

**12 - Resolutions  
7 - Bylaws**



**CITY OF CHARLOTTETOWN  
MONTHLY MEETING OF COUNCIL  
MONDAY, MARCH 11, 2019 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 - February 11, 2019
  - Special Meetings – February 11, 28 & March 6, 2019
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
  - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
    - Monthly Report
    - Seven (7) Resolutions
    - 2nd Reading of the Z&D Bylaw – amendments related to Home Occupation, Design Review, Parking, Marijuana and Temporary Use
    - 2nd Reading of the Z&D Bylaw – 562 Malpeque Road (PID#145797 & PID#145789)
    - 2nd Reading of Heritage Preservation Bylaw – proposed renumbering to PH-HP.1
    - 2nd Reading of Building Code Bylaw – proposed renumbering to PH-BC.2
    - 2nd Reading of the Z&D Bylaw – proposed renumbering to PH-ZD.2
    - 2nd Reading of the Z&D Bylaw – Implement amendments in bylaw related to Affordable Housing Strategy
  - 6.2 Public Works & Urban Beautification – Coun. Mike Duffy, Chair**
    - Monthly Report
    - No Resolutions
  - 6.3 Economic Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair**
    - Monthly Report
    - One (1) Resolution
  - 6.4 Environment & Sustainability – Coun. Terry MacLeod, Chair**
    - Monthly Report
    - No Resolutions

**6.5 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov**

- Monthly Report
- No Resolutions

**6.6 Finance, Audit & Tendering – Coun. Terry Bernard, Chair**

- Monthly Report will be available Monday
- One (1) Resolution

**6.7 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair**

- Monthly Report
- One (1) Resolution

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

- Monthly Report
- No Resolutions

**6.9 Protective & Emergency Services – Coun. Bob Doiron, Chair**

- Monthly Report
- One (1) Resolution

**6.10 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair**

- Monthly Report
- No Resolutions

**6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair**

- Monthly Report
- No Resolutions
- 1<sup>st</sup> reading of the Procedural Bylaw Amendment Bylaw

**6.12 Introduction of New Business**

- One (1) Resolution

**7. Motion to Adjourn**



**DRAFT**

**Regular Meeting of Council  
Monday, February 11, 2019 at 7:00 PM  
Council Chambers, City Hall, 199 Queen Street**

**Mayor Philip Brown Presiding**

**Present:**      **Deputy Mayor Jason Coady**                      **Councillor Mike Duffy**  
                         **Councillor Kevin Ramsay**                      **Councillor Mitchell Tweel**  
                         **Councillor Terry MacLeod**                      **Councillor Terry Bernard**  
                         **Councillor Bob Doiron**                              **Councillor Julie McCabe**  
                         **Councillor Alanna Jankov**                              **Councillor Greg Rivard**

**Also:**            **Paul Johnston, ACAO**                              **Randy MacDonald, FC**  
                         **Paul Smith, PC**                                      **Alex Forbes, PM**  
                         **Frank Quinn, PRM**                                **Scott Adams, PWM**  
                         **Wayne Long, EDO**                                **Ron Atkinson, EconDo**  
                         **Ramona Doyle, SO**                               **Laurel Lea, TO**  
                         **Robert Zilke, PDO**                               **Stephen Wedlock, AC**  
                         **Alicia Packwood, CA**                            **Cindy MacMillan, AA**  
                         **David Hooley, CS**                                **Tracey McLean, RMC**

**Regrets:**        **Peter Kelly, CAO**                                      **Bethany Kautzarick, AHRM**

**1.      Call to Order**

Mayor Brown called the meeting to order.

**2.      Declarations of Conflict of Interest**

No conflicts were declared.

**3.      Approval of Agenda**

It was requested by Councillor Tweel to move the Parks, Recreation & Leisure Activities report to the beginning of the meeting and that an additional Parks & Rec resolution be added to the agenda; Council agreed. Moved by Councillor Ramsay and Seconded by Councillor Rivard that the agenda be approved as amended. Carried.

**4.      Adoption of Previous Draft Minutes**

Moved by Councillor Ramsay and Seconded by Councillor Bernard that the draft minutes of the previous meetings now be adopted. Carried.

- Regular Meeting – January 14, 2019
- Special Meetings – January 21 & 30, 2019 & February 5, 2019
- Planning Public Meeting – January 30, 2019

**5.      Business Arising out of the Minutes**

No business arose from the minutes.

**6. REPORTS OF COMMITTEES / RESOLUTIONS**

**6.1 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 February is Andrew Hall.

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Terry Bernard**

**RESOLVED:**

That the Expansion of the Victoria Park Boardwalk to connect with the Culinary Boardwalk Project be removed from the ICIP Expression of Interest list which was previously approved by resolution of Council on December 19, 2018.

**CARRIED 10-0**

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Terry Bernard**

**RESOLVED:**

That the City supports establishing the "Forbie Kennedy Volunteer of the Year Award" to be presented annually at the Citizen Recognition Awards during the Natal Day celebrations.

Councillor Tweel noted that Mr. Kennedy was in attendance this evening and recognized him for his many years of participation in sport.

**CARRIED 10-0**

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Terry Bernard**

**RESOLVED:**

That City Council supports the Parks, Recreation and Leisure Activities Committee recommendation that the "old" Prince Edward Home property (PID# 365957) be earmarked for greenspace/parkland by the Province of Prince Edward Island, at such a time when the facility has been removed from the site.

**CARRIED 10-0**

**6.2 Planning & Heritage – Coun. Greg Rivard, Chair**

Councillor Rivard indicated his Committee's report was included in the weekend package. He reported that the City will celebrate Heritage Day on Tuesday, February 19 with an event that will include an awards ceremony to honour individuals and organizations in the community who have worked hard to preserve and celebrate the city's heritage, and the unveiling of an exhibit celebrating the history of post-secondary education in Charlottetown.

Concern was raised again with respect to the development at Young and Upper Prince Streets and it was proposed that the Planning department organize a community meeting, invite the developer so they have an opportunity to explain to the local area residents their rationale behind the development. Councillor Rivard took this under

advisement.

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

**RESOLVED:**

That the request to:

1. **Amend Appendix "A"** – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and
2. Amend Appendix **"G"** – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone;

for the properties located at 562 Malpeque Road (PID #145797) and the adjacent vacant parcel (PID #145789), in order to permit the construction of an 18-unit apartment building, be approved.

It was noted that some residents raised a number of concerns regarding the application particularly the increase in density and traffic.

**CARRIED 6-4**

**Councillors Coady, Doiron, MacLeod & Tweel opposed**

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

**RESOLVED:**

That the request for a variance to Section 28.2.1 of the Zoning & Development Bylaw to reduce the required lot frontage from 34.8 ft to approximately 26.9 ft in order to convert the existing one (1) unit dwelling into a three (3) unit dwelling for the property located at 214 Sydney Street (PID #338509), be rejected.

**CARRIED 10-0**

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

**RESOLVED:**

That the request:

1. For a major variance to decrease the flankage yard setback requirement from 19.7 feet to 3 feet in order to construct an attached garage for the property located at 58 Victoria Street (PID #353433), be rejected; and
2. To consolidate the back portion with the front portion of the property located at 58 Victoria Street (PID #353433), be approved.

Councillor Rivard indicated that Planning discussed the above motion with the applicants and the applicants were satisfied with proceeding with the rejection of the major variance. He further indicated that the applicants have, as of right, to build where the Planning department initially stated.

**CARRIED 10-0**

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

**RESOLVED:**

That the request for a lot consolidation of three properties located at 72 Kensington Road (PID #278754), 74 Kensington Road (PID #278762), & 76 Kensington Road (PID #278770), be approved, subject to a final pinned survey plan.

**CARRIED 10-0**

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

**RESOLVED:**

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) relating to Design Review, Home Occupations, Parking, Marijuana Production Facility and Temporary Use Variances, be approved.

**CARRIED 10-0**

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

**RESOLVED:**

That the revisions to the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) relating to Affordable Housing, be approved.

**CARRIED 10-0**

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

**RESOLVED:**

That the renumbering of the following Planning Bylaws, be approved:

- Zoning & Development Bylaw, from Bylaw 2018-11 to PH-ZD.2;
- Building Code Bylaw, from Bylaw 2018-12 to PH-BC.2; and
- Heritage Preservation Bylaw, from Bylaw 2018-07 to PH-HP.1

**CARRIED 10-0**

**1<sup>st</sup> reading of the Zoning & Development Bylaw** - To adopt Bylaw 2018-11-010, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at **562 Malpeque Road (PID #145797)** and adjacent vacant parcel (PID #145789) from Single-Detached Residential (R1-L) to Medium Density Residential (R-3) Zone.

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

**RESOLVED:**

That the Zoning & Development Amendment Bylaw (2018-11-010), a bylaw to

amend the Zoning & Development Bylaw be hereby read a first time.

**CARRIED 8-2**

**Deputy Mayor Coady and Councillor Tweel opposed**

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

**RESOLVED:**

That the first reading of Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**CARRIED 8-2**

**Deputy Mayor Coady and Councillor Tweel opposed**

**1<sup>st</sup> reading of the Heritage Preservation Bylaw** - To adopt Bylaw 2018-07-001, a bylaw to amend the Heritage Preservation Bylaw, to **rename the Heritage Preservation Bylaw**, Bylaw #2018-07 to PH-HP.1

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

**RESOLVED:**

That the Heritage Preservation Bylaw (2018-07-01), a bylaw to amend the Heritage Preservation Bylaw hereby read a first time.

**CARRIED 10-0**

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

**RESOLVED:**

That the first reading of Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby approved.

**CARRIED 10-0**

**1<sup>st</sup> reading of the Building Code Bylaw** - To adopt Bylaw 2018-12-001, a bylaw to amend the Building Code Bylaw, to **rename the Building Code Bylaw**, Bylaw #2018-12 to PH-BC.2

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

**RESOLVED:**

That the Building Code Bylaw (2018-12-001), a bylaw to amend the Building Code Bylaw hereby read a first time.

**CARRIED 10-0**

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

**RESOLVED:**

That the first reading of Bylaw (2018-12-001), a bylaw to amend the Building Code

Bylaw be hereby approved.

**CARRIED 10-0**

**1<sup>st</sup> reading of the Zoning & Development Bylaw** - To adopt Bylaw 2018-11-013, a Bylaw to amend the Zoning & Development Bylaw, to **rename the Zoning & Development Bylaw** (Bylaw 2018-11) to PH-ZD.2.

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

**RESOLVED:**

That the Zoning & Development Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw hereby read a first time.

**CARRIED 10-0**

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

**RESOLVED:**

That the first reading of Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**CARRIED 10-0**

**1<sup>st</sup> reading of the Zoning & Development Bylaw** - To adopt Bylaw 2018-11-012, a Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) **relating to Affordable Housing**.

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

**RESOLVED:**

That the Zoning & Development Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw hereby read a first time.

**CARRIED 10-0**

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

**RESOLVED:**

That the first reading of Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**CARRIED 10-0**

**1<sup>st</sup> reading of the Zoning & Development Bylaw** – To adopt Bylaw 2018-11-011, a Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) **relating to Design Review, Home Occupations, Parking, Marijuana Production Facility and Temporary Use Variances**.



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

**RESOLVED:**

That the Zoning & Development Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw hereby read a first time.

**CARRIED 10-0**

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

**RESOLVED:**

That the first reading of Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**CARRIED 10-0**

**6.3 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair**

Deputy Mayor Coady indicated his Committee's report was included in the weekend package.

**Moved by Deputy Mayor Jason Coady  
Seconded by Councillor Julie McCabe**

**RESOLVED:**

That City Council adopt the amended attached "Conditional Management Plan (CMP)" for the management of shellfish harvesting in conditionally-managed harvest areas adjacent to the Wastewater Treatment Plant and Collection System located in Charlottetown,

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

**CARRIED 10-0**

**6.4 Public Works & Urban Beautification – Coun. Mike Duffy, Chair**

Councillor Duffy indicated his Committee's report was included in the weekend package. He reported that the City of Charlottetown will be proceeding with a TrafficLink Pilot Project with a company called Miovision at four City intersections to improve traffic congestion and flow along the North River Road corridor and a public meeting with respect to the Fitzroy Bike Lane project is scheduled for February 26, 2019; this will provide an opportunity to present the report on public feedback, present the updated design and allow opportunities for any additional questions to be asked.

**6.5 Economic Development, Tourism, Arts & Culture – Coun. Kevin Ramsay, Chair**

Councillor Ramsay indicated his Committee's report was included in the weekend package. He announced that Charlottetown Tourism Officer, Laurel Lea, has been nominated for the Canadian Sport Tourism Alliance (CSTA) Prestige Award for her work with the SCORE brand. He noted that the Jack Frost Winterfest runs February 15-18.

A question was raised relating to the recently erected fence and gate that separates the main parking lot from the front entrance of the Eastlink Centre and how that may affect pedestrian traffic during the Jack Frost Winterfest. Councillor Ramsay referred to the

Events Development Officer who indicated that pedestrians will be directed accordingly during the event and dialogue will continue with Atlantic Lottery Corporation (Red Shores) to resolve the ongoing issue of the gate.

**6.6 Environment & Sustainability – Coun. Terry MacLeod, Chair**

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

Concern was raised regarding the lack of transit service in Wards 9 and 10 and the Committee was requested to review the possibility of expanding the service in those areas. Councillor MacLeod took this under advisement.

**Moved by Councillor Terry MacLeod  
Seconded by Deputy Mayor Jason Coady**

**RESOLVED:**

WHEREAS the City of Charlottetown is in a position to contribute to the improvement of the local food system;

WHEREAS food is central to significant social, environmental, cultural, and health issues that impact the community of Charlottetown and municipal operations;

WHEREAS the City of Charlottetown, like other municipalities across Canada, has established a Food Council that is representative of the local food system to collaboratively and effectively find solutions to food related issues;

WHEREAS the Charlottetown Food Council collaboratively developed a Food Charter to guide their efforts;

BE IT RESOLVED that the City of Charlottetown officially adopt the Charlottetown Food Charter as attached; and

BE IT FURTHER RESOLVED that the purpose of this Food Charter is to serve as the foundation of food related policy and program development that ultimately lead to the achievement of the Food Council's vision of Charlottetown as a vibrant community built on a healthy food system.

**CARRIED 10-0**

**Moved by Councillor Terry MacLeod  
Seconded by Deputy Mayor Jason Coady**

**RESOLVED:**

WHEREAS the City of Charlottetown Community Energy Plan (CEP) which includes a community greenhouse gas emissions inventory, corporate and community targets for reducing energy use and greenhouse gas emissions in Charlottetown, and pathways to meet these targets, and

WHEREAS the City of Charlottetown recognizes its role in mitigating climate change through leadership in energy management in City operations, as well as its role in supporting community initiatives to reduce energy use and greenhouse gas emissions, and

WHEREAS the City of Charlottetown is a member of the Federation of Municipalities' (FCM) Partners for Climate Protection Program (PCP) and that by adopting the CEP, Charlottetown will achieve milestones 1, 2 and 3, of this 5 milestone program,

BE IT RESOLVED that City Council adopt the City of Charlottetown Community Energy Plan as attached and that this document be released to the public and submitted to the PCP Secretariat of FCM.

It was noted that the Plan needs to be formally adopted by Council in order to apply for federal and/or provincial funding.

**CARRIED 10-0**

**Moved by Councillor Terry MacLeod  
Seconded by Deputy Mayor Jason Coady**

**RESOLVED:**

That, the CBCL Ltd. bid to complete traffic counts and analysis on Fitzroy Street to support the design of the Fitzroy Street Bike Lane project in the amount of \$8,950 (plus HST) be accepted,

And that the City's portion of this amount, \$4,475.00 (plus tax) be expensed out of the 2018-2019 City Capital Budget by reallocating funds from the Pownal Parkade Lighting Project to the Fitzroy Street Bike Lane Project,

And that the remaining amount, \$4,475.00 (plus tax) be covered by the approved Municipal Strategic Component of the Provincial Gas Tax Funding for the Fitzroy Street Bike Lane Project,

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

**CARRIED 7-3**

**Councillors Doiron, Jankov and McCabe opposed**

- 6.7 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov**  
Councillor Jankov indicated her Committee's report was included in the weekend package.
- 6.8 Finance, Audit & Tendering – Coun. Terry Bernard, Chair**  
Councillor Bernard indicated his Committee's report was included in the weekend package.
- 6.9 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair**  
Councillor McCabe indicated her Committee's report was included in the weekend package.

**2nd reading of the 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

**Moved by Councillor Julie McCabe  
Seconded by Councillor Bob Doiron**

**RESOLVED:**

That the City of Charlottetown Conflict of Interest Bylaw be read a second time and that the said Bylaw be now adopted.

**CARRIED 10-0**

A member of Council motioned to move an additional amendment to the Council Code of Conduct Bylaw pertaining to email usage. After a brief discussion, the member withdrew the proposed amendment. Council proceeded to vote on the original amending bylaw.

**2nd reading of the Council Code of Conduct Amendment Bylaw (#2018-15-A) –**

to amend the Council Code of Conduct Bylaw (2018-15) 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

**Moved by Councillor Julie McCabe  
Seconded by Councillor Bob Doiron**

**RESOLVED:**

That the City of Charlottetown Council Code of Conduct Bylaw be read a second time and that the said Bylaw be now adopted.

**CARRIED 10-0**

**6.10 Protective & Emergency Services – Coun. Bob Doiron, Chair**

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

In response to a question raised regarding the cost to set up a traffic unit, Councillor Doiron indicated that he would follow up and advise.

**Moved by Councillor Bob Doiron  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the Public Works Manager be authorized to remove any garbage and other materials or debris, clean up and properly dispose of same, and remove any fencing deemed derelict and unsightly at the owners expense, on property located at 51 Grafton Street (PID # 342253) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

**CARRIED 10-0**

**Moved by Councillor Bob Doiron  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the City of Charlottetown accepts the price of 76,600.00 (includes applicable taxes) from DAVTECH Analytical Services (Canada) Inc. for the purchase of a Vigilant Automated License Plate Recognition system,

And that this expenditure be expensed against funds previously approved in the 2018/19 Police Capital Budget, these funds include \$50,000.00 previously allocated for police radios and \$26,897.00 remaining balance from the Laser Scanner capital project,

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

**CARRIED 10-0**

**Moved by Councillor Bob Doiron  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the City of Charlottetown accepts the following agreements from Digital Evidence International Inc.

- Software Licensing Agreement
- Software Maintenance and Support Agreement

These agreements relate to Integrated Ticket and Permit System (ITAP) developed for the City of Charlottetown,

And that the maintenance support agreement is a 5 year agreement with a fixed annual fee of \$16,000.00 which would be covered in the annual operating budget for the police service,

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

**CARRIED 10-0**

**6.11 Council Advisory Board – Coun. Terry MacLeod, Chair**

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

Councillor MacLeod renewed the Notice of Motion to amend the Procedural Bylaw.

**6.12 New Business**

There was no New Business.

**7. Adjournment**

Moved by Councillor Bernard and Seconded by Councillor MacLeod that the meeting be adjourned. Carried.

**The meeting concluded at 9:35 PM**



**DRAFT**

**Special Meeting of Council  
Monday, February 11, 2019 at 5:30 PM  
Parkdale Room, City Hall, 199 Queen Street**

**Mayor Philip Brown Presiding**

**Present:**     **Deputy Mayor Jason Coady**             **Councillor Mike Duffy**  
                         **Councillor Bob Doiron**                     **Councillor Alanna Jankov**  
                         **Councillor Terry MacLeod**                 **Councillor Terry Bernard**  
                         **Councillor Greg Rivard**                         **Councillor Julie McCabe**  
                         **Councillor Kevin Ramsay**                       **Councillor Mitchell Tweel**

**Also:**             **Paul Johnston, A/CAO**                     **Tracey McLean, RMC**

**Regrets:**        **Peter Kelly, CAO**

**1. Call to Order**

Mayor Brown called the meeting to order.

**2. Declarations of Conflict of Interest**

There were no conflicts declared.

**3. Approval of Agenda**

Moved by Councillor Rivard and seconded by Councillor Duffy that the agenda be approved as presented. Carried.

**4. Motion to move into a Closed Session of Council**

Moved by Councillor Ramsay and seconded by Councillor Doiron to close the meeting to the Public to discuss matters pursuant to Section 119 (1) Subsection (d) and (e) of the Municipal Government Act of Prince Edward Island. Carried.

**5. New Business**

Council moved back into an Open session at 6:45 PM. As result from discussions during the Closed session, the following resolution was brought forward for consideration. It was noted that the purpose of the Public Appointment Policy is to provide guidelines for the development of Advisory Boards and appointing public members in an equitable, accountable and transparent manner.

**Moved by Councillor Julie McCabe  
Seconded by Councillor Bob Doiron**

**RESOLVED:**

That Council approve the attached Public Appointment Policy, Policy Number P-ADMIN-02

**CARRIED 10-0**

**6. Motion to adjourn**

Moved by Councillor Rivard and seconded by Councillor Ramsay that the meeting be adjourned. Carried.

**The meeting concluded at 6:50 PM.**

DRAFT



**DRAFT**

**Special Meeting of Council  
Thursday, February 28, 2019 at 5:30 PM  
Parkdale Room, City Hall, 199 Queen Street**

**Mayor Philip Brown Presiding**

**Present:**      **Deputy Mayor Jason Coady**                      **Councillor Alanna Jankov**  
                         **Councillor Bob Doiron**                                      **Councillor Terry MacLeod**  
                         **Councillor Terry Bernard**                                      **Councillor Julie McCabe**  
                         **Councillor Greg Rivard**                                      **Councillor Mitchell Tweel**  
                         **Councillor Kevin Ramsay**

**Also:**            **Peter Kelly, CAO**    **Bethany Kautzarick, AHRM**  
                         **Tracey McLean, RMC**

**Regrets:**        **Councillor Mike Duffy**

**1. Call to Order**

Mayor Brown called the meeting to order.

**2. Declarations of Conflict of Interest**

There were no conflicts declared.

**3. Approval of Agenda**

It was requested that the Public Library Project and a discussion regarding the Council Code of Conduct Bylaw be added to the open and closed agendas, respectively. Council agreed to the amendment. Moved by Councillor Rivard and seconded by Councillor Duffy that the agenda be approved as amended. Carried.

**4. Discussion Items**

**a) Advisory/Ad Hoc Committees**

Council was advised that at a recent Protective & Emergency Services Committee meeting there was a brief discussion with respect to the continuation of the Police Community Consultative Group; however, no definitive decision was made at that time. It was noted that the P&E Services Committee is meeting on March 4 and the status of the Group could be discussed at that time. It was the consensus of Council that a friendly amendment be made to the resolution by *removing Police Community Consultative Group*.

**Moved by Councillor Terry MacLeod**  
**Seconded by Councillor Alanna Jankov**

**RESOLVED:**

That the following Advisory Committees/Boards, as recommended by the Council Advisory Committee, be approved effective immediately:



Affordable Housing Advisory Committee  
Arts & Culture Advisory Board  
Civic Board for Persons with Disabilities Advisory Committee  
Seniors Engagement Committee  
Youth Engagement Committee

**CARRIED 9-0**

**b) Council Representative to the Federation of Canadian Municipalities (FCM)**

The Mayor indicated that FCM currently has an opening on its national board. The term is for three (3) months until the election of candidates for Board of Directors takes place May 30 – June 2, 2019. The Mayor then asked who was interested in putting their name forward; Councillor Tweel offered.

**Moved by Councillor Greg Rivard  
Seconded by Councillor Alanna Jankov**

**RESOLVED:**

That Charlottetown Councillor Mitchell Tweel be a representative on the Federation of Canadian Municipalities Board of Directors.

**CARRIED 9-0**

**c) Public Library Project**

The Mayor indicated that Dawn Alan of Downtown Charlottetown Inc. (DCI) has requested a meeting with Council in a Closed session with respect to a public library project presentation. A Special Meeting is scheduled for Tuesday, March 5; therefore, the CAO was directed to contact Ms Alan to see if she could present at that time.

**5. Motion to move into a Closed Session of Council**

Moved by Councillor MacLeod and seconded by Councillor Ramsay to close the meeting to the Public to discuss matters pursuant to Section 119 (1) Subsection (d) and (e) of the Municipal Government Act of Prince Edward Island. Carried.

**6. New Business**

As a result of discussions during the Closed session, the following motions were brought forward:

**Moved by Councillor Julie McCabe  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That Council approve the proposed 2% increase to Management Non-Union salaries for 2019.

**CARRIED 9-0**

**1<sup>ST</sup> reading of the Code of Conduct Amendment Bylaw** – to amend the Code of Conduct Bylaw (#2018-15) to add a new section relating to the use of City email accounts.

**Moved by Councillor Greg Rivard  
Seconded by Councillor Julie McCabe**

**RESOLVED:**

That the bylaw to amend the City of Charlottetown Council Code of Conduct Bylaw be read a first time.

**CARRIED 9-0**

**Moved by Councillor Greg Rivard  
Seconded by Councillor Julie McCabe**

**RESOLVED:**

That the bylaw 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 meeting of Council.

**CARRIED 9-0**

**7. Motion to Adjourn**

Moved by Councillor Rivard and seconded by Councillor Ramsay that the meeting be adjourned.  
Carried.

**The meeting concluded at 6:30 PM.**



**DRAFT**

**Special Meeting of Council  
Wednesday, March 6, 2019 at 5:00 PM  
Parkdale Room, City Hall, 199 Queen Street**

**Mayor Philip Brown Presiding**

**Present: Deputy Mayor Jason Coady  
Councillor Bob Doiron  
Councillor Terry Bernard  
Councillor Greg Rivard  
Councillor Kevin Ramsay**

**Councillor Mike Duffy  
Councillor Terry MacLeod  
Councillor Julie McCabe  
Councillor Mitchell Tweel  
Councillor Alanna Jankov (arr. 6:35pm)**

**Also: Peter Kelly, CAO  
Randy MacDonald, FC  
Richard MacEwen, UM  
Wayne Long, EDO  
Stephen Wedlock, AFM  
Tracey McLean, RMC**

**Paul Smith, PC  
Alex Forbes, PM  
Frank Quinn, PRM  
Ron Atkinson, EconDO  
Laurel Lea, TO**

**1. Call to Order**

Mayor Brown called the meeting to order.

**2. Declarations of Conflict of Interest**

There were no conflicts declared.

**3. Approval of Agenda**

It was requested to move into the Closed session first then have the 2<sup>nd</sup> reading of the Code of Conduct Bylaw when Council is back in an Open session. Moved by Councillor Bernard and seconded by Councillor Ramsay that the agenda be approved as amended. Carried.

**4. Motion to move in a Closed Session of Council**

Moved by Councillor Ramsay and seconded by Councillor Bernard to close the meeting to the Public to discuss matters as per Section 119 (1) (b) and 119 (2) (b) of the Municipal Government Act of PEI. Carried.

**5. Discussion Items**

As a result of discussions relating to the review of the Capital budget during the Closed session, it was the consensus of Council to bring forward the following motion to approve the 2019-2020 Capital Budget. Councillor Jankov joined the meeting at 6:35 PM.

**a) Moved by Councillor Terry Bernard  
Seconded by Councillor Mike Duffy**

**RESOLVED:**

That Council adopt the 2019-2020 Capital Budget in the amount of \$14,550,118 for the City based upon an allocation of \$1,121,678 for Parks and Recreation; \$9,234,565 for Public Works – General (subject to partner funding); \$543,200 for Fleet

Management; \$263,296 for Police; \$1,236,779 for Fire and Emergency Preparedness; \$168,750 for Transit (subject to partner funding); \$736,150 for Community Sustainability (subject to partner funding); \$895,700 for Information Technology; \$200,000 for Charlottetown Area Recreation Inc.; and \$150,000 for Eastlink Centre,

And that Council adopt the 2019-2020 Capital Budget for the Charlottetown Water and Sewer Corporation in the net contribution amount of \$7,356,625 subject to Federal and/or Provincial Government contributions where appropriate,

And further, that staff be authorized to tender projects where partner funding has been approved or those that are solely funded by either the City or Water and Sewer Corporation in advance of consideration of the City's and Water and Sewer Corporation's operational budgets.

It was requested that a friendly amendment be made to the resolution whereby changing *Public Works – Small Fleet* to *Fleet Management*; Council agreed to the friendly amendment.

**CARRIED 10-0**

**b) Council Code of Conduct Amendment Bylaw (2018-15-B) - 2<sup>nd</sup> reading and adoption**

**2<sup>nd</sup> reading of the Council Code of Conduct Amendment Bylaw** – amend the Council Code of Conduct Bylaw (#2018-15) to add a new section relating to the use of City email accounts.

**Moved by Councillor Greg Rivard  
Seconded by Councillor Julie McCabe**

**RESOLVED:**

That the City of Charlottetown Council Code of Conduct Bylaw be read a second time and that the said Bylaw be now adopted.

**CARRIED 9-1  
Councillor Jankov opposed**

**6. Motion to Adjourn**

Moved by Councillor Ramsay and seconded by Councillor Duffy that the meeting be adjourned. Carried.

**The meeting concluded at 6:42 PM.**



**PLANNING AND HERITAGE COMMITTEE  
REPORT TO COUNCIL  
March 11, 2019**

The Planning & Heritage Committee met on February 21, 2019 and March 06, 2019; copies of the Planning & Heritage Committee report and minutes are included in your package.

The Planning Board met on Wednesday, March 06, 2019; copies of the Planning Board Report and the minutes are included in your package.

The Heritage Board did not meet in February 2019; therefore there are no reports to attach in this package.

The Design Review did not meet in March 2019; therefore there are no reports to attach in this package.

There are seven (7) resolutions to be put forward for Planning:

Planning & Heritage Committee:

1. Telecommunication Towers: Cease utilization of Canadian Radio Information Network Service (CRINS) to process telecommunication tower applications and adopt the FCM telecommunication tower protocol.

Planning:

1. 197 Minna Jane Drive (PID #469841): Rezone the property from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.
2. 88 Brackley Point Road (PID #396770): Rezone the property from Single-Detached Residential (R-1L) to Medium Density Residential (R-3) Zone to construct a 30 unit apartment building and 16 townhouse units.
3. 215 Queen Street (PID #343582): Temporary structure variance in order to locate a container on the vacant property to be used as commercial building for food preparation and service.
4. 183 Great George Street (PID #344044): Site specific exemption in order to locate a mobile canteen, which would be permitted to sell food and alcohol, on the vacant property from April 1st to October 31st annually. The site specific exemption also includes the ability to utilize a container to contain washroom facilities and two variances.
5. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11): Proposed amendments pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments
6. Secondary and Garden Suite Registry By-law: Proposed amendments to create and implement the Secondary and Garden Suite Registry to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

Reading Papers:

First Reading:  
None

Second Readings:

1. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11) on Home Occupation, Design Review, Parking, Marijuana, and Temporary Use: Proposed amendments to requirements on Home Occupation, Design Review, Parking, Marijuana, and Temporary Use sections.
2. 562 Malpeque Road (PID #145797) & (PID #145789): Rezone both properties from Single-Detached Residential (R-1L) to Highway Commercial (C-2) to allow for the construction of an 18-unit apartment building
3. Renumbering of Heritage Preservation Bylaw (2018-07): Proposed renumbering to PH-HP.1
4. Renumbering of Building Code Bylaw (2018-12): Proposed renumbering to PH-BC.2
5. Renumbering of Zoning & Development Bylaw(2018-11); Proposed renumbering to PH-ZD.2
6. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11) on Affordable Housing Zoning: Proposed amendments to implement objectives out of the Affordable Housing Strategy

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 – COMMITTEE MINUTES  
THURSDAY, FEBRUARY 21, 2019, 12:00 P.M.  
PARKDALE ROOM, 2<sup>nd</sup> FLOOR, CITY HALL**

**Present:** Councillor Greg Rivard, Chair Alex Forbes, PHM  
Deputy Mayor Jason Coady, Vice-Chair Ellen Faye Ganga, PH IA/AA  
Councillor Alanna Jankov

**Also:**

**Regrets:**

**1. Call to Order**

Councillor Rivard called the meeting to order at 12:07 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 Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the agenda for Thursday, February 21, 2019 be approved.

CARRIED

**4. Adoption of Minutes**

Moved by Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the minutes of the meeting on Monday, January 03, 2019, be approved.

CARRIED

**5. Business arising from Minutes**

There was no business arising from minutes.

**6. Motion to move into a Closed Session**

Moved by Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the Committee move into a closed session as per Section 119 (1) subsections (a) and (e) of the Municipal Government Act of PEI.

**7. Adjournment**

Following the Closed session, it was moved by Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov to move back into an open forum.

**Moved by Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the meeting be adjourned.**

**CARRIED**

**The meeting was adjourned at 1:13 p.m.**

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**Councillor Greg Rivard, Chair**



**PLANNING AND HERITAGE COMMITTEE – COMMITTEE MINUTES  
WEDNESDAY, MARCH 06, 2019, 7:30 P.M.  
PARKDALE ROOM, 2<sup>nd</sup> FLOOR, CITY HALL**

**Present:** Councillor Greg Rivard, Chair  
Deputy Mayor Jason Coady, Vice-Chair  
Councillor Alanna Jankov  
Alex Forbes, PHM  
Ellen Faye Ganga, PH IA/AA

**Also:** Brad Wonnacott, AA

**Regrets:**

**1. Call to Order**

Councillor Rivard called the meeting to order at 8:12 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 Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the agenda for Wednesday, March 06, 2019 be approved.

CARRIED

**4. Adoption of Minutes**

Moved by Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the minutes of the meeting on Thursday, February 21, 2019, be approved.

CARRIED

**5. Business arising from Minutes**

There was no business arising from minutes.

**6. Discussion on direction regarding Telecommunication Towers**

Alex Forbes, PHM, discussed that the City works with a third party provider Canadian Radio and Information Network Service (CRINS) who deals with telecommunication tower applications. CRINS had been doing a good job for the City but recently experienced difficulties with other Atlantic Canadian municipalities. As a result, a number of these municipalities elected to oversee the telecommunication application process themselves and severed ties with CRINS. Staff has attempted to make contact with the Executive Director of CRINS and have not received a call back to date. The City is not under contract with CRINS and can by resolution of Council, cease to utilize their services. In the event that the City decides to cease relationship with CRINS, this service can be replaced by staff who would use the FCM standard protocol used by numerous municipalities across the country.

Councillor Rivard asked how much is paid to the CRINS at present. Mr. Forbes responded that the City is paying \$1500 to the provider to process the application. In the event that CRINS is no

longer used, the City would process the application and receive the fee. It has to be noted that the Planning Department or the Council are not the final decision makers with regard to the location of telecommunication towers. Industry Canada is the authority having jurisdiction so when an application is proposed to the public, the City and Council must be clear that the City is just gathering information that will go to Industry Canada as a part of the overall application by the applicant.

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

**Moved by Councillor Alanna Jankov and seconded by Deputy Mayor Jason Coady, that the City of Charlottetown cease utilizing the Canadian Radio Information Network Service (CRINS) to process telecommunication tower applications. Moreover, that the City writes to CRINS thanking them for their service to date and indicating that their services will no longer be required. And further, that the City adopt the FCM telecommunication tower protocol as attached.**

**CARRIED**

## **7. Adjournment**

**Moved by Deputy Mayor Jason Coady and seconded by Councillor Alanna Jankov, that the meeting be adjourned.**

**CARRIED**

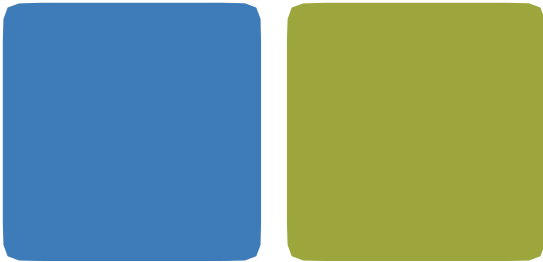
**The meeting was adjourned at 8:15 p.m.**

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**Councillor Greg Rivard, Chair**

City of CHARLOTTETOWN

Antenna System  
Siting Protocol



March 5th, 2019





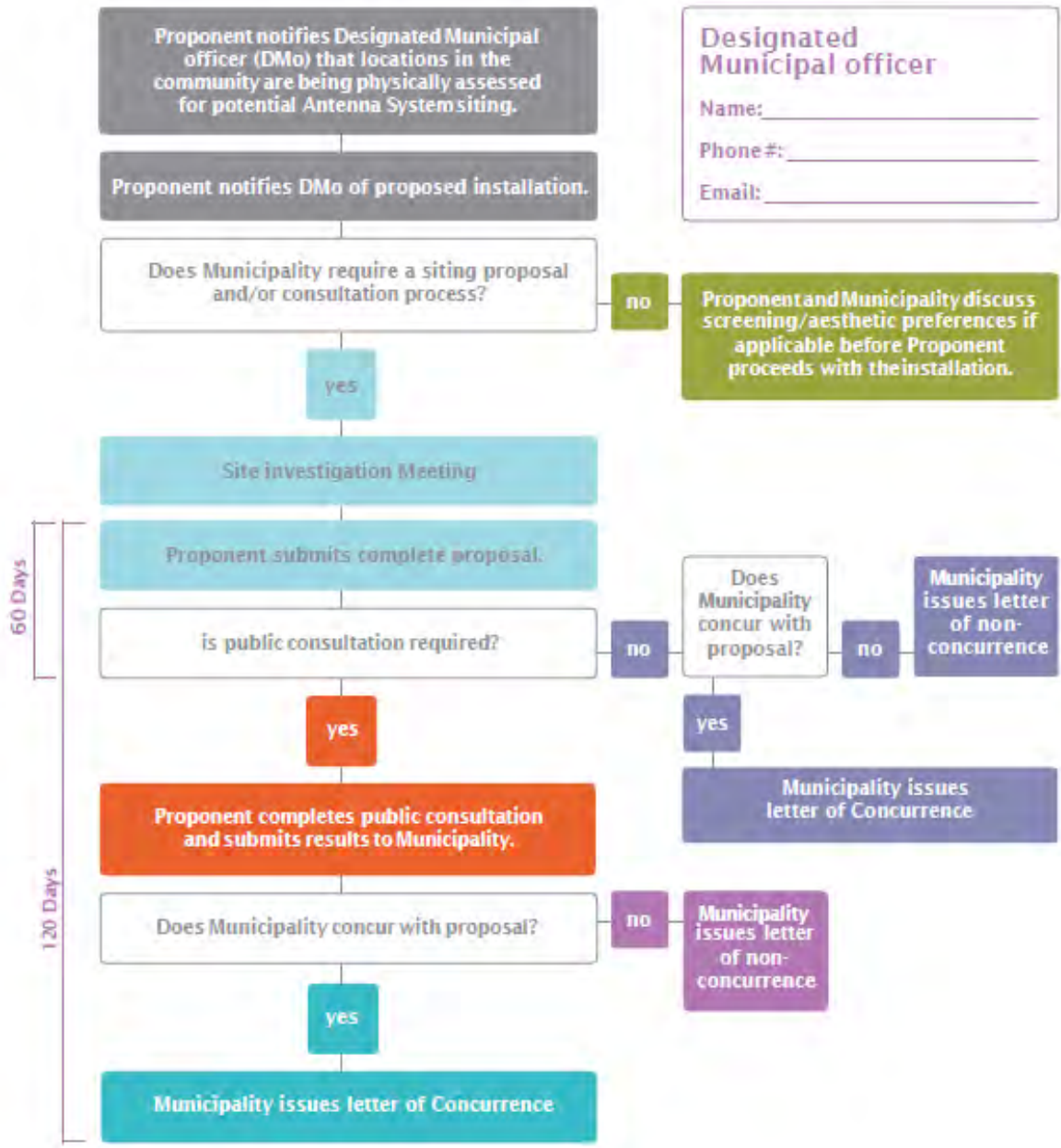
**March 5th, 2019**



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## Antenna System Siting Process Flowchart





# Objectives

The objectives of this Protocol are:

- (1) To establish a siting and consultation process that is harmonized with Industry Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* for reviewing land use issues associated with Antenna System siting proposals;
- (2) To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
  - a. minimize the number of new antenna sites by encouraging co-location;
  - b. encourage designs that integrate with the surrounding land use and public realm;
  - c. establish when local public consultation is required; and
  - d. allow Industry Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the municipality at an early stage in the process.
- (3) To provide an expeditious review process for Antenna System siting proposals;
- (4) To establish a local land use consultation framework that ensures the Municipality and members of the public contribute local knowledge that facilitates and influences the siting, location, development and design (including aesthetics) – of Antenna Systems within municipal boundaries;
- (5) To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the Municipality; and
- (6) To provide the Municipality with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Municipality to Industry Canada at the end of the process.



# Jurisdiction and Roles

**INDUSTRY CANADA:** under the *Radiocommunication Act*, the Minister of Industry has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of Antenna Systems is made only by Industry Canada. In June 2014, Industry Canada issued an update to its *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC2-0-03)* which outlines the process that must be followed by Proponents seeking to install or modify Antenna Systems, effective July 15, 2014.<sup>1</sup>

Industry Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with the Municipality (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. Industry Canada also published a *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* in January 2008, stating that it “considers that the municipality’s and local residents’ questions, comments and concerns are important elements to be considered by a Proponent seeking to install, or make modifications to, an antenna system.” the CPC also establishes a dispute resolution process to be used where the Proponent and Municipality have reached an impasse.

**ROLE OF THE MUNICIPALITY:** The ultimate role of the Municipality is to issue a statement of concurrence or non-concurrence to the Proponent and to Industry Canada. The statement considers the land use compatibility of the Antenna System, the responses of the affected residents and the Proponent’s adherence to this Protocol. The Municipality also guides and facilitates the siting process by:

- **Communicating** to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- **Developing the design guidelines** for Antenna Systems contained in Section 6 of this Protocol; and
- **Establishing** a community consultation process, where warranted.

<sup>1</sup> For additional information regarding Industry Canada’s mandate and the application of its authority in the wireless telecommunications process, please consult Industry Canada’s Spectrum management and telecommunications Sector at <http://ic.gc.ca/spectrum>.





By working with Proponents throughout the siting process, beginning with preliminary notification and the site investigation meeting, the Municipality seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

**ROLE OF THE PROPONENT:** Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements in response to public demand. Throughout the siting process, Proponents must adhere to the antenna siting guidelines in the CPC, including:

- Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*);
- Contacting the municipality to determine local requirements regarding Antenna Systems; and
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

**OTHER FEDERAL LEGISLATION:** Proponents additionally must comply with the following federal legislation and/or regulations, where warranted:

- Health Canada's Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ - Safety Code 6 (2009);<sup>2</sup>
- The *Canadian Environmental Assessment Act*; and
- NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety.

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<sup>2</sup> The Municipality does not assess any submission for an Antenna System with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (Safety code 6) should be directed to Health Canada on-line at [healthCanada.gc.ca](http://healthCanada.gc.ca) and to the Proponent's representative.



## Definitions

**ANTENNA SYSTEM:** an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol most commonly refers to the following two types of Antenna Systems:

1. **Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems;
2. **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing non-tower structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

**CO-LOCATION:** the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.

**DESIGNATED MUNICIPAL OFFICER (AND HIS OR HER DESIGNATE):** the municipal staff member(s) tasked with receiving, evaluating and processing submissions for telecommunication Antenna Systems. The Designated Municipal Officer's name and contact information is provided in the Antenna System Siting Flowchart provided in this protocol.



**ELECTED MUNICIPAL OFFICIAL:** the political leader of the demarcated area of the municipality (e.g. ward) in which the Antenna System is proposed.

**HERITAGE STRUCTURE/AREA:** buildings and structures (e.g. monuments) or areas/ neighbourhoods with a heritage designation or deemed to have heritage significance by the municipality.

**MUNICIPAL DEPARTMENTS:** branches of municipal government that administer public services and are operated by city staff.

**OTHER AGENCIES:** bodies (e.g. boards or commissions) that administer public services but are not operated or staffed by the municipality.

**PRESCRIBED DISTANCE:** a distance equal to three times the tower height<sup>3</sup>, measured horizontally from the outside perimeter of the supporting structure of the proposed Freestanding or building/Structure-mounted Antenna System. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc.<sup>3</sup>

**PROPONENT:** a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers and third-party tower owners) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.<sup>4</sup>

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<sup>3</sup> Industry Canada recommends in the CPC a distance of three times the height of the proposed tower. The CPC also states that "Proponents are advised that municipalities may set reasonable public notification distances appropriate for their communities when establishing their own protocols."

<sup>4</sup> While the best practices established in this Protocol reflect an agreement between FCM and the telecommunications industry as represented by the CWTA, the CPC applies to "anyone who is planning to install or modify an antenna system regardless of type. This includes telecommunications carriers, businesses, governments, crown agencies, operators of broadcasting undertakings and the public (including for amateur radio operation and over-the-air tv reception)." For applications from other proponents (i.e. not telecommunications carriers or third parties operating on behalf of telecommunications carriers), the Municipality will apply this Protocol.



## Excluded Structures

This section outlines the criteria for identifying Antenna Systems excluded from the consultation process by Industry Canada, the need to consider local circumstances for all exempt structures, and the process for Proponents to notify and discuss proposed exempt structures with the municipality.

### **4.1 EXEMPTIONS FROM ANTENNA SYSTEM SITING PROPOSAL REVIEW AND PUBLIC CONSULTATION**

For the following types of installations, Proponents are generally excluded by Industry Canada from the requirement to consult with the municipality and the public, but must still fulfill the general requirements outlined in Section 7 of the CPC:

- (1) New Freestanding Antenna Systems: where the height is less than 15 metres above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners;
- (2) Existing Freestanding Antenna Systems: where modifications are made, antennas added or the tower replaced<sup>5</sup>, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation<sup>6</sup>. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to Antenna Systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;

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<sup>5</sup> The exclusion for the replacement of existing Freestanding Antenna Systems applies to replacements that are similar to the original design and location.

<sup>6</sup> Initial Antenna System installation refers to the system as it was first consulted on, or installed.



- (3) Building/Structure-Mounted Antenna System: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%;
- (4) Temporary Antenna Systems: used for special events or emergency operations and must be removed within three months after the start of the emergency or special event; and
- (5) No consultation is required prior to performing maintenance on an existing antenna system.

The CPC also states that: individual circumstances vary with each Antenna System installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the Proponents to consult the Municipality and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, Proponents should consider such things as:

- the Antenna System's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location of the proposed Antenna System on the property and its proximity to neighbouring residents and areas where the siting of new antenna systems are discouraged; and
- Transport Canada marking and lighting requirements for the proposed structure.



## 4.2 NOTIFICATION AND MUNICIPAL REVIEW OF EXEMPT ANTENNA SYSTEMS

Notwithstanding Industry Canada's exemption criteria for certain Antenna Systems, municipalities should be informed of all new Antenna System installations within their boundaries so they can:

- be prepared to respond to public inquiries once construction/installation has begun;
- be aware of site co-location within the Municipality;
- maintain records to refer to in the event of future modifications and additions; and
- engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure prior to the Proponent confirming a final design.

Therefore, Proponents are required to undertake the following steps for **all exempt Antenna System installations before commencing construction**.

### 4.2.1 Building/Structure-Mounted Antenna Systems:

The Proponent will in all cases provide the following information for all new Antenna Systems or modifications<sup>7</sup> to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard, and which are exempted from public consultation in Section 4.1(3):

- (1) the location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);
- (2) description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 6;
- (3) the height of the Antenna System;
- (4) the height of any modifications to existing systems.

The Municipality may notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 6 and the parties will work towards a mutually agreeable solution.

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<sup>7</sup> Notification is required for modifications that materially or noticeably changed the appearance of the system. Maintenance works that do not result in such changes are excluded from the notification requirement.



#### **4.2.2 Additions that Increase the Height of Freestanding Antenna Systems:**

The Proponent will confirm to the Municipality that an addition that extends the height of an existing Freestanding Antenna System as defined in Section 4.1(2), meets the exclusion criteria in Section 4.1 by providing the following:

- (1) the location, including its address and location on the lot or structure;
- (2) a short summary of the proposed addition including a preliminary set of drawings or visual rendering of the proposed system; and
- (3) a description of how the proposal meets one of the Section 4.1 exclusion criteria.

The municipality will review the documentation and will contact the Proponent where there is a site-specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 6 of this Protocol. In such cases, the Municipality and the Proponent will work toward a mutually agreeable solution, which may include the Municipality requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Sections 5, 7 and 8 of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

#### **4.3 ADDITIONAL EXEMPTIONS**

The Municipality may exclude from all or part of the consultation process any antenna system installation in addition to Industry Canada's basic exemptions listed in subsection 4.1.

- (1) The municipality may additionally, on a case-by-case basis, exempt a Proponent from all or part of the consultation requirements under Section 8 of this Protocol.<sup>8</sup> For example, exemptions may be granted where the proposed location is separated from a residential area or Heritage Structure/Area by a highway or major collector roadway, and/or is buffered by substantial tree cover, topography, or buildings.

#### **4.4 SITING ON MUNICIPAL-OWNED PROPERTIES**

Any request to install an Antenna System on lands owned by the Municipality shall be made to the Property Manager for the Municipality.<sup>9</sup>

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<sup>8</sup> The Municipality may decide to exclude certain proposals from the requirement to hold a public meeting, but not from issuing a public notification to affected property owners/tenants within the Prescribed Distance.

<sup>9</sup> Existing municipal procedures related to the leasing/selling of municipal-owned land to third parties may necessitate a consultation process irrespective of whether an exemption is provided under this Protocol.



## Pre-consultation with the Municipality

Pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the Proponent is committed to a site or design. As a result it represents the best opportunity to influence the siting decision since the Proponent will more likely become committed to a site once the detailed engineering has been completed. While a discussion of submission requirements is appropriate the proposal will benefit most from early direction on matters of siting and design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for exempt and non-exempt structures.

Prior to submitting an Antenna System proposal that does not meet any of the exemptions listed in Section 4.1 the Proponent will undertake the following preliminary consultations with the Municipality.

### **5.1 NOTIFICATION**

Proponents will notify the Designated Municipal Officer that locations in the community are being physically assessed for potential Antenna System siting.

### **5.2 SITE INVESTIGATION MEETING WITH MUNICIPALITY**

Prior to submitting an Antenna System siting proposal, the Proponent will initiate a site investigation meeting with the Municipality.

The purpose of the site investigation meeting is to:

- identify preliminary issues of concern;
- identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- guide the content of the proposal submission; and
- identify the need for discussions with any Municipal Departments and other agencies as deemed necessary by the Designated Municipal Officer.

Where the Municipality has an initial concern with the proposed siting of the proposal they will make known to the Proponent alternative locations within the Proponent's search area for consideration.





The Proponent will bring the following information to the site investigation meeting<sup>10</sup>:

- (1) the proposed location;
- (2) potential alternative locations;
- (3) the type and height of the proposed Antenna System; and
- (4) preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and
- (5) documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal.

If desired by both the Proponent and the Municipality, multiple Antenna System siting proposals may be reviewed at a site investigation meeting.

### **5.3 CONFIRMATION OF MUNICIPAL PREFERENCES AND REQUIREMENTS**

Following the site investigation meeting, municipal staff will provide the Proponent with an information package that includes:

- (1) this Protocol, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection, co-location, installation, design and landscaping;
- (2) proposal submission requirements;
- (3) a list of plans and studies that may be required (i.e. environmental impact statements);
- (4) a list of Municipal Departments and other Agencies to be consulted; and
- (5) an indication of the Municipality's preferences regarding co-location for the site(s) under discussion.

To expedite the review of the proposal, the Proponent will review this information package before the proposal is submitted so that the interests of municipal departments are taken into account. The Proponent is encouraged to consult with affected departments as well as the local elected municipal official and/or Designated Municipal Officer, and adjacent municipalities within the Prescribed Distance<sup>11</sup>, before submitting the proposal.

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<sup>10</sup> Proponents may prefer to attend the site investigation meeting without some of the required documents – particularly preliminary drawings – if it is waiting on Municipality feedback before settling on a final location, structure height or design. This should be confirmed with the Municipality. Such documents will be required to be provided following the meeting and prior to the Municipality providing the Proponent with the information package.

<sup>11</sup> The CPC states that “there may be more than one land-use authority with an interest in the proposal. Where no established agreement exists between such land-use authorities, proponents must, as a minimum, contact the land-use authority(ies) and/or neighbouring land-use authorities located within a radius of three times the tower height, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater.”



# Development Guidelines

Antenna Systems should be sited and designed to respect local sensitivities and preferences as identified by the Municipality.

The Municipality has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- **Location, including Co-location; and**
- **Development and Design Preferences**

The Proponent should review the guidelines identified below as early as possible, and should attempt to resolve any outstanding issues prior to submitting its Antenna System siting proposal and undertaking the public consultation, where required by the Municipality. Because expressed preferences may be location- or site-specific, the Proponent is encouraged to discuss the guidelines fully with the Municipality at the site investigation meeting.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

## 6.1 LOCATION

Co-location:

Before submitting a proposal for an Antenna System on a new site, the Proponent must explore the following options:

- consider sharing an existing Antenna System, modifying or replacing a structure if necessary;
- locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards.



Where co-location on an existing Antenna System or structure is not possible, a new Antenna System should be designed with co-location capacity.

The municipality recognizes that the objective of promoting co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the Municipality intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The Proponent should, in all cases, verify the Municipality's site-specific design preferences during the pre-submission consultation process before investing in a final design or site.

#### **Preferred Locations:**

When new Antenna Systems must be constructed, ***where technically feasible***, the following locations are preferred:

- Locations that maximize the distance from a residential zone or residential use.
- Within Industrial Zones, Commercial Zones, Future Development Zone and Agricultural Zone.
- Mounted on buildings or existing structures within the City Centre area.
- Located in a manner that does not adversely impact view corridors or views and vistas of important natural or manmade features.
- As near as possible to similarly-scaled structures.
- Transportation and utility corridors.

#### **Discouraged Locations**

New Antenna Systems should avoid the following areas:

- Within Residential Zones or zones that permit dwelling units.
- Within the Park Zone or an Institutional Zone unless it is ancillary to a permitted use (e.g. those institutions that require telecommunications technology such as emergency services, hospitals, colleges and universities).
- Riverbank lands or ecologically significant natural lands.
- Sites of topographical prominence.
- Heritage Structures/Areas.

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<sup>15</sup> As part of inter-municipal processes, the Municipality may also request that the Proponent notify adjacent municipalities at greater distances, subject to review by the Municipality or at the request of the adjacent Municipality.



## 6.2 DEVELOPMENT AND DESIGN PREFERENCES

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings (e.g. residential, parkland, heritage district, etc.), including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features, and reduce the need for future facilities in the same area, where appropriate. The Municipality's preferred design and development preferences are described below.

The Municipality will identify to the Proponent which of the following development and design preferences are encouraged in the proposed location.

### Style and Colour:

- The architectural style of the Antenna System should be compatible with the surrounding neighbourhood and adjacent uses (example: monopole near a residential area or lattice-style in industrial areas).
- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.
- An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or clock tower, where appropriate, subject to any zoning approvals required for the landmark feature.
- In the City Centre area, the design of Antenna Systems should generally be unobtrusive and consistent with City Centre design guidelines.
- Towers and communication equipment should have a non-reflective surface.
- Special design treatments should be applied to Antenna Systems proposed to be located within parks and open space areas or on listed Heritage buildings and/or sites to make the system unobtrusive.
- Cable trays should generally not be run up the exterior faces of buildings.
- Antennas that extend above the top of a supporting utility pole or light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

### Buffering and Screening:

- Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments.
- A mix of deciduous and coniferous trees is preferred to provide year-round coverage.
- Where adjacent to a principal building, equipment shelters should be constructed of a material similar in appearance to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building.

**Structure:**

- Single operator loaded towers (i.e., monopoles) are encouraged.
- New structures in residential or high-traffic areas should consider multi-use design (street lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi etc.).
- Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on, in order to avoid visual clutter, and should be painted to match the wall colour for stealth.
- Facilities located on rooftops should be not be visible (to the extent possible) from the street.
- The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community.
- Pinwheel telecommunication antennas are discouraged.
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged.

**Height:**

- Height for a Freestanding Antenna System shall be measured from grade to the highest point on the structure, including lighting and supporting structures

**Yards, Parking and Access:**

- Adequate yards, to be determined on a site-by-site basis, should separate Antenna Systems from adjacent development without unduly affecting the development potential of the lot over the lease period.
- Parking spaces, where provided at each new Antenna System site, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards.

**Equipment Cabinets in Public Spaces<sup>12</sup>:**

- Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant.
- Cabinet dimensions shall be as minimal as possible.
- Cables and wires must be concealed or covered.

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<sup>12</sup> This section is intended to apply to mechanical equipment cabinets that are located in public spaces (e.g. at the bottom of a utility pole) and do not apply to cabinets that are located inside fenced in areas (e.g. in industrial areas or on rooftops).

**Signage and lighting:**

- Small owner identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
- No advertising sign or logo is permitted.
- Unless specifically required by transport Canada and/or NAV Canada, the display of any lighting is discouraged.
- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada.
- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

**Rooftop Equipment:**

- Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible, and painted to match the penthouse/building.



# Proposal Submission

For a proposed Antenna System, except for cases in which consultation is not required as per Sections 4.2 or 4.3, the Proponent will submit to the Municipality an Antenna System siting proposal and the applicable fee.

## 7.1 PROPOSAL SUBMISSION REQUIREMENTS

The Proponent must include the following information when submitting an Antenna System siting proposal:

- (1) a letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal;
- (2) visual rendering(s) of the proposed Antenna System superimposed on photos to scale;
- (3) a site plan showing the proposed development situated on the site;
- (4) a map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
- (5) for Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;<sup>13</sup>
- (6) confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
- (7) an attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
- (8) any other documentation as identified by the Municipality following the site investigation meeting.<sup>14</sup>

<sup>13</sup> The Proponent may request to use the Municipality's mapping system.

<sup>14</sup> For example, in cases where the Proponent commits to a design that includes co-location capacity, the municipality may require the Proponent to verify that other Proponents in the area have been notified of the potential co-location opportunities.



A determination on the completeness of an application or request for additional information will be provided within **five working days** of receipt of the proposal.

Upon receipt of a complete proposal submission, the Municipality will circulate the proposal for review and comment to:

- (1) affected Municipal Departments;
- (2) any adjacent municipalities within the Prescribed Distance;<sup>15</sup> and
- (3) the local elected municipal official.

#### **FEES**

The Proponent must pay the following application fee to the Municipality:

- Non-exempt antenna system: \$1,500.00
- Exempt antenna system: \$300.00

The Proponent is responsible for securing applicable applications or permissions from all relevant Municipal Departments and paying any applicable application fees or charges as required to the Municipality.

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<sup>15</sup> As part of inter-municipal processes, the Municipality may also request that the Proponent notify adjacent municipalities at greater distances, subject to review by the Municipality or at the request of the adjacent Municipality.





# Public Consultation Process

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 4, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the Municipality.

## 8.1 NOTICE RECIPIENTS

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

- (1) All affected residential properties within the Prescribed Distance;
- (2) Any adjacent Municipalities within the Prescribed Distance;
- (3) The local elected municipal official;
- (4) The Designated Municipal Officer; and
- (5) The Industry Canada regional office.

The Municipality will assist the Proponent in compiling a mailing list of addresses of the affected residences within the Prescribed Distance from the proposed Antenna System.<sup>16</sup>

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<sup>16</sup> Notices may be delivered to a condo/strata corporation instead of to each unit owner.



## 8.2 NOTICE REQUIREMENTS

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and include:

- (1) the proposed Antenna System's purpose, including height and location requirements, the reasons why existing Antenna Systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- (2) the proposed location within the community, the geographic coordinates and the specific property or rooftop, including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
- (3) an attestation<sup>17</sup> that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
- (4) identification of areas accessible to the general public and the access/demarcation measures to control public access;
- (5) information on the environmental status of the project, including any requirements under the Canadian Environmental Assessment Act, 2012;
- (6) a description of the proposed Antenna System including its height, dimensions, type, design and colour, a description of any antenna that may be mounted on the supporting structure, and simulated images of the proposal;
- (7) Transport Canada's aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the proponent's expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available;
- (8) an attestation that the installation will respect good engineering practices including structural adequacy;
- (9) reference to any applicable local land-use requirements such as local processes, protocols, etc.;
- (10) notice that general information relating to antenna systems is available on Industry Canada's Spectrum management and telecommunications website (<http://www.ic.gc.ca/towers>);
- (11) contact information for the Proponent, the Designated Municipal Officer and the local Industry Canada office;
- (12) the date, time and location of the public information session (where required); and
- (13) A deadline date for receipt by the Proponent of public responses to the proposal:
  - a. Where a public information session is required, the deadline date must be no more than five days before the date of the session.
  - b. Where a public information session is not required, the deadline date must be at least 30 days after the notices are mailed.

<sup>17</sup> Example: I, (*name of individual or representative of company*) attest that the radio installation described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public, including any combined effects of nearby installations within the local radio environment.



The notification shall be sent out in an envelope addressed to the “occupant” and shall clearly show in bold type on the face of the envelope the statement:

**“NOTICE FOR RESIDENTS LOCATED WITHIN A DISTANCE OF THREE TIMES THE HEIGHT OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED.”**

The Municipality may also require the Proponent, based on local conditions such as a high proportion of rental accommodation in the vicinity of the site, to provide such additional forms of notice as deemed necessary. Additional notification requirements will be identified by the Municipality during or following the site investigation meeting. Other forms of notification may include, but are not limited to:

- A large format notice board sign or signs, posted on the site of the proposed Antenna System, that is clearly visible from any roadway abutting the site;
- Publication of the notice in a local newspaper(s); and/or,
- Hand delivery of notices to specified buildings.

In addition to the public notification requirements noted above, proponents of an Antenna System proposed to be 30 metres or more in height must place a notice in a local community newspaper circulating in the proposed area.<sup>18</sup> Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the Antenna System. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the Antenna System.

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<sup>18</sup> The notice must be synchronized with the distribution of the public notification package. It must be legible and placed in the public notice section of the newspaper. The notice must include: a description of the proposed installation; its location and street address; proponent contact information and mailing address; and an invitation to provide public comments to the proponent within 30 days of the notice. In areas without a local newspaper, other effective means of public notification must be implemented. Proponents may contact the local Industry Canada office for guidance. Municipalities may choose to provide a standardized template for newspaper advertisements in their local customized protocols.



### **8.3 WRITTEN CONSULTATION PROCESS**

Following the delivery of the notification, the Proponent will allow the public to submit written comments or concerns about the proposal.

The Proponent will:

- (1) Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
- (2) Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt); and
- (3) Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
- (4) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.
- (5) Provide a copy of all written correspondence to the municipality and the regional Industry Canada office.

### **8.4 PUBLIC INFORMATION SESSION**

The Municipality may request the Proponent chair a public information session in cases where there is significant public interest in the proposed Antenna System. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- An appropriate date, time and location for the public information session will be determined in consultation with the Designated Municipal Officer.
- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

The Proponent will provide the Municipality with a package summarizing the results of the public information session containing at a minimum, the following:

- list of attendees, including names, addresses and phone numbers (where provided voluntarily);
- copies of all letters and other written communications received; and
- a letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

### **8.5 POST CONSULTATION REVIEW**

The Municipality and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the Municipality's request) to discuss the results and next steps in the process.



# Statement of Concurrence or Non-Concurrence

## 9.1 CONCURRENCE AND CONCURRENCE WITH CONDITIONS

The municipality will provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the Municipality, the requirements as set out within this Protocol and the Municipality's technical requirements, and will include conditions of concurrence, if required.<sup>19</sup>

The Municipality will issue the letter of concurrence within the timeframe established in Section 10.

## 9.2 NON-CONCURRENCE

The Municipality will provide a letter of non-concurrence to Industry Canada (copying the Proponent) if the proposal does not conform to the Municipality's requirements as set out within this Protocol. The Municipality will also forward to Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

The Municipality will issue the letter of non-concurrence within the timeframe established in Section 10.

## 9.3 RESCINDING A CONCURRENCE

The Municipality may rescind its concurrence if following the issuance of a concurrence, it is determined by the Municipality that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue.

In such cases, the Municipality will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

<sup>19</sup> The Municipality may, on case-by-case basis, include in writing specific conditions of concurrence such as design, screening or co-location commitments.



#### **9.4 DURATION OF CONCURRENCE**

A concurrence remains in effect for a maximum period of three years from the date it was issued by the Municipality. If construction is not completed within this time period the concurrence expires except in the case where a proponent secures the agreement of the Municipality to an extension for a specified time period in writing.<sup>20</sup> Once a concurrence expires, a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the Municipality requests that the Proponent send a written notification of an intent to construct to the Designated Municipal Officer once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

#### **9.5 TRANSFER OF CONCURRENCE**

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further consultation provided that:

- (1) all information gathered by the original Proponent in support of obtaining the concurrence from the Municipality is transferred to the current Proponent;
- (2) the structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- (3) construction of the structure is commenced within the duration of concurrence period.

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<sup>20</sup> A copy of the agreement must be provided to the local Industry Canada office.



## Consultation Process Timeframe

Consultation with the Municipality is to be completed within 60 days of the proposal being accepted as complete<sup>21</sup> by the Municipality as explained in Section 7 of this Protocol.

Where public consultation is required, consultation with the Municipality and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the Municipality.

The Municipality or Proponent may request an extension to the consultation process timeline. this extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the Municipality or reinitiating the consultation process to the extent requested by the Municipality.

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<sup>21</sup> According to the CPC, "the 120-day consultation period commences only once proponents have formally submitted in writing, all plans required by the land-use authority, and does not include preliminary discussions with land-use authority representatives."



## Letter of Undertaking

The Proponent may be required, if requested by the Municipality, to provide a letter of undertaking, which may include the following requirements:

- (1) The posting of a security for the construction of any proposed fencing, screening and landscaping;
- (2) A commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada conditions of licence for mandatory roaming and Antenna Tower and Site Sharing and to Prohibit exclusive Site Arrangements (CPC-2-0-17); and
- (3) All conditions identified in the letter of concurrence.





Municipalities can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request, and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and Municipality will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Antenna System was deemed redundant.

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES  
MONDAY, MARCH 04, 2019, 6:00 P.M.  
PARKDALE ROOM, 2<sup>nd</sup> FLOOR, CITY HALL**

**Present:** Councillor Greg Rivard, Chair  
Deputy Mayor Jason Coady, Vice-Chair  
Councillor Alanna Jankov  
Basil Hambly, RM  
Bobby Kenny, RM  
Kris Fournier, RM  
Reg MacInnis, RM

Shallyn Murray, RM  
Alex Forbes, PHM  
Laurel Palmer Thompson, PII  
Greg Morrison, PII  
Robert Zilke, PII  
Ellen Faye Ganga, PH IA/AA  
Brad Wonnacott, AA

**Also:**

**Regrets:** Rosemary Herbert, RM

**1. Call to Order**

Councillor Rivard called the meeting to order at 6:01 pm.

**2. Declaration of Conflicts**

Councillor Rivard asked if there are any conflicts. Shallyn Murray, RM, declared conflict of interest on agenda item number 7) 183 Great George Street (PID #344044). Councillor Rivard then moved to the approval of the agenda.

**3. Approval of Agenda**

Moved by Bobby Kenny, RM, and seconded by Shallyn Murray, RM, that the agenda for Wednesday, March 06, 2019 be approved.

**CARRIED**

**4. Adoption of Minutes**

Moved by Reg MacInnis, RM, and seconded by Basil Hambly, RM, that the minutes of the meeting on Monday, February 04, 2019, be approved.

**CARRIED**

**5. Business arising from Minutes**

There was no business arising from minutes.

*Before proceeding to the first report, Councillor Greg Rivard announced that the applicant for 178 Lower Malpeque Road (PID #s 444687, 388439 & 38838) has requested that this application be deferred at this time.*

**6. 197 Minna Jane Drive (PID #469841)**

This is a request to rezone the property at 197 Minna Jane Drive (PID #469841) from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone. Greg Morrison, Planner II, presented the application. See attached report.

The purpose of the rezoning is to construct a 70-unit apartment building as well as an additional building in the future which will likely contain a commercial daycare centre. Staff recommendation is to approve the request for the rezoning to proceed to a public consultation. The applicant is also requesting a major variance to increase the maximum height for an apartment dwelling in the C-2 Zone from 15.0 m (49.2 ft) to approximately 21.26 m (69.75 ft). The requested variance does not require public consultation but notification of this variance will be included in the public meeting notification. The proposed variance will also be included in the recommendation to Council following the public meeting.

Councillor Rivard asked if there was a drop-off in the elevation from the adjacent apartment building to the proposed apartment building. Ron Lord, applicant, mentioned that it is going to be about 12.0 feet. Mr. Lord also added that the submitted elevations show the height of the adjacent apartment building compared to the proposed apartment building. Mr. Morrison also added that the adjacent apartment received a variance in the past years so the physical height of the adjacent apartment building is only 4.5 ft less than the proposed apartment building. Bobby Kenny, RM, asked how many underground parking spaces would there be and Mr. Lord responded that there are 44 underground parking spaces and about 50 surface parking spaces. For the commercial daycare centre, the plans may still change. Reg MacInnis, asked where the parking for the day care centre will be and Mr. Lord mentioned that it will be at the front and side of the daycare centre building. Mr. MacInnis also commented that the height of the building is pretty tall and Mr. Lord confirmed that it is but it will have two more floors than the adjacent four-storey apartment building and a flat roof.

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

**Moved by Reg MacInnis, RM, and seconded by Bobby Kenny, RM, that the request to:**

- a) Amend Appendix “A” – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial; and**
- b) Amend Appendix “G” – Zoning Map of the Zoning & Development Bylaw from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone,**

**for the property at 197 Minna Jane Drive (PID #469841), be recommended to Council to approve the request to proceed to public consultation.**

**CARRIED**

**7. 185 Brackley Point Road (PID #390963)**

This is a request rezone the property at 185 Brackley Point Road (PID #390963) from Single-Detached Residential (R-1L) Zone / Mixed-Use Corridor (MUC) Zone to the Light Industrial (M-1) Zone in order to make the existing uses (i.e. Automobile Sales and Services Business & an Automobile Service Station) and the proposed Automobile Body Shop conform with the Zoning & Development By-law instead of recognizing this use as legal-non-conforming in the Single-Detached Residential (R-1L) Zone. Greg Morrison, Planner II, presented the application. See attached report.

Staff feels that the proposed rezoning to the M-1 Zone may create land use conflicts with adjacent low density residential dwellings. Staff recommendation is to reject the request to proceed to a public consultation.

Shallyn Murray, RM, asked if the applicants are required to have to change of use now. Mr. Morrison noted that if the property remains to be used as a service station, the zoning can remain as is. However, if the uses change and the property becomes an automobile body shop, a rezoning is required. Previous documentation from staff who worked on this application noted that they are willing to support the rezoning of this property to the MUC Zone.

Councillor Rivard clarified that the current services meet the uses of an MUC Zone. Mr. Morrison confirmed that the MUC portion of the lot meets the current uses and the portion zoned as R1-L is a legal non-conforming use. Mr. Rivard asked if it is possible to consider a site specific exemption to add this specific use the current zone compared to rezoning the property to a whole new zone. Mr. Morrison added that a recommendation to rezone the property to M-1 zone with a development agreement to only allow the permitted uses in that zone was suggested to the applicant but the applicant is not the owner of the property; however, the owner has allowed the applicant to apply for a rezoning. The owners are not interested in restricting the property to such uses only.

Mr. Rivard asked the representative of the applicant if they could enlighten the board why the applicant does not want to restrict the uses to just an automobile body shop in addition to the sales and services station. Mazen Aldossary, representative for the applicant, noted that there is only one house behind and there's no environmental impact, but has not discussed with the applicant as to why they don't want to restrict the uses to just the automobile body shop. Mr. Rivard asked if there are future plans to the property. Staff may consider reviewing this application if the uses will be restricted to the automobile body shop only but the concern here is that the applicant wants to rezone to a new zone with more permitted uses which may have significant impact to surrounding neighbourhood. Mr. Morrison added that the owners are not involved in the application but the owners have given approval to the applicant to proceed with this application. Mr. Morrison also added that if this rezoning is rejected, the owner may still come back and apply for a rezoning for this property to the MUC Zone.

Mr. Rivard clarified that the applicant, who is currently renting, may request to allow for an automobile body shop but it also does not restrict the owners to apply for a rezoning to allow for more permitted uses and Mr. Morrison agreed. Mr. Rivard then asked Mr. Aldossary if they are willing to defer this application until we get confirmation from the applicant / owner to determine if they are willing to do a site specific exemption to allow for just an automobile body shop use. Mr. Morrison also added that a rezoning will have a more significant impact as it introduces more uses other than the automobile body shop would.

Reg MacInnis, RM, also requested if the applicant can come in with more plans in relation to this application for the public meeting and Mr. Morrison confirmed that he will talk to the applicant or owner to gather more information.

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

**Moved by Bobby Kenny, RM, and seconded by Basil Hambly, RM, that the request to:**

- a) Amend Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential/Commercial to Industrial; and**
- b) Amend Appendix “G” – Zoning Map of the Zoning & Development Bylaw from Single Density Residential (R-1L) Zone/ Mixed-Use Corridor (MUC) Zone to the Light Industrial (M-1) Zone;**

**for the property at 185 Brackley Point Road (PID #390963), be deferred until the applicant can confirm their future plans for the property being rezoned.**

**CARRIED**

**8. 88 Brackley Point Road (PID #396770)**

This is a request to rezone 3.04 acres of land located at 88 Brackley Point Road (PID #396770) from Single-Detached Residential (R-1L) Zone to Medium Density Residential (R-3) Zone and to amend the Official Plan Map from Low Density Residential to Medium Density Residential to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

Staff does have concerns that rezoning a property within a mature neighbourhood from single-detached residential to medium-density residential to accommodate a 46-unit development may cause concern within the neighbourhood and may be viewed as spot zoning. However, the lot is over 3 acres and not a small residential lot. It is large enough to comprise a comprehensive development plan. With the current housing demand, this proposal may provide more affordable housing options within the neighbourhood. Staff recommendation is to approve the request to proceed to a public consultation.

