

**22 – Resolutions
1 – Bylaw Reading
1 – Notice of Motion**



**CITY OF CHARLOTTETOWN
MONTHLY MEETING OF COUNCIL
TUESDAY, OCTOBER 15, 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 - September 9, 2019
 - Special Meetings - (open minutes) – September 20, 26 & October 1, 2019
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
 - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
 - Monthly Report
 - Twelve (12) Resolutions
 - 6.2 Parks, Recreation & Leisure Activities – Coun. Mitchell Tweel, Chair**
 - Monthly Report
 - No Resolutions
 - 6.3 Protective & Emergency Services – Coun. Bob Doiron, Chair**
 - Monthly Report
 - No Resolutions
 - 2nd reading of the Nuisance Bylaw
 - Amend sections to include “bee”
 - 6.4 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.5 Public Works & Urban Beautification – Coun. Mike Duffy, Chair**
 - Monthly Report
 - Six (6) Resolutions
 - 6.6 Economic Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair**
 - Monthly Report
 - No Resolutions

6.7 Environment & Sustainability – Coun. Terry MacLeod, Chair

- Monthly Report
- No Resolutions

6.8 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

- Monthly Report
- No Resolutions

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

- Monthly Report
- Two (2) Resolutions

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

- Monthly Report
- No Resolutions

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

- Monthly Report
- One (1) Resolution
- Notion of Motion to amend the Procedural Bylaw

6.12 New Business

7. Motion to Adjourn



DRAFT

**Regular Meeting of Council
Monday, September 9, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

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

Also: **Peter Kelly, CAO** **Randy MacDonald, FC**
 Paul Smith, PC **Alex Forbes, PM**
 Frank Quinn, PRM **Richard MacEwen, UM**
 Paul Johnston, IAMM **Mark Lanigan, FM**
 Bethany Kauzlarick, HRM **Ramona Doyle, SM**
 Ronnie McPhee, CLO **Alicia Packwood, CA**
 Steven Forbes, CS **John Mooy, AHRM**
 Tracey McLean, RMC

Regrets: **Councillor Terry MacLeod** **Scott Adams, PWM**
 Wayne Long, EDO **Ron Atkinson, EconDO**
 Laurel Lea, TO

The Mayor acknowledged and extended appreciation to the City of Charlottetown Emergency Measures team for their efforts leading up to, during and following Hurricane Dorian.

- 1. Call to Order**
Mayor Brown called the meeting to order.
- 2. Declarations of Conflict of Interest**
Deputy Mayor Coady indicated that he is in conflict with the Planning resolution relating to the reconsideration of a decision of Council to rezone a vacant property located on the corner of Royalty Road and Upton Road.
- 3. Approval of Agenda**
It was requested that the Parks & Rec Committee report be moved to the beginning of the agenda. Moved by Councillor Tweel and seconded by Councillor Bernard that the agenda be amended. Carried.
- 4. Adoption of Previous Draft Minutes**
Moved by Councillor Ramsay and seconded by Councillor Jankov that the draft minutes of the previous open meetings now be adopted. Carried.
 - 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

No business arose.

6. REPORTS OF COMMITTEES / RESOLUTIONS

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

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for September is Mike Bishop.

In response to a question raised, Councillor Tweel confirmed that the Floating Dock at Victoria Park did not sustain any damage as a result of Hurricane Dorian.

**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 be expensed from the 2019 Parks and Recreation Capital Budget,

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

CARRIED 9-0

6.2 Planning & Heritage – Coun. Greg Rivard, Chair

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

**Moved by Councillor Greg Rivard
Seconded by 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 rejected.

DEFEATED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe & Tweel in favour

Another motion was presented to approve the application.

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

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.

CARRIED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe & Tweel opposed

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

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.

CARRIED 8-1

Councillor McCabe opposed

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

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.

CARRIED 9-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

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.

CARRIED 9-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

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.

CARRIED 9-0

Deputy Mayor Coady left the Chambers during the following motion as he was in conflict.

Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe

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.

CARRIED 8-0

Deputy Mayor Coady returned to the Chambers.

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

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 that 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.

CARRIED 8-1
Councillor Tweel opposed

2nd 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 said Bylaw be read a second time, be approved and adopted.

CARRIED 9-0

2nd 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 said Bylaw be read a second time, be approved and adopted.

CARRIED 6-3
Deputy Mayor Coady, Councillors Doiron & Tweel opposed

1st reading of the Zoning & Development Bylaw - to adopt Bylaw PH-ZD.2-019, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential (R-2) Zone to Medium Density (R-3) Zone.

Moved by Councillor Greg Rivard
Seconded by Councillor Alanna Jankov

RESOLVED:

That the Bylaw to amend the City of Charlottetown Zoning and Development Bylaw,

(PH-ZD.2-019) as it pertains to 38 Palmers Lane (PID# 275156) be read a first time.

CARRIED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe and Tweel opposed

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

RESOLVED:

That the Zoning & Development Amendment Bylaw (PH-ZD.2-019), be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe and Tweel opposed

Councillor Tweel left the meeting at 5:50 PM.

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

Councillor McCabe indicated her Committee's report was included in the weekend package. She acknowledged and thanked the Communications Department for their hard work to keep residents informed during Hurricane Dorian; she welcomed John Mooy to the meeting and indicated he will be filling in for the City's Human Resources Manager during her upcoming maternity leave.

**Moved by Councillor Alanna Jankov
Seconded by Councillor Julie McCabe**

RESOLVED:

That City Council adopts the Travel and Meal Reimbursement Policy (C-HR-11), as per the attached, effective September 9, 2019.

CARRIED 8-0

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

Councillor Doiron indicated his Committee's report was included in the weekend package. He thanked City staff and departments for their efforts during Hurricane Dorian.

1ST reading of the Nuisance Bylaw - 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.

Clarification was requested with respect to the amendment. Councillor Doiron indicated that some residents raised concerns to the Committee regarding bee keeping/farming within the city and the potential of health risks (i.e. allergic reaction).

**Moved by Councillor Bob Doiron
Seconded by Councillor Greg Rivard**

RESOLVED:

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

CARRIED 8-0

**Moved by Councillor Bob Doiron
Seconded by Councillor Greg Rivard**

RESOLVED:

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

CARRIED 8-0

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

Deputy Mayor Coady indicated his Committee's report was included in the weekend package. He also thanked the Utility staff for their efforts during Hurricane Dorian.

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

CARRIED 8-0

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

CARRIED 8-0

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

Councillor Duffy indicated his Committee's report was included in the weekend package. He reported that clean-up and restoration efforts due to Hurricane Dorian are continuing and additional crews have been called in to assist. He further reported that the City is working with IWMC and an update on residential pick-up of tree branches and debris will be provided on Tuesday, September 10th.

Questions and concerns were raised again related to the City's Procurement Policy (re: paving tenders) as per attached Appendix "A". Councillor Duffy stated that the allegation made whereby \$1 million was spent without Council's approval is erroneous. He indicated that City Council approved this expenditure by resolution at the Budget meeting held March 21, 2018 which provided the Public Works Committee the ability to spend \$2 million on paving and, at that time, it gave permission to spend exactly \$3 million on roads.

**Moved by Councillor Alanna Jankov
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.

CARRIED 8-0

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

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

6.8 Environment & Sustainability – Coun. Terry MacLeod, Chair

Councillor Bernard, on behalf of Councillor MacLeod, indicated the Committee's report was included in the weekend package. He reported that T3 Transit broke a record for daily ridership on September 4, 2019 – 3,400 passengers used the service on that day; previous record was 2,850 in November 2018. The City of Charlottetown is partnering with the Arbor Day Foundation and TD on a family friendly event to celebrate the "wild things" (plants, trees and animals); Where the Wild Things Are in the City takes place on Saturday, September 28th at the J. Frank MacAulay Park.

6.9 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

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

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

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

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

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

2nd 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 Alanna Jankov
Seconded by Deputy Mayor Jason Coady**

RESOLVED:

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

CARRIED 8-0

6.12 New Business

There was no new business.

7. Adjournment

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

The meeting concluded at 7:10 PM

Sept 9, 2019
Council Meeting?

APPENDIX 'A'

City Policy states

The MGA requires the City to establish approval process and clearly defines signing authority for the City.

The City's procurement policy requires purchases over \$25,000 must be tendered and tenders must be awarded by resolution of Council.

For example.

Last year, the boardwalk by friendly pharmacy needed additional work – more work than was noted in the approved tender and therefore more money was needed. Originally, the Capital budget for the boardwalk work was set and the tender came in below budget. The additional costs were still below the original capital budget but above the tender approved by Council. Staff went back to council and put forth a recommendation to approve the additional work and money to get the extra work. Council passed a resolution and approved the extra work and money. This project had money in the original budget so no increase in the original capital budget but council needed to approve the extra work and related cost because the total amount over the original tender.

As a second example.

Council approved the tender award for a new fire truck. The tender documentation allowed the city to acquire a second fire truck at the same cost. A resolution was put forward to Council to approve the purchase of a new fire truck. This new fire truck also required approval of additional capital funds. So staff correctly obtained council approval for the purchase of a second fire truck and the funds to acquire it. All in accordance with City policy for purchasing and capital funding.

Unauthorized Extra Paving Costs

For many years the City has issued tenders for Packages A and Package B for road resurfacing work in accordance with its Procurement Policy. Last year was no different. Tenders were issued and **awarded by resolution of Council**. Council's authority to spend this money is based on the approved capital budget.

The 2018/19 Capital budget was passed by City Council in which the City planned to spend up to \$3 million dollars on road resurfacing.



This budget amount provides **Council and only Council** with the authority to spend **up to \$3 million** on road resurfacing. The City has a procurement policy which requires a competitive tendering process for any work over \$25,000.

The Tender for package A went out and the work was approved by Council. Council passed a resolution giving the Mayor and CAO authority to enter into the Contract for the approved list of streets to be paved and the amount of money to be spent. The amount of money to be spent was only the amount awarded in the tender.

Council approved a specific list of streets to be resurfaced. This awarded contract stated the City had the right to add or remove streets. Let's be clear. **It's the City that has the authority to increase spending on this tender for road resurfacing.** Per City policy a resolution of Council is needed to spend more than what was approved in the original tender awarded by Council. Proper City approval processes are demonstrated by the approval of the additional Boardwalk work and the second fire truck.

The current chair of the Finance Audit and Tendering Committee and was the Chair of the Public Works committee when the almost additional \$1 million dollars was spent. Councillors Bernard and Macleod and former Councillor Hilton were the members of the Public Works Committee at the time and all were well aware of the requirements to tender work and/or have Council approve any additional spending on a previously approved tender award. The requirement for Council to approve any additional award of work to contractors is standard City policy. In fact, the Chair of the Public Works Committee at the time was also a member of the Finance Committee and the Chair of the Finance Committee was also a member of the Public Works Committee at the time the extra \$1m in paving was approved by the Public Works Committee as stated by Councillor Bernard in his comments to the Guardian.

As Councillor Bernard stated in the Guardian Article, the Public works Committee approved the extra paving. They added upwards of 12 streets to be resurfaced. The majority of the extra paving was for MacAleer Drive, Brackley Point Road and Sherwood Road. These streets were significant in length and that is why there was an extra \$1 million dollar cost to the City which resulted in **almost doubling** the cost of Package A and the amount approved by Council for Package A Street Resurfacing. To suggest that the extra streets were added to use the tonnage is inaccurate at best.

Councillor Bernard states that Public Works Committee agreed to add the extra streets. The problem is Public Works doesn't have the authority to add these streets. Only Council can approve additional work and Council certainly did not approve this extra \$1million in paving. Council approved a list of streets to be resurfaced and MacAleer Drive, Brackley Point Road and Sherwood Road were not reviewed by Council and

certainly were not approved by Council. In fact, Council was not made aware of this extra work. These extra streets just so happen to surround the Property acquired by the Chapman Brothers for the new proposed asphalt plant.

As stated by Mr. Bernard, the Public Works Committee members approved this work. These Councillors knowingly acted outside of their authority to approve additional work. They directed staff to do work not approved by Council and they failed to bring it forward to Council for discussion and consideration.

I find that very concerning since Councillor Bernard is the one who Chairs the Finance Audit and Tendering Committee and was also the Chair of the Public Works committee. Councillor MacLeod has been on Council for many years and is well aware of the procurement and approval policies.

Only Council could authorize this additional paving and almost \$1 million in additional spending. Mr. Bernard and the other Public Works Committee members had been on Council a long time so they knew that only Council could approve additional capital work and they knew they had no authority to direct staff to have this work done. In fact the MGA strictly forbids Councillors from directing staff.

Let's be clear road resurfacing had available capital budget room but any money to be spent from that capital budget has to have council approval. That's where Bernard is dead wrong and he knows it.

Councillors Bernard and MacLeod knew that the Public Works Committee had no authority to approve the work yet this committee approved it anyway. This extra work **did not** go through the Finance Audit and Tendering Committee which is also standard City practice. This is confusing since the Chair of the Finance Audit and Tendering Committee was also a member of the Public Works Committee at the time and Councillor Bernard who chaired the Public Works Committee was also a member of the Finance Audit and Tendering Committee. Yet another step to avoid Council.

What is also very concerning is the City CAO knew there was no Council authority in place and yet he approved the payments even though it was brought to his attention. The MGA assigns responsibility to the CAO to ensure compliance with city policy and legislation including the MGA and to ensure expenditures are properly approved. Council relies on the CAO to ensure compliance with laws and policies and to bring issues of noncompliance forward.

The CAO did not bring this major breach of City Policy and the MGA to Council but instead approved the extra payments which was clearly outside his authority and a major breach of Council's trust as he is charged with and relied upon to ensure City policies and the Municipal Government Act are complied with. There has been a clear breach of the responsibilities of the CAO.

The Municipal Government Act states that Council

“shall ensure that the powers of the municipality are appropriately exercised and its duties and functions are appropriately carried out.”

Council is responsible to ensure City Policies are followed and Provincial law is not broken. There have been clear violations of City Policy and practices and the Municipal Government Act which is Provincial legislation. I've previously called for a review of City Hall when in late January a long list of serious breaches of city policy which included this paving issue were brought to the attention of Council. On February 5, 2019, Council, via resolution, dismissed these issues. There were seven members of Council who would not support investigating the identified issues which included paving and now we find out this paving issue cost the City almost \$1 million dollars.

It is no wonder why Councillors Bernard and MacLeod would not support an independent review of City Hall because they were the ones that decided what extra paving work was to be done, directed staff to do it, and approved the extra \$1 million in paving. All actions outside their authority!

Councillor MacLeod Question

My question for Councillor MacLeod is why did he not bring this breach of City Policy forward to the rest of Council?

Councillor Bernard Questions

My Question for Councillor Bernard is why did he not bring it forward to the Finance Audit and Tendering Committee and then to Council for consideration and seek the required approval? Second question for Councillor Bernard why was the extra paving the roads surrounding the new proposed site of the Asphalt plant? I think this hard to believe that these streets just happen to be the worse streets in need of resurfacing in the City of Charlottetown.

CAO Questions

My first question for the CAO, is why didn't you bring this to Council since its clearly your job to do so? Second question for the CAO, is you had no authority to approve these expenditures yet you did so even though staff brought this to your attention and you had numerous opportunities to inform Council yet you chose to approve the expenditures and hide it from Council – why?

Questions for Council

Where is the accountability at City Hall?

Who is ensuring city policies and Provincial law is followed. Who is insuring Council is adequately informed? Certainly not the CAO or the Councillors who added the extra streets and spent almost \$1 million dollars on their own!

I've tried repeatedly to bring these issues forward in the interests of residents but I've been blocked every time and that is why I've taken these issues to the Premier and the Minister responsible for Communities.



DRAFT

**Special Meeting of Council
Friday, September 20, 2019 at 12:00 NOON
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 MacLeod (arr. 12:11pm)
Councillor Julie McCabe Councillor Bob Doiron (arr. 12:18 pm)
Councillor Mitchell Tweel

Also: Peter Kelly, CAO Paul Johnston, IAMM
Jen Gavin, CO John Mooy, AHRM
Tracey McLean, RMC

Regrets: Councillor Terry Bernard

- 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 Ramsay and seconded by Councillor Tweel that the agenda be approved as presented. Carried.

- 4. Tender Award**

Moved by Councillor Mike Duffy
Seconded by Councillor Alanna Jankov

RESOLVED:
That, as per the conditions of the public tender for "Two (2) 3 Ton Dump/Plough Trucks" the submission of Universal Truck & Trailer, guaranteeing delivery of the trucks within 80 days of award, in the amount of \$284,050.00 (all taxes included) be accepted.

CARRIED 7-0

- 5. Motion to move into a Closed Session of Council**
Moved by Councillor Duffy 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. Business Arising from the Closed Session**
No business arose from the Closed session.

7. Adjournment

Moved by Councillor Ramsay and seconded by Councillor Tweel to adjourn the meeting.
Carried.

The meeting adjourned at 1:15 PM.

DRAFT



DRAFT

**Special Meeting of Council
Thursday, September 26, 2019 at 4:00 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 Terry Bernard **Councillor Terry MacLeod**
 Councillor Julie McCabe **Councillor Bob Doiron (arr. 4:10 pm)**
 Councillor Mitchell Tweel

Also: **Peter Kelly, CAO** **Frank Quinn, PRM**
 Ramona Doyle, SM **Scott Adams, PWM**
 Ronnie McPhee, CLO **Tracey McLean, RMC**

Regrets: **Councillor Kevin Ramsay**

- 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 MacLeod and seconded by Councillor Jankov that the agenda be approved as presented. Carried.
- 4. Discussion Items**

a) Sidewalk Tender Awards

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for "Belvedere Avenue Sidewalk and Curb Replacement", the low submission of Earthform Corporation in the amount of \$166,635.00 (all taxes included) be accepted,

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

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

CARRIED 8-0

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for "Kensington Rd. Sidewalk Extension", the low submission of Curran & Briggs Ltd. in the amount of \$185,220.15 (all taxes included) be accepted,

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

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

Clarification was requested with respect to the bid amount. The Public Works Manager indicated that the original design depicted a retaining wall but after revisions to the plan, the retaining wall was not required; therefore, the cost of the project was reduced.

CARRIED 9-0

b) 2019 Boardwalk Replacement RFP Award

Moved by Councillor Mitchell Tweel
Seconded by Councillor Terry Bernard

RESOLVED:

That, per the recently advertised Request for Proposals for the "2019 Boardwalk Replacement - Irish Monument to Paoli's Wharf" project, the City accepts the low bid from Earthform Corporation in the amount of \$118,565.00 (HST included),

And the amount from Chandler Architecture and Island Surveying & Engineering Ltd. totalling \$3,900 (HST included) for the professional fees be accepted,

And that these amounts 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

c) Municipal Strategic Component (MSC) Application (Multi-Use Pathway Ext.)

Moved by Councillor Terry MacLeod
Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown submit an application to the Municipal Strategic Component (MSC) of the Gas Tax Fund for the Bypass Highway Multi-use Path Extension project,

And that, if the application to MSC is successful, the 2019-2020 Capital Budget Allocation for the Fitzroy Street Bike Lane Project in the amount of \$544,000 be reallocated towards the Bypass Highway Multi-use Path Extension,

And further that future allocations in the Capital Budget be committed to support the completion of this project if the application to MSC is successful.

A question was raised as to why this matter did not come through the Public Works Committee for review and recommendation to Council. It was noted that this project has been the responsibility of the Environment & Sustainability Committee for some time.

In response to a question raised with respect to the pathway's location, the Sustainability Manager indicated that it will be an addition to the multi-purpose path that currently runs along Riverside Drive ending at Murchison Lane; the extension will be on the Queen Elizabeth Hospital side of Riverside and run up to the new roundabout on St. Peters Road.

Significant discussion was had on other potential pathway projects throughout the city. The Mayor stressed that this particular project will provide much needed safety and security for pedestrians, cyclists and other users.

**CARRIED 8-1
Councillor Doiron opposed**

In response to a question concerning public notice of second reading, it was indicated that meeting agendas are posted online and in the foyer of City Hall at least 24 hours in advance of any meeting as per the MGA.

d) 2nd reading of the Zoning & Development Bylaw - to adopt Bylaw PH-ZD.2-019, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential (R-2) Zone to Medium Density (R-3) Zone.

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

RESOLVED:

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

**CARRIED 5-4
Deputy Mayor Coady, Councillors Doiron, McCabe and Tweel opposed**

5. Motion to move into a Closed Session of Council

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

The meeting adjourned at 7:00 PM.



DRAFT

**Special Meeting of Council
Tuesday, October 1, 2019 at 4:30 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 Terry Bernard **Councillor Terry MacLeod**
 Councillor Julie McCabe **Councillor Bob Doiron**
 Councillor Mitchell Tweel **Councillor Kevin Ramsay**

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

- 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 Tweel and seconded by Councillor Duffy that the agenda be approved as presented. Carried.
- 4. Motion to move into a Closed Session of Council**
Moved by Councillor Ramsay and seconded by Councillor MacLeod 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 a Multi-Use Facility Funding Model Consulting proposal, the following motion was brought forward for Council's consideration:

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

RESOLVED:

That Council award as per recommendation of the September 12, 2019 Staff report choosing the best ranked proposal of Sierra Planning and Management to conduct a comprehensive exploration, identification and evaluation of capital funding models.

Carried 6-4
Deputy Mayor Coady, Councillors Doiron, McCabe and Tweel opposed

6. Motion to move back into a Closed Session of Council

Moved by Councillor Duffy 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.

7. Adjournment

There being no further business, moved by Councillor Rivard and seconded by Councillor Duffy to adjourn the meeting. Carried.

The meeting adjourned at 6:45 PM.

DRAFT



**PLANNING AND HERITAGE COMMITTEE
REPORT TO COUNCIL
October 15, 2019**

The Planning & Heritage Committee met on Monday, October 07, 2019; copies of the Planning & Heritage Committee Report and the minutes are included in your package.

The Planning Board met on Monday, October 07, 2019; copies of the Planning Board Reports and the minutes are included in your package.

The Heritage Board met on Monday, September 30, 2019; copies of the Heritage Board Report and the minutes are included in your package.

The Design Review met on Monday, September 23, 2019 and Thursday, October 10, 2019; copies of the Design Review Board Report and the minutes are included in your package.

There are twelve (12) resolutions to be put forward for Planning:

Planning & Heritage:

1. Provisions to appoint Ellen Faye Catane, Intake Officer/Administrative Assistant, as registrar for Secondary & Garden Suite Registry and Robert Stavert, Technical Assistant, as the delegate.

Planning:

1. 68 Brackley Point Road (PID #396713): Rezone the subject property from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone in order to construct two (2) townhouse dwellings containing a total of 14-units.
2. 17 Tamarac Avenue (PID #392878): Variance to operate a dog grooming business as a home occupation.
3. 33 Bolger Drive (PID #492579): Variance to decrease the minimum lot area requirement for a garden suite from 0.50 acres to approximately 0.34 acres.
4. 50 King Street (PID #335687): Variance to increase the maximum building height requirement for the existing single-detached dwelling from 39.4 ft to approximately 48.83 ft.
5. 60-66 Dorchester Street Street (PID #336826 & #336818): Variance to decrease the minimum side yard setback for a 4 unit town house in the DN Zone from 6 ft. to approximately 0 ft.
6. 21 Greenfield Ave (PID 352955): Variance to reduce the interior side yard setback from 1.83m (6ft) to 1.2m (4ft) in order to construct an addition to the rear portion of the existing single detached dwelling.
7. 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966): Lot consolidation of four properties in the DMUN Zone; variances to reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4 ft to approximately 80.1 ft; and reduce the minimum side yard setback for the fifth storey from 18.0 ft to approximately 13.0 ft away from Queen Street properties.
8. 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982): Consolidate two properties in the Downtown Main Street (DMS) Zone.
9. 165 John Yeo Drive (PID #1102102) & 185 John Yeo Drive (PID #1078179): Consolidate two properties on John Yeo Drive in the Light Industrial (M-1) Zone.
10. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.2): Proposed amendments to the current Zoning & Development Bylaw.
11. Reconsideration for 13 Donwood Drive (PID #278531): Request to reconsider the request for home occupation (i.e. counselling/therapy service).

Council Package
October 15, 2019
Page 2 of 2

Reading Papers:

First Readings:
None.

Second Reading:
None.

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

Respectfully submitted,

Councillor Greg Rivard, *Chair*

**PLANNING AND HERITAGE COMMITTEE – COMMITTEE MINUTES
MONDAY, OCTOBER 07, 2019, 6:30 P.M.
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL**

Present: Mayor Philip Brown
Deputy Mayor Jason Coady, Vice-Chair
Councillor Bob Doiron

Councillor Julie McCabe
Alex Forbes, PHM
Ellen Faye Catane, PH IO/AA

Regrets: Councillor Greg Rivard, Chair

1. Call to Order

Deputy Mayor Coady called the meeting to order at 6:29 p.m.

2. Declaration of Conflicts

Deputy Mayor Coady asked if there are any conflicts and there being none, moved to the approval of the agenda.

3. Approval of Agenda

Moved by Mayor Philip Brown and seconded by Councillor Julie McCabe, that the agenda for Monday, October 07, 2019, be approved.

CARRIED

4. Adoption of Minutes

Moved by Mayor Philip Brown and seconded by Councillor Julie McCabe, that the minutes of the meeting on Tuesday, August 06, 2019, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. Direction on permanent swimming pool covers versus fence

Alex Forbes, PHM, gave an overview of a proposal from a resident with regards to the use of swimming pool covers instead of placing a fence around the pool. The current bylaw requires that a fence be erected around permanent swimming pools.

The committee directed staff to review the various regulations across the country dealing with these types of pool covers and provide a report back to the committee with recommendations.

7. New Business

As a result of a discussion from Planning Board to revisit the Bylaw regulating garden suites, Councillor Julie McCabe recommended that the bylaw on allowing garden suites be revisited to allow garden suites on properties that are 0.34 acres or larger.

Mayor Philip Brown also followed up if grants were provided to the property owners at 15 Hillsborough Street. Mr. Forbes and the rest of the committee acknowledged and recognized the work done by Mr. Coles in restoring the property and Mr. Forbes also mentioned that the owner may have been in touch with Todd Saunders, Heritage Officer, for possible Heritage Grant application.

Subsequent to the meeting, the committee is being requested to pass a resolution to appoint Ellen Faye Catane and Robert Stavert as the registrar and designate for the secondary and garden suite registry respectively. Our Secondary & Garden Suite Registry Bylaw indicates that Council will appoint a register. Committee members are not opposed to this request.

8. Adjournment

Moved by Councillor Julie McCabe and seconded by Councillor Bob Doiron, that the meeting be adjourned. The meeting was adjourned at 6:37 p.m.

Deputy Mayor Jason Coady, Vice-chair

Forbes, Alex

From: Kate Ellis Ghiz <kateellisghiz@gmail.com>
Sent: Monday, September 02, 2019 6:12 PM
To: Rivard, Greg
Cc: Forbes, Alex; Duffy, Mike; Mayor of Charlottetown (Philip Brown)
Subject: By-law
Attachments: Swimming pools, hot tubs and spas.pdf

Councillor Rivard and planning committee,

I am currently building a house on Queen Elizabeth Drive and am planning on putting in a pool. I am contacting the Charlottetown planning committee in hopes that a current by-law can be reviewed given the development of new technology.

Still keeping safety at the forefront, I would like to avoid placing a fence around the pool. There is a newer product - an automatic swimming pool safety cover - which prohibits unauthorized access to your swimming pool and has a secure locking mechanism.

I have contacted my insurance provider who is supportive of the cover as the sole safety device.

I have also attached Alberta's by-laws as they have updated them to allow for the safety cover in lieu on a fence.

I appreciated you reviewing this matter and would be happy to meet with the committee to discuss this issue further.

Respectfully, Kate Ellis Ghiz

Private Swimming Pools, Hot Tubs and Spas



Alberta's Safety System

Alberta Municipal Affairs works in partnership with the Safety Codes Council, municipalities, corporations, agencies, and other organizations, to deliver effective community-focused public safety programs and services to Albertans.

Although the use of swimming pools is a wonderful way to enjoy the summer, caution needs to be exercised to prevent unnecessary accidents.

The 2014 Alberta Building Code has specific safety requirements governing swimming pools and the placement of pools to protect you and neighboring children who may be tempted to use your pool without your knowledge.

Swimming pool design

Swimming pools can be above ground, below ground or special purpose types such as a Whirlpool (Hot Tub) or a swim spa.

NOTE: Under the Alberta Building Code, **swimming pool** means a structure, basin or tank containing an artificially created pool of water that is used for swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals or other purposes, and includes all buildings, equipment and facilities used in connection with it.

Importance of permits

The *Safety Codes Act* requires that permits in Alberta be obtained prior to commencing work on any buildings covered by the Alberta Building and Fire Codes, the Canadian Electrical Code, the Gas Code, or the National Plumbing Code.

Permits are part of a process to access compliance to a minimum standard of construction safety for the benefit of all Albertans. If construction projects are undertaken without required permits, the owner may be subject to penalties and extra costs incurred to bring a project into compliance.

As the property owner, you are responsible to obtain all necessary permits. A contractor can look after this on your behalf; however, you should specify in writing, who will get the required permits. Some jurisdictions may require a letter of authorization before a contractor can apply for permit(s) on your behalf.

Private swimming pools

Private swimming pool means a *swimming pool* that is constructed for the use of a single family *dwelling unit* or a house with a *secondary suite* by the *owners* and their guest.

NOTE: These requirements are applicable even if the private swimming pool is designed for use as an above ground swimming pool.

The **Alberta Building Code** states the following for fence and gate design and construction of private swimming pools and for their required protection:

Fence and gate design

- 1) The entire area of an outdoor swimming pool shall be protected by a fence, building wall or enclosure that can prevent access by unauthorized persons. Its height above the outside ground level shall not be less than 1.8 m (6'-0") for a private swimming pool.
- 2) An opening for access through a fence around a private swimming pool shall be protected by a gate that is;
 - the same height as the fence;
 - equipped with a self-closing device;
 - equipped with a self-latching device on the inside of the gate located not less than 1.5m (5'-0") above the ground level; and
 - capable of being locked.
- 3) The fence and gate around a swimming pool or a private swimming pool shall be constructed so that all horizontal and diagonal members are located on the swimming pool side. The space between fencing members is limited to 100 mm (or 4").

Benefits of getting a permit

When you get a permit, certified safety codes officers (inspectors) will:

- give you expert advice,
- review your plans to find any potential problems,
- inspect your project, and
- make sure your project meets the Alberta Building Code.

Making changes at the planning stage can save you money, rather than making costly corrections after construction. Certified safety codes officers will give you an inspection report(s) and follow-up on deficiencies to make sure your project is safe and in compliance.

Where do you get a permit?

Permits are available through municipalities that administer the *Safety Codes Act* and through agencies that provide inspection services on behalf of municipalities or the province. If you don't know whether your municipality issues permits, contact the Alberta Safety Codes Authority (ASCA) at 1-888-413-0099 or visit safetycodes.ab.ca/ASCA.

Private Swimming Pools, Hot Tubs and Spas

- 4) Barbed wire shall not be used on or for a fence or gate around a swimming pool or private swimming pool.
- 5) No device shall be installed on or adjacent to a fence or gate around a swimming pool or a private swimming pool that could cause an electric current to pass through the fence or gate.

NOTE: A fence is not required around any portion of an outdoor private swimming pool where the top of the outside wall of the private swimming pool is not less than 1.8 m (6'-0") above the surrounding ground level, and the only means of access to the private swimming pool is through a gate or similar facility.

Protective covers

As an alternative to installing a fence and gate to prevent unauthorized access to your swimming pool, the Alberta Building Code permits the use of protective covers that:

- a) have been designed and constructed in conformance with ASTM F1346, *Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs* (Ask the pool company to provide you with documentation to ensure the covers are compliant); and
- b) are provided with lockable devices to prevent access to the water by unauthorized persons.

Applying for a building permit

When applying for a building permit, you must submit the following information to your local authority:

- details of the project or occupancy to be covered by the permit.
- details of the land on which the project will be located, including a description that will easily identify and locate the building lot.
- plans, specifications and other documents showing, in detail, the proposed occupancy of all parts of the building, state the value of the proposed project.
- state the names, addresses and phone numbers of the project owner, designer and contractor.

Hire qualified tradespeople

Specific trades such as electricians, plumbers and gasfitters must be certified to work in Alberta. To find out if the tradespeople you are hiring need to be certified in Alberta or to verify an individual's status, you may contact *The Apprenticeship and Industry Training* office by calling 310-0000.

Private Swimming Pools, Hot Tubs and Spas



Do you need a permit?

Yes, you will need to obtain a building permit before installing a private swimming pool, hot tub or spa. Check with your municipality to find out what permits you need or contact Municipal Affairs to find the permit provider in your area. Make sure you get your permit(s) before starting your project.

IMPORTANT: Check with your municipality on the zoning and development bylaws in your area. Some restrictions may apply.

Gas permits are required to install or modify all gas-fired swimming pool heaters.

Gas-fired swimming pool heaters must be installed and maintained in accordance with manufacture's certified instructions, and the current **Natural Gas and Propane Installation Code**.

Electrical Permits are required for electrical work on any private pool, hot tub or spa installations.

When constructing in, or around pools, the Canadian electrical code must be followed to ensure proper grounding, bonding, and GFCI requirements are met. For outdoor pools located near overhead power lines, there may be additional rules and regulations to ensure safety. Outdoor installations must also satisfy minimum clearance requirements to all over-head and under-ground power lines.

These brochures may be updated periodically. They have no legal status and cannot be used as an official interpretation of the various bylaws, codes and regulations currently in effect.

More information:

Alberta Municipal Affairs
Community & Technical Support
16th Floor, Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4L4

Toll-free: 1-866-421-6929
 safety.services@gov.ab.ca
 municipalaffairs.gov.ab.ca

Safety Codes Council
Suite 500
10405 Jasper Avenue
Edmonton, Alberta T5J 3N4

Toll-free within Alberta:
1-888-413-0099
1-888-424-5134
 webmaster@safetycodes.ab.ca
 safetycodes.ab.ca

Alberta Safety Codes Authority (ASCA)

Toll-free within Alberta:
1-888-413-0099
 askasca@safetycodes.ab.ca

Call (or click) before you dig!

Alberta One Call will locate utility lines on your property. Call or click before you start any project that involves digging in your yard. Alberta One Call will locate gas, water, electricity, drainage, telephone and cable TV lines. Allow at least two full working days for Alberta One Call to locate your utility lines.

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES
MONDAY, OCTOBER 07, 2019, 4:30 P.M.
PARKDALE ROOM, 2nd FLOOR, CITY HALL**

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

Rosemary Herbert, RM
Shallyn Murray, RM
Alex Forbes, PHM
Laurel Palmer Thompson, PII
Greg Morrison, PII
Robert Zilke, PII
Ellen Faye Catane, PH IA/AA

Regrets: Councillor Greg Rivard, Chair
Basil Hambly, RM

1. Call to Order

Deputy Mayor Coady called the meeting to order at 4:34 pm.

2. Declaration of Conflicts

Deputy Mayor Coady asked if there are any conflicts. Councillor Bob Doiron declared conflict for item 3 (17 Tamarac Avenue) and Shallyn Murray, RM, declared conflict for item 6 (60-66 Dorchester Street), item 8 (91 King Street, 93 King Street, 94-96 Dorchester Street and 100-102 Dorchester Street) and item 9 (58-64 Queen Street).

3. Approval of Agenda

Moved by Councillor Bob Doiron and seconded by Shallyn Murray, RM, that the agenda for Monday, October 07, 2019, with item 2 (9 Pine Drive) being requested to be deferred and taken out of the agenda for tonight's meeting, be approved.

CARRIED

4. Adoption of Minutes

Moved by Shallyn Murray, RM, and seconded by Bobby Kenny, RM, that the minutes of the meeting held on Tuesday, September 03, 2019, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. 68 Brackley Point Road (PID #396713)

This is a request to rezone the vacant property from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone in order to construct two (2) townhouse dwellings containing a total of 14 residential dwelling units. One of the townhouses would contain six (6) residential dwelling units while the other would contain eight (8) residential dwelling units. Greg Morrison, Planner II, presented the application. See attached report.

The subject property is located along Brackley Point Road between Duncan Heights and Coles Drive which would be considered a minor arterial street in the City. The section of the subject property is zoned R-1L and contains either one or two unit dwelling units. The applicants submitted a rezoning application on January 14, 2019 from R-1L to R-3 for a 48-unit apartment building on the vacant property. The application was presented to Planning Board which the board recommended to Council that it be rejected to proceed to public consultation. Following the board meeting, the applicant requested to withdraw the application.

The applicant indicated in their application that there is very little vacant land available in the City and this development would allow for housing densification and an opportunity to fill the gap of the streetscape and support the need for housing. This new application significantly reduced the number of units from a 48-unit apartment building to 14 townhouse units. This application meets the requirements of the Bylaw but should this rezoning be approved, the applicant has to develop their plans further to include mobility parking spaces, landscaping requirements and driveway access. At this time, staff is still waiting for comments from Fire and Police in terms of the site distances but there were previous records back in 2008 for this property where there were concerns on the site distance from the South (coming from Ellis Brothers Mall) to the property.

Bobby Kenny, RM, clarified if it would be a show stopper if the development does not meet site line requirements. Mr. Morrison confirmed that the application meets the current bylaw requirements but should there be site line or concerns from Fire or Police in terms of the access, then that would be more of a concern.

Councillor Julie McCabe mentioned that the property has been evaluated for site lines in the past and inquired as to what were the concerns in relation to this property. Mr. Morrison responded that there was a file in 2008 and they did indicate that there were concerns but it didn't provide sufficient details as to how it would pertain to the specific development. Standards may have changed since then, therefore this has to be re-evaluated.

Mayor Philip Brown clarified that there was application for 88 Brackley Point Road was presented to the Board months ago for an apartment dwelling and townhouse dwellings and the some residents indicated that the concern was more on the high density apartment building and Mr. Morrison confirmed.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Bobby Kenny, RM, and seconded by Kris Fournier, RM, that the request to:

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

for property located at 68 Brackley Point Road (PID #396713), in order to construct two (2) townhouse dwellings containing a total of 14-units, be recommended to Council for approval to proceed to public consultation.

**CARRIED
(7-1)**

Councillor McCabe opposed

7. 9 Pine Drive (PID #393322)

This application has been requested to be deferred and will not be discussed in tonight's Planning Board meeting.

8. 17 Tamarac Avenue (PID #392878)

Councillor Bob Doiron declared conflict and has stepped out of the room for this application.

This is a request to operate a dog grooming business as a home occupation at 17 Tamarac Avenue (PID #392878). Greg Morrison, Planner II, presented the application. See attached report.

The applicants intend to operate throughout the week from Monday to Friday, 9:00a.m.to 5:00p.m. with four to five (4-5) clients per day. The business will be located behind the existing carport. Three letters of opposition were received for this application and the concerns were on parking, increase in dog waste/waste in general, business may expand in the future, traffic issues and impact to property values. There are currently no zones that allow dog grooming as permitted use except for pet stores as auxiliary uses but should not occupy more than 20% of the gross floor area. Staff is recommending that this application be approved. Carson Greer, applicant, is here to answer any questions.

Mr. Greer added that they have no plans to expand their business in the future. They would only use the area proposed in the application. They have also hired a person to clean their front yard on a regular basis.

A resident commented that the business has been operational since the beginning of October and noted that there will be about four or five dogs a day but on one occasion, there were nine. The resident commented that there are two parked RVs and there is insufficient parking, there are extra staff members working on site and some their clients are backing up onto the neighbour's driveways.

Mr. Greer responded that one of the RVs belonged to her daughter and that they have already left so there would be enough parking now. His wife also has friends who come in and help with their business but are not paid employees. Mr. Greer also indicated that there would only be four to five clients per day and most of their clients would only do nails.

Bobby Kenny, RM, commented that he struggles to recommend approval of this application because there were previous home occupation applications that were denied.

Rosemary Herbert, RM, asked what measures have the owners taken to ensure that the dogs (or the business) do not cause any issues for neighbours and would there be any risks that dogs may accidentally get away or outside the property. Mr. Greer responded that clients can drive directly to the carport to drop their pets and when dogs come in leashed, they would certainly come out leashed as well.

Mayor Brown asked if the business used to be located along St. Peters Road and Mr. Greer responded that it used to be along University Avenue. The property has since been sold and their leased expired and so they had to look for another location for their business. Mr. Greer indicated that he had a conversation with Mr. Brown and indicated this home occupation to be a possible option. They have found locations in the past but were not suitable for the business and had other issues with the landlords. Currently, they are still unable to find a suitable location to conduct their business. Mr. Brown clarified that the discussion at that time was for the home occupation to be an incubator until they find a location. Mr. Greer acknowledged and confirmed if this application is approved, they would still be looking for other locations to hold their business.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Mayor Philip Brown and seconded by Rosemary Herbert, RM, that the request to operate a home occupation (i.e., dog grooming business) from a portion of the dwelling located at 17 Tamarac Avenue (PID #392878), be recommended to Council for approval.

**CARRIED
(4-3)**

Councillor McCabe, B. Kenny and R. MacInnis opposed

9. 33 Bolger Drive (PID #492579)

This is a request to decrease the minimum lot area requirement for a garden suite from 0.50 acres to approximately 0.34 acres for the property at 33 Bolger Drive (PID #492579). Greg Morrison, Planner II, presented the application. See attached report.

Letters were sent to residents within 100 meters and received one (1) in opposition. The applicant also submitted four (4) letters from adjacent property owners in support of the application. The old bylaw requirement to allow for a garden suite is to have a lot size of one acre or larger. On March 19, 2019, the Bylaw was amended to reduce the lot size requirement to 0.5 acres or larger. The subject property has 0.34 acres based on provincial assessment (0.356 acres from GIS map). This request is to reduce the required lot area for a garden suite to 0.34 acres. The proposed garden suite would meet all the requirements of the bylaw. There are approximately 589 properties that are 0.5 acres or greater and there are ~1780 properties that are 0.34 acres or greater. This may set a precedent for similar requests in the future. If this is something that Council would approve, staff would recommend that the bylaw requirements be reviewed and amended to allow gardens suites for smaller properties. Staff recommendation is to reject this application. Aaron Stavert, representative, is present to provide more details and answer any other questions.

Mr. Stavert added that this request would be similar in terms of size of adding a two-car garage on the property and would require less setback requirements. The proposed garden suite would provide an increase in habitation and while staff does not support this application because of the potential requests from similar properties, other properties with the same size have houses that are built so far back that you are not able to meet the setback requirements to be able to build a garden home. While Mr. Stavert supports the idea of reviewing the bylaw to allow for garden suites on smaller properties, this specific application time bound as the intent is to accommodate ageing parents to be able to live on the proposed gardens suite. The property is a mature lot and will submit a drainage plan should this variance request be approved.

Shallyn Murray, RM, asked if the owners will be replacing the existing fence and Mr. Stavert that they are replacing the existing fence. Mayor Brown also clarified that requested reduction in lot size is about 7,000 sq.ft. and Mr. Stavert confirmed and added that the proposed garden suite would be similar to adding a double garage on the property, which they can build as of right. The only difference is that this would allow for an increase in housing to the property. The property will be used for long term rental, one parking space is provided and access will utilize the existing access of the property. Bobby Kenny, RM, asked about snow removal and Mr. Stavert responded that it will be the same as the current snow removal process. The property has enough room to dump the snow.

Councillor McCabe clarified that there would be no issues or concerns if the proposal was to add on to the existing house. Mr. Stavert responded that the owners explored the possibility of building a secondary suite to the upper level of the house. However, there would be a significant cost to do the renovation and considering that it would be for ageing parents, the upper level may not be a very good option. Reg MacInnis, RM, also asked what happens to the garden suite when the parents no longer live there. Mr. Stavert responded that it will be used for long term rental and the owner would be responsible for the property.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Shallyn Murray, RM, and seconded by Councillor Julie McCabe, that the request to reduce the minimum lot area requirement from 0.50 acres to approximately 0.34 acres in order to construct a garden suite on the property located at 33 Bolger Drive (PID # 492579), be recommended to Council for approval.

**CARRIED
(8-0)**

Councillor McCabe recommended that the bylaw requirements on garden suites be reviewed to allow garden suites for smaller properties.

10. 50 King Street (PID #335687)

This is a request to increase the maximum building height requirement for the existing single-detached dwelling from 39.4 ft to approximately 56.0 ft. for the property at 50 King Street (PID #335687). Greg Morrison, Planner II, presented the application. See attached report.

In 2012, a permit was issued to renovate the property for a custom workshop garage on the ground floor and a single-detached dwelling on the two floors above. When the permit was issued at that time, the plans showed two floors of living space above the workshop with a total building height of 39ft. 1in. to the bottom of the steel deck roof. The plans also showed a mechanical penthouse above the floors for a total height of 48ft. 10in. as well as an elevator penthouse for a total height of 53ft. 5in. The current bylaw and the bylaw at that time exempted elevator penthouse and mechanical penthouse from the height calculation. Staff cannot locate any revised plans showing the current layout that has a smoking room and a washroom and the location of the mechanical room being moved from the original plan. The mechanical room, washroom and smoking room all looked original to the building and would have been constructed at the time of the renovation. The applicant is looking to apply for an increase in height to 56 feet to rectify the existing situation and to bring it to conformance to the bylaw.

Letters were sent out to residents within 100 meters and received one (1) letter in opposition. The letter had a concern that outdoor living space is being approved and that space would be closed in and would create site line issues and additional density. In this case, the applicant is only applying for a variance to bring the existing property into conformance. The mechanical room is exempt from the height calculations in the current bylaw. The variance will not include any other addition above the 39.4 feet. Any new renovations or development on the fourth floor will require the applicant to go through the bonus height provisions or a variance. Staff is recommending approval of the requested variance to increase the height to 48.83 ft for the living space (washroom and smoking area). Tim Banks, applicant, is here to answer any questions or comments.

Tim Banks noted that the building was renovated in 2012 and the City had concerns that the property will be an apartment building. A letter of undertaking was provided to indicate that it will be a single-detached dwelling. Mr. Banks bought a property adjacent to the property in question and applied for a permit to demolish the dwelling. At the same time, Mr. Banks also had a discussion with staff to add on to the existing dwelling at 50 King Street and staff had indicated that the property did not have approval for the fourth floor of the building. Mr. Banks clearly stated that they submitted stamped drawings of how the existing building was constructed. However, these documents were not available or cannot be found on file. Mr. Banks indicated that he is wondering why he needs to apply for something that has already been approved in 2012.

Mayor Brown asked if all the plans have been approved and Mr. Banks responded that the City has to inspect the property before all the other departments such as Maritime Electric conducts their inspection as well. Mr. Banks indicated that they would not be able to get a permit to renovate the building without providing the drawings. Mr. Forbes commented that the current floor plans do not reflect what has been approved in 2012. The revised drawings may have been submitted but at the moment, cannot be located in the files. The purpose of this variance is to legalize or to bring the property into conformance. Mr. Banks pointed out that he wanted staff to acknowledge that at the time of application, there was approval to renovate as proposed.

Members of the board commented that at this time, the request is for a variance to the height requirements to bring the property into conformance.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Mayor Philip Brown and seconded by Bobby Kenny, RM, that the request to increase the maximum building height requirement for the existing single-detached dwelling from 39.4 ft to approximately 48.83 ft. in order to bring the existing single-detached dwelling located at 50 King Street (PID #335687) in conformance to the bylaw, be recommended to Council for approval.

**CARRIED
(8-0)**

11. 60-66 Dorchester Street Street (PID #336826 &336818)

Shallyn Murray declared conflict and has stepped out of the room for this application.

This is a request to decrease the minimum side yard setback for a 4-unit townhouse in the Downtown Neighbourhood (DN) Zone from 6 ft. to approximately 0 ft. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

Ms. Thompson indicated that this application was before the board in 2014, 2017 and 2018 with the same variance application. On all three occasions, the variance was approved. The application is before the board again today because the Bylaw indicates that when a variance is not acted upon within a year, the variance shall be deemed null and void. Staff recommendation is to approve this request.

Mayor Brown clarified if this is the same property that is being currently being reviewed by the Design Review Board and asked if this can be reviewed after the Design Review Board has finished the review. Ms. Thompson confirmed that this is the same property but the item being reviewed by this board would be for the variance request while the Design Review Board will be looking at the design modifications for the development.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Councillor Julie McCabe and seconded by Reg MacInnis, RM, that the request to decrease the minimum side yard setback from 6.0 ft to 0.0 ft in order to construct a 4-unit townhouse dwelling for the property at 60-66 Dorchester Street (PID #336826 &336818), be recommended to Council for approval.

**CARRIED
(7-0)**

12. 21 Greenfield Ave (PID #352955)

This is a request to reduce the interior side yard setback from 1.83m (6ft) to 1.2m (4ft) for the property at 21 Greenfield Avenue (PID #352955), in order to construct an addition to the rear portion of the existing single-detached dwelling. Robert Zilke, Planner II, presented the application. See attached report.

This application could be considered to be a unique circumstance as this property is one of the smaller R-1L lots in the established neighbourhood of Brighton. The existing side portion of the dwelling is already at 4.0ft setback and the proposed renovation to the rear of the dwelling would follow the same setback distance. There were two letters of support received for this application. One letter of concern from a neighbour that stated concerns with fire separation and emergency access, drainage and aesthetics of the addition. Should this application be approved, the applicant would still be required to submit a permit application and would have to meet all the bylaw and building code requirements. Staff recommendation is to approve this request.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Shallyn Murray, RM, and seconded by Bobby Kenny, RM, that the request to reduce the interior side yard setback from 1.83m (6ft) to 1.2m (4ft) in order to construct an addition to the rear portion of the existing single-detached dwelling at 21 Greenfield Ave (PID #352955), be recommended to council for approval.

**CARRIED
(7-0)**

Councillor McCabe was not in the room at the time to vote for on this application

13. 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966)

Shallyn Murray declared conflict and has stepped out of the room for this application.

This is a request for a lot consolidation of four properties in the DMUN Zone, request to reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4 ft to approximately 80.1 ft and a request to reduce the minimum side yard stepback for the fifth storey from 18.0 ft to approximately 13.0 ft away from Queen Street properties for the properties located at 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966). Greg Morrison, Planner II, presented the application. See attached report.

Letters were sent to property owners within 100 meters and received one letter of support. The purpose of this application is to construct a five-storey, 43-unit apartment building. The preliminary plans presented would also include 21 underground parking spaces. The design of the building will not be voted on by the board but will undergo design review process. The applicant is requesting for a bonus height of one (1) additional floor which is permitted in the zone provided that the variances requested be approved. All the requests for this application must be approved before a bonus height is granted and the application would be subject to a design

review, development agreement and public benefit. Silva Stojak, representative for the application, is here to answer any possible questions.

Rosemary Herbert, RM, asked what would happen to the current tenants of the properties. Ms. Stojak responded that they would be displaced at the time of construction but the new development would be able to accommodate a total of 43 tenants. Ms. Herbert also asked if assistance would be given to these residents when they are displaced. Mr. Forbes responded that those aspects are beyond what the board can decide on. It definitely would impact the current tenants but this is something the board cannot decide based on these factors. There is no policy on displacement at this time. Mayor Brown added that this would be more of a social responsibility. Mr. Forbes added that the Planning Board is more of the technical body looking at bylaw requirements and the Council would be more of a political body who can look into other aspects. Mayor Brown also noted that this application was before the Heritage Board as well and Mr. Morrison commented that it was presented to the Heritage Board for information only. Mr. Forbes also added that if the requests are approved, this application would have to go through Design Review to ensure that it meets the provisions in the Bylaw. Mr. Morrison also added that the applicants can apply to demolish the properties as-of-right. However, they are applying for a bonus height which would require provisions for public benefit, which includes affordable housing as an option.

Mr. Kenny asked if these are long term rentals and Ms. Stojak confirmed. Ms. Herbert also commented that the project looks great and asked about provisions on green space. Mr. Morrison responded that they are required to provide at least 10% of landscaping on the property or at least 25% green roof. Ms. Herbert also asked if the variance would allow for affordable housing and Mr. Morrison responded that one of the public benefit options for bonus height requests include affordable housing. The applicants would determine the type of public benefit to meet the value required by the City.

Councillor Doiron commented that most if not all applications would indicate that developments would be for long term rentals. However, there are no recourse as to whether they would be used for long term rentals. Mr. Forbes responded that it would be up to the landlords to determine the type of rentals. Council is still looking at short term rental provisions at this time.

Mayor Brown also asked what the maximum height would be permitted and Mr. Morrison noted that it would be 60.7 feet. Ms. Stojak responded that the building would be approximately 50 feet.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Councillor Julie McCabe and seconded by Kris Fournier, RM, that the following requests:

- **Consolidate 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966); and**

- **Reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4ft to approximately 80.1ft on the consolidated property (consisting of PID #s 336909, 336917, 336974 and 336966); and**
- **Reduce the minimum side yard stepback for the fifth storey from 18.0ft to 13.0ft away from the four (4) properties fronting on Queen Street (PID #336982, 336990, 337006 & 337014) on the consolidated property (consisting of PID #s 336909, 336917, 336974 and 336966);**

in order to construct a five-storey, 43-unit apartment building, be recommended to Council for approval subject to:

- **A pinned final survey plan;**
- **A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels;**
- **Design Review Approval;**
- **Public Benefit being provided for the fifth storey; and**
- **The signing of a Development Agreement.**

**CARRIED
(7-0)**

14. 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982)

Shallyn Murray declared conflict and has stepped out of the room for this application.

This is a request to consolidate two properties at 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982). The properties are located in the Downtown Main Street (DMS) Zone. Greg Morrison, Planner II, presented the application. See attached report.

The purpose of this application is to consolidate the two properties and renovate the buildings. The buildings will not be demolished and the façade of the building will be retained. The consolidation would allow the developers to remove the interior walls of the two properties and have more flexibility to break up the space or to accommodate a larger tenant. The outdoor layout/design (canopy) shown in the photo is not part of this application and the heritage property on the corner will also remain.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Kris Fournier, RM, and seconded by Reg MacInnis, RM, that the request to consolidate the properties at 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982), be recommended to Council for approval subject to:

- **A pinned final survey plan;**
- **A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels; and**
- **Design Review Approval for any significant exterior renovations.**

**CARRIED
(7-0)**

15. 165 &185 John Yeo Drive (PID #1078179& 1102102)

This is a request to consolidate two properties located at 165 &185 John Yeo Drive (PID #1078179& 1102102). The properties are located in the Light Industrial (M-1) Zone. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

Lot consolidations under the Light Industrial Zones require Council approval. Both lots have been developed and the applicants would like to consolidate the two properties and subdivide a portion of the property for future development. M-1 Zones would allow for more than one property on a parcel. Parcel C would be allocated for a future development and would still have frontage on John Yeo Drive.

Bobby Kenny, RM, asked if John Yeo Drive is a private or public road and Ms. Thompson indicated that it is a private road.

Deputy Mayor Coady 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 consolidate the properties at 165 John Yeo Drive (PID #1102102) and 185 John Yeo Drive (PID #1078179), be recommended to Council for approval, subject to a final pinned survey plan.

**CARRIED
(8-0)**

16. 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 3.8.6 and 3.9.6 Minor and Major Variances;
- Section 3.14 Design Review;
- Section 4: Accessory Structures;
- Section 4.6: Non-conforming buildings;
- Section 43.1 Parking Space Standards;
- Section 44.12.4 General Provisions for Fascia Signs;
- Section 44.13.3, 44.15.1 and 44.16.1 Reinsertion of the Downtown Main Street (DMS) Zone in the General Provision Table for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners;
- Section 44.21 Exemptions to sign regulations for Designated properties.

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

Mr. Zilke indicated that Sections 2, 3.14, 4, 4.6, 43.1 and 44.21 have already been discussed in the September Planning Board meeting and was approved to proceed to public consultation. New amendments are being proposed for Sections 3.8.6 and 3.9.6 to increase the validity of variances from one year to two years. Some developments require more than one year to put together final development plans hence, they would have to reapply for same variances if they are unable to

complete their applications within one year. Signage guideline amendments are also being proposed for the placement of Fascia signs on buildings four stories or greater.

Ms. Murray asked if the regulations for signage be location based because it may depend on how the building is built. Mr. Forbes commented that these would be standard provisions for signage. Mayor Brown asked if this would cover the screen scape signage application and Mr. Forbes responded that staff is working with the applicant with regards to the parameters surrounding what is required to obtain the signage requested. Mayor Brown cited signage examples such as the location of the MRSB and Pilot house signage's and asked if these provisions would override heritage provisions. Mr. Forbes responded that there are heritage provisions where the heritage board may determine where the signage location on a designated property would be better placed. Mr. Forbes also noted that if there are variance provisions to the signage by-law with regard to location, the department and the board would be receiving and reviewing variance applications for signage every month.

Deputy Mayor Coady 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 3.8.6 and 3.9.6 Minor and Major Variances;**
- **Section 3.14 Design Review;**
- **Section 4: Accessory Structures;**
- **Section 4.6: Non-conforming buildings;**
- **Section 43.1 Parking Space Standards;**
- **Section 44.12.4 General Provisions for Fascia Signs;**
- **Section 44. 13.3, 44.15.1 and 44.16.1 Reinsertion of the Downtown Main Street (DMS) Zone in the General Provision Table for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners;**
- **Section 44.21 Exemptions to sign regulations for Designated properties**

be recommended to council to proceed to Public Consultation;

**CARRIED
(8-0)**

17. Reconsideration for 13 Donwood Drive (PID #278531)

This is a request to reconsider the minor variance application for a home-based business located at 13 Donwood Drive (PID #278531). Alex Forbes, Planning & Heritage Manager, presented the application. See attached report.

Mr. Forbes explained that this application was before the board in September in which Council rejected the application. The applicant spoke to the application at the Planning Board meeting and at the application was forwarded to the next Council Meeting. Councillor MacLeod was not present at the Council meeting but had made his intentions known that he wanted to speak to this

application. Councillor MacLeod wanted to bring to Council's attention what he felt was different with regard to her proposed counselling service and what the by-law intentionally tried to prohibit. Staff feels that the application doesn't really fit the strict legal criteria for reconsideration but she has filed an appeal with IRAC and has requested reconsideration of the application. The issue for the board at this time is whether Councillor MacLeod should have the opportunity to speak to this application at Council. Council MacLeod has spoken to the applicant and feels that he has a different perspective on her application and would like the opportunity to share that with Council. Since the applicant does not have the opportunity to speak at Council, having a Council either convey information to their colleagues or ask questions of staff is important. As a result, Staff feel that an argument can be made that allowing Councillor Macleod to speak is similar to providing new information and therefore would like to request that this be recommended for reconsideration.

Mr. Kenny commented that he struggled with making recommendations to this home occupation application after the previous home occupation application for dog grooming business was recommended for approval. Mr. Forbes responded that these are two different types of home occupation and the dog grooming could be considered to be unique in nature. The reason why these types of home occupations are restricted in the zoning bylaw relates to the fact that the majority of them can scale up quickly and become very busy.

Councillor McCabe also commented that she voted for approval the last time as well because she felt the application was different and unique in a sense that there would not be four people in a counselling session. There would be more dogs than people in a counselling session. Councillor McCabe also explained that although counselling sessions may qualify for insurance for those types of service, it would not be considered as medical service either. Mayor Brown also added that these home occupations are intended to start off the business and then eventually move out to the community. Mr. Forbes noted that it may not necessarily be the case. Home occupations normally stay in an established location. Staff concerns are related to our effectiveness and ability to regulate these type of operations if and when they become successful. If they end up having more clients per hour than anticipated, then neighbours would call the department to look into the operation. Since home occupations have the potential to generate different levels of traffic, staff recommends that the board contemplate anticipated impacts from home based businesses and make the necessary recommendations.

Deputy Mayor Coady asked for any further comments or questions; there being none, the following resolution was put forward:

Moved by Shallyn Murray, 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 to approve the request for reconsideration.

**CARRIED
(8-0)**

18. New Business


Mayor Brown briefly asked if the submitted drawings must be stamped by an architect who is a member of the architect association. Mr. Forbes and Ms. Murray confirmed they have to be part of the association to stamp drawing plans. They are not allowed to stamp documents if they are not part of the association.

19. Adjournment of Public Session

Moved by Councillor Julie McCabe and seconded by Mayor Philip Brown, that the meeting be adjourned. The meeting was adjourned at 6:27 p.m.

CARRIED

Deputy Mayor Jason Coady, Vice-Chair

TITLE: REZONING APPLICATION FILE: PLAN-2019-7-OCTOBER- 6A1 68 BRACKLEY POINT ROAD (PID #396713) OWNER: HILL-BAY HOLDINGS INC.		 CHARLOTTETOWN
MEETING DATE: October 7, 2019		Page 1 of 7
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Elevations D. Floor Plans	
SITE INFORMATION: Context: Vacant property in Sherwood Ward No: 9 - Stonepark Existing Land Use: Vacant Property Official Plan: Low Density Residential Zoning: Single-Detached Residential (R-1L) Zone		
PREVIOUS APPLICATIONS: The applicant withdrew their application on February 7, 2019 to rezone the subject property from the R-1L Zone to the R-3 Zone in order to construct a 48-unit apartment building.		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to proceed to public consultation for the rezoning request to construct two (2) townhouse dwellings on the property for a total of 14 units at 68 Brackley Point Road (PID #396713) subject to:

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

BACKGROUND:

Request

The property owners, David Jackson & Veronica Laidlaw (Hill-Bay Holdings Inc.), are applying to rezone the vacant property located at 68 Brackley Point Road (PID #396713) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone.

The purpose of the rezoning would be to construct two (2) townhouse dwellings on the vacant property. One of the townhouse dwellings would contain six (6) residential dwelling units while the other townhouse dwelling would contain eight (8) residential dwelling units for a total of 14 residential dwelling units.

Development Context

The subject property is located along Brackley Point Road between Duncan Heights and Coles Drive which would be considered a minor arterial road.

All of the properties along Brackley Point Road between Duncan Heights and Coles Drive are located in the Single-Detached Residential (R-1L) Zone. All of these properties either contain a one-unit or two-unit dwelling.

The subject property is located within 300m of both Sherwood Elementary School and Stonepark Junior High School. In addition, the T3 Transit stops at the Sherwood Business Centre which is approximately 500m from the subject property.

Property History

There is no building & development permit records or subdivision records for the vacant property.

That being said, the applicant submitted a rezoning application on January 14, 2019. The request was to rezone the subject property from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone in order to construct a 48-unit apartment building on the vacant property.

The rezoning request was presented to Planning Board on February 4, 2019 and made the following motion:

Moved by Rosemary Herbert, RM, and seconded by, RM, that the request to:

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

for the property located at 68 Brackley Point Road (PID #396713), be recommended to Council to reject the request to proceed to a Public Consultation.

Following the Planning Board meeting, the application was withdrawn by the applicant on February 7, 2019.

LEGISLATIVE REQUIREMENTS:

Notification

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

ANALYSIS:

Arterial roads by nature are generally categorized as high capacity urban roads. Their primary function would be to deliver traffic from collector roads to the by-pass or highways at the highest level of service possible. Arterial roads typically contain higher densities than collector or local streets but generally have less access points for residential development. Brackley Point Road and Mount Edward Road generally contain low density residential dwellings. Other arterial roads in the City of Charlottetown containing medium density residential dwellings, commercial uses, or industrial uses include Euston Street (between Weymouth Street and University Avenue), North River Road (between Beach Grove Road and Gates Drive), Sherwood Road, Belvedere Avenue (between North River Road and University Avenue) and St. Peter’s Road (between Brackley Point Road and Mount Edward Road).

In addition, higher densities should be located along bus routes. Due to the current low density nature of Brackley Point Road, the T3 Transit does not run along Brackley Point Road but it does stop at the Sherwood Business Centre which is approximately 500m away at the intersection of Belvedere Avenue, Brackley Point Road and St. Peter’s Road.

When considering rezoning the property 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.*

In the applicant's rationale on their previous rezoning application, they refer to the significant housing shortage and explain that:

"There is very little vacant land available for development so it is particularly important that housing densification happens where development is possible. This is a great opportunity to fill in the gap of this streetscape and achieve some much needed housing. That said, it is of the utmost importance that, where there is pressure to develop, that it is done with careful consideration to the qualities of the area – in a manner that is sensitive to the characteristics that define the area."

In order to reduce the effect of the increased density on existing low density housing along Brackley Point Road, the applicant has reduced their request from a 48-unit apartment building to 14 residential dwelling units constructed within two (2) townhouse dwellings.

When reviewing the submitted preliminary site plan and building plans, the applicant appears to be adhering to all setback requirements as illustrated in the Zoning & Development By-law below:

	Requirement	Proposal
Lot Area	29,386 sq ft (14-units)	+/- 69,000 sq ft
L Side Yard Setback	9.8 ft (min)	21.5 ft
Rear Yard Setback	24.6 ft (min)	55.1 ft
Unit Width*	21.3 ft (max)	21.25 ft

**Section 15.3.8 – Where 8 consecutive dwelling units are proposed, individual dwelling units shall not exceed 6.5 m (21.3 ft) in width.*

Should the rezoning application be approved, the applicant will have to further develop their plans to ensure compliance with the parking requirements (Section 43 of the Zoning & Development By-law) and with the landscaping requirements (Section 6.5 of the Zoning & Development By-law). Specifically, the application lacks mobility disabled parking spaces as well as a landscaped area consisting of trees and shrubs within the minimum front yard setback.

Staff sent the preliminary site plan the Police Department, Fire Department and the Public Works Department on September 25, 2019 but did not receive any comment back. That being said, a street access sight distance review was done for this property on May 23, 2008 at which time it was indicated that the minimum site required is 85.0 m for this site. An access from the north of the property would only have an 80 m approach from the south and an access from the south of the property would only have a 70 m approach from the south. The approach from the north was sufficient from either access point on the property. Should the rezoning be approved, the applicant would be required to submit a Building & Development Permit application in which the access would be reviewed by the Departments noted above and the Building Inspector would have to review to ensure compliance with the National Building Code.

Staff would suggest that it is difficult to evaluate this rezoning request in isolation of the existing land uses in the surrounding neighbourhood. This rezoning has the potential to change the long term direction of this neighbourhood and may lead to additional rezoning requests for the rest of the properties. Ideally, the long term direction of this neighbourhood should be dealt with in a secondary planning process where the residents would be consulted for input on potential changes to the land use in this area. Notwithstanding, the applicant has reduced the scale of their proposed development in an attempt to limit the negative impact on adjacent properties.

Staff would note that a rezoning request for 88 Brackley Point Road (PID #396770) to rezone from the R-1L Zone to the R-3 Zone in order to construct a 30-unit apartment building and townhouse dwelling units was already rejected by Council on April 8, 2019. Council in their decision making noted the public opposition from affected property owners who expressed concerns relating to the increased density of the proposed zoning in the existing neighbourhood, the potential for reduced property values of adjacent properties in the neighbourhood and the potential for increased traffic generated from the proposed rezoning.

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"> ▪ Higher density development should be located along arterial roads. ▪ Two schools are located within 300m. ▪ A commercial shopping centre and bus stop is located within 500m. ▪ Moderately higher density using existing underground services. 		<ul style="list-style-type: none"> ▪ The scale of the townhouse dwellings may adversely affect existing low density dwellings. ▪ This section of Brackley Point Road is established as single-detached dwellings. ▪ The access from this property onto Brackley Point Road may not have sufficient sight lines.

- The proposed development appears to be able to meet the requirements of the By-law.
- It is difficult to evaluate a spot rezoning of this one property.
- Adjacent properties may seek similar rezonings in the future if this is approved which would change the character of the neighbourhood.

CONCLUSION:

The Planning & Heritage Department recommends that the rezoning application be approved to proceed to public consultation.

PRESENTER:



Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

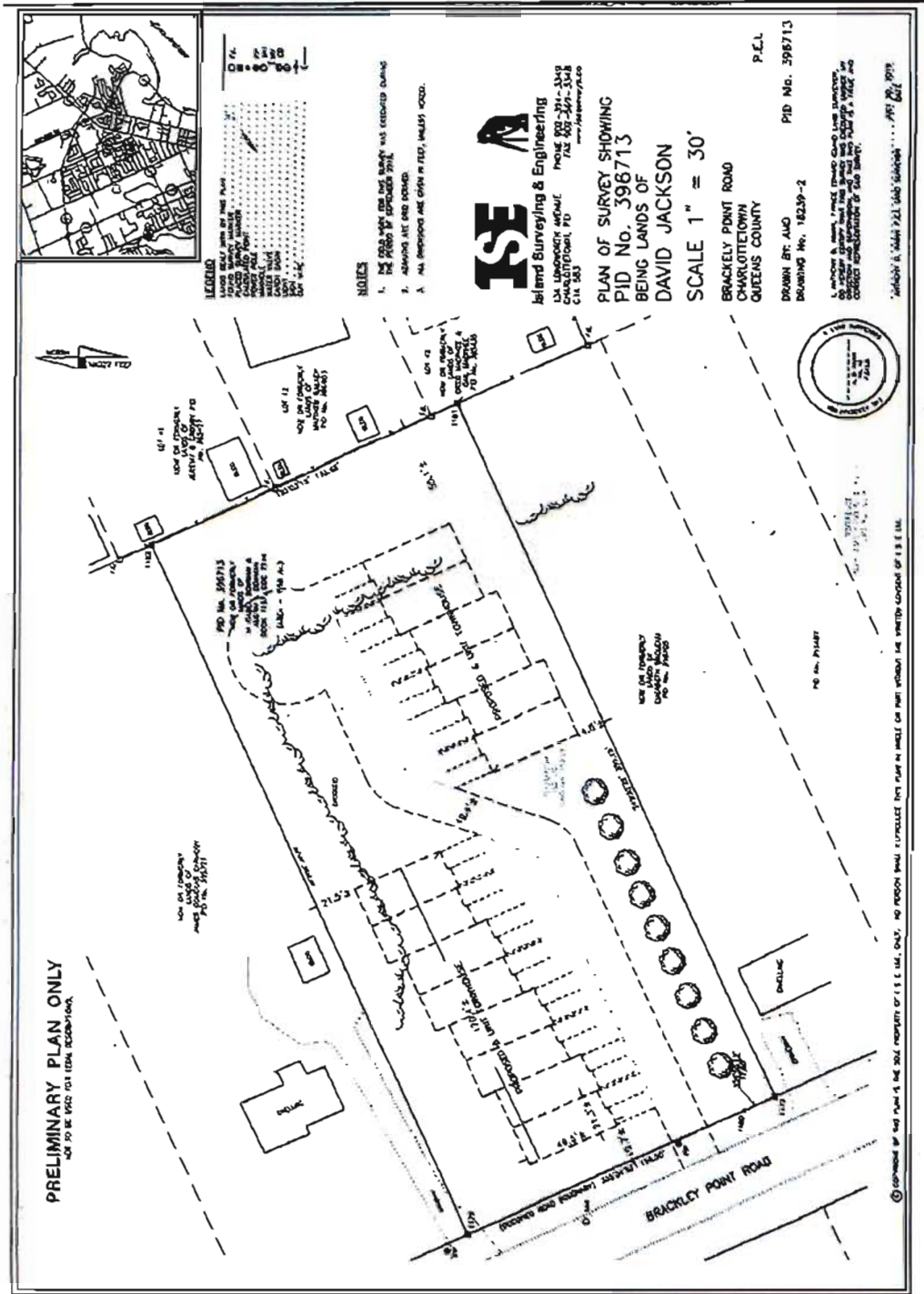
Attachment A



Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER-**6A1**
68 Brackley Point Road (PID #396713)
Owner: Hill-Bay Holdings Inc



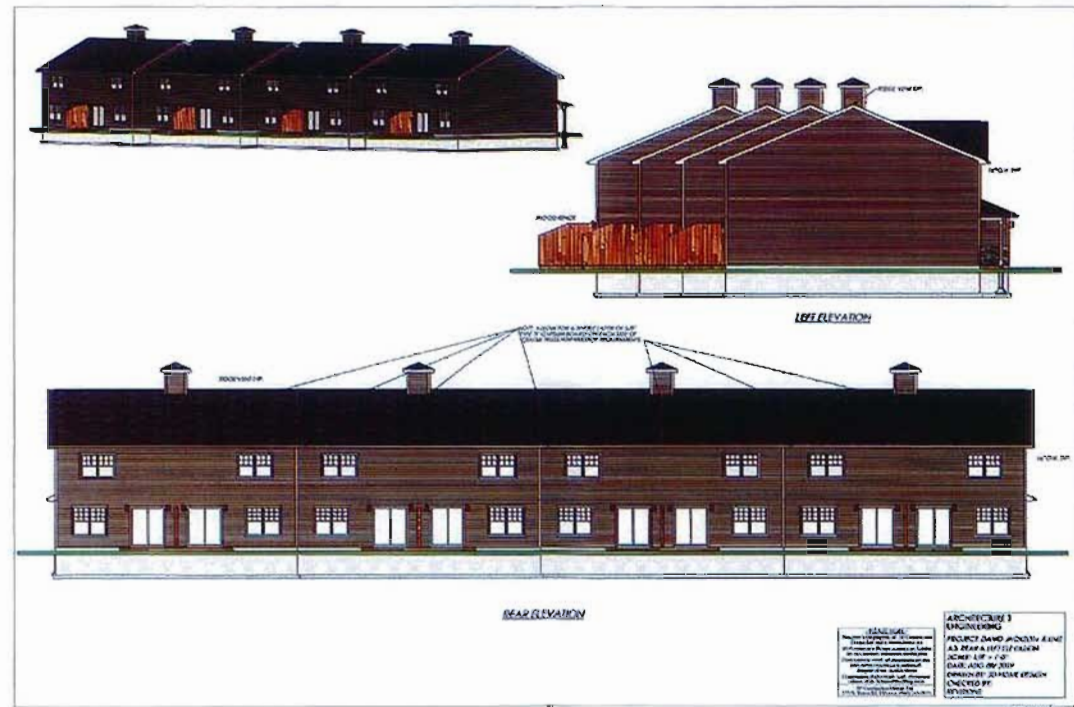
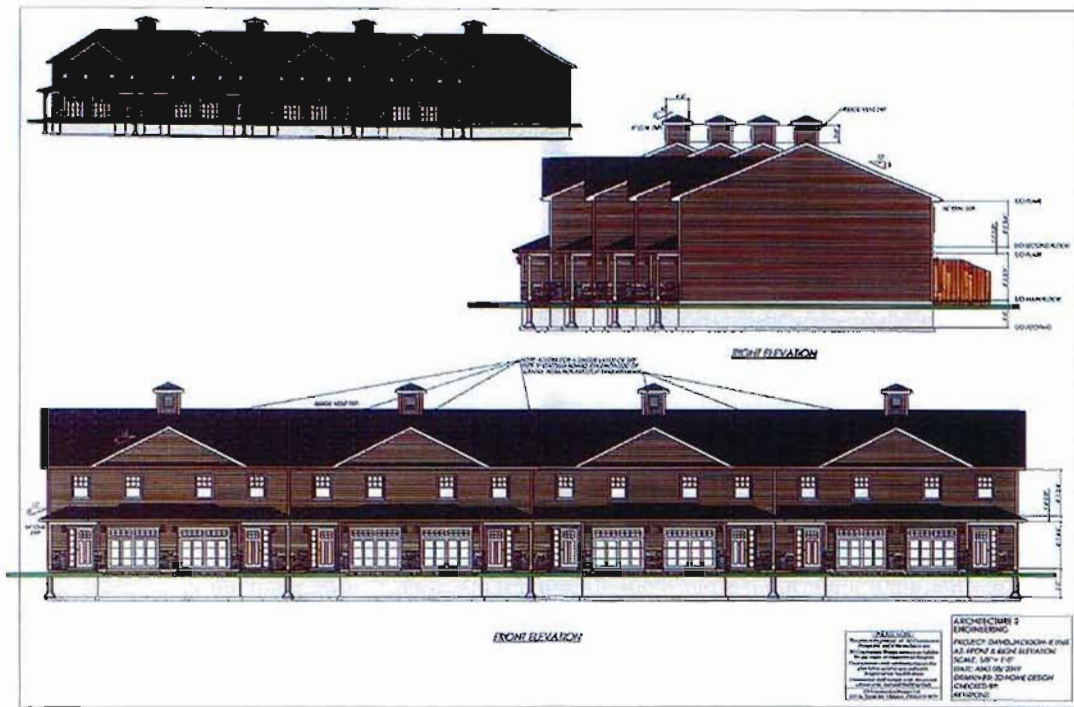
Attachment B



Attachment B: Site Plan
 File: PLAN-2019-7-OCTOBER-6A1
 68 Brackley Point Road (PID #396713)
 Owner: Hill-Bay Holdings Inc.



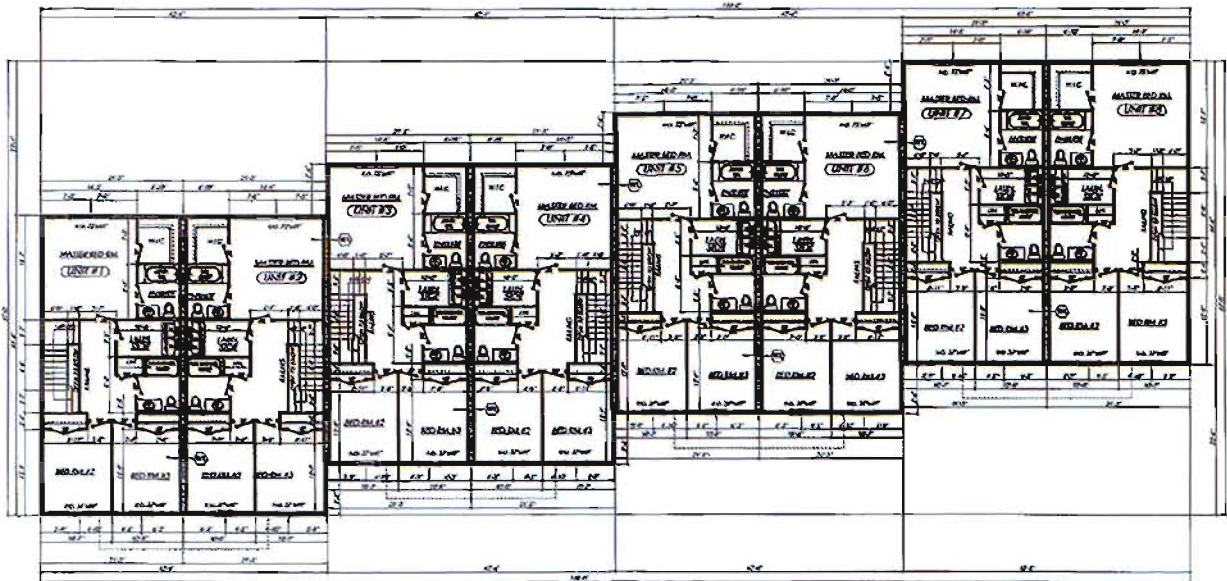
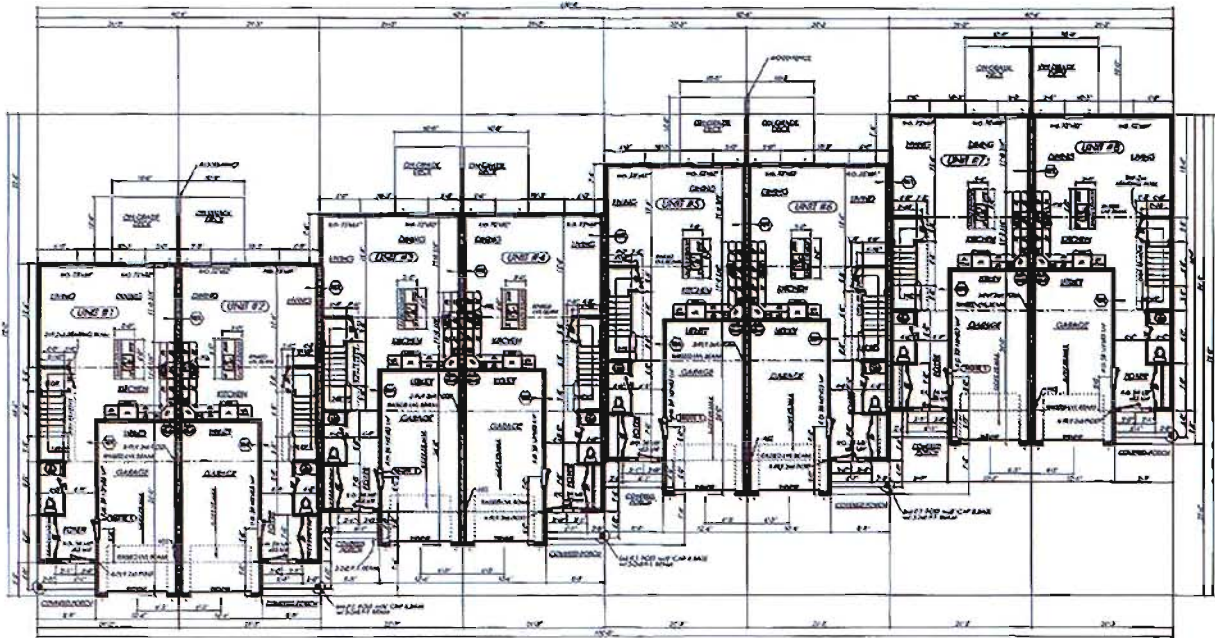
Attachment C



Attachment C: Elevations
 File: PLAN-2019-7-OCTOBER 6A1
 68 Brackley Point Road (PID #396713)
 Owner: Hill-Bay Holdings Inc.




Attachment D



Attachment D: Floor Plans
File: PLAN-2019-7-OCTOBER-6A1
68 Brackley Point Road (PID #396713)
Owner: Hill-Bay Holdings Inc.



CHARLOTTETOWN
Planning & Heritage
Department

TITLE: REZONING APPLICATION FILE: PLAN-2019-7-OCTOBER- GA-2 9 PINE DRIVE (PID #393322) OWNER: PINE CONE DEVELOPMENTS INC. APPLICANT: APM COMMERCIAL		 CHARLOTTETOWN
MEETING DATE: October 7, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Rendering	
SITE INFORMATION: Context: Single-Detached Dwelling in Sherwood Ward No: 6 – Mount Edward Existing Land Use: Single-Detached Dwelling Official Plan: Low Density Residential Zoning: Single-Detached Residential (R-1L) Zone		
PREVIOUS APPLICATIONS: See 'Property History' below.		

RECOMMENDATION:

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

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential;
2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone; and
3. Consolidate 9 Pine Drive (PID #393322) with 11-13 Pine Drive (PID #393314),

in order to construct a 41-unit apartment dwelling on the consolidate property.

BACKGROUND:***Request***

The applicant, APM Commercial, is applying on behalf of the property owner, Pine Cone Developments Inc., to rezone 9 Pine Drive (PID #393322) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone.

The purpose of the rezoning would be to consolidate 9 Pine Drive (PID #393322) with 11-13 Pine Drive (PID #393314), demolish the existing single-detached dwelling at 9 Pine Drive (PID #393322), demolish the existing 5-unit apartment dwelling at 11-13 Pine Drive (PID #393314), in order to construct a 41-unit apartment dwelling.

Development Context

The subject property is located along Pine Drive between Blythe Crescent and MacMillan Crescent. With the exception of 11-13 Pine Drive (PID #393314), all properties in the residential neighborhood are located in the Single-Detached Residential (R-1L) Zone or the Low Density Residential Single (R-2S) Zone and contain one or two unit dwellings.

Property History

An application for this property was originally before the Board in March of 2012 and was again before the Board in March of 2013 for a request to CDA Zoning. An application was also submitted to the Planning Department in 2016 to construct a 27-unit apartment building. The developer's original proposal in February 2012 was for a 24-unit apartment building. The property at 11-13 Pine Drive was spot zoned to R-3 as a part of Zoning By-law review process. Although the apartment building proposal was considered as-of-right development, there were concerns about the bulk, character and scale of a 3-story apartment building in relation to the streetscape. The project was advanced to a public meeting and there were concerns from the public. In response to the public's concerns the developer redesigned his project to a two story townhouse development that more appropriately met the character and scale of the neighbourhood. A traffic study was also completed. The concept plan for the proposed townhouse development was advanced to a public meeting on June 11, 2013. In addition to the concept plan the developer provided architectural renderings of the buildings proposed for the site. These renderings were also presented to the public and Council at the public meeting. In 2013 Planning Board recommended for approval of the town house application but the developer withdrew his application for a town house development prior to it advancing to Council. In 2016 the developer submitted an application to construct a 27-unit apartment building however, staff

refused to issue a building permit without going to Planning Board and Council for approval. The applicant appealed the decision of staff to refuse them an as-of-right building permit. The application subsequently applied for Reconsideration of the Development Officers decision and was denied a permit for a 27-unit apartment building by City Council. The developer then pursued their appeal with the Island Regulatory and Appeals Commission (IRAC) and the appeal was denied with the City's original decision being upheld. IRAC agreed with the City's decision to not issue a building permit for a 27-unit apartment building as the bulk, scale and mass of the development was not in keeping with the surrounding neighbourhood.

