

**19 – Resolutions  
5 – Bylaws**



**CITY OF CHARLOTTETOWN  
MONTHLY MEETING OF COUNCIL  
MONDAY, JUNE 10, 2019 AT 5:00 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 - May 13, 2019
  - Special Meeting - (open minutes) – May 17, 2019
  - Parks & Recreation Public Meeting – May 27, 2019
  - Planning Public Meeting – May 28, 2019
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
  - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
    - Monthly Report
    - Ten (10) Resolutions
    - Four (4) Bylaw Readings
  - 6.2 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov**
    - Monthly Report
    - Two (2) Resolutions
  - 6.3 Finance, Audit & Tendering – Coun. Terry Bernard, Chair**
    - Monthly Report will be available Monday
    - Two (2) Resolutions
    - 2<sup>nd</sup> reading - Fees Bylaw Amendment Bylaw
  - 6.4 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair**
    - Monthly Report
    - No Resolutions
    - 1<sup>st</sup> Reading of the Superannuation Plan Bylaw Amendment
  - 6.5 Parks, Recreation & Leisure Activities – Coun. Mitchell Tweel, Chair**
    - Monthly Report
    - No Resolutions

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

- Monthly Report
- No Resolutions

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

- Monthly Report
- One (1) Resolution

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

- Monthly Report
- Four (4) Resolutions

**6.9 Economic Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair**

- Monthly Report
- No Resolutions

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

- Monthly Report
- No Resolutions

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

- Monthly Report
- No Resolutions

**6.12 New Business**

**7. Motion to Adjourn**



**DRAFT**

**Regular Meeting of Council  
Monday, May 13, 2019 at 5:00 PM  
Council Chambers, City Hall, 199 Queen Street**

**Mayor Philip Brown Presiding**

**Present:** Deputy Mayor Jason Coady  
Councillor Kevin Ramsay  
Councillor Terry MacLeod  
Councillor Bob Doiron  
Councillor Alanna Jankov

Councillor Mike Duffy  
Councillor Terry Bernard  
Councillor Julie McCabe  
Councillor Mitchell Tweel  
Councillor Greg Rivard

**Also:** Peter Kelly, CAO  
Randy MacDonald, FC  
Frank Quinn, PRM  
Paul Johnston, IAMM  
Wayne Long, EDO  
Stephen Wedlock, AFM  
Alicia Packwood, CA  
Tracey McLean, RMC

Paul Smith, PC  
Alex Forbes, PM  
Richard MacEwen, UM  
Ron Atkinson, EconDO  
Laurel Lea, TO  
Beth Hoar, PC  
David Hooley, CS

**Regrets:** Bethany Kauzlarick, HRM

- 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 that the Parks & Recreation Committee be moved to the beginning of the report as to recognize Russell Hambly as May's Volunteer of the Month; Russell was present at the meeting. Council agreed. Moved by Councillor Ramsay and Seconded by Councillor Duffy that the agenda be approved as amended. Carried.
- 4. Adoption of Previous Draft Minutes**  
Moved by Councillor Duffy and Seconded by Councillor Ramsay that the draft minutes of the previous meetings now be adopted. Carried.
  - Regular Meeting - April 8, 2019
  - Special Meetings – April 8, 9, 11, 17, 25 and May 3, 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 May is Russell Hambly. He announced that the City of Charlottetown will hold a public meeting on Monday, May 27 on the proposed installation of a low profile modular composite floating dock system at Victoria Park; open house at 6:00 pm with the public meeting to follow at 7:00 pm.

**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 department is beginning the process with respect to public consultation on short-term rentals within the city.

In response to a question raised regarding a provincial housing project on Acadian Drive, Councillor Rivard indicated that the application met all zoning requirements as it is an existing R-3 zone; therefore, it does not require public consultation. The CAO added that a letter was sent to the Province suggesting they consider holding a community meeting so local area residents have more information with respect to the project.

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

**RESOLVED:**

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 Low Density Residential (R-2S) to Medium Density Residential (R-3) Zone,

for the property at 351 North River Road (PIDs #1014224 & 373415), be approved to proceed to public consultation.

**CARRIED 10-0**

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

**RESOLVED:**

That the request amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-Density Residential (R-1L) to Narrow Single-Density Residential (R-1N) for the property on the corner of Miller Street/ Pearson Street/ Hanover Street (PID #530980), be approved to proceed to public consultation.

**CARRIED 10-0**

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

**RESOLVED:**

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 89 Beach Grove Road (PID #386755), be approved to proceed to public consultation.

Councillor Rivard felt that this application is not complete; had concerns of the location and apartments being in the middle of an R-1 zone (spot zoning). He noted that many area residents have voiced concerns as well.

**REJECTED 10-0**

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

**RESOLVED:**

That the request to reduce the lot frontage from 65.6 feet to approximately 30 feet in order to convert the existing five (5) unit dwelling into a six (6) unit dwelling for the property at 93 Weymouth Street (PID #340984), be approved, subject to the following condition:

That an occupancy permit is issued on the additional dwelling unit based on the completion of all required work/upgrades to the dwelling unit and building as per the requirements of the Building & Development Permit.

**CARRIED 10-0**

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

**RESOLVED:**

That the request to reduce the lot frontage from 65.6 feet to approximately 30 feet in order to convert the existing three (3) unit dwelling into a six (6) unit dwelling for the property at 101 Weymouth Street (PID #340992), be approved, subject to the following condition:

That occupancy permits are issued on all the additional dwelling units based on the completion of all required work/upgrades to the dwelling unit and building as per the requirements of the Building & Development Permit.

**CARRIED 10-0**

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

**RESOLVED:**

That the request to:

- a) Reduce the required side yard setback from 0.85 m (2.79 ft) to approximately 0.31 m (1.02 ft); and
- b) Reduce the required rear yard setback from 0.48 m (1.57 ft) to approximately 0.30 m (0.98 ft),

in order to demolish the existing accessory building (10 ft. x 15.6 ft.) and construct a new accessory building (approximately 10 ft. x 18 ft.) for the property at 15 Hillsborough Street (PID #336198), be approved.

**CARRIED 10-0**

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

**RESOLVED:**

That the request to obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning and Development Bylaw as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service Establishment (Taxi stand) as permitted uses, be approved to proceed to public consultation.

**CARRIED 9-1  
Councillor Doiron opposed**

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

**RESOLVED:**

That the amendments to the Zoning and Development Bylaw (PH-ZD.2) pertaining to:

- Home Occupations;
- Tourist Accommodations;
- Low Density (R-2) and (R-2S) Zones;
- 500 Lot Area Design Standards;
- Parking Standards; and
- Appendix A. Definitions,

be approved to proceed to public consultation.

**CARRIED 10-0**

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

**RESOLVED:**

That the request to amend Section 36 of the Zoning & Development Bylaw (PH-ZD.2) to permit an Asphalt, Aggregate and Concrete Plant and insert a definition for said use under Appendix A, be approved.

It was noted that Council received a similar application last year for an asphalt plant and the residents in the area (Sherwood Road) came out in strong numbers; very much opposed to that application. As with this type of use, residents and business owners have concerns relating to heavy truck traffic, noise and emissions. Councillor Rivard indicated that staff looked at the zones across the city and determined that the only zone that this application could fall under is the M-2 zone and the location in question is currently zoned M-2 . Also, if a company were to propose construction of an asphalt plant, they would have to apply to the Province to have an environmental impact assessment done.

**CARRIED 6-4**

**Deputy Mayor Coady and Councillors Doiron, McCabe and Tweel opposed**

**2nd Reading of the Zoning & Development Bylaw** – To adopt Bylaw 2018-11-017, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) relating to definitions/regulations pertaining to Transitional Housing Facility, Site regulations for Lodging Houses, Group Homes, Major development landscaping requirements; and General Housekeeping amendments pertaining to Undersized Lot regulations and reference corrections.

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

**RESOLVED:**

That the said Bylaw be read a second time, be approved and adopted.

**CARRIED 10-0**

**2nd Reading of the Zoning & Development Bylaw** - To adopt Bylaw 2018-11-014, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone, subject to the existing access between the Dental Office and the lower parking lot be removed as per the Department of Transportation regulations.

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

**RESOLVED:**

That the said Bylaw be read a second time, be approved and adopted.

**CARRIED 10-0**

**2<sup>nd</sup> Reading to create a Secondary and Garden Suite Registry Bylaw** - To adopt Bylaw, Bylaw PH-SSB.1, A Bylaw 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.

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

**RESOLVED:**

That the said Bylaw be read a second time, be approved and adopted.

**CARRIED 10-0**

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

Councillor MacLeod indicated his Committee's report was included in the weekend package. He reported that the City, in partnership with Efficiency PEI, hosted Ways to Save on April 17 and Build a Better Home on Tuesday, April 30; both events were well attended. Also, many participated in The Great Trail Clean Up on Saturday, May 11 along the Confederation Trail near the University of Prince Edward Island, the Charlottetown Mall, and Joe Ghiz Park.

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That the attached 2019 Community Sustainability Micro-Grant Finalists, as selected by the Micro-Grant Selection Committee, be approved.

**CARRIED 10-0**

**2<sup>nd</sup> reading of the Tree Protection Bylaw** – to establish a City of Charlottetown Bylaw with respect to tree preservation and protection pursuant to the provisions of Section 180 (K) of the Municipal Government Act of P.E.I., R.S.P.E.I., 1988, Cap. M-12.1 and subject to the Environmental Protection Act R.S.P.E.I. 1988, Cap. E-9 and the Pesticides Control Act R.S.P.E.I. 1988, Cap. P-4

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

THAT the "CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW" be read a second time and that the said Bylaw be now adopted.

**CARRIED 10-0**

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

Councillor Jankov indicated that her Committee did not meet since the last Council meeting.



Concern was raised regarding the matter of PEI's dual EI zones. It was suggested that the Committee review the issue and lobby the federal government to change it back to one zone. Councillor Jankov indicated that she would take this under advisement.

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

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

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

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

An update with respect to the Chambers audio/visual equipment was requested. Councillor McCabe indicated she does not have any information at this time but would bring it back to the Committee for review.

**2<sup>nd</sup> reading of the Staffing Bylaw Amendment Bylaw** - amend the City of Charlottetown Staffing Bylaw, #2018-20, with regard to consistent practices for the recruitment and selection of staff.

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

**RESOLVED:**

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

**CARRIED 10-0**

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

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

It was suggested, once again, that the Committee review the option of reinstating the traffic unit. Councillor Doiron indicated this would be taken under consideration.

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

Deputy Mayor Coady indicated his Committee's report was included in the weekend package. He reported that the City will host an information session at Hillsborough Community Centre regarding the East Royalty Sewer Trunkline Upgrade project on Tuesday, May 14, 2019 at 7:00 PM.

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

Councillor Duffy indicated his Committee's report was included in the weekend package. He reported that Queen Street will be closed on Sundays (11am-4pm) from Grafton Street to Dorchester Street late June to mid-October to accommodate the Downtown Farmers' Market.

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

**RESOLVED:**

That, as per the conditions of the Request for Quote on "Ready Mix Concrete Supply" for the 2018 season, the low submission of CRM Ready Mix in the amount of \$256,959.74(all taxes included) be accepted,

And that this expenditure has been previously approved in the 2019 Capital budget,

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

**CARRIED 10-0**

**6.10 Econ. Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair**  
Councillor Ramsay indicated his Committee's report was included in the weekend package.

There was some discussion regarding the Tourism Accommodation Bylaw reading. Councillor Rivard indicated that the Planning department will soon be starting the public process to create a bylaw for short-term rentals (Airbnb, VRBO, etc.) and it would be difficult to put a tax or levy against a use that is not defined in the Planning Act; therefore, he suggested the reading be deferred. Moved by Councillor Bernard and seconded by Councillor Rivard that the second reading and adoption of the Tourism Accommodation Levy be deferred. Carried 10-0.

**Moved by Councillor Kevin Ramsay**  
**Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the City of Charlottetown establish its Natal Day to be the First Monday of August and that it be declared as an annual City of Charlottetown Civic Holiday.

**CARRIED 10-0**

The Mayor acknowledged Wayne Long, Events Development Officer; Laurel Lea, Tourism Officer and Charlotte Nicholson, Tourism Events Coordinator for their hard work relating to the 2019 East Coast Music Awards event held May 1<sup>st</sup> – 5<sup>th</sup>.

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

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

**Moved by Councillor Terry MacLeod**  
**Seconded by Councillor Mike Duffy**

**RESOLVED:**

That as per Council's discussion and decision of January 14, 2019, Councillor Alanna Jankov be appointed to the Council Advisory Committee as per Section 42.2 (a) of the City of Charlottetown Procedural Bylaw.

**CARRIED 10-0**

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Mike Duffy**

**RESOLVED:**

Be it Resolved that Charlottetown City Council endorse Councillor Mitchell Tweel to stand for election on FCM's Board of Directors for the period starting in June 2019 and ending June 2020; and

Be it Further Resolved that Council assumes all costs associated with Councillor Tweel attending FCM's Board of Directors meetings.

**CARRIED 10-0**

**6.12 New Business**

There was no new business

**7. Adjournment**

Moved by Councillor Ramsay and Seconded by Councillor Doiron that the meeting be adjourned. Carried.

**The meeting concluded at 7:12 PM**



**DRAFT**

**Special Meeting of Council  
Friday, May 17, 2019 at 12:15 PM  
Council Chambers, City Hall**

**Mayor Philip Brown presiding**

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

**Also:**            **Peter Kelly, CAO**    **Alex Forbes, PM**  
                         **Frank Quinn, PRM**    **Beth Hoar, PC**  
                         **Greg Morrison, DPO**    **Chantal Matheson, EA**  
                         **Cindy MacMillan, AA**

**Regrets:**        **Councillor Greg Rivard**                                      **Councillor Alanna Jankov**  
                         **Tracey McLean, RMC**

- 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 Food Council Stipend item be removed from the agenda and replaced with a RFQ award for the Canadian Urban Forest Conference 2020. Moved by Councillor MacLeod and seconded by Councillor Ramsay that the agenda be approved as amended. Carried.

It was requested that the 1<sup>st</sup> reading of the Zoning & Development Bylaw relating to amending sections of the bylaw in relation to Asphalt, Aggregate and Concrete Plant be added to the agenda. Council was not unanimous; therefore, the request was denied.

- 4. Discussion Items:**
  - a) Standing Committee Structure Revision Resolution**

**Moved by Councillor Terry MacLeod**  
**Seconded by Councillor Mike Duffy**

**RESOLVED:**  
That the revised 2018-2022 Standing Committee structure, as recommended by the

Council Advisory Committee, be approved.

**CARRIED 7-1**  
**Councillor Doiron opposed**

**b) Public Works Tender Awards**

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

**RESOLVED:**

That, as per the conditions of the Request for Quote "2019 Utility Tractor Supply", the submission from Green Diamond Equipment Ltd in the amount of \$69,974.76 (all taxes included) be accepted,

And that this expenditure has been previously approved in the 2019 Capital budget,

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

**CARRIED 7-1**  
**Councillor Doiron opposed**

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

**RESOLVED:**

That, as per the conditions of the Request for Quote on "Supply of Hot Mix Patching Asphalt" for the 2019 season, the only submission of The Island Construction Ltd. in the amount of \$296,443.95 (all taxes included) be accepted,

And that this expenditure has been previously approved in the 2019 Operational budget,

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

**CARRIED 8-0**

**c) Tax Incentive Strategy Resolution**

**Moved by Councillor Kevin Ramsay**  
**Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That Council approve the amended clause (as attached) of the Tax Incentive Strategy (Policy # P-ED-5)

**CARRIED 8-0**

**d) Advisory Board Appointments**

**Moved by Councillor Terry MacLeod  
Seconded by Councillor Mike Duffy**

**RESOLVED:**

That the following appointments, as recommended by the Council Advisory Committee, be approved:

Confederation Centre of the Arts Board of Directors

- Councillor Mike Duffy

2023 Canada Games Host Committee

- Mayor Philip Brown

Chair of the Arts & Culture Advisory Board

- Barb MacLeod

**CARRIED 8-0**

**e) Canadian Urban Forest Conference 2020 (RFQ Award)**

**Moved by Councillor Kevin Ramsay  
Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That, per the publicly advertised quote for 'CONFERENCE MANAGEMENT – CANADIAN URBAN FOREST CONFERENCE 2020', the submission of Venue West in the amount of \$35,550.00 (plus applicable taxes) be accepted.

**CARRIED 8-0**

- f) 1<sup>st</sup> reading of the Fees Bylaw Amendment Bylaw – to amend the City of Charlottetown Fees Bylaw to incorporate Planning & Heritage Department Schedule of Permit and Process Fees.**

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

**RESOLVED:**

THAT the bylaw to amend the "CITY OF CHARLOTTETOWN FEES BYLAW" be read a first time.

**CARRIED 8-0**

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

**RESOLVED:**

THAT the bylaw be now approved as a City Bylaw and that it be entitled the "CITY OF CHARLOTTETOWN FEES BYLAW" and that it be read a second time at the next public meeting of Council.

**CARRIED 8-0**

**5. Motion to Adjourn**

There being no further business, it was moved by Councillor Duffy and seconded by Councillor Bernard that the meeting be adjourned. Carried.

**The meeting adjourned at 1:00 PM**



**DRAFT**

**Public Meeting of Council  
Monday, May 27, 2019 at 7:00PM  
Georgian Room, Rodd Charlottetown Hotel  
75 Kent Street**

**Mayor Phillip Brown Presiding**

**Present: Mayor Phillip Brown  
Deputy Mayor Jason Coady  
Councillor Alanna Jankov  
Councillor Julie McCabe  
Councillor Mitchell Tweel**

**Councillor Greg Rivard  
Councillor Kevin Ramsay  
Councillor Terry MacLeod  
Councillor Mike Duffy**

**Also: Frank Quinn, PRM  
Brad McConnell, Dep. Police Chief  
Christopher Drummond, PC  
Nancy McMinn, PS  
Scott Adams, PWM  
Richard MacEwen, WSUM**

**Dean Worth, PF  
Brett Turner, APC  
Jackie McKinnon, AA  
Wayne Long, EDO  
Ramona Doyle, SO**

**Regrets: Councillor Terry Bernard  
Peter Kelly, CAO**

**Councillor Bob Doiron**

His Worship Mayor Phillip Brown called the meeting to order at 7:05PM.

7:09PM - Frank Quinn, PRM opened the meeting with a power point presentation which gave an overview of the background, description of proposed floating dock system, map of proposed location, liability insurance, parking, and summary of the steps taken to date, including positive feedback from the success of the Flotilla Event (as part of 2017 Art in the Open), the request for proposals, Council passed a resolution July 8, 2018 (carried 7-0) for the purchase and installation costs of the dock system to be placed in Victoria Park, communication with city's insurer to discuss liability, discussions with Charlottetown Harbour Authority (CHA) regarding entering into a water lot lease agreement. In the end, with the lateness of the 2018 season it was decided that the installation be postponed until 2019.

Initially it was perceived that since the floating dock system was on water and it was a seasonal/temporary structure that it was not defined as 'development' as referred to in the Victoria Park and Promenade Bylaw. It was noted that the City, along with the CHA, permitted the Flotilla Event to install a floating dock system for three weeks, as part of the 2017 Art in the Open. Upon further discussion, City Council decided that since the proposed floating dock system will have to be connected to Victoria Park in some fashion, this would then fall within



the definition of 'development' and thus, would be subject to the provisions of the Bylaw, therefore requiring that a public meeting be held.

Brad McConnell, Deputy Chief of Police then gave a presentation on the CPD services, which included providing statistics with regards to the number of calls received by CPD for disturbances, etc. within Victoria Park.

In summary, Dep. Chief McConnell stated that only 1% of all calls received in 2018 had to do the area of Victoria Park. A total of 48 calls to Victoria Park were recorded throughout the year and of those 17 (35%) were recorded in July during high volume users for the park. Deputy opened the floor to questions, however, there were no questions asked.

At this time, His Worship asked Chair Tweel if he has any further opening remarks prior to opening the floor for public feedback.

7:33PM - Chair Tweel mentioned that we are continuing to work towards a barrier free City and in doing so; the implementation of a floating dock system furthers that goal.

At this time the public was invited to provide feedback on the Floating Dock:

7:36PM - Ray Campbell, 105 Spring Park Rd, Charlottetown, walks the boardwalk pretty well everyday sometimes twice a day, believes it's a pretty nice place. He was a commercial fisherman for most of his life. He knows the reason for so much stone protecting the boardwalk is because it's a pretty nasty piece of water at times and remembers when the yacht club lost many boats to storms. He was not against the floating dock as long as it's away from where the playground is that was put there last fall for young families with young kids because there is limited parking in that area of Victoria Park. There is a book stating that PEI is one of the best places to kayak and canoe. There is 3 rivers around Victoria park, East, West, and North. It is also a tidal place with a raging river 3 times a day coming in which he believes the city is promoting for kayakers and canoers. Last year our first responders had to retrieve 3 bodies out of that surrounding area. And as a commercial fisherman we lost quite a few fishermen over the last year out to sea, and we've lost 1 so far this year, it would be nice if this was the last but it probably won't be. If you put something up there people will come, now will they be warned of all the dangers of that water. There could have been a lot more than the 3 who died in the surrounding area, if the naval hadn't been doing training when the boat flipped over that had many people aboard it. I'm just saying that I'm not against a floating dock, but to promote it for novice kayakers and canoers' because they are very unstable boats. I would think twice about that. There are other things down there that can be done, especially when I notice when I walk that there is a lot of little kids and sometimes they get away from their parents rushing to get to the playground. Maybe pedestrian lights would be good when they have to go across their. There are lots of other things that can be done at the park to make it better for young kids and young parents and even old people. Because the walkway that goes down there is wheel chair accessible there's no handrails, so if you come off and go down and happen to make one mistake you're going to go over the bank and do quite a header. The water is a lovely piece of water to look at, but it's a very dangerous piece of water. But promoting that to novice kayakers and canoers is going to put pressure on first responders.

7:41PM - Mathieu Arsenault 3 Douglas St, Ward 4

Prepared a presentation as the chair of Fusion Charlottetown, an organization with over 1700 members, a lot of a younger demographic, but not exclusively the younger demographic. The reason he was here to speak was on behalf of this organization because if we look in the room with lots of lovely faces here but maybe a little older. Part of the problem with our demographic, a lot of young families aren't here right now, and also the way they communicate is through a digital means. As part of Fusion we collected and want to be a partner with the City, we engaged the members of Fusion on the floating dock and wanted to bring that perspective forward. In the survey that we sent out with 82 respondents and 78% spoke favourable for the floating dock. The uses they were saying were to swim, to dip feet in the water, kayaking. On behalf of the members of Fusion, I would say this is a positive project and we want to see Charlottetown move forward. Like Tweel said Victoria Park is second to none, it's a beautiful park, and we can enhance it even more. We don't take anything away by adding a floating dock.

7:43PM - Vernon Rodd, 11 Admiral St Charlottetown. I am going to be speaking against the dock from a different perspective. For one, our forefathers got it right when they did Victoria Park, so let's not add to it just because somebody else has something doesn't mean we need it. On the Thames there is a big ferris wheel, but I don't think that is appropriate for Victoria Park. The other I'd like to note is if it's looked at as an extension of the boardwalk, I'd probably go along with that because then it's not taking away from anything. By putting it with kayakers I am worried that you won't have the ability to police that area properly and that there will be a lot of people using it tying up parking spots that a lot of seniors do use in the summertime to sit by the water to get refreshed by the breeze and cool off. The other thing he wanted was to put a moratorium on the dock for 1 year, and in that one year known how much traffic is going through Victoria Park. That's easy to do you've got the monitors by putting bumps on the road. You look at those pictures; they show a fairly busy Victoria park. Look at the tree's there's not a leaf, that's either taken in the fall or spring of the year, so that's not the busy time at Victoria Park. So you're adding more and more stuff, yes we need access to the water for the people of Charlottetown, but there is other places I've talked to a bunch of you about other different options besides Victoria Park. Yes there is spots outback by the Culinary Institute or something of that nature which already has close parking. Look at those options, this I hope is a catalyst to council, we need access to the water in different ways and maybe we need to purchase land where people will give us access to that water, but putting more stuff in Victoria Park when it's already congested is a mistake.

7:46PM - Becka Viau, brought forward the flotilla project that's been mentioned a few times in this presentation as part of art in the open which happens at Victoria Park in the summer months and we had presented a floating dock for 3 weeks where 12 artists engaged with the water and with the public through an accessible floating dock exactly the same that has been shown here in the presentation except it was a different configuration. We really saw great benefits from it; we weren't overly rampaged by people, lots of people were just overly grateful to have access to the water where they could take a wheelchair down in a much more fluctuating spot where the dock sat on the bottom of the harbour at low tide, so you can imagine the shift there. We had a wheelchair down on the dock system, no railings, we had people with people of various types of abilities accessing it, all very grateful to have access to the water in Victoria Park where they also had accessible parking, so they could access the boardwalk, and they could get to the dock. It was a very positive experience for young and old and of all abilities. There was a very beautiful moment in flotilla when one of the artists was

engaging and dropping a microphone and recording the sounds of the harbour with a young girl with cerebral palsy that had 2 canes but was able to get to the water sit down on the dock and engage with the water safely with someone else there. During the project it was exciting to see people kayaking and canoeing to the dock. I think there's a lot of a concern of people going from the dock. But actually we were getting a lot of people coming to the dock, from launching at the Yacht Club, Stratford, and from other parts in the harbour and coming to that park and getting out and accessing the park that way, which was interesting because we weren't expecting that. We had paddleboards and other things on the dock site that we were expecting people to be attracted to take out; when otherwise we were getting people coming back in. Ultimately we found that it was a great promotion of active living and even active transport potentially in the city in the summertime. Ecotourism was brought up by someone else, PEI is known as one of the best places to go kayaking and I suppose I need to find that report because it sounds positive. Why not be a leader and access some of that ecotourism money and bring it into Charlottetown to help support more accessible development in other areas including Victoria Park, which isn't super accessible. I really appreciate having more accessible parking spaces being mentioned as part of the plan. I want to talk about security; there was a gate at the front of the ramp down that stayed closed. There was a sign that said when it was closed you don't go in. We didn't have anybody cross it. When it was closed when it said it was closed. It does come with lighting on the sides of the docks as well. So even at night, we were open until midnight. There would be some people hanging around with performances happening, but it quieted down when the park quieted. There wasn't much trouble like the police said. Victoria Park is actually one of the least dangerous spots in Charlottetown at night. I'm here tonight also as a young mother, I had to take special time to be here and I thank everyone tonight for taking special time out of your schedules to be here tonight. We all have caregiving responsibilities I'm sure, with PEI today. As a mother of two young children, having access to a launch for a kayak that is safe in downtown that's accessible enables my children to participate in water sport activities with their disabled uncle who would not be able to access the water via another launch. The question of accessibility is really, really important, and was really, really important when we made flotilla as well. If you're going to talk about water accessibility, than let's talk about accessibility. I also want to bring up the fence. There was a fence before at Victoria Park, I don't know if people my age remember, but we did have a fence at Victoria Park before there was a boardwalk and everyone hated the boardwalk and everyone decided that the boardwalk was bad and that it was going to be bad for downtown and for Brighton and bad for Victoria Park. The fence got kicked down in the middle of the night and got pushed down and then something had to be done. And I do appreciate everyone coming and speaking their voice today, but I do hope that Charlottetown is open to some change before we push down another fence and we can create a more accessible waterfront.

7:52PM - Mikey Wasnidge, 55 Pownal, wanted to address this crowd because he feels that this is the group he needs to talk to right now. Every time I come in front of the council it feels like it's a younger generation speaking to the previous generation and pushing for some sort of progress. This is the smallest piece of progress that makes a big impact it can be removed it turns into the wild Wild West we just take the docks out or we move them down. It's not going to destroy Charlottetown, I've been following the story and it's the ruining the pristine nature of Victoria Park, our crown Jewel of Charlottetown. I love Victoria Park, but the swimming pool, the ball diamonds, the boardwalk, the playgrounds; those were all interfering with the pristine beauty of Victoria Park. And now it's what makes Victoria Park the crown jewel. So I hope you guys will think about this when you're standing up and I hope that the previous generations will

take a bit of a stand with youth right now and speak up in support of a little bit of change because it's part of a bigger better change for Charlottetown. The only reason parking is an issue is because Victoria Park provides so many different ways to enjoy the space. If there wasn't a pool, ball diamonds, a boardwalk, a place for us to go play Frisbee, nobody would have any issues with parking because nobody would use the park.

7:54PM - Alice Crook, 25 Admiral St. fully supports the proposed floating dock system. I've long felt that it's so unfortunate that we have this beautiful waterfront park with such limited water access and basically people can only get to the water by clambering over the rocks, we all see people doing this, including people with young kids. So if there is a concern over safety, I'd say there's more a concern about that and then there's the whole tidal issue. You're often only accessing the beach and the rocks and the mud flats, so really the floating dock will make it not only more accessible to families but also create the possibility for people who have mobility issues to get to the water too and that could be seniors as well who will be able to go out on the dock and enjoy the water. There's a lot of talk about parking and I don't think the decision should be based on having the most number of convenient parking spaces. I think it's really important to improve accessible parking, but part of the whole point is to increase active living and people's activity and so if people park in the overflow areas and walk down to the park or the boardwalk that's a great thing. I don't think we need to focus the decision based on how much parking we have. Someone just said that's for people who can walk people who can't, can use the accessible parking spaces.

7:56PM - Mary Gates, 46 River Ridge Dr, Charlottetown, has lived on Prince Edward Island since 1968. Thank you for allowing me to speak here tonight and I want to acknowledge that the council has already done a lot of time and effort on this project. But I have 3 areas that I'd like to bring up, but I'll only talk about 2 because another gentleman already brought up the congested parking. Who can remember Hurricane Juan and the destruction that it caused. Hurricane season is coming again according to the weatherman, now if winds can blow hard enough to blow over a big tractor trailer, or do damage to a house, or snap the power poles off the confederation bridge, what's it going to do to this floating dock? In the 1970's I was the head nurse at the Prince Edward Hospital and one day the ambulance brought this young fella into us. He had been out playing and swimming at the North Shore having a grand time and he decided to dive into the water but it was too shallow and he broke his neck along with permanently damaging his spinal cord and he was paralyzed forever. Young people don't think about danger, they just want to have a good time. Are the young people going to be jumping off the dock? Are they going to be diving off there? The first rule in life is that you never assume anything because it probably won't happen. You think your children are going to be safe down there playing around that and they may not be. You have to warn them and teach your children to be safe. My second concern is safety.

7:58PM - Ken Desroches 12 Rosemount Court, I'm here tonight to clear up. I wrote an article in the paper against this dock and it's been misunderstood. I have no problem with the dock being there. I have a lot of problem with it being used to launch small craft and let me tell you why. Number 1, when we were doing the eastern gateway plan I was associated with that. The consultants were very clear, if you want to have a place to launch small craft canoes and kayaks, you have to have a building to store them in. People will not go home from work, have their supper, had to the garage, put the kayak on the car, take the car down to the water, after they're out of the water put the kayak on the car, and take it back home again. You just won't

get the kind of use that you're hoping for. Number 2 I was on a patio on Vista St. and this lady said look over there and I did and I said it's really beautiful isn't it? And she said you idiot were talking about the dock. She said that's where it should be. There's no reason why you can't build a very safe docking system for canoes and kayaks there, why you can't build a building to house the items that are there. It's outside the traffic that's off Victoria Park and the City already owns it. There's already parking there. That was her suggestion and I thought it was a good suggestion that should be explored. The third thing I think is really, really important is the safety issue. I had one lady when I was campaigning who told me she was definitely opposed. She was also opposed to the disabled playground that's there and I said why. And she said I have a grandson that can't go to that playground because there's no way they can get him out of their vehicle in a wheel chair and into that place safely. She said it's a beautiful playground, there's dozens of other places in the city that you could have put it, those issues could have been addressed, Victoria Park was the wrong place. That's the conclusion I come to when we talk about not the dock being used to launch small craft. Because I don't think it will work, I think it's a further safety issue and I think it's not necessary.

8:02PM - Roddy Maclean, 198 Grafton St, The situation looks very good to me; I think a floating dock system is going to be excellent. The thing is if we could try it for a year and see how it goes. Congestion is a big problem to think about for the long term. I'm a tour guide with Coach Atlantic and I do a lot of tours in Victoria Park. This year there will be 99 ships, but this business is really expanding (cruise ship business) and in a few years it's going to be harder and harder to drive around Victoria Park. So, if you have another facility in mind after maybe a year or two that would be fantastic.

8:03PM - Sue Fraser, 15 Abby Dr, Charlottetown. My first comment is in relation to being the former manager of Park and Recreation, when there was at least 4 key city plans executed and they were all very expensive plans with very highly regarded consultants in the field and those plans were the Eastern Gateway Plan that Ken just mentioned, the Victoria Park Masterplan that we're talking about tonight, the Parks Masterplan that preceded that and the City's Waterfront plan. And I can tell you from being part of all those consultations that the common thread in every single one of them was people's value not only on seeing the water. We live on an island and people who are living in Charlottetown can't see the water, so that was one of the big ones. And it was also actually accessing the water, so that was something that they said in every single one of those plans. And those are people that came out and wanted to be heard and I think at the end of the day members of council have to respect the people have already spoken to that and it's a very highly placed value. I think the deal breaker at the end of the day, and this is my second point, it appears to be the slip. The whole idea of launching watercraft. The city already invested in an EZ Dock system down at the Yacht Club, they have assigned parking spaces for the public to use, maybe it's the best kept secret I don't know, but it's been there for about 6 years. And the city invested in this great slip that you can take your kayak down (or small watercraft), it's highly accessible for people who have mobility issues, and they can launch from the Yacht Club, that's been there all along. Paddles Inc., I believe, is now over at Peakes, so people will now soon be launching from Peakes Quay as well, people who are renting small watercraft from there. I don't think we need to deal with those small watercraft, because I think that's what's upsetting people at the end of the day, the increased traffic of watercraft being launched from there. That was my second point, I think at the end of the day we need to be inclusive, we need to ensure that everyone gets to enjoy the beauty of Victoria Park, and whether that's pulling over to the side in a car or enjoy race night on

Wednesday Night or whether its to actually get out of your car and actually walk out to the end of one of these fingers and getting to sit on the water.

8:05PM - Frank MacEachern, 47 Highland Ave. Commended the initiative taken on this project and has almost changed his mind 4 times tonight because there has been some very good arguments made on all sides. I think it's a great idea, there's actually 2 ideas here. 1 is access to the water and 2 a venue to launch small craft. I applaud the idea of having access to the water. I'm not sure the floating dock is the best way of doing it, but I definitely believe that the access to small watercraft there is 2 better places in the City of Charlottetown. Some of them were already brought up, Queen Elizabeth Park, and the province owns a lot of land out along the drive into Riverside Hospital that is a much more sheltered friendly place for kayaking and canoeing. It would reduce city's liability because you're not unleashing people to the harbour which can be very volatile at times with winds coming up quickly and tides changing. I would urge council to consider Queen Elizabeth Park or discuss with the Province accessing some land behind the hospital to launch watercraft. It would be better for the water crafters and reduce congestion. You could maybe reconsider whether or not the Jetty Finger is the right venue for the opportunity to be accessing the water.

8:08PM - Brain Gillis, 71 Greenfield Ave. Thanked council and staff for hosting the meeting and all the work put forth on this project trying to move it forward. Every good idea takes a lot of hard work. My reaction to what has been presented is that it's a very good idea, it's creating a more open access to the water at many different levels including disability is important. But, this is the wrong location. In the handout that was given tonight, it was referenced that on page 68 there was a note that the objective of creating accessibility to the water was part of the masterplan. Now, one of the good things about reports is that they've been created with a lot of good work and community input from many citizens. The ekistics plan that was done in 2013 is probably one of the highest quality investigations into preserving our environment that I have read in many years. I know that there are at least 3 councillors sitting at the podium who participated on council in 2013 when that study was developed. And what I encourage for all councillors if you have not read the Masterplan, do not make a decision on the floating dock in isolation. In some of the points that were brought out in that masterplan, there were 4 founding principles for the preservation and nurturing the ongoing trusteeship that this community has for Victoria Park. 1 of those first ones is collaboration, which we seem to be hearing a lot about these days, but collaboration is what we're doing here tonight, we're listening to different opinions and were hearing the different sides to what is being proposed. I think we need to continue to collaborate, but were missing an essential component, the public has been isolated from the planning process and management of Victoria Park. In the ekistics report it spelled out very clearly 3 distinct options for how the city could proceed with nurturing collaboration. That does not mean isolating staff and council without ongoing prioritization and debate on how you implement the plan. The latter most important guiding principle is balance. You have to balance the active uses in the park with passive uses, the cultural interpretation of the park, and the esthetic heritage considerations of that piece of land. It is a unique privilege for any community to be gifted 40 acres of parkland as a trusteeship to guide and continue it for future generations, including for the youth with us here tonight looking at their way of participating.

8:13PM - Bob Hutcheson 68 Beach Grove Rd, Grew up in the post war years and had the delightful experience of taking my lifeguard and red cross exams in the water at the base of

Brighton rd. in about the second week of June when the temperature of the water was about 48 degrees Fahrenheit. Those were very real experiences; one of those very real experiences was that they had a very large floating dock at the need of Brighton Rd. It was there and it was taken away because after the hours that the park was open, kids would find their way out onto the raft and they were diving and they were jumping. There was some accidents, but I never heard of a loss of life yet, but as a person who was a trained lifeguard I can tell you this. If you do not establish a place for people to gather, without having proper safety controls, and when you have taken all the people who are in Victoria Park and all the children in that wonderful playground, that place is just swarming with people. If you decide that you're going to allow people to use this dock, you can tell me there will be no swimmers allowed there, well ill laugh in your face, because there will be swimmers, it's just a question of when they get there and the circumstances and whether they're looked after safely. Know one fundamental mistake that's being made here, where in a place where the population has just increased significantly with this wonderful playground, now you're talking about adding people, welcome or unwelcome, who are going to be coming there and wanting to swim and so on. The points that have been made today about the wonderful opportunity we have here is absolutely great, but you have to have safety in mind. You know how many people who have drowned and how many people came very close to drowning in Charlottetown Harbour, let alone Rustico, or Ebenezer or wherever it is. It happens. The Red Cross has done a wonderful job over the years of monitoring safety concerns and drawing the public's attention. But I haven't heard a mention of the safety advisory work by the Red Cross. If you want to give people a place where they can swim, then find a place that's not in isolation because you need to monitor them. But find a place for when kids gather there, there's somebody there keeping a constant eye on this child and that child, and the elderly people who may be tripping and stumbling. But you have to have safety, and that's only been a side issue here tonight. I commend to you that you think on these things and decided against the present proposal.

8:18PM - Ryan Bolger 87 Oak Dr. I have 2 issues about this. The first issue is I'm somewhat pro for it because I would never be able to go on the water, and the fact that I could wheel down on there and look at the water. I think it would be beautiful to go there in the morning and see the sun open up on the water. I think this thing itself is a good stepping stone for more accessibility in Charlottetown that has a lot to do. The only concern that I have with the transfer bench to go down onto the water. Let's say I go down by myself, I'm a T6 paraplegic and my back support isn't that great. I need to transfer onto that board and then onto the boat itself. If I did it myself, I'd be taking a big risk, I'd have to have 2 or 3 people to help me. For someone who's very independent like me I might try find a way to get down there and look at the water, but would be concerned about going onto a boat. But all for it for going down to look at the beautiful water.

8:20PM - Marsha Carroll, 33 Pond St, Executive Director of Council of People with Disabilities. Here to speak on behalf of people with disabilities. I've had many conversations with my board of directors about the proposed floating dock. We are for the floating dock, we think it's a great idea, we think it's a great step forward in terms of inclusive design for people with disabilities. We've been working with the City and council for a number of years around how we can promote more inclusivity in the City of Charlottetown. The city of Charlottetown has been leaders in this in terms of adopting a disability lens a number of years ago. As a result of that adoption and then we move forward with a barrier free city design report. I've heard tonight that there's been no consultation, but there was nearly 300 hundred people that attended that

particular consultation piece. We did the work over a full day and a number of follow-up consultations. There was a good report written and a number of recommendations made about how we become more inclusive and how we allow all the citizens of Charlottetown to experience full citizenship. I've heard a number of people here tonight say that this is the wrong location, but I would argue that it's the right location because of its proximity to the boundless playground. Then we've got a full service piece of a family being able to come there if one of the children, or parents, has a disability, they can spend time at the playground and then they can go over and access the water. As far as I know from the designs and feedback that we got from wheel chair users on our board of directors that it is an inclusive design, that it is a good design. I was really interested to hear Ryan's comments, because those were not some of the comments we heard. When the City adopted the disability lens in the use of their programming design that was a big step forward because it actually allows the city to then create inclusive infrastructure. That's what were seeing proposed here this evening and again we see this in the masterplan, this lines up with the masterplan for Victoria Park and it lines up with the active transportation plan that the city has. It's an inclusive design and again we feel that it's a good step forward. I'd like to address the safety issues that people are talking about tonight as well. They're saying that people are going to dive off the dock and perhaps become disabled as a result of that. There's people diving off rocks now, in a space that's probably not safe and accidents could happen. I don't know how we're going to monitor or live our lives in a space that is so risk reduced that nobody experiences any fun or sense of play. All we can do as a community and community developers is move forward using an inclusive lens, an open heart, and understand that people with disabilities and people with mobility issues have an absolute right to navigate this city and to participate in all the activities that take place here. Please be inclusive and open your minds to that.

8:24PM - Douglas Coles, 31 Westwood Crescent, Made 3 small points. Ken Desroches indicated you require a building because people will not go home from work, pack their kayak, drive to the park, unload it. I've done it for 16 years I'm going to continue to do it. We don't need a building. The second point was the suggestion that Queen Elizabeth Park is a good launching point, it's not it's good for 1 week every 2 weeks on low tide. You don't have a launching point you've got a mud flat. The third point I'd like to make is I support this access point, as is, as shown, and I wish you would support it too.

8:25PM - Donna Jean Wallen, Kensington Rd. Sent a letter on May 1<sup>st</sup> to Mayor and Council, and in that letter some of the points I had have already been brought up. I have to say the reason I'm bringing it up again tonight is that the mayor and one councillor are the only people that replied to my email with any comments. So, when you're suggesting that people email you, let's get it done. The other thing that I wanted to say was my concern is safety and the possibility of injury. And I know that Marsha just brought this up, but to be really honest one of the things I spoke to Becka via email and I asked her about the art in the open. My understanding was that there was some security there, so can I ask the question. Are we looking at some sort of security system in place other than the police officers, like a lifeguarding/security system in place in the proposal, and if we do what is the cost of that? Frank Quinn responded, as of right now we don't have detailed security plans of what we are doing. Hearing from people tonight and what their concerns are, and if those are things we need to look into and address, we will bring that forward to council for their consideration. So it would just go to council, and we would have to attend that meeting?



No

I had another question from your presentation regarding rules and regulations. What are those particular rules and regulations that have been highlighted that are to be addressed with respect to the dock?

They are still in the draft format, as we would actually bring them forward to our insurer for their review, but there would be things like, no diving, no swimming, hours of operation (morning till dusk). There could be other things like no running, no horseplay, things that are common sense rules, but you do have to put them in place for people to be aware of. And someone has to police them.

There would be the public; the biggest police in the City is the general public. So, we would hope to utilize the general public, but we would also have the police department and our park patrol. We hear from the public on a general basis, when there is concerns and issues, and we take them very seriously and we put in the necessary steps to address those at the time.

But, if we don't have somebody there at the time, it might be too late.

And that could be something brought forward to council.

The thing that I was saying too was, yes were going to put a gate and fence up, but I don't know how many of you in here, I know I have, climbed many fences when I was a teenager. It sure as heck wasn't a deterrent, if anything it was kinda the dare. So, I do have that concern of kids in the park, some may have the same thing to go for a dive if it's not patrolled. I would like to see that we have the possibility of preventing accidents on the water, not creating them.

8:30PM - Liz Murnahan, 17 Gower St. has been a lifetime resident of Charlottetown. I would like to echo the comments made by Mr. Campbell and Mr. Desroche. I do believe that there should be some accessibility to the water on Victoria Park. But I don't agree that there should be a floating dock. I think council should be guided by the legislation that is in place governing Victoria Park. There is one on the books, that it's supposed to be for passive recreation and I do believe that kayaking does fall into that category, but as an avid walker the Victoria Park boardwalk is very congested with people getting out of their cars and setting up strollers, trying to access the boardwalk and the playground. I don't think that taking a kayak off of a roof rack and getting it down into the water is conducive to people with varying degrees of disabilities having freer access to the boardwalk itself are compatible. Two easy remedies to get access to the water itself rather than small craft would be to alter the stone rocks that are already in place and make them a little bit safer for people who just want to get down into the mud flats. And for people who have wheelchair accessibility, then create a better ramp up by Brighton lighthouse and there out of traffic and can more easily and readily access the water from that point. I do think that further study has to be done with regards to water safety, where the tides are because it's a very dangerous point in Victoria Park with the 3 rivers converging there. As a person with disabilities myself, my main problem with Victoria Park which I dearly love and enjoy pretty much every day of the winter that it's not too icy to get there, is the accessibility to the park itself. Because parks and recreation does not work in consult with public works, so my problem is with accessibility getting to the park with the terrible conditions of the sidewalks in the rest of the city. So, to me it's like putting a sunroom on a shed, there are other priorities to be taken care of in Charlottetown before you start a floating dock.

8:33PM - Barbara Arnold, Jillian Dr. Is interested in this because has kayaked for 20 years on that harbour and there's more and more traffic, rather than looking at it like access from the park to the water, for me its access from the water to the park. And I think that's a really important thing, if you have access points for people elsewhere, it's really nice to be able to tie

up someplace for a short visit to the park, go to the dairy bar, it just makes it a nice trip, a destination when you're going out kayaking and it could give a lot more active use of the water and people, SUP's, and canoes if there was some place to go. Yes you have to be constringent of the tides and the wind, but 8 days out of 10 it is a safe and very lovely place to go kayaking. And people who kayak would understand that.

8:34PM - Heather McIver, 12 Holland Dr. Stratford. I'm a frequent user of Victoria park and the boardwalk and also am a young mom so I often have a very rambunctious 3 year old with me and he is in my eyes all the time and even if he wasn't the Victoria Park boardwalk is not gated, there's access to the water at any point of time and kids playing on the rocks. So, this would actually allow you to bypass the danger of the rocks. The second point I would like to make that was not echoed tonight is that we have had a dry run of a floating dock in Victoria Park already. We've addressed the safety, the night use, the parking, and it didn't end up on the front page of the guardian so I'm guessing it went pretty well. This is a temporary floating dock; it can be removed if it causes the chaos that his room is making it sound like we're putting up the Eiffel Tower in the harbour. We can remove it. We are very, very opposed to change in this room, and I don't think it's a coincidence that my demographic is not and we are very poorly represented here, but we are not the only voice in Charlottetown. There is a lot of people who are looking for change and the best thing about this change is that it's temporary. If we hate it, it can go away.

8:35PM - Dr. Janice Gillis, currently living in Traveller's West. Grew up on Belvedere Ave., my mother is still living on Belvedere Ave. 214. Charlottetown is very familiar and very near and dear to me. The most impressive person that spoke to me this evening was the first person who spoke. Because safety and loss of life, I'm married to a Tignisher, and we've lost some people very recently sadly. Now I admit that, he's from, St. Felix, but nobody knew where that was. This is a very, very important issue in terms of accessibility. Yes, we need more accessibility; the accessibility is not adequate even with building codes. Everything we can do, people spoke to more activity, we need to do that. But, I will tell you right now, not because I'm in a wheelchair, which I've been in for the last five years from a car accident. I'm sure that everyone in this room, that drives to Victoria Park, as I have done since I've had a driver's licence at 16 knows that when you go around that strip, that circle, there is not, whether its peak time or not, an access. If I'm in my vehicle driving, my wheelchair has to come out and I have to go to the side. That road is not going to afford me my need to enjoy the water environment. Much less, when I have to try bring my canoe, or kayak, or whatever floatation device. So, I whole heartedly agree with the concept. I also disagree with the location, for reasons that Ryan suggested like would you feel safe on the transfer board and I have questions about that as well. But, the parking alone, one of my original questions was where are the four spaces now? Where are the three new spaces going to be? I was at the end of Belvedere Ave. today and I'm not a fisherman, I'm not nautically trained in any way. But, whether the tides were too low at the end of Belvedere at that park, or if over by Queen Elizabeth Hospital is better I don't know. But, what I do know is I will be in no way enticed to bring a kayak or canoe which I have done in the past, able-bodied and disabled to Victoria Park, because of what other people have spoken to tonight. It's too congested and I'm still looking at over the sea and wondering why there is an over representation of elderly, I'm not sure the political correct term. And I appreciate Barb's comment about yes; it's beautiful have the dock. Come there if you're experienced. But, I certainly understand the risks and dangers if you're inexperienced, much more if you're disabled and don't have full function over the paddles and the tides, so perhaps

both pipe dreams and budgets and all, so buy all means come and be able to kayak that way. But, those are as you said yourself, people experienced. And the safety factor is paramount. And will it encourage me to go there, the only other wheelchair person that spoke here this evening, said not so much, and I say no not at all. Because I barely want to fight the traffic at Victoria Park at the best of times. 100% we need to go ahead with this, and accessibility, we need to think about location for the accessibility part. And I'm not opposed to the dock, but I was very, very struck by the first person who spoke this evening about tides, risks, and children. The nurse that spoke, these things do potentially happen, whether its people gathering when you don't want them to be there, people diving when they shouldn't be. Signs don't prevent those things. All I can say as a person living the disability lens, that's what I see every day. So, as me in a chair, I'm telling you that Victoria Park, would I take a canoe there? Who would? Able-bodied or disabled, there's no place, what am I going to do with my canoe? How am I going to take it there? How am I going to take my kayak there? We've all gone the strip, so to me that doesn't seem like the logical place. Have you seen the arm in action personally or even a video, because there's even quite a drop down from where you scoot your bottom across and then have to get to the craft. And has anyone from council, well Marsha Carrol was here this evening to speak to it, the consultation, I wondered if you had consulted with them, but that's been answered. Even the fact that there was only 1 bid received; I wondered what measures were taken to ensure there wasn't a more functional or cost effective option out there and the durability and warranty on this item. These things whenever you have a monopoly, where there's only 1 bid, I was concerned about those items. I was also very concerned about where the four parking spaces currently are, and the three that will be added. Even if there were seven, there five cars along the drawing that everyone sees, even if there were seven right along there, I'm not bringing my canoe or kayak there. The traffic that goes by there, for me to open the door and access that, not going to work.

8:43PM - Cody Clinton, 114 Longview Dr, I want to speak in favour of the dock, like Mathieu. I am a board member of Fusion Charlottetown. This is something we see as a project that will enhance the city, and enhance the city for youth, and that's something we want to see done. A lot of my comments that I'm going to make were already said, but to echo a few of them. I have young kids, I'm relatively new to the city of Charlottetown, I am in Islander. But, we purchased a home here in Charlottetown about six years ago. I have a three year old and an eleven year old and I see Victoria Park as being continually enhanced by the services that have been implemented by the City, whether it's been the pool. I take the kids out after work, I drag the kids to the car and I get them in and we drive down to Victoria Park and we go into the pool. I don't think it's any different for young people with a kayak and a paddleboard; it's the same amount of work. I hear a lot of issues about parking, accessibility, and about this not being the right location. I guess the only thing that I really want to convey to Council is that it's important that we try. We've already purchased the dock, we have it correct? We could put it in the water; we could try it for a year. There's already been as Becka mentioned earlier, there's been the Flotilla already. We could try, we could gather the data, and we could determine what impact it does have on the park. I think as a council for the city to try and progress on some of these issues, we always want to try. We always want to push; we always want to see what happens. And we might make mistakes, and you know what, I hear a lot of people wanting to prevent accidents and I don't want anything to happen to my kids either. But, we can't control those accidents; we can't foresee everything that could happen. But, that doesn't mean that we can't try to give people access and see what happens. And, if there's a better location next year, the beauty of it is, it's only a temporary dock, it's only seasonal. We can move it in a year,

we can move it in 2 years, or down the road. But I would implore that council to really look at trying and see what happens, measure the usage. By all means, listen to the safety concerns.

8:46PM - John Riley, believes the dock should be tried. I also agree that being given access to that water to the disabled and to other people to, because you have park out there that hasn't grown one damn bit, but the population has. You're going to have to give them access to the water. You've got access for the kids, but you don't have access for the teenagers. All you've got to do is worry about the safety, and all you've got to do there is have a lifeguard for when it's being used.

8:48PM - Cathy MacDougall, 75 Walthen Dr. I'm going to go back to the first issue that was brought up from the very first person who spoke tonight on safety. I'm going to go back to when I was a young person; I know the adults are going to look at what the tides are. But, as a youth I was talked into going out with some people in a row boat out on the Charlottetown Harbour. We met up with those three tides and the coast guard rescued us and I'm lucky to be here today because of doing that. And, I'm sure there will be youth that try the same thing that we did. So, the other thing, everybody is talking about swimming, in order to swim you want some sort of smooth bottom. I don't know if you're going to drag that area, but I mean its shells, it's rocks, you're going to have to wear your water boots because you're not going to be swimming there. The other thing is there's a lot of elderly people that I take for a drive and the one thing that they want to do is drive around Victoria Park. Even as it is right now with the parking along the waterside, I've had four or five elderly people in my car say we're around Victoria Park where's the water I can't see it. They couldn't see it because of the cars that are parked there now. I know there's a group here who's getting older, they're going to drive around and have their grandchildren drive them around and be able to see the water. We can't see it now if you're driving around, so there's a parking issue. If you're walking on the boardwalk, you're walking this way, there's people going around the boardwalk that way their coming back around the boardwalk. If you're going to have somebody with a kayak, they're going to be going across. Those people who are walking either way. I know because of a friend of mine, spoke here earlier tonight and we have enough trouble walking on the boardwalk, she has a disability, and we have a hard enough time walking with the dogs that are on 10 and 12ft leashes that are getting in the way. I'm not talking about someone in a wheelchair; I'm talking about someone who has vision problems. So, there's a whole other side of disability too. I think they need access. Yes I want to see accessibility; maybe you could put somewhere where you do the same as when Becka had the floatation that you can walk down there. But, I'm not sure we want to be jumping off, or sailing off there.

8:51PM - Roger Langille, 23 Sinclair Ave., I've lived in Charlottetown for 40 years. Had a couple questions addressed to council. Is it correct that no motorized water craft are permitted to use the floatation?

That's correct (Mitchell Tweel?)

there will be a prohibition is that correct?

There won't be a prohibition Roger, but what we'll do is take the necessary steps to ensure that no motorized vehicles. (Tweel)

To make that happen, you say it won't be a prohibition, but if there isn't a prohibition, than they are permitted to.

Mayor- The effort is that there will be no motorized watercraft allowed to use the floating dock. How we enforce that, is another issue that you're asking.

The second question that I have, a lady spoke earlier and I didn't know this, but maybe its Charlottetown's best kept secret. Certainly I wasn't aware of it. That the City invested money to a ramp or some sort of access to the water at the Yacht Club, is that correct?

(Mayor) That is correct and Frank could you speak to that, how much we've invested so far at the Charlottetown Yacht Club?

Frank- Yeah we put in a floating dock system which is similar to the one here, I wouldn't be able to exactly say what we spent on it as I wasn't the manager at the time.

I'm not asking how much was spent. Is it correct then, that if I have a kayak or canoe, I can drive down to the Yacht Club and launch it on some sort of ramp at a cove there.

Frank- Yes that is correct, behind the Yacht Club.

And that cove is more protected, than the open water around Victoria Park. Is it not?

Frank- I wouldn't exactly know

My submissions are these. I am shocked quite honestly, to discover tonight that we have perfectly good access that we've paid for, in safer water. Anyone who's walked around the boardwalk, or who's walked by the Yacht Club knows that cove by the Yacht Club is calmer and safer than out by Victoria Park. I'm shocked that we have that and that isn't being proposed. I'm not opposed to having safe access to the water in Charlottetown Harbour, by pleasure craft or kayaks. But the proposal at Victoria Park, I echo Brian Gillis's comments it's just ill conceived. It's the wrong place. The boardwalk in the 40 years that I've been here was one of the best ideas this City has ever had. I walk it regularly, and I'll tell you 80% of the people there, including myself, wouldn't be out walking at all, were it not for the boardwalk. It's a wonderful thing to see that continue, and I don't think we should do anything that interferes with that or jeopardizes that. Now, one of the speakers earlier said that this room is filled by older people. Regrettably my hair, has some white in it too. But, younger people weren't prohibited from coming to this meeting, and I think City Council should take notice of who's here. In my mind the people here are the people who hold Victoria Park and the boardwalk dear to their hearts. I don't mean this unkindly, but I've watched the Victoria Park and the developments that have occurred and regrettably it seems to be in places, and it's not this council, it's been happening over decades, when the City doesn't know what to do with something, well we'll put it in Victoria Park. For years we debated, it's become a dumping ground regrettably, not of garbage, but it's just the go to place to put something. There was debates forever about the skate park, where are we going to put it? Finally, well put it in Victoria Park. And I don't know why quite frankly why that barn or shed structure was built, that show thing on the front lawn. In my view it's hideous, but that's just my opinion. The grant Brian Gillis mentioned from the Province to the City, it says in it that the City will not on any account whatsoever use the said lands for purposes of circuses, shows, or exhibitions. And yet we built that building I just referred to in which shows take place at. And it says if we violate this, we lose the land. My point is when this land was granted to Charlottetown; it was in the trust that Mr. Gillis spoke of where we've crossed the line already.

Mayor- Just on the shows and exhibitions you cannot charge to use that park.

My final point is that the City is being reckless with Victoria Park, and if we can't come up with a better place, I've heard a couple good suggestions, including the hospital, the one at the end of Belvedere, and the one we paid for, how about that one. What we do is we dump it all in Victoria Park, now I'm going to leave with a final quote from Canada's best known and talented singers, poets if you will Jonan Lee Mitchell, wrote a song years ago some of the people in this room might be old enough to remember it. Big Yellow Taxi, don't it always seem to go that you don't know what you've got till it's gone. They paved paradise and put up a parking lot.

8:58PM - Tom Connor, Queen Elizabeth Dr. I want to make two or three short points. I want to lay an issue to rest. Most kayakers that I've spoken with couldn't care less, whether there's a dock sticking out into the water for them to get into their boat on. They launch at a beach, and if they want to launch someplace else. There's a place half a kilometer in either direction up by the lighthouse is one. Down at the Yacht Club is another. Just as good, maybe better because there's parking. So, we don't need to talk about kayakers and whether they're going to use that thing. Second point I want to make is about access to water for people with disabilities. I've had a disability for the last five years using a cane, before I had a disability I could walk on a floating dock without too much trouble. But, I can tell you that they move, a dock moves as you move across the dock. And if there's any kind of water action, like a wave for example, you're going to be in a very hard spot if you've got a disability trying to balance yourself against those movements. So, maybe it's not such a great idea, water access is a great idea. But, a floating dock I don't think is the answer. The third point I want to make and it follows Brian Gillis's point, he talked about some of the principles of planning. I think this is another one if he had gotten the time. And that is to consider all alternatives, and I don't think you've done that. I think you've had an idea about a floating dock, that was probably handed to you by a consultant and you jumped at it. Well, you've got a chance now to jump back. And I have a suggestion, instead of sticking 50 or 80ft out of the water why don't you consider something with an access point parallel to the shore. You already got one there, it's a little step that goes down into the water, it's about 6ft wide, has plenty of access, you can sit on that step once you get down there. You can dangle your feet in the water and see as far as there is to go. And if you put a couple more access points like that, you wouldn't have people seeing this ugly piece of infrastructure. You wouldn't have them seeing anything, but you would have people using those access points.