Ron Wood, applicant, added that single level duplexes will be erected along Brackley Point Road so that when you drive along that road, you do not see a large building along that side of the street. There is also a mature tree line along the south boundary of the property. There are no plans presented for the apartment at the moment but the elevation from the east boundary along Pope Road to Brackley Point Road is about a 22 ft drop in elevation. When you are driving up that slope, essentially, the building will be blending in with the existing neighbourhood. Councillor Rivard asked how tall would the apartment building be and Mr. Wood noted that it is a three storey apartment so it will be about 36 feet in height.

Bobby Kenny, RM, also asked about the number of parking spaces in the basement and Mr. Wood noted that there will be 22 parking spaces underground. Mr. Kenny also pointed out the number of surface parking spaces and Mr. Wood mentioned that they allotted between 8 and 12 for surface parking. Mr. Rivard asked how many parking spaces are required for an apartment building and Ms. Thompson responded that one parking space per unit is required. Mr. Rivard asked about visitor parking and Mr. Wood mentioned that they can add those but not to take

away too much green space. The plans have not been finalized so all these issues will be addressed prior to the public meeting.

Reg MacInnis, RM, indicated that affordable housing was mentioned in the report and have asked what the rentals would be. Mr. Wood noted that the townhouses will be around \$1500-\$1600, single level houses will be around \$1350-\$1400 and the apartment buildings would depend on the total cost of construction. Mr. Rivard also added that the City provides incentives for Affordable Housing and asked Mr. Wood if he looked into it. Mr. Wood confirmed that eventually he will look into it. Mr. Rivard also asked if the applicant talked to the neighbourhood and Mr. Wood confirmed that he has talked to a few residents and that is why he decided on the townhouse project on Lot 1.

Mr. MacInnis also asked if the applicant could provide images or pictures of the proposed apartment at the Public Meeting and Mr. Wood confirmed that he would. Mr. MacInnis also asked what precedent this sets in the neighbourhood as we've had recent applications in this area as well. Ms. Thompson mentioned that there was a similar application at the last Planning Board meeting. The previous proposal was on a lot that was half the size of this property and only had one access into the property. The access also had issues in regard to site distance and whether safe access and egress could be obtained at that location. The lots in the area are large and there is a great deal of unused land in the rear yard of these properties that could have the potential to be developed. Changing the use of the property may change the neighbourhood but it does not mean it is a bad thing. Currently, it is a low density residential neighbourhood and adding more density may provide more choices and options for housing. Staff has seen areas in the past where larger lots have been developed. A lot of opposition was raised at that time but once it was done, people were pleased with the result. The similar application last month was a larger in bulk, mass and scale so staff did not favor the application.

Kris Fournier, RM, commented that the applicant did their homework on this application and that the location is close to commercial establishments, which makes it a good location. Mr. Rivard commented that the only concern here is that is located in a well-established neighbourhood. If the case were different, there would be no concerns. Councillor Alanna Jankov also added that this is located near the bus line which is also good.

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

**Moved by Councillor Alanna Jankov and seconded by Reg MacInnis, RM, that the request to:**

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and**
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single Density Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone;**

**for the property at 88 Brackley Point Road (PID #396770), be recommended to Council to approve the request to proceed to public consultation.**

**CARRIED**

*Mayor Philip Brown was in for this application and left after the motion was concluded. Laurel Palmer Thompson left the meeting.*

**9. Vacant Property off of Gerald Street (PID #359950)**

This is a request for three variances to decrease the rear yard setback requirement from 7.5m (24.6ft) to 2.1m (7 ft); decrease the flankage yard requirement from 6m (19.7 ft) to 2.44m (8 ft); and decrease the interior side yard setback from 1.83m (6 ft) to 1.2m (4 ft) in order to construct a single detached dwelling that is approximately 1,100 sq.ft on the vacant property off of Gerald Street (PID #359950). The property is located in the Low Density Residential (R-2) Zone. Robert Zilke, Planner II, presented the application. See attached report.

The lot is undersized in both lot frontage and area as per the R-2 Zone requirements. Staff does not feel that the decrease in rear yard setback and flankage yard requirement would be viewed as unnecessary and undue hardship. Staff's recommendation is to only approve one of the three requested variance to decrease the minimum interior side yard setback requirement.

Councillor Rivard confirmed that the applicant is looking to build a 1200 sq.ft. dwelling and asked what is permitted. Mr. Zilke confirmed the size and has not made the calculations yet but will be based on setback requirements and would be allowed to build a second storey dwelling. Mr. Forbes added that they will be allowed to build 14 ft x 55 feet without variance which is about 770 square feet. Mr. Forbes and Mr. Morrison also added that if the side yard variance is approved, the applicant also needs a 2-ft variance along the flankage yard setback to meet the minimum width requirement of the house which is at least 18 feet.

Shallyn Murray, RM, asked if the applicant has to go over the same process again if the applicant decides to expand in the front yard in the future. Mr. Zilke noted that he could do another addition without going through a variance as long as he meets the requirements of the ZBL but would still have to go through the Building permit application process. Mr. Morrison added that the applicant does not have to go through the variance process if it meets the bylaw requirements.

Mr. Rivard asked if 770 sq.ft. would be the maximum and staff confirmed. The applicant, Roger Greaves, added more information about the application and indicated that the purpose is to build a retirement home which will be accessible so a two-storey building is not ideal. The location of the proposed dwelling is situated that way because the duplex near the lot has water problems in their basement. The applicant has talked to the neighbours and they also agree that the proposed location is the best location.

Mr. Forbes added that to meet the bylaw requirements, the house should be at least 18ft x 55ft. Mr. Rivard then asked if we could defer this application so that the applicant can work with staff to make the necessary revisions to the application. Mr. Greaves agreed to it.

Basil Hambly, RM, asked if the property will be built on slab and Mr. Greaves confirmed. The property is prone to water issues as well.

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

**Moved by Councillor Alanna Jankov and seconded by Basil Hambly, RM, that the request for variances for the vacant lot off of Gerald Street (PID #359950) to:**

- a) **Decrease the rear yard setback requirement from 7.5m (24.6ft) to 2.1m (7 ft), be recommended for council for rejection;**
  - b) **Decrease the flankage yard requirement from 6m (19.7 ft) to 2.44m (8 ft), be recommended for council for rejection; and**
  - c) **Decrease the interior side yard setback from 1.83m (6 ft) to 1.2m (4 ft);**
- be deferred until a revised proposal is presented.**

**CARRIED**

**10. 215 Queen Street (PID #343582)**

This is a request for a temporary structure variance to locate a container on the vacant property at 215 Queen Street (PID #343582) to be used as a commercial building for food preparation and service. The property is located in the Downtown Main Street (DMS) Zone. Greg Morrison, Planner II, presented the application.

Since this container is being located in an area of the City which is arguably underserved, staff feel that allowing it on a temporary basis would be reasonable and then the applicant would have to reapply in future years. At that time, the City may wish to approve or deny it in the future depending on feedback received this year. Staff recommendation is to approve the request only for one (1) year at this time.

Bobby Kenny asked if this is considered a real property and do they pay taxes for it. Mr. Morrison noted that the applicant owns the property and unsure if they are to pay for vacant land property taxes or restaurant taxes when this is approved. Mr. Rivard clarified if this needs to go to a public meeting and Mr. Morrison noted that variances do not have to go to a public meeting.

Mr. Rivard also commented that he is pro-food trucks but is concerned that the City has put in a considerable amount of money to fix the vacant parcel of land. Mr. Forbes commented though that the property is not owned by the City. Kris Fournier, RM, clarified that the City spent money to fix the vacant land. Mr. Forbes clarified that the City developed the land with the understanding that the City does not own this vacant land so the owners would still be able to make renovations to their land. Staff uses that area and was used to our benefit but that cannot be a reason not to allow the owner from making changes.

Bobby Kenny, RM, asked if the washroom will be connected to a sewer line and Mr. Morrison confirmed that it will be connected to the City water and sewers lines, likely along Queen Street. Mr. Forbes also added that the application does not require a washroom to be provided but the applicant is intending to provide one. There are concerns on containers but these are purposely built to meet the applicant's objective and that it should be aesthetically pleasing to the public.



Mr. MacInnis asked if this application come in conflict with the next application and Mr. Forbes noted that it will look the same but they are asking for two different types or considerations. This is a new concept for the City and it will be the first season we are allowing such applications. If the results are good, there may be a need to bring in regulations to make it more permanent. Currently, the Police services manage food truck on public areas and the City looks after food trucks on private properties.

Councillor Jankov asked if this application does not require setback or any other requirements and Mr. Forbes confirmed it is a temporary use so wouldn't follow the setback requirements for the DMS Zone. Mr. Rivard asked the applicant gets three years and Mr. Forbes noted that they anticipate the applicant to be back in the next three years to renew the application, or come back with a similar application as the next application. It would be best to see one or two applications in place this year before we start approving too many food container applications. It is critical to get things right so that it is not perceived to be in conflict with restaurants or other land uses.

Mr. Kenny asked how long will this approval allow them to operate and Mr. Forbes noted that it will be for a year and then they would have to reapply again but does not provide them a guarantee that it will be approved again. The decision then will be based on the comments/inputs or if we have complaints during the year they are operational. Mr. MacInnis asked if the complaints will go to the Planning Department so that it is documented and we have references when we make decisions in the future.

Mr. Hambly asked the staff would go out and inspect the conditions of these structures and Mr. Forbes noted that the design should meet the requirements at the time of staff review it should be a condition prior approval of a permit. Mr. Rivard also emphasized that the aesthetic component should be reviewed prior to approval of any permit.

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

**Moved by Councillor Alanna Jankov and seconded by Bobby Kenny, RM, that the request for a temporary structure variance to locate a container on the vacant property located at 215 Queen Street (PID #343582) to be used as a commercial building for food preparation and service to operate for one (1) year, be recommended to council for approval, subject to the design of the structure to meet the satisfaction of the Development Officer.**

**CARRIED**

**11. 183 Great George Street (PID #344044)**

This is a request to obtain a site specific exemption as it pertains to 183 Great George Street (PID #344044) in order to allow the sale of alcohol within in a mobile canteen; allow the mobile canteen to operate from April 1 to October 31 annually; and utilize a container to contain washroom facilities. The property is located in the Downtown Core (DC) Zone. Greg Morrison, Planner II, presented the application. See attached report.

The application also includes two variances- increase the maximum height for a fence in the front yard (i.e., front property line) from 3.3 ft to approximately 6.5 ft and increase the maximum front yard setback from 3.3 ft. to approximately 52.5 ft. Staff recommendation is to approve the request to proceed to a public consultation.

Mikey Wasnidge, applicant, presented images of what used to be a vacant land at Spring Garden in Halifax and what it looks now with a concept similar to what is being proposed. With regards to the application, Mr. Wasnidge indicated that the proposal was thought of intelligently and will not be cheaply fabricated. Also, the intent of building a high fence is to create the atmosphere inside while leaving a mystery from the outside. Mr. Wasnidge also indicated that the fence will be done by local artists which will incorporate Charlottetown elements that may enhance the City's streetscape.

Mr. Rivard noted that these concepts as seen from other locations is considered to be a nice work and displays different artworks and it would also be nice to have in Downtown Charlottetown. The applicants worked over and beyond to surpass hurdles in order to get this application started. Reg MacInnis noted that it looked really nice and asked if this will be available year-round. Mr. MacInnis also asked if the fence will be in line with the Old Triangle's deck. Mr. Wasnidge indicated that the fence will be curbed and the entrance to the establishment will be on the side. There will also be a front and back exit to the property. Mr. MacInnis asked about people who wish to smoke and Mr. Wasnidge mentioned that there is about 25 ft in back lot which can be used. The truck will also have back and front exit so services can either use any entry/exits. Basil Hambly asked if there will be a fence at the back. Mr. Wasnidge noted that an 8 ft fence will be between the truck and the washroom.

Mr. Rivard also added that what makes this different from other food truck applications is the sale of alcohol which would require them to provide for washrooms. Mr. Wasnidge also added that Spring Garden uses containers for all their structure and for this application, they will use a mobile canteen. It operates the same way but during the winter time, they can pull out the mobile canteen without removing the front chairs/structure.

Councillor Jankov asked if the variance application to build a fence is intended to make it more aesthetically pleasing. Mr. Wasnidge confirmed that the designer of the fence will incorporate designs to the fence that will enhance Charlottetown's landscaping or streetscape.

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

**Moved by Reg MacInnis, RM, and seconded by Basil Hambly, RM, that the request to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:**

- 1. Allow the sale of alcohol within in a mobile canteen which is contrary to the definition of a mobile canteen in the Zoning & Development By-law (2018-11.009);**

2. **Allow the mobile canteen to operate from April 1 to October 31 annually which is contrary to Section 5.11.2 of the Zoning & Development By-law (2018-11.009); and**
3. **Utilize a container to contain washroom facilities which is contrary to Section 5.2.2 of the Zoning & Development By-law (2018-11.009),**

**be recommended to council to proceed to public consultation.**

**The site specific exemption also includes the following two (2) variances:**

1. **Increase the maximum height for a fence in the front yard (i.e., front property line) from 3.3 ft as permitted in Section 4.4.2.a. of Zoning & Development By-law (2018-11.009) to approximately 6.5 ft; and**
2. **Increase the maximum front yard setback for a building in the Downtown Core (DC) Zone from 3.3 ft as permitted in Section 31.2.2 of Zoning & Development By-law (2018-11.009) to approximately 52.5 ft.**

**CARRIED**

## **12. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)**

This is a proposal to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, regulations permitting an Asphalt, Aggregate, Concrete Plant and General Housekeeping amendments. Robert Zilke, Planner II, presented the application. See attached report.

Councillor Coady is hesitant to have these amendments proceed to public consultation because of the recent concerns that were raised during the Summer of 2018 specific to building asphalt plants in the City. Mr. Forbes noted that if this goes to a public meeting, then we may get additional inputs from the Public that might help the board in making final recommendations.

Basil Hambly, RM, clarified what happens if this does not get approved to proceed to a public meeting and Mr. Forbes indicated that the Board may determine which among the lists of amendments may be recommended to proceed or not. Several concerns specific to the asphalt plan were raised and asked if these could be deferred, and Mr. Rivard commented that once we hear comments at the Public Meeting, the application goes back to the Board and makes recommendation to Council on which to proceed or not. Councillor Coady added that he fears that nobody pays attention to the applications until someone really builds the asphalt plan. This is based on previous applications we received over the past year.

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

**Moved by Councillor Alanna Jankov and seconded by Bobby Kenny, RM, that the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and**

**General Housekeeping amendments, be recommended to Council to proceed to public consultation.**

**CARRIED  
(5-2)**

**13. Secondary and Garden Suite Registry By-law**

This is a proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements. Robert Zilke, Planner II, presented the proposed By-law. See attached report.

Councillor Rivard mentioned that to date, there are five applications for secondary suites already. Councillor Jankov also noted that this is a good way for illegal secondary suites to be legalized, or make existing unsafe two-unit dwellings be safer. Mr. Forbes commented that when an issue is raised or when there is a fire, and the property is found to be a non-confirming dwelling, the owner and insurance company will be on the hook. The applicants apply for permits and pay a certain amount of fee to ensure that what they build is within building code requirements and have been fully inspected before occupancy.

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

**Moved by Basil Hambly, RM, and seconded by Shallyn Murray, RM, that the proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements, be recommended to Council to proceed to public consultation.**

**CARRIED**

**14. New Business**


There were no new businesses discussed.

**Moved by Councillor Alanna Jankov and seconded by Shallyn Murray, RM, that the meeting be adjourned.**

**The meeting was adjourned at 8:09 p.m.**

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**Councillor Greg Rivard, Chair**

<b>TITLE:</b> <b>REZONING APPLICATION</b> <b>FILE: PLAN-2019-4-MARCH- 6A1</b> <b>197 MINNA JANE DRIVE (PID #469841)</b> <b>OWNER: CORDOVA REALTY LTD.</b>		
<b>MEETING DATE:</b> March 4, 2019		<b>Page 1 of 4</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Building Plans	
<b>SITE INFORMATION:</b> <b>Context:</b> 3.0 Acre property containing Dr. McManaman's Orthodontist Practice <b>Ward No:</b> 8 – Highfield <b>Existing Land Use:</b> Medical, Health and Dental Office <b>Official Plan:</b> Concept Planning Area <b>Zoning:</b> Comprehensive Development Area (CDA) Zone		
<b>PREVIOUS APPLICATIONS:</b> A building permit was issued on October 12, 2007 to renovate the existing building to be used as a professional office space (i.e., dentist office).		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to proceed to public consultation for the rezoning request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial for the property located at 197 Minna Jane Drive (PID #469841); and
2. Amend Appendix "G" – Zoning Map of the Zoning & Development By-law from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone for the property located at 197 Minna Jane Drive (PID #469841).

The applicant is also requesting a major variance to increase the maximum height for an apartment dwelling in the C-2 Zone from 15.0 m (49.2 ft) to approximately 21.26 m (69.75 ft). The requested variance does not require public consultation but notification of this variance will be included in the public meeting notification. The proposed variance will also be included in the recommendation to Council following the public meeting.

**BACKGROUND:*****Request***

The property owners, Cordova Realty Ltd, are applying to rezone the property located at 197 Minna Jane Drive (PID #463841) from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone. The purpose of the rezoning is to allow the uses in the C-2 Zone including a 70-unit apartment building and a future building which will likely contain a commercial daycare centre.

The proposed 70-unit apartment building is approximately 21.26 m (69.75 ft) in height and would require a major height variance as it exceeds the maximum building height for an apartment building of 15.0 m (49.2 ft).

***Development Context***

The subject property abuts three streets – Minna Jane Drive, Daniel Drive, and Malpeque Road. The subject property and adjacent development is bordered by Maritime Electric property and the Charlottetown Arterial Highway.

Within the development area identified above, a 60-unit apartment building is currently under construction at 215 Minna Jane Drive and it is anticipated that an additional 60-unit apartment building will be constructed at 219 Minna Jane Drive. The rest of the surrounding lands identified above is being used as commercial or is vacant within the Highway Commercial (C-2) Zone.

***Property History***

A building permit was issued on October 12, 2007 to renovate the existing building to be used as a professional office space (i.e., dentist office). The rest of the property has remained vacant.

Appendix B. Comprehensive Development Area (CDA) Parcels and Permitted Uses of the Zoning & Development By-law identifies the existing use of this property to be offices.

**LEGISLATIVE REQUIREMENTS:*****Notification***

If the proposed rezoning is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section

3.10.4.c of the Zoning & Development By-law. The public notification will also include the request for variance.

**ANALYSIS:**

As previously explained in this report, the development context boundaries could be described as the Maritime Electric properties, Charlottetown Arterial Highway, and Malpeque Road.

All of the properties, with the exception of the subject property, are located in the Highway Commercial (C-2) Zone. These properties are primarily developed as commercial with the exception of the 60-unit apartment building to the north which received Council approval on October 10, 2017:

*That the request for two variances to increase the maximum height requirements of the proposed building from 39.4 ft to approximately 65.25 ft. average grade to the top of the main roof line and to the minimum lot area requirements to increase the density from 57 units to 60 units at Lot 5-2 adjacent to 197 Malpeque Road (PID #577585) be recommended to Council for approval.*

Should the rezoning be approved, the applicants are also applying for a variance to increase the maximum height requirement for an apartment building in the C-2 Zone from 15.0 m (49.2 ft) to approximately 21.26 m (69.75 ft). The proposed apartment building would only be 4.5 ft taller than the adjacent 60-unit apartment building but the applicants have indicated that due to the elevations of the land, the proposed building would appear to be approximately 3.26 m (10.70 ft) taller.

Staff discussed the application with the Traffic Operations Engineer at the Province who indicated that any new use of the property (i.e., apartment building or commercial daycare centre) could only be served from Minna Jane Drive or Daniel Drive which connects to the signalized intersection at Malpeque Road / Daniel Drive. He went on to explain that *'the only building allowed to use the right-in / right out is the Dr. McManaman's building.'* The existing access between parking lots which would allow the residents of the apartment building to access Malpeque Road would have to be removed.

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"> <li>• The adjacent property obtains a similar variance in 2017.</li> <li>• The proposed apartment building is only 4.5 ft taller than the adjacent apartment building but appears to be 10.7 ft taller due to the change in elevation.</li> <li>• All adjacent properties within the development context are zoned C-2.</li> </ul>		

### CONCLUSION:

In light of the fact that all adjacent properties are located in the Highway Commercial (C-2) Zone and the adjacent 60-unit apartment building also received a major height variance for an apartment building, the Planning & Heritage Department recommends that the rezoning application be approved to proceed to public consultation to obtain feedback from the adjacent property owners.

**PRESENTER:**



Greg Morrison, MCIP  
Planner II

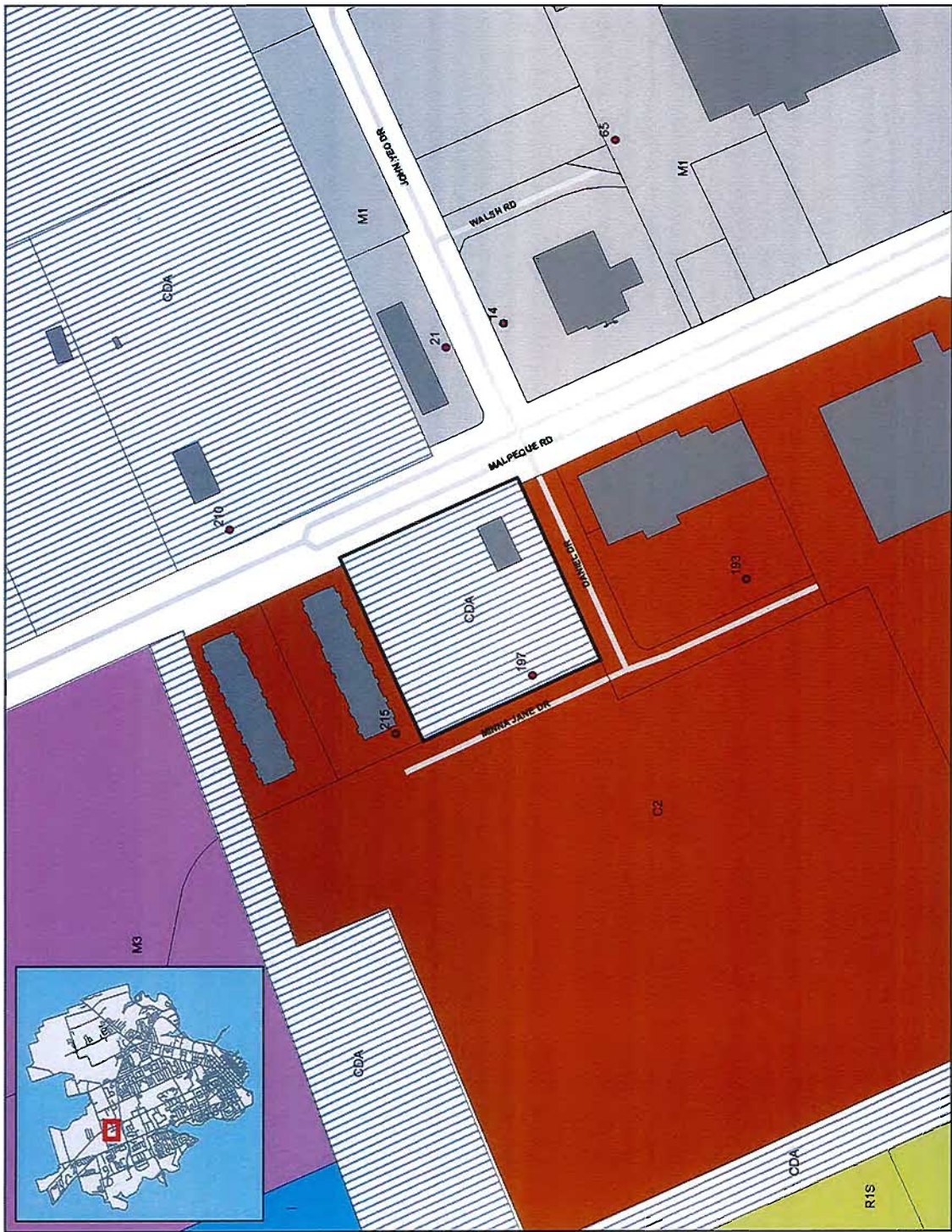
**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



# Attachment A



Attachment A: GIS Map  
File: PLAN-2019-4-March · **6A1**  
197 Minna Jane Drive (PID #469841)  
Owner: Cordova Realty Ltd.

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



# Attachment B

## Building Plans Attached:

1. Code Chart & Renderings
2. Site Plan
3. Garage & 1F
4. 2F – 6F
5. Suite Enlargements
6. Elevations
7. Elevations
8. Site Servicing and Drainage Plan

**Attachment B: Building Plans**  
File: PLAN-2019-4-March -**6A1**  
197 Minna Jane Drive (PID #469841)  
Owner: Cordova Realty Ltd.





Preliminary Not For Construction

NO.	REVISION	DATE

NOTES:  
 1) CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND FINISHES ON IN AND FOR ANY PROJECT OTHER THAN THAT DESCRIBED HEREIN.  
 2) ANY CHANGES TO THIS DESIGN, PRIOR TO OR DURING CONSTRUCTION, SHALL BE THE RESPONSIBILITY OF THE ARCHITECT & ARCHITECTURAL DESIGNEE.  
 3) ALL CONTRACTORS MUST CONFORM TO ALL LOCAL, STATE AND FEDERAL REQUIREMENTS AND THE NATIONAL BUILDING CODE OF CANADA.  
 4) ALL REQUIRED PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION.

NO.	REVISION	DATE



NO.	REVISION	DATE



ITEM	DESCRIPTION	QUANTITY	UNIT
1	CONCRETE FOR PERIMETER WALLS	180	M <sup>3</sup>
2	CONCRETE FOR SLABS	120	M <sup>3</sup>
3	CONCRETE FOR BEAMS	45	M <sup>3</sup>
4	STEEL REINFORCEMENT	150	TONNES
5	FORMWORK	100	M <sup>2</sup>
6	BRICKWORK	50	M <sup>3</sup>
7	ROOFING	200	M <sup>2</sup>
8	GLAZING	1000	M <sup>2</sup>
9	MECHANICAL	150	TONNES
10	ELECTRICAL	80	TONNES
11	PAINT	120	TONNES
12	LANDSCAPING	100	M <sup>2</sup>
13	INTERIORS	150	TONNES
14	FINISHES	100	M <sup>2</sup>
15	MECHANICAL	150	TONNES
16	ELECTRICAL	80	TONNES
17	PAINT	120	TONNES
18	LANDSCAPING	100	M <sup>2</sup>
19	INTERIORS	150	TONNES
20	FINISHES	100	M <sup>2</sup>
21	MECHANICAL	150	TONNES
22	ELECTRICAL	80	TONNES
23	PAINT	120	TONNES
24	LANDSCAPING	100	M <sup>2</sup>
25	INTERIORS	150	TONNES
26	FINISHES	100	M <sup>2</sup>
27	MECHANICAL	150	TONNES
28	ELECTRICAL	80	TONNES
29	PAINT	120	TONNES
30	LANDSCAPING	100	M <sup>2</sup>



CODE CHART



Preliminary  
 "Not For Construction"

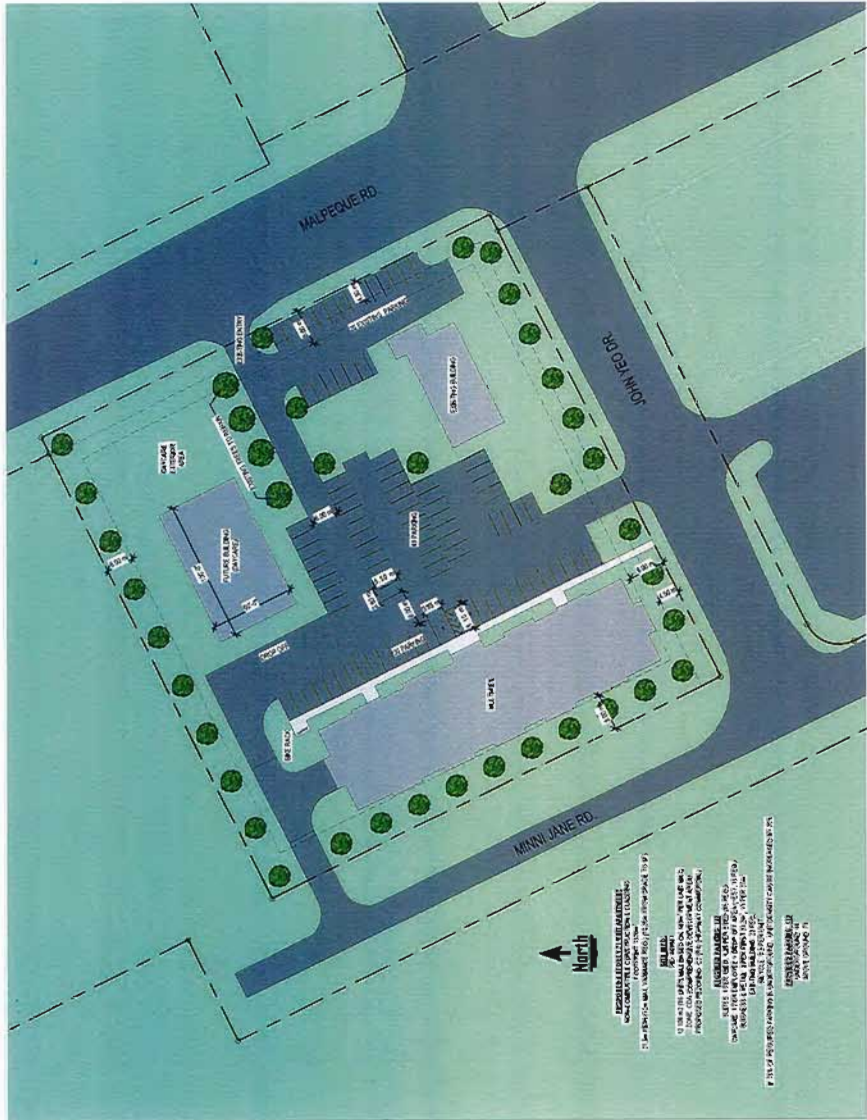
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NOTES:  
 1. THIS DRAWING IS FOR PRELIMINARY DESIGN ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.  
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
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 10. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

NO.	DATE	DESCRIPTION	BY	CHKD.



PROJECT NO.	17-060
DATE	11-27-2018
SCALE	AS NOTED
TITLE	ADZ
DATE	11-27-2018
PROJECT NO.	17-060
DATE	11-27-2018
SCALE	AS NOTED
TITLE	ADZ



SITE PLAN  
 17-060



Preliminary  
"Not For Construction"

NO.	DESCRIPTION	DATE

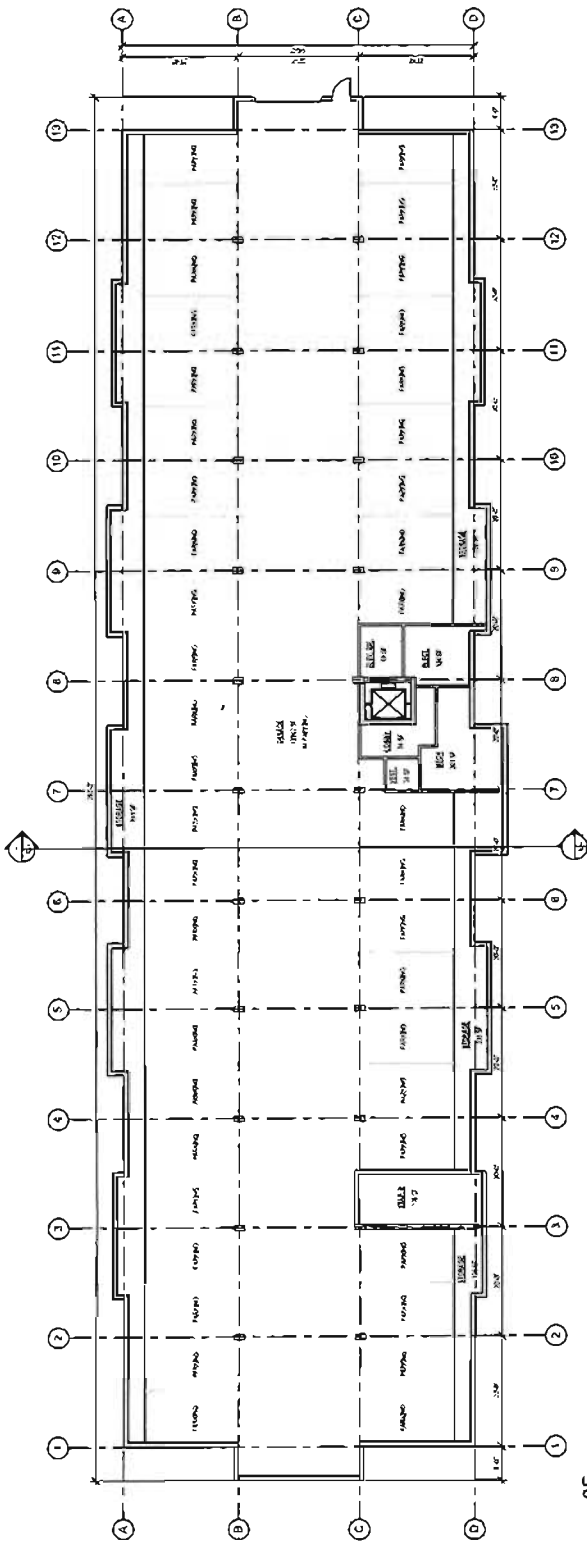
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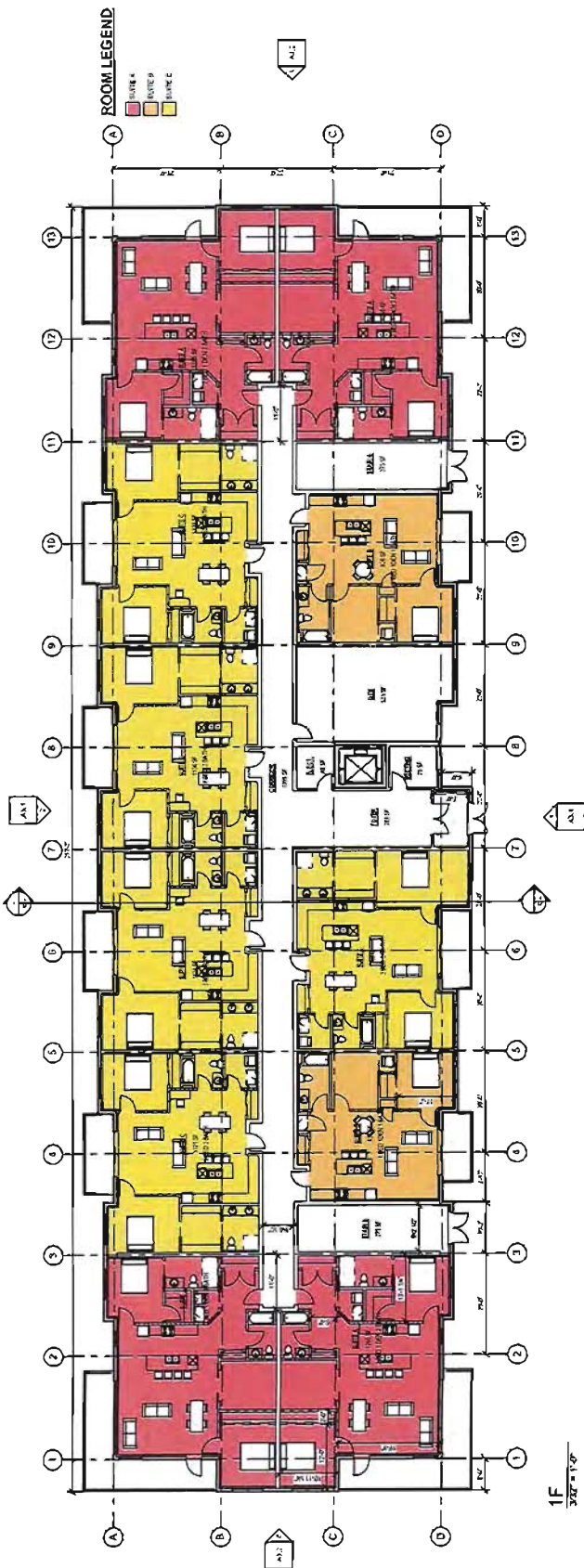
**Spitfire**  
DESIGN CO.  
Architectural & Engineering Inc.  
10005 104th Ave. S.W. Unit 100  
Richmond, B.C. V6X 3K7  
Canada

*Carleton Mills R/C*  
Construction #11

PROJECT NO.	090125-11
DATE	02-23-2016
PROJECT NAME	
PROJECT LOCATION	
SCALE	AS NOTED
DRAWN BY	
CHECKED BY	
DATE	



0F  
3/32" = 1'-0"



1F  
3/32" = 1'-0"



Preliminary  
Not For Construction

NO.	DATE	DESCRIPTION	BY

PROFESSIONAL SEALS AND STAMPS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION. ANY CHANGES TO THIS DESIGN PRIOR TO ANY CONSTRUCTION MUST BE APPROVED BY THE ARCHITECT AND ENGINEER. ALL CONTRACTORS MUST COMPLY WITH ALL APPLICABLE REGULATORY, MUNICIPAL AND PROFESSIONAL BOARD REQUIREMENTS. ALL DIMENSIONS MUST BE OBTAINED FROM THIS DRAWING.

DATE: 01/20/2014  
 PROJECT: 14010101  
 SHEET: 2F-6F  
 DRAWING: 2F-6F

**spitfire**  
 DESIGN CO.

14010101  
 14010101  
 14010101  
 14010101

Compton

Compton - North R/L

Compton, CA

3-5

1/2" = 1'-0"

DATE: 01/20/2014

NO. 14010101

**ROOM LEGEND**

- TYPE A
- TYPE B
- TYPE C
- TYPE D



2F-6F  
 3-5

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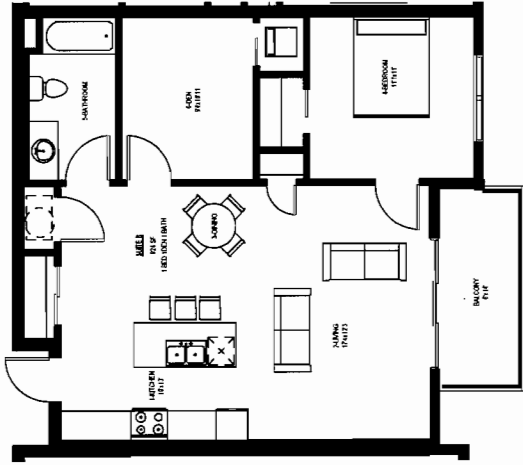


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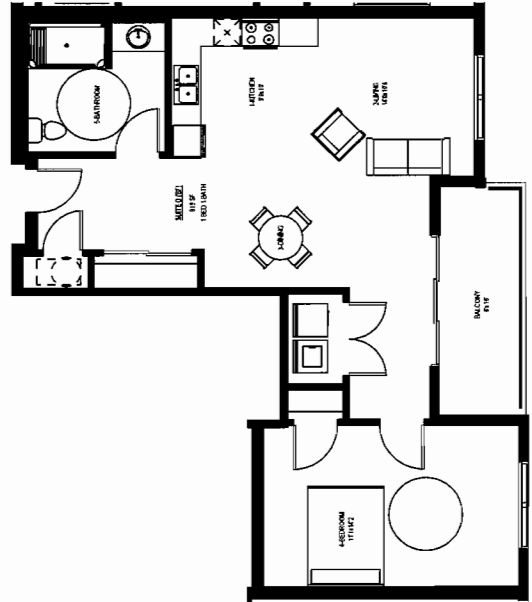
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NOTES:  
 THESE DRAWINGS HAVE NOT BEEN REVIEWED OR APPROVED BY THE ARCHITECTURAL BOARD OF THE ARCHITECTURE ACT OF CANADA. ALL CONTRACTORS MUST CONFIRM TO ALL APPLICABLE REGULATIONS AND STANDARDS. ALL REQUIRED RESULTS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION.

NO.	DATE	DESCRIPTION	BY
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SUITE B  
1/4" = 1'-0"



SUITE D (BF)  
1/4" = 1'-0"

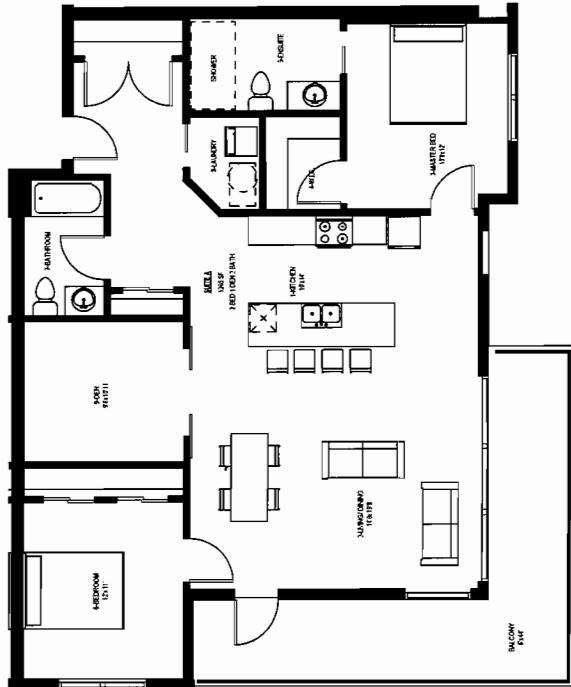
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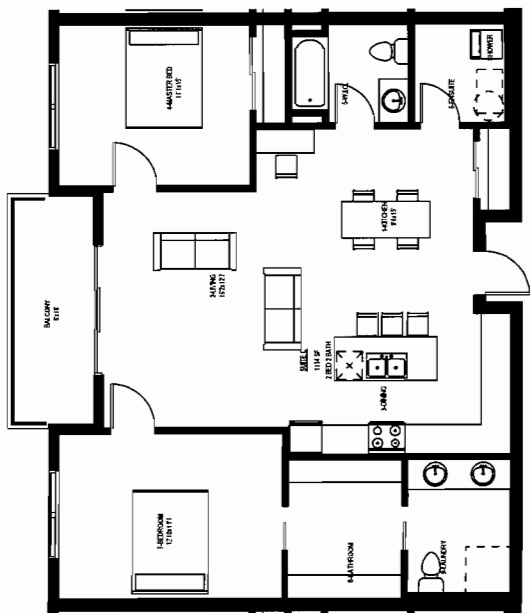
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NO.	DATE	DESCRIPTION	BY
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SUITE A  
1/4" = 1'-0"



SUITE C  
1/4" = 1'-0"



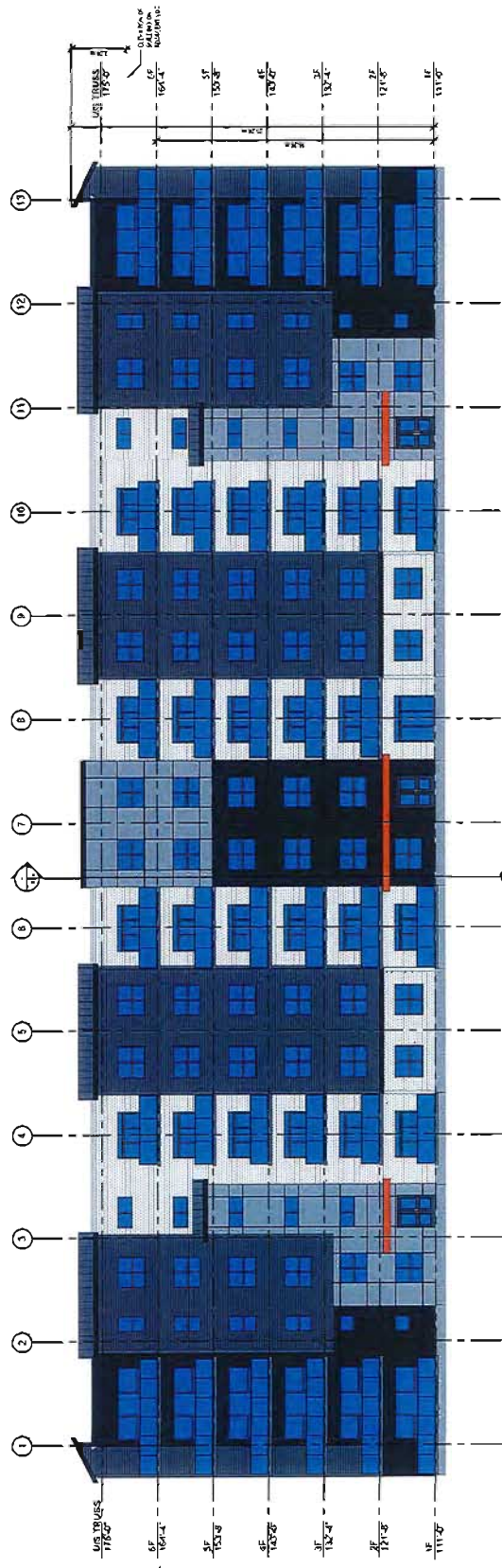
Preliminary  
"Not For Construction"

NO.	DATE	DESCRIPTION

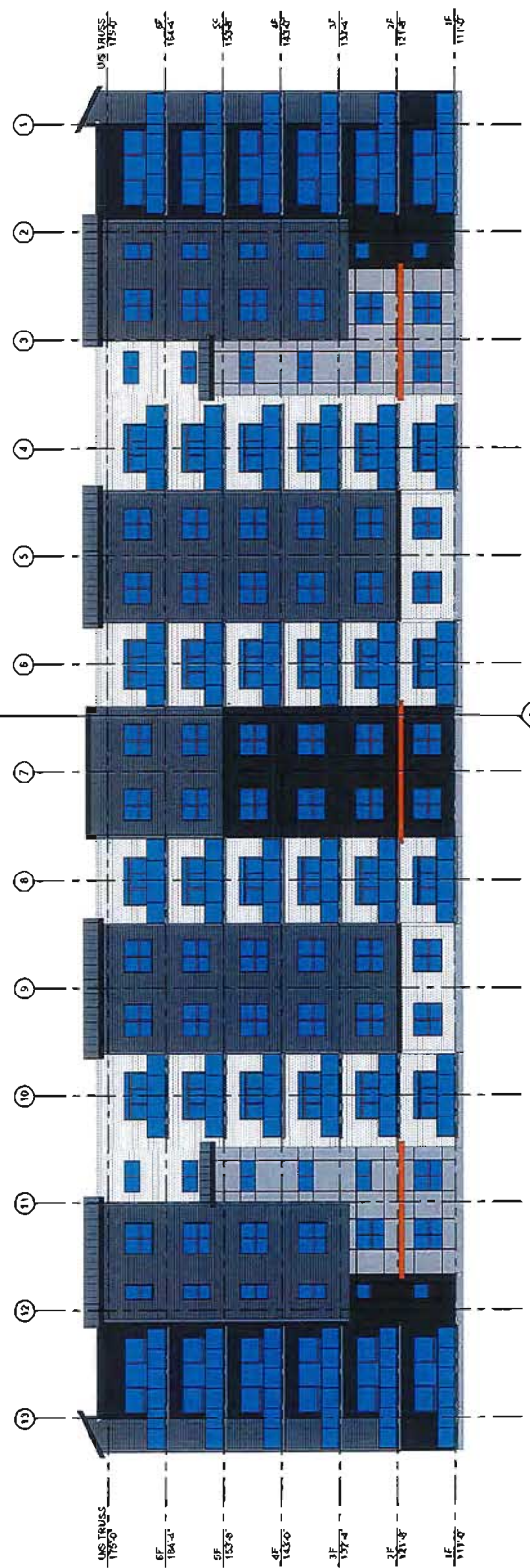
THIS DRAWING AND ALL THE RIGHTS HEREIN ARE THE PROPERTY OF SPITFIRE ARCHITECTURAL DESIGN CO. ANY CHANGES TO THIS DESIGN PRIOR TO THE ONSET OF CONSTRUCTION MUST BE APPROVED BY SPITFIRE ARCHITECTURAL DESIGN CO. ALL CONSTRUCTION MUST COMPLY TO ALL APPLICABLE LOCAL, STATE AND FEDERAL BUILDING CODES AND ALL REQUIRED PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION.



PROJECT NO.	DATE	PROJECT NAME



EAST ELEVATION  
302' x 110'



WEST ELEVATION  
302' x 110'





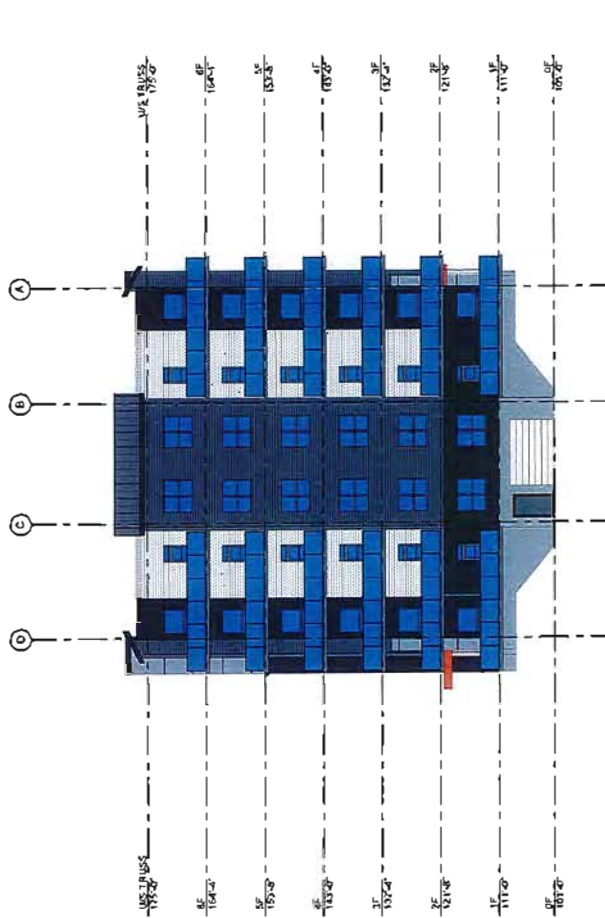
Preliminary  
Not For Construction

NO.	DATE	DESCRIPTION	BY	CHKD.

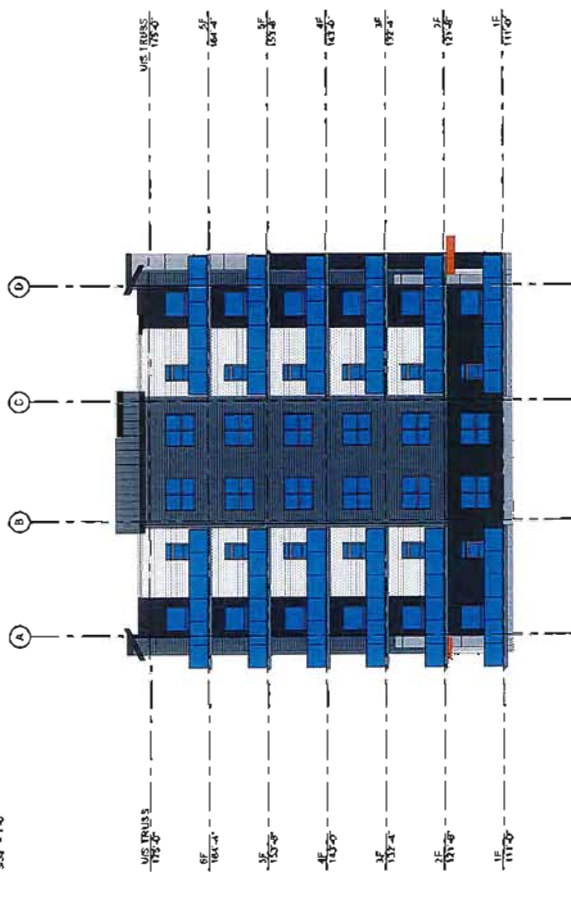
NOTES:  
1. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND FINISHES PRIOR TO ANY CONSTRUCTION.  
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
3. FINISHES SHALL BE AS SHOWN ON THE SCHEDULE OF FINISHES.  
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE OF CANADA.  
5. ALL REQUIRED PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION.

**Spitfire**  
DESIGN CO.

Project Name: <b>Comlow - Kings Row</b>
Location: <b>Comlow - Kings Row, Cambridge, ON</b>
Client: <b>CGM/2424</b>
Scale: <b>1/8" = 1'-0"</b>
Sheet No: <b>A3.2</b>
Date: <b>2024</b>
Drawn By: <b>[Name]</b>
Checked By: <b>[Name]</b>
Scale: <b>1/8" = 1'-0"</b>



**NORTH ELEVATION**  
3/22 = 1/8"



**SOUTH ELEVATION**  
3/22 = 1/8"



**NOTES**

1. This drawing is prepared by Fisher Engineering Ltd. on behalf of the City of Cordova. It is intended for use as a preliminary design and is not to be used for construction purposes without the approval of the City of Cordova. It is the responsibility of the client to ensure that all necessary permits and approvals are obtained before construction begins.

2. The site is located at the intersection of Malpeque Road and John Yeo Drive. The existing building is located on the east side of Malpeque Road. The proposed site servicing and drainage plan is shown on this drawing.

3. The site servicing and drainage plan is based on the following assumptions:

- The site is to be developed as a multi-residential building.
- The site is to be developed in accordance with the City of Cordova's zoning bylaws.
- The site is to be developed in accordance with the City of Cordova's engineering standards.

4. The site servicing and drainage plan is subject to the approval of the City of Cordova. It is the responsibility of the client to ensure that all necessary permits and approvals are obtained before construction begins.

5. The site servicing and drainage plan is based on the following assumptions:

- The site is to be developed as a multi-residential building.
- The site is to be developed in accordance with the City of Cordova's zoning bylaws.
- The site is to be developed in accordance with the City of Cordova's engineering standards.

**PRELIMINARY**

**FISHER ENGINEERING LTD.**  
 1000 West 10th Street  
 Cordova, BC V9B 5K1  
 Phone: 250-837-1100  
 Fax: 250-837-1101

**CORDOVA MULTI RESIDENTIAL**

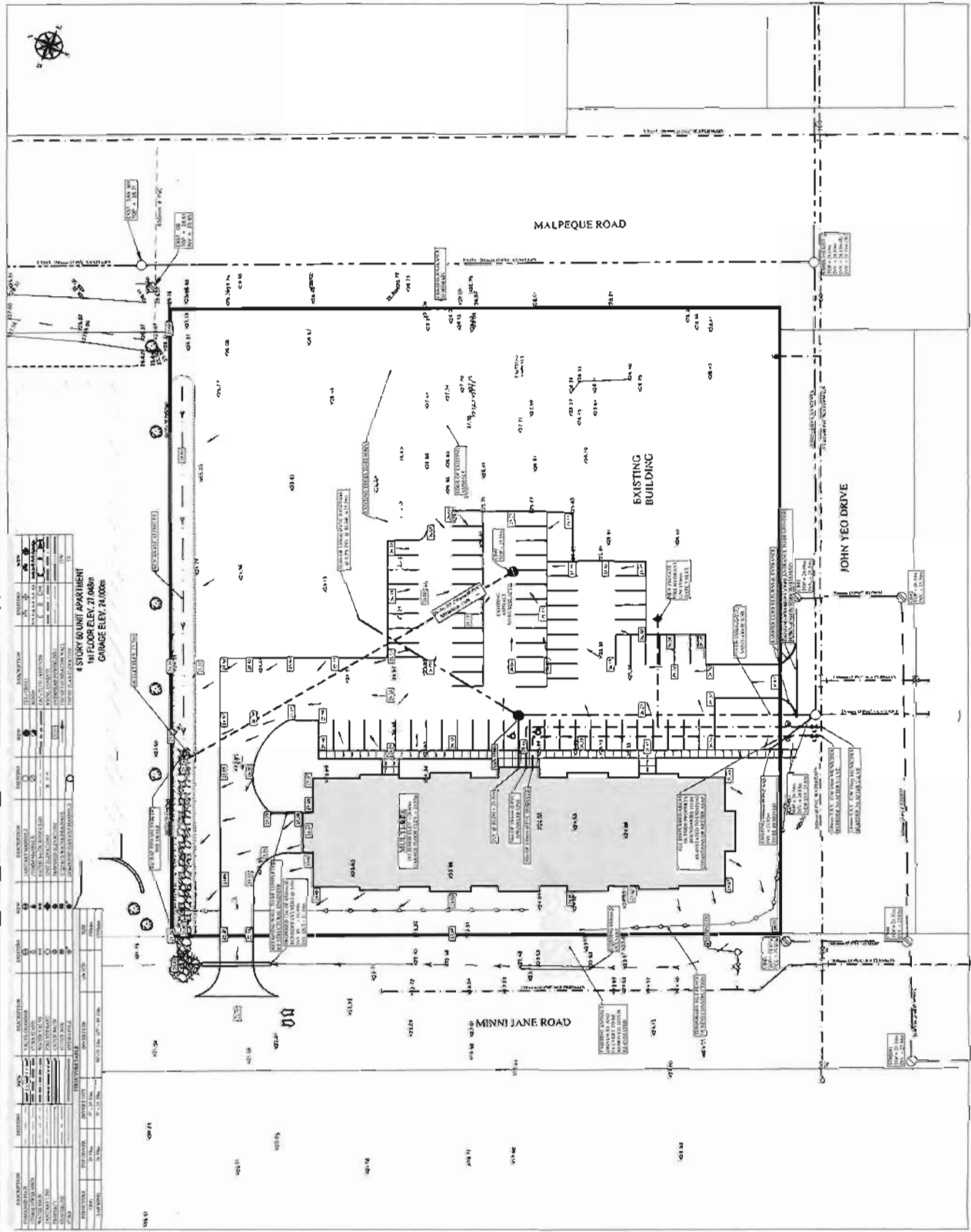
**SITE SERVICING AND DRAINAGE PLAN**

Project No: DE123  
 Date: DE1230140

Scale: 1" = 10'-0"


North Arrow

Drawn by: ACB  
 Checked by: MJF  
 Approved by: MJP  
 Date: C-1



**4 STORY GROUND APARTMENT**  
**1st FLOOR ELEV. 27.000**  
**GARAGE ELEV. 24.000**

NO.	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	CONCRETE	100	CU YD	FOR FOUNDATION
2	STEEL	50	TON	FOR STRUCTURE
3	BRICK	1000	SQ YD	FOR EXTERIOR WALLS
4	GLASS	100	SQ YD	FOR WINDOWS
5	ROOFING	100	SQ YD	FOR ROOF
6	MECHANICAL	100	TON	FOR HVAC
7	ELECTRICAL	100	TON	FOR WIRING
8	PLUMBING	100	TON	FOR PIPING
9	PAINT	100	TON	FOR INTERIOR
10	LANDSCAPE	100	SQ YD	FOR GRASS

<b>TITLE:</b> <b>REZONING APPLICATION</b> <b>FILE: PLAN-2019-4-MARCH- 6A2</b> <b>185 BRACKLEY POINT ROAD (PID #390963)</b> <b>OWNER: BJS PROPERTIES INC.</b> <b>APPLICANT: OSAMA ABDOH</b>		
<b>MEETING DATE:</b> March 4, 2019		Page 1 of 6
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map – Property Context B. GIS Map – Neighbourhood Context	
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant property on Brackley Point Road. <b>Ward No:</b> 6 – Mount Edward <b>Existing Land Use:</b> Automobile Sales & Services (Discount Car Rental) Automobile Service Station (MP Auto Repair) <b>Official Plan:</b> Commercial / Low Density Residential <b>Zoning:</b> Mixed-Use Corridor (MUC) / Single-Detached Residential (R-1L)		
<b>PREVIOUS APPLICATIONS:</b> Zoning Inquiry completed on June 13, 2014. Zoning Inquiry completed on December 5, 2012. Lot Consolidation of 185 Brackley Point Road (PID #390963 & 390971) was approved by Council on July 11, 2005.		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to reject the request to proceed to public consultation for the rezoning request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential / Commercial to Industrial for the property located at 185 Brackley Point Road (PID #390963); and
2. Amend Appendix "G" – Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1L) Zone / Mixed-Use Corridor (MUC) Zone to the Light Industrial (M-1) Zone for the property located at 185 Brackley Point Road (PID #390963).

**BACKGROUND:*****Request***

The property owners, BJS Properties Inc., allowed Osama Abdoh to make an application to rezone the property located at 185 Brackley Point Road (PID #390963) from the Single-Detached Residential (R-1L) Zone / Mixed-Use Corridor (MUC) Zone to the Light Industrial (M-1) Zone. The purpose of the rezoning is to make existing uses (i.e., Automobile Sales and Services business & an Automobile Service Station) conform with the Zoning & Development By-law instead of recognizing this use as legal non-conforming in the Single-Detached Residential (R-1L) Zone.

***Development Context***

The subject property is located along Brackley Point Road between Thistle Drive and the Charlottetown By-pass.

The existing land uses surrounding the subject property are vastly different between the north side of the By-pass and the south side of the By-pass.

With the exception of the commercial property located at 180 Brackley Point Road (PID #610618) containing Needs and Greco, the properties to the south of the By-pass are generally zoned Residential, Institutional, or Open Space.

With the exception of the single-detached residential subdivision off of Brackley Point Road (MacLean Avenue, Cannon Drive, Revell Drive, etc...) the properties to the north of the By-law are generally zoned Institutional and Industrial (Airport, M-1, M-2, M-3).

***Property History***

Council passed the following resolution on July 11, 2005:

*That the request for lot consolidation at 185 Brackley Point Road (PID#s 390963 & 390971) be approved.*

The Planning Board report at that time stated:

*The applicant currently owns both properties and has operated an automobile sales and service business at this location for several years. The lot consolidation is required to allow a 718 sq. ft. addition to the existing main building, which would accommodate the relocation of Brown's Volkswagen.*

The Zoning Inquiry completed on June 13, 2014 stated:

*Two lots, 185 Brackley Point Road (PID #390963) and 189 Brackley Point Road (PID #390971), were consolidated on July 11, 2005 to form the existing PID #390963. The property is split zoned between Mixed Use Corridor (MUC) on the north end (original 189 Brackley Pt Rd) and Single Detached Residential (R1L) on the south end (original 185 Brackley Pt Rd). The current use as an automobile shop on the R1L zoned portion of the lot is considered a legal non-conforming use within that Zone. The MUC portion of the lot allows for commercial uses (see attached uses and regulations). We were able to locate older zoning maps showing the original 185 Brackley Pt Rd property zoned MUC; however the current zoning map takes precedent. Staff is receptive to recommending the R1L portion of the lot be rezoned to MUC during the next Zoning and Development Bylaw review.*

#### **LEGISLATIVE REQUIREMENTS:**

##### ***Notification***

If the proposed rezoning is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4.c of the Zoning & Development By-law.

#### **ANALYSIS:**

The subject property is unique in the fact that its zoning is split between the Single-Detached Residential (R-1L) Zone and the Mixed-Use Corridor (MUC) Zone. While the MUC Zone allows for an Automobile Sales and Services business as well as an Automobile Service Station, these uses would be considered legal non-conforming in the R-1L Zone.

On September 12, 2018, staff sent a letter to the property owner indicating that a complaint was received in relation to the subject property. The complaint received was that the use has expanded to include vehicle body repair which would be defined as an Automobile Body Shop which would not be permitted in either the Single-Detached Residential (R-1L) Zone or the Mixed-Use Corridor Commercial (MUC) Zone.

The property owner's lawyer responded with a letter on October 5, 2018 which indicated that *'confirm my client's advice that its' tenant is not carrying on any use of the property that would not be permitted by the existing By-law i.e., he is not carrying on a vehicle body repair shop business.'*

The Light Industrial (M-1) Zone rezoning application was submitted to the Planning & Heritage Department on February 15, 2019. The applicant indicated that the present zoning of the property is *R-1L, despite the current zone, the facility has been historically used for over two decades as an automobile sales services and automobile service station.* The applicant then indicated that the proposed use of the property is *Light Industrial M-1, to comply with the current use of automobile sales services, automobile service station and basic touch painting with bodywork.*

*An Automobile Body Shop means a Building or a clearly defined space on a Lot used for the repair and servicing of motor vehicles including body repair, painting, and engine rebuilding, and includes storage for an automobile towing establishments but does not include an Automobile Service Station or an Automobile Sales and Services.*

In light of the foregoing, the property is currently operating with components of an Automobile Body Shop (i.e., body repair and painting) which is not permitted in the R-1L Zone or the MUC Zone. An Automobile Body shop is only permitted in the Light Industrial (M-1) Zone, Heavy Industrial (M-2) Zone, Business Park Industrial (M-3) Zone and the Airport (A) Zone.

Prior to writing this report, staff did an exercise to compare the permitted uses in the zones which allow for an Automobile Body Shop. It was determined that all of the uses identified in the M-3 Zone are permitted in the M-1 Zone with the exception of a Cultural Establishment, Parking Structure & Research and Development Facilities.

That being said, the M-1 Zone allows 18 additional uses that the M-3 Zone would not allow. These uses include, but are not limited to, Animal Shelter, Feedmill, Funeral Establishment, Heavy Equipment Repair, Recycling Depot, Cannabis Retail Store, Drive-Thru Business & Entertainment Establishment.

Staff sent an email to the property owner on February 19, 2019 explaining this and indicated that if the intention of the rezoning was to be able to utilize the property as an Automobile Body Shop the M-3 Zone may have less land use implications with adjacent low density dwellings than the M-1 Zone would. Staff also suggested that maybe the applicant would want to consider entering into a Development Agreement restricting the use of the property to an Automobile Body Shop, Automobile Sale and Services & Automobile Service Station only.

The property owner discussed this with the applicant and responded that the applicant is *'content with the uses allowed in the M-1 Zone.'*

Staff feels that the split zoning on the property is not an ideal situation and the existing uses of the property should be brought into conformance with the Zoning & Development By-law. That being said, rezoning to the M-1 Zone is not appropriate for the area and would introduce a number of uses which may conflict with the existing low density dwellings in the area.

Staff reviewed the Community of Sherwood Zoning Map dated September 1991 which illustrated that the entire subject property was located in the Commercial Retail (C1) Zone. As indicated in the Zoning Inquiry completed on June 13, 2014, *'Staff is receptive to recommending the R1L portion of the lot be rezoned to MUC.'*

When considering rezoning the property in question, key points from the Official Plan to be considered include:

*Section 4.8.1 - Our **policy** shall be to establish a Light Industrial zone which is intended for industrial activities which do not create obvious land-use conflicts.*

*Section 4.8.3 - Our **policy** shall be to minimize the land-use conflicts which might exist or arise between existing industrial zones and their non-industrial neighbours.*

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"> <li>▪ The property is split between the MUC and R-1L Zone; rezoning the R-1L portion of the property would be appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>▪ M-1 Zone may create land-use conflicts with adjacent single-detached dwellings.</li> <li>▪ M-1 Zone allows for uses such as feedmill, heavy equipment repair, Animal Shelter, etc...</li> </ul>

### CONCLUSION:

Staff feels that proposed rezoning to the M-1 Zone may create land-use conflicts with adjacent low density residential dwellings. In light of the foregoing, the Planning & Heritage Department recommends that the rezoning application be rejected to proceed to public consultation.

In staffs opinion, an Automobile Body Shop is not appropriate for this property; however, if the applicant / property owner wanted to the rezone the R-1L portion of the property to MUC in order to bring it into conformance with the rest of the property, staff would be more receptive to moving forward to a public hearing with this type of request.

**PRESENTER:**



Greg Morrison, MCIP  
Planner II

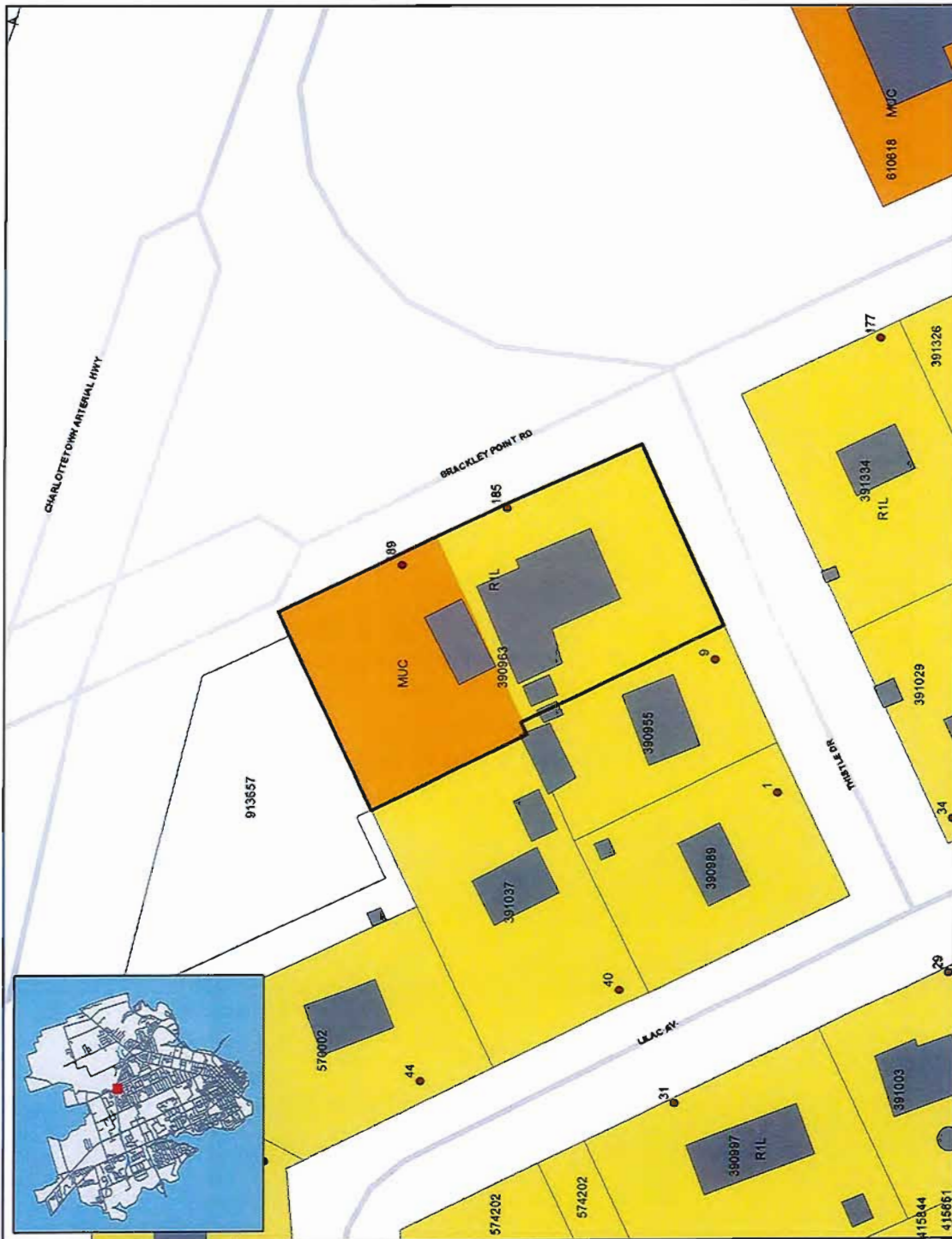
**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



# Attachment A

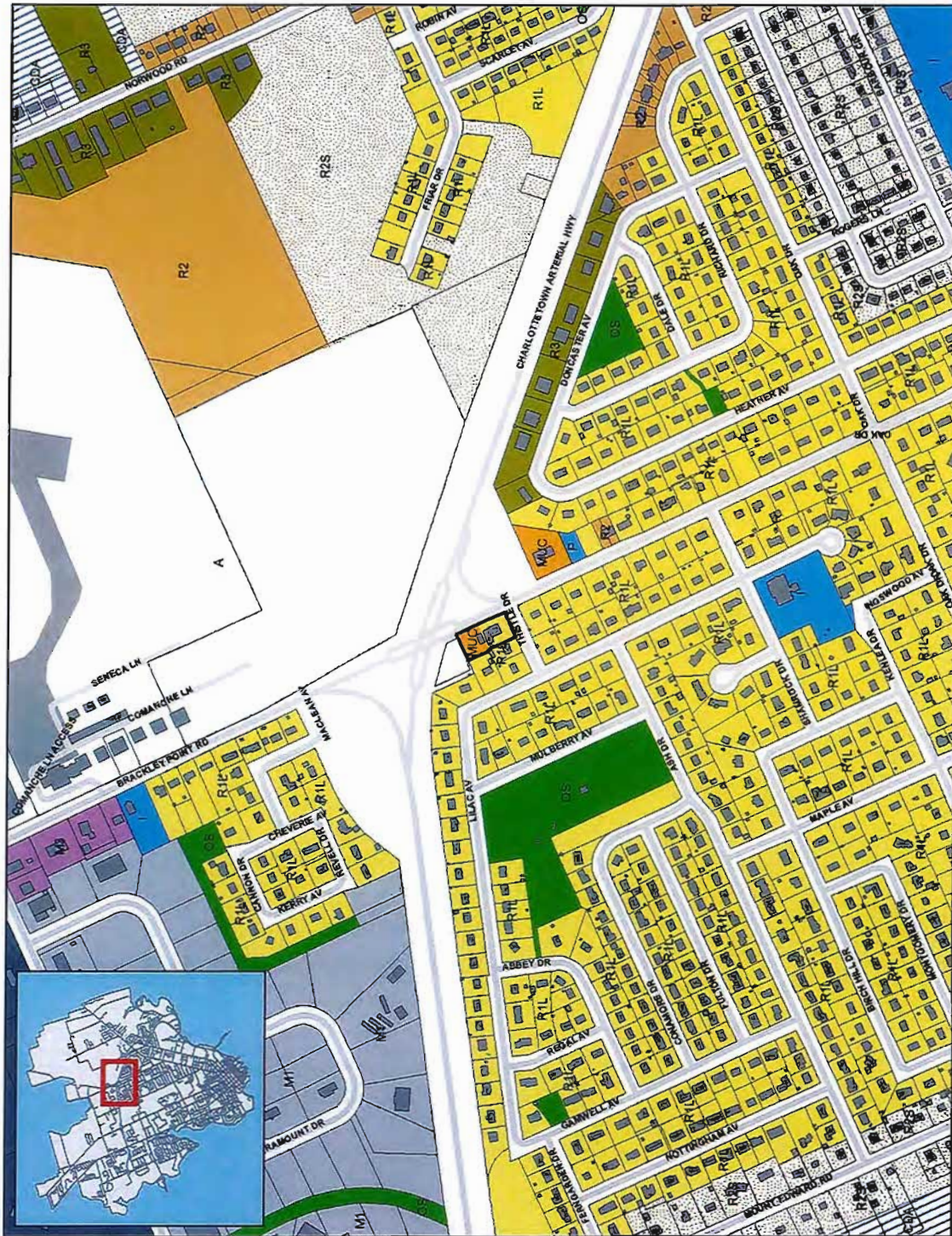


Attachment A: GIS Map – Property Context  
File: PLAN-2019-4-MARCH- **6A2**  
185 Brackley Point Road (PID #390963)  
Owner: BJS Properties Inc.  
Applicant: Osama Abdoh

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department




# Attachment B



Attachment B: GIS Map – Neighbourhood Context  
File: PLAN-2019-4-MARCH- **6A2**  
185 Brackley Point Road (PID #390963)  
Owner: BJS Properties Inc.  
Applicant: Osama Abdoh

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



<b>TITLE:</b> <b>FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID# 396770) 88 Brackley Point Road</b> <b>FILE: PLAN-2019-04-March-6A3</b> <b>OWNERS: Ron Wood</b> <b>APPLICANT: Ron Wood</b>		
<b>MEETING DATE:</b> March 4, 2019		<b>Page 1 of 13</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Concept Plan C. Concept Plan from 2016	
<b>SITE INFORMATION:</b> <b>Context:</b> Mature low density neighbourhood. <b>Ward No:</b> 9 – Stone Park <b>Existing Land Use:</b> existing single detached dwelling. <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Low Density Residential (R-1L) Zone		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend for the request to proceed to public consultation to amend Appendix “A” the Official Land Use Map of the City of Charlottetown from Low Density Residential to Medium Density Residential and a request to amend Appendix “G” – Zoning Map of the Charlottetown Zoning and Development Bylaw from R-1L (Single Detached Residential) zone to R-3 (Medium Density Residential) zone for the property located at 88 Lower Brackley Point Road, PID #'s 396770.

