

**12 – Resolutions
4 – Bylaw Readings**



**CITY OF CHARLOTTETOWN
MONTHLY MEETING OF COUNCIL
MONDAY, SEPTEMBER 9, 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 - August 12, 2019
 - Special Meetings - (open minutes) – Aug. 12, 20, 27 & 28 and Sept. 4, 2019
 - Planning Public Meeting – August 27, 2019
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
 - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
 - Monthly Report
 - Seven (7) Resolutions
 - 2nd readings of the Z&D Bylaw
 - Rezone 221 Belvedere Ave from R-2 to Parking (P)
 - Rezone 71 & 73 Upper Prince St. from R-2 to R-3 Zone
 - 6.2 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.3 Parks, Recreation & Leisure Activities – Coun. Mitchell Tweel, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.4 Protective & Emergency Services – Coun. Bob Doiron, Chair**
 - Monthly Report
 - No Resolutions
 - 1st reading of the Nuisance Bylaw
 - Amend sections to include “bee”
 - 6.5 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair**
 - Monthly Report
 - Two (2) Resolutions

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

- Monthly Report
- One (1) Resolution

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

- Monthly Report
- No Resolutions

6.8 Environment & Sustainability – Coun. Terry MacLeod, Chair

- Monthly Report
- No Resolutions

6.9 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

- Monthly Report
- No Resolutions

6.10 Finance, Audit & Tendering – Coun. Terry Bernard, Chair

- Monthly Report
- No Resolutions

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

- Monthly Report
- No Resolutions
- 2nd Reading of the Procedural Bylaw
 - an amendment relating to the end time of a Council meeting

6.12 New Business

7. Motion to Adjourn



DRAFT

**Regular Meeting of Council
Monday, August 12, 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 Greg Rivard
Councillor Mitchell Tweel
Councillor Alanna Jankov

Councillor Mike Duffy
Councillor Terry MacLeod
Councillor Julie McCabe
Councillor Bob Doiron

Also: Peter Kelly, CAO
Brad MacConnell, DPC
Frank Quinn, PRM
Scott Adams, PWM
Mark Lanigan, FM
Ron Atkinson, EconDO
Laurel Lea, TO
Ronnie McPhee, CLO

Randy MacDonald, FC
Alex Forbes, PM
Richard MacEwen, UM
Paul Johnston, IAMM
Bethany Kaulzarick, HRM
Wayne Long, EDO
Jen Gavin, CO
Tracey McLean, RMC

Regrets: Councillor Terry Bernard
City Solicitor

Ramona Doyle, SM

The Mayor announced that the City of Charlottetown is hosting Acadian Day at the Fair during Old Home Week as part of the Congrès Mondial Acadien 2019 (CMA 2019 - World Acadian Congress) celebrations. Charlottetown will serve as one of the host municipalities for CMA 2019, with activities taking place today (Aug 12).

1. Call to Order

Mayor Brown called the meeting to order.

2. Declarations of Conflict of Interest

Councillor MacLeod to excuse himself with regard to the bylaw reading during the Planning & Heritage Committee report pertaining to the property at 7 Lions Crescent.

3. Approval of Agenda

It was requested that the Economic Development, Parks & Recreation and Strategic Priorities Committee reports be moved to the beginning of the agenda, respectively. Moved by Councillor MacLeod and seconded by Councillor Ramsay that the agenda be amended. Carried.

4. Adoption of Previous Draft Minutes

Moved by Deputy Mayor Coady and seconded by Councillor Duffy that the draft minutes of the previous meetings now be adopted. Carried.

- Regular Meeting - July 8, 2019

- Special Meeting - (open minutes) – July 18, 2019
- Planning Public Meeting – July 23, 2019

5. Business Arising out of the Minutes

No business arose.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 Economic Dev., Tourism & Event Management – Coun. Kevin Ramsay, Chair

Councillor Ramsay indicated his Committee's report was included in the weekend package. He reported that Old Home Week continues this week; Gold Cup Parade on August 16. Upcoming events - SunDaze Music & Art Festival, Art in the Open and Victoria Park Sunset Series. Recently announced events for Charlottetown are the 2020 STIHL Timbersports Canadian Championship and 2021 U Sports Men's Hockey Championship at UPEI.

6.2 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 August is the Organizing Committee for the recently held Fiddler MacDonald Memorial Mosquito AAA Baseball Tournament.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That the City accepts the bid of \$35,471.17 (HST included) from Bourassa Sport Technologie Inc for the additional work required at the Victoria Park Tennis Courts Resurfacing Project, and

That this amount be expensed to the 2019 Parks and Recreation Capital Budget,

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

CARRIED 9-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Kevin Ramsay**

RESOLVED:

Whereas Josh Currie began his competitive career playing for the Summerside Western Capitals and then moved onto playing with the PEI Rocket. His professional debut in the ECHL was with the Gwinnett Gladiators before signing with the Bakersfield Condors in 2014, and

Whereas, in July 2018, the Edmonton Oilers then signed Josh to a contract and he earned his first NHL recall by the Oilers on February 19, 2019.

CARRIED 9-0

6.3 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

Councillor Jankov indicated that her **Committee's** report was included in the weekend package. She noted that the Youth Engagement Committee met on July 10, 2019 and the Affordable Housing Advisory Committee met July 11, 2019; minutes included in the package.

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

RESOLVED:

That as per the conditions of the Request for Proposals on "Engineering Services – Growth Management Strategy including Water & Sewer Master Plan", the best ranked submission of CBCL Limited in the amount of \$499,100.00 (taxes extra) be accepted.

CARRIED 9-0

6.4 Planning & Heritage – Coun. Greg Rivard, Chair

Councillor Rivard indicated his **Committee's** report was included in the weekend package. He noted that in celebration of the Congrès Mondial Acadien 2019, the public is invited to explore the history of the Acadians in Charlottetown; exhibit located at the Planning and Heritage Department, 233 Queen Street.

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

RESOLVED:

That the proposal from Pattison Outdoor Advertising for digital signage on several City locations, be rejected.

CARRIED 9-0

**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 Commercial; and
- b) **Amend Appendix "G"** – Zoning Map of the Zoning & Development Bylaw from Low Density Residential (R-2) Zone to Parking (P) Zone;

for the property at 221 Belvedere Avenue (PID #395087), be approved, subject to a development agreement to provide appropriate landscape buffers between the parking lot and adjacent properties.

CARRIED 9-0

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

for the properties at 71 & 73 Upper Prince Street (PID #683748 & PID #359521), in order to construct six (6) additional apartment units to create an eleven (11) unit apartment building, be rejected.

DEFEATED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel in favour

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

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

for the properties at 71 & 73 Upper Prince Street (PID #683748 & PID#359521), in order to construct six (6) additional apartment units to create a eleven (11) unit apartment building, be approved subject to the signing of a development agreement that requires a design review of the addition, the maximum number of units permitted on the property be limited to eleven (11) long-term rental units.

Councillor Rivard indicated that most concerns raised at the public meeting related to traffic and another concern was the appearance of the current structure. He advised Council that as part of the development agreement, the applicant is required to go through the design review process even though the building is outside the 500 Lot area.

Concern was raised that the Planning Committee recommended to reject the application but then Council voted against the rejection knowing that local area residents voiced numerous concerns at the public meeting held on July 23, 2019.

CARRIED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel opposed

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

for the property at 38 Palmers Lane (PID #275156), in order to construct an 18-unit apartment building, be approved to proceed to public consultation.

**CARRIED 7-2
Councillors Doiron and Tweel opposed**

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

RESOLVED:

That the request to consolidate 229 Sherwood Road (PID #1007657) and a portion of PID #145961, be approved, subject to a final pinned survey.

CARRIED 9-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw PH-ZD.2-017, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 221 Belvedere Avenue (PID #395087) from Low Density Residential (R-2) Zone to Parking (P) Zone.

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

RESOLVED:

That the Bylaw to amend the City of Charlottetown Zoning and Development Bylaw, (PH-ZD.2-017), as it pertains to 221 Belvedere Avenue (PID# 395087), be read a first time.

CARRIED 9-0

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

RESOLVED:

That the Zoning and Development Amendment Bylaw, (PH-ZD.2-017), be approved and that it be read a second time at the next meeting of Council.

CARRIED 9-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw PH-ZD.2-018, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 71 & 73 Upper Prince Street (PID# 683748 & PID #359521) from Low Density Residential (R-2) Zone to R-3 Zone.

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

RESOLVED:

That the Bylaw to amend the City of Charlottetown Zoning and Development Bylaw, (PH-ZD.2-018), as it pertains to 71 & 73 Upper Prince Street (PID# 683748 & PID #359521), be read a first time.

CARRIED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel opposed

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

RESOLVED:

That the Zoning and Development Amendment Bylaw, (PH-ZD.2-018), be approved and that it be read a second time at the next meeting of Council.

CARRIED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel opposed

Councillor MacLeod was in conflict and left the Chambers during the following motion.

2nd reading of the Zoning & Development Bylaw – To adopt Bylaw PH-ZD.2-016, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 7 Lions Crescent (PID #278721) from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone.

**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 8-0

Councillor MacLeod returned to the Council Chambers.

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

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

Again, a request to receive a copy of the Auditor's Management Letter for the year ended December 31, 2017 was brought forward. Councillor Rivard indicated that the Finance Committee agreed that this matter would be discussed at an upcoming Special Meeting of Council – Closed Session.

**Moved by Councillor Greg Rivard
Seconded by Councillor Mike Duffy**

RESOLVED:

That Council approve sale of .89 acres for the piece of property located behind Cody Banks Arena (portion of PID#480475), at a price of \$158,000 (attached map for the new school development),

And that this includes the right of first refusal for the purchase option for Cody Banks Arena,

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

Concern was raised regarding the option of 'right of first refusal' for Cody Banks Arena and how this was not previously discussed by Council; therefore, it was moved by Councillor Tweel and seconded by Councillor Doiron to defer the motion. Carried 7-2. Councillors Duffy and Ramsay opposed.

**Moved by Councillor Greg Rivard
Seconded by Councillor Mike Duffy**

RESOLVED:

That Council approve the reallocation of the Fitzroy Street Bike Lane project funding (\$1,006,500) to the Active Transportation Connection (Pathways), and

That the City will contact the Province requesting to recapture their portion (\$545,000) of the Fitzroy Street Bike Lane project funding for the Active Transportation Connection (Pathways) initiative.

It was suggested that Council be given the opportunity to provide input regarding locations for these pathways.

CARRIED 9-0

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

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

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

Councillor Doiron indicated his Committee's report was included in the weekend package. He commended both the Charlottetown Fire Department and Charlottetown Police Services regarding their response to a number of serious fires within the city and outside the city.

It was noted that under the Provincial Fire Prevention Act, propane or charcoal barbecues are not permitted on balconies of apartments/condos and it was suggested that the Committee look at a communications strategy for city residents regarding the matter. Councillor Doiron took this under advisement.

Moved by Councillor Bob Doiron

Seconded by Councillor Kevin Ramsay

RESOLVED:

That the Public Works Manager be authorized to demolish the buildings deemed necessary by a City Building Inspector and Charlottetown Fire Inspector, and remove any other materials, debris, to clean up and properly dispose of same, and do any infilling required to return the property to its original safe state **at the owner's expense, on the property located at 224 East** Royalty Road (PID# 192484) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of **same, at the owner's expense, on property located at 240** Hillsborough Street (PID# 346585) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the **owner's expense, on property located at 7** McKinnon Road (PID #374215) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the **owner's expense, on property located at 605** Upper Queen Street (PID# 740894) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the **owner's** expense, on property located at 5 Katie Drive (PID # 854356) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

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

In response to an update request regarding Stratford's wastewater potentially being treated by the City, Deputy Mayor Coady indicated discussions continue between Stratford and the Province; no new information has been communicated to the City.

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

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

In response to questions raised concerning new pathways, Councillor Duffy referred to the Public Works Manager who indicated that the Committee will review suggestions from Council of pathway locations. He further noted that criteria is based on need and connectivity throughout the city.

6.10 Environment & Sustainability – Coun. Terry MacLeod, Chair

Councillor MacLeod indicated his Committee's report was included in the weekend package. He reported funding from all levels of government will allow for six new diesel buses, five para-transportation vans and two mini-buses to improve access to the public transit system across the greater Charlottetown area.

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

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

1st reading of the Procedural Bylaw Amendment Bylaw – to amend the City of Charlottetown Procedural Bylaw, #2018-19, to indicate when a meeting of Council shall end.

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

RESOLVED:

That the bylaw to amend the City of Charlottetown Procedural Bylaw be read a first time.

CARRIED 9-0

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

RESOLVED:

That the bylaw be now approved as a City Bylaw and that it be entitled the City of Charlottetown Procedural Bylaw and that it be read a second time at the next meeting of Council.

CARRIED 9-0

6.12 New Business

There was no new business

7. Adjournment

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

The meeting concluded at 7:25 PM



DRAFT

**Special Meeting of Council
Monday, August 12, 2019 at 4:15 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

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

Also: **Peter Kelly, CAO** **Wayne Long, EDO**
 Tracey McLean, RMC

Regrets: **Councillor Terry Bernard**

1. Call to Order

Mayor Brown called the meeting to order.

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

Moved by Councillor Ramsay and seconded by Councillor Jankov that the agenda be approved as presented. Carried.

4. Motion to move in a Closed Session of Council

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

5. Adjournment

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

The meeting concluded at 4:50 PM



DRAFT

**Special Meeting of Council
Tuesday, August 20, 2019 at 4:30 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

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

Also: **Peter Kelly, CAO** **Frank Quinn, PRM**
 Mark Lanigan, FM **Tracey McLean, RMC**

Guests: **Tyler Richardson, Government of PEI (TIE)**
 Raymonde Arsenault-MacKenzie, Government of PEI (TIE)

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 item relating to the proposed sale of property (portion of PID# 480475) be moved from the Closed session to the Open session. Moved by Councillor McCabe and seconded by Councillor Rivard that the agenda be amended. Carried.

4. Proposed Sale of Property (pt. of PID# 480475) behind Cody Banks Arena

Prior to the presentation, the CAO indicated that when Tyler Richardson and Parker Grimmer presented to Council on January 21, 2019 during a Closed session, the minutes stated the following:

...it was the consensus of Council that they move forward with negotiations with respect to selling the one (1) acre to the Province. Carried 7-2 with Councillor Doiron and Tweel opposed. CAO to get an appraised value/assessment on the property.

The Mayor welcomed Mr. Richardson and Ms Arsenault-MacKenzie to the meeting. He noted that the original resolution for the sale of the property was brought forward at the Regular Meeting on August 12, 2019; however, it was deferred for further review by Council. Mr. Richardson presented the preliminary site plan of the proposed new Sherwood School project and advised Council that the subject property (pt. of PID#480475) has been their (Sherwood School Planning Committee) preferred location

from the onset. Initially, they require the land for a 'lay-down' area for the trades then, in the future, the parcel will be used as a sports field.

In response to a question raised, Mr. Richardson stressed that the Provincial government is not interested in leasing and wish to purchase the property.

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

RESOLVED:

That Council approve sale of .89 acres for the piece of property located behind Cody Banks Arena (portion of PID#480475), at a price of \$158,000 (attached map for the new school development),

And that this includes the right of first refusal for the purchase option for Cody Banks Arena,

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

There was discussion with respect to 'right of first refusal'. Mr. Richardson indicated that option is not important to his Planning Committee at this time. It was suggested that the motion be amended by removing "...*And that this includes the right of first refusal for the purchase option for Cody Banks Arena...*"

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

RESOLVED:

That Council approve sale of .89 acres for the piece of property located behind Cody Banks Arena (portion of PID#480475), at a price of \$158,000 (attached map for the new school development),

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

CARRIED 10-0

The Mayor thanked Mr. Richardson and Ms Arsenault-MacKenize for their presentation; they left the meeting at 5:05 pm.

5. Motion to move in a Closed Session of Council

Moved by Councillor Ramsay and seconded by Councillor Rivard to close the meeting to the public to discuss matters as per Section 119 (1) (e) of the Municipal Government Act of PEI. Carried.

6. Adjournment

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

The meeting concluded at 6:30 PM



DRAFT

**Special Meeting of Council
Tuesday, August 27, 2019 at 5:30 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown (arrived at 5:42 pm)

Present: **Deputy Mayor Jason Coady*** **Councillor Mike Duffy**
 Councillor Kevin Ramsay **Councillor Terry Bernard**
 Councillor Mitchell Tweel **Councillor Terry MacLeod (arr. 5:57 PM)**
 Councillor Greg Rivard **Councillor Julie McCabe**
 Councillor Bob Doiron **Councillor Alanna Jankov**

Also: **Peter Kelly, CAO** **Alex Forbes, PM**
 Mark Lanigan, FM **Scott Adams, PWM**
 Wayne Long, EDO **Tracey McLean, RMC**

* Deputy Mayor Coady presided until the Mayor arrived at 5:42 PM.

1. Call to Order

Deputy Mayor Coady called the meeting to order.

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

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

4. Traffic Study – Capital Drive / Maypoint Road

Councillor Rivard noted that the Planning & Heritage Department recommended that Planning Board recommend to Council to approve the request to accept the traffic study to permit a drive thru Tim Horton's restaurant; however, he had concerns relating to queuing and stacking from the proposed drive-thru. He further noted that traffic gets considerably congested in that area particularly during morning and evening rush hour. He stressed to Council that the gas station, car wash, Tim Horton's, hotel and proposed restaurant is good development but his main concern is with queuing.

Mayor Brown joined the meeting at 5:42 PM.

Other Members of Council also voiced concerns regarding queuing. The following motion was brought forward which would allow Council to defer until an independent review of the submitted traffic study is performed by a traffic engineer.

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

RESOLVED:

That the request to accept the traffic study prepared for the development on the corner of Maypoint Road and Capital Drive to permit a double drive thru Tim Horton's restaurant (stacking and queuing spaces) as proposed in the traffic study in Appendix "A" Option 3, be deferred until the City has provided a second opinion/traffic study from an independent traffic engineer;

And that the request for the City to hire a traffic engineer to perform an independent review of the submitted traffic study be approved;

And further to allow Cordova's other building permit applications for the proposed development be approved independently from the application for Tim Horton's drive thru.

CARRIED 9-0

5. Motion to move in a Closed Session of Council

Moved by Councillor Ramsay and seconded by Councillor Duffy to close the meeting to the public to discuss matters as per Section 119 (1) (e) of the Municipal Government Act of PEI. Carried.

6. Business Arising from the Closed Session

As a result of discussions from the Closed session relating to the proposed amendments to the Tourism Accommodation Levy Bylaw, the first reading was brought forward into the open session.

1st Reading of the Tourism Accommodation Levy – Amendment Bylaw - amend the City of Charlottetown Tourism Accommodation Levy Bylaw, #2019-TAL-01, to apply the levy to all accommodations inclusive of B&Bs, Inns, Airbnb, VRBO, etc. sold in tourism establishments.

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Alanna Jankov**

RESOLVED:

That the bylaw to amend the City of Charlottetown Tourism Accommodation Levy Bylaw be read a first time.

CARRIED 10-0

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Alanna Jankov**

RESOLVED:

That the bylaw now be approved as a City Bylaw and that it be entitled the City of Charlottetown Tourism Accommodation Levy Bylaw and that it be read a second time at the next meeting of Council.

CARRIED 10-0

7. Meeting Recessed

Due to the scheduled Public Meeting at 7:00 PM that evening, Council agreed to recess until Wednesday, August 28, 2019 at 5:00 PM.

Meeting suspended at 6:55 PM.

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**Public Meeting of Council
Tuesday, August 27, 2019, 7:00 PM
Georgian Ballroom, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

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

**Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Mike Duffy
Councillor Robert Doiron**

Also:

**Laurel Palmer Thompson, PII
Ellen Faye Ganga, PH IO/AA**

Robert Stavert, TA

Regrets:

**Councillor Terry Bernard
Alex Forbes, PHM**

**Greg Morrison, PII
Robert Zilke, PII**

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:03 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. 38 Palmers Lane (PID #275156)

This is a request to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential Zone (R-2) to Medium Density (R-3) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. The purpose is to construct

an 18-unit apartment building. Robert Haggis, architect and representative of the developer, presented the application. Mr. Haggis indicated that the proposed development is directly adjacent to R-4 lots and also pointed out the school and Argowan at both ends of the streets. The proposed building will consist of eleven (11) 2-bedroom unit and seven (7) 1-bedroom unit apartments. Parking will be located at the back of the building and the access will be through the existing adjacent apartment buildings. **The proposed development's design will have a contemporary design and the height will not** be more than 36 feet in height, lower than the maximum allowed height of 49.2 feet for an R-3 Zone. This property has gone through several rezoning applications in the past and the owner of the property felt that there is a need for more apartment units as we have a need for housing at this time. Mr. Haggis then asked for any questions.

Bill Wicks, property owner and resident located immediately adjacent to the proposed development, spoke in opposition to the application. The lot is zoned R-2, low density residential. Two low-rise, 8-unit apartments adjacent to it, serves as a transition between **the Low Density and St. Peter's** Road/Commercial areas. The property used to have a single family dwelling but the lot is now vacant. This is the third attempt by Bevan Brothers to change the zoning of this property. The first attempt was to construct a 12-unit apartment building but was then rejected by Council because it was deemed inconsistent. The second was a request to construct a townhouse development consisting of three 2-unit duplexes and was likewise rejected. Now, they are attempting to rezone the property from Low Density Residential to Medium Density Residential in order to construct a three storey, 18-unit apartment building. This proposal is considerably larger and denser.

The Official Plan does not support this. The Official Plan offers a growth management strategy. New developments are to be harmonious to its surroundings. This proposal is not the case. The Bevans have not supplied the details regarding elevations, etc. and they would also require a variance. They have not applied for a variance. The lot is smaller than the amount of density they are requesting.

Residents are not opposed to any development but are opposed to this proposed rezoning; they wish for the developer to construct what is appropriate for the lot. Area residents are frustrated in continually raising the same argument to defend their neighbourhood. The residents are requesting that this application be rejected as the neighbourhood has experienced a lot.

Mr. Haggis asked if the scale was appropriate for the neighbours, would residents be willing to support the development. Mr. Wicks responded that they would not support it and would only like to see an R-2 development as to what it is currently zoned.

Mayor Brown asked if the applicants would be required to apply for a variance for 18 units and Mr. Haggis indicated that they could do 17 units as of right without a variance.

Judith Bayliss, resident, mentioned that **Palmer's Lane is a busy street**. There is an elementary school along that street. Kids do walk around during school days and it is so busy that the City had to put in speed bumps to prevent speeding cars that try to cut through Mount Edward Road to St. Peters Road. They would slow down closer to the speed bump but then speed up in between the speed bumps. Ms. Bayliss realizes that there is a shortage of housing but added that she has an objection to this application as it is an old neighbourhood and the building is completely inappropriate for the area. Residents are only asking for appropriate development in this mixed neighbourhood. Ms. Bayliss also commented that there is not enough parking access to this proposed development.

Mr. Haggis responded to the parking access concern and mentioned that the proposed apartment will utilize the existing driveway access of the adjacent apartment so there would not be an additional curb cut. Ms. Bayliss commented that it may not be appropriate to have insufficient access to the property or not have their own access. She also felt that this property is too small for the proposed development.

Harold Snow, resident, commented that the proposed building does not have a nice appearance. It does not fit in the neighbourhood. Mr. Snow has been in that neighbourhood since 1975 and expressed that the existing buildings have had a negative effect on his property. Surface water flows from the parking lot into his yard snow is plowed onto his yard which damages his fence. The Bevans have shown no consideration to the neighbourhood. The letter that was received in support of the application also discussed the problems on speeding along that street and this additional development will add to this problem.

Todd Petrie, resident, asked the members of Council of how residents should want their neighbourhood to look; the Downtown Area looks good. The new subdivisions now look like a cookie cutter and there are very minimal or no trees at all. Mr. Petrie recognizes that there is a housing crisis but this is not an easy fix. He noted that Ardgowan is located **on Palmer's Lane** and Parks Canada invested in that location to preserve that historic site. The other end is Hillside Motors and apartments. He indicated that a support letter from James Bliss said the existing apartments are quiet and clean but we also have to consider the tipping point. There is a speeding and traffic problem on the street as well.

Elizabeth Dewolf, resident, commented that she is sorry for not being able to receive the notice earlier but she also felt that the time provided is too short to get responses in. Ms. **Dewolf added that she doesn't** have an issue with the existing buildings but does have an issue with this proposal. Her large Victorian style house was moved here and she believes her property is bigger than the proposed development lot which does not make sense for 18 units. The former proposal required the Bevans to purchase land from the adjoining property so they must have already built the variance into their proposal. She noted that the elevation of the land rises substantially in this area so this building will be more like a full story as opposed to a half story higher than the existing buildings.

Mayor Brown responded to say that the residents have until 12:00pm on August 28, 2019 to send their comments to the Planning Department. These comments will be part of the package that goes to Planning Board and Council. Ms. Thompson also added that while the letter indicates 12:00pm as the deadline, the department will consider comments until 4:00pm on August 28th.

Eleanor Snow, resident, asked for clarification regarding the location of the parking lot. Mr. Haggis confirmed that the parking spaces will be behind the proposed building and will have a shared access with the adjacent apartment. Ms. Snow also commented that the existing 12-unit apartment building looks like it has more parking spaces compared to the proposed 18-unit apartment. She noted that parking is also visible from her **backyard and she doesn't like the look of it. There will** be more gas emission, lights and cars. She further noted that this neighbour has not been easy to work with; she has approached him about an obnoxious weed on his property and requested that it be eradicated but the owner has not done anything. Snow removal is also a concern and they keep damaging the fence. He is just not approachable as a neighbour. This does not make it encouraging for further development. Mr. Haggis also added that the new bylaw only requires one parking space per unit which this development meets. The older apartments would have more parking spaces available.

Ms. Bayliff stepped up and commented that she sees the Council sitting in front now and asked how seriously they really take the concerns. Ms. Bayliff added that their concerns are genuine as they live in that area. This is their neighbourhood and they have invested in that neighbourhood. There is a creeping character that has changed the neighbourhood. Ms. Bayliff is asking for **Council's** serious consideration. They do not want to undermine any businessman's deal but this is their neighbourhood and they have invested in their properties. She added that this is their chance to put their considerations to Council.

Mayor Brown responded that the Council is present to listen to the residents' concerns. Mr. Brown added that Council appreciates their comments and reminded the public that they can still submit their comments until August 28th, which then will be part of the report that staff will prepare for Planning Board and then to Council. Ms. Thompson also responded that the Bylaw requires at least seven calendar days prior to the public meeting for notifications be posted in the newspaper and letters be sent out to residents within 100 meters of the property in question.

Mr. Haggis **commented that he understands the public's concern** and has very little to say to ease these concerns. It is the only remaining R-2 lot on the street. The business owners see an opportunity to help with the housing crisis; mass and scale can be dealt with through design.

Councillor Rivard raised a question regarding the height of the existing buildings. Mr. Haggis responded that the existing apartments are 2.5 storeys and about 34 feet in

height. The proposed 3-storey apartment's height would be closer to 34 feet, almost the same as the existing apartments. Mr. Rivard noted that the Planning Board meeting is scheduled on Tuesday, September 3, 2019 at 4:30 p.m. at City Hall. It is an open meeting so residents are welcome to attend.

Councillor Tweel thanked the residents for coming to the meeting, their emails and that their issues will be taken very seriously. Mr. Tweel also acknowledged that this is an older neighbourhood.

Mayor Brown asked for any further comments; there being none, the meeting proceeded to the next agenda item.

5. Adjournment of Public Session

Moved by Councillor Mike Duffy and seconded by Councillor Greg Rivard, that the meeting be adjourned. Meeting adjourned at 7:48 p.m.

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Special Meeting of Council
Wednesday, August 28, 2019 at 5:30 PM
(PT. I - Continuation of August 27, 2019 Recessed Meeting)
Council Chambers, City Hall, 199 Queen Street

Mayor Philip Brown

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

Also: **Peter Kelly, CAO** **Alex Forbes, PM**
 Mark Lanigan, FM **Scott Adams, PWM**
 Robert Zilke, PDO **David Hooley, CS**
 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**
Moved by Councillor Duffy and seconded by Councillor Ramsay that the agenda be approved as presented. Carried.
- 4. Motion to move in a Closed Session of Council**
Moved by Councillor McCabe and seconded by Councillor Ramsay to close the meeting to the public to discuss matters as per Section 119 (1) (e) of the Municipal Government Act of PEI. Carried.
- 5. Business Arising from the Closed Session**
As a result of discussions from the Closed session relating to 55 Richmond Street, the following motion was brought forward into the open session:

Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe

RESOLVED:

That Council provide a side-letter (Estoppel Letter) which stipulates that with respect to 55 Richmond St., the City would not seek indemnity from the developer for any of its legal fees or disbursements incurred in legal proceedings before IRAC or the Supreme Court relating to this particular development.

CARRIED 7-3
Deputy Mayor Coady, Councillors Duffy and Tweel opposed

6. Recess Portion Concluded

There being no further business, it was moved by Councillor Rivard and seconded by Councillor MacLeod to conclude this portion of the meeting at 5:55 PM. Carried.

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**Special Meeting of Council
Wednesday, August 28, 2019 at 5:30 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown

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

Also: **Peter Kelly, CAO** **Alex Forbes, PM**
 Mark Lanigan, FM **Scott Adams, PWM**
 Robert Zilke, PDO **Tracey McLean, RMC**

1. Call to Order

Mayor Brown called this portion of the meeting to order at 5:56 PM. (The meeting which was recessed from August 27th, concluded at 5:55 PM.)

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

It was suggested that Item 4(b) Discussion – Paving Tenders be removed from the agenda and discussed in an Open session at a later date as to allow time for the Public Works Committee to research and review. Moved by Councillor Duffy and seconded by Councillor Bernard that the agenda be amended by removing Item 4(b). Carried 8-2 with Deputy Mayor Coady and Councillor Doiron opposed.

4. 2nd Reading of the Tourism Accommodation Levy – Amendment Bylaw - amend the City of Charlottetown Tourism Accommodation Levy Bylaw, #2019-TAL-01, to apply the levy to all accommodations inclusive of B&Bs, Inns, Airbnb, VRBO, etc. sold in tourism establishments.

**Moved by Councillor Kevin Ramsay
Seconded by Councillor Alanna Jankov**

RESOLVED:

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

**CARRIED 8-2
Councillors Doiron and Tweel opposed**

5. Motion to move in a Closed Session of Council

Moved by Councillor McCabe and seconded by Councillor Bernard to close the meeting to the public to discuss matters as per Section 119 (1) (e) of the Municipal Government Act of PEI.
Carried.

6. Business Arising from the Closed Session

No business arose from the Closed session.

7. Adjournment

Moved by Councillor Jankov and seconded by Councillor Rivard to adjourn the meeting.
Carried.

The meeting concluded at 6:20 PM.

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**Special Meeting of Council
Wednesday, September 4, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown

Present: **Deputy Mayor Jason Coady** **Councillor Greg Rivard**
 Councillor Mike Duffy **Councillor Alanna Jankov**
 Councillor Kevin Ramsay **Councillor Terry Bernard (arr. 5:15pm)**
 Councillor Terry MacLeod **Councillor Julie McCabe**

Also: **Peter Kelly, CAO** **Alex Forbes, PM**
 Robert Zilke, PDO **Tracey McLean, RM**

Regrets: **Councillor Bob Doiron** **Councillor Mitchell Tweel**

- 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**
Moved by Councillor Duffy and seconded by Councillor Ramsay that the agenda be approved as presented. Carried.
- 4. Motion to move in a Closed Session of Council**
Moved by Councillor Ramsay and seconded by Councillor Duffy to close the meeting to the public to discuss matters as per Section 119 (1) (e) of the Municipal Government Act of PEI. Carried.
- 5. Business Arising from the Closed Session**
No business arose from the Closed session.
- 6. Adjournment**
Moved by Councillor McCabe and seconded by Councillor Bernard to adjourn the meeting. Carried.

The meeting concluded at 6:50 PM.



**PLANNING AND HERITAGE COMMITTEE
REPORT TO COUNCIL
September 09, 2019**

The Planning & Heritage Committee did not meet in September 2019; therefore there are no reports to attach in this package.

The Planning Board met on Friday, August 23, 2019 and Tuesday, September 03, 2019; copies of the Planning Board Reports and the minutes are included in your package.

The Heritage Board met on Monday, August 26, 2019; copies of the Heritage Board Report and the minutes are included in your package.

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

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

Planning:

1. 38 Palmers Lane (PID #275156): Rezone the property at 38 Palmers Lane from Low Density Residential Zone (R-2) to Medium Density (R-3) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. Public Meeting held on August 27, 2019.
2. 13 Donwood Drive (PID #278531): Home occupation request to operate a counselling/therapy service with appointment based clients visiting the property.
3. 53 Upper Hillsborough Street (PID #360719): Variances to reduce the required lot frontage and to reduce the required lot area to establish a duplex in the Low Density Residential (R-2) Zone.
4. 80 Longworth Ave / 46 Victory Ave (PID #364695): Variance to reduce the required lot frontage in order to permit three (3) residential dwelling units in the Medium Density Residential (R-3) Zone.
5. 17 Capital Drive (PID #387654): Variance to decrease the left and right minimum side yard setbacks to construct a 12-unit apartment building
6. Corner of Royalty Road & Upton Road (PID #388595): Reconsideration to rezone a portion of the vacant property from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.
7. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.2): Proposed amendments to formalize standard practices dealing with measurements, restrict the expansion of legal non-conforming uses, require design review for developments that undergo a significant design alteration in the 500 Lot Area, dictate the maximum size of an attached garage, enable Heritage Board to provide a recommendation to Council on the design and placement of signage for Designated Heritage Resources, prohibit Asphalt, Aggregate and Concrete Plants in the West Royalty Business Park and establish Marijuana Production Facility parking requirements.

Reading Papers:

First Readings:
None.

Second Reading:

1. 221 Belvedere Ave (PID #395087): Rezone a portion of the property at 221 Belvedere Ave. from Low Density Residential Zone (R-2) to Parking Zone (P) and amend the Official Plan Map from Low Density Residential to Commercial.

2. 71 & 73 Upper Prince Street (PID #683748 & PID #359521): Rezone the property from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone.

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

Respectfully submitted,

Councillor Greg Rivard, *Chair*

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES
TUESDAY, AUGUST 23, 2019, 12:00 P.M.
PARKDALE ROOM, 2nd FLOOR, CITY HALL**

Present: Mayor Philip Brown
Councillor Greg Rivard, Chair
Deputy Mayor Jason Coady, Vice-Chair
Councillor Bob Doiron
Councillor Julie McCabe
Basil Hambly, RM
Bobby Kenny, RM
Kris Fournier, RM
Reg MacInnis, RM

Rosemary Herbert, RM
Shallyn Murray, RM
Laurel Palmer Thompson, PII
Robert Zilke, PII
Ellen Faye Ganga, PH IA/AA

Regrets: Alex Forbes, PHM
Greg Morrison, PII

1. Call to Order

Councillor Rivard called the meeting to order at 12:03 pm.

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Councillor Julie McCabe and seconded by Bobby Kenny, RM, that the agenda for Friday, August 23, 2019, be approved.

CARRIED

4. Adoption of Minutes

Moved by Rosemary Herbert, RM, and seconded by Kris Fournier, RM, that the minutes of the meeting held on Tuesday, August 06, 2019, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. 320 Capital Drive (PID #387365)

This is an application with regards to the traffic study prepared for the development on the corner of Maypoint Road and Capital Drive (PID #387365) to permit a double lane drive-thru for a Tim Horton's restaurant (stacking and queuing spaces). Robert Zilke, Planner II, presented the application. See attached report.

A traffic study was prepared for D.P. Murphy on November 2016 for the proposed hotel, gas station and food outlet/convenience store/carwash. The proposed concept now includes a double lane drive thru for Tim Horton's. Because of the addition of the drive thru and the construction of the roundabout since the traffic study was made, it was determined that additional traffic study

was necessary. Based on traffic consultant's comments and additional comments from Transportation, Energy and Infrastructure, Police and Public Works Department, staff recommends that the traffic study be accepted with the conditions stated in the attached report.

Members of the Planning Board had concerns about the proposed drive thru and the concerns are outlined below:

- Stacking of northbound and southbound traffic along Maypoint Road and the roundabout;
- The bus stops near the Police Station and Beach Grove Road also causes stacking of traffic;
- Southbound traffic turning right to Maypoint Road from the roundabout and then queuing to turn left into the proposed development may cause more traffic congestion, impact the flow of traffic and can cause fender benders or increase the risk of vehicular incidents;
- The existing crosswalk is not a safe location at the moment and may even become more unsafe when the drive thru is permitted due to increase queuing and stacking of vehicles.

Mayor Brown asked where the dedicated right turning lane would be if this would be required in the future. Mr. Zilke responded that it will be along the existing sidewalk situated on the western boundary of the proposed development along Maypoint Road. Since the right lane now encroaches the existing sidewalk, the developer would be required to convey land to maintain the sidewalk in that area. Ms. Thompson also added that the cost to the upgrades in the future should be shouldered by the developer. However, there are two developers for this property in question, Cordova and DP Murphy but the developer who is involved in this drive thru would be DP Murphy only and not Cordova. The question now is who should shoulder the upgrade cost as the property is shared by both DP Murphy & Cordova's developments.

Mayor Brown asked what the traffic study recommendations were and both Ms. Thompson and Mr. Zilke indicated that the traffic study recommends that the proposed access as presented in Appendix A be accepted. Ms. Thompson noted that staff are not experts in providing a traffic study which is why we request for recommendations from a professional engineer. It was also reviewed by Public Works, Police and the Department of Transportation, Infrastructure and Energy as well and they have all provided their inputs. Staff agrees with the recommendation to accept the traffic study.

Councillor Rivard asked if the application can be deferred and then request for a meeting with Mr. Allan Aitken, DP Murphy and Cordova representatives to discuss the concerns. Ms. Thompson added she is hesitant to have this meeting since the original traffic study made in 2016 was accepted and signed off at that time. And the updated traffic study also presented that the proposed drive thru is also acceptable. If this application is deferred, there should be a justifiable reason to defer this application. Ms. Thompson also added that the board has three options: 1) To reject the recommendation; 2) To defer the recommendation and provide a justifiable reason for the deferral; and 3) to accept the recommendation with the stipulated conditions.

Councillor Rivard also asked if a different group/professional can perform a separate traffic study but staff and board members asked who should shoulder the cost for this traffic study.

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

Moved by Mayor Philip Brown and seconded by Reg MacInnis that:

- a) **The request to accept the traffic study prepared for the development on the corner of Maypoint Road and Capital Drive to permit a double drive thru Tim Horton's restaurant (stacking and queuing spaces) as proposed in the traffic study in Appendix "A" Option 3, be deferred until the City has provided a second opinion/traffic study from an independent traffic engineer;**
- b) **The request for the City to hire a traffic engineer to perform an independent review of the submitted traffic study be approved; and**
- c) **To allow Cordova's other building permit applications for the proposed development be approved independently from the application for Tim Horton's drive thru.**

CARRIED

7. New Business

8. Adjournment of Public Session

Moved by Mayor Philip Brown and seconded by Councillor Julie McCabe, that the meeting be adjourned. The meeting was adjourned at 12:48 p.m.

CARRIED

Councillor Greg Rivard, Chair

six residents spoke in opposition. The residents felt that the proposed development is not appropriate in the neighbourhood.

If the application is successfully rezoned, the lot area would only permit 17 apartment units. The applicant would then have to apply for a variance application for the additional unit. While the proposed development would not be considered a spot zone and technically could be considered to be compatible with the adjoining properties and such development would provide housing choices within the neighbourhood, the primary concern is the shifting of a higher density residential zone further into a low density mature neighbourhood. Staff recommendation is to reject the application. Robert Haggis, architect and representative to the application, is here to answer any possible questions.

Mr. Haggis mentioned that the client offered him to engage with the neighbours to determine what they would consider a suitable development in terms of form and size.

Shallyn Murray, RM, asked what the initial recommendation of staff was and Ms. Thompson responded that it was recommended not to proceed to public consultation.

Councillor Rivard added that this is not an easy application to deal with as it has its own advantages and shortcomings. Ms. Thompson also added that on a staffing perspective, staff recognizes the current housing shortage but the bylaws and official plans should also be considered. And this type of development is something that is not supported by the Official Plan. There are challenges for staff in considering all the concerns from residents and in trying to provide a balanced report for this application.

Councillor McCabe commented that the previous application for a 12-unit apartment was turned down by Council and now, the applicant is trying to build an 18-unit apartment building. Councillor Rivard also asked that if the proposal today was for a 12-unit apartment building, would the recommendation change. Mr. Haggis commented that the residents were opposed to any rezoning and change in density in general. Councillor McCabe also clarified what would be considered an appropriate development. Ms. Thompson indicated that the Official Plan talks about step zoning, which is a transition from Commercial down to the lowest residential density zone permitted. A townhouse dwelling would make sense with the right scale and mass. However, residents were still opposed to this type of development. Rosemary Herbert also asked Ms. Thompson to explain about the difficulties with this application with the Official Plan. Ms. Thompson mentioned that the Official plan speaks to that area where higher and medium density development be located along the corridor at St. Peters Road between the Sherwood Shopping Centre and the rail corridors. Local streets that flow off St. Peters Road would traditionally have lower density developments. This is a different scenario because you have two existing low rise apartment buildings that would have existed during the late 70's/80's. There were no complaints about that building and this is going to be a tough decision, considering the technical requirements and comments from the residents.

Ms. Murray commented that it is hard to reject this application because of the current housing crisis and that the application is really not out of context with the surrounding.

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

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

- a) Amend Appendix “A” the Official Land Use Map of the City of Charlottetown from Low Density Residential to Medium Density Residential; and**
- b) Amend Appendix “G” – Zoning Map of the Charlottetown Zoning and Development Bylaw from R-2 (Low Density Residential) Zone to R-3 (Medium Density Residential) Zone;**

for property located at 38 Palmers Lane (PID #275156), in order to construct an 18-unit apartment building, be recommended to Council for rejection.

**CARRIED
(6-3)**

R.Herbert, S. Murray & K. Fournier opposed

7. 13 Donwood Drive (PID #278531)

This is a request to operate a home occupation (i.e. counselling/therapy service) for the property at 13 Donwood Drive (PID #278531). The property is located in the Single-Detached Residential (R-1S) Zone. The property owner will be the sole operator of the home occupation and shall operate out of an office in the dwelling. Robert Zilke, Planner II, presented the application. See attached report.

The proposed home occupation will allow for counselling/therapy services consisting of appointment based visits with only one client at a time. The total number of clients visiting per week would be around three (3), with appointments scheduled on an hourly basis. This number may increase in the future. The applicant intends to use one of the rooms of her property for the proposed home based occupation and the property would have enough room to accommodate three (3) off-street parking spaces.

At the time the applicant submitted the application, the amendments to the Zoning & Development Bylaw (2018-11/PH-ZD.2) including the prohibitions to permitted home occupations were not approved yet. It includes but is not limited to Medical, Health and Dental Office as a prohibited use under the existing Zoning & Development By-law regulations. Letters were sent to residents within 100 meters of the subject property and received two (2) responses opposing the proposed home occupation. Their main concerns were on safety, possibility of intensification of the services and the proposed use may be detrimental to the character of the existing neighbourhood. Staff recommendation is to reject the application.

The applicant spoke to her application and clarified that her services would be more of a counselling session through employee assistance services as compared to a paramedical practice such as a medical/dental clinic. The applicant indicated that the intention of this home occupation would be to provide counselling services and support to clients in a quiet and confidential environment. This business is not intended to negatively impact the neighbourhood but to be able to enhance the community.

Councillor Rivard clarified the potential increase in amount of clients per week from three (3) to having more clients in the future. The applicant responded that it usually takes about three to five years to establish or to build the business. She intends to do this as a part time business only and would serve overflows from other counselling services or services that would need to have her clients visit her office. The applicant wanted to have this business in her property to allow her to have a legal use of the property for her business.

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

Moved by Basil Hambly, RM, and seconded by Bobby Kenny, RM, that the request to operate a home occupation (i.e. counselling/therapy service) for the property located at 13 Donwood Drive (PID #278531), be recommended to Council for rejection.

**CARRIED
(6-3)**

Councillor McCabe, S. Murray & K. Fournier opposed

8. 53 Upper Hillsborough Street (PID #360719)

This is a request to reduce the required lot frontage from 22m (72.2 ft) to approximately 17.6m (58 ft) and to reduce the required lot area from 696 sq.m (7,491.7 sq.ft) to approximately 427 sq.m (4597 sq.ft) to establish a duplex dwelling at 53 Upper Hillsborough Street (PID #360719). The property is located in the Low Density Residential (R-2) Zone. Robert Zilke, Planner II, presented the application. See attached report.

The property contains a single-detached dwelling. However, the applicant indicated that the upper level was used as a second dwelling unit for a family member. The property has been assessed as a single-detached dwelling and the City has no building permit record that legally established it as a two-unit dwelling. Approval of this application would allow for the construction of a two-storey duplex dwelling. No modifications to the exterior façade will be done except for the dedicated entrance to the second unit. Staff recommendation is to approve the application.

Councillor Rivard commented there will basically no change to what the existing structure as the second unit already exists and that this can be compared to single family homes with an accessory apartment. Councillor Doiron also commented that this is basically just legally converting it from a single family dwelling to a duplex. Mr. Zilke also added that they are allowed to construct a 2-unit dwelling on the property and would meet the requirements of the Bylaw except for the frontage and lot area for which the variances are being requested.

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

Moved by Councillor Julie McCabe and seconded by Councillor Bob Doiron, that the request to reduce the required lot frontage from 22m (72.2 ft) to approximately 17.6m (58 ft) and to reduce the required lot area from 696 sq.m (7,491.7 sq.ft) to approximately 427

sq.m (4597 sq.ft) to establish a duplex dwelling at 53 Upper Hillsborough Street (PID #360719), be recommended to Council for approval, subject to the following condition:

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

**CARRIED
(9-0)**

9. 80 Longworth Ave / 46 Victory Ave (PID #364695)

This is a request to reduce the required lot frontage from the required 30m (98.4 ft) to approximately 25m (82 ft) in order to permit three (3) residential dwelling units at 80 Longworth Ave/46 Victory Ave (PID #364695). The property is located in the Medium Density Residential (R-3) Zone. Robert Zilke, Planner II, presented the application. See attached report.

The property contains a two-unit dwelling and the applicant is proposing to convert one of the units into a two-unit dwelling, making it a total of three residential units. Should this application be approved, there will be no changes to the footprint of the building. There are enough parking spaces on the property. There is a proposed additional parking space as presented by the applicant but this additional parking space will not be approved due to close proximity to the corner. Staff recommendation is to approve the application.

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 Rosemary Herbert, RM, that the request to reduce the required lot frontage from 30m to approximately 25m to establish a three (3) unit dwelling at 80 Longworth Ave / 46 Victory Ave (PID #364695), be recommended to Council for approval, subject to the following condition:

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

**CARRIED
(9-0)**

10. 17 Capital Drive (PID #387654)

This is a request to increase the maximum residential density from 11 to 12 dwellings units; a request to decrease the left minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft); and a request to decrease the right minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft) to the property at 17 Capital Drive (PID #387654). The property is located in the Highway Commercial (C-2) Zone. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

The applicant applied for variances in 2017 and 2018 and on both occasions, the variances were approved. Since that time, the applicant has not submitted any building permit application. If after one (1) year of a variance approval, no building permit is issued or a permit is not acted

upon, the variance and any permit shall automatically be deemed null and void. The variance has since then expired and the applicant is reapplying for the same variances to allow the construction of a 12-unit apartment building. The application did not receive any opposition and therefore the minor variance to increase the density from 11 to 12 units can be approved by staff. This proposed apartment building meets the required parking spaces and landscaping requirements. It could also enhance the streetscape along Capital Drive and the apartment unit conforms and aligns to the Official Plan. Staff recommendation is to approve the remaining two variances.

Councillor Rivard commented on a previous discussion on consolidating the property with the adjacent lot which is also owned by the same family members. Ms. Thompson responded that if parking on site is not sufficient, this could be an option that may be considered.

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

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

- **Decrease the left minimum side yard setbacks from 4.5m (14.8ft) to 3.0m (9.8ft); and**
 - **Decrease the right minimum side yard setbacks from 4.5m (14.8ft) to 3.0m (9.8ft),**
- to construct a 12-unit apartment building at 17 Capital Drive (PID #387654), be recommended to Council for approval.**

**CARRIED
(9-0)**

11. Corner of Royalty Road & Upton Road (PID #388595)

This is a request for reconsideration to rezone a portion of the vacant property from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

The application was rejected by Council on April 8, 2019. The applicant has submitted an appeal to IRAC noting the following: Council, in making its decision, did not consider:

- a) The fact that the Planning Board had approved the subdivision;
- b) The planners for the City considered this good development application and worthy of consideration;
- c) The City did not consider the benefit to the City of mixed zoning nor did it consider the factors set out in the bylaws respecting the material grounds for consideration;
- d) The Council ignored the objectives and policies of the City of Charlottetown's Planning & Development Bylaws;
- e) Council ignored the five "Baker" factors, failed to render a decision with procedural fairness, failed to carefully evaluate the application, and, failed to give reason for declining the application. The decision of Council flies in the face of decided case law, and, decisions rendered by IRAC.

In order for an application to be considered, the application is required to pass a threshold test. If Council determines that the request passes the threshold test, reconsideration will be given based on the merits of the application. The application is currently at the threshold test stage and staff's analysis do not support the claim by the applicant that there is a clear doubt as to the correctness of the order or decision in the first instance.

Councillor Rivard commented that the application does not meet the threshold so there is no point in overturning the decision. Reg MacInnis, RM, also noted the fact that there was no new information provided. Mr. Forbes added that Council will make the final decision on this application.

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 Kris Fournier, RM, that the request to reconsider a decision of Council to rezone approximately 3.25 acres of vacant property located on the corner of Royalty Road and Upton Road (PID #388595) by amending Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone, be recommended to Council for rejection.

**CARRIED
(8-0)**

12. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.2)

This is an application to make amendments to the Zoning & Development Bylaw (PH-ZD.2) pertaining to:

- Section 2: Operation
- Section 3.14 Design Review
- Section 4: Accessory Structures
- Section 4.6: Non-conforming buildings
- Section 36.3 Regulations for Industrial and Commercial Uses
- Section 43.1 Parking Space Standards
- Section 44.21 Exemptions to sign regulations

Robert Zilke, Planner II, presented the application. See attached report.

Councillor Rivard asked who determines the guidelines for design review and that the guidelines should be clear. Mr. Forbes responded that guidelines will be defined for design reviews.

Rosemary Herbert, RM, asked if living spaces or bonus rooms over the garage are considered garage space or living space. Mr. Zilke responded that it will count as part of the living space. Mr. Rivard also asked what triggered this initiative and Mr. Zilke noted the example on the Belgrave application for an attached garage.

Reg MacInnis, RM, asked why the asphalt plant would just not be permitted in the City of Charlottetown. Mr. Forbes responded that because of the legal land uses, the M-2 zone would be

the only zone where an asphalt plant may be permitted. The West Royalty is different from Sherwood and it would be difficult to restrict a legal use without providing a compelling planning rationale.

Councillor Doiron also asked why this was not done before the asphalt plant was added in the Bylaw as a permitted use. Now the permitted use within the West Royalty Business Park is being requested to be taken out. Residents of West Royalty don't want an asphalt plant the same as the residents of Sherwood. Mr. Forbes responded that the amendment process for an asphalt plant in the M-2 Zone became an issue when a prospective business owner contested that he had the right to establish an asphalt plant in this zone based upon the definition of heavy manufacturing. The Planning Department were not prepared to issue a permit for an asphalt plant as of right and sought further clarification from Council through the amendment process. Councillor McCabe feels that instead of prohibiting the asphalt plant at West Royalty, she recommends that the zoning for West Royalty be changed. Mr. Forbes responded that it would be up to the Board to make a recommendation on this and Council to make a decision. Regardless of how Council wishes to deal with this amendment, IRAC will review the initial amendment process and this ruling will provide further clarity on the appropriateness of the second amendment to the M-2 zone.

Councillor Coady reminded the board of what the Board and Council went through regarding the proposed asphalt plant along Sherwood Road, then the approval of asphalt plant as permitted use for M-2 zone and now taking West Royalty out. Mr. Coady felt that this is ridiculous. Mr. Forbes responded that it would be up to the Board to make a recommendation. This proposal is a result of all the previous proposals and amendments. There were a lot of discussions as to whether one can legally put an asphalt plant in the West Royalty Business Park. Any application would still have to go through an Environmental Impact Assessment (EIA) to determine if this would be approved or not. Councillor McCabe commented that if the property is zoned M-2, then it would be an M-2 zone. We cannot just say that this time it is not okay, whereas the last time, it was okay to put an asphalt plant in that zone.

Councillor Rivard commented that other Council members may feel that this was initiated by him but clarified that this is a concern of staff. Mr. Rivard also added that even if he wasn't a part of this board, he would ask why compounding the problem we already have is appropriate. Mr. Rivard feels that because it is his ward, other Council members are looking at him. Councillor McCabe and Mr. Coady commented that they are not indicating that it was Mr. Rivard's initiative but they are just recommending that the overall zoning be considered. Mr. Forbes added that the board may provide their recommendations accordingly. Staff's responsibly is to fortify the Bylaw with clear language, make it as strong as possible and cut out any ambiguity. Council is the appropriate body that can review amendments to clarify any ambiguity in the Zoning By-law.

