of Charlottetown enter into Municipal Twinning Protocols (as attached) with the Town of Shediac, New Brunswick and the Town of Forest City, North Carolina,

And that the implementation of these Municipal Twinning Protocols will not represent an increase to the City's Annual Budget,

And further that the Mayor and CAO are hereby authorized to execute the Protocols to implement this resolution.

CARRIED 6-0

It was moved by Councillor Rivard and seconded by Councillor Tweel that the first reading of the Election Bylaw be added to the IGA report. Carried.

1st reading of the Election Bylaw – Amend wording in Part X – Administrative #40 Effective Date from Sections 11-17 to Sections 11 & 12

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Melissa Hilton**

RESOLVED:

THAT the bylaw to amend the "CITY OF CHARLOTTETOWN ELECTION BYLAW" #2018-08 be read a first time.

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Melissa Hilton**

RESOLVED:

THAT the bylaw be now approved and that it be entitled the "CITY OF CHARLOTTETOWN ELECTION BYLAW" #2018-08 and that it be read a second time at the next Public Meeting of Council.

CARRIED 6-0

6.4 Parks, Recreation & Leisure Activities – Coun. Mitchell Tweel, Chair

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for October is Nicole Cheverie. He reported that several 2018 Capital projects have been completed including Memorial Field Backstop, Pharmacy Boardwalk replacement and upgrades to Simmons Arena with other projects well underway.

Concern was raised with respect to a Parks & Rec vehicle driving on a City boardwalk and subsequent damage done to the boardwalk that resulted in some pedestrians tripping and falling. Councillor Tweel to follow-up with the department on the matter.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, as per the recently advertised tender for the "2018 Memorial Ball Field Light Replacement", the City of Charlottetown accepts the bid of \$204,700.00 (HST included) from Hansen Electric Ltd. for this project,

And that the amount from Richardson Associated for project management and professional fees for \$4,025 (HST included) be accepted,

And that this amount be expensed to the 2018 Parks and Recreation Capital Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 6-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, as per the recently advertised tender for the "East Royalty Soccer Complex Parking Lot Expansion", the City of Charlottetown accepts the low bid of \$114,425 (HST included) from M & M Resources Inc. for this project,

And that the amount from CBCL Limited for contract administration and site inspections for \$2,875 (HST included) be accepted,

And that this amount be expensed to the 2018 Parks and Recreation Capital Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 6-0

6.5 Protective & Emergency Services – Coun. Jason Coady, Chair

Councillor Coady indicated his Committee's report was included in the weekend package. He reported that volunteer firefighter, Brad Wonnacott, placed fourth in the National Fire Fit Challenge recently held in Alberta; volunteer recruitment campaign continues until October 26. He congratulated police officers Robbie Larter and Melissa Craswell on their promotion to Corporal.

6.6 Water & Sewer Utility - Deputy Mayor Mike Duffy, Chair

Councillor Hilton, on behalf of Deputy Mayor Duffy, indicated the Committee's report was included in the weekend package.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton**

RESOLVED:

That Hansen Electric be awarded the tender for the CPCP Interceptor Sewer Pumping Station Electrical Upgrades in the amount of \$454,250 (HST included),

And that this be expensed out of the 2018 Utility Capital Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 6-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Melissa Hilton**

RESOLVED:

WHEREAS, the Atlantic Canadian Water and Wastewater Association (ACWWA) is seeking funding from Natural Resources Canada (NRCan) to complete updates to the Atlantic Canada Water and Wastewater Guideline Documents,

And ACWWA has approached the City of Charlottetown to support the guideline updates by providing a Committee Chair for the wastewater guidelines,

BE IT RESOLVED, that City Council support the request for funding by ACWWA to NRCan by agreeing to have the Manager of the Charlottetown Water and Sewer Utility act as Chair of the Wastewater Guidelines Update Committee, and

BE IT FURTHER RESOLVED, that the City's contribution to the project be recognized as in-kind contributions of staff time with an estimated value of \$29,000 over a three-year period.

CARRIED 6-0

6.7 Public Works & Urban Beautification – Coun. Terry Bernard, Chair

Councillor Hilton, on behalf of Councillor Bernard, indicated the Committee's report was included in the weekend package.

**Moved by Councillor Melissa Hilton
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That, per the publicly advertised Request for Quotation for '2018 Concrete Sidewalk Construction', the low submission of Curran & Briggs in the amount of \$376,199.50 (all taxes included) be accepted,

And this expenditure has been previously approved in the 2018-19 Capital budget,

And further that the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.

Councillor Hilton noted that work will begin immediately on Brow's Lane, Atlantic Road, Upper Queen Street and Skyview Drive.

CARRIED 6-0

**Moved by Councillor Melissa Hilton
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That, per the publicly advertised Request for Quotation for 'Overhead Door Replacements – Kent St Fire Station', the low submission of Island Overhead Doors in the amount of \$6,105.88 (all taxes included) per door be accepted,

And this expenditure has been previously approved in the 2018-19 Capital budget,

And further that the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.

CARRIED 6-0

**Moved by Councillor Melissa Hilton
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That, per the publicly advertised Request for Quotation for 'Traffic Signals – Poles and Arms', the submission of Mallard Forestry Equipment Inc. in the amount of \$45,390.62 (all taxes included) be accepted,

And this expenditure has been previously approved in the 2018-19 Capital budget,

And further that the Mayor and CAO are hereby authorized to execute any

standard contracts/agreements to implement this resolution.

CARRIED 6-0

6.8 Economic Development, Tourism, Arts & Culture – Coun. Bob Doiron, Chair

Councillor Rivard, on behalf of Councillor Doiron, indicated the Committee had not met since the last Council meeting.

6.9 Environment & Sustainability – Deputy Mayor Mike Duffy, Chair

Councillor Coady, on behalf of Deputy Mayor Duffy, indicated the Committee's report was included in the weekend package.

6.10 Advanced Planning, Priorities & Special Projects – Coun. Kevin Ramsay, Chair

Councillor Ramsay indicated the Committee had not met since the last Council meeting.

6.11 Finance, Audit & Tendering – Coun. Melissa Hilton, Chair

Councillor Hilton indicated her Committee's report was included in the weekend package.

6.12 New Business

There was no new business.

7. Motion to Adjourn

Moved by Councillor Greg Rivard and Seconded by Councillor Melissa Hilton that the meeting be adjourned. Carried.

The meeting concluded at 8:00 PM



DRAFT

**Public Meeting of Council
Tuesday, October 23, 2018 at 7:00 PM
Georgian Ballroom & Terrace, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Clifford Lee Presiding

Present:

Deputy Mayor Mike Duffy	Councillor Greg Rivard
Councillor Kevin Ramsay	Councillor Jason Coady
Councillor Terry MacLeod	Councillor Melissa Hilton

Also:

Alex Forbes, PHM	Robert Zilke, PII
Laurel P. Thompson, PII	Ellen Faye Ganga, PH IO/AA
Greg Morrison, PII	

Regrets:

Peter Kelly, CAO	Councillor Eddie Rice
Councillor Robert Doiron	Councillor Mitchell Tweel
Councillor Terry Bernard	

1. Call to Order

Mayor Clifford Lee called the meeting to order at 7:04 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict.

3. Approval of Agenda

Mayor Clifford Lee opened the meeting, introduced the members of the Council and the purpose of the meeting. Mayor Clifford Lee turned the meeting over to Councillor Rivard, Chair of Planning Board who introduced the application.

4. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574)

This is a request to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan. The purpose of this zoning amendment is to allow the owner to develop the property for residential purposes.

Councillor Greg Rivard introduced Robert Zilke, PII, to present this application. The applicant, Mr. Bill Watters is also present to speak on behalf of his application.

The subject property was previously a public right of way connecting to Belgrave Drive. It was determined by the developer (Gardiner Realty) that this right of way would not be developed and as a result was sold. The property was sold to Mr. Watters who is looking for the planning permission to establish a building lot for Single Detached Residential (R-1) Zone. The lot size is 0.42 acres (1,697 sq. m.) with a lot frontage of 94 ft. (28.7 m.). The R-1 zone's minimum lot requirement is 696 sq. m. and 22m (72 ft.) frontage. The lot complies with the R-1L zone minimum requirements. Mr. Watters was present to explain his application and answer any further questions.

Mr. Watters indicated that his objective is to improve the whole back area of his property. He owns the front lots where his house is currently located. A portion of the subject property is heavily timbered and he has no intentions of cutting it down. The back of his property would be a mix of grass area and flower beds which the neighbours around the area would be able to view from their decks. This view provides privacy rather than looking into another home. It is his objective to make the area look nice for him and for the neighbours. At the time the lot was purchased, it was his understanding that the lot would be zoned to allow him to develop the property. However, this was not the case. The current application then is to zone this property to the R-1L zone.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

5. 101 Oak Drive (PID #452748)

This is a request to amend Appendix "H" – Zoning Map of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone in order to rezone the property located at 101 Oak Drive (PID # 452748) to facilitate the construction of a semi-detached dwelling including garages. Councillor Greg Rivard introduced Mr. Danny Moase, representative for this application, to provide details of the application.

The intent is to build a half-million duplex with the intention of selling the units which will be individually owned. The construction will include garages made of brick, doors will be 3ft wide, a roll in shower in the main level and master bedroom and wheelchair accessible. Mr. Moase indicated that a three unit dwelling was built along Valdane Ave a few months ago and that his development coincides with others in the area. The street side along Oak Drive will be filled in so there are no entrances along that street.

Winston Bryan, resident, clarified if the garages will be facing Doncaster Ave and Mr. Moase confirmed that the house will be facing Doncaster Ave. Mr. Bryan also noted that there have been water problems in that area over the past number of years so what

would be their plans to keep the water from flowing from Brackley Point Road into the properties along the street and that the back, along Richard Drive, will likewise be addressed. Mr. Moase responded that the whole idea of infilling the area along Oak Drive would be to address this concern by putting proper manholes and drainage that satisfies the City engineers.

An unnamed resident clarified that the entrance of the proposed development will be along Doncaster Ave because the current civic address says 101 Oak Drive. Mr. Moase confirmed that the side along Oak Drive will be infilled so the garages will be facing Doncaster Ave. Ms. Laurel Palmer Thompson, PII, confirmed that the current civic address is 101 Oak Drive at the moment. It was used to identify the location of the lot for this application. The developer had not provided a complete site plan at present and the final civic address will be determined when the final building plans have been finalized. Mr. Moase also added that it will be best to have the entrance along Doncaster Ave to reduce the traffic along Oak Drive.

Leigh Sentner, resident, asked if the Planning Department received the letter sent by the residents of the area. Mayor Lee confirmed that the Department received the letter.

Councillor Melissa Hilton asked if the house beside the subject property would be along Richard Drive or Doncaster Ave. Ms. Thompson noted that the civic address is along Doncaster Ave. Councillor Hilton then asked Mr. Moase if the proposed development will have a shared driveway and intended to be sold individually. Mr. Moase confirmed that it will have a shared driveway and will be owner occupied once sold.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

Laurel Palmer Thompson left the meeting.

6. Mount Edward Road (PID #390740) & Mount Edward Road (PID#492405)

This is a request to rezone the property at Mount Edward Road (PID #492405) and a portion of the property located at Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone. This application also includes a lot consolidation and approval of a Development Concept Plan for a portion of the above-mentioned properties. The proposed Development Concept Plan illustrates the development on a portion of the consolidated properties in two phases containing a total of 143 residential dwelling units. Councillor Greg Rivard introduced Greg Morrison, PII, to introduce the application.

The application includes the following requests:

1. The first is to rezone the property located on Mount Edward Road (PID #492405) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone;

2. The second is to rezone a portion of the property located on Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone.
3. The third is to consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405).
4. And finally, the fourth is to approve the Development Concept Plan for the 5.05 acres portion of the proposed consolidated property.

The applicant intends to develop 5.05 acres of the total 8 acre vacant properties off Mount Edward Road in approximately three phases. The first phase consists of a seven (7) unit townhouse and a 48-unit apartment building on 2.5 acres of land. The second phase consists of a 40-unit apartment building and a 48-unit apartment building on 2.55 acres of land. The applicant would also be proposing to construct a road from Mount Edward Road to the Confederation Trail. The proposed road would connect at Mount Edward Road directly across from Ferngarden Drive and would continue to the Confederation Trail where a temporary cul-de-sac would be implemented until such time that the road is extended through the property. The submitted plans only show the conceptual massing. The applicant has also agreed to undergo the Design Review process in order to develop the design of the building at a later date. This will be included in the Development Agreement with the conceptual massing plans but the text would indicate that the Design Review process is required prior to issuing any permits. Mr. Morrison then introduced Mr. Stavert to provide more details.

Aaron Stavert, architect and representative of the applicant, introduced the application by noting that that property is owned by Saint Dunstan's University (SDU) for approximately 150 years and one of the predecessors of UPEI. SDU is now run as a not-for-profit by the Board of Governors. SDU invests approximately one million dollars annually through scholarships, bursaries and community based projects. Over the years, SDU has sold a portion of its properties and were developed as what we see now as Princess Auto, Canadian Tire and the Sobeys property. SDU has been approached by developers to develop a portion of their lands and the current application would be the pie shaped land located south of the Confederation Trail off of Mount Edward Road. Some of the goals and objectives of this project is to look at residential development as it relates to existing neighbourhood, transition to scale down closer to the residents in the area, and provide quality development with lower ratio of floor area to open space. It is not intended to be developed to the full extent as allowed by the existing Bylaw but to provide a good building space and to connect green spaces to the Confederation Trail. Mr. Stavert provided a view of the property from the bypass highway and along Mount Edward Road and its site attributes. As part of the CDA requirements, the applicant is required to look at the full 9 acres of land. The development is targeted to be done in three phases with Phase I being a 2.5 acre parcel, 2.55 for Phase II and a future CDA for Phase III. Road alignments were also looked at to mitigate traffic issues.

Joey Jeffrey, resident, asked how much lower would the 40-unit apartment be from the street line. Mr. Stavert noted that the grade would probably drop 12 to 14 feet to the base of the building. The bylaw allows a building height of up to 49.2 feet tall therefore gaining a storey and a half of drop and be looking at 3-storey building from the street. Mr. Jeffrey also added that though the development is high density, he considers it as a lower density project than expected. One of his concerns is traffic along Mount Edward Road and he asked if a study has been made on the impact of this new development to the traffic along Mount Edward Road, or if there are any other street options available or installation of traffic lights or roundabouts that may be considered. Mayor Lee responded that a study has not been done yet and it will definitely be referred to the traffic division to look at the development at that time and provide recommendations. If the street is not along Mount Edward Road, it is uncertain as to where access will be since access will not be permitted to exit on to the bypass highway.

David MacDonald, resident, mentioned that any traffic on Mt Edward Road impacts all residents along Mt. Edward Road. Mr. MacDonald spoke to a few residents in the area and mentioned that they agree that housing is a priority and are not against it. However, some concerns raised were 1) the area coming out of Ferngarden is considered to be a blind hill and virtually impossible to pull out of without some risk of being hit. When the road gets busy towards the traffic lights, cars pile up past Ferngarden. If a traffic light was put in that area, turning left to Ferngarden would again be a safety concern. Mr. MacDonald mentioned that the current guidelines of the City would not have allowed this street to be constructed. Mr. MacDonald also noted the Street Access Bylaw that for controlled access streets such as Mount Edward Road, it is a requirement to explore all possible options for street access and not just the easy option. Mr. MacDonald reiterated that the development is not a concern, but the access road is. Mr. MacDonald has requested that Council, Planning and Protective Services Committee look at the access road for this development.

An unidentified resident commented that there was a previous letter sent out to residents about another proposed development along Mount Edward Road and raised concern that if the proposal came back in a year or two, then there would be another significant development in the area and access might even be worse. There are a lot of properties between Mount Edward Road and Confederation Trail that may be considered for future development seeing that housing is becoming an issue. Towers Road fronting the cinema is being treated more of a street and has more traffic than other streets. Plans on access between this property, Towers Road and the Bypass highway need to be reviewed.

Herman McQuaid, representative of Saint Dunstan's University, indicated that two years ago the proposal was brought to the Police committee and also looked at through Paul Johnson's group. It was suggested that it was a good entrance to use. It would be best to have these documents revisited for review.

Councillor Rivard asked Mr. Stavert if there is a possibility of reworking the roadway or entrance to the property to be along the higher portion of the property. Mr. Stavert noted that there have been discussions with the City regarding the access of this property and had proposed that the access be located along the higher end of the property closer to the tree line but received feedback that services and utility run along that area and the site line is worse at that level. There are two streets closer to that area and there are more risks of other cars going left and right along that side of the street. Other options were looked at but all at Mount Edward Road. Councillor Rivard also asked what the distance between the proposed access and the bypass traffic light is. The information is not available at the moment but a comparable image showing the proposed access was presented.

Brian Gillis, resident, noted that the sensitive approach to massing and planning of this development is positive. Looking at a developer's perspective and his own perspective, he would look at higher density and social mandate targeted at social affordable housing. Mr. Gillis also asked if there is a master plan or conceptual land use envisioned for the rest of the land across the Confederation Trail. Mr. Stavert deferred the question to Mr. McQuaid or Mr. McDougal who would be the best resource to answer this question. Mr. Gillis added that since we are dealing with a comprehensive development area, there are several complex issues along with it such as access, the entrance into the shopping mall that acts as connector between Mount Edward Road and Capital Drive or University Avenue. This is a result of lack of future planning. The City needs to look at good planning and the overall framework impacts the balance of the land.

Donna Gorveatt, resident, asked if there will be a road beside 247 Mount Edward in the future. Mayor Lee responded that there are no plans as this time.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

7. 80 Grafton Street (PID #340265)

This is a request for a site specific exemption in order to construct a five storey mixed-use building containing retail shops on the first floor, offices on the second floor and a total of 14 residential dwelling units on the third to fifth floor of the property located at 80 Grafton Street (PID #340265) with off-lot parking to be located within the Pownal Parkade. The request also includes three variances. Councillor Greg Rivard introduced Greg Morrison, PII, to introduce the application. Mr. Bill Chandler, representative of the applicant, is also present to provide more information.

The application includes the following:

1. The first request is a site specific exemption to allow the applicant to apply for off-lot parking in the Pownal Parkade for 15 of the required spaces. The rest of the required parking spaces, at this time, will be cash in lieu. Off-lot parking is not permitted in the current Zoning & Development By-law which

- was adopted this month; however, was permitted in the previous by-law. The applicant is requesting this site specific exemption as they have been designing their building under the previous by-law in which it was permitted.
2. The second request is a variance to reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft.
 3. The third request is a variance to reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to the Pilot House from 18.0 ft to approximately 14.33 ft.
 4. The fourth request is a variance to reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to MRSB from 18.0 ft to approximately 13.0 ft.

The request is to construct a five-storey, mixed-use building on the existing parking lot. The proposed building includes a basement with retail space on the main floor, offices on the second floor, six (6) residential dwelling units on the third floor, four (4) residential dwelling units on the fourth floor, and four (4) residential dwelling units on the fifth floor. This application is also subject to the Design Review process and the signing of a Development Agreement. Mr. Morrison turned it over to Bill Chandler to provide more details of the project.

Mr. Chandler indicated that the property in question is the vacant lot between the Pilot House and the MRSB building and is currently used as a parking space. The proposed building will have its streetscape lining up with the existing three storey buildings beside it. The fourth and fifth floors will have a setback of about 10 feet. There is a 14.5 feet space between the Pilot House and the proposed building and will be constructed of a hard surface with landscaping. There is also a plan to move the entrance to the Pownal Parkade from the existing entrance to this space. The proposed building will also have a connection to the Pownal Parkade. The basement is intended to be storage area for files for the legal offices. The main floor will be retail spaces with a common lobby, an elevator and two exit stairs. The second floor will be one big office space and the developers of this project will be occupying a portion of this space. The third floor will be smaller apartments as compared to the apartments at the fourth and fifth floor which will have terraces and balconies. The fifth floor will also have roof access.

Mayor Lee asked if it has to go through the variance process and then proceed with the design review; Alex Forbes, Planning Manager, confirmed. Mr. Forbes also added that without the variances being approved, the Design Review cannot proceed. This also deals with a comprehensive development agreement on parking, bonusing and then the design review. If the Council will be inclined to support this proposal, the Council will be informed of all the components of the application before it proceeds. The developers have been working on this project under the old bylaw and the new bylaw is more stringent in terms of the parking. This application is considered to be an entire package that needs to be decided upon before the project can be approved. Mayor Lee added

that if this proposed development going to be built on the existing parking then this is an opportunity for a building to take place on this. If we are going to develop buildings in Charlottetown and require them to provide parking, the development won't be able to happen. Mayor Lee asked how many parking spots are required and Mr. Morrison indicated that at this time of the application, they are required to replace the existing 26 spots and the required parking spots for the application which is a total of 50 required spaces. Mayor Lee feels that it does not make sense to replace the existing parking lots when this development is an opportunity to eliminate what's existing/current. If that is what the Bylaw says, maybe there is a need to revisit the Bylaw to encourage development along the downtown area. Mr. Forbes added that this will be discussed with the applicant to address this requirement for this application.

Brian Gillis, resident, commented that he has heard the terminology "affordable housing" discussed more often and the next step is to do something about it. Mr. Gillis asked if the housing units here would be market oriented and what would be the square footage of the units. Mr. Chandler confirmed that it is market oriented with the smaller units ranging from 700,800 to 1,000 sq.ft. Mr. Gillis also noted that the rents would be around the \$1200-1400 range and admitted that is not close to the cost of affordable housing. Mr. Gillis wanted to make the point known that there is a need to balance the equation to mandate inclusionary zoning to have a percentage of the new units to be targeted at affordable housing rates. If we are not going to address the concern, we are not addressing the current housing problems. Another point is related to parking. There have been numerous projects over the past years where cash in lieu was used to get projects approved. Mr. Gillis then questioned why we are not building parkades from the cash-in-lieu requirements and mandated to act on that. The projects become financial instruments to approve it without a backup for the parkades. This becomes poor planning and reflects poorly on the governance to those who hold office.

Kenny Martin, resident, agrees with Mr. Gillis about the parking; there is a need to balance the parking portion to development. It is great to have development and the current proposal is a wonderful concept. Not all people can live downtown but people would usually do business downtown and need parking. If we give up parking spaces on Grafton Street, it may be concerning to the public. If you allow this practice of giving up parking in lieu of a development, we need to look at improving public transit or build more parking garages.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

8. Adjournment

Moved by Councillor Greg Rivard and seconded by Deputy Mayor Mike Duffy that the meeting be adjourned. **Meeting concluded at 8:06 PM**



DRAFT

**Special Meeting of Council
Thursday, November 1, 2018 at 5:30 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Clifford Lee Presiding

Present: Deputy Mayor Mike Duffy
Councillor Greg Rivard
Councillor Kevin Ramsay
Councillor Terry MacLeod

Councillor Melissa Hilton
Councillor Jason Coady
Councillor Eddie Rice

Also: Peter Kelly, CAO
Richard MacEwen, UM

Scott Messervey, DCAO
Tracey McLean, RMC

Regrets: Councillor Terry Bernard
Councillor Bob Doiron

Councillor Mitchell Tweel

1. Call to Order

Mayor Lee called the meeting to order.

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

Moved by Councillor Kevin Ramsay and Seconded by Councillor Terry MacLeod that the agenda be approved as presented. Carried.

4. Resolutions & Bylaw Readings

**Moved by Councillor Melissa Hilton
Seconded by Deputy Mayor Mike Duffy**

RESOLVED:

That the City of Charlottetown approves and accepts the following Financial Statements as prepared by management and audited by MRSB for the year ended December 31, 2017 (copies attached to this resolution).

- City of Charlottetown Superannuation Plan
- Charlottetown Water & Sewer Corporation Superannuation Plan
- Charlottetown Water & Sewer Corporation Financial Statements

CARRIED 7-0

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, as per the "Utility Vehicles" tender, Fair Isle Ford Charlottetown be awarded the tender for two (2) vehicles in the amount of \$158,966.80 (HST included),

And that this be expensed out of the 2018/19 Capital Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 7-0

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Melissa Hilton**

RESOLVED:

That per the Request for Quotations on "Snow Clearing of Fire Hydrants, Lift and Water Stations", the following low submissions in regard to hourly rates be accepted subject to receipt of required insurance certificates.

<u>Location</u>	<u>Contractor</u>	<u>Price/hr (hst included)</u>
Section 1	Landmark	\$66.70
Section 2	Barry Murphy	\$69.00
Section 3	MacKinnon Trucking	\$65.26
Section 4	A&M Snow Removal	\$86.25
Section 5	Landmark	\$81.94
Section 6	Landmark	\$81.94

And that this be expensed out of the 2018/19 Operations Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 7-0

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Melissa Hilton**

RESOLVED:

That per the Request for Quotations on "Snow Clearing of Utility Properties", the low submissions in regard to per trip rates be accepted subject to receipt of required insurance certificates,

Location	Contractor	Price/trip (HST Incl.)
1328 – Brackley Pt. Rd – Water	Tremere Snow Removal	\$150.00

Station & 1 Hydrant		
178 – Mount Edward Road – Sherwood Booster Station	Landmark	\$115.00
16960 – Rte#2 Miltonvale Well Field & 1 Hydrant	Landmark	\$250.00
614 – Malpeque Road – Milton Booster Station & 1 Hydrant	Landmark	\$115.00
588 – Union Rd – Water Station & 2 Hydrants	Landmark	\$195.00
791 – Suffolk Rd. – Water Station & 1 Hydrant	Landmark	\$195.00
18- Riverside Dr – Treatment Plant, Parking Lot, etc and Salting	M&M Resources	\$345.00 snow and \$143.75 salt
1 Hydrant on York Rd, (in the Community of York)	Tremere Snow Removal	\$100.00

And that this be expensed out of the 2018/19 Operating Budget,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 7-0

**Moved by Councillor Terry MacLeod
Seconded by Councillor Melissa Hilton**

RESOLVED:

That per the Request for Quotations on "Snow Clearing of Municipal Properties", the following low submissions in regard to Municipal Properties be accepted subject to receipt of required insurance certificates,

Season Price (HST included)

Sherwood Civic Bldg	Birt & Mckay Backhoe Services Ltd.	\$4,400.00
West Royalty Civic Bldg	Dickieson's Snow Removal	\$3,001.50
East Royalty Civic Bldg	Birt & Mckay Backhoe Services Ltd.	\$2,750.00
Hillsborough Park Civic Bldg	W M (1993) Ltd.	\$2,472.50
J E Blanchard Building	Birt & Mckay Backhoe Services Ltd.	\$1,390.01
Kirkwood Police Station	Landmark	\$5,175.00

And that the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.

CARRIED 7-0

**Moved by Councillor Terry MacLeod
Seconded by Councillor Melissa Hilton**

RESOLVED:

That, per the publicly advertised quote for 'Request for Proposals for Engineering Services – Harley Street', the low submission of CBCL Ltd. in the amount of \$15,800.00 (plus applicable taxes) be accepted,

And that the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.

CARRIED 7-0

2nd reading of the Building Code Bylaw – Repeal the existing Building Code Bylaw in its entirety and replace it with the proposed Building Code Bylaw.

Whereas the City of Charlottetown Building Code Bylaw, Bylaw 2018-12 was read and approved a first time on October 9, 2018;

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the said Bylaw be read a second time.

CARRIED 7-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady**

RESOLVED:

That the said Bylaw be approved and adopted.

CARRIED 7-0

2nd reading of the Election Bylaw – Amend wording in Part X – Administrative #40 Effective Date from Sections 11-17 to Sections 11 & 12 and additional amendment presented as a Bylaw to Amend the City of Charlottetown Election Bylaw, Bylaw #2018-08-A to correct effective dates.

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the City of Charlottetown Election Bylaw be further amended as noted on the attached amending bylaw #2018-08-A and be read a second time and that the said Bylaw be now adopted.

CARRIED 7-0

5. Adjournment

Moved by Councillor Eddie Rice and Seconded by Councillor Melissa Hilton that the meeting be adjourned. Carried.

The meeting concluded at 6:00 PM

DRAFT



**PLANNING AND HERITAGE COMMITTEE
REPORT TO COUNCIL
November 13, 2018**

The Planning & Heritage Committee did not meet in November; therefore there are no minutes in your package.

The Planning Board met on Monday, October 31, 2018 and Wednesday, November 7, 2018; copies of the Planning Board Report and the minutes are included in your package.

There are six (6) resolutions to be put forward:

1. 261 Brackley Point Road (PID # 704544): Discretionary use variance to legalize the conversion of existing motel into apartment units
2. Mount Edward Road (PID #390740) & Mount Edward Road (PID #492405): Rezoning, lot consolidation/subdivision and CDA amendment.
3. 80 Grafton Street (PID #340265): Site specific amendment to allow off-lot parking which includes three (3) variances
4. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574): Zone the property to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan
5. 17 Ralden Ave (PID #397083): Temporary use variance to allow Chapman Bros Snow Removal to operate during the snow season
6. 29 Forest Drive (PID #791913): Request for reconsideration to operate a home occupation (i.e., acupuncture & Chinese medicine business)
7. Zoning & Development By-law - Section 5.2.15 and Section 5.13.3: Changes to the Signage Bylaw in reference to the resolution approved by Council on October 9, 2018

The Heritage Board met on Tuesday, October 30, 2018; copies of the Heritage Board report and the minutes are included in your package.

There are no resolutions to put forward.

The Design Review Board met on Tuesday, October 30, 2018; copies of the Heritage Board report and the minutes are included in your package.

There are no resolutions to put forward.

Reading Papers

First Readings:

1. Mount Edward Road (PID #390740) & Mount Edward Road (PID #492405): Rezoning, lot consolidation/subdivision and CDA amendment

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November 13, 2018
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2. 80 Grafton Street (PID #340265): Site specific amendment to allow off-lot parking which includes three (3) variances
3. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574): Zone the property to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan

For information purposes, a listing of permit applications issued during the past month has been included with your package.

Respectfully submitted,

Councillor Greg Rivard, Chair

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD
WEDNESDAY, OCTOBER 31, 2018
12:00 P.M.**

Present: Councillor Greg Rivard, Chair Roger Doiron, RM
Councillor Terry MacLeod, Vice-Chair Ron Coles, RM
Councillor Jason Coady Alex Forbes PHM
David Archer, RM Greg Morrison, PII
Karolyn Walsh, RM Robert Zilke, PII
Lea MacDonald, RM Ellen Faye Ganga, PH IA/AA
Lynn MacLaren, RM
Pat Langhorne, RM

Regrets: Loanne MacKay, RM Laurel Palmer Thompson, PII
Kate Marshall, RM

1. Call to Order

Councillor Rivard called the meeting to order at 12:01 pm.

2. Declaration of Conflicts

Councillor Rivard asked if there are any conflicts and there being none, moved to the approval of the agenda.

3. Approval of Agenda

Moved by Karolyn Walsh, RM, and seconded by Councilor Terry MacLeod, that the agenda for Wednesday, October 31, 2018 be approved.

CARRIED

4. Adoption of Minutes

Moved by Karolyn Walsh, RM, and seconded by Councilor Terry MacLeod, that the minutes of the meeting on Monday, October 1, 2018, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574)

This is an application to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan. Robert Zilke, PII, presented the application. See attached report.

At the public meeting on October 23, 2018, Mr. Bill Watters, applicant/owner, spoke to his application. There were no public feedback received at the public meeting nor did we receive any

formal objection in relation to this application. Staff recommendation is to approve this application.

Councillor Jason Coady noted that while there was no feedback at the time of the public hearing, he has received calls from people around the neighbourhood who are curious about what is going to be built on this property. It is also known to them that there was a previous application from Mr. Watters to build a large garage to house his recreational vehicle. Mr. Coady asked if site plans have been provided to further understand what will be put on this property. Alex Forbes, PHM, responded that the property is considered as a standard lot and if the applicant applies to build a house and add a garage to it, it needs to adhere to the Bylaw and will have to provide a detailed site plan. At this time, there are no applications or plans, or he may even sell it in the future. Mr. Forbes added that this application could likely proceed further without a site plan unless other Staff can provide additional information. Robert Zilke added that he has initially spoken with the applicant about his plans of building a single family dwelling with an attached garage but prior to the public hearing, the applicant mentioned that he intends to preserve the yard space for now. At this point, there are no plans to build anything but in case he does, he will definitely need to apply for a permit.

Pat Langhorne, RM, clarified that if the property was rezoned to R-1, a big garage cannot be built. Councillor Rivard commented that he can build a house and a large garage as part of the house, but he cannot build the oversized stand-alone garage he previously planned to construct. As of right, he should be able to build a large garage within the regulations because he has a very large lot. Robert Zilke confirmed Mr. Rivard's comments and if the applicant will be building an attached garage, there are no restrictions to the size but will be confined to the setback requirements of the R-1 zone. If a variance will be required at that time, the applicant will have to come back to the board for approval.

Councillor Rivard asked if it is possible to defer the application until the applicant is able to provide us with plans of what he intends to build. A deferral would allow the Board to clarify with the applicant his intent with regard to the size of the garage. This important is important in light of the previous application that was submitted a few months ago with the applicant requesting to build a stand-alone garage which was not supported. Mr. Forbes responded that since the lot meets all of the subdivision requirements, he questioned whether deferring this application was necessary. He mentioned that if this application is approved, Staff is comfortable that the concerns of the neighbours can be addressed when he applies for a building permit. At this time, there is no confirmation that the applicant may or may not build a building on this lot. Mr. Rivard again noted that once this is zoned, he can build a home as of right. Mr. Forbes confirmed that he can build a home as of right, the same as any other neighbor or applicant in this area without having to go to the Board for approval.

Pat Langhorne, RM, also asked if the applicant can build a large garage and put an apartment on top in an R-1 zone. Mr. Forbes noted that this application is to zone a lot that is a former right of way. The previous application was not supported by staff but the current application is being supported because the lot is large enough to accommodate the requirements of the R-1 zone. The applicant may be asked to come back but he has no plans at this time. We can ask Staff to

contact applicant to define his short or long term plan and then let council decide. Councillor Rivard also asked if there are restrictions on living space and garage. Greg Morrison, PII, commented that unless there are building code restrictions to the living area minimum size but not on the maximum garage size

Lea MacDonald, RM, asked if it will be as of right to build all garage on lower level and house on top and that there are no restrictions in doing so. Mr. Forbes responded that there are no restrictions on the garage being located entirely on ground level and this same situation applies to everyone. Also, when building a house, people also take into account the resale value of the property and building very large garages attached to a detached house may affect property value.

Lynn MacLaren, RM, clarified the earlier statement that the applicant does not have drawings at this time and questioned whether the Board can request plans from the applicant. Mr. Forbes responded that we can ask for drawings or plans from the applicant. Notwithstanding, we create numerous vacant lots in the City and we don't ask the owners what the plans are for the vacant lot until the time of building permit application. Councillor Rivard commented that the reason why all these questions are being asked is because the applicant came in, not more than four months ago to build a very large garage which was not supported. Hence, the intent is known and this new application may just be a potential workaround to build his plans. Mr. Zilke added that the new Bylaw (2018-11) states that drawings or site plans may be requested for applications for amendments. Mr. Forbes noted that we can defer the application and ask the applicant to attend a future meeting and respond to the various questions.

Councillor Terry MacLeod clarified that the original application was rejected because it was to build an oversized garage. If this application is then approved, then the applicant will be able to have the option of building what we initially didn't want him to do because a garage is considered to be part of a residential structure. Mr. Forbes then noted that the first application was for a standalone garage. In order to build a garage, a house or a dwelling is required. Mr. Zilke also added that if he wants to build a garage, then the applicant would have to construct a dwelling first before he can build a detached garage or an attached garage.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Lynn MacLaren, RM, and seconded by Roger Doiron, RM, that the request to zone the subject property identified as (PID #1073634) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan, be deferred until the applicant provides additional information regarding the proposed application.

CARRIED

7. 101 Oak Drive (PID #452748)

This application is a request to rezone the property at 101 Oak Drive (PID # 452748) from Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone. The

property is located in the corner of Oak Drive and Doncaster Ave. Alex Forbes, PHM, presented the application. See attached report.

A public meeting was held on October 23, 2018 and a representative of the applicant presented the plans for the property. At that time, the plans are not very clear since a site plan was not provided. The application is requesting permission to build a semi-detached dwelling. This application has raised concerns in the area because it is perceived to be a spot rezoning which will introduce a new residential housing type in the area. A petition to oppose the application was sent to the Planning Department. In light of the lack of information provided at this time and the fact that the property requires a rezoning, Staff is not prepared to support it at this time. A day before the scheduled Planning Board meeting, the applicant has requested to defer this application to the December meeting to be able to provide more details of how the application relating to site plan and building design.

Councillor Rivard confirmed that this already went to a public consultation and that this application can no longer be withdrawn. Mr. Forbes confirmed that the application can no longer be withdrawn without Council approval, but the applicant is just requesting to defer to the next Planning Board meeting.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Roger Doiron, RM, and seconded by Karolyn Walsh, RM, that the request to amend Appendix “H” – Zoning Map of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone in order to rezone the property located at 101 Oak Drive (PID # 452748), be deferred until the applicant provides more details of the proposed development.

CARRIED

8. 261 Brackley Point Road (PID #704544)

This is a request for a discretionary use variance to legalize the conversion of the existing motel into apartment units for the property at 261 Brackley Point Road (PID # 704544). Robert Zilke, PII, presented the application. See attached report.

This application is considered under the previous zoning bylaw to allow discretionary uses to convert a previous motel to a 16 unit apartment building to provide long term rentals. There are no changes in the original layout of the former Princess Motel. The property is zoned as M-3 Business Park Industrial which allows for non-intensive industrial uses (i.e. offices, retail sales, and hotel) and is more conducive to a residential use. It should be noted though that three (3) objections from adjacent properties were received and the concerns were once this is switched to long term residential use, the possibility of receiving future complaints that may negatively impact the operations of current industrial type businesses within the area. Superior Propane mentioned in their letter that they have large trucks that drive in and out of their sites at different hours and they don't want to limit their existing operations once the long term rentals are approved. If this application is approved, there are conditions that have to be met by the

applicants as well. Site assessments were done by Fundy Engineering in 2011 and as part of the report, it was noted that the motel was converted to apartments between the years 2006-2008. However, none of the work was done with a building permit.

Lea MacDonald, RM, clarified that the basis of this approval would be the conditions outlined in this application. Robert Zilke confirmed and read out the summary of the conditions stated. Councillor Rivard raised a concern referring back to the 50 affordable housing units along Sherwood Road which was not supported at that time, and now we are looking at an application similar to it. Robert Zilke responded that the Sherwood Road application is surrounded by existing heavier industrial uses (i.e. heavy equipment, auto repair construction outfits) and the area is more industrial in nature. The current application is a pre-existing building that is currently being rented out to about 25-28 tenants. The neighbouring businesses along the area would be more of light industrial and office type businesses. Councillor Rivard noted to make sure that we have this argument noted in case this application is questioned in relation to Sherwood Road.

Karolyn Walsh, RM, asked if the current apartments are being rented for long term use during the winter months. Robert Zilke responded that the apartments are being rented for long term rentals already.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Lea MacDonald, RM, and seconded by Pat Langhorne, RM, that the request for a discretionary use variance for the property at 261 Brackley Point Road (PID #704544), be approved with the following conditions:

- 1. That the owner completes the following:**
 - a. The owner applies for a building permit for the completed work done back in 2006 and 2008, when the motel suites were converted to apartment rental units;**
 - b. That the 2011 Environmental Site Assessment report conducted by Fundy Engineering & Consulting Environmental Ltd. be submitted to the Planning & Heritage Department for review;**
 - c. Enter into Development Agreement with the following conditions:**
 - i. That the existing apartment building cannot be enlarged or be increased in occupancy;**
 - ii. That the free standing sign along the front of the site be removed; and**
 - iii. That the owner ensures that site drainage is compliant with the Zoning and Development By-law 2018-11.**

CARRIED

9. Mount Edward Road (PID #390740) & Mount Edward Road (PID #492405)

This is an application to rezone a portion of the property located at Mount Edward Road (PID #390740) and the property at Mount Edward Road (PID #492405) from the Low Density Residential (R-2S) Zone to the Comprehensive Development Area (CDA) Zone. This application

also includes lot consolidation and approval of a Development Concept Plan for the above-mentioned properties. Greg Morrison, PII, presented the application. See attached report.

This application is to build a total of 143 units in two phases. A public meeting was held on October 23, 2018 and at the public meeting, most of the discussions were related to traffic and access along Mount Edward Road. Residents felt that the proposed access directly across Fern Garden Drive is a dangerous location due to the hill or slope of the road. After the public meeting, staff reviewed previous records that indicate that staff met with Public Works previously, with attendance from the Province and the Police Department, and that the access across Fern Garden Drive was identified as an acceptable access point for a new intersection at this location. Paul Johnston, Manager of Public Works at that time, recommended that a traffic study be obtained to ensure that the proposed access can be accommodated. Staff discussed this with the applicant and the applicants are willing to undergo the traffic study. Staff recommendation is to approve the application with this requirement to be included in the required Development Agreement.

Lea MacDonald, RM, confirmed that a traffic study will be required for this application and Mr. Morrison confirmed that if this application is approved, the condition to conduct a traffic study will be required.

Ron Coles, RM, asked if the traffic study will include all the road connections including the future use of the property. Mr. Forbes commented that he has spoken with the Chief of the Police Department and the Chief feels that a traffic engineer needs to look at the situation to indicate the impacts associated with opening the balance of the applicants land on the opposite side of the trail on the proposed street connection to Mount Edward Road. At this point, it is uncertain as to how the other parcels of the land on the interior of this property will be developed in the future. Aaron Stavert, representative of the applicant, added that there have been numerous conversations with adjacent land owners about trying to have a road parallel to the trail and back to the Towers road which provides access to the shopping mall. There are also a number of conversations with other developers about land access in trying to develop the land adjacent to their holdings. These conversations are continuously happening and the church is trying to negotiate among owners across multiple properties. The applicants (St. Dunstan's) are willing and prepared to study the access across the rest of the property. Mr. Forbes also noted that it is the Church's interest to develop the general design of the internal roadway in advance of future development to assist in the longer term planning for the remaining land locked parcels. Traffic calming measures could also be reviewed to ensure that traffic through this phase of residential development could be managed appropriately.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Lea MacDonald, RM, and seconded by Karolyn Walsh, RM, that the request to:
1. Amend Appendix "A" – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for a

portion of the property located on Mount Edward Road (PID #390740), be approved;

2. Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for a portion of the property located on Mount Edward Road (PID #390740), be approved;
3. Amend Appendix “A” – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for the property located on Mount Edward Road (PID #492405), be approved;
4. Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for the property located on Mount Edward Road (PID #492405), be approved;
5. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405), be approved subject to the receipt of final pinned survey plans; and
6. Amend Appendix “G” – Comprehensive Development Area Lands and Uses of the Zoning & Development By-law from allowing a residential building on the street with the back portion vacant to 143 residential dwelling units on 5.05 acres of the property located on Mount Edward Road (PID #390740), be approved, subject to the approval of the Development Concept Plan, Design Review approval, the submission of a traffic study and the signing of a Development Agreement.

CARRIED

10. 80 Grafton Street (PID #340265)

This is a request for a site specific exemption to construct a five (5) storey mixed-use building in the existing parking lot located at 80 Grafton Street (PID #340265). The proposal includes a basement, retail shops on the main floor, offices on the second floor and three storeys of residential dwellings for a total of 14 dwelling units. Greg Morrison, PII, presented the application. See attached report.

The site specific exemption also includes the following three (3) variances:

1. Reducing the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft;
2. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and
3. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft.

A public meeting was held on October 23, 2018 and the discussions surrounded parking. Among the discussion was whether the existing parking spaces where the building will be erected should be included in computation of the required off lot parking and cash in lieu. The applicant has approached CADC and has agreed to provide 15 parking spaces at the Pownal Parkade. The

DRAFT UNTIL REVIEWED BY COMMITTEE

remaining required parking spaces will be then required to be paid as cash-in-lieu. If this application is approved, it will still be required to go through Design Review, signing of a Development Agreement, bonus height and parking arrangements. Staff recommendation is to approve this application.

Councillor Rivard asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Karolyn Walsh, RM, and seconded by Pat Langhorne, RM, to approve the request to obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide fifteen of the required parking spaces off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10, be approved, subject to:

- 1. Design Review approval; and**
- 2. The signing of a Development Agreement.**

The site specific exemption also includes the following three (3) variances:

- 1. Reducing the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft;**
- 2. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and**
- 3. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft.**

CARRIED

The meeting was adjourned at 12:38 p.m.

Councillor Greg Rivard, Chair

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD
WEDNESDAY, NOVEMBER 7, 2018
12:00 P.M.**

Present: Councillor Terry MacLeod, Vice-Chair Roger Doiron, RM
Councillor Jason Coady Ron Coles, RM
David Archer, RM Alex Forbes PHM
Karolyn Walsh, RM Greg Morrison, PII
Lea MacDonald, RM Laurel Palmer Thompson, PII
Lynn MacLaren, RM Robert Zilke, PII
Pat Langhorne, RM Ellen Faye Ganga, PH IA/AA
Loanne MacKay, RM

Regrets: Councillor Greg Rivard, Chair
Kate Marshall, RM

1. Call to Order

Councillor MacLeod called the meeting to order at 12:01pm.

2. Declaration of Conflicts

Councillor MacLeod asked if there are any conflicts and there being none, moved to the approval of the agenda.

3. Approval of Agenda

Moved and seconded that the agenda for Wednesday, November 7, 2018 be approved.

CARRIED

4. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574)

This is an application to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan. Robert Zilke, PII, presented the application. See attached report.

The applicant purchased the lot which was a public right of way and is currently looking to zone the property as R-1L, which is the same zone as the majority of the neighbourhood. Bill Watters is present to speak to his application.

Bill Watters, applicant, presented the property and mentioned that the vacant portion at the back of his current property is an existing residential piece and does not plan to build anything on this side of the property. Instead, he intends to keep the existing flower beds and timbers along that area and continue with the beautification for it. Councillor MacLeod asked for questions and the following is a summary of the discussion:

Questions/Comments:	Bill Watter's response	Staff's response
Pat Langhorne, RM: <i>Who owns the area at the back and what's behind the vacant property in question?</i>	I own the whole area including the existing home in front which is my current home. The back property also used to be a public right of way that was likewise bought by the owner of the adjacent property. I have an existing fence and the adjacent owner is also asking how he can build a fence along his property as well.	
Lynn MacLaren, RM: <i>What is the height of the garage you are planning to build on to your house?</i>	I plan to build a small home with a garage. Earlier presentation showed pictures of the RV and put those inside the garage. I do not plan to put a driveway, and will all be grass, putting flower beds in the area so in a couple years, you won't even see the front end of the property.	
Pat Langhorne, RM: <i>Is the garage going to be separate to the house?</i>	No, it will be attached at the back of the property	
Lea MacDonald, RM: <i>There's no difference from building a garage with an upstairs or same as two storey garage</i>	It will be a two storey house and the garage limit will be about 18-20 feet in height.	
Roger Doiron, RM: <ul style="list-style-type: none"> - <i>Are you building on to the house or a separate building?</i> - <i>How big will the garage/building be?</i> - <i>Will this be rented out?</i> - <i>Will the upstairs be 30x18 as well?</i> - <i>Your Concept is 30x18 in size?</i> 	<ul style="list-style-type: none"> - It will be a separate building on the lot since I own two lots. - The variance to the garage will be 30x18 with two storey living quarters in the back. - I hope to make it a rental or my wife's parents may live in it. - It will be a pen concept at the back – with kitchen & living room; upstairs with a loft, bedroom, closet and bathroom. There are no presentations at the moment for the design. - It will be 30x60 feet deep (1800 sq. ft) where the allowable garage size outside the home would be 1200. With the apartment building at the back, I can rent it out (to a gardener). 	

<p>Lynn MacLaren, RM: <i>Just a clarification because this is a little confusing. A month ago, there was an application for a separate building. Last week, it was an application for an attached garage and today, it is a house with a garage. There are a lot of changes but no drawings have been presented. We would like to see something presented.</i></p>	<p>This spring, I had a formal meeting and asked all the questions about building the structure. I have applied to build a garage but was turned down. I found out that the property is not zoned as R-1. At this point, my application is just to request to have this property properly zoned.</p> <p><i>Mr. Watters mentioned that he has spoken to Planning Staff about the proposals of building a garage and that he has an existing accessory structure of 600 sq.ft which will be deducted from his allowable 1200sqft. Mr. Watters also mentioned about building an attached garage which doesn't have a maximum size, but cannot face the street.</i></p> <p><i>Mr. Watters then mentioned that at this point, all he wants is to have the property zoned and at the time when he wants to build on to the property, he will be in will all the required drawings necessary.</i></p>	<p>Councillor MacLeod then requested Robert Zilke to expound on what Mr. Watters can build on an R-1 zone.</p> <p>Robert Zilke explained that if Mr. Watters would obtain the R-1 zone, he would be able to construct a dwelling unit with an attached garage. This will then have to go through the building permit application process to review setback requirements. If it does not meet the requirements, it will then require for a variance and will come back to the board for review.</p>
<p>Pat Langhorne, RM:</p> <ul style="list-style-type: none"> - <i>Is the garage size going to be bigger than the living space?</i> - <i>Where on the lot are you planning to build it.</i> - <i>You are planning to build a garage to put your RV and you are adding a living space so you can build the garage? Where will the driveway be?</i> 	<ul style="list-style-type: none"> - Yes, that is correct. - It will be along the note where it says Parcel B <i>(as shown on the survey plan attached to the report)</i> and it will be set back as far from the front - Yes. The driveway will be along my existing driveway. <i>Ms. Langhorne commented that this will mean driving through the timber/trees.</i> 	

Lea MacDonald, RM, then commented that this application is only for a recommendation to go to a public consultation and so these questions can be addressed at the public meeting. Mr.

Watters noted that the public meeting was done and that there were no comments from the residents/neighbours. Robert Zilke then clarified and corrected the report and that the recommendation to Council for approval of the request to zone the property.

Pat Langhorne, RM, commented that his plans to build a huge garage attached to a home and what you see from the front is the garage, including the explanation of how the driveway will be is not suitable to the neighbourhood.

Councillor MacLeod then requested if the application can be focused on the request to zone the property and then the Planning Staff can look at the design or the plans when the applicant then decides to build it.

Councillor MacLeod asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Lea MacDonald, RM, and seconded by Councillor Jason Coady, RM, that the request to zone the subject property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan, be approved.

**CARRIED
(5-3)**

5. 17 Ralden Avenue (PID #397083)

This application is a request for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083). The property is located in the Low Density Residential (R-2) Zone. Laurel Palmer Thompson, PII, presented the application. See attached report.

Creed's Petroleum has historically operated from 17 Ralden Avenue as a legal non-conforming use in the R-2 Zone but has since closed as of December 2017. Since Creed's Petroleum discontinued their use for a period of six (6) consecutive months, only the uses allowed in the R-2 Zone are permitted on this property, which are single detached and semi-detached dwellings. Chapman Bros Snow Removal moved into 17 Ralden Avenue to operate their snow clearing business well after the 6 month period after Creeds closure. Therefore, the property reverted back to the current zoning.

An application was before the Board last year for a temporary use for this property and was approved at that time to operate from January to May 2018 with the condition that they are to find another site for future operations. Chapman brothers have contended that they made several attempts to secure another location for their snow removal business. However, the property that they did secure a rental agreement on fell through as the property was sold. Therefore, they have submitted another application for a temporary use for the 2018/2019 season.

A variance letter was sent to residents within 100 meters of the site advising them of the application for a temporary use. One letter in support and four letters of opposition were received in response to the mail out. Concerns of opposition were: the impact of heavy truck

traffic on the newly paved road, noise and pollution from truck traffic and equipment on the site, the building is an eyesore, safety for residents and children in the area and the previous approval was for 4 months only and a new site was to be found by Chapmans.

Staff feels this type of operation is better suited in an industrial area and that the proposed property is now transitioning back to residential. However, Chapman Brothers noted that they provide essential service to the City and that they are required to remove snow within 66 kilometers in the north east area of the City. The staff recommendation is to reject the application.

JP Robison, resident, spoke in opposition to Chapman's operations and described what he has observed while they were operating in that area. He said Ralden Avenue used to be a dead end road but has since opened up and serves as an artery to leave Sherwood. The road width is notably narrow and the sizes of the trucks for snow removal operations are quite large. The area is considered residential and there are children living very close to the Creed site. Stop signs have been replaced several times because trucks have backed over them. This is a residential area therefore it is not the right location for this business. In order to restore that property to green space, environmental tests need to be done because of the operations that have been performed there. The road along Rockcliffe Ave is an emergency access only.

Lea MacDonald, RM, asked if Mr. Robison would know how many children under the age of 15 would be within a 200 ft. radius of the site. Mr. Robison responded around 20 to 25. Stone Park is right behind the site. School buses drive around that area to pick up children for school. Loanne MacKay, RM, asked how long since he purchased the property. Mr. Robison noted a little over a year. He built the property himself with the understanding that Creeds would no longer operate from that site. Mr. MacDonald also commented that when backing a loader, it would require about 10-15 ft. for the operator to see a child behind a machine. It's very hard to see a child in that area with the size of the roads. Mr. MacDonald noted that he sympathizes both with residents and also with the Chapmans because at this point, there is no space for them to locate their business. Mr. MacDonald recommended that it may be an option to allow it for one more year with the condition no more approvals. Mr. Robison commented that he is only one of the many residents in that area who is concerned about Chapmans operating in their neighbourhood.

Lynn MacLaren, RM, commented that the Chapmans have the right to operate snow equipment at any time of the day because they are considered an essential service under their contract with the City. Therefore, if there is a storm, they have no restrictions as they have to clear snow at all hours of the day and night. Mr. Robison agreed with Ms. MacLaren that they are required to clear the snow. However, most neighbourhoods do not have 20 snow plows leaving a specific property. He feels that his neighbourhood is the wrong place for an industrial use. Ms. McLaren stated that Chapmans are based in Souris and if they don't find a space, they would have to drive from Souris to clear the streets. Mr. Robison commented that the City has other contracts for snow removal and that they can probably provide service to the City if the Chapman Brothers are not able to. Ms. MacLaren noted that other contractors may be more costly than Chapman Brothers.

Roger Doiron, RM, commented that he clearly remembers the resolution passed earlier this year included a requirement that Chapmans need to secure a different location for the 2018/2019 snow season to operate their business. It seems that they are dragging their heels at this point. If they look around the City, there are a lot of vacant properties such as the area behind Brackley Point Road or other industrial areas. It is not proper to operate this kind of business in a residential area and I am against them operating in this area.

Loanne MacKay, RM, also commented that there was a previous application being proposed along Sherwood Road and members of the Board commented that it was for the asphalt plant. Ms. Mackay clarified that they were also intending to use that as storage for their snow clearing machines. She indicated they could have still located it there even though the application to build an asphalt plant was turned down.

Councillor MacLeod asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Lea MacDonald, RM, and seconded by Roger Doiron, RM, that the request for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083) to permit Chapman Bros Snow Removal to operate from December 2018 until May 2019, be rejected.

CARRIED

6. 29 Forest Drive (PID #791913)

This is a request for reconsideration regarding an application for a home occupation for acupuncture and Chinese medicine business out of an existing single detached dwelling at 29 Forest Drive (PID #791913). Robert Zilke, PII, presented the application. See attached report. The applicant has indicated that the criteria they are applying for Reconsideration under is *new material facts or evidence not available at the time of the initial order or decision have come to light*. The new material facts submitted are financial statements and medical correspondence that attests to the applicant's plea for hardship. Staff noted that this type of plea goes beyond land use analysis and the applicants did reference these hardships during the initial application. It was noted that if the applicant applied for reconsideration under another criteria being; *a material change of circumstances has occurred since the initial order or decision*. Since the initial application, a new Zoning & Development By-law 2018-11 has been adopted. The new ZBL permits for as-of-right home occupation, as particular use that is permitted is a Health and Wellness service.

This application was before the board on October 1, 2018 for the application. Staff felt that it was a use that is not within the character of the neighbourhood and recommended for rejection. The Planning Board made a motion to recommend to Council for approval; however, Council rejected the application at the October 9, 2018 meeting. The applicant has since then applied to reconsider the application based on financial and health hardships as their primary intent of having the home occupation application.

This type of home occupation is more fitting to the definition of a medical office due to the practice and operation and not towards a health and wellness service which is considered to be an as-of-right use in the new Bylaw. Staff recommendation is to reject this application for reconsideration due to the fact that the purpose/reason of the applicant of having this type of home occupation in a residential neighbourhood does not align with the land use planning of the City.

Lea MacDonald, RM, asked if the applicants can change their application after a year under the health and wellness definition. Robert Zilke, PII, confirmed that if the applicant changes their application substantially, they can reapply for a permit for health and wellness service but they would need to wait at least a year if they wanted to reapply for the original request. However, it would still have to meet the definitions of a health and wellness service. Alex Forbes, PHM, added that at this point, health and wellness is not clearly defined for as-of-right use in a residential area and is currently considered a permitted use only for commercial zones. As the new zoning bylaw is enhanced, a clearer definition of health and wellness will be addressed but at this point, it does not change staff's opinion and recommendation for this application especially with the rationale of the application focused on financial and health hardship, which is beyond the scope of land use planning.

Loanne MacKay, RM, asked if this application is for a service and not an office and by the definition that's available, it is considered a service. Mr. Forbes responded that the application does not meet the definitions of a doctor's office and again is more towards health and wellness where they do massages and other types of therapies, and again, this does not fall under allowed uses. Karol Walsh, RM, noted that during the last meeting this application was in, the applicant noted that her husband is usually in China and that the business will be operated mostly by her and his husband supporting when he is in the City. Also it was noted that the applicant doesn't know how to drive and this may be a concern if something happened there.

Councillor MacLeod asked for any further comments or questions; there being none, the following resolution was put forward:

That the request for reconsideration of a previous application to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913), be rejected.

CARRIED

7. New Business

Councillor MacLeod asked for any businesses or updates for the board.

Alex Forbes, PHM, updated the Board that he is not sure if today is the last board meeting for the year. But depending on the number of applications, Staff will inform the Board should there be a meeting before the end of 2018. If this is the last meeting for the board, Mr. Forbes, on behalf of the whole staff, thanked the board for the support in 2018. Lynn MacLaren, RM, also added that she has been a part of the board for 15 years and she thanked everyone as this will most likely be

her last board meeting unless there would still be one in December 2018. Councillor MacLeod, on behalf of Councillor Rivard and Councillor Coady, also thanked the Staff and the Board for this year's support.

The meeting was adjourned at 12:57 p.m.

Councillor Terry MacLeod, Vice-Chair



**Public Meeting of Council
Tuesday, October 23, 2018
Georgian Ballroom & Terrace, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Clifford Lee Presiding

Present:

**Mayor Clifford Lee
Deputy Mayor Mike Duffy
Councillor Kevin Ramsay
Councillor Terry MacLeod
Councillor Melissa Hilton**

**Councillor Greg Rivard
Councillor Jason Coady**

Also:

**Alex Forbes, PHM
Laurel Palmer Thompson, PII
Greg Morrison, PII**

**Robert Zilke, PII
Ellen Faye Ganga, PH IO/AA**

Regrets:

**Councillor Robert Doiron
Councillor Terry Bernard
Councillor Mitchell Tweel**

**Councillor Eddie Rice
Peter Kelly, CAO**

1. Call to Order

Mayor Clifford Lee called the meeting to order at 7:04 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict.

3. Approval of Agenda

Mayor Clifford Lee opened the meeting, introduced the members of the Council and the purpose of the meeting. Mayor Clifford Lee turned the meeting over to Councillor Rivard, Chair of Planning Board who introduced the application.

4. Property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574)

This is a request to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same

property as Residential on Appendix A of the Official Plan. The purpose of this zoning amendment is to allow the owner to develop the property for residential purposes. Councillor Greg Rivard introduced Robert Zilke, PII, to present this application. The applicant, Mr. Bill Watters is also present to speak on behalf of his application.

The subject property was previously a public right of way connecting to Belgrave Drive. It was determined by the developer (Gardiner Realty) that this right of way would not be developed and as a result was sold. The property was sold to Mr. Watters who is looking for the planning permission to establish a building lot for Single Detached Residential (R-1) Zone. The lot size is 0.42 acres (1,697 sq. m.) with a lot frontage of 94 ft. (28.7 m.). The R-1 zone's minimum lot requirement is 696 sq. m. and 22m (72 ft.) frontage. The lot complies with the R-1L zone minimum requirements. Mr. Watters was present to explain his application and answer any further questions.

Mr. Watters indicated that his objective is to improve the whole back area of his property. He owns the front lots where his house is currently located. A portion of the subject property is heavily timbered and he has no intentions of cutting it down. The back of his property would be a mix of grass area and flower beds which the neighbours around the area would be able to view from their decks. This view provides privacy rather than looking into another home. It is his objective to make the area look nice for him and for the neighbours. At the time the lot was purchased, it was his understanding that the lot would be zoned to allow him to develop the property. However, this was not the case. The current application then is to zone this property to the R-1L zone.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

5. 101 Oak Drive (PID #452748)

This is a request to amend Appendix "H" – Zoning Map of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone in order to rezone the property located at 101 Oak Drive (PID # 452748) to facilitate the construction of a semi-detached dwelling including garages. Councillor Greg Rivard introduced Mr. Danny Moase, representative for this application, to provide details of the application.

The intent is to build a half-million duplex with the intention of selling the units which will be individually owned. The construction will include garages made of brick, doors will be 3ft wide, a roll in shower in the main level and master bedroom and wheelchair accessible. Mr. Moase indicated that a three unit dwelling was built along Valdane Ave a few months ago and that his development coincides with others in the area. The street side along Oak Drive will be filled in so there are no entrances along that street.

Winston Bryan, resident, clarified if the garages will be facing Doncaster Ave and Mr. Mose confirmed that the house will be facing Doncaster Ave. Mr. Bryan also noted that there have been water problems in that area over the past years so what would be their plans to keep the water from flowing from Brackley Point Road into the properties along the street and that the back along Richard Drive will likewise be addressed. Mr. Moase responded that the whole idea of infilling the area along Oak Drive would be to address this concern by putting proper manholes and drainage that satisfies the City engineers.

An unnamed resident clarified that the entrance of the proposed development will be along Doncaster Ave because the current civic address says 101 Oak Drive. Mr. Moase confirmed that the side along Oak Drive will be infilled so the garages will be facing Doncaster Ave. Ms. Laurel Palmer Thompson, PII, confirmed that the current civic address is 101 Oak Drive at the moment. It was used to identify the location of the lot for this application. The developer had not provided a complete site plan at present and the final civic address will be determined when the final building plans have been finalized. Mr. Moase also added that it will be best to have the entrance along Doncaster Ave to reduce the traffic along Oak Drive.

Leigh Sentner, resident, spoke to acknowledge that the Planning Department has received the letter sent by the residents of the area. Mayor Lee confirmed that the Department received the letter.

Councillor Melissa Hilton asked if the house beside the subject property would be along Richard Drive or Doncaster Ave. Ms. Thompson noted that the civic address is along Doncaster Ave. Councillor Hilton then asked Mr. Moase if the proposed development will have a shared driveway and intended to be sold individually. Mr. Moase confirmed that it will have a shared driveway and will be owner occupied once sold.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

Laurel Palmer Thompson left the meeting.

6. Mount Edward Road (PID #390740) & Mount Edward Road (PID #492405)

This is a request to rezone the property at Mount Edward Road (PID #492405) and a portion of the property located at Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone. This application also includes a lot consolidation and approval of a Development Concept Plan for a portion of the above-mentioned properties. The proposed Development Concept Plan illustrates the development on a portion of the consolidated properties in two phases containing a total of 143 residential dwelling units. Councillor Greg Rivard introduced Greg Morrison, PII, to introduce the application. Aaron Stavert,

representative for the application, was also present to provide more details of the proposed development.

The application includes the following requests:

1. The first is to rezone the property located on Mount Edward Road (PID #492405) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone;
2. The second is to rezone a portion of the property located on Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone.
3. The third is to consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405).
4. And finally, the fourth is to approve the Development Concept Plan for the 5.05 acres portion of the proposed consolidated property.

The applicant intends to develop 5.05 acres of the total 8 acre vacant properties off Mount Edward Road in approximately three phases. The first phase consists of a seven (7) unit townhouse and a 48-unit apartment building on 2.5 acres of land. The second phase consists of a 40-unit apartment building and a 48-unit apartment building on 2.55 acres of land. The applicant would also be proposing to construct a road from Mount Edward Road to the Confederation Trail. The proposed road would connect at Mount Edward Road directly across from Ferngarden Drive and would continue to the Confederation Trail where a temporary cul-de-sac would be implemented until such time that the road is extended through the property. The submitted plans only show the conceptual massing and Aaron Stavert provided details of the application. The applicant has also agreed to undergo the Design Review process in order to develop the design of the building at a later date. This will be included in the Development Agreement with the conceptual massing plans but the text would indicate that the Design Review process is required prior to issuing any permits. Mr. Morrison then introduced Mr. Stavert to provide more details.

Aaron Stavert, architect and representative of the applicant, introduced the application **by noting that that property is owned by Saint Dunstan's University (SDU) for** approximately 150 years and one of the predecessors of UPEI. SDU is now run as a not-for-profit by the Board of Governors. SDU invests approximately one million dollars annually through scholarships, bursaries and community based projects. Based projects. SDU owned lands for approx. Over the last few years, it has sold a portion of its properties and were developed as what we see now as Princess Auto, Canadian Tire and the Sobeys property. SDU has been approached by developers to develop a portion of their lands and the application in front of you today would be the pie shaped land located south of the Confederation Trail off of Mount Edward Road. Some of the goals and objectives of this project is to look at residential development as it relates to existing neighbourhood, transition to scale down closer to the residents in the area, and

provide quality development with lower ratio of floor area to open space. It is not intended to be developed to the full extent as allowed by the existing Bylaw but to provide a good building space and to connect green spaces to the Confederation Trail. Mr. Stavert provided images of the view of the property from the bypass highway and along Mount Edward Road and its site attributes. As part of the CDA requirements, the applicant is required to look at the full 9 acres of land. The development is targeted to be done in three phases with Phase I being a 2.5 acre parcel, 2.55 for Phase II and a future CDA for Phase III. Road alignments were also looked at to mitigate traffic issues.

Joey Jeffrey, resident, asked how much lower would the 40-unit apartment be from the street line. Mr. Stavert noted that the grade would probably drop 12 to 14 feet to the base of the building. The bylaw allows a building height of up to 49.2 feet tall and we are gaining a storey and a half of drop and would be looking at 3-storey building from the street. Mr. Jeffrey also added that though the development is high density, he considers it as a lower density project than expected. One of the concerns though would be the increase in traffic along Mount Edward Road and he asked if a study has been made on the impact of this new development to the traffic along Mount Edward road, or if there are any other street options available or installation of traffic lights or roundabouts that may be considered. Mayor Lee responded that a study has not been done yet and it will definitely be referred to the traffic division to look at the development at that time and provide recommendations. If the street is not along Mount Edward Road, it is uncertain as to where access will be since access will not be permitted to exit on to the bypass highway.

David MacDonald, resident, mentioned that any traffic on Mt Edward Road impacts all residents along Mt. Edward Road. Mr. MacDonald spoke to a few residents in the area and mentioned that they agree that housing is a priority and are not against it. However, some concerns raised were 1) the area coming out of Ferngarden is considered to be a blind hill and virtually impossible to pull out of without some risk of being hit. When the road gets busy towards the traffic lights, cars pile up past Ferngarden. If a traffic light was put in that area, turning left to Ferngarden would again be a safety concern. Mr. MacDonald mentioned that the current guidelines of the City would not have allowed this street to be built. Mr. MacDonald also noted the Street Access Bylaw that for controlled access streets such as Mount Edward Road, it is a requirement to explore all possible options for street access and not just the easy option. Mr. MacDonald reiterated that the development is not a concern, but the access road is. Mr. MacDonald has requested that the Council, Planning and Protective Services Committee look at the access road for this development.