**BACKGROUND:**

***Request***

An application has been received to rezone the property located at 88 Brackley Point PID # 396770 from R-1L Low Density Residential to R-3 Medium Density Residential and to amend Appendix “A” the Official Plan Map from Low Density Residential to Medium Density Residential.

### ***Development Context***

The property is bounded to the north by Pope Avenue with Institutional and R-1L zoned land, to the east, by Pope Avenue and Institutional zoned land on the opposite side of the street, to the south by R-1L zoned land and to the west by Brackley Point Road.

### **ANALYSIS:**

This is an application to rezone 3.04 acres of land located off of Brackley Point Road. The land is currently zoned R-1L (Single Detached Residential) and is occupied by a single family dwelling. The proposal is to demolish the single detached dwelling and subdivide the property into two lots. The applicant is proposing to rezone the land to R-3 (Medium Density Residential) to facilitate the construction of a 30 unit, 3 story apartment building on one lot and a townhouse development on the other (see attached concept drawings and survey plan).

The property has frontage on both Brackley Point Road and Pope Avenue. However, the applicant is proposing to have the main access to the development on Pope Avenue. There will be a driveway restricted to right in right out off of Brackley Point Road. The Charlottetown Police Department has reviewed this access on Brackley Point Road and would only grant approval for a right in right out for the purpose of a secondary access to meet Fire Code regulations. Parking is proposed to be underground for the apartment building and surface for the town house development.

This property is located within a well-established R-1L Low Density Residential Zone. There are no other higher density developments within the immediate area. There is some higher density development within 1000 -2000 ft. of the subject property on Valdane Ave. and St. Peter's Road. There are institutional zoned properties consisting of an elementary school, a junior high school, a daycare and churches within walking distance to this property. Brackley Point Road is a minor arterial road and therefore has access to public transit near the Sherwood Shopping centre. It is beneficial for higher density developments to be located within walking distance to schools, churches and public transit. When located in proximity to such services residents do not have to rely on automobiles to access such uses. Apartment buildings also provide an alternate housing choice for young families and people looking to downsize.

There was a proposal to rezone this property in 2016 from R-1L to R-3 to facilitate the construction of two 36 unit apartment buildings. At that time the Board voted not to advance the application to public consultation. The Board felt the proposed density of 72 units was too high for the neighbourhood. As well, they also determined that the bulk, mass and scale of the proposed apartment buildings were not in keeping with the surrounding neighbourhood.

Following the Board's 2016 decision the property owner has been working on his application to develop a housing proposal that has less density and is more in keeping with the surrounding neighbourhood. The previous proposal was for two 36 unit apartment buildings for a total of 72 units. The current proposal is for a 3 story, 30 unit apartment building and 16 low rise townhouse units for a total of 46 units.

The two apartment buildings in the 2016 proposal were highly visible from both Brackley Point Road and Pope Avenue. With the current proposal the 30 unit apartment building is still visible from Pope Avenue however, it is buffered from Brackley Point Road by the proposed townhouse development. More than half of the lot where the apartment building is proposed is allocated to green space. A landscape buffer would be required to be retained along the property boundary of the proposed development and the low density development. On the current site plan the proposed apartment building is located on the 90 degree bend of Pope Avenue away from any adjoining single detached dwellings. Therefore, although larger in bulk, mass and scale than the single detached dwellings on Pope Ave. the proposed apartment building would not have a direct impact on other buildings along the streetscape. The apartment building would also be located approximately 450 feet away from any single detached dwellings on Brackley Point Road and is buffered by an existing mature tree line. The town house development also has approximately half of the property allocated to greenspace. Staff does not feel that the townhouse development is out of scale for the neighbourhood and can be integrated well.

Notwithstanding the building form on the east side of Brackley Point Road is small to medium sized single detached dwellings on large lots, approximately an acre in size. The dwellings along Pope Avenue are also located on lots of approximately 10,000 to 12,000 sq. ft. This property is approximately 3.04 acres in size and has the potential to support 107 units with surface parking and 128 units with underground parking if rezoned to R-3. The applicant has requested a total of 46 units with underground parking in the apartment building. If this rezoning is approved a condition of approval must be the requirement for the property owner to enter into a development agreement to restrict the density to the proposal as presented.

Infill development within established low density residential neighbourhoods is supported within the policies of the Official Plan. However, the Official Plan clearly states that it has to be development that will not adversely impact existing low density residential neighbourhoods.

Section 3.1.2 of the Official Plan states, "*2. 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 of the Official Plan further states,

### *3.2 Sustaining Charlottetown's Neighbourhoods*

#### *Defining Our Direction*

*Our goal is to maintain the distinct character of Charlottetown's neighbourhoods, to enhance the special qualities of each, and to help them adjust to the challenges of economic and social transformation.*

*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 surroundings.*

- Our policy shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods is physically related to its surroundings.*
- Our policy shall be to establish an appropriate relationship between the height and density of all new development in mixed-use residential areas of existing neighbourhoods.*

*Section 3.2 under the heading of Environment for Change further states,*

#### *The Environment for Change*

*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.*

### *3.3 Housing Needs and Variety*

*If Charlottetown is to continue to grow as a healthy community, affordable housing for all segments of society must generally be available throughout the City. Moreover, the housing requirements of those with special needs (e.g., disabled, homeless, people in transition) also have to be addressed. Likewise, in the recent past, there has been a chronic shortage of most types of seniors housing. As the population base continues to age, this problem will become more acute unless civic decision-makers address it in a forthright manner.*

*These are some of the reasons why the City needs to encourage compact and contiguous development, more in-fill housing, and the efficient use of civic infrastructure. In addition, the direction of this plan is to make Charlottetown’s neighbourhoods more stable and sustainable.*

*Defining Our Direction*

*Our goal is to work with public and private sector partners to create an attractive physical environment and positive investment climate in which the housing requirements of all residents can be met (including those with special needs), and to provide clear direction as to where residential development should take place.*

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.*
  - Our policy shall be to ensure that all new multiple dwelling unit buildings are serviced by water and wastewater systems which have the capacity to accept the development proposed.
  - Our policy shall be to base residential densities on the availability of municipal services, education facilities, recreation and open space amenities, transportation routes, and such other factors as the City may need to consider.

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. Notwithstanding, it clearly states that *new development must be physically related to its surroundings and that there should be an appropriate relationship between height and density for new development in existing neighbourhoods. “Our Policy shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods is physically related to its surroundings.”*

With the current application it is staff’s opinion that the applicant has put more consideration into a development proposal that is more in keeping with the neighbourhood. Although the applicant is still proposing one apartment building the building density has been reduced from 36 units to 30 units. The balance of the property has been allocated to a low rise townhouse development.

However, it still must be considered that this area was developed as a low density, single detached residential neighbourhood. Higher density development was not contemplated in the

long term planning of this neighbourhood. It is difficult to evaluate this rezoning request in isolation of the existing land uses in the surrounding neighbourhood. There is a possibility that this rezoning has the potential to change the long term direction of this neighbourhood and may lead to additional rezoning requests for other properties in the area. It should be noted that a similar proposal was heard at Planning Board last month. The proposal was a request to rezone a 1.6 area lot from R-1L to R-3. The lot was half the size of the subject lot at 88 Brackley Point Road with frontage only on Brackley Point Road, a minor arterial road. Site lines on this portion of Brackley Point Road are not ideal. The Board recommended not to advance the proposal at 68 Brackley Point Road to public consultation.

Notwithstanding, this proposal at 88 Brackley Point Road is located on a 3+ acre parcel that could in itself comprise a comprehensive development plan. Although roughly the same amount of units the units are split between an apartment dwelling that is half the size in mass and scale than the proposal at 68 Brackley Point Road and a 16 unit low rise townhouse development. It should be considered that the City is currently experiencing an increased demand for housing. The vacancy rate within the City is very low. Many residents are being forced to leave the City because of the lack of housing options and affordable housing. It has been very difficult to acquire land within established neighbourhoods at reasonable prices were rents can be kept at affordable levels.

In planning practice when assessing locations that are appropriate for residential uses it is appropriate to locate residential dwellings in locations close to amenities, transit, parkland and schools within walkable neighbourhoods. The proposed site is within walking distance to schools, a daycare, churches and within a 10 minute walk to the Sherwood Shopping Centre where public transit is also accessible.

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

Positives

Neutral

Shortcomings



- There City is experiencing a demand for housing and this proposal would provide additional options for housing within a mature neighbourhood that is predominantly low density residential.
- The proposal is close to schools, a daycare, shopping, churches and public transit.
- Access to the site is off of a local street where it is safe to access.
- At least 50% of the site has been left as green space in the proposal.
- The site is located in a mature low density neighbourhood.
- Although the apartment building has been scaled back in density and relocated on the site away from existing housing it still could be viewed as out of scale for the neighbourhood.

**CONCLUSION:**

Staff does have concerns that rezoning a property within a mature neighbourhood from single detached residential to medium density residential to accommodate a 46 unit development may cause concern within the neighbourhood. This may also be viewed as a spot zone.

Notwithstanding, the parcel is over 3 acres and not a small residential lot. The parcel is large enough to comprise a comprehensive development plan within the CDA Zone. In addition with the current housing demand this proposal may provide more affordable housing options within this established neighbourhood.

Therefore, the Planning & Heritage Department encourages Planning Board to recommend for the request to proceed to public consultation for the application to amend the Future Land Use map from Low Density Residential to Medium Density Residential and to rezone the properties located at 88 Brackley Point Road from R-1L Single Detached Residential to R-3 Medium Density Residential PID # 396770.

**PRESENTER:**

Laurel Palmer Thompson, MCIP  
Planner II

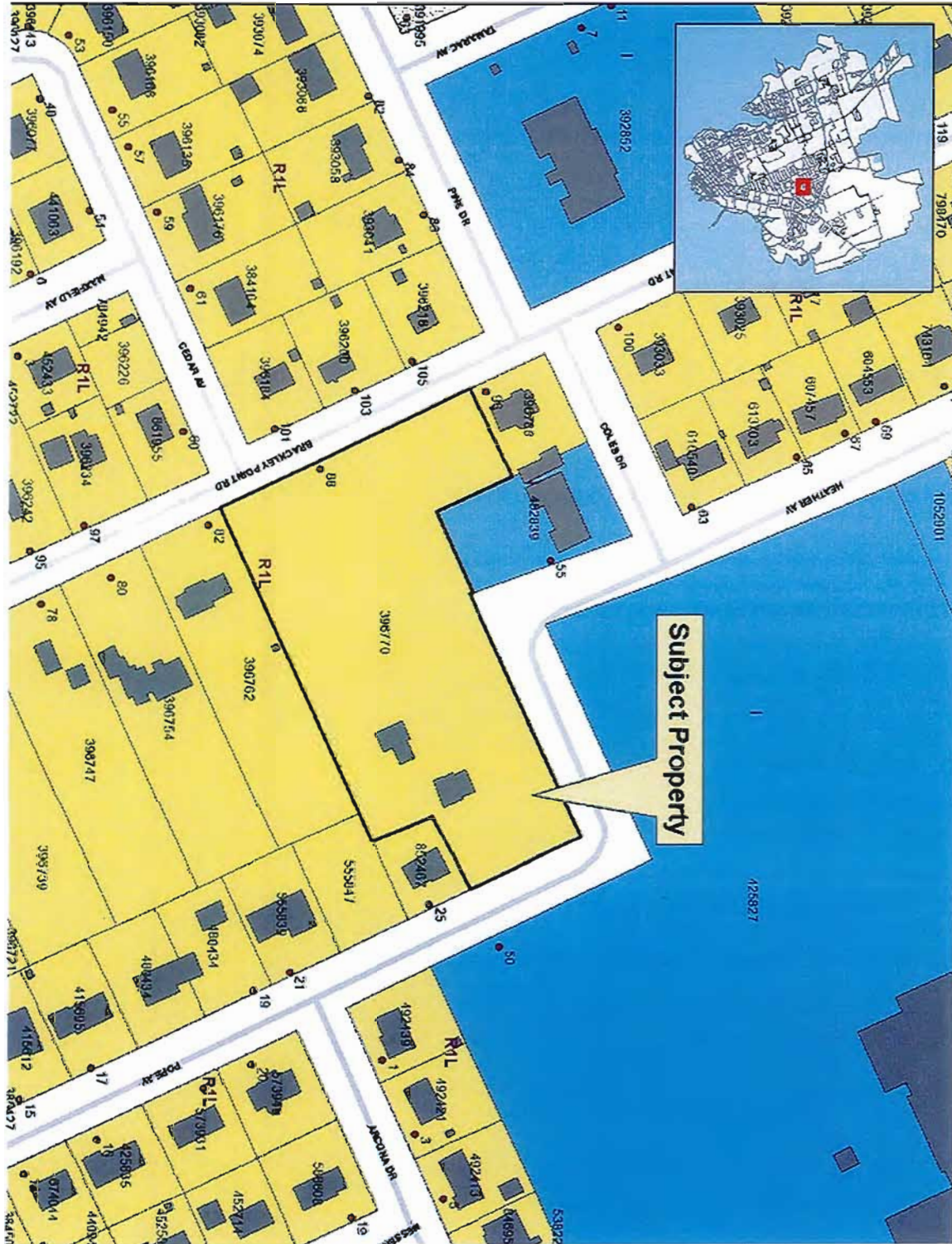


**MANAGER:**

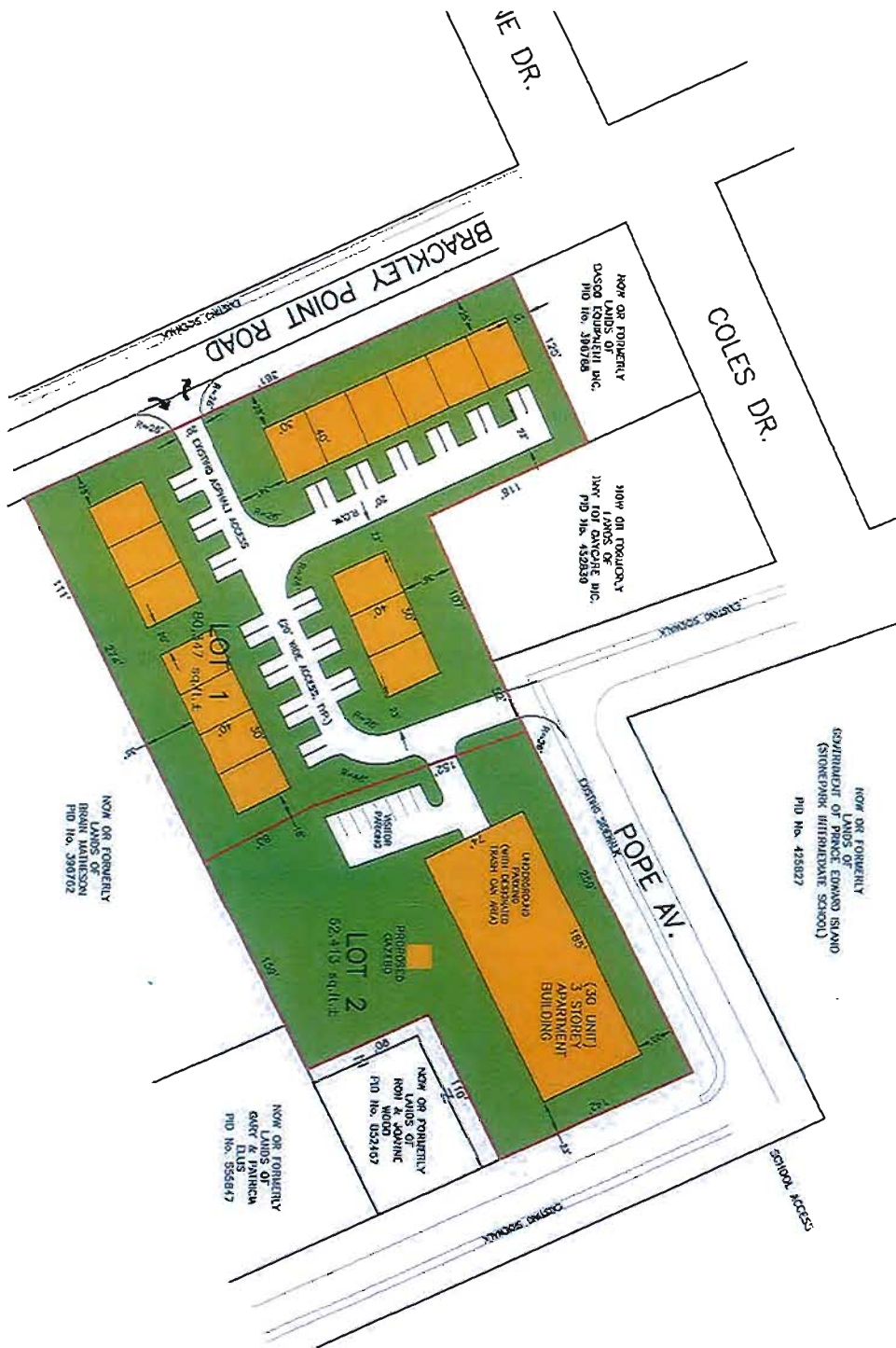
Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



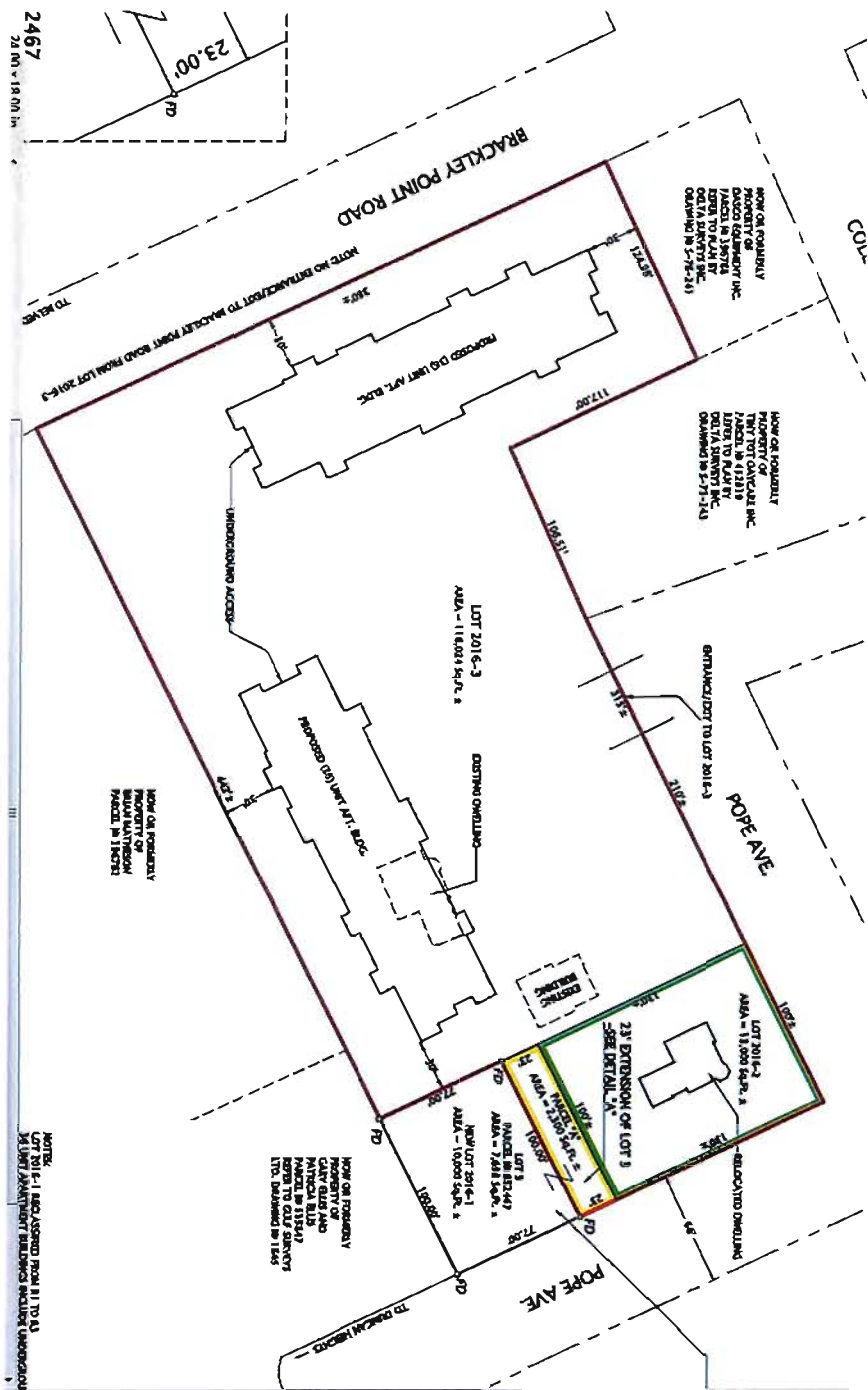
GIS Map:



Site Map:



2016 Proposal:



NOTE:  
LOT 2016-1 AND ASSOCIATED ROAD 11 TO 41  
LOT 2016-1 AND ASSOCIATED BUILDINGS EXCEPT UNDERGROUND

Proposed townhouses:

PLAN NO. 589D DP  
 WIDTH: 80'-0"  
 DEPTH: 52'-0"  
 MAIN FLOOR TOTAL AREA: 1000 sq ft.  
 - UNIT #1: 1000 sq ft. / GARAGE: 340 sq ft.  
 - UNIT #2: 1000 sq ft. / GARAGE: 340 sq ft.  
 - UNIT #3: 1000 sq ft. / GARAGE: 340 sq ft.

- LIST OF DRAWINGS
1. COVER PAGE
  2. FRONT ELEVATION
  3. REAR ELEVATION
  4. MAIN FLOOR PLAN
  5. SECTION A-A
  6. SECTION B-B
  7. FOUNDATION PLAN



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SHERWOOD TIMBER MART  
 PROJECT: ARON MA CHADREN  
 TITLE: 1. COVER PAGE  
 SCALE: N.T.S.  
 DATE: MAY 07/2018  
 DRAWN BY: SD KWAE DESIGN  
 REVISIONS: 2 JUN 09/2018

PLAN NO. 1087A.DP

WIDTH: 48'-0"  
 DEPTH: 42'-0"

MAIN FLOOR TOTAL AREA: 1433 sq.ft.

- UNIT #1: 716 sq.ft. / GARAGE: 384 sq.ft.  
 - UNIT #2: 716 sq.ft. / GARAGE: 384 sq.ft.

SECOND FLOOR TOTAL AREA: 1770 sq.ft.

- UNIT #1: 875 sq.ft.  
 - UNIT #2: 875 sq.ft.

TOTAL LIVING AREA

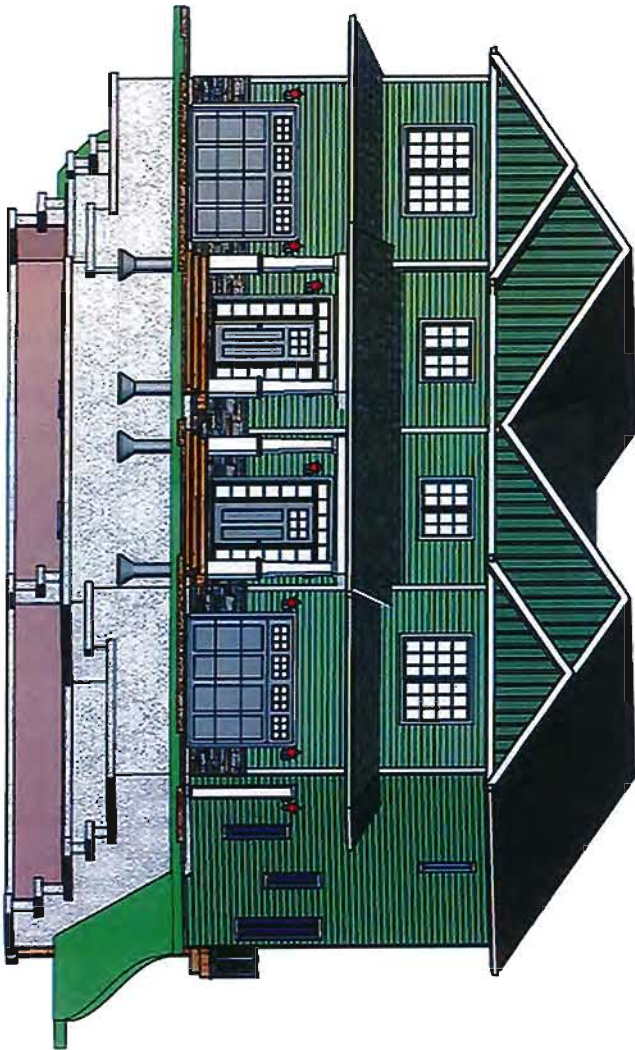
- UNIT #1: 1413 sq.ft.  
 - UNIT #2: 1413 sq.ft.

LIST OF DRAWINGS


1. COVER PAGE
2. FRONT & RIGHT ELEVATION
3. REAR & LEFT ELEVATION
4. MAIN FLOOR PLAN
5. SECOND FLOOR PLAN
6. BASEMENT FLOOR PLAN
7. KITCHEN PLAN
8. SECTION A-A
9. SECTION B-B
10. FOUNDATION PLAN

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SHERWOOD TIMBER MART  
 PROJECT: MOUNTAINVIEW HEIGHTS  
 TITLE: 1. COVER PAGE  
 SCALE: N.T.S.  
 DATE: SEP 17/ 2018  
 DRAWN BY: 3D HOME DESIGN  
 REVISIONS: 1. DEC 14/ 2018

<b>TITLE:</b> <b>FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID#'S 444687, 388439 &amp; 388389) 178 Lower Malpeque Road</b> <b>FILE: PLAN-2019-04-March-6A4</b> <b>OWNERS: CLIFFORD MCQUAID</b> <b>APPLICANT: PAN AMERICAN PROPERTIES</b>		
<b>MEETING DATE:</b> March 4, 2019		<b>Page 1 of 8</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Concept Plan	
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant woodland containing a single detached dwelling adjacent to a watercourse and a subdivision consisting of single detached dwellings. <b>Ward No:</b> 8 – Highfield <b>Existing Land Use:</b> existing single detached dwelling wooded lots. <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Low Density Residential (R-1S) Zone		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to reject the request to proceed to public consultation to amend Appendix "A" the Official Land Use Map of the City of Charlottetown from Low Density Residential to Commercial and a request to amend Appendix "G" – Zoning Map of the Charlottetown Zoning and Development Bylaw from R-1S (Single Detached Residential) zone to C-2 (Highway Commercial) zone for the properties located at 178 Lower Malpeque Road, PID #'s 444687, 388439 & 388389.

**BACKGROUND:**

***Request***

An application has been submitted for a request to amend the Future Land Use Map from Low Density Residential to Commercial and to rezone three properties located at 178 Lower Malpeque Road PID #'s 444687, 388439 & 388389 from R-1S, Single Detached Residential Zone to C-2, Highway Commercial Zone.



### ***Development Context***

The subject properties are located at 178 Lower Malpeque Road. To the north is land zoned institutional and R-1S (Single Detached Residential). To the east is a Maritime Electric utility easement and land zoned C-2 Highway commercial. To the south is the Charlottetown Arterial Highway with R-1L zoned land on the opposite side of the highway and to the west is Low Density Residential zoned land designated R-1L, R-1S and R-2S.

### **ANALYSIS:**

This is an application to rezone approximately 24.19 acres of land located north of the Charlottetown Arterial Highway. The land is currently zoned R-1S (Low Density Residential) and the applicant is proposing to rezone the land to C-2 (Highway Commercial) to expand a retail shopping centre. The subject property abuts existing low density residential development. A watercourse (part of the Ellen's Creek Watershed) separates the subject property from the existing low density developed land. The applicant has provided a site plan of the proposed development showing approximately 84,000.00 sq. ft. of retail space and a storage facility on the subject property. If the property were rezoned to Highway Commercial the overall total retail space within the shopping centre would be approximately 461,200 sq. ft. plus a storage facility, hotel, bank, office space, and multi-unit residential.

The applicant has not provided a traffic impact study to accompany their application. The site plans shows a series of internal private streets within the development. The primary access to the site is Mina Jane Drive located off of Malpeque Road. Mina Jane Drive is a private road not maintained by the City. It has a signalized intersection with Malpeque Road. The site plan also shows three additional accesses to the site. 1) An off ramp from the development to the arterial highway. 2) An access road crossing Ellen's Creek through low density residential development to Lower Malpeque Road and 3) a road marked as future development leading from the shopping centre to Sherwood Road.

The arterial highway is a Provincial road and therefore is regulated by the Provincial Department of Transportation and Infrastructure Renewal (TIR). Staff consulted with the Department of TIR regarding this proposed off ramp and they confirmed that, "absolutely no form of access on or off the arterial highway will be permitted".

The second proposed access to the site crosses Ellen's Creek through a low density residential neighbourhood. Staff has significant concerns about funneling traffic from an intensive commercial development through a low density residential neighbourhood. Commercial

development of this intensity has the potential to generate significant volumes of traffic and is not compatible with a low density residential neighbourhood. In addition approvals would have to be granted by the Provincial Department of Environment to allow a road to be constructed through a watershed. It is unclear at this time if the Provincial Department of Environment has been consulted regarding this proposal.

The future access shown to Sherwood Road does not funnel through residential development. This portion of Sherwood Road is zoned for commercial and industrial development. However, it is located within approximately 650 feet of the intersection of Malpeque Road and Sherwood Road therefore; a traffic study would need to be completed to determine the effects this access may have on the signalized intersection.

An easement owned by Maritime Electric separates the subject property from the existing C-2 zoned shopping center. The easement is approximately 100 ft. in width and contains a power line corridor. The easement currently provides a separation and defines a boundary between the existing C-2 zoned land that forms part of the shopping centre and the subject property. Staff spoke to Maritime Electric to determine if they granted approval for the applicant to cross the powerline easement with access roads. Maritime Electric indicated that the applicant has not approached them to seek approval. They indicated there would be a process for the applicant to go through to seek approval. If Maritime Electric allowed them to cross the easement more than likely it would result in infrastructure having to be moved at a significant cost to the applicant.

With respect to land use, there is no commercial development located along Lower Malpeque Road. Development along Lower Malpeque Road consists of low density residential development. Commercial and industrial development has been designated along Malpeque Road. Development started on the Royalty Power Centre in the early to mid 2000's. Only approximately 1/3 of the land has been developed to date. The balance still remains vacant.

The subject property is zoned low density residential and is located adjacent to existing residential subdivisions. It is staff's opinion that allowing commercial development of this nature to locate this close to low density residential would lead to incompatible land use. In addition given that land within the shopping centre is not currently "built out" staff would view this as premature development. It is staff's opinion that this proposal is not consistent with good planning principles.

Staff has examined sections of the Official Plan and the Official Plan supports a major commercial suburban centre to be located in the area around the Charlottetown Mall and Buchanan Drive area. Although the Official Plan was originally adopted in 1999 the area around the Charlottetown Mall continues to grow. The official Plan does not support scattered commercial development throughout the City. If the Royalty Power centre is permitted to expand into the residential area located off of Lower Malpeque Road such an approval would not promote contiguous development and compact urban form.

### ***The Environment for Change***

*One of the primary thrusts of the **CHARLOTTETOWN PLAN** is to promote efficient growth and development, and compact urban form. The designations of the major commercial suburban centre and the suburban neighbourhood commercial centre are designed to reduce the land-use conflicts which arise from scattered commercial development throughout the City, and to encourage the establishment of a mixed-use centre which will serve the needs of residents in Charlottetown's suburban and rural neighbourhoods.*

### ***Section 4 Encouraging Prosperity:***

4. Our **objective** is to ensure that economic development is focused in those areas of the City where it will provide long-term benefit as well as result in optimal use of our physical and financial resources.

- Our **policy** shall be to establish commercial and industrial land-use categories in which specific types of activities will be permitted. The boundaries of these zones will generally be established in accordance with previous or projected land-use patterns, the City's policy to promote compact urban form, the ability of the location to support the use and/or provide necessary services, as well as the need to address the various land-use requirements of our commercial and industrial sectors.

### ***4.3 Creating Suburban Centres***

*Given the size and established nature of the Charlottetown Mall, the developing Wal-Mart site and the lands in that vicinity yet to be developed, this plan recognizes the importance of the area as a defined suburban commercial centre with a regional focus. While the downtown core will continue to remain as the principal focus of commercial and institutional growth and development in Charlottetown, the Charlottetown Mall and surrounding lands will continue to develop as a mixed-use area supporting a range of commercial, institutional, and residential*

*facilities. The Charlottetown Mall/Wal-Mart suburban centre as shown on the Future Land-Use Map will require concept plans.*

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"> <li>▪ The proposal would provide additional tax dollars to the municipality.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The existing Maritime Electric Easement provides a buffer between the C-2 Highway Commercial development and the R-1S Low Density Residential development.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is still vacant land within the Royalty Power Centre. This may be considered premature development.</li> <li>▪ Accesses to the site are onto the Charlottetown Arterial Highway which is not permitted by the Province and through a low density residential neighbourhood.</li> <li>▪ Concerns surrounding impacts this development may have on the watershed. Destruction of habitat and surface water runoff from parking lots.</li> <li>▪ Incompatible land use with neighbouring low density residential development.</li> </ul>

**CONCLUSION:**

Given that development along Lower Malpeque Road is low density residential staff has concerns with allowing commercial development of this intensity to expand from Malpeque Road across Ellen’s Creek into a low density residential area. The Official Plan supports efficient growth and development, and compact urban form and looks to direct commercial development toward a suburban centre that is designed to reduce land use conflicts with low density residential development. Royalty Power Center was developed approximately 15 years ago and has not yet reached its full build out potential. Staff has concerns that the subject properties were

designated under the Official Plan as an area for residential growth and not intended for commercial development. The boundary between these two zones (Low Density Residential and Highway Commercial) is clearly separated by a 100 ft. wide easement owned by Maritime Electric which is zoned CDA (Comprehensive Development Area). It is staff's interpretation that this commercial area was not intended to expand west of this easement into a residential area.

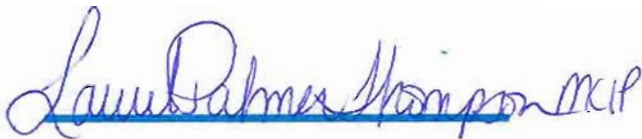
Staff also views this proposal as premature considering that the Royalty Power Center has not yet been fully developed and a traffic impact study has not been completed.

There are also issues with the proposed accesses shown on the site plan. Without an environmental impact assessment it is unclear about the impacts this development may have on the Ellen's Creek watershed. As well, the site plan shows streets crossing the Maritime Electric easement that runs north – south. The applicant has not confirmed with Maritime Electric if these roads would be permitted to cross the easement. Many of these issues would have to be resolved prior to this application even proceeding to public consultation.

Therefore, the Planning & Heritage Department encourages Planning Board to recommend to reject the request to proceed to public consultation for the application to amend the Future Land Use map from Low Density Residential to Commercial and to rezone the properties located at 178 Lower Malpeque Road from R-1S to C-2 Highway Commercial PID #'s 444687, 388439 & 388389.

**PRESENTER:**

\_\_\_\_\_  
Laurel Palmer Thompson, MCIP  
Planner II

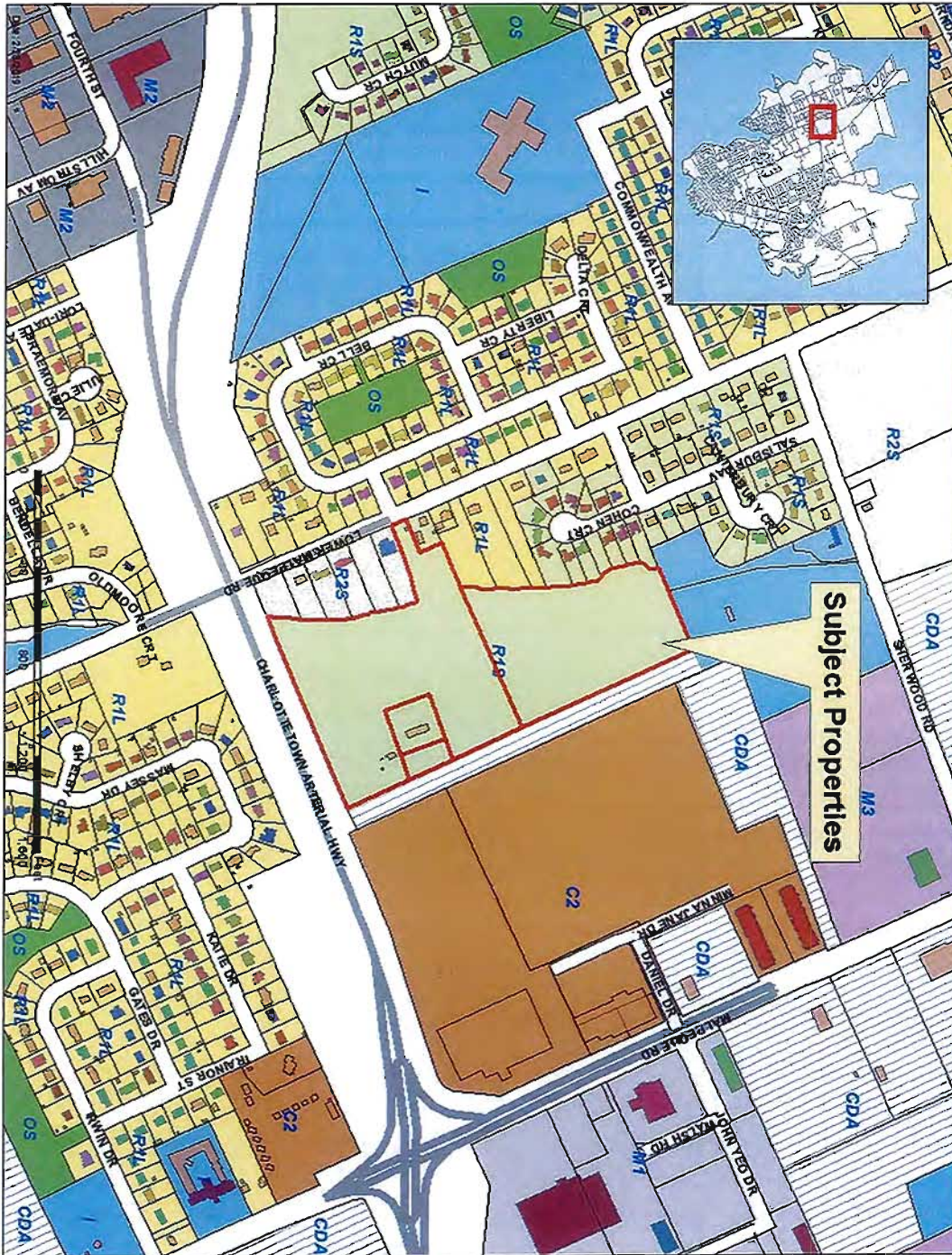


**MANAGER:**

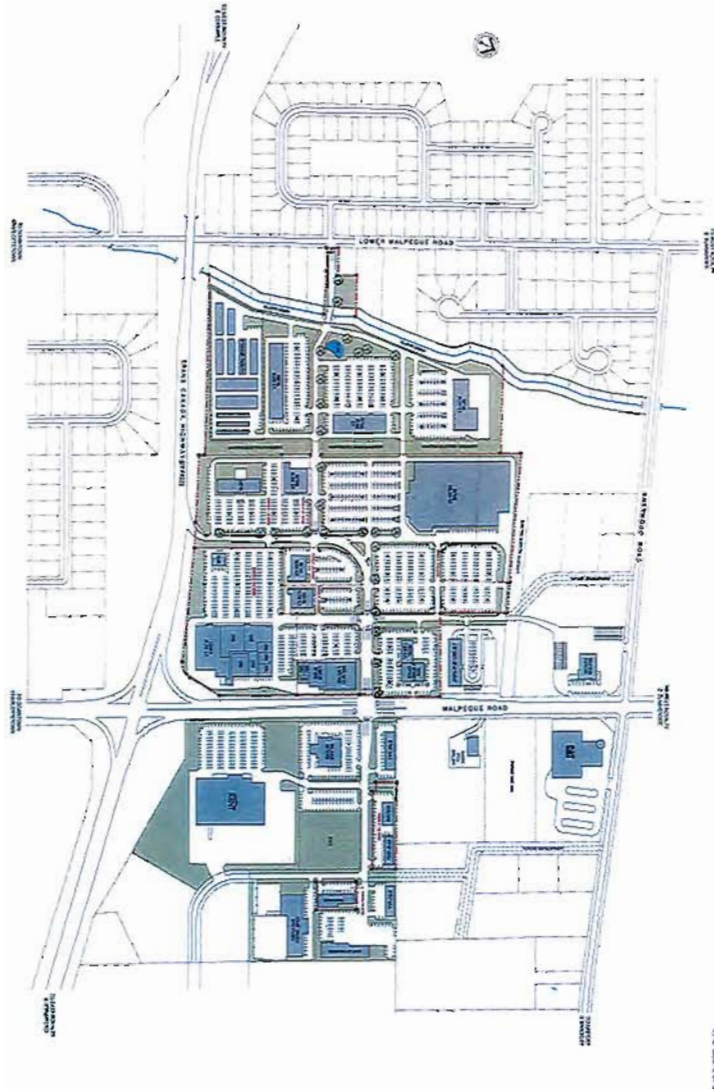
\_\_\_\_\_  
Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage




GIS Map:



Site Map:



<b>TITLE:</b> <b>VARIANCE</b> <b>FILE: PLAN-2019-4-MARCH-6b-5</b> <b>PROPERTY PID #359950 GERALD STREET</b> <b>OWNERS: ROGER GREAVES &amp; CAROLINE ROGERSON</b>		
<b>MEETING DATE:</b> March 4 <sup>th</sup> 2019		<b>Page 1 of 5</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. Map of Site B. Application related documents C. Public Works comments D. Letter of Opposition	
<b>SITE INFORMATION:</b> Context: Vacant and undeveloped Ward No: 4 Existing Land Use: Vacant Official Plan: Low Density Residential Zoning: Low Density Residential (R-2) Zone		
<b>PREVIOUS APPLICATIONS: 09-594</b>		

**RECOMMENDATIONS:**

Staff encourages Planning Board to recommend to Council to **approve** only one (1) of the three (3) variances. The variance being to:

- 1) Decrease the minimum interior side yard setback requirement of 1.83 m (6 ft.) to 1.2 m (4 ft).

in order to permit the construction of a Single Detached Dwelling on the property identified as PID #359950 on Gerald Street.

**BACKGROUND:**

***Request***

The Planning & Heritage Department has received an application in accordance with Section 3.9, Major Variances of the Zoning and Development Bylaw, for a variance to the property located along Gerald Street PID 359950. The subject site is zoned Low Density Residential (R-2) Zone and is currently vacant and undeveloped. The site is undersized in terms of both lot frontage and area as per the R-2 Zone requirements.

The owner is seeking three (3) variances to:

- 1) decrease the rear yard setback requirement from 7.5 m (24.6 ft) to 2.1 m (7 ft);



- 2) decrease the flankage yard requirement from 6 m (19.7 ft) to 2.44 m (8 ft); and
- 3) decrease the interior side yard setback from 1.83 m (6 ft) to 1.2 m (4 ft).

The purpose of the variances is to construct a single detached dwelling that is approx. 1,100 sq.ft. Please refer to the attached site plan.

The site requirements for a single detached dwelling in the R-2 Zone is subject to the Single Detached Residential (R-1S) Zone regulations illustrated in the table below:

	Interior Lot	Corner Lot
<b>1</b> Lot Area (Minimum)	540 sq. m (5,812.5 sq ft)	686 sq. m (7,384.0 sq ft)
<b>2</b> Lot Frontage (Minimum)	18 m (59.1 ft)	22 m (72.2 ft)
<b>3</b> Front Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
<b>4</b> Rear Yard (Minimum)	7.5 m (24.6 ft)	7.5 m (24.6 ft)
<b>5</b> Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)
<b>6</b> Flankage Yard (Minimum)		6.0 m (19.7 ft)
<b>7</b> Height (Maximum)	11.0 m (36.1 ft)	11.0 m (36.1 ft)

### ***Development Context***

The subject site is 0.09 acres (335 sq.m.) in size with approximately 11 metres (36 ft) of frontage, which is an undersized lot. The site is mainly vacant with a large tree in the centre of the property. The owner wishes to decrease the minimum flankage, interior side and rear yard setbacks(s) to accommodate a single detached dwelling. The property has access to infrastructure services (i.e. sewer and water) and access would be provided off of Gerald Street.

### ***History***

In 2009 the owner applied for a permit on the property to construct a large single detached dwelling to similar setbacks. At the time the Zoning By-law contained regulations that allowed for decreased setbacks for an undersized lot, however these regulations have been removed since the last major amendment and the owner is now required to apply for three (3) variances.

### **ANALYSIS:**

Section 15 of the Zoning and Development Bylaw, the R-3 (Medium Density Residential Zone) requires a flankage yard setback of 19.7 feet. The proposed dwelling would have a flankage yard setback at the closest point to the property boundary of 2.44 m (8 ft.), a reduced rear yard setback of 2.1 m (7 ft.) and reduced interior side yard setback of 1.2 m (4 ft.) to construct a single detached dwelling. The owner is also proposing an attached garage that is recessed in from the main dwelling but due to the close proximity to the street would result in compromised sight lines for a vehicle exiting the subject site.

***Consistency with the Official Plan***

The Official Plan provides policies allowing for infill development in existing neighbourhoods, using existing underground services to its fullest capacity and encouraging development in fully serviced areas.

*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.*

***Consistency with the Zoning By-law***

Section 3.9.1 b. of the Zoning and Development Bylaw states,

*“b. the need for consideration of a Major Variance is owing to conditions specific to the property and is unique to the area and not the result of actions by the Owner, and a literal enforcement of this Bylaw would result in unnecessary and undue hardship;”*

In review of the proposed site plan Public Works feels that due to the property being a corner lot the reduction of the flankage yard would bring the proposed dwelling too close to the street, which would compromised sight lines for a vehicle exiting the garage that could result in a collision. The ROW is extremely narrow and the further reduction of required setbacks would make it more difficult for Public Works activities such as snow clearing.

In regards to the rear yard reduction there is more than enough space to move the proposed building further into the front yard in order to accommodate the required rear setback of 7.5m (24.6 ft.) setback. Staff also notes that if such a large reduction of the rear yard setback was approved the owner would be able as of right to construct a further 6m (20 ft.) addition afterward into the front yard that would result in the overdevelopment of the lot.

Therefore, staff does not view that two (2) of the variance requests for the reduction of the flankage and rear yard requirements would be viewed as an unnecessary and undue hardship. Being new construction the applicant has the option of decreasing the size of the proposed dwelling and could instead make up for the reduced floor area by increase the building's height rather than constructing a one-storey bungalow.

The reduction of the required interior side yard could be supported on the basis that the proposed dwelling could better maintain the flankage yard requirements for public safety purposes. The lot is undersized in terms of frontage (width) so by reducing the interior side yard would be considered reasonable request to accommodate the development of the property.

The table below provides a summary of the positives and shortcomings of the requested variance(s):

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>▪ Increasing the capacity of existing underground services.</li> <li>▪ Infill development in a fully serviced area of the City.</li> </ul>		<ul style="list-style-type: none"> <li>▪ Egress from proposed garage would have compromised sight line issues for a vehicle backing directly onto Gerald Street.</li> <li>▪ Significant number of variance requests.</li> <li>▪ Proposed dwelling would result in the overdevelopment of the lot and have negative drainage impacts due to the increase of impervious surface area.</li> </ul>

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, on February 14, 2019 notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variance and lot consolidation. The deadline to submit written comments on the application was Friday, March 1<sup>st</sup>, 2019.

#### ***Public Feedback***

In response to the City's notification letter One (1) letter in opposition of the major variance was received. The letter stated that they feel the proposal would negatively impact the neighbourhood with compromised sight lines for traffic, increase in non-permeable surface for drainage, snow clearing issues and more on-street parking. See attached letter.

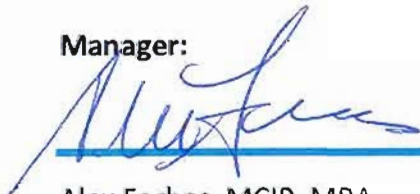
**CONCLUSION:**

Staff encourages Planning Board to recommend to Council to **approve** only one (1) of the three (3) variances. The variance being to:

- 1) Decrease the minimum interior side yard setback requirement of 1.83 m (6 ft.) to 1.2 m (4 ft).

In order to permit the construction of a Single Detached Dwelling on the property identified as PID #359950 on Gerald Street.

**Manager:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

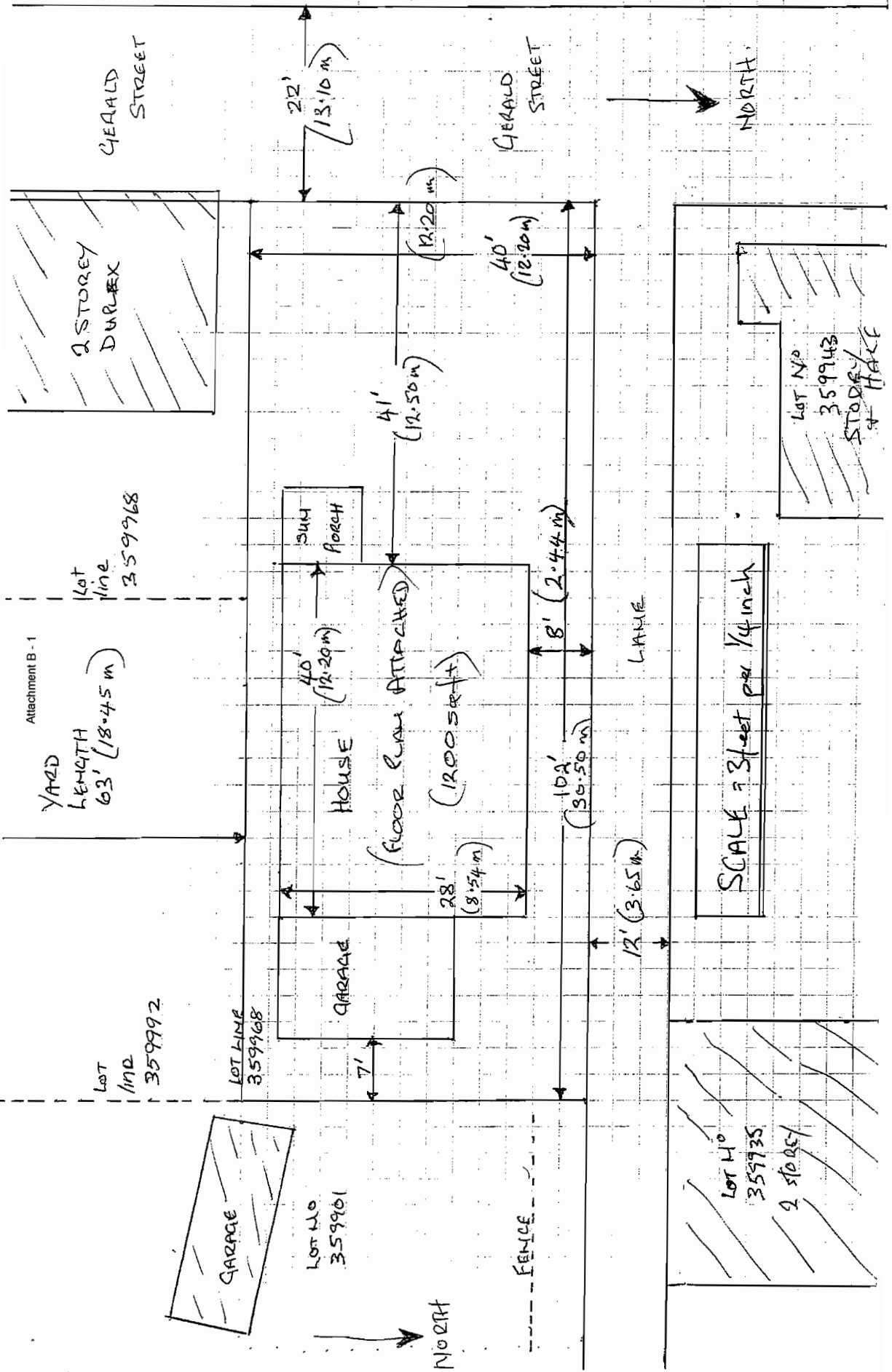
**Presenter:**



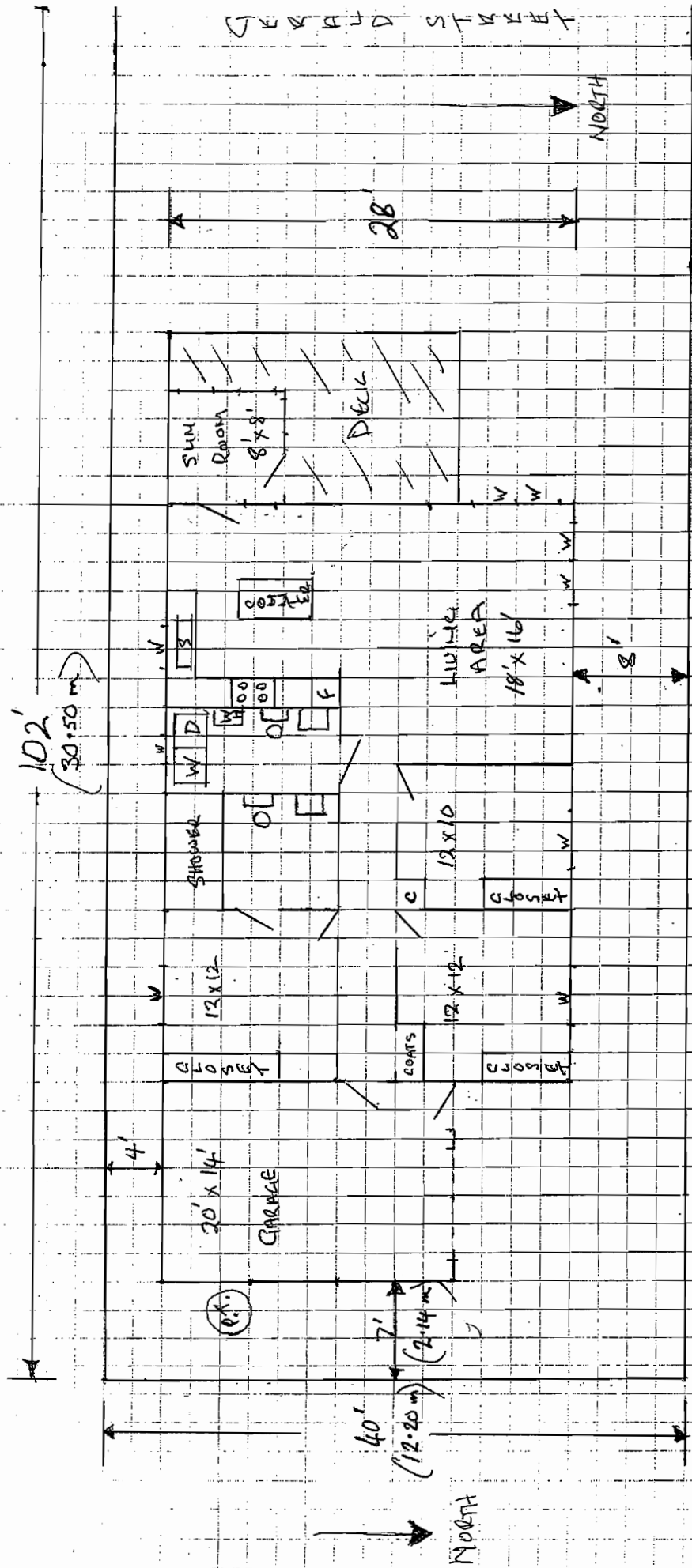
Robert Zilke, MCIP  
Planner II

Attachment A





BUILDING APPROX 1200 sq ft with GARAGE (SCALE = 2 ft per 1/4")



GERARD STREET

NORTH

28'

102'  
(30.50 m)

40'  
(12.20 m)

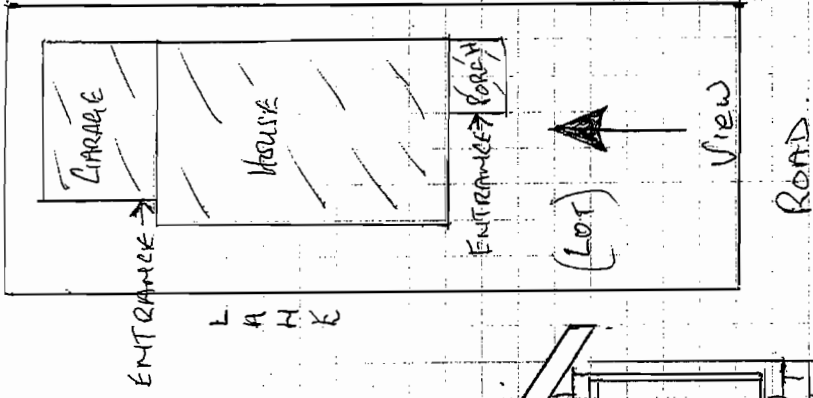
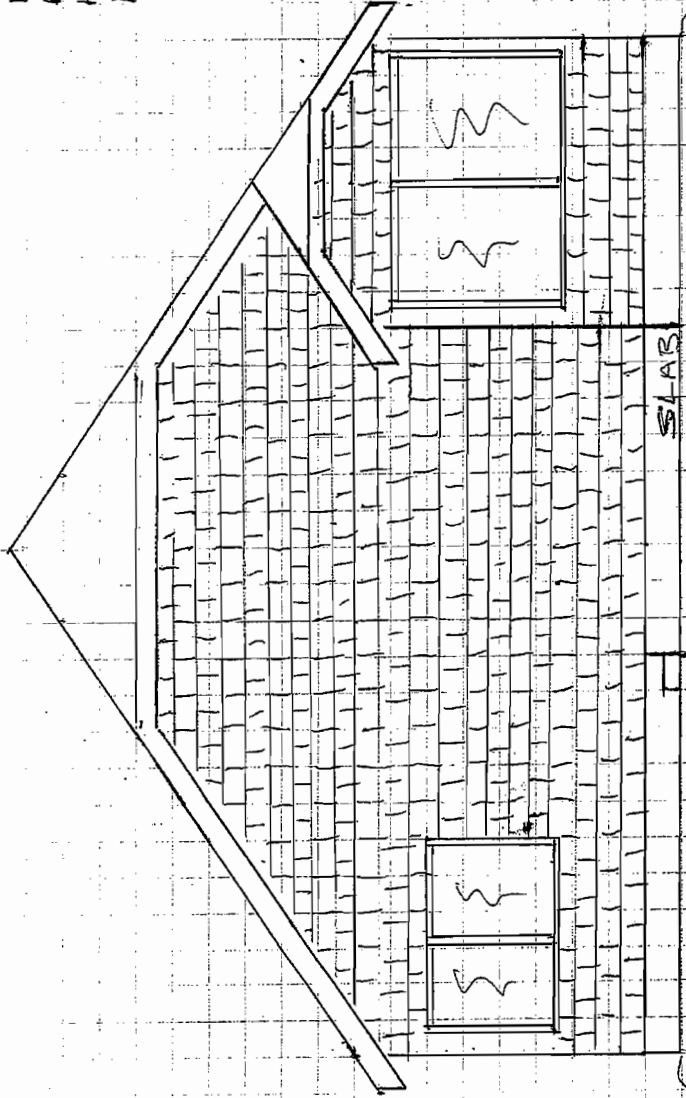
7'  
(2.14 m)

NORTH

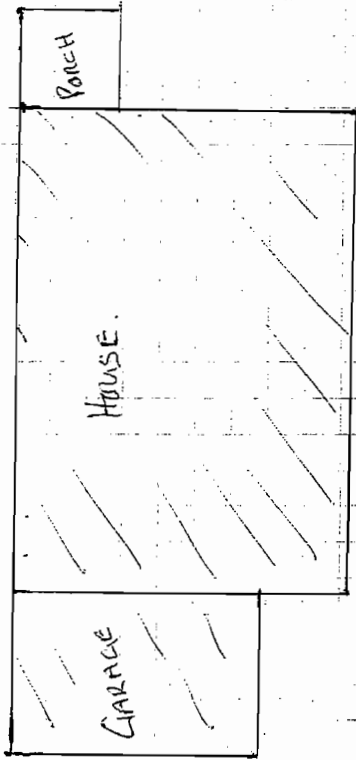
Attachment B - 3

SIDE VIEW - SCALE = 1 foot = 1/4 inch

ROOF = 8X12 PITCH / COULD CHANGE TO 6X12 PITCH

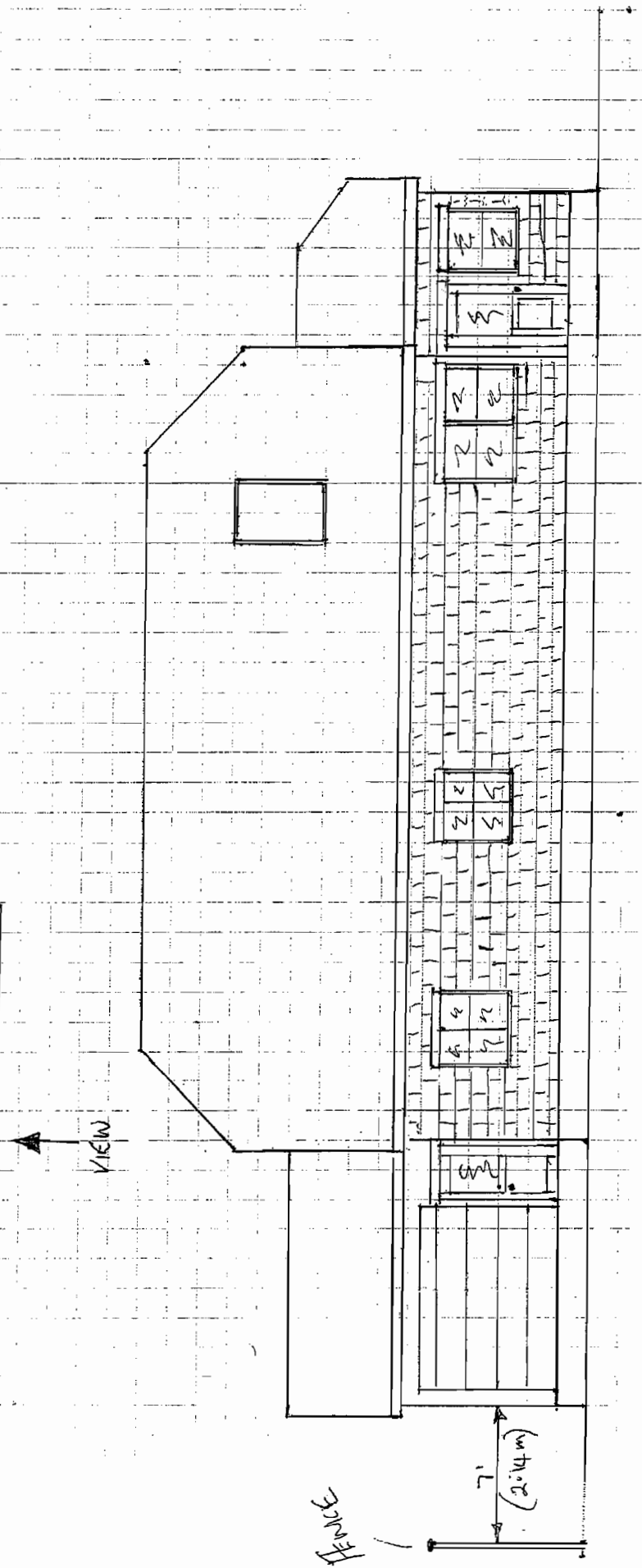






FRONT VIEW - SCAFF 18 INCHS = 1/4 INCH

ROOF = 8 x 12 pitch - COULD CHANGE TO 6 x 12 pitch



Public Works has a few concerns with this request

- 1) The ROW along this section of Gerald street extremely narrow. By reducing setbacks, this will make it more difficult for Public Works activities on a go forward basis.
- 2) There is also a safety concern for sight lines for vehicles entering and exiting the property. By building so close to the ROW, with an already narrow ROW than current standards, would only reduce sight lines more. This could create unsafe condition for vehicles in this area.

It is in the best interest of the City to maintain their setback requirements for this property, and reject the request.

Thank you,

Scott

**Scott Adams, MEng., P.Eng.**  
**Manager of Public Works**

**City of Charlottetown**  
PO Box 98, 199 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 7K2  
Office: 902-629-4009  
Fax: 902-894-7094

February 22, 2019

RE: PID #359950

Dear Committee,

I am writing to oppose the application made for the property at Gerald Street. I do not consider that the three variances requested are "minor" in nature, nor do they respect the intent of the zoning by-law.


The applicants are seeking a reduction in the minimum lot size clearance for a single dwelling and garage. There is no clearance allowance for a driveway entering onto an extremely narrow lane (Upper Prince Lane). No sight lines for traffic. They are also requesting very significant reductions in the backyard area for this property, as well as very significant reductions in the required front-yard and side-yard setbacks. The increase in non-permeable space is very concerning. Water drainage, fire safety, waste collection and snow removal, more vehicles, and more parking on the street. All major issues on this narrow lane. There is no clearance for parking now. Waste pick up and proper snow removal is often not done as a result of a vehicle is blocking the narrow street.

This will cause a significant increase in traffic and parking on the street and will indeed cause issues for many of us accessing our driveways.

Has anyone on the committee visited the area and viewed the property? If so then you would recognize that the lot in question is too small for a home and garage while maintaining the property value and distinction of the area.

Respectfully,

Mac Donald Family

<b>TITLE:</b> TEMPORARY STRUCTURE VARIANCE FILE: PLAN-2019-4-MARCH- 686 215 QUEEN STREET OWNER: 100390 PEI INC. C/O MEHRNOOSH AGHDASSI		
<b>MEETING DATE:</b> March 4, 2019		Page 1 of 5
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Site Plan C. Rendering	
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant Property in the 500 Lot Area. <b>Ward No:</b> 1 – Queens Square <b>Existing Land Use:</b> Vacant Property <b>Official Plan:</b> Downtown Main Street <b>Zoning:</b> Downtown Main Street (DMS) Zone		
<b>PREVIOUS APPLICATIONS:</b> A building permit was issued on February 2, 2009 to demolish the former restaurant.		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request for a variance under Section 3.9.1.g. of the Zoning & Development By-law in order to locate a container on the vacant property located at 215 Queen Street (PID #343582) to be used as a commercial building where food is prepared and served.

**BACKGROUND:**

***Request***

The property owner, Mehrnoosh Aghdassi, is proposing to locate a container on the vacant property to be used as a commercial building where food is prepared and serviced.

As per Section 5.2.2 of the Zoning & Development By-law, *no vehicle body, truck trailer, or container shall be used as a commercial or accessory building except as specifically permitted by other legislation.*

In light of foregoing, the property owner is applying for a variance under Section 3.9.1.g. in order to locate a temporary structure in a manner otherwise prohibited by this by-law for a period to last no longer than one (1) year.

***Development Context***

The vacant property is currently located along Queen Street between Kent Street and Fitzroy Street. There are four other commercial buildings in the block - City Hall, Island Optical, Ceridian and Bell Aliant.

***Property History***

The subject property was formally home to the Town & Country Restaurant; however, a building permit was issued on February 2, 2009 to demolish said restaurant. At the time of demolition, the owner did not have any plans to rebuild but planned to construct a fence on the Queen Street side of the property and fill / gravel the vacant lot.

The property has remained vacant since that time and no building or development permits have been submitted or approved. Staff would note that in the summer of 2018, the City of Charlottetown landscaped the property following a verbal agreement to do so with the property owner.

**LEGISLATIVE REQUIREMENTS:**

***Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variance. The deadline to submit written comments on the application is 12:00 p.m. (noon) on Friday, March 1, 2019.

***Public Feedback***

At the time of writing this report, the Planning & Heritage Department did not receive any written comments. If any written comments are received prior to the deadline, they will be brought to the attention of the Planning Board members at the meeting on March 4, 2019.

**ANALYSIS:**

The concept of operating an Eating & Drinking Establishment within a container is becoming a popular seasonal offering around the world. While this concept is relatively new to Charlottetown, the Merchantman has created an outdoor environment Next Door which has been successful over the past few years.

The applicant is proposing to prepare and serve food (no liquor sales proposed) within an 8' x 20' container on the subject property, 215 Queen Street, this year. The applicant is hoping to operate this container for three years minimum.

In the first year, the applicant is proposing a container, washroom, planters and picnic table seating only. Should this concept be successful, future years would include more elaborate seating and a new fence to create a semi-enclosed environment.

The owner must recognize that this application is for a temporary structure which is not permitted within the Zoning & Development By-law and if approved, is only valid for one (1) year. In light of the foregoing, they should not be expecting that it will be renewed on an annual basis. If the operation is successful and the applicant wishes to continue the operation in future years, then:

1. The applicant may have to reapply for a temporary structure for an additional year;
2. The applicant may have to apply for a site specific exemption to allow this use on a more permanent basis; or
3. The City of Charlottetown may wish amend the By-law to allow such a use within a container.

The applicant is proposing to clad the exterior of the container in corrugated steel cladding unless the container is in good condition, then only paint would be required. The proposed container will be connected to City Water & Sewer and Maritime Electric will be connecting power to the container. Washrooms will be provided on-site, either in the container or in a separate unit. If the washrooms are provided within the container, they may be larger than 8' x 20'.

This type of temporary restaurant plays an important role in the foodservice industry. They can deliver restaurant quality food and provide quick food service. These structures are being located throughout the country and have shown to be popular and can provide another food option late at night. However, the concept is to provide food to under-utilized and under-serviced areas and not compete with established foodservice establishments. These structures operate using lower overhead costs due to their temporary nature while traditional restaurants pay significant property taxes.