Ms. McCabe recommended that the zoning of the West Royalty be changed as a whole from a heavy industrial to a lesser industrial zone and not just specific to asphalt, aggregate or concrete. Mr. MacInnis' point of view is to get IRAC's inputs before this move forward. Mr. Forbes mentioned that it is totally up to the board to make a recommendation but staff brought this issue forward to bring attention to this situation.

Ms. Herbert felt that the timing is not ideal and if this can be discussed in the near future. Ms. Herbert also asked if asphalt plant can be located out in the country side. Mr. Forbes responded that asphalt plants are usually located in rural areas and cannot be located within 500 meters of residential dwelling. Mr. MacInnis recalled that there used to be an asphalt plant years ago and members commented that it may have been in the Summerside Port.

Mr. Doiron recommended that staff or the board wait for IRAC to provide an update or to wait for the hearing to be done before looking at this proposal again. Councillor McCabe indicated that she is totally against this proposal. Mr. Rivard commented that the members heard the concerns of the residents and asked if this proposal can move forward without waiting for the IRAC hearing. Mr. Coady responded that residents along Sherwood were against the asphalt plant. At the public meeting, residents also spoke in opposition. Mr. Rivard clarified that the public meeting was for a request to rezone a property in order to locate an asphalt plant. Mr. Rivard also asked about the discretionary use for an asphalt plant that was permitted along the airport zone previously. Mr. Forbes indicated that the airport would have allowed that for the airport's development purposes only and not allowed their property to be used by a private business to operate from.

Mr. Hambly clarified that the West Royalty as a whole is M-2 zone. Mr. Zilke commented that it used to be West Royalty Industrial Park and now renamed to West Royalty Business Park. Some portions are zoned M-3 which is Business Industrial Park, which is less industrial compared to an M-2 zone.

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 Rosemary Herbert, RM, that the amendments to the Zoning & Development Bylaw (PH-ZD.2) pertaining to:

- **Section 2: Operation;**
- **Section 3.14 Design Review;**
- **Section 4: Accessory Structures;**
- **Section 4.6: Non-conforming buildings;**
- **Section 43.1 Parking Space Standards; and**
- **Section 44.21 Exemptions to sign regulations,**

be recommended to council to proceed to Public Consultation;

And, the amendment to the Zoning & Development Bylaw (PH-ZD.2) pertaining to Section 36.3 Regulations for Industrial and Commercial Uses (asphalt plants), be deferred until after the IRAC Hearing.

**CARRIED
(9-0)**

13. New Business

14. Adjournment of Public Session

Moved by Basil Hambly, RM, and seconded by Councillor Julie McCabe, that the meeting be adjourned. The meeting was adjourned at 6:17 p.m.

CARRIED

Councillor Greg Rivard, Chair

DRAFT



**Public Meeting of Council
Tuesday, August 27, 2019, 7:00 PM
Georgian Ballroom, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

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

**Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Mike Duffy
Councillor Robert Doiron**

Also:

**Laurel Palmer Thompson, PII
Ellen Faye Ganga, PH IO/AA**

Robert Stavert, TA

Regrets:

**Councillor Terry Bernard
Alex Forbes, PHM**

**Greg Morrison, PII
Robert Zilke, PII**

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:03 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. 38 Palmers Lane (PID #275156)

This is a request to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential Zone (R-2) to Medium Density (R-3) and amend the Official Plan Map from Low Density Residential to Medium Density Residential. The purpose is to

construct an 18-unit apartment building. Robert Haggis, architect and representative of the developer, presented the application. Mr. Haggis indicated that the proposed development is directly adjacent to R-4 lots and also pointed out the school and Argowan at both ends of the streets. The proposed building will consist of eleven (11) 2-bedroom unit and seven (7) 1-bedroom unit apartments. Parking will be located at the back of the building and the access will be through the existing adjacent apartment **buildings. The proposed development's design will have a contemporary design and the** height will not be more than 36 feet in height, lower than the maximum allowed height of 49.2 feet for an R-3 Zone. This property has gone through several rezoning applications in the past and the owner of the property felt that there is a need for more apartment units as we have a need for housing at this time. Mr. Haggis then asked for any questions.

Bill Wicks, property owner and resident located immediately adjacent to the proposed development, spoke in opposition to the application. The lot is zoned R-2, low density residential. Two low-rise, 8-unit apartments adjacent to it, serves as a transition **between the Low Density and St. Peter's** Road/Commercial areas. The property used to have a single family dwelling but the lot is now vacant. This is the third attempt by Bevan Brothers to change the zoning of this property. The first attempt was to construct a 12-unit apartment building but was then rejected by Council because it was deemed inconsistent. The second was a request to construct a townhouse development consisting of three 2-unit duplexes and was likewise rejected. Now, they are attempting to rezone the property from Low Density Residential to Medium Density Residential in order to construct a three storey, 18-unit apartment building. This proposal is considerably larger and denser.

The Official Plan does not support this. The Official Plan offers a growth management strategy. New developments are to be harmonious to its surroundings. This proposal is not the case. The Bevans have not supplied the details regarding elevations, etc. and they would also require a variance. They have not applied for a variance. The lot is smaller than the amount of density they are requesting.

Residents are not opposed to any development but are opposed to this proposed rezoning; they wish for the developer to construct what is appropriate for the lot. Area residents are frustrated in continually raising the same argument to defend their neighbourhood. The residents are requesting that this application be rejected as the neighbourhood has experienced a lot..

Mr. Haggis asked if the scale was appropriate for the neighbours, would residents be willing to support the development. Mr. Wicks responded that they would not support it and would only like to see an R-2 development as to what it is currently zoned.

Mayor Brown asked if the applicants would be required to apply for a variance for 18 units and Mr. Haggis indicated that they could do 17 units as of right without a variance.

Judith Bayliss, resident, mentioned that Palmer's Lane is a busy street. There is an elementary school along that street. Kids do walk around during school days and it is so busy that the City had to put in speed bumps to prevent speeding cars that try to cut through Mount Edward Road to St. Peters Road. They would slow down closer to the speed bump but then speed up in between the speed bumps. Ms. Bayliss realizes that there is a shortage of housing but added that she has an objection to this application as it is an old neighbourhood and the building is completely inappropriate for the area. Residents are only asking for appropriate development in this mixed neighbourhood. Ms. Bayliss also commented that there is not enough parking access to this proposed development.

Mr. Haggis responded to the parking access concern and mentioned that the proposed apartment will utilize the existing driveway access of the adjacent apartment so there would not be an additional curb cut. Ms. Bayliss commented that it may not be appropriate to have insufficient access to the property or not have their own access. She also felt that this property is too small for the proposed development

Harold Snow, resident, commented that the proposed building does not have a nice appearance.. It does not fit in the neighbourhood. Mr. Snow has been in that neighbourhood since 1975 and expressed that the existing buildings have had a negative effect on his property. Surface water flows from the parking lot into his yard snow is plowed onto his yard which damages his fence. The Bevans have shown no consideration to the neighbourhood. The letter that was received in support of the application also discussed the problems on speeding along that street and this additional development will add to this problem.

Todd Petrie, resident, asked the members of Council of how residents should want their neighbourhood to look; the Downtown Area looks good. The new subdivisions now look like a cookie cutter and there are very minimal or no trees at all. Mr. Petrie recognizes that there is a housing crisis but this is not an easy fix. He noted that Ardgowan is located **on Palmer's Lane** and Parks Canada invested in that location to preserve that historic site. The other end is Hillside Motors and apartments.. He indicated that a support letter from James Bliss said the existing apartments are quiet and clean but we also have to consider the tipping point. There is a speeding and traffic problem on the street as well.

Elizabeth Dewolf, resident, commented that she is sorry for not being able to receive the notice earlier but she also felt that the time provided is too short to get responses in. **Ms. Dewolf added that she doesn't** have an issue with the existing buildings but does have an issue with this proposal. Her large Victorian style house was moved here and

she believes her property is bigger than the proposed development lot which does not make sense for 18 units. The former proposal required the Bevans to purchase land from the adjoining property so they must have already built the variance into their proposal. She noted that the elevation of the land rises substantially in this area so this building will be more like a full story as opposed to a half story higher than the existing buildings.

Mayor Brown responded to say that the residents have until 12:00pm on August 28, 2019 to send their comments to the Planning Department. These comments will be part of the package that goes to Planning Board and Council. Ms. Thompson also added that while the letter indicates 12:00pm as the deadline, the department will consider comments until 4:00pm on August 28th.

Eleanor Snow, resident, asked for clarification regarding the location of the parking lot. Mr. Haggis confirmed that the parking spaces will be behind the proposed building and will have a shared access with the adjacent apartment. Ms. Snow also commented that the existing 12-unit apartment building looks like it has more parking spaces compared to the proposed 18-unit apartment. She noted that parking is also visible from her **backyard and she doesn't like the look of it. There will be more gas emission, lights and cars.** She further noted that this neighbour has not been easy to work with; she has approached him about an obnoxious weed on his property and requested that it be eradicated but the owner has not done anything. Snow removal is also a concern and they keep damaging the fence. He is just not approachable as a neighbour. This does not make it encouraging for further development. Mr. Haggis also added that the new bylaw only requires one parking space per unit which this development meets. The older apartments would have more parking spaces available.

Ms. Bayliff stepped up and commented that she sees the Council sitting in front now and asked how seriously they really take the concerns. Ms. Bayliff added that their concerns are genuine as they live in that area. This is their neighbourhood and they have invested in that neighbourhood. There is a creeping character that has changed the neighbourhood. Ms. Bayliff is asking for **Council's** serious consideration. They do not want to undermine any businessman's deal but this is their neighbourhood and they have invested in their properties. She added that this is their chance to put their considerations to Council.

Mayor Brown responded that the Council is present to listen to the residents' concerns. Mr. Brown added that Council appreciates their comments and reminded the public that they can still submit their comments until August 28th, which then will be part of the report that staff will prepare for Planning Board and then to Council. Ms. Thompson also responded that the Bylaw requires at least seven calendar days prior to the public meeting for notifications be posted in the newspaper and letters be sent out to residents within 100 meters of the property in question.

Mr. Haggis commented that he understands the public's concern and has very little to say to ease these concerns. It is the only remaining R-2 lot on the street. The business owners see an opportunity to help with the housing crisis; mass and scale can be dealt with through design.

Councillor Rivard raised a question regarding the height of the existing buildings. Mr. Haggis responded that the existing apartments are 2.5 storeys and about 34 feet in height. The proposed 3-storey apartment's height would be closer to 34 feet, almost the same as the existing apartments. Mr. Rivard noted that the Planning Board meeting is scheduled on Tuesday, September 3, 2019 at 4:30 p.m. at City Hall. It is an open meeting so residents are welcome to attend.

Councillor Tweel thanked the residents for coming to the meeting, their emails and that their issues will be taken very seriously. Mr. Tweel also acknowledged that this is an older neighbourhood.

Mayor Brown asked for any further comments; there being none, the meeting proceeded to the next agenda item.

5. Adjournment of Public Session

Moved by Councillor Mike Duffy and seconded by Councillor Greg Rivard, that the meeting be adjourned. Meeting adjourned at 7:48 p.m.

TITLE: Special Planning Board Meeting FILE: PLAN-2019-23-August-6a-1 Traffic Study Maypoint Road / Capital Drive OWNER: Cordova Realty		
MEETING DATE: August 23, 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Property Map B. 2019 Traffic Study prepared by EXP Services Inc. C. Site Plan TIE Comments D. Departmental Comments	
SITE INFORMATION: Context: Proposed Tim Horton's Drive Thru queuing and stacking plan Ward No: 7 Existing Land Use: Hotel and foundation for proposed drive thru restaurant, convenience store, quick service restaurant and gas bar (8 pumps), and separate car wash. Official Plan: Commercial Zoning: C 2 Highway Commercial		
PREVIOUS APPLICATIONS: 2016 Rezoning Application		

RECOMMENDATION:

The Planning & Heritage Department recommends that Planning Board recommend to Council to approve the request to accept the traffic study prepared for the development on the corner of Maypoint Road and Capital Drive (PID 387365) to permit a drive thru Tim Horton's restaurant (stacking and queuing spaces) as proposed in the traffic study in Appendix "A" Option 3.

BACKGROUND:

Request

In November 2016 a traffic study was prepared for D. P. Murphy to comment on a proposed 125 room hotel, a gas station with food outlet/convenience store/car wash with a total of 12 fueling stations and a high turnover restaurant. The consultant (Don Good) from EXP Services Fredericton, New Brunswick reviewed the proposed land uses for both properties and outlined where three access points to service the hotel and adjacent commercial development should be located. The consultant identified two access points to Maypoint Road (with full access) and one access point to Capital Drive which was restricted (to right in / right out only).

Since that time the hotel has been constructed with 124 hotel rooms and efforts are underway to develop the adjacent piece of property on the corner of Maypoint and Capital Drive for commercial purposes. The original concept for the adjacent parcel now includes a gas bar /convenience store with 8 fueling stations, car wash and a quick service restaurant and a Tim Horton's with double lane drive thru. Since the original traffic study for the subject property was prepared in 2016 the new roundabout has been constructed and it was determined that the previous traffic study needed to be reviewed to ensure that any and all impacts were identified before proceeding to approve a drive thru at this location. The section below is from the Zoning By-law which indicates that before approving a drive thru that Police and Public Works need to provide input as well as a traffic study where deemed necessary. It was determined that a traffic study was necessary in this case because of the implications for queuing on Maypoint Road and the proximity to the new arterial roundabout.

QUEUING SPACE

Queuing spaces shall be provided in accordance with the following requirements:

Car Wash:

- five (5) in-bound queuing spaces Shall be provided the first bay and three (3) spaces for each additional bays; and
- out-bound queuing space Shall be provided on the exit side of each service position and this space Shall be located so as not to interfere with service to the next vehicle.

Drive-thru Eating and Drinking Establishment:

Council shall determine stacking requirements after receiving input from the Police and Public Works Departments and/or from a traffic consultant.

Automobile Service Station:

- four (4) in-bound spaces Shall be provided; and
- three (3) out-bound spaces Shall be provided.

All queuing spaces shall be a minimum of 6.5 m (21.3 ft) long and 3.0 m (9.8 ft) wide, and queuing lanes shall provide sufficient space for turning and maneuvering and shall not occupy any portion of a Designated fire lane.

LEGISLATIVE REQUIREMENTS:

Notification

Notification is not required on this application. The provision in the Zoning By-law was put in place to ensure that the technical merits associated with the queuing spaces for a drive thru were properly addressed. Upon the recommendation of Council with input from Public Works and Police and in this case a traffic study, approval can be provided.

ANALYSIS:

The attached report provides the required analysis of the implications and impacts from the proposed two lane queuing aisles for the Tim Horton's restaurant. Additional comments from the Province and input from the relevant City departments (Police and Public Works) to determine stacking requirements can be found as follows:

Transportation, Infrastructure and Energy

Trip generation numbers seem reasonable. However, it was noted that the report projects that by 2024 the queuing length for traffic approaching the roundabout from Maypoint Road during peak PM travel periods could be in the order of 35m. This is the approximate length from the access to the proposed development to the roundabout and could potentially cause some issues for southbound traffic and traffic that wants to turn left into the proposed development since there is not a dedicated southbound left turn lane. The traffic report does project that the queuing length for traffic entering the roundabout from Maypoint Road could be reduced to 18m if a dedicated right turn lane was added entering the roundabout. The addition of this lane would require widening and thus additional right-of-way. Analysis on other Tim Horton queuing lanes in the City was provided as follows:

- Grafton St TH has about 105m of queuing length before spilling onto Grafton St.
- Allen St TH has about 67m of queuing length before spilling onto Mt Edward. Additional storage (35+m) is available in parking lot towards Allen St.
- Queens Arms TH has about 120m of queuing length before spilling onto North River Rd.
- Nassau St TH has about 40m of queuing length before spilling onto Nassau. Additional storage (45m) is available in parking lot towards University Ave.
- St. Peters Rd has about 145m of queuing length before spilling onto St. Peters Rd

The proposed Tim Horton queuing lanes would have approximately 108m of queuing in the lineup and over 70m of queuing towards Maypoint and the gas pumps. The proposed development would therefore provide more queuing space than the other five above mentioned developments.

City of Charlottetown Police Services

The traffic study seems to have addressed the concerns pertaining to queuing length. Although the development example referenced in the study from Moncton off Mapleton Road presents some differences. The Mapleton Road development is on the corner of a traffic controlled intersection and not in close proximity to a roundabout but rather has a single access point that is significantly distant from said intersection. In comparison to other local Tim Horton

developments the queuing at peak periods seem to not be an issue now but could be in five years.

Public Works

Public Works is satisfied with the review and findings of the study but requires the following to be provided:

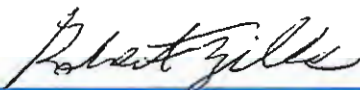
- The new driveway to the proposed development align with the Maypoint strip mall driveway; and
- That additional land along the western portion (Maypoint Road side) from the proposed development be conveyed to the City for the future expansion of a right turn lane into the roundabout.

CONCLUSION:

Based on the 2019 traffic report and comments received from Transportation, Energy and Infrastructure, Police and Public Works the Planning & Heritage Department recommends that Planning Board recommend to Council to approve the request to accept the traffic study prepared for the development on the corner of Maypoint Road and Capital Drive to permit a double drive thru Tim Horton's restaurant (stacking and queuing spaces) as proposed in the traffic study in Appendix "A" Option 3 as per the following conditions:

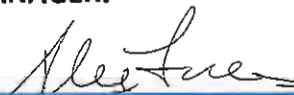
- 1) That the draft 2019 Traffic Impact Study for the Development on Capital Drive prepared by EXP Services Inc. be finalized and submitted to the City of Charlottetown; and
- 2) Subject to the signing of a Development Agreement that in the event that stacking of northbound vehicles leaving the proposed development to the roundabout results in queuing/stacking issues, the owner of the proposed development convey additional land from the western portion (i.e. Maypoint Road side) of subject site to the City at no cost, for the future development of a dedicated right turn lane in order to alleviate queuing congestion along Maypoint Road, as identified in the Traffic Report.

PRESENTER:



Robert Zilke, MCIP
Planner II

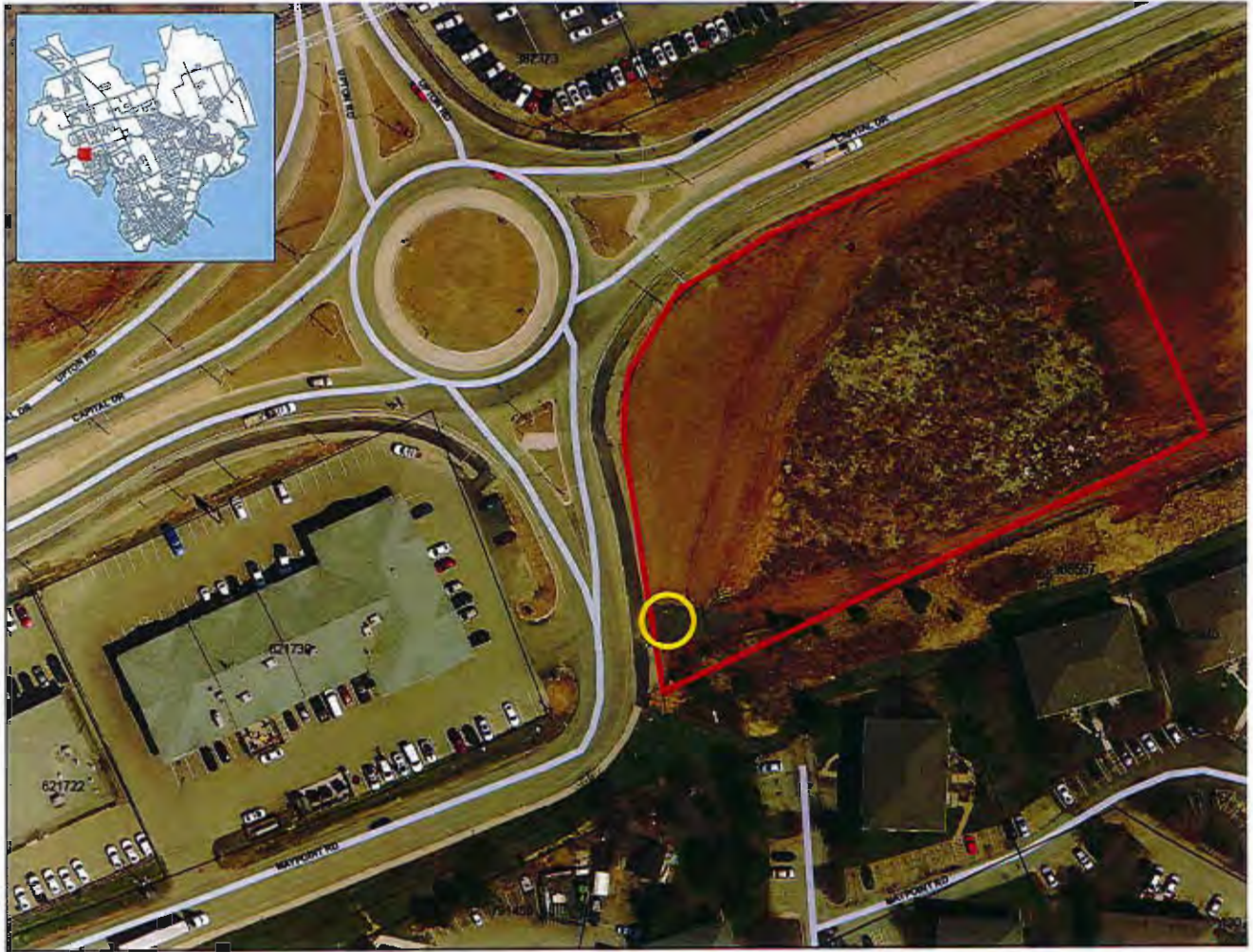
MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A

Subject Property



Update of the Traffic Impact Study for a Development on Capital Drive Charlottetown, PEI

Cordova Realty

Type of Document:
Draft

Project Number:
FRE-00254811-A0

Prepared by:
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2019-08-20



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Table of Contents

1	Introduction	1
1.1	Background	1
1.2	Study Objectives	1
1.3	Horizon Period	2
2	Information Gathering	3
2.1	Existing Traffic Volumes.....	3
2.2	Horizon Year Traffic Volumes	3
2.3	Street and Intersection Characteristics	4
2.4	Development Characteristics.....	5
3	Existing and Future Background Traffic Operations	6
3.1	Introduction	6
3.2	Existing and Horizon Year (2024) Levels of Service without Development.....	7
4	Development Traffic Generation and Assignment	8
4.1	Trip Generation.....	8
4.2	Trip Assignment	9
5	Future Traffic Operations with Development	11
6	Driveway Access Characteristics	13
7	Tim Hortons Drive-Thru.....	14
8	Summary of Findings.....	15

List of Appendices

APPENDIX A	Site Plans
APPENDIX B	Sidra Computer Output for Existing (2019) and 2024 Roundabout Travel Conditions without Development
APPENDIX C	Synchro and Sidra Computer Output for 2024 Travel Conditions with Development



List of Tables

Table 1 – Level of Service Criteria for Intersections6
 Table 2 – Operational Analysis for Existing (2019) and 2024 Horizon Year Conditions without Development.....7
 Table 3 – Estimated Trip Generation for Hotel, QSR and Car Wash.....8
 Table 4 – Estimated Trip Generation for Gas Bar/Convenience Store and Tim Hortons8
 Table 5 – Roundabout Operational Analysis for 2024 Horizon Year with Development11
 Table 6 – Stop Sign Controlled Operational Analysis for 2024 Horizon Year with Development12

List of Figures

Figure 1 – Development Location and Study Area2
 Figure 2 – Existing (2019) Peak Hour Volumes – AM / PM.....3
 Figure 3 – Projected 2024 Horizon Year Traffic Volumes without Development – AM / PM4
 Figure 4 – Generated Trips – AM / PM10
 Figure 5 – 2024 Peak Hour Volume with Development – AM / PM10

EXP Quality System Checks	
Project No.: FRE-00254811-A0	Date: 2019-Aug-20
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Prepared by: Don Good, P.Eng.	<i>Don Good</i>
Reviewed by: Don Good, P.Eng.	<i>Don Good</i>

1 Introduction

1.1 Background

In November 2016 a draft final report entitled *Traffic Impact Study for Development on Capital Drive – Charlottetown, PEI* was completed for a proposed development in the southeast quadrant of the Capital Drive/Maypoint Road/Upton Road intersection. At that time, the intersection was signalized, although construction had begun on a roundabout.

The November 2016 traffic study was prepared for D.P. Murphy and included a 125-room hotel, a gas station with a food outlet/convenience store/car wash with a total of 12 fuelling stations, and a high turnover rate restaurant totalling 559 m². To support the development, a right-in/right-out access was proposed on Capital Drive, along with a driveway on Maypoint Road opposite the Maypoint Plaza driveway, and an Access Road off Maypoint Road behind the development that would provide various driveways to the proposed and future development. **Appendix A** includes the original site plan that the traffic study used for evaluation.

Since November 2016, a 124-room hotel has been constructed along with the right-in/right-out driveway on Capital Drive and the Access Road. However, the remaining components of the development have changed from the original concept. This new concept, shown in Appendix A, is currently under construction.

Included in the new concept is a gas bar/convenience store with 8 fuelling stations (181.4 m² convenience store), a Quick Service Restaurant (157.9 m²) and a Tim Hortons (92.9 m²). The Tim Hortons is to be a double drive-thru with two order windows.

To support the access to the development, there will be a right-in/right-out driveway on Capital Drive (already constructed), a driveway off Maypoint Road opposite Maypoint Plaza, and an Access Road behind the development (already constructed).

This report is an update of the original November 2016 report. **Figure 1** shows the location of the proposed development in relation to the surrounding street network.

1.2 Study Objectives

The objective of this Traffic Impact Study (TIS) is to update the November 2016 report, identify any impacts associated with the proposed developments and address any traffic issues or concerns that the City of Charlottetown may have relating to the development characteristics and the access locations. The scope of the study includes the following:

- Discussions were held with the City relating to the proposed development, to obtain more details with respect to their issues and concerns.
- Traffic counts for the Capital Drive/Maypoint Road/Upton Road intersection were obtained from the Province. Projected future traffic at the intersection was determined using an annual growth rate.



Figure 1 – Development Location and Study Area

- An operational analysis was performed for existing and horizon year conditions without the development in place. The analysis was performed using Sidra and VisSim traffic simulation software for the roundabout and Synchro 10 software for the right-in/right-out driveway at Capital Drive, the driveway to the development at Maypoint Road, and the intersection of the Access Road with Maypoint Road. The Study Area intersections were evaluated in terms of level of service (LOS), associated vehicle delays, and 95th percentile queue lengths.
- Traffic generated from the proposed development was estimated and assigned to the adjacent road network.
- An operational analysis was performed for the horizon year with development to evaluate the impacts of the generated trips on the adjacent road network in terms of LOS, delay and 95th percentile queue lengths.
- Recommendations to address any operational issues were made.
- The findings were documented in a report.

1.3 Horizon Period

This TIS utilizes the current year 2019 and the horizon year 2024 without the development in place and the horizon year 2024 with the development in place to determine future traffic conditions within the Study Area.

An annual growth rate of 1% has been used to project future background traffic on Capital Drive/ Maypoint Road/Upton Road for the horizon period, as this growth rate was used in a previous evaluation study for the feasibility of the roundabout.

2 Information Gathering

2.1 Existing Traffic Volumes

Existing traffic counts were recently collected for the Capital Drive/Maypoint Road/Upton Road intersection in August 2019 for the AM and PM peak periods and provided by the Prince Edward Island Department of Transportation, Infrastructure and Energy. The traffic count was adjusted to reflect a Friday in June. The 2019 traffic volumes for the AM and PM peak hours are shown in Figure 2.



Figure 2 – Existing (2019) Peak Hour Volumes – AM / PM

It should be noted the August 2019 traffic count volumes were lower than the August 2014 volumes (those used in the original traffic study) at the Capital Drive/Maypoint Road/Upton Road intersection. In 2014 the Island celebrated the 150th anniversary of the 1864 Charlottetown Conference where the idea of Canada as a nation was proposed.

2.2 Horizon Year Traffic Volumes

Projected background 2024 AM and PM peak hour traffic volumes were required to evaluate future traffic conditions without the proposed development. Projected volumes were estimated using a 1% per annum growth rate, which was applied to all approaches of the intersecting roadways. Figure 3 shows the projected background 2024 AM and PM peak hour traffic volumes without the proposed development in place.

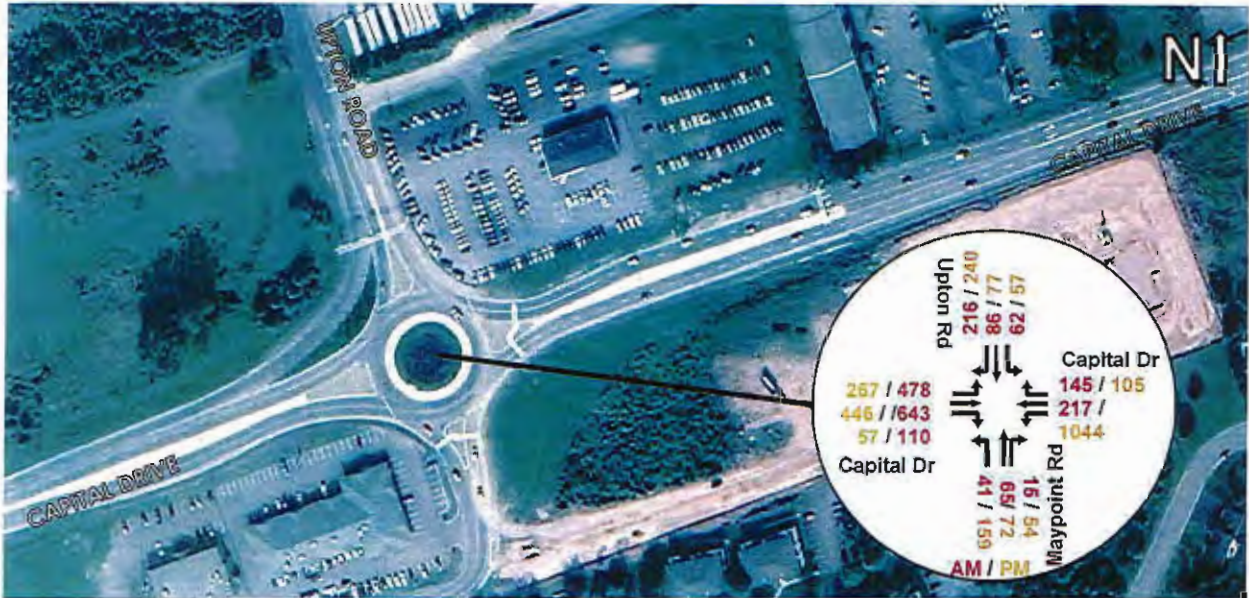


Figure 3 – Projected 2024 Horizon Year Traffic Volumes without Development – AM / PM

2.3 Street and Intersection Characteristics

Capital Drive is classified as an arterial road within the Study Area. The section to the west of the intersection with Maypoint Road/Upton Road is part of the Trans-Canada Highway Route 1. The roadway has a 4-lane cross-section and is posted at a speed limit of 70 km/h. The posted speed limit changes to 60 km/h on Capital Drive just east of the development site. There is an advisory 30 km/h speed limit through the roundabout.

Maypoint Road is classified as a collector road within the Study Area. This roadway is to the south of the intersection with Capital Drive and provides access to residential areas. It has a 2-lane cross-section and is posted at a speed limit of 50 km/h.

Upton Road is classified as arterial road within the Study Area and is part of the Trans-Canada Highway Route 1. The roadway is to the north of the intersection with Capital Drive. It has a 2-lane cross-section and has a posted speed limit of 60 km/h. Upton Road provides a connection to the Charlottetown Perimeter Highway.

The existing Capital Drive/Maypoint Road/Upton Road intersection is a 4-leg roundabout. The eastbound and westbound approaches have two lanes, one through/right-turn lane and one through/left-turn lane. The northbound approach has one shared through/right-turn/left-turn lane. The southbound approach has one shared through/left-turn lane with a separate right-turn bypass lane.

2.4 Development Characteristics

The proposed development is expected to be in operation in 2019 and will include the following components:

- Gas bar/convenience store (181.4 m²) with 8 fuelling stations,
- A Quick Service Restaurant (157.9 m²), and
- A Tim Hortons (92.9 m²) with a double drive-thru.

There is a new 124-room hotel which is now open for business on the development site.

3 Existing and Future Background Traffic Operations

3.1 Introduction

Existing and horizon year operational conditions were established to determine how the street network within the Study Area is currently functioning and how it will function by the 2024 horizon year without the proposed development. Traffic operations within the Study Area were evaluated using current traffic volumes with the roundabout configuration at the Capital Drive/Maypoint Road/Upton Road intersection. The roundabout performance and the proposed driveway on Maypoint Road were measured using a combination of the traffic simulation software VisSim and the roundabout software package Sidra. Results from VisSim and Sidra were used to determine an average delay for the AM and PM peak hours for each movement (used to determine LOS) and a 95th percentile queue on each approach. The other proposed access points to the development were evaluated using Synchro 10 software in terms of LOS, delay and 95th percentile queue lengths.

The intersection operations were primarily evaluated in terms of the LOS. Level of Service is a common measure of the quality of performance at an intersection and is defined in terms of vehicular delay. This delay includes deceleration delay, queue move-up time, stopped delay, and acceleration delay. LOS is expressed on a scale of A through F, where LOS A represents very little delay (i.e., less than 10 seconds per vehicle) and LOS F represents very high delay (i.e., greater than 50 seconds per vehicle for a stop sign controlled intersection/roundabout and greater than 80 seconds per vehicle for a signalized intersection).

Usually LOS D or better is considered acceptable in urban areas before improvements are considered, although some communities accept LOS E. The LOS criteria for signalized and stop sign controlled intersections/roundabouts are shown in Table 1. A description of traffic performance characteristics is included for each LOS.

Table 1 – Level of Service Criteria for Intersections

LOS	LOS Description	Control Delay (seconds per vehicle)	
		Signalized	Stop Controlled / Roundabout
A	Very low delay; most vehicles do not stop (Excellent)	less than 10.0	less than 10.0
B	Higher delay; more vehicles stop (Very Good)	between 10.0 and 20.0	between 10.0 and 15.0
C	Higher level of congestion; number of vehicles stopping is significant, although many still pass through intersection without stopping (Good)	between 20.0 and 35.0	between 15.0 and 25.0
D	Congestion becomes noticeable; vehicles must sometimes wait through more than one red light; many vehicles stop (Satisfactory)	between 35.0 and 55.0	between 25.0 and 35.0
E	Vehicles must often wait through more than one red light; considered by many agencies to be the limit of acceptable delay (Marginal)	between 55.0 and 80.0	between 35.0 and 50.0
F	This level is considered to be unacceptable to most drivers; occurs when arrival flow rates exceed the capacity of the intersection (Unacceptable)	greater than 80.0	greater than 50.0

3.2 Existing and Horizon Year (2024) Levels of Service without Development



The roundabout operational analysis for existing and projected 2024 horizon year traffic volumes for the AM and PM peak periods without development are presented in **Table 2** below. LOS, delay, and 95th percentile queue are included for each lane and represent the output from Sidra; however, the VisSim results were very similar.

Under existing 2019 traffic volumes, all movements at the Capital Drive/Maypoint Road/Upton Road roundabout are operating at overall very good LOS B or better, with average vehicle delays of 12 seconds or less during both the AM and PM peak periods. The 95th percentile queue lengths at each approach are 30 m or less during both the AM and PM peak periods. On the Maypoint Road approach the 95th percentile queue is 17 m in the PM peak.

Marginal changes at the Capital Drive/Maypoint Road/Upton Road roundabout are projected by the 2024 horizon year without development. The roundabout is projected to operate at very good levels of service B or better.

No operational deficiencies are expected for the Capital Drive/Maypoint Road/Upton Road roundabout for the existing 2019 traffic volumes as well as for the 2024 horizon year without the development.

Table 2 – Operational Analysis for Existing (2019) and 2024 Horizon Year Conditions without Development

North South Street @ East West Street	Traffic Control	Time Period	Eastbound		Westbound		North-bound	Southbound	
			TL ↶↑	TR ↑↷	TL ↶↑	TR ↑↷	TLR ↶↑↷	TL ↶↑	R ↷
<i>Existing (2019) Conditions</i>									
Maypoint/Upton @ Capital Dr		AM Peak	A 5 [29]	A 9 [29]	A 7 [11]	A 8 [10]	B 11 [8]	A 5 [8]	A 7 [5]
		PM Peak	A 4 [16]	A 9 [16]	B 10 [52]	B 11 [50]	B 12 [17]	A 9 [19]	B 10 [9]
<i>Projected 2024 Horizon Year Conditions without Development</i>									
Maypoint/Upton @ Capital Dr		AM Peak	A 5 [32]	A 10 [32]	A 7 [12]	A 8 [11]	B 12 [10]	A 5 [8]	A 7 [5]
		PM Peak	A 4 [18]	A 9 [17]	B 12 [63]	B 13 [60]	B 13 [21]	B 10 [23]	B 11 [11]

4 Development Traffic Generation and Assignment

4.1 Trip Generation

In order to estimate the amount of traffic that will be generated to one from the development site, a combination of trips produced by an existing development with similar characteristics and trip generation rates were utilized for the proposed retail development components. These trip generation rates are documented in the TripGen 2014 software and are based on the 9th edition of the *Trip General Manual*, published by the Institute of Transportation Engineers (ITE).

The proposed development includes a 124-room hotel (already in operation), a gas bar/convenience store with 8 fuelling stations and car wash, a Quick Service Restaurant and a Tim Hortons with a double drive-thru with two order windows.

There is a development in Moncton, NB on Mapleton Road that has a gas bar and convenience store with 8 fuelling stations and a Tim Hortons. As part of this study, a traffic count was completed at this existing facility to determine the number of trips generated to and from the site in the AM and PM peak travel periods.

Table 3 shows the estimated traffic generation by the hotel, the Quick Service Restaurant (QSR) and the car wash for the AM and PM peak hours. **Table 4** summarizes the estimated traffic associated with the gas bar/convenience store and Tim Hortons. These AM and PM peak hours are based on a recent count.

Table 3 – Estimated Trip Generation for Hotel, QSR and Car Wash

Development	Units	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Hotel ITE Land Use #310	124 rooms	39	27	66	38	36	74
Car Wash ITE Land Use #948	135.1 m ²	0	0	0	7	7	14
QSR ITE Land Use #933	157.9 m ²	26	18	44	13	13	26
Totals		65	45	110	58	56	114

Table 4 – Estimated Trip Generation for Gas Bar/Convenience Store and Tim Hortons*

Development	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Gas Bar/Convenience Store with 8 Fuelling Stations and a Tim Hortons	176	169	344	111	108	219
Pass-by Traffic	111	106	217	70	68	130
Net	65	63	128	41	40	81

*These trip volumes are based on a count completed at a similar development on Mapleton Road in Moncton, NB.



The total traffic generated by a development is comprised of new trips, diverted trips, and pass-by trips. New traffic is generated by a new development being constructed and in operation. This is traffic that would not have been on the adjacent street network without the new development and needs to be added to the adjacent street and intersection approaches. Diverted traffic is traffic that has been diverted from other nearby areas as a result of the development and also increases the traffic on adjacent streets and intersection approaches. Pass-by traffic is traffic that is already on the adjacent street and intersection approaches and makes an intermediate trip to the development as part of some overall trip. This traffic is not new to the adjacent street network. The percentage of pass-by trips varies between different types of developments. Based on results from the ITE Trip Generation rates, a 63% pass-by trip percentage is assumed for the AM and PM peak periods for traffic generated from the proposed gas bar/convenience store and Tim Hortons. A 0% pass-by trip percentage is assumed for traffic generated from the proposed hotel, QSR and car wash.

4.2 Trip Assignment

The generated trips have been assigned to the Study Area streets and intersections based on existing traffic distribution on Capital Drive, Maypoint Road and Upton Road during the peak periods. For traffic generated from the hotel, it was assumed that exiting vehicles would travel back towards the direction they entered from (i.e., returning home). Traffic generated from the gas bar/convenience store/Tim Hortons and QSR was assumed to exit using the existing distributions.

The following summarizes the assumptions utilized for assigning new traffic to the development for the AM and PM peak hours:

- Traffic generated from the north: 16% (AM) and 28% (PM);
- Traffic generated from the south: 5% (AM) and 9% (PM);
- Traffic generated from the east: 17% (AM) and 32% (PM); and
- Traffic generated from the west: 62% (AM) and 31% (PM).

It is assumed that 70% of the traffic generated from the gas bar/convenience store will enter the development using the Maypoint Road driveway – a full turn driveway aligned with the new Maypoint Plaza entrance. For traffic generated from the hotel and QSR, eastbound traffic was assumed to enter the developments using the right-in/right-out access on Capital Drive, while all other traffic was assumed to use the Access Road behind the development.

Figure 4 shows the trips generated at the Study Area intersections during the AM and PM peak periods. Figure 5 shows the AM and PM traffic volumes at the Study Area intersections with the development in place for the 2024 horizon year.

For analysis of the Maypoint Road/Development Driveway/Maypoint Plaza entrance intersection, ITE Trip Generation was used to estimate trips entering and exiting from the Maypoint Plaza. It was assumed that the Maypoint Plaza was classified as a shopping centre according to ITE with a gross floor area of 1837 m². It was also assumed that 50% of these trips would use the access to the east of the Plaza and 50% would use the access to the south of the Plaza. Note that these trips were not added to the overall network, as they would already be included in the traffic counts at the Capital Drive/Maypoint Road/Upton Road intersection.

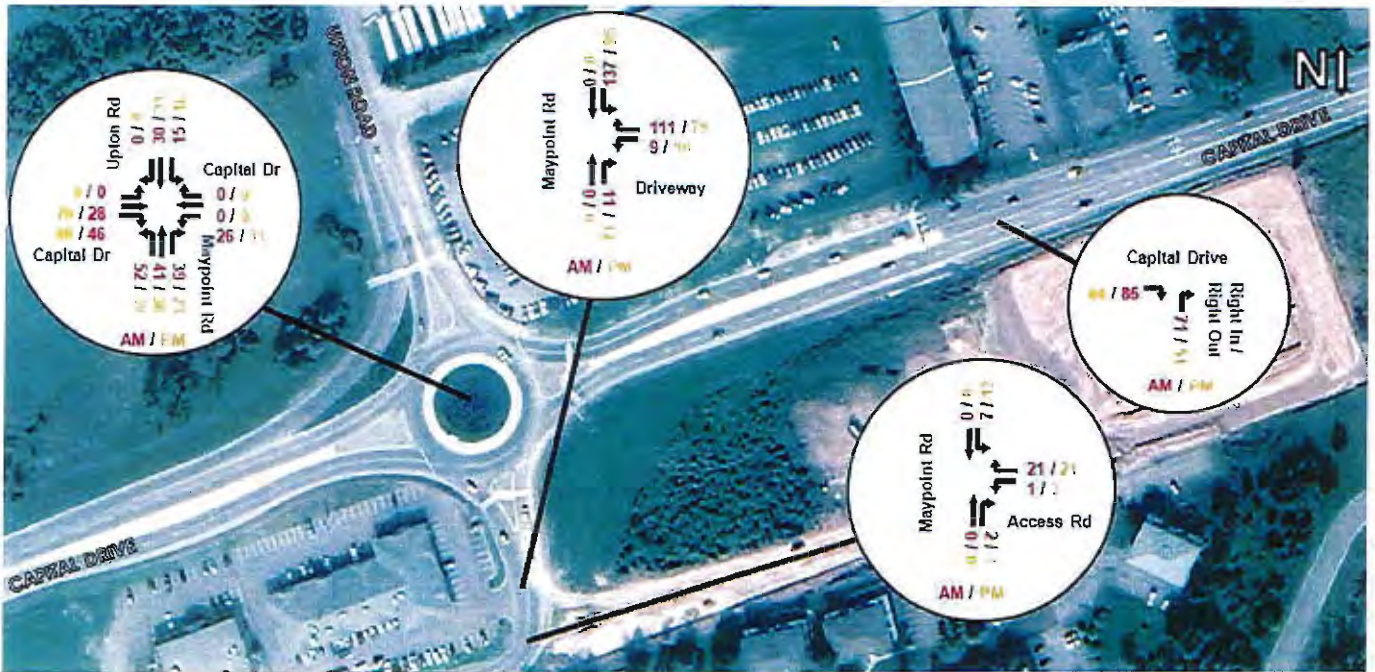


Figure 4 – Generated Trips – AM / PM

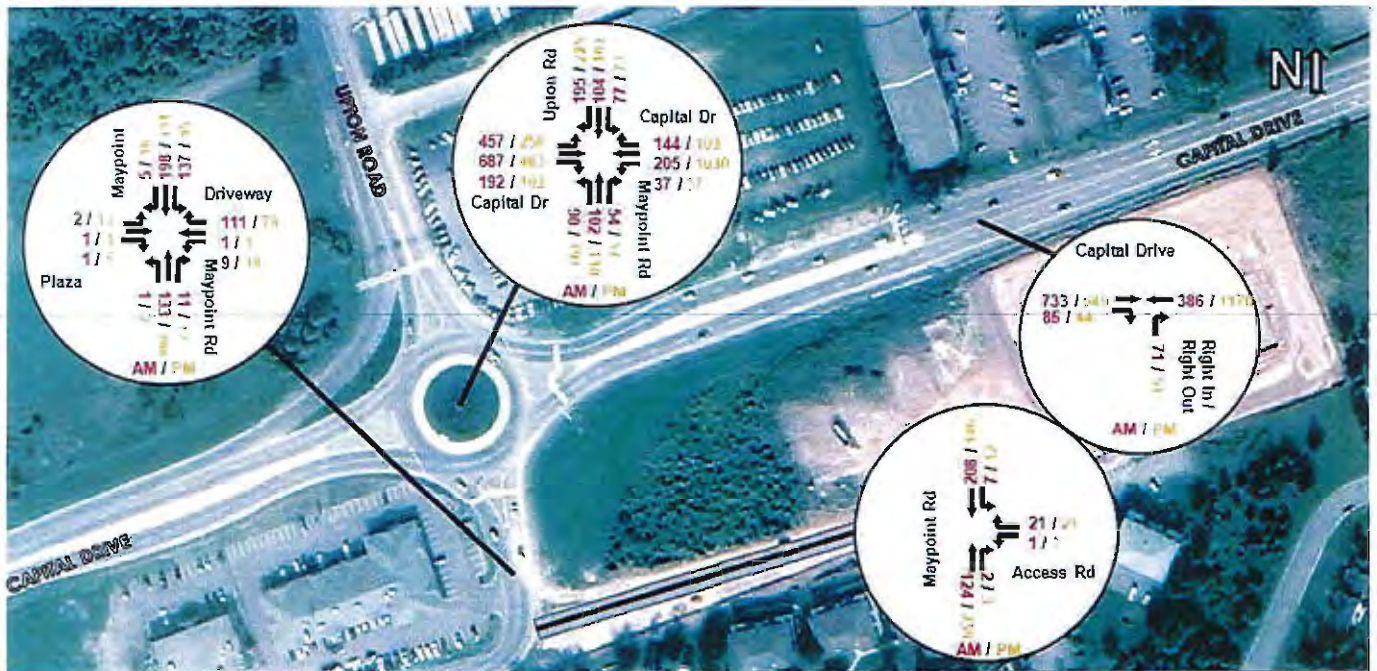



Figure 5 – 2024 Peak Hour Volume with Development – AM / PM

5 Future Traffic Operations with Development

To evaluate the future 2024 traffic conditions with the development in place, both the VisSim model and the Sidra roundabout software package were utilized to measure level of service conditions at the roundabout and the driveway to the development off Maypoint Road. Synchro 10 was also used to evaluate level of service at the Maypoint Road/Driveway/Plaza, Maypoint Road/Access Road, and Capital Drive/Right-in/Right-out Driveway intersections.

The results of the analysis under 2024 traffic conditions are presented in Tables 5 and 6 below. Table 5 shows the results at the roundabout, while Table 6 presents the results associated with the other Study Area intersections. Table 5 reflects the results from the Sidra analysis; however, the VisSim results were very similar.

Table 5 - Roundabout Operational Analysis for 2024 Horizon Year with Development

North South Street @ East West Street	Traffic Control	Time Period	Eastbound		Westbound		Northbound	Southbound	
			TL ↶↑	TR ↑↷	TL ↶↑	TR ↑↷	TLR ↶↑↷	TL ↶↑	R ↷
Maypoint/Upton @ Capital Drive		AM Peak	A	A	A	A	B	A	A
			6	10	8	10	18	5	8
		PM Peak	[40]	[40]	[14]	[13]	[29]	[7]	[7]
			A	A	B	B	B	B	B
		5	9	15	17	16	10	12	
		[21]	[20]	[82]	[78]	[35]	[22]	[17]	

The roundabout is projected to operate efficiently in 2024 with the development in place during both the morning and evening peak hours. All movements are projected to operate at a very good LOS B or better, with average delays per vehicle at 13 seconds or less. There also would be no substantial queuing on the approaches. The 95th percentile queue length for the Maypoint Road approach to the roundabout would be 29 m in the morning peak and 35 m in the evening peak. These queues would not extend back to the development driveway and block access.

The VisSim queue results are also similar. Based on the calculated 95th percentile queue lengths, queues are not expected to exceed the approximate 40 m queue storage along Maypoint Road to the driveway. These results suggest that no traffic flow and queuing issues are anticipated between the existing roundabout and the new driveway. This includes left turn movements into and out of the development driveway.

At the Capital Drive/Right-in/Right-out intersection, the right-turn out is projected to operate at a very good LOS B during both peak periods with average delay per vehicle of 12 seconds or less. Queuing would not be an issue. These results are presented in Table 6.

The Maypoint Road/Development Driveway/Plaza Driveway intersection is projected to operate efficiently with the critical turning movements at a good LOS C or better during the peak periods. There would also be no substantial queuing on the approaches. (See Table 6.)

Table 6 also shows the Maypoint Road/Access Road intersection would operate efficiently. Volumes are low and the turn movements would operate at LOS B or better.

Table 6 - Stop Sign Controlled Operational Analysis for 2024 Horizon Year with Development

North South Street @ East West Street	Traffic Control	Time Period	Eastbound			Westbound			Northbound			Southbound		
			L	T	R	L	T	R	L	T	R	L	T	R
Capital Drive Access (R/RO)		AM Peak	Free Flow						B					
		PM Peak	Free Flow						B					
Maypoint @ Driveway / Plaza		AM Peak	shared	C	shared	shared	B	shared	shared	A	shared	shared	A	shared
		PM Peak	shared	C	shared	shared	B	shared	shared	a	shared	shared	A	shared
Maypoint @ Access Road		AM Peak				shared	A	shared	shared	A	shared	shared	A	shared
		PM Peak				shared	B	shared	shared	A	shared	shared	A	shared

No operational deficiencies are projected at the Study Area intersections in the horizon year with the development in place.

Should queue lengths continue to grow beyond the 2024 planning horizon and create long-term operational concerns, then a second northbound entry lane, for right turns, can be added. The sensitivity assessment carried out using the Sidra software suggests that a new northbound right turn auxiliary lane with only a 20 m length (plus taper) would provide additional capacity that is expected to reduce northbound queues from 35 m (single-lane entry) to 18 m (two-lane entry) during the PM peak.



6 Driveway Access Characteristics

The driveway analysis assumed all three driveways associated with the proposed development would be stop sign controlled. For the two driveway intersections on Maypoint Road it was assumed there would be no separate turn lanes on the intersection approaches. The results show that operational characteristics are very good with this assumption. At the existing right-in/right-out only driveway on Capital Drive, operational conditions are very good and will continue to be so in 2024 with the development in place.

It is recommended the driveway to the development on Maypoint Road be located directly opposite the Maypoint Plaza driveway to maximize the distance between the development driveway and the Access Road.

7 Tim Hortons Drive-Thru

The proposed development includes a Tim Hortons with a double drive-thru format. There will be approximately 8 seats provided within the restaurant. The double drive-thru will have 2 order windows, and these order windows will be staffed separately. See the layout in Appendix A.

The City has expressed concern with the Tim Hortons drive-thru with respect to the potential queuing extending back to block the development driveway at Maypoint Road, as well as the driveway off the Access Road. The double drive-thru was proposed to alleviate this concern.

As part of this study, the operational characteristics of a similar development was observed. There is an Irving gas bar/convenience store, along with a Tim Hortons on Mapleton Road in Moncton, NB. The Irving has 8 fuelling stations, the same as the proposed Ultramar development, and the Tim Hortons is slightly larger than the proposed one for this development.

During the morning peak (0700 to 0900 hrs), the maximum queue observed at the drive-thru was 9 vehicles (4 in one ordering line and 5 in the other). They have two people taking orders, and this results in faster service. The evening peak period (1600 to 1800 hrs) had less queuing.

If the proposed Tim Hortons in the Capital Drive development has the same setup, then queuing on site or out on Maypoint Road should not be an issue.