9:02PM - Laine McCarron 78 Barrymore Court, I'm in a bit of shock to realize we already have a slip to launch our kayaks and small craft. I've followed this issue all along, the best I could, and now maybe I missed it, but I don't think it was ever mentioned by anyone on Council or the previous Council that the taxpayers have already paid for a slip for these craft. And now we've turned around and spent money on another one. And I'm wondering do we have the receipt, can we take it back. Can we exchange it for one that doesn't have the launch aspect, because there seems to be a couple of issues here? One is the launching of the small craft, well we already have that. And the other one is and it's very important and I agree with that is the access to the water for families, particularly people with mobility issues. I think that's very important. It's certainly known in this room, and I don't think people would argue against that it's a great idea and something that we need. My concern with this whole thing whether were launching kayaks or just walking out on it, my big thing is location. Location, location, location. There's a safety issue no matter where you put it, if we find another spot, those safety issues are still going to be there whether it's at Victoria Park or the lower end of Belvedere Ave. or whatever. But, I'll come back to location and what I find troubling and I guess I'm one of these older folks, the gentleman I think he's gone now, the Nimrods' gentleman, I'm not sure his name. He spoke about what makes the park beautiful was the playground, well that's important of course. And all these other attractions, and the tennis courts, that's what makes the park beautiful. Well, those are important components of the park that have been there for as long as I remember. The tennis courts have been there, the ball diamonds, the playground and things like that. But we've added the garage, like the gentleman said, it's an eyesore. All I see is the garage door, and we've even dumped snow in there one year. And moving forward, we keep adding things, small things, the skateboard park, you name it. It's death by a thousand cuts, to

the park. In my opinion, what makes that park beautiful is the open green space. Can that somehow include an extension of the boardwalk, so people with mobility issues and others can have better access to the water. That may be okay and not infringe with the open green space, but we have to draw the line here at some point and say enough is enough. We take pride in this city and our heritage. I've been at many council meetings and I often hear the councillors speak about our beautiful downtown and our heritage. Councillor Rivard I know your familiar with the five hundred loss and the importance of that plan to preserve our heritage. And I hear councillors talking about the ambiance of the downtown, and we all love that. But, in my opinion, our heritage also includes our parklands. Victoria Park is the crown jewel, the four squares is included in that. And, I think council has an obligation to protect that heritage as well and stop nickel and diming and putting stuff in there that at some point in time we're going to be left with Coney Island type of thing.

9:07PM - Karen, 53 Fitzroy, Has been a citizen of Charlottetown for a number of years. I have a young family. I notice most of my tribe has already left the room, but I have to say that I'm a little disappointed in the tone and tenor of this session. I would like to really commend the mayor and council for their progressive way of thinking. Perhaps, the design element of this particular structure is not exactly perfect. Maybe there are approaches that could be made or changed, but I really think that young families and young people should be afforded access to the water. It is an extension of that green space. It is not a creation of another ugly attraction in the park. I heard a lot about safety as I sat and listened, and as I said I'm a mother, I've raised small children in and around that park. I have teenage children now that spend a lot of time in and around that park as well. Probably, could be doing some really dangerous things, because that is what children do. And as parents that's what we need to allow them to do so they can understand what acceptable risk is. I have to say that the only way that we can ensure safety of our children and young people in the park, is to prohibit them from accessing the park themselves. Let's just ban the kids from the park. That's what I'm hearing. And that's how I feel as a young person and I particularly take exception to the gentleman who insinuated that only those who are here and the demographic that is largely represented here are the ones who should be listened to and heard.

9:10PM - Stella Newman, 46 River Ridge Dr. Because I heard some comments, I figured I'd better correct some of the images that are in your mind. I'm 75, I've been in the park since I've been five, and so I have a good memory of everything. I swam at the Brighton slip at the end of Brighton Rd. That's where we took our Red Cross swimming lessons, and the water became polluted. So, Kiwanis built the pool for us, thank God for Kiwanis. Then, when we're twelve we had to leave the pool, then you had to go around Victoria Park, where the raft was and the fence and the bathing houses. The fence was all around the park at that particular time. Now, we did swim towards a raft, but eventually many years later it became polluted. So, we had to leave there and then there was no swimming in the park. Now, for the lady that got up and spoke about the Flotilla at the park, about the fence and because they had the boardwalk they had to pull down the fence. Well I was there when all that happened, and I was part of it. I tell you, the fence was coming down because it was rickety. The boardwalk was not there. I was on town planning board, and I was interested in many things, amalgamation, and of Victoria Park, and of when the city became responsible for the costs, and this was 30 years ago. And I didn't want to bring that up, but anyway at that time the first Victoria Park plan 30 years ago, the parks and recreation wanted to close one or two of the roads, and why because they were going to take a fence down and the grass was wet, people had nowhere to walk when the grass

was wet. So, they took the fence down, so with the two roads when parks wanted to do this. We mounted a campaign and we had 25 000 signatures and a packed Georgian room right here and that petition said we wanted one of the two roads to remain open to vehicle traffic. And, we initiated the building of the boardwalk. There was not a boardwalk in PEI at that time. So, I have to tell you that's how we got a boardwalk and that's why the fence is down. I'm glad people brought up the Victoria Park Masterplan, because this floating dock is just a little issue that came out of that. I did get a chance to review it when I heard about it. How this floating dock came, I read it, and of the people who were around giving their opinions it came to the youth for Victoria Park for this Victoria Park Masterplan for 2013. They wanted a basketball court, they wanted a soccer field, they wanted access to the water, and more food outlets. Now, to me that was the only thing that I saw the public wanted was this access to the water from the youth. I understand where they're coming from. I was part of the youth when we had access to the water. But, do you know how we had access to the water? It's called wooden steps that went down to the coastline into the water and that is a safe way for you to be able to get in. For people with disability, you can build a ramp of some sort that's very close to the water and that will give them access. You wouldn't be here at this public meeting unless a few of us really pushed the issue with parks and recreation to get this public meeting. Because I tell you, it was not going to happen. You didn't follow the bylaw, you said it in your script. You were prepared because I gave you a lot of emails Mitch. And you got a lot of information from those emails, so you're well prepared for this meeting. With the bylaws, councillors I have empathy for you. You are on the mercy of any chairman of any city department, to give you all the correct legal and bylaw information before making a decision. Especially, a very costly decision. If that information is not forthcoming the City of Charlottetown and its residents are in a lot of trouble. Keep in mind this Victoria Park issue that we do have bylaws that are there and they weren't followed this time and they weren't many times before. Now, remember we've got the old hospital coming down, just remember you have to follow the bylaw. Only green grass can grow there, then you can have your meeting. Now, I want to talk about the floating dock. I do not want it, but Mitch has been pushing for safe access to the water for boardwalk users. I guess, it depends on what safe access to the water means to you, kayakers, canoers, etc. To dangle your feet for some, not everyone will be able to do that. It's darn near physically impossible for most of us. For all the rest, no different than on the boardwalk except maybe more stability on the boardwalk. Is that extra stroll really necessary for \$52 000+. My vision of safe access to the water requires actually getting in the water, not looking over at it, or feeling on bouncy water. It's whether to swim or paddle, cool off on a humid day, or be in a wheelchair in the water like the Kiwanis pool is apparently going to offer this summer. The floating dock does not allow that kind of access. Mitch wants to prevent accidents from climbing on the rocks, whether this floating dock goes in or not, children and adults will always climb on those rocks. They are adventuresome, curious, and just human nature. Safety in the water, on the dock, on the boardwalk, and the Victoria Park roadway is a very big issue here. Mitch says no swimming, or motorized craft users are allowed. No lifeguard, no matter what your rules are, they are going to come. And the temptation to be at that dock is too great. You know the saying, build it and they will come. Parking, good luck. Last Saturday was an absolutely beautiful day at Victoria Park and the Victoria Park roadway was jam packed with moving cars. Bumper to bumper all the way, I was there. No possibility of going over the speed limit that day, not many took Mitch's advice to park in the provincial parking lot. To the parks and recreation, and only one is here, besides Mitch. This spring we are overburdened on the Victoria Park road way, the boardwalk, and bike lanes with a lot of problems without the floating dock. Please, start fixing



those problems that need to be fixed. But, please withdraw the floating dock from the Victoria Park, and please allow City Council to make the situation right for everyone's sake.

9:20PM - Ann MacNevin, Belvedere Ave. I have five quick points here. The temperature of the water in June, like that gentleman said is frigid. There is nobody who's going to want to go in the water in June, not unless they have a survival suit on. So, we're looking at use in July, August, and September, and maybe the beginning of October. My first comment to Mitch when I walked in was, so where's your project? And I looked at a photo and said that's it, all this for that? This has to be a joke; it reminds me of when they were building the fixed link. Everyone was saying it's not going to be our island anymore. You've got a strip of pavement 22ft wide and it's hooked in one place and this isn't an island anymore. Oh my god get over yourselves. The second point is remember the dragon races here? There was a temporary dock with the dragon boats, everything went exceptionally well. That was one of the times I was on top of the hill watching everything going on down below, everything went swimmingly as it were. So, yes temporary, it can be removed, if a hurricane approaches. The city workers can go down and lift the thing out. When hurricane Juan was coming and the people left their boats in the Yacht Club, well can't fix stupid. You can't make enough rules or legislations against poor judgement and as far as letting little kids go down there and kids getting off on their own. Where are their parents? Why don't you know where your children are and what they're doing? We all remember what a mess Hurricane Juan made of the park, we were there we saw it, that's why those big rocks are there. That was barely a category 1, if a category 2 or better ever hits here, all the rocks are going to end up in the roadway and the place is going to be trashed. Has anyone in this room heard of global warming and sea level rise? That hasn't come up once tonight. That park is going to be gone. Enjoy it and use it up because it's going to be covered with water. You're talking about grandchildren, well unless your grandchildren are walking around today, their grandchildren are not going to see that park it's going to be gone.

9:24PM - Gaye Hood, 55 Weymouth St, people in PEI don't like change, and it doesn't matter where you put this floating Flotilla or whatever they want to call it, people are going to disagree no matter where you put it. Victoria Park, Queen Elizabeth, whatever, they're going to complain, they're going to say we want another public meetings. I'm in favour of the flotilla in Victoria Park and I think it's a great idea. But, people don't like change.

9:25PM - George Crawford, 516 North River Rd, there was one comment made this evening, about information sent to you Councillors. I sent an email to every councillor, I got two responses. Now, I don't expect the council here to answer every email that everyone sends them, whether they're for or against the whole subject. I'm going to read what I sent to each of you councillors in case you don't remember or didn't have the time to answer it. I've been a resident of Charlottetown since 1970. I've been involved over the years; I have not been involved in municipal politics, except when my friend George MacDonald wanted to become mayor. I said George I'll give you every ounce I have to get you there. Now it wasn't because Tex MacDonald was mayor, but it helped a lot. I'm glad George won. It would appear to me and others that city council made a mistake, firstly my ordering the floating dock. Now, I know you have new members on the council now, not everyone was on the previous council. But, without any public input as well and not us gaining support from the harbour authority. Minor, minor detail. The mistake was further emphasized when the recreation committee decided to place this floating dock in Victoria Park boardwalk, again without public input. We have public input tonight, and I know there was a lot of fighting to get it. They should have realized there

would have been some logical opposition for many reasons, especially the lack of available parking and the increase in traffic with the beautiful new addition of the children's playground. It is indeed unfortunate that the dock was purchased; it would appear that there is other locations within the confines of Charlottetown Harbour that could be utilized such as Queen Elizabeth Drive, the area off the co-op ball diamond at Queen Elizabeth Park. The area would probably not create a traffic nightmare, and I didn't know until tonight that there was a floating dock that evidently we've paid for without too much publicity and it's down at the Yacht Club. So if the kayakers and so on want a place for entry, there are plenty of other places for entry. Thinking of parking and safety, and I'm not against it in any way, having the floating dock placed somewhere else. I'm certainly against having a place in Victoria Park, and I'm going to suggest something that nobody else did, sell the damn thing to someone else that wants it. You're only going to be out \$50 000. And, you're going to save a lot of grief. If you can't find a place to put it, that's suitable to the majority of people. Sell it, get something for it and realize that you've made a mistake and say we'll own up to it.

9:28PM - Lewis Newman 46 River Ridge Dr., There are about 20 reasons against this but I'll only mention 3. Number 1 parking. Number 2 is parking. And number 3 is parking.

9:29PM - Kirstin Conner, Queen Elizabeth Dr., I echo the sentiment of Brian Gillis. Brian and I served on the Heritage Board for the City of Charlottetown a number of years ago. Keep in mind that Victoria Park is a historical site.

9:30PM - Bill Henry, 95 Prince Charles Dr., I just want to say there's a reason that all us white haired people are here. I noticed Cathy is gone, but I can remember driving her around on my tricycle. So, I know and love Charlottetown and Prince Edward Island. I think it is imperative that we maintain Victoria Park as a green open space with a minimum of things going on such as docks, playgrounds, the children are already there. The docks in particular bother me because I don't believe the harbour is safe to swim in anymore. And that's a pretty big thing when you're putting your toes in the water, just think about it you're probably going to end up with some kind of fungus.

9:31PM - Helen Bradley, after listening to all these today went very well. The gentleman that spoke on it being sturdy and lifeguards and stuff like that. That's fine during the day. But I have a funny feeling that there's so many dare devils today, you can get people highly intoxicated, people that are on drugs, people that want to go out for a swim and there's no security there. There's not going to be a guard on all through the night. That is one of my big concerns other than the parking.

Councillor Tweel I want to take this opportunity to thank each and every one of you for coming out here tonight. I think it was a pretty good exercise, I think everyone was given an opportunity to express their concerns and bring up some suggestions and recommendations and we certainly appreciate it. I want to thank all the member of council for being here as well.

**Meeting adjourned**



**DRAFT**

**Public Meeting of Council  
Tuesday, May 28, 2019, 7:00 PM  
Provinces Room, Rodd Charlottetown Hotel  
75 Kent Street**

**Mayor Philip Brown Presiding**

**Present:**

**Mayor Philip Brown  
Deputy Mayor Jason Coady  
Councillor Alanna Jankov  
Councillor Greg Rivard  
Councillor Julie McCabe  
Councillor Kevin Ramsay**

**Councillor Mike Duffy  
Councillor Terry MacLeod  
Councillor Mitchell Tweel  
Councillor Terry Bernard**

**Also:**

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

**Linda Thorne, AA**

**Regrets:**

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

**Councillor Robert Doiron**

**1. Call to Order**

Mayor Philip Brown called the meeting to order at 7 pm.

**2. Declarations of Conflict of Interest**

There were no declarations of conflict.

**3. Approval of Agenda**

Mayor Philip Brown opened the meeting, introduced the members of the Council and the purpose of the meeting and turned the meeting over to Councillor Rivard, Chair of Planning Board, who explained the Public Meeting process and then proceeded to introduce the first application.

**4. 351 North River Road (PID #'s 1014224 & 373415)**

A request to rezone the property at 351 North River Road from Low Density Residential Single (R-2S) Zone to Medium Density Residential (R-3) Zone and to amend the Official Plan Map from Low Density Residential to Medium Density Residential. The purpose of this application is to demolish or move the existing dwelling, consolidate two lots and facilitate the construction of townhouse dwellings and one (1) semi-detached dwelling for a total of 13 units.

Greg Munn, Sablearc Designs, presented the application on behalf of the developer. The developer is proposing to demolish or move the existing house on the property. The original proposal was for 13 units in total. The design of the project has been modified and will now house 10 units. There will be 4 semi-detached/duplex dwellings and 6 townhouse dwellings. They also propose a buffered area consisting of a green space and treed area. The developer feels that the market will support fewer high end units. The proposed units will be smaller with 2,200 square feet in size. The portion of the development on the water side of the property will have walk-out basements and feature an expanse of glass.

Mayor Brown asked for any questions or comments.

Trevor Pye, 21 Madison Avenue

Mr. Pye asked if the buffer zone will be maintained with the existing trees or will new trees be planted. Mr. Munn responded that the existing trees will be maintained and additional trees planted if needed.

John Bell, 2 Madison Avenue

Mr. Bell noted that the area was developed for single family dwellings and should remain that way. He asked if the proposed dwellings will be owned or rented. Mr. Munn responded that the units will be sold but could be rented.

Judy Pye, 21 Madison Avenue

Mrs. Pye expressed concerns that the existing designated wetland be maintained and asked if the developer intends to maintain the proposed 50% greenspace. She also noted that there is no parking for visitors and feels that the development is not well thought out.

Mayor Brown asked for any additional questions or comments.

Gayle Mamyé, Westwood Crescent

Ms. Mamyé has concerns with traffic issues and the lack of provision of moderate or low income housing. She also feels that the proposed development is not practical with the lack of accessible housing. Mr. Munn responded that Charlottetown is growing and noted that the traffic concerns are part of a broader Planning issue. He noted that there is a shortage of all types of housing and that the developer has done a study on what

could be built on the property. The higher cost of the units is required to make the project more feasible.

Dianne Bell, 2 Madison Avenue

Mrs. Bell's biggest issue is with the townhouses and feels that there should be single family dwellings. She also has concerns with the wetland area. She noted that properties in this area are in the highest tax bracket in the City. She also has issues with the possibility of transient tenants and noted that lots in the area are selling for \$65,000.

Dr. Ayo Harris-Eze, 13 Madison Avenue

Dr. Harris-Eze noted that a letter in opposition has been submitted with 15 signatures encompassing all of the property owners on Madison Avenue. He feels that this is a badly conceived development that will devalue properties in the area. He has concerns with the traffic issues and completely opposed to the proposed development.

Brian Gillis, 71 Greenfield Avenue

Mr. Gillis asked if the roadway will be deeded to the City as a public road and noted that a Development Agreement needs to be signed prior to construction of the services and roadway. This should be conditional to the removal of the existing house. He asked if there was a commitment to these services as they are a value to residents and will protect the residents' interests. He asked if every unit will be a rental and stressed that a Development Agreement needs to be in place to clearly define the scope of the proposal.

Councillor Rivard asked staff if they were aware of the wetlands on the property.

Ms. Palmer Thompson explained that staff had spoken to the Department of the Environment and noted that the area of the wetland had yet to be designated.

Councillor Rivard noted that could change the plan a lot. Ms. Thompson noted that the Department of the Environment will have to determine the area.

John Bell, 2 Madison Avenue

Mr. Bell asked how far the treed area has to be from the wetland and noted that 75 feet would result in a 150 feet setback. He asked if staff had walked the property and noted that the area is dangerous for children especially in the spring. Ms. Thompson explained that she had walked the property and that the Bylaw had been amended to reflect the 75 feet wetland buffer required by the Department of Environment. She also noted that there are several environmental groups that maintain the wetland areas, plant trees and maintain the banks.

Mayor Brown asked for any further comments or questions.

Dr. Harris-Eze stressed that there is a lot of opposition to the proposed development, concerns with traffic and the protection of the wetland area. He feels that the

application should be taken back to Planning Board for approval for single family development only.

Mr. Munn responded that he will take the comments back to the developer and noted that this is the "first kick at the can". He also noted that he appreciated the comments from the residents and will hopefully have a new plan to present in the near future.

Mayor Brown asked for confirmation if a lot consolidation will be required. Staff confirmed that is the case.

Councillor Rivard noted that 8 units might be possible and more study will be required with regards to the wetland area.

Dianne Bell noted that only 25% can be duplex in the R-2S Zone and also a walkway has been proposed over to Bishop's Cove.

Mayor Brown thanked the residents for their input and noted that the applications will go back to Planning Board for a recommendation to Council.

#### **5. Miller Street / Pearson Street / Hanover Street (PID #530980)**

A request to rezone the property from the Single-Detached Residential (R-1L) Zone to the Narrow Single-Detached Residential (R-1N) Zone in order to subdivide the vacant property and construct five (5) single-detached dwellings.

Franklin MacDonald presented the application on behalf of the developer, Mac & Mac Enterprises. He noted that the property has been owned by his father Myron MacDonald and Leroy MacLeod since 1979. The proposal is to rezone the property from R-1L to R-1N to permit five single detached two-storey homes with garages located at the front. All of the dwellings will be facing Miller Street and no modular homes will be constructed. Mr. MacDonald also indicated that no daycares or any type of businesses will be permitted, all utilities will be underground, and secondary units are not permitted in the R-1N Zone. All dwellings will have a single driveway for each home.

Mayor Brown asked for any comments or questions.

Sarah Kennedy

Ms. Kennedy feels that the proposed development would not be good for the area because of the increased traffic. She also feels that the proposed two-storey dwellings would not fit in with the existing homes in the area. Mr. MacDonald noted that two lots over on Miller Street has three-storey homes as well as the area has a variety of development. He also explained that a roadway to connect to Montgomery Heights will be constructed in the future.

Linda Boyle, 17 Pearson Street

Mrs. Boyle is opposed to the development and asked what the price will be for the new dwellings. Mr. MacDonald responded that they are not sure yet but the units will be rented. Mrs. Boyle commented that the proposal does not fit in with the style of the existing homes. This is a small subdivision and another five houses will result in 10 more cars using the roadway. She also feels that the proposed houses will completely block her view. She also noted that a previous development proposal for this land was opposed by the residents. Mr. MacDonald noted that the existing zoning would allow three homes with in-law suites. He feels that the proposed dwellings will enrich the area.

Mayor Brown asked for any further questions or comments.

Jeremy MacEachern, 16 Miller Street

Mr. MacEachern agrees with the other residents and is opposed to the development.

Andrew Oakley,

Mr. Oakley noted that there is empty land in the area and two-storey homes will be developed soon.

Mayor Brown asked if the developer of Terrace Heights had been in contact with the Public Works Department.

Councillor Bernard asked if the proposed homes meet the setback requirements. Mr. MacDonald confirmed that they will be 28 feet wide houses with 6 feet setbacks designed to meet the Bylaw.

#### **6. 185 Brackley Point Road (PID #390963)**

A request for a site specific amendment to allow an Automobile Body Shop and a Transportation Service (taxi stand) as permitted uses in the Single-Detached Residential (R-1L) Zone.

Greg Morrison, Planner II, briefly explained the proposed application and noted that the property has split zoning: R-1L and Mixed Use Corridor. The proposed uses are not permitted in the existing zones and will require site specific exemptions for this property only.

Osama Abdoh, applicant, presented the application. He noted that the existing building is 20 years old and contained the former Brown's Auto Shop. He also noted that there are some commercial uses in the area. He purchased the property two years ago and plans to offer light body work and touch paint services. The second business proposed is a taxi stand which will provide call services only. He noted that he will have to go through the City's taxis permit application process. No taxis will be parked on site and will have only a call centre.

Mayor Brown asked for any comments or questions.

Rex Earle, 44 Lilac Avenue

Mr. Earle commented that he has no issue with the taxi business but has concerns about the body shop due to personal health issues. Mr. Abdoh explained that the business will provide small touch ups only and will not have any odors. The body shop services will be in addition to the existing auto shop services.

Kirby Eldershaw, 14 MacAleer Drive

Mr. Eldershaw noted that all Police requirements will have to be met with regards to the taxis stand.

Mayor Brown asked for any further comments or questions.

### **7. Amendments to the Zoning & Development Bylaw (Bylaw PH-ZD.2)**

Proposed amendments to the Zoning & Development Bylaw pertaining to Home Occupations, Tourist Accommodations, Low Density (R-2) and (R-2S) Zones, 500 Lot Area Design Standards, Parking Standards and Appendix A. Definitions.

Laurel Palmer Thompson, Planner II, presented the proposed amendments. The amendments pertaining to Home Occupations will allow more uses. Home Occupations which are appointment-based will be required to go through the variance process and will allow Council to determine the maximum number of clients. Tandem parking will also be permitted. The amendments will also determine prohibited uses. Heritage Inns will be permitted to have 4 to 7 rooms if they meet the lot area requirements. This will be a way to preserve heritage properties. Also proposed is a definition for Tourist Home which will tighten up the requirements. In the Waterfront Zone additional requirements as well a step backs for side yard setbacks will also be set out. This will permit more flexibility for narrow lots.

Mayor Brown asked for any comments or questions.

Brian Gillis, 71 Greenfield Avenue

Mr. Gillis asked if Council had put forward amendments for taxing tourist accommodations. Mayor Brown responded that this matter is deferred until such time a legal opinion is obtained. He also noted that the proposal is for a room levy. Mr. Gillis asked about the process for converting a single family dwelling in the R-1L Zone to a Tourist Home. Ms. Thompson responded that regulations for short term rentals are still under review. Mr. Forbes noted that at present accessory units cannot be used for short term rentals. Ms. Thompson noted that the new definition was created in 2018 to replace the definition for B & B's. She also stressed that presently there are no regulations allowing Air BNB's. They are not permitted. Mr. Gillis asked if a Home Occupation permit would allow for Air BNB's or room rentals.



Mr. Gillis noted that presently there is a waiting list for homes with Habitat for Humanity. The rise in applications has been from 3 in 2017 to 90 in 2019. This is due to rents being unaffordable and there are no safe accommodations available. People are being evicted from their rental homes because of sale of the property or renovations. This has caused a real crisis. There is a need for development of homes for families. Mr. Gillis asked if he could meet with Mayor and Council to discuss this.

Ms. Thompson noted that the proposed amendments will tighten up the Bylaw and all comments will be taken into consideration.

Mayor Brown responded that an Affordable Housing Council is being set up and also that the Planning Department has given this top priority and are presently working on developing regulations with regards to affordable housing.

Jonathan Greenan

Mr. Greenan commented that other provinces have outlawed Air BNB's in other types of housing and supports taking away this use for single family dwellings. He also noted that the proposed amendments will fill in the gap.

Ms. Thompson noted that the lot area requirements will tighten up the definition of short terms rentals. Existing short term rentals maybe shut down and the Planning Department investigates all reports of this use by residents.

Mr. Forbes explained that the City does not give permission for short term rentals. These applications are regulated by the Province. A public meeting will be held later in June to discuss the results of the Short Term Rentals Survey. He also noted that there is still a lot of work to be done.

Mr. Gillis asked if a hair salon would be permitted. Ms. Thompson explained that all appointment-based Home Occupation applications will have to go through the variance process and Council will have the final approval of these applications.

Mr. Forbes noted that a public meeting will be set up shortly to consider this matter and also that short term rentals are presently under legal review in Vancouver and Toronto. At the present time all short terms rentals are approved and regulated by the province.

Mayor Brown commented that a public meeting will be held to ensure an open, transparent and accountable process will be developed.

Osamo Abdoh, Charlotte Drive

Mr. Abdoh commented that there is an economic side to this and that jobs are needed in order for people to live well.

Nathan ???, 93 Nassau Street

This gentleman asked about the Affordable Housing Advisory Board. Mayor Brown noted that there is still one space available on the board. He noted that this housing crisis requires a broad scope of study and there is still a lot to do.

Ann Gillis, 71 Greenfield Avenue

Mrs. Gillis noted that there is a significant rise of short term rentals in her neighbourhood. Councillor Rivard noted that Alicia Packwood will be following up on the results of the survey.

Mayor Brown asked for any further comments or questions. There being none, the meeting adjourned at 8:40 p.m.

**8. Adjournment of Public Session**

Meeting adjourned at 8:42 p.m.



**PLANNING AND HERITAGE COMMITTEE  
REPORT TO COUNCIL  
June 10, 2019**

The Planning & Heritage Committee met on Tuesday, June 4, 2019; copies of the Planning & Heritage Committee minutes are included in your package.

The Planning Board met on Tuesday, June 4, 2019; copies of the Planning Board Reports and the minutes are included in your package.

The Heritage Board met on Tuesday, June 4, 2019; copies of the Heritage Board Report and the minutes are included in your package.

The Design Review Board met on Friday, May 17, 2019; copies of the Design Review Board Report and the minutes are included in your package.

There are ten (10) resolutions to be put forward for Planning:

Planning:

1. Miller Street / Pearson Street / Hanover Street (PID #530980)  
To rezone the property from the Single-Detached Residential (R-1L) Zone to the Narrow Single-Detached Residential (R-1N) Zone. Resolution to reject.
2. 25 Pownal Street (PID #335588)  
To rezone the property from the Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone. Resolution to reject.
3. 7 Lions Crescent (PID #278721)  
To rezone the property at 7 Lions Crescent from R-1S (Single Detached Residential Zone) to R-3 (Medium Density Residential Zone) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. Resolution to proceed to public consultation.
4. 6 Vic Campbell Blvd (PID #275743)  
A home occupation for the retail sale of a cosmetic product. The use would entail the storing of inventory, packaging, shipping of items and the occasional customer pick up of the product. Resolution to approve with conditions.
5. 37 Vista Street (PID #373225)  
A variance to reduce the rear yard setback requirement from 24.6 ft to approximately 18.0 ft in order to construct a garage addition (approximately 24.0 ft x 30.0 ft). Resolution to approve.
6. 41-51 Allen Street (PID #371690 & PID #371609) and 53 Allen Street (PID #371517)  
To consolidate two (2) properties in the Mixed-Use Corridor Commercial (MUC) Zone. Resolution to approve.
7. 185 Brackley Point Road (PID #344044)  
A site specific amendment to allow an Automobile Body Shop and a Transportation Service (taxi stand) as a permitted use in the Single-Detached Residential (R-1L) Zone. Resolution to approve.

8. Amendments to the Zoning & Development Bylaw (Bylaw PH-ZD.2)  
Amendments to allow for Home Occupations, Parking and Site Design Standards, 500 Lot Area Standards, and Tourist Accommodations along with other general housekeeping amendments. After receiving feedback at the public meeting some changes to the Tourist Accommodation amendments have been incorporated. Resolution to approve.
- 9 Queens Square  
Installation of container. Resolution to approve.
- 10 15 Hillsborough Street  
Removal of accessory Building. Resolution to approve.

Reading Papers:

First Readings:

1. Amendments to the Zoning & Development By-law (PH-ZD.2): Proposed amendments to allow for an Asphalt, Concrete and Aggregate plant as a permitted land use in the Heavy Industrial (M-2) Zone.
2. Secondary and Garden Suite Registration Bylaw (PH-SSB.1-000): Proposed new Bylaw.
3. Amendments to the Zoning & Development By-law (PH-ZD.2): Proposed amendments to sections of the By-Law relating to definitions pertaining to Heritage Inn, Tourist Accommodation, Welding and Metal Fabrication and general text amendments to sections relating to Home Occupations, Tourist Accommodations, Semi-detached dwellings, Waterfront Zone Design Standards and Parking.
4. Amendments to the Zoning & Development By-law (PH-ZD.2): Site Specific Amendment for the property at 185 Brackley Point Road (PID #344044) to allow an Automobile Body Shop and a Transportation Service (taxi stand) as a permitted use in the Single-Detached Residential (R-1L) Zone.

Second Readings:

None for this meeting.

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  
MONDAY, JUNE 04, 2019, 6:30 P.M.  
COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL**

**Present:** Councillor Greg Rivard, Chair  
Councillor McCabe  
Councillor Doiron

**Alex Forbes, PHM  
Linda Thorne, PH AA**

**Regrets:** Mayor Philip Brown: Deputy Mayor Jason  
Coady, Vice-Chair

**1. Call to Order**

Councillor Rivard called the meeting to order at 6:30 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 Councillor McCabe and seconded by Councillor Doiron, that the agenda for Tuesday, June 04, 2019, be approved. CARRIED

**4. Adoption of Minutes**

Moved by Councillor McCabe and seconded by Councillor Doiron that the minutes of the meeting on Monday, May 06, 2019, be approved.

CARRIED

**5. Business arising from Minutes**

There was no business arising from minutes.

**6. Direction on Pergola on Victoria Row**

Alex Forbes, PHM gave an overview of the issue and indicated that on Sunday, May 26<sup>th</sup> 2019 the owners of Fishbones Restaurant on Victoria Row (Craig MacMillan on behalf of Murphy Hospitality Group) erected a pergola without obtaining a building permit or seeking other approvals from the City of Charlottetown. Staff directed the owners of Fishbones to seek approval from Council to obtain permission to locate the pergola on the city right of way (see attached report). Prior to obtaining a building permit the owners are required to obtain approval from Council to be on the Victoria Row right of way on a temporary basis (2019 season) or amend the Pedestrian Mall Agreement with the Victoria Row Merchants Association to locate a pergola on a permanent basis.

Kevin Murphy and Craig MacMillan, applicants, attended the meeting at 6:50 p.m. Mr. Murphy apologized for not obtaining the required approvals before constructing the pergola.

He noted that the pergola had received written approval from all 4 executives of the Victoria Row Merchants Association at their last meeting. They had lost business last year because removal of trees by the Public Works Department as eliminated all shade to their seating area. The pergola will create ambience. Mr. Murphy noted that Victoria Street had evolved and they wish to grow their business and extend the season. The pergola is a pilot project and temporary at this point. Positive comments have been received from the public. The applicants feel that the pergola doesn't obstruct the walkway and will draw and keep more business. The roof will be clear batten and 5 electrical heaters will be suspended from the roof. They do not plan to close in the sides of the pergola. The applicants are prepared to provide a letter of approval complete with signatures from the Association. They are prepared to follow any conditions the Planning or the Fire Department may require. The applicants left the meeting at 7:15 p.m.

Staff provided three options for Council to consider including any alternative option they deemed appropriate.

The 3 options of provided to Council are outlined below.

**OPTIONS:**

- 1) Deny the request by the applicant to retain the pergola and order the owners to remove the structure immediately. This decision would effectively end all discussions on this type of structure moving forward.
- 2) Request the owners of the pergola to provide confirmation that businesses that make up the Victoria Row Merchants Association endorse the structure as a pilot project for this year only. Confirmation should be in writing By June 11, 2019. The pergola must be removed by the last day of October 2019. In the event that the Merchants Association and Council agree to retain the structure an application be made to the Planning Department for a Building Permit that meets all of the safety standards for building, engineering and fire code related issues. It is also understood that the current pergola will need to be reduced in size before a building permit can be approved. In this scenario the Pedestrian Mall Agreement would not be amended in the 2019 season. A resolution of Council should be obtained to either retain the structure on a temporary basis or amend the Pedestrian Mall Agreement to allow the structure on a long term basis.
- 3) Deny the request to retain the pergola in 2019 but work with the owners and the Association to contemplate this type of structure in the long range planning for Victoria Row and Sydney Street. In this scenario all of the outstanding issues regarding public safety, fire concerns, and aesthetic issues could be worked out of the winter months and a new Pedestrian Mall Agreement be in place for the 2020 tourist season.

**It was moved by Councillor McCabe and seconded by Councillor Doiron that the Committee recommend Option 2 to Council and that this recommendation be reviewed and discussed at a Special Council meeting on June 5, 2019.**

**CARRIED**

**7. New Business**

There was no new business discussed.

**The meeting was adjourned at 7:20 p.m.**

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**Councillor Greg Rivard, Chair**



City of  
Charlottetown

Report No:

Date:  
2019-06-04

Directed to:  
Planning Committee

Department:  
Planning and Heritage Department

Prepared by: Alex Forbes, MCIP

Attachments:  
Letter from Applicant  
Actual Photograph  
Scaled Dimension Drawing

Subject: Pergola on Victoria Row

**REPORT:**

**BACKGROUND**

On Sunday, May 26<sup>th</sup> 2019 the owners of Fishbones Restaurant on Victoria Row (Craig MacMillan on behalf of Murphy Hospitality Group) erected a pergola without obtaining a building permit or seeking other approvals from the City of Charlottetown. This structure is located on the City's right of way and received a Stop Work Order from the City on Tuesday, May 28<sup>th</sup>, 2019. Businesses presently operating on the Victoria Row right of way are subject to the terms and conditions outlined in the Pedestrian Mall Agreement (which also includes the Pedestrian Mall By-law and the Street Vendors By-law).

In order to obtain permission from the City to retain this structure, an application must be made to the City to amend the Pedestrian Mall Agreement to recognize the proposed structure. As a result the applicant is seeking Council permission to erect a pergola on the City right of way on Victoria Row. The proposed dimensions of the structure is 28 feet by 16 feet and 9 feet tall. The structure is to have clear board and batten style roofing to keep rain off as well as heaters underneath to keep patrons warm in shoulder season and extend tourism season offering in Charlottetown. Please see attached photograph of the structure and dimensions.

This application is hard to assess in isolation of a public discussion with the other businesses that make up the Victoria Row Merchants Association. The applicant has indicated that they would like to erect this structure because it provides shade to those using this patio area. Staff recognize that there may be some validity to this argument however the implication is that if the City approves this pergola than others should be afforded the same opportunity to have this type of structure. In the event of more pergola structures going up along Victoria Row, the City risks the loss of some street ambiance because the patio structures will result in the obstructing the heritage building facades which attracted pedestrians to this street in the first place. The other concern is that the posts supporting the pergola structure have a tendency to restrict pedestrian traffic in front of all of the businesses on Victoria Row. Staff have received a complaint from an adjoining business that the proposed structure is inappropriate for Victoria Row on a number of grounds.

The Pedestrian Mall Agreement requires that a 5 foot unobstructed pedestrian right of way be provided in front of all businesses on the Row. The Fire Department is also concerned about enclosing this structure with a roof and having a heating source underneath. Fire is indicating that



they would have to review detailed plans before signing off on this element of the application. The Fire Department has expressed concern over the size and location of the pergola posts closest to the buildings. The Fire Department indicates that all building exits must lead to a public way and have unobstructed exit discharge from the occupancies. The proposed structure in its current configuration compounds this issue. The Public Works Department has also expressed concern over the amount of space that the pergola is taking up on the pedestrian portion of the public right of way. In their opinion if this structure is to be permitted it needs to be reduced in size.

**Council has a number of options to consider on the request to retain the pergola on Victoria Row in its current location.**

**OPTIONS:**


- 1) Deny the request by the applicant to retain the pergola and order the owners to remove the structure immediately. This decision would effectively end all discussions on this type of structure moving forward.
- 2) Request the owners of the pergola to provide confirmation that businesses that make up the Victoria Row Merchants Association endorse the structure as a pilot project for this year only. Confirmation should be in writing By June 11, 2019. The pergola must be removed by the last day of October 2019. In the event that the Merchants Association and Council agree to retain the structure an application be made to the Planning Department for a Building Permit that meets all of the safety standards for building, engineering and fire code related issues. It is also understood that the current pergola will need to be reduced in size before a building permit can be approved. In this scenario the Pedestrian Mall Agreement would not be amended in the 2019 season. A resolution of Council should be obtained to either retain the structure on a temporary basis or amend the Pedestrian Mall Agreement to allow the structure on a long term basis.
- 3) Deny the request to retain the pergola in 2019 but work with the owners and the Association to contemplate this type of structure in the long range planning for Victoria Row and Sydney Street. In this scenario all of the outstanding issues regarding public safety, fire concerns, and aesthetic issues could be worked out of the winter months and a new Pedestrian Mall Agreement be in place for the 2020 tourist season.

**The option recommended by the Planning Committee will be forwarded to the next Council meeting to either support the Planning Committee recommendation or to choose their own directive.**

**RECOMMENDATION:**

Staff recommend that the Planning Committee provide direction to Council on one of the three options provided or provide an alternative option.

Respectfully,

Alex Forbes, MCIP  


Reviewed By:

CAO	Manager	Other				
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Alex Forbes  
Manager of Planning & Heritage  
City of Charlottetown  
Charlottetown, PE  
C1A7K2

For Consideration,

Temporary wooden pergola style structure to be built for May 1st annually. To be taken down by October 31st.

Dimensions of structure are 28 feet wide, 16 feet in length and 9 feet tall. Structure is fastened to brick and is 5 feet from the building.

Any brickwork that is damaged will be repaired after Structure is removed.

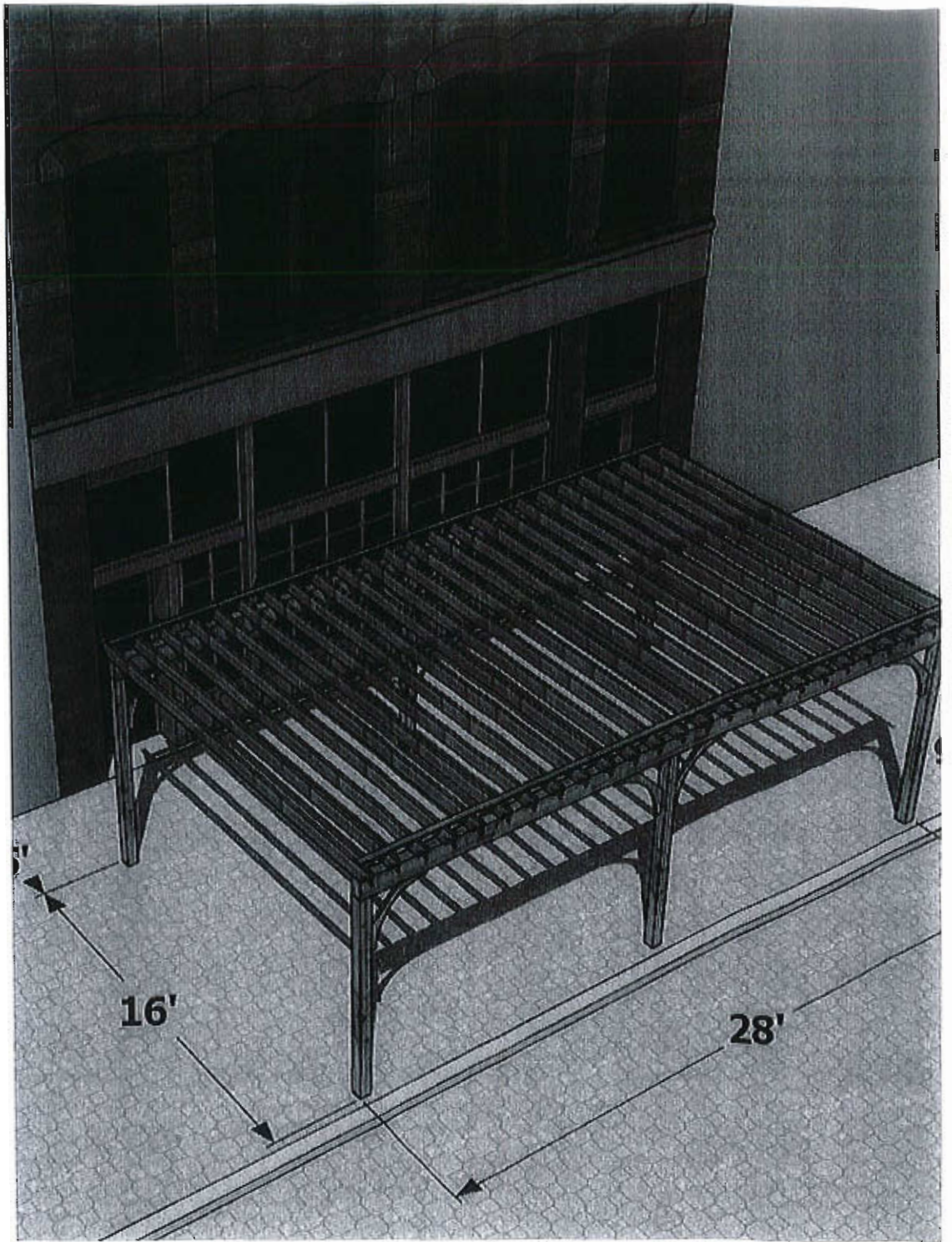
Structure is being put in place as trees had to be taken down on patio resulting in loss of sun cover and loss of business.

Structure to have clear board and batten style roofing to keep rain off as well as heaters underneath keep patrons warm in shoulder seasons and extend season and tourism offering on Charlottetown's premiere street.

Have and drawings attached and picture attached for reference.

Craig MacMillan  
Fishbones Oyster Bar & Grill  
136 Richmond street  
Charlottetown, PE  
C1A 1H9





**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES  
TUESDAY, JUNE 04, 2019, 5:00 P.M.  
COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL**

**Present:** Councillor Greg Rivard, Chair  
Councillor Bob Doiron  
Councillor Julie McCabe  
Basil Hambly, RM  
Bobby Kenny, RM  
Kris Fournier, RM  
Rosemary Herbert, RM

Reg MacInnis, RM  
Alex Forbes, PHM  
Greg Morrison, PII  
Laurel Palmer Thompson, PII  
Robert Zilke, PII  
Linda Thorne, PH AA

**Regrets:** Deputy Mayor Jason Coady, Vice-Chair  
Mayor Philip Brown

Shallyn Murray, RM  
Ellen Faye Ganga, PH IA/AA

**1. Call to Order**

Councillor Rivard called the meeting to order at 5:03 pm.

**2. Declaration of Conflicts**

Councillor Rivard asked if there are any conflicts. Reg MacInnis, RM, declared conflict of interest on agenda item number 6.a.4. 7 Lions Crescent (PID #278721). Councillor Rivard then moved to the approval of the agenda.

**3. Approval of Agenda**

Moved by Basil Hambly, RM and seconded by Councillor Doiron, that the agenda for Tuesday, June 4, 2019, be approved.

**CARRIED**

**4. Adoption of Minutes**

Moved by Reg MacInnis, RM, and seconded by Councillor Doiron that the minutes of the meeting held on Monday, May 6, 2019, be approved.

**CARRIED**

**5. Business arising from Minutes**

There was no business arising from minutes.

**6. Miller Street / Pearson Street / Hanover Street (PID #530980)**

This is a request to rezone the property on the corner of Miller Street/ Pearson Street/ Hanover Street (PID #530980) from the Single-Detached Residential (R-1L) Zone to the Narrow Single-Detached Residential (R-1N) Zone to subdivide the vacant property and construct five (5) single-detached dwellings. Greg Morrison, Planner II, presented the application. See attached report.

Councillor McCabe asked if there has been any further discussion with the future roadway being connected to Tara Heights. Mr. Morrison responded that a future connection was proposed during the East Royalty Master Plan discussion but any future connection would have to be approved and there has been no application made at this time to construct the connection. Councillor McCabe asked if that development would have to go through a process. Mr. Morrison responded that it would not be a public process but would be reviewed by the various City Departments.

Franklin MacDonald, applicant, explained that the concerns raised at the public meeting were in relation to the height of the proposed dwellings and he had two examples of two storey dwellings in the existing neighbourhood.

Bobby Kenny, RM, stated that there were a number of dwellings along Miller Street that would look into the back of the five proposed dwellings in light of the fact that they are proposed to face Pearson Street.

Andrew Oakley, representative of the applicant, indicated that they would be willing to have two dwellings face Miller Street and three dwellings to face Pearson Street as a compromise.

Rosemary Herbert, RM, asked if the applicants had a chance to meet with the residents since the public meeting. Mr. MacDonald indicated that he did not go door to door speaking with residents.

Basil Hambly, RM, asked if they are still planning to be rentals. Mr. MacDonald confirmed they would be.

Councillor Rivard asked what the maximum permitted height would be. Mr. Morrison responded that it is 36.1 ft. Councillor Rivard asked the applicants if they would be maximizing this building height. Mr. Oakley indicated that the height would be approximately 27.0 ft.

Franklin MacDonald, applicant, indicated that this property would allow three single-detached dwellings, each with a secondary suite for a total of six units.

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

**Moved by Kris Fournier, RM, and seconded by Basil Hambly, RM, that the request to amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-Density Residential (R-1L) to Narrow Single-Density Residential (R-1N) for the property on the corner of Miller Street / Pearson Street / Hanover Street (PID #530980), be approved.**

**MOTION LOST  
(1-6)**

**7. 25 Pownal Street (PID #335588)**

This is a request to rezone the property at 25 Pownal Street (PID #335588) from the Downtown Neighborhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone to avoid restricting the commercial uses permitted at this location in the future. Greg Morrison, Planner II, presented the application. See attached report.

Regan MacLellan, representative of the applicant, indicated that the commercial space was there when she purchased it and thought that losing this use would devalue the property. Mr. MacLellan, also indicated that it is difficult to find a tenant if they are required to go through a variance / rezoning process each time.

Councillor Rivard explained that previous Boards had concerns about the use of the building without any specific use in mind. Mr. MacLellan, stated that the prospective tenant is a hairdresser. Councillor Rivard asked if there was a minimum lease period for each tenant and Mr. MacLellan confirmed there was.

Councillor McCabe asked for clarification about the current use of the property. Mr. Morrison explained that they would be a legal non-conforming bakery and would be permitted to open another bakery if the six month period had not elapsed.

Councillor Rivard asked if we rejected this application would they have to apply for a site specific exemption. Mr. Morrison explained that the applicant would have to follow the variance process if the rezoning was rejected.

Rosemary Herbert, RM, asked if any future commercial use would require a variance. Mr. Morrison confirmed a variance would be required unless it was a permitted use in the DN Zone.

Councillor Rivard asked if we could approve the rezoning but limit the permitted uses. Alex Forbes, PHM, indicated that this would set up a situation whereby we were engaging in contract zoning which would make it difficult in the future (for planners and real estate people) to understand what would be permitted on this property.

Mr. Morrison stated that the uses that are not permitted in the DN Zone but would be permitted in the DMUN Zone include an Eating & Drinking Establishment, Funeral Establishment, Medical, Health & Dental Office, Office, Personal Service Shop, and Retail Store.

Mr. Forbes indicated that once a variance is approved they would be permitted to operate until a new tenant takes over the space. In this circumstance, there is more control and better understanding from the neighborhood perspective as to what use is permitted.

Councillor McCabe asked if there would be renovations between tenants and Mr. MacLellan confirmed there would be.

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:**

- a) Amend Appendix “A” – Future Land Use Map of the Official Plan from Downtown Neighbourhood to Downtown Mixed-Use Neighbourhood; and**
- b) Amend Appendix “G” – Zoning Map of the Zoning & Development Bylaw from Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone;**

**for the property at 25 Pownal Street (PID #335588), be recommended to Council for rejection.**

**CARRIED  
(5-2)**

**8. 351 North River Road (PID #'s 1014224 & 373415)**

This is a request to rezone the property at 351 North River Road (PIDs #1014224 & 373415) from the Low Density Residential (R-2S) to Medium Density Residential (R-3) Zone and to amend the Official Plan Map from Low Density Residential to Medium Density Residential.

The purpose of the rezoning is to demolish or move the existing dwelling, consolidate two lots and facilitate the construction of two (2) townhouse dwellings and one (1) semi-detached dwelling for a total of 13 units. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

In accordance with Section 3.10 of the Zoning & Development By-law, on May 17, 2019 notice was sent to 33 residents located within 100 meters of the subject property advising them of the request to rezone and the date, time and location of the public meeting. The letter solicited their written comments for or against the proposed rezoning request and the deadline to submit written comments on the application.

***Public Feedback***

In response to the City’s notification letter two (2) letters were received in opposition to the rezoning application. One letter was signed by 9 residents on Madison Avenue. The letters stated various concerns such as:

- The rezoning will impact the designated wetlands.
- The development will impact our quiet single family neighbourhood.
- It will cause a negative impact on our property value.
- There will be a dramatic increase in traffic.
- A town house development will look out of character in our neighbourhood
- I bought my house in a single family neighbourhood and I did not expect the zoning to change. Please see the attached letters.

The property is a 2.09 acre lot and the attached concept plan indicates that all the units will be three-storeys. The site plan also shows the proposed public road, however, if they build with the setbacks as shown, a private road would have to be constructed and the property will remain as



one lot. If a public road is constructed, setbacks for the lot on North River Road will have to be adjusted. The property is located between land zoned CDA and a single-detached subdivision. The current zoning of the property would allow for semi-detached dwellings and the proposed townhouse development would only increase the total density by 2 townhouse units onsite. Staff does not view that as a significant increase. Rezoning the property to the R-3 Zone allows for other multi-unit uses which poses concerns with residents. If the rezoning is permitted, a development agreement must be in place to limit the density and restrict the development as proposed. Staff noted that the bulk and mass of the development does not appear to be out of scale with existing neighbourhood.

In addition this proposed development is located along a watercourse and provincial regulations require a 50 meter non-developable buffer zone. At the public meeting many residents voiced concerns about a wetland that is located along the south boundary of the property. The site map provided by the applicant did not include the wetland and staff are unsure where the exact boundaries of this wetland exists. Depending on the location of the wetland it may alter the placement of the dwellings as the site plan currently shows. Ideally the wetland should be delineated by the Department of Environment to determine its location and where the buffer exists.

Given the lack of clarity on the location of the wetland staff recommends that the application be deferred until the wetland and the surrounding buffer can be delineated by the Department of Environment. Once the boundary of the wetland is determined staff will forward a final recommendation to the Board.

Greg Munn, architect for the development, was present to provide more details and to answer any possible questions.

Mr. Munn mentioned that the applicant wants to increase the density of the property and that the owners are willing to sign a development agreement with the City to ensure that they only build townhouses and the applicant has no intention of pursuing apartment units. The owner's idea is to build townhouses/row houses that will cater to upper/middle range clients. Mr. Munn also added information on the buffer zone and stated that the Department of Environment is coming out this week to assess the wetland. Mr. Munn also discussed the materials to be used and other details of the development.

Reg MacInnis, RM, asked what would be the estimated cost per unit and Mr. Munn responded that it has not been determined at this point but is guessing to be at the \$400,000-\$500,000 range. Councillor Rivard clarified that the parking will be private. Mr. Munn confirmed it would be and that, "this is a good location for a nice architecturally designed project and would be a nice example to set for the area". Councillor MacCabe asked if these houses are to be sold individually or rented (short and long term or Airbnb), and if any of these houses would be for affordable housing.

Mr. Munn responded that they will be sold individually and will definitely not be for short term rentals. Mr. Munn also added that the owner originally wanted to subdivide the lot into individual lots but there may be concerns with setback requirements if they proceed in this manner. However, the subdivision type has not been resolved to date. There may be fewer units if developed on a public street with individual lots but the owner wants to develop it as row houses/condo. Mr. Munn also confirmed that there will be no affordable housing units on this development.

Rosemary Herbert, RM, asked if Mr. Munn could respond to whether they intend to use public or private roads and how they intend to design them. Ms. Thompson responded that if the road is a public road, then the units fronting on North River Road will require adjustments or reorientation to meet the rear yard setbacks or this particular lot would have to be constructed as a single detached dwelling. The owners prefer not to develop this property with requests for variances. If it is developed as a private road, it can be developed with the existing setbacks.

Mr. MacInnis also asked if the number of units is flexible and asked if there is a possibility of taking out units. Bobby Kenny, RM, asked if the garage would fit one or two cars and Mr. Munn responded that it will be for one car but will have around 16 feet of driveway.

Councillor Rivard clarified that if the application is approved, the owners are bound to construct what is presented. Mr. Munn confirmed that they have looked at all possible developments including apartment buildings but confirmed that the townhouses are the best route for this property and that they are willing to enter into a development agreement.

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

**Moved by Councillor McCabe and seconded by Bobby Kenny, 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 Low Density Residential (R-2S) to Medium Density Residential (R-3) Zone,**  
**For the property at 351 North River Road (PIDs #1014224 & 373415), be deferred until the wetland is properly delineated by the Department of Environment.**

**CARRIED**

**9. 7 Lions Crescent (PID #278721)**

This item is a request to rezone the property at 7 Lions Crescent from R-1S (Single Detached Residential Zone) to R-3 (Medium Density Residential Zone) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. This will require a recommendation to proceed to public consultation. Please see attached staff report

Mr. MacInnis, RM, declared a conflict and left the meeting for the staff presentation and the Board's discussion and decision.

The area to be rezoned is approximately 0.45 acres and will require a lot consolidation to permit the construction of the proposed residential building. The building will be 3 stories in height and will have 32 affordable units marketed towards seniors. This infill development is located on a public transit route and would be a typical use in this mixed residential neighbourhood. The applicant will be required to go through the Design Review Process.

Forty seven (47) parking spaces are required for the new apartment building and the existing building on site. The total lot area is 83,441 sq. ft. and the Bylaw requires 1,507 sq. ft. of lot area per unit on a corner lot. Therefore, 55 units are permitted. A density increase under Section 3.13 of the Bylaw can be applied to this building because it is an affordable housing project. Therefore, the density can be increased to a total of 66 units on site. The applicant is proposing a total of 62 units between the existing and proposed building. The R-3 zone permits more than one building on site.

Staff recommends that this application be recommended to Council to proceed to the public consultation phase.

Robert Haggis, architect, was present to answer any questions. He noted that the building will be 3 stories in height and the project is being developed by the Lions Club. He also noted that the Design Review Process will be an asset to this project.

Councillor MacCabe asked if there will be 47 parking spaces on site for 66 units. Ms. Thompson responded that a density bonus would permit an increase in the number of units without parking requirements.

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

**Moved by Rosemary Herbert, RM, and seconded by Reg McInnes that the request to rezone the property at 7 Lions Crescent (PID #278721) from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone and the request to amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and to amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for the property at 7 Lions Crescent be recommended to Council to proceed to public consultation.**

**CARRIED**

**10. 6 Vic Campbell Boulevard (PID #275743)**

This item is a request for a home occupation for the retail sale of a cosmetic product. The use would entail the storing of inventory, packaging, shipping of items and the occasional customer pick up of the product. Please see attached staff report.

Robert Zilke, P11, presented the application. The applicant proposes to have on-line retail sales of false eyelashes. The product will be stored on site and deliveries will be carried out by Canada Post. Two responses to the variance mail out were received both citing concern that there will be an issue with an increase in traffic. Mr. Zilke noted that there will be no direct retail sales from the premises

Councillor Rivard asked if the City has any recourse if the applicant does not follow the requirements or if there is an increase in traffic. Mr. Forbes responded that it is difficult to monitor and determine if a property is receiving too much traffic. He suggested that it is a much better practice to apply appropriate terms and conditions up front to ensure that traffic is managed from the outset.

Basil Hambly, RM, asked if the application as presented would have limit on site retail sales. Mr. Forbes commented that the business may grow but this should not be a concern if the property is limited to on-line sales only with no direct retailing from the property.

Rosemary Herbert RM commented that if clients were picking up product this would generate an increase in traffic. Mr. Zilke responded that distribution will be through mail only as this will be a condition of approval.

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

**Moved by Councillor MacCabe and seconded by Basil Hambly, RM, that the request for a Home Occupation to allow retail sale of a cosmetic product at 6 Vic Campbell Boulevard (PID # 275743) be recommended to Council for approval.**

**CARRIED**

**11. 37 Vista Street (PID #373225)**

This is a request for a variance to reduce the rear yard setback requirement from 24.6 ft to approximately 18.0 ft in order to construct a garage addition (approximately 24.0 ft x 30.0 ft). Greg Morrison, Planner II, presented the application. See attached report.

John Bell, resident, explained that he is in support of the proposed rezoning for the following reasons:

- This property was formally a rental property and he had to deal with garage, noise, etc... for a number of years.
- All but one of the properties in the neighbourhood have a two car garage.
- The driveway on Vista Street will be removed which will create a better safety for vehicular traffic.
- A two car garage increases the property value and makes it easier to sell.

Councillor Rivard asked for clarification about whose view would be blocked in light of the proposed addition. Mr. Morrison explained that the two letters of opposition were from the residents at 41 Vista Street and 45 Vista Street. Councillor Rivard indicated that they would be

permitted a one car garage as-of-right. Mr. Morrison clarified that they would be permitted an 18.4 ft addition without a variance. Councillor Rivard indicated that with an 18.4 ft addition this would also block their view and the residents don't have rights to the view.

Mr. Bell explained that there is a row of trees between their properties so the only view plane would be towards the Ball diamond.

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 Councillor McCabe, that the request for a variance to reduce the rear yard setback requirement from 24.6 ft to approximately 18.0 ft in order to construct a garage addition (approximately 24.0 ft x 30.0 ft) on the property at 37 Vista Street (PID #373225), be approved.**

**CARRIED  
(7-0)**

**12. 41-51 Allen Street (PID #371690 & PID #371609) and 53 Allen Street (PID #371517)**

This is a request for a lot consolidation of two properties in the Mixed-Use Corridor Commercial (MUC) Zone in order to demolish the existing single-detached dwelling at 53 Allen Street and construct an addition (approximately 40.0 ft x 60.0 ft) to Most Wanted Pawn. Greg Morrison, Planner II, presented the application. See attached report.

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

**Moved by Basil Hambly, RM, and seconded by Bobby Kenny, RM, that the request for a lot consolidation of 41-51 Allen Street (PID #371690 & PID #371609) and 53 Allen Street (PID #371517), be approved subject to a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of Lot 19-1 be recommend to Council for approval.**

**CARRIED  
(7-0)**

**13. 185 Brackley Point Road (PID #390963)**

This is a request to obtain a site-specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning & Development Bylaw for the property at 185 Barkley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service establishment (taxi stand) as permitted uses. Greg Morrison, Planner II, presented the application. See attached report.

Councillor Rivard asked what light body work consists of. Mr. Morrison explained that an Automobile Body shop would allow an engine rebuild. Osama Abdoh, applicant, indicated that

due to the size of the space, they would be limited to fixing rusted edges of the vehicles and touch paint. Mr. Abdoh explained that they would cut the rust off and re-weld.

Mr. Abdoh explained that he was formally an engineering manager and would be able to do the calculations to ensure that there no disruption and pollution beyond 5 m unless there was a high wind speed which would extend it to 10 m. Mr. Abdoh also indicated that the paint is not toxic but it just inconvenient to smell.

Bobby Kenny, RM, asked if he spoke with adjacent property owners. Mr. Abdoh indicated that he has spoken with the adjacent property owner and they have a good working relationship.

Bobby Kenny, RM, asked if there was a physical paint room. Mr. Abdoh explained that there was not enough room for a dedicated paint room which is why only touch painting is performed.

Mr. Morrison asked if his business operates in the two front bays. Mr. Abdoh confirmed that this was correct.

Bobby Kenny, RM, asked if masks were required during painting. Mr. Abdoh indicated that only masks to reduce dust / rust inhalation are required.

Bobby Kenny, RM, asked what equipment is required to do the sanding. Mr. Abdoh explained that only hand sanders are required.