An unidentified resident commented that there was a previous letter sent out to residents about another proposed development along Mount Edward Road and is not actually questioning about what happened to that development. The concern would be more about if the proposal came back in a year or two, then there would be another big development in the area and access might even be worse. There are a lot of properties

between Mount Edward Road and Confederation Trail that may be considered for future development considering that housing is becoming an issue. Towers Road fronting the cinema is being treated more of a street and has more traffic than other streets. We need to look at the plans on access between Towers Road and the Bypass highway and this piece of land. Residents are concerned about the access that it might compound the problem if all access will be towards Mount Edward Road.

Herman McQuaid, representative of Saint Dunstan's University, commented that about two years ago, the proposal was brought to the police committee and looked at through Paul Johnson's group and at that time it was suggested that it was a good entrance to use. It would be best to have these documents revisited for review.

Councillor Rivard asked Mr. Stavert if there is a possibility of reworking the roadway or entrance to the property to be along the higher portion of the property. Mr. Stavert noted that there have been discussions with the City regarding the access of this property and had proposed that the access be located along the higher end of the property closer to the tree line but received feedback that services and utility run along that area and the site line is worse at that level. There are two streets closer to that area and there are more risks of other cars going left and right along that side of the street. Other options were looked at but all at Mount Edward Road. Mr. Rivard also asked what the distance between the proposed access and the bypass traffic light is. The information is not available at the moment but an image showing the proposed access was presented and was a good image/picture of the distance.

Brian Gillis, resident, noted that the sensitive approach to massing and planning of this **development is positive. Looking at a developer's perspective and his own perspective,** he would look at higher density and social mandate targeted at social affordable housing. Mr. Gillis also asked if there is a master plan or conceptual land use envisioned for the rest of the land across the confederation trail. Mr. Stavert deferred the question to Mr. McQuaid or Mr. McDougal who would be the best resource to answer this question. Mr. Gillis added that since we are dealing with a comprehensive development area, there are several complex issues along with it such as access, the entrance into the shopping mall that acts as connector between Mount Edward Road and Capital Drive or University Avenue. This is a result of lack of future planning. The City needs to look at good planning and the overall framework impacts the balance of the land.

Donna Gorveatt, resident, asked if there will be a road beside 247 Mount Edward in the future. Mayor Lee responded that there are no plans as this time.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

7. 80 Grafton Street (PID #340265)

This is a request for a site specific exemption in order to construct a five storey mixed-use building containing retail shops on the first floor, offices on the second floor and a total of 14 residential dwelling units on the third to fifth floor of the property located at 80 Grafton Street (PID #340265) with off-lot parking to be located within the Pownal Parkade. The request also includes three variances. Councillor Greg Rivard introduced Greg Morrison, PII, to introduce the application. Mr. Bill Chandler, representative of the applicant, is also present to provide more information.

The application includes the following:

1. The first request is a site specific exemption to allow the applicant to apply for off-lot parking in the Pownal Parkade for 15 of the required spaces. The rest of the required parking spaces, at this time, will be cash in lieu. Off-lot parking is not permitted in the current Zoning & Development By-law which was adopted this month; however, was permitted in the previous by-law. The applicant is requesting this site specific exemption as they have been designing their building under the previous by-law in which it was permitted.
2. The second request is a variance to reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft.
3. The third request is a variance to reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to the Pilot House from 18.0 ft to approximately 14.33 ft.
4. The fourth request is a variance to reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to MRSB from 18.0 ft to approximately 13.0 ft.

The request is to construct a five-storey, mixed-use building on the existing parking lot. The proposed building includes a basement with retail space on the main floor, offices on the second floor, six (6) residential dwelling units on the third floor, four (4) residential dwelling units on the fourth floor, and four (4) residential dwelling units on the fifth floor. This application is also subject to the Design Review process and the signing of a Development Agreement. Mr. Morrison turned it over to Bill Chandler to provide more details of the project.

The property in question is the vacant lot between the Pilot House and the MRSB building and is currently used as a parking space. The proposed building will have its streetscape lining up with the existing three storey buildings beside it. The fourth and fifth floors will have a setback of about 10 feet. There is a 14.5 feet space between the Pilot House and the proposed building and will be constructed of a hard surface with landscaping. There is also a plan to move the entrance to the Pownal Parkade from the existing entrance to this space. The proposed building will also have a connection to the Pownal Parkade. The basement is intended to be storage area for files for the legal offices. The main floor will be retail spaces with a common lobby, an elevator and two

exit stairs. The second floor will be one big office space and the developers of this project will be occupying a portion of this space. The third floor will be smaller apartments as compared to the apartments at the fourth and fifth floor which will have terraces and balconies. The fifth floor will also have roof access.

Mayor Lee asked about the process if it has to go through the variance process and then proceed with the design review and Mr. Alex Forbes confirmed. Mr. Forbes also added that without the variances being approved, the design review cannot proceed. This also deals with a comprehensive development agreement on parking, bonusing and then the design review. If the Council will be inclined to support this proposal, the Council will be informed of all the components of the application before it proceeds. The developers have been working on this project under the old bylaw and the new bylaw is more stringent in terms of the parking. This application is considered to be an entire package that needs to be decided upon before the project can be approved. Mayor Lee added that this proposed development going to be built on the existing parking and this is an opportunity for a building to take place on this. If we are going to develop buildings in Charlottetown and require them to provide parking, **the development won't be able to happen.** Mayor Lee asked how many parking spots are required and Mr. Morrison indicated that at this time of the application, they are required to replace the existing 26 spots and the required parking spots for the application which is a total of 50 required spaces. Mayor Lee feels that it does not make sense to replace the existing **parking lots when this development is an opportunity to eliminate what's existing/current.** If that is what the Bylaw says, maybe there is a need to revisit the Bylaw to encourage development along the downtown area. Mr. Forbes added that this will be discussed with the applicant to address this requirement for this application.

Brian Gillis, resident, commented that he has heard the terminology "affordable housing" **discussed more often and the next step is to do something about it.** Mr. Gillis asked if the housing units here would be market oriented and what would be the square footage of the units. Mr. Chandler confirmed that it is market oriented with the smaller units ranging from 700,800 to 1,000 sq.ft. Mr. Gillis also noted that the rents would be around the \$1200-1400 range and that is not close to the cost of affordable housing. Mr. Gillis wanted to make the point know that there is a need to balance the equation to mandate inclusionary zoning to have a percentage of the new units to be targeted at affordable housing rates. If we are not going to address the concern, we are not addressing the current housing problems. Another point is related to parking. There have been numerous projects over the past years where cash in lieu was used to **get projects approved.** Mr. Gillis then questioned **why we aren't building parkades from the cash-in-lieu requirements and mandated to act on that.** The projects become financial instrument to approve it without a backup for the parkades. This becomes poor planning and reflects poorly on the governance to those who hold office.

Kenny Martin, resident, agrees with Mr. Gillis about the parking that there is a need to balance the parking portion to development. It is great to have development and the


current proposal is a wonderful concept. Not all people can live downtown but people would usually do business downtown and needs parking. If we give up parking spaces on Grafton Street, it may be concerning to the public. If you allow this practice of giving up parking in lieu of a development, we need to look at improvement in public transit or build more parking garages.

Mayor Lee asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

8. Adjournment of Public Session

Moved by Councillor Greg Rivard and seconded by Deputy Mayor Mike Duffy that the meeting be adjourned.

Meeting adjourned at 8:06 p.m.

TITLE: ZONING & OP AMENDMENT FILE: PLAN-2018-31-OCTOBER-6a-1 PROPERTY PID #1073634 OWNER: BILL WATERS		
MEETING DATE: October 31 2018		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Map of Site B. Application related documents	
SITE INFORMATION: Context: Vacant and undeveloped Ward No: 8 Existing Land Use: Right-of-Way Official Plan: N/A Zoning: N/A		
PREVIOUS APPLICATIONS: PLAN-2018-4-Sept-5		

RECOMMENDATIONS:

Staff encourages Planning Board to recommend approval to Council to approve the request to zone the property identified as PID #1073634 to **Single-Detached Residential (R-1L) Zone** and designate the same property **Residential** on *Appendix A* of the Official Plan.

BACKGROUND:

Request

The Planning & Heritage Department has received a request to zone the parcel PID #1073634 to the Single Detached Residential (R-1L) Zone and to designate the same lot as Residential as per *Appendix A* of the Official Plan. Approval of this application will allow for the owner to develop the site for residential purposes.

Development Context

The subject site is 0.4 acres in size, vacant with some portions treed, and is located between 137 Belgrave Drive which is owned by the same person and 133 Belgrave Drive. The property is relatively flat and undeveloped. Uses surrounding the site are primarily large low density residential lots with the only nearby amenity being a public park and greenspace. The lot PID #1073634 currently does not have any formal access but this would be provided onto Belgrave Drive once developed.

History

The lot PID #1073634 was once a public right-of-way designated for a street to connect Gardiner Drive and Belgrave Drive. This road allowance was subdivided and sold in 2017 to the current property owner but was never consolidated with 137 Belgrave Drive. The parcel currently does not have a designation or zoning and therefore has no entitlements for development. The owner applied for a site specific amendment on the property to construct a large accessory structure. Council recently rejected this proposal to proceed to a public meeting.

ANALYSIS:

This property is located within a well-established R-1L Zone. The owner is proposing to zone the property Single Detached Residential (R-1L) and designate *Residential* as per the Official Plan. This will allow for the owner to develop a single detached dwelling on the property providing for infill in an established low density neighbourhood. The property has access to infrastructure services (i.e. sewer and water) and recreational open spaces (parks and trails). Winslow is a low density residential community that was amalgamated with the City of Charlottetown in 1995.

Consistency with the Official Plan

Presently, the property does not have a designation since it was a previous right-of-way for a road. The applicant is seeking to designate the property *Residential* in order to develop a single detached residential building onsite. The Official Plan supports both infill development while maintaining the character of the residential neighbourhood.

Section 3.1.2 of the Official Plan states: *Our **objective** is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

*Our **policy** shall be to allow moderately higher densities in neighbourhoods, and to allow in-law suites in residential land-use designations, and to make provision for multiple-family dwellings in the downtown core, and multiple-family dwellings in suburban centres and around these centres **provided it is development at a density that will not adversely affect existing low density housing.***

Section 3.2 under the heading of *Environment for Change* states: *Preserving the distinctive character and identity of Charlottetown's neighbourhoods requires strategies that promote internal stability as well as a sense of community identity. The **CHARLOTTETOWN PLAN** incorporates policies which will help preserve the harmony and integrity of each existing neighbourhood within the City.*

The Official Plan supports mixed forms of housing within existing neighbourhoods to allow for housing choices. Housing choices within neighbourhoods are important as they provide variety for

people at various stages of their lives. This neighbourhood predominately consists of large single detached residential lots with open space areas for parks and trails.

Consistency with the Zoning By-law

As previously stated the property has no zoning since it was previously a public right-of-way for a future street. The applicant is applying to zone the subject property to the Single Detached Residential (R-1L) Zone. The Winslow neighbourhood predominately consists of low density residential housing with parks and trails. The proposed zoning would conform to the rest of the neighbourhood that is also zoned Single Detached Residential (R-1L) Zone. The proposed lot is of sufficient size to adhere to all minimum sizing requirements for both frontage and area.

Public Consultation

Mailout

On October 9, 2018, Council recommended that the application proceed to the public consultation phase. On October 11, 2018, forty-two (42) letters were sent to property owners located within 100 meters of the subject property. The letter informed them of the upcoming public meeting and solicited their comments, to be received in writing prior to 12:00 pm (noon) on Wednesday, October 24, 2018. No letters were received in regards to the application.

Public Meeting

A public meeting of Council was held on Tuesday, October 23, 2018 at 7:00 pm at the Rodd Charlottetown Hotel, 75 Kent Street. The owner Bill Watters, presented the application and was available to answer any questions from Council or the public. Mr. Watters indicated that his objective is to improve the whole back area of his property. He owns the front lots where his house is currently located. A portion of the subject property is heavily timbered and he has no intentions of cutting it down. The back of his property would be a mix of grass area and flower beds which the neighbours around the area would be able to view from their decks. This view provides privacy rather than looking into another home. It is his objective, to make the area look nice for him and for the neighbours.

CONCLUSION:

The Planning & Heritage Department encourages Planning Board to recommend approval to Council to approve the request to zone the subject property identified as PID #1073634 to the Single-Detached Residential (R-1L) Zone of the Zoning & Development Bylaw and designate Residential on Appendix A of the Official Plan.

Manager:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Presenter:



Robert Zilke, MCIP
Planner II



CHARLOTTETOWN

PLANNING & HERITAGE DEPARTMENT

APPLICATION

FILE NUMBER	HERITAGE	SUBDIVISION Name _____
ASSESSMENT NUMBER	VARIANCE	Number of Lots _____
REZONING FROM <u>RESIDENTIAL</u> TO <u>R1</u>		OTHER

- Applicant's Name BILL & WANDA WATTERS
 - Address 137 BELGRAVE DRIVE WINSLOE PE C1E1Z2
 - Telephone: Work 902-566-5850 Home 902-368-1944
 - Civic Address of Property to be Developed 1073634
 - Present Use of Property (Zone) PREVIOUSLY ORWAY
 - Proposed Use of Property and Brief Description of Work RESIDENTIAL
7. Site or Subdivision Plan Provided Yes No
8. Building Plans Provided Yes No
9. Estimated Start Date Nov. 2018 Completion Date June 1 - 2019

I, the undersigned, as owner or authorized agent for the owner of W.D. Watters
(Civic Address) hereby make application for the above-noted development and certify the truth of all statements or representatives contained herein.

Sept 18/2018
DATE

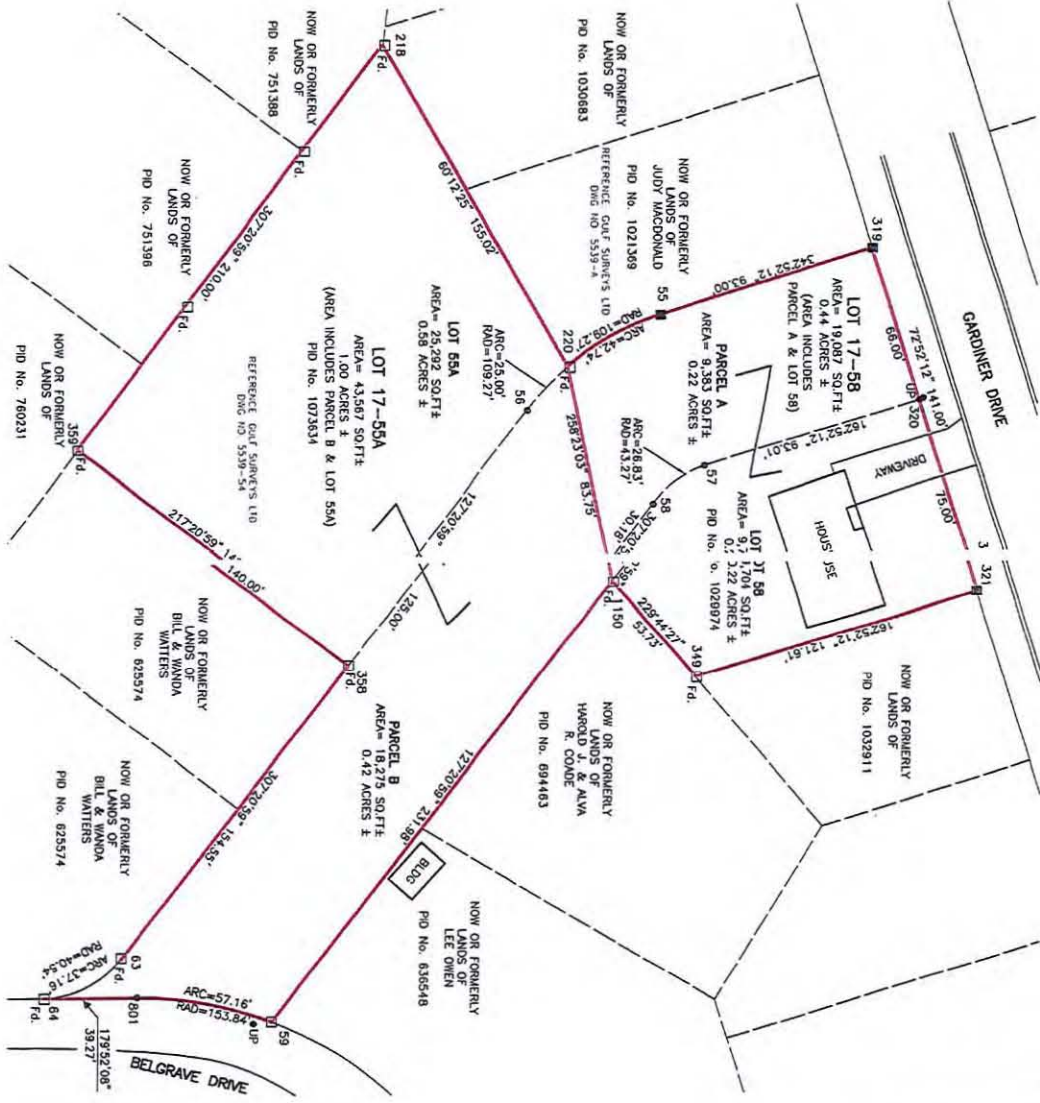
W.D. Watters
SIGNATURE OF OWNER OR AUTHORIZED AGENT

NOTE: This is an application ONLY and does not authorize the applicant to proceed with the proposed development until a building permit is applied for and issued for the development.

PERMANENT LIST
IN (MAD27) FEET

Northing	Easting
51598.81	452762.61
51544.23	452805.74
51618.35	452830.69
51596.70	452845.78
51574.64	452851.20
51549.50	452854.92
51484.51	452853.24
51561.53	452787.77
51687.79	452740.22
51707.23	452803.50
51728.12	452810.76
51468.40	452805.11
51357.11	452820.17
51391.77	453043.83
51578.39	452869.80

Attachment B-2



LEGEND

- LANDS DEALT WITH BY THIS PLAN
- BOUNDARY MARKER
- PLAID SURVEY MARKER
- CALCULATED POINT
- TREE/HERDIE LINE
- FENCE LINE
- MANHOLE
- UTILITY POLE
- UTILITY POLE
- LIGHT
- SIGN

NOTES

1. THE FIELD WORK FOR THIS SURVEY WAS EXECUTED DURING THE PERIOD OF NOVEMBER 20, 2017.
2. ALL DIMENSIONS ARE GIVEN IN FEET, UNLESS NOTED.
3. ADJUSTMENTS ARE GIVEN IN FEET, UNLESS NOTED.
4. FOR THIS SURVEY TO BE VALID, IT IS NECESSARY FOR APPROVAL TO BE GRANTED BY THE APPROPRIATE AUTHORITY.



Island Surveying & Engineering
 134 LONGMOUTH AVE
 CHARLOTTE/TOWN, PEI
 C1A 0S8
 PHONE: 902-384-3349
 FAX: 902-569-3348
 WWW.ISSURVEYS.CO

**PLAN OF SURVEY SHOWING
 LOTS 17-55A & 17-58
 BEING A SUBDIVISION OF
 PID 1073634 & 102997
 SCALE 1" = 40'**

**BELGRAVE DRIVE
 QUEENS COUNTY
 TOWNSHIP No. 33**

DRAWN BY: AMO
 DRAWING No. 17364

P.L.D. No. 1073
 1029
 2831



ROBERT A. WAKELIN, PRINCE EDWARD ISLAND LAND SURVEYOR,
 DO HEREBY CERTIFY THAT THIS SURVEY WAS EXECUTED UNDER MY
 CORRECT REPRESENTATION AND THAT THIS PLAN IS A TRUE AND
 CORRECT REPRESENTATION OF SAID SURVEY.

ROBERT A. WAKELIN, P.E.L. LAND SURVEYOR
 NOVEMBER 23, 2017
 DATE



City of
Charlottetown

Report No: PLAN-2018-10 - #6a-2

Date: October 31, 2018

Directed to: Planning Board

Attachments: proposed building plans and Zoning map, GIS Map showing semi-detached dwellings in the area

Department: Planning and Development

Prepared by: Laurel Palmer Thompson MCIP

Subject: Rezoning application 101 Oak Drive

Section 3.1 Directing Physical Growth, Official Plan

Section 3.2 Sustaining Charlottetown's Neighbourhoods

Section 3.3 Housing Needs and Variety, Official Plan

Section 3.10 Underground Services and Infrastructure, Official Plan

Section 4.27 Amendments to the Zoning and Development Bylaw, Zoning and Development Bylaw

RECOMMENDATION: Staff encourages Planning Board not to recommend to Council to rezone the property located at 101 Oak Drive (PID # 452748) and amend Schedule "H" the Zoning Map of the City of Charlottetown from R-1L (Single Detached Residential Zone) to R-2 (Low Density Residential Zone).

REPORT: This application was before the Board last month and a recommendation was passed to advance the application to public consultation. The application is a request to re-zone the property located at 101 Oak Drive PID # 452748 from R-1L (Single Detached Residential) to R-2 (Low Density Residential) to facilitate the construction of a semi-detached dwelling.

This property is bounded to the north by (R-1L) single detached residential zoned development on Richard Drive, to the east by (R-1L) single detached residential zoned development on Doncaster Avenue, to the south by (R-1L) single detached residential zoned development on Oak Drive and to the west by (R-1L) single detached residential zoned development.

The applicant has submitted plans for a 2,730 sq. ft. semi-detached dwelling including garages. Each unit would consist of 1,365 sq. ft. The applicant has not submitted a site plan. However, according to GIS the lot dimensions are approximately 86 ft. x 123 ft. which would be large enough to accommodate a semi-detached dwelling. However without a site plan staff is not able to assess parking, driveway access, site drainage or setbacks.

The current Zoning and Development Bylaw restricts the uses in the R-1L Zone to single detached dwellings only. However, recent amendments to the Zoning and Development Bylaw now permits accessory apartments to be located within single detached residential zones. The proposed Bylaw will allow an accessory apartment within a single detached dwelling provided it is no more than 80% of the main dwelling and is no larger than 861 sq. ft. of floor area. The main dwelling must also be occupied by a person who resides on the premises and uses the property as their principal dwelling unit. This provision allows for additional housing choices within neighborhoods and will help to address the housing shortage that is currently being experienced within the City. Therefore, single detached dwellings can be converted to or designed as two unit dwellings but the additional density is not as visible as a semi-detached

dwelling. Considering the foregoing staff has concerns with the request to rezone this property to R-2 given the fact that the same density can now be achieved under the current R-1L zoning. If permitted to be re-zoned, the rezoning would technically be considered a spot rezoning.

This neighborhood predominantly consists of single detached dwellings however, there are some semi-detached dwellings located within the vicinity of this lot. On Richard Drive there are two semi-detached dwellings that are considered legal non-conforming. A semi-detached dwelling was also constructed on the corner of Doncaster and Richard Drives. This dwelling is proposed to be constructed on Oak Drive and although there are some semi-detached dwellings in the general area the streetscape on Oak Drive is comprised of single detached dwellings.

Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> • Moderately higher density that will not adversely affect existing low density housing. • Increasing the capacity of existing underground services. • Additional density in fully serviced areas of the City. • Medium density housing style to meet future housing needs. • Development is harmonious with its surroundings. 	<ul style="list-style-type: none"> • Vacancy rate in Charlottetown continues to decrease. 	<ul style="list-style-type: none"> ▪ Could be considered a spot rezoning. ▪ The rezoning may increase interest in low to medium density development within the neighbourhood. ▪ Oak Drive is considered a stable neighbourhood developed with single detached dwellings. The change in housing form may cause concern with existing property owners.

FOLLOWING THE PUBLIC MEETING:

On October 12, 2018 a letter was sent to 46 residents located within 100 meters of the subject property advising them of the request to rezone and the date, time and location of the public meeting. To date there were no letters received in favor of or against the application. However, a petition with 20 signatures in opposition was received from residents in the neighbourhood.

A public meeting was held on Tuesday, October 23, 2018 at the Rodd Charlottetown Hotel. At the public meeting Danny Moase, real estate agent presented the application for the applicant. He mentioned that the proposal was for a half million dollar duplex that will be individually owned. The units would be designed with garages made of brick, units will be wheelchair accessible with doors 3 feet wide, roll in shower in the main level and master bedroom.

Comments received from the public included questions related to the orientation of the building and lot drainage issues. Mr. Moase confirmed that the building will face Doncaster Ave and water issues will be resolved through appropriate site design that includes manholes that satisfy all city requirements. There were also questions related to whether both units would obtain access from Doncaster Avenue. Mr. Moase confirmed that both units would obtain access from Doncaster Avenue with one driveway access opening to service both properties. Another resident asked whether the petition had been received by Council and it was confirmed that they had a received a copy.

CONCLUSION:

The Official Plan supports moderately higher density and housing choices within neighbourhoods. It is important for a neighbourhood to have housing options that provide more choice. As people age they often are looking for housing options that require less maintenance and allow them to downsize from larger homes. If housing options are not available within their neighbourhood oftentimes people are forced to leave their neighbourhoods to seek appropriate housing. The Official Plan states, “If Charlottetown is going to continue to grow as a healthy community, affordable housing for all segments of society must generally be available throughout the City.” Listed below are excerpts from sections of the Official Plan that supports moderately higher densities and housing choices.

*Section 3.2.2 - Our **objective** is to allow moderately higher densities and alternative forms of development in any new residential subdivisions which may be established, provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.*

*Section 3.3.2 - Our **objective** is to enhance the range of housing available to residents who have special social, economic or physical needs*

*Section 3.3.2 - Our **policy** shall be to actively work with our partners to address the housing needs of seniors, to expand the range of affordable housing available to them, and to provide it in neighbourhoods preferred by them.*

These sections of the Official Plan are supported by the recent amendments to the Zoning and Development Bylaw which allows accessory apartment units to be constructed within single detached dwellings. This form of housing allows two unit dwellings within stable neighbourhoods in an unobtrusive manner. Although, there is already some similar housing in the area this portion of the neighbourhood of Sherwood with the exception of Barbour Subdivision tends to be a mature, stable neighbourhood developed with single detached dwellings and therefore the current rezoning request may be regarded as a spot rezoning. Given the opposition received from the neighbourhood staff has concerns encouraging Planning Board to recommend for this application to rezone this property to R-2. Staff does not feel the requested zoning change would be appropriate for the area given the recent changes to the Zoning and Development Bylaw to allow an additional unit within an R-1L zoned property. The requested density can be achieved without creating a spot zone. Therefore, staff is not supporting the application to rezone this property to R-2. Notwithstanding, there are no technical reasons why this property cannot be developed in the proposed manner. In the event that this application is approved, staff would suggest that access from Doncaster Avenue be limited to one driveway opening that would service both properties.

RECOMMENDATION:

Staff encourage the Board not to recommend to Council to amend Appendix “H” – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone in order to rezone the property located at 101 Oak Drive (PID #450748).

Respectfully,



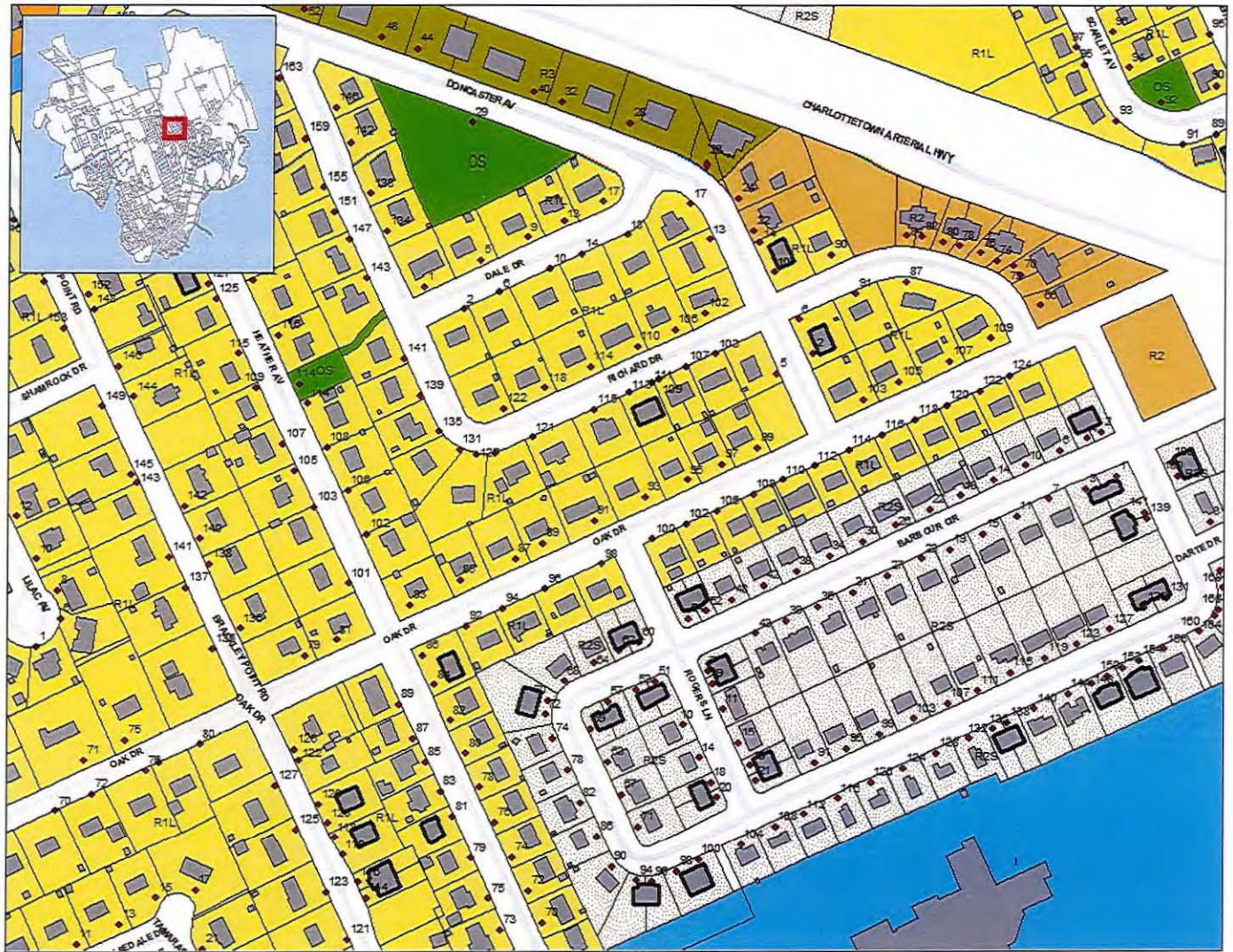
Reviewed By:

CAO	Dir Corp Srvs	Dir Pub Srvs	Dir F & D Srvs	Dir Hum Res	Mgr	Other
-----	---------------	--------------	----------------	-------------	-----	-------

Zoning map showing location of proposed rezoning:



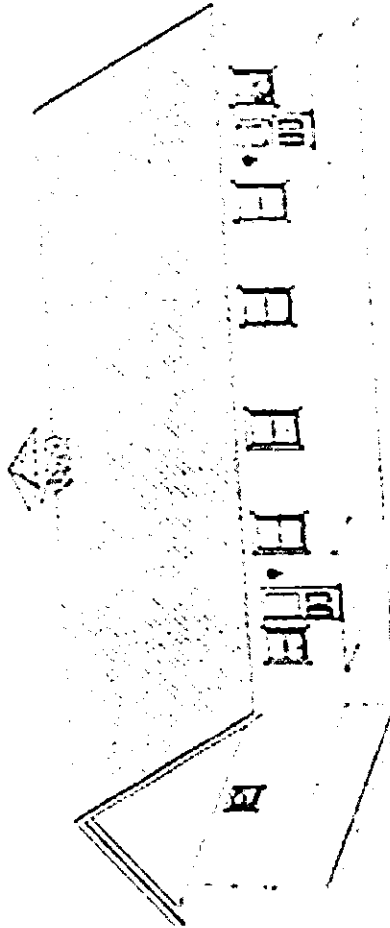
Semi Detached Dwellings in the Neighbourhood:



Plans showing proposed two unit dwelling:

DALLAIRE DESIGN SERVICES INC. 80 TALSON WAY, CORNWALL, VT, USA 05743
 (802) 849-3872 info@dallairedesign.com

BUILDING AREA	
Name	Area
UNIT 1	1108 SF
GARAGE 1	298 SF
UNIT 2	1108 SF
GARAGE 2	298 SF

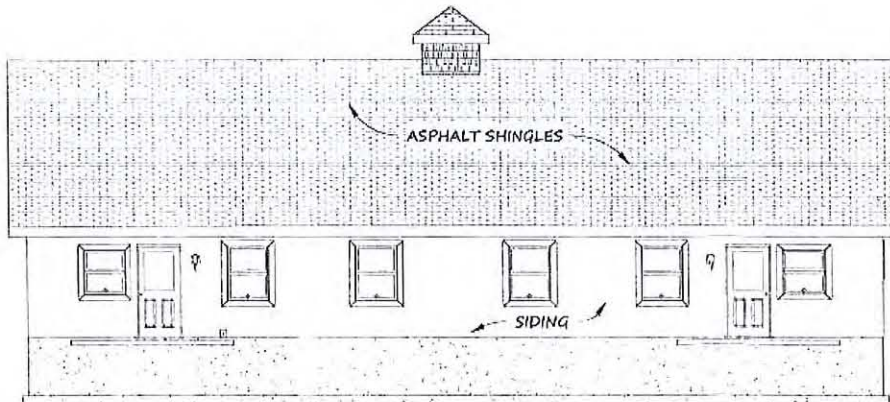
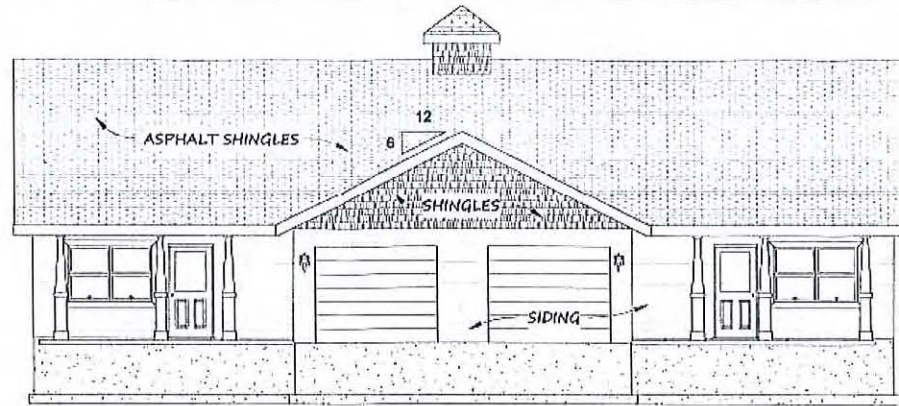


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3D VIEWS
NOEL DOUCETTE
 Drawn by: GD
 Date: JUNE / 2018
 Project number: 2018-288 1/20

DALLAIRE DESIGN SERVICES INC.

69 FALCON DRIVE, CORNWALL, PE, COA 1H4
 (902) 940-2872 gaetan.dallaire@hotmail.com



GENERAL NOTE:
 THESE PLANS ARE AN ACCURATE GUIDELINE TO BUILDING CONSTRUCTION. HOWEVER, THE CONTRACTOR AND/OR OWNER DURING THE NORMAL COURSE OF CONSTRUCTION IS TO VERIFY DIMENSIONS AND COMPLIANCE WITH LOCAL BUILDING CODES AND LATEST NATIONAL BUILDING CODE OF CANADA.

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NORTH, & SOUTH ELEVATIONS	
NOEL DOUCETTE	
Drawn by <u>GD</u>	A4
Date <u>JUNE / 2018</u>	
Project number <u>2018-285</u>	
Scale 1/8" = 1'-0"	

Geoff Dentner

99 Oak Dr

Chitown, PE

388.0313

Planning Department

From: Linda Smith <Larsmith@eastlink.ca>
Sent: Monday, October 29, 2018 3:22 PM
To: Planning Department
Subject: 101 Oak Dr. Charlottetown

To Whom It May Concern,

I am sending this email in regards to the possible rezoning and construction of the property on 101 Oak Dr.

- 1) All the properties on Oak Drive from Maple Ave. to the end just before the over pass are single family bungalows.
- 2) The application for rezoning is for Oak Dr. but the owner of the property is wanting to put the semi-detached on Doncaster Ave.
- 3) With flooding issues happening every spring from the Brackley Point Road run off, I have great concerns that we will have even more problems in our back yards if a large building in length is placed on Doncaster Ave.

Thank you for your consideration with my issues.

Sincerely,
Linda Smith
97 Oak Dr.
Charlottetown, PE

Sent from [Mail](#) for Windows 10

Planning Department


From: leigh.sentner <leigh.sentner@pei.sympatico.ca>
Sent: Monday, October 29, 2018 4:59 PM
To: Planning Department
Subject: 101 Oak Dr
Attachments: 20181028_084456.jpg

To whom it may concern,

This attachment is from one night of rain fall.
I have concerns about flooding and short term renters of the semi detached. I know he has plans to sell but that is no guarantee.
The properties on our street are all Single Detached Residential and I believe it should stay as originally planned.

Thank you,
Leigh Sentner
99 Oak Drive
Charlottetown, P.E.

Sent from my Samsung Galaxy smartphone.

TITLE: DISCRETIONARY USE VARIANCE FILE: PLAN-2018-31-OCTOBER-6b-3 261 BRACKLEY POINT ROAD OWNER: CANADA YAN RESOURCES INVESTMENT INC APPLICANT: BARRY BURLEY		 CHARLOTTETOWN
MEETING DATE: October 31, 2018		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Map, air photo & drawings B. Application related documents	
SITE INFORMATION: Context: Developed with an existing motel and surface parking Ward No: 8 Existing Land Use: Apartment rentals (16 units) Official Plan: Industrial Zoning: Business Park Industrial Zone (M-3)		
PREVIOUS APPLICATIONS: None		

RECOMMENDATIONS:

That the Discretionary Use Variance Application to allow for the conversion of the existing 16-unit motel to a 16-unit apartment building for long-term affordable accommodation in the Business Park Industrial (M-3) Zone be **approved** at 261 Brackley Point Road (PID # 704544) in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and the attached site plan "Attachment B-1" subject to:

1. That the owner completes the following:
 - a. The owner applies for a building permit for the completed work done back in 2006 and 2008, when the motel suites were converted to apartment rental units;
 - b. That the 2011 Environmental Site Assessment report conducted by Fundy Engineering & Consulting Environmental Ltd. be submitted to the Planning & Heritage Department for review;
 - c. Enter into Development Agreement with the following conditions:
 - i. That the existing apartment building cannot be enlarged or be increased in occupancy;
 - ii. That the free standing sign along the front of the site be removed; and
 - iii. That the owner ensures that site drainage is compliant with the Zoning and Development By-law 2018-11.

BACKGROUND:***Request***

The applicant, Barry Burley, on behalf of the property owner, Canada Yan Resources Investment Inc., is applying through the discretionary use process under Section 32.2 of the City of Charlottetown Zoning By-law in order to legalize the existing long-term apartment units in the existing motel for the property located at 261 Brackley Point Road (PID #704544) in the Business Park Industrial M-3 Zone. Approval of this application will allow for the existing 16-unit apartment building to legally exist in order to be continually used as affordable long-term accommodation. The applicant intends to continue running the apartments as affordable rental units. The request for a discretionary use variance was applied for under the previous Zoning & Development By-law as per Section 32.2 which pending Council approval allows the site to be developed for uses permitted in the R4 Zone subject to the regulations therein. Since the applicant prepared and submitted their application for a discretionary use variance prior to the new Zoning and Development By-law 2018-11 being adopted, this application will be processed under the previous requirements.

Development Context

The subject site is currently developed with a 16-unit apartment building that is 491 sq.m (5,291.5 sq.ft) in size and has surface parking to the southeast of the subject building. The subject building is a wood framed structure founded on a slab on grade foundation with a four foot frost wall. The center section of the building is one storey; while the sections on the east and west ends of the building have two stories. The lot is level and flat with a large portion of the site being covered by impermeable surface either because of the building or hard surfaced parking. It appeared upon site inspection that drainage is accommodated through the existing grass swale along the northern portion of the site. Utility services run along the frontage of the site where the original free standing sign for the motel still resides. Uses surrounding the site include the Airport Business Park and other light industrial/commercial land uses such as a retail parts store to the south and a call centre to the north. To the east across the road resides an active transportation path and a public transit stop at the corner of MacAleer Drive and Brackley Point Road. There is one access point onto Brackley Point Road that provides access to the site.

History

The site was originally used for the Princess Motel which was constructed in 1984 and functioned as a motel for a number of years. In 2011 there was an engineering report completed by Fundy Engineering and Consulting Ltd. that states in 2006 the building had been partially converted into apartments. In 2008, the property was sold to the previous owner (Atlantic Eastern Inc) and the rest of the motel suites were converted into apartment units. The current owner purchased the property in 2014 and it has been continually used for apartment rentals. The Planning & Heritage department has no records or permits on file for the work done regarding the motel conversion

into apartments. According to the applicant the property has been the site of an apartment building for the last 10 to 12 years.

ANALYSIS:

The property is currently the site of a 16-unit apartment building. The apartment units consists of 15 one-bedroom apartments and 1 two-bedroom apartment. Each of the units contain a fridge and a stove. Each of the rental units maintain an average rent of \$650.00 per month offering up affordable units in an existing competitive rental market. The building has existed on the property since it was constructed in the 1980's and therefore would be deemed legal non-conforming with regard to meeting the minimum setback requirements of the Apartment Residential R4 Zone. However, the minimum requirements concerning onsite parking and drainage must be in compliance. As a requirement of approval the owner will have to apply through the building permit process in order for the Building Inspector to ensure that the building is complaint with the applicable National Building Code (NBC) regulations. The property is surrounded by light industrial and commercial uses that have developed around the site over the past 34 years. The surrounding land uses are of a nature that would have minimal impact on the apartments.

Consistency with Section 32.2 Discretionary use of the M-3 Zone and Section 4.32.1 City of Charlottetown Zoning & Development Bylaw that the Discretionary Use Variance:

The discretionary use application is being processed under the provisions of the previous Zoning & Development By-law when the applicant worked on and submitted the discretionary use proposal. The previous By-law allowed for land uses not typically permitted in an industrial zone subject to approval by Council and on the recommendation of Planning Board.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9 of The Zoning & Development By-law 2018-11, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328 feet) of the subject site and notice posters were posted on the site.

Public Feedback

As of the writing of this report, the Planning & Heritage Department has received (1) one letter of opposition to this application. The objector stated that their company had concerns in relation to the residential use located in an industrial area and adjacent to their truck auto parts retail store.

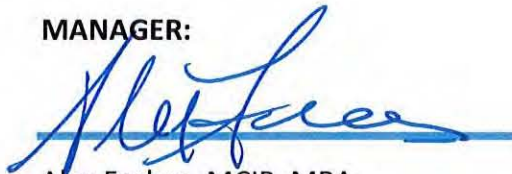
CONCLUSION:

The Planning & Heritage Department recommends that the discretionary use variance application be **approved** to the following conditions:

1. That the owner completes the following:
 - a. The owner applies for a building permit for the completed work done back in 2006 and 2008, when the motel suites were converted to apartment rental units;
 - b. That the 2011 Environmental Site Assessment report conducted by Fundy Engineering & Consulting Environmental Ltd. be submitted to the Planning & Heritage Department for review;
 - c. Enter into Development Agreement with the following conditions:
 - i. That the existing apartment building cannot be enlarged or be increased in occupancy;
 - ii. That the free standing sign along the front of the site be removed; and
 - iii. That the owner ensures that site drainage is compliant with the Zoning and Development By-law 2018-11.

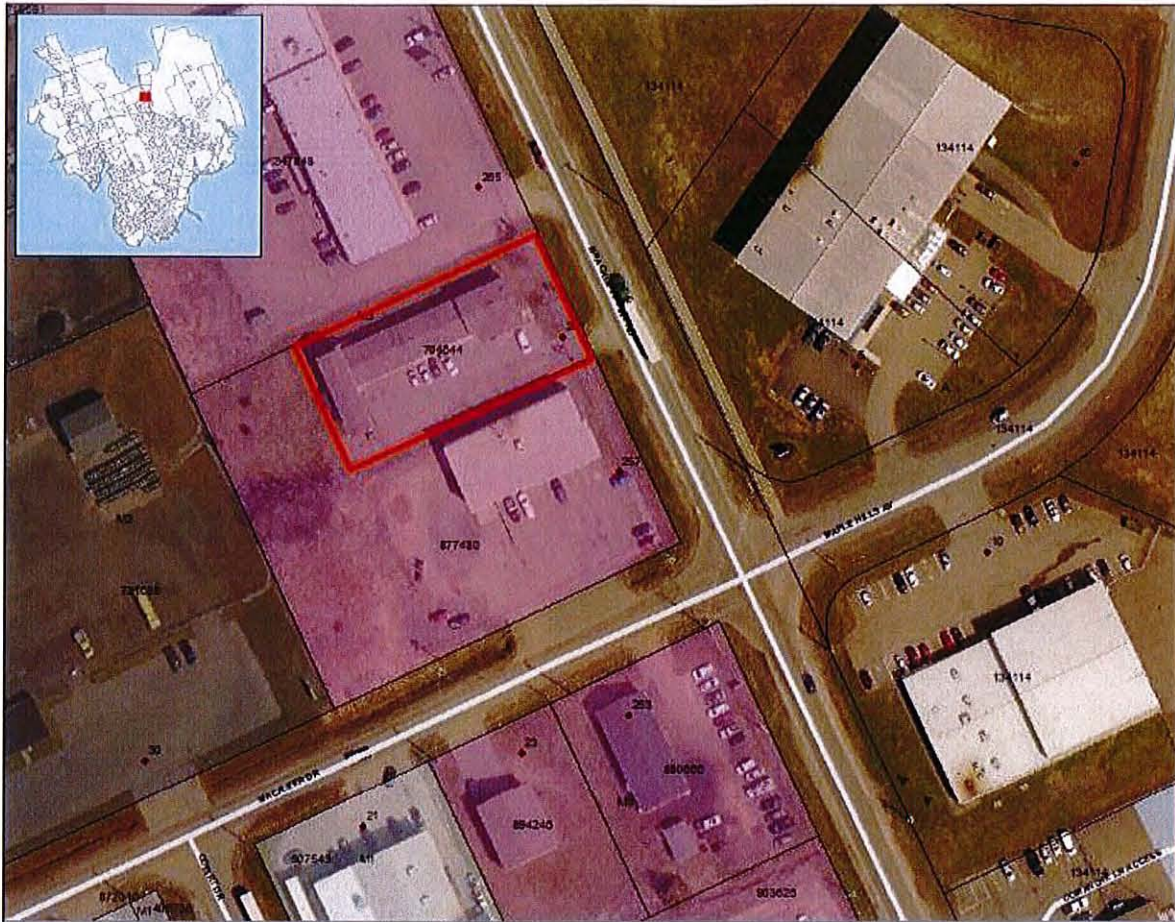
PRESENTER:

Robert Zilke, MCIP
Planner II

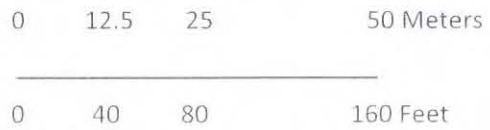
MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A



Variance File #: 462-VAR-18
 Address: 261 Brackley Point Road
 Ward #: 8
 Zone: Business Park Industrial (M3)



LEGEND

 Affected Lot

City of Charlottetown
 Planning & Heritage
 Department



Map Created: 10-26-2018

18-543

462-VAR-18

PLANNING
Rec'd Oct 2/2018 BW



CHARLOTTETOWN

PLANNING & HERITAGE DEPARTMENT

APPLICATION

FILE NUMBER	HERITAGE	SUBDIVISION
ASSESSMENT NUMBER	VARIANCE	Name _____ Number of Lots _____
REZONING FROM _____ TO _____	Discretionary Use	OTHER

1. Applicant's Name Canada Yan Resources Investment Inc
 2. Address 104 Farm Point Lane, Cornwall PE COA-1140
 3. Telephone: Work 902-894-4430 Home _____

4. Civic Address of Property to be Developed 261 Brackley Point Rd.
 5. Present Use of Property (Zone) Apartment Bldg in M3-Industrial zone
 6. Proposed Use of Property and Brief Description of Work _____

to continue use of property as site of an Apartment Building

7. Site or Subdivision Plan Provided Yes No

8. Building Plans Provided Yes No

9. Estimated Start Date _____ Completion Date _____

I, the undersigned, as owner or authorized agent for the owner of 261 Brackley Point Rd (Civic Address) hereby make application for the above-noted development and certify the truth of all statements or representatives contained herein.

Oct 3, 2018
DATE

SIGNATURE OF OWNER OR AUTHORIZED AGENT
Barry Burley, Solicitor for Applicant

NOTE: This is an application ONLY and does not authorize the applicant to proceed with the proposed development until a building permit is applied for and issued for the development.

Attachment B-1

Collins & Associates

Barristers & Solicitors

National Bank Tower, Suite 200
134 Kent Street
Charlottetown, PE C1A 8R8
Phone No: (902) 894-4430
Fax No: (902) 894-4432

Greg B. Collins
Barry W. Burley

Barry@CollinsLawOffice.ca

File No: BB5679

October 3, 2018

City of Charlottetown
Planning and Heritage Department
233 Queen Street
Charlottetown, PE C1A 7K2

Attention: Robert Zilke

Dear Mr. Zilke,

**Re: Application for Discretionary Use
261 Brackley Point Road
PID 704544**

Attached is a discretionary use application to allow the property located at 261 Brackley Point Road to continue its current use as an apartment building.

Introduction

Under the City's zoning plan, 261 Brackley Point Road, PID 704544 (the "Property"), is located in a zone designated M3 – Industrial. Following its construction the Property was used as a site for a motel for approximately twenty years. Under the City's zoning by-laws this was a permitted use. However, after twenty years, the then owners of the property started to convert and use the property as an apartment building. Under the City's by-laws, an apartment building is a non-conforming use. Over ten years ago the property was completely converted to an apartment building and has continued in that use ever since.

The History of the Property

Attachment B-2

According to a report of Fundy Engineering & Consulting Ltd., which performed an

Robert Zilke
City of Charlottetown
October 3, 2018
Page 2

apartments. In 2008, the property was sold and the new owner ("Atlantic Eastern Inc.") completed the conversion of the building into apartments. In 2011 Fundy Engineering reported at page 3 of its report: "The interior of the subject building has been completely renovated since 2006 as a result of the conversion from motel to apartment building."

The current owner and applicant, Canada Yan Resources Investment Inc., purchased the Property in 2014 from Atlantic Eastern Inc. At that time, the Property was listed and sold as a 16 unit apartment building. The current owner continued to use the property for that purpose. In brief, the Property has been the site of an apartment building for between 10 to 12 years.

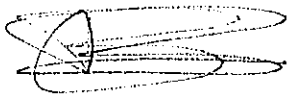
Current Usage

The Property is currently the site of a 16 unit apartment building. The apartment units are one bedroom long term rentals equipped with fridge and stove. The units would be reasonably classified as affordable accommodations with the average rent being \$650.00 per month. All of the units are rented and the apartment building is currently the home for 25 to 28 people.

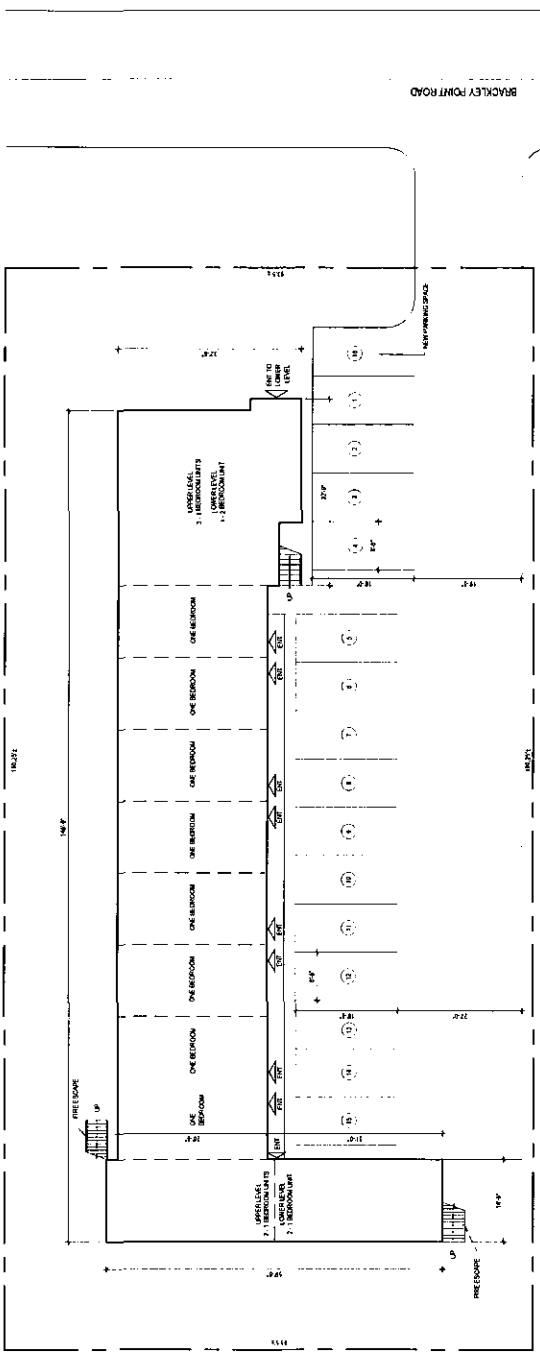
Enclosed is the completed application form, a site plan and the application fee in the amount of \$300.00.

If you have any questions, please don't hesitate to call.

Yours truly,



Barry Burley



SITE PLAN
SCALE 1"=10'0"



360
architecture 360
architecture + design
10000 BRACKLEY POINT RD. COA 116
TEL: 909.425.2431 FAX: 909.425.4569
CHRIS@360A.OA

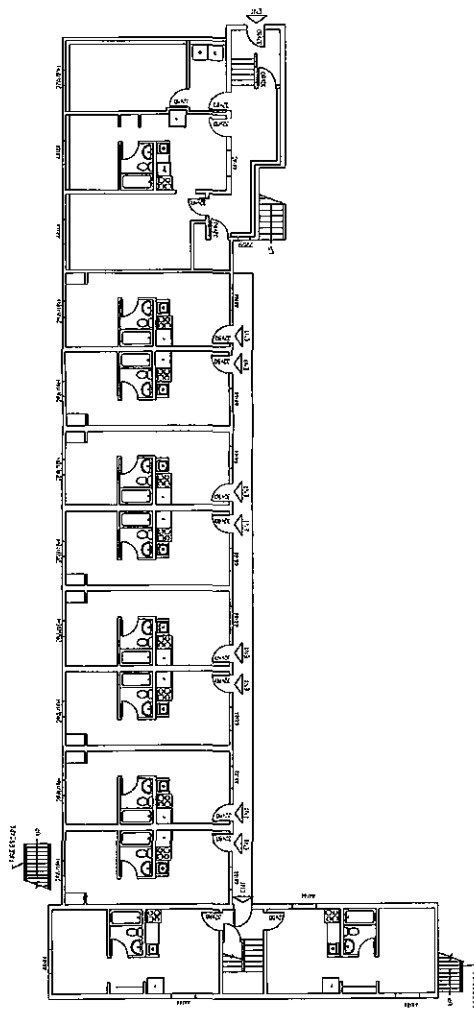
ALL DIMENSIONS TO BE SHOWN ONLY AS BY CONTRACTOR FROM TO CONSTRUCTION OF FABRICATION.
THIS DRAWING IS THE PROPERTY OF ARCHITECTURE 360 AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ARCHITECTURE 360.
ALL CONSTRUCTION SHALL COMPLY WITH THE LOCAL, BUILDING, AND ALL APPLICABLE REGULATIONS OF ALL APPLICABLE JURISDICTIONS.

261 BRACKLEY POINT ROAD

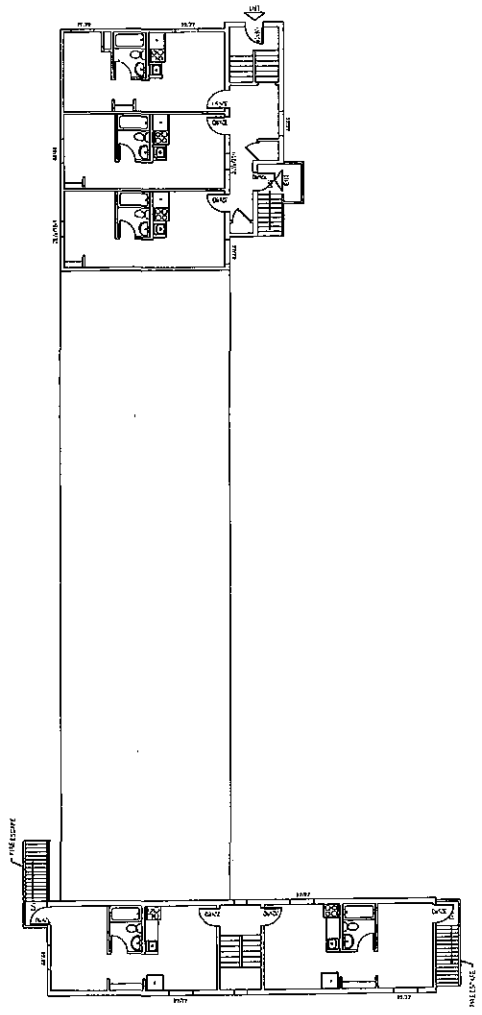
SITE PLAN

SCALE	1"=10'0"
DATE	OCTOBER 2, 2018
DRAWN BY	RP
PROJECT #	2018-061
ARCHITECTURE 360	

A1



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



SECOND FLOOR
SCALE: 1/4"=1'-0"

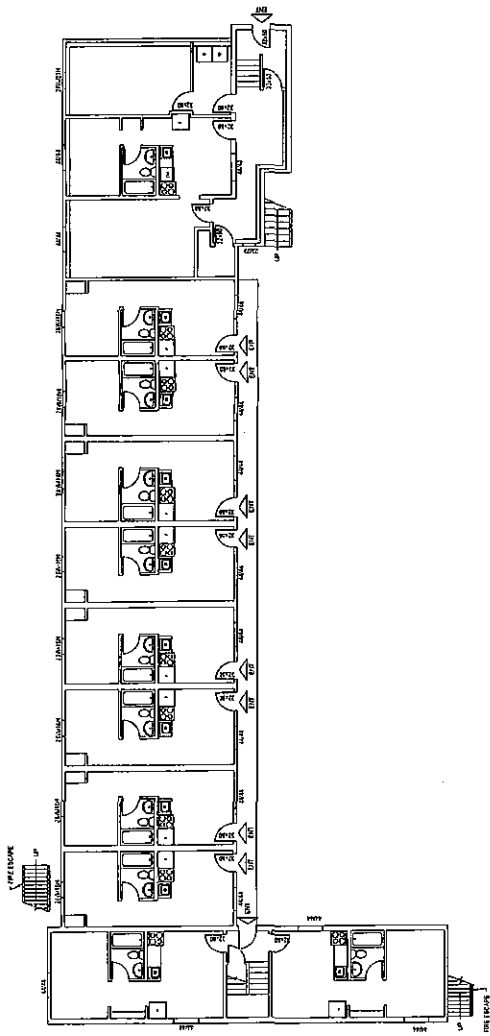
o36o
 architecture + design
 261 BRACKLEY POINT ROAD
 SUITE 100
 BRACKLEY POINT, MD 21054
 TEL: 410.326.3300 FAX: 410.326.3301
 WWW.O36OARCH.COM

ALL DRAWINGS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO CONSTRUCTION. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

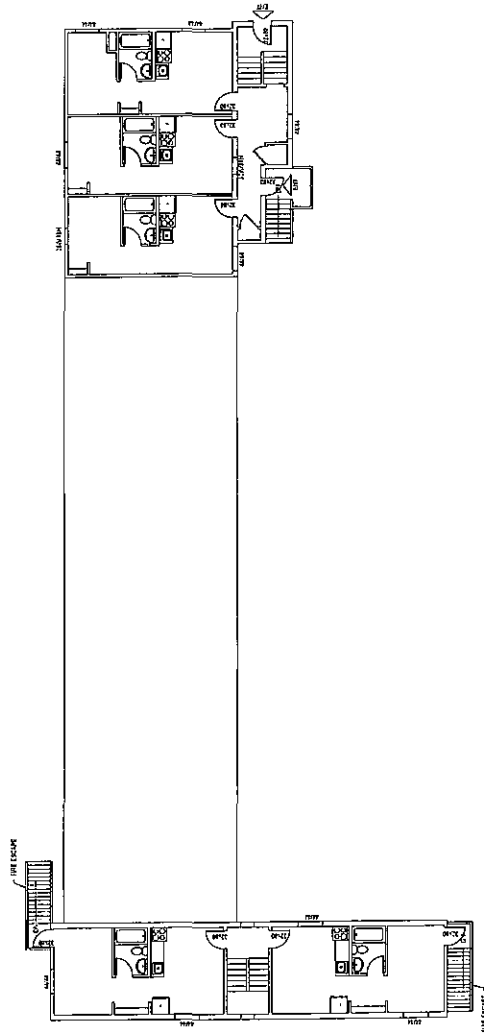
261 BRACKLEY POINT ROAD

FLOOR PLANS	
SCALE	1/4"=1'-0"
DATE	OCTOBER 12, 2018
DRAWN BY	EC
PROJECT #	2018011
© ARCHITECTURE 360, 2018	

1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE 1/8"=1'-0"



SECOND FLOOR
SCALE 1/8"=1'-0"



osbo architecture 360
 architecture + design
 45 Washington Lane, Rice Park, PE COA 116
 Phone: 707.321.1100 F: 707.321.4339
 www.osbo360.com

ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS SHALL COMPLY WITH THE LOCAL, NATIONAL AND INTERNATIONAL CODES AND REGULATIONS.
 THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS.
 THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS.
 THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS.

261 BRACKLEY POINT ROAD

FLOOR PLANS	
SCALE	1/8"=1'-0"
DATE	OCTOBER 18, 2018
DRAWN BY	EC
PROJECT #	201801
A2	
© ARCHITECTURE 360 2018	



PARTSFORTRUCKS

City of Charlottetown
PO Box 98, 233 Queen St
Charlottetown, Prince Edward Island
C1A7K2

October 24, 2018

RE: 261 Brackley Point Road (PID #704544)
Attention: Planning and Heritage Department

This letter will serve to state our objection to the conversion of this building to apartment rentals.

Our business is located at 257 Brackley Point Rd, directly beside the property in question.

Our objection is that a residential building is not a good fit for the current light industrial zoning. Activities, and the time of day for such activities, that are typical for commercial and/or industrial use may be considered a problem or nuisance for residents.

Specifically, our concern is that there is a strong possibility in the future that conflicts may arise from these residents, resulting in formal objections. Although the current zoning may provide protection for our position, there could be considerable time, expense and needless aggravation to defend it; not to mention any potential ill-will in the community. Better to avoid creating a problem now, then to deal with one later.

Thank you for this opportunity to voice our concerns.

Paul Raymond
Vice-President
Parts for Trucks, Inc

902 468 6777 x 5111



City of Charlottetown
PO Box 98, 233 Queen St
Charlottetown, Prince Edward Island
C1A7K2

October 28, 2018

RE: 261 Brackley Point Road - PID #704544

Attention: Planning and Heritage Department

This letter will serve as notice of our objection to the proposed conversion of this building to rental apartments or any other residential housing.

Our business is located at 265 Brackley Point Rd, directly beside the property in question.

Our objection is this planned residential building will not be a good fit for the zoning. Typical activities for commercial and/or industrial use will likely be considered a problem or nuisance for residents thus creating challenging conditions for all parties.

Specifically, our concern is that there is a strong likelihood that concerns and conflicts will emanate from residents resulting in formal objections. Although the current zoning safeguards our position, there would likely be considerable time, expense and needless aggravation to defend it; not to mention any ill-will in the community.

In the famous words of Benjamin Franklin, "an ounce of prevention is worth a pound of cure". We believe the ideal approach is to avoid creating a challenging scenario vs dealing with the negative ramifications later.

Thank you for this opportunity to voice our concerns.

A handwritten signature in black ink, appearing to read "G. Hough", written in a cursive style.

Gregory Hough
President & CEO

Superior Propane™

Mike Doucette

Market Manager – PEI & NB South

Telephone: (506) 855-0335

Fax: (506) 386-0196

mdoucette@superiorpropane.com

October 29, 2018

City of Charlottetown
Planning & Heritage Division
Charlottetown, PEI

Subject: 261 Brackley Point Road (PID #704544)

To whom it may concern,

I am writing in regards to the application for a discretionary use variance for the above noted property.

Superior Propane would formally reject this proposal for a long term apartment rental due to the fact this is a commercial business park.

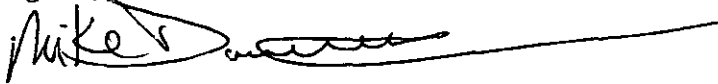
Our facility, located at 30 MacAleer Drive and next door to the property in question, has vehicles in the form of service trucks, propane bulk trucks and tri-axle b-trains coming and going at all hours of the day and night.

When trucks are loading or offloading at our plant, the noise from the pumps would be very noticeable from the proposed property along with a possible propane odor that may linger during this process.

I would suggest the close proximity of the proposed building to our facility would be a disruption in terms of constant noise and propane odor, to the tenants.

For this reason, we would reject this proposal.

Regards,



Mike Doucette

Market Manager, PEI & NB South



City of
Charlottetown

Report No: PLAN-2018-30-October-#6c-4

Date:
October 30, 2018

Directed to:
Planning Board

Department:
Planning & Heritage

Prepared by:
Greg Morrison, MCIP

Attachments:
1. GIS Maps
2. Applicant's Submission

Subject:
Request for a rezoning and a comprehensive development plan.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to approve the request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from the *Low Density Residential designation* to the *Concept Planning Area designation* for a portion of the property located on Mount Edward Road (PID #390740);
2. Amend Appendix "H" – Zoning Map of the Zoning & Development By-law from the *Low Density Residential Single (R-2S) Zone* to the *Comprehensive Development Area (CDA) Zone* for a portion of the property located on Mount Edward Road (PID #390740);
3. Amend Appendix "A" – Future Land Use Map of the Official Plan from the *Low Density Residential designation* to the *Concept Planning Area designation* for the property located on Mount Edward Road (PID #492405);
4. Amend Appendix "H" – Zoning Map of the Zoning & Development By-law from the *Low Density Residential Single (R-2S) Zone* to the *Comprehensive Development Area (CDA) Zone* for the property located on Mount Edward Road (PID #492405);
5. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405), subject to the receipt of final pinned survey plans; and
6. Amend Appendix "G" – Comprehensive Development Area Lands and Uses of the Zoning & Development By-law from *allowing a residential building on the street with the back portion vacant* to *143 residential dwelling units on 5.05 acres of the property* located on Mount Edward Road (PID #390740), subject to the approval of the Development Concept Plan, Design Review process and the signing of a Development Agreement.

SUMMARY:

The Planning & Heritage Department has received a request to:

1. Rezone a portion of the property located on Mount Edward Road (PID #390740) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone;
2. Rezone the property located on Mount Edward Road (PID #492405) from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone;
3. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405); and
4. Approve the Development Concept Plan for the 5.05 acres portion of the proposed consolidated property.