LEGISLATIVE REQUIREMENTS:

Notification

If the proposed rezoning is approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4 of the Zoning & Development By-law. The public notification will also include the proposed lot consolidation in the Medium Density Residential (R-3) Zone.

ANALYSIS:

The R-3 portion of this proposal has been the subject of a number of development applications over the last 7 years. In May of 2016 the city refused a building permit for a 27-unit apartment on the existing R-3 zoned property citing a number of reasons why the bulk and scale of that proposed apartment building was inappropriate in a low density neighbourhood. Please see the following transcript in italic and bold from the IRAC ruling below:

(15) The City presented two witnesses, Laurel Palmer-Thompson and Alex Forbes. Ms. Palmer-Thompson is a professional land use planner and is employed by the City as a planning and development officer. Mr. Forbes is also a professional land use planner and serves as the City's manager of planning and heritage. The testimony of Ms. Palmer-Thompson and Mr. Forbes was presented at the hearing as a panel. It was helpful to the Commission.

(16) Ms. Palmer-Thompson has worked with the City's planning department for approximately 13 years. She testified about the two prior applications by Pine Cone for development of the Property. Neither application is the subject of this appeal. This evidence was therefore presented as background information only.

(17) Ms. Palmer-Thompson testified that the first application for a 24 unit apartment building was filed in 2012. The application proceeded to a public meeting where concerns

were raised about traffic, property values, overpowering adjacent dwellings, and surface water drainage. Letters from concerned residents were also filed with the City. Ms. Palmer-Thompson testified that there was a great deal of public opposition. The application was withdrawn by Pine Cone before the matter could go back to Planning Board for consideration.

(18) Ms. Palmer-Thompson testified that the second application was filed in 2013, and it proposed a 19 unit townhouse development for the Property and the adjacent provincial parcel number 393322. This proposal also involved a request to re-zone the Property and provincial parcel number 393322 to the Comprehensive Development Area zone. A public meeting was held. The Planning Board recommended approval of this proposal, contingent on Pine Cone entering into a development agreement with the City. A draft development agreement was then prepared. Pine Cone had questions about the development agreement and requested that the proposal not proceed to Council for consideration.

(19) Mr. Forbes has worked with the City for approximately three and a half years. He testified that he took responsibility for Pine Cone's current application, which is the subject of this appeal. Mr. Forbes testified that he met with the principals of Pine Cone, reviewed the application, and discussed the matter with planning staff at the City. He was concerned that the application was in conflict with some of the policies expressed in the Official Plan. Mr. Forbes' letter to Mr. Bevan on June 28, 2016 (Exhibit R1, Vol.3, Tab 105) sets out those concerns.

(20) Mr. Forbes referred to section 1.3 of the Official Plan, noting that the Official Plan articulates policies which preserve existing residential low density neighbourhoods and ensures that new residential development is physically related to its surroundings. He also acknowledged section 3.1 of the Official Plan, which encourages efficient compact urban form while sustaining existing character and identity. Mr. Forbes also testified that, pursuant to section 3.2.2 of the Official Plan, moderately higher densities are encouraged so long as such initiatives do not adversely affect existing low density housing. To summarize, Mr. Forbes testified that the Official Plan requires new development to be physically related to its surroundings in order to be harmonious and to maintain the distinct character of the City's neighbourhoods.

(21) Mr. Forbes also testified that Pine Cone's proposal conflicts with sections 4.54.4(c), 4.54.6(f), and 4.62.3(a) of the Bylaw. He testified that a development officer at the City may refuse an application if the conditions in the Bylaw are not met. He also noted that the application did not contain a written statement with graphic descriptions that addressed the compatibility and integration of the proposed development with existing adjacent land uses, as required by section 4.62.2(c) of the Bylaw. Mr. Forbes stated that he refused the application on the ground of compatibility. He testified that he was not trying to prevent the exercise of Pine Cone's right to development.

.....

(58) Ms. Palmer-Thompson's report dated September 6, 2016 (Exhibit R1, Volume 3, Tab 109) also provided an extensive review of the application and the various bases for the original decision made by Mr. Forbes. That report provided, in part, as follows:

It is staff's opinion that these policies and objectives reinforce the Planner/Development Officer's rationale for rejecting the application for a building permit for a 27 unit apartment building at this location. It is clear that the Official Plan supports infill development within existing neighbourhoods. However, it also clearly states that infill development must be at a scale and density that would not cause adverse impacts to adjoining neighbours. A means of achieving this would be to design a building or buildings that are lower rise and that fit into the existing streetscape. In other areas of the City such as the 500 Lot area, new infill development is required to go through a design review process. Whereby the proposed design of buildings are reviewed by an independent consultant and the building design, bulk and scale are considered within the environment that it is to be constructed. Although the design review process is not required in this area of the City, the Planner/Development Officer would still apply similar principles when reviewing the site, massing, placement, bulk and scale of a development within an existing neighbourhood.

The Official Plan supports mixed forms of housing within existing neighbourhoods to allow for housing choices. Housing choices within neighbourhoods are important as they provide variety for people at various stages of their lives. Notwithstanding, it clearly states that new development must be physically related to its surroundings and that there should be an appropriate relationship between height and density for new development in existing neighbourhoods. "Our Policy shall be to ensure that the footprint, height, massing and setbacks of new residential, commercial, and institutional development in existing neighbourhoods is physically related to its surroundings."

***Although 11-13 Pine Drive is zoned R-3 and typically an apartment building is considered an as of right use in this zone, an apartment building of this size, bulk, scale and density immediately adjacent to low rise single detached dwellings is not consistent with good planning principles. In respect to the streetscape it would be difficult for a building with this bulk, mass and scale to fit into the surrounding streetscape.
[emphasis added]***

(59) Ms. Palmer-Thompson's testimony before the Commission was also consistent with her report to Planning Board.

(60) The reasons provided by Mr. Forbes and Ms. Palmer-Thompson must be read together with the minutes of Planning Board and Council. As the Commission explained in Atlantis Health Spa Ltd. v. City of Charlottetown, Order LA12-02 at paragraph 23, "[w]hen Council

follows Planning Board's recommendation, it may fairly be said that in so doing, Council is adopting the reasoning and analysis used by Planning Board." That principle is also applicable in this case. When the record is read as a whole, the Commission is satisfied that the City discharged its obligation to provide substantive reasons for its decision to refuse the application filed by Pine Cone.

(61) Reconsideration is a strategic decision made by a developer and may, in appropriate circumstances, result in a different outcome. However, reconsideration also provides an opportunity for a municipality to revisit its original decision and address any alleged deficiencies. In this case, Pine Cone decided to request reconsideration and, by doing so, the application was reviewed by a professional planner, Planning Board, and Council. All of this evidence was contained in the record filed before the Commission. No objection was raised by Pine Cone. When that evidence is reviewed and considered, the Commission is satisfied that Planning Board and Council evaluated the application fairly and in accordance with its Bylaw and Official Plan.

(62) The law recognizes that, in some cases, a subsequent hearing or reconsideration exercise may remedy or cure procedural defects in the original proceeding. Pine Cone argues that its initial application was required to be placed before Planning Board. The City, on the other hand, stresses that Pine Cone itself wanted a swift "yes" or "no" decision from the City and that, as part of the reconsideration process, the matter did go before both Planning Board and Council. According to the City, the practical effect of this process was to "cure" any procedural irregularity in the treatment of the application. The Commission recognizes that there will be cases where nothing less than full compliance with all procedural requirements at all stages of the development process will satisfy the duty of fairness in certain circumstances. However, in the context of this particular case, and the evidence before the Commission as to the history of this Property and the expectations of Pine Cone regarding this particular application, the Commission is satisfied that the City considered the proposal from Pine Cone in a fair and reasonable manner. After an independent review of all the surrounding circumstances, the Commission has decided not to interfere with the decision made by the City.

(63) For these reasons, the appeals are denied and the City's decisions on June 28, 2016 and September 12, 2016, which denied the application by Pine Cone for a building permit for the Property, are hereby confirmed.

Staff would note that the property zoned R-3 has had a complicated history with regard to how it was applied to this property. Prior to the application of the R-3 zoning, the property was deemed legal non-conforming because it contained a 5-unit apartment building in the R-2 zone. This property was rezoned as a part of an overall Zoning By-law review process which did not require adjacent property owners to be notified of a zoning change. It is hard to determine after the fact

the rationale for changing the zoning on this property from R-2 to R-3 residential. The intent may have been to allow the 5-unit apartment building to become conforming. Staff could not find a rationale in our records for why the property was up zoned. Regardless, the IRAC ruling determined that whatever is approved on this property must be compatible with regard to bulk and scale of any building in relation to the low density neighbours. If the bulk and scale of a 27-unit apartment building was deemed by IRAC to be too large on the existing property zoned R-3, the implication is that a 41-unit apartment building (that requires another property to be rezoned from R-2 to R-3) would be significantly out of context for this area. As a result, staff is suggesting that Planning Board reject the request to proceed to a public hearing on this application.

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"> ▪ Higher density using existing underground services to its fullest practical capacity. ▪ New residential development near a centre of employment. ▪ New housing in a fully serviced area of the City. ▪ Additional density when the vacant rate is less than 1%. 		<ul style="list-style-type: none"> ▪ The proposed apartment building has the potential to negatively impact the existing adjacent low density housing. ▪ May lead to additional litigation on this property


CONCLUSION:

The Planning & Heritage Department recommends that the rezoning application be rejected to proceed to public consultation.

PRESENTER:

Alex Forbes, MCIP, MBA
 Manager of Planning & Heritage

MANAGER:



Alex Forbes, MCIP, MBA
 Manager of Planning & Heritage

Attachment A

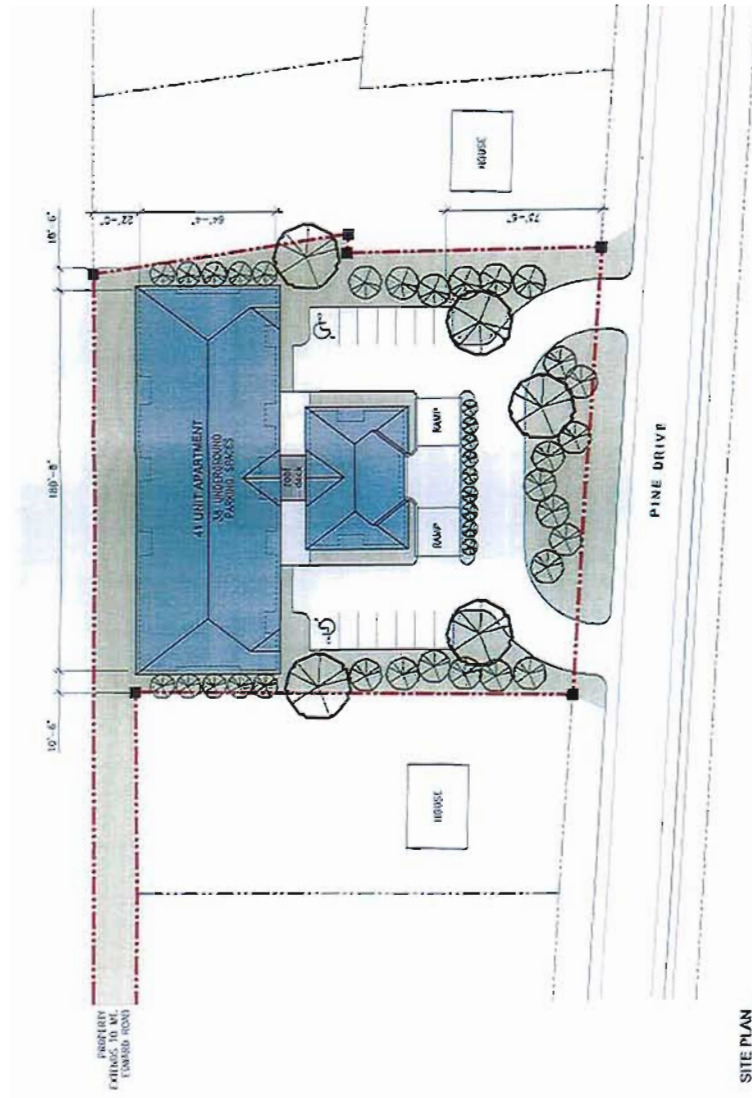


Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER-GA-2
9 Pine Drive (PID #393322)
Owner: Pine Cone Developments Inc.
Applicant: APM Commercial


CHARLOTTETOWN
Planning & Heritage
Department



Attachment B



SITE PLAN
SCALE: 1"=40'-0"

CONCEPT DESIGN, LEASE AND COMMERCIAL 2019. REPRODUCTION OR USE OF THIS DRAWING IS FORWARDED WITHOUT THE PRIOR WRITTEN CONSENT OF APM COMMERCIAL. ALL RIGHTS RESERVED TO THE ARCHITECTURAL FIRM. PREPARED BY: SP1

APM RENTAL SPACE COMMERCIAL

SP1
PINE DRIVE APARTMENT
Charlottetown, PE - February 07, 2019

Attachment B: Site Plan
File: PLAN-2019-7-OCTOBER-GA-2
9 Pine Drive (PID #393322)
Owner: Pine Cone Developments Inc.
Applicant: APM Commercial



Attachment C




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APM ROYAL LEPAGE
COMMERCIAL

Attachment C: Rendering
File: PLAN-2019-7-OCTOBER- GA-2
9 Pine Drive (PID #393322)
Owner: Pine Cone Developments Inc.
Applicant: APM Commercial


CHARLOTTETOWN
Planning & Heritage
Department

TITLE: HOME OCCUPATION VARIANCE FILE: PLAN-2019-7-OCTOBER- 683 17 TAMARAC AVENUE (PID #392878) OWNERS: CARSON & DIANA GREER		
MEETING DATE: October 7, 2019		Page 1 of 5
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Home Occupation Letter from Applicant C. Letter of Opposition from Resident	
SITE INFORMATION: Context: Single-Detached Dwelling in Sherwood Ward No: 6 – Mount Edward Existing Land Use: Single-Detached Dwelling Official Plan: Low Density Residential Zoning: Single-Detached Residential (R-1L) Zone		
PREVIOUS APPLICATIONS: N/A		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to operate a home occupation (i.e., dog grooming business) from a portion of the dwelling located at 17 Tamarac Avenue (PID #392878).

BACKGROUND:

Request

The property owners, Carson & Diana Greer, are proposing to operate a home occupation (i.e., dog grooming business). The applicant is proposing to operate the business throughout the week, Monday – Friday from 9:00 am to 5:00 pm with approximately 4 – 5 appointments per day. The owner of the dwelling (the applicant) would be the only employee and the business will occupy 120 sq ft of the 1,400 sq ft dwelling.

Development Context

The existing single-detached dwelling is located along Tamarac Avenue between Walnut Drive and Rosedale Drive. With the exception of St. Marks Presbyterian Church at 7 Tamarac Avenue (PID #392852), the neighbourhood is predominantly single-detached dwellings.

Property History

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

LEGISLATIVE REQUIREMENTS:***Notification***

In accordance with 5.9.3.g of the Zoning & Development By-law (at the time of the application being submitted), home occupations with appointments typically on an hourly basis or as schedules may be considered following the process for review of a minor variance. As per Section 3.8.3 of the By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property on September 12, 2019 which soliciting their written comments for or against the proposed home occupation. The deadline to submit written comments on the application was Friday, September 27, 2019. As per Section 3.8.4 of the By-law if no objections are received within 14 calendar days from the date of the notice, the minor variance may be approved by the Development Officer.

Public Feedback

The Planning & Heritage Department received one (1) letter of opposition on September 26, 2019 (see attached), resulting in the application being required to proceed to Planning Board and Council.

ANALYSIS:

The Zoning & Development By-law defines uses relating to animals such as 'Animal Shelter' means a Building or Structure used for the care of lost, abandoned, or neglected animals and operated by a public or semi-public authority, or by a non-profit private organization. Use as a Kennel shall be limited to short-term boarding and shall be incidental to care provided and 'Kennel' means a Building or Structure where more than two Domestic Animals are kept for commercial breeding, showing, or boarding with or without veterinary care.

That being said, a dog grooming business does not fall under either of these definitions, nor is it defined independently.

An Animal Shelter is permitted in the Light Industrial (M-1) Zone while a Kennel is permitted in the Light Industrial (M-1) Zone, the Heavy Industrial (M-2) Zone and the Business Park Industrial (M-3) Zone. Because a dog grooming business does not fall under either of these uses, there are no zones that specifically allow for such a use.

That being said, retail pet stores in the City of Charlottetown typically have a dog grooming business associated with the store as an auxiliary use not exceeding 20% of the gross floor area.

The resident opposing the home occupation had five (5) main concerns:

1. 120 square feet is a small room to contain a dog grooming business

Section 5.9.1.a of the Zoning & Development By-law restricts a home occupation to 25% of the gross floor area of the dwelling up to 500 sq ft. The applicant has indicated that the dwelling is 1,400 sq ft but the home occupation will occupy a 120 sq ft area behind the existing carport.

Further, Section 5.9.1.e of the By-law states *that there shall be no external storage of materials and no outdoor animal enclosures which would indicate that any part of the Dwelling or Lot is being used for any purpose other than a residential use.* Should the variance be approved, a condition would be placed on the permit regarding the above requirement.

2. Although the applicant has a double driveway, parking would be a concern

Section 5.9.1.h of the Zoning & Development By-law required that parking shall be subject to the parking regulations of the by-law which requires a minimum of one (1) parking space per one (1) full-time employee; however, for appointment based home occupations, the required parking will be left to Council's discretion. The applicant has a double driveway which provides one (1) space for the dwelling and one (1) space for the home occupation. The existing driveway is approximately 70 ft long which would, in theory, allow more than two (2) vehicles to be stacked at any one time.

3. *Increase dog waste and waste from grooming would create issues with cleanliness*
4. *Increased traffic causes safety issues and noise*

The applicant is proposing four (4) or five (5) clients per day which could result in 8-10 additional trips on Tamarac Avenue.

5. *Above concerns would negatively affect property values*

The resident also had concerns relating to the lack of information regarding signage:

'the letters ... did not provide any information regarding signage. Will a sign be used? How large will it be and where will it be placed? Will there be one sign used or will there also be "open" and "closed" signs?'

The applicant did not provide any information regarding signage; however, Section 44.2.1.v. indicates that *'a non-illuminated Fascia Sign, up to a maximum Sign Area of 0.45sq m (4.8sq ft), may be erected for a Home Occupation'* without a sign permit.

Finally, Section 4.5 of the Official Plan provides policy to support home occupations:

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

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

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

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> • Official Plan encourages home occupations as a platform for new economic growth. • Official Plan supports the creation and operation of home occupations in all residential zones. • The home occupation meets the requirements of the Zoning & Development By-law. 		<ul style="list-style-type: none"> • One letter of opposition was received. • A dog grooming business may have the potential to create land-use conflicts depending on the scale and operation of the business. This would be dependant on how responsible the property owner is with regards to this type of business.

CONCLUSION:

The Planning & Heritage Department recommends that the home occupation variance, be approved.

PRESENTER:



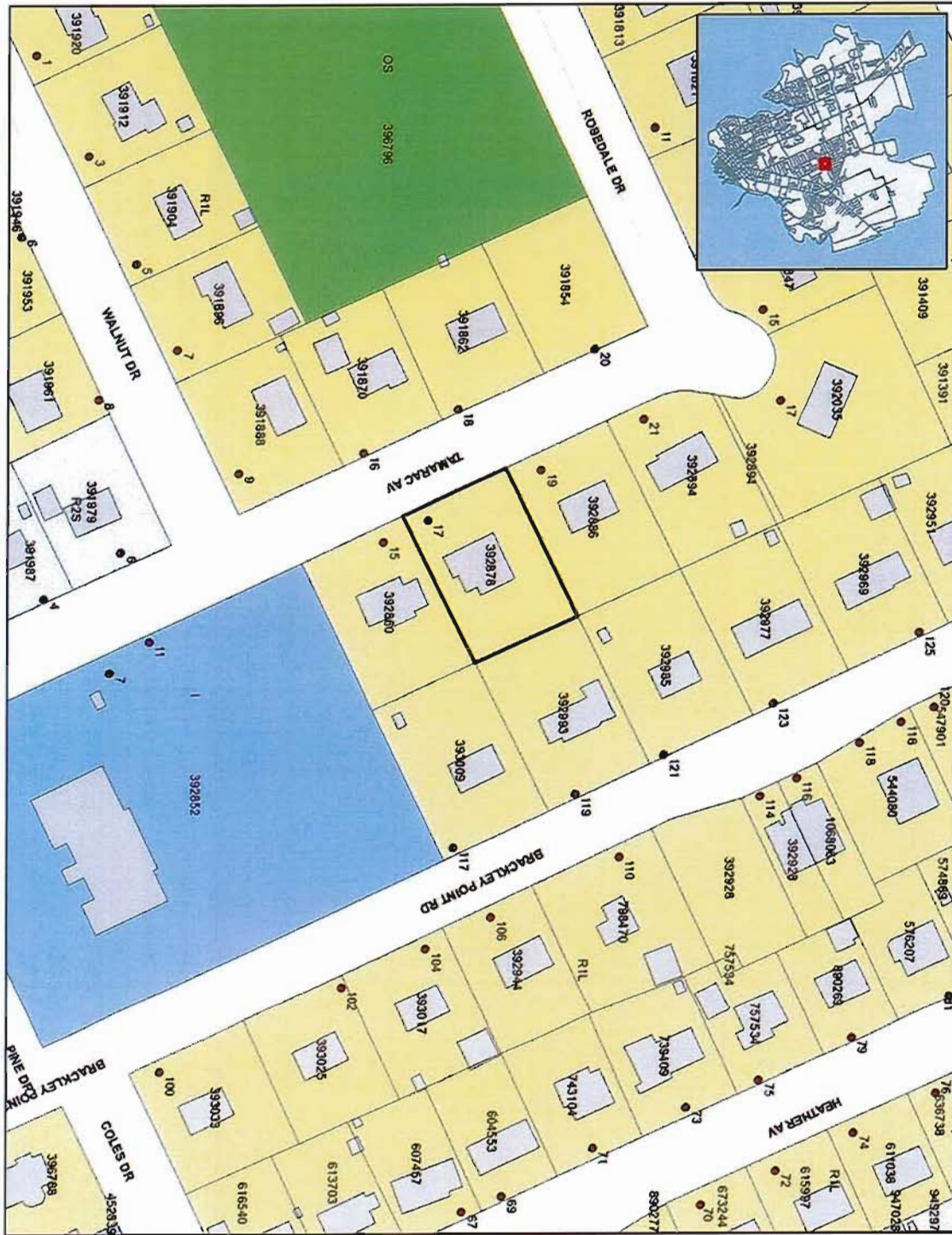
Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A



Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER-683
17 Tamarac Avenue (PID #392878)
Owner: Carson & Diana Greer


CHARLOTTETOWN
Planning & Heritage
Department



Attachment B-1

Home Occupation Application

Diana Greer 17 Tamarac ave Charlottetown PE C1A6T2

I have a Dog Grooming business. I would like to operate it out of my home

I live in a single detached home in Sherwood

I am the only employee

My house is 1400 sq ft

My business will be in a room that is 120 sq ft

I have a double driveway, 50 feet long, so there are 2 parking spots side by side available

No, it has just been our home for the last 12 years

I will be open 9 to 5 Monday through Friday, closed on holidays

Yes, my client will drop the dog off, and then pick it up when its done being groomed

I usually have 4 or 5 clients a day

There are no changes required to the outside of the house, as the room has its own separate entrance.

No external storage of materials or containers are required

No outdoor animal enclosures are required

PLANNING
Rec'd AVG. 16, 2019 int. EG

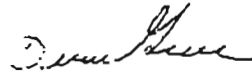
Attachment B: Home Occupation Letter
File: PLAN-2019-7-OCTOBER- **683**
17 Tamarac Avenue (PID #392878)
Owner: Carson & Diana Greer


CHARLOTTETOWN
Planning & Heritage
Department

Attachment B-2

No commercial vehicle, other than my own personal use car

I see no impact with adjacent properties, many are dog owners themselves, and clients of mine.



Diana Greer

Diana's Grooming

Attachment B: Home Occupation Letter
File: PLAN-2019-7-OCTOBER- **683**
17 Tamarac Avenue (PID #392878)
Owner: Carson & Diana Greer



CHARLOTTETOWN
Planning & Heritage
Department

Attachment C-1

REC'D
Sept. 26, 2019
Int. EC

Cheryl E Simpson
18 Tamarac Avenue
Charlottetown, PE C1A 6T3

September 25, 2019

City of Charlottetown
Planning Department
P.O. Box 98
Charlottetown, PE C1A 7K2
Attention: Greg Morrison

RE: Proposed Home Occupation at 17 Tamarac Avenue (PID 392878)

Dear Mr. Morrison:

I have received the letter dated September 12, 2019, which advised of the application to operate a home occupation from a portion of the dwelling located at 17 Tamarac Avenue. This letter is my response.

When I purchased my home at 18 Tamarac Avenue, it was important to me that I live in a neighbourhood that was zoned for residential single-family homes. It continues to be important to me, as this affects safety, traffic and property values.

The following are several of the reasons that I feel a dog grooming business is not a good fit within the neighbourhood:

- (1) 120 square feet is a small room to contain a dog grooming business

The dog grooming business would need many different items, including a bathing tub for dog washing, a drying table for after the dogs are washed, a grooming table, and bins for dog clippings and items requiring cleaning. Further, with dog grooming businesses, customers frequently leave their dogs for a few hours and in many cases pick up their dogs mid-day or at the end of their work day. Therefore, dog kennels would be needed as holding areas for the dogs. These items are basic for a grooming business and a 120 square foot space is likely not large enough. Therefore, there is a concern that some of these items will be located outside of the dwelling, which will negatively affect the appearance of the property and could lead to increased noise. This would negatively affect the use, enjoyment and value of neighbouring properties.

- (2) Although the applicant has a double driveway, parking would be a concern

Throughout the entire year, the applicant has a large motor home in the driveway and during most of the last year there was also a smaller recreation vehicle parked in the driveway. In addition, the applicant also has two vehicles, which are often parked on the property, either the driveway or front lawn. Therefore, although the applicant has a double driveway, there is often not enough parking for their own vehicles and there will likely not be enough parking for clients.

Attachment C: Letter of Opposition
File: PLAN-2019-7-OCTOBER- 683
17 Tamarac Avenue (PID #392878)
Owner: Carson & Diana Greer


CHARLOTTETOWN
Planning & Heritage
Department

Attachment C-2

(3) Increased dog waste and waste from grooming would create issues with cleanliness

The applicant currently has two dogs of their own that do their business on the front law and I have never once in eleven years seen them clean up after their own dogs. The applicant has stated that usually between four to five dogs would be groomed daily and, therefore, I assume that on some days there would be more than five dogs. With the addition of several client dogs on the premises each day, there would be a significant increase in dog waste. In addition grooming several dogs each day would result in a significant amount of clippings, which would also require disposal and would only be collected by Island Waste Management every second week. Therefore, there is a concern regarding cleanliness and disposal of waste and clippings. What arrangements would be made to ensure that dog waste is cleaned up and that clippings etc. are stored appropriately to prevent attracting rodents and causing unpleasant smells or appearances for neighbours? Would a business such as this be inspected periodically?

(4) Increased traffic causes safety issues and noise

With four to five, or possibly more, dogs being groomed each day, there would be quite a bit of additional traffic with each customer dropping off and picking up their dogs. This is a short residential street, which has a number of people walking and biking, including young children going to and from school, and a park nearby that has children coming and going. The extra traffic from the dog grooming business makes it unsafe for the children in the area. In addition, increased traffic would increase noise in the neighbourhood and negatively affect the use and enjoyment of the park and other properties. Further, will there be dog items sold from the premises? Additional selling would cause further traffic in the area and only increase the safety concerns.

(5) Above concerns would negatively affect property values

17 Tamarac Avenue is in a residential zone and the street currently has single-family homes, which keeps traffic to a minimum and allows property owners to enjoy their property without being negatively affected by the above mentioned concerns relating to the operation of the proposed business. If this proposed dog grooming business is given approval to operate from the residence at 17 Tamarac Avenue, it will decrease the appeal of the neighbourhood and, therefore, lower the property value for neighbouring properties.

In closing, I wish to note the letters sent to myself and others in the area did not provide any information regarding signage. Will a sign be used? How large will it be and where will it be placed? Will there be one sign used or will there also be "open" and "closed" signs? I feel that for an informed decision to be made, the information regarding signage should be provided in advance to the applicants' neighbours in writing.

As 17 Tamarac Avenue is in a residential zone, the city should not grant approval for a dog grooming business, as the business would negatively affect neighbours, causes safety issues and decrease property values.

Sincerely,




Cheryl Simpson

Attachment C: Letter of Opposition
File: PLAN-2019-7-OCTOBER- 683
17 Tamarac Avenue (PID #392878)
Owner: Carson & Diana Greer



CHARLOTTETOWN
Planning & Heritage
Department

TITLE: LOT AREA VARIANCE FILE: PLAN-2019-7-OCTOBER- 684 33 BOLGER DRIVE (PID #492579) OWNERS: FRANCES GERTSCH & KELVIN JONES		
MEETING DATE: October 7, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Preliminary Site Plan C. Letters of Support (Provided by Applicant) D. Letter of Opposition	
SITE INFORMATION: Context: Single-Detached Dwelling in Sherwood Ward No: 2 – Belvedere Existing Land Use: Single-Detached Dwelling Official Plan: Low Density Residential Zoning: Single-Detached Residential (R-1L) Zone		
PREVIOUS APPLICATIONS: N/A		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to reject the request to reduce the minimum lot area requirements of 0.50 acres to approximately 0.34 acres in order to construct a garden suite on the property located at 33 Bolger Drive (PID #492579).

BACKGROUND:

Request

The property owners, Frances Gertsch & Kelvin Jones, are proposing to construct a garden suite, which is a self-contained dwelling unit, in the rear yard of the subject property.

Development Context

The existing single-detached dwelling is located along Bolger Street between Kensington Road & Davids Lane. All of the properties within this block contain a single-detached dwelling according to Provincial Tax Assessment records.

Property History

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

LEGISLATIVE REQUIREMENTS:***Notification***

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property on September 19, 2019 which soliciting their written comments for or against the proposed variance. The deadline to submit written comments on the application was Thursday, October 3, 2019.

Public Feedback

The Planning & Heritage Department received one (1) letter of opposition and the applicant provided staff with four (4) letters of support which they received directly from neighboring property owners (see attached).

The concerns that were stated in the letter of opposition include:

- 1. It is shown as level entry with the allowable height of 15.1 feet noted from ground level. This is not currently drawn in accordance with the current Bylaw, as I understand it. This would not meet the guidelines.*
- 2. All Garden Suites per the current Charlottetown Bylaws are to be non-permanent structures and re- moveable after vacancy.*

This regulation is in fact not part of the current Zoning & Development By-law as the link that the applicant has provided is a previous version of the By-law. The proposed Garden Suite would be permitted to be a permanent structure.

3. *The 33 Bolger Lot size is 0.2 of an acres too small which is 871.2 square feet less per the allowable per the Bylaws.*
4. *I would like privacy between our adjoining properties, if this Garden Suite passes variance with no glazing facing my property. My privacy will be compromised with a structure abutting to my backyard area resulting in lesser enjoyment of my backyard. I would like to propose, for consideration, that a solid 6-foot cedar fence be built on 33 Bolger's property line. The recommended fence would be built and maintained at the cost of the owners of 33 Bolger Drive if the Garden Suite is approved.*

This is a provision that can be required through the Building & Development Permit process if so desired by Council.

5. *I would also like to propose an 8-foot set back be considered by the owners of 33 Bolger Drive in consideration of my backyard privacy and noise transmission from the proposed Garden Suite. In addition, with restrictions regarding continuous HVAC systems running in the Garden Suite.*

The applicant has illustrated a side yard setback in excess of 10.0 ft on the attached site plan.

6. *There are two existing storage sheds on the property and if the Garden Suite is approved that is 3 structures plus the main dwelling on the 0.3-acre property. They are not shown on the sketch provided.*

The Zoning & Development By-law requires that a maximum of two (2) structures of up to 750 sq ft would be permitted on the property. If the proposed Garden Suite is 753.2 sq ft, no other accessory buildings would be permitted on the property.

7. *As the bylaws state, I would like assurances the proposed Garden Suite would not ever be rented to non senior or disabled family member(s). It is my understanding the dwelling will be removed per the bylaw once it is vacated by the family members it was intended for.*

This regulation is in fact not part of the current Zoning & Development By-law as the link that the applicant has provided is a previous version of the By-law. The applicant would not be restricted to have the Garden Suite occupied by an immediate family member.

8. *Another area of concern is snow removal and the drainage on to my property.*

A surface water drainage plan would be required as part of the Building & Development Permit application process.

9. *A retaining wall at the proposed new driveway extension maybe required.*

This would be determined by the surveyor as part of the surface water drainage plan.

ANALYSIS:

Section 5.7 of the Zoning & Development By-law (2018-11.015) provides regulations pertaining to Garden Suites:

5.7 GARDEN SUITES

5.7.1 *One (1) Garden Suite may be permitted in an Accessory Building if the subject property:*

- a. *Is a Single-detached Dwelling;*
- b. *Has a minimum Lot Area of 0.2 hectares (0.5 acre); and*
- c. *Does not contain a Secondary Suite.*

5.7.2 *The Garden Suite shall be subject to the following conditions:*

- a. *Maximum Gross Floor Area of 70 sq m (753.2 sq ft)*
- b. *Minimum Side Yard Setback of 1.8 m (6 ft)*
- c. *Minimum Rear Yard Setback of 3 m (9.8 ft)*
- d. *Minimum Building separation distance of 2.4 m (8 ft) between the Garden Suite and the main Dwelling and any other Accessory Buildings, Structures or projections.*
- e. *Maximum Height of 4.6 m (15.1 ft)*

- f. *Location: Rear Yard*
- g. *Utilize the existing driveway and the primary access shall be oriented towards the Street or the interior of the subject property.*
- h. *Be connected to Municipal Services via the main Dwelling.*
- i. *Cannot be used as a short-term rental.*

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

These regulations received ministerial approval on March 19, 2019. Prior to this, the minimum lot area requirement for a garden suite was 1.0 acres.

The applicant has submitted a site plan which illustrates their proposal compared to the current By-law requirements:

	Garden Suite Requirements	Garden Suite Proposal
Minimum Lot Area	0.5 acres	0.34 acres*
Maximum Gross Floor Area	753.2 sq ft	< 753.2 sq ft
Minimum Side Yard Setback	6.0 ft	10.0 ft
Minimum Rear Yard Setback	9.8 ft	15.0 ft
Minimum Separation Distance	8.0 ft	42.0 ft
Maximum Height	15.1 ft	< 15.1 ft

**Staff would note that the Provincial Tax Assessment identifies the subject property as 0.34 acres; however, our Geographic Information Systems maps the property at 0.356 acres. In the absence of a survey plan, we must utilize the Provincial Tax Assessment records when calculating the request variance.*

The requested garden suite meets all setback requirements for such a use; however, the property does not have sufficient lot area. The proposed site plan illustrates that a garden suite can be accommodated on a property less than 0.5 acres; however, staff would note that approving this variance may set a precedent for allowing any property which is 0.34 acres to apply for a similar variance. If Council feels that a garden suite should be permitted on properties which are 0.34 acres or greater, staff feels that rather than approving this variance, they should direct staff to amend the Zoning & Development By-law accordingly rather than dealing with each variance request on a case by case basis.

Should the lot area variance be approved, the proposed garden suite would be required to obtain a Building & Development Permit which wouldn't be approved prior to satisfying the requirements in the National Building Code as well as obtaining a surface drainage plan to ensure that surface water runoff on the subject property will not cause damage or water runoff onto adjoining lots. Staff would also suggest that should the variance be approved, it be subject to locating a fence along the property line adjacent to 35 Bolger Drive (PID #528281).

Staff would note that there are 8,347 properties in the City being taxed as a single-detached dwelling. Of those properties:

- 200 are 1.0 acres or greater
- 589 are 0.5 acres or greater
- 1,043 are 0.4 acres or greater
- 1,778 are 0.34 acres or greater (33 Bolger)
- 2,510 are 0.3 acres or greater
- 5,161 are 0.2 acres or greater
- 7,599 are 0.1 acres or greater

In light of the foregoing, there are 1,778 properties containing single-detached dwellings which are 0.34 acres or larger. Instead of basing the minimum lot area requirement for a garden suite on the acreage of a property, the applicant is suggesting that it should be based upon the developable area of the property (i.e., rear yard with the required setbacks illustrated). This would eliminate a number of properties which are 0.34 acres or greater; simply because they do not have sufficient area in the rear yard due to the placement of the dwelling (i.e., towards the rear of the property). The applicant has suggested that the developable area for a garden suite on the subject property is 6,493.1 sq ft which is 680.6 sq ft larger than the minimum lot area of 5,812.5 sq ft for a single-detached dwelling in the Single-Detached Residential (R-1L) Zone.

When considering garden suite proposed on the property in question, key points from the Official Plan to be considered include:

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

*Section 3.2.2 - Our **policy** shall be to permit moderately higher densities in new neighbourhoods and to permit in-laws suites in residential land use designations...*

*Section 3.3.1 - Our **objective** is to encourage development in fully serviced areas of the City...*

*Section 3.3.1 - Our **objective** is to enhance the range of housing available to residents who have special social, economic or physical needs.*

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 site plan illustrates that all setback requirements are met. ▪ The developable area for the proposed garden suite is larger than the minimum lot area for a single-detached dwelling in the R-1L Zone. ▪ Approving this variance would provide additional housing in the City. ▪ Alternative form of housing in a fully serviced area of the City. 	<ul style="list-style-type: none"> ▪ 1,778 properties which contain a single-detached dwelling are 0.34 acres or greater. 	<ul style="list-style-type: none"> ▪ Approving this variance would set a precedent for all properties which are 0.34 acres or greater.

CONCLUSION:

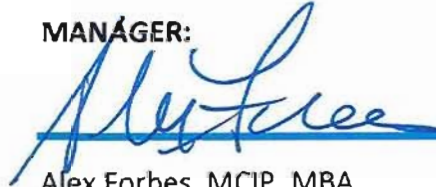
The Planning & Heritage Department recommends that the lot area variance, be rejected.

PRESENTER:



Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A



Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER-684
33 Bolger Drive (PID #492579)
Owner: Frances Gertsch & Kelvin Jones



Attachment C

From: Walter Wyand <walterwyand@gmail.com>
Date: Tue, Sep 24, 2019 at 10:24 AM
Subject: Proposed development 33 Bolger Dr.
To: <fjertsch@gmail.com>

Dear Frances and Calvin:

My wife Audrey and I own and reside at 31 Bolger Dr. Charlottetown, PEI.

We have met with the owner occupants of 33 Bolger Dr. The proposed development has been described with the assistance of a drawing showing positioning and setbacks. We understand the proposed residence will be occupied only when owner resides on premise.

It would appear that the additional residence provides a solution for their requirements.

Therefore, we would be supportive of the additional residence.

Regards, Walter and Audrey Wyand

From: Dianne Bishop <dbishop@tiscali.ca>
Date: Tue, Sep 24, 2019 at 9:10 AM
Subject: Garden Suite at 33 Bolger Drive
To: Frances Gertsch <fjertsch@gmail.com>

Good morning Frances & Kelvin,

I am writing in support of your proposed garden suite. The only question Gordon and I had was regarding the parking situation and you have answered that and addressed it in your planning.

Best of luck with this project. I hope that things move smoothly and Kelvin's parents can settle in comfortably after the devastation of the Harley Street fire. If the Planning Board has any questions for us here are the contact details:

Dianne & Gordon Bishop
32 Bolger Dr.
Charlottetown, PEI
(902) 894-3628 (h) or (902) 394-3205 (c)

From: Leo McKenna <leomckenna57@yahoo.ca>
Date: September 21, 2019 at 12:32:01 ADT
To: Frances Gertsch <fjertsch@gmail.com>
Subject: Re: Hello & info about Garden Suite

Frances & Kelvin

Halli and I have reviewed your plans and we find your plans very acceptable. Firstly we support your efforts to provide living space and support for Kelvin parents. Their experience of losing their home at their age is devastating. As a retired firefighter I have a understanding of the impact of this event and at your parents age they deserve a sense of stability and support.

As members of the neighbourhood we are very comfortable with the proposed Garden Suite. The orientation and setbacks are very respectful of neighbouring properties. We feel that the lot lends its self to a spacious feeling with this development.

We sincerely encourage the city to grant this variance. We believe the whole idea of variances built into planning law are exactly in the nature of this proposed development. In cases where there is a undeniable need and where it is possible and acceptable without harming the neighbourhood.

Leo McKenna and Halli Wang
28 Bolger Dr

From: Cynthia Bradley <cynthia.bradley@eastlink.ca>
Date: September 23, 2019 at 09:07:45 ADT
To: Frances Gertsch <fjertsch@gmail.com>
Subject: Re: Hello from your Neighbours!

Hi Frances

I think this is a wonderful idea. What a tragedy the fire was and this is a lovely thing to do for your in-laws. You have my support.

Cynthia Bradley

Attachment C: Letters of Support
File: PLAN-2019-1-OCTOBER-684
33 Bolger Drive, PID #492679.
Owner: Frances Gertsch & Kelvin Jones



Attachment D-1

To Whom It May Concern:

RE: 33 Bolger Drive, Charlottetown, PEI

Please be advised per my review of the proposed "Garden Suite".

Please refer to page 61 and 62 of the attached link below:

[https://www.charlottetown.ca/UserFiles/Servers/Server_10500298/File/Resident%20Services/Bylaws%20and%20Regulations/Bylaw%20Index/Zoning%20and%20Development%20Bylaw%20\(Amended%20January%2024,%202017\)/Zoning%20%20Development%20Bylaw%2024%20September%202018.pdf](https://www.charlottetown.ca/UserFiles/Servers/Server_10500298/File/Resident%20Services/Bylaws%20and%20Regulations/Bylaw%20Index/Zoning%20and%20Development%20Bylaw%20(Amended%20January%2024,%202017)/Zoning%20%20Development%20Bylaw%2024%20September%202018.pdf)

My concerns, comments and questions are as follows:

1. It is shown as level entry with the allowable height of 15.1 feet noted from ground level. This is not currently drawn in accordance with the current Bylaw, as I understand it. This would not meet the guidelines.
2. All Garden Suites per the current Charlottetown Bylaws are to be non-permanent structures and re-moveable after vacancy. Is this the design intent of the newly proposed Garden Suite? If so, the drawings must be corrected in my opinion with the following building notes detailed.
3. The 33 Bolger Lot size is 0.2 of an acres too small which is 871.2 square feet less per the allowable per the Bylaws.
4. I would like privacy between our adjoining properties, if this Garden Suite passes variance with no glazing facing my property. My privacy will be compromised with a structure abutting to my backyard area resulting in lesser enjoyment of my backyard. I would like to propose, for consideration, that a solid 6-foot cedar fence be built on 33 Bolger's property line. The recommended fence would be built and maintained at the cost of the owners of 33 Bolger Drive if the Garden Suite is approved.
5. I would also like to propose an 8-foot set back be considered by the owners of 33 Bolger Drive in consideration of my backyard privacy and noise transmission from the proposed Garden Suite. In addition, with restrictions regarding continuous HVAC systems running in the Garden Suite.
6. There are two existing storage sheds on the property and if the Garden Suite is approved that is 3 structures plus the main dwelling on the 0.3-acre property. They are not shown on the sketch provided.
Will these two existing sheds be removed entirely or are they expected to be relocated on the property? It is not noted as such specifically.
7. As the bylaws state, I would like assurances the proposed Garden Suite would not ever be rented to non senior or disabled family member(s). It is my understanding the dwelling will be removed per the bylaw once it is vacated by the family members it was intended for.
8. Another area of concern is snow removal and the drainage on to my property.
9. A retaining wall at the proposed new driveway extension maybe required.

Attachment D: Letter of Opposition
File: PLAN-2019-7-OCTOBER- 684
33 Bolger Drive (PID #492579)
Owner: Frances Gertsch & Kelvin Jones



Attachment D-2

Image found online as an example of a proposed acceptable PEI Garden Suite.



I am in support of extended senior housing as I worked in senior housing during my career with government however, I wish to be guaranteed all guidelines and bylaws are met. I respectfully submit my email, for the enjoyment and mutual respect of my neighbours. When I purchased the property in 1976, I was drawn to the low-density housing on larger subdivision lots, a Garden Suite in this neighbourhood changes the dynamics of my property as well as, my concern for privacy. Please contact me with any questions and I would appreciate being notified if there are any public meetings regarding this matter.

Thank you.


Best Regards,

Eleanor Boswell
35 Bolger Drive
Charlottetown, PEI
C1A 7T2

Phone: 902 368-7378

Attachment D: Letter of Opposition
File: PLAN-2019-7-OCTOBER- 684
33 Bolger Drive (PID #492579)
Owner: Frances Gertsch & Kelvin Jones


CHARLOTTETOWN
Planning & Heritage
Department

TITLE: BUILDING HEIGHT VARIANCE FILE: PLAN-2019-7-OCTOBER-685 50 KING STREET (PID #335687) OWNERS: TIMOTHY R BANKS		
MEETING DATE: October 7, 2019		Page 1 of 5
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Original Building Plans C. Current Floor Plan D. Current Photos E. Letter of Opposition	
SITE INFORMATION: Context: Single-Detached Dwelling in the 500 Lot Area Ward No: 1 – Queens Square Existing Land Use: Single-Detached Dwelling Official Plan: Downtown Mixed-Use Neighbourhood Zoning: Downtown Mixed-Use Neighbourhood (DMUN) Zone		
PREVIOUS APPLICATIONS: Building permit issued for a single-detached dwelling on October 23, 2012.		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to increase the maximum building height from 39.4 ft to approximately 48.83 ft in order to bring the existing single-detached dwelling located at 50 King Street (PID #335687) into conformance with the Zoning & Development By-law.

Further, any additions to the building beyond 39.4 ft would be subject to the bonus height provisions of the Zoning & Development By-law or the variance process.

BACKGROUND:***Property History***

A building permit was issued on October 23, 2012 to renovate the existing building to be used as a custom workshop / garage on the ground floor and a single-detached dwelling above. When the building permit was submitted in 2012, the plans illustrated two (2) floors of living space above the custom workshop / garage. The total height of the three (3) stories was 39' 1" to the bottom of the steel deck on the roof.

The plans also illustrated a mechanical penthouse above the single-detached dwelling living space with a total height of 48' 10" as well as an elevator penthouse above the mechanical penthouse with a total height of 53' 5".

As per Section 20.4.3 of the Zoning & Development By-law amended on August 14, 2012, the maximum height of the single-detached dwelling was 39.4 ft. With the total height of the living space within the single-detached dwelling being 39' 1", it conformed to the Zoning & Development By-law. Further, Section 3.100 & 4.2.3 stated that elevator penthouses and mechanical penthouses are exempt from the definition of height.

Notwithstanding, when the single-detached dwelling was physically constructed, the plans were amended without being submitted to the Planning & Heritage Department. The revision included locating a "smoking room & washroom" adjacent to the mechanical penthouse which exceeded the maximum building height of 39.4 ft.

Request

On September 4, 2019, the property owner, Timothy R Banks, submitted a variance application to increase the maximum building height of 39.4 ft to approximately 56.0 ft which would rectify the non-conforming situation and allow the existing living space to remain.

Development Context

The existing single-detached dwelling is located along King Street between Pownal Street and Queen Street. The subject property as well as the adjacent property (PID #335679) which is also owned by the applicant is located in the Downtown Mixed-Use Neighbourhood (DMUN) Zone. The adjacent property fronting onto Pownal Street to the west is located in the Downtown

Neighbourhood (DN) Zone while the properties to the east are located in the Downtown Main Street (DMS) Zone.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property on September 18, 2019 which soliciting their written comments for or against the proposed variance. The deadline to submit written comments on the application was Wednesday, September 2, 2019.

Public Feedback

The Planning & Heritage Department received one (1) letter of opposition. The resident opposing the variance stated that *“although the applicant may be requesting this variance to allow for outdoor (ie. patio) living space, if approved for general living space, my concern is that the applicant could then close in that space, making it indoor living space, thus having walls that block any kind of view from properties in the area.”*

Staff would note that the applicant is only proposing to bring what has existed for seven years into conformance with the Zoning & Development By-law. There are no proposals submitted to the Planning & Heritage Department for the construction of an ‘outdoor living space’ or any additions above the previously approved building containing a custom workshop / garage and single-detached dwelling.

That being said, the resident’s concern does raise the point that this variance only allows the applicant to bring what has existed for seven years into conformance with the Zoning & Development By-law and any future additions above the maximum permitted height in the Downtown Mixed-Use Neighbourhood (DMUN) Zone would be subject to the Bonus Height provisions or the variance process.

ANALYSIS:

It is very difficult for staff to review an application of this nature when the property owner has unilaterally decided to add additional living space above the maximum building height without seeking the proper approvals. That being said, it is clear that the mechanical room is an integral

part of the dwelling and would have been completed at the time of the constructing the single-detached dwelling in 2012 and is not something that could have been added between 2012 and the present.

Instead of submitting revised plans in 2012 when the change occurred, attempting to resolve this situation by variance after the fact sends a message to the community that if you ignore the rules and regulations of the Zoning & Development By-law by operating without a permit, that you can later resolve this problem through the variance process. Residents expect staff to ensure that the rules and regulations of the By-law are adhered to. In this case, the property owner is requesting that staff support an application where they did not adhere to the By-law. These applications are much easier to review when the application is presented to the public prior to proceeding to implement the requested change in use. Approving these applications after the fact erodes the confidence of the public about the planning process.

Notwithstanding, while the maximum building height in the DMUN Zone is 39.4 ft, the current Zoning & Development By-law (2018-11.015) allows bonus height up to a maximum of 60.7 ft, which wasn't an option under the previous By-law. Allowing the requested variance would not compromise the maximum permitted building height in the DMUN Zone when considering bonus height as a possible avenue.

That being said, the applicant is requesting a variance to approximately 56.0 ft; however, the definition for height in the current Zoning & Development By-law (2018-11.015) excludes such structures as elevator penthouses, mechanical penthouses, solar panels, etc... In light of the foregoing, staff would suggest that the applicant does not need a variance to 56.0 ft; rather would only need a variance to 48.83 ft which is the height of the living space (smoking room and washroom) located on the roof.

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"> ▪ With bonus height, the DMUN Zone allows for a maximum building height of 60.7 ft. ▪ The living space has existed for seven years without issue. 	<ul style="list-style-type: none"> ▪ The proposed height of 56.0 ft includes the elevator penthouse which is exempt from the height requirements. ▪ The building fronting on Queen Street is four storeys / approx. 45.4 ft. ▪ The revision to the original plans was completed at the time of construction as it is an integral part to the function of the entire dwelling. 	<ul style="list-style-type: none"> ▪ The existing living space exceeds the maximum building height of 39.4 ft. ▪ The property does not have the required lot frontage of 98.4 ft to be eligible for bonus height. ▪ The renovations were completed prior to obtaining approval.

CONCLUSION:

The Planning & Heritage Department recommends that the request to increase the maximum building height be from 39.4 ft to approximately 48.83 ft to bring the existing smoking room / washroom (Attachment C) into conformance, be approved.

Further, any additions to the building beyond 39.4 ft would be subject to the bonus height provisions of the Zoning & Development By-law or the variance process.

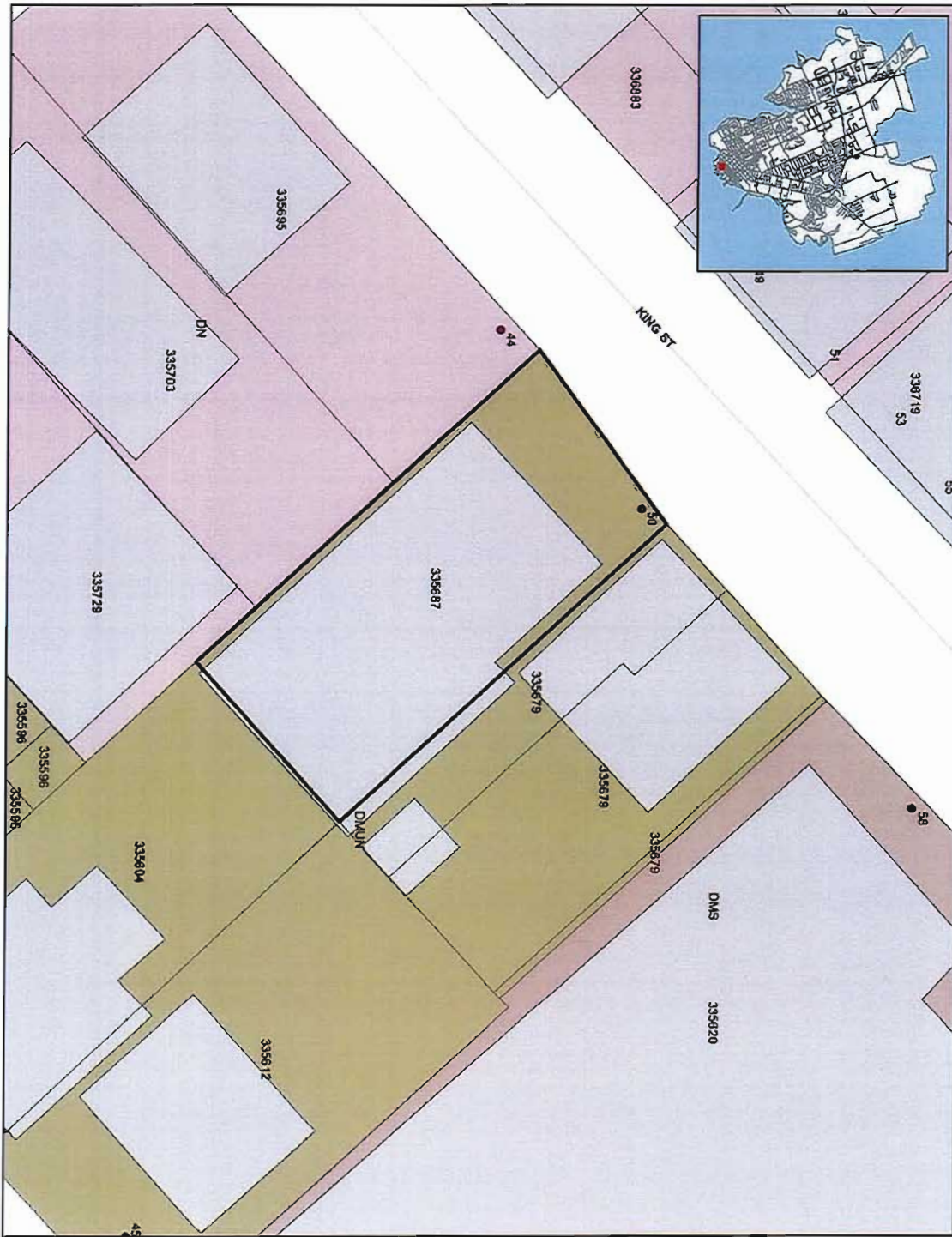
PRESENTER:


Greg Morrison, MCIP
Planner II

MANAGER:


Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A



Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER- **685**
50 King Street (PID #335687)
Owner: Timothy R Banks



Attachment B-2



A2.1
BUILDINGS
ELEVATIONS

OPEN PRACTICE ARCHITECTS
1000 W. 10TH STREET
CHARLOTTE, NC 28202
704.375.1111



DATE: 10/10/19
PROJECT: POP SHOPPE LOFTS
SHEET: A2.1



POP SHOPPE LOFTS 50 KING ST. CHARLOTTE, NC

OPEN PRACTICE

DATE: 10/10/19
PROJECT: POP SHOPPE LOFTS
SHEET: A2.1

Attachment B: Original Building Plans
File: PLAN-2019-7-OCTOBER-685
50 King Street (PID #335687)
Owner: Timothy R Banks



Attachment D-1



Attachment D: Current Photos
File: PLAN-2019-7-OCTOBER- 685
50 King Street (PID #335687)
Owner: Timothy R Banks


CHARLOTTETOWN
Planning & Heritage
Department

Attachment D-2



Attachment D: Current Photos
File: PLAN-2019-7-OCTOBER- **685**
50 King Street (PID #335687)
Owner: Timothy R Banks


CHARLOTTETOWN
Planning & Heritage
Department

Attachment D-3



Attachment D: Current Photos
File: PLAN-2019-7-OCTOBER-665
50 King Street (PID #335687)
Owner: Timothy R Banks


CHARLOTTETOWN
Planning & Heritage
Department

Attachment E

From: Heather Moyse [mailto:heather_moyse@hotmail.com]
Sent: September 27, 2019 1:02 PM
To: Planning Department
Subject: Re. 50 King Street (PID #335687)

Hello.

I recently received the notice regarding the application for variance to the property located at 50 King Street (PID #335687).


I understand that the applicant is proposing to increase the height of allowable living space to be above what had previously been approved. **I do object to this variance.** My rationale is: although the applicant may be requesting this variance to allow for *outdoor* (ie. patio) living space, if approved for general living space, my concern is that the applicant could then close in that space, making it *indoor* living space, thus having walls that block any kind of view from properties in the area.

Thank you for noting my objection.

Sincerely,
Heather

Attachment E: Letter of Opposition
File: PLAN-2019-7-OCTOBER- **685**
50 King Street (PID #335687)
Owner: Timothy R Banks


CHARLOTTETOWN
Planning & Heritage
Department

TITLE: VARIANCE (SIDE YARD SETBACKS) FILE: PLAN-2019-7-OCTOBER - 68-6 60-66 DORCHESTER ST. OWNER: DUSTIN CARROLL		
MEETING DATE: October 7, 2019		Page 1 of 9
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map, survey plan	
SITE INFORMATION: Context: Downtown neighbourhood in 500 Lot Area Ward No: 1 – Queens Square Existing Land Use: Vacant infill lot Official Plan: Downtown Neighbourhood Zoning: (DN) Downtown Neighbourhood		

RECOMMENDATION:

Planning Board is encouraged to recommend that the request to reduce both minimum side yard setbacks from 6ft to 0ft, in order to construct a four unit townhouse at 60-66 Dorchester Street (PID #336826 & 336818) be approved.

BACKGROUND:

Request

This application for a variance was before the Board in 2014, 2017 and 2018. On all occasions the variance application received approval. The application is before the Board again as the variance was not acted upon within one year of approval. Since the 2014, 2017 and 2018 variance approval has not been acted upon, the applicant must reapply and obtain Council approval for the variance again before proceeding with the proposed development. Section 3.9.6 of the Zoning & Development Bylaw states, *"If, after one (1) year of a Major variance approval, no development and /or Building Permit has not been acted upon (construction has not commenced), the Major Variance and the related Permit shall automatically be deemed null and void."* Therefore, if the current variance is not granted, the proposed development cannot proceed. The current request is the same as the previous requests and therefore, staff has attached the 2017 Planning Board Report to this report for the Board's review.

Development Context

As with the 2014, 2017 and 2018 applications staff did not have significant concerns with regards to the applicant's variance request to reduce the minimum side yard setbacks from 6ft to 0ft. Council later approved this variance for a one year period, as per the current Section 3.9.6 of the Zoning & Development Bylaw, after reviewing the proposed development in full. The applicant has submitted construction drawings for the project which are currently under review by planning and development staff. However, the project has returned to the Planning Board because the variance approval expired before construction was able to be commenced. The applicant has simply re-submitted the identical variance request, and therefore, staff's position is unchanged.

ANALYSIS:

In July of 2018, the original applicants that spearheaded this project indicated that they will not be personally moving forward with the project but have offered the property for sale and are looking to obtain a prospective new owner that will move forward with the design that was approved through the Design Review Process for the original four unit townhouse. A new owner for the property was not secured early enough to finalize approval of the construction drawings and commence construction and as such, a new variance application was submitted.

On September 20, 2019 staff mailed sixty three (63) letters to property owners located within 100 meters of the subject property. The letter informed them of the variance application and solicited their comments, to be received in writing by 12:00 noon on October 7th. Staff received one (1) letter of opposition to date (see attached). Any additional responses will be presented at the October Planning Board meeting.

CONCLUSION:

This development has undergone the Design Review Process and was recommended for approval by the design reviewer. The design reviewer felt that the bulk, mass and scale of the building fit in with the context of the streetscape. In addition the previous buildings that existed on this lot up until 2013 were built to a 0 ft. setback. Therefore, staff encourages Planning Board to recommend that the request to reduce both minimum side yard setbacks from 6ft to 0ft, in order to construct a four unit townhouse at 60-66 Dorchester Street (PID #336826 & 336818) be approved.

PRESENTER:

Laurel Palmer Thompson, MCIP
Planner II

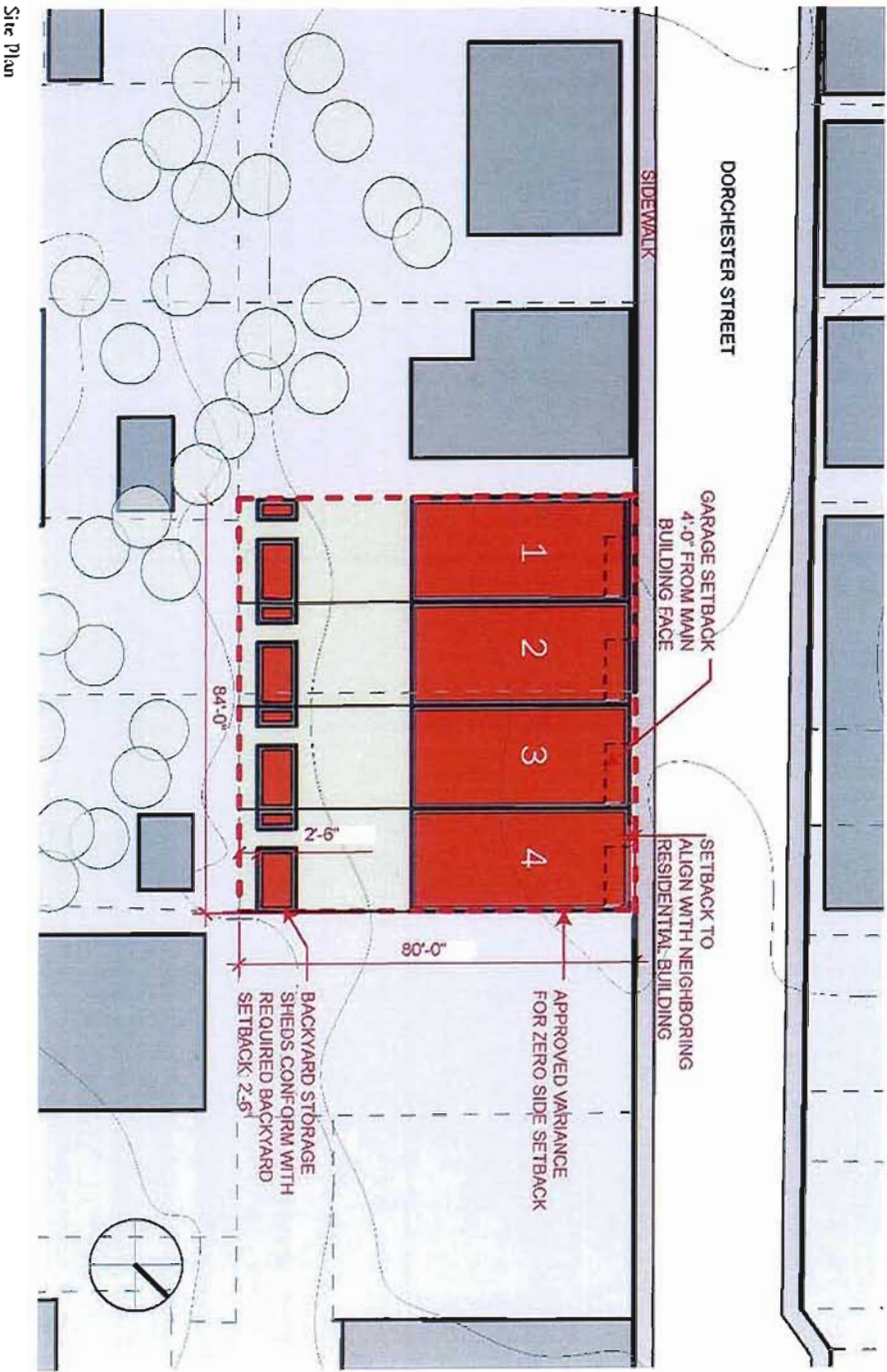
A handwritten signature in blue ink that reads "Laurel Palmer Thompson". The signature is written in a cursive style and is positioned above a solid blue horizontal line.

MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

A handwritten signature in blue ink that reads "Alex Forbes". The signature is written in a cursive style and is positioned above a solid blue horizontal line.

1.4 Site Plan

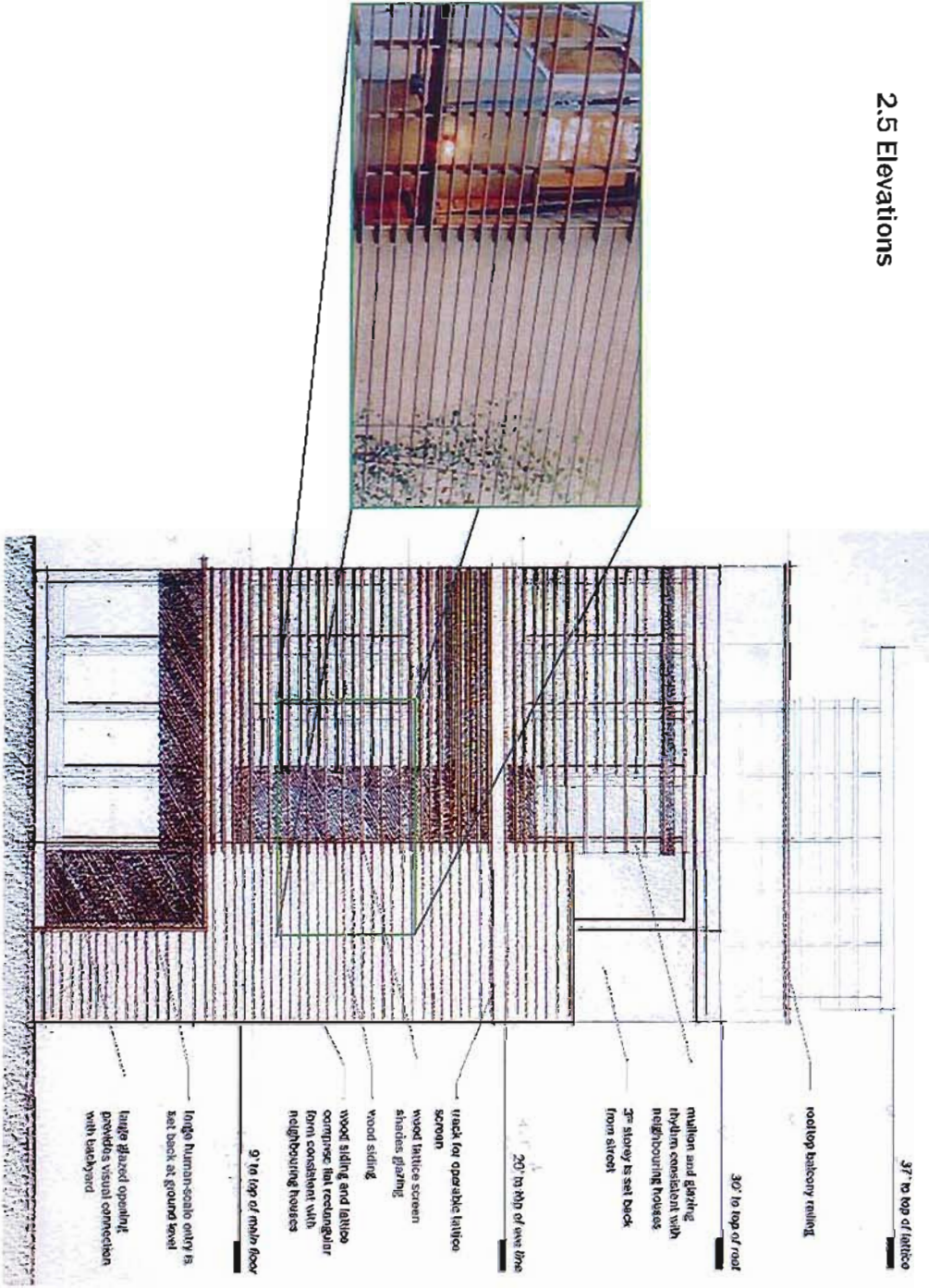


Site Plan

Building Design:



2.5 Elevations



Previous Buildings on Property:



Thompson, Laurel

From: Planning Department
Sent: Thursday, September 26, 2019 4:06 PM
To: Thompson, Laurel; Morrison, Greg
Cc: Stavert, Robert
Subject: FW: Variance Application for 60-66 Dorchester Street (PID #336826 & 336818)
Attachments: 2019-101559 PEI Inc letter regarding zoning variance.pdf

Fyi.

Best Regards,
Ellen

From: Tracey Barrett [<mailto:tbarrett@thegraygroup.ca>]
Sent: Thursday, September 26, 2019 3:29 PM
To: Planning Department
Cc: 'Trevor MacLeod'
Subject: Variance Application for 60-66 Dorchester Street (PID #336826 & 336818)

Good Afternoon Laurel,

Please see attached letter from the Owners of 101559 PEI Inc. opposing the variance request for a reduction in the set back to zero feet.

Can you please confirm that you've received this letter and it will be included in the upcoming meeting for the City's Planning Board.

Thank you,

Tracey Barrett
Property Manager



20 Great George St.
Charlottetown, PE
C1A 4J6
T: 902-894-4729 ext. 233
F: 902-566-1548
www.thegraygroup.ca

101559 PEI Inc.

*20 Great George St.
Charlottetown, PE, C1A 4J6*

September 26, 2019

City of Charlottetown
Planning, Development & Heritage
233 Queen St., Box 98
Charlottetown, PE, C1A 4B9

RE: 60-66 DORCHESTER STREET (PID #'s 336826 & 336818) VARIANCE APPLICATION

ATTN: Laurel Palmer Thompson,

In response to your notification of the above noted variance application, I would like to advise that 101559 PEI Inc. strongly opposes the requested reduction of the side yard setback from 6'-0" to 0'-0".


Specifically, our opposition would be to changes to the North Eastern boundary of the property directly abutting our land, known as 65 Queen St., for the following reasons:

- The variance would provide for zero set-back between two dissimilarly zoned and occupied properties.
- The construction of a building with zero set-back next to our Tenant parking would result in considerable difficulty with our ability to properly conduct our snow removal operations, maintain adequate ingress/egress, refuse removal, etc. Approval of such a variance would inevitably result in damage to the new construction and/or contractor equipment in a zero set-back scenario.
- The zero set-back on the North East boundary directly abuts the entrance/exit to our parking lot, access to which would be restricted during construction.
- We have safety concerns with respect to the lack of access to the rear of the proposed development in the event of incident/emergency.

In essence, we feel that a reduction of the side yard set-back will have a negative effect on the continued operation of our property, our Tenants and their clients. We respectfully request that the variance request be denied and the zoning bylaw remains in effect.

Sincerely,

Trevor MacLeod
101559 PEI Inc.

 <p style="text-align: center;">City of Charlottetown</p>	Report No: PLAN-June-05-2017-#
	Date: May 31 st , 2017
Directed to: Planning Board	Attachments: 1) Proposed Development 2) Previous Semi-detached Dwelling (2006) 3) Applicant Letter 4) Mail Out Responses
Department: Planning & Heritage	
Prepared by: Jesse Morton	
Subject: A variance request to reduce both minimum side yard setbacks from 6ft to 0ft, in order to construct a four unit townhouse at 60-66 Dorchester Street (PID #336826 & 336818).	
RECOMMENDATION: Planning Board is encouraged to recommend that the request to reduce both minimum side yard setbacks from 6ft to 0ft, in order to construct a four unit townhouse at 60-66 Dorchester Street (PID #336826 & 336818) be approved.	

Background:

60 & 66 Dorchester Street (PID #336826 & 336818) are two vacant properties, which are located in the Downtown Neighbourhood (DN) Zone within Charlottetown’s 500 Lot Area. The applicant wishes to construct a four unit townhouse on the properties once they’re formally consolidated. Given that the properties are located in the 500 Lot Area and the applicant wishes to construct four new dwelling units, the proposal is subject to the design review process outlined in the Zoning & Development Bylaw.



The applicant originally submitted applications and design drawings to develop the subject properties back in 2014. The drawings, which are attached to this report, show a three storey townhouse development that utilizes a modern building design. Each unit contains two bedrooms, a private garage, a backyard, and potentially an accessory structure(s).

The applicant made variance, lot consolidation, and design review applications to proceed with the proposed development. All three items received the necessary approvals in 2014, however, no action was taken to proceed with the project. The applicant now wishes to proceed with the exact same development.

Note: The plans illustrate one property with four small accessory structures. As per Section 4.1 of the Zoning & Development Bylaw, the consolidated property may contain two small accessory structures. This minor issue will be resolved in the future, once staff determine if the property will house a condo development or if each townhouse will be held in private ownership.

2014 Approvals:

During the original 2014 variance request, the applicant explained that the prior to 2006, each property contained a semi-detached dwelling that utilized 0ft side yard setbacks (See Attached). In order to pursue

the proposed development, the applicant requested to recreate the same density and side yard setbacks that previously existed, though now the properties would contain one large building instead of two.

In 2014, staff received two letters of support and one opposition letter for the variance request (though multiple letters were received following the submission deadline). Council approved the variance request on August 11, 2014. Section 4.32.4 of the Zoning & Development Bylaw states, however: *“If, after one (1) year of a variance approval by Council, 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.”*

Since the 2014 variance approval has not been acted upon, the applicant must reapply and obtain Council approval for the variance yet again before proceeding with the proposed development. If the variance is not granted, the proposed development cannot proceed.



On November 10, 2014, Council approved the requested lot consolidation subject to the receipt of signed, pinned survey plans. No expiry date is attributed to this approval, and as such, staff will approved the lot consolidation once the necessary pinned survey plans are submitted.

On October 28, 2014, the City’s Heritage Board approved the exterior design for the proposed four unit townhouse after the Design Reviewer provided a positive recommendation. Again, there is no expiry date for the design review approval, as long as the applicant pursues the identical development. Any modification to the proposed development’s design (along with the development’s use) will require a new design review approval.

2017 Variance Application & Mail Outs:

In May 2017, the applicant indicated that they wish to move forward with the original four unit townhouse, and as such, a new variance application was submitted. The applicant also submitted a letter (See Attached) providing a rationale for the request.

On May 17th staff mailed 63 letters to property owners located within 100 meters of the subject property. The letter informed them of the variance application and solicited their comments, to be received in writing by noon on June 1st. Staff received five opposition letters to date (See Attached). Any additional responses will be presented at the Board’s March meeting.

Discussion:

Staff did not have significant concerns with regards to the applicant’s original 2014 variance request to reduce the minimum side yard setbacks from 6ft to 0ft. Council later approved this variance for a one year

period, as per Section 4.32 of the Zoning & Development Bylaw, after reviewing the proposed development in full. The applicant has only returned to the Planning Board because the original variance approval expired before they were able to proceed with the townhouse development. The applicant has simply re-submitted the identical variance request, and therefore, staff's position is unchanged.


RECOMMENDATION:

Planning Board is encouraged to recommend that the request to reduce both minimum side yard setbacks from 6ft to 0ft, in order to construct a four unit townhouse at 60-66 Dorchester Street (PID #336826 & 336818) be approved.

Respectfully,

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

RECOMMENDATIONS/ACTIONS:

TITLE: <p style="text-align: center;"> VARIANCE FILE PLAN-2019-07-OCT- 6B-7 21 GREENFIELD AVE (PID 352955) OWNER/APPLICANT: JOHN REDDIN </p>		 CHARLOTTETOWN
MEETING DATE: October 7 2019		Page 1 of 3
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Application related documents B. Map, air photo & drawings C. Resident Letters	
SITE INFORMATION: Context: Corner lot with a single detached dwelling Ward No: 3 Existing Land Use: Residential Official Plan: Low Density Residential Zoning: Single Detached Residential (R-1S) Zone		

RECOMMENDATIONS:

That the Variance Application to reduce the interior side yard setback requirement from 1.83m (6ft) to 1.2m (4ft) to construct an addition to the rear portion of the existing dwelling be approved at 21 Greenfield Ave in accordance with the intent of the attached site plan "Attachment A-1 and A-2", the attached elevation plan "Attachment A-3 and A-4".

BACKGROUND:

Request

The owner, John Reddin, on behalf of the property owner, is applying to vary the interior side yard setback requirement from 1.83m (6ft) to 1.2m (4ft) as outlined in Section 10.2 Regulations for Permitted Uses of the City of Charlottetown Zoning By-law to construct an addition to the rear portion of the existing dwelling for property located at 21 Greenfield Ave in the Single Detached Residential (R-1S) Zone.

Development Context

The subject site is currently developed with a single detached dwelling in a mature neighbourhood, and is located on the corner of Greenfield Ave and Churchill Ave. Uses surrounding the site consist primarily of single detached dwellings. Churchill Ave provides access to the site.

Property History

In 1922, George Richie purchased the land that he would later build his handsome bungalow on in 1930. Sadly, only six years later, the funeral for his wife, Mrs. George Richie, was held at her

residence, 21 Greenfield Avenue. A number of ministers attended the service as did a number of Charlottetown businessmen and government representatives. The May 1, 1944 edition of the Guardian reported that the bungalow at 21 Greenfield Avenue was being sold by the estate of the late George Richie. It is not clear to whom the property was being sold, however by 1950, Mrs. J. Pope Clarke owned the property.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of property within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variance. The deadline to submit written comments on the application was Thursday October 3rd, 2019.

Public Feedback

The Planning & Heritage Department has received two (2) letters stating no concerns to the variance application.

ANALYSIS:

The applicant has submitted a site plan illustrating the existing dwelling and the proposed addition (see attached). The proposal includes expanding the rear portion of the existing dwelling and adding an 18.4 sq.m (198 sq.ft) addition into the interior side yard setback. The interior side yard setback for the existing side portion of the dwelling is approximately 1.2m (4 ft) and the proposed addition would follow the same setback. The required side yard setback in the Single-Detached Residential (R-1S) Zone is 1.83m (6ft).

The proposed addition will also expand into the rear yard but maintain the same distance to the rear lot line as the rear wall of the existing dwelling. Due to the size of the lot and this being an established mature neighbourhood many dwellings in this area are legal non-conforming when it comes to the standard requirement of 1.83m for an interior side yard setback. In fact the proposed addition is not encroaching any further into the interior side yard than the side wall of the existing dwelling. The neighbouring dwelling at 23 Greenfield Avenue maintains a similar interior side yard setback from the dwelling on the subject property and would be most affected by the proposed addition. If the application is approved, the applicant will have to submit a building permit along with the appropriate drawings which will have to meet the National Building Code of Canada (NBC)

requirements. Since the proposed addition is under 20 sq.m (215 sq.ft) in floor area a drainage plan will not be required but any runoff from the roof system must be directed to the street.

CONCLUSION:

The Planning & Heritage Department recommends that the variance to reduce the interior side yard setback requirement from 1.83m (6ft) to 1.2m (4ft) to construct the proposed addition be approved in accordance with the intent of the application attached site plan "Attachment A-1 and A-2" and the attached elevation plan "Attachment A-3 and A-4".