Bobby Kenny, RM, asked if most of the clients were personal vehicles or rental vehicles. Mr. Abdoh that he only operates on customers owned vehicles.

Rosemary Herbert, RM, expressed her concern in relation to the current R-1L Zoning and the fumes generated from this business.

Councillor Rivard asked who would be using the parking lot. Mr. Abdoh indicated that the parking is used primarily for Discount Car Rental and the proposed taxi stand would not have any vehicles on site.

Reg MacInnis, RM, asked if during his time operating this business, if he had received any complaints. Mr. Abdoh confirmed that he has not.

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

**Moved by Councillor McCabe and seconded by Bobby Kenny, RM, that the request to obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning & Development By-law as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service establishment (taxi stand) as permitted uses, be approved subject to the signing of a Development Agreement.**

**CARRIED**  
**(5-2)**

**14. Amendments to the Zoning & Development Bylaw (Bylaw PH-ZD.2)**

This item is proposed amendments to the Zoning and Development Bylaw for Home Occupations, Parking and Site Standards, 500 Lot Area Standards and Tourist Accommodations along with other general housekeeping amendments. After receiving feedback at the public meeting held on May 28, 2019, some changes to the Tourist Accommodations have been incorporated after receiving feedback from the public meeting. See attached staff report.

Robert Zilke, P11, presented the proposed amendments. He noted that the proposed amendments cover broad topics, and alterations have been made to Appendix A. Definition section of the Zoning & Development By-law with regards to Tourist Homes. Mr. Zilke also noted that a public meeting has been scheduled on June 19, 2019, to hear comments on short term rentals.

Councillor Rivard asked if short term rentals meet the definition as proposed. Mr. Zilke responded that Tourist Accommodations are regulated under the *Provincial Tourism Act*. The proposed amendments to the Bylaw would restrict the number of bedrooms that would be permitted in a tourist accommodation. Mr. Forbes noted that the proposed amendments will reinforce what was in the existing Bylaw. Staff are trying to ensure that the existing by-law which has always recognized tourist accommodations in the past is not ambiguous. This in turn will provide greater clarity as we move forward to determine how short term rentals should be managed in the future.

Rosemary Herbert, RM, suggested that the amendments should be deferred until after the public meeting on June 19, 2019. Mr. Forbes responded that we need to put these amendments in place now because we are dealing with short term rentals in various capacities in the Zoning By-law and these amendments are actually restricting tourist accommodations by limiting the bedroom count. There is a need to fortify existing regulations pertaining to tourist accommodation until such time that short term rentals are recognized and regulated, which will be determined by Council in the near future.

Reg McInnis, RM, asked if there will be any penalty in place if there are more than the approved number of bedrooms and who will enforce this. Mr. Forbes commented that there have been regulations in place in the existing Bylaw that have worked well and the new amendments will reinforce what presently exists and will further restricts a tourist accommodation until formal amendments relating to short term rentals comes forward in the future. Mr. McInnis asked what the source was for the definition and if the City uses the Industry Canada Codes. Mr. Zilke responded that the definition was created in the fall when the consultant reformatted the Zoning by-law, staff also conducted a jurisdictional scan of other municipal By-laws across Canada.

Rosemary Herbert, RM, asked if short term rentals could be added to the definitions. Mr. Forbes responded that this is determined by the length of time a property is rented. Zoning By-laws have typically not stipulate the length of time a property could be rented. At this time the Province is the only authority that is issuing the licenses for short term rentals and there review is

not related to zoning or with land use. He also noted that Toronto and Vancouver have regulations in place for short term rentals and staff is watching how these municipalities are effectively regulating this type of land use. He also noted that written approval from the City is required to be a recognized short term rental in the City of Charlottetown.

Councillor Rivard noted that there is a lot of confusion around short term rentals. Mr. Forbes also noted that a legal opinion will also be needed when the amendments are brought forward at a later date.

Councillor Rivard asked if there were further questions; there being none, the following resolution was put forward:

**Moved by Basil Hambly, RM, and seconded by Bobby Kenny, RM,, that the amendments to the Zoning and Development Bylaw (PH-ZD.2) pertaining to:**

- **Home Occupations;**
- **Tourist Accommodations;**
- **Low Density (R-2) and (R-2S) Zones;**
- **500 Lot Area Design Standards;**
- **Parking Standards; and**
- **Appendix “A” Definitions**

**Be recommended to Council for approval (as attached).**

**CARRIED**

**15. New Business**

There was no new business discussed.

**16. Adjournment of Public Session**


**Moved by Basil Hambly, RM, and seconded by Bobby Kenny, RM, that the meeting be adjourned. The meeting was adjourned at 6:45 p.m.**

**CARRIED**

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**Councillor Greg Rivard, Chair**



<b>TITLE:</b> <b>REZONING APPLICATION</b> <b>FILE: PLAN-2019-4-JUNE- 6A1</b> <b>MILLER ST / PEARSON ST / HANOVER ST (PID #530980)</b> <b>OWNER: MAC &amp; MAC ENTERPRISES INC.</b>		
<b>MEETING DATE:</b> June 4, 2019		<b>Page 1 of 6</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Site Plan C. Letters of Opposition	
<b>SITE INFORMATION:</b> <b>Context:</b> Vacant property on the corner of Miller Street, Pearson Street, and Hanover Street <b>Ward No:</b> 9 – Stonepark <b>Existing Land Use:</b> Vacant <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Single-Detached Residential (R-1L)		
<b>PREVIOUS APPLICATIONS:</b> Application to rezone the property from R-1L to R-1N was submitted on June 13, 2014.		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to amend Appendix “G” – Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1L) Zone to the Narrow Single-Detached Residential (R-1N) Zone for the property located on the corner of Miller Street, Pearson Street, and Hanover Street (PID #530980).

**BACKGROUND:**

***Request***

The property owners, Mac & Mac Enterprises Inc., have made an application to rezone the property located on the corner of Miller Street, Pearson Street, and Hanover Street (PID #530980) from the Single-Detached Residential (R-1L) Zone to the Narrow Single-Detached Residential (R-1N) Zone. The purpose of the rezoning is to subdivide the vacant property and construct five (5) single-detached dwellings.

***Development Context***

The subject property is located in East Royalty on a corner lot bounded by three (3) streets. These streets include Miller Street, Pearson Street, and Hanover Street.

***Property History***

A similar application was made on June 13, 2014 to rezone the subject property from the Single-Detached Residential (R-1L) Zone to the Narrow Single-Detached Residential (R-1N) Zone in order to subdivide the vacant property and construct five (5) single-detached dwellings. This application proceeded to the Planning Board meeting on July 7, 2014.

At the meeting, Councillor Hilton asked the Board to defer this application until such time she can meet with the residents and the developer. The Board agreed to defer a recommendation on this application until next month.

The application did not proceed back to the Planning Board since the meeting on July 7, 2014.

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

On May 13, 2019, Council passed the following resolution:

*That the request amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-Density Residential (R-1L) to Narrow Single-Density Residential (R-1N) for the property on the corner of Miller Street/ Pearson Street/ Hanover Street (PID #530980), be approved to proceed to public consultation.*

As per Section 3.10.4 of the Zoning & Development By-law, written notice was sent to all affected property owners within 100m of the subject property on May 16, 2019. The letter informed them of the rezoning application and the upcoming public meeting. The letter then explained that comments for or against the proposed rezoning must be submitted prior to 12:00 p.m. (noon) on Wednesday, May 29, 2019.

In addition, staff published a notice in two issues of The Guardian on May 18, 2019 & May 25, 2019 and posted a copy of the notice on the subject property.

***Public Feedback***

Of the 28 letters sent to affected property owners, five (5) letters of opposition from four (4) properties and a petition signed by 17 residents (Attachment C) were received prior to the deadline for comments. The letters of opposition had concerns that the proposed dwellings will be incongruous with the existing bungalows due to their style and appearance (narrow dwellings as well as being two stories in height). In addition, the increase of five new dwellings and likely 10 more vehicles would lead to traffic issues in the existing small neighbourhood.

In addition to the public feedback received during the mailout process, a public meeting of Council was held on May 28, 2019 at 7:00 p.m. at the Rodd Charlottetown, 75 Kent Street. At the meeting, three (3) residents spoke against the application. The concerns of the meeting were reflective of those concerns identified in the letters.

That being said, one resident asked what the price of the dwellings would be and the applicant responded that they would be for rent at this time and not for sale. Councillor Jankov asked if they would be short or long term rental and the applicant responded that they would be for long term rental only.

Finally, Councillor Bernard asked what the distance is between dwellings and the applicant responded that they would be at least 12 ft between dwellings as per the Zoning & Development By-law requirements.

Staff would note that any dwelling in the Single-Detached Residential (R-1L) Zone would be permitted to construct their dwelling with a maximum height of 36.1 ft. This would include second storey additions to existing dwellings. Further, the only requirement for dwelling style is that the minimum width of the dwelling is 18 ft. The proposed type of dwelling would be permitted to be constructed on this property today, but the lot size would have to be in accordance to the R-1L Zone.

**ANALYSIS:**

The property owner is requesting to subdivide the vacant property and construct five (5) single-detached dwellings. The preliminary site plan designed by ISE which is attached to this report

(Attachment 'B') meets the requirements of the Zoning & Development By-law should the rezoning application be approved. An analysis of the By-law is below:

#### Lot Frontage

Should the subdivision be approved as proposed, each of the properties would be considered as through lots in light of the fact that the lots are bound on two opposite sides by streets. Further, where a lot abuts two streets, the lot frontage is the lesser distance of the two frontages. In light of the foregoing, the lot frontage for Lots 1-4 would be on Pearson Street while the lot frontage for Lot 5 would be on Hanover Street. The minimum lot frontage for an interior lot is 34.8 ft while the minimum lot frontage for a corner lot is 49.9 ft. The property owner is proposing a lot frontage of 36.0 ft for Lots 1-4 and a lot frontage of 70.2 ft for Lot 5.

#### Setbacks

The front yard setback requirement of 19.7 ft would be required along Pearson Street for Lots 1-4 while the rear yard setback requirement of 19.7 ft would be required along Miller Street. Lot 5 is unique in the fact that the front yard setback requirement of 19.7 ft would be required along Hanover Street while the flankage yard setback requirement of 19.7 ft would be required along Pearson Street and Miller Street. All interior side yard setback requirements are 6.0 ft. The property owner is proposing to located the proposed dwellings 19.7 ft front Pearson Street with 6.0 ft interior side yard setbacks, meeting the requirements of the By-law.

#### Height

The property owners are proposing a building height of approximately 27.5 ft. The maximum height for a single-detached dwelling in the R-1N Zone is 36.1 ft.

#### Secondary Uses

The property owners are proposing to construct five (5) single-detached dwellings in the R-1N Zone. The R-1N Zone does now allow for secondary uses and therefore the maximum density for this property would be five (5) residential dwelling units.

In contrast, if the applicant elected to develop this property with R-1L Zoning (i.e., 59.1 ft lot frontage for interior lots, 72.2 ft lot frontage for the corner lot, 5,812.5 sq ft lot area for interior lots, 7,384 sq ft lot area for the corner lot) they would likely be able to construct three (3) single-

detached dwellings each with a secondary suite for a maximum density of six (6) residential dwelling units.

#### Parkland

When a subdivision includes more than two (2) properties, the applicant is required to provide parkland dedication in the amount of 10% or pay cash-in-lieu of green space. The total lot area of the property is 27,710 sq ft which equates to a green space requirement of 2,771 sq ft. Originally the property owners proposed a 3,000 sq ft green space on the corner of Pearson Street, Hanover Street, and Miller Street. This request was directed to the Manager of Parks & Recreation who indicated that *'staff will be recommending to accept cash-in lieu for this development, since the size of parkland they are required to give (and recommending) is extremely small (3,000 square feet). There is greenspace across the street from this development, which meets the needs of this neighborhood.'* On April 30, 2019, the PRLA Committee concurred with staff's recommendation and elected to reject the proposed green space and required cash-in-lieu of green space instead.

This proposed development reflects the type of housing that has been constructed on Esher Street in Charlottetown, Madison Heights in Cornwall and Hollis Avenue in Stratford. Further, there are vacant properties zoned R-1N in Horseshoe Hills Estates and Emmery Estates in East Royalty.

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

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

*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 3.2.1 - Our **policy** shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods are physically related to its surroundings.*

Section 3.2.1 - Our **objective** is to allow moderately higher densities and alternative forms of development in any new residential subdivisions which may be established, provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.

The development of narrow lot residential dwellings allows for compact urban form when developing a vacant property while utilizing existing services. The additional dwellings on the same street frontage promotes density and alternative forms of housing but in a harmonious manner as the dwellings are physically related to its surroundings which include other low density residential dwellings.


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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> <li>• Meets the requirements of the By-law.</li> <li>• Compact urban form.</li> <li>• Infill development.</li> <li>• Efficient use of existing services.</li> <li>• Harmonious development.</li> <li>• Does not involve an Official Plan amendment.</li> </ul>		<ul style="list-style-type: none"> <li>• The subject property is not zoned for the proposed lot area and lot frontage.</li> <li>• Approving this request would introduce a new subdivision standard (narrow lots) into the existing neighbourhood.</li> </ul>


**CONCLUSION:**

Staff is recommending that the rezoning application be approved.

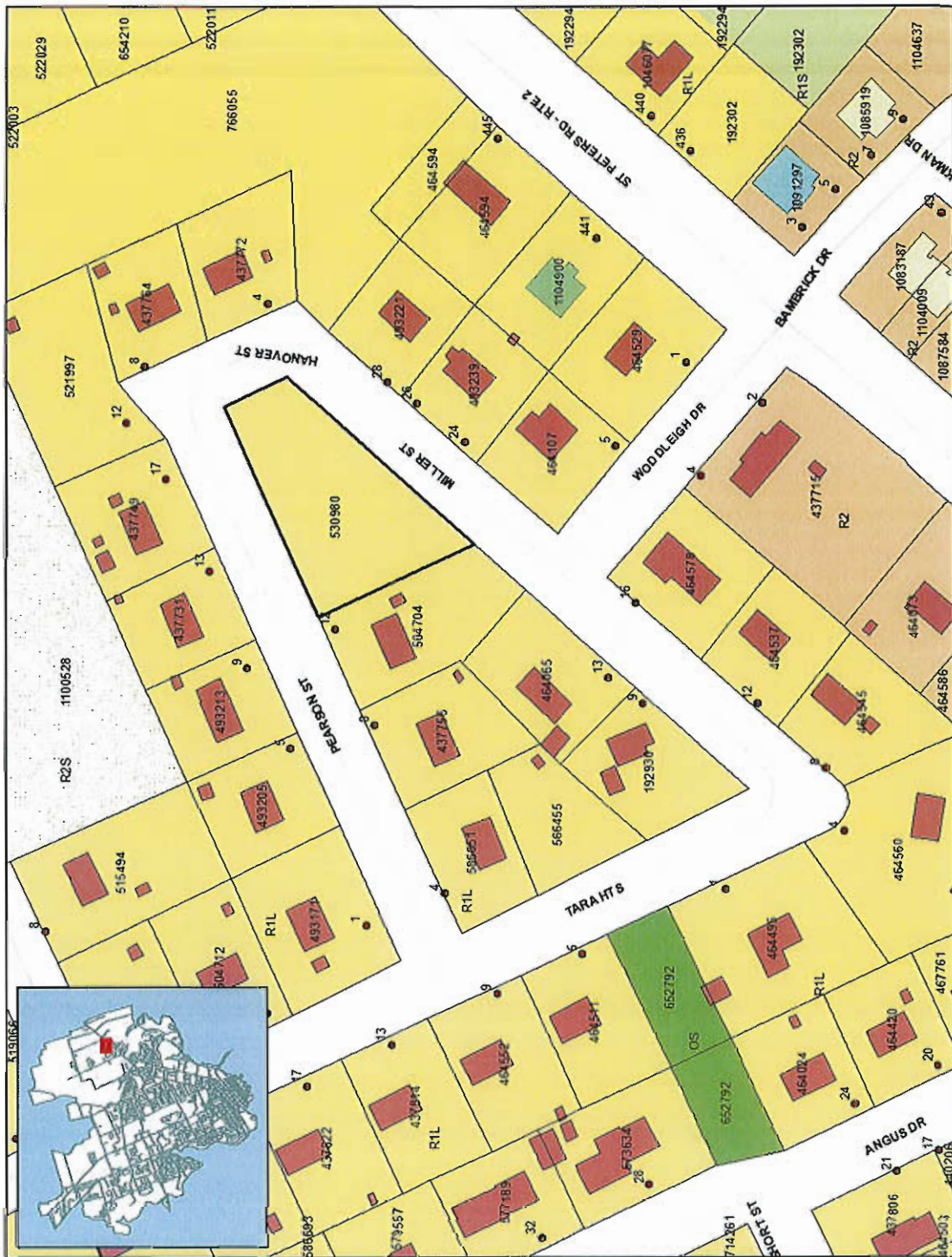
**PRESENTER:**

  
 \_\_\_\_\_  
 Greg Morrison, MCIP  
 Planner II  
 \_\_\_\_\_

**MANAGER:**

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

# Attachment A

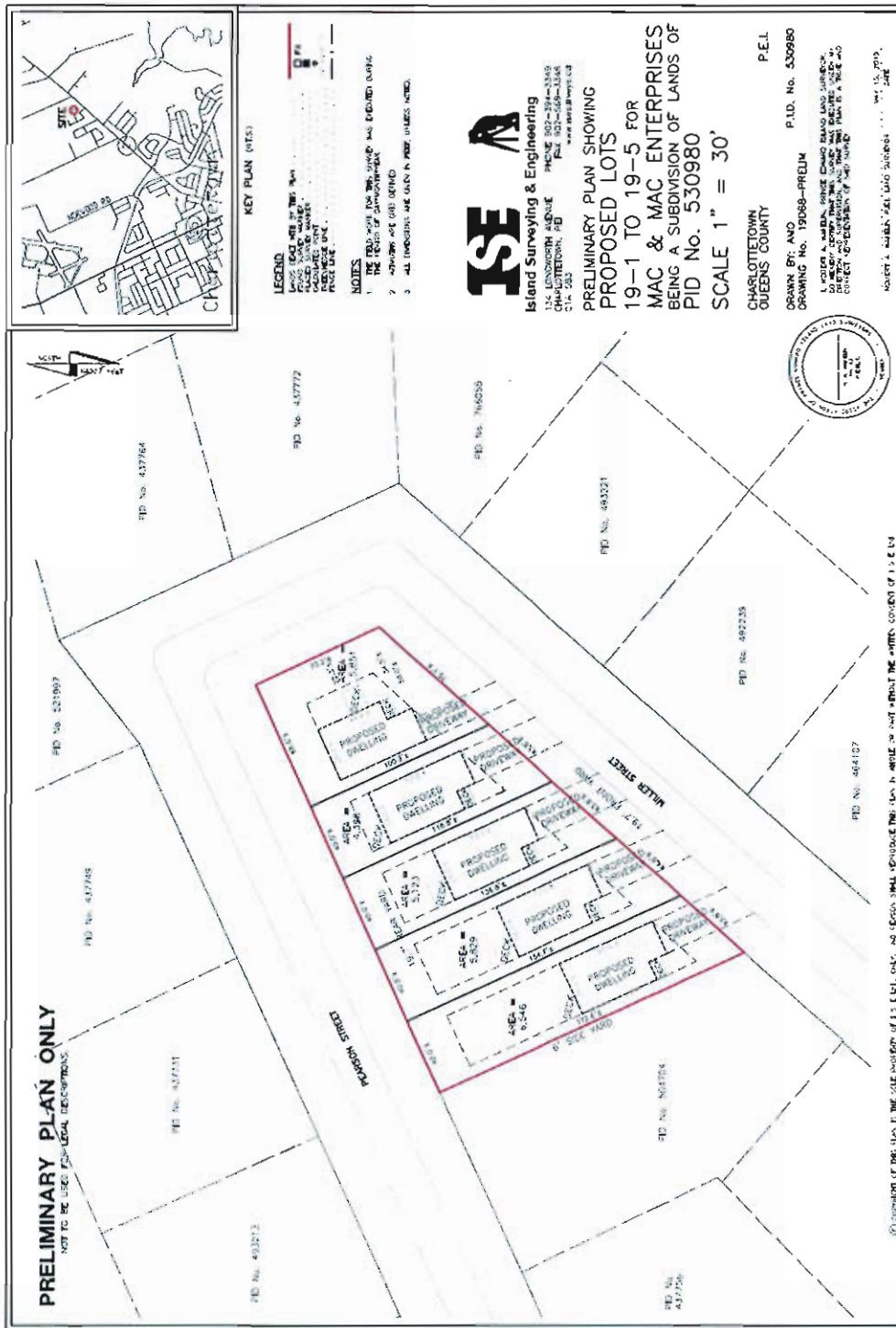


Attachment A: GIS Map  
File: PLAN-2019-4-JUNE- **6A1**  
Miller St / Pearson St / Hanover St  
(PID #530980)  
Owner: Mac & Mac Enterprises Inc.

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



# Attachment B



Attachment B: Site Plan  
 File: PLAN-2019-4-JUNE- 6A1  
 Miller St / Pearson St / Hanover St  
 (PID #530980)  
 Owner: Mac & Mac Enterprises Inc.





# Attachment C

## Five Letters of Opposition & Petition Attached:

1. Sandy MacEachern for Barbara Israel
2. Stan & Linda Boyle
3. Ann & Waldron McDonald
4. Greg Nicholson & Cindy Riley
5. Linda M. Boyle
6. Petition Signed by 17 Residents (2 Pages)

Attachment C: Letters of Opposition  
File: PLAN-2019-4-JUNE- **6A1**  
Miller St / Pearson St / Hanover St  
(PID #530980)  
Owner: Mac & Mac Enterprises Inc.



**CHARLOTTETOWN**  
Planning & Heritage  
Department

## Morrison, Greg

---

**From:** Ganga, Ellen on behalf of Planning Department  
**Sent:** May 22, 2019 1:41 PM  
**To:** Sandy Maceachern; Morrison, Greg  
**Subject:** RE: PID #530980

Hi Sandy,  
Good day and thank you for your email.

Hi Greg,  
Fyi.

Best Regards,  
Ellen

**From:** Sandy Maceachern [<mailto:sanleemac@gmail.com>]  
**Sent:** Wednesday, May 22, 2019 11:41 AM  
**To:** Planning Department  
**Subject:** PID #530980

I am against the proposed rezoning of the land on Miller, Pearson and Hanover streets. The lots and proposed houses will look incongruous with the bungalows on the street. I'm assuming the houses will be two story as the lots will be narrow, so the buildings will look totally out of place. There is quite a lot of space on the lot so it makes more sense for the builder to put two bungalows on Pearson, two on the other side and one on the end. This will also be more effective for the situating of driveways on the roads. Five separate but close driveways on one side of the street seems unnecessary and possibly a little dangerous. I don't object so much about the property going from three lots to five (greed aside, we do have a housing shortage), it is the aesthetics that are of concern to me. For that reason, I am against the proposal.

Sincerely,  
Sandy MacEachern for Barbara Israel

**Morrison, Greg**

---

**From:** Planning Department  
**Sent:** May 27, 2019 3:44 PM  
**To:** Morrison, Greg  
**Subject:** FW: Re:Corner of Miller St/Pearson St./Hanover St. (PID#530980)

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**From:** sboyle [<mailto:sboyle@pei.eastlink.ca>]  
**Sent:** Monday, May 27, 2019 10:40 AM  
**To:** Planning Department  
**Subject:** Re:Corner of Miller St/Pearson St./Hanover St. (PID#530980)

To Whom It May Concern,

My husband and I are opposed to this rezoning and construction of 5 houses. Being residents here for 44 yrs we have loved the openness around us. There is a lot of traffic up here now for a small area and 5 new houses will probably add 10 more vehicle's to the mix.

Also those new houses will not fit in with 40 plus year old bungalows. About 5 years ago when this same proposal was brought up everyone at a meeting was oppised to it.

Maybe the city could purchase the land and leave as green space.

Sincerely,  
Stan and Linda Boyle  
17 Pearson St.

Sent from my Galaxy Tab

## Morrison, Greg

---

**From:** Julie McCabe <julynnemccabe@gmail.com>  
**Sent:** May 28, 2019 7:37 PM  
**To:** Morrison, Greg  
**Subject:** Fwd: Development Meeting

Sent from my iPhone

Begin forwarded message:

**From:** Waldron McDonald <[waldron@eastlink.ca](mailto:waldron@eastlink.ca)>  
**Date:** May 25, 2019 at 7:21:25 PM ADT  
**To:** Julie McCabe <[julynnemccabe@gmail.com](mailto:julynnemccabe@gmail.com)>  
**Subject:** **Re: Development Meeting**

Julie

Follow up to our telephone conversation on May 20th

1 - Regarding the zoning on Miller ,Pearson & Hanover Streets in East Royalty, we oppose having it changed to a 5 building property, the style and appearance would be not similar to existing homes.

2-- On both sides of Pearson Street where it meets Tara Heights for better part of the year has water collecting, needs to be filled with crushed old pavement .

3 --Your support to see that Tara Heights and Norman Drive are not connected to the new Development - Montgomery Heights - is needed, extra traffic on the streets that were built in early 1970's with 90 degree turn at bottom of hill , and in general construction of the streets are not built for the traffic.

Thank You for your Support

Ann & Waldron McDonald

25 Tara Heights

## Morrison, Greg

---

**From:** Planning Department  
**Sent:** May 29, 2019 10:26 AM  
**To:** Morrison, Greg  
**Subject:** FW: Rezoning proposal PID #530980

**Importance:** High

---

**From:** Cindy Riley [mailto:criley@confederationcentre.com]  
**Sent:** Wednesday, May 29, 2019 10:18 AM  
**To:** Planning Department  
**Subject:** Rezoning proposal PID #530980  
**Importance:** High

I am writing today with objections to the rezoning proposal for the property located on the corner of Miller Street, Hanover Street & Pearson Street.

My family lives at 13 Pearson Street, directly across from the proposed rezoning property. My concerns to this rezoning are as follows:

- 1) A number of years ago this same rezoning proposal was presented to the home owners in this subdivision. We feel as strongly today as we did then, that such a rezoning does not fit within this small, 40 year old subdivision.
- 2) Not only would these 2 story dwellings completely block our view, adding 5 single detached dwellings on such a narrow property would cause great congestion on such a small parcel of land.
- 3) Statistics reveal that for each dwelling there would be a minimum of 2 vehicles for each household, meaning 10 additional vehicles coming and going into this small quiet subdivision. That is without also factoring in additional drivers in each unit i.e. young teenage drivers, friends, etc. I foresee major issues with sufficient parking. This 40 year old subdivision is not large and accommodating this magnitude of increased traffic would create congestion and a lot of additional noise to what is now a very peaceful place to live.
- 4) As this vacant lot currently is we enjoy seeing the many local children enjoying this green space, regularly playing baseball, Frisbee, walking their dogs, having little picnics, etc. This space would be better suited sold to the City to remain a healthy green space or local park or similar, to continue being enjoyed by many.
- 5) The homes currently in this subdivision are 40 year old bungalow's. I don't see the fit for 2 storey, single detached dwellings.
- 6) What a shame it would be for our family, after living in this location and loving it for 23 years, to now feel forced out but encroaching properties directly in front of our home and in the very near future, possible development directly behind us as well.

Thank you,

Greg Nicholson & Cindy Riley  
13 Pearson Street

~ Cindy ~

Cindy Riley  
Theatre Administration  
Confederation Centre of the Arts  
145 Richmond Street  
Charlottetown, PE C1A 1J1  
(902) 628-6102  
Fax: (902) 566-4648  
e-mail: [criley@confederationcentre.com](mailto:criley@confederationcentre.com)  
[www.confederationcentre.com](http://www.confederationcentre.com) of the Arts

~ you have not lived a perfect day, regardless of money, if you have not done something for someone who cannot repay you ~

 CONFEDERATION CENTRE OF THE ARTS  
CENTRE DES ARTS DE LA CONFÉDÉRATION

145 Richmond Street  
Charlottetown P.E.I.  
Canada C1A 1J1

145, rue Richmond,  
Charlottetown I.-P.-É.  
Canada C1A 1J1

[confederationcentre.com](http://confederationcentre.com)    

**SUPPORT US** through membership

## Morrison, Greg

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**From:** Planning Department  
**Sent:** May 29, 2019 10:26 AM  
**To:** Morrison, Greg  
**Subject:** FW: Corner of Miller St/Pearson St/Hanover St (PID#530980)

---

**From:** [sboyle@pei.eastlink.ca](mailto:sboyle@pei.eastlink.ca) [<mailto:sboyle@pei.eastlink.ca>]  
**Sent:** Wednesday, May 29, 2019 10:03 AM  
**To:** Mayor of Charlottetown (Philip Brown)  
**Cc:** Planning Department  
**Subject:** Corner of Miller St/Pearson St/Hanover St (PID#530980)

Good morning to Mayor Brown and city council members and member of city planning dept.

As a very concerned resident of 17 Pearson St., (my house directly facing above mentioned property), and being opposed to the rezoning and proposed development of 5 new 2 storey homes I would like to extend an invitation to Mayor Brown, city council members and members of Charlottetown Planning Dept. to stand in my living room to see the present view we have of this property and then for you all to visualize 5- 2 storey homes in that space. I visualize it and it actually sickens me.

If anyone would like to take me up on this invitation I can be reached at 629-1693 or 629-5775

Thank you for your time.

Sincerely,  
Linda M. Boyle

P1 of 2



May 29/2019

Linda M. Boyle

17 Pearson St.

Charlottetown, P.E.I.

To Whom It May Concern,

Re: Corner of Miller St/Pearson St/Hanover St. (PID#530980)

Residents OPPOSED to proposed rezoning and development of above mentioned property.

The reasons being more traffic in a small area subdivision where small children drive bicycles and scooters etc on the streets due to no sidewalks. Five new 2 storey homes will not fit in style wise and cost wise with present 40 plus year old bungalows surrounding them and the open view it will take away from those residents directly around this area in mention. When we chose to build here years ago we were told that area was designated green space.

NAME	ADDRESS
Susan Pica	8 Hanover St. Charlottetown PE
Janet Pica	CIC 10-5 17 PEARSON ST.
Stanley D. Boyle	17 Pearson St.
Linda Boyle	4 Pearson St.
Mark Hill	89 PEARSON ST
Doug Dele	12 Pearson St.
Dorota MacDonald	13 Pearson St.
Cindy Riley	16 Miller St.
Gail MacEachern	13 Miller St.
Sandra Gregory	



May 29/2019

Linda M. Boyle

17 Pearson St.

Charlottetown, P.E.I.

To Whom It May Concern,


Re: Corner of Miller St/Pearson St/Hanover St. (PID#530980)

Residents OPPOSED to proposed rezoning and development of above mentioned property.

The reasons being more traffic in a small area subdivision where small children drive bicycles and scooters etc on the streets due to no sidewalks. Five new 2 storey homes will not fit in style wise and cost wise with present 40 plus year old bungalows surrounding them and the open view it will take away from those residents directly around this area in mention. When we chose to build here years ago we were told that area was designated green space.

NAME	ADDRESS
David [Signature]	1 Tara Heights
Daina K Chenero	1 Tara Heights
S. [Signature]	9 TARA HEIGHTS
K. P. [Signature]	4 Hanover St.
William B. [Signature]	13 Tara Heights.
Carolyn Redmond.	16 Tara Heights.
Bonda [Signature]	5 Pearson St.

These were the only people I could reach this morning. Some were not home. L. Boyle

<b>TITLE:</b> <b>REZONING APPLICATION</b> <b>FILE: PLAN-2019-4-JUNE- 6A7</b> <b>25 POWNAL STREET (PID #335588)</b> <b>OWNER: HEATHER MOYSE</b>		 <b>CHARLOTTETOWN</b>
<b>MEETING DATE:</b> June 4, 2019		<b>Page 1 of 4</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map	
<b>SITE INFORMATION:</b> <b>Context:</b> Mixed-use building on the corner of Pownal Street and King Street <b>Ward No:</b> 1 – Queen Square <b>Existing Land Use:</b> Vacant commercial space on ground floor and four residential dwelling units. <b>Official Plan:</b> Downtown Neighbourhood <b>Zoning:</b> Downtown Neighbourhood (DN)		
<b>PREVIOUS APPLICATIONS:</b> N/A		

**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 Downtown Neighbourhood to Downtown Mixed-Use Neighbourhood for the property located at 25 Pownal Street (PID #335588); and
2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone for the property located at 25 Pownal Street (PID #335588).

**BACKGROUND:**

***Request***

The property owner, Heather Moyse, has made an application to rezone 25 Pownal Street (PID #335588) from the Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone. The purpose of the rezoning is to avoid restricting the commercial uses permitted in the ground floor by allowing all of the uses permitted in the DMUN Zone.

***Development Context***

The subject property is located in the 500 Lot Area on the corner of Pownal Street and King Street.

***Property History***

The City of Charlottetown Zoning & Development By-law was amended as of September 11, 2013 to include a new 500 Lot Area (properties south of Euston Street).

Prior to this date, the property was located in the Business Office Commercial (C-1) Zone. When the By-law was amended in 2013, the property was rezoned to the Downtown Neighbourhood (DN) Zone.

A building permit was then issued on February 28, 2014 to locate a bakery (Yummy Naan) within the ground floor commercial space of the subject property.

**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:**

*As per Section 5.5.3 of the Zoning & Development By-law, a non-conforming use of land or building shall not be permitted to resume if it has been discontinued for a period of six (6) consecutive months, and in such event the land or Building shall not thereafter be used except in conformity with this by-law.*

The Yummy Naan Bakery has been closed for at least ten (10) months now. In light of the foregoing, only the uses identified in the DN Zone would be permitted. Below is a table analyzing the permitted commercial uses in the C-1 Zone in August 2013 as well as the DN Zone and DMUN Zone in May 2019.

<b>Permitted Commercial Uses</b>		
<b>C-1 Zone (August 2013)</b>	<b>DN Zone (May 2019)</b>	<b>DMUN Zone (May 2019)</b>
Bakery Shop*		
Book and Stationary Store*		
Commercial Daycare Centre*		
Community Institutional	Community Building	Community Building
Convenience Store*	Community Institutional	Community Institutional
	Convenience Store	Convenience Store
	Cultural Establishment	Cultural Establishment
Educational Institution		Eating & Drinking Establishment
Florist or Gift Shop*		
Funeral Establishment*		Funeral Establishment
	Government Office	Government Office
Laundromat*		
	Library	Library
Medical and Health Office		Medical, Health and Dental Office
Office		Office
Personal Service Shop*		Personal Service Shop
Photography Studio*		
	Place of Worship	Place of Worship
	Recreation or Fitness Center	Recreation or Fitness Center
		Retail Store

\*Discretionary Use (i.e., Council approval)

In order to obtain a commercial use not permitted in the DN Zone, the applicant would be required to obtain a major variance in order to allow *the extension or intensification of a specific non-conforming use upon a site occupied by such use or building on the effective date of this By-law / a less intensive use of the building or site other than the previous non-conforming use, provided that the building or structure had not at any time in the interim become a conforming use.*

The property owner is interested in locating a Personal Service Shop in this location which may be considered a less intensive use than the former bakery. That being said, the property owner would prefer to rezone the property to the DMUN Zone which would avoid the need to apply for

variances for each new tenant as additional commercial uses would be considered as-of-right in the DMUN Zone.

While staff sympathize with the applicant that when the rezoning of their property took place in 2013, some commercial uses were no longer permitted, the requested rezoning would introduce a number of uses such as an Eating & Drinking Establishment and Retail Store which were not contemplated in the former zoning.

In light of the above, and the fact that this request would be considered a spot rezoning, staff feel that commercial uses at this property would be better dealt with on a case by case basis through the variance process rather than rezoning the property to the DMUN Zone.

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>Property was formally located in the C-1 Zone.</li><li>Property formally contained a Bakery which could be considered an intensive commercial use. Aside from a restaurant, any new use would likely be less intensive.</li></ul>	<ul style="list-style-type: none"><li>An avenue exists to change the commercial use through the variance process.</li></ul>	<ul style="list-style-type: none"><li>This request would be considered a spot rezoning.</li><li>DMUN Zone would introduce a number of intensive commercial uses.</li><li>Includes an Official Plan amendment.</li></ul>

**CONCLUSION:**

Staff is recommending that the rezoning application be rejected to proceed to public consultation.

**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-June- **6A2**  
25 Pownal Street (PID #335588)  
Owner: Heather Moyse

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



<b>TITLE:</b> <b>FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID# 1014224 &amp; 373415) 351 North River Rod</b> <b>FILE: PLAN-2019-06-June-6A3</b> <b>OWNERS: Sammi Zhang</b> <b>APPLICANT: Sable Arc Studios</b>	
<b>MEETING DATE:</b> May 6, 2019	<b>Page 1 of 13</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Concept Plan C. Elevation Drawings
<b>SITE INFORMATION:</b> <b>Context:</b> Mature mixed density neighbourhood adjacent to a low density subdivision and vacant CDA land. <b>Ward No:</b> 5 – Ellen’s Creek <b>Existing Land Use:</b> existing single detached dwelling and vacant land. <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Low Density Residential Single (R-2S) Zone	

**RECOMMENDATION FOLLOWING PUBLIC CONSULTATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to defer the application for a request to rezone the property at 351 North River Road and a request 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-2S (Low Density Residential Single) Zone to R-3 (Medium Density Residential) Zone at 351 North River Road (PID #1014224 & 373415 ) until a site plan delineating the wetland is provided.

**REQUEST**

This application was before the Board last month and a recommendation was passed to advance the application to public consultation. This is a request to rezone the property located at 351 North River Road PID #'s 1014224 & 373415 from R-2S Low Density Residential Single 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 vacant land zoned Comprehensive Development Area (CDA) and a lot containing a single detached dwelling zoned Low Density Residential Single (R-2S), to the east, by North River Road, to the south by R-1S zoned land on Madison Avenue and R-2 zoned land along North River Road and to the west by Ellen's Creek.

### **LEGISLATIVE REQUIREMENTS:**

#### ***Notification***

In accordance with Section 3.10 of the Zoning & Development By-law, on May 17, 2019 notice was sent to 33 residents located within 100 meters of the subject property advising them of the request to rezone and the date, time and location of the public meeting. The letter solicited their written comments for or against the proposed rezoning request and the deadline to submit written comments on the application.

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

In response to the City's notification letter two (2) letters were received in opposition to the rezoning application. One letter was signed by 9 residents on Madison Avenue. The letters stated various concerns such as:

- The rezoning will impact the designated wetlands.
  - The development will impact our quiet single family neighbourhood.
  - It will cause a negative impact on our property value.
  - The will be a dramatic increase in traffic.
  - A town house development will look out of character in our neighbourhood
  - I bought my house in a single family neighbourhood and I did not expect the zoning to change.
- Please see the attached letters.

The Public meeting was held on May 28, 2019 at the Rodd Charlottetown Hotel. At the public meeting Greg Munn the property owner's consultant presented the details of the application including parking, the square footage of the proposed units, the public road, building elevations, building materials and site design. When Mr. Munn finished his presentation residents were invited to ask questions and make comments.

Several residents spoke in opposition to the proposed development. Some of the comments received at the public meeting included:

- There is not enough parking on site to accommodate visitors.
- The development is attractive. However, there are concerns that it is not a good fit adjacent to our single detached neighbourhood.
- There is already too much traffic on North River Road



- This development is adjacent to a wetland and the buildings appear to be sited within that area.
- The buffer that is required for a wetland is 75 feet and therefore a great deal of this property is not able to be developed.

**ANALYSIS Following the Public Meeting:**

This is an application to rezone approximately 2.09 acres of land located off of North River Road. The land is currently zoned R-2S (Low Density Residential Single) and is occupied by a single detached dwelling with vacant property to the west bordering Ellen’s Creek. The proposal is to demolish or move the single detached dwelling, consolidate the two lots and construct a group of townhouses on the one property. The applicant is proposing to rezone the land to R-3 (Medium Density Residential) to facilitate the construction of two townhouse dwellings and one semi detached dwelling for a total of thirteen (10) units. All units are 3 stories (see attached concept drawings).

The property has frontage on North River Road and if the two properties are consolidated the dwellings could be built on the one parcel under the R-3 zone. The site plan shows a proposed public road however, if the buildings are constructed with the setbacks shown on the site plan a private road would have to be constructed and the property would remain as one lot. The applicant has indicated that the property owner has interest in constructing a public road, subdividing and selling each townhouse as an individual lot. If the property owner chooses to proceed with this approach then the rear yard setback for the dwelling fronting on North River Road will have to be increased and it is likely that this future lot will only be able to be developed with a single detached dwelling. Therefore, the density on the property may decrease to 9 units. If a private road is constructed then the proposed setbacks conform.

This property sits between property that is zoned Comprehensive Development Area, and a single detached residential subdivision on Madison Avenue. The CDA zoned land is currently vacant however; a comprehensive development proposal was approved in the early 2000’s for multi unit dwellings. Madison Avenue subdivision was also developed in the early 2000’s. At that time the current R-2S Zoning on this parcel allowed for single detached dwellings with 25% semi-detached or duplex dwellings. In the fall of 2018 a new Zoning and Development Bylaw was adopted and the R-2S Zone was changed to allow 100% of the lots in a subdivision to be developed as semi-detached or duplex dwellings. Therefore, the allowable density for this property has already doubled with the adoption of the new Bylaw. If the property is rezoned to R-3 there would be an increase of approximately 2-3 townhouse units on site. Staff does not view this as a significant increase. However, the R-3 zone permits other multi-unit buildings such as apartment dwellings. If a rezoning is permitted than a development agreement must be required to limit the density and to restrict the developer to the project that has been proposed at the public meeting.

This property is located within a mature mixed density residential neighbourhood. There is R-3 development to the north on Waterview Heights and assisted living and community care facilities on North River Road. The subject parcel lies between a property which is slated for high density development and a low density subdivision. The current R-2S zoning provides a buffer between the proposed high density development to the north and low density development to the south.

There are institutional zoned properties consisting of an elementary school and a high school within a 15 minute walk to this property. North River Road is located along a public transit route. It is beneficial for medium and higher density developments to be located within walking distance to schools, and public transit. When located in proximity to such services residents do not have to rely on automobiles to access such uses. Town houses also provide an alternate housing choice for young families and people looking to downsize.

This proposed development is located along a watercourse and provincial regulations require a non-developable buffer zone. At the public meeting many residents voiced concerns about a wetland that is located along the south boundary of the property. The site map provided by the applicant did not include the wetland and staff are unsure where the exact boundaries of this wetland exists. Depending on the location of the wetland it may alter the placement of the dwellings as the site plan currently shows. Ideally the wetland should be delineated by the Department of Environment to determine its location and where the buffer exists.

A large percentage of this property is shown on the site plan as green area. Therefore, once the wetland is properly delineated it is possible to site the buildings around this wetland. A landscape buffer would be required to be retained along the property boundary of the proposed development and the low density development. Staff does not feel that the townhouse development is out of scale for the neighbourhood. However, given the proposed zoning change it does cause concern for area residents.

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 housing 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."*

It should be considered that the City is currently experiencing an increased demand for housing of all types and price ranges. 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. The Official Plan has various policies which support the efficient use of services and making neighbourhoods stable and sustainable by supporting more infill development. The Plan also supports various housing options within existing

neighbourhoods if it is appropriate in mass, scale and height and will integrate well into the surrounding neighbourhood.

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, schools and within walkable neighbourhoods. The proposed site is within walking distance to schools, transit and parkland.

Staff feel the proposed development meets many of the technical requirements stipulated in the Zoning Bylaw and policies of the Official Plan. The subject property is located within a mixed density neighbourhood. However, staff do feel that concerns raised by area residents regarding the proximity of this proposed development to a low density subdivision does have merit as many residents bought their properties prior to the density increase in the R-2S Zone. In addition the concerns raised by residents regarding the wetland has to be resolved and the wetland boundary determined.

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 City is experiencing a demand for housing and this proposal would provide additional options for housing within a mature neighbourhood.</li> <li>▪ The proposal is close to schools, parkland and public transit.</li> <li>▪ The property is in an area that has municipal services.</li> <li>▪ At least 50% of the site has been left as green space in the proposal.</li> </ul>	<p>The property is located along a watercourse and an environmental buffer must be reserved.</p>	<ul style="list-style-type: none"> <li>▪ The site is located adjacent to a low density subdivision.</li> <li>▪ The proposal has been viewed by area residents as not compatible for the neighbourhood.</li> <li>▪ The wetland boundary has not been delineated and therefore the placement of dwellings on the property may be altered.</li> </ul>

**CONCLUSION:**

Given the location of this proposed infill development between a property that is slated for higher density development and a low density subdivision this property acts as a buffer between both. The current zoning allows for the property to be developed with semi-detached dwellings which would allow for approximately 8-9 units. The developer is proposing 10 units. The proposed density with the subject townhouse development is not a significant increase in units from what is currently permitted. The increase in density is very minor and not significant to create an impact on density. With such a small gain in units staff questions the purpose for the rezoning. Therefore, if approved a Development Agreement must be required to ensure the developer is restricted to constructing the townhouse development. Staff also feel that the wetland and the buffer area must be delineated before a final decision can be made on unit count and the placement of the dwellings on site as the wetland location may significantly alter the site design. Staff feel that the townhouse proposal can be integrated well on the site with the use of landscape buffers. It should be considered that there is a severe housing shortage within the City. Therefore, such a development would provide housing choices within the neighbourhood. Staff feel that the proposal does have merit but at this time are recommending the application be deferred until the wetland is properly delineated and the site designed in accordance with the wetland buffer.

**RECOMMENDATION:**

Planning & Heritage Department encourages Planning Board to recommend to Council to defer the application for a request to rezone the property at 351 North River Road until a site plan delineating the wetland is provided.

**PRESENTER:**

Laurel Palmer Thompson, MCIP  
Planner II

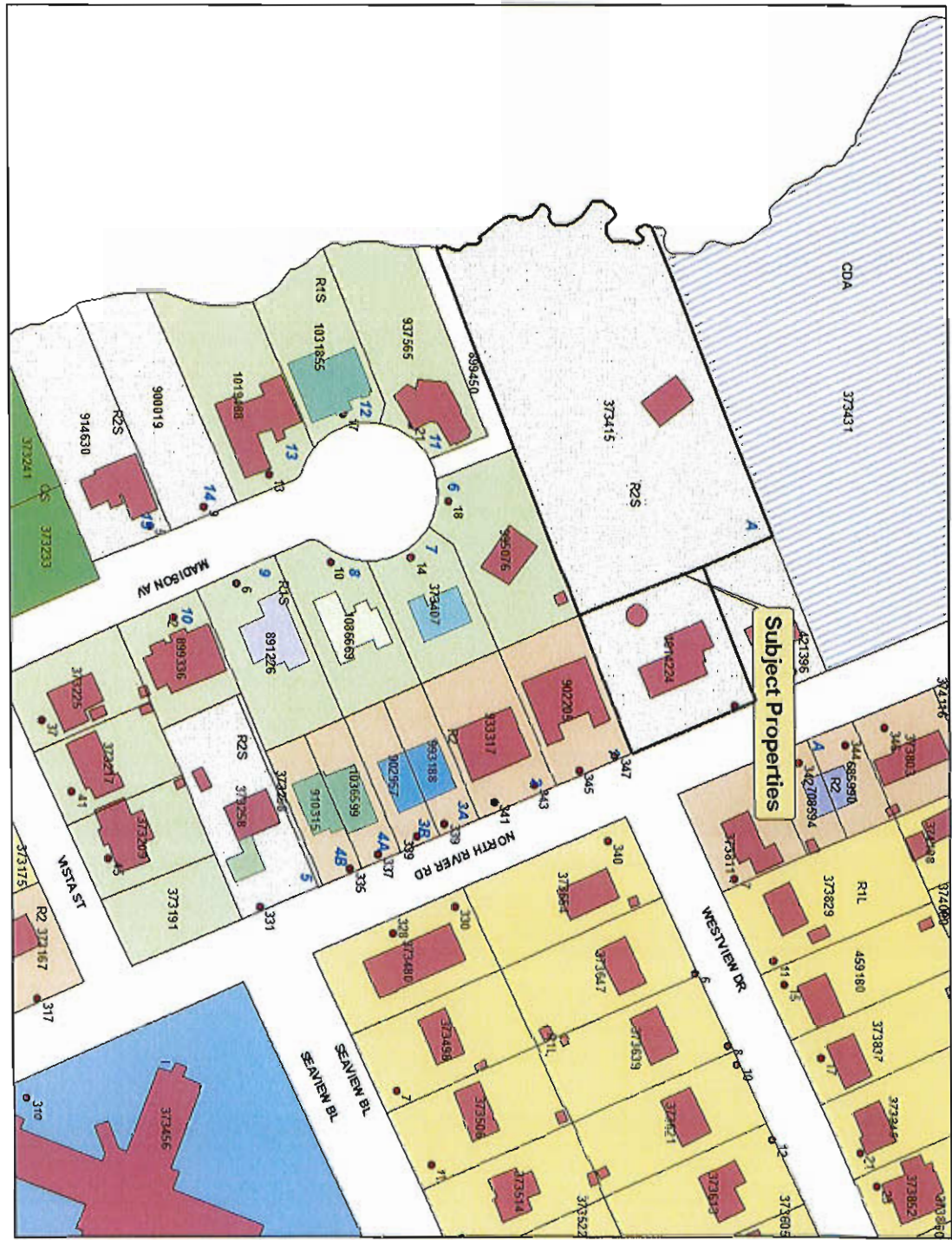


**MANAGER:**

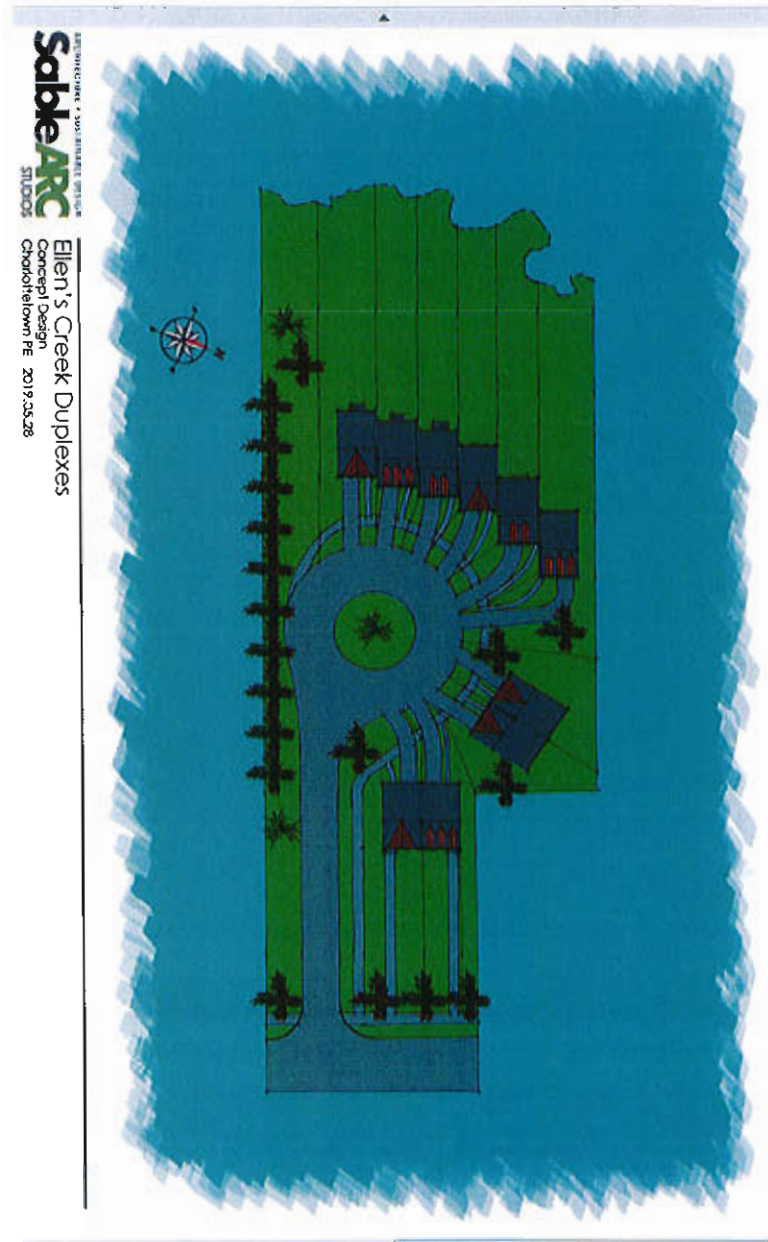
Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



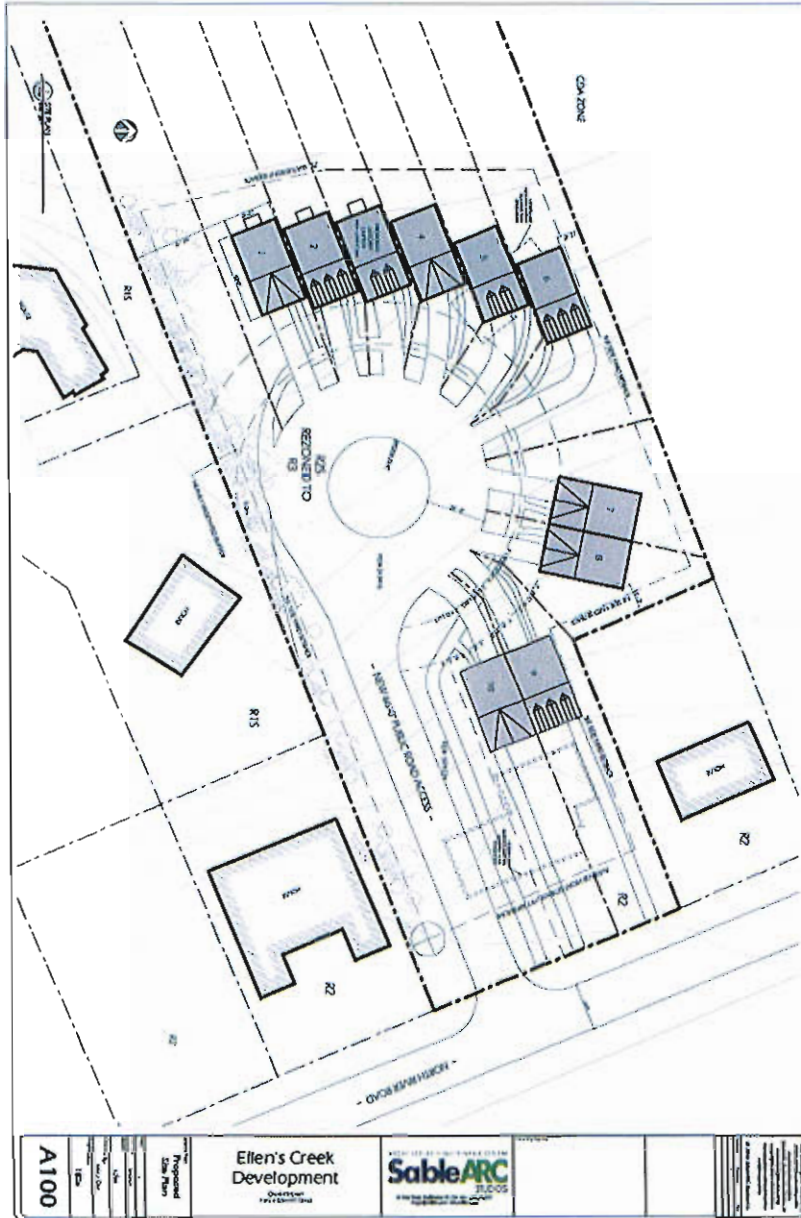
GIS Map:



Site Map:



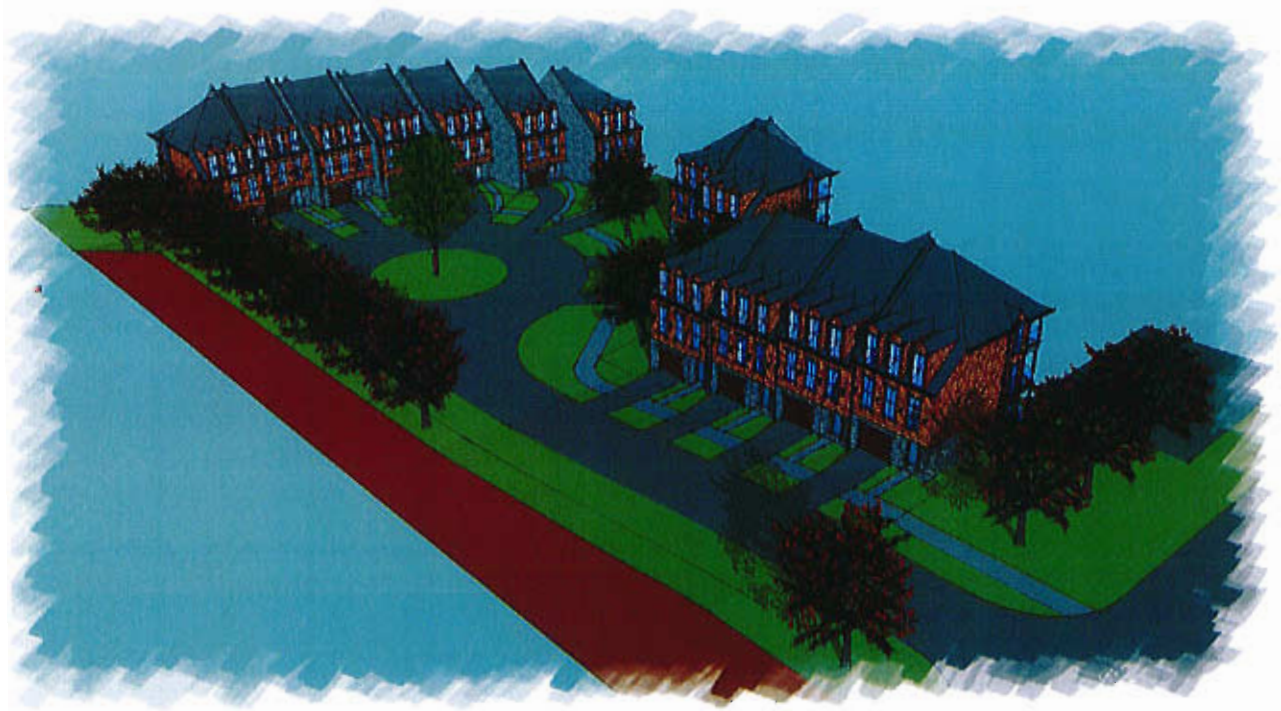




Elevations:







May 23, 2019

**PLANNING**  
Rec'd Reid by Int *LD*  
*Info Email*  
*May 21/19*

Planning & Heritage Department  
City of Charlottetown  
P.O.Box 98, 233 Queen Street  
Charlottetown, PE, C1A 7K2

Fax 902 6294156  
Email – [planning@charlottetown.ca](mailto:planning@charlottetown.ca)

**Re: 351 North River Road (PID#s 1014224 & 373415); Rezoning request**

We the undersigned, as the closest and most impacted by the request to rezone the above property from **Low Density Residential Single (R-2S) Zone** to **Medium Density Residential (R-3) Zone**, appeal the granting of this request.

We also appeal any granting of the proposal to build 13 new residential units in an area the city has consistently maintained as a **Low-Density** single building zone.

As you can see from the signatures at the end of this letter, virtually all the residents on Madison avenue, Charlottetown, support this appeal.

Our most compelling reasons include:

1. The rezoning will impact the designated Wet land areas.
2. There will be destruction of Greenland and disruption of animal life.
3. This will be detrimental to our quiet low density neighbourhood.
4. This will negatively impact the value of our property.
5. If the rezoning is approved and the planned development completed, the residential neighborhoods surrounding the property will witness a dramatic increase in traffic in an already heavily congested area.

We respectfully ask that the request to rezone the property should not be granted.

Respectfully,

*Dr. Ayo & Florence Harris-Eze*

Dr. Ayo & Florence Harris-Eze  
13 Madison Avenue

John & Dianne Bell  
2 Madison Avenue

*John & Dianne Bell*  
*Dianne Bell*

Dr. John & Krista Campbell  
6 Madison Avenue

Dr. Lynn Bowler & Glen Rixon  
5 Madison Avenue

*L. Bowler*  
*Glen Rixon*

Ali & Marjan Assadi  
18 Madison Avenue

*Trevor & Judy Pye*

Trevor & Judy Pye  
21 Madison Avenue

*SAMI & HIND LATOUF*  
*10 MADISON AVE*

*Sami & Hind Latouf*

*TRUNG NGO & THANH NHAN*

*14 Madison Avenue*

## Thompson, Laurel

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**From:** Planning Department  
**Sent:** Tuesday, May 28, 2019 8:08 AM  
**To:** Morrison, Greg; Thompson, Laurel  
**Subject:** FW: 351 North River Road (PD #s 1014224 and 373415) - Response from Trung Ngo, 14 Madison

**From:** Ngo Trung Dung [<mailto:trungdung.ngo@gmail.com>]  
**Sent:** Monday, May 27, 2019 5:46 PM  
**To:** Planning Department  
**Subject:** Re: 351 North River Road (PD #s 1014224 and 373415) - Response from Trung Ngo, 14 Madison


Hello,

We received your letter regarding to the request of rezoning from R-2S to R-3 with a plan of building a series of townhouse at the lots (PD #s 1014224 and 373415).