In the past, Restaurant Canada provided staff with some information specifically related to food trucks and indicated that Restaurant Canada supports the expansion of food truck licensing with the following conditions:

1. *Food trucks must meet and follow the same regulatory requirements as restaurants including food safety, signage, solid waste separation, waste water disposal and the availability of washrooms for staff and the public.*
2. *Food trucks should only be located in under-serviced areas. Food trucks are prohibited from locating directly in front of or adjacent to an existing restaurant and have a buffer zone of at least 100 meters from existing foodservice establishments.*

Restaurants within a 100m of the subject property include, but may not be limited to, Taste of India, Chambers Restaurant & Bar, and Dundee Arms Inn Restaurant & Pub.

In light of the fact that this container is being located in an area of the City which is arguably underserviced, staff feel that allowing it on a temporary basis would be reasonable and then the applicant would have to reapply in future years. At that time, the City may wish to approve or deny it in the future depending on feedback received this year.

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"> <li>▪ Utilizes the vacant land for more than just a landscaped open space.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Could argue that it is in an underserviced area as there are only restaurants in two hotels</li> </ul>	<ul style="list-style-type: none"> <li>▪ Temporary structure instead of a proper infill development within the 500 Lot Area.</li> </ul>

- The applicant has developed a successful restaurant already in the 500 Lot Area. and The Taste of India within 100m.

**CONCLUSION:**

The Planning & Heritage Department recommends that the temporary structure variance application, be approved.

**PRESENTER:**



Greg Morrison, MCIP  
Planner II

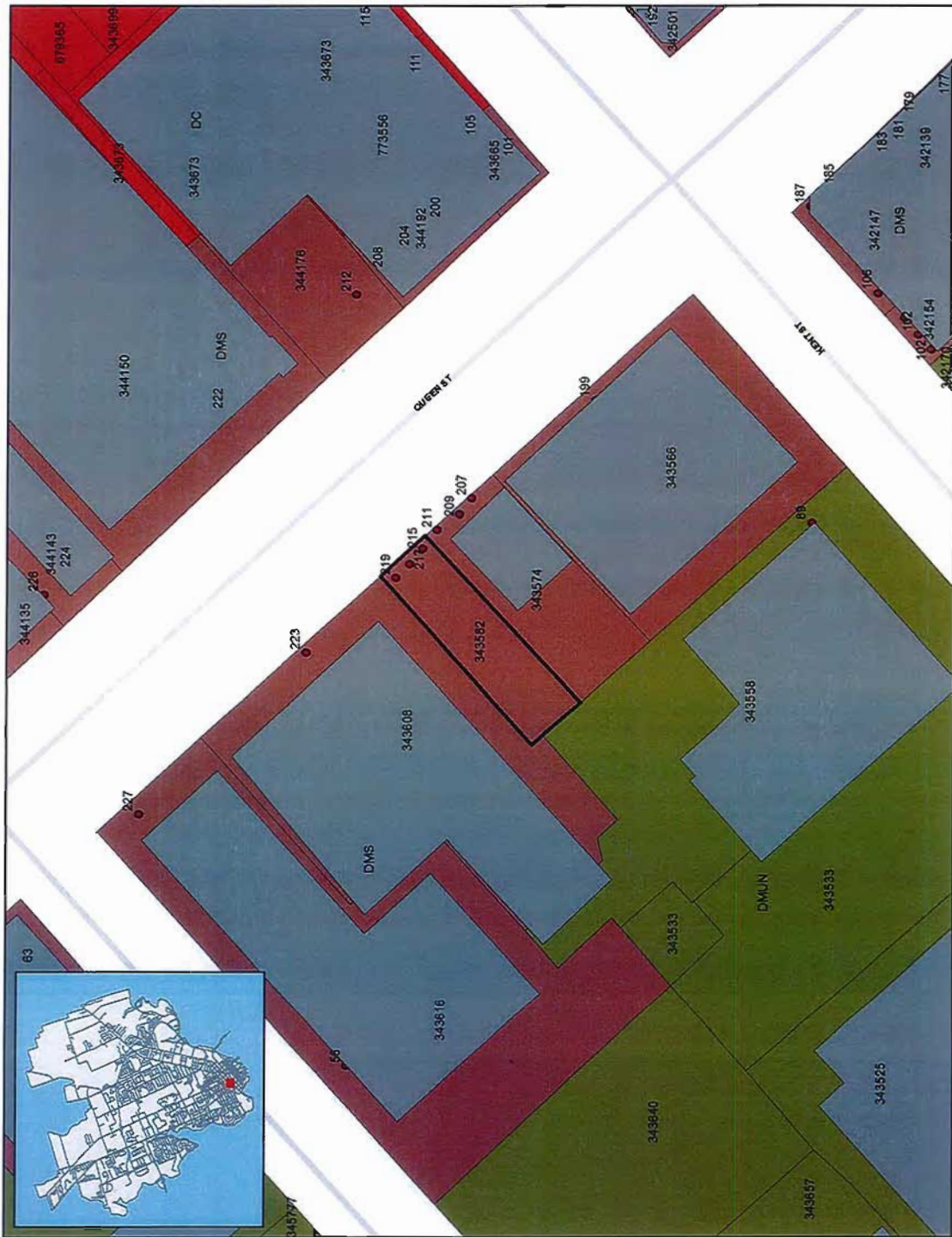
**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



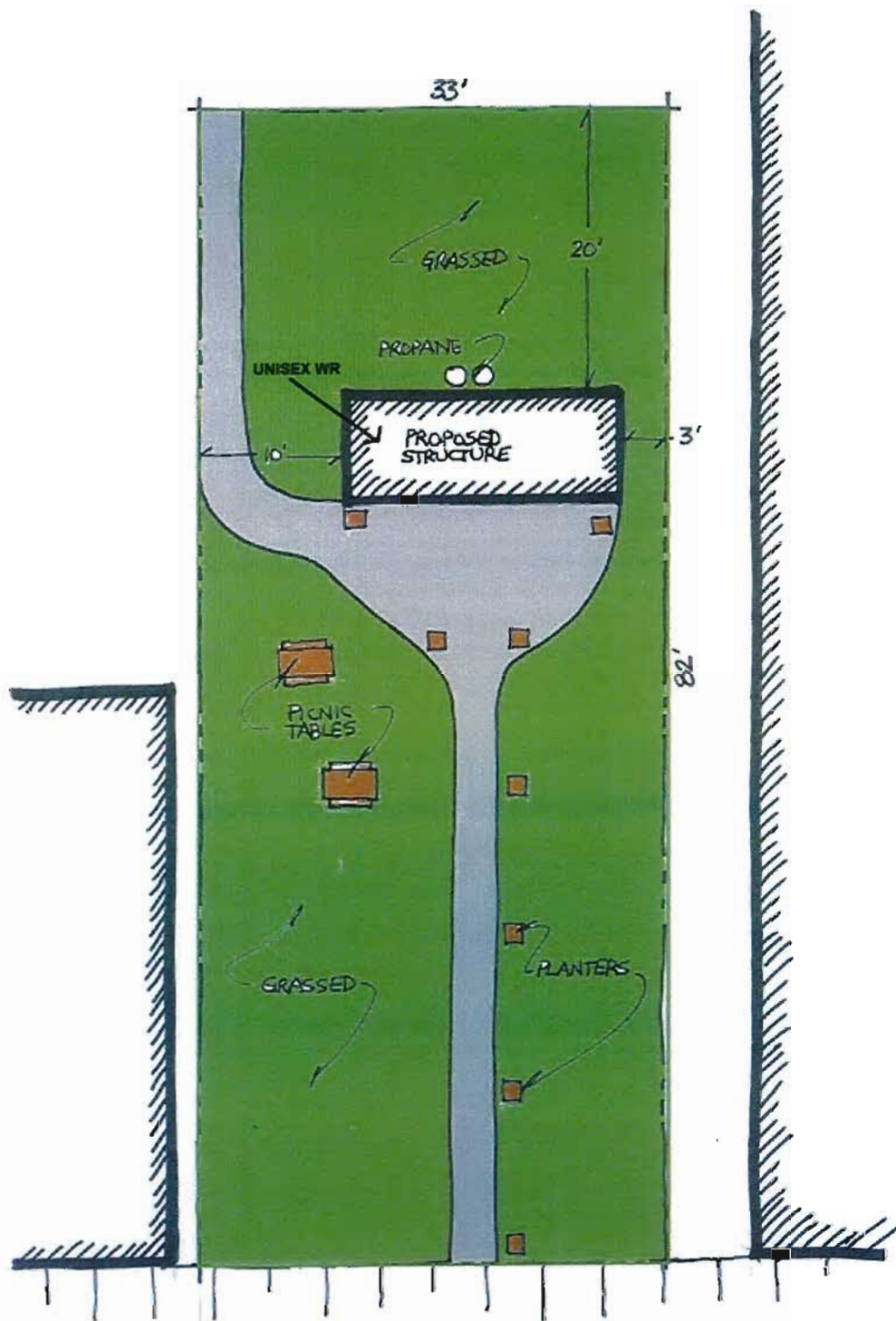
# Attachment A



Attachment A: GIS Map  
File: PLAN-2019-4-MARCH-686  
215 Queen Street (PID #343582)  
Owner: 100390 PEI Inc.  
C/O Mehrnoosh Aghdassi



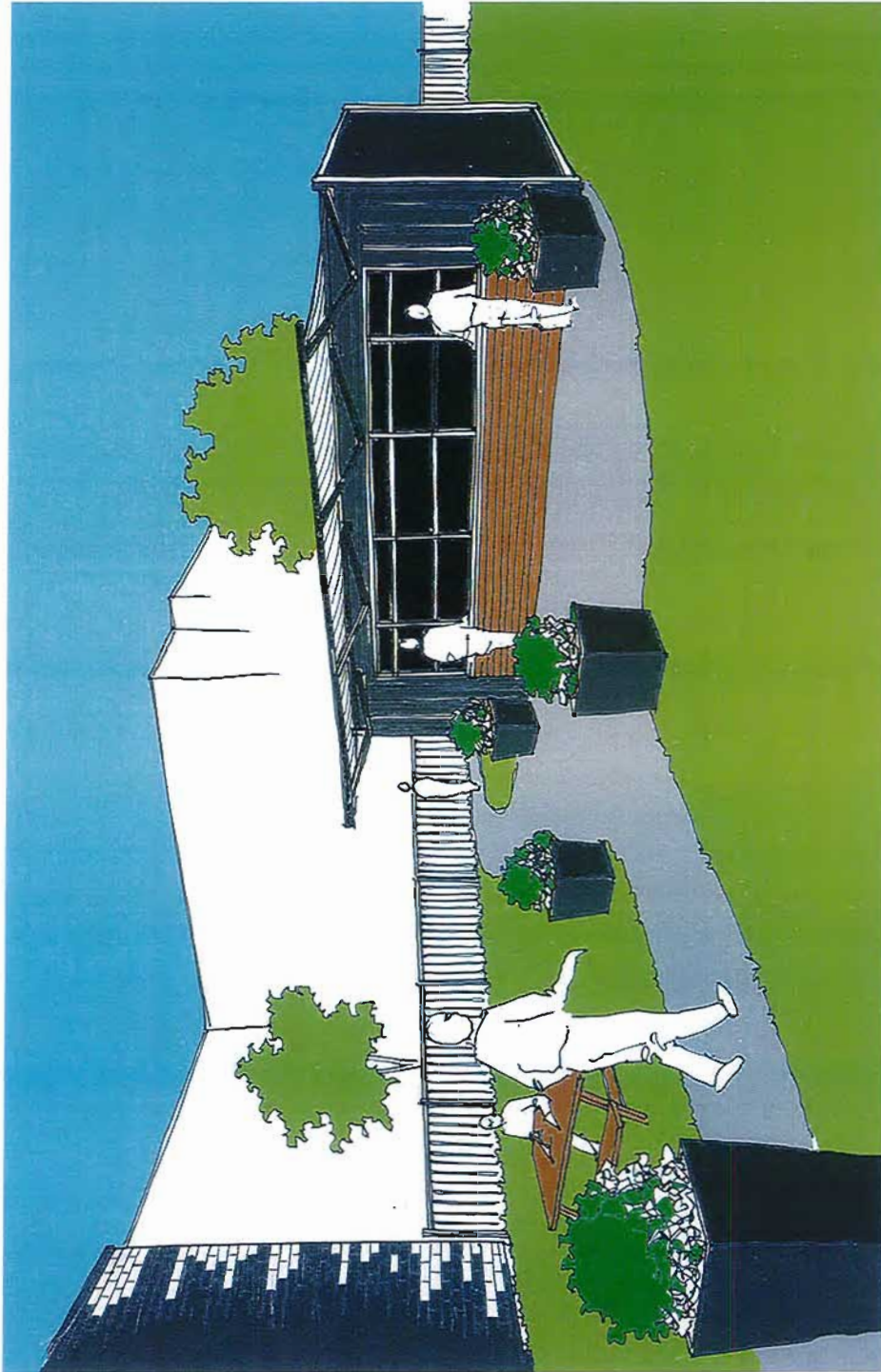
# Attachment B



Attachment B: Site Plan  
File: PLAN-2019-4-MARCH-686  
215 Queen Street (PID #343582)  
Owner: 100390 PEI Inc.  
C/O Mehrnoosh Aghdassi


  
**CHARLOTTETOWN**  
Planning & Heritage Department

# Attachment C



Attachment C: Rendering  
File: PLAN-2019-4-MARCH-686  
215 Queen Street (PID #343582)  
Owner: 100390 PEI Inc.  
C/O Mehrnoosh Aghdassi

  
**CHARLOTTETOWN**  
Planning & Heritage Department

<b>TITLE:</b> SITE SPECIFIC EXEMPTION APPLICATION FILE: PLAN-2019-4-MARCH- <b>6C7</b> 183 GREAT GEORGE STREET (PID #344044) OWNER: 2950243 CANADA INC. APPLICANT: MICHAEL WASNIDGE	 <b>CHARLOTTETOWN</b>
<b>MEETING DATE:</b> March 4, 2019	Page 1 of 7
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Building Plans
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant property on Great George Street <b>Ward No:</b> 1 – Queens Square <b>Existing Land Use:</b> Vacant <b>Official Plan:</b> Downtown Core <b>Zoning:</b> Downtown Core (DC) Zone	
<b>PREVIOUS APPLICATIONS:</b> Council passed the following resolution on May 12, 2014: <i>That the request to permit a temporary use of a food trailer on the property located at 83 University Avenue (PID #344044) for the 2014 season be rejected.</i>	

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to proceed to public consultation in order to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:

1. Allow the sale of alcohol within in a mobile canteen which is contrary to the definition of a mobile canteen in the Zoning & Development By-law (2018-11.009);
2. Allow the mobile canteen to operate from April 1 to October 31 annually which is contrary to Section 5.11.2 of the Zoning & Development By-law (2018-11.009); and
3. Utilize a container to contain washroom facilities which is contrary to Section 5.2.2 of the Zoning & Development By-law (2018-11.009).

The site specific exemption also includes the following two (2) variances:

1. Increase the maximum height for a fence in the front yard (i.e., front property line) from 3.3 ft as permitted in Section 4.4.2.a. of Zoning & Development By-law (2018-11.009) to approximately 6.5 ft; and
2. Increase the maximum front yard setback for a building in the Downtown Core (DC) Zone from 3.3 ft as permitted in Section 31.2.2 of Zoning & Development By-law (2018-11.009) to approximately 52.5 ft.

**BACKGROUND:**

***Request***

The applicant, Michael Wasnidge, obtained permission from the property owner to apply for a site specific amendment at the property located at 183 Great George Street (PID #344044). The purpose of the site specific exemption would be to create an outdoor atmosphere where alcohol and food is sold from a mobile canteen within a fenced in property. Seating would be located throughout the property and the washrooms would be located in a container at the rear of the property. Finally, two trellises would cover a portion of the property.

***Development Context***

The vacant property is located on Great George Street between Fitzroy Street and Kent Street. The adjacent properties include Cedars Restaurant and the Old Triangle patio.

***Property History***

The former building was demolished in 1998 and remained vacant since that time. Applications were made in 2013 and 2014 to locate a mobile canteen on the property but ultimately Council passed the following resolution on May 12, 2014:

*That the request to permit a temporary use of a food trailer on the property located at 83 University Avenue (PID #344044) for the 2014 season be rejected.*

**LEGISLATIVE REQUIREMENTS:**

***Notification***

If the proposed site specific exemption is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4.c of the Zoning & Development By-law.

**ANALYSIS:**

Historically mobile canteens were not permitted to be located on private property without obtaining a temporary use variance through Council. An application for a temporary use (mobile canteen) was made on the subject property, formerly 83 University Avenue, and Council passed the following resolution on May 12, 2014:

*That the request to permit a temporary use of a food trailer on the property located at 83 University Avenue (PID #344044) for the 2014 season be rejected.*

In addition to said resolution, Council passed the following resolution on May 16, 2014:

*That staff be directed to review and develop policies relating to food trailers or vendors on private property for the consideration of Council and that such provisions be in place by March 1, 2015.*

Regulations pertaining to mobile canteens were first presented to the Planning Board on February 2, 2015 and eventually were approved by the Minister of Communities, Land and Environment on May 27, 2015.

As part of these amendments, the definition for Mobile Canteens was established as **Mobile Canteen** means any trailer or motorized vehicle used for the display, storage, or sale of food and/or non-alcoholic beverages on a temporary basis.

In light of the fact the applicant is requesting to sell alcohol from the mobile canteen, it cannot be classified as such and must be considered a restaurant. Because of that, it must meet the requirements in the National Building Code, including washroom facilities.

The applicant is proposing to locate the required washroom facilities within a container at the rear of the property. As per Section 5.2.2 of the Zoning & Development By-law, *no vehicle body, truck trailer, or container shall be used as a commercial or accessory building except as specifically permitted by other legislation.*

Allowing the washrooms to be located within a container would be included in the site specific exemption request.

Other items included in the site specific exemption request include the months of operation, fencing along the front property line and the setback distance of the mobile canteen.

### Months of Operation

A typical mobile canteen is only permitted to operate on private property from May 1<sup>st</sup> to October 31<sup>st</sup>. That being said, the applicant would like to operate from April 1<sup>st</sup> to October 31<sup>st</sup> to be included in Burger Love which happens annually during the month of April. They are not requesting to operate from the property in April this year, but would be looking to do so in future years.

### Fencing

As per Section 4.4.2.a. of the Zoning & Development By-law, *the maximum height for a fence ... in the front or flankage yard ... shall not exceed 1.0 m (3.3 ft) in the 500 Lot Area.*

The applicant is proposing to locate a 6.5 ft custom perforated metal fence along the front property line. They will be *'using a local metal fabricator to laser-cut a custom design that is being developed by local illustrator, Ali McNeil. The panels will piece together to create a wide panoramic image that will feature the familiar site of trees and crows on PEI. This will not only be a privacy fence, but also a one-of-a-kind piece of art for the downtown.'*

A fence up to 8.2 ft can be located along the sides and rear of the property.

Typically this request would require a major variance but in this circumstance, it can be included within the site specific exemption with Council approval.

### Front Yard Setback

The subject property is located in the Downtown Core (DC) Zone. A mobile canteen or a typical building must adhere to the regulations of Section 31.2 in the Zoning & Development By-law. The

front yard setback in the DC Zone is a minimum 0 m (0 ft) and maximum 1.0 m (3.3 ft). It appears as though all of the buildings on the block have a 0 ft front yard setback; however, the applicant is proposing to locate the mobile canteen approximately 16 m (52.5 ft) from the front property line.

Typically this request would require a major variance but in this circumstance, it can be included within the site specific exemption with Council approval.

Finally, the applicant is also requesting to locate seating for up to 75 people and two trellises. One would be located above the mobile canteen and the other would be above a portion of the seating.

If applications for mobile canteens do not meet the requirements of Section 5.11 in the Zoning & Development By-law, staff would prefer to deal with them as a temporary use variance; however, the complexity of this application lends itself to be better handled as a site specific exemption. The applicant will be undertaking a significant initial cost to begin this operation and they need some certainty that they are able to obtain annual approval and be able to sell alcohol from the structure. Operating this business for a one year period only or doing so for multiple years without the ability to sell liquor does not make the project viable due to the economics. In light of the foregoing, the applicant is requesting more permanent approval from Council through a site specific exemption to ensure that the business model is possible, not only this year, but into the future as well.

Notwithstanding the significant amount of requests included in the site specific exemption, staff feels that a public meeting of Council should be held to discuss the merits of this application with adjacent business owners and residents.

Mobile canteens play an important role in the foodservice industry. They can deliver restaurant quality food and provide quick food service. These structures are being located throughout the country and have shown to be popular and can provide another food option late at night. However, the concept is to provide food to under-utilized and under-served areas and not compete with established foodservice establishments. These structures operate using lower overhead costs due to their temporary nature while traditional restaurants pay significant property taxes.



In the past, Restaurant Canada provided staff with some information specifically related to food trucks and indicated that Restaurant Canada supports the expansion of food truck licensing with the following conditions:

1. *Food trucks must meet and follow the same regulatory requirements as restaurants including food safety, signage, solid waste separation, waste water disposal and the availability of washrooms for staff and the public.*
  
2. *Food trucks should only be located in under-serviced areas. Food trucks are prohibited from locating directly in front of or adjacent to an existing restaurant and have a buffer zone of at least 100 meters from existing foodservice establishments.*

If this type of application does not have adverse negative effects on adjacent businesses, it could provide a unique atmosphere to the downtown which is not common. Similar examples of the type of atmosphere that the applicant is aiming for would be Sugar Skull Cantina and the Merchantman Next Door.

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"> <li>• This type of unique atmosphere in the downtown is uncommon.</li> <li>• The property is currently vacant so having infill development, even on a temporary basis, is positive.</li> </ul>		<ul style="list-style-type: none"> <li>• Cannot be defined as a mobile canteen because of the sale of alcohol.</li> <li>• The washrooms are located in a container which is not permitted in the By-law.</li> <li>• A 6.5 ft fence is not permitted in the front yard of any downtown property.</li> </ul>

- The mobile canteen exceed the maximum front yard setback for the DC Zone.
- The concept is not serving an underserviced-area.

**CONCLUSION:**

The Planning & Heritage Department recommends that the site specific exemption application be approved to proceed to public consultation to obtain feedback from the adjacent property owners.

**PRESENTER:**

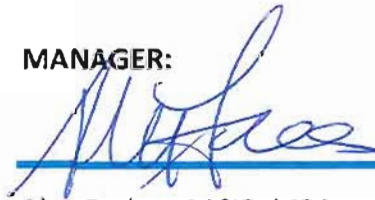


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Greg Morrison, MCIP  
Planner II

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**MANAGER:**

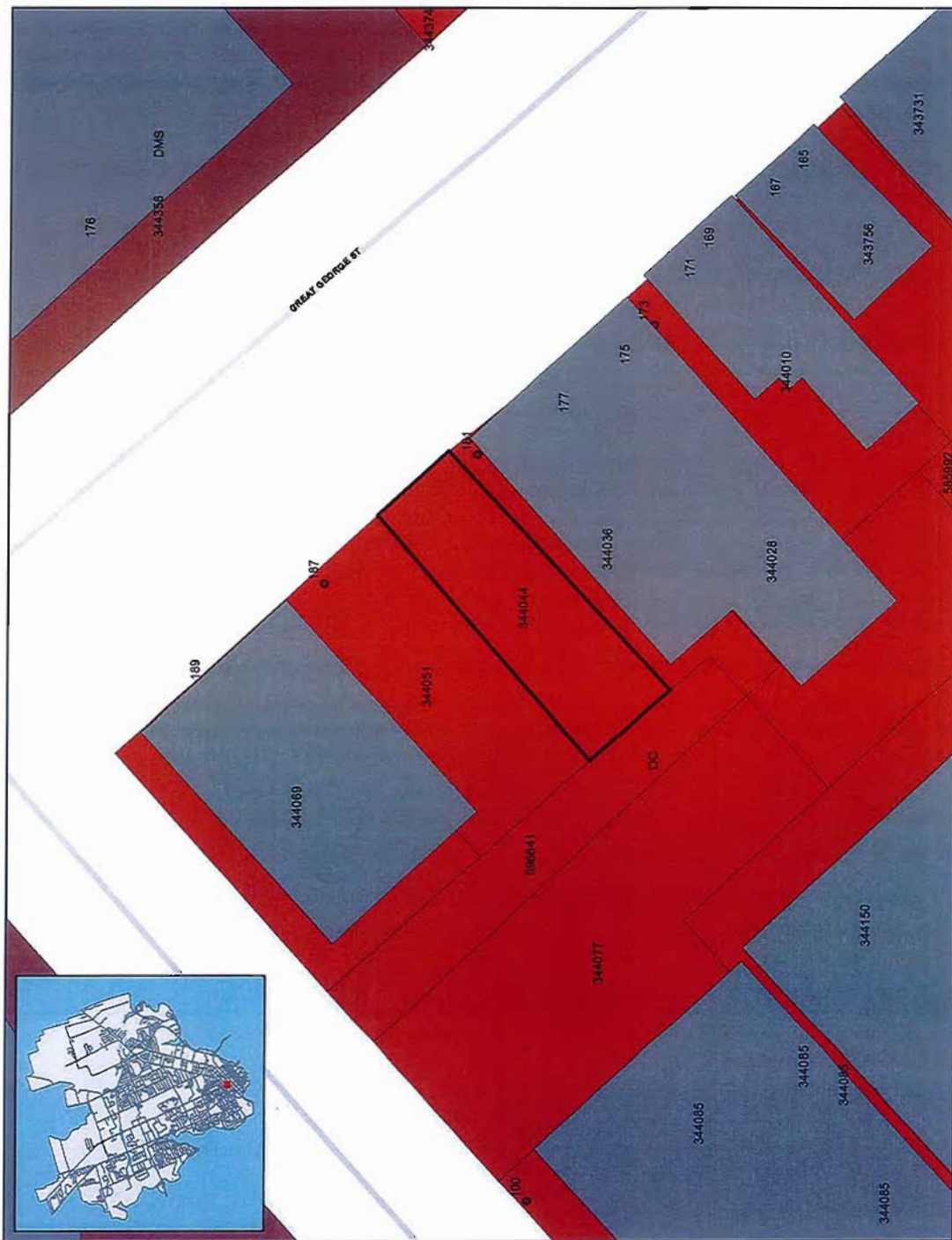


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Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

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# Attachment A



Attachment A: GIS Map  
File: PLAN-2019-4-March-bc7  
183 Great George Street (PID #344044)  
Owner: 2950243 Canada Inc.  
Applicant: Michael Wasnidge

**CHARLOTTETOWN**  
Planning & Heritage  
Department



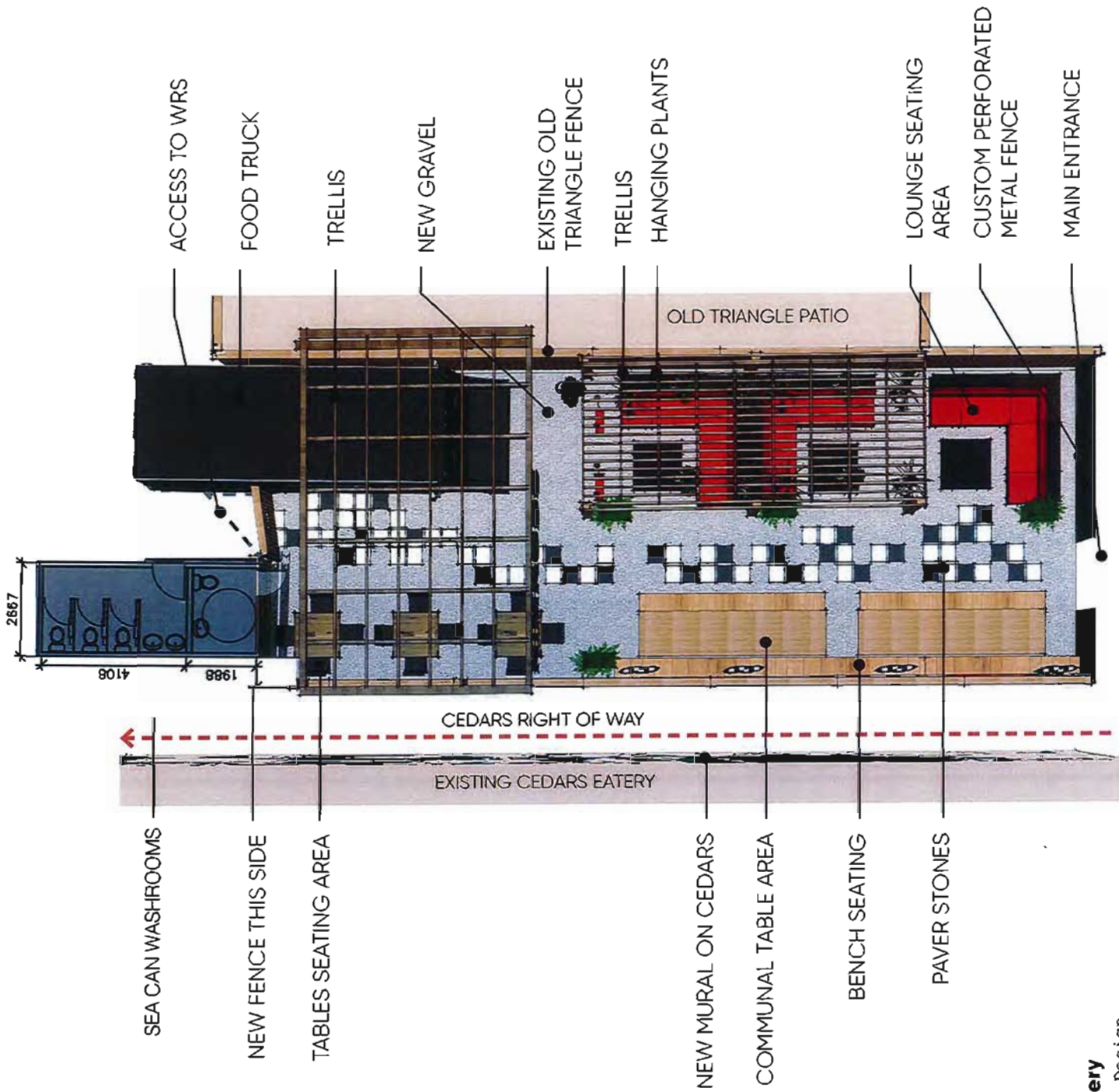
# Attachment B

## Building Plans Attached:

1. Site Plan
2. Birds Eye Rendering
3. Interior View Rendering
4. Interior View Rendering
5. Entering the Space Rendering
6. Existing Mobile Canteen

Attachment B: Building Plans  
File: PLAN-2019-4-March -**6C7**  
183 Great George Street (PID #344044)  
Owner: 2950243 Canada Inc.  
Applicant: Michael Wasnidge



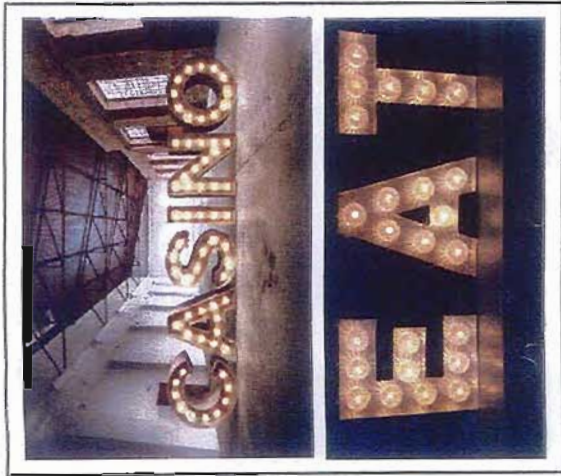




Birds Eye View

# NINE YARDS

**Nimrods Eatery**  
Preliminary Design



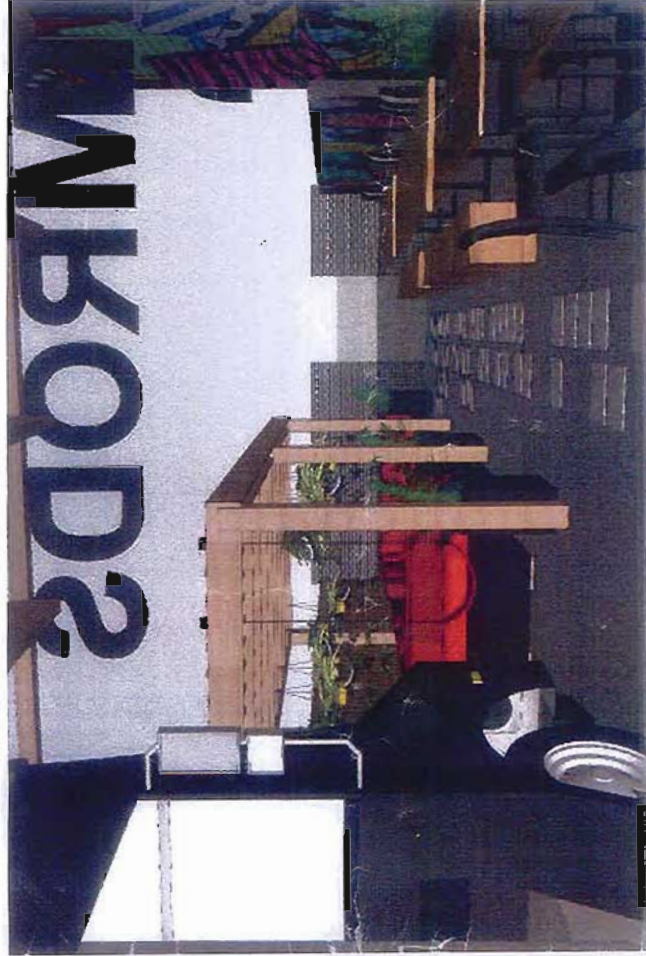
SIGNAGE INSPIRATION



INTERIOR VIEW

**NINE  
YARDS**

**Nimrods Eatery**  
Preliminary Design

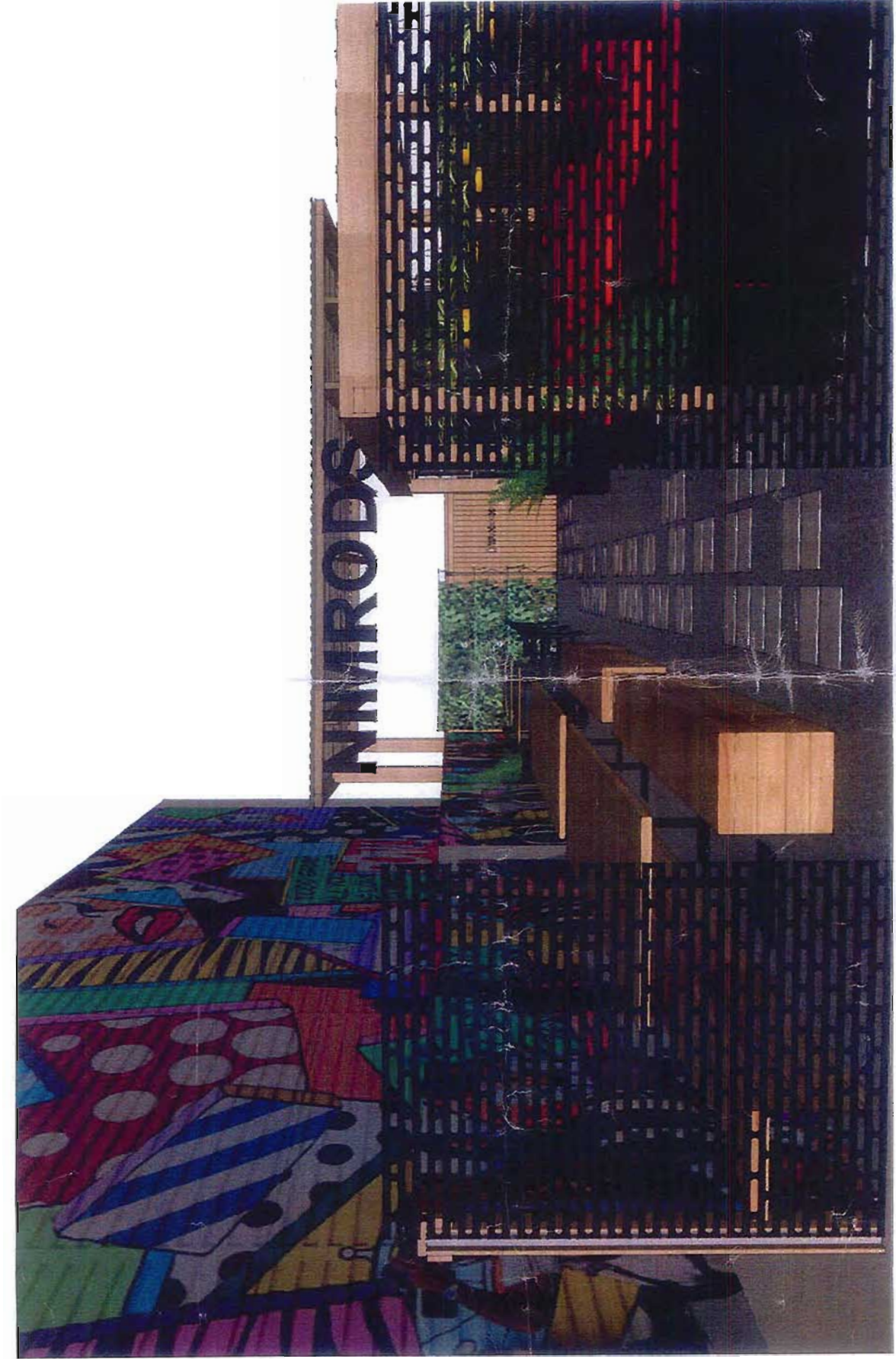


INTERIOR VIEWS

NIMRODS  
EATERY

**Nimrods Eatery**  
Preliminary Design

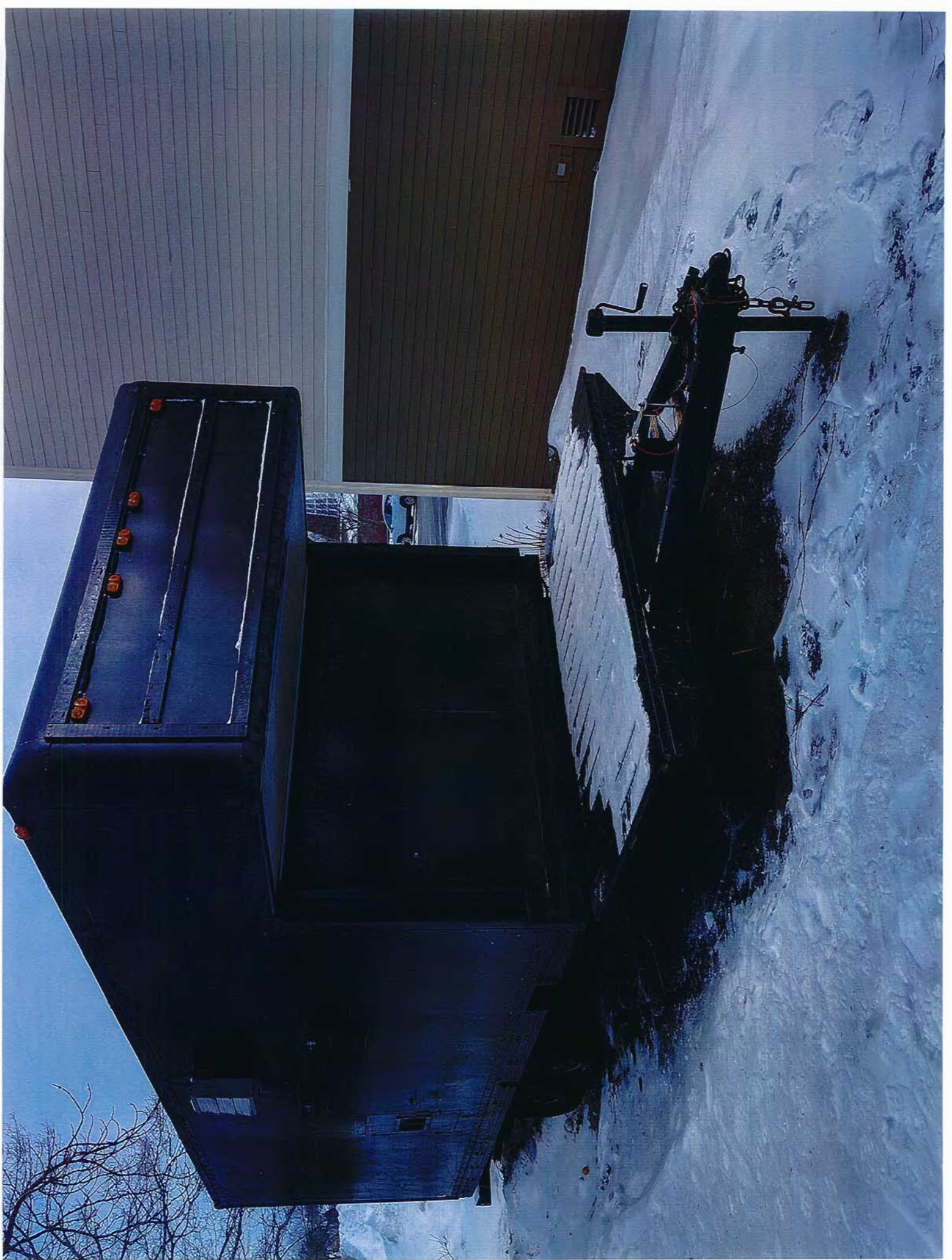





ENTERING THE SPACE

**NINE  
YARDS**

**Nimrods Eatery**  
Preliminary Design



<b>TITLE:</b> <b>ZONING &amp; DEVELOPMENT BY-LAW AMENDMENTS</b> <b>FILE: PLAN-2019-4-MARCH- 6C-8</b>		
<b>MEETING DATE:</b> March 4, 2019		
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b>	

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council that the request to amend the following sections of the Zoning & Development By-law definitions/regulations pertaining to Housing Transitional Facility, site regulations for Lodging Houses, Group Homes, site Landscaping requirements, Undersized Lot regulations and General Housekeeping amendments, be approved to proceed to public consultation:

**Section 1.7.1 is amended as follows:**

This by-law shall come into force effective the date of the Minister's approval with the exception of Section 5.6.2 and the definition for the Secondary and Garden Suite Registry (Appendix A of this By-law) shall come into force upon adoption of a By-law to create this Registry.

**Section 1.4.3 is amended as follows:**

The reference to Appendix "D" be changed to Appendix "G"

**Section 2.2 is amended as follows:**

To replace the text "appointed by Mayor" with "appointed by Council"

**Section 2.2.7 be removed.**

**Section 5.6.2 is amended as follows:**

The Secondary Suite shall be approved pursuant to the Charlottetown Secondary and Garden Suite Registry By-law.

**Section 5.7.3 is added as follows:**

The Garden Suite shall be approved pursuant to the Charlottetown Secondary and Garden Suite Registry By-law.

**Section 5.18 is added as follows:**

**ENVIRONMENTAL IMPACT ASSESSMENT**

Any development that may:

- i) cause the emission or discharge of any contaminant into the environment;
- ii) have an effect on any unique, rare or endangered feature of the environment;
- iii) have a significant effect on the environment or necessitate further development which is likely to have a significant effect on the environment; or
- iv) cause public concern because of its potential effect on the environment

Shall provide written confirmation from either the Federal or Provincial Government agency or both having jurisdiction that an Environmental Impact Assessment was completed (or not required) to that agency's satisfaction prior to a permit being issued for said development.

**Section 6.2. is amended as follows:**

Notwithstanding any other requirements of this By-law:

no Person who owns a Lot held in separate Ownership from adjoining parcels on the effective date of this By-law, having less than the minimum frontage or area required by this By-law, shall be deprived of the ability to make reasonable Use of said Lot in accordance with the zone in which it is located;

With all corresponding sections renumbered.

**Section 6.5 is amended as follows:**

A minimum of ten percent (10%) of the Lot Area on which a Building or Structure is Erected shall be used for no other purpose than Landscaped Area.

Where the minimum ten percent (10%) Landscaped Area cannot be provided and the proposed Development meets the minimum Setback regulations within the Waterfront Zone, an outdoor Amenity Area and/or Green Roof may be provided as an alternative.

Where an existing parking area is located in front of any building, a 2.0 meter (6.6

ft.) landscaped buffer shall be provided between the Parking area and the Front Lot Line.

In all Zones with the exception of the R-1L, R-1S, R-1N, R-2, R-2S and the A Zones, in the minimum Front Yard Setback, a strip of land of not less than 3.7 m (12 ft) in width shall be provided along a Lot Line(s) which abut a Street Line and shall:

- a. Comprise a portion of the required ten percent (10%) Landscaped Area and be used for no other purpose thereof;
- b. This provision shall not prevent the provision of an access driveway across the strip of land;
- c. A minimum of one tree per 10m of site frontage shall be provided;
- d. Required landscaping in the form of trees shall be a minimum of 1.5 meters in height with a caliper of at least 45 mm at the time of planting and shall be salt tolerant;
- e. Tree species and planting requirements shall be in accordance with Appendix I: Landscape Standards & Specifications;
- f. A variety of sizes and species of both deciduous and coniferous plants should be provided to provide year-round interest, colour and aesthetic appeal;
- g. All private landscaped areas, including shrub and tree plantings shall be completed in accordance with the approved site plan and maintained to a standard as defined at the time of the building permit;
- h. Where there is any outstanding landscaping work that has not been completed as per the approved plans of a development, the Development Deposit shall be forfeited and directed to a fund for public landscaping.

Where there are site constraints regarding the planting of trees a landscaping alternative shall be provided in the form of planting beds, ornamental grasses, hard/soft landscaping or a combination thereof.

The removal or alteration of any tree located partially or fully on public property shall be in accordance with the City of Charlottetown Tree Protection By-law.

Section(s) 15.4, 16.4, 21.4 are amended and added as follows:

**REGULATIONS FOR LODGING HOUSES AND GROUP HOMES**

	Interior Lot	Corner Lot
1 Lot Area (Minimum)	325 sq. m (3,498.3 sq. ft)	395 sq. m (4,251.9 sq. ft)
2 Lot Frontage (Minimum)	10.6 m (34.8 ft)	15 m (49.2 ft)
3 Front Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
4 Rear Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
5 Side Yard (Minimum)	1.5 m (5 ft)	1.83 m (6 ft)
6 Flankage Yard (Minimum)		6.0 m (19.7 ft)
7 Height (Maximum)	12.0 m (39.4 ft)	12.0 m (39.4 ft)

The number of rooms is determined by the following:

- a. for the first 325 sq. m (3,498.3 sq. ft.) for an interior lot and 395 sq. m (4,251.7 sq. ft.) for an corner lot of Lot Area, four (4) bedrooms are permitted;
- b. for every additional bedroom over four (4) bedrooms, the Lot must be increased by 90 sq. m (968.7 sq. ft.).

**Section 21 is amended as follows:**

Insert Transitional Housing Facility under Permitted Uses as subsection 21.1.21; and Remove "NON-RESIDENTIAL" from section 21.2 REGULATIONS FOR PERMITTED NON-RESIDENTIAL USES

**Section 36.1.2 is amended as follows:**

Adding the term "Asphalt, Aggregate, Concrete Plant" under Permitted Uses.

**Appendix A: Definitions are amended and added as follows:**

Add definitions for:

**Asphalt, Aggregate, Concrete Plant** means a use where the production of asphalt, aggregate or concrete products take place and may include the stockpiling and storage and sale of finished products manufactured on the premises.

**Transitional Housing Facility** means a facility for the temporary placement of people until they can be placed in a more permanent residence and/or temporary placement of people to be reestablished into society after receiving supervised care/rehabilitation at a previous facility but does not include a Group Home, Lodging House, Nursing Home, Hotel, Motel or a Hostel; and

Amend the definitions of:

**Registry of Approved Secondary Suites to Secondary and Garden Suites Registry** means a publically accessible registry or list of Secondary and Garden Suites which have been legally approved through the Building and Development Permit process;

**Land Use Buffer** means a portion of any Lot or parcel of land that is set aside to serve as a visual and spatial separation through the use of a landscaped berm, trees or a man-made feature such as a wall, fence, or walkway between a specified land use that is carried out on the Lot and a different land use that is carried out on the adjacent Lot;

**Landscaped Area** means a portion of a Lot which is not used for Buildings or Structures, Parking Spaces or a driveway, and which shall contain a combination of trees, shrubs, flowers, grasses or other horticultural elements, decorative stonework, pavers, screening or elements, all of which are designed to enhance the visual amenity of a property or to provide an amenity for common use by the occupants of a Building.

#### **APPENDIX I: LANDSCAPE STANDARDS & SPECIFICATIONS is added as follows:**

New planting sites for trees must meet the following criteria:

On major arterial streets planting sites will be setback the recommended distance of 4m from the curb. When this cannot be achieved planting sites may be added up to the minimum setback of 2m on major arterial streets and 1.5m on minor arterial streets.

Large statures trees cannot be placed underneath existing utility transmission lines.

Plantings should not impede sight lines or create a visibility hazard.

Plantings should be near the City property line. If room allows, trees can be planted on public property but must follow the setbacks outlined below.

#### Tree Sizing Requirements

Caliper range: 50-75mm

Root ball size: 70-90cm

#### Setback for trees:

Streets, lanes and sidewalks – 1m

Fire hydrants - 3m

Electrical boxes on ground – 2m

Sewer/water grates – 2m

Surface utility equipment – 3m

Underground services – 3m

Private approaches – 3m

Light poles and poles with transformer boxes in residential areas - 6-8m

Bus stops - 8-10m from the approach direction

Stop signs - 8-10m

Light poles and poles with transformer boxes on arterial roads - 10m

Signal regulated street intersections - 10-15m

#### Setback for Shrubs:

Surface utility equipment – 0.5m

Streets, lanes and sidewalks – 1m



These plants have been identified by the PEI Invasive Species Council as invasive and should not be planted on properties within the City of Charlottetown:

Species List:

Norway maple, *Acer platanoides*

Manitoba maple, *Acer negundo*

Sycamore maple, *Acer pseudoplatanus*

Scots (Scotch) pine, *Pinus sylvestris*

Silver (White) poplar, *Populus alba*

European mountain ash, *Sorbus aucuparia*

Sycamore maple, *Acer pseudoplatanus*

White fringe tree, *Chionanthus virginicus*, is also a host to emerald ash borer (EAB). Avoid planting to help combat EAB.

Glossy buckthorn, *Frangula alnus*, *Rhamnus frangula*

Common buckthorn, *Rhamnus cathartica*

Blackthorn, *Prunus spinosa*

Scotch broom, *Cytisus scoparius*, *Sarothamnus scoparius*

Salt cedar (Tamarisk), *Tamarix spp.*

Oriental bittersweet, *Celastrus orbiculatus*

Virginia creeper, *Parthenocissus quinquefolia*, *Parthenocissus vitacea*

Multiflora rose, *Rosa multiflora*

Species of Note

*Ribes spp.* (currants and gooseberries) can be the secondary host for white pine blister rust which is a devastating disease for white pine trees.

*Berberis spp.* (barberry) can be an alternate host for stem rust of wheat.

American elms, *Ulmus americana*, are susceptible to Dutch elm disease (DED). Cultivars and hybrids have been developed that are resistant to DED and are good alternatives to native elm trees.

All true ash trees are susceptible to emerald ash borer (EAB). There are two ash species native to Prince Edward Island – white ash, *Fraxinus americana* and black ash, *Fraxinus nigra*. Choose

alternate species to plant. If planting native ash trees, also plant a variety of other species to increase biodiversity.

### **BACKGROUND / ANALYSIS:**

The City of Charlottetown Planning & Heritage Department had recently hired Dv8 Consulting to develop a new Zoning & Development By-law which was implemented by the City on October 1, 2018. Zoning & Development By-laws in their nature are fluid documents with amendments required on a frequent basis in order to respond to the Departmental requirements. Since the adoption of the Zoning & Development By-law on October 1, 2018 it has been determined that some sections were removed relating to regulations pertaining to undersized lots, landscaping requirements for major developments and siting requirements for Lodging and Group Homes. The proposed amendments helps to further clarify how to regulate these uses when they come up for review. Additional amendments consist of general housekeeping items that involve corrections to text and Bylaw references.

#### Housekeeping Amendments

The purpose of the housekeeping amendments is to make corrections to references and update previous regulations that have been altered or changed. Some changes relate to references for the appointment or recommendation of committees residing with Council as per the recent changes to the Municipal Government Act (MGA). Other references to the Secondary Suite Registry relate to the inclusion of Garden Suites. The other housekeeping amendments are to recognize as-of-right development for undersized lot(s) in the City and include lot siting regulations for both Lodging Houses and Group Homes since these regulations were removed from the last major By-law amendment.

#### New Permitted Uses and Regulations Amendments

Recently, the department has received either inquiries or applications for two different land uses that are not specifically defined in the Zoning & Development; Asphalt Plant and Transitional Housing Facility. The analysis for each use is as follows:

Asphalt, Aggregate, Concrete Plant is proposed as both a definition and permitted use in the Heavy Industrial (M-2) Zone. Historically, the City has approved such a use through the Discretionary use

approval process that has been removed from the existing By-law. Due to substantial land use impacts this use can have on adjacent properties (i.e. noise, odour, dust), staff is bringing this type of land use forward to Council for direction to determine if it should be included as a permitted use in the Heavy Industrial (M-2) Zone. If so, then staff is also bringing forward Environmental Impact Assessment requirements for land uses that could potentially present a nuisance or could have a negative environmental impact. These requirements are based on those regulations set out in the provincial *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9 for developments that may cause the emission or discharge of contaminants that would have a significant effect on the environment. The purpose of this requirement is to ensure that the proposed development operations were analyzed under an Environmental Impact Assessment to the satisfaction of either the Federal or Provincial agency having jurisdiction. This is to ensure that the proposed development is operating under all applicable government environmental regulations and will not have a detrimental impact on adjacent properties.

Transitional Housing Facility is proposed as both a definition and permitted use in the Institutional (I) Zone. Recently, the Provincial government has received funding to construct dwelling units to temporarily house vulnerable segments of the population. This land use is unique in that it provides rotating accommodation for people from a state of homelessness or who resided in a facility that received supervised care and will transition to independent living. Given the nature of transitional housing, staff feels that this type of use would be best accommodated in the Institutional Zone where other community based residential uses are permitted.

#### Landscaping Requirement Amendments

Staff is proposing Landscaping requirements for multi-residential, commercial, business industrial and institutional type developments. This is to bolster and support community beautification through the provision of trees, ornamental planting beds and hard landscaping (decorative stonework) for larger more intensive developments. These requirements also support other City initiatives and plans such as the Integrated Sustainability Plan, Parks Master Plan and enhance the existing urban forest/tree canopy. Some benefits from landscaping include the following:

- i) Reduction of air pollution and provide oxygen;
- ii) Reduction of the urban heat island effect and reduce the temperature of cities that assist with the effects of climate change;
- iii) Improve water filtration, store water and help preserve biodiversity;
- iv) Increase property values;

- v) Create attractive business/commercial districts; and
- vi) Improve a visitor's perception of the community;

The landscaping regulations seek to enhance existing landscaping throughout the City, provide standardized siting requirements for landscaping and restrict the planting of invasive species. There is also a landscaping deposit requirement where developers submit a financial security to the City that would be returned if the required landscaping work is completed as per the final approved site plan. If the developer does not install the required landscaping they will forfeit their deposit and the money will go into a City tree fund which will be used for the planting of trees in public space. The remainder of the proposed landscaped amendments consist of providing additional landscaping within land use buffer areas for enhanced mitigation and visual appeal.

#### LEGISLATIVE REQUIREMENTS:

##### *Notification*

If the proposed amendment to the Zoning & Development By-law is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4.c of the Zoning & Development By-law.

#### CONCLUSION:

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments, be approved to proceed to public consultation.

PRESENTER:




Robert Zilke, MCIP  
Planner II

MANAGER:



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

<b>TITLE:</b> <b>CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE  REGISTRATION BY-LAW</b> <b>FILE: PLAN-2019-4-MARCH- 6C-9</b>		
<b>MEETING DATE:</b> March 4, 2019		<b>Page 1 of 2</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A) City of Charlottetown Secondary and Garden Suite Registration By-law	

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council that the proposed Secondary and Garden Suite Registration By-law, be approved to proceed to public consultation.

**BACKGROUND:**

In the fall of 2018, Council adopted amendments to the Zoning & Development By-law that would permit secondary suites in single-detached dwellings. As part of those amendments Council directed staff to develop and implement a Secondary Suite Registry (The Registry) that would become a public database of legally approved secondary suites in the City of Charlottetown.

Since that time staff is also proposing to include garden suites on the Registry, since they operate and are similar in nature from a land use perspective – providing a secondary residential use on a property. The Registry will also inform and support a future strategy to track and implement regulations relating to short-term rentals.

**ANALYSIS:**

The Registry is intended to give owners or principle residents a “stamp of approval” that can be easily verified by tenants and prospective purchasers of properties with suites. Once the suite is approved, the onus of ensuring the basic conditions of approval are in place and maintained at all times during occupancy will be on the owner or principle resident. It also makes it easier for an enforcement officer to identify potentially illegal suites. The suites can be identified with a unique civic address (#a = main dwelling; #b = secondary or garden suite) thereby improving emergency response services to the property, inform additional services such as refuse bins to the units and provides confirmation to the Province that property owners are paying their required taxes.

The Registry is considered as a necessary part of a strategy to legalize existing accessory dwelling units that may or may not require upgrades to meet the By-law and Building/Fire Code requirements. New suites that go through the permit process are expected to be added to the Registry systematically as those permits are approved. A transition or grace period of two (2) years will be provided to allow property owners with illegal suites to make an application to legalize and register undocumented suites without repercussions. To incentivize owners to register existing in-law suites or undocumented suites, the department will waive certain registration fees (up to January 1<sup>st</sup> 2021) for the following situations:

- i) In-law suites or non-conforming suites approved since July 10, 2011 (adoption of the 2010 National Building Code) will be exempted from the registration fee; and
- ii) In-law suites or non-conforming suites prior to July 10, 2011 will be exempted from the registration fee and the inspection fee will be decreased by 50%.

After the end of the grace period any suite that is undocumented would be subject to full registration fees and an inspection. The intention is to have both existing and new suites be registered with the City and made available to the general public.

**LEGISLATIVE REQUIREMENTS:**

***Notification***

If the proposed amendment to the Zoning & Development By-law is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4.c of the Zoning & Development By-law.

**CONCLUSION:**

The Planning & Heritage Department recommends that the proposed Secondary and Garden Suite Registration By-law, be approved to proceed to public consultation.

**PRESENTER:**



Robert Zilke, MCIP  
Planner II

**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

BEING A BY-LAW OF THE CITY OF CHARLOTTETOWN WITH RESPECT TO THE REGISTRATION OF SECONDARY AND GARDEN SUITES PURSUANT TO THE PROVISIONS OF THE *MUNICIPAL GOVERNMENT ACT* R.S.P.E.I. 1988, CAP. M-12.1.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF CHARLOTTETOWN AS FOLLOWS:

## **1 TITLE AND AUTHORITY**

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- 1.1.1 This by-law may be cited as the *City of Charlottetown Secondary and Garden Suites Registration By-law (By-law PH-SS.1-000)* and may also be referred to as the 'Secondary Suites By-law' or 'the by-law' within the context of this document.
- 1.1.2 This by-law is enacted under the authority of the *Municipal Government Act (MGA)* R.S.P.E.I. 1988, Cap. M-12.1.

## **2 SCOPE**

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- 2.1.1 This by-law applies to all lands, buildings, structures and Developments within the City on which a Secondary or Garden Suite has been established.
- 2.1.2 Every person who establishes, operates or permits the occupancy of a legally existing or new Secondary or Garden Suite shall register the Secondary or Garden Suite in accordance with this by-law.
- 2.1.3 This by-law prescribes the:
- a. Provisions for the registration of a Secondary or Garden Suite; and
  - b. Provisions for revoking the registration of a Secondary or Garden Suite.
- 2.1.4 Nothing in this by-law shall relieve any person from the obligation to comply with the requirements of any other by-law of the City in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any by-law of the City, or statute or regulation of the Province of Prince Edward Island or the Government of Canada.

## **3 ADMINISTRATION**

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- 3.1.1 Council shall appoint a Registrar who shall administer this by-law.
- 3.1.2 The Registrar has the authority to register, to refuse to register or to revoke a registration of a Secondary or Garden Suite.
- 3.1.3 The Registrar may delegate any responsibilities conferred to the Registrar to a designee according to this by-law.

## **4 EXISTING DWELLING UNITS**

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### **4.1 IN-LAW SUITES**

- 4.1.1 An In-law Suite which is lawfully in existence on the effective date of this by-law and which may not conform to the regulations pertaining to the Development, use, or occupancy of a Secondary Suite, may continue to exist.
- 4.1.2 All conditions as stated on the Building and/or Development Permit, and in the In-law Suite Agreement shall remain in effect and the In-law Suite shall be removed from the Dwelling when the named resident of the In-law Suite ceases to live there.
- 4.1.3 In-law Suites will not be included in the Registry of Secondary Suites unless an application is made and approved to register the In-law Suite as a Secondary Suite.

### **4.2 LEGAL NON-CONFORMING UNITS IN A SINGLE-DETACHED DWELLING**

- 4.2.1 A subordinate Dwelling unit which is lawfully in existence on the effective date of this by-law and which may not conform to the regulations pertaining to the Development, use or occupancy of a Secondary Suite, may continue to exist.
- 4.2.2 Legal non-conforming units will not be included in the City's Registry of Secondary Suites unless an application is made and approved to register the unit as a Secondary Suite.

## **5 REGISTRATION APPLICATION**

---

### **5.1 THE APPLICANT**

- 5.1.1 An application to register a Secondary or Garden Suite shall be made by the Owner of the property using the appropriate form provided by the Registrar.
- 5.1.2 If the Owner is not the Principle Resident of the of the Secondary Suite:
  - a. Both the Owner and Principle Resident shall be required to authorize the application to register the Secondary or Garden Suite; and
  - b. The Principle Resident shall be responsible for overseeing the use and occupancy of the Secondary or Garden Suite and shall be identified as the primary contact on the property in relation to the Registry.

### **5.2 REGISTRATION OF EXISTING DWELLING UNITS**

- 5.2.1 An In-law Suite in a Single-Detached Dwelling, for which a Building and/or Development Permit and Occupancy Permit has been issued since July 10 2011, may be registered as a Secondary Suite based on the previously approved Building and/or Development Permit and Occupancy Permit.



- 5.2.2 An In-law Suite or legal non-conforming unit, which was lawfully in existence prior to July 10 2011, may be registered as a Secondary Suite through the same application process as described for a new Secondary Suite.
- 5.2.3 An application to register an In-law Suite or Legal Non-Conforming Unit for which a Building and/or Development Permit and Occupancy Permit has been issued since July 10 2011, shall be submitted with the following information:
- a. A completed Secondary Suite Registration Form;
  - b. A copy of the previously approved Building and/or Development Permit and Occupancy Permit verifying the date of the permit approval for the In-law Suite or Legal Non-conforming Unit;
  - c. Payment of all required fees.
- 5.2.4 Where copies of the previously approved Building and/or Development Permit and Occupancy Permit for the In-law Suite or legal non-conforming unit are not available, the Owner may make application to the City of Charlottetown Planning and Heritage Department for a records search and additional fee shall apply accordingly.

### **5.3 NEW SECONDARY OR GARDEN SUITES**

- 5.3.1 An application to register a new Secondary or Garden Suite shall be made at the same time as the Building and/or Development Permit application and shall be submitted with the following:
- a. A completed Secondary Suite Registration Form;
  - b. Payment of all required fees.
- 5.3.2 The new Secondary or Garden Suite will be registered upon approval of the Building and/or Development Permit and issuance of the Occupancy Permit.

### **5.4 APPLICATION REVIEW**

- 5.4.1 The Registrar or their designate shall receive, process and review all applications to register a Secondary or Garden Suite.
- 5.4.2 The Registrar or their designate shall maintain a record showing all applications received, pending, approved, and registrations renewed or revoked, in order to create and maintain the Registry.
- 5.4.3 The Registrar shall refuse to register a Secondary or Garden Suite if:
- a. The application to register an Secondary Suite is not compliant with the requirements of this by-law; or
  - b. An application form or any other document provided by the Owner contains a false statement or false information.
- 5.4.4 The Owner bears the onus of proving that a Secondary or Garden Suite meets the requirements of this by-law to the Registrar's satisfaction.

- 5.4.5 The Registrar may deem an application abandoned if all requirements of the registration pursuant to this by-law have not been fulfilled to the Registrar's satisfaction three (3) months from the date that the Registrar receives the application.
- 5.4.6 An Owner may re-apply for registration when an application has been deemed abandoned.
- 5.4.7 All notices with regards to the status of the application and revoking of a registration of a Secondary or Garden Suite shall be sent to both the Owner and the Principle Resident if they are not the same person, as identified on the application form.

## 6 REVOKING A REGISTRATION

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- 6.1.1 The Owner bears the onus of providing updated information as necessary to maintain the registration of the Secondary Suite in good standings to the Registrar's satisfaction.
- 6.1.2 The Registrar shall revoke the registration of a Secondary or Garden Suite if:
  - a. A Secondary or Garden Suite is found to be in violation of this or any other by-law;
  - b. An Owner fails to renew the registration of a Secondary Suite after taking ownership of the property;
  - c. An Owner fails to renew the registration when there is a change in the Principle Resident, if they are not the same person;
  - d. If the Secondary or Garden Suite is being used as a short-term rental; or
  - e. The information contained in the application or any other document provided by the Owner is found to contain a false statement, false information or the information previously provided is no longer accurate.
- 6.1.3 If the registration of a Secondary or Garden Suite is revoked, the Registrar may order that the Secondary or Garden Suite shall not be occupied as a secondary suite, in accordance with the *Municipal Government Act (MGA – Part 9 Section 238)* until the renewal application is approved.

## 7 REGISTRATION RENEWAL

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- 7.1.1 Once a Secondary or Garden Suite has been registered according to this by-law, the Suite shall remain registered unless:
  - a. The registration is revoked;
  - b. The Property Ownership changes; or
  - c. The Principle Resident changes.
- 7.1.2 If the registration of a Secondary Suite has been revoked due to non-compliance with regards to a violation in the *Zoning and Development By-law* and/or *Building Code By-law*, the registration renewal shall also require a copy of a new Occupancy Permit to confirm the violation has been addressed prior to the renewal being approved.

## 8 FEES

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### 8.1 REGISTRATION, INSPECTION AND RENEWAL FEES

8.1.1 The City shall collect registration fees for the administration of the application process and ongoing maintenance and upkeep of the Registry as follows:

a.	Registration of an existing In-law Suite or Legal Non-conforming Unit approved since July 10, 2011	\$100 (waived until Dec 31, 2020)
b.	Registration of a new Secondary Suite	\$ 100 (does not include fees pursuant to the <i>Zoning and Development By-law Fee Schedule</i> )
c.	Building and/or Development Permit and Residential Inspection	As per <i>Zoning and Development By-law Fee Schedule</i>
d.	Registration Renewal	\$50
e.	Re-inspection of Secondary Suite	\$200 (\$100 until Dec 31, 2020)

## 9 BY-LAW ENFORCEMENT, PENALTIES AND APPEAL

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9.1.1 By-law enforcement may be undertaken by the City in accordance with the *Municipal Government Act. (MGA – Part 9)*

9.1.2 A person who, being the Owner or occupant of any land, Building, or Structure to which this by-law applies:

- a. Fails to register a Secondary or Garden Suite;
- b. Permits an unregistered Secondary or Garden Suite to be occupied; or
- c. Alters a Secondary or Garden Suite in any way that violates this or any other by-law without first seeking the necessary permit approvals and a registration renewal;
- d. Uses the Secondary or Garden Suite as a short-term rental.

is guilty of an offence of this by-law.

Attachment A - 6  
City of Charlottetown Secondary Suites Registration By-law

- 9.1.3 A person who is guilty of an offence of this by-law is liable on summary conviction to:
- a. a fine in an amount
    - i. not less than \$200 and not more than \$10000, and
    - ii. an additional fine in an amount not less than \$500 and not more than \$2,500 for each day or part of a day on which the offence continues after the first day;
  - b. imprisonment for up to one year; or
  - c. both a fine in accordance with clause (a) and imprisonment in accordance with clause (b).  
*(MGA – Section 234)*
- 9.1.4 When an offence under this by-law is committed or continued for more than one (1) day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed or continued. *(MGA – Section 234 (3))*
- 9.1.5 A person who is dissatisfied with the administration or an order issued by an employee of the City under this by-law may appeal the decision or order to council. *(MGA – Section 239)*
- 9.1.6 A person who is appealing a decision to council made under this by-law must submit a written statement outlining the reason for appeal. *(MGA – Section 239 (2))*

## 10 DEFINITIONS AND INTERPRETATION

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### 10.1.1 For the purposes of this by-law:

- a. **Building and/or Development Permit** means an official document giving authorization to proceed with a proposed action as regulated under the Zoning and Development By-law (2018-11) and/or Building Code By-law.
- b. **Building Code By-law** means the *City of Charlottetown Building Code By-law (2018-##)*.
- c. **City** means the City of Charlottetown;
- d. **Council** means the duly elected Mayor and Councilors of the City.
- e. **Development** means a change in the use of land, building, structure or sign for any purpose, and shall include the carrying out of any building, engineering, construction, or other operation in, on, over, or under land and water; or the construction, addition, erection or alteration of any building, structure or sign.
- f. **Dwelling** means a building or portion thereof used for residential occupancy.
- g. **Garden Suite** means a self-contained Dwelling Unit that is located in the Rear Yard of a Single-Detached Dwelling.
- h. **In-law Suite** means a legal non-conforming use, similar to a Secondary Suite but with specific regulations pertaining to who is permitted to live within the subordinate Dwelling Unit and a requirement that it is to be removed from the Single Detached Dwelling when the named individual no longer lives there.
- i. **MGA** means the *Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1* of the Province of Prince Edward Island.
- j. **Occupancy Permit** means an Occupancy Permit as required and/or obtained pursuant to the *City's Zoning and Development By-law*.
- k. **Owner** means a person who legally owns a lot and is a registered land Owner; or an executor, administrator, trustee, agent, or other person managing the subject lot or building for the registered land Owner.
- l. **Principle Resident** means the individual who resides within a Dwelling and who lives, makes their home and conducts their daily affairs within this Dwelling, including, without limitation, paying bills and receiving mail, and is generally the Dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills.
- m. **Registrar** means the person appointed by Council to administer this by-law and unless otherwise appointed shall be the City's Manager of Planning and Heritage;

Attachment A - 8  
City of Charlottetown Secondary Suites Registration By-law

- n. **Registry, or Registry of Secondary Suites** means a publically accessible Registry or list of Secondary Suites which have been reviewed by the City and approved based on conformance with the Zoning and Development and Building Code By-law regulations as well as other best practices for supporting safe and affordable housing.
  - o. **Secondary Suite** means a subordinate Dwelling unit located within a Single-Detached Dwelling.
  - p. **Short-term Rental** means the rental of a dwelling unit or a portion of a dwelling unit (including a Secondary Suite within a dwelling) for a period of less than 30 consecutive days. **Single-Detached Dwelling** means a building which is a completely detached Dwelling unit, and whose main walls have a minimum width of not less than 5.5 m (18 ft).
  - q. **Zoning and Development By-law** means the *City of Charlottetown Zoning and Development By-law (2018-11)*.
- 10.1.2 In this by-law words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular, all as the context allows; and the word 'shall' is mandatory and is not permissive.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning & Heritage  
Committee #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

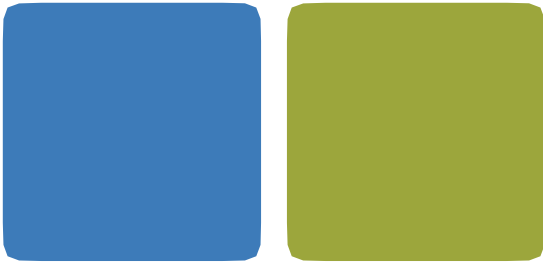
### **BE IT RESOLVED:**

**That the City of Charlottetown cease utilizing the Canadian Radio Information Network Service (CRINS) to process telecommunication tower applications, be approved. Moreover, the Mayor and the CAO of the City be authorized to write to CRINS thanking them for their service to date and indicating that their services will no longer be required.**

**And further, that the City adopt the FCM telecommunication tower protocol as attached, be approved.**

City of CHARLOTTETOWN

Antenna System  
Siting Protocol



March 5th, 2019







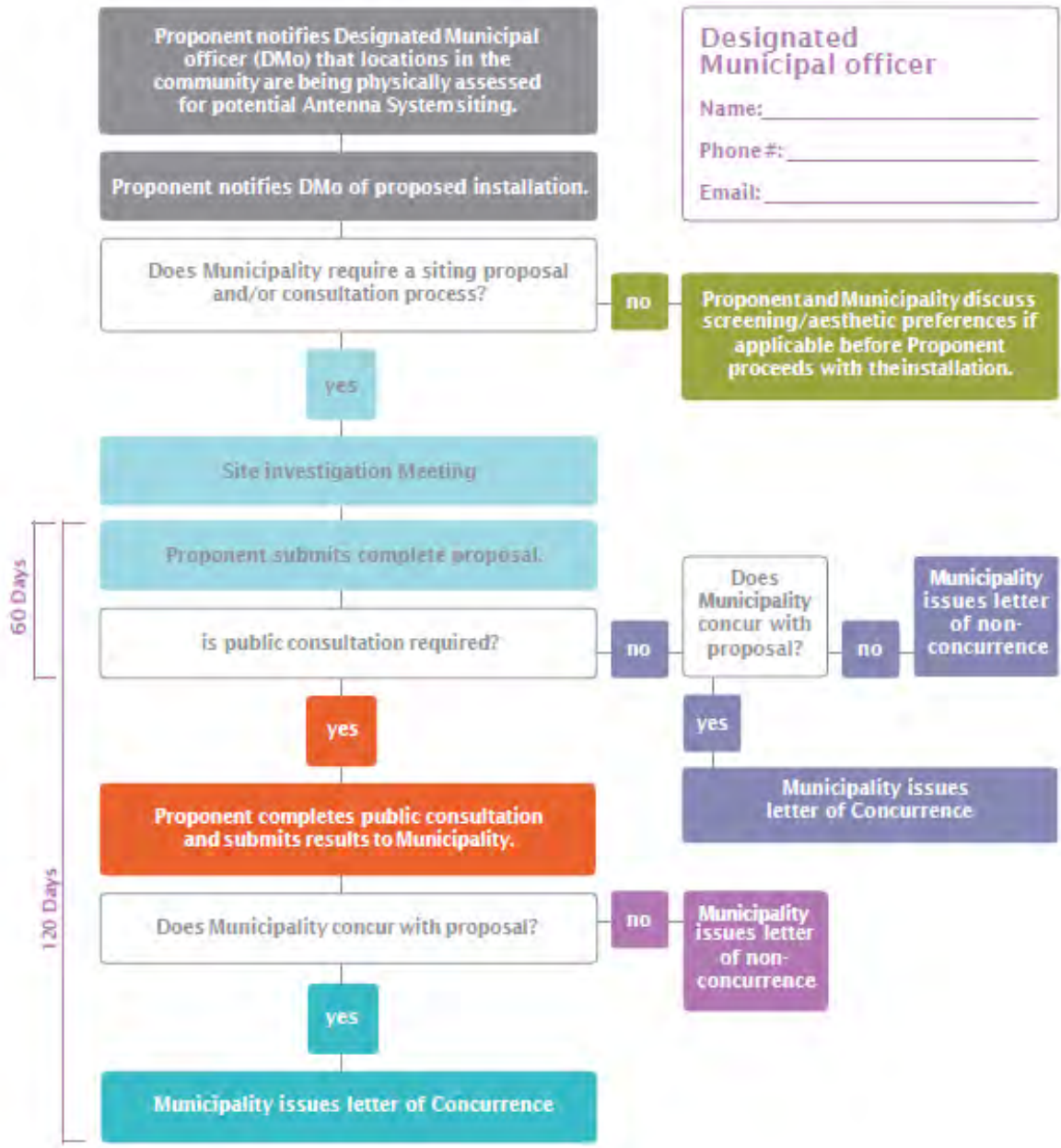
**March 5th, 2019**



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## Antenna System Siting Process Flowchart





# Objectives

The objectives of this Protocol are:

- (1) To establish a siting and consultation process that is harmonized with Industry Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* for reviewing land use issues associated with Antenna System siting proposals;
- (2) To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
  - a. minimize the number of new antenna sites by encouraging co-location;
  - b. encourage designs that integrate with the surrounding land use and public realm;
  - c. establish when local public consultation is required; and
  - d. allow Industry Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the municipality at an early stage in the process.
- (3) To provide an expeditious review process for Antenna System siting proposals;
- (4) To establish a local land use consultation framework that ensures the Municipality and members of the public contribute local knowledge that facilitates and influences the siting, location, development and design (including aesthetics) – of Antenna Systems within municipal boundaries;
- (5) To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the Municipality; and
- (6) To provide the Municipality with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Municipality to Industry Canada at the end of the process.