PRESENTER:



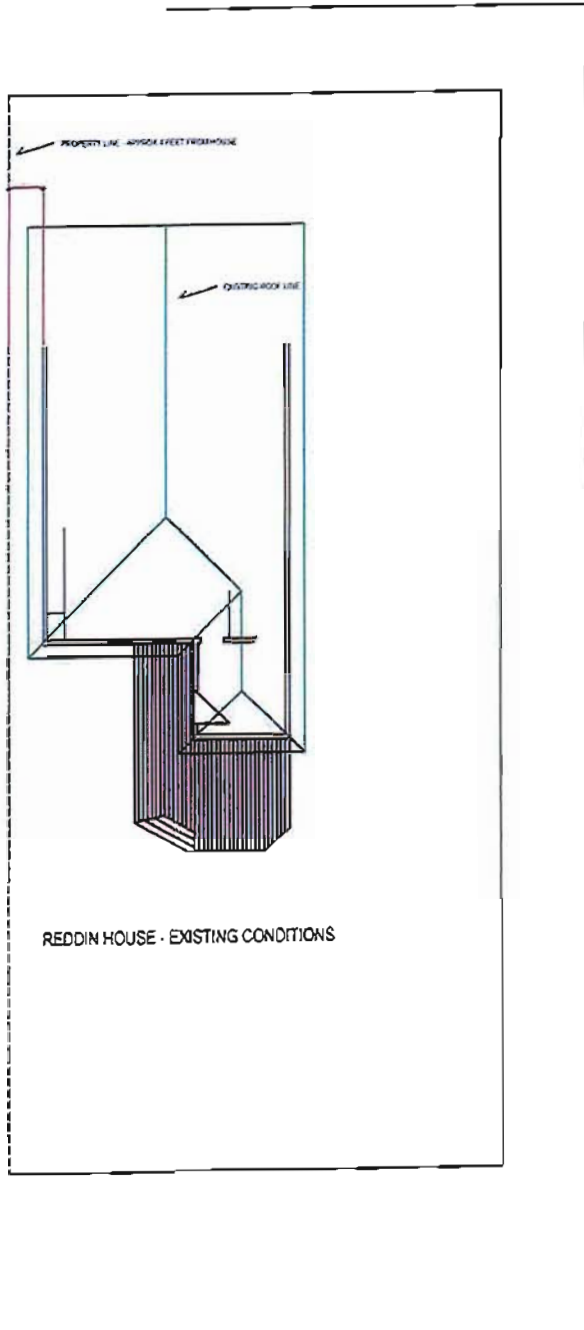
Robert Zilke, MCIP

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

GREENFIELD AVENUE

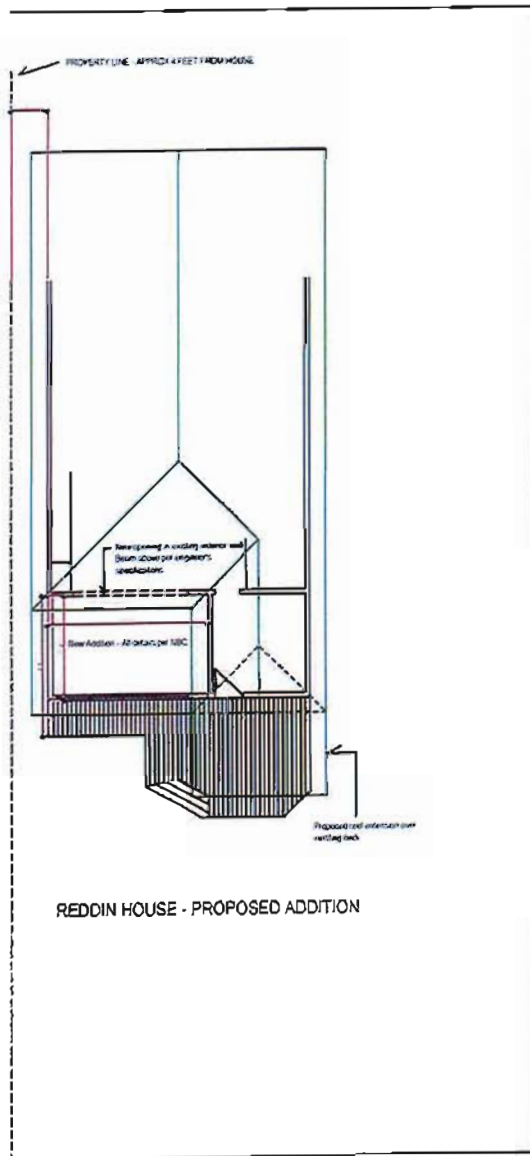


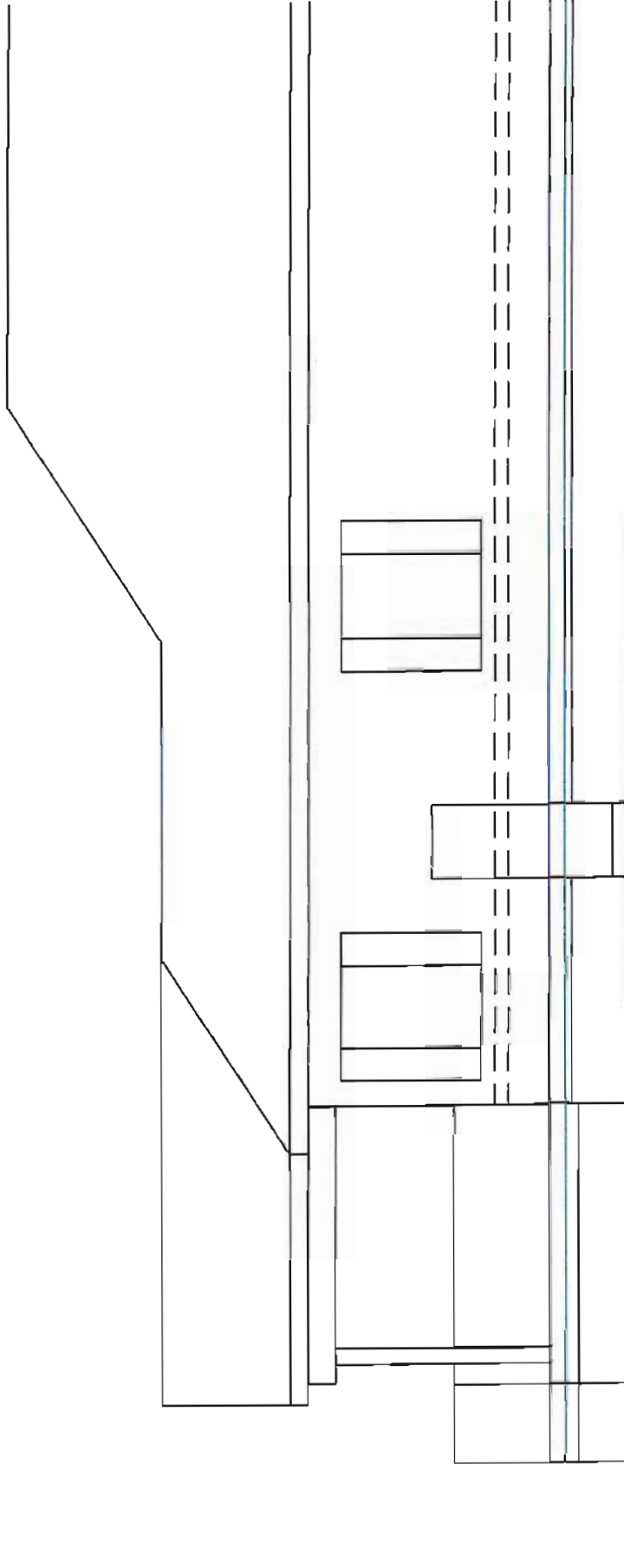
REDDIN HOUSE - EXISTING CONDITIONS

CHURCH HILL AVENUE

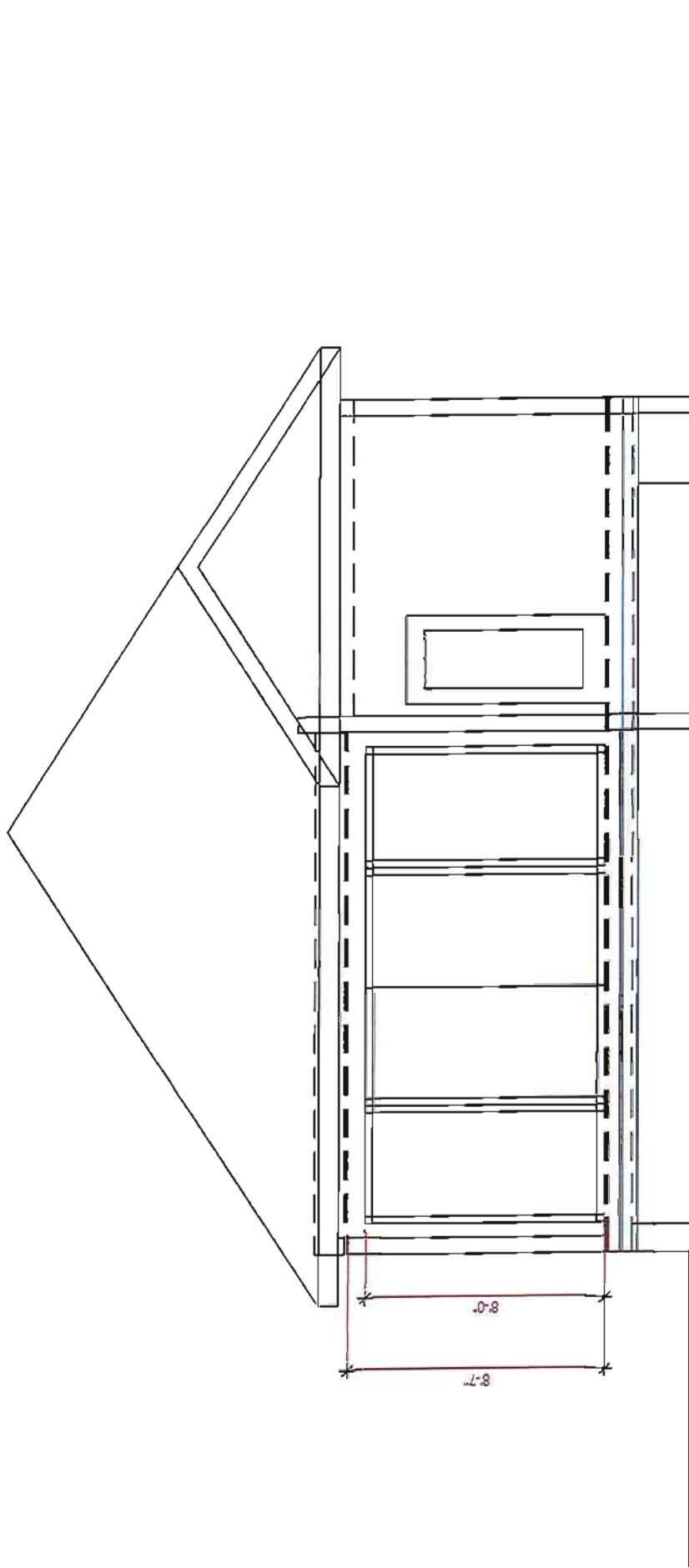
GREENFIELD AVENUE

CHURCHILL AVENUE



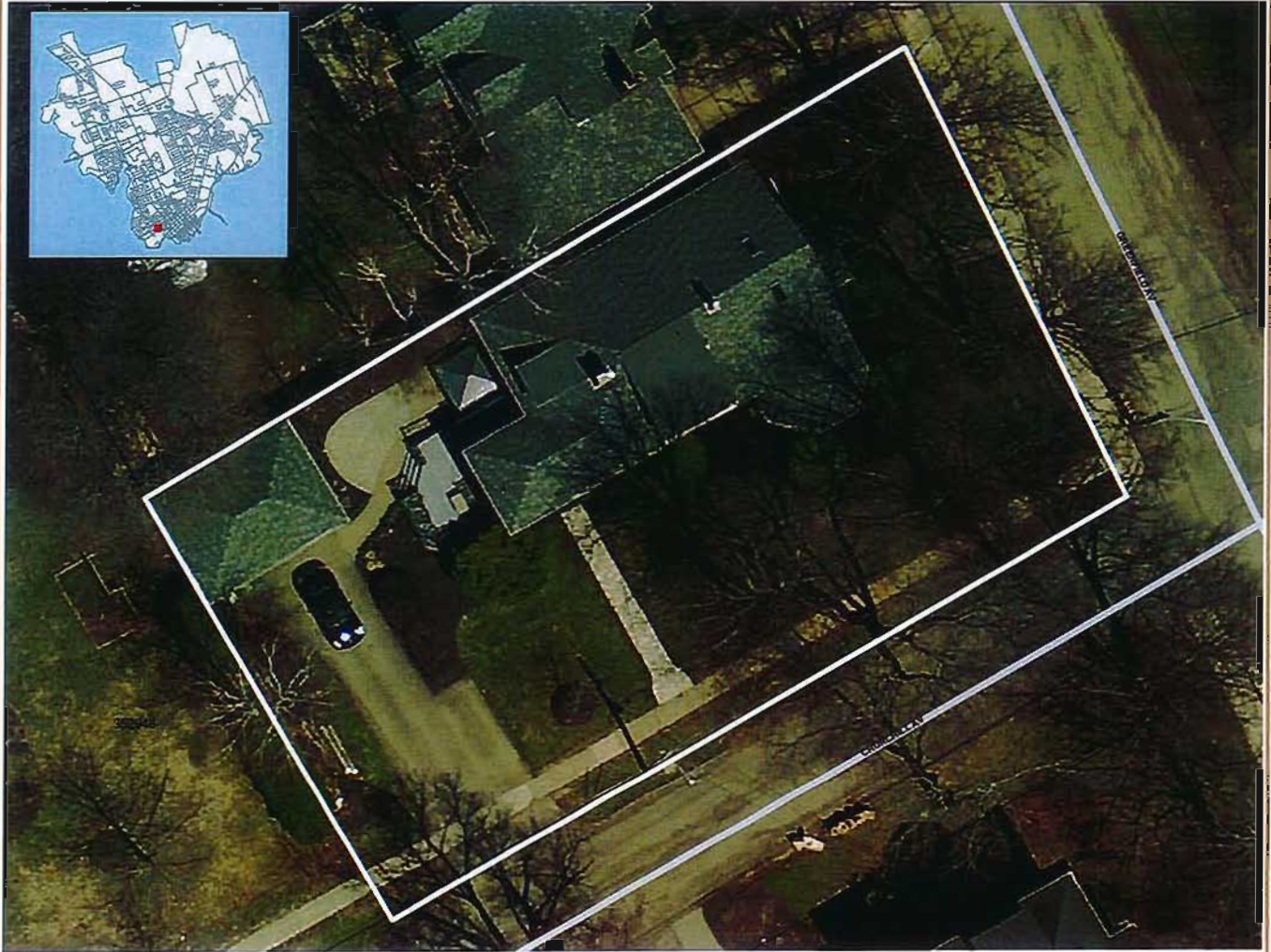


REDDIN HOUSE - PROPOSED SOUTH ELEVATION



REDDIN HOUSE - PROPOSED WEST ELEVATION

Attachment B



Attachment C

Correspondence 1

Dear Planning Department,

My name is Valerie Maloney and I reside at 25 Ambrose Street. I am writing to advise you that I have no difficulties with the request for a variance for the above property. This property has been improved and well looked after over the past number of years with the current owners. I am sure that this new addition will be in keeping with that and add to the neighbourhood.

Thank You,
M. Valerie Maloney

Correspondence 2

Good morning,

My parents, Leonard and Elizabeth Driscoll, were recently contacted by the Planning & Heritage Department regarding an application for variance to the house at 21 Greenfield Avenue (PID #352955). My parents have asked me to send this email on their behalf to let you know that they *do not* oppose the application for a variance to allow for an addition to the house at that location.

If you wish to verify this with my parents, or if you require further information, please contact them at (902) 892-2214.

Thanks,
Rosemary Driscoll

Correspondence 3

Thank you for the notification and opportunity to comment on the variance application to reduce the side yard setback at 21 Greenfield. Our understanding is that set back laws are established for:

- Safety, for example to allow access for emergency equipment and services such as fire fighters and utilities;
- Environmental purposes, for example to allow proper drainage, and absorption of water (which is a problem in this particular area of the city and will become increasingly so with climate change);

- Aesthetics and density, for example to to keep residential areas as intended, maintain views and light, ensure there is adequate off street parking, control crowding and congestion.

We would ask that the committee verify with a qualified person/department that each of the above have been considered and determined not to be a concern for this request.

We would also ask that the committee consider the purpose of the renovation. That is not revealed in the information you provided, but a concern is the increasing trend, especially in this area, for single detached residential homes to be converted into apartments, bed and breakfasts and AirBnBs. If that is the intent now, or if this increases the probability of it in the future, we would oppose the variance.

We applaud residents who are making improvements in their homes, but count on your oversight to ensure that it is not at the expense of other residents, the neighbourhood, safety nor essential services. We would oppose the variance until we receive confirmation that each of the above have been investigated and deemed not to be a risk.


Respectfully,

N. Field

E. Cook

44 Brighton Road

Charlottetown

TITLE: LOT CONSOLIDATION & TWO (2) BONUS HEIGHT VARIANCES FILE: PLAN-2019-7-OCTOBER- 688 91 KING ST (PID #336909), 93 KING ST (PID #336917), 94-98 DORCHESTER ST (PID #336974) & 100-102 DORCHESTER ST (PID #336966) OWNERS: WYEMOUTH PROPERTIES LTD. APPLICANT: NINE YARDS STUDIO		
MEETING DATE: October 7, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Maps B. Building Renderings C. Letter of Support	
SITE INFORMATION: Context: Four (4) properties in the 500 Lot Area Ward No: 1 – Queens Square Existing Land Use: One (1) Single-Detached Dwelling and Three (3) Multi-Unit Dwellings Official Plan: Downtown Mixed-Use Neighbourhood Zoning: Downtown Mixed-Use Neighbourhood (DMUN) Zone		
PREVIOUS APPLICATIONS: N/A		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to:

- Consolidate 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974) & 100-102 Dorchester St (PID #336966);
- Reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4 ft to approximately 80.1 ft on the consolidated property (consisting of PID #336909, PID #336917, PID #336974, and PID #336966); and
- Reduce the minimum side yard setback for the fifth storey from 18.0 ft to approximately 13.0 ft away from the four (4) properties fronting on Queen Street (being PID #336982,

PID #336990, PID #337006 & PID #337014) on the consolidated property (consisting of PID #336909, PID #336917, PID #336974 & PID #336966).

in order to construct a five-storey, 43-unit apartment building subject to:

- A pinned final survey plan;
- A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels;
- Design review approval;
- Public benefit being provided for the fifth storey; and
- The signing of a Development Agreement.

BACKGROUND:

Request

The property owner, Weymouth Properties Ltd., has made an application to demolish the existing structures at 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974) & 100-102 Dorchester St (PID #336966), consolidate said properties, and construct a 43-unit apartment building. The maximum building height in the DMUN Zone is 39.4 ft. The applicant is requesting to construct a five (5) storey building; however, only four (4) of the stories will be constructed within the maximum height of 39.4 ft. As per Section 29.3 of the Zoning & Development By-law, bonus height is permitted in order to allow the proposed fifth storey. In order to construct the proposed building using the bonus height provisions, two (2) variances are required.

Development Context

All four (4) properties, 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974) & 100-102 Dorchester St (PID #336966) are located in the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the 500 Lot Area. Provincial Tax Assessments indicate that 91 King St (PID #336909) contains six (6) residential dwelling units, 93 King St (PID #336917) contains six (6) residential dwelling units, 94-98 Dorchester St (PID #336974) contains eight (8) residential dwelling units & 100-102 Dorchester St (PID #336966) contains one (1) residential dwelling unit. None of the above noted properties are Designated Heritage Resources.

Property History

There is no recent building & development permit history for these properties.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning & Development By-law, notice of the Planning Board meeting regarding the proposed variances only (the proposed lot consolidation does not require a mailout) was sent to owners of property within 100 metres (328.1 ft) of the subject property on September 19, 2019 which soliciting their written comments for or against the proposed variances. The deadline to submit written comments on the application was Thursday, October 3, 2019.

Public Feedback

The Planning & Heritage Department received one (1) letter of support (see attached).

ANALYSIS:

Staff conducted an analysis of the DMUN Zone requirements below:

	DMUN Requirements	Proposed
Lot Frontage	min 65.6 ft	approx. 80.1 ft
Front Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	approx. 0.0 ft (in line with 68 Queen Street & 52 Queen Street)
Rear Yard Setback	min 0.0 ft (within the min and max range of the existing buildings on the block)	N/A (through lot)
L Side Yard Setback	min 6.0 ft	6.0 ft
R Side Yard Setback	min 6.0 ft	6.0 ft

Height	max 39.4 ft	one storey greater than 39.4 ft (bonus height required – see table below)
--------	-------------	--

The proposed 43-unit apartment building adheres to all permitted uses and setbacks in the Downtown Mixed-Use Neighbourhood (DMUN) Zone. That being said, the applicant is requesting a bonus height of one (1) additional floor which is permitted in this zone subject to the lot frontage variance being approved.

	Bonus Height Requirements	Proposed
Permitted Zones	DMUN DMS DC WF	DMUN
Building Height	max 60.7 ft	one storey greater than 39.4 ft
Lot Frontage	min 98.4 ft	approx. 80.1 ft (variance required)
Front Stepback	min 9.8 ft	9.8 ft
L Side Stepback	min 18.0 ft (from adjacent properties)	approx. 13.0 ft (due to the common right-of-way of 7.0 ft and the 6.0 ft side yard setback, the 5 th floor is stepped back 13.0 ft from 68 Queen Street – 5.0 ft variance required)
R Side Stepback	min 18.0 ft (from adjacent properties)	18.0 ft

The proposed five-storey 43-unit apartment building does not adhere to all of the bonus height development standards as outlined in Section 29.3 of the Zoning & Development By-law. In light

of the fact that the subject property does not meet the lot dimension requirements to be eligible for bonus height, a variance is required.

In addition to the variance for the lot frontage, the applicant is also proposing one (1) additional variance to the side yard setback from the fifth floor to the adjacent building at 68 Queen Street (PID #336982).

In light of the common right-of-way (7.0 ft) and the side yard setback of 6.0 ft, the proposed building is setback approximately 13.0 ft from 68 Queen Street (PID #336982); however, the fifth floor must be stepped back an additional 5.0 ft from the building wall in order to meet the requirements of the Zoning & Development By-law.

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

1. *Adaptive reuse, Maintenance, preservation, or enhancement of a Designated Heritage Resource as defined in the Heritage Preservation By-law;*
2. *The provision of Affordable Housing Dwelling Units, by way of subsidization between the applicant and the Province and/or Federal Government(s) for a specified period of time and confirmed in a written agreement registered to the property;*
3. *The provision of three or four bedroom Dwelling Units;*
4. *The provision of a Landscaped Area, such as urban park, plaza, boardwalk or other facility where a deficiency exists or as indicated by the City;*
5. *The provision of public art in a location to be agreed upon by the City;*
6. *Investment in active transportation or public transit;*
7. *The provision of a LEED-gold standard certified Building or other equivalent qualification;
or*
8. *The provision of subsidized commercial space for arts or other cultural uses.*

Landscaping

As per Section 6.5.1 of the Zoning & Development By-law, *a minimum of ten percent (10%) of the Lot Area on which a Building or Structure is Erected shall be used for no other purpose than Landscaped Area.* In light of the fact that there is insufficient room on the property for landscaping, Section 6.5.2 would apply: *where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.*

Parking

As per Section 43 of the Zoning & Development By-law, one (1) standard parking space is required for every two dwelling units as well as one (1) mobility disabled parking space is required for every 5 to 30 units. Due to the fact that the proposed apartment building contains 43 residential dwelling units, 22 standard parking spaces and two (2) mobility disabled parking spaces are required. At this time, the applicant is proposing underground parking for 21 standard parking spaces. Any spaces that cannot be provided on the property will have to be purchased through cash-in-lieu of parking at \$6,000 per space.

Official Plan

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

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

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

Section 3.2.1 - Our objective is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surrounding.

The request demolishes existing buildings which does not preserve the built form of existing neighbourhoods. The applicant is applying an additional floor of bonus height which will make the building appear larger; however, the applicant has attempted to stepback the fourth and fifth floors to allow the streetscape to be viewed as a three storey building which is traditional along the block. Nevertheless, Design Review will be required in order to ensure compliance with the 500 Lot Design Standards and Guidelines.

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

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

Section 4.2.2 - Our objective is to promote new development that reinforces the existing urban structure.

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

Section 4.2.6 - Our objective is to protect and strengthen the character of the residential neighbourhood in the 500 Lot Area

This application involves numerous requests which shall be considered concurrently, as all items must be approved to proceed with the proposed development. Staff is confident that the majority of the requirements in the Zoning & Development By-law have been satisfied and the proposed development will enhance the existing neighbourhood. Further, the applicant should be subject to the signing of a Development Agreement to ensure that the plans that have been reviewed and presented to the public and Council will be constructed. The Development

Agreement will also include provisions pertaining to the bonus height public benefit and design review.

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none">• Promotes compact urban form and infill development, as well as the efficient use of infrastructure• Consistent with the built form in the neighbourhood.• Design review is required to ensure that new development is compatible with, and enhances its surroundings.		<ul style="list-style-type: none">• Requires a variance to the lot frontage requirement for bonus height.• Requires a variance to reduce the minimum side yard setback for the fifth floor on one side of the proposed building.• Does not preserve the buildings in existing neighbourhoods.

CONCLUSION:

The Planning & Heritage Department recommends that the lot consolidation and two (2) variances, be approved subject to, a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of the consolidated parcels, obtaining design review approval, securing a public benefit for the fifth storey, and the signing of a Development Agreement.

PRESENTER:



Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

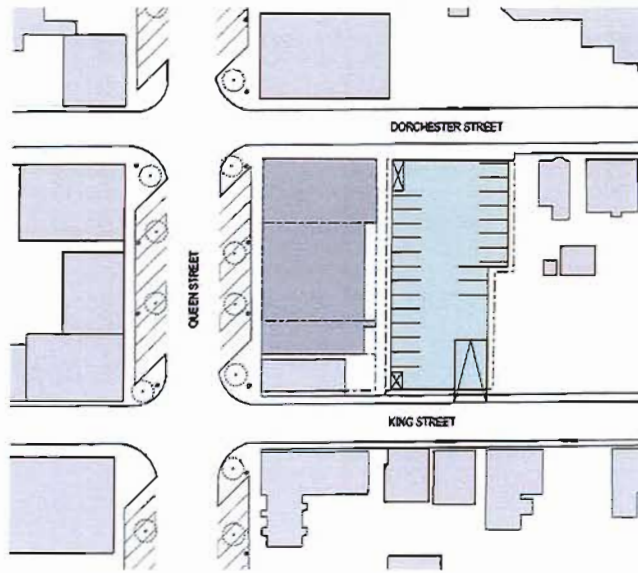
Attachment A



Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER- **688**
91 King St (PID #336909), 93 King St (PID #336917),
94-98 Dorchester St (PID #336974) &
100-102 Dorchester St (PID #336966)
Owner: Weymouth Properties Ltd.



Attachment B-1



KING & DORCHESTER ST UNDERGROUND PARKING LEVEL

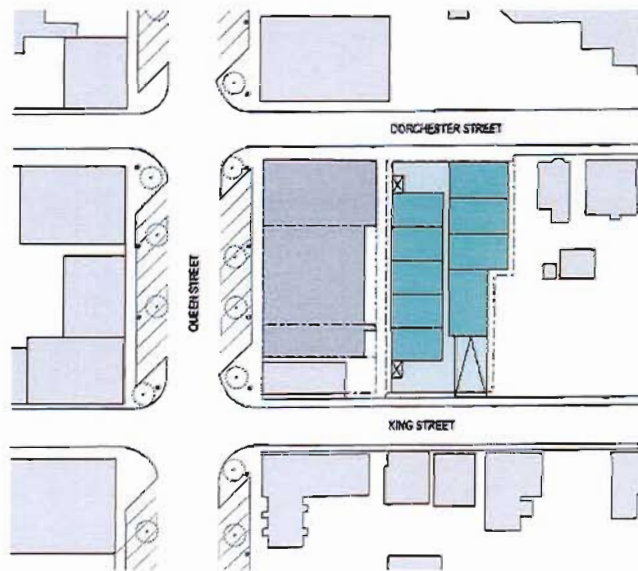
SUMMARY

- 1) THE BUILDING ON KING AND DORCHESTER STREET WILL HAVE OFF-UNDERGROUND PARKING FOR 23 CARS

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

□ DORCHESTER & KING STREET BUILDING

NINE
YARDS



KING & DORCHESTER ST MAIN FLOOR

SUMMARY

- 1) THE MAIN FLOOR WILL HAVE 0 APARTMENTS
- 2) MAX HEIGHT IS 15M (49 FT) - 4 FLOORS, PLUS ADDITIONAL UNITS WITH ADDED 80CM HEIGHT.

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

□ DORCHESTER & KING STREET BUILDING

■ APARTMENT UNITS

NINE
YARDS

Attachment B: Building Renderings

File: PLAN-2019-7-OCTOBER-688

91 King St (PID #336909), 93 King St (PID #336917),

94-98 Dorchester St (PID #336974) &

100-102 Dorchester St (PID #336966)

Owner: Weymouth Properties Ltd.

Attachment B-2



KING & DORCHESTER ST 2ND & 3RD FLOORS

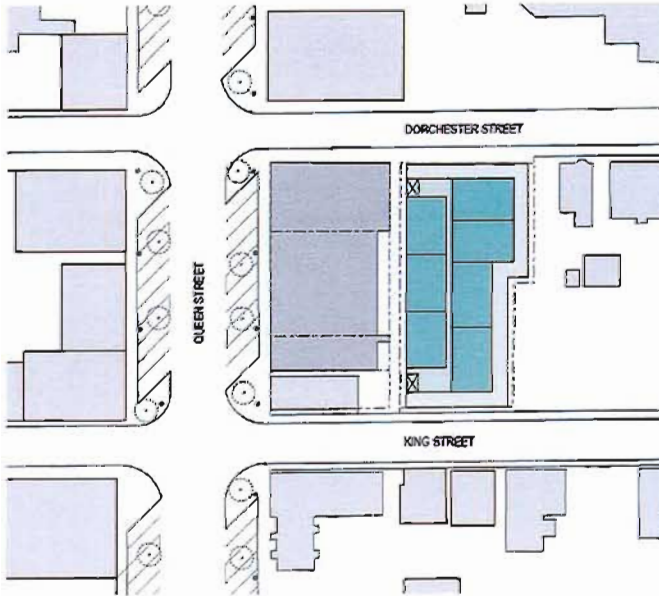
SUMMARY:

(1) THE SECOND AND THIRD FLOORS WILL HAVE 10 UNITS

DORCHESTER & KING STREET BUILDING
 APARTMENT UNITS

NINE
YARDS

QUEEN STREET REVITALIZATION PROJECT Preliminary Design



KING & DORCHESTER ST 4TH & 5TH FLOORS

SUMMARY:

(1) THE 4TH AND 5TH FLOORS WILL HAVE 7 UNITS EACH. THE TOTAL BUILDING IS 17 UNITS

DORCHESTER & KING STREET BUILDING
 APARTMENT UNITS

NINE
YARDS

QUEEN STREET REVITALIZATION PROJECT Preliminary Design

Attachment B: Building Renderings

File: PLAN-2019-7-OCTOBER-688

91 King St (PID #336909), 93 King St (PID #336917),

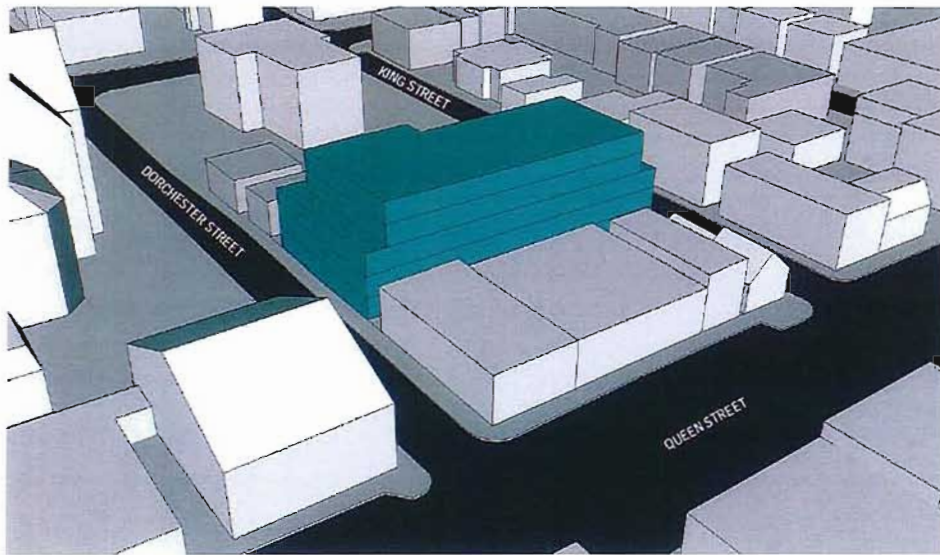
94-98 Dorchester St (PID #336974) &

100-102 Dorchester St (PID #336966)

Owner: Weymouth Properties Ltd



Attachment B-3



DORCHESTER AND KING STREET BUILDING
PROPOSED MASSING CONCEPT

QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

NINE
YARDS



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

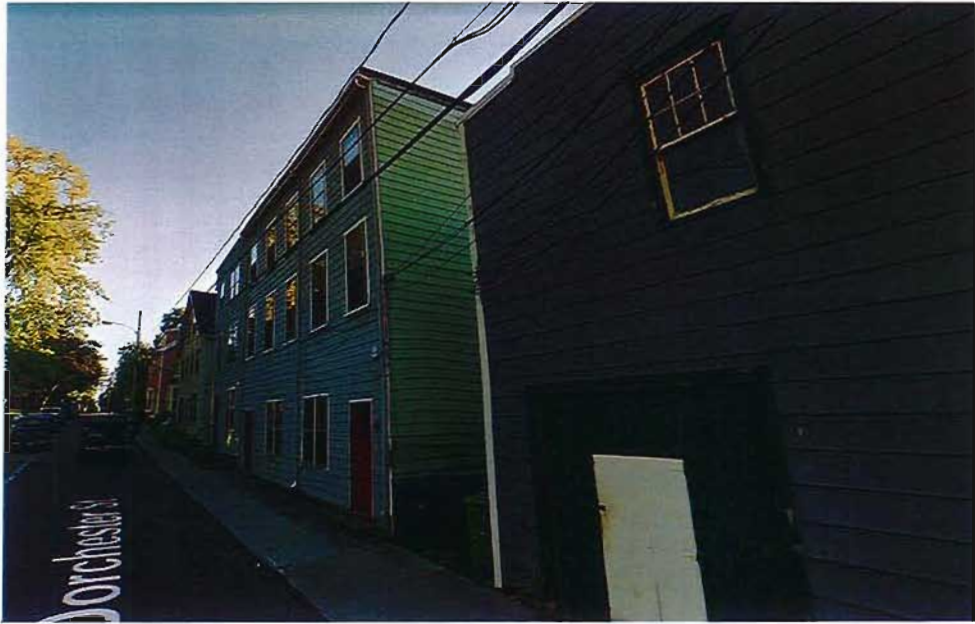
BIRDS EYE VIEW

NINE
YARDS

Attachment B: Building Renderings
File: PLAN-2019-7-OCTOBER- **688**
91 King St (PID #336909), 93 King St (PID #336917),
94-98 Dorchester St (PID #336974) &
100-102 Dorchester St (PID #336966)
Owner: Weymouth Properties Ltd.



Attachment B-4



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - DORCHESTER STREET

NINE
YARDS

Attachment B: Building Renderings
File: PLAN-2019-7-OCTOBER-688
91 King St (PID #336909), 93 King St (PID #336917),
94-98 Dorchester St (PID #336974) &
100-102 Dorchester St (PID #336966)
Owner: Weymouth Properties Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

Attachment B-5



QUEEN STREET REVITALIZATION PROJECT
Preliminary Design

VIEW - KING STREET
NINE
YARDS

Attachment B: Building Renderings
File: PLAN-2019-7-OCTOBER-688
91 King St (PID #336909), 93 King St (PID #336917),
94-98 Dorchester St (PID #336974) &
100-102 Dorchester St (PID #336966)
Owner: Weymouth Properties Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

Attachment C

From: Steve Dunne [<mailto:steve@dunnegroup.ca>]

Sent: September 26, 2019 2:34 PM

To: Planning Department

Cc: Kevin Murphy

Subject: variances 91 King, 93 King, etc

To whom it may concern,

This e-mail is to acknowledge that 100451 PEI Inc, (Gahan House property – 126 Sydney) has received by mail, the information for two variances, for the four properties located at 91 King, 93 King, 94-98 Dorchester and 100-102 Dorchester

This looks like a wonderful, major project. This project will revitalize a downtown block; will increase property values; will add many needed, modern new incremental living spaces. The developer already did an excellent job already on the other portion of King St. with the new 13 unit that he opened this year – and he should be commended for again investing in making his downtown properties the best they can be.

This new project is a win-win for all.

We are of the opinion, that the City needs to co-operate with developer's on reasonable variance requests, to enable these multi-million dollar projects to have the opportunity to be financially self-sustaining

We are in favor.

Steve Dunne

Direct: 902-628-4460

www.dunnegroup.ca

[LinkedIn profile](#)



Attachment C: Letter of Support

File: PLAN-2019-7-OCTOBER-688


91 King St (PID #336909), 93 King St (PID #336917),

94-98 Dorchester St (PID #336974) &

100-102 Dorchester St (PID #336966)

Owner: Weymouth Properties Ltd.



TITLE: LOT CONSOLIDATION APPLICATION FILE: PLAN-2019-7-OCTOBER- 609 58-64 QUEEN ST (PID #336990) & 68 QUEEN ST (PID #336982) OWNER: WEYMOUTH PROPERTIES LTD. APPLICANT: NINE YARDS STUDIO		
MEETING DATE: October 7, 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Exterior Renderings	
SITE INFORMATION: Context: Two (2) properties in the 500 Lot Area Ward No: 1 – Queens Square Existing Land Use: Ground Floor Commercial and Vacant Second Floor Official Plan: Downtown Main Street Zoning: Downtown Main Street (DMS)		
PREVIOUS APPLICATIONS: 68 Queen Street (PID #336982) – Request for Demolition rejected by Council on June 9, 2008.		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request for a lot consolidation of 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982), subject to:

- a pinned final survey plan;
- a new perimeter deed description being registered describing the outer boundaries of the consolidated parcels; and
- Design Review approval for any significant exterior renovations.

BACKGROUND:

Request

The property owner, Weymouth Properties Ltd., has made an application to consolidate two (2) properties located in the Downtown Main Street (DMS) Zone. The two (2) properties include 58-

64 Queen Street (PID #336990) & 68 Queen Street (PID #336982). The applicant is looking to renovate the consolidated properties; however, consolidating the properties allows the applicant more flexibility on the interior to break up the space or to accommodate a larger tenant.

Development Context

There are four (4) properties on Queen Street between Dorchester Street & King Street. All four (4) properties are owned by Weymouth Properties Ltd. The applicant is only proposing to consolidate two (2) of the properties, but three (3) of the properties will be renovated. These properties include 54-56 Queen Street (PID #337006), 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982). The property on the corner of Queen Street & King Street, 52 Queen Street (PID #337014) is a Designated Heritage Resource and will not be renovated.

Property History

Council passed the following resolution on June 9, 2008:

That the application to demolish the building located at 68 Queen Street, PID# 336982, be rejected.

At that time, it was agreed by Council that the demolition of the building would have a profound and negative impact on the area. Particularly given its location on a prominent corner, its demise would impact both Queen Street and Dorchester Street. This building is typical of its era and speaks volumes of the small scale wood frame construction for which our City has become known. A vacant site would detract aesthetically from the streetscape.

ANALYSIS:

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

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

The property owner is looking to retain the existing buildings but renovate both their interior and exterior. In order to simplify these renovations, they are looking to consolidate the two properties which would provide them with more flexibility when breaking up the space or accommodating a larger tenant.

Consolidating these properties would ensure that any future development applications would be subject to the Design Review process which is in place to enhance the streetscape and ensure conformance with the 500 Lot Design Standards & Guidelines.

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

*Section 3.7 - Our **goal** is to protect and revitalize the heritage resources of Charlottetown for the benefit of current and future residents and visitors.*

*Section 4.2.2.4 - Our **objective** is to protect, restore, respect and leverage all Heritage Resources.*

*Section 4.2.2.10 - Our **policy** shall be to ensure that new developments in the 500 Lot Area reflect architectural design that is of its time. Best practices in heritage conservation strongly discourage historic mimicry and pastiche in the design of new buildings, as it undermines the value and authenticity of authentic heritage buildings. New buildings should complement this context through contemporary architecture that authenticity of authentic heritage buildings.*

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 consolidation of these two properties does not have an impact on the exterior renovations, only interior functionality. The consolidation being approved requires any significant exterior renovations to be subject to Design Review. Official Plan supports the protection of Heritage Resources and encourages renovations to reflect its time. 		<ul style="list-style-type: none"> The mass and scale of potential additional stories would be more significant if the properties were consolidated.

CONCLUSION:

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

Staff would note that any future development applications for the consolidated property would be subject to design review approval.

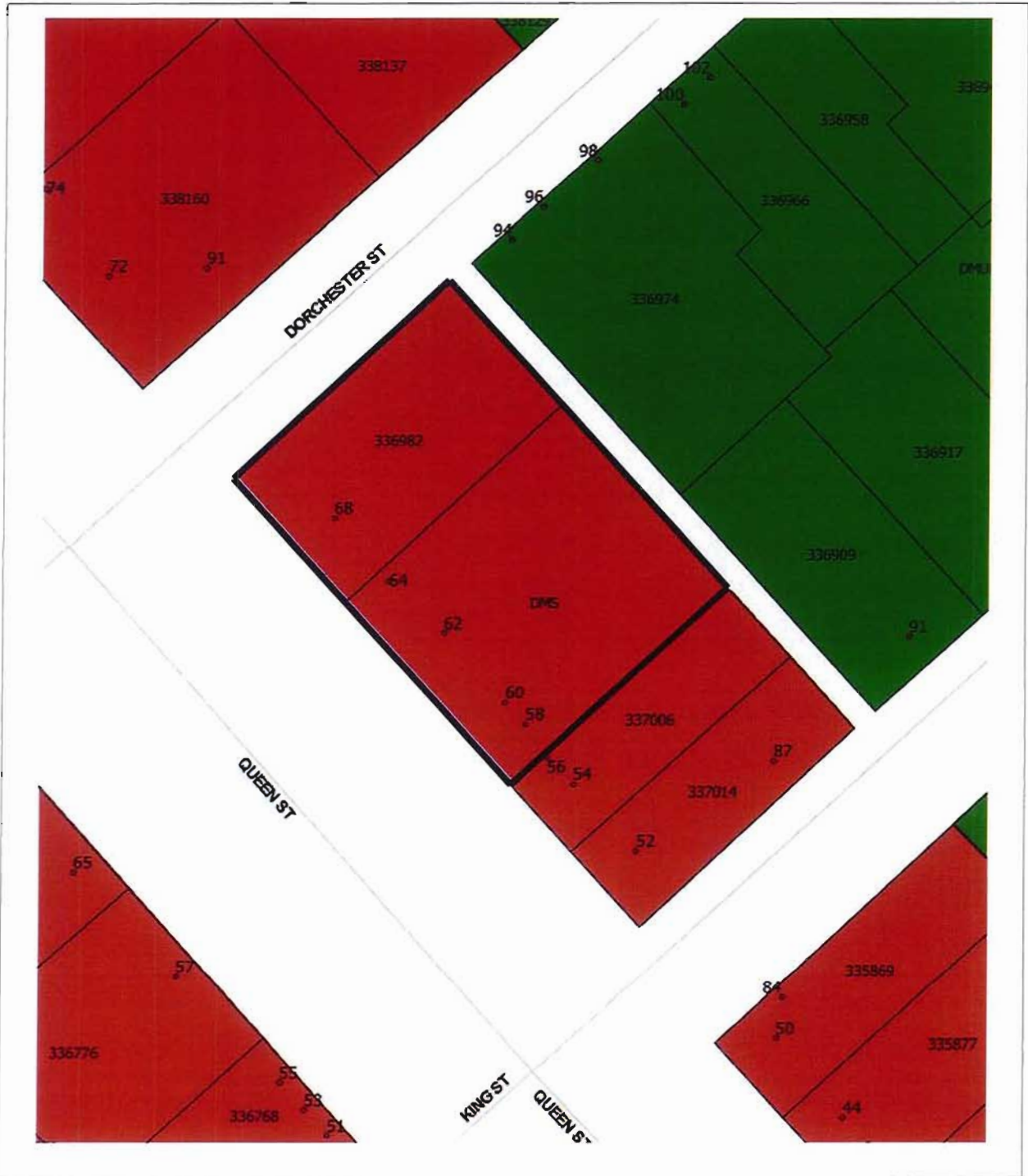
PRESENTER:


Greg Morrison, MCIP
Planner II

MANAGER:


Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A



Attachment A: GIS Map
File: PLAN-2019-7-OCTOBER-609
58-64 Queen St (PID #336990) &
68 Queen St (PID #336982)
Owner: Weymouth Properties Ltd.



Attachment B-1



Attachment B: Exterior Renderings
File: PLAN-2019-7-OCTOBER-609
58-64 Queen St (PID #336990) &
68 Queen St (PID #336982)
Owner: Weymouth Properties Ltd.



CHARLOTTETOWN
Planning & Heritage
Department

Attachment B-2



Attachment B: Exterior Renderings
File: PLAN-2019-7-OCTOBER-609
58-64 Queen St (PID #336990) &
68 Queen St (PID #336982)
Owner: Weymouth Properties Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

TITLE: LOT CONSOLIDATION FILE: PLAN-2019-07-OCTOBER-6C-10 165 & 185 John Yeo Drive OWNER: Pan American Properties		
MEETING DATE: October 7, 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map, survey plan	
SITE INFORMATION: Context: Business Park Industrial Zoned Land Ward No: 8 – Highfield Existing Land Use: Office and outdoor storage. Official Plan: Industrial Zoning: (M-1) Light Industrial		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council that the consolidation of PID# 1102102 and of PID #1078179 be approved subject to a final pinned survey plan.

BACKGROUND:

Request

The City of Charlottetown has received an application in accordance with Section 45.3.4 a) of the Zoning and Development Bylaw to consolidate PID# 1102102 and PID #1078179. Lot consolidations in the Light Industrial Zone (M-1) requires approval from Council.

Development Context

The subject property is located on John Yeo Drive within a Light Industrial Zone. Uses within the area consist of retail uses, office and outdoor storage. Both properties proposed to be consolidated have been developed. The applicant is combining the two developed properties and subdividing a large parcel of vacant land out of 185 John Yeo Drive for future development. Both properties have frontage on John Yeo Drive.

ANALYSIS:

The Bylaw does permit more than one main building on a lot in commercial and industrial zones. Staff is permitted to approve lot consolidations in the R-1 and R-2 Zones however, Council approval is required in zones other than these. The applicant has requested a lot consolidation to combine ownership of the two developed buildings and to attain lot frontage for the existing developed properties and the proposed lot (Parcel C). It is staff's opinion that the consolidation should be approved as it is not contrary to the Bylaw.

CONCLUSION:

The Planning & Heritage Department encourages Planning Board to recommend that the lot consolidation of PID# 1102102 and of PID #1078179 be approved subject to a final pinned survey plan.

PRESENTER:

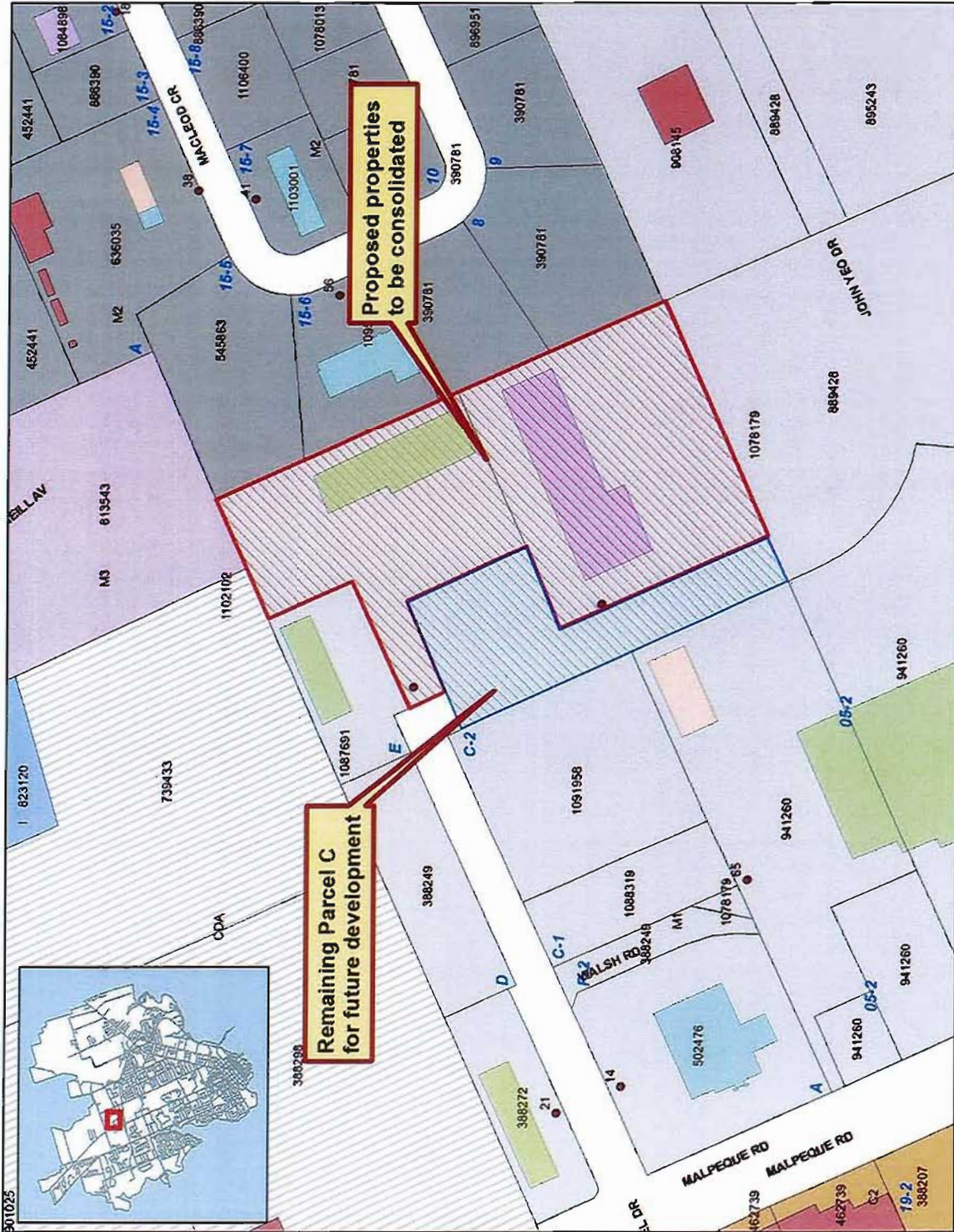
Laurel Palmer Thompson, MCIP
Planner II


**MANAGER:**

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage



GIS Map:



TITLE: ZONING & DEVELOPMENT BY-LAW AMENDMENTS FILE: PLAN-2019-07-OCTOBER-60-11		
MEETING DATE: October 07, 2019		Page 1 of 5
DEPARTMENT: Planning & Heritage	ATTACHMENTS: Attachment A – Operations' Calculation of Numerical Requirements Attachment B – Variance Approval Expiry Attachment C – Design Review Attachment D – Attached Garages Attachment E – Non-Conforming Buildings Attachment F – Parking Space Standards Attachment G – Fascia Signage General Requirements and reinsertion of the DMS Zone Attachment H – Reinsertion of the DMS Zone into the General Provision Tables for Signage Attachment I – Designated Heritage Resource Sign Exemptions	

RECOMMENDATION:

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

- Section 2 Operation;
- Sections 3.8.6 and 3.9.6 Minor and Major Variances;
- Section 3.14 Design Review;
- Section 4 Accessory Structures;
- Section 4.6 Non-Conforming Buildings;
- Section 43.1 Parking Space Standards;
- Section 44.12.4 General Provisions for Fascia Signs
- Sections 44.13.3, 44.15.1, and 44.16.1 reinsertion of the Downtown Main Street DMS Zone in the General Provision Tables for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners;
- 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, establish Marijuana Production Facility parking requirements, provide clarification for fascia sign placement on buildings four (4) stories or greater 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)

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. The proposed amendments are to formalize rounding practices.

Minor and Major Variance Approval Expiry (Attachment B)

Currently, the Zoning & Development By-law prescribes that either a Minor and Major Variance approval shall expire after one (1) year if *no Development and/or Building Permit has been issued or the Development and/or Building Permit has not been acted upon (i.e. construction has not commenced), the Variance approval and Permit shall automatically be deemed null and void*. Due to the limited construction season and high demand for labour, it can make it difficult for applicants to satisfy the requirements of the variance approval and thus lose said approval. This then precipitates a reapplication through the variance process that takes up additional time and resources for approved applications. In most instances the application remains unchanged but still requires the execution of the full approval process. Staff is proposing on lengthening the expiry

period to two (2) years in order to provide the applicant with an adequate amount of time to satisfy the requirements or conditions of their variance approval.

Criteria for Design Review Requirements (Attachment C)

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 D)

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 E)

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.

Parking Space Standards (Attachment F)

The first amendment is to delete the reference to the parking requirement calculation regarding rounding of parking space requirements since this provision has been moved to the Operation

section of the By-law. The second is to include parking space calculations for 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.

Fascia Sign Requirements for Buildings that are Four (4) Stories or Greater (Attachments G and H)

The Zoning & Development By-law had some ambiguity regarding the placement of fascia signs for buildings that were four (4) stories or taller, especially those buildings that had multi-tenants. Staff is seeking to provide clarity into this matter by providing clear regulation. The proposed regulations will allow for additional fascia signs to be located either below the second storey windows and/or if the maximum allowable sign area for the façade has not been met additional fascia signage may be located above the fourth storey windows. This regulation seeks to limit the proliferation of fascia sign coverage on buildings and maintain the aesthetics of taller buildings. The other amendment to the signage provisions is to re-insert the Downtown Main Street DMS Zone back into the permitted Zones for signage. In the previous By-law the DMS Zone permitted the same signage and had the same standards as that of the Downtown Core DC Zone but was removed in the last comprehensive review. Staff are proposing to reinsert the DMS Zone back into the General Provisions for Fascia, Free Standing, Sandwich Board signs and Temporary Banners.

Enable Heritage Board to make a recommendation to Council for Variance of Signage on Designated Heritage Resources (Attachment I)

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;
- Sections 3.8.6 and 3.9.6 Minor and Major Variances;
- Section 3.14 Design Review;
- Section 4 Accessory Structures;
- Section 4.6 Non-Conforming Buildings;
- Section 43.1 Parking Space Standards;
- Section 44.12.4 General Provisions for Fascia Signs
- Sections 44.13.3, 44.15.1, and 44.16.1 reinsertion of the Downtown Main Street DMS Zone in the General Provision Tables for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners;
- Section 44.21 Exemptions to Sign Regulations

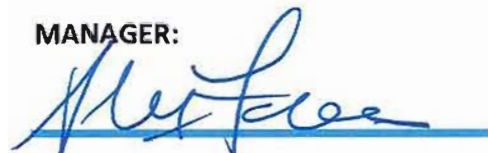
be *approved* to proceed to public consultation.

PRESENTER:



Robert Zilke, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A

Section 2.0 OPERATIONS is amended by inserting the following section:

2.7 CALCULATION OF NUMERICAL REQUIREMENTS

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 for density and parking calculations 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.

Attachment A:
Amendments to Operation
File: PLAN-2019-07-OCT-



CHARLOTTETOWN
Planning & Heritage Department

Attachment B

Sections 3.8.7 MINOR VARIANCES and Section 3.9.7 MAJOR VARIANCES is amended as follows:

Delete "one (1) year" and replace with "two (2) years" as follows:

3.8.7 If, after *two (2) years* of a Minor Variance approval, no Development and/or Building Permit has been issued or the Development and/or Building Permit has not been acted upon (construction has not commenced), the Minor Variance and the related Permit shall automatically be deemed null and void.

3.9.7 If, after *two (2) years* of a Minor Variance approval, no Development and/or Building Permit has been issued or the Development and/or Building Permit has not been acted upon (construction has not commenced), the Minor Variance and the related Permit shall automatically be deemed null and void.

Attachment B:
Amendments to Minor and Major Variance
Approval Expiry
File: PLAN-2019-07-OCT-



Attachment C

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 C:
Amendments to Design Review
File: PLAN-2019-07-OCT.


CHARLOTTETOWN
Planning & Heritage Department

Attachment D

Section 4 is amended by adding an additional subsection as follows:

4.18 Attached Garages

4.18.1 An Attached Garage may be added to any dwelling, but the maximum size of the attached garage cannot exceed 40% of the gross floor area of the residential dwelling unit space.

4.18.2 A portion of an Attached Garage may be utilized for a Secondary Suite, subject to the Secondary Suite Regulations therein.

Attachment D:
Amendments to General Provisions for
Buildings and Structures
File: PLAN-2019-07-OCT-


CHARLOTTETOWN
Planning & Heritage Department

Attachment E

Section 4.6 Non-Conforming Buildings is amended as follows:

By deleting the words "enlarged", "reconstructed", or "demolished", "enlargement" and "new Building"; and

adding "or" between "repair" and "renovation"/"renovated" 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 or renovated, ~~or demolished~~ provided that:

a. The ~~enlargement, reconstruction,~~ repair or 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;

Subsection 4.6.3 (b) is amended as follows:

By deleting subsection (b)

~~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;~~

and replacing it with the following:

b. An applicant who loses a Building through fire or demolition can apply to seek a variance to reinstate the property as it existed prior to its removal.

Attachment E:
Amendments to Non-Conforming Buildings
File: PLAN-2019-07-OCT-


CHARLOTTETOWN
Planning & Heritage Department

Attachment F

Section 43.1 PARKING SPACE STANDARDS is amended as follows:

Delete subsection 43.1.2 "A Parking requirement calculation that is derived from the table and that specifies at least 0.5 of a space but less than 1.0 shall be deemed to be a requirement for one (1) additional space" with all corresponding subsections renumbered; and

Insert "Marijuana Production Facility" under Use following "Funeral Establishment" as follows:

Dwelling Unit in the 500 Lot Area	1 space per <i>Dwelling Unit</i> in a <i>Building</i> with three or few <i>Dwelling Units</i> ; and in a <i>Building</i> with more than three <i>Dwelling Units</i> the parking shall be 1 space for every two <i>Dwelling Units</i> with no <i>Parking Lot</i> to have less than three <i>Parking Spaces</i> .
Funeral Establishment	A minimum of 15 spaces plus 1 space for each 5 seats
Marijuana Production Facility	1 space per 200 sq. m. (2,152.8 sq. ft.) of <i>Floor Area</i> or 1 space per employee per shift, whichever is greater.
Hospital	1.25 spaces per bed

Attachment F:
Amendments to Parking
File: PLAN-2019-07-OCT-




Attachment G

Section 44.12.4 FASCIA SIGN REGULATIONS Table is amended as follows:

Insert the following in the table below:

- Insert "DMS Zone" under Zone
- Delete "One Sign per Building wall may be erected above the bottom of the second Storey windows if:" and "The Business Premise is in a multi-tenant Building and lacks a usable ground floor storefront; or the Business Premise is located in the A, DMU, C-3, M-1, M-2, or EBP Zones; and"
- Insert "unless" preceding "Signs shall be erected below the bottom of the second Storey windows;" and
- Insert "then additional fascia signage may be located above the top floor windows provided that the maximum allowable Sign Area for the Building wall will not be exceeded." preceding "The Building is four or more stories in Height".

Zone	Dimensions	General Provisions
DMUN Zone	Sign Area shall not exceed 0.30sq m per linear meter (1.0 sq ft per linear foot) of the Building wall upon which the Sign is erected.	Signs shall be erected on a Building wall that abuts a public street. If a Business Premise is located on a Corner Lot or in a Shopping Centre, Signs may also be erected on one wall that abuts an interior Parking Lot;
DC Zone DMS Zone PC Zone WF Zone	Sign Area shall not exceed 0.38sq m per linear meter (1.25sq ft per linear foot) of the Building wall upon which the Sign is erected.	Signs shall be erected on a maximum of three Building walls, in accordance with Section 5.12.4.a; Signs shall be erected parallel to a wall; Signs shall not project more than 0.31m (1ft) from the wall upon which it is erected;
C-1 Zone DMU Zone I Zone MUC Zone OS Zone P Zone PZ Zone	Sign Area shall not exceed 0.46sq m per linear meter (1.5sq ft per linear foot) of the Building wall upon which the Sign is erected.	Signs shall not extend beyond the extremities of the wall upon which it is erected; Signs shall be erected below the bottom of the second Storey windows; <i>unless</i>
C-2 Zone C-3 Zone	Sign Area shall not exceed 0.53sq m per linear meter (1.75sq ft per linear foot) of the Building wall upon which the Sign is erected.	One Sign per Building wall may be erected above the bottom of the second Storey windows if-

	<p>A Zone M-1 Zone M-2 Zone M-3 Zone</p>	<p>Sign Area shall not exceed 0.61sq m per linear meter (2sq ft per linear foot) of the Building wall upon which the Sign is erected.</p>	<p>The Building is four or more stories in Height <i>then additional fascia signage may be located above the top floor windows provided that the maximum allowable Sign Area for the Building wall will not be exceeded.</i></p> <p>The Business Premise is in a multi-tenant Building and lacks a usable ground floor storefront; or the Business Premise is located in the A, DMU, C-3, M-1, M-2, or EBP Zones; and</p> <p>Signs erected in the 500 Lot Area or on a Heritage Resource shall not exceed 1.21m (4ft) in the vertical dimension.</p>
<p>Attachment G: Amendments to the Fascia Sign Regulations File: PLAN-2019-07-OCT-</p>		 <p>CHARLOTTETOWN Planning & Heritage Department</p>	

Attachment H

Sections 44.13.3, 44.15.1 and 44.16.1 is amended as follows:

Insert "DMS Zone" under Zone for the following tables:

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

	Signs shall not exceed 8m (26.2ft) in Height.
A Zone M-1 Zone M-2 Zone M-3 Zone	Sign Area shall not exceed 13.9sq m (150sq ft) per Sign Face. Signs shall not exceed 8m (26.2ft) in Height.

Zone	Dimensions	General Provisions
DC Zone DMS Zone DMUN Zone OS Zone PC Zone PZ Zone WF Zone	Sign Area shall not exceed 0.6sq m (6.5sq ft) per Sign Face. Signs shall not exceed 1m (3.3ft) in Height.	Signs shall only be displayed when the advertised Business Premise is open; Signs shall not interfere with pedestrian or vehicular circulation, or impede pedestrian or vehicular visibility when accessing the lot;
A Zone C-1 Zone C-2 Zone C-3 Zone DMU Zone I Zone M-1 Zone M-2 Zone M-3 Zone MUC Zone P Zone	Placed On Public Right-of-way: Sign Area shall not exceed 0.6sq m (6.5sq ft) per Sign Face. Signs shall not exceed 1m (3.3ft) in Height. Placed On Private Property: Sign Area shall not exceed 1.2sq m (13sq ft) per Sign Face. Signs shall not exceed 1.21m (4ft) in Height.	Signs shall be placed on private property or on the public Right-of-way abutting the subject Building, excluding the sidewalk, where possible; Where there is insufficient space to satisfy c., the Sign may be placed on the sidewalk abutting the subject Building or the outermost edge of the sidewalk, as long as a minimum pathway of 1.5m (5ft) exists on the sidewalk; Signs shall display the City's approval sticker indicating that said Sign has been approved in accordance with this by-law; When placed on a public Right-of-way, the owner of a Sign shall carry liability insurance that names the City as a third party and provides a minimum coverage of \$1,000,000; and Proof of liability insurance shall be provided on an annual basis.

Zone	Dimensions	General Provisions
A Zone DC Zone DMS Zone DMU Zone DMUN Zone C-1 Zone C-2 Zone C-3 Zone I Zone M-1 Zone M-2 Zone M-3 Zone MUC Zone OS Zone P Zone PC Zone WF Zone	Sign Area shall not exceed 1.95sq m (21sq ft) per Banner face.	<p>In the 500 Lot Area, two Banners are permitted per property. In all other areas a maximum of four Banners are permitted per property;</p> <p>Banners shall be securely attached parallel to a Building wall, or to a supporting Structure(s);</p> <p>Banners shall not extend over a property line, traffic lane, Parking Space, or an area used for vehicular and pedestrian accessibility; and</p> <p>Banners shall not be erected for more than 30 consecutive days and 60 days within a calendar year.</p>

Attachment H:
 Amendments to Reinsert the DMS Zone into
 Sign Regulation Tables
 File: PLAN-2019-07-OCT-



Attachment I

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 I:
Amendments to Exemptions to Sign
Regulations
File: PLAN-2019-07-OCT-


CHARLOTTETOWN
Planning & Heritage Department

TITLE: RECONSIDERATION REQUEST (PID# 278531) FILE: PLAN-2019-07-October-6C-12 OWNERS: Paula MacDonald APPLICANT: Same as Above		 CHARLOTTETOWN
MEETING DATE: October 7th, 2019		Page 1 of 7
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Original Staff Report B. Letter requesting a Reconsideration	
SITE INFORMATION: Context: Single Detached Dwelling Ward No: 2 Parkdale Existing Land Use: Single Detached Dwelling. Official Plan: Low Density Residential Zoning: R-1S (Low Density Residential)		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board recommend to Council to reconsider their September 9th, 2019 decision as it relates to operate a home occupation (ie. counselling/therapy service at 13 Donwood Drive (PID #278531).

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 consider approving a counselling/therapy service as a home occupation at 13 Donwood Drive.

The application was rejected by Council on September 9th, 2019.

On September 24th, 2019 a letter requesting a reconsideration (attached) was received from the applicant. The applicant has filed an appeal to IRAC who are awaiting the outcome of the reconsideration process before scheduling a hearing on this case.

The applicants business entails providing counselling services from her home to people who have been referred through an employee assistance program known as Homewood. The following is taken directly from the applicant’s report on the reasons and rationale for reconsideration.

“Homewood will send me referrals from employees of businesses that require social support through professional counselling services. Minor everyday life stress problems are supported

through the employee assistance program counselling model. The number of referrals I will receive from this contract will provide part time employment. It will not provide enough revenue to warrant renting an office as its unlikely the income will cover the rental cost. It is common practice for Social Workers in Private Practice to deliver these services from their homes in Prince Edward Island and in other jurisdictions. This type of service delivery model meets the occupational health and safety requirements for this service.”

The applicant’s primary concern with the decision that was rendered by staff, Planning Board and Council relates to the fact that her operation differs from what the Zoning By-law was intending to prohibit in residential neighbourhoods. The applicant contends the service delivery requirements of a medical physician, nurses, naturopaths, dentists, physiotherapists, and chiropractors differs from her services in that they do not have the same occupational health and safety requirements. Specifically in her report she states that: ***“Medical services that involve physical interventions to achieve health have different requirements than counselling services. The physical environmental needs of providers of these services are different from my needs. My service can be achieved within a residential setting and have a low or unnoticeable impact on individuals who walk or drive by residence while I am delivering the service. The current by-laws have requirements that medical, health and dental offices have at least six parking spots. As outlined in my proposal I do not wish to operate a service that involves the number of visitors at one time that would require six parking spots within my home. This recognition further distinguishes my proposed service from medical physicians, nurses, naturopaths, dentists, physiotherapists, and chiropractors.”***

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 primarily basing the request for the Reconsideration on, *a) new material facts or evidence not available at the time of the initial order or decision have come to light;*

Staff do not feel that this request meets the strict legal criteria above as to what constitutes reconsideration, however, it could be argued that criteria (a) maybe applicable in this case from the perspective of what transpired at the Council meeting on September 9th 2019 when the decision was rendered. The Ward Councillor spoke to the applicant about her business and wanted to articulate some of the more subtle aspects of how her counselling services differed from other medical and counselling services contemplated in the Zoning and Development By-law. The Councillor was not in attendance at the meeting and as a result there was very little discussion on the merits of this application. The Ward Councillor has indicated that he would have liked the opportunity to speak to his fellow Councillor’s at the last Council meeting before they deliberated. If reconsideration was granted it would allow this opportunity to take place and ensure a full discussion at Council before a final decision is granted.

Council when assessing an application for a variance must weigh both planning staff’s professional recommendation based on land use and planning principles and input from the public concerning their neighbourhood. In staff’s opinion the process was followed correctly and a decision rendered by Council. The applicant has an opportunity to have their case reviewed at IRAC to ensure that due process was granted on the decision making surrounding this application. Notwithstanding, granting the request for reconsideration would ensure that the applicant’s case was reviewed in detail by Council before proceeding to IRAC and ensure that the rules of natural justice were observed in the decision making process.

CONCLUSION:

The applicant has primarily based their request for reconsideration on *(a) new material facts or evidence not available at the time of the initial order or decision have come to light.* Staff would suggest that it is arguable that this new information was not available at the time of the decision but would support the fact that the Ward Councillor did not have the opportunity to speak to his fellow Councillor’s in more in depth manner before the decision was rendered.

RECOMMENDATION:

Therefore, staff recommends (without prejudice at IRAC) that Planning Board recommend to Council to reconsider their September 9th, 2019 decision as it relates to operate a home

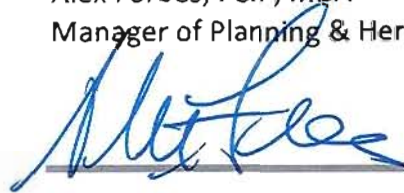
occupation (ie. counselling/therapy service) at 13 Donwood Drive (PID #278531). And further, that Council direct staff to notify adjacent neighbours that this application will be reviewed again by Planning Board and Council at their November Council meeting.

PRESENTER:

Alex Forbes, FCIP
Manager of Planning and Heritage

MANAGER:

Alex Forbes, FCIP, MBA
Manager of Planning & Heritage

A handwritten signature in blue ink, appearing to read 'Alex Forbes', is written over a horizontal line.

Forbes, Alex

From: Paula MacDonald <macdonald_paula@hotmail.com>
Sent: Tuesday, September 24, 2019 5:50 PM
To: Zilke, Robert; Mayor of Charlottetown (Philip Brown); MacLeod, Terry
Cc: Forbes, Alex
Subject: Re: Re-consideration of Minor Variance Application for Small Business at 13 Donwood Drive.
Attachments: Reconsideration for Minor Variance Application at 13 Donwood Drive.pdf

Dear Planning Department and City Council Members

Here is my application for reconsideration to approve my home based business at 13 Donwood Drive. The rationale for reconsidering approving my application for a minor variance to operate a home based business involves reconsidering applying the category of "Medical, Health, and Dental" to my proposed home based service. I do not feel my service has the same occupational health and safety requirements as medical services or general operational requirements as other services defined within the definition adopted by the bylaws.

I applied for the Minor Variance Application before the new bylaws were officially adopted by the city. Additionally, I made inquiries about the application procedures well before the bylaw changes were read by city council. I feel that analyzing the impact my proposed business will have on other residents of Charlottetown in my area on its own merits is beneficial when considering my application. If one were to analyze my proposal considering the confidential nature of my service delivery methodology a rationale to approve my application becomes apparent.

Please approve my application considering that most neighbors support my proposed service delivery model and my service does not involve medical procedures. Please review my application.

I look forward to meeting with Alex Forbes and Terry McLeod at your earliest convenience.

Best Regards

Paula MacDonald MSW RSW
431-337-4966

Reconsideration of Rejected Minor Variance Application for a Home-Based Business at 13 Donwood Drive

Submitted By: Paula MacDonald, MSW, RSW
Homeowner

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13 Donwood Drive
Charlottetown, Prince Edward Island
C1A 5L1

September 24th, 2019

5th floor, Suite 501,
National Bank Tower
134 Kent Street, Charlottetown, C1A 7L1

Dear City Council and City of Charlottetown Planning and Heritage Department:

Re: Reconsideration of Application for a Minor Variance to Operate a Counselling Studio for an Employee Assistance Contract at 13 Donwood Drive.

Background for Reconsideration

I would like to have permission to operate a small counseling office out of one of the rooms in my home at 13 Donwood Drive, Charlottetown, PEI, C1A 5L1. I have a contract from Homewood which is an employee assistance company. Homewood will send me referrals from employees of businesses that require social support through professional counseling services. Minor everyday life stress problems are supported through the employee assistance program (EAP) counseling model. The number of referrals I will receive from this contract will provide part-time employment. It will not provide enough revenues to warrant renting an office as its unlikely the income will cover the rental cost. It is common practice for Social Workers in Private Practice to deliver these services from their homes in Prince Edward Island and in other jurisdictions. This type of service delivery model meets the occupational health and safety requirements for this service.

Providing this type of wellness service has different types of occupational health and safety requirements than those of medical physicians, nurses, naturopaths, dental offices, physiotherapists, and chiropractors. Counselling services facilitates education that assist individuals in dealing with relationship problems. While physicians, dentists, physiotherapists, and chiropractors are performing interventions that directly impact the physiology of their patients, employee assistance program counsellors are not. Counselling services can be performed in a quiet comfortable room setting, while additional equipment and supplies are required to ensure the safety of those involved in providing services that directly impact the physiology of patients. Medical services that directly impact the physiology of people receiving the service must be provided in settings that have institutional

precautions such as consideration for appropriate cleanliness levels, refrigeration of supplies, and movement of people within the building where services are being provided. The same precautions are not required to operate the employee assistant service I would like to operate.

To effectively provide an employee assistance counselling service a high need for confidentiality for individuals who use my service is required. People who access the service must not be informed of other people who access the service placing an operational requirement on me to schedule appointments with appropriate times in between appointments for people to come and go without running into other individuals.

I informed city council I would not place a sign on my property to advertise my services as I want to maintain privacy and I do not want to draw attention to my office as I am only able to service clients who are seeking my services through employee assistance programs within this service delivery model. I have a total of three parking spaces in my driveway, leaving two extra parking spaces at any time for visitors to park on my property. I have family members and friends who visit me in my home so neighbors will be unaware of the nature of visits from people who come to my residence. My activities will not significantly increase the flow of traffic in the neighborhood anymore than that of an additional family living in the area.

People who access employee assistance programs use the program to assist themselves in continuing to be productive employees. The services are paid for by their employer. Employee Assistance Counsellors aid employees who want to maximize their potential in their careers. Employee Assistance Programs provide wellness services to employees on behalf of their employer. There is distinction between medical related counselling service and wellness counselling services within the counselling industry delivered through employee assistance programs as opposed to mental health services provided through hospital or PEI Health treatment programs.

Events Prior to my official Application for a Minor Variance to Operate a Home-Based Business

I sought information regarding operating a home-based business shortly after I purchased the home in March and April 2019. I picked up paperwork from the City Town Planning Department in the spring of 2019. Prior to applying for the minor variance, I spoke with some of my neighbors and they informed me that they did not oppose me using a room in my house to deliver employee assistance program services. While I was fixing up my new home, I directly spoke to my next-door neighbor who later voiced objection to my application. At the time my next-door neighbor informed me that she did not mind if I operated an employee assistance service from my home. I officially applied for the minor variance application on August 1st, 2019. During the month of August 2019, I was approached by one neighbor who came to my house and asked me about the paperwork that was mailed to all the residents of the area. This neighbor told me that she did not oppose my application as she did not feel it would impact her enjoyment of her residence. Due to the fact all people I spoke with supported my application I did not seek out formal support for the minor variance application at this time.

Upon receiving notification that the Town Planning Committee recommended rejecting my application and receiving notification that my next-door neighbor voiced concern regarding the number of cars in my driveway and fear of individuals who seek out assistance for mental health concerns, I decided to

explore the issue further. Exploring the issues surrounding my proposal has informed me that most people in my area support my application and they see a need for the type of service I am offering in the community of Charlottetown.

Decision Details and Dates

Town Planning Recommendations

On September 3rd, 2019, I was notified of a hearing before the Town Planning Committee by Robert Zilke an hour and half before the meeting took place that my minor variance application was being reviewed. Robert Zilke stated that my application should not be approved because of new zoning regulations adopted by City Council and authorized by the Province on August 20th, 2019 and that if applied at a future date my application would be automatically denied because of the new by-laws that were adopted. Robert Zilke also informed the Town Planning Committee that my next-door neighbor wrote a letter objecting to my application stating she is fearful of people who seek counseling services, and she was concerned about the number of cars parked in my driveway.

In response to Robert Zilke's analysis, I stated that my business should not be classified within "Medical, Health, and Dental Office" services, as insurance agencies do not classify counselling services as medical services. Health Insurance companies make a distinction between wellness services based on the level of physical intervention to patients. Counselling services are classified as paramedical services by these bodies as they provide education and behavioral functioning assessment services to clients. I also explained that community members who seek out counselling services are highly motivated individuals who want to increase their personal well-being. Individuals who use counselling services do not pose a risk to the community; they are ordinary people who have ordinary life problems. Nevertheless, the Planning Committee voted to reject my application at this time I was informed that my application would be reviewed by Town Council the next week. City Council also rejected my application citing the rationale provided by the Town Planning and Development Committee.

Follow up to September 3rd, 2019 Recommendation to City Council

On Sunday September 15th, 2019, I formally approached a segment of my neighborhood asking residents if they would support my minor variance application. I answered any questions they had. All neighbors I spoke to on September 15th, 2019 supported my application. I explained the concerns against allowing me to operate my home-based business and how it could also benefit individuals who had access to employee assistance programs services. All community members approached supported my application. My neighbors displayed empathy for me and wished me well.

On September 16th, 2019 Councilor Julie McCabe phoned me and informed me that City Council had rejected my application the prior week. During the week of September 16th- September 20th, 2019, I also spoke with Mayor Philip Brown, Councilor Mitchell Tweel, Councilor Terry MacLeod, Councilor Mike Duffy and Alex Forbs and Robert Zilke. Members of City Council appear to see the benefits and rationales for approving my application for minor variance. There appears to be a miscommunication or misunderstanding regarding the nature of the business I wish to operate.

Rational for Reconsideration to Approve my Application for Minor Variance

Upon review of the rational and process used by the City of Charlottetown Planning and Development Committee, I would like to apply for a reconsideration to approve my application for a minor variance so that I can operate my service. I am simultaneously applying to the Island Regulatory and Appeals Commission considering the 21-day period for reconsideration outside of processes and procedures developed by the City of Charlottetown. I have made the Island Regulatory and Appeals Commission aware that I am seeking a reconsideration from the City of Charlottetown.

My home-based service will not negatively impact surrounding community members. My service will be delivered in a quiet, inconspicuous format. It is common for the homes on my street to have between 2-4 cars parked in the driveways on the properties depending on the number of licensed drivers who live in the home, or the number of cars owned by the family who owns the residence. Services are delivered in a quiet confidential format as to meet the needs of the client. It is common for providers of Employee Assistance Programs (EAP) services to deliver their services from a home-based setting, as opposed to an institutional setting. Many other EAP providers in the Charlottetown and Summerside areas provide this type of service from a residential setting. The amount of traffic on my street will not increase exponentially because of my activities. There are appropriate signs and speed limits placed on the street limiting the speed cars travel and requesting no through traffic. The service is appointment based and I am the only service provider who will practice from my home limiting the number of people.

My neighbor's property and quality of life will not be negatively impacted as my clients will not park on her property. Nor will she be made aware of the type of relationship I have with people who are visiting my home. My activities will not increase the level of noise in the community as my service involves people quietly communicating with each other inside a comfortable sitting room.

I do not feel that my service meets the same delivery requirements as medical physicians, nurses, naturopaths, dentists, physiotherapists, and chiropractors, as the wellness interventions I am making do not have the same occupational health and safety impacts or requirements. Medical services that involve physical interventions to achieve health have different requirements than counselling services. The physical environmental needs of providers of these other services are different from my needs. My service can be delivered within a residential setting and have a low or unnoticeable impact on individuals who walk or drive by residence while I am delivering the service. The current by-laws have requirements that medical, health, and dental offices have at least six parking spots. As outlined in my proposal I do not wish to operate a service that involves the number of visitors at one time that would require six parking spots within my home. This recognition further distinguishes my proposed service from medical physicians, nurses, naturopaths, dentists, physiotherapists, and chiropractors.

My application was submitted before the City of Charlottetown adopted strict regulations on services considered to have wellness benefits to the community. My application should be considered under its own merits without applying the rational that all Medical, Health, and Dental Offices should not be allowed in residential settings as I applied before this by-law was officially adopted. The impact my


proposed service will have on the community should be evaluated on its own merits with the understanding that this service is different than the services delivered by healthcare professionals who are providing physical interventions to patients. The traffic impact my service will have on my surrounding neighbors is insignificant considering the fact I can only provide service to one client at a time, with time needed to transition between clients. People who walk or drive by my residence will be unaware I am providing a service due to the nature of the service delivery model I wish to develop.

Please reconsider my application for a minor variance so that I can continue to develop my employee assistance program service. I would appreciate a response from Town Council soon so that I can communicate the results to my contract company. I would like to schedule a meeting with my town councilor Terry MacLeod and Alex Forbs at the earliest convenience to further discuss this matter.

Best Regards

A handwritten signature in black ink that reads "Paula MacDonald MSW, RSW". The signature is written in a cursive, flowing style.

Paula MacDonald MSW RSW
431-337-4966

TITLE: PLAN- 2019-03-SEPTEMBER-0B-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)

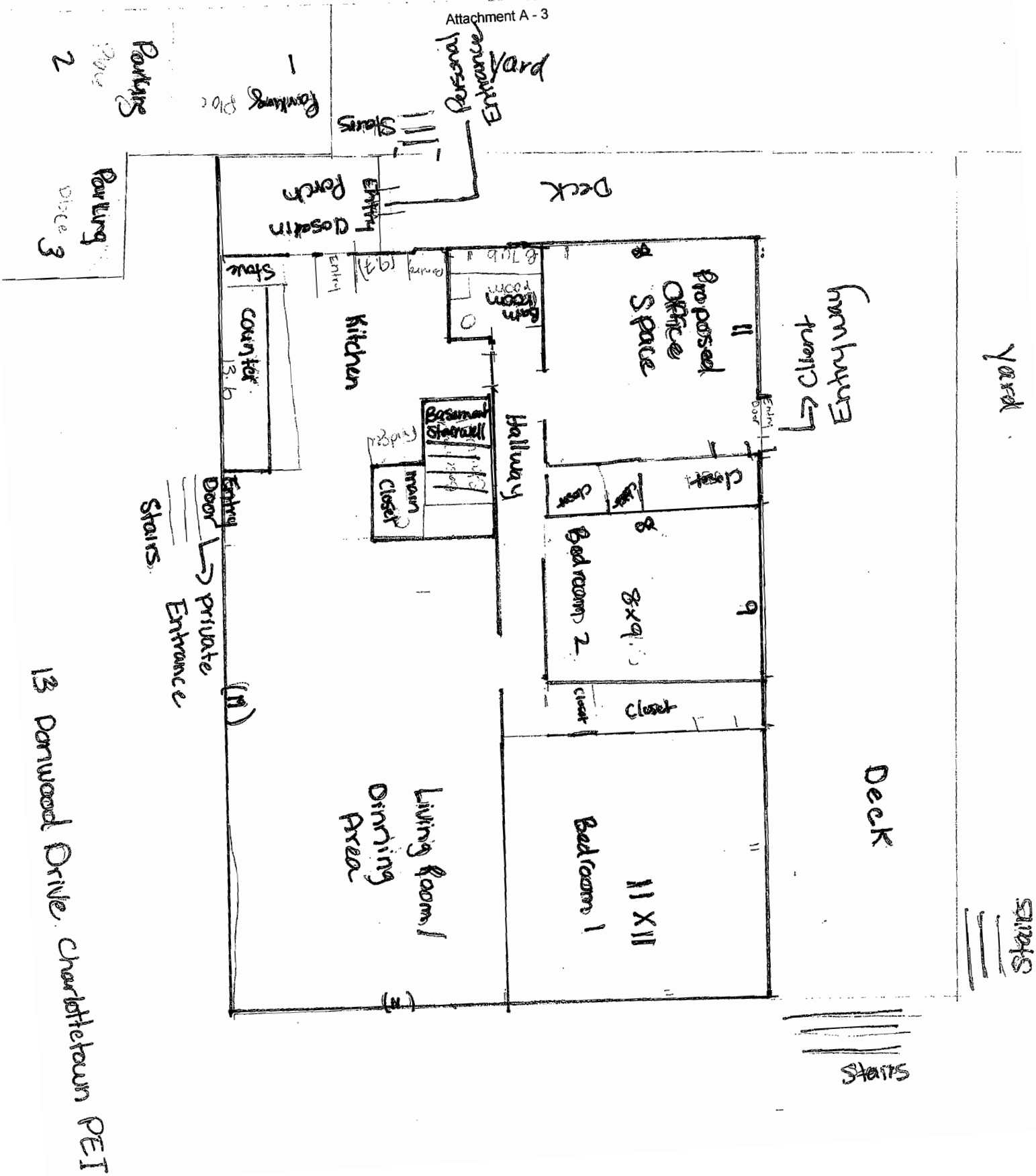
Will clients/customers visit your home?

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.



Yard

Client Entrance

Deck

Stairs

Stairs

Deck

Proposed Office Space

Kitchen

Hallway

Bedroom 2

Bedroom 1

Living Room / Dining Area

Private Entrance

Parking 1

Parking 2

Parking 3

13 Danwood Drive, Charlotte, NC 28209

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 Object-ion
File: PLAN-2019-03-SEPT-


CHARLOTTETOWN
Planning & Heritage Department

The application includes:

- The windows will be a fixed skylight type window, sized and located to enhance the symmetry of the heritage building facade.
- One window is proposed to be removed in the mansard roof on the Richmond St, façade as it does not align to the windows below.
- A new chiller is proposed to be located at the north-east corner of the building to provide air for the second and third floors.
- The chiller will sit on a concrete slab at grade and it will be screened with a black metal fence, approximately 1200mm high.
- The black fence will be adjacent to the recently added black metal exit stair added to the Church St façade.

Comments/concerns noted:

- The board asked if the HVAC unit could be located on the roof but Mr. MacNeil recommended that the most practical location would be along the corner facing Church Street.
- The board asked about the type of material that will be used for the windows and Mr. McNeil responded that the inside windows used natural wood and they intend to replicate the existing materials for the new windows.

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

Moved by Simon Moore, RM, and seconded by Tara Malone, RM, that the application for thirteen (13) additional fourth floor windows at 175 Richmond Street (PID#340448), be approved.

**CARRIED
(6-0)**

7. 52 Sydney Street (PID #337873)

This is an application for an addition to the property at 52 Sydney Street (PID #337873). The property is a Designated Heritage Resource located in the DN Zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the report. See attached report.

The application includes:

- The addition measures 19.75 ft wide by 24 ft deep and will allow for the occupancy to increase to four units;
- The addition is set back from the front of the existing structure on the ground floor by 18ft.
- parking for two cars is included;
- The building is to be re-clad in wood shingle (front and side) except where fire rating is required in which case cement board will be used.
- A four inch exposure and corner boards as existing or as revealed during construction;
- Vertically oriented metal roofing is proposed to replace existing asphalt roofing;

- Windows:
 - Front/side: single hung wood, simulated divided light, 2 over 2.
 - Rear: vinyl, single hung, 2 over 2.

The building is a significantly old building dating back to 1839. In 2012, a permit was approved for an addition. In 2014, the project went ahead but then stopped after footing was put in place. The new owners of the building would like to complete the renovations to the property with the abovementioned proposals, including the change in the slope of the roof.

Comments/concerns noted:

- The board noted the use of vinyl windows for the back of the property and wood for front and side windows was approved for another designated property undertaken with excellent results. Metal roofs are not typically permitted unless they have a shingle texture and matte finish.
- Staff also added that the existing footing was previously intended for two parking spaces and the current application will build on the existing footing. Staff also noted that the existing main level steps down from the sidewalk level and the space has only a seven foot ceiling. The proposed renovation includes adjusting the main floor to be leveled with the sidewalk and the ceiling height will increase. Window locations will not be altered. It is nice to see this property being renovated.
- The board commented that they prefer the roof to remain as asphalt shingles.

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

Moved by Tara Maloney, RM, and seconded by Simon Moore, RM, that the application for an addition to the property at 52 Sydney Street (PID #337873), with the condition that the roof remain to be asphalt shingles, be approved.

**CARRIED
(6-0)**

8. King Street & Dorchester Street

This report is for information only to allow Heritage Board to be made aware of a proposed application and the temporary designation process should they find it applicable.

The Planning & Heritage Department has received an application which will involve the demolition of four buildings located in the 500 Lot Area at 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966). Todd Saunders, Heritage Officer, presented the report. See attached report.

These buildings are not designated heritage resources and are therefore not protected under the Heritage Preservation Bylaw. Their demolition is considered an “as of right” under the Zoning and Development Bylaw. There is however the ability to request that Council impose a temporary designation on a “resource with characteristics that may meet the criteria for Designation”. This would prevent the buildings from being demolished or otherwise altered for a period of 45 days to allow Council time to determine if Council will proceed with the process to Designated the Heritage Resources.

The City of Charlottetown has received an application to develop approximately one third (south-west end) of the block bounded by Queen Street, Dorchester Street, Great George Street and King Street. The development proposes to leave the designated property at 52 Queen Street located at the corner of King Street, untouched. The existing buildings at 54 Queen Street, 58-64 Queen Street and 68 Queen Street are to remain but will be renovated with entirely new facades. The buildings located at 91 King Street, 93 King Street, 94-98 Dorchester Street and 100-102 Dorchester Street are proposed for demolition with the lots to be consolidated and a new structure developed on the consolidated lot.