I AM WRITING TO CONFIRM MY OBJECTION TO THIS PLAN because

1. Re-zoning of the lots to build townhouses is only to make profits for a single person/company but does not help to improve the quality of life of people living in this area as well as the Charlottetown residence in general. In addition, you should not forget that the traffic of North River Rd is extremely heavy so you should not add more residence to this area. There are plenty of lots in West Royalty, Cornwall so there is no reason to help a guy to make his own profit by re-zoning the lots to build townhouses or apartment buildings.
2. The high density of townhouses will change the R-3 living culture, which will create unexpected security issues of this living area when the population density increases. I have already witnessed unexpected security issues of many re-zoning areas in Charlottetown. The Department of Planning must not allow a guy to gain his own profits by creating unexpected issues to the society.
3. Construction of the townhouses will remove all the green area of this area and block all the free path way down to the water of the area. The Department of Planning must not allow a guy to make his own profit by taking advantages of the community common places.
4. Last but not least, if the Department of Planning allows the contractor to re-zone these lots, you must allow me (or us of the madison ave and nearby area) to re-zone our lots so we can also build townhouses or even apartment building so we can make money too. We all know that it is easy to make money by re-zoning our lots to build townhouses and apartment building. If you are going to re-zone all the lots of the residence of Madison ave, North River Road, and close-by areas, we will discuss this issue again. Otherwise, don't wait our time for this issue - helping a guy to enrich his pocket.

Regards,  
The owner of 14 Madison Ave, Charlottetown, PEI

<b>TITLE:</b> <b>FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID# 278721) 7 Lions Crescent</b> <b>FILE: PLAN-2019-06-June-6A4</b> <b>OWNERS: Parkdale Sherwood Lions Corporation</b> <b>APPLICANT: Sable Arc Studios</b>		
<b>MEETING DATE:</b> June 6, 2019		<b>Page 1 of 13</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Concept Plan C. Elevation Drawings	
<b>SITE INFORMATION:</b> <b>Context:</b> Mature mixed density neighbourhood adjacent to a low density, medium density and MUC zoned land. <b>Ward No:</b> <b>Existing Land Use:</b> vacant R-1S lot. <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Low Density Residential		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to advance the request 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 (Low Density Residential Single) Zone to R-3 (Medium Density Residential) Zone at 7 Lions Crescent (PID #278721 ) to public consultation.

**REQUEST**

This is a request to proceed to public consultation for a request to rezone the property located at 7 Lions Crescent PID #'s 278721 from R-S 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 Lions Crescent, to the east, by Laurie Drive with single detached dwellings on the opposite side of the street, to the south by R-1S zoned land and R-3 zoned land and to the west by R-3 zoned land on Lions Crescent.

**ANALYSIS:**

This is an application to rezone 1 lot approximately .45 of an acre located on the corner of Laurie Drive and Lions Crescent. The land is currently zoned R-1S (Single Detached Residential) and is vacant. The proposal is to consolidate 4 lots and construct an additional apartment building on the three vacant lots. There is currently a 30 unit apartment building on one property the applicant is proposing to construct a 2.5 storey thirty two (32) unit affordable housing project on the remaining three lots. All properties will be consolidated and a new parking lot will be constructed between both buildings to provide parking for both. Forty seven (47) parking spaces are required for both buildings. The total lot area is 83,441 sq. ft. and the Bylaw requires 1,507 sq. ft. of lot area per unit on a corner lot. Therefore, 55 units are permitted. A density increase under Section 3.13 of the Bylaw can be applied to this building because it is an affordable housing project. Therefore, the density can be increased to a total of 66 units on site. The applicant is proposing a total of 62 units between the existing and proposed building. The R-3 zone permits more than one building on site.

This property borders land that is zoned for low density residential and land that is zoned for medium density residential. The single detached dwellings that are adjacent to the subject property along Lorie Drive back on to existing multi-unit dwellings. Open space consisting of a playground and park is located on the north side of Lions Crescent. Lions Crescent is also a bus route for public transit located within a mature mixed density residential neighbourhood. Zoning within this neighbourhood ranges from single detached residential to commercial development on St. Peter's Road. This lot is a corner lot and does provide a transition zone between the multi-unit development on Lions Crescent and the low density development on Lori Drive. However, if this property were rezoned to R-3 Medium Density Residential it would not be out of character with the neighbourhood as it is adjacent to a contagious R-3 zone. A landscape buffer would be required to be retained along the property boundary of the proposed development and the low density development.

The property is located on a public transit route and therefore, residents do not have to rely on automobiles if public transit is available. There currently is a demand for multi-unit development within Charlottetown's mature neighbourhoods.



Infill development within established low density residential neighbourhoods is supported within the policies of the Official Plan.

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.*

### 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 housing 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."*

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. The Official Plan has various policies which support the efficient use of services and making neighbourhoods stable and sustainable by supporting more infill development. The Plan also supports various housing options within existing neighbourhoods if it is appropriate in

mass, scale and height and will integrate well into the surrounding neighbourhood. The proposed apartment building is 2.5 storeys in height and is similar in height and scale to the existing apartment building on the street. If the rezoning is granted the building design will be required to go through a design review process.

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, schools and within walkable neighbourhoods. The proposed site is within walking distance to transit and parkland.

Staff feel the proposed development meets many of the technical requirements stipulated in the Zoning Bylaw and policies of the Official Plan.

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 City is experiencing a demand for housing and this proposal would provide additional options for housing within a mature neighbourhood.</li><li>▪ The proposal is close to parkland and public transit.</li><li>▪ The property is in an area that has municipal services.</li><li>▪ The project is an affordable housing project.</li></ul>		<ul style="list-style-type: none"><li>▪ The site is located adjacent to some low density development.</li><li>▪ The proposal may be viewed by area residents as not compatible for the neighbourhood.</li></ul>

**CONCLUSION:**

Given the location of this proposed infill development adjacent to medium density development and that it is in a mixed density residential neighbourhood staff feel that the apartment building proposal can be integrated well on the site with the use of landscape buffers between it and the existing single detached residential dwellings. It should be considered that there is a severe housing shortage within the City. Therefore, such a development would provide housing choices within the neighbourhood. Staff feel that the proposal does have merit and are recommending advancing the proposal to public consultation to gauge the public's opinion.

**RECOMMENDATION:**

Planning & Heritage Department encourages Planning Board to recommend to Council to advance the rezoning request for 351 North River Road to public consultation.

**PRESENTER:**

Laurel Palmer Thompson, MCIP  
Planner II



**MANAGER:**

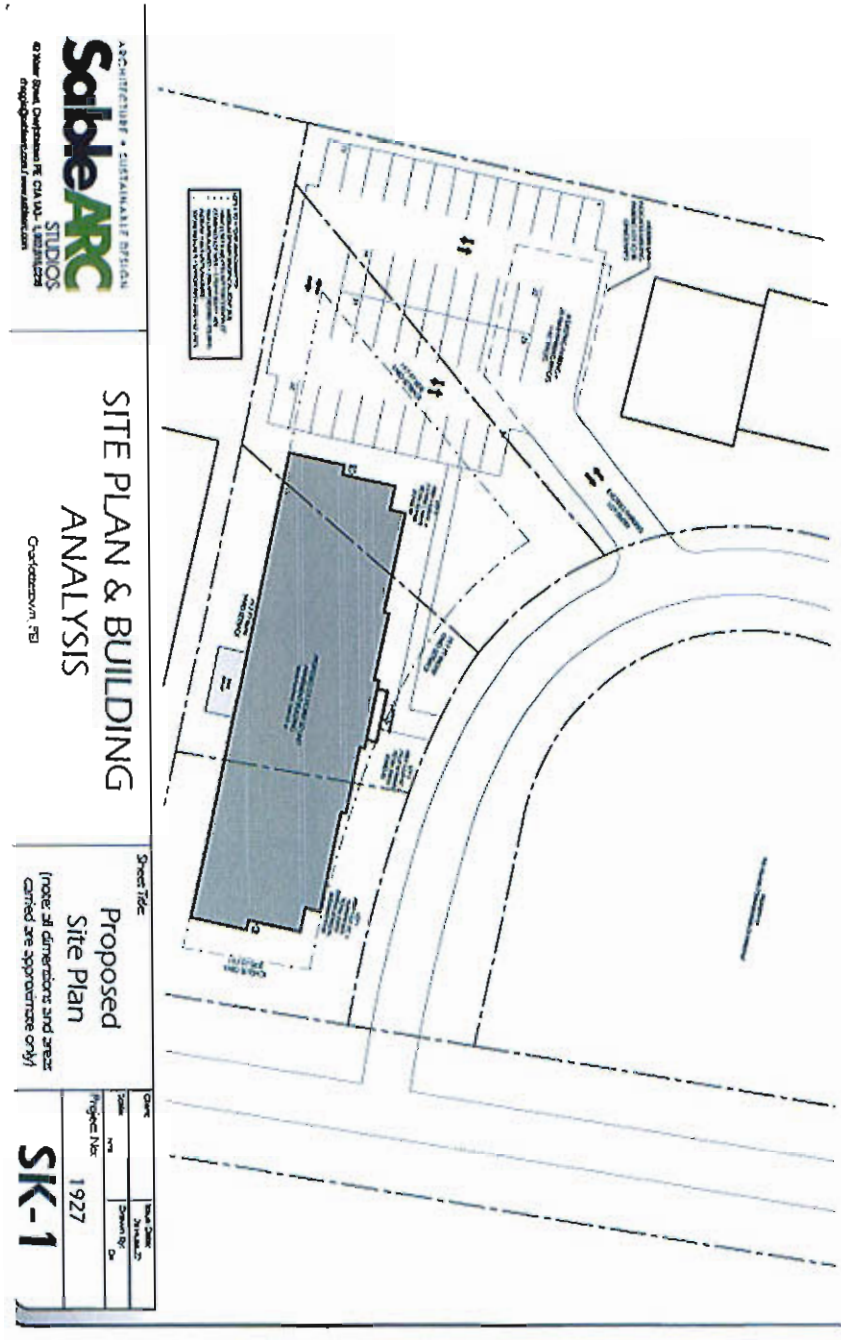
Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



GIS Map:




Site Map:



Elevations:



ARCHITECTURE - SCENARIOS DESIGN  
**SableARC**  
STUDIOS  
Lions club 32 unit  
Side perspective  
2019.05.22

<b>TITLE:</b> <p style="text-align: center;"> <b>VARIANCE</b>  <b>6 VIC CAMPBELL BLVD 665</b>  <b>APPLICANT/OWNER: THOA THI NGUYEN</b> </p>		
<b>MEETING DATE:</b> June 4 <sup>th</sup> 2019		<b>Page 1 of 4</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings C. Letters of Opposition	
<b>SITE INFORMATION:</b> Context: Primarily low density residential Ward No: 6 Existing Land Use: Single detached dwelling Official Plan: Low Density Residential Zoning: Single-Detached Residential (R-1S) Zone		
<b>PREVIOUS APPLICATIONS: N/A</b>		

**RECOMMENDATION:**

That Variance Application PLAN-2019-04-JUNE-3b to allow for a home occupation (home office for online sales) as per Section 5.9.3 (g) in the Single-Detached Residential (R-1S) Zone be approved at 6 Vic Campbell Blvd (PID #275743) in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and subject to:

- a) There will be no direct retail sales conducted on the property and distribution of the product shall be done by mail.

**BACKGROUND:**

***Request***

The applicant and property owner, Thoa Thi Nguyen, is applying for a home occupation of the City of Charlottetown Zoning By-law for a home office to operate an online retail sales use for the property located at 6 Vic Campbell Blvd (PID #275743) in the Single-Detached Residential (R-1S) Zone. Approval of this application will allow for the owner of the subject property to have a home office to operate an online retail sales (i.e. lashes) business.

***Development Context***

The subject site is currently developed with a single detached dwelling, and is located on the corner of Vic Campbell Blvd and Mackay Drive. Uses surrounding the site include various low density residential dwellings and park space. A large 9m (30ft) driveway off of Vic Campbell Blvd provides access to the site.



**ANALYSIS:**

As part of the application process, the applicant has submitted a home occupation form (see attached) describing the nature of the business. The home occupation will occupy approximately 40 sq ft of the 2,300 sq ft dwelling. The applicant would be looking to operate six (6) days a week and would anticipate none to possibly one (1) to two (2) visits per day. The retail products are mostly being delivered through the postal service.

Upon receiving the application, staff evaluated the application's compliance with Section 5.9 of the Zoning & Development By-law. The dwelling currently contains a driveway that is approximately 9m (30ft) wide that would be able to accommodate the two (2) vehicles. The applicant is required to locate two (2) on the property; one (1) for the single-detached dwelling, and one (1) for the Home Occupation. The Zoning & Development By-law requires that each parking space is 8.5' x 18' which could be accommodated on the existing driveway.

In the Zoning & Development By-law, any proposed home occupation that receives opposition is subject to approval from Council. The proposed Zoning & Development By-law allows a number of home occupations to be as-of-right. These home occupations include:

- a. Home Daycare, subject to the by-law provisions for Home Daycares
- b. Tourist Accommodations, subject to the by-law provisions for Tourist Accommodations
- c. Home Office, clerical, computer and/or telephone-based services
- d. Custom sewing, crafts, or production of visual arts (i.e. painting, pottery, wood carving)
- e. Multi-Level Marketing Retail Sales
- f. Catering, for off-premise delivery of products
- g. Additional uses, including uses with appointments typically on an hourly basis or as scheduled, may be considered following the process of review for a Minor Variance.

Any other uses may be considered following the process of review for a minor variance. Staff would note that the proposed home occupation (i.e., home office for online sales) would not be included in this list and would follow the minor variance process. As per the process our office received multiple objections to proposed home occupation and must be subject to Council approval. The

proposed Zoning & Development By-law was written to simplify the process for unobtrusive home occupations and allows Council to determine the disposition of all other home occupations.

The Official Plan provides support for home occupations within the City of Charlottetown. Specifically, Section 4.5 of the Official Plan provides policy to support home occupations:

*Our **goal** is to encourage home occupations as a platform for new economic growth and community development.*

1. *Our **objective** is to support the creation and operation of home occupations in all residential zones on the condition that they are clearly secondary to the residential use of a property and do not create land-use conflicts.*

- *Our **policy** shall be to set out in the Zoning By-law the terms and conditions on which allow unobtrusive home occupations within the City of Charlottetown.*

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>• A goal in the Official Plan is to encourage home occupations as a platform for new economic growth.</li> <li>• An objective in the Official Plan is to support the creation and operation of home occupations in all residential zones.</li> <li>• Minimal land use impact (client visits) since the product would be shipped via post.</li> </ul>	<ul style="list-style-type: none"> <li>• Home occupations are a conditional permitted use in all residential zones and there are numerous examples of successful home occupations within the City.</li> </ul>	<ul style="list-style-type: none"> <li>• A policy in the Official Plan is to allow home occupations that are unobtrusive.</li> <li>• Difficult to monitor the intensity of a home occupation of this nature.</li> </ul>

Due to the fact that the nature of the business will generally utilize postal services to ship packages and the product is sold online resulting in few onsite visits, staff would recommend that the home occupation for a home office be approved.

#### **LEGISLATIVE REQUIREMENTS:**

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

In accordance with Section 4.31.2 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 feet) of the subject site.

***Public Feedback***

After mailing letters and creating newspaper ads, staff received two (2) letters of opposition from residents (see attached); as a result, the application is now subject to Planning Board review and Council approval as opposed to staff approval.

The residents that were opposed to the application had concerns, but not limited to:

1. A home occupation would increase traffic in an already congested neighbourhood at peak travel times.
2. Proximity of the site to the intersection and an existing daycare could result in traffic incidents with pedestrians and vehicles.
3. This particular home occupation could exceed expectation that might result in more traffic and client site visits.

**CONCLUSION:**

The Planning & Heritage Department recommends that for a home occupation (home office for online sales) as per Section 5.9.3 (g) in the Single-Detached Residential (R-1S) Zone be approved at 6 Vic Campbell Blvd (PID #275743) in accordance with the intent of the application "Attachment A-1", the attached letter of intent "Attachment A-2" and subject to:

- a) There will be no direct retail sales conducted on the property and distribution of the product shall be done by mail.

**PRESENTER:**



Robert Zilke, MCIP

**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



Mailing Address:  
 P.O. Box 98  
 233 Queen Street  
 Charlottetown, PE  
 C1A 7K2  
 Tel: 902-629-4158  
 Fax: 902-629-4156  
 Email: [planning@charlottetown.ca](mailto:planning@charlottetown.ca)  
 Website: [www.charlottetown.ca](http://www.charlottetown.ca)

<b>For Office Use Only</b>	Permit #: 155-BLD-19
	File #: 19-145
	PID #: 275743
	Zone: RIS
	Permit Fee: 300 <sup>00</sup>

Received Date:

**PLANNING**  
 Rec'd April 17/2019 Int

Application Date: \_\_\_\_\_

**BUILDING & DEVELOPMENT PERMIT APPLICATION**

**1. TYPE OF WORK**

New Building     Renovate Existing     Addition     Change Use     Other: \_\_\_\_\_

**2. CONTACT INFORMATION**

**APPLICANT**    Name: Thoa Thi Nguyen    Address: 6 Vic Campbell blvd  
 Phone: 902-316-3700 Cell: \_\_\_\_\_    Charlottetown  
 Email: Cadiesbenefit@gmail.com    Postal Code: C1A-5W4

**OWNER**    Name: Thoa Thi Nguyen    Address: 6 Vic Campbell blvd  
 Phone: 902-316-3700 Cell: \_\_\_\_\_    Charlottetown  
 Email: ~~Cadiesbenefit@gmail.com~~ Cadiesbenefit@gmail.com    Postal Code: C1A-5W4

**CONTRACTOR, ARCHITECT, OR ENGINEER**    Name: Thoa Thi Nguyen    Address: 6 Vic Campbell blvd  
 Phone: 902-316-3700 Cell: \_\_\_\_\_    Charlottetown  
 Email: Cadiesbenefit@gmail.com    Postal Code: C1A-5W4

**3. PROJECT INFORMATION**

Project Location: Single house, 6 Vic Campbell blvd charlottetown  
 Proposed Occupancy: Office for sale Lashes Online  
 Current Occupancy: \_\_\_\_\_  
(If Existing Building on Lot)  
 Estimated Value of Construction: \$ \_\_\_\_\_  
 Corner Lot: Yes:  No:     Other Buildings on Lot? Yes:  No:  If yes, identify use: \_\_\_\_\_

**4. DETAILED PROJECT DESCRIPTION**

Sale Lashes Online

**THIS IS NOT A BUILDING PERMIT**

**What will be nature of the business?**

Sale Lashes Online

**In what type of dwelling of live?**

My house is Single house

**How many employees will you have?**

I work alone

**What is the total floor area of your dwelling?**

2300sf

**Floor area used for business?**

40sf

**How many parking spaces do you have?**

We have 4 parking spaces

**Is your property currently being used for any other uses besides a welling?**

No

**Days and hours of operation?**

I just work part time because my husband have a full time job

**Will clients/customers visit your home?**

Yes, some time some clients come to my house or some time I shipping the item to them by Canada post

**How many visits per hour or day are anticipated?**

One or two visits in day or some time no

# Attachment B



E. Ellis

26 Mackay Dr.  
Ch'town, P.E.I. CIA 5W3

May 14, 2019

City of Ch'town  
P.O. Box 98, 233 Queen St.  
Ch'town, P.E.I. CIA TK2

Re: Proposed Home Occ. @ 6 Vic Carapell Blvd.  
(PID # 275743)

Sirs:

The only objection to the home-based business is due to the increased traffic.

There is a day-care at Park Royal United and also a school nearby. There are always children walking in the area.

Also due to congestion at rush-hours, traffic is always cutting through the area to avoid the lights at Mt. Edward Rd. to Belvedere Ave. and Vogue Optical corner to Belvedere Ave. These are my objections:

Fax: 902-629-4156

[eganga@charlottetown.ca](mailto:eganga@charlottetown.ca)  
[www.charlottetown.ca](http://www.charlottetown.ca)



**From:** Gerald MacDougall [<mailto:eaqle.dynasty@gmail.com>]  
**Sent:** Monday, May 20, 2019 11:39 PM  
**To:** Planning Department  
**Subject:** Proposed Home Occupation at 6 Vic Campbell Boulevard (PID #275743)

We are against the variance.

This road is close to the schools and already subject to much vehicle and pedestrian traffic. It is also adjacent to the mail boxes where there is additional traffic .

It is also close to two intersections.

There is a church and day care nearby which also add substantial traffic.

Overall this area is already being subjected to addition traffic as a result of the many new apartment complexes in the area.

In addition many of the existing dwellings in the vicinity of our property have been converted to rentals even though they are suppose to be single family dwellings. For 8 months last year this area has been subject to a poorly planned water supply refit.

MacKay drive is is in desperate need of repaving.


It is time to start looking after this area and enforcing existing bylaws when it comes to single family dwellings without issuing a variance that will further erode the neighbourhood.

We are also concerned that the proposed business may exceed its expectation. Increased traffic poses a safety issue for school children and could cause traffic congestion as cars try to back on to the road.

We are not in favour of this variance.

Gerald and Alangh MacDougall  
30 MacKay Drive  
Charlottetown



<b>TITLE:</b> <b>REAR YARD VARIANCE</b> <b>FILE: PLAN-2019-4-JUNE- 686</b> <b>37 VISTA STREET (PID #373225)</b> <b>OWNERS: GREGORY &amp; SANDRA MILLS</b>		
<b>MEETING DATE:</b> June 4, 2019		<b>Page 1 of 4</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS Map B. Preliminary Site Plan C. Elevations / Floor Plan D. Letters of Support E. Letters of Opposition	
<b>SITE INFORMATION:</b> <b>Context:</b> Single-Detached Dwelling on the Corner of Vista Street and Madison Avenue <b>Ward No:</b> 5 – Spring Park <b>Existing Land Use:</b> Single-Detached Dwelling <b>Official Plan:</b> Low Density Residential <b>Zoning:</b> Single-Detached Residential (R-1S) Zone		
<b>PREVIOUS APPLICATIONS:</b> N/A		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to reject the request to reduce the required rear yard setback from 24.6 ft to approximately 18.0 ft in order to construct a garage addition (approximately 24.0 ft x 30.0 ft) on the property located at 37 Vista Street (PID #373225).

**BACKGROUND:**

***Request***

The property owners, Gregory and Sandra Mills, are proposing to construct an attached garage, approximately 24.0 ft x 30.0 ft on the subject property which will be setback approximately 19.0 ft from the property line. That being said, the applicant has requested a variance to 18.0 ft in order to ensure that there is enough room to construct the proposed addition once a proper site drainage plan has been completed, avoiding the need to potentially reapply for a variance.

***Development Context***

The existing single-detached dwelling is located on the corner of Vista Street and Madison Avenue. The adjacent properties along Vista Street and Madison Avenue are also single-detached dwellings.

***Property History***

There is no recent building & development permit history for this property.

**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 on May 13, 2019 which soliciting their written comments for or against the proposed variance. The deadline to submit written comments on the application was Tuesday, June 4, 2019.

***Public Feedback***

The Planning & Heritage Department received two letters of support (Attachment D) and three letters of opposition (Attachment E) through the public notification. Further, the applicant submitted two letters of support (Attachment D) in conjunction with their application.

**ANALYSIS:**

The minimum rear yard setback in the Single-Detached Residential (R-1S) Zone is 24.6 ft. Without a variance, the applicant would be permitted to construct an addition in the rear yard which is approximately 18.4 ft in depth. That being said, the applicant is proposing to construct an attached garage in the rear yard which is approximately 24.0 ft in depth resulting in a variance of approximately 5.6 ft (6.6 ft with the addition 1.0 ft buffer).

This application could be considered a minor request and the applicant has received four (4) letters of support, including support from the directly affected property owner at 2 Madison Avenue (PID #899336). That being said, three letters of opposition were received including one from the adjacent property owner, 41 Vista Street.

In two of the letters of opposition, the residents indicated that *'such building would severely curtail our enjoyment of our property by blocking the view of Ellen's Creek from our back yard where we are planning to build a deck and barbecue area.'* & *'we are against the variance due to the obstruction of water view which will affect the future property value and resale of our property.'* While staff sympathizes with the residents, there is no right to the view and the applicant is permitted to construct the addition to 24.6 ft as indicated above without a variance.

That being said, one resident also states that *'there is the possibility of building a one car garage in and around the current carport facing Vista Street.'* While it may be possible to convert the existing carport into a single car garage, it raises the point that instead of an addition to construct a two car garage, the addition to construct a one car garage in the rear yard would also be permitted without the need for a variance.

The final letter of opposition stated concerns relating to the projection towards Madison Avenue and in their opinion, the obstruction of view for traffic that this addition will create. In staff's opinion, the proposed addition will retain a minimum flankage yard setback of 27.0 ft; well within the minimum setback requirements as illustrated in the Zoning & Development By-law. Further, in light of the fact that the proposed addition will be setback approximately 99.2 ft from Vista Street, staff do not feel that this addition will create any safety issues for vehicles. Staff would note that the site triangle area in which development is restricted for corner lots is only 19.7 ft from the intersection of lot lines.

As per Section 3.9.1.b. of the Zoning & Development By-law, a variance is permitted in a number of circumstances. Staff did not receive detailed rationale for the request but elected to make note of the following circumstance:

*'the need for consideration of a major variance is owing to peculiar conditions specific to the property and is unique to the area and no result of actions by the owner, and a literal enforcement of this by-law would result in unnecessary and undue hardship.'*

While the minimum front yard setback off Vista Street is 19.7 ft, the existing single-detached dwelling is set back approximately 31.0 ft. If this dwelling was located closer to the minimum front yard setback, a variance would not be required for the proposed addition which could be considered a peculiar condition to the property. That being said, this condition is not unique to the area as all of the dwellings along this portion of Vista Street are generally aligned. Further,

literal enforcement of the By-law would result in the applicant only being permitted an 18.4 ft addition which staff feels would not cause unnecessary and undue hardship.

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>Request is fairly minor in nature.</li> <li>If the existing dwelling was located closer to the minimum front yard setback, a variance would not be required for an addition of this scale.</li> <li>Letter of support from one directly affected property owner.</li> </ul>	<ul style="list-style-type: none"> <li>Apartment buildings only require 19.7 ft rear yard setback.</li> </ul>	<ul style="list-style-type: none"> <li>A single car garage (approx. 18.4 ft deep) could be constructed without a variance.</li> <li>Circumstance is not unique to the area.</li> <li>Literal enforcement of the By-law would not cause undue hardship.</li> <li>Letter of opposition from one directly affected property owner.</li> </ul>

**CONCLUSION:**

The Planning & Heritage Department recommends that the rear yard setback variance, be rejected.

**PRESENTER:**



Greg Morrison, MCIP  
Planner II

**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

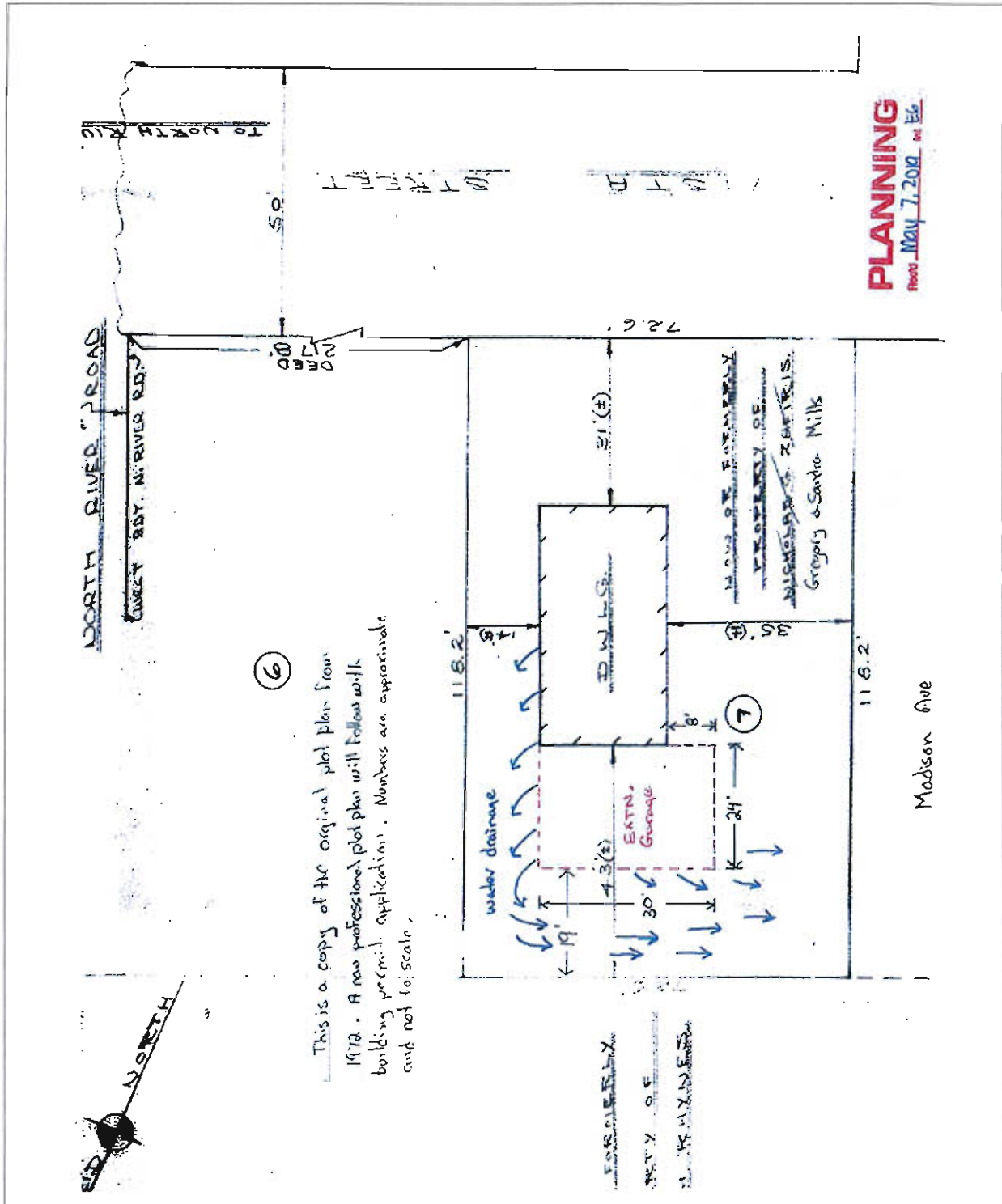
# Attachment A



Attachment A: GIS Map  
File: PLAN-2019-4-June - **686**  
37 Vista Street (PID #373225)  
Owner: Greg Mills



# Attachment B

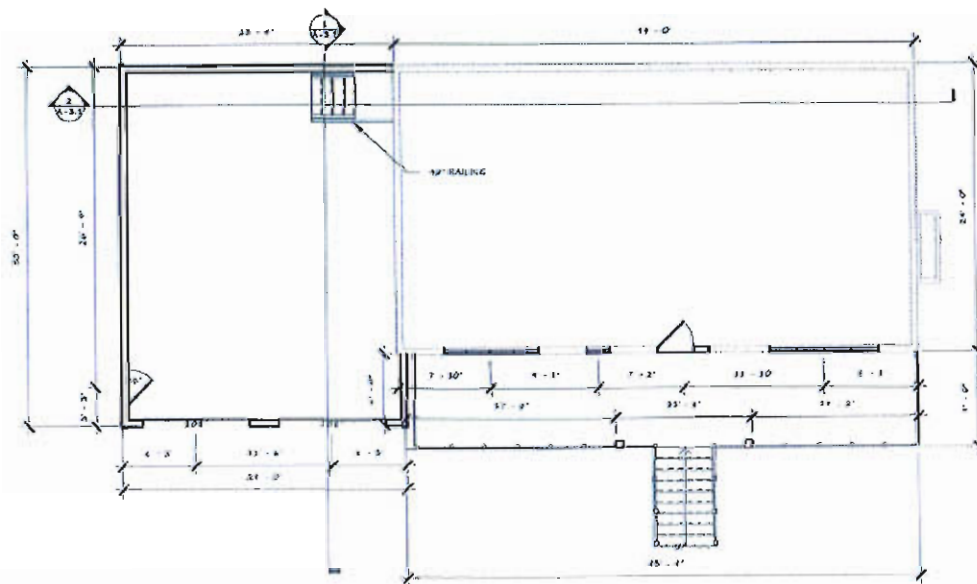
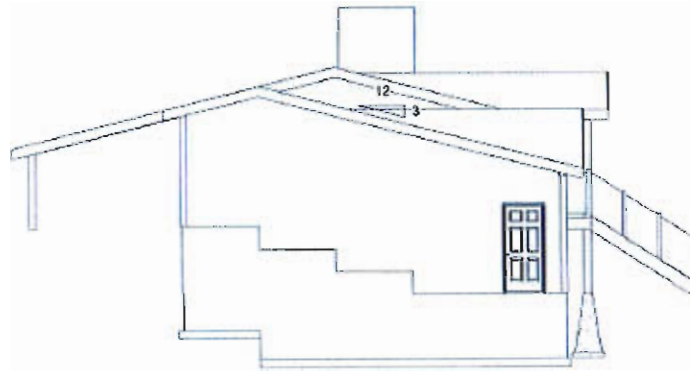
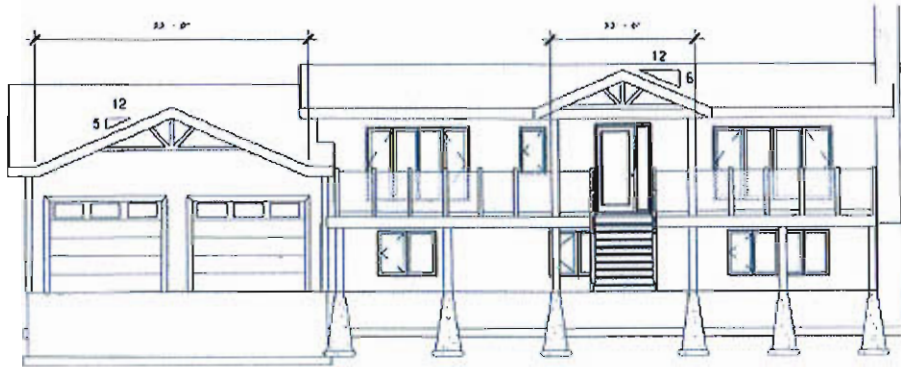


**PLANNING**  
 FROM May 7, 2019 at 6:00

Attachment B: Preliminary Site Plan  
 File: PLAN-2019-4-June- **686**  
 37 Vista Street (PID #373225)  
 Owner: Greg Mills



# Attachment C



Attachment C: Elevations / Floor Plan  
File: PLAN-2019-4-June- 686  
37 Vista Street (PID #373225)  
Owner: Greg Mills



**CHARLOTTETOWN**  
Planning & Heritage Department

# Attachment D

## Four Letters of Support Attached:

1. John & Diane Bell
2. Glenn Rixon & Lynne Bowler
3. Malcolm & Rena Pratt
4. Judy & Trevor Pye

Attachment D: Letters of Support  
File: PLAN-2019-4-June- **686**  
37 Vista Street (PID #373225)  
Owner: Greg Mills

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



To Whom it may concern:

This letter is to confirm the acknowledgement of the proposed addition of an attached garage to the existing residential house located at 37 Vista Street in Charlottetown. I understand the owner will be applying for a variance of approximately six feet on the north side of the house to allow for this addition. Please be advised that as the proper owner adjacent to this property I have no issue with this request.

Name: John & Diana Bee

Address: 2 Macleison Ave.

Date: May 6/2019

Signature: J. Bee

To Whom it may concern:

This letter is to confirm the acknowledgement of the proposed addition of an attached garage to the existing residential house located at 37 Vista Street in Charlottetown. I understand the owner will be applying for a variance of approximately six feet on the north side of the house to allow for this addition. Please be advised that as the proper owner adjacent to this property I have no issue with this request.

Name: GLENN RIXON & LYNNE BOULSON

Address: S MADISON AVE

Date: MAY 6/2019

Signature: G. Rixon & L. Boulson

## Morrison, Greg

---

**From:** Ganga, Ellen on behalf of Planning Department  
**Sent:** May 19, 2019 2:16 PM  
**To:** Morrison, Greg  
**Subject:** FW: 37 Vista Street ( PID #373225 )

Hi Greg,  
Fyi.

Best Regards,  
Ellen

**From:** Malcolm Pratt [<mailto:malcolmpratt52@gmail.com>]  
**Sent:** Sunday, May 19, 2019 12:50 PM  
**To:** Planning Department  
**Subject:** 37 Vista Street ( PID #373225 )

Dear Planning Department.

We have no objections to this variance.

Regards  
Malcolm & Rena Pratt

## Morrison, Greg

---

**From:** Ganga, Ellen on behalf of Planning Department  
**Sent:** May 21, 2019 1:16 PM  
**To:** Trev Pye; Morrison, Greg  
**Subject:** RE: Re:37 Vista Street (PID #373225)

Hi Judy and Trevor,  
Good day and thank you for your email. I have looped our development officer reviewing your application in this email.  
Thank you.

Best Regards,  
Ellen

**From:** Trev Pye [<mailto:judyandtrev@gmail.com>]  
**Sent:** Tuesday, May 21, 2019 11:46 AM  
**To:** Planning Department  
**Subject:** Re:37 Vista Street (PID #373225)

With regard to the above planning application we would like to place on record that we have no objections to this going ahead and are in full support.

Judy and Trevor Pye  
21 Madison Avenue  
Charlottetown C1A9R7

# Attachment E

## Three Letters of Opposition Attached:

1. David Woodbury & Maria Pochylski-Woodbury
2. Mrs. Mildred Johnson
3. Ngo Trung Dung

Attachment E: Letters of Opposition  
File: PLAN-2019-4-June-686  
37 Vista Street (PID #373225)  
Owner: Greg Mills

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department

Charlottetown, May 16, 2019

Att: Planning Board  
City of Charlottetown  
233 Queen Street  
Charlottetown, PE, C1A 4B9

RE: Variance application for 37 Vista Street, Charlottetown, C1A 3J8

Dear Board Members:

We, David Woodbury and Maria Pochylski, own and reside in the house at 41 Vista Street in Charlottetown. It has come to our attention that the new owner of the adjacent property at 37 Vista Street has filed for a variance to build a 2-car garage facing Madison Avenue.

We would like the City Planning Board to consider our objections to granting such a permit on the following grounds:

1. Such building would severely curtail our enjoyment of our property by blocking the view of Ellen's Creek from our back yard where we are planning to build a deck and barbecue area;
2. Aforementioned loss of view would likely translate into a loss of value of our property. Retired since 2016, we have invested most of our life savings in said property and cannot afford to lose a single penny;
3. There is the possibility of building a one-car garage in and around the current carport facing Vista Street;
4. It would be morally objectionable and contrary to the City's own Community Energy Plan Objective "To Greatly Reduce Energy Use in Transportation" to grant a permit for a 2-car garage, thus encouraging 2 people to use 2 cars, in this day and age when most governments are endeavouring to minimize the number of cars in circulation.

We are very grateful for the Board's time and consideration of our position.

Sincerely,



MPochylskiWoodbury

## Morrison, Greg

---

**From:** Planning Department  
**Sent:** May 27, 2019 3:45 PM  
**To:** Morrison, Greg  
**Subject:** FW: 37 vista street #373225

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** jtj johnson [<mailto:jjjohnson111@hotmail.com>]  
**Sent:** Sunday, May 26, 2019 4:23 PM  
**To:** Planning Department  
**Subject:** 37 vista street #373225

Attn. Greg Morrison

Regarding the application of variance at 36 Vista street we are against the variance due to the obstruction of water view which will affect the future property value and resale of our property.

James Johnson on behalf of Mrs Mildred Johnson

Get [Outlook for Android](#)

## Morrison, Greg

---

**From:** Planning Department  
**Sent:** May 28, 2019 8:08 AM  
**To:** Morrison, Greg; Thompson, Laurel  
**Subject:** FW: 37 Vista Street (PID 373225) - Response of the neighbours

**From:** Ngo Trung Dung [<mailto:trungdung.ngo@gmail.com>]  
**Sent:** Monday, May 27, 2019 6:18 PM  
**To:** Planning Department  
**Subject:** RE: 37 Vista Street (PID 373225) - Response of the neighbours

Hello,

We received your letter regarding to the request of reducing the rear yard setback to build a garage.

I AM WRITING TO EXPRESS MY OBJECTION TO THIS REQUEST BECAUSE


1. From the aerial view/top view, the wall of the existing house at Madison Ave is the most frontal and aligned with all the houses on the row. If the extension of the garage is 8ft ahead toward the Madison, it will be completely out of the common of this area. **More importantly, the extended 8ft towards the direction of Madison Ave will block the view of the conjunction of Vista Rd and Madison Ave, which exponentially increases accidental possibilities, especially when the school bus must stop to pick up children at the conjunction. Who will take the responsibility if there are any car accident due the blind spot by the garage?**

2. It is considered as the rear yard of Vista Rd but it is the front of Madison Rd. They are requesting to extend the garage from the view of Madison Ave so the owner is blending the words to hide the fact of his/her request.

I recommend the owner to shorten or move the garage backward to ensure that the frontal wall of the garage is aligned with the frontal wall of the existing house with the view at Madison Ave. It is even better if they build a single garage only so they don't need to submit this request!

Regards,



<b>TITLE:</b> LOT CONSOLIDATION APPLICATION FILE: PLAN-2019-4-JUNE- 667 41-51 ALLEN STREET (PID #371690 & PID #371609) 53 ALLEN STREET (PID #371617) OWNER: AUSTIN MCQUAID INC.		
<b>MEETING DATE:</b> June 4, 2019		Page 1 of 4
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. GIS (Aerial) Map B. Lot Consolidation Plan	
<b>SITE INFORMATION:</b> <b>Context:</b> Two properties on the corner of Allen Street and Jordan Crescent <b>Ward No:</b> 4 – St Avars <b>Existing Land Use:</b> Upstreet Brewing, Most Wanted Pawn and a Single-Detached Dwelling <b>Official Plan:</b> Commercial <b>Zoning:</b> Mixed-Use Corridor Commercial (MUC)		
<b>PREVIOUS APPLICATIONS:</b> Application for a lot consolidation of five (5) properties was withdrawn on April 11, 2016.		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request for a lot consolidation of 41 - 51 Allen Street (PID #371690 & PID #371609), and 53 Allen Street (PID #371617), subject to a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of Lot 19-1.

**BACKGROUND:**

***Request***

The property owner, Austin McQuaid Inc., has made an application to consolidate two (2) properties located in the Mixed-Use Corridor (MUC) Zone. The two (2) properties include 41 - 51 Allen Street (PID #371690 & PID #371609) and 53 Allen Street (PID #371617). The purpose of the lot consolidation is to demolish the existing single-detached dwelling located at 53 Allen Street (PID #371617) and construct an addition (approximately 40 ft x 60 ft) to the rear of Most Wanted Pawn located at 51 Allen Street (PID #371609).

***Development Context***

The block of seven (7) properties bordered by Allen Street and Jordan Crescent are located in the Mixed-Use Corridor Commercial (MUC) Zone. The applicant, Austin McQuaid Inc., owns all of the properties with the exception of 59 Allen Street (PID #371633). The block contains Upstreet Brewing, Most Wanted Pawn, McQuaid Trucking and Warehousing and three (3) single-detached dwellings.

***Property History***

Council passed the following resolution on March 10, 2014:

*That the request for a lot consolidation of the properties located at 41 Allen Street (PID #371591) and 10 Jordan Crescent (PID #371690) subject to the receipt of signed pinned survey plans, be approved.*

A lot consolidation was then approved by staff on May 14, 2014 subject to 'a new perimeter deed must be registered describing the outer boundaries of Lot 2014-1.'

Council then passed the following resolution on March 10, 2014:

*That the request to consolidate 41 Allen Street (PID #371591) and 51 Allen Street (PID #371609), subject to the receipt of signed, pinned survey plans, be approved.*

A lot consolidation was then approved by staff on October 2, 2014 subject to 'a new perimeter deed must be registered describing the outer boundaries of Lot 2014-1.' According to our mapping data provided to us by the Province, it does not appear that a new deed was registered. Staff met with the applicant on May 22, 2019 who indicated they will work to satisfy this requirement right away.

On March 21, 2016, the applicant then applied to consolidate five (5) properties in the MUC Zone. At the Planning Board meeting on April 4, 2016, the Board felt that this request was premature without any plans for development on the consolidated properties. The applicant then withdrew their application on April 11, 2016 prior to proceeding to Council that day.

**ANALYSIS:**

As per Section 45.3.4.a. of the Zoning & Development By-law, any lot consolidations in zones other than the Single-Detached Residential (R-1) Zone and Low Density Residential (R-2) Zone shall be subject to Council approval.

*The Development Officer May grant final approval to Subdivisions which comply with this by-law and the Provincial Minimum Lot Size Standards, and give approval for Lot consolidations where a Dwelling may be constructed in a R-1 or R-2 Zone;*

Following the resolution of Council on March 10, 2014, Upstreet Brewing and Most Wanted Pawn are located on the same property, 41 - 51 Allen Street (PID #371690 & PID #371609). The requested lot consolidation is to join the existing single-detached dwelling at 53 Allen Street (PID #371617) with 41 - 51 Allen Street (PID #371690 & PID #371609). The single-detached dwelling would then be demolished and the applicant would construct an addition (40 ft x 60 ft) onto Most Wanted Pawn.

Since the applicant's request to consolidate all of the properties within the block with the exception of one single-detached dwelling in 2016, the applicant has reduced the requested lot consolidation from five (5) properties to two (2) properties and has explained his development intention should the requested lot consolidation be approved. This approach has eliminated many of staff's concerns in the previous application:

*Staff feel that the proposed consolidation of the lots is too premature without any development plans ... Staff would note that in the event that this application is recommended to Council for approval, the applicant would be able to demolish any existing buildings on the property as of right and construct a number of potential uses subject to the National Building Code requirements and MUC Zone regulations in the Zoning & Development Bylaw. Staff suggest that any future redevelopment on this property should be known before recommending any future lot consolidation to occur.*

When considering the proposed lot consolidation in order to expand the existing commercial business, key points from the Official Plan to be considered include:

*Section 3.2.3 – Our **objective** is to support the provision of suitable commercial and institutional needs, employment opportunities, community-based services, and public realm amenities within neighbourhoods.*

*Section 3.2.3 – Our **policy** shall be to allow small-scale commercial and institutional development which serves the local needs of the neighbourhood, subject to the City’s development regulations.*


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 single-detached dwelling to be demolished is directly across from a commercial establishment, not residential.</li> <li>Official Plan supports suitable commercial which serves the local needs of the neighbourhood.</li> </ul>	<ul style="list-style-type: none"> <li>The applicant has now explained the development intention of the property.</li> </ul>	

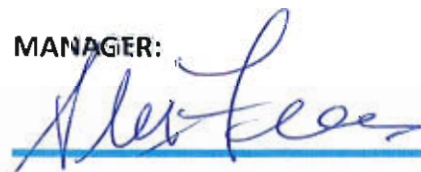
**CONCLUSION:**

Staff is recommending that the lot consolidation application be approved subject to a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of Lot 19-1.

**PRESENTER:**

  
 \_\_\_\_\_  
 Greg Morrison, MCIP  
 Planner II  
 \_\_\_\_\_

**MANAGER:**

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

# Attachment A

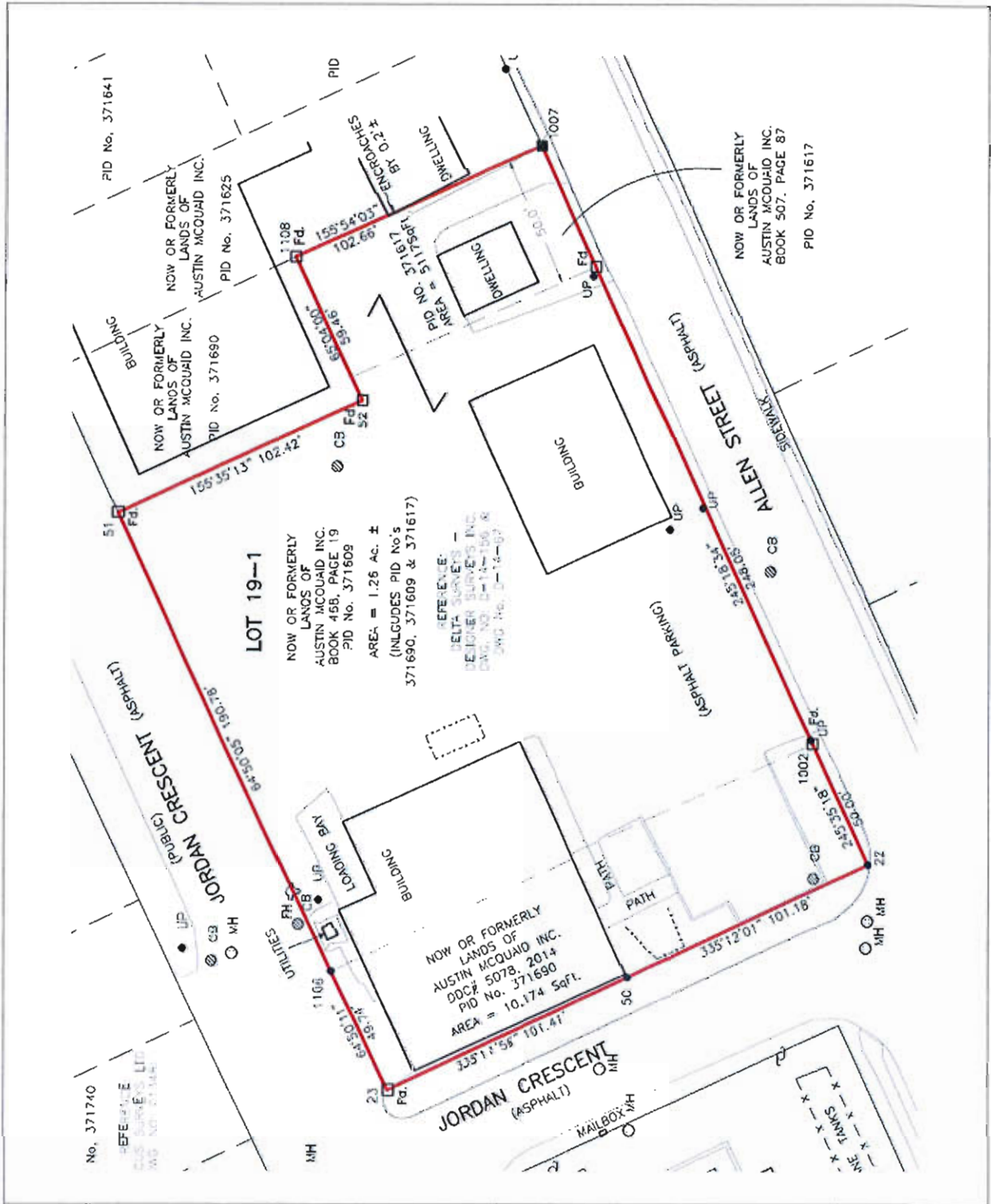


Attachment A: GIS (Aerial) Map  
File: PLAN-2019-4-June- **6C7**  
41-53 Allen Street  
Owner: Austin McQuaid Inc.

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



# Attachment B



Attachment B: Lot Consolidation Plan  
 File: PLAN-2019-4-June- 6C7  
 41-53 Allen Street  
 Owner: Austin McQuaid Inc.

**CHARLOTTETOWN**  
 Planning & Heritage  
 Department



<b>TITLE:</b> SITE SPECIFIC EXEMPTION APPLICATION FILE: PLAN-2019-4-JUNE- <b>608</b> 185 BRACKLEY POINT ROAD (PID #390963) OWNER: BJS PROPERTIES INC. APPLICANT: OSAMA ABDOH		
<b>MEETING DATE:</b> June 4, 2019		Page 1 of 8
<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 approve the site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning & Development By-law as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service establishment (taxi stand) as permitted uses, subject to the signing of a Development Agreement.

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

The property owners, BJS Properties Inc., allowed Osama Abdoh to make an application for a site specific exemption to allow an Automobile Body Shop and a Transportation Service establishment (taxi stand) as permitted uses in the Single-Detached Residential (R-1L) Zone as it pertains to the property located at 185 Brackley Point Road (PID #390963).

Should the site specific exemption be approved, the existing uses (i.e., Automobile Sales and Services business & an Automobile Service Station) will remain legal non-conforming uses in the Single-Detached Residential (R-1L) Zone while an Automobile Body Shop and a Transportation Service establishment (taxi stand) would be considered a conforming uses for this property only.

***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.*

On February 15, 2019, the applicant submitted an application to rezone the subject property from Single-Detached Residential (R-1L) Zone / Mixed-Use Corridor (MUC) Zone to the Light Industrial (M-1) Zone. At the Planning Board meeting on March 4, 2019, it was suggested by the Board that it may be more appropriate to process this application as a site specific exemption to add an Automobile Body Shop as a permitted use in the R-1L Zone compared to rezoning the property to the M-1 Zone. The applicant was not present at the meeting but their representative was and he indicated that he would discuss the possibility for a site specific exemption with the applicant and the property owner. In light of the foregoing, the Board deferred the application to allow the applicant to confirm their future plans for the property being rezoned.

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

On May 13, 2019, Council passed the following resolution:

*That the request to obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning and Development Bylaw as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service Establishment (Taxi stand) as permitted uses, be approved to proceed to public consultation.*

As per Section 3.11.2 and Section 3.10.4 of the Zoning & Development By-law, written notice was sent to all affected property owners within 100m of the subject property on May 16, 2019. The letter informed them of the site specific exemption application and the upcoming public meeting. The letter then explained that comments for or against the proposed site specific exemption must be submitted prior to 12:00 p.m. (noon) on Wednesday, May 29, 2019.

In addition, staff published a notice in two issues of The Guardian on May 18, 2019 & May 25, 2019 and posted a copy of the notice on the subject property.

***Public Feedback***

Of the 21 letters sent to affected property owners. No responses were received prior to the deadline.

In addition to the public feedback received during the mailout process, a public meeting of Council was held on May 28, 2019 at 7:00 p.m. at the Rodd Charlottetown, 75 Kent Street. At the meeting, two (2) residents spoke to the application.

One resident explained that he had no issues with the existing business operation or the proposed taxi stand, but indicated that he is opposed to the Automobile Body Shop due to the fumes and noise that it will generate. The applicant responded that he will only be performing light body work and touch painting (as much as you would use to paint your furniture) in which no fumes could be able to be noticed beyond 5 - 10 m of the business. Staff would note that the existing building is located approximately 4.7 m from the nearest property line, approximately

11.7 m from the nearest dwelling and approximately 43.2 m from the property of the concerned resident.

A second resident asked the applicant if the taxi stand business will meet all of the Police requirements including criminal record checks for drivers. The applicant responded that he meets all these requirements (qualified drivers, records checks, and registered, etc...) and the Police have already granted approval with the only outstanding item being the zoning.

### 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 '*I 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 which was submitted to the Planning & Heritage Department on February 15, 2019, 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. Further, the applicant sent staff an email on March 6, 2019 which indicated that *'I'm adding basic bodywork and touch paint to my mechanic work scope , which I've been already practicing for the last 6 months.'* 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.

Instead of pursuing the rezoning application to the M-1 Zone, the applicant is now requesting to operate an Automobile Body Shop without changing the current R-1L zoning through the site specific exemption process. The application for the site specific exemption was submitted on April 10, 2019.

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. The current applicant to allow only an Automobile Body Shop would significantly reduce the potential for land use conflicts.

Further, staff would note that it is very difficult to review an application of this nature when the property owner has unilaterally decided to operate this business without seeking the proper approvals. Attempting to resolve this situation by site specific exemption after the fact sends a message to the community that if you ignore the rules and regulations of the Zoning & Development By-law by operating without a permit, that you can later resolve this problem through the site specific exemption process. In this situation, the light body work and touch painting has been operating from this business for a number of months with no complaints from adjacent property owners. The only complaint received, as eluded to earlier, was from a prospective purchaser of the property who was told an Automobile Body Shop is not permitted at this location without Council approval. This leads staff to believe that this operation can operate without land use conflicts with adjacent residential dwellings.

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.*

The applicant is also applying to operate a taxi stand from the subject property. That being said, there will be no vehicles parked at this location and no office will be located within the existing building (i.e., all calls will be sent directly to the driver). The Police Department requires that a commercial address be identified in conjunction with the application for a taxi stand.

Staff would note that a Transportation Service establishment (taxi stand) is a permitted use in the MUC Zone but due to the location of the building on the property in the R-1L Zone a site specific exemption is required until such time that the property is entirely rezoned to MUC and the taxi stand no longer required a site specific exemption.

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>▪ A site specific exemption is more appropriate than rezoning to the M-1 Zone.</li> </ul>	<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>▪ Allow an Automobile Body Shop could create land-use conflicts with adjacent single-detached dwellings.</li> </ul>

**CONCLUSION:**

Staff feels that proposed site specific exemption is more appropriate than rezoning the subject property to the M-1 Zone. While a land use conflict between the automobile body shop and

adjacent single-detached dwellings may become an issue should this request be approved, it is staffs understanding that this use has been operating for the past nine months without issue and are therefore recommending that this application be approved subject to the signing of a Development Agreement in order to ensure that only light bodywork and touch painting part of an Automobile Body Shop is performed from this location by the applicant and any future tenants.