8 Summary of Findings

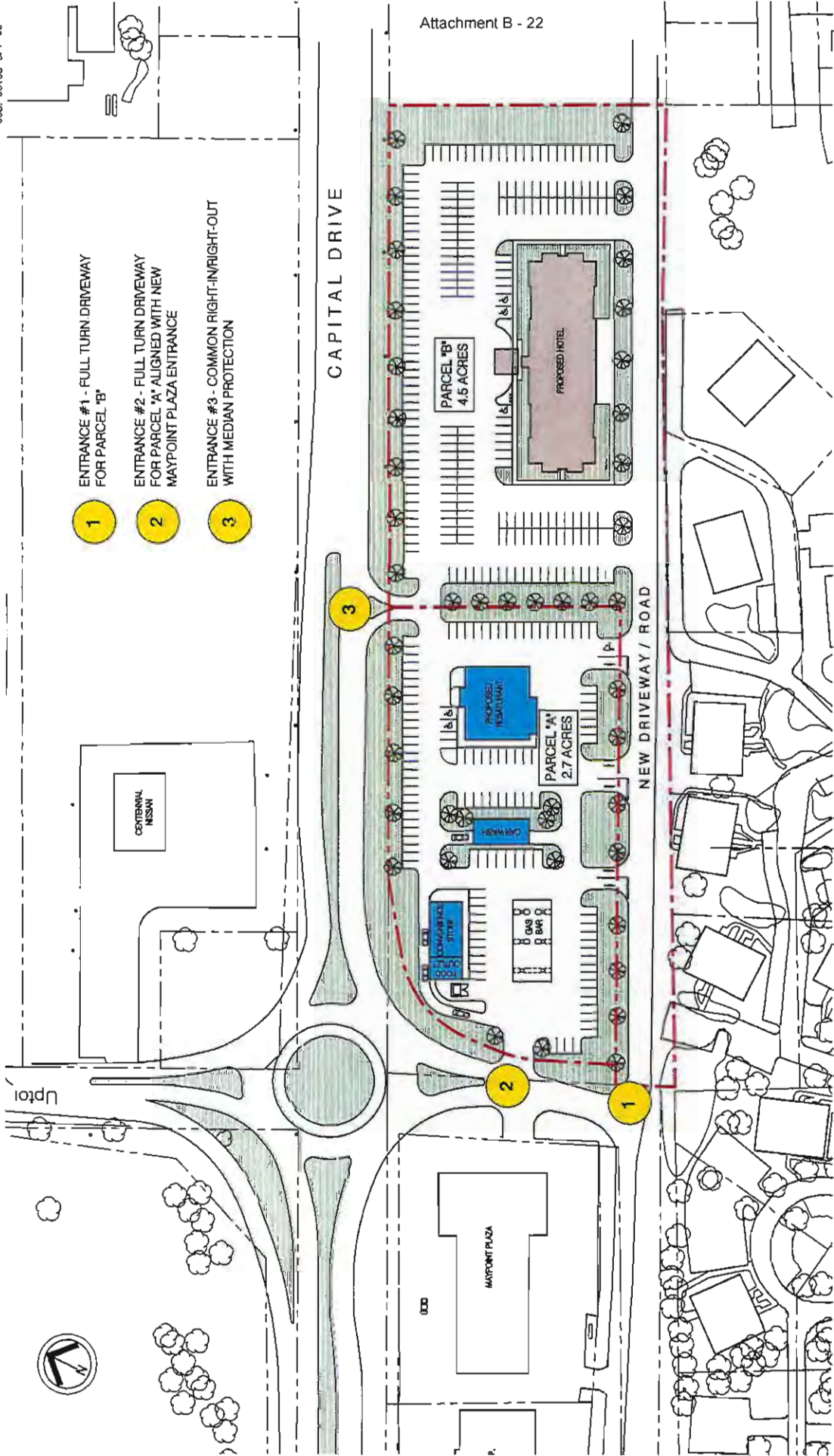
Summarized below are the results/findings derived from an evaluation of the traffic-related impacts associated with the proposed development project.

- Under existing 2019 conditions and projected 2024 conditions without the development in place, the roundabout at Capital Drive/Maypoint Road/Upton Road is operating and will continue to operate efficiently. Turn movements are operating and will continue to operate at a very good LOS B or better with little delay or queuing.
- With the development in place, 2024 operational conditions in the AM and PM peaks will continue to be efficient at the roundabout. All movements are projected to operate at a very good LOS B or better with no significant delays. The 95th percentile queue lengths on the Maypoint Road approach in the AM and PM peak would be 29 and 35 m, respectively, and this would not result in back up to the development driveway.
- The VisSim queue results are also similar. Based on the calculated 95th percentile queue lengths, queues are not expected to exceed the approximate 40 m queue storage along Maypoint Road. These results suggest that no traffic flow and queuing issues are anticipated between the existing roundabout and the new driveway. This includes left turn movements into and out of the development driveway.
- The Capital Drive/Right-in/Right-out intersection would operate at a very good LOS B with the development in place during both peak periods.
- The critical movements at the Maypoint Road/Development Driveway/Plaza Driveway would operate at a good LOS C or better with no significant queuing.
- The critical movements at the Maypoint Road/Access Road intersection are projected to operate at a very good LOS B or better for the peak periods with very little queuing.
- It is recommended the Development Driveway be located directly opposite the Plaza Driveway.
- With a double drive-thru for the Tim Hortons restaurant, queueing should not extend to Maypoint Road. A similar development in Moncton had queue lengths of 5 and 4 vehicles in the double drive-through during a peak morning time.
- Should queue lengths continue to grow beyond the 2024 planning horizon and create long-term operational concerns, a second northbound entry lane for right turns can be added. The sensitivity assessment carried out using the Sidra software suggests that a new northbound right turn auxiliary lane with only a 20 m length (plus taper) would provide additional capacity that is expected to reduce northbound queues from 35 m (single lane entry) to 18 m (two-lane entry) during the PM peak.

APPENDIX A

Site Plans

UPTON, U3100-Dr.1-142



Attachment B - 22

- 1 ENTRANCE #1 - FULL TURN DRIVEWAY FOR PARCEL "B"
- 2 ENTRANCE #2 - FULL TURN DRIVEWAY FOR PARCEL "A" ALIGNED WITH NEW MAYPOINT PLAZA ENTRANCE
- 3 ENTRANCE #3 - COMMON RIGHT-IN/RIGHT-OUT WITH MEDIAN PROTECTION

SITE PLAN N.T.S.

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Charlottetown PE - September 19, 2016 - Rev.#2

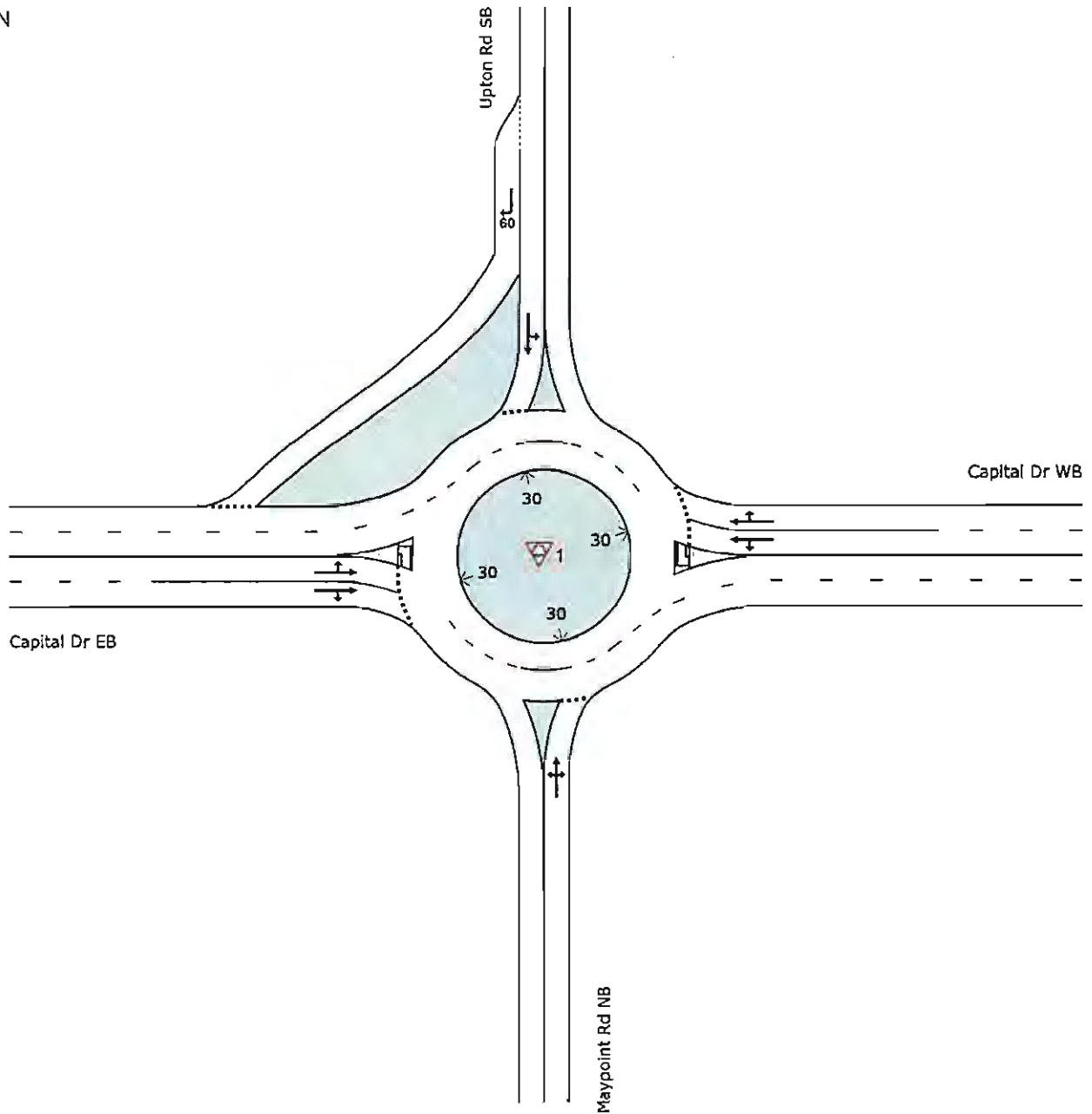
APPENDIX B

Sidra Computer Output for Existing (2019) and 2024 Roundabout Travel Conditions without Development

SITE LAYOUT

Site: 1 [2019 AM: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
2019 Existing - AM Peak Hr
Existing Geometry
Site Category: (None)
Roundabout



LANE SUMMARY

Site: 1 [2019 AM: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
 2019 Existing - AM Peak Hr
 Existing Geometry
 Site Category: (None)
 Roundabout

Lane Use and Performance													
	Demand Flows		Cap. veh/h	Deg. Satn v/c	Lane Util %	Average Delay sec	Level of Service	95% Back of Queue		Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
	Total veh/h	HV %						Veh	Dist m				
South: Maypoint Rd NB													
Lane 1 ^d	121	5.0	453	0.267	100	11.1	LOS B	1.1	8.0	Full	500	0.0	0.0
Approach	121	5.0		0.267		11.1	LOS B	1.1	8.0				
East: Capital Dr WB													
Lane 1	175	5.0	753	0.233	100	7.8	LOS A	1.4	10.2	Full	500	0.0	0.0
Lane 2 ^d	198	5.0	853	0.233	100	7.1	LOS A	1.5	10.7	Full	500	0.0	0.0
Approach	374	5.0		0.233		7.4	LOS A	1.5	10.7				
North: Upton Rd SB													
Lane 1 ^d	148	5.0	975	0.152	100	7.1	LOS A	0.7	5.0	Full	500	0.0	0.0
Lane 2	217	5.0	983	0.221	100	4.6	LOS A	1.1	7.7	Short	60	0.0	NA
Approach	365	5.0		0.221		5.6	LOS A	1.1	7.7				
West: Capital Dr EB													
Lane 1	589	5.0	1177	0.500	100	9.4	LOS A	3.9	28.7	Full	500	0.0	0.0
Lane 2 ^d	645	5.0	1288	0.500	100	4.7	LOS A	4.0	29.1	Full	500	0.0	0.0
Approach	1234	5.0		0.500		6.9	LOS A	4.0	29.1				
Intersection	2094	5.0		0.500		7.0	LOS A	4.0	29.1				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Roundabout LOS Method: SIDRA Roundabout LOS.

Lane LOS values are based on average delay per lane.

Intersection and Approach LOS values are based on average delay for all lanes.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

d Dominant lane on roundabout approach

LANE SUMMARY

Site: 1 [2019 PM: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
 2019 Existing - PM Peak Hr
 Existing Geometry
 Site Category: (None)
 Roundabout

Lane Use and Performance													
	Demand Flows		Cap.	Deg. Satn	Lane Util.	Average Delay	Level of Service	95% Back of Queue		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	Total	HV						Veh	Dist				
	veh/h	%	veh/h	v/c	%	sec		Veh	m		m	%	%
South: Maypoint Rd NB													
Lane 1 ^d	265	5.0	590	0.450	100	12.3	LOS B	2.3	16.5	Full	500	0.0	0.0
Approach	265	5.0		0.450		12.3	LOS B	2.3	16.5				
East: Capital Dr WB													
Lane 1	547	5.0	833	0.656	100	11.1	LOS B	6.9	50.1	Full	500	0.0	0.0
Lane 2 ^d	611	5.0	931	0.656	100	10.1	LOS B	7.1	51.5	Full	500	0.0	0.0
Approach	1158	5.0		0.656		10.6	LOS B	7.1	51.5				
North: Upton Rd SB													
Lane 1 ^d	134	5.0	511	0.262	100	10.3	LOS B	1.3	9.2	Full	500	0.0	0.0
Lane 2	241	5.0	514	0.469	100	9.4	LOS A	2.6	19.3	Short	60	0.0	NA
Approach	375	5.0		0.469		9.7	LOS A	2.6	19.3				
West: Capital Dr EB													
Lane 1	371	5.0	1174	0.316	100	8.5	LOS A	2.2	15.9	Full	500	0.0	0.0
Lane 2 ^d	401	5.0	1271	0.316	100	4.3	LOS A	2.2	16.2	Full	500	0.0	0.0
Approach	772	5.0		0.316		6.3	LOS A	2.2	16.2				
Intersection	2569	5.0		0.656		9.4	LOS A	7.1	51.5				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Roundabout LOS Method: SIDRA Roundabout LOS.

Lane LOS values are based on average delay per lane.

Intersection and Approach LOS values are based on average delay for all lanes.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

d Dominant lane on roundabout approach

LANE SUMMARY

Site: 1 [2024 AM Bkgd: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
 2024 Background - AM Peak Hr
 Existing Geometry
 Site Category: (None)
 Roundabout

Lane Use and Performance													
	Demand Flows			Deg. Satn	Lane Util.	Average Delay	Level of Service	95% Back of Queue		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	Total	HV %	Cap. veh/h					Veh	Dist m				
South: Maypoint Rd NB													
Lane 1 ^d	127	5.0	432	0.295	100	11.6	LOS B	1.3	9.2	Full	500	0.0	0.0
Approach	127	5.0		0.295		11.6	LOS B	1.3	9.2				
East: Capital Dr WB													
Lane 1	184	5.0	725	0.253	100	8.2	LOS A	1.6	11.4	Full	500	0.0	0.0
Lane 2 ^d	209	5.0	826	0.253	100	7.4	LOS A	1.6	11.9	Full	500	0.0	0.0
Approach	393	5.0		0.253		7.8	LOS A	1.6	11.9				
North: Upton Rd SB													
Lane 1 ^d	156	5.0	964	0.162	100	7.1	LOS A	0.7	5.4	Full	500	0.0	0.0
Lane 2	227	5.0	972	0.234	100	4.7	LOS A	1.1	8.2	Short	60	0.0	NA
Approach	383	5.0		0.234		5.7	LOS A	1.1	8.2				
West: Capital Dr EB													
Lane 1	618	5.0	1166	0.530	100	9.6	LOS A	4.3	31.5	Full	500	0.0	0.0
Lane 2 ^d	678	5.0	1278	0.530	100	4.8	LOS A	4.4	32.0	Full	500	0.0	0.0
Approach	1296	5.0		0.530		7.1	LOS A	4.4	32.0				
Intersection	2199	5.0		0.530		7.2	LOS A	4.4	32.0				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Roundabout LOS Method: SIDRA Roundabout LOS.

Lane LOS values are based on average delay per lane.

Intersection and Approach LOS values are based on average delay for all lanes.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

^d Dominant lane on roundabout approach

LANE SUMMARY

Site: 1 [2024 PM Bkgd: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
 2024 Background - PM Peak Hr
 Existing Geometry
 Site Category: (None)
 Roundabout

Lane Use and Performance													
	Demand Flows		Cap. veh/n	Deg. Satn w/c	Lane Util. %	Average Delay sec	Level of Service	95% Back of Queue		Lane Config	Lane Length m	Cap. Adj. %	Prob. Block %
	Total veh/h	HV %						Veh	Dist m				
South: Maypoint Rd NB													
Lane 1 ^d	300	5.0	574	0.523	100	13.0	LOS B	2.9	20.9	Full	500	0.0	0.0
Approach	300	5.0		0.523		13.0	LOS B	2.9	20.9				
East: Capital Dr WB													
Lane 1	573	5.0	811	0.707	100	12.8	LOS B	8.3	60.3	Full	500	0.0	0.0
Lane 2 ^d	643	5.0	910	0.707	100	11.7	LOS B	8.6	62.5	Full	500	0.0	0.0
Approach	1216	5.0		0.707		12.2	LOS B	8.6	62.5				
North: Upton Rd SB													
Lane 1 ^d	141	5.0	480	0.294	100	10.6	LOS B	1.4	10.6	Full	500	0.0	0.0
Lane 2	253	5.0	483	0.524	100	10.4	LOS B	3.1	22.6	Short	60	0.0	NA
Approach	394	5.0		0.524		10.5	LOS B	3.1	22.6				
West: Capital Dr EB													
Lane 1	389	5.0	1164	0.334	100	8.6	LOSA	2.4	17.2	Full	500	0.0	0.0
Lane 2 ^d	421	5.0	1260	0.334	100	4.4	LOSA	2.4	17.6	Full	500	0.0	0.0
Approach	811	5.0		0.334		6.4	LOSA	2.4	17.6				
Intersection	2720	5.0		0.707		10.3	LOS B	8.6	62.5				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Roundabout LOS Method: SIDRA Roundabout LOS.

Lane LOS values are based on average delay per lane.

Intersection and Approach LOS values are based on average delay for all lanes.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

d Dominant lane on roundabout approach

APPENDIX C

Synchro and Sidra Computer Output for 2024 Travel Conditions with Development

LANE SUMMARY

Site: 1 [2024 AM Total: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
 2024 Total - AM Peak Hr
 Existing Geometry
 Site Category: (None)
 Roundabout

Lane Use and Performance													
	Demand Flows			Deg. Satn v/c	Lane Util. %	Average Delay sec	Level of Service	95% Back of Queue		Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
	Total veh/h	HV %	Cap. veh/h					Veh	Dist. m				
South: Maypoint Rd NB													
Lane 1 ^d	259	5.0	395	0.656	100	17.7	LOS B	4.0	29.2	Full	500	0.0	0.0
Approach	259	5.0		0.656		17.7	LOS B	4.0	29.2				
East: Capital Dr WB													
Lane 1	189	5.0	666	0.283	100	9.8	LOS A	1.8	13.2	Full	500	0.0	0.0
Lane 2 ^d	218	5.0	768	0.283	100	8.1	LOS A	1.9	13.8	Full	500	0.0	0.0
Approach	406	5.0		0.283		8.9	LOS A	1.9	13.8				
North: Upton Rd SB													
Lane 1 ^d	191	5.0	923	0.206	100	7.5	LOS A	1.0	7.0	Full	500	0.0	0.0
Lane 2	205	5.0	950	0.216	100	4.8	LOS A	1.0	7.3	Short	60	0.0	NA
Approach	396	5.0		0.216		6.1	LOS A	1.0	7.3				
West: Capital Dr EB													
Lane 1	670	5.0	1092	0.613	100	9.9	LOS A	5.4	39.7	Full	500	0.0	0.0
Lane 2 ^d	736	5.0	1201	0.613	100	5.5	LOS A	5.4	39.7	Full	500	0.0	0.0
Approach	1406	5.0		0.613		7.6	LOS A	5.4	39.7				
Intersection	2467	5.0		0.656		8.6	LOS A	5.4	39.7				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Roundabout LOS Method: SIDRA Roundabout LOS.

Lane LOS values are based on average delay per lane.

Intersection and Approach LOS values are based on average delay for all lanes.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

d Dominant lane on roundabout approach

LANE SUMMARY

Site: 1 [2024 PM Total: Capital - Maypoint Rdbt]

Capital Dr - Maypoint Rd
 2024 Total - PM Peak Hr
 Existing Geometry
 Site Category: (None)
 Roundabout

Lane Use and Performance													
	Demand Flows			Deg. Satn v/c	Lane Util. %	Average Delay sec	Level of Service	95% Back of Queue		Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
	Total veh/h	HV %	Cap. veh/h					Veh	Dist m				
South: Maypoint Rd NB													
Lane 1 ^d	377	5.0	551	0.684	100	15.7	LOS B	4.7	34.6	Full	500	0.0	0.0
Approach	377	5.0		0.684		15.7	LOS B	4.7	34.6				
East: Capital Dr WB													
Lane 1	577	5.0	745	0.775	100	17.2	LOS B	10.7	77.8	Full	500	0.0	0.0
Lane 2 ^d	655	5.0	845	0.775	100	15.4	LOS B	11.2	81.7	Full	500	0.0	0.0
Approach	1232	5.0		0.775		16.2	LOS B	11.2	81.7				
North: Upton Rd SB													
Lane 1 ^d	185	5.0	447	0.414	100	12.0	LOS B	2.3	16.6	Full	500	0.0	0.0
Lane 2	237	5.0	464	0.511	100	10.3	LOS B	3.0	21.9	Short	60	0.0	NA
Approach	422	5.0		0.511		11.0	LOS B	3.0	21.9				
West: Capital Dr EB													
Lane 1	415	5.0	1068	0.389	100	8.8	LOS A	2.8	20.3	Full	500	0.0	0.0
Lane 2 ^d	451	5.0	1159	0.389	100	4.9	LOS A	2.8	20.7	Full	500	0.0	0.0
Approach	866	5.0		0.389		6.8	LOS A	2.8	20.7				
Intersection	2897	5.0		0.775		12.6	LOS B	11.2	81.7				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Roundabout LOS Method: SIDRA Roundabout LOS.

Lane LOS values are based on average delay per lane.

Intersection and Approach LOS values are based on average delay for all lanes.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

^d Dominant lane on roundabout approach

HCM Unsignalized Intersection Capacity Analysis

6: Driveway & Capital Dr

















08/12/2019

	→	↘	↙	←	↖	↗
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑		↗
Traffic Volume (veh/h)	549	44	0	1170	0	51
Future Volume (Veh/h)	549	44	0	1170	0	51
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	597	48	0	1272	0	55
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage (veh)						
Upstream signal (m)	383					
pX, platoon unblocked						
vC, conflicting volume			645	1257	322	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			645	1257	322	
tC, single (s)			4.1	6.8	6.9	
tC, 2 stage (s)						
tF (s)			2.2	3.5	3.3	
p0 queue free %			100	100	92	
cM capacity (veh/h)			936	163	673	
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	NB 1	
Volume Total	398	247	636	636	55	
Volume Left	0	0	0	0	0	
Volume Right	0	48	0	0	55	
cSH	1700	1700	1700	1700	673	
Volume to Capacity	0.23	0.15	0.37	0.37	0.08	
Queue Length 95th (m)	0.0	0.0	0.0	0.0	2.0	
Control Delay (s)	0.0	0.0	0.0	0.0	10.8	
Lane LOS					B	
Approach Delay (s)	0.0		0.0		10.8	
Approach LOS					B	
Intersection Summary						
Average Delay			0.3			
Intersection Capacity Utilization			35.7%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

8: Maypoint Rd & Plaza/Driveway










08/12/2019

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	13	1	5	10	1	79	2	266	12	95	131	16
Future Volume (Veh/h)	13	1	5	10	1	79	2	266	12	95	131	16
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	14	1	5	11	1	86	2	289	13	103	142	17
Pedestrians												
Lane Width (m)												
Walking Speed (m/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (m)											262	
pX, platoon unblocked												
vC, conflicting volume	742	662	150	662	664	296	159			302		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	742	662	150	662	664	296	159			302		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	95	100	99	97	100	88	100			92		
cM capacity (veh/h)	274	350	896	349	349	744	1420			1259		
Direction, Lane #	EB 1	WB 1	NB 1	SB 1								
Volume Total	20	98	304	262								
Volume Left	14	11	2	103								
Volume Right	5	86	13	17								
cSH	336	653	1420	1259								
Volume to Capacity	0.06	0.15	0.00	0.08								
Queue Length 95th (m)	1.4	4.0	0.0	2.0								
Control Delay (s)	16.4	11.5	0.1	3.6								
Lane LOS	C	B	A	A								
Approach Delay (s)	16.4	11.5	0.1	3.6								
Approach LOS	C	B										
Intersection Summary												
Average Delay			3.5									
Intersection Capacity Utilization			43.3%		ICU Level of Service				A			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis

11: Access Rd & Maypoint Rd

08/12/2019

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	3	21	259	3	13	146
Future Volume (Veh/h)	3	21	259	3	13	146
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	3	23	282	3	14	159
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)						366
pX, platoon unblocked						
vC, conflicting volume	470	284			285	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	470	284			285	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	97			99	
cM capacity (veh/h)	546	755			1277	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	26	285	173			
Volume Left	3	0	14			
Volume Right	23	3	0			
cSH	723	1700	1277			
Volume to Capacity	0.04	0.17	0.01			
Queue Length 95th (m)	0.8	0.0	0.3			
Control Delay (s)	10.2	0.0	0.7			
Lane LOS	B		A			
Approach Delay (s)	10.2	0.0	0.7			
Approach LOS	B					
Intersection Summary						
Average Delay			0.8			
Intersection Capacity Utilization			28.5%	ICU Level of Service		A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
6: Driveway & Capital Dr

















08/12/2019



Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑			↑↑		↑
Traffic Volume (veh/h)	733	85	0	386	0	71
Future Volume (Veh/h)	733	85	0	386	0	71
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	797	92	0	420	0	77
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage (veh)						
Upstream signal (m)	383					
pX, platoon unblocked						
vC, conflicting volume			889		1053	444
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			889		1053	444
tC, single (s)			4.1		6.8	6.9
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			100		100	86
cM capacity (veh/h)			758		222	561
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	NB 1	
Volume Total	531	358	210	210	77	
Volume Left	0	0	0	0	0	
Volume Right	0	92	0	0	77	
cSH	1700	1700	1700	1700	561	
Volume to Capacity	0.31	0.21	0.12	0.12	0.14	
Queue Length 95th (m)	0.0	0.0	0.0	0.0	3.6	
Control Delay (s)	0.0	0.0	0.0	0.0	12.4	
Lane LOS					B	
Approach Delay (s)	0.0		0.0		12.4	
Approach LOS					B	
Intersection Summary						
Average Delay			0.7			
Intersection Capacity Utilization			34.0%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 8: Maypoint Rd & Plaza/Driveway










08/12/2019

														
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR		
Lane Configurations														
Traffic Volume (veh/h)	2	1	1	9	1	111	1	133	11	137	198	5		
Future Volume (Veh/h)	2	1	1	9	1	111	1	133	11	137	198	5		
Sign Control		Stop			Stop			Free			Free			
Grade		0%			0%			0%			0%			
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92		
Hourly flow rate (vph)	2	1	1	10	1	121	1	145	12	149	215	5		
Pedestrians														
Lane Width (m)														
Walking Speed (m/s)														
Percent Blockage														
Right turn flare (veh)														
Median type							None							None
Median storage veh														
Upstream signal (m)												262		
pX, platoon unblocked														
vC, conflicting volume	790	674	218	670	671	151	220					157		
vC1, stage 1 conf vol														
vC2, stage 2 conf vol														
vCu, unblocked vol	790	674	218	670	671	151	220					157		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1					4.1		
tC, 2 stage (s)														
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2					2.2		
p0 queue free %	99	100	100	97	100	86	100					90		
cM capacity (veh/h)	244	336	822	340	338	895	1349					1423		
Direction, Lane #	EB 1	WB 1	NB 1	SB 1										
Volume Total	4	132	158	369										
Volume Left	2	10	1	149										
Volume Right	1	121	12	5										
cSH	323	788	1349	1423										
Volume to Capacity	0.01	0.17	0.00	0.10										
Queue Length 95th (m)	0.3	4.6	0.0	2.7										
Control Delay (s)	16.3	10.5	0.1	3.7										
Lane LOS	C	B	A	A										
Approach Delay (s)	16.3	10.5	0.1	3.7										
Approach LOS	C	B												
Intersection Summary														
Average Delay			4.3											
Intersection Capacity Utilization			43.5%	ICU Level of Service									A	
Analysis Period (min)			15											

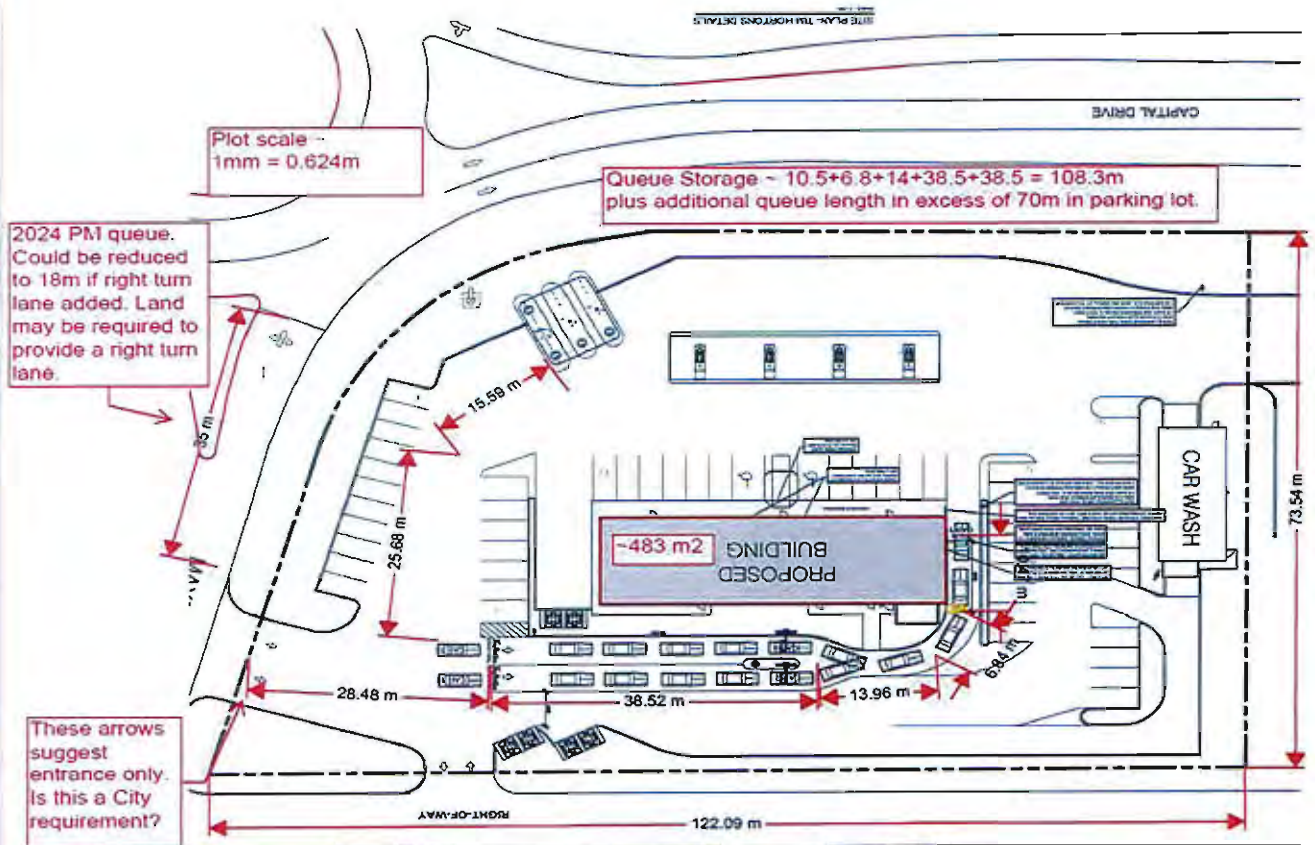
HCM Unsignalized Intersection Capacity Analysis

11: Access Rd & Maypoint Rd

08/12/2019

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	1	21	124	2	7	208
Future Volume (Veh/h)	1	21	124	2	7	208
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	23	135	2	8	226
Pedestrians						
Lane Width (m)						
Walking Speed (m/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (m)						366
pX, platoon unblocked						
vC, conflicting volume	378	136			137	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	378	136			137	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	100	97			99	
cM capacity (veh/h)	620	913			1447	
Direction, Lane #	WB 1	NB 1	SB 1			
Volume Total	24	137	234			
Volume Left	1	0	8			
Volume Right	23	2	0			
cSH	895	1700	1447			
Volume to Capacity	0.03	0.08	0.01			
Queue Length 95th (m)	0.6	0.0	0.1			
Control Delay (s)	9.1	0.0	0.3			
Lane LOS	A		A			
Approach Delay (s)	9.1	0.0	0.3			
Approach LOS	A					
Intersection Summary						
Average Delay			0.7			
Intersection Capacity Utilization			26.6%		ICU Level of Service	A
Analysis Period (min)			15			

Attachment C



Attachment D

Transportation, Infrastructure and Energy Comments

I have undertaken a quick review of the Draft Traffic Impact Study by EXP Services Inc.

I have not delved deeply into the projected trip generation numbers but seem reasonable. I do note the report projects queuing approaching the roundabout on Maypoint in the 2024 (only 5 yrs away) PM peak could be in the order of 35m. This is just shy of the access (see sketch). EXP does project that this could be reduced to 18m (half) if a right turn lane into the roundabout is added. If queuing for northbound vehicles extends beyond the access to this new development it could have some impact for southbound vehicles leaving the roundabout if a SB vehicle is waiting to turn left into the new development as there is not a dedicated SB left turn lane. The addition of this lane obviously would require widening and thus could require additional right-of-way. The City may wish to consider this in their deliberations.

The study does appear to conclude that queuing on site should not be an issue in comparison to queuing that is being experienced at a similar site in Moncton. I've looked at mapping of other TH's in Charlottetown to determine available queuing lengths and have concluded the following:

- Grafton St TH has about 105m of queuing length before spilling onto Grafton St.
- Allen St TH has about 67m of queuing length before spilling onto Mt Edward. Additional storage (35+m) is available in parking lot towards Allen St.
- Queens Arms TH has about 120m of queuing length before spilling onto North River Rd.
- Nassau St TH has about 40m of queuing length before spilling onto Nassau. Additional storage (45m) is available in parking lot towards University Ave.
- St. Peters Rd has about 145m of queuing length before spilling onto St. Peters Rd

This new TH would have about 108m of queuing in the line up and over 70m of queuing towards Maypoint and the gas pumps. This site would thus seem to provide more queuing space than the other 5 above noted TH's.

Alan A. Aitken, P.Eng
Traffic Operations Engineer
Transportation, Infrastructure and Energy
aaaaitken@gov.pe.ca
902-368-5006 (ph)
902-368-5425 (fax)

Attachment D

City of Charlottetown Police Service

Good Morning All,

I have reviewed the information contained in the document provided yesterday. The summary information seems to answer the concerns that we had discussed earlier. I would note that although In section 7 exp has referenced a similar style development in Moncton off Mapleton Rd. there are some differences. The Mapleton Rd property is on the corner of a traffic light controlled intersection and not in close proximity to a round about as is the case with this development. In addition there is only a single access point to the development which is off Lady Ada Blvd and a significant distance from the intersection.

Our concern was with respect to the potential issues of queuing at peak periods. At this point in comparison to other similar set ups it is not an issue, but could be 5 yrs out. Our concern was to ensure that the Province was aware of the potential impacts and this seems to have been addressed in Alan's email.

Paul S.

City of Charlottetown Public Works


Good Afternoon All,

I have quickly read through the report and I am satisfied with the findings. We will require the new driveway to align with the Maypoint strip mall driveway. I also agree with Alan's note that the developer should hand over that additional land to the city as the additional lane will be required at some time in the future. It will be easier and to take ownership now than in 5-10 years from now.

Thank you,

Scott Adams, MEng., P.Eng.

Manager of Public Works

TITLE: FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID# 275156) 38 Palmers Lane FILE: PLAN-2019-03-September - GA-1 OWNERS: Weymouth Properties Ltd. APPLICANT: Weymouth Properties Ltd.		 CHARLOTTETOWN
MEETING DATE: September 3, 2019		Page 1 of 11
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Elevation Drawings D. Letters From Residents	
SITE INFORMATION: Context: Mature low density neighbourhood adjacent to medium density (R-4) zoned land transitioning to Mixed Use Corridor (MUC) zoned land. Ward No: 4 Spring Park Existing Land Use: vacant R-2 lot. Official Plan: Low Density Residential Zoning: Low Density Residential		

RECOMMENDATION AFTER PUBLIC MEETING:

The Planning & Heritage Department encourages Planning Board NOT to recommend to Council for 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-2 (Low Density Residential) Zone to R-3 (Medium Density Residential) Zone at 38 Palmers Lane (PID #275156).

REQUEST

This is a request to rezone the property located at 38 Palmers Lane PID #'s 275156 from R-2 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 Palmers Lane with R-2 zoned properties on the opposite side of the street, to the east, by two properties zoned R-4 (Apartment Residential) transitioning further east to Mixed Use Corridor (MUC) properties, to the south with Single Detached Residential (R-1S) zoned properties and to the west with Low Density Residential (R-2) zoned properties.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.10 of the Zoning & Development By-law, on August 16, 2019 notice was sent to forty one (41) 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 stated the deadline to submit written comments on the application.

Public Feedback

In response to the City's notification letter there were 7 (seven) letters received in opposition to the proposed development and 1 (one) letter received in support. Please see attached letters.

The Public meeting was held on August 27, 2019 at the Rodd Charlottetown Hotel. At the public meeting Robert Haggis the property owner's consultant presented the details of the application including parking, building design, building elevations, and site design. When Mr. Haggis finished his presentation residents were invited to ask questions and make comments.

Approximately six residents spoke at the public meeting. All were in opposition to the application. They stated that they did not feel it was an appropriate density for their neighbourhood and that this would be the start of allowing higher density to bleed further into the interior of their street. Please see attached minutes from the public meeting.

ANALYSIS FOLLOWING THE PUBLIC MEETING:

This is an application to rezone 1 lot approximately .5 of an acre located on Palmers Lane. The land is currently zoned R-2 (Low Density Residential) and is vacant. The proposal is to construct a 3 storey 18 unit apartment building on the property. The total lot area is approximately .5 of an acre or 21,780 sq. ft. and the Bylaw requires 1,237.9 sq. ft. of lot area per unit. Therefore, 17 units are permitted on a lot of this size in the R-3 zone. The applicant is proposing 18 units therefore a minor variance would be required to allow 18 units on site if the rezoning is approved. The proposed building footprint is approximately 7,520 sq. ft. and meets the setback requirements for the R-3 zone. Eighteen (18) standard parking spaces are required for the proposed building. In comparison to the two existing 12-unit buildings the proposed building; has a larger footprint, almost double in size and would be a full 3 stories tall whereas the two existing buildings are 2.5 stories in height.

Zoning within this neighbourhood is R-2 consisting of low density single family and two-unit buildings to the west as well as on the opposite side of the street, in contrast to the two 2.5-storey (R-4) apartment buildings to the east, which then transition into the commercial

properties (ie. car dealer, real estate office) on St. Peters Road. The lot in question contained a single-detached dwelling which was demolished after 2010. If a three storey apartment building is constructed on the subject property it will result in a westward shift of the low-to-high-density transition along Palmer's Lane. Given that this lot is adjacent to an R4 zone it would not be considered a spot zone if it were rezoned to R-3 Medium Density Residential. If rezoning were to occur in order to mitigate any land use conflicts a landscape buffer would be required to be retained along the property boundary of the proposed development and any low density development.

Background:

There have been several requests to rezone this property. On April 6, 2009 a request was submitted to rezone this property to R-4 (Apartment Residential Zone) to allow a 24 unit apartment building. The recommendation from planning staff at the time was to reject the request to proceed to public consultation. Following planning staff's recommendation not to proceed to public consultation the applicant revised their proposal and resubmitted an application to rezone the property to R-3 (Medium Density Residential) to permit a 12 unit apartment building on the property. Planning staff at the time recommended to advance the application to public consultation to gauge the public's opinion as staff stated the revised proposal, *"was more in line with the goals of having a gradual transition between high and low density residential, strictly from a zoning perspective."*

At the public meeting the application met with opposition from residents in the neighbourhood as they felt that higher density development was moving further into the low density neighbourhood. There were concerns that if this property was permitted to be rezoned would the trend continue along the street. In the end the recommendation was to reject the application to rezone the property to R-3 to allow a 12 unit apartment building.

In March of 2010 an application was brought to a public meeting to consolidate the two adjoining R-4 properties with 38 Palmer's Lane to allow for the construction of 3 – duplex dwellings on the parcel located at 38 Palmer's Lane. The two existing 12- unit apartment buildings were proposed to remain with the newly constructed duplexes as a grouped dwelling project. Although staff recommended for the consolidation of the three properties to allow a grouped dwelling project the application was also not approved due to public opposition.

Discussion:

Many sections of the Official Plan need to be considered for such an application, in order to achieve a balance between ensuring new development is harmonious with the existing neighbourhood, while also ensuring that there is an adequate supply and variety of affordable housing, and increased density in various areas of the City. Key points from the Official Plan to be considered include:

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 3.2.2 Our objective is to allow moderately higher densities and alternative forms... provided that this development is well planned overall, and harmonious with existing residential 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.*

Section 4.4.1 Our policy shall be to allow incremental growth of medium sized highway commercial, medium density residential, and residential uses along both sides of St. Peter's Road between the Sherwood Shopping Centre and the CN Rail corridor.

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."*

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 where 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. This proposal would provide additional housing options to assist in addressing the housing crises. 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 close walking distance to a school, transit and parkland. Therefore, the proposal meets many of the technical requirements stipulated in the Zoning Bylaw and policies of the Official Plan.

However, for this proposal the existing neighbourhood context must be considered. The majority of the neighbourhood is currently comprised of one and two unit dwellings to the west of the subject property as well as on the opposite side of the street. This is in contrast to the two, 2.5-storey apartment buildings on the east, which then transition into the commercial properties (ie. car dealer, real estate office) on St. Peters Road. The addition of a third, 3-storey 18 unit apartment building would result in a westward shift of the high-to-low-density transition along Palmer's Lane. Rezoning the lot to R-3 would not provide any form of transition or buffer between the existing apartment buildings and low density uses. The proposed 18-unit building is larger than the existing 12 unit buildings therefore, the density would increase between the existing apartment buildings and low density uses. The decrease in zoning (R4-R3-R2) would actually result in the same hard transition that currently exists between the 12 unit building and the single detached dwellings to the west. However, it would now be one property further westward on Palmers Lane. The general practice in zoning to mitigate land use conflicts between higher density and lower density uses is to allow a transitional use such as town houses or semi-detached dwellings between low and higher density uses. It should also be considered that the subject lot once contained a single detached dwelling. The adjoining property owners at the public meeting and in a written submission stated that they had concerns about the loss of privacy and light into their home and yard should the building be constructed next to them. They indicated that when they purchased their home they purchased it next to a low density R-2 zoned dwelling. They did not anticipate the potential for a higher density development. With that being said although the Official Plan does encourage infill development within neighbourhoods it

must be development that will not adversely impact adjoining neighbours. Therefore, there needs to be stability within existing low density neighbourhoods. In planning practice higher density is usually located along the periphery of low density neighbourhoods. The Official Plan speaks to this area of the city and states that higher density development be located along both sides of St. Peters Road in the area between the Sherwood Shopping Centre and the CN Rail corridor.

Section 4.4.1 Our policy shall be to allow incremental growth of medium sized highway commercial, medium density residential, and residential uses along both sides of St. Peter’s Road between the Sherwood Shopping Centre and the CN Rail corridor.

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"> ▪ The City is experiencing a demand for housing and this proposal would provide additional options for housing within a mature neighbourhood. ▪ The proposal is close to a school, parkland and public transit. ▪ The property is in an area that has municipal services. ▪ The proposal is located within a walkable neighbourhood 		<ul style="list-style-type: none"> ▪ The site is located adjacent to low density development. ▪ The development would result in a westward shift of higher density development into an existing, mature low density neighbourhood. ▪ If approved it may result in future applications for rezonings along the street to allow for higher density development. ▪ The proposal may be viewed by area residents as not compatible for the neighbourhood.

CONCLUSION:

Given the location of this proposed infill development adjacent to apartment residential development the proposal would not be considered a spot zone and technically could be considered “compatible” with the adjoining land uses to the east. If rezoned appropriate land use buffers would have to be integrated to mitigate any potential land use conflicts that may arise between lower and higher density development. It should also be considered that there is

a severe housing shortage within the City and such a development would provide housing choices within the neighbourhood.

Notwithstanding, the main issue remains to be the shifting of a higher density residential zone further into an existing, low density mature neighbourhood, which conflicts with the primary objective of Section 3.2 of the Charlottetown Official Plan which states that: *“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”*. Perhaps a more appropriate option for the site would be a town-house development that is less dense, is more fitting in mass & scale and provides a further transition between higher density development and low density development along the street.

Although a zoning change to R-3 (medium density) would not be considered spot zoning the existing neighbourhood is somewhat buffered by the density and commercial uses that currently surround it. Section 4.4.1 of the Official Plan states that *“Our policy shall be to allow incremental growth of medium sized highway commercial, medium density residential, and residential uses along both sides of St. Peter’s Road between the Sherwood Shopping Centre and the CN Rail corridor”*. Therefore, it is staff’s interpretation that medium density residential development in this area of the City should be encouraged to be located towards the Commercial Corridor of St. Peters Road rather than into the interior of the existing neighbourhoods.

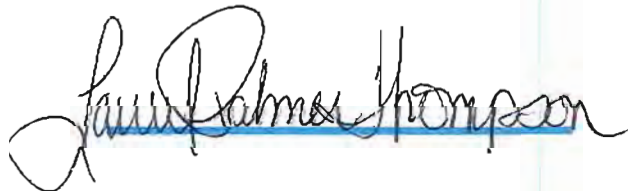
Given the direction of the Official Plan, staff is not recommending approval of this rezoning.

RECOMMENDATION:

Planning & Heritage Department encourages Planning Board not to recommend to Council the rezoning request for 38 Palmers Lane.

PRESENTER:

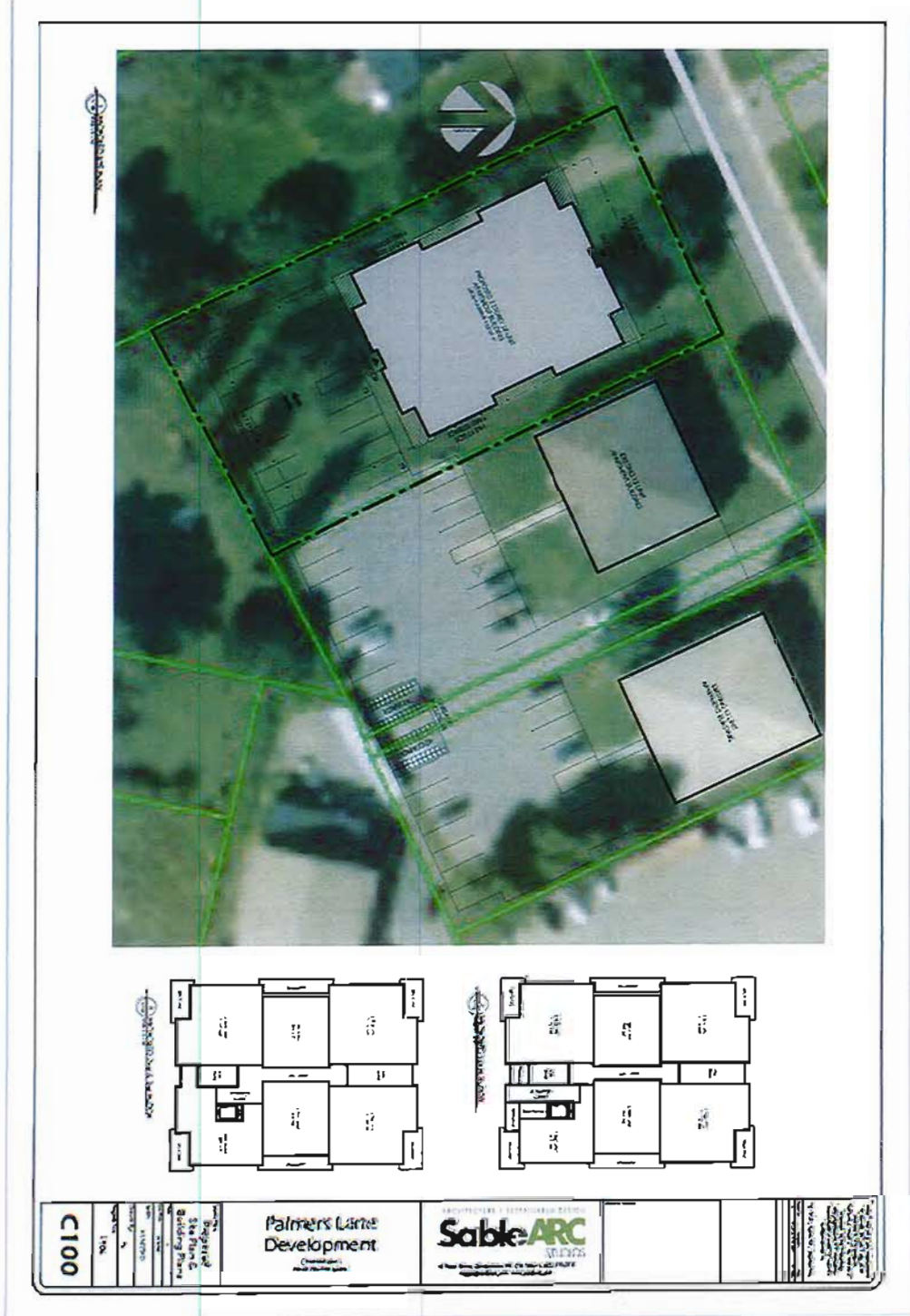
Laurel Palmer Thompson, MCIP
Planner II



MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Site Map:



Elevations:



Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 1:01 PM
To: Hal and Eleanor Snow; Thompson, Laurel; Stavert, Robert
Subject: RE: rezoning request at 38 Palmer's Lane

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4112
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Hal and Eleanor Snow [<mailto:snowz@eastlink.ca>]
Sent: Wednesday, August 28, 2019 11:54 AM
To: Planning Department
Subject: rezoning request at 38 Palmer's Lane

Following the public meeting last night where we thought we would get more information about this proposal, we have to say that not a lot of specifics were shared. We heard things like, " **I think it will be clapboard and vinyl** " and when asked the height of the building next door, we heard, " **I think it is 34 feet.**" That would make this proposed building higher if it is going to be 36 feet, which we don't think was actually stated as a certainty. The large scale depiction did not show clearly how the 18 parking spaces are supposed to fit in that space (!!!!!), especially since it will extend back further than the one next door, where they barely fit in 12 spaces. We found this lack of clarity to be very misleading and seemed to minimize that aspect of the proposal, we certainly hope not intentionally. We think when the applicant had a presenter there to show details, we should have seen details. If the applicant comes to the table unprepared, we think the proposal should be denied.

Thank you for your consideration of these comments.

Hal and Eleanor Snow

65 Confederation Street

We oppose the request for consideration of rezoning the property located at 38 Palmer's Lane (PID 275156) as outlined in the letter from the City Of Charlottetown to nearby property owners and dated August 16, 2019.

There were requests in 2009 and 2010, one for a 12 unit apartment building and one for 3 duplex dwellings which would have required a rezoning to accommodate those proposals. These requests were not welcomed by the neighborhood at that time and declined by the City. So, it will not be a surprise that we are even more opposed to an 18 unit building on the same property. At this time, we do not know what it would take for this applicant to get the message that we want this property to remain as low density residential. It would seem that there are other options for development that would comply with the current bylaws and the City's Official Plan. Surely the applicant is aware of this and of the wishes of the residents.

We live on Confederation Street and our property borders the property on Palmer's Lane. Since we are within 100 meters of this property, we have many concerns.