Comments/concerns noted:

- Staff explained that the board may request Council for a temporary designation to allow for any further review of the property in terms of either designating the property as a heritage resource or allow for the properties to be demolished as an “as of right”.
- The board noted that each building may not warrant a heritage designation and that the department may be able to work with the applicant to develop a proposal that meets the City’s requirements.
- The board commented that the developer may decide to also demolish the properties along Queen Street and then plan to build a bigger building. Staff indicated that there is a City-owned right of way between the proposed properties to be demolished and the properties along Queen Street so they would not be able to do one massive structure on that block without acquiring that property.

No decision has to be made at this point as this discussion is for the board’s information only.


9. New Business

Mayor Brown discussed the signage being proposed at 133 Queen Street. Mr. Brown presented photos of an old signage back in 2013 and the proposed sign. Alex Forbes, PHM, indicated that this item has been dealt with staff already and no further actions need to be discussed at this point.

10. Adjournment

Moved by Mayor Philip Brown and seconded by Councillor Bob Doiron, that the meeting be adjourned. The meeting was adjourned at 12: 39 PM.

Councillor Greg Rivard

TITLE: ALTERATION TO A DESIGNATE HERITGE RESOURCE FILE: HERT-2019-30-SEPTEMBER – 6(a) 175 RICHMOND STREET OWNER: GOVERNMENT OF PRINCE EDWARD ISLAND		
MEETING DATE: September 30, 2019		Page 1 of 10
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. Proposed Elevations C. Photo D. Archival Photo	
SITE INFORMATION: 175 Richmond Street Hon. George Coles Building Ward No: 1 – Queens Square Property Use: Office Heritage Recognition: This is both a municipally and provincially designated Heritage Resource and is located in the P/C zone of the 500 Lot Area. Adjacent Heritage Properties: There are three properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> • 165 Richmond Street – Province House • 197 Richmond Street – St Paul’s rectory • 101 Prince Street – St Paul’s Hall • 21 Church Street – St Paul’s Church • 180 Richmond Street – Union Bank building 		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application for thirteen additional fourth floor windows at 175 Richmond Street (PID#340448)

BACKGROUND:

Application:

The fourth floor of the Hon. George Coles Building at 175 Richmond St. is being renovated to provide office space throughout the floor once the Public Archives is relocated to a new address. With the office renovation, the proposal is to provide more windows on the fourth floor, positioned in the mansard roof.

The application includes:

- The windows will be a fixed skylight type window, sized and located to enhance the symmetry of the heritage building facade.
- One window is proposed to be removed in the mansard roof on the Richmond St, façade as it does not align to the floor below.

Chiller Screen/Fence

- Cooling will be provided to the building for the renovations of the second and third floors.
- A new chiller is proposed at the North corner of the building facing Church Street.
- The chiller will sit on a concrete slab on grade and it will be screened with a black metal fence, approximately 1200mm high.
- The black fence will be adjacent to the recently added black metal exit stair added to the Church St façade.

PROPERTY HISTORY

The Law Courts Building, as the Honourable George Coles Building was formerly known, was constructed between 1874 and 1876 to house the Supreme Court. Prominent local architect, Thomas Alley designed the beautiful building and a large number of carpenters, masons and other tradesmen worked on various parts of the project. Before the building was constructed, the Supreme Court met in many different locations throughout Charlottetown including: a court house designed by John Plaw in 1813-1814, private homes, a combination courthouse and post office building and Province House.

The first meeting of the Supreme Court was held in the new Law Courts Building on 11 January 1876. Mr. Justice Peters presided. The new building was described as spacious, with excellent acoustics. A unique exterior feature of the building was the elaborate gas powered clock located on the west side of the building. It would remain home to the Supreme Court until 1976 when the building was gutted by fire, destroying the roof and the clock tower. The courts were then moved to the more spacious and newly constructed, Sir Louis Henry Davies Law Courts Building near the waterfront and the Law Courts Building was renovated to house offices and the Public Archives of Prince Edward Island. The Law Courts Building was renamed the Honourable George Coles Building after the popular Premier of Prince Edward Island and Father of Confederation.

The Honourable George Coles Building is Italianate in its design, which was popular with architects in the 19th century. The Italianate style was as fashionable in Charlottetown as it was throughout North America, with many public and commercial buildings showing its influence. The brick and stone buildings were modeled on the arcaded facades of the Italian Renaissance style found in Northern Italy.

Despite various renovations, including in the 1930s when the windows were changed on the south side of the building, and after the 1976 fire, when a less elaborate electric clock was installed on the roof on the south side of the building, the Honourable George Coles Building is a well preserved example of the Italianate style public building in Charlottetown. Located next to Province House, on historic Queen Square, it is important in maintaining the historic character of Queen Square.

CHARACTER DEFINING ELEMENTS:

- The following Italianate character-defining elements illustrate the heritage value of 175 Richmond Street:
- The overall massing of the building
- The size and shape of the building's brick exterior
- The Wallace sandstone trim of the exterior, particularly the belt courses, keystones, sills, arches, voussoirs and quoining
- The style and placement of the windows, particularly the tall, round headed windows with Wallace sandstone label surround and key, as well as the rectangular windows with sandstone trim that was the result of the 1930s renovation
- The style and placement of the doors with their decorative arch composed of Wallace sandstone voussoirs and quoining
- The decorative corbelled cornice

Other character-defining elements of 175 Richmond Street are:

- The Mansard roof which at one time had iron cresting around the top
- The clock in the centre of the roof on the south side
- The location of the building on Queen Square

POLICY FRAMEWORK:**Heritage Preservation Bylaw Requirements**

In accordance with Section 4.2.4.a(ii) 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.

City of Charlottetown Official Plan**Section 4.2 A Vibrant Downtown – The 500 Lot Area**

1. Our **objective** is to protect, restore, respect and leverage all Heritage Resources.
 - Our **policy** shall be to recognize that the 500 Lot Area is comprised of an extraordinary concentration of significant heritage buildings, landmarks and streetscapes. These resources play a prominent role in defining its distinct ‘sense of place’ and should be recognized as the life-blood of the area’s civic, cultural and economic well-being and as such need to be protected and restored.
 - Our **policy** shall be to identify and recognize the heritage attributes of these buildings, landmarks and streetscapes related to their age, architectural interest and historical interest through on-going planning, studies, inventories and other municipal initiatives in order to enable adequate and appropriate protection of these heritage resources.

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:

- Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. (b) Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

ANALYSIS:

This roof structure/configuration was remodeled following the 1976 fire. Five skylights were installed at that time on the south elevation and four on the west. The addition of new skylights serves to enhance the historic symmetry of the building and does not reduce any historic character defining elements. Rather it increases the usability and therefore viability of the building.

CONCLUSION:

The Planning & Heritage Department recommends approval of the application to install additional windows on the fourth floor at 175 Richmond Street.

PRESENTER:



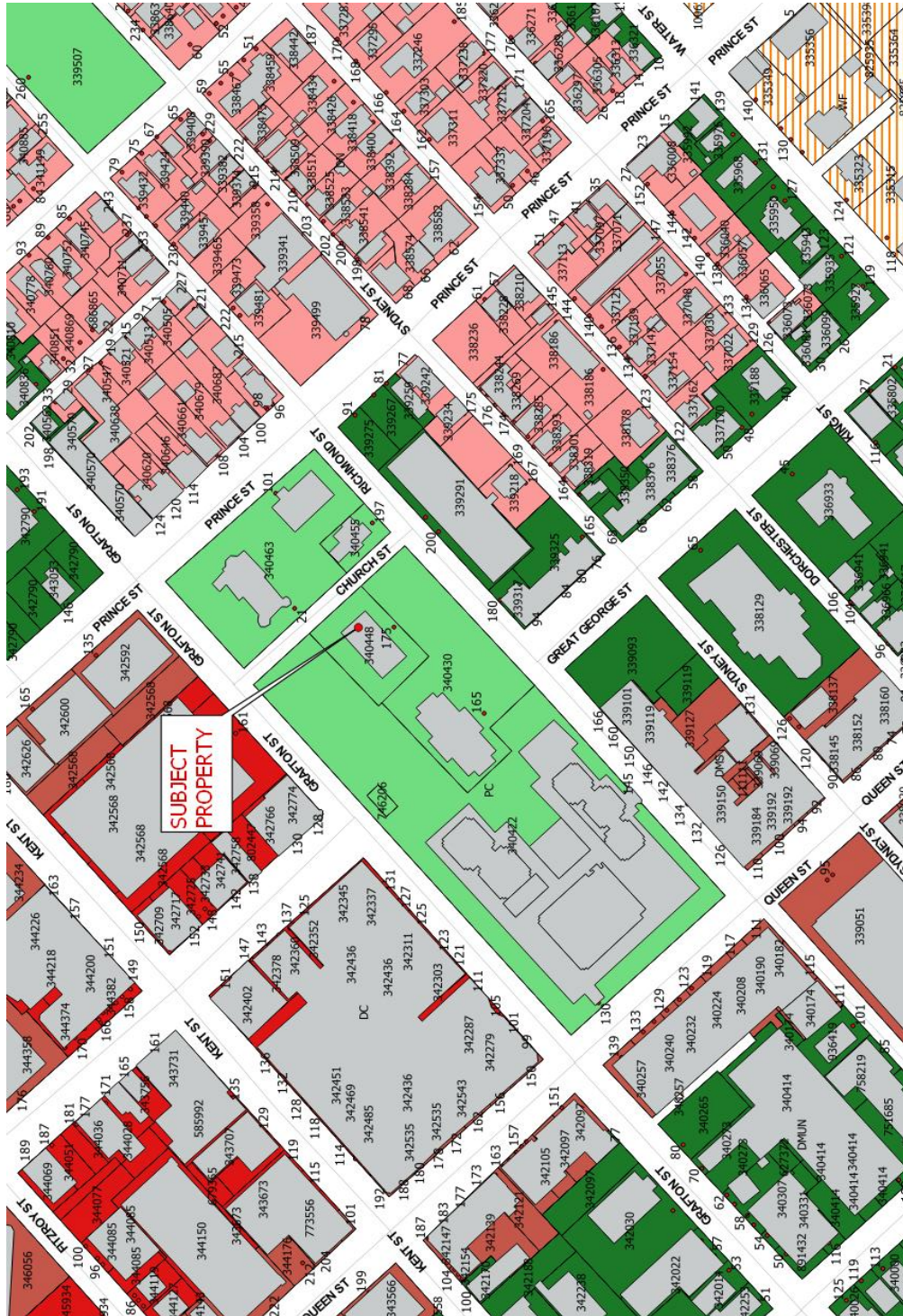
Todd Saunders, M.Arch
Heritage Officer

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

APPENDIX A



LOCATION MAP

ATTACHMENT B

PRELIMINARY ONLY NOT FOR CONSTRUCTION

PRELIMINARY ONLY NOT FOR CONSTRUCTION

NOTES

- 1 NEW FRIZE OUTLIFT WINDOW
- 2 RENOVATE WINDOW AND FILL

Project No.	1910709
Client	A300
Scale	1:100
Date	11.15.20
Drawn by	
Checked by	
Project Name	George Coles Building Renovations
Discipline	Elevations

COLES
Architects & Planners
175 Richmond Street
Sydney NSW 2000

PROPOSED ELEVATIONS

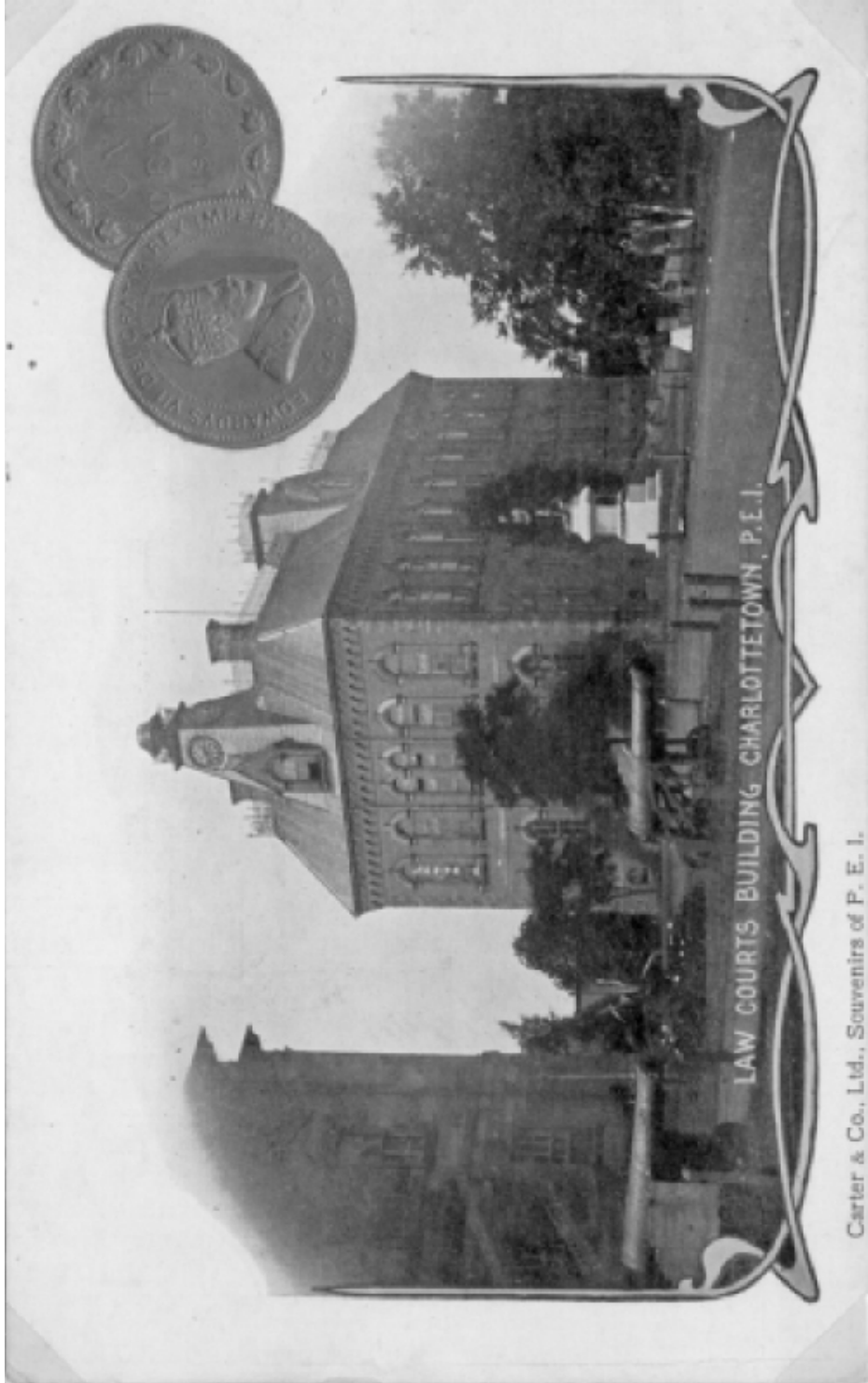
THIS DOCUMENT IS THE PROPERTY OF COLES ARCHITECTS & PLANNERS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF COLES ARCHITECTS & PLANNERS.

ATTACHMENT C




PHOTO– showing current roof

ATTACHMENT D



HISTORIC PHOTO – showing original roof

TITLE: ADDITION TO A DESIGNATE HERITGE RESOURCE FILE: HERT-2019-30-SEPTEMBER – 6(b) 52 SYDNEY STREET APPLICANT: DICO REIJERS		
MEETING DATE: September 30, 2019		Page 1 of 11
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. 2012 Photos C. Site Plan D. Proposal Renderings E. Sections F. North View G. 2012 Design	
SITE INFORMATION: 52 Sydney Street Ward No: 1 – Queens Square Property Use: Residential Heritage Recognition: This is a designated Heritage Resource and is located in the DN zone of the 500 Lot Area. Adjacent Heritage Properties: There are three properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> • 48 Sydney Street • 58 - 60 Sydney Street • 70 Sydney Street – Hutchinson House 		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application for the addition at 52 Sydney Street (PID#337873)

BACKGROUND:

Application:

An addition to the existing designate building was reviewed in 2012 and the applicant was asked to redesign the proposal with particular attention to the roofline and windows. The application

was approved and the footing was installed in 2014 following which the project has not developed further. A new property owner is now proposing completion of the development but requires a new permit. The rear roof line has been altered slightly from the previous design as have some windows. The existing house has previously comprised two units.

The application includes:

- The addition measures 19.75 ft wide by 24 ft deep and will allow for the occupancy to increase to four units;
- the addition is set back from the front of the existing structure by 18ft.
- parking for two cars is included;
- the building is to be re-clad in wood shingle (front and side) except where fire rating is required in which case cement board will be used.
a four inch exposure and corner boards as existing or as revealed during construction;
- Windows: Front/side : single hung wood, simulated divided light, 2 over 2. Rear: vinyl, single hung, 2 over 2.

The building has suffered damage in the past few years, Attachment F shows in shaded red the part of the existing structure which is likely to be retained. The roof has to come off and all the floor systems have to come out. Currently the ground floor is lower than the sidewalk and has a 7ft. ceiling. It is expected the ceiling may be raised to 8ft.

PROPERTY HISTORY

50-52 Sydney Street was built for John Kennedy, a cooper, shortly after 1839. In that year Kennedy leased the property with the promise that he would build a dwelling house of at least one-and-a-half stories in line with Sydney Street. Under his lease agreement, Kennedy would give up his home at the end of twenty-one years. At that time he would be compensated for half of the house's estimated value. [1] Later residents of 52 Sydney Street were Mr. and Mrs. Patrick J. McMahon. The Guardian of January 8, 1941 carried the funeral notice of Mr. McMahon. The funeral mass was to be celebrated by Rev. P. McMahon, D.D., the Rector of St. Dunstan's Basilica and son of the departed. Sadly, Patrick's wife died only eleven months later, notice of her passing appearing in the Guardian of December 1. An undated Guardian newspaper article details a number of items found when the owner of the building worked on the house's entranceway. Among the items pulled from the walls were an 1871 Prince Edward Island penny, an ivory crochet hook, a hand carved clothespin and a copper and wooden rosary. A local Island heritage

consultant stated that it was "a beautiful example of a very old rosary" and suggested that it dated from around 1880. There are other instances throughout Charlottetown where a variety of items have been found within the walls of old homes. During a renovation at 42 Hillsborough Street, rosaries were found underneath the window sills and newspapers, bones and shoes were found within the walls.

The following Georgian inspired character-defining elements contribute to the heritage value of 52 Sydney Street:

- The overall massing of the building with its two storeys
- The wooden shingled exterior
- The simple mouldings such as the cornice, the window and door surrounds and the cornerboards, painted in a contrasting colour
- The size and symmetrical placement of the sash windows, although the slightly larger window of the east side of the first floor facade is slightly larger than the original windows
- The size and central placement of the front door
- The gable roof
- The large extension on the south or back side of the home

Other character-defining elements include:

- The building's proximity to Connaught Square
- The location of the building on Sydney Street and its physical and visual relationship to surrounding 19th Century buildings
- The building's ongoing use as a residence

POLICY FRAMEWORK:

Heritage Preservation Bylaw Requirements

In accordance with Section 4.2.5 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.

Of note; 6.5.1 When the existing structure has wooden windows, the new windows shall also be wooden. This proposal requests vinyl windows on the rear elevation.

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:

Standard 11

Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. (b) Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

ANALYSIS:

This design has previously been approved. The building in its current condition is deteriorating.

CONCLUSION:

The Planning & Heritage Department recommends approval of the application for an addition at 52 Sydney Street.

PRESENTER:

Todd Saunders, M.Arch
Heritage Officer

MANAGER:

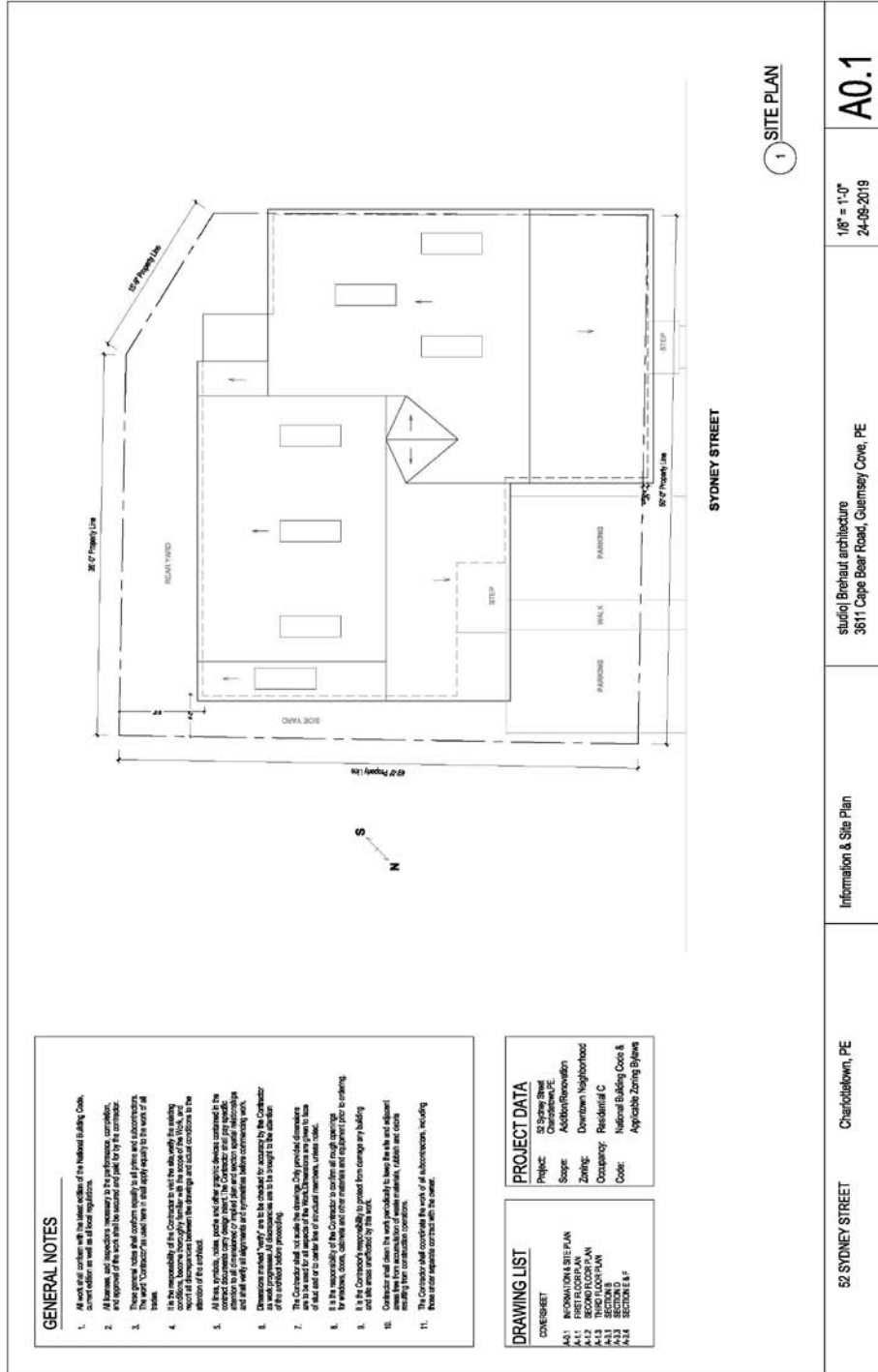
Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

ATTACHMENT B



PHOTOS 2012

ATTACHMENT C



GENERAL NOTES

- All work shall conform with the latest edition of the National Building Code.
- All construction shall be in accordance with the applicable requirements.
- All construction shall be in accordance with the applicable requirements.
- The word "Contractor" as used herein shall apply equally to the work of all trades.
- The Contractor shall coordinate with all other trades and subcontractors to ensure that all dimensions between the drawings and actual conditions in the field are in accordance with the drawings.
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DRAWING LIST

CONTRACT	DESCRIPTION
A0.1	INFORMATIONAL SITE PLAN
A0.1	FIRST FLOOR PLAN
A0.1	SECOND FLOOR PLAN
A0.1	THIRD FLOOR PLAN
A0.1	SECTION A-A
A0.1	SECTION B-B

PROJECT DATA

Project	52 Sydney Street, Charlottetown, PE
Scope	Addition/Renovation
Zoning	Downtown Neighborhood
Compliance	Residential C
Code	National Building Code & Applicable Zoning Bylaws

1/8" = 1'-0"
24-09-2019

studio|Brethaut architecture
3611 Cape Bear Road, Guernsey Cove, PE

Information & Site Plan

Charlottetown, PE

52 SYDNEY STREET

SITE PLAN

ATTACHMENT D



3 West View



1 South View



4 East View



2 North View

Views

20-08-19

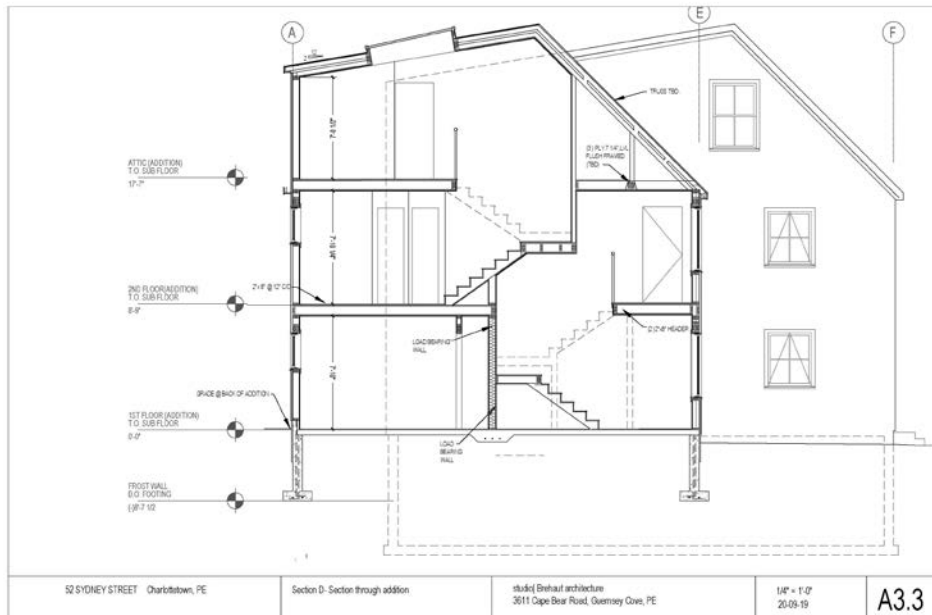
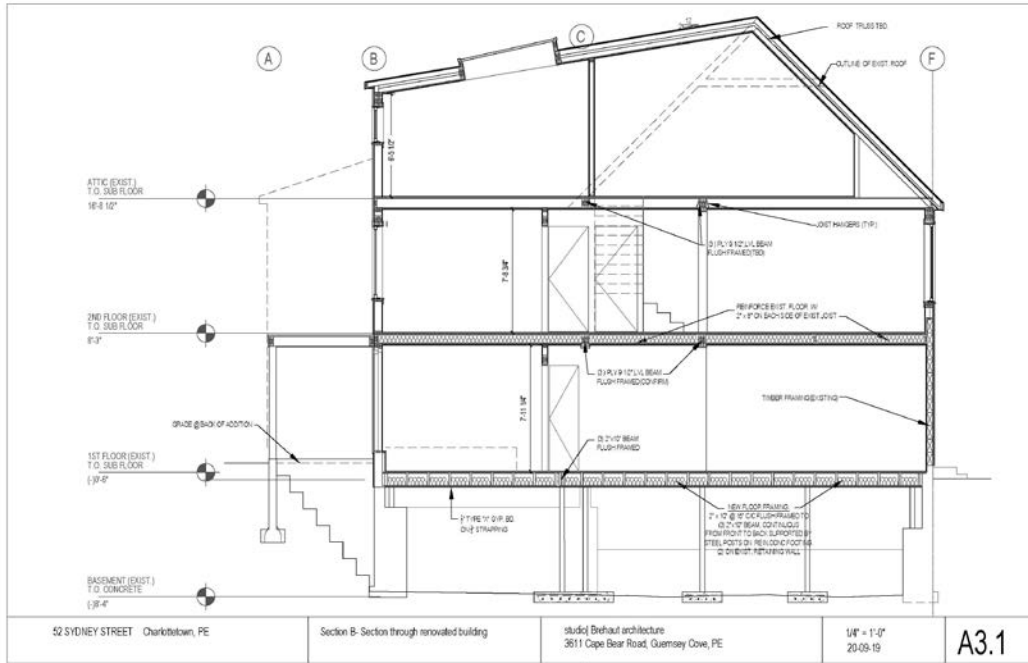
studio | BREHAUT
architecture

Exterior Views

52 Sydney St.
Charlottetown, PE

PROPOSAL RENDERINGS

ATTACHMENT E



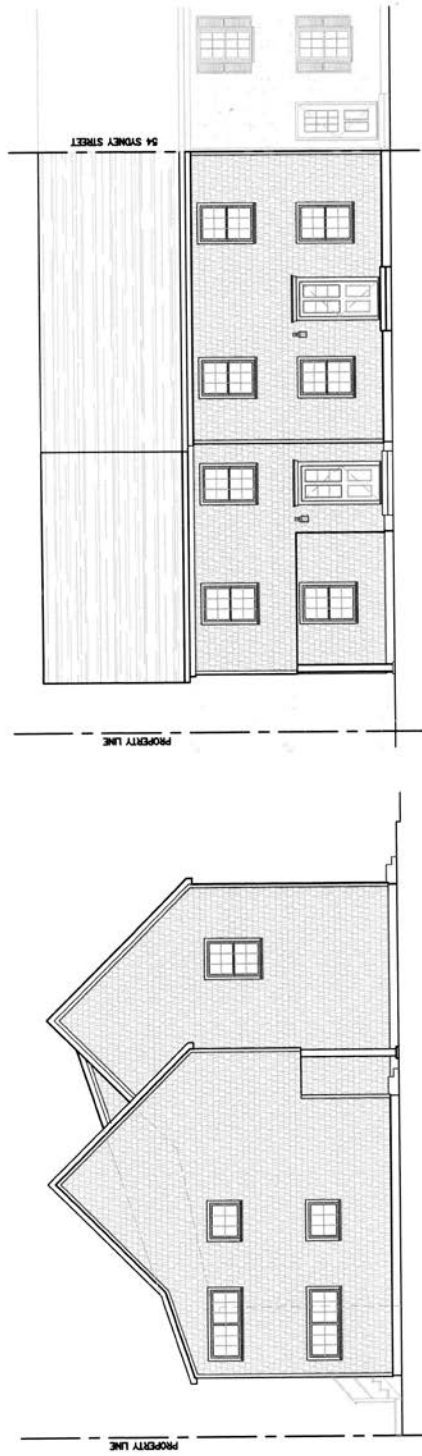
SECTIONS

ATTACHMENT F



2 North View


ATTACHMENT G



1 STREET ELEVATION

2 SIDE ELEVATION

30YD RESIDENCE – 52 SYDNEY STREET	Charlottetown, PE	Proposed Elevations	1/8" = 1'-0" 31/08/2012	A3
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TITLE: DEMOLITION OF FOUR PROPERTIES IN THE 500 LOT AREA FILE: HERT-2019-30-SEPTEMBER – 7(a) KING STREET & DORCHESTER STREET OWNER: WEYMOUTH PROPERTIES LTD.		
MEETING DATE: September 30, 2019		Page 1 of 18
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. 1878 Panoramic view C. 1880 Meacham’s Atlas Map D. 1917 Insurance Map E. Archival Photo F. Historic Photos G. Property Evaluation Forms	
SITE INFORMATION: 91 King Street, 93 King Street, 94-98 Dorchester Street, & 100-102 Dorchester Street Ward No: 1 – Queens Square Property Use: Residential Heritage Recognition: Properties are <i>NOT</i> designated Heritage Resources and are located in the DMUN zone of the 500 Lot Area. Adjacent Heritage Properties: There are three properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> • 52 Queen Street • 100 King Street • 45 Great George Street – SDU Place 		

RECOMMENDATION:

This report is for information only to allow Heritage Board to be made aware of a proposed application and the temporary designation process should they find it applicable.

The Planning & Heritage Department has received an application to demolish four buildings located in the 500 Lot Area at 91 King Street, 93 King Street, 94-98 Dorchester Street and 100-102 Dorchester Street. These buildings are not designated heritage resources and are therefore not protected under the Heritage Preservation Bylaw. Their demolition is considered an “as of right” under the Zoning and Development Bylaw. There is however the ability to request that Council

impose a temporary designation on a “resource with characteristics that may meet the criteria for Designation”. This would prevent the buildings from being demolished for otherwise altered for a period of 45 days to allow Council time to determine if Council will proceed with the process to Designated the Heritage Resources.

BACKGROUND:

The City of Charlottetown has received an application to develop approximately one third (south-west end) of the block bounded by Queen Street, Dorchester Street, Great George Street and King Street. The development proposes to leave the designated property at 52 Queen Street located at the corner of King Street, untouched. The existing buildings at 54 Queen Street, 58-64 Queen Street and 68 Queen Street are to remain but will be renovated with entirely new facades. The buildings located at 91 King Street, 93 King Street, 94-98 Dorchester Street and 100-102 Dorchester Street are proposed for demolition with the lots to be consolidated and a new structure developed on the consolidated lot.

DESCRIPTION OF PROPERTIES TO BE DEMOLISHED

91 King Street is a two and a half storey, wood frame building with a street facing side gable roof built in a simple Georgian style. It is not known exactly when this building was constructed, but a similar size and shape building is found on the 1878 panoramic view. A 1917 insurance map indicates a two story building with the same footprint. According to the Prince Edward Island Telephone Directory of 1935, Mr. and Mrs. Abie Block lived at 91 King Street. It is unclear if the building was used as a single dwelling at the time as the 1917 insurance plan indicates it comprises two addresses, but by 1970 it was an apartment building. The property currently has a brick warehouse building at the rear. Provincial assessment records indicate this is currently a six unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 63 points (Grade 2) on the Heritage Building evaluation conducted in 2007.

93 King Street is a two and a half storey, gable roofed, wood frame building which may date to pre 1878 as it appears on the Panoramic View of Charlottetown. An 1886 newspaper notice offered the building opposite the Blake House (see 100 King Street) for sale. This appears to be 93 King Street. The first floor featured front and back shops and two large rooms in addition to a built-on kitchen with pump, washboxes and a large pantry. The second floor had four large

rooms, as did the third. Each of the upper floors featured "nice" halls. The building boasted a frost-proof cellar with a large brick pantry with cement flooring. It was noted that a water pipe conducted rainwater to the cellar. The property included large and convenient outbuildings. Some outbuildings may be indicated on the 1917 insurance plan. In 1976 the building was converted into a five unit apartment building. Provincial assessment records indicate this is currently a six unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 75 points (Grade 2) on the Heritage Building evaluation conducted in 2007.

94-98 Dorchester Street is a flat roofed, three storey, wood framed building with three street facing entries. It is not known when this building was constructed, but there was a three storey structure on at least part of this site as early as 1878 when the Panoramic View of Charlottetown was published. Although a three storey structure existed according to the 1917 insurance map it was located only at 94-96 Dorchester Street. There appears to have been no building at 98 Dorchester Street. A fire in 1940 badly damaged the building. At the time of the fire, the ground floor was occupied by a store and the upper two levels were residential. The fire caused considerable damage to the top two stories.

Provincial assessment records indicate this is currently an eight unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 57 points (Grade 3) on the Heritage Building evaluation conducted in 2007.

100-102 Dorchester Street is a front facing, gable roofed, two and a half storey, wood frame building. It was built by Owen Connolly who took pride in the quality of his buildings as a rental property around 1870. Although the properties he built for his own use are exceptional, even his rental properties were substantial, well-proportioned buildings. The 1917 insurance map shows a two and a half story structure with a one storey section at the rear which matches the current building configuration. The 1917 map also indicates it comprised two addresses.

Provincial assessment records indicate this is currently a one unit building. This property is zoned Downtown Mixed Use Neighbourhood. This property scored 78 points (Grade 2) on the Heritage Building evaluation conducted in 2007.

SITE SIGNIFICANCE

The development site encompasses the south-west third of the block bounded by Queen Street, Dorchester Street, Great George Street and King Street. In accordance with the original town plan, lots measured 84 ft by 160 ft. and ran the full depth of the block from King Street to

Dorchester Street. This block, numbered 16, consisted of lots 43-47 in the first hundred with the “Bishop’s Palace” occupying both lots 46 & 47. Of particular note is one of only four “alleys” or “right of way” through a block is found at the rear of the buildings fronting on Queen Street. This is currently owned by the City of Charlottetown. This is a unique feature in an otherwise very consistent block format.

The remaining portion of the block on the west end is occupied by SDU Place(former Bishop’s Palace) fronting on Great George Street and their vacant (parking) lot at 96 King Street, as well as two additional residential buildings located at 104 Dorchester Street (single family) and 106-110 Dorchester Street (4 units). Given the size and prominence of SDU Place (former Bishop’s Palace) it serves as the single most defining building on this block and provides a visual anchor.

The development site is located in the center of the city, in close proximity to the waterfront, an area which would have been populated early on in the city’s history. The area surrounding the site has seen some transformation in recent years with the development of Gahan House in the former Sisters of the Precious Blood convent building on Sydney Street and the more recent demolition of two houses on King Street and the subsequent development of a residential structure.

The downtown 500 lot area is recognized for both the quality and character of its streetscapes. This is due in part to the gridded street and block pattern allowing for a well-connected network. Block sizes are reasonably small and the gridded layout creates a sense of order and unity resulting in a very walkable area.

Queen Street is a 100 ft. wide street running north/south with a view to the water. Zoned *Downtown Mainstreet*, it is generally lined with three storey commercial buildings with no setbacks. It is a dominant, busy street serving a major link for both pedestrian and vehicular traffic. In recent years, attention has been paid to upgrading street amenities such as outdoor patios, historic street lighting, trees and pedestrian paving. Great George Street is also a wide street running north/south but has a much different character than Queen Street. Zoned Downtown Mixed Use, the street is truncated at Richmond Street with a clear termini point at Province House. Great George Street has a number of architectural landmarks with St. Dunstan’s Basilica, SDU Place, Province House, Hartz-O’Halloran row. The tree lined street is generally lined with well-maintained historic three storey residential buildings and a number of artistic points of interest (sculptures, monuments, interpretive panels).

Alternatively both Dorchester Street and King Street are narrow streets measuring 40 ft. in width. This results in a tight streetscape with buildings placed very close to the street edge allowing little to no space for street amenities. Zoned *Downtown Mixed Use Neighbourhood* the area has a mix of uses often contained within a house form building typology. These areas provide the transition between predominately residential areas and the more commercial areas. The scale of this zone is primarily residential form. Building forms are typically smaller scale two to three storey wood frame residential buildings. They represent a wide variety of building styles with the general sense that most are of an historic nature.

POLICY FRAMEWORK:

Heritage Preservation Bylaw Requirements

These four properties are *not* designated heritage resources and are therefore not subject to the provisions of the Heritage Preservation Bylaw. However, in accordance with Section 3.4 of the Heritage Preservation By-law, a temporary designation request may be made to Council where it is believed a heritage resource with characteristics that may meet the criteria for designation is at risk of imminent irreparable or costly damage to the site's heritage nature. .

City of Charlottetown Official Plan

3.7 Capitalizing on Heritage resources

Over the last few years, a great deal has been done to establish Charlottetown as the Birthplace of Confederation. The City's heritage buildings are not only important as a reflection of Charlottetown's social history, but they are an invaluable backdrop for helping to depict and explain the political evolution of the entire nation. Therefore, it is crucial that a significant portion of this building stock be restored and protected in order to buttress Charlottetown's seminal role in the creation of Canada. There will be no long lasting foundation for the success of a campaign based upon the municipality's identity as the Birthplace of Confederation unless there is a predominant sense that Charlottetown is an historic city. If done well, this initiative can be parlayed into significant gains for the local economy.

4.2 A Vibrant Downtown – The 500 Lot Area

4.2.1 A Starting Point – The Vision:

The 500 Lot Area is the City of Charlottetown's historic, cultural, civic and symbolic core and functions as the primary shopping, education, entertainment, recreational, service and employment hub within the City and the larger Region. The area is also a charming historical neighbourhood, home to many residents and visited by thousands of tourists each year. The 500 Lot Area benefits from its waterfront and its inventory of magnificent heritage buildings and features. Through the relevant policies of the CHARLOTTETOWN PLAN, the City should ensure that future planning actions within the 500 Lot Area continue to protect, restore and build upon the heritage resources in the area. New development, redevelopment, intensification and changes in land use should not be discouraged as they can have positive influences and make significant contributions to the evolution of the area. However, any proposed changes need to be carefully considered and managed to ensure that they do not undermine or destroy the very elements and qualities that define this area, but rather continue to create a distinct sense of place and contribute to its success.

4.2.2 Defining Our Direction:

*1. Our **policy** shall be to recognize each Urban Character Area or neighbourhood, including important streets and streetscapes, civic and cultural elements, heritage resources, squares and parks, public/institutional buildings, gateways and view planes and terminate within the 500 Lot Area, and to establish a new and more detailed Zoning By-Law regime to protect and enhance these resources accordingly.*

*3. Our **objective** is to reinforce and extend the historic street and block pattern in the 500 Lot Area. Our **policy** shall be to discourage any alterations to the existing street and block pattern which is a fundamental defining aspect of the 500 Lot Area's historic character. Alterations to this pattern may only be considered where it results in an improvement of the public realm, such as a public space, while still retaining unfettered pedestrian access and views.*

*4. Our **objective** is to protect, restore, respect and leverage all Heritage Resources. Our **policy** shall be to recognize that the 500 Lot Area is comprised of an extraordinary concentration of significant heritage buildings, landmarks and streetscapes. These resources play a prominent role in defining its distinct 'sense of place' and should be recognized as the life-blood of the area's civic, cultural and economic well-being and as such need to be protected and restored.*

*Our **policy** shall be to identify and recognize the heritage attributes of these buildings, landmarks and streetscapes related to their age, architectural interest and historical interest*

through on-going planning, studies, inventories and other municipal initiatives in order to enable adequate and appropriate protection of these heritage resources.

*Our **policy** shall be to provide direction through the Official Plan and regulation through the Zoning By-law for each property within the 500 Lot Area to determine the appropriate degree and design of alterations based upon an evaluation of its heritage attributes. The ability to demolish properties and buildings and the process and timing of granting demolition permits shall also be dependent upon an assessment of each property's heritage attributes.*

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 Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) is the official document guiding planning, stewardship and the conservation approach for designated heritage resources. These four buildings are not designated resources.

City of Charlottetown 500 Lot Area Development Standards & Design Guidelines

<https://www.charlottetown.ca/workspaces/one.aspx?objectid=12052544&contextId=12052176>

The 500 Lot Standards and Guidelines provided an illustrated analysis of the area and approach to consider regarding heritage resources and development.

ANALYSIS:

The four addresses proposed for demolition are typical of the historic building stock in the downtown area. They are simple in form and are not adorned with ornamentation. They are not considered consistent with more elaborate architectural styles of the period but instead speak to what was a typical residence of the average working resident. They are all generally intact architecturally but clearly lack in terms of maintenance or upgrading to current standards. The evaluation scores of the buildings hover at a point where designation of each property individually is not imminent. The three gable roofed properties appear to have qualities which could warrant consideration as there are other similar buildings in the city which have achieved designation.

Although, it is believed these buildings could potentially all be restored and contribute to the authenticity of the character of the area, it is perhaps the loss in terms of loss to the streetscape which presents the greater concern. The removal of two neighbouring buildings on both streetscapes and construction of a new development results in a totally new streetscape on King

Street and half the block on Dorchester Street. Given the design standards and guidelines in place for new development in the 500 lot area, it is expected any new development proposed would be required to address streetscape concerns of scale and massing appropriately.

CONCLUSION:

This report is for information only and to allow Heritage Board the ability to request that Council impose a temporary designation on a “resource with characteristics that may meet the criteria for Designation” if deemed appropriate.

PRESENTER:



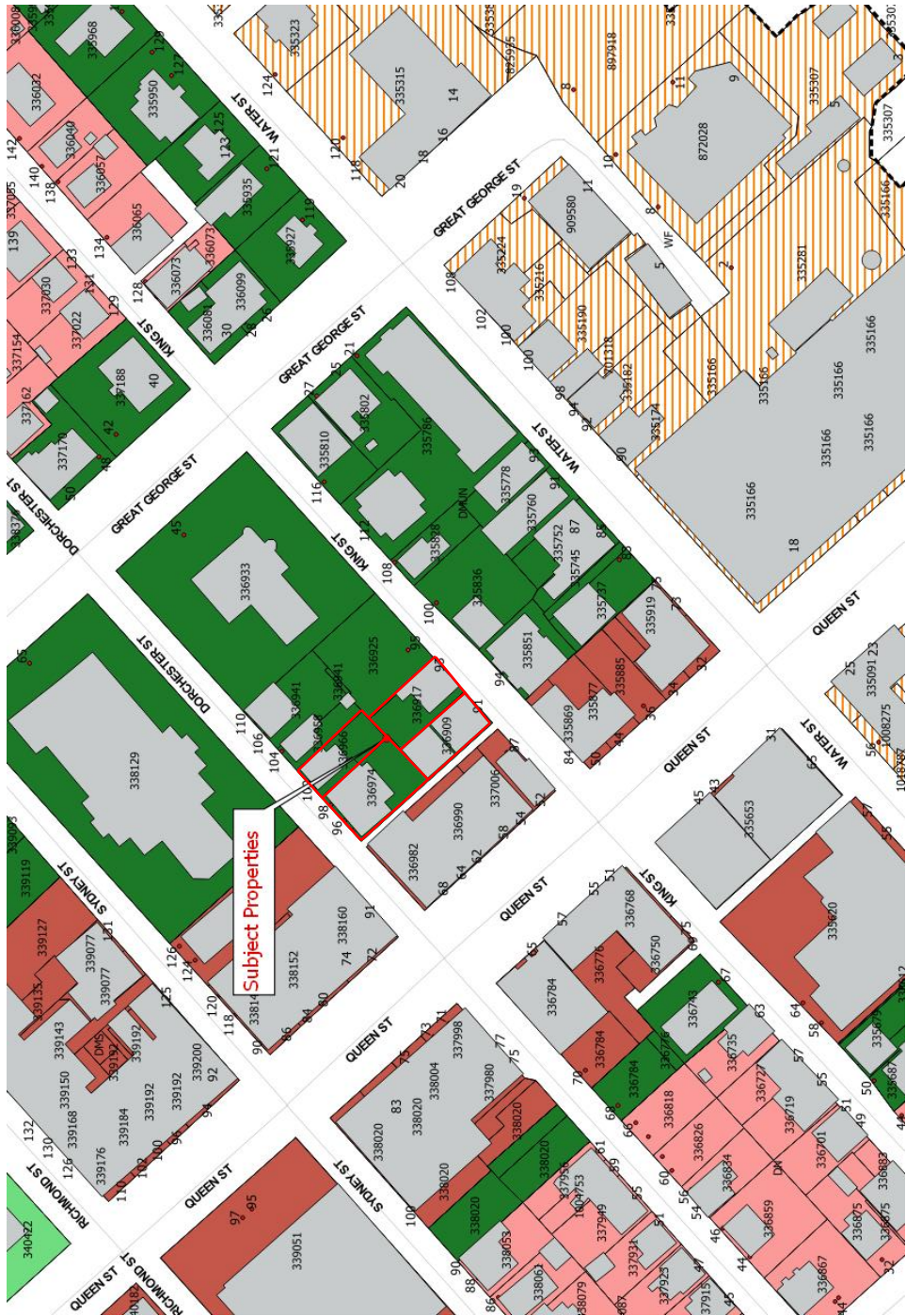
Todd Saunders, M.Arch
Heritage Officer

MANAGER:



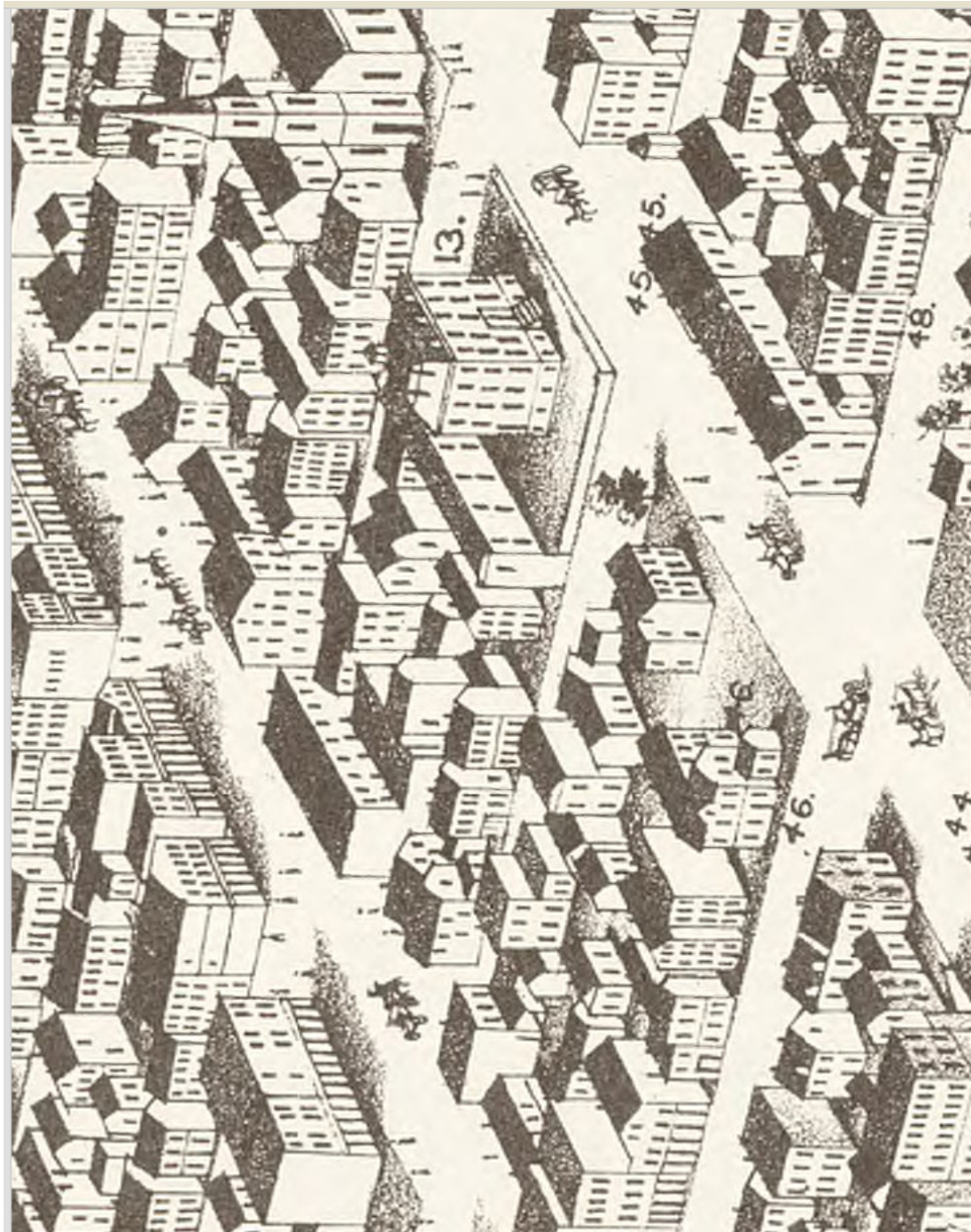
Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

ATTACHMENT A



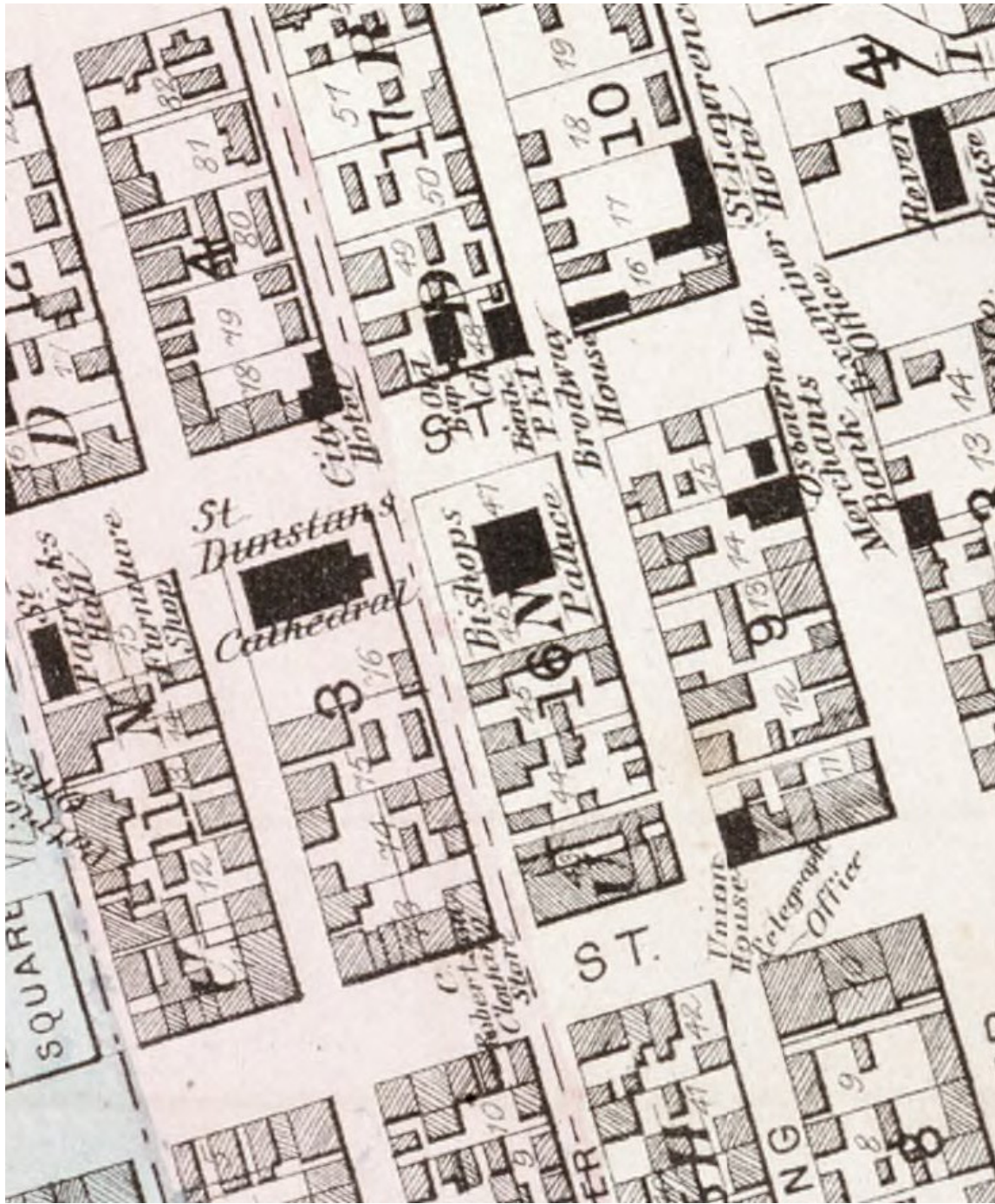
LOCATION MAP

ATTACHMENT B



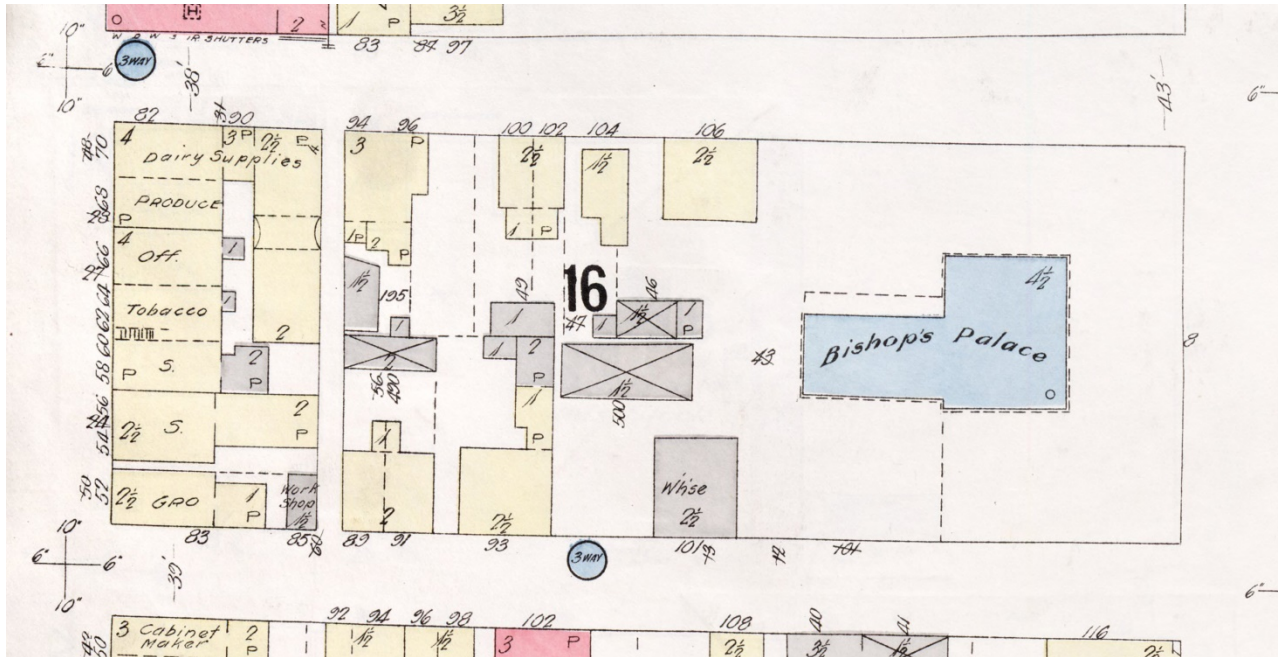
1878 PANORAMIC VIEW

ATTACHMENT C

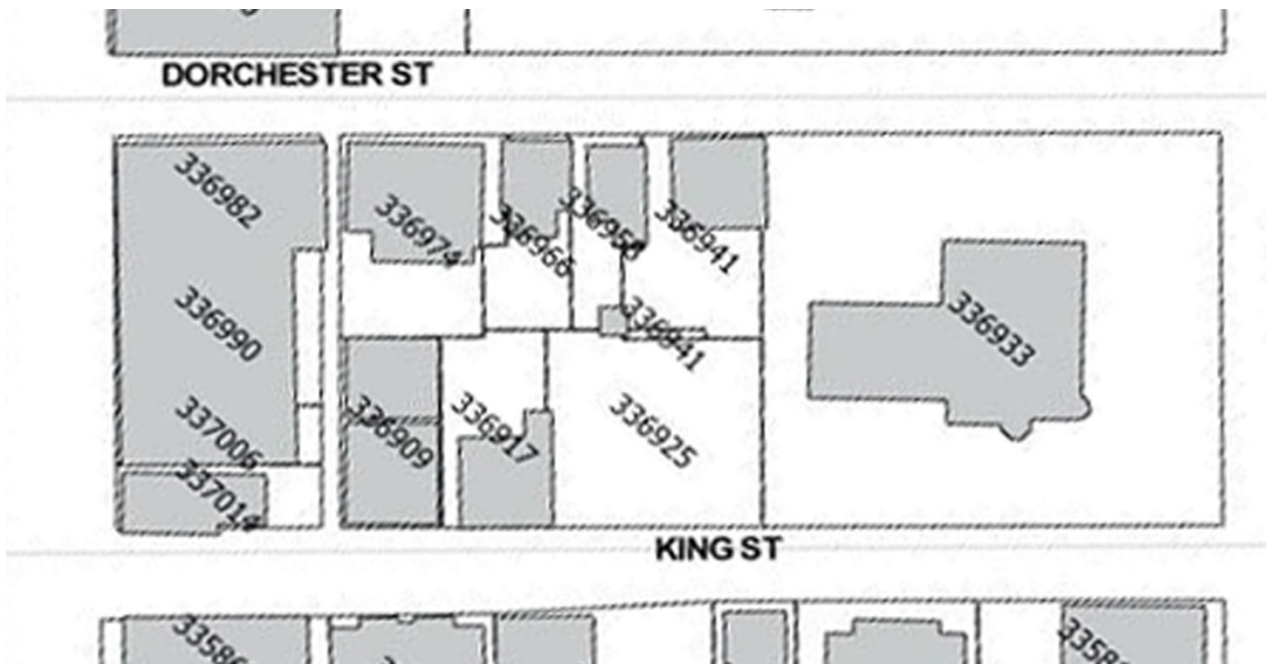


1880 MEACHAM'S ATLAS MAP

ATTACHMENT D

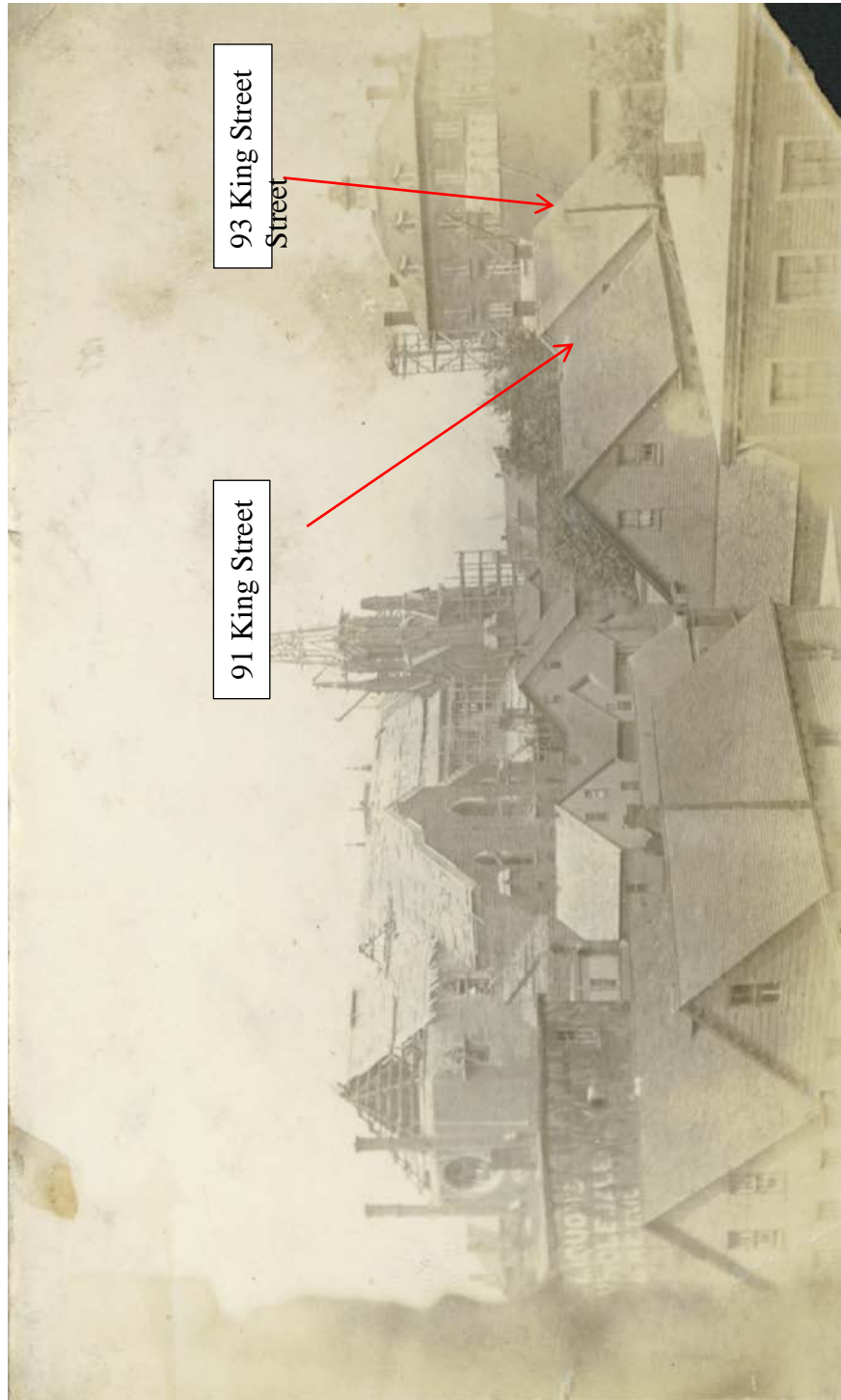


1917 INSURANCE MAP



CURRENT PROPERTY MAP

ATTACHMENT E



93 King Street

91 King Street

ARCHIVAL PHOTO c.1913

HISTORIC PHOTOS c.1970

ATTACHMENT F



91 King Street



93 King Street



93 King Street & 91 King Street from east side



**City of Charlottetown
Heritage Building Evaluation Form**

Civic Address: 91 King Street

Building Name:

Assessment: 336909

Zoning and Development Bylaw Reference: Appendix H

The Story of Charlottetown Record: #1377

Canadian Register of Historic Places Record:

Date of Photograph: June 8, 2007

Building Evaluated By: Natalie Munn

Date: July 17, 2007



Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: _____	15	12	<input type="checkbox"/>	5	0
Architectural Interest (Maximum 65 points)					
	E	VG	G	F	P
2.1 Style/Tradition: <u>Georgian</u>	15	10	<input type="checkbox"/>	2	0
2.2 Construction Materials and Methods: <u>wood</u>	10	8	<input type="checkbox"/>	2	0
2.3 Design/Craftsmanship: <u>symmetrical facade</u>	10	8	<input type="checkbox"/>	2	0
2.4 Integrity: _____	20	<input type="checkbox"/>	8	2	0
2.5 Exterior Condition: _____	<input type="checkbox"/>	8	5	2	0
2.6 Setting/Streetscape: _____	<input type="checkbox"/>	10	8	2	0
2.7 Landmark: _____	10	8	5	2	<input type="checkbox"/>
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder: _____	10	8	5	2	<input type="checkbox"/>
3.2 Person/Institution: <u>Abie Block, Mrs. Bevan</u>	10	8	5	<input type="checkbox"/>	0
3.3 Event: _____	10	8	5	2	<input type="checkbox"/>
3.4 Historical Context: _____	10	8	5	2	<input type="checkbox"/>

Total Score: 63

Classification: _____ Grade 1 (80-100 points)
 _____ 63 Grade 2 (60-79 points)
 _____ Grade 3 (40-59 points)
 _____ Ineligible for Designation (20-49 points)
 _____ Not Important (0-19 points)

Comments: _____

Reviewed/Approved By: _____ Date: _____

Change In Classification _____ Date: _____

Reason: _____



**City of Charlottetown
Heritage Building Evaluation Form**

Civic Address: 93 King Street

Building Name:

Assessment: 336917

Zoning and Development Bylaw Reference: Appendix H

The Story of Charlottetown Record: #1378

Canadian Register of Historic Places Record:

Date of Photograph: June 8, 2007

Building Evaluated By: Natalie Munn

Date: July 18, 2007



Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: <u>pre 1866 likely 1854</u>	15	<u>12</u>	8	5	0
Architectural Interest (Maximum 65 points)					
	E	VG	G	F	P
2.1 Style/Tradition: <u>Georgian</u>	15	<u>10</u>	8	2	0
2.2 Construction Materials and Methods: <u>wood</u>	10	<u>8</u>	5	2	0
2.3 Design/Craftsmanship: <u>symmetrical facade and eaves returns</u>	10	<u>8</u>	5	2	0
2.4 Integrity:	20	<u>10</u>	8	2	0
2.5 Exterior Condition:	<u>10</u>	8	5	2	0
2.6 Setting/Streetscape:	<u>15</u>	10	8	2	0
2.7 Landmark:	10	8	5	2	<u>0</u>
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder:	10	8	5	2	<u>0</u>
3.2 Person/Institution: <u>Mrs. James Stanley, Lydia Seaman</u>	10	8	5	<u>2</u>	0
3.3 Event:	10	8	5	2	<u>0</u>
3.4 Historical Context:	10	8	5	2	<u>0</u>

Total Score: 75

Classification: _____ Grade 1 (80-100 points)
75 _____ Grade 2 (60-79 points)
 _____ Grade 3 (40-59 points)
 _____ Ineligible for Designation (20-49 points)
 _____ Not Important (0-19 points)

Comments:

Reviewed/Approved By: _____ Date: _____

Change In Classification _____ Date: _____

Reason: _____



**City of Charlottetown
Heritage Building Evaluation Form**

Civic Address: 94-96-98 Dorchester Street

Building Name: _____

Assessment: 336974

Zoning and Development Bylaw Reference: Appendix H

The Story of Charlottetown Record: #1383

Canadian Register of Historic Places Record: _____

Date of Photograph: June 8, 2007

Building Evaluated By: Natalie Munn

Date: July 19, 2007



Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 <u>Date of Construction:</u>	15	12	8	<u>5</u>	0
Architectural Interest (Maximum 65 points)					
	E	VG	G	F	P
2.1 <u>Style/Tradition: Vernacular</u>	15	10	8	<u>2</u>	0
2.2 <u>Construction Materials and Methods: wood</u>	10	8	<u>5</u>	2	0
2.3 <u>Design/Craftsmanship:</u>	10	8	5	<u>2</u>	0
2.4 <u>Integrity: A flue fire in 1940 damaged the building</u>	20	10	<u>8</u>	2	0
2.5 <u>Exterior Condition:</u>	10	<u>8</u>	5	2	0
2.6 <u>Setting/Streetscape:</u>	<u>15</u>	10	8	2	0
2.7 <u>Landmark:</u>	10	8	5	2	<u>0</u>
Historical Interest (Maximum 20 points)					
3.1 <u>Architect/Builder:</u>	10	8	5	2	<u>0</u>
3.2 <u>Person/Institution: John B. Fleming, storekeeper, John Connolly and Gus McDonald</u>	10	8	5	<u>2</u>	0
3.3 <u>Event: fire struck the building in 1940</u>	10	8	5	<u>2</u>	0
3.4 <u>Historical Context: Commercial History</u>	10	<u>8</u>	5	2	0

Total Score: 57

Classification: _____ Grade 1 (80-100 points)
 _____ Grade 2 (60-79 points)
57 Grade 3 (40-59 points)
 _____ Ineligible for Designation (20-49 points)
 _____ Not Important (0-19 points)

Comments: _____
 Reviewed/Approved By: _____ Date: _____
 Change In Classification _____ Date: _____
 Reason: _____



**City of Charlottetown
Heritage Building Evaluation Form**

Civic Address: 100-102 Dorchester Street

Building Name:

Assessment: 336966

Zoning and Development Bylaw Reference: Appendix H

The Story of Charlottetown Record: #1382

Canadian Register of Historic Places Record:

Date of Photograph: June 8, 2007

Building Evaluated By: Natalie Munn

Date: July 10, 2007



Evaluation Criteria

	Pre 1840	1841 to 1870	1871 to 1900	1901 to 1930	1931 to Present
Age (Maximum 15 points)					
1.1 Date of Construction: <u>c.1870</u>	15	<u>12</u>	8	5	0
Architectural Interest (Maximum 65 points)					
	E	VG	G	F	P
2.1 Style/Tradition: <u>Vernacular</u>	15	10	<u>8</u>	2	0
2.2 Construction Materials and Methods: <u>wood</u>	10	8	<u>5</u>	2	0
2.3 Design/Craftsmanship:	10	8	<u>5</u>	2	0
2.4 Integrity:	20	<u>10</u>	8	2	0
2.5 Exterior Condition:	<u>10</u>	8	5	2	0
2.6 Setting/Streetscape:	<u>15</u>	10	8	2	0
2.7 Landmark:	10	8	5	2	<u>0</u>
Historical Interest (Maximum 20 points)					
3.1 Architect/Builder:	10	8	5	2	<u>0</u>
3.2 Person/Institution: <u>Owen Connolly-one of his rental properties, Andrew F Murphy</u>	10	<u>8</u>	5	2	0
3.3 Event:	10	8	5	2	<u>0</u>
3.4 Historical Context: <u>An early purpose built rental property, Commercial History</u>	10	8	<u>5</u>	2	0

Total Score: 78

Classification: 78 Grade 1 (80-100 points)
 _____ Grade 2 (60-79 points)
 _____ Grade 3 (40-59 points)
 _____ Ineligible for Designation (20-49 points)
 _____ Not Important (0-19 points)

Comments:

Reviewed/Approved By: _____ Date: _____

Change In Classification _____ Date: _____

Reason: _____

**PLANNING AND HERITAGE COMMITTEE – DESIGN REVIEW BOARD MINUTES
MONDAY, SEPTEMBER 23, 2019 12:00PM
PARDKALE ROOM, CITY HALL**

<u>Included</u>	Councillor Greg Rivard, Chair	Kris Fournier, RM
	Deputy Mayor Jason Coady, Vice-Chair	Sharon Larter, RM
	Councillor Bob Doiron	Alex Forbes, PHM
	Councillor Julie McCabe	Todd Saunders, HO
	Brian Gillis, RM	Laurel Palmer Thompson, PII
	Kenneth McInnis, RM	Ellen Ganga, IA/AA
<u>Regrets</u>	Mayor Philip Brown	
	Greg Munn, RM	

1. Call to Order

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

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Councillor Julie McCabe and seconded by Sharon Larter, RM, that the agenda for Monday, September 23, 2019, be approved.

CARRIED

4. Adoption of Minutes

Moved by Sharon Larter, RM, and seconded by Kenneth McInnis, that the minutes of the Friday, May 17, 2019 meeting, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 60-66 Dorchester Street (PID #s 336826 & 336818)

The Planning & Heritage Department is advancing this to the Design Review Board to confirm and get approval from the Board that the construction drawings are generally in keeping with the approved design review submission. The property is located at 60-66 Dorchester Street (PID #'s 336826 & 336818). Laurel Palmer Thompson, PII, presented the application.

Ms. Thompson indicated that this application was before the Design Review Board in 2014. At that time, the design reviewer recommended for the proposal with a request for a few details to be clarified prior to building permit. The Heritage Board which was the Board overseeing the process in 2014 approved the application at that time.

On August 2019, the applicants submitted a new set of drawings for the proposed building. The following changes are being proposed:

1. The front façade was originally to be clad in wood siding. The drawings have changed to incorporate a combination of a dark brick and wood siding.
2. The side elevations were originally to be clad in a metal siding that would run horizontal with a wood trellis over the siding. The applicant has decided to clad the side elevations with brick and a metal trellis over the brick.
3. The configuration of the roof top access has changed. Originally it was to be built with vertical lines and a flat roof. However, details about this feature were vague in the design submission. The construction drawings show a slanted roof on the roof top access. This may help to detract from giving an appearance of a 4th story which the design reviewer had concerns about.
4. The trellis on the front façade of the building appears to be similar to the original proposal however it does not wrap the corners like originally proposed. The side trellis now is comprised of metal and has been placed mainly to facilitate the growth of climbing vines.

Overall, staff feels that the bulk, mass, scale and building design layout is generally in keeping with the design submission that was approved during the design review process in 2014. However, because of the changes in cladding materials and the modifications to the trellis which seemed to be a substantial design feature in the original submission, staff is advancing this to the Design Review Board to confirm and get approval from the Board that the construction drawings are generally in keeping with the approved design review submission. The Board has the option to a) approve the drawings as submitted; b) suggest minor modifications; or c) if the Board feels the construction drawings are substantially different from the design review submission than the Board can refer the drawings back to the design review process. Silva Stojak, architect for this application, is here to provide more details of the design and the reason for the changes.

Ms. Stojak added that the original developer decided on metal siding to meet their budget requirements. The property has since been purchased by a private developer who had a larger budget for the project, hence allowing them to use better materials or a more substantial material than the initial metal siding. The adjacent buildings also have a brick façade and having a brick façade instead of a metal siding for this proposed development would also enhance the streetscape along Queen Street and Dorchester. Ms. Stojak also presented actual materials and colors of the proposed brick for the façade. Because the building is on the property line, the materials to be used must be non-combustible (brick or metal siding) and there should be no unprotected openings along that façade. To soften the look and add to the street view, trellis will also be located on the side of the building instead of just having a solid brick wall. Another change is redesigning the roof from flat to slant roof to give the appearance of a further step back which will make it even less visible from the street. The façade materials on the north elevation will be changed from wood to brick, glass and aluminum. Wood materials will be used for certain sections of this façade, around the entrances and around the garage to make it look softer and warmer. Bronze Aluminum color is proposed to be used around windows and doors. Mr. Gillis sent an email to staff on Friday with the following questions which were also answered by Ms. Stojak:

1. Colour & sample of brick masonry.
2. Colour / Finish of Aluminum Clad Garage Door

3. Fabrication Details of the Cedar Lattice on North Facade
4. Stairway access to roof terrace are not rendered on the North Elevation
5. Notation of material finish on East & West flanking elevations
6. Detail of Galvanized Tube Trellis on East & West elevations

Ken McInnis, RM, asked about the elevation if the roof access would just be an access to get out of the top floor and would the material that would be seen along Queen Street be metal. Ms. Stojack confirmed and explained that the small roof would be set back further and may not even be visible from Queen Street.

Brian Gillis, RM, commented that there were a lot of details provided in the initial design analysis and asked if the image shown would be what is being proposed and Ms. Stojack responded that the image shown would be the original design of the project. Mr. Gillis also clarified that the image shown was what was approved at that time and both Ms. Thompson and Ms. Stojack confirmed. Mr. Gillis felt that based on the information provided, the changes are substantive on a design point of view and there are not enough working drawings to show what is being proposed. Councillor Rivard asked Mr. Gillis if he felt that this needs to go back to the Design Review Process which was one of the three options presented by staff earlier.

Ms. Thompson felt that the bulk, scale and mass are in keeping with the project. Staff does not have the ability to just move ahead with the approval of the permit especially when there were modifications made to the approved design and whether the board feels that the changes are minor or not, and that is why staff is bringing this back to the board to provide their recommendations. Ms. Thompson also noted the recommendations provided at the time of the original review in terms of the materials. She indicated that some of them were incorporated in this new proposal.

Mr. Gillis also clarified what the roof would look like from the corner of Queen and Dorchester. Ms. Thompson responded that instead of looking at a straight roof, it is now slanted back and will be harder to see from the street. The design reviewer also commented that if the roof was at 90 degrees, it would give the appearance of a fourth storey. The slanted roof could be a response to the design reviewer's comments. The design reviewer also commented on the material to be used for the garage and that it had to be of a good quality material. The proposed materials submitted would be an aluminum glazed garage door. Staff has difficulty gauging or commenting on what would be better or good architecture or whether the changes are better or not and therefore would like to get the board's input.

Councillor Rivard asked how many of the recommendations in 2014 were incorporated in this new proposal and Ms. Thompson confirmed that that was some changes to the current proposal.

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

Moved by Brian Gillis, RM that the revised proposal for the four-unit, three storey townhouse at 60-66 Dorchester Street (PID #s 336826 & 336818), be sent back for Design Review.

Alex Forbes, PHM, also added that if this project is sent back for Design Review, it will be reviewed by a different design reviewer.

No one seconded the motion.

Councillor Julie McCabe clarified that the applicant has gone through the design review process already but are back today to present changes to the project such as materials to be used. Mr. Gillis also added that aside from the materials, it would also be changes to the details of the project. Mr. Gillis commented that it would be easier to be able to see a rendering of what is being proposed at this time and be able to differentiate what was originally approved to what is being proposed. Councillor Rivard then clarified that another option may be made today which is to defer the application until drawings are presented. Ms. Stojak confirmed that they are able to provide revised concept drawings and further information. Ms. Stojak also added that the massing and proportions would remain as is and the proposed materials are more substantial than the original design.

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


Moved by Councillor Julie McCabe and seconded by Kris Fournier, RM, that the revised proposal for the four-unit, three storey townhouse at 60-66 Dorchester Street (PID #s 336826 & 336818), be deferred until working drawings be produced and presented to the board.

CARRIED

Moved by Councillor Julie McCabe and seconded by Councillor Bob Doiron, that the meeting be adjourned.

The meeting was adjourned at 12:27 p.m.

Councillor Greg Rivard, Chair

TITLE: DESIGN REVIEW FILE: DESIGN-2019-23-SEPTEMBER-6a 60-68 DORCHESTER ST OWNER: GENDUST CO LTD. APPLICANT: DUNSTAN CARROLL		
MEETING DATE: September 23, 2019		Page 1 of 3
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Design Review Submission (September 17, 2014) B. External Design Reviewer Comments (October 5, 2014) C. Revised drawings	
SITE INFORMATION: Ward No: 1 Queen's Square Existing Land Use: Vacant Property Official Plan: Downtown Neighbourhood Zoning: Downtown (DN) Zone		

RECOMMENDATION:

The Planning & Heritage Department is advancing this to the Design Review Board to confirm and get approval from the Board that the construction drawings are generally in keeping with the approved design review submission. Staff are recommending that the drawings be approved for the project to be constructed at 60-66 Dorchester Street (PID #'s 336826 & 336818).

BACKGROUND:

Request

This project underwent the Design Review and was approved by Heritage Board in October of 2014. Although the application for the development was submitted prior to the requirement for Design Review under the Bylaw the applicant decided to participate in the Design Review Process.

The original Design Review submission in 2014 included:

- A proposal for a four unit, three storey townhouse. The two existing lots are to be consolidated and the new structure to span the full width.
- The building is three storeys with a roof-top walk-out, forming a partial fourth floor. This is intended as outdoor space on a green roof and could have a trellis type of structure.

The third level of the house is set back from the street façade allowing the top of the second storey to approx. align with the cornice line of the neighbouring duplex.

- Approx. 2/3 of the face of the building at grade level occupied by the garage. This will be setback 4 ft. from the main building face in reference to the traditional carriage ways (porte-cocheres) in the city and to minimize its impact.
- The top of the ground floor of the building measures 9ft in height above grade. The top of the second level measures to 20ft. and the third level measures to 30ft. to the roof line. The top of the proposed trellis measures to 37ft in height above grade.
- The building is constructed of mainly wood and glass. This is consistent with the materiality of the surrounding buildings. The sides will be clad in metal siding covered by a wood lattice. This will form part of a 2 hour firewall required by code. The metal siding will be applied horizontally to maintain the traditional horizontal lines of residential siding. Covering the metal siding with wood lattice will reflect the traditional siding materials.
- A large glazed area forms part of the front door allowing a view through the house to the backyard. The window proportions and rhythm are drawn from the neighbouring buildings and are screened by a wooden lattice. This provides a transition from solid glazing to the historically more solid/opaque residential buildings nearby.
- Concrete and paving stone will be used for the limited driveway and front walk.

By-law Requirement

As per Section 7.1 of the Zoning and Development By-law, new buildings within the 500 Lot Area are required to undergo the Design Review process. This is to ensure that the architectural design of proposed development within the 500 Lot Area maintains a higher quality of design and is constructed with a consistent type and quality of materials. From a design perspective, “is a building of its time” which compliments and is compatible with existing buildings on surrounding properties.

ANALYSIS:

In late August the applicant submitted construction drawings for the proposed building. Staff reviewed the construction drawings in comparison to the design review submission that was approved in 2014. There were some changes to materials as listed in the original design review. The changes are as follows:

- 1) The front façade was originally to be clad in wood siding. The drawings have changed to incorporate a combination of a dark brick and wood siding.
- 2) The side elevations were originally to be clad in a metal siding that would run horizontal with a wood trellis over the siding. The applicant has decided to clad the side elevations with brick and a metal trellis over the brick.
- 3) The configuration of the roof top access has changed. Originally it was to be built with vertical lines and a flat roof. However, details about this feature were vague in the design submission. The construction drawings show a slanted roof on the roof top access. This may help to detract from giving an appearance of a 4th story which the design reviewer had concerns about.
- 4) The trellis on the front façade of the building appears to be similar to the original proposal however it does not wrap the corners like originally proposed. The side trellis now is comprised of metal and has been placed mainly to facilitate the growth of climbing vines.

On October 14,, 2015, Stephen Kopp of Acres Architecture submitted his formal review, (for further information please refer to the attached design review report), which indicated the following main points:

“The garage’s presence at the front of the building requires that the detailing, design, and material selection of the door be of utmost importance to avoid the appearance of a blank façade that is detrimental to the pedestrian experience and generally discouraged in good urban design.”
The applicant has proposed an aluminum glazed garage door.

“Among the prime features of the applicant’s design is the oft-cited trellis, however, there is minimal detail provided as to its design, construction, materials, and function as well as its employment and correlation on other facades and rooftop occupancies. While the proposed concept appears to be elegant, of its time, and generally in keeping with the design guidelines, if poorly executed, the trellis could be a detriment to the project’s overall urban design objectives and its success. Key urban design items supported by the proposed trellis design include the horizontality and solidity of the existing streetscape as well as the reinforcement of the 2nd floor line.