**PRESENTER:**



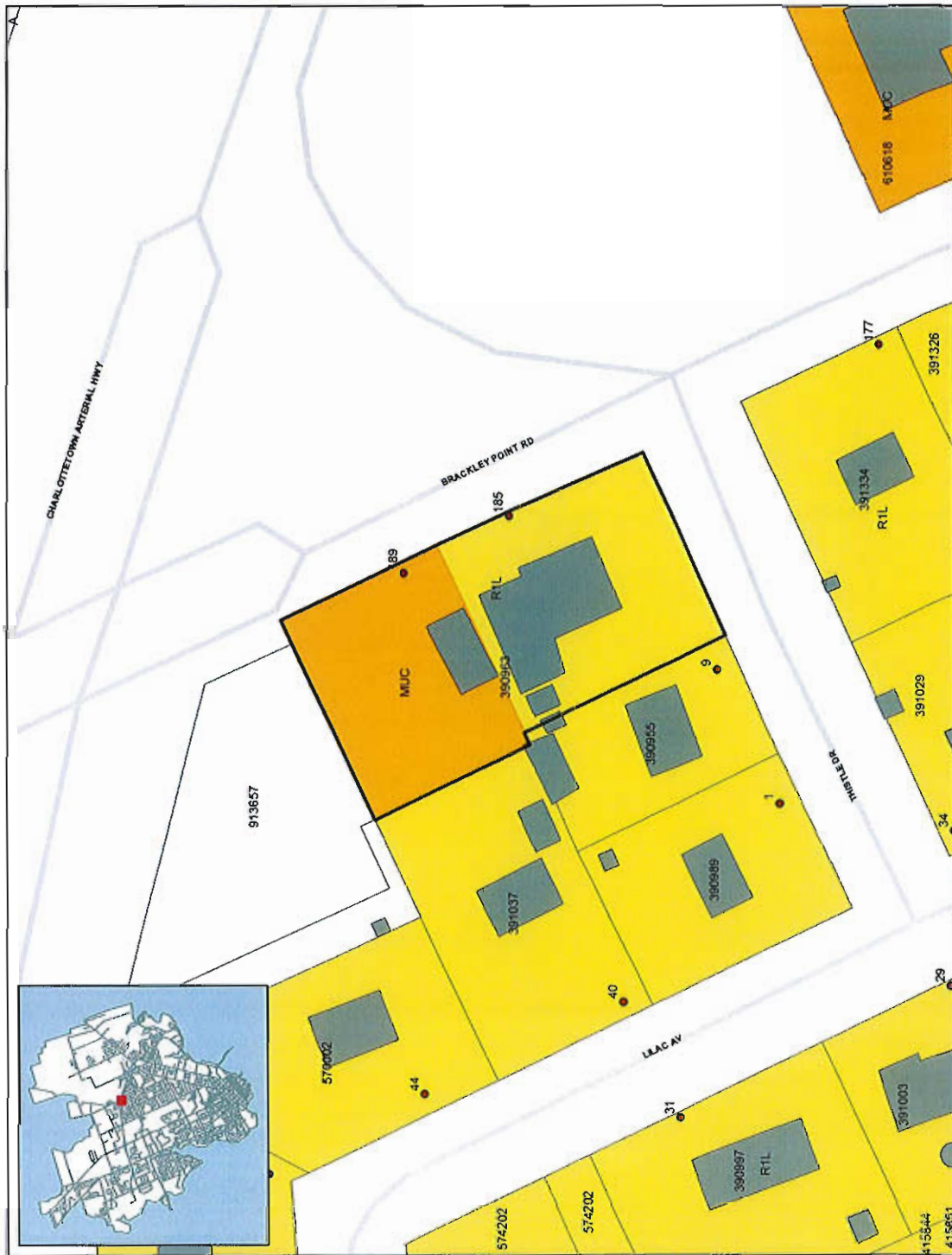
Greg Morrison, MCIP  
Planner II

**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

# Attachment A

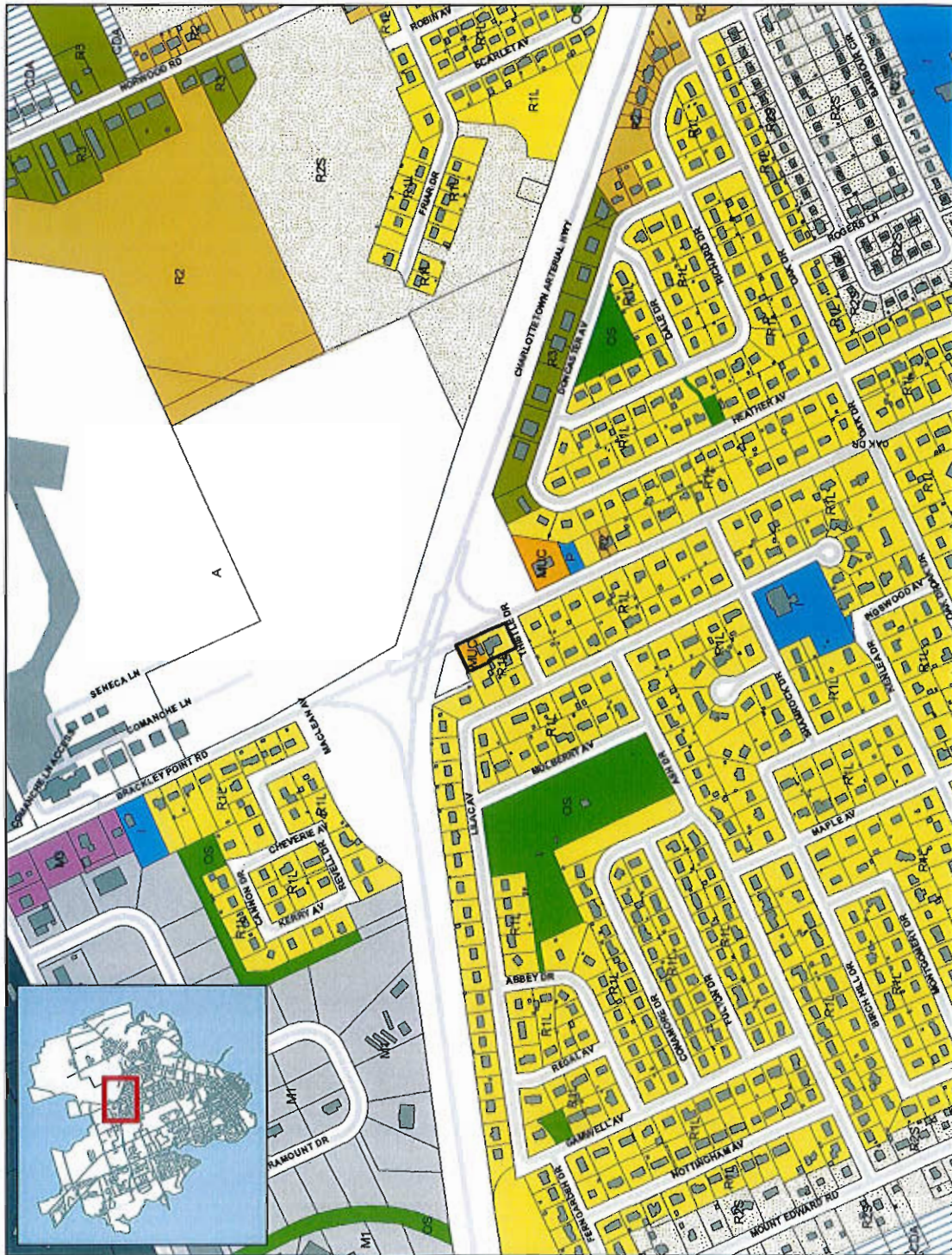


Attachment A: GIS Map – Property Context  
File: PLAN-2019-4-JUNE- **608**  
185 Brackley Point Road (PID #390963)  
Owner: BIS Properties Inc.  
Applicant: Osama Abdoh

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department



# Attachment B




Attachment B: GIS Map – Neighbourhood Context  
File: PLAN-2019-4-JUNE-6C8  
185 Brackley Point Road (PID #390963)  
Owner: BJS Properties Inc.  
Applicant: Osama Abdoh

  
**CHARLOTTETOWN**  
Planning & Heritage  
Department





<b>TITLE:</b> <b>ZONING &amp; DEVELOPMENT BY-LAW AMENDMENTS</b> <b>FILE: PLAN-2019-04-JUNE- 609</b>		
<b>MEETING DATE:</b> June 04, 2019		<b>Page 1 of 8</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> <ul style="list-style-type: none"> <li>A. Amendments to Home Occupations</li> <li>B. Amendments to Tourist Accommodations</li> <li>C. Amendments to Semi-Detached Dwelling tables</li> <li>D. Amendments to Waterfront Zone Requirements</li> <li>E. Amendments to Parking</li> <li>F. Amendments to Appendix A. Definitions</li> </ul>	

**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 PH-ZD.2 pertaining to Home Occupations, Tourist Accommodations, Low Density R-2 and R-2S Zones, 500 Lot Area Design Standards, Parking Standards and Appendix A. Definitions be *approved* as per Attachments A to F.

**BACKGROUND / ANALYSIS:**

The City of Charlottetown Planning & Heritage Department had hired Dv8 Consulting to develop the previous Zoning & Development By-law 2018-11 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 was determined that additional changes were needed to take place in the sections pertaining to Home Occupations, Parking Standards, Site Design and Tourist Accommodations in order to ensure the process concerning these types of applications are improved.

**Home Occupations (Attachment A)**

The previous Zoning & Development By-law PH-ZD.2 which was implemented by the City on October 1, 2018 to simplify the process by allowing a number of uses to be as-of-right if they met

the requirements set out in Section 5.9.1 which included the size of the home occupation, number of employees, number of parking spaces, etc.

Three items that need to be addressed specifically for home occupations are:

- 1) The parking requirements for home occupations; and
- 2) Determining the number of clients that can be on the premise at any one time for a home occupation;
- 3) Establishing prohibited land uses that are not appropriate for a home occupation.

Section 5.9.1.h the regulations for home occupations states that *parking shall be subject to the parking regulations of this by-law*, which is not listed in the parking space table. This requirement needs to be addressed as a parking amendment to Section 43. In order to provide some parking flexibility staff feels that due to the small scale nature of home occupations tandem parking could be permitted. Also, staff feels that a limit on the number of clients that visit the premise of appointment based home occupations should be left to Council's discretion through the major variance process.

The proposed amendments would read as follow:

*j) Required parking for home occupations may be provided in tandem with parking for the main residence.*

*k) The maximum number of clients permitted on the premise of appointment-based home occupations at any one time will be determined by Council.*

The home occupation section was further amended to require appointment based uses to go through the minor variance process, as per Section 5.9.3.g that states: *Additional uses, including uses with appointments typically on an hourly basis or as scheduled, may be considered following the process of review for a Minor Variance.* The concern that staff has encountered is that if a neighbouring resident does not object for whatever reason to the use, then it would be approved. This could allow incompatible home occupations slip into neighbourhoods without an informed approval process. It is also the opinion of Staff that Council should decide on acceptable home occupations for low density residential areas of the City. Due to the broad nature of the regulation, could allow for a number of uses that may have the ability to generate significant amounts of traffic in low density residential neighbourhoods. These businesses typically involve appointments scheduled on an hourly basis. In light of the foregoing, staff is proposing that these uses that

generate frequent appointments be subject to the process of review for a major variance in order to go to Council for approval.

In addition, when the previous Zoning & Development By-law 2018-11 was implemented and then amended, there are still uses that could be applied for as per Section 5.9.3.g that would not be compatible in low density residential areas. Staff feels that certain commercial uses such as auto body services, eating and drinking establishment and on-site retail are more appropriate in commercial, industrial and institutional zones and therefore are recommending a prohibited home occupation list be defined in Section 5.9.4 as follows:

*The following uses are prohibited as Home Occupations:*

- a. *Medical, Health and Dental Office;*
- b. *Automobile Body Shop;*
- c. *Eating and Drinking Establishment;*
- d. *Retail Store;*
- e. *Welding and Metal Fabrication.*

#### Tourist Accommodations (Attachment B)

As per the feedback received during the public meeting it was determined that the term *Tourist Home* was to be removed and revisited at a later date when staff brings forward specific amendments regarding short-term rentals. As such Section 5.11 shall be amended to remove the references to both Bed & Breakfast and Tourist Home.

The previous Zoning By-law contained maximum bedroom counts for Bed & Breakfast Uses. The new Zoning & Development By-law (2018-11) removed these restrictions, thereby the amount of on-site parking would determine the number of bedrooms permitted. Staff has received some concerns regarding this since the parking requirements are not onerous at one (1) parking space per every three (3) bedrooms or guest rooms, therefore staff is recommending the following restrictions on bedroom count for Tourist Accommodations:

Zone Designation	# of Bedrooms Permitted
a. R1L, R1S, R2, and R2S Zones	Up to four (4) bedrooms
b. R3, R4, and the 500 Lot Area Zones	Four (4) bedrooms are permitted for the first 370 sq m (3,982.8sq ft) of <i>lot area</i> , and for every additional bedroom over four (4) the <i>lot</i> must be increased by 100 sq m (1076.4 sq ft), up to a maximum of 7 bedrooms.
c. <i>Heritage Inn</i> in the R1L, R1S, R2, and R2S Zones	Four (4) bedrooms are permitted for the first 370 sq m (3,982.8sq ft) of <i>lot area</i> , and for every additional bedroom over four (4) the <i>lot</i> must be increased by 100 sq m (1076.4 sq ft), up to a maximum of 7 bedrooms.
d. <i>Heritage Inn</i> in the R3, R4 and the 500 Lot Area Zones	Up to seven (7) bedrooms

Low Density Residential (R-2) Zone & Low Density Residential Single (R-2S) Zone (Attachment C)

Currently, both the R-2 and R-2S zones do not account in terms of lot area and frontage for the subdivision of a lot with a semi-detached dwelling. The previous Zoning By-law contained regulations to account for this by splitting the required lot frontage of 22m (11m for each unit) for interior and 24.4m (12.2m for each unit). Staff is also proposing to treat lot area the same way by dividing the minimum lot area in half per dwelling unit in the same way as the lot frontage since the two are interlinked.

Staff is proposing to include these requirements back into both regulation tables for semi-detached dwellings, as follows:

**13.2 REGULATIONS FOR SEMI-DETACHED DWELLINGS**

		<b>Interior Lot</b>	<b>Corner Lot</b>
1	Lot Area (Minimum)	348 sq. m (3,745.7 sq ft) per unit	395 sq. m (4,251.7 sq ft) per unit
2	Lot Frontage (Minimum)	22.0 m (72.2 ft) 11.0 m (36.1 ft) per unit	24.4 m (80.1 ft) 12.2 m (40 ft) per unit
3	Front Yard (Minimum)		
	Front yard access	6.0 m (19.7 ft)	6.0 m (19.7 ft)
	Rear lane access	4.2 m (13.8 ft)	4.2 m (13.8 ft)
4	Rear Yard (Minimum)		
	Front yard access	7.5 m (24.6 ft)	7.5 m (24.6 ft)
	Rear lane access	10.5 m (34.6 ft)	10.5 m (34.6 ft)
5	Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)
6	Flankage Yard (Minimum)		6.0 m (19.7 ft)
7	Height (Maximum)	11.0 m (36.1 ft)	11.0 m (36.1 ft)

**14.2 REGULATIONS FOR SEMI-DETACHED DWELLINGS**

		<b>Interior Lot</b>	<b>Corner Lot</b>
1	Lot Area (Minimum)	348 sq. m (3,745.7 sq ft) per unit	395 sq. m (4,251.7 sq ft) per unit
2	Lot Frontage (Minimum)	22.0 m (72.2 ft) 11.0 m (36.1 ft) per unit	24.4 m (80.1 ft) 12.2 m (40 ft) per unit
3	Front Yard (Minimum)		
	Front yard access	6.0 m (19.7 ft)	6.0 m (19.7 ft)
	Rear lane access	4.2 m (13.8 ft)	4.2 m (13.8 ft)
4	Rear Yard (Minimum)		
	Front yard access	7.5 m (24.6 ft)	7.5 m (24.6 ft)
	Rear lane access	10.5 m (34.6 ft)	10.5 m (34.6 ft)
5	Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)
6	Flankage Yard (Minimum)		6.0 m (19.7 ft)
7	Height (Maximum)	11.0 m (36.1 ft)	11.0 m (36.1 ft)

500 Lot Design Requirements (Attachment D)

The previous amendments removed design guidelines that were set out in the Waterfront Master Plan. As such staff is proposing to reinsert setback/stepback massing regulations to the Regulations for Permitted Uses in the Waterfront (WF) Zone as follows:

<b>Interior/Corner Lots</b>	
1 Lot Frontage (Minimum)	Minimum 7.62 m (25 ft)
2 Height (See Map D)	Minimum: 10 m (32.3 ft) Maximum: 16.5 m (54.1 ft) properties adjacent to Water St Maximum: 24.5 m (80.4 ft) for all other properties.
3 Front or Flankage Yard (See Map F)	Maximum: 1.5 m (4.9 ft) on Water St Maximum: 4 m (13.1 ft) on all other streets.
5 Streetwall Height (See Map G)	Maximum: 15.5 m (50.9 ft) on Water St Maximum: 16.5 m (54.1 ft) on all other streets
6 Projections	Minimum 1.0 m (3.3 ft) from street line, and Maximum 2.5 m (8.2 ft) projection; OR Within the minimum and maximum range of the existing Buildings on the Block.
4 Rear or Side Yard	A Setback may be permitted but not to exceed 20% of the Lot Width or Lot Depth. <i>"All buildings shall be setback a minimum of 8m (26.2ft) from the ordinary high water mark."</i>
6 Building Setback/Step-back	<i>"Low-Rise Building A low-rise building may be setback from the interior lot line. This setback may not exceed 20% of the lot frontage; Mid-Rise Building Massing for mid-rise Buildings with a height above 13 m (42.6.1 ft) or the height of the streetwall, the mid-rise portion of a building shall be step-back from the interior lot lines no less than 10% of the lot frontage or 5.5m (18ft); whichever is less. Where a lot has more than one streetline, the greater lot width shall be applied."</i>
7 Ground Floor Finished Floor Elevation (FFE)	Minimum 3.76 m CGVD28 (Canadian Geodetic Vertical Datum 1928)

Parking (Attachment E)

Carrying through amendments regarding Home Occupations, the Zoning & Development By-law currently does not list a *Home Occupation* as a use under the parking table found in Section 43.1 which, dictates number of parking spaces required. Through research staff recommend that in addition to the required one parking stall for the residence that *one (1) parking space per one (1) full-time or two part-time employees is required, and for appointment-based home occupations the required parking will be left to Council's discretion.*

Appendix A: Definitions (Attachment F)

By adding the definitions for Heritage Inn and Welding and Metal Fabrication, and amending the definition for Tourist Accommodation alphabetically as;

*"Heritage Inn means an Owner occupied establishment on a designated heritage resource that provides lodging to travelers on a short-term basis by way of a tourist accommodation."*

*"Welding and Metal Fabrication means the stamping, drawing, grinding, machining, turning, heat treating, galvanizing, plating, coating or other metal processing or metal fabricating including pipe or tube fabrication and including the production of recycled metals entirely from scrap."*

*"Tourist Accommodation means temporary accommodations for travelers or transients within a Dwelling to provide accommodation and may provide breakfast for remuneration, but a Hotel is a separate use and is separately defined."*

LEGISLATIVE REQUIREMENTS:**Notification**

If the proposed amendments to the Zoning & Development By-law PH-ZD.2 are 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 PH-ZD.2.

**Public Feedback**

A public meeting of Council was held on May 28, 2019 at 7:00 p.m. at the Grafton/Richmond Room, Rodd Charlottetown Hotel of the Arts, 75 Kent Street. During the public meeting five (5) residents

spoke to the proposed amendments. The majority of comments and concerns expressed by residents was in relation to the issue of short-term rentals and the impact on affordable housing. There was some concerns expressed about defining the existing term *Tourist Home* in relation to the short-term rental issue. After receiving public feedback staff feels that it is not crucial at this time to proceed with defining a *Tourist Home*, but this land use will be reevaluated at a later date when moving forward with short-term rental regulations. In the interim the existing references to *Tourist Home* in the Zoning & Development By-law will be removed along with the reference to *Bed & Breakfast* in order to provide a consistent definition for any type of tourist accommodation.

The Planning & Heritage Department did not receive any written response pertaining to these amendments.

**CONCLUSION:**

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments, be *approved* as per Attachment(s) A to F.

**PRESENTER:**



Robert Zilke, MCIP  
Planner II

**MANAGER:**



Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage



# Attachment A

**Section 5.9.1 is amended by adding additional subsections as follows:**

- j) Required parking for home occupations may be provided in tandem with parking for the main residence.*
- k) The maximum number of clients permitted on the premise of appointment-based home occupations at any one time will be determined by Council.*

**Section 5.9.3.g. is amended as follows:**

By deleting the word “*Minor*” and replace with “*Major*” following the words “process of review for a” in subsection g as follows:

**5.9.3 The following uses are permitted as Home Occupations:**

- a. Home Daycare, subject to the by-law provisions for Home Daycares
- b. Tourist Accommodations, subject to the by-law provisions for Tourist Accommodations
- c. Home Office, clerical, computer and/or telephone-based services
- d. Custom sewing, crafts, or production of visual arts (i.e. painting, pottery, wood carving)
- e. Multi-Level Marketing Retail Sales
- f. Catering, for off-premise delivery of products
- g. Additional uses, including uses with appointments typically on an hourly basis or as scheduled, may be considered following the process of review for a ~~Minor~~ Major Variance.

**Section 5.9.4 is added as follows:**

**5.9.4 The following uses are prohibited as Home Occupations:**

- a. *Medical, Health and Dental Office;*
- b. *Automobile Body Shop;*
- c. *Eating and Drinking Establishment;*
- d. *Retail Store;*
- e. *Welding and Metal Fabrication.*

# Attachment B

Section 5.11 is amended by correcting the word “Accommodation” as follows:

## TOURIST ACCOMMODATIONS ON RESIDENTIAL PROPERTIES

Section 5.11.1 is amended as follows:

By deleting the words “such as a bed and breakfast or tourist home.”

5.11.1 Tourist Accommodation, ~~such as a bed and breakfast or tourist home~~, are a permitted Home Occupation, subject to the following requirements:”

Section 5.11.3 is added as follows:

5.11.3 *The maximum number of bedroom(s) for any Tourist Accommodation shall be determined as follows:*

Zone Designation	# of Bedrooms Permitted
a. R1L, R1S, R2, and R2S Zones	Up to four (4) bedrooms
b. R3, R4, and the 500 Lot Area Zones	Four (4) bedrooms are permitted for the first 370 sq m (3,982.8sq ft) of <i>lot area</i> , and for every additional bedroom over four (4) the <i>lot</i> must be increased by 100 sq m (1076.4 sq ft), up to a maximum of 7 bedrooms.
c. <b>Heritage Inn</b> in the R1L, R1S, R2, and R2S Zones	Four (4) bedrooms are permitted for the first 370 sq m (3,982.8sq ft) of <i>lot area</i> , and for every additional bedroom over four (4) the <i>lot</i> must be increased by 100 sq m (1076.4 sq ft), up to a maximum of 7 bedrooms.
d. <b>Heritage Inn</b> in the R3, R4 and the 500 Lot Area Zones	Up to seven (7) bedrooms

# Attachment C

Section(s) 13.2 and 14.2 siting tables Regulations for Semi-Detached Dwellings are both amended as follows:

		Interior Lot	Corner Lot
1	Lot Area (Minimum)	696 sq. m (7,491.7 sq ft)	790 sq. m (8,503.5 sq ft)
		348 sq. m (3,745.7 sq ft) per unit	395 sq. m (4,251.7 sq ft) per unit
2	Lot Frontage (Minimum)	22.0 m (72.2 ft)	24.4 m (80.1 ft)
		11.0 m (36.1 ft) per unit	12.2 m (40 ft) per unit
3	Front Yard (Minimum)	Front yard access 6.0 m (19.7 ft)	6.0 m (19.7 ft)
		Rear lane access 4.2 m (13.8 ft)	4.2 m (13.8 ft)
4	Rear Yard (Minimum)	Front yard access 7.5 m (24.6 ft)	7.5 m (24.6 ft)
		Rear lane access 10.5 m (34.6 ft)	10.5 m (34.6 ft)
5	Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)
6	Flankage Yard (Minimum)		6.0 m (19.7 ft)
7	Height (Maximum)	11.0 m (36.1 ft)	11.0 m (36.1 ft)

Attachment C:  
Amendments to Regulations for Semi-Detached  
Dwellings  
File: PLAN 2019-4-JUNE-



**CHARLOTTETOWN**  
Planning & Heritage Department

# Attachment D

## Section 33.3 Regulations for Permitted Uses in the WF Zone is amended as follows:

By inserting "All buildings shall be setback a minimum of 8m (26.2ft) from the ordinary high water mark" under subsection 4 and insert "Low-Rise Building: A low-rise building may be setback from the interior lot line. This setback may not exceed 20% of the lot frontage;

*Mid-Rise Building: Massing for mid-rise Buildings with a height above 13 m (42.6.1 ft) or the height of the streetwall, the mid-rise portion of a building shall be step-back from the interior lot lines no less than 10% of the lot frontage or 5.5m (18ft); whichever is less. Where a lot has more than one streetline, the greater lot width shall be applied"* under subsection 6 as follows:

Interior/Corner Lots		
1	Lot Frontage (Minimum)	Minimum 7.62 m (25 ft)
2	Height (See Map D)	Minimum: 10 m (32.3 ft) Maximum: 16.5 m (54.1 ft) properties adjacent to Water St Maximum: 24.5 m (80.4 ft) for all other properties.
3	Front or Flankage Yard (See Map F)	Maximum: 1.5 m (4.9 ft) on Water St Maximum: 4 m (13.1 ft) on all other streets.
5	Streetwall Height (See Map G)	Maximum: 15.5 m (50.9 ft) on Water St Maximum: 16.5 m (54.1 ft) on all other streets
6	Projections	Minimum 1.0 m (3.3 ft) from street line, and Maximum 2.5 m (8.2 ft) projection; OR Within the minimum and maximum range of the existing Buildings on the Block.
4	Rear or Side Yard	A Setback may be permitted but not to exceed 20% of the Lot Width or Lot Depth. <i>"All buildings shall be setback a minimum of 8m (26.2ft) from the ordinary high water mark."</i>
6	Building Setback/Step-back	<i>"Low-Rise Building A low-rise building may be setback from the interior lot line. This setback may not exceed 20% of the lot frontage; Mid-Rise Building Massing for mid-rise Buildings with a height above 13 m (42.6.1 ft) or the height of the streetwall, the mid-rise portion of a building shall be step-back from the interior lot lines no less than 10% of the lot frontage or 5.5m (18ft); whichever is less. Where a lot has more than one streetline, the greater lot width shall be applied."</i>
7	Ground Floor Finished Floor Elevation (FFE)	Minimum 3.76 m CGVD28 (Canadian Geodetic Vertical Datum 1928)

Attachment D:  
Amendments to Regulations for  
Permitted Uses in the Waterfront (WF)  
Zone  
File: PLAN-2019-4-JUNE-



**CHARLOTTETOWN**  
Planning & Heritage Department

# Attachment E

**Section 43.1 the parking table is amended as follows:**

By inserting the Use "Home Occupation," following the Use "Funeral Establishment" but preceding the Use "Hospital" as follows:

<b>Dwelling Unit</b>	1 space per <i>Dwelling Unit</i>
<b>Dwelling Unit In the 500 Lot Area</b>	1 space per <i>Dwelling Unit</i> in a <i>Building</i> with three or few <i>Dwelling Units</i> ; and in a <i>Building</i> with more than three <i>Dwelling Units</i> the parking shall be 1 space for every two <i>Dwelling Units</i> with no <i>Parking Lot</i> to have less than three <i>Parking Spaces</i> .
<b>Funeral Establishment</b>	A minimum of 15 spaces plus 1 space for each 5 seats
<b>Home Occupation</b>	<i>A minimum of one (1) parking space per one (1) full-time or two part-time employees is required; and for appointment-based home occupations the required parking will be left to Council's discretion.</i>
<b>Hospital</b>	1.25 spaces per bed
<b>Hotel</b>	1 space per guest room or suite; 1 space for every 21 sq. m (226.0 sq. ft) of commercial, <i>Office</i> space or public use access; 1 tour bus space may be substituted for vehicle parking for every 18 rooms or suites up to a maximum of 36 rooms or

# Attachment F

## Appendix A. Definitions are amended as follows:

- 1) By inserting the definition alphabetically for “*Heritage Inn*” proceeding after “*Height*” but before the existing definition “*Heritage Resource*” as follows:

**Height** means the vertical distance measured from average finished Grade to the highest point of the roof surface in the case of a Flat Roof, or the ridge of a gable, hip, or gambrel roof, and excluding such Structures as antennas, municipal water storage tanks, skylights, cupolas, elevator penthouses, mechanical penthouses, solar panels, chimneys, silos, smoke stacks, steeples and spires.

**“Heritage Inn** means an Owner occupied establishment on a designated heritage resource that provides lodging to travelers on a short-term basis by way of a tourist accommodation.”

**Heritage Resource** as defined in the City of Charlottetown Heritage Preservation By-law.

- 2) By inserting the definition for “*Welding and Metal Fabrication*” proceeding after “*Watercourse*” but before the definition “*Wetland*” as follows:

**Watercourse** shall have the same meaning as defined in the Watercourse and Wetland Protection Regulations prescribed under the Environmental Protection Act, as may be amended and in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.

**“Welding and Metal Fabrication** means the stamping, drawing, grinding, machining, turning, heat treating, galvanizing, plating, coating or other metal processing or metal fabricating including pipe or tube fabrication and including the production of recycled metals entirely from scrap.”

**Wetland** shall have the same meaning as defined in the Watercourse and Wetland Protection Regulations prescribed under the Environmental Protection Act, as may be amended and in the case of any dispute, the final determination shall be made by the provincial government department having responsibility for enforcement of such regulations.

- 3) Amending the existing definition “*Tourist Accommodation*” by deleting the words “and includes bed and breakfasts and tourist homes,” as follows:

**Tourist Accommodations** means temporary accommodations for travelers or transients within a Dwelling to provide accommodation and breakfast for remuneration, ~~and includes bed and breakfasts and tourist homes,~~ but a Hotel is a separate use and are separately defined.

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD MINUTES  
4 JUNE 2019 4:30 PM  
COUNCIL CHAMBERS, CITY HALL**

**Included** Councillor Greg Rivard, Chair  
Councillor Bob Doiron  
Aaron Stavert, RM  
Todd Saunders, HO

Councillor Julie McCabe  
Greg Munn, RM  
Wayne MacKinnon, RM  
Alex Forbes, PHM

**Regrets** Deputy Mayor Jason Coady  
Tara Maloney, RM

Simon Moore, RM

**1. Call to Order**

Councillor Greg Rivard called the meeting to order and introduced new committee members at 4:30 pm.

**2. Declaration of Conflicts**

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

**3. Approval of Agenda**

Moved by Greg Munn, RM, and seconded by Councillor Julie McCabe, that the agenda for Monday, June 4, 2019, be approved.

**CARRIED**

**4. Adoption of Minutes**

Moved by Greg Munn, RM, and seconded by Wayne MacKinnon, RM, that the minutes of the Monday, April 29, 2019 meeting be approved.

**CARRIED**

**5. Business arising from Minutes**

There was no business arising from the minutes.

**6. 165 Richmond Street, Queen Square (PID #385973)**

Parks Canada is applying to install a temporary exhibit container to provide information on the conservation work being carried out on Province House. It is proposed the container be located just outside the fenced construction zone and to the south of the Boar War monument. Todd Saunders, HO, presented the application. See attached report.

This container had been located on the upper plaza at Confederation Centre for the past two summers which housed a special exhibit related to Province House. The same container is proposed to be repurposed with information provided about the conservation project and will be rebranded as the “Province House Conservation Station”. It will be moved to an area in front of the Coles Building on the Richmond St. side. The closer proximity to the building itself, should allow for better links to the project.

Visitors would enter from either the east end of the container where there is a wheelchair ramp or from the front (south side). There would also be a crushed gravel path leading up to it from the asphalt walkway to Coles Building. The structure will be fed electrically with an underground

Heritage Board

June 4, 2019

Page 2 of 3

line from inside the fence and accessed using a temporary gravel path. Two plywood panels in the fence are to be replaced with Plexiglas to allow viewing of a stone carver who will be doing work for the building.

The exhibit would be open to the public from July 1 to August 31 from 10 am to 6 pm daily. It is proposed the container would be moved to the site in mid-June and it could be moved out again by mid-September.

The application includes:

- A 20' long x 8' wide metal container with an awning that sticks out at the entrance. It is currently bright red in colour and would have graphics on it indicating what it is.
- Sliding and hinged panel doors.
- The sign shown on the top of the container is no longer proposed.
- To be located on site from mid-June to mid-September.

Comments/concerns noted:

- Board members noted Province House is largely unavailable during the construction period and it is appropriate to have something available in its place.
- Board members commented that it is a temporary installation and will not have a long term effect on the site.
- It was noted efforts should be made to ensure views and access to the Boar War monument are not impeded.

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

**Moved by Aaron Stavert, RM and seconded by Councillor Julie McCabe, that the application to install a temporary container on the site at 165 Richmond Street, Province House (PID#385973), from mid-June to mid-September to assist with building interpretation during the construction period associated with Province House, be recommended to Council for approval.**

**CARRIED**

**7. 15 Hillsborough Street (PID #336198)**

This is a request to remove the existing garage (approximately 10 ft. x 15.6 ft.) in order to construct a new accessory building (approximately 10 ft. x 18 ft.) on the property located at 15 Hillsborough Street (PID #336198). The property is located in the 500 Lot Area and is a Designated Heritage Resource. Todd Saunders, HO, presented the application. See attached report.

An application by a previous owner to revoke the Heritage Resource designation in order to allow for the demolition of the main building was rejected by Council on September 10, 2018. Following the sale of the property to a new owner, a building permit was issued on March 29, 2019 to construct an addition and renovate the existing single-detached dwelling. A resolution was recently passed by Council on May 13, 2019 to reduce the required side yard setback from 0.85 m (2.79 ft) to approximately 0.31 m (1.02 ft); and reduce the required rear yard setback



Heritage Board

June 4, 2019

Page 3 of 3

from 0.48 m (1.57 ft) to approximately 0.30 m (0.98 ft), to allow for the proposed new accessory building (10 ft. x 15.6 ft.).

The application includes:

- Removal of the existing accessory building;
- A 18'long x 10' wood frame accessory building. The building is to be clad in wooden board and batten siding;
- Asphalt roof;
- Three square windows are proposed- one on the elevation facing Hillsborough Street above the garage doors and two on the north elevation;
- The overhead garage door is shown as a false split front with transom windows.

Comments/concerns noted:

- It was noted the proposal drawings submitted indicated some dimensions which may not meet all applicable codes. Staff indicated prior to the permit being issued any discrepancies would be corrected.
- Board members again commented how gratifying it is to see this property being developed rather than demolished.

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

**Moved by Greg Munn, RM and seconded by Aaron Stavert, RM, that application to remove the existing garage and construct a new accessory building as per drawings submitted for the property located at 15 Hillsborough Street (PID #336198), be recommended to Council for approval.**

**CARRIED**


### **8. Adjournment**

Moved by Wayne MacKinnon, RM, and seconded by Greg Munn, RM, that the meeting be adjourned.

The meeting was adjourned at 4: 45 PM.

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Councillor Greg Rivard

<b>TITLE:</b> <b>INSTALLATION OF A CONTAINER - DESIGNATED HERITAGE PROPERTY</b> <b>FILE: HERT-2019-27-MAY-6-1</b> <b>QUEEN SQUARE – 165 RICHMOND STREET</b> <b>APPLICANT: PARKS CANADA</b>		
<b>MEETING DATE:</b> May 27, 2019		<b>Page 1</b>
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. Location Map B. Proposed Development Map C. Proposal Photo D. Historic Photo	
<b>SITE INFORMATION:</b> <b>Ward No:</b> 1 – Queens Square <b>Property Use:</b> Park/Cultural <b>Heritage Recognition:</b> Designated Heritage Resource located in the P/C zone of the 500 Lot Area. National Historic Site. <b>Adjacent Heritage Properties:</b> There are four properties adjacent to the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> <li>• 175 Richmond Street- Coles Building</li> <li>• 197 Richmond Street - St. Paul’s Church Rectory</li> <li>• 94 Great George Street - Union Bank Building</li> <li>• 21 Church Street – St. Paul’s Church</li> </ul>		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Heritage Board to support the application to locate a temporary container on the site at 165 Richmond Street (PID #340430) to assist with building interpretation during the construction period associated with Province House renovations.

**BACKGROUND:**

***Application***

Parks Canada is applying to install a temporary exhibit container to provide information on the conservation work being carried out on Province House. It is proposed the container be located just outside the fenced construction zone and to the south of the Boar War monument.

***Proposal***

The applicant has provided the following:

*You may recall we had a special exhibit container on the upper plaza at Confederation Centre for the past two summers. Last year it housed the Province House Virtual Reality program. This year we plan to expand the information provided about the conservation project and will rebrand it as the "Province House Conservation Station".*

*Unfortunately it didn't receive many visitors in that location last summer and we would like to move it to an area in front of the Coles Building on the Richmond St. side. We feel that there would be a better chance of reaching visitors in that area. It would also be closer to the building itself, allowing for better links to the project. We have proposed a specific location to the province and have received permission from them to locate it there.*

*Visitors would enter from either the east end of the container where there is a wheelchair ramp or from the front (south side). There would also be a crushed gravel path leading up to it from the asphalt walkway to Coles Building. The structure will be fed electrically with an underground line from inside the fence and accessed using a temporary gravel path. We are replacing 2 plywood panels in the fence with Plexiglas to allow viewing of a stone carver who will be doing work for the building.*

*The exhibit would be open to the public from July 1 to August 31 from 10 am to 6 pm daily. We would need to move it on location in mid-June however to ensure it is ready and it could be moved out again by mid-September.*

**THE APPLICATION INCLUDES:**

- A 20' long x 8' wide metal container with an awning that sticks out at the entrance. It is a bright red in colour and would have graphics on it indicating what it is.
- Sliding and hinged panel doors.
- The sign shown on the top of the container is no longer proposed.
- To be located on site from mid-June to mid-September.

**PROPERTY HISTORY**

Queen Square is the central square around which the city was originally laid out. Although it was a number of years before the grounds were developed the square has served as the central hub since its inception.

*With the erection of a market house in 1813, the plan of having a park without buildings lost ground. The "framed and picketed" market, constructed by Samuel May Williams, was positioned in the exact centre of the square. The ideal of a park, however, was not forgotten. All thorough the 19<sup>th</sup> century, whenever a new public structure was to be erected, long and bitter debated took place on whether or not the square should be further filled with buildings. The 1813 Market House served until after 1823, when it was removed to the wharf at the foot of Queen Street to be used as a fish market. Its space on Queen Square was taken by a 16 sided market house, designed by John Plaw and erected by Isaac Smith, and Thomas Hodgson. The Round Market, as it was commonly called, was a picturesque addition to the square. The main enclosure was surrounded by a colonnade of the Tuscan order, and a cupola surmounted the roof.* Charlottetown – The Life in Its Buildings – Irene Rogers

Before Province House was constructed, the Island's Legislature met in various homes and taverns. Finally, in 1837 Lieutenant Governor, Sir John Harvey, called for 5000 Pounds for a building to house the two branches of the legislature and offices. A public design competition was held that year but the project was delayed by the need for a building to house the Supreme Court as well. At last, in 1842, the Legislature voted for a further 5000 pounds and construction began the following year.

Local builder, Isaac Smith, who had won the public design competition, had no formal architectural training but he was responsible for many of the public buildings around Charlottetown in the period. Smith was also appointed foreman of the project. His brother, carpenter Henry Smith, as well as local trades people and labourers were hired to work on the huge structure making it a truly Island accomplishment. The Colonial Building was comparable to public buildings in other colonies making it a huge achievement and a source of pride to Islanders.

Province House was built in the Classical Revival style. The Classical Revival style was the result of further study of Greek original forms. Pattern books, such as those by architect and writer, Asher Benjamin, made the architectural vocabulary available to all builders. The style influenced Canadian architecture the most of any of the architectural styles. A more formal approach to the Classical Revival style was used for public buildings reminiscent of the temples of Greece and Rome. A great number of 19th Century public buildings were built in the Classical Revival style. Lieutenant Governor, Sir Henry Vere Huntley, laid the cornerstone of Province House in May

1843 among a celebration that included a speech, a band and a parade. The official opening of the building took place in January 1847, when the first session of the Legislature was held there. Interestingly, the Legislature still meets there to this day. One of the most important events that ever took place at Province House was the Charlottetown Conference of 1864 where delegates met to discuss the Confederation of Canada. The meeting was the first of a series of meetings that would ultimately lead to the Confederation of Canada in 1867 making Charlottetown the Cradle of Confederation.

Province House was made a National Historic Site in 1966 for its role as the Birthplace of Canada. The building had been altered a number of times throughout the years, however between 1979 and 1983 the building was restored to reflect the 1864 period. The building, which is located on historic Queen Square at the end of Great George Street, is a landmark in Charlottetown and an important building to the City, Province, and the Nation.

#### **POLICY FRAMEWORK:**

##### ***Bylaw Requirements***

In accordance with Section 4.2.4.a (i) of the Heritage Preservation By-law, Heritage Board will review the compatibility of the proposed development in relation to the criteria listed in Section 5.1.1.h, 5.1.2 & Section 6. Section 5.1.2 is perhaps the more relevant section which addresses the compatibility of the proposed development in relation to the original site conditions and its impact on the streetscape.

Section 4.11.a of the Zoning & Development By-law states that *'a building permit may be issued for a temporary structure when a building or structure is accessory to construction in progress ...'* This proposal complies as *'the primary purpose of this is to provide information on the project and the conservation work being carried out on the building'*.

##### ***The Standards and Guidelines for the Conservation of Historic Places in Canada***

<https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>

Queen Square may best be considered a Cultural Landscape. The relevant standards recommend understanding land use and how it contributes to the heritage value of the cultural landscape. While not directly transferable to a temporary structure the standards do provide a general framework:

**Standard 11**

(a) Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. (b) Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

In accordance with recommended guidelines for cultural landscapes, as noted in the Standards and Guidelines, it is recommended protecting and maintaining features that supports a land use by adopting non-destructive maintenance methods in daily, seasonal and cyclical tasks to extend the life expectancy. Obviously the restoration work currently underway is intended to extend the life of the building; however the exhibit container may provide continuity in the site interpretation which in turn may support the heritage character defining elements.

**ANALYSIS:**

Queen Square is a landmark in the community. The square has historically played an important part of the cultural life of Charlottetown's citizens. Its numerous attractions and historically significant monuments make it one of the most important sites on Prince Edward Island.

Although this application is technically an accessory building – it is temporary in nature. Given Province House is currently undergoing extensive renovations and the site is not presenting in its regular condition but is a construction zone, the evaluation criteria are somewhat more challenging to apply. The container proposed is intended to serve as a means to provide historic interpretation of the site while it is under construction therefore it may be considered to have some merit. The design of a container is clearly not intending to be anything other than what it is and is often found on a construction site. The graphic nature of the container indicates there is an exhibit or elements of interest. Consideration must also be given to its placement in relation to the proximity to the Boar War Monument.

**CONCLUSION:**

The Planning & Heritage Department recommends the application for a temporary exhibit container to be located in Queen Square be approved.

PRESENTER:



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Todd Saunders, M.Arch  
Heritage Officer

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MANAGER:



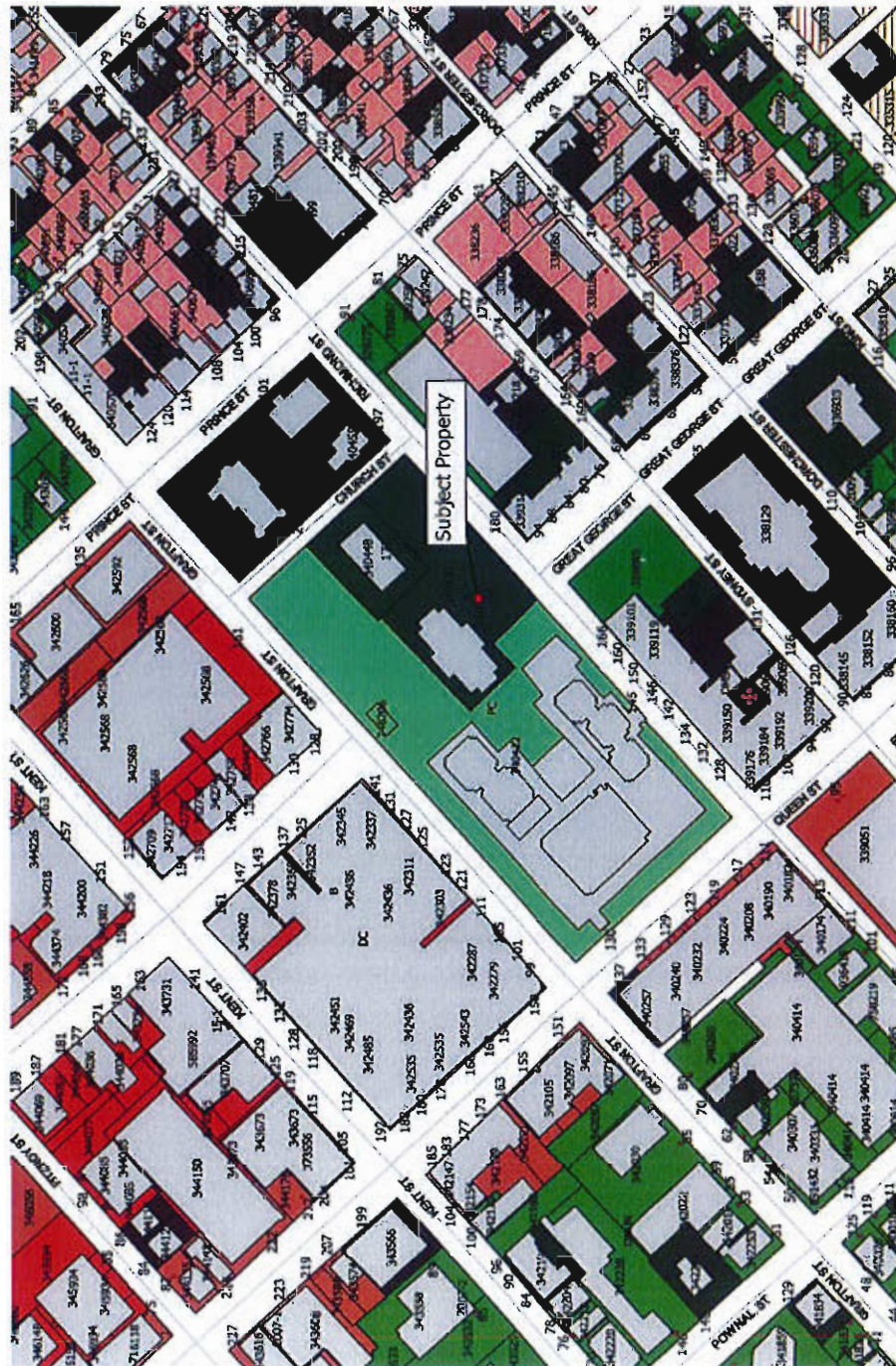
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Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

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LOCATION MAP  
Queen Square

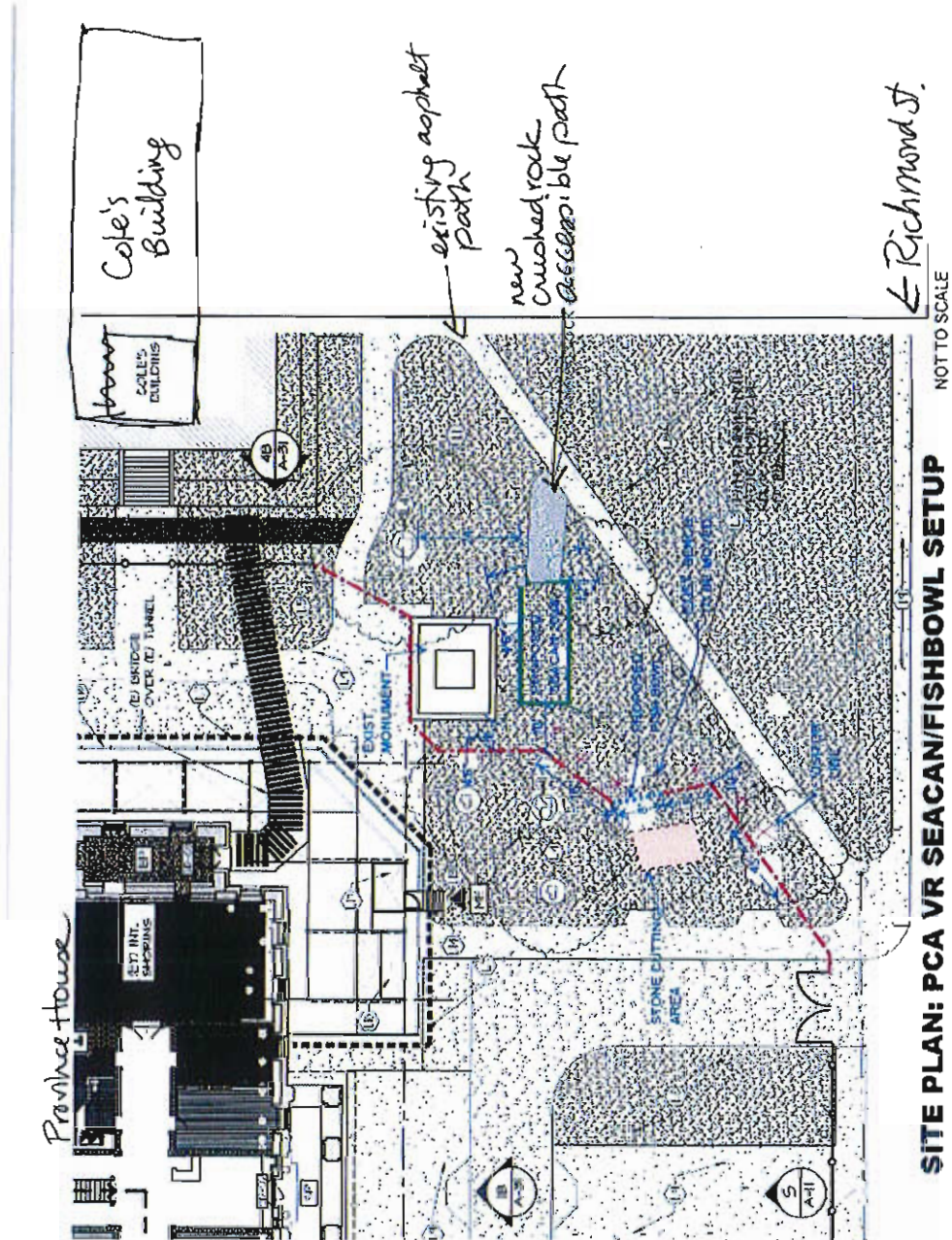
ATTACHMENT A





PROPOSED DEVELOPMENT MAP

ATTACHMENT B



SITE PLAN: PCA VR SEACAN/FISHBOWL SETUP

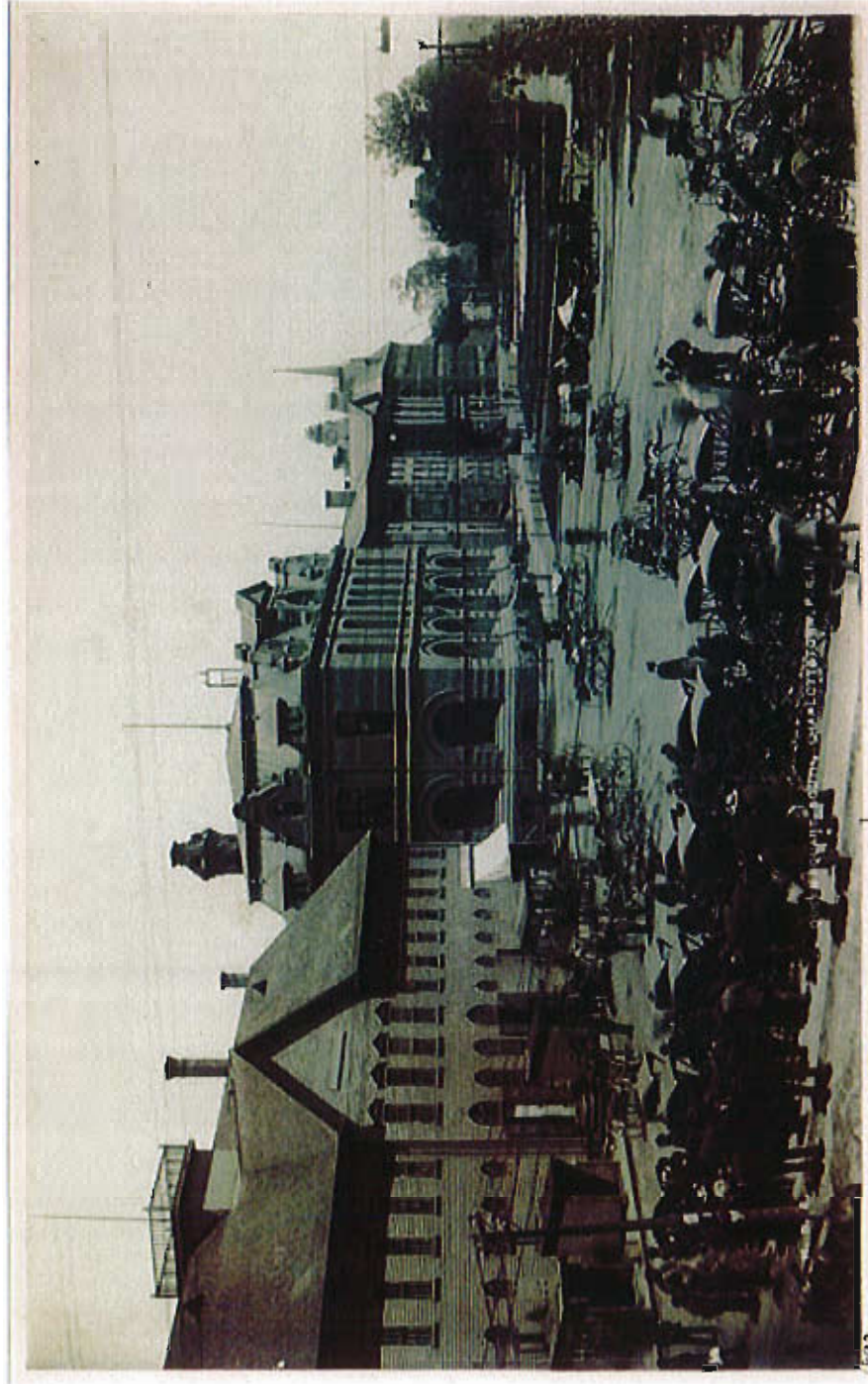
PROPOSAL PHOTO


ATTACHMENT C



HISTORIC PHOTO

ATTACHMENT D



<b>TITLE:</b> REPLACEMENT OF ACCESSORY BUILDING FILE: HERT-2019-27-MAY-6-2 15 HILLSBOROUGH STREET OWNER: PAUL COLES		
<b>MEETING DATE:</b> May 27, 2019		Page 1
<b>DEPARTMENT:</b> Planning & Heritage	<b>ATTACHMENTS:</b> A. Location Map B. Existing Site Plan C. Existing Site Plan Detail D. Proposed Site Plan E. Proposed Site Plan Detail F. Proposed Floor Plan G. Proposed Elevations	
<b>SITE INFORMATION:</b> <b>Ward No:</b> 1 – Queens Square <b>Property Use:</b> Single-Detached Dwelling <b>Heritage Recognition:</b> Designated Heritage Resource located in the DMUN zone of the 500 Lot Area. <b>Adjacent Heritage Properties:</b> There are no properties adjacent to the development site which are found on the list of Designated Heritage Resources.		
<b>PREVIOUS APPLICATIONS:</b> <ul style="list-style-type: none"> <li>• Council passed a resolution on May 13, 2019 to reduce the required side yard setback from 0.85 m (2.79 ft) to approximately 0.31 m (1.02 ft); and reduce the required rear yard setback from 0.48 m (1.57 ft) to approximately 0.30 m (0.98 ft), in order to demolish the existing accessory building (10 ft. x 15.6 ft.) and construct a new accessory building (approximately 10 ft. x 18 ft.) pending approval of Heritage Board.</li> <li>• A building permit was issued on March 29, 2019 to construct an addition and renovate the existing single-detached dwelling.</li> <li>• Council passed a resolution on September 10, 2018 to reject the request to revoke the Heritage Resource designation in order to allow for the demolition of the existing building.</li> </ul>		

**RECOMMENDATION:**

The Planning & Heritage Department encourages Heritage Board to approve the request to remove the existing garage ( approximately 10 ft. x 15.6 ft.) in order to construct a new accessory

building (approximately 10 ft. x 18 ft.) on the property located at 15 Hillsborough Street (PID #336198).

### **BACKGROUND:**

#### ***Application***

The property owner, Paul Coles, is proposing to demolish the existing accessory building (10 ft x 15.6 ft) and construct a new accessory building (approximately 10 ft x 18 ft) on the property.

The application includes:

- A 18' long x 10' wood frame accessory building. The building is to be clad in wooden board and batten siding.
- Asphalt roof
- Three square windows are proposed; on facing Hillsborough Street above the garage doors and two on the north elevation.
- The overhead garage door is shown as a false split front with transom windows.

### **PROPERTY HISTORY**

The principle building located on this site was not originally constructed on this property but is known to have at one time been located next door on the southwest corner of Hillsborough and King Street. Records show that it was constructed prior to 1850. The Zoning and Development Bylaw: Appendix A - List of Heritage Resources described it thusly: *Built prior to 1850 and moved from corner of street; likely log construction.*

It is not clear when 15 Hillsborough Street was built, but its log construction is consistent with some of Charlottetown's oldest properties. It does not appear in George Wright's Field Notes of 1833 - one of our earliest sources of information on Charlottetown's building stock - indicating that it may have been moved from another site or built just after his survey. It would not be the last time the house was moved because for much of its history the building was located on the south west corner of Hillsborough and King Street. It was moved to its current site at 15 Hillsborough Street in approximately 1921.

The first reference we have to the building comes from Irene Rogers' "Charlottetown: The Life In Its Buildings". She stated that Master Mariner, George Harris was a resident of the home in 1850 and the 8 October 1850 edition of the Royal Gazette was listed as her source. A house appears on

the south west corner of Hillsborough and King Streets in the 1863 map produced by the American cartographer, D. Jackson Lake and 15 years later, the building appears on the 1878 Panoramic View of Charlottetown. Unfortunately, we have no early photographic evidence of 15 Hillsborough Street that would show its early appearance, however, the owner has found that the centre dormer was a later addition.

According to a local resident, whose family lived in the house, it was owned by Master Mariner Captain John Gillis until at least 1916, when Frank N. Kays purchased the building and ran a corner store from the site. Kays would return to Lebanon in 1921, marry, and come back to the Island later in the year. Upon his return, he would have a foundation dug one lot down the street to the south at the 15 Hillsborough St. site and move the house onto it. In 1923, Kays would have the neighboring house and store at 19 Hillsborough Street built on the corner site. Once finished, he and his family would run the store and live in 19 Hillsborough Street A good example of a log house in Charlottetown, it is the oldest on a block that was settled early.

Early 2018 – March 12, 2018 The Property had been for sale since 2017 but a buyer was found who intended on converting the first floor of the building to retail and the second floor to residential. Unfortunately, the deal to purchase fell through. Prior to this, she had extensively consulted with the City of Charlottetown re: her plan for the property and Charlottetown City Council had passed the following resolution at the monthly meeting of Council held on March 12, 2018 *“That the request to amend the intent of the proposed Development Agreement as it applies to the building at 15 Hillsborough Street (PID #336198) from a small café (Eating & Drinking Establishment) to a retail store on the ground floor and a residential dwelling unit on the second floor be approved.”*

September 10, 2018 The property owner submitted an application on July 31, 2018 to revoke the Heritage designation of the property in order to demolish the existing building. Council passed the following resolution at the monthly meeting of Council held on September 10, 2018 *“that the request to amend ‘Appendix A – Resources Designated under Heritage Provisions’ of the Zoning and Development Bylaw by removing the property at 15 Hillsborough Street (PID #336198) from the table, in conjunction with a recommendation from the Heritage and Planning Boards, be rejected.”*

March 29, 2019 A Building & Development Permit application was submitted on November 5, 2018 to construct an addition (16' x 25') and renovate the existing single-detached dwelling. This

Permit was approved on March 29, 2019 subject to a variance needed for the proposed accessory building renovations.

**POLICY FRAMEWORK:**

***Bylaw Requirements***

In accordance with Section 4.2.4.a (i) & 7.1.1.a of the Heritage Preservation By-law. Heritage Board will review the compatibility of the proposed development in relation to the criteria listed in Section 6.

**ANALYSIS:**

The existing garage is believed to have no connection to the original log structure and appears to postdate the relocation of the principle building to the site in 1921.

This property and building has had significant history over the past three years. Staff has been working with the previous property owner, current property owner and prospective property owners in order to retain and renovate the existing building into a single-detached dwelling.

It is suggested that the proposed demolition and construction of an accessory building is in keeping with the general provisions for development as outlined in Section 6 of the Heritage Preservation Bylaw .

**CONCLUSION:**

The Planning & Heritage Department recommends that the application to remove the existing garage and construct a new accessory building as presented be approved.