## Jurisdiction and Roles

**INDUSTRY CANADA:** under the *Radiocommunication Act*, the Minister of Industry has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of Antenna Systems is made only by Industry Canada. In June 2014, Industry Canada issued an update to its *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC2-0-03)* which outlines the process that must be followed by Proponents seeking to install or modify Antenna Systems, effective July 15, 2014.<sup>1</sup>

Industry Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with the Municipality (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. Industry Canada also published a *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* in January 2008, stating that it “considers that the municipality’s and local residents’ questions, comments and concerns are important elements to be considered by a Proponent seeking to install, or make modifications to, an antenna system.” the CPC also establishes a dispute resolution process to be used where the Proponent and Municipality have reached an impasse.

**ROLE OF THE MUNICIPALITY:** The ultimate role of the Municipality is to issue a statement of concurrence or non-concurrence to the Proponent and to Industry Canada. The statement considers the land use compatibility of the Antenna System, the responses of the affected residents and the Proponent’s adherence to this Protocol. The Municipality also guides and facilitates the siting process by:

- **Communicating** to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- **Developing the design guidelines** for Antenna Systems contained in Section 6 of this Protocol; and
- **Establishing** a community consultation process, where warranted.

<sup>1</sup> For additional information regarding Industry Canada’s mandate and the application of its authority in the wireless telecommunications process, please consult Industry Canada’s Spectrum management and telecommunications Sector at <http://ic.gc.ca/spectrum>.



By working with Proponents throughout the siting process, beginning with preliminary notification and the site investigation meeting, the Municipality seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

**ROLE OF THE PROPONENT:** Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements in response to public demand. Throughout the siting process, Proponents must adhere to the antenna siting guidelines in the CPC, including:

- Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*);
- Contacting the municipality to determine local requirements regarding Antenna Systems; and
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

**OTHER FEDERAL LEGISLATION:** Proponents additionally must comply with the following federal legislation and/or regulations, where warranted:

- Health Canada's Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ - Safety Code 6 (2009);<sup>2</sup>
- The *Canadian Environmental Assessment Act*; and
- NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety.

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<sup>2</sup> The Municipality does not assess any submission for an Antenna System with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (Safety code 6) should be directed to Health Canada on-line at [healthCanada.gc.ca](http://healthCanada.gc.ca) and to the Proponent's representative.



## Definitions

**ANTENNA SYSTEM:** an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol most commonly refers to the following two types of Antenna Systems:

1. **Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems;
2. **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing non-tower structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

**CO-LOCATION:** the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.

**DESIGNATED MUNICIPAL OFFICER (AND HIS OR HER DESIGNATE):** the municipal staff member(s) tasked with receiving, evaluating and processing submissions for telecommunication Antenna Systems. The Designated Municipal Officer's name and contact information is provided in the Antenna System Siting Flowchart provided in this protocol.



**ELECTED MUNICIPAL OFFICIAL:** the political leader of the demarcated area of the municipality (e.g. ward) in which the Antenna System is proposed.

**HERITAGE STRUCTURE/AREA:** buildings and structures (e.g. monuments) or areas/ neighbourhoods with a heritage designation or deemed to have heritage significance by the municipality.

**MUNICIPAL DEPARTMENTS:** branches of municipal government that administer public services and are operated by city staff.

**OTHER AGENCIES:** bodies (e.g. boards or commissions) that administer public services but are not operated or staffed by the municipality.

**PRESCRIBED DISTANCE:** a distance equal to three times the tower height<sup>3</sup>, measured horizontally from the outside perimeter of the supporting structure of the proposed Freestanding or building/Structure-mounted Antenna System. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc.<sup>3</sup>

**PROPONENT:** a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers and third-party tower owners) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.<sup>4</sup>

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<sup>3</sup> Industry Canada recommends in the CPC a distance of three times the height of the proposed tower. The CPC also states that "Proponents are advised that municipalities may set reasonable public notification distances appropriate for their communities when establishing their own protocols."

<sup>4</sup> While the best practices established in this Protocol reflect an agreement between FCM and the telecommunications industry as represented by the CWTA, the CPC applies to "anyone who is planning to install or modify an antenna system regardless of type. This includes telecommunications carriers, businesses, governments, crown agencies, operators of broadcasting undertakings and the public (including for amateur radio operation and over-the-air tv reception)." For applications from other proponents (i.e. not telecommunications carriers or third parties operating on behalf of telecommunications carriers), the Municipality will apply this Protocol.





## Excluded Structures

This section outlines the criteria for identifying Antenna Systems excluded from the consultation process by Industry Canada, the need to consider local circumstances for all exempt structures, and the process for Proponents to notify and discuss proposed exempt structures with the municipality.

### **4.1 EXEMPTIONS FROM ANTENNA SYSTEM SITING PROPOSAL REVIEW AND PUBLIC CONSULTATION**

For the following types of installations, Proponents are generally excluded by Industry Canada from the requirement to consult with the municipality and the public, but must still fulfill the general requirements outlined in Section 7 of the CPC:

- (1) New Freestanding Antenna Systems: where the height is less than 15 metres above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners;
- (2) Existing Freestanding Antenna Systems: where modifications are made, antennas added or the tower replaced<sup>5</sup>, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation<sup>6</sup>. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to Antenna Systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;

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<sup>5</sup> The exclusion for the replacement of existing Freestanding Antenna Systems applies to replacements that are similar to the original design and location.

<sup>6</sup> Initial Antenna System installation refers to the system as it was first consulted on, or installed.



- (3) Building/Structure-Mounted Antenna System: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%;
- (4) Temporary Antenna Systems: used for special events or emergency operations and must be removed within three months after the start of the emergency or special event; and
- (5) No consultation is required prior to performing maintenance on an existing antenna system.

The CPC also states that: individual circumstances vary with each Antenna System installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the Proponents to consult the Municipality and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, Proponents should consider such things as:

- the Antenna System's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location of the proposed Antenna System on the property and its proximity to neighbouring residents and areas where the siting of new antenna systems are discouraged; and
- Transport Canada marking and lighting requirements for the proposed structure.



## 4.2 NOTIFICATION AND MUNICIPAL REVIEW OF EXEMPT ANTENNA SYSTEMS

Notwithstanding Industry Canada's exemption criteria for certain Antenna Systems, municipalities should be informed of all new Antenna System installations within their boundaries so they can:

- be prepared to respond to public inquiries once construction/installation has begun;
- be aware of site co-location within the Municipality;
- maintain records to refer to in the event of future modifications and additions; and
- engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure prior to the Proponent confirming a final design.

Therefore, Proponents are required to undertake the following steps for **all exempt Antenna System installations before commencing construction**.

### 4.2.1 Building/Structure-Mounted Antenna Systems:

The Proponent will in all cases provide the following information for all new Antenna Systems or modifications<sup>7</sup> to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard, and which are exempted from public consultation in Section 4.1(3):

- (1) the location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);
- (2) description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 6;
- (3) the height of the Antenna System;
- (4) the height of any modifications to existing systems.

The Municipality may notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 6 and the parties will work towards a mutually agreeable solution.

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<sup>7</sup> Notification is required for modifications that materially or noticeably changed the appearance of the system. Maintenance works that do not result in such changes are excluded from the notification requirement.



#### **4.2.2 Additions that Increase the Height of Freestanding Antenna Systems:**

The Proponent will confirm to the Municipality that an addition that extends the height of an existing Freestanding Antenna System as defined in Section 4.1(2), meets the exclusion criteria in Section 4.1 by providing the following:

- (1) the location, including its address and location on the lot or structure;
- (2) a short summary of the proposed addition including a preliminary set of drawings or visual rendering of the proposed system; and
- (3) a description of how the proposal meets one of the Section 4.1 exclusion criteria.

The municipality will review the documentation and will contact the Proponent where there is a site-specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 6 of this Protocol. In such cases, the Municipality and the Proponent will work toward a mutually agreeable solution, which may include the Municipality requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Sections 5, 7 and 8 of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

#### **4.3 ADDITIONAL EXEMPTIONS**

The Municipality may exclude from all or part of the consultation process any antenna system installation in addition to Industry Canada's basic exemptions listed in subsection 4.1.

- (1) The municipality may additionally, on a case-by-case basis, exempt a Proponent from all or part of the consultation requirements under Section 8 of this Protocol.<sup>8</sup> For example, exemptions may be granted where the proposed location is separated from a residential area or Heritage Structure/Area by a highway or major collector roadway, and/or is buffered by substantial tree cover, topography, or buildings.

#### **4.4 SITING ON MUNICIPAL-OWNED PROPERTIES**

Any request to install an Antenna System on lands owned by the Municipality shall be made to the Property Manager for the Municipality.<sup>9</sup>

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<sup>8</sup> The Municipality may decide to exclude certain proposals from the requirement to hold a public meeting, but not from issuing a public notification to affected property owners/tenants within the Prescribed Distance.

<sup>9</sup> Existing municipal procedures related to the leasing/selling of municipal-owned land to third parties may necessitate a consultation process irrespective of whether an exemption is provided under this Protocol.



## Pre-consultation with the Municipality

Pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the Proponent is committed to a site or design. As a result it represents the best opportunity to influence the siting decision since the Proponent will more likely become committed to a site once the detailed engineering has been completed. While a discussion of submission requirements is appropriate the proposal will benefit most from early direction on matters of siting and design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for exempt and non-exempt structures.

Prior to submitting an Antenna System proposal that does not meet any of the exemptions listed in Section 4.1 the Proponent will undertake the following preliminary consultations with the Municipality.

### **5.1 NOTIFICATION**

Proponents will notify the Designated Municipal Officer that locations in the community are being physically assessed for potential Antenna System siting.

### **5.2 SITE INVESTIGATION MEETING WITH MUNICIPALITY**

Prior to submitting an Antenna System siting proposal, the Proponent will initiate a site investigation meeting with the Municipality.

The purpose of the site investigation meeting is to:

- identify preliminary issues of concern;
- identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- guide the content of the proposal submission; and
- identify the need for discussions with any Municipal Departments and other agencies as deemed necessary by the Designated Municipal Officer.

Where the Municipality has an initial concern with the proposed siting of the proposal they will make known to the Proponent alternative locations within the Proponent's search area for consideration.



The Proponent will bring the following information to the site investigation meeting<sup>10</sup>:

- (1) the proposed location;
- (2) potential alternative locations;
- (3) the type and height of the proposed Antenna System; and
- (4) preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and
- (5) documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal.

If desired by both the Proponent and the Municipality, multiple Antenna System siting proposals may be reviewed at a site investigation meeting.

### **5.3 CONFIRMATION OF MUNICIPAL PREFERENCES AND REQUIREMENTS**

Following the site investigation meeting, municipal staff will provide the Proponent with an information package that includes:

- (1) this Protocol, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection, co-location, installation, design and landscaping;
- (2) proposal submission requirements;
- (3) a list of plans and studies that may be required (i.e. environmental impact statements);
- (4) a list of Municipal Departments and other Agencies to be consulted; and
- (5) an indication of the Municipality's preferences regarding co-location for the site(s) under discussion.

To expedite the review of the proposal, the Proponent will review this information package before the proposal is submitted so that the interests of municipal departments are taken into account. The Proponent is encouraged to consult with affected departments as well as the local elected municipal official and/or Designated Municipal Officer, and adjacent municipalities within the Prescribed Distance<sup>11</sup>, before submitting the proposal.

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<sup>10</sup> Proponents may prefer to attend the site investigation meeting without some of the required documents – particularly preliminary drawings – if it is waiting on Municipality feedback before settling on a final location, structure height or design. This should be confirmed with the Municipality. Such documents will be required to be provided following the meeting and prior to the Municipality providing the Proponent with the information package.

<sup>11</sup> The CPC states that “there may be more than one land-use authority with an interest in the proposal. Where no established agreement exists between such land-use authorities, proponents must, as a minimum, contact the land-use authority(ies) and/or neighbouring land-use authorities located within a radius of three times the tower height, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater.”



# Development Guidelines

Antenna Systems should be sited and designed to respect local sensitivities and preferences as identified by the Municipality.

The Municipality has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- **Location, including Co-location; and**
- **Development and Design Preferences**

The Proponent should review the guidelines identified below as early as possible, and should attempt to resolve any outstanding issues prior to submitting its Antenna System siting proposal and undertaking the public consultation, where required by the Municipality. Because expressed preferences may be location- or site-specific, the Proponent is encouraged to discuss the guidelines fully with the Municipality at the site investigation meeting.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

## 6.1 LOCATION

Co-location:

Before submitting a proposal for an Antenna System on a new site, the Proponent must explore the following options:

- consider sharing an existing Antenna System, modifying or replacing a structure if necessary;
- locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards.



Where co-location on an existing Antenna System or structure is not possible, a new Antenna System should be designed with co-location capacity.

The municipality recognizes that the objective of promoting co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the Municipality intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The Proponent should, in all cases, verify the Municipality's site-specific design preferences during the pre-submission consultation process before investing in a final design or site.

#### **Preferred Locations:**

When new Antenna Systems must be constructed, ***where technically feasible***, the following locations are preferred:

- Locations that maximize the distance from a residential zone or residential use.
- Within Industrial Zones, Commercial Zones, Future Development Zone and Agricultural Zone.
- Mounted on buildings or existing structures within the City Centre area.
- Located in a manner that does not adversely impact view corridors or views and vistas of important natural or manmade features.
- As near as possible to similarly-scaled structures.
- Transportation and utility corridors.

#### **Discouraged Locations**

New Antenna Systems should avoid the following areas:

- Within Residential Zones or zones that permit dwelling units.
- Within the Park Zone or an Institutional Zone unless it is ancillary to a permitted use (e.g. those institutions that require telecommunications technology such as emergency services, hospitals, colleges and universities).
- Riverbank lands or ecologically significant natural lands.
- Sites of topographical prominence.
- Heritage Structures/Areas.

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<sup>15</sup> As part of inter-municipal processes, the Municipality may also request that the Proponent notify adjacent municipalities at greater distances, subject to review by the Municipality or at the request of the adjacent Municipality.





## 6.2 DEVELOPMENT AND DESIGN PREFERENCES

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings (e.g. residential, parkland, heritage district, etc.), including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features, and reduce the need for future facilities in the same area, where appropriate. The Municipality's preferred design and development preferences are described below.

The Municipality will identify to the Proponent which of the following development and design preferences are encouraged in the proposed location.

### Style and Colour:

- The architectural style of the Antenna System should be compatible with the surrounding neighbourhood and adjacent uses (example: monopole near a residential area or lattice-style in industrial areas).
- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.
- An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or clock tower, where appropriate, subject to any zoning approvals required for the landmark feature.
- In the City Centre area, the design of Antenna Systems should generally be unobtrusive and consistent with City Centre design guidelines.
- Towers and communication equipment should have a non-reflective surface.
- Special design treatments should be applied to Antenna Systems proposed to be located within parks and open space areas or on listed Heritage buildings and/or sites to make the system unobtrusive.
- Cable trays should generally not be run up the exterior faces of buildings.
- Antennas that extend above the top of a supporting utility pole or light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

### Buffering and Screening:

- Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments.
- A mix of deciduous and coniferous trees is preferred to provide year-round coverage.
- Where adjacent to a principal building, equipment shelters should be constructed of a material similar in appearance to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building.

**Structure:**

- Single operator loaded towers (i.e., monopoles) are encouraged.
- New structures in residential or high-traffic areas should consider multi-use design (street lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi etc.).
- Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on, in order to avoid visual clutter, and should be painted to match the wall colour for stealth.
- Facilities located on rooftops should be not be visible (to the extent possible) from the street.
- The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community.
- Pinwheel telecommunication antennas are discouraged.
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged.

**Height:**

- Height for a Freestanding Antenna System shall be measured from grade to the highest point on the structure, including lighting and supporting structures

**Yards, Parking and Access:**

- Adequate yards, to be determined on a site-by-site basis, should separate Antenna Systems from adjacent development without unduly affecting the development potential of the lot over the lease period.
- Parking spaces, where provided at each new Antenna System site, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards.

**Equipment Cabinets in Public Spaces<sup>12</sup>:**

- Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant.
- Cabinet dimensions shall be as minimal as possible.
- Cables and wires must be concealed or covered.

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<sup>12</sup> This section is intended to apply to mechanical equipment cabinets that are located in public spaces (e.g. at the bottom of a utility pole) and do not apply to cabinets that are located inside fenced in areas (e.g. in industrial areas or on rooftops).

**Signage and lighting:**

- Small owner identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
- No advertising sign or logo is permitted.
- Unless specifically required by transport Canada and/or NAV Canada, the display of any lighting is discouraged.
- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada.
- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

**Rooftop Equipment:**

- Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible, and painted to match the penthouse/building.



# Proposal Submission

For a proposed Antenna System, except for cases in which consultation is not required as per Sections 4.2 or 4.3, the Proponent will submit to the Municipality an Antenna System siting proposal and the applicable fee.

## 7.1 PROPOSAL SUBMISSION REQUIREMENTS

The Proponent must include the following information when submitting an Antenna System siting proposal:

- (1) a letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal;
- (2) visual rendering(s) of the proposed Antenna System superimposed on photos to scale;
- (3) a site plan showing the proposed development situated on the site;
- (4) a map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
- (5) for Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;<sup>13</sup>
- (6) confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
- (7) an attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
- (8) any other documentation as identified by the Municipality following the site investigation meeting.<sup>14</sup>

<sup>13</sup> The Proponent may request to use the Municipality's mapping system.

<sup>14</sup> For example, in cases where the Proponent commits to a design that includes co-location capacity, the municipality may require the Proponent to verify that other Proponents in the area have been notified of the potential co-location opportunities.



A determination on the completeness of an application or request for additional information will be provided within **five working days** of receipt of the proposal.

Upon receipt of a complete proposal submission, the Municipality will circulate the proposal for review and comment to:

- (1) affected Municipal Departments;
- (2) any adjacent municipalities within the Prescribed Distance;<sup>15</sup> and
- (3) the local elected municipal official.

#### **FEES**

The Proponent must pay the following application fee to the Municipality:

- Non-exempt antenna system: \$1,500.00
- Exempt antenna system: \$300.00

The Proponent is responsible for securing applicable applications or permissions from all relevant Municipal Departments and paying any applicable application fees or charges as required to the Municipality.

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<sup>15</sup> As part of inter-municipal processes, the Municipality may also request that the Proponent notify adjacent municipalities at greater distances, subject to review by the Municipality or at the request of the adjacent Municipality.



# Public Consultation Process

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 4, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the Municipality.

## 8.1 NOTICE RECIPIENTS

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

- (1) All affected residential properties within the Prescribed Distance;
- (2) Any adjacent Municipalities within the Prescribed Distance;
- (3) The local elected municipal official;
- (4) The Designated Municipal Officer; and
- (5) The Industry Canada regional office.

The Municipality will assist the Proponent in compiling a mailing list of addresses of the affected residences within the Prescribed Distance from the proposed Antenna System.<sup>16</sup>

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<sup>16</sup> Notices may be delivered to a condo/strata corporation instead of to each unit owner.



## 8.2 NOTICE REQUIREMENTS

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and include:

- (1) the proposed Antenna System's purpose, including height and location requirements, the reasons why existing Antenna Systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- (2) the proposed location within the community, the geographic coordinates and the specific property or rooftop, including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
- (3) an attestation<sup>17</sup> that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
- (4) identification of areas accessible to the general public and the access/demarcation measures to control public access;
- (5) information on the environmental status of the project, including any requirements under the Canadian Environmental Assessment Act, 2012;
- (6) a description of the proposed Antenna System including its height, dimensions, type, design and colour, a description of any antenna that may be mounted on the supporting structure, and simulated images of the proposal;
- (7) Transport Canada's aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the proponent's expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available;
- (8) an attestation that the installation will respect good engineering practices including structural adequacy;
- (9) reference to any applicable local land-use requirements such as local processes, protocols, etc.;
- (10) notice that general information relating to antenna systems is available on Industry Canada's Spectrum management and telecommunications website (<http://www.ic.gc.ca/towers>);
- (11) contact information for the Proponent, the Designated Municipal Officer and the local Industry Canada office;
- (12) the date, time and location of the public information session (where required); and
- (13) A deadline date for receipt by the Proponent of public responses to the proposal:
  - a. Where a public information session is required, the deadline date must be no more than five days before the date of the session.
  - b. Where a public information session is not required, the deadline date must be at least 30 days after the notices are mailed.

<sup>17</sup> Example: I, (*name of individual or representative of company*) attest that the radio installation described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public, including any combined effects of nearby installations within the local radio environment.



The notification shall be sent out in an envelope addressed to the “occupant” and shall clearly show in bold type on the face of the envelope the statement:

**“NOTICE FOR RESIDENTS LOCATED WITHIN A DISTANCE OF THREE TIMES THE HEIGHT OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED.”**

The Municipality may also require the Proponent, based on local conditions such as a high proportion of rental accommodation in the vicinity of the site, to provide such additional forms of notice as deemed necessary. Additional notification requirements will be identified by the Municipality during or following the site investigation meeting. Other forms of notification may include, but are not limited to:

- A large format notice board sign or signs, posted on the site of the proposed Antenna System, that is clearly visible from any roadway abutting the site;
- Publication of the notice in a local newspaper(s); and/or,
- Hand delivery of notices to specified buildings.

In addition to the public notification requirements noted above, proponents of an Antenna System proposed to be 30 metres or more in height must place a notice in a local community newspaper circulating in the proposed area.<sup>18</sup> Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the Antenna System. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the Antenna System.

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<sup>18</sup> The notice must be synchronized with the distribution of the public notification package. It must be legible and placed in the public notice section of the newspaper. The notice must include: a description of the proposed installation; its location and street address; proponent contact information and mailing address; and an invitation to provide public comments to the proponent within 30 days of the notice. In areas without a local newspaper, other effective means of public notification must be implemented. Proponents may contact the local Industry Canada office for guidance. Municipalities may choose to provide a standardized template for newspaper advertisements in their local customized protocols.





### **8.3 WRITTEN CONSULTATION PROCESS**

Following the delivery of the notification, the Proponent will allow the public to submit written comments or concerns about the proposal.

The Proponent will:

- (1) Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
- (2) Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt); and
- (3) Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
- (4) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.
- (5) Provide a copy of all written correspondence to the municipality and the regional Industry Canada office.

### **8.4 PUBLIC INFORMATION SESSION**

The Municipality may request the Proponent chair a public information session in cases where there is significant public interest in the proposed Antenna System. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- An appropriate date, time and location for the public information session will be determined in consultation with the Designated Municipal Officer.
- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

The Proponent will provide the Municipality with a package summarizing the results of the public information session containing at a minimum, the following:

- list of attendees, including names, addresses and phone numbers (where provided voluntarily);
- copies of all letters and other written communications received; and
- a letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

### **8.5 POST CONSULTATION REVIEW**

The Municipality and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the Municipality's request) to discuss the results and next steps in the process.



# Statement of Concurrence or Non-Concurrence

## 9.1 CONCURRENCE AND CONCURRENCE WITH CONDITIONS

The municipality will provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the Municipality, the requirements as set out within this Protocol and the Municipality's technical requirements, and will include conditions of concurrence, if required.<sup>19</sup>

The Municipality will issue the letter of concurrence within the timeframe established in Section 10.

## 9.2 NON-CONCURRENCE

The Municipality will provide a letter of non-concurrence to Industry Canada (copying the Proponent) if the proposal does not conform to the Municipality's requirements as set out within this Protocol. The Municipality will also forward to Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

The Municipality will issue the letter of non-concurrence within the timeframe established in Section 10.

## 9.3 RESCINDING A CONCURRENCE

The Municipality may rescind its concurrence if following the issuance of a concurrence, it is determined by the Municipality that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue.

In such cases, the Municipality will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

<sup>19</sup> The Municipality may, on case-by-case basis, include in writing specific conditions of concurrence such as design, screening or co-location commitments.



#### **9.4 DURATION OF CONCURRENCE**

A concurrence remains in effect for a maximum period of three years from the date it was issued by the Municipality. If construction is not completed within this time period the concurrence expires except in the case where a proponent secures the agreement of the Municipality to an extension for a specified time period in writing.<sup>20</sup> Once a concurrence expires, a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the Municipality requests that the Proponent send a written notification of an intent to construct to the Designated Municipal Officer once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

#### **9.5 TRANSFER OF CONCURRENCE**

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further consultation provided that:

- (1) all information gathered by the original Proponent in support of obtaining the concurrence from the Municipality is transferred to the current Proponent;
- (2) the structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- (3) construction of the structure is commenced within the duration of concurrence period.

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<sup>20</sup> A copy of the agreement must be provided to the local Industry Canada office.



## Consultation Process Timeframe

Consultation with the Municipality is to be completed within 60 days of the proposal being accepted as complete<sup>21</sup> by the Municipality as explained in Section 7 of this Protocol.

Where public consultation is required, consultation with the Municipality and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the Municipality.

The Municipality or Proponent may request an extension to the consultation process timeline. this extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the Municipality or reinitiating the consultation process to the extent requested by the Municipality.

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<sup>21</sup> According to the CPC, "the 120-day consultation period commences only once proponents have formally submitted in writing, all plans required by the land-use authority, and does not include preliminary discussions with land-use authority representatives."



## Letter of Undertaking

The Proponent may be required, if requested by the Municipality, to provide a letter of undertaking, which may include the following requirements:

- (1) The posting of a security for the construction of any proposed fencing, screening and landscaping;
- (2) A commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada conditions of licence for mandatory roaming and Antenna Tower and Site Sharing and to Prohibit exclusive Site Arrangements (CPC-2-0-17); and
- (3) All conditions identified in the letter of concurrence.



Municipalities can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request, and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and Municipality will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Antenna System was deemed redundant.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

BE IT RESOLVED:

That the request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial; and
2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone,

for the property at 197 Minna Jane Drive (PID #469841), be approved to proceed to public consultation.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #2

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

**BE IT RESOLVED:**

**That the request to:**

- 1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and**
- 2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single Density Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone;**

**for the property at 88 Brackley Point Road (PID #396770), be approved to proceed to public consultation.**





# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #3

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

**BE IT RESOLVED:**

**That the request for a temporary structure variance to locate a container on the vacant property located at 215 Queen Street (PID #343582) to be used as a commercial building for food preparation and service to operate for one (1) year, be approved, subject to the design of the structure to meet the satisfaction of the Development Officer.**



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #4

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

### BE IT RESOLVED:

That the request the request to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:

1. Allow the sale of alcohol within in a mobile canteen which is contrary to the definition of a mobile canteen in the Zoning & Development By-law (2018-11.009);
2. Allow the mobile canteen to operate from April 1 to October 31 annually which is contrary to Section 5.11.2 of the Zoning & Development By-law (2018-11.009); and
3. Utilize a container to contain washroom facilities which is contrary to Section 5.2.2 of the Zoning & Development By-law (2018-11.009),

be approved to proceed to public consultation.

The site specific exemption also includes the following two (2) variances:

1. Increase the maximum height for a fence in the front yard (i.e., front property line) from 3.3 ft as permitted in Section 4.4.2.a. of Zoning & Development By-law (2018-11.009) to approximately 6.5 ft; and
2. Increase the maximum front yard setback for a building in the Downtown Core (DC) Zone from 3.3 ft as permitted in Section 31.2.2 of Zoning & Development By-law (2018-11.009) to approximately 52.5 ft.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #5

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

**BE IT RESOLVED:**

**That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments, be approved to proceed to public consultation.**



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #6

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady

**BE IT RESOLVED:**

**That the proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements, be approved to proceed to public consultation.**




10-0  
ASB

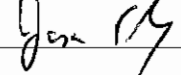
**CITY OF CHARLOTTETOWN  
RESOLUTIONS**

*To adopt Bylaw 2018-11-011, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) relating to Design Review, Home Occupations, Parking, Marijuana Production Facility and Temporary Use Variances.*

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**Council Meeting #1 Bylaw Amendment Resolution #1 – FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor:  \_\_\_\_\_ Greg Rivard

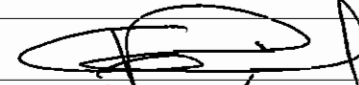
Seconded by Deputy Mayor:  \_\_\_\_\_ Jason Coady

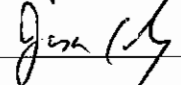
Whereas a motion was received to amend the Zoning & Development Bylaw, Bylaw 2018-11;

Be it resolved that the Zoning & Development Amendment Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw be hereby read a first time.

**Council Meeting #1 Bylaw Amendment Resolution #1 – APPROVAL OF FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor:  \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor:  \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw, was read a first time at this Council meeting;

Be it resolved that the first reading of Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

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**Council Meeting #2 Bylaw Amendment Resolution #2 – SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

Be it resolved that the Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw be hereby read a second time.

**Council Meeting #2 Bylaw Amendment Resolution #2 – APPROVAL OF SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;



**City of Charlottetown**  
**A Bylaw to amend the Zoning and Development Bylaw**  
**BYLAW # 2018-11-011**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-011”

**2. Authority**

(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

**3. Purpose**

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions relating to Design Review, Home Occupations, Parking, Medical Marijuana Production Facility and Temporary Use Variances

**PART II – AMENDMENTS**

**4. Sections 2.4; 2.5; 3.13.3; 3.13.5 are amended as follows:**

Replace the words “Design Review Committee” with the words “Design Review Board.”

**5. Section 3.9.1 is amended as follows:**

Remove Section 3.9.1.f. and renumbering all subsequent items.

**6. Section 3.9.1.g. is amended as follows:**

By inserting the words “use or” following the words “A temporary”.

**7. Section 3.13.4 is amended as follows:**

Remove Section 3.13.4

**8. Section 3.13.5 is renumbered to 3.13.4**

**9. Section 5.6.1.c. is amended as follows:**

By deleting the words “and where the additional parking is located in the front yard, no more than 40% of the front yard may be allocated for parking or pavement.”

**10. Section 5.8.1 is amended as follows:**

Insert Section 5.8.1.a. and renumbering all subsequent items.

**11. Section 5.8.3 is amended as follows:**

Remove Sections 5.8.3.c., 5.8.3.h., 5.8.3.i.

**12. Section 5.8.3.j. is amended as follows:**

By inserting the words “, including uses with appointments typically on an hourly basis or as scheduled,” following the words “Additional uses”.

**13. Section 36.1 is amended as follows:**

By inserting 36.1.15 as “Marijuana Production Facility” and renumbering all subsequent permitted uses.

**14. Section 37.1 is amended as follows:**

By inserting 37.1.19 as “Marijuana Production Facility” and renumbering all subsequent permitted uses.

**15. Section 43.6.1 is amended as follows:**

Remove Section 43.6.1.c.

**16. Section 43.6.3 is added as follows:**

No driveway or access to a parking lot for residential properties shall:

- a) Occupy more than 40% of the Front Yard;
- b) Occupy more than 40% of the Flankage Yard on a corner lot; and
- c) Occupy more than 40% of the Lot Frontage up to a maximum of 30 ft.

**17. Section 43.6.4 is added as follows:**

Parking in the Front Yard is limited to the driveway only and is not permitted on the remaining Front Yard area / landscaped area.

**18. Section 43.7.1 is amended as follows:**

Remove Section 43.7.1.e.

**19. Appendix A. is amended as follows:**

By adding the definition for Marijuana Production Facility alphabetically as “Marijuana Production Facility means premises used for growing, producing, testing, destroying, storing, or distribution of marijuana”.



**PART III – EFFECTIVE DATE**

**20. Effective Date**

(1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

**First Reading:**

This Zoning & Development Bylaw, Bylaw #2018-11-011, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-011, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**

This Zoning & Development Bylaw, Bylaw #2018-11-011, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-011, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**

This Zoning & Development Bylaw, Bylaw #2018-11-011, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**21. Signatures**

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-011, adopted by the Council of the City of Charlottetown on \_\_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

\_\_\_\_\_  
Date:

**MINISTERIAL APPROVAL**

This Zoning and Development Bylaw amendment (2018-11-011) is hereby approved.

Dated on this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Richard Brown  
Minister of Communities, Land and Environment





CITY OF CHARLOTTETOWN  
RESOLUTIONS

To adopt Bylaw 2018-11-010, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 562 Malpeque Road (PID #145797) and adjacent vacant parcel (PID #145789) from Single-Detached Residential (R1-L) to Medium Density Residential (R-3) Zone.

Council Meeting #1 Bylaw Amendment Resolution #1 – FIRST READING

Date: February 11, 2019

Moved by Councillor: Greg Rivard

Seconded by Deputy Mayor: Jason Coady A. Sarikov

Whereas a motion was received to amend the Zoning & Development Bylaw, Bylaw 2018-11;

Be it resolved that the Zoning & Development Amendment Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby read a first time.

Council Meeting #1 Bylaw Amendment Resolution #1 – APPROVAL OF FIRST READING

Date: February 11, 2019

Moved by Councillor: Greg Rivard

Seconded by Deputy Mayor: Jason Coady A. Sarikov

Whereas Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw, was read a first time at this Council meeting;

Be it resolved that the first reading of Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

Council Meeting #2 Bylaw Amendment Resolution #2 – SECOND READING

Date: March 11, 2019

Moved by Councillor: Greg Rivard

Seconded by Deputy Mayor: Jason Coady

Whereas Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

Be it resolved that the Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby read a second time.

Council Meeting #2 Bylaw Amendment Resolution #2 – APPROVAL OF SECOND READING

Date: March 11, 2019

Moved by Councillor: Greg Rivard

Seconded by Deputy Mayor: Jason Coady

Whereas Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

Handwritten notes: PB, -2, Tweel, Coady, Approved

And Whereas Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw, was read a second time at this Council meeting;

Be it resolved that the second reading of Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amendment Resolution #2 – ADOPTION OF BYLAW AMENDMENT**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw, was read and approved a first time at two separate meetings of Council held on different days;

Be it resolved that Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby formally adopted.

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

**City of Charlottetown**  
**A Bylaw to amend the Zoning and Development Bylaw**  
**BYLAW # 2018-11-010**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-010”

**2. Authority**

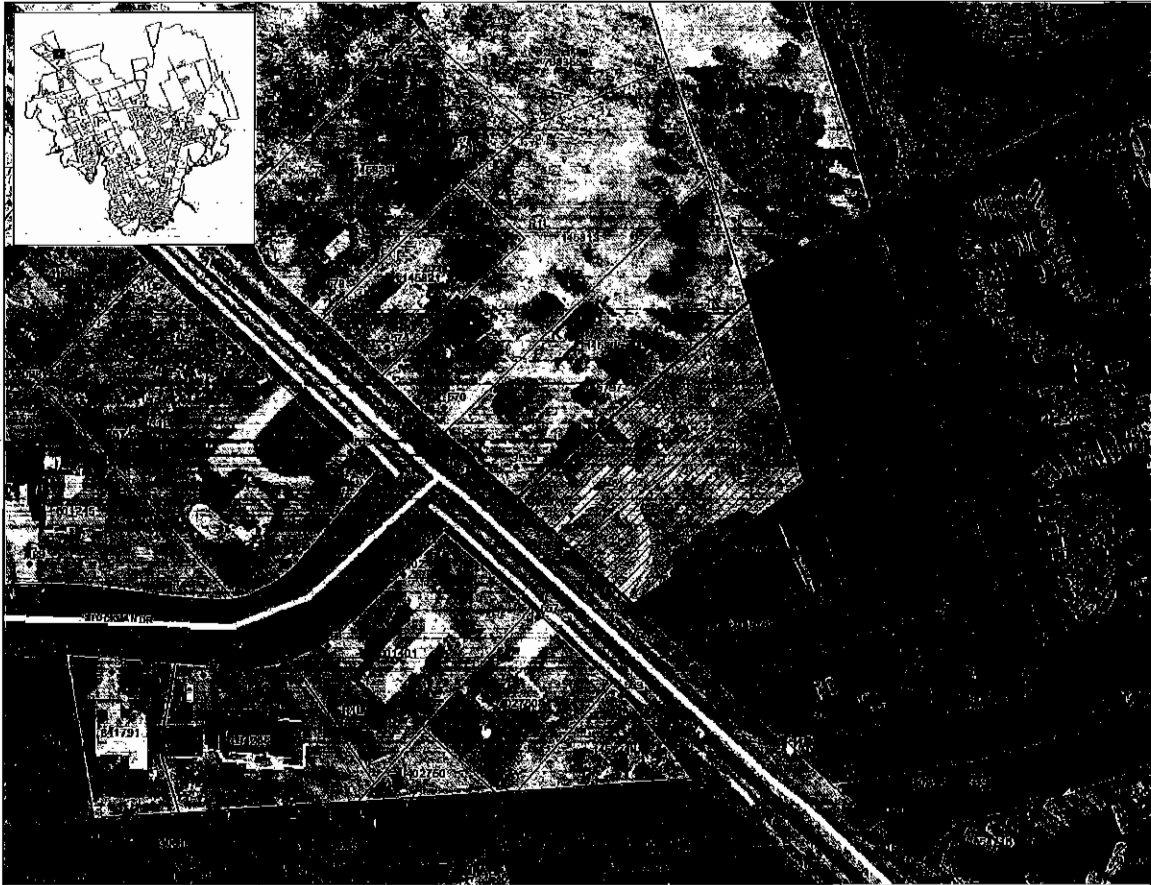
(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

**3. Purpose**

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix G

**PART II – AMENDMENTS**

4. The zoning of the property at 562 Malpeque Road (PID #145797) and adjacent vacant parcel (PID #145789) as shown on Appendix “G” of the Zoning & Development Bylaw, Bylaw #2018-11-010, is designated as Medium Density Residential (R-3) Zone, hereby excluding it from its former designation of Single-Detached Residential (R1-L).



**PART III – EFFECTIVE DATE**

**5. Effective Date**

(1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

**First Reading:**

This Zoning & Development Bylaw, Bylaw #2018-11-010, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-010, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**

This Zoning & Development Bylaw, Bylaw #2018-11-010, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-010, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**

This Zoning & Development Bylaw, Bylaw #2018-11-010, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**6. Signatures**

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-010, adopted by the Council of the City of Charlottetown on \_\_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

\_\_\_\_\_  
Date:

**MINISTERIAL APPROVAL**

This Zoning and Development Bylaw amendment (2018-11-010) is hereby approved.

Dated on this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Richard Brown  
Minister of Communities, Land and Environment

**Effective Date**

The effective date of the Official Plan amendment is the date as signed below by the Minister of Communities, Land and Environment.

**Adoption and Approval by Council:**

The Official Plan amendment(s) was adopted and approved by a majority of the Councillors present at the Council Meeting held on 11<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

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**MINISTERIAL APPROVAL**

This Official Plan Amendment (PH-OPA.1-001) is hereby approved.

Dated on this \_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Richard Brown  
Minister of Communities, Land and Environment



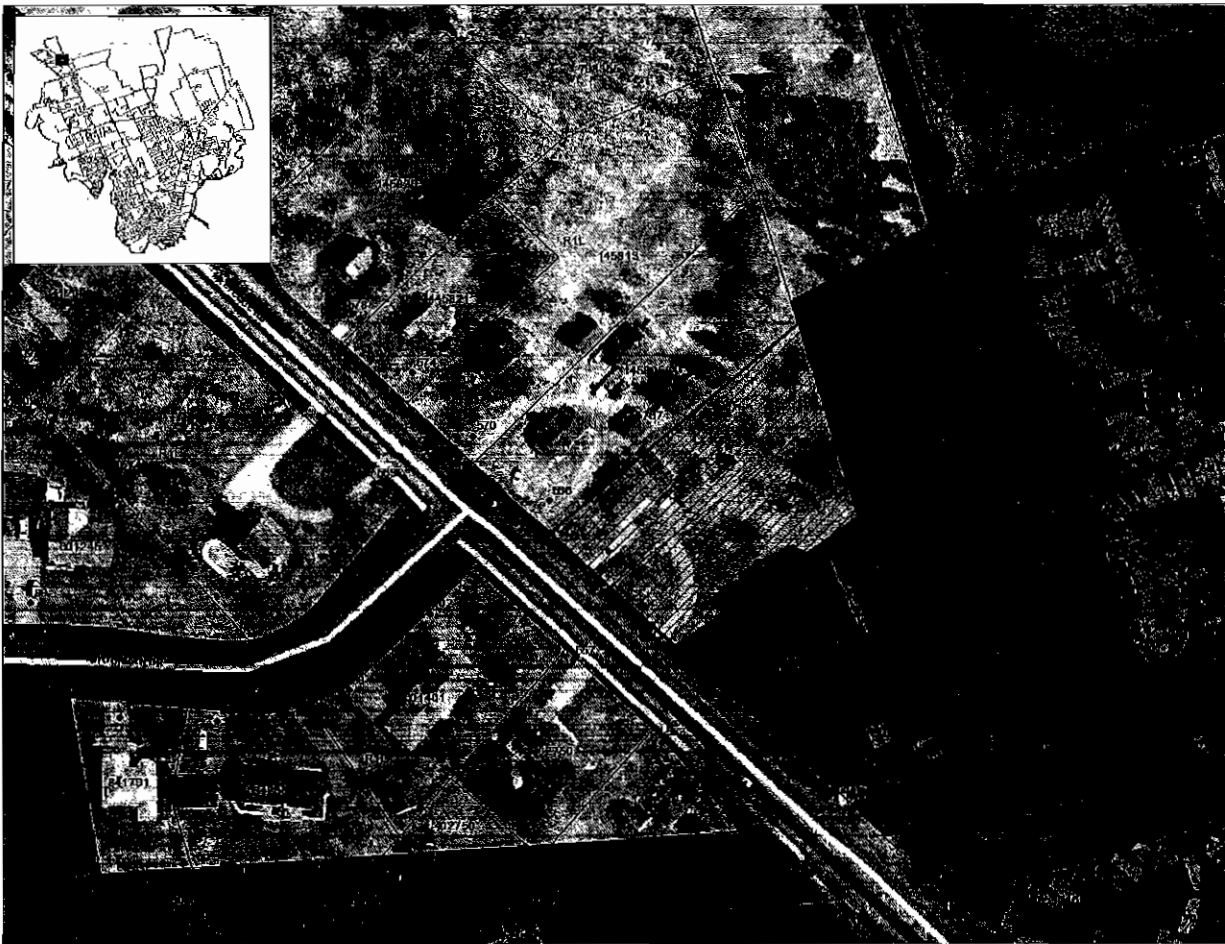
**CITY OF CHARLOTTETOWN**

**Official Plan Amendment PH-OPA.1-001  
Appendix "A" – Official Plan Map**

**Authority**

The Council for the City of Charlottetown under the authority vested in it by Section 11 and 15 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for 562 Malpeque Road (PID #I45797) and adjacent vacant parcel (PID #I45789) as shown on Appendix A – Official Plan Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential.







**CITY OF CHARLOTTETOWN  
RESOLUTIONS**

*To adopt Bylaw 2018-07-001, A Bylaw to amend the Heritage Preservation Bylaw, to rename the Heritage Preservation Bylaw, Bylaw #2018-07 to PH-HP.1*

**Council Meeting #1 Bylaw Amendment Resolution #1 – FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor: [Signature] \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: [Signature] \_\_\_\_\_ Jason Coady

*MS  
10-0*

Whereas a motion was received to amend the Heritage Preservation Bylaw, Bylaw 2018-07;

Be it resolved that the Heritage Preservation Amendment Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby read a first time.

**Council Meeting #1 Bylaw Amendment Resolution #1 – APPROVAL OF FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor: [Signature] \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: [Signature] \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Amendment Bylaw, was read a first time at this Council meeting;

Be it resolved that the first reading of Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amendment Resolution #2 – SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

Be it resolved that the Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby read a second time.

**Council Meeting #2 Bylaw Amendment Resolution #2 – APPROVAL OF SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

And Whereas Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw, was read a second time at this Council meeting;

Be it resolved that the second reading of Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amendment Resolution #2 – ADOPTION OF BYLAW AMENDMENT**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw, was read and approved a first time at two separate meetings of Council held on different days;

Be it resolved that Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby formally adopted.

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

**City of Charlottetown**  
**A Bylaw to amend the Heritage Preservation Bylaw**  
**BYLAW # 2018-07-001**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Heritage Preservation Bylaw, Bylaw # 2018-07-001”

**2. Authority**

(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

**3. Purpose**

(1) The purpose of this bylaw is to renumber the City of Charlottetown’s Heritage Preservation Bylaw in order to provide Planning bylaws with unique qualifiers to clearly identify the Bylaws under the Planning & Heritage Department.

**PART II – AMENDMENTS**

**4. The Heritage Preservation Bylaw, Bylaw #2018-07 is renumbered to Heritage Preservation Bylaw, Bylaw PH-HP.1**

**PART III – EFFECTIVE DATE**

**5. Effective Date**

(1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

**First Reading:**

This Zoning & Development Bylaw, Bylaw #2018-07-001, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-07-001, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**

This Zoning & Development Bylaw, Bylaw #2018-07-001, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-07-001, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**

This Zoning & Development Bylaw, Bylaw #2018-07-001, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**6. Signatures**

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

This Heritage Preservation Bylaw, Bylaw #2018-07-001, adopted by the Council of the City of Charlottetown on \_\_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

\_\_\_\_\_  
Date:





Be it resolved that the second reading of Bylaw (2018-12-001), a bylaw to amend the Building Code Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amedudment Resolution #2 – ADOPTION OF BYLAW AMENDMENT**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-12-001), a bylaw to amend the Building Code Bylaw, was read and approved a first time at two separate meetings of Council held on different days;

Be it resolved that Bylaw (2018-12-0101), a bylaw to amend the Building Code Bylaw be hereby formally adopted.

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

**City of Charlottetown**  
**A Bylaw to amend the Building Code Bylaw**  
**BYLAW # 2018-12-001**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Building Code Bylaw, Bylaw # 2018-12-001”

**2. Authority**

(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

**3. Purpose**

(1) The purpose of this bylaw is to renumber the City of Charlottetown’s Building Code Bylaw in order to provide Planning bylaws with unique qualifiers to clearly identify the Bylaws under the Planning & Heritage Department.

**PART II – AMENDMENTS**

**4. The Building Code Bylaw, Bylaw #2018-12 is renumbered to Building Code Bylaw, Bylaw PH-BC.2**

**PART III – EFFECTIVE DATE**

**5. Effective Date**

(1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

**First Reading:**  
 This Zoning & Development Bylaw, Bylaw #2018-12-001, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-12-001, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**  
 This Zoning & Development Bylaw, Bylaw #2018-12-001, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-12-001, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**  
 This Zoning & Development Bylaw, Bylaw #2018-12-001, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**6. Signatures**

\_\_\_\_\_  
 Mayor/Chairperson  
 (signature sealed)

\_\_\_\_\_  
 Chief Administrative Officer  
 (signature sealed)

This Building Code Bylaw, Bylaw #2018-12-001, adopted by the Council of the City of Charlottetown on \_\_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
 Chief Administrative Officer  
 (signature sealed)

\_\_\_\_\_  
 Date:

-----  
**MINISTERIAL APPROVAL**

This Building Code Bylaw amendment (2018-12-001) is hereby approved.

Dated on this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 Hon. Richard Brown  
 Minister of Communities, Land and Environment





CITY OF CHARLOTTETOWN  
RESOLUTIONS

10-0/13

To adopt Bylaw 2018-11-013, A Bylaw to amend the Zoning & Development Bylaw, to rename the Zoning & Development Bylaw (Bylaw 2018-11) to PH-ZD.2.

-----  
**Council Meeting #1 Bylaw Amendment Resolution #1 – FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor: [Signature] \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: [Signature] \_\_\_\_\_ Jason Coady

Whereas a motion was received to amend the Zoning & Development Bylaw, Bylaw 2018-11;

Be it resolved that the Zoning & Development Amendment Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby read a first time.

**Council Meeting #1 Bylaw Amendment Resolution #1 – APPROVAL OF FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor: [Signature] \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: [Signature] \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw, was read a first time at this Council meeting;

Be it resolved that the first reading of Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

-----  
**Council Meeting #2 Bylaw Amendment Resolution #2 – SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

Be it resolved that the Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby read a second time.

**Council Meeting #2 Bylaw Amendment Resolution #2 – APPROVAL OF SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

And Whereas Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw, was read a second time at this Council meeting;

Be it resolved that the second reading of Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amendment Resolution #2 – ADOPTION OF BYLAW AMENDMENT**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw, was read and approved a first time at two separate meetings of Council held on different days;

Be it resolved that Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby formally adopted.

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

**City of Charlottetown**  
**A Bylaw to amend the Zoning and Development Bylaw**  
**BYLAW # 2018-11-013**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-013”

**2. Authority**

(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

**3. Purpose**

(1) The purpose of this bylaw is to renumber the City of Charlottetown’s Zoning and Development Bylaw in order to provide Planning bylaws with unique qualifiers to clearly identify the Bylaws under the Planning & Heritage Department

**PART II – AMENDMENTS**

**4. The Zoning & Development Bylaw, Bylaw #2018-11 is renumbered to Zoning & Development Bylaw, Bylaw PH-ZD.2**

**PART III – EFFECTIVE DATE**

**5. Effective Date**

- (1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

**First Reading:**  
This Zoning & Development Bylaw, Bylaw #2018-11-013, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-013, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**  
This Zoning & Development Bylaw, Bylaw #2018-11-013, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-013, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**  
This Zoning & Development Bylaw, Bylaw #2018-11-013, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**6. Signatures**

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-013, adopted by the Council of the City of Charlottetown on \_\_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

\_\_\_\_\_  
Date:

**MINISTERIAL APPROVAL**

This Zoning and Development Bylaw amendment (2018-11-013) is hereby approved.

Dated on this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Richard Brown  
Minister of Communities, Land and Environment



CITY OF CHARLOTTETOWN  
RESOLUTIONS

10-0

*To adopt Bylaw 2018-11-012, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) relating to Affordable Housing.*

**Council Meeting #1 Bylaw Amendment Resolution #1 – FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor:  \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor:  \_\_\_\_\_ Jason Coady

Whereas a motion was received to amend the Zoning & Development Bylaw, Bylaw 2018-11;

Be it resolved that the Zoning & Development Amendment Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby read a first time.

**Council Meeting #1 Bylaw Amendment Resolution #1 – APPROVAL OF FIRST READING**

Date: \_\_\_\_\_ February 11, 2019

Moved by Councillor:  \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor:  \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw, was read a first time at this Council meeting;

Be it resolved that the first reading of Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amendment Resolution #2 – SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

Be it resolved that the Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby read a second time.

**Council Meeting #2 Bylaw Amendment Resolution #2 – APPROVAL OF SECOND READING**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw, was read and formally approved a first time at the Council meeting held on February 11, 2019;

And Whereas Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw, was read a second time at this Council meeting;

Be it resolved that the second reading of Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

**Council Meeting #2 Bylaw Amendment Resolution #2 – ADOPTION OF BYLAW AMENDMENT**

Date: \_\_\_\_\_ March 11, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

Whereas Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw, was read and approved a first time at two separate meetings of Council held on different days;

Be it resolved that Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby formally adopted.

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

**City of Charlottetown**  
**A Bylaw to amend the Zoning and Development Bylaw**  
**BYLAW # 2018-11-012**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

- (1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-012”

**2. Authority**

- (1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

**3. Purpose**

- (1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions relating to Affordable Housing.

**PART II – AMENDMENTS**

**4. Section 3.12.1 is amended as follows:**

- (1) By inserting the phrase “at the discretion of the Development Officer/Planning Committee” between “shall be permitted” and “in certain zones”
- (2) Remove Section 3.12.1 (b) and replace with Section 3.12.1.b “The provision of Affordable Housing Dwelling Units, by way of subsidization between the applicant and the Province and/or Federal Government(s) for a specified period of time and confirmed in a written agreement registered to the property”.

**5. Section 3.12.10 is added as follows:**

- (1) 3.12.10 The City, at its discretion, shall provide a recommendation from Planning Committee to the CAO and Mayor for the public benefit(s) that should be required for the development pursuing a Bonus Height Application.

**6. Section 3.13 Bonus Density Application is inserted as follows:**

- (1) 3.13 Bonus Density Application
  - 3.13.1 Affordable Housing development(s) are permitted for 20% density increases over and above the applicable zone requirements subject to the following requirements:
    - a) All additional units resulting from the density increase(s) must be dedicated for Affordable Housing;
    - b) The proposed development(s) must meet all other applicable regulations for permitted uses in the corresponding zone.
  - 3.13.2 In a situation where Affordable Housing dwelling units and Underground Parking are provided in the same development(s), Bonus Density entitlements can be increased to 40% but must adhere to the Regulations for Permitted Uses as defined in the applicable zone.

- (2) Section 3.13 Design Review is renumbered to 3.14 and all subsequent numbers under Section 3.

**7. Section 3.14.1 is amended as follows:**

- (1) By inserting the phrase for “any Affordable Housing development(s) in or outside the 500 Lot Area and” between applications for and properties located.

**8. Sections 5.6, 5.6.1 (a)(b)(f), 5.6.2, 5.7.1 (c), 9.3.1 (a), 10.3.1 (a), 42.5.1 is amended as follows:**

- (1) Replace the words “Accessory Apartment” with the words “Secondary Suite”.

**9. Section 5.6.1 (g) is added as follows:**

- (1) By inserting the phrase “Cannot be used as a short-term rental”

**10. Section 5.7 is amended as follows:**

- (1) 5.7.1(b) is amended by replacing “0.4 hectares (1 acre)” with “0.2 hectares (0.5 acre)”;
- (2) 5.7.2(i) is adding the phrase “Cannot be used as a short-term rental”.

**11. Section 5.8 Group Homes is inserted as follows:**

(1) 5.8 Group Home

5.8.1 Group Homes shall be permitted in the following Zone(s) depending on the classification/type of Group Home:

- a. **Group Home Limited:** Permitted in the R-1L, R-1S, R1-N, R-2 and R-2S Zone(s) and only within a *Single-detached Dwelling*;
- b. **Group Home:** Permitted in the R-3, R-3T, R-4, R-4A, R-4B, MUR, I, MUC, DMU, DN and the DMUN Zone(s) and within a *Dwelling Unit* or an institutional facility.

5.8.2 The following regulations will apply to both categories of Group Home(s):

- a. Maintain a minimum radius of 300 metres to another *Group Home* for those areas not in the 500 Lot Area;
- b. Requires one (1) off street parking space per three (3) beds, plus one (1) off street parking space per two (2) employees on a shift;
- c. Not permitted as a *Lodging House, Transitional Housing Facility, Tourist Accommodation* or *Home Occupation*.

(2) Section 5.8 Home Occupations is renumbered to 5.9 and all subsequent numbers under Section 5.

**12. Sections 15.1.4, 16.1.4, 31.1.4 are amended as follows:**

- (1) Adding the term "Lodging House Limited" under Permitted Uses.

**13. Section 21.1.1 is amended as follows:**

- (1) Adding the term "Lodging House" under Permitted Uses.

**14. Section 42.5.1 is amended as follows:**

- (1) Adding the term "Garden Suite" under Accessory and Secondary Uses.

**15. Section 43 is amended as follows:**

- (1) Adding "Affordable Housing" to the Parking Table and adding "0.75 space per Dwelling Unit" subject to the property being "within 500 meters of a public transit stop";
- (2) Adding "Lodging House" proceeding after "Tourist Accommodation" in the Parking Table.

**16. Appendix A. Definitions is amended as follows:**

- (1) Deleting the numbering for each definition;
- (2) Removing the definition for "Accessory Apartment";
- (3) Adding the following definitions:
  - a. Lodging Home means a Building that supplies lodging and may provide meals for compensation to board between nine (9) to a maximum of sixteen (16) persons by way of providing Lodging Room(s), which is not open to the public but does not include a Group Home, Transitional Housing Facility or a Tourist Accommodation;
  - b. Lodging Home Limited means a Building that supplies lodging and may provide meals for compensation to board between five (5) up to a maximum of eight (8) persons by way of providing Lodging Room(s), which is not open to the public but does not include a Group Home Limited, Transitional Housing Facility or a Tourist Accommodation;
  - c. Lodging Room means a bedroom within a type of Lodging House which is exclusively used by the resident(s) of the bedroom, and is not accessible to persons other than the resident(s) of the bedroom;
  - d. Dwelling Unit means two or more rooms for the use of an individual or Household which culinary, bath and/or shower conveniences are provided for the exclusive use of the resident(s), and with a private entrance from outside the Building or from a common hallway or stairway inside, but does not include a Lodging House, Lodging House Limited, Hotel or recreational vehicle;
  - e. Group Home means a facility licensed or funded by the Province of Prince Edward Island that provides accommodation, supervisory and/or personal care to residents with social, physical or mental issues with at least one (1) staff person but does not include a Lodging House, Transitional Housing Facility, Tourist Accommodation or Home Occupation;
  - f. Group Home Limited means a residence that provides supervised living accommodation and personal care to residents that does not exceed a maximum of four (4) persons with social, physical or mental issues with a maximum of two (2) staff persons at any given time but does not include a Lodging House Limited, Transitional Housing Facility, Tourist Accommodation or Home Occupation;
  - g. Household means one (1) or more persons living together as a single nonprofit, independent housekeeping unit, sharing all areas of the Dwelling Unit with up to a maximum of four (4) tenants but does not exceed a maximum total of eight (8) persons when blended with tenants does not contain a Lodging Room(s) or is a Lodging House;
  - h. Long-term Rental means the rental of a dwelling unit for a period of 30 days or greater;



- i. Registry of Approved Secondary Suites means a publically accessible registry or list of Secondary Suites which have been legally approved through the Building and Development Permit process;
- j. Secondary Suite means a self-contained dwelling unit with a prescribed floor area located in a building or portion of a building of only residential occupancy that contains only one other dwelling unit and common spaces, and where both dwelling unit constitute a single real estate entity;
- k. Short-term Rental means the rental of a dwelling unit or a portion of a dwelling unit (including a secondary suite within a dwelling) for a period of less than 30 consecutive days.

**17. Amend Appendix F Fee Schedule (Effective April 1, 2016) as follows:**

- (1) Add the phrase "Affordable Housing Dwelling Units are fee exempt" under "Residential fees"

	Fees including HST
Residential	Residential New (or Renovations): \$5.50 per \$1,000 (minimum of \$50) <i>*Affordable Housing Dwelling Units are fee exempt</i>

**PART III – EFFECTIVE DATE**

**20. Effective Date**

- (1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

**First Reading:**  
This Zoning & Development Bylaw, Bylaw #2018-11-012, was read a first time at Council meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019.  
This Zoning & Development Bylaw, Bylaw #2018-11-012, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**  
This Zoning & Development Bylaw, Bylaw #2018-11-012, was read a second time at Council meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019.  
This Zoning & Development Bylaw, Bylaw #2018-11-012, was approved by a majority of Council members present at the Council meeting held on \_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**  
This Zoning & Development Bylaw, Bylaw #2018-11-012, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_ day of \_\_\_\_\_, 2019.

**21. Signatures**

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-012, adopted by the Council of the City of Charlottetown on \_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

\_\_\_\_\_  
Date:

**MINISTERIAL APPROVAL**

This Zoning and Development Bylaw amendment (2018-11-012) is hereby approved.

Dated on this \_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Richard Brown  
Minister of Communities, Land and Environment

**CITY OF CHARLOTTETOWN  
BUILDING CONSTRUCTION STATISTICS FOR FEBRUARY 2018  
DOLLAR VALUES**

	February	Totals
Residential New	\$5,125,000	\$11,100,000
Residential Renovations and Additions	\$45,400	\$355,400
Industrial-Commercial New	\$0	\$3,000
Industrial-Commercial Renovations	\$3,272,000	\$4,982,200
Institutional New	\$1,500,000	\$1,500,000
Institutional Renovations	\$0	\$5,000
Signage	\$26,000	\$38,125
Other	\$0	\$23,600
Agriculture	\$0	\$0
<b>TOTALS</b>	<b>\$9,968,400</b>	<b>\$18,007,325</b>

**CITY OF CHARLOTTETOWN  
BUILDING CONSTRUCTION STATISTICS FOR FEBRUARY 2019  
DOLLAR VALUES**

	FEB	Totals
Residential New	\$1,785,000.00	\$2,410,000.00
Residential Renovations and Additions	\$2,012,500.00	\$2,019,500.00
Industrial-Commercial New	\$0.00	\$400,000.00
Industrial-Commercial Renovations	\$1,564,000.00	\$2,121,000.00
Institutional New	\$4,800,000.00	\$4,800,000.00
Institutional Renovations	\$0.00	\$0.00
Signage	\$9,000.00	\$59,000.00
Other	\$11,000.00	\$11,000.00
Agriculture	\$0.00	\$0.00
<b>TOTALS</b>	<b>10,181,500.00</b>	<b>11,820,500.00</b>

**CITY OF CHARLOTTETOWN  
BUILDING CONSTRUCTION STATISTICS FOR 2018  
BREAKDOWN OF PERMITS ISSUED \*(Not projects)\***

	February	Totals
Single Family Dwellings - New	1	2
Two-Family Dwellings - New	0	0
Multi-Family Dwellings - New	2	5
Residential Renovations and Additions	2	5
Industrial-Commercial New	0	1
Industrial-Commercial Renovations	3	8
Institutional New	1	1
Institutional Renovations	0	1
Signage	1	5
Other	0	2
Agriculture Renovations	0	0
<b>TOTALS</b>	<b>10</b>	<b>30</b>

**CITY OF CHARLOTTETOWN  
BUILDING CONSTRUCTION STATISTICS FOR FEBRUARY 2019  
BREAKDOWN OF PERMITS ISSUED \*(Not projects)\***

	FEB	Totals
Single Family Dwellings - New	5	7
Two-Family Dwellings - New	2	2
Multi-Family Dwellings - New	0	0
Residential Renovations and Additions	5	8
Industrial-Commercial New	0	1
Industrial-Commercial Renovations	7	15
Institutional New	1	1
Institutional Renovations	0	0
Signage	2	4
Other	2	2
Agriculture Renovations	0	0
<b>TOTALS</b>	<b>24</b>	<b>40</b>



## Planning & Heritage Summary (Week ending February 01, 2019)

### ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte Town Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

### Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-039	344135	437-BLD-18	19-Sep-18	29-Jan-19	APPROVED	82 Fitzroy Street	Interior renovations and change of use to rental suite and restaurant	Blue Heron Construction	19-Feb-19
18-358B	1020825	467-BLD-18	4-Oct-18	30-Jan-18	APPROVED	8 Camburhill Court (Lot #12)	Phase II- Retail Office	DTS Inc	20-Feb-18
18-452	335315	378-BLD-18	30-Jan-19	30-Jan-19	APPROVED	20 Great George Street	Occupancy Permit-Installation of new elevating lift	Brighton Construction	20-Feb-19
18-495	1034909	416-BLD-18	30-Jan-19	30-Jan-19	APPROVED	70 Nicholas Lane	Occupancy Permit - 5 Unit Commercial Warehouse	Mervin W Jay	20-Feb-19
18-607	396820	546-BLD-18	24-Jan-19	24-Jan-19	APPROVED	9 Duncan Heights	Occupancy Permit - for accessory apartment	Bethany Norris	14-Feb-19
19-013	1040583	013-BLD-19	15-Jan-19	31-Jan-19	APPROVED	7 Babineau Drive (Unit 12D)	Fit-up for UPS Store	Tanmoiy Saha	21-Feb-19
19-015	368894	015-BLD-19	17-Jan-19	30-Jan-19	APPROVED	368 University Avenue	Phase 2 - Mixed Commercial, Residential & Office	Ole Hammarlund	20-Feb-19
19-019	340190	027-BLD-19	25-Jan-19	28-Jan-19	APPROVED	111 Queen Street	Interior demolition work prior to renovations	The Guild	18-Feb-19
19-025	425785	025-BLD-19	30-Jan-19	30-Jan-19	APPROVED	119 Heather Ave	Footing Permit-Full basement foundation to move property from 189 Belvedere Ave	Colin Moore	20-Feb-19
19-033	335919	034-BLD-19	28-Jan-19	31-Jan-19	APPROVED	73-75 Water Street	Repair damage caused by water break	FirstOnSite	21-Feb-19

### Lot Subdivision

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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### Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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## Planning & Heritage Summary (Week ending February 8, 2019)

### ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte Town Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

### Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
17-416	368035	552-bld-17	5-Feb-19	5-Feb-19	APPROVED	33 Pond Street	Occupancy Permit- Phase 2 of new apartment building	Mario Development (David Lopez)	26-Feb-19
18-395	338889	440-BLD-18	21-Sep-18	4-Feb-19	APPROVED	56 Weymouth Street	Single Family Dwelling	Dave McGavin	25-Feb-19
18-591	776435	527-VAR-18	14-Nov-18	14-Jan-19	APPROVED	120 Westridge Crescent	Variance to lot frontage and lot area	Vincent Dunn	4-Feb-19
18-595	872630	529-BLD-18	19-Nov-18	5-Feb-19	APPROVED	64 Hillstrom Ave	Addition to existing building	Valentine Gomez	26-Feb-19
18-615	378927	545-BLD-18	3-Dec-18	7-Feb-19	APPROVED	22 Emerald Drive	Front and back addition	Nicole Vaive	28-Feb-19
18-637	388207	561-BLD-18	20-Dec-18	4-Feb-19	APPROVED	167 Mina Jane Drive	New demising wall for furniture store	APM Commercial	25-Feb-19
18-638	371088	563-BLD-18	28-Dec-18	4-Feb-19	APPROVED	433 University Ave	Remodeling of lobby (McDonald's)	MSM Restaurants Inc (Mike McKenna)	25-Feb-19
19-016	731109	016-BLD-19	22-Jan-19	5-Feb-19	APPROVED	228 Westridge Crescent 203 Kensington Road (Lot 15-1)	Addition to construct an accessory apartment	Fadi Mrish	26-Feb-19
19-028	385971	029-BLD-19	25-Jan-19	7-Feb-19	APPROVED	Single Family dwelling	Single Family dwelling	Sonia Jackson	28-Feb-19
19-039	776435	040-BLD-19	5-Feb-19	5-Feb-19	APPROVED	120 Westridge Crescent	Footing Permit- New Semi-detached dwelling	Vince Dunn	26-Feb-19
19-046	890061	047-BLD-19	6-Feb-19	6-Feb-19	APPROVED	50 Watts Ave	Reface of existing free standing sign	Priority Permits Ltd	27-Feb-19

### Lot Subdivision

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2018-035	1000744	14-Dec-18	6-Feb-19	6-Feb-19	APPROVED	Beach Grove Road	Lot Consolidation	Government of PEI	27-Feb-19
2019-006	1100528	30-Jan-2019	5-Feb-2019	6-Feb-2019	APPROVED	MacWilliams Road	Approval of three Lots from original Subdivision File 2018-008	Montgomery Heights Inc.	27-Feb-19

### Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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## Planning & Heritage Summary (Week ending February 15, 2019)

### ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte Town Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

### Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-287	597237	234-BLD-18	12-Feb-19	12-Feb-19	APPROVED	70 Watts Avenue	Occupancy Permit - Dry storage addition to existing building	Shawn Keough (SKG)	5-Mar-19
18-348	134114	286-BLD-18	14-Feb-19	15-Feb-19	APPROVED	85 Maple Hills Ave	Occupancy Permit - Pre-engineered bldg to support commercial rental space	Kreative Acres Corp	8-Mar-19
18-620	353433	550-VAR-18	7-Dec-18	11-Feb-19	REJECTED	58 Victoria Street	Major Variance- Flankage yard setback	Jason Cadman	4-Mar-19
18-633	469726	557-BLD-18	19-Dec-18	14-Feb-19	APPROVED	57 Watts Avenue	Interior Fitup for 723 Sq Ft Sound stage	Studio Brehaut Architecture	7-Mar-19
18-640	338509; 338491	565-VAR-18	31-Dec-18	11-Feb-19	REJECTED	214 & 216 Sydney Street	Variance application	Mark Landrigan	4-Mar-19
19-007	387761	007-BLD-19	10-Jan-19	14-Feb-19	APPROVED	670 University Ave	Renovations for Eclipse clothing	RCS Construction (Kyle Firlotte)	7-Mar-19
19-019	340190	019-BLD-19	22-Jan-19	12-Feb-19	APPROVED	111 Queen Street	Interior renovations to the third floor	The Guild	5-Mar-19
19-030	610105	031-BLD-19	25-Jan-19	15-Feb-19	APPROVED	37 Queen Elizabeth Drive	Moving Home by water from property	Rose Ellen Ghiz	8-Mar-19
19-040	1089580	041-BLD-19	4-Feb-19	6-Feb-19	APPROVED	34 England Circle (Lot 68)	New Single Family Dwelling	Maple Isle Homes	27-Feb-19
19-052	343673	053-BLD-19	11-Feb-19	11-Feb-19	APPROVED	119 Kent Street (Unit 550), BDC Place	Renovation of existing office space	Dyne Holdings Limited	4-Mar-19
19-056	387811	057-BLD-19	11-Feb-19	11-Feb-19	APPROVED	202 Buchanan Drive	39" X 144" Illuminated sign added to existing sign	Sign Craft	4-Mar-19
19-064	825943	065-BLD-19	14-Feb-19	15-Feb-19	APPROVED	360 Grafton Street	60' Diameter inflatable igloo	Laurel Lea (Jack Frost Festival)	8-Mar-19

### Lot Subdivision

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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### Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-611	145797, 145789 338509;	541-REZ-18	28-Nov-18	11-Feb-19	APPROVED; Done 1st Reading; for 2nd reading	562 Malpeque Road	Rezone properties from R1 to C2	Maple Isle Homes	4-Mar-19
18-640	338491	565-VAR-18	31-Dec-18	11-Feb-19	REJECTED	214 & 216 Sydney Street	Variance application	Mark Landrigan	4-Mar-19
18-620	353433	550-VAR-18	7-Dec-18	11-Feb-19	REJECTED	58 Victoria Street	Major Variance- Flankage yard setback	Jason Cadman	4-Mar-19
18-620	353433	550-VAR-18	7-Dec-18	11-Feb-19	APPROVED	58 Victoria Street	Approved to proceed with lot consolidation	Jason Cadman	4-Mar-19
18-629	n/a	N/A	3-Dec-18	11-Feb-19	APPROVED; Done 1st Reading; for 2nd reading	Zoning & Development ByLaw Amendments	Amend Design Review, Home Occ, Parking, Marijuana Production Facility & Temporary Use Variances	City of Charlottetown	4-Mar-19
18-630	n/a	N/A	3-Dec-18	11-Feb-19	APPROVED; Done 1st Reading; for 2nd reading	Zoning & Development ByLaw Amendments	Amend Affordable Housing	City of Charlottetown	4-Mar-19
18-631	n/a	N/A	3-Dec-18	11-Feb-19	APPROVED; Done 1st Reading; for 2nd reading	Zoning & Development ByLaw Amendments	Amend Bylaw numbering for Zoning & Development Bylaw, Building Code Bylaw and Heritage Preservation Bylaw	City of Charlottetown	4-Mar-19
n/a	278754, 278762, 278770	N/A	24-Jan-19	11-Feb-19	APPROVED	72 Kensington Road, 74 Kensington Road, & 76 Kensington Road	Approval to proceed with lot consolidation	Cliff Campbell	4-Mar-19







**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE  
REPORT TO COUNCIL  
March 11<sup>th</sup>, 2019**

The Public Works & Urban Beautification Committee met on Monday, February 25<sup>th</sup>, 2019, and Tuesday, March 5<sup>th</sup>, 2019, with draft minutes included in the Regular Monthly Council package.