As per Section 36.2.1 of the Zoning & Development By-law, Development within a Comprehensive Development Area is subject to the approval by Council of a Development Concept Plan. The applicant is proposing to develop 5.05 acres of the vacant properties off Mount Edward Road in two phases.

The first phase consists of a seven (7) unit townhouse and a 48-unit apartment building on 2.5 acres of land. The second phase consists of a 40-unit apartment building and a 48-unit apartment building on 2.55 acres of land. The applicant / property owner would also be proposing to construct a road from Mount Edward Road to the confederation trail (see attached plans).

The proposed road would connect at Mount Edward Road directly across from Ferngarden Drive. The proposed road would continue to the Confederation Trail where a temporary cul-de-sac would be constructed until such time that the road is connected through the rest of the vacant parcel with Saint Dunstan Street.

Appendix “G” of the Zoning & Development By-law identifies the vacant parcel (PID #390740) to allow a residential building on the street with the back portion vacant and under the CDA Zone. If approved, the text in Appendix “G” would be modified to allow 143 residential dwelling units on the 5.05 acres of vacant land.

OFFICIAL PLAN:

The Official Plan provides policy relating to allowing moderately higher densities in neighbourhoods, using existing underground services to its fullest practical capacity and encouraging development in fully services area.

*Section 3.1.2 - Our **policy** shall be to allow moderately higher densities in neighbourhoods ... and to make provision for multiple-family dwellings in the downtown core, and multiple-family dwellings in suburban centres and around these centres provided it is development at a density that will not adversely affect existing low density housing.*

*Section 3.1.2 - Our **policy** shall be to use existing underground services to its fullest practical capacity before public funds are used to extend new water and wastewater lines into areas that are essentially undeveloped.*

*Section 3.3.1 - Our **objective** is to encourage development in fully serviced areas of the City, to promote settlement and neighbourhood policies as mechanisms for directing the location of new housing, and to encourage new residential development near centres of employment.*

*Section 3.3.1 - Our **policy** shall be to provide medium density housing styles to meet future housing needs.*

PUBLIC CONSULTATION:

Mailout

On October 9, 2018, Council recommended that the application proceed to the public consultation phase. On October 11, 2018, twenty-five (25) letters were sent to property owners located within 100 meters of the subject properties. The letter informed them of the upcoming public meeting and solicited their comments, to be received in writing prior to 12:00 pm (noon) on Wednesday, October 24, 2018. No letters were received.

Public Meeting

The public meeting of Council was held on Tuesday, October 23, 2018 at 7:00 pm at the Rodd Charlottetown Hotel, 75 Kent Street. The applicant's representative, Aaron Stavert, presented the application and was available to answer any questions from Council or the public. Five residents spoke to this application at the public meeting. Joey Jeffrey inquired if the 40 unit apartment building would be lower than the street line. Mr. Stavert noted that the grade would probably drop 12 to 14 feet to the base of the building. Mr. Jeffrey also asked about the proposed street entrance and whether a study has been made on the impact of this new development to the traffic along Mount Edward Road or if any other street options were available or installation of traffic lights warranted. The Mayor indicated that a traffic study had not be done but this development would be reviewed by our Police traffic division. David MacDonald also inquired about the proposed traffic impacts for residents along Mt. Edward Road. He was concerned about the area coming out of Ferngarden Drive is a blind hill and hard to pull out without some level of risk. Moreover, he mentioned that this area of Mt. Edward is prone to car backing up from the by-pass

highway beyond Ferngarden Drive. Herman McQuaid on behalf of the applicant commented that two years ago the proposal was brought to the police committee and Paul Johnston group and it was suggested that this was a reasonable access point. Councillor Rivard inquired whether the applicant could review reworking the roadway entrance to Mt. Edward Road. Mr. Stavert mentioned that a road access further back from the by-pass highway had been reviewed but it was determined that the sight lines were not good at that location.

Brian Gillis commented that the development of this property was undertaken in a sensitive manner but didn't address the social mandate of resolving affordable housing. Mr. Gillis questioned whether it would be appropriate to see the master plan for the entire Saint Dunstan's property. Mr. Gillis was concerned that road connections through the entire Saint Dunstan's property should be determined in advance. He felt that the lack of future understanding of all of the proposed land uses was bad planning.

DISCUSSION:

As per Section 36.3.2 of the Zoning & Development By-law, the Council, before approving a Development Concept Plan, shall consider the following four (4) items:

- 1. The Maintenance of Design Standards of the proposed buildings and their acceptability with respect to land uses and the character and scale of existing and proposed Development in the vicinity.*

The submitted plans only show the conceptual massing of the buildings and do not illustrate specific design elements. That being said, the applicant has attempted to respect the existing scale of the single-detached dwellings across Mount Edward Road by:

- Recessing the proposed apartment buildings to reduce the impact of the buildings scale; and
- Proposing to locate a townhouse dwelling along Mount Edward Road to provide a compatible use across from the existing single-detached dwellings.

Further, all access to the proposed residential buildings will be directed off of the proposed street and not directly onto Mount Edward Road. This concept / scale of development are similar to the development off of Towers Road behind the Charlottetown Mall.

- 2. The preservation of existing site features of unique quality and the preservation of the natural beauty of the area.*

The subject property is constrained by Mount Edward Road, adjacent properties, and the Confederation Trail. The applicant has attempted to preserve a portion of open space between the proposed townhouse and the adjacent single-detached dwelling at 269 Mount Edward Road (PID #390757).

3. *The type of Ownership.*

The type of ownership has not been identified at this time, but one would assume that due to the configuration of the lots, the buildings will either be maintained as rental units or sold as individual condominiums.

4. *The proposed population density of the area, the floor space ratio, the adequacy of Open Space areas, building form, Parking, pedestrian walkways, Streets, water supply, sanitary and storm sewers.*

As previously indicated the submitted plans only show the conceptual massing of the buildings. That being said, the applicant has agreed to undergo the Design Review process in order to develop the design of the building at a later date. Should the application be approved, the Development Agreement would include the conceptual massing plans but the text would indicate that the Design Review process is required prior to issuing any permits.

Staff would note that parking is required to be exclusive of the front yard for any building containing more than three (3) residential dwelling units. That being said, the subject property is located in the CDA which would be subject to a Development Concept Plan being approved. The applicant is requesting to locate surface parking at the front of the apartment buildings in Phase II for the following reasons:

1. Locating the parking at the rear and moving the building towards the street would mean that the proposed building would be at the minimum side and front yard setbacks. The applicant feels that the aesthetics of the apartment buildings being setback from the proposed street is more appropriate; and
2. Due to the topography of the land, having the apartment buildings locate adjacent to the trail (which is the low part of the property) would mean that the townhouse in Phase I and the apartment buildings in Phase II would appear to be at the same height.

With regard to traffic issues raised at the public meeting, staff agree that the issue of the creation of a safe access point to Mt. Edward is a critical component of any development application. Staff would note that this issue was reviewed before with the Police traffic division in the past and they were in support of the proposed street access location. Notwithstanding, the Police Department feel that a traffic study is warranted in this case to ensure that the proposed street access to Mt. Edward Road meets all of the acceptable Transportation Association of Canada guidelines for safe access including the ability of the owner to open up the vacant lands on the other side of the trail. The Police Department has indicated that they would be more comfortable ensuring that a traffic professional confirm that the proposed street geometry through the site is acceptable for the proposed development and any future development on the interior of this very large property. Staff would note that the by-pass highway is a controlled access highway and

there will be no opportunity to gain access to this road network. As a result, this places more pressure on safe access connections to Mount Edward Road to open up the vacant lands that remain between Mt. Edward Road and the Lower Malpeque Road. There are few acceptable access points to create a street connection to Mt. Edward Road and a traffic engineer can comment on how this important street access point can be designed in a safe and efficient manner for the proposed and future development of the applicant’s property. Staff recommend the traffic study be a requirement of the development agreement proposed for this property. The study will need to be completed and reviewed prior to any building permits being issued for development on this site in the event that this application is approved.

Notwithstanding, there are no major issues that have been raised to date that would warrant not supporting this application. On balance, staff are prepared to support this application subject to signing a development agreement that includes a traffic study and design review of the future buildings as outlined in this proposal.

Below is a quick summary of the subject application’s positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> • Moderately higher density that will not adversely affect existing low density housing. • Increasing the capacity of existing underground services. • Additional density in fully serviced areas of the City. • Medium density housing style to meet future housing needs. • The proposed townhouse addresses the scale and character of existing dwellings across Mount Edward Road. • The applicant has agreed to the Design Review process in order to finalize the plans that form part of the Development Concept Plan. 		

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to approve the request to:

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Respectfully,

Reviewed By:

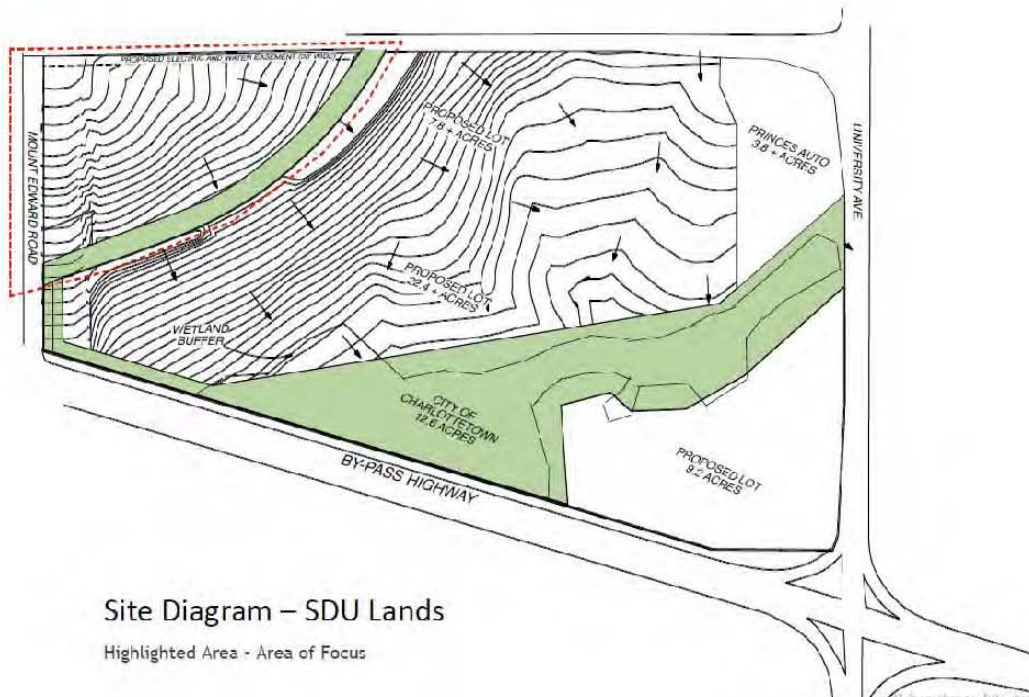
CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr	Other
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RECOMMENDATIONS/ACTIONS:



CDA Concept Development for Saint Dunstan's University

collaborative architecture
OPEN PRACTICE



Site Diagram – SDU Lands

Highlighted Area - Area of Focus

collaborative architecture
OPEN PRACTICE



1- VIEW OF SITE FROM MT. EDWARD RD – LOOKING WEST



2- VIEW OF SITE FROM BY-PASS HIGHWAY– LOOKING SOUTH-EAST

collaborative architecture
OPENPRACTICE

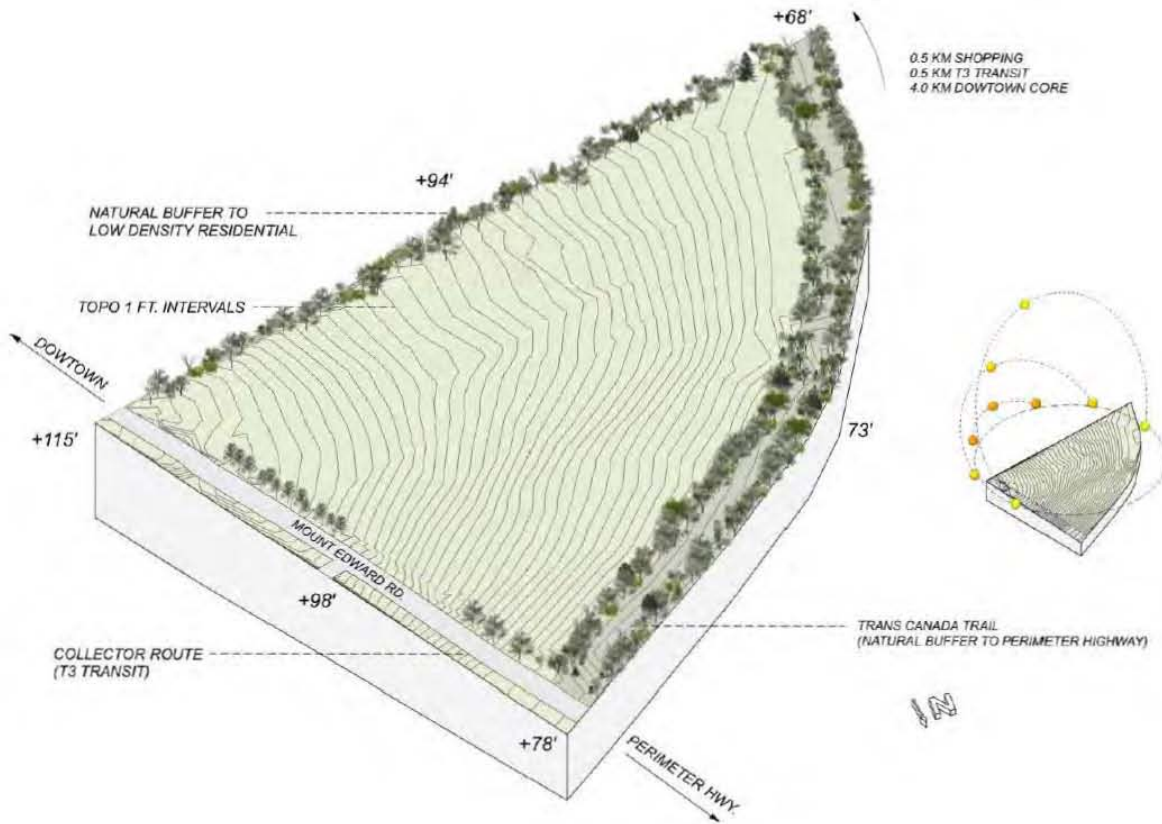


3- VIEW OF SITE FROM SOUTHEAST CORNER – LOOKING WEST



4- VIEW OF SITE FROM MT. EDWARD RD – LOOKING SOUTH

collaborative architecture
OPENPRACTICE



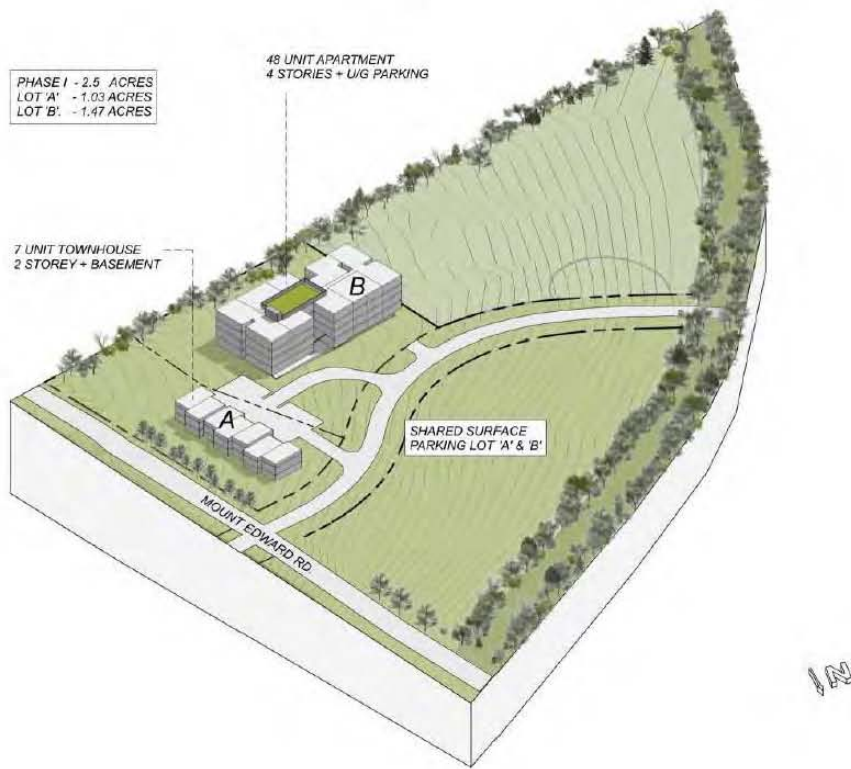
Site Attributes

collaborative architecture
OPENPRACTICE

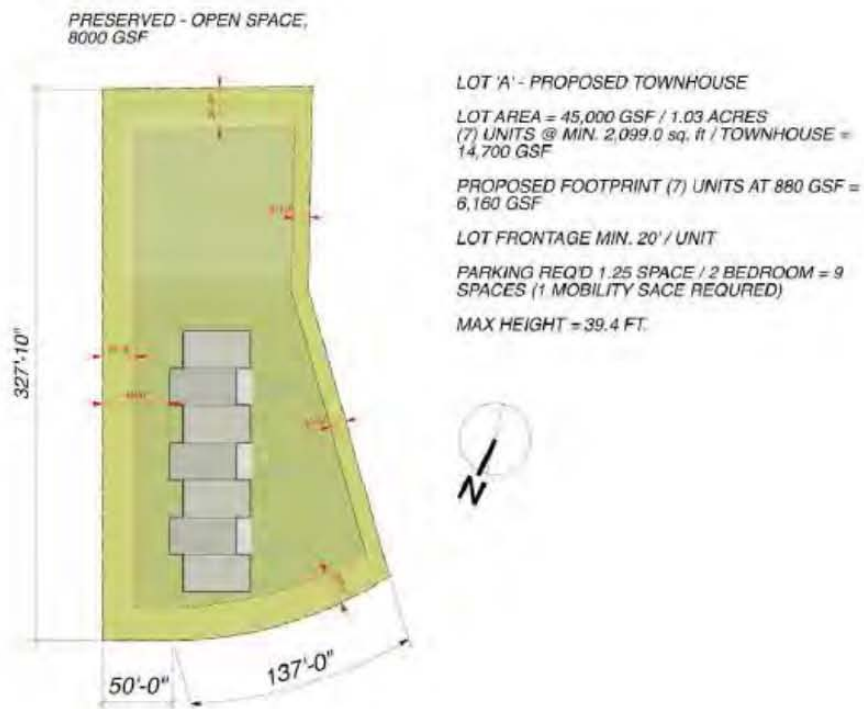


CDA Concept Plan for Phase I&II
Proposed Residential Use
New Road & Infrastructure

collaborative architecture
OPENPRACTICE



CDA - Proposed Concept Phase I



Zoning Analysis - lot 'A'



LOT 'B' - PROPOSED 48 UNIT APARTMENT

LOT AREA = 63,950 GSF / 1.47 ACRES
 (48) UNITS @ MIN. 1,237.9 sq. ft. / UNIT = 59,415 MIN. GSF

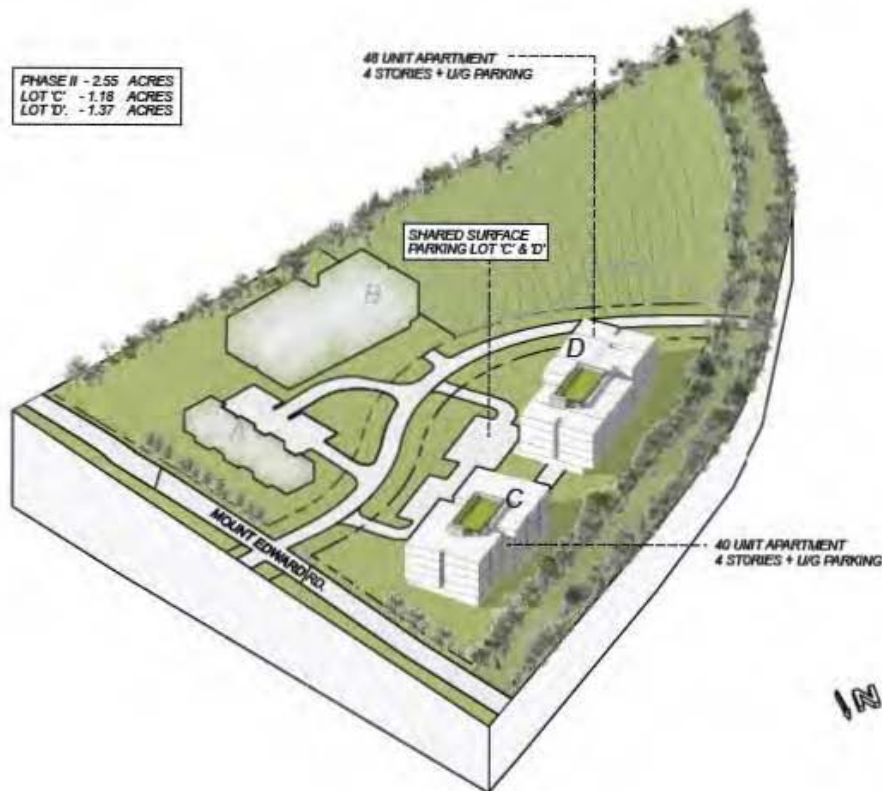
PROPOSED FOOTPRINT = 16,700 GSF

LOT FRONTAGE MIN. 82'-0"

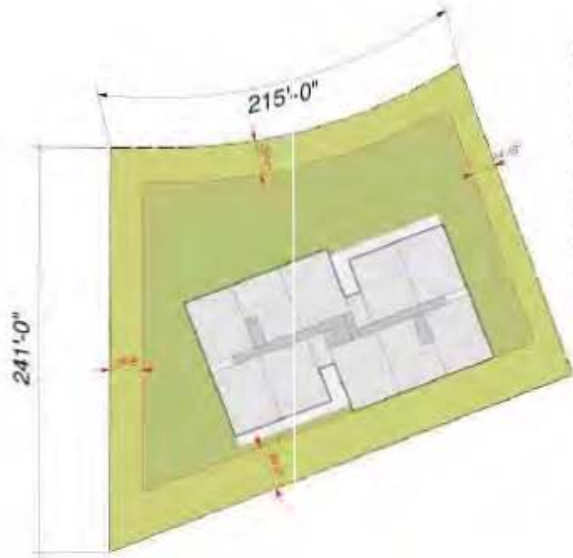
PARKING REQ'D 1.25 SPACE / 2 BEDROOM = 48 * 1.25 = 60
 PARKING SPACES (2 MOBILITY SPACES REQUIRED)

MAX HEIGHT = 49.2 FT

Zoning Analysis - lot 'B'



PHASE II - 2.55 ACRES
 LOT C - 1.18 ACRES
 LOT D - 1.37 ACRES



LOT 'C' - PROPOSED 40 UNIT APARTMENT

LOT AREA = 51,467 GSF / 1.18 ACRES
 (34) UNITS @ MIN. 1,507.0 sq. ft / UNIT = 51,238 MIN. GSF + 20% DENSITY BONUS FOR U/G PARKING = 34 UNITS * 1.2 = 40 UNITS.

PROPOSED FOOTPRINT = 13,400 GSF

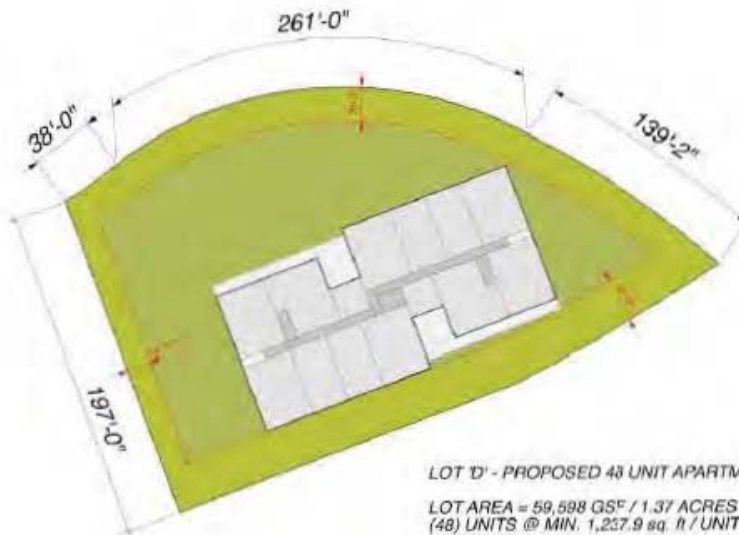
LOT FRONTAGE MIN. 82'-0"

PARKING REQ'D 1.25 SPACE / 2 BEDROOM = 40 * 1.25 = 50 PARKING SPACES (MIN 38 SPACES PROVIDED U/G (2 MOBILITY SPACES REQUIRED))

MAX HEIGHT = 49.2 FT



Zoning Analysis - lot 'C'



LOT 'D' - PROPOSED 48 UNIT APARTMENT

LOT AREA = 59,598 GSF / 1.37 ACRES
 (48) UNITS @ MIN. 1,237.9 sq. ft / UNIT = 59,419 MIN. GSF

PROPOSED FOOTPRINT = 16,700 GSF

LOT FRONTAGE MIN. 62'-0"

PARKING REQ'D 1.25 SPACE / 2 BEDROOM = 48 * 1.25 = 60 PARKING SPACES (2 MOBILITY SPACES REQUIRED)

MAX HEIGHT = 49.2 FT



Zoning Analysis - lot 'D'





CDA - Proposed Concept Plan
Phase I & II Complete

collaborative architecture
OPENPRACTICE



"Bird's-Eye" View NorthEast Corner

collaborative architecture
OPENPRACTICE



City of
Charlottetown

Report No: PLAN-2018-30-October-#6c-5

Date:
October 31, 2018

Directed to:
Planning Board

Department:
Planning & Heritage

Prepared by:
Greg Morrison, MCIP

Attachments:
1. GIS Maps
2. Applicant's Submission
3. Off-Lot Parking Agreement with CADC
4. Letters from Residents

Subject:
Request for a site specific amendment to allow off-lot parking which includes three (3) variances.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to approve the request to obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide fifteen of the required parking spaces off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10 years which is contrary to the Zoning & Development By-law (2018-11) subject to:

1. Design Review approval; and
2. The signing of a Development Agreement.

The site specific exemption also includes the following three (3) variances:

1. Reducing the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft;
2. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and
3. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft.

SUMMARY:

The Planning & Heritage Department has received a request to construct a five-storey, mixed-use building on the existing parking lot located at 80 Grafton (PID #340265). The proposed building includes a basement with retail space on the main floor, offices on the second floor, six (6)

residential dwelling units on the third floor, four (4) residential dwelling units on the fourth floor, and four (4) residential dwelling units on the fifth floor.

In order to construct the proposed building, the applicant requires a site specific exemption to the Zoning & Development By-law to allow the applicant to apply for off-lot parking which is not permitted in the Zoning & Development By-law (2018-11). The site specific exemption includes a variance to allow the applicant to be eligible for bonus height and two (2) variances to the setbacks of the fourth and fifth floors.

There is some confusion in light of the fact that the application was submitted under Zoning & Development By-law (August 1, 2018). That being said, this application is being reviewed as per the Zoning & Development By-law (2018-11) because it is the current by-law at the time that Council determines the disposition of the application. Should the application be approved, the approval would be to amend the current by-law (Zoning & Development By-law (2018-11)). The Minister of Communities, Land, and Environment is not able to approve an amendment to a by-law which does not exist anymore (Zoning & Development By-law (August 1, 2018)).

ANALYSIS:

DMUN Requirements:

	DMUN Requirements	Proposed
Permitted Uses	Apartment Dwelling Office Retail Store	Apartment Dwelling Office Retail Store
Lot Frontage	min 65.6 ft (for both apartments dwellings and commercial uses)	approx. 76.1 ft
Front Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	approx. 0.0 ft (in line with MRSB and Pilot House)
Rear Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	approx. 0.0 ft (in line with Pilot House, less than MRSB)
L Side Yard Setback	min 0.0 ft (equal to the side yard setback of the existing building on the abutting property)	approx. 0.0 ft (same setback as MRSB but note that there is a 13.0 ft common right-of-way between buildings)

R Side Yard Setback	min 0.0 ft (equal to the side yard setback of the existing building on the abutting property)	approx. 14.33 ft (Pilot House has a 0.0 ft setback; however there is a landscaped open space between buildings on the subject property)
Height	Max 39.4 ft	approx. 60.0 ft excluding stairwell penthouse (bonus height required – see table below)

The proposed mixed-use building adheres to all permitted uses and setbacks in the Downtown Mixed-Use Neighbourhood (DMUN). That being said, the applicant is requesting a bonus height of two (2) additional floors which is permitted in this zone subject to the lot frontage variance being approved.

In light of the fact that MRSB has a 0.0 ft side yard setback from the adjacent common right-of-way, staff feels that the proposed building utilizing a 0.0 ft side yard setback from the adjacent common right-of-way satisfies the by-law requirements because if the common right-of-way was non-existent, these two buildings would be permitted to abut one another. Due to the common right-of-way, there will be approximately 13.0 ft from MRSB to the proposed building.

Bonus Height Development Standards:

	Bonus Height Requirements	Proposed
Permitted Zones	DMUN DMS DC WF	DMUN
Building Height	max 60.7 ft	approx. 60.0 ft excluding stairwell penthouse
Lot Frontage	min 98.4 ft	approx. 76.1 ft (variance required)
Front Stepback	min 9.8 ft	approx. 10.0 ft
L Side Stepback	min 18.0 ft (from adjacent properties)	approx. 13.0 ft (due to the common right-of-way, the 4 th and 5 th floors are stepback 13.0 ft from MRSB – 5.0 ft variance required.)

R Side Stepback	<p style="text-align: center;">min 18.0 ft (from adjacent properties)</p>	<p style="text-align: center;">approx. 14.33 ft (due to the landscaped open space, the 4th and 5th floors are stepback 14.33 ft from the Pilot House – 3.67 ft variance required.)</p>
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The proposed five-storey mixed-use building does not adhere to all of the bonus height development standards as outlined in Section 29.3 of the Zoning & Development By-law (2018-11). In light of the fact that the subject property does not meet the lot dimension requirements to be eligible for bonus height, a variance is required.

In addition to the variance for the lot frontage, the applicant is also proposing two (2) additional variances to the side yard setbacks from the fourth and fifth floors to the adjacent buildings.

In light of the common right-of-way, the proposed building is setback approximately 13.0 ft from MRSB, the fourth and fifth floors must be stepped back an additional 5.0 ft from the building wall in order to meet the requirements of the Zoning & Development By-law (2018-11). In order to keep the stairwells in line vertically throughout the building, the applicant is not proposing to stepback the fourth or fifth floors, hence the desire for a variance.

While the 14.33 ft landscaped open space is present between the proposed building and the Pilot House, the fourth and fifth floors would need to be stepped back an additional 3.67 ft to adhere to the Zoning & Development By-law (2018-11). In order to maintain the side of the residential dwelling units on the fourth and fifth floors, the applicant is requesting a variance as well.

Finally staff would note that as part of the requirements for a bonus height application, an increase to the minimum standard pertaining to building height shall be permitted in exchange for securing a specific public benefit. The proposed public benefit for the fourth and fifth floors has not been indicated on the submitted plans to date but staff will work with the applicant to determine what the proposed public benefit will be. The amount of required public benefit is based upon \$4.00 per 0.1 sq. m. of floor area for both the fourth and fifth floors. Permitted public benefits include:

1. Adaptive reuse, Maintenance, preservation, or enhancement of a Designated Heritage Resource as defined in the *Heritage Preservation By-law*;
2. The provision of Affordable Housing Dwelling Units, by way of subsidization between the applicant and the province for a specified period of time and confirmed in a written agreement registered to the property;
3. The provision of three or four bedroom Dwelling Units;
4. The provision of a Landscaped Area, such as urban park, plaza, boardwalk or other facility where a deficiency exists or as indicated by the City;

5. The provision of public art in a location to be agreed upon by the City;
6. Investment in active transportation or public transit;
7. The provision of a LEED-gold standard certified Building or other equivalent qualification; or
8. The provision of subsidized commercial space for arts or other cultural uses.

Landscaped Area:

As per Section 6.4 of the Zoning & Development By-law (2018-11), a minimum of ten percent (10%) of the lot area shall be used for no other purpose than landscaped area.

The total lot area of the subject property is approximately 9,558.16 sq ft (76.1 ft x 125.6 ft). The applicant has proposed a landscaped area between the proposed building and the Pilot House. The proposed landscaped area is approximately 1,800.3 sq ft (14'4" x 125.6 ft) which would represent 18.8% and satisfy the requirements of the by-law.

The by-law also indicates that in all zones where the minimum front yard setback permits, a strip of land of not less than 12.0 ft in width shall be provided for a landscaped area. In light of the fact that the proposed building is permitted a 0.0 ft front yard setback, this requirement does not apply.

Parking:

The subject property is located in the Downtown Mixed-Use Neighbourhood (DMUN) Zone in which a stand-alone parking lot is not permitted. That being said, the property was formally located in the Downtown Mixed-Use Commercial (DMU) Zone where a stand-alone parking lot is permitted. In light of the foregoing, the subject property, which is currently being used as a parking lot containing 26 standard parking spaces would be considered a legal non-conforming use. Because the proposed building will be displacing these existing parking spaces, they will have to be accommodated elsewhere and additional parking will have to be provided for the proposed building.

Staff completed a preliminary parking calculation based upon the submitted plans.

Standard Parking Spaces

Business office / retail store in the 500 Lot Area = 2 spaces for the first 450 sq ft of floor area plus 1 addition space for each additional 1,045 sq ft of floor area.

Main Floor = +/- 6,000 sq ft of Retail Store

Second Floor = 6,946 sq ft of Office

$$\begin{aligned} 6,946 \text{ sq ft} + 6,000 \text{ sq ft} &= 12,946 \text{ sq ft} \\ 12,946 \text{ sq ft} - 450 \text{ sq ft} &= 12,496 \text{ sq ft} \text{ (2 spaces)} \\ 12,496 \text{ sq ft} / 1,045 \text{ sq ft} &= 11.96 \text{ spaces} \text{ (12 spaces)} \end{aligned}$$

Dwelling unit in the 500 Lot Area = 1 space for every two dwelling units in a building with more than three dwelling units.

Third Floor = 6 dwelling units
Fourth Floor = 4 dwelling units

Fifth Floor = 4 dwelling units

$$14 \text{ dwelling units} / 2 = \underline{7 \text{ spaces}}$$

Total Standard Parking Spaces = 2 + 12 + 7 = **21 spaces**
Plus the **26 spaces** being removed from the existing property

Mobility Parking Spaces

Multiple Dwellings = 1 reserved space per 5 to 30 units.

$$14 \text{ dwelling units} = \underline{1 \text{ mobility parking space}}$$

All other uses = 3 reserved parking spaces for the mobility of the disabled per 26-100 parking spaces required.

$$28 \text{ required standard parking spaces} = \underline{3 \text{ mobility parking spaces}}$$

Total Mobility Parking Spaces = **4 spaces**

Total Spaces

47 standard parking spaces and 4 mobility parking spaces

Staff would note that the basement was exempted in light of the fact that it is proposed to be used for file storage only. No other exemptions were included for washrooms, storage rooms or common areas on the main floor or second floor at this time. When detailed floor plans are submitted, the required parking will likely be reduced as the parking calculation above is based upon the strictest regulations.

Staff would also note that the number of parking spaces that currently exist on the property may also be reduced when a proper survey plan is submitted. Staff identified 26 standard parking

spaces from the aerial photography but the applicant indicates that the spaces are undersized and that there may be less than 26 spaces that adhere to the requirements of the Zoning & Development By-law on the property.

As per Section 4.44.6 of the previous Zoning & Development By-law (August 1, 2018), the development officer could, with the approval of the Council, approve off-lot parking for developments located in the 500 Lot Area provided that the building containing the required parking is within 787.4 ft of the subject lot and the developer has filed with the City, a lease providing the parking for a period of not less than 10 years. The recently approved Zoning & Development By-law (2018-11) does not allow for off-lot parking but rather requires that cash-in-lieu of parking must be paid when adequate parking cannot be provided on the property and therefore, a site specific exemption is required.

In this circumstance, the applicant would be required to pay up to \$306,000 (\$6,000 per space x 51 spaces) to construct the proposed building. In light of the fact that this project has been developing for the past few years, the applicant is requesting that they be able to enter into an agreement with the City to provide 15 parking spaces off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) as per the previous Zoning & Development By-law (August 1, 2018). The applicant is requesting to pay cash-in-lieu for the remaining spaces. Therefore, the applicant would be required to pay up to \$216,000 (\$6,000 per space x 36 spaces) to construct the proposed building.

Staff would note that the applicant is also requesting to locate an interior link between the third floor of the proposed building and the Pownal Parkade in order to provide readily available access to the residents, employees, and public utilizing the proposed building.

OFFICIAL PLAN:

There are several Official Plan objectives that relate to this application; in particular, those aimed at sustaining neighbourhoods (Section 3.2) and creating a vibrant 500 Lot Area (Section 4.2):

Section 3.1 – Objective #2 – Our objective is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.

The proposed development involves additional residential density in the downtown core which will capitalize on existing municipal infrastructure that presently exists.

Section 3.2 - Objective #1 - Our objective is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surrounding.

This objective contains a policy stressing the importance of ensuring that “building footprints, massing, and setbacks” are physically related to its surroundings. The proposed development is applying for two additional floors of bonus height which will make the building appear larger;

however, the applicant has attempted to stepback the fourth and fifth floors to allow the streetscape to be viewed as a three storey building which is traditional along the block.

Section 3.2 - Objective #2 - Our objective is to allow moderately higher densities and alternative forms of development in any new residential subdivisions which may be established, provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.

The proposed development will provide high density residential development and new forms of dwelling units to the surrounding neighbourhood, as this objective encourages. The external design reviewer will ensure that key design criteria are satisfied to ensure harmony with the neighbourhood.

Section 3.2 - Objective #3 - Our objective is to support the provision of suitable commercial and institutional needs, employment opportunities, community-based services, and public realm amenities within neighbourhoods.

The proposed development is in the Downtown Mixed-Use Neighbourhood (DMUN) which supports residential uses as well as commercial uses. The proposed building provides suitable commercial space within the existing neighbourhood.

Section 4.2 - Objective #2 - Our objective is to promote new development that reinforces the existing urban structure.

The proposed development satisfies the front yard setback requirements outlined in the DMUN Zone, and as a result, it complies with permitted street setbacks on the block while reflecting the urban structure of other developments in the neighbourhood.

Section 4.2 - Objective #5 - Our objective is to ensure that the concept of compatible development is fundamental to all aspects of the CHARLOTTETOWN PLAN.

Section 4.2 - Objective #6 - Our objective is to protect and strengthen the character of the residential neighbourhood in the 500 Lot Area

Objective 5 defines compatible development as “*development that is not necessarily the same as, or similar to existing development. It is development that enhances the character of the existing community.*”

The proposed development has traditional elements in the building design. One may argue that aspects of the building were done in an attempt to recreate heritage but these issues and other design standards of the 500 Lot Area will be evaluated through the design review process to ensure that new development is compatible with, and enhances its surroundings.

PUBLIC CONSULTATION:

Mailout

On October 9, 2018, Council recommended that the application proceed to the public consultation phase. On October 11, 2018, fifty-one (51) letters were sent to property owners located within 100 meters of the subject property. The letter informed them of the upcoming public meeting and solicited their comments, to be received in writing prior to 12:00 pm (noon) on Wednesday, October 24, 2018. Two (2) letters were received, one (1) in support and one (1) in opposition stating that the City no longer needs big buildings but heritage buildings instead.

Public Meeting

The public meeting of Council was held on Tuesday, October 23, 2018 at 7:00 pm at the Rodd Charlottetown Hotel, 75 Kent Street. The owner's representative, Bill Chandler, presented the application and was available to answer any questions from Council or the public. Mayor Clifford Lee clarified the process of this application with it having site specific amendments, variances and design reviews should this application move forward. Mayor Lee also commented whether the 26 existing parking spaces need to be replaced. Parking Standards were reviewed in this application and again, will be up to Council to decide on the parking requirements as it relates to the overall components of this application. Two residents spoke to the application in relation to affordable housing and parking spaces. Mr. Brian Gillis mentioned about incorporating a percentage of new housing development for affordable housing and questioned why the City is not building parkades from cash-in-lieu requirements from new development. Mr. Kenny Martin recognized that this application is a wonderful concept but he also agreed with Mr. Gillis' comment on parking and recommended to at least look at improving public transit or build more parking garages.

DISCUSSION:

This application involves numerous requests which shall be considered concurrently, as all items must be approved to proceed with the proposed development. Staff is confident that the majority of the requirements in the Zoning & Development By-law (2018-11) have been satisfied and the proposed development will enhance the existing neighbourhood.

Staff has additional confidence in approving the project because if the site specific exemption is approved, the application will be required to follow the Design Review process as per Section 3.13 of the Zoning & Development By-law (2018-11) and would be subject to the signing of a Development Agreement to ensure that the plans that have been reviewed and presented to the public and Council will be constructed. The Development Agreement will also include provisions pertaining to the bonus height public benefit and parking arrangement.

Below is a quick summary of the subject application’s positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> • Promotes compact urban form and infill development, as well as the efficient use of infrastructure • Preserves the built form and density of the neighbourhood. • Well planned overall, and harmonious with existing neighbourhood. • Provides suitable commercial employment opportunities and public realm amenities within the neighbourhood. • Strengthens the character of the 500 Lot Area • Design review is required to ensure that new development is compatible with, and enhances its surroundings. 		<ul style="list-style-type: none"> • Requires a site specific exemption to allow the applicant to apply for off-lot parking. • Requires a variance to the lot frontage requirement for bonus height. • Requires variances to reduce the minimum side yard setback for the fourth and fifth floors on both sides of the proposed building.

In light of the fact that the proposed development will enhance the neighbourhood and that the proposed concept plan has support in the Official Plan, staff is recommending approval of this application.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to approve the request to obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide fifteen of the required parking spaces off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10 years which is contrary to the Zoning & Development By-law (2018-11) subject to:

3. Design Review approval; and
4. The signing of a Development Agreement.

The site specific exemption also includes the following three (3) variances:

4. Reducing the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft;
5. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and
6. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft.

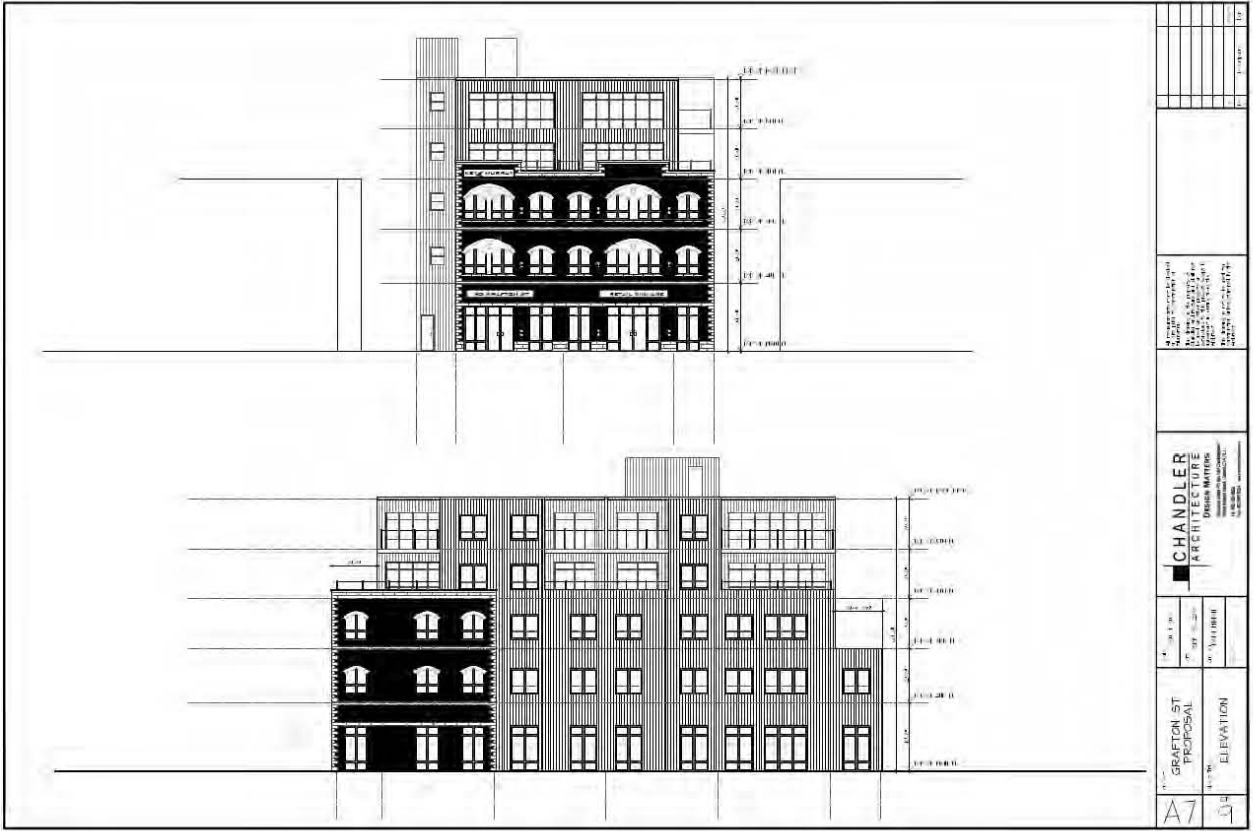
Respectfully,

Reviewed By:

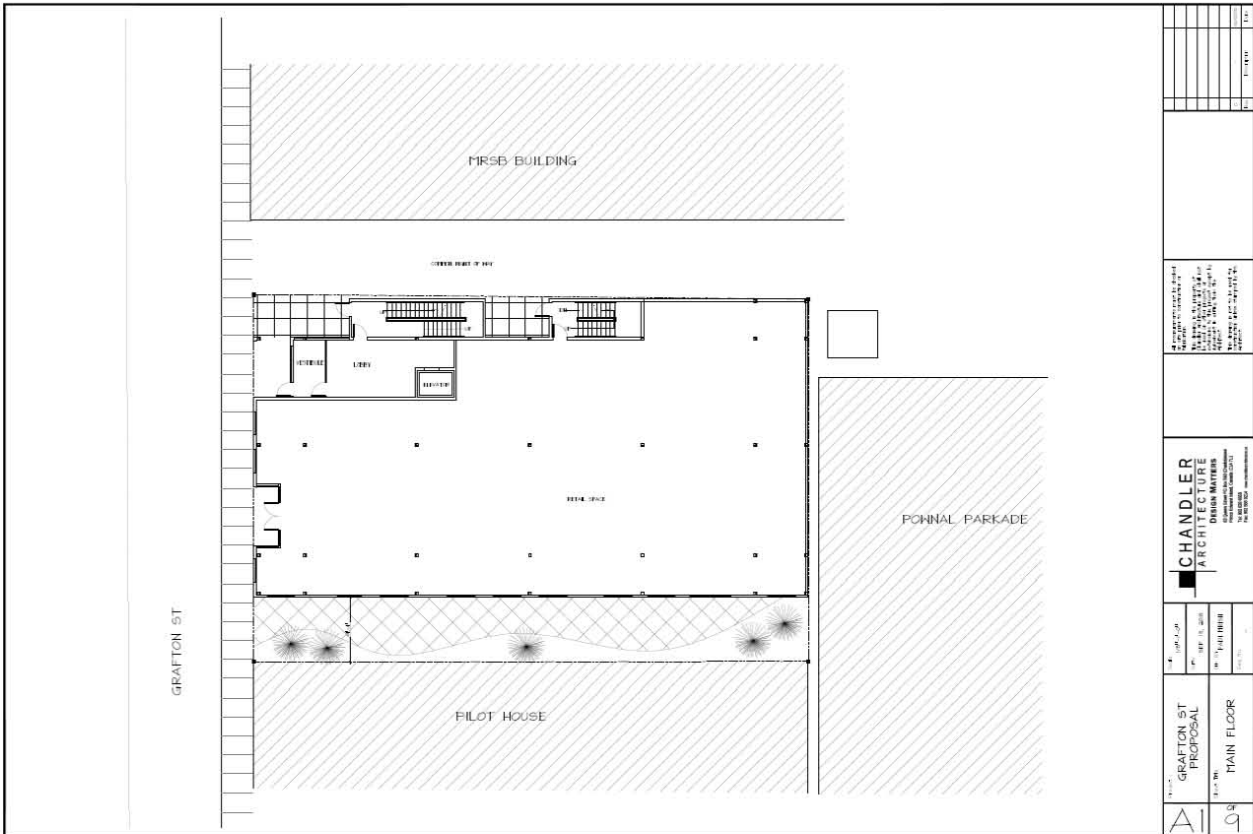
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RECOMMENDATIONS/ACTIONS:

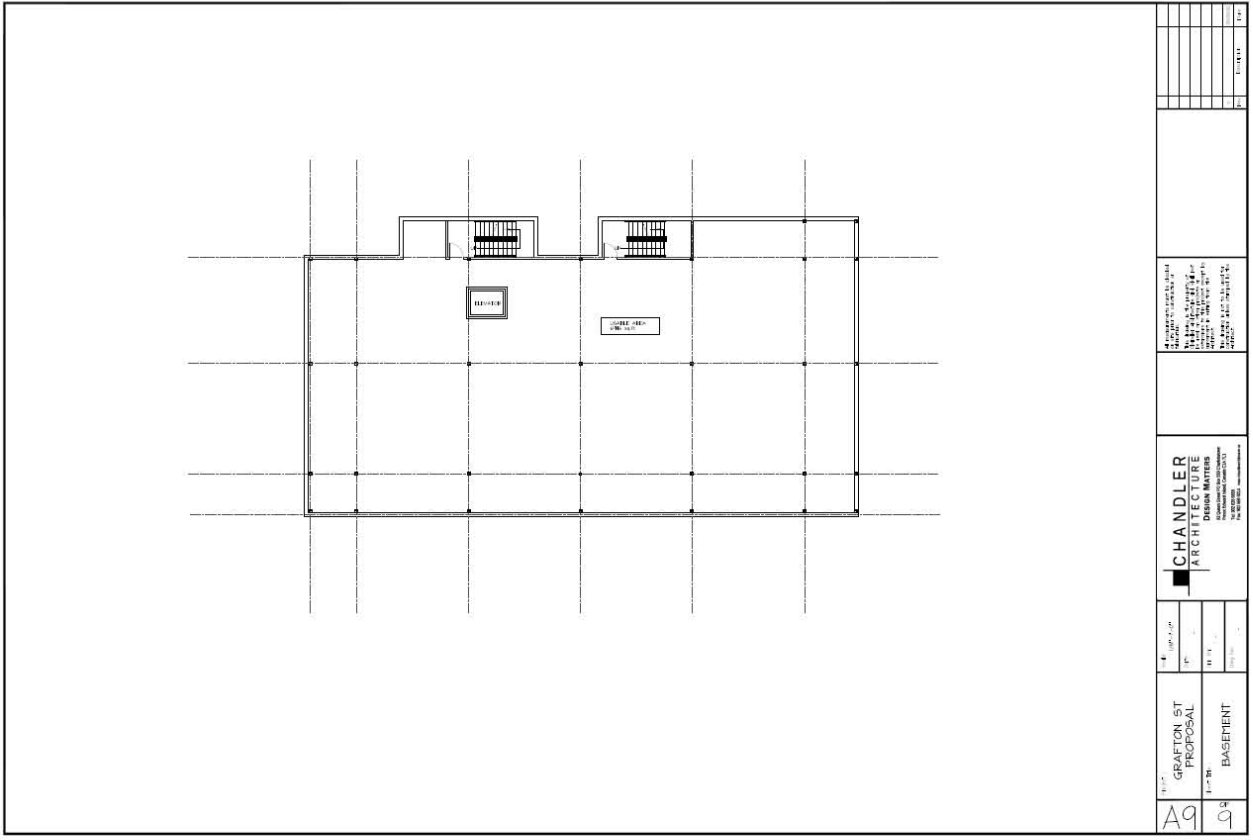




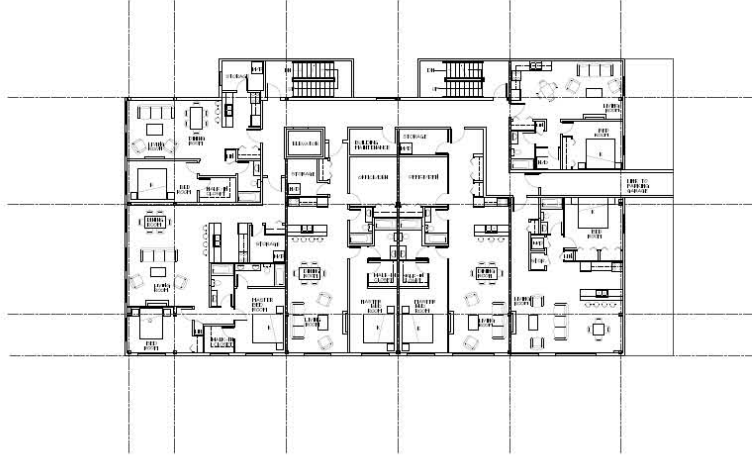
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<p>GRAFTON ST PROPOSAL</p>		<p>ELEVATION</p>	
<p>A7</p>		<p>1/8" = 1'-0"</p>	



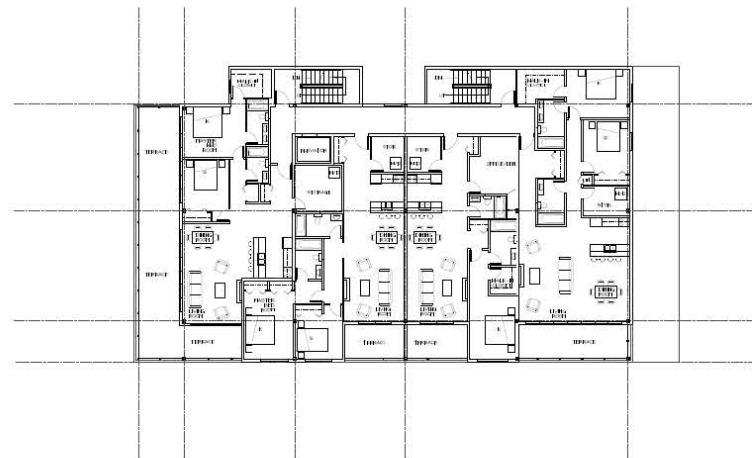
<p>CHANDLER ARCHITECTURE DANIEL MATHEA ARCHITECTS</p>		<p>PROJECT NO. 17-0118B DATE: 11/11/18</p>	
<p>GRAFTON ST PROPOSAL</p>		<p>MAIN FLOOR</p>	
<p>A1</p>		<p>1/8" = 1'-0"</p>	



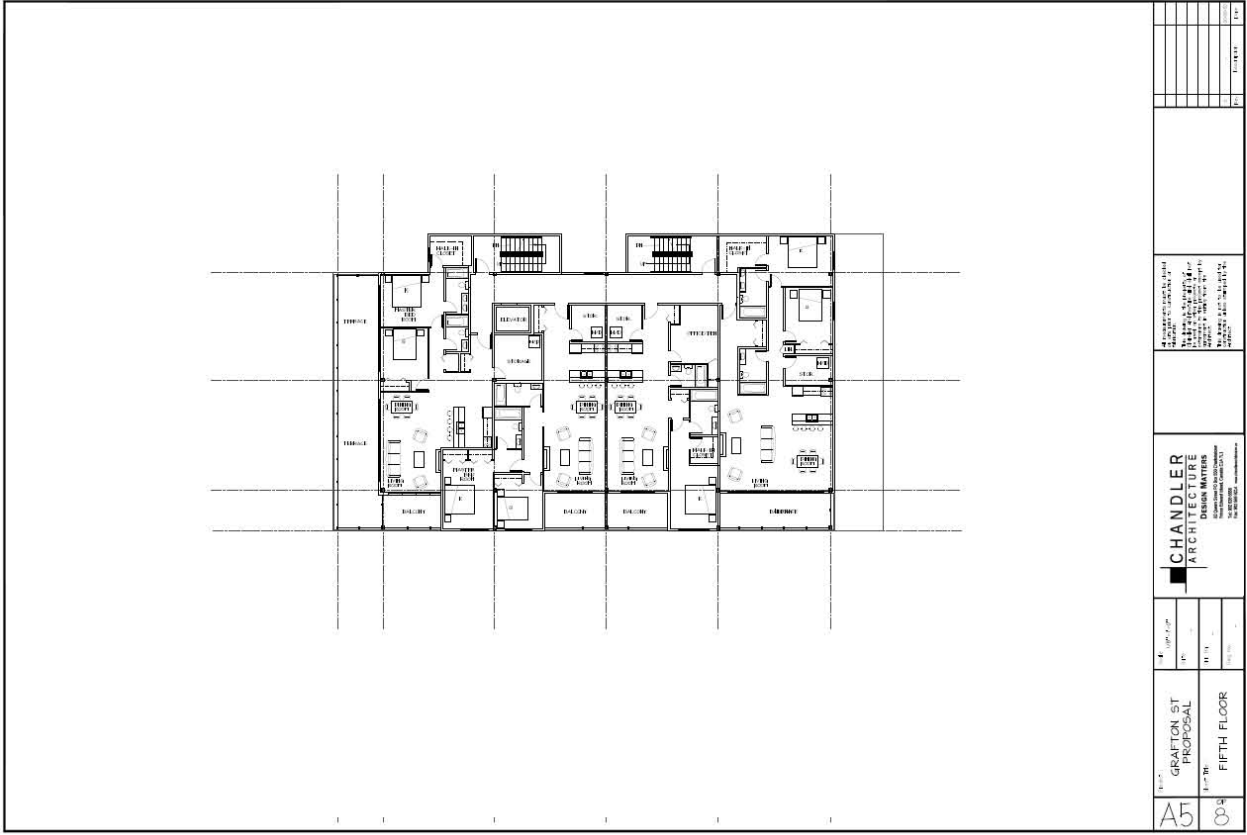
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A3	GRAFTON ST PROPOSAL	1" = 1'-0"	11" x 17"	CHANDLER ARCHITECTURE DESIGN MATTERS 1000 UNIVERSITY AVENUE SUITE 1000 ANN ARBOR, MI 48106-1500 TEL: 734.763.1000	4. ARCHITECTURAL PLAN THIRD FLOOR GRAFTON ST PROPOSAL SHEET 3 OF 10	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	1/11/11



A4	GRAFTON ST PROPOSAL	1" = 1'-0"	11" x 17"	CHANDLER ARCHITECTURE DESIGN MATTERS 1000 UNIVERSITY AVENUE SUITE 1000 ANN ARBOR, MI 48106-1500 TEL: 734.763.1000	4. ARCHITECTURAL PLAN FOURTH FLOOR GRAFTON ST PROPOSAL SHEET 4 OF 10	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100	1/11/11



A5

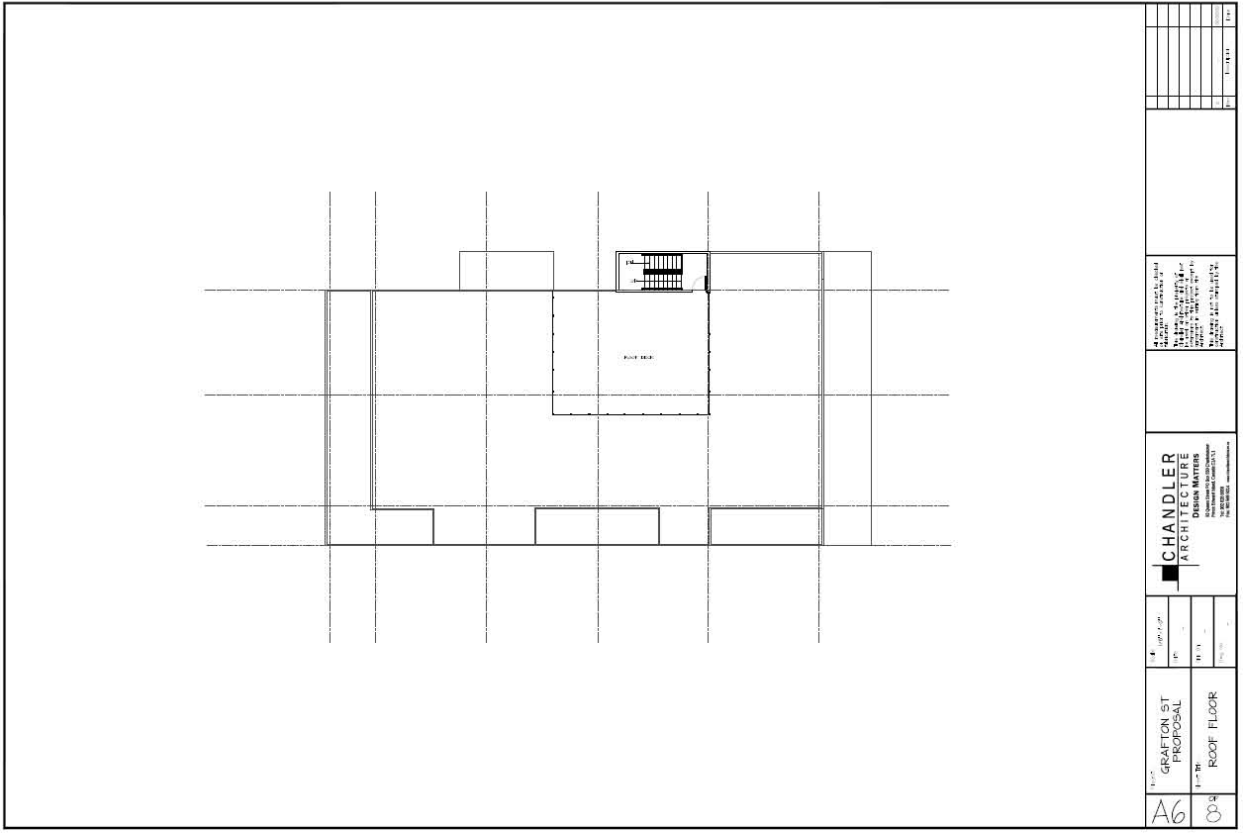
GRAFTON ST
PROPOSAL

FIFTH FLOOR

CHANDLER
ARCHITECTURE
DESIGN MATTERS

100 GRAFTON STREET
DUBLIN 2
TEL: 01 454 4000
WWW.CHANDLERARCHITECTURE.COM

NO.	REV.	DATE	BY



A6

GRAFTON ST
PROPOSAL

ROOF FLOOR

CHANDLER
ARCHITECTURE
DESIGN MATTERS

100 GRAFTON STREET
DUBLIN 2
TEL: 01 454 4000
WWW.CHANDLERARCHITECTURE.COM

NO.	REV.	DATE	BY



	CHANDLER ARCHITECTS ARCHITECTS 100 GRAFTON ST SYDNEY NSW 2000 PH: (02) 9550 1111 FAX: (02) 9550 1112 WWW.CHANDLERARCHITECTS.COM.AU	PROJECT NO: 100/101 SHEET NO: 100/101-01 DATE: 10/10/11	SCALE: 1:100 DATE: 10/10/11
	GRAFTON ST PROPOSAL SITE PLAN	DRAWN BY: [Name] CHECKED BY: [Name]	PROJECT NO: 100/101 SHEET NO: 100/101-01 DATE: 10/10/11



October 17, 2018

Mr. Lloyd Compton
President
80 Grafton Street Inc.

Dear Mr. Compton

Re: Pownal Parkade Parking Agreement

This letter shall serve to confirm that in the event of 80 Grafton Street Inc. is able to obtain a development permit for your proposed development at 80 Grafton Street, CADC is prepared to consider:

- 1) entering into a parking agreement for up to 15 parking spaces in the Pownal Parkade, and
- 2) entering into an access agreement, allowing a pedestrian connection between the 80 Grafton Street property and the Pownal Parkade.

The number of available spaces within the Pownal Parkade fluctuates from month to month and season to season, however if an agreement is entered into within 90 days of the date of this letter, we can commit to 15 parking spaces. Monthly parking is available on a first come first serve basis where space is available.

Please note that this agreement would entitle you to 15 spaces in the garage and would not be designated. Should you drop spaces at any time getting them back in the future would be subject to availability and any waiting list.


Ron Waite
General Manager

Ganga, Ellen

From: Doug Wright <dwright@atlantech.ca>
Sent: Wednesday, October 24, 2018 11:49 AM
To: Planning Department
Cc: Lloyd Compton
Subject: 80 Grafton St. (Proposed Development)
Attachments: image002.emz

Good morning,

I am the co-owner of Lot 500 Properties Inc., which owns 70 & 60 Grafton St. properties – adjacent to the proposed development at 80 Grafton St.

Just a quick comment that we are aware of and support the proposed development being put forward at 80 Grafton St.

Lot 500 Properties Inc. has similar development plans (mixed-use building) for 70 & 60 Grafton St., and look forward to working together with MRSB to ensure that both their proposed project and our proposed project complement each other, Grafton St. and the designated Lot 500 property zone.

Doug Wright, P.Eng
President

Atlantech® Companies

89 Hillstrom Ave, Charlottetown
PEI, Canada C1E 2C8
Tel: 902.368.7500 Ext 22
Cel: 902.314.1175

dwright@atlantech.ca



Doug Wright, P.Eng
President

Lot 500 Properties Inc.

89 Hillstrom Ave, Charlottetown
PEI, Canada C1E 2C8
Tel: 902.368.7500 Ext 22
Cel: 902.314.1175

dwright@atlantech.ca

Ganga, Ellen

From: xl chen <chen161122@gmail.com>
Sent: Friday, October 19, 2018 6:44 PM
To: Planning Department
Subject: Disagree the construction planning at 80 Grafton street

As the owner of 82-96 Kent street, I disagree the construction planning at 80 Grafton street (PID#340265).

Charlottetown is a tour city that doesn't need big building, but heritage building. Why I spend a large amount of money to maintain the heritage building, but others can build large building that will destroy the city view? I will be very disappointed, also the tourists will be very disappointed, some day they will lose interest in this city. Thanks.


Xiongliang Chen

President

Chen & Liang City United Ltd.

--

Xiongliang Chen President Chen & Liang City United Limited Add: 21 Donald Drive Charlottetown, PE C1E 1Z5 Cell: 902-626-6389 Email: chen161122@gmail.com

TITLE: ZONING & OP AMENDMENT FILE: PLAN-2018-7-NOVEMBER-4a-1 (revised) PROPERTY PID #1073634 OWNER: BILL WATERS		
MEETING DATE: October 1 st 2018		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Map of Site B. Application related documents	
SITE INFORMATION: Context: Vacant and undeveloped Ward No: 8 Existing Land Use: Right-of-Way Official Plan: N/A Zoning: N/A		
PREVIOUS APPLICATIONS: PLAN-2018-4-Sept-5		

RECOMMENDATIONS:

Staff encourages Planning Board to recommend Council to approve the request to zone the property identified as PID #1073634 to **Single-Detached Residential (R-1L) Zone** and designate the same property **Residential** on *Appendix A* of the Official Plan.

BACKGROUND:

Request

The Planning & Heritage Department has received a request to zone the parcel PID #1073634 to the Single Detached Residential (R-1L) Zone and to designate the same lot as Residential as per *Appendix A* of the Official Plan. Approval of this application will allow for the owner to develop the site for residential purposes.

Development Context

The subject site is 0.4 acres in size, vacant with some portions treed, and is located between 137 Belgrave Drive which is owned by the same person as 133 Belgrave Drive. The property is relatively flat and undeveloped. Uses surrounding the site are primarily large low density residential lots with the only nearby amenity being a public park and greenspace. The lot PID #1073634 currently does not have any formal access but this would be provided onto Belgrave Drive once developed.