**PRESENTER:**

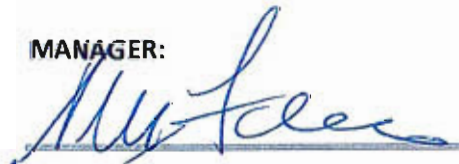


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Todd Saunders, M.Arch  
Heritage Officer

---

**MANAGER:**



---

Alex Forbes, MCIP, MBA  
Manager of Planning & Heritage

---

LOCATION MAP  
15 Hillsborough Street

ATTACHMENT A

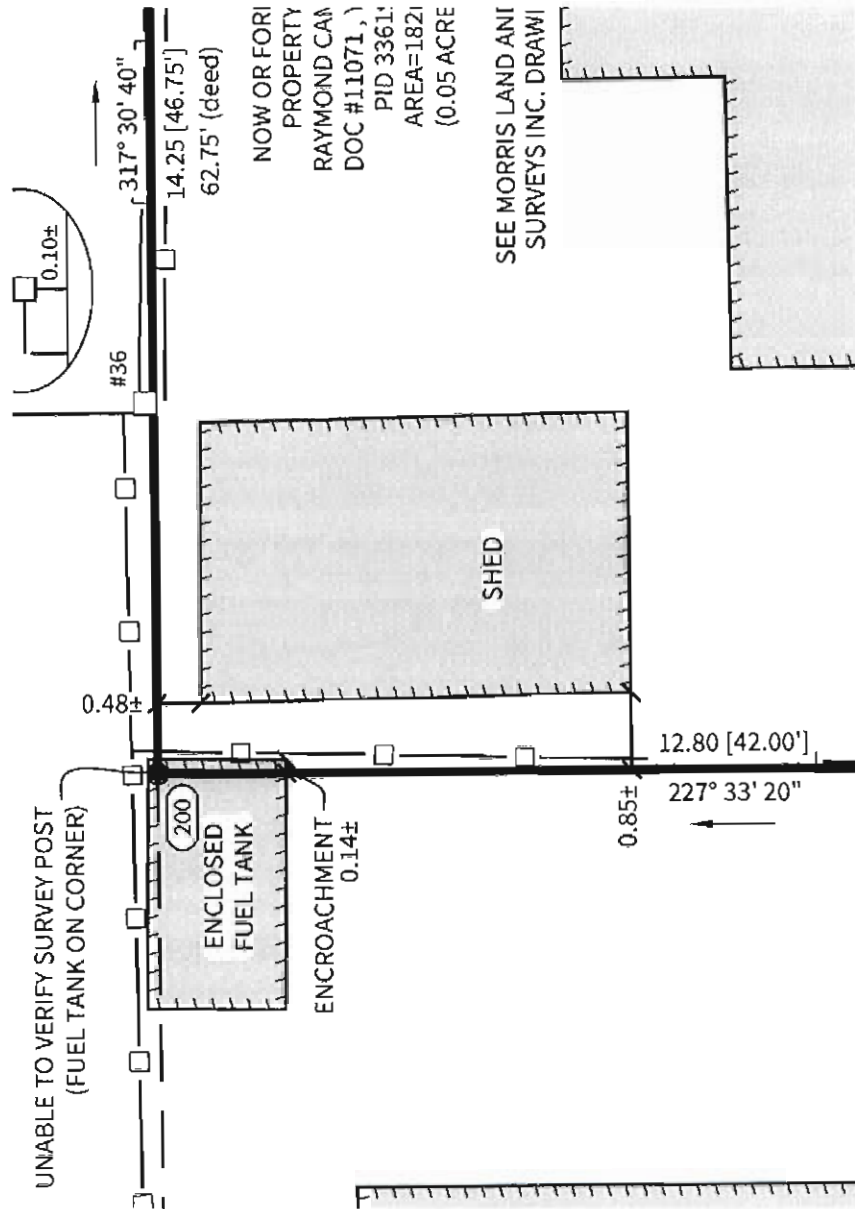






EXISTING SITE PLAN - DETAIL

ATTACHMENT C



PROPOSED SITE PLAN

ATTACHMENT D

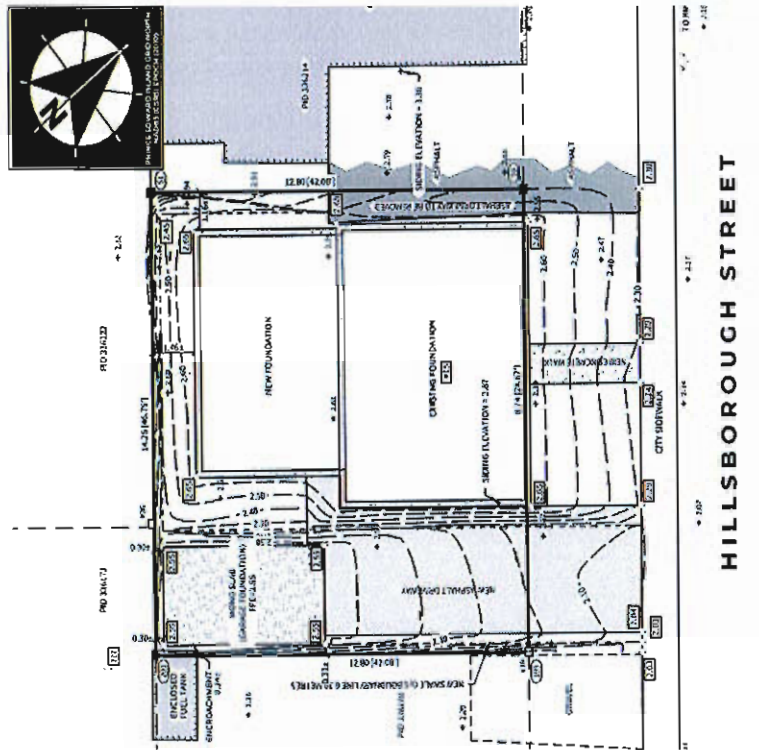
**MORRIS**  
 1000 BROADVIEW AVENUE, SUITE 100  
 WILLOWDALE, ONTARIO M2H 3B8  
 TEL: (416) 491-1111  
 WWW.MORRISINC.COM

**PROPOSED SURFACE DRAINAGE PLAN ON LANDS OF PAUL L. COLES**

DATE: 2018-10-24  
 PROJECT NUMBER: 19071  
 DRAWING NUMBER: 19071-01-01  
 DRAWING WHEN: 19071

CLIENT: PAUL L. COLES  
 PROJECT: REPLACEMENT OF ACCESSORY BUILDING  
 ADDRESS: 15 HILLSBOROUGH STREET, WILLOWDALE, ONTARIO

PREPARED BY: MORRIS INC.  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]



**GENERAL NOTES:**

1. DIMENSIONS ON THIS PLAN ARE BASED UPON THE SURVEY AND ARE REFERRED TO AS THE "SURVEY". THE "SURVEY" IS REFERRED TO AS THE "SURVEY". THE "SURVEY" IS REFERRED TO AS THE "SURVEY".
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**LEGEND**

- PROPOSED SURFACE DRAINAGE
- PROPOSED SEWER LAYOUT
- PROPOSED SEWER ELEVATION
- PROPOSED SEWER INVERT
- PROPOSED SEWER MANHOLE
- PROPOSED SEWER CONNECTION
- PROPOSED SEWER CONNECTION NUMBER
- PROPOSED SEWER CONNECTION NUMBER
- PROPOSED SEWER CONNECTION NUMBER

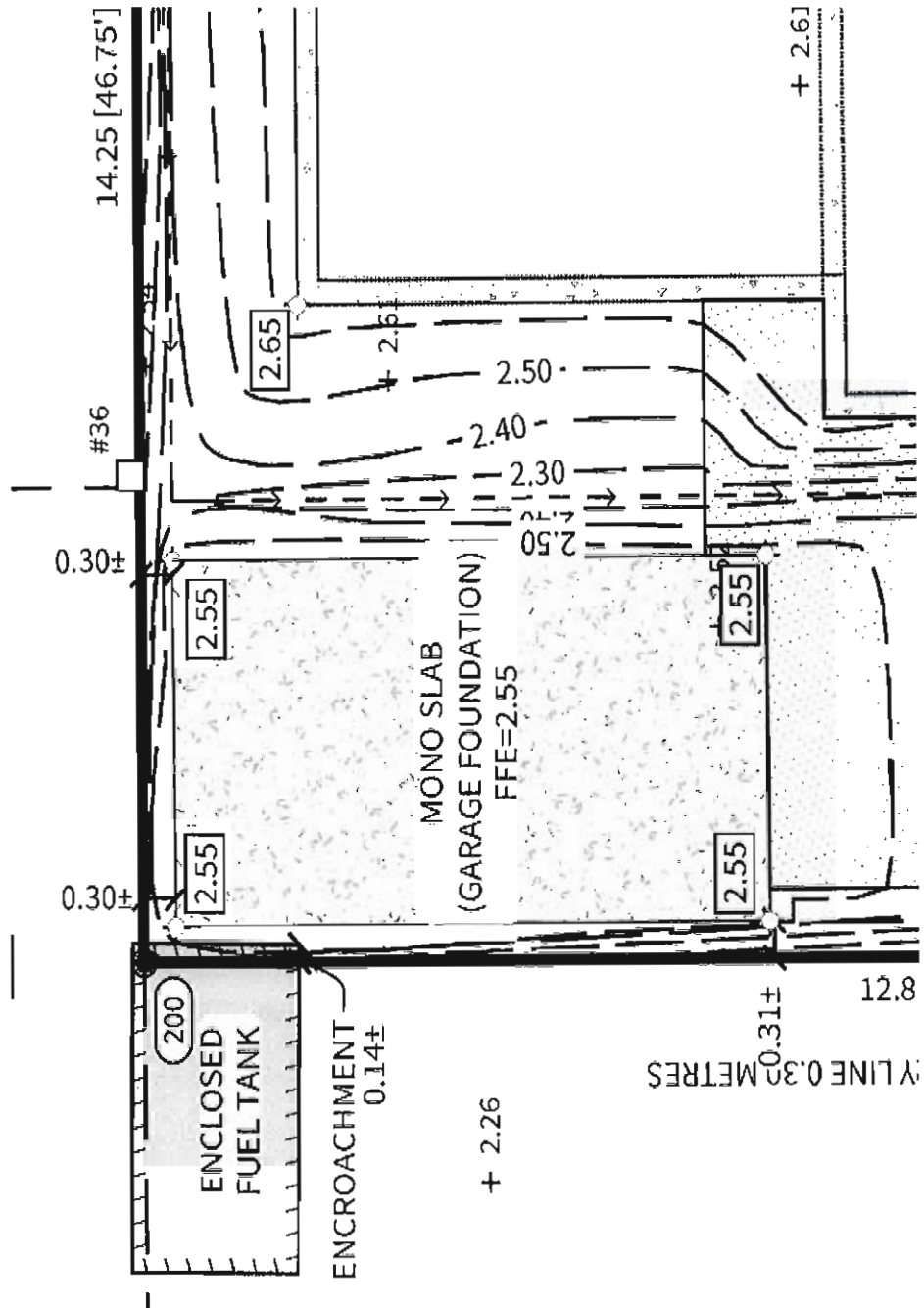
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**PROFESSIONAL ENGINEER**  
 DANIEL J. MORRIS  
 2018-10-24  
 19071-01-01

**PROFESSIONAL ENGINEER**  
 DANIEL J. MORRIS  
 2018-10-24  
 19071-01-01

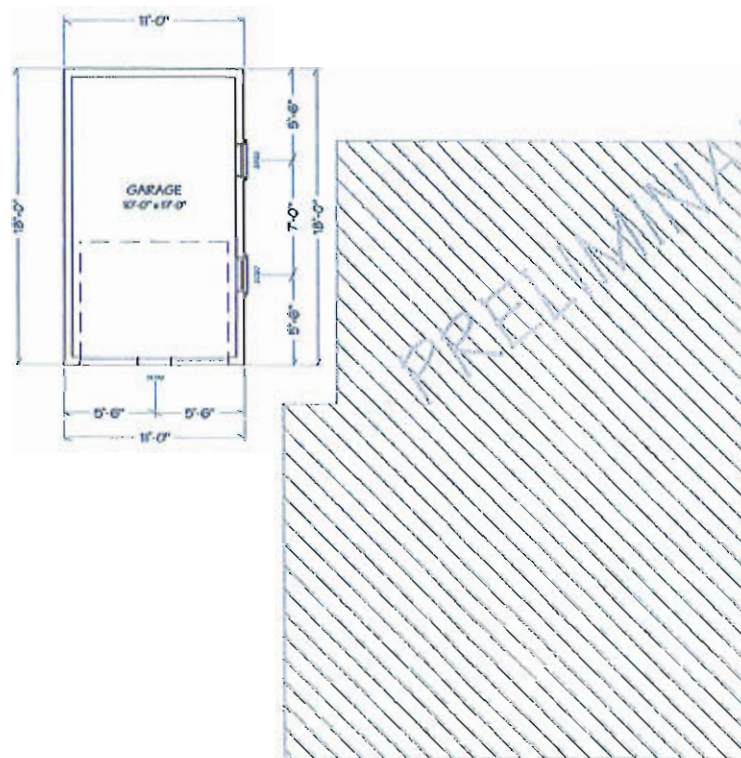
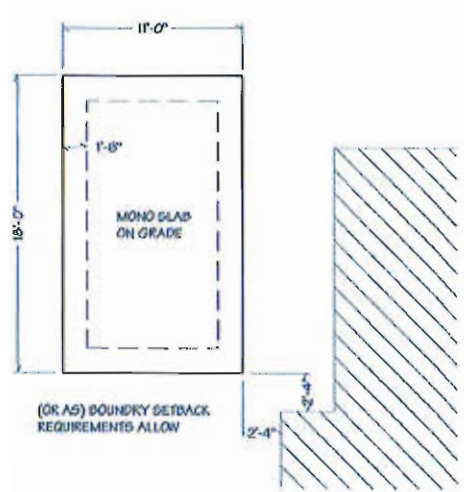
PROPOSED SITE PLAN - DETAIL

ATTACHMENT E



PROPOSED FLOOR PLAN

ATTACHMENT F

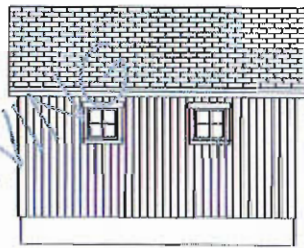


PROPOSED ELEVATIONS

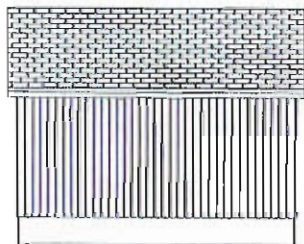
ATTACHMENT G



FRONT ELEV.



RIGHT ELEV.



DRAWING

-THESE SETS OF DRAWINGS ARE THE INTERPRETATION FOR THE HOME OWNER TO THE CONTRACTOR / BUILDER ANTICIPATED.

-OWNER & CONTRACTOR / BUILDER ARE RESPONSIBLE FOR THE DRAWINGS INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

-WINDOW & DOOR SIZES ARE APPROXIMATE R.S.O. & SHALL CORRESPOND WITH THE NATIONAL BUILDING CODE OF CANADA, & GOVERNING MUNICIPAL ORDINANCES.  
-“ORDER” WINDOW & DOOR SIZES WILL BE REVIEWED BY THE GENERAL CONTRACTOR, & SUPPLIER.

-SIZE & LOCATION OF ANY BASEMENT WINDOWS ARE THE RESPONSIBILITY OF THE HOME OWNER & CONTRACTOR / BUILDER.

-ALL EXTERIOR & INTERIOR DIMENSIONS, OPENINGS, TO BE VERIFIED BY OWNER & CONTRACTOR / BUILDER.

-STAIRWAY DIMENSIONS, OPENINGS, LANDINGS, & ARE THE RESPONSIBILITY OF THE CONTRACTOR / BUILDER.

-ALL FOUNDATION SITE WORK, GRADING, & ELEVATIONS ARE THE RESPONSIBILITY OF THE CONTRACTOR / BUILDER & GOVERNING CODES PERTAINING.

-ALL STRUCTURAL COMPONENTS OF THESE DRAWINGS OR OTHERWISE ARE THE RESPONSIBILITY OF THE MANUFACTURER (i.e.) ROOF TRUSSES, FLOOR JOIS, COLUMNS, BEAMS & HEADERS, etc.

-ALL CONSTRUCTION METHODS & MATERIALS SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE OF CANADA AND OF NO RESPONSIBILITY OF THE ARCHITECT.

-ANY INQUIRIES SHALL BE ADDRESSED TO CHOICE DESIGN AT THE START OF CONSTRUCTION.

-THESE SETS OF DRAWINGS ARE THE INTERPRETATION FOR THE HOME OWNER TO THE CONTRACTOR / BUILDER ANTICIPATED.

© 2010, CHOICE DESIGN, ALL RIGHTS RESERVED. THIS PLAN IS NOT TO BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF CHOICE DESIGN.

PROJECT: PAUL COLES - 15 HILLSBOROUGH STREET

DRAWING: GARAGE / STO. BUILDING

SCALE: 1/8" = 1'-0" (UNO) PLOT DATE

REVISION: Oct. 10 '10 Oct. 2

DRAWN BY: K. Pound, CET



**PLANNING AND HERITAGE COMMITTEE – DESIGN REVIEW BOARD MINUTES  
FRIDAY, MAY 17, 2019 1:00PM  
PARDKALE ROOM, CITY HALL**

**Included** Mayor Philip Brown  
Deputy Mayor Jason Coady, Vice-Chair  
Councillor Bob Doiron  
Councillor Julie McCabe  
Brian Gillis, RM  
Greg Munn, RM  
Kenneth McInnis, RM

Kris Fournier, RM  
Sharon Larter, RM  
Alex Forbes, PHM  
Greg Morrison, PII  
Todd Saunders, HO  
Ellen Ganga, IA/AA

**Regrets** Councillor Greg Rivard, Chair

**1. Call to Order**

Deputy Mayor Jason Coady called the meeting to order at 1:08 pm.

**2. Declaration of Conflicts**

Deputy Mayor Jason Coady asked if there are any other conflicts and there being none, moved to the approval of the agenda.

**3. Approval of Agenda**

Moved by Kenneth McInnis, RM, and seconded by Councillor Bob Doiron, that the agenda for Friday, May 17, 2019, be approved.

**CARRIED**

**4. Adoption of Minutes**

Moved by Greg Munn, RM, and seconded by Councillor Bob Doiron, that the minutes of the Tuesday, April 30, 2019 meeting, be approved.

**CARRIED**

**5. Business arising from Minutes**

There was no business arising from the minutes.

**6. 80 Grafton Street (PID #340265)**

This is a revised design proposal for a five-storey, mixed-use building at 80 Grafton Street (PID #340265). The property is located in the Downtown Mixed-Use Neighbourhood (DMUN) Zone. Greg Morrison, Planner II, presented the application.

This application was initially presented to the Design Review Board on April 30, 2019 but at that time, the application was rejected. A revised plan was submitted and the design reviewer has now provided conditional approval for this project. Staff recommendation is to approve the proposed design.

Bill Chandler, applicant, added that he has met with the design reviewer and the owners of the property to come up with a revised design of the building to meet the design review guidelines

and to address the concerns of the original design. Mr. Chandler also noted that the revised plans do not change the footprint of the building but only on the design of the building.

Brian Gillis, RM, noted that this is a new process for the City and also a new process for the architects dealing with this process. Mr. Gillis complimented Mr. Chandler for the revised design that was presented to the board. It reflects what the bylaw intends and the turnaround to work with the clients and provide a design is very much appreciated. This is in alignment with the intent of this whole process.

Mayor Brown also added that the owners are very much appreciative of the design review board and they feel that it was a worthwhile exercise with the inputs provided on the design. Mayor Brown asked if the right of way between the Pilot House and the new building is about 15 feet and Mr. Chandler responded that it is 14 feet 4 inches. Mr. Chandler also clarified that right of way mentioned it is not a right of way but is a part of the property. Mr. Forbes clarified that this specific item will be part of the negotiation on the public benefits. Mayor Brown confirmed that it will not be reviewed by the board and Mr. Forbes confirmed. Mayor Brown also commented that the access to the current Parkade is not aesthetically pleasing with old bins as an example. The proposed access makes it more accessible. Mr. Chandler added that this access will be landscaped as well.

Kenneth McInnis, RM, asked about the materials that will be used for the 4<sup>th</sup> and 5<sup>th</sup> floor of the building. Mr. Chandler responded that it will be pre-finished steel siding and flat paneled steel concealed fasteners. Mr. McInnis also clarified if the material for the railing will be glass. Mr. Chandler confirmed that it will be glass material. It was also questioned if it is going to be frameless but posts will be required to keep the glass in place.

Deputy Mayor Coady asked for comments or questions; there being none, the following resolution was put forward:

**Moved by Brian Gillis, RM and seconded by Greg Munn, RM, that the submitted building design of the proposed five-storey mixed-use development at 80 Grafton Street (PID #340265), be approved.**

**CARRIED  
(7-1)**

**Moved by Councillor Julie McCabe and seconded by Councillor Bob Doiron, that the meeting be adjourned. The meeting was adjourned at 1:18 p.m.**

---

Deputy Mayor Jason Coady





# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the request to amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-Density Residential (R-1L) to Narrow Single-Density Residential (R-1N) for the property on the corner of Miller Street / Pearson Street / Hanover Street (PID #530980), be rejected.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #2

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

**RESOLVED:**

**That that the request to:**

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Downtown Neighbourhood to Downtown Mixed-Use Neighbourhood; and
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone;

**for the property at 25 Pownal Street (PID #335588), be rejected.**



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #3

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the request to rezone the property at 7 Lions Crescent (PID #278721) from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone and the request to amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and to amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for the property at 7 Lions Crescent be approved to proceed to public consultation.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #4

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the request for a Home Occupation to allow online retail sale of a cosmetic product at 6 Vic Campbell Boulevard (PID # 275743) be approved subject to the condition that there will be no direct retail sales conducted on the property and distribution of the product shall be done by mail.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #5

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That that the request for a variance to reduce the rear yard setback requirement from 24.6 ft to approximately 18.0 ft in order to construct a garage addition (approximately 24.0 ft x 30.0 ft) on the property at 37 Vista Street (PID #373225), be approved.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #6

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the request for a lot consolidation of 41-51 Allen Street (PID #371690 & PID #371609) and 53 Allen Street (PID #371517), be approved subject to a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of Lot 19-1 be approved.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #7

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the request to obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning & Development By-law as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service establishment (taxi stand) as permitted uses, be approved subject to the signing of a Development Agreement.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Planning #8

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the amendments to the Zoning and Development Bylaw (PH-ZD.2) pertaining to:

- Home Occupations;
- Tourist Accommodations;
- Low Density (R-2) and (R-2S) Zones;
- 500 Lot Area Design Standards;
- Parking Standards; and
- Appendix "A" Definitions

Be approved.





# CITY OF CHARLOTTETOWN

## RESOLUTION

Heritage #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the application to install a temporary container on the site at 165 Richmond Street, Province House (PID#385973), from mid-June to mid-September to assist with building interpretation during the construction period associated with Province House, be approved.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Heritage #2

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Councillor \_\_\_\_\_ Julie McCabe

### RESOLVED:

That the application to remove the existing garage and construct a new accessory building as per drawings submitted for the property located at 15 Hillsborough Street (PID #336198), be approved.



**CITY OF CHARLOTTETOWN  
BYLAW**

*To adopt Bylaw 2018-11-019, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-19) relating to definitions pertaining to Heritage Inn, Tourist Accommodation, Welding and Metal Fabrication and general text amendments to sections relating to Home Occupations, Tourist Accommodations, Regulations for Semi-Detached Dwellings, Waterfront Zone Design Standards, and Parking.*

**BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-019, as it pertains to Zoning & Development Amendments)", as attached, be read a first time.**

Date: \_\_\_\_\_ June 10, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

**BE IT RESOLVED THAT** the Zoning & Development Amendment Bylaw (2018-11-019), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: \_\_\_\_\_ July 08, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

**WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-019, as it pertains to Zoning & Development Amendments)", as attached, was read and approved a first time on June 10, 2019;**

**BE IT RESOLVED THAT** the said Bylaw be read a second time.

Date: \_\_\_\_\_ July 08, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

**BE IT RESOLVED THAT** the said Bylaw be approved and adopted.

Date: \_\_\_\_\_ July 08, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

**City of Charlottetown**  
**A Bylaw to amend the Zoning and Development Bylaw**  
**BYLAW # 2018-11-019**

**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 # 2018-11-019”

**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 definitions pertaining to Heritage Inn, Tourist Accommodation, Welding and Metal Fabrication and general text amendments to sections relating to Home Occupations, Tourist Accommodations, and Regulations for Semi-Detached Dwellings, Waterfront Zone Design Standards, and Parking.

**PART II – AMENDMENTS**

**4. Section 5.9.1 is amended by adding additional subsections as follows:**

- j) Required parking for home occupations may be provided in tandem with parking for the main residence.*
- k) The maximum number of clients permitted on the premise of appointment-based home occupations at any one time will be determined by Council.*

**5. Section 5.9.3.g. is amended as follows:**

To replace the text “following the process of review for a *Minor Variance*” with “following the process of review for a *Major Variance*”

**6. Section 5.9.4 is added as follows:**

*5.9.4 The following uses are prohibited as Home Occupations:*

- a. Medical, Health and Dental Office;*
- a. Automobile Body Shop;*
- b. Eating and Drinking Establishment;*
- c. Retail Store;*
- d. Welding and Metal Fabrication*

**7. Section 5.11 title reference is amended as follows:**

To replace the text “Tourist *Accomodations* on Residential Properties” with “Tourist *Accommodations* on Residential Properties”

**8. Section 5.11.1 are amended and added as follows:**

Add below table:

**REGULATIONS FOR A TOURIST ACCOMMODATION**

<b>Zone Designation</b>	<b># of Bedrooms Permitted</b>
<b>a. R1L, R1S, R2, and</b>	<b>Up to four (4) bedrooms</b>

## R2S Zones

- b. R3, R4, and the 500 Lot Area Zones  
Four (4) bedrooms are permitted for the first 370 sq m (3,982.8sq ft) of *lot area*, and for every additional bedroom over four (4) the *lot* must be increased by 100 sq m (1076.4 sq ft), up to a maximum of 7 bedrooms.
- c. **Heritage inn** in the R1L, R1S, R2, and R2S Zones  
Four (4) bedrooms are permitted for the first 370 sq m (3,982.8sq ft) of *lot area*, and for every additional bedroom over four (4) the *lot* must be increased by 100 sq m (1076.4 sq ft), up to a maximum of 7 bedrooms.
- d. **Heritage inn** in the R3, R4 and the 500 Lot Area Zones  
Up to seven (7) bedrooms

### 9. Section 13.2 table is amended as follows:

#### REGULATIONS FOR SEMI-DETACHED DWELLINGS

	Interior Lot	Corner Lot
1 Lot Area (Minimum)	348 sq. m (3,745.7 sq ft) per unit	395 sq. m (4,251.7 sq ft) per unit
2 Lot Frontage (Minimum)	11.0 m (36.1 ft) per unit	12.2 m (40 ft) per unit
3 Front Yard (Minimum)		
Front yard access	6.0 m (19.7 ft)	6.0 m (19.7 ft)
Rear lane access	4.2 m (13.8 ft)	4.2 m (13.8 ft)
4 Rear Yard (Minimum)		
Front yard access	7.5 m (24.6 ft)	7.5 m (24.6 ft)
Rear lane access	10.5 m (34.6 ft)	10.5 m (34.6 ft)
5 Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)
6 Flankage Yard (Minimum)		6.0 m (19.7 ft)
7 Height (Maximum)	11.0 m (36.1 ft)	11.0 m (36.1 ft)

### 10. Section 14.2 table is amended as follows:

#### REGULATIONS FOR SEMI-DETACHED DWELLINGS

	Interior Lot	Corner Lot
1 Lot Area (Minimum)	348 sq. m (3,745.7 sq ft) per unit	395 sq. m (4,251.7 sq ft) per unit
2 Lot Frontage (Minimum)	11.0 m (36.1 ft) per unit	12.2 m (40 ft) per unit
3 Front Yard (Minimum)		
Front yard access	6.0 m (19.7 ft)	6.0 m (19.7 ft)
Rear lane access	4.2 m (13.8 ft)	4.2 m (13.8 ft)
4 Rear Yard (Minimum)		
Front yard access	7.5 m (24.6 ft)	7.5 m (24.6 ft)
Rear lane access	10.5 m (34.6 ft)	10.5 m (34.6 ft)
5 Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)
6 Flankage Yard (Minimum)		6.0 m (19.7 ft)
7 Height (Maximum)	11.0 m (36.1 ft)	11.0 m (36.1 ft)

11. Section 33.3 table for the Waterfront Zone is amended as follows:

By inserting "All buildings shall be setback a minimum of 8m (26.2ft) from the ordinary high water mark" under subsection 4 and insert "Low-Rise Building: A low-rise building may be setback from the interior lot line. This setback may not exceed 20% of the lot frontage;

Mid-Rise Building: Massing for mid-rise Buildings with a height above 13 m (42.6.1 ft) or the height of the streetwall, the mid-rise portion of a building shall be step-back from the interior lot lines no less than 10% of the lot frontage or 5.5m (18ft); whichever is less. Where a lot has more than one streetline, the greater lot width shall be applied" under subsection 6 as follows:

**REGULATIONS FOR PERMITTED USES**

Interior/Corner Lots	
1 Lot Frontage (Minimum)	Minimum 7.62 m (25 ft)
2 Height (See Map D)	Minimum: 10 m (32.3 ft) Maximum: 16.5 m (54.1 ft) properties adjacent to Water St Maximum: 24.5 m (80.4 ft) for all other properties.
3 Front or Flankage Yard (See Map F)	Maximum: 1.5 m (4.9 ft) on Water St Maximum: 4 m (13.1 ft) on all other streets.
5 Streetwall Height (See Map G)	Maximum: 15.5 m (50.9 ft) on Water St Maximum: 16.5 m (54.1 ft) on all other streets
6 Projections	Minimum 1.0 m (3.3 ft) from street line, and Maximum 2.5 m (8.2 ft) projection; OR Within the minimum and maximum range of the existing Buildings on the Block.
4 Rear or Side Yard	A Setback may be permitted but not to exceed 20% of the Lot Width or Lot Depth. "All buildings shall be setback a minimum of 8m (26.2ft) from the ordinary high water mark."
6 Building Setback/Step-back	"Low-Rise Building A low-rise building may be setback from the interior lot line. This setback may not exceed 20% of the lot frontage; Mid-Rise Building Massing for mid-rise Buildings with a height above 13 m (42.6 ft) or the height of the streetwall, the mid-rise portion of a building shall be step-back from the interior lot lines no less than 10% of the lot frontage or 5.5m (18ft); whichever is less. Where a lot has more than one streetline, the greater lot width shall be applied."
7 Ground Floor Finished Floor Elevation (FFE)	Minimum 3.76 m CGVD28 (Canadian Geodetic Vertical Datum 1928)

12. Section 43.1 Parking Table is amended as follows:

Inserting the Use "Home Occupation" following the Use "Funeral Establishment" but preceding the Use "Hospital" as follows:

Dwelling Unit	1 space per Dwelling Unit
Dwelling Unit in the 500 Lot Area	1 space per Dwelling Unit in a Building with three or few Dwelling Units; and in a Building with more than three Dwelling Units the parking shall be 1 space for every two Dwelling Units with no Parking Lot to have less than three Parking Spaces.
Funeral Establishment	A minimum of 15 spaces plus 1 space for each 5 seats
Home Occupation	A minimum of one (1) parking space per one (1) full-time or two part-time employees is required; and for appointment-based home occupations the required parking will be left to Council's discretion.
Hospital	1.25 spaces per bed

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

Add definitions for:

**Heritage Inn** means an Owner occupied establishment on a designated heritage resource that provides lodging to travelers on a short-term basis by way of a tourist accommodation;

**Welding and Metal Fabrication** means the stamping, drawing, grinding, machining, turning, heat treating, galvanizing, plating, coating or other metal processing or metal fabricating including pipe or tube fabrication and including the production of recycled metals entirely from scrap; and

Amend the definition for Tourist Accommodation as follows:

**Tourist Accommodations** means temporary accommodations for travelers or transients within a Dwelling to provide accommodation and breakfast for remuneration, ~~and includes bed and breakfasts and tourist homes,~~ but a Hotel is a separate use and are separately defined.

**PART III – EFFECTIVE DATE**

**14. 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 #2018-11-019, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-019, 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 #2018-11-019, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-019, 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 #2018-11-019, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**15. Signatures:**

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-019, 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 (2018-11-019) is hereby approved.

Dated on this \_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Bloyce Thompson  
Minister of Communities, Land and Environment





**CITY OF CHARLOTTETOWN  
SECONDARY AND GARDEN SUITE REGISTRATION BYLAW  
#PH-SSB.1-000**

**TO ESTABLISH A CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE REGISTRY BYLAW TO CREATE AND MAKE AVAILABLE TO THE PUBLIC A REGISTRY OF ALL APPROVED SECONDARY AND GARDEN SUITES IN THE CITY OF CHARLOTTETOWN PURSUANT TO THE PROVISIONS OF SECTION 180 (A) AND (T) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1**

**RESOLVED: THAT** the bylaw to establish the **“CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE BYLAW”** be read a first time.

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady  
Date: June 10, 2019

**RESOLVED: THAT** the bylaw now be approved as a City Bylaw and that it be entitled the **“CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE BYLAW”** and that it be read a second time at the next public meeting of Council.

Moved by Councillor \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor \_\_\_\_\_ Jason Coady  
Date: July 08, 2019

**THEREFORE; BE IT RESOLVED: THAT** the **“CITY OF SECONDARY AND GARDEN SUITE BYLAW”** be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor \_\_\_\_\_

Seconded by Deputy Mayor \_\_\_\_\_  
Date:

This Secondary and Garden Suite Bylaw, #2019-SSB.1-000, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Peter Kelly, CAO

\_\_\_\_\_  
Philip Brown, Mayor



# CHARLOTTETOWN

Bylaw Name:	Secondary and Garden Suites Registration Bylaw (PH-SSB.1)
Effective Date:	

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-SSB.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**

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### **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 Principle Unit or 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.

City of Charlottetown Secondary and Garden Suites Registration By-law (PH-SSB.1)

- 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 of the Principle Unit 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

## 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.

City of Charlottetown Secondary and Garden Suites Registration By-law (PH-SSB.1)

- 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;

City of Charlottetown Secondary and Garden Suites Registration By-law (PH-SSB.1)

- 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.

## APPENDIX A. BYLAW REVISION HISTORY

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Amendment No	First Reading	Second Reading	Minister Approval	Property:	Details:
PH-SSB.1					Original document



CITY OF CHARLOTTETOWN  
BYLAW

BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-18, as it pertains to 185 Brackley Point Road (PID #390963))", as attached, be read a first time.

Date: \_\_\_\_\_ June 10, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (2018-11-018), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: \_\_\_\_\_ July 08, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

-----  
WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-018, as it pertains to 185 Brackley Point Road (PID #390963))", as attached, was read and approved a first time on June 10, 2019;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Date: \_\_\_\_\_ July 08, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Date: \_\_\_\_\_ July 08, 2019

Moved by Councillor: \_\_\_\_\_ Greg Rivard

Seconded by Deputy Mayor: \_\_\_\_\_ Jason Coady

\_\_\_\_\_  
Mayor/Chairperson  
(signature sealed)

\_\_\_\_\_  
Chief Administrative Officer  
(signature sealed)

City of Charlottetown  
A Bylaw to amend the Zoning and Development Bylaw  
BYLAW # 2018-11-018

**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 # 2018-11-018”

**2. Authority**

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

Obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning & Development By-law as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service establishment (taxi stand) as permitted uses, subject to:

1. The signing of a Development Agreement.

**3. Purpose**

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix C.

**PART II – AMENDMENTS**

**4. The zoning of the property at 185 Brackley Point Road (PID #390963) as shown on Appendix “C” Approved Site Specific Exemptions of the Zoning & Development Bylaw, Bylaw #2018-11-018, to allow for an Automobile Body Shop and a Transportation Service Establishment (taxi stand) as permitted uses in the Single-Detached Residential (R-1L) Zone.**



**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 #2018-11-018, was read a first time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-018, 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 #2018-11-018, was read a second time at Council meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-018, 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 #2018-11-018, 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 #2018-11-018, 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 (2018-11-018) is hereby approved.

Dated on this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Hon. Bloyce Thompson  
Minister of Communities, Land and Environment









## Planning & Heritage Summary (Week ending May 17, 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 Charlottetown 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
17-232	399755	429-rezone-17	1-Sep-17	13-May-19	REJECTED	89 Beach Grove Road	Rejected - Rezone	Drew Melnick	3-Jun-19
18-050	357327	396-BLD-18	17-May-19	17-May-19	APPROVED	9 Maloney Drive	Move building out of the City	Siddig Jacob	7-Jun-19
19-018	363671	110-BLD-19	14-May-19	14-May-19	APPROVED	101 Longworth Avenue	Occupancy Permit - Red Island Cider	Red Island Cider	4-Jun-19
19-049	340984	202-VAR-19	15-Apr-19	13-May-19	APPROVED	93 Weymouth Street	Variance to frontage requirement	Lucas Welch	3-Jun-19
19-050	340992	203-VAR-19	15-Apr-19	13-May-19	APPROVED	101 Weymouth Street	Variance to frontage requirement	Lucas Welch	3-Jun-19
19-079	469841	081-REZ-19	25-Feb-19	13-May-19	APPROVED	197 Minna Jane Drive	Rezoned from CDA to C-2	Cordova Realty Ltd	3-Jun-19
19-094	442440	098-BLD-19	7-Mar-19	13-May-19	APPROVED	10 Acadian Drive (Lot# 18-2)	60 Unit Apartment building - Phase 1 Foundation	APM Construction Ltd.	3-Jun-19
19-101	N/A	105-BYL-19	4-Mar-19	13-May-19	APPROVED	Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations and General Housekeeping amendments.	City of Charlottetown	3-Jun-19
19-102	N/A	106-BYL-19	4-Mar-19	13-May-19	APPROVED	Secondary & Garden Suite Registry	Proposal to create and implement the Secondary and Garden Suite Registry Bylaw	City of Charlottetown	3-Jun-19
19-129	573535	229-BLD-19	29-Apr-19	13-May-19	APPROVED	69 Bardin Crescent	change of use to 4 bedroom Air B&B	Yixin Zhang	3-Jun-19
19-137	336198	146-VAR-19	28-Mar-19	13-May-19	APPROVED	15 Hillsborough Street	Major Variances - side and rear setbacks	Paul Coles	3-Jun-19
19-195	1029172	227-BLD-19	26-Apr-19	13-May-19	APPROVED	152 Lower Malpeque Road	Building a Secondary Suite in existing home	Hassam Alkhouri	3-Jun-19
19-223	369629	261-BLD-19	10-May-19	15-May-19	APPROVED	65 Kirkwood Drive	Free standing sign	Doug Bridges	5-Jun-19
19-225	895243	263-BLD-19	10-May-19	14-May-19	APPROVED	7 Superior Crescent	New scale foundation	Fitzgerald & Snow (2010) Ltd	4-Jun-19
19-227	816322	265-BLD-19	10-May-19	14-May-19	APPROVED	20 Garmwell Avenue	24' above ground pool	Lee Drake	4-Jun-19
19-229	342196	267-BLD-19	13-May-19	15-May-19	APPROVED	82-94 Kent Street	Egress window and Fire escape repairs	Xiongliang Chen	5-Jun-19
19-235	340315	273-BLD-19	13-May-19	15-May-19	APPROVED	54 Grafton Street	Interior renovations	Jian Wang	5-Jun-19
19-236	365833	275-BLD-19	15-May-19	17-May-19	APPROVED	1 West Street	Double sided ground sign	Sign Craft	7-Jun-19



### Lot Subdivisions

FILE	PID#	APPLICATI ON DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-017	PID 1018969	13-May-19	14-May-19	14-May-2019	APPROVED	148-150 Barbour Circle	Lot subdivision	Cecil & Marion Trainor (c/o William Dow, Carr Stevenson & Mackay)	4-Jun-2019

### Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
17-332	386755	428-rezone-17	1-Sep-17	13-May-19	REJECTED TO PROCEED TO PUBLIC CONSULTATION	89 Beach Grove Road	Rezone from R-1L to R-3 Zone	Drew Melnick	3-Jun-19
19-138	530980	147-REZ-19	28-Mar-19	13-May-19	APPROVED TO PROCEED TO PUBLIC CONSULTATION	Miller Street (PID# 530980)	Rezoning from R1L to R1N	Franklin MacDonald	3-Jun-19
19-203	1074224	237-REZ-19	1-May-19	13-May-19	APPROVED TO PROCEED TO PUBLIC CONSULTATION	351 North River Road	Rezone property from R2S to R3	SableArc Studios	3-Jun-19
19-068	390963	190-BYL-19	10-Apr-19	13-May-19	APPROVED TO PROCEED TO PUBLIC CONSULTATION	185 Brackley Point Rd	Site specific exemption to M-1 (Automobile body shop)	Osama Abdoh	3-Jun-19
19-049	340984	202-VAR-19	15-Apr-19	13-May-19	APPROVED	93 Weymouth Street	Variance to frontage requirement	Lucas Welch	3-Jun-19
19-050	340992	203-VAR-19	15-Apr-19	13-May-19	APPROVED	101 Weymouth Street	Variance to frontage requirement	Lucas Welch	3-Jun-19
19-137	336198	146-VAR-19	28-Mar-19	13-May-19	APPROVED	15 Hillsborough Street	Major Variances - side and rear setbacks	Paul Coles	3-Jun-19
19-101	N/A	N/A	6-May-19	13-May-19	APPROVED TO PROCEED TO PUBLIC CONSULTATION	Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining Home Occupations, Tourist accommodations, Low Density (R-2 and R-2S) Zones, 500 Lot Area Standards and Appendix A. Definitions	City of Charlotte	3-Jun-19
19-101	N/A	N/A	4-Mar-19	13-May-19	APPROVED; FOR FIRST READING	Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining to Asphalt, Aggregate & Concrete Plant	City of Charlotte	3-Jun-19



## Planning & Heritage Summary (Week ending May 24, 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
19-513	361626	518-BLD-18	22-May-19	22-May-19	APPROVED	40 Passmore Street	Occupancy Permit for 40 Passmore Street	John Drinkwater	12-Jun-19
19-074B	739128	283-BLD-19	21-May-19	21-May-19	APPROVED	6 Prince Street	Interior Fit-up – Ice cream booth in a truck	Amanda Beaton	11-Jun-19
19-133	1103654	142-BLD-19	26-Mar-19	21-May-19	APPROVED	48-50 Bambrick Drive (Lot# 17-38)	Semi Detached dwelling	Wade Arsenaull	11-Jun-19
19-161	275370	295-BLD-19	23-May-19	24-May-19	APPROVED	7 Elizabeth Street (Lot# 15-2)	8x12 shed	Habitat for Humanity (Jamie MacKay)	14-Jun-19
19-170	353193	192-BLD-19	10-Apr-19	22-May-19	APPROVED	19 Spring Street	Encroachment agreement & deck	Steven McLean/Alanna Jankov	12-Jun-19
19-177	1053610	200-BLD-19	15-Apr-19	10-May-19	APPROVED	5 Paramount Drive	5500 sq ft Addition to existing building	Red Isle Properties	31-May-19
19-187	339424	218-BLD-19	24-Apr-19	22-May-19	APPROVED	75 Hillsborough Street	New front deck and steps	Kim Devine	12-Jun-19
19-208	1100528	244-BLD-19	21-May-19	21-May-19	APPROVED	74-76 MacWilliams Road (Lot 7)	Footing Permit - Two 4-unit condominiums	Doug Beaton	11-Jun-19
19-210	1091289	246-BLD-19	3-May-19	21-May-19	APPROVED	20 Hammac Drive (Lot# 17-3)	New single family dwelling	Curran Developments Inc	11-Jun-19
19-218	35924C	256-BLD-19	9-May-19	10-May-19	APPROVED	23 Bishop Street	Deck replacement	Steve Park	31-May-19
19-220	352021	258-BLD-19	9-May-19	23-May-19	APPROVED	30 Churchill Avenue	Replace existing deck in back yard	Justin Richard	13-Jun-19
19-221	640771 Parent	259-BLD-19	9-May-19	22-May-19	APPROVED	276 East Royalty Road (Lot# 2019-1)	Single Family dwelling	Travis & Joan Livingstone	12-Jun-19
19-224	363408	262-BLD-19	10-May-19	22-May-19	APPROVED	7 Laphome Avenue	Addition and Basement fitup	Patrick Sullivan	12-Jun-19
19-247	392241	288-BLD-19	22-May-19	24-May-19	APPROVED	51 Oak Drive	Deck replacement	Mike Doucette	14-Jun-19
19-250	338889	291-BLD-19	22-May-19	22-May-19	APPROVED	56 Weymouth Street	7ft fence	Dave McGavin	12-Jun-19



**Lot Subdivisions**

FILE	PID#	APPLICATI ON DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2018-026	368985	12-Sep-18	22-May-19	23-May-19	APPROVED	12 Young Street	Subdivision of property into 2 lots	Dream House Reno	12-Jun-19
2018-033	353433	7-Dec-18	23-May-19	23-May-19	APPROVED	58 Victoria Street	Lot Consolidation	Jason Cadman	13-Jun-19
2019-018	Parent PID# 1100528	16-May-19	21-May-2019	21-May-2019	APPROVED	MacWilliams Road Lot# 6 & 7	Lot subdivision	Montgomery Heights Inc.	11-Jun-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 May 31, 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 Charlotetown 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 and Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-512	749044	439-BLD-18	21-Sep-18	30-May-19	APPROVED	3 Fourth Street	50 X 80 Fabric Building for storage	John MacLeod	20-Jun-19
19-134	1054600	314-dem-19	29-May-19	31-May-19	APPROVED	15 Milky Way	Interior demolition	Colleen McKay	21-Jun-19
19-197	1047885	231-BLD-19	30-Apr-19	29-May-19	APPROVED	11 Regis Duffy Drive	Addition to existing building	Fitzgerald & Snow (2010) Ltd	19-Jun-19
19-231	827816	269-BLD-19	13-May-19	29-May-19	APPROVED	17 Kenwood Circle	16' X 24' Barn on property	Brenda Thistle	19-Jun-19
19-233	455410	271-BLD-19	13-May-19	27-May-19	APPROVED	26 Wallace Drive	Renovate existing deck	Bassam Alhourri	17-Jun-19
19-238	728394	277-BLD-19	16-May-19	31-May-19	APPROVED	8 Mariner Drive	12' x 16' deck at grade	Joseph Gallant	21-Jun-19
19-240	373274	280-BLD-19	17-May-19	31-May-19	APPROVED	61 Newland Crescent	Garage addition	Nick Hennessey	21-Jun-19
19-245	728394	286-BLD-19	21-May-19	27-May-19	APPROVED	8 Spinnaker Crescent	Tear down deck and replace with new decks	Jessica Yorston	17-Jun-19
19-254	388595 parent	309-BLD-19	28-May-19	29-May-19	APPROVED	320 Upton Road Lot 19-5	New single family dwelling	George Zafiris	19-Jun-19
19-255	358499	298-BLD-19	23-May-19	27-May-19	APPROVED	44 Valley Street	Replace deck, relocate mini barn	Andrew Chisholm	17-Jun-19
19-256	387910	299-BLD-19	22-May-19	30-May-19	APPROVED	618 University Ave	Interior renovations	Jackie MacPhail/Mandy McKenna	20-Jun-19
19-257	366511	300-BLD-19	24-May-19	31-May-19	APPROVED	22 Sunset Drive	Expansion of driveway	Edith Crosby	21-Jun-19
19-258	685800	301-BLD-19	24-May-19	27-May-19	APPROVED	145 Heather Avenue	Deck replacement	Paul Smith	17-Jun-19



CITY OF CHARLOTTETOWN  
 BUILDING CONSTRUCTION STATISTICS FOR MAY 2018  
 DOLLAR VALUES

	MAY	Totals
Single Family Dwellings - New	\$3,608,000	\$17,783,000
Two-Family Dwellings - New	\$135,100.00	\$1,095,460.00
Multi-Family Dwellings - New	\$14,133,880.00	\$23,097,090.00
Residential Renovations and Additions	\$522,000.00	\$7,277,800.00
Industrial-Commercial New	\$0.00	\$1,500,000.00
Industrial-Commercial Renovations	\$3,500.00	\$272,500.00
Institutional New	\$71,600.00	\$120,525.00
Institutional Renovations	\$322,800.00	\$652,600.00
Signage	\$0.00	\$0.00
Other	\$18,796,880.00	\$51,798,975.00
Agriculture Renovations	\$0.00	\$0.00
<b>TOTALS</b>	<b>\$37,593,760</b>	<b>103,597,950.00</b>

CITY OF CHARLOTTETOWN  
 BUILDING CONSTRUCTION STATISTICS FOR MAY 2019  
 DOLLAR VALUES

	MAY	Totals
Residential New	\$16,508,000	\$25,953,000
Residential Renovations and Additions	\$772,650	\$3,036,650
Industrial-Commercial New	\$12,958,880	\$24,953,880
Industrial-Commercial Renovations	\$1,674,500	\$4,853,545
Institutional New	\$0	\$448,000
Institutional Renovations	\$237,500	\$9,725,500
Signage	\$93,705	\$335,105
Other	\$277,637	\$584,337
Agriculture	\$0	\$0
<b>TOTALS</b>	<b>\$32,522,872</b>	<b>\$69,890,017</b>

CITY OF CHARLOTTETOWN  
 BUILDING CONSTRUCTION STATISTICS FOR MAY 2018  
 BREAKDOWN OF PERMITS ISSUED \*(Not projects)\*

	MAY	Totals
Single Family Dwellings - New	7	16
Two-Family Dwellings - New	1	3
Multi-Family Dwellings - New	2	7
Residential Renovations and Additions	9	28
Industrial-Commercial New	4	8
Industrial-Commercial Renovations	2	31
Institutional New	0	1
Institutional Renovations	1	3
Signage	16	26
Other	24	41
Agriculture Renovations	0	0
<b>TOTALS</b>	<b>66</b>	<b>164</b>

CITY OF CHARLOTTETOWN  
 BUILDING CONSTRUCTION STATISTICS FOR MAY 2019  
 BREAKDOWN OF PERMITS ISSUED \*(Not projects)\*

	MAY	Totals
Single Family Dwellings - New	14	28
Two-Family Dwellings - New	1	6
Multi-Family Dwellings - New	4	6
Residential Renovations and Additions	23	41
Industrial-Commercial New	5	9
Industrial-Commercial Renovations	14	35
Institutional New	0	1
Institutional Renovations	2	3
Signage	22	41
Other	42	58
Agriculture Renovations	0	0
<b>TOTALS</b>	<b>127</b>	<b>228</b>



**STRATEGIC PRIORITIES & INTERGOVERNMENTAL  
COOPERATION COMMITTEE  
REPORT TO COUNCIL  
JUNE 10, 2019**

The Strategic Priorities & Intergovernmental Cooperation Committee met on May 23, 2019 and the draft minutes are included in your package.

There are two resolutions for your consideration.

Respectfully submitted,

Councillor Alanna Jankov, Chair



**STRATEGIC PRIORITIES & INTERGOVERNMENTAL COOPERATION**  
**Thursday, May 23, 2019**  
**12:15 PM – Parkdale Room**

**Present:** Councillor Alanna Jankov, Chair  
Councillor Terry Bernard, Vice-Chair  
Councillor Greg Rivard, Member at Large  
Mayor Philip Brown

**Also:** Peter Kelly, CAO  
Chantal Matheson, EA

**Regrets:** Deputy Mayor Jason Coady, Member at Large

**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**

Mayor Brown requested that the Island Family Physician Action Plan be added to the Agenda. It was moved by Councillor Terry Bernard and Seconded by Councillor Greg Rivard that the agenda be approved as amended. Carried.

**4) Approval of Minutes**

It was moved by Councillor Greg Rivard and seconded by Councillor Terry Bernard that the minutes from April 4, 2019 be approved as circulated. Carried.

**5) Discussions:**

**a) Island Family Physician Action Plan**

Dr. Herb Dickieson presented a plan to address the present and growing shortage of family physicians in Prince Edward Island. To achieve this goal, all levels of government and institutions must work together. The plan proposes a facilitated recruitment and retention program, immediate doubling and later tripling family physician residency positions and a medical faculty at the University of Prince Edward Island.

It was moved by Councillor Rivard and seconded by Councillor Terry Bernard to support the Island Family Physician Action Plan. Carried.

**b) Employment Insurance**

The Committee had a discussion on the Employment Insurance Program on PEI and the impact it has had on residents in the capital area. In 2014, City Council publicly stated its opposition to the changes and urged the Federal Government to reconsider the changes. To date there have been no changes to the program.

After some discussion it was the consensus of the Committee to forward a resolution to Council.

It was moved by Councillor Jankov and seconded by Councillor Terry Bernard that the City of Charlottetown urge the Hon. Jean-Yves Duclos, Minister of Families, Children and Social Development to reverse Employment insurance Program changes on Prince Edward Island and have it be one region. Carried.

**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 Councillor Greg Rivard and seconded by Mayor Philip Brown. Carried.

**7) New Business**

There was no new business.

**8) Meeting Adjourned**

Moved by Councillor Greg Rivard and Seconded by Councillor Terry Bernard that the meeting be adjourned. Carried.

**The meeting adjourned at 1:40 PM**



# CITY OF CHARLOTTETOWN

## RESOLUTION

Strategic Priorities &  
Intergovernmental  
Cooperation #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Alanna Jankov

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

Whereas, more than 13,000 Islanders have no family physician;

Whereas, the shortage of family physicians increases wait times, delayed diagnosis and treatment with potential further patient suffering and health risk; and

Whereas, physician shortage and associated extended wait times result in a measurable loss of income and productivity adversely affecting the Island economy; and

Whereas, a recent survey by the Medical Society of Prince Edward Island indicated that 56% of practicing Island physicians are planning to reduce or leave their practice over the coming five years; and

Whereas, the University of Prince Edward Island has a proven record of success in the development of the Faculties of Nursing, Engineering and the Atlantic Veterinary College,

Therefore, Be it Resolved That, the City of Charlottetown appeals to the Government of Prince Edward Island to initiate the following:

1. A facilitated Physician Recruitment and Retention program.
2. Immediate doubling, and later tripling of Family Physician Residency Positions.
3. Planning and negotiations for a Medical Faculty at the University of Prince Edward Island.

## Island Family Physician Action Plan

Madam chair, Worship Mayor Brown and Councillors of the Strategic Priorities and Intergovernmental Cooperation Committee, I wish to thank you for the opportunity to present to you today a plan to address the present and growing family physician shortage in Prince Edward Island.

A robust physician recruitment and retention action plan is required to address our immediate crisis, but we also must act now to provide for the medium and long-term physician requirements in the province.

To achieve satisfactory recruitment and retention objectives we must work together, at all levels of government and institutions with our practicing Island doctors. As a former legislator and retired family physician, experience makes it clear that we must renew focus on our recruitment and retention strategies now, increase the family physician residency positions for mid-term results, and establish a medical faculty at the University of Prince Edward Island to close the physician gap in the longer term.

We have a choice, to maintain the status quo and fall further behind, or we can be ambitious, and do what other growing, forward-looking centres are doing, and work to achieve our goals.

Here's what we can do to address the serious and growing Island family physician shortage:

\* **A facilitated recruitment and retention program** to extend the physician search beyond traditional sources such as reaching to places including Europe. The Island's rural and small town environment could have appeal to many qualified professionals seeking a more pastoral land and seascape lifestyle.

Direct local participation on the recruitment team is essential to the success of any physician enrollment effort. Assignment of billing numbers by Island region is important to insure adequate disbursement of physician placement to areas of highest need. Island physician communication and input is important.

Addressing present local service lapses such as high-speed internet is part of the overall requirement to attract skilled professionals to rural Prince Edward Island. Provision of incentives, both in recruitment and retention, must also be part of the package.

\* **Immediate doubling, and later tripling of family physician residency positions**, now only at five on the Island, would allow more medical school graduates to complete their education in Island hospitals and clinics; a cost effective way to attract and retain physicians in our province. Preceptor physicians will need our support for this to happen. Results would be apparent in the short and medium-term.

\* **A medical faculty at the University of Prince Edward Island** is the brass ring to solve the longer term issue of physician supply for our province.

The University of New Brunswick, Saint John campus, graduates 30 doctors per year, and is affiliated with Dalhousie Medical School in Halifax. Moncton University also has a medical faculty educating francophone medical students, this in conjunction with the University of Sherbrooke in Quebec. The concept of a medical faculty at Cape Breton University has been raised to address area physician needs.

## **Backgrounder:**

**38% of Islanders place health care as the number one priority** (by far) for government in the 2019 Island provincial election, "Health Care Dominates", *The Guardian*, citing a Narrative Research poll, April 18, 2019.

**13,000 Island residents have no family doctor**, derived from the Physician Registry. (Unregistered Islanders seeking family physicians are not included in this number.)

**Wait times have financial impact**, as well as increased pain and suffering, and risk of worse medical outcomes, Fraser Institute Study, *The Private Cost of Public Queues for Medically Necessary Care*, March, 2019 (\$2,594 in 2018 on average per Islander, second only to Manitoba). Waiting to see a Family physician only adds to the wait time with further suffering, risk of worse outcome and loss of wages with reduced productivity.

**56% of Island physicians plan to reduce or leave their practice over the coming five years** with 13% moving out the Province, 19% retiring and 24% planning to reduce their practice, *Medical Society of Prince Edward Island survey, 2019*.

**Physicians have a preference to practice** in the area where they have been educated studies have shown.

**Medical Faculty at University of Moncton** opened in September, 2006 and admits 24 francophone students per year in affiliation with the University of Sherbrooke in Quebec.

**Medical Faculty at University of New Brunswick, Saint John Campus** opened in September, 2010 and admits 30 students per year in conjunction with Dalhousie Medical School.

The University of Prince Edward Island has proven its ability to provide working professionals through the Atlantic Veterinary College, the faculties of Engineering, Nursing and Education and other programs. Now is the time to develop a Faculty of Medicine at UPEI.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Strategic Priorities &  
Intergovernmental  
Cooperation #2

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Alanna Jankov

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

Whereas Prince Edward Island was intact as one Region when Economic Regions were first created through the Employment Insurance Act and Regulations; and

WHEREAS the population of the entire Province of PEI is less than many of the Economic Regions created throughout the Country; and

WHEREAS the geographic area of the entire Province of PEI is less than over half the Economic Regions created throughout the Country; and

WHEREAS the City of Charlottetown previously noted its displeasure in the unfairness in the application of the Federal Legislature which was previously noted in the resolution of March 10, 2014;

THEREFORE BE IT RESOLVED THAT the City of Charlottetown restate and reaffirm its opposition to the 2014 changes to the EI program for the Charlottetown area, and

**BE IT FURTHER RESOLVED THAT Charlottetown City Council Urge the Hon. Wayne Easter, the Hon. Lawrence MacAulay, MP Sean Casey, MP Robert Morrissey, Senator Percy Downe, Senator Mike Duffy, Senator Diane Griffin and Senator Brian Francis PEI to stress the importance of fairness and equity and put pressure on the Hon. Jean-Yves Duclos, Minister of Families, Children and Social Development and the Government of Canada to reinstate the Province of PEI as one Economic Region as it pertains to the Employment Insurance Act and Regulations.**

# For Reference



## CITY OF CHARLOTTETOWN

### RESOLUTION

MOTION CARRIED 9-1

*Councillor  
Redmond  
opposed*

Administrative  
Services #2

MOTION LOST \_\_\_\_\_

Date: March 10, 2014

Moved by Councillor *[Signature]*

Cecil Villard

Seconded by Councillor *[Signature]*

Terry Bernard

#### RESOLVED:

Whereas Prince Edward Island was left intact as one Region when Economic Regions were first created through the Employment Insurance Act and Regulations;

AND WHEREAS the population of the entire Province of PEI is less than many Economic Regions created throughout the Country;

AND WHEREAS the geographic area of the entire Province of PEI is less than over half the Economic Regions created throughout the Country;

THEREFORE BE IT RESOLVED THAT the City of Charlottetown publicly state its opposition to the recent changes to the EI program for the Charlottetown area,

AND BE IT FURTHER RESOLVED THAT Charlottetown City Council urge the Hon. Jason Kenney, Federal Minister of Employment and Social Development to reverse these recent announced changes and that the Government of Canada commit to working with the City of Charlottetown to create long term meaningful employment.





**FINANCE, AUDIT & TENDERING COMMITTEE  
REPORT TO COUNCIL  
June 10<sup>th</sup>, 2019**

The Finance, Audit & Tendering Committee met on June 5<sup>th</sup>, 2019.

There two resolutions and reading papers included in this package for your consideration.

- Fees Bylaw Amendment Bylaw (2<sup>nd</sup> reading)
- Rescind Resolution from November 13, 2018 for Parkland MacKay Subdivision
- Resolution to Accept Parkland for MacKay Subdivision

Respectfully submitted,

Councillor Terry Bernard, Chair

**Finance, Audit & Tendering Committee**  
**June 5<sup>th</sup>, 2019**  
**12:15 pm Parkdale Room**

**Present:**      **Councillor Terry Bernard (Chair)**      **Councillor Greg Rivard**  
                  **Councillor Kevin Ramsay**                      **Councillor Mike Duffy**  
                  **Mayor Philip Brown (arrived 12:35)** **Peter Kelly, CAO**  
                  **Stephen Wedlock, AFM**                              **Connie McGaugh, ACC**

**Regrets:**

**1) Call to Order**

Chair Bernard called the meeting to order at 12:15pm

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**3) Approval of Agenda**

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

**4) Adoption of Minutes**

Moved by Councillor Duffy and seconded by Councillor Rivard that the minutes of May 8<sup>th</sup>, 2019 be approved as circulated. Motion Carried.

**5) Business arising from Minutes**

There was no business arising from the minutes.

**6) Public Procurements**

- a. 2019 Tree Maintenance (1-May-19)**
- b. Winter River Wellfields Upgrades Phase 5 – Suffolk Wellfield Wellheads (3-May-19)**
- c. 2019 Topsoil (13-May-19)**
- d. Growth Management Strategy (22-May-19)**
- e. 2019 Fleet Vehicle Purchase (Re-issued) (22-May-19)**
- f. 2019 Garbage Removal (23-May-19)**
- g. Sod Supply (28-May-19)**
- h. 2019 Street Resurfacing (30-May-19)**
- i. Utility Inventory (4-June-19)**
- j. Update on Tenders**

Committee reviewed the bid sheets for the public procurements which have closed and are under review. It is anticipated that the Public Works and Beautification Committee will be bringing resolutions forward to Council on Monday, June 10<sup>th</sup> meeting. Committee had the Public Works Manager come to the meeting in

regards for the differences in the vehicle tender. The Public Works manager stated that this wasn't to go to our committee since he needs more clarification from one of the bidders regarding their prices. The Committee reviewed the update on the tenders as to which have closing dates and which are still under review.