No resolutions are anticipated to be forwarded.

Respectfully submitted,

Councillor Mike Duffy, Chair

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## **PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE**

**Monday, February 25<sup>th</sup>, 2019**

**12:15PM Parkdale Room, City Hall**

**Present:** Mayor Philip Brown  
Councillor Alana Jankov  
Councillor Mitchell Tweel  
Peter Kelly, CAO  
Scott Adams, MPW

**Absent:** Councillor Mike Duffy, Chair  
Councillor Terry MacLeod  
Wallace Higgins, AA

### **CALL TO ORDER**

Councillor Jankov called the meeting to order at approximately 12:15PM. Moved by Councillor Tweel and seconded by Mayor Brown.

### **DECLARATIONS OF CONFLICT OF INTEREST**

No declarations of conflict.

### **APPROVAL OF AGENDA**

The agenda was approved by Chair Jankov and seconded by Councillor Tweel.

### **MOTION TO MOVE INTO CLOSED SESSION**

Moved by Councillor Tweel and Seconded by Councillor Jankov to go into closed session, as per section 119, (1) Sub-sections (e) of the Prince Edward Island Municipal Government Act.  
Motion Carried. (at approximately 12:20 pm).

### **MOTION TO ADJOURN**

Moved by Councillor Tweel and Seconded by Councillor Jankov that the meeting be adjourned.  
Motion Carried.

The meeting adjourned at approximately 1:30PM

*The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Tuesday, March 5<sup>th</sup>, 2019, at City Hall.*

- end -

## **PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE**

**Tuesday, March 5<sup>th</sup>, 2019**

**12:15PM Parkdale Room, City Hall**

**Present:** Councillor Mike Duffy, Chair  
Councillor Alana Jankov  
Councillor Mitchell Tweel  
Peter Kelly, CAO  
Scott Adams, MPW

**Absent:** Mayor Philip Brown  
Councillor Terry MacLeod  
Wallace Higgins, AA

### **CALL TO ORDER**

Chair Duffy called the meeting to order at approximately 12:15PM. Moved by Councillor Jankov and seconded by Councillor Tweel.

### **DECLARATIONS OF CONFLICT OF INTEREST**

No declarations of conflict.

### **APPROVAL OF AGENDA**

The agenda was approved by Chair Jankov and seconded by Councillor Tweel.

### **MOTION TO MOVE INTO CLOSED SESSION**

Moved by Councillor Tweel and Seconded by Councillor Jankov to go into closed session, as per section 119. (1) Sub-sections (e) of the Prince Edward Island Municipal Government Act. Motion Carried. (at approximately 12:25 pm).

### **MOTION TO ADJOURN**

Moved by Chair Duffy and Seconded by Councillor Jankov that the meeting be adjourned. Motion Carried.

The meeting adjourned at approximately 1:30PM

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Wednesday, March 27<sup>th</sup>, 2019, at City Hall.

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Councillor M. Duffy, Chair



**ECONOMIC DEVELOPMENT, TOURISM,  
ARTS & CULTURE COMMITTEE  
REPORT TO COUNCIL  
MARCH 11, 2019**

The Economic Development, Tourism & Events Management Committee met on February 20 & 21, 2019 and the draft minutes are included in your package.

There is one resolution for your consideration.

Respectfully submitted,

Councillor Kevin Ramsay, Chair

**Economic Development, Tourism & Events Management  
Committee Meeting  
Wednesday, February 20, 2019  
12:15 PM - Parkdale Room**

**Present:**      **Mayor Philip Brown**                      **Chair, Councillor Kevin Ramsay**  
                         **Councillor Terry MacLeod**                      **Councillor Bob Doiron**  
                         **Peter Kelly, CAO**                                      **Wayne Long, EDO - via telephone**  
                         **Ron Atkinson, EconDO**                              **Laurel Lea, TO**  
                         **Cindy MacMillan, AA**

**Also:**              **Shaman Ferraro – Presenter 12:45 PM**

**1) Call to Order**

Chair Councillor Kevin Ramsay called the meeting to order at 12:20pm

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**3) Approval of Agenda**

It was moved by Councillor MacLeod and seconded by Councillor Doiron that the agenda be approved as circulated.

**4) Adoption of Minutes**

The draft open minutes from the January 17, 2019 meeting were included in the meeting package. It was moved by Councillor Doiron and seconded by Councillor MacLeod that the minutes be approved.

**5) Business arising from Minutes**

There was no business arising from the minutes.

**6) Introduction to New Business**

There was no new business.

**7) Reports**

**a. 2019 Signature Events and Meetings & Conventions Schedules**

The Committee reviewed the scheduled events and meetings and conventions currently booked for 2019. Mayor Brown noted that the Congres Mondial Acadien was not included on the list, which will be in Charlottetown on August 12. It was briefly mentioned that this event was accounted for under Old Home Week however it will included as a

standalone event moving forward. Mayor Brown expressed interest in having a booth at the pavilion in Moncton to promote Charlottetown. The EDO advised that there have been preliminary discussions on this item internally and with Discover Charlottetown. The TO advised that the CMA event will be added to the schedule.

**b. 2020 Canadian Urban Forestry Conference**

Wayne Long, EDO presented the report to the Committee. The City of Charlottetown bid and won the hosting rights to the 2020 Canadian Urban Forestry Conference. The City is required to enter into an official Hosting Agreement with Tree Canada. Past host municipalities have contributed up to \$25,000 depending on number of registrants and the ability to generate sponsorship.

It was moved by Councillor MacLeod and seconded by Councillor Doiron to forward the agreement to Council for their endorsement. Carried.

**8) Motion to move into closed session**

Motion to move into close session, as per Section 119 (1) sub-section (e) of the PEI Municipal Government Act was moved by Councillor Doiron and seconded by Councillor MacLeod. Carried.

Following the closed discussions the open agenda was continued.

**c. Cannabis Expo**

Shaman Ferraro, event organizer, presented to the Committee. The Expo, which is intended to increase awareness and education for Islanders around the regulations of legalized cannabis, is planned for April. Mr. Ferraro is expecting to have confirmation on location and date in the coming weeks.

Councillor Ramsay suggested that once a date has been secured and once there has been a letter of support received from the Province, that Mr. Ferraro be in touch with Peter Kelly, CAO, and the letter of support from the City can be discussed at a future meeting of Council.

**9) Motion to adjourn**

It was moved by Mayor Brown and seconded by Councillor MacLeod that the meeting be adjourned. Motion Carried.

**The meeting adjourned at 1:30 PM**



City of  
Charlottetown

Report No: EM 01-19

Date: February 20, 2019

**Directed to:**  
ED, Tourism & Event Management Committee

**Attachments:**  
- 2019 Signature Event Schedule  
- 2019 Meetings and Conventions Schedule

**Department:**  
Event Management

**Prepared by:**  
Wayne Long, Events Development Officer (EDO)

**Subject:**  
2019 Signature Event and Meetings and Conventions Schedules

**RECOMMENDATION:**  
Information sharing.

**REPORT:**  
Attached.

Respectfully,

**Reviewed By:**

CAO

Dir Corp Svcs

Dir Pub Svcs

Dir I & D Svcs

Dir Hum Res

Mgr

Other

**RECOMMENDATIONS/ACTIONS:**



**SIGNATURE EVENT SCHEDULE**  
**– 2019 –**

**JANUARY**

Confederation City Classic Basketball Tournament: January 3-5  
Charlottetown Ringette Tournament: January 11-13  
Island Gymnastics Academy Prince Edward Classic: January 18-20  
Credit Union Music PEI Week: January 23-27  
Spud AAA Minor Hockey Tournament: January 31-February 3  
Winterdine: January 24-February 9

**FEBRUARY**

Annual Sweetheart Female Hockey Tournament: February 7-10  
Island Gaming Convention: DATES PENDING  
Jack Frost Winterfest: February 15-18  
Rodd Hotels & Resorts A Hockey Tournament: February 21-24  
ACAA Volleyball Championships: February 23-24

**MARCH**

PEI Open Squash: March 7-10  
PEI Open Wrestling: March 9  
U SPORT Women's Hockey National Championship: March 14-17  
Island Entertainment Expo: March 30-31  
Canadian Stick Curling Championships: March 31-April 3

**APRIL**

National Dodgeball Championship: April 4-7  
Major Midget Atlantic Hockey Championship: April 4-7  
Canadian Ringette Championships: April 7-13  
Oyster Cup Hockey Tournament: April 19-21  
Canadian Wheelchair Basketball League National Championship: April 26-28

**MAY**

2019 East Coast Music Awards: May 1-5  
PEI Setting Day Festival 2019: May 11-13  
10<sup>th</sup> Atlantic Dream Machine Show & Shine: May 19  
The PEI Festival of Wines: May 23-25  
Red Rock Classic Basketball Tournament: May 24-26

**JUNE**

City of Charlottetown Civic Event - Natal Day Weekend Celebrations: June 7-9  
PEI Mutual Festival of Small Halls: June 9-23  
National Aboriginal Day Celebrations: June 21  
Atlantic Hockey Showcase: June 21-27  
6<sup>th</sup> Annual Courtside Classic Basketball Tournament: June 25-27  
DiverseCity Charlottetown: June 23  
Saint-Jean-Baptiste Day Celebration: June 24

TD PEI Jazz & Blues Festival: June 28-30

## **JULY**

City of Charlottetown Civic Event - Capital City Canada Day: July 1

Winsloe Charlottetown Royals FC Soccer Tournament: July 12-14

Charlottetown Race Week: July 18-20

PEI Pride Festival: July 20-31

Prince Edward Island Trucker's Big Rig Show and Shine: July 27

## **AUGUST**

Island Fringe Festival: August 1-4

U16 Eastern Canadian Flag Football Championships: August 2-4

Old Home Week: August 8-17

11<sup>th</sup> Annual Mi'kmaq Confederacy of PEI Charlottetown Pow Wow: August 13-14

Gold Cup Parade: August 16

Race the Tide Youth Sailing Regatta: DATE PENDING

GranFondo PEI: August 23-25

Art in the Open: August 24

Fall Flavours: August 30-October 1

## **SEPTEMBER**

U17 Cup Canada Soccer Toyota National Championships: October 9-14

PEI International Shellfish Festival: September 19-22

FrancoFestival: DATE PENDING

UPEI Panther Cross Country Invitational: PENDING

Contact East 2019: September 26-29

PEI Beer Festival: September 27-28

Aspin Kemp and Associates Open: DATE PENDING

Culture Days: September 27-29

## **OCTOBER**

Harbour Feast: October 5

Farm Day in the City: October 6

Atlantic Breeders Crown: October 12-13

Mickey Place Memorial Basketball Tournament: October 11-13 (PENDING)

PEI Marathon: October 20

2019 ACAA Soccer Championships: October 25-27

Island Dog Club Show: October 26-27

## **NOVEMBER**

Early Bird Hockey Tournament: November 21-24

Wintertide Holiday Festival: November 22-January 5

Victorian Christmas Weekend: November 29-December 1

City of Charlottetown Civic Event - Charlottetown Christmas Parade: November 30

## **DECEMBER**

George Trainor Holiday Classic: December 27-29

## 2019 Confirmed Meetings - Charlottetown

Account Name	Arrival	Departure	Delegates
UPEI School of Business Administration	02/16/2019	02/23/2019	200
International Association of Orofacial Myology	03/17/2019	03/20/2019	10
Atlantic Association of Optometrists	03/28/2019	03/31/2019	100
Island Expo	03/30/2019	03/31/2019	250
Canadian Technical Asphalt Association	04/21/2019	04/23/2019	12
Holstein Canada	04/23/2019	04/28/2019	750
Embroiderers' Association of Canada	04/26/2019	04/29/2019	25
Girl Guides of Canada	04/26/2019	04/27/2019	250
Pension Investment Association of Canada	05/07/2019	05/12/2019	85
Atlantic Canada Event Summit	05/09/2019	05/12/2019	100
Great Enlightenment Buddhist Institute Society/ Great Wisdom Buddhist Institute	05/10/2019	06/03/2019	500
Department of Justice Canada	05/21/2019	05/25/2019	65
PEI Provincial Government - MASTER ACCOUNT	05/21/2019	05/22/2019	70
Government of Canada	05/26/2019	05/29/2019	250
Credit Union Deposit Insurance Corporation	05/28/2019	05/30/2019	40
Canadian Association of Ambulatory Care	05/29/2019	06/02/2019	200
WISE Atlantic	05/29/2019	05/31/2019	120
Conference of Faculty Association Staff (COFAS)	05/30/2019	06/02/2019	100
Crane Rental Association of Canada	06/01/2019	06/08/2019	250
Prince Edward Island College of Family Physicians	06/05/2019	06/06/2019	60
Canadian Sheet Steel Building Institute	06/08/2019	06/13/2019	90
Paramedic Chiefs of Canada	06/09/2019	06/15/2019	165
Canadian Institute of Plumbing & Heating	06/13/2019	06/19/2019	250
UPEI School of Mathematical and Computational Sciences	06/15/2019	07/04/2019	4
PEI Provincial Government - MASTER ACCOUNT	06/17/2019	06/19/2019	14
Canadian Physiotherapy Association	06/19/2019	06/23/2019	250
International Round Table of Community Paramedicine	06/21/2019	06/23/2019	35
PEI BioAlliance	06/23/2019	06/27/2019	200
Special Olympics Canada	06/23/2019	06/26/2019	20
Canadian Association of Statutory Human Rights Agencies	06/26/2019	06/28/2019	200
International Workshop on Osteoarthritis Conference	06/26/2019	06/29/2019	90
Cavendish Beach Music Festival	07/04/2019	07/08/2019	150

PEI Provincial Government - MASTER ACCOUNT	07/07/2019	07/10/2019	25
Great Enlightenment Buddhist Institute Society/ Great Wisdom Buddhist Institute	08/01/2019	08/18/2019	150
Association de la presse francophone	08/05/2019	08/10/2019	40
Used Oil Management Association	08/20/2019	08/22/2019	85
International Union of Operating Engineers	08/23/2019	08/29/2019	150
Petro Canada Atlantic Wholesalers	09/03/2019	09/05/2019	25
Atlantic Association of Community Business Development Corp	09/09/2019	09/13/2019	240
Strategic Site Selection	09/11/2019	09/16/2019	250
United Association of Plumbers & Pipefitters	09/16/2019	09/20/2019	380
Syngenta Canada Inc.	09/16/2019	09/20/2019	35
Skills Competences Canada	09/18/2019	09/21/2019	32
Canadian Association of Liquor Jurisdictions (CALJ)	09/21/2019	09/27/2019	60
Workers Compensation Board	09/29/2019	10/03/2019	200
PEI Provincial Government - MASTER ACCOUNT	09/29/2019	10/02/2019	25
PEI Provincial Government - MASTER ACCOUNT	09/30/2019	10/04/2019	200
Canadian Pension and Benefits Institute	10/01/2019	10/04/2019	180
Canadian Resource and Environmental Economists	10/03/2019	10/06/2019	60
The Presbyterian Church of Canada	10/14/2019	10/16/2019	100
PEI Teachers' Federation	10/15/2019	10/18/2019	1500
National Comptrollers	10/16/2019	10/18/2019	16
Atlantic Central/League Savings & Mortgage	10/23/2019	10/25/2019	240
Cogsdale Corporation	10/27/2019	10/31/2019	100



# CITY OF CHARLOTTETOWN

## RESOLUTION

Economic Development,  
Tourism & Events  
Management #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Kevin Ramsay

Seconded by Councillor \_\_\_\_\_ Terry MacLeod

### RESOLVED:

**That the City of Charlottetown enter into an agreement with Tree Canada to host the 2020 Canadian Urban Forestry Conference,**

**And that the Mayor and CAO are hereby authorized to execute the agreement to implement this resolution.**



# City of Charlottetown

**Report No:** EM 04-19

**Date:** February 20, 2019

**Directed to:**  
ED, Tourism & Event Management Committee

**Attachments:**  
- Tree Canada Agreement  
- Past Conference Budgets

**Department:**  
Event Management

**Prepared by:**  
Wayne Long, Events Development Officer (EDO)

**Subject:**  
2020 Canadian Urban Forestry Conference

**RECOMMENDATION:**

That the Committee endorse the agreement and forward to Council for execution approval.

**REPORT:**

In 2018, the City of Charlottetown bid on and won the hosting rights to the 2020 Canadian Urban Forestry Conference. An official announcement was made last fall.

The City of Charlottetown is now required to enter into an official Hosting Agreement with Tree Canada. As part of the Agreement, the municipality is responsible to serve as the lead organizer and financial guarantor of the conference.

In the past, host municipalities have contributed up to \$25,000 depending upon registration numbers and the ability to generate sponsorship dollars in the host market. Given the conference is being hosted directly by the City of Charlottetown, the City is able to approach the Charlottetown Special Events Reserve Fund for a contribution as well.

Attached within this report are budgets from two past hosts of the conference; we are currently waiting on a copy of final financials from last year's host, Vancouver.

The City of Charlottetown will serve as lead organizers of the conference, with members of many City Departments serving on the Organizing Committee.

Respectfully,

**Reviewed By:**

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr	Other
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## MEMORANDUM OF AGREEMENT

THIS AGREEMENT is dated for reference the \_\_\_ day of March 2019.

BETWEEN:

### CITY OF CHARLOTTETOWN, PEI

PO Box 98, 199 Queen Street  
Charlottetown, Prince Edward Island  
Canada, C1A 7K2

(the "City")

OF THE FIRST PART

AND:

### TREE CANADA / ARBRES CANADA

43 Eccles Street, Suite B  
Ottawa, ON  
K1R 6S3

("Tree Canada")

OF THE SECOND PART

### BACKGROUND:

- A. Tree Canada provides education, technical expertise, and resources to plant and care for urban and rural trees.
- B. The Canadian Urban Forest Conference (the "CUFC") is a conference held every two years covering issues and topics related to urban forestry and bringing together leading experts in the field, the rights to which are owned by Tree Canada.
- C. The purpose of the CUFC is to provide a focus for discussion on Canadian urban forestry practices, and to allow for dialogue by professionals and community groups on innovative urban forest strategies, policies, technologies, and management practices. The CUFC also serves to raise the profile and enable discussion of urban forestry on a local scale, in the community where it takes place.
- D. The City submitted a proposal (the "Proposal") to Tree Canada to hold the 14<sup>th</sup> CUFC (the "Conference") in the City of Charlottetown, from October 5 to October 7, 2020, which was accepted by Tree Canada.
- E. Pursuant to the Proposal, the City has made certain promises to Tree Canada, and now wishes to further define and formalize the terms of its agreement with Tree Canada regarding its hosting of the Conference.

**NOW THEREFORE**, in consideration of their mutual duties and responsibilities to one another as set out in this Agreement, the sufficiency of which is acknowledged, the City and Tree Canada agree as follows:

### 1.0 DEFINITIONS

In addition to terms elsewhere defined in this Agreement, the following terms shall have the following meanings:

- 1.1 "Agreement" means this agreement and all appendices.
- 1.2 "Conference Budget" means the budget for the Conference prepared and maintained by the City in consultation with Tree Canada, as updated from time to time.

- 1.3 **"Conference Program"** means the program of events for the Conference prepared and managed by the City in collaboration with Tree Canada.
- 1.4 **"CUFC Planning Manual"** means the document ("Canadian Urban Forest Conference 2018") created by Tree Canada whose purpose is to facilitate the organization of the Canadian Urban Forest Conference and to outline Tree Canada's expectations.
- 1.5 **"Expenditures"** means all Conference related expenditures, including meeting room rentals, speaker costs, event planners, meals and other Conference related 'Costs' and any other expenditures made by the City for the purposes of the Conference.
- 1.6 **"Force Majeure"** means: acts of God; laws, orders, rules, regulations, acts and restraints of armies, militaries, enemies, terrorists, and governmental authorities (but specifically excluding the City); war, revolutions, mobilization, political and civil unrest or insurrection, embargos, disturbances and riots; epidemics, outbreak of disease and quarantine; inclement weather including floods, storms, tornados, hurricanes, tsunamis, earthquakes, volcanic eruptions and landslides; explosions and fire; damage, destruction or expropriation of property; and any other event or occurrence beyond the reasonable control of the applicable Party.
- 1.7 **"Gross Misconduct"** means conduct that, in either Party's reasonable opinion, reflects unfavourably on the good name, goodwill, reputation, or image of such Party or that reduces the value of such Party's association with the other.
- 1.8 **"Net Losses"** means the amount of deficit after all expenses of the conference have been paid (Revenues minus Expenditures) as shown on the Conference financial statements as prepared by the City's financial department.
- 1.9 **"Net Profits"** means the amount remaining after all expenses of the Conference have been paid (Revenues minus Expenditures) as shown on the Conference financial statements as prepared by the City's financial department.
- 1.10 **"Organizing Committee"** means the organizing committee for the Conference including representatives of the City and Tree Canada as the same may be amended from time to time on agreement between Tree Canada and the City.
- 1.11 **"Parties"** means the City and Tree Canada, and **"Party"** means any one of them.
- 1.12 **"Revenues"** means all Conference related revenues, consisting of an aggregate of sponsorship and grant funding, conference participant registration fees, and booth registration fees and any other revenues which may be collected by the City or Tree Canada for the purposes of the Conference.

## 2.0 THE CONFERENCE

- 2.1 The Conference will take place in the City at a conference venue/hotel to be selected by the City and approved by Tree Canada. The venue must be booked by the City no later than September 30, 2019.
- 2.2 In collaboration with Tree Canada, the City will assume the role of "lead" delivery agent in the planning, organization and implementation of the Conference, including but not limited to the selection of a Conference "theme", the duration of the Conference, entering into all supplier agreements for the Conference, and creating and managing the Conference Program.

## 3.0 REPRESENTATIONS AND WARRANTIES OF THE PARTIES

Each Party, the City Charlottetown and Tree Canada, represents and warrants in favour of the other as follows:



- a) it is a corporation duly incorporated, amalgamated or continued, and existing, under the laws of its jurisdiction of incorporation, amalgamation or continuance, and has all necessary corporate power and capacity to enter into and perform its obligations hereunder;
- b) it has taken all necessary corporate action to authorize the execution and delivery of its obligations hereunder;
- c) it has duly executed and delivered this Agreement and this Agreement constitutes a legal, valid and binding obligation enforceable against it in accordance with its terms, subject only to bankruptcy, insolvency, liquidation, reorganization, moratorium and other similar laws generally affecting the enforcement of creditors' rights, and to the fact that equitable remedies, such as specific performance and injunction, are discretionary remedies;
- d) no authorization, consent, permit, exemption, approval, or other action by, or filing with, or notice to, any governmental authority is required in connection with the execution and delivery by it of this Agreement or the performance of its obligations under this Agreement except those which have already been given, obtained or approved, as applicable;
- e) the execution and delivery by it of this Agreement, and the performance of its obligations under this Agreement, do not and will not breach or result in a default under:
  - i. any of its constating documents;
  - ii. any laws, statutes or regulations to which it is subject; or
  - iii. any contract or covenant by which it is bound; and
- f) there is no action, litigation or other proceeding in progress, pending or, to its knowledge, threatened against it which might result in a material adverse change in its financial condition or which would materially adversely affect its ability to perform its obligations under this Agreement.

#### **4.0 TREE CANADA'S DUTIES AND RESPONSIBILITIES TO THE CITY**

- 4.1 Tree Canada covenants and agrees to provide the City with its expertise and advice in support of the Conference. Without limiting the foregoing, Tree Canada will:
- (a) actively advise and provide input to the Organizing Committee of the Conference, including information from past CUFCs (including list of participants), sponsorship opportunities, ideal conference timeline, activities and milestones, as reasonably requested by the City and as permitted under applicable laws;
  - (b) prepare and provide to the City a slide deck capturing the previous conference locations prior to the commencement of the Conference, to be displayed on audio-visual screens during breaks in Conference programming;
  - (c) provide input to the Organizing Committee and Communications subcommittee who will be designing the template for the Conference website;
  - (d) assist in the distribution of press releases, notices and otherwise generate awareness of the Conference amongst Tree Canada's network and all others who may have an interest in attending the Conference;
  - (e) at the commencement of the Conference, provide a welcome address from Tree Canada; and

- (f) co-lead a Banquet/Gala at the Conference which will include an awards presentation. This will be a co-hosted event which will be created in collaboration with the City and will be funded by the Conference Budget (food, table decorations, audio/visual, wine), except that the cost of any awards or special guests as part of the awards presentation at the Gala shall be at Tree Canada's expense. Tree Canada shall advise the City of specifically which costs it shall be responsible for.

Tree Canada acknowledges and agrees that its performance of these duties is integral to the success of the Congress; as such, any material failure to perform any of the above duties may be treated by the City as a material breach of this Agreement pursuant to Article 10.

## **5.0 THE CITY'S DUTIES AND RESPONSIBILITIES TO TREE CANADA**

5.1 The City agrees to organize and plan the Conference, act as the host municipality for the Conference, and assume full financial responsibility for the Conference, except as otherwise specifically provided in this Agreement. Without limiting the foregoing, the City will:

- (a) co-Chair the Organizing Committee with Tree Canada and include as other members of the Organizing Committee other City staff, other non-City staff and staff of Tree Canada in all meetings about the Conference;
- (b) hold a minimum of one Organizing Committee meeting per month once this agreement is signed;
- (c) include the City and Tree Canada logos on all Conference communications, including letterhead and websites;
- (d) arrange for and ensure that all communications material for the Conference (i.e. web and print material) are made available in both French and English for national circulation/marketing/promotion;
- (e) arrange for and ensure that there are simultaneous interpretation services available at all Conference venue locations during the Conference;
- (f) assume all liabilities and obligations of the Conference by entering into all supplier agreements for the Conference, including but not limited to the Conference venue, designated hotel, caterers, and speakers for the Conference (except those speakers specifically designated and funded by Tree Canada, as described in Section 4(f), if any);
- (g) prepare and provide to Tree Canada upon reasonable request updated Conference Budgets;
- (h) actively pursue and obtain sufficient sponsorship funding for the Conference, including provision for all meals, coffee breaks, and event costs for all Conference participants;
- (i) obtain and provide a certificate to Tree Canada for sufficient commercial general liability insurance for personal injury and property damage at the Conference, naming Tree Canada as a co-insured in an amount not less than \$5M per occurrence;
- (j) ensure the Conference slide deck is displayed at all times during the Conference at the venue where there is no scheduled programming (i.e. during lunches and breaks);
- (k) prepare the Conference Program in collaboration with Tree Canada, ensuring diverse content reflective of local, regional and national

interests. The Conference Program shall include: 1) Welcoming remarks from Tree Canada; 2) the Canadian Urban Forest Strategy workshop during the morning of the second day (1 hour); and, 3) an evening Banquet/Gala;

- (l) prepare and administer Conference evaluations for the Final Report submitted by the City (as described in Section 7.5) in accordance with the templates provided by Tree Canada;
- (m) ensure open communication with and keep Tree Canada informed and involved at all stages of the planning and implementation of the Conference to promote its success;
- (n) obtain consent from all Conference participants to have their personal information shared with Tree Canada and future host cities for future CUFCs.

The City acknowledges and agrees that its performance of these duties is integral to the success of the Conference; as such, its failure to perform any of the above duties may be treated as conditions, the breach of which may entitle Tree Canada to terminate this Agreement in accordance with Article 10.

## **6.0 LICENCE**

6.1 Tree Canada hereby grants to the City a non-exclusive, non-transferable license to use the marks "Canadian Urban Forest Conference (CUFC)", "Conférence canadienne sur la forêt urbaine (CCFU)" as well as all registered and unregistered trade-marks and logos of Tree Canada in connection with the Conference (the "Marks"), provided that:

- (a) the City continues to accept that its usage of the Marks shall at all times be under the control of Tree Canada and the City cooperates with Tree Canada in facilitating the exercise of such control by Tree Canada;
- (b) the City continues to adhere to the standards that are set from time to time by Tree Canada governing the quality of the services performed in relation to the Marks, and all related advertising and promotional material, provided in association with the Marks;
- (c) Tree Canada shall continue to have the right of access to the City's records and premises for the purpose of inspecting the services provided by the City in association with the Marks in order to ensure the quality thereof;
- (d) the City continues to use the Marks only in the form and manner, and when possible with the following legend, as applied to the particular Mark, or as may be prescribed from time to time by Tree Canada, in order to ensure compliance with Canadian laws:
- (e) Canadian Urban Forest Conference is a trade-mark of Tree Canada Used by the City under license.
- (f) the City continues to use the Marks only in association with the services in connection with the Conference, and only for the term of this Agreement and with no other goods or services; and
- (g) the City does nothing inconsistent with the validity of the Marks or inconsistent with Tree Canada's ownership of the Marks.

## **7.0 CONFERENCE FUNDING AND REPORTING**

7.1 The Conference will be exclusively funded by: (i) payment of registration fees by participants to the Conference; (ii) third party sponsorships and grants; and (iii)

booth registrations. Payment of registration fees will be waived for 15 delegates of the City, and 10 delegates from Tree Canada, in which registration fees will be drawn from the Conference Budget. Payment of accommodations costs for 30 hotel room nights at the Conference designated hotel will also be waived, with accommodations costs drawn from the Conference Budget. Registration fees and accommodations for additional Tree Canada attendees to the Conference (above the 10 free registrants and the 30 hotel room nights) if any, will be paid for by Tree Canada.

- 7.2 Tree Canada will use reasonable efforts to apply for third-party sponsorship and grant funding for the Conference. Tree Canada will be entitled to retain 20% of any successful sponsorship and grant applications directly requested by Tree Canada, and the remaining 80% of the sponsorship and grant funds will be paid to the City and used for the exclusive purposes of the Conference, and thereby form a part of the Conference Budget. For certainty, the City will be entitled to retain 100% of any third-party sponsorship or grant funds applied for and received by the City, but 100% of all such sponsorship/grant funds shall be used for the exclusive purposes of the Conference, thereby form a part of the Conference Budget. Any surplus funds in the Conference Budget after payment of all expenses for the Conference (i.e. Net Profits) shall be distributed per the allocations in Section 7.3 below.
- 7.3 Net Profits from the Conference (if any), shall be allocated and paid out with delivery of the final Conference report as described in Section 7.5, as follows:
- (a) 50% thereof shall be paid to an urban forest legacy project within an area as determined by the City; and
  - (b) 50% thereof shall be paid to Tree Canada.
- 7.4 Net Losses from the Conference (if any), shall be 100% allocated to the City and the City shall defend, indemnify and hold harmless Tree Canada for any such Conference Net Losses, and any claims, demands, actions, suits, losses, charges, expenses, damages and liabilities (including reasonable legal fees and expenses) which Tree Canada may sustain as a result of, related to or in connection with those Conference Net Losses.
- 7.5 Within 60 days of the end of the Conference, the City will provide Tree Canada with a Final Report, the details of which will include: final Conference Budget, final Conference financial statements showing any Net Profits or Net Losses, as applicable, number of participants, sponsors, Conference Program, trade show, organization, and evaluations.

## **8.0 MUTUAL INDEMNIFICATION**

- 8.1 The City agrees to defend, indemnify and save harmless Tree Canada and its members, directors, officers, employees, agents and representatives from any and all claims, demands, actions, suits, losses, charges, expenses, damages or liabilities (including reasonable legal fees and expenses) arising from the errors, omissions or negligent acts of the City, its elected or appointed officials, employees, agents, contractors or subcontractors in the performance of this Agreement or arising from the breach, violation or non-performance of this Agreement by the City, any inaccuracy of any representation and warranty by the City, or relating to personal injury, including death, property damage and loss arising out of, suffered or experienced at or related to the Conference and because of any willful or negligent act or omission on the part of the City, its elected officials, employees, contractors, subcontractors or others for whom it is responsible at law.

## **9.0 RELATIONSHIP**

- 9.1 It is further agreed that this Agreement does not in any way create an agency or employment relationship between Tree Canada and the City or any of either party's respective employees and that neither party will represent itself to be the agent or employer of the other Party at any time.

## 10.0 TERMINATION

- 10.1 A Party to this Agreement may terminate this Agreement with written notice to the other in the following circumstances:
- a) the other Party has materially breached this Agreement, and such breach has continued un-remedied following 30 days' notice thereof;
  - b) in the event of Force Majeure that prohibits a Party from performing its obligations hereunder after making commercially reasonable efforts in the circumstances to surmount the event of Force Majeure;
  - c) the other Party or any of its representatives, agents or employees engages in Gross Misconduct; or
  - d) a Party becomes insolvent, makes an assignment for the benefit of creditors or is the subject of any proceeding under any bankruptcy or insolvency law; winds up, dissolves, liquidates or takes steps to do so; or if a receiver or other custodian (interim or permanent) of any of the assets of a Party is appointed by private instrument or by court order or if any execution or other similar process of any court becomes enforceable against a Party or its assets.
- 10.2 This Agreement will automatically expire with the delivery of the final Conference report to Tree Canada in accordance with Section 7.5.
- 10.3 Notwithstanding any such termination or expiration, the indemnification obligations of the Parties in this Agreement will survive for three (3) years following the date of termination or expiration, as applicable.

## 11.0 NOTICE

- 11.1 It is hereby mutually agreed that any notice or other communication required to be given under this Agreement will be deemed to be sufficiently given, if:
- (a) personally delivered, at the time of delivery; or
  - (b) by facsimile, to such facsimile number designated by a Party, at the time of transmission; or
  - (c) mailed from any government post office by prepaid registered mail addressed as follows:
 

if to the City:	PO Box 98, 199 Queen Street Charlottetown, Prince Edward Island Canada, C1A 7K2
if to Tree Canada:	43 Eccles Street, Suite B Ottawa, ON K1R 6S3

and any such notice will be deemed to have been received 72 hours after the time of mailing. If normal mail service is interrupted by strike, slow down, Force Majeure or other cause, then a notice sent by mail will not be deemed to be received until actually received, and the party sending the notice must personally deliver or send such notice by facsimile in order to ensure prompt receipt thereof.

## 12.0 GENERAL

- 12.1 Time is of the essence of this Agreement.
- 12.2 Neither this Agreement nor any right or obligation hereunder may be assigned by either party without the prior written consent of the other Party. This Agreement will ensure to the benefit of and is binding upon the Parties hereto and their respective administrators, successors, and permitted assigns.
- 12.3 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- 12.4 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the Parties or the context so requires, and the use of the word "including" and "includes" shall be deemed to mean "including, without limitation" or "includes, without limitation", respectively.
- 12.5 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 12.6 All rights not specifically granted to the City hereunder are reserved by Tree Canada.
- 12.7 Each Section of this Agreement is distinct and severable. If any Section is deemed unenforceable by a court of competent jurisdiction, that shall not affect the validity and enforceability of the remaining Sections of this Agreement or the validity and enforceability of that Section in any other jurisdiction.
- 12.8 This Agreement has been prepared and revised with each Party's professional advisors during the course of negotiations between the Parties. Each Party acknowledges that this Agreement is the product of their joint efforts, that it expresses their agreement, and that if there is any ambiguity in any of its provisions, that provision should be interpreted in favour of either one of them.
- 12.9 All requests, consents, approvals, opinions and decisions given or made by either Party as permitted by this Agreement must be reasonable, not be unreasonably withheld or delayed, and not be subject to unreasonable conditions or qualifications, be based on good and sound business judgment, and be consistent with the terms of this Agreement.
- 12.10 Except as otherwise specified in this Agreement, all costs and expenses (including fees and disbursements of accountants, financial advisors, lawyers and other professional advisors) incurred in connection with this Agreement, the obligations under this Agreement and the completion of the transactions contemplated hereby, are to be paid by the Party incurring those costs and expenses.
- 12.11 IN NO EVENT WILL TREE CANADA (INCLUDING ITS MEMBERS, DIRECTORS, OFFICERS, EMPLOYEES OR REPRESENTATIVES) BE LIABLE TO THE CITY OR ANY OTHER PERSON OR ENTITY FOR DAMAGES OF ANY KIND, INCLUDING ANY DIRECT, INDIRECT, SPECIAL, INCIDENTAL, CONSEQUENTIAL, PUNITIVE OR EXEMPLARY DAMAGES, OR ANY DAMAGES FOR LOST OR ANTICIPATED LOSS OF REVENUE OR PROFIT OR OTHER COMMERCIAL OR ECONOMIC LOSS, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, AND WHETHER ARISING IN NEGLIGENCE, TORT, STATUTE, EQUITY, CONTRACT (INCLUDING FUNDAMENTAL BREACH) OR OTHERWISE, AND THE CITY HEREBY FULLY WAIVES ANY SUCH CLAIM(S).
- 12.12 This Agreement is to be construed in accordance with and governed by the laws of the Province of Ontario and the laws of Canada applicable in that Province.

Each of the Parties hereby irrevocably and unconditionally submits and attorns to the exclusive jurisdiction of the courts of the Province of Ontario to determine all issues, whether at law or in equity, arising from this Agreement.

12.13 This Agreement may not be modified, amended or assigned except by the written agreement of both Parties. No waiver of, failure to exercise, or delay in exercising, any Section of this Agreement constitutes a waiver of any other Section (whether or not similar) nor does any waiver constitute a continuing waiver unless otherwise expressly provided.

12.14 Each Party will, at that Party's own cost and expense, execute and deliver any further agreements and documents and provide such further assurances, undertakings and information as may be reasonably required by the requesting Party to give effect to this Agreement and, without limiting the generality of the foregoing, will do or cause to be done all acts and things, execute and deliver or cause to be delivered all agreements and documents and provide any assurances, undertakings and information as may be required at any time by all governmental authorities having jurisdiction over the affairs of a Party or may be required at any time under applicable laws.

12.15 All representations, warranties and covenants set forth in this Agreement and all provisions of this Agreement, the full performance of which is not required prior to termination or expiration of this Agreement, shall survive any such termination or expiration and be fully enforceable thereafter.

12.16 This Agreement, together with all Appendices sets forth the entire agreement between the Parties pertaining to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether written or oral, of the Parties, and there are no representations, warranties or other agreements between the Parties, express or implied, in connection with the subject matter hereof except as specifically set out in this Agreement. No Party has been induced to enter into this Agreement in reliance on, and there will be no liability assessed, either in tort or in contract, with respect to any warranty, representation, opinion, advice or assertion of fact except to the extent it has been reduced to writing and included as a term of this Agreement.

12.17 This Agreement may be executed and delivered in counterparts, each of which will be an original and each of which may be delivered by facsimile, e-mail or other functionally equivalent electronic means of transmission, with the same effect as if both Parties had signed the same document. All counterparts shall be construed together and shall constitute one and the same Agreement.

12.18 This Agreement has been provided in both the French and English languages. In the event of conflict between the two versions, the English version will prevail.

IN WITNESS WHEREOF the parties hereto have executed and delivered this Agreement as of the date first above written.

CITY OF CHARLOTTETOWN by its authorized )  
signatories: )

\_\_\_\_\_)  
Mayor Philip Brown )

\_\_\_\_\_)  
Peter Kelly, Chief Administrative Officer )

TREE CANADA by its authorized signatory:



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Michael Rosen, President



**Economic Development, Tourism & Events Management  
Committee Meeting  
Thursday, February 21, 2019  
12:15 PM - Parkdale Room**

**Present:** Mayor Philip Brown  
Councillor Terry MacLeod  
Peter Kelly, CAO  
Ron Atkinson, EconDO  
Cindy MacMillan (AA)

Chair, Councillor Kevin Ramsay  
Councillor Bob Doiron  
Wayne Long, EDO - via telephone  
Laurel Lea, TO

**Regrets:** N/A

**1. Call to Order**

Chair Councillor Kevin Ramsay called the meeting to order at 4:45pm

**2. Declarations of conflict of interest**

There were no conflicts of interest declared.

**3. Approval of Agenda**

It was moved by Councillor MacLeod and seconded by Councillor Doiron that the agenda be approved as circulated.

**4. Introduction of New Business**

There no was new business introduced.

**5. Motion to move into closed session**

Motion to move into close session, as per Section 119 (1) sub-section (e) of the PEI Municipal Government Act was moved by Councillor Doiron and seconded by Councillor MacLeod. Carried.

**6. Motion to adjourn**

It was moved by Mayor Brown and seconded by Councillor MacLeod that the meeting be adjourned. Motion Carried.

**Adjourned 6:00 PM**



**ENVIRONMENT & SUSTAINABILITY COMMITTEE  
REPORT TO COUNCIL  
MARCH 11, 2019**

The Environment & Sustainability Committee met on February 22 & 26, 2019 and the draft minutes are included in your package.

The Charlottetown Food Council met on February 19, 2019. The draft minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Terry MacLeod, Chair

**ENVIRONMENT & SUSTAINABILITY COMMITTEE**  
**Friday, February 22, 2019**  
**12:00 PM – Parkdale Room, City Hall**

**PRESENT:** Mayor Philip Brown  
Councillor Terry MacLeod, Chair  
Deputy Mayor Jason Coady, Vice-Chair  
Councillor Kevin Ramsay, Member  
Peter Kelly, CAO

**ALSO:** Ramona Doyle, SO  
Cindy MacMillan, AA

**REGRETS:** N/A

**1) Call to Order**

The meeting was called to order at approximately 12:20 pm by the Chair.

**2) Declarations of conflict of interest**

There were no declarations of conflict.

**3) Approval of Agenda**

It was moved by Deputy Mayor Coady and seconded by Councillor Ramsay that the agenda be approved as circulated. Carried.

**4) Adoption of Minutes**

It was moved by Deputy Mayor Coady and seconded by Councillor Ramsay that the minutes from January 29, 2019 be approved as circulated. Carried.

**5) Business arising from the minutes**

The Mayor asked whether the planned public meeting on February 26 for Fitzroy Street Bike Lane is still a go. The SO confirmed the meeting will be held on that date at the Rodd Charlottetown. The SO suggested that once the Public Meeting is held the Committee should meet again before the March Council meeting.

**6) Motion to move into Closed Session**

Motion to move into closed session, as per section 119 (1) sub-section (e) of the PEI Municipal Government Act was moved by Deputy Mayor Coady and seconded by Mayor Brown. Carried.

**7) Introduction of New Business**

There was no new business to discuss.

**8) Adjournment**

Moved by Mayor Brown and seconded by Councillor Ramsay that the meeting be adjourned. Carried.

**The meeting adjourned at 1:30 PM.**

DRAFT

**ENVIRONMENT & SUSTAINABILITY COMMITTEE**  
**Tuesday, February 26, 2019**  
**12:15 PM – Parkdale Room, City Hall**

**PRESENT:** Mayor Philip Brown  
Councillor Terry MacLeod, Chair  
Deputy Mayor Jason Coady, Vice-Chair  
Councillor Kevin Ramsay, Member  
Peter Kelly, CAO

**ALSO:** Ramona Doyle, SO  
Cindy MacMillan, AA  
Karen Murchison – Presenter, Food Council

**REGRETS:** N/A

**1) Call to Order**

The meeting was called to order at approximately 12:15 pm by Chair MacLeod.

**2) Declarations of conflict of interest**

There were no declarations of conflict.

**3) Approval of Agenda**

It was moved by Councillor Ramsay and seconded by Deputy Mayor Coady that the agenda be approved as circulated. Carried.

**4) Discussions/Reports**

**a. Food Council – Karen Murchison**

Karen Murchison, Chair of the Food Council provided some background information for the Committee as there are new Councillors involved since the Food Council's formation. The purpose of the Food Council is to improve food access, sustainability and affordability.

Karen provided some information on the 13 local experts that serve as members of the Council, whose backgrounds consist of communications, marketing, farmers, and chefs. There will be four committees within the Council; Finance, Policy & Planning, Communications, and Projects. The Food Council meets the third Tuesday of each month.

The budget for the Food Council is included in the Environment & Sustainability budget and has been approved at the Committee level.

**b. TD Funding Application**

Beth Hoar, PC, presented the report to the Committee. A funding proposal for \$19,500 was submitted to the TD Green Space/Arbor Day Foundation to carry out a project to remediate the swale in J. Frank MacAulay Park. The swale is non-functional, congested with silt and plants that impede water flow creating flooding in the park, collects unsightly trash, has low plant biodiversity and has an invasive plant species growing along its borders. The park receives runoff from the community as it is the lowest point of land in the area.

The vision is to create an innovative green storm water management feature in the form of a bioswale that runs through the park and slows the flow of storm water to allow infiltration but does not cause flooding, has diverse plants and water features to encourage the presence of wildlife, does not have any invasive plants present and improves the aesthetics of the area.

The question was asked whether there are other parks in Charlottetown with these same issues. The PC advised that to some degree there are other parks with this issue but not to the same degree.

This project ties in with the City's ICSP goals and actions related to water, people and places, active healthy living and nature. The PC advised that the City should be notified soon whether it was approved for funding.

**c. Tree Protection Bylaw**

Beth Hoar, PC, presented the report to the Committee. The purpose of the Tree Protection Bylaw is to recognize the importance of trees as green infrastructure and protect trees on City-owned property; protect private and City-owned heritage trees; prohibit the removal of, or damage to, protected trees; regulate and establish requirements for preservation, protection, maintenance, removal and replacement of protected trees and put in place inspection and enforcement provisions including penalties for damaging or removing a public or protected tree without permission.

This Bylaw addresses tree maintenance; restrictions; decorative lighting in trees; tree and root protection zones; heritage trees; invasive species; removal or pruning of hazardous trees on private property; parks, green spaces, woodland trees and buffer zone trees; planning and developments; inspections; approvals and exemptions; stop work orders; contraventions of the Bylaw; emergency removals and use of wood. The Bylaw will ensure best management practices are used when dealing with City-owned trees and heritage trees that are greater than 100 cm DBH. It will guide Developers and City Departments in activities that affect the City's urban forest, reducing the impacts of construction and maintenance on City trees.

The development of the Tree Protection Bylaw has been a coordinated effort, working closely with Sustainability, Parks and Recreation, Water and Sewer Utility, Public Works and Planning Departments. The Bylaw has been written in conjunction with the Planning Departments Bylaw amendments and relevant sections of this Bylaw will be referenced in the Planning Departments permitting process and discussed at the Committee level. This Bylaw will also be forwarded to the Public Works Committee for review.

The Sustainability, Public Works and Planning Departments will work closely together to ensure the City's trees are protected as per this Tree Protection Bylaw. If this Tree Protection bylaw is passed by Council the current Tree Maintenance bylaw will be repealed and this new bylaw will replace it.

It was moved by Councillor Ramsay and seconded by Mayor Brown that the Tree Protection Bylaw be forwarded to Council for consideration. Carried.

**d. Community Energy Plan launch**

R. Doyle, Sustainability Officer presented the report that was prepared by Jess Brown, Community Outreach Coordinator. The proposed launch and accompanying initiatives are intended to build upon the foundation that has been laid through these previous energy engagement initiatives and events, and provide opportunities for residents and businesses to participate in the CEP implementation through energy efficiency efforts.

The City is planning on having an official Community Energy Plan Launch – Press Conference at City Hall in the coming weeks.

It was moved by Deputy Mayor Coady and seconded by Councillor Ramsay that the Committee approve the energy plan launch and related proposed initiatives.

**e. Pesticides – Provincial Regulation**

B. Pryor, Sustainability Projects Officer, presented the report to the Committee. In 2010, the Province of PEI adopted stricter regulations on the sale and use of all cosmetic pesticides across PEI. Although the provincial regulations reduce and control the use of cosmetic pesticides to some extent, the City wanted stricter regulations to further control or eliminate the use of cosmetic pesticides within the City's limits. In 2014, the Charlottetown Area Municipalities Act was amended to grant municipalities some authority to regulate cosmetic pesticides.

Charlottetown's *Cosmetic Pesticides Bylaw* came into effect on January 1, 2017, and addresses the application of non-domestic pesticides within the City. The bylaw provides a list of allowable pesticides; however, it also provides for an exception where a Cosmetic Pesticide Applicator may apply, with approval, a pesticide that is not on the allowable list. The City does not have authority to regulate property owner's use of domestic pesticides that contain ingredients not

on the allowable list and are available for purchase at local vendors. The Province is the regulatory body for the sale of pesticides, determination of products available to the public and control of their usage by property owners.

Charlottetown's *Cosmetic Pesticides Bylaw* is modeled after Nova Scotia's *Non-essential Pesticides Control Act* and its *List of Allowable Pesticides Regulations*. Nova Scotia's *List of Allowable Pesticides Regulations* is established in accordance with its *Non-essential Pesticides Control Act*. Nova Scotia also restricts the use and sale of domestic and commercial class pesticides registered for use on lawns and ornamental trees, shrubs and plants that are not on the allowable list.

Nova Scotia Environment has promoted ways to develop healthy lawns and alternatives to lawns which has been used as resource material for Charlottetown.

With many provincial jurisdictions regulating the use of cosmetic/non-essential pesticides, Prince Edward Island should be no exception. The provincial government has the authority to regulate domestic pesticides sold in stores, has pesticide enforcement personnel, can ensure that regulations are consistent across the province and can reach more people through education to develop healthy lawns and alternatives to lawns.

It is recommended that a letter be sent to the provincial government to increase regulations on cosmetic pesticide, similar to the approach in Nova Scotia, and implement these regulations throughout the province of PEI. It is further recommended to approach the Town of Cornwall and Town of Stratford to join Charlottetown in its efforts as their initial preference was that it be province wide.

It was the consensus of the Committee to have discussions with Cornwall and Stratford before a letter is sent to the province on this matter.

**f. 2017 GHG Report**

R. Doyle, Sustainability Officer presented the report to the Committee which was prepared by Matt McCarville. Corporate emissions across the City operations are estimated at 7,266 tonnes of carbon dioxide equivalent in 2017, same as in 2016. Expenditures in 2017 were \$3.52 million, up from \$3.42 million in 2016.

The Fitzroy Parkade LED lighting upgrade cut energy use and GHGs in that facility by 65%. Project costs were \$169,000. Based on current data the expected annual savings will be \$33,000. There is a five year payback on this project.

More significant actions as outlined in the Community Energy Plan should help Charlottetown secure funding.



**g. Coyotes in Urban areas**

Beth Hoar, Parkland Conservationist, provided the Committee with some information and tips that were requested during the last Committee meeting. As noted previously, there have been numerous complaints coming in regarding the presence of coyotes in the City. Beth advised that the animals do have a compensatory reproduction, therefore bounties do not work. The Department of Fish and Wildlife do not deal with problematic wildlife. Beth advised that removing food and water sources from your property would assist in not welcoming coyotes. She noted that they will feed on just about anything. Coyotes being a member of the dog family will be attracted to animals outside that are in heat. Coyotes are mostly nocturnal hunters, so having small animals inside during night hours is suggested.

The Committee will be sending a letter to the Province in the coming weeks.

**5) Introduction of New Business**

There was no new business to discuss.

**6) Adjournment**

Moved by Councillor Ramsay and seconded by Deputy Mayor Coady that the meeting be adjourned. Carried.

**The meeting adjourned at 1:30 PM.**



# City of Charlottetown

**Report No:** E&S 19-18

**Date:** February 26, 2019

**Directed to:**  
Chairperson Terry MacLeod, Members of the E&S  
Committee

**Attachments:**

- TD Green Space Grant Application – proposed concept.

**Department:** Environment & Sustainability Committee

**Prepared by:** Beth Hoar, Parkland Conservationist

**Subject:** TD Green Space Grant

**RECOMMENDATION: For information only.**

A funding proposal, for \$19,500 was submitted to the TD Green Space/Arbor Day Foundation to carry out a project to remediate the swale in J. Frank Macaulay Park. The swale is non-functional, is congested with silt and plants that impede water flow creating a flooding situation in the park, collects trash so becomes unsightly, has low plant biodiversity and has invasive plant species growing along its borders. The Park receives runoff from the surrounding community as it is the lowest point of land in the area. Pollutants from local industrial businesses are present in the runoff that come from outside the park, making it important to have a system that has good filtering and infiltration capabilities.

The vision is to create an innovative green storm water management feature in the form of a bioswale that runs through the park and slows the flow of storm water to allow infiltration but does not cause flooding, has diverse plants and water features to encourage the presence of wildlife, does not have any invasive plants present and improves the aesthetics of the area.

This project ties in with the City's Integrated Community Sustainability Plans goals and actions related to water, people and places, active healthy living and nature.

Respectfully,

**Reviewed By:**

CAO

Manager

Other

**RECOMMENDATIONS/ACTIONS:**



# City of Charlottetown

Report No: E&S 19-19

Date: February 26, 2019

**Directed to:**  
Chairperson Terry MacLeod, Members of the E&S  
Committee

**Attachments:**

- Tree Protection Bylaw and Appendices.

**Department:** Environment & Sustainability Committee

**Prepared by:** Beth Hoar, Parkland Conservationist

**Subject:** Tree Protection Bylaw

**RECOMMENDATION:** For Committee review and approval and then move forward to Council for implementation.

The purpose of the Tree Protection Bylaw is to recognize the importance of trees as green infrastructure and protect trees on City-owned property; protect private and City-owned heritage trees; prohibit the removal of, or damage to, protected trees; regulate and establish requirements for preservation, protection, maintenance, removal and replacement of protected trees and put in place inspection and enforcement provisions including penalties for damaging or removing a public or protected tree without permission.

This Bylaw addresses tree maintenance; restrictions; decorative lighting in trees; tree and root protection zones; heritage trees; invasive species; removal or pruning of hazardous trees on private property; parks, green spaces, woodland trees and buffer zone trees; planning and developments; inspections; approvals and exemptions; stop work orders; contraventions of the Bylaw; emergency removals and use of wood. The Bylaw will ensure best management practices are used when dealing with City-owned trees and heritage trees that are greater than 100 cm DBH. It will guide Developers and City Departments in activities that affect the City's urban forest, reducing the impacts of construction and maintenance on City trees.

The development of the Tree Protection Bylaw has been a coordinated effort, working closely with Sustainability, Parks and Recreation, Water and Sewer Utility, Public Works and Planning Departments. The Bylaw has been written in conjunction with the Planning Departments Bylaw amendments and relevant sections of this Bylaw will be referenced in the Planning Departments permitting process and discussed at the Committee level. This Bylaw will also be forwarded to the Public Works Committee for review.

The Sustainability, Public Works and Planning Departments will work closely together to ensure the City's trees are protected as per this Tree Protection Bylaw.

Respectfully,

**Reviewed By:**

GAO

Manager

Other

**RECOMMENDATIONS/ACTIONS:**



# City of Charlottetown

Report No: E&S 19-11

Date:  
February 21, 2019

**Directed to:**  
Chairperson Terry MacLeod, Members of the E&S  
Committee

**Attachments:**  
Nil

**Department:** Environment & Sustainability Committee

**Prepared by:** Betty Pryor

**Subject:**  
Pesticides – Provincial Regulation

**RECOMMENDATION:**

That Committee recommend to Council that a letter be sent to the provincial government to increase regulations on cosmetic pesticides, similar to the approach in Nova Scotia, and implement these regulations throughout the province of PEI.

In 2010, the Province of PEI adopted stricter regulations on the sale and use of all cosmetic pesticides across PEI. Although the provincial regulations reduce and control the use of cosmetic pesticides to some extent, the City wanted stricter regulations to further control or eliminate the use of cosmetic pesticides within the City's limits. In 2014, the Charlottetown Area Municipalities Act was amended to grant municipalities some authority to regulate cosmetic pesticides.

Charlottetown's *Cosmetic Pesticides Bylaw* came into effect on January 1, 2017, and addresses the application of non-domestic pesticides within the City. The bylaw provides a list of allowable pesticides; however, it also provides for an exception where a Cosmetic Pesticide Applicator may apply, with approval, a pesticide that is not on the allowable list. The City does not have authority to regulate property owner's use of domestic pesticides that contain ingredients not on the allowable list and are available for purchase at local vendors. The Province is the regulatory body for the sale of pesticides, determination of products available to the public and control of their usage by property owners.

Charlottetown's *Cosmetic Pesticides Bylaw* is modeled after Nova Scotia's *Non-essential Pesticides Control Act* and its *List of Allowable Pesticides Regulations*. Nova Scotia approved its *Non-essential Pesticides Control Act* and the regulations under the Act in 2010. In 2011, restrictions on sale and use of pesticides on lawns came into effect and restrictions on pesticides for ornamental plants came into effect in 2012.

Nova Scotia's *List of Allowable Pesticides Regulations* is established in accordance with its *Non-essential Pesticides Control Act*. For the original list, active ingredients of pesticides were included which were permitted for use on ornamental plants or on lawn and turf and were included on Ontario's Class 11 pesticides list under the Ontario

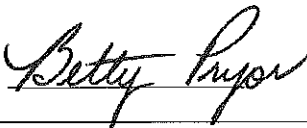
Pesticides Act. The list was expanded to also include some active ingredients on the Canadian General Standards Board's Organic Production Systems Permitted Substances List to address certain lawn pests prevalent in Nova Scotia. The List is updated annually by utilizing Ontario's Class 11 list. Nova Scotia also restricts the use and sale of domestic and commercial class pesticides registered for use on lawns and ornamental trees, shrubs and plants that are not on the allowable list.

Nova Scotia Environment has promoted ways to develop healthy lawns and alternatives to lawns which has been used as resource material for Charlottetown.

With many provincial jurisdictions regulating the use of cosmetic/non-essential pesticides, Prince Edward Island should be no exception. The provincial government has the authority to regulate domestic pesticides sold in stores, has pesticide enforcement personnel, can ensure that regulations are consistent across the province and can reach more people through education to develop healthy lawns and alternatives to lawns.

It is recommended that a letter be sent to the provincial government to increase regulations on cosmetic pesticide, similar to the approach in Nova Scotia, and implement these regulations throughout the province of PEI. It is further recommended to approach the Town of Cornwall and Town of Stratford to join Charlottetown in its efforts as their initial preference was that it be province wide.

Respectfully,



**Reviewed By:**

CAO

Manager

Other

**RECOMMENDATIONS/ACTIONS:**



# City of Charlottetown

Report No: E&S 19-04

Date: January 29, 2018

**Directed to:**  
Chairperson Terry MacLeod, Members of the E&S  
Committee

**Attachments:** N/A

**Department:** Environment & Sustainability Committee

**Prepared by:** Matt McCarville, Community Energy Planner

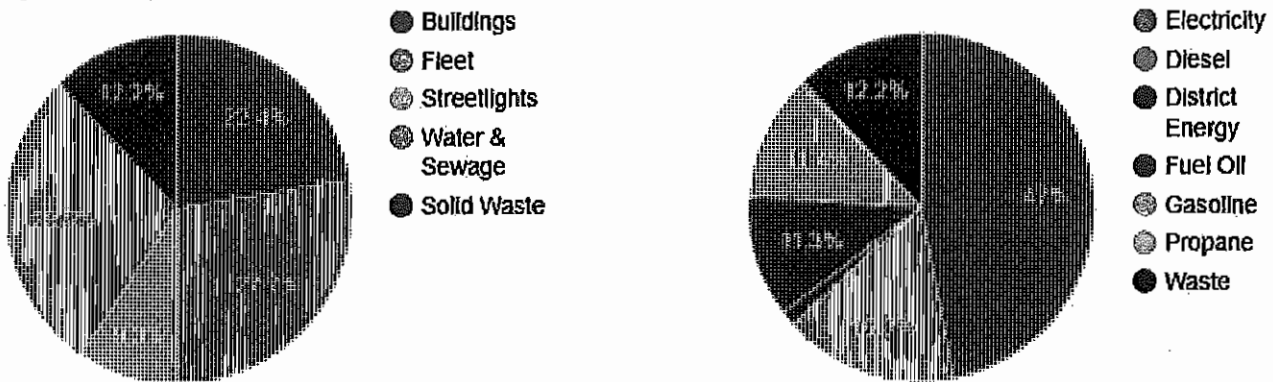
**Subject:** City Corporate Energy, Expenditure, and Greenhouse Gas (GHG) Inventory Report for 2017

**RECOMMENDATION:** INFORMATION ONLY

## REPORT:

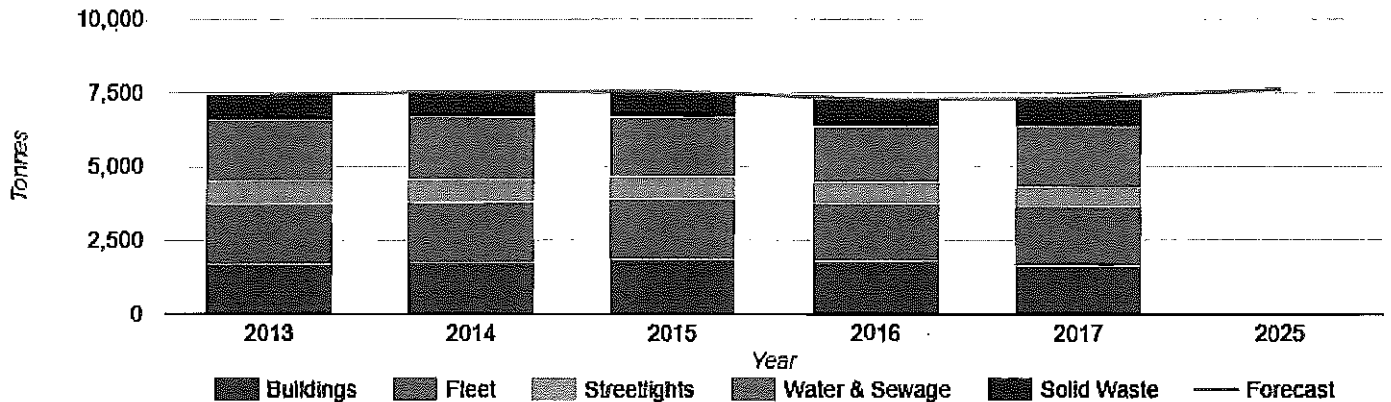
Corporate emissions across City operations are estimated at 7,266 tonnes of carbon dioxide equivalent (tCO<sub>2</sub>e) in 2017, same as in 2016. Expenditures in 2017 were \$3.52 million, up from \$3.42 million in 2016. Figure 1 shows corporate GHGs by sector and source in 2016.

**Figure 1: Corporate GHG Emissions by Sector and Source, 2017**

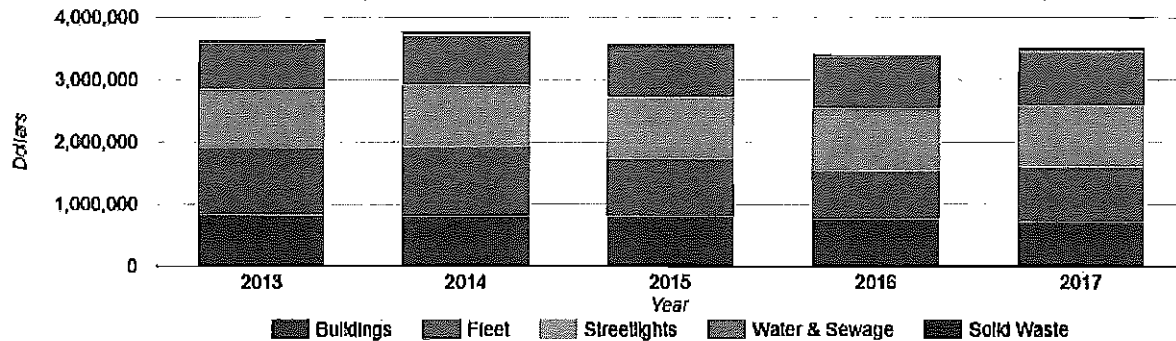


Figures 2-3 show GHGs and energy expenditure trends respectively in corporate operations from 2013-2017.

**Figure 2: Corporate GHG Emissions: Trends, 2013-2017 and BAU Projection to 2025 (tCO<sub>2</sub>e/year)**



**Figure 3: Corporate Energy Expenditures: Trends, 2013-2017 (2013-2016 Nominal CAD)**



Energy consumption of fuel oil was higher at the wastewater treatment plant due to repairs to the biogas digesters in 2017. These repairs will reduce biogas leakage making more biogas available in the future. With the interconnection to Stratford and maybe Cornwall plus with Charlottetown's growth a new onsite biogas combined heat and power unit will help avoid significant flaring of biogas that cannot be utilized for energy.

Energy efficiency upgrades since 2015 are important. The first steps helped contain growth in high energy costs, and reduced GHGs more than 3% relative to 2015 levels. To date, most of the energy efficiency projects have been one-off "quick-win" projects with very fast paybacks. They leave the City in a stronger fiscal position compared to doing nothing.

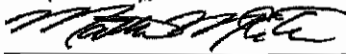
The Fitzroy Parkade LED lighting upgrade cut energy use and GHGs in that facility by 65%. Project costs were \$169,000. Based on current available data we expect annual savings relative to the average from 2013-2015 will be \$33,000/yr. The payback is 5 years. Lifetime savings include energy, financial, climate, health savings, and reduced maintenance costs in the next decades. If the City reinvested such savings into more energy projects, then City operational costs will be cut more while having fewer emissions.

Small scale efforts to reduce emissions have not made much reduction in the GHGs or costs because the City is growing. When the number of fleet vehicles and streetlights increase, transit services expand, wastewater treatment processes more material, and so on, despite incremental efforts the high energy-related costs and greenhouse gas emissions are likely remain. Financial costs may increase in real terms.

Unlike many of the City's large, capital intensive projects which get approved despite knowing there's a net financial cost to the City, energy efficiency and renewable energy projects lead to operational savings: energy cost savings and many co-benefits. Since the energy-related initiatives can often leverage matched funding significant energy and CO2 cuts are possible with a positive net present value to the City.

In conclusion, more significant actions such as outlined in the Community Energy Plan should help Charlottetown secure federal funding. The City will be in a stronger fiscal position by taking more action than with business-as-usual incremental change.

Respectfully,



**Reviewed By:**

CAO	Manager	Other				
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**RECOMMENDATIONS/ACTIONS:** Energy audits and upgrades across facilities, infrastructure and fleets.



**CHARLOTTETOWN FOOD COUNCIL**  
**Tuesday, February 19, 2019**  
**7:00 PM – Sherwood Room, City Hall**

**PRESENT:** Karen Murchison, Chair  
Jennifer Whittaker  
Shannon Courtney  
Gail Metcalf  
Mike MacDonald  
Emilee Sorrey  
Travis Cumisky  
Phil Ferraro  
Bernie Plourde  
Pierre Hajjar  
Colleen Walton

**ALSO:** Jessica Brown, SOC

**REGRETS:** Morgan Palmer  
Robert Godfrey, Vice Chair  
Stan Chaisson

**ALSO:** Ramona Doyle, SO

**1) Call to Order**

The meeting was called to order at 7:07 PM

**2) Declarations of conflict of interest**

No declarations of conflict.

**3) Approval of Agenda**

Motion to approve agenda as appears was made by Mike MacDonald, seconded by Travis Cuminsky. Motion Approved.

**4) Appoint Meeting Secretary & Referee**

Shannon – secretary, Jessica – referee for the meeting

**5) Adoption of Minutes**

The minutes from the January 15th, 2019 meeting were included in the meeting package. It was moved by Emilee Sorrey and seconded by Jennifer Whittaker that the minutes from January 15th, 2019 be approved as amended to recognize Sarah Donald as absent at all meetings prior to February 19<sup>th</sup>.

Business arising from the Minutes:

- Sarah Donald no longer sits on Council as member

## **6) Items for Discussion**

### a) New member: Colleen Walton

Colleen gave brief bio of her career: food scientist, epidemiology, food security, food costing and research with the Charlottetown Food Bank. Interested in a food system that provides healthy food, not just profit-driven.

### b) Food Charter: Translation

- Pierre will provide French and Arabic translation of the Food Charter
- Council to seek external Mandarin and Mi'kmaq translation of Food Charter

### **c) Working Group Updates:**

- a. **Finance:** Finance committee drafted a budget and rec'd input from the other 3 committees. Final budget request is \$10,050.

External Projects Seed Funding refers to monies that the Council could use to leverage external funds.

- b. **Communications:** Committee presented proposed logo. Discussion centred around the colour (yellow). Jess pointed out the yellow will complement the City's logo. Everyone likes the fonts.

Approval of the logo will take place after the branding guidelines have been provided to other Council and reviewed.

- c. **Projects:** Committee developed a long list of potential projects and presented to Food Council. The Committee developed requirements for external projects, but it was agreed that, generally, external projects may best be received via the Micro-grant program

Projects committee will create working group to perform/develop asset mapping for Charlottetown. Purpose being to direct other projects by identifying gaps in current system, and assets to leverage, the completed asset map will serve as a baseline from which Food Council can measure progress going forward.

- d. **Policy:** Gail indicated that Robert and she had discussed possible budget for the Policy Committee. No further update.

e. **External funding opportunities:** Group discussed the need to apply for external funding for projects.

f. **Other: FOOD COUNCIL MEMBERS ON EACH COMMITTEE**

Projects: Stan (Chair), Phil, Jen, Jess, Travis, Colleen

Communications: Shannon (Chair), Emilee, Jess, Pierre

Policy & Planning: Robert (Chair), Bernie, Gail, Ramona

Finance: Karen (Chair), Mike, Morgan, Ramona

**7) Action Items:**

**ACTION:** Karen will share updated budget with Council on Wednesday morning, Feb 20th. Any further comments must be provided to Karen by COB Wednesday. Budget must be ratified by Thursday, Feb 21st COB.

**ACTION:** Ratified budget will be submitted to Environment & Sustainability Committee on Friday, Feb 22 for review and approval.

**ACTION:** Finance Committee and City to determine protocols/requirements for committees' reporting and purchasing.

**ACTION:** Communications Committee to meet to discuss launch of the Food Charter.

**ACTION:** Communications Committee to reach out to PEI ANC and MCPEI for Mandarin and Mi'kmaq translations of the Food Charter

**ACTION:** Colleen, Emilee, Shannon and Jennifer agreed to form a working group re: asset mapping.

**ACTION:** Jess to create new page on Asset Map spreadsheet for External Funding Opportunities (Agency, Deadline, Amount, Program, Theme, Link to Form).

**ACTION:** All Council members to populate the External Funding Opportunities spreadsheet.

**ACTION:** Invite YCAN students to provide presentations on website. We may also want to invite them to present at a future event.

**8) Motion for Adjournment:**

Motion to adjourn made by Emilee Sorrey. Seconded by Travis Cumminsky. Motion Passed.

Meeting Adjourned at 9:03PM.