History

The lot PID #1073634 was once a public right-of-way designated for a street to connect Gardiner Drive and Belgrave Drive. This road allowance was subdivided and sold in 2017 to the current property owner but was never consolidated with 137 Belgrave Drive. The parcel currently does not have a designation or zoning and therefore has no entitlements for development. The owner applied for a site specific amendment on the property to construct a large accessory structure. Council recently rejected this proposal to proceed to a public meeting.

ANALYSIS:

This property is located within a well-established R-1L Zone. The owner is proposing to zone the property Single Detached Residential (R-1L) and designate *Residential* as per the Official Plan. This will allow for the owner to develop a single detached dwelling on the property providing for infill in an established low density neighbourhood. The property has access to infrastructure services (i.e. sewer and water) and recreational open spaces (parks and trails). Winslow is a low density residential community that was amalgamated with the City of Charlottetown in 1995.

Consistency with the Official Plan

Presently, the property does not have a designation since it was a previous right-of-way for a road. The applicant is seeking to designate the property *Residential* in order to develop a single detached residential building onsite. The Official Plan supports both infill development while maintaining the character of the residential neighbourhood.

Section 3.1.2 of the Official Plan states: *Our **objective** is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

*Our **policy** shall be to allow moderately higher densities in neighbourhoods, and to allow in-law suites in residential land-use designations, and to make provision for multiple-family dwellings in the downtown core, and multiple-family dwellings in suburban centres and around these centres **provided it is development at a density that will not adversely affect existing low density housing.***

Section 3.2 under the heading of *Environment for Change* states: *Preserving the distinctive character and identity of Charlottetown's neighbourhoods requires strategies that promote internal stability as well as a sense of community identity. The **CHARLOTTETOWN PLAN** incorporates policies which will help preserve the harmony and integrity of each existing neighbourhood within the City.*

The Official Plan supports mixed forms of housing within existing neighbourhoods to allow for housing choices. Housing choices within neighbourhoods are important as they provide variety for

people at various stages of their lives. This neighbourhood predominately consists of large single detached residential lots with open space areas for parks and trails.

Consistency with the Zoning By-law

As previously stated the property has no zoning since it was previously a public right-of-way for a future street. The applicant is applying to zone the subject property to the Single Detached Residential (R-1L) Zone. The Winslow neighbourhood predominately consists of low density residential housing with parks and trails. The proposed zoning would conform to the rest of the neighbourhood that is also zoned Single Detached Residential (R-1L) Zone. The proposed lot is of sufficient size to adhere to all minimum sizing requirements for both frontage and area.

Public Meeting (October 23 2018)

The application was presented to council and members of the public. Mr. Watters was present to explain his application and answer any further questions. Mr. Watters indicated that his objective is to improve the whole back area of his property. He owns the front lots where his house is currently located. A portion of the subject property is heavily timbered and he has no intentions of cutting it down. The back of his property would be a mix of grass area and flower beds which the neighbours around the area would be able to view from their decks. This view provides privacy rather than looking into another home. It is his objective to make the area look attractive for him and for the neighbours. At the time the lot was purchased, it was his understanding that the lot would be zoned to allow him to develop the property. There was no follow up questions or representation from members of the public to provide input on the application.

Planning Board (October 31st 2018)

The application was presented to Planning Board with the recommendation to approve the Zoning and Official Plan amendments. The Board had some reservations to recommend approval due to the fact that there was a previous application for an enlarged accessory structure that could be built to satisfy all requirements of the Zoning By-law. Staff did clarify that since it is a legal lot separate from the owner's other lot located at 137 Belgrave Drive the applicant would have to establish a residential use as the primary land use prior to an accessory use such as a garage be constructed. There were some concerns raised by Board members that the owner could construct a building with a dwelling unit and sacrifice the residential space for more garage floor area. As such the Board *deferred* the application until such time that the owner either speaks to his application in person or provides a building concept for the lot.

CONCLUSION:

Staff encourages Planning Board to recommend Council to approve the request to zone the property identified as PID #1073634 to the Single-Detached Residential (R-1L) Zone of the Zoning & Development Bylaw and designate Residential on *Appendix A* of the Official Plan.

Manager:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage



Presenter:




Robert Zilke, MCIP
Planner II

Attachment A



<p>Application File: PLAN-2018-October-1</p> <p>Address: PID#1073634</p> <p>Ward: 8</p> <p>Zone: N/A</p>	<p>0 12.5 25 50 Meters</p>  <p>0 40 80 160 Feet</p> 
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<p>LEGEND</p> <p> Affected Lot</p>	<p>City of Charlottetown Planning & Heritage Department</p>	
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 <p>City of Charlottetown</p>	<p>Map Created:9/27/2018</p>
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CHARLOTTETOWN

PLANNING & HERITAGE DEPARTMENT

APPLICATION

FILE NUMBER	HERITAGE	SUBDIVISION Name _____
ASSESSMENT NUMBER	VARIANCE	Number of Lots _____
REZONING FROM <u>R1</u> TO <u>R1</u>		OTHER

- Applicant's Name BILL & WANDA WATTERS
 - Address 137 BELGRAVE DRIVE WINSLOE PE C1E1Z2
 - Telephone: Work 902-566-5850 Home 902-368-1944
 - Civic Address of Property to be Developed 1073634
 - Present Use of Property (Zone) PURPOSE: RES. DRWAY
 - Proposed Use of Property and Brief Description of Work RESIDENTIAL
- Site or Subdivision Plan Provided Yes No
 - Building Plans Provided Yes No
 - Estimated Start Date Nov. 2018 Completion Date June 1 - 2019

I, the undersigned, as owner or authorized agent for the owner of W.D. Watters
(Civic Address) hereby make application for the above-noted development and certify the truth of all statements or representatives contained herein.

Sept 18/2018
DATE

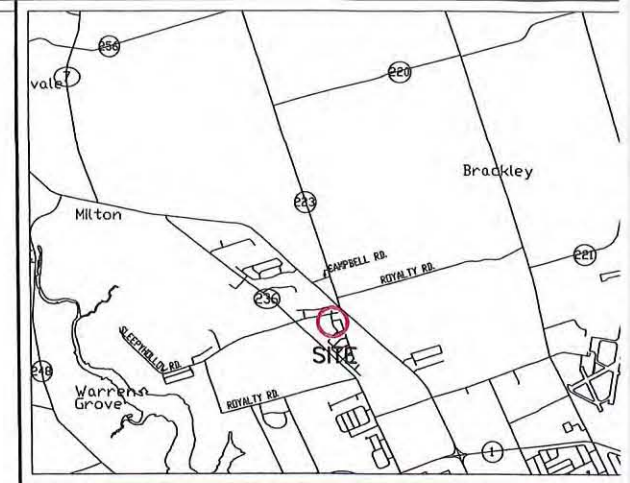
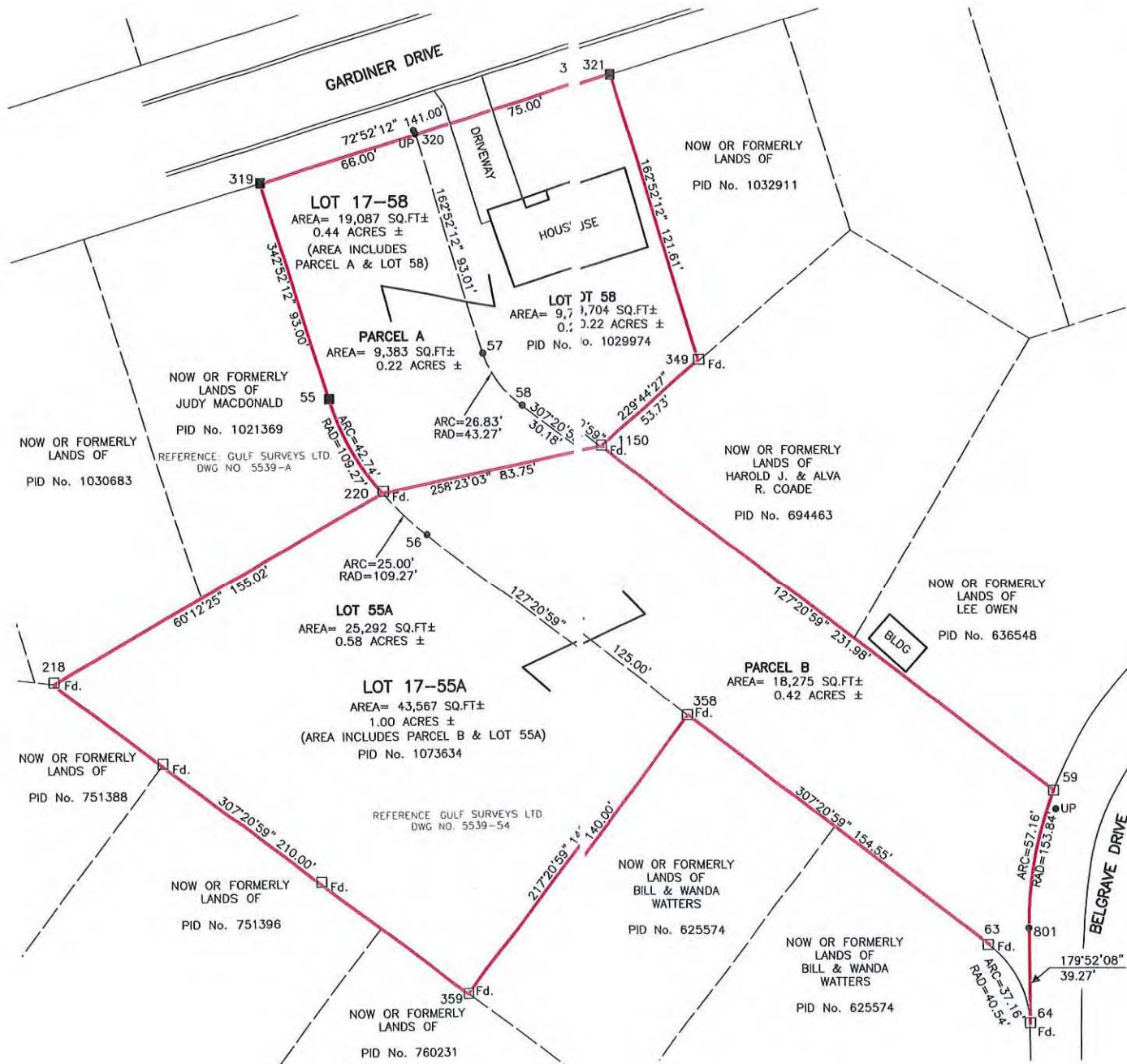
W.D. Watters
SIGNATURE OF OWNER OR AUTHORIZED AGENT

NOTE: This is an application ONLY and does not authorize the applicant to proceed with the proposed development until a building permit is applied for and issued for the development.

ORDINATE LIST
 IN (NAD27) FEET

Northing	Easting
51598.91	452767.61
51544.23	452805.74
51618.35	452830.69
51596.70	452845.78
51437.64	453054.20
51374.63	453027.97
51342.50	453043.92
51484.51	452653.24
51561.53	452787.77
51687.79	452740.22
51707.23	452803.30
51729.32	452874.97
51613.11	452910.79
51468.40	452905.11
51357.11	452820.17
51381.77	453043.83
51578.39	452869.80

Attachment B-2



LEGEND

- LANDS DEALT WITH BY THIS PLAN
- FOUND SURVEY MARKER
- PLACED SURVEY MARKER
- CALCULATED POINT
- TREE/HEDGE LINE
- FENCE LINE
- MANHOLE
- CATCH BASIN
- UTILITY POLE
- LIGHT
- SIGN

NOTES

1. THE FIELD WORK FOR THIS SURVEY WAS EXECUTED DURING THE PERIOD OF NOVEMBER 20, 2017.
2. AZIMUTHS ARE GRID DERIVED.
3. ALL DIMENSIONS ARE GIVEN IN FEET, UNLESS NOTED.
4. FOR THIS SURVEY TO BE VALID, IT IS NECESSARY FOR APPROVAL TO BE GRANTED BY THE APPROPRIATE AUTHORITY.

ISE
Island Surveying & Engineering
 134 LONGWORTH AVE
 CHARLOTTETOWN, PEI C1A 0S8
 PHONE 902-394-3349
 FAX 902-569-3348
 www.isesurveys.ca

PLAN OF SURVEY SHOWING
 LOTS 17-55A & 17-58
 BEING A SUBDIVISION OF
 PID 1073634 & 102997
 SCALE 1" = 40'

BELGRAVE DRIVE
 QUEENS COUNTY
 TOWNSHIP No. 33

DRAWN BY: AMO
 DRAWING No. 17364

P.I.D. No. 1073
 1029
 2831



I, ROBERT A. WAKELIN, PRINCE EDWARD ISLAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS EXECUTED UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

Robert A. Wakelin
 ROBERT A. WAKELIN P.E.I. LAND SURVEYOR
 NOVEMBER 23, 2017
 DATE



City of
Charlottetown

Report No: PLAN-2018-11 # 4b-2

Date:
November 7, 2018

Directed to:
Planning Board

Department:
Planning & Heritage

Prepared by:
Laurel Palmer Thompson, MCIP

Attachments:
1. GIS Map
2. Letters from Residents

Subject:
Request for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083).

RECOMMENDATION:
Staff encourages Planning Board to recommend to Council to reject the request for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083) to permit Chapman Bros Snow Removal to operate from December 2018 until May 2019.

SUMMARY:

The City of Charlottetown Planning & Heritage Department has received an application for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083). The property in question is located in the Low Density Residential (R-2) Zone.

Creed’s Petroleum has historically operated from 17 Ralden Avenue as a legal non-conforming use in the Low Density Residential (R-2) Zone. Creed’s closed their business as of December, 2017 and did not operate at this location for a period of three years. Sometime following Creed’s closing, Chapman Bros Snow Removal moved into 17 Ralden Avenue to operate their snow clearing business. At the time Chapman Bros occupied the site Creed’s Petroleum had already closed their business and vacated the site for a period exceeding 6 months. As per Section 5.5.3 of the Zoning & Development Bylaw:

“A non-conforming Use of land or Building Shall not be permitted to resume if it has been discontinued for a period of six (6) consecutive months, and in such event the land or Building Shall not thereafter be Used except in conformity with this By-law.”

Therefore, since Creed’s Petroleum discontinued their use for a period of six (6) consecutive months, only the uses allowed in the Low Density Residential (R-2) Zone are permitted on this property.

Chapman Bros Snow Removal has been operating from 17 Ralden Avenue for the past few years from December 1 to May 1 (or as snow removal is needed). In January of 2018 City Council approved a temporary use variance to allow Chapman Bros to operate their snow clearing business from January 2018 until May 2018. The approval was on the premise that Chapman Bros would secure another site to locate their snow removal business prior to the 2018/2019 snow clearing season.

Following the 2018 snow removal season Chapman Bros did explore several options to secure a site to relocate their snow removal business within City limits. For various reasons an appropriate site was not able to be secured prior to the 2018/2019 snow removal season. Chapman Bros have indicated to the City that they did have an agreement signed with a property owner to rent a location for their equipment however, the property was recently sold and they are now not able to utilize this location.

In light of the foregoing, the applicant is again requesting a variance to allow a temporary use of land not permitted by the Zoning & Development Bylaw for a period of four (4) months as per Section 3.9.1 f. of the Bylaw:

“a Temporary Use of land in a manner otherwise prohibited by this By-law for a period not exceeding four (4) months in any year”

MAILOUT:

On October 19, 2018, forty (40) letters were sent to property owners located within 100 meters of the subject property. The letter informed them of the proposed variance and solicited their comments to be received in writing no later than Monday, November 5, 2018. To date, one (1) responses was received in favor and three (3) were received in opposition (see attached letters).

The letter of opposition stated concerns relating to:

- Heavy truck traffic causing damage to a newly paved Ralden Avenue.
- This use will increase traffic at all hours of the day / night.
- This use will add noise and pollution to the neighbourhood.
- The existing building is an eye-sore.
- This use will affect the safety of the residents and children that walk in the area.
- Council stated that Chapmans would be gone in May and they were there all summer.

The letter in favor stated:

- That it was convenient to have Chapman Bros in the neighbourhood because streets were cleared in a timely manner.

DISCUSSION:

Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
<ul style="list-style-type: none">▪ Essential service to the City.▪ Should it be approved this year, Council can require it be relocated next year.	<ul style="list-style-type: none">▪ This use has been operating from this property for a number of years.	<ul style="list-style-type: none">▪ Not permitted in the R-2 Zone.▪ Creeds Petroleum is no longer a legal non-conforming use.▪ This use is better suited for an industrial zone.▪ Potentially disruptive hours of operation for residents.▪ Second application for a temporary use variance.

Staff would note that this use is better suited for an industrial property in the City. The applicant contends that they are providing an essential service during the winter to not only the residents of this immediate neighbourhood, but all the residents of Charlottetown. Chapman Bros has been contracted by the City of Charlottetown to remove snow within 66 kilometers in the northeast section of the City. The applicant has indicated that the subject property is a central location for their snow removal zone. Staff would note that this former industrial property is transitioning back to a residential property.

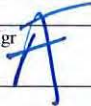
However, because the legal non-conforming use does not operate from this property, and the proposed use is not permitted, staff is reluctant to support this variance. In addition a temporary use variance was already granted to Chapman Brothers for the 2017/2018 season with the condition that they secure another location for their business for the next snow clearing season. Although, Chapmans have indicated that various attempts to find an alternate location was not successful a temporary use is meant to be a temporary use and not a recurring use on an annual basis; therefore, it difficult for staff to support this application.

Notwithstanding, Chapman Bros have operated from this location for the last few years, and provide an essential service to the City. Should this variance be approved, staff would suggest that a condition be placed on the approval that no additional temporary use variances will be approved for the snow removal business and that the applicant must find a new location next year.

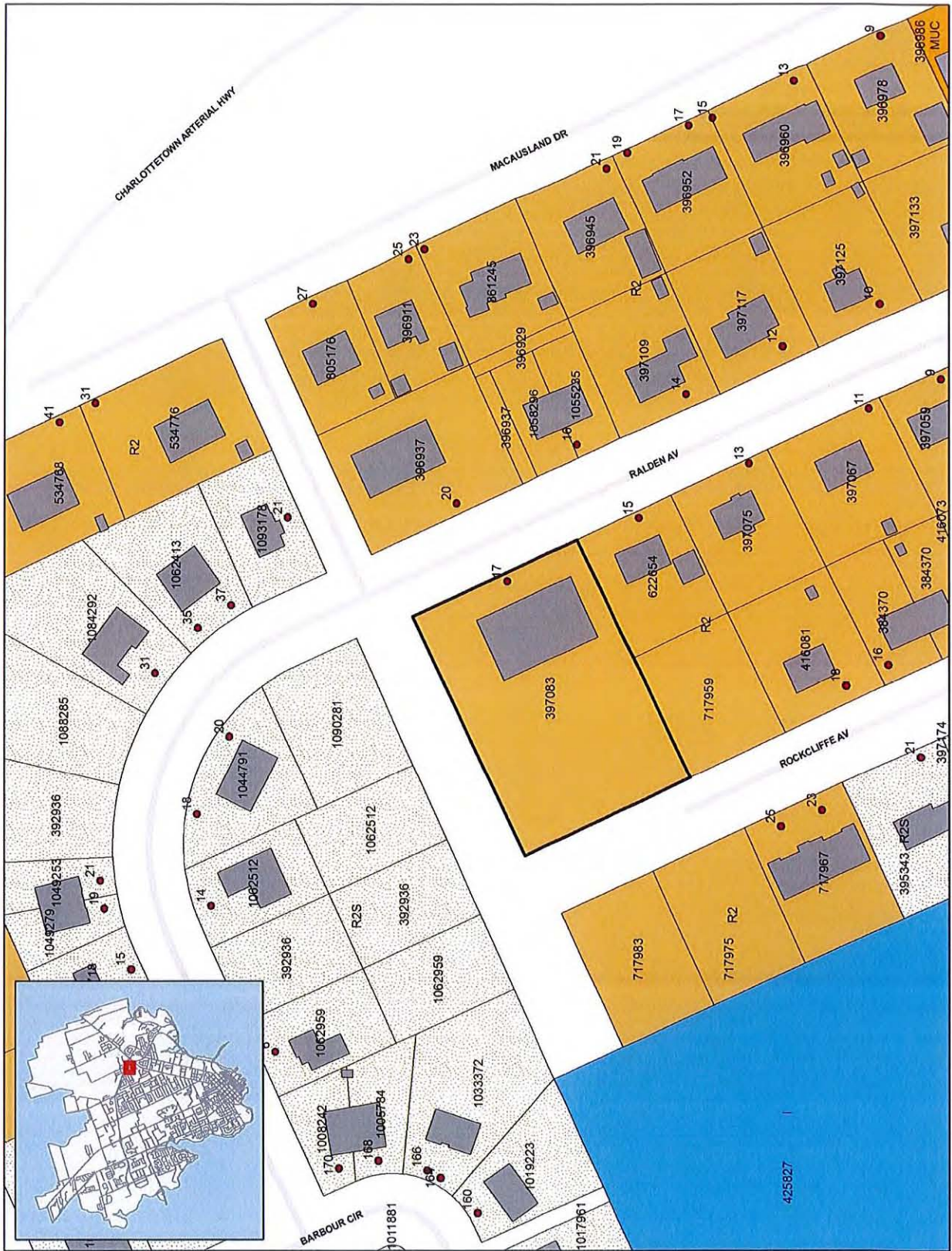
RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to reject the request for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083) to permit Chapman Bros Snow Removal to operate from December 2018 until May 2019.

Respectfully,
 MCIP

Reviewed By:						
CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other

RECOMMENDATIONS/ACTIONS:



Subject: 17 Ralden Avenue (PID #397083)

Good morning,

I am writing in regards to a letter we received for the above property. We (myself and spouse) fully agree to allowing Chapman Brothers to operate from the Creed's property. When they were there in the past, we had no issues with noise and they did a wonderful job with plowing. I think them being so close to the city, the streets get plowed in a timely manner.

Sincerely

Debbie & Kent MacRae
170 Barbour Circle

From: Lynn Carr [<mailto:dlynnie67@gmail.com>]

Sent: Tuesday, October 23, 2018 9:12 PM

To: Planning Department

Subject: [SPAM] Rezoning Application for 17 Ralden Avenue

To Whom It May Concern:

Since moving to Barbour Circle 10 years ago, we have seen and experienced the decline of the state of Ralden Avenue from the various heavy trucks - first Creeds, then Feasible Fuels, and now Chapman Bros. who utilize this route. We have seen potholes so big that they span the entire width of one road lane forcing motorists to drive on the wrong side of the road to avoid the hole. Each year the City would fix the hole by patching it, but each year it grew bigger until finally this year Ralden was finally resurfaced and it has made a huge difference. We feel if Chapman Bros. is allowed to return to this location, the road is going to suffer the same sort of truck traffic that a residential area road was never intended to endure.

Donald & Lynn Carr

156 Barbour Circle

From: J Rodd [<mailto:jrodd00@gmail.com>]
Sent: Monday, November 05, 2018 7:18 AM
To: Planning Department
Subject: 17 Ralden Ave. Variance

Hello, I am writing in regards to the letter I received regarding 17 Ralden ave known as the former Creeds. This was disheartening to read, I thought since it was agreed at last years council meeting that Chapman's were no longer able to operate from 17 Ralden because it now residential.

As I stated last time I do not agree with that 17 Ralden should be allowed to operate as a snow plow operation. This is a residential area and is not safe to have such heavy machinery carelessly backing in and out of that location. There are many reason why you should not allow this such as respect for the people who live in this area. The noise keeping us and our children awake. The dangers of heavy equipment in a busy residential area. They park on top of the stop sign in which I believe they should be at least 30 ft from a stop sign. They park at the crosswalk. The area is not big enough to operate such a company there. The corner is a very busy area and when you add snow plows backing up onto the street and into the intersection this could cause a serious accident. I for one have had a snow plow drive out of their driveway in front of me twice last casuing me to slam on my breaks on the icy road. At the end of the day it comes down to safety of this community and abiding by the bylaws in which they don't. Why is this company getting the tendors for the city when they do not have a proper location? They don't need to be right in Charlottetown why not find a location further out of town. The building is darlic and an environmental hazard, something needs to be done with it!

Last year an employee from Chapman's said we will not receive good service from them and didn't know how good we could have had it if the neighborhood didn't complain. With a statement like that why would we want them in our neighborhood. Why is this even up for a vote when it was already voted on last year? I believe they planned on coming back all along they were supposed to be gone by May last year and were still around the location in July.

All I ask is please don't approve the variance to allow Chapman's to operate a snow plow company out of 17 Ralden.

Thank you,

Janice Robison

From: Louis Arsenault [<mailto:louisarsenault@live.com>]

Sent: Sunday, November 04, 2018 11:55 AM

To: Planning Department

Subject: pid# 397083

I live at 27 macausland dr and I am against the proposal for chapmen's snow removal in our neighbourhood because of noise pollution at all hours. tractor trailer's were also there the last time cleaning there trucks sometimes blocking traffic. more and more kids are moving into our area and I think it is unsafe for those tractors being so close to our homes. and on the other side of things snow removal company's and other business in our area are leaving a mess of oil containers and garbage and it makes our neighbourhood look bad they should be in an industrial park.

Sent from [Outlook](#)

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Monday, November 05, 2018 4:57 PM
To: Thompson, Laurel
Cc: Forbes, Alex
Subject: FW: 17 Ralden Ave

Another one.

Best Regards,
Ellen

-----Original Message-----

From: J P Robison [<mailto:jp.robison@century21.ca>]
Sent: Monday, November 05, 2018 2:29 PM
To: Planning Department
Subject: 17 Ralden Ave

The City of Charlottetown Planning & Heritage Department,

I am writing this letter for awareness and safety for the public.

I would like to first ask a few questions; who owns Creeds? How long has Creeds been non operational? Has a site visit ever been done to this property?

In the letter I received the 2nd paragraph stated: Creeds Petroleum operates from 17 Ralden Avenue as a legal non-conforming use.....

Creeds has been non operational for years and lost its zoning variance. The subject property is a residential zoning with a civic address of 17 Ralden (Formally known as Creeds Petroleum).

How this property has been leased out over the past years is completely wrong in every way.

When Creeds was operational, I'm only guessing.... say 8-10years ago.

There was no through way traffic from Oak to Darte dr to Ralden Ave.

Creeds Operated at the end of a dead end street, Ralden Ave had no through way traffic. Fast forward to today, Ralden Ave is one of the busiest streets in this area.

There is a 4 way stop in front of the building; on average 1-2 out of 10 car/trucks stop at.

Last year Chapman's didn't have enough space to move their snow removal equipment in and out of the parking lot; they use the 4 way stop corner to back up through and hold up traffic or near cause accidents all hours through out the day. Watching them trying to fit all their equipment on a little piece of land is like a starving person with only one plate at an all you can eat buffet. Last year I witnessed the city employees fix the stop sign 3 times from their trucks backing up over them; what if that was a child they didn't see instead of a stop sign.

I live across the street with 3 kids under the age of 8, it's far too dangerous.

Creeds was granted a temporary variance last year until May of this year; they were there until July and had to be told to leave.....

Last year I wrote a letter pointing out certain dangers and zoning violations:

Through out different times of the day there are more then 10+ heavy machinery vehicles pointed at the road which consists of trucks, backhoes, excavators, snow blows, dump trucks, tractor trailers, etc. There is a plumbing company across the street from Creed's which also has a excesses amount of vehicles coming and going through out the day which causes a cross fire of vehicles in front of the four way stop. There is so much traffic coming and going over 200' +/- of Road frontage it reminds me of Frogger; the arcade game. Amongst all the heavy machinery we have the very active corner for through traffic, school bus pick ups (elementary school kids running and playing), residents walking their dogs, Stonepark school kids coming and going from next door. I find this most shocking that the City of Charlottetown is even debating on letting this continue. How anyone has not been injured yet is very fortunate; we can not let this unsafe practice continue. We have bylaws in place for a reason; this unsafe environment has to be brought up to the bylaw standings and enforced to the highest level before someone gets hurt. The location falls in a residential area; if any business was applying for a commercial zoning for this property they would be turned down before this process would even make it to City Council to vote upon.

I am 100% in support of development, business growth, residential growth, and community. Although, I'm Not if the end results increase the chances of accidents or injuries to our fellow Island residents.

Sincerely,

JP ROBISON
Charlottetown Resident
21 Ralden Ave

JP ROBISON
jp.robison@century21.ca
902.314.3151

 <p style="text-align: center;">City of Charlottetown</p>	<p>Report No: PLAN-2018-07-November-#4c-3</p>
	<p>Date: November 7, 2018</p>
<p>Directed to: Planning Board</p>	<p>Attachments: Attachment A – Zoning Map Attachment B – Financial & Health Documentation for Reconsideration</p>
<p>Department: Planning & Heritage</p>	
<p>Prepared by: Robert Zilke, MCIP</p>	
<p>Subject: Request for Reconsideration of a home occupation (i.e. acupuncture & Chinese medicine business).</p>	
<p>RECOMMENDATION: Staff encourages Planning Board to recommend to Council to reject the request for reconsideration to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913).</p>	

Report:

The City Planning Department has received a request for reconsideration under Section 3.14 of the Zoning and Development Bylaw 2018-11 regarding an application for a home occupation for acupuncture & Chinese medicine business out of the existing single detached dwelling. The original home occupation application was refused by Council on October 9, 2018. Council in their decision noted the public opposition from surrounding residents and had concerns that this home occupation had the potential to intensify in the future, and the City may not have the ability to monitor the number of clients visiting the business on a daily and hourly basis.

On October 25, 2018 a letter requesting a reconsideration was received from the applicant with their reasons for requesting a reconsideration of Council. The applicant is basing their reconsideration request on hardship pertaining to personal financial and health reasons. The applicant provided a letter and personal documents (i.e. income statements, tax returns and medical correspondence) that outline the plea based on hardship. Therefore the applicant is applying for reconsideration of their application based on the following reasons:

- 1) That the business operating out of a commercial space is having difficulty generating enough cash flow (operating in a deficit) to cover expenses such as rental and electricity costs;
- 2) That one of the applicants and the only other full-time employee of the business Mr. Jianbin Li has a medical condition that at times would not permit him to drive himself and Liping Liu (applicant) to the business if it were located offsite. Mr. Li is the only person in the household with a driver's license; and
- 3) That the acupuncture & Chinese medicine business is the sole source of income for the family and relocating the business into the applicant's home is the only other option to alleviate burdensome financial costs and debt.

The Process of Reconsideration:

In order for an application to be reconsidered there are two stages to a reconsideration request. When an applicant requests a Reconsideration the application for Reconsideration is required to pass a threshold test. To pass the threshold test, the applicant must provide sufficient particulars in the request to show that the request falls within any of the stated grounds contained in Section 3.14.3 of the By-law. Section 3.14 of the Zoning and Development Bylaw outlines the threshold test,

3.14 RECONSIDERATION

.3 Council May review, rescind, change, Alter or vary any order or decision made by the Development Officer or Council, and Council May reconsider any application under this section provided that:

- (a) new material facts or evidence not available at the time of the initial order or decision have come to light;*
- (b) a material change of circumstances has occurred since the initial order or decision; or*
- (c) there is a clear doubt as to the correctness of the order or decision in the first instance.*

If, after receiving a recommendation from the Board, Council determines that the request passes the threshold test, Reconsideration will be given based on the merits of the application.

Staff has reviewed the initial application and the grounds put forth by the applicant for the Reconsideration. The applicant is basing the request for the Reconsideration on that,

- (a) new material facts or evidence not available at the time of the initial order or decision have come to light.*

The applicant has provided supplementary information to corroborate their plea for hardship. Land use analysis must focus on the impact of the “use” and the technical aspects of land use planning. Hardship as it relates to an applicant’s financial/personal situation adds a dimension that goes beyond land use analysis. However, staff would put forward the following concerning another criteria for Reconsideration, specifically:

- (b) a material change of circumstances has occurred since the initial order or decision.*

The new Zoning & Development By-law 2018-11 replaced the previous By-law that required special approval from council. The new Zoning & Development By-law 2018-11 permits certain home occupations as-of-right. One of the listed permitted uses is a Health and Wellness service. It is important to note that the new Zoning & Development By-law 2018-11 does not define what a Health and Wellness service could be. Notwithstanding, staff maintains that acupuncture and Chinese medicine fits the definition of a Medical, Health and Dental Office as defined by the Zoning & Development By-law 2018-11:

Medical, Health and Dental Office means an establishment used by qualified medical practitioners and staff for the provision of medical, health and dental care on an outpatient basis. This term refers to such

uses as medical and dental offices, physiotherapy services, chiropractic services, counseling services and ancillary clinic counseling services but does not include Veterinary Services.

Given the medical nature of the proposed use of acupuncture and Chinese medicine, specifically the outpatient treatment portion and similar uses defined in the Medical/Health Office definition such as physiotherapy, chiropractic or counselling services. Acupuncture and Chinese medicine shares a great deal of similarities through regulation and education as those uses defined in the Medical, Health and Dental Office definition. In fact many of the services listed by the applicant in the original application (i.e. treatment using medicine, massage, health therapy and ancillary counseling services) are similar services that are offered by physiotherapy and chiropractic services. Some preliminary research shows many local acupuncture clinics are located in mixed use and commercial zones. Staff would conclude that acupuncture and Chinese medicine is more closely defined as a Medical, Health and Dental Office rather than a health and wellness service. The proposed use has the potential to generate frequent client visits per day and could generate an increase in traffic beyond which is typically associated with a home occupation. Therefore, staff maintains their original recommendation that the proposed home occupation would not be appropriate as a home occupation in a residential neighbourhood.

Background:

This property is zoned Residential Single Detached R-1L Zone. On July 30, 2018 a home occupation application for an acupuncture & Chinese medicine business was submitted the Planning & Heritage Department for approval. Under the project description on the application it listed some of the following services: Orally and external treatment using Chinese medicine, Tai Chi, Fumigate therapy using medicine, health advice, diet therapy and Chinese massage.

On October 1, 2018 the application was advanced to Planning Board whereby the Board recommended to Council to approve the home occupation. The application was before Council on October 9, 2018 and Council voted to reject the request. In Council's decision to reject the home occupation, Council elected to follow administration's analysis and concluded that the nature of the business operates with frequent appointments and is not included in the previous Zoning & Development By-law as-of-right home occupation requirements. Concern was also raised about the strong local resident opposition against the proposed home occupation.

Conclusion:

The applicant has stated in the grounds for appeal:

1. That Charlottetown City Council was not aware of the financial and health hardships of the applicant to operate the business from a commercial property when they made their decision.

Staff have noted that a material change did occur since the initial decision specifically, the approval of the new Zoning & Development By-law 2018-11, specifically the section regarding home occupations:

2. That during the original application process the new Zoning & Development By-law 2018-11 that permits home based business as-of-right was not considered. Council has the ability to consider the

home occupation (i.e. Acupuncture and Chinese medicine) to be classified as a Health and Wellness service.

As the grounds proposed for Reconsideration by the applicants meet the requirements of Section 3.14 of the Zoning and Development By-law (Threshold Test).

Staff would still maintain the original recommendation to *reject* the home occupation based on the grounds that acupuncture and Chinese medicine does fit the definition of Medical, Health and Dental office as it is defined in the Zoning By-law 2018-11. This is a defined use that is regulated in many different zones (Institutional, Commercial, Mix Use etc.) and as such is not in keeping with the character of a residential area.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to **reject** the request for reconsideration to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913).

Respectfully,



Reviewed By:

CAO

Dir Corp Svcs

Dir Pub Svcs

Dir F & D Svcs

Dir Hum Res

Mgr



Other




Attachment A



<p>Reconsideration File Address: 29 Forest Drive Ward #: 7 Zone: Single Detached Residential (R-1L)</p>	<p>0 12.5 25 50 Meters</p> <hr/> <p>0 40 80 160 Feet</p>
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<p>LEGEND</p> <p> Affected Lot</p>	<p>City of Charlottetown Planning & Heritage Department</p>	<p>N</p> 
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 <p>CHARLOTTETOWN</p>	<p>Map Created: 11-5-2018</p>
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CITY OF CHARLOTTETOWN

RESOLUTION

Planning #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for a discretionary use variance for the property at 261 Brackley Point Road (PID #704544), be approved with the following conditions:

1. That the owner completes the following:

- a. The owner applies for a building permit for the completed work done back in 2006 and 2008, when the motel suites were converted to apartment rental units;
- b. That the 2011 Environmental Site Assessment report conducted by Fundy Engineering & Consulting Environmental Ltd. be submitted to the Planning & Heritage Department for review;
- c. Enter into Development Agreement with the following conditions:
 - i. That the existing apartment building cannot be enlarged or be increased in occupancy;
 - ii. That the free standing sign along the front of the site be removed; and
 - iii. That the owner ensures that site drainage is compliant with the Zoning and Development By-law 2018-11.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #2

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request to:

1. Amend Appendix “A” – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for a portion of the property located on Mount Edward Road (PID #390740), be approved;
2. Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for a portion of the property located on Mount Edward Road (PID #390740), be approved;
3. Amend Appendix “A” – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for the property located on Mount Edward Road (PID #492405), be approved;
4. Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for the property located on Mount Edward Road (PID #492405), be approved;
5. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405), be approved, subject to the receipt of final pinned survey plans; and
6. Amend Appendix “G” – Comprehensive Development Area Lands and Uses of the Zoning & Development By-law from allowing a residential building on the street with the back portion vacant to 143 residential dwelling units on 5.05 acres of the property located on Mount Edward Road (PID #390740), be approved, subject to the approval of the Development Concept Plan, Design Review approval, the submission of a traffic study that supports the proposed and future development and the signing of a Development Agreement.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request to obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide fifteen of the required parking spaces off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10 years with the rest of the required parking spaces to be paid through cash-in-lieu (\$6,000 per parking space required), be approved, subject to:

1. Design Review approval; and
2. The signing of a Development Agreement including bonusing agreement and parking requirements.

The site specific exemption also includes the following three (3) variances:

1. Reducing the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft;
2. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and
3. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #4

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan, be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #5

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for a temporary use variance to the property located at 17 Ralden Avenue (PID #397083) to permit Chapman Bros Snow Removal to operate from December 2018 until May 2019, be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #6

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

WHEREAS:

Council denied the application to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913) on October 9th, 2018.

The application was submitted for reconsideration and presented to the Planning Board on November 7th, 2018, where Staff indicated that the threshold for reconsideration was not met. Therefore, Staff's original recommendation remains the same.

RESOLVED:

That the request for reconsideration of a previous application to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913), be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #7

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

WHEREAS:

Council approved the Resolution to amend Section 5.2 and Section 5.13.3 of the Zoning & Development By-law in order to allow additional signage to identify points of access/egress on institutional properties seven (7) acres or larger on September 10, 2018.

Whereas, the resolution (2018-09-02 as it pertains to Zoning & Development Bylaw – Section 5.2.15 and Section 5.13.3) was read the first time on September 10, 2018 and read the second time on October 9, 2018.

Whereas, the new Zoning & Development Bylaw (2018-11) was approved by the Minister effective October 1, 2018, with the amendments pertaining to 2018-09-02 not yet incorporated in the new Bylaw (2018-11).

Whereas, the General Provisions for Signage is contained under Section 44 of the New Bylaw, therefore changing the amendments to the section from Section 5.2 and Section 5.13.3 of the Old Zoning & Development Bylaw to Section 44.2.1.n and Section 44.13.3 of the New Bylaw respectively.

RESOLVED:

That the changes to the General Provisions for Signage adopted on October 9, 2018, with resolution (2018-09-02 as it pertains to Zoning & Development Bylaw – Section 5.2.15 and Section 5.13.3) be incorporated into General Provisions for Signage Section 44.2.1.n and Section 44.13.3 of the new Bylaw 2018-11, as attached, be approved.

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT # 2018-09-02**

Authority

The Council of the City of Charlottetown under authority vested in it by Section 16 and 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* enacts as follows:

Amend Section 44.2.1.n and Section 44.13.3 of the Zoning & Development By-law in order to allow additional signage to identify points of access / egress on institutional properties seven (7) acres or larger.

Amendments to the Bylaw:

~~Remove Section 44.2.1.n: Signs placed at the head of a driveway to identify points of access / egress, up to a maximum Sign Area of 0.5sq.m (5.4sq.ft) and a maximum height of 1.22m (4ft). Signs shall not include any advertising aside from a corporate logo;~~

and replace with:

4.2.1.n: Signs placed at the head of a driveway to identify points of access / egress, not include any advertising aside from a corporate logo, are permitted on:

- a) Properties in an institutional zone which are 7.0 acres or greater in lot area, provided that:
 - i. The maximum Sign Area is 2.97 sq.m (32 sq.ft);
 - ii. The maximum height is 2.74m (9 ft); and
 - iii. The Sign shall be setback a minimum of 1 m (3.3 ft) from the property line or a building.
- b) Properties in all other zones and in an institutional zone which are less than 7.0 acres in lot area, provided that:
 - i. The maximum Sign Area is 0.5sq.m (5.4sq.ft); and
 - ii. The maximum height is 1.22m (4 ft).
 - iii. The Sign shall be setback a minimum of 1 m (3.3 ft) from the property line or a building.

And in Section 43.13.3:

- Move the Institutional (I) Zone from the category restricting Sign Area shall not exceed 4.65sq.m (50sq.ft) per Sign Face and Signs shall not exceed 3.7m (12.1ft) in height.
- To the category restricting Sign Area shall not exceed 9.29sq.m (100sq.ft) per Sign Face and Signs shall not exceed 6m (19.7ft) in height.

44.13 FREE STANDING SIGNS

44.13.3 Free Standing Signs shall be adhere to the following provisions:

Zone		a. Dimensions	b. General Provisions
DC Zone PC Zone	DMUN WF Zone	Sign Area shall not exceed 2.32sq m (25sq ft) per Sign Face. Signs shall not exceed 2.5m (8.2ft) in Height.	Signs shall have a maximum of two parallel Sign Faces; Signs shall not impede pedestrian or vehicular visibility when accessing a lot; Signs shall be setback a minimum of 1m (3.3ft) from the property line and a Building; Signs erected on a Corner Lot shall be prohibited within the Sight Triangle Area; Signs shall have a minimum Clearance of 2.2m (7.2ft) above open areas and 4m (13ft) above a driveway or vehicular traffic area; When a Business Premise(s) is located on a Corner Lot or through lot, one Sign is permitted on each of two Lot Frontages, provided that the second Sign is 50% of the total Sign Area identified in this table, and there is a minimum distance of 30.1m (99ft) between the Signs.
C-1 Zone Zone PZ Zone	DMU P Zone	Sign Area shall not exceed 3.72sq m (25sq ft) per Sign Face. Signs shall not exceed 3.7m (12.1ft) in Height.	
I-Zone OS Zone		Sign Area shall not exceed 4.65sq m (50sq ft) per Sign Face. Signs shall not exceed 3.7m (12.1ft) in Height.	
C-2 Zone MUC Zone I-Zone		Sign Area shall not exceed 9.29sq m (100sq ft) per Sign Face. Signs shall not exceed 6m (19.7ft) in Height.	
C-3 Zone		Shopping Centres: Sign Area shall not exceed 30sq m (323sq ft) per Sign Face. Signs shall not exceed 9.75m (32.0ft) in Height. Non-Shopping Centres: Sign Area shall not exceed 13.9sq m (150sq ft) per Sign Face. Signs shall not exceed 8m (26.2ft) in Height.	
A Zone M-1 Zone M-2 Zone M-3 Zone		Sign Area shall not exceed 13.9sq m (150sq ft) per Sign Face. Signs shall not exceed 8m (26.2ft) in Height.	

Effective Date

The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD
OCTOBER 30, 2018 12:00 PM
PARDKALE ROOM, CITY HALL**

Included Councillor Greg Rivard, Chair
Councillor Terry MacLeod
Councillor Jason Coady
Simon Moore, RM
Aaron Stavert, RM
Ian MacLeod, RM

Bobby Shepherd, RM
Alex Forbes, PHM
Todd Saunders, HO
Greg Morrison, PII
Ellen Ganga, IA/AA

Regrets Tara Maloney, RM

1. Call to Order

Councillor Greg Rivard called the meeting to order at 12:00pm.

2. Declaration of Conflicts

Councillor Greg Rivard asked if there are any conflicts and there being none, moved to the approval of the agenda.

3. Approval of Agenda

Moved by Aaron Stavert, RM, and seconded by Simon Moore, RM, that the agenda for Tuesday, October 30, 2018, be approved.

CARRIED

4. Adoption of Minutes

Moved by Simon Moore, RM, and seconded by Councillor Terry MacLeod, that the minutes of the Tuesday, September 25, 2018 meeting be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 93 Pownal Street (PID # 339986)

This is an application for window replacements and exterior alterations to the property located at 93 Pownal Street (PID # 339986). The property is a designated Heritage Resource and is located in the Downtown Mixed Use Neighbourhood (DMUN) Zone of the 500 Lot Area. See attached report.

The application includes:

- Aluminum clad 2/2 wooden windows are to be installed in the five windows on the third floor of the front elevation. The remaining windows on the front elevation are existing vinyl and will be replaced with new wooden window to match, over time. Windows on both side walls (north & south) which had been bricked over were revealed and new wooden windows are to be installed.
- A proposed shed roof dormer on the rear of the building is proposed to provide access to the third floor level. This floor will be developed at a later time but it is proposed that the roof be raised to allow future access now. The access stairs to the upper level will not yet be constructed and not included in this application.

- The entry step/deck providing access to the ground floor at the rear is to be re-constructed.

Comments/concerns noted:

- Board member clarified that the application is to replace the windows and Staff confirmed the windows that will be replaced with wooden windows at this time will be those on the top floor and the existing vinyl windows will be replaced over time.
- Board member also requested that a final recommendation on what needs to be done for the door. Staff mentioned that the door has had columns and wood pieces on top for many years and based on few inquiries noted that these wood pieces are probably not original. It is suspected there may have originally been double doors given the opening size. Staff also noted that the property owners are willing to put the door columns back or take them out based on appropriate recommendations. Board members indicated they thought both options were appropriate to either leave the columns in place or remove them.
- Board member also asked if there are other buildings to reference in terms of the door design. Other board members felt that the door has been there for years but they are not original to the property.

Councillor Rivard asked for comments or questions; there being none, the following resolution was put forward:

Moved by Simon Moore, RM and seconded by Aaron Stavert, RM, that the window replacements and exterior alterations to the property located at 93 Pownal Street (PID # 339986), be approved.

CARRIED

7. 41 Prince Street (PID #337097)

This is an application to designate the property located at 41 Prince Street (PID #337097) as a Heritage Resource. The property is not a designated Heritage Resource but is located in the Downtown Neighbourhood (DN) Zone of the 500 Lot Area. The owners of the property are requesting to have the property designated as a Heritage Resource. The current owner is planning to sell the property at this time and has provided staff a document of all property transactions and an extensive history of the property.

A heritage evaluation of the property was undertaken in 2007 but it didn't rank very high but since we now have more information about the history of the property, the property would rank substantially higher when re-evaluated. If a property is being requested to be designated and it is believed that there's a historic credence to it, allowing it to be designated gives the City more control over future developments for the property. See attached report.

Comments/concerns:

- Council commented that looking at the portion of building believed to date from 1805, it looks like a log cabin and even if it was shingled, it doesn't change the historic value of the property.
- Board member also commented that since the owners are trying to sell the property, requesting to designate the property seems like a counter argument to what the board

usually deals with. Staff mentioned that the implications of designating the property has been discussed with the property owners, including the intent of wanting to protect the property after it being sold.

- Council also clarified that this application needs to go through Public Consultation. Staff confirmed and mentioned that this application will be presented to the new Council to go to Public Consultation.

Councillor Rivard asked for comments or questions; there being none, the following resolution was put forward:

Moved by Aaron Stavert, RM, and seconded by Bobby Shepherd, RM, that the application to designate the property located at 41 Prince Street (PID #337097) as a Heritage Resource, be recommended to Council to proceed to Public Consultation.

CARRIED

8. 140 Rochford Street (PID #345736)

This is an application for an addition of new fire egress stair on the north side of the property located at 140 Rochford Street (PID #345736). The property is a designated Heritage Resource and is located in the Downtown Neighbourhood (DN) Zone of the 500 Lot Area. The proposed fire egress stair will be added to accommodate the required egress from the existing third floor units. See attached report.

The application includes:

- Two new steel doors are to be installed with glass panel to meet required fire regulations are to be installed in the existing window openings of the north elevation to allow for egress from each of the two units.
- A wooden stair and rail system is to be installed with landings as indicated.
- The upper platform/deck measures 4ft 6in deep by approximately 17ft. and is supported by 6in x 6in posts which extend the full height from grade.

Questions/Comments:

- Board member commented that they cannot have wooden fire escape for three floors and that it is close to the windows and that the windows need to be protected or non-combustible. Staff noted that the Building Inspectors looked at this application and advised that the application is acceptable.
- Board member also asked if the egress can be on the other side of the building and Staff noted that there were apparently complications to get out the other way.
- Board members clarified on which side the egress would be and Staff confirmed that it will be along Euston Street. Staff also noted that a metal staircase may look better and also noted the building is setback considerably from the street.
- Board members also asked if these are existing apartments and Staff asked fire inspectors if the egress is really needed fire inspectors confirmed that it is needed. Staff also asked if they can only build a balcony and not the stairs.
- The Board asked for alternatives to this application and at the time of the meeting, no alternatives are available. Board members felt that it doesn't have a very good layout at this time since this is a designated and quite prominent property in the downtown area. Board members also requested to check the building codes in terms of the fire egress

requirements. Staff noted the application has gone through an engineer but not an architectural designer and that the application can be deferred so the applicant can look at other options.

Councillor Rivard asked for comments or questions; there being none, the following resolution was put forward:

Moved by Aaron Stavert, RM, and seconded by Simon Moore, RM, that the application for an addition of new fire egress stair on the north side of the property located at 140 Rochford Street (PID #345736), be deferred until the applicant provides options for the fire egress.

CARRIED

9. 15 Hillsborough Street (PID #336198)

This is a request for alterations to the existing building including a rear extension for the property at 15 Hillsborough Street (PID #336198). The property is a designated Heritage Resource and is located in the Downtown Neighbourhood Zone (DN) of the 500 Lot Area. See attached report.

The new owner of the property is planning to restore the main building and add a one storey section on the rear. This property is a good example of a log house in Charlottetown, it is the oldest on a block that was settled early and remained undisturbed by fire or development.

The proposal includes:

- Addition on the back of the existing building to construct a bedroom and a bathroom.
- Renovate the second floor to create a bedroom while retaining the dormer.
- A proposed new shed dormer across the full width of the rear which will provide access to a new roof deck on the top of the new addition.
- Although the drawings submitted suggest the dormer on the front of the building no longer breaks the eave line, it is actually intended to remain as existing.
- Door placement to the deck is centered on the rear shed dormer with glass rail on the roof top deck
- Relocating the garage re-cladding the garage with board and batten siding.

Questions/Comments:

- Board member asked if the images shown will be the intended design and Staff confirmed with clarifications on the placement of the doors and windows and front dormer.
- It was questioned if these changes will be seen from the street and staff noted that these are less visible from the street

Councillor Rivard asked for comments or questions; there being none, the following resolution was put forward:

Moved by Aaron Stavert, RM, and seconded by Simon Moore, RM, that the request for alterations to the existing building while retaining the dormers as is, including a rear extension for the property at 15 Hillsborough Street (PID #336198), be approved.

CARRIED

Moved by Councillor Jason Coady and seconded by Aaron Stavert, RM, that the meeting be adjourned.

The meeting was adjourned at 12:18 PM.

Councillor Greg Rivard



City of Charlottetown

Report No: 2018-HERT-10-#6a

Date: October 30, 2018

Directed to: Heritage Board

Attachments:

- 1. GIS Map
- 2. Proposal drawings

Department: Planning & Heritage

Prepared by: Todd Saunders

Subject: 93 Pownal Street (PID #339986) – application for window replacements and exterior alterations.

RECOMMENDATION: Heritage Board is encouraged to approve the application. See: *City of Charlottetown Heritage Preservation Bylaw Section 5.1.1 & 6. Standards and Guidelines for the Conservation of Historic Places in Canada City of Charlottetown 500 lot area development standards and guidelines December 2010*

REPORT:

93 Pownal Street (PID#339986) is a designated Heritage Resource and is located in the Downtown Mixed Use Neighbourhood Zone (DMUN) of the 500 Lot Area.

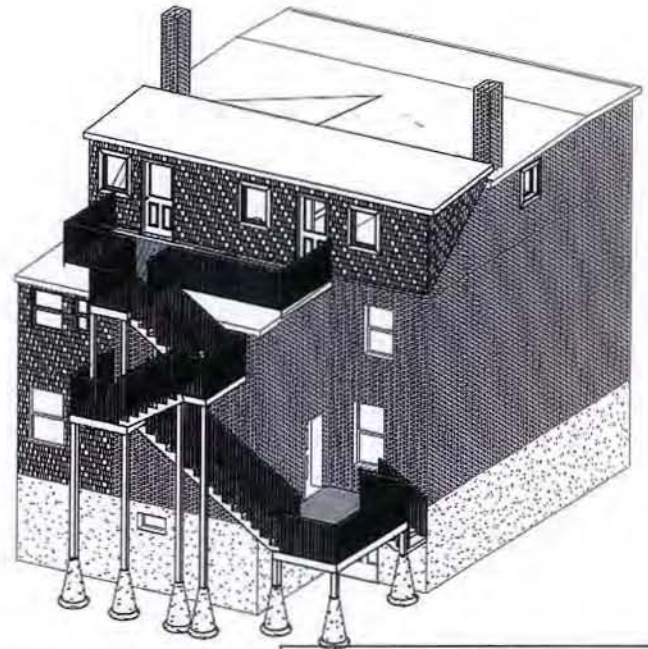
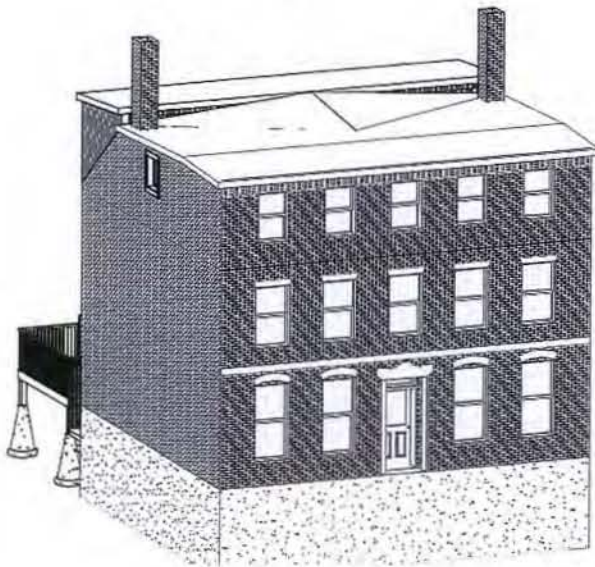


Property location

The application includes:

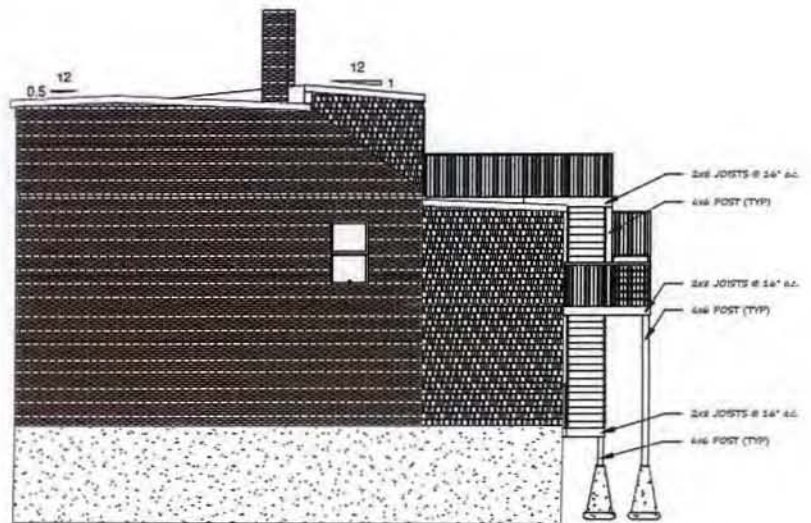
- Aluminum clad 2/2 wooden windows are to be installed in the five windows on the third floor of the front elevation. The remaining windows on the front elevation are existing vinyl and will be replaced with new wooden window to match, over time. Windows on both side walls (north & south) which had been bricked over were revealed and new wooden windows are to be installed.
- A new roof dormer on the rear of the building is proposed to provide access to the third floor level. This floor will be developed at a later time but it is proposed that the roof be raised to allow future access now. The access stairs to the upper level will not yet be constructed.
- The entry step/deck providing access to the ground floor at the rear is to be re-constructed.

NOT FOR CONSTRUCTION
PRELIMINARY



GENERAL NOTE:
THESE PLANS ARE AN ACCURATE GUIDELINE TO BUILDING CONSTRUCTION.
HOWEVER, THE CONTRACTOR AND/OR OWNER DURING THE NORMAL COURSE OF
CONSTRUCTION IS TO VERIFY DIMENSIONS AND COMPLIANCE WITH LOCAL
BUILDING CODES (SBS) & STATE NATIONAL BUILDING CODES (SBS).

3D VIEWS - PROPOSED
POWNALE STREET RE



PROPERTY BACKGROUND:

93 Pownal Street is a three storey brick office building that was originally built as a private residence. The Georgian inspired facade has a symmetrical arrangement of windows. 93 Pownal Street is valued as a well preserved example of a former brick house with Georgian and Italianate influences in the City; for its association with former residents of the City; and for its role in supporting the Pownal Street streetscape.

Patrick Cadden built a brick house at the 93 Pownal Street address in 1855. The house was sold in 1866 to tobacconist, Philip Coyle. A local newspaper, the Islander, reported on a fire that destroyed Philip Coyle's house on Pownal Street and an adjoining house owned by Michael Treanor in 1868. The newspaper did not identify Coyle's house as brick constructed, but it was likely the same home at 93 Pownal Street which had burned. The 1878 Topographical Map of Charlottetown shows the present brick house at the 93 Pownal Street location so if indeed the home was completely destroyed in 1868, then it had been rebuilt by the late 1870s.

Eventually, the house was inherited by Coyle's daughter, Bridget Coyle and her husband Michael Duffy. The Duffy family would own it until at least the early 1980s. At some point, the building was converted into an office building. A well maintained building that looks much as it did when it was a private home, it helps support the Pownal Street streetscape.

93 Pownal Street is Georgian influenced in style but also shows some Italianate inspiration. The Georgian style is one of the most common architectural styles on Prince Edward Island. It emerged from 18th Century Britain and was intent on expressing confidence, order and balance. Combined with the brick exterior of this building, the result was intended to impress. 93 Pownal Street's Georgian features include the symmetrical facade with five bays, a central doorway with and transom light. The Italianate style was a more decorative style reminiscent of the Venetian arcades of the Renaissance period. Italianate influences can be seen in the slightly arched windows of the main floor, the low sloping roof and the stone band design near the roof.

The following character-defining elements contribute to the Georgian and Italianate influenced heritage value of 93 Pownal Street:

- The overall square massing of the building and its symmetrical facade
- The three storeys
- The flat roof
- The brick construction
- The stone mouldings including the decorative door surround with columns, the slightly curved lintels of the main floor and the flat stone lintels of the second floor, the sills, the beltcourse and the banding across the top of the building
- The size and placement of the sash windows which get progressively smaller from the bottom to the top of the building
- The size and central placement of the door

Respectfully,						
Reviewed By:						
CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>A</i>	Other

 <p style="text-align: center;">City of Charlottetown</p>	<p>Report No: 2018-HERT-10-#6b</p>
	<p>Date: October 30, 2018</p>
<p>Directed to: Heritage Board</p>	<p>Attachments:</p> <ol style="list-style-type: none"> 1. GIS Map 2. Historic research from applicant 3. City of Charlottetown Heritage Resource Evaluation
<p>Department: Planning & Heritage</p>	
<p>Prepared by: Todd Saunders</p>	
<p>Subject: <u>41 Prince Street (PID #337097)</u> – application to designate property as a Heritage Resource.</p>	
<p>RECOMMENDATION: Heritage Board is encouraged to Recommend to Council to proceed to Public Consultation on the application. Section 2.2 of the Official Plan recognizes the importance of Heritage Resources within the City of Charlottetown and their role of securing the City’s economic health as a valuable tourism marketing tool. <i>See: City of Charlottetown Heritage Preservation Bylaw Section 3.2.2. Standards and Guidelines for the Conservation of Historic Places in Canada City of Charlottetown 500 lot area development standards and guidelines December 2010</i></p>	

REPORT:

41 Prince Street (PID#337097) is not a designated Heritage Resource but is located in the Downtown Neighbourhood Zone (DN) of the 500 Lot Area.



Property location

The application includes:

- The owners of the property are requesting to have the property designated as a Heritage Resource. It is located in the 500 lot area and previously the Heritage Preservation Area.



41 Prince Street 2016

The owners have submitted an extensive research on the property, excerpts of which follow:

Significance of building located at 41 Prince Street, Charlottetown:

The house at 41 Prince Street is located in Lot 52 of the first 100 Lots is significant due to the age (1805 – 1833) and construction style (vertical planks) of the original section of the house. The exterior of the house in its current form reflects the Prairie Four-Square design. During renovations carried out in 1995, the interior was completely gutted which exposed three types of construction methods and the original design of the house (see Figure 2). These include: 1) 1 ½ storey building made of vertical planks (est. 1806 – 1833) with trunnels, birchbark and cast nails; 2) a two storey addition at the back (roughhewn, irregular studs, and randomly placed ‘nailers’ (est. 1863 – 1878); and, 3) a second storey added to the main building c1930-31 using platform construction with regularly sawn 2” x 4” studs.

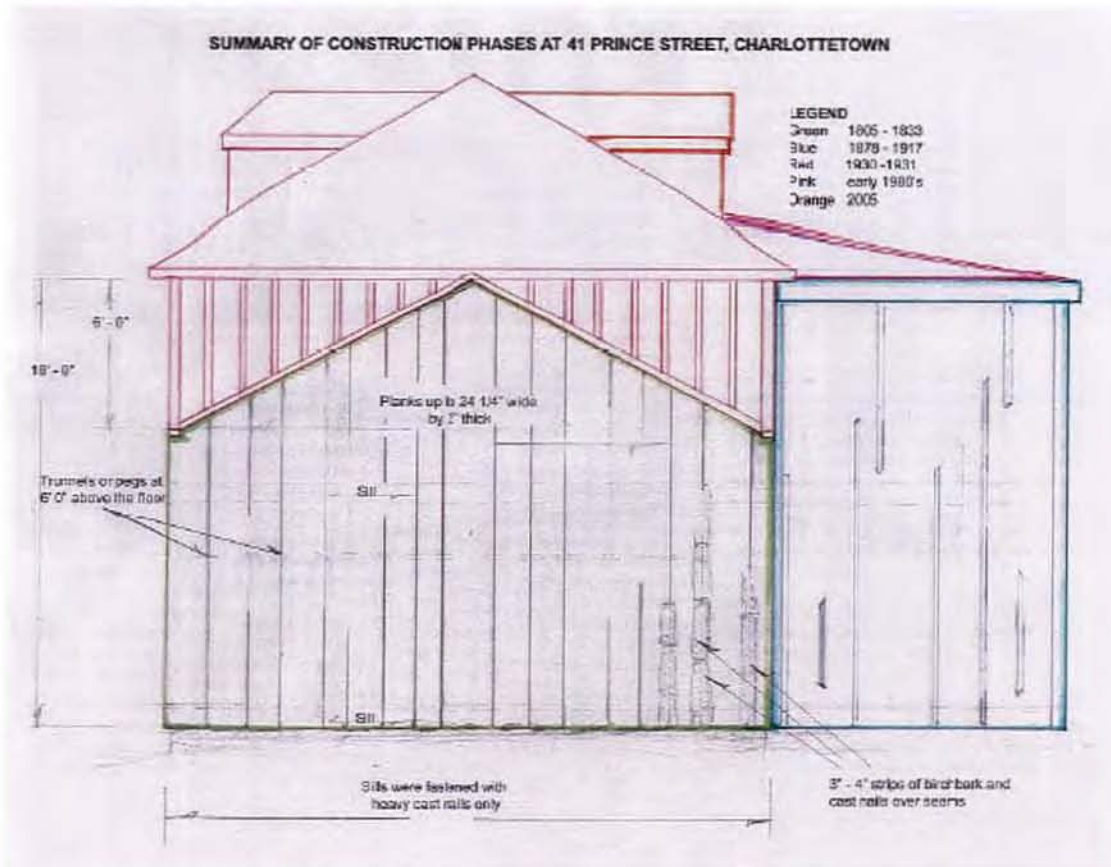


Figure 2 – indicating the five phases of construction.

The main house is a 1 ½ storey building constructed of vertical planks held together with trunnel pegs. Planks were band sawn with dimensions up to 24 1/4" wide and 3" thick. Sills were fastened with cast iron nails. Seams between the vertical planks are covered with birchbark and cast nails. Lathe and plaster was applied directly to the inside surface of the planks to create the interior finish. The house is suspected to have been built between 1805 and 1833 as the c1790 map with additions to 1805, titled "The Original Plan of Charlottetown Lots, No. 1" (Figure 3) does not indicate a building at this location whereas a building is clearly indicated in the 1833 Wright map (Figure 4). The entirety of Lot 52 is owned by Theophilus Chappell at this time. This building appears to be the only building on Lot 52 still surviving from this period.

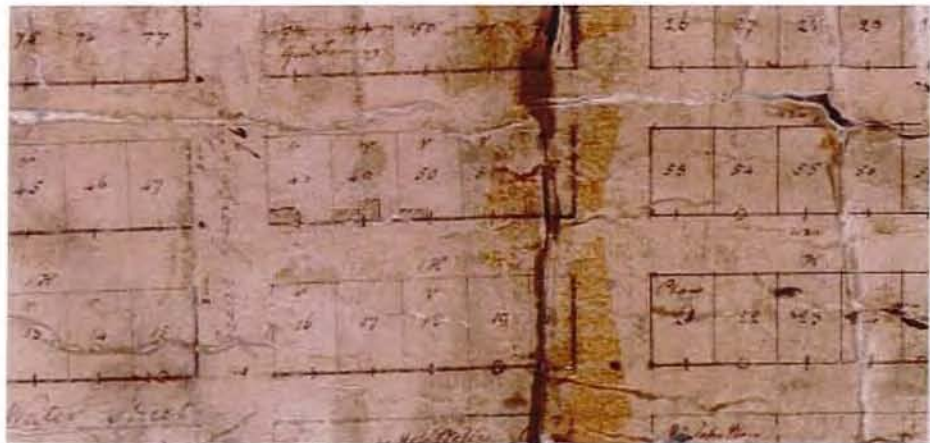


Figure 3. Section of the early plan of Charlottetown entitled "The Original Plan of Charlottetown Lots, No.1.