RECOMMENDATION:

11.1. *The applicant must confirm the design, material, function, and locations of the trellis prior to the issuance of building permits to give a clear understanding of the design implications.*

11.2. *The specific trellis design in relation to all visible façades should be made subject to the design review process for additional comments.”*

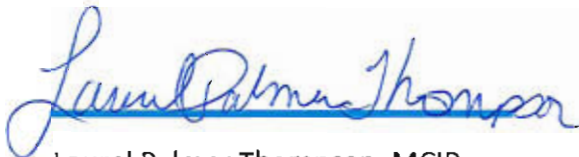
9.1. *The applicant must confirm the design of the stoop and building entrance in relation to the submitted building facades. Any revisions to the facades provided in the applicant’s original submission should be made subject to the design review process for comments.*

9.2. *The design of the stoop should be revisited by the applicant to increase the transparency and connection of the entrance to the street in keeping with the good urban design and in an effort to minimize the potential negative aspects discussed above.*

CONCLUSION:

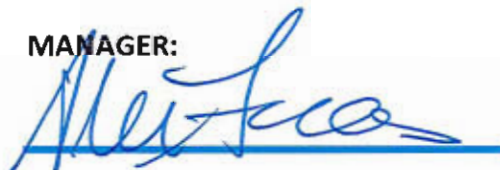
Overall staff feels that the bulk, mass, scale and building design layout is generally in keeping with the design submission that was approved during the design review process in 2014. However, because of the changes in cladding materials and the modifications to the trellis which seemed to be a substantial design feature in the original submission staff are advancing this to the Design Review Board to confirm and get approval from the Board that the construction drawings are generally in keeping with the approved design review submission. The Board has the option to **a)** approve the drawings as submitted. **b)** suggest minor modifications or **c)** if the Board feels the construction drawings are substantially different from the design review submission than the Board can refer the drawings back to the design review process.

PRESENTER:

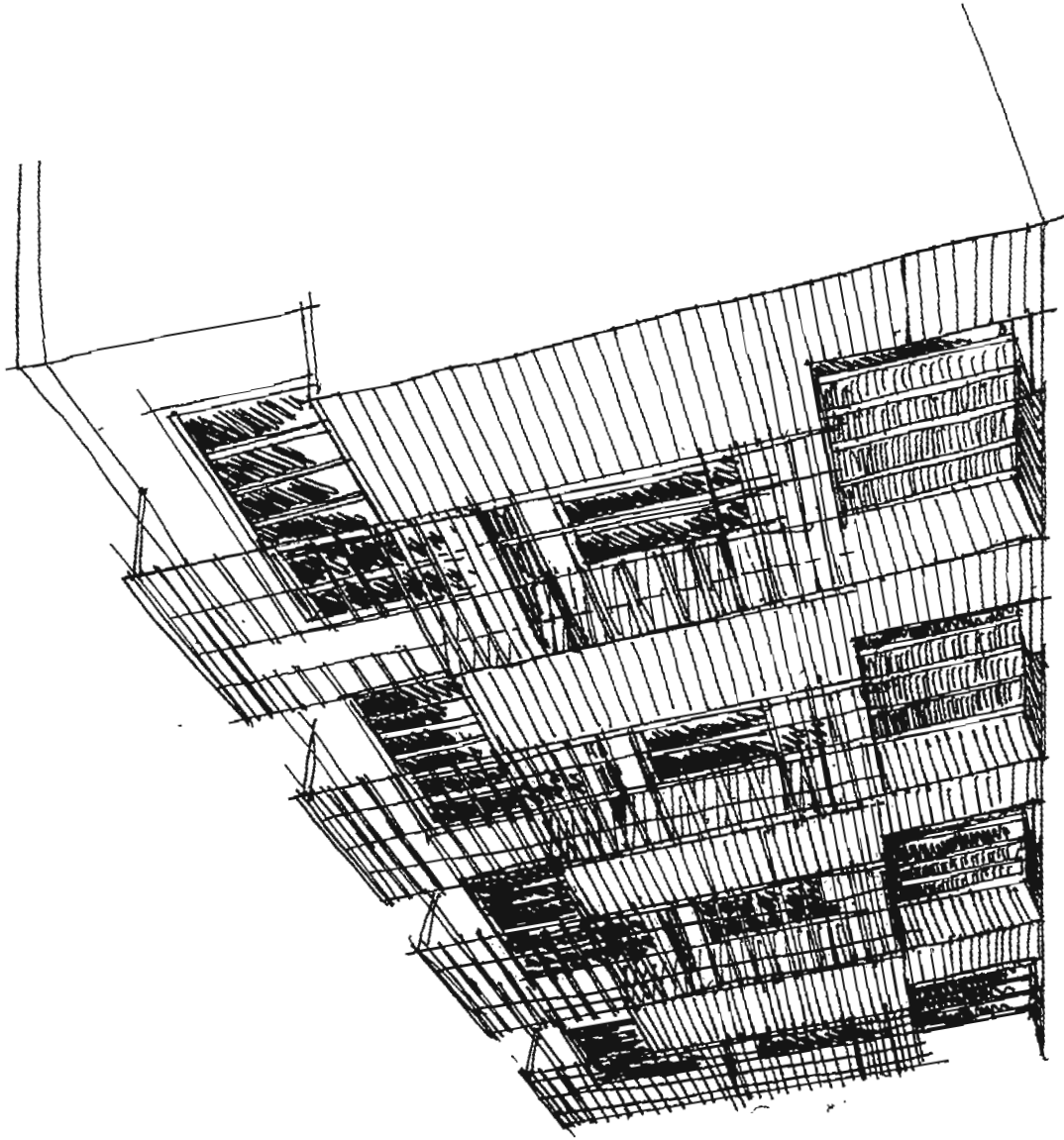


Laurel Palmer Thompson, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage




Dorchester Row Houses
2014.09.17 Design Review
Architect: BGF Architects
Client: KASS Inc.

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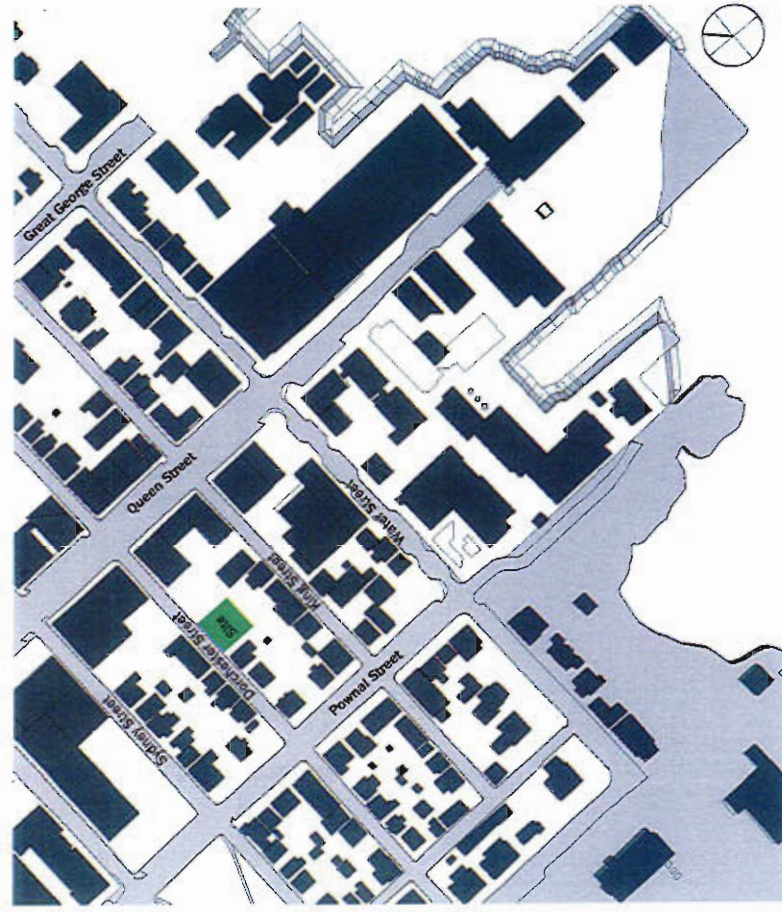
1. Site	
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The architects studying the site

1.1 Introduction

This project involves the construction of a four unit townhouse at 60-66 Fitzroy Street in downtown Charlotretown. The applicant for the project is Kass Inc. and the maritime architecture firm on the project is BGHJ Architects. The land is designated Downtown Neighborhood on the zoning map. Presently the property is a "green field" site as the two duplex buildings which occupied the site were demolished in 2008. The original duplexes occupied the full site with frontage on the street and zero setbacks on the side yard. Earlier this month the applicant applied to Planning Board for a variance to build with zero side yard setbacks as common to the area and received approval from council for this variance.



City Map Indicating the Dorchester Street Sire

The four town houses are intended for owner/occupancy. One of the units is intended for ownership by a share holder in Kass Inc. The units will be approximately 20 x 45 feet with a net usable space of approximately 2000 square feet. The proponent intends to develop green backyards at the rear of each of the townhouses.



Aerial view of the site

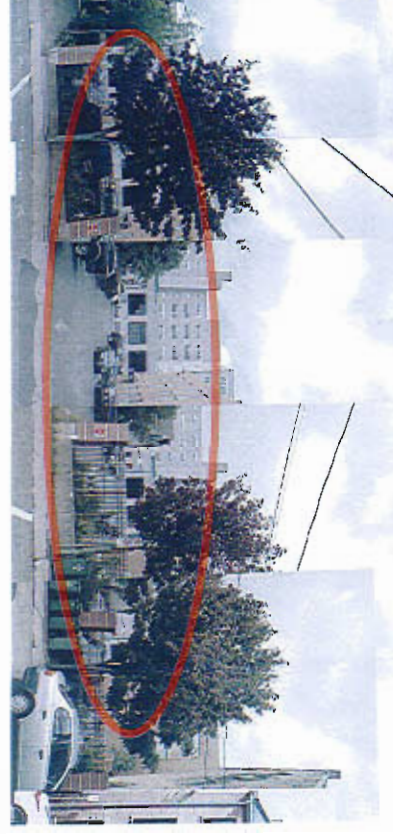
1.2 Site Analysis & Historic Context

Critical Strategy:

- Establish continuity with surrounding urban fabric
- Re-establish degrading residential density of the block
- Counteract the trend of vacant lots (parking lots) in this historically residential neighborhood
- Identify and incorporate the rhythms, heights and horizontals of the street



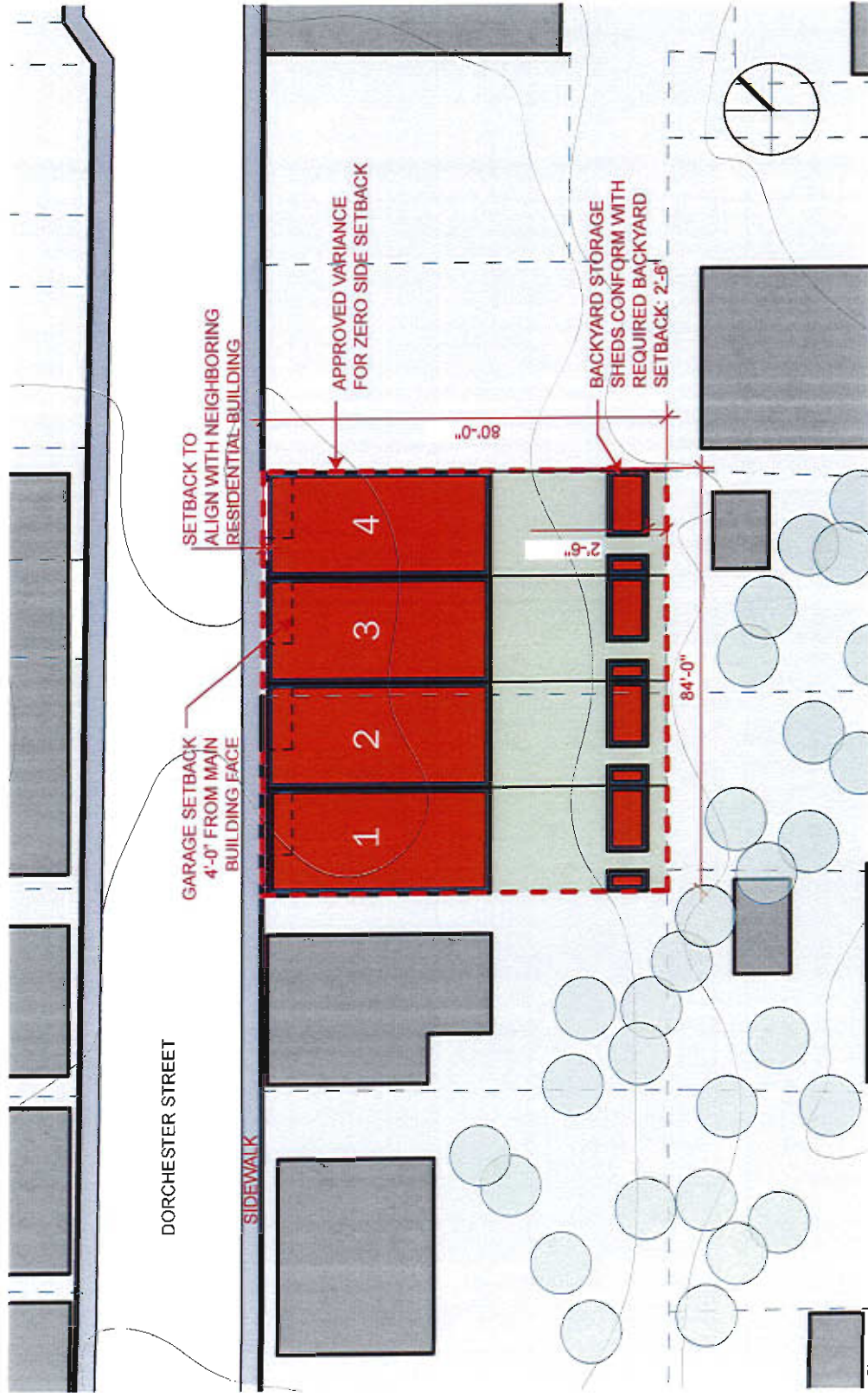
DORCHESTER STREET



- Strategy:*
- Identify and incorporate the rhythms, heights and horizontals of the street
 - Identify special neighborhood characteristics: dormers, gables, porte-cocheres, & no setbacks.



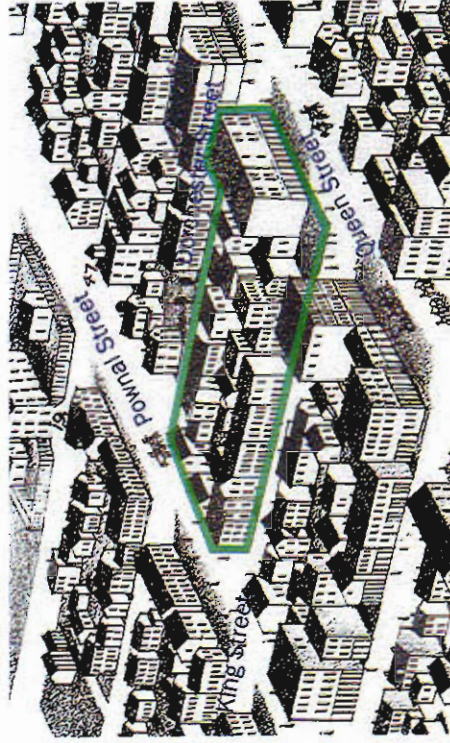
1.4 Site Plan



Site Plan

2.1 Design Intent

- Re-establish increased residential density in downtown Charlottetown by defining setbacks and street walls.
- Encourage the development of historically sensitive contemporary design.
- Contextually design a townhouse in a heritage neighbourhood that provides a model for contemporary urban living.



Residential density of 1878 downtown Charlottetown



Decreased urban density of 2014 downtown

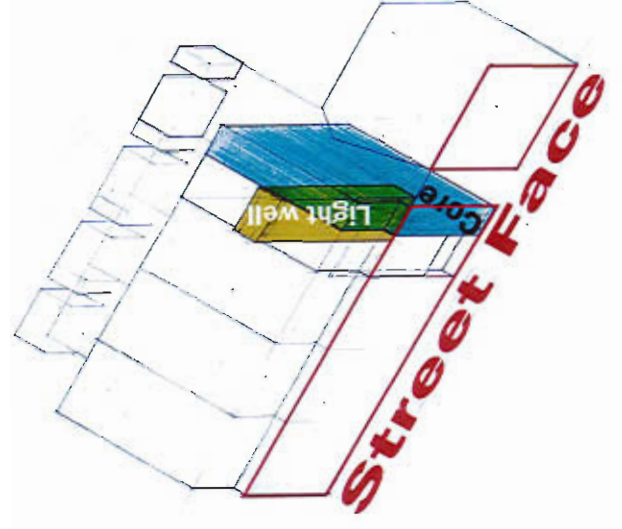
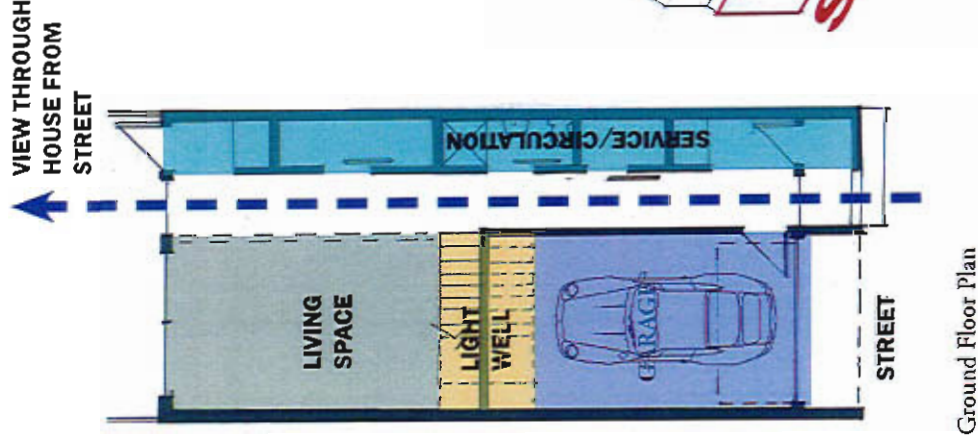
2.2 Design Layout

The house is composed of three main elements:

1. **The service core:** This 4' wide block is present on all three floors and houses all the services for the building. It is the more 'solid' element of the house and this is expressed on the facade.
2. **Living Space:** The living space is a 12' wide bay of the house which contains the living room, kitchen and bedrooms. This bay is the transparent area of the house and is expressed on the facade through a screened element.
3. **Light Well:** The light well houses all the vertical circulation in the house and brings down light from the roof skylight.

At the ground level, the house contains an interior through-way which runs directly from the front entrance to the backyard. The public can get a glimpse through the house to the backyard without invading the privacy of the users.

The ground level also contains a garage which is set back from the main face of the house to minimize its impact in the public zone.



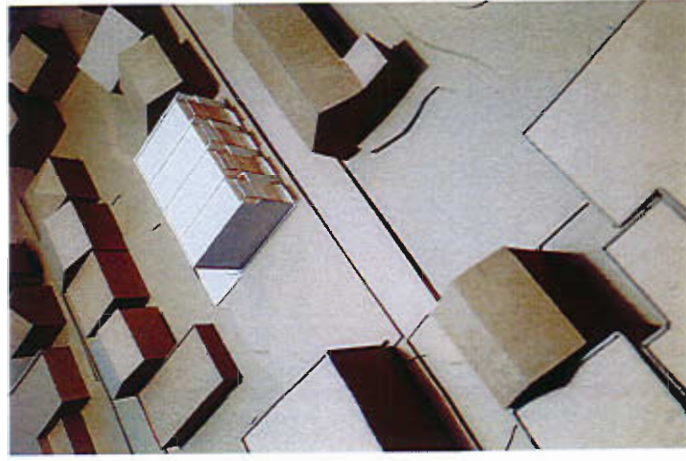
Axo sketch indicating design concept

2.3 Massing Studies

- Address the street with the entrance/stoop
- Minimize the emphasis of the garage by setting it back from the main building face
- Set back the third level of the house to be consistent with the heights of the neighboring building
- Areas of glazed vs solid



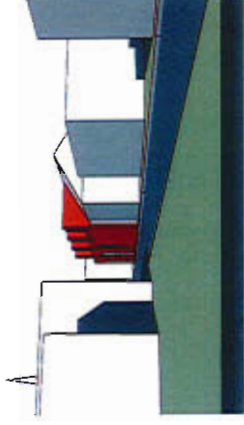
Perspective massing



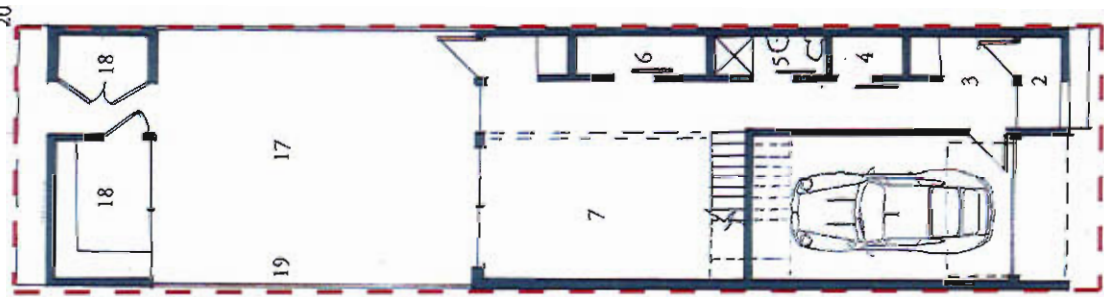
Aerial view toward south



View from Queen Street



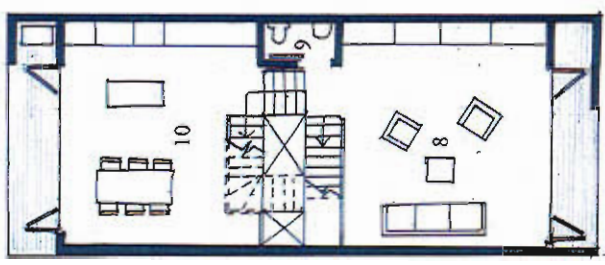
View from Pownal Street



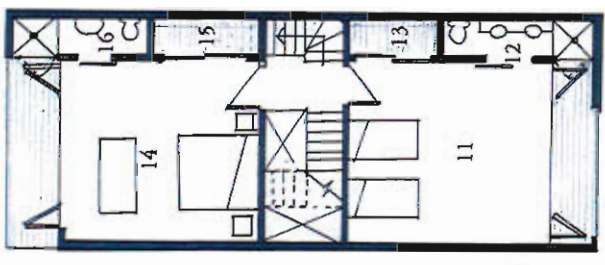
Main Floor

2.4 Floor Plans

- | | | |
|---------------------|--------------------|-------------------|
| 1. Garage | 9. WR | 17. Backyard |
| 2. Stoop | 10. Kitchen/Dining | 18. Shed |
| 3. Main Entrance | 11. Bedroom | 19. Fence |
| 4. Mechanical space | 12. WR | 20. Property line |
| 5. WR | 13. Closet | |
| 6. Storage | 14. Master Bedroom | |
| 7. Family Room | 15. Closet | |
| 8. Living Room | 16. WR | |

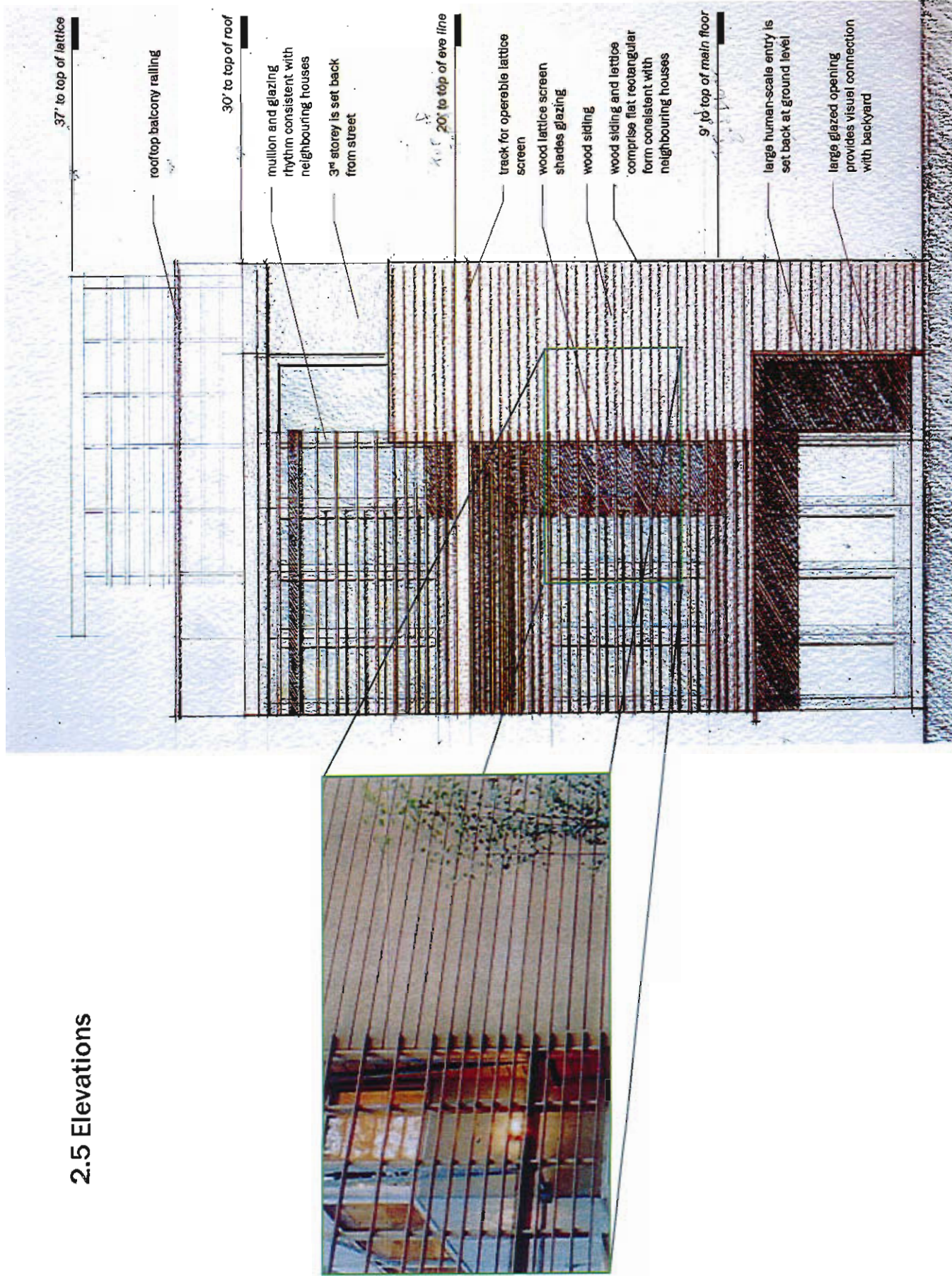


Second Floor



Third Floor

2.5 Elevations





2.6 Design Summary





3.1 Responding to the 500 Lot Requirements



Conducting site studies

1. 500 Lot Area – A Special Place for Design Excellence

We were pleased to purchase the two vacant lots on Dorchester Street in the heart of Charlottetown this summer. This particular block of Dorchester Street is adjacent to Queen Street and has suffered the indignities of two off-site parking lots where good urban planning calls for in-fill housing and the lot we purchased that has remained vacant for years. Recently, some of the homes have been pleasantly renovated including a single family home and the row house directly across the street from our project. The development of our site will be important to re-establishing the density and the character of the street.

We have spent considerable time studying the street and the surrounding neighbourhood. We have photographed the area and built a scaled site model to better understand the massing and context of the buildings on the street. From this study we have gained an understanding of how the fabric of the neighbourhood can inform the design and how contemporary architecture can improve the urban fabric while complementing the surrounding buildings.

2. Reinforcing Existing Urban Structure

This particular block of Dorchester Street is framed by commercial buildings at each corner of Queen Street to the east. The historic character of the area steps down from commercial buildings on the main thoroughfare of Queen Street to low-rise residential through to the end of the block. The two parking lots adjacent to these buildings fronting on Dorchester should someday be developed into housing. The development of the townhouse project is vital to build back housing consistent with the in-fill urban continuum.

3. Reinforcing and Extending the Historic Street and Block Pattern.

The project is to construct four attached townhouses on the site which originally had two duplex houses. The massing of the project is similar to what existed historically, in that the townhouses will be designed with the same setback on the street as the adjacent home and zero lot line setbacks common to other buildings in the area. The four new townhouses will complement the four row houses across the street, maintaining the scale and urban rhythm of the street.

4. Protect, Restore, Respect, and Leverage All Heritage Resources

The architecture on Dorchester Street is comprised of homes built in the 19th and 20th century. The development of the new townhouses will be indicative of a late modernist style sympathetic to the eclectic character of the neighbourhood. The townhouse model fits well within the mix of row houses, duplexes and single family homes found in this one block area



Green zones versus paved lots

and reinforces the visual palette and the authenticity of the evolving architecture on Dorchester Street.

5. Protect and Strengthen the Character of the Residential Neighbourhood

Different from condominiums and rental apartments, we selected the townhouse building type because it is intended that each of these individual properties will be owner occupied. Property ownership and occupation is key to bringing families downtown. The townhouse model offers a variety of living opportunities for a broad mix of demographics. Owner occupied housing strengthens ties between neighbours and enhances the overall security of the neighbourhood .

6. Provide transitions between areas of different Intensities and scales.

This is an infill project designed to fit in with the scale of the other housing on the street. It is not intended as a transition but rather to replace the density that was historically on the site. The new townhouses strongly reinforce the street scape by reflecting the rowhouses across the street and reinstating the balance between the north and south side of the street.



Historic residential density



Houses aim to increase street wall definition



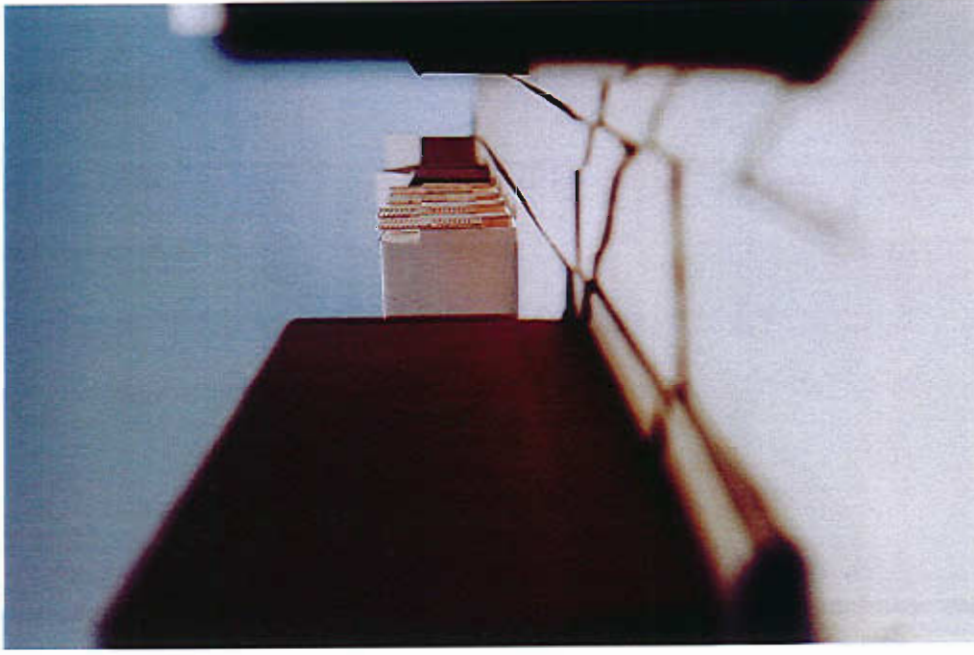
7. The First Three Storles Fronting on the Street Matter Most

The townhouses are oriented to the street. The front entrance has a front stoop setback from the sidewalk inviting access to the building. One of the ways of creating interest and animating the street is the creation of an internal breezeway that provides visual access through the house to the back courtyard. This creates interest on the sidewalk and light penetration through the building. The garage is recessed in the façade to reduce the impact of the door and to create a small front patio adjacent to the sidewalk.

The building uses contemporary and traditional materials in a delicate and tasteful juxtaposition. The facades transition from traditional wood siding to a corrugated steel rain screen. A delicate lattice is applied to the corrugated steel to soften the effect of the steel, yet provide a contemporary version of a heritage home.

8. Strengthen Visual and Physical Orientation and Connectivity

The townhouses create a strong visual connection from Queen Street (Charlottetown's Commercial Street) west on Dorchester Street. It will provide a distinctive visual landmark as to the progressive heritage of the project and community beyond and a clue to the transition from commercial buildings of Queen Street to the residential neighbourhood.



View of the model from Queen Street

9. n/a

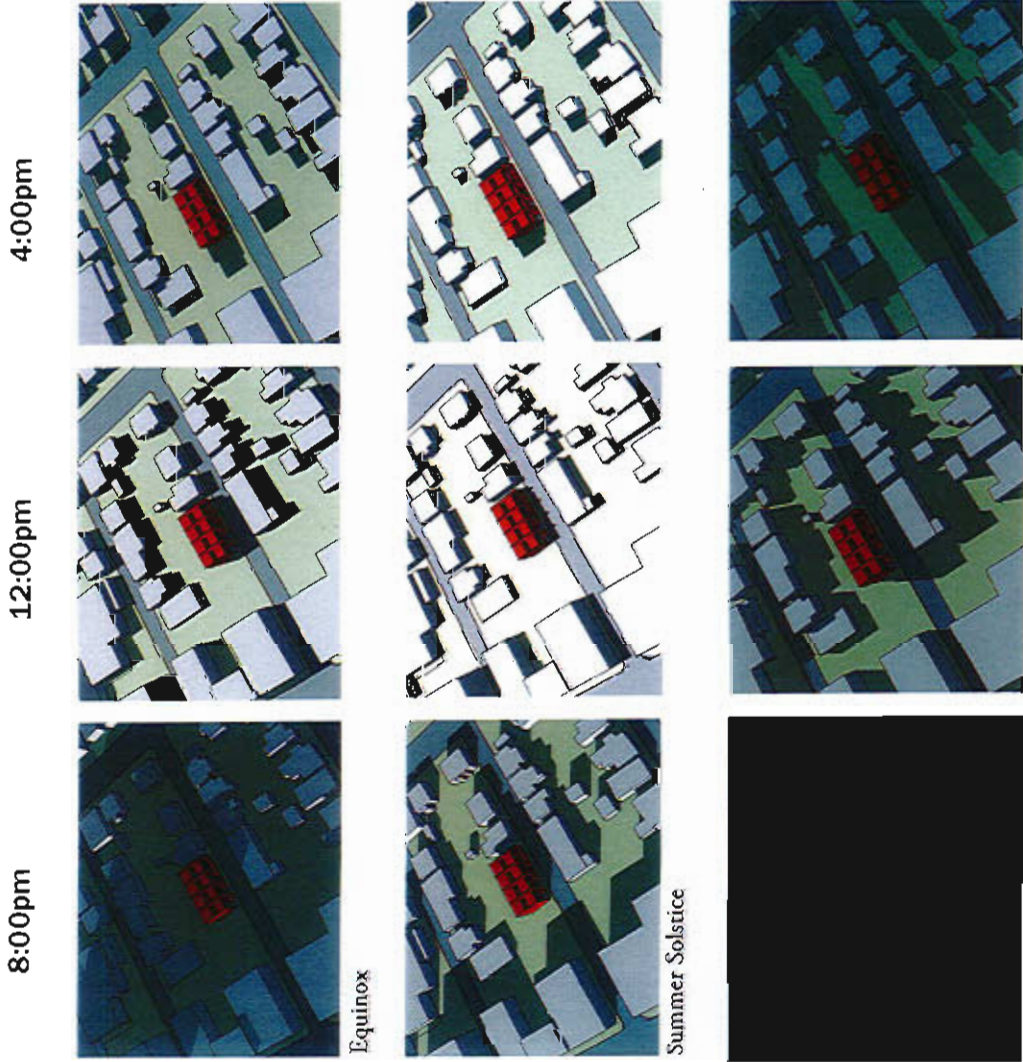
10. Design and Construct Buildings So That They Become Future Heritage

Our approach to the design has been to develop an authentic and contemporary project based on a thoughtful design sensitive to the context of the neighbourhood. Our collaborative approach has culminated in what we believe to be a sensitive contemporary design based on sound building practices and materials.



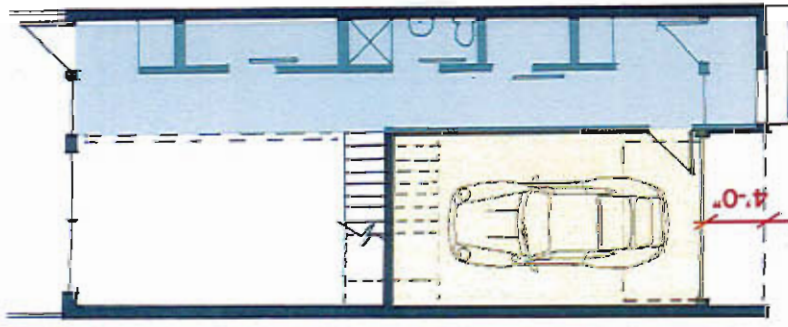
3.2 Siting & Orientation

- The townhouses are sited in line with traditional houses along the block. The setback matches that of the house directly adjacent to it.
- The buildings are street oriented with both the stoop and the main entrance addressing the public zone of the street.
- The dimension of each house is in general conformity with the pattern of yard dimensions on the block; a rectangular type footprint.
- Any front yard exposed by the front setback will be addressed by the stoop, paving stones & ground cover.

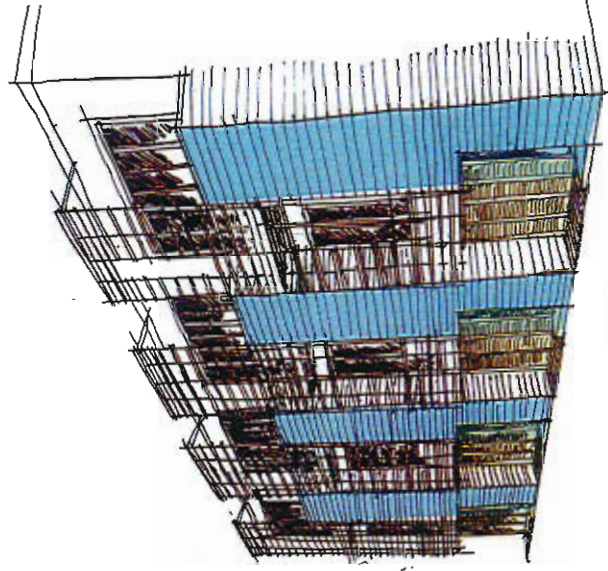


3.3 Parking Access & Garages

- The garage is detailed with warm, natural materials because of its location along the street in the public zone.
- The garage entry is set back from the front plane of the primary building. This puts less emphasis on the garage and focuses the public perception on the welcoming and transparent main entrances of the townhouses.



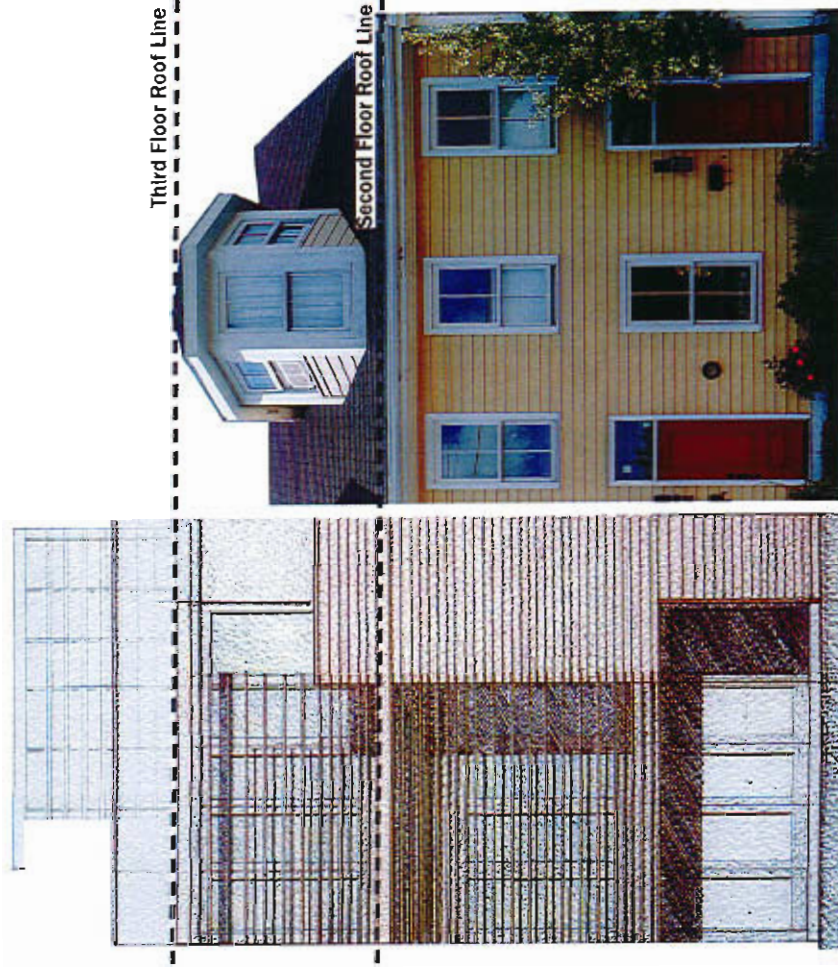
Garage is setback from entry



3D View of Entry & Garage

3.4 Mass & Scale

- The front wall plane of the townhouses are consistent in width with other structures in the neighborhood and meet the code requirements of having a minimum lot frontage width of 19.7 feet.
- The townhouses were designed to fit in with their immediate context by limiting their front face to two stories and stepping back the third story to speak to the stepped back gables that are found on many Dorchester Street Residences.
- The building form is simple and consistent with traditional homes on the block, a rectangular form with some articulation on the front face to address the public zone.



Maintaining urban scale and site lines

Roofs

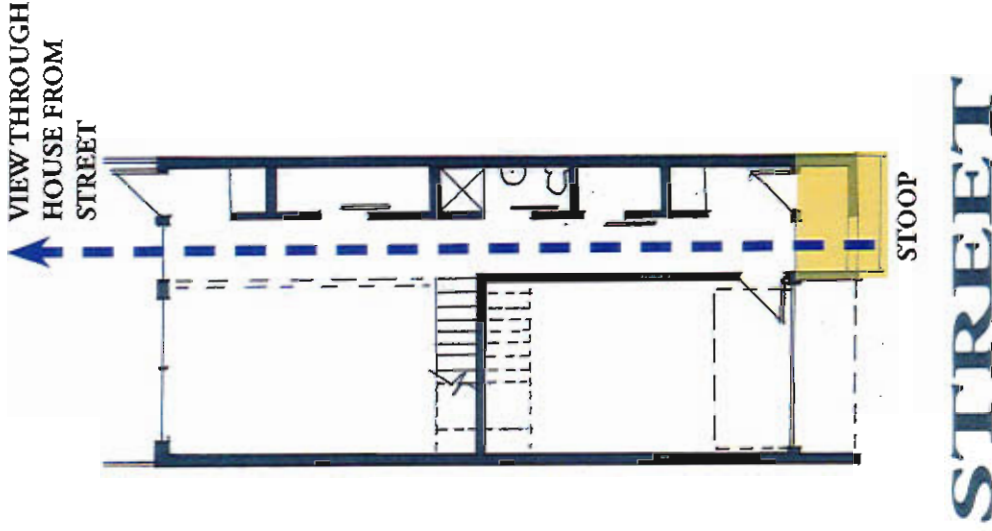
- The townhouses all have simple flat roofs.
- The front face of the townhouse addresses the soffit line of adjacent buildings by stepping the third floor back at this elevation.
- The third floor roof line is at the height of the roof of surrounding structures.
- There will be a trellis on the third floor roof set back from the street facade connected to the access core.

3.5 Porches & Entries

- The treatment of the materials at the entrance becomes very important for addressing the public zone.
- Each house has an illuminated stoop which links the public and the private zones of the townhouse. A glazed area at the front entry of the house permits a view through to the backyard.
- The contrast between the solid garage and the glazed entrance accentuates the main approach and entrance to the house.

Windows

- A large window accompanies the front door. This internal breezeway permits a view through the house into the landscaped backyard.
- The percentage of glazing on each house is consistent with the amount of glazing on the surrounding structures. The new homes have both a solid and a glazed portion which addresses the solidity of historic precedents in the 500 lot areas yet addresses the current needs for natural light in a modern home.
- The windows on the street facade are emphasized by a wooden screen. This screen enables the user to control the light and the privacy of their living space without closing off the windows from the street.
- The 'lattice' screen represents a contemporary expression of the transition from solid to glazing and is historically sensitive to the more solid residential buildings around it.
- The window proportions and rhythm are consistent with the neighborhood.



3.6 Materials & Finishes

- The buildings are constructed mainly of wood and glass, which is consistent with the materiality of the surrounding structures. The building also incorporates a metal siding rain screen behind wood lattice which will be present on the side faces where a 2 hour firewall is required by code. The metal siding will be applied horizontally to establish linear horizontal shadow lines and wood lattice will be used to shroud the metal siding. Steel today is a contemporary material. When steel is introduced behind a wood lattice, it reflects a more traditional building cladding.



Materiality of Neighboring House

Proposed Materiality for New Townhouses



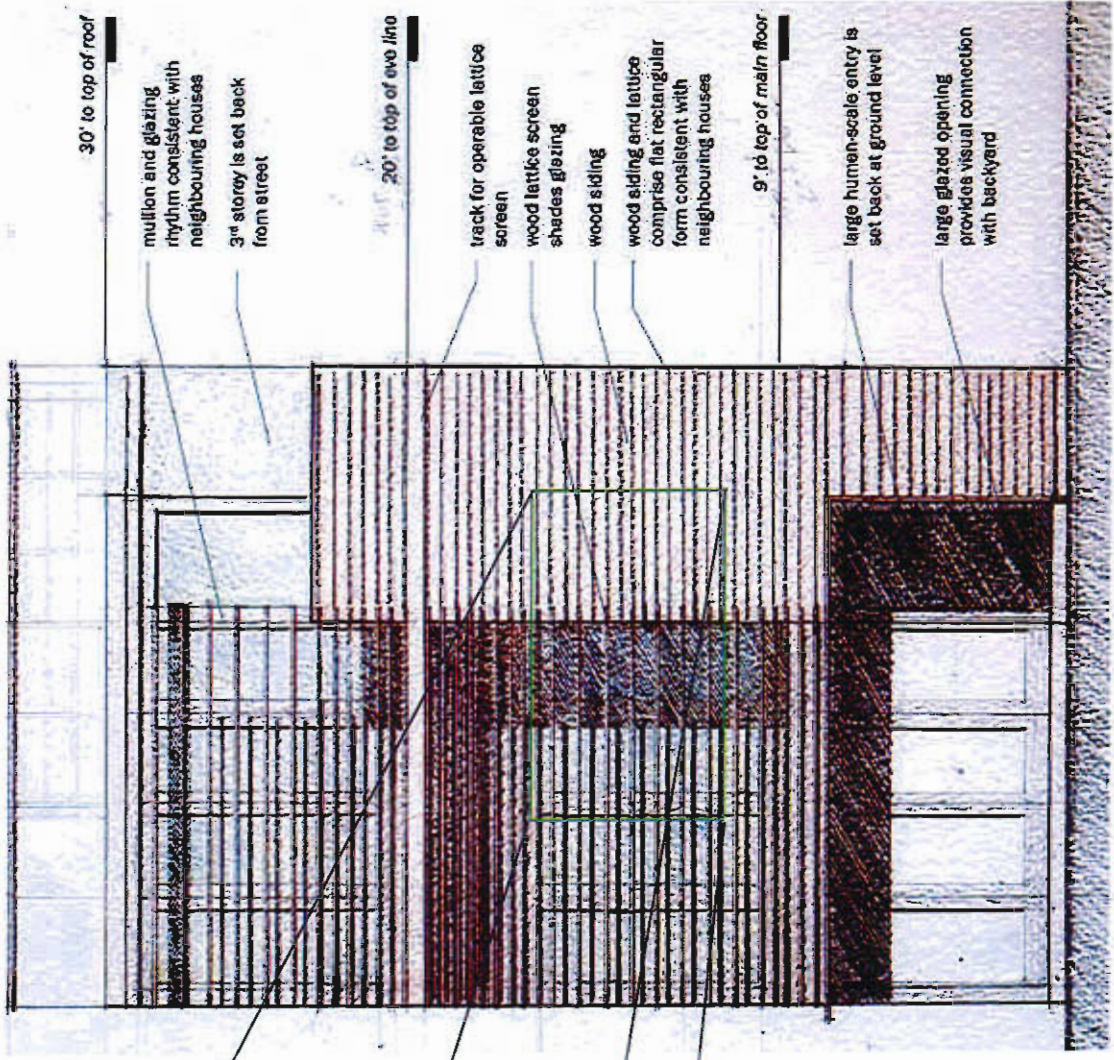
Street View of Typical House Type & Street Treatment in Downtown Charlottetown

Landscaping

- The treatment of the front entry will be very important. There is little space for landscaping in the front yard (this is typical of downtown homes with no setback) but it will be incorporated wherever possible.
- The treatment of the facade at this level and the articulation of the front entrance & stoop will enhance the downtown experience.
- Concrete & paving stones will be used for the limited driveway & front walk.



Single Unit Elevation



Materials & Finishes

- The buildings are constructed mainly of wood and glass, which is consistent with the materiality of the surrounding structures. The building also incorporates a metal siding rain screen behind wood lattice which will be present on the side faces where a 2 hour firewall is required by code. The metal siding will be applied horizontally to establish linear horizontal shadow lines and wood lattice will be used to shroud the metal siding. Steel today is a contemporary material. When steel is introduced behind a wood lattice, it reflects a more traditional building cladding.



Materiality of Neighboring House

Proposed Materiality for New Townhouses



Street View of Typical House Type & Street Treatment in Downtown Charlottetown

Landscaping

- The treatment of the facade at this level and the articulation of the front entrance & stoop will enhance the downtown experience.
- Concrete & paving stones will be used for the limited driveway & front walk.

Elevation in Context



Nighttime on Dorchester Street. Elevation view of the row houses in context.

Perspective in Context



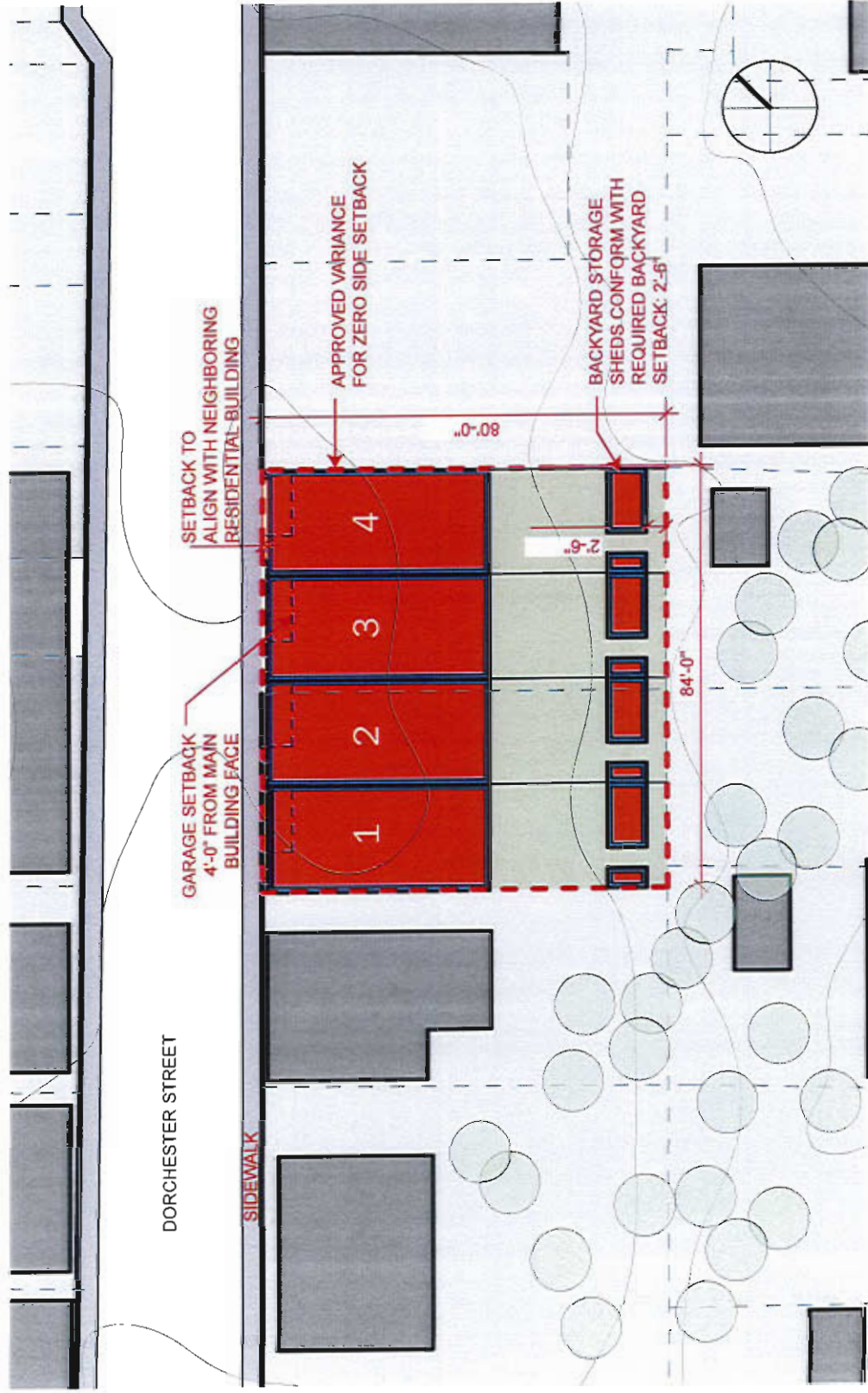
Perspective from Queen Street.

The four town houses are intended for owner/occupancy. One of the units is intended for ownership by a share holder in Kass Inc. The units will be approximately 20 x 45 feet with a net usable space of approximately 2000 square feet. The proponent intends to develop green backyards at the rear of each of the townhouses.



Aerial view of the site

Site Plan



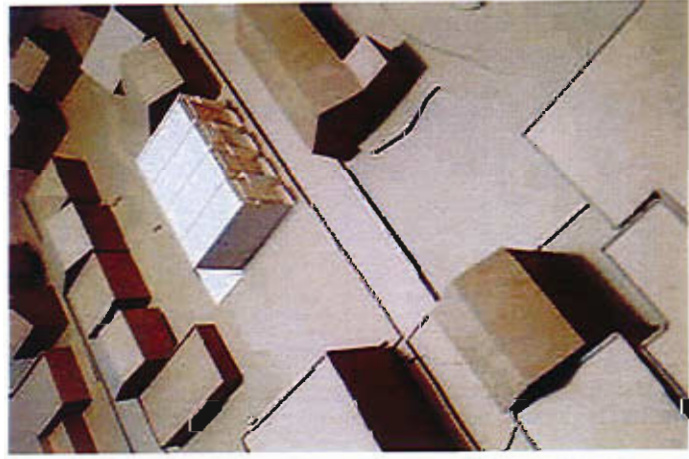
Site Plan

Massing Studies

- Address the street with the entrance/stoop
- Minimize the emphasis of the garage by setting it back from the main building face
- Set back the third level of the house to be consistent with the heights of the neighboring building
- Areas of glazed vs solid



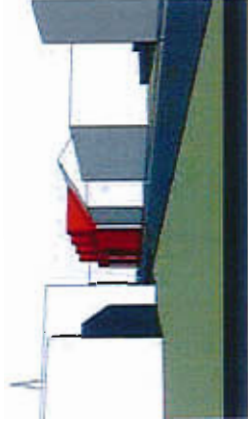
Perspective massing



Aerial view toward south



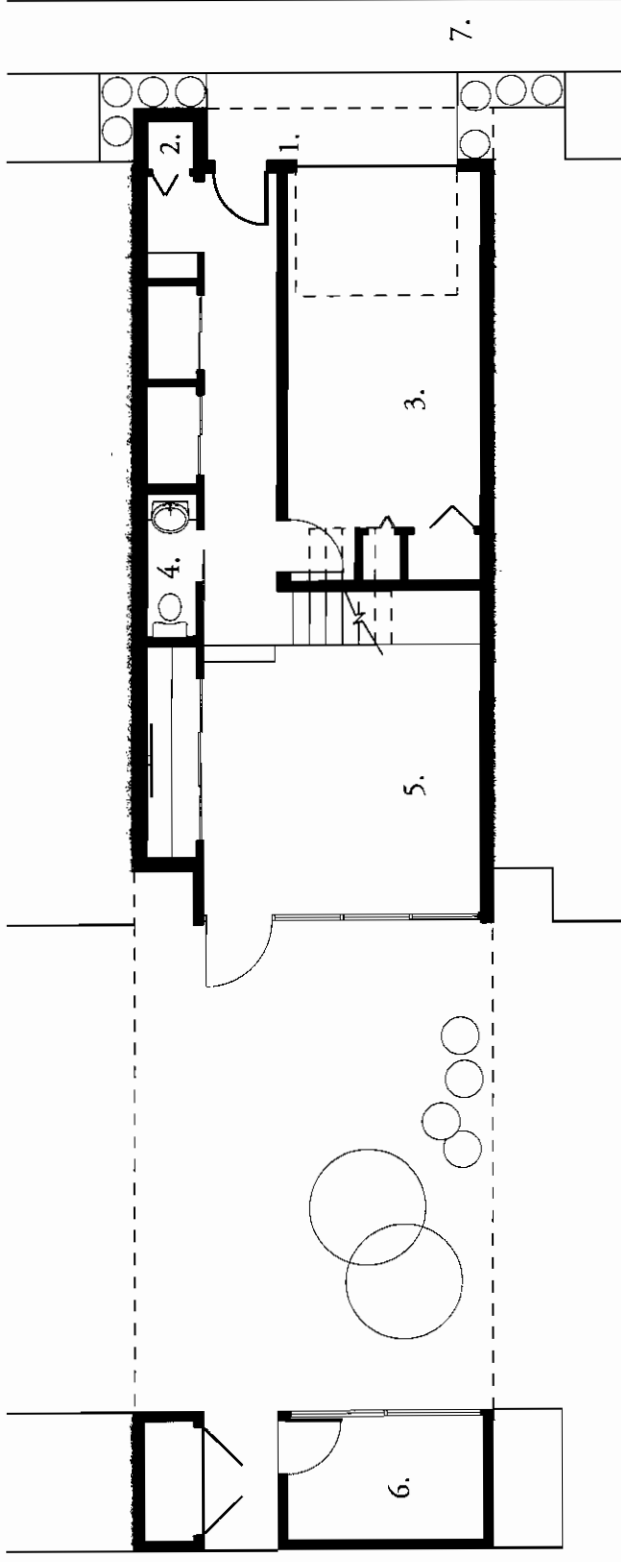
View from Queen Street



View from Pownal Street

Floor Plan

1. Main Entrance
2. Closet
3. Garage
4. WC
5. Family Room
6. Shed
7. Sidewalk



GROUND FLOOR PLAN



2014. OCT. 15

CITY OF CHARLOTTETOWN
c/o ALEX FORBES
223 QUEEN STREET
CHARLOTTETOWN, PEI

RE: DESIGN REVIEW: DORCHESTER ROW HOUSES

Alex:

Congratulations on the successful development and deployment of the City of Charlottetown's urban design guidelines for the 500 Lot Area. There is a growing trend toward the responsible development of urban areas all across North America with a focus on good quality design that encourages active streetscapes, livability, and sustainable development. We are incredibly happy to serve as the very first external design reviewers for the City of Charlottetown's design guidelines and are honoured that you place this trust in our firm.

Having said that, working on the first design review can be challenging considering that this process is new to everyone involved and, aside from the guidelines themselves, there are minimal established protocols or precedents to draw from for the applicant, designers, city staff, and design reviewers. As such, we have attempted to review the project at a high level within the spirit of the established guidelines and general good design practices, and we have consciously tried to avoid taking on the role of the designer to suggest or resolve specific design issues. Our comments and recommendations are solely intended to serve as a guiding document for both the applicant and city staff to work out the specific details in line with the design guidelines' stated objectives and in the best interest of the residents of Charlottetown.

If any offence is taken to any of the comments we have provided, certainly none is intended and our opinion is just that – an opinion. While an external party can provide honest objective feedback, we understand that this feedback must also be viewed through the lens of the local context and the desires of the project's proponent. As such, we fully understand that some design elements that we might take exception to may, in fact, be perfectly acceptable to different parties and vice versa. In any case, our objective is to provide food for thought and challenge the design process to get the best possible outcomes for the City of Charlottetown.

With that said, on the following pages in no particular order are our design review comments and recommendations after completing a review of the 2014.09.17 Design Review Submission document provided by Kass Inc. and BGHJ Architects for the proposed Dorchester Street Row Houses.

DESIGN REVIEW COMMENTS:

1. Several minor discrepancies were noted between the floor plans and the elevations presented in the applicant's submission, such as an indication of a shower on the third floor plan projecting past the plane of the setback façade, whereas the elevation does not illustrate this volume. Based on our conversation with the applicant, it is assumed for the purposes of this review that the elevations presented in their submission are correct.

RECOMMENDATION:

- 1.1. In the event that any revisions to the elevations and building envelope are required, these revisions should be made subject to the design review process for comments.

2. Although understandably early in the design process, material selections in the applicant's submission were vague, particularly for items such as the 3rd floor set back behind the lattice screens, and the rooftop railings and stair enclosure. Material selections are important to the success or failure of the design, particularly in terms of compatibility with the surroundings.

RECOMMENDATION:

- 2.1. Supplementary information should be provided by the applicant to give a clear understanding of the project's materiality prior to design approval.
3. The various design models and contextual images illustrated in the applicant's submission do not show or appear to consider the impact of roof occupancies in relation to adjacent buildings. These can be supported in theory; however, their contextual impact should be better understood before proceeding.

As shown on page 22 of the applicant's submission, the rooftop occupancy begins at a height extending above the neighbouring context and it is assumed from the elevations that the proposed rooftop deck railing sits on the same plane as the primary building façade. Given this, the materiality and transparency of the railing must be reviewed so as to not read as though the building façade is higher than what relates to the size and scale of the neighbourhood. Although the proposed façade design steps back to acknowledge the neighbours, it must be recognized that the roof planes of the historic buildings on the street step back from the street at a much greater rate and, therefore, the proposed townhouses already have an increased street presence on the third floor line.

RECOMMENDATION:

- 3.1. The rooftop railing material must have a high degree of transparency, such as glass or thin metal wire or similar materials
- 3.2. Alternately, the rooftop railing must be sufficiently set back from the façade so as to not be visible from the sidewalk on the opposing side of the street.
4. The applicant has provided little analysis of the rooftop stair enclosure in their submission, however, its appearance from the street and from various view planes may have an effect on the developments perceived bulk in relation to the surrounding context. Of particular interest is the end unit closest to Pownal Street where the side yard façade could have an appearance of being 4 storeys tall and well above the adjacent property.

RECOMMENDATION:

- 4.1. Review building sections to ensure the stair enclosure is not visible from the sidewalk on the opposing side of the street.
- 4.2. Provide analysis of the side yard façade facing Pownal Street in relation to the adjacent building, the future maximum building envelope of the adjacent parcel, and the view planes from Pownal Street
- 4.3. Employ design strategies, such as a high degree of glazing, breaks in material, etc., or revise the rooftop access to minimize the massing and visibility of the stair enclosure. Mirroring the development such that the higher 4-storey elements face toward Queen Street and transitions to adjacent properties with higher densities and curable envelopes might be appropriate. (See comment #6)
5. Although some text was provided by the applicant to give a basic understanding of the design intent, no drawings were provided of the side yard facades to give a complete understanding. The applicant advised that a non-combustible cladding is required by the National Building Code, however, there was no indication of how this material would transition from the sides to the front facades other than a reference during our discussion that the trellis concept from the front façade would also be employed. There is a concern that, if not treated properly, the wrapping of materials from one façade to another could read as “façade” and undermine the otherwise strong design qualities of the project. There may also be a design opportunity with the trellis to help reinforce the 3rd storey setback line in keeping with the surrounding context.

RECOMMENDATION:

- 5.1. Supplementary information should be provided by the applicant to give a clear understanding of the side yard facades with particular emphasis on the trellis design and material transitions prior to the issuance of building permits.
6. While the proposed development does acknowledge the neighbouring context with a setback at the third floor, the view planes of the adjacent buildings step back from the façade at a far greater rate reinforcing more of a 2-storey appearance. As a result, there is some trepidation that the new development could appear to be larger in scale than the neighbours, however, there could be support for this when considering that the density ramps up significantly toward Queen Street.

RECOMMENDATION:

- 6.1. Review the proposed development for context against the maximum building envelopes of adjacent properties to ensure that the scale of development steps down appropriately as required by Design Principle #6.
7. Parking in historic urban areas is a difficult balancing act and often comes with trade-offs. In keeping with good urban design principles, the 500 Lot Area design guidelines are very specific that parking should occur in the rear yard, however, this comes with trade-offs, such as reduced yard amenity space and possible reduced salability for modern families.

Having a garage door at street level on the front façade in an urban area is seldom appropriate,

however, the effects of such in this development proposal appear to have been minimized with good design acumen. Consideration has been given by the applicant to set the garage door back from the street and reduced ceiling heights below the recommended minimum were employed to minimize its impact, however, its presence is still prominent in the expectation that street-level façades be active, animated, and visually interesting. The garage's presence at the front of the building requires that the detailing, design, and material selection of the door be of utmost importance to avoid the appearance of a blank façade that is detrimental to the pedestrian experience and generally discouraged in good urban design.

Acknowledging that design guidelines are just that – guidelines to shape a development and not absolute requirements – the proposed design of the project is generally in keeping with the overall spirit of the 500 Lot Area design guidelines. As a result, the proposed garage location can be supported in this instance despite failing to adhere to the recommended guidelines for parking location and 1st floor ceiling heights.

RECOMMENDATION:

- 7.1. Supplementary design and material information must be provided by the applicant and be agreed to in advance of the issuance of building permits to give a clear understanding of the proposed garage design.
- 7.2. The garage door materials must be of the highest quality and it is essential that the design provide visual interest to animate the street-level façade.

8. Building on comment #7 above, the presence of multiple driveways at the street front in close succession requires frequent interruption of the sidewalk. This serves to interrupt the pedestrian experience, provides difficulties for those with visual or mobility impairments, and can cause safety issues with cars crossing the path of pedestrians, particularly when blindly backing out of garages with very short driveways such as that proposed by the applicant.

RECOMMENDATION:

- 8.1. Where possible, driveways should be grouped and shared to minimize the number interruptions to the sidewalk.
 - 8.2. To give priority and added safety to the pedestrians by slowing vehicular approaches, each driveway should ramp upward to meet the sidewalk elevation rather than drop the sidewalk to meet the street elevation.
9. During our discussion with the applicant regarding the front stoop design, it was indicated that some revisions to the plans have been made since the initial submission and that the elevations provided may not fully represent those changes. Some concerns with the presented design were raised regarding the potential for dark corners, crime prevention strategies, garbage collection, garbage storage, and reduced visibility and connection of the entrance from the street.

RECOMMENDATION:

- 9.1. The applicant must confirm the design of the stoop and building entrance in relation to the submitted building facades. Any revisions to the facades provided in the applicant's original submission should be made subject to the design review process for comments.

9.2. The design of the stoop should be revisited by the applicant to increase the transparency and connection of the entrance to the street in keeping with the good urban design and in an effort to minimize the potential negative aspects discussed above.

10. Although discussed with the applicant, some trepidation remains regarding the location and storage of garbage and recycling containers within the development. The area dedicated to such uses in the garage appears to be minimal as well as being difficult to access and maneuver containers, particularly when a vehicle is parked in the garage. As a result, this could encourage users to store bins on the exterior or in the sheltered stoop. This practice could result in poor aesthetics from the street and encourage vermin.

RECOMMENDATION:

10.1. Revisit the placement of garbage and recycling containers to ensure sufficient space and maneuverability is provided for adequate interior storage.

11. Among the prime features of the applicant's design is the off-site trellis, however, there is minimal detail provided as to its design, construction, materials, and function as well as its employment and correlation on other facades and rooftop occupancies. While the proposed concept appears to be elegant, of its time, and generally in keeping with the design guidelines, if poorly executed, the trellis could be a detriment to the project's overall urban design objectives and its success. Key urban design items supported by the proposed trellis design include the horizontality and solidity of the existing streetscape as well as the reinforcement of the 2nd floor line.

RECOMMENDATION:


11.1. The applicant must confirm the design, material, function, and locations of the trellis prior to the issuance of building permits to give a clear understanding of the design implications.

11.2. The specific trellis design in relation to all visible façades should be made subject to the design review process for additional comments.

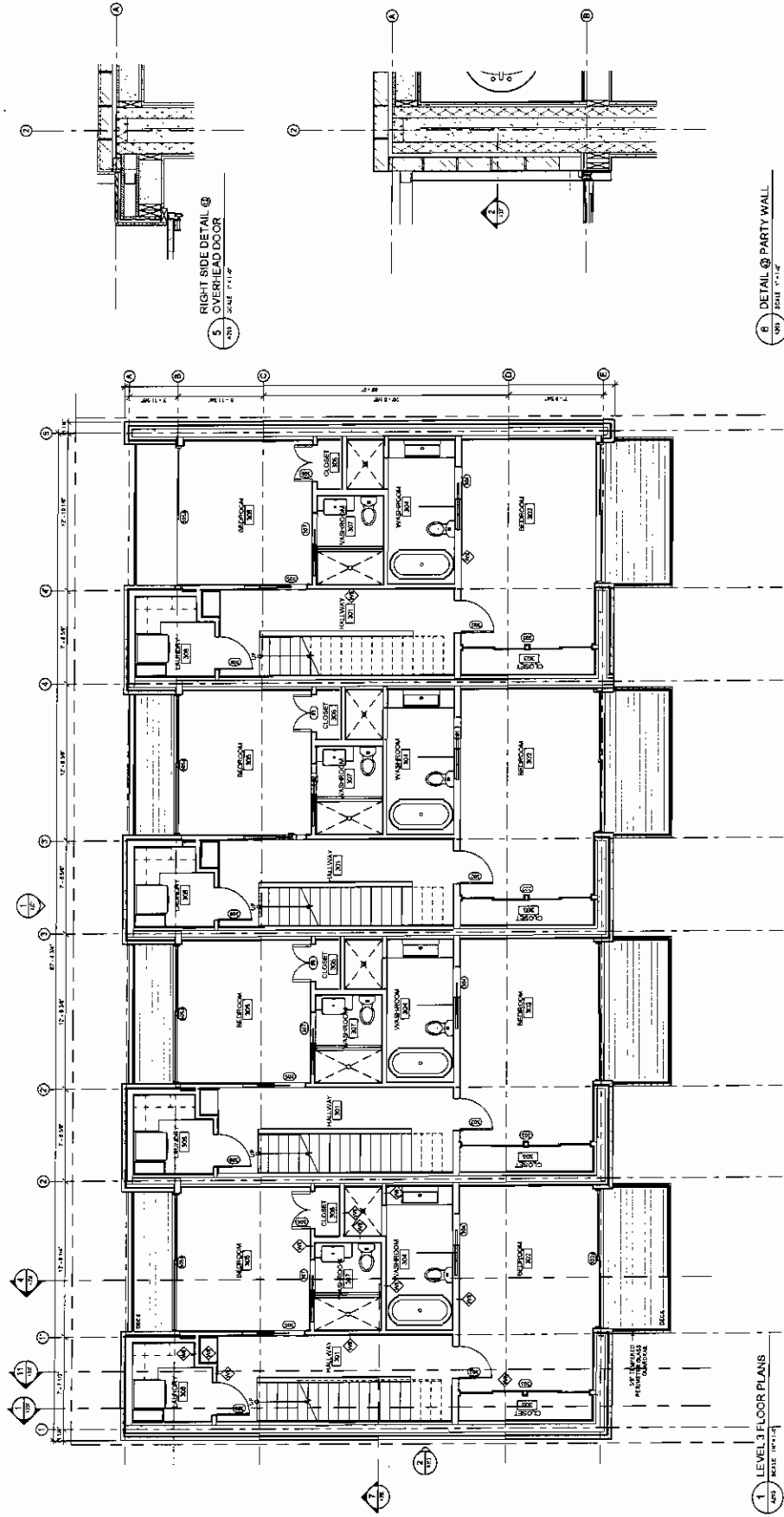
Overall, it is our belief that the proposed project is in keeping with the spirit and objectives of the City of Charlottetown's design guidelines. Upon successful resolution of the specific design review comments listed above to the satisfaction of the proponent and city staff, we feel that this proposal will make for an excellent addition to the Charlottetown's urban character.

In the meantime, if you have any questions or require anything further on this file, please do not hesitate to contact us at any time.

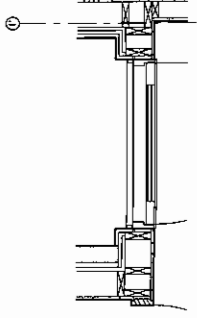
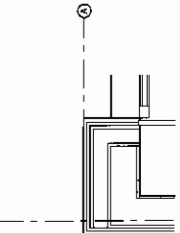
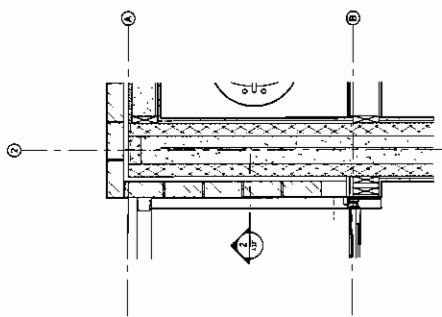
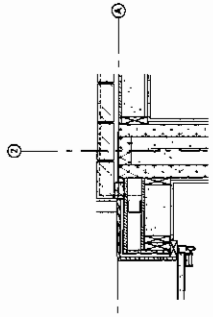
Sincerely,



Stephen Kopp,
Partner

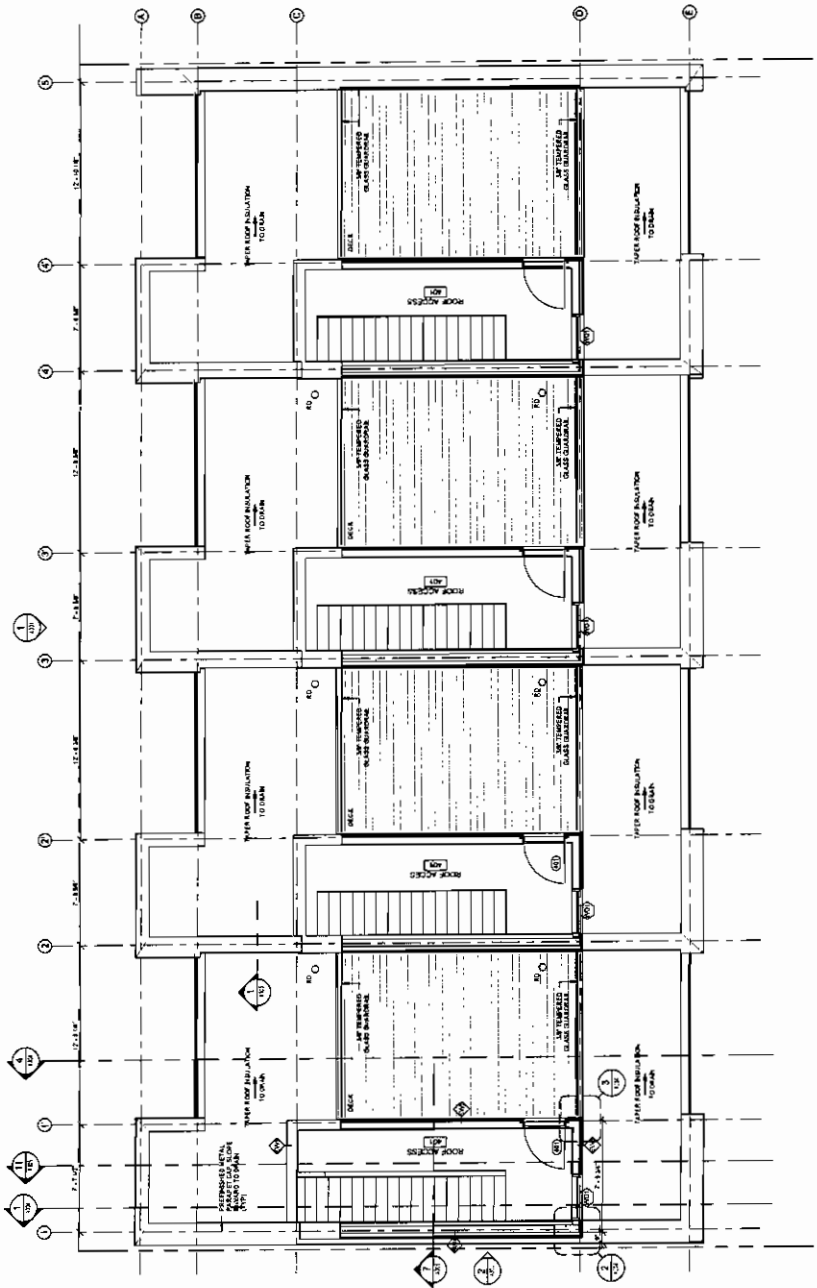


1 LEVEL 3 FLOOR PLANS
 1/8" = 1'-0"

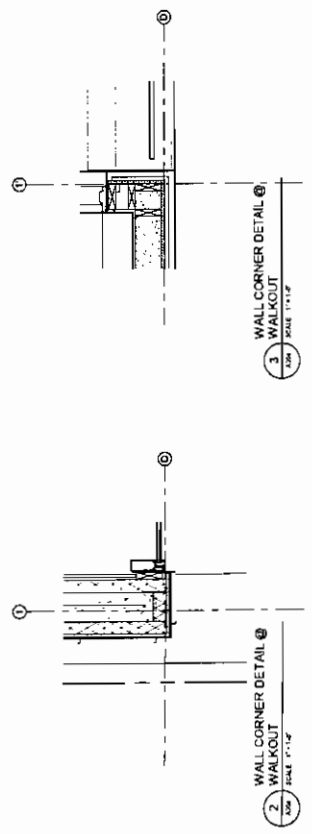


2 DETAIL OF ENTRY DOOR
 1/8" = 1'-0"

3 DETAIL OF DOOR AND OVERHEAD
 1/8" = 1'-0"



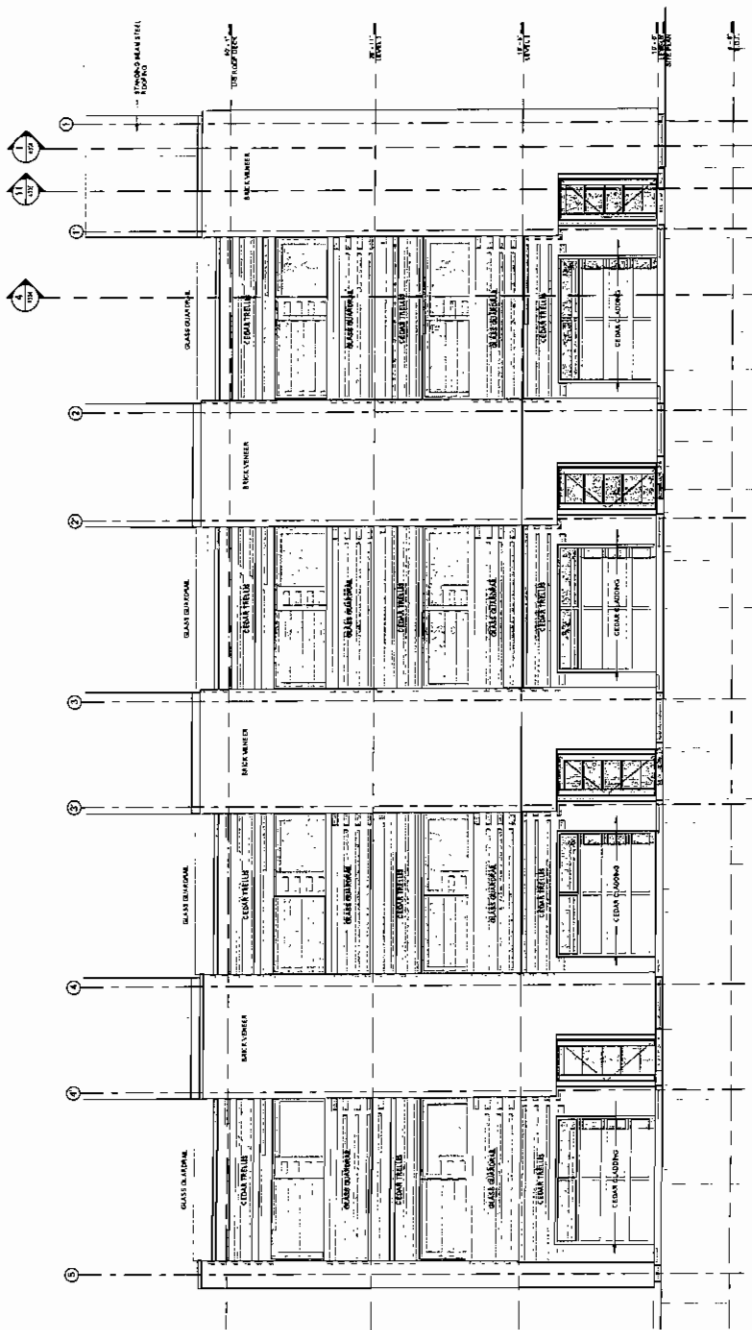
1 ROOF PLAN
 SCALE: 1/8" = 1'-0"



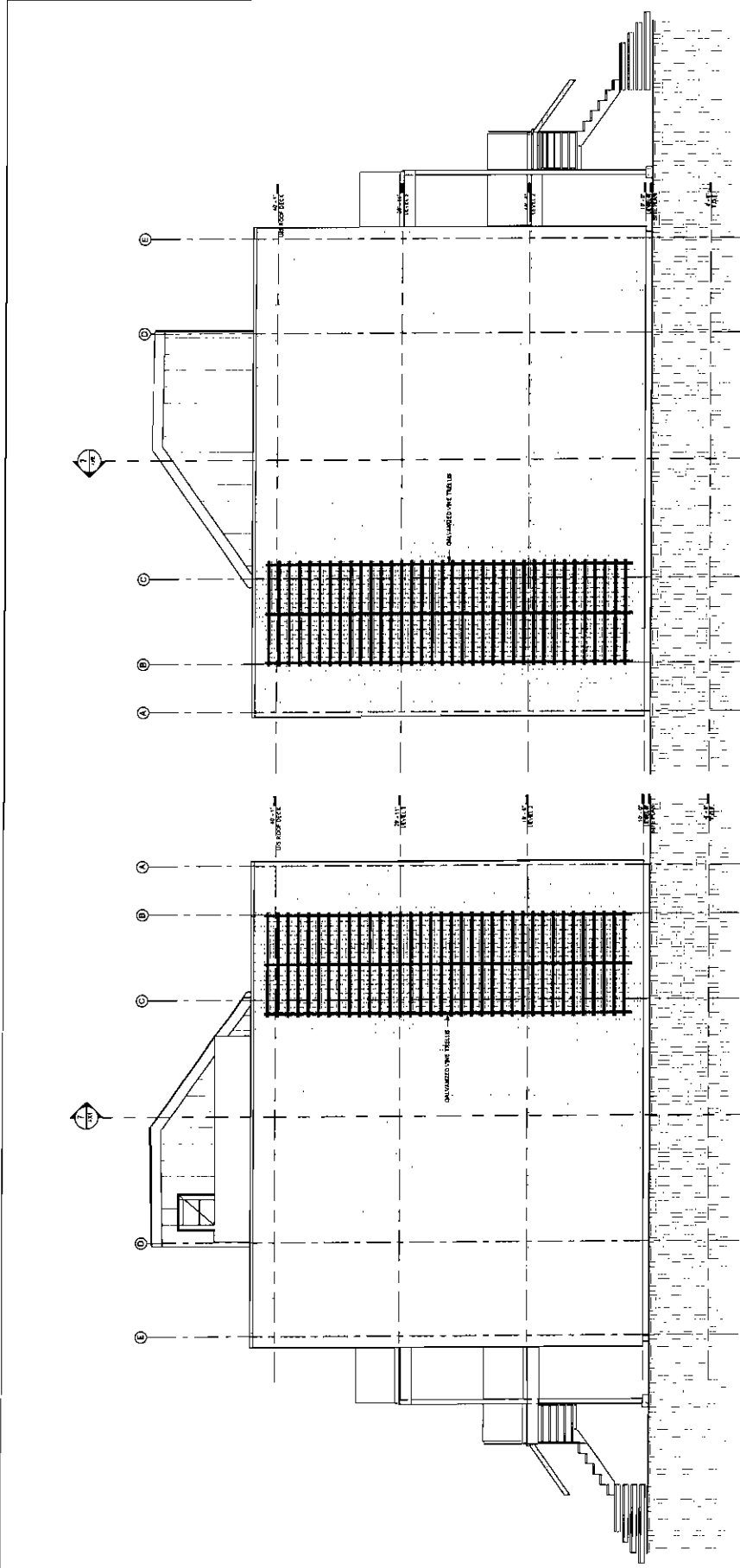
2 WALL CORNER DETAIL 2
 WALKOUT
 SCALE: 1/4" = 1'-0"

1 WALL CORNER DETAIL 1
 WALKOUT
 SCALE: 1/4" = 1'-0"

- EXTERIOR FINISHES**
1. MAINT. PAINT
 2. BRICKWORK: BRICKWORK TO BE MATCHED TO EXISTING WORK
 3. CEILING: PLASTER
 4. FLOORING: POLISHED CONCRETE
 5. STAIRS: POLISHED CONCRETE
 6. ROOF: FLAT ROOF WITH 2" POLYURETHANE INSULATION
 7. EXTERIOR WALLS: BRICKWORK TO BE MATCHED TO EXISTING WORK
 8. EXTERIOR WALLS: BRICKWORK TO BE MATCHED TO EXISTING WORK
 9. EXTERIOR WALLS: BRICKWORK TO BE MATCHED TO EXISTING WORK
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 11. EXTERIOR WALLS: BRICKWORK TO BE MATCHED TO EXISTING WORK
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 19. EXTERIOR WALLS: BRICKWORK TO BE MATCHED TO EXISTING WORK
 20. EXTERIOR WALLS: BRICKWORK TO BE MATCHED TO EXISTING WORK



1 NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



1 EAST ELEVATION
 SCALE: 1/4" = 1'-0"

2 WEST ELEVATION
 SCALE: 1/4" = 1'-0"

**PLANNING AND HERITAGE COMMITTEE – DESIGN REVIEW BOARD MINUTES
THURSDAY, OCTOBER 10, 2019 12:00PM
SHERWOOD ROOM, CITY HALL**

<u>Included</u>	Councillor Greg Rivard, Chair	Alex Forbes, PHM
	Deputy Mayor Jason Coady, Vice-Chair	Todd Saunders, HO
	Councillor Julie McCabe	Laurel Palmer Thompson, PII
	Greg Munn, RM	Greg Morrison, PII
	Kenneth McInnis, RM	Ellen Ganga, IA/AA
	Kris Fournier, RM	
<u>Regrets</u>	Mayor Philip Brown	Sharon Larter, RM
	Councillor Bob Doiron	Brian Gillis, RM

1. Call to Order

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

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Councillor Kenneth McInnis, RM, and seconded by Councillor Jason Coady, that the agenda for Thursday, October 10, 2019, be approved.