- Water runoff became a concern when the applicant's two existing buildings were erected and the elevation changed, so another apartment building with an asphalt parking lot will only add to that problem
- Snow from the existing apartment properties is presently placed on the property in question, so I am not sure what, if any plan, they would have for removal of snow when a new 18 unit building is on that property. Presently some of that snow ends up against our fence and even occasionally in our yard. Again....adding to the water problem. In the Spring, the ground on our property and that of neighboring ones is extremely saturated. Besides the water each Spring, we can look forward to removing pieces of asphalt and misplaced trash items from overfilled garbage bins, and frequently damage to our fence.
- The proposal would not blend with the present low density neighborhood and could adversely affect our property values.
- The addition of 18 units, virtually in our backyard would increase concerns regarding waste disposal, littering, parking, car emissions, increased traffic and noise, security and privacy, lack of green space to name only a few.
- There is an elementary school nearby and the increased traffic could prove problematic for those young children.
- There were no details provided concerning elevation or measurements, so it seems unfair to the residents not to have that information before a meeting was called. Does that information not have to be provided upon application?
- It does not appear to solve any of the issues around AFFORDABLE housing
- This appears to be an example of spot zoning.
- How many times do we have to defend our neighborhood against such a development from the same applicant ?

I can think of no situation where this applicant has shown an interest in the concerns of the neighbors. In fact, when approached about a problem with the intrusion of Japanese Knotweed, a noxious weed, onto our property from the one at 38 Palmer's Lane, we were met with a disinterest and an outright refusal to address the problem. It was the same when we tried to talk to them about our concerns over repeated damage to our fence from their snow removal equipment. A neighborhood is made up of people who work for what is best for the common space they share. This applicant has definitely not demonstrated that in the past.

For these reasons, and for the many concerns of our other neighbors, we urge you to deny this request.

Thank you,

Hal and Eleanor Snow

65 Confederation Street

Charlottetown, PE C1A 5V5

902-892-8638

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 9:44 AM
To: Thompson, Laurel
Subject: FW: Rezoning request at 38 Palmer's Lane
Attachments: Town Hall 2019.docx

From: Mayor of Charlottetown (Philip Brown)
Sent: Wednesday, August 28, 2019 9:06 AM
To: Planning Department
Subject: FW: Rezoning request at 38 Palmer's Lane

From: Hal and Eleanor Snow [<mailto:snowz@eastlink.ca>]
Sent: Tuesday, August 27, 2019 2:16 PM
To: Mayor of Charlottetown (Philip Brown)
Subject: Rezoning request at 38 Palmer's Lane

There is a public meeting tonight regarding a rezoning request for 38 Palmer's Lane. We have sent a submission against it to the planning committee and request that you review it as well. We are very much opposed to this 3rd request and hope that we can rely on support for this opposition, Thanks You. Hal and Eleanor Snow

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 11:04 AM
To: Thompson, Laurel
Subject: FW: 38 Palmers Lane

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

From: Florence Hennessey [<mailto:fdrakehen@eastlink.ca>]
Sent: Wednesday, August 28, 2019 11:03 AM
To: Planning Department
Subject: 38 Palmers Lane

We are owners of Cadaco Holdings Inc. located at 103 St. Peter's Road and Hendra Holdings Inc, 69 Confederation Street and are responding to letters received from Laurel Palmer Thompson, MCIP dated August 16, 2019.

Please be advised we are 'strongly opposed' to the request to consider rezoning the above noted property on Palmers Lane.

Our dental clinic is located at 103 St. Peter's Road and we have had multiple incidents of water in the basement of our new professional building. We have previously written to the City of Charlottetown stating our concerns with regards to this matter. In our opinion, the city's antiquated storm pipe water system cannot control the amount of water drainage in our area. This has caused considerable cost to us..increased insurance premiums, cleanup cost, purchase of sump pumps, battery backups, etc.

Climate change is happening and the situation is bound to worsen. We pay substantial amounts for land tax only to end up in the basement of our clinic bailing out water. Rezoning the property at 38 Palmers Lane would add to the dilemma we and our neighbours are presently experiencing.

Please take our concerns into serious consideration.

Sincerely,

Rob and Florence Hennessey

Sent from my iPhone

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 11:02 AM
To: Thompson, Laurel
Subject: FW: 38 Palmers Lane (PID#275156) Revised .. Final

From: Marcel Arsenault [<mailto:marcel.arsenault5@gmail.com>]
Sent: Wednesday, August 28, 2019 10:56 AM
To: Planning Department
Subject: 38 Palmers Lane (PID#275156) Revised .. Final

Too whom it may concern,

This comment is to indicate that the residents of 23 Palmers Lane are against this development.

For the following reasons.

- Does not fit into the neighbourhood scheme
Which is low density area with a school & a Parks Canada
National office on the street

An 18 unit apartment structure makes no sense in this context.

- Is in contravention to the current City Plan (21 March 19).
- The building proposal is in contravention to current city land regulations
- Only superficial details were made available by the applicant prior to the public meeting

Thus the applicant has not submitted a formal detailed proposal prior to the meeting.

We have no concrete plan to review.

- The proposed structure is very unattractive.
- The general conduct of the applicant to date has been below standard.

The applicant is unresponsive to residents when approached for its current two apartment buildings on the street on various (snow removal etc.) issue and various historical reasons

- This is third time the applicant has applied to build on this land.
Each time the proposal is larger & imposing on the lives & homes of the residents.

It seems the applicant will continue to put forth proposals until one gets approved by city council.

When does it end.

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 1:01 PM
To: Elizabeth DeWolf; Thompson, Laurel
Cc: Stavert, Robert
Subject: RE: proposed rezoning to accomodate Bevans' plans for apartment building on Plamer's lane

Good day! This is to acknowledge receipt of your email and your inputs will be forwarded to our Development Officer.

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4112
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Elizabeth DeWolf [<mailto:e.dewolf@eastlink.ca>]
Sent: Wednesday, August 28, 2019 11:29 AM
To: Planning Department
Subject: proposed rezoning to accomodate Bevans' plans for apartment building on Plamer's lane

TO MAYOR, COUNCIL AND PLANNING COMMITTEE

RE PROPOSED REZONING TO ACCOMODATE BEVANS' PLANS FOR APARTMENT BUILDING ON PALMER'S LANE

As a long time property owner and resident of Palmer's Lane (since 1994), I am opposed to the proposal as it stands. Bevans' other two apartments were across the street when we bought the property.. They appear to be well maintained and the tenants quiet. (the neighbors behind them has given examples of lack of co-operation in property maintenance.) The buildings themselves, although larger than the two storey houses facing them, are not so large or so radical in design that they do not fit in with the neighborhood. They both have a nice setback from the street with green lawns and trees and walkways as do all the houses and flats on the street. This is not the case with the new proposal,

The proposed building is too large for the site. I estimate that my frontage including driveway is larger than the proposed site and the depth of my property and the depth of my property is about the same. Yet my property accomodates a single family Victorian two storey house. If I remember correctly from hearings on previous (and rejected) proposals for the property, the property is deemed by city bylaws to be suitable only for a duplex. Previously, the owners had argued for a change in variance and permission to build multiple units by "borrowing" some frontage from the apartment next door. No doubt this would have put that apartment into non-compliance. It was not approved.

The incline of Palmer's Lane is very gentle as it starts up from St. Peter's Rd to Mt. Edward, but after the existing apartment buildings on that side and my house on the other the street starts to rise more steeply. That rise could make any new building higher in relation to existing buildings by probably half a storey, more than its actual height.

The developer did not show a very clear picture of what the proposed building would look like - its style, its resemblance or contrast to the existing buildings and the amount of setback and green space around the building. It is possible to design buildings which fit into the style of a neighborhood. However, it is not very easy to do this when you are intent on squeezing eighteen units into a space designed for two. Is a modern little glass and cardboard sardine tin what is on offer? Have the developers' plans included the planting of trees along the back and sides of their plan to shield the neighbor's yards from balcony eyes? Probably not, because there is not enough space for such luxuries.

I do admit that I am concerned with the amount of traffic 18 units would generate on an already busy road used by trucks as a shortcut between larger roads and by school buses and parents transporting students to school. The new speed bumps have generated a lot of noise, especially in the middle of the night, but do not to me have done much to lessen speed except to create jerky speed.

The papers have been full of discussion on housing crises and the shortage of affordable housing. I see nothing in this proposal that is suggesting that any of these units are meant for low income accommodation. In fact I suspect that they will be offered at the highest market price, probably marketed to students who are willing to share small spaces because of the closeness to the university.

Palmer's Lane is a neighborhood with neighbors who greet each other, help each other out. I don't want this to change. Should this proposal pass, and should I be forced for health reasons to move, what then? Would an eighteen unit building across the way pave the way for a developer to propose a four or five storey building on my similar lot across from the building across the street on the grounds that it would not be all that much different in height or density.

I do believe that we purchase property with a knowledge of the neighborhood and the existing regulation, and that the city on its part has an obligation to live up to the planning guidelines it has commissioned.

Elizabeth DeWolf, 37 Palmer's Lane, Chantilly 902-892-7096

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 11:02 AM
To: Thompson, Laurel
Subject: FW: 38 Palmers Lane (PID#275156) Revised .. Final

From: Marcel Arsenault [<mailto:marcel.arsenault5@gmail.com>]
Sent: Wednesday, August 28, 2019 10:56 AM
To: Planning Department
Subject: 38 Palmers Lane (PID#275156) Revised .. Final

Too whom it may concern,

This comment is to indicate that the residents of 23 Palmers Lane are against this development.

For the following reasons.

- Does not fit into the neighbourhood scheme
Which is low density area with a school & a Parks Canada
National office on the street

An 18 unit apartment structure makes no sense in this context.

- Is in contravention to the current City Plan (21 March 19).
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The applicant is unresponsive to residents when approached for its current two apartment buildings on the street on various (snow removal etc.) issue and various historical reasons

- This is third time the applicant has applied to build on this land.
Each time the proposal is larger & imposing on the lives & homes of the residents.

It seems the applicant will continue to put forth proposals until one gets approved by city council.

When does it end.

- Will add traffic to already much discussed problem with speeding & not stopping at appropriate signs on Palmers Lane

Our councillor and mayor are well of the issue.

None of the solutions have worked to date.

We are very concerned that death or injury will occur given the above

- No room for parking on the premise on the land proposed
Very obvious to anyone viewing the land.

- Unconvincing presentation by the applicant

- The use of 'affordable' housing as justification at the public meeting to gain social licence to build.

The mayor, the councillors present, and concerned citizens know that this is not case.

The applicant is looking for profit.

In summation, the residents of 23 Palmers Lane do not support this development.

This development will not improve life on Palmers Lane.

The Arsenaults
23 Palmers Lane.

Thompson, Laurel

From: Planning Department
Sent: Tuesday, August 27, 2019 1:01 PM
To: Thompson, Laurel
Subject: FW: 38 Palmers Lane - Rezoning Application

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

From: Jessie Frost-Wicks [mailto:j.frostwicks@gmail.com]
Sent: Tuesday, August 27, 2019 12:09 AM
To: Planning Department
Subject: 38 Palmers Lane - Rezoning Application

Attn: Laurel Palmer Thompson, MCIP

Dear Ms. Palmer Thompson,

I, together with my husband, am writing to you to express my opposition to the application which will be heard before City Council on August 27, 2019, regarding the possible rezoning of the property located at 38 Palmers Lane. My husband and I are the owners of the property immediately adjacent to this parcel, 36 Palmers Lane.

We live in a very old, very well established neighbourhood, zoned as low density residential, and comprised primarily of single family, semi-detached and duplex residences. At the bottom of the street, there are two low-rise, 8 unit apartment buildings. These buildings were constructed prior to our moving to our home 28 years ago, and they serve as a transition from the commercial corridor of St. Peter's Road into the low density residential neighbourhood that we currently enjoy. These two buildings are owned by the Applicant. The property in question this evening is located in between our home and the two low-rise buildings.

This is the third time that the Applicants have sought to obtain a variance or change the zoning of the property located at 38 Palmers Lane. This is the third time that we have been forced to defend the integrity of our neighbourhood.

The first application the same as the one currently before Council.

They are seeking a rezoning of this lot from Low Density to Medium Density. On this first occasion, however, they were only seeking to erect a 12 unit apartment building. This application was rejected by City Council, as the proposal was deemed inconsistent with the size and density of the existing structures in the surrounding area and was not appropriate as a transitional structure into an established low density residential neighbourhood.

For the second application, the Applicants sought a variance to construct a grouped dwelling on this small parcel, consisting of three – 3 storey duplexes. This, too, was rejected by City Council, for the same reasons as the first application. Now, for this third application, the Applicants are once again seeking to have the lot rezoned from Low Density Residential to Medium Density Residential to enable them to construct a three storey, 18 unit apartment building.

It is frustrating as a member of the neighbourhood, and frightening as the owner of the property immediately adjacent to this property, to again have to raise the same issues. The Applicant certainly knows the concerns of the people of this neighbourhood, and should be well aware of the limitations of the property at 38 Palmers Lane in terms of development, having already been told at least twice. This time, they have gone one step further and proposed

something even larger and more intrusive than the first two times knowing that those first two applications were turned down. At what point does Council say enough is enough?

The property that they own, 38 Palmers Lane, is zoned R2 – Low Density Residential, which is shown on the City of Charlottetown Official Plan. This Official Plan outlines the strategic directions for Charlottetown for the 21st Century and beyond, according to its title.

It was amended on March 21st of this year – it is a current official city plan that we, as taxpayers, have paid for and abide by. We expect our corporate citizens to abide by it as well.

The Official Plan for the City offers a growth management strategy.

This strategic direction articulates policies which preserve existing residential low density neighbourhoods and ensures that new residential development is physically related to its surroundings. In sustaining the existing neighbourhoods, the City's objective is to ensure that new development is harmonious with its surroundings, and to ensure that the footprint, height, massing, and setbacks of new residential development in existing neighbourhoods is physically related to its surroundings. This is simply not the case with the proposal currently before City Council. This proposed structure would have no counterpart in our neighbourhood – nothing as large, nothing as tall, nothing as imposing as this structure. I would like to offer more specifics on that point, but the Applicant has not provided the required details on elevations and measurements which we understood to be a required part of the application process. The building itself bears no resemblance to the typical style of structure in the area - it is even dissimilar to the two apartment buildings already in place there. Presumably, given that it has more than double the number of units, it is also more than twice the size of the existing apartment buildings. That, in itself does not suggest a transition into an established low density residential neighbourhood.

In addition to the concerns for the integrity of our neighbourhood, I have concerns which are unique to my husband and I, as the owners of the property immediately adjacent to this parcel. Over the past 28 years, we have invested so much time, effort and money into our property to improve it, maintain it, and build value into it such that if the day ever comes that we wish to sell it, we will be able to do so. It is troubling to think that this one application could seriously impact our property values if and when the time does come that we wish to sell. In the interim, we must face the prospect of a building much taller than ours in close enough proximity on the eastern side that we will lose most, if not all, of the morning sun - an impact on our gardens and on our light. Equally troubling is the loss of our privacy. One of the most attractive characteristics of our neighbourhood is the generous yardage surrounding the homes in it. Each property has space between it and the neighbouring property. A structure of this height, so close to the property line, with no less than 9 units facing our house in some aspect is not an welcome prospect, and represents a significant lost to our privacy and enjoyment of our own home.

We realize there is a housing crisis, and it is clearly a concern.

But, we ask that Council recognize that it doesn't mean "development at any cost" and the fact is that we aren't opposed to the development of this property. All we are asking is that the Applicants comply with the City's Official Plan. If part of their intent is to address the housing shortage, then build what is appropriate and permitted for the property. The last time the Applicants brought this property to City Council, my husband and I were approached by Mr. Bevan Jr., and rather forcefully asked 'what it would take to make us happy', At that time, we advised him that we would be very happy if they would build something in compliance with the City Plan. We maintain that position. If the Applicants were to do so, it would address their obvious desire to utilize the land. It would address our concerns as neighbours. It would allow all of us in the neighbourhood to maintain our property values. It would provide some needed housing.

Lastly, it would comply with the Official City Plan, and would, once and for all, put an end to these applications which are so troubling and unsettling for us and our neighbours.

We are asking that City Council adhere to the principles outlined in the Official City Plan and reject this application for the rezoning of

38 Palmers Lane. The housing crisis cannot justify a lack of adherence to a Plan which outlines the strategy for responsible development. To ignore those principles in this instance sets a dangerous precedent for the evolution and growth of our City.

Respectfully,
Jessie Frost-Wicks
36 Palmers Lane
Charlottetown, PE

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 11:02 AM
To: Thompson, Laurel
Subject: FW: 38 Palmers Lane PID#275156

From: William Wicks [mailto:wgwicks@gmail.com]
Sent: Wednesday, August 28, 2019 10:40 AM
To: Planning Department
Subject: 38 Palmers Lane PID#275156

My name is Bill Wicks, and my family and I reside at 36 Palmers Lane, which is the property immediately adjacent to the lot, 38 Palmers Lane, which is under consideration this evening.

- We live in a very old, very well established neighbourhood, zoned R2 - low density residential, which is comprised of single family, semi-detached and duplex residences. Since before we moved here 28 years ago, there have been two low-rise, 8-unit apartment buildings down the street. These 8-unit buildings serve as a transition from the commercial corridor of St. Peter's Road into the low density residential neighbourhood that we currently enjoy. The property in question this evening, 38 Palmers Lane, Zoned R2, is located in between our home and those two low-rise buildings and it used to have a single-family dwelling on it, but is now vacant land, the house having been torn down some years ago.
- This is the third time that the Bevans have sought to change the zoning of the property located at 38 Palmers Lane. This is the third time that we have been forced to come before you to defend the integrity of our neighbourhood.
- The first application was for rezoning this lot from Low Density to Medium Density – in effect, exactly what they are seeking this evening. On this first occasion, however, they were seeking to erect a 12-unit apartment building. This application was rejected by City Council, as the proposal was deemed inconsistent with the size and density of the existing structures in the surrounding area and was not appropriate as a transitional structure into an established low density residential neighbourhood.
- For the second application, Bevans sought a variance to construct a grouped dwelling on this lot, consisting of three – 3 story duplexes. This, too, was rejected by City Council, for the same reasons as the first instance.
- Now, for this third application, the Applicant is once again seeking to have the lot rezoned from Low Density Residential to Medium Density Residential to enable them to construct a three story, 18-unit apartment building.
- The City of Charlottetown Official Plan shows this property at 38 Palmers Lane as zoned R2 – Low Density Residential. In addition, according to Geolink, the property is ½ acre in size.

- The City of Charlottetown Official Plan outlines the strategic directions for Charlottetown for the 21st Century and beyond, according to its title. It was amended on March 21st of this year – it is a current official city plan.
- This Official Plan for the City offers a growth management strategy. This strategic direction articulates policies which preserve existing residential low density neighbourhoods and ensures that any new residential development is physically related to its surroundings.
- In sustaining the existing neighbourhoods, the City’s objective is to ensure that new developments are harmonious with the surroundings, and is to ensure that the footprint, height, massing, and setbacks of any new residential development in existing neighbourhoods is physically related to its surroundings. This is simply not the case with the proposal currently before City Council. This proposed structure would have no counterpart in our neighbourhood – nothing as large, nothing as tall, nothing as imposing as this structure. I would like to offer more specifics on these points, but in their application, Mistervs Bevens have not provided the details on elevations and measurements which we understand is a required part of the application process. In addition, it is my understanding that the applicant has not requested a variance, which is needed as an 18-unit apartment building requires more than ½ an acre of land. Specifically, Section 15.2 of the Zoning and Development By-law states that the minimum lot area for a building with 18-units must be 1,237.9 square feet per unit, or 22,282 square feet for this proposed 18-unit apartment building. The lot size, according to Geolink, is only 21,780 square feet.
- We realize there is an affordable housing crisis, and it is clearly a concern. But, if the reason for this structure is meant to address that concerns, it doesn’t mean “development at any cost”. We aren’t opposed to the development of this property. All we are asking is that the Applicant comply with the City’s Official Plan and to build what is appropriate and permitted for the property. Doing so addresses:
 - their obvious desire to utilize the land,
 - it would address our concerns as neighbours,
 - it would allow us, the affected homeowners, to maintain our property values.
 - it would comply with the official city plan.
 - it would provide some needed housing, and
 - it would mean that the City of Charlottetown Planning Department, we the homeowners and you as City Council would not have to keep coming back again, and again and again to defend our neighbourhood from unnecessary intrusion.
- I am asking City Council and the Applicant to comply with the Official City Plan and the Zoning By-laws. Use the guidelines offered by the Official Plan to promote and approve responsible development. This is the Official Plan that we, as taxpayers, have paid for and abide by. We expect our corporate citizens to abide by it as well. Otherwise, we, as taxpayers, have invested in an Official Plan which serves no purpose.
- It is frustrating as a member of the neighbourhood and frightening as the owner of the property immediately adjacent to 38 Palmers Lane, to have to continually raise the same issues. The applicant knows the concerns of the people of this neighbourhood and they are aware of the limitations of the property at 38 Palmers Lane in terms of development. With this application they have proposed

something much larger and more intrusive than anything presented previously in their first two attempts, knowing that previous City Councils voted to turn down those previous applications. At what point does Council say enough is enough?

Thompson, Laurel

From: Planning Department
Sent: Wednesday, August 28, 2019 3:47 PM
To: Thompson, Laurel
Subject: FW: 38 Palmers Lane - PID #275156

From: Betty Carroll [<mailto:b.carroll@eastlink.ca>]
Sent: August 28, 2019 3:33 PM
To: Planning Department
Subject: Fwd: 38 Palmers Lane - PID #275156

Sent from my iPad

Date: August 28, 2019 at 3:25:17 PM ADT
To: Betty Carroll <b.carroll@eastlink.ca>
Subject: 38 Palmers Lane - PID #275156

Dear Sir/Madam

Re: 38 Palmers Lane (P.I.D. # 275156)

I have been a resident on Palmers Lane for 58 years. I attended the public meeting (August 27th) on the proposed apartment building development at 38 Palmers Lane located diagonally across the street from my property at 27 Palmers Lane.

I am strongly opposed to the proposed development as it does not conform to the Official Plan (OP). I refer you to the following subsections:

- 1.3 Strategic Directions (Page 8) . . . The Charlottetown Plan articulates policies which: preserve existing residential low density neighbourhoods , , ,
- 3. Direct Physical Growth (Page 14) The City will continue to build on its past by . . . maintaining the special qualities of charlottetown's neighbourhoods . . .
- 3.1 Guiding Settlement (Page 14) . . . Finally, it means that moderately higher density development may be permitted in existing commercial areas and arterial corridors where it does not interfere with existing built-up residential neighbourhoods . . .
- Defining Our Directions (Page 15) . . . Our policy shall be to allow moderately higher densities in neighbourhoods provided it is development at a density that will not adversely affect existing low density housing.
- 3.2 Sustaining Charlottetown's Neighbourhoods (Page 17) . . . In order to preserve the unique characteristics of Charlottetown's neighbourhoods the Charlottetown Plan

introduce policies which promote both stability and community identity. The aim is to sustain vibrant neighbourhoods which have a distinct sense of community, are places of close social contact, and are generally enjoyable. This is the clear preferences of Charlottetown's residents . . .

- Defining our Direction (Page 18) Our goal is the maintain the distinct character of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surroundings . . .
- Environment for Change (Page 19) Preserving the distinctive character and identity of Charlottetown's neighbourhoods requires strategies that promote stability as well as a sense of community identity. The Charlottetown Plan incorporates policies which will help preserve the harmony and integrity in each existing neighbourhood within the City.

Previously the City has turned down development proposals for increased density on this low density residential lot in an established low density residential neighbourhood. What has changed? How many times do residents have to stand up to support the policies in the OP in the face of inappropriate development proposals on the same lot? Planning Board and City Council should refuse the development proposal since it does not conform to the OP as noted above.

The current housing shortage is not excuse for abandoning OP policies that protect established residential neighbourhoods. Approval of the development proposal would require substantive amendments to the OP beyond a simple amendment to the Future Land Use Map, If increased production of residential units is a priority I suggest consideration be given to permitting and encouraging various forms of accessory residential units in established residential areas like this one. This would be far more effective than introducing incompatible densities and uses on a piecemeal basis and be a win-win for both those seeking accommodation and owners/residents of properties in established residential neighbourhoods.

Respectfully submitted,

Betty Carroll
902-892-6698

Thompson, Laurel

From: Planning Department
Sent: Tuesday, August 20, 2019 8:13 AM
To: Forbes, Alex; Thompson, Laurel
Subject: FW: Proposed Development at 38 Palmers Lane

Best Regards,
Ellen

From: JamesBliss [<mailto:jimbliss@eastlink.ca>]
Sent: Monday, August 19, 2019 5:01 PM
To: Planning Department
Subject: Proposed Development at 38 Palmers Lane


To; [Charlottetown City Planning Department](#)

I am writing to express my support for the proposed development at 38, Palmers Lane. I have lived on this Lane for 46 years and even though I have moved 3 times during this period I have always remained on Palmers Lane.

The two apartment buildings next door to this proposed new complex have been extremely quiet and well maintained and the shared entrance has not been an issue. As a matter of fact my family wonders if anyone lives there.

My only concern that is **not related** to this development is the amount of speeding caused by non residents going well in excess of the posted 30k and 50k zones in a school district. I have reported this to Councillors Tweel and Doiron many many times and know this issue has been passed by them to the appropriate people in City Hall but nothing ever gets done about it except for the two speed bumps far away from where the vehicles are speeding!. My children are now fully grown, but I care about other peoples young children as well!. It's a pity other people don't feel this way.

Sincerely, Jim Bliss

TITLE: PLAN - 2019-03-SEPTEMBER-06-2 VARIANCE FOR HOME OCCUPATION 13 DONWOOD DRIVE (PID 278531) OWNER: PAULA MACDONALD		 CHARLOTTETOWN
MEETING DATE: September 03 2019		Page 1 of 3
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Application related documents B. Map C. Letter of Objection	
SITE INFORMATION: Context: Residential neighbourhood Ward No: 2 Belvedere Existing Land Use: Single Detached Dwelling Official Plan: Low Density Residential Zoning: Single Detached Residential (R-1S) Zone		
PREVIOUS APPLICATIONS: N/A		

RECOMMENDATIONS:

Staff encourages Planning Board to recommend to Council to *reject* the request to operate a home occupation (i.e., counselling/therapy service) at the property located at 13 Donwood Drive (PID #278531).

BACKGROUND:

Request

The Planning & Heritage Department has received a request to operate a home occupation (i.e., counselling/therapy service) from the property located at 13 Donwood Drive (PID #278531) which is zoned Single Detached Residential (R-1S) Zone. Approval of this application will allow for a counselling/therapy service consists of appointment based visits with only one client visiting the home at a time, due to the sensitive nature of the operation. The applicant is proposing to operate the above mentioned business throughout the week, Monday to Friday during business hours of 2pm – 6pm. The total number of clients visiting per week would be around three (3) with appointments scheduled on an hourly basis, the owner identified that this could increase in the future. The owner of the dwelling would be the only employee operating the counselling service and will occupy 7.8 sq. m (84 sq ft) of the 95 sq.m (1022 sq ft) dwelling.

The property has enough room to accommodate three (3) off-street parking spaces.

Development Context

The subject site is currently developed with a single detached dwelling, and is located midblock surrounded by single detached dwellings. Donwood Drive provides a single access to the site.

ANALYSIS:

The Zoning & Development By-law 2018-11 was recently amended to state prohibited uses for a Home Occupation due to issue of compatibility in low density residential areas. One of the uses that is prohibited as a Home occupation is a *Medical, Health and Dental Office*, which is defined as *an establishment used by qualified medical practitioners and staff for the provision of medical, health and dental care on an outpatient basis. This term refers to such uses as medical and dental offices, physiotherapy services, chiropractic services, counseling services, and ancillary clinic counseling services, but does not include Veterinary Services.* It was determined by staff that these types of uses are better suited in the Institutional (I) Zone and therefore inserted a prohibited home occupation list as 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.***

Should this home occupation intensify in the future, staff does not have the ability to monitor the number of clients visiting the business on a daily or hourly basis. At the time the owner submitted the Home Occupation application the above mentioned amendments were not approved by the Province.

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"> • A goal in the Official Plan is to encourage home occupations as a platform for new economic growth. • An objective in the Official Plan is to support the creation and operation of home occupations in all residential zones. 		<ul style="list-style-type: none"> • The current the Zoning & Development By-law prohibits any Medical, Health and Dental Office. • A policy in the Official Plan is to allow home occupations that are unobtrusive. • Difficult to monitor the intensity of a home occupation of this nature.

Due to the fact that the nature of the business generally operates with frequent appointments and a home occupation of this nature is listed as a prohibited use in the recently approved Zoning & Development By-law, staff would recommend that the home occupation be *rejected*.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.8.4 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

On August 9th 2019, forty-six (46) letters were sent to property owners located within 100 meters of the subject property. The letter informed them of the proposed home occupation and solicited their comments, to be received in writing no later than Tuesday, August 25, 2019. After mailing letters, staff received two (2) responses, only one which was a formal objection.

The resident that opposed the home occupation had the following concerns:

- Safety concerns relating to the type of client that could possibly use the counselling service;
- The possibility that the intensity of this service could grow with more client visits to the property;
- Detrimental to the character of the existing low density residential neighbourhood;

CONCLUSION:

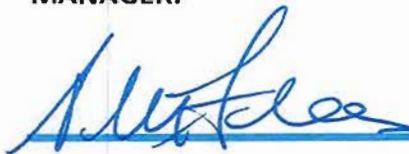
Staff encourages Planning Board to recommend to Council to *reject* the request to operate a home occupation (i.e., counselling/therapy service) at the property located at 13 Donwood Drive (PID #278531).

PRESENTER:



Robert Zilke, MCIP

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Charlottetown: Planning, Development & Heritage Department

Request for Minor Variance Received from: Paula MacDonald, MSW, RSW

Property Location:

13 Donwood Drive, Charlottetown Prince Edward Island C1A 5L1

Home Occupation Form

What will be the nature of the business?

I would like to operate a paramedical mental health counselling/therapy service to the public provided through my Master of Social Work license. I would like to provide cognitive-behavioral therapy services to the public. Cognitive-behavioral therapy is a type of psychotherapy where negative patterns of thoughts about the self and the world are challenged in order to alter unwanted behavior patterns or treat mood disorders such as anxiety and depression.

I will receive clients who are referred to me through various insurance companies. These insurance companies include: Homewood, Shepell:FGI, Ceridian, Blue Cross, and Green Shield. Services will be designed for community members who are seeking assistance with mild adjustment issues that can be treated within community.

The business should not directly or indirectly effect any of the neighboring properties as clients or service users will be able to part in the driveway of the property. The service is quiet and confidential. Customers who use this service value their privacy. Due to the nature of business it is likely it will not impact the surrounding neighbors.

How many Employees will you have?

I will not have any employees. I will be the only therapist operating out of this proposed location.

What is the total floor area of your dwelling?

The total floor area of my dwelling has 1022 square feet on the main level with 410 square feet in the basement. Please see a floor plan of the main floor of house, which contains most of the living space.

Floor area used for business.

I would like to use approximately 84 square feet of this dwelling to interview clients in as needed. This is approximately 8% of the total living area upstairs in the home. Its approximately 6% of the totally living space in the house.

How many parking spaces do you have?

My driveway can comfortably park three vehicles. Please see the diagram for greater clarification.

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

No

Days and hours of operation?

Monday-Friday (2pm-6pm)

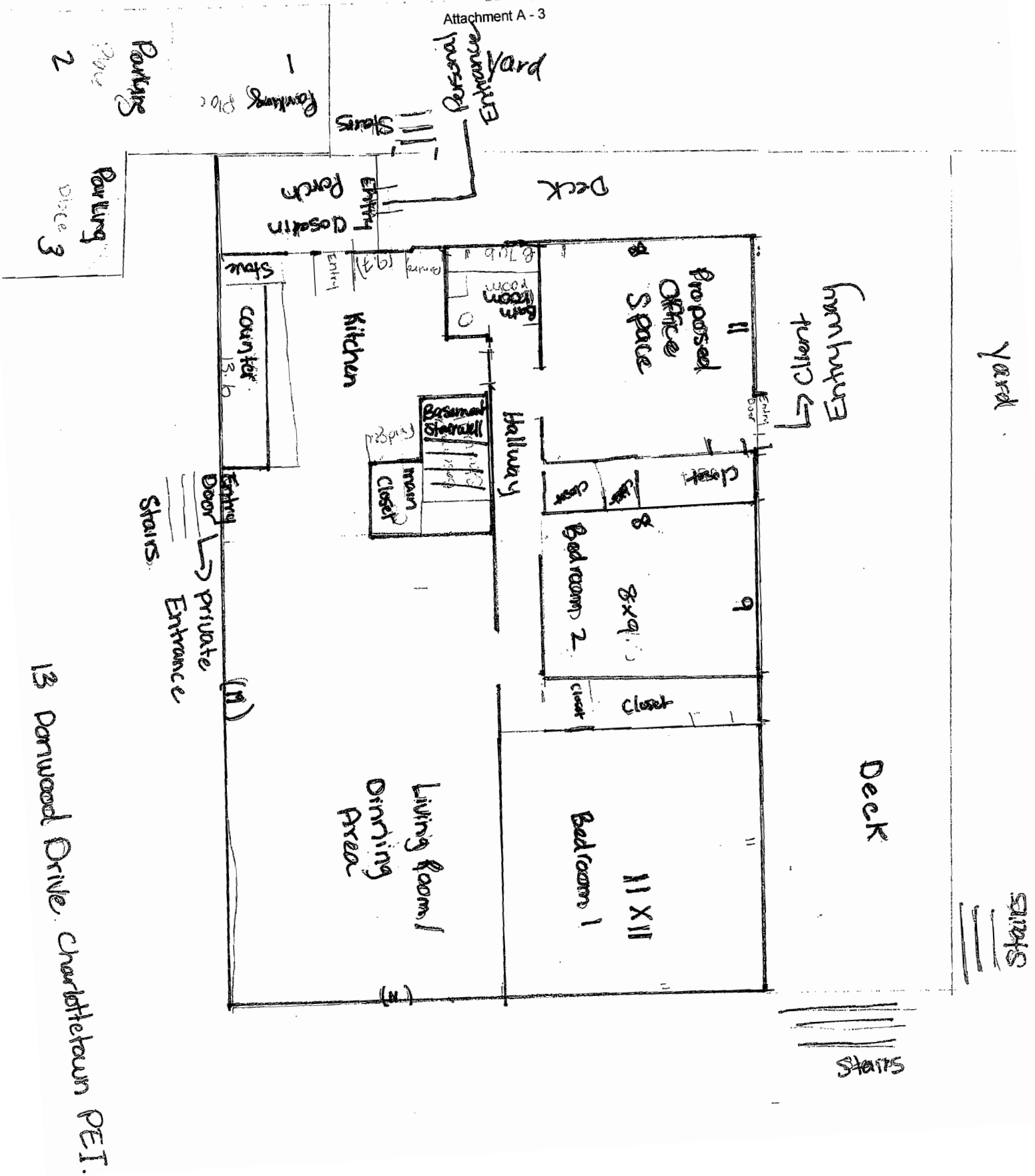
Will clients/customers visit your home?

Yes, Occasionally

How many visits per hour or day are anticipated?

I anticipate having 3 client visits per week to begin with. Appointments will be offered in hourly increments. Clients will be scheduled with 30 minutes between client appointment times to allow for clients to arrive and leave the premise without seeing each other. This will provide clients with additional privacy and limit interactions with each other.

There will be no significant changes to the dwelling. Clients will enter the premise through a separate entrance that directly leads to the room where the service will be provided. There will be no external storage of materials or containers. There will be no animal enclosures, there will be no commercial vehicles. There will be no impact to adjacent properties. There will be no visible signs to assist with maintaining privacy of individuals using the service.



13 Danwood Drive, Charlotte town PEI.

Attachment B



Attachment B:
Map of Subject Property
File: PLAN-2019-03-SEPT



CHARLOTTETOWN
Planning & Heritage Department

Attachment C

Hello Robert Zilke Planner II,

I am opposed to the request for the minor variance as per section 5.9.3.

I am an immediate neighbour that shares the driveway with the following concerns:

A para medical mental health clinic, is for recovering addicts of all types, not just drugs. Cognitive-behavioral therapy is to change negative behaviours, which is for any kind of addictions.

People need to discover what brought them to addiction. Addicts have to incorporate good healthy living to take place of the addiction. This would include recreation, family, learning to spend time with themselves, which is the hardest, and finding hobbies to occupy their time. It is a total lifestyle change that can be very hard to have a client do.

I have 2 special needs children in the home that are vulnerable and could possibly come in harm's way of an angry client or a client in relapse. I shouldn't have to worry about going outside in my yard when clients visit.

What guarantees do we have, if a client is having an off day, for our safety?

What happens if a client doesn't like their session and gets angry and comes back after hours?

We dont need a relapsed client coming into the neighbourhood, looking for quick money to feed their addiction. Relapses happen quite frequently as the behaviour therapy is a long term commitment.

If this was approved, how many clients would this build to over the course of the week?


She states 3 a week to begin with between 2 PM to 6 PM Monday to Friday but then goes on to say this may increase. Just for the hours mentioned, this could increase to 15 in a week. Once approved, who says she wouldn't work full time Monday to Friday from 8 AM to 6 PM. This would allow 30 clients a week.

There is a high demand for her services and I'm very supportive of these types of services in Charlottetown but I believe this type of service needs to be kept out of a residential area, especially with many young children in the area.

Thank you,
Linda Arain

Attachment C
Letter of Objection
File: PLAN-2019-03-SEPT


CHARLOTTETOWN
Planning & Heritage Department

TITLE: LOT AREA & LOT FRONTAGE VARIANCES FILE: PLAN-2019-03-SEPTEMBER- <i>GB-3</i> 53 UPPER HILLSBOROUGH STREET APPLICANT: JARROD DUNN		
MEETING DATE: September 3, 2019		Page 1 of 5
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Floor Plan D. Public Feedback	
SITE INFORMATION: Context: Mature neighbourhood consisting of a variety of housing types. Ward No: 4 – Spring Park Existing Land Use: Single Detached Dwelling Official Plan: Mature Neighbourhood (Low Density Residential) Zoning: Low Density Residential (R-2) Zone		
PREVIOUS APPLICATIONS: RAP 318-3		

RECOMMENDATION:

The Planning & Heritage Department recommends to Council to approve the lot area and frontage variances to establish a duplex dwelling located at 53 Upper Hillsborough Street (PID 360719) subject to the following condition:

- 1) *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.*

BACKGROUND:

Request

The applicant, Jarrod Dunn, is applying to vary the lot frontage and lot area requirements as illustrated in Section 14.3 of the Zoning & Development By-law in order to construct a semi-detached dwelling at 53 Upper Hillsborough Street (PID 360719) which contains a single detached dwelling in the Low Density Residential (R-2) Zone. Approval of this application will allow for the construction of a two-storey duplex dwelling.

Development Context

The subject property is an interior lot with a single detached dwelling. The uses surrounding the site include a variety of housing types including single-detached dwelling on one side and a 2-unit on the other side of the subject property and 5-unit development across the street.

Property History

The subject property contains a single-detached dwelling; however, according to the applicant the upper level was used as a second dwelling unit for a family member. The property has been assessed as a single detached dwelling and the City has no building permit records that has ever legally established this property as a two unit dwelling.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variances.

Public Feedback

The Planning & Heritage Department has received two written responses in relation to this application. The first response had no concerns with the proposal and felt that due to the fact that the only exterior modification was for a separate entrance, this would not affect the streetscape. The second letter received was an objection to the proposal on the basis that they felt there was already too many duplexes and multi-unit developments on the street. The objector's main concerns was in relation to both noise and traffic.

Staff spoke with one resident who opposed the variance but did not submit a formal letter of opposition. They felt that the increase in density would not be compatible with the neighbourhood and had concerns with respect to traffic.

ANALYSIS:

While the R-2 Zone allows for the development of a duplex dwelling, Section 14.2 of the Zoning & Development By-law indicates that in order to be eligible to construct said dwelling, the property must have a lot frontage of 22 m and a lot area of 650 sq m. The subject property has a lot frontage of 17.6 m and a lot area of 427 sq m.

It is very difficult for staff to review an application of this nature when an additional dwelling unit was created without seeking the proper approvals. The applicant has stated that the upper storey was used as an independent residential unit in the past for family members, although the City has no records to indicate when this secondary unit was created. On balance, when considering the variance in question, key points from the Official Plan to be considered include:

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

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

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

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

Should the variance be approved, the property owner would be required to obtain a Building & Development permit for the additional dwelling unit which would have to conform to all applicable fire life safety standards and Building Code regulations. Also, an additional parking space would have to be provided for the second unit.

This situation is similar to the majority of dwellings on Upper Hillsborough Street. Staff would also note that there is the option to construct a secondary suite within single-detached dwellings which would allow the applicant to construct a second unit while maintaining the single-detached dwelling streetscape. However, upon review of the floor plans it is noted that the second storey which contains the proposed unit exceeds the maximum floor space permitted for a secondary

suite of 80 sq m. Staff would note that this size limitation would make it difficult to create a secondary suite.

Due to the fact that the building footprint is not being enlarged or expanded the proposed duplex dwelling could be approved since the existing structure predates all other requirements of the Zoning & Development By-law relating to setbacks, with the exception that an additional parking space would be required for the second unit. Furthermore, the surrounding area already contains a variety of housing types. While the subject property is adjacent to single-detached dwellings, there are a variety of multi-unit dwellings and a 5-unit apartment dwelling across the street.

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"> ▪ Duplex dwelling is a permitted use in the Low Density Residential (R-2) Zone. ▪ According to the site plan provided, all other requirements of the Zoning & Development By-law including setbacks and parking have been satisfied. ▪ There is a variety of housing types on Upper Hillsborough Street including single-detached dwellings, duplex dwellings and apartment dwellings. ▪ The applicant is not proposing any exterior changes except for a separate entrance to the unit. The building footprint shall remain the same and unchanged thereby not changing the streetscape or character of the area. 	<ul style="list-style-type: none"> ▪ The Zoning & Development By-law allows for secondary suites within single-detached dwellings which would allow the applicant to construct a second unit while maintaining the single-detached dwelling streetscape. However the second unit exceeds the maximum allowable floor space. 	<ul style="list-style-type: none"> ▪ Approving this variance would require an additional parking space that would require an additional access point to the street.

CONCLUSION:

The Planning & Heritage Department recommends to Council to approve the lot area and frontage variances to establish a duplex dwelling located at 53 Upper Hillsborough Street (PID 360719) subject to the following condition:

- 1) *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*

PRESENTER:



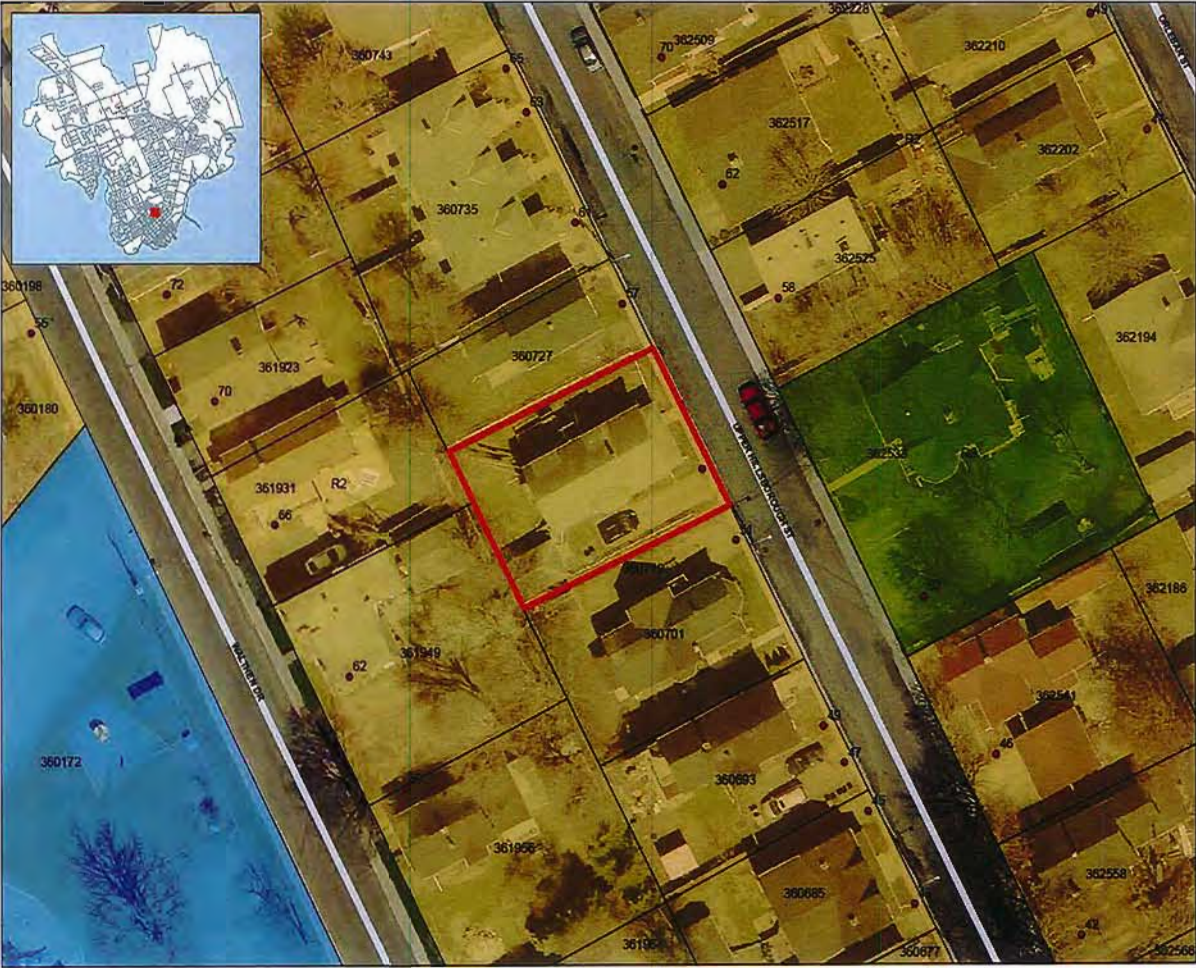
Robert Zilke, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

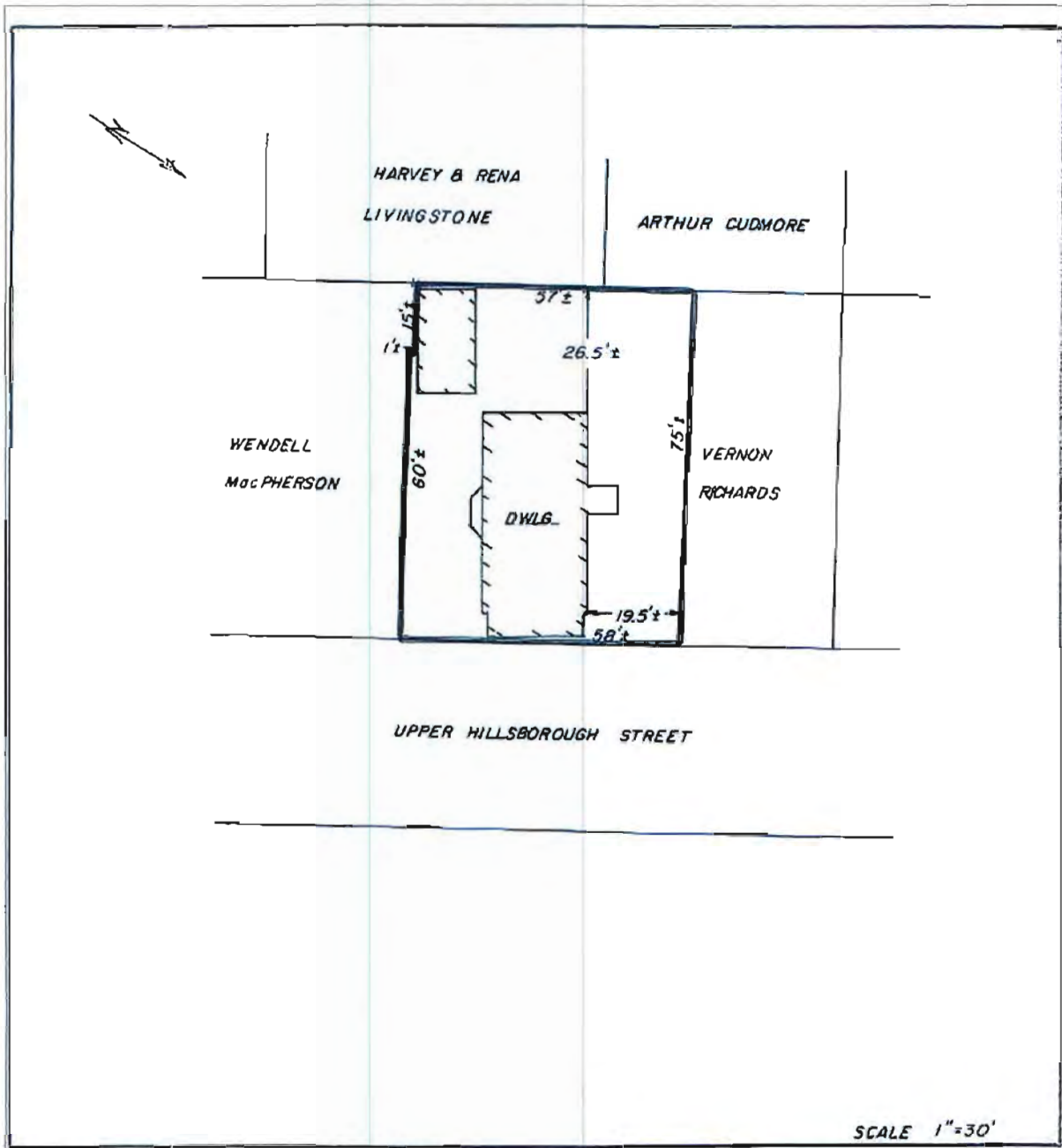
Attachment A



Attachment A: GIS Map
File: PLAN 2019-03-SEPTEMBER-
53 Upper Hillsborough
Applicant: Jarrod Dunn



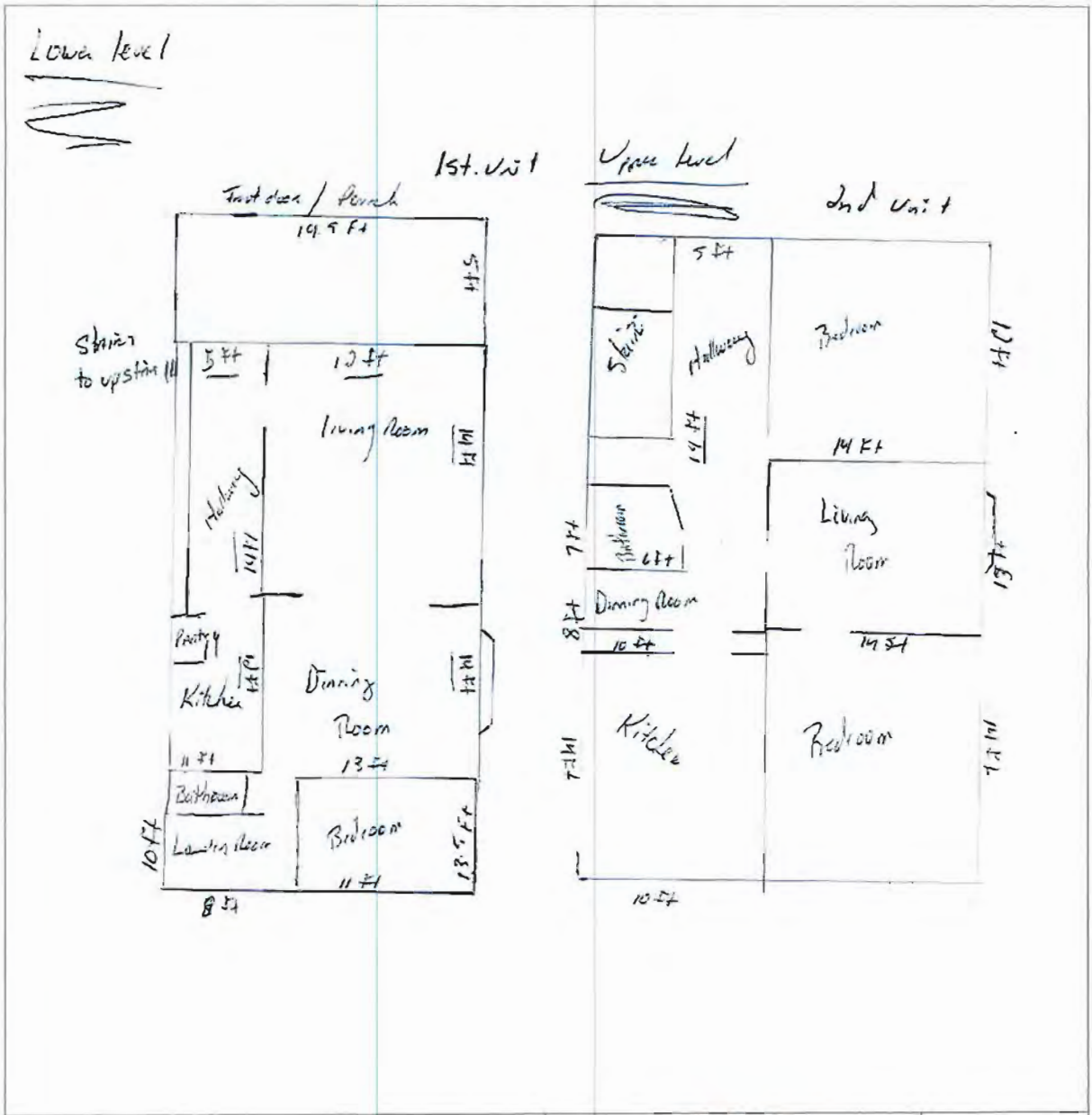
Attachment B



Attachment B: Site Plan
File: PLAN 2019-03 SEPTEMBER-
53 Upper Hillsborough
Applicant: Jarrod Dunn



Attachment C



Attachment C: Floor Plan
 File: PLAN-2019-03-SEPTEMBER-
 53 Upper Hillsborough
 Applicant: Jarrod Dunn



Attachment D

To whom it may concern:

We are the owners of 57 Upper Hillsborough and are vehemently **AGAINST** the variance request, as proposed by the owners of 5 Upper Hillsborough.