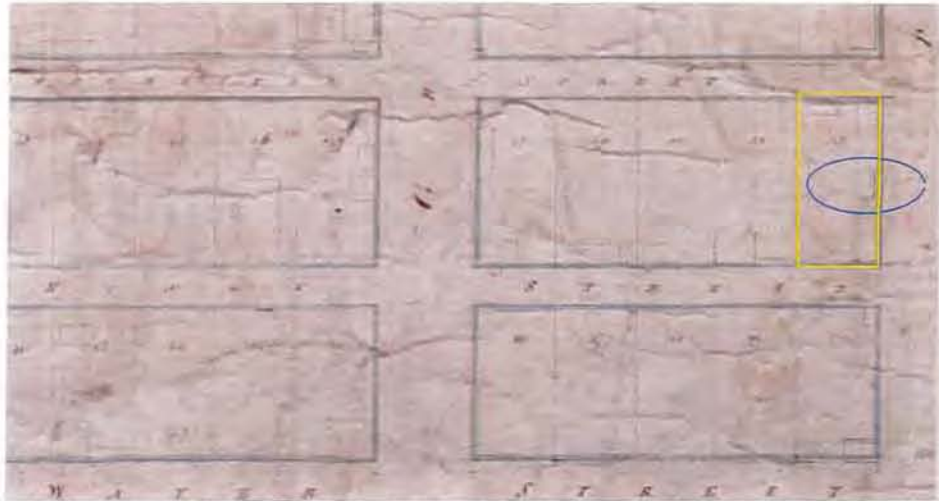


Figure 4. Section of the George Wright map of 1833 showing a building present at the current location of 41 Prince St. Lot 52 is highlighted in yellow, with the building circled in blue.

The 1863 Lake Map shows the building in its current location, with the addition of a three more buildings between King and Dorchester Streets. This map image correlates well with a sketch from the Public Archives ("Prince Street, Charlotte Town 1863" Public Archives and Records Office, Prince Edward Island Acc2702/s23/55) showing a 2 ½ storey building (style suggests a store) at the corner of King and Prince Street with three 1 ½ storey buildings making up the remainder of the block (Figure 6). The property at 41 Prince Street has a small dormer at the front. The property at 47 Prince Street does not and appears to be represented as a double tenement. By this point, the property at 41 Prince Street had been conveyed from Theophilus Chappell, Builder to Charles Gregor in 1842 and then to David Higgins Chappell in 1856. David H. Chappell was noted to be a City Cabinet Maker on the deed and a Grocer and Surveyor of Ships in an entry in the Island Register (www.islandregister.com/chappell.html). The property owned by David Chappell included the properties currently numbered 37 and 41 Prince Street. David H. Chappell lived with his wife Kezia Christie and niece Kezia Fraser, as indicated in the 1901 census (possibly at the corner shop?).



Figure 6. Sketch entitled "Prince Street, Charlotte Town, 1863" from Public Archives and Records Office, Prince Edward Island Acc2702/s23/55) showing the West side of Prince Street as viewed from Water Street. 41 Prince Street shown as a 1 ½ storey house with a small single dormer at the front.

The 1878 Ruger's Panorama suggests a 1 ½ storey building at 41 Prince Street but a two storey addition at the back of 47 Prince Street (Figure 8). The Goad Fire Insurance map created in 1888 (revision/reprint 1917, Plate 17) clearly describes the building at 41 (noted as 43) Prince Street as having 1 ½

storeys at the front, a two storey addition at the back (similar in location to the current two storey addition), with a small one storey addition also at the back (no longer present) (Figure 11). The building at 47 Prince Street does not have a two storey addition at the back in this map. The two storey addition may have been moved from 47 Prince Street to 41 Prince Street sometime between 1878 and 1917. This is suspected as when the exterior sheathing at 47 Prince Street was replaced ~ 1998 revealed the construction materials and style (framing and sheathing) of the main house at 47 Prince Street to be similar to the two storey addition currently at the back of 41 Prince Street.

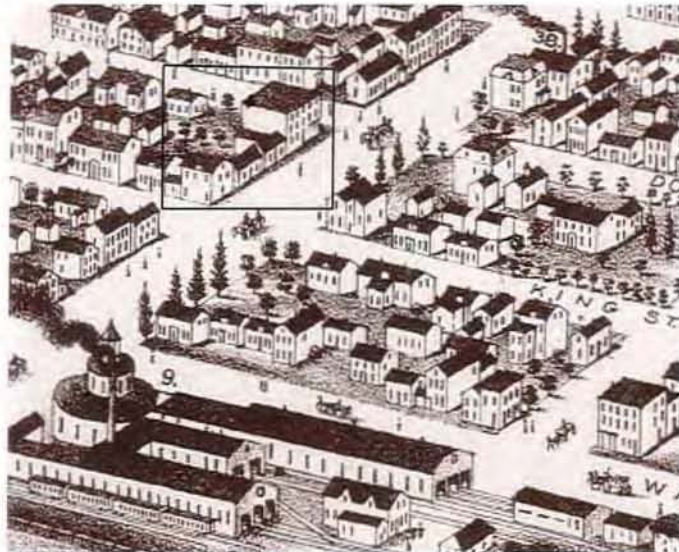


Figure 8. Section of Prince Street in Ruger's 1878 Panorama view. Area containing 41 Prince Street is highlighted (box).

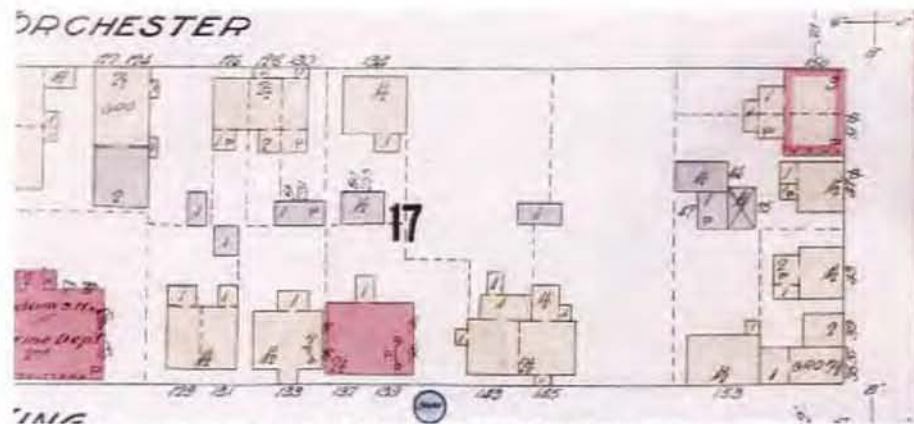


Figure 11. Goad Fire Insurance map (1888 – 1917) The image shows a two storey addition at the back of 41 Prince Street (labelled 43 in this diagram). Note that the house and corner grocery store sit on the plot of land conveyed to David H. Chappell in 1856, later bequeathed to Kezia Fraser.

The house property was purchased by Thomas H. Mills in 1930 from Kezia Fraser. Thomas Mills added the second storey with dormer at the front of the house. The central staircase that had gone from the back of the house towards the dormer at the front of Prince Street was redirected (or rebuilt) so that it ran from the centre of the house to the second floor at the King Street side. The house was raised at the front using a rough concrete. The house was finished inside with Douglas Fir trim and doors typical of the period. The piano windows at each side of the house near the front were probably added at this time. Exterior sheathing of shingles was likely added to the entire house as well to unify its appearance. There was a small porch at the back on the north facing side. The porch was removed in late 1950's and replaced with a staircase to the upper level when it was converted into an apartment.

The house was clad in Abitibi siding (early 1970's) and piano window on the north side filled in. An extra roof, with greater slope, was added above the roof of the two storey addition at the back around early 1980's (identified in Figure 2). The interior of the house underwent major renovations and upgrades (electrical, plumbing, heating, interior framing to create a space for insulation and the addition of new windows) in 1990. Abitibi siding was removed and shingles restored in 2005. A dormer was added to the back of the attic of the main house in 2008.

The house remains in the Mills family (Figure 13).

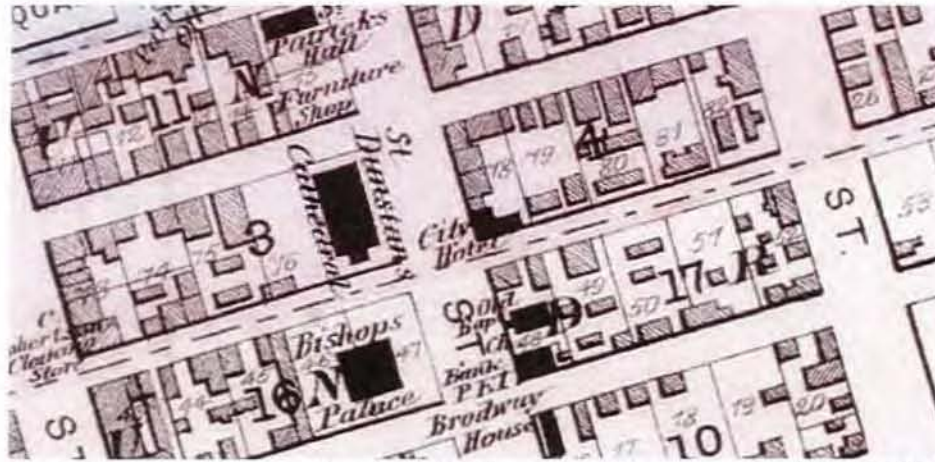


Figure 10. Excerpt from the 1880 map by the J. H. Meacham Company, the *Illustrated Historical Atlas of the Province of Prince Edward Island*. A building is indicated at 41 Prince Street but not at 47 Prince Street. The building at 41 shown to be as deep as the large building on the corner of Prince and Dunsmuir. (black dotted area surrounds Lot 52)

Respectfully,

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>AF</i>	Other
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**City of Charlottetown
Heritage Building Evaluation Form**

Civic Address: 41 Prince Street

Building Name:

Assessment: 337097

Zoning and Development Bylaw Reference: Appendix H

The Story of Charlottetown Record: #1398

Canadian Register of Historic Places Record:

Date of Photograph: June 8, 2007

Building Evaluated By: Natalie Munn

Date: July 10, 2007



Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 <u>Date of Construction:</u>	15	12	8	5	0
Architectural Interest (Maximum 65 points)					
2.1 <u>Style/Tradition: Foursquare</u>	15	10	8	2	0
2.2 <u>Construction Materials and Methods: wood</u>	10	8	5	2	0
2.3 <u>Design/Craftsmanship: balanced facade, pyramidal roof and dormer</u>	10	8	5	2	0
2.4 <u>Integrity:</u>	20	10	8	2	0
2.5 <u>Exterior Condition:</u>	10	8	5	2	0
2.6 <u>Setting/Streetscape:</u>	15	10	8	2	0
2.7 <u>Landmark:</u>	10	8	5	2	5
Historical Interest (Maximum 20 points)					
3.1 <u>Architect/Builder:</u>	10	8	5	2	0
3.2 <u>Person/Institution:</u>	10	8	5	2	0
3.3 <u>Event:</u>	10	8	5	2	0
3.4 <u>Historical Context:</u>	10	8	5	2	0

Total Score: 53

- Classification:**
- Grade 1 (80-100 points)
 - Grade 2 (60-79 points)
 - 53 Grade 3 (40-59 points)
 - Ineligible for Designation (20-49 points)
 - Not Important (0-19 points)

Comments:

Reviewed/Approved By: _____ **Date:** _____

Change In Classification _____ **Date:** _____

Reason: _____



City of Charlottetown

Report No: 2018-HERT-10-#6c

Date:
October 30, 2018

Directed to:
Heritage Board

Department:
Planning & Heritage

Prepared by:
Todd Saunders

Attachments:
1. GIS Map
2. proposal drawings

Subject: 140 Rochford Street (PID #345736) – Addition of new fire egress stair on the north side of the property.

RECOMMENDATION: Heritage Board is encouraged to support the application pending all other requirements being met. See:

City of Charlottetown Heritage Preservation Bylaw section 5.1 & 6.

Standards and Guidelines for the Conservation of Historic Places in Canada

City of Charlottetown 550 lot area development standards and guidelines December 2010

REPORT:

Proposed fire egress stair to accommodate required egress from existing third floor units. The property is located in the Downtown Neighbourhood (DN) Zone of the 500 lot area and is a designated Heritage Resource.

The application includes:

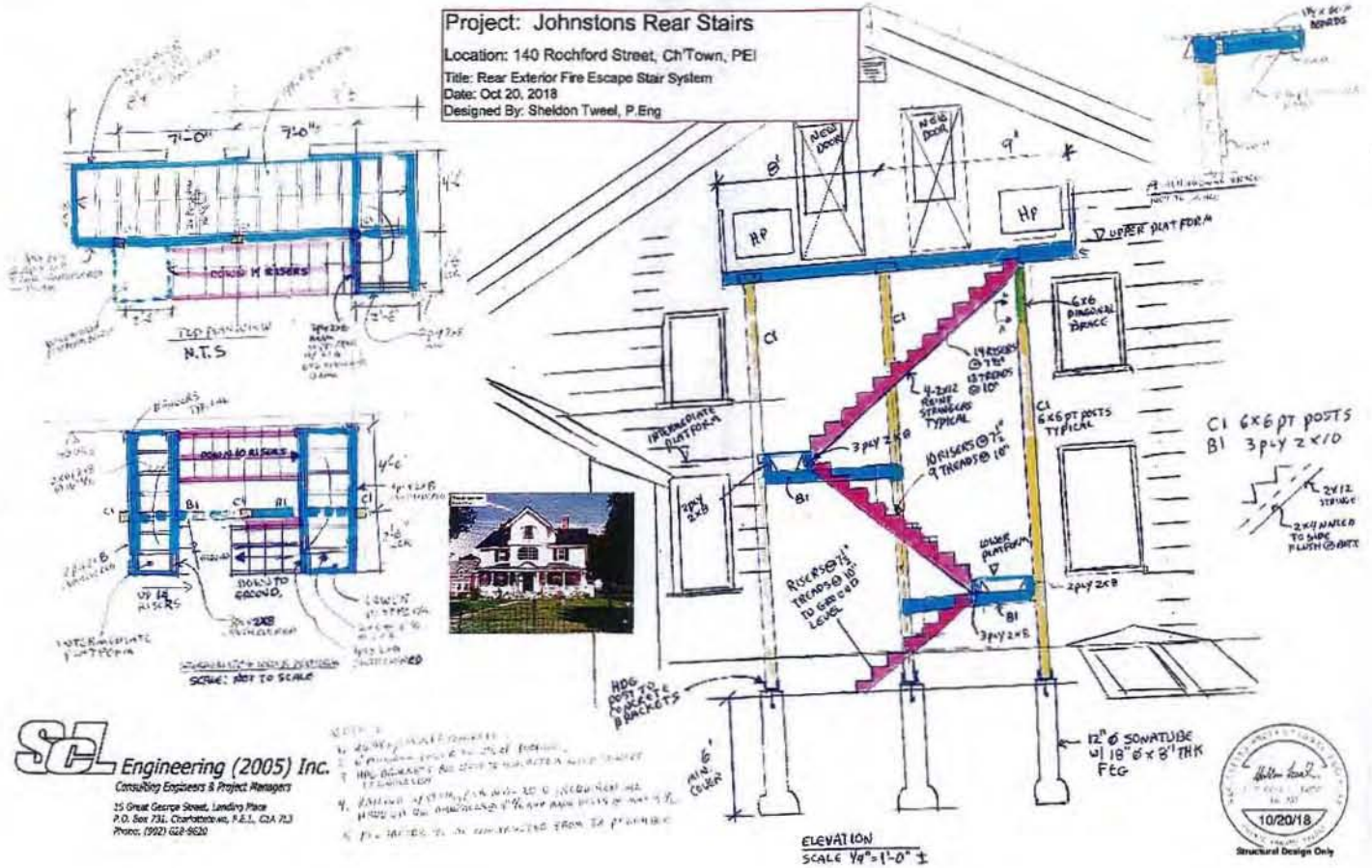
- Two new doors are to be installed in the existing window openings of the north elevation to allow for egress from each of the two units.
- Two new steel doors are to be installed with glass panel to meet required fire regulations.
- A wooden stair and rail system is to be installed with landings as indicated.
- The upper platform/deck measures 4ft 6in deep by approximately 17ft. and is supported by 6in x 6in posts which extend the full height from grade.



Location Map

Project: Johnstons Rear Stairs

Location: 140 Rochford Street, ChTown, PEI
 Title: Rear Exterior Fire Escape Stair System
 Date: Oct 20, 2018
 Designed By: Sheldon Tweel, P.Eng



SEL Engineering (2005) Inc.
 Consulting Engineers & Project Managers
 25 Great George Street, Landing Place
 P.O. Box 731, Charlottetown, P.E.I., C1A 7L3
 Phone: (902) 628-9620

- NOTES:
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 NATIONAL BUILDING CODE OF CANADA.
 2. CONSULT WITH THE LOCAL AUTHORITY FOR ANY SPECIAL REQUIREMENTS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS.



ELEVATION
 SCALE 1/4" = 1'-0" ±

Respectfully,

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>A</i>	Other
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City of Charlottetown

Report No: 2018-HERT-10 #d

Date: October 30, 2018

Directed to:
Heritage Board

Department:
Planning & Heritage

Prepared by:
Todd Saunders

Attachments:
1. location map
2. proposal drawing

Subject: 15 Hillsborough Street (PID #336198) - request for alterations to the existing building including a rear extension. It is anticipated a revised proposal will be available at the time of the meeting.

RECOMMENDATION:

Heritage Board is encouraged to support the application for exterior alterations at 15 Hillsborough Street.

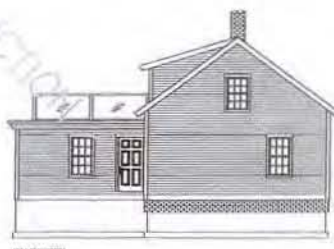
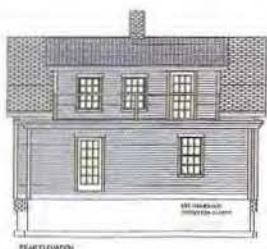
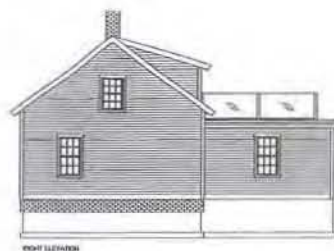
See *City of Charlottetown Heritage Preservation Bylaw* Section 5.1 &6.

Report:

This is a designated Heritage resource and is located in the DN of the 500 Lot area. The new owner of the property is planning to restore the main building and add a one storey section on the rear. There is some debate whether he will retain or remove the front dormer. A new proposal may be forthcoming.

The proposal includes:

- The applicant is proposing to re-clad the building in new wood shingles. Essentially a new wall will be built around the exterior of the logs to allow for sufficient insulation and the logs will be exposed on the interior. This would cover and protect the log structure currently exposed to the weather.
- It is the intention of the applicant to replace the existing windows and repaint the entire building.



Potential development

Property History:

15 Hillsborough Street (1800 – 1850)

It is not clear when 15 Hillsborough Street was built, but its log construction is consistent with some of Charlottetown's oldest properties. It does not appear in George Wright's Field Notes of 1833 - one of our earliest sources of information on Charlottetown's building stock - indicating that it may have been moved from another site or built just after his survey. It would not be the last time the house was moved because for much of its history the building was located on the south west corner of Hillsborough and King Street. It was moved to its current site at 15 Hillsborough Street in approximately 1921.

The first reference we have to the building comes from Irene Rogers' "Charlottetown: The Life In Its Buildings". She stated that Master Mariner, George Harris was a resident of the home in 1850 and the 8 October 1850 edition of the Royal Gazette was listed as her source. A house appears on the south west corner of Hillsborough and King Streets in the 1863 map produced by the American cartographer, D. Jackson Lake and 15 years later, the building appears on the 1878 Panoramic View of Charlottetown. Unfortunately, we have no early photographic evidence of 15 Hillsborough Street that would show its early appearance, however, the owner has found that the centre dormer was a later addition.

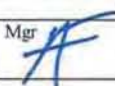
According to a local resident, whose family lived in the house, it was owned by Master Mariner Captain John Gillis until at least 1916, when Frank N. Kays purchased the building and ran a corner store from the site. Kays would return to Lebanon in 1921, marry, and come back to the Island later in the year. Upon his return, he would have a foundation dug one lot down the street to the south at the 15 Hillsborough St. site and move the house onto it. In 1923, Kays would have the neighboring house and store at 19 Hillsborough Street built on the corner site. Once finished, he and his family would run the store and live in 19 Hillsborough Street

A number of families have resided at 15 Hillsborough Street throughout its long history including the DeRoche, Revelle, McCarthy, Cullen, Kays and Mill families.

A good example of a log house in Charlottetown, it is the oldest on a block that was settled early and remained undisturbed by fire or development.

Respectfully,

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
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RECOMMENDATIONS/ACTIONS:

**PLANNING AND HERITAGE COMMITTEE – DESIGN REVIEW BOARD
OCTOBER 30, 2018 12:00 PM
PARDKALE ROOM, CITY HALL**

Included Councillor Greg Rivard, Chair
Councillor Terry MacLeod
Councillor Jason Coady
Simon Moore, RM
Aaron Stavert, RM
Ian MacLeod, RM

Bobby Shepherd, RM
Alex Forbes, PHM
Todd Saunders, HO
Greg Morrison, PII
Ellen Ganga, IA/AA

Regrets Tara Maloney, RM

1. Call to Order

Councillor Greg Rivard called the meeting to order at 12:18 pm.

2. Declaration of Conflicts

Councillor Greg Rivard asked if there are any conflicts and there being none, moved to the approval of the agenda.

3. Approval of Agenda

Moved by Aaron Stavert, RM, and seconded by Simon Moore, RM, that the agenda for Tuesday, October 30, 2018, with the addition of 55 Chestnut Street, be approved.

CARRIED

4. Adoption of Minutes

Moved by Councillor Terry MacLeod and seconded by Councillor Jason Coady that the minutes of the Tuesday, September 4, 2018 meeting be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 98 Stan MacPherson Way (PID #1088368)

This is a revised design proposal for the property located at 98 Stan MacPherson Way (PID #1088368). Greg Morrison, PII, presented the application. See attached report.

This application was first presented in 2016 and the original building size was twice as large as the current proposal. Earlier in 2018, the revised application was presented to the Heritage Board for information purposes which was slightly different from the original proposal. There were a number of changes and a conference with the architect, David Lopes, was conducted and some of the comments have been incorporated in the recent design changes. The changes meet the design review requirements and the design review was completed and approved recently.

Comments/concerns noted:

- Board members expressed concern about the materiality of the proposed design. There are lots of materials going on the same plane, third floor doesn't step back like other buildings along the street, the grey stripes are not recessing anymore. Since this is a building that will be built along the waterfront, the board feels that the building design

should be of a quality that merits this location and it is important to spent the time reviewing the design of this building.

- Staff mentioned that design reviewer did discuss the application of building materials on the various street frontages of the exterior of this building. The design reviewer questioned the architect whether it was possible to contrast the various building materials by applying them on an angle to help with the transition – front materials to be wood and the back to be more of stone (wood representing residential and stone representing industrial feel of the waterfront). The applicant did not agree with the recommendation so the architect continued with the design as presented.
- Staff also added that the architect spent a lot of time to make the design and materiality work. There were concessions on some design elements and since some of the concerns raised today are similar to previous comments, it was suggested that another discussion with the architect on this issue should be undertaken.
- The timeline of the project was discussed and Staff noted that the application has been around since 2016 and the applicants already did some site works and intend to start doing foundations as soon as possible.
- The Board noted if there are changes that need to be made or additional reviews need to be considered, we can defer this application until issues are addressed.

Councillor Rivard asked for comments or questions; there being none, the following resolution was put forward:

Moved by Aaron Stavert, RM and seconded by Councillor Terry MacLeod that revised design review application for the property located at 8 Stan MacPherson Way (PID #1088368), be deferred until issues on the exterior materiality of the building are addressed.

CARRIED

7. 55 Chestnut Street (PID #361527)

This is a design proposal for the property located at 55 Chestnut Street (PID #361527). Alex Forbes, PHM, presented the application. See attached report.

This application is the second phase of the Chestnut-Passmore rehabilitation project. The first phase was the building along Passmore Street which is currently being inspected for occupancy. This second phase will be along Chestnut Street which is less sensitive with regard to street frontage along Passmore Street which is surrounded by residential dwellings. The proposed Chestnut street building is almost the same design as the Passmore Street building but will just a larger version of it. The design reviewer has agreed that it can move forward the way it is currently designed but suggested that the applicant may wish to consider slight variations to the colors of this building to differentiate it from the Passmore Street elevation. Since this is the last Board Meeting of this Council, the applicant would like to have the design review approved so he can move forward with obtaining building permits.

Comments:

- The Board noted that they are receptive to a slight change in colors and Staff noted that they will work with the applicant on this suggestion.

Design Review Board
October 30, 2018
Page 3 of 3

Moved by Simon Moore, RM and seconded by Bobby Shepherd, RM that revised design review application for the property located at 55 Chestnut Street (PID #361527), be approved provided that the commentaries from this design review be incorporated.

CARRIED

The meeting was adjourned at 12:35 PM.

Councillor Greg Rivard



City of Charlottetown

Report No: 2018-DESN-10-#6A

Date:

October 30, 2018

Directed to:

Design Review Committee

Department:

Planning & Heritage

Prepared by:

Todd Saunders

Attachments:

1. GIS Map
2. Original Building Design
3. Original Site Plan
4. Proposed Building Design
5. Proposed Site Plan

Subject:

Revised design proposal for the property located at 8 Stan MacPherson Way (PID #1088368).

RECOMMENDATION:

Staff encourages the Design Review Committee to recommend to Council to approve the request for the proposed development located at 8 Stan MacPherson Way (PID #1088368).

BACKGROUND:

Issues previously identified include

Design / Scale of the Proposed Building

The revised building design has a footprint that is approximately 2,100 sq ft smaller than the original building design. The original building design is preferred by staff because the building framed both Stan MacPherson Way and Water Street.

The revised building design could be a trade off by eliminating off-lot parking and accommodating all required parking on the property. That being said, Section 3.5.2 of the Official Plan states that the need for surface parking should be minimized on the Waterfront:

Our policy shall recognize the value of waterfront land for open space and development and in accordance, support a parking structure/lot close to the waterfront which minimizes the need for using the waterfront for surface parking. In addition, future development on the waterfront should require underground parking or other alternatives to surface parking.

The Waterfront Master Plan also states that “most developers will prefer to use surface parking, as it is the cheapest option available. Unfortunately, surface parking can overwhelm the waterfront environment, creating an environment that is not attractive and a poor use of a scarce resource.”

Water Street Elevation

With the revised building design no longer spanning the entire length of the property along Water Street, the proposed parking lot is now visible. That being said, this could be mitigated by requiring screening along Water Street in the form of landscaping, a fence, a retaining wall, etc. Staff would suggest that whatever screening technique is employed, it should be more permanent than landscaping alone. As a minimum, a retaining wall with a fence or a retaining wall with integrated landscaping could achieve this goal.

As per Section 44.10.4 of the Zoning & Development Bylaw, *any parking lot visible from a street shall have a landscaped buffer zone of no less than 2.0 metres width between the street and the parking lot, exclusive of driveway access.*

Further, as per Section 44.10. of the Zoning & Development Bylaw, *accepted landscaping includes grassed areas with shrubs and trees, or planters. Shrubs should obtain a minimum of 1.0m (3.3 ft) in height, to reduce glare from headlights, and shall be provided at a frequency of 1 shrub for every 2 m (6.6 ft) of rear and side yard lot length. Trees shall be a minimum of 50mm caliper in size, and shall be provided at a frequency of one tree for every 4.5m (14.8 ft) of length abutting a street.*

Walkable Street

Section 44.3.1 of the Zoning & Development Bylaw states that only specified uses shall be permitted on the ground floor of a building in the WF zone immediately abutting a designated Walkable Street.

The original building design included a 1,300 sq ft MCPEI craft market accessible from Stan MacPherson Way and a cultural establishment (accessible through the craft market); both of which are permitted uses on a walkable street. The revised building design has reduced the walkable uses to a 355 sq ft demo / retail market and a cultural establishment (primarily a lobby and kitchen).

Staff feels that the walkable component of this development has diminished significantly. That being said, the applicant has discussed the fact that there is no sidewalk along Stan MacPherson Way and therefore would not generate any pedestrian traffic. Should a sidewalk be put in in the future, then the applicant would construct steps and a ramp on the City right-of-way adjacent to the sidewalk. Any development in the City right-of-way would require Public Works approval.

The transition between Stan MacPherson Way and the proposed building has been compromised in the revised application as it is not currently accessible directly from Stan MacPherson Way.

Other

Additionally, staff will need to confirm the following requirements at the building & development permit stage:

1. All building placement and massing requirements conform to Section 44.2 of the Zoning & Development Bylaw;
2. The minimum finished floor elevation must conform to Section 44.5 of the Zoning & Development Bylaw;
3. The total landscaped open space must conform to Section 44.7 of the Zoning & Development Bylaw;
4. External cladding materials must conform to Section 44.9 of the Zoning & Development Bylaw;
5. Bicycle parking is located on the property as per Section 44.12 of the Zoning & Development Bylaw; and
6. The proposed building conforms to the requirements of the National Building Code.

In light of the foregoing, while there are a number of components from the original application have been diminished in the revised application, there may be some reasonable accommodations identified above, that could be incorporated to address staff’s concerns between the two applications.

Below is a quick summary of the subject application’s positive attributes, neutral attributes, and shortcomings:

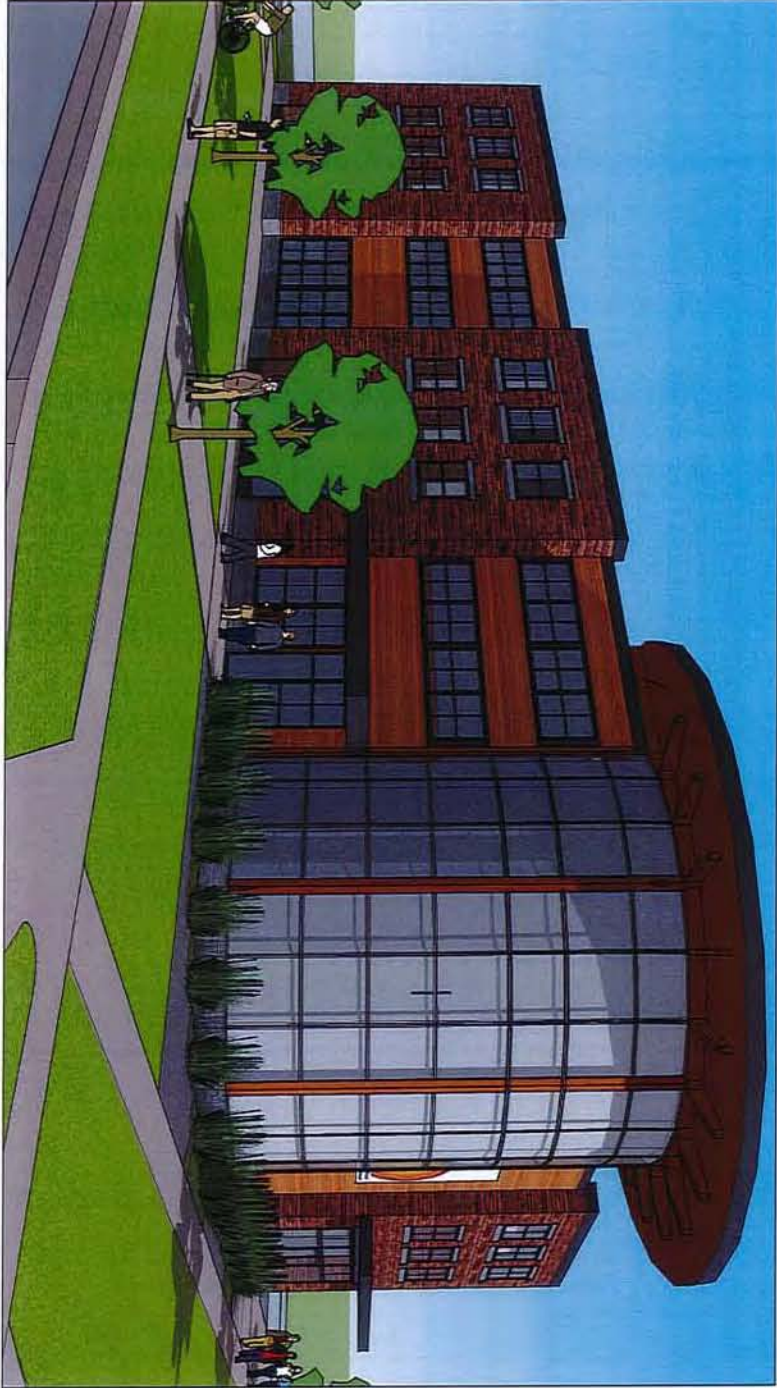
Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> ▪ Increases the attractiveness of the waterfront. ▪ Enhances the character of the existing neighbourhood. ▪ The development reflects the architectural design that is of its time. 	<ul style="list-style-type: none"> ▪ Footprint of the building has changed substantially. ▪ Design review and a development agreement will ensure the building is constructed as proposed. 	<ul style="list-style-type: none"> ▪ The revised application now requires a rear yard setback variance. ▪ Uses have of the property located on the waterfront for surface parking. ▪ The proposal does not properly address the sidewalk. ▪ The walkable component of this application is less pronounced than in the original application. ▪ Bicycle parking has not been

		contemplated at this time.
--	--	----------------------------

Respectfully,

Reviewed By:						
CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr	Other

Original Building Design



1
A106

VIEW CORNER WATER & HILLSBOROUGH STREETS (STONE)
Not to Scale

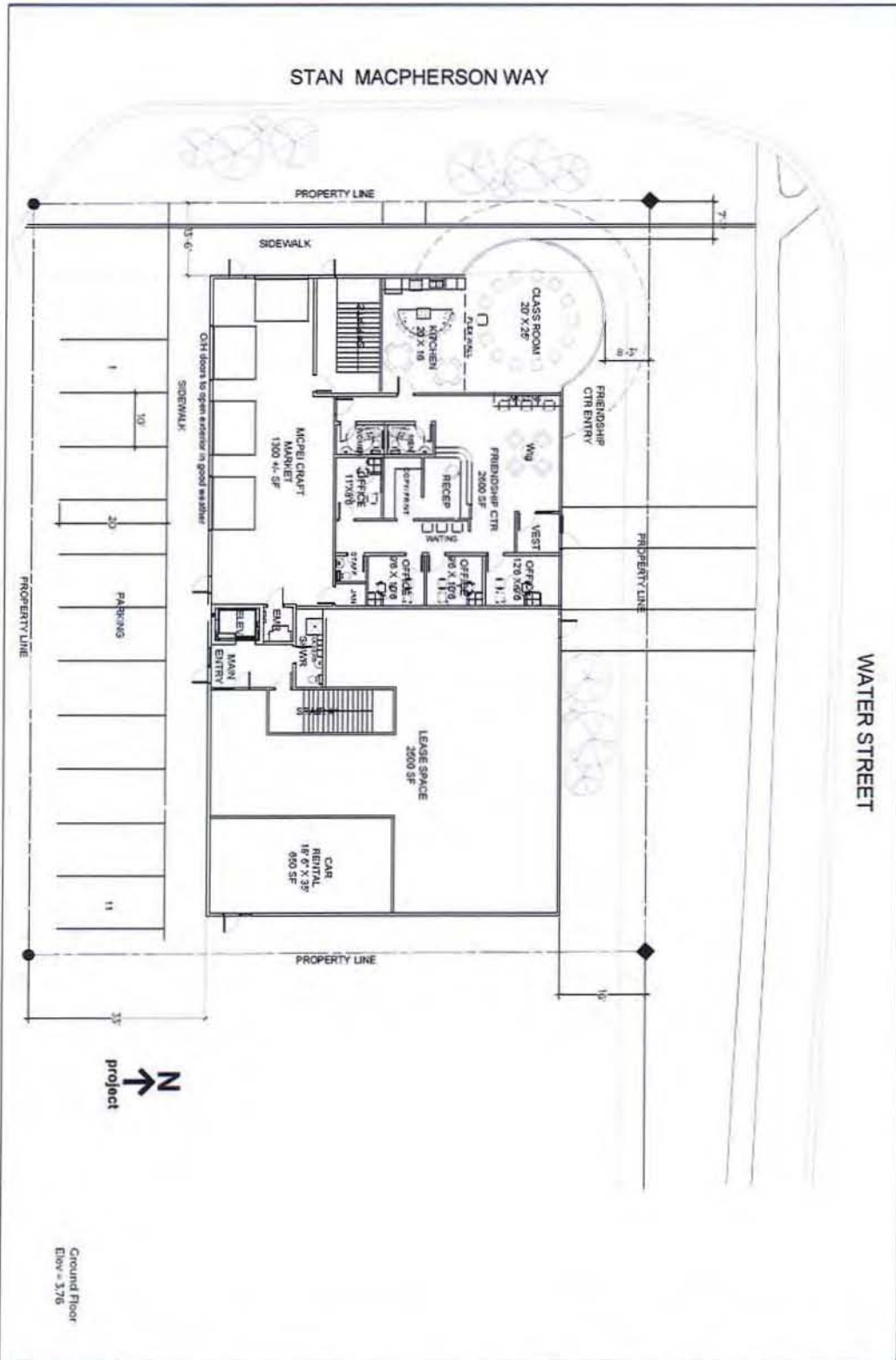
A 200

BUILDING ELEVATIONS MCPEI OFFICE BUILDING
CONCRETE PANEL OPTION WATER ST., CHARLOTTETOWN, PE

COAST DESIGN
Box 21142 Charlottetown, PE
C1A 9H6 902- 626-8253
DAVID@COASTDESIGN.CA

C

Original Site Plan



Ground Floor
Elev = 376

A 100

SITE PLAN
SCALE: 1/16" = 1' - 0"
DATE - JUNE 6, 2016 PROJECT # - 15001

MCPEI OFFICES - CONCEPT
Water St., Charlottetown, PE
PEI Mi'kmaq Holdings Inc.

COAST DESIGN
804 2842 CHARLOTTETOWN, PEI C1R 9W8
2410 BUCKINGHAM ST. CHARLOTTETOWN, PEI
902-625-6535





MCPEI TRIBAL OFFICE BUILDING DESIGN REVIEW SUBMISSION
(CORNER WATER ST & STAN MACPHERSON WAY)

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A 000

BUILDING ELEVATIONS MCPEI OFFICE BUILDING
WATER ST., CHARLOTTETOWN, PE

COAST DESIGN
Box 21142 Charlottetown, PE
CIA 9H6 902- 626-8253
DAVID@COASTDESIGN.CA





VIEW CORNER WATER & STAN MACPHERSON WAY

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BUILDING ELEVATIONS MCPEI OFFICE BUILDING
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VIEW EAST BUILDING ELEVATION (PARKING LOT)

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BUILDING ELEVATIONS MCPEI OFFICE BUILDING
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PRINCIPAL OFFICE AND LEASE SPACE ENTRANCE (EAST SIDE- PARKING LOT)

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BUILDING VIEW SOUTH EAST CORNER (PARKING LOT)

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BUILDING ELEVATIONS MCPEI OFFICE BUILDING
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BUILDING VIEW SOUTH FRIENDSHIP CENTER ENTRANCE

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WATER ST., CHARLOTTETOWN, PE

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DAVID@COASTDESIGN.CA





BUILDING VIEW SOUTH WEST CORNER - FRIENDSHIP CENTER AND
CRAFT MARKET ENTRANCE (STAN MACPHERSON WAY)

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BUILDING ELEVATIONS MCPEI OFFICE BUILDING
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C1A 9H6 902-626-8253
DAVID@COASTDESIGN.CA





BUILDING VIEW SOUTH WEST (STAN MACPHERSON WAY)

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1 WATER ST. (NORTH ELEVATION)

A207 Not to Scale



2 SOUTH ELEVATION

A207 Not to Scale



1 STAN MACPHERSON WAY (WEST ELEVATION)
A206 Not to Scale

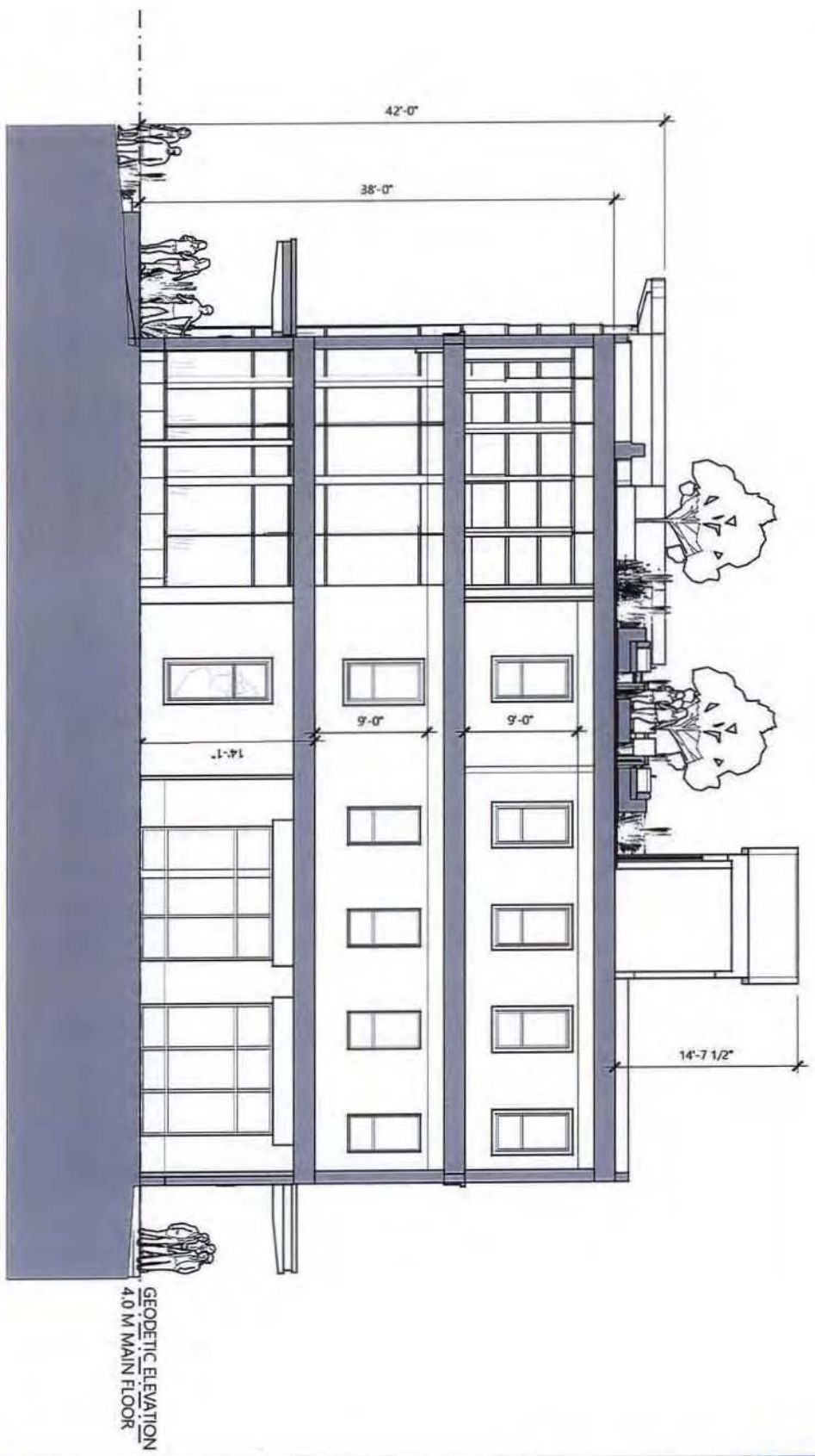


2 EAST ELEVATION
A206 Not to Scale

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1
A209

TYPICAL BUILDING SECTION
Not to Scale





VIEW OF GREEN ROOF AND SIDEWALKS ALONG STAN MACPHERSON DRIVE

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A 210

ROOF PLAN

MCPEI OFFICE BUILDING
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Peter Fellows, B.Arch., AANB

October 3, 2018

FCL Project 1020

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2

Attn: Alex Forbes/Greg Morrison

Sir:

**Re: MCPEI Office Building corner of Water
Street and Stan MacPherson Way, Charlottetown, PEI
Design Review**

This project as we understand is a revised version of a larger building originally submitted for the same location. Also, this building has been specifically designed for the clients on two of its three floors. We state this because the inside layouts figure prominently into the rhythm of the exterior elevational composition. In addition to this, a building such as this has certain cultural imagery and material choices to consider. The use of natural materials for example and the use of circular motifs are certainly important in designing for the First Nation peoples. These factors forced us to review this project from a slightly different point of view. I will be honest, this project proved to be the most difficulty to date. I have struggled! Unlike other reviews where we consciously avoided our own design parameters I am afraid we stepped into this one full bore. However, as always these are opinions and suggestions only. We hope they will be viewed in a positive manner and only acted upon if the Architect and the Client agree. If the City and/or the Client take offense to any of these suggestions they should understand it is not our intent to be negative in any way. We sincerely believe that our suggestions will enhance the project resulting in a win for all those involved.

Having prefaced the above thoughts, here is our design review of the MCPEI Office Building. Some in written form and some in graphic form:

Design Review Parameters

This application was reviewed with references to the:

- Applicant's drawings: A100, A101, A102, A103, A104, A201, A202, A301, & A302, and coloured renderings A000, A200-A208 plus A210
 - City of Charlottetown Zoning & Development By-Law - amended December 12th, 2017
 - City of Charlottetown Comprehensive Water Front Master Plan-Final Report Dec. 2012.
 - City of Charlottetown 500 Lot Area Development Standards & Design Guidelines-Undated
-

Design Review Comments

1. Discrepancies

One noticed was the site plan had a slightly different floor layout than the drawing called main floor plan

The other seemed to show the Multi-purpose Room No. 1 as a two storey space but the plans were not conclusive. We assumed in the end that this was only one storey in height and that the perspective drawings were not 100% complete at this time.

Commentary

These are minor at this stage.

2. Review by the Zoning & Development By-laws

We reviewed this building specifically under section "7.2 Development Standards for New Development in the 500 Lot area" and "7.4 Design Standards for Non-Residential Development" only. Also Section "44 Waterfront Zone (WF)"

We feel that the proponent has understood and respected these two sections. There is a reference to utilizing "wood windows" but we are unclear at this stage if the windows shown are metal or wood presumably this might be picked up at a more detailed stage, like permit stage.

Waterfront Zone

The only issue we encountered here was the limit of cornice projections at 3'-3"

Commentary

We feel that the roof projection of the glass corner which scales 4'-0" is too weak a statement. Our strong suggestion is that 5'-0" will look better and give the proper significance to the "Parliament room" that it deserves. Here I think cultural issues trump zoning issues.

A Discussion relating to the Design and the 500 Lot Area Development Standards

When looking at the current proposal as it relates to its site and other factors such as heritage issues we find that all of the basic components are there but in need of some adjustment.

The two nearest heritage structures are the stone Brass Shop (coffee house) and Founder's Hall- both masonry and both on the water side. A closer look at the fenestrations of both indicates the arched window head- a nice feature but not one easily integrated into the ground floor of this building. Using multiple panes within the large windows certainly leans toward heritage- even better if they are made of wood. While Founder's Hall is primarily brick and the small Brass Shop (coffee house) being stone suggests to us that a masonry stone or brick is a good choice for the first 2 storeys on the harbour side. I am sure that the clients would encourage the stone but if cost is an issue then brick is a good second choice. The North side of Water Street in this area is mostly two to three storey wood clad apartment buildings- so to us the logical material facing Water Street should utilize a strong wood look to embrace the area. Natural wood would be our first choice but codes and maintenance suggest to us that the newer wood grained metal siding is both realistic and maintenance free-therefore a good choice.

We understand the symbolism of the glass tower but think it can be improved upon. To be truly effective, the roof must be seen to go above the main structure which will give the element strength and will allow the Parliament Room to have a high ceiling and therefore

greater prominence. The roof overhang with its glulam beams looks weak and should probably extend more than shown. The first floor market area is equally important but the second floor as leasable space is not as relevant. We believe that separating the two cylinders of glass (one of clean structural glass and one of standard capped curtain wall) with a row of punch windows and real wood panels will serve to accent top and bottom and offer a break from overuse of a good thing. On the end of Founder's Hall there is a nice detail of diagonal wood panels that might if used make for a nice tie-in. The location of this corner element would be improved if it sprang from a true 45° plane and that both sides transitioned into the same material-both wood look. Detailing would also be much simpler.

The entry canopies (all shown rectangular) might be used to advantage for example the South one might be semi-circular to better relate to the plaza it serves. The market side could be truncated to suggest something less traditional.

In analyzing the building facades, the use of the dark siding seemed a little bit too random and not consistent i.e. wide with windows, blank, and wider with many windows. If these were to serve as visual breaks then their placement should be more thought out and perhaps not with windows at all. These could also be non-rectangular maybe thus adding a dynamic to the structure. Some colour here might be of interest.

The top of the building could take a cue from the new condos across from Founder's Hall and put on a single sloped roof over the elevator stairwell. This controversial element on the condos might even be helped by emulating this modern look, effectively helping both!

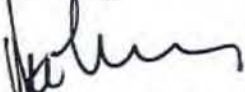
Finally it strikes us that pedestrians seeking entry to the upper floors of the office need a sidewalk from the Water Street sidewalk on the East.

Design Review Conclusions

We think the building with or without some modifications will be an asset for Charlottetown. We have taken the liberty in including sketches showing what all this might look like.

Thank you for your continued patience with our sometimes lengthy review.

Yours truly,



Peter Fellows, B.Arch., AANB

Attachments- 7 sketches

CYLINDER ROOF SHOULD PROJECT ABOVE MAIN ROOF

PENNE ROOF TO CUSTOMER TO HELP ILLUSTRATE "GREEN ROOF" IDEA



Roof 7'-0"
 12'-6"
 12'-0"
 14'-0" SEE NOTES ON NORTH ELEVATION

HORIZONTAL METAL STRIPING WITH WOOD GRAIN SCORE

BACK/SIDE VIEW

POSSIBLE LEAD

NOTE: WINDOWS ON THE FIRST & THIRD FLOORS MAY NEED MINOR RELOCATIONS

WEST ELEVATION. $X_2 = 1'-0"$

COLORED ALUMINUM BANDS. (SLOPED SIDE FOR 1 FLOOR) IN HORIZONTAL SIGHT.

ROOF OVER STAIR ELEVATOR COULD BE SLOPED - SIMILAR TO NEW COMPOS.

ROOF OF CYLINDER IS CUT OFF AS THE "GREEN ROOF AREA" TO TAKE MAIN ROOF



HORIZONTAL METAL STRIPING WITH WOOD GRAIN SCORE

BACK/SIDE VIEW

POSSIBLE LEAD

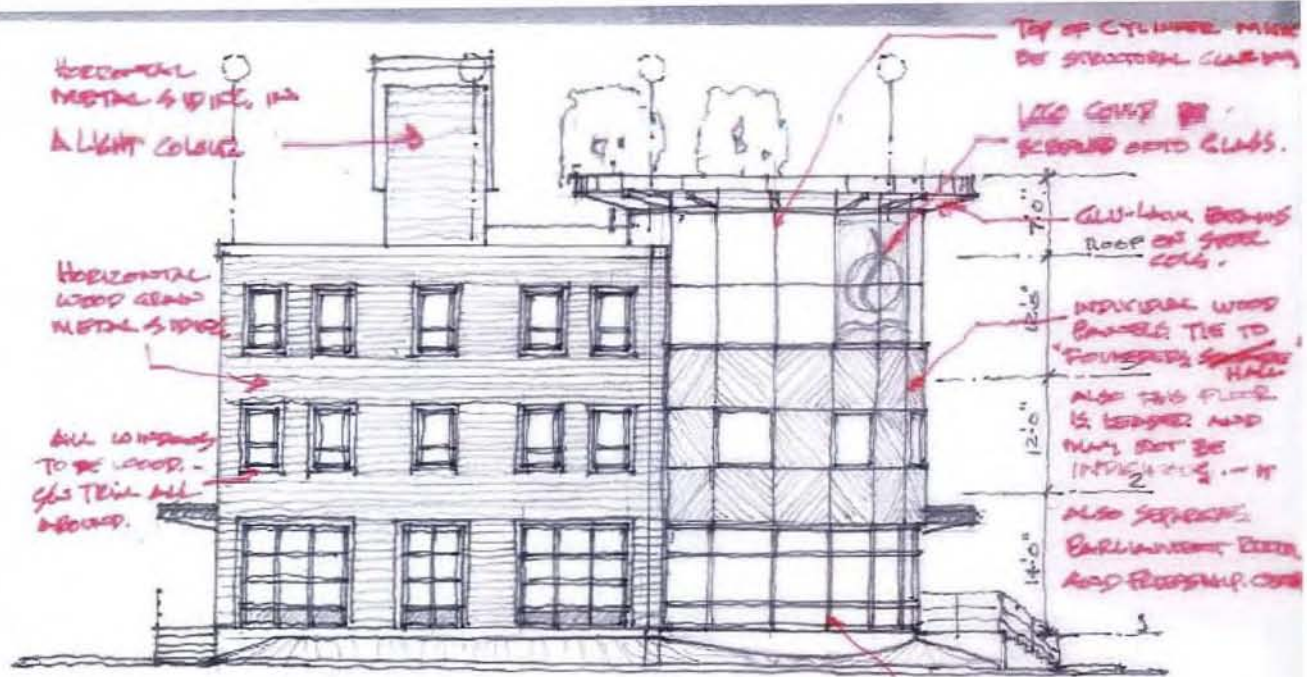
COLORED ALUMINUM BANDS

Roof 7'-0"
 12'-0"
 12'-0"
 14'-0"

THIS PART OF THE EAST ELEVATION BUILDING RELATES TO THE HISTORICAL "BONDERS HALL BUILDING" OR "BONDERS SQUARE THE CORNER SHOP" OR!

THIS PART OF THE BUILDING RELATES TO THE WOODEN APARTMENT BUILDING ACROSS LOWER STREET!

1



NORTH ELEVATION
1/2" = 1'-0"



SOUTH ELEVATION
1/2" = 1'-0"

NOTE:
WE SUGGEST THAT THE WINDOWS
BE SLIGHTLY ADJUSTED ON ALL
FLOORS TO ACHIEVE A SIMILAR
RHYTHM ON EACH BUILDING
FACE. - WE HAVE REVEALED THE
RAFS WITH RESPECT TO THE
ELEVATIONS AND THINK THAT THIS
WILL BE FAIRLY EASY TO ACCOMPLISH.
R.F.

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Peter Fellows, B.Arch., AANB

October 25, 2018

FCL Project 1020

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2

Attn: Alex Forbes/Greg Morrison

Sir:

**Re: Office Building corner of Water
Street and Stan MacPherson Way, Charlottetown, PEI
Design Review**

We have had a chance to re-review this project after amendments by the Architects, Coast Design Inc., responded to our comments of October 15, 2018.

The changes reflect our major suggestions, and we feel that this example of Charlottetown's review process has worked as the City Planners hoped it would. Collaboration between the designer, David Lopes, the City Planning Group and ourselves as outside reviewers, have all worked together to improve this particular project.

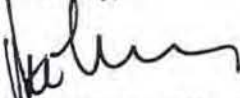
Our biggest concern, the glass cylindrical corner, has been greatly improved upon by ensuring that it rises above the adjacent roof, thus giving it more prominence. Two other big concerns have been addressed: the addition of a pedestrian walk on the east side, and the revision of the roof top element with its new roofline.

We are pleased that the process has allowed for the positive benefits to develop in this fashion, and that all parties are winners!

Although some of our other ideas have not been specifically adjusted, we are confident that Mr. Lopes, as he moves through his design development phase with his client, will keep these potential thoughts in mind. As Architects, we fully understand the outside influence that clients, and sub consultants can have on final details.

Once again it has been pleasure to assist with this method of external design review for the City, and we are pleased to see this important project proceed to final design phase and its ultimate construction.

Yours truly,



Peter Fellows, B.Arch., AANB

Chestnut Passmore Proposed Rehabilitation Project; Phase 2

Design Brief

1. Summary

The Chestnut Passmore rehabilitation project is a 2 phase project which seeks to re-establish the proper balance of residential living quarters, complete with both above and below grade parking thereby allowing this project to aid in transitioning the recent trend of the Charlottetown upgrading the residential portfolio north of the "500 Lot" boundary of Grafton Street by re-energizing and renewing established neighborhoods. In total, it will provide 43 modestly sized apartments (averaging about 1,000 sq.ft.) in two separate buildings. Upon completion there will be 53 parking spots with 25 of those above grade and the remainder under the building constructed within Phase 2 (Chestnut Street Apartments) of the program.

Phase 2 which is the subject of this design review is a four-storey structure built over an underground parking garage of 28 parking spaces. This Phase 2 Chestnut Street facing apartment consists of nine single bedroom and eight two-bedroom apartments.

It will be serviced by the existing water, sanitary sewer, storm sewer, electrical power, roadway and sideway infrastructure. The green space exceeds the 10% requirement identified within the guidelines.

This proposed urban infill development is respectful of the established neighborhoods to the north and as well provides an architectural connection to the character, scale and form of adjacent multi residential and commercial developments immediately to the south and west. Minimal exterior signage will be provided and will be facing north, simply advertising the multi residential facility.

The proposed building delivers on enhanced sustainability by its virtue as an urban infill project and further builds upon this given its close proximity to major employers, existing amenities such as commercial, cultural, cycling, mass transport and parkland.

2. Design Objectives

The primary design objective is to establish a visual connection to the recent increase of diverse development to the immediate south and the west of this site. Within the past 5-6 years, within a block there has been a resurgence of both service/commercial and more upscale urban development with the expansion

and renovation of the Kwik Kopy headquarters and printing facility, the development of the Queen and Passmore multi residential facility, and finally the expansion of the Invesco Office complex. All of these developments have occurred within 100 meters from the center of this proposed development.

Recognizing that this proposed development needs to respect the residential component of the buildings that it replaces and which are at the end of their useful life has led to the inclusion of forward looking, modest residential units. Hand in hand with this, is the design provision of off-street parking spaces for residents.

A secondary design objective is to provide visual relief of typically constructed large rectangular facilities recently seen populating the suburban areas, using a combination of pleasing vertical and horizontal building “breaks” and soft, yet stimulating exterior textures and colours. Given the building’s location, the primary elevation of the building resulted in a southern exposure, enabling the market facing elevation to prominently illustrate the pleasing visual breaks of vertical elements, textures and balconies.

Another secondary design objective was to explore the opportunity to address a growing market of professionals looking to relocate near the commercial core. Recognizing this demographic is a combination of both single and 2-bedroom units, thereby maximizing the efficiency of the layout.

This development as presented exceeds the 10% greenspace requirement.

3. Analysis

The majority of the abutting properties are to the East and the West with Passmore Street immediately to the north. There is an existing parking lot as well as both service and commercial office buildings of a similar scale across Chestnut Street immediately to the south. To the north, across Passmore Street, are existing residential units along with an existing bed and breakfast commercial facility.

The proposed building is situated to reduce the impact on the adjacent properties by providing a street buffer to those residential buildings across Passmore Street. Simultaneously, the new Chestnut apartment provides a scaled link to the office and commercial properties to the south.

The Charlottetown Transit has its primary north south feeder route on University Avenue to the east, and less than 100 meters from the center of this proposed building. University Avenue also serves as the major vehicular artery serving the City. To the west, again less than 100 meters away, is Queen Street, again a major vehicular City route.

The proposed building is within easy walking distance to both an elementary school, and intermediate and high schools as well as a number of churches. Parks range from playgrounds at the St. Jean's Elementary school some 200 meters away to Victoria Park, less than a 1 km distance.

Cyclists are 800 meters from the Victoria Park biking lanes (open 6 months of the year), 900 meters from the Confederation Trail, which provides unlimited access to most destinations on the Island, and 800 meters from North River Road which is the major north south biking route in the City.

The center of the commercial, cultural and heart of the City is less than 500 meters from the proposed building; with the four major employers within the City being situated within this 500 meters radius.

This facility is of sufficient size to warrant an external manager. As with most buildings of this size, that manager's job will be to, on a weekly basis, wheel the proper carts to the Passmore Street side for garbage pick-up, and then to wheel them back following pick-up by IWMC. Experience indicates that this will be in the range of no more than 5 full carts of refuse for a building of this size. This protocol is similar to other buildings in the City and has been vetted as acceptable by IWMC.

A review of the associated design guidelines as set out by the City has found that all of the guidelines have been met or are not applicable. One may question the mass and scale of the building however, when compared to the Invesco building directly across the street to the south, the Kwik Kopy building located 250 feet away and the Queen and Passmore multi-residential building located at the end of the block, less than 200 feet away are taken into the equation, this proposed facility is well within keeping of the existing streetscape.

The original buildings on site have been demolished. That being said, however, the character of the building being completed reflects numerous qualities found in the Queen and Passmore townhouses, the Invesco building, and the Kwik Kopy building located immediately to the south of this development. This character is reflected the use of materials, glazing, as well as crisply articulated building lines.

As well, the scale of this new facility is well within keeping of the scale and massing of these previously stated facilities.

Utilization of green spaces on all four sides of the building, which addresses current bylaw concerns, also allows this property to blend into adjacent structures while remaining consistent with existing development in the vicinity. Location of the above grade parking which is by and large hidden from the North view-planes

aids in this consistent approach. Additional plantings have been accommodated to remain in keeping with the City bylaws.

The development of this facility will not deter from existing maintenance on this streetscape in the area and in fact should heed such functions as both street and sidewalk clearing by consolidating a number of driveways and replacement of sidewalks through the development of this building.

As developed elsewhere, the setbacks for new construction reflect average Street setbacks within the block. The materials developed for this facility are compatible and build upon recent developments within the immediate area.

The height of this building is within keeping the average height of the existing commercial developments to the West and to the South.

The proposed facility will sit on land amassed through consolidation of a number of previously residential lots which have been properly zoned for this purpose. As such the number of municipal services serving this area will be reduced to a single potable water, fire water, storm water, and sewage connection properly sized.

The preliminary plan for the lot consolidation of this area has been undertaken by a registered public land surveyor for the province of Prince Edward Island and as such meets the requirements as set out in the City of Charlottetown zoning and development bylaw.

4. Sustainability

Sustainability has been incorporated into the concept presented in a number of different manners.

Improved density in an area of lower density housing lends itself to sustainability and improving the sense of community. Immediate adjacencies to most major employers, transit routes, green spaces and the amenities of the City central core, all speak to reduced vehicular traffic, therefore CO₂ emissions. Increased commercialization including for a market development within the structure will bring an opportunity of further increasing sustainability by the introduction of a green grocer back into the City core. Realizing that this is occurring as an urban infill project, removing tired neglected structures but utilizing existing power, water, sanitary, storm and roads again enhances the sustainability of this project.

To maintain sustainability the current Canadian Energy Model for Low Rise Buildings will be used as the guideline for determining insulation levels, window selection, heating/cooling sources and ventilation rates.

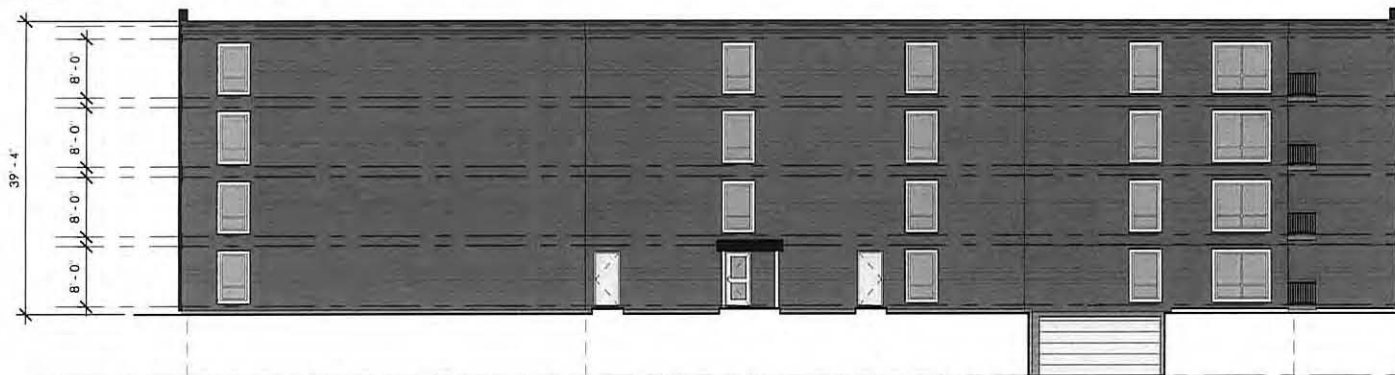
Lighting methodologies, both interior and exterior will lend themselves toward more sustainable LED technologies; recognizing that tenants also play a part in assisting with this initiative. Parking areas however, can benefit from both daylight harvesting methodologies and/or motion sensors to decrease the overall carbon footprint.







Building materials and methodologies, as have been employed by this developer on other projects in the City, will include for materials which increase sustainability not only including for environmentally sound items such as window glazing, cladding material, low emissivity VOC paint, but also methods of construction which enhance STC ratings thereby reducing overall material usage, using the Canadian Energy model for Low Rise Buildings and ensuring that the project includes for green spaces and shrubs.