CARRIED

4. Adoption of Minutes

Moved by Councillor Kenneth McInnis, RM, and seconded by Councillor Jason Coady, that the minutes of the Monday, September 23, 2019 meeting, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 60-66 Dorchester Street (PID #s 336826 & 336818)

This application was before the Design Review board on September 23, 2019 to confirm and get approval from the Board that the construction drawings are generally in keeping with the approved design review submission. The property is located at 60-66 Dorchester Street (PID #'s 336826 & 336818). Laurel Palmer Thompson, PII, presented the application.

Ms. Thompson indicated that this application was before the Design Review Board in 2014. At that time, the design reviewer recommended for the proposal with a request for a few details to be clarified prior to building permit. The Heritage Board which was the Board overseeing the process in 2014 approved the application at that time.

On September 23, 2019, the board requested that application be deferred until working drawings be produced and presented to the board. At this meeting, staff presented the drawings that showed the original design approved by the board and drawings of the proposed building. Silva Stojak, architect, also provided additional details with regards to the proposed changes to the design.

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

Moved by Greg Munn, RM, and seconded by Kris Fournier, RM, that the revised proposal for the three storey, four-unit townhouse at 60-66 Dorchester Street (PID #s 336826 & 336818), be approved.

**CARRIED
(5-0)**

7. 7-9 Pownal Street (PID #1105451)

This is a request to review renderings of the proposed modifications to the approval granted by the Design Review Board on March 1, 2018. Since then, the property has been sold and the new owners are recommending minor changes to approved design. Greg Morrison, Planner II, presented the application. See attached report. David Lopes, architect, was at the meeting to provide further details.

Mr. Lopes presented drawings that showed the original design, design approved in 2018 and the proposed design and details of the proposed changes (details attached to the report).

The board had some questions on the proposed changes and agreed to the following changes:

- The canvas on the ground floor of the East elevation will be reduced so that it does not cover the cornice above.
- The windows on the East elevation will be increased to reflect the previously approved plan.
- The cornice on the corner above the third floor of the North and East elevations will be revised to be more prominent.
- The cornice above the fourth floor on the South elevation will be reworked to be more prominent.

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

Moved by Kenneth McInnis, RM, and seconded by Deputy Mayor Jason Coady, that the revised proposal to the property at 7-9 Pownal Street (PID #1105451), be approved.

**CARRIED
(5-0)**

8. New Business

There were no new businesses discussed.

9. Adjournment

Moved by Councillor Julie McCabe and seconded by Deputy Mayor Jason Coady, that the meeting be adjourned. The meeting was adjourned at 12:43 p.m.

Councillor Greg Rivard, Chair



BRICK



LIGHT WOOD



DARK WOOD



METAL



FRONT ELEVATION



NINE
YARDS

PERSPECTIVE

Catane, Ellen

From: Thompson, Laurel
Sent: Monday, September 30, 2019 4:04 PM
To: Saunders, Todd; Catane, Ellen
Cc: Forbes, Alex
Subject: FW: For the Design Review Board
Attachments: Renderings.pdf

Hi Todd and Ellen:

Silva just sent me this email and the new renderings for the project on Dorchester St. In my absence would you both be able to send these drawings and the answers to Brian Gillis's questions to the design review board for review and comment. Silva is hoping to be able to keep the process moving so she is able to get a decision at the next Council meeting. Ellen can you look and see if there are any dates available for another design review meeting prior to the next Council meeting?

Thanks,

Laurel

From: Silva Stojak [<mailto:silva@9ystudio.com>]
Sent: Monday, September 30, 2019 3:58 PM
To: Thompson, Laurel
Subject: For the Design Review Board

Hi Laurel,

Attached is the rendering and our answers to Brian's question

Hello Ellen,

Did a further review of the drawing package and have these additional questions which should be available for the meeting on Monday.

- 1) Colour & sample of brick masonry. **Colour of brick is "Port Morian" by Shaw. Sample of colour and size of brick will be submitted.**
- 2) Colour / Finish of Aluminum Clad Garage Door. **Colour will be dark grey/black. Approximate sample will be submitted.**
- 3) Fabrication Details of the Cedar Lattice on North Façade. **HSS 2x3 beams to be span horizontal opening at top and bottom of each trellis section. Beam to bolt with end plates into brick veneer. Reviewed with Structural. 4 equally spaced Vertical 2x2 cedar members to be mechanically fastened to HSS member. 2X6 cedar slats with 6" spaces to be anchored to vertical 2x2's. Detail typical.**
- 4) Stairway access to roof terrace are not rendered on the North Elevation **Do not understand this question.**
- 5) Notation of material finish on East & West flanking elevations **East and west elevation to be exclusively brick veneer finish with exception of the roof access which will be finished in standing metal cladding.**
- 6) Detail of Galvanized Tube Trellis on East & West elevations **This has yet to be completely worked through. It will be a simple tube structure that may actually be epoxy painted black to disappear into the finish of the brick. Intent is that the vertical members will be supported directly by the brick veneer.**

Silva Stojak, Architect

NINE YARDS

T: 902.566.4449
C: 902.393.6015
<http://9ystudio.com/>

From: Thompson, Laurel <lthompson@charlottetown.ca>
Sent: Thursday, September 26, 2019 4:00 PM
To: Silva Stojak <silva@9ystudio.com>
Subject: RE: Power Point from Design Review Board

Sounds good Silva!

Thanks,

Laurel

From: Silva Stojak [<mailto:silva@9ystudio.com>]
Sent: Thursday, September 26, 2019 3:57 PM
To: Thompson, Laurel
Cc: Catane, Ellen; Saunders, Todd
Subject: Re: Power Point from Design Review Board

We hope to send this to you tomorrow afternoon or first thing Monday.

Get [Outlook for iOS](#)

On Thu, Sep 26, 2019 at 3:54 PM -0300, "Thompson, Laurel" <lthompson@charlottetown.ca> wrote:

Hi Silva:

Just wanted to let you know that I will only be in the office next Monday. I am out on Tuesday onward so the sooner you can get me the revised concept drawing the better as Ellen will need to find a date to schedule another design review meeting prior to the Council meeting on October 15. Dates are filling up fast for the meetings. Once I receive something from you I will email it around to the Board for review.

If you will be sending the revised drawings after I am away then please send them to Ellen and Todd and they will make sure they are forwarded to the Board.

Best Regards,

Laurel

From: Silva Stojak [<mailto:silva@9ystudio.com>]
Sent: Wednesday, September 25, 2019 5:19 PM
To: Thompson, Laurel
Subject: Re: Power Point from Design Review Board


Thanks Laurel.
Silva

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On Wed, Sep 25, 2019 at 2:30 PM -0300, "Thompson, Laurel" <lthompson@charlottetown.ca> wrote:

Please consider the environment before printing this e-mail!

This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Any views or opinions presented are solely those of the author and do not necessarily represent those of the City of Charlottetown. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

TITLE: <p style="text-align: center;">DESIGN REVIEW FILE: DESIGN-2019-10-OCTOBER- 7-9 POWNAL STREET (PID #1105451) OWNER: 102296 PEI INC.</p>		 CHARLOTTETOWN
MEETING DATE: October 10, 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Design Review Submission (December 4, 2017 PW Rev 2) B. External Design Reviewer Comments (February 8, 2018) C. Revised Design Review Submission (February 14, 2018 rev) D. Heritage Board (Design Review) Minutes (March 1, 2018) E. Building Permit Submission (September 4, 2019)	
SITE INFORMATION: Context: 500 Lot Area Ward No: 1 – Queens Square Existing Land Use: Vacant Property Official Plan: Waterfront Zoning: Waterfront (WF) Zone		
PREVIOUS APPLICATIONS: Design Review approval was granted on March 1, 2018.		

RECOMMENDATION:

The Planning & Heritage Department encourages the Design Review Board to send the revised plans to construct a four storey mixed-use building containing 13 residential dwelling units at 7-9 Pownal Street (PID #1105451) to the original design reviewer in order to receive conditional approval again due to the proposed alterations to the previously approved plans on March 1, 2018 before returning to the Design Review Board for final approval.

Request

The property owners are applying to change the design of the proposed four storey mixed-use building containing 13 residential dwelling units to be constructed at 7-9 Pownal Street (PID #1105451).

Design Review / Development Agreement History

The applicants signed into a Development Agreement to construct four storey mixed-use building containing 13 residential dwelling units subject to the previous Design Review approval. The timeline of the Design Review approval and Development Agreement is as follows:

- October 18, 2017: \$1,500 payment received to initiate the Design Review process.
- January 10, 2018: Design Review submission sent to the external design reviewer, Peter Fellows, for approval.
- February 8, 2018: Conditional approval granted by Peter Fellows.
- March 1, 2018: Final approval granted by the Design Review Committee.
- June 12, 2018: Development Agreement signed as per the plans approved by the Design Review Committee attached as Schedule “B”.
- September 13, 2019: Building & Development Permit application submitted to construct a four storey mixed-use building containing 13 residential dwelling units.
- October 3, 2019: Email sent to applicant outlining the list of proposed changes needing to be reapproved by the Design Reviewer and / or Design Review Committee.

ANALYSIS:

Section 3.1 of the Development Agreement states that *‘any proposed changes or alterations to the plans as shown in Schedule “B” or the building use shall necessitate an amendment to this Agreement and must first be approved by the City in writing by way of an Addendum to this Agreement.’*

During the review of the Building & Development Permit application, it was determined that a number of design changes from the original Design Review approval have been proposed. The changes include, but are not limited to:

Multiple Elevations

- Altered: 'Aluminum siding' instead of 'painted horizontal wood siding'
- Altered: Design of the elevator / stair / mechanical penthouse.

East Elevation

- Removed: Balconies on the left side of the façade (above garage door).
- Removed: Trim below ground floor windows on the right side of the façade.
- Altered: Five remaining balconies now project approximately 2.0 ft.
- Altered: Canvas roof canopy covered part of cornice on the ground floor.
- Altered: Design of the ground floor deck and ramp.
- Added: Third column of windows on the left side of the façade.
- Added: Crown molding and sheet panel above the second floor windows on right side of façade.
- Added: Sheet panel below the second floor windows on right side of façade.

North Elevation

- Removed: Trim below ground floor windows on the left side of the façade.
- Altered: Fourth floor middle window.
- Altered: Cornice above third floor windows at the corner is less prominent.
- Added: Crown molding and sheet panel above the second floor windows on left side of façade.
- Added: Sheet panel below the second floor windows on left side of façade.

South Elevation

- Removed: Cornice doesn't define the parapet.
- Altered: Windows and doors alignment.
- Added: Balconies encompass the entire façade.

West Elevation

- Removed: Balconies in the middle of the façade.
- Altered: Windows realigned to account for interior washroom.
- Added: Exit stairs in corridor.
- Added: Second and third floor windows in corridor.

Staff has reviewed the changes and believes the proposed changes are significant and should be reapproved by the Design Reviewer and the Design Review Committee prior to signing / approving an Addendum to the Development Agreement.

Notwithstanding, staff feel that the Design Review Board has three options:

1. Approve the revised drawings as submitted;
2. Approve the revised drawings as submitted subject to modifications; or
3. Direct staff to send the revised drawings back to the design reviewer prior to having the Design Review Board review / approve the revised drawings.

CONCLUSION:

Staff is recommending that the Design Review Board directs staff to send the proposed changes back to the design reviewer, effectively restarting the design review process.

PRESENTER:

Greg Morrison, MCIP
Planner II

MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

ATTACHMENT 'A'



COAST
DESIGN
INC.

Coast Design Inc. Box 21142 Charlottetown, PE C1A 9H6
Email: dav@dcoastdesign.ca Tel: 902-628-8253

A 200

Water St View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 201

Pownal St View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 202

Pownal St View SE Corner

Project 24 Water St Apartments
Proj # 16002
Address Charlottesville PE
Client Greensview Gables Inc



COAST
DESIGN
INC.

Coast Design Inc. Box 21142 Charlotte, NC C-1A 9H8
Email: david@coastdesign.ca Tel: 902-626-8253

A 203

South West View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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INC.**

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A 203

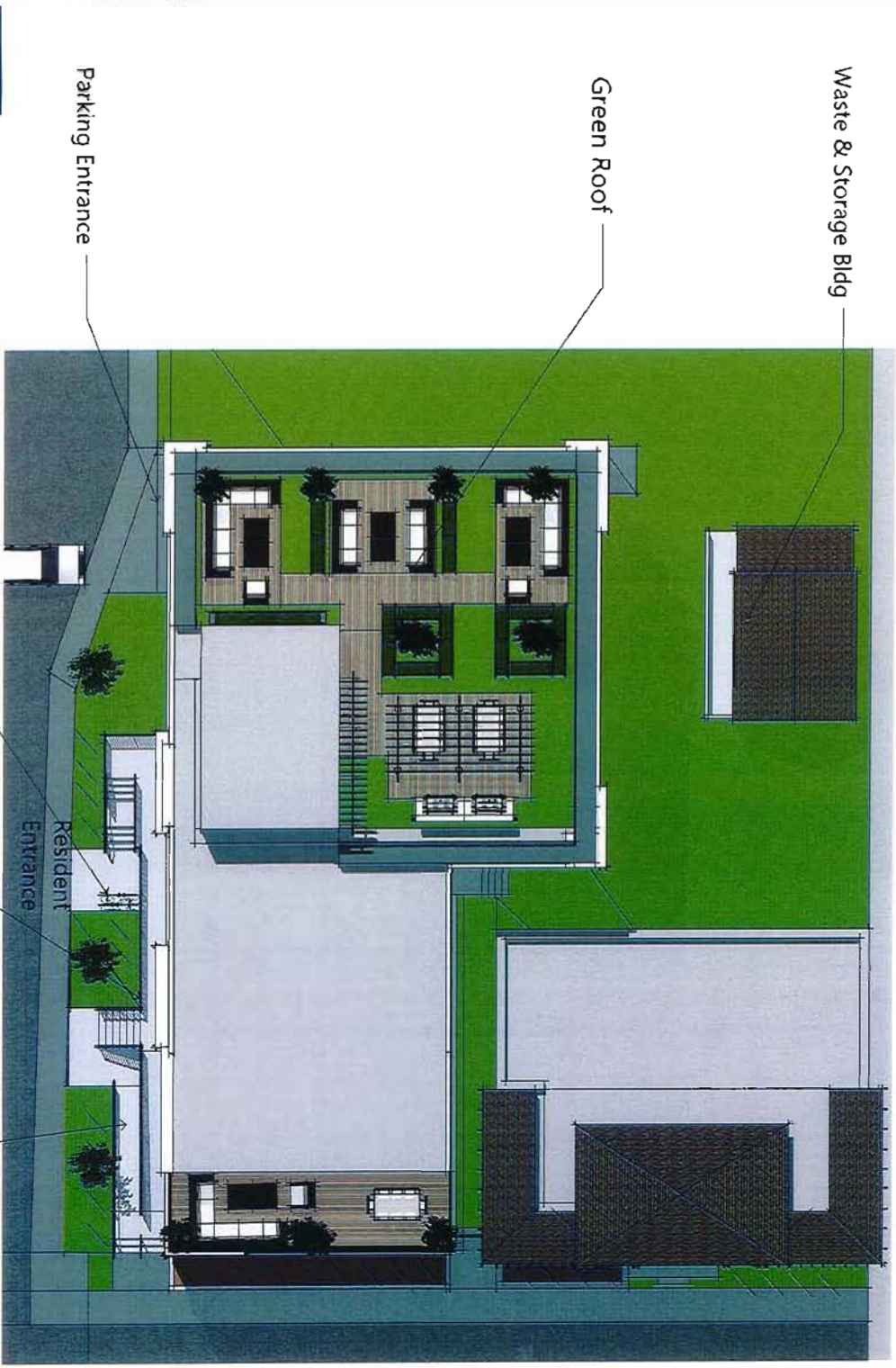
North East Corner View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc



COAST
DESIGN
INC.
2 bicycle park Class B

Coast Design Inc. Box 21142 Charlotletown, PE C1A 9H6
Email: david@coastdesign.ca Tel: 302-426-8253



Powнал St

Water St

A 205

Roof Plan View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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Email: david@coastdesign.ca Tel: 902-626-8253



A 206

Roof Garden View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 207

North West Aerial View (Circulation)

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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Date: Dec 4, 2017 PW Rev 2



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Email: david@coastdesign.ca Tel: 902-626-8253

A 208

Water St View from West

Project 24 Water St Apartments
Proj # 16002
Address Charlotetown PE
Client Greensview Gables Inc

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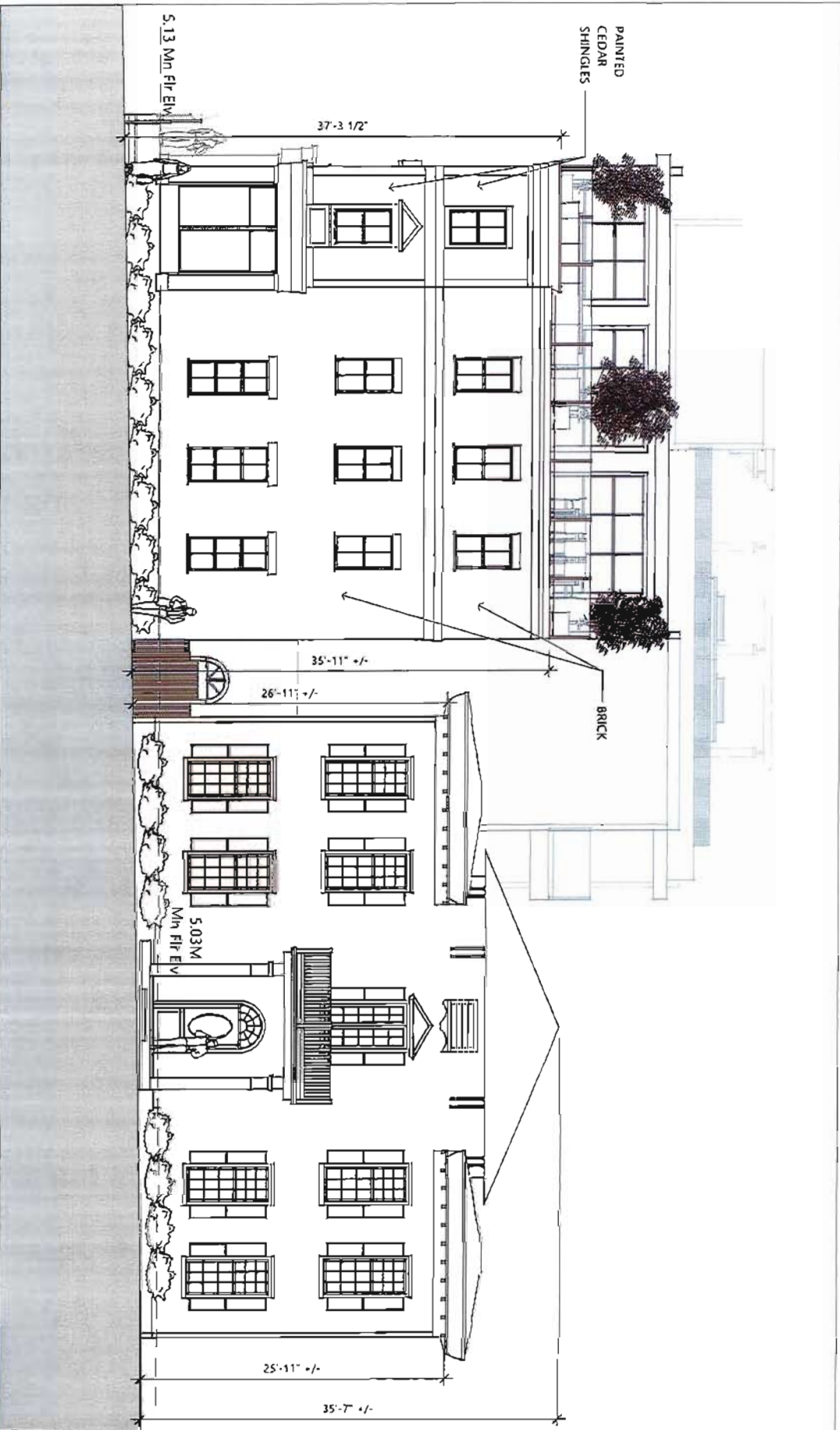


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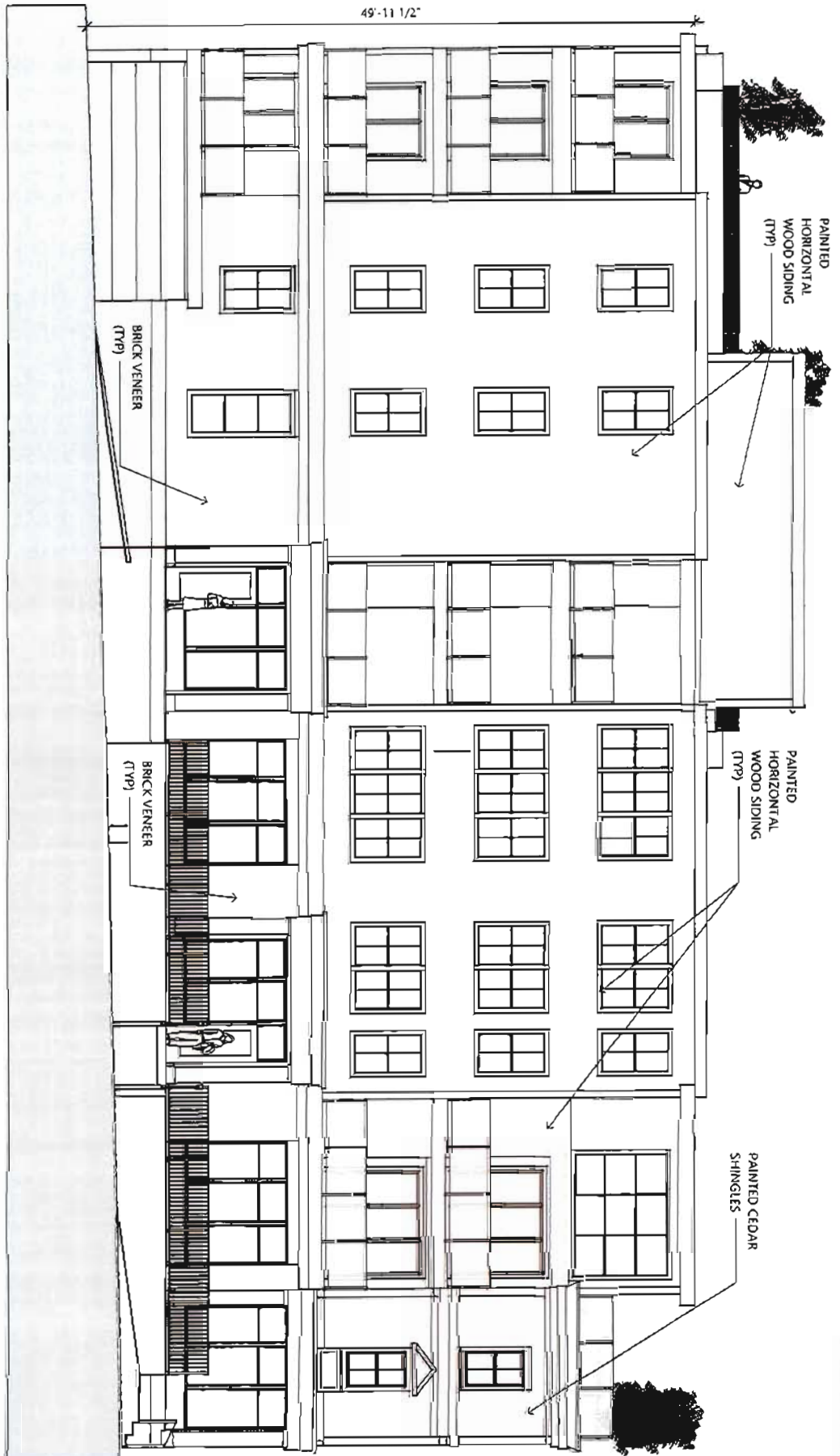
A 209



Water St Elevation

Project 24 Water St Apartments
 Proj # 16002
 Address Charlottetown PE
 Client Greensview Gables Inc

49'-11 1/2"



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Pownal St Elevation (East)

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc



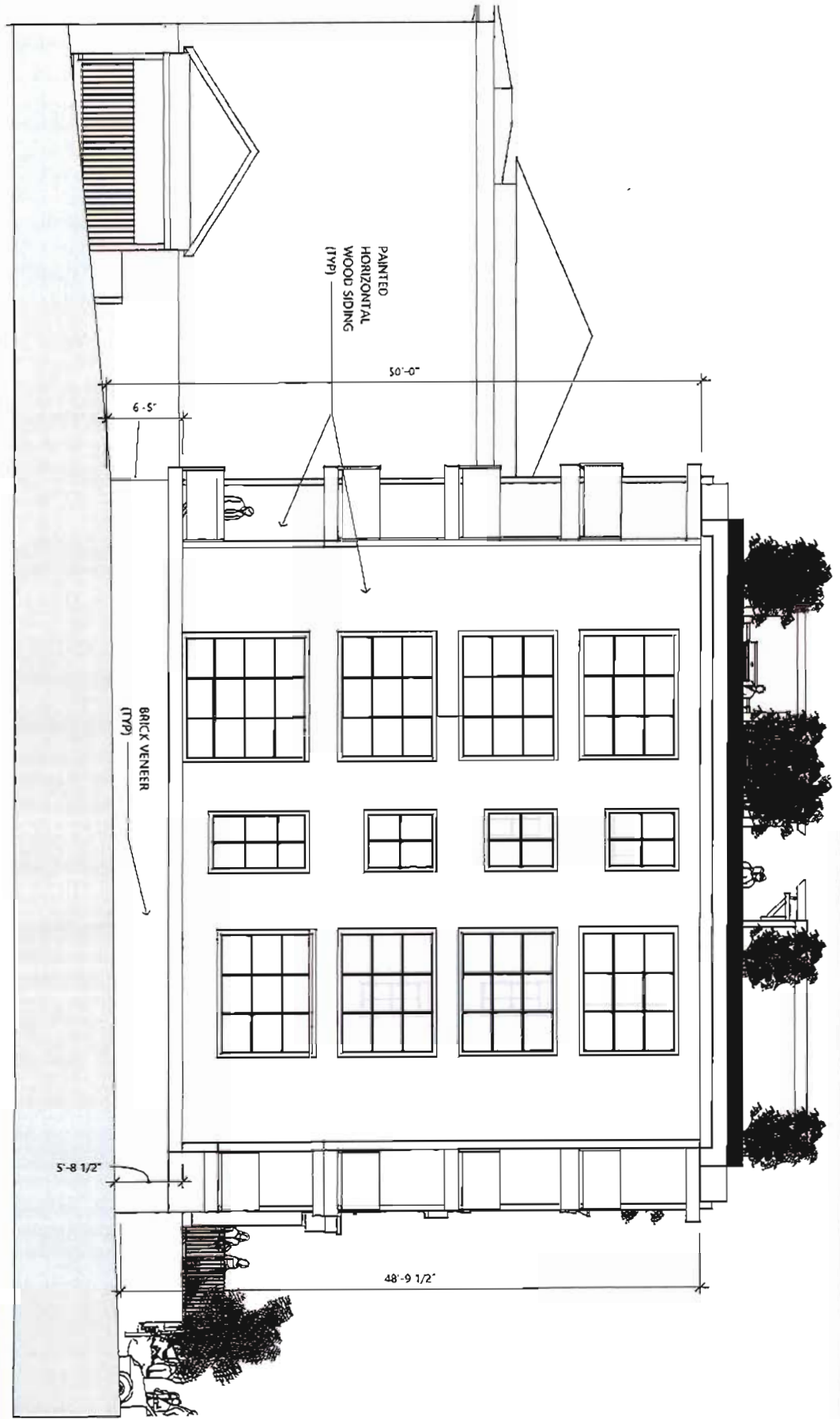
**COAST
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South Elevation



Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc



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Coast Design Inc. Box 21142 Charlottetown, PE C1A 8H6
Email: david@coastdesign.ca Tel: 902-826-8253



South Elevation

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

A 212

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ATTACHMENT 'B'

FELLOWS & COMPANY LIMITED

169 Dundonald St. E3B 1W7

T: 506.462.6140

F: 506.462.6141

fellows@nb.aibrn.com

Peter Fellows, B.Arch., AANB

February 8, 2018

FCL Project 1013

Alex Forbes, MBA, MCIP
Manager of Planning and Heritage
City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, PEI
C1A 7K2

Attn: Alex Forbes

Sir:

Re: 24 Water Street, Charlottetown, PEI Design Review

We have attempted to review this application in the spirit intended using generally accepted design practices and referencing the City of Charlottetown regulations, Zoning & Development By-Laws, 500 Lot Area Guidelines, and the Heritage Board report respecting this subdivision proposal. We have consciously tried to put our own design parameters aside and concentrate on what has been presented. Any comments and/or recommendations are intended as guidelines to the applicant and the City. It is not the intent of this review to be negative but rather to identify details which might be revisited. We leave these in the hands of the Staff and Applicant.

If either party should take any offence at our comments they should note that none is intended, as other reviewers have previously stated our opinions are just that- opinions. Our role is to provide food for thought and to challenge the proponents and the City, to enable the City of Charlottetown to be the recipient of the best solution for this parcel of land.

Having stated the above here is our design review of the subdivision of PID # 1068105 located at 24 Water Street in the Waterfront Zone (WF) of the 500 Lot Area of Charlottetown.

Design Review Parameters

This application was reviewed with references to the:

- Applicant's drawings: A101, A200, A201, A202, A203, A203 (A204?), A205, A206, A207, A208, A209, A210, A211, A212, and A300 - all dated December 4th, 2017.
- The City of Charlottetown Heritage Report #4 - dated May 30th, 2017 including A100, A101, A102, A103- all dated May 2017
- City of Charlottetown Zoning & Development By-Law - amended December 12th, 2017
- City of Charlottetown 500 Lot Area Development Standards & Design Guidelines- Undated

Design Review Comments

1. Discrepancies

We found that there are discrepancies between plans and also between elevations. For example, A101 of December 4th shows 3 apartments vis-à-vis A101 of May 4th which shows 2 units and the stairs are in different locations. We have no December drawings indicating revisions to A100, A102 and A103-consequently we are unclear about the total number of units or how to get to the gym deck, Windows missing on Water Street on A101 of December 4th in retail area, windows on Pownal Street elevation A210 do not match plan A101 December 4th. Patio door sizes to decks appear to be different sizes from plans to elevations.

Recommendations

1.1. In the spirit of good design we think the plans and elevations should match or at least confirm which version is correct- a final set should be reviewed prior to final approvals.

2. Patio Door

Sizes appear to be different between the plans and the elevations. Also without the upper plans it is hard to tell, but the balconies on Pownal Street appear to have 45° walls? This is unclear.

Recommendations

2.1. Again a revision to plans and elevations should be clarified prior to any approval.

3. A200, A208, and A209

Water Street composition has been improved since the first renderings in the Heritage Report. It should be noted that the windows of the existing Heritage apartment building are split 40/60 with 6/9 window panes. There is also a strong cornice overhang at the roof line-a motif that is pleasant. The same goes for the bracket work on the upper roof.

Recommendations

- 3.1. We think that the ground floor windows in the brick wall would be better served in the same 6/9 window proportion; with the second and third staying in the 6/6 proportions.
- 3.2. The brick work at the belt line should probably at least be in a contrasting brick colour or perhaps even a sandstone cornice projecting beyond the brick. We might look at shutters on the lower floors to soften the brick walls. Although the Heritage Board thought the new structure overpowers the Heritage one, we disagree. With the added gate and the material selection on the new building we like the proportions and the massing of the structures.
- 3.3. The corner on the new building being done in wood is a good thing but we find the two dormers (similar to the Heritage building's) a bit busy and would probably be best eliminated. It also appears that unlike the other wood sided areas this corner is wood shingles instead. This too, becomes a bit busy and perhaps the same wood siding is a better choice than the shingles even if painted a different colour.

4. A201, A202, A203 and A210

The corner of Water and Pownal Streets at the main level is, in our opinion, a little odd. The material under the commercial windows is unidentified and we wonder should it be brick, or should it be shingles as above? The earlier concepts had this as an inset corner which looked better, but we understand the ramp and stair issue preclude this corner as an entry point. Maybe a broader question is the amount of brick on Pownal Street façade.

Recommendations

- 4.1. Perhaps the glazed corner could be stepped inward by three feet on both street faces so that the columns would be more defined and meaningful. The column pediments should sit on the foundation rather than be applied to it. The material under the windows could be of commercial aluminum type.
- 4.2. We also caution on using the same brick colour on Pownal Street as that on Water Street. Using a different colour, texture or product such as stone will help accent the corner "tower" and make it appear to be its own structure.
- 4.3. Our feeling is that the waterfront end of the structure (on Pownal Street) should express the wood siding down to the overhead door and eliminate the strong horizontal line to the left of the apartment entry. This would be more true to the design as this is an apartment and not commercial space.
- 4.4. The stairs & elevator penthouse massing might be helped by changing the wood siding colour to the lighter tone so as not to draw the eye to this level, thus aiding the massing.
- 4.5. With respect to the railings, while we agree that the commercial ones should be different construction, it might be an idea to use frosted glass for all balconies. Doing this will not prevent the daylight from filling the units but in our opinion it will tend to reduce the sometimes nasty "balcony storage look" from being viewed by passersby.
- 4.6. If the centre balconies, which we think have only glazing on one side, have similar shingles or colouring to match the corner "tower" the façade will be nicely broken up and yielding the preferred "smaller building" look along Pownal Street.
- 4.7. Finally the tall windows to the left of the entry and the larger window next to the Water Street roof patio might look less out of place if they were no taller than the other adjoining windows on the Pownal Street Façade.

5. A212 and A300

The waterfront face has been done in a very pleasant layout which we like. We are unclear, as there is no true site plan, what the out-building is? Does it belong to the Heritage structure? Where are the three required parking spots shown on A100 (May) drawing? Do they still exist? And how are they accessed? Is the adjacent property a road or lane? More information would be helpful.

Recommendations

- 5.1. The brick work here is, in our opinion, an unneeded luxury. Money might be better spent on simple landscape shrubbery. While we appreciate the views and the

windows it might warrant reducing the lower left window to match the adjoining one (see above)

6. A212 and A300

The façade facing the Heritage buildings' rear yard has been done well. Brick veneer under the apartment portion is perhaps not needed. The left hand balconies are extremely close to the rear decks and the exterior stairs of the Heritage building.

Recommendations

6.1. As above, shrubbery in the four foot setback area screening the concrete wall might be more pleasant and cost effective for both buildings. Due to the proximity of the tenants from the Heritage building the designers may wish the side rail of the balconies to be full height frosted glass screens to protect both buildings privacy yet not closing off too much view or light

7. A205, A206 and A207

Roof top terraces and green roofs are accessible to all tenants and are a positive amenity. The private deck which is set back on the fourth floor from Water Street certainly helps the massing when viewed from street level.

Recommendations

7.1. On these levels the glass railings should probably remain clear as opposed to frosted. As we look at A207, the three large windows facing this patio do not indicate how one accesses this terrace. As this is an exclusive unit, the windows could be shorter therefore less imposing while still providing a great view.

7.2. On an unrelated matter the designers might want to check on exiting requirements in the NBC from the green roof at the elevator penthouse level.

8. Compliance with By-Laws

The designers appear to meet all prescribed regulations set out on section 44 of the City of Charlottetown Zoning & Development By-Law including heights, parking, setbacks, unit varieties, green roof, etc. The main floor is set 1.37 meters higher than required which is good.

Their construction materials choices do not violate the regulations and indeed for the most part have been well done.

Recommendations

8.1. With respect to the "walkable" Pownal Street façade our only caution would be to ensure the entrance driveway to the underground parking be surfaced in paver like materials.

8.2. It would help the building appeal from this level if the shop windows were to be awninged. Awnings here will not obscure any visual lines to the shops from passersby and would add great pedestrian enhancement and potential interaction.

9. Heritage Provision

We have reviewed the By-Law with respect to this application and specifically section 6.6 and 6.7. We feel that this proposal has attempted to meet the spirit of the Heritage Sections. We do not feel that the size of the new structure dominates its neighboring building but rather works with it instead. The gated laneway is intriguing and helps tie the two buildings together. The Heritage of 24 Water Street is protected and respected.

Recommendations

- 9.1. The applicant has tried to minimize the encroachment on the rear of the Heritage building so as not to block views from 24 Water Street. While the Heritage Board would have been happy if the property line went straight from Water Street, the truth is that Pownal Street already jogs and the result forces any new development to do likewise.
- 9.2. If we were the designers of this project and the property line had to be straight from Water Street back the resulting parcel would not be suitable for apartment development due to its narrowness-in this case the jog helps.
- 9.3. We concur with the Heritage Board's findings except we feel that the scheme presented does not "overpower the historic street scape and individual buildings" as they did.

Design Review Conclusions

After our review we feel that this project is heading in the proper direction and we believe that the designers can tweak their creation in such a way as to be beneficial to the citizens of Charlottetown. It is in keeping with the spirit of good design and the objectives as set out by the City.

As we all know, much of a design review like this is very much subjective; and we have tried to envision the project through the eyes of the applicant, the designers, the Heritage Board, and the City staff. We recommend that a "conditional review approval" be given this project under the terms of the Design Review process.

We are also appending a few notes that have little bearing on the City's decision but we wish to pass on to the designers to aid them in their project.

Thank you for allowing us to assist in the process and apologies for its tardiness.

Yours truly,



Peter Fellows, B.Arch., AANB

Ps- Architectural Comments and Cautions

We offer these comments to the designers as "cautions" that may require more review on their part specifically with regards to window sizes.

-
1. While we have no detail on the type of structural material being employed (ie concrete, steel or wood.) nor do we know if the building is to be sprinklered, we are not in a position to make hard statements. We caution the Architects to review the National Building Code requirements for the allowable areas for un-protected openings vis-à-vis limiting distances in the building walls. We would be especially concerned about the water side and the Heritage building side.
 2. In a similar vein, they might wish to investigate with the Authorities Having Jurisdiction as to whether or not the existing windows in the Heritage building might require any fire protection (fire shutters) due to the relocated property line (ie limiting distances).
 3. The two blank walls facing the existing Heritage structure will most likely be required to be constructed as fire rated walls with non-combustible cladding, therefore the intended wood siding shown at the end of the lane on A200 might have to be altered. This also applies to the fourth level above the brick.
 4. Finally we have a concern with respect to the four corner decks adjacent to the Heritage property. The Architects might wish to add some visual screening to the sides. These are shown nine feet away from the existing building but our observation is that the existing building has decks and stairwells which are not shown on A101 (December 4th, 2017)and they may only be about four feet from deck to deck.

ATTACHMENT 'C'



COAST
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INC.

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A 200

Water St View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 201

Pownal St View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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Date: Feb 14, 18 Rev



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A 202

Pownal St View SE Corner

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 203

South West View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 203

North East Corner View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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2 bicycle park Class B

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A 205



Waste & Storage Bldg

Green Roof

Parking Entrance

Pownal St

Resident Entrance
Commercial Entrance

Barrier Free Ramp Up

Water St

Roof Plan View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc



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A 206

Roof Garden View

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc



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A 207

North West Aerial View (Circulation)

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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A 208

Water St View from West

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

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Date: Feb 14, 18 Rev



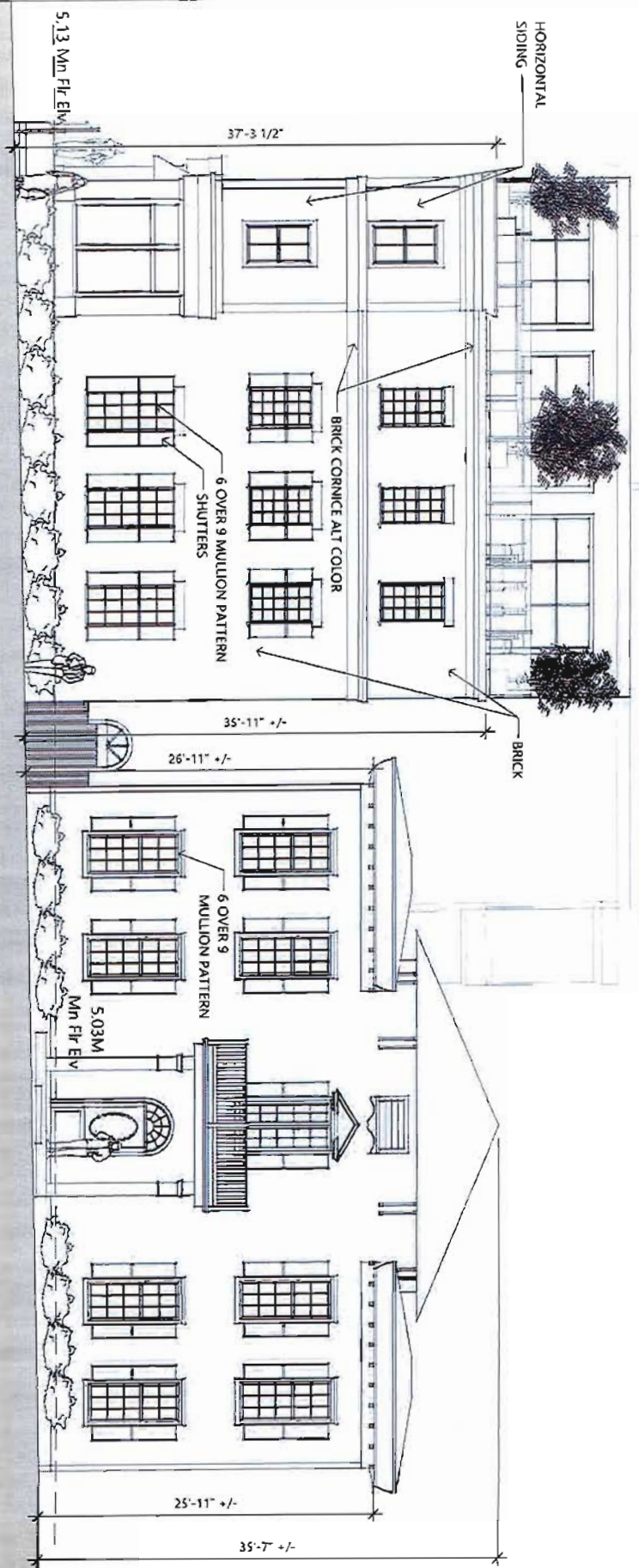
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A 209

Water St Elevation



Project 24 Water St Apartments
 Proj # 16002
 Address Charlottetown PE
 Client Greensview Gables Inc



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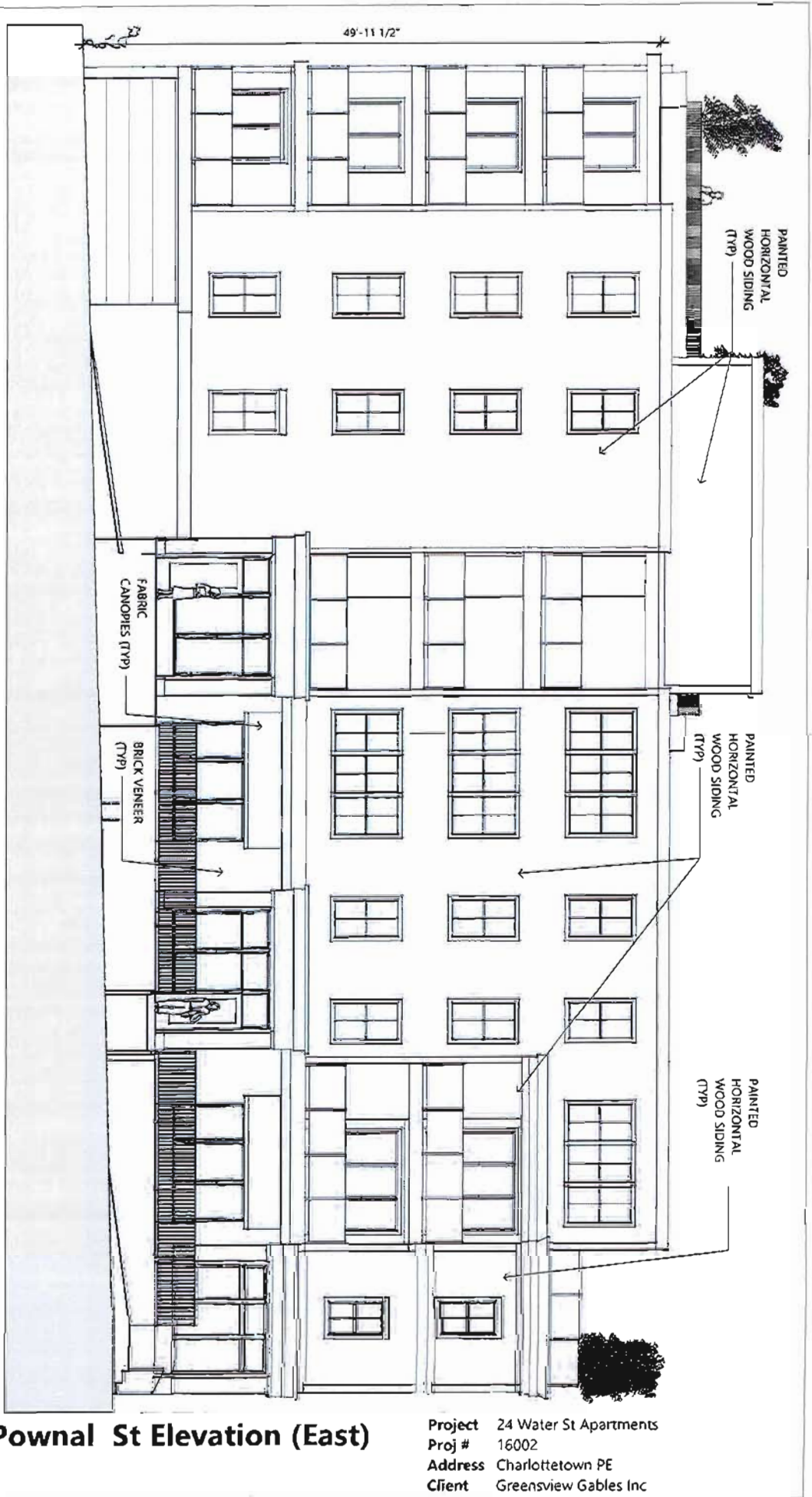
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Pownal St Elevation (East)

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

Date: Feb. 14, '18 Rev



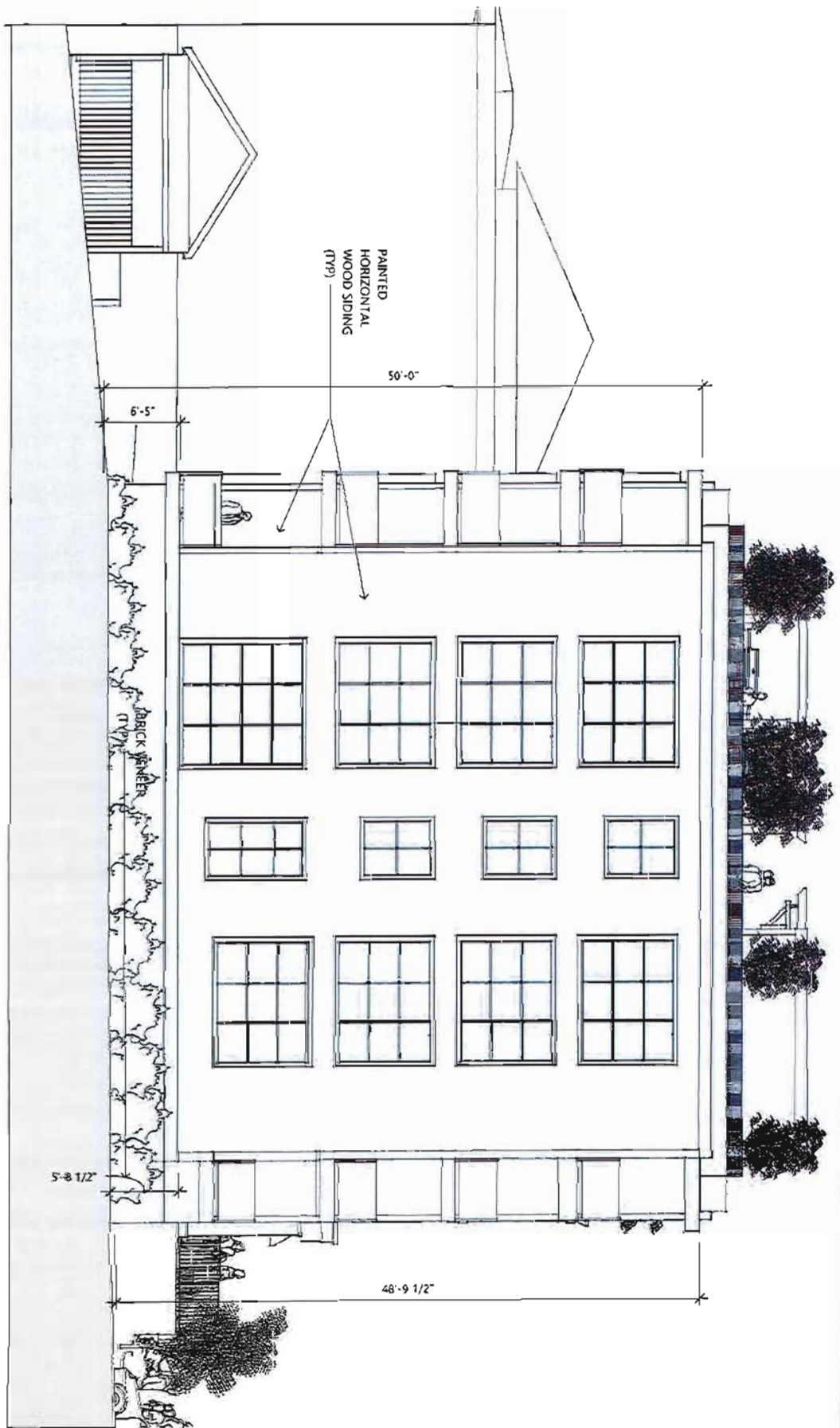
49'-11 1/2"





COAST
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Coast Design Inc. Box 21142 Charlotte, NC 28211
Email: david@coastdesign.ca Tel: 902-826-8253



South Elevation

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

A211

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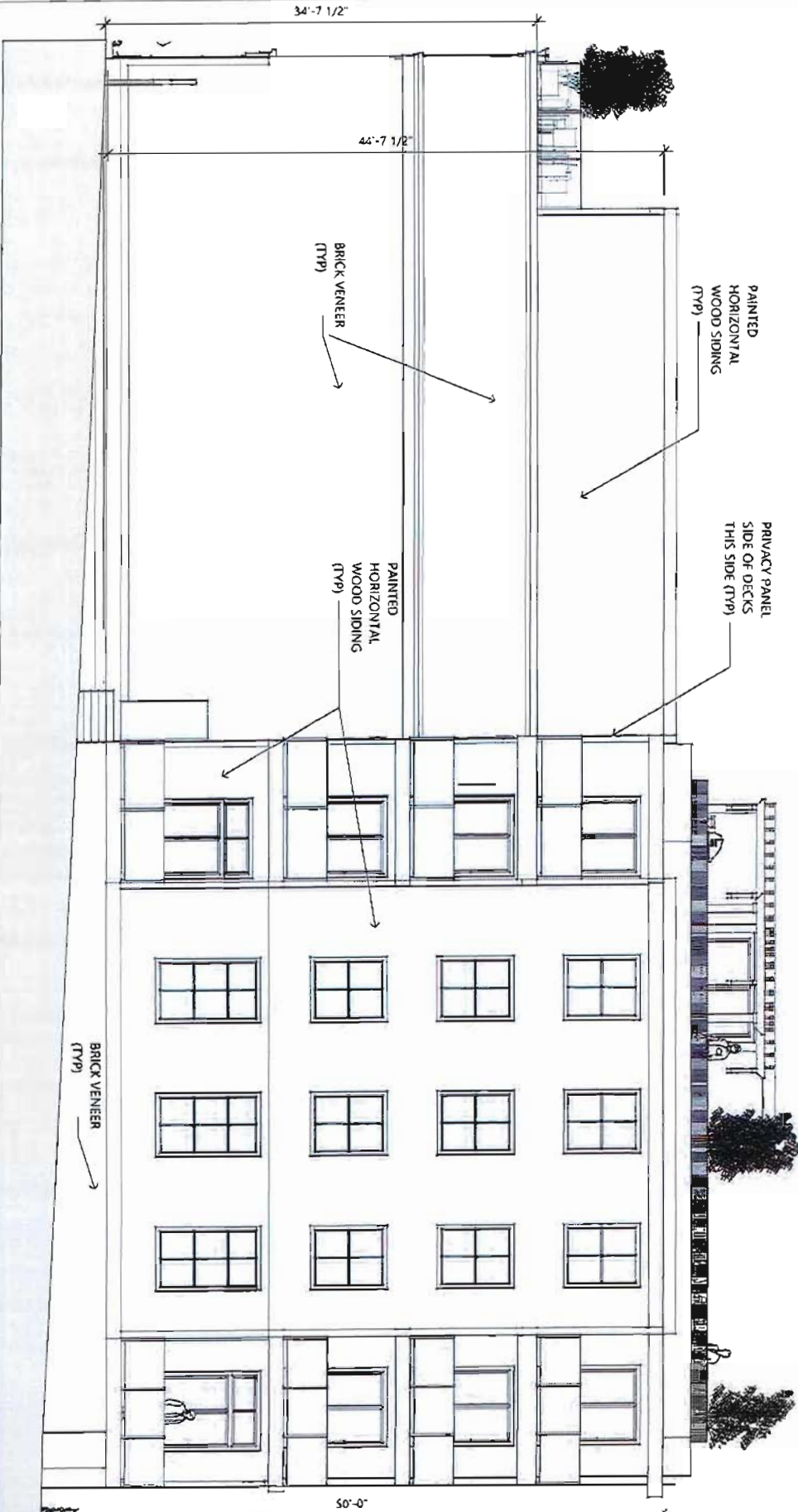


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A 212



South Elevation

Project 24 Water St Apartments
Proj # 16002
Address Charlottetown PE
Client Greensview Gables Inc

ATTACHMENT 'D'

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD
MARCH 1, 2018, 12 NOON
PARKDALE ROOM, CITY HALL**

Included Councillor Greg Rivard, Chair
Councillor Terry MacLeod
Ron Coles, RM
Todd Saunders, HO

Councillor Jason Coady
Bobby Shepherd, RM
Greg Morrison, PII
Alex Forbes, PHM

Regrets Tara Maloney, RM
Ian MacLeod, RM

Simon Moore, RM

The meeting was called to order at 12:05 and no conflicts were declared. The Agenda was approved noting the removal of 20 Euston Street as the application was incomplete.

1. **24 Water Street (PID#1068105)** – application for a new four storey mixed use building. 24 Water Street is a designated Heritage Resource and is located in the Waterfront Zone (WF) of the 500 Lot Area. The applicant presented a design to Heritage Board for discussion only in March 2017. Comments from Board members were passed on to the architect and the design was revised accordingly. The developer applied in May 2017 to subdivide the property to create a new lot for development fronting on Pownal Street. As part of the discussion to subdivide, a revised conceptual design for development of the proposed lot was presented. The application was supported pending approval through the design review process. As the design continued to develop, the applicant presented the design to Heritage Board in December 2017 for information and discussion only prior to it being sent for independent design review.

Comments received from the Design Reviewer dated February 8, 2018 were generally favourable and the architect has revised the proposal in accordance with these comments. David Lopes, architect and Kevin Green, owner attended meeting and presented the application.

The application includes:

- A four storey mixed use building with underground parking accessed from the south end of the building on Pownal Street.
- The side yard/alley between the proposed building and 24 Water Street measures 7ft 3½in wide. A metal fence and gate is set back approx. 4ft from the Water Street façade.
- The building is proposed to be three stories in height on Water Street with the fourth floor being stepped back 12ft. Exterior deck spaces on the rear roof are accessed from a fifth storey utility room/access. The roof deck on the south half of the roof space is also considered a green roof. The roof garden fronting on Water Street is accessed directly from the fourth floor unit.
- An accessory building is proposed to accommodate waste and storage which will be located in the rear yard of 24 Water Street.
- The building measures 42ft 11½in. on Water Street, 120ft 4in along Pownal Street, and is 68 ft. deep on the south elevation. The site “jogs” behind the building at 24 Water Street approx. 17ft.

- The ground floor at the corner of Water Street and Pownal Street is occupied by commercial space with its own separate entrance off Pownal Street. The main residential entry is also accessed from Pownal Street approx. midway along the building. Canopies have been added over the commercial windows further identifying the use of the space.
- Sixteen residential units occupy the remaining ground floor, 2nd, 3rd, and 4th floor levels.
- The building is clad in a combination of brick veneer, painted horizontal wood siding, metal and glass railings.
- Windows on Water Street have been altered following comments from the design reviewer to copy windows on the neighbouring building at 24 Water Street.
- As in previous iterations of the design the height and historic elements of neighbouring building are acknowledge with a brick cornice, materials of the area, and the articulation of the corner detail.
- The stair/ramp system on Pownal Street encroaches on the City's ROW. Limited access on Water Street resulted in the removal of the open corner on the building.
- This project has been under development for approximately two years. Recent design revisions are the result of the Design Reviewer's comments. These include revising the windows on the Water Street façade to match those of the adjoining heritage building and further emphasizing the two horizontal bands by changing the colour.
- The Design Reviewer had suggested the design of the corner was becoming a bit busy with triangular window pediment. This has now been removed and the lower level storefront corner has been further articulated and sits on the foundation.
- The massing on Pownal Street has been adjusted somewhat in an effort to address the Design Reviewers comments. The corner has a "cut out" and windows are duplicated in an effort to create some symmetry. The Penthouse colour has been changed and the massing/materiality of the the ground floor residential unit has been adjusted.
- Additional landscaping on the south elevation has been implemented in lieu of brick as suggested by the Design Reviewer. Privacy screens have been included on the decks on the west façade. Deck railings are to be frosted glass in order to screen outdoor contents.
- The entrance to the parking garage will be paved with coloured concrete or paving stones to make it more pronounced and differentiate it from the sidewalk for pedestrians.
- Shutters have been added to the first two floors on the Water Street facade

Comments/concerns noted:

- The tree near the parking entrance may block visibility as it matures.
- Both the pre-design review and post design review designs are nice.
- The applicants were thanked for working with the city through the process on this project.
- Parking for this project and the designated building at 24 Water Street must still be resolved.
- Free egress from 24 Water Street must also be resolved.
- Minor design alterations can be approved by the Planning Department.

MOVED AND SECONDED THAT THE APPLICATION FOR A FOUR STOREY MIXED USE BUILDING ON THE SUBDIVIDED LOT ADJOINING 24 WATER STREET (PID#1068105) AS PRESENTED PENDING ALL OTHER REQUIRED APPROVALS BE APPROVED.

CARRIED

Discussion:

▪ Water Street at Stan MacPherson Way south east corner – MCPEI Tribal office building design. David Lopes, architect provided a brief summary on the design which is being forwarded to the Design Reviewer.

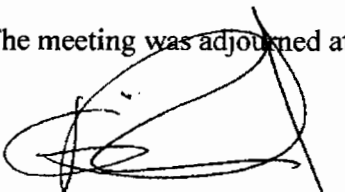
The design includes:

- Charlottetown Harbour Authority has an interest in maintaining as much of the adjoining parking lot as possible. The footprint of the building has been rotated 90 degrees from an earlier design to allow more existing parking to remain. This results in increased views of the waterfront along Water Street.
- The finished floor height and building entries have had to be re-designed as a result of these changes.
- Stone siding is proposed for part of the building façade on the lower two of the three floor levels. It is expected the remainder will be clad in either wood or metal siding which can look similar. They are looking for something which will be long lasting.
- The entries will have to be addressed with respect to street level access. This is required to be a walkable street but there is currently no sidewalk.
- The craft center on the corner will have operable walls in an effort to increase pedestrian interest.
- The street corner of the building is largely glazed.

Comments/concerns noted:

- The extended roof projection around the top of the building in an earlier iteration may be able to be incorporated into this design in some manner.
- This project requires Planning Board review and design review prior to formal application being made.

The meeting was adjourned at 12:45 PM.

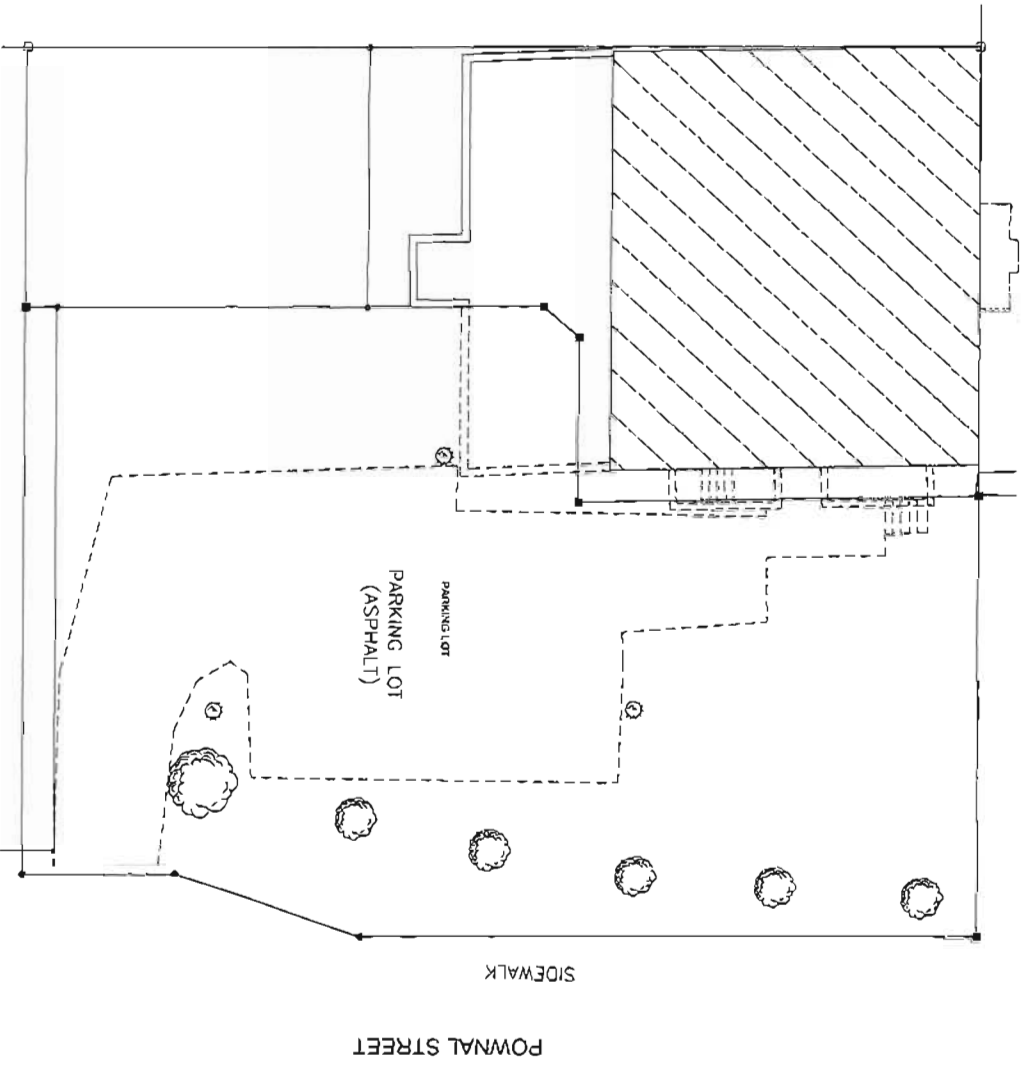
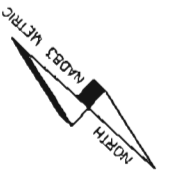


Councillor Greg Rivard

ATTACHMENT 'E'

WATER STREET

SIDEWALK



POWNAI STREET

SIDEWALK

DEMOLITION SITE PLAN
A1.1
SCALE 3/32" = 1'-0"

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7 & 9 Pownal St
Charlottetown, PE

Pownal - Water St Apartments

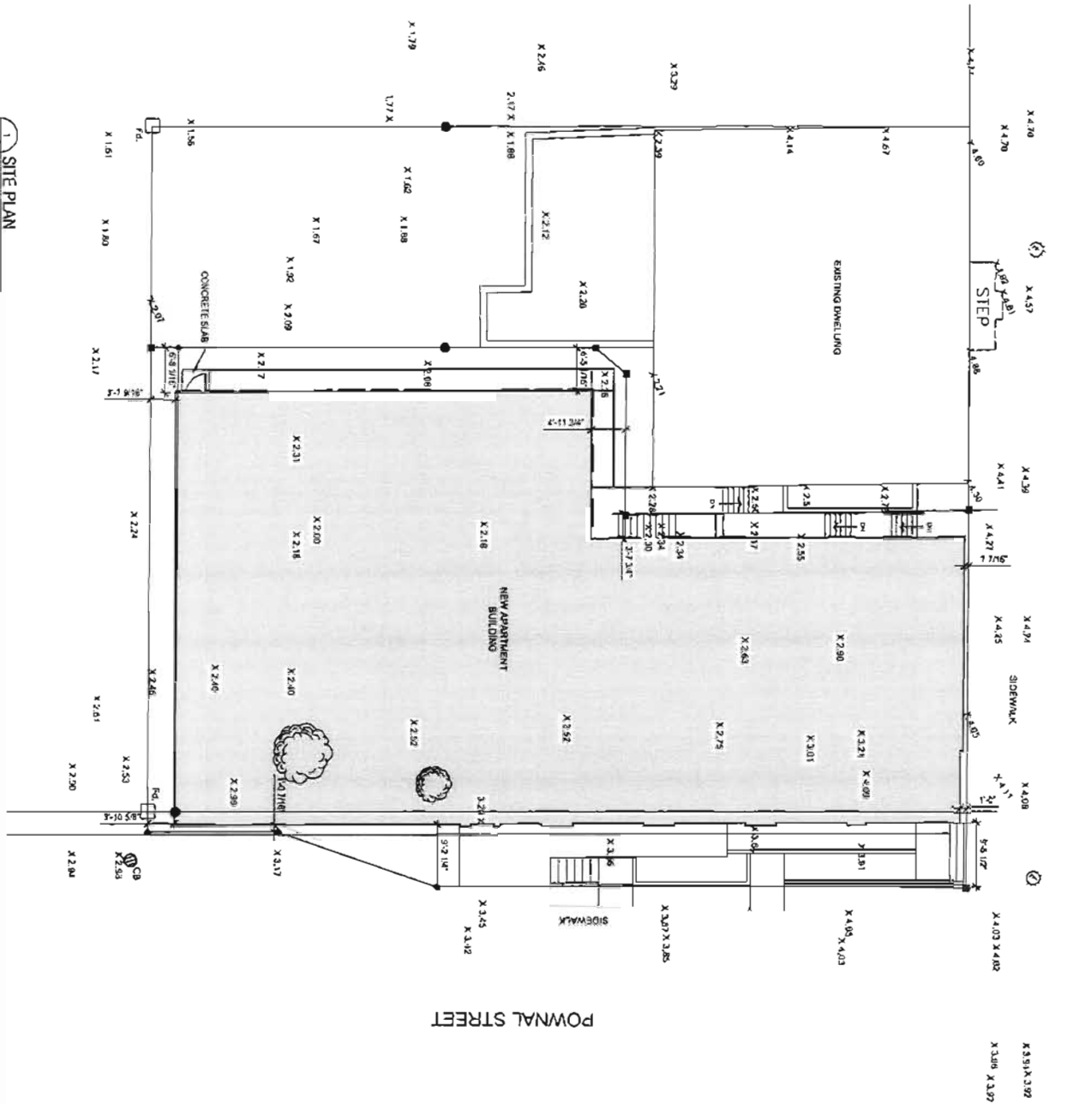
DEMOLITION SITE PLAN

Document Date:
September 4, 2019

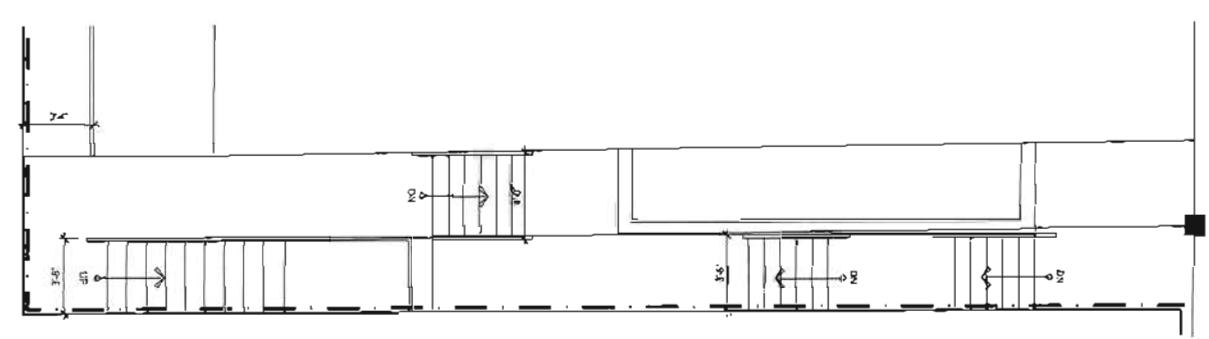
TSV: _____
date _____

A1.1

1 SITE PLAN
SCALE 3/32" = 1'-0"



2 ALLEY PLAN VIEW
SCALE 3/32" = 1'-0"



NORTH

rev. date

Document Date:
September 4, 2019

SITE PLAN

Pownal - Water St Apartments

7 & 9 Pownal St
Charlottetown, PE

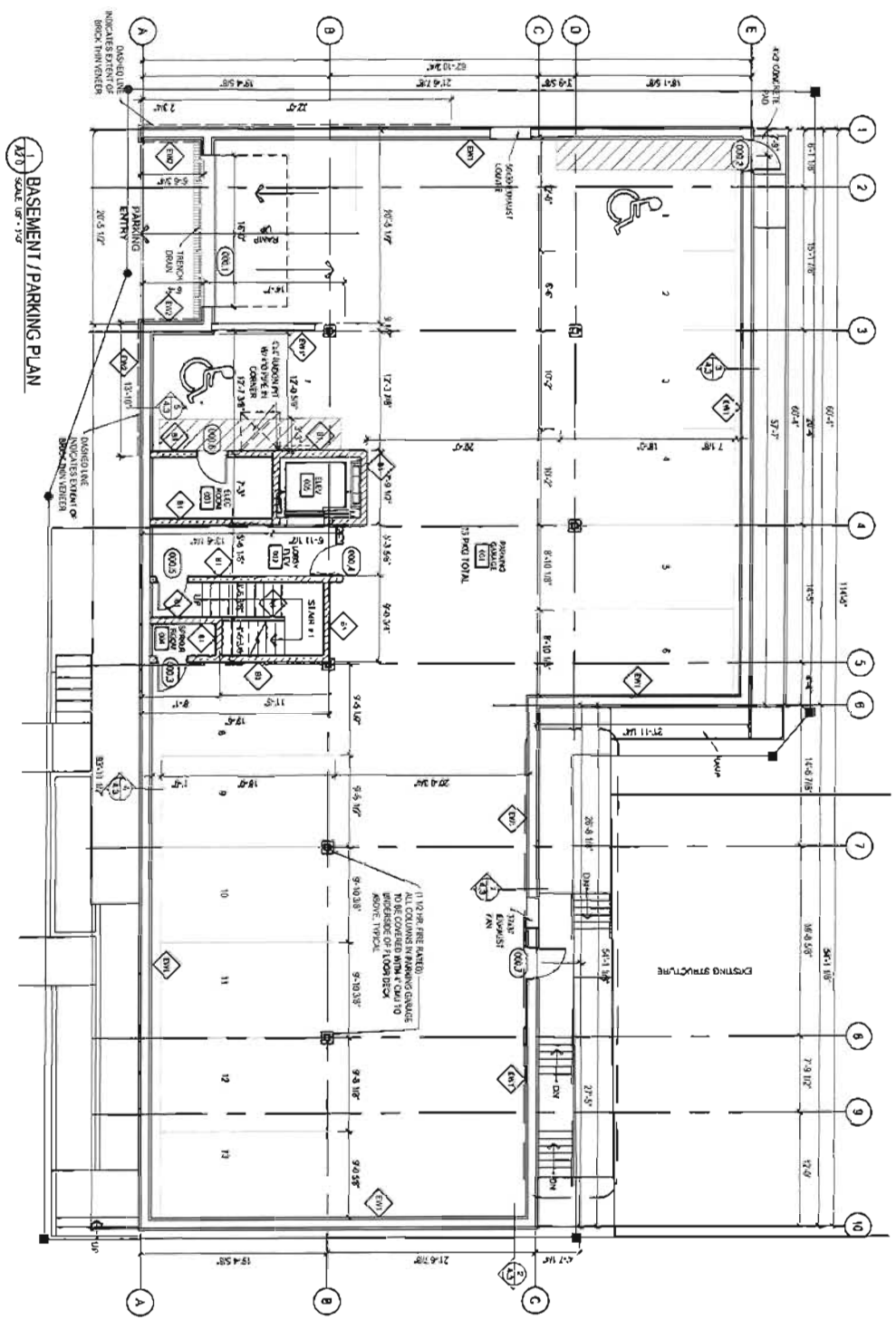


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A1.2



1 BASEMENT/PARKING PLAN
 1/20 SCALE 1/8" = 1'-0"

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A2.0

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Basement
 Parking Plan

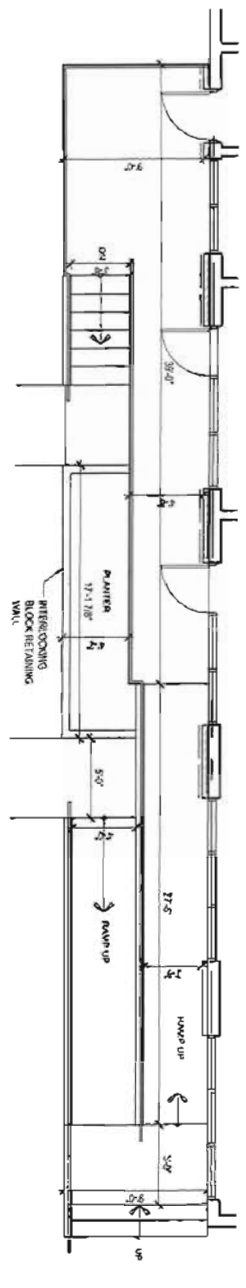
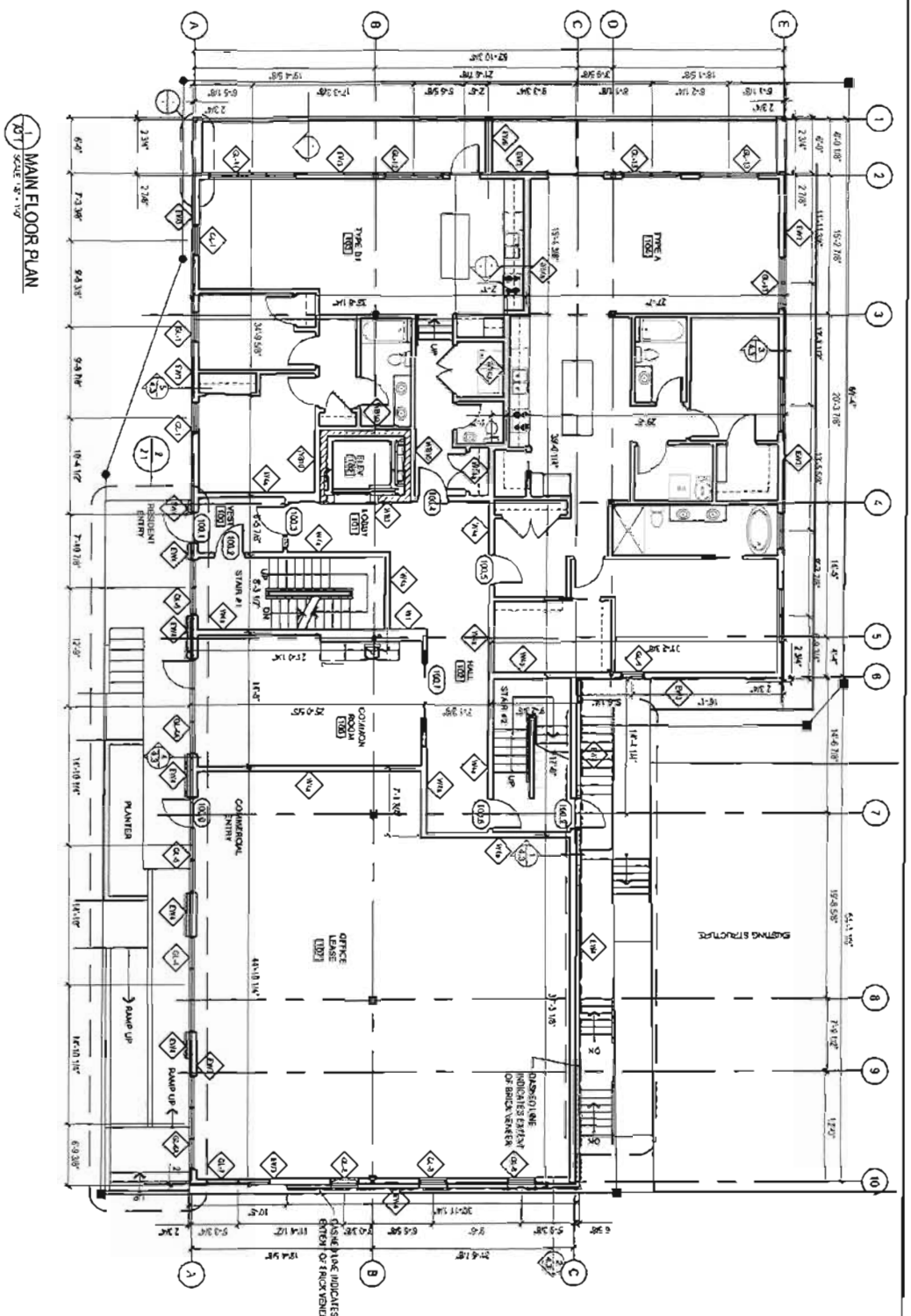
Pownal - Water St Apartments

7 & 9 Pownal St
 Charlottdowntown, PE



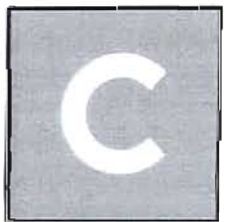
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2 ENLARGED ENTRY
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Pownal - Water St Apartments
7 & 9 Pownal St
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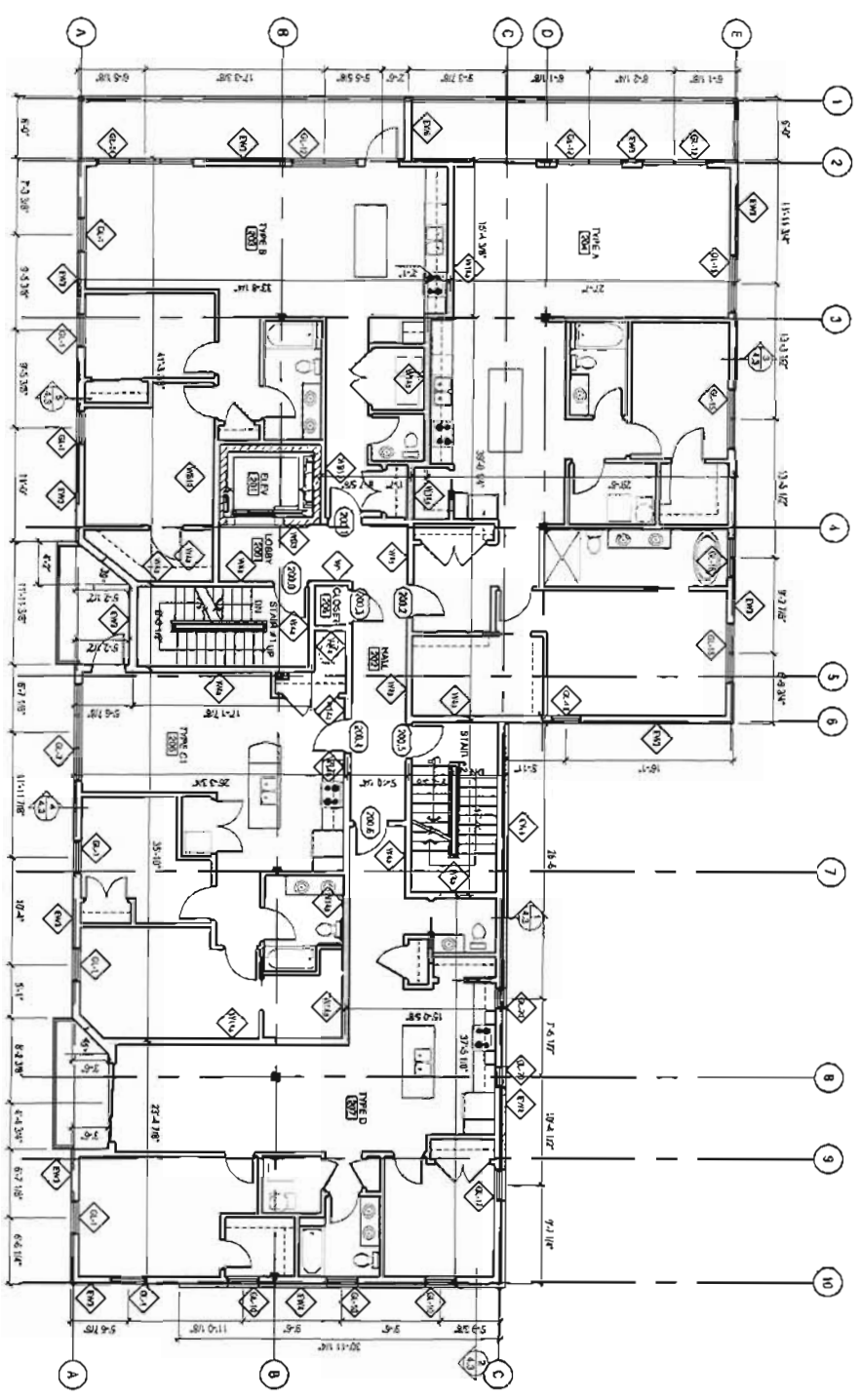
Main Floor Plan