The neighborhood is low density residential and should stay that way. There are already too many duplexes and multi-family units on the street. Additional multi-family units would create additional traffic and noise.

We believe that additional multi-family structures would lower the value of our home and single family homes in our immediate neighborhood.

Regards,

Chris & Rick Malanczuk
57 Upper Hillsborough Street
Charlottetown, PE C1A 4X4

To the Planning Dept.

Oh, it's FIFTY THREE Upper Hillsboro street! I see; It's just the existing building to be divided into an upstairs-downstairs duplex. I have no objection at all to this change. It's a good use of the property and will not adversely affect the streetscape.

Paul Workman

Greetings to the Planning and Heritage Department of the City of Charlottetown.

We are submitting this letter to you regarding the application for variance to the property located at 52 Upper Hillsboro St. (PID #360719). Please be advised that we strenuously object to the granting of any variance regarding this property.

We are not in favour of increased density in our neighbourhood. We do not believe that the area is able to deal with increased density with out the continued degradation of the quality of life here. Greater density means more cars, more traffic, more people and more garbage. As 25 year residents of Walthen Drive, we have experienced these negative impacts caused by higher density living situations such as apartment buildings and houses which have been divided into apartments.

One could argue that past city councils and planning departments have done a disservice to the residents and home owners of this neighbourhood by allowing the creation of these higher density living spaces. They have degraded the quality of life in this area which is, for the time being, still mostly comprised of single family dwellings.

The Members of your department might say that this application is only one small change in density and therefore of little consequence. However, when taken in context with another recently approved


application for variance (at 71-73 Upper Prince) and a new apartment building located at the north end of Upper Prince St. it becomes obvious that there is pressure to change the nature of this area filled with historic assets. This latest application is an attempt at continuing this troubling trend and we are decidedly against it.

Thank you,

Tom & Diane Barnes, 58 Walthen Drive, Charlottetown

Attachment D: Public Feedback
File: PLAN-2019-03-SEPTEMBER-
53 Upper Hillsborough
Applicant: Jarrod Dunn



TITLE: LOT FRONTAGE VARIANCE FILE: PLAN-2019-03-SEPTEMBER-68-4 80 LONGWORTH/46 VICTORY AVE OWNER: BRIAN MCMILLAN		
MEETING DATE: September 3, 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Floor Plan	
SITE INFORMATION: Context: Mature neighbourhood consisting of a variety of housing types and commercial uses. Ward No: 2 – Belvedere Existing Land Use: Two-unit Dwelling Official Plan: Mature Neighbourhood (Medium Density Residential) Zoning: Medium Density Residential (R-3) Zone		
PREVIOUS APPLICATIONS: RAP 392-2		

RECOMMENDATION:

The Planning & Heritage Department recommends to Council to approve the lot frontage variance to establish a three-unit dwelling at 80 Longworth/46 Victory Ave subject to the following condition:

- 1) *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.*

BACKGROUND:

Request

The applicant/owner, Brian McMillan, is applying to vary the lot frontage requirements as illustrated in Section 15.2 of the Zoning & Development By-law in order to convert an existing dwelling unit into two dwelling units located at 80 Longworth Ave / 46 Victory Ave (PID #364695) which presently contains two-unit dwelling in the Medium Density Residential (R-3) Zone. Approval of this application will allow for the establishment of a 3-unit apartment building.

Development Context

The subject property is a corner lot with a duplex dwelling. The uses surrounding the site include a variety of multi-unit housing types including single-detached dwellings to the north, a 6-unit on the east side of the subject property and two 5-unit developments, one to the west across from Longworth Ave and the other to the south across from Victory Ave. There are two institutional uses, a cemetery and school located across from the subject site.

Property History

Built c.1915 as a foursquare style influenced house was the residence of superintendent of the Island Telephone Company, D.M. Gass and his wife, Mabel in 1937. By 1950, Frank and Eileen Harsen resided and owned the home. Fire insurance plans created in 1903 and updated to 1917 indicate that a 2.5 story, single family, wood framed house was on the property by 1917. A RRAP file from 1978 indicated that this property contained two (2) dwelling units. A building permit was issued on December 20, 2005 for renovations following fire damage to the existing duplex.

LEGISLATIVE REQUIREMENTS:***Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variances.

Public Feedback

The Planning & Heritage Department has received two inquiries in relation to this application. Both required additional information/clarification on the application pertaining to exterior modifications and parking.

At the time that this report was written no objections has been received by our office pertaining to this application.

ANALYSIS:

While the R-3 Zone allows for the development of an apartment, Section 15.2 of the Zoning & Development By-law indicates that in order to establish a multi-unit development (i.e. three units or greater) for a corner lot the property must have a lot frontage of 30 m and the subject property has a lot frontage of only 25 m. Since this is a corner lot the lesser of the two street frontages is defined as the required frontage in the Zoning By-law, the other street frontage along Victory Ave

is approximately 31 m and would satisfy the frontage requirement. The subject site contains enough land that would permit up to four (4) dwelling units.

On balance, when considering the variance in question, key points from the Official Plan to be considered include:

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

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

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

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

Should the variance be approved, the property owner would be required to obtain a Building & Development permit for the additional dwelling unit which would have to conform to all applicable fire life safety standards and Building Code regulations. The proposal would result in interior renovations only and the building footprint is not being enlarged or further expanded. The building meets all other requirements of the Zoning & Development By-law relating to setbacks and parking requirements. Furthermore, the surrounding area already contains a variety of housing types and adjacent to institutional uses (i.e. school, funeral home and cemetery).

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"> ▪ An apartment is a permitted use in the Medium Density Residential (R-3) Zone. ▪ According to the site plan provided, all other requirements of the Zoning & Development By-law including setbacks and parking have been satisfied. ▪ There is a variety of multi-unit housing types and institutional uses along Longworth Ave. ▪ The applicant is not proposing any exterior changes. The building footprint shall remain the same and unchanged thereby not changing the streetscape or character of the area. 	<ul style="list-style-type: none"> ▪ The Zoning & Development By-law R-3 Zone requirements for lot area would permit this property to have four (4) dwelling units. 	<ul style="list-style-type: none"> ▪ The proposed site plan provides an additional surface parking space off of Victory Ave. This additional space is not required and would not be supported since it would introduce a new ingress/egress point for traffic on the street.

CONCLUSION:

The Planning & Heritage Department recommends to Council to approve the lot frontage variance to establish a three-unit dwelling at 80 Longworth/46 Victory Ave subject to the following condition:

- 1) *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*

PRESENTER:


 Robert Zilke, MCIP
 Planner II

MANAGER:


 Alex Forbes, MCIP, MBA
 Manager of Planning & Heritage

Attachment A

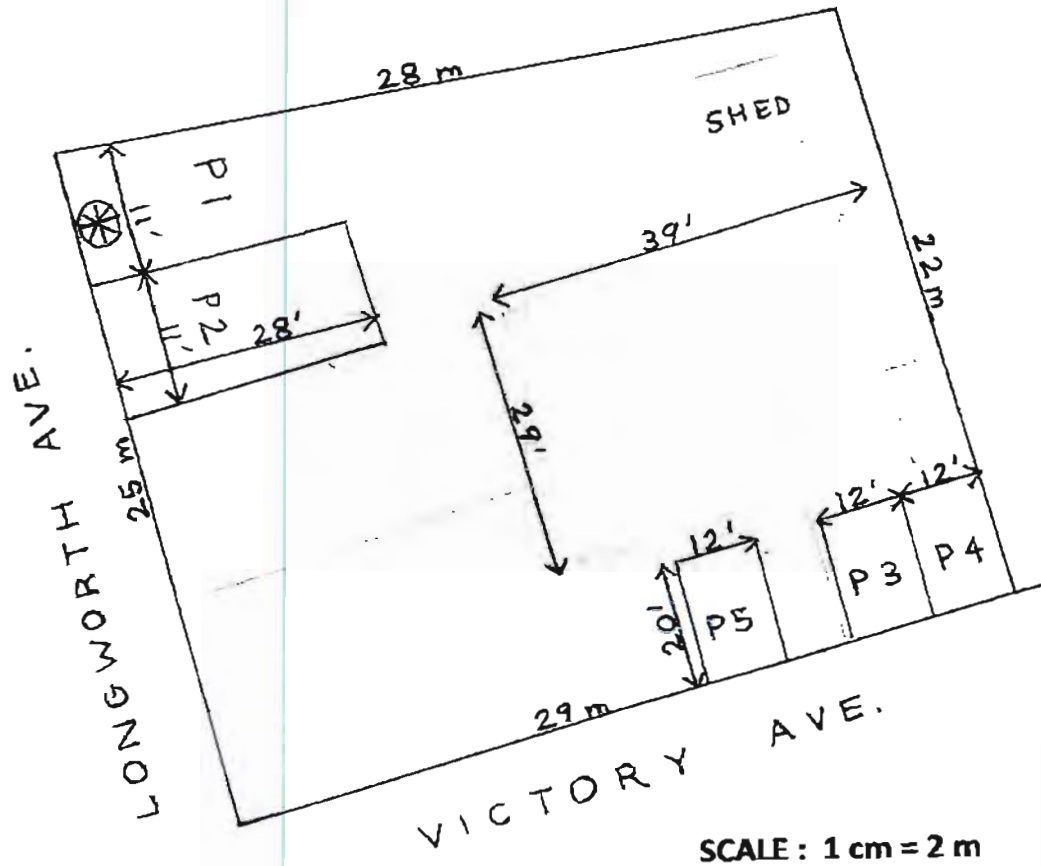


Attachment A: GIS Map
File: PLAN-2019-03-SEPTEMBER-
80 Longworth/46 Victory Ave
Applicant: Brian McMillan



Attachment B

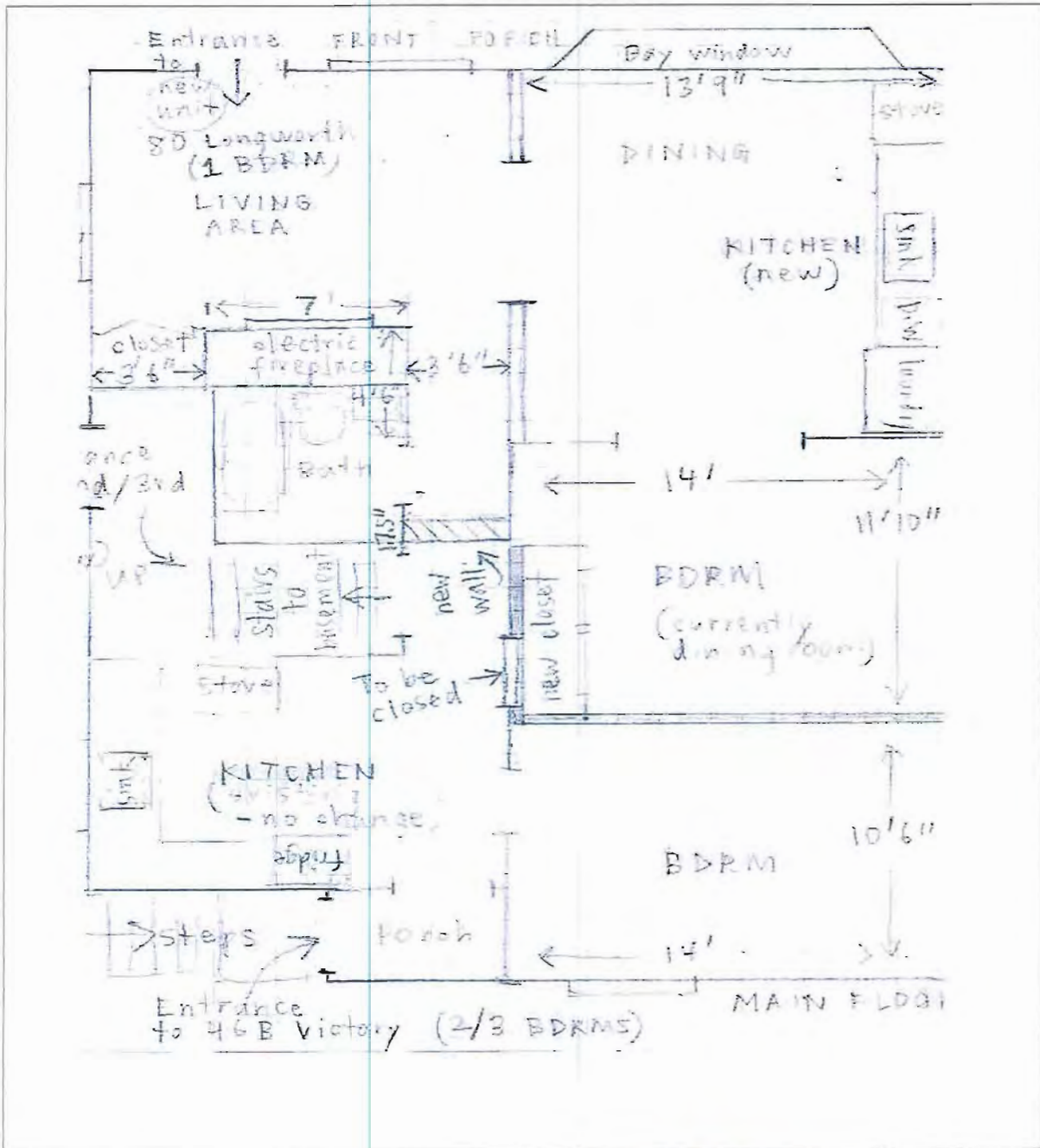
80 Longworth Avenue / 46 Victory Avenue



Attachment B: Site Plan
File: PLAN-2019-03-SEPTEMBER-
80 Longworth/46 Victory Ave
Applicant: Brian McMillan




Attachment C



Attachment C: Proposed Floor Plan
 File: PLAN-2019-03-SEPTEMBER-
 80 Longworth/46 Victory Ave
 Applicant: Brian McMillan



TITLE: REQUET FOR 3 VARIANCES(PID# 387654) 17 CAPITAL DRIVE FILE: PLAN-2019-03-September -6.B-5 OWNERS: Kris Rodd APPLICANT: Kris Rodd		
MEETING DATE: September 3, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Map	
SITE INFORMATION: Context: Highway Commercial Zone located on busy arterial road. Ward No: 8 – Highfield Existing Land Use: existing three unit dwelling. Official Plan: Commercial Zoning: Highway Commercial (C-2) Zone		

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council that:

- The major variance to decrease the left minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft) at 17 Capital Drive (PID #387654), be approved; and
- The major variance to decrease the right minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft) at 17 Capital Drive (PID #387654), be approved.

REQUEST

The Planning & Heritage Department has received a request for four (3) variances to the property located at 17 Capital Drive (PID #387654). The subject property is located in the Highway Commercial (C-2) Zone.

The applicant applied for the following four (3) variances in order to demolish the existing three (3) unit apartment building and construct a 12-unit apartment building on the subject property (see attached plan):

- A minor variance to increase the maximum residential density from 11 to 12 dwellings units;

- A major variance to decrease the left minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft); and
- A major variance to decrease the right minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft).

Development Context

The subject property is located near the intersection Capital Drive and Malpeque Road. The applicant owns the subject property, while he and his siblings own the abutting property, 21 Capital Drive which contains a 6-unit apartment dwelling.

The surrounding area is largely characterized by the Highway Commercial (C-2) Zone, which permits a variety of residential and commercial uses, while one property is located in the Institutional (I) Zone.

The northern portion of Capital Drive contains residential uses, in addition to the Calvary Church, which abuts the subject property. The southern section of Capital Drive contains commercial uses, including Rodd Royalty Hotel, U-Haul, etc.

Background

These variances were before Council on both March 13, 2017 and on May 14, 2018. On both occasions Council passed the following resolutions:

That the variance request to decrease the right and left side yard setbacks from 14.8ft to 9.9ft to permit the construction of a 12 unit apartment building at 17 Capital Drive (PID# 387654) be approved.

Further, the minor variance to increase the maximum residential density from 11 to 12 dwellings units was approved by the Planning & Heritage Department because no public complaints were received.

Section 3.9.6 of the Zoning & Development Bylaw states that:

If, after one (1) year of a variance approval by the Development Officer, no Building permit is issued or the Building permit is not acted upon (construction has not commenced), the variance and any permits Shall automatically be deemed null and void.

In light of the foregoing, these three (3) variances have expired because no permit had been issued within one (1) year. The applicant has indicated that it is his intent to begin construction this fall.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Sections 3.8 & 3.9 of the Zoning & Development By-law, on August 12, 2019 notice was sent to 12 residents located within 100 meters of the subject property advising them of the requested minor and major variances. The letter solicited their written comments for or against the proposed variance requests and the deadline to submit written comments on the application.

Public Feedback

There were no comments received for or against the proposed variance requests. Therefore, the request for a minor variance to the density was approved on August 27, 2019. The two major variance requests to the side yard setbacks require Council approval.

OFFICIAL PLAN:

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

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

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

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

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

DISCUSSION:

C-2 Requirements:

Apartment dwellings are a permitted use in the C-2 Zone, and a maximum of one (1) dwelling unit is permitted per 1,237.9 sq ft of lot area. Staff determined that the maximum residential density for the subject lots is 11.9 units; however, the applicant has requested 12 units.

The minimum side yard setbacks are 14.8ft, however, the applicant has applied for two (2) major variances to reduce both side yard setbacks to 9.8 ft.

	C-2 Requirements	Proposed
Left Side Yard Setback	min 14.8ft	9.8 ft
Right Side Yard Setback	min 14.8ft	9.8 ft
Rear Yard Setback	min 26.2ft	46.03 ft
Height	max 39.4ft	35.94 ft
Density	11.96 dwelling units	12 dwelling units

Parking:

As per Section 43.1.7 of the Zoning & Development Bylaw, the minimum parking requirement for the 12-unit apartment building is 12 standard parking spaces and one (1) mobility disabled space. The applicant’s site plan shows that 11 standard parking spaces shall be provided on 17 Capital Drive.

There are an additional 19 standard parking spaces on the applicant’s abutting property, 21 Capital Drive, which requires a minimum of eight (6) standard parking spaces and one (1) mobility disabled space.

The lot area of 21 Capital Drive is in excess of what is required for a 6 unit apartment building therefore a small portion of the driveway access could be subdivided off of 21 Capital Drive and consolidated with the lot at 17 Capital Drive to allow the applicant to meet the parking requirement for the 12 unit apartment building. Section 45.3.4 of the Zoning and Development Bylaw requires approval from Council for a lot consolidation for property in the C-2 Zone.

Therefore if the applicant chooses to do this an application for a lot consolidation would be required.

Landscaping:

As per Section 6.5 of the Zoning & Development Bylaw, a minimum of 10% of the property must be used for landscaped open space. The site plan shows that this requirement shall be satisfied

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"> ▪ These variances had previously obtained approval. ▪ Increasing the capacity of existing underground services. ▪ Additional density in fully serviced areas of the City. ▪ Additional density near centres of employment. ▪ Responds to an existing shortage of apartment units. 		<ul style="list-style-type: none"> ▪ Four (3) variances is a significant request. ▪ The variances are not owing to conditions peculiar to the property or unique to the area.

CONCLUSION:

Staff feels that the proposed development could enhance the Capital Drive streetscape and is the proper location for increased density because it is along a major arterial street. Furthermore, the

apartment dwelling conforms to permitted uses of the C-2 Zone, and it aligns with general intent of the Official Plan.

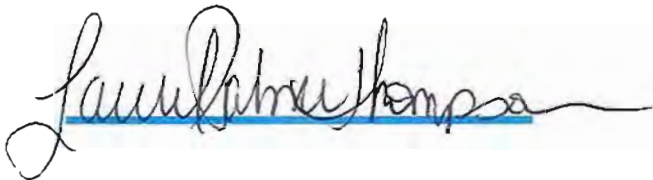
The properties at 17 and 21 Capital Drive will be linked together permanently due to the shared driveway, it is preferable to have the west property line adjusted. Notwithstanding, since the properties will be interrelated the functional impact of the side property line is more administrative than functional.

RECOMMENDATION:

- Planning & Heritage Department encourages Planning Board to recommend to Council to approve the application for
- The major variance to decrease the left minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft) at 17 Capital Drive (PID #387654), be approved; and
- The major variance to decrease the right minimum side yard setbacks from 4.5 m (14.8 ft) to 3.0 m (9.8 ft) at 17 Capital Drive (PID #387654), be approved.

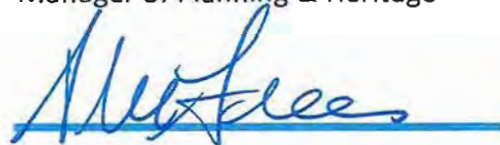
PRESENTER:


Laurel Palmer Thompson, MCIP
Planner II for Robert Zilkie



MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage



TITLE: RECONSIDERATION REQUEST (PID# 388595) FILE: PLAN-2019-06-August-6B-4 03-September-6C-6 OWNERS: Royalty Ridge Estates APPLICANT: Royalty Ridge Estates		
MEETING DATE: August 6, 2019		
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Letter requesting a Reconsideration C. Notice of IRAC Appeal	
SITE INFORMATION: Context: 11.06 acre vacant property on the corner of Upton Road and Royalty Road Ward No: 8 Highfield Existing Land Use: vacant property. Official Plan: Low Density Residential Zoning: R-1S (Low Density Residential)		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board **NOT** to recommend to Council for the request to Reconsider a decision of Council to rezone approximately 3.25 acres of vacant property located on the corner of Royalty Road and Upton Road (PID #388595) by amending Appendix "G" - Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.

REQUEST

The City Planning Department has received a request for Reconsideration under Section 3.15 of the Zoning and Development Bylaw regarding an application to rezone approximately 3.25 acres of vacant property located on the corner of Royalty Road and Upton Road (PID #388595) by amending Appendix "G" - Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.

The application was rejected by Council on April 8, 2019

On April 26, 2019 a letter requesting a reconsideration (attached) was received from the applicant's solicitor. Further on April 26, 2019 an email was sent to staff indicating his client's

position on the denial of the rezoning request and their reasons for requesting a reconsideration of Council. The applicant is basing their reconsideration request on that,

“Council make overriding and palpable errors in reaching the decision it did by ignoring the five “ Baker” factors, failed to render a decision with procedural fairness, failed to carefully evaluate the application and failed to give reasons for declining the application. In addition the Council failed to consider the objectives and policies set out in the bylaws, failed to acknowledge that the planning board and City planners considered this to be good development and approved the duplex lots.

The decision clearly flies in the face of decided case law and Council failed to consider the factors set put in the bylaws respecting the material grounds for consideration.”

The applicant’s solicitor contends that his client’s position is that “Council failed to consider those matters referred to and gave no reasons, inter alia, for its decision.”

BACKGROUND:

The property in question is located on the corner of Upton Road and Royalty Road and is currently zoned Single-Detached Residential (R-1S). The subdivisions to the south and the west are both zoned R-1L and R-1S, while the vacant land to the east is zoned R-2. The properties to the north on the opposite side of the street with frontage on Royalty Road are located in the R-1L Zone. There is also some (M-1) Light Industrial land to the north. However, farther north there is vacant land that is zoned R-2S which allows for semi-detached and duplex dwellings as well as single detached dwellings.

The overall neighbourhood of West Royalty is mixed with single-detached dwellings and semi-detached / duplex dwellings

On November 20, 2018 an application to rezone approximately 3.25 acres from R-1S (Low Density Residential Single to R-2 (Low Density Residential) was submitted to the Planning Department. The initial application was for 9 lots. On January 10, 2019, the Planning Board met to discuss rezoning these nine lots. Planning staff recommended to the Planning Board that the rezoning application be approved to proceed to public consultation. Planning Board then recommended to Council for the application to proceed to public consultation and at the Regular Meeting of Council on January 14, 2019, Council approved that the rezoning application proceed to public consultation.

To fulfil the public consultation requirements as prescribed by the Zoning and Development Bylaw, notice was posted in the Guardian on two separate occasions (January 19, 2019 and January 26, 2019) a copy of the notice was also posted on the subject property.

Forty-five (45) notification letters were also sent to property owners located within a 100 meter radius of the property. On January 30, 2019, the Public Meeting of Council took place. At this meeting, seven attendees spoke in opposition of the rezoning. Additionally, 25 individuals wrote letters to the City of Charlottetown expressing their rezoning concerns. In response to the rezoning criticisms, the applicants requested to defer their rezoning application in order to address the concerns raised by the public. The Planning & Heritage Department accepted their deferral.

After consulting with area residents and City staff, the applicants revised their original rezoning application. In their new application, they applied to rezone seven lots from Single Detached Residential (R-1S) Zone to Low Density Residential (R-2) Zone. Planning staff recommended to City of Charlottetown Council that the rezoning application be approved. Staff's recommendation was based on the rezoning not requiring an Official Plan amendment, providing an alternative form of housing for the neighbourhood, and that two-unit dwellings on an independent cul-de-sac would have little impact on adjacent single-detached dwellings.

At the Regular Meeting of Council on April 8, 2019, Council reheard the rezoning application and decided to deny the application based on the public opposition from affected property owners who felt the rezoning would be out of character with the existing neighbourhood, the potential for reduced property values in the adjacent neighbourhood and the potential for increased traffic generated from the proposed rezoning.

THE PROCESS OF RECONSIDERATION:

In order for an application to be reconsidered there are two stages to a reconsideration request. When an applicant requests a Reconsideration the application for Reconsideration is required to pass a threshold test. To pass the threshold test, the applicant must provide sufficient particulars in the request to show that the request falls within the stated grounds contained in Section 3.15 of the By-law.

Section 3.15 of the Zoning and Development Bylaw states,

3.15 RECONSIDERATION

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

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

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

The application is currently at the “Threshold Test” stage. Staff has reviewed the initial application and the grounds put forth by the applicant for the Reconsideration. The applicant is basing the request for the Reconsideration on that,

c) there is a clear doubt as to the correctness of the order or decision in the first instance.

Staff findings do not support this claim. There is no new information that has come forward since the initial decision to deny the rezoning request and having examined the contents of the file including the verbatim minutes there is no evidence to suggest that Council did not have sufficient information to formulate a decision based on both the technical requirements and the public consultation process relating to this application.

Council when assessing an application for rezoning must weigh both planning staff’s professional recommendation based on land use and planning principles and input from the public concerning their neighbourhood.

In terms of process it is evident in the contents of the file that the proper process as prescribed in Section 3.10 (Amendments to the Bylaw and Rezoning) of the Zoning and Development Bylaw were met. Section 3.10.3 states,

“Before amending the regulations of this by-law or rezoning any parcel of land, Council shall conduct a public meeting to receive the views and opinions of the public and the applicant. Council may, for reasons that are in the best interests of the City, reject a proposed amendment to this by-law without public notice and without referral to a public meeting, but if an application goes to a public meeting, then Council shall determine the disposition of the application and the applicant may not be allowed to withdraw the application after the public meeting.”

Although planning staff’s recommendation was based on the technical attributes of the application and surrounding land use as well as the input from the public. Council had to weigh the opinion of the residents regarding their neighbourhood. In doing this Council based their decision to reject the application on the policies, goals and objectives of the Official Plan.

Key sections from the Official Plan to be considered include:

Section 3.2 of the Official Plan 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.

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.

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

Section 3.1.2 - Our policy shall be to allow moderately higher densities in neighbourhoods ... provided it is development at a density that will not adversely affect existing low density housing.

These sections of the Official Plan speak to preserving the integrity and character of existing neighbourhoods. Evidence in the file and verbatim minutes suggests that Council weighed the concerns of the residents and the integrity of their neighbourhood when they assessed the application to rezone from Single Detached Residential Zoning to Low Density Residential Zoning. When residents purchased their homes they purchased land within a low density neighbourhood. Although an Official Plan is meant to be a fluid document which may change as land use and socio-economic trends change residents should still have some security in the stability of their neighbourhoods. Council is an elected body and it is up to them to weigh all aspects of an application before determining the disposition of an application.

Based on various sections of the Official Plan it is evident that Council considered the residents' concerns with protecting the stability, harmony and integrity of their neighbourhood. Therefore, it is staff's opinion that Council considered the Zoning and Development Bylaw as well as the Official Plan when determining the application.

CONCLUSION:

The applicant has based their request for reconsideration on (c) *there is a clear doubt as to the correctness of the order or decision in the first instance.*

Staff findings do not support this claim. It is evident from the file materials that Council followed the process as prescribed in Section 3.10 (Amendments to the Bylaw and Bylaw Amendments) and it appears that Council’s decision follows the policies, objectives and goals of the Official Plan. In addition, there is no new information that has come forward since the initial decision to deny the rezoning request and further a material change of circumstances has not occurred since the original decision.

RECOMMENDATION:

Therefore, staff does not recommend for reconsideration of the original decision of the Council to deny a request to rezone approximately 3.25 acres of vacant property located on the corner of Royalty Road and Upton Road (PID #388595). Staff recommends the rejection of the request for Reconsideration as the grounds proposed for the Reconsideration by the applicants do not meet the requirements of Section 3.15.3 of the Zoning and Development By-law (Threshold Test).

PRESENTER:

Laurel Palmer Thompson, MCIP
Planner II



MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage



T. DANIEL TWEEL

BARRISTER & SOLICITOR
NOTARY PUBLIC

105 KENT STREET
P.O. BOX 3160
CHARLOTTETOWN, P.E.I.
CANADA C1A 7N9

TELEPHONE : 902-368-8600
FACSIMILE : 902-368-8810
E-MAIL : office@tweelaw.ca

April 26, 2019

City of Charlottetown
ATTN: Mr. Greg Morrison
233 Queen Street
Charlottetown, PE C1A 8B9

Dear Mr. Morrison:

RE: Royalty Ridge Estates Inc.
Our File No. 5936-10/TDT

We write on behalf of Royalty Ridge Estates Inc..

Your letter of April 12th was received by our clients on the 18th instant.

We are formally requesting a reconsideration of Council's position on the issue of the seven (7) lots which our client sought to have re-zoned for duplex use.

Yours truly,

P. Campbell

TD T. Daniel Tweel
TDT/pmc

PLANNING
Rec'd April 26, 2019 Int EG



April 30, 2019

Via: Email and Regular Mail
ajforbes@charlottetown.ca

City of Charlottetown
Planning and Heritage Department
233 Queen Street
Charlottetown, PE C1A 4B9
Attention: Alex Forbes, Manager

Dear Mr. Forbes:

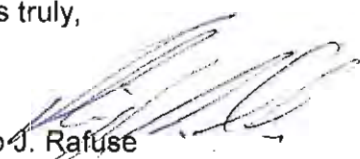
RE: Appeal #LA19007 – Royalty Ridges Estates Inc. v. City of Charlottetown

The Island Regulatory and Appeals Commission has received a Notice of Appeal from T. Daniel Tweel, on behalf of Royalty Ridges Estates Inc., against the April 8, 2019 decision of the City of Charlottetown with respect to the application to rezone 7 lots from R1S to R2. I have enclosed a copy of the Notice of Appeal for your records.

The Appellant has apparently requested a reconsideration by the City of Charlottetown and therefore, the Commission agrees to hold this matter in abeyance during the reconsideration process and no further action will be taken by the Commission until further notified.

Any questions or concerns can be directed to myself by telephone at 902-892-3501 or email at pjrafuse@irac.pe.ca

Yours truly,



Philip J. Rafuse
Appeals Administrator
Corporate Services and Appeals Division

Enclosure

RECEIVED
APR 26 2019
The Island Regulatory and Appeals Commission

Handed in
24/8 PM
MLA

Notice of Appeal

(Pursuant to Section 28 of the *Planning Act*)

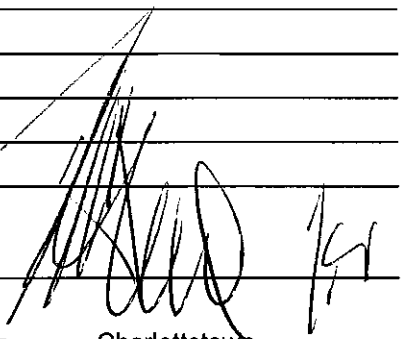
TO: The Island Regulatory and Appeals Commission
National Bank Tower, Suite 501, 134 Kent Street
P.O. Box 577, Charlottetown PE C1A 7L1
Telephone: 902-892-3501 Toll free: 1-800-501-6268
Fax: 902-566-4076 Website: www.irac.pe.ca

NOTE:
Appeal process is a public process.

TAKE NOTICE that I/we hereby appeal the decision made by the Minister responsible for the administration of various development regulations of the **Planning Act** or the Municipal Council of Charlottetown (name of City, Town or Community) on the 8th day of April, 2019, wherein the Minister/Community Council made a decision to deny the application of Royalty Ridge Estates Inc. to re-zone 7 lots from R1S to R2. The grounds for the appeal are as follows: Council in making its decision, did not consider:
a. the fact that the planning board had approved the subdivision; see attached _____ (attach a copy of the decision).

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, the grounds for this appeal are as follows: (use separate page(s) if necessary)
We seek the following relief - that the decision of Charlottetown City Council of April 8th, 2019, to deny re-zoning be set aside and that an Order be issued directing the City to re-zone the lots to R2.


AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, I/we seek the following relief: (use separate page(s) if necessary)

Name(s) of Appellant(s): Royalty Ridge Estates Inc. Signature(s) of Appellant(s): 
Please Print
Mailing Address: c/o T. Daniel Tweel 105 Kent St. City/Town: Charlottetown
Province: Prince Edward Island Postal Code: C1A 1N3
Email Address: office@tweellaw.ca Telephone: 902-368-8600

Dated this 26 day of April, 2019.
day month year

IMPORTANT
Under Section 28.(6) of the *Planning Act*, the Appellant must, within seven days of filing an appeal with the Commission serve a copy of the notice of appeal on the municipal council or the Minister as the case may be.
Service of the Notice of Appeal is the responsibility of the Appellant
Information on this Form is collected pursuant to the *Planning Act* and will be used by the Commission in processing this appeal. For additional information, contact the Commission at 902-892-3501 or by email at info@irac.pe.ca.

- b. the planners for the City considered this good development application and worthy of consideration;
- c. the City did not consider the benefit to the City of mixed zoning nor did it consider the factors set out in the by-laws respecting the material grounds for consideration;
- d. the Council ignored the objectives and policies of the City of Charlottetown's planning and developing by-laws;
- e. Council ignored the five "Baker" factors, failed to render a decision with procedural fairness, failed to carefully evaluate the application, and, failed to give reason for declining the application. The decision of Council flies in the face of decided case law, and, decisions rendered by IRAC.

TITLE: ZONING & DEVELOPMENT BY-LAW AMENDMENTS FILE: PLAN-2019-03-SEPTEMBER- 60-7	 CHARLOTTETOWN
MEETING DATE: September 03, 2019	Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: Attachment A – Calculation of Numerical Requirements & Measurements Attachment B – Design Review Attachment C – Attached Garages and Carports Attachment D – Non-Conforming Buildings Attachment E – Asphalt Plant in the West Royalty Business Park Attachment F – Marijuana Production Facility Parking Space Requirements Attachment G – Designated Heritage Resource Sign Exemptions

RECOMMENDATION:

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments pertaining to:

- Section 2 Operation;
- Section 3.14 Design Review;
- Section 4 Accessory Structures;
- Section 4.6 Non-Conforming Buildings;
- Section 36.2 Regulations for Industrial and Commercial Uses;
- Section 43.1 Parking Space Standards;
- Section 44.21 Exemptions to Sign Regulations

be *approved* to proceed to public consultation.

BACKGROUND / ANALYSIS:

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 staff have encountered some applications that require a review or insertion of additional regulations relating to formalizing standard practices dealing with measurements, restrict the expansion of legal non-conforming uses, require design review for developments that undergo a significant design alteration in the 500 Lot Area, dictate the maximum size of an attached garage, prohibit Asphalt, Aggregate and Concrete Plants in the West Royalty Industrial Park, establish Marijuana Production Facility parking requirements and enable Heritage Board to provide a recommendation to Council on the design and placement of signage for Designated Heritage Resources.

Measurements under Operation Section (Attachment A)

Currently the Zoning & Development does not contain provisions to deal with calculations of numerical measurements. For example both density and parking calculations could result in fractions thereby leaving some ambiguity to the final calculation. Currently, staff have been using common practices to determine final dwelling unit or parking space counts, instances whereby a calculation results in a fraction of a whole number staff either rounds up or down if it is less than 0.5 or greater than 0.5 of the whole number. The other proposed amendments is to clarify situations that pose discrepancies between metric and imperial measurements and applying setback measurements from a building or structure to property lines. The proposed amendments are to formalize measurement practices.

Criteria for Design Review Requirements (Attachment B)

The Zoning & Development By-law requires any new construction, multi-unit residential, increase in a Building's footprint/GFA by 20 sq.m or greater, or development that requires a land use approval application (i.e. subdivision, major variance, bonus height) in the 500 Lot Area to undergo the Design Review process. Staff is recommending that in addition to the above criteria that any development proposal that results in a significant alteration to a Building's design should also be subject to the Design Review process. This is to ensure that the unique architectural character of the 500 Lot Area is not only maintained but enhanced in the future.

General Provisions for Buildings and Structures – Attached Garage (Attachment C)

The Zoning & Development By-law does not regulate maximum sizes for attached garages for residential properties. Over the past couple of years the Planning office has been receiving inquiries and at times applications for large attached garages for residential properties. In some instances, the attached garage has been larger than the residential floor area of the dwelling. This has led to massive garages that is out of scale and character of a typical residential area that has

caused various neighbourhood complaints. To address this staff is proposing a limit to the size of an attached garage for residential dwellings. Presently, the size of detached accessory structures (i.e. sheds, garages) are regulated in the Zoning & Development By-law. As per jurisdictional research and a scan of permits that have been previously approved staff is recommending that attached garages be restricted to a maximum gross floor area of 40% of the residential dwelling.

Non-Conforming Buildings (Attachment D)

Jurisdictional scan of other municipalities show that non-conforming buildings may be reconstructed, repaired or renovated but does not necessarily allow the non-conforming building to be enlarged. To allow for a non-conforming building to be enlarged undermines the purpose for discontinuing the non-conforming building to encourage compliance with the Zoning standards of the day. The purpose of the amendment is to remove references of enlargement of a non-conforming building.

Prohibit Asphalt, Aggregate and Concrete Plant in the West Royalty Business Park (Attachment E)

West Royalty Business Park is unique as it contains few heavy industrial uses and is well on its way transitioning into an established business park. This is reflective of the surrounding sensitive land uses such as low density residential, commercial and institutional uses. Due to the close proximity of residential uses in the adjacent area and preliminary conversations with the Province, staff feels that an Asphalt, Aggregate and Concrete Plant would be regarded as an incompatible land use in the West Royalty Business Park area. Staff would also note that when the Zoning & Development By-law undergoes a comprehensive review it is recommended that properties located within the West Royalty Business Park that are zoned Heavy Industrial (M-2) be down zoned to a less intensive industrial zone.

Marijuana Production Facility Parking Requirements (Attachment F)

Staff previously included amendments to address a Cannabis retail use but since then there has been an application made to construct a marijuana production facility in the City. The Zoning & Development By-law does not include a parking standard for this particular use, but due to its unique nature as a land use and operation it would require a specific standard. Through research staff recommends that "1 space per 200 sq. m (2,152.8 sq. ft) of *Floor Area* or 1 space per employee per shift, whichever is greater" be inserted into the General Provisions for Parking.

Enable Heritage Board to make a recommendation to Council for Variance of Signage on Designated Heritage Resources (Attachment G)

Clarification on the variance process for signage on Designated Heritage Resources is required to ensure that both the Zoning & Development By-law and the Heritage Preservation By-law is consistent. The proposed amendments seek to enable Heritage Board to provide a recommendation to Council for signs on designated heritage properties relating to the design and placement.

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.

CONCLUSION:

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments pertaining to:

- Section 2 Operation;
- Section 3.14 Design Review;
- Section 4 Accessory Structures;
- Section 4.6 Non-Conforming Buildings;
- Section 36.2 Regulations for Industrial and Commercial Uses;
- Section 43.1 Parking Space Standards;
- Section 44.21 Exemptions to Sign Regulations

be *approved* to proceed to public consultation.

PRESENTER:



Robert Zilke, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A

Section 2.0 OPERATIONS is amended by adding the following section:

2.7 CALCULATION OF NUMERICAL REQUIREMENTS & MEASUREMENTS

2.7.1 All numerical requirements in this By-law are provided in metric units of measurement. Imperial units of measurement, where provided, are for user convenience only. Where a discrepancy between metric and imperial measurements occurs, the metric measurement shall prevail.

2.7.2 In this By-law, unless otherwise stated:

- (a) metric fractions of one-half (0.5) or greater must be rounded up to the nearest whole number and fractions of less than one-half (0.5) must be rounded down to the nearest whole number; but
- (b) when measuring the required distance between a property line and a building or structure or between two (2) buildings or structures, the measurement is made at the closest point distance between the two;
- (c) all measurements and distances must be made along the horizontal planes and not by following the topography or slope of land.

Attachment A:
Amendments to Operation
File: PLAN-2019-6-SEPT


CHARLOTTETOWN
Planning & Heritage Department

Attachment B

Section 3.14 DESIGN REVIEW is amended by adding an additional subsection as follows:

3.14.1 The Design Review process shall apply to the following Building and/or Development Permit applications for any Affordable Housing development(s) in or outside the 500 Lot Area and properties located within the 500 Lot Area, as defined and described in Appendix H:

- a. New construction of any non-residential use or of a Multi-unit Residential Building;
- b. An increase in an existing Building's footprint or Gross Floor Area by 20 sq. m (215 sq ft) or more, excluding residential properties with less than four (4) Dwelling Units;
- c. A Development application that involves a Subdivision/Consolidation, Major Variance, Bonus Height and/or a Site Specific Exemption;
- d. *A significant alteration to the Building's original style, design or materials.*

Attachment B:
Amendments to Design Review
File: PLAN-2019-03-SEPT-


CHARLOTTETOWN
Planning & Heritage Department

Attachment C

Section 4 is amended by adding an additional section as follows:

4.2 Attached Garages and Carports

4.2.1 Attached Garage may be added to any dwelling, but the following requirements shall apply:

- a. The maximum size of the attached garage cannot exceed 40% of the gross floor area of the residential dwelling unit space;
- b. The setback requirements for a garage or carport shall follow the same setback requirements for the dwelling unit for that zone;
- c. Attached garages for semi-detached dwellings may be centered on the shared property line if erected simultaneously on both lots as one structure.

All corresponding sections to be renumbered.

Attachment C:
Amendments to General Provisions for
Buildings and Structures
File: PLAN-2019-03-SEPT-


CHARLOTTETOWN
Planning & Heritage Department

Attachment D

Section 4.6 Non-Conforming Buildings is amended by removing the words “enlarged” and “enlargement” as follows:

Section 4.6.1 is amended as follows:

By deleting the words “enlarged” and “enlargement” as follows:

4.6.1 Where a Building has been Erected on or before the effective date of this by-law, on a Lot having less than the minimum Lot Frontage or Lot Area , or having less than the minimum Setback required by this by-law, the Building may be ~~enlarged~~, reconstructed, repaired, renovated, or demolished provided that:

a. The ~~enlargement~~, reconstruction, repair, Renovation, or new Building does not further reduce the existing Setback that does not conform to this by-law, and in the case of a Demolition, a new Building is constructed within two (2) years;

4.6.3 If a Building that is non-conforming under the provisions of this by-law is destroyed by a fire, or is otherwise damaged by fire to an extent of 75% or more of the assessed value of the property, it shall not be rebuilt or repaired unless:

a. It is rebuilt or repaired in conformity with the permitted land uses of this by-law;

b. Such rebuilding, ~~enlargement~~, reconstruction, repair, Renovation, or new Building does not further reduce a required Front Yard or Side Yard that does not conform to this By-law;

Attachment D:
Amendments to Non-Conforming Buildings
File: PLAN-2019-03-SEPT


CHARLOTTETOWN
Planning & Heritage Department

Attachment E

Section 36.2.3 under REGULATIONS FOR INDUSTRIAL AND COMMERCIAL USES is added as follows:

By inserting the following:

36.2.3 That an Asphalt, Aggregate and Concrete Plant is prohibited from being established in the West Royalty Business Park.

Attachment E:
Amendment to the Heavy Industrial (M-
2) Zone
File: PLAN-2019-6-AUG-


CHARLOTTETOWN
Planning & Heritage Department

Attachment F

Section 43.1 the parking table is amended as follows:

By inserting the Use "Marijuana Production Facility," following the Use "Funeral Establishment" but preceding the Use "Hospital" as follows:

Dwelling Unit in the 500 Lot Area	<i>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.</i>
Funeral Establishment	A minimum of 15 spaces plus 1 space for each 5 seats
Marijuana Production Facility	<i>1 space per 200 sq. m. (2,152.8 sq. ft.) of Floor Area or 1 space per employee per shift, whichever is greater.</i>
Hospital	1.25 spaces per bed

Attachment F:
Amendments to Parking
File: PLAN-2019-03-SEPT-


CHARLOTTETOWN
Planning & Heritage Department

Attachment G

Section 44.21 EXEMPTIONS TO SIGN REGULATIONS is amended as follows:

44.21 EXEMPTIONS TO SIGN REGULATIONS

44.21.1 Heritage Board shall ~~review~~ make a recommendation to Council on sign Permit applications for Designated Heritage Resources that do not adhere to the Sign Design Criteria and/or the placement of the sign, but not allow an increase to the permitted sign face area..

44.21.2 Planning Board shall review applications and make a formal recommendation to Council for applications:

- a. for Off-premise Signs for Special Events where there is a request to erect Signs that exceed the maximum duration;
- b. for Off-premise Signs for Special Events where there is a request to erect Signs on an annual basis; and
- ~~c. where a Variance is being sought due to conditions peculiar to the property or unique to the area. This request shall only pertain to the placement and design of Signs, not an increase to the permitted Sign Area.~~

Attachment G:
Amendments to Exemptions to Sign
Regulations
File: PLAN-2019-03-SEPT.


CHARLOTTETOWN
Planning & Heritage Department

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD MINUTES
26 AUGUST 2019 12:00 PM
PARKDALE ROOM, CITY HALL**

Included Councillor Greg Rivard, Chair
Deputy Mayor Jason Coady
Councillor Julie McCabe
Tara Maloney, RM
Simon Moore, RM

Greg Munn, RM
Wayne MacKinnon, RM
Alex Forbes, PHM
Todd Saunders, HO
Ellen Faye Ganga, PH IO/AA

Regrets Mayor Philip Brown
Councillor Bob Doiron

Aaron Stavert, RM

1. Call to Order

Councillor Greg Rivard called the meeting to order at 11:58 a.m.

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 Tara Maloney, RM, and seconded by Simon Moore, RM, that the agenda for Monday, August 26, 2019, with the addition of 185 Kent Street, be approved.

CARRIED

4. Adoption of Minutes

Moved by Tara Maloney, RM, and seconded by Simon Moore, RM, that the minutes of the Tuesday, June 04, 2019 meeting be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 96 Prince Street (PID #340695)

This is an application to remove two ground floor windows and install one new window at 96 Prince Street (PID #340695). The property is a Designated Heritage Resource located in the Downtown Neighbourhood (DN) zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the report. See attached report.

The three storey brick residential building has a smaller one storey wood clad addition on the rear of the property. The application includes:

- Removal of one fixed window on south side of the addition and one hung window on the east side (rear yard).
- Installation of one new fixed, wooden, double glazed window on the rear (east) elevation at a location slightly to the south of the existing.
- Areas where windows are removed are to be clad in wood shingle to match the remainder of the walls.
- These alterations are proposed to accommodate necessary privacy in the bathroom.

Comments/concerns noted:

- Board members noted that they do not have any concerns approving the proposed renovations. This renovation does not affect the street scape or the mass of the property.
- It was also noted that you can see the shower head from the existing window and would make sense to move it to the side for privacy purposes.
- Staff and Board members also commended the owner of the property for his continuous efforts in keeping the character and heritage merit of the property.

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

Moved by Tara Maloney, RM, and seconded by Greg Munn, RM, that the application to remove two ground floor windows and install one new window at 96 Prince Street (PID #340695), be approved.

CARRIED

7. 185 Kent Street (PID #342998)

This is an application to add a two storey deck with second level access in place of the existing sidewalk patio at 185 Kent Street (PID #342998). The property is a Designated Heritage Resource located in the DMUN Zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the report. See attached report.

Access to the second level deck would be through a new access door to the west of the existing four windows on the second storey. The application includes:

- New two level timber structure deck to be constructed on the footprint of the existing sidewalk patio.
- Upper deck to measure approximately 13 ft. deep and 21 ft. long
- Existing railing on the lower level to remain. Railing on the upper level to match existing.
- Installation of one new 36 inch wide door on the second level to the west of the existing four windows.

Staff also noted that this structure can be disassembled in the future without affecting the look of the property and the new door can just be reverted back to a wall. Another option was to replace one of the windows as the access door

Comments/concerns noted:

- Board members commented that it would be best to leave the windows as is and just add the door for access to the second level. It would be easier to just convert it back to a wall instead of converting the door back into a window should the decks be removed in the future.
- Board members also noted that they are willing to support this application as the deck would still match the street scape. Also, the current look of the building is still close

- to the original look of the property. Staff also added that the windows at the lower level are new but it is not very visible with the existing sidewalk patio.
- Board members asked about the distance or the width of the deck and staff indicated that if this application is approved by the Heritage Board, the setbacks would still be reviewed by a Development Officer to ensure that it would meet the Zoning & Development Bylaw requirements.
 - Board members also clarified the type of material that will be used for the deck and staff indicated that it will be made of wood frame and the cast irons would match the existing material.

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

Moved by Tara Maloney, RM, and seconded by Councillor Julie McCabe, that heritage component of the application to install a two storey deck with second level access in place of the existing sidewalk patio at 185 Kent Street (PID #342998), be approved, subject to the Zoning & Development Bylaw requirements.

CARRIED

8. New Business

- a) Todd Saunders received an inquiry with regards to whether the installation of solar panels would be permitted. As per the Bylaw, any alteration to a heritage property needs to be reviewed and approved by the Board. The National Standards and Guidelines for Heritage Properties in Canada, in terms of sustainability, indicate that these types of initiatives should be welcomed. Staff is inclined to support such initiatives but it would be reviewed on a case to case basis. It would be best for solar panels be located at the rear of the property and flat to the roof, but again, it would depend on how the property is also situated, and the angles/positioning of the panels.

Of course there is great support for moving toward a more sustainable energy source and efforts made to that end are certainly encouraged. The role of our Heritage Board within the city is to support and protect our valued heritage resources. In ideal situations sustainability and heritage preservation can mutually support one another. However in some cases one may impose a negative effect on the other.

It was agreed that it is difficult to create a blanket statement regarding the use of solar panels on designated heritage resources as each situation is case specific. As an example, solar panels mounted on the south facing roof of Province House would have a much greater impact than those mounted on a rear facing roof of a home not visible from the street. In addition panels mounted flat on the roof have less visible impact than when they must be elevated on a frame. It was generally agreed there are situations where the solar panels would have little to no impact on the historic character of a property and would be encouraged. There are also cases where they would detract greatly from the character of the building and alternate solutions would be encouraged.

Board members asked if staff can do a little more research to ask other municipalities with regards to dealing with solar panels on heritage properties.


- b) Alex Forbes discussed about the special conditions in terms of erecting signage in the Downtown Area. The Bylaw indicates that there are specific guidelines when erecting signs to properties within the 500 Lot Area. In cases where a sign application does not meet the design standards and bylaw requirements, there is an option to allow the heritage board to make a recommendation to Council on the application if the property is a designated heritage resource.

Currently a property owner is considering having his property designated in order to have greater flexibility regarding proposed signage. However, the applicant is hesitant to apply to designate the property if the end result would not allow them to proceed with their proposal anyway. The sign is being proposed to be erected on top of the third storey window of the building which is not permitted according to the Bylaw. Board members would like to see the placement and the design and layout of the proposed sign and staff noted that all these will be provided as part of the review.

9. Adjournment

Moved by Greg Munn, RM, and seconded by Councillor Julie McCabe, that the meeting be adjourned. The meeting was adjourned at 12: 23 PM.

Councillor Greg Rivard

<p>TITLE: ALTERATION TO A DESIGNATED HERITAGE PROPERTY FILE: HERT-2019-26-AUGUST-6-1 96-98 PRINCE STREET APPLICANT: ANGUS ORFORD</p>	
<p>MEETING DATE: August 26, 2019</p>	<p>Page 1 of 8</p>
<p>DEPARTMENT: Planning & Heritage</p>	<p>ATTACHMENTS:</p> <ul style="list-style-type: none"> A. Location Map B. Streetscape Photo C. Proposed window details and partial elevation D. Historic Photo
<p>SITE INFORMATION:</p> <p>Ward No: 1 – Queens Square</p> <p>Property Use: Residential</p> <p>Heritage Recognition: Designated Heritage Resource located in the DN zone of the 500 Lot Area.</p> <p>Adjacent Heritage Properties: There are five immediately adjacent designated properties.</p> <ul style="list-style-type: none"> • 78 Prince Street • 100 Prince Street • 217 Richmond Street • 221 Richmond Street • 220 Richmond Street 	

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application to remove two ground floor windows and install one new window at 96 Prince Street (PID #340695).