### **7) Manager's Operational Update**

The AFM reported that the finance department is busy getting ready for audit. There had been an issue with rate changes for water and sewer being inputted incorrectly. The routes in question will have to be rebilled and have credits put towards their next bill. The Mayor has requested resolutions for some tenders that were issued in 2017.

### **8) Adjournment of Public Session**

Moved by Chair Bernard and seconded by Councillor Ramsay that the meeting be adjourned. Motion Carried.

**Meeting adjourned 12:55 p.m.**

---

Chair: Councillor Terry Bernard



# CITY OF CHARLOTTETOWN

## RESOLUTION

Finance # 1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Terry Bernard

Seconded by Councillor \_\_\_\_\_ Mitchell Tweel

**RESOLVED:**

**That the following resolution & backgrounder on November 13, 2018 be rescinded.**



# CITY OF CHARLOTTETOWN

## RESOLUTION

*AL 10-0*

Finance #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: November 13, 2018

Moved by Councillor *Melissa Helton*

Melissa Hilton  
*MICHE DURRY*  
~~Mitchell Freet~~

Seconded by Councillor *Mahe Duffy*

### RESOLVED:

That the City of Charlottetown accepts the 2.1 acres of land as parkland for the MacKay Subdivision (PID 191718) as indicated in the attached survey plan,

And that the Planning Department will enter into a development agreement with the Developer,

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

## **MacKay Property (PID 191718)**

### **Overview of the Survey of the Proposed Parkland Dedication**

*November 7, 2018*

Compiled by Frank Quinn, Manager of Parks and Recreation Department

- The final survey plan was received on October 30, 2018 by department staff.
- The proposed parkland is indicated as Parcel B1 (2.1 acres) on the survey. The parkland is located within the buffer zone, where development is not permitted. Please see attached.
- According to surveyor the overall size of property (PID 191718) is 12.6 acres, which includes 2.1 acres (B1) and approximately 10.5 acres (remaining lands of MacKay Construction Ltd).
- Based on 12.6 acres, the required parkland dedication is 1.26 acres (10%). The proposed parkland of 2.1 acres (16%) is larger than required, but the MacKay landowners (developers) agrees with this proposed parkland dedication.
- Please see attached draft resolution, which would be forwarded to Council.
- The MacKay landowners have noted that they might request a taxable receipt for the additional parkland dedication above the 10%. If they decide they would like a taxable receipt for this additional parkland, the assessed land value will be obtained from the Province, in order to provide a taxable receipt.
- If this proposed parkland dedication is accepted by the City of Charlottetown, the Planning Department will enter into a development agreement with the Developer.
- If the necessary approvals are received and weather permits, trail development is planned to start this fall (2018).



City of  
Charlottetown

Report No: 20 – Survey of MacKay  
Property for Proposed Parkland  
Dedication  
(CLOSED SESSION)

Date: October 1, 2018

Directed to: Standing Committee

Attachments:  
Survey Map of Proposed Parkland

Committee: PRLA

Prepared by: Frank Quinn

Subject: Survey of MacKay Property (PID #191718) for proposed parkland dedication to be used for trail development along Andrews Pond.

**RECOMMENDATION:**

To accept the proposed parkland as indicated in the attached survey plan, and to obtain the approval from the developers. If approved to by the developers, the PRM will inform Planning and forward the PRLA Committee's recommendation to Finance as per the Committee's Terms of Reference for land acquisition.

**REPORT:**

Please see attached survey map.

If necessary approvals are received the trail development is planned to take place this fall 2018.

Respectfully,

Frank Quinn

Reviewed By:

CAO

Manager

Other

**RECOMMENDATIONS/ACTIONS:**

The PRLA Committee supports the recommendation to accept the proposed parkland. The PRM to obtain the final survey, which will confirm the size of the property. It was noted that the proposed parkland is located in the buffer zone and it will be larger than the 10% parkland allocation required estimated at 1.3 acres. It was indicated that the City could provide a taxable receipt for this remaining property, if requested by the MacKay's. The PRM to obtain the approval from the MacKay developers for the final survey proposed parkland. The PRM to forward the PRLA Committee's recommendation to Planning and send to Finance Committee, as per the Committee's Terms of Reference for land acquisition.



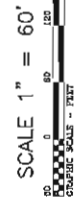
KEY PLAN (A-13)

**LEGENDA**

- LAND: ...  
 WATER: ...  
 EASEMENT: ...  
 ...

**NOTES**

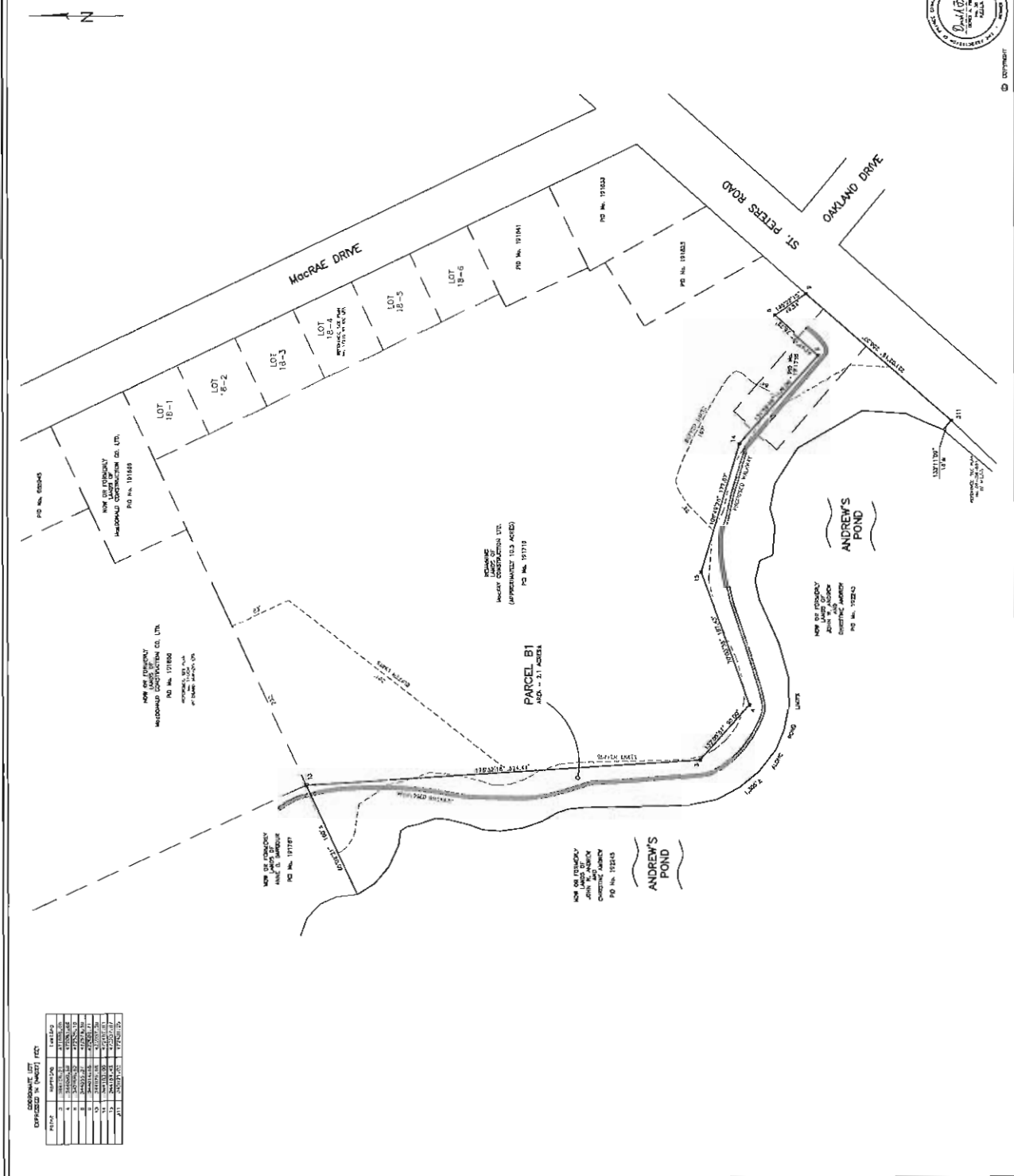
1. THIS PLAN WAS PREPARED BY THE SURVEYOR AND EXTENDED DURING THE MONTHS OF JULY AND AUGUST, 2018.
2. ALL DIMENSIONS ARE GIVEN IN FEET UNLESS NOTED OTHERWISE.
3. THE SURVEYOR HAS REVIEWED THE RECORD PLANS AND CERTIFICATE OF TITLE FOR THE SUBJECT PROPERTY AND HAS FOUND THEM TO BE CORRECT AND COMPLETE.



Prepared by: **Francis Professional Services Inc.**  
 5000 Bayview Ave. Suite 200  
 Scarborough, Ontario M1V 4Y8  
 Tel: 416-291-8888  
 Fax: 416-291-8889  
 francisps@gmail.com

**PLAN OF SURVEY SHOWING  
 PARCEL B1  
 BEING A SUBDIVISION OF LANDS OF  
 MACKAY CONSTRUCTION LTD.**

CHARLOTTETOWN  
 QUEENS COUNTY  
 DRAWN BY: DMF  
 DRAWING No. 1578  
 P.E.I.  
 P.L.D. No. 191713



**COORDINATE LIST  
 EXPRESSED IN (NORTH) FEET**

POINT	NORTHING	EASTING
1	11177.71	11425.11
2	11177.71	11425.11
3	11177.71	11425.11
4	11177.71	11425.11
5	11177.71	11425.11
6	11177.71	11425.11
7	11177.71	11425.11
8	11177.71	11425.11
9	11177.71	11425.11
10	11177.71	11425.11
11	11177.71	11425.11
12	11177.71	11425.11
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32	11177.71	11425.11
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39	11177.71	11425.11
40	11177.71	11425.11
41	11177.71	11425.11
42	11177.71	11425.11
43	11177.71	11425.11
44	11177.71	11425.11
45	11177.71	11425.11
46	11177.71	11425.11
47	11177.71	11425.11
48	11177.71	11425.11
49	11177.71	11425.11
50	11177.71	11425.11





# CITY OF CHARLOTTETOWN

## RESOLUTION

Finance # 2

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Terry Bernard

Seconded by Councillor \_\_\_\_\_ Mitchell Tweel

### RESOLVED:

**That the City of Charlottetown accepts the 2.2 acres of land as parkland for the MacKay Subdivision (PID# 191718) as indicated in the revised attached survey plan.**

**And that the Planning Department will enter into a development agreement with the developer,**

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

## **MackKay Property (PID 191718)**

### **Overview of the Survey of the Proposed Parkland Dedication**

*Updated June 5, 2019*

Compiled by Frank Quinn, Manager of Parks and Recreation Department

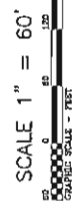
- It was identified this past May (2019), as we were preparing for the construction of the trail along the east side of Andrew's Pond, that an additional small piece of property was required in order to meet the trail design and layout.
- It was determined that change was required to the original survey plan which was approved by resolution of council on November 13, 2018.
- The revised survey (attached) depicts the proposed parkland which is indicated as Parcel B1 and measures 2.2 acres. The parkland is located within the buffer zone, where development is not permitted.
- According to the surveyor, the overall size of property (PID #191718) is 12.6 acres including the 2.2 acres referred to above and approximately 10.4 acres (remaining lands of MacKay Construction Ltd).
- Based on 12.6 acres, the required parkland dedication is 1.26 acres (10%). The proposed parkland of 2.2 acres (17%) is larger than required, but the MacKay landowners (developers) agrees with this proposed parkland dedication.
- The MacKay landowners have noted that they might request a taxable receipt for the additional parkland dedication above the 10%. If they decide they would like a taxable receipt for this additional parkland, the assessed land value will be obtained from the Province, in order to provide a taxable receipt.
- If this revised proposed parkland dedication is accepted by the City of Charlottetown, the Planning Department will enter into a development agreement with the Developer.
- The new trail development will start as soon as possible and it is expect to be finished by late June to early July 2019.



KEY PLAN (N123)

**LEGEND**  
 Hatched Shading: Area with Proposed Plan  
 Dotted Shading: Area with Existing Plan  
 Solid Line: Boundary of Parcel B1  
 Dashed Line: Boundary of Lot  
 Dotted Line: Boundary of Andrew's Pond  
 Solid Line: Boundary of Andrew's Pond

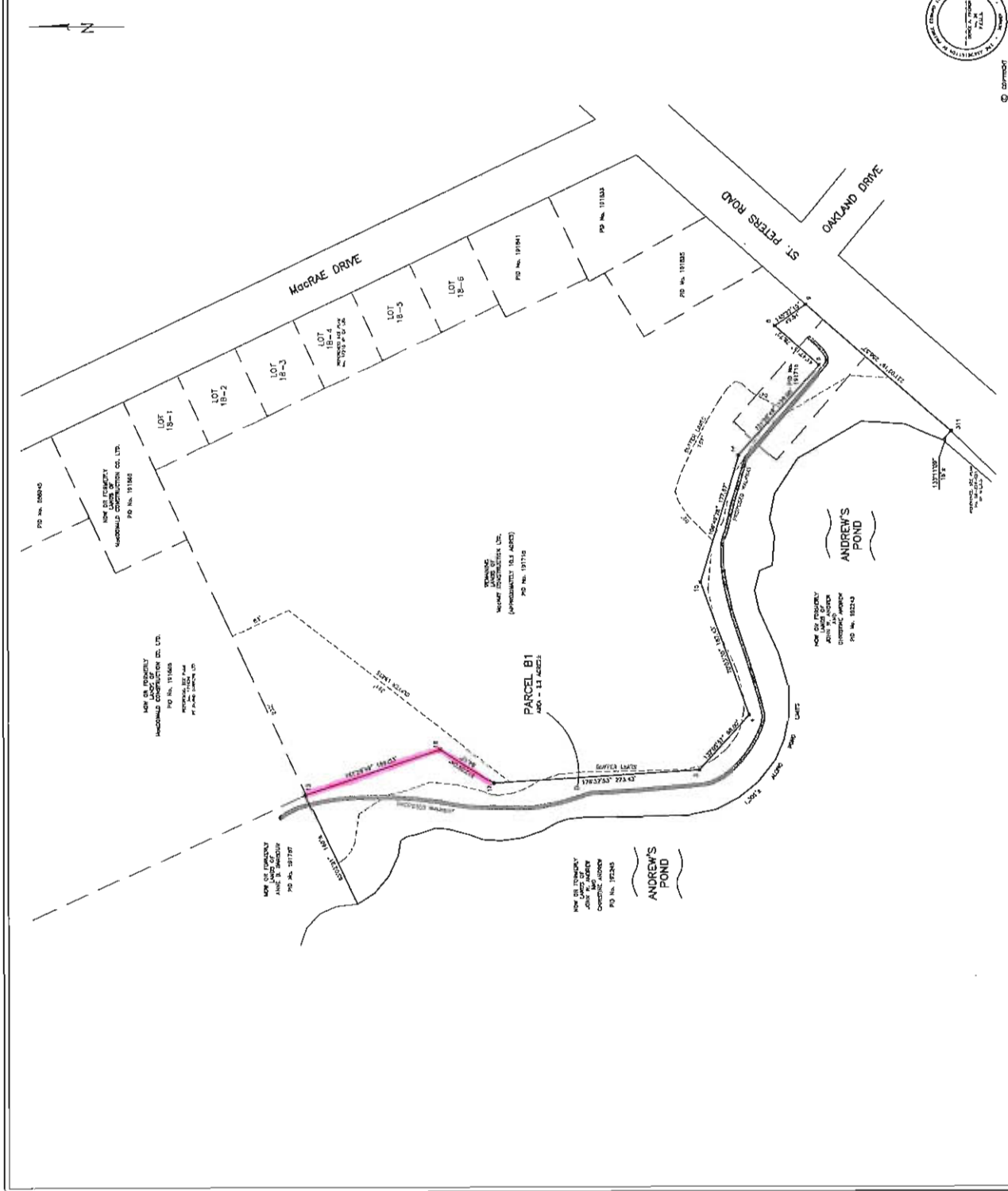
- NOTES**
1. THE FIELD WORK FOR THIS SURVEY WAS CONDUCTED DURING THE MONTHS OF JUNE, 2018 THROUGH MAY, 2019.
  2. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
  3. ALL DIMENSIONS ARE APPROXIMATE TO THE NEAREST FOOT.
  4. ALL DIMENSIONS ARE GIVEN IN FEET UNLESS NOTED OTHERWISE.
  5. ALL DIMENSIONS ARE GIVEN IN FEET UNLESS NOTED OTHERWISE.



Company: Fresh Professional Services Inc.  
 375 7th St, Toronto, ON M5X 1B6  
 Tel: 416-593-2845  
 Email: fresh@freshprofs.com

**PLAN OF SURVEY SHOWING  
 PARCEL B1  
 BEING A SUBDIVISION OF LANDS OF  
 MACKAY CONSTRUCTION LTD.**

CHARLOTTETOWN  
 QUEBEC COUNTY  
 DRAWN BY: DAF  
 DRAWING No. 1979-1  
 P.L.D. No. 191718  
 P.E.I.  
 PRELIMINARY  
 DATE: 24.05.19





City of  
Charlottetown

Report No: 20 – Survey of MacKay  
Property for Proposed Parkland  
Dedication  
(CLOSED SESSION)

Date: October 1, 2018

Directed to: Standing Committee

Attachments:  
Survey Map of Proposed Parkland

Committee: PRLA

Prepared by: Frank Quinn

Subject: Survey of MacKay Property (PID #191718) for proposed parkland dedication to be used for trail development along Andrews Pond.

**RECOMMENDATION:**

To accept the proposed parkland as indicated in the attached survey plan, and to obtain the approval from the developers. If approved to by the developers, the PRM will inform Planning and forward the PRLA Committee's recommendation to Finance as per the Committee's Terms of Reference for land acquisition.

**REPORT:**

Please see attached survey map.

If necessary approvals are received the trail development is planned to take place this fall 2018.

Respectfully,

Frank Quinn

Reviewed By:

CAG	Munnings	Oller				
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**RECOMMENDATIONS/ACTIONS:**

The PRLA Committee supports the recommendation to accept the proposed parkland. The PRM to obtain the final survey, which will confirm the size of the property. It was noted that the proposed parkland is located in the buffer zone and it will be larger than the 10% parkland allocation required estimated at 1.3 acres. It was indicated that the City could provide a taxable receipt for this remaining property, if requested by the MacKay's. The PRM to obtain the approval from the MacKay developers for the final survey proposed parkland. The PRM to forward the PRLA Committee's recommendation to Planning and send to Finance Committee, as per the Committee's Terms of Reference for land acquisition.



**CITY OF CHARLOTTETOWN  
FEES BYLAW AMENDMENT BYLAW  
#2018-18-A**

**Amend the City of Charlottetown Fees Bylaw to incorporate Planning & Heritage Department Schedule of Permit and Process Fees.**

**RESOLVED: THAT** the bylaw to amend the "CITY OF CHARLOTTETOWN FEES BYLAW" be read a first time.

Moved by Councillor *Terry Bernard*  Terry Bernard  
 Seconded by Councillor *Jason Coady*  *Jason Coady*  
*Deputy Mayor* Greg Rivard  Greg Rivard  
 Date: May 17, 2019

**RESOLVED: THAT** the bylaw be now approved as a City Bylaw and that it be entitled the "CITY OF CHARLOTTETOWN FEES BYLAW" and that it be read a second time at the next public meeting of Council.

Moved by Councillor *Terry Bernard*  Terry Bernard  
 Seconded by Councillor *Jason Coady*  *Jason Coady*  
*Deputy Mayor* Greg Rivard  Greg Rivard  
 Date: May 17, 2019

**THEREFORE; BE IT RESOLVED: THAT** the "CITY OF CHARLOTTETOWN FEES BYLAW" be read a second time and that the said Bylaw be now adopted.

Moved by Councillor *Terry Bernard* Terry Bernard *(Councillors 8-0)*  
 Seconded by Councillor \_\_\_\_\_ Greg Rivard *Rivard and*  
 Date: \_\_\_\_\_ *Jon Kov absent*  
*PB*

This Fees Bylaw Amendment Bylaw, #2018-18-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 Fees Bylaw**  
**Bylaw # 2018-18-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 “Fees Bylaw Amendment Bylaw.”

**2. Purpose**

The purpose of this bylaw is to amend the City of Charlottetown’s Fees Bylaw to incorporate Planning Fees.

**3. Authority**

3.1. Subclause 162(1)(a)(i) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1., enables municipalities to, by bylaw, impose requirements, establish fees, and establish a process for the collection of fees.

**4. Definitions**

4.1. In this bylaw, any word and term that is defined in the *Municipal Government Act*, or the City of Charlottetown Fees Bylaw has the same meaning as in that Act or bylaw.

**5. Schedule ‘A’ - No. 4 - Planning Fees - of the City of Charlottetown Fees Bylaw is hereby amended by the following:**

5.1. No. 4 *Planning Fees - As set in the Zoning and Development Bylaw* be deleted from Schedule ‘A’ and include the attached as a new Schedule titled **Schedule ‘D’ – Planning & Heritage Department – Schedule of Fees**

**Approval and Adoption**

**6. Effective Date**

6.1. This Fees Bylaw Amendment Bylaw, # 2018-18-A, shall be effective on the date of approval and adoption below.

**First Reading:**

This Fees Bylaw Amendment Bylaw, # 2018-18-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 Fees Bylaw Amendment Bylaw, # 2018-18-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 Fees Bylaw Amendment Bylaw, # 2018-18-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 Fees Bylaw Amendment Bylaw, # 2018-18-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

**SCHEDULE 'D'**  
**PLANNING & HERITAGE DEPARTMENT**  
**SCHEDULE OF FEES**

**Charlottetown Planning & Heritage Department Schedule of Permit and Process Fees, effective following 2<sup>nd</sup> reading and adoption the Fees Bylaw Amendment Bylaw #2018-18-A**

ALL fees are collected at the time of application submission.

Permit fees for late filing of a permit or starting construction without a permit will result in doubling of the fees charged.

Any work carried out on a Heritage building or property before a permit is issued will result in the regular permit fees being charged.

In the event an applicant requests a refund resulting from cancelling a development application or building permit, the refund will be based upon the amount of work undertaken to date to process the request. Once a building permit is issued, no refund will be provided and once a Planning report is prepared for a planning application, no refund will be provided. A refund will be provided up to 75% of the fee for processing a development application or building permit depending upon the stage of review that has been undertaken up to the date of the request for refund.

<b>Permit Type</b>	<b>Fees including HST</b>	<b>Comments</b>
Residential (New or Renovations)	\$5.50 per \$1,000 <i>(minimum of \$50)</i>	*One or two-unit dwellings *Residential buildings with 3 or more dwelling units are regarded as commercial developments
Residential Development Deposit	\$1,500 <i>(cheque)</i>	
Commercial-Industrial-Institutional-Multi-Unit Residential dwellings (New or Renovations)	*\$7.00 per \$1,000 * \$8.00 per \$1,000 * \$9.00 per \$1,000 <i>(minimum of \$50 for all phases)</i>	Phase I of Permit Phase II of Permit Phase III of Permit
Commercial-Industrial-Institutional-Multi-Unit Residential dwellings Development Deposit	\$4,000 <i>(cheque)</i>	
Building Inspection Follow-up Fee	\$100 <i>(per follow up)</i>	For every additional inspection request beyond required inspection
Occupancy Permits	No Fee	
Secondary Suite Registration	\$100	
Secondary Suite Registration Renewal	\$50	
Demolition Permits	\$50	
Demolition Deposit	\$500 <i>(cheque)</i>	
Moving Permits	*\$100 * \$400	(not requiring police escort) (loads exceeding 4.27 metres in width)
Signage Permits	\$8.00 per \$1,000 <i>(minimum of \$50)</i>	
Rezoning or Municipal Plan Amendments	\$800	Fee per Property Identification Number (PID)



**SCHEDULE 'D' (Cont'd)**  
**PLANNING & HERITAGE DEPARTMENT**  
**SCHEDULE OF FEES**

Rezoning including a Municipal Plan Amendment	\$1,400	Fee per Property Identification Number (PID)
Variances – Minor	\$300 for first variance	(\$50 for each additional variance)
Variances – Major	\$400 for first variance	(\$50 for each additional variance)
Subdivisions	\$200	*Up to and including 3 lots *Additional \$40 per lot over three
Subdivision (Lot Consolidation)	\$100	
New Agreements:		
-Subdivision Roads and Services Agreement	\$900	
-Other Agreements (Development Agreement, Encroachment Agreement, etc.)	\$600	
Amending an Existing Agreement	\$500	
Decks, accessory buildings, pools	\$50	
Permit Renewals	\$50	
Development Permits	\$100	
Basic Zoning Inquiries	\$100	
Comprehensive Zoning Inquiry	\$200	*Includes liquor license
Legal Research Fee	\$100 per hour	(Minimum of one hour)
Heritage Research Fee	\$0	
Copies of Requested Reports	Actual cost	
Cash-in-lieu of Parking	\$6,000 per parking space	
Design Review Applications	\$100	
Design Reviewer Fees	\$1,500	
Heritage Board Applications	No fee	
Heritage Resource Buildings		No permit fees for exterior work on existing building; Interior work – regular permit fees apply
Buildings in the 500 Lot Area that are not Heritage Resources		Regular permit fees apply
Telecommunication Tower Application	\$3,000	



**HUMAN RESOURCES, COMMUNICATIONS  
AND ADMINISTRATION COMMITTEE  
REPORT TO COUNCIL  
June 10, 2019**

The Human Resources, Communications and Administration Committee last met on May 22, 2019. The minutes are included in your package.

- 1<sup>st</sup> Reading – Superannuation Plan Amendment Bylaw

Respectfully submitted,

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Councillor Julie McCabe, Chair

**Human Resources, Communications & Administration Committee  
Wednesday, May 22, 2019  
3:45 PM– Parkdale Room**

**Present:** Mayor Philip Brown  
Councillor Julie McCabe, Chair  
Councillor Alanna Jankov, Vice-chair  
Councillor Mike Duffy, Member  
Peter Kelly, CAO  
Bethany Kauzlarick, HRM  
Alicia Packwood, CA  
Lorenda MacEachern, HREA

**Absent:** Councillor Kevin Ramsay

**1) Call to Order**

Councillor Julie McCabe called the meeting to order at 3:45 PM and welcomed Councillor Mike Duffy and Councillor Alanna Jankov to the Human Resources, Communications and Administration Committee.

**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 March 27, 2019 were approved as circulated.

**5) Business arising from Minutes**

There was no business arising from the minutes.

**6) Reports:**

**a) Human Resources Update – Report no. HR052220190S**

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 Jankov and seconded by Councillor Duffy. Public session of meeting adjourned at 3:56 PM.



**CITY OF CHARLOTTETOWN  
SUPERANNUATION PLAN AMENDMENT  
#2018-13-A**

**To amend the City of Charlottetown Superannuation Plan, #2018-13-A, to extend the time period (from one year to three years) over which an individual can pay for a prior period of leave.**

**RESOLVED: THAT** the bylaw to amend the “**CITY OF CHARLOTTETOWN SUPERANNUATION PLAN**” be read a first time.

Moved by Councillor \_\_\_\_\_ mover

Seconded by Councillor \_\_\_\_\_ seconder  
Date: June 10, 2019

**RESOLVED: THAT** the plan be now approved as a City plan and that it be entitled the “**CITY OF CHARLOTTETOWN SUPERANNUATION PLAN**” and that it be read a second time at the next public meeting of Council.

Moved by Councillor \_\_\_\_\_ mover

Seconded by Councillor \_\_\_\_\_ seconder  
Date: June 10, 2019

**THEREFORE; BE IT RESOLVED: THAT** the “**CITY OF CHARLOTTETOWN SUPERANNUATION PLAN**” be read a **second** time and that the said plan be now adopted.

Moved by Councillor \_\_\_\_\_ mover

Seconded by Councillor \_\_\_\_\_ seconder  
Date:

This Superannuation Plan Amendment, #2018-13-A, was adopted by a majority of Council members present at the Council meeting held on \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
CAO

\_\_\_\_\_  
Mayor

**City of Charlottetown, PEI**  
**A Bylaw to Amend the City of Charlottetown Superannuation Plan Bylaw**  
**Bylaw #2018-13-A**

**BE IT ENACTED** by the Council of the City of Charlottetown as follows:

**PART I – INTERPRETATION AND APPLICATION**

**1. Title**

- 1.1. This Bylaw shall be known and cited as the “Superannuation Plan Amendment Bylaw.”

**2. Purpose**

- 2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Superannuation Plan Bylaw to extend the time period (from one year to three years) over which an individual can pay for a prior period of i) part-time, seasonal, entry level seasonal, casual, or contract employment service, or ii) maternity leave, paternity leave, compassionate care leave, or any other leave required by law. The City also wishes to allow such purchases to be made in regular instalments as an alternative to a lump sum.

**3. Authority**

- 3.1. This bylaw is adopted pursuant to Part 7, Division 2, Section 180(p) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.

**4. Definitions**

- 4.1 In this bylaw, any word and term that is defined in the Municipal Government Act and the City of Charlottetown’s Superannuation Plan Bylaw has the same meaning as in that Act or bylaw.

**PART II – AMENDMENTS**

**5. Section 4.13 (iv) is deleted in its entirety and replaced with:**

- 4.13 (iv) The required cost must be contributed in full as a lump sum, or in regular instalments, within three years of the date of election.

Regular instalments will be determined by amortizing the full cost of the purchase, with interest at the going concern interest rate used in the most recent Actuarial Valuation, over a period not to exceed three years from the date of election.

**6. Section 4.9 (ii) is deleted in its entirety and replaced with:**

- 4.9 (ii) For those on such a leave that ended after January 1, 2016, the election must be made within one year of the Member returning to work, and the required contributions must be made in full as a lump sum, or in regular instalments, within three years of the date of election.

**7. The last paragraph in Section 4.9 is deleted in its entirety and replaced with:**

The required contributions will be determined as the amount the Member would have contributed had they elected to make contributions during the temporary leave of absence, plus interest at the going concern interest rate used in the most recent Actuarial Valuation, from the middle of the period of the temporary leave of absence until the date the contributions are remitted to the Fund, or until the date that regular instalments begin.

8. The following paragraph is added at the end of Section 4.9:

Regular instalments will be determined by amortizing the full cost of the purchase, with interest at the going concern interest rate used in the most recent Actuarial Valuation, over a period not to exceed three years from the date of election.

**Approval and Adoption**

**9. Effective Date**

9.1. This Superannuation Plan Amendment Bylaw, #2018-13-A shall be effective on the date of approval and adoption below.

**First Reading:**

This Superannuation Plan Amendment Bylaw, #2018-13-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 Superannuation Plan Amendment Bylaw, #2018-13-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 Superannuation Plan Amendment Bylaw, #2018-13-A was adopted by a majority of Council members present at the Council meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**Signatures and Witness the corporate seal of the City of Charlottetown**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Chief Administrative Officer**

This Superannuation Plan Amendment Bylaw, #2018-A-13 adopted by the Council of the City of Charlottetown on \_\_\_\_ day of \_\_\_\_\_, 2019 is certified to be a true copy.

\_\_\_\_\_  
**Chief Administrative Officer**

\_\_\_\_\_  
**Date**



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE  
REPORT TO COUNCIL  
June 10<sup>th</sup>, 2019**

The Parks, Recreation and Leisure Activities Committee did not meet in May therefore, there are no minutes.

There are no resolutions from our department.

The Public Meeting of Council was held on Monday, May 27<sup>th</sup>, 2019 relating to the floating dock system that is proposed to be installed within Victoria Park and those minutes are included with the previous minute's section of your binder. The feedback/comment cards that were completed by the public have been typed up and are attached. Also attached, is a summary of the floating dock system public meeting and staff recommendation.

The Volunteer of the Month for June is Paulette Ryan. Paulette served for several years as the Treasurer with the Sherwood Parkdale Skating Club.

Respectfully submitted,

Councillor Mitchell Tweel, Chair



## **Public Meeting of Council**

**Monday, May 27<sup>th</sup>, 2019**

### **Feedback – Comment Cards submitted**

(Please note comments are single spaced and if there is no name after the comment, they were submitted anonymously)

#### **In Favour**

Love the idea, can't wait for the new dock. Congratulations to council, especially Mitchell, Parks & Rec  
- Lynda Murphy

I am in favour of the installation of the Floating dock. If there are concerns, I would suggest testing for a year, take necessary precautions and monitor. And if there are issues, then we can remove/change locations  
-Mathieu Arsenault

Excellent idea

As an avid kayaker (and resident) I think this is a wonderful idea and will do much to enhance the value of Victoria Park. It should be restricted for non-motorized vehicles only  
-John A MacQuarrie

I believe it is a very good idea. It will add to the usefulness and ambiance of the park. Having more kayaks and canoes in the harbor will be very scenic. As well, the proposed design will enable disabled persons to kayak and canoe. The park is meant for people and recreational activities.  
-Valerie A Moore

I am in favour of the floating dock installation. I believe one of the main concerns was the small watercraft launch. I do agree that maybe this should not be included in the plans, and as Becka Viau stated, during the Flotilla 2017, many small water crafts were coming to the dock rather than launching from the dock. I believe giving people access to kayak/canoe/ paddle board into Vic Park will encourage more active living.  
- Samantha Palmer

I would like to express my support for the floating dock project. I feel that it would bring value to Victoria Park and provide increased access.

I am in support of the floating dock-see it as a good edition to the city/ Victoria Park and for young people in the city. It is further access for people using personal craft and adds to the value of the park  
-Cody Clinton

I fully support the floating dock system. I have long felt that it is unfortunate that our beautiful waterfront park has such limited water access. Basically, people can only get to the water by climbing over the rocks, which can be dangerous, and is inaccessible to many. And the water is inaccessible to

everyone during the low tide phases of the cycle. I do not think convenient parking should form the basis of decisions. People can park in the overflow areas and walk to the boardwalk and the floating dock. The exception to this should be to increase accessible parking spaces with a decrease in ordinary parking spaces. (I also think it will be wonderful to improve some access for kayaks, canoes). Ps I have used the new slip at the Yacht Club once for my kayak. It is not easily accessible as the person said- it is in fact very cumbersome and impossible for one person by herself to get their kayak from the designated parking spot to the slip.

-Alice Crook, 25 Admiral St

Strongly support this dock as presented where placed

-Douglas Coles

Our family would use the dock and I think it would provide a great addition to the recreation opportunities at Victoria Park, I think you should try it for at least one season, you could always move it if it doesn't work out

-Resident Ward 4

Great idea! Let's try it for one season and should it turn out to be as detrimental if all these "nay sayers" are "assuming" it will, then we remove it and find new location. Come on Charlottetown, let's keep moving forward! The dock is paid for, let's give it a chance.

I do not see why this is such a big deal

-Youth resident Ward 4

It would be nice to go on a walk when you get a ice cream and go on the dock

-youth resident Ward 4

I feel this is a positive thing. It will be great for people in canos or kayaks. It would be good for people in wheel chairs or artists

-Bobby Kenny

I am very tired of a certain group of people trying to run this town. They screwed up the year we tried to get Baseball Plex in park so we could host a national tourney. Now they want to take away floating dock in Victoria Park. I think this is a great thing to have there for wind surfers, ski boats. Remember the park belongs to everyone not the chosen few. Thank you and I would like to hear council feedback.

Gaye Hood

For

-Marcia Carroll

If Vancouver(Stanley Park) can have a floating crew/row club off the walking path/boardwalk and they would have the same tidal/current issue as Charlottetown, they seem to be okay with a floating dock+Rowhouse. What is the mental holdback or concern here? Not only should there be a dock, but also a boathouse and tea room on the water seasonally, The Stanley Park attraction gathers more foot

traffic than here?

-Olin Penna

This is a "wonderful idea" which will provide many the opportunity to access the water. It will be much safer than stepping stones as some have suggested and will be fully accessible to all abilities including wheelchairs. The most important thing to remember is that it is a temporary structure which can be removed at any time if need be.

Creating safe accessible access to the water at Victoria Park must continue to be a priority for the City. Therefore, I support the floating dock System being installed at Victoria Park as a pilot project in 2019. This project should be evaluated and data provided to council, so that they can decided on future installation of the dock system.

I think this is a good idea. It will help boost tourism in the area. It would also make the area more active when it comes to aquatic events like kayaking, swimming, and boating.

Great idea to allow more access to the water.

I think the floating dock at VP is a great idea since it's a pilot project; it is well worth trying to without having a huge impact. Once in, people as well as those objecting it, may realize that it has a positive impact and adds a new and great activity for those using and visiting VP. Yes, put the floating dock in and see the response.

I believe the dock system is a positive initiative for Victoria Park. Anything that encourages active living is a positive step for our city. The positive certainly outweighs any negatives.

I support improving accessibility to the waterfront for both able bodied and people who require assistance. I fell the safety will be improved with a well-designed and engineered access system. We should give it a try. It is portable and if it turns out this is not a good location it can be moved.

I think a floating dock system at Victoria Park would be a valuable asset.

I think the floating dock system would be a great addition to Victoria Park. One thing missing at the park is a safe water access, it would be another great attraction for users and further incentive for people to get active and try a new activity.

Your worship and city councilors. Please follow through with the already approved "resolution" and purchase of the dock system. As mentioned many times at meeting this is a temporary portable removable system which can be removed if not successful which I am confident it will prove to be very successful just like the boardwalk since it's installation almost three decades ago. Please do not continue to allow the same "self-appointed" stewards of Victoria Park to dictate everything that is permitted to take place there. Listen to the youth and young families who will continue to visit and utilize the amenities such as the floating dock for many years to come. Love the idea of the floating dock!

-M Stewart

As a young person in this City I feel that my opinion is being drowned out by older more senile generations who aren't open to change. This floating dock is a great idea that will allow everyBODY to access the beautiful water at Victoria Park. The floating dock will allow people a new way to be active and bring people outside and to the park (which is the ultimate goal of the park). If it does "ruin" the park like people are so concerned about, than simply move it some where's else next year. It's a portable system! Charlottetown's logo is "Great things happen here," so please let something great happen here!

### **Wrong Location**

Good Idea=wrong location

Negatively detracts from ambiance/character /heritage of park

Adds stress/ parking congestion/ conflict with boardwalk

- Brian Gillis 71 Green Field Ave

Parking problem remains- it's a long walk with boat from nearest place to park (Dairy Bar? Brighton Rd?)

Nice Idea- lousy location- FORGET IT!

Great idea but not in Victoria Park. It would fit in great at Elizabeth Park. No at Victoria Park

Good idea but NOT in Victoria park. This would definitely not be an improvement to the park

-Y. Murphy 24 Brackley Way

Excellent idea! But not in Victoria Park

Recommended sites- Bottom of Col Gray or Queen Elizabeth Park, Hillsborough River behind QEH

-Frank MacEachern 47 Highland Ave

Me-No-No Certainly do not want this dock at the park. Especially for use of water crafts.

-Estelle Logan

1. Raise the railings or put up a barriers where people cannot go about the gate

2. Limit access to the gate ie. No night time access

3. Don't axe this idea based on parking. Properly address all safety related concerns

4. Don't remove the bike lane to make more parking. This is a terrible idea.

-Valentine Gomez

Hurricane Juan-100 year storm- safety issue

removing the bike lane to increase parking- increase cars decrease bikes not safe

100 years ago the park

adding parking in a park

safety hire 2 summer students/lifeguards to help disabled/elderly folk

-Dr. Janis

Your overview states staff have been reviewing the parking challenges and identified options to help Mr Quinn did not identify options. When there are ball games on there is not enough parking for them. Queen Elizabeth drive now has bike lanes and in my understanding we can no longer park there. All parking spots are full at 3:00pm. Gov't parking is overflowing. I still don't understand why we need to access the water. There are options for kayakers to get into the water. We have also added a huge edition to the park by adding the playground. How about utilizing Queen Elizabeth Park or some other spot for people to have "access" to the water. They can come down past the park. Like the idea of using the Yacht Club. How much will we squish into the park? Aside from this issue I would love to see some green space, walks and gardens in the park. Does it have to be a dock? Could it be a piece of boardwalk that goes out onto the water? No access for docking. No Slop. (Drawing of boardwalk with small extension with a railing.

-Myrt MacNevin (Councillor Kevin Ramsay)

Please read my emails which I sent out to all the city Councilors and the Mayor today. No- wrong location not safe

- Betty Bondage

I am not in favour of a floating dock Victoria Park for launching watercrafts

1. Not proper use of park
2. Need present parking +more for children using pool and playground equipment especially the handicapped/accessible play
3. Walkers will be hit with canoes/kayaks being carried across boardwalk
4. People until they understand with boats will be double parked and their craft creating a bottleneck consider using right of way to river from Queen Elizabeth Drive. In York lanes area or Riverside drive would like an access for swimmers

no objection or people wishing to wade on shore just not rowboats, kayaks, and canoes

I'm in favour of steps down to water accessible would be great

I think it's a very assine proposal. It will take away parking spots for those who cannot walk or walk far. It will spoil the chances for the people who just want to park and enjoy the sound of the water and the peaceful setting. This has to be the most stupid idea! Put it at the end of Queen St where there would be parking. There is no parking.

The floating dock isn't embracing to the original intentions of Victoria Park. It would ruin the beautiful view. We don't want another gorey island here in Ch'town. We love it the way it is.

JR Rodengs

An extremely stupid, stupid idea. There is not enough parking spots now for families using the playground!! Why not think about using half of the army ground on Brighton Rd for that. You never see that area full!!

It is very obvious that city Council has not given serious consideration of both public and vehicle traffic in the area. A much better venue would be at Tufts cove where the stone Jutty previously used by the

Irving Ltd. Parking is across the street at ChTown venue site. Plenty of it. Why was the dock purchased before a public meeting such as this one!

No floating dock leave Victoria Park alone Nox2  
-Maureen Matheson and Bob Hutch

Please DO NOT put any more infrastructure in the CH'town Harbour and Victoria Park waterfront. Leave the beautiful Park waterfront free of all development- temporary or permanent. Thank You  
-Cheryl Stead and John Cox

I'm not in favour of a floating dock at the proposed site in Victoria Park. That would just cause more congestion when there is already very little parking space. That is especially the case with the new accessible playground which is very popular.  
-Dave McCallum

I do not want floating docks at Victoria Park leave the park alone. You have 14km of Shoreline around ChTown, up the Hillsborough River, but not in the park. Its peace and tranquility will be gone forever, please take your docks somewhere else. I look forward to a resolution of no dock in park.

Please leave park as it is. Enough congestion now without more vehicles trying to park. The park should be for families with children and other people to walk, bike, etc. Put dock somewhere else please.

Not needed- due to the congestion already in the designated area of Victoria Park. Should be placed in an appropriate area- somewhere else

Not at Victoria Park. Parking already limited. Needs expansion many kilometers of waterfront is available in the city and the floating docks can be installed elsewhere! Leave the waterfront at Victoria Park natural please!  
-M. Baker

Proposed location for dock is the wrong location. Plenty of other options, Please reconsider?  
-Drew Kingston

No way there is no parking now  
-Wayne Rhodenje

Proposed location not appropriate- do not locate in Victoria Park  
-Diane MacLellan

Please "No" find dock other location x5 why ruin a good thing? No find a location elsewhere  
-Joanne Marie Arbing

The park is meant for the enjoyment of all the citizens of Charlottetown- not for a few bikers and boaters

Leave it the way it is. We need all the green space the Victoria Park has to offer. We walk the park everyday when the weather is nice. So it's a NO to the floating dock

-Connie Wotton

The people of Charlottetown should have had the option to decide this prior to this permit in time Our forefathers got it right lets not screw it up.

The photos are misleading they were taken when the park was not busy. No leaves on the trees

Parking options should be part of the package

Look at other access points besides Victoria park

The whole of the waterfront should be looked at

-Vernon Rodd

I think there is a better place for a floating dock

-Eva Mcluai

As a person in a wheelchair, I would never use it because too much traffic. Great idea but so so wrong a place for Whellie People! \*\*Despite PEI Council for people with disabilities approving it!!!

-Dr. Janice Gillis

When the tides change in the CHTown Harbour it is extremely dangerous for small watercrafts. This dock will cause young people to be out in the harbor and for safety reasons this is dangerous. I experienced this first hand as a youth in Charlottetown with coast guard rescuing us. There is no parking and with the boardwalk the way it is cross traffic will prove another safety hazard. water flow to ensure smell is not increased from the algae. Not appropriate launch sites for kayaks.

Your plan for increase parking takes away for the beauty of a park stop paving the beauty of our island and city

water lot lease wow how much will that be outgoing

it is my understanding that there are plans for more booths for the sale of rentals and kayaks and loud sale would be added not what the beauty of this park needs

Will there be walking police security

### **Not in Favour**

I do not a floating dock in Victoria Park. Too dangerous! NO!

Absolutely NO floating dock at Victoria Park

Waste of tax payers money get a new chair of parks. No docks. Safety

No

No Dock

-Bill Griffin

Ideal that the ability to use a floating dock for non-motorized water crafts is dangerous and I am not in favour of the dock for this purpose, due to parking and safety issues.

No to the dock!

-Bill Cudmore

The floating dock is NOT needed

-Preston Wotton

The front page says it all the so called resolution. Charlottetown City Council is run by the same people-name influence and intimidation for too many decades. It needs a transfusion.

It is totally unnecessary. There is no room for parking. There is a perfectly viable place for launching boats at the Charlottetown Yacht Club (which by the way the city invested money in). I walk the park every day and probably only three times did see kayakers in the water. Is the city trying to justify the money they have already foolishly spent! Who is going to monitor it for naughty concerns? Who is liable and what insurance is necessary?

-Barbra Flanagan Rankin

Definitely no floating dock. When are you going to make a proper bike path and stop closing the vehicle lane?

Bad Idea. Big no for me

-Helen Bradley

Please abandon this ill concerned idea

Council should go to the residents when dealing with large purchases and projects that directly involve the taxpayers

Safety and possible injury

water levels and tides

prevent an accident

Parking nightmare!

I am opposed to this decision why was 50 000 spent in advance of approval. Where do expect the users to park. I there you are about to ruin our beloved park.

-Elaine MacLean

-Cory Malone



## **Summary of the Floating Dock System Public Meeting and Staff Recommendation**

*June 10, 2019*

Compiled by Frank Quinn, Manager of Parks and Recreation Department

### **Summary of Speakers at Public Meeting - May 27<sup>th</sup>, 2019:**

There were approximately 150 people in attendance.

37 members of the public who spoke at the public meeting

15 speakers were for the proposed floating dock system at Victoria Park

12 speakers liked the idea, but felt Victoria Park was the wrong location

3 speakers were against the idea

3 speakers were for the idea, but felt there should be a different design that doesn't include the launch for small non-motorized craft

3 speakers were for the idea, but felt there was a need specifically around lifeguards and patrol officers in the proposal and don't support without them

1 speaker was concerned with the transfer bench for wheelchair users when using the launch

### **Comment Cards Received from Public Meeting:**

30 individuals who submitted comment cards were for the idea

32 individuals liked the idea, but felt Victoria Park was the wrong location

14 individuals were against the idea

### **Emails forwarded to department staff as a follow-up from the Public Meeting:**

There were five (5) emails received, who all support the dock system.

### **Staff Recommendation:**

For Council to allow the installation of the floating dock system along the shoreline of Victoria Park as a pilot project for 2019. And further that a resolution be brought forward from the floor at the Regular Council Meeting of June 10, 2019 for Council's consideration.



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE  
REPORT TO COUNCIL  
June 10, 2019**

The Protective & Emergency Services Committee did not meet in June due to Councillors attending the Federation of Canadian Municipalities Conference.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Bob Doiron, Chair



### #5 FIRE CALLS FOR MAY 2019

District #1		District #2	
Type	Number	Type	Number
A/Alarm – Alarm Ringing No Fire	2	A/Alarm – Alarm Ringing No Fire	1
A/Alarm – Detector Activated	1	A/Alarm – Pulled/Accidental	2
A/Alarm – Accidental	1	A/Alarm – Equip Malfunction	4
A/Alarm – Equip Malfunction	1	A/Alarm – Working on System	3
A/Alarm – Sprinkler	1	A/Alarm – Cooking	4
A/Alarm – Working on System	4	Medical Assistance	1
A/Alarm – Cooking	4	Grass Fire	1
Mutual Aid/EMS	6	Fire In Woods	1
Camp Fire In Woods	1		
Deck on Fire	1		
Smoke from o Floor of Building	1		
Animal Rescue	1		
<b>Fire Calls</b>	<b>24</b>	<b>Fire Calls</b>	<b>17</b>

### Total Calls for the Years 2018 and 2019

Total Fire Calls for 2018	Dist.: #1	Dist. #2	Total Fire Calls for 2019	Dist: #1	Dist. #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	36	19 (55) (156)
April	27	+ 15 (42) (173)	April	23	35 (58) (214)
May	38	+ 26 (64) (237)	May	24	17 (41) (255)
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 January 1 <sup>st</sup> to May 31, 2019)
26	35	Auto Alarms (No Fire/Alarm Ringing) both Station
5	2	Auto Alarms – Detector Activated both Stations
10	12	Auto Alarms – Pulled/Accidental/False both Stations
11	11	Auto Alarms – Smoke/Steam/Dust both Stations
31	29	Auto Alarms – Equip. Malfunction both Stations
3	3	Auto Alarms – Sprinkler/Power Failure both Stations
28	15	Auto Alarms – Working on System/Workers set off
37	28	Auto Alarms – Cooking both Stations
151	135	<b>Total Auto Alarm</b>
35	25	Mutual Aid/Stand By - Both Stations
6	8	Fire Calls to the WR Ind. Park – District #2

## Operational Report for May 2<sup>nd</sup> - May 29<sup>th</sup>, 2019

Fire Inspections		26
Follow Up Fire Inspections:		16
Complaint Fire Inspection		1
Site visits		3
Hazard Compliance Orders issued:		30
Plans Review, Permits, Safety Plans:		4
Fire Investigations:		1
FI Consultations:		6
Engine visits		23
Public Education Sessions/Participants:	15 sessions with 387 participants	
Fire Drills		3
Emergency Responses:	<b>Total # of calls</b>	<b>39</b>
	District 1	21
	Eng1 8:00-4:00	2
	Eng1 12:00-8:00	0
	District 2	15
	Inspector Call outs	1
	<b>Total time of all calls</b>	<b>14 hours 20 minutes</b>

Training: Weekly department training consisted of company drills, live fire scenarios, a confined space rescue exercise, water supply and hydrant drills, a marina fire exercise and fire boat training. We also had 5 members complete the Fire Attack course and 5 of our new recruits completed their Hazmat Awareness course. In June we have 2 members scheduled for their boat operator's course and 1 Fire Inspector attending Fire Investigation training in Saint John, NB.

Department activities: We had members participate in McDonald McHappy Days, Emergency Preparedness Day, the Steps for Life event and the City staff appreciation day BBQ. Our 6 new recruits are undertaking orientation training and will be introduced to the department on June 3<sup>rd</sup>. Upcoming events include the Doors Open PEI event on June 1<sup>st</sup>, the Brain Injury Association BBQ on June 3<sup>rd</sup> and the Ronald McDonald House PJ walk on June 9<sup>th</sup>.

	2019 Monthly Reported	2019 Monthly Actual	2019 Actual To Date	2018 Monthly Actual	2018 Actual To Date
Robbery	0	0	4	2	4
Assault	35	25	108	23	93
Break & Enter	12	9	26	3	29
Theft of MV	7	3	9	0	0
Theft Over \$5000	2	1	4	2	5
Theft Under \$5000	88	81	413	74	295
Have Stolen Goods	4	3	18	1	8
Frauds	17	9	97	24	107
Offensive Weapons	2	1	7	2	4
Other Criminal Code	155	112	435	72	320
Drugs	12	12	34	15	48
LCA	75	66	197	32	136
Municipal - Totals	136	136	10375	3142	14008
<b>Parking Tickets</b>			9916	3029	13567
<b>Nuisance Bylaw</b>	103	103	328	87	308
<b>Dog Bylaw</b>	33	33	131	26	133
Collisions	93	93	481	71	369
HTA	385	383	1608	442	2149
HTA Violations		314	1390	398	1898
Other Traffic	63	63	239	54	343
CC Traffic	48	35	113	34	142
Complaints		1431	6047	1202	5157

**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 May 2019.

Allen St/Walthen	1
Belvedere Ave/Queen	1
Brackley Point Rd/Belvedere	1
Enman Cres	1
Euston St/Orlebar	2
Euston St/Queen	1
Great Geroge St/Kent	1
Lower Malpeque Rd/Commowealth	1
Lower Malpeque Rd/Gates	1
North River Rd/Brighton	1
North River Rd/Inkerman	1
Orlebar St/Gerald	4
Pine Dr/Maple	4
Queen St/Fitzroy	1
Queen St/Kirkwood	1
Queen St/Pond	1
St Peters Rd/Arterial	1
St Peters Rd/Oakland	1
St Peters Rd/Robertson	1
University Ave/Belvedere	2

University Ave/Browns	4
University Ave/Enman	1
University Ave/Kirkwood	8
University Ave/McKinnon	1
University Ave/Nassau	1
University Ave/Summer	2
Upper Prince/St. Alley	1
Upton Rd	1
Walthen Dr/Summer	5
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 May 2019.

Allen St/Walthen	3
Babineau/Spencer	1
Beasley Ave	1
Belmont St/Dresden	4
Belvedere Ave/Maple	1
Brackley Point Rd/Arterial	1
Brackley Point Rd/Belvedere	2
Brighton Rd/Goodwill	1
Buchanan Dr/Sandstone	1
Capital Dr/North River	2
East Royalty Rd	3
Euston St/Great George	1
Euston St/Hillsborough	1
Euston St/Prince	2
Euston St/Weymouth	2
Falconwood Dr/St Peters	2
Gerald St/Upper Prince	3
Grafton St E	3
Grafton St/Edward	1
Grafton St/Weymouth	3
Great George St/Fitzroy	1



Great George St/Water	2
Herbet St	2
Hillsborough St/Fitzroy	2
Innovation Way	1
Kensington Rd/Brows	1
Kensington Rd/Garfield	2
Kent St/Great George	1
Kent St/Prince	2
Kent St/Queen	1
Linden Ave/St Peters	1
Longworth Ave/Esher	1
Lower Malpeque Rd/Bell HtsGates	3
Mount Edward Rd/Belvedere	2
Mount Edward Rd/Hillside	1
Mount Edward Rd/Pine	5
Mount Edward Rd/Towers	5
North River Rd/Beach Grove	3
North River Rd/Belvedere	1
North River Rd/Inkerman	1
North River Rd/Nassau	2
North River Rd/Riverview	1
Oak Dr/MacMillan	1
Palmers Lane	4

**NON-MOVING CONT'D**

Parkview Dr	1
Pond St/Spring Park	2
Prince St/Grafton	3
Prince St/Richmond	1
Queen St/Connelly	2
Queen St/Kirkwood	2
Queen St/Park Royal	1
Queen St/Kirkwood	1
Ralden/Darte	1
Riverside Dr/Southgate	2
Riverside Dr/Murchison	2
Riverside Dr/Park	1
Route 2/Arterial	1
Route 2/John Yeo	1
Sherwood Rd/Rte 2	2
Spring Lane/Kensington	2
St Peters Rd/Angus	2
St Peters Rd/Brows	1
St Peters Rd/Gordon	1
St Peters Rd/MacWilliams	9
St Peters Rd/St Pius X	1
Summer St	1

University Ave/Belvedere	12
University Ave/Browns	7
University Ave/Buchanan	1
University Ave/Douglas	1
University Ave/Enman	7
University Ave/Eden	1
University Ave/MacKinnon	1
University Ave/Nassau	1
University Ave/Pond	1
University Ave/Reserve	1
Upton Rd	3
Walthen Dr	1
Water St Pkwy	7
Water St/Queen	3
Weymouth St/Fitzroy	1
Weymouth St/Kent	1

## HIGHWAY TRAFFIC ACT – SPEED MONITORING

Police vehicles are equipped with radar monitoring devices, which provide speed monitoring capabilities in both stationary and moving operational modes from both marked and unmarked police vehicles. These capabilities provide monitoring to be at random and targeted locations.

The following is a synopsis of vehicles found in violation of speeding regulations for the month of May 2019.

Allen St	2
Arterial Hwy/Oak	10
Brackley Point Rd/MacAleer	2
Brackley Point Rd/Sherwood	4
East Royalty Rd/St Peters	1
Fourth St	11
Longworth Ave/Birchwood	1
Lower Malpeque Rd/Gates	1
Lower Malpeque Rd/Highfield	6
Lower Malpeque Rd/Westway	3
Mount Edward Rd/Hillside	1
Mount Edward Rd/Pine	1
North River Rd/Belvedere	1
North River Rd/Inkerman	3
North River Rd/McGill	1
Pine Dr/Maple	2
Riverside Dr/Park	2
St Peters Rd/MacRae	1
St Peters Rd/MacWilliams	3

St Peters Rd/Northridge	2
University Ave/Belvedere	3
University Ave/Browns	2
University Ave./Enman Cres.	5
University Ave/McKinnon	12
Upton Rd	7

**CHARLOTTETOWN POLICE DEPARTMENT**  
**BY-LAW ENFORCEMENT**  
*Monthly Report May 2019*

**Phone Call Breakdown**

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	68	94	162
Nuisance	16	29	45
Zoning & Development	18	50	68
Traffic	13	63	76
Snow Related	0	68	68
Street Vendors	33	104	137
Other Bylaws (Crossing Guards, Etc)	18	52	70
<b>TOTAL</b>	<b>166</b>	<b>460</b>	<b>626</b>

**Taxi Bylaw Breakdown**

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	4	14	14
Taxi Inspections	6	10	10
<b>Total</b>	<b>10</b>	<b>99</b>	<b>99</b>

**Breakdown of Duties**

	Week 1 May 1 <sup>st</sup> - 3 <sup>rd</sup>	Week 2 May 6 <sup>th</sup> -10 <sup>th</sup>	Week 3 May 13 <sup>th</sup> - 17 <sup>th</sup>	Week 4 May 20 <sup>th</sup> - 24 <sup>th</sup>	Week 5 May 27 <sup>th</sup> - 31 <sup>st</sup>	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	4	8	9	10	10	41	109	150
Files CONCLUDED	6	8	8	9	6	37	97	124
Site Visits	5	13	9	9	11	47	136	183
SOT's sworn	0	0	49	0	0	49	1671	1903
Towed Vehicles	0	0	0	0	0	0	17	17
Paid Summons	0	0	0	0	0	0	\$7472	\$7472
Information's Signed	0	0	188	0	0	188	1387	1575
Crossing Guard Duties	0	0	6	2	0	8	8	16
Bylaw/Parking Tickets	0	0	0	0	0	0	12	12

**Quick Look At This Month:**

- This month there was a total of 166 calls received/made through the Bylaw Enforcement Office for May
- There were 41 Occurrences generated as a results of complaints.
- There were 47 site visits/follow-ups made in May
- There are no "Resolutions To Council" this month.
- There was one (1) "Written Warning" in May.
- The majority of time spent for May was for Unsightly Premises (garbage) from the winter months.

Cst Todd Sutcliffe \_\_\_\_\_

Date: June 10th , 2019



**WATER AND SEWER UTILITY COMMITTEE  
REPORT TO COUNCIL  
JUNE 10, 2019**

The Water and Sewer Utility Committee met on May 27, 2019 and the minutes are included in your package.

There is 1 resolution for your consideration.

Respectfully submitted,

Deputy Mayor Jason Coady, Chair

**Water & Sewer Utility Committee**  
**Monday, May 27, 2019**  
**4:00 PM – Parkdale Room**

**Present:**

Deputy Mayor Jason Coady, Chair  
Councillor Julie McCabe, Vice-Chair  
Councillor Bob Doiron, Member at Large  
Mayor Philip Brown, Member at Large  
Richard MacEwen, UM  
Pauline Gass, OC

**Regrets:** Councillor Mitchell Tweel, Member at Large  
Peter Kelly, CAO

**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 Councillor Bob Doiron that the minutes from April 12, 2019 be approved.