PRELIMINARY ONLY
NOT FOR CONSTRUCTION

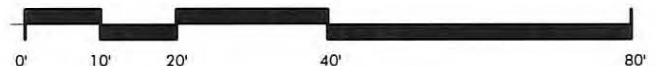


1 CHESTNUT ELEVATION

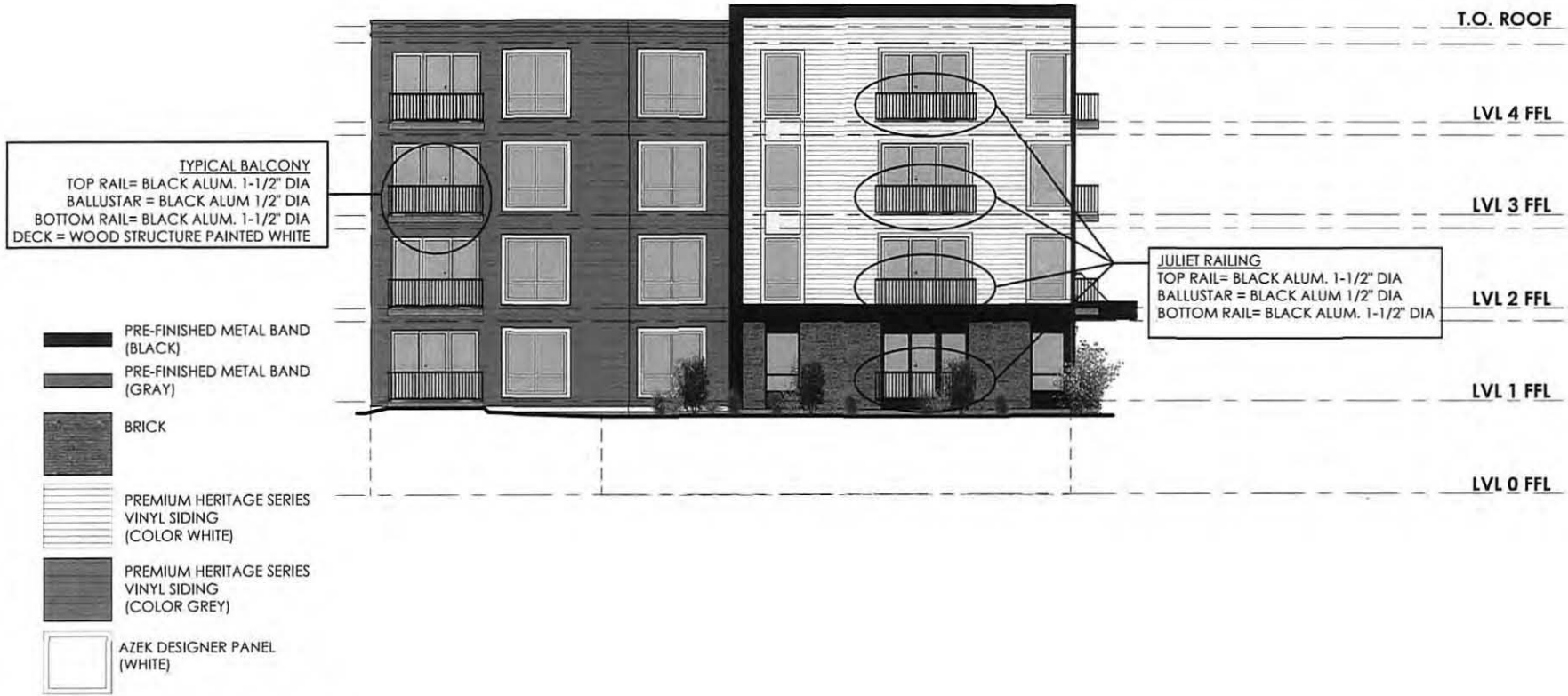


-  PRE-FINISHED METAL BAND (BLACK)
-  PRE-FINISHED METAL BAND (GRAY)
-  BRICK
-  PREMIUM HERITAGE SERIES VINYL SIDING (COLOR WHITE)
-  PREMIUM HERITAGE SERIES VINYL SIDING (COLOR GREY)
-  AZEK DESIGNER PANEL (WHITE)

2 PARKING LOT ELEVATION



PRELIMINARY ONLY
NOT FOR CONSTRUCTION



UPDATED WEST ELEVATION





**CITY OF CHARLOTTETOWN
BYLAW**

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-11-01 as it pertains to Mount Edward Road (PID #492405 and a portion of PID #390740)”, as attached, be read a first time.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: November 13, 2018

BE IT RESOLVED THAT the said Bylaw (2018-11-01) be approved and that it be read a second time at the next Regular Meeting of Council.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: November 13, 2018

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-11-01 as it pertains to Mount Edward Road (PID #492405 and a portion of PID #390740)”, as attached, was read and approved a first time on November 13, 2018;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: _____, 2018

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date _____, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT # 2018-11-01**

Authority

The Council of the City of Charlottetown under authority vested in it by Section 16 and 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* enacts as follows:

- 1. Amend Appendix “A” – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for a portion of the property located on Mount Edward Road (PID #390740);**
- 2. Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for a portion of the property located on Mount Edward Road (PID #390740);**
- 3. Amend Appendix “A” – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for the property located on Mount Edward Road (PID #492405);**
- 4. Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for the property located on Mount Edward Road (PID #492405);**
- 5. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405), subject to the receipt of final pinned survey plans; and**
- 6. Amend Appendix “G” – Comprehensive Development Area Lands and Uses of the Zoning & Development By-law from allowing a residential building on the street with the back portion vacant to 143 residential dwelling units on 5.05 acres of the property located on Mount Edward Road (PID #390740), subject to the approval of the Development Concept Plan, Design Review approval, the submission of a traffic study and the signing of a Development Agreement.**



**CITY OF CHARLOTTETOWN
BYLAW**

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-11-02 as it pertains to 80 Grafton Street (PID #340265))”, as attached, be read a first time.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: November 13, 2018

BE IT RESOLVED THAT the said Bylaw (2018-11-02) be approved and that it be read a second time at the next Regular Meeting of Council.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: November 13, 2018

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-11-02 as it pertains to 80 Grafton Street (PID #340265))”, as attached, was read and approved a first time on November 13, 2018;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: _____, 2018

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date _____, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT # 2018-11-02**

Authority

The Council of the City of Charlottetown under authority vested in it by Section 16 and 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* enacts as follows:

Obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide fifteen of the required parking spaces off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10 years with the rest of the required parking spaces to be paid through cash-in-lieu (\$6,000 per parking space required), subject to:

- 1. Design Review approval; and**
- 2. The signing of a Development Agreement including bonusing agreement and parking requirements.**

The site specific exemption also includes the following three (3) variances:

- 1. Reducing the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft;**
- 2. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and**
- 3. Reducing the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft.**



Effective Date

The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.



**CITY OF CHARLOTTETOWN
BYLAW**

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-11-03 as it pertains to Belgrave Drive (PID #1073634))”, as attached, be read a first time.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: November 13, 2018

BE IT RESOLVED THAT the said Bylaw (2018-11-03) be approved and that it be read a second time at the next Regular Meeting of Council.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: November 13, 2018

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-11-03 as it pertains to Belgrave Drive (PID #1073634))”, as attached, was read and approved a first time on November 13, 2018;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date: _____, 2018

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod
Date _____, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT # 2018-11-03**

Authority

The Council of the City of Charlottetown under authority vested in it by Section 16 and 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* enacts as follows:

Zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan.



Effective Date

The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR October 2017
 DOLLAR VALUES

	October	Totals
Residential New	\$ 785,000.00	26,889,000.00
Residential Renovations and Additions	206,460.00	2,344,060.00
Industrial-Commercial New	750,000.00	10,141,000.00
Industrial-Commercial Renovations	1,541,500.00	13,211,377.00
Institutional New	4,300,000.00	4,354,000.00
Institutional Renovations	5,130,000.00	17,733,243.00
Signage	2,500.00	295,403.00
Other	0.00	609,595.00
Agriculture	0.00	0.00
TOTALS	12,715,460.00	75,577,678.00

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR OCTOBER 2018
 DOLLAR VALUES

	OCT	Totals
Residential New	\$3,740,000.00	\$26,146,850.00
Residential Renovations and Additions	\$332,500.00	\$1,907,100.00
Industrial-Commercial New	\$100,000.00	\$31,566,810.00
Industrial-Commercial Renovations	\$1,055,000.00	\$12,366,400.00
Institutional New	\$4,400,000.00	\$6,400,000.00
Institutional Renovations	\$28,000.00	\$2,195,500.00
Signage	\$14,000.00	\$240,005.00
Other	\$105,557.00	\$1,193,705.42
Agriculture	\$0.00	\$0.00
TOTALS	9,775,057.00	82,016,370.42

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR 2017
 BREAKDOWN OF PERMITS ISSUED *(Not projects)*

	October	Totals
Single Family Dwellings - New	4	54
Two-Family Dwellings - New	0	11
Multi-Family Dwellings - New	0	5
Residential Renovations and Additions	14	71
Industrial-Commercial New	1	12
Industrial-Commercial Renovations	11	71
Institutional New	1	2
Institutional Renovations	2	15
Signage	3	49
Other	3	95
Agriculture Renovations	0	0
TOTALS	39	385

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR OCTOBER 2018
 BREAKDOWN OF PERMITS ISSUED *(Not projects)*

	OCT	Totals
Single Family Dwellings - New	1	41
Two-Family Dwellings - New	3	13
Multi-Family Dwellings - New	2	10
Residential Renovations and Additions	8	67
Industrial-Commercial New	2	21
Industrial-Commercial Renovations	4	61
Institutional New	1	3
Institutional Renovations	1	5
Signage	5	57
Other	10	85
Agriculture Renovations	0	0
TOTALS	37	363

FILE #	PID #	PERMIT #	APPLICATION DATE	APPROVAL DATE	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-007B	371146	427-BLD-18	17-Sep-18	4-Oct-18	158 Nassau Street	10 X 60 Greenhouse	Yuichi Hojo	25-Oct-18
18-083	356683	457-BLD-18	1-Oct-18	2-Oct-18	3 Douglas Street	Renovate from 1 Unit into a Duplex dwelling	Mathieu Arsenault	23-Oct-18
18-117B	373126	190-BLD-18	4-Oct-18	4-Oct-18	550 University Avenue	Occupancy Permit-Second floor renovation to Memorial Hall	Greg Clayton (UPEI)	25-Oct-18
18-358	1020825	299-VAR-18	27-Jun-18	2-Oct-18	8 Camburhill Court (Lot #12)	Minor - Variance application Approved	100887 Inc	23-Oct-18
18-358	1020825	412-BLD-18	7-Sep-18	2-Oct-18	8 Camburhill Court (Lot #12)	Phase 1 - Foundation Only (Retail/Office space)	DTS Inc	23-Oct-18
18-374C	388272	464-BLD-18	3-Oct-18	4-Oct-18	21 John Yeo Drive (Unit 3)	Interior fitup for office space (Unit 3)	APM Commercial	25-Oct-18
18-393	1099126	328-BLD-18	18-Jul-18	4-Oct-18	2 Richmond Street	New two-storey SFD	Open Practice Inc	25-Oct-18
18-463	985 & Others	385-BLD-18	21-Aug-18	4-Oct-18	12 Young Street	New 11 unit apartment building	Scott Gosson	25-Oct-18
18-485	345934	410-BLD-18	4-Sep-18	2-Oct-18	85 Fitzroy Street	Facia Signage	Coles Associates Ltd	23-Oct-18
18-508	343236	434-BLD-18	18-Sep-18	2-Oct-18	157 Weymouth Street	12' X 22' Pool, Surrounding deck and fencing	Justin MacLeod	23-Oct-18
18-524	134114	447-BLD-18	27-Sep-18	4-Oct-18	250 Brackley Point Road	Phase 1 - New second story addition	DP Murphy Inc	25-Oct-18
18-537	339929	461-BLD-18	3-Oct-18	5-Oct-18	59 Richmond Street	Demolition of building	Bradley Harper	26-Oct-18
18-539	756189	466-BLD-18	4-Oct-18	4-Oct-18	14 Stockman Drive	8x10 Storage shed	Curtis Walsh	25-Oct-18

FILE #	PID #	PERMIT #	APPLICATION DATE	APPROVAL DATE	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-027G	387761	468-BLD-18	4-Oct-18	11-Oct-18	670 University Avenue	Interior Renovation-Rogers Communications	Ryan Mathews (Priority Permits)	1-Nov-18
18-228	192401	182-REZ-18	4-May-18	9-Oct-18	MacRae Drive (& Norwood Road Corner)	Application Withdrawn - Rezone property from R1L to CDA	Joyce MacRae	30-Oct-18
18-359			4-Jun-18	1-Oct-18	Zoning & Development ByLaw Amendments	Amend Zoning & Devt Bylaw		22-Oct-18
18-360			4-Jun-18	1-Oct-18	Separation of Heritage Bylaw	New Heritage Bylaw		22-Oct-18
18-374D	388272	472-BLD-18	9-Oct-18	11-Oct-18	21 John Yeo Drive	Signage application for Dental Office	Sign Craft	1-Nov-18
18-411	791913	347-BLD-18	30-Jul-18	9-Oct-18	29 Forest Drive	Rejected by Council: Home Occupancy - Accupuncture treatment.	Jianbin Li	30-Oct-18
18-504	ROW	436-BLD-18	19-Sep-18	10-Oct-18	Grafton St (between Great George & Church St	Temporary tent for PEI Marathon event	PEI Marathon (Amanda Morton)	31-Oct-18
18-529	612531	455-BLD-18	28-Sep-18	12-Oct-18	58 Callbeck Crescent	16' X 24' detached garage	Paul Hardy	2-Nov-18
18-536	134114	460-BLD-18	3-Oct-18	9-Oct-18	2 Aviation Ave	Facia Signage	Sign Craft	30-Oct-18

FILE	APPLICATION DATE	APPROVAL DATE	MAILED OUT	PROPERTY	PID#	DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2018-021	7-Aug-18	11-Oct	12-Oct	Capital Drive	APID 1046259	Subdivision of parcel RA-08	Government of PEI (T.I.E.)	1-Nov-18

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-426	1073634	431-REZ-18	18-Sep-18	9-Oct-18	137 Belgrave Drive	Approved for Public Consultation to rezone from	Bill Watters	30-Oct-18
18-444	452748	374-REZ-18	14-Aug-18	9-Oct-18	101 Oak Drive	Approved for Public Consultation to rezone from	Noel Doucette	30-Oct-18
18-411	791913	347-BLD-18	30-Jul-18	9-Oct-18	29 Forest Drive	Rejected by Council: Home Occupancy - Accupuncture treatment Etc.	Jianbin Li	30-Oct-18
18-228	192401	182-REZ-18	4-May-18	9-Oct-18	MacRae Drive (& Norwood Road Corner)	Application Withdrawn - Rezone property from R1L to CDA	Joyce MacRae	30-Oct-18
18-523	0740;492405	446-REZ-18	26-Sep-18	9-Oct-18	Mount Edward Road (PID 390740;492405)	Approved for Public Consultation to rezone from R-2S to CDA	Board of Governors of Saint Dunstans University	30-Oct-18

18-525	340265	449-REZ-18	27-Sep-18	9-Oct-18	80 Grafton Street	Approved for Public Consultation for a site specific amendment to allow off-lot parking which includes three (3) variances	William Chandler	30-Oct-18
FILE #	PID #	PERMIT #	APPLICATION DATE	APPROVAL DATE	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-265	455279	215-BLD-18	17-May-18	19-Oct-18	2 Sherwood Road	8' X 42' addition to front of existing home	John Kamphuis	9-Nov-18
18-302C	342311	476-BLD-18	12-Oct-18	15-Oct-18	123 Grafton Street	Interior renovations for ovvice fitup (Iwave Offices)	William Chandler	5-Nov-18
18-316	335778	485-BLD-18	16-Oct-18	18-Oct-18	93 Water Street	Fascia Sign	Yi Qu	8-Nov-18
18-320	663823	430-BLD-18	17-Sep-18	16-Oct-18	69 MacWilliams Road	Group A2 - Educational; new building (Phase 2)	Tyler Gallant	6-Nov-18
18-425	1091289	358-BLD-18	6-Aug-18	16-Oct-18	36-38 Bambrick Drive (Lot 17-35)	Duplex dwelling	Jason Ellis	6-Nov-18
18-481	353037	406-BLD-18	31-Aug-18	16-Oct-18	25 Ambrose Street	Home occupation - use room for office space	Tara Maloney	6-Nov-18
18-505	759944	429-BLD-18	17-Sep-18	12-Oct-18	206 Sherwood Road	Renovation of existing building and two small addition	Brighton Construction	2-Nov-18
18-511	46164 parent	438-BLD-18	20-Sep-18	16-Oct-18	24-26 Holmes Lane (Lot# 80)	New duplex dwelling	Jaycor Inc	6-Nov-18
18-535	394928	459-BLD-18	2-Oct-18	16-Oct-18	111 Queen Elizabeth Drive	Fence and pool	Mehrnoosh Aghdassi	6-Nov-18
18-538	91289 Parent	465-BLD-18	3-Oct-18	16-Oct-18	44-46 Bambrick Drive (Lot# 37)	New Semi Detached Dwelling	Maple Isle Homes	6-Nov-18
18-542	491720	470-BLD-18	5-Oct-18	16-Oct-18	5 Chelsey Circle	Renovations to basement	Blair MacEwen	6-Nov-18
18-554	353177	487-BLD-18	18-Oct-18	18-Oct-18	57-59 Churchill Ave	Footing permit application	Bill Zhang	8-Nov-18
FILE	APPLICATION DATE	APPROVAL DATE	MAILED OUT	PROPERTY	PID#	DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2018-029	9-Oct-18	17-Oct-18	17-Oct-18	47-49 Parkman	1083187	Subdivision of property into two lots	Wadell & Bruce Kelloway	7-Nov-18
2018-030	15-Oct-18	15-Oct-18	16-Oct-18	MacWilliams R	portion of 192161	Subdivision of property into two lots	Montgomery Heights Inc.	6-Nov-18
FILE #	PID #	PERMIT #	APPLICATION DATE	APPROVAL DATE	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-122	335851	321-BLD-18	12-Jul-18	23-Oct-18	94 King Street	New 11 unit apartment building	Weymouth Properties	13-Nov-18
18-124	335836	088-DEM-18	19-Mar-18	23-Oct-18	100 King Street	Demolish the rear extension of the building	Weymouth Properties	13-Nov-18
18-162	857441	474-BLD-18	9-Oct-18	24-Oct-18	57 River Ridge Drive	10x12 enclosed deck (sunroom)	Kimberley Monteith	14-Nov-18
18-409	1082122	345-BLD-18	26-Jul-18	19-Sep-18	1 Brighton Road	New three storey building (separate dwelling on main floor)	Mark Rostad	10-Oct-18
18-545	384171	475-BLD-18	11-Oct-18	24-Oct-18	22 Maple Ave	Sunroom addition	Ralph Smith	14-Nov-18
18-547	384040	480-BLD-18	15-Oct-18	23-Oct-18	57 Ash Drive	24'x31'3" detached garage	David Waddell	13-Nov-18
18-564	731323	495-BLD-18	23-Oct-18	23-Oct-18	45 Westcomb Crescent	10x10 shed	David Bruce	13-Nov-18
17-139	524017	491-bld-17	17-Oct-17	22-Oct-18	3 Walker Drive	Signage	Mattatall Signs	12-Nov-18
FILE	APPLICATION DATE	APPROVAL DATE	MAILED OUT	PROPERTY	PID#	DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2018-031	23-Oct-18	23-Oct-18	26-Oct-18	Bevan Cresce	portion of 390781	Subdivision of property into 5 lots	Markan Holdings Inc	13-Nov-18



**INTERGOVERNMENTAL AFFAIRS & EVENT ATTRACTION
REPORT TO COUNCIL
NOVEMBER 13th, 2018**

The Intergovernmental Affairs & Event Attraction Committee met on Thursday, November 1, 2018.

There are no resolutions for your consideration.

There are five (5) bylaws being forwarded for first reading.

Respectfully submitted,

Councillor Melissa Hilton, Chair

**Intergovernmental Affairs & Event Attraction
Committee Meeting
Thursday, November 1, 2018
12:00 PM - Parkdale Room**

Present: Mayor Clifford Lee, Chair
Peter Kelly (CAO)
Jill Stewart (AAM&C)

Councillor Kevin Ramsay
Wayne Long (EDO)

Regrets: Councillor Bob Doiron

Karen Lavers (ESM&C)

1. Call to Order

Chair Mayor Lee called the meeting to order at 12:00pm

2. Declarations of conflict of interest

There were no conflicts of interest declared.

3. Approval of Agenda

The agenda was approved as circulated.

4. Adoption of Minutes

The minutes from the October 2, 2018 meeting were included in the meeting package. It was moved by Councillor Kevin Ramsay and seconded by Mayor Clifford Lee that the minutes be approved. Carried.

5. Business arising from Minutes

There was no business arising from the minutes.

6. Introduction of New Business

There was no new business.

7. Updates

a. Wintertide Holiday Festival Update

Wayne Long (EDO) provided a verbal overview of the Wintertide Holiday Festival.

The City of Charlottetown's annual Wintertide Holiday Festival will commence on November 23rd and run through January 6th, 2019.

In addition to the City's signature Holiday events, the Festival is a collection of many seasonal celebrations, activities, and events taking

place during the holiday season. Wintertide also adds spirit and sparkle to Charlottetown's night-time sky through the City's Christmas decor program.

The Committee was in support of the EDO continuing to carry out plans to execute this year's celebrations.

b. Congres Mondial Acadien 2019

Wayne Long (EDO) provided a verbal update on Congres Mondial Acadien 2019.

The 6th edition will be held from August 10th-24th, 2019 in Prince Edward Island and Southeastern New Brunswick. This edition, which also marks the 25th anniversary of the CMA, will be modern, inclusive and open to the world and just as traditional as it will be contemporary, characterizing today's Acadie.

The Charlottetown event will be held on August 12th, 2019 in conjunction with Old Home Week. The City will be required to invest into the event and in return, will receive an elevated grant from the CMA that will serve to offset associated expenses.

The Committee was in support of the EDO continuing to carry out plans to execute the CMA event and acknowledged the City will need to budget the municipality's contribution as part of the 2019-20 Budget Process.

c. Event Strategy

In 2017, City Council endorsed sport tourism Guidelines for Growth as Stage 1 of the City's Event Strategy. Work is now being undertaken on Stage 2 which will focus on festivals, events, and conventions that the city hosts. It's important that this strategy be completed in the near future as it will provide strategic vision and guidance, in addition to serving as a platform for seeking federal and provincial funding for various projects and events.

GM Events Inc. led Stage 1 of the strategy and given their in-depth knowledge of the events industry, as well as for continuity purposes, has once again been engaged to lead Stage 2 of the strategy.

The project will be cost shared between the City of Charlottetown and the Charlottetown Special Events Reserve Fund.

The Committee was in support of GM Events Inc. moving forward with the project and directed the EDO to advance the file.

d. Review Bylaws

Peter Kelly (CAO) provided an overview of the bylaws.

After some discussion, the Committee agreed to defer the bylaws until November's Council meeting.

8. Adjournment of Public Session



**CITY OF CHARLOTTETOWN
COUNCIL CODE OF CONDUCT BYLAW
#2018 - 15**

TO ESTABLISH A CITY OF CHARLOTTETOWN BYLAW WITH RESPECT TO GOVERNING THE CONDUCT OF THE MEMBERS OF COUNCIL PURSUANT TO THE PROVISIONS OF SECTION 107 OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

RESOLVED: THAT the bylaw to establish the **“CITY OF CHARLOTTETOWN COUNCIL CODE OF CONDUCT BYLAW”** be read a first time.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

RESOLVED: THAT the bylaw be now be approved as a City Bylaw and that it be entitled the **“CITY OF CHARLOTTETOWN COUNCIL CODE OF CONDUCT BYLAW”** and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

THEREFORE; BE IT RESOLVED: THAT the **“CITY OF CHARLOTTETOWN COUNCIL CODE OF CONDUCT BYLAW”** be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____

Seconded by Councillor _____

Date:

This Council Code of Conduct Bylaw, #2018-15, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2018.

Peter Kelly, CAO

Clifford Lee, Mayor

COUNCIL CODE OF CONDUCT BYLAW

BYLAW #2018 - 15

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Code of Conduct Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to set minimum expectations for the behaviour of Members of Council in carrying out their functions and making decisions that benefit the City of Charlottetown.

3. Authority

3.1. Section 107 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must establish a Code of Conduct bylaw to govern the conduct of Members of Council.

4. Application

4.1. This bylaw applies to the Mayor and all Members of Council. It operates together with, and as a supplement to, the applicable common law and the following statutes, any regulations or other delegated legislation made pursuant to them:

- (a) the *Municipal Government Act*
- (b) the *Criminal Code of Canada*

4.2. This Code of Conduct is to operate in addition to other bylaws, policies and administrative directives as may be determined by Council.

5. Definitions

5.1. In this bylaw, any word and term that is defined in the *Municipal Government Act* has the same meaning as in that Act.

5.2. In this bylaw,

- (a) “Act” means the *Municipal Government Act*.
- (b) “Chief Administrative Officer” (CAO) means the administrative head of a municipality as appointed by Council under clause 86(2)(c) of the *Municipal Government Act*.
- (c) “City” means the City of Charlottetown.

- (d) "Confidential Information" means information that could reasonably harm the interests of individuals or organizations, including the City if disclosed to persons who are not authorized to access the information. This type of information includes, but is not limited to, privileged information, personal information, third party information, technical, financial or scientific information and any other information collected, obtained or derived for or from municipal records that must or may be kept confidential.
- (e) "Council" means the Mayor and other members of the Council of the City.
- (f) "Councillor" means a Member of Council other than the Mayor.
- (g) "Family Member" means in relation to a person, a spouse, parent, child, brother, sister, aunt, uncle, grandchild, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law of the person;
- (h) "Person Closely Connected", in relation to a member, means a family member, an agent, a business partner or an employer of the person;
- (i) "Staff" includes the Chief Administrative Officer (CAO) and all staff of the City, whether full-time, part-time, contract, seasonal or volunteers.

6. Interpretation

- 6.1. This bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation and the definitions set out in it.

7. Periodic Review

- 7.1. The Code of Conduct will be brought forward for review at the end of each term of Council or when relevant legislation is amended, and at other times when appropriate to ensure that it remains current and continues to be a useful guide to Members of Council.

PART II – PRINCIPLES

8. Guiding Principles

- 8.1. Members of Council are keepers of the public trust and must uphold the highest standards of ethical behaviour.
- 8.2. Members of Council are expected to act lawfully. They are expected to be free from undue influence and not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends or business interests as a result of the member holding municipal office.
- 8.3. Members of Council have a duty to make decisions based on the best interests of the City as a whole.

- 8.4. Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes must be transparent and subject to public scrutiny.
- 8.5. Members of Council must act responsibly within the law and within the authority of the Act. All Members of Council must observe the Code of Conduct. This means disclosing actual or potential conflict of interest relating to their public duties and taking steps to resolve the conflict for the protection of the public interest.
- 8.6. Members of Council must demonstrate and promote the principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in municipal government.
- 8.7. Members of Council must conduct public business efficiently and with decorum. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in municipal government decision making.
- 8.8. Members of Council have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered, encouraging appropriate public participation, communicating clearly and providing appropriate means for recourse and feedback.

PART III – CONDUCT OF COUNCIL

9. General Conduct

- 9.1. Members of Council must adhere to the following principles and provisions:
 - (a) Members of Council must serve, and be seen to serve, their constituents in a conscientious and diligent manner;
 - (b) Members of Council must be committed to performing their functions with integrity and to avoiding conflicts of interest and the improper use of the influence of their office;
 - (c) Members of Council must not extend, in the discharge of their official duties, preferential treatment to persons closely connected to the member or organizations and groups in which the member or persons closely connected to the member have a direct or indirect pecuniary interest;
 - (d) Members of Council are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;
 - (e) Members of Council must seek to serve the public interest by upholding both the letter of the law and the spirit of applicable federal, provincial and municipal laws;

- (f) Members of Council are obliged to question any request to act or make a decision that they think may be unethical or unlawful;
- (g) Members of Council must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council officials, staff and advisory body members must avoid conduct that is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; and
- (h) Members of Council will respect the role of staff in the administration of the business affairs of the City.

10. Confidential Information

- 10.1. Members of Council must respect rules regarding confidentiality, disclosure and access to all personal information in the control of the City of Charlottetown. No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
- 10.2. No Member of Council will use confidential information for personal or private gain or for the gain any other person or entity.
- 10.3. Members of Council should not access or attempt to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and is not prohibited by legislation, regulations and Council policy.
- 10.4. Council shall keep confidential information that falls into the following or similar categories:
 - (a) commercial information which, if disclosed, would likely be prejudicial to the City or parties involved;
 - (b) information received in confidence which, if disclosed, would likely be prejudicial to the City or parties involved;
 - (c) personal information, other than a person's address, that is protected under the *Municipal Government Act*; and
 - (d) human resource matters.

11. Public Disclosure Statements

- 11.1. Each Member of Council is required to file a Council Member Disclosure Statement (Schedule 'A') with the CAO within thirty (30) days of being elected.
- 11.2. The Disclosure Statement will identify:
 - (a) the name and nature of employment;
 - (b) financial interests;
 - (c) other involvement that may be seen to affect fairness in making a municipal decision.

- 11.3. Public Disclosure Statement will not include specific details about a Member of Council's personal financial matters such as salary, the value of holdings or other specific personal financial information.
- 11.4. Each Council member is required to declare any subsequent changes to employment, financial interests or other involvements. The CAO shall make amendments to the Council member's Disclosure Statement, including a notation stating the date on which the statement is amended.

12. Gifts and Benefits

- 12.1. No Member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
 - (a) compensation authorized under the Council Remuneration Bylaw;
 - (b) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (c) a suitable memento of a function honouring the Member of Council;
 - (d) food, lodging, transportation and entertainment provided by another government or by a conference, seminar or event organizer where the Member of Council is either speaking or attending in an official capacity at an official event;
 - (e) food and beverages consumed at banquets, receptions or similar events;
 - (f) communication to the offices of a Member of Council, including subscriptions to newspapers, and periodicals; and
 - (g) sponsorships and donations for community events organized or run by a Member of Council or by a third party on behalf of a Member of Council.
- 12.2. No Member of Council shall accept the use of property or facilities, such as a vehicle, office or vacation property, at less than fair market value.
- 12.3. No Member of Council shall sell property, goods and services to the City at higher than fair market value.
- 12.3. A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

13. Use of Municipal Property, Equipment and Services

- 13.1. No Member of Council shall use, or request the use of, any municipal property, including surplus material or equipment for personal convenience or profit, unless the property is:
 - (a) available for such use by the public generally and the Member of Council is receiving no special preference in its use; or,
 - (b) made available to the Member of Council in the course of carrying out Council activities and duties.

- 13.2. No Member of Council shall use, or request the use of, for personal purpose any municipal staff services, property, equipment, services, supplies or other municipally-owned materials, other than for purposes connected with the discharge of municipal duties.
- 13.3. No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of municipally-developed intellectual property.
- 13.4. No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the general public for any purposes other than carrying out their official duties.
- 13.5. No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of personal property to the City, except in compliance with the Act and the Conflict of Interest Bylaw.

14. Reimbursable Expenses

- 14.1. Members of Council may claim reimbursement by the City for the following expenses in accordance with the Council Remuneration Bylaw.
 - (a) expenses incurred by Members of Council for an official duty or function that are modest and represent the prudent use of public funds and do not involve the purchase of alcoholic beverages; and
 - (b) hospitality expenses incurred by Members of Council for meetings that include:
 - i. engaging representatives of other levels of government, international delegations or visitors, the broader public sector, business contacts and other third parties in discussions on official matters;
 - ii. providing persons from national, international and charitable organizations with an understanding and appreciation of the City or the workings of its municipal government;
 - iii. honouring persons from the City in recognition of exceptional public service and staff appreciation events;
 - iv. recognition events for various agencies, boards and commissions of the City; or
 - v. other community groups or associations.

15. Support for Charities

- 15.1. Members of Council may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups; however, all amounts raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group.
- 15.2. No Member of Council shall directly or indirectly manage or control any monies received relating to fundraising for registered charitable, not-for-profit and other community-based groups.

16. Election Campaigns

- 16.1. No Member of Council shall use supplies, services, staff, municipal logo or other resources of the City for any election campaign or campaign-related activities.
- 16.2. A Member of Council may only utilize a municipal facility or access equipment in the same manner as any other candidate for an election campaign purpose.
- 16.3. All Members of Council shall be respectful of the role of the CAO and Municipal Electoral Officer (MEO) in managing the municipal election process and shall not interfere with how the CAO and MEO carries out their duties.
- 16.4. No Member of Council shall use the services of persons for campaign-related activities during hours in which those persons receive any compensation from the City.

17. Planning or Procurement Proposals before Council

- 17.1. No Members of Council shall solicit or accept support in any form from an individual, group or corporation, with any planning or procurement proposal before Council.

18. Improper Use of Influence

- 18.1. No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.
- 18.2. When a matter pertaining to the City is before any tribunal, Members of Council shall not contact any tribunal members.
- 18.3. In matters relating to municipal administration, direction shall be given to the CAO by Council as a whole rather than by individual Members of Council.

19. Business Relations

- 19.1. No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the City.
- 19.2. No Member of Council shall borrow money from any person who regularly does business with the City, unless such person is an institution or company whose shares are publically traded and who is regularly in the business of lending money.
- 19.3. No Member of Council shall act as a paid agent before Council or a committee of Council or any agency, board or committee of the City.
- 19.4. No Member of Council shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

20. Conduct at Council Meetings

- 20.1. Members of Council shall conduct themselves with decorum at Council meetings in accordance with the provisions of the Procedural Bylaw.

21. Respectful Workplace

- 21.1. Members of Council shall encourage public respect for the City and its bylaws. All Members of Council have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment.

22. Interactions of Council with Staff and Service Providers

- 22.1. Council has the responsibility to govern in accordance with the Act and regulations.
- 22.2. Council officials must act in accordance with Council's Procedural Bylaw and the conduct guidelines outlined in this Code of Conduct Bylaw.
- 22.3. Members of Council shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- 22.4. Members of Council must not direct or influence, or attempt to direct or influence any municipal staff in the exercise of their duties or functions.
- 22.5. Pursuant to subsection 93.(6) of the MGA, Members of Council are to direct any inquires to the CAO rather than access staff directly. No Council member or member of a Council committee shall publicly or privately instruct or direct an employee of the City except through the CAO. Members of Council are not to contact or issue instructions to any of the contractors, tenderers, consultants or other service providers to the City.
- 22.6. Members of Council must not make public statements attacking or reflecting negatively on the City of Charlottetown staff or invoke staff matters for political purposes.

23. Employment of Persons Closely Connected to Members of Council

- 23.1. No Member of Council shall attempt to influence any municipal employee to hire or promote a person closely connected to the member.
- 23.2. No Member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any person closely connected to the member.
- 23.3. No Member of Council shall attempt to use a family relationship for their personal benefit or gain.

PART IV – COMPLAINTS

24. Breaches, Complaint Handling and Internal Resolution

- 24.1. Members of Council are to abide by the requirements of this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith.

- 24.2. Before commencing the formal internal resolution procedure specified below, the Member or Members of Council who are a party or parties to an alleged contravention of this Code of Conduct will endeavour to resolve the matter informally in a courteous and respectful manner, recognizing that they have been elected to represent the best interests of the City.
- 24.3. Alleged breaches of this Code of Conduct by a Member of Council shall be submitted in a written complaint addressed to the Mayor and/or the CAO within three (3) months of the last alleged breach.
- 24.4. In the event that the Mayor is the subject of, or is implicated in a complaint, the complaint shall be addressed to the Deputy Mayor.
- 24.5. If the alleged contravention cannot be informally resolved, the Mayor will facilitate discussion between the parties.
- 24.6. If the matter is not satisfactorily resolved after mayoral facilitation, the Mayor, with the assistance of the CAO will commence the formal internal resolution process by appointing an independent third party investigator who has the necessary professional skills, knowledge and experience to carry out the role and investigate the complaint in a fair and objective manner.
- 24.7. If the Mayor is involved in the alleged contravention of the Code of Conduct, the Deputy Mayor shall assume the role of the Mayor in the facilitation process and the appointment of any third party investigator. All deliberations regarding alleged contraventions of the Code should be conducted in confidence.
- 24.8. If a third party investigator is appointed, the parties:
 - (a) shall provide reasonable assistance to the investigator if requested; and
 - (b) must participate in good faith in the investigation.
- 24.9. The role of the investigator is to:
 - (a) consider the alleged contravention of the Code of Conduct;
 - (b) ensure that the parties involved are given an opportunity to be heard by the arbiter;
 - (c) explore if the alleged contravention can be resolved between the parties without making any findings; and
 - (d) failing resolution between the parties, the third party investigator will provide an investigation update within ninety (90) days of their appointment to the Mayor or Deputy Mayor, as applicable, and to the complainant and the respondent.
- 24.10. The third party investigator will provide a written, confidential report of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Mayor or Deputy Mayor, as applicable, and to the complainant and the respondent. The CAO will receive and retain all reports prepared in relation to breaches of the Code of Conduct.

- 24.11. Based on the findings in the report of the third party investigator, the Council, Mayor or Deputy Mayor will determine the most appropriate action to resolve the matter.
- 24.12. Council may, in accordance with section 107(3) of the Act:
- (a) dismiss the complaint;
 - (b) require the Member of Council to remove themselves from the meeting if conduct is deemed to be inappropriate;
 - (c) reprimand the Member of Council for a breach of this Code of Conduct Bylaw;
 - (d) suspend the remuneration paid to the member in respect of their services as a Member of Council for a period of up to 90 days;
 - (e) request for an apology to Council, the complainant, or both;
 - (f) impose a fine of not more than \$500; or
 - (g) impose any other sanction that is deemed appropriate in the professional judgment of the third party investigator, where so enabled in the Act.
- 24.13. The principles of natural justice must be observed during the arbitration of an alleged contravention of this Code of Conduct. There is a right to a fair hearing before an independent investigator. The Member of Council who is the subject of an alleged contravention must be given all relevant information in regard to the allegation and an opportunity to respond and be supported if the member so desires. Any Member of Council who alleges a contravention of the Code of Conduct must not be disadvantaged because of such action.
- 24.14. The Code of Conduct does not override, prevail over, or amend legislation applicable to the roles, responsibilities, and duties of Members of Council.
- 24.15. Members of Council are individually responsible for seeking relevant advice from the CAO as to the application of the Code of Conduct.

25. Effective Date

25.1. This Code of Conduct Bylaw, #2018-15, shall be effective on the date of approval and adoption noted below:

First Reading:
This Council Code of Conduct Bylaw, #2018-15, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Second Reading:
This Council Code of Conduct Bylaw, #2018-15, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Approval and Adoption by Council:
This Council Code of Conduct Bylaw, #2018-15, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Witness the corporate seal of the City.

Mayor

Chief Administrative Officer

This Council Code of Conduct Bylaw, #2018-15 adopted by the Council of the City of Charlottetown on the _____ day of _____ is certified to be a true copy.

Chief Administrative Officer

Date

SCHEDULE 'A'

**FORM MGA-MG-2
COUNCIL MEMBER DISCLOSURE STATEMENT**

A Disclosure Statement form is provided by the Minister of Municipal Affairs and is available on the Province of Prince Edward Island's website.



**CITY OF CHARLOTTETOWN
CONFLICT OF INTEREST BYLAW
#2018 - 14**

TO ESTABLISH A CITY OF CHARLOTTETOWN BYLAW WITH RESPECT TO OUTLINING PROCEDURES TO BE FOLLOWED BY A MEMBER OF COUNCIL PURSUANT TO THE PROVISIONS OF SECTION 97 OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

RESOLVED: THAT the bylaw to establish the **"CITY OF CHARLOTTETOWN CONFLICT OF INTEREST BYLAW"** be read a first time.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

RESOLVED: THAT the bylaw be now be approved as a City Bylaw and that it be entitled the **"CITY OF CHARLOTTETOWN CONFLICT OF INTEREST BYLAW"** and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

THEREFORE; BE IT RESOLVED: THAT the **"CITY OF CHARLOTTETOWN CONFLICT OF INTEREST BYLAW"** be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____

Seconded by Councillor _____

Date:

This Conflict of Interest Bylaw, #2018-14, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2018.

Peter Kelly, CAO

Clifford Lee, Mayor

CONFLICT OF INTEREST BYLAW

BYLAW # 2018-14

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Conflict of Interest Bylaw.”

2. Authority

2.1. Section 97 of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., requires a Council to establish a bylaw outlining a procedure to be followed by a member of Council if the member believes or suspects that they may have a conflict of interest or if a complaint is received by council that a member has a conflict of interest.

3. Application

3.1. This bylaw applies to all members of Council.

4. Definitions

4.1. “Act” means the *Municipal Government Act*.

4.2. “Bias” means a preconceived opinion, predisposition, or prejudice that prevents a person from impartially evaluating information on an issue that has been presented for determination.

4.3. “Chief Administrative Officer” (CAO) means the administrative head of a municipality as appointed by Council under clause 86(2)(c) of the *Municipal Government Act*.

4.4. “City” means the City of Charlottetown.

4.5. “Councillor” means a Member of Council other than the Mayor.

4.6. “Conflict of Interest” means a situation in which a Member of Council is in a conflict of interest if, in relation to a matter under consideration by the Council, the member or a person closely connected to the member:

(a) has any pecuniary interest;

(b) is a shareholder, officer, agent or director of a corporation or any other organization that has dealings or contracts with the City; or

(c) is a party to dealings or a contract with the City, or is a member of a partnership that has dealings or a contract with the City;

- (d) a Council member is in a conflict of interest if the member makes a decision or participates in making a decision in the execution of their office while at the same time the member knows or ought reasonably to know that the member's private interests or the private interests of a person closely connected to the member affected the member's impartiality in the making of the decision.
- 4.7. "Council" means the Mayor and other Members of the Council of a municipality.
- 4.8. "Family member" means, in relation to a person, a spouse, parent, child, brother, sister, aunt, uncle, grandchild, grandparent, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law or daughter-in-law of the person.
- 4.9. "Improper Conduct" means behaviour that a reasonable and sensible person would not do. It is behaviour that is unfitting and not suited to the character, time, and place.
- 4.10. "Pecuniary" means money or monetary matters or that which can be valued in money.
- 4.11. "Person Closely Connected", in relation to a member, means a family member, an agent, a business partner or an employer of the person.
- 4.12. "Private Interest" means a relationship, obligation, duty, responsibility or benefit unique to the Member of Council or a person closely connected to the Member of Council.
- 4.13. "Undue Influence" means one person taking advantage of a position of power over another person. This inequity in power between the parties can impair one party's consent as that person is unable to freely exercise independent will.

5. General

- 5.1. Pursuant to subsections 97.(1) and 97.(2) of the Act, the purpose of this bylaw is to:
 - (a) set out the procedure to be followed by a Member of Council if the member believes or suspects that they may have a conflict of interest; and
 - (b) set out the procedure to be followed by the Council if a complaint is received by Council that a Member of Council has a conflict of interest.

*Note: The full range of conflict provisions are governed by Part 4, Division 4, of the Act.

- 5.2. Pursuant to Part 5, Division 2 of the *Municipal Government Act*, where there is an inconsistency between this bylaw and the *Municipal Government Act* or another enactment, this bylaw is of no force or effect to the extent of the inconsistency.

6. Procedure for Reporting Conflicts of Interest

- 6.1. Every Member of Council is individually responsible for preventing potential and actual conflicts of interest as defined in the Act.
- 6.2. A Member of Council must ensure that the conflict of interest is brought to the attention of Council as soon as it arises and declare their interest before any discussion of the matter during any type of meeting of Council including:
 - (a) Council meetings;

- (b) Council committee meetings, including Planning Board meetings;
 - (c) meetings with the public for the purpose of information sharing or gathering such as town hall meetings;
 - (d) public hearings required under legislation;
 - (e) controlled corporation meetings; and
 - (f) meetings where the member serves as the representative of the Council on another body.
- 6.3. There is no conflict in the decision made by Council if an interest is properly declared and the declaration:
- (a) occurs before any consideration or discussion;
 - (b) discloses the general nature of the conflict;
 - (c) includes any material details that may reasonably be seen to affect the member's impartiality; and
 - (d) involves the person making the declaration leaving the room at any time while the topic is being discussed and decisions relating to the topic are being made.
- 6.4. If a Member of Council or a person closely connected to the member develops a private interest in a matter *after* it has been addressed by Council, the Member of Council must disclose the conflict of interest as soon as possible thereafter.
- 6.5. A Member of Council shall disclose an interest each and every time the matter in which an interest is held is brought before Council.
- 6.6. Pursuant to subsection 96.(3) *Municipal Government Act*, when a Member of Council declares a conflict of interest, the Council member:
- (a) shall refrain from discussion and voting;
 - (b) must leave the room where the meeting is being held until discussion and voting has occurred;
 - (c) shall not influence discussion, voting, recommendations or other actions to be taken involving the matter, including using their office or position to influence others or the decisions of others, before, during, and after the meeting; and
 - (d) must submit a written amendment to the disclosure statement if they have declared a conflict of interest that is not present, but is required to be included, on their most recently filed public disclosure statement.
- 6.7. A declaration of a conflict of interest must be recorded in the meeting minutes. If a conflict of interest is declared by a Member of Council, the CAO shall ensure that the following is recorded in the meeting minutes:
- (a) the declaration of a conflict of interest;
 - (b) the general nature of the conflict declared;
 - (c) the material details; and
 - (d) the abstention and withdrawal of the member.

- 6.8. The person presiding over any meeting of Council, a Council committee, a controlled corporation or other bodies of Council shall ensure that the provisions in this section are followed when a conflict of interest is declared. Discussion on the matter must be suspended until the Council, Council committee, controlled corporation, or other bodies of Council, as the case may be, can determine whether or not a conflict is present.
- 6.9. If a Council member is in doubt as to whether they are in a conflict of interest or may be in a conflict, it is the responsibility of that Council member to ensure a conflict is not present.
- 6.10. Where a Member of Council has a conflict of interest, the member, as a taxpayer or voter, has a right to be heard at a meeting of Council pursuant to subsection 96(8) of the Act and as such, the member:
 - (a) shall leave their place at the Council table, but is not required to leave the room;
 - (b) may exercise the right to be heard at the meeting in the same manner as a person who is not a Member of Council; and
 - (c) shall leave the meeting room after having been heard until the matter has been dealt with by the Council, or the meeting has progressed to the next item on the agenda.
- 6.11. During any public consultation, hearing, or other format used by the City for seeking feedback from the public or receiving information from an applicant, a Member of Council may exercise the right to be heard as a taxpayer or voter. However, the member must declare the conflict of interest to those present before speaking.
- 6.12. Considerations of potential conflict shall take into account the information included in the disclosure statement required under the Code of Conduct bylaw, as well as all other facts relating to the matter.

7. Procedure for Handling Conflict of Interest Complaints Against a Member of Council

- 7.1. A complaint that a Member of Council is in a conflict of interest may be made to Council pursuant to section 97 of the Act:
 - (a) by a Member of Council; or
 - (b) in writing, by an elector.
- 7.2. After a complaint has been made against a member of Council, the Mayor shall ensure that the complaint comes before Council to be addressed as follows:
 - (a) Where a Member of Council has made a complaint against another Member of Council, the complainant will address Council with respect to the nature of the complaint.
 - (b) Where an elector has made a complaint against a Member of Council, the complaint will be tabled in writing and the elector will be given the opportunity to speak.

- 7.3. At the conclusion of either event (a) or (b) in section 7.2, the Council member against whom the complaint is made must be given an opportunity to respond to the complaint.
- 7.4. The complaint must be recorded in the minutes of the meeting.
- 7.5. In the event that the Mayor is the subject of the complaint, the Deputy Mayor will bring the matter before Council.
- 7.6. After the Member of Council against whom the complaint has been made has addressed Council, the Member of Council must excuse themselves from the room for the duration of the discussion regarding the complaint.
- 7.7. Council may seek an opinion from legal counsel for the City when determining whether or not a conflict exists.
- 7.8. The Member of Council may seek an opinion from independent legal counsel.
- 7.9. The Member of Council against whom a complaint has been made must be absent from any discussion in advance of a vote and shall not vote in any way or attempt to influence the discussion of or voting on the matter at issue until the complaint has been resolved and it has been determined by Council that the member is not in a conflict.
- 7.10. Council will consider all relevant information and will determine, by vote, if a conflict of interest exists. The Council must declare that:
 - (a) the member is in a conflict of interest; or
 - (b) the member is not in a conflict of interest.
- 7.11. The disclosure and decision as to whether a conflict of interest exists must be recorded in the minutes of the Council meeting.
- 7.12. If Council determines a conflict of interest exists, Council will require the member of council to:
 - (a) remove himself or herself from the Council meeting and any other meeting when the matter is discussed;
 - (b) abstain from the discussion and voting on the matter; and
 - (c) not attempt in any way, before, during or after a meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the member has a conflict of interest.

8. Disqualification for Failing to Disclose a Conflict of Interest

- 8.1. Pursuant to subsection 96(4) of the *Municipal Government Act*, a Member of Council is disqualified from serving on Council if they:
 - (a) fail to declare their interest in the matter before the Council;
 - (b) fail to remove themselves from the Council meeting and any other meeting when the matter is discussed;
 - (c) fail to abstain from the discussion and voting on the matter; and

Conflict of Interest Bylaw

(d) attempt in any way, before, during or after a meeting, to influence the discussion or voting on any question, decision, recommendation or other action to be taken involving a matter in which the member has a conflict of interest.

8.2. Pursuant to subsection 96(6) of the Act, a Member of Council who fails to comply or contravenes section 8(1) of this bylaw may be pardoned by a resolution of Council, if Council is satisfied that the member's action was inadvertent or due to a genuine error in judgment.

8.3. Council shall not pardon a Member of Council who fails to comply or contravenes section 8.1 where that member should reasonably have known that they were acting in a conflict.

8.4. Where a member is disqualified, Division 5 of Part 4 of the Act applies.

9. Effective Date

9.1 This Conflict of Interest Bylaw #2018-14, shall be effective on the date of approval and adoption noted below.

First Reading:

This Conflict of Interest Bylaw, #2018-14, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Second Reading:

This Conflict of Interest Bylaw, #2018-14, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Approval and Adoption by Council:

This Conflict of Interest Bylaw, #2018-14, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Witness the corporate seal of the City.

Mayor

Chief Administrative Officer

This Conflicts of Interest Bylaw #2018-14 adopted by the Council of the City of Charlottetown on _____ day of _____, 2018 is certified to be a true copy.

Chief Administrative Officer

Date



**CITY OF CHARLOTTETOWN
FEES BYLAW
#2018 - 18**

TO ESTABLISH A CITY OF CHARLOTTETOWN BYLAW WITH RESPECT TO THE ESTABLISHMENT AND PROCESS FOR THE COLLECTION OF FEES PURSUANT TO THE PROVISIONS OF SECTION 162(1(a)(i) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

RESOLVED: THAT the bylaw to establish the “**CITY OF CHARLOTTETOWN FEES BYLAW**” be read a first time.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

RESOLVED: THAT the bylaw be now be approved as a City Bylaw and that it be entitled the “**CITY OF CHARLOTTETOWN FEES BYLAW**” and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

THEREFORE; BE IT RESOLVED: THAT the “**CITY OF CHARLOTTETOWN FEES BYLAW**” be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____

Seconded by Councillor _____

Date:

This Fess Bylaw, #2018-18, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2018.

Peter Kelly, CAO

Clifford Lee, Mayor

CITY OF CHARLOTTETOWN

FEES BYLAW

BYLAW # 2018-18

BE IT ENACTED by the Council of the City of Charlottetown as follows:

1. Title

1.1. This bylaw shall be known and cited as the "Fees Bylaw".

2. Purpose

2.1 To enable the Council of the City of Charlottetown to, by bylaw, establish and require the payment of fees for business licenses, inspections, parking, recreation, and other matters for the purpose of raising revenues.

3. Authority

3.1. Subclause 162(1)(a)(i) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables municipalities to, by bylaw, impose requirements, establish fees, and establish a process for the collection of fees.

4. Application

4.1. This bylaw enables the authority for Council to establish fees and charges for the provision of goods and services and applies to any person on which a fee or charge is imposed under this bylaw

4.2. These fees are set out in the Schedules attached to this bylaw and form part of the bylaw.

5. Definitions

5.1. "Act" means the *Municipal Government Act*.

5.2. "Chief Administrative Officer" (CAO) means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.

5.3. "City" means the City of Charlottetown.

5.4. "Council" means the Mayor and other Members of the Council of the City.

5.5. "Councillor" means a Member of Council other than the Mayor.

5.6. "Lien" means an encumbrance or charge on a property to secure the debt owed by the property owner to the City of Charlottetown.

5.7. "License" means a permit from the City of Charlottetown to own or use something or to do a particular thing.

- 5.8. "Local improvement charge" means a fixed annual charge levied against real property for a specific period by the City of Charlottetown which contributes to capital costs of local improvements such as sewer and water upgrades, for example.

6. Establishment of Fees

- 6.1. The City of Charlottetown hereby establishes fees to be charged for inspections, parking, recreation, and other matters, in accordance with the Act.
- 6.2. The City of Charlottetown may charge fees that are higher for persons or businesses that do not reside or maintain a place of business in the City (clause 182(c)(ii) of the Act), where so outlined in the Schedules attached to this bylaw.
- 6.3. Council may revise fees at any time by resolution, in accordance with section 135 of the Act, and shall ensure that the relevant Schedules of this bylaw are updated.
- 6.4. The fees set out in the Schedules of this bylaw are subject to the Harmonized Sales Tax (HST) where applicable.
- 6.5. In addition to the fees established in this bylaw, the City of Charlottetown may also establish fees in other bylaws where those fees are specifically related to the matter addressed in that bylaw.

7. Collection of Fees

- 7.1. The City of Charlottetown may take into revenue deposits and investments, any charges for the operation of a service or municipal utility under the control of Council and any other funds the City may acquire pursuant to this bylaw or any other bylaw establishing fees, in accordance with section 162 of the Act.
- 7.2. The fees and charges set out in the Schedules of this bylaw shall come into force and effect on the date of passage, unless otherwise specified.
- 7.3. All fees charged in accordance with this bylaw are owing at the time of the service, or as otherwise outlined in the Schedules of this bylaw.
- 7.4. The fees listed in the Schedules of this bylaw are in addition to any costs incurred by the City of Charlottetown, which costs may be payable in addition to the fees set out in this bylaw.
- 7.5. Pursuant to subsection 142(2), the City of Charlottetown may by resolution cancel or write off any arrears of fees, penalties, or interest charges that are prescribed by bylaw or specified in a resolution that, in the opinion of Council, are no longer collectable from the person, institution, association, group, or body that is liable to pay them.

8. Penalties

8.1. The City of Charlottetown, may, in accordance with subsection 162(3) of the Act, refuse to issue or renew any license or authorization under this bylaw, or under the Act or another Act, to issue or renew to a person who has failed to pay charges, fees, fines, or penalties established in the Schedules of this bylaw, including any accrued interest.

9. Effective Date

9.1. This Fees Bylaw #2018-18, shall be effective on the date of approval and adoption noted below.

First Reading:
This Fees Bylaw, #2018-18, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Second Reading:
This Fees Bylaw, #2018-18, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Approval and Adoption by Council:
This Fees Bylaw, #2018-18, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Witness the corporate seal of the City.

Mayor

Chief Administrative Officer

This Fees Bylaw #2018-18 adopted by the Council of the City of Charlottetown on _____ day of _____, 2018 is certified to be a true copy.

Chief Administrative Officer

Date

Schedule A

This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act.

Type of Fees	Fee Structure	Fees Due
1. Mobile Vendor Fees	As set in the Street Vendors Bylaw	As set in the Street Vendors Bylaw
2. Dog Licensing Fees	Spayed/Neutered \$15 Un-spayed/Un-neutered \$25	At time of license purchase
3. Administration Fees <u>Photocopying</u> <u>Black and White</u> 8.5 x 11 / 8.5 x 14 paper 8.5 x 11 / 8.5 x 14 paper 11" x 17" paper 11" x 17" paper Color 8.5 x 11 / 8.5 x 14 paper 8.5 x 11 / 8.5 x 14 paper 11" x 17" paper 11" x 17" paper	\$0.25 per page – single sided \$0.50 per page – double sided \$0.50 per page – single sided \$1.00 per page – double sided \$1.00 per page – single sided \$1.50 per page – double sided \$2.00 per page – single sided \$2.50 per page – double sided	At time of service
4. Planning Fees	As set in the Zoning and Development Bylaw	As set in the Zoning and Development Bylaw
5. Parking Meter Rental	\$10 per day	Prior to required date
6. Utility Fees	Application for/Inspection of Water and/or Sanitary Sewer Services - \$50 Application for/Inspection of Sprinkler Service - \$50 Turn on/Activation of Water and/or Sanitary Sewer Service - \$50	At time of application At time of application Upon completion of service

Schedule B – Public Works

This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act.

Type of Fees	Fee Structure	Fees Due
1. Rentals for Contractors/For Profit Groups	Barricades - \$5.00 per barricade/day Traffic Cones - \$2.00 per traffic cone/day Deposit for Barricades/Traffic Cones – 50% of total rental cost Deposit for Event Fencing: \$10 per day/section	Prior to date required
2. Deposits for City Residence/Non Profit Groups	Barricades - \$5.00 /Barricade Traffic Cones - \$2/Traffic Cone Event Fencing - \$10/section	Prior to date required

SAMPLE

Schedule C – Parks & Recreation

This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act.

All fees are HST applicable

Baseball & Softball Fields

	<u>ADULT</u>	<u>MINOR</u>	
Class A+ Field	\$37	\$27	per use based on 2 ½ hour time slot
Class A Fields	\$252	\$100	per field for one use per week for the season
Class B Fields	\$200	\$100	per field for one use per week for the season
Class C Fields	\$179	\$100	per field for one use per week for the season
One time booking	\$32	\$21	per field based on 2 hour time slot
Light Usage fee	\$16	N/C	per hour at all sites

Tournament Fees:

<u>ADULT</u>	<u>MINOR</u>	
\$90	\$37	for one day booking (one diamond)
\$126	\$58	for a two day booking (one diamond)
\$221	\$90	for a two day booking (2 diamonds)
\$326	\$116	for a two day booking (3 to 4 diamonds)

Multi-purpose Fields: (Soccer, Football, Rugby)

	<u>ADULT</u>	<u>MINOR</u>	
Class A Fields	\$252	\$100	per field for one use per week for the season
Class B Fields	\$252	\$100	per field for one use per week for the season
Class C Fields	\$210	\$100	per field for one use per week for the season
One time booking	\$32	\$21	per field based on 2 hour use

Tournament Fees:

<u>ADULT</u>	<u>MINOR</u>	
\$90	\$37	for one field / day
\$126	\$58	for two fields / day
\$189	\$79	for three fields / day

Tennis Court Rental:

\$1.25 per court/hr

Swimming Pools:

Simmons Outdoor Pool \$2.00/day/person

Schedule C – Parks & Recreation - continued

Arenas – Cody Banks & Simmons:

Adult Prime	\$160.87/hr
Adult Non-Prime	\$137.39/hr
Minor Sport Prime	\$137.39/hr
Minor Sport Non-Prime	\$106.96/hr
Schools	\$57.39/hr

Community Centres*:

Gym Rental	\$40.00/hr
Room Rental	\$25.00/hr
	\$75.00/half day
	\$150.00/full day

*A refundable cash damage deposit may be applicable

City Park Rental:

Minimal Permit Fee: \$25.00 (Fee required upon confirmation of event)

Rental Fee Structure for "Private for Profit" Groups:

Number of Participants at Event	Rental Fee (per day/per event)
Under 250	\$100.00
251 – 500	\$150.00
501 – 1000	\$250.00
1001 and over	\$500.00

Victoria Park Clubhouse:

\$50.00/day

Victoria Park Cultural Pavilion:

\$50.00/day

Direct Delivery Programs:

Pre-school, Youth/Teen, Adult/Seniors Program fees are available in the current Parks & Recreation Program Brochure available at City Hall and online at www.charlottetown.ca. All fees are approved by Council.



**CITY OF CHARLOTTETOWN
GRANTS BYLAW
#2018 - 17**

TO ESTABLISH A CITY OF CHARLOTTETOWN BYLAW WITH RESPECT TO THE ISSUING OF GRANTS PURSUANT TO THE PROVISIONS OF SECTION 158(1) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

RESOLVED: THAT the bylaw to establish the “CITY OF CHARLOTTETOWN GRANTS BYLAW” be read a first time.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

RESOLVED: THAT the bylaw be now be approved as a City Bylaw and that it be entitled the “CITY OF CHARLOTTETOWN GRANTS BYLAW” and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

THEREFORE; BE IT RESOLVED: THAT the “CITY OF CHARLOTTETOWN GRANTS BYLAW” be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____

Seconded by Councillor _____

Date:

This Grants Bylaw, #2018-17, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2018.

Peter Kelly, CAO

Clifford Lee, Mayor

GRANTS BYLAW

BYLAW # 2018-17

A bylaw relating to the conduct of municipal grants.

BE IT ENACTED by the Council of the City of Charlottetown as follows:

1. Title

1.1. This bylaw shall be known and cited as the "Grants Bylaw."

2. Authority

2.1. Subsection 158(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables Council to provide, by bylaw, for the issuing of grants, including grants for service charges and fees, for any purpose that the Council considers to be in the interests of the municipality.

3. Application

3.1. This bylaw applies to Council, City of Charlottetown staff and any person, group or body for which municipal grants may be established, application may be made, reviewed and awarded.

4. Definitions

4.1. "Act" means the *Municipal Government Act*.

4.2. "Chief Administrative Officer" (CAO) means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.

4.3. "City" means the City of Charlottetown.

4.4. "Council" means the Mayor and other members of the Council of the municipality.

4.5. "Councillor" means a member of Council other than the Mayor.

4.6. "Application" means an application for grant funding as found in Schedule A of this bylaw.

4.7. "Grant" means a sum of money and/or "in kind" assistance provided by the City of Charlottetown for a specified purpose.

4.8. "Fees" means payments made to the City of Charlottetown in exchange for services received.

4.9. "Committee of Council" refers to the Council of the City of Charlottetown as a single Committee.

GRANTS BYLAW

- 4.10. "In Kind" means a grant paid by the City of Charlottetown in goods, use of City assets, commodities, or services instead of money.

5. General

- 5.1. The City of Charlottetown establishes under this bylaw a grant program for organizations, groups, and individuals who offer programs, activities, and services in the interest of the City or for any purpose that the Council considers to be in the interests of the City.
- 5.2. Each grant program will be established by way of a written policy adopted by Council. Each policy established by Council must include, at a minimum, the following information:
- (a) name of grant;
 - (b) date grant is established;
 - (c) purpose of grant;
 - (d) application deadline;
 - (e) eligibility criteria; and
 - (f) maximum amount available for grant.
- 5.3. Grant programs provided by Council must be identified and described in Schedule "A" of this bylaw. Schedule "A" is considered to be part of this Bylaw and may only be altered by amendment of this Grants Bylaw.

6. Principles

- 6.1. The principles governing grant programs include:
- (a) Council recognizes that, through the provision of grants, Council is committed to providing financial and "in-kind" assistance to organizations, groups, and individuals offering services, activities and programs in the interests of the municipality;
 - (b) Council is committed to treating requests for grants in a consistent, fair, and equitable manner, subject to established priorities and budget;
 - (c) Council promotes public awareness of the principles and guidelines by which Council is:
 - (i) providing an accessible, open, and transparent application and decision-making process for considering and responding to requests for grants; and
 - (ii) establishing a timeline for the submission and processing of such requests, so that Council can conduct a meaningful comparison and achieve an equitable distribution of support.
 - (d) Council advertises the Grants Policy and the application process through its website;

- (e) Council recognizes that there may be worthy requests which may not fit within this statement of general principles and guidelines. Nothing in the policy prevents Council from making grants at times and for purposes outside the scope of the policy; and
- (f) Council may, at the discretion of Council, provide grants in the form of in-kind services, or in exceptional circumstances a waiver of standard fees, where by doing so could benefit the quality of life for citizens in the City.

7. Criteria and Conditions

- 7.1. Funding will be awarded to organizations, groups, or individuals offering services, products, or activities in the best interests of the City.
- 7.2. Those eligible for funding are not required to live within the boundaries of the City; however, grants provided must benefit the City.
- 7.3. All grants will be approved and awarded in accordance with City Policy and sections 142, 143, and 158 of the Act.

8. Reporting

- 8.1. Council must ensure that adequate and accurate records of all grants awarded under this bylaw are kept on file and submitted each year during budget deliberations.
- 8.2. Council must publish the amounts awarded and the recipients of each grant on its website.

9. Restrictions

- 9.1. Actual amounts allocated for municipal grants will be based upon budget funds available in that particular year.
- 9.2. When grants "in kind" include the use of facilities or City assets, proof of insurance, normal security deposits and regular terms and conditions of the facility or City asset being used will apply.
- 9.3. Unless otherwise approved by Council, no grant monies will be paid until the annual budget has been approved.

10. Annual Support Limits

- 10.1. Council will set an annual financial ceiling or cap for all community support contributions during its annual budget deliberations. Council may establish a ceiling using any one of the following:
 - (a) a percentage of the General Fund Budget;
 - (b) an average of prior year's totals;
 - (c) use a per capita calculation; or
 - (d) set an absolute dollar amount.

11. Effective Date

11.1. This Grants Bylaw #2018-17 shall be effective on the date of approval and adoption noted below.

First Reading:
This Grants Bylaw, #2018-17, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Second Reading:
This Grants Bylaw, #2018-17, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Approval and Adoption by Council:
This Grants Bylaw, #2018-17, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Witness the corporate seal of the City.

Mayor

Chief Administrative Officer

This Grants Bylaw #2018-17 adopted by the Council of the City of Charlottetown on _____ day of _____, 2018 is certified to be a true copy.

Chief Administrative Officer

Date

Note: This Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 of the Act.

Schedule A:

City of Charlottetown Grant Programs

Name	Date Established	Purpose
Financial Grant Program	2018	To provide discretionary financial support to organizations, groups, or individuals.
"In-Kind" Grant Program	2018	To provide resources and support to organizations, groups, or individuals.
Grants for Taxes	2018	To provide a rebate on property taxes.
Grants to Organizations, Groups, or Individuals	2018	To facilitate programs and services that benefit the City.
Grants to Educational Programs	2018	To facilitate learning programs that benefit the City.
Youth Program Grant	2018	To support youth sport and recreation events and activities.



**CITY OF CHARLOTTETOWN
RESERVE FUNDS BYLAW
#2018 - 16**

TO ESTABLISH A CITY OF CHARLOTTETOWN BYLAW WITH RESPECT TO THE ESTABLISHMENT OF ONE OR MORE RESERVE FUNDS PURSUANT TO THE PROVISIONS OF SECTION 155(1) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

RESOLVED: THAT the bylaw to establish the “CITY OF CHARLOTTETOWN RESERVE FUNDS BYLAW” be read a first time.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

RESOLVED: THAT the bylaw be now be approved as a City Bylaw and that it be entitled the “CITY OF CHARLOTTETOWN RESERVE FUNDS BYLAW “and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 1, 2018

THEREFORE; BE IT RESOLVED: THAT the “CITY OF CHARLOTTETOWN RESERVE FUNDS BYLAW ”be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____

Seconded by Councillor _____

Date:

This Reserve Funds Bylaw, #2018-16, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2018.

Peter Kelly, CAO

Clifford Lee, Mayor

CITY OF CHARLOTTETOWN

RESERVE FUNDS BYLAW

BYLAW # 2018-16

BE IT ENACTED by the Council of the City of Charlottetown as follows:

1. Title

1.1. This bylaw shall be known and cited as the "Reserve Funds Bylaw."

2. Authority

2.1. Section 155.(1) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., enables Council to establish, by bylaw, one or more reserve funds in the name of the City for any municipal purpose and may make contributions, withdrawals, and/or transfers from the reserve fund in accordance with the City's Reserve Funds Bylaw and/or financial plan.

3. Application

3.1. This bylaw applies to Council who may establish one or more reserve funds to facilitate efficient financial planning and ensure greater transparency and accountability to the public.

3.2. This bylaw provides for the consolidation of the authority for all reserve funds into one bylaw and all previous reserve funds being renamed and/or amalgamated into the reserve funds outlined in Schedule A; effective the date of this bylaw.

4. Definitions

In this bylaw:

4.1. "Act" means the *Municipal Government Act*.

4.2. "Chief Administrative Officer" (CAO) means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.

4.3. "City" means the City of Charlottetown.

4.4. "Council" means the Mayor and other members of the Council of the City.

4.5. "Councillor" means a Member of Council other than the Mayor.

4.6. "Reserve fund" means money set aside for a specific purpose by approval of Council.

5. Principles

- 5.1. The principles regarding reserve funds are as follows:
- (a) Reserve funds are important long-term financial planning tools;
 - (b) Reserve funds must be used to promote sound fiscal stewardship and management;
 - (c) Reserve funds provide resources for balancing the use of long-term debt to provide for reoccurring or anticipated expenditures;
 - (d) Reserve funds are intended to maintain a prudent level of financial resources to protect against the need to reduce service levels or raise taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures;
 - (e) Money set aside in reserve funds must only be approved by Council for the purposes identified in this bylaw and as authorized by the Reserve Fund Policy that governs each reserve fund adopted by Council; and
 - (f) The Chief Administrative Officer (CAO) will administer and monitor all transactions involving reserve funds.

6. Criteria and Conditions for Reserve Fund Contributions, Transfers, and/or Withdrawals

- 6.1. The reserve funds listed in Column I of Schedule A of this bylaw are hereby established and money shall be deposited into them as allocated by the Council for the purpose(s) described in each "Reserve Fund Policy" established by Council.
- 6.2. Any interest derived from a reserve fund is reported as revenue fund earnings and shall be considered part of the fund.
- 6.3. All contributions and/or withdrawals from each reserve fund must be approved by Council either generally as part of the annual budget approval process or specifically by resolution at a duly constituted meeting of the Council. Council is required to approve all transactions related to reserve funds in accordance with the reserve fund policies established by Council.

7. Closure of Reserve Funds

- 7.1. A reserve fund may not be closed, and any remaining money may not be withdrawn, until such time as Council determines the following:
- (a) That the purpose for which the reserve fund was established has been achieved;
 - (b) That the reserve fund is no longer required to achieve the long-term financial planning goals of Council; or
 - (c) That the money set aside in a reserve fund would be better used for an alternate purpose.