BACKGROUND:

Application

The three storey brick residential building has a smaller one storey wood clad addition on the rear of the property. The applicant is applying to remove two existing windows in the single storey extension and install one new window.

The application includes:

- Removal of one fixed window on south side of the addition and one hung window on the east side (rear yard).
- Installation of one new fixed, wooden, double glazed window on the rear (east) elevation at a location slightly to the south of the existing.
- Areas where windows are removed are to be clad in wood shingle to match the remainder of the walls.
- These alterations are proposed to accommodate necessary privacy in the bathroom.

PROPERTY HISTORY

This property was awarded a City of Charlottetown Heritage Award in 2017 and the Hennessey award in 2018 for renovation work undertaken by the current owner.

96-98 Prince Street is a brick, Second Empire style home, located on the corner of Prince Street and Richmond Street. It features stacked bay windows and a large bay dormer in its mansard roof. It is positioned among a number of heritage homes and churches of varying ages.

Heritage Value:

The heritage value of 96-98 Prince Street lies in its association with various prominent Charlottetown residents; its Second Empire influenced architecture and its role in supporting the Prince and Richmond Street streetscapes.

In the 1870s, the railway had a large impact on Prince Edward Island and railway men were important members of the community. Harry H. Houle, a native of England, was the Track Master or Road Master for the Prince Edward Island Railway. He hired prominent architects, David Stirling and William Critchlow Harris to design his beautiful Second Empire style home in 1879. Brick and Nova Scotia freestone were the materials chosen for the exterior and the home remains a fine example of the Second Empire style within the City of Charlottetown. The style is usually identified by its Mansard roof, which was named after François Mansart (1598-1666), and popularized by his son, Jules Hardoin Mansart, an architect who worked for France's King Louis XIV around 1700. The Mansard roof is almost flat on the top section and has deeply sloping, often curved, lower sections that generally contain dormers. The Second Empire referred to in the name of the style is that of Napoleon III (1852-1870). The style reached Canada through Britain and the United States and was used extensively throughout Charlottetown from approximately 1860 until 1880.

It is not clear how long Houle owned 96-98 Prince Street, but telephone directories show that Dr. George Forbes Dewar was a resident and operated his office from the building. Dewar was a respected physician in and around Charlottetown and practiced medicine for almost forty years. He also served politically representing the district of 3rd Queens in the Provincial Legislature.

Located in a mix of residential and public buildings of varying ages, the handsome building at 96-98 Prince Street helps support the Prince Street and Richmond Street streetscapes.

CHARACTER-DEFINING ELEMENTS

The following Second Empire character-defining elements contribute to the heritage value of 96-98 Prince Street:

- The overall massing of the building with its two and one half storeys
- The brick construction of the building
- The dentil detailing near the roof and the flat window arches
- The Wallace freestone accents, such as the foundation and the window lintels and sills
- The wooden trim painted in a contrasting colour including the cornice and window trim
- The Mansard roof with its shingle pattern, gabled dormers, and large bay dormers
- The size and placement of the windows, particularly the sash, two over one windows, the bay windows and the fanlights in a sunburst pattern
- The size and placement of the doors on either side of the building with fanlights and sidelights
- The various wooden additions to the building, including the porch of the south side which has retained the original dentil detailing at its roof and the wooden arched details

Other character-defining elements include:

- The location of the building on the corner of Prince Street and Richmond Street and its physical and visual relationship to its streetscape

POLICY FRAMEWORK:

Bylaw Requirements

In accordance with Section 4.2.3.a (iii) 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. and provisions listed in Section 6.

Official Plan

Section 3. of the Official Plan, "Directing Physical Growth" states; *The City will continue to build on its past by stimulating the revitalization of heritage resources; maintaining the special qualities*

of Charlottetown's neighbourhoods; and safeguarding the municipality's open space characteristics and view corridors.

Section 3.7 of the Official Plan, "Defining Our Direction" states: *Our goal is to protect and revitalize the heritage resources of Charlottetown for the benefit of current and future residents and visitors.*

The Standards and Guidelines for the Conservation of Historic Places in Canada

<https://www.historicplaces.ca/media/18072/81468-parks-s+q-eng-web2.pdf>

The relevant Standards include:

- *Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable character defining elements. Do not move a part of an historic place if its current location is a character-defining element.*
- *Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence*

In accordance with recommended guidelines for rehabilitation:

Replacing in kind an entire built feature by using the physical evidence of its form, material and detailing to reproduce it. If using the same kind of material is not technically, economically or environmentally feasible, then a compatible substitute material may be considered; for example, replacing redwood decking with cedar, a less endangered species. The replacement feature should be as similar as possible to the original, both visually and functionally.

ANALYSIS:

It is noted the existing windows proposed for removal may not be original to the house. They are believed to have been installed at the time of the wood frame addition. It is also noted these windows are single pane wood windows and do not comply with current sustainability standards. In such an instance it would appear double pane is a reasonable choice. The character defining elements of the building do not refer to these windows and as such should not alter the heritage significance of the property but rather add to its viability.

CONCLUSION:

The Planning & Heritage Department recommends the application for removal of two windows and installation of one new window at 96-98 Prince Street, be approved.

PRESENTER:

Todd Saunders

Todd Saunders, M.Arch
Heritage Officer

MANAGER:

Alex Forbes

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

LOCATION MAP

ATTACHMENT A



LOCATION MAP – 96 Prince Street showing the property located at the north east corner of Prince Street and Richmond Street. Properties shown in pink are zoned DN (Downtown Neighbourhood), those in dark green DMUN (Downtown Mixed Use Neighbourhood), those in lighter green are zoned PC (Park Cultural).

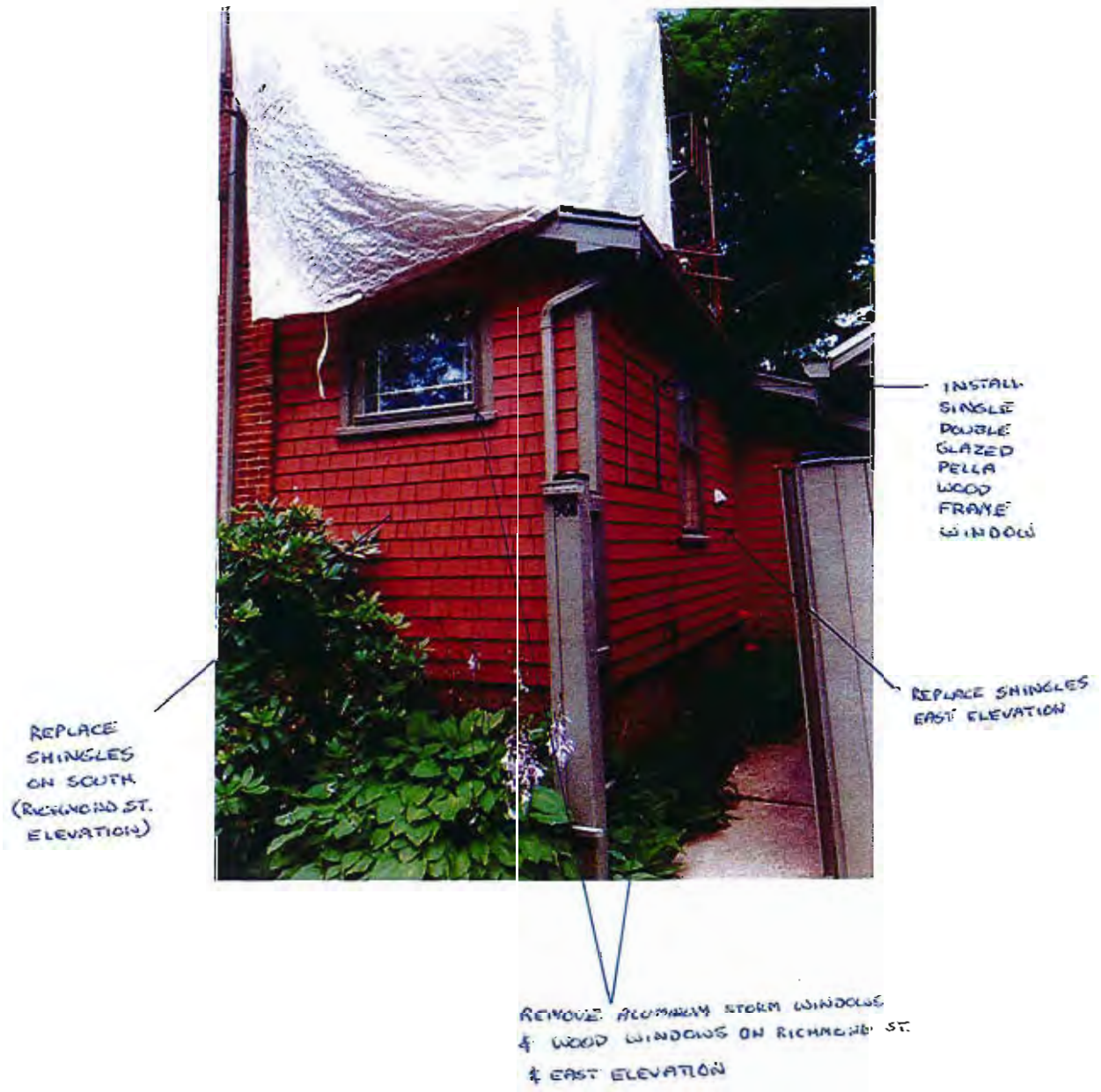
STREETSCAPE PHOTO

ATTACHEMENT B



PROPOSED WINDOW DETAIL AND PARTIAL ELEVATION


ATTACHEMENT C



HISTORIC PHOTO

ATTACHMENT D



TITLE: ALTERATION TO A DESIGNATED HERITAGE PROPERTY FILE: HERT-2019-26-AUGUST-6-2 185 KENT STREET APPLICANT: JEFF SINNOTT		
MEETING DATE: August 26, 2019		Page 1 of 9
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. Streetscape Photo C. Proposed two storey deck D. Historic Photo	
SITE INFORMATION: Ward No: 1 – Queens Square Heritage Recognition: Designated Heritage Resource located in the DMUN zone of the 500 Lot Area. Adjacent Heritage Properties: There are seven adjacent designated properties. <ul style="list-style-type: none"> • 186 Prince Street • 181 Kent Street • 205 Kent Street • 215 Kent Street • 217-219 Kent Street • 218 Kent Street • 221-223 Kent Street 		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application to add a two storey deck with second level access at 185 Kent Street (PID #342998).

BACKGROUND:

Application

The applicant is applying to add a two storey deck in place of the exiting sidewalk patio on Kent Street. Access to the second level deck would be through a new access door to the west of the existing four windows on the second storey.

The application includes:

- New two level timber structure deck to be constructed on the footprint of the existing sidewalk patio.
- Upper deck to measure approximately 13 ft. deep and 21 ft. long
- Existing railing on the lower level to remain. Railing on the upper level to match existing.
- Installation of one new 36 inch wide door on the second level to the west of the existing four windows.

PROPERTY HISTORY

185-187 Kent Street is a two and one half storey wood framed building. It features gable roofs, gable dormers, and decorative pedimented stacked square bay windows. It is located on the corner of Kent and Prince Streets among a number of historic buildings and churches.

Heritage Value:

The heritage value of 185-187 Kent Street lies in its association with local furniture maker, Martin Dogherty, drugstore, Johnson and Johnson and its role in supporting the streetscape.

It is not clear exactly when 185-187 Kent Street was originally constructed, however judging by its construction method with birch bark covering the wide sheathing boards, it is an old structure. It is possible that cabinetmaker, Martin Dogherty built the home, as he lived and worked there before 1833 until approximately 1850.

By 1856, physician, Dr. Henry A. Johnson had purchased the home. He and his family, including his son Hammond who was also a physician, occupied the home. One of Henry Johnson's other sons, Richard, was pursuing a medical degree at Harvard when an unfortunate incident temporarily changed his career path. While traveling across the Northumberland Strait in an ice boat, a storm blew up and stranded Johnson and the rest of his party on the ice for three days. A fellow traveler and medical student, James Henry Haszard died as a result of the ordeal. While Richard Johnson survived, he abandoned his medical studies and became a minister. Approximately, ten years into his career, he developed throat problems that caused him to leave the ministry. He then returned to Harvard where he finished his medical degree in 1865.

By the time that Dr. Richard Johnson returned to the Island to practice medicine, his father and brother had died. Dr. Richard Johnson took over the residence at 185-187 Kent Street where he practiced medicine and like his peers, dispensed drugs. Before 1889, his son, Arthur had joined

him in the dispensing part of his business and when another son, Richard MacKay Johnson, received his pharmacy degree in 1893, the two would begin the Johnson and Johnson drug store business. They operated the drug store out of the 185-187 Kent Street building for many years until it was sold to Robbins E. Colwill in 1913. A later owner of the building was Hilliard Toombs who also operated a drug store from the premises. Both Colwill and Toombs retained the Johnson and Johnson name for their businesses.

The building would remain a drug store until the 1980s. It would later become a restaurant and pub called Doc's Corner. 185-187 Kent Street remains a restaurant and pub to this day. An attractive building which has important historical associations and has been a part of the corner for many years, it plays a large role in supporting the Prince and Kent Street streetscapes.

The following character-defining elements contribute to the heritage value of 185-187 Kent Street:

- The overall two and one half storey massing of the building
- The gable roof with two gable dormers on the Kent Street facade
- The wood exterior with mouldings painted in a contrasting colour including the cornice, the cornerboards, the window and door surrounds and the interesting design in the pediment atop the stacked bay windows of the Kent Street facade
- The asymmetrical facade
- The style and placement of the windows, particularly the symmetrically placed sash windows and the stacked bay windows of the Kent Street facade topped with a gable roof
- The size and placement of the doors topped with awnings, including the door with transom light facing the corner
- The size and placement of the brick chimney
- The large addition on the Prince Street side

Other character-defining elements include:

- The location of the building on Kent and Prince Street and its physical and visual relationship to its streetscape

POLICY FRAMEWORK:

Bylaw Requirements

In accordance with Section 4.2.4.a (iii) 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. and provisions listed in Section 6.

5.1.1 In evaluating an application for a Heritage Permit involving a Building or Structure, the Heritage Officer, Heritage Board and/or Council shall review the compatibility of the proposed Development in relation to the original and/or existing Building or Structure, including the following:

- a. The Standards and Guidelines for the Conservation of Historic Places in Canada, as may be amended from time to time;*
- b. The original character, construction and architectural details;*
- c. The original or existing materials;*
- d. The scale of a proposed Development in relation to the scale and proportions of the original or existing Building or Structure;*
- e. The size and alignment of existing doors and windows;*
- f. The material and style of existing windows and doors, including details such as the casements, sashes, mullions, muntins, trims, and glazing;*
- g. The pitch, direction and arrangement of the roof and any associated chimney;*
- h. The significance of the accessory Building to the historic nature of the property and the original design elements of the accessory structure; and*
- i. Any other historical elements or architectural design considerations as deemed relevant by the Heritage Officer.*

Official Plan

Section 3. of the Official Plan, “Directing Physical Growth” states; *The City will continue to build on its past by stimulating the revitalization of heritage resources; maintaining the special qualities of Charlottetown’s neighbourhoods; and safeguarding the municipality’s open space characteristics and view corridors.*

Section 3.7 of the Official Plan, “Defining Our Direction” states: *Our **goal** is to protect and revitalize the heritage resources of Charlottetown for the benefit of current and future residents and visitors.*

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>

The relevant Standards include:

General Standards for Preservation, Rehabilitation and Restoration:

12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future

ANALYSIS:

It is noted the existing ground floor windows on the Kent Street elevation have been altered from the original. These accommodate the change in use of the building. The existing sidewalk patio is proposed to be replaced with a two storey wood frame deck to be placed in front of the heritage building which will do little to alter the fabric of the building itself. A new door opening is proposed to access the deck from the second level. This is an alteration to the existing fabric which affects the building characteristic and simple façade symmetry. It may be that an alternative access would be preferable.

CONCLUSION:

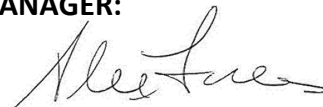
The Planning & Heritage Department recommends the application for the installation of a new second level door and two storey deck at 185-187 Kent Street, be approved with any alterations as suggested by Heritage Board.

PRESENTER:



Todd Saunders, M.Arch
Heritage Officer

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

LOCATION MAP

ATTACHMENT A



LOCATION MAP – 185-187 Kent Street showing the property located at the north east corner of Kent Street and Prince Street. Properties shown in pink are zoned DN (Downtown Neighbourhood), those in green DMUN (Downtown Mixed Use Neighbourhood), those in darker pink are zoned DM (Downtown Mainstreet).

STREETSCAPE PHOTO

ATTACHEMENT B



PROPOSED WINDOW DETAIL AND PARTIAL ELEVATION

ATTACHEMENT C



PLANNING
Rec'd
Aug 22, 2019
-m
R.S.

Hunter's Patio Addition (21'-0" x 13'-0" upper deck)

April 26, 2019



HISTORIC PHOTO

ATTACHMENT D





CITY OF CHARLOTTETOWN

RESOLUTION

Planning #1

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT 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-2) Zone to Medium Density Residential (R-3) Zone,**

for the property at 38 Palmers Lane (PID #275156), in order to construct an 18-unit apartment building, be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #2

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to operate a home occupation (i.e. counselling/therapy service) for the property located at 13 Donwood Drive (PID #278531), be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to:

- Reduce the required lot frontage from 22m (72.2 ft) to approximately 17.6m (58 ft); and
- Reduce the required lot area from 696 sq.m (7,491.7 sq.ft) to approximately 427 sq.m (4597 sq.ft)

To establish a duplex dwelling at 53 Upper Hillsborough Street (PID #360719), be approved, subject to the following condition:

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



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #4

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to reduce the required lot frontage from 30m to approximately 25m to establish a three (3) unit dwelling at 80 Longworth Ave / 46 Victory Ave (PID #364695), be approved, subject to the following condition:

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



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #5

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request for variances to:

- **Decrease the left minimum side yard setbacks from 4.5m (14.8ft) to 3.0m (9.8ft); and**
- **Decrease the right minimum side yard setbacks from 4.5m (14.8ft) to 3.0m (9.8ft),**

to construct a 12 unit apartment building at 17 Capital Drive (PID #387654), be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #6

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to reconsider a decision of Council to rezone approximately 3.25 acres of vacant property located on the corner of Royalty Road and Upton Road (PID #388595) by amending Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone, be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #7

MOTION CARRIED _____

MOTION LOST _____

Date: September 09, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

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

- **Section 2: Operation;**
- **Section 3.14 Design Review;**
- **Section 4: Accessory Structures;**
- **Section 4.6: Non-conforming buildings;**
- **Section 43.1 Parking Space Standards; and**
- **Section 44.21 Exemptions to sign regulations,**

be approved to proceed to Public Consultation;

And, the amendment to the Zoning & Development Bylaw (PH-ZD.2) pertaining to Section 36.3 Regulations for Industrial and Commercial Uses, be deferred until after the IRAC Hearing.



CITY OF CHARLOTTETOWN
BYLAW

9-0
(Councillor
Bernard
assent)

To adopt Bylaw PH-ZD.2-017, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 221 Belvedere Avenue (PID #395087) from Low Density Residential (R-2) Zone to Parking (P) Zone.

BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-017, as it pertains to 221 Belvedere Avenue (PID #395087))", as attached, be read a first time.

Date: _____ August 12, 2019

Moved by Councillor: _____ Greg Rivard

9-0

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (PH-ZD.2-017), be approved and that it be read a second time at the next Public Meeting of Council.

Date: _____ August 12, 2019

Moved by Councillor: _____ Greg Rivard

9-0

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-017, as it pertains to 221 Belvedere Avenue (PID #395087))", as attached, was read and approved a first time on August 12, 2019;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Date: _____ September 09, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Date: _____ September 09, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

PART III – EFFECTIVE DATE

20. Effective Date

- (1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

First Reading:
This Zoning & Development Bylaw, Bylaw #PH-ZD.2-017, was read a first time at Council meeting held on the _____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-017, 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 #PH-ZD.2-017, was read a second time at Council meeting held on the _____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-017, 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 #PH-ZD.2-017, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2019.

21. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-017, 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 (PH-ZD.2-017) is hereby approved.

Dated on this ___ day of _____, _____.

Hon. Bloyce Thompson
Minister of Agriculture and Land

Effective Date

The effective date of the Official Plan amendment is the date as signed below by the Minister of Communities, Land and Environment.

Adoption and Approval by Council:

The Official Plan amendment(s) was adopted and approved by a majority of the Councillors present at the Council Meeting held on 12th day of August, 2019.

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Official Plan Amendment (PH-OPA.1-003) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Bloyce Thompson
Minister of Agriculture and Land



CITY OF CHARLOTTETOWN

Official Plan Amendment PH-OPA.1-004
Appendix "A" – Official Plan Map

Authority

The Council for the City of Charlottetown under the authority vested in it by Section 11 and 15 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for 221 Belvedere Avenue (PID #395087) as shown on Appendix A – Official Plan Map of the City of Charlottetown Official Plan, is designated as Commercial, hereby excluding it from its former designation of Low Density Residential.





CITY OF CHARLOTTETOWN
BYLAW

6-3 (Opposed
Councillors
Tweed, Coady &
Dolan)
R-2 Residential zone

To adopt Bylaw PH-ZD.2-018, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 71 & 73 Upper Prince Street (PID #683748 & PID #359521) from Low Density Residential (R-2) Zone to Parking (P) Zone.

BE IT RESOLVED THAT THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-018, as it pertains to 71 & 73 Upper Prince Street (PID #683748 & PID #359521))", as attached, be read a first time.

Date: _____ August 12, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady *Julie McCabe*

6-3

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (PH-ZD.2-018), be approved and that it be read a second time at the next Public Meeting of Council.

Date: _____ August 12, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady *Julie McCabe*

6-3

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-018, as it pertains to 71 & 73 Upper Prince Street (PID #683748 & PID #359521))", as attached, was read and approved a first time on August 12, 2019;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Date: _____ September 09, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Date: _____ September 09, 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 # PH-ZD.2-018

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 # PH-ZD.2-018”

2. Authority

(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix G.

PART II – AMENDMENTS

4. The zoning of the property at 71 & 73 Upper Prince Street (PID #683748 & PID #359521) as shown on Appendix “G” of the Zoning & Development Bylaw, Bylaw #PH-ZD.2-018, is Medium Density Residential (R-3) Zone, hereby excluding it from its former designation of Low Density Residential (R-2) Zone.



PART III – EFFECTIVE DATE

20. Effective Date

(1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

First Reading:
This Zoning & Development Bylaw, Bylaw #PH-ZD.2-018, was read a first time at Council meeting held on the _____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-018, 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 #PH-ZD.2-018, was read a second time at Council meeting held on the _____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-018, 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 #PH-ZD.2-018, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2019.

21. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-018, 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 (PH-ZD.2-018) is hereby approved.

Dated on this ___ day of _____, _____.

Hon. Bloyce Thompson
Minister of Agriculture and Land

Effective Date

The effective date of the Official Plan amendment is the date as signed below by the Minister of Communities, Land and Environment.

Adoption and Approval by Council:

The Official Plan amendment(s) was adopted and approved by a majority of the Councillors present at the Council Meeting held on 12th day of August, 2019.

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Official Plan Amendment (PH-OPA.1-003) is hereby approved.

Dated on this ___ day of _____, _____.

Hon. Bloyce Thompson
Minister of Agriculture and Land



CITY OF CHARLOTTETOWN

**Official Plan Amendment PH-OPA.1-005
Appendix "A" – Official Plan Map**

Authority

The Council for the City of Charlottetown under the authority vested in it by Section 11 and 15 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for 71 & 73 Upper Prince Street (PID #683748 & PID #359521) as shown on Appendix A – Official Plan Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, hereby excluding it from its former designation of Low Density Residential.



CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR AUGUST 2018
 DOLLAR VALUES

	AUG	Totals
Residential New	\$2,515,700.00	\$14,059,850.00
Residential Renovations and Additions	\$435,500.00	\$1,460,100.00
Industrial-Commercial New	\$2,865,000.00	\$34,527,090.00
Industrial-Commercial Renovations	\$1,310,900.00	\$10,781,400.00
Institutional New	\$0.00	\$2,000,000.00
Institutional Renovations	\$1,650,000.00	\$2,167,500.00
Signage	\$4,880.00	\$221,705.00
Other	\$269,448.42	\$939,448.42
Agriculture	\$0.00	\$0.00
TOTALS	9,051,428.42	66,157,093.42

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR AUGUST 2019
 DOLLAR VALUES

	AUG	Totals
Residential New	\$2,493,000.00	\$41,327,400.00
Residential Renovations and Additions	\$1,467,900.00	\$4,617,850.00
Industrial-Commercial New	\$19,125,000.00	\$31,570,000.00
Industrial-Commercial Renovations	\$1,906,575.00	\$16,550,620.00
Institutional New	\$0.00	\$7,323,000.00
Institutional Renovations	\$160,000.00	\$10,252,000.00
Signage	\$15,580.00	\$422,785.00
Other	\$52,538.67	\$680,164.04
Agriculture	\$0.00	\$0.00
TOTALS	25,220,593.67	112,743,819.04

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR AUGUST 2018
 BREAKDOWN OF PERMITS ISSUED *(Not projects)*

	AUG	Totals
Single Family Dwellings - New	6	31
Two-Family Dwellings - New	3	9
Multi-Family Dwellings - New	1	5
Residential Renovations and Additions	10	51
Industrial-Commercial New	4	18
Industrial-Commercial Renovations	6	49
Institutional New	0	2
Institutional Renovations	1	4
Signage	4	48
Other	10	68
Agriculture Renovations	0	0
TOTALS	45	285

CITY OF CHARLOTTETOWN
 BUILDING CONSTRUCTION STATISTICS FOR AUGUST 2019
 BREAKDOWN OF PERMITS ISSUED *(Not projects)*

	AUG	Totals
Single Family Dwellings - New	3	43
Two-Family Dwellings - New	0	20
Multi-Family Dwellings - New	1	12
Residential Renovations and Additions	10	72
Industrial-Commercial New	5	14
Industrial-Commercial Renovations	7	61
Institutional New	0	4
Institutional Renovations	1	5
Signage	5	36
Other	12	78
Agriculture Renovations	0	0
TOTALS	44	345



Planning & Heritage Summary (Week ending August 02, 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
18-425	1091289	358-BLD-18	31-Jul-19	31-Jul-19	APPROVED	36-38 Bambrick Drive (Lot 17-35)	Occupancy Permit - Duplex dwelling	Jason Ellis	21-Aug-19
18-534	394684	458-BLD-18	2-Aug-19	2-Aug-19	APPROVED	16 Centennial Drive	Occupancy Permit - Renovations to existing nursing home to create new kitchen	Brandon MacDonald	23-Aug-19
18-541	425892	469-BLD-18	30-Jul-19	30-Jul-19	APPROVED	115 Deacon Grove Lane	Occupancy Permit - Interior Renovations to Hillsborough Hospital	Phillip Jefferson (Dept of TIE)	20-Aug-19
19-051B	344044	480-BLD-19	19-Jul-19	30-Jul-19	CANCELLED	183 Great George Street	Fence	Christopher Tweel	20-Aug-19
19-064B	825943	489-BLD-19	24-Jul-19	30-Jul-19	APPROVED	360 Grafton Street	Tent for PEI International Shellfish Festival	Frankie Molyneux	20-Aug-19
19-076B	388207	184-BLD-19	30-Jul-19	30-Jul-19	APPROVED	167 Minna Jane Drive	Occupancy permit - Retail Fit-up for flooring warehouse	APM Construction Ltd.	20-Aug-19
19-206	335588	411-BLD-19	25-Jun-19	29-Jul-19	APPROVED	25 Pownal Street	Renovations to existing dwelling	Open Practice	19-Aug-19
19-212	364844	248-BLD-19	7-May-19	1-Aug-19	APPROVED	17-19 Kensington Road	Renovate existing building and add 6 units	John Taylor	22-Aug-19
19-212	364844	467-VAR-19	17-Jul-19	1-Aug-19	APPROVED	17-19 Kensington Road	Variance to side yard setback	John Taylor	22-Aug-19
19-248	278739	289-BLD-19	22-May-19	29-Jul-19	APPROVED	21 Exhibition Drive (58 Kensington Road)	Tent for Old Home Week	Beth Doucette	19-Aug-19
19-248	278739	482-BLD-19	22-Jul-19	29-Jul-19	APPROVED	21 Exhibition Drive (58 Kensington Road)	Tent for temporary stalls Old Home Week	Adam Walsh	19-Aug-19
19-249	373894	390-BLD-19	20-Jun-19	1-Aug-19	CANCELLED	31 Westview Drive	Site work for future garage	Derek Gaudet	22-Aug-19
19-249	373894	290-BLD-19	22-May-19	1-Aug-19	APPROVED	31 Westview Drive	Addition of mudroom, laundry and living room	Derek Gaudet	22-Aug-19
19-265	339994	310-BLD-19	28-May-19	29-Jul-19	APPROVED	99 Pownal Street (Legion)	New commercial kitchen	Melvin Ford	19-Aug-19
19-293B	897918	506-BLD-19	31-Jul-19	2-Aug-19	APPROVED	Confederation Landing	Temporary Tent	Sundaze Festival/Sam Murphy	23-Aug-19
19-330	1091289	401-BLD-19	21-Jun-19	29-Jul-19	APPROVED	32 Hanmac Drive (Lot 17-6)	Single Family dwelling	Pro-Tech Property Restoration & Construction	19-Aug-19
19-351	939892	430-BLD-19	25-Jul-19	25-Jul-19	APPROVED	15 Horseshoe Blvd (Lot 25)	Footing Permit - Single Family dwelling	Ninaber Construction Ltd	15-Aug-19



Planning & Heritage Summary (Week ending August 16, 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
11-566	392936 parent	421-bid-11	14-Aug-19	14-Aug-19	APPROVED	35-37 Dart Drive (Lot #90)	Occupancy Permit: Semi-detached dwelling	From the Ground Up Construction (Joe Gallant)	4-Sep-19
19-074	739128	075-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Phase I Renovations - Founders Hall	SableArc Studios	5-Sep-19
19-074	739128	183-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Phase II Founders Hall	SableArc Studios	5-Sep-19
19-074	739128	509-BLD-19	1-Aug-19	14-Aug-19	APPROVED	6 Prince Street	Signage for Founder's Food Hall	Sign Craft	4-Sep-19
19-074B	739128	283-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Ice cream booth in a truck	Amanda Beaton	5-Sep-19
19-074C	739128	318-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Doughnuts by Design	Kip Rosveld	5-Sep-19
19-074D	739128	352-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Restaurant Renovations	David Mitchell	5-Sep-19
19-074E	739128	359-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Restaurant kitchen and retail counter	Kevin MacLean	5-Sep-19
19-074G	739128	395-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Founders hall urban market (booth)	Suzanne Keough	5-Sep-19
19-074H	739128	407-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Interior fit-up (baked goods)	Colleen Mackay	5-Sep-19
19-074I	739128	425-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Interior fitup (Big Burger)	Charbel Jreij/Big Burger	5-Sep-19
19-074J	739128	544-BLD-19	14-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Interior fit-up (Rising Tide Oyster Bar)	Rising Tide Oyster Bar	5-Sep-19
19-074J	739128	544-BLD-19	15-Aug-19	15-Aug-19	APPROVED	6 Prince Street	Occupancy Permit: Interior fit-up (Rising Tide Oyster Bar)	Rising Tide Oyster Bar	5-Sep-19
19-179	372284	534-BLD-19	13-Aug-19	15-Aug-19	APPROVED	455 University Avenue	Tent in parking lot	The Brick (Derek Arsenault)	5-Sep-19
19-265	339994	310-BLD-19	14-Aug-19	14-Aug-19	APPROVED	99 Pownal Street (Legion)	Occupancy Permit: New commercial kitchen	Meivin Ford	4-Sep-19
19-277	278721	322-REZ-19	31-May-19	12-Aug-19	APPROVED	7 Lions Crescent (Lot 1)	Rezone from R-1S to R-3. For minister approval	Robert Haggis	2-Sep-19
19-351	939892	430-BLD-19	2-Jul-19	9-Aug-19	APPROVED	15 Horseshoe Blvd (Lot 25)	Single Family dwelling	Ninaber Construction Ltd	30-Aug-19



FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-354	441444	433-BLD-19	3-Jul-19	14-Aug-19	APPROVED	104 Meadowvale Drive	16x16 bedroom addition	Danny & Leslie Dowling	4-Sep-19
19-396	366930	490-BLD-19	25-Jul-19	13-Aug-19	APPROVED	14 Moreau Drive	Renovations to existing dwelling	Karen-Anne O'Halloran	3-Sep-19
19-410	1076686	505-BLD-19	12-Aug-19	12-Aug-19	APPROVED	Footing Permit-39,41,43,45,47 Michelle Crescent	5-unit townhouse	Sherdale Properties	2-Sep-19
19-425	274365	532-DEM-19	14-Aug-19	14-Aug-19	APPROVED	10 Hatley Street	Demolition of building debris from fire	Island Coastal Services Ltd	4-Sep-19
19-430	365643	541-BLD-19	14-Aug-19	15-Aug-19	APPROVED	385 Grafton Street	Temporary trailer on site	DP Murphy Inc	5-Sep-19
19-433	Various	546-BLD-19	14-Aug-19	16-Aug-19	APPROVED	City Entrance signs	City Entrance Signs (Charlottetown Fall Flavors)	Discover Charlottetown	6-Sep-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-316	395103	376-REZ-19	18-Jun-19	12-Aug-19	Approved. First Reading Done. For second reading	221 Belvedere Ave	Rezone from R2 to P	GGR Holdings Ltd	2-Sep-19
19-259	683748, 359521	303-REZ-19	24-May-19	12-Aug-19	Approved to proceed to public consultation	71-73 Upper Prince	Rezone from R-2 to R-3	Shawn Shea	2-Sep-19
19-379	275156	465-REZ-19	17-Jul-19	12-Aug-19	Done second reading. For minister approval	38 Palmers Lane	Rezone from R2 to R3	Weymouth Properties	2-Sep-19
19-277	278721	322-REZ-19	31-May-19	12-Aug-19	Approved by Council	7 Lions Crescent (Lot 1)	Rezone from R-1S to R-3 & cons	Robert Haggis	2-Sep-19
2019-025	PID#1007657	3-Jun-2019	12-Aug-2019	12-Aug-19		Sherwood Road	Lot consolidation parcel A & PID#1007657	Irving Frizzell	2-Sep-19



Planning & Heritage Summary (Week ending August 23, 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
18-396	part of 388629	332-BLD-18	20-Aug-19	20-Aug-19	APPROVED	42-48 Enderis Lane (Lot 2017-6)	Occupancy Permit for 42 Enderis Lane only	VY Build Inc	10-Sep-19
19-052B	343673	528-BLD-19	7-Aug-19	19-Aug-19	APPROVED	119 Kent Street (Japanese Restaurant)	Sandwich Board sign	Yuichi Hojo	9-Sep-19
19-109	385435	539-BLD-19	14-Aug-19	16-Aug-19	APPROVED	9 Pope Ave	Deck extension	Gerry MacPhee	6-Sep-19
19-388	341156	478-BLD-19	19-Jul-19	19-Aug-19	APPROVED	289 Richmond Street	Renovation to single family dwelling to convert into a duplex	Gary Torlone & Susana Rutherford	9-Sep-19
19-388	341156	484-BLD-19	23-Jul-19	19-Aug-19	APPROVED	289 Richmond Street	Accessory building 17' x 12'	Gary Torlone & Susana Rutherford	9-Sep-19
19-424	558189	530-BLD-19	9-Aug-19	22-Aug-19	APPROVED	89 Parkside Drive	2 storey addition to existing dwelling	Alan E. MacPhee	12-Sep-19
19-426	part of 145284	533-BLD-19	13-Aug-19	22-Aug-19	APPROVED	36 Tannery Court (Lot #16)	New Single family dwelling	Gill Construction Inc	12-Sep-19
19-427	1052059	536-BLD-19	13-Aug-19	19-Aug-19	APPROVED	22 Bridle Path Ln	Mini Barn	Chris McQuillan	9-Sep-19
19-428	391086	537-BLD-19	14-Aug-19	20-Aug-19	APPROVED	28 Lilac Ave	Renovation to dwelling and add secondary suite	Matt Duffy	10-Sep-19
19-432	815761	545-BLD-19	14-Aug-19	19-Aug-19	APPROVED	74 Inkerman Dr	Second storey addition to existing single family dwelling	Adam Kauzlarick	9-Sep-19
19-434	577700	548-BLD-19	14-Aug-19	19-Aug-19	APPROVED	25 Westhill Drive	Addition to existing dwelling	Marc Hunter	9-Sep-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-044	PID #1091289	29-Jul-2019	16-Aug-2019	16-Aug-2019	APPROVED	Hannac Drive (Lot 13 and Parcel A)	Lot Consolidation	Lin Zhao	6-Sep-19
2019-048	PID #337592	14-Aug-2019	21-Aug-2019	23-Aug-2019	APPROVED	265 King Street	Lot consolidation	Steven Larter	11-Sep-19
2019-049	PID #1055375	15-Aug-2019	23-Aug-2019	23-Aug-2019	APPROVED	6-8 Horseshoe Hill Blvd	Lot subdivision (2 lots)	Mark & Martha Kays	13-Sep-19



Planning & Heritage Summary (Week ending August 30, 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
18-358B	1020825	467-BLD-18	04-Oct-18	27-Aug-19	APPROVED	8 Camburhill Court (Lot #12)	Occupancy Permit - Phase II - Retail Office	DTS Inc	17-Sep-19
18-396	part of 388629	332-BLD-18	20-Aug-19	20-Aug-19	APPROVED	42-48 Enderis Lane (Lot 2017-6)	Occupancy Permit for 42 Enderis Lane only	VY Build Inc	10-Sep-19
18-463	368985 & Others	385-BLD-18	21-Aug-18	26-Aug-19	APPROVED	12 Young Street	New 11 unit apartment building	Scott Gosson	16-Sep-19
18-636	396432	560-BLD-18	20-Dec-18	23-Aug-19	APPROVED	7 Ellis Road	675 Sq Ft Addition to existing Restaurant	APM Commercial	13-Sep-19
19-172	388108	547-BLD-19	14-Aug-19	27-Aug-19	APPROVED	40 Enman Crescent	Accessibility improvements (Royalty Centre/Sport PEI)	Darrin Dunsford	17-Sep-19
19-181	340695	542-HER-19	14-Aug-19	28-Aug-19	APPROVED	96 Prince Street	Window replacements	Angus Orford	18-Sep-19
19-284	1020825	331-BLD-19	04-Jun-19	28-Aug-19	APPROVED	8 Camburhill Court	Interior fit-up for hair salon	Steve Thomsen	18-Sep-19
19-284B	1020825	553-BLD-19	19-Aug-19	28-Aug-19	APPROVED	8 Camburhill Court	Interior fit-up for office space	Petronella Cronje	18-Sep-19
19-326	387365	393-BLD-19	21-Jun-19	28-Aug-19	APPROVED	320 Capital Drive	Interior fitup for convenience store and construction of gas bar	Lindsay Construction Ltd	18-Sep-19
19-422	352179	527-BLD-19	08-Aug-19	26-Aug-19	APPROVED	55 Charlotte Drive	12x15' deck	Kurt Kellan	16-Sep-19
19-423	566455	529-BLD-19	08-Aug-19	30-Aug-19	APPROVED	4 Tara Heights (Lot 44)	New Single family dwelling	Ellen Holland	20-Sep-19
19-441	362574	557-BLD-19	21-Aug-19	26-Aug-19	APPROVED	26 Upper Hillsborough St	8'x12' accessory structure	Matthew Wicks	16-Sep-19
19-456	372383	574-BLD-19	28-Aug-19	30-Aug-19	APPROVED	288 North River Road	8'x8' Shed	Austin Ebbott	20-Sep-19
19-463	708396	581-BLD-19	28-Aug-19	30-Aug-19	APPROVED	18 Callbeck Crescent	Shed being moved onto property	Devin Elsemore	20-Sep-19



Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-039	PID #1100528	9-Jul-2019	27-Aug-2019	30-Aug-2019	APPROVED	Montgomery Heights	Lot Subdivision (4 lots)	Splendid Holdings Ltd	17-Sep-2019
2019-041	PID #388736	9-Jul-2019	27-Aug-2019	27-Aug-2019	APPROVED	175 Beach Grove Road	Lot Subdivision	Government of PEI	17-Sep-2019
2019-047	PID #1100528 & 193284	9-Aug-2019	27-Aug-2019	30-Aug-2019	APPROVED	MacRae Drive	Lot Subdivision (8 Lots) Lots 161-166, 168 & 169	Montgomery Heights Inc.	17-Sep-2019

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-326B	387365	476-BLD-19	18-Jul-19	27-Aug-19	1) Drive thru application deferred until after traffic study 2) City approved to hire traffic engineer for traffic study 3) Cordova's permit application can be approved independently from drive thru application	320 Capital Drive	Fit-up for Tims within gas station	Karl Taylor	17-Sep-2019



**HUMAN RESOURCES, COMMUNICATIONS
AND ADMINISTRATION COMMITTEE
REPORT TO COUNCIL
SEPTEMBER 9, 2019**

The Human Resources, Communications and Administration Committee last met on August 21, 2019. The minutes are included in your package.

There is one (1) resolution for your consideration.

Respectfully submitted,

Councillor Julie McCabe, Chair

DRAFT

**Human Resources, Communications & Administration
Committee**

Wednesday, August 21, 2019

8:00 AM– Parkdale Room

Present: Mayor Philip Brown
Councillor Julie McCabe, Chair
Councillor Alanna Jankov, Vice-chair
Councillor Mike Duffy, Member
Councillor Kevin Ramsay, Member
Peter Kelly, CAO
Bethany Kauzlarick, HRM
Jennifer Gavin, CO
Janine Abbott, HRA

Regrets: Lorenda MacEachern, HREA

1) Call to Order

Councillor Julie McCabe called the meeting to order at 8:02 AM.

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 July 17, 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. HR082120190S

Bethany Kauzlarick, HRM presented the report which included an update on the following: HR and The Canadian Cancer Society hosted a Sun Safety session that targeted City of Charlottetown's outside workers. During this session Employees had an opportunity to learn more about sun protection while at work. The City's OH&S Officer recently received a Defensive Driver Train the Trainer certification from Tom Hickey, certified through the Canada Safety Council. The OHS activity report was attached. Weekly orientations for new staff and rehires continue as well as working with all departments to ensure safety training is complete.

b) Communications Update

The CO provided a verbal report on communication projects that are being done in coordination with other city departments.

7) Introduction of New Business

There was no new business.

8) Motion to move into closed session

Motion to move into closed session (8:14 AM), as per Section 119 (1) sub-sections (d) of the PEI Municipal Government Act was moved by Councillor Duffy and seconded by Councillor Ramsay.

9) Adjournment

Motion to adjourn was moved by Councillor Duffy and seconded by Councillor Ramsay. Public session of meeting adjourned at 9:23 AM.



City of
Charlottetown

Report No: HR08212019OS
Open Session

Date: August 21, 2019.

Directed to: Human Resources,
Communication and Administration
Committee

Attachments:
OHS Report

Department: Human Resources

Prepared by: Bethany Kauzlarick, HRM

Subject: HR Updates

RECOMMENDATION:
Recent general HR activities – For information only.

HUMAN RESOURCES & OCCUPATIONAL HEALTH AND SAFETY

HR and The Canadian Cancer Society hosted a Sun Safety session on Tuesday, July 16th targeted at City of Charlottetown's outside workers. The safety session took place at the MacAleer garage, there was a great response from staff. During this session Employees had an opportunity to learn more about sun protection while at work.

The City's OH&S Officer recently received a Defensive Driver Train the Trainer certification from Tom Hickey, certified through the Canada Safety Council. With this training, he plans to create a tailored program for the organization and train City drivers to drive defensively.

The OH&S Officer continues weekly employee orientations for rehires and new staff, and continues to work with all departments to ensure safety training is complete.

Occupational Health and Safety activity attached.

Respectfully,

Bethany Kauzlarick, HRM

Reviewed By:

	Mgr	Other				
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RECOMMENDATIONS/ACTIONS:

5

OCCUPATIONAL HEALTH AND SAFETY

2019

	January	February	March	April	May	June	July	August	September	October	November	December	YTD
Orientation Employee	0	0	0	0	0	0	0	0	0	0	0	0	0
Orientation Contractor	1	0	0	0	1	0	0	0	0	0	0	0	3
Recordable Incidents	16	9	6	3	11	8	13	0	0	0	0	0	66
No Lost Time Incidents	14	7	4	1	11	5	12	0	0	0	0	0	54
Lost Time Incidents	2	2	2	2	0	3	1	0	0	0	0	0	12
OH&S Inspection Reports	0	1	1	0	0	0	0	0	0	0	0	0	1
OH&S Orders	0	1	0	0	0	0	0	0	0	0	0	0	1
OH&S Stop Work Orders	0	1	0	0	0	0	0	0	0	0	0	0	1

Safety Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Fire Extinguisher Training	0	0	0	0	0	0	0	0	0	0	0	0	0
First Aid	0	0	0	0	0	0	0	0	0	0	0	0	0
Automatic External Defibrillator	0	0	0	0	0	0	0	0	0	0	0	0	0
Fall Protection Training	0	0	0	0	0	0	0	0	0	0	0	0	0
WHMIS 2015 Training	0	0	0	0	0	0	0	0	0	0	0	0	0
JOHS Committee Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Arc Flash Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Control Person	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Control Manager	0	0	0	0	0	0	0	0	0	0	0	0	0
Hot Work Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Lock Out Tag Out Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Confined Space Retrieval Train	0	0	0	0	0	0	0	0	0	0	0	0	0
Power Line Hazards Training	0	0	0	0	0	0	0	0	0	0	0	0	0
P/R Risk Management Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Slips Trips & Falls	0	0	0	0	0	0	0	0	0	0	0	0	0

64-2019
 Lower Back
 29/7/2019
 Worker back to work 12/8/2019, Full duties. Worker missed 12 Days

- 1 Lost Time Incident
 Injury
 1st Day Missed
 1st Day Back To Work
 - 2 Lost Time Incident
 Injury
 1st Day Missed
 1st Day Back To Work
 - 3 Lost Time Incident
 Injury
 1st Day Missed
 1st Day Back To Work
- OH&S Inspection Reports



CITY OF CHARLOTTETOWN

RESOLUTION

Human Resources, Communications
and Administration # 1

MOTION CARRIED _____

MOTION LOST _____

Date: September 9, 2019

Moved by Councillor _____ Alanna Jankov

Seconded by Councillor _____ Mike Duffy

RESOLVED:

THAT the City of Charlottetown accept the amendments to the Travel and Meal Reimbursement Policy, as per the attached document, effective September 9, 2019.



DRAFT

TRAVEL AND MEAL REIMBURSEMENT POLICY

Policy Number: C-HR-11

Originating Department: Human Resources

Approved By: City Council

Date of Approval:

1. Purpose:

To provide a fair and equitable framework for reimbursing City Employees for reasonable costs associated with travelling on official City of Charlottetown business ensuring the efficient use of public resources, transparency and accountability. The rates provided in this policy will apply for all City sanctioned travel.

2. Scope:

This policy is applicable to all Employees.

3. Meal Expenses:

- 3.1. An Employee will be paid the applicable meal allowance for each breakfast, lunch and dinner required while on official City of Charlottetown business travel. Meal allowances will be paid in accordance with the rates specified in the table below. When travel is for a partial day, only meals that are applicable to that portion of the day will be paid.
- 3.2. For **travel within Prince Edward Island** meals will be reimbursed by **receipt only**.
- 3.3. Any alcohol included in meal expense claims will not be reimbursed.
- 3.4. When an Employee incurs meal costs that are higher than the established meal allowances, and the situation is outside the Employee's control, the actual and reasonable expenses incurred will be reimbursed, based on receipts.
- 3.5. A meal allowance will not be paid to an Employee with respect to a meal that is included in the transportation fare, or in the cost of the conference fees.
- 3.6. Where an Employee has incurred out-of-pocket expenses to supplement meals provided due to dietary restrictions, the actual incurred costs, will be reimbursed with receipt.
- 3.7. An employee who is required to travel on City of Charlottetown business overnight will be paid an incidental expense allowance that covers a number of miscellaneous expenses, including snacks, beverages, etc. not otherwise provided for in this directive for each 24 hour travel status.

3.8. For out of province travel meals will be reimbursed up to the amount listed in the chart below.

Breakfast	\$20.00
Lunch	\$25.00
Dinner	\$45.00
Maximum Daily Meal Allowance	\$90.00 Total per diem meal rate (for full day of travel)
Incidentals	\$15.00

4. Travel Expenses:

4.1. Air travel

Because significant savings can be realized by making reservations in advance, all employees should plan their travel at least 14 days prior to departure, if possible. Claimants are expected to book economy air fare when making travel reservations, unless a medical accommodation is required. Should an accommodation be requested, medical documentation will be required prior to travel and must be approved by the Human Resources department prior to booking.

4.1.1. The City does not reimburse for airfare purchased with frequent flyer points. Only the out-of-pocket expense is reimbursable to the Claimant. Additionally, Employees are strictly forbidden to gain reward points of any kind for City expenses.

4.1.2. The standard class of service for air travel is economy fare. Claimants may use personal frequent-flyer program miles/points or personal funds to upgrade tickets provided there is no cost to The City.

4.2. Vehicle Rental

Rental cars should be used when they provide the most economical form of transportation. In many cases one-day vehicle rental is more economical than public transportation or use of private automobile.

4.2.1. The standard for vehicle rental is a mid-size car. The costs of the rental vehicle plus fuel are allowable expenses.

4.2.2. The City carries collision damage and comprehensive perils insurance, so the purchase of additional insurance on rental cars should be unnecessary if renting a vehicle in North America.

4.3. Use of Employee Owned Vehicle

It is recommended that a personally owned vehicle be used only for short journeys where this constitutes the most economical and effective means of transportation considering all factors such as costs, time constraints, itinerary etc.

4.3.1. All personal vehicle travel will be reimbursed at the \$/KM rate as per **PEI Public Service Commission Reimbursement Rates – Private Motor Vehicles**.

4.3.2. The City is **not** responsible for, and **will not** be reimbursing an employee for, any fines related to driving or parking infractions.

4.3.3. For every day on which an employee is authorized to use a private vehicle for City of Charlottetown travel, the employee will be reimbursed the actual costs of parking and/or tolls, including bridge costs that the vehicle incurs for that time period. **Receipts are required for reimbursement of these expenses.**

4.3.4. It is the responsibility of the Employee to ensure that they have a valid driver's license, adhere to all provincial and federal driving regulations for the travel in which they drive their personal vehicle for City business. Employees are expected to drive in a safe and attentive manner at all times when on City of Charlottetown business.

4.3.5. If a private automobile is used for approved City purposes, the owner must ensure that the personal car insurance on the vehicle is adequate. A minimum of \$1,000,000 third party liability insurance is recommended.

4.3.6. Employees are responsible to use the most direct, safe and practical road routes and will claim mileage only for distances necessarily driven on City sanctioned travel. In the interests of safe driving, when employee-driven vehicles are authorized, employees will not normally be expected to drive more than:

- 250 kilometres after having worked a full day;
- 350 kilometres after having worked one-half day; or
- 500 kilometres on any day when the employee has not worked

5. Accommodation Expenses

5.1. The standard for accommodation is a single room with a private bath in a business class hotel. Use of luxury accommodation will not be reimbursed.

6. General

6.1. Spousal/Family Member travel expenses are considered personal expenses and will not be reimbursed by the City.



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
REPORT TO COUNCIL
September 9th, 2019**

The Parks, Recreation and Leisure Activities Committee met on August 29th, and a copy of those DRAFT minutes are included in your package.

There is one resolution from our department.

The Volunteer of the Month for August is Mike Bishop who is a coach with the West Royalty Girls Softball Association.

Respectfully submitted,

Councillor Mitchell Tweel, Chair

PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
Thursday, August 29th, 2019
12:15 PM – Parkdale Room, City Hall

Present: **Councillor Mitchell Tweel, Chair**
 Frank Quinn, PRM
 Peter Kelly, CAO
 Christopher Drummond, PC

Councillor Kevin Ramsay
Philip Brown, Mayor
Nancy McMinn, PS
Jackie McKinnon, AA

Regrets: **Councillor Bob Doiron**
 Councillor Terry Bernard

1. CALL TO ORDER

The meeting was called to order at 12:24 PM by Chair Mitchell Tweel.

2. DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

3. APPROVAL OF AGENDA

Moved by Councillor Ramsay and seconded by Mayor Brown, that the agenda for Thursday, August 29th, 2019, be approved with one item added by Councillor Ramsay – Mitch and Tanner Memorial Jersey's Panel request.