**5) Business arising from Minutes**

None

**6) Reports**

a) The UM presented a report blueW.org Partnership. This project promotes the public & commercial sources where people can go to fill their reusable water bottles with clean drinking water. The cost that we would incur would be \$1,625 which is half the total cost. The Committee was supportive of the initiative.

b) The UM said the Suffolk Wellfield Expansion is a CWWF project and is in the final phase for this work. We tendered three times to try and achieve good pricing for this phase.

It was moved by Mayor Philip Brown and seconded by Councillor Bob Doiron to send a resolution to Council to award the work.



**DRAFT**

- 7)** Motion to move into closed session, as per section 119 (1) sub-section (e) of the PEI Municipal Government Act;
- 8)** Motion to move into open session;
- 9)** Adjournment of Public Session



# CITY OF CHARLOTTETOWN

## RESOLUTION

Water & Sewer#1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Deputy Mayor \_\_\_\_\_ Jason Coady

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

That Island Coastal Services be awarded the tender for the Suffolk Wellfield Wellheads and Piping Expansion in the amount of \$894,700.00 (HST included), and

That the Utility's 2019-2020 Capital Budget be increased by \$500,000, to reflect the carry-over of the previously approved budgets for this CWWF funded project, and

That Coles Associates complete the engineering project oversight in the amount of \$51,750 (HST included),

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



# CHARLOTTETOWN

Report No: WSC 5-19

Date: April 12, 2019

**Directed to:** Utility Chair & Committee

**Department:** Utility

**Prepared by:** Richard MacEwen, Utility Manager

**Attachments:**

- Coles recommendation
- Funding Review
- Engineering Costs

**Subject:** Winter River Upgrades – Suffolk Wellfield Expansion

**Recommendation:**

Accept the tender for the Suffolk wellfield expansion.

**Report:**

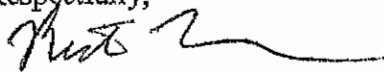
A tender was issued for the construction of a new well at the Suffolk Wellfield. The bid was reviewed by Coles and Associates and they recommend acceptance of the bid from Island Coast Services.

**Tenders Received:**

Contractor	Value (HST included)
Island Coastal Services	\$894,700.00

This project has been adjusted three times in an attempt to have the scope meet the available funded budget. The current scope is the completion of one additional well as Suffolk. There are funds for this project under the CWWF agreement. The annual budget value was however, underestimated. There is a need to increase the budget by \$500,000 to cover the construction and engineering oversight costs of approximately \$51,750.00.

Respectfully,



**Reviewed By:**

CAO					Mgr	Other
-----	--	--	--	--	-----	-------

**Recommendations/Actions:**

# COLES

Architecture + Engineering + Project Management

85 Fitzroy Street  
PO Box 695  
Charlottetown, PE  
C1A 1R6

Tel (902) 368-2300  
Fax (902) 568-3768  
[www.colesassociates.com](http://www.colesassociates.com)  
Email: [info@colesassociates.com](mailto:info@colesassociates.com)

File #161070-Phase 5

Via Email

17 May 2019

City of Charlottetown  
P.O. Box 98, 199 Queen Street  
Charlottetown, PE C1A 7K2  
Email: [macewen@charlottetown.ca](mailto:macewen@charlottetown.ca)

Attention: Mr. Richard MacEwen, FEC, P.Eng., Manager

Dear Mr. MacEwen:

Re: Winter River Wellfields Upgrades – Phase 5: Suffolk Wellfield Wellheads & Piping Expansion

The tender submissions for the above project were received on Friday, May 3, 2019, and are summarized as follows:

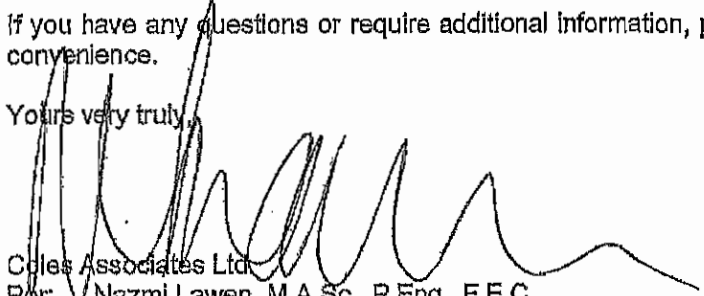
	Contractor	Total Price (Including HST)	HST Included in Tender Price
1	Island Coastal Services Ltd.	\$894,700.00	\$116,700.00

Please be advised that we have reviewed the tender bid of Island Coastal Services Ltd., and find it to be fair and reasonable, and therefore recommend that the above work be awarded to Island Coastal Services Ltd. for the tendered amount.

Please advise once a decision is made to proceed with awarding the contract, and we will prepare the necessary contract documentation required for this Phase of the Project.

If you have any questions or require additional information, please contact the undersigned at your convenience.

Yours very truly,

  
Coles Associates Ltd.  
Per: Nazmi Lawen, M.A.Sc., P.Eng., F.E.C.

NL/Inm



85 Fitzroy Street  
 PO Box 695  
 Charlottetown, PE  
 C1A 7L3

Tel (902) 368-2300  
 Fax (902) 566-3768  
 Email: [colesmail@cattech.ca](mailto:colesmail@cattech.ca)  
[www.colesassociates.com](http://www.colesassociates.com)

May 22, 2019

**VIA EMAIL: [rmacewen@charlottetown.ca](mailto:rmacewen@charlottetown.ca)**

City of Charlottetown  
 PO Box 98, 199 Queen Street  
 Charlottetown, Prince Edward Island  
 Canada, C1A 7K2  
 Office: 902-629-4014  
 Fax: 902-894-7094

**Attention: Mr. Richard MacEwen, P.Eng, Manager,**

Dear Mr. MacEwen:

**Re: Fee Proposal for Engineering Services – Phase 5 - Suffolk Wellfield Wellheads and Piping Expansion**

We appreciate the opportunity to provide you with our fee proposal for engineering services regarding Phase 5 of the Suffolk Wellfield.

The engineering services provided on this phase of the project include the preparation of the design documents for two new water wells, including wellheads, piping, valving, controls, electrical, instrumentations, connection to existing systems, site work and all associated work for a fully operation system. This will also include services during the tendering stage, and project management / Contract Administration during the construction phase.

ITEM	DESCRIPTION	FEES (Exl. Taxes)	
Project Management	Coles Associates	\$3,000.00	
Detailed Design Services & Tendering	Coles Associates	\$8,000.00	
<b>Sub-Total:</b>			<b>\$11,500.00</b>
SCADA, Controls, PLC, Programing, Training and Commissioning	Trilehedral Engineering Ltd.	\$10,000.00	
Contract Administration & General Review during Construction including Shop Drawings and As-builts, Substantial completion /Contract Close Out	Coles Associates	\$5,500.00	
			<b>\$15,500.00</b>

Page 2 of 2

May 23, 2019

VIA EMAIL: rmacewen@charlottetown.ca

City of Charlottetown, Water

Attention: Mr. Richard MacEwen, P.Eng, Manager

Re: Fee Proposal Engineering Services -- Phase 5 Suffolk Wellfield

Resident Engineering (based on 25 days)	Coles	\$17,500.00	\$17,500.00
<b>Total:</b>			<b>\$45,000.00</b>

Expenses including phone, fax, courier, travel, reproduction of documents for client's use and/or tender purposes all related to the production of the projects are included in the above fees. Legal Boundary Survey services are not included.

If required, specific services provided during this phase of the project will include on-site inspections, reporting and quality assurance of the construction during the construction periods. Daily rate for full time inspection is \$700.

We will invoice our time on the basis of the portion of the work tasks completed. Any additional work that may arise as a result of increases to the scope will be invoiced on an hourly basis as incurred and expenses shall be charged at cost. All out-of-pocket costs for third party equipment, testing or services are not included in our fees. All applicable taxes are extra. Overdue accounts will be subject to an interest amount of 2% per month.

We appreciate the opportunity to participate in this design work and once again look forward to working with you.

Should you have any questions or require further explanation regarding this proposal, please do not hesitate to call the undersigned at your convenience.

Yours very truly,



Coles Associates Ltd.

Per: Nazmi Lawen, P.Eng.

/nl

Scope of Work	Contractor	Tender Bid Price (excl. Taxes)	HST	Total	Exigible Costs
Suffolk Wellfield Exploration	W/McDonald & Joose	\$200,589.40	\$30,088.41	\$230,677.81	\$220,648.34
Union Station Access Rd & Culverts	Island Coastal	\$471,498.50	\$70,724.78	\$542,223.28	\$518,648.35
Fuel System Upgrades: Suffolk & Mt Edward	GNL	\$68,510.00	\$10,276.50	\$78,786.50	\$75,361.00
A-Suffolk Wellfield Piping	Island Coastal	\$778,000.00	\$116,700.00	\$894,700.00	\$855,800.00
Engineering	Coles	\$100,000.00	\$15,000.00	\$115,000.00	\$110,000.00
Total		\$1,618,597.90	\$242,789.69	\$1,861,387.59	\$1,780,457.69
Funding				\$1,760,000.00	\$20,457.69
Difference					
				Budget Available	\$500,000.00
				Budget Needed	\$965,800.00
				Difference	\$465,800.00
				Request	\$500,000.00



**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE  
REPORT TO COUNCIL  
June 10<sup>th</sup>, 2019**

The Public Works & Urban Beautification Committee met on Wednesday, May 22<sup>nd</sup>, 2019, with draft minutes included in the Regular Monthly Council package.

Four resolutions are anticipated to be forwarded.

Respectfully submitted,

Councillor Mike Duffy, Chair



## **PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE**

**Wednesday, May 22<sup>nd</sup>, 2019**

**12:15PM Parkdale Room, City Hall**

**Present:** Mayor Philip Brown  
Councillor Mike Duffy, Chair  
Councillor Alana Jankov  
Councillor Mitchell Tweel  
Councillor Terry MacLeod  
Peter Kelly, CAO  
Scott Adams, MPW  
Wallace Higgins, AA

### **CALL TO ORDER**

Chair Duffy called the meeting to order at approximately 12:13PM. Moved by Councillor Tweel and seconded by Councillor MacLeod.

### **DECLARATIONS OF CONFLICT OF INTEREST**

No declarations of conflict.

### **APPROVAL OF AGENDA**

The agenda was approved by Councillor MacLeod and seconded by Councillor Tweel.

### **ADOPTION OF MINUTES**

It was moved by Councillor MacLeod and seconded Councillor Tweel that the minutes from May 2<sup>nd</sup>, 2019, meetings be approved.

### **BUSINESS ARISING FROM THE MINUTES**

Mayor Brown inquired if Storm Sewer Package A tender was discussed at the previous Public Works Committee meeting. The MPW stated that it was for information only, due to the tender closing date being after PWC meeting date. Mayor Brown reminded committee members to ensure following proper tender protocols.

### **STREET RESURFACING PROGRAM**

The Public Works Department recently completed their annual street evaluation program and developed the 2019 street resurfacing program. Attached you will find the list of streets to be resurfaced during the 2019 Construction Season. Please note that Harley St, not on the list, will be resurfaced under a separate contract. The City will also be undertaking a micro-surfacing program. The list of these streets to be micro-surfaced is currently being reviewed.

	Street	From	To	Length (m)
1	Mackay Dr	Palmers Lane	Elizabeth Dr	530
2	Melody Lane	LrMalpeque Dr	Malpeque Rd	615
3	Chestnut St	Queen St	University Ave	290
4	Queen St	Nassau St	Kirkwood Dr	400
5	Heather Ave	Oak Dr	Pope Ave	500
6	Connolly St	Queen St	University Ave	227
7	Russet Dr	Cortland St	Scott St	205
8	Schurman St	Watts Ave	Hillstrom Ave	260
9	Queen St	Kirkwood Dr	Douglas St	635
10	Belvedere Ave	Brackley Pt Rd	Mt.Edward Rd	850
11	Fitzroy st	Prince St	Queen St	285
12	Skyview Dr	Atlantic Rd	North River Rd	385
13	VicCampbell blv	Palmers Lane	Mackay Dr	90
14	Greenfield Ave	Brighton Rd	Green St	351
15	Hillsborough St	Euston St	Kent St	245
16	Cumberland St	Grafton St	End	250
17	Smallwood Cres	Edinburgh Dr	Inkerman Dr	309
18	Watts Ave	McCarville St	Fourth St	480
19	Silverwood Dr	Kenwood Circle	Kenwood Circle	235
20	Cooper Ave	Upper Queen St	Atlantic RD	200
21	Dawson Ct	Upper Queen St	Cul De Sac	265
22	Coles Dr	Brackley Pt Rd	Heather Dr	90
23	EastRoyaltyRd	St.Peters Rd	corner	500
24	Grafton St	Queen St	Prince St	320
25	Kent St	Edward St	Esher St	260
26	Doc Blanchard	new 2004	Queen St	150
27	Pleasant St	Longworth Ave	Euston St	145
28	Belfast St	Edinburgh Dr	Brittany Dr	148
29	Church St	Grafton St	Richmond St	105
30	NorthRidge.pkw	St.Peters Rd	Wescombe cres	400
31	Champion Ct	Longworth Ave	Cul De Sac	105
32	Lower Malpeque Rd	Bell Heights S	Old Moore Crt	390
33	Wedgewood	Gordon Dr	Hemlock St	175
34	Wilmont Lane	Northridge Pkwy	Westridge Cres	100
35	Gordon Dr	St.Peters Rd	Kensigton Rd	415
36	Beach Grove Rd	North River Rd	Kirkaldy	520
37	Strawberry Ln	Garfield St		50
38	Dorchester St	Hillsborough St	Dead End	300
39	Harley St**	Mount Edward Rd	St Peter's Rd	210

\*\* Harley St will be reconstruction under a separate contract to be issued next month.

Councillor Tweel thanked the MPW and recommended Upper Prince St (Gerald to Euston) & Birchwood St. be included in the 2019 street resurfacing list. Chair Duffy informed Councillor Tweel that the 2019 budget includes streets already listed and that this is done by the worst first.

12:20pm Councillor Jankov arrived.

Mayor Brown inquired if Queen St. and the Industrial Park are being resurfaced. The MPW informed the mayor that Queen St. (Kirkwood to Nassau) & two streets in the Industrial Park are scheduled to be resurfaced in 2019.

Councillor Tweel stated that some streets after the completion of the storm sewer separation project were not paved properly and should be inspected.

### **POND ST. REDESIGN**

In 2018, it was identified that Pond St, between University Ave. and Queen St, required upgrades to meet the growing volumes of pedestrians and vehicles who use this street. Pond St is a short cut between 2 major City streets for both vehicles and pedestrians. Currently, the street has no sidewalks and is not well defined as there are no barriers, such as concrete curb, to limit street access from neighbouring properties. The Public Works department recently hired an engineering consultant to determine if there was sufficient right-of-way to construct a sidewalk and install concrete curb and gutter, to improve both traffic flow and safety for all users. The consultant's report showed that the work can be completed, however will require some approvals from adjacent land owners in order to properly construct the barriers.

It is estimated that the work will cost \$285,000-\$300,000, which includes concrete sidewalk and curb and gutter, upgrades to the storm water management system, and milling and paving the street. The Public Works Department has also begun discussions with Water & Sewer and District Heat, in an effort to cost share the work, and to avoid any construction on this street in the near future.



No.	Description



Date: FEB 2019  
Scale: 1:750

Designed: ALC

Drawn: SEM/TSI

Checked:  

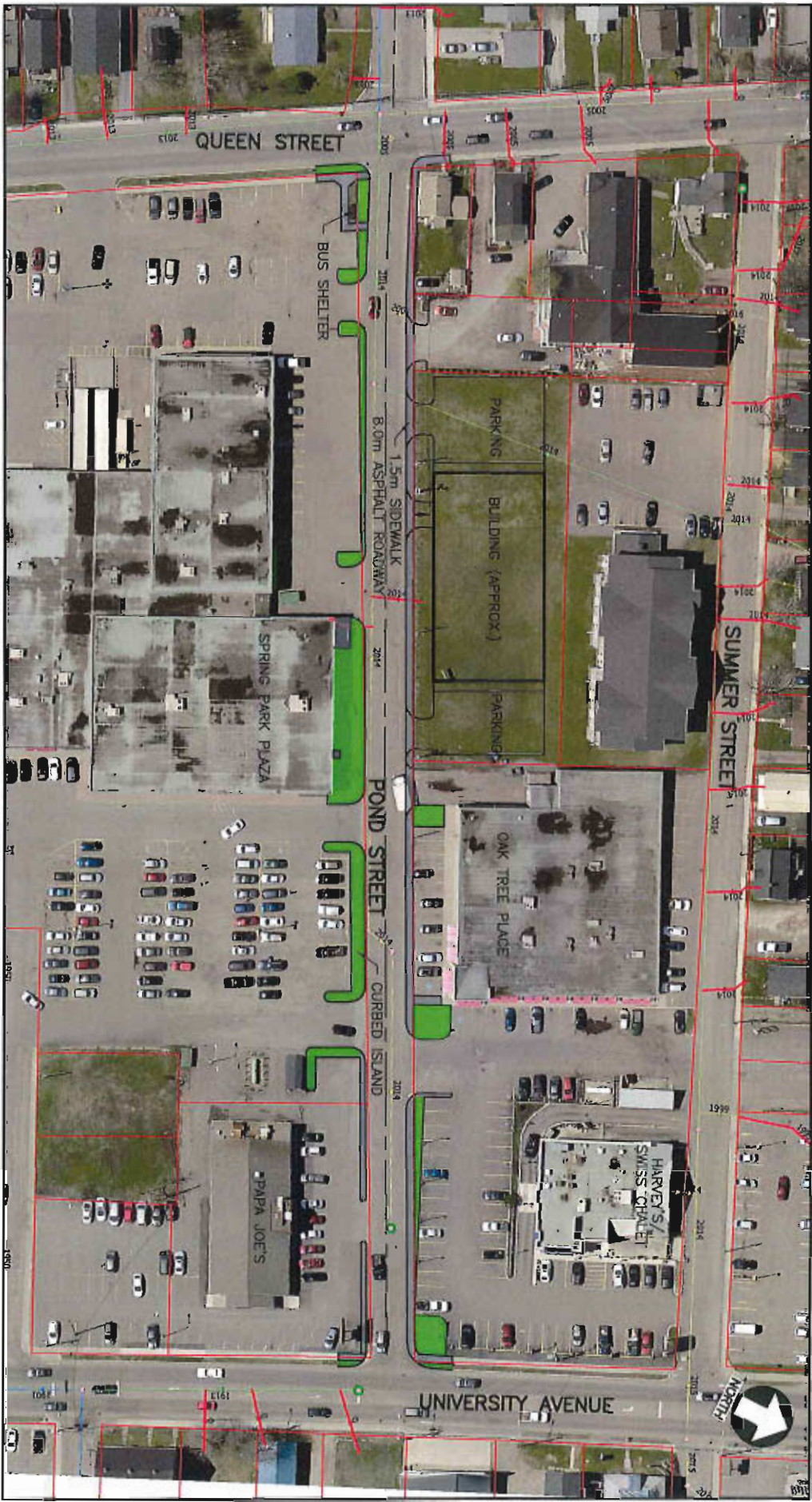
Approved:  

CBCL No.: 192610.00

Contract:  

CITY OF CHARLOTTE TOWN  
POND STREET CONCEPT

SKETCH  
**SK-1**



## DITCH INFILLING

The Public Works Department has carried out an annual ditch infilling program, since amalgamation in 1996. For the 2019 year, it is anticipated that the following streets will be infilled:

Lower Malpeque Rd – Thorndale Ave. to Oldinoore Ct  
Thorndale Ave. – Lower Malpeque Rd to end  
Parent St – MacRae Dr to end  
Hughes Cr – East Royalty Rd to end  
Green Meadow Dr – Fox Run Dr (N) to Fox Run Dr (S)

The following streets have been designed or nearing completion:

Angus Dr - St Peters Rd to Croker St  
Belgrave Dr - Stockman Dr (E) to Stockman Dr (W)  
MacLean Subdivision - Brackley Pt Rd to loop  
Moore Dr - Braemore Av to Loridale Av  
Westhill Dr - Kirkdale Rd to Braemore Av  
Ellen's Creek Dr - Scott St to dead-end  
Shamrock Ct - Shamrock Dr to end  
Centennial Dr - Mt Edward Rd to Maple Av  
Parkview Dr - Belvedere Av to Elizabeth St  
Elizabeth St - MacKay Dr to Parkview Dr

A large number of streets have been infilled since 1996, however, there still remains approximately 12.5 km of residential and 1.5 km of commercial ditches to be infilled, which is anticipated to cost between \$11.5 to \$15.5 million dollars to complete. Please note that the number of roads is preliminary and that we are currently doubling checking our street network to confirm.

With ditch infill comes a number of challenges that Public Works' staff deal with on an annual basis caused by ditch infilling. Some of the problems include:

- a) Infilling in areas where the home's top of foundation is lower than the center line of the road. Infilling these ditching has not eliminated ditches, instead making them only less shallower than before, sometime causing pooling in front yards during large rainfall events, cause water to push closer to home than before.
- b) With the infilling of ditch, ground water is not able to escape as quickly from a property as it has before, leaving lawns wet for longer periods time.
- c) Since infilling requires shallow swales to direct water to catch basins, crews are having to do more frequent law repairs to remediate areas that have settled naturally over the course of year. Without these repairs, water will tend to pool until the water reaches a certain level or dissipates naturally. We receive a number of calls and complaints about this issue each year.
- d) Storm water now has very few access points (catch basin) to enter the storm system. As such, water may find alternate paths towards homes, or pool on lawns until it reaches a catch basin.

e) Piping all this water away does not allow for the natural dissipation of water that is needed to recharge underground aquifers and keep soils and lawn healthy. Instead, pipe large quantities to local streams is beginning to result in soil erosion and damage to these natural habitats.

Based on the above information, the manager of Public Works recommend to the Public Works Committee to approve that any future infilling of only ditches that requires infilling due to safety for the public or necessary to complete other work such as installation of a sidewalk or pathway, as determined by the Manager of Public Works. It is recommend that money allotted for this work is better suited to be allocated to the repair and upgrades of existing infrastructure in the city.

The Public Works Committee is recommending to complete the ditch infilling on streets that have already been design in 2018/2019, during the 2019, 2020 & 2021 construction season, based the available capital budget; and that all remaining ditches shall not be designed for and infilled by the City, unless deemed a safety concern or necessary for the completion of other work, such as sidewalk installation, as approved by the Manager of Public Works. Residents will still be permitted to infill ditches along their property frontage, at their own expense, with the approval from the Public Works Department.

Councillor Tweel inquired if ditch infilling has an impact on the environment? If water is not being replenished and is flowing into the harbor. Is this compromising the water table? The MPW noted that this is not his area of expertise but can have the matter reviewed.

Chair Duffy stated that the City has spent approximately 34 million dollars on ditch infilling. Councillor Tweel requested a report on ditch infilling and its' impact on the environment. Mayor Brown suggested contacting the watershed groups. Chair Duffy suggested the PWC schedule a meeting before forwarding a recommendation to council.

#### **PUBLIC WORKS OPERATION UPDATE**

The Public Works Department is now into the full swing of summer operations. The majority of Public Works staff work from 7am-3pm. In recent weeks a few members of the Public Works team have been on training for various topics such as asphalt paving, fleet management and winter operations.

Major operational items currently underway:

- a. Winter plow damage cleanup. Staff have noticed that the amount of repair work is substantially lower than in past years. This is due to a colder winter, which kept the ground frozen and less susceptible to damage.
- b. Sidewalk repairs/replacement on streets to be resurfaced
- c. Catch basin repairs on streets to be resurfaced
- d. Concrete renewal on streets to be resurfaced
- e. Cleaning up dirt and debris from the winter months. Management have been using a number of mechanical sweeping machines that compared to previous years that is allowing for the streets and sidewalks to be cleaned quicker. Manual sweepers are being moved around the city to work alongside the mechanical sweepers to clean out around street poles and hard to reach areas.

f. Line paint crews have completed all the sidewalks in school zones and are now working on pre-marking streets for the provincial line painting machine scheduled to arrive early next month. Crew will then work on refreshing lines at major intersection and all remaining crosswalks.

#### Seasonal Staff Levels

Week Ending	2018	2019
May 11/12	126	133
May 18	133	163

Please note that the increase in staffing levels from 2018 to 2019 are due to an earlier start to summer operations. As such, Public Works will see a reduction in staffing level earlier in the fall months than in previous years.

Mayor Brown requested a budget total for winter operations and inquired to the efficiency of the winter schedule shift work.

Mayor Brown asked if staff will be picking up garbage throughout the city? The CAO stated staff will review.

Councillor Tweel requested traffic painting in the vicinity of parks be made a priority, and for staff to schedule the mechanical street sweeper on University Ave. Chair Duffy reminded Councillor Tweel that these topics fall under operational.

#### TENDERS

1) RFQ – 2019 Fleet – Closing on May 22, 2019. A resolution will be brought forward at the next council meeting Please note, the tender was original posted and closed on April 30. Due to an error in the specifications, Finance cancelled the RFQ and re-issued with the corrected specifications. The tender includes 1 x ½ ton truck and 2 x ¾ t trucks for Public Works, 2 x ½ ton trucks and 1 x ¾ ton truck for Parks & Rec and 2 x ½ ton trucks and 1 full size police car for the Police department.

2) RFQ – 2019 Garbage Removal for all Municipal Building – Closing on May 23, 2019. A resolution will be brought forward at the next council meeting.

3) Tender – 2019 Storm Sewer Package B – Closing on May 28, 2019. Work will be completed on Parent St, Hughes Cr and Green Meadow Dr. A resolution will be brought forward at the next council meeting.

4) Tender – 2019 Street Resurfacing - Closing on May 30, 2019. A resolution will be brought forward at the next council meeting. Please note there is only one paving tender this year.

#### INTRODUCTION OF NEW BUSINESS

Nil

**MOTION TO MOVE INTO CLOSED SESSION**

Moved by Councillor and Seconded by Councillor Jankov to go into closed session, as per section 119. (1) Sub-section (e) of the Prince Edward Island Municipal Government Act. Motion Carried. (at approximately 12:50pm).

**MOTION TO ADJOURN**

Moved by Councillor Tweel and Seconded by

The meeting adjourned at approximately 1:00PM

*The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Wednesday, June 26<sup>th</sup>, 2019, at City Hall.*

- end -

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Councillor M. Duffy, Chair

DRAFT





# CITY OF CHARLOTTETOWN

## RESOLUTION

Public Works #1

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Mike Duffy

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

That as per the conditions of the Tender for “2019 Storm Sewer Package B”, the low submission of Island Coastal Ltd. in the amount of \$716,133.75 (taxes included) be accepted, and

That this expenditure has been previously approved in the 2019-20 Capital budget,

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

- Tender was publicly advertised, closing May 28, 2019
- It is a unit price bid extended to anticipated quantities; final value may vary
- Work will be at 3 sites:
  - Green Meadow Dr – both sides, Fox Run Dr (N) to Fox Run Dr (S) [~480m]
  - Hughes Ct – both sides, East Royalty Rd to end [~300m]
  - Parent St – both sides, MacRae Dr to end [~920m]
- 3 submissions were received as follows:

Island Coastal	\$ 716,133.75	all taxes included
Birt & MacKay	\$ 727,699.85	all taxes included
Earthform	\$ 793,500.00	all taxes included
- Engineering design consultants CBCL have reviewed the submissions and have no concerns with award to the low submission
- There will be costs incurred to CBCL for Project Management of this work at previously bid administrative costs and a set weekly inspection rate dependent on contractor time to complete



# CITY OF CHARLOTTETOWN

## RESOLUTION

Public Works #2

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Mike Duffy

Seconded by Councillor \_\_\_\_\_ Terry Bernard

**RESOLVED:**

**That, per the publicly advertised Request for Quotes for “Pick up and Disposal of Compost, Recyclables, and Waste for Municipal Buildings”, the submission of Label Construction Ltd. in the amount of \$3,389.05/month (all taxes included) be accepted.**

- Quote was publicly advertised, closing Thursday May 23, 2019
- 2 submissions was received as follows:

Label Construction Ltd.	\$3,389.05/month (taxes included)
Superior Sanitation	\$3,738.17/month (taxes included)

- The Contract will be in effect for 1 year and may be extended by an additional year if mutually agreed to by both parties.
- The contractor has been awarded this work for the past few years. The City has no issues with the services provided.



# CITY OF CHARLOTTETOWN

## RESOLUTION

Public Works #3

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Mike Duffy

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

**That, as per the conditions of the Tender for “Street Resurfacing” for the 2019 season, the submission of The Island Construction Ltd. in the amount of \$1,939,705.63 (all taxes included) be accepted.**

**This expenditure has been previously approved in the 2019 operational budget.**

**The Mayor and CAO are hereby authorized to execute any standard contracts/agreements to implement this resolution.**

- Tender was publically advertised, closing May 30, 2019.
- 2 submissions were received as follows:
  - Island Construction Ltd.   \$ 1,939,705.63 all taxes included
  - Chapman Brothers Ltd.   \$ 1,973,126.30 all taxes included
- It is a unit price bid extended to anticipated quantities
- City staff have reviewed the submissions and have no concerns with award to the low submission



# CITY OF CHARLOTTETOWN

## RESOLUTION

Public Works #4

MOTION CARRIED \_\_\_\_\_

MOTION LOST \_\_\_\_\_

Date: June 10, 2019

Moved by Councillor \_\_\_\_\_ Mike Duffy

Seconded by Councillor \_\_\_\_\_ Terry Bernard

### RESOLVED:

That, as per the conditions of the Request for Quotations on “2019 Tree Maintenance Program”, the price for Boom Truck Rental with Operator of \$166.75 (all taxes included) per hour, and the price for Stump Grinding of \$224.25 (all taxes included) per stump, received from Branch Manager Tree Service be accepted.

This expenditure has been previously approved in the 2019 operational budget.

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

- Quote was publically advertised, closing Friday May 1, 2019
- The work will include pruning and full tree removal that is beyond City staff abilities.
- 1 submission was received as follows:

	Boom truck w/ Operator	Stump Grinding
Branch Manager Tree Service	\$166.75/hr	\$224.25/stump

- The Department has worked with the vendor in the past and anticipates no issues.





**ECONOMIC DEVELOPMENT, TOURSIM & EVENTS MANAGMENT  
COMMITTEE  
REPORT TO COUNCIL  
JUNE 10, 2019**

The Economic Development, Tourism & Events Management Committee met May 15<sup>th</sup> and the open draft minutes are included in your package.

There are no resolution for your consideration.

Respectfully submitted,

Councillor Kevin Ramsay, Chair

**Economic Development, Tourism & Events Management  
Committee Meeting  
Wednesday, May 15, 2019  
11:30 AM - Parkdale Room**

**Present:**      **Chair, Councillor Kevin Ramsay**                      **Mayor Philip Brown**  
                    **Councillor Terry MacLeod**                                      **Councillor Bob Doiron**  
                    **Peter Kelly, CAO**    **Wayne Long, EDO**  
                    **Ron Atkinson, EconDO**    **Laurel Lea, TO**  
                    **Alex Forbes, MP&H**    **Jill Stewart, EA**

**Councillor Bob Doiron joined the meeting at 12:15pm**

**1. Call to Order**

Chair Councillor Kevin Ramsay called the meeting to order at 11:30AM

**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 Mayor Brown that the agenda be approved as circulated.

**4. Adoption of Minutes**

It was moved by Mayor Brown and seconded by Councillor MacLeod that the minutes from May 9, 2019 be approved as circulated. Carried.

**5. Business arising from minutes**

There was no business arising from the minutes.

**6. Reports/Discussions**

**a. Economic Development Update**

The EconDO provided an update to the Committee on recent activities. Ron is preparing for a meeting and presentation to a group of media from G20 countries on an Atlantic Canada Tour this coming week. Ron participated in a workshop on site certification for potential investors which may lead to a regional pre-certification process for approved sites as part of the Atlantic Growth Strategy. The EconDo reviewed meetings with met with prospective newcomer companies hoping to establish in Charlottetown including an import/export business. Ron reported that he will be in Toronto next week along with Innovation PEI at a large IT

conference. Ron gave an overview of a new computer game business moving to Charlottetown.

**b. Tourism Update**

Laurel Lea, TO, provided the Committee with a departmental update. The TO recently attended the Saltscapes Expo with Discover Charlottetown to help promote the destination and its tourism offerings to regional travellers. The Tourism Department has been diligently working to put all programming for Canada Day in place with an announcement scheduled for later this month. Programming will once again take place in Victoria Park and will run from Noon - 10PM. The Department is also consulting with participating Departments on Natal Day activities and will communicate back to the Committee once a plan is in place. Work is also underway on the Victoria Park Sunset Series which will take place August 28-31 and on the Ashibetsu Student Exchange which will take place October 17-24.

The TO will be attending the 2019 FCM Annual Conference and Trade Show in Quebec City as a part of the City's Trade Show booth.

**c. Event Management Update**

Wayne Long, EDO, provided the Committee with a departmental update. He highlighted that it's been a busy time with event hosting, most recently with the Event Atlantic Summit and East Coast Music Awards. The Event Management file continues to be steady with prospecting and bidding.

The EDO joined the TO and Discover Charlottetown at the Saltscapes Expo in Halifax. Councillor Jankov and the EDO will be travelling to Forest City, North Carolina later this week as part of our Municipal Partnership. Councillor Ramsay and the EDO will be in Halifax during the Memorial Cup for event attraction and festival & event strategy meetings. The EDO will also be travelling to Quebec City for the 2019 FCM Annual Conference and Trade Show to take part in the City's Trade Show booth.

The EDO has been working closely with an internal committee with respect to identifying the City's 2023 Canada Games infrastructure "wish list".

The Committee was made aware that a presentation was pending with respect to Birthplace of Confederation branding. They were also made aware that the City recently received funding approval and the funding

agreement from ACOA with respect to the 2020 World Under-17 Hockey Challenge.

The EDO notified the Committee that work has commenced on new sport tourism video assets that will serve as another tool within the event attraction file. The SCORE sport tourism website is currently being redeveloped through a partnership with Discover Charlottetown.

**d. Municipal Partnerships**

The EDO provided an update on Municipal Partnerships to the committee for information sharing purposes.

As the Committee is aware, the City of Charlottetown currently has Municipal Partnerships with four municipalities: Ashibetsu, Japan; Quebec City, Quebec; Forest City, North Carolina; and Shediac, New Brunswick.

Discussions are ongoing with all four municipalities with respect to continued relations and upcoming partner activities.

The Tourism Officer is working directly with her contacts in Ashibetsu with respect to planning to welcome a group of Japanese students to Charlottetown once again this fall.

The EDO continues to remain in close contact with his colleagues in Quebec. He and the Mayor will be meeting with Quebec officials during their upcoming visit to the city during FCM. The focus will be around the new Charlottetown garden and relocation of the statue gifted to Quebec by Charlottetown during the 2014 celebrations.

The EDO will also be travelling to Forest City, along with Councillor Jankov and an emerging Charlottetown musician, to participate in the grand opening of their new outdoor amphitheatre which will feature a number of celebrations. There will also be performances at businesses about town, and interaction with respect to cultural best practices as part of the partnership.

The EDO has been working closely with Shediac with respect to the sharing of best practices around tourism initiatives during the summer months and is also in the process of aligning a best practice session between Shediac's port and Port Charlottetown.

**7. 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 Councillor MacLeod and seconded by Mayor Brown. Carried.

**8. Introduction of New Business**

There was no new business.

**9. Motion to adjourn**

It was moved by Mayor Brown and seconded by Councillor MacLeod that the meeting be adjourned. Carried.

**Adjourned 1:30 PM**

DRAFT



**ENVIRONMENT & SUSTAINABILITY COMMITTEE  
REPORT TO COUNCIL  
JUNE 10, 2019**

The Environment & Sustainability Committee met on May 13 & 28, 2019 and the Food Council met on May 21, 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**

**Monday, May 13, 2019**

**4:30 PM – Parkdale Room, City Hall**

**PRESENT:** Councillor Terry MacLeod, Chair  
Deputy Mayor Jason Coady, Vice-Chair  
Councillor Kevin Ramsay  
Mayor Philip Brown  
Peter Kelly, CAO

**ALSO:** Ramona Doyle, SO  
Jess Brown, SOC  
Cindy MacMillan, AA

**REGRETS:** N/A

**1) Call to Order**

The meeting was called to order at 4:35 pm by Chair MacLeod.

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**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) Discussions/Reports**

**a. 2019 Micro-grant Recipients**

Jess Brown, SOC, presented the report to the Committee. There were 21 applications received this year. The approved budget was \$15,000 from Environment & Sustainability and \$5,000 from Water & Sewer for water-related projects.

The Micro-grant Committee recommended that funding be provided to ten projects totaling \$19,500. Ramona Doyle, SO, did note that some of the projects were eligible for funding through the Department of Agriculture and that these funds would be accessed to offset some of the micro-grant funding on two of the applications.

It was moved by Mayor Brown and seconded by Councillor Ramsay that a resolution be forwarded to Council to approve the successful applicants as selected by the Micro-grant Selection Committee. Carried.

**5) Adjournment**

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

**The meeting adjourned at 4:50 PM.**





City of  
Charlottetown

Report No: E&S 19-32

Date:  
May 07, 2019

**Directed to:**  
Chairman T. MacLeod, Members of the E&S Committee

**Attachments:**  
• Descriptions of 2019 Micro-grant Recipients

**Department:** Environment & Sustainability Committee

**Prepared by:** Jessica Brown, Sustainability Outreach  
Coordinator

**Subject:** 2018 Micro-grant Recipients

**RECOMMENDATION:**

**That the Committee review and approve the 2019 micro-grants from the micro-grant selection committee.**

The 2019 Micro-Grant Selection Committee was composed of the following members:

- Robert Zilke, Planner, Planning Department
- Frank Quinn, Manager, Parks & Recreation Department
- Ron Atkinson, Economic Development Officer
- Scott Adams, Manager, Public Works Department
- Wayne Long, Events Development Officer
- Laurel Lea, Tourism Officer
- Mark Sandiford, Representative of the Arts Advisory Board
- Jacqui Scaman, Sustainability Outreach Assistant
- Ramona Doyle, Sustainability Officer
- Karen Murchison, Co-Chair, Charlottetown Food Council
- Jessica Brown, Sustainability Outreach Coordinator

Twenty-one applications were received in 2019. The approved budget was \$15,000 from the Environment & Sustainability budget and \$5,000 from the Water & Sewer budget for water-related projects.

The Micro-grant Selection Committee recommends that grants be awarded to the following projects at a total cost of \$19,500.00 :

\*See table on following page

Project Name	Organization	Budget Request	Micro-grant Award	Funding Source
Community Move & Groove	Groove PEI	\$2,500.00	\$2,500.00	E&S
Sustainable Gardening and Eating Local	West Kent Elementary School	\$2,500.00	\$1,500.00	E&S/W&S
Charlottetown Rural Tree Nursery and Orchard	Charlottetown Rural High School	\$2,500.00	\$1,500.00	E&S/W&S
Disco Soup	Fusion Charlottetown	\$2,500.00	\$2,500.00	E&S
Radon Detector Library Loan Pilot Program	PEI Lung Association	\$2,500.00	\$1,000.00	E&S
Veg on the Block	Veg PEI	\$2,500.00	\$2,500.00	E&S
A Rain Garden in Every Yard	Ellens Creek Watershed Group	\$500.00	\$500.00	W&S
Peoples Ping Pong Project	Nine Yards Studio	\$2,500.00	\$2,500.00	E&S
WinterLove PEI: 2020 and beyond!	Winter Love PEI	\$2,500.00	\$2,500.00	E&S
Ecological Health of Charlottetown Ponds 2019	Holland College	\$2,500.00	\$2,500.00	W&S

Respectfully,

\_\_\_\_\_

**Reviewed By:**

CAO	Manager	Other				
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**RECOMMENDATIONS/ACTIONS:**

**ENVIRONMENT & SUSTAINABILITY COMMITTEE**  
**Tuesday, May 28, 2019**  
**12:15 PM – Parkdale Room, City Hall**

**PRESENT:** Councillor Terry MacLeod, Chair  
Councillor Terry Bernard, Vice-Chair  
Councillor Greg Rivard  
Councillor Julie McCabe  
Mayor Philip Brown  
Peter Kelly, CAO

**ALSO:** Ramona Doyle, SO  
Betty Pryor, SPO  
Cindy MacMillan, AA  
Mike Connolly, Cycle PEI  
Mark Bowlan, Cycle PEI

**REGRETS:** N/A

**1) Call to Order**

The meeting was called to order at approximately 12:00 pm by Chair MacLeod.

**2) Declarations of conflict of interest**

There were no conflicts of interest declared.

**3) Approval of Agenda**

It was moved by Councillor Bernard and seconded by Councillor Rivard that the agenda be approved as circulated. Carried.

**4) Adoption of Minutes**

It was moved by Councillor Rivard and seconded by Councillor Bernard that the minutes from May 1 & 13, 2019 be approved as circulated. Carried.

**5) Discussions/Reports**

**a. Cycling PEI**

Mike Connolly and Mark Bowlan from Cycling PEI joined the Committee for discussions on bike lanes in the city and the involvement of various City departments. Mr. Connolly stressed the importance of safety and the need to coordinate safety efforts. There are many rules that exist that some cyclists are not aware of or not following; hand signals and dismounting at crosswalks are some of these.

Mayor Brown would like to see someone from Cycling PEI submit an application to be part of the taskforce. Cycling PEI said they would share the opportunity with their board and members but couldn't guarantee that someone would participate. Cycling PEI also noted that they are a not-for-profit and while they are willing to provide advice on cycling initiatives, they don't always have the capacity to be actively involved. Cycling PEI said that they could provide more detailed direction to the City if they were given paid contracts on specific projects.

The City thanked Cycling PEI for all their work and support to date.

**Motion to move into closed session**

It was moved by Councillor McCabe and seconded by Councillor Bernard to move into closed session as per section 119 (1) sub section (e) of the PEI Municipal Government Act. Carried.

After the Committee completed the closed portion of the meeting, they resumed the open agenda.

**b. East Royalty Pilot Project**

Ramona Doyle, SO, provided the Committee an update on the East Royalty Pilot Project following the information sessions that were held on May 17 & 18. Based on the feedback received the pilot will run Monday-Friday with service during the day and during the AM/PM peak times to accommodate a variety of potential transit users and take passengers to the Charlottetown Mall stop and downtown stop. The pilot will begin on June 3 and run for up to six months.

Bus stop signs with schedules will be located along the pilot route, the route information will be on the T3 website and paper schedules will be developed to distribute to residents of the area.

T3 will track ridership each day during the pilot and updates will be provided to the Environment & Sustainability Committee.

**c. Water Restrictions and Promotions**

Betty Pryor, SPO, provided the Committee with information on the 2019 water restrictions and promotions. Restrictions will be in place from June 1 to September 30.

During this time the 4'x8' "Use Water Wisely" signs will be placed on University Avenue north of Belvedere Avenue and on Mount Edward Road across from Ardgowan. A new "Use Water Wisely" design was created last year and was used on one transit bus and at a number of bus shelters. This year, there will be a sign on a bus back for eight (8) weeks and six (6) shelter posters for four (4) weeks each. The intent is to have the posters installed the last two weeks of July and first two weeks of August.

Ads will be placed in "The Buzz" for June to September inclusive. June and September will be on the water restrictions whereas July and August will be "Use Water Wisely" promotion. There will also be promotion via social media both through the City and through BeWaterFriendly.

**6) Introduction of New Business**

There was no new business to discuss.

**7) Adjournment**

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

**The meeting adjourned at 1:30 PM.**



# City of Charlottetown

Report No: E&S 19-34

Date:  
May 27, 2019

**Directed to:**  
Chairman T. MacLeod, Members of the E&S Committee

**Attachments:**

**Department:** Environment & Sustainability Committee

**Prepared by:** Ramona Doyle, Sustainability Officer

**Subject:** East Royalty Transit Pilot

**RECOMMENDATION:** Information Only

The City held two information sessions for residents of East Royalty on the upcoming transit pilot on May 17 and May 18. In total 36 residents attended to find out more and to provide feedback and ask questions about the transit system.

Based on the feedback received the pilot will run Monday-Friday with service during the day and at during the AM/PM peak times to accommodate a variety of potential transit users and take passengers to the Charlottetown Mall stop and downtown stop. The pilot will begin on June 3 and run for up to six months.

Bus stop signs with schedules will be located along the pilot route, the route information will be on the T3 website and paper schedules will be developed to distribute to residents of the area.

T3 will track ridership each day during the pilot and updates will be provided to the Environment & Sustainability Committee.

Respectfully,

**Reviewed By:**

CAO

Manager

Other

**RECOMMENDATIONS/ACTIONS:**



City of  
Charlottetown

Report No: E&S 19-33

Date:  
May 23, 2019

Directed to:  
Chairperson Terry MacLeod, Members of the E&S  
Committee

Attachments:  
Section 3.11 Water and Sewer Utility Bylaw

Department: Environment & Sustainability Committee

Prepared by: Betty Pryor

Subject:  
Water Restrictions and Promotion

**RECOMMENDATION:**  
For information purposes only

On September 10, 2012, Council approved an amendment to the *Water & Sewer Utility Bylaw* to include a provision for summer water use restrictions (see attached). These restrictions are in place from June 1 to September 30.

Over the past few years, there have been "Use Water Wisely" 4'x8' signs placed on University Avenue north of Belvedere Avenue and on Mount Edward Road across from Ardgowan. These will be in place for 2019. A new "Use Water Wisely" design was created last year and was used on one transit bus and at a number of bus shelters. This year, there will be a sign on a bus back for eight (8) weeks and six (6) shelter posters for four (4) weeks each. The intent is to have the posters installed the last two weeks of July and first two weeks of August.

Ads will be placed in "The Buzz" for June to September inclusive. June and September will be on the water restrictions whereas July and August will be "Use Water Wisely" promotion. There will also be promotion via social media both through the City and through BeWaterFriendly.

The estimated cost before taxes:

Advertising in "The Buzz"	\$1,670.00
Transit bus back for 8 weeks including printing	1,083.75
Six transit shelter posters for 4 weeks	1,406.32
Installation, removal and storage of posters	<u>240.00</u>
Total before taxes	\$4,400.07

This budget will be expensed out of the 2019-2020 Water & Sewer Utility operating budget.

Respectfully,

<b>Reviewed By:</b>						
SAO	Manager	Other				
<b>RECOMMENDATIONS/ACTIONS:</b>						

**WATER & SEWER UTILITY BYLAW**

**SCHEDULE "A"**

**Water and Sewer Utilities General Rules and Regulations**

(Approved by Council June 14, 1995)

**3.11 Improper Use or Waste of Water**

No customer shall permit the improper use or waste of water, which includes but is not limited to water use that conflicts with the "Seasonal Water Use Restrictions" attached to these Rules and Regulations. No customer shall sell or give water to any person except upon such conditions and for such purposes as may be approved in writing by the Utility.

**3.11.1 Water Shortage Measures** - No customer shall permit the use of water that conflicts with the "Water Shortage Restrictions", attached to these Rules and Regulations and which will be implemented at the discretion of the Water & Sewer Utility Corporation. Notice of the implementation of "Water Shortage Restrictions" and the effective date thereof shall be given by the Charlottetown Water & Sewer Utility Corporation by publishing in a newspaper of local circulation on three (3) consecutive days and by posting on the City of Charlottetown's website.

**Attachment to Part 3 – General, Section**

<b>3.11 and 3.11.1 Seasonal Water Use Restrictions (Effective June 1 – September 30)</b>	<b>Water Shortage Restrictions (Implemented at the discretion of the Charlottetown Water &amp; Sewer Utility Corporation)</b>
<b>Lawn watering (hose or sprinkler)</b> New sod is exempt from restrictions for first 30 days after it is laid	5am – 10am OR 7pm – 1am (max 2 hours per day) Prohibited
<b>Spot watering for gardens/ hanging baskets</b>	Anytime Anytime
<b>Filling or topping up swimming pools or hot tubs</b>	Anytime Prohibited
<b>Hosing hard surfaces (sidewalks, driveways)</b>	Prohibited at all times Prohibited at all times
<b>Car washing</b>	Anytime Once per week
<b>Kiddie pools/water toys</b>	Anytime Anytime



**CHARLOTTETOWN FOOD COUNCIL**  
**Tuesday, May 21, 2019**  
**7:00 PM – Sherwood Room, City Hall**

**PRESENT:** Phil Ferraro  
Gail Metcalfe  
Emilee Sorrey  
Karen Murchison, Chair  
Pierre El Hajjar  
Mike MacDonald  
Jennifer Whittaker

**ALSO:** Jessica Brown, SOC  
Raven Doucette, SOA

**REGRETS:** Robert Godfrey, Vice Chair  
Shannon Courtney  
Morgan Palmer  
Bernard Plourd  
Colleen Walton  
Travis Cumminsky

**ALSO:** Ramona Doyle, SO

**1) Call to Order**

The meeting was called to order at 7:01 PM

**2) Declarations of conflict of interest**

No declarations of conflict.

**3) Review & Approval of Agenda**

Motion to approve agenda as appears was made by Gail Metcalfe, seconded by Jennifer Whitaker. **Motion Approved.**

**4) Appoint Meeting Secretary & Referee**

Raven – secretary, Jessica – referee for the meeting

## **5) Adoption of Minutes**

The minutes from the April 2019 meeting were included in the meeting package. No new business arose from meeting minutes. Motion to approve minutes was made by Emilee Sorrey, seconded by Gail Metcalfe. **Motion Approved.**

## **6) Items for Discussion**

### **a) City Sustainability Intern Auditing Meeting Meeting: Raven Doucette**

Raven gave a brief bio about herself: She is an intern in the Sustainability Department for the City of Charlottetown. She is currently attending the University of Prince Edward Island majoring in Environmental Studies, and specializing in Innovation and Change Management.

### **b) Working Group Updates:**

- a. **Finance:** The budget & purchasing guidelines are on the Google drive. The main point discussed about this topic was that procurement of goods and services will be from the local community whenever possible.

Each committee collects their own quotes for the year.

City approved budget as requested by food council for operations for the year.

### **b. Communications:**

Content calendar and micro-blog assigning. This can be found in the communications folder for viewing. Karen is assigned for the first month micro-blog, and Jennifer is for assigned for the second month.

**Action:** Go through Jessica to get the micro-blog posts on the website.

### **c. Projects:**

Herb Day Booth– dotmocracy and asset mapping exercise. Share Food Charter & meet community.

Further project direction will come out of Herb Day dotmocracy exercise and asset mapping.

Buy local campaign (policy/projects crossover discussion)

Farmer's Market, and existing campaigns in grocery stores (ie. Sobey's Atlantic Beef and marketing local food in-store at Sobey's and Superstore). Various ideas presented but no final decision.

d. **Policy:**

Meeting attendance

Updated Terms of Reference regarding Meeting Attendance put forth:

If a member is absent for three (3) consecutive meetings (including Council meetings and subcommittee meetings) within a calendar year, whether excused or unexcused, the Chair will be notified and will have a discussion with that member about their continued participation and inclusion in the Food Council going forward.

**Motion:** Approved

Halifax Food Counts

Discussion centered on possibly having someone from the Halifax Food Alliance on their Food Counts initiative meet with Charlottetown Food Council virtually to share insight and lessons learned.

e. **Other:**

Disco Soup Micro-Grant

Micro-grant winners were announced a few weeks ago. One winner that stood out for possible collaboration with The Food Council was Disco Soup. Disco Soup is an event in November raising awareness around food waste. Volunteers collect food from restaurants, and grocery stores that would normally be thrown out. With the collection of this food, a soup is created. Potential basis for Let's Talk Food 2.0 – partner with Food Exchange and Fusion to deliver.

Jennifer brought up that she will not be able to attend Tuesday Food Council Meeting times. This brought up a discussion on when a good meeting time over the summer would be. Everyone agreed that the third Wednesday of each month from 7-9 would work for them.

**Motion:** Motion Passed.

**7) Action Items:**

**ACTION:** Jennifer Whittaker to provide Micro-Blog content to Jess for June 2019 post.

**Action:** Phil to make initial contact with Halifax Food Alliance, extend meeting invite for June 2019 meeting to discuss Food Counts.

**ACTION:** Jessica will reach out to Kendra (Fusion Charlottetown) and Pauline (Food Exchange) about Disco Soup and a possible collaboration. This event may need its own subcommittee.

**ACTION:** Jessica to notify Food Council of updated meeting time for June, July, August –re-send Calendar invite.

**ACTION:** Each sub-committee to meet **before** next food council meeting scheduled for June 19<sup>th</sup> 2019 at 7PM to provide update to Council.

**8) Motion for Adjournment:**

Motion to adjourn made by Gail Metcalfe. Seconded by Jessica Brown.

**Motion:** Motion Passed.

Meeting Adjourned at 8:06

CHARLOTTETOWN RIDERSHIP - MAY 2019

Sum of Charlottetown Route #	1	2	3	4	5	6	7	9	11	13	14	Grand Total
01-05-19 Wed	502	256	226	270	154	237	19	194	198	1	2	2,059
02-05-19 Thu	521	268	246	218	148	226	21	237	184	1	3	2,073
03-05-19 Fri	529	294	258	261	114	225	13	188	220	2	1	2,105
04-05-19 Sat	405	269	276	0	0	161	0	0	0	0	0	1,111
05-05-19 Sun	406	0	0	0	0	0	0	0	0	0	0	406
06-05-19 Mon	444	249	252	213	132	218	14	197	225	1	1	1,946
07-05-19 Tue	486	309	264	234	153	220	29	289	195	0	1	2,180
08-05-19 Wed	451	264	277	148	190	17	184	200	2	1	1,994	
09-05-19 Thu	472	253	264	240	122	205	15	232	177	1	1	1,983
10-05-19 Fri	551	284	299	291	119	276	13	218	188	2	1	2,242
11-05-19 Sat	385	278	280	0	0	126	0	0	0	0	0	1,069
12-05-19 Sun	396	0	0	0	0	0	0	0	0	0	0	396
13-05-19 Mon	500	273	275	266	135	258	19	175	215	3	2	2,121
14-05-19 Tue	555	298	323	301	133	222	25	240	239	1	2	2,339
15-05-19 Wed	501	224	267	222	143	206	23	228	185	1	3	2,003
16-05-19 Thu	600	295	278	235	128	251	25	260	209	0	2	2,283
17-05-19 Fri	558	282	244	244	115	302	15	197	170	2	2	2,131
18-05-19 Sat	441	258	367	0	0	162	0	0	0	0	0	1,228
19-05-19 Sun	456	0	0	0	0	0	0	0	0	0	0	456
20-05-19 Mon	260	123	113	113	39	122	0	118	123	2	0	1,013
21-05-19 Tue	501	237	255	222	134	254	20	207	207	1	0	2,038
22-05-19 Wed	507	262	229	245	120	246	17	200	183	1	1	2,011
23-05-19 Thu	534	301	281	243	139	242	26	241	169	2	1	2,179
24-05-19 Fri	551	268	330	244	141	233	16	203	214	1	1	2,202
25-05-19 Sat	389	372	304	0	0	193	0	0	0	0	0	1,258
26-05-19 Sun	423	0	0	0	0	0	0	0	0	0	0	423
27-05-19 Mon	443	287	242	195	115	208	14	138	197	1	0	1,840
28-05-19 Tue	487	272	288	234	136	262	20	254	183	2	1	2,139
29-05-19 Wed	524	312	284	277	137	263	21	214	208	1	2	2,243
30-05-19 Thu	550	453	292	227	137	228	22	66	232	3	0	2,210
31-05-19 Fri	540	291	269	282	131	290	14	172	208	5	4	2,206
<b>Grand Total</b>	<b>14,868</b>	<b>7,532</b>	<b>7,283</b>	<b>5,538</b>	<b>2,973</b>	<b>6,026</b>	<b>418</b>	<b>4,652</b>	<b>4,529</b>	<b>36</b>	<b>32</b>	<b>53,887</b>

CHARLOTTETOWN RIDERSHIP - MAY 2019

Values

Day	Monthly Ridership		
	Non Paying	Paying	Total
Sun	14	1667	1,681
Mon	131	6789	6,920
Tue	193	8503	8,696
Wed	268	10042	10,310
Thu	333	10395	10,728
Fri	248	10638	10,886
Sat	73	4593	4,666
<b>Grand Total</b>	<b>1260</b>	<b>52627</b>	<b>53,887</b>

	2019			2018			2017			2016		
	Paying	Non - Paying	Average	Paying	Non - Paying	Average	Paying	Non - Paying	Average	Paying	Non - Paying	Average
Total Ridership	53,887	42,293	37,872	32,848	27,944	32,640	37,872	32,848	27,944	37,872	32,848	27,944
Monday - Friday	46,367	1,173	927	36,839	907	776	32,848	907	776	32,848	907	776
Saturday	4,593	3,349	3,132	56	72	81	3,349	56	72	3,132	56	72
Sunday	1,667	1,110	910	14	12	3	1,110	14	12	910	14	12
<b>Grand Total</b>	<b>53,887</b>	<b>42,293</b>	<b>37,872</b>	<b>32,848</b>	<b>27,944</b>	<b>32,640</b>	<b>37,872</b>	<b>32,848</b>	<b>27,944</b>	<b>37,872</b>	<b>32,848</b>	<b>27,944</b>



**COUNCIL ADVISORY COMMITTEE  
REPORT TO COUNCIL  
JUNE 10, 2019**

The Council Advisory Committee met on May 14 & 21, 2019 and the draft open minutes are included in the package.

At this time, there are no resolutions for your consideration.

Respectfully submitted,

Councillor Terry MacLeod, Chair

**COUNCIL ADVISORY COMMITTEE  
TUESDAY, MAY 14, 2019 AT 8:00 AM  
PARKDALE ROOM – CITY HALL**

**DRAFT**

**Present:**      **Councillor Terry MacLeod, Chair  
Councillor Mike Duffy, Vice-Chair  
Councillor Alanna Jankov, Member  
Mayor Philip Brown, Member  
Peter Kelly, CAO  
Tracey McLean, RMC**

- 1. Call to Order**  
Councillor MacLeod called the meeting to order.
- 2. Declarations of Conflict of Interest**  
There were no declarations of conflict.
- 3. Approval of Agenda**  
Moved by Councillor Duffy and seconded by Mayor Brown that the agenda be approved as presented. Carried.
- 4. Approval of Draft Open Minutes**  
Moved by Mayor Brown and seconded by Councillor Duffy that the draft open minutes from May 7, 2019 be approved. Carried.
- 5. Motion to move into Closed Session**  
Moved by Councillor Jankov and seconded by Councillor Duffy that the meeting move into a Closed Session as per Section 119 (1) Subsection (d) of the Municipal Government Act of Prince Edward Island. Carried.
- 6. New Business**  
As a result of discussions relating to additional Standing Committee appointments and advisory boards during the Closed session, it was moved by Councillor Duffy and seconded by Councillor Jankov that resolutions be forwarded to the Special Meeting on May 17, 2019 for Council's consideration:  
  

*That the revised 2018-2022 Standing Committee structure be approved.*

*That the appointments of Councillor Duffy (Confederation Centre of the Arts), Mayor Brown (2023 Canada Games Host Committee) and Barb MacLeod (Chair of the Arts & Culture Advisory Board) be approved.*
- 7. Adjournment**  
Moved by Councillor Duffy and seconded by Mayor Brown that the meeting be adjourned. Carried.

**The meeting concluded at 9:30 AM**

**Present:**      **Councillor Terry MacLeod, Chair**  
                         **Councillor Mike Duffy, Vice-Chair**  
                         **Councillor Alanna Jankov, Member (arr. 8:20 am)**  
                         **Deputy Mayor Jason Coady**  
                         **Mayor Philip Brown, Member**  
                         **Peter Kelly, CAO**  
                         **Tracey McLean, RMC**

**1.      Call to Order**

Councillor MacLeod called the meeting to order.

**2.      Declarations of Conflict of Interest**

There were no declarations of conflict.

**3.      Approval of Agenda**

It was suggested to add Advisory Boards to the open agenda. Moved by Councillor Duffy and seconded by Mayor Brown that the agenda be approved as amended. Carried.

**4.      Discussion Item:**

**a) Advisory Boards/Committees**

The Committee discussed stipends, number of members required, when the boards/committee will meet, etc. It was noted that the motion to provide the Food Council a stipend was deferred at the Special Meeting held May 17, 2019. Council Advisory Committee agreed to review stipends for all boards.

With regard to advertising appointments for boards/committees, Councillor Duffy suggested that the ad should clearly indicate resident of Charlottetown, must reapply even if they applied in the past and where to specifically submit their application.

**5.      Motion to move into Closed Session**

Moved by Councillor Duffy and seconded by Councillor Jankov that the meeting move into a Closed Session as per Section 119 (1) Subsection (e) of the Municipal Government Act of Prince Edward Island. Carried.

**6.      Adjournment**

Moved by Deputy Mayor Coady and seconded by Mayor Brown that the meeting be adjourned. Carried.

**The meeting concluded at 8:40 AM**