7.2. If Council determines that a reserve fund is to be closed, Council must, by resolution, close the reserve fund and must amend Schedule "A" of this Reserve Funds Bylaw to reflect the closure date of the reserve fund. Any closure of a reserve fund must be documented in Schedule "A". Schedule "A" is considered to be part of this Bylaw and may only be altered by amendment of this Reserve Funds Bylaw.

8. Reporting

Reserve fund projected contributions and planned expenditures or withdrawals must be presented in the annual financial plan. Reserve fund balances, actual contributions, expenditures, and/or withdrawals must be presented in the year-end financial statements.

9. Effective Date

9.1. This Reserve Funds Bylaw #2018-16, shall be effective on the date of approval and adoption noted below.

First Reading:

This Reserve Funds Bylaw, #2018-16, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Second Reading:

This Reserve Funds Bylaw, #2018-16, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Approval and Adoption by Council:

This Reserve Funds Bylaw, #2018-16, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Witness the corporate seal of the City.

Mayor

Chief Administrative Officer

This Reserve Funds Bylaw #2018-16 adopted by the Council of the City of Charlottetown on _____ day of _____, 2018 is certified to be a true copy.

Chief Administrative Officer

Date

Schedule A – Reserve Funds

Note: this Schedule forms part of the bylaw and may only be amended in accordance with Part 5 Division 2 Bylaws and Resolutions of the *Municipal Government Act*.

Name	Year Established	Purpose	Date of Fund Closure
Tangible Capital Assets Reserve	2018	To provide funding for the acquisition, betterment, and/or disposal of tangible capital assets as defined by the City's Tangible Capital Asset Policy. Principle 5.1(a and b)	
Greenspace Acquisition and Development Reserve	2018	To provide funding for the purchase, betterment, and/or development of parkland/facilities. Includes the cash-in-lieu provisions of the subdivision bylaw as prescribed in the Zoning and Development Bylaw. Principle 5.1(a and b)	
Sick Leave Reserve	2018	To provide funding for payment of employee accumulated sick leave benefits to eligible employees upon retirement, termination, or death. Principle 5.1(a and b)	
Retiring Allowance Reserve	2018	To provide funding for payment of employee retiring allowances payable to eligible employees upon retirement, termination, or death. Principle 5.1(a and b)	
Municipal Elections Reserve	2018	To provide funding of costs associated with municipal elections. Principle 5.1(c)	
Snow Removal Reserve	2018	To provide funding for the cost of snow removal in excess of planned expenditures. Principle 5.1(d)	
Event Attraction and Promotion Reserve	2018	To provide funding for unforeseen future event opportunities brought to the City. Principle 5.1(d)	

Reserve Funds Bylaw

<p>Parking Reserve</p>	<p>2018</p>	<p>To provide funding for parking (including new structures, maintenance, replacement, and/or expansion of existing parking facilities and resources). Includes funding made available by developers who wish to utilize the cash-in-lieu provisions of the Zoning and Development Bylaw instead of providing on-site parking for site specific developments. Principle 5.1(b)</p>	
<p>General Reserve</p>	<p>2018</p>	<p>To provide funding for unplanned expenditures and/or opportunities. Principle 5.1 (b and d)</p>	





**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
REPORT TO COUNCIL
November 13, 2018**

The Parks, Recreation and Leisure Activities Committee did not meet in November, thus there are no minutes or reports in your package.

There is one resolution from our department.

The Volunteer of the Month for November is the Organizing Committee for the George Trainor Holiday Classic Hockey Tournament. 2018 marks the 14th year for this tournament, which will be taking place from December 27 – 29.

Respectfully submitted,

Councillor Mitchell Tweel, Chair



CITY OF CHARLOTTETOWN

RESOLUTION

Parks & Recreation #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Mitchell Tweel

Seconded by Councillor _____ Melissa Hilton

RESOLVED:

That, as per the recent Request for Quotations for “Snow Clearing of Municipal Properties”, the City of Charlottetown accepts the low bid from Lea MacDonald Construction Ltd for Simmons Sports Centre at \$3,851.35 (HST included) and the low bid from Birt & MacKay Backhoe Services Ltd for Cody Banks Arena at \$5,700.00 (HST included), subject to receipt of required insurance certificates.

And further, that the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.



CHARLOTTETOWN

TENDER

DEPARTMENT: Parks & Recreation

ITEM: Snow Clearing of Cody Banks & Simmons Sports Arena

DATE: Thursday, October 25, 2018

TIME: 2:00:00 PM Local Time

ATTENDEES: Todd McCabe (Earthform), Gerard Martin (Birt & MacKay), Lea MacDonald, David Beer, Connie McGaugh (FIN) and Vada Fernandez (FIN)

BIDDER	Cody Banks Arena	Simmons Sports Centre
1. David Beer	\$22,965.00	\$22,965.00
2. Earthform Inc.	\$8,050.00	\$9,200.00
3. Label Construction	\$12,329.96	\$12,329.96
4. Birt & MacKay	\$5,700.00	
5. Landmark	\$5,980.0	\$5,980.00
6. Steve's Snow Removal		
7. Twin's Snow	\$6,670.00	
8. Dickiesons Snow		
9. WM&M	\$6,325.00	\$6,842.50
10. A&M Snow Removal	\$7,820.00	
11. Lea MacDonald	\$7,245.00	\$3,851.35



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
REPORT TO COUNCIL
November 13, 2018**

The Protective & Emergency Services Committee met on October 22, 2018. The minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Jason Coady, Chair

PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
October 22, 2018
12 NOON

Present: Councillor Jason Coady Peter Kelly, CAO
 Councillor Greg Rivard Paul Smith, PC
 Randy MacDonald, FC Sean Coombs, DPC
 Tim Mamy, DFC Helen McGuigan, Exec. Asst.

Regrets: Councillor Terry Bernard
 Brad MacConnell, DPC

Chair Jason Coady welcomed everyone to the meeting with a special welcome to Deputy Chief Sean Coombs.

FIRE

OPERATIONAL REPORT – Deputy Fire Chief Tim Mamy provided the following information from the Fire Department for the period from September 19 to October 11, 2018:

1. **FIRE INSPECTIONS** - Thirty-seven fire inspections were conducted
2. **HAZARD COMPLIANCE ORDERS** – Fourteen Hazard Compliance Orders were issued.
3. **SITE VISITS** – There were six site visits.
4. **PLAN REVIEWS, PERMITS, SAFETY PLANS** – There were five Plan Reviews, Permits and Safety Plans.
5. **FIRE INVESTIGATIONS** – There were three fire investigations.
6. **FIRE INSPECTOR CONSULTATIONS** – There were eight Fire Inspector consultations. Those included meetings, code inquiries, site visits, etc.
7. **FIRE DRILLS** – There were thirteen fire drills.
8. **PUBLIC EDUCATION SESSIONS/PARTICIPANTS** – There were thirteen sessions with a total of 443 participants.

9. **ENGINE 1 FIRE SAFETY VISITS** – There were thirty-two visits.

10. **EMERGENCY RESPONSES** – Total number of calls was 49. District 1 had 21 emergency responses (Engine 1 – 8 A.M. – 4 P.M. – 11 responses and 12 P.M. – 8 A.M. – 4 responses). District 2 had 12 emergency responses. There was one Fire Inspector callout. Total on scene time was 20 hours and 9 minutes.

11. **TRAINING** - The weekly training schedule included training in the incident command system, communications, live fire training, car fires, RIC practice, JPR completion, automobile extrication practical and a presentation from the Stars for Life Foundation. Members were also on a Rope Rescue recertification course, MFR recertification course and four members attended a Pump Operators course, The Honor Guard continues to practice in advance of the FF Banquet and Remembrance Day events.

12. **DEPARTMENT ACTIVITIES** – The Department held its annual Open House and had hundreds tour Station 1. The Fire Department hosted two VFF recruitment information sessions for interested applicants and the campaign will close on October 25th. The kick off to Fire Prevention Week held at Home Depot on October 6th was a great success. One of the City's Newcomers Sessions toured the Department and a second tour will be held on October 30th. Members also attended McDonald's for the "Have a Coffee with a FF" event.

13. Chief MacDonald provided the following information to Committee:

- Social Media had 1799 tweets, 2322 followers and 2085 Face Book likes.
- New Engine – Draft RFP is currently being reviewed by the Finance Department.
- Recruitment Campaign – Concludes on Friday, October 26th. To date there have been 21 information packages picked up.
- Former Rescue 1 – Has been released to Police.
- Fire Prevention Week – Was a great success with kudos to all who had participated in raising fire safety awareness.
- EMO Table Top Exercise – Scheduled for Friday, November 2nd.

POLICE

14. **TRAFFIC** – Chief Smith discussed with Committee parking availability at St. Peters Cathedral and Central Christian Church. This will be discussed further with Public Works.

There was discussion with Committee pertaining to the pedestrian crosswalk at Enman Crescent. Statistical information will be obtained and there will be further discussion at our next meeting.

15. **SPECIAL EVENTS** - PEI Marathon went over well with no issues from a policing perspective. Police Services appreciated the assistance provided from Public Works with barricades, etc.

Preparations are underway for Halloween. There will be additional patrols during the evening with road checks conducted in various parts of the City.

Planning is underway for the Santa Claus Parade which includes traffic points and traffic changes. Parade is scheduled for November 24th.

Farm Day in the City was well attended and went well from a policing perspective.

16. **PERSONNEL** - Deputy Chief Sean Coombs commenced his duties on October 15th. Cpl. Melissa Craswell and Cpl. Robert Larter were also promoted to Corporal effective October 15th.

Interviews for the Constables position will be held on October 23rd and October 25th. This will fill existing vacancy and create a shortlist that will remain in effect until the end of 2019.

Personnel have been selected for lateral movement in Major Crime and Street Crime.

Seven individuals have applied for the promotional process. Police Services is working with Human Resources to set up a date for testing.

Training is underway for Carbine Training.

Five female members of Police Services will be attending the AWLE (Atlantic Women Law Enforcement) Conference in Moncton, N.B.

17. OPERATIONAL ITEMS - Police Services was prepared for the legislation rollout on October 17th as it pertained to Cannabis. CPKN training is in place for all Police Services personnel. Draft Substance Use policy for the Operational Manual was reviewed.

Copy of RFI (Request For Information) was sent to the Finance Department for review and input pertaining to Towing Services.

Committee was updated on the Ticketing System (E-Ticketing).

Chief Smith updated Committee on a couple of items pertaining to the Police Review.

18. COMMUNITY POLICING - Deputy Chief Coombs updated Committee on a number of activities members of Police Services participated in which included the following:

- Big Brothers/Big Sisters Dream Cottage
- Fire Safety Week
- 12th Annual Indigenous Justice Form
- Cst. Brodie Bowness will be liaison officer with Charlottetown Islanders
- Officers to assist (educate) Summerside Police Services with Healthy Me Program

Meeting was adjourned.



FIRE CALLS FOR OCTOBER 2018

District #1		District #2	
<i>Type</i>	<i>Number</i>	<i>Type</i>	<i>Number</i>
A/Alarm – Alarm Ringing No Fire	17	A/Alarm – Alarm Ringing No Fire	3
A/Alarm – Detector Accidental	1	A/Alarm – Equipment Malfunction	3
A/Alarm – Pulled/Accidental	1	A/Alarm – Working on System	1
A/Alarm – Smoke/Steam	2	A/Alarm – Cooking	4
A/Alarm – Equip Malfunction	5	MV Accident	1
A/Alarm – Working on System	4	Smell of Propane	1
A/Alarm – Cooking	8	Furnace Backfired	
MV Fire	1		
MV Accident	3		
Dumpster Fire	2		
Flu Fire	1		
EMS (Mutual Aid)	2		
Good Intent Call	1		
<i>Fire Calls</i>	48	<i>Fire Calls</i>	

Total Calls for the Years 2017 and 2018

Total Fire Calls for 2017	Dist: #1	+	Dist. #2	Total Fire Calls for 2018	Dist: #1	+	Dist. #2
January	29		16 (45)	January	33		18 (51)
February	39		17 (56) (101)	February	23		14 (37) (88)
March	32		17 (49) (150)	March	32		11 (43) (131)
April	35		17 (52) (202)	April	27		15 (42) (173)
May	39		24 (63) (265)	May	38		26 (64) (237)
June	37		16 (53) (318)	June	21		24 (46) (283)
July	53		19 (72) (390)	July	54		27 (81) (364)
August	38		15 (53) (443)	August	53		25 (78) (442)
September	27		15 (42) (485)	September	45		19 (64) (506)
October	40		15 (55) (540)	October	48		14 (63) 569)
November	31		23 (54) (594)	November			
December	44		13 (57) (651)	December			
	<i>Total Calls 2017 - 651</i>						

2018 (2017) (From January 1st to October 31, 2018)

95	86	Auto Alarms (No Fire/Alarm Ringing) both Station
10	22	Auto Alarms – Detector Activated both Stations
30	30	Auto Alarms – Pulled/Accidental/False both Stations
17	14	Auto Alarms – Smoke/Steam/Dust both Stations
55	65	Auto Alarms – Equip. Malfunction both Stations
7	6	Auto Alarms – Sprinkler/Power Failure both Stations
38	37	Auto Alarms – Working on System/Workers set off
55	69	Auto Alarms – Cooking both Stations
307	329	<i>Total Auto Alarm</i>
53	43	Mutual Aid/Stand By - Both Stations
14	10	Fire Calls to the WR Ind. Park – District #2

	2018 Monthly Reported	2018 Monthly Actual	2018 Actual To Date	2017 Monthly Actual	2017 Actual To Date
Robbery	2	2	7	1	4
Assault	40	28	235	18	211
Break & Enter	10	5	77	15	74
Theft of MV	8	7	15	2	13
Theft Over \$5000	0	0	12	0	5
Theft Under \$5000	83	71	708	75	596
Have Stolen Goods	7	7	21	0	18
Frauds	22	20	177	14	105
Offensive Weapons	0	0	12	0	17
Other Criminal Code	126	86	800	84	750
Drugs	16	16	102	9	93
LCA	22	20	383	40	495
Municipal - Totals	2909	2909	27488	3217	30633
Parking Tickets	2824	2824	26335	3091	29715
Nuisance Bylaw	67	67	809	99	623
Dog Bylaw	18	18	344	27	295
Collisions	102	102	829	76	830
HTA	238	232	3958	402	4094
HTA Violations		389	3600	371	3871
Other Traffic	46	46	691	103	907
CC Traffic	32	23	294	25	235
Complaints		1275	12232	1199	11448

HIGHWAY TRAFFIC ACT – Moving Violations non- speeding

The following is a synopsis of vehicles found in violation of non-speed related moving violations for the month of Sept 2018.

Allen St/Mount Edward	1
Babineau Dr/Spencer	3
Birchwood Rd	1
Brackley Point Rd/Maple Hills	2
Douglas St/Desbrisay	1
Edward St/Kent	1
Euston St/Weymouth	3
Gerald St/Upper Prince	1
Grafton St E	2
Grafton St/Hillsborough	1
Grafton St/Weymouth	1
Great George St/Kent	1
Harley St/Mount Edward	1
Hawthorne Ave	1
Kirkwood Dr/Univeristy	2
Maypoint Rd/Beach Grove	1
Nassau St/Selkirk	1
Northridge Pkwy	1
North River Rd/Beach Grove	2
Oak Dr/Rogers	1
Queen St/Euston	1
Rte 2/Sherwood	1
Rte 2/St Dunstans	1

Spring Park Rd.Kirkwood	1
St Peters Rd/Northridge	1
St Peters Rd/Valdane	1
University Ave/Allen	1
University Ave/Belvedere	2
University Ave/Nassau	1
Victoria Park Dr	1
Walker Dr/Garfield	1
Westview Dr	1

HIGHWAY TRAFFIC ACT – Non-Moving Violations

The following is a synopsis of vehicles found in violation of non-moving violations for the month of Sept 2018.

Arterial Hwy/Oak	1
Arterial Hwy/St Peters	2
Belvedere Ave/Brackley Point	4
Belvedere Ave/Queen	4
Brackley Point Rd/Maple Hills	8
Brackley Point Rd/Oak	1
Brackley Point Rd/Sherwood	2
Brackley Point Rd/Thistle	1
Campbell Rd/Rte 2	1
Confederation St	2
Edward St/Kent	1
Euston St/Orlebar	2
Euston St/Prince	1
Exhibiiton Dr/Kensington	6
Fitzroy St/Cumberland	1
Fox Run Dr	1
Grafton St E	5
Grafton St/Great George	1
Great George St/Euston	1
Kensington Rd/Park	1
Kent St/Great George	1
Kent St/Prince	

Lincoln St	1
Longworth Ave/Weymouth	1
Lower Malpeque Rd/Highfield	1
Maypoint Rd/Forest	1
Northridge Pkwy	1
North River Rd/Thompson	1
Oak Dr/Rogers	1
Orlebar/Gerald	1
Palmers Lane	1
Queen St/Kent	1
Queen St/Nassau	1
Queen St/Water	1
Riverside Dr/Murchison	1
Riverside Dr/Park	1
Royalty Rd	1
Rte 2/Capital	3
Rte 2/Countryview	8
Rte 2/John Yeo	13
Rte 2/Stockman	5
Sherwood Rd	2
Spring Park Rd/Pond	1
St Peters Rd/Gordon	1
St Peters Rd/Robertson	1
University Ave/Allen	1
University Ave/Belvedere	2

University Ave/Enman	8
University Ave/McKinnon	5
University Ave/Nassau	2
Upton Rd	1
Water St Pkwy	2
Weymouth St/Fitzroy	1
Weymouth St/Richmond	1

HIGHWAY TRAFFIC ACT – SPEED MONITORING

Police vehicles are equipped with radar monitoring devices, which provide speed monitoring capabilities in both stationary and moving operational modes from both marked and unmarked police vehicles. These capabilities provide monitoring to be at random and targeted locations.

The following is a synopsis of vehicles found in violation of speeding regulations for the month of Sept. 2018.

Allen St	1
Arterial Hwy/Oak	5
Brackley Point Rd/Maple Hills	3
Brighton Rd/Brighton Compound	1
Fourth St	4
Lower Malpeque Rd/Gates	1
Lower Malpeque Rd/Highfield	3
Maple Ave/Pine	2
Mount Edward Rd/Aterial	1
North River Rd/Inkerman	3
St Peters Rd/MacWilliams	2
St Peters Rd/MacRae	4
University Ave/Belvedere	2
University Ave./Browns	4
University Ave./Enman Cres.	2
University Ave/McKinnon	8
Upton Rd	2

HIGHWAY TRAFFIC ACT – Moving Violations non- speeding

The following is a synopsis of vehicles found in violation of non-speed related moving violations for the month of Oct 2018.

Allen St/Mount Edward	1
Babineau/Spencer	1
Beach Grove/North River Rd	1
Beasley Ave/St Peters	1
Belvedere Ave/Rosemount	1
Capital Dr/North River Rd	2
Euston St/Prince	1
Euston St/Queen	1
Great George St/Grafton St	1
Great George St/Kent	2
Hawthorne Ave	1
Kensington Rd/Belmont	1
Kensington Rd/Walker	1
Lower Malpeque Rd/Melody	1
Lower Malpeque Rd/Sherwood	1
Mount Edward/Belvedere	2
North River Rd/Belvedere	1
Queen St/Belvedere	1
Queen St/Grafton	1
Queen St/Richmond	1
Rte 2/Arterial	1
Spring Park Rd/Euston	1
St. Peters Rd/Arterial	3

University Ave/Belvedere	1
University Ave/Browns	1
University Ave/Enman	3
University Ave/Nassau	2

HIGHWAY TRAFFIC ACT – Non-Moving Violations

The following is a synopsis of vehicles found in violation of non-moving violations for the month of Oct 2018.

Allen St	2
Atlantic Ave/Shell	1
Beasley Ave	1
Belvedere Ave/Farmers Mkt	1
Brackley Point Rd/Maple Hills	2
Brighton Rd/Ambrose	1
Capital Dr/University	1
Exhibiiton Dr/Kensington	2
Falconwood Dr	1
Fourth St	1
Grafton St E	4
Grafton St/Edward	1
Great George St/Euston	2
Great George St/Fitzroy	1
Great George St/Kent	3
Harley St	1
Hawthorne Ave	1
Kent St/Prince	4
Longworth Ave/Lapthorne	1
Lower Malpeque Rd/Melody	1
Maple Ave/Pine	1
Mount Edward Rd/Allen	1
Mount Edward Rd/Belvedere	1

Mount Edward Rd/Fairview	1
Oak Dr/Rogers	2
Palmers Lane	3
Patterson Dr	1
Prince St/Grafton	1
Queen St/Grafton	1
Queen St/Kent	1
Queen St/Nassau	1
Queen St/Pond	3
Raiders Rd	2
Rte 2/Arterial	1
Rte 2/St Dunstons	1
Rte2/ herwood Rd	2
Rte 2/Stockman	4
St Peters Rd/Gordon	1
St Peters Rd/MacRae	1
St Peters Rd/MacWilliams	1
St Peters Rd/Northridge	2
University Ave/Allen	4
University Ave/Belvedere	2
University Ave/Browns	1
University Ave/Buchanan	1
University Ave/Enman	5
University Ave/Nassau	3
University Ave/Pond	1

University Ave/Summer	1
Walthen Dr/Allen	2
Water St/Prince	1
Water St Pkwy	4
Winsloe Rd	1

HIGHWAY TRAFFIC ACT – SPEED MONITORING

Police vehicles are equipped with radar monitoring devices, which provide speed monitoring capabilities in both stationary and moving operational modes from both marked and unmarked police vehicles. These capabilities provide monitoring to be at random and targeted locations.

The following is a synopsis of vehicles found in violation of speeding regulations for the month of Oct. 2018.

Arterial Hwy/Mount Edward	1
Arterial Hwy/Rte 2	2
Brackley Point Rd/Maple Hills	2
Brighton Rd/Brighton Compound	1
Cumberland St/Longworth	1
Ellis Rd	3
Euston St/Weymouth	1
Fourth St	5
Grafton St E	3
Hillsborough St/Kent	3
Lower Malpeque Rd/Highfield	2
Maypoint Rd	2
North River Rd/Inkerman	1
North River Rd/McGill	2
Rte 2/Melody	2
Rte 2/Sherwood	2
University Ave/Belvedere	2
University Ave./Browns	6
University Ave./Enman Cres.	7

University Ave/McKinnon	3
Walthen Dr/Hillcrest	3
Winsloe Rd/Campbell	2

**CHARLOTTETOWN POLICE DEPARTMENT
BY-LAW ENFORCEMENT**

Monthly Report October 2018

Phone Call Breakdown

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	118	611	729
Nuisance	7	96	103
Zoning & Development	17	143	160
Traffic	27	151	178
Snow Related	0	54	54
Street Vendors	17	239	256
Other Bylaws (Crossing Guards, Election Etc)	16	114	130
TOTAL	202	1408	1610

Taxi Bylaw Breakdown

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	2	50	52
Taxi Inspections	1	140	141
Total	3	190	193

Breakdown of Duties

	Week 1 Oct 1 st - 5 th	Week 2 Oct 8 th - 12 th	Week 3 Oct 15 th - 19 th	Week 4 Oct 22 nd - 26 th	Week 5 Oct 29 th - 31 st	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	7	5	8	7	1	28	305	333
Files CONCLUDED	20	18	21	22	8	89	230	319
Site Visits	9	9	9	9	6	42	351	393
SOT's sworn	40	48	39	33	26	186	3263	3449
Towed Vehicles	0	0	0	0	0	0	21	21
Paid Summons	0	0	0	0	0	\$0	\$11,202	\$11,202
Information's Signed (Parking Summons)	0	0	0	217	0	217	1911	2128
Crossing Guard Duties	0	0	0	1	0	1	10	11
Bylaw/Parking Tickets	0	0	0	33	0	33	0	33

Quick Look At This Month:

- This month there was a total of 175 calls received/made through the Bylaw Enforcement Office for October.
- There were 28 occurrences generated as a results of complaints
- There were 42 site visits/follow-ups made in September.
- There was no "Written Warnings" in October.
- There are no "Resolutions To Council" this month.
- The majority of the calls for October were for Unsightly Premises (garbage and uncut grass) and Municipal Election issues.

Cst Todd Sutcliffe _____

Date: November 12, 2018



**WATER AND SEWER UTILITY COMMITTEE
REPORT TO COUNCIL
NOVEMBER 13, 2018**

The Water and Sewer Utility Committee did not meet since the last Council Meeting.

There is one resolution for your consideration.

Respectfully submitted,

Deputy Mayor Mike Duffy, Chair



CITY OF CHARLOTTETOWN

RESOLUTION

Water & Sewer #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Deputy Mayor _____ Mike Duffy

Seconded by Councillor _____ Melissa Hilton

Whereas, the City of Charlottetown wishes to construct a sewer liftstation and sewer forcemain to replace the East Royalty Lagoon,

And the preferred routing for the forcemain is through PEI Housing Corporation lands PID #422642 and PID #192252,

Be it Resolved, that City Council support the establishment of an easement through said properties,

And further that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.



**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
REPORT TO COUNCIL
November 13th, 2018**

The Public Works & Urban Beautification Committee met on Friday, November 9th, with minutes included in the Regular Monthly Council package.

Two resolutions are anticipated to be forwarded.

Respectfully submitted,

Councillor T. Bernard, Chair

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PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE

Friday, November 9th, 2018

12:00 PM– Sherwood Room, City Hall

Present: **Councillor Terry Bernard, Chair**
 Councillor Melissa Hilton
 Councillor Terry MacLeod
 Peter Kelly, CAO
 Scott Adams, MPW
 Wallace Higgins, AA

Absent: **Paul Johnston, MIAM**

CALL TO ORDER

The meeting was called to order at approximately 12:10pm by Chair Terry Bernard.

DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

APPROVAL OF AGENDA

The agenda was approved by Chair Bernard and seconded by Councillor Hilton.

ADOPTION OF MINUTES

It was moved by Chair Bernard and seconded by Councillor Hilton that the minutes from October 2nd, 2018, meeting be approved.

BUSINESS ARISING FROM THE MINUTES

Not applicable.

BARBOUR CIRCLE PROPERTY ACQUISITION

The subdivision was approved in ~2004 (Barbour Phase 1 and overall Storm Water Management Plan) and ~2006 (Phase 3 – Dart Dr). In 2010, there was lot realignment, including developer's decision to create double-deep lots between Dart Dr and Rockcliffe Ave (as the Rockcliffe frontages had steep grade and would be difficult to develop on their own). At that time the developer indicated they were going to put private 3m easements on all side-lot lines (6m total easement widths) so that storm water could flow. But as private easement that may have been to get rainfall/snowmelt from upper area of deep lots out to Dart Dr and not necessarily any historic storm flows from the Rockcliffe right-of-way.

During the October Public Works meeting, the committee agreed with the recommendation that the City should acquire the land to make an offer to purchase it order to maintain the existing storm water management channel and alleviate any future potential issues with neighboring homes. The committee agreed to submit an offer of \$45,000 to purchase the land.

The owner has since responded in writing to the City accepting the offer of \$45,000 plus HST for the property (PID # 392936).

The Public Works and UB Committee recommended to accept the offer of \$45,000 plus HST to purchase the land for storm water management and bring forward a resolution at the next council meeting for final approval to purchase the land.

2018 DITCH INFILL PROGRAM – EXTRA WORK

2018 Storm Sewer Package A – Tender was awarded in July to Earth Form to complete the project. As work proceeded on Skyline Ave and Amanda Dr, it was determined that adjacent to the work of the culvert replacement, reshaping needed to occur in the open ditch beside the lot on the corner of Skyline/Amanda, in order to maintain proper storm water flow through the area. The contractor was asked for a quote to carry out the addition work. A quote of \$9,827.04 (taxes included) was provided. This price is reasonable for the requested work.

2018 Storm Pipe Package C – Tender was awarded in September to Birt & MacKay Backhoe Services to complete the project. As work proceeded on Belgrave Dr, it was determined by the PW Committee to explore the option of adding an additional 75m of storm pipe up the west side of Belgrave DR (east) to a high point which will be the end point for that piped storm branch. The contractor provided a price of \$28,174.45 (taxes included), which is reasonable for the requested work.

For the work on Stockman Dr, it has also been identified that the downstream storm water flows un-piped from this system, under the confederation trail, to the backyard of homes on Trailview Dr. Residents have been complaining that their backyards end up flooding after a rain fall event due the storm water from Stockman drive being diverted to this area. With the current project, piping more storm water to this are will cause greater flooding concerns for these homes on Trailview Dr. As such, the consultant has completed a design for the area and requested a price for the work. The additional work will cost \$42,500 (taxes included) for construction and \$6,555.00 (taxes included) in consulting fees, which is reasonable for the requested work.

The Public Works and UB Committee recommended to bring forward a resolution at the next council meeting.

WINTER MAINTENANCE DOWNTOWN FACILITY RENTAL

Public Works has recently purchased 7 new sidewalk machines to carry out all sidewalk snow removal activities within the City by internal forces. Currently, there is insufficient space to store these new machines at MacAleer. These new machines, along with our older machines, need to be stored indoors during the winter months, as the hydraulic fluid needs to stay warm for the machine to be kept in good operating conditions. If not, these machines are at risk to damage leading to costly repairs. Over the past number of years, Public Works has leased a property on

Longworth Ave at a rate of \$4,331.66/month, however, due to mold and other building maintenance issues, the City allowed the lease to expire and chose to explore other facility options

In January 2018, an RFP was issued, with only 2 proposals received. After a review of each proposal by staff and the PW committee, it was determined that due the high cost for both proposals, staff would search for other options. Staff have since found a location on Kensington Rd that has sufficient indoor heated storage for the equipment. It is also conveniently located to service downtown, Parkdale, and East Royalty. This new location is expected to save the City approximately \$10,000/year.

Based upon the foregoing, City staff recommends that the City enters in to a 1-year contract with the building owner, Wilsons Fuel Co. Ltd., with the possibility of a 1-year extension, for the a monthly rental rate of \$2,800 (plus applicable taxes). The rental rate includes electricity, water and sewer, snow removal, and garbage removal. The heating of the main garage space is an oil furnace which would be a separate cost to the City.

Councillor MacLeod voiced concerns regarding noise and traffic of this location for the neighborhood.

The Public Works and UB Committee recommended to bring forward a resolution at the next council meeting.

MOTION TO ADJOURN

Moved by Chair Bernard and Seconded by Councillor MacLeod that the meeting be adjourned.
Motion Carried.

The meeting adjourned at approximately 12:25pm.

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:00 on Wednesday, December 5th, 2018, at City Hall.

- end -

Councillor T. Bernard, Chair



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 13th, 2018

Moved by Councillor _____ Terry Bernard

Seconded by Councillor _____ Melissa Hilton

RESOLVED:

That, for the 'Request for Tender for 2018 Storm Sewer Package A' tender awarded to Earth Form, a project extra in the amount of \$9,827.04 (all taxes included) be approved.

And that, for the 'Storm Pipe Construction – 2018 – Package C' tender awarded to Birt & MacKay Backhoe Services Ltd., a project extra in the amount of \$70,674.45 (all taxes included) be approved.

These expenditures has been previously approved in the 2018-19 capital budget, and that, the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.

- Package A - Original Tender was publicly advertised, closing Friday July 20, 2018
- Three (3) submission were received as follows:

Earth Form	\$ 999,838.75 (taxes included)
Birt & Mackay Backhoe Services	\$1,271,049.24 (taxes included)
Island Costal Services	\$1,285,464.25 (taxes included)
- Original Tender was awarded by resolution on July 30/18 to Earth Form
- Work was for 5 general locations including the Skyline/Jardine/Madeline neighbourhood
- Subsequently it has been determined that adjacent to the work of the culvert replacement on Skyline Ave and Amanda Dr, ditch reshaping needed to occur in the open ditch beside the lot on the corner of Skyline/Amanda, in order to maintain proper storm water flow through the area. The contractor was asked for a quote to carry out the addition work. A quote of \$9,827.04 (taxes included) was provided. This price is reasonable for the requested work.

- Package C - Original Tender was publicly advertised, closing Friday September 14, 2018
- Two (2) submission were received as follows:

Birt & Mackay Backhoe Services	\$372,806.89 (taxes included)
Island Costal Services	\$473,174.40 (taxes included)
- Original Tender was awarded by resolution on Sept 27/18 to Birt & MacKay
- Work was for Stockman Dr Phase 2 (Malpeque Rd to Belgrave Dr west)
- Subsequently it has been determined by PW Committee to include a 75m extension of storm pipe up the west side of Belgrave Dr (east) to a high point which will be the ultimate terminus of that piped storm branch
- The contractor was asked for costs on this extra based on Consultant re-design, and provided values that were felt to be reasonable and fair; \$28,174.45 taxes incl
- Also it has been determined that downstream storm flows from this system to the Confederation Trail and Trailview Dr area should be addressed.
- The construction cost estimate for that work is \$42,500 taxes included plus \$6,555 in design extras.



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works #2

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Terry Bernard

Seconded by Councillor _____ Melissa Hilton

RESOLVED:

That the City enter in to a one (1) year lease agreement with the option of a one (1) year extension with Cape D'Or Holdings Limited for the property at 68 Kensington Rd in the amount of \$33,600 (plus applicable taxes),

And that the Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.

Public Works has recently purchased 7 new sidewalk machines to carry out all sidewalk snow removal activities within the City by internal forces. Currently, there is insufficient space to store these new machines at MacAleer. These new machines, along with our older machines, need to be stored indoors during the winter months, as the hydraulic fluid needs to stay warm for the machine to be kept in good operating conditions. If not, these machines are at risk to damage leading to costly repairs. Over the past number of years, Public Works has leased a property on Longworth Ave at a rate of \$4,331.66/month, however, due to mold and other building maintenance issues, the City allowed the lease to expire and chose to explore other facility options.

In January 2018, an RFP was issued, with only 2 proposals received. After a review of each proposal by staff and the PW committee, it was determined that due the high cost for both proposals, staff would search for other options. Staff have since found a location on Kensington Rd that has sufficient indoor heated storage for the equipment. It is also conveniently located to service downtown, Parkdale, and East Royalty. This new location is expected to save the City approximately \$10,000/year.

Based upon the foregoing, City staff recommends that the City enters in to a 1-year contract with the building owner, Cape D'Or Holdings Limited, with the possibility of a 1-year extension, for the a monthly rental rate of \$2,800 (plus applicable taxes). The rental rate includes electricity, water and sewer, snow removal, and garbage removal. The heating of the main garage space is an oil furnace which would be a separate cost to the City.



**ECONOMIC DEVELOPMENT, TOURISM,
ARTS & CULTURE COMMITTEE
REPORT TO COUNCIL
NOVEMBER 13, 2018**

The Economic Development, Tourism, Arts & Culture Committee has not met since last council meeting.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Robert Doiron, Chair



**ENVIRONMENT & SUSTAINABILITY COMMITTEE
REPORT TO COUNCIL
NOVEMBER 13, 2018**

The Environment & Sustainability Committee has not met since the last Council meeting.

The Charlottetown Food Council met on October 16, 2018. The draft minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Deputy Mayor Mike Duffy, Chair

CHARLOTTETOWN FOOD COUNCIL
Tuesday, October 16, 2018
7:00 PM – Parkdale Room, City Hall

PRESENT: Karen Murchison, Chair
Robert Godfrey, Vice Chair
Morgan Palmer
Emilee Sorrey
Jennifer Whittaker
Phil Ferraro
Pierre Hajjar
Stan Chaisson
Travis Cummiskey
Mike MacDonald

ALSO: Ramona Doyle, SO

REGRETS: Sarah Donald
Bernie Plourde
Gail Metcalfe
Shannon Courtney

1) Call to Order

The meeting was called to order at 7:05 PM

2) Declarations of conflict of interest

No declarations of conflict.

3) Approval of Agenda

The agenda was approved by Morgan Palmer.

4) Appoint Meeting Secretary & Referee

Emilee – secretary, Jennifer – referee for the meeting

5) Adoption of Minutes

The minutes from the September 24, 2018 meeting were included in the meeting package. It was moved by Morgan Palmer and seconded by Robert Godfrey that the minutes from September 24, 2018 be approved.

There was no business arising from the minutes.

6) Items for Discussion

- a) Mission & Vision: Moved to accept the mission and vision by Morgan Palmer and Travis Cummiskey seconded. All in favour. Mission and vision are adopted.
- b) Food Charter: All members have promised to review the Food Charter and outline any edits that they would like made to the document until the next meeting. Postpone the adoption of the food charter
- c) Discuss & Establish Working Groups:
 - a. Logo/Brand: Emilee Sorrey and Jessica Brown who will work together to find partnerships or a service provider to develop a brand identity including a logo for use by the Charlottetown Food Council. A minimum of three quotes will be collected before any decisions are made around who the Food Council will work with in this regard. Further Terms of Reference are in development.
 - b. School Nutrition Working Group: Stan Chaisson, Morgan Palmer, Jennifer Whittaker. Terms of reference are to be developed but will begin with developing an asset/resource map of Charlottetown/ PEI.
 - c. Municipal Food Policy Working Group: Ramona Doyle
- d) Food Awareness Act- Karen presented the call for feedback on a PEI Food Awareness Act.

7) Action Items:

- **ACTION ITEM: Food Council members to review food charter on their own time, come to next meeting with any suggested amendments, feedback, and ideas to be implemented before adopting a final version.**
- **ACTION ITEM: Terms of reference to be developed for all working groups**
- **ACTION: Phil Ferraro to present to Food Council on Import Replacement Strategies**
- **ACTION: Pierre Hajjar to present more information on Slow Food Movement and how it could be incorporated into the Food Council's strategy**
- **ACTION: Karen Murchison, Phil Ferraro, and Robert Godfrey to form Projects Committee to address further what working groups are required**
- **ACTION: Food Council to submit feedback as a group by November 4th, 2018.**

8) Motion for Adjournment:

Motion to adjourn made by Emilee Sorrey. Motion Passed.

Meeting Adjourned at 8:20PM

CHARLOTTETOWN RIDERSHIP - OCTOBER 2018

Sum of Charlottetown Ri Route #	1	2	3	4	5	6	7	9	11	13	14	Grand Total	
Date	Day	1	2	3	4	5	6	7	9	11	13	14	
01-10-18	Mon	637	334	334	327	138	255	19	326	275	2	2	2,649
02-10-18	Tue	611	288	294	325	117	254	20	334	295	2	1	2,541
03-10-18	Wed	508	245	217	260	106	177	17	283	227	1	2	2,043
04-10-18	Thu	619	260	281	342	143	275	20	308	317	2	3	2,570
05-10-18	Fri	626	328	334	333	125	279	5	379	279	4	2	2,694
06-10-18	Sat	542	350	420	0	0	196	0	0	0	0	0	1,508
07-10-18	Sun	421	0	0	0	0	0	0	0	0	0	0	421
08-10-18	Mon	0	0	0	0	0	0	0	0	0	0	0	0
09-10-18	Tue	605	318	259	348	138	0	13	307	270	3	1	2,262
10-10-18	Wed	597	298	307	338	123	216	23	322	239	1	1	2,465
11-10-18	Thu	475	256	278	319	114	239	22	312	249	2	3	2,269
12-10-18	Fri	600	286	273	343	142	226	14	376	209	1	1	2,471
13-10-18	Sat	432	428	383	0	0	196	0	0	0	0	0	1,439
14-10-18	Sun	310	0	0	0	0	0	0	0	0	0	0	310
15-10-18	Mon	623	271	311	297	125	242	16	332	256	1	1	2,475
16-10-18	Tue	539	262	263	343	122	262	19	305	245	0	2	2,362
17-10-18	Wed	622	302	276	329	136	243	21	303	274	2	2	2,510
18-10-18	Thu	593	297	246	343	117	28	23	311	253	2	0	2,213
19-10-18	Fri	630	292	315	307	124	240	12	352	226	2	2	2,502
20-10-18	Sat	458	306	331	0	0	180	0	0	0	0	0	1,275
21-10-18	Sun	475	0	0	0	0	0	0	0	0	0	0	475
22-10-18	Mon	666	261	338	339	119	205	16	316	260	2	1	2,523
23-10-18	Tue	632	286	284	354	120	269	24	329	297	2	0	2,597
24-10-18	Wed	553	227	302	316	126	244	24	276	285	2	1	2,356
25-10-18	Thu	597	266	253	376	128	259	21	313	256	2	1	2,472
26-10-18	Fri	648	342	347	297	128	288	18	369	245	1	2	2,685
27-10-18	Sat	421	368	358	0	0	225	0	0	0	0	0	1,372
28-10-18	Sun	352	0	0	0	0	0	0	0	0	0	0	352
29-10-18	Mon	624	270	296	377	135	240	22	318	280	2	0	2,564
30-10-18	Tue	667	268	290	387	132	246	22	346	275	1	3	2,637
31-10-18	Wed	580	267	294	320	142	226	20	325	234	2	1	2,411
Grand Total		16,663	7,676	7,884	7,320	2,800	5,710	411	7,142	5,746	39	32	61,423

CHARLOTTETOWN RIDERSHIP - OCTOBER 2018

Day	Values			Monthly Ridership
	Non Paying	Paying	Non Paying	
Sun	12	1546	1,558	
Mon	225	9985	10,211	
Tue	188	12211	12,399	
Wed	188	11597	11,785	
Thu	98	9426	9,524	
Fri	183	10169	10,352	
Sat	86	5508	5,594	
Grand Total	981	60442	61,423	

Total Ridership	2018		2017		2016		2015	
	Paying	Non - Paying	Paying	Non - Paying	Paying	Non - Paying	Paying	Non - Paying
Monday - Friday	53,388	883	44,593	1,039	43,988	36,927	37,857	33,863
Saturday	2,467	22	2,173	21	1,896	20	1,664	21
Sunday	1,399	12	1,043	4	926	5	582	5
Grand Total	57,254	917	47,809	1,064	46,810	37,972	40,003	37,711

Breakdowns



Date	Unit	Description
1-Jan	71	CRACKED RADIATOR HOSE 15 MIN FOR REPLACEMENT BUS
1-Feb		No breakdowns
1-Mar		No breakdowns
April		No breakdowns
May	68	CRACKED RADIATOR HOSE 15 MIN FOR REPLACEMENT BUS
May	69	Bus was losing acceleration replacement time 15 minutes.
May	68	Broken rear spring, replacement time 15 minutes.
June	71	Broken rear spring, replacement time 15 minutes.
July	69	Problem with the throttle, replacement time 15 minutes.
July	71	Transmission (computer) 15 minutes for replacement.
July	63	Radiator hose down 15 minutes
August	63	Leaking hose 15 minutes for replacement bus.
August	71	Broken belt. Down time 15 minutes.
August	70	Antifreeze leak resulting in 10 minute delay.
August	71	Bus losing power. No down time.
September	69	No Acceleration. 15 minutes down time.
October	69	leaking valve stopping door from closing, no lost time
October	67	Broken spring, 10 minutes for a replacement bus

Customer Complaints



Date	Description
Jan-18	8:15 Stratford bus was late. This was due to an accident on the bridge
Jan-18	Customer called to say bus was early at the Walmart shelter.
Jan-18	Stratford bus late picking up on Bunbury side. This was due to a 3 car accident on the bridge.
Feb-18	Person was upset that her cat in a cage was not permitted on the bus. Our policy is only service animals are allowed on our buses
Feb-18	Customer called to say bus was early at the Walmart shelter.
Feb-18	Customer called to say bus ran yellow light on Kensington Rd.
Feb-18	Customer called to say bus did not wait for him as he was only a few meters from the stop.
Mar-18	Customer complaint saying it was difficult to get through to someone to help them.
Mar-18	Customer said they were splashed by bus on University Avenue
18-Mar	Bus failed to yield right away at a crosswalk on the avenue.
April	Customers should have been informed of new times prior to the updated schedule being implimented.
April	Customer felt they should have been able to get on the bus at the corner of Belvedere and University Ave. This would not have been a safe location to stop the bus.
May	Customer felt the bus was running early and should be pulling into the Indigo stop even if there is no one in the shelter. (especially when running early)
May	Customer left a phone message stating they felt the Cornwall bus was travelling too fast in the roundabout. They did not leave a call back number.
May	The police received a complaint about the busses speeding on Linden Avenue.
May	Customer called wanting us to clean up the broken bottles around one of the shelters.
May	Buses meeting at the Confederation Center are causing traffic to be backed up.
May	Passanger car driver feels the bus did a rolling stop and nearly forced them into a concrete barrier.
May	Customer called to advise us that the bus was early thus leaving her behind.
June	Customer informed us of the shelters had garbage around it - this was promptly cleaned up
June	Customer advised Complaint regarding individuals smoking in the shelter
June	Customer missed transfer as she was the last person to exit her bus and the bus she wanted to transfer to left - discussed with drivers involved
June	Hard for drivers to hear the bell which is used to single the bus to stop at next location - working with mechancis to turn up the volume of the bells and discussed with driverson importance of being aware of passengers
June	Passanger feels that the driver was rude while he was explaining to another passanger why they could not use their July pass in June - reminded all drivers about the importance of customer service and how to properly handle a situation like this.
July	Home owner feels the bus travels way too fast on Mason Road
July	Bus late for pick up at at Walmart. Heavy traffic.
July	Bus late for pick up at the Confederation Center. Heavy traffic.
July	Bus late arriving at Charlottetown Mall. Heavy traffic.

Marketing Initiatives



Date	Initiative
01/31/2018	Launched WIFI available on all of our Transit Buses
01/31/2018	ReadyPass hardware installed on Transit Vehicles and substantial progress on app software. To start Beta test in the coming week.
01/31/2018	Continued social media and press presence surrounding these initiatives
02/28/2018	Conducted 7 city tours for Holland College Belmont Street
02/28/2018	Pocket Guides have been updated and sent to the printers.
02/28/2018	ReadyPass soft launch was completed. Request for beta users was sent out and we are now getting feedback from them on how the app is performing
28-12-18	With help of Cornwall, Charlottetown and Stratford, completed the Transit Love promotion
15-Mar-18	Spoke to class of Newcomers regarding Transit
03/31/2018	Continued work on ReadyPass and Google Transit - 75 users currently using as controlled Beta test. Working to implement feedback
03/31/2018	Stickers placed in all buses regarding WIFI
03/31/2018	Preparing Instructional Videos for ReadyPass - to be launched in April
May	Wide distribution of the newest T3 RIDE GUIDE
May	Participated in the Health and Wellness Expo at Invesco
June	Google Transit Published
June	Beta testing on Ready Pass - implementing feedback
June	Increased Social Media presence
June	Updating website to include trip planning features



**ADVANCED PLANNING, PRIORITIES & SPECIAL PROJECTS COMMITTEE
REPORT TO COUNCIL
NOVEMBER 13, 2018**

The Advanced Planning, Priorities & Special Projects Committee did not meet since the last Council meeting.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Kevin Ramsay, Chair



**FINANCE, AUDIT & TENDERING COMMITTEE
REPORT TO COUNCIL
November 13th, 2018**

The Finance, Audit & Tendering Committee plan is scheduled to meet Tuesday, November 13th, 2018 at noon. Monthly financial statements are not included in this package.

There are two (2) resolutions included in this package for your consideration.

Respectfully submitted,

Councillor Melissa Hilton, Chair

Finance, Audit & Tendering Committee
November 13th, 2018
12:00 Noon– Sherwood Room

Present: **Deputy Mayor Mike Duffy** **Councillor Terry Bernard**
 Councillor Greg Rivard **Peter Kelly, CAO**
 Scott Messervey, DCAO **Connie McGaugh, ACC**

Regrets: **Councillor Melissa Hilton**

1) Call to Order

Deputy Mayor Duffy called the meeting to order at 12:00 noon.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councillor Bernard that the agenda be approved as circulated. Carried.

4) Adoption of Minutes

Moved by Councillor Bernard and seconded by Councillor Rivard that the minutes from October 4th and October 31st, 2018 were approved as presented.

5) Business arising from Minutes

There was no business arising from the minutes.

6) Public Procurements

Closed/Closing

- a. P&R– Snow Clearing of Simmons & Cody Banks Arenas (25-Oct-18)
- b. PW – Supply of Hire Equipment – Bucket Loader for Moving Snow (8-Nov-18)
- c. Utility – Winter River Wellfields Upgrades Phase 5: Suffolk Wellfield Wellheads and Piping Expansion (8-Nov-18)
- d. PW – Storm Pipe Construction – 2018 Package C – project extra
- e. PW – 2018 Storm Sewer Package A – project extra
- f. PW – Lease Agreement – Store Sidewalk Machines

It is anticipated that resolutions will be presented to Council by the Public Works & Urban Beautification (items d & f) and Park, Recreation & Leisure Activities Committees (item a).

7) Finance Questions Under Advisement

There were no new finance questions under advisement.

8) Manager's Operational Update

DCAO updated Committee that financial statements are complete. CRA is looking at HST and potential audit. Also dealing with staffing vacancies in Finance.

9) Introduction of New Business

There was no new business to introduce.

10) Motion to move into closed session

Moved by Deputy Mayor Duffy and seconded by Councillor Rivard to move into closed session, as per Section 119 (1) sub-sections (a) & (e) of the PEI Municipal Government. Carried.

11) Closed Session Recommendations

The Committee recommends the following resolution for City of Charlottetown consolidated audited financial statements be forwarded to Council for approval. Committee also recommends resolutions for Parkland Dedication from MacKay Property Development and a Purchase of Land from WGB Holdings.

12) Adjournment of Public Session

Moved by Councillor Bernard and seconded by Councillor Rivard that the meeting be adjourned. Carried.

Meeting adjourned 1:15 p.m.

Chair: Melissa Hilton



CITY OF CHARLOTTETOWN

RESOLUTION

Finance #**2**

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Melissa Hilton

Seconded by Councillor _____ Mitchell Tweel

RESOLVED:

That the City of Charlottetown accepts the 2.1 acres of land as parkland for the MacKay Subdivision (PID 191718) as indicated in the attached survey plan,

And that the Planning Department will enter into a development agreement with the Developer,

And further that the Mayor and CAO are here by authorized to execute standard contracts/agreements to implement this resolution.

Mackay Property (PID 191718)

Overview of the Survey of the Proposed Parkland Dedication

November 7, 2018

Compiled by Frank Quinn, Manager of Parks and Recreation Department

- The final survey plan was received on October 30, 2018 by department staff.
- The proposed parkland is indicated as Parcel B1 (2.1 acres) on the survey. The parkland is located within the buffer zone, where development is not permitted. Please see attached.
- According to surveyor the overall size of property (PID 191718) is 12.6 acres, which includes 2.1 acres (B1) and approximately 10.5 acres (remaining lands of MacKay Construction Ltd).
- Based on 12.6 acres, the required parkland dedication is 1.26 acres (10%). The proposed parkland of 2.1 acres (16%) is larger than required, but the MacKay landowners (developers) agrees with this proposed parkland dedication.
- Please see attached draft resolution, which would be forwarded to Council.
- The MacKay landowners have noted that they might request a taxable receipt for the additional parkland dedication above the 10%. If they decide they would like a taxable receipt for this additional parkland, the assessed land value will be obtained from the Province, in order to provide a taxable receipt.
- If this proposed parkland dedication is accepted by the City of Charlottetown, the Planning Department will enter into a development agreement with the Developer.
- If the necessary approvals are received and weather permits, trail development is planned to start this fall (2018).



City of
Charlottetown

Report No: 20 – Survey of MacKay
Property for Proposed Parkland
Dedication
(CLOSED SESSION)

Date: October 1, 2018

Directed to: Standing Committee

Attachments:
Survey Map of Proposed Parkland

Committee: PRLA

Prepared by: Frank Quinn

Subject: Survey of MacKay Property (PID #191718) for proposed parkland dedication to be used for trail development along Andrews Pond.

RECOMMENDATION:

To accept the proposed parkland as indicated in the attached survey plan, and to obtain the approval from the developers. If approved to by the developers, the PRM will inform Planning and forward the PRLA Committee's recommendation to Finance as per the Committee's Terms of Reference for land acquisition.

REPORT:

Please see attached survey map.

If necessary approvals are received the trail development is planned to take place this fall 2018.

Respectfully,

Frank Quinn

Reviewed By:

CAO 	Manager 	Other			
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RECOMMENDATIONS/ACTIONS:

The PRLA Committee supports the recommendation to accept the proposed parkland. The PRM to obtain the final survey, which will confirm the size of the property. It was noted that the proposed parkland is located in the buffer zone and it will be larger than the 10% parkland allocation required estimated at 1.3 acres. It was indicated that the City could provide a taxable receipt for this remaining property, if requested by the MacKay's. The PRM to obtain the approval from the MacKay developers for the final survey proposed parkland. The PRM to forward the PRLA Committee's recommendation to Planning and send to Finance Committee, as per the Committee's Terms of Reference for land acquisition.



CITY OF CHARLOTTETOWN

RESOLUTION

Finance #2

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Melissa Hilton

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That the City of Charlottetown enter into a purchase and sale agreement with WGB Holdings Ltd. for the purchase of a parcel of land (PID 392936) in the amount of \$45,000 (plus applicable taxes) for the purpose of storm water management

And that the Mayor and CAO are here by authorized to execute standard contracts/agreements to implement this resolution.



City of
Charlottetown

Report No: 2018-11-001

Date: November 9, 2018

Directed to: Public Works Committee

Attachments:

Department: Public Works & Urban
Beautification

1) Resolution for purchase of land

Prepared by: Scott Adams,
Manager of Public Works

Subject: Barbour Circle Property Acquisition

RECOMMENDATION:

Accept the offer of \$45,000 plus HST to purchase the land for storm water management and bring forward a resolution at the next council meeting for final approval to purchase the land.

REPORT:

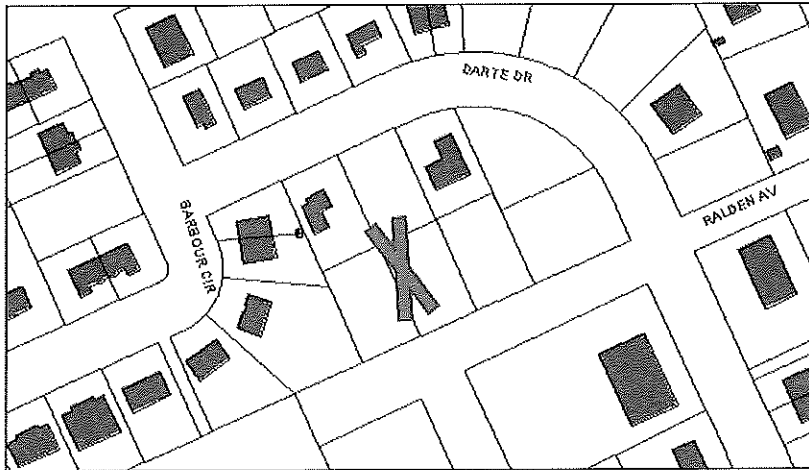
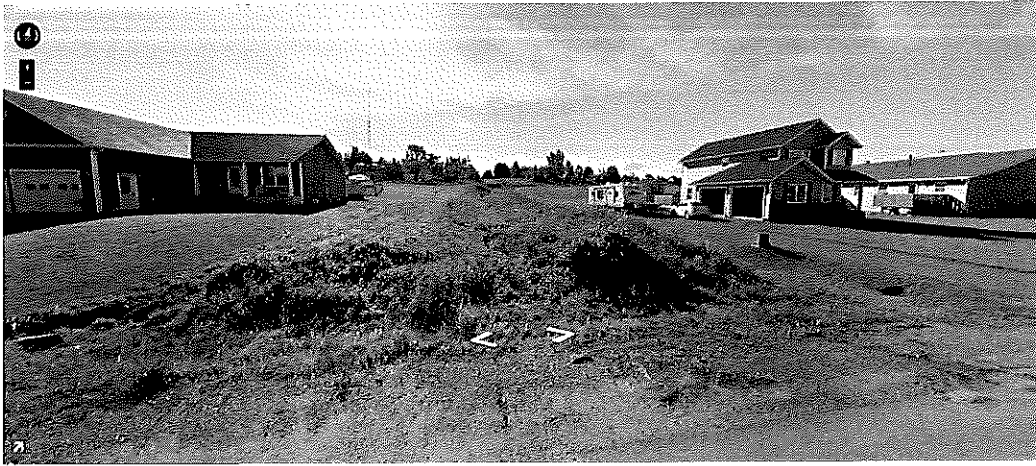
Background Information

The subdivision was approved in ~2004 (Barbour Phase 1 and overall Storm Water Management Plan) and ~2006 (Phase 3 – Dart Dr). In 2010, there was lot realignment, including developer’s decision to create double-deep lots between Dart Dr and Rockcliffe Ave (as the Rockcliffe frontages had steep grade and would be difficult to develop on their own). At that time the developer indicated they were going to put private 3m easements on all side-lot lines (6m total easement widths) so that storm water could flow. But as private easement that may have been to get rainfall/snowmelt from upper area of deep lots out to Dart Dr and not necessarily any historic storm flows from the Rockcliffe right-of-way.

In 2012 -2013 the home at #6 Dart Dr was constructed. It has a side entry garage and the driveway was expected to be encroaching on the intended 3m easement on the East side of the lot.

In 2014, the City did some further development of the Rockcliffe right-of-way, creating a graveled surface. Shortly after there was storm water concerns raised by #6 Dart, either due to existing conditions or changes brought on by the City’s activities on Rockcliffe Ave, or a combination of both. A decision was then made to construct a swale in the middle of a vacant lot between 2 newer homes, having been understood by both parties to be an interim verbal agreement.

The property owner has now decided to sell this last remaining lot in the subdivision (asking \$50,000), meaning the swale in the middle would have to be relocated. Representatives of the owner indicated they would be willing to give an easement on one side of the property; however, there was no indication if there would be costs associated with the easement but such an easement could be expected to have effect on the lot value and construction options.



Update

During the October Public Works meeting, the committee agreed with the recommendation that the City should acquire the land to make an offer to purchase it order to maintain the existing storm water management channel and alleviate any future potential issues with neighboring homes. The committee agreed to submit an offer of \$45,000 to purchase the land.

The owner has since responded in writing to the City accepting the offer of \$45,000 + hst for the properties (PID # 392936 & 392936). It is recommended that a resolution is brought forward at the next council meeting to approve the land purchase.

Respectfully,

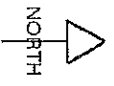
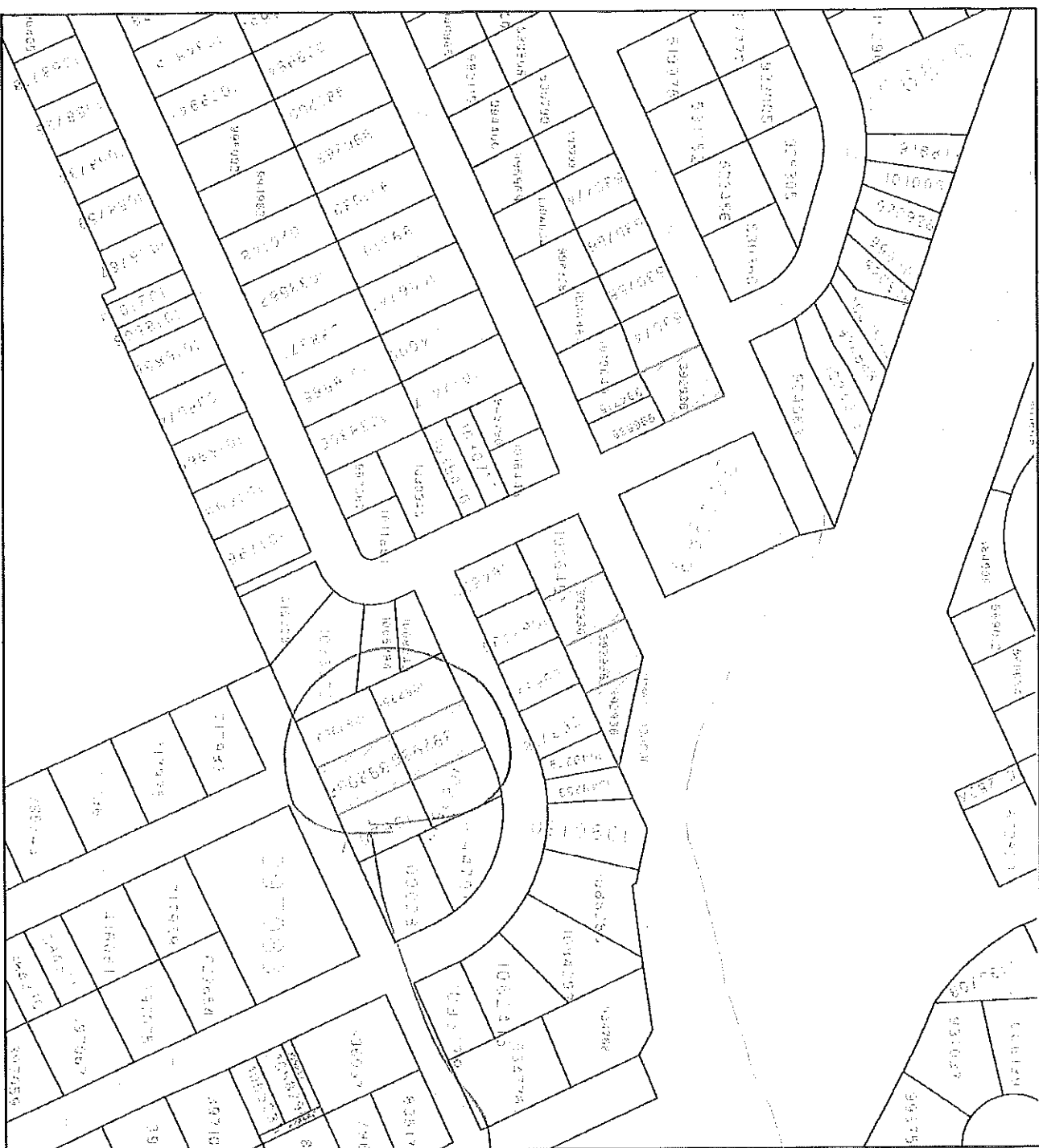
Reviewed By:

CAO	Manager	Other				
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RECOMMENDATIONS/ACTIONS:

**PEI GEOMATICS
INFORMATION CENTRE**

Owner Name: **WGB HOLDINGS LTD**
Location: **null**



PROVINCE OF PEI DEPARTMENT OF
PROVINCIAL TREASURY
GEOMATICS INFORMATION CENTRE
11 KENT ST. CHARLOTTETOWN
PEI C1A 7N5

PHONE: 902-368-5178
FAX: 902-368-4399

WHILE THIS MAP MAY NOT BE FREE
FROM ERROR OR OMISSION, CARE HAS
BEEN TAKEN TO ENSURE THE BEST
POSSIBLE QUALITY. THIS MAP IS A
GRAPHICAL REPRESENTATION. IT IS NOT
INTENDED TO BE USED TO CALCULATE
EXACT DIMENSIONS OR AREAS.

SCALE: 1:2500
DATE: Oct 9, 2018
TIME: 10:48:27 AM
ACREAGE: 1.07
WORK UNIT: 2268

*OFFER FROM
City of Charlottetown
Oct 15/18.
lot 10.81*



CITY OF CHARLOTTETOWN

RESOLUTION

Finance #3

MOTION CARRIED _____

MOTION LOST _____

Date: November 13, 2018

Moved by Councillor _____ Melissa Hilton

Seconded by Councillor _____ Mike Duffy

RESOLVED:

That the City of Charlottetown approves and accepts the Consolidated Financial Statements of the City of Charlottetown as prepared by management and audited by MRSB for the year ended December 31, 2017 (copies attached to this resolution).

CITY OF CHARLOTTETOWN
CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

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MANAGEMENT'S RESPONSIBILITY FOR THE CONSOLIDATED FINANCIAL STATEMENTS

These consolidated financial statements are prepared by Management of the City of Charlottetown in accordance with Canadian accounting standards for the public sector with the exception of tangible capital assets and inventory and on a basis consistent with that of the preceding year as required by the *Municipal Government Act* of Prince Edward Island.

Responsibility for the integrity and objectivity of these consolidated financial statements rests with Council and Management. These consolidated financial statements are prepared on a full accrual basis of accounting. The information included in these consolidated financial statements is based on Management's best estimates and judgment, with due consideration given to materiality.

To fulfill its accounting and reporting responsibilities, Management maintains systems of financial management and internal control which give due consideration to costs, benefits, and risks. These systems are designed to provide reasonable assurance that transactions are properly authorized, are executed in accordance with prescribed bylaws, regulations and/or legislation, and are properly recorded so as to maintain accountability and safeguard the assets of the City. The systems are also designed and monitored to ensure reliable information is available on a timely basis.

The Finance, Auditing and Tendering Committee, a sub-committee of Council, meets with management and the external auditors to review the consolidated financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the consolidated financial statements.

The independent auditor completes an audit of these consolidated financial statements and issues an Independent Auditor's Report to Council. The accompanying Independent Auditor's Report outlines the Auditor's responsibilities, the scope of the examination, and their opinion on the consolidated financial statements of the City.

Chief Administrative Officer

Deputy Chief Administrative Officer

November 13, 2018

INDEPENDENT AUDITOR'S REPORT

TO THE MAYOR AND MEMBERS OF COUNCIL

Report on the Consolidated Financial Statements

We have audited the accompanying consolidated financial statements of the City of Charlottetown, which comprise the consolidated statement of financial position as at December 31, 2017, and the consolidated statements of operations, changes in net debt, and cash flow for the year then ended, and a summary of significant accounting policies and other explanatory information and schedules.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian accounting standards for the public sector and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified audit opinion.

Basis for Qualified Opinion

Observations of the counting of physical inventories did not occur for the years ended December 31, 2016 and December 31, 2017. We were unable to satisfy ourselves by alternative means concerning inventory quantities at December 31, 2015, December 31, 2016 and December 31, 2017. Since opening and ending inventories enter into the determination of financial performance and cash flows, we were unable to determine whether adjustments might have been necessary in respect of the net surplus for the year reported in the consolidated Statement of Operations and the net cash flows from operating activities reported in the consolidated Statement of Cash Flows.

We were unable to satisfy ourselves that tangible capital assets had been properly recognized for the years ended December 31, 2015, December 31, 2016 and December 31, 2017. Since the recognition of tangible capital assets factors into the determination of amortization expense, expenses, and amounts recoverable under contribution agreements, we were unable to determine whether adjustments might have been necessary in respect of the net operating surplus for the

year reported in the consolidated Statement of Operations and Tangible Capital Assets and funding receivable on the consolidated Statement of Financial Position.

Qualified Opinion

In our opinion, except for the matters described in the Basis for Qualified Opinion section of our report, the consolidated financial statements present fairly, in all material respects, the financial position of the City of Charlottetown as at December 31, 2017 and the results of its operations, changes in net debt, and its cash flow for the year then ended in accordance with Canadian accounting standards for the public sector. In our opinion, the City of Charlottetown was in compliance with Section 37 of the *Charlottetown Area Municipalities Act* which requires the City to not present a deficit in its budget.

Comparative Information

The consolidated financial statements for the City of Charlottetown as at December 31, 2016 released on June 12, 2017 were audited by another public accounting firm.

MES Chartered Professional Accountants

CHARLOTTETOWN, P.E.I.