CARRIED

4. ADOPTION OF MINUTES (July 18th, 2019)

Moved by Councillor Ramsay and seconded by Mayor Brown that the minutes of July 18th, 2019 be approved.

CARRIED

5. BUSINESS ARISING FROM THE MINUTES

a. Parkway Drive residents' concerns with water run-off from Winsloe Soccer Complex

A lengthy discussion was again held on the issue and possible solutions. It was decided that we involve in-house staff (city engineers) to assist with coming up with possible options to address this water issue. The PRM is to coordinate this effort with Public Works. The PS noted that Parks and Recreation did plan to add a small swale along the back of the residential properties but is unsure if this would have very much impact since the resident properties in question are at a much lower elevation.

- b. Mayor Brown asked a question on the Waterfront Investments Inc. Agreement**
The PRM confirmed that the agreement was signed on one year term and further, that the City did increase our portion of the contribution towards the operation of the public washrooms from \$14,000 to \$18,000 for this season. At the end of the season, a review will be done to look at other possible options for the City to pursue, should they not want to recommit to future funding agreement towards the use of the washrooms as noted.

- c. Chair Tweel asked where we are with his request for additional funds to increase our Security within Victoria Park to a seven day-week operation. It was mentioned that this item was on the last meeting of the Finance Committee, however, the meeting was lengthy and they were unable to get to this item on the agenda. It will be added to the agenda of the next Finance Meeting.
- d. Councillor Ramsay wanted to send out thank you to all staff involved in getting the wooded / trail area of Sky View Park cleaned. Residents are very happy with the work done.

6. REPORTS:

a. Resolution – 2019 Lighting Upgrade for Rochford, King and Hillsborough Heritage Squares

The PRM reviewed the resolution and backgrounder with committee and indicated that staff are pleased with the quotes received and thus are recommending to committee that the low bid be accepted.

Motion was moved by Councillor Kevin Ramsay and seconded by Mayor Brown that we proceed with a Resolution to Council to remove existing lights and install fifteen new lantern style lights in the aforementioned Heritage Squares (five lights per square) as per the recently advertised Request for Quotes..

CARRIED

b. Playground Equipment Schedule Update

The PRM reviewed the attached playground installation schedule and noted that we are pretty much on schedule.

c. Request for Beach Volleyball Courts Infrastructure

The PRM referred to the issue summary document which notes that Chair Tweel received an email from a resident asking for the city to consider constructing beach volley ball courts within one of the city parks. A presentation was also sent along with the email which outlined some of the relevant information and estimate costs for construction.

Staff reviewed the presentation and is currently in the process of collecting additional information around the construction of beach volleyball courts. Further, staff will look at possible locations within the city. It is estimated that these courts will cost \$25,000 per court to construct.

A discussion was held and possible options were discussed. Staff will put together the information for a possible location and will bring forward this request as part of the 2020-21 Capital Budget process.

Chair Tweel asked that the PRM reach out to Mr. Davis and thank him for his presentation and advise that we are looking into this request and further, that we intend to bring this forward during the 2020-21 Capital Budget process for consideration.

d. Verbal Update on the P & R Capital Projects

The PRM gave an overview of the Capital Projects as per the list provided.

The PRM gave review the attached listing of projects. Some highlights from the overview include:

- Simmons and Cody Banks Arena – mostly completed except minor touch ups in washrooms at Cody Banks Arena.
- Longworth Field – project on hold as we haven't received commitment for Provincial Government funding (property currently owned by province). The PRM advised that he will approach the province again to see if there is any interest to move forward with this project.
- Heritage Squares – pathways are awarded and lights install resolution is going to Council for consideration on Monday with anticipation to award project.
- Boardwalk replacements for Lt. Governor and Irish Monument – staff presently working on the RFP
- Paving at Mulberry (parking lot) and Centennial (pathways) planning to be completed in the fall.
- Central and Mulberry Field Clubhouse – PS preparing RFQ for both jobs with work to be completed in the fall.
- VP Tennis Clubhouse – roof completed and exterior washrooms completed.
- J. Frank McAulay Park – Pathway Bridge on hold until Public Works decides on what work is to be done on the swale. Currently has to be dug every two years as it gets overgrown and backs up into the park. Trying to come up with a more permanent solution for storm water.
- Wright's Creek /Andrew's Pond – work well underway with bridge complete and shale work is in and has to be leveled. Crushed asphalt will follow after shale work complete. Expected to be completed end of September.
- Skate Park Ramps – PC is working to identify needs at the park
- ER Soccer Complex Parking Lot Expansion – completed
- Hillsborough Park Tennis Courts – completed
- VP Batting Cage – PC has collected information with regard to different options for this project. It has been on hold until we know if funding is approved for new lights at City Diamond as the poles may have to be moved and this would impede the batting cage area should it be done beforehand. Going to attempt to have it completed this fall.
- Stockman Park Drainage – pending as Public Works is doing some ditch infilling in the area and we want to see what takes place after that project is complete
- Boardwalk Replacement by Culinary – looking into options to improve to the walkway Sydney Street entrance.

e. Verbal Update on ICIP Successful Projects Announcements

The PRM noted that council received the information on the projects which were approved under ICIP. Those projects from within our department include:

- i. QE Park Pathways Upgrades – the PRM will meet with the PS to review the project. The PS will obtain drawings, go out to tender.
- ii. Wright’s Creek Bridge – full bridge replacement – staff will review scope of project and set plan of action.
- iii. City Diamond Light Pole and Fixtures Replacement – Staff will review scope of work and set plan of action.

7. NEW BUSINESS

Memorial Jersey’s – Mitch and Tanner

A request was received from the president of the Charlottetown Area Baseball Association asking to permanently install two panels on the outfield fence of Memorial Field in Victoria Park. The panels would replicate the respective baseball jerseys of Mitch MacLean and Tanner Craswell who grew up playing ball in the association. All expenses will be covered by the association. These panel style jerseys would be made of material to withstand the summer weather elements. Size is to be confirmed.

Some discussion was held and the PRLA Committee agreed unanimously that the CABA are granted permission to erect these panels at Memorial Field during the ball season and further, the association will be responsible for all associated costs, including installation and removal each season, general maintenance of the panels and also storage of the panels during the winter months. Staff will work with CABA to confirm the size and placement of the panels and also the material being used, to ensure they will withstand the summer weather elements.

8. MOTION TO ADJOURN

Moved by Councillor Ramsay and Seconded by Mayor Brown that the meeting be adjourned at 1:50PM.

CARRIED

Chair: Councillor Mitchell Tweel



CITY OF CHARLOTTETOWN

RESOLUTION

Parks and Recreation #1

MOTION CARRIED _____

MOTION LOST _____

Date: September 9, 2019

Moved by Councillor _____ Mitchell Tweel

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That as per the recently advertised Request for Quotes for the “Lighting Upgrade for Rochford, King and Hillsborough Heritage Squares”, the City accepts the total bid of \$59,392.89 (HST included) from R. Cudmore Electric, for the installation of the lights,

And the amount from Richardson Associates of \$2,875.00 (HST included) for the engineering and professional fees be accepted,

And that these amounts will be expensed from the 2019 Parks and Recreation Capital Budget,

And further, that the Mayor and CAO are hereby authorized to executive standard contract/agreements to implement this resolution.

Backgrounder for Resolution #1**Date: Sept 9, 2019****Line Department: Parks and Recreation****Budget Category: 2019 Capital****Overview of Expense: 2019 Lighting Upgrade for Hillsborough, King and Rochford Heritage Squares**

To remove the existing lights and install 15 new lantern style lights in the aforementioned Heritage Squares. Five to be installed in each square.

Procurement Details:

The Request for Quotes (RFQ) was advertised in local media and City of Charlottetown website for a two week period. Three (3) bids were received. They are as follows

BIDDER	Hillsborough (HST included)	King (HST included)	Rochford (HST included)	TOTAL AMOUNT
Ainsworth Inc	\$32,108.00	\$30,820.00	\$25,127.50	\$88,055.50
Hansen Electric Ltd	\$52,210.00	\$49,593.75	\$44,919.00	\$146,722.75
R. Cudmore Electric Ltd	\$21,568.82	\$21,568.82	\$16,255.25	\$59,392.89

Recommendation:

It is recommended that the bids of \$21,568.82 (HSTI) for Hillsborough Square, \$21,568.82 (HSTI) for King Square and \$16,255.25 (HSTI) for Rochford Square for a **total bid price of \$59,392.89 (HSTI)** from **R. Cudmore Electric Ltd** be accepted for the installation of new lights in the three heritage squares, starting in Hillsborough Heritage Square.

Further it is recommended that the amount of **\$2,875 (HSTI)** from Richardson Associates for engineering and professional services be accepted.

Justification for Recommendation:

The bid from R. Cudmore Electric Ltd was the low bid and they meet the requirements of the RFQ.

2019 Playground Installation Schedule Updated August 28, 2019

PARK	Playground Equipment	Stage and Scope of Work	Proposed	
			Order of Install	Installation Date
J. Frank McAulay Park	8 foot 2 bay swing set	contractor hired to complete landscaping	1	ASAP
J. Frank McAulay Park	medium structure	contractor hired to complete landscaping	1	ASAP
Malcolm Darrach Park	medium structure	contractor hired to complete landscaping	2	ASAP
Skyview Park	independent piece	install completed	3	21-Jun
George Smith	multi surface pad/b-ball net	install completed, contractor hired to complete landscaping	4	28-Jun
Windsor Park	multi surface pad/b-ball net	install completed, contractor hired to complete landscaping	5	18-Jul
Doncaster Park	medium structure	install completed	6	26-Jul
G. Stewart McKay Park	8 ft 3 bay swing set	install completed	7	6-Aug
Upton Park	medium structure	site prep completed, structure built, install to take place Aug. 30	8	July 22 - Aug 30
Shell Court Park	8 ft two bay swing set	removed old, pad completed, installing box and swing	9	July 22 - Sept 6
Andrews Court Park	medium structure	new structure being built, site prep underway, install	10	August 5-Sept 13
Centennial Park	6 ft two bay swing set	replacement, remove old, site prep, install	11	September 3 -18
Messer Park	3 independent pieces	replacement, remove old, site prep, install	12	September 16 - 27
Victoria Park	8 ft two bay swing set	replacement, remove old, site prep, install	13	Sept 23 - Oct 4
Richmond Hill Park	8 ft two bay swing set	replacement, remove old, site prep, install	14	Sept 23 - Oct 4
Thorndale Park	6 ft two bay swing set	replacement, remove old, site prep, install	15	October 4 - 18
Desbrisay Park	independent piece	new independent piece, prep, install in existing gravel box	16	October 4 - 18

NOTES:

- 1) The new playground equipment has all arrived.
- 2) The Parks Management approach will be similar to last year with two teams working on installs. The lead playground inspector will coordinate all installs.
- 3) The proposed installation schedule is weather dependent. It can be impacted by when equipment arrives & when a contractor is available to do ground work.



City of
Charlottetown

**Report No: 14 – Request for Beach
Volleyball Courts Infrastructure**

Date: August 29, 2019

Directed to: Standing Committee

Attachments:

Committee: PRLA

Prepared by: Frank Quinn

Subject: Request for City to consider constructing Beach Volleyball Courts

RECOMMENDATION:

Staff recommends that this request to construct Beach Volleyball Courts be brought forward during the 2020-21 Capital Budget Process for PRLA, Finance and Council consideration.

REPORT:

At a recent Council Meeting, Councilor Rivard asked if the Parks and Recreation Department would look into the existing beach volleyball courts within the City and if there is a need to construct municipal courts.

On July 16, 2019, Councillor Tweel received an email from a resident requesting that the City of Charlottetown Parks and Recreation Department consider constructing beach volleyball courts within one of the parks. Attached to this email was presentation that outlined some of the relevant information, and estimate costs for construction. This request was forward to staff for review and consideration.

Staff have reviewed this presentation and are in the process of collecting further information around the construction of beach volleyball courts, and we are looking into possible locations. Staff plans to bring forward this beach volleyball courts project, during the 2020-21 Capital Budget Process for PRLA, Finance and Council consideration.

Respectfully,

Frank Quinn

Reviewed By:

		Other				
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RECOMMENDATIONS/ACTIONS:

The PRLA Committee supports the staff recommendation. Staff to collect further information, look into a possible location and bring forward during 2020-21 Capital Budget Process for PRLA, Finance and Council consideration.



City of
Charlottetown

Report No: 15 – Request to permanently install memorial jerseys at Memorial Field

Date: August 29, 2019

Directed to: Standing Committee

Committee: PRLA

Prepared by: Christopher Drummond

Attachments:
Letter from Charlottetown Area Baseball Association / sample photo of jerseys.

Subject: Permanent installation of memorial jerseys for Mitch MacLean and Tanner Craswell.

RECOMMENDATION:

Staff does not recommend the permanent installation of the jerseys on the outfield fence. The jerseys could be installed for weekend tournaments and games but should be removed after the event / game.

REPORT:

A request was received via email from Charlottetown Area Minor Baseball Association President, Andy Worth on July 11th, 2019.

The association would like to permanently install two jerseys in memory of Mitch MacLean and Tanner Craswell on the outfield fence of Memorial Field in Victoria Park at the expense of the association. These poster style jerseys would each be seven feet in height and width and be made of material to withstand the summer weather elements.

A reply email was sent to Mr. Worth on July 17th, 2019 by the Program Coordinator. In the email it stated that in order for the memorial jerseys to be installed permanently it would require the approval of Council through the process prescribed in Section 6.11 of the Victoria Park and Promenade Bylaw. It was also stated that these jerseys could be installed on a temporary basis during games or tournaments but would have to be removed at the conclusion of each event.

Respectfully,

Christopher Drummond

Reviewed By:

	Manager	Other			
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RECOMMENDATIONS/ACTIONS:

The PRLA Committee agreed unanimously that the CABA be granted permission to erect these panels at Memorial Field during the ball season and further, the association will be responsible for all associated costs, including installation and removal each season, general maintenance of the panels and storage during the off season. Staff are to work with CABA representatives to confirm size, material being used and placement of panels.

Charlottetown Parks and Recreation Dept.

Christopher Drummond/Frank Quinn

Charlottetown Minor Baseball Association would like to install a memorial set of jersey's on the outfield fence at memorial diamond in memory of two players that were taken from us.

The attached layout of the jersey's with names and numbers on them will be attached on the outfield fence in the center field location which will be on the service gates.

We are looking to receive your permission to have these memorial jersey's installed at our association's expense which we have a professional sign company to do.

The jersey's will be installed and are made to withstand the elements and will be permanent figures on the outfield fence.

We thank you in advance for the consideration to have this done and look forward to your approval to proceed with the install which we would like to have done before the annual Fiddler MacDonald Tournament on the 19 July,2019

Thank you

Andy Worth

President CABA

Charlottetown Area Baseball Association



YESCO
 1100 S. 10th St.
 Lincoln, NE 68502
 Phone: (402) 441-1111



Order Number

Product Style Number

Product Name

Product Publisher

Color

Design Location

Customer Name

Address

City

State / Zip

Phone

Fax

Comments

MS-1

Customer Name

Order Number

Page



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
REPORT TO COUNCIL
September 9, 2019**

The Protective & Emergency Services Committee met on September 3rd 2019. The minutes are included in your package.

The Bylaw Amendments to the Nuisance Bylaw will be advanced for first reading.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Bob Doiron, Chair

PLAN REVIEWS, PERMITS, SAFETY PLANS – There were six Plan Reviews, Permits and Safety Plans.

FIRE INVESTIGATIONS – There were three fire investigations.

ENGINE VISITS – There were twenty-seven engine visits.

PUBLIC EDUCATION SESSIONS/PARTICIPANTS – There were eleven sessions with a total of 270 participants.

FIRE DRILLS – There were six fire drills.

SMOKE ALARM VISITS – There were 376 smoke alarm visits, 171 homes were entered, 205 door tags were placed, 27 batteries were replaced and 5 smoke alarms were installed.

EMERGENCY RESPONSES – Total number of calls was 77. District 1 had 39 emergency responses (Engine 1 – 8 A.M. – 4 P.M. – 7 responses and 12 P.M. – 8 A.M. – 2 responses). District 2 had 29 emergency responses. Total time of all calls was 34 hours and 33 minutes.

TRAINING - Weekly Department training will resume on September 3rd.

DEPARTMENT ACTIVITIES – Members participated in the Stars for Life and Gold Cup Parade.

Chief MacDonald provided the following information to Committee:

- Social Media had 2014 tweets, 2481 followers and 2116 Face Book likes.
- 2nd New Fire Engine – Both Resolution of Council and Purchase Order have been received for the purchase of the second new fire engine. The Purchase Order was forwarded to the dealership on July 24th.
- EMO – MOU's – Currently being updated.
- Power Outage Response Plan – Has been updated.
- Firefighters Ball – Will be held on Saturday, October 19th at the Eastlink Centre.
- Thank you E-Mail – Received from resident of Harley St. involving incident of July 17th.
- Thank you Card – Received from resident of Bayfield St., involving incident of July 29th.
- Provincial Fire Prevention Act – Updated the Uniform Fire Code and Life Safety Code to the 2018 editions which came into force on September 1, 2019.

Chief MacDonald and Deputy Chief Mamye discussed with Committee apartment building barbeques.

7. Reports – (Police)

Police Personnel – Chief Smith advised Committee that interviews will be held in the near future to fill the position in Dispatch.

Training including Active Shooter and Carbine Re-Certification is being scheduled for members.

Five female members of Police Services plan to attend the AWLE (Atlantic Women Law Enforcement) Conference in St. John's, NL in October.

Operational - Chief Smith advised a thank you was received from organizers of the Farmers Market (held on Sunday's in the summer) thanking members of Police Services for their assistance with this event.

Planning is underway for Fall Flavours – Shellfish Festival with no significant issues anticipated except for pedestrian traffic at the site.

There were no issues with the SunDaze concert from a policing perspective.

Chief Smith spoke to Committee on an upcoming rally set for September 11th as it pertains to National Citizens Alliance (NCA). MACO (Masses Against Capitalist Oppression) distributed information posters. Both groups have been looked into by Police Services and there will be a Police presence at the location of the rally on the noted date.

Traffic – A four-way stop inquiry was discussed pertaining to the intersection of Highland Avenue and Greenfield Avenue. This intersection does not meet the criteria for a four way stop.

Community Policing - Deputy Chief Coombs advised Committee of the following:

- Training information sessions were held on August 28th for all crossing guards with the new school year approaching.
- In conjunction with Provincial Communications Group a video on Back to School and School Bus Safety was produced. Cst. M. Woods took part in this video and it can be viewed on Police Services home page.
- Members reached out to Downtown Residents Group on their concerns with the SunDaze Concert.
- Members participated in traffic duty for the Gran Fondo bike races.
- Chief Smith and Deputy/Chief Coombs participated in the Natal Day parade.

- Deputy Chief MacConnell was a member of the reviewing party for the Gold Cup Parade.
- Chief Smith and Deputy Chief Coombs along with several Field Training Officers attended events related to the Atlantic Police Academy graduation ceremonies.
- Uniformed footpatrols continue with the Cruise Ship schedule.
- Cst. T. Keizer and Cst. T. Shea participated in the Special Olympics PEI LETR truck convoy on August 25th . Over thirty-five different types of trucks were involved including Police Services' new support vehicle and Police motorcycle. This event raised \$12,000.
- On August 16th Cst. Shea participated in Upstreet Art in the Open Pedal Bike Rave. There were over 125 participants registered for this event. The officer was in uniform and rode the Police Services Police pedal bike and assisted with safety measures.

8. Motion to Move into Closed Session

Moved by Councillor Duffy and seconded by Councillor Ramsay to close the meeting to the public to discuss matters pursuant to Section 119(1)(e) and (g) of the Municipal Government Act of Prince Edward Island (Bylaws). Carried.

9. Discussion from Closed Session

Following the Closed session discussion, it was the consensus of Committee to prepare a resolution to go to Council for their consideration regarding an amendment to the Nuisance Bylaw.

10. Meeting was adjourned.



#8 FIRE CALLS FOR AUGUST 2019

District #1		District #2	
Type	Number	Type	Number
A/Alarm – Alarm Ringing No Fire	9	A/Alarm – Alarm Ringing No Fire	6
A/Alarm – Pulled/Accidental	1	A/Alarm – Detector Activated	1
A/Alarm – Equipment Malfunction	9	A/Alarm – Pulled/Accidental	2
A/Alarm – Workers Set Off	1	A/Alarm – Equip Malfunction	6
A/Alarms - Cooking	4	A/Alarm – Sprinkler/Power	2
Smell of Propane	1	A/Alarm - Cooking	1
Mulch Fire	6	Mulch Fire	3
Fire on Deck/Fire on Roof	2	MV Accident	3
Smoke in Building/Smell of Smoke	3	Report of Smoke	1
Dumpster Fire	1	Medical Aid - EMS	3
Water Pressure	1	Gas Leak	1
Smoke on Roof	3	Smell of Propane	1
Transformer Fire	1		
Motor Vehicle Accident/Fire	2		
Smoldering Wood	1		
Mutual Aid - EMS	4		
Fire Calls	50	Fire Calls	30

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	41	21 (62) (317)
July	54	+ 27 (81) (363)	July	50	30 (80) (367)
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		
	Total Calls for 2018 – 712				

2019 (2018) (From January 1st to August 31, 2019)

58	70	Auto Alarms (No Fire/Alarm Ringing) both Station
7	12	Auto Alarms – Detector Activated both Stations
21	20	Auto Alarms – Pulled/Accidental/False both Stations
12	13	Auto Alarms – Smoke/Steam/Dust both Stations
66	45	Auto Alarms – Equip. Malfunction both Stations
5	8	Auto Alarms – Sprinkler/Power Failure both Stations
35	27	Auto Alarms – Working on System/Workers set off
53	45	Auto Alarms – Cooking both Stations
257	240	Total Auto Alarm
56	45	Mutual Aid/Stand By - Both Stations
11	11	Fire Calls to the WR Ind. Park – District #2

August 2019

	2019 Monthly Reported	2019 Monthly Actual	2019 Actual To Date	2018 Monthly Actual	2018 Actual To Date
Robbery	1	1	10	0	5
Assault	39	35	198	35	186
Break & Enter	13	10	56	10	57
Theft of MV	5	3	18	4	7
Theft Over \$5000	2	2	9	1	11
Theft Under \$5000	125	112	708	92	545
Have Stolen Goods	9	9	41	2	12
Frauds	26	23	180	6	137
Offensive Weapons	4	4	14	1	9
Other Criminal Code	152	114	783	93	626
Drugs	10	10	59	13	76
LCA	74	71	403	64	299
Municipal - Totals	2674	2674	23102	2763	22384
Parking Tickets	2540	2540	22152	2590	21466
Nuisance Bylaw	107	107	722	123	623
Dog Bylaw	27	27	228	50	295
Collisions	106	106	706	89	633
HTA	434	433	2877	585	3442
HTA Violations		412	2492	525	3211
Other Traffic	77	77	459	98	601
CC Traffic	63	37	211	61	265
Complaints		1697	11013	1534	9523

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 Aug 2019.

Arterial Hwy/Brackley Point	1
Beach Grave Rd/Maypoint	11
Belvedere Ave/Farmers Mkt	1
Belvedere Ave/Queen	1
Belvedere Ave/University	2
Brackley Point Rd/Maple Hills	2
Brackley Point Rd/Thistle	1
Burns Ave	1
Capital Dr/Maypoint	1
Dawson Crt	1
Dorchester St/Great George	1
Edward St	1
Esher St/Kensington	1
Euston St/Weymouth	2
Exhibition Dr	1
Fitzroy St/Great George	1
Gower St	1
Grafton St/Riverside	1
Hillsborough St/Kent	4
Kent St/Prince	2

Kent St/Queen	1
Kensington Rd/Woodward	1
MacRae Dr	1
Mount Edward Rd/Belvedere	1
Mount Edward Rd/Towers	1
Murchison Lane	1
North River Rd/Buchanan	2
Orlebar St/Euston	1
Patterson Dr	3
Queen St/Desbrisay	1
Queen St/Dorchester	2
Queen St/Grafton	1
Queen St/Euston	1
Queen St/Kent	1
Ralden/Darte	1
Rte 2/Arterial Hwy	2
Rte 2/St Dunstans	2
Rte 2/Sherwood	1
Rte 2/Penny Lane	5
St Peters Rd/Belvedere	2
University Ave/Douglas	1
University Ave/Enman	3
University Ave/Kirkwood	2

MOVING CONT'D - PG 3	
University Ave/Nassau	6
Victoria Park Roadway	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 Aug 2019.

Acadienne	1
Beasley Ave	3
Belmont St	3
Belvedere Ave/Farmers Mkt	2
Belvedere Ave/Queen	1
Bolger Dr	1
Brackley Point Rd/Arterial	4
Brackley Point Rd/Pine	1
Brighton Rd/Brighton Compound	1
Capital Dr/Upton	2
Champion Crt	1
Confederation St/Mount Edward	1
Duncan Hts	1
East Royalty Rd	1
Esher St/Euston	2
Euston St/Great George	2
Euston St/Longworth	12
Euston St/Queen	5
Gower St	1
Grafton St/Church	3
Grafton St E	3

Grafton St/Edward	3
Grafton St/Water St Pkw	9
Haviland St	1
Herbert St	1
Kensington Rd/Beasley	1
Kensington Rd/Exhibition	3
Kensington Rd/Spring Lane	1
Kensington Rd/ Woodward	2
Kent St/Edward	1
Kent St/Great George	3
Kirkwood Dr/Trafalgar	1
Longworth Ave	7
McGill Ave/North River	1
Mount Edward Rd/Arterial	2
Mount Edward Rd/Hillside	1
Mount Edward Rd/Woodlawn	1
Northridge Pkwy	1
North River Rd/Beach Grove	1
North River Rd/Buchanan	2
North River Rd/Capital	2
Park St/Riversdie	3
Patterson Dr	3
Pond St	1

NON-MOVING CONT'D PAGE 3	
Pownal St/Euston	3
Pownal St/Sydney	1
Queen Elizabeth Dr	1
Queen St/Harbourside	1
Queen St/Kirkwood	2
Queen St/Nassau	1
Queen St/Passmore	2
Queen St/Pond	2
Queen St/Reserve	2
Queen St/Richmond	2
Riverside Dr/Exhibition	3
Riverside Dr/Grafton	14
Route 2/Arterial	5
Route 2/Countryview	2
Route 2/Stockman	1
Royalty Rd	1
Spring Park Rd/Stewart	2
St Peters Rd/Angus	1
St. Peters Rd/Arterial	6
St Peters Rd/Brows	1
St Peters Rd/MacWilliams	8
St Peters Rd/Northridge	2

University Ave/Allen	8
University Ave/Belvedere	19
University Ave/Enman	11
University Ave/Gerald	2
University Ave/Granville	1
University Ave/Nassau	4
University Ave/Spencer	1
University Ave/Summer	2
University Ave/Young	1
Upton Rd	1
Water St/Great George	1
Water St Pkwy	5
Weymouth St/Euston	6
Woodward	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 Aug. 2019.

Arterial Hwy/Oak	13
Brackley Point Rd/Maple Hills	3
Brackley Point Rd/Pine	2
Brackley Point Rd/Sherwood	3
Brighton Rd/Brighton Compound	1
East Royalty Rd/St Peters	3
Fourth St	10
Lower Malpeque Rd/Highfield	6
Lower Malpeque Rd/Westway	4
Mount Edward Rd/Hillside	1
Rte 2/St Dunstons	1
Rte 2/Countryview	2
St Peters Rd/Brows	1
St Peters Rd/MacWilliams	11
University Ave/Browns	4
University Ave./Enman Cres.	11
University Ave/McKinnon	11
Upton Rd	1
Winsloe Rd	5

CHARLOTTETOWN POLICE DEPARTMENT
BY-LAW ENFORCEMENT
Monthly Report August 2019

Phone Call Breakdown

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	98	333	333
Nuisance	21	87	87
Zoning & Development	27	112	112
Traffic	27	111	111
Snow Related	0	68	68
Street Vendors	37	168	102
Other Bylaws (Crossing Guards, Etc)	24	112	112
TOTAL	234	925	1262

Taxi Bylaw Breakdown

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	5	31	36
Taxi Inspections	4	190	194
Total	9	221	230

Breakdown of Duties

	Week 1 August 1 st - 2 nd	Week 2 August 5 th - 9 th	Week 3 August 12 th - 16 th	Week 4 August 19 th - 23 rd	Week 5 August 26 th - 30 th	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	2	7	7	8	8	32	309	341
Files CONCLUDED	12	13	15	12	0	73	232	305
Site Visits	7	10	14	13	12	56	321	377
SOT's sworn	0	0	0	145	0	145	2026	2171
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	0	0	0	0	1575	1575
Crossing Guard Duties	0	0	0	0	0	0	18	18
Bylaw/Parking Tickets	0	0	0	0	2	2	30	32

Quick Look At This Month:

- This month there was a total of 234 calls received/made through the Bylaw Enforcement Office for August.
- There were 32 Occurrences generated as a result of complaints.
- There were 56 site visits/follow-ups made in August
- There are no "Resolutions To Council" this month.
- There was two (2) "Written Warnings" in August
- The majority of time spent for August was for Unsightly Premises (Uncut Grass and garbage). As always!!
- Writer also spent one week filling in as Court Officer in August

Cst Todd Sutcliffe _____

Date: September 9, 2019



**CITY OF CHARLOTTETOWN
NUISANCE BYLAW
#2019 -- NB- 01A**

Amend the City of Charlottetown Nuisance Bylaw, #2019-NB-01, to define what a Bee is, update the definition of Livestock to include Bee, remove any references to the Charlottetown Area Municipalities Act and replace with the Municipal Government Act of PEI and number the Bylaw #2019-NB-01.

RESOLVED: THAT the bylaw to amend the "CITY OF CHARLOTTETOWN NUISANCE BYLAW" be read a **first** time.

Moved by Councillor _____ Robert Doiron

Seconded by Councillor _____ Kevin Ramsay
Date: Sept 9, 2019

RESOLVED: THAT the bylaw now be approved and that it be entitled the "CITY OF CHARLOTTETOWN CITY OF CHARLOTTETOWN NUISANCE BYLAW" and that it be read a second time at the next public meeting of Council.

Moved by Councillor _____ Robert Doiron

Seconded by Councillor _____ Kevin Ramsay
Date: Sept 9, 2019

THEREFORE; BE IT RESOLVED: THAT the "CITY OF CHARLOTTETOWN CITY OF CHARLOTTETOWN NUISANCE BYLAW" be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____ Robert Doiron

Seconded by Councillor _____ Kevin Ramsay
Date:

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Nuisance Bylaw
Bylaw # 2019-NB-01A

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 “Nuisance Bylaw Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Nuisance Bylaw to define what a Bee is, update the definition of Livestock to include Bee, remove any references to the Charlottetown Area Municipalities Act and replace with the Municipal Government Act of PEI and number the Bylaw #2019-NB-01.

3. Authority

3.1. This bylaw is adopted pursuant to the provisions of section 180 (i) of the Charlottetown area Municipalities ACT, R.S.P.E.I., 1988, Cap. M-12.1

4. Definitions

4.1. In this bylaw, any word and term that is defined in the *Municipal Government Act*, or the City of Charlottetown Nuisance Bylaw has the same meaning as in that Act, regulations or bylaw.

5. Part 1 – Definitions - of the City of Charlottetown Nuisance Bylaw Is hereby amended by the following:

5.1. Add definition “Bee” and renumber remaining definitions.

5.2. Within Livestock definition add “Bee” to list.

6. Part III – General Nuisance Provisions of the City of Charlottetown Nuisance Bylaw Is hereby amended by the following:

6.1. Part III - General Nuisance Provisions – Section 3.5 – Defines where livestock can be kept (24) months to allow resolution to remain in effect to address and remedy recurring conditions.

Approval and Adoption

7. Effective Date

7.1. This Nuisance Bylaw Amendment Bylaw, #2019-NB-01A shall be effective on the date of approval and adoption below.

First Reading:

This Nuisance Bylaw Amendment Bylaw, #2019-NB-01A 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 Nuisance Bylaw Amendment Bylaw, #2019-NB-01A, 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 Nuisance Bylaw Amendment Bylaw, #2019-NB-01A, was adopted by a majority of Council members present at the Council meeting held on the ____ day of _____, 2019.

8. Witness the corporate seal of the City of Charlottetown

Mayor

Chief Administrative Officer

This Nuisance Bylaw Amendment Bylaw, #2019-NB-01A adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer

Date



**WATER AND SEWER UTILITY COMMITTEE
REPORT TO COUNCIL
SEPTEMBER 9, 2019**

The Water and Sewer Utility Committee met on August 19, 2019 and the minutes are included in your package.

There are two (2) resolutions for your consideration.

Respectfully submitted,

Deputy Mayor Jason Coady, Chair

Water & Sewer Utility Committee
Monday, August 19, 2019
12:00 PM – Parkdale Room

Present:

Deputy Mayor Jason Coady, Chair
Councillor Julie McCabe, Vice-Chair
Councillor Bob Doiron, Member at Large
Councillor Mitchell Tweel, Member at Large
Mayor Philip Brown, Member at Large
Peter Kelly, CAO Peter Kelly, CAO
Richard MacEwen, UM
Pauline Gass, OC

Regrets: None

1) Call to Order

Deputy Mayor Jason Coady called the meeting to order at 12:05 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 Mitchell Tweel and seconded by Councillor Julie McCabe that the minutes from July 22, 2019 be approved.

CARRIED

5) Business arising from Minutes

- a) The UM was asked if the letter was sent to Winter River-Tracadie Bay Watershed Group with the explanation of the amount they received.
- b) The UM stated that the Town of Stratford has a new tender out for the Stratford & Charlottetown Sewer connection.

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 Mayor Philip Brown and Councillor Julie McCabe. Deputy Mayor Jason Coady was in favour and broke the tie.

CARRIED

Councillor Mitchell Tweel & Councillor Bob Doiron opposed

7) Motion to move into Open Session

It was moved by Councillor Bob Doiron and seconded by Councillor Mitchell Tweel.

CARRIED

8) Adjournment of Public Session

Meeting adjourned at 1:34pm.

DRAFT



CITY OF CHARLOTTETOWN

RESOLUTION

Water & Sewer#1

MOTION CARRIED _____

MOTION LOST _____

Date: September 9, 2019

Moved by Deputy Mayor _____ Jason Coady

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That Island Coastal Services be awarded the tender for the East Royalty Lagoon Decommissioning in the amount of \$1,017,405.00 (HST included), and

That WSP complete the engineering project oversight in the amount of \$69,000 (HST included),

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



Report No: WSC 9-19

Date: August 27, 2019

Directed to: Utility Chair & Committee

Attachments:

Department: Utility

- WSP Recommendation Letter
- WSP Cost Estimate

Prepared by: Richard MacEwen, Utility Manager

Subject: East Royalty Lagoon Decommissioning Tender

Recommendation:

Accept the low tender for the East Royalty Lagoon Decommissioning Tender.

Report:

A tender was issued for the decommissioning of the East Royalty Lagoon. The bid was reviewed by WSP and they recommend acceptance of the bid from Island Coast Services Limited. WSP estimates the engineering oversight for the project will cost approximately \$69,000 HST included.

Tenders Received:

Contractor	Value (HST included)
Island Coastal Services Ltd.	\$1,017,405.00

Respectfully,

Reviewed By:

CAO 	Deputy CAO			Mgr	Other
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Recommendations/Actions:



July 30, 2019

City of Charlottetown
199 Queen Street
3rd Floor City Hall
Charlottetown, PE
C1A 7K2

Attention: Mr. Richard MacEwen, Manager Water & Sewer Utility

Dear Mr. MacEwen

Subject: East Royalty Lagoon Decommissioning - Tender Recommendation

One tender was received for the above project at 2:00 PM, Tuesday, July 16, 2019, and has been reviewed, verified and is attached for your review.

A summary of the tender is as follows:

<u>Low Bidder</u>	<u>Bid Amount</u>	<u>Construction Duration</u>
Island Coastal Services Limited	\$1,017,405.00	Sept 03/2019 - Oct 30/2020 = 30 construction weeks

It is therefore recommended that the contract be awarded to Island Coastal Services Limited, in the amount of \$1,017,405.00, including HST, if the necessary funds are available. This option utilizes item #8 instead of item #9.

If the City does not have the funds, we recommend one of the following options:

- Option 2 which includes utilizing item #9 instead of #8, for a total reduced price of \$962,090.00 (includes HST).
- Option 3 which includes utilizing item #9 instead of #8 and removing item #7, for a total reduced price of \$561,660.00 (includes HST).

Please contact me if there are any questions regarding the above.

Best regards,

Russell McCrea, P.Eng.

RM/gd
Encl.
WSP ref.: 171-05675-00

195 MacEwen Road
Summerside, PE
Canada C1N 5Y4

T: +1 902 436-2669
F: +1 902 436-8601
wsp.com



September 03, 2019

Mr. Richard MacEwen, Manager of Water/Sewer Utility
City of Charlottetown
199 Queen Street
Charlottetown, PE
C1A 4B7

Subject: East Royalty Lagoon Decommissioning

Dear Mr. MacEwen:

Island Coastal has provided a construction schedule for the East Royalty Lagoon Decommissioning project that indicates a 30 week construction period. The expectation is that a certain phase of the project will not require on-site engineering review; therefore, WSP estimates construction admin/resident services at 16 weeks (80 days).

Based upon this 16 week schedule, our fees would be as follows:

- | | | |
|--|---|----------|
| 1. Resident Services (80 days @ \$520/day) | = | \$41,600 |
| 2. Contract Administration (80 days @ \$230/day) | = | \$18,400 |

The above fees are exclusive of HST.

I hope the above is acceptable to you. If you have any questions or require further information, please contact me.

Best regards,

Luc Van Hul, FEC, P.Eng.

LVH/gd

WSP ref.: 171-05675-00

106 MacEwen Road
Summerside, PE
Canada C1N 5Y4

T: +1 902 436-2060
F: +1 902 436-8801
wsp.com



CITY OF CHARLOTTETOWN

RESOLUTION

Water & Sewer#2

MOTION CARRIED _____

MOTION LOST _____

Date: September 9, 2019

Moved by Deputy Mayor _____ Jason Coady

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That Williams Murphy & MacLeod be awarded the tender for the Miltonvale Wellfield Phase 3B Communications System in the amount of \$1,650,000.00 (HST included), and

That Coles and Associates complete the engineering project oversight in the amount of \$34,500 (HST included),

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



Report No: WSC 10-19

Date: September 3, 2019

Directed to: Utility Chair & Committee

Department: Utility

Prepared by: Richard MacEwen, Utility Manager

Attachments:

- Coles Recommendation Letter
- Coles Cost Estimate

Subject: Miltonvale Wellfield Development Phase 3B Communications System Tender

Recommendation:

Accept the low compliant tender for the Miltonvale Wellfield Development Phase 3B Communications System Tender.

Report:

A tender was issued for the provision of a communications system for the Miltonvale Wellfield Development. The bid was reviewed by Coles and Associates and they recommend acceptance of the bid from Williams Murphy & MacLeod. Coles estimates the engineering oversight for the project will cost approximately \$34,500 HST included.

Tenders Received:

Contractor	Value (HST included)
Williams Murphy & MacLeod	\$1,650,000.00

Respectfully,

Reviewed By:

<input checked="" type="checkbox"/> CAO	<input type="checkbox"/> Deputy CAO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Mgr	<input type="checkbox"/> Other
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Recommendations/Actions:



Architecture + Engineering + Project Management

85 Fitzroy Street
PO Box 695
Charlottetown, PE
C1A 1R6

Tel (902) 368-2300
Fax (902) 566-3768
www.colesassociates.com
Email: info@colesassociates.com

File #131043-Phase 3B

Via Email

23 August 2019

City of Charlottetown
P.O. Box 98, 199 Queen Street
Charlottetown, PE C1A 7K2
Email: macewen@charlottetown.ca

Attention: Mr. Richard MacEwen, FEC, P.Eng., Manager

Dear Mr. MacEwen:

Re: Miltonvale Wellfield Development-Phase 3B-Communications System

The tender submissions for the above project were received on Friday, August 2, 2019, and are summarized as follows:

	Contractor	Total Price (Including HST)	HST Included in Tender Price
1	Williams Murphy & MacLeod	\$1,650,000.00	\$215,217.39

Please be advised that we have reviewed the tender bid of Williams Murphy & MacLeod (1993) Ltd, and find it to be fair and reasonable, and therefore recommend that the above work be awarded to Williams Murphy & MacLeod (1993) Ltd. for the tendered amount.

Please notify us 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



Architecture + Engineering + Project Management

85 Fitzroy Street
PO Box 695
Charlottetown, PE
C1A 1R6

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www.colesassociates.com
Email: info@colesassociates.com

File #131043-Phase 3B

Via Email

3 September 2019

City of Charlottetown
P.O. Box 98, 199 Queen Street
Charlottetown, PE C1A 7K2
Email: rmacewen@charlottetown.ca

Attention: Mr. Richard MacEwen, FEC, P.Eng., Manager

Dear Mr. MacEwen:

Re: Miltonvale Wellfield Development-Phase 3B-Communications System

We appreciate the opportunity to provide you with our fee proposal for engineering services regarding Phase 3B – Communications System – of the Miltonvale Wellfield.

The engineering services provided on this phase of the project include the preparation of the tender documents, project management and construction inspections.

ITEM	FEES (Exl. Taxes)	
Project Design & Tendering Services	\$10,000.00	
SCADA, PLC, Programing, Training and Commissioning (by Trihedral Engineering Ltd.	\$10,000.00	
Contract Administration, Periodic Inspections, Shop Drawings, As-builts, & Contract Close Out	\$10,000.00	
Total:		\$30,000.00

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. Materials testing, Environmental testing, Legal & topographic Survey services are not included.

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.

Should you have any questions or require further explanation regarding this proposal, please do not hesitate to call the undersigned at your convenience.



**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
REPORT TO COUNCIL
September 9th, 2019**

The Public Works & Urban Beautification Committee met on Friday, August 23rd, 2019, and Wednesday, August 28th, 2019, with draft minutes included in the Regular Monthly Council package.

One resolution is anticipated to be forwarded.

Respectfully submitted,

Councillor Mike Duffy, Chair

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DRAFT

PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE

Friday, August 23rd, 2019

12:15PM Sherwood Room, City Hall

Present: Councillor Mike Duffy, Chair
Councillor Alana Jankov
Councillor Mitchell Tweel
Councillor Terry MacLeod
Peter Kelly, CAO
Scott Adams, MPW
Wallace Higgins, AA

Absent: Mayor Philip Brown

CALL TO ORDER

Chair Duffy called the meeting to order at approximately 12:14PM. Moved by Councillor MacLeod and seconded by Councillor Tweel.

DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

APPROVAL OF AGENDA

The agenda was approved by Chair Duffy and seconded by Councillor MacLeod.

Mayor Brown requested to include sidewalk tenders and ditch infilling update.

ADOPTION OF MINUTES

It was moved by Councillor Jankov and seconded Councillor Tweel that the minutes from July 24th, 2019 & August 8th, 2019, meetings be approved.

BUSINESS ARISING FROM THE MINUTES

There was no business arising.

MOTION TO MOVE INTO CLOSED SESSION

Moved by Councillor MacLeod and seconded by Councillor Jankov to go into closed session, as per section 119. (1) Sub-sections (b&e) of the Prince Edward Island Municipal Government Act. Motion Carried. (at approximately 12:14pm).

REPORTS

As per discussion in closed session, the committee discussed the following.

DANIEL DRIVE & MINNA JANE

The City of Charlottetown was offered the opportunity to acquire Daniel Drive and Minna Jane Drive, located off of Malpeque Rd., which currently serve as access roads to businesses in this area. There would be no cost for the land, and the City would be responsible for all cost associated with the future maintenance of this property as it would become City right-of-way.

The committee recommended forwarding to the Committee of the Whole for an In Camera discussion.

JOHN YEO DRIVE

The City of Charlottetown was offered the opportunity to acquire John Yeo Drive, from the current City right-of-way property line on the north end of the road, to the property line on the south end at which becomes Superior Crescent. There would be no cost for the land, and the City would be responsible for all cost associated with the future maintenance of this property as it would become City right-of-way.

The committee recommended forwarding to the Committee of the Whole for an In Camera discussion.

TOWERS ROAD & SPENCER DRIVE

The City of Charlottetown was offered the opportunity to acquire the land (two parcels) located between the Charlottetown Mall and the Confederation Trail for the purpose of constructing a new segment of road which would act as a connection between the end of existing Towers Road and Spencer Driver. There would be no cost for the land, and the City would be responsible for all cost associated with the development of this property into a local road.

The committee recommended forwarding to the Committee of the Whole for an In Camera discussion.

MOTION TO ADJOURN

Moved by Councillor MacLeod and seconded by Councillor Jankov.

The meeting adjourned at approximately 12:58PM

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Wednesday, September 18th, 2019, at City Hall.

- end -

Councillor M. Duffy, Chair

PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE

Wednesday, August 28th, 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 12:14PM. Moved by Councillor MacLeod and seconded by Councillor Tweel.

DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

APPROVAL OF AGENDA

The agenda was approved by Chair Duffy and seconded by Councillor MacLeod.

Mayor Brown requested to include sidewalk tenders and ditch infilling update.

ADOPTION OF MINUTES

It was moved by Councillor Jankov and seconded Councillor Tweel that the minutes from July 24th, 2019 & August 8th, 2019, meetings be approved.

BUSINESS ARISING FROM THE MINUTES

There was no business arising.

QUEEN STREET PEDESTRIAN SCRAMBLE

Upon further review, research and public consultation, the recommendation offered in report No. 2019-07-24-001 remains. The Public Works department recommends that the existing pedestrian crossing be left as is, and that a pedestrian scramble phase not be implemented.

The Public Works department retained the services of CBCL Limited to conduct traffic modeling on the intersection and surrounding intersections. Based on the results of these models, the effects of implementing a pedestrian scramble phase can be predicted with high accuracy. Some of the results that can be concluded from such models include the change in average wait time/delay caused by traffic signals, change in pedestrian crowding levels on street corners, etc.

The study conducted by CBCL drew multiple conclusions regarding the impacts of implementing various pedestrian systems on traffic flow, the necessity of introducing an alternative pedestrian

system, the change in the level of service caused by the various systems, as well as offered a recommendation as to the best way the intersection's ability to handle pedestrian and traffic flow could be best improved. Existing conditions, as well as four new options were modeled using the Synchro Traffic modeling system. The four new options were: (1) Right Turns on Red Restricted, (2) Right Turns Restricted at All Times, (3) Pedestrian Scramble Phasing and (4) Leading Pedestrian Intervals. The existing conditions of the intersection were shown to have very good levels of service for both motorists and pedestrians, scoring mostly 'B's' with some 'A's' and only one 'C'. Options (1) and (2) did not offer dramatic changes the level of service, or the average delay time for motorists. Modeling of option (3) showed negative results for both pedestrian and motorists: for motorists, the average delay of each car increased to 28 and 30 seconds for the noon and PM peak times respectively (up from 14seconds) and the level of service decreased to a 'C' for all except one approach which was 'D' (down from A's and B's); for pedestrians, increased wait times are expected. Today, pedestrians wait between 30 and 40 seconds for a walk signal, with the implementation of a scramble phase, pedestrians would experience up to 50 second wait times. Option (4) was also shown to have some increase in delay time for motorists and decrease the level of service somewhat, but would allow for pedestrians to have additional time to cross the intersection. This option would also include prohibiting right turn movements on red lights.

Based on the study of the existing conditions and the four proposed options, it was determined that the option (3), the pedestrian scramble phase, would have the most drastic impact on traffic flow in the area. This impact on the traffic flow would require that the cycle length of the intersection be increased from 70 seconds to 80 seconds, which would cause other issues such as limited access to roadside parking spaces, and potentially queues exceeding the storage capacity of the surrounding streets. CBCL also suggests that due to the increased wait times for pedestrians, there would be more frequent violations of the signals, which poses a serious safety hazard. The study recommends not implementing a pedestrian scramble phase as it would have severe impacts on the functionality of the intersection and surrounding streets. If the City wishes to increase safety and improve mobility for pedestrians, CBCL recommends introducing the leading pedestrian interval phasing.

In addition to the engineering study results, members of the visually impaired community have also expressed concern over the potential installation of pedestrian scramble phase, citing it is already "very difficult to navigate the downtown core as a blind or partially sighted person". To accommodate the visually impaired community, additional safety measures would need to be taken. Such safety measures include audible messages systems which indicate when it is safe to cross. Public information sessions would be necessary to ensure that all members of the public using the scramble crossing, especially pedestrians who are visually impaired, are aware of the rules which are essential to the crossing's success, their rights, and the rights of motorists when using a scramble crossing. All of these additional safety measures come at the expense of the City, increasing the overhead cost of installing a pedestrian scramble phase.

Public Works staff estimate the gross cost of implementing a pedestrian scramble phase to be \$50,000 - \$75,000. This is based on the necessary improvements and upgrades to the infrastructure and hardware which currently exists in this intersection. The traffic controller would require replacement to run a scramble phase, two (2) new pedestrian signals would be required, saw cutting and reinstatement of asphalt in the intersection would be necessary in order to rewire the intersections electronics due to the existing electrical conduits being collapsed, additional

pedestrian pushbuttons would be required, pavement marking would need to be adjusted and any other work to reinstate the site.

After much discussion, Mayor Brown motioned to defer for further review and stakeholder consultation. The committee agreed.

QUEEN STREET LIGHTING UPGRADES

Public Works, as part of its yearly operations, has identified the need to upgrade the street lighting on Queen Street, between Grafton and Richmond Street. Currently the existing light fixtures are over head lamps on aluminum poles, which are the only over head lamps of this style left in the downtown vicinity and also do not match with the lighting on the rest of Queen Street in the downtown core. As such the Public Works department is looking to replace the 5 existing overhead street lights on the west side of the block with old fashion style lamps, as well as install 5 new old fashion street lights on the east side of the street in order to provide an acceptable amount of lighting on this street block. Replacing heavy duty lighting fixtures found in street lamps to LED will lead to cost savings for the City as well as help the City of Charlottetown work towards reducing its carbon foot print.

The estimated cost for this project is approximately \$95,000. This cost includes procurement of decorative poles, 5 new concrete bases, new electrical infrastructure and removal of the existing lights. Unfortunately, under the capital budget, under the budget account “Street Lighting – New Installation”, the City has only allocated \$50,000 for new work. As such, it is recommended that a budget transfer of \$45,000, for the capital account “Street Lighting – LED Street Light Changeover” be approved in order to complete the work on Queen St.

Mayor Brown requested the PWM provide the cost of the Fitzroy St. old fashion lights installation.

The committee recommended going to tender replace the 5 existing overhead street lights on the west side of the block with old fashion style lamps, as well as install 5 new old fashion street lights on the east side of the street to determine the cost and then will return to the committee with more information.

Moved by Mayor Brown and seconded by Councillor Jankov.

ELECTRIC VEHICLE CHARGING STATIONS

The use of electric vehicles is becoming more common day by day as more people seem to lean towards environmentally friendly options for travelling, but one of the barriers for increased uptake is a lack of available public charging. “According to experts, access to localized and visible charging infrastructure is key to alleviate consumer concerns about where to charge their vehicle”

The Government of Canada announced, through Budget 2019, \$130 million over five years (2019-2024) to deploy a network of zero-emission vehicle chargers (level 2 and higher). This money will be used for strategic projects in which the cost-sharing is done with the federal government. This funding will support successful applicants with sharing the cost of up to 50% of the total the project with a maximum of five million dollars. Below you will see a list of maximum caps depending on the type of stations. The only caveat is that minimum of 20 EV chargers needed in order to qualify for this funding and there should only be one owner to these stations (Collaboration is permitted).

Federation of Prince Edward Municipalities (FPEIM) and different stakeholders in PEI including Maritime Electric have decided to come together and apply for this funding as a group to make EV chargers more accessible to island communities, island residents and tourists.

Maritime Electric has stepped forward to take lead in this project to help accommodate these infrastructures and the application. For doing so, they will have to pay for at least 25% of the total cost per unit.

During a meeting on 21 August 2019 the PEI Government officials mentioned the province will be willing to work on further subsidizing the cost (They did not mention how much of the remaining 25% of the cost they will be able to subsidize).

As part of the 2019/20 Capital Budget, the City set aside \$16,500 for Electric Charging Stations. By leveraging this federal/Maritime Electric/Provincial funding, the City would be able to install up 8 level 2 charging stations. Although the locations have not been finalized, the Public Works department would look to install these chargers in parkades, at municipal community buildings, and at a couple strategic downtown locations including City hall and the Confederation Centre.

Although this project is geared towards level 2 charging stations, the Manager of Public Works is proposing to install a level 3 charger in front of City Hall. Currently there is only a single level 3 charger installed in the City, which is owned by a private company. By installing a level 3 charger at City Hall, will not only draw more electric vehicles to the downtown area, it will also help the city prepare for when the City begins replacing their fleet of gas vehicles to electric vehicles. The City's portion of installing a level 3 station would cost approximately \$25,000-\$40,000. Taking advantage of this cost share agreements would be in the best interest of the City.

Making use of this opportunity will help the City achieve the City's vision; "By 2050, Charlottetown is a carbon-neutral, diverse and economically strong community, powered only by renewable energy" by working on a target of "Work with partners to add at least 10 Level 2 EV chargers in Charlottetown by 2022" from the Community Energy Plan (CEP).