Document Date:
September 4, 2019

rev date

A2.1

2ND FLOOR PLAN
SCALE 1/8" = 1'-0"



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Pownal Water St Apartments

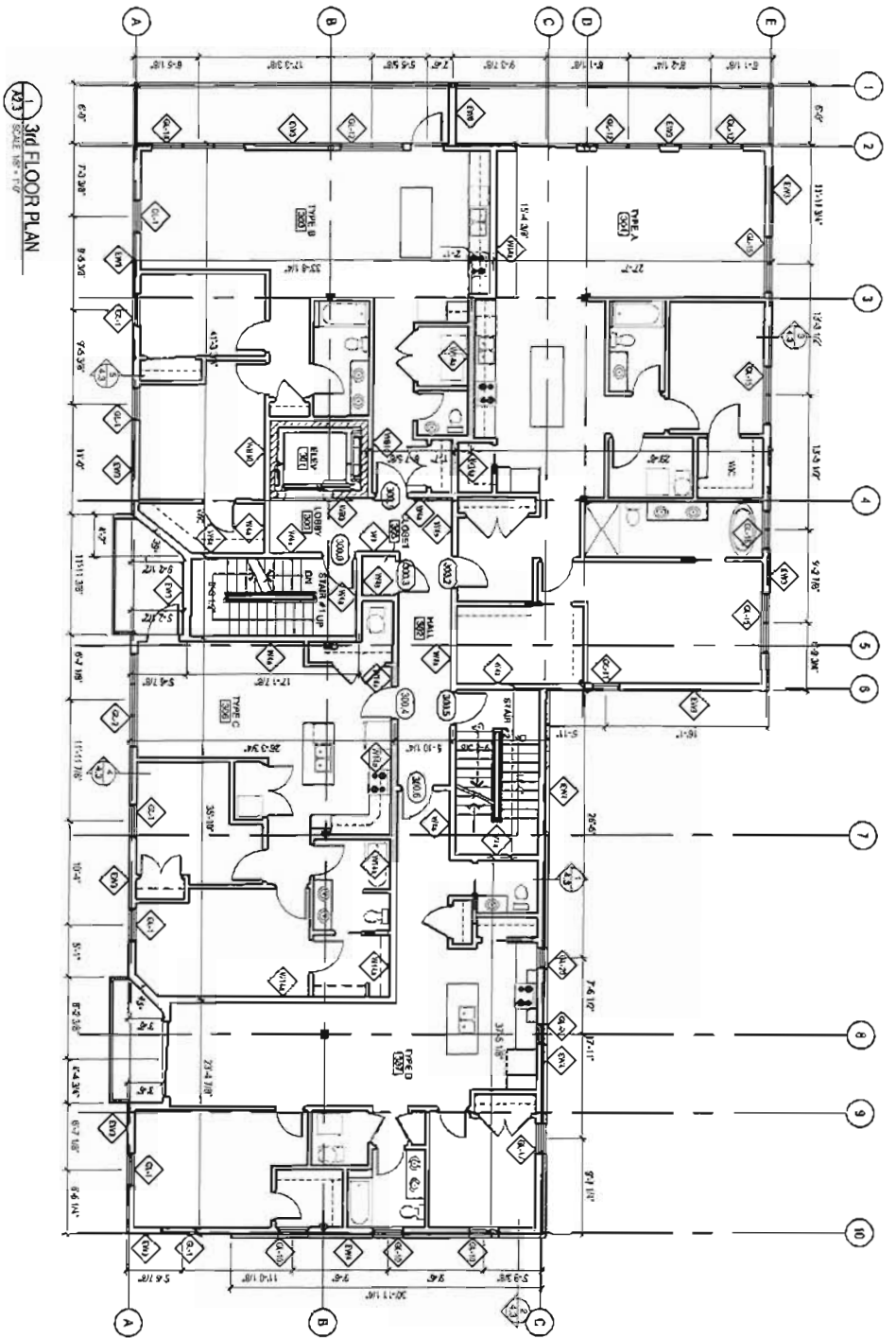
7 & 9 Pownal St
Charlottesville, PE

Second Floor Plan

Document Date:
September 4, 2019

rev date

A2.2



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Third Floor
Plan

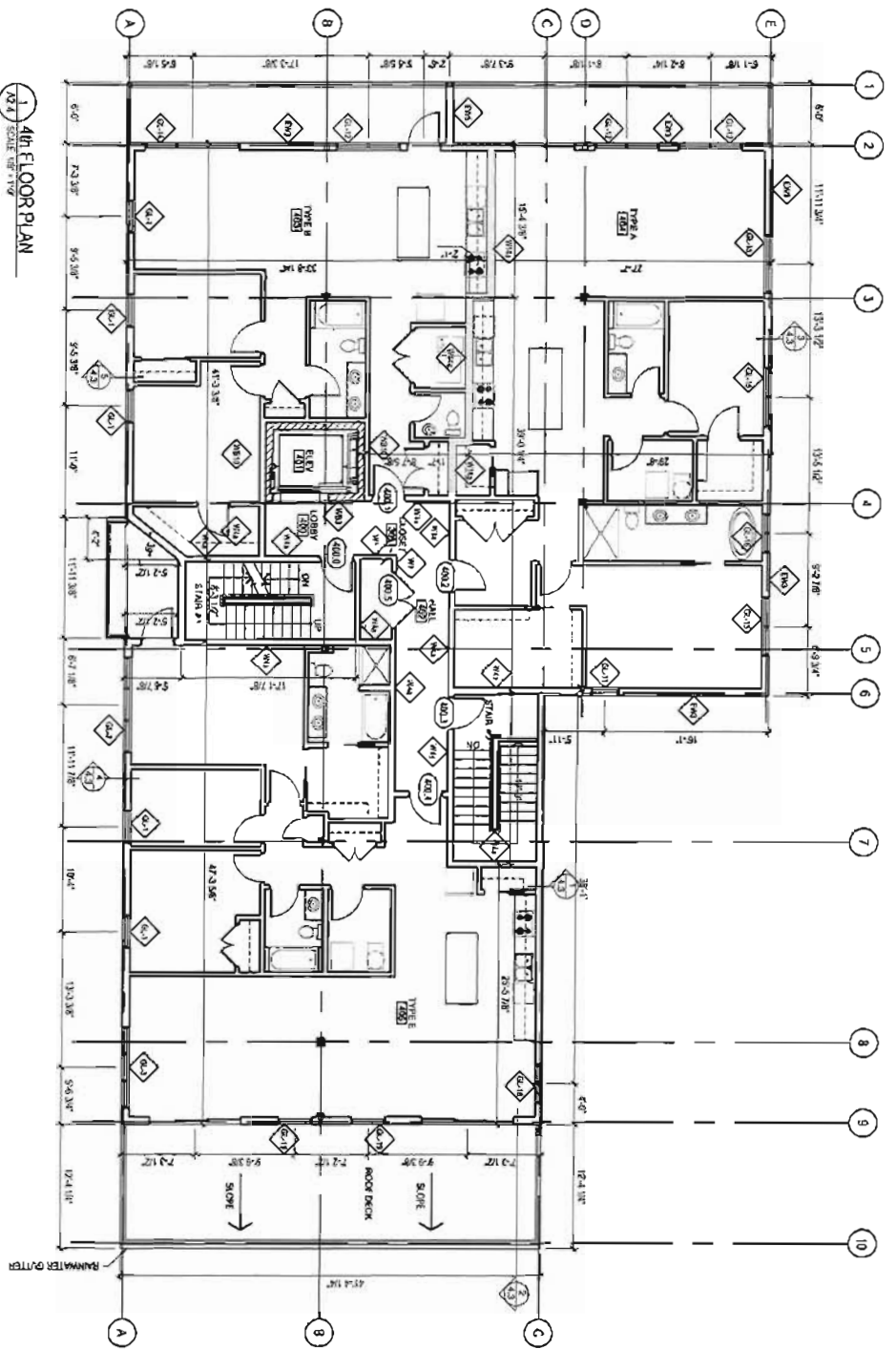
Pownal Water St Apartments

7 & 9 Pownal St
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Document Date:
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Fourth Floor
Plan

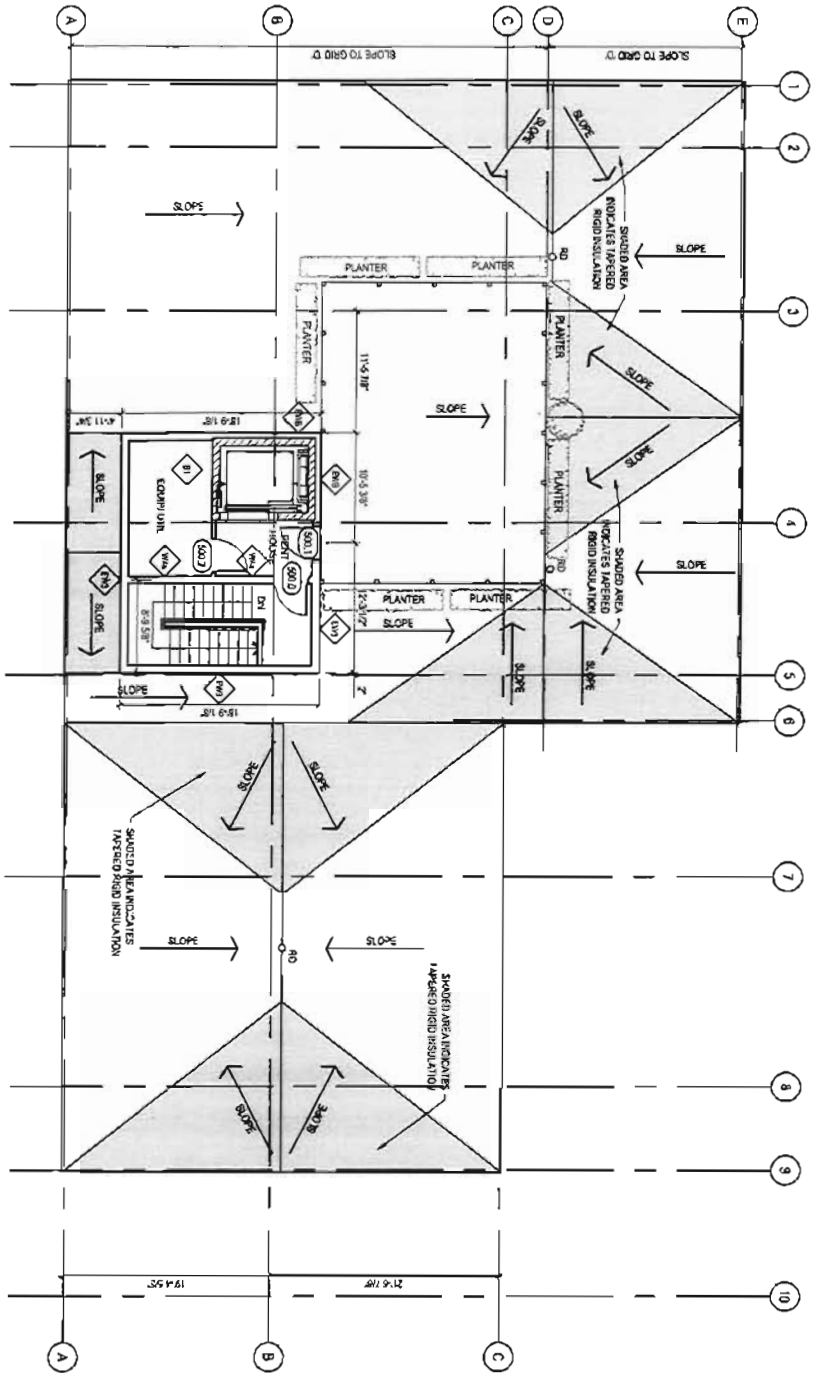
Pownal Water St Apartments

7 & 9 Pownal St
Charlottetown, PE



COAST DESIGN
Box 2142 Charlottetown, PE
C1A 9P6 902-626-8283
DAVID@COASTDESIGN.CA



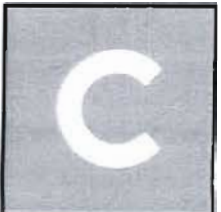


1 ROOF PLAN
SCALE 1/8" = 1'-0"

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NORTH



COAST DESIGN
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Pownal Water St Apartments

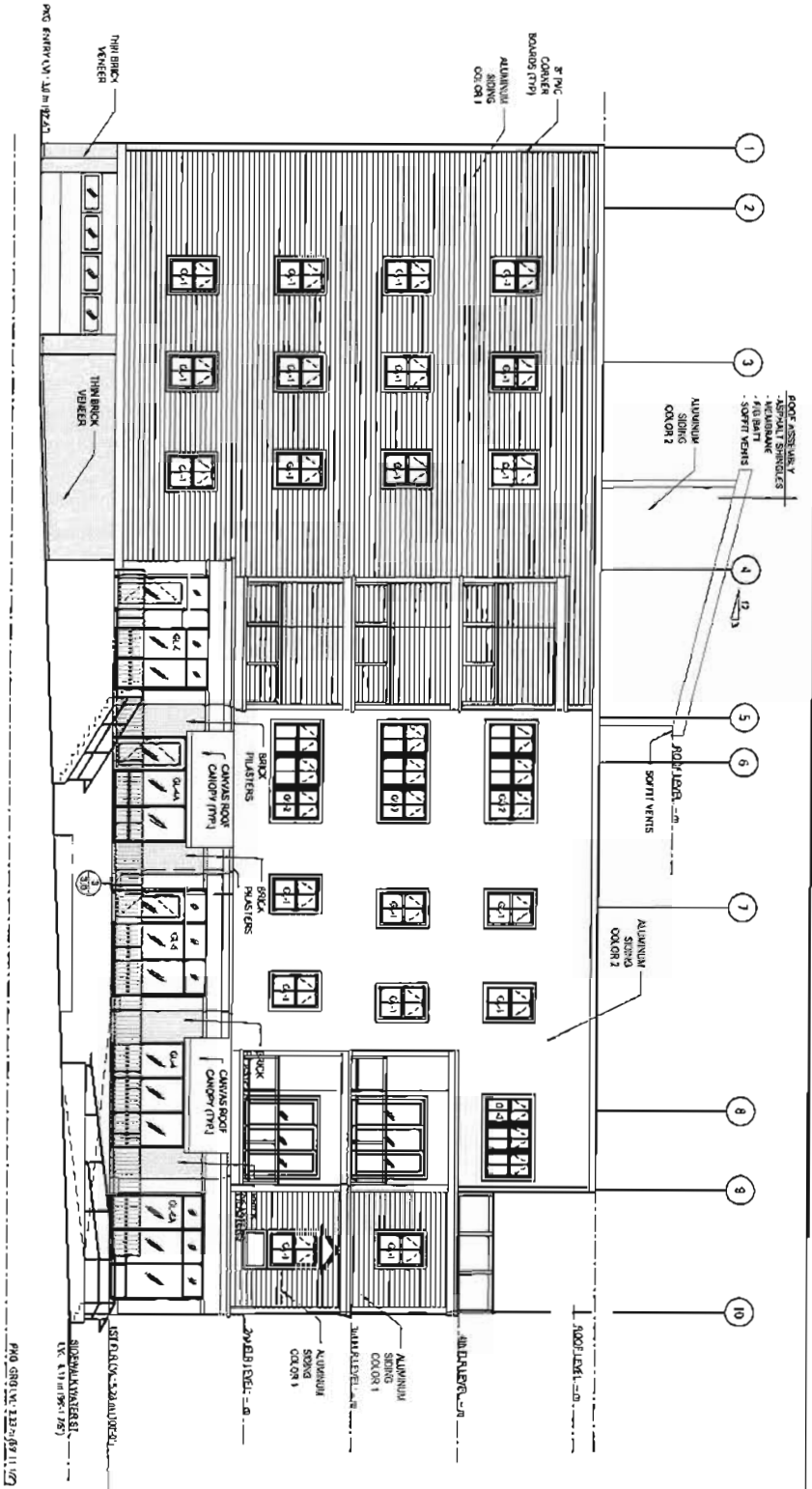
7 & 9 Pownal St
Charlottetown, PE

Roof Plan

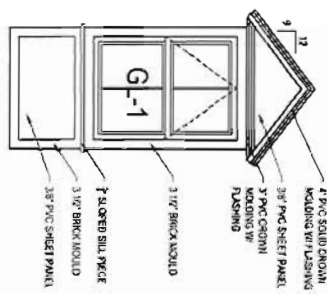
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September 4, 2010

rev. date

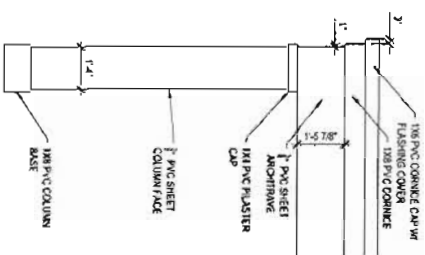
A2.5



1 EAST ELEVATION
SCALE 1/8" = 1'-0"

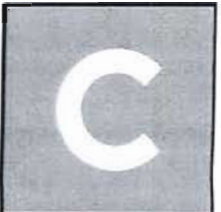


2 ENLARGED WINDOW DETAIL
SCALE 3/8\"/>



3 ENTRY DOOR ARCHWAY MOLDING DETAIL
SCALE 3/8\"/>

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Pownal Water St Apartments

7 & 9 Pownal St
Charlottesville, PE

East Elevation

Document Date:
September 4, 2019

rev. date

A3.0



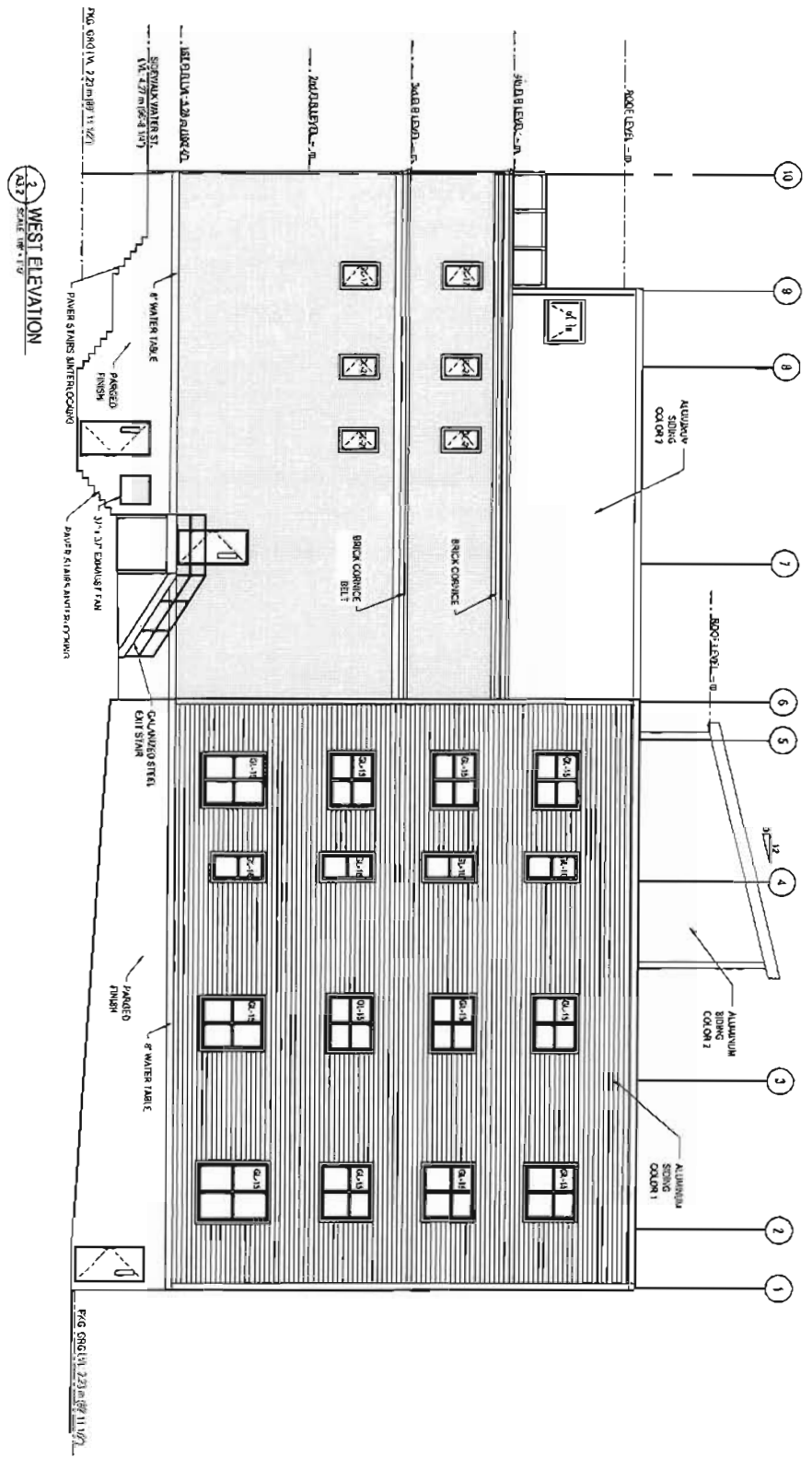
COAST DESIGN
 Box 21142 Charlottesville, PE
 CIA 9H5 802-626-8253
 DAVID@COASTDESIGN.CA



Pownal Water St Apartments

7 & 9 Pownal St
 Charlottesville, PE

West Elevation



WEST ELEVATION
 ASB SCALE 1/8" = 1'-0"

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Document Date:
 September 4, 2018

rev. date

A3.2



CITY OF CHARLOTTETOWN

RESOLUTION

Planning & Heritage
Committee #1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That, pursuant to the provisions of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1 and Section 3 of the City of Charlottetown with respect to the Registration of Secondary and Garden Suites, Council hereby appoints Ellen Faye Catane as the Registrar and Robert Stavert as designate registrar to administer provisions of the Secondary and Garden Suites Registration Bylaw (PH-SSB.1).

This designation of authority shall cease if the job duties of these employees no longer require the designation, if any of these employees terminates employment with the City of Charlottetown, or upon further written notice.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 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 and Development Bylaw from the Single-Detached Residential (R-1L) to Zone to the Medium Density Residential (R-3) Zone;

for property located at 68 Brackley Point Road (PID #396713), in order to construct two (2) townhouse dwellings containing a total of 14-units, be approved to proceed to public consultation.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #2

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 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., dog grooming business) from a portion of the dwelling located at 17 Tamarac Avenue (PID #392878), be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to reduce the minimum lot area requirement from 0.50 acres to approximately 0.34 acres in order to construct a garden suite on the property located at 33 Bolger Drive (PID # 492579), be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #4

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to increase the maximum building height requirement for the existing single-detached dwelling from 39.4 ft to approximately 48.83 ft. in order to bring the existing single-detached dwelling located at 50 King Street (PID #335687) in conformance to the bylaw, be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #5

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to decrease the minimum side yard setback from 6.0 ft to 0.0 ft in order to construct a 4-unit townhouse dwelling for the property at 60-66 Dorchester Street (PID #336826 &336818), be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #6

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to reduce the interior side yard setback from 1.83m (6ft) to 1.2m (4ft) in order to construct an addition to the rear portion of the existing single-detached dwelling at 21 Greenfield Ave (PID #352955), be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #7

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to:

- Consolidate 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966); and
- Reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4ft to approximately 80.1ft on the consolidated property (consisting of PID #s 336909, 336917, 336974 and 336966); and
- Reduce the minimum side yard setback for the fifth storey from 18.0ft to 13.0ft away from the four (4) properties fronting on Queen Street (PID #336982, 336990, 337006 & 337014) on the consolidated property (consisting of PID #s 336909, 336917, 336974 and 336966);

in order to construct a five-storey, 43-unit apartment building, be approved, subject to the following:

- A pinned final survey plan;
- A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels;
- Design Review Approval;
- Public Benefit being provided for the fifth storey; and
- The signing of a Development Agreement.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #8

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to consolidate the properties at 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982), be approved, subject to the following:

- **A pinned final survey plan;**
- **A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels; and**
- **Design Review Approval for any significant exterior renovations.**



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #9

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to consolidate the properties at 165 John Yeo Drive (PID #1102102) and 185 John Yeo Drive (PID #1078179), be approved, subject to a final pinned survey plan.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #10

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 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 3.8.6 and 3.9.6 Minor and Major Variances;**
- **Section 3.14 Design Review;**
- **Section 4: Accessory Structures;**
- **Section 4.6: Non-conforming buildings;**
- **Section 43.1 Parking Space Standards;**
- **Section 44.12.4 General Provisions for Fascia Signs;**
- **Section 44. 13.3, 44.15.1 and 44.16.1 Reinsertion of the Downtown Main Street (DMS) Zone in the General Provision Table for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners;**
- **Section 44.21 Exemptions to sign regulations for Designated properties**

be approved to proceed to Public Consultation;



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #11

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 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 approved for reconsideration.

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR SEPTEMBER 2018
DOLLAR VALUES**

	SEP	Totals
Residential New	\$3,597,000.00	\$22,081,850.00
Residential Renovations and Additions	\$114,500.00	\$1,574,600.00
Industrial-Commercial New	\$2,639,720.00	\$32,741,810.00
Industrial-Commercial Renovations	\$430,000.00	\$11,311,400.00
Institutional New	\$0.00	\$2,000,000.00
Institutional Renovations	\$0.00	\$2,167,500.00
Signage	\$7,500.00	\$229,205.00
Other	\$147,000.00	\$1,086,448.42
Agriculture	\$0.00	\$0.00
TOTALS	6,935,720.00	73,192,813.42

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR SEPTEMBER 2019
DOLLAR VALUES**

	SEP	Totals
Residential New	\$4,354,000.00	\$45,681,400.00
Residential Renovations and Additions	\$180,300.00	\$5,177,950.00
Industrial-Commercial New	\$4,899,700.00	\$36,469,700.00
Industrial-Commercial Renovations	\$6,368,000.00	\$22,484,620.00
Institutional New	\$11,000.00	\$7,334,000.00
Institutional Renovations	\$60,000.00	\$10,312,000.00
Signage	\$51,500.00	\$474,285.00
Other	\$77,395.00	\$757,559.04
Agriculture	\$0.00	\$0.00
TOTALS	16,001,895.00	128,691,514.04

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR SEPTEMBER 2018
BREAKDOWN OF PERMITS ISSUED *(Not projects)***

	SEP	Totals
Single Family Dwellings - New	9	40
Two-Family Dwellings - New	0	9
Multi-Family Dwellings - New	2	8
Residential Renovations and Additions	8	59
Industrial-Commercial New	4	21
Industrial-Commercial Renovations	7	57
Institutional New	0	2
Institutional Renovations	0	4
Signage	5	53
Other	6	74
Agriculture Renovations	0	0
TOTALS	41	327

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR SEPTEMBER 2019
BREAKDOWN OF PERMITS ISSUED *(Not projects)***

	SEP	Totals
Single Family Dwellings - New	10	53
Two-Family Dwellings - New	2	22
Multi-Family Dwellings - New	1	13
Residential Renovations and Additions	11	84
Industrial-Commercial New	2	16
Industrial-Commercial Renovations	4	63
Institutional New	1	5
Institutional Renovations	1	6
Signage	5	41
Other	11	90
Agriculture Renovations	0	0
TOTALS	48	393



Planning & Heritage Summary (Week ending September 6, 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
19-039	776435	040-BLD-19	04-Feb-19	23-Aug-19	APPROVED	120 Westridge Crescent	Occupancy Permit: New Semi-detached dwelling	Vince Dunn	13-Sep-19
19-040	1089580	041-BLD-19	04-Feb-19	3-Sep-19	APPROVED	34 England Circle (Lot 68)	Occupancy Permit: New Single Family Dwelling	Maple Isle Homes	24-Sep-19
19-067	344713	460-BLD-19	15-Jul-19	23-Jul-19	APPROVED	29 Ole King Square	Convert from 3 units to 4 units	Stacy Driscoll	13-Aug-19
19-067	344713	460-BLD-19	15-Jul-19	30-Aug-19	APPROVED	29 Ole King Square	Occupancy Permit: convert from 3 units to 4 units	Stacy Driscoll	20-Sep-19
19-074	739128	075-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Phase I Renovations - Founders Hall	SableArc Studios	20-Sep-19
19-074	739128	183-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Phase II Founders Hall	SableArc Studios	20-Sep-19
19-074B	739128	283-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Ice cream booth in a truck	Amanda Beaton	20-Sep-19
19-074C	739128	318-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Doughnuts by Design	Kip Rosveld	20-Sep-19
19-074D	739128	352-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Restaurant Renovations	David Mitchell	20-Sep-19
19-074E	739128	359-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Restaurant kitchen and retail counter	Kevin MacLean	20-Sep-19
19-074G	739128	395-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Founders hall urban market (booth)	Suzanne Keough	20-Sep-19
19-074H	739128	407-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Interior fit-up (baked goods)	Colleen Mackay	20-Sep-19
19-074I	739128	425-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Interior fit-up (Big Burger)	Charbel Jreij/Big Burger	20-Sep-19
19-074J	739128	544-BLD-19	15-Aug-19	30-Aug-19	APPROVED	6 Prince Street	Final Occupancy Permit: Interior fit-up (Rising Tide Oyster Bar)	Rising Tide Oyster Bar	20-Sep-19
19-091	1095736	094-BLD-19	08-Mar-19	3-Sep-19	APPROVED	123 Beach Grove Road (Lot# 2017-1)	Occupancy Permit: Single family dwelling	Peter McCallum	24-Sep-19
19-156	340265	173-BLD-19	05-Apr-19	5-Sep-19	APPROVED	80 Grafton Street	Retail Office and Residential 5 story building	Brighton Construction	26-Sep-19
19-293D	897918	585-BLD-19	29-Aug-19	4-Sep-19	APPROVED	Confederation Landing	Temporary Tent (Fall Flavours - Grilled Cheese Challenge)	Frankie Molyneux	25-Sep-19



Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-379	275156	465-REZ-19	17-Jul-19	9-Sep-19	APPROVED; 1st Reading Done. For 2nd Reading	38 Palmers Lane	Rezone from R2 to R3	Weymouth Properties	30-Sep-19
19-058	278531	515-VAR-19	1-Aug-19	9-Sep-19	REJECTED	13 Donwood Drive	Variance for Home Occupation	Paula MacDonald	30-Sep-19
19-400	360719	494-VAR-19	26-Jul-19	9-Sep-19	APPROVED	53 Upper Hillsborough Street	Variance to lot frontage and Lot area	Jarrod Thaymond Dunn	30-Sep-19
19-325	364695	427-VAR-19	28-Jun-19	9-Sep-19	APPROVED	80 Longworth Ave	Variance to lot frontage	Brian McMillan	30-Sep-19
19-230	387654	512-VAR-19	1-Aug-19	9-Sep-19	APPROVED	17 Capital Drive	Variance to side yard and density	Kris Rodd	30-Sep-19
19-204	388595	240-REZ-19	2-May-19	9-Sep-19	REJECTED	Royalty Road (PID# 388595)	Reconsideration for rezoning of property	George Zafiris	30-Sep-19
19-101B	N/A	N/A	6-Aug-19	9-Sep-19	Approved to proceed to public consultation except for asphalt plant amendments which was deferred	N/A	Proposed amendments to the Zoning & Development Bylaw pertaining to measurement provisions, attached garages, non-conforming buildings, asphalt plant and marijuana production facility parking space requirements	City of Charlottetown	30-Sep-19



Planning & Heritage Summary (Week ending September 20, 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
19-076F	388207	608-BLD-19	05-Sep-19	18-Sep-19	APPROVED	167 Minna Jane Drive	Retail Fit-up for auto parts warehouse	APM Construction Ltd.	9-Oct-19
19-136	457259	145-BLD-19	27-Mar-19	16-Sep-19	APPROVED	53 KirkCaldy Drive	Occupancy Permit: Single Family dwelling	A C McCardle Construction	7-Oct-19
19-197	1047885	519-BLD-19	06-Aug-19	19-Sep-19	APPROVED	11 Regis Duffy Drive	Phase II - interior fitup for Dosecann	Fitzgerald & Snow (2010) Ltd	10-Oct-19
19-230	387654	632-DEM-19	17-Sep-19	18-Sep-19	APPROVED	17 Capital Drive	Demolition of existing property	Kris Rodd	9-Oct-19
19-397	192948	491-BLD-19	25-Jul-19	18-Sep-19	APPROVED	27 Park Ave (Parkwood Estates)	New Mini Home	Travellers Rest Mini Homes	9-Oct-19
19-442	1108133	558-BLD-19	21-Aug-19	18-Sep-19	APPROVED	33 Hannac Drive (Lot# 17-14)	New single family dwelling	Connor Graves	9-Oct-19
19-444	366682	562-BLD-19	22-Aug-19	17-Sep-19	APPROVED	213 North River Road	14'x18' Deck	Brenda Thistle	8-Oct-19
19-448	part of 1100528	566-BLD-19	22-Aug-19	16-Sep-19	APPROVED	23 East Royalty Road	New single family dwelling	Brad Curran	7-Oct-19
19-451	1107820	569-BLD-19	26-Aug-19	16-Sep-19	APPROVED	29 Hannac Drive (Lot #17-16)	New single family dwelling	Allan & Barb Bradley	7-Oct-19
19-455	338541	573-BLD-19	28-Aug-19	5-Sep-19	APPROVED	200 Sydney Street	Convert 4 units into single family dwelling	Christina Fields	26-Sep-19
19-455B	338541	603-DEM-19	03-Sep-19	18-Sep-19	APPROVED	200 Sydney Street	Demolition of 9X20 addition	Christina Fields	9-Oct-19
19-462	480426	580-BLD-19	28-Aug-19	16-Sep-19	APPROVED	106 Robin Ave	New 8'x10' shed	Danielle Lacey	7-Oct-19
19-471	391367	591-BLD-19	30-Aug-19	18-Sep-19	APPROVED	15 Shamrock Drive	Garage addition	Doug Carr	9-Oct-19
19-481	505271	602-BLD-19	05-Sep-19	16-Sep-19	APPROVED	13 Doncaster Avenue	Add basement kitchen and main floor bathroom	Mark Corney	7-Oct-19
19-482	585992	604-BLD-19	05-Sep-19	19-Sep-19	APPROVED	135 Kent Street	Adding seating to eating establishment	Osama Abdoh	10-Oct-19
19-492	1106954	616-BLD-19	11-Sep-19	16-Sep-19	APPROVED	11 Alice Ave	New single family dwelling	Jaycor Inc	7-Oct-19
19-496	372300	620-BLD-19	12-Sep-19	16-Sep-19	APPROVED	465 University Avenue (Atlantic Superstore)	Renovate former vision centre to PC Express	TNT Construction & Maintenance	7-Oct-19
19-501	728394	625-BLD-19	16-Sep-19	18-Sep-19	APPROVED	12 Starboard Place	Replace existing deck	Pam Maker	9-Oct-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
19-379	275156	465-REZ-19	17-Jul-19	26-Sep-19	APPROVED	38 Palmers Lane	Rezoning from R2 to R3	Weymouth Properties	17-Oct-19



Planning & Heritage Summary (Week ending October 4, 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
18-469	388629 parent	391-BLD-18	22-Aug-18	30-Sep-19	APPROVED	74-76-78-80 Enderis Lane (Lot# 10)	New 4 unit townhouse	VY Build Inc	21-Oct-19
19-021	397372	168-BLD-19	03-Apr-19	3-Oct-19	APPROVED	177 St Peters Road	Occupancy Permit: Renovation of existing space to child care	Ken Peters	24-Oct-19
19-050B	340992	629-BLD-19	16-Sep-19	17-Sep-19	APPROVED	101 Weymouth Street	Laundry room	Ryan Trowsdale	8-Oct-19
19-400	360719	650-BLD-19	23-Sep-19	3-Oct-19	APPROVED	53 Upper Hillsborough Street	New addition and driveway	Jarrold Dunn	24-Oct-19
19-408	362582	503-VAR-19	30-Jul-19	28-Aug-19	APPROVED	24 Upper Hillsborough Street	Minor Variance - home occupation	Blake Caissie	18-Sep-19
19-408	362582	668-BLD-19	01-Oct-19	1-Oct-19	APPROVED	24 Upper Hillsborough Street	Change of use - home occupation	Blake Caissie	22-Oct-19
19-428	391086	674-BLD-19	03-Oct-19	4-Oct-19	APPROVED	28 Lilac Ave	New shed	Matt Duffy	25-Oct-19
19-429	342600	651-BLD-19	24-Sep-19	3-Oct-19	APPROVED	165 Prince Street	Renovate office	The Guardian	24-Oct-19
19-478	1072362	599-BLD-19	04-Sep-19	4-Oct-19	APPROVED	15 Cohen Court	New single family dwelling	Tricia MacGregor and Jeremy Harper	25-Oct-19
19-489	391920	612-BLD-19	05-Sep-19	1-Oct-19	APPROVED	1 Walnut Drive	Create secondary suite	Jane Hyde	22-Oct-19
19-502	1059930	628-BLD-19	16-Sep-19	3-Oct-19	APPROVED	280-282 Mount Edward Road	New Duplex	Tanisha Jesso	24-Oct-19
19-505	278762	633-DEM-19	17-Sep-19	25-Sep-19	APPROVED	74 Kensington Road	Demolition of existing property	James C Johnson Associates	16-Oct-19
19-512	335059	642-BLD-19	19-Sep-19	2-Oct-19	APPROVED	12-14 Water Street	New decks	Shallyn Murray	23-Oct-19
19-518	278770	653-DEM-19	24-Sep-19	25-Sep-19	APPROVED	76 Kensington Road	Demolition of existing property	James C Johnson Associates	16-Oct-19
19-522	336560	659-BLD-19	26-Sep-19	2-Oct-19	APPROVED	19-21 King Street	Renovate existing property	David Waddell	23-Oct-19
19-530	340315	670-BLD-19	02-Oct-19	4-Oct-19	APPROVED	54 Grafton Street	Signage	Xin Liu	25-Oct-19



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
REPORT TO COUNCIL
October 15th, 2019**

The Parks, Recreation and Leisure Activities Committee met on September 25th, and a copy of those DRAFT minutes are included in your package.

There are no resolutions from our department.

The Volunteer of the Month for September is TBD and will be announced at Council meeting.

Respectfully submitted,

Councillor Mitchell Tweel, Chair

PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
Wednesday, September 25th, 2019
12:15 PM – Parkdale Room, City Hall

Present: **Councillor Mitchell Tweel, Chair** **Councillor Bob Doiron**
 Councillor Terry Bernard **Frank Quinn, PRM**
 Philip Brown, Mayor **Christopher Drummond, PC**
 Nancy McMinn, PS (arrived at 12:40pm) **Jackie McKinnon, AA**

Regrets: **Councillor Kevin Ramsay** **Peter Kelly, CAO**

1. CALL TO ORDER

The meeting was called to order at 12:15PM by Chair Mitchell Tweel.

2. DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

3. APPROVAL OF AGENDA

Mayor Brown would like to add political signage on public parks property under New Business. Chair Tweel would also like to add discussion on cycling lane in Victoria Park (Harbour Hippo). Moved by Councillor Doiron and seconded by Councillor Bernard, that the agenda for Thursday, Wednesday, September 25th, 2019, be approved, as amended.

CARRIED

4. ADOPTION OF MINUTES (August 29th, 2019)

Moved by Councillor Doiron and seconded by Councillor Bernard that the minutes of August 29th, 2019 be approved.

CARRIED

5. BUSINESS ARISING FROM THE MINUTES

- a. The PRM gave a brief verbal update on the proposed berm and swale that Parks and Recreation plan to install along the soccer field located at backside of the properties off Parkway Drive. The PRM noted that staff have been looking at options to resolve the water issue from our end which will reduce the water coming from the soccer field. This accounts for some of the water going into the properties in question; however, it is more than likely it will not fully resolve the water problems, as all the properties are lower than the fields.

The PRM was speaking with the PW Manager and the PRM will be making a formal written request asking for an assessment of the entire area in question which should determine if there is an issue with storm water management or if the water issues on the said properties are a result of the properties being lower and their respective surfaces (landscaping) changing over the years. The PWM and PRM will review this assessment. This assessment will be communicated to the resident(s) who have been in touch with the PRM and/or Mayor.

Mayor Brown noted that when this neighborhood was developed, it was prior to 2004 which is when the storm drainage management plan was put in place for new development within the city.

6. REPORTS:

a. Resolution – 2019 Boardwalk Replacement – “Old” PE Home to Lt. Governors and Irish Monument to Paoli’s Wharf

The PRM noted only one of the projects will be awarded at this time as it did come within the projected budget, that project being the Irish Monument to Paoli’s Wharf project. The chair asked if the section of boardwalk with the recycled plastic material was included in the project. The PRM indicated that this section of boardwalk will match up with the recently completed section behind the Culinary Institute. Staff were pleased with the quotes received and further noted the lowest bid did receive the highest score for this project thus, staff are recommending that this low bid be accepted.

The second project from the “Old” PE Home to Lt. Governor’s House came in over budget most likely due to the fact that we were hoping to widen the boardwalk from 6’ to 10’, with this change in scope of work; the bids received were more than double the allotted budget. Further, the PRM stated that he and the PS we will review the scope of work with the contractor to see if there are options which may reduce the overall cost of installation to bring it closer to what was budgeted.

Motion was moved by Mayor Brown and seconded by Councillor Bernard that we proceed with a Resolution to Council to replace the section of boardwalk that runs from Irish Monument to Paoli’s Wharf.

CARRIED

b. Playground Equipment Installation Schedule Update

The PRM referred to the installation schedule and noted it was pretty self-explanatory and that we are back on schedule. There was a pause on the installation due to Hurricane Dorian, however, overall installation is going well.

Councillor Doiron asked about a piece of equipment for the David MacAusland Park. The PRM noted that the PS is looking into a replacement adult glider to replace one that was removed a while back as this is a senior’s park.

Chair Tweel mentioned he was contacted by a representative of the St. Peter’s Cemetery inquiring about a pathway along the cemetery or by the park, he wasn’t certain of the area. The PS noted that the staff are looking at the natural pathway which runs through the wooded area and hope to improve that. The Chair asked that the PS be in contact with Dr. MacDonald to determine what it was he was speaking about.

7. NEW BUSINESS

Political Signage in Public Parks

Mayor Brown received a call from a political party regarding signage in parks, specifically mentioning a competitor's sign at King Square, noting that it was within the park itself (not on the public right of way), and further if this was permitted, they would like to erect signs in each of the four squares.

A discussion was held and it was determined that the sign in question has to be removed from the square (park green space) as it is not within the right of way. Further, it was agreed that no political signs are permitted within any park or green space and they are to remain in the public right of way areas only. Staff will be in touch with the Planning Department to confirm, and follow-up with the party in question and ask that the sign be removed from King Square.

While on the topic of Heritage Squares, Mayor Brown asked a question that was raised regarding the electrical panel installed at King Square. Mayor Brown asked if this is only temporary. The PS noted that this was temporary; and she has been talking to the contractor. They will work to redesign the mounting so that it will better fit with the park design.

Cycling Lane at Victoria Park - Harbour Hippo

Chair Tweel has received emails and concerns from residents that this vehicle continues to drive around the park and straddle the delineators taking up to half of the cycling lane. The Chair doesn't know who gave them permission and would like to find out. This did not happen during the years when we had concrete and then the plastic medians separating the lanes, and should not happen now. Although the delineators were designed to pop back up (without damage) when knocked down, it was not the intent for vehicles to drive over the top, like what is being done by the Harbour Hippo which has been seen driving overtop of these delineators for at least 200 yds.

The Chair noted that he was talking to a city engineer to get his thoughts and discussed the possibility of extending the grass median all the way to Brighton Road. This would require Capital Budget funds and would also include moving the perimeter fence in a short distance.

The PRM noted that he did send an email off to the police noting this activity and asked if what the Harbour Hippo was doing is acceptable. Chair Tweel would like to know who gave permission, if anyone in fact did.

Orlebar Park – Edible Gardens along fence

Mayor Brown noted he has received calls of concerns from residents in the area of this park who mentioned that the city grass cutting crews continue to cut the grass too close to the fence and are cutting over the various fruit plants (strawberries, blueberries, etc.). The PS noted that this was addressed with staff and we will keep on top of it.

New Reoccurring day for PRLA Monthly Meeting

At the request of Chair Tweel, the AA looked at possible dates for future PRLA meetings that would fit the work schedule of Councillor Doiron, since our existing timeslot does not allow him to make the meetings. The only reoccurring day that works is the third Friday of the month at Noon or 12:15PM. The committee agreed that they would make this time work and the AA will send out a new meeting request to all for them to accept in their respective calendars.

8. MOTION TO MOVE INTO CLOSED:

Moved by Councillor Bernard and Seconded by Councillor Doiron to move into closed session at 1:04PM, as per section 119 (1) sub-section (e) of the Prince Edward Island Municipal Government Act.

CARRIED

9. ADJOURNMENT OF PUBLIC SESSION:

Moved by Councillor Bernard and Seconded by Councillor Doiron that the meeting be adjourned at 1:10PM

Chair: Councillor Mitchell Tweel

DRAFT

2019 Playground Installation Schedule
Updated September 24, 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	install completed, landscaping to be done	8	July 22 - Aug 30
Shell Court Park	8 ft two bay swing set	install completed, landscaping to be done	9	July 22 - Sept 6
Andrews Court Park	medium structure	structure built, site prep completed, install by end of week	10	August 5-Sept 27
Centennial Park	6 ft two bay swing set	replacement, remove old, site prep, install	11	September 23 - Oct 4
Messer Park	3 independent pieces	replacement, removed old structure, site prep underway, install	12	September 16 - Oct 9
Victoria Park	8 ft two bay swing set	replacement, remove old, site prep, install	13	Sept 30 - Oct 11
Richmond Hill Park	8 ft two bay swing set	replacement, remove old, site prep, install	14	October 7 - 18
Thorndale Park	6 ft two bay swing set	replacement, remove old, site prep, install	15	October 15- 26
Desbrisay Park	independent piece	new independent piece, prep, install in existing gravel box	16	October 21 - 30

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.



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
REPORT TO COUNCIL
October 15, 2019**

The Protective & Emergency Services Committee met on October 7th 2019. The minutes are included in your package.

The Bylaw Amendments to the Nuisance Bylaw will be advanced for second reading.

There is one resolution for your consideration.

Respectfully submitted,

Councillor Bob Doiron, Chair

FIRE INVESTIGATIONS – There were four fire investigations.

PUBLIC EDUCATION SESSIONS/PARTICIPANTS – There were thirteen sessions with a total of 399 participants.

FIRE DRILLS – There were seventeen fire drills.

SMOKE ALARM VISITS – There were 220 smoke alarm visits, 93 homes were entered, 127 door tags were placed, 19 batteries were replaced and 5 smoke alarms were installed.

EMERGENCY RESPONSES – Total number of calls was 118. District 1 had 56 emergency responses (Engine 1 – 8 A.M. – 4 P.M. – 10 responses and 12 P.M. – 8 A.M. – 8 responses). District 2 had 38 emergency responses. There were 6 inspector call outs. Total time of all calls was 74 hours and 11 minutes.

TRAINING - Weekly Department training consisted of pump operations, hose lays, incident command system and accountability exercises, live fire exercises, job performance reviews, an exercise at the Irving propane facility and a tour of the new cannabis facility. Six members completed a Pump Operators course and four completed a Rope Rescue course.

DEPARTMENT ACTIVITIES – Members participated in the Old Navy fire prevention event. Members were busy preparing for the Fire Prevention Week kick off at Canadian Tire on October 5th as well as the annual Open House on October 6th. Both events were from 11 A.M. – 2 P.M.

Deputy Chief Mamye also provided the following information to Committee:

- Volunteer Firefighter Brad Wonnacott won a Gold Medal at the 2019 Fire Fit Championships as a member of the over 50 Relay Team. The team consisting of a member from each Atlantic Province beat team Germany by 17/100 of a second in the finals.
- Volunteer Recruitment opened on September 19th and is going well with just over 20 packages being picked up. The first orientation session was completed on September 26th and the second one will be held on October 12th. The campaign closes on October 25th. Fitness evaluations and interviews are scheduled for the first of December.
- The Fire Prevention Week kickoff this past Saturday and well as the Department Open House on Sunday were both a success and very well attended.
- CBC is developing a possible feature store on firefighting activities and the Department.
- The annual Firefighter's Ball will be held on Saturday October 19th 2019 at the East Link Center.

- The Fire Chief is continuing to gather information regarding automatic sprinkler systems.

7. Reports – (Police)

Police Personnel – Chief Smith advised Committee of successful candidates to fill Dispatch and Clerical vacancies.

Training continues for members of Police Services. This includes Active Shooter which has been completed, Carbine Re-Certification presently being done and Driver Refresher is scheduled for later this month.

Operational – Members of Police Services assisted with a number of events during the month. Those included the Shellfish Festival, Farm Day in the City, CIBC Run for the Cure. All events went well with no significant issues from a policing perspective. All events were well attended. Planning is underway for the PEI Marathon.

Deputy Chief MacConnell advised Committee that on September 13th 2019 Karen A. Rose, Privacy Commissioner and Maria MacDonald, Adjudicator attended Police Services for a demonstration relating to ALPR software and its use by Police.

Chief Smith discussed with Committee costs associated to Hurricane Dorian.

Traffic – The four way stop at the intersection of Pine Drive and Maple Avenue was discussed. This will be further discussed with Scott Adams, Manager of Public Works.

The crosswalk located on Mount Edward Rd. by the Mount for Continuing Care was also discussed. Chief Smith will also speak to Scott Adams regarding possible options for this area.

Speeding on Ellis Rd. was discussed. This will be placed on Operational Calendar for members attention.

Bylaws – The amendment to the Nuisance Bylaw will be advanced for second reading at the upcoming Council meeting.

Community Policing Items - Deputy Chief Coombs updated Committee on the following:

- Cst. Chantelle Costello is one of four volunteers on P.E.I. with Dreams Take Flight. This is a 100 % non-profit organization that sends deserving children from P.E.I. to Disney World in Orlando, FL. There are two major fundraisers, one which was completed over the summer (golf tournament) and the other is a raffle

draw which she is presently working on. She will be going to Disney World for 24 hours in the near future with several children.

- The P.E.I. Police Memorial was held on September 29th in Charlottetown. The ceremony was well attended by members. Deputy/Chief Coombs and Mayor Brown were also in attendance.
- Chief Smith attended the National Police Memorial Service in Ottawa.
- School Resource Officers (SRO's) Cst. T. Keizer and Cst. K. MacKay returned to the high schools. On the first day of school safety plans were implemented including officers positioned at major crosswalks.
- Police Services members assisted with traffic and safety for the Terry Fox Run at Queen Charlotte Intermediate School, Birchwood Intermediate School and Colonel Grey High School.
- Members are involved in the Pink Ride which raises bullying awareness for youth.
- Identified students from both high schools to be part of Making Waves.
- Meetings were held with MADD – will be working with this group in the future on safe driving habits and rules around graduated drivers licenses.

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)(d) of the Municipal Government Act of Prince Edward Island.

Meeting was adjourned.



#9 FIRE CALLS FOR SEPTEMBER 2019

District #1		District #2	
Type	Number	Type	Number
A/Alarm – Alarm Ringing No Fire	27	A/Alarm – Alarm Ringing No Fire	9
A/Alarm – Detector Activated	2	A/Alarm – Detector Activated	1
A/Alarm – Pulled/Steam	2	A/Alarm – Pulled/Steam	1
A/Alarm – Equip Malfunction	7	A/Alarm – Equip Malfunction	6
A/Alarms – Cooking	5	A/Alarm – Cooking	1
Heavy Smoke/Smoke in Building	2	Structure Fire	1
Down Wires/Trees on Wires	11	Trees/Brush fire	2
Mutual Aid	4	Mulch Fire	2
House Fire/Working Fire	2	Line Arching	1
CO2 Call	1	False Alarm	1
Smoke in Building	1	Transformer on fire	1
Assist re Roof off of Building	1	Mutual Aid	3
Leak/Smell of Propane	2	Tree on Line	3
Mulch Fire	1	Apartment Fire	2
MV Accident	2	Smell of Smoke	1
Animal in Distress	1	Lawn Mower Fire	1
Fire Calls	71	Fire Calls	36

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	56	30 (86) (403)
August	53	+ 25 (78) (441)	August	50	30 (80) (483)
September	45	+ 19 (64) (505)	September	71	36 (107) (590)
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 1 st to September 30, 2019)
94	85	Auto Alarms (No Fire/Alarm Ringing) both Station
10	13	Auto Alarms – Detector Activated both Stations
24	29	Auto Alarms – Pulled/Accidental/False both Stations
12	16	Auto Alarms – Smoke/Steam/Dust both Stations
79	52	Auto Alarms – Equip. Malfunction both Stations
5	8	Auto Alarms – Sprinkler/Power Failure both Stations
35	34	Auto Alarms – Working on System/Workers set off
59	47	Auto Alarms – Cooking both Stations
318	284	Total Auto Alarm
63	48	Mutual Aid/Stand By - Both Stations
14	12	Fire Calls to the WR Ind. Park – District #2

September 2019

	2019 Monthly Reported	2019 Monthly Actual	2019 Actual To Date	2018 Monthly Actual	2018 Actual To Date
Robbery	3	3	13	0	5
Assault	24	21	219	21	207
Break & Enter	26	23	79	15	72
Theft of MV	4	4	22	1	8
Theft Over \$5000	2	1	10	1	12
Theft Under \$5000	150	138	846	92	637
Have Stolen Goods	4	4	45	2	14
Frauds	37	36	216	20	157
Offensive Weapons	3	3	17	3	12
Other Criminal Code	144	124	907	88	714
Drugs	8	8	67	10	86
LCA	48	46	449	64	363
Municipal - Totals	2486	2486	25588	2195	24579
Parking Tickets	2383	2383	24535	2045	23511
Nuisance Bylaw	85	85	807	119	742
Dog Bylaw	18	18	246	31	326
Collisions	82	82	788	94	727
HTA	244	244	3121	284	3726
HTA Violations		185	2677	208	3419
Other Traffic	76	75	534	44	645
CC Traffic	38	21	232	28	271
Complaints		1584	12597	1434	10957

HIGHWAY TRAFFIC ACT – Moving Violations non- speeding

The following is a synopsis of vehicles found in violation of non-speed related moving violations for the month of Sept 2019.

Allen St/Upper Prince	2
Brackley Point Rd/Arterial	1
Champion Crt	1
Churchill Ave/Spring	1
Eden St	1
Euston St/Weymouth	2
Kirkwood Dr/Queen	1
Lower Malpeque Rd/Gates	1
Mount Edward Rd/Ash	1
Mount Edward Rd/Hillside	1
Mount Edward Rd/Kenlea	1
North River Rd/Beach Grove	1
Queen St/Grafton	1
Queen St/Euston	1
Rte 2/St Dunstans	1
University Ave/Belvedere	1
Upper Prince St/Summer	1
Upton Rd	1
Weymouth St/Grafton	1

HIGHWAY TRAFFIC ACT – SPEED MONITORING

Police vehicles are equipped with radar monitoring devices, which provide speed monitoring capabilities in both stationary and moving operational modes from both marked and unmarked police vehicles. These capabilities provide monitoring to be at random and targeted locations.

The following is a synopsis of vehicles found in violation of speeding regulations for the month of Sept. 2019.

Brackley Point Rd/Sherwood	2
Brighton Rd/Brighton Compund	1
East Royalty Rd	1
Fourth St	8
Lower Malpeque Rd/Old Moore	1
Mount Edward Rd/Hillside	1
North River Rd/Inkerman	2
North River Rd/Sidmount	2
Pine Dr/Maple	1
St Peters Rd/East Royalty Rd	1
St Peters Rd/MacWilliams	9
University Ave/Belvedere	1
University Ave/Browns	1
University Ave/McKinnon	6
Upton Rd	1
Winsloe Rd	1

HIGHWAY TRAFFIC ACT – Non-Moving Violations

The following is a synopsis of vehicles found in violation of non-moving violations for the month of Sept 2019.

Artrial Hwy/St Peters	1
Allen St/Upper Price	15
Belvedere Ave/Farmers Mkt	1
Belvedere Ave/Queen	6
Brackley Point Rd/Arterial	3
Brackley Point Rd/Thistle	1
Bramwell St/Kenwood	2
Capital Dr/Sandstone	1
Capital Dr/Spencer	1
Champion Crt	1
Churchill Ave/Spring	2
Euston St/Longworth	1
Euston St/Queen	1
Exhibition Dr	1
Grafton St E	1
Grafton St/Great George	1
Great George St/Water	1
Henri Blanchard	1
Hillsborough St/Kent	1
Kensington Rd/Exhibition	3
Kent St/Great George	2

Kirkdale Dr/Lower Malpeque	1
Kirkwood Dr/Trafalgar	1
Mount Edward Rd/Arterial	1
Mount Edward Rd/Palmers	1
Mount Edward Rd/Towers	1
Northridge Pkwy	1
North River Rd/Beach Grove	2
North River Rd/Belvedere	1
North River Rd/Capital	3
Oak Dr/Rogers	2
Pine Dr/Maple	1
Pond St/University	1
Pownal St/Euston	3
Prince St/Fitzroy	1
Queen St/Grafton St.	5
Queen St/Kirkwood	1
Ralden Ave/Darte	1
Riverside Dr/Grafton	12
Route 2/Arterial	2
Sherwood Rd/Rte 2	1
Spencer Dr/Babineau	1
Spring Park Rd/Churchill	1
St. Peters Rd/Arterial	3

Non-Moving Cont's Page 3	
St Peters Rd/MacRae	2
Summer St/Upper Prince	4
University Ave/Belvedere	1
University Ave/Enman	1
University Ave/Great George	2
University Ave/Nassau	1
Upper Prince St/Alley	1
Upton Rd	2
Water St/Weymouth	5
Water St Pkwy	1
Westridge Pkwy	1
Weymouth St/Grafton	3
Weymouth St/Longworth	7

CHARLOTTETOWN POLICE DEPARTMENT
BY-LAW ENFORCEMENT
Monthly Report September 2019

Phone Call Breakdown

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	96	431	527
Nuisance	21	108	129
Zoning & Development	27	139	166
Traffic	27	165	192
Snow Related	0	68	68
Street Vendors	35	203	238
Other Bylaws (Crossing Guards, Etc)	21	136	138
TOTAL	227	925	1262

Taxi Bylaw Breakdown

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	4	36	40
Taxi Inspections	5	199	204
Total	9	235	244

Breakdown of Duties

	Week 1 Sept 2 nd - 6 th	Week 2 Sept 9 th - 13 th	Week 3 Sept 16 th - 20 th	Week 4 Sept 23 rd - 27 th	Week 5 Sept 30 th	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	2	7	7	8	8	27	341	368
Files CONCLUDED	12	13	15	12	0	43	305	348
Site Visits	7	10	14	13	12	49	377	426
SOT's sworn	0	0	122	0	0	122	2171	2293
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	0	0	32	32

Quick Look At This Month:

- This month there was a total of 227 calls received/made through the Bylaw Enforcement Office for September.
- There were 27 Occurrences generated as a result of complaints.
- There were 49 site visits/follow-ups made in September
- There was five (5) "Written Warnings" in September
- There is one (1) "Resolution To Council" this month.

Cst Todd Sutcliffe _____

Date: October 15, 2019


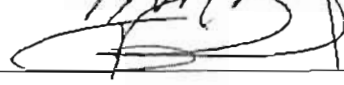


**CITY OF CHARLOTTETOWN
 NUISANCE BYLAW
 #2019 - NB- 01A**

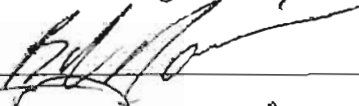
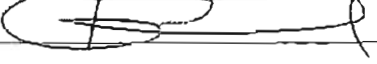
*Carried
 8-0
 (Councillors
 Tweed is
 MacLeod
 absent.)*

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.

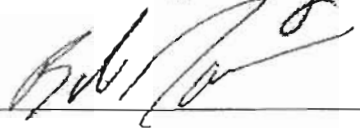
RESOLVED: THAT the bylaw to amend the "CITY OF CHARLOTTETOWN NUISANCE BYLAW" be read a first time.

Moved by Councillor  Robert Doiron
 Seconded by Councillor  Kevin Ramsay *Greg Rivard*
 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 *Greg Rivard*
 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



CITY OF CHARLOTTETOWN

RESOLUTION

Emergency &
Protective Services
#1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsav

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 owners expense, on property located at 55 Corrigan Court (PID # 690834) in the City of Charlottetown in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.



**WATER AND SEWER UTILITY COMMITTEE
REPORT TO COUNCIL
OCTOBER 15, 2019**

The Water and Sewer Utility Committee met on September 16, 2019 and the minutes are included in your package.

There is one (1) resolution for your consideration.

Respectfully submitted,

Deputy Mayor Jason Coady, Chair

Water & Sewer Utility Committee
Monday, September 16, 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 12:02 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Add Belvedere Golf Course to New Business. The agenda was approved as circulated.

4) Adoption of Minutes

It was moved by Mayor Philip Brown and seconded by Councillor Julie McCabe that the minutes from August 19, 2019 be approved.

CARRIED

5) Business arising from Minutes

There was no business arising from Minutes.

6) New Business:

- a. The UM said that there was a request for servicing to a new subdivision on Sleepy Hollow Road. There was discussion on the matter of the Utility supporting development outside city limits. The subdivision would be charged an additional twenty-five (25) percent to the water & sewer bills.

It was moved by Mayor Philip Brown and seconded by Councillor Julie McCabe to present the request for servicing to the Sleepy Hollow Subdivision at the next meeting of Council.

CARRIED

Councillor Mitchell Tweel opposed

- b. The Mayor received a letter from the Belvedere Golf Course requesting financial compensation, related to work for the East Royalty Sewer Trunkmain work.

It was moved by Councillor Julie McCabe and seconded by Councillor Bob Doiron to deny compensation for the Belvedere Golf Course.

CARRIED

- 7)** Motion to move into closed session, as per section 119 (1) sub-section (e) of the PEI Municipal Government Act was moved by Councillor Mitchell Tweel and Councillor Julie McCabe.

CARRIED

8) Motion to move into Open Session

It was moved by Mayor Philip Brown and seconded by Councillor Mitchell Tweel.

CARRIED

9) Other Business:

- a. Councillor Mitchell Tweel asked what the rate increase is. The UM said it was approximately thirty (30) percent. The UM stated that the province required water conservation and leak control measures. The Utility installed meters in order to meet these requirements to be able to create the Miltonvale water supply.
- b. Mayor Philip Brown & the UM are attending meeting & tour with the Winter River-Tracadie Bay Watershed committee on September 17, 2019

10) Adjournment of Public Session

Meeting adjourned at 1:10pm.



CITY OF CHARLOTTETOWN

RESOLUTION

Water/Sewer Utility #1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Deputy Mayor _____ Jason Coady

Seconded by Councillor _____ Julie McCabe

RESOLVED:

WHEREAS, the City of Charlottetown passed a policy resolution of April 10, 2000 “that City Council confirm its policy not to entertain applications for water service to properties outside the municipal boundary of the City of Charlottetown” without first receiving approval from City Council to do so.

BE IT RESOLVED, that City Council approves the request for service received from the Arnold MacRac. The request is for water and sewer servicing to a proposed subdivision off Sleepy Hollow Road, within the Community of Miltonvale Park.

BE IT FURTHER RESOLVED, that the costs associated with the development will be paid by developer. As well, services will be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.



Report No: WSC 11-19

Date: August 28, 2019

Directed to: Utility Chair & Committee

Department: Utility

Prepared by: Richard MacEwen, Utility Manager

Attachments:

- Request for Service
- Concept Subdivision Plan

Subject: Sleepy Hollow Subdivision – Request for Service

Recommendation:

Approval to provide water and sewer service to this property which is located outside of the City.

Report:

A request for servicing has been received from Derek French on behalf of Arnold MacRae for water and sewer service for a subdivision in Miltonvale Park off Royalty Road and south of Sleepy Hollow Road.

The proposed development is for 56 lots (39 single family and 17 semi-detached) total of 73 dwelling units.

All costs for the development would be borne by the developer. Customers would be charged a 25% surcharge for service outside the City.

Respectfully,

Reviewed By:

	DCAO				Mgr	Other
--	------	--	--	--	-----	-------

Recommendations/Actions:

DEREK A. FRENCH PROFESSIONAL SERVICES INC.

379 Trans Canada Highway, PO Box 580, Cornwall, PEI, C0A 1H0
tel: 902-394-2945 fax: 902-569-2944 email: dfrenchservices@gmail.com

26 August 2019

Job No. 1920

City of Charlottetown
Planning and Heritage
PO Box 98
199 Queen Street
Charlottetown, PE, C1A 7K2

ATTN: Richard MacEwen, FEC, P.Eng., Manager Water and Sewer Utility

RE: Arnold MacRae, Sleepy Hollow Subdivision, Servicing Request

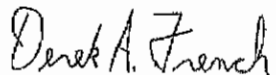
Dear Mr. MacEwen;

Mr. Arnold MacRae is proposing a multi-lot residential subdivision, west of Royalti Road in Sleepy Hollow. It consists of 56 lots (39 single family dwelling lots and 17 semi-detached lots) for a total of 73 dwelling units.

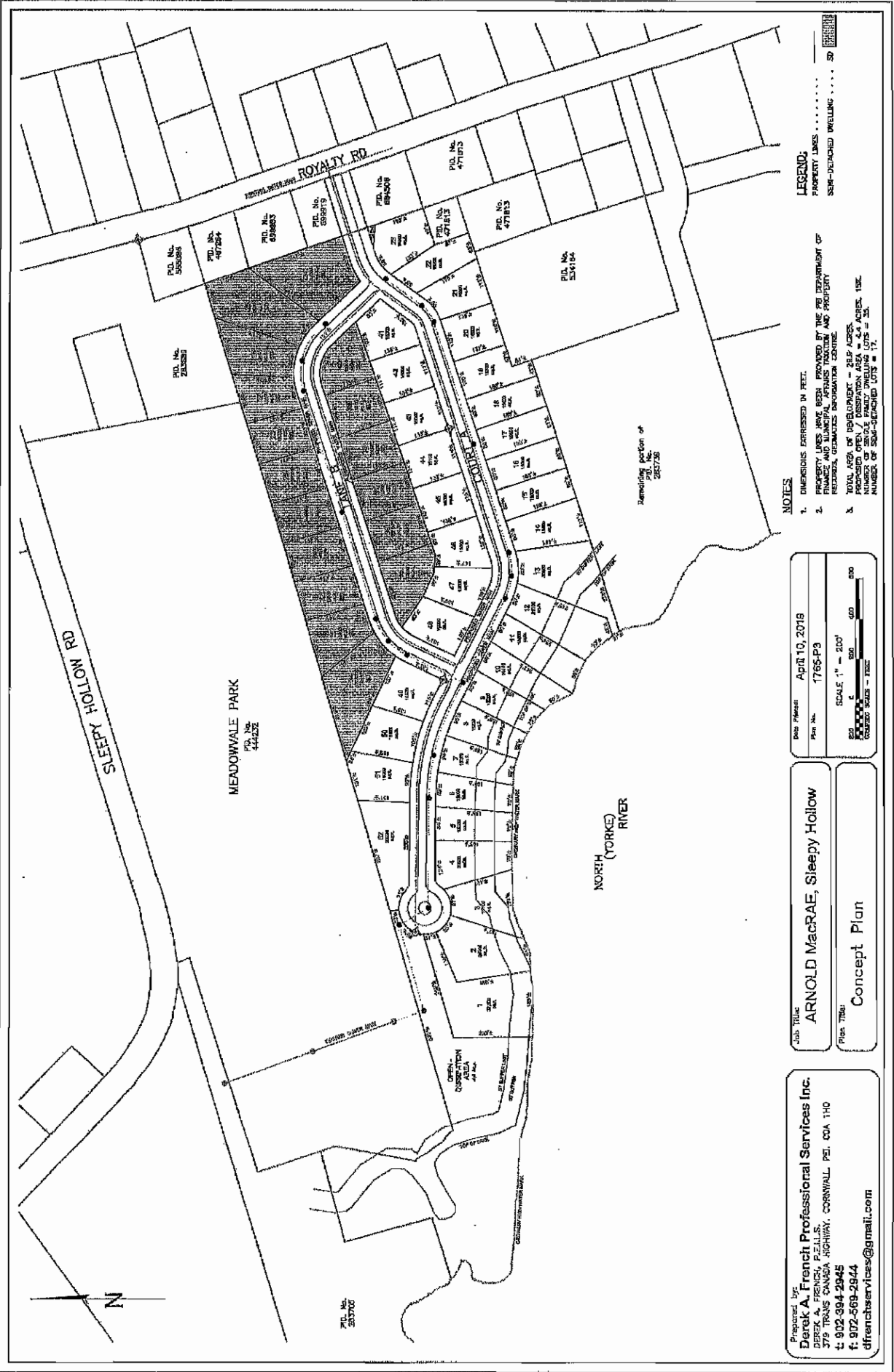
On behalf of Mr. MacRae, we wish to formally request permission from the City of Charlottetown to connect to your municipal water and sewer systems in the Sleepy Hollow area.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Derek A. French, P.Eng.



Prepared by:
Derek A. French Professional Services Inc.
 DEREK A. FRENCH, P.E.L.L.S.
 379 TRANS CANADA HIGHWAY, CORNWALL, PEI, C0A 1H0
 t: 902-394-2945
 f: 902-569-2944
 dfrenchservices@gmail.com

Job Title:
ARNOLD MacRAE, Sleepy Hollow
 Plans Thru:
Concept Plan

Date Released: April 10, 2019
 Plan No.: 1765-P3
 SCALE: 1" = 200'
 0 100 200
 METERS - FEET

NOTES:
 1. DIMENSIONS EXPRESSED IN FEET.
 2. PROPERTY LINES HAVE BEEN PROVIDED BY THE PEI DEPARTMENT OF REVENUE, GEOMATIC AFFAIRS SECTION AND PROPERTY RECORDS, GEOMATIC INFORMATION CENTRE.
 3. TOTAL AREA OF DEVELOPMENT = 24.6 ACRES.
 PROPOSED OPEN RECREATION AREA = 4.4 ACRES.
 NUMBER OF SEMI-DETACHED LOTS = 17.

LEGEND:
 PROPERTY LINES SP
 SEMI-DETACHED DWELLING SD



**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
REPORT TO COUNCIL
October 15th, 2019**

The Public Works & Urban Beautification Committee met on Friday, September 20th, 2019, and Tuesday, October 8th, 2019, with draft minutes included in the Regular Monthly Council package.

Six resolutions are anticipated to be forwarded.

Respectfully submitted,

Councillor Mike Duffy, Chair

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DRAFT

PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE

Friday, September 20th, 2019

8:00AM 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 8:01AM 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.

ADOPTION OF MINUTES

It was moved by Councillor MacLeod and seconded Councillor Jankov that the minutes from August 28th, 2019, meeting be approved.

BUSINESS ARISING FROM THE MINUTES

There was no business arising.

REPORTS

WINTER MAINTENANCE DOWNTOWN RENTAL FACILITY

Currently, there is insufficient space to store are entire sidewalk snow clearing fleet at MacAleer. That, combined with a long travel time to the downtown core, has made it necessary for the City to have a facility located near the downtown core for winter fleet storage. It is necessary for these pieces of equipment to be stored indoors during the winter months, as the hydraulic fluid needs to stay warm for the machine to be kept in good operating conditions. If not, these machines are at risk to damage leading to costly repairs. In the past, Public Works has leased a property on Longworth Ave at a rate of \$4,331.66/month, however, due to mold and other building maintenance issues, the City allowed the lease to expire and chose to explore other facility options

In January 2018, an RFP was issued, with only 2 proposals received. After a review of each proposal by staff and the PW committee, it was determined that due the high cost for both proposals, staff would search for other options. Staff have since found a location on Kensington Rd that has sufficient indoor heated storage for the equipment. It is also conveniently located to service downtown, Parkdale, and East Royalty. This new location is expected to save the City approximately \$10,000/year. In the fall of 2018, the City entered in to a 1-year agreement with Wilsons Fuel Co. Ltd., to rent a storage facility on Kensington Rd

The current agreement is set to expire. As such, the manager has negotiated with the landlord and has settled on monthly rental rate of \$3,100/month + HST. The rental rate includes electricity, water and sewer, snow removal, and garbage removal. This is a small increase in rent of \$300/month +HST from the previous rental agreement. However, this rate is locked in for a 2-year period.

Based upon the foregoing, City staff recommends that the City enters in to a 2-year contract with the building owner, Wilsons Fuel Co. Ltd., with the possibility of a 1-year extension, for the a monthly rental rate of \$3,100 (plus applicable taxes).

The Committee recommendation is to lease the building for a 2-year term and to bring forward a resolution at the next council meeting for approval to enter in to a contract with the building owner.

Moved by Councillor Tweel and seconded by Councillor MacLeod.

STREET RESURFACING

The Public Works Department's street resurfacing program is well underway. Over the course of the summer there have been some minor issues that have occurred that has had management review the current list of streets, and make changes to the completion date of a few sections of roads. These issue includes work by city forces not being completed early enough in the year to not interfere with the paving program, work on private land with heavy equipment that would likely damage new asphalt, etc. As a result, we've have to adjust the completion date of some streets to ensure that they are all completed this fall, with the exception of 3 location:

Chestnut St – A large apartment complex is currently under construction, and not set for completion until 2020. With the large number of truck and heavy equipment expected to be on this street over the next few months, it is recommended to delay this work until next year.

Dorchester St. - A small apartment building is slated to begin work this fall and not set for completion until 2020. With the anticipation of dumpster and equipment expected around the site for the next few months, it is recommended to delay this work until next year.

East Royalty Rd. - A number of lots have been developed this summer, with anticipated for this fall/next year. As such it is recommended to delay this work until these lots have been developed to avoid damage from heavy equipment.

Councillor Tweel inquired if Upper Prince Street could be substituted for one of the above streets. The CAO stated that street selection is decided by worst first.

Councillor Tweel stated that he believes that the current street rating system is not working, and would like to have a review. Chair Duffy suggested that this is operational.

NEW BUISNESS

Mayor Brown requested an update on the both Belvedere Ave. & Kensington Rd. sidewalk tenders. The PWM provided a verbal update to the committee that the bids came in higher than anticipated and will be looking to reduce the scope of work, and renegotiating with the low bidder.

MOTION TO ADJOURN

Moved by Councillor MacLeod and seconded by Councillor Jankov.

The meeting adjourned at approximately 8:41AM

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Tuesday, October 8th, 2019, at City Hall.

- end -

Councillor M. Duffy, Chair

DRAFT

PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE

Tuesday, October 8th, 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

Guest: Ron McPhee, CLO

CALL TO ORDER

Chair Duffy called the meeting to order at approximately 12:12PM, and informed the committee that Councillor MacLeod will be unable to attend due to a prior commitment. Moved by Jankov and seconded by Councillor Tweel.

DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

APPROVAL OF AGENDA

The agenda was motioned and approved by Chair Duffy and seconded by Councillor Tweel to add guest Ron McPhee, Community Liaison Officer.

ADOPTION OF MINUTES

It was moved by Councillor Tweel and seconded Councillor Jankov that the minutes from September 20th, 2019, meeting be approved.

BUSINESS ARISING FROM THE MINUTES

There was no business arising.

CIVIC BOARD FOR PERSONS WITH DISABILITES

Ron McPhee, Community Liaison Officer, informed the committee that the Civic Board for Persons with Disabilities has discussed forwarding a survey to Charlottetown residents seeking their opinion on topics considered most challenging for persons with disabilities in the community.

Councillor Tweel recommended that the current advisory board should read the previous Accessibility Evaluation Report before creating a survey that will be forwarded to Charlottetown residents.

The PWM stated that the advisory board would like to update the previous report.

Councillor Tweel requested that he be made aware as to what items have been done since the previous report.

Mr. McPhee inquired if the board should move forward with the Inclusion Awards. Mayor Brown suggested doing this in 2020, and requested the committee be presented the new survey before being distributed to the public.

Chair Duffy recommended that Kenneth Murnaghan, Chair of Civic Board for Persons with Disabilities attend a future meeting.

12:25PM Ron McPhee left.

PUBLIC WORKS UPDATE

The PWM provided the committee an update: the Public Works Department is now working to finish up summer operations, while planning for winter is in full swing.

Major summer operational items currently anticipated to be completed by October 31st:

- Street resurfacing
- Sidewalk repair and construction
- Storm repair
- Street line painting

Winter Maintenance planning:

- Issued municipal building snow clearing contracts
- Snow haul and loader for winter services have been tendered
- Fleet have begun to service our fleet and expect to be ready for November 1st
- Plow and sidewalk plans are being reviewed and updated as necessary

Other important date:

- October 15 – Speed hump removal and plow mark installation begins
- November 1 – Victoria Row and Victoria Park Bike Lane opens to vehicle traffic.

TENDERS

1) RFQ - Traffic Signal Replacement – Closed October 2nd, 2019. One (1) bid was received. Staff recommend to award to Hansen Electric in the amount of \$306,590 (taxes included). A resolution will be brought forward at the next council meeting.

2) RFQ - Queen St. Lighting Upgrades- Closed September 26th, 2019. Two (2) bids were received. Staff recommend to award to the low bid from Olympia Electric in the amount of \$86,240 (taxes included). A resolution will be brought forward at the next council meeting.

3) RFQ -Two (2) Municipal Sidewalk Tractor – closed October 2nd, 2019. Three (3) bids were received. Staff recommend to award to the bid from MacFarlands Industrial in the amount of \$310,689.47 (taxes included). A resolution will be brought forward at the next council meeting.

4) RFQ – Two (2) 3 Ton Plough/Dump Truck Chassis – Closed September 17th, 2019. Two (2) bids were received. At the last council meeting, council voted to award to the 2nd bidder as they committed to delivering the truck much sooner than the low bidder. Prior to issuing the purchase order, one last look of the tender document by our legal counsel found that the wording was not clear enough that would allow us to award to the 2nd bidder since the 1st bidder also met all the criteria. As such, we will rescind the original award and award the tender to East Coast International in the amount of \$276,777.40 (taxes included). A resolution will be brought forward at the next council meeting.

5) RFQ – Two (2) - Supply and Install Plow Equipment and Transfer System – Closed October 2nd, 2019. Two (2) bids were received. Staff recommend award to the low bid from Parts for Trucks in the amount of \$338,635.90 (taxes included) A resolution will be brought forward at the next council meeting.

NEW BUISNESS

Councillor Tweel proposed Victoria Park Roadway inside lane be closed year round as a pilot project. The committee recommended that this request be forwarded to the Parks & Recreation Committee.

Mayor Brown inquired if the City submitted an application to the Government of Prince Edward Island under the PEI Disaster Financial Assistance Program for Municipalities. The CAO informed the committee that the city has submitted the preliminary paperwork.

Mayor Brown stated that UPEI staff contacted his office, stating that that while working on Belvedere Ave., Maritime Road Recycling had blocked the university entrance/exit during the late afternoon. The PWM stated that the contractor was given permission to carry out the necessary work that day, but unfortunately the process took longer than normal due to lower temperatures.

Mayor Brown requested that the PWM report back to the committee the total number of linear meters of sidewalk reconstruction in 2019.

Councillor Tweel informed the committee that he attended a meeting with members of the public regarding the Towers Road multipurpose pathway, and that the community has embraced the idea.

Mayor Brown stated that he also attended this meeting, and some individuals would prefer the pathway to be located on the north side of Towers Rd, and that there is support for a Spencer Dr. extension.

Chair Duffy reminded the committee that Towers Road walkway was discussed at the two previous meetings, and that the committee recommended the PWM install cameras on Towers Rd. to obtain a pedestrian count. The PWM stated that approximately one hundred total combined (pedestrians & cyclists) use the Towers Rd. daily, and that there is currently a 1 metre wide shoulder.

The Mayor recommended that the City should not rush into this pathway, and suggested that the city include the walkway with future potential development. Chair Duffy agreed and that the City should combine the walkway with the future construction of the Towers Road to Spencer Drive extension.

Councillor Tweel proposed that the city should re-evaluate the City's past practices of not having staff go onto private property follow a major storm event, like the recent storm, Dorian, for some residents do not have the resources to remove the debris.

After further discussion, committee requested that the PWM contact several other municipalities to inquire as to their practice/policy.

MOTION TO ADJOURN

Moved by Councillor Brown and seconded by Councillor Jankov.

The meeting adjourned at approximately 1:05PM

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Wednesday, November 27th, at City Hall.

- end -

Councillor M. Duffy, Chair

DRAFT

DRAFT



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15th, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for “Traffic Signal Replacement” the submission of Hansen Electric in the amount of \$306,590.00 (all taxes included) be accepted.

That this expenditure has been approved in the 2019 capital budget dated March 21st, 2019.

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

- Tender was publically advertised, closing October 2nd, 2019
- Request for Quotes to install owner supplied equipment for Traffic Signal Replacement at:
 - o Euston Street / Pownal Street / Spring Park Road intersection
 - o Great George Street / Kent Street intersection
 - o Prince Street / Kent Street intersection
- 1 submission was received as follows:
 - o Hansen Electric \$306,590.00(taxes included)
- Staff have reviewed the submission and recommend to award the work to Hansen Electric. Staff have no concerns with this contract as they have been doing signal light repair and install work for the city for a number of years.



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #2

MOTION CARRIED _____

MOTION LOST _____

Date: October 15th, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for “Queen Street Lighting Replacement” the submission of Olympia Electric in the amount of \$86,240.00 (all taxes included) be accepted.

That this expenditure has been approved in the 2019 capital budget dated March 21st, 2019.

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

- Tender was publically advertised, closing September 26th, 2019
- Request for Tenders to replace and upgrade the existing street lighting on Queen St, from Grafton Street to Richmond St, with new LED “old fashion” style lanterns
- 2 submissions was received as follows:
 - o Hansen Electric \$106,145.00(taxes included)
 - o Olympia Electric \$86,240.00(taxes included)

- Staff have reviewed the submission and recommend to award the work to Olympia Electric. Staff have no concerns with awarding this work to this contractor as they have been doing street light repair and installation work for the city for a number of years.



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #3

MOTION CARRIED _____

MOTION LOST _____

Date: October 15th, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for “Municipal Sidewalk Tractors” the submission of MacFarlands Industrial in the amount of \$310,689.47 (all taxes included) be accepted.

That this expenditure has been approved in the 2019 capital budget dated March 21st, 2019.

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



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #4

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That Council rescinds the Public Works resolution #1 of September 20th,

2019:

That, as per the conditions of the public tender for “Two (2) 3 Ton Dump/Plough Trucks” the submission of Universal Truck & Trailer, guaranteeing delivery of the trucks within 80 days of award, in the amount of \$284,050.00 (all taxes included) be accepted.

That this expenditure has been previously approved in the 2019 capital budget.

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

- Prior to issuing the Purchase Order, staff and legal reviewed the document once again to ensure there would be no issues with award to the 2nd bidder. Upon further review by our legal team, it was determined that the wording in the document wasn't clear enough to award to the second bidder based solely on delivery date, especially since both truck submissions met the specifications of the tender. As such, legal advise the City that they should award to the low bidder.
- Based on the legal opinion, staff are recommended to rescind the previous award, and pass a new resolution to award the tender to East Coast International Trucks Inc. Staff have spoken to East Coast International and they have advised that they would push to have these trucks built earlier than originally anticipated, in hopes of having these trucks available for this winter season.



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #5

MOTION CARRIED _____

MOTION LOST _____

Date: October 15th, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for “Two (2) 3 Ton Dump/Plough Trucks” the submission of East Coast International Trucks Inc. in the amount of \$276,777.40 (all taxes included) be accepted.

That this expenditure has been approved in the 2019 capital budget dated March 21st, 2019.

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

- Tender was publically advertised, closing September 17th, 2019
- RFQ was for the procurement of 2 truck chassis that will be outfitted for both winter and summer activities.
- 2 submissions were received as follows:
 - o East Coast International Trucks Inc. \$276,777.40
 - o Universal Truck & Trailer \$284,050.00
- Please note that a resolution was passed by council in September to award to the 2nd Bidder (Universal Truck & Trailer) as they were able to deliver the truck early.
- Prior to issuing the Purchase Order, staff and legal reviewed the document once again to ensure there would be no issues with award to the 2nd bidder. Upon further review by our legal team, it was determined that the wording in the document wasn't clear enough to award to the second bidder based solely on delivery date, especially since both truck submissions met the specifications of the tender. As such, legal advise the City that they should award to the low bidder.
- Based on the legal opinion, staff are recommended to rescind the previous award, and pass a new resolution to award the tender to East Coast International Trucks Inc. Staff have spoken to East Coast International and they have advised that they would push to have these trucks built earlier than originally anticipated, in hopes of having these trucks available for this winter season.