NOVEMBER 13, 2018

**CITY OF CHARLOTTETOWN
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
DECEMBER 31, 2017**

	2017	2016 <i>(Restated)</i>
Financial Assets		
Cash	\$ -	\$ 2,290,141
Accounts receivable (Note 6)	4,417,236	5,993,848
Inventory for resale	41,031	34,396
Capital grants receivable (Note 7)	6,097,147	4,587,592
Other assets	74,927	84,713
Investment in Government Business Enterprise (Note 8)	863,681	805,389
Accrued pension asset (Note 9)	259,588	242,893
	<u>11,753,610</u>	<u>14,038,972</u>
Liabilities		
Bank indebtedness (Note 10)	9,793,721	-
Accounts payable and accrued liabilities	20,081,286	19,862,369
Deferred revenue (Note 11)	5,163,669	5,793,752
Sick leave and post employment benefits (Note 12)	6,029,839	5,987,184
Due to related parties	217,517	197,343
Long-term debt (Note 13)	69,080,034	74,376,709
	<u>110,366,066</u>	<u>106,217,357</u>
Net Debt	<u>98,612,456</u>	<u>92,178,385</u>
Non Financial Assets		
Tangible capital assets - Schedule 2	199,997,937	182,576,934
Inventory of supplies	1,639,500	1,865,159
Prepaid expenses	670,322	738,370
	<u>202,307,759</u>	<u>185,180,463</u>
Accumulated Surplus (Note 14)	<u>\$103,695,303</u>	<u>\$ 93,002,078</u>
Commitments and Contingencies (Note 15)		

The notes and schedules are an integral part of these consolidated financial statements.

ON BEHALF OF THE CITY OF CHARLOTTETOWN:

Mayor

Chair, Finance, Audit and Tendering Committee

**CITY OF CHARLOTTETOWN
CONSOLIDATED STATEMENT OF OPERATIONS
YEAR ENDED DECEMBER 31, 2017**

	Budget 2017 (Note 25)	Actual 2017	Actual 2016 (Restated)
Revenues - Schedule 1			
Property taxes	\$ 33,348,578	\$ 32,249,052	\$ 31,896,601
Government transfers for operations (Note 19)	11,304,903	12,158,681	11,277,980
Water and sewer	8,856,862	8,688,180	8,463,925
Recreation	3,652,527	4,519,766	4,500,710
Municipal Capital Expenditure Grant	1,010,000	2,258,987	1,010,000
Parking	1,310,000	1,676,708	1,322,471
Police protection services	1,116,000	1,208,337	1,136,661
Tourism accommodation levy	-	1,166,734	1,225,572
Rentals	565,200	880,896	956,915
Licenses	538,000	652,312	460,993
Interest and other	51,000	71,745	68,938
Net income from CADC	52,170	58,292	51,473
	61,805,240	65,589,690	62,372,239
Expenses - Schedule 1			
Amortization	5,158,527	8,799,845	7,574,191
Development, heritage, and other	7,239,619	6,787,736	5,879,309
General government	5,780,993	5,877,379	5,204,343
Interest on long-term debt	3,150,155	3,791,639	3,509,152
Parks and recreation	7,862,918	7,801,835	7,852,395
Protective services	13,119,780	12,649,176	12,767,951
Street maintenance and environment	11,244,185	11,311,768	11,008,157
Tourism accommodation levy	-	1,166,734	1,225,572
Water and sewer	7,297,206	7,378,126	6,818,302
	60,853,383	65,564,238	61,839,372
Operating Surplus	951,857	25,452	532,867
Transfers and other expenses			
Government transfers for capital (Note 20)	36,603,950	11,639,382	7,968,549
Pension expense (Note 9)	-	(237,442)	(888,380)
Sick and post employment benefits	-	(257,990)	(123,964)
Pension valuation allowance (Note 9)	-	99,105	771,717
Decommissioning costs (Note 16)	-	-	(455,000)
	36,603,950	11,243,055	7,272,922
Annual Surplus	\$ 37,555,807	11,268,507	7,805,789
Accumulated Surplus - As Previously Reported		93,002,078	77,355,492
Accounting changes (Note 5)		-	8,337,464
Accumulated Surplus - Beginning of Year		93,002,078	85,692,956
Payments from reserves		(575,282)	(496,667)
Accumulated Surplus - End of Year (Note 14)		\$103,695,303	\$93,002,078

The notes and schedules are an integral part of these consolidated financial statements.

**CITY OF CHARLOTTETOWN
CONSOLIDATED STATEMENT OF CHANGES IN NET DEBT
YEAR ENDED DECEMBER 31, 2017**

	Budget 2017	Actual 2017	Actual 2016 <i>(Restated)</i>
Net Debt - Beginning of Year	\$ 92,178,385	\$ 92,178,385	\$ 88,845,031
Annual surplus	(37,555,807)	(11,268,507)	(7,805,789)
Amortization of tangible capital assets	(5,081,280)	(8,799,845)	(7,574,191)
Purchase of tangible capital assets	61,743,161	26,220,848	18,025,675
Increase (decrease) in prepaid expenses	-	(68,048)	107,803
Increase (decrease) in inventory of supplies	-	(225,659)	83,189
Payments from reserves	-	575,282	496,667
Change in Net Debt	19,106,074	6,434,071	3,333,354
Net Debt - End of Year	\$ 111,284,459	\$ 98,612,456	\$ 92,178,385

**CITY OF CHARLOTTETOWN
CONSOLIDATED STATEMENT OF CASH FLOW
YEAR ENDED DECEMBER 31, 2017**

	2017	2016 <i>(Restated)</i>
Cash Flows From Operating Activities		
Annual surplus	\$ 11,268,507	\$ 7,805,789
Amortization of tangible capital assets	8,799,845	7,574,191
	<u>20,068,352</u>	<u>15,379,980</u>
Change in Non-Cash Working Capital		
(Increase) decrease in accounts receivable	67,058	(3,013,512)
(Increase) decrease in prepaid expenses	68,046	(107,802)
Decrease in other assets	9,787	9,393
(Increase) decrease in inventory for resale	(6,635)	1,448
Increase in accrued pension asset	(16,695)	(80,267)
Increase in accounts payable and accrued liabilities	218,916	6,240,707
Increase (decrease) in deferred revenue	(630,083)	948,268
Increase in due to related parties	20,174	16,537
(Increase) decrease in inventory of supplies	225,659	(83,190)
Decrease in sick leave and post employment benefits	42,655	19,598
	<u>(1,118)</u>	<u>3,951,180</u>
	<u>20,067,234</u>	<u>19,331,160</u>
Cash Flows From Capital Activities		
Purchase of tangible capital assets	(26,220,848)	(18,025,675)
Cash Flows From Investing Activities		
Increase in government business enterprise	(58,292)	(51,473)
Cash Flows From Financing Activities		
Repayment of long-term debt	(5,296,674)	(4,869,929)
Payments from reserves	(575,282)	(496,667)
Proceeds from long-term debt	-	9,000,000
	<u>(5,871,956)</u>	<u>3,633,404</u>
Change in Cash	(12,083,862)	4,887,416
Cash - Beginning of Year	<u>2,290,141</u>	<u>(2,597,275)</u>
Cash - End of Year	<u><u>\$ (9,793,721)</u></u>	<u><u>\$ 2,290,141</u></u>
Cash Consists of:		
Unrestricted cash	\$12,744,480	\$14,997,054
Externally restricted cash (Note 18)	1,109,585	1,322,168
Internally restricted cash (Note 18)	3,608,187	4,183,468
Bank indebtedness	<u>(27,255,973)</u>	<u>(18,212,549)</u>
	<u><u>\$ (9,793,721)</u></u>	<u><u>\$ 2,290,141</u></u>

The notes and schedules are an integral part of these consolidated financial statements.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

1. Description of Business

The City of Charlottetown ("the City") is incorporated under the *Municipal Government Act* of Prince Edward Island. The City is a municipal organization under the *Income Tax Act*.

2. Basis of Presentation

These consolidated financial statements of the City of Charlottetown have been prepared by management in accordance with Canadian accounting standards for the public sector and on a basis consistent with that of the preceding year as required by the *Municipal Government Act* of Prince Edward Island.

These consolidated financial statements are prepared using the accrual basis of accounting. The accrual basis of accounting records revenue as it is earned and measurable. Expenses are recognized as they are incurred and measurable based upon receipt of goods or services and/or the legal obligation to pay.

These financial statements have been prepared on a going concern basis.

These consolidated financial statements for the City of Charlottetown reflect the assets, liabilities, revenue, expenses, change in net debt and change in financial position of the City. The City is comprised of the municipal operations plus all of the organizations that are owned or controlled by the City and are, therefore, accountable to City Council for the administration of their financial affairs and resources. Included in the reporting entity are the following:

- Charlottetown Water and Sewer Corporation
- Capital Area Recreation Inc.
- Planning Board
- Heritage Board
- Beautification and Forestry Advisory Board
- Parks/ Recreation & Leisure Activities Advisory Board
- Economic Development Advisory Board
- Seniors Advisory Board
- Youth Advisory
- Civic Board for Persons with Disabilities Advisory Committee
- Police Community Consultative Group
- Arts Advisory Board
- Special Events Reserve Fund (SERF)

Under the consolidation method, entities are consolidated on a line by line basis, interentity transactions and balances are eliminated upon consolidation, and accounting policies are adjusted to those of the City.

A government partnership arrangement is a contractual arrangement between the City and a party or parties outside the City's reporting entity. The partners have significant clearly defined common goals, make a financial investment in the partnership, share control of decision making, and share, on an equitable basis, the significant risks and benefits associated with the operations of the government partnership. The City's interest in partnerships is accounted for using the proportionate consolidation method. The City's government partnership arrangements include the following:

- Charlottetown Civic Centre Management Inc. (CCMI)

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

2. Basis of Presentation (continued)

Purpose of CCCMI

In October 1998, the City of Charlottetown and the Province of Prince Edward Island entered into a joint management agreement which established the Charlottetown Civic Centre Management Inc. (CCCMI). CCCMI is a joint management company created for the purposes of overseeing and managing the operations of the Charlottetown Civic Centre/Arena Complex and the Trade Centre Complex.

A government business enterprise is a self-sustaining organization that has the financial and operating authority to sell goods and services to individuals and non-government organizations as its principal activity and source of revenue. Government business enterprises are accounted for on the modified equity basis. Their accounting principles are not adjusted to conform with those of the City. The total net assets of all government business enterprises are reported as a separate item on the Consolidated Statement of Financial Position. The total net income from all government business enterprises is reported as a separate item on the Consolidated Statement of Operations. The City's investment in government business enterprises include the following:

The Charlottetown Area Development Corporation (CADC with a year end of March 31)

3. Accounting Policies

Cash

Cash comprises cash on hand and bank deposits/overdrafts and short-term indebtedness at financial institutions.

Restricted Cash

Restricted cash is comprised of cash held in a separate bank account to fund sick leave and post-retirement benefits. These funds have been internally restricted. Also restricted cash includes the Tourism Accommodation Levy and Gas Tax funds which is externally restricted.

Accounts Receivable and Capital Grants Receivables

Accounts receivable arise from billing of sewer and water services, Harmonized Sales Tax recoverable, government funding, and miscellaneous receivables. An allowance for bad debts has been calculated through discussions with management, assessment of the other circumstances influencing the collectibility of amounts and using historical loss experience. Amounts deemed non-collectible are written off and deducted from the carrying value of the receivable. Amounts subsequently recovered from accounts previously written off are recorded in revenue in the period of recovery.

Deferred Revenue

Deferred revenue is recorded when funds received are restricted by external parties for a stated purpose, such as a specific program or the purchase of tangible capital assets. Deferred revenue is recognized as revenue over time as the recognition criteria are met.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

3. Accounting Policies (continued)

Non Financial Assets

Non financial assets are not available to discharge existing liabilities and are held for the use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the normal course of operations.

Certain items of historical value are not recognized in these financial statements.

Prepaid Expenses

Prepaid expenses are cash disbursements for goods or services, other than tangible capital assets and inventories of supplies, that will provide economic benefits in one or more future periods. The prepaid amount is recognized as an expense in the year the good or service is used or consumed.

Tangible Capital Assets

Tangible capital assets are recorded at cost which includes all amounts that are directly attributable to acquisition, construction, development, or betterment of the asset. The cost of the tangible capital assets is amortized at the following annual rates and methods:

Buildings	2.5% straight line
Swimming pools	5e% straight line
Rinks/arenas/parks/fields	5% straight line
Parking garages	2.5% straight line
Parking meters	14.29% straight line
Heavy equipment	20% straight line
Motor vehicles	20% straight line
Streets and sidewalks	4% straight line
Storm sewers	2% straight line
Street lights	4% straight line
Water system	2% straight line
Sewer system	2% straight line
Treatment plant	2% straight line
Leasehold improvements and equipment	20% straight line
Computer and ticketing equipment	33.33% straight line
Paving and landscaping	8% declining balance
Equipment	20% declining balance
Signage	20% declining balance
Computer hardware	30% declining balance
Computer software	100% declining balance
Energy audit assets	12.5% declining balance

City of Charlottetown does not capitalize interest and labour costs associated with the acquisition or construction of tangible capital assets.

Inventory of Supplies

Inventory of supplies are held for consumption or use by the City in the course of its operations and are recorded at the lower of cost and current replacement cost.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

3. Accounting Policies (continued)

Leased Tangible Capital Assets

Leases which transfer substantially all of the benefits and risks incidental to ownership are accounted for as leased tangible capital assets. All other leases are accounted for as operating leases and the related payments are charges to expenses as incurred.

Contaminated Sites

The City of Charlottetown accrues a liability to estimate the cost to remediate contaminated sites to the level necessary to allow the property to meet the environmental standard appropriate to its current use or status. The liability is based on estimates and assumptions using the best information available to management.

Pension and Post-Employment Benefits

The costs of post employment benefits are recognized when the event that obligates the City occurs. Costs include projected future income payments and fees paid to independent administrators of these plans.

The costs of post employment benefits are actuarially determined using the projected benefits method prorated on service and management's best estimate of retirement ages of employees and salary escalation. Liabilities are actuarially determined using discount rates based on management's expectations.

Reserves

Certain amounts approved by Council are set aside in surplus for future expenses related to sick leave and retiring allowance payments and special events. Transfer to/from reserve are recorded as an adjustment to the reserve when approved and when payments are made.

Revenues

Property tax billings are based on assessments prepared by the Province of PEI. Tax rates are established annually by Council and recorded at the time tax billings are due. Assessments and the related property taxes are subject to appeal. Tax adjustments as a result of appeals are recorded when the results of the appeal process are known.

Revenues are recorded on the accrual basis and are recorded as revenue when earned and collectability is reasonably assured.

User fees relate to fees for various programs and fees imposed on specific activities. Revenue is recognized when the activity or service has been performed.

Government transfers are recognized as revenue in the period during which the transfer is authorized and all eligibility criteria are met, except when and to the extent that transfer stipulations give rise to an obligation that meets the definition of a liability. Transfers meeting the definition of a liability are recorded as deferred revenue and are recognized as revenue when the funds are used as intended.

Expenses

Expenses are recorded on an accrual basis. Expenses are recognized as they are incurred and measurable based upon receipt of goods or services and/or the legal obligation to pay. Provisions are made for probable losses on accounts receivable and for contingent liabilities when it is likely that a liability exists and the

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

3. Accounting Policies (continued)

amount can be reasonably determined. These provisions are updated as estimates are revised, at least annually.

4. Measurement Uncertainty and Use of Estimates

Uncertainty in the determination of the amount at which an item is recorded in the consolidated financial statements is known as measurement uncertainty. Many items are measured using management's best estimates based on assumptions that reflect the most probable set of economic conditions and planned courses of action. Uncertainty exists whenever estimates are used because it is reasonably possible that there could be a material difference between the recognized amount and another reasonably possible amount.

Measurement uncertainty exists in the accruals for such items as pension, lawsuits, sick and post-retirement obligations, liabilities for contaminated sites, allowance for doubtful accounts, and amortization of tangible capital assets. The nature of the uncertainty in the accruals for pension, sick and post-retirement obligations arises because actual results may differ significantly from the various assumptions about plan members and economic conditions in the marketplace. Uncertainty exists in the liabilities for contaminated sites because the actual extent of the remediation activities, methods, and site contamination may differ significantly from the original remediation plans. Uncertainty exists in the allowance for doubtful accounts as actual collections may vary from management's estimates. Uncertainty exists in the amount recorded for amortization of tangible capital assets as actual useful lives of the tangible capital assets may vary from management's estimates.

5. Accounting Changes

A number of errors were identified in the prior period financial statements that required restatement of those figures. One error resulted from PS 3250 not being correctly applied when it came to the reporting of the pension plan obligations. In the prior year audited financial statements, the Superannuation Plan Net Assets Available for Benefits of \$91,603,621 and the Superannuation Plan Accrued Pension Plan Obligations of \$88,045,700 were shown separately on the Statement of Financial Position, rather than being netted. New accounting valuations for the period ended December 31, 2016 also resulted in changes to the amounts reported in the prior period. As a result of these changes, Superannuation Plan Net Assets Available for Benefits were decreased by \$91,603,621, Superannuation Plan Accrued Pension Obligations were decreased by \$88,045,700, Accrued Pension Asset was increased by \$242,893, pension expense was increased by \$888,380, pension allowance was increased by \$771,717 and actuarial pension expense was decreased by \$4,601,613, and the opening Accumulated Surplus was increased by \$4,484,950.

A valuation was performed for employee sick and post-employment benefits. As a result, Sick Leave and Post-Employment Benefits liability was increased by \$1,699,334, opening Accumulated Surplus were increased by \$1,699,334, and restricted cash increased by \$984,299 from amounts previously reported.

Another error resulted from the inventory of supplies for water and sewer corporation kept on hand not being recorded as an asset on the Statement of Financial Position in previous years. These amounts had previously been recorded as expenses in the year of purchase, rather than being recorded as an asset upon initial purchase and expensed as utilized. As a result of this change, Repairs and Maintenance expense was decreased by \$83,188, inventory of supplies was increased by \$1,865,159, inventory for resale was increased by \$34,396 in the prior period and the opening Accumulated Surplus was increased by \$1,816,367.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

5. Accounting Changes (continued)

Another error resulted from the liability for the decommissioning of the East Royalty lagoon not being recorded in the year ended December 31, 2016. As a result of this error, decommissioning costs and Accounts Payable and Accrued Liabilities were both increased by \$455,000 in the prior period.

The City approved a project which included the cost estimate of landfill closure plan for the East Royalty Landfill site. A provision for this contaminated site has been recorded as it was determined that a liability exists and a reasonable estimate of the remediation costs could be determined. For the year ended December 31, 2015, a total liability for the closure East Royalty Landfill was recorded in Accounts Payable and Accrued liabilities and opening Accumulated Surplus was decreased by \$4,769,208. For the year ended December 31, 2015, a total liability for the annual monitoring of the East Royalty Landfill was recorded in Accounts Payable and Accrued liabilities and opening Accumulated Surplus was decreased by \$552,250.

As a result of restatement of government funding for capital projects in previous years and recording of tangible capital assets, capital grants receivable have decreased by \$905,871, government transfers for capital revenues were decreased by \$809,101 and tangible capital assets decreased by \$273,430.

It was determined the presentation of the government reporting entity was not properly accounted for in previous years. As a result, adjustments were necessary to properly account for Charlottetown Civic Centre Management Inc, Charlottetown Area Development Corporation, and Capital Area Recreation Inc.

The City's interest in partnerships is accounted for using the proportionate consolidation method and includes Charlottetown Civic Centre Management Inc. and resulted in an increased in opening Accumulated Surplus of \$178,853, increase in tangible capital assets of \$195,498, increase in deferred revenue of \$164,742, increase in recreation revenues of \$815,580, increase in amortization expense of \$141,580, increase in recreation goods and services expense of \$621,368 and increase in recreation salaries expenses of \$685,193.

Government business enterprises are accounted for on the modified equity basis. The total net assets of all government business enterprises are reported as a separate item on the Consolidated Statement of Financial Position. The total net income from all government business enterprises is reported as a separate item on the Consolidated Statement of Operations. The City's investment in government business enterprises include the Charlottetown Area Development Corporation (CADC with a year end of March 31) and has resulted in an increase in opening Accumulated Surplus of \$753,916 and net income from CADC for December 31, 2016 included in operations of \$51,473.

It was determined that control exists over the Capital Area Recreation Inc and therefore should be consolidated with City of Charlottetown. As a result, assets, liabilities, revenues and expenses have been included for the year ended December 31, 2016 and December 31, 2017 and opening Accumulated Surplus was decreased by \$612,851, tangible capital assets increased by \$13,824,946, recreation revenues increased by \$2,972,690, amortization expense increased by \$681,745, recreation goods and services expenses increased by \$1,294,637 and recreation salaries expenses increased by \$1,507,089.

Long-term debt balances for December 31, 2016 were adjusted to correct ending balances and loans have increased by \$342,969 and interest expense decreased by \$342,969.

Tourism Accommodation Levy has been determined to be an externally restricted asset from provincial legislation. As a result, Tourism Accommodation Levy surplus funds are included in deferred revenue and not included as part of operations. As a result, deferred revenue has been increased by \$364,537 and opening Accumulated Surplus has been decreased by \$364,537. Revenues and expenses for 2016 for Tourism Accommodation Levy were restated to \$1,225,572.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

5. Accounting Changes (continued)

Deferred revenue relating to gas tax funding has been corrected to agree to Annual Expenditure Reports filed with the Province of PEI. As a result, deferred revenues have increased by \$972,182 and opening Accumulated Surplus has decreased by \$972,182.

Accounts payable increased by \$376,276, prepaid expenses increased by \$211,611, and accounts receivable decreased by \$29,529 as a result of changes to revenues and expenses for December 31, 2016.

6. Accounts Receivable

	2017	2016
Trade receivables	\$ 3,451,723	\$ 4,956,493
Harmonized sales tax receivable	764,504	561,822
Other receivables	529,309	635,033
	<u>4,745,536</u>	<u>6,153,348</u>
Allowance for doubtful accounts	(328,300)	(159,500)
Accounts receivable - End of year	<u>\$ 4,417,236</u>	<u>\$ 5,993,848</u>

7. Capital Grants Receivable

	2017	2016
Clean Water Wastewater Fund	\$ 3,380,029	\$ 2,843,617
Municipal Capital Expenditure Grant	2,258,987	-
Public Transit Infrastructure Fund	229,023	586,658
Build Canada Fund	229,108	1,146,608
Atlantic Canada Opportunities Agency	-	10,709
	<u>\$ 6,097,147</u>	<u>\$ 4,587,592</u>

8. Investment in Government Business Enterprises

The City of Charlottetown owns a 15% portion of The Charlottetown Area Development Corporation (CADC). Condensed financial information for CADC for the years ended March 31, 2017 and March 31, 2016 is as follows:

	2017	2016
Consolidated Statement of Financial Position		
Assets		
Current assets	\$ 3,802,786	\$ 3,275,529
Property inventory	3,119,972	3,003,909
Capital assets	110,101	278,291
Investment properties	56,158,567	56,828,078
Investment in leases	937,861	1,284,844
	<u>\$ 64,129,287</u>	<u>\$ 64,670,651</u>

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

8. Investment in Government Business Enterprises (continued)

	2017	2016
Liabilities		
Current liabilities	\$ 8,993,384	\$ 4,621,829
Long-term debt	11,778,014	16,308,817
Deferred revenues	37,600,015	38,370,743
	<u>58,371,413</u>	<u>59,301,389</u>
Shareholders' Equity		
Capital stock	2,500	2,500
Contributed surplus	4,526,706	4,526,706
Retained earnings	1,228,668	840,056
	<u>5,757,874</u>	<u>5,369,262</u>
	<u>\$ 64,129,287</u>	<u>\$ 64,670,651</u>
Consolidated Statement of Comprehensive Income		
Revenue		
Operating revenue	\$ 1,191,495	\$ 1,259,590
Other	272,698	328,920
	<u>1,464,193</u>	<u>1,588,510</u>
Expenses	<u>1,075,581</u>	<u>1,245,356</u>
Net earnings for the year	388,612	343,154
Retained earnings - Beginning of year	<u>840,056</u>	<u>496,902</u>
Retained earnings - End of year	<u>\$ 1,228,668</u>	<u>\$ 840,056</u>
Investment - Beginning of Year	\$ 805,389	\$ 753,916
Share of net income (15%)	<u>58,292</u>	<u>51,473</u>
Investment - End of Year	<u>\$ 863,681</u>	<u>\$ 805,389</u>

Key Activities and Commitments:

Demand loans of \$2,736,601 (2016 - \$1,536,601) are due on demand, interest at prime minus .1% and interest paid monthly.

The 6.64% debenture is unsecured. These loans are payable to the majority shareholder. During the year, the Corporation expensed interest on long-term debt of \$70,848 (2016 - \$90,613) paid to the Province of Prince Edward Island on the 6.64% debenture.

The 2.6% term loan and the 2.95%, 4.18%, 2.92% and 3.11% mortgages and the demand loans are secured by a general security agreement representing a first charge on all assets, continuing collateral mortgages representing a first charge on all real property known as Harbourside Complex and an undertaking not to

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

8. Investment in Government Business Enterprises (continued)

encumber or mortgage the property at 119 Euston Street, assignment of mortgage receivable and fire insurance for Harbourside Complex, and general assignment of rents representing a first charge on rents on the Harbourside Complex.

The company's debt agreement contains certain restrictive covenants which require the maintenance of a specific ratio. As at March 31, 2017, the consolidated entity was able to maintain a total debt service ratio of 100%, and is therefore in compliance with the covenant.

The Province of Prince Edward Island is the majority shareholder of The Charlottetown Area Development Corporation and the City of Charlottetown and the Town of Stratford are minority shareholders. Included in accounts receivables was \$252,210 (2016 - \$107,894) due from City of Charlottetown and included in accounts payable was \$375,368 (2016 - \$7,236) due to City of Charlottetown.

9. Accrued Pension Asset

The City of Charlottetown maintains a defined benefit pension plan for its full time employees. The Charlottetown Water and Sewer Corporation maintains a defined benefit pension plan for its full time employees who entered the plan prior to its closing in 2000. Actuarial valuations of the Superannuation Plans are completed every three years with the most recent valuation provided as of the effective date of December 31, 2016 by Eckler Partners Ltd., a firm of consulting actuaries. The valuation results are extrapolated on an annual basis by the actuaries. The next valuation is scheduled to be completed as of December 31, 2019.

In determining liabilities and current service costs, the actuaries have used the projected unit credit method, prorated on service. Actuarial gains and losses are to be amortized over the expected average remaining service life of active employees, which have been determined to be 5 years for Water and Sewer Corporation and 11 years for City employees.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

9. Accrued Pension Asset (continued)

The actuarial valuation was done using the following assumptions:

Assumption	December 31, 2017	December 31, 2016
Pre-retirement discount rate	City - 6.00% per annum Water & Sewer - 5.70% per annum	City - 5.50% per annum Water & Sewer - 5.50% per annum
Post-retirement discount rate	City - 6.00% per annum prior to age 60 5.50% per annum after age 60 Water & Sewer - 5.50% per annum	City - 6.00% per annum prior to age 60 5.50% per annum after age 60 Water & Sewer - 5.50% per annum
Expected return on plan assets	City - 6.00% per annum Water & Sewer - 5.70% per annum	City - 6.00% per annum Water & Sewer - 5.70% per annum
Expected inflation	2.00% per annum	2.00% per annum
Retirement age	70% at the age at which "Rule of 85" is attained 30% at age 65	70% at the age at which "Rule of 85" is attained 30% at age 65
Rate of compensation increase	City - 3.50% per annum Water & Sewer - 3.5% per annum	City - 4.00% per annum Water & Sewer - 3.5% per annum
Withdrawals	None	None
Maximum pension	City - \$1,722.22 per year of service Water and Sewer - Lesser of 2% or \$1,722.22 per year of service	City - \$1,722.22 per year of service Water and Sewer - Lesser of 2% or \$1,722.22 per year of service
Percentage married	100%	100%
Spouse's age	Males assumed to be 3 years older	Males assumed to be 3 years older
Pre-retirement mortality	None	None
Post-retirement mortality	CPM2014 Combined Mortality table projected with Scale CPM-B	CPM2014 Combined Mortality table projected with Scale CPM-B

Information about financial position of the City's defined benefit plan as at period end is as follows:

	2017	2016
Changes in accrued benefit obligation:		
Balance - beginning of year	\$ 73,360,100	\$ 69,009,849
Current service costs	2,649,077	2,577,926
Interest on liabilities	4,390,023	4,139,591
Employee past service contributions	2,476	110,800
Actuarial losses	737,850	244,000
Benefits paid	(3,037,653)	(2,722,066)
Balance - end of year	<u>78,101,873</u>	<u>73,360,100</u>
Change in fair value of plan assets:		
Balance - beginning of year	81,688,809	72,208,783
Employer contributions	1,639,905	1,595,859
Employee contributions	1,642,831	1,706,659
Investment return	4,690,008	9,288,109
Administrative fees	(450,606)	(388,534)
Benefits paid	(3,037,653)	(2,722,067)
Balance - end of year	<u>86,173,294</u>	<u>81,688,809</u>

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

9. Accrued Pension Asset (continued)

	2017	2016
Change in unamortized actuarial gains and losses:		
Balance - beginning of year	(4,305,633)	-
Experience gains and losses	1,406,667	(4,305,633)
Amortization of actuarial gains and losses	391,421	-
	<u>(2,507,545)</u>	<u>(4,305,633)</u>
Balance - end of year	<u>(2,507,545)</u>	<u>(4,305,633)</u>
Pension valuation allowance	<u>(5,563,876)</u>	<u>(4,023,076)</u>
Accrued pension asset	<u>\$ -</u>	<u>\$ -</u>

The expense for the defined benefit plans is as follows:

Current service costs	\$ 2,649,077	\$ 2,577,926
Amortization of actuarial gains and losses	(391,421)	-
Employee contributions	(1,639,905)	(1,595,859)
Interest on liabilities	4,390,023	4,139,591
Expected investment return	<u>(4,908,668)</u>	<u>(4,349,941)</u>
Pension expense	<u>\$ 99,106</u>	<u>\$ 771,717</u>
Expected return on plan assets	5.70 %	5.70 %
Actual net rate of return	9.42 %	4.66 %

The valuation allowance is required by PS 3250.050 because the City can not access the surplus and therefore does not meet the requirements for recognition as an asset in the consolidated financial statements of the City.

Information about the financial position of the Charlottetown Water and Sewer Corporation defined benefit plan as at period end is as follows:

	2017	2016
Changes in accrued benefit obligation:		
Balance - beginning of year	\$ 9,876,300	\$ 9,545,101
Current service costs	117,544	148,677
Interest on liabilities	550,959	535,180
Actuarial losses	112,787	107,978
Benefits paid	<u>(538,261)</u>	<u>(460,636)</u>
Balance - end of year	<u>10,119,329</u>	<u>9,876,300</u>
Change in fair value of plan assets:		
Balance - beginning of year	9,914,810	9,707,726
Employer contributions	155,033	196,535
Employee contributions	16,355	21,172
Investment return	1,022,121	527,071
Administrative fees	(105,369)	(77,058)
Benefits paid	<u>(538,261)</u>	<u>(460,636)</u>
Balance - end of year	<u>10,464,689</u>	<u>9,914,810</u>

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

9. Accrued Pension Asset (continued)

	2017	2016
Change in unamortized actuarial gains and losses:		
Balance - beginning of year	204,383	-
Experience gains and losses	(249,274)	204,383
Amortization of actuarial gains and losses	(40,881)	-
	<u>(85,772)</u>	<u>204,383</u>
Balance - end of year	<u>(85,772)</u>	<u>204,383</u>
Accrued pension asset	<u>\$ 259,588</u>	<u>\$ 242,893</u>

The expense for the defined benefit plans is as follows:

Current service costs	\$ 117,544	\$ 148,677
Amortization of actuarial gains and losses	40,876	-
Employee contributions	(16,355)	(20,777)
Interest on liabilities	550,959	535,180
Expected investment return	(554,688)	(546,417)
	<u>\$ 138,336</u>	<u>\$ 116,663</u>
Pension expense	<u>\$ 138,336</u>	<u>\$ 116,663</u>
Consolidated Pension Expense	\$ 237,442	\$ 888,380
Consolidated Accrued Pension Asset	\$ 259,588	\$ 242,893

Employee Future Benefits - Defined Contribution Pension Plan

The City provides the Mayor, CAO, and Council with a defined contribution pension plan. RRSP payments are made by the City directly to the financial institution on behalf of certain individuals (self directed RRSP plans) and for others the City administers the RRSP account. This RRSP plan is in the name of the City with the CAO named as the administrator on the account. The December 31, 2017 contribution rate was 12.22% (2016 - 12.22%) and contributions for Mayor and Council for 2017 are \$48,877 (2016 - \$48,208) and CAO were \$17,207 (2016 - \$11,516).

Charlottetown Civic Centre Management Inc. maintains a defined contribution RRSP plan for certain employees. RRSP expense for these employees for the year ended December 31, 2017 is \$16,293 (2016 - \$15,354) and is included in payroll expenses.

Capital Area Recreation Inc. maintains a defined contribution RRSP plan for certain management and administration employees. RRSP plan is a 5% matching contribution plan. RRSP expense for these employees for the year ended December 31, 2017 is \$27,115 (2016 - \$27,626) and is included in payroll expenses.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

10. Bank Indebtedness and Overdrafts

	2017	2016
Royal Bank of Canada - prime less 0.60%;	<u>\$ 27,255,973</u>	<u>\$ 18,212,549</u>

The City has two approved credit facilities with RBC of \$10,000,000 and \$5,500,000; secured by resolution approved by council; short-term financing on capital projects.

The City pools its various bank accounts and draws on the overdraft up to its net cash balance. Once the net cash position is exceeded, lines of credit are accessed.

The City also has two approved lines of credit in 2017 with National Bank for \$10,000,000 each for short-term financing on capital projects and have not been drawn as of year end date .

11. Deferred Revenue

	2017	2016
New Deal Gas Tax Funding	\$ 1,745,613	\$ 2,317,847
Tourism Accommodation Levy	522,053	464,408
Civic Centre Management Inc and CARI - deferred contributions	2,262,075	2,375,977
Parking	579,250	579,250
Other	54,678	56,270
	<u>\$ 5,163,669</u>	<u>\$ 5,793,752</u>

Under the New Deal Gas Tax Funding for Incorporated Communities and the New Deal for Cities & Communities, the City is allocated \$3,091,818 per year for fiscal years ending March 31, 2015 and 2016, \$3,291,655 for fiscal years ending March 31, 2017 and 2018. These funds, along with interest earned, must be used for eligible infrastructure and capacity building projects. Any funds received under this program, including interest earned, but not yet spent are recognized as deferred revenue at the end of the year.

During the year, the City received Gas Tax funding of \$3,291,655, and incurred eligible expenditures of \$3,877,212.

Amounts included in deferred revenue related to parking are based on agreements whereby the City receives certain amounts which are required to be used for the creation of parking spaces within the city or are payment in lieu of the developer providing parking. The city has restricted these amounts for use on parking and related costs.

12. Sick Leave and Post-Employment Benefits

The City of Charlottetown provides sick leave benefits allowing employees' unused sick leave to accumulate to a maximum number of days, which varies by employment agreement. The City of Charlottetown also provides for the payment of post-employment benefits to employees based on length of service and final earnings. The post-employment benefits are calculated at three months' salary upon completion of ten years of full-time continuous service as well as an additional one month for each extra five years of service, to a maximum of six months.

Employees who reach retirement age with at least 10 years of continuous full-time service shall receive a payment as follows:

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

12. Sick Leave and Post-Employment Benefits (continued)

At least 10 years	3 months salary
At least 15 years	4 months salary
At least 20 years	5 months salary
At least 25 years	6 months salary

Eligible employees earn 18 sick leave days per year or 1.5 days for every month of service. Employees may accumulate 100% of their unused sick days, up to a maximum of 300 days for CUPE 501 WWTP, CUPE 830, and Police and 350 days for UPSE, management and Non Union and CUPE 501 Civic in a sick leave bank for use in future years. Following 90 days of illness, an employee may qualify for the City's long-term disability plan. When an employee terminates, retires or dies prior to retirement, 50% of unused accumulated sick leave days to a maximum of 75 days at date of retirement/ death/ termination will be paid to the employee and following this payment, any unused accumulated days are forfeited.

Actuarial valuations of the accrued benefit obligations for the above benefits were completed as of the effective date of December 31, 2017 by Eckler Partners Ltd., a firm of consulting actuaries. The valuation results were extrapolated by Eckler Partners Ltd. back to December 31, 2016 and January 1, 2016 to provide comparative information.

In determining liabilities and current service costs, the actuaries have used the projected unit credit method, prorated on service. Actuarial gains and losses are to be amortized over the expected average remaining service life of active employees, which have been determined to be 11 years.

The actuarial valuation was done using the following assumptions:

Assumption	December 31, 2017	December 31, 2016
Discount rate	3.50% per annum	3.50% per annum
Retirement age	65% at the age at which "Rule of 85" is attained 35% at age 65	65% at the age at which "Rule of 85" is attained 35% at age 65
Mortality	CPM2014 Combined Mortality table projected with Scale CPM-B	CPM2014 Combined Mortality table projected with Scale CPM-B
Salary growth rate	3.50% per annum	3.50% per annum
Withdrawals	155 Service Tables	155 Service Tables
Payroll taxes	18%	18%

Information about the City's accrued benefit obligations as at period end is as follows:

	2017	2016
Changes in accrued benefit obligation:		
Sick leave - beginning of year	\$ 3,061,434	\$ 2,959,222
Current service costs	284,108	274,500
Interest on liabilities	111,330	108,270
Benefits paid	(329,352)	(280,558)
	3,127,520	3,061,434

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

12. Sick Leave and Post-Employment Benefits (continued)

	2017	2016
Retiring allowance - beginning of year	2,925,750	3,008,063
Current service costs	197,882	191,190
Interest on liabilities	103,640	105,344
Benefits paid	<u>(324,953)</u>	<u>(378,847)</u>
Retiring allowance - end of year	<u>2,902,319</u>	<u>2,925,750</u>
Accrued benefit obligations - end of year	<u>\$ 6,029,839</u>	<u>\$ 5,987,184</u>

Effective July 1, 2015, the City of Charlottetown adjusted Council's transition allowance. The transition allowance is equal to two weeks for each year served to a maximum of 26 weeks and the transition allowance is retroactive to the date that all current Members of Council were elected. The liability for 2017 was determined to be \$122,597 (2016 - \$109,679)

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

13. Long-Term Debt

	2017	2016
RBC - 4.06%; SWAP transaction maturing August 3, 2030	\$ 16,120,000	\$ 17,042,000
TD - 2.9%; SWAP transaction; renewable January 2018; maturing August 19, 2033	5,763,527	6,078,779
CDS Clearing and Depository Services Inc. - 5.79%; Debenture maturing July 16, 2024	9,677,833	10,793,188
CMHC - 4.12%; repayable in blended annual installments of \$633,100; and matures on March 1, 2031	6,626,372	6,843,351
TD - 4.465%; SWAP transaction; renewable January 2018; maturing August 19, 2033	8,518,957	8,886,548
CMHC - 3.7%; repayable in blended annual installments of \$530,410; and matures on September 1, 2030	5,396,007	5,684,699
TD - 2.26%; SWAP transaction maturing January 22, 2018	1,597,963	1,931,551
RBC - 3.04%; SWAP transaction maturing May 27, 2021	1,736,003	2,204,003
TD & RBC - Various rates 1.684%-4.08%, payments and maturity dates from 2018 through 2025.	1,918,064	2,203,706
RBC - 2.58%; repayable in blended quarterly installments of \$11,199; maturing on January 14, 2019	54,927	97,603
RBC - 2.25%; SWAP transaction maturing December 6, 2036	8,656,000	9,000,000
TD - 3.17%; SWAP transaction maturing November 30, 2022	2,542,677	3,023,576
Scotiabank - prime less 0.25%; repayable in monthly installments of \$3,208 plus interest; due June 1, 2024	250,428	288,924
RBC - (CARI) 3.17%; repayable in blended monthly installments of \$7,219; due August 2020	221,276	298,781
	<u>\$ 69,080,034</u>	<u>\$ 74,376,709</u>

Principal portion of long-term debt is expected to be repaid over the next five years and thereafter as follows:

2018	\$ 5,862,443
2019	5,941,632
2020	6,092,931
2021	5,859,173
2022	5,526,918
Thereafter	39,796,937

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

14. Accumulated Surplus

	2017	2016
Unrestricted surplus	\$ 100,074,286	\$ 88,805,779
Restricted surplus		
Sick and post-employment benefits reserve	3,608,186	4,183,468
Event attraction reserve	<u>12,831</u>	<u>12,831</u>
Total Accumulated Surplus	<u>\$ 103,695,303</u>	<u>\$ 93,002,078</u>

15. Commitments and Contingencies

a) Property tax relief

For development and cultural reasons, the City has agreed to reduce its portion of property taxes for the Confederation Centre of the Arts, the Charlottetown Airport Authority, Capital Area Recreation Inc. and various organizations under the Development Tax Incentive Program and the Heritage Grant Program. For the year ended December 31, 2017, this amounted to total property tax reductions of \$1,082,987 (2016 - \$1,101,169).

b) Legal matters

The City is involved in certain legal disputes concerning grievance and other labour disputes. No amounts have been accrued by the City as the outcomes of the disputes are uncertain. There is one claim that is being defended by the City's insurer in which the only potential expense for the City is for the policy deductible and/or any claims for punitive or exemplary damages.

c) Capital Area Recreation Inc

City of Charlottetown has agreed to provide 87% to the capital addition or replacement cost net of any funding from the Town of Stratford or any other private or public entities.

d) Operating leases

The following is a schedule of the future minimum lease payments on 7 operating leases expiring between July 2017 and January 2020:

Year ended December 31, 2017	\$ 45,359
2018	31,082
2019	9,790
2020	9,150
2021	991

e) Transit service

A resolution of City Council on September 14, 2015 approved renewing their agreement with Trius Tours for the purpose of providing transit service for the City of Charlottetown. The agreement was renewed for the period beginning October 1, 2015 and ending on September 30, 2025 but includes provision to end with notice given. The annual subsidy provided by the City to Trius Tours is \$820,563 for 2017. This amount will increase every year by the Consumer Price Index until the agreement expires. The agreement can be terminated by either party by providing notice.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

15. Commitments and Contingencies (continued)

f) Universal Metering

Through resolutions of City Council in 2015, the City has committed to spend \$1,204,511 for this project. At December 31, 2017, \$1,200,440 of the approved costs for this project have been incurred.

g) Miltonvale Wellfield Development

Through resolutions of City Council in 2016, the City has committed to spend \$7,093,507 in Miltonvale Wellfield Development. \$5,320,130 of this project will be funded by the Canada - Prince Edward Island Building Canada Fund.

At December 31, 2017, \$4,639,257 of the approved costs for this project have been incurred.

h) Stratford Water Treatment Agreement

An agreement between the Town of Stratford, the City of Charlottetown and the Province of PEI has been signed for the transport and treatment of sewage from Town of Stratford to the Charlottetown Water and Sewer Corporation waste water treatment plant.

i) Parkdale Water System

Through resolutions of City Council in 2017, the City has committed to Parkdale Water System and funding to be received through the Clean Water Wastewater Fund in the amount of \$3,300,000.

At December 31, 2017, \$2,206,172 remains to be incurred.

j) City Contracts

Through resolutions of City Council, the City has committed to spend \$2,420,370 for various capital projects.

At December 31, 2017, \$1,243,903 of the approved costs have been incurred.

k) Bell Aliant Regional Communications Commitment

The City of Charlottetown has a contract with Bell Aliant Regional Communications to acquire all local access, internet, data and long distance phone services for a period of ten years commencing January 1, 2014 and expiring December 31, 2023. Also as part of the agreement, the City receives \$70,000 for the naming rights of CARI.

l) Accident Claims

There are a number of claims which the Corporation administers with the insurer and there is insurance to cover outstanding claims.

m) Waste Water Treatment Plant

At December 31, 2017, \$0 of the approved costs for this project have been incurred and \$1,503,194 remains to be incurred.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

15. Commitments and Contingencies (continued)

n) Water level and flow monitoring

Through a Memorandum of Agreement signed with Environment Canada on August 29, 2016 the City is committed to providing funding towards the water level and flow monitoring at two locations on the Winter River. The total funding committed for the December 31, 2018 fiscal year is \$43,622.

16. Decommissioning Costs

During the year ended December 31, 2016, the City approved a project which included the decommissioning of the lagoon in East Royalty. A provision for this site has been recorded as it was determined that a liability exists and a reasonable estimate of the remediation costs could be determined. As at December 31, 2017, a total liability for the decommissioning of the East Royalty Lagoon of \$455,000 (2016 - \$455,000) has been recorded in Accounts Payable and Accrued Liabilities.

17. Contaminated Site

The City approved a project to estimate the cost of a landfill closure plan for East Royalty Landfill site. A provision for this contaminated site has been recorded as it was determined that a liability exists and a reasonable estimate of the remediation costs could be determined. As at December 31, 2017, a total liability for the closure of East Royalty Landfill of \$4,826,438 (2016 - \$4,826,438) has been recorded in Accounts Payable and Accrued Liabilities. As at December 31, 2017, a total liability for the annual monitoring for the East Royalty Landfill of \$558,877 (2016 - \$558,877) was recorded in Accounts Payable and Accrued liabilities.

18. Restricted Cash

Restricted cash is comprised of cash held in a separate bank account to fund sick leave and post employment benefit. These funds have been internally restricted. The continuity of restricted cash is as follows:

	2017	2016 (Restated)
Restricted cash available for benefits - Beginning of Year	\$ 4,183,468	\$ 4,690,880
Due to operating fund for benefit payments	<u>(575,281)</u>	<u>(507,412)</u>
Restricted cash available for benefits - End of Year	<u>\$ 3,608,187</u>	<u>\$ 4,183,468</u>

Also, restricted cash is comprised of cash held in a separate bank account to fund Tourism Accommodation Levy and gas tax funds. These funds have been externally restricted. The continuity of restricted cash is as follows:

Restricted cash available for benefits - Beginning of Year	\$ 1,322,168	\$ 778,121
Contributions	<u>(212,583)</u>	<u>544,047</u>
Restricted cash available for benefits - End of Year	<u>\$ 1,109,585</u>	<u>\$ 1,322,168</u>

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

19. Government Transfers For Operations

	Budget 2017	Actual 2017	Actual 2016
Municipal support grant	\$ 10,984,903	\$ 11,838,681	\$ 10,957,980
Transit funding	180,000	180,000	180,000
Grant in lieu of property taxes (QEH)	140,000	140,000	140,000
	<u>\$ 11,304,903</u>	<u>\$ 12,158,681</u>	<u>\$ 11,277,980</u>

20. Government Transfers For Capital

	Budget 2017	Actual 2017	Actual 2016
New Deal Gas Tax	\$ 3,091,571	\$ 3,260,844	\$ 1,872,829
Infrastructure Funding	33,512,379	8,378,538	6,095,720
	<u>\$ 36,603,950</u>	<u>\$ 11,639,382</u>	<u>\$ 7,968,549</u>

21. Comparative Figures

Certain comparative figures have been reclassified to conform to the presentation format adopted in the current period.

22. Segment Disclosure

The City is a diversified municipal unit that provides a wide range of services to its citizens. For management reporting purposes the City's operations and activities are organized and reported by segment.

The major segments are as follows:

General Government Services

This segment is responsible for the overall financial and local government administration, municipal buildings, insurance and mayor and council. Its tasks include accounts payable and receivable, budgets and financial statements, administration and maintenance of bylaws.

Protective Services

This segment is responsible for the fire department, police department, street lights and emergency preparedness program for its resident. Its tasks include maintaining the safety and security of the City's residents.

Street Maintenance and Environment

This segment is responsible for public works, urban beautification, traffic and parking. Its tasks include planning, developing and maintaining roads, traffic operations, parking and snow removal operations.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

22. Segment Disclosure (continued)

Recreation

This segment is responsible for promoting and offering recreation opportunities and activities for its residents. Its tasks include the operations and maintenance of the City parks and recreational buildings.

Development, Heritage and Other

This segment is responsible for transit, planning, tourism, economic development, event development, heritage, arts and culture, human resources and other.

Water and Sewer

This segment is responsible for the maintenance and operations of water and sewer services provided to residents and other customers.

23. Subsequent Events

CADC windup

Based on consultations, a Provincial committee has recommended the Province of Prince Edward Island explore a process of having the shares of CADC consolidated under provincial ownership.

Borrowings

The City has obtained long-term financing of \$22 million in early 2018.

24. Future Changes in Accounting Standards

The Public Sector Accounting Board of CPA Canada has issued new standards or amendments to standards that are not in effect as of the dates of these financial statements, and they are as follows:

Effective April 1, 2017:

PS 2200 Related Party Disclosures - defines related parties and establishes disclosures for related party transactions;

PS 3210 Assets - provides guidance for applying the definition of assets and establishes general disclosure requirements;

PS 3320 Contingent Assets - defines and establishes disclosure standards on contingent assets;

PS 3380 Contractual Rights - defines and establishes disclosure standards on contractual rights;

PS 3420 Inter-entity Transactions - establishes standards on how to account for and report transactions between public sector entities that comprise a government's reporting entity from both a provider and recipient perspective.

**CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017**

24. Future Changes in Accounting Standards

Effective April 1, 2018:

PS 3430 Restructuring Transactions - establishes standards on how to account for and report restructuring transactions.

Effective April 1, 2019:

PS 1201 Financial Statement Presentation - establishes general reporting principles and standards for the disclosure of information;

PS 2601 Foreign Current Translation - establishes standards on how to account for an report transactions that are denominated in a foreign currency;

PS 3041 Portfolio Investments - establishes standards on how to account for and report portfolio investments;

PS 3450 Financial Instruments - establishes standards on how to account for an report all types of financial instruments including derivatives.

The City of Charlottetown is currently analyzing the impact of these and new amended standards, and plans to adopt them on the effective dates.

CITY OF CHARLOTTETOWN
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

25. Budget Figures

The columns presented as budget on the statements of operations and the attached schedules were not subject to audit or review by the external auditor.

Charlottetown Area *Municipal Act* Section 37 requires that the City cannot budget for a deficit and the City is in compliance with the Act.

A reconciliation of the 2017 fiscal operating budget prepared by Council to the budget figures disclosed in the consolidated financial statements is as follows:

<i>Revenues</i>	<i>Per Budget Document</i>	<i>Net Adjustments</i>	<i>Consolidated Budget</i>
Property taxes	\$33,348,578	\$ -	\$33,348,578
Government transfers for operations	11,124,903	180,000	11,304,903
Water and sewer	9,928,987	(1,072,125)	8,856,862
Recreation	660,100	2,992,427	3,652,527
Parking	1,310,000	-	1,310,000
Police protections services	1,116,000	-	1,116,000
Rentals	770,200	(205,000)	565,200
Licenses	538,000	-	538,000
Interest and other	51,000	-	51,000
Net income from CADC	-	52,170	52,170
Provincial Infrastructure	1,010,000	-	1,010,000
Deficit (prior year)	(557,317)	557,317	-
Parkland reserve transfer	146,227	(146,227)	-
Total Revenues	59,446,678	2,358,562	61,805,240
Expenses			
Amortization	-	5,158,527	5,158,527
Development, heritage and other	8,840,914	(1,601,295)	7,239,619
General government	5,815,993	(35,000)	5,780,993
Interest on long term debt	6,008,845	(2,858,690)	3,150,155
Parks and recreation	3,577,291	4,285,627	7,862,918
Protective services	14,056,905	(937,125)	13,119,780
Street maintenance	11,244,185	-	11,244,185
Water and sewer	9,898,579	(2,601,373)	7,297,206
Expenses	59,442,712	1,410,671	60,853,383
Operating Surplus	\$ 3,966	\$ 947,891	\$951,857
Government Transfers for Capital	-	-	36,603,950
Annual Surplus	\$3,966	\$947,891	\$37,555,807

**CITY OF CHARLOTTETOWN
SCHEDULES TO THE CONSOLIDATED FINANCIAL STATEMENTS
SEGMENT OPERATING DISCLOSURES
YEAR ENDED DECEMBER 31, 2017**

Schedule 1

	General Government	Protective Services	Street Maintenance & Environment	Parks & Recreation	Development, Heritage and Other	Water and Sewer	Total
Revenues							
Property tax	\$32,249,052	\$ -	\$ -	\$ -	\$ -	\$ -	\$32,249,052
Government transfers for operations	12,158,681	-	-	-	-	-	12,158,681
MCEG	1,139,892	-	-	-	-	1,119,095	2,258,987
Sales of goods and services	-	-	-	-	-	8,688,180	8,688,180
Water and sewer	-	-	1,676,708	-	-	-	1,676,708
Parking (net)	-	1,208,337	-	-	-	-	1,208,337
Police Court	-	-	-	-	-	-	652,312
Licenses	652,312	-	-	-	-	-	652,312
Other income	-	-	-	-	-	-	-
Tourism Accommodation Levy	-	-	-	-	1,166,734	-	1,166,734
Rentals	-	-	-	-	880,896	-	880,896
Recreation	-	-	-	4,519,766	-	-	4,519,766
Net income from CADC	-	-	-	-	58,292	-	58,292
Interest and other	-	-	-	-	71,745	-	71,745
	46,199,937	1,208,337	1,676,708	4,519,766	2,177,667	9,807,275	65,589,690
Expenses							
Salaries and benefits	2,521,923	10,419,647	5,239,967	4,521,540	1,673,900	3,440,677	27,817,654
Goods and services	3,355,456	2,229,529	6,071,801	3,280,295	5,113,836	3,937,449	23,988,366
Tourism Accommodation Levy	1,166,734	-	-	-	-	-	1,166,734
Interest on long-term debt	2,808,778	-	-	-	-	982,861	3,791,639
Amortization	5,224,606	-	-	823,325	-	2,751,914	8,799,845
	15,077,497	12,649,176	11,311,768	8,625,160	6,787,736	11,112,901	65,564,238
Annual surplus (deficit)	\$31,122,440	\$(11,440,839)	\$(9,635,060)	\$(4,105,394)	\$(4,610,069)	\$(1,305,626)	\$25,452

**CITY OF CHARLOTTETOWN
SCHEDULES TO THE CONSOLIDATED FINANCIAL STATEMENTS
SEGMENT OPERATING DISCLOSURES
YEAR ENDED DECEMBER 31, 2016**

Schedule 1 (continued)

	General Government	Protective Services	Street Maintenance & Environment	Parks & Recreation	Development, Heritage and Other	Water and Sewer	Total
Revenues							
Property tax	\$31,896,601	\$ -	\$ -	\$ -	\$ -	\$ -	\$31,896,601
Government transfers for operations	11,277,980	-	-	-	-	-	11,277,980
Municipal Capital Expenditure Grant	1,010,000	-	-	-	-	-	1,010,000
Sales of goods and services	-	-	-	-	-	-	-
Water and sewer	-	-	1,322,471	-	-	8,463,925	8,463,925
Parking (net)	-	-	-	-	-	-	1,322,471
Police Court	-	1,136,661	-	-	-	-	1,136,661
Licenses	460,993	-	-	-	-	-	460,993
Other income	-	-	-	-	-	-	-
Tourism Accommodation Levy	-	-	-	-	1,225,572	-	1,225,572
Rentals	-	-	-	-	956,915	-	956,915
Recreation	-	-	-	4,500,710	-	-	4,500,710
Net income from CADC	-	-	-	-	51,473	-	51,473
Interest and other	-	-	-	-	68,938	-	68,938
	44,645,574	1,136,661	1,322,471	4,500,710	2,302,898	8,463,925	62,372,239
Expenses							
Salaries and benefits	2,231,626	10,198,731	4,923,805	4,364,268	1,569,713	3,498,893	26,787,036
Goods and services	2,972,717	2,569,220	6,084,352	3,488,127	4,309,596	3,319,409	22,743,421
Tourism Accommodation	1,225,572	-	-	-	-	-	1,225,572
Interest on long-term debt	2,497,691	-	-	-	-	1,011,461	3,509,152
Amortization	4,397,233	-	-	745,016	-	2,431,942	7,574,191
	13,324,839	12,767,951	11,008,157	8,597,411	5,879,309	10,261,705	61,839,372
Annual surplus (deficit)	\$31,320,735	\$(11,631,290)	\$(9,685,686)	\$(4,096,701)	\$(3,576,411)	\$(1,797,780)	\$532,867

**CITY OF CHARLOTTETOWN
SCHEDULES TO THE CONSOLIDATED FINANCIAL STATEMENTS - TANGIBLE CAPITAL ASSETS
DECEMBER 31, 2017**

	Cost Beginning of Year	Additions	Disposals and Write Downs	Cost End of Year	Accum Amort Beginning of Year	Amort in the Year	Disposals and Write Downs	Accum Amort End of Year	Net Book Value
City of Charlottetown									Schedule 2
Land	\$ 10,743,467	\$ 961,523	-	\$ 11,704,990	\$ -	-	-	\$ -	\$ 11,704,990
Buildings	24,993,713	770,205	-	25,763,918	21,609,168	575,450	-	22,184,618	3,579,300
Assets under construction	-	222,751	-	222,751	-	-	-	-	222,751
Rinks/arenas/ parks/fields	8,971,660	526,744	-	9,498,404	5,050,665	567,345	-	5,618,010	3,880,394
Parking garages	16,707,762	359,147	-	17,066,909	7,696,434	401,085	-	8,097,519	8,969,390
Parking meters	920,498	-	-	920,498	584,906	-	-	584,906	335,592
Equipment and motor vehicles	15,916,504	1,377,002	-	17,293,506	9,938,733	1,335,607	-	11,274,340	6,019,166
Computer software	-	109,205	-	109,205	-	54,602	-	54,602	54,603
Streets/sidewalks	33,259,919	5,667,149	-	38,927,068	18,121,914	1,465,831	-	19,587,745	19,339,323
Storm sewers	33,674,296	1,444,610	-	35,118,906	5,964,570	629,251	-	6,593,821	28,525,085
Street lights	4,200,181	571,538	-	4,771,719	2,077,381	195,435	-	2,272,816	2,498,903
	149,388,000	12,009,874	-	161,397,874	71,043,771	5,224,606	-	76,268,377	85,129,497
Charlottetown Water & Sewer Corporation									
Water system	47,999,029	9,137,470	-	57,136,499	18,740,656	1,142,730	-	19,883,386	37,253,113
Sewerage system	38,633,086	2,182,905	-	40,815,991	10,256,969	747,960	-	11,004,929	29,811,062
Treatment plant	40,638,513	2,422,676	-	43,061,189	7,545,865	861,224	-	8,407,089	34,654,100
	127,270,628	13,743,051	-	141,013,679	36,543,490	2,751,914	-	39,295,404	101,718,275
CAR/	23,630,190	342,388	-	23,972,578	10,357,768	681,745	-	11,039,513	12,933,065
CCCM/	2,621,956	125,535	-	2,747,491	2,388,811	141,580	-	2,530,391	217,100
	153,522,774	14,210,974	-	167,733,748	49,290,069	3,575,239	-	52,865,308	114,868,440
	\$ 302,910,774	\$ 26,220,848	\$ -	\$ 329,131,622	\$ 120,333,840	\$ 8,799,845	\$ -	\$ 129,133,685	\$ 199,997,937

**CITY OF CHARLOTTETOWN
SCHEDULES TO THE CONSOLIDATED FINANCIAL STATEMENTS
TANGIBLE CAPITAL ASSETS
DECEMBER 31, 2016**

	Cost Beginning of Year	Additions	Disposals and Write Downs	Cost End of Year	Accum Amort Beginning of Year	Amort in the Year	Disposals and Write Downs	Accum Amort End of Year	Net Book Value
Schedule 2 (continued)									
City of Charlottetown									
Land	\$ 10,743,467	\$ -	\$ -	\$ 10,743,467	\$ -	\$ -	\$ -	\$ -	\$ 10,743,467
Buildings	24,593,937	399,776	-	24,993,713	21,050,777	558,391	-	21,609,168	3,384,545
Rinks/arenas/ parks/fields	8,220,507	751,153	-	8,971,660	4,548,515	502,150	-	5,050,665	3,920,995
Parking garages	16,601,448	106,314	-	16,707,762	7,311,084	385,350	-	7,696,434	9,011,328
Parking meters	920,498	-	-	920,498	584,906	-	-	584,906	335,592
Equipment and Motor Vehicles	14,790,925	1,125,579	-	15,916,504	8,938,279	1,000,454	-	9,938,733	5,977,771
Streets/sidewalks	31,068,902	2,191,017	-	33,259,919	16,916,076	1,205,838	-	18,121,914	15,138,005
Storm sewers	31,827,164	1,847,132	-	33,674,296	5,369,347	595,223	-	5,964,570	27,709,726
Street lights	3,417,799	782,382	-	4,200,181	1,927,554	149,827	-	2,077,381	2,122,800
	142,184,647	7,203,353	-	149,388,000	66,646,538	4,397,233	-	71,043,771	78,344,229
Charlottetown Water & Sewer Corporation									
Water system	43,374,928	4,624,101	-	47,999,029	17,735,450	1,005,206	-	18,740,656	29,258,373
Sewerage system	32,942,137	5,690,949	-	38,633,086	9,441,639	815,330	-	10,256,969	28,376,117
Treatment plant	40,361,379	277,134	-	40,638,513	6,934,458	611,407	-	7,545,865	33,092,648
	116,678,444	10,592,184	-	127,270,628	34,111,547	2,431,943	-	36,543,490	90,727,138
CARI	23,571,508	58,682	-	23,630,190	9,746,562	611,206	-	10,357,768	13,272,422
CCCM/I	2,450,500	171,456	-	2,621,956	2,255,002	133,809	-	2,388,811	233,145
	142,700,452	10,822,322	-	153,522,774	46,113,111	3,176,958	-	49,290,069	104,232,705
	\$ 284,885,099	\$ 18,025,675	\$ -	\$ 302,910,774	\$ 112,759,649	\$ 7,574,191	\$ -	\$ 120,333,840	\$ 182,576,934



**HUMAN RESOURCES, COMMUNICATIONS
AND ADMINISTRATION COMMITTEE
REPORT TO COUNCIL
NOVEMBER 13, 2018**

The Human Resources, Communications and Administration Committee have not met since the last meeting of Council.

There are no resolutions for your consideration.

Note that the second reading (Superannuation Plan Bylaw Amendment Bylaw) is attached.

Respectfully submitted,

Councillor Terry MacLeod, Chair



**CITY OF CHARLOTTETOWN
SUPERANNUATION PLAN BYLAW
#2018 – 13**

To amend the Superannuation Bylaw, Bylaw #2018-13 as per the attached

RESOLVED: THAT the bylaw to amend the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" be read a first time.

*Russell - O
Melissa Hilton*

Moved by Councillor *Melissa Hilton* X MELISSA HILTON

Seconded by Councillor *Kevin Ramsay* X Kevin Ramsay
Date: October 9, 2018

RESOLVED: THAT the bylaw be now approved and that it be entitled the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor *Melissa Hilton* X MELISSA HILTON

Seconded by Councillor *Kevin Ramsay* X Kevin Ramsay
Date: October 9, 2018

THEREFORE; BE IT RESOLVED: THAT the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" be read a second time and that the said Bylaw be now adopted.

Moved by Councillor _____

Seconded by Councillor _____

Date: November 13, 2018

This Superannuation Plan Bylaw #2018-13, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2018

Peter Kelly, CAO

Clifford Lee, Mayor

City of Charlottetown
A Bylaw to Amend the City of Charlottetown Superannuation Plan Bylaw
Bylaw # 2018–13-A

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Superannuation Plan Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Superannuation Plan Bylaw to amend the Plan’s provisions in Sections 2.2(f) and 4.9 and add Sections 2.2(i) and 4.13.

3. Authority

3.1. This bylaw is adopted pursuant to Part 7, Division 2, Section 180(p) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.

4. Definitions

4.1. In this bylaw, any word and term that is defined in the *Municipal Government Act* and the City of Charlottetown Superannuation Plan Bylaw has the same meaning as in that Act or bylaw.

PART II – AMENDMENTS

5. Section 2.2(f) and 4.9 are amended as follows:

By replacing the words “maternity or paternity leave”, with “maternity leave, paternity leave, compassionate care leave, or any other leave required by law,”

6. Section 2.2(i) is added as follows:

(i) Periods of employment with the City prior to the date at which the Employee became a Member of the Plan, during which they were employed on a part-time, seasonal, entry level seasonal, casual, or contract employment basis, provided the Member has purchased such periods in accordance with Section 4.13.

7. Section 4.13 is added as follows:

In accordance with Subsection 2.2(i), a Member may elect to purchase a period of part-time, seasonal, entry level seasonal, casual, or contract employment basis, occurring prior to the date upon which they became a Member of the Plan. Such purchase is subject to the following conditions:

(i) The Member pays to the Fund the total actuarial cost of purchasing such service as determined by the Actuary.

(ii) The City will administer a fee to the Member equivalent to the administrative cost associated with the determination of the actuarial cost of purchasing such service.

- (iii) The election must be made by the latter of June 30, 2020, or two (2) years after the date the Employee becomes a Member of the Plan.
- (iv) The required cost must be contributed in full, as a lump sum, within one (1) year of the date of election.
- (v) The period of service purchased under this Subsection is limited to 10 years of service.

PART III – APPROVAL AND ADOPTION

8. Effective Date

8.1 This Superannuation Plan Bylaw Amendment Bylaw, #2018-13-A, shall be effective on the date of approval and adoption below.

First Reading:

This Superannuation Plan Bylaw Amendment Bylaw, #2018-13-A, was read a first time at the Council meeting held on the _____ day of _____, 2018.

This Superannuation Plan Bylaw Amendment Bylaw, #2018-13-A, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Second Reading:

This Superannuation Plan Bylaw Amendment Bylaw, #2018-13-A, was read a second time at the Council meeting held on the _____ day of _____, 2018.

This Superannuation Plan Bylaw Amendment Bylaw, #2018-13-A, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Approval and Adoption by Council:

This Election Bylaw Amendment Bylaw, #2018-08-A, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

9. Signatures

Mayor

Chief Administrative Officer

This Superannuation Plan Bylaw Amendment Bylaw, #2018-13-A adopted by the Council of the City of Charlottetown on _____ day of _____, 2018 is certified to be a true copy.

Chief Administrative Officer

Date

**to the Restated Plan Text Effective June 30, 2018
(the "Superannuation Plan" or "Plan")**

WHEREAS the City of Charlottetown (hereinafter called the City) established the Superannuation Plan with effect from October 1, 1949, and;

WHEREAS the right is reserved to the City in Section 12.1 of the Plan rules to amend the Plan from time to time, and

WHEREAS the City wishes to amend the Plan provisions of the Plan for i) the purpose of adding compassionate care leave to the approved leaves during which a Member can continue to accrue Pensionable Service, and ii) for allowing a Member to purchase past service during a period of part-time, seasonal, entry level seasonal, casual, or contract employment basis, occurring prior to the date upon which they became a Member of the Plan.

BE IT RESOLVED the Plan is hereby amended effective June 30, 2018 as follows:

1. Section 2.2(f) and 4.9 are amended as follows:

By replacing the words "maternity or paternity leave", with "maternity leave, paternity leave, compassionate care leave, or any other leave required by law,"

2. Section 2.2(i) is added as follows:

- (i) Periods of employment with the City prior to the date at which the Employee became a Member of the Plan, during which they were employed on a part-time, seasonal, entry level seasonal, casual, or contract employment basis, provided the Member has purchased such periods in accordance with Section 4.13.

3. Section 4.13 is added as follows:

In accordance with Subsection 2.2(i), a Member may elect to purchase a period of part-time, seasonal, entry level seasonal, casual, or contract employment basis, occurring prior to the date upon which they became a Member of the Plan. Such purchase is subject to the following conditions:

- (i) The Member pays to the Fund the total actuarial cost of purchasing such service as determined by the Actuary.
 - (ii) The City will administer a fee to the Member equivalent to the administrative cost associated with the determination of the actuarial cost of purchasing such service.
 - (iii) The election must be made by the latter of June 30, 2020, or two (2) years after the date the Employee becomes a Member of the Plan.
 - (iv) The required cost must be contributed in full, as a lump sum, within one (1) year of the date of election.
 - (v) The period of service purchased under this Subsection is limited to 10 years of service.