CHARLOTTETOWN RIDERSHIP - FEBRUARY 2019

Sum of Charlottetown Route #	1	2	3	4	5	5	7	9	11	13	14 Grand Total	
Date	Day	1	2	3	4	5	5	7	9	11	13	14 Grand Total
01-02-19	Fri	568	283	318	329	116	219	14	262	247	1	2,359
02-02-19	Sat	433	367	315	0	0	174	0	0	0	0	1,289
03-02-19	Sun	406	0	0	0	0	0	0	0	0	0	406
04-02-19	Mon	553	302	315	279	123	225	17	260	250	3	2,329
05-02-19	Tue	613	263	227	365	142	221	22	270	246	5	2,376
06-02-19	Wed	545	247	306	292	123	203	22	296	249	3	2,290
07-02-19	Thu	628	295	269	376	127	210	23	273	202	7	2,412
08-02-19	Fri	341	192	137	93	47	0	17	116	128	1	1,072
09-02-19	Sat	426	259	261	0	0	0	0	0	0	0	946
10-02-19	Sun	354	0	0	0	0	0	0	0	0	0	354
11-02-19	Mon	627	300	272	273	96	178	14	277	209	4	2,251
12-02-19	Tue	631	253	240	447	133	214	24	271	238	5	2,458
13-02-19	Wed	108	78	58	45	33	71	1	50	45	2	491
14-02-19	Thu	666	286	250	387	142	285	22	304	241	5	2,589
15-02-19	Fri	568	268	290	356	117	167	15	226	224	3	2,335
16-02-19	Sat	388	271	275	0	0	175	0	0	0	0	1,109
17-02-19	Sun	422	0	0	0	0	0	0	0	0	0	422
18-02-19	Mon	0	0	0	0	0	0	0	0	0	0	0
19-02-19	Tue	580	262	280	263	140	214	22	263	221	2	2,249
20-02-19	Wed	500	242	255	240	102	220	22	170	201	3	1,957
21-02-19	Thu	391	226	224	174	87	167	23	177	151	3	1,625
22-02-19	Fri	547	248	228	187	99	244	12	270	163	3	2,002
23-02-19	Sat	440	266	283	0	0	143	0	0	0	0	1,132
24-02-19	Sun	374	0	0	0	0	0	0	0	0	0	374
25-02-19	Mon	412	224	190	197	62	217	14	181	231	4	1,734
26-02-19	Tue	519	261	230	316	169	176	19	265	228	4	2,190
27-02-19	Wed	498	308	262	290	115	234	22	270	225	5	2,230
28-02-19	Thu	620	284	226	342	134	222	24	264	255	5	2,377
<b>Grand Total</b>		<b>43,158</b>	<b>5,985</b>	<b>5,711</b>	<b>5,251</b>	<b>2,107</b>	<b>4,275</b>	<b>349</b>	<b>4,465</b>	<b>3,954</b>	<b>68</b>	<b>45,358</b>

CHARLOTTETOWN RIDERSHIP - FEBRUARY 2019

	2019	2018	2017	2016
Sun	4	1552	1,556	
Mon	108	6206	6,314	
Tue	128	9145	9,273	
Wed	100	6868	6,968	
Thu	144	8859	9,003	
Fri	94	7674	7,768	
Sat	54	4422	4,476	
(blank)	0			
<b>Grand Total</b>	<b>632</b>	<b>44,726</b>	<b>45,358</b>	

	2019	2018	2017	2016
Total Ridership	45,358	40,589	31,266	32,865
Monday - Friday	38,752	35,318	24,468	28,340
Paying	574	709	306	619
Non - Paying	19	19	19	20
Working Da	2,070	1,896	1,304	1,448
Average	4,422	3,304	3,418	2,857
Saturday	54	71	48	61
Paying	4	4	4	4
Non - Paying	4	4	4	4
Working Da	1,119	844	867	730
Average	1,552	1,182	1,181	988
Sunday	4	5	4	-
Paying	4	4	4	4
Non - Paying	4	4	4	4
Working Da	389	297	296	247
Average				







# Marketing Initiatives



Date	Initiative
January	Attended Newcomers orientation at UPEI
	Worked with Province in the reduction of fares - online marketing, signage on the buses, reaching out to all of our ticket vendors
	Continued Social Media Precence
February	Continued Social Media Precence





**STRATEGIC PRIORITIES & INTERGOVERNMENTAL  
COOPERATION COMMITTEE  
REPORT TO COUNCIL  
MARCH 11, 2019**

The Strategic Priorities & Intergovernmental Cooperation Committee met on Thursday, February 28, 2019 and the draft minutes are attached.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Alanna Jankov, Chair

**STRATEGIC PRIORITIES & INTERGOVERNMENTAL COOPERATION**  
**Thursday, February 28, 2019**  
**12:15 PM – Parkdale Room**

**Present:** Mayor Philip Brown  
Councillor Alanna Jankov, Chair  
Councillor Terry Bernard, Member at Large  
Councillor Terry MacLeod, Member at Large  
Councillor Greg Rivard, Member at Large

**Also:** Peter Kelly, CAO  
Chantal Matheson, EA

**Regrets:** Councillor Mike Duffy, Vice-Chair

**1) Call to Order**

Councillor Alanna Jankov, Chair called the meeting to order at 12:15 PM.

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**3) Approval of Agenda**

The agenda was approved as circulated.

**4) Approval of Minutes**

It was moved by Councillor Terry MacLeod and seconded by Councillor Terry Bernard that the minutes from January 31, 2019, February 5, 2019 and February 7, 2019 be approved as circulated. Carried.

**5) Motion to move into closed session**

Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act was moved by Councillor Terry MacLeod and seconded by Councillor Terry Bernard. Carried.

**6) New Business**

There was no new business.

**7) Meeting Adjourned**

Moved by Councillor Greg Rivard and Seconded by Councillor Terry MacLeod that the meeting be adjourned. Carried.

**The meeting adjourned at 1:15 PM**



**FINANCE, AUDIT & TENDERING COMMITTEE  
REPORT TO COUNCIL  
March 11<sup>th</sup>, 2019**

The Finance, Audit & Tendering Committee but met on February 26<sup>th</sup>, February 28<sup>th</sup> and March 5<sup>th</sup>, 2019. Draft preliminary Financial Statements to the end of February are included in this package for Council consideration.

There is one resolution included in this package for your consideration.

- New Custom Triple Combination Fire Engine

Respectfully submitted,

Councillor Terry Bernard, Chair

**Finance, Audit & Tendering Committee**  
**February 26<sup>th</sup>, 2019**  
**5:00 pm Parkdale Room**

**Present:**     **Councillor Terry Bernard (Chair)**     **Councillor Greg Rivard**  
                  **Mayor Philip Brown**                             **Peter Kelly, CAO**  
                  **Stephen Wedlock, C**                           **Connie McGaugh, ACC**

**Regrets:**     **Councillor Mike Duffy**                             **Councillor Bob Doiron**

**1) Call to Order**

Chair Bernard called the meeting to order at 5:15pm

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**3) Approval of Agenda**

Moved by Councillor Rivard and seconded by Mayor Brown that the agenda be approved as circulated. Motion Carried.

**4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.**

Moved by Councillor Rivard and seconded by Mayor Brown that the meeting move into the closed session. Motion Carried.

**5) Adjournment of Public Session**

Moved by Mayor Brown and seconded by Councillor Rivard that the meeting be adjourned. Motion Carried.

**Meeting adjourned 7:00 p.m.**

---

Chair: Councillor Terry Bernard

**Finance, Audit & Tendering Committee**  
**February 28<sup>th</sup>, 2019**  
**6:45 pm Parkdale Room**

**Present:**     **Councillor Terry Bernard (Chair)**     **Councillor Greg Rivard**  
                  **Councillor Bob Doiron**                   **Mayor Philip Brown**  
                  **Peter Kelly, CAO**                           **Connie McGaugh, ACC**

**Regrets:**     **Councillor Mike Duffy**                   **Stephen Wedlock, C**

**1) Call to Order**

Chair Bernard called the meeting to order at 6:45 pm

**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 Doiron that the agenda be approved as circulated. Motion Carried.

**4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.**

Moved by Councillor Rivard and seconded by Councillor Doiron that the meeting move into the closed session. Motion Carried.

**5) Adjournment of Public Session**

Moved by Councillor Doiron and seconded by Councillor Rivard that the meeting be adjourned. Motion Carried.

**Meeting adjourned 9:00 p.m.**

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Chair: Councillor Terry Bernard

**Finance, Audit & Tendering Committee**  
**March 5<sup>th</sup>, 2019**  
**5:00 pm Parkdale Room**

**Present:**     **Councillor Terry Bernard (Chair)**     **Councillor Mike Duffy**  
                  **Councillor Bob Doiron**                   **Mayor Philip Brown**  
                  **Peter Kelly, CAO**                         **Stephen Wedlock, C**  
                  **Connie McGaugh, ACC**

**Regrets:**     **Councillor Greg Rivard**

**1) Call to Order**

Chair Bernard called the meeting to order at 5:20 pm

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**3) Approval of Agenda**

Moved by Councillor Duffy and seconded by Councilor Doiron that the agenda be approved as circulated. Motion Carried.

**4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.**

Moved by Councillor Doiron and seconded by Councillor Duffy that the meeting move into the closed session. Motion Carried.

**5) Adjournment of Public Session**

Moved by Councillor Doiron and seconded by Councillor Duffy that the meeting be adjourned. Motion Carried.

**Meeting adjourned 8:30 pm.**

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Chair: Councillor Terry Bernard



# CITY OF CHARLOTTETOWN

## RESOLUTION

Protective and  
Emergency Services #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Bob Doiron

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

**That the City of Charlottetown enter into a purchase and sale agreement with Techno Fue Inc. for the purchase of One (1) New Custom Triple Combination Fire Engine in the amount of \$971,475.58 (applicable taxes included).**

**And that the Mayor and CAO are here by authorized to execute standard contracts/agreements to implement this resolution.**



City of  
Charlottetown

Report No: 01-2019 (FIRE)

Date: February 28, 2019

Directed to: Protective and Emergency Services

Department: FIRE

Prepared by: Fire Chief, K. Randy MacDonald

ATTACHMENTS: 0

Subject: Request For Proposal – Triple Combination Fire Engine

**RECOMMENDATION:** Tender be awarded to Techno Feu (applicable taxes included) total cost \$971,475.58

**Background:**

2018 Capital Budget approved funding of \$905,625 for purpose of replacing the 1989 Ford Fire Engine (Engine 5). December 3, 2018 "Fire Department Request For Proposals" was advertised with closing date of January 23, 2019. In all, 5 (five) submission were received. February 27, 2019 scoring of both Financial and Technical components of the submissions were completed revealing the following results;

	Vendor	Quotation	Score
1	Techno Feu	\$971,475.58	97
2	Metal Fab	\$902,531.50	94
3	Fort Garry Fire Trucks	\$910,546.25	94
4	Micmac Safety Source (alternate)	\$971,445.25	94
5	Micmac Safety Source (original)	\$1,006,919.30	93

The successful Vendor's written quotation exceeds the previously budgeted amount of \$905,625. The CITY cost with the 10% HST is \$971,475.58 therefore requiring an additional \$65,850.58 by means of another source.

Respectfully,

Randy MacDonald  
Fire Chief

CAO

Other



City of Charlottetown  
2018/2019 Budget Summary  
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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Previous Yr YTD Actual	Funds Available	% of Bud Expense
<b>City Operating Revenue</b>								
Property Taxes	41,199,957	41,199,957	0	36,956,648	36,956,648	5,274,524	4,243,309	(89.7)
Provincial Grant	15,259,336	15,259,336	0	16,565,933	16,565,933	2,026,588	(1,306,597)	(108.6)
Partial Grant in Lieu of Taxes (QEH)	175,000	175,000	0	140,000	140,000	0	35,000	(80.0)
Licenses	781,900	781,900	(773)	1,236,526	1,235,754	110,930	(453,854)	(158.0)
Parking Garages	868,750	868,750	0	774,734	774,734	61,422	94,016	(89.2)
Parking Meters	1,162,500	1,162,500	(1,810)	1,166,529	1,164,719	93,605	(2,219)	(100.2)
Police	1,397,250	1,397,250	0	1,202,820	1,202,820	123,276	194,430	(86.1)
Credits from Outside Sources	699,000	699,000	0	839,684	839,684	20,124	(140,684)	(120.1)
Outside Fire Protection	37,500	37,500	0	30,000	30,000	0	7,500	(80.0)
Utility Administration Fee	256,250	256,250	0	256,250	256,250	51,250	0	(100.0)
Interest	37,500	37,500	0	74,803	74,803	9,092	(37,303)	(199.5)
Recreation	895,075	895,075	(500)	286,683	286,183	149,493	608,892	(32.0)
Transfer From Parkland Reserves	43,000	43,000	0	0	0	0	43,000	0.0
Tourism Accomodation Levy Admin Fee	37,500	37,500	0	0	0	0	37,500	0.0
Provincial Infrastructure Fund/MCEG	1,639,757	1,639,757	0	0	0	0	1,639,757	0.0
Credits from Other Levels of Government	0	0	0	66,866	66,866	0	(66,866)	n/m
<b>Total City Operating Revenue</b>	<b>64,490,275</b>	<b>64,490,275</b>	<b>(3,082)</b>	<b>59,597,477</b>	<b>59,594,394</b>	<b>7,920,304</b>	<b>4,895,881</b>	<b>(92.4)</b>
<b>Water &amp; Sewer Revenue</b>								
Water & sewer services	10,593,092	10,593,092	0	9,625,400	9,625,400	1,162,696	967,692	(90.9)
Fire protection - hydrant services	1,171,406	1,171,406	0	1,171,406	1,171,406	234,281	0	(100.0)
Contract services billed	175,000	175,000	(30,246)	211,224	180,977	16,742	(5,977)	(103.4)
Non-operating	37,500	37,500	0	53,714	53,714	0	(16,214)	(143.2)
Municipal Capital Expenditures Grant	3,203,600	3,203,600	0	0	0	0	3,203,600	0.0
<b>Total Water &amp; Sewer Revenue</b>	<b>15,180,598</b>	<b>15,180,598</b>	<b>(30,246)</b>	<b>11,061,743</b>	<b>11,031,497</b>	<b>1,413,719</b>	<b>4,149,101</b>	<b>(72.7)</b>
<b>Total Operating Revenue - City, Water &amp; Sewer</b>	<b>79,670,873</b>	<b>79,670,873</b>	<b>(33,329)</b>	<b>70,659,220</b>	<b>70,625,891</b>	<b>9,334,023</b>	<b>9,044,982</b>	<b>(88.6)</b>
City Capital Grants from other levels of Governme	3,091,571	3,091,571	0	0	0	0	3,091,571	0.0
<b>City Total Revenue</b>	<b>82,762,444</b>	<b>82,762,444</b>	<b>(33,329)</b>	<b>70,659,220</b>	<b>70,625,891</b>	<b>9,334,023</b>	<b>12,136,553</b>	<b>(85.3)</b>

City of Charlottetown  
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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Previous Yr YTD Actual	Funds Available	% of Bud Expense
<b>City Expenditures</b>								
<b>General Government Services:</b>								
<b>City Government</b>								
Salaries & benefits	1,883,703	1,778,203	5,950	1,663,659	1,669,609	210,502	108,594	93.9
Solicitors' fees	275,000	275,000	602	272,105	272,707	12,925	2,293	99.2
Information technology & new equipment	223,750	223,750	4,254	192,068	196,323	28,187	27,427	87.7
Communications & web site	84,540	84,540	0	57,650	57,650	13,979	26,890	68.2
Office, postage & equip repairs/rentals	57,000	57,000	0	45,697	45,697	5,077	11,303	80.2
Professional Development	17,500	34,931	0	29,791	29,791	1,100	5,140	85.3
Other	87,500	87,500	0	128,369	128,369	7,747	(40,869)	146.7
<b>Total City Government</b>	<b>2,628,993</b>	<b>2,540,924</b>	<b>10,806</b>	<b>2,389,340</b>	<b>2,400,146</b>	<b>279,518</b>	<b>140,778</b>	<b>94.5</b>
<b>Finance and Audit</b>								
Salaries & benefits	701,882	680,382	0	574,650	574,650	102,104	105,732	84.5
Information Technology & Oracle hosting/SLA	75,000	75,000	7,125	59,872	66,997	8,238	8,003	89.3
Financial statement audit	63,000	134,000	0	129,494	129,494	3,640	4,506	96.6
Bank service charges	68,750	88,750	0	76,935	76,935	8,994	11,815	86.7
Professional development & meeting expenses	11,600	13,100	1,176	7,922	9,098	438	4,002	69.5
Other	8,750	8,750	0	6,043	6,043	1,349	2,707	69.1
<b>Total Finance and Audit</b>	<b>928,982</b>	<b>999,982</b>	<b>8,301</b>	<b>854,916</b>	<b>863,217</b>	<b>124,762</b>	<b>136,765</b>	<b>86.3</b>
<b>Municipal Buildings</b>								
Salaries & benefits	946,000	926,000	0	746,501	746,501	94,895	179,499	80.6
Heat	332,475	339,475	0	296,547	296,547	57,870	42,928	87.4
Lights, phone, water/sewer	328,938	358,688	4,259	308,709	312,968	50,273	45,720	87.3
Repairs, maintenance, cleaning & snow removal	372,315	366,315	37,584	263,053	300,637	39,055	65,678	82.1
Service contracts	100,188	130,788	15,996	108,333	124,328	11,922	6,460	95.1
Property taxes	416,250	376,300	0	339,143	339,143	0	37,157	90.1
Rent - Planning	140,250	138,850	22	138,481	138,503	19,937	347	99.8
Other	10,688	10,688	0	2,762	2,762	0	7,926	25.8
<b>Total Municipal Buildings</b>	<b>2,647,104</b>	<b>2,647,104</b>	<b>57,861</b>	<b>2,203,528</b>	<b>2,261,389</b>	<b>273,953</b>	<b>385,715</b>	<b>85.4</b>
<b>Total Insurance</b>	<b>638,965</b>	<b>638,965</b>	<b>0</b>	<b>577,884</b>	<b>577,884</b>	<b>246,553</b>	<b>61,081</b>	<b>90.4</b>

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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Previous Yr YTD Actual	Funds Available	% of Bud Expense
<b>Mayor and Council</b>								
Salaries & benefits	44,500	49,630	0	33,696	33,696	2,976	15,934	67.9
Mayor & Council	435,000	435,000	0	392,592	392,592	72,817	42,408	90.3
Professional Development	6,250	6,495	0	6,493	6,493	0	2	100.0
Public Relations/Community Events	363,750	358,375	5,571	328,618	334,189	46,545	24,186	93.3
Professional services/office equipment	49,000	49,000	0	39,973	39,973	13,739	9,027	81.6
Other	0	0	0	4,007	4,007	0	(4,007)	n/m
<b>Total Mayor and Council</b>	<b>898,500</b>	<b>898,500</b>	<b>5,571</b>	<b>805,378</b>	<b>810,949</b>	<b>136,077</b>	<b>87,551</b>	<b>90.3</b>
<b>Total Reports and Studies</b>	<b>42,750</b>	<b>42,750</b>	<b>0</b>	<b>3,190</b>	<b>3,190</b>	<b>0</b>	<b>39,560</b>	<b>7.5</b>
<b>Total General Government Services</b>	<b>7,785,294</b>	<b>7,768,226</b>	<b>82,539</b>	<b>6,834,236</b>	<b>6,916,775</b>	<b>1,060,862</b>	<b>851,450</b>	<b>89.0</b>
<b>Protective Services:</b>								
<b>Fire Department</b>								
Salaries & benefits - Permanent	1,939,439	1,939,439	0	1,917,729	1,917,729	239,961	21,710	98.9
Salaries & benefits - Volunteers	910,825	910,825	0	777,599	777,599	11,999	133,226	85.4
Hydrant services - water supply	1,171,406	1,171,406	0	1,171,406	1,171,406	234,281	0	100.0
Repairs & maintenance - vehicles/equipment	158,223	202,723	3,000	190,332	193,332	29,329	9,391	95.4
New/leased - vehicles/equipment	507,385	464,485	6,604	388,488	395,093	52,770	69,392	85.1
Clothing & uniforms	68,154	46,809	207	37,871	38,077	1,197	8,732	81.3
Professional development	62,102	76,886	9,215	61,324	70,539	7,803	6,347	91.7
Other	60,631	65,592	0	60,610	60,610	10,829	4,982	92.4
<b>Total Fire Department</b>	<b>4,878,165</b>	<b>4,878,165</b>	<b>19,026</b>	<b>4,605,359</b>	<b>4,624,385</b>	<b>588,169</b>	<b>253,780</b>	<b>94.8</b>
<b>Police Department</b>								
Salaries & benefits	10,664,949	10,664,949	0	9,657,863	9,657,863	1,249,434	1,007,086	90.6
Ticketing expenses	222,646	222,646	15,467	170,982	186,449	15,298	36,197	83.7
Repairs & maintenance - vehicles & equipment	270,500	270,500	317	235,814	236,131	25,011	34,369	87.3
Information technology & communication	212,930	208,430	1,146	170,990	172,136	15,591	36,294	82.6
Professional development	44,000	44,000	0	14,216	14,216	(23,687)	29,784	32.3
Cruiser & officer supplies	157,600	157,600	15,012	101,817	116,829	32,561	40,771	74.1
Humane Society contract	121,895	126,395	33,683	92,627	126,309	16,841	86	99.9
Office & operational expenses	91,000	91,000	3,630	88,800	92,430	18,025	(1,430)	101.6
Other	68,350	68,350	100	50,631	50,731	6,699	17,619	74.2
<b>Total Police Department</b>	<b>11,853,870</b>	<b>11,853,870</b>	<b>69,354</b>	<b>10,583,740</b>	<b>10,653,094</b>	<b>1,355,775</b>	<b>1,200,776</b>	<b>89.9</b>
<b>Total Street Lighting</b>	<b>1,406,250</b>	<b>1,406,250</b>	<b>9,813</b>	<b>1,247,244</b>	<b>1,257,057</b>	<b>189,441</b>	<b>149,193</b>	<b>89.4</b>

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Total Emergency Preparedness	77,500	77,500	5,399	62,454	67,853	5,020	9,648	87.6
Total Protective Services	18,215,785	18,215,785	103,592	16,498,797	16,602,389	2,138,405	1,613,396	91.1
Street Maintenance:								
Public Works								
Salaries & benefits	3,684,289	3,678,322	0	3,063,854	3,063,854	405,707	614,468	83.3
Snow removal	6,243,850	6,243,850	1,039,133	4,349,936	5,389,070	932,230	854,780	86.3
Street cleaning	1,094,250	1,099,694	4,183	941,802	945,984	71,072	153,710	86.0
Street resurfacing & repair	748,500	748,500	23,384	649,971	673,355	1,142	75,145	90.0
Sidewalk & curb maintenance	376,000	376,000	3,671	368,787	372,458	18,368	3,542	99.1
Repairs & maintenance - equipment & vehicles	1,086,500	1,080,050	33,304	899,094	932,398	153,548	147,652	86.3
Beautification & tree program	1,286,475	1,286,464	7,533	1,261,361	1,268,894	16,508	17,570	98.6
Storm water control	250,000	248,743	1,650	243,011	244,661	766	4,082	98.4
Traffic marking & signs	453,000	453,331	11,189	395,682	406,872	8,530	46,459	89.8
Office, advertising & professional developme	95,000	91,776	0	87,037	87,037	11,058	4,739	94.8
Insurance claims	62,500	70,410	0	69,916	69,916	0	494	99.3
Other	103,325	106,549	39	419,694	419,734	6,319	(313,185)	393.9
Total Public Works	15,483,689	15,483,689	1,124,087	12,750,146	13,874,233	1,625,249	1,609,456	89.6
Total Traffic and Parking	13,375	13,375	556	11,967	12,522	15,182	853	93.6
Total Street Maintenance	15,497,064	15,497,064	1,124,642	12,762,112	13,886,755	1,640,431	1,610,309	89.6
Total Fiscal Services	8,392,335	8,392,335	0	8,052,183	8,052,183	1,317,731	340,152	95.9
Parks and Recreation								
Administration								
Salaries & benefits	227,198	227,198	0	208,578	208,578	27,858	18,620	91.8
Professional development	10,800	10,800	0	3,321	3,321	440	7,479	30.8
Advisory Committee & meeting expenses	7,000	7,000	0	4,439	4,439	518	2,561	63.4
Office equipment & advertising	29,625	29,625	1,551	16,908	18,459	7,783	11,166	62.3
Other	5,825	5,825	0	15,900	15,900	586	(10,075)	273.0
Total Administration	280,448	280,448	1,551	249,146	250,697	37,185	29,751	89.4

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<b>Programs and grants</b>								
Salaries & benefits	456,188	456,188	0	399,985	399,985	28,177	56,203	87.7
Subsidies & grants	509,910	509,910	0	366,910	366,910	14,688	143,000	72.0
Programs and equipment	47,563	47,563	0	36,451	36,451	986	11,112	76.6
Other	17,500	17,500	0	8,554	8,554	(4,548)	8,946	48.9
<b>Total programs and grants</b>	<b>1,031,161</b>	<b>1,031,161</b>	<b>0</b>	<b>811,899</b>	<b>811,899</b>	<b>39,303</b>	<b>219,262</b>	<b>78.7</b>
<b>Parks</b>								
Salaries & benefits	1,595,047	1,595,047	380	1,376,033	1,376,412	123,355	218,635	86.3
Parks maintenance	373,539	367,939	5,904	313,067	318,971	21,205	48,968	86.7
Repairs & maintenance - vehicles & equipment	160,475	163,975	0	152,106	152,106	16,790	11,869	92.8
Pools	24,000	29,897	0	27,971	27,971	0	1,926	93.6
Other	39,025	39,025	5,610	43,894	49,504	1,072	(10,479)	126.9
<b>Total Parks</b>	<b>2,192,086</b>	<b>2,195,883</b>	<b>11,894</b>	<b>1,913,071</b>	<b>1,924,965</b>	<b>162,423</b>	<b>270,918</b>	<b>87.7</b>
<b>Arenas</b>								
Salaries & benefits	618,059	618,059	0	552,579	552,579	91,685	65,480	89.4
Lights, fuel, phone & water	312,873	323,076	0	257,058	257,058	39,372	66,018	79.6
Repairs & maintenance	138,150	129,950	7,390	91,123	98,513	10,527	31,437	75.8
Other	68,429	62,629	828	31,272	32,100	6,827	30,529	51.3
<b>Total Arenas</b>	<b>1,137,511</b>	<b>1,133,714</b>	<b>8,218</b>	<b>932,033</b>	<b>940,250</b>	<b>148,410</b>	<b>193,464</b>	<b>82.9</b>
<b>Total Parks and Recreation</b>	<b>4,641,206</b>	<b>4,641,206</b>	<b>21,662</b>	<b>3,906,149</b>	<b>3,927,812</b>	<b>387,321</b>	<b>713,394</b>	<b>84.6</b>
<b>Community Sustainability</b>								
Salaries & benefits	148,993	148,993	0	130,045	130,045	13,406	18,948	87.3
Education, communication & community involve	71,500	56,500	405	39,679	40,084	7,057	16,416	70.9
Projects	14,500	23,305	11,584	28,747	40,330	8,454	(17,026)	173.1
Other	18,650	21,914	0	15,655	15,655	5,611	6,259	71.4
<b>Total Community Sustainability</b>	<b>253,643</b>	<b>250,712</b>	<b>11,989</b>	<b>214,126</b>	<b>226,114</b>	<b>34,529</b>	<b>24,597</b>	<b>90.2</b>

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<b>Planning</b>								
Salaries & benefits	1,129,914	1,127,394	0	932,928	932,928	104,558	194,466	82.8
Planning services	78,750	72,250	3,651	25,257	28,909	1,313	43,341	40.0
Board meetings	17,000	17,500	0	13,607	13,607	2,075	3,893	77.8
Professional Development	30,250	35,250	0	29,135	29,135	9,079	6,115	82.7
Office, phones & equipment	44,285	47,805	2,176	21,051	23,227	11,853	24,578	48.6
Other	2,500	2,500	0	2,128	2,128	0	372	85.1
<b>Total Planning</b>	<b>1,302,699</b>	<b>1,302,699</b>	<b>5,828</b>	<b>1,024,106</b>	<b>1,029,934</b>	<b>128,878</b>	<b>272,765</b>	<b>79.1</b>
<b>Heritage</b>								
Heritage tax program	108,598	108,598	0	(1,562)	(1,562)	(400)	110,160	(1.4)
Heritage grant program	71,875	71,875	0	38,271	38,271	0	33,604	53.2
Heritage Area Study	22,500	22,500	0	0	0	0	22,500	0.0
Board meetings	9,000	10,000	600	8,460	9,060	1,830	940	90.6
Special projects	7,500	6,500	0	4,652	4,652	1,997	1,848	71.6
Other	7,750	7,750	1,734	1,153	2,887	246	4,863	37.3
<b>Total Heritage</b>	<b>227,223</b>	<b>227,223</b>	<b>2,334</b>	<b>50,973</b>	<b>53,307</b>	<b>3,673</b>	<b>173,916</b>	<b>23.5</b>
<b>Economic Development</b>								
Business Improvement Area (BIA)	378,994	378,994	0	300,246	300,246	0	78,748	79.2
Investment Program	274,239	274,239	377,601	(108,377)	269,224	(322,864)	5,015	98.2
Memberships & Partnerships	244,227	244,347	13,750	230,118	243,868	2,695	479	99.8
Stipends to Citizen Representatives	9,000	9,000	0	6,600	6,600	1,200	2,400	73.3
Business & Marketing Development	27,500	23,860	0	17,899	17,899	5,535	5,981	75.0
Other	3,125	3,125	0	2,628	2,628	427	497	84.1
<b>Total Economic Development</b>	<b>937,085</b>	<b>933,585</b>	<b>391,351</b>	<b>449,113</b>	<b>840,465</b>	<b>(313,007)</b>	<b>93,120</b>	<b>90.0</b>
<b>Tourism</b>								
Annual Events	101,000	101,000	0	81,690	81,690	43	19,310	80.9
Tourism Initiatives	83,500	83,500	0	79,753	79,753	6,076	3,747	95.5
Memberships & Partnerships	7,500	7,500	0	4,940	4,940	1,274	2,560	65.9
Tourism & Japanese Delegates Visit	10,000	10,000	0	6,472	6,472	(41)	3,528	64.7
Office & Computer	4,000	4,000	0	2,696	2,696	268	1,304	67.4
Professional Development	7,875	6,125	0	5,095	5,095	20	1,030	83.2
Other	4,000	5,750	0	5,586	5,586	183	164	97.2
<b>Total Tourism</b>	<b>217,875</b>	<b>217,875</b>	<b>0</b>	<b>186,232</b>	<b>186,232</b>	<b>7,823</b>	<b>31,643</b>	<b>85.5</b>

City of Charlottetown  
2018/2019 Budget Summary  
Current Period: FEB-2019

Date: 08-MAR-19 10:51

Page:

Currency: CAD

No specific Ledger requested

	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Previous Yr YTD Actual	Funds Available	% of Bud Expense
<b>Human Resources</b>								
Salaries & benefits	651,851	651,851	0	483,836	483,836	70,193	168,015	74.2
Payroll & employee services	132,625	132,625	0	96,271	96,271	15,087	36,354	72.6
Contract services & employee assistance prog	45,000	45,000	941	37,411	38,352	5,701	6,648	85.2
Office, committee & communication	10,000	10,000	71	5,765	5,836	1,071	4,164	58.4
Organizational Development	15,000	15,000	0	12,067	12,067	864	2,933	80.4
Professional Development	22,500	22,500	0	14,046	14,046	1,150	8,454	62.4
<b>Total Human Resources</b>	<b>876,976</b>	<b>876,976</b>	<b>1,012</b>	<b>649,397</b>	<b>650,409</b>	<b>94,067</b>	<b>226,567</b>	<b>74.2</b>
<b>Total Intergovernmental Affairs</b>	<b>24,930</b>	<b>24,930</b>	<b>0</b>	<b>264</b>	<b>264</b>	<b>0</b>	<b>24,666</b>	<b>1.1</b>
<b>Transit</b>								
Transit contract	1,200,704	1,200,704	85,979	1,031,638	1,117,618	86,748	83,086	93.1
Shelter Maintenance	69,017	69,017	4,927	59,782	64,709	3,077	4,308	93.8
Pat and the Elephant	62,500	62,500	12,500	50,000	62,500	0	0	100.0
Other	13,750	13,750	0	6,301	6,301	182	7,449	45.8
<b>Total Transit</b>	<b>1,345,971</b>	<b>1,345,971</b>	<b>103,406</b>	<b>1,147,721</b>	<b>1,251,128</b>	<b>90,007</b>	<b>94,843</b>	<b>93.0</b>
<b>Total Advanced Planning</b>	<b>45,000</b>	<b>45,000</b>	<b>6,600</b>	<b>8,045</b>	<b>14,645</b>	<b>1,256</b>	<b>30,355</b>	<b>32.5</b>
<b>Event Attraction</b>								
Event Hosting	309,250	309,250	8,275	277,886	286,161	32,588	23,089	92.5
Special Initiatives	122,500	122,500	0	59,917	59,917	4,920	62,583	48.9
Development & Attraction	62,500	62,500	0	48,724	48,724	3,507	13,776	78.0
Promotions & Materials	27,500	27,500	0	25,286	25,286	4,865	2,214	91.9
Memberships & Partnerships	12,400	12,400	660	7,153	7,813	2,802	4,587	63.0
Professional Development	10,000	10,000	0	6,556	6,556	0	3,444	65.6
Office & miscellaneous	6,250	6,250	0	3,451	3,451	112	2,799	55.2
<b>Total Event Attraction</b>	<b>550,400</b>	<b>550,400</b>	<b>8,935</b>	<b>428,972</b>	<b>437,907</b>	<b>48,794</b>	<b>112,493</b>	<b>79.6</b>
<b>Arts and Culture</b>								
Confederation Centre of the Arts	372,253	372,253	54,900	305,247	360,147	9,320	12,106	96.7
Grants	128,205	128,205	1,150	104,144	105,294	25,000	22,911	82.1
Cultural Initiatives	44,815	44,815	100	32,612	32,712	1,400	12,103	73.0
Board Expenses	1,250	1,250	0	968	968	0	282	77.4
<b>Total Arts and Culture</b>	<b>546,523</b>	<b>546,523</b>	<b>56,150</b>	<b>442,970</b>	<b>499,121</b>	<b>35,720</b>	<b>47,402</b>	<b>91.3</b>

City of Charlottetown  
2018/2019 Budget Summary  
Current Period: FEB-2019

Date: 08-MAR-19 10:51

Page:

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No specific Ledger requested

	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Previous Yr YTD Actual	Funds Available	% of Bud Expense
<b>Other</b>								
Elections	59,900	59,900	0	59,900	59,900	59,900	0	100.0
Extraordinary Expenditure	2,707,825	2,707,824	0	0	0	0	2,707,824	0.0
Grants	2,635,013	2,635,014	124,618	2,497,936	2,622,553	357,290	12,461	99.5
Stipends to Citizen Representatives	27,000	27,000	100	16,500	16,600	3,000	10,400	61.5
Fleet Management	462,400	462,400	99,961	383,917	483,879	101,177	(21,479)	104.6
<b>Total Other</b>	<b>5,892,138</b>	<b>5,892,138</b>	<b>224,679</b>	<b>2,958,253</b>	<b>3,182,932</b>	<b>521,367</b>	<b>2,709,206</b>	<b>54.0</b>
<b>Water and Sewer</b>								
Salaries & benefits	4,678,610	4,618,610	0	4,102,533	4,102,533	516,300	516,077	88.8
Debt charges/New Vehicles & Equipment	4,504,413	4,481,413	7,978	3,683,563	3,691,541	514,319	789,872	82.4
Repairs & maintenance - Stations/Infrastruct	1,754,472	1,740,472	185,708	1,413,011	1,598,719	144,524	141,753	91.9
Repairs & maintenance - Vehicles/Equipment	1,243,884	1,311,884	194,922	1,067,959	1,262,881	79,218	49,003	96.3
Power	1,233,692	1,233,692	0	1,159,615	1,159,615	118,537	74,077	94.0
Office, phones & radios	235,907	266,907	3,838	211,078	214,917	32,447	51,990	80.5
Insurance & property taxes	209,270	209,270	0	148,716	148,716	44,255	60,554	71.1
Committee & meetings	213,737	208,737	0	205,494	205,494	40,837	3,243	98.4
Service contracts & consulting fees	182,160	202,160	13,117	138,444	151,561	3,443	50,599	75.0
Professional Development	128,790	111,790	6,147	82,530	88,677	7,993	23,113	79.3
Extraordinary Items	810,000	810,000	0	0	0	0	810,000	0.0
Water Conservation	75,000	75,000	9,897	64,464	74,361	1,583	639	99.1
Other	151,846	151,846	4,342	108,781	113,123	31,820	38,723	74.5
<b>Total Water and Sewer</b>	<b>15,421,781</b>	<b>15,421,781</b>	<b>425,949</b>	<b>12,386,190</b>	<b>12,812,139</b>	<b>1,535,276</b>	<b>2,609,642</b>	<b>83.1</b>
<b>Total Expenditure</b>	<b>82,173,928</b>	<b>82,150,428</b>	<b>2,570,669</b>	<b>67,999,841</b>	<b>70,570,510</b>	<b>8,733,132</b>	<b>11,579,918</b>	<b>85.9</b>
<b>Surplus (Deficit)</b>	<b>588,516</b>	<b>612,016</b>	<b>(2,603,998)</b>	<b>2,659,379</b>	<b>55,381</b>	<b>600,891</b>	<b>556,634</b>	<b>(9.0)</b>





**HUMAN RESOURCES, COMMUNICATIONS  
AND ADMINISTRATION COMMITTEE  
REPORT TO COUNCIL  
March 11, 2019**

The Human Resources, Communications and Administration Committee last met on February 27, 2019. The minutes are included in your package.

There is one (1) resolution for your consideration.

Respectfully submitted,

---

Councillor Julie McCabe, Chair

**Human Resources, Communications & Administration Committee  
Wednesday, February 27, 2019  
4:30 PM– Parkdale Room**

**Present:** Mayor Philip Brown  
Councillor Julie McCabe, Chair  
Councillor Bob Doiron, Vice-Chair  
Councillor Kevin Ramsay, Member  
Peter Kelly, CAO  
Bethany Kauzlarick, HRM  
Jennifer Gavin, CO  
Lorenda MacEachern, HREA

**1) Call to Order**

Councillor Julie McCabe called the meeting to order at 4:30 PM.

**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 January 30, 2019 were approved as circulated.

**5) Business arising from Minutes**

There was no business arising from the minutes.

**6) Reports:**

**a) Communications Policy – Report no. COMM0226**

The CO presented the report. Attached with the report was a copy of the draft policy for the Committee to review. The recommendation for the Committee to accept the revisions proposed to the Corporate Communications Policy and forward it to Council for adoption was approved.

**b) Human Resources Update – Report no. HR022720190S**

Bethany Kauzlarick, HRM presented the report. The OHS activity report was attached. The OH&S Officer continues weekly orientations for new staff as well as rehires and continues to work with all departments to ensure safety training is complete.

**7) Introduction of New Business**

There was no new business.

**8) Adjournment** Motion to adjourn was moved by Councillor Ramsay and seconded by Councillor Doiron. Public session of meeting adjourned at 4:40 PM.



City of  
Charlottetown

Report No: HR02272019OS  
Open Session

Date: February 27, 2019

Directed to: Human Resources, Communication  
and Administration Committee

Attachments:

OHS Report

Department: Human Resources

Prepared by: Bethany Kauzlarick, Acting  
HRM

Subject: HR Updates

**RECOMMENDATION:**

Recent general HR activities – For information only.

**OCCUPATIONAL HEALTH AND SAFETY**

Occupational Health and Safety activity attached.

The City's OH&S Officer continues weekly employee orientations for rehires and new staff, and continues to work with all departments to ensure safety training is complete.

Respectfully,

*Bethany Kauzlarick*

Bethany Kauzlarick, Acting HRM

Reviewed By:

CAO

Mgr

Other

**RECOMMENDATIONS/ACTIONS:**

OCCUPATIONAL HEALTH AND SAFETY

2019

	January	February	March	April	May	June	July	August	September	October	November	December	YTD
Orientation Employee	0	0	0	0	0	0	0	0	0	0	0	0	0
Orientation Contractor	1	0	0	0	0	0	0	0	0	0	0	0	1
Recordable Incidents	16	0	0	0	0	0	0	0	0	0	0	0	16
No Lost Time Incidents	14	0	0	0	0	0	0	0	0	0	0	0	14
Lost Time Incidents	2	0	0	0	0	0	0	0	0	0	0	0	2
OH&S Inspection Reports	0	0	0	0	0	0	0	0	0	0	0	0	0
OH&S Orders	0	0	0	0	0	0	0	0	0	0	0	0	0
OH&S Stop Work Orders	0	0	0	0	0	0	0	0	0	0	0	0	0

Safety Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire Extinguisher Training	0	0	0	0	0	0	0	0	0	0	0	0	0
First Aid	0	0	0	0	0	0	0	0	0	0	0	0	0
Automatic External Defibrillator	0	0	0	0	0	0	0	0	0	0	0	0	0
Fall Protection Training	0	0	0	0	0	0	0	0	0	0	0	0	0
WHMIS 2015 Training	0	0	0	0	0	0	0	0	0	0	0	0	0
JOHS Committee Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Arc Flash Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Control Person	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Control Manager	0	0	0	0	0	0	0	0	0	0	0	0	0
Hot Work Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Lock Out Tag Out Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Confined Space Retrieval Train	0	0	0	0	0	0	0	0	0	0	0	0	0
Power Line Hazards Training	0	0	0	0	0	0	0	0	0	0	0	0	0
P/R Risk Management Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Slips Trips & Falls	0	0	0	0	0	0	0	0	0	0	0	0	0

11-2019  
 Wrist  
 1st day missed 22/01/2019  
 At the time of this report worker not back to work

12-2019  
 Blacked out  
 24/1/2019  
 At the time of this report worker not back to work

2 Lost Time Incident  
 Injury  
 1st Day Missed  
 1st Day Back To Work

3 Lost Time Incident  
 Injury  
 1st Day Missed  
 1st Day Back To Work

OH&S Inspection Reports

No Reports



# CITY OF CHARLOTTETOWN

## RESOLUTION

Human Resources, Communications  
and Administration # 1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: March 11, 2019

Moved by Councillor \_\_\_\_\_ Kevin Ramsay

Seconded by Councillor \_\_\_\_\_ Bob Doiron

**RESOLVED:**

**THAT the City of Charlottetown accept the amendments to the Corporate Communications Policy, as per the attached document, effective December 14, 2015 and amended March 11, 2019.**



City of  
Charlottetown

Report No: COMM0226

Date: February 26, 2019

Directed to: HRCA Committee

Department: Communications

Prepared by: Jennifer Gavin

Attachments: **UPDATED – Corporate Communications Policy**

Subject: Review of revisions for Corporate Communications Policy

**RECOMMENDATION:**

That HRCA revise the Corporate Communications Policy and forward it to Council for adoption.

**REPORT:**

The Corporate Communications Policy was created in 2014 as part of the City’s commitment to engage its citizens through effective communications to ensure a broader understanding and awareness of the City’s programs, services, departments and inner-workings.

Having a Communications Policy provides a framework for the Corporation to best exchange information and inform the public. It outlines communication protocols to ensure consistency of message and delivery, and helps the Corporation maximize media coverage, brand recognition and two-way communications with the public.

This policy has strengthened the City’s media relations, curbed duplication, allowed for better media tracking and reduced some of the need for paid advertising.

As with all policies, review and revisions are necessary to keep policies from becoming stagnant. Revisions to this policy are needed to reflect changes in staffing, and changes through time to improve efficiencies.

The suggested changes are as follows:

Any highlighted reference of Communications staff or Communications Office is to reflect the staffing changes in Communications; changing “Communications Officer” references to be more inclusive of the team.

Section 2.1 – additional text added to clarify why Police and Fire are exempt (they have their own policies for crisis communications and incident response).

Section 4.0 – additional text to clarify that the policy does not apply to messaging from the Mayor, in case that wasn’t clear by simply stating “individual councillors”

Section 5.1.3 – Removal of the mention of “Director” to reflect updated corporate structure

Section 5.1.9 – Including the Mayor when referencing “Council” for clarity. Also, adding the recommendation that all media requests be coordinated through the Communications Office despite it not being a requirement for Mayor and Council.

Section 5.1.2 – Adding the word “committees” to ensure messaging isn’t going out from the corporation that committees are in disagreement on

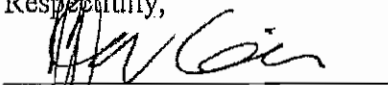
Section 5.2.8 – Adjusting to gender neutral language

Section 5.3.5 – Adjusting the language to reflect current Corporate structure

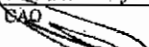
Section 5.6.2 – Recognizing that invitations are also issued through the Mayor’s office, an exception was added

Section 5.7 – Revamp of the website section now that our website is run primarily in-house. Numbering of this section and adjustments to the table of contents will be adjust once final edits are approved by the committee, and prior to the final revised copy proceeding to Council.

Respectfully,



Reviewed By:

	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs		Mgr	Other
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# CHARLOTTETOWN

## CORPORATE COMMUNICATIONS POLICY

*Policy Number: P-Comms-1*

*Originating Department: Communications*

*Approved By: City Council*

*Date of Approval: December 14, 2015*

*Amended:*

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## 1.0 Purpose

The City of Charlottetown is committed to engaging its citizens through effective communications to ensure a broader understanding and awareness of the City's programs, services, departments and inner-workings.

The Communications Policy provides a framework for the Corporation on how the City of Charlottetown can best exchange information and inform the public. It outlines communication protocols to ensure consistency of message and delivery, and helps the Corporation maximize media coverage, brand recognition and two-way communications with the public. This policy will strengthen the City's media relations, curb duplication, allow for better media tracking and reduce some of the need for paid advertising.

Though some reactive communications are necessary, the goal is to focus resources on proactive communications that provide meaningful information to the public through social media, the City's website and media coverage.

This policy and the protocols within apply to all employees of the City of Charlottetown in relation to media requests, interviews, and public-facing communication items.

## 2.0 Definitions

**2.1** City refers to The Corporation of the City of Charlottetown and the Charlottetown Water and Sewer Utility (with the exception of Charlottetown Police Services and the Charlottetown Fire Department as these departments have their own policies and protocols for crisis communications and incident response)

**2.2** Employee refers to any person employed by the City

**2.3** Communication item refers to all non-monetary, public-facing information released by the Corporation, such as (but not limited to) news releases, notices, public service announcements, event invitations, media advisories, photo submissions, website content and social media postings.

**2.4** Joint event or initiative refers to any event, announcement, program or initiative that the City of Charlottetown is involved in as an equal partner, regardless of financial commitment or partnership.

## 3.0 Responsibilities

Managed Corporate communications is the best way to highlight and share good news stories and information about the City Corporation. Commitment, timely response and ultimate cooperation within the Corporation are required in order for this policy and the City's communications to be effective.

Corporate communications are handled through the City's Communications Office. However, other departments may receive media requests for information, photos or interviews and some communication items may be drafted outside of the Communications Office.

All employees are responsible for compliance with this policy so it is expected that media requests would be directed to the Communications Office and prepared communication items would be edited for consistency and sent out through the Communications Office.

In the event that communications staff are not available, employees are responsible for notifying their manager, or the Chief Administrative Officer (or designate) in advance of responding to any media request and, where appropriate, notifying the chairperson of the related committee.

Prepared documents can be scheduled for release once the communications staff are available or sent at the direction of the Chief Administrative Officer (or designate).

Managers are responsible for making sure the employees in their respective departments comply with this policy.

#### **4.0 Application**

This policy applies to all City employees and all Corporate communication items. It does not apply to messaging from individual councillors or the Mayor.

#### **5.0 Communications Protocol**

##### **5.1 Media Requests for Information or Interviews**

- 5.1.1 All media requests should be directed to the Communications Office to avoid duplication of effort, improve media relations, improve response time while allowing for interview preparation, ensure consistency and accuracy of message and ensure elected officials are notified and given first choice for the interview. The Communications Office is also responsible for ensuring proper approvals have been received.
- 5.1.2 The chairperson of the related committee, manager of the related department, and in some cases, the Mayor and the councillor of the related ward should be notified of the media request.
- 5.1.3 In the absence of assistance from communications, the employee must notify their manager and/or the CAO before responding to the request. The chairperson of the related committee and department manager should be notified of the content and response. In cases where the media is likely to followup, the Mayor's office should also be notified.

- 5.1.4 In rare cases where an interview is not appropriate or a spokesperson is not available, a statement may be prepared in collaboration with the Communications Office. Statements should be approved by the chairperson of the related committee and the manager of the related department, or the Mayor's office and CAO (or designate).
- 5.1.5 Interviews are to be conducted in a location designated by the Mayor, CAO or Communications Office in collaboration with the manager of the related department and/or chairperson of the related committee. Where possible, interviews should not be conducted in the offices of employees to protect internal and confidential information and to respect the working environment of other employees in the vicinity. Occasionally, when the subject requires it, interviews are held on the site of a project or event.
- 5.1.6 Interviews should be mutually professional and respectful. Employees should never feel bullied into an interview and should offer no comment if a reporter shows up unannounced or uninvited. The reporter should be directed to the communications office or CAO, and employees should report these situations to their manager. The Communications Office should also be notified of the reporter's name and credentials.
- 5.1.7 All media requests should be responded to in a timely manner, respecting reasonable reporting deadlines. The Communications Office is responsible for following up on all requests.
- 5.1.8 Staff from the Communications Office may choose to sit in on the interview to take notes for future reference.
- 5.1.9 Mayor and council may pass media requests for information or interviews to the Communications Office to manage. It is recommended that all media requests be coordinated through the Communications Office; however, it is not a requirement for Mayor and Council.
- 5.1.10 The Mayor, councillors or employees who are interviewed are asked to notify the Communications Office to assist with media tracking.

## **5.2 News Releases**

- 5.2.1 News releases are reserved for major corporate announcements and initiatives. They must be sent using the City's template (see Appendix A). These can be issued a few days prior to an announcement, but are typically reserved for the day of or just after an announcement. When being used to tee-up an event, news releases should be issued at least

2-3 days prior to the event taking place.

- 5.2.2 News releases are for corporate messaging only, not individual Wards and must not be used if there is a conflict of messaging between departments or committees. All of those affected by the messaging or directly involved in the news release must be in agreement.
- 5.2.3 The department requesting a news release is responsible for providing the content in the form of a first draft. It is the department's responsibility to ensure the information is correct and approved by the manager.
- 5.2.4 For scheduling purposes, the department requesting a news release is asked to provide as much notice as possible to the Communications Office (at least two days). More time is required if any other content (ie: social media posts or a webpage) is to be ready with the news release.
- 5.2.5 The first quote in every news release is reserved for the Mayor, who serves as the voice of the City Corporation. The Mayor may choose to opt out of a news release and elect someone else to be quoted instead. In the Mayor's absence in a news release, the Deputy Mayor may be quoted.
- 5.2.6 If a second quote in the release is necessary, the chairperson of the related committee is to be contacted. If that elected official is not available or chooses to opt out of the news release, the CAO (or designate), Chief, Deputy Chief or manager of the related department may be quoted. In rare cases, another employee or council member, such as the Vice-Chair, could be chosen to provide a quote. Including a third quote should be avoided, but in rare cases may be necessary to include a partner in a joint release.
- 5.2.7 All persons quoted in the news release must give final approval for their quote before it is sent or posted online, including any partners involved in the release.
- 5.2.8 The chairperson of the related committee and department manager should be notified in advance of the content of the release for fact-checking, interview preparation and to provide approvals. In the absence of the chairperson or manager, the CAO (or designate) may review and give final approvals. If an outside partner is involved, they should also have a chance to review prior to the release being issued.
- 5.2.9 All corporate news releases are to be sent through the Communications Office to ensure consistency of message, avoid duplication, maximize

media coverage and double-check that approvals have been given and everyone affected by the release has been notified.

- 5.2.10 A communications employee is to be listed as the media contact on all corporate news releases.
- 5.2.11 It is expected that those quoted in the release would be prepared and available to speak publically about the content contained in the release. The communications staff can help with notes and background information, where necessary.
- 5.2.12 To improve internal communications, all corporate news releases should be sent electronically to all City staff and councillors. Releases are to be posted promptly on the City's website and through the corporation's social media channels.
- 5.2.13 Interview requests should be directed to communications.
- 5.2.14 Where possible, no more than two news releases should be issued by the corporation in one business day. The Communications Office is responsible for scheduling releases.
- 5.2.15 In an effort to maintain good media relations, news releases should be issued as early in the day as possible. News releases should not be issued after 4 p.m. except for special circumstances such as a release being issued at a council meeting.
- 5.2.16 All news releases are to be kept in an archive by communications for future reference.

### **5.3 Public Service Announcements and Notices**

- 5.3.1 Outside of news releases, all other public-facing communication items are to be issued in the PSA format using the City's template (see Appendix A). If not relating to an event and just being used for sharing information, a PSA or notice can be issued any time. When being used to tee-up an event or public meeting, PSAs should be issued at least a week prior to the event taking place. Where necessary, a reminder should be issued 1-2 days prior to an event or meeting.
- 5.3.2 PSAs and notices do not include quotes and are strictly for sharing facts and information, not opinion.
- 5.3.3 The department requesting a public service announcement or notice is responsible for providing the content in the form of a first draft. It is the department's responsibility to ensure the information is correct and

approved by the manager.

- 5.3.4 For scheduling purposes, the department requesting a PSA or notice is asked to provide as much notice as possible to the Communications Office (at least one day). More time is required if any other content (ie: social media posts or a webpage) is to be ready with the PSA or notice.
- 5.3.5 For approvals, a department representative, the chairperson or manager must review and give final approval. Where necessary, the CAO (or designate) could be approached for final approval. The chairperson of the related committee and department manager should be notified of the content of all PSAs notices for interview preparation, when deemed necessary by communications.
- 5.3.6 All PSAs and notices are to be sent through the Communications Office to ensure consistency of message, avoid duplication, maximize media coverage and double-check that approvals have been given.
- 5.3.7 Communications staff are to be listed as the media contact on all notices and PSAs, but a secondary contact person may be added into the body of the PSA for additional information. (ex: A PSA about a program being offered by the Parks and Recreation department should include contact information for the employee responsible for registration and program details). Where possible, the phone number used should be the switchboard.
- 5.3.8 Interview requests should be directed to the Communications Office.
- 5.3.9 Where possible, no more than four PSAs or notices should be issued in one business day. The Communications Office is responsible for scheduling.
- 5.3.10 It is expected that someone from the committee or department involved in the PSA or notice would be prepared and available to speak publically about the content. The Communications Office can assist with notes and background information, where necessary.
- 5.3.11 To improve internal communications, all notices and PSAs should be sent electronically to all City staff and councillors, posted promptly on the City's website and through the corporation's social media channels.
- 5.3.12 PSAs and notices should be issued as early in the day as possible. PSAs should not be issued after 4 p.m. except for special circumstances such as a PSA issued at a council meeting.

- 5.3.13 All PSAs and notices are to be archived by the Communications Office for future reference.

#### **5.4 Submitted Photos**

- 5.4.1 All photos for the corporation being shared with the public/media should be sent through the Communications Office using the City's template (see Appendix A).
- 5.4.2 All persons in the photo should be notified prior to the release. First and last names and titles are to be presented from left to right.
- 5.4.3 Photo submissions should be shared with all City staff and council and posted online to the City's website and corporate social media channels.
- 5.4.4 Where necessary, a PSA could accompany the submitted photo to provide additional information in an attempt to maximize media interest.

#### **5.5 Media Advisories and Event Invitations**

- 5.5.1 Media advisories and event invitations should be issued electronically by the Communications Office using the City's template (See Appendix A). Invitations issued by the Mayor's office are the exception, but the Communications Office should be notified, where possible.
- 5.5.2 All media advisories should be issued at least two days prior to an event or announcement.
- 5.5.3 Event invitations should be sent to all City staff and council and issued at least a week prior to an event or announcement.
- 5.5.4 Reminder notices re: media advisories and event invitations should be issued the morning or day before an event or announcement.

#### **5.6 News Conferences**

- 5.6.1 All news conferences for the corporation are to be scheduled and arranged in collaboration with the Communications Office. This includes news conferences being held jointly with a partner. The Mayor's office and CAO should be notified, along with the chairperson of the related committee and manager of the related department.

- 5.6.2 Invitations and notices for news conferences are to be issued by the Communications Office, with the exception of those issued by the Mayor's Office to dignitaries. Media should be notified at least two days prior and notice should be sent to all City staff and Councillors at least a week prior. A reminder should be sent the day before or morning of the news conference.
- 5.6.3 The Mayor should be provided with the opportunity to speak at all corporate news conferences. In the Mayor's absence, the Deputy Mayor shall be approached, followed by the committee chairperson.
- 5.6.4 A news release should be prepared and approved in advance of the news conference and issued by the Communications Office during or after the official announcement is made.
- 5.6.5 The organizer or department overseeing the news conference is responsible for setup, any sound or food requirements, scheduling the speakers, the order of proceedings and providing notes; however, the Communications Office can be pulled in to assist with the written components.
- 5.6.6 All news conferences (where possible) are to be held prior to 12 noon, during regular business hours with an opportunity for Council members to attend.
- 5.6.7 The Communications Office may take photos and live social media content at news conferences, but other staff members may be designated to assist or take photos in the absence of communications staff.

## **5.7 Website Content**

- 5.7.1 The Communications Office is responsible for the City's website, staff portal, and Fire Department internal portal. Communications staff serve as the lead website administrators, providing support and training for the content management system (CMS), in correlation with the website provider. If departmental authors experience an error or issue with the website that they are not able to correct, this must be passed on to the Communications Office.
- 5.7.2 Each department must have at least one trained author for the website who is responsible for updating and creating content specific to their department, as well as postings related to meetings and events.
- 5.7.3 The Communications Office will determine appropriate permissions for each author to ensure they have access to pages that fall under their



responsibility. Further requests for additional permissions must go through the Communications Office.

- 5.7.4 New webpages and new content creation must be vetted through the department manager to ensure accuracy and appropriate approvals.

## **5.8 Social Media Postings**

- 5.8.1 The City Corporation shall have only one official Facebook and Twitter account unless approved by the CAO or designate.
- 5.8.2 The Communications Office is responsible for keeping the social media channels up-to-date.
- 5.8.3 Content from other departments for consideration and potential inclusion on Corporate social media sites should be sent to the Communications Office. Prepared Corporate communication items are to be posted automatically.
- 5.8.4 Content posted by the Corporation must relate directly to messaging issued by the Corporation and be tied directly to City business.
- 5.8.5 The Communications Office is responsible for monitoring content. Public comments are encouraged, but comments that are not directed to the Corporation are to be removed. Content deemed inappropriate by the Communications Officer or CAO should be removed immediately. This includes, but is not limited to: profane language or content; personal attacks on individuals or specific groups; conduct or encouragement of illegal activity; content related to non-City related sales, advertising or promotions; content for the purposes of promoting a candidate for municipal, provincial or federal election; content that may be considered defamatory, malicious, or libelous; and content that promotes, fosters or perpetuates discrimination.
- 5.8.6 Content that generates negative feedback from the public or feedback that is sensitive or controversial in nature will be reviewed by the Communications Office. Those within the Corporation directly affected by the posting are to be notified before an appropriate course of action is determined.
- 5.8.7 Corporate Facebook content updates should be limited to four postings per day, where possible, to avoid flooding the newsfeeds of the City's followers. Twitter postings can be made more frequently throughout the day but unrelated topics should be spaced out by at least a half hour, where possible.

- 5.8.8 The City's social media identity should always tie into the City's brand. Changes to the boiler plate, banner or profile photos must be approved by the Communications Office.

## **5.9 External Requests for Promotion**

- 5.9.1 Requests for promotion from external groups, organizations or individuals can be submitted through the Communications Office or Events Development Officer. The details and draft content are to be provided by the individual, group or organization making the request. (See Appendix A for Event Promotion Request Form).
- 5.9.2 The external event, initiative or announcement will only be promoted if it ties into the City Corporation through a partnership or other direct connection such as City involvement or if it has a significant economic or tourism impact on our city. It will only be promoted if resources/time allow. City-led initiatives, announcements and events take first priority.
- 5.9.3 The City's Corporate social media accounts, website and media list will only be used for external promotions if the event, initiative or announcement ties directly to the Corporation through City involvement or a partnership.
- 5.9.4 Requests for promotion must be received at least a week prior to the date the promotions are to begin.
- 5.9.5 The City's communication office reserves the right to alter content to fit the City's templates or refuse a submission without explanation.
- 5.9.6 External events, initiatives or announcements that do not tie directly into the Corporation will not be promoted on the City's Corporate social media channels, website or sent to the City's media list. The information can be shared internally to Council and staff.

## **6.0 Visual Identity Protection**

All Corporate communication items, as well as joint communication items, must adhere to the Visual Identity Policy and the Visual Identity and Graphic Standards Guide.

All other items, such as paid advertising, are referenced in the Visual Identity Policy.

## Appendix A

- i) Template for news releases, public service announcements, notices and submitted photos must adhere to the Visual Identity Policy and Visual Identity and Standards Guide:
  - a. Logo without the tagline (Administration Logo) should be used for sensitive information where the “Great Things Happen Here” tagline (Marketing Logo) may not be appropriate.
  - b. PSAs, notices and submitted photos do not include quotes.
  - c. Submitted photos should include only the basic information with the full names and titles of those in the photo presented from left to right.



-OR-



FOR IMMEDIATE RELEASE

Insert date, year

**Headline**

(Insert text) Introductory paragraph

“City quote”

Additional information.

“Secondary quote” (and rarely, tertiary quote)

Insert URL or directions for more information.

-30-

Media contact:

Insert name  
Communications (title)  
City of Charlottetown  
Insert phone number  
Insert email

ii) Media advisory template:



FOR IMMEDIATE RELEASE

Insert date, year

**Media Advisory: Insert subject**

Members of the media are invited to.... (Insert basic information - who, what, when, where)

-30-

Media contact:

Insert name

Communications Title

City of Charlottetown

Insert phone number

Insert email

iii) Electronic event invitation template:



*You are cordially invited to attend (insert event, date, time and location)*

*(insert event description and other details)*

*Please note that members of the media will also be invited to attend.*

*For more information on this event, contact (insert event organizer's contact info)*



**EVENT PROMOTION REQUEST FORM**

**1) Official title of the event:**

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**2) Event description (include date, time and location with description):**

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**3) Connection to the City Corporation (ie: explain partnership or City of Charlottetown involvement in the event):**

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**4) Contact number and/or email for more information about the event:**

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**5) Website, Facebook Page, Twitter Handle for the event:**

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**6) Suggested Twitter post(s)\***

Twitter		
Suggested Date/Time for Tweet	Suggested Copy	Link
Before event	INSERT 140 characters or less (include relevant hashtags or Twitter handles)	Insert URL for more information
Day before the event	INSERT 140 characters or less (include relevant hashtags or Twitter handles)	Insert URL for more information
Day of event	INSERT 140 characters or less (include relevant hashtags or Twitter handles)	Insert URL for more information
2 <sup>nd</sup> post for day of event	INSERT 140 characters or less (include relevant hashtags or Twitter handles)	Insert URL for more information

**\*Only posts with 140 characters or less will be used.**

**For suggested Facebook posts, please limit text to 300 words.**

**Email this form as well as associated logos or photos for social media posts to the Communications Office:**

**[jgavin@charlottetown.ca](mailto:jgavin@charlottetown.ca) or [apackwood@charlottetown.ca](mailto:apackwood@charlottetown.ca)**



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE  
REPORT TO COUNCIL  
March 11<sup>th</sup>, 2019**

The Parks, Recreation and Leisure Activities Committee met on February 7<sup>th</sup>, 20<sup>th</sup> and 25<sup>th</sup> and copies of those minutes are included in your package.

There are no resolutions from our department.

The Volunteer of the Month for March is Mark Victor. Mark was a long-time volunteer with the Winsloe Charlottetown Royals FC.

Respectfully submitted,

Councillor Mitchell Tweel, Chair



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE**  
**Thursday, February 7<sup>th</sup>, 2019**  
**4:15 PM – Parkdale Room, City Hall**

**Present:**      **Councillor Mitchell Tweel, Chair**                      **Councillor Julie McCabe**  
                         **Frank Quinn, PRM**    **Councillor Terry Bernard**  
                         **Peter Kelly, CAO**    **Nancy McMinn, PS**  
                         **Philip Brown, Mayor**    **Mike White, AS**  
                         **Christopher Drummond, PC (Note Taker)**

**Regrets:**      **Jackie McKinnon, AA**

**1. CALL TO ORDER**

The meeting was called to order at 4:15PM by Chair Mitchell Tweel.

**2. DECLARATIONS OF CONFLICT OF INTEREST**

No declarations of conflict.

**3. APPROVAL OF AGENDA**

Moved by Mayor Brown and seconded by Councillor Bernard, that the agenda for Thursday, February 7, 2019 be approved.

CARRIED

**4. MOTION TO MOVE TO CLOSED**

Moved by Councillor McCabe and Seconded by Mayor Brown to move into closed session at 4:18PM, as per section 119 (1) sub-section (e) of the Prince Edward Island Municipal Government Act.

CARRIED

**5. MOVED BACK INTO OPEN SESSION**

Moved by Councillor McCabe and Seconded by Councillor Bernard to move back to open session at 5:40PM. Motion Carried.

CARRIED

**6. MOTION TO ADJOURN**

Moved by Councillor Bernard and Seconded by Councillor McCabe that the meeting be adjourned at 5:41PM.

CARRIED

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Chair: Councillor Mitchell Tweel

**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE**  
**Wednesday, February 20<sup>th</sup>, 2019**  
**3:15 PM – Parkdale Room, City Hall**

**Present:**

<b>Councillor Mitchell Tweel, Chair</b>	<b>Councillor Julie McCabe (arrived 3:25 PM)</b>
<b>Frank Quinn, PRM</b>	<b>Councillor Terry Bernard</b>
<b>Peter Kelly, CAO (arrived 3:30 PM)</b>	<b>Nancy McMinn, PS</b>
<b>Philip Brown, Mayor (arrived 3:22 PM)</b>	<b>Mike White, AS</b>
<b>Christopher Drummond PC (Note Taker)</b>	

**Regrets:**

**1. CALL TO ORDER**

The meeting was called to order at 3:18PM by Chair Mitchell Tweel.

**2. DECLARATIONS OF CONFLICT OF INTEREST**

No declarations of conflict.

**3. APPROVAL OF AGENDA**

Moved by Councillor Bernard and seconded by Chair Tweel, that the agenda for Wednesday, February 20, 2019 be approved.

CARRIED

**4. MOTION TO MOVE TO CLOSED**

Moved by Councillor Bernard and Seconded by Chair Tweel to move into closed session at 3:20PM, as per section 119 (1) sub-section (e) of the Prince Edward Island Municipal Government Act.

**5. MOVED BACK INTO OPEN SESSION**

Moved by Mayor Brown and Seconded by Councillor McCabe to move back to open session at 4:40PM. Motion Carried.

CARRIED

**6. MOTION TO ADJOURN**

Moved by Councillor McCabe and Seconded by Councillor Bernard that the meeting be adjourned a 4:41PM.

CARRIED

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Chair: Councillor Mitchell Tweel

**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE**  
**Monday, February 25<sup>th</sup>, 2019, 11:30AM**  
**Parkdale Room, City Hall**

**Present:**

**Councillor Mitchell Tweel, Chair**  
**Frank Quinn, PRM**  
**Peter Kelly, CAO**  
**Philip Brown, Mayor**  
**Jackie McKinnon (Note Taker)**

**Councillor Julie McCabe**  
**Councillor Terry Bernard**  
**Nancy McMinn, PS**  
**Christopher Drummond, PC**

**Regrets:**

**1. CALL TO ORDER**

The meeting was called to order at 11:40AM by Chair Mitchell Tweel.

**2. DECLARATIONS OF CONFLICT OF INTEREST**

No declarations of conflict.

**3. APPROVAL OF AGENDA**

Moved by Councillor Bernard and seconded by Councillor McCabe, that the agenda for Wednesday, February 25, 2019 be approved.

CARRIED

**4. ADOPTION OF THE MINUTES (JANUARY 28<sup>th</sup>, FEBRUARY 7<sup>th</sup>, and 20<sup>th</sup>, 2019);**

Moved by Councillor Bernard and seconded by Councillor McCabe, which Minutes for January 28<sup>th</sup>, February 7<sup>th</sup> and 25<sup>th</sup>, 2019 be approved.

CARRIED

**5. BUSINESS ARISING FROM THE MINUTES;**

**a. Follow up discussion on the dock system**

A discussion was held and Mayor Brown wanted to bring up concerns from residents in the area. He further noted that he would like to request a community meeting with neighborhood residents or a public meeting of council for further discussion and input on this matter.

The PRM stated that last fall and early winter there were a couple of brief discussions held between the PRM and the CAO on whether or not we should proceed to get a legal opinion on the placement of the dock in Victoria Park since there has been some concerns raised that the City should have held a public meeting on the matter. At the time, prior to the resolution being brought to City Council to purchase a modular dock system to be placed at Victoria Park, the City did not go to a public meeting since this structure was a modular dock system (as it is a temporary vs. permanent structure) which will only be in

place each year from May – October. As well, the definition of development in the Planning Act does not classify a floating dock system as development. It was felt that a public meeting was not required based on the requirements within the Victoria Park & Promenade Bylaw. After further recent discussions with the CAO, it was decided that a legal opinion was warranted and the PRM confirmed that he had submitted a request to the city solicitor for a legal opinion to seek clarity on whether or not we need to go to a public meeting on the installation of a floating dock system within Victoria Park.

Mayor Brown wanted clarification on when it was decided to get a legal opinion as it didn't go through council. It was clarified by the CAO that once a legal opinion is received, it will be brought back to committee for further discussion, and recommendation will be forwarded to council for consideration.

It was further noted that as part of the development of the Victoria Park Master Plan, there were many public meetings held, including stakeholder meetings, where all residents were welcomed to provide their input. As a result of these meetings, one of the recommendations was to include look outs and safe water access for the public. The Chair expressed concern that someone is going to slip on the boulders while trying to get to the water and potentially suffer a serious injury in doing so and for this reason he wants to assure residents have a safe means to access the water.

No further discussion was held on the matter as we will await the legal opinion which will be brought back to this committee prior to being brought forth to council.

## **6. REPORTS;**

### **a. Two Requests for Rental Fee Waiver**

#### **i. Beach Grove Home Team Fundraising Dinner**

A request was received to waive the fee rental of the Hillsborough Park Community Centre in order to raise funds to improve seniors' accessibility to the outdoor courtyard and improve quality of life. A discussion was held and it was noted by the PRM that the user has already paid the ½ day rental fee, however, they will be utilizing the hall for a full day in order for the caterer to prepare the meal, etc., thus were already given a reduced rental fee rate. It was also noted that we will have to provide a bartender for the event at a cost to the department. Staff is recommending that we retain the ½ day rental fee which was received, as it will help offset bartender costs. Further, we will not charge the user for the full day rental and thus, this is considered our contribution towards the fee waiver. The PRLA committee agreed with the staff recommendation.

#### **ii. Gifts from the Heart Fundraising Event**

A request was received from this organization to waive the rental fee at the Hillsborough Park Community Centre in order to have a free giveaway (various items including clothing and food) for those on low income and also suffering from various hardships at no cost. It was noted that the facility is available on the dates noted and there be no cost associated with waiving the

fee, aside from not collecting the revenue. Staff is recommending for approval and the PRLA Committee noted that this organization does great work and therefore, are in favor of the staff recommendation to waive the rental fee for the dates noted.

**7. INTRODUCTION OF NEW BUSINESS;**

There was no new business.

**8. MOTION TO MOVED TO CLOSED;**

Moved by Councillor Bernard and Seconded by Councillor McCabe to move into closed session at 11:53AM, as per section 119 (1) sub-section (e) of the Prince Edward Island Municipal Government Act.

**9. MOTION TO ADJOURN**

Moved by Councillor McCabe and Seconded by Councillor Bernard that the meeting be adjourned a 1:10PM.

CARRIED

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Chair: Councillor Mitchell Tweel



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE  
REPORT TO COUNCIL  
March 11, 2019**

The Protective & Emergency Services Committee met on February 21<sup>st</sup> 2019 and March 6<sup>th</sup> 2019. The minutes are included in your package.

There ~~is one~~<sup>is no</sup> resolution for your consideration.

Respectfully submitted,

Councillor Bob Doiron, Chair

**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE**  
**Thursday, February 21, 2019 at 11 A.M.**  
**Community Room, Charlottetown Police Services**

**Present:**      Councillor Bob Doiron                      Paul Smith, PC  
                    Councillor Kevin Ramsay                  Brad MacConnell, DPC  
                    Randy MacDonald, FC                      Sean Coombs, DPC  
                    Tim Mamyé, DFC                              Helen McGuigan, Exec. Asst.

**Regrets:**      Councillor Mike Duffy  
                    Peter Kelly, CAO

Chair Bob Doiron called the meeting to order at 11 A.M.

It was moved by Councillor Ramsay and seconded by Councillor Doiron that we move to the closed session of the meeting as per section 119(1) sub-section (e).

Chief Smith and Chief MacDonald reviewed the proposed budgets (Police and Fire) with Committee.

Moved to open session and meeting was adjourned.





**PLAN REVIEWS, PERMITS, SAFETY PLANS** – There were three Plan Reviews, Permits and Safety Plans.

**FIRE INVESTIGATIONS** – There were two fire investigations.

**FIRE INSPECTOR CONSULTATIONS** – There were seven Fire Inspector consultations. Those included meetings, code inquiries, site visits, etc.

**SMOKE ALARM VISITS** – There were thirty-eight buildings visited, one hundred and eight units.

**PUBLIC EDUCATION SESSIONS/PARTICIPANTS** – There were two sessions with a total of 30 participants.

**EMERGENCY RESPONSES** – Total number of calls was 52. District 1 had 20 emergency responses (Engine 1 – 8 A.M. – 4 P.M. – 3 responses and 12 P.M. – 8 A.M. – 6 responses). District 2 had 18 emergency responses. There were five Fire Inspector callouts. Total on scene time was 24 hours and 29 minutes.

**TRAINING** - Weekly Department training consisted of tactical ventilation, fire control and smoke reading lectures, along with power tools, rescue tools and auxiliary equipment training. Members also completed annual First Aid training and participated in facility familiarization tours with suppression and alarm system training. Job Performance Reviews along with Rapid Intervention Crew training was also carried out. Seven new recruits continue on their Level 1 course and several have completed their full Medical First Responder course.

**DEPARTMENT ACTIVITIES** – As a follow up on the Resilient Minds training all members took in 2018, Caroline LeBlanc from Serene View Ranch gave a mental health and trauma briefing for all members. It was very well received. Fire Prevention staff have been busy preparing for next weekend's Home Show and the Change Your Clock Change Your Battery event.

Chief MacDonald provided the following information to Committee:

- Social Media had 1901 tweets, 2359 followers and 2098 Face Book likes.
- New Fire Engine – Technical and Financial scoring has been completed and Report 1-2019 (Fire) has been submitted.
- Annual Budgets – 2019/2020 Capital and Operational Budgets complete with new initiatives has been submitted.
- Firefighters Curling Championship – Congratulations to Alan Brown, William Callbeck, Michael MacRae and Winston Bryan who won the Provincial Firefighters Curling Championships and will represent PEI firefighters at the 60<sup>th</sup>

Annual Canadian Firefighters Curling Championship, March 16<sup>th</sup> – 23<sup>rd</sup> in Kelowna, B.C.