With this application, the City of Charlottetown has an opportunity of having EV chargers purchased and installed by paying only less than 25% of the total cost. If approved the City of Charlottetown will need to submit a letter of intent to Maritime Electric, indicating the quantity and tentative locations of the proposed charging stations by August 30th, 2019. Please note that the installation of these station would not likely occur until 2020.

Based on the above discussion, and the attached information from Maritime Electric, the committee recommended to send a letter of intent to Maritime Electric for the purchase of nine level 2 and one level 3 charging stations as part of this cost-sharing program. It is also recommended that the funds shall be allocated in the 2020/21 capital budget for these purchases.

NORTH RIVER ROAD TRAFFIC SIGNAL COORDINATION PILOT PROJECT

As a part of the North River Road Traffic Signal Coordination pilot project, four intersections along North River Road, from Belvedere Avenue to Capital Drive were equipped with Miovision hardware. The section of the corridor was identified as a "bottleneck" which leads to significant

delay along this roadway during peak hours. All four intersections were equipped with Miovision Smartlink units and one was also equipped with a Miovision Smartsense unit to provide turning movement count information along with the other performance data collected at the intersections.

Traffic data was collected for a period of a couple months. The collected data was analysed and a number of issues were identified. The data found that the time of day which experienced the most bottlenecking and gridlock was from 3-6 pm, in the northbound direction (heading of town toward Capital Drive). During this time frame, it took motorists to travel from the Belvedere Ave. intersection to the Capital Dr. intersection four (4) times longer, amounting to a travel time between 7 and 10 minutes, than it takes motorists during non-peak hours. These inflated travel times were attributed to the following conditions: an imbalance of performance on the major turning movements compared to the minor turning movements; intersections all operating in free mode, and not being coordinated with each other, and; the large influx of vehicle volume during the times of 3-6pm.

After identifying the areas of issue, a few changes were made in an attempt to improve the travel conditions: a common cycle length was introduced for all intersections, proper offsets were identified using the current timing and collected data, and intersections were put into coordination between 3 and 6 pm. The results of the changes, after only a week, were quite impressive, as travel times were reduced by 32% between the hours of 4-6pm. These reductions in travel time have a significant benefit environmentally, socially, and economically. The following table has been provided to the City by Miovision, and it illustrates the benefits of the reduced travel times:

Estimated Total Vehicles Impacted (per year*)	Total Travel Time Savings (vehicle-min)	Total User Cost savings** (\$/year)	Total Emissions Savings (tons/year)	Total Fuel Savings (litre/year)	Estimated Total Savings (\$/year)
1,380,000	1,219,100	507,145	3772	167,268	\$555,110

Simply by reducing the travel time, and therefore the idle time, of vehicles, an estimated 167,268 litres of fuel can be saved. This amounts to 3772 tons of harmful greenhouse gas emissions being diverted from entering the atmosphere. Not to mention, the estimated savings caused by reducing travel times totals more than half a million dollars (\$555,110).

In order to continue to improve traffic flows as well as help the City meet its GHG reduction targets as set out in the Community Energy Plan, which has been adopted by City Council, the manager of Public Work recommends issuing an RFQ in order to purchase this hardware so that the City can continue to monitor traffic flows and make improvements to the signal timings to continually ensure that the North River Road corridor is functioning at maximum capacity during the peak hours. It is also recommend to permit the Public Works department to look to expand this system or explore another system that can produce similar result around the City.

In order to continue to improve traffic flows along this busy corridor as well as help the City meet its GHG reduction targets as set out in the Community Energy Plan, which has been adopted by City Council, the committee recommended issuing an RFQ in order to purchase this hardware so that the City can continue to monitor traffic flows and make improvements to the signal timings to continually ensure that the North River Road corridor is functioning at maximum capacity during the peak hours. It is anticipated that the hardware and installation will cost \$100,000 HST included, for the 4 intersections. It is also recommend to permit the Public Works department to look to expand this system or explore another system that can produce similar result around the City.

Moved by Mayor Brown and seconded by Councillor Tweel.

TENDERS

1) Tender – Microsurfacing – Closed on August 23rd, 2019. Three (3) bids were received. Low bid received from Maritime Road Recycling. The City has reviewed the submission and are satisfied the contractor can perform the work. A resolution will be brought forward to the next council meeting

2) Tender – Belvedere Ave Sidewalk & Curb Replacement – Closed August 23, 2019. Two (2) bids were receive. Low bid received from Earthform Construction. Please note that the prices came in higher than anticipated. The City and consultant will review the scope of work, and reduce the scope to fit in with the original budget. A resolution will be brought forward to the next council meeting in order to meet the tight deadlines of completing the work ahead of the resurfacing work.

NEW BUISNESS

The committee had a brief discussion on ditch infilling, Mayor Brown stated that several residents have called regarding this topic, and then inquired to budget line item regarding ditch infilling. Councillor MacLeod discussed a catch basin in MacAulay Park. The MPW's stated that several infrastructure items are beginning to show signs of aging and will be evaluated.

MOTION TO ADJOURN

Moved by Councillor MacLeod and seconded by Councillor Jankov.

The meeting adjourned at approximately 1:30PM

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Wednesday, September 18th, 2019, at City Hall.

- end -

Councillor M. Duffy, Chair



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #1

MOTION CARRIED _____

MOTION LOST _____

Date: September 9th, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

**That, as per the conditions of the public tender for “2019 Microsurfacing”,
the low submission of Maritime Road Recycling in the amount of
\$507,150.00 (all taxes included) be accepted.**

- Tender was publically advertised, closing August 23rd, 2019
- It is a unit price bid extended to anticipated quantities
- Work will be at 5 sites; North River Rd, St Peter's Rd, Brackley Pt. Rd, Belvedere Ave & Mt Edward Rd.. The work will be approximately 13.5km in length.
- 3 submissions were received as follows:

Maritime Road Recycling	\$ 507,150.00	all taxes included
Industrial Cold Milling	\$ 617,274.00	all taxes included
Dexter Construction	\$ 663,642.00	all taxes included
- The City has not worked with this company before, however, the Manager has previous experience with the company and has no concerns about their past performance. This contractor is also completing the same work for the Province of PEI.



**ECONOMIC DEVELOPMENT, TOURSIM & EVENTS MANAGMENT
COMMITTEE
REPORT TO COUNCIL
SEPTEMBER 9, 2019**

The Economic Development, Tourism & Events Management Committee met August 21st and the open draft minutes are included in your package.

The Charlottetown Arts Advisory Board met August 13th 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, August 21, 2019
12:00 PM - Parkdale Room**

Present: **Chair, Councillor Kevin Ramsay** **Mayor Philip Brown**
 Councillor Terry MacLeod **Councillor Alanna Jankov**
 Councillor Mitchell Tweel **Peter Kelly, CAO**
 Wayne Long, EDO **Laurel Lea, TO**
 Ron Atkinson, EconDO **Jill Stewart, EA**

1. Call to Order

Chair Councillor Kevin Ramsay called the meeting to order at 12:00PM.

2. Declarations of conflict of interest

There were no conflicts of interest declared.

3. Approval of Agenda

Mayor Brown requested that Natal Day Celebrations be added as an agenda item. It was moved by Councillor Jankov and seconded by Councillor MacLeod that the agenda be approved as circulated, with the addition of Mayor Brown's requested amendment.

4. Adoption of Minutes

It was moved by Councillor Jankov and seconded by Councillor MacLeod that the minutes from July 17, 2019 be approved as circulated. Carried

5. Business arising from the minutes

There was no business arising from the minutes.

6. Discussions/Reports

a. Economic Development Update

Ron Atkinson, EconDO, provided an update to the Committee on recent activities. Ron updated the Committee on plans for meetings with foreign companies in partnership with Innovation PEI in the coming months. In addition, Ron met with a consultant from UK to consider meeting with foreign IT companies that might have an interest to establish in North America. The EconDo participated in another 6 on 6 Connectors PEI meeting which provide assistance to newcomer businesses, as well as ongoing meetings with newcomer entrepreneurs working to establish in PEI. Work has begun on the fall newcomer events including the Mayor's Reception as well as the Orientation Programs. Ron assisted a company hosting a trade expo in Calgary and may

work toward an event in Charlottetown next year. Ron provided business updates including the re-opening of the Federal Immigration Office in Charlottetown. There were questions and discussion regarding retention rates of newcomer businesses, as well as business success, viability and vitality in the downtown area. The EconDo will pursue available information and the Committee will discuss those issues further.

b. Tourism Update

Laurel Lea, TO, provided the Committee with a departmental update. The Tourism Department is winding down its busy summer season of operations and events. Visitor numbers have been strong with 112 groups served on cruise ship days in May; 517 groups served in June; 1,043 groups served in July, and 782 groups served to date in August. Natal Day weekend was a great success with many positive comments being received. There will be debriefing meetings taking place this fall with applicable Departments to begin the planning process for 2020. Programming is set for the Victoria Park Sunset Series which will take place August 28-31. Planning has begun for the Ashibetsu Student Exchange which will take place October 17-24. The TO would like to expose Council more to the students' visit specifically through two potential activities - a welcome activity and a departure activity. The TO reminded the Committee that a decision will need to be made on whether Charlottetown is sending students to Japan during the 2020-2021 school year prior to this year's exchange; the question will be asked. Planning for the Christmas Parade will begin following Labour Day. Discussions on the 2019 route will be held in consultation with applicable City Departments. The TO indicated that the Canadian Capital Cities Organization Annual Conference is coming up the middle of next month in Regina.

c. Victoria Park Sunset Series

The Victoria Park Sunset Series will return to the Victoria Park Cultural pavilion from August 28-31. Laurel Lea, TO, provided an information sharing report on programming to the Committee and indicated that a detailed schedule of events could be found in their package and on the City's website.

The event will consist of three nights of movies and one night of music. As in previous years, all events are non-alcoholic and free to attend.

d. Events Management Update

Wayne Long, EDO, provided the Committee with a departmental update. He highlighted that it's been a busy time with event hosting. A few high profile

festivals and events are still left to come in August and into the Fall. Up next are the SunDaze Music & Art Festival, Art in the Open, and GranFondo PEI.

The Event Management file also continues to be steady with prospecting and bidding. There are more good announcements to come over the next couple of months in addition to the recent announcements of the 2020 STIHL Timbersports Canadian Championship and 2021 U SPORTS Men's National Hockey Championship.

The EDO will be participating in Event Atlantic Board meetings in Nova Scotia over the next few days.

CMA2019 celebrations in Charlottetown were a great success and the Municipality has been applauded for its efforts by the CMA President and management team. Staff continue to work with the organization with respect to final reporting and closing out the file. The EDO advised the Committee that he has been working closely with Forest City, NC and the DiverseCity Multicultural Festival with respect to best practices and the establishment of a DiverseCity Multicultural Festival in Forest City.

The EDO has been working closely with internal committees with respect to proposed funding models for a new Multi-Use Facility, as well as identifying the City's 2023 Canada Games Infrastructure "wish list". A couple of other active projects the EDO is involved with include Birthplace branding/initiatives, a Charlottetown Festivals & Events Vision for Growth strategy, and Jack Frost Winterfest 2020. The EDO and the Mayor also recently met with the Confederation Centre of the Arts to converse on a number of topics.

e. Birthplace of Confederation Branding

Insight Brand & Marketing Studio has presented their recommendations around the Birthplace of Confederation Branding after doing an evaluation of our current branding and meeting with the Committee back in June.

As brand and marketing professionals, the Insight team is recommending that the City Corporation not stray from its well established and highly recognizable Charlottetown Great Things Happen Here identity; but rather, move forward with the creation of a Birthplace of Confederation "stamp" to be used as a footer on appropriate platforms and at appropriate times. Such efforts could be supplemented through the use of banners at appropriate events or through a single canned "sales pitch" page in proposals.

Additional work could eventually be done through other tourism partners and platforms.

The Committee agreed that work on this file will be managed by City Communications staff so as to align with and be reflected in the City's Visual Identity & Graphic Standards Guide.

The Committee agreed and endorsed the recommendations.

f. Tourism Accommodation Levy

Council recently passed the second reading with respect to levelling the playing field when it comes to collection of the Tourism Accommodation Levy in the city.

As of September 1, 2019 (as endorsed by Council) this amended bylaw will come into effect. As of today's date, a number of challenges continue to present themselves:

- The Municipality does not yet have a firm platform for communicating with the new vendors. Staff have been in discussions with the Province of PEI and due to privacy concerns, they are unable to release a full inventory of vendors with contact information. The Province is willing to send a notification on the City's behalf; however, this is only one step as a master list is required in order to reconcile against/enforce collection.
- Staff have had ongoing communication with Airbnb and have forwarded the City's bylaw information to their legal team for review. Airbnb has communicated that this may take some time and that they may not be interested in collecting the TAL on the City's behalf until such a time that the City deals with the short-term rental file in full. It was noted it may be difficult for the City to move forward without Airbnb on side, as its one stop shop and represents a good majority of new vendors.
- Communication has also been had with Home Away/VRBO and bylaw information has been forwarded to their legal team for review. As of today's date, Home Away/VRBO has not acknowledged receipt of this information; however, staff were told initially that again, this could take some time.

The EDO suggested that if the City Corporation does not put a hold on collection at properties with less than 10 rooms until such a time that collection from short term rental properties can be done in an accurate manner and regulations are in order, bylaw amendments will be rolled out in a piecemeal and unfair fashion as some properties will be collecting while others will not.

Ongoing communication has been had with Discover Charlottetown and the Hotel Association of PEI who are both eager to see the collection rolled out. Both organizations have been made aware of potential challenges.

It was recommended that the Committee endorse delaying a roll out of amendments to the Tourism Accommodation Bylaw until such a time that the City finalizes its short term rental regulations and has a firm and accurate platform in place for communications and reconciliation/collection.

After much discussion, the Committee decided to continue with a status quo roll out on September 1, 2019.

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 Councillor Jankov. 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

Charlottetown Arts Advisory Board Meeting
Tuesday, August 13th
12:00 PM – Parkdale Room

Present: Barbara MacLeod, Chair Cheryl Wagner
Mark Sandiford Brandon Hood
Stephen MacInnis Ron Atkinson, EconDO
Jennifer Campbell Ron McPhee, EA

Regrets: Na Lu (Lucy)

1. Call to Order:

The meeting was called to order by Barbara MacLeod, Chair at 12:15 pm.

2. Declarations of Conflict of Interest

None

3. Approval of Agenda:

It was moved by Mark and seconded by Jennifer that the agenda be approved as circulated.
Carried.

4. Adoption of Minutes:

The minutes from the July 9th, 2019 meeting were included in the meeting package. It was moved by Stephen and seconded by Cheryl that the minutes be approved as circulated.
Carried.

5. Fox Project:

Chair Barb and Ron Atkinson provided an update to the Committee on the Fox public art project as discussed at the previous meeting. The Committee reviewed and approved a letter in support of the project.

6. Public Art Policy:

Mark reviewed the Charlottetown Public Art Policy revisions overview from November 2018 again to the Committee in more detail. He highlighted the areas which would provide improved simplification, clarification, including numbering of sections etc. The Committee discussed further areas which would clarify the process and Mark will make the wording changes as discussed to bring to the Committee at next meeting for finalization.

7. **Introduction of New Business:**

Discussed under Public Art Ideas

8. **Open Discussion on Public Art Ideas in Charlottetown:**

- Cheryl would like to make presentation in the coming months to the Committee on large, inspiring works of art as the Committee considers future projects in Charlottetown.
- Barb would like to bring additional ideas to the Committee from projects she has seen in other cities.

9. **Motion of Adjournment:**

Meeting Adjourned 1:15 p.m.



**ENVIRONMENT & SUSTAINABILITY COMMITTEE
REPORT TO COUNCIL
SEPTEMBER 9, 2019**

The Environment & Sustainability Committee has not met since the last Council meeting.

The Mayor's Task Force on Active Transportation met on July 31, 2019 and the Food Council met on August 21, 2019 and the draft minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Terry MacLeod, Chair

**Mayor's Task Force on Active Transportation
Committee Meeting
Wednesday, July 31, 2019
12:00 PM - Parkdale Room**

Present: Ryan Bulger, Chair
Joanne MacRae
Kerri Shea
Margaret Gallant
Cindy MacMillan, AA

Peter Rukavina, Co-Chair
Heather Rossiter
Jason White
Ramona Doyle, ME&S

1. Call to Order

Ryan Bulger, Chair, 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

It was moved by Peter Rukavina and seconded by Margaret Gallant that the agenda be approved as circulated.

4. Terms of Reference

Ramona had previously provided the Committee some examples/guidelines that could be used to create a Terms of Reference. The Committee agreed that the objectives outlined in Bridgewater's document were helpful and all members agreed that infrastructure should be added. The Committee will edit the document amongst themselves and final review of the document will take place at the next meeting.

5. Reports/Discussions

a. Team Platform

The Committee discussed purchasing a domain name for the members to create email addresses to be used for communication. There was discussion as to whether personal email addresses used for communication fall under the FOIPP legislation. All members agreed that they would like to be provided an email address for the purpose of this Committee. Jason will look into the cost and advise Ramona.

6. Presentation

Peter Rukavina did a short overview of the Open Street Map which is an interactive map online which anyone can edit. Peter suggested that the map get updated with the cycling and hiking trails in the city.

7. Update Transit Bus Demonstration at the Farmer's Market

Peter had a brief discussion with the Manager at the Farmer's Market who showed interest in Active Transportation to their location on Belvedere Ave. The Committee asked that Ramona reach out to T3 Transit in early fall.

8. Sub-Committees

It was decided that there will be a Committee member to liaise with each City Dept. that deals with Active Transportation (Public Works, Parks & Rec, Police, Environment & Sustainability and Community Groups). Joanne will provide the Committee with a breakdown of this at the next meeting.

9. Meeting date/time

It was the consensus of the Committee that the meetings be restricted to an hour at lunch time.

10. Motion to adjourn

It was moved by Joanne MacRae and seconded by Jason White that the meeting be adjourned. Carried.

Adjourned 1:50PM

CHARLOTTETOWN FOOD COUNCIL
Wednesday, August 21, 2019
7:00 PM Parkdale Room, City Hall

PRESENT: Karen Murchison, Chair
Gail Metcalfe
Jennifer Whittaker
Shannon Courtney
Phil Ferraro

ALSO: Raven Doucette, SOA

REGRETS:

Morgan Palmer
Ramona Doyle, SM
Colleen Walton
Robert Godfrey, Vice Chair
Mike MacDonald
Travis Cumminsky
Emilee Sorrey
Pierre El Hajjar
Bernard Plourd
Jessica Brown, SC

ALSO:

1) Call to Order

There were not enough Food Council members in attendance for a Quorum, so no motions could be put forth, including the meeting Call to Order. The meeting began at 7:07PM.

2) Declarations of conflict of interest

No declarations of conflict.

3) Review & Approval of Agenda

No motion to approve Agenda. No Quorum.

4) Appoint Meeting Secretary & Referee

Raven – secretary

5) Adoption of Minutes

No motion to approve Minutes. No Quorum.

6) Items for Discussion

a) Working Group Updates:

A) Projects:

No update from the Projects Committee.

B) Communications:

No update from the Communications Committee.

C) Finance:

No update from the Finance Committee.

D) Policy:

No update from the Policy Committee.

E) Sub-committee reports:

A. Garden Party

A number of people showed up for the cancelled Garden Party. There were a number of events happening in September/October that the Food Council could get involved with.

- Open Farm Day (September 15th, end of Organic week. Legacy Garden will be doing tours during Open Farm Day;
- Taste of the Island (September 21);
- Book launch with Author John Todd of Healing Earth (Book talk at UPEI September 22);
- Farm Day in the City (October 6th);
- Forage, Atlantic Cana's premiere food tourism summit (October 17-18).

B. Asset Mapping

Jenn has tried contacting someone with experience with asset mapping, but hasn't heard back from them yet. She is going to reach out again. It may be a good idea to apply for a grant to hire someone to help with asset mapping.

There was talk about the new food businesses in Charlottetown and that there should be another call out for more food places for the asset map.

F) External funding opportunities:

No external funding opportunities discussed.

G) Other

Results of the Food Council Member Survey:

Seven people responded to the Food Council member survey. Jenn is going to send the results of the survey by email. Highlights:

Greatest Successes: Food Charter established, starting asset mapping.

Greatest Struggles: Getting people to meetings.

Mission: Some people were unsure of what the mission was. Local food, and having projects within the community.

Highlight of the Food Council for the next year: Asset mapping, getting started on some events or projects.

People missing from the Food Council: Youth & Newcomers

Disco-Soup November 9th: Karen met with Kendra and Sarah from Fusion Charlottetown and 3 members from the Food Exchange. The meeting was to go over what they had in mind for the event, what their goals are, and what they need help with.

They have volunteers, they are taking care of the music and they have a chef.

During the meeting there was some brainstorming about what events could occur. Film screening/panel discussion e.g. Waste, Kendra is interested in leading an event on the UPEI campus, possibly a series of workshops (create a workshop, or promote existing ones) on food production, and food waste. Have a chef challenge, or engage Upstreet by getting them to use food waste to make a beer.

Eat Think Vote Event: Stephanie Palmer applied for a grant for an event called Eat Think Vote. This event will have candidates during the federal election come together to talk about food issues and food security. The Food Council could be a partner/co-host. There was discussion on who would be a good facilitator for the event. Colleen would be a great facilitator but Jen Taylor would be as well. There needs to be some brainstorming on who the invitees should be. They need to be able to speak about food security and other food related issues to candidates. Jenn is available the day of the event, and Karen can help suggesting some attendees.

Lisa Ferenedez: Lisa Fernandez has worked with the New England Food Strategy, she has agreed to meet with members of the Food Council. The meeting will be an informal meeting August 28th from 6:30-8 at the Farmacy for snacks and Kombucha. She is going to talk about her experiences surrounding the Food Strategy. Lisa may be a good person to talk to about asset mapping.

7) Action Items:

ACTION: Attend Lisa Fernandez meet & greet at the Farmacy from 6:30-8:00pm on August 28th 2019.

ACTION: Form planning committee for Disco Soup. Members interested in participating on planning committee reach out to Karen Murchison.

ACTION: Anyone interested in participating in planning Eat Thing Vote event organized by PEI Food Exchange contact Stephanie Palmer spalme2@gmail.com or Shannon Courtney.

ACTION: Jessica Brown and Karen Murchison to review original applications for Food Council members to seek replacement for member Emilee Sorrey who is moving out of province.

8) Motion for Adjournment:

Meeting ended at 8:25pm

CHARLOTTETOWN RIDERSHIP - AUGUST 2019

Sum of Charlottetowni Route #	1	2	3	4	5	6	7	9	11	13	14	15 Grand Total
01-08-19 Thu	478	259	277	228	103	284	27	272	295	5	0	3
02-08-19 Fri	559	293	281	296	168	251	19	304	243	6	0	6
03-08-19 Sat	476	305	315	0	0	255	0	0	0	0	0	0
04-08-19 Sun	536	0	0	0	0	0	0	0	0	0	0	0
05-08-19 Mon	504	347	267	228	94	202	6	159	242	5	2	4
06-08-19 Tue	599	298	282	257	140	265	6	307	261	4	1	6
07-08-19 Wed	695	364	319	298	133	295	13	258	212	6	2	5
08-08-19 Thu	733	342	283	266	144	0	6	270	195	6	1	4
09-08-19 Fri	535	252	322	283	183	0	7	218	152	3	1	4
10-08-19 Sat	400	273	307	0	0	130	0	0	0	0	0	0
11-08-19 Sun	405	0	0	0	0	0	0	0	0	0	0	0
12-08-19 Mon	442	307	312	261	140	218	9	273	258	6	2	5
13-08-19 Tue	480	294	268	287	135	240	7	277	301	6	1	6
14-08-19 Wed	781	297	298	279	155	205	5	281	205	6	2	6
15-08-19 Thu	575	334	307	251	122	228	5	295	212	8	1	5
16-08-19 Fri	324	121	134	114	52	182	1	143	149	0	0	2
17-08-19 Sat	369	260	296	0	0	119	0	0	0	0	0	0
18-08-19 Sun	409	0	0	0	0	0	0	0	0	0	0	0
19-08-19 Mon	528	273	283	264	129	216	15	203	217	3	2	8
20-08-19 Tue	558	456	291	236	139	221	23	255	224	5	1	5
21-08-19 Wed	754	362	263	293	144	228	27	295	209	6	1	6
22-08-19 Thu	478	286	309	220	135	248	25	289	243	5	2	5
23-08-19 Fri	544	314	331	285	120	225	20	259	254	5	0	6
24-08-19 Sat	407	284	303	0	0	144	0	0	0	0	0	0
25-08-19 Sun	473	0	0	0	0	0	0	0	0	0	0	0
26-08-19 Mon	530	285	250	258	120	252	15	202	217	5	1	5
27-08-19 Tue	615	235	245	238	116	232	0	253	184	4	1	6
28-08-19 Wed	802	333	318	355	168	246	22	285	245	5	1	6
29-08-19 Thu	600	295	291	277	115	229	21	274	218	6	1	4
30-08-19 Fri	615	301	329	293	158	255	18	339	263	7	0	2
31-08-19 Sat	524	404	470	0	0	223	0	0	0	0	0	0
Grand Total	16,728	8,174	7,951	5,767	2,913	5,593	297	5,711	4,999	112	23	109

CHARLOTTETOWN RIDERSHIP - AUGUST 2019

Values	2019	2018	2017	2016
Total Ridership	58,377	47,678	43,208	39,541
Monday - Friday	48,412	41,203	36,806	33,676
Paying	1,878	1,732	1,908	1,594
Non - Paying	22	23	23	23
Working Da	2,286	1,867	1,683	1,533
Average	6,133	3,330	3,187	3,096
Saturday	131	76	86	93
Paying	5	4	4	4
Non - Paying	1,253	852	818	797
Working Da	1,809	1,337	1,209	1,078
Sunday	14	4	12	4
Paying	4	4	4	4
Non - Paying	456	334	305	271
Working Da				
Average				
Grand Total	2023	56354	58,377	



**STRATEGIC PRIORITIES & INTERGOVERNMENTAL
COOPERATION COMMITTEE
REPORT TO COUNCIL
SEPTEMBER 9, 2019**

The Strategic Priorities & Intergovernmental Cooperation Committee did not meet since the last Council meeting.

Affordable Housing Advisory Committee met on August 8, 2019 and the draft minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Alanna Jankov, Chair

AFFORDABLE HOUSING ADVISORY COMMITTEE

Thursday, August 08, 2019

12:00 PM – Parkdale Room

Present: Aimee Power, Chair
Ladjane Carvalho-Schulman
Jamie MacDonald
Alex Forbes, PHM
Donna Keenan
Ashley Gillis
Paul Crant

Also: Ellen Faye Ganga, PH IO/AA

Regrets: Greg McKee
Craig Cameron
Kandance Hagen
Chantal Matheson, EA

1) Call to Order

Aimee Power, Chair called the meeting to order at 12:05 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Ladjane Carvalho-Schulman and seconded by Ashley Gillis, that the agenda be approved as circulated. Carried.

4) Approval of Minutes

Moved by Ladjane Carvalho-Schulman and seconded by Ashley Gillis, that the minutes of July 11, 2019 be approved. Carried.

5) Terms of Reference

The Committee reviewed the terms of reference. The committee commented that the terms of reference are broad and recommended that the following be considered:

- Identify stakeholders of the Committee
- List of individuals/groups responsible in doing identified tasks
- Focal contact person to send communications to
- A work plan be provided
- Clear procedures be included in the terms of references
- Structure or strategic plan

The committee agreed to send their ideas/recommendations to _____ in order to address the above mentioned items.

6) New Business

There was a discussion regarding short term rentals and what the involvement of the committee would be in relation to this. Mr. Forbes noted that he is working with the province for data on short term rentals and would update the group.

As part of the discussion on affordable housing, Alex Forbes will be initiating an email to the committee to identify other community groups that work within affordable housing to help us identify the other local players.

7) Meeting Adjourned

Moved by Ladjane Carvalho-Schulman and seconded by Ashley Gillis that the meeting be adjourned. Carried.

Meeting adjourned at 12:58 pm.



**FINANCE, AUDIT & TENDERING COMMITTEE
REPORT TO COUNCIL
September 9th, 2019**

The Finance, Audit & Tendering Committee met on September 4th, 2019. A monthly summary financial statement till the end of August is included in the package.

There are no resolutions included in this package for your consideration.

Respectfully submitted,

Councillor Terry Bernard, Chair

Finance, Audit & Tendering Committee
September 4th, 2019
12:00 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Councillor Kevin Ramsay **Councillor Mike Duffy**
 Peter Kelly, CAO **Mark Lanigan, FM**
 Connie McGaugh, ACC

Regrets: **Mayor Philip Brown**

1) Call to Order

Chair Bernard called the meeting to order at 12:00 pm.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

A motion to approve the agenda was made Councillor Ramsay and seconded by Councillor Duffy.

Motion Carried

4) Adoption of Minutes

Moved by Councillor Rivard and seconded by Councillor Duffy that the minutes of August 7th, 2019 be approved as circulated. Motion Carried.

5) Public Procurements

- a. East Royalty Lagoon Decommissioning (16-July-19)**
- b. Miltonvale Wellfield Developments – Phase 3B (02-Aug-19)**
- c. 2019 Microsurfacing**
- d. Multi-Use Facility Funding Modeling Consulting (27-Aug-19)**
- e. Two (2) 3 Ton Dump/Plough Trucks (27-Aug-19)**
- f. Lighting Upgrade for Rochford, King and Hillsborough Heritage Squares (28-Aug-19)**
- g. Update on Tenders**

Committee reviewed the bid sheets for the public procurements which have closed and are under review. It is anticipated that the Water & Sewer Utility, Public Works and Urban Beautification and Parks, Recreation & Leisure Activities Committee will be bringing resolutions forward to Council on Monday, September 9th meeting.

6) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act

Moved by Councillor Ramsay and seconded by Councillor Rivard to move into the closed session

7) Adjournment of Public Session

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

Meeting adjourned 1:05 p.m.

Chair: Councillor Terry Bernard



**City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019**

Currency: CAD
No specific Ledger requested

City Operating Revenue

	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Surplus (Deficit) from Previous Year	1,829,178	1,829,178	-	1,829,178	1,829,178	-	100.00%
Property Taxes	34,172,513	34,172,513	-	14,650,060	14,650,060	19,522,453	42.87%
Provincial Grant	13,637,983	13,637,983	-	5,839,535	5,839,535	7,798,448	42.82%
Partial Grant in Lieu of Taxes (QEH)	140,000	140,000	-	-	-	140,000	0.00%
Licenses	1,217,135	1,217,135	(3,476)	486,174	482,697	734,437	39.66%
Parking Garages	685,000	685,000	-	323,327	323,327	361,673	47.20%
Parking Meters	1,020,000	1,020,000	(20,159)	481,682	461,523	558,477	45.25%
Police	1,131,500	1,131,500	-	359,414	359,414	772,086	31.76%
Credits from Outside Sources	505,000	505,000	-	80,735	80,735	424,265	15.99%
Outside Fire Protection	30,000	30,000	-	-	-	30,000	0.00%
Utility Administration Fee	205,000	205,000	-	102,500	102,500	102,500	50.00%
Interest	40,000	40,000	-	30,464	30,464	9,536	76.16%
Recreation	618,390	618,390	-	(7,420)	(7,420)	625,810	-1.20%
Transfer From Parkland Reserves	172,143	172,143	-	163,458	163,458	8,685	94.95%
Tourism Accomodation Levy Admin Fee	36,500	36,500	-	-	-	36,500	0.00%
Provincial Infrastructure Fund/MCEG	1,715,400	1,715,400	-	-	-	1,715,400	0.00%
Credits from Other Levels of Government	-	-	-	67,821	67,821	(67,821)	
Total City Operating Revenue	57,155,742	57,155,742	(23,635)	24,406,928	24,383,292	32,772,449	42.66%

Water & Sewer Revenue

Surplus (Deficit) from Previous Year	(1,200,000)	(1,200,000)	-	(1,200,000)	(1,200,000)	-	100.00%
Water & sewer services	11,044,681	11,044,681	-	3,917,207	3,917,207	7,537,982	35.47%
Fire protection - hydrant services	1,139,380	1,139,380	-	569,690	569,690	569,690	50.00%
Contract services billed	167,500	167,500	(77,201)	35,762	(41,438)	208,938	-24.74%
Non-operating	37,500	37,500	-	-	-	37,500	0.00%
Municipal Capital Expenditures Grant	2,150,000	2,150,000	-	-	-	2,150,000	0.00%
Total Water & Sewer Revenue	13,339,061	13,339,061	(77,201)	3,322,659	3,245,459	10,504,110	24.33%

Total Operating Revenue - City, Water & Sewer

	70,494,803	70,494,803	(100,836)	27,729,587	27,628,751	43,276,559	39.19%
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City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019

Currency: CAD
 No specific Ledger requested

	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
General Government Services:							
City Government							
Salaries & benefits	1,835,300	1,835,300	1,875	653,599	655,474	1,179,826	35.71%
Solicitors' fees	265,000	265,000	602	58,859	59,461	205,539	22.44%
Information technology & new equipment	18,000	18,000	-	-	-	18,000	0.00%
Communications & web site	66,500	66,500	8,910	15,119	24,029	42,471	36.13%
Office, postage & equip repairs/rentals	49,500	49,500	8,455	8,963	17,418	32,082	35.19%
Professional Development	28,000	28,000	-	13,800	13,800	14,200	49.29%
Infrastructure & asset management	12,000	12,000	-	1,096	1,096	10,904	9.13%
Reports & studies	85,000	85,000	-	15,997	15,997	69,003	18.82%
Other	76,400	76,400	-	67,003	67,003	9,397	87.70%
Total City Government	2,435,700	2,435,700	19,842	834,436	854,278	1,581,422	35.07%
Finance and Audit							
Salaries & benefits	696,844	696,844	-	250,967	250,967	445,878	36.01%
Information Technology & Oracle hosting/SLA	75,000	75,000	4,398	-	4,398	70,602	5.86%
Financial statement audit	95,000	95,000	-	11,550	11,550	83,450	12.16%
Bank service charges	70,000	70,000	-	30,046	30,046	39,954	42.92%
Professional development & meeting expenses	12,500	12,500	-	5,564	5,564	6,936	44.51%
Other	7,720	7,720	-	991	991	6,729	12.84%
Total Finance and Audit	957,064	957,064	4,398	299,118	303,516	653,549	31.71%
Municipal Buildings							
Salaries & benefits	706,650	706,650	-	322,155	322,155	384,495	45.59%
Heat	325,000	325,000	-	68,214	68,214	256,786	20.99%
Lights, phone, water/sewer	282,110	270,085	-	99,851	99,851	170,234	36.97%
Repairs, maintenance, cleaning & snow removal	266,745	245,645	17,101	93,940	111,042	134,603	45.20%
Service contracts	97,000	119,600	66,840	63,459	130,299	(10,699)	108.95%
Property taxes	360,000	354,200	-	232,386	232,386	121,814	65.61%
Rent - Planning	114,000	111,500	64,770	36,965	101,735	9,765	91.24%
Other	9,100	10,100	2,079	1,785	3,864	6,236	38.26%
Total Municipal Buildings	2,160,605	2,142,780	150,790	918,755	1,069,546	1,073,234	49.91%
Total Insurance	685,000	685,000	-	336,237	336,237	348,763	49.09%



**City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019**

Currency: CAD
No specific Ledger requested

	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Mayor and Council							
Salaries & benefits	75,543	75,543	-	16,531	16,531	59,012	21.88%
Mayor & Council	478,593	478,593	-	146,363	146,363	332,230	30.58%
Professional Development	5,000	5,000	-	4,996	4,996	4	99.92%
Public Relations/Community Events	275,175	275,175	-	88,912	88,912	186,263	32.31%
Professional services/office equipment	26,000	26,000	-	6,180	6,180	19,820	23.77%
Total Mayor and Council	860,311	860,311	-	262,982	262,982	597,329	30.57%
Total General Government Services	7,098,680	7,080,855	175,030	2,651,528	2,826,559	4,254,297	39.92%
Protective Services:							
Fire Department							
Salaries & benefits - Permanent	1,663,194	1,663,194	-	763,451	763,451	899,743	45.90%
Salaries & benefits - Volunteers	759,150	759,150	-	336,509	336,509	422,641	44.33%
Hydrant services - water supply	1,139,380	1,139,380	-	569,690	569,690	569,690	50.00%
Repairs & maintenance - vehicles/equipment	159,337	159,337	5,248	63,722	68,970	90,368	43.29%
New/leased - vehicles/equipment	40,738	40,738	726	4,399	5,125	35,613	12.58%
Clothing & uniforms	40,259	40,259	9,551	16,287	25,838	14,421	64.18%
Professional development	58,784	58,784	3,019	23,779	26,799	31,985	45.59%
Emergency preparedness	45,846	45,846	-	11,316	11,316	34,530	24.68%
Volunteer programs	20,000	20,000	5,141	1,848	6,989	13,011	34.95%
Other	49,985	49,105	2,396	20,702	23,098	26,006	47.04%
Total Fire Department	3,976,673	3,975,793	26,081	1,811,703	1,837,785	2,138,008	46.22%



**City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019**

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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Police Department							
Salaries & benefits	8,752,924	8,752,924	-	3,573,452	3,573,452	5,179,472	40.83%
Ticketing expenses	181,659	181,659	101,825	51,768	153,593	28,066	84.55%
Repairs & maintenance - vehicles & equipment	219,000	219,000	-	72,132	72,132	146,868	32.94%
Information technology & communication	163,898	157,898	4,383	37,002	41,384	116,514	26.21%
Professional development	37,000	37,000	-	31,288	31,288	5,712	84.56%
Cruiser & officer supplies	127,400	127,400	26,349	30,329	56,677	70,723	44.49%
Humane Society contract	103,362	103,372	77,529	25,843	103,372	-	100.00%
Office & operational expenses	70,500	70,500	11,374	25,974	37,348	33,152	52.98%
Other	49,800	49,790	100	7,368	7,468	42,322	15.00%
Total Police Department	9,705,543	9,699,543	221,560	3,855,156	4,076,714	5,622,829	42.03%
Total Protective Services	13,682,216	13,675,336	247,641	5,666,859	5,914,499	7,760,837	43.25%
Public Works							
Salaries & benefits	3,518,000	3,518,000	-	1,229,958	1,229,958	2,288,042	34.96%
Snow removal	4,480,000	4,444,000	79,038	548,313	627,351	3,816,649	14.12%
Street cleaning	900,000	907,000	56,871	485,884	542,755	364,245	59.84%
Street resurfacing & repair	850,000	850,000	288,022	357,667	645,689	204,311	75.96%
Sidewalk & curb maintenance	380,000	380,000	4,873	227,232	232,105	147,895	61.08%
Repairs & maintenance - equipment & vehicle	955,000	950,500	20,429	343,270	363,699	586,801	38.26%
Beautification & tree program	1,245,000	1,245,000	23,927	825,004	848,931	396,069	68.19%
Storm water control	295,000	295,000	1,650	191,802	193,452	101,548	65.58%
Traffic marking & signs	355,000	355,000	76,119	130,351	206,470	148,530	58.16%
Office, advertising & professional developm	87,000	78,150	1,310	23,593	24,903	53,247	31.87%
Insurance claims	100,000	100,000	-	55,190	55,190	44,810	55.19%
Street lighting	1,210,000	1,210,000	45,408	381,494	426,902	783,098	35.28%
Traffic & parking	30,000	30,000	5,822	1,170	6,992	23,008	23.31%
Other	93,250	135,600	14,336	60,254	74,590	61,010	55.01%
Total Public Works	14,498,250	14,498,250	617,805	4,861,182	5,478,987	9,019,263	37.79%
Total Fiscal Services	7,951,218	7,951,218	-	2,647,846	2,647,846	5,303,372	33.30%



City of Charlottetown
2019/2020 Budget Summary
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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Parks and Recreation							
Administration							
Salaries & benefits	190,452	190,452	-	79,280	79,280	111,171	41.63%
Professional development	10,000	10,000	-	125	125	9,875	1.25%
Advisory Committee & meeting expenses	2,000	2,000	-	460	460	1,540	23.00%
Office equipment & advertising	5,500	5,500	-	1,855	1,855	3,645	33.73%
Other	5,200	5,200	-	1,460	1,460	3,740	28.08%
Total Administration	213,152	213,152	-	83,180	83,180	129,971	39.02%
Programs and grants							
Salaries & benefits	410,072	410,072	-	246,350	246,350	163,722	60.07%
Subsidies & grants	295,768	295,768	38,570	29,740	68,310	227,458	23.10%
Programs and equipment	43,175	43,175	2,503	25,441	27,944	15,231	64.72%
Other	13,700	13,700	-	638	638	13,062	4.66%
Total programs and grants	762,715	762,715	41,073	302,169	343,242	419,473	45.00%
Parks							
Salaries & benefits	1,332,509	1,332,509	9,823	712,838	722,662	609,847	54.23%
Parks maintenance	355,594	355,594	8,889	167,563	176,453	179,141	49.62%
Repairs & maintenance - vehicles & equipment	146,550	146,550	-	59,550	59,550	87,000	40.63%
Pools	31,000	31,000	-	18,858	18,858	12,142	60.83%
Other	36,400	36,400	-	12,061	12,061	24,339	33.13%
Total Parks	1,902,053	1,902,053	18,712	970,870	989,584	912,469	52.03%
Arenas							
Salaries & benefits	487,485	487,485	-	149,019	149,019	338,466	30.57%
Lights, fuel, phone & water	236,550	234,795	-	27,078	27,078	207,717	11.53%
Repairs & maintenance	114,700	114,700	5,730	15,412	21,141	93,559	18.43%
Other	66,000	66,000	175	5,756	5,932	60,068	8.99%
Total Arenas	904,735	902,980	5,905	197,265	203,170	699,810	22.50%
Total Parks and Recreation	3,782,655	3,780,900	65,690	1,553,484	1,619,176	2,161,723	42.83%



City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019

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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Community Sustainability							
Salaries & benefits	224,330	224,330	-	45,140	45,140	179,190	20.12%
Education, communication & community involvement	67,000	67,000	16,492	18,162	34,655	32,345	51.72%
Projects	75,500	75,500	47,908	(17,382)	30,526	44,974	40.43%
Other	12,750	12,750	-	1,200	1,200	11,550	9.41%
Total Community Sustainability	379,580	379,580	64,400	47,120	111,521	268,059	29.38%
Planning							
Salaries & benefits	1,102,977	1,102,977	-	332,831	332,831	770,146	30.18%
Planning services	63,000	63,000	-	5,198	5,197	57,803	8.25%
Board meetings	10,200	10,200	-	3,286	3,286	6,914	32.22%
Professional Development	31,500	31,500	-	10,966	10,966	20,534	34.81%
Office, phones & equipment	21,925	21,925	3,462	4,069	7,531	14,394	34.35%
Design Review Board	15,500	15,500	-	896	896	14,604	5.78%
Other	2,000	2,000	-	1,787	1,787	213	89.35%
Total Planning	1,247,102	1,247,102	3,462	359,033	362,494	884,608	29.07%
Heritage							
Heritage tax program	82,000	82,000	-	51,986	51,986	30,014	63.40%
Heritage grant program	65,000	65,000	-	8,372	8,372	56,628	12.88%
Heritage Area Study	18,000	18,000	-	-	-	18,000	0.00%
Board meetings	8,000	8,000	-	1,343	1,343	6,657	16.79%
Special projects	6,000	6,000	-	717	717	5,283	11.95%
Other	6,500	6,500	-	290	290	6,210	4.46%
Total Heritage	185,500	185,500	-	62,708	62,708	122,792	33.80%
Economic Development							
Business Improvement Area (BIA)	310,199	310,199	207,123	206,234	413,357	(103,158)	133.26%
Investment Program	85,938	85,938	177,873	-	177,873	(91,935)	206.98%
Memberships & Partnerships	216,000	216,000	9,715	140,994	150,709	65,291	69.77%
Stipends to Citizen Representatives	-	-	-	-	-	-	-
Business & Marketing Development	38,500	38,500	7,400	8,483	15,883	22,617	41.25%
Other	5,000	5,000	-	1,020	1,020	3,980	20.40%
Total Economic Development	655,637	655,637	402,111	356,731	758,842	(103,205)	115.74%



City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019

Currency: CAD
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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Tourism							
Annual Events	106,000	106,000	5,710	35,177	40,887	65,113	38.57%
Tourism Initiatives	83,500	83,500	-	45,431	45,431	38,069	54.41%
Memberships & Partnerships	13,700	13,700	-	9,216	9,216	4,484	67.27%
Tourism & Japanese Delegates Visit	10,000	10,000	-	462	462	9,538	4.62%
Office & Computer	2,500	2,500	-	708	708	1,792	28.32%
Professional Development	6,000	6,000	-	866	866	5,134	14.43%
Other	3,500	3,500	-	13,151	13,151	(9,651)	375.74%
Total Tourism	225,200	225,200	5,710	105,011	110,721	114,479	49.17%
Human Resources							
Salaries & benefits	567,300	567,300	-	210,609	210,609	356,691	37.12%
Payroll & employee services	100,300	100,300	-	38,462	38,462	61,838	38.35%
Contract services & employee assistance pro	46,320	46,320	6,918	11,302	18,221	28,099	39.34%
Office, committee & communication	6,500	6,500	425	1,471	1,896	4,604	29.17%
Organizational Development	12,000	12,000	-	6,851	6,851	5,149	57.09%
Professional Development	20,000	20,000	-	11,859	11,859	8,141	59.30%
Total Human Resources	752,420	752,420	7,343	280,554	287,898	464,522	38.26%
Strategic Priorities & Intergovernmental Cooperation							
Meeting expenses	10,000	10,000	-	822	822	9,178	8.22%
Special projects	95,000	95,000	-	-	-	95,000	0.00%
Professional services	50,000	50,000	-	-	-	50,000	0.00%
Other	15,000	15,000	-	-	-	15,000	0.00%
Total Strategic Priorities & Intergovernmental Cooperation	170,000	170,000	-	822	822	169,178	0.48%
Information Technology							
Network software & maintenance agreements	225,000	225,000	17,530	95,184	112,714	112,286	50.10%
Service level agreements	115,000	115,000	42,695	20,862	63,557	51,443	55.27%
Desktop software subscriptions/purchases	52,000	39,060	-	5,126	5,126	33,934	13.12%
Network hardware support & maintenance agre	11,000	59,400	-	55	55	10,945	0.09%
Other	19,000	10,000	108	660	768	9,232	7.68%
Total Information Technology	422,000	448,460	60,333	121,887	182,220	217,840	40.63%



City of Charlottetown
2019/2020 Budget Summary
Current Period: AUG-2019

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Transit

	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Transit contract	770,000	770,000	420,118	410,311	830,429	(60,429)	107.85%
Shelter Maintenance	57,600	57,600	36,254	18,329	54,582	3,018	94.76%
Pat and the Elephant	50,000	50,000	-	12,500	12,500	37,500	25.00%
Other	127,500	127,500	-	928	928	126,572	0.73%
Total Transit	1,005,100	1,005,100	456,372	442,068	898,439	106,661	89.39%

Event Attraction

Event Hosting	266,000	266,000	19,980	97,206	117,186	148,814	44.05%
Special Initiatives	90,000	90,000	-	29,653	29,653	60,347	32.95%
Development & Attraction	50,000	50,000	-	12,218	12,218	37,782	24.44%
Promotions & Materials	23,000	23,000	-	4,432	4,432	18,568	19.27%
Memberships & Partnerships	6,350	6,350	-	2,190	2,190	4,160	34.49%
Professional Development	8,000	8,000	-	965	965	7,035	12.06%
Office & miscellaneous	5,000	5,000	-	1,275	1,275	3,725	25.50%
Total Event Attraction	448,350	448,350	19,980	147,939	167,919	280,431	37.45%

Arts and Culture

Confederation Centre of the Arts	304,503	304,503	131,356	175,257	306,613	(2,110)	100.69%
Grants	81,270	81,270	14,390	9,400	23,790	57,480	29.27%
Cultural Initiatives	40,200	40,200	100	16,286	16,386	23,814	40.76%
Board Expenses	1,000	1,000	-	-	-	1,000	0.00%
Total Arts and Culture	426,973	426,973	145,846	200,943	346,789	80,184	81.22%

Other

Elections	75,000	75,000	-	-	-	75,000	0.00%
Extraordinary Expenditure	1,646,659	1,646,659	-	150,000	150,000	1,496,659	9.11%
Grants	2,457,770	2,457,770	1,314,712	1,054,569	2,369,281	88,489	96.40%
Stipends to Citizen Representatives	30,000	30,000	100	4,500	4,600	25,400	15.33%
Fleet Management	4,000	4,000	-	12,185	12,185	(8,185)	304.63%
Total Other	4,213,429	4,213,429	1,314,812	1,221,254	2,536,066	1,677,363	60.19%



City of Charlottetown
2019/2020 Budget Summary
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	Original Budget	Revised Budget	YTD Encumbrance	YTD Actual	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Water and Sewer							
Salaries & benefits	3,883,848	3,883,848	-	1,525,615	1,525,615	2,358,234	39.28%
Debt charges/New Vehicles & Equipment	4,887,365	4,887,365	6,560	1,172,501	1,179,061	3,708,304	24.12%
Repairs & maintenance - Stations/Infrastruc	1,517,740	1,517,740	592,977	484,875	1,077,852	439,888	71.02%
Repairs & maintenance - Vehicles/Equipment	744,023	744,023	282,616	277,959	560,575	183,448	75.34%
Power	1,169,935	1,169,935	-	397,295	397,295	772,640	33.96%
Office, phones & radios	215,833	215,833	4,539	28,942	33,481	182,352	15.51%
Insurance & property taxes	162,833	162,833	-	37,005	37,005	125,828	22.73%
Committee & meetings	167,180	167,180	-	81,562	81,562	85,618	48.79%
Service contracts & consulting fees	145,506	145,506	16,335	19,612	35,947	109,559	24.70%
Professional Development	113,685	113,685	(2,664)	24,691	22,027	91,658	19.38%
Extraordinary Items	116,841	116,841	-	-	-	116,841	0.00%
Water Conservation	60,000	60,000	12,182	9,749	21,930	38,070	36.55%
Other	145,643	145,643	18,919	15,098	34,017	111,626	23.36%
Total Water and Sewer	13,330,432	13,330,432	931,464	4,074,904	5,006,367	8,324,066	37.56%
Total Expenditure	70,474,742	70,474,742	4,517,999	24,801,873	29,319,873	41,106,470	41.60%
Total Operating Surplus (Deficit) - City, Water & Sewer	20,061	20,061	(4,618,835)	2,927,714	(1,691,122)	2,170,089	



**COUNCIL ADVISORY COMMITTEE
REPORT TO COUNCIL
SEPTEMBER 9, 2019**

The Council Advisory Committee did not meet since the last Council meeting.

- There are no resolutions for Council's consideration.
- 2nd reading to amend the Procedural Bylaw. (Amending Bylaw attached)

Respectfully submitted,

Councillor Terry MacLeod, Chair



**CITY OF CHARLOTTETOWN
PROCEDURAL BYLAW AMENDMENT BYLAW
#2018-19-B**

9-0
(Councillor
Bernard
absent)

Amend the City of Charlottetown Procedural Bylaw, #2018-19, to indicate when a meeting of Council shall end.

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

Moved by Councillor Terry MacLeod Terry MacLeod
Seconded by Councillor Mike Duffy Mike Duffy
Date: August 12, 2019

9-0

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

Moved by Councillor Terry MacLeod Terry MacLeod
Seconded by Councillor Mike Duffy Mike Duffy
Date: August 12, 2019

9-0

THEREFORE; BE IT RESOLVED: THAT the "CITY OF CHARLOTTETOWN PROCEDURAL BYLAW" be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy
Date: September 9, 2019

This Procedural Bylaw Amendment Bylaw, #2018-19-B, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2019.

Peter Kelly, CAO

Philip Brown, Mayor

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Procedural Bylaw
Bylaw # 2018-19-B

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Procedural Bylaw Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Procedural Bylaw to indicate when a meeting of Council shall end.

3. Authority

3.1. Pursuant to Part 5, Section 134 (1) – Revision of Bylaws 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 Procedural Bylaw has the same meaning as in that Act or bylaw.

5. Part V – Requirement for a Meeting of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

5.1. Amend subsection 33.1 to read as “**A meeting of the Council shall stand adjourned at three hours after its commencement** unless otherwise determined by a vote of two-thirds (2/3) of the Members present at the meeting.”

Approval and Adoption

6. Effective Date

6.1. This Procedural Bylaw Amendment Bylaw, #2018-20-B, shall be effective on the date of approval and adoption below.

First Reading:

This Procedural Bylaw Amendment Bylaw, #2018-19-B, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2019.

Second Reading:

This Procedural Bylaw Amendment Bylaw, #2018-19-B, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2019.

Approval and Adoption by Council:

This Procedural Bylaw Amendment Bylaw, #2018-19-B, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2019.

Witness the corporate seal of the City of Charlottetown

Mayor

Chief Administrative Officer

This Procedural Bylaw Amendment Bylaw, #2018-19-B adopted by the Council of the City of Charlottetown on _____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer

Date