**7. Motion to Move into Closed Session**

Moved by Councillor Duffy and seconded by Councillor Ramsay to close the meeting to the public to discuss a matter pursuant to Section 119(1)(e) of the Municipal Government Act of Prince Edward Island (New Fire Engine). Carried.

**8. Discussion from Closed Session**

Following the Closed session discussion, it was the consensus of Committee to prepare a resolution to go to Council for their consideration regarding the purchase of a new fire engine. Scoring of both financial and technical components of the submissions received were already completed.

Also in the Closed session Chief Smith gave some clarification as it pertains to the purchase of radios under the Capital Budget.

**9. Reports – (Police)**

**Police Personnel** – Police Act training continues for personnel within Police Services – Family Violence training dates are being set. Also included in the training are Search Warrants/Production Orders, Coach Officer and Healthy Me. There will be Bridge training for Cst. K. MacKay to replace Cst. D. Johnson as second to the Bridge Table.

Chief Smith advised Committee there are two pending retirements within Police Services (a regular member and civilian).

**Police Review** - Chief Smith updated Committee pertaining to the Police Review.

**Operational** - Deputy Chief MacConnell updated Committee on the status of the electronic ticketing parking ticket system and agreements.

**Bylaws** – Deputy Chief MacConnell advised Committee that amendment work continues with respect to issues raised by the Charlottetown Airport Authority as it pertains to Taxi Bylaw updates to bring same in line with Airport requirements.

**Traffic** – New technology for traffic enforcement was discussed as well as some options pertaining to school bus safety.

**Community Policing Items** – Deputy Chief Coombs updated Committee on some Community Policing items related to schools and senior citizens.

- Members of Police Services are working with Seniors Housing Authority and have established a schedule for patrols and walk thrus of designated senior's homes.
- School Resource officers in conjunction with Student Services developed a new program entitled "Picture This". This power point presentation is on harassment, the impact of social media (positive and negative), youth intimate images, the mental and legal consequences.
- School Resource officer in addition to Healthy Me officers provided this seminar separately to each Grade 9 class at Birchwood School.
- Cst. S. Davis, Healthy Me Officer, attended Superstars Day Care for a presentation on "Community Helpers" education talk on safety and what Police officers do in the Community.
- Cst. M. Lee, Ident Officer attended Spring Park School and conducted a question and answer learning session with students as part of a CSI workshop.
- Passing School Buses initiative has began with enforcement along with education on our website. Police Services issued four Highway Traffic tickets in January and two in February for passing school buses.

#### **10. Adjournment**

Moved by Councillor Duffy and seconded by Councillor Ramsay that the meeting be adjourned. Carried.



## #2 FIRE CALLS FOR FEBRUARY 2019

District #1		District #2	
Type	Number	Type	Number
A/Alarm – Alarm Ringing No Fire	4	A/Alarm – Pulled/Accidental	1
A/Alarm – Pulled/Accidental	1	A/Alarm – Smoke/Steam	1
A/Alarm – Smoke/Steam/Dust	1	A/Alarm – Equip Malfunction	3
A/Alarm – Equip Malfunction	4	A/Alarm – Workers Set Off	1
A/Alarm – Working on System	4	A/Alarm - Cooking	4
A/Alarm – Cooking	3	False Alarm – No Fire	1
LPG Leak	1	Motor Vehicle Accident	4
Mutual Aid - EMS	4	Propane Leak	1
CO Detector	1	Dishwasher Smoking	1
Fire Place/Chimney Fire	3	Mutual Aid - EMS	1
Flu Fire	1	Smell of Smoke	1
Working Fire	1		
Smoke-Burning Incense	1		
Propane Leak	1		
Rescue	1		
Motor Vehicle Accident/Fire	3		
<b>Fire Calls</b>	<b>34</b>	<b>Fire Calls</b>	<b>19</b>

### Total Calls for the Years 2018 and 2019

Total Fire Calls for 2018	Dist.:		Total Fire Calls for 2019	Dist.:	
	#1	#2		#1	#2
January	33	+ 18 (51)	January	30	18 (48)
February	23	+ 14 (37) (88)	February	34	19 (53) (101)
March	32	+ 11 (43) (131)	March		
April	27	+ 15 (42) (173)	April		
May	38	+ 26 (64) (237)	May		
June	21	+ 24 (45) (282)	June		
July	54	+ 27 (81) (363)	July		
August	53	+ 25 (78) (441)	August		
September	45	+ 19 (64) (505)	September		
October	48	+ 14 (62) (567)	October		
November	53	+ 34 (87) (654)	November		
December	35	+ 23 (58) (712)	December		
	<b>Total Calls for 2018 - 712</b>				

### 2019 (2018) (From February 1<sup>st</sup> to February 28, 2019)

11	15	Auto Alarms (No Fire/Alarm Ringing) both Station
0	1	Auto Alarms – Detector Activated both Stations
4	4	Auto Alarms – Pulled/Accidental/False both Stations
3	3	Auto Alarms – Smoke/Steam/Dust both Stations
15	7	Auto Alarms – Equip. Malfunction both Stations
2	2	Auto Alarms – Sprinkler/Power Failure both Stations
9	6	Auto Alarms – Working on System/Workers set off
12	13	Auto Alarms – Cooking both Stations
56	51	<b>Total Auto Alarm</b>
9	4	Mutual Aid/Stand By - Both Stations
3	4	Fire Calls to the WR Ind. Park – District #2

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February 2019

	2019 Monthly Reported	2019 Monthly Actual	2019 Actual To Date	2018 Monthly Actual	2018 Actual To Date
Robbery	1	1	1	0	0
Assault	23	14	34	12	37
Break & Enter	3	1	10	3	11
Theft of MV	3	0	1	0	0
Theft Over \$5000	1	0	2	1	2
Theft Under \$5000	60	49	137	53	112
Have Stolen Goods	2	2	7	3	4
Frauds	20	19	41	19	60
Offensive Weapons	3	3	4	0	0
Other Criminal Code	102	76	164	57	122
Drugs	3	3	9	10	14
LCA	32	28	49	20	45
Municipal - Totals	2429	2428	4534	2463	5288
Parking Tickets	2371	2370	4384	2391	5138
Nuisance Bylaw	35	35	101	41	100
Dog Bylaw	23	23	49	31	50
Collisions	94	94	219	74	172
HTA	312	309	560	430	840
HTA Violations		259	481	373	758
Other Traffic	32	32	73	76	142
CC Traffic	24	15	32	21	46
Complaints		967	2105	901	1925

**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 Feb 2019.

Allen St/Upper Prince	1
Brackley Point Rd/Belvedere	1
Capital Dr/North River	2
Euston St/Great George	1
Euston St/Pleasant	1
Euston St/Queen	1
Gerald St/Orlebar	6
Grafton St E	1
Grafton St/Edward	1
Grafton St/Weymouth	1
Great George St/Sydney	1
Kensington Rd/Exhibition	1
Kirkwood Dr/Queen	1
Mount Edward Rd/Allen	1
North River Rd/Inkerman	1
Orlebar St/Euston	1
Pownal St/Kent	1
Pownal St/Richmond	1
Queen St/Grafton	1
Route 2/Arterial Hwy	2
St Peters Rd/Arterial	1
St Peters Rd/Falconwood	1
University Ave/Allen	1

University Ave/Enman	2
University Ave/Nassau	2
Upton Rd	1
Walker Dr	1
Walthen Dr/Hillcrest	1
Water St Pkwy	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 Feb 2019.

Allen St	5
Allen St/Mount Edward	3
Arterial Hwy/Oak	2
Belmont St	1
Belverdere Ave/Maple	2
Brackley Point Rd/Ellis	1
Brackley Point Rd/Pine	2
Brackley Point Rd/Thistle	1
Capital Dr/North River	3
Capital Dr/Sandstone	6
East Royalty Rd	1
Euston St/Cumberland	1
Euston St/Edward	1
Euston St/Spring Park	4
Euston St/Weymouth	3
Francis Lane/Kensington	2
Garfield St	1
Gerald St/Orlebar	1
Goodwill Ave/Crestwood	1
Grafton St E	1
Grafton St/Great George	2
Hillsborough St/Euston	1
Kensington Rd/Belmont	1



Kensington Rd/Woodward	1
Kent St/Great George	2
Kent St/Queen	1
MacAleer Dr/Mount Edward	1
Maypoint Rd/Forest	1
Mount Edward Rd/Arterial	4
Mount Edward Rd/Belvedere	3
Murchison Lane	5
North River Rd/Beach Grove	2
North River Rd/Hope	1
North River Rd/Inkerman	2
North River Rd/Nassau	1
Parkside Dr	1
Prince St/Grafton	1
Queen St/Bayfield	1
Queen St/Belvedere	1
Queen St/Chestnut	1
Queen St/Grafton	1
Queen St/Kirkwood	6
Raiders Rd	2
Riverside Dr/Exhibition	1
Rte 2/Arterial	1
Rte 2/John Yeo	.1
Sherwood Rd/Rte 2	1
St Peters Rd/Beasley	2

St Peters/MacWillimas	3
St Peters Rd/Northridge	2
St Peters Rd/Ralden	1
St Pius X/Kensington	2
St Pius X/St Peters Rd	2
Sydney St/Queen	1
Thompson Dr/Sandstone	4
University Ave/Allen	8
University Ave/Bayfield	1
University Ave/Belvedere	8
University Ave/Buchanan	3
University Ave/Enman	5
University Ave/Gerald	2
University Ave/Nassau	3
University Ave/Summer	3
Upper Prince St/Gerald	2
Upton Rd	1
Water St Pkwy	6
Weymouth St/Grafton	3

## 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 Feb 2019.

Arterial Hwy/Oak	10
Brackley Point Rd/MacAleer	4
Brackley Point Rd/Oak	1
Brackley Point Rd/Thistle	1
Fourth St	9
MacRae Dr	1
Mount Edward Rd/Woodlawn	2
North River Rd/Churchill	1
North River Rd/Inkerman	1
North River Rd/McGill	8
Riverside Dr/Southgate	1
Rte 2/Countryview	1
Rte 2/Stockman	1
St Peters Rd/MacWilliams	4
St Peters Rd/Northridge	2
St Peters Rd/Oakland	2
St Peters Rd/Robertson	4
University Ave/Browns	4
University Ave./Enman Cres.	5

University Ave/McKinnon	7
Upton Rd	2

**CHARLOTTETOWN POLICE DEPARTMENT**  
**BY-LAW ENFORCEMENT**  
*February 2019 Monthly Report*

**Phone Call Breakdown**

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	27	23	50
Nuisance	0	3	3
Zoning & Development	3	4	7
Traffic	13	9	22
Snow Related	27	28	55
Street Vendors	17	10	27
Other Bylaws	12	22	34
<b>TOTAL</b>	<b>89</b>	<b>99</b>	<b>188</b>

**Taxi Bylaw Breakdown**

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	2	3	5
Taxi Inspections	3	3	6
<b>Total</b>	<b>5</b>	<b>6</b>	<b>11</b>

**Breakdown of Duties**

	Week 1 February 1 <sup>st</sup>	Week 2 February 4 <sup>th</sup> – 8 <sup>th</sup>	Week 3 February 11 <sup>th</sup> – 15 <sup>th</sup>	Week 4 February 18 <sup>th</sup> – 22 <sup>nd</sup>	Week 5 February 25 <sup>th</sup> – 28 <sup>th</sup>	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	1	3	5	5	5	19	27	46
Files CONCLUDED	0	3	4	6	4	17	21	38
Site Visits	5	8	7	10	5	35	37	72
SOT's sworn	12	61	44	71	87	275	230	505
Towed Vehicles	0	0	0	0	0	0	0	0
Paid Summons	0	0	0	0	0	0	0	0
Information's Signed	0	0	113	0	0	113	566	679
Crossing Guard Duties	0	1	0	1	0	2	2	4
Bylaw Warning Tickets	0	4	0	0	0	4	1	5

**Quick Look At This Month:**

- This month there was a total of 89 calls received through the Bylaw Enforcement Office for February
- There were 19 occurrences generated as a results of complaints
- There were 35 site visits/follow-ups made in February
- There is no "Resolutions To Council" this month.
- There were (4) four "Written Warnings" in February.
- The majority of the calls for February were for Snow Issues, and Unsightly Premises, specifically garbage.

**Cst Todd Sutcliffe** \_\_\_\_\_

**Date:** March 11, 2019



**WATER AND SEWER UTILITY COMMITTEE  
REPORT TO COUNCIL  
MARCH 11, 2019**

The Water and Sewer Utility Committee met on February 20, 2019 & February 25, 2019 and the minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Deputy Mayor Jason Coady, Chair

**Water & Sewer Utility Committee**  
**Wednesday, February 20, 2019**  
**4:30 PM – Parkdale Room**

**Present:** Mayor Philip Brown  
Deputy Mayor Jason Coady, Chair  
Councillor Julie McCabe, Vice-Chair  
Councillor Mitchell Tweel, Member at Large  
Peter Kelly, CAO  
Richard MacEwen, UM  
Pauline Gass, OC

**Regrets:** None

**1) Call to Order**

Deputy Mayor Jason Coady called the meeting to order at 4:45 PM.

**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**

It was moved by Councillor Julie McCabe and seconded by Deputy Mayor Jason Coady that the minutes from January 28, 2019 be approved.

**5) Business arising from Minutes**

None.

**6) Reports**

None.

**7) Introduction of New Business**

None.

**8) Motion to move into closed session**

Motion to move into closed session, as per Section 119 (1) sub-sections (e) of the PEI Municipal Government Act was moved by Deputy Mayor Jason Coady and seconded by Councillor Julie McCabe.

**9) Motion to move into open session**

Moved by Councillor Julie McCabe and seconded by Deputy Mayor Jason Coady.

**10) Adjournment of Public Session**

Moved by Deputy Mayor Jason Coady and seconded by Councillor Julie McCabe to adjourn. Meeting adjourned at 5:31PM.

**Water & Sewer Utility Committee**  
**Monday, February 25, 2019**  
**4:00 PM – Parkdale Room**

**Present:** Mayor Philip Brown  
Deputy Mayor Jason Coady, Chair  
Councillor Julie McCabe, Vice-Chair  
Councillor Mitchell Tweel, Member at Large  
Peter Kelly, CAO  
Richard MacEwen, UM

**Regrets:** Pauline Gass, OC

**1) Call to Order**

Deputy Mayor Jason Coady called the meeting to order at 4:05 PM.

**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**

It was moved by Councillor Julie McCabe and seconded by Deputy Mayor Jason Coady that the minutes from February 20, 2019 be approved.

**5) Business arising from Minutes**

None.

**6) Reports**

None.

**7) Introduction of New Business**

None.

**8) Motion to move into closed session**

Motion to move into closed session, as per Section 119 (1) sub-sections (e) of the PEI Municipal Government Act was moved by Deputy Mayor Jason Coady and seconded by Councillor Julie McCabe.

**9) Adjournment of Public Session**

Moved by Councillor Julie McCabe and seconded by Councillor Mitchell Tweel to adjourn. Meeting adjourned at 5:55PM.





**COUNCIL ADVISORY COMMITTEE  
REPORT TO COUNCIL  
MARCH 11, 2019**

The Council Advisory Committee did not meet since the last Regular Meeting of Council.

There are no resolutions for consideration.

1<sup>st</sup> Reading of the Procedural Bylaw Amendment Bylaw (2018-19-A) is attached.

Respectfully submitted,

Councillor Terry MacLeod, Chair



**CITY OF CHARLOTTETOWN  
PROCEDURAL BYLAW AMENDMENT BYLAW  
#2018-19-A**

**To amend the City of Charlottetown Procedural Bylaw, #2018-19, to incorporate proposed changes as per the attached amendment bylaw.**

**RESOLVED: THAT** the bylaw to amend the “**CITY OF CHARLOTTETOWN PROCEDURAL BYLAW**” be read a first time.

Moved by Councillor \_\_\_\_\_ Terry MacLeod

Seconded by Councillor \_\_\_\_\_ Mike Duffy  
Date: March 11, 2019

**RESOLVED: THAT** the bylaw be now approved as a City Bylaw and that it be entitled the “**CITY OF CHARLOTTETOWN PROCEDURAL BYLAW**” and that it be read a second time at the next meeting of Council.

Moved by Councillor \_\_\_\_\_ Terry MacLeod

Seconded by Councillor \_\_\_\_\_ Mike Duffy  
Date: March 11, 2019

**THEREFORE; BE IT RESOLVED: THAT** the “**CITY OF CHARLOTTETOWN PROCEDURAL BYLAW**” be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor \_\_\_\_\_

Seconded by Councillor \_\_\_\_\_  
Date: \_\_\_\_\_

This Procedural Bylaw Amendment Bylaw, #2018-19-A, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Peter Kelly, CAO

\_\_\_\_\_  
Philip Brown, Mayor

**City of Charlottetown, PEI**  
**A Bylaw to Amend the City of Charlottetown Procedural Bylaw**  
**Bylaw # 2018-19-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 “Procedural Bylaw Amendment Bylaw.”

**2. Purpose**

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Procedural bylaw to incorporate proposed amendments from the Council Advisory Committee and City Solicitor and to correct formatting and grammatical errors.

**3. Definitions**

3.1. In this bylaw, any word and term that is defined in the Municipal Government Act and the City of Charlottetown Procedural Bylaw has the same meaning as in that Act or bylaw.

**4. Part I – Interpretation and Application - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

**Section 3 - Purposes**

4.1. Add subsection 3.1 and renumber the existing 3.1-3.4 to letters a – d and create new subsection 3.2.

**Section 4 – Application**

4.2. Amend subsection 4.1 by correcting grammatical errors.

**Section 5 - Definitions**

4.3. Add the definition of “Act” as subsection 5.1.

4.4. Amend previous subsection 5.1 “Chief Administrative Officer” by replacing “a municipality” with “the City”.

4.5. Add the definition of “Committee of Council” as subsection 5.4.

4.6. Add new definition “Employee” means, a person who performs work for the City for pay, and includes:

- (i) a person on leave from employment with the City,
- (ii) a person being trained by a municipality to perform work for the City

- (iii) a person retained under an employment contract to perform work for the City, and
  - (iv) any other person or class of person designated as an employee by the City.
- 4.7. Amend current subsection 5.9 "Member" to include "...and includes the Mayor"
- 4.8. Rename "Status Sheet" to "Status Index" in subsection 5.9 and the definition is to read as **"means a record of resolutions and bylaw amendments maintained by the Records Management Clerk respecting matters before the Council."**
- 4.9. Renumber the initial definitions to remain in alphabetical order.

#### **Section 6 – Rules Adopted and Suspended**

- 4.10. In subsection 6.1 change "Administrative Order" to "Procedural Bylaw"

#### **Section 7 – Amendment to Rules**

- 4.11. Amend subsection 7.1 as follows "...as passed at a Regular or Special meeting of Council..."

### **5. Part II – Types of Meetings of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

#### **Section 10 – Regular Meeting of Council**

- 5.1. Delete "the latter" and add *Regular Meetings* shall be held at such hour... within subsection 10.1.

#### **Section 11 – Special Meeting of Council**

- 5.2. Amend subsection 11.1 by capitalizing the "m" in Mayor and altering "three (3) days' notice" to "two (2) days' notice"
- 5.3. Amend subsection 11.3 to indicate "Records Management Clerk"
- 5.4. Amend subsection 11.4 as follows "... prior to the time fixed for the meeting, , *unless such special meeting was called by the Mayor, in which case not less than forty-eight (48) hours prior to the time fixed for the meeting,...*"

#### **Section 12 – Emergency Special Meeting of the Council**

- 5.5. Delete subsection 12 "Emergency Special Meeting of the Council" and renumber the remaining sections of the bylaw accordingly.

#### **Section 13 – Closed Meetings**

- 5.6. Amend subsection 13.1 to read as *Council or a Committee of Council may, by resolution passed during its open session of said meeting, hold a meeting that is closed to the public when the subject matter of the meeting is considered to be confidential in accordance with section 119(1) of the Municipal Government Act.*

5.7. Delete subsection 13.2

**6. Part III – Agenda for Meetings of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

**Section 17 – Agenda**

6.1. Amend subsection 17.1 to read as *Regular and Special Meeting*

**Section 18 - Agenda Item Respecting Staff**

6.2. Amend subsection 18.1 replace *staff* with *employee(s)* and delete *MGA* and add *section 119(1) of the Act*;

6.3 Amend subsection 19.1 from “...Thursday prior to Council...” to “...Wednesday prior to Council”

**Section 20 – Late Additions to the Agenda**

6.4 Subsection 20.1, replace the wording *section 17* with *section 19* (due to renumbering)

6.5 Subsection 20.2, change *evening agenda* to *evening’s agenda*

6.6 Subsection 20.3, change the reference to subsections (20.1) and (20.2) to (19.1) and (19.2) [due to renumbering of the bylaw]

**Section 22 – Agenda Review**

6.7 Amend subsection 22.1 as follows “The Council Agenda shall be reviewed by the Mayor and ~~the~~ **CAO** prior to the meeting of Council; or by the Chair of a **Standing Committee of Council** and ~~CAO when~~ **prior to the meeting of a Standing Committee of Council.**”

6.8 Amend subsection 22.2 as follows “...and determined in consultation with the Mayor ~~and~~ or Chair, **as appropriate**, and....”

**7. Part III – Information prior to Meeting of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

7.1. Renumber “Part III” to read as Part IV as to correct a duplication error and renumber subsequent “Parts” through remainder of the bylaw.

**Section 25 – Information to be provided to the Public**

7.2. Amend subsection 25.1 as follows “The Records Management Clerk shall make the agenda and the other information referred to in section ~~22~~ **21** available to the general public, subject to section ~~23~~ **22**, no later than 9:00 am on ~~the Monday preceding each~~ **the day of the** regular meeting of the Council.

**Section 26 – Circulation of Late Reports**

7.3. Amend subsection 26.1 by deleting the following “...to each Member as soon as it is practical prior to the regular meeting of the Council, and the report shall be provided...”

**8. Part IV – Requirement for a Meeting of Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

**Section 28 – Duties of the Presiding Officer**

- 8.1. Amend subsection 28 to add title **The Presiding Officer shall have the following duties:** and change numbering from 28.1 through 28.12 to lettering (a) through (l)

**Section 29 – Call to Order the Meeting of Council**

- 8.2. Amend subsection 29.4 by adding "...and the time of their arrival and **maintain a status index of all resolutions and bylaw amendments respecting matters before the Council.**"
- 8.3. Amend subsection 29.5 to read as "if there is no quorum present fifteen (15) minutes after the time...."

**Section 34 – Placing Items on Desks**

- 8.4. Capitalize *presiding officer* in section 34.1

**Section 35 – End of Meeting**

- 8.5. Amend subsection 35.1 to read as "A meeting of the Council shall automatically end at **ten (10) o'clock...**"

**9. Part V – Procedures during a Meeting of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

**Section 37 – Order of Business**

- 9.1. Add heading **37.1 The order of business of a Regular Meeting of Council**

**Section 38 – Order of Business at Special Meeting of Council shall be:**

- 9.2. Amend subsection 38.1 as follows:

- (a) Call to order;
- (b) Declarations of Conflict of Interest;
- ~~(b)~~(c) Approval of the Agenda;
- ~~(c)~~ Declarations of Conflict of Interest
- (d) Consideration of the particular business for which the special meeting was called for;
- (e) Adjournment.

**Section 39 – Voting**

- 9.3. Amend subsection 39.1 (e) capitalize *presiding officer*

**Section 42 – Appeal of Decision of the Mayor**

- 9.4. Amend subsection 42.1 to capitalize *member*

9.5. Amend subsection 42.2 to read as "... if any, from the Mayor, the question shall be put to a vote immediately..."

9.6. Amend subsection 42.3 to read as "...Members of Council present, and eligible to vote."

#### **Section 43 – Motions and Debate**

9.7. Amend subsection 43.6 to read as "All motions will be considered..."

#### **Section 44 – Minutes**

9.8. Amend subsection 44.1(d) to read as "All motions moved, or moved and seconded, by a Member or Members."

9.9. Amend subsection 44.2 to read as "...the Member making the objection shall state..." and in section 44.4 capitalize members

9.10. Amend subsection 44.5 to read as "...the Minutes shall be signed by the Mayor or Chair (as appropriate), and the CAO..."

9.11. Amend subsection 44.6(a) to read as "The place and date of the meeting;"

#### **Section 45 – Committees of Council**

9.12. Amend subsection 45.2 (a) by changing the number of Councillors that sit as members on the Council Advisory Committee from two (2) to three (3)

9.13 Amend subsection 45.2 (b) by changing all references from two(2) to three(3), delete the words "by secret ballot" and the following read as "...Members from all of those Members nominated." and amend 45.3(c) to read as "The Council Advisory Committee shall each establish..."

### **10. Part VI – Types of Committees - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

10.1. Delete Part VI – Types of Committees – Sections 46 - Standing Committees of the Council, 46.1 and Section 47 - Duties, Responsibilities and Committee Membership of the Standing Committee, 47.1.

10.2. Renumber subsections 47.2 and 47.3 to become part of section 45 – Committees of Council

### **11. Part VII – Bylaws – of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

#### **Section 48 – Bylaw Procedures**

11.1. Renumber subsection 48 to section 46

11.2. Amend subsection 48.5 (now 46.5) to read as "...and sealed with the corporate seal of the City of Charlottetown."

11.3. Add new subsection (now 46.7) "Where Council proposes to amend a bylaw, the same procedure shall be followed as found in sections 46.2 to 46.5.

**12. Schedules - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:**

12.1. All Schedules 1 through 11 be deleted. (Schedules initially referenced each Standing Committee of Council and its structure, staff assignment and terms of reference.)

**13. The City of Charlottetown Procedural Bylaw is hereby amended by the following:**

13.1. For consistency purposes throughout the bylaw, replace any reference to Council Committee(s) with committee(s) of Council.

**Approval and Adoption**

**14. Effective Date**

14.1. This Procedural Bylaw Amendment Bylaw, #2018-20-A, shall be effective on the date of approval and adoption below.

**First Reading:**  
This Procedural Bylaw Amendment Bylaw, #2018-19-A, was read a first time and approved by a majority of members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Second Reading:**  
This Procedural Bylaw Amendment Bylaw, #2018-19-A, was read a second time and approved by a majority of members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Approval and Adoption by Council:**  
This Procedural Bylaw Amendment Bylaw, #2018-19-A, was adopted by a majority of Council members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Witness the corporate seal of the City of Charlottetown**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Chief Administrative Officer**

This Procedural Bylaw Amendment Bylaw, #2018-19-A adopted by the Council of the City of Charlottetown on \_\_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
**Chief Administrative Officer**

\_\_\_\_\_  
**Date**



REFERENCE

CITY OF CHARLOTTETOWN

PROCEDURAL BYLAW

BYLAW #2018 – 19

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 as, and may be cited as the "Procedural Bylaw"

2. Authority

2.1. Subsection 86(2)(e) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a council must establish a procedural bylaw to regulate its proceedings in accordance with the Act.

3. Purposes

3.1. The Purposes of this Bylaw are to:

- (a) recognize the functions of the City, including providing good government;
- (b) complement and supplement, and not to replace, the requirements contained in applicable municipal legislation;
- (c) provide notice to the Members and the citizens respecting matters that will be considered by the Council; and
- (d) provide an open, respectful and orderly forum for public input, debate and decisions.

3.2. In accordance with the purposes of section 3, the Council hereby adopts the rules of procedure to govern meetings of the Council and committees of the Council.

4. Application

4.1. This Bylaw applies to all members of Council, the CAO, members of Council Committees, City of Charlottetown employees, those who appear before Council and the members of the public.

4.2. When any matter(s) relating to proceedings arise which are not covered by a provision of this Bylaw or the Act, the matter shall be decided by reference to Robert's Rules of Order.

4.3. In the event of any conflict between the provisions of the Act and this Bylaw, the Act will prevail.

5. Definitions

5.1. "Act" means the *Municipal Government Act*, RSPEI 1988, M-12.1.

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- 5.2. "Chief Administrative Officer" or "CAO" means the administrative head of a ~~municipality~~ the City as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- 5.3. "City" means the City of Charlottetown;
- 5.4. ~~"Committee of Council" means any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters of Council.~~
- 5.5. "Council" means the Mayor and other members of the Council of ~~the municipality~~ the City.
- 5.6. "Councillor" means a member of Council other than the Mayor.
- 5.7. "DCAO" means the Deputy Chief Administrative Officer of the City of Charlottetown;
- 5.8. "Employee" means, a person who performs work for a ~~municipality~~ the City for pay, and includes:
- (i) a person on leave from employment with a ~~municipality~~ the City,
  - (ii) a person being trained by a ~~municipality~~ the City to perform work for the ~~municipality~~ City,
  - (iii) a person retained under an employment contract to perform work for the ~~municipality~~ City, and
  - (iv) any other person or class of person designated as an employee by the City.
- 5.9. "Member" means a Member of the Council and includes the Mayor;
- 5.10. "Petition" includes a written or an electronic petition;
- 5.11. "Presiding Officer" means:
- (i) the Mayor when present at a meeting of the Council;
  - (ii) the Deputy Mayor when presiding at a meeting of the Council in the absence of the Mayor;
  - (iii) the Chair of a committee of the Council; or
  - (iv) such other Member as may be presiding at a meeting of the Council in the absence of the Mayor and Deputy Mayor.
- 5.9. "Status Sheet" means a list of items maintained by the Administrative – Records Management Clerk respecting matters before the Council or a committee of the Council.

Commented [GJ1]: The Bylaw uses various terms to describe these committees throughout (e.g. Committee of the Council, Council Committee, etc.) – we suggest being consistent throughout

6. Rules Adopted and Suspended

- 6.1. The proceedings of the Council and committees of the Council shall be governed by this ~~Administrative Order~~ Procedural Bylaw unless a provincial enactment provides otherwise.

7. Amendment to Rules

Commented [GJ2]: This defined term is not used within the Bylaw.

Suggest including provision which addresses the Records Clerk being required to maintain such a sheet.

Also, we note that elsewhere in the Bylaw there is reference to just the "Records Management Clerk" – we suggest keeping this consistent.

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7.1. This Procedural Bylaw shall not be amended or repealed except as passed at a regular public/special meeting of the Council pursuant to a notice of motion in writing given at the prior regular meeting of the Council and setting forth the terms and substantial effect of the proposed bylaw amendment.

Commented [G33]: Is a public meeting different from a regular meeting? If so, should be included in Part II – Types of Meetings.  
Otherwise, this provision should read:  
This Procedural Bylaw shall not be amended or repealed except as passed at a Regular or Special Meeting of Council...

8. Interference with the Work of the City

8.1. No Member shall have power to direct or interfere with the performance of any work of the City and no Member shall instruct or give direction to an employee of the City.

PART II – TYPES OF MEETINGS OF THE COUNCIL

9. First Meeting of the Council after Election

9.1. A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office.

9.2. The first meeting of the newly elected Council shall be held on the second Monday of December following the City's municipal election.

10. Regular Meeting of the Council

10.1. The Council shall meet on the second Monday of the month at the Council Chambers at City Hall, unless such Monday is a public Holiday, in which the latter case the Council shall meet on the following day, not being a public holiday, and Regular Meetings shall be held at such an hour as deemed appropriate by the Mayor.

11. Special Meeting of the Council

11.1. The Mayor may call a special meeting of Council, in writing, when and as often as (s)he may deem it proper with three (3) two (2) days' notice.

Commented [G34]: The Act only requires 24 hours' notice (121(2)) – so no legislative issues with changing the notice period to 2 days

11.2. Upon receipt of a written petition of the majority of the Members that may be elected to the Council, the CAO shall summon a special meeting for the purpose and at the time mentioned in the petition, on at least three (3) days' notice.

11.3. Once such a petition is received by the Clerk, no Member may remove his or her name.

Commented [G35]: Is this the Records Management Clerk?

11.4. Written notice of any special meeting of the Council setting forth the matters to be considered shall be given to all Members by delivery to the address or official email address of each Member recorded with the CAO, not less than seventy-two (72) hours prior to the time fixed for the meeting, unless such special meeting was called by the Mayor, in which case not less than forty-eight (48) hours prior to the time fixed for the meeting, and the CAO shall make every reasonable effort to contact the Members to advise of the meeting.

11.5. Subject to section 32 regarding quorum, at a special meeting of the Council, the Council shall only consider or decide upon a matter set forth in the notice calling the special

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meeting, unless all the Members that may be elected to the Council consent to considering or deciding on an additional matter.

- 11.6. If all the Members consent to consider or decide upon additional business, such consent shall be recorded in the Minutes.

**12. Emergency Special Meeting of the Council**

~~12.1. Notwithstanding this Administrative Order, in an emergency, with the consent of two-thirds (2/3rds) of the Members that may be elected to the Council as defined in section 32 regarding quorum (which shall be recorded in the Minutes of the meeting), an emergency special meeting of the Council may be called by the Mayor and held to consider and deal with such emergency. (Delete section 12)~~

**13. Closed Meetings**

13.1. Council or a Council Committee may, by resolution passed at a ~~Regular or Special meeting held in public~~ **Regular or Special meeting held in public** meeting of the Council or Committee of Council, hold a meeting that is closed to the public when the subject matter of the meeting is considered to be confidential in accordance with section 119(1) of the Municipal Government Act.

~~13.2. Council may, by resolution, establish a regular schedule of standing closed meetings, and notice of the schedule of closed meetings shall be provided through a sign posted at City Hall. (Delete section 13.2)~~

13.2. No resolution or bylaw can be passed during a closed meeting other than by resolution as set out in 119(2) of the MGA.

13.3. A resolution to a close session of council must state the reason(s) for closing the meeting, in accordance with section 119(3) of the Municipal Government Act.

13.4. The Council or committee shall make any matter considered at a closed meeting public when the confidentiality is no longer required, in accordance with subsection 119(4) of the MGA.

13.5. No member of Council, Council Committee member or employee of the City shall, subject to subsection 119(5) of the Act, disclose or act on any information acquired at a closed meeting of Council or a Council Committee respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or a Committee of Council.

**14. Electronic Meetings**

14.1. Pursuant to section 122 of the Act, Council may authorise meetings to be conducted by electronic means, in accordance with the Act, the regulations, and the provisions of this Bylaw.

14.2. Pursuant to subsection 122(2) of the Act and subject to section 14.5 of this Bylaw, a Council committee may hold a meeting by electronic means upon passage of a resolution by the committee to that effect.

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- 14.3. A meeting shall only be conducted by electronic means if the electronic means by which the meeting is conducted enables, at a minimum:
- (a) the Council or Council committee members participating in the meeting to hear and speak to each other; and
  - (b) where the meeting is open to the public, the public is able to see and hear the meeting's participants at a place specified in the notice of the meeting.
- 14.4. Tools used for electronic meetings shall be teleconference-ready phones for audio or web-based video conference applications.
- 14.5. The CAO shall ensure that at least 24 hours' notice of an electronic meeting is given to all Council members or Committee members and to the public of a meeting, advising:
- (a) that the meeting will be conducted by electronic means; and
  - (b) where the meeting is open to the public; the location of the facilities where the public can see and hear the meeting.
- 14.6. The CAO shall ensure that a municipal employee is present at the location specified in the notice to facilitate the viewing of the meeting and to ensure that the public can see and hear the meeting.

**15. Electronic Participation in Meetings**

- 15.1. Pursuant to subsection 122(4) of the Act, a Council or Council committee member who is unable to attend a meeting of Council or the Council committee in person may participate in the meeting by electronic means.
- 15.2. A Council or Council committee member may only participate by electronic means if the Council or Council committee members are able to hear and speak to each other.
- 15.3. Where a Council or Council committee member is participating in a meeting conducted by electronic means or is participating by electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Council committee, the Council or Council committee member shall take part in the debate and vote on that matter only if the member has before him or her a copy of the report or recommendation to be considered, in accordance with subsection 122(6) of the Act.
- 15.4. Pursuant to subsection 122(4) of the Act, Council members participating by electronic means are considered to be present at the meeting.

**16. Electronic Participation in Closed Meetings**

- 16.1. The chair of Council or a Council Committee meeting shall require every Council or Council Committee member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

**PART III – AGENDA FOR MEETINGS OF THE COUNCIL**

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**17. Agenda**

- 17.1. The agenda for each regular and special meetings of Council shall be prepared by the CAO and or his /her designate, together with copies of all reports or communications to be dealt with at each regular meeting of the Council.
- 17.2. The headings of the Agenda shall be the same as the Order of Business.

Commented [G76]: and each meeting of a Committee of Council?

**18. Agenda Item Respecting Staff**

- 18.1. If a Member has an issue concerning ~~staff~~ employee(s), either individually or collectively, the issue shall not be added to the agenda of a regular meeting of the Council but rather forwarded to a Closed Session of Council as permitted under ~~the MGA~~ section 119(1) of the Act; but not until the Member has discussed the issue with the CAO.

**19. Added Item to Agenda**

- 19.1. If a Member wishes to have an item placed on the Council agenda, the Member shall submit the request in writing to the CAO no later than 12:00 noon on the ~~Thursday~~ Wednesday prior to the Council meeting at which the item is to be considered.

**20. Late Additions to Agenda**

- 20.1. If a Member wishes to have an item placed on the Council agenda following the deadline prescribed by section ~~17~~ 19, the Member shall submit the request in writing to CAO by noon on the Monday immediately preceding the Council meeting.
- 20.2. The request shall include an explanation as to why it should/or needs to be added to the evening's agenda.
- 20.3. The Mayor and the CAO shall review all requests that comply with subsections (20.1) and (20.2) and decide whether or not to place the item on the agenda.

**21. Items Added by Council**

- 21.1. The Council shall not vote on a motion arising out of an item added to the agenda by a Member until a staff report and recommendation is received from the appropriate Standing Committee.

**22. Agenda Review**

- 22.1. The Council Agenda shall be reviewed by the Mayor and ~~the~~ CAO prior to the meeting of Council; or by the Chair of a Standing Committee of Council and CAO ~~when prior to the meeting~~ of a Standing Committee of Council.
- 22.2. On receipt of a request for a presentation, the CAO or his or her designate shall review the request and determine in consultation with the Mayor ~~and/or~~ Chair, as appropriate, and determine the appropriate disposition of the request.

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**23. Cancellation of any Meeting of the Council**

- 23.1. A meeting of the Council or a Committee of Council may be cancelled if in the opinion of the Mayor or respective Chair of a Council Committee, that there are insufficient agenda items for which to meet.

**PART III – INFORMATION PRIOR TO MEETING OF THE COUNCIL**

**24. Agenda Package**

- 24.1. On the Friday preceding each regular meeting of the Council, the Records Management Clerk shall cause to be delivered electronically or circulated to each Member the following:
- (a) the agenda;
  - (b) a copy of each report which is to be considered;
  - (c) a copy of each motion to be considered if the motion or the purpose thereof is not indicated on the agenda.

**25. Information to be provided to the Public**

- 25.1. The Records Management Clerk shall make the agenda and the other information referred to in section 22 available to the general public, subject to section ~~23~~ 24, no later than 9:00 am on the ~~Monday preceding each day of the~~ regular meeting of the Council.

**26. Circulation of late Reports**

- 26.1. If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package, the report shall be delivered electronically or circulated to each Member as soon as it is practical prior to the regular meeting of the Council, and the report shall be provided to all Members as near soon as is reasonably possible at the same time, and in no case shall the report be made available to the public prior to the report having been provided to all Members.

**PART IV – REQUIREMENT FOR A MEETING OF THE COUNCIL**

**27. Location of Meeting of Council**

- 27.1. Until otherwise decided by the Council, the Council shall meet at the Council Chamber located at 199 Queen Street.

**28. Duties of Presiding Officer**

- 28.1. The Presiding Officer shall have the following duties:
- (a) open the meeting of the Council or the Committee of Council by taking the chair and calling the Members to order;
  - (b) receive and submit, in the proper manner, motions properly presented by a Member;

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- (c) put to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and to announce the result of the vote;
- (d) decline to put to a vote a motion which infringes upon the rules of procedure;
- (e) restrain the Members, when engaged in debate, within the rules of order;
- (f) enforce, on all occasions, the observance of order and decorum;
- (g) call by name any Member persisting in a breach of the rules of order of the Council thereby ordering him or her to vacate the Council Chamber or meeting room for Committee meetings; if warranted;
- (h) permit questions to be asked through the Presiding Officer of any official of the City to provide information to assist any debate when he or she deems it proper to do so;
- (i) provide information to Members on any matter touching on the business of the City;
- (j) inform the Council when necessary, or when referred to, on a point of order;
- (k) adjourn the meeting when the business is concluded;
- (l) at the time of calling the meeting to order, the Presiding Officer may call for a moment of reflection.

#### 29. Call to Order the Meeting of Council

- 29.1. As soon after the hour of a meeting as there is a quorum present, the Mayor shall take the chair and the Members shall be called to order.
- 29.2. If the Mayor is not present within fifteen (15) minutes of the hour of a meeting, the Deputy Mayor shall take the chair and the Members shall be called to order.
- 29.3. If neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour appointed for a meeting, the Council may appoint a person to preside from among the Members present.
- 29.4. The Records Management Clerk shall record in the Minutes the names of the Members present and shall record in the Minutes the names of Members who arrive after the meeting has been called to order and the time of their arrival.
- 29.5. If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the CAO shall call the roll and instruct the Records Management Clerk to take down the names of Members present and the Council shall then stand adjourned.

#### 30. Presiding Officer has Power of the Mayor

- 30.1. For greater certainty, while presiding, the Presiding Officer shall have all the powers of the Mayor under this Procedural Bylaw.

#### 31. Seating of Members

- 31.1. Seating of Members shall be in numerical order of their wards, unless otherwise determined to by the Mayor.

#### 32. Quorum for Meeting



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32.1. A majority of the maximum number of persons that may be elected to the Council is a quorum for meetings of the Council.

32.2. Where there is a vacancy in the Council's numbers, a quorum is reduced accordingly.

**33. Person within Bar of the Council**

33.1. No person, except a Member or an approved employee of the City, shall be allowed to come beyond the bar of the Council during the sittings of the Council without the express permission of the Presiding Officer.

**34. Placing Items on Desks**

34.1. No person, other than a Member, the CAO, or the Records Management Clerk shall, before or during a meeting of the Council, place on the desks of Members or otherwise distribute to Members any material whatsoever unless such person is so Acting with the permission of the Presiding Officer or the CAO.

**35. End of Meeting**

35.1. A meeting of the Council shall automatically end at ten (10) o'clock p.m. unless otherwise determined by a vote of two-thirds (2/3 rds.) of the Members present and voting.

**36. Extending Time of Meeting of the Council**

36.1. Notwithstanding section 35, a motion to extend the time of a meeting beyond ten (10) o'clock p.m. may be made and passed.

**PART V – PROCEDURES DURING A MEETING OF THE COUNCIL**

**37. Order of Business**

37.1. The order of business of a regular Meeting of Council shall be:

- (a) Call to Order;
- (b) Declarations of conflict of interest;
- (c) Approval of Agenda;
- (d) Adoption of Minutes;
- (e) Business Arising from the Minutes;
- (f) Reports from Standing and ad hoc Committees;
- (g) introduction of New Business;
- (h) adjournment

**38. Order of Business at Special Meeting of Council shall be:**

38.1. The order of business of a special Meeting of Council shall be:

- (a) Call to order;
- (b) Declarations of Conflict of Interest;

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~~(b)(c)~~ Approval of the Agenda;

~~(e) —Declarations of Conflict of Interest~~

(d) Consideration of the particular business for which the special meeting was called for;

(e) Adjournment.

38.2. If there are a number of items for consideration at a special meeting, the order of business for a regular meeting of Council shall be followed so far as is possible.

**39. Voting**

39.1. Voting at meetings of Council shall be undertaken in accordance with section 115 of the Act:

- (a) each Council member present, except the Mayor, will vote on every matter unless a Council member is excused specifically from voting, by resolution, or the Council member is prohibited from voting because the member has a conflict of interest.
- (b) no vote of Council will be taken by ballot or any other method of secret voting and any vote taken by any form of secret voting is of no effect.
- (c) all votes of Council, both for and against, will be recorded.
- (d) the failure or refusal of a member of Council to vote on a matter that is properly before the Council will be considered a vote in favour except when the member is excused or prohibited from voting.
- (e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or ~~p~~Presiding ~~e~~Officer will vote for the purposes of breaking the tie.

**40. Conduct during Public Council Meetings**

40.1. All persons in the public gallery at a Council meeting will:

- (a) refrain from addressing Council or a member of Council unless permitted to do so
- (b) maintain quiet and order;
- (c) refrain from disturbing the proceedings by words, gestures or Actions including applauding, displaying flags, placards or similar material;
- (d) refrain from talking on electronic mobile devices; and,
- (e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

**41. Points of Order, Procedure or Privilege**

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41.1. A member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease and the "point" shall be clearly stated by the member and, if applicable, ruled upon by the Mayor.

Commented [GJ7]: Presiding Officer?

41.2. A member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.

41.3. Where the Mayor is called upon to decide a point of order or ~~pr~~Actice in accordance with section 111 of the Act, he or she shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

**42. Appeal of Decision of the Mayor**

42.1. Whenever a ~~m~~Member wishes to appeal any ruling of the Mayor, or a point of order or point of privilege to the whole of Council pursuant to section 112 of the Act:

- (a) the motion of appeal shall be made immediately after the ruling is made by the Mayor or otherwise the ruling will be final;
- (b) the Member may offer a brief reason for the challenge; and
- (c) the Mayor may state the reason for the decision he or she made.

42.2. Following the motion of appeal and the response, if any, from the Mayor, the question shall be put to a vote immediately without debate.

42.3. The Mayor will be governed by the vote of the majority of the ~~m~~Members of Council present, and eligible to vote.

42.4. Neither the Mayor nor the appellant will participate in the vote on an appeal.

**43. Motions and Debate**

43.1. A motion will express fully and clearly the intent of the mover.

43.2. A motion will not be considered unless it has been seconded.

43.3. Any member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a member while speaking.

43.4. When a motion is under debate no other motion may be made, except a motion to:

- (a) amend a motion;
- (b) refer a motion to a Council committee or administration for a report back to Council;
- (c) postpone a motion to a fixed date;
- (d) request that a motion be put to a vote;
- (e) extend the time for a Council meeting; or
- (f) adjourn the meeting.

43.5. Notwithstanding any other provisions of this Bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the

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wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.

43.6. ~~Any~~ All motions will be considered in the order in which they were moved.

**44. Minutes**

44.1. The CAO shall ensure that the ~~minutes of meetings~~ record all resolutions, decisions, and proceedings of the Council and shall at a minimum include:

Commented [GJ8]: Does this include Committee meetings?

- (a) The place, date and time of meeting;
- (b) The name of the Presiding Officer and the record of attendance of the ~~m~~Members, and employees present;
- (c) The subject matter of the issued discussed; and
- (d) All motions ~~sed~~ moved, or moved and seconded, by a ~~m~~Member or ~~m~~Members.

44.2. If there are any objections to such minutes of the Council presented at any regular meeting of the Council, the ~~m~~Member making the objection shall state the grounds of the objection, without comment, and if the Council agrees, the minutes shall be altered accordingly.

44.3. If all the Members present at such a meeting do not agree to the proposed alteration, a motion must then be duly made and seconded, to amend the minutes, to meet such objection, which shall then be debatable.

44.4. Where the Minutes have been previously circulated to the ~~m~~Members, reading of such minutes is not required unless a motion requiring such is adopted.

44.5. After the Minutes have been adopted, the Minutes shall be signed by the Mayor or Chair (as appropriate), and the CAO and posted to the City's website.

44.6. Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to:

- (a) The place, and date of the meeting;
- (b) The names of the Council or Committee Members and employees present; and
- (c) The type of matter under section 119(1) of the Act that was discussed at the meeting.

44.7. Copies of the minutes will be open to inspection by any person during regular office hours and copies of the minutes will be provided to any person, in accordance with subsection 116(3) of the Act, on the payment of a reasonable fee establish by Council under a fees bylaw and attached as a schedule to that bylaw.

**45. Committees of Council**

45.1. Council shall, by resolution, establish a Council Advisory Committee which will recommend the terms of reference and Council appointments to any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters of Council.

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- 45.2. (a) The Council Advisory Committee shall consist of the Mayor, ~~2~~ **three (3)** members of Council (nominated and appointed by motion of Council) and the CAO in an advisory (non-voting) capacity.
- (b) Should Council receive from its members more than ~~two (2)~~ **three (3)** nominees to serve on the Council Advisory Committee, then the Council shall ~~by secret ballot~~ vote ~~two (2)~~ **three (3)** members from all of those Members nominated. The ~~two (2)~~ **three (3)** nominees with the highest vote count shall serve as Council's ~~two (2)~~ **three (3)** representatives on the Council Advisory Committee.
- (c) The Council Advisory Committee shall ~~all each~~ establish all committee mandates, terms, objectives, tasks, duties and responsibilities on any matter of which Council has requested.
- 45.3. The Council committee shall establish the eligibility criteria for membership and determine the events or circumstances that would result in a termination of a committee member.
- 45.4. A Council ad hoc committee shall dissolve upon completion of their specific mandate.
- 45.5. The CAO shall designate certain employees of the City as may be required to be non-voting advisors to one or more committees, with the right to attend their designated committee.

**PART VI – TYPES OF COMMITTEE**

**46. Standing Committees of the Council**

- 46.1. ~~Council shall function with the following standing committees:~~
- ~~(a) ADVANCED PLANNING, PRIORITIES & SPECIAL PROJECTS~~
  - ~~(b) ECONOMIC DEVELOPMENT, TOURISM, ARTS & CULTURE~~
  - ~~(c) ENVIRONMENT & SUSTAINABILITY~~
  - ~~(d) FINANCE, AUDIT & TENDERING~~
  - ~~(e) HUMAN RESOURCES, COMMUNICATIONS & ADMINISTRATION~~
  - ~~(f) INTERGOVERNMENTAL AFFAIRS AND EVENT ATTRACTION~~
  - ~~(g) PARKS, RECREATION & LEISURE ACTIVITIES~~
  - ~~(h) PLANNING & HERITAGE~~
  - ~~(i) PROTECTIVE & EMERGENCY SERVICES~~
  - ~~(j) PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE~~
  - ~~(k) WATER & SEWER UTILITY~~

**47. Duties, Responsibilities and Committee Membership of the Standing Committee**

- 47.1. ~~The terms of reference for the Standing Committees are as follows:~~
- ~~(a) ADVANCED PLANNING, PRIORITIES & SPECIAL PROJECTS (Schedule 1)~~
  - ~~(b) ECONOMIC DEVELOPMENT, TOURISM, ARTS & CULTURE (Schedule 2)~~
  - ~~(c) ENVIRONMENT & SUSTAINABILITY (Schedule 3)~~

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- ~~(d) FINANCE, AUDIT & TENDERING (Schedule 4)~~
- ~~(e) HUMAN RESOURCES, COMMUNICATIONS & ADMINISTRATION (Schedule 5)~~
- ~~(f) INTERGOVERNMENTAL AFFAIRS AND EVENT ATTRACTION (Schedule 6)~~
- ~~(g) PARKS, RECREATION & LEISURE ACTIVITIES (Schedule 7)~~
- ~~(h) PLANNING & HERITAGE (Schedule 8)~~
- ~~(i) PROTECTIVE & EMERGENCY SERVICES (Schedule 9)~~
- ~~(j) PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE (Schedule 10)~~
- ~~(k) WATER & SEWER UTILITY (Schedule 11)~~

- 47.2. Where a special meeting of a Standing Committee is called, the designated Administrative support will follow the procedures for the calling of a special meeting and ensure that notice of the special meeting is given.
- 47.3. Notice to the public of a regularly scheduled meeting or a special meeting of a standing committee must be published by electronic means and posted in the form of a sign or poster in a place that is accessible to the general public.

**PART VII – BYLAWS (In this section, the Council Advisory Committee recommended that wording is needed to clearly indicate when a question or debate can take place during the bylaw amendment process)**

**48. Bylaw Procedures**

- 48.1. Council may make, amend or repeal a bylaw in accordance with the procedures established in the Act.
- 48.2. A bylaw is only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 48.3. A bylaw may be approved and adopted by Council by resolution after being read a second time.
- 48.4. Pursuant to section 125 of the Act, if copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.
- 48.5. A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the City of Charlottetown.
- 48.6. Council may, in accordance with subsection 125(3) of the Act, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the

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meeting even if copies of the bylaw with the proposed amendment are made available to the public.

- 48.7. Where Council proposes to amend a bylaw, the same procedure shall be followed as found in sections 48.2 to 48.5.
- 48.8. Pursuant to section 127 of the Act, the first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 48.9. A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 48.10. A regulation to a bylaw is made if:
- (a) It is formally adopted by resolution of the Council; and
  - (b) It is signed by the Mayor and CAO, and formally declared to be passed, and sealed with the corporate seal of the City.
- 48.11. The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being "a true copy of the original seen by me" on the document, and shall be signed, dated, and printed with the CAO's name under their signature, as well as their occupation, address and telephone number.
- 48.12. Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person with a copy of any bylaw for the fee set out and attached as a schedule to the Fees Bylaw.
- 48.13. Planning bylaws undertaken under the authority of the Planning Act shall be made in accordance with section 19 of that Act.

**PART VIII - REPEAL OF BYLAW**

**49. Repeal of Existing Bylaw**

- 49.1. On adoption, this Bylaw replaces the "City Council Procedures and Rules of Order Bylaw" which was adopted the 17th day of October, 1995.

**50. Effective Date**

- 50.1. This Procedural Bylaw, Bylaw# 2018-19, shall be effective on the date of approval and adoption by Council.

**First Reading:**

This Procedural Bylaw, #2018-19, was read a first time and approved by a majority of members present at the Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018

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**Second Reading:**

This Procedural Bylaw, #2018-19, 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 Procedural Bylaw, #2018-19, 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 Procedural Bylaw, Bylaw# 2018-19 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 1**

**ADVANCED PLANNING, PRIORITIES & SPECIAL PROJECTS**

**Committee Structure:**

1. ~~Chair and Vice Chair~~
2. ~~One (1) Member of Council~~
3. ~~Chief Administrative Officer (non-voting)~~

**Quorum Requirement**

~~The Chair or designate and one voting committee member~~

**Staff Assignment**

~~Chief Administrative Officer~~

**TERMS OF REFERENCE**

- ~~• To identify strategic priorities~~
- ~~• To review and make recommendations to Council in regards to the study on fire protection~~
- ~~• To review and make recommendations for improvements to the Emergency Response Plan~~
- ~~• To review and improve the City's response to the Dutch Elm Disease~~
- ~~• To review and work with other agencies to develop appropriate options for affordable housing~~
- ~~• To develop an effective youth retention strategy~~
- ~~• To liaison with the youth retention advisory board~~
- ~~• To review the policy and regulations for street vending on both private and public property~~
- ~~• Responsible for other projects as assigned by the Mayor.~~

**Schedule 2**

**ECONOMIC DEVELOPMENT, TOURISM, ARTS & CULTURE**

**Committee Structure:**

1. ~~The Chair and Vice Chair~~
2. ~~One (1) Councillor~~
3. ~~The Mayor ex-officio~~
4. ~~Representative from C.A.D.C. (non-voting)~~
5. ~~Representative from Discover Charlottetown (non-voting)~~
6. ~~Representative from the Greater Charlottetown Chamber of Commerce (non-voting)~~
7. ~~Representative from the Charlottetown Harbour Authority (non-voting)~~
8. ~~Representative from the Charlottetown Airport Authority (non-voting)~~
9. ~~Representative from Downtown Charlottetown Inc. (non-voting)~~
10. ~~Chief Administrative Officer (non-voting)~~

**Quorum requirement:**

~~The Chair or designate and one (1) voting committee member.~~

**Staff Assignment:**

~~Chief Administrative Officer  
Economic Development Officer  
Tourism Officer~~

**TERMS OF REFERENCE**

- ~~To ensure that a consolidated effort is made to market Charlottetown as a successful tourist destination with Discover Charlottetown Inc.~~
- ~~To oversee an information centre and ensure that it is used to promote the goals of the City and to provide direction/assistance to the visiting public~~
- ~~To liaise with the Gold Cup & Saucer Committee~~
- ~~To coordinate community events such as Natal Day Celebrations, Christmas Parade, Capital New Year in the Park, HMCS Charlottetown events, local Canada Day events and other local events that may be assigned~~
- ~~To liaise with TIAPEI~~
- ~~To liaise with Newcomers Association of PEI and to develop appropriate programs and policies to assist with immigrant retention and attraction~~
- ~~To develop and implement economic development, marketing programs and initiatives for the City~~

Procedural Bylaw

- To work with outside government agencies and the private sector to ensure the development and promotion of the City
- To develop and maintain positive relationships with the Quebec Major Junior Hockey Team and league and the National Basketball team and league
- To develop and implement programs and initiatives in consultation with Downtown Charlottetown Inc. to ensure the health and vibrancy of the downtown area
- To Act in the liaison capacity with Economic Development Advisory Board
- To Act in the liaison capacity with the Arts & Culture Advisory Board
- To work with all groups and organizations to develop the arts and culture industry to ensure the industry reaches its maximum potential
- To develop appropriate policies and programs to ensure the arts and culture industry plays a major role within the city corporation
- To liaison with the Charlottetown Area Development Corporation, Discover Charlottetown, the Greater Charlottetown Chamber of Commerce and other organizations involved in the Active promotion and development of the City.
- To develop and promote programs to enhance the City's residential, commercial and industrial tax base
- To oversee the City's development tax incentive programs
- To develop and implement a strategy to enhance the City's economic viability by supporting initiatives in such sectors as IT, Bio Science, manufacturing, etc.
- To oversee and monitor the operation of the City Parking Garages
- To recommend all rates for parking spaces and the parking garages

Responsible for the following Bylaws

- Municipal Tax Incentive Program
- Business Improvement Area Bylaw
- Arts & Culture Policy

**Schedule 3**

**ENVIRONMENT & SUSTAINABILITY**

**Committee Structure:**

1. \_\_\_\_\_ The Chair and Vice Chair
2. \_\_\_\_\_ One (1) Councillor
3. \_\_\_\_\_ The Mayor ex-officio
4. \_\_\_\_\_ Chief Administrative Officer (non-voting)

**Quorum Requirements:**

The Chair or designate and one (1) voting committee member.

**Staff Assignment:**

\_\_\_\_\_  
Sustainability Officer  
Utility Projects Officer

**TERMS OF REFERENCE**

- To create a sustainable community by implementing and expanding upon the goals and objectives of the Integrated Community Sustainability Plan
- To oversee the operation of the Charlottetown Transit program
- To oversee any environmental projects that the City is involved in
- To work integrally, on behalf of the city, to best use all community resources to achieve sustainable development and enhance quality of life through improved environmental decision making
- To monitor and influence policy, bylaws and regulations that affect the City's health, economic vitality and environmental resilience
- To integrate economic, social, cultural and environmental considerations into municipal decision making through the linkages with our service sectors
- To work closely with the federal and provincial government on matters relating to the environment
- To direct and coordinate efforts within and between municipal departments and committees with the objectives of the ICSP
- To oversee the administration of the community sustainability micro grants program
- To oversee the administration of a water conservation program
- Explore the feasibility of replacing all street lights with solar or LED lighting
- Review all city operations with a view to reducing electrical costs, heating costs, water consumption and fuel costs for vehicles
- To explore the need for energy audits for all city facilities

Procedural Bylaw

- To explore opportunities for solar or wind power
- To liaison with various community partners in the adoption of appropriate policies and procedures to address watersheds within the City
- To make recommendations to departments on sustainable vehicle purchases
- Ensure any and all new city facility designs reflect energy efficiency and sustainability
- Partner with the PEI office of energy efficiency and share rebate opportunities with city residents
- To develop and oversee the administration of a Cosmetic Pesticide Bylaw
- To develop and oversee the administration of a Bylaw in regard to Animal Control
- To oversee the City's Skunk Control program

Responsible for the following Bylaws:

- Dog Control Bylaw

**Schedule 4**

**FINANCE, AUDIT & TENDERING**

**Committee Structure:**

1. ~~The Chair and Vice Chair~~
2. ~~Two (2) Councillors~~
3. ~~The Mayor ex-officio~~
4. ~~Chief Administrative Officer (non-voting)~~

**Quorum requirement:**

~~The Chair or designate and two (2) voting committee members.~~

**Staff Assignment:**

~~Manager of Finance~~

**TERMS OF REFERENCE**

- ~~To coordinate fiscal matters for the City of Charlottetown~~
- ~~To coordinate and oversee the development of the City's annual budget (operating and capital) and recommend rates for taxation~~
- ~~To develop and maintain a citizen engagement process for the budget~~
- ~~To develop corporate Key Performance Indicators~~
- ~~To recommend rates for water and sewer services~~
- ~~To monitor the expenditure of funds and all revenue and make periodic reports to Council~~
- ~~To make recommendations regarding the appointment of auditors, legal services and insurance agents~~
- ~~To oversee and monitor the administration of the City and the Utility accounts—receivable and accounts payable~~
- ~~To ensure that tenders for the City are issued and awarded fairly and equitably~~
- ~~To make recommendations regarding the acquisition, disposal and use of all City owned land and facilities~~
- ~~To liaison in regards to the operation of the CARI facility and the Eastlink Centre~~

**Responsible for the following Bylaw:**

- ~~2004 Debenture Bylaw~~
- ~~2010 Borrowing Bylaw~~
- ~~2012 Borrowing Bylaw~~
- ~~General Borrowing Bylaw~~

**Schedule 5**

**HUMAN RESOURCES, COMMUNICATIONS & ADMINISTRATION**

**Committee Structure:**

1. The Chair and Vice Chair
2. One (1) Councillor
3. The Mayor ex-officio
4. Chief Administrative Officer (non-voting)

**Quorum requirement:**

The Chair or designate and one (1) voting committee member.

**Staff Assignment:**

Manager of Human Resources  
Communications Officer

**TERMS OF REFERENCE**

- To recommend and provide advice to Council regarding staffing issues including hiring practices, payroll, staff development, training, labour management negotiations, studies on personnel matters and enhancement of the work environment
- To make provisions for carrying out negotiations with union locals and monitor the overall labour relations efforts
- To provide direction and guidance regarding compliance with union contracts
- To monitor and make recommendations on benefits including the City's Pension Plans
- To oversee the provisions of the City's two (2) Pension Plans
- To represent Council on the City Government and Utility Pension Commissions
- To oversee an Employee Assistance Program
- To develop an internal and external communications plan
- To oversee the operation of the city's website to ensure information is current and only approved branding and message are posted
- To ensure that all messaging is consistent such as branding, advertising, letterheads, business cards, signage, vehicle identification, etc.
- To create appropriate marketing and advertising strategies for all city events and activities to ensure maximum benefit for the Corporation
- To make recommendations regarding the purchase and maintenance of the City office equipment, and computer systems

Procedural Bylaw

- ~~Coordinate preparation of Council info/etc. re Public meetings, recording and distribution of same~~
- ~~To recommend and provide advice to Council in regards to administrative staff functions that do not report to any other Standing Committee~~
- ~~To conduct a periodic review of bylaws and policies and make recommendations for revisions, additions and deletions to the appropriate standing committee~~
- ~~To make recommendations for the adoption and enforcement of bylaws and policies which are not within the responsibility of other committees~~

Responsible for the following Bylaws:

- ~~Staffing Bylaw~~
- ~~The City of Charlottetown Superannuation Plan~~
- ~~The Superannuation Plan of the City of Charlottetown Water & Sewer Utility~~



**Schedule 6**

**INTERGOVERNMENTAL AFFAIRS AND EVENT ATTRACTION**

**Committee Structure:**

1. The Chair and Vice Chair
2. One Councillor
3. The Mayor ex-officio
4. Chief Administrative Officer (non-voting)

**Quorum requirement:**

The Chair or designate and one (1) voting committee member.

**Staff Assignment:**

Events Development Officer  
Executive Assistant to Mayor & Council

**TERMS OF REFERENCE**

- To liaison with Federal/Provincial Governments with regard to all issues of interest or concern to the City of Charlottetown
  - To make recommendations in regard to appropriate election processes
  - To initiate an electoral boundaries review and make recommendations to Council on same
  - To conduct periodic reviews of the compensation package for elected officials
  - Liaison with other municipal governments
  - To liaise with municipal organizations such as FCM, FPEIM, Atlantic Mayors Congress, Canadian Capital Cities organizations, etc.
  - To liaise with volunteer groups in the hosting of the East Coast Music Awards and the PEI Shellfish Festival
  - To develop and maintain positive relationship between the City of Charlottetown and Quebec City
  - To liaison with volunteer groups hosting events currently within the City such as Summerfest, Jack Frost Festival, Wintertide, Make Charlottetown Bloom and National Communities In Bloom Program, Old Home Week, PEI Jazz & Blues Festival and International Shellfish Festival.
  - To oversee the Wintertide Program
  - To attract regional and national and international events that will contribute to economic Activity

Procedural Bylaw

- ~~To oversee the Tourism Accommodation Levy and the administration of the SERF (Special Events Reserve Fund)~~
- ~~To liaise with the Canadian Sport Tourism Alliance, Sport PEI, Holland College, UPEI, Eastlink Centre, CARI Complex, Discover Charlottetown Inc., Meetings & Conventions PEI and other groups/organizations to host and promote events/conferences~~
- ~~Responsible for other projects as assigned by the Mayor~~

Responsible for the following Bylaws:

- ~~Tourism Accommodation Levy Bylaw~~
- ~~Election Bylaw~~

**Schedule 7**

**PARKS, RECREATION & LEISURE ACTIVITIES**

**Committee Structure:**

1. ~~The Chair and Vice Chair~~
2. ~~One (1) Councillor~~
3. ~~The Mayor (non-voting)~~
4. ~~Chief Administrative Officer (non-voting)~~

**Quorum requirements:**

~~The Chair or designate and one (1) voting committee member.~~

**Staff Assignment:**

~~Manager of Parks and Recreation~~

**TERMS OF REFERENCE**

- ~~To develop aims and objectives for the Parks, Recreation & Leisure Department~~
- ~~To monitor the development and implementation of recreation programs~~
- ~~To liaison with the Parks, Recreation & Leisure Advisory Board~~
- ~~To plan and develop an adequate supply and distribution of recreational facilities and parklands~~
- ~~To coordinate with other community agencies, the orderly planning and development of recreational services for the community~~
- ~~To maintain a public relations and information program related to recreation Activities~~
- ~~To maintain all recreational facilities, sports fields and trails~~
- ~~To make recommendations regarding the tendering and purchasing of recreation equipment and services~~
- ~~To develop appropriate areas for leisure Activities~~
- ~~To review and make recommendations regarding the minor sports subsidy program~~

**Responsible for the following Bylaws:**

- ~~Smoking Bylaw~~
- ~~Victoria Park & Promenade Bylaw~~

**Schedule 8**

**PLANNING & HERITAGE**

**Committee Structure:**

1. The Chair and Vice Chair
2. One (1) Councillor
3. The Mayor (non-voting)
4. Chief Administrative Officer (non-voting)

**Quorum requirement:**

The Chair or designate and one (1) voting committee member.

**Staff Assignment:**

Manager of Planning

**TERMS OF REFERENCE**

- To facilitate the public consultation process to review and develop a revised official plan and zoning and development bylaw for the City of Charlottetown
- To oversee the administration and make recommendations regarding the City's official plan and the Zoning and Development Bylaw and other applicable bylaws
- To consult with the community and interest groups in matters relating to land use, planning and heritage.
- To monitor the value of building permits and make periodic reports to City Council.
- To Act in the liaison capacity between City Council, the Planning Advisory Board and the Heritage Review Board.
- To oversee the administration of the Heritage provisions of the Zoning & Development Bylaw
- To enforce all applicable codes.
- To oversee the Heritage Incentive Program

**Responsible for the following Bylaws:**

- Zoning and Development Bylaw
- Building Code Bylaw
- Pedestrian Mall Bylaw

**Schedule 9**

**PROTECTIVE & EMERGENCY SERVICES**

**Committee Structure:**

1. The Chair and Vice Chair
2. One (1) Councillor
3. The Mayor (non-voting)
4. Chief Administrative Officer (non-voting)

**Quorum requirement:**

The Chair or designate and one (1) voting committee member.

**Staff Assignment:**

Police Chief

Fire Chief

**TERMS OF REFERENCE**

- To make recommendations for programs and policies for fire prevention safety and inspection
- To make recommendations regarding the Charlottetown Fire Department's resource needs including equipment, technology, personnel, etc.
- To make recommendations regarding the placement of fire hydrants.
- To liaise with Provincial and Federal Emergency Measures Officials
- To make recommendations for policies and programs relating to education, prevention, investigation and enforcement for both fire and police
- To ensure compliance with Federal and Provincial Statutes and Municipal Bylaws
- To make recommendations regarding the Charlottetown Police Service's resource needs including equipment, technology, personnel, etc.
- To ensure the implementation and promotion of a Community Policing philosophy
- To review a strategic plan and consult at least biannually with the community consultative group to help ensure the plan is current and representative of local priorities
- To oversee and monitor the department's performance relative to the strategic plan and established benchmarks.
- To designate and monitor the provision of all on-street parking including parking spaces, parking meters, taxi stands, drop off zones, loading zones and school zones.

Procedural Bylaw

**Responsible for the following Bylaws:**

- **Fire Protection and Emergency Services Bylaw**
- **Emergency Measures Bylaw**
- **Fire Prevention Bylaw**
- **Alarm Bylaw**
- **Nuisance Bylaw**
- **Policing Services Bylaw**
- **Summary Proceedings Bylaw**
- **Traffic Bylaw**
- **Taxi Bylaw**
- **Dangerous, Hazardous & Unsightly Premises Bylaw**
- **Snow Removal Bylaw**
- **Street Access Bylaw**
- **Horsedrawn Vehicles & Rickshaw Bylaw**
- **Street Vendors Bylaw**
- **Transient Traders Bylaw**
- **Any other bylaws of the Corporation with enforcement provisions**

**Schedule 10**

**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE**

**Committee Structure:**

1. The Chair and Vice Chair
2. One (1) Councillor
3. The Mayor (non-voting)
4. Chief Administrative Officer (non-voting)

**Quorum requirement:**

The Chair or designate and one (1) voting committee member.

**Staff Assignment:**

Manager of Public Works  
Executive Assistant to Mayor & Council (UB)

**TERMS OF REFERENCE**

- To develop a long term Capital Works Program for all Public Works matters
- To develop and oversee a Street Lighting Program
- To develop plans and make recommendations for the maintenance of streets, sidewalks, storm sewers and road signs
- To develop plans and make recommendations regarding the construction of new streets, sidewalks, storm sewers, traffic control devices, road signs and other related infrastructure
- To establish plans for snow removal, salting and sanding of streets and sidewalks
- To oversee the maintenance of all city owned properties except those being used for recreational purposes
- To establish plans for the maintenance of traffic control devices, the marking of streets and crosswalks and parking meters
- To make recommendations regarding the tendering and purchasing for public works and urban beautification projects and equipment
- To coordinate a public information program regarding public works and urban beautification projects
- To oversee the Christmas Decoration Program
- To oversee the maintenance of all city owned public art

Procedural Bylaw

- ~~To oversee fleet management~~
- ~~To liaise with the Urban Beautification Advisory Board~~
- ~~To work with Downtown Charlottetown Inc. and other agencies in regards to beautification efforts~~
- ~~To liaise with the Old Protestant Burial Grounds Committee~~
- ~~To be responsible for grass cutting, flowers, street furniture, tree maintenance and planting on City property excluding sports fields and trails~~
- ~~To maintain and improve the city entrances and directional signage programs~~
- ~~To erect new and maintain existing neighbourhood signs where appropriate~~
- ~~To develop and implement municipal Activities relating to the recognition of Arbor Day~~

Responsible for the following Bylaws:

- ~~Permanent Closure of Streets Bylaw~~
- ~~Snow Removal Bylaw~~
- ~~War Memorial Monument Bylaw~~
- ~~Tree Maintenance Bylaw~~
- ~~Tree Policy~~



Schedule 11

WATER & SEWER UTILITY

**Committee Structure:**

1. ~~The Chair and Vice Chair~~
2. ~~One (1) Councillor~~
3. ~~The Mayor (non-voting)~~
4. ~~Chief Administrative Officer (non-voting)~~

**Quorum requirement:**

~~The Chair or designate and one (1) voting committee member.~~

**Staff Assignment:**

~~Manager of Water & Sewer Utility~~

**TERMS OF REFERENCE**

- ~~To develop a long term Capital Works Program for sewer and water projects~~
- ~~To develop plans and make recommendations for the construction and maintenance of water lines, sanitary sewer lines and related infrastructure~~
- ~~To make recommendations regarding the tendering and purchasing for sewage and water projects~~
- ~~To make recommendations to the Finance Committee in regard to water and sewer rates~~
- ~~To implement plans for a new source of water supply~~
- ~~To review national programs and consider the benefits to the City~~
- ~~To oversee policies for the provision of water and sewer services for the City of Charlottetown~~
- ~~To be responsible for the maintenance of fire hydrants~~

**Responsible for the following Bylaws:**

- ~~Water and Sewer Utility Bylaw~~
- ~~Water and Sewer Utility, General Rules and Regulations~~

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*cm*

**Notice of Motion**

Whereas, the City auditor has provided a qualified opinion in the most recent audited financial statements of the City of Charlottetown;

And Whereas there is a need to establish public confidence in the finances of the City of Charlottetown.

Therefore, Be It Resolved that an organizational review and audit and review of the City's Finance Department be undertaken by a qualified external public accountant selected by the Human Resources Committee.

Moved: *Bob Doiron*

Seconded: *JASON COADY*