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #6

MOTION CARRIED _____

MOTION LOST _____

Date: October 15th, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That, as per the conditions of the public Request for Quotations for “Two (2) - Supply and Install Plow Equipment and Transfer Systems” the submission of Parts For Trucks, Inc. in the amount of \$338,635.90 (all taxes included) be accepted.

That this expenditure has been approved in the 2019 capital budget dated March 21st, 2019.

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

- Request for Quotations was publically advertised, closing October 2nd, 2019.
- The tender included the supply of snow plow equipment, including plows and salt spreader, and the installation of this equipment on 2 City supplied truck chassis.
- 2 submissions was received as follows:
 - o Parts For Trucks, Inc. \$338,635.90(taxes included)
 - o Phil Larochelle Equipment Inc. \$390,686.99(taxes included)

- Staff have reviewed the submission and are satisfied that this vendor will provide the equipment and perform the work as specified and recommend to award the work to Part For Trucks Inc.



**ECONOMIC DEVELOPMENT, TOURSIM & EVENTS MANAGMENT
COMMITTEE
REPORT TO COUNCIL
OCTOBER 15, 2019**

The Economic Development, Tourism & Events Management Committee met September 18th and the open draft minutes are included in your package.

The Charlottetown Arts Advisory Board met September 10th 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
September 18, 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

It was moved by Councillor Tweel and seconded by Councillor MacLeod that the agenda be approved as circulated.

4. Adoption of Minutes

It was moved by Councillor MacLeod and seconded by Councillor Tweel that the minutes from August 21, 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

The EconDO provided an update to the Committee on recent activities. The Mayors' Newcomer Reception will take place this evening with dignitaries, and a chance to invite many newcomers into City Hall and meet representatives of all levels of government. Ron reported that the Arts Advisory Board is working on minor amendments to the Public Art Policy which they will bring to the Committee, they are as well exploring new ideas for art in Charlottetown. The EconDO is on the board of Art in the Open which is the largest public art event in the province. The event took place in August and was successful again this year with 35 projects. Ron and the Mayor met with a group which is planning an investment /trade event for 2020 in Charlottetown which should attract Atlantic Canadian interest. Ron reported on meetings with prospective companies and

interest in possible investment in Charlottetown. The EconDO provided an update on an APEC study which highlighted the significant growth in the digital economy in Charlottetown in recent years, and he also gave an update on local company announcements. There was also a discussion about newcomer business investment in Charlottetown which the Committee will bring to a future meeting.

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. Summer staff have finished for the season. This was the strongest group of students employed to date. Colleen will continue employment until late-October when the busy Fall Cruise Season winds down. Consideration may need to be given to an additional part time position moving forward if the Fall Cruise season continues to see significant growth, as it has over the past few years.

The Victoria Park Sunset Series took place August 28-31 and was very successful. Unfortunately, one evening of movies was lost due to inclement weather and the changeover to music events on the final day of the series did not allow for the rescheduling of the screening. Future consideration may want to be given to focusing this event solely on movies which would allow for rain dates; the music component could be shifted to the additional evening of Natal Day celebrations recommended by the Mayor at the last meeting.

Planning continues 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 activities - a welcome activity on the evening of October 17 and a departure activity at City Hall on the evening of October 23. Details will be communicated through Jill Stewart.

The Tourism Department has shifted focus to planning for the Charlottetown Christmas Parade and Capital New Year events. Capital New Year will be discussed further under the Closed Session. The Christmas Parade will take place on Saturday, November 30. Float registration will open on October 15 and the marketing buy has been completed in coordination with the Communications Department. Tourism staff are currently working through logistical details with CPS and the Public Works Department.

The TO and Councillor Jankov are attending the Canadian Capital Cities Organization Annual Conference in Regina. Councillor Jankov provided the Committee with an overview of learnings from the Conference.

c. Event Management Update

Wayne Long, EDO, provided the Committee with a departmental update. He highlighted that it's been a busy time with event hosting. A few high profile festivals and events are still left to come in September and into the Fall. Some of the events coming up include the PEI International Shellfish Festival, Contact East, Mickey Place Memorial Basketball Tournament, Farm Day in the City, U-17 Cup National Soccer Championships, and the PEI Marathon to name a few.

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. The EDO reminded the Committee that Softball Canada recently announced the awarding of the 2020 Under-16 Girl's Canadian Fast Pitch Championship to Charlottetown.

The EDO recently participated in Event Atlantic Board meetings in Truro, a sport tourism/event prospecting blitz in Ottawa, and will be participating in a Meetings & Conventions PEI attraction mission to Vancouver next month.

The EDO continues to work 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/initiative, a Charlottetown Festivals & Events Vision for Growth strategy, and Jack Frost Winterfest 2020.

Planning is well underway for this year's Wintertide Holiday Festival and the newly branded Charlottetown Christmas Festival of which the City is a major partner.

7. Motion to move into closed session

Motion to move into closed session, as per Section 119 (1) sub-section (e) of the PEI Municipal Government Act was moved by Councillor MacLeod and seconded by Mayor Brown. Carried.

8. Introduction of New Business

Make our Hometown Beautiful Program – Mayor Brown would like to see this program revitalized for next year and he would like the planning/organizing to begin right away. He informed the Committee that he will be holding a recognition event for those who go out of their way to make their Hometown Beautiful on October 1st 7pm – 8:30pm at City Hall.

Mayor Brown was reminded by Chair Councillor Ramsay that City staff (EDO, TO, Sustainability, Mayor's Office, and Communications staff) met earlier this year to discuss the program with the outcome being that a significant overhaul was required.

The program has declined and participation is lacking despite some minor refreshes over the past few years. The Chair also reminded the Mayor that staff were directed to take a year hiatus in 2019, with the goal of resurfacing the program in 2020.

9. Motion to adjourn

It was moved by Mayor Brown and seconded by Councillor MacLeod that the meeting be adjourned. Carried.

Adjournment 1:30pm

DRAFT

Charlottetown Arts Advisory Board Meeting
Tuesday, September 10th
9:00 AM – Parkdale Room

Present: Barbara MacLeod, Chair Cheryl Wagner
 Brandon Hood Na Lu (Lucy)
 Stephen MacInnis Ron Atkinson, EconDO
 Jennifer Campbell Jill Stewart, EA

Regrets: Mark Sandiford

1. Call to Order:

The meeting was called to order by Barbara MacLeod, Chair at 9:10am.

2. Declarations of Conflict of Interest

None

3. Approval of Agenda:

It was moved by Cheryl and seconded by Stephen that the agenda be approved as circulated. Carried.

4. Adoption of Minutes:

The minutes from the August 13, 2019 meeting were included in the meeting package. It was moved by Jennifer and seconded by Brandon that the minutes be approved as circulated. Carried.

5. Fox Project:

Ron Atkinson provided a brief update to the Committee on the Fox public art project as discussed at the previous meeting. Ron is awaiting an update from Beth Hoar and Frank Quinn. The letter in support of the project was sent. Ron mentioned that this project may have to go to a public meeting, as per the process.

6. Public Art Policy:

The Committee reviewed the proposed revised Public Art Policy. There was a few minor changes suggested. The Committee will discuss the policy at the next meeting.

7. Introduction of New Business:

Discussed under Public Art Ideas

8. **Open Discussion on Public Art Ideas in Charlottetown:**

- Vision of art in the new Library. Barb will have a conversation with Dawn Allan from DCI.
- Art Gallery in the Homburg tunnel
- Call out to the public (public art idea bank)
- Art in City Hall

9. **Motion of Adjournment:**

Meeting Adjourned 10:00am

DRAFT



**ENVIRONMENT & SUSTAINABILITY COMMITTEE
REPORT TO COUNCIL
OCTOBER 15, 2019**

The Environment & Sustainability Committee met on September 24, the Mayor's Task Force on Active Transportation met on September 10 and the Food Council met on September 17, the draft minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Terry MacLeod, Chair

ENVIRONMENT & SUSTAINABILITY COMMITTEE

Tuesday, September 24, 2019

12:00 PM – Parkdale Room, City Hall

PRESENT: Councillor Terry MacLeod, Chair
Councillor Julie McCabe
Councillor Greg Rivard
Mayor Philip Brown
Peter Kelly, CAO

ALSO: Ramona Doyle, MES
Jess Brown, SO
Beth Hoar, FEO

REGRETS: Councillor Terry Bernard, Vice-Chair

1) Call to Order

The meeting was called to order at approximately 12:05 PM by Chair MacLeod.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

R. Doyle requested that a discussion on the “Where the Wild Things Are in the City” event be added to the agenda. It was moved by Councillor Rivard and seconded by Mayor Brown that the agenda be approved as amended. Carried.

4) Adoption of Minutes

It was by moved by Mayor Brown and seconded by Councillor Rivard that the minutes from July 23, 2019 be approved as circulated. Carried.

5) Business Arising from the Minutes

Mayor Brown advised the Committee that a member from the Blue Communities group would be present at City Hall on September 25 at 2:00PM if anyone was interested in being present during the visit.

6) Discussions/Reports

a. Terms of Reference – Mayor’s Task Force on Active Transportation

The draft terms of reference as created by the Task Force were reviewed by the Committee. It was moved by Mayor Brown and seconded by Councillor Rivard that they be forwarded to the Council Advisory Committee then to Council for approval. Carried.

b. East Royalty Pilot Project

R. Doyle, MES, provided the Committee with the report on the East Royalty Transit Pilot project. After first three months of the pilot, there is very low uptake for the service. Total monthly ridership for August 2019 was 117, with an average of only 5 passenger fares per day. This equates to 1.7 passengers/service hour, where the minimum target for this project to be deemed successful was 10 passengers/service hour.

After consulting with the T3 operator, the staff recommendation would be to alter the hours of the pilot. The morning and afternoon routes would stay the same (morning routes at 6:49 am, 7:09 am and 9:09 am; afternoon routes at 4:15pm and 4:45pm) but the day time routes (pick up routes at 11:25 am, and 1:25pm; drop off routes at 11:15am and 1:15pm) would be removed. In lieu of offering these day-time routes, this would allow the City and T3 to run the pilot for an additional 3 months at no extra cost than what has already been committed to the pilot.

It was moved by Mayor Brown and seconded by Councillor McCabe to remove the mid-day times and extend the pilot by three months. Carried.

c. Fit it Fair

J. Brown, SO, provided the Committee with the report on the 3rd Annual Fix it Fair. This year there will be a focus on waste reduction as it ties into the recent survey conducted by Department staff on single-use plastic.

The event will be held at the West Royalty Community Center in the main gym area and the proposed date is Saturday, November 2nd from 10:00am-1:00pm. The gym will house the 'tradeshow' style booths from community groups such as: Island Waste Management Corporation, efficiencyPEI, the PEI Provincial library, local watersheds, and more. The Repair Café will be set up in this area as well. Workshops will be hosted in either the Upton Room or the Hermitage Mayflower Room across the hall from the gym.

It was moved by Councillor McCabe and seconded by Councillor Rivard that the Committee approve the waste reduction concept of this year's fair. Carried

d. Disco Soup

J. Brown provided the Committee with information on upcoming event called Disco Soup. Disco Soup was a 2019 micro-grant recipient that focuses on bringing the community together to gather and prepare ingredients that would otherwise become food waste, to turn them into a communal soup meal to be shared by all.

The values and goals of this event align with those of the Charlottetown Food Council's Food Charter (FC), the 2017 Integrated Community Sustainability Plan (ICSP), and the 2017 Let's Talk Food Report (LTF).

There will be a number of lead-up events to the main Disco Soup event which will take place on November 9th, 2019 – location TBD. Planned and potential lead-up events include: Tips and tricks for reducing food waste workshop at the Fix it Fair (November 2nd), Student meal planning on a budget (UPEISU), Food waste culinary creation challenge for vendors at the Founders Hall Food Market, and more.

e. Where the Wild Things Are in the City

Beth Hoar, PC, provided the Committee with an update on the upcoming "Where the Wild Things Are in the City" event. This event was originally scheduled for September 28, 2019 but due to the amount of rain that we have recently had the event has been rescheduled to Saturday, October 12 from 9:30 a.m. to 12 p.m. at the J. Frank MacAulay Park (off Spring Lane).

This free, outdoor event includes nature crafts and games, tree and shrub planting, air brush tattooing, insect hotels, rain garden education, information booths, refreshments and much more.

7) Motion to move into Closed Session

It was moved by Mayor Brown and seconded by Councillor McCabe to move into Closed Session as per section 119 subsection (e) of the PEI Municipal Government Act. Carried

8) Introduction of New Business

The was no new business.

9) Adjournment

Moved by Mayor Philip Brown and seconded by Councillor McCabe that the meeting be adjourned. Carried.

The meeting adjourned at 12:50 PM.



City of Charlottetown

Report No: 19-48

Date: Sept 24, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, MES

Subject: East Royalty Transit Pilot – midpoint recommendation

RECOMMENDATION: That the committee review the option below for adjusting the East Royalty Pilot based on ridership to date

On June 3, 2019 T3 and the City launched a transit pilot in East Royalty. The pilot was designed to meet the needs of residents in the East Royalty area looking for increased transit routes.

After first three months of the pilot, there is very low uptake for the service. Total monthly ridership for August 2019 was 117, with an average of only 5 passenger fares per day. This equates to 1.7 passengers/service hour, where the minimum target for this project to be deemed successful was 10 passengers/service hour.

There is still three months remaining of the pilot. After consulting with the T3 operator, the staff recommendation would be to alter the hours of the pilot. The morning and afternoon routes would stay the same (morning routes at 6:49 am, 7:09 am and 9:09 am; afternoon routes at 4:15pm and 4:45pm) but the day time routes (pick up routes at 11:25 am, and 1:25pm; drop off routes at 11:15am and 1:15pm) would be removed.

In lieu of offering these day-time routes, this would allow the City and T3 to run the pilot for an additional 3 months at no extra cost than what has already been committed to the pilot. It would allow more time to build a ridership with the regular AM/PM peak routes that are typically the most successful in the City's transit system.

If approved the City could launch the updated pilot in early October 2019 with renewed promotion.

Respectfully,

R.H. Doyle

Reviewed By:

CAO

Manager

Other

RECOMMENDATIONS/ACTIONS:



City of
Charlottetown

Report No: E&S 19-51

Date: September 18th 2019

Directed to: Chairman T.MacLeod, Members of
the E&S Committee

Attachments:

Department:
Environment & Sustainability Committee

Prepared by: Jessica Brown

Subject: Fix it Fair

RECOMMENDATION: That the committee approve the concept for the 2019 Fix it Fair

REPORT:

The third annual 'Fix it Fair' will feature a variety of sustainability workshops, a tradeshow style booth set-up, and a repair café. The objective of this event is to continue to educate Charlottetown residents on different ways that they can practice sustainability in their daily lives, save money, connect with community resources, and encourage people to change their mindset surrounding household items from easily disposable to repairable and reusable. This event was held in 2017 and 2018 and is a community favorite. The theme of this year's event will be waste reduction to tie it in to the Sustainability Department's recent survey on single-use plastic.

The event will be hosted in the **West Royalty Community Center** in the main gym area and the proposed date is **Saturday, November 2nd from 10:00am-1:00pm**. The gym will house the 'tradeshow' style booths from community groups such as: Island Waste Management Corporation, efficiencyPEI, the PEI Provincial library, local watersheds, and more. The Repair Café will be set up in this area as well. Workshops will be hosted in either the Upton Room or the Hermitage Mayflower Room across the hall from the gym.

Repair Café

People can bring in one item (ie. A piece of clothing, or a small household appliance) that needs to be fixed to the repair café where we will have a few 'fixers' who will attempt to mend their item for free. If the object is repairable the individual mending it can provide a brief explanation of how they are able to fix it so that the person will be empowered to fix it and other items in the future.

Workshops

We plan to host a different workshop each hour. The workshops are all related to the theme of waste reduction:

10AM- DIY Reusable Beeswax Food Wrap (Daniel Cousins)

11AM – Energy Efficiency: Stop wasting energy in your home (efficiencyPEI)

12PM – Tips and Tricks to reduce food waste (PEI Food Exchange)

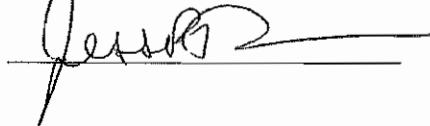
Budget:

Item	Cost
Catering	\$500.00
Presenter fees/gifts	\$150.00
Marketing/Promotion	\$850.00
Other supplies	\$500.00
Total:	\$2,000.00

Partners:

efficiencyPEI
Charlottetown Tool Library
PEI Food Exchange
Island Waste Management Corporation

Respectfully,



Reviewed By:

CAO	Manager	Other				
	RD					

RECOMMENDATIONS/ACTIONS:



City of
Charlottetown

Report No: E&S 19 - 52

Date: September 18th 2019

Directed to: Chairman T. MacLeod, Members of the E&S Committee

Attachments:

Department:
Environment & Sustainability Committee

Prepared by: Jessica Brown

Subject: Disco Soup

RECOMMENDATION: Information Only: Disco Soup Event

REPORT:

The City received a proposal from Fusion and the PEI Food Exchange for a micro-grant to host an event in Charlottetown focused on bringing the community together to gather and prepare ingredients that would otherwise become food waste, to turn them into a communal soup meal to be shared by all. ‘Disco Soup’ is the name of the event. Disco Soup events are hosted world-wide, connected with the Slow Food Movement. PEI has hosted a Disco Soup in the past, the community of Brackley enjoyed success with their event which brought together community, and provided a space for the transfer of knowledge from one generation to the next. The proposed Disco Soup event would be based on the existing model, but benefit from the unique spin of the implementing partners in Charlottetown.

The values and goals of this event align with those of the Charlottetown Food Council’s Food Charter (FC), the 2017 Integrated Community Sustainability Plan (ICSP), and the 2017 Let’s Talk Food Report(LTF). Such as:

- To promote local food production and procurement, improve food security, reduce food waste and use the culinary assets of the community to connect locals and visitors with food (ICSP, 2017)
- To develop a booklet about food waste (LTF, 2017)
- Opportunities for all community members to grow, prepare, and eat together (FC, 2019)
- Dignified access to healthy food for all (FC, 2019)

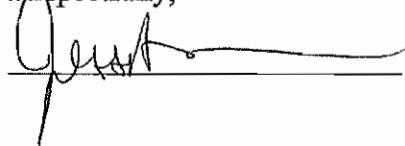
The event will reduce the environmental impact of food waste from local agricultural producers, retailers, and restaurants, while simultaneously increasing the knowledge and capacity of participants to prepare nutritious food; the benefits will extend beyond the event as participants learn to maximize their food purchases at home as well.

There will be a number of lead-up events to the main Disco Soup event which will take place on November 9th, 2019 – location TBD. Planned and potential lead-up events include: Tips and tricks for reducing food waste workshop at the Fix it Fair (November 2nd), Student meal planning on a budget (UPEISU), Food waste culinary creation challenge for vendors at the Founders Hall Food Market, and more. There will be workshops on the day of the event related to food waste and food security. The event will be family friendly and include some music/movement (dance) component.


This project proposal was a 2019 Community Sustainability Micro-grant application and was chosen by the selection committee to receive \$2,500 to host this event.

The Charlottetown Food Council has since decided to become a formal partner in hosting this event and agreed to support this event including supporting promotion and marketing of the event and the development of a Food Waste Cookbook.

Respectfully,



Reviewed By:

CAO	Manager	Other				
	RD					

RECOMMENDATIONS/ACTIONS:

CHARLOTTETOWN FOOD COUNCIL
Tuesday, September 17, 2019
7:00 PM Parkdale Room, City Hall

PRESENT: Karen Murchison, Chair
Gail Metcalfe
Jennifer Whittaker
Morgan Palmer
Colleen Walton
Mike MacDonald
Pierre El Hajjar

ALSO: Ramona Doyle, MES

REGRETS: Shannon Courtney
Travis Cummiskey
Phil Ferraro
Robert Godfrey, Vice Chair
Bernard Plourde
Jessica Brown, SO

1) Call to Order

The meeting began at 7:05PM.

2) Declarations of conflict of interest

No declarations of conflict.

3) Review & Approval of Agenda

Motion to approve the agenda. Pierre and Colleen .

4) Appoint Meeting Secretary & Referee

Ramona – secretary; referee - Morgan

5) Adoption of Minutes

Motion to approve the minutes. Gail and Jennifer.

6) Business Arising from the Minutes

Said that Lisa Fernandez presentation was really interesting and insightful. Discussed the vacancies on the board. Thought that a youth representative would be good (under 25 in age, student). Talked about someone with social media skills.

ACTION: Karen to talk to Jess about potential candidates.

7) Items for Discussion

a) **Working Group Updates:**

A) Projects:

Jennifer gave an update, Stan was the chair. Jennifer is serving as interim chair until the end of December 2019. Met last Friday and reviewed the ToR. Removed the component that included the seeking funding. Not being the doers of all projects but to help to prioritize and support the project leads. Suggestion to all committees to review their ToR. Some suggestion that more foundational work is needed to ensure vision is aligning with value (realignment). Jennifer shared the spreadsheet she worked on to have people fill in to bring to the project committee. Good for tracking and ensure there is alignment. Jennifer will put it in the document form. Could be used for internal or external project ideas.

ACTION: Karen to fill in the form for Disco Soup

ACTION: Colleen to fill in the form for the Eat. Think. Vote

ACTION: Jennifer to turn it into a document format and put on the shared drive

ACTION: Bring the updated ToR back to the next meeting for adoption

B) Finance:

Karen gave an update. Reviewed the budget with Jess. Have only spent about \$500 of the \$10,000 budget for 2019-2020. Has to be expensed by March 31, 2020. Karen would like provide funding of up to \$750 for Disco Soup. Karen provided some details on what Disco Soup is and the Council had a discussion on food waste, waste free options. Karen asked Mike if there could be a component that included the Food Bank, Pierre said he was interested in inviting his students. Disco Soup is on November 9.

ACTION: Karen to pass along to the planning committee to disco soup to follow up with supplier of compostable cutlery to see if they would be interested in sponsoring the Disco Soup event (motion Mike and Colleen).

C) Communications:

Pierre gave an update. Translation was completed (shared for everyone to get a chance to see), rack card was created. Question was how many that we made and what the cost was to create the cards. Working to create protocols for communicating with the public and develop a budget.

ACITON: Ensure there are rack card is available for Eat. Think. Vote (Jess to connect with Colleen to give her some cards).

ACTION: Create an x-frame or pop-up banner to bring to events (just the front of the rack card), ideally before Eat. Think. Vote (September 23) or Disco Soup. Morgan to get in touch with Jess to get the file and order the banner. Motion to approve up to a maximum up to \$750 (motion Morgan, and Jennifer)

D) Policy:

Ramona gave an update. The policy committee hasn't met since July 10. One item that was discussed at that meeting was the financial support to the library breakfast program. Gail talked about some of their needs for the library for next season. They may do it over March break, and Christmas break. Jennifer added this to the project ideas. Gail suggested that it might be good to have them come back to hear how their first season went.

ACTION: Jennifer to invite them to attend an upcoming meeting

E) Sub-committee reports:

A. Disco Soup

See above

B. Asset Mapping

Jennifer gave an update on where things are now with asset mapping. Next step could be looking for funding to make something useful. Need to answer the "So What?" question. Can be viewed here: [Asset Mapping](#)

F) New Business:

- i. **Food Council Member Changes:** Emilee and Stan (see above on potential candidates in business arising). Talked about attendance and rethinking commitment into this next evolution. Karen will be reaching out to a few members to just check-in. If there are additional vacancies at that point, we will seek to fill them also at the same time.
- ii. **Questions for candidates at Eat. Think. Vote. Event:** Colleen, agenda is quite tight. There are number of people identified that will be sharing their project and then four designated to ask questions. Great for the Food Council to have a presence (rack cards and banner)
- iii. **Take-aways from meeting with Lisa Fernandez:** Karen gave a summary. This was a really good session. Lisa did note that the Food Council was in the place that it should be. Did encourage the Food Council to go back and look at some of the foundational items. Both Disco Soup and Eat Think Vote are important to have more of presence and to focus on action & outcome oriented. In Maine, there is a Food Council conference to learn from each other (in April). New England Food Summit (takes place in June), is another good event. The Food Council would be welcome to participate in these events and something to consider. Jennifer talked about a take-away of thinking about who is missing from the

table. Colleen mentioned that it was reassuring to know that we're okay and doing well.

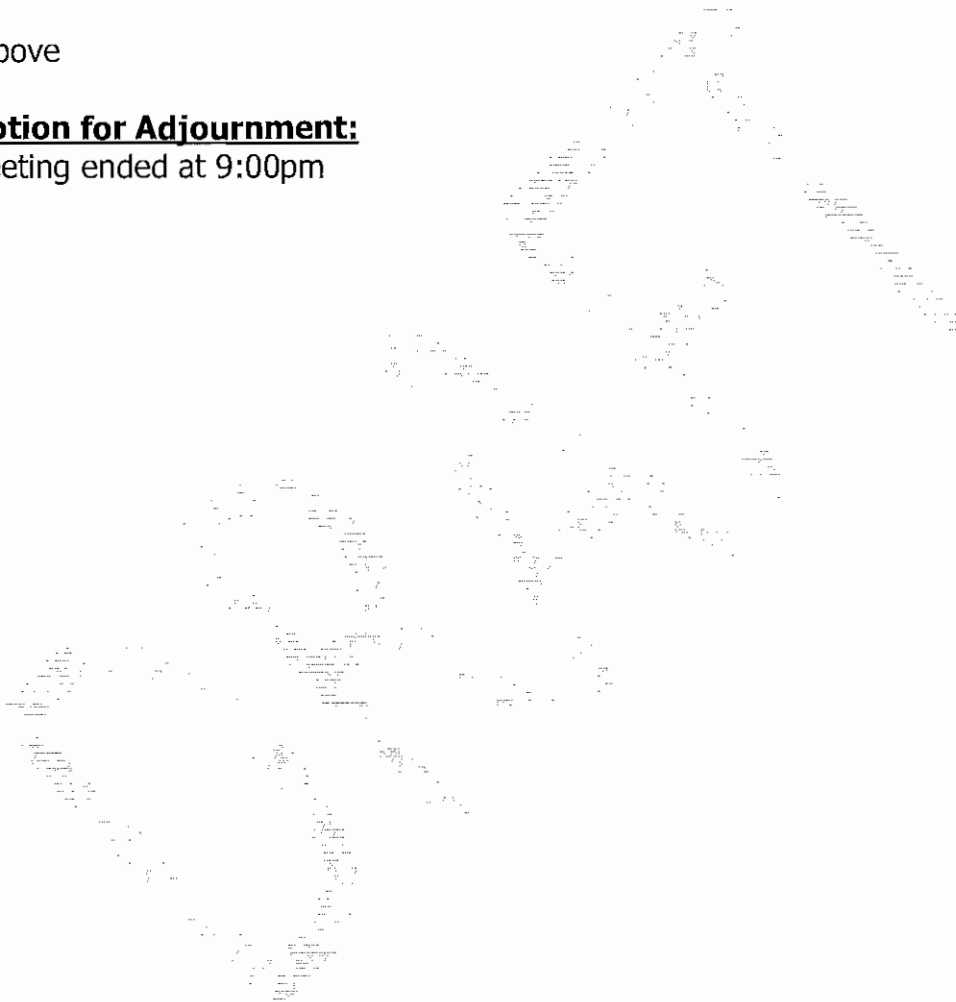
- iv. **Goals/Actions for the Food Council moving forward:** Setting some clear goals for the Food Council so that we know we are achieving our goals and feeling that we're being successful. Keep this on the agenda for the next few meetings to be thinking more about that.

8) Action Items:

See Above

9) Motion for Adjournment:

Meeting ended at 9:00pm



**Mayor's Task Force on Active Transportation
Committee Meeting
Tuesday, September 10, 2019
7:00PM - Parkdale Room**

Present: Peter Rukavina, Co-Chair Margaret Gallant
Joanne MacRae Heather Rossiter
Karri Shea Jason White
Ramona Doyle, ME&S

Regrets: Ryan Bulger, Chair

1. Call to Order

Peter Rukavina, Co-Chair, called the meeting to order at 7:14PM.

2. Approval of Minutes

It was moved by Heather Rossiter and seconded by Jason White that the minutes be approved as circulated.

3. Declarations of conflict of interest

There were no conflicts of interest declared.

4. Approval of Agenda

It was moved by Heather Rossiter and seconded by Karri Shea that the agenda be approved as circulated.

5. Terms of Reference

The Committee edited the document amongst themselves prior to today's meeting. Karri lead the discussion.

The Committee discussed/reviewed the proposed Terms of Reference.

It was moved by Joanne MacRae and seconded by Karri Shea to approve and forward to the Environment and Sustainability Committee.

6. Use of Teams

The Committee discussed the Teams platform. Jason offered to answer/assist with any questions/concerns the committee has on the program. Jason will bring a laptop to the next meeting to bring Teams up on the screen. Peter suggested that everyone use the Teams platform, as we need active participation.

7. Set Regular Meeting Time

2nd Tuesday of every month at 6pm, except for November where it will be moved to the Wednesday, November 13 due to the Newcomers Reception.

8. Update on the City's Cycling Strategy

The updated City of Charlottetown Cycling Strategy 2019 was provided to the Committee.

The strategy outlined the Purpose, Background, Factors, Implications, Target Groups, Partners, Key Messages, Strategy, Budget and Recommended Timeline.

Jess & Ramona to provide an update on the Cycling Strategy for next meeting.

9. Reporting from Departments Chairs

Reps for each department/group:

Parks & Rec – Peter Rukavina

Public Works – Jason White

Policing – Margaret Gallant

Environment and Sustainability – Joanne MacRae

Cycling PEI – Jason White

Bike Friendly Charlottetown – Karri Shea

UPEI Cycling Initiative – Heather Rossiter

It was moved by Heather Rossiter and seconded by Jason White that the Committee members to liaise with each City Dept. as noted above.

Public Works (Jason) –

- Towers Road Multi use trail. Joanne gave an update on the Towers Road Multi Use Trail as she attended the public meeting. In 2021 the City will extend Spencer Drive across Confederation Trail to directly connect to Towers Road. City will also build a pathway on the Northside of the towers road.
- Roundabout Safety, the Committee discussion the need for active transportation lanes and the need for more education on how you drive in the roundabout
- Riverside Drive continuation of the trail
- Lighting recognizing cyclists – lights will not recognize a cyclists if they are first in line. Ramona informed the committee that the City is in the process of changing this by installing miovision.
- Peter brought up developing a policy – a friendly/naturally policy to bring people aware
- There was a concern about gravel on Water Street, in the active transportation lane. Follow up with Port Authority
- There was a concern regarding the crossing of the trail at Longworth Ave. It needs a redesign and overhead lights.
- The pedestrian call button at KFC are not working properly
- It was suggested that a request be made to Public Works for their call button strategy

- Capital requests for budget consideration has to be in by end of December to respective committees.

Parks & Recreation (Peter) –

- Issues with Confederation Trail
 - Larger gravel is not cyclist friendly
 - 2 pot holes were filled in
 - Drainage issue on the trail between 1911 Jail and Allan Street
 - Cumberland Street sidewalk repair, deep space between sidewalk & trail has been filled in.
- Peter to suggest to move the fit-it station. Jason suggesting moving it to the Holland College Campus.
- Longer term idea, it would be nice to see the trail that goes to the end of Grafton to the end of Cumberland then continues on to an unofficial trail that goes to Water Street. It would be great to see the unofficial trail be completed to connect the trail to the water front.
- Peter mentioned the West Royalty Plan. It would be to connect the trail at Beach Grove to the Confederation trail. Peter would like to invite Ernie and Sean to the November Meeting.
- Peter put forward an idea to connect Sobeys on Allan Street to the trail
- It was recommended the trail budget for maintenance be increased.
 - Motion made by Jason, seconded by Joanne. *Ramona to follow up as to how this recommendation is put forward.
- Action – Ramona to find out who owns the lot with the cut through between Grafton and Maritime Electric

Police (Margaret) –

- Helmet law needs to be enforced
 - Request from Police how many tickets were issued for helmets this year
- Driver behavior needs to be addressed

Sustainability (Joanne) –

- T3 Transit Info and Bike Rack Demos at Charlottetown Farmers' Market - Are you curious about the City's transit service or wondering how to load your bicycle onto the T3 Transit buses' bike racks? The Mayor's Taskforce on Active Transportation, in partnership with T3 Transit and the Charlottetown Farmers' Market, invites the public to stop by the Charlottetown Farmers Market on Saturday, September 28 to learn more about transit and how to combine transit, walking and cycling when getting around the City. Two information sessions will be offered at 10 a.m. and 11 a.m. where T3 staff can answer questions about using the transit service and demonstrate how to load and unload bikes from the bus bike racks and use the accessibility

ramps on the buses. Combining transit, and active transportation is a great way to get around Charlottetown and live a sustainable lifestyle.

- Bike Rack Program – a cost share program between businesses and the City. There has been six businesses sign up to date. Ramona will put the link to the program on teams.

Cycling PEI (Jason) –

- Inquired about the status of signage inventory
- Jason asked if there was a financial incentive
- Send Jason the information

Bike Friendly Charlottetown (Karri) –

- Facebook page launched
- Discussed how the groups can work together
- These groups have a similar vision

Adjournment 9pm

CHARLOTTETOWN RIDERSHIP - SEPTEMBER 2019

Sum of Charlottetown Route #	1	2	3	4	5	6	7	9	11	13	14	15	Grand Total
Date	Day	1	2	3	4	5	6	7	9	11	13	14	15
01-09-19	Sun	683	0	0	0	0	0	0	0	0	0	0	583
02-09-19	Mon	0	0	0	0	0	0	0	0	0	0	0	0
03-09-19	Tue	714	371	394	379	317	22	335	323	4	4	4	3,042
04-09-19	Wed	814	395	488	414	148	283	18	505	335	7	2	3,415
05-09-19	Thu	803	366	383	465	151	340	20	398	329	4	2	3,269
06-09-19	Fri	698	424	391	392	142	321	17	568	340	5	1	3,305
07-09-19	Sat	276	187	183	0	0	0	0	-5	0	0	0	640
08-09-19	Sun	397	0	0	0	0	0	0	0	0	0	0	397
09-09-19	Mon	898	347	372	452	106	0	5	379	282	6	0	2,851
10-09-19	Tue	836	311	409	559	149	289	22	391	355	4	0	3,329
11-09-19	Wed	710	316	351	389	136	249	20	346	289	5	1	2,810
12-09-19	Thu	727	322	370	430	158	331	21	425	377	5	2	3,171
13-09-19	Fri	890	375	382	488	137	302	19	394	347	4	1	3,343
14-09-19	Sat	643	508	474	0	0	287	0	8	0	0	0	1,920
15-09-19	Sun	623	0	0	0	0	0	0	0	0	0	0	623
16-09-19	Mon	791	433	397	344	156	266	14	315	303	0	1	3,026
17-09-19	Tue	807	379	324	448	176	279	25	312	301	4	3	3,063
18-09-19	Wed	815	343	357	368	158	315	24	301	334	6	1	3,028
19-09-19	Thu	836	368	356	412	164	318	27	326	374	5	2	3,196
20-09-19	Fri	867	457	411	477	173	329	24	288	316	5	3	3,356
21-09-19	Sat	605	408	404	0	0	238	0	11	0	0	0	1,666
22-09-19	Sun	591	0	0	0	0	0	0	0	0	0	0	591
23-09-19	Mon	808	379	397	368	164	236	17	308	294	8	2	2,987
24-09-19	Tue	788	269	251	406	156	271	27	284	281	3	1	2,740
25-09-19	Wed	724	356	378	405	152	257	23	275	280	4	2	2,861
26-09-19	Thu	815	342	383	483	162	295	24	367	364	5	2	3,247
27-09-19	Fri	1,062	475	443	378	182	355	18	288	301	5	3	3,514
28-09-19	Sat	629	433	415	0	0	288	0	16	0	0	0	1,781
29-09-19	Sun	679	0	0	0	0	0	0	0	0	0	0	679
30-09-19	Mon	821	477	378	398	145	278	16	322	328	6	2	3,177
01-10-19	Tue	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total		21,350	9,042	9,091	8,455	3,090	6,444	403	7,156	6,447	95	35	71,711

CHARLOTTETOWN RIDERSHIP - SEPTEMBER 2019

Values		2019	2018	2017	2016
Total Ridership		71,711	58,962	50,757	45,924
Monday - Friday	Paying	61,815	48,835	42,278	39,706
	Non - Paying	916	752	1,059	781
	Working Days	20	19	20	21
	Average	3,137	2,610	2,167	1,928
Saturday	Paying	5,934	6,873	5,737	4,113
	Non - Paying	73	105	117	63
	Working Days	4	5	5	4
	Average	1,502	1,396	1,171	1,044
Sunday	Paying	2,961	2,379	1,555	1,258
	Non - Paying	12	18	11	2
	Working Days	5	5	4	4
	Average	595	479	392	315
Grand Total	1001	70,710	71,711		



**STRATEGIC PRIORITIES & INTERGOVERNMENTAL
COOPERATION COMMITTEE
REPORT TO COUNCIL
OCTOBER 15, 2019**

The Strategic Priorities & Intergovernmental Cooperation Committee met September 26, 2019 the draft minutes are included in the package.

The Youth Engagement Committee met September 10, 2019 and the draft minutes are included in your package.

The Affordable Housing Advisory Committee met on October 10, 2019 and the draft minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Alanna Jankov, Chair

STRATEGIC PRIORITIES & INTERGOVERNMENTAL COOPERATION
Thursday, September 26, 2019
12:15 PM – Parkdale Room

Present: Councillor Alanna Jankov, Chair
Councillor Terry Bernard, Vice-Chair
Councillor Greg Rivard, Member at Large
Deputy Mayor Jason Coady, Member at Large
Mayor Philip Brown

Also: Peter Kelly, CAO
Chantal Matheson, EA
Ronnie McPhee, CLO

Regrets: None

1) Call to Order

Councillor Alanna Jankov, Chair called the meeting to order at 12:15 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

It was moved by Councillor Terry Bernard and Seconded by Councillor Greg Rivard that the agenda be approved. Carried.

4) Approval of Minutes

It was moved by Mayor Philip Brown and seconded by Councillor Greg Rivard that the minutes from July 31, 2019 be approved as circulated. Carried.

5) Business Arising from minutes:

There was no business arising from the minutes.

6) Reports:

(a) Flag Raising Policy

Ronnie McPhee, CLO presented the report. The City does not have a policy or process for citizens and organizations requesting to have their flag raised at City Hall. The policy would consist of a digital form on the City's website to streamline the requests to the Mayor's Office. The form will make it more accessible and easier for the public/community groups looking to raise their flag. There was some discussion amongst the Committee and the Committee agreed to endorse the policy and to add the tower lighting and proclamations to the form. It was also suggested to have paper copies of the form at main reception for additional access.

(b) RFP Multi-use Facility Funding Model Consulting

The Committee had a discussion on the recent RFP for the Multi-use Facility sub model funding Consulting. After some discussion, it was the consensus of the Committee to refer this item to Council for further discussion and consideration.

7) Motion to move into closed session

Motion to move into closed session, as per Section 119 (1) sub-section (b) and (e) of the PEI Municipal Government Act was moved by Councillor Greg Rivard and seconded by Councillor Terry Bernard. Carried.

8) New Business

There was no new business.

9) Meeting Adjourned

Moved by Mayor Philip Brown and Seconded by Councillor Greg Rivard that the meeting be adjourned. Carried.

The meeting adjourned at 1:20 PM



City of
Charlottetown

Report No:

Date: Aug 20th 2019

Directed to: Strategic Priorities and
Intergovernmental Cooperation Committee

Department: IGA

Prepared by:
Ronnie McPhee, Community Liaison Officer

Attachments:

Rational for Flag Raising Digital Form
Examples for Flag Raising Forms from:
Moncton, NB / Toronto, ON / Windsor, ON
Draft Form for Charlottetown

Subject: Blanket Policy and Procedure for Flag Raising Requests

RECOMMENDATION:

Consider and implement a Flag Raising Digital Form on the City of Charlottetown Website

REPORT:

Attached.

Respectfully,

Reviewed By:

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

Proposal to Committee

Subject: Introduction of a Flag Raising Request Form to the City of Charlottetown's Website

Proposal

Currently there isn't a blanket policy or process for citizens and organizations to request to have their flag raised at City Hall. Introducing a digital form on the City's website will help streamline the requests to the Mayor's office. This form will make it more accessible and easier for those looking to raise their flag.

Other municipalities that have a Flag Raising Request Forms on their website: Moncton, Toronto, Markham, Brampton, Calgary, Windsor, Guelph, Kingston, others – *examples attached*.

The online application should clearly outline at the beginning what types of flags will and will not be considered.

Example:

Requests that will not be considered:

- Political parties or organizations
- Religious organizations or in celebration of religious events
- Commercial entities or in celebration of corporate events
- Intent that is contrary to City policies or bylaws
- Organizations requesting flag raisings that espouse hatred, violence or racism
- Organizations that have already flown a courtesy flag during the same calendar

Requests that will be considered:

- Not-for-profit organizations;
- Charitable organizations;
- Local sports teams representing Charlottetown or Prince Edward Island nationally or internationally;
- Organizations requesting flag raising that espouse kindness, unity, and community growth;
- Other celebratory organizations or events.



My Gov't at Work

Request to Fly a Flag at City Hall Form

Request to Fly a Flag at City Hall Form

Organizations or community groups who would like to fly a special flag on the flagpole in the City Hall plaza may fill out this request form. Arrangements can be made to have the Mayor or a City Councillor raise the flag at an official flag raising ceremony by filling out the Appearance Request Form.

Date for flag raising (Monday-Friday)

Period of time flag requested to be flown (from - to)

Reason for request

Will you supply the flag to be flown?

- Yes
- No

Will there be a ceremony to raise the flag? To request an appearance of a City Council member at your flag raising, please fill out the Appearances Form - City and Council (Government, Mayors Office).

- Yes
- No

Time of ceremony (between 8:30 a.m. & 4 p.m.)

Number of people expected at the ceremony

Name of organization

Contact person

Address

Address

City/Town

Postal Code

Telephone Number

Email

The flag pole will be reserved on a first-come first-serve basis. Your submission does not guarantee a reservation. You will be contacted to confirm your spot.

SUBMIT



Flag Raising Request Form

The City of Toronto will fly, on existing courtesy flag poles, flags of nations recognized by the Federal Department of Global Affairs <http://International.gc.ca/world-monde/country-pays/index.aspx?lang=eng> on its national day or on the anniversary of a special occasion; or flags of non-profit or charitable organizations; for up to two weeks upon the online submission of the group or organization.

Requests to use the courtesy flag pole will be confirmed on a first come first served basis.

Requests will not be approved for:

- Political parties or organizations
- Religious organizations or in celebration of religious events
- Commercial entities or in celebration of corporate events
- Intent that is contrary to City policies or bylaws
- Organizations requesting flag raisings that espouse hatred, violence or racism
- Organizations that have already flown a courtesy flag during the same calendar year

Should your organization not have an official letterhead, provide an:

- official website link or
- social media account, i.e. Facebook

Flag Information

Date of Flag Raising 

Name of Flag Requested to be Raised

Please upload an image of the flag, official letterhead or flag raising program:

Purpose of Flag Raising

Location of Courtesy Flag Pole

Please select the location of the courtesy flag pole... ▼

Duration Requested to be Flown

Please select the duration of the flag to be flown... ▼

Ceremony Information

Request for a Ceremony?

Yes No

Organization Information

Organization Name

Type of Organization

Contact First Name

Contact Last Name

Organization Telephone Number

Use an international number like +1-###-###-####

Organization Email

URL for Organization's Website (optional)

Street Number

Street Name

Suite/Unit Number (optional)

City/Town

Province

Postal Code

Additional Notes: (optional)

Official Representative Confirmation

By clicking this button I confirm that I am the Official Representative of the Organization requesting the Flag Raising.



APPLICATION FOR FLAG RAISING – 350 CITY HALL SQUARE WEST

Completed form to be submitted to City Clerk & Licence Commissioner at least four weeks in advance of the event.

NOTE: *As per the City of Windsor Flag Policy CR206/2010:*

- There will be no presentations or delegations at City Council with respect to flag raising request
- At no time will the City of Windsor display flags deemed to be inappropriate or offensive in nature or those supporting discrimination, prejudice, political or religious movements.
- The City of Windsor reserves the right to choose which flags may or may not be flown at city owned properties.

CONTACT INFORMATION (PLEASE PRINT)

ORGANIZATION NAME:

CONTACT NAME:

ADDRESS:

CITY:

PROVINCE:

POSTAL CODE:

PHONE:

EMAIL:

REQUESTED EVENT OR OCCASION:

DATE / TIME OF EVENT & LENGTH OF TIME TO FLY YOUR FLAG

EXPLANATION OR PURPOSE OF THE EVENT

DESCRIPTION OF THE APPLICANT ORGANIZATION:

(Including any Local, National or International affiliation, brief history and any other relevant information)

Page 1 of 2



DESCRIPTION OF THE FLAG TO BE RAISED:

(Include brief physical description, colours, symbols and any other relevant information)

SIGNATURE: _____ DATE: _____

PLEASE SUBMIT THE COMPLETED FORM TO:

In person: Council Services Department, Room 203 - 350 City Hall Square West
or via email or fax: clerks@citywindsor.ca Fax: 519-255-6868

INTERNAL USE ONLY:

DATE

SIGNATURE – CITY CLERK & LICENCE
COMMISSIONER

DATE

SIGNATURE – MAYOR

5.5 SPECIAL REQUESTS

(a) A special request from an agency or organization located in Windsor/Essex wishing to raise their flags at 350 City Hall Square to mark an event will be reviewed and processed by the City Clerk & Licence Commissioner, who will present the request to the Mayor for signature. If approved, the special request will be noted on the Council Agenda under the Proclamations section for information only.

INTERNAL DISTRIBUTION:

- _____ Corporate Communications
- _____ Manager of Facilities
- _____ 311 Call Centre
- _____ City Hall Receptionist
- _____ Community Special Events, Recreation & Culture Department



Application for Flag Raising

APPLICATION DROP OFF DATE:

Organization Name:

Contact Name: _____

Contact Phone Number: _____ Contact e-mail: _____

Website/Social Media for Organization: _____

Reason for Request:

Duration of Flag Flying (DD/MM/YYYY):

Start Date: _____ End Date: _____

****Applications must be submitted two weeks prior to Flag Raising Date****

Brief Description of the organization or individual requesting:



Description of the flag (can also attach/upload photo)

Signature of Applicant: _____ Date: _____

(Digital – By clicking here you confirm you are an official representative of the organization requesting to have their flag being raised)

Youth Engagement Committee
Wednesday, September 11, 2019
12:00 PM – Parkdale Room

Present: Lucas MacArthur, Chair Hilary Wood, Co-Chair
 Kyla MacDonald Lauren McKearney
 Bob Wu Robyn Dann
 Jay Noble

Also: Cindy MacMillan, AA

Regrets: N/A

1) Call to Order

Lucas MacArthur, Chair, called the meeting to order at 12:15 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

It was moved by Jay Noble and seconded by Hilary Wood that the agenda be approved as circulated. Carried.

4) Terms of Reference

The Committee reviewed the Terms of Reference that was used by the previous Youth Advisory Board. Members provided input on what to add/remove from that document and will present a revised draft that will be presented at the next meeting.

5) New Business

The Committee had a discussion on the upcoming Federal election and whether there was interest in hosting a forum or adding a few questions to an upcoming forum. Questions would be surrounding the issues facing youth.

6) Meeting Adjourned

It was moved by Lauren and seconded by Kyla that the meeting be adjourned. The meeting adjourned at 12:50 PM. Motion Carried.

AFFORDABLE HOUSING ADVISORY COMMITTEE

Thursday, October 10, 2019

12:00 PM – Parkdale Room

Present: Aimee Power, Chair
Ladjane Carvalho-Schulman
Craig Cameron
Donna Keenan
Paul Crant

Also: Alex Forbes, PHM
Chantal Matheson, EA

Regrets: Greg McKee
Ashley Gillis
Kandace Hagen
Jamie MacDonald

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 Donna Keenan and seconded by Paul Crant, that the agenda be approved as circulated. Carried.

4) Approval of Minutes

Moved by Donna Keenan and seconded by Craig Cameron, that the minutes of August 8, 2019 be approved. Carried.

5) Discussions

- (a) Andrew Daniels, Downtown Charlottetown – Street Outreach Coordinator attended the meeting and had a discussion with the Committee on homelessness in Charlottetown. Andrew explained his role and the services that are available to those in need that are experiencing homelessness.

6) New Business

There was no new business.

7) Meeting Adjourned

Moved by Ladjane Carvalho-Schulman and seconded by Donna Keenan that the meeting be adjourned. Carried.

Meeting adjourned at 1:00 pm.



**FINANCE, AUDIT & TENDERING COMMITTEE
REPORT TO COUNCIL
October 15th, 2019**

The Finance, Audit & Tendering Committee met on October 9th, 2019. A monthly summary financial statement till the end of September is included in the package.

There is one resolution included in this package for your consideration.

Respectfully submitted,

Councillor Terry Bernard, Chair

Finance, Audit & Tendering Committee
October 9th, 2019
12:00 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)**
 Councillor Mike Duffy
 Peter Kelly, CAO
 Connie McGaugh, ACC

Councillor Kevin Ramsay
Mayor Philip Brown
Mark Lanigan, FM

Regrets: **Councillor Greg Rivard**

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 Ramsay and seconded by Councillor Duffy that the minutes of September 4th, 2019 be approved as circulated.

Motion Carried.

5) 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 Duffy to move into the closed session

6) Business Arising from Closed Session

Committee approved to accept the 452 sq ft sliver of land on Hanover Street as part of the City right-of-way. A resolution will be brought forward to the Tuesday, October 15th, Meeting of Council from the Finance, Audit and Tendering Committee.

7) Adjournment of Public Session

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

Meeting adjourned 2:20 p.m.

Chair: Councillor Terry Bernard



CITY OF CHARLOTTETOWN

RESOLUTION

Finance # 1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15th, 2019

Moved by Councillor _____ Terry Bernard

Seconded by Councillor _____ Greg Rivard

RESOLVED:

That the City of Charlottetown accepts the 452 sq ft sliver of land on Hanover Street (Parcel A) as part of the City right-of-way. (Part of PID#530980) as indicated in the attached survey plan.

And that the Planning Department will enter into a development agreement with the developer,

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



PID No. 437749

PID No. 437764

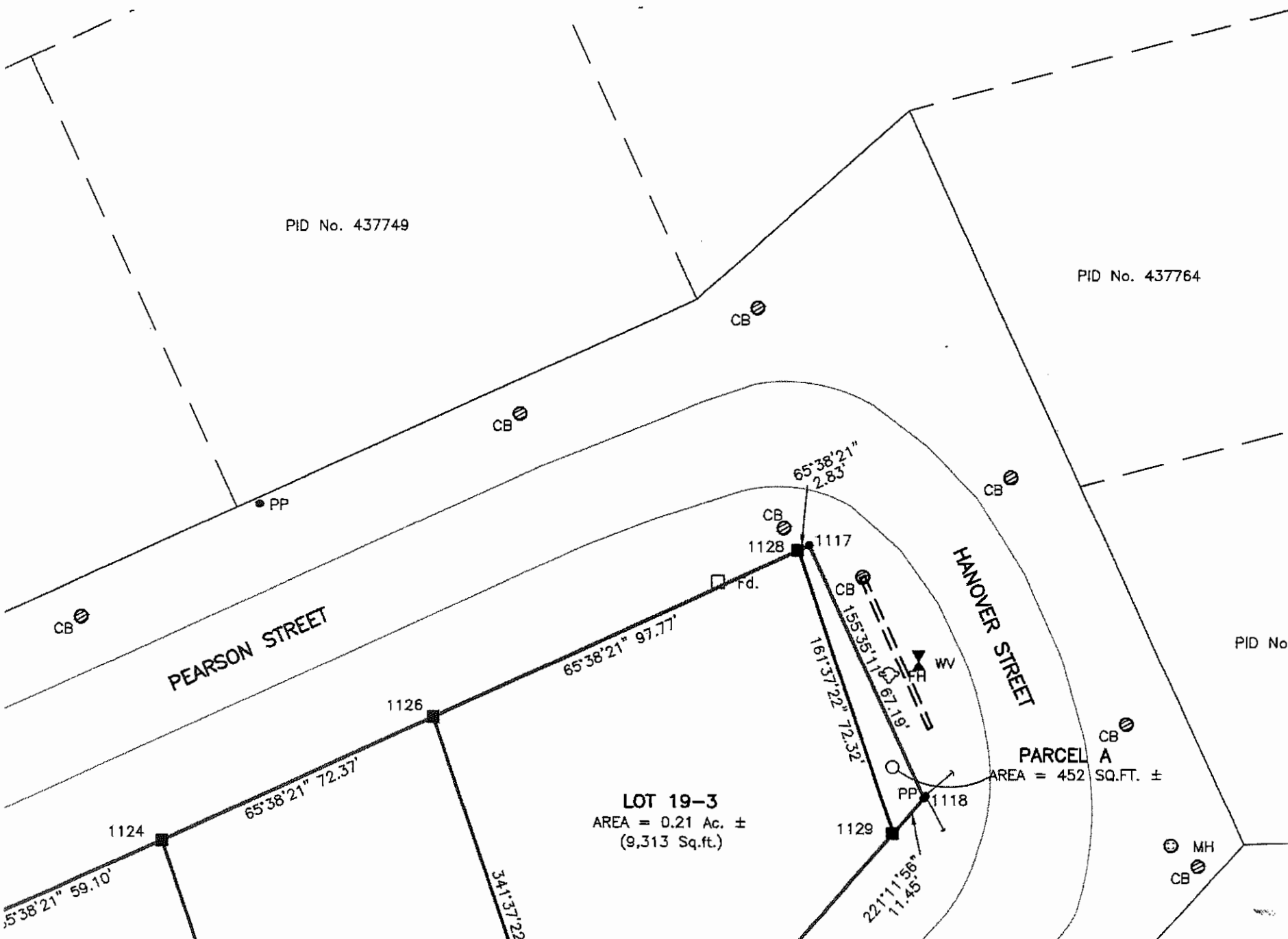
PID No. 437772

PEARSON STREET

HANOVER STREET

LOT 19-3
AREA = 0.21 Ac. ±
(9,313 Sq.ft.)

PARCEL A
AREA = 452 SQ.FT. ±



PEI GEOMATICS
INFORMATION CENTRE

Owner Name: MAC & MAC ENTERPRISES INC
Location: null



PROVINCE OF PEI DEPARTMENT OF
PROVINCIAL TREASURY
GEOMATICS INFORMATION CENTRE
11 KENT ST. CHARLOTTETOWN
PEI C1A 7N8

PHONE: 902-368-5178
FAX: 902-368-4399

WHILE THIS MAP MAY NOT BE FREE
FROM ERROR OR OMISSION, CARE HAS
BEEN TAKEN TO ENSURE THE BEST
POSSIBLE QUALITY. THIS MAP IS A
GRAPHICAL REPRESENTATION. IT IS NOT
INTENDED TO BE USED TO CALCULATE
EXACT DIMENSIONS OR AREAS.

SCALE: 1:2500
DATE: Jul 2, 2019
TIME: 03:30:10 PM
ACREAGE: 0.65
WORK UNIT: 2283



City of Charlottetown
2019/2020 Budget Summary
Current Period: SEP-2019

Currency: CAD
 No specific Ledger requested

	Original Budget	Revised Budget	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
City Operating Revenue					
Surplus (Deficit) from Previous Year	1,829,178	1,829,178	1,829,178	-	100.00%
Property Taxes	34,172,513	34,172,513	17,580,073	16,592,440	51.45%
Provincial Grant	13,637,983	13,637,983	7,007,441	6,630,541	51.38%
Partial Grant in Lieu of Taxes (QEH)	140,000	140,000	140,000	-	100.00%
Licenses	1,217,135	1,217,135	500,500	716,635	41.12%
Parking Garages	685,000	685,000	323,327	361,673	47.20%
Parking Meters	1,020,000	1,020,000	507,623	512,377	49.77%
Police	1,131,500	1,131,500	428,655	702,845	37.88%
Credits from Outside Sources	505,000	505,000	80,735	424,265	15.99%
Outside Fire Protection	30,000	30,000	30,000	-	100.00%
Utility Administration Fee	205,000	205,000	102,500	102,500	50.00%
Interest	40,000	40,000	34,987	5,013	87.47%
Recreation	618,390	617,940	(10,958)	628,898	-1.77%
Transfer From Parkland Reserves	172,143	172,143	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	-	-	73,324	(73,324)	
Total City Operating Revenue	57,155,742	57,155,292	28,790,843	28,364,448	50.37%
Water & Sewer Revenue					
Surplus (Deficit) from Previous Year	(1,200,000)	(1,200,000)	(1,200,000)	-	100.00%
Water & sewer services	11,044,681	11,044,681	5,548,810	5,495,871	50.24%
Fire protection - hydrant services	1,139,380	1,139,380	569,690	569,690	50.00%
Contract services billed	167,500	167,500	(45,944)	213,444	-27.43%
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	4,872,556	8,466,505	36.53%
Total Operating Revenue - City, Water & Sewer	70,494,803	70,494,353	33,663,399	36,830,953	47.75%
General Government Services:					
City Government					
Salaries & benefits	1,835,300	1,835,300	776,427	1,058,873	42.31%
Solicitors' fees	265,000	265,000	66,223	198,777	24.99%
Information technology & new equipment	18,000	18,000	-	18,000	0.00%
Communications & web site	66,500	66,500	24,937	41,563	37.50%
Office, postage & equip repairs/rentals	49,500	49,500	21,066	28,434	42.56%
Professional Development	28,000	28,000	17,115	10,885	61.13%
Infrastructure & asset management	12,000	12,000	4,895	7,105	40.79%
Reports & studies	85,000	85,000	15,997	69,003	18.82%
Other	76,400	76,400	69,250	7,150	90.64%
Total City Government	2,435,700	2,435,700	995,910	1,439,790	40.89%
Finance and Audit					
Salaries & benefits	696,844	696,844	296,014	400,830	42.48%
Information Technology & Oracle hosting/SLA	75,000	75,000	4,398	70,602	5.86%
Financial statement audit	95,000	95,000	11,550	83,450	12.16%
Bank service charges	70,000	70,000	36,290	33,710	51.84%
Professional development & meeting expenses	12,500	12,500	8,358	4,142	66.86%
Other	7,720	7,720	1,077	6,643	13.95%
Total Finance and Audit	957,064	957,064	357,687	599,377	37.37%



City of Charlottetown
2019/2020 Budget Summary
Current Period: SEP-2019

Currency: CAD
 No specific Ledger requested

	Original Budget	Revised Budget	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Municipal Buildings					
Salaries & benefits	706,650	706,650	379,286	327,364	53.67%
Heat	325,000	325,000	74,979	250,021	23.07%
Lights, phone, water/sewer	282,110	270,085	121,503	148,582	44.99%
Repairs, maintenance, cleaning & snow removal	266,745	245,645	116,075	129,570	47.25%
Service contracts	97,000	119,600	114,592	5,008	95.81%
Property taxes	360,000	354,200	232,386	121,814	65.61%
Rent - Planning	114,000	111,500	101,735	9,765	91.24%
Other	9,100	10,100	4,654	5,446	46.08%
Total Municipal Buildings	2,160,605	2,142,780	1,145,210	997,570	53.45%
Total Insurance	685,000	685,000	336,237	348,763	49.09%
Mayor and Council					
Salaries & benefits	75,543	75,543	20,359	55,184	26.95%
Mayor & Council	478,593	478,593	188,321	290,272	39.35%
Professional Development	5,000	5,000	4,996	4	99.92%
Public Relations/Community Events	275,175	281,240	109,709	171,531	39.01%
Professional services/office equipment	26,000	26,000	8,452	17,548	32.51%
Total Mayor and Council	860,311	866,376	331,837	534,539	38.30%
Total General Government Services	7,098,680	7,086,920	3,166,881	3,920,039	44.69%
Protective Services:					
Fire Department					
Salaries & benefits - Permanent	1,663,194	1,663,194	904,626	758,568	54.39%
Salaries & benefits - Volunteers	759,150	759,150	349,796	409,355	46.08%
Hydrant services - water supply	1,139,380	1,139,380	569,690	569,690	50.00%
Repairs & maintenance - vehicles/equipment	159,337	159,337	77,481	81,856	48.63%
New/leased - vehicles/equipment	40,738	39,238	5,125	34,113	13.06%
Clothing & uniforms	40,259	40,259	26,546	13,713	65.94%
Professional development	58,784	58,784	38,888	19,896	66.15%
Emergency preparedness	45,846	45,846	13,571	32,275	29.60%
Volunteer programs	20,000	20,000	8,242	11,758	41.21%
Other	49,985	50,605	27,704	22,901	54.75%
Total Fire Department	3,976,673	3,975,793	2,021,669	1,954,125	50.85%
Police Department					
Salaries & benefits	8,752,924	8,752,924	4,195,888	4,557,037	47.94%
Ticketing expenses	181,659	181,659	146,868	34,791	80.85%
Repairs & maintenance - vehicles & equipment	219,000	219,000	84,807	134,193	38.72%
Information technology & communication	163,898	157,898	47,548	110,350	30.11%
Professional development	37,000	37,150	15,483	21,667	41.68%
Cruiser & officer supplies	127,400	127,400	73,600	53,800	57.77%
Humane Society contract	103,362	103,372	103,372	-	100.00%
Office & operational expenses	70,500	70,500	46,172	24,328	65.49%
Other	49,800	49,640	11,133	38,507	22.43%
Total Police Department	9,705,543	9,699,543	4,724,871	4,974,673	48.71%
Total Protective Services	13,682,216	13,675,336	6,746,540	6,928,798	49.33%



City of Charlottetown
2019/2020 Budget Summary
Current Period: SEP-2019

Currency: CAD
 No specific Ledger requested

	Original Budget	Revised Budget	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Public Works					
Salaries & benefits	3,518,000	3,518,000	1,454,534	2,063,466	41.35%
Snow removal	4,480,000	4,444,000	687,371	3,756,629	15.47%
Street cleaning	900,000	907,000	633,743	273,257	69.87%
Street resurfacing & repair	850,000	850,000	735,321	114,679	86.51%
Sidewalk & curb maintenance	380,000	380,000	293,214	86,786	77.16%
Repairs & maintenance - equipment & vehicle	955,000	950,500	437,288	513,212	46.01%
Beautification & tree program	1,245,000	1,245,000	1,043,157	201,843	83.79%
Storm water control	295,000	295,000	246,005	48,995	83.39%
Traffic marking & signs	355,000	355,000	233,451	121,549	65.76%
Office, advertising & professional developm	87,000	78,150	39,785	38,365	50.91%
Insurance claims	100,000	100,000	57,508	42,492	57.51%
Street lighting	1,210,000	1,210,000	516,571	693,429	42.69%
Traffic & parking	30,000	30,000	7,052	22,948	23.51%
Other	93,250	135,600	87,722	47,878	64.69%
Total Public Works	14,498,250	14,498,250	6,472,722	8,025,528	44.64%
Total Fiscal Services	7,951,218	7,951,218	3,381,369	4,569,850	42.53%
Parks and Recreation					
Administration					
Salaries & benefits	190,452	190,452	93,339	97,113	49.01%
Professional development	10,000	10,000	1,195	8,805	11.95%
Advisory Committee & meeting expenses	2,000	2,000	891	1,109	44.55%
Office equipment & advertising	5,500	5,500	2,019	3,481	36.71%
Other	5,200	5,200	1,460	3,740	28.08%
Total Administration	213,152	213,152	98,904	114,248	46.40%
Programs and grants					
Salaries & benefits	410,072	410,072	271,956	138,116	66.32%
Subsidies & grants	295,768	295,768	69,310	226,458	23.43%
Programs and equipment	43,175	43,175	31,389	11,786	72.70%
Other	13,700	13,700	4,432	9,268	32.35%
Total programs and grants	762,715	762,715	377,087	385,628	49.44%
Parks					
Salaries & benefits	1,332,509	1,332,509	841,935	490,574	63.18%
Parks maintenance	355,594	355,594	203,714	151,880	57.29%
Repairs & maintenance - vehicles & equipment	146,550	146,550	73,297	73,253	50.02%
Pools	31,000	31,000	24,641	6,359	79.49%
Other	36,400	36,400	14,901	21,499	40.94%
Total Parks	1,902,053	1,902,053	1,158,488	743,565	60.91%
Arenas					
Salaries & benefits	487,485	487,035	187,754	299,281	38.55%
Lights, fuel, phone & water	236,550	234,795	38,430	196,365	16.37%
Repairs & maintenance	114,700	114,700	24,895	89,805	21.70%
Other	66,000	66,000	9,064	56,936	13.73%
Total Arenas	904,735	902,530	260,143	642,387	28.82%
Total Parks and Recreation	3,782,655	3,780,450	1,894,622	1,885,828	50.12%



City of Charlottetown
2019/2020 Budget Summary
Current Period: SEP-2019

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	Original Budget	Revised Budget	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Community Sustainability					
Salaries & benefits	224,330	224,330	53,483	170,847	23.84%
Education, communication & community involvement	67,000	67,000	38,628	28,372	57.65%
Projects	75,500	75,500	21,432	54,068	28.39%
Other	12,750	12,750	1,771	10,979	13.89%
Total Community Sustainability	379,580	379,580	115,314	264,266	30.38%
Planning					
Salaries & benefits	1,102,977	1,102,977	395,494	707,483	35.86%
Planning services	63,000	63,000	5,901	57,099	9.37%
Board meetings	10,200	10,200	4,239	5,961	41.56%
Professional Development	31,500	31,500	13,525	17,975	42.94%
Office, phones & equipment	21,925	21,925	8,275	13,650	37.74%
Design Review Board	15,500	15,500	1,196	14,304	7.72%
Other	2,000	2,000	1,787	213	89.35%
Total Planning	1,247,102	1,247,102	430,417	816,685	34.51%
Heritage					
Heritage tax program	82,000	82,000	51,986	30,014	63.40%
Heritage grant program	65,000	65,000	12,928	52,072	19.89%
Heritage Area Study	18,000	18,000	-	18,000	0.00%
Board meetings	8,000	8,000	1,454	6,546	18.18%
Special projects	6,000	6,000	717	5,283	11.95%
Other	6,500	6,500	529	5,971	8.14%
Total Heritage	185,500	185,500	67,614	117,886	36.45%
Economic Development					
Business Improvement Area (BIA)	310,199	310,199	309,795	404	99.87%
Investment Program	85,938	85,938	177,873	(91,935)	206.98%
Memberships & Partnerships	216,000	216,000	150,153	65,847	69.52%
Stipends to Citizen Representatives	-	-	-	-	-
Business & Marketing Development	38,500	38,500	15,804	22,696	41.05%
Other	5,000	5,000	1,102	3,898	22.04%
Total Economic Development	655,637	655,637	654,727	910	99.86%
Tourism					
Annual Events	106,000	106,000	51,801	54,199	48.87%
Tourism Initiatives	83,500	77,435	62,247	15,188	80.39%
Memberships & Partnerships	13,700	13,700	13,105	595	95.66%
Tourism & Japanese Delegates Visit	10,000	10,000	521	9,479	5.21%
Office & Computer	2,500	2,500	851	1,649	34.04%
Professional Development	6,000	6,000	2,699	3,301	44.98%
Other	3,500	3,500	4,221	(721)	120.60%
Total Tourism	225,200	219,135	135,445	83,690	61.81%
Human Resources					
Salaries & benefits	567,300	567,300	253,353	313,947	44.66%
Payroll & employee services	100,300	90,250	45,276	44,974	50.17%
Contract services & employee assistance pro	46,320	46,420	18,543	27,877	39.95%
Office, committee & communication	6,500	6,500	2,051	4,449	31.55%
Organizational Development	12,000	21,950	20,773	1,177	94.64%
Professional Development	20,000	20,000	13,432	6,568	67.16%
Total Human Resources	752,420	752,420	353,428	398,992	46.97%

**City of Charlottetown
2019/2020 Budget Summary
Current Period: SEP-2019**

Currency: CAD
No specific Ledger requested

	Original Budget	Revised Budget	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Strategic Priorities & Intergovernmental Cooperation					
Meeting expenses	10,000	10,000	1,143	8,857	11.43%
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	684	14,316	4.56%
Total Strategic Priorities & Intergovernmental Cooperation	170,000	170,000	1,827	168,173	1.07%
Information Technology					
Network software & maintenance agreements	225,000	225,000	177,772	47,228	79.01%
Service level agreements	115,000	115,000	70,408	44,592	61.22%
Desktop software subscriptions/purchases	52,000	39,060	5,126	33,934	13.12%
Network hardware support & maintenance agre	11,000	59,400	55	10,945	0.09%
Other	19,000	10,000	1,098	8,902	10.98%
Total Information Technology	422,000	448,460	254,459	145,601	56.74%
Transit					
Transit contract	770,000	770,000	829,119	(59,119)	107.68%
Shelter Maintenance	57,600	57,600	54,582	3,018	94.76%
Pat and the Elephant	50,000	50,000	25,000	25,000	50.00%
Other	127,500	127,500	928	126,572	0.73%
Total Transit	1,005,100	1,005,100	909,629	95,471	90.50%
Event Attraction					
Event Hosting	266,000	266,000	131,933	134,067	49.60%
Special Initiatives	90,000	90,000	38,097	51,903	42.33%
Development & Attraction	50,000	50,000	17,143	32,857	34.29%
Promotions & Materials	23,000	23,000	7,070	15,930	30.74%
Memberships & Partnerships	6,350	6,350	2,822	3,528	44.44%
Professional Development	8,000	8,000	3,482	4,518	43.53%
Office & miscellaneous	5,000	5,000	1,648	3,352	32.96%
Total Event Attraction	448,350	448,350	202,195	246,155	45.10%
Arts and Culture					
Confederation Centre of the Arts	304,503	304,503	311,076	(6,573)	102.16%
Grants	81,270	81,270	26,290	54,980	32.35%
Cultural Initiatives	40,200	40,200	16,386	23,814	40.76%
Board Expenses	1,000	1,000	-	1,000	0.00%
Total Arts and Culture	426,973	426,973	353,752	73,221	82.85%
Other					
Elections	75,000	75,000	-	75,000	0.00%
Extraordinary Expenditure	1,646,659	1,646,659	150,000	1,496,659	9.11%
Grants	2,457,770	2,457,770	2,348,031	109,739	95.54%
Stipends to Citizen Representatives	30,000	30,000	7,200	22,800	24.00%
Fleet Management	4,000	4,000	12,185	(8,185)	304.63%
Total Other	4,213,429	4,213,429	2,517,416	1,696,013	59.75%



City of Charlottetown
2019/2020 Budget Summary
Current Period: SEP-2019

Currency: CAD
 No specific Ledger requested

	Original Budget	Revised Budget	Total Revenue/ Expenditures	Funds Available	% of Bud Expense
Water and Sewer					
Salaries & benefits	3,883,848	3,883,848	1,806,972	2,076,877	46.53%
Debt charges/New Vehicles & Equipment	4,887,365	4,887,365	1,593,375	3,293,990	32.60%
Repairs & maintenance - Stations/Infrastruc	1,517,740	1,517,740	1,030,472	487,268	67.90%
Repairs & maintenance - Vehicles/Equipment	744,023	744,023	605,169	138,854	81.34%
Power	1,169,935	1,169,935	507,524	662,412	43.38%
Office, phones & radios	215,833	215,833	50,888	164,945	23.58%
Insurance & property taxes	162,833	162,833	37,005	125,828	22.73%
Committee & meetings	167,180	167,180	82,155	85,025	49.14%
Service contracts & consulting fees	145,506	145,506	36,916	108,590	25.37%
Professional Development	113,685	113,685	32,183	81,502	28.31%
Extraordinary Items	116,841	116,841	-	116,841	0.00%
Water Conservation	60,000	60,000	23,217	36,783	38.70%
Other	145,643	145,643	34,203	111,440	23.48%
Total Water and Sewer	13,330,432	13,330,432	5,840,079	7,490,355	43.81%
Total Expenditure	70,474,742	70,474,292	33,498,436	36,927,461	47.53%
Total Operating Surplus (Deficit) - City, Water & Sewer	20,061	20,061	164,963	(96,508)	



CITY OF CHARLOTTETOWN

RESOLUTION

Finance #2

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Terry Bernard

Seconded by Councillor _____ Greg Rivard

RESOLVED:

That the City of Charlottetown agrees to accept the donation of Andrew's Pond north (PID 192245-201) and to provide John & Christine Andrew with a taxable receipt for the appraised value of \$416,000, as noted in the Appraisal Report (October 1, 2017) prepared by Altus Groups Limited and re-valuation letter provided by CBRE Limited (April 25, 2019).

And that the City agrees to cover the associated expenses of \$15,000 for the appraisal, legal, survey and transfer of deed expenses, which will be expensed from the 2019 Operational Budget.

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

Andrew's Pond (PID 192245-201)

Overview of the Andrew's Pond Donation

October 15, 2019

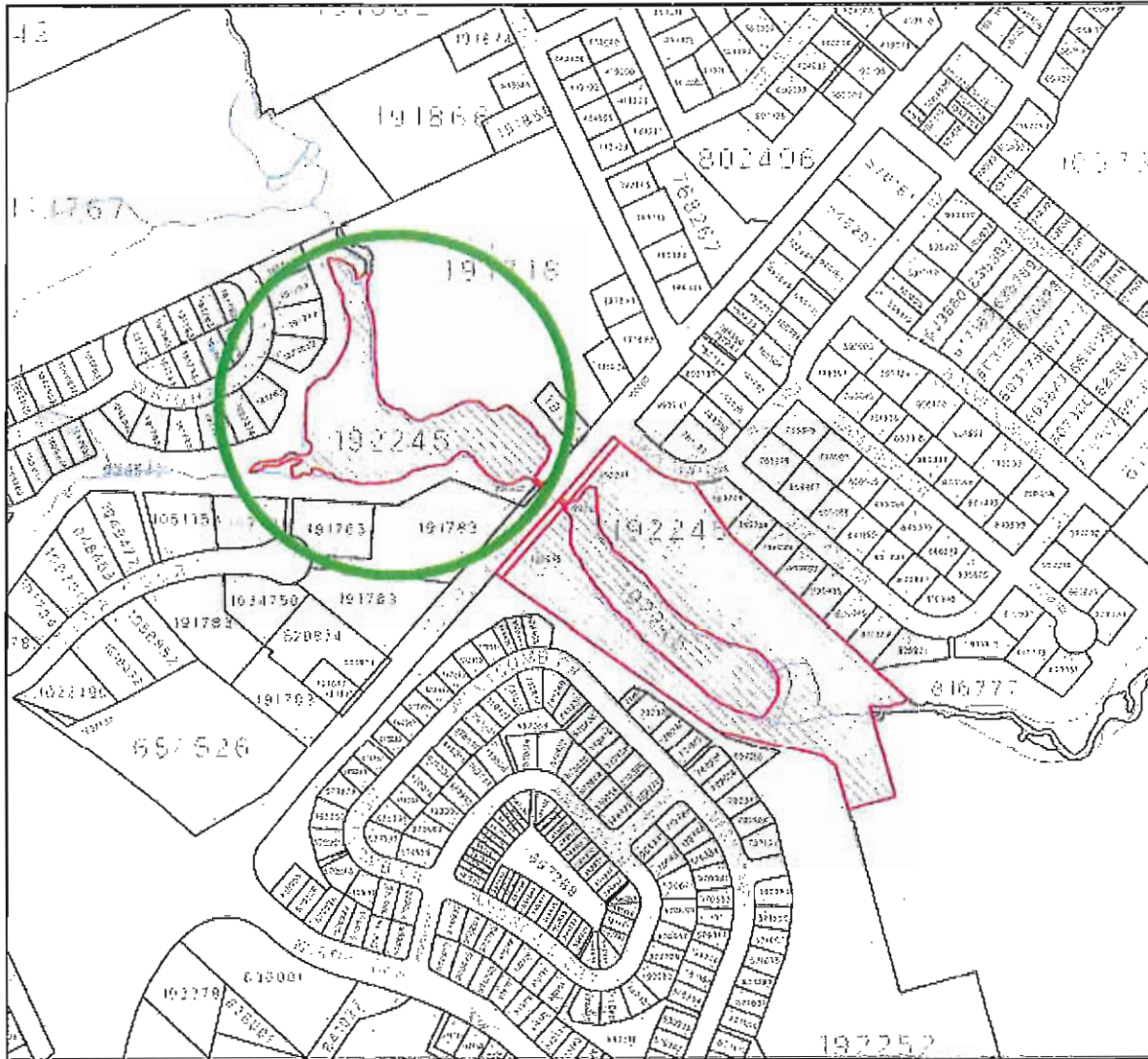
Compiled by Frank Quinn, Manager of Parks and Recreation Department

- On July 17, 2014, the CAO provided Mr. John Andrew with a letter indicating that Council has accepted the generous offer of Andrew's Pond north property (6.6 +/- acres). Please see attached map of property. The City agreed to provide an appraisal of the property from a qualified appraiser suitable for income tax purpose, cover all legal and survey expenses, and provide a written confirmation deemed necessary for Canada Revenue Agency purposes. The City also agreed to accept the responsibility of maintaining and continuing the efforts that Mr. Andrew has made with regards to the pond and to ensure that the name remains associated with the property. An initial appraisal was completed (dated September 25, 2014), but the valuation was not deemed to be satisfactory.
- A second appraisal of the property was prepared by Altus Group Limited dated October 1, 2017, which valued the property at \$416,000.
- The purpose of this appraisal was to estimate the current market value. In the appraisal report, the property was deemed to be a critical piece of the City storm water management plan (system) and critical piece of infrastructure for the neighbourhood and the City in general.
- As well the property is deemed to be an important piece of infrastructure for recreational uses and the preservation of a natural area.
- Senior Management Staff have reviewed the appraisal report as submitted by Altus Groups and the re-valuation letter provided by CBRE Limited, and staff supports the appraisal value of the property and recommend that the City accepts this donation of property.

Wright's Creek/ Andrew's Pond North
PID No. 192245-201, Off St. Peters Road, Charlottetown

PEI GEOMATICS
INFORMATION CENTRE

Owner Name: JOHN W & CHRISTINE ANDREW



Geomatics Map



**HUMAN RESOURCES, COMMUNICATIONS
AND ADMINISTRATION COMMITTEE
REPORT TO COUNCIL
OCTOBER 15, 2019**

The Human Resources, Communications and Administration Committee last met on September 18, 2019. The minutes are included in your package.

Respectfully submitted,

Councillor Julie McCabe, Chair

DRAFT

**Human Resources, Communications & Administration
Committee**

Wednesday, September 18, 2019

3:30 PM– Parkdale Room

Present: Mayor Philip Brown
Councillor Julie McCabe, Chair
Councillor Mike Duffy, Member
Councillor Kevin Ramsay, Member
Councillor Alanna Jankov, Vice-chair
Peter Kelly, CAO
Bethany Kauzlarick, HRM
John Mooy, HRM
Jennifer Gavin, CO
Lorenda MacEachern, HREA

1) Call to Order

Councillor Julie McCabe called the meeting to order at 3:35 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

The agenda was approved as circulated.

4) Adoption of Minutes

The minutes from August 21, 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. HR091820190S

Bethany Kauzlarick, HRM, introduced John Mooy to the Committee. John has been hired as interim HRM to cover Ms. Kauzlarick while she is on maternity leave. The Committee welcomed Mr. Mooy to the table. Ms. Kauzlarick presented the report that was included in the package and the OHS activity report was included. Weekly orientations for new staff and rehires continue as well as working with all departments to ensure safety training is complete.

b) Communications Update

Jennifer Gavin, 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 (3:40 PM), 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 3:55 PM.



City of
Charlottetown

Report No: HR09182019OS
Open Session

Date: September 18, 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.

OCCUPATIONAL HEALTH AND SAFETY

Occupational Health and Safety activity attached.

The City's OH&S Officer continues weekly employee orientations for rehires and new staff, and continues to work with all departments to ensure safety training is complete.

Respectfully,

Bethany Kauzlarick

Bethany Kauzlarick, HRM

Reviewed By:

	Mgr	Other				
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RECOMMENDATIONS/ACTIONS:



**COUNCIL ADVISORY COMMITTEE
REPORT TO COUNCIL
OCTOBER 15, 2019**

The Council Advisory Committee met on October 8, 2019 and the draft open minutes are included in the package.

There is one (1) resolution for your consideration.

Notice of Motion to amend the Procedural Bylaw

Respectfully submitted,

Councillor Terry MacLeod, Chair

**COUNCIL ADVISORY COMMITTEE
TUESDAY, OCTOBER 8, 2019 AT 7:00 AM
PARKDALE ROOM – CITY HALL**

DRAFT

Present: **Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Councillor Alanna Jankov, Member
Mayor Philip Brown, Member
Peter Kelly, CAO
Tracey McLean, RMC**

Also: **Samantha Murphy, Municipal Affairs**

Regrets: **Deputy Mayor Jason Coady**

1. Call to Order

Councillor MacLeod called the meeting to order.

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

Moved by Councillor Jankov and seconded by Councillor Duffy that the open agenda be approved. Carried.

4. Approval of Minutes

Moved by Councillor Duffy and seconded by Councillor Jankov that the previously circulated draft minutes of July 5, 2019 be approved. Carried.

5. Business Arising from the Minutes

No business arose from the minutes.

6. Discussion Items

a) Municipal Government Act (MGA)

The Chair welcomed Samantha Murphy, Municipal Affairs, to the meeting and advised the members that she was invited to provide clarity with regard to decorum of Council in relation to the Municipal Government Act of PEI.

Ms Murphy indicated that the MGA enables municipalities to represent their residents with expanded powers and at the same time, increase transparency and accountability of Councils. She noted that the MGA is not perfect legislation; however, her department is working on revising areas of the Act that raise concerns, questions or interpretations. Revisions should be completed by fall 2020. She did stress that the Act is the law not a 'guide'; it is binding legislation.

With respect to decorum of Council members, Ms Murphy suggested that professional development should be made available to Members. Sections 3 and 86 of the MGA both clearly state the purposes of municipal Council and Council's role, respectively; all Councillors should be familiar with their roles within municipal government. She noted that if a member's conduct is in question, Section 217 (1) (b) (i) of the MGA gives the

Minister the authority to order an inquiry into the conduct of a member of Council. Section 219 (5)(a) allows the Minister to dismiss any member of the council if a direction of the Minister pursuant to clause (2)(a) is not carried out to the satisfaction of the Minister.

In response to concerns raised regarding Council directives, Ms Murphy indicated that Section 93(5) clearly states that no council member shall publicly or privately instruct or direct an employee however they can communicate directly with an employee to obtain or provide information.

The Chair thanked Ms Murphy for attending. She left the meeting at 8:05 AM.

b) Procedural Bylaw Review

With regard to decorum at public meetings, the Chair suggested that at the beginning of each public meeting, the Mayor or presiding officer could advise the gallery of the rules of conduct as set out in Section 37 of the Procedural Bylaw.

It was noted that some meetings are longer than they need to be and limiting times to speak at public meetings for both Council and the public should be considered. Verbatim minutes was briefly discussed as well. The CAO indicated that these requests can take staff significant time to complete. He did note that verbatims are necessary when required for an IRAC appeal or other legal proceedings. Minutes are an official summary of what took place in a meeting (an objective focus) whereas verbatim minutes are neither objective nor action-orientation. Moved by Councillor Duffy and seconded by Councillor Jankov that the Procedural Bylaw be amended with regard to requesting verbatim minutes and set time limits.

c) Electronic Participation in Meetings

This item was deferred.

d) Land Acknowledgement prior to Council Meetings

A brief discussion was had on the agenda item. Item was deferred.

e) Terms of Reference for Mayors Taskforce on Active Transportation

Following review of the draft terms of reference, it was suggested that in Section 6 – Funding '*City of Charlottetown will cover costs of the committee meetings and stipends...*' be revised to provide more detail and clarity. In the same section, where it states '*The Task Force seek grant funding...*' clarify that funding requests have to go through the Environment and Sustainability Committee. The noted concerns to be forwarded to the E&S Manager for further review and revision.

f) 2018-2022 Standing Committee Terms of Reference Review

This item was deferred.

g) Consolidation of Standing Committees

This item was deferred.

7. Motion to move into Closed Session

Moved by Councillor Duffy and seconded by Mayor Brown that the meeting move into a Closed Session as per Section 119 (1) Subsection (e) of the Municipal Government Act of Prince Edward Island. Carried.

8. Business Arising from the Closed Session

During the Closed session, the Committee recommended that the proposed amendments to the Committee Resident Member Stipend Policy be forwarded at the next Regular Meeting for Council's consideration. Moved by Councillor Duffy and seconded by Councillor Jankov. Carried.

9. Adjournment

Moved by Mayor Brown and seconded by Councillor Jankov that the meeting be adjourned. Carried.

The meeting adjourned at 9:05 AM

DRAFT



CITY OF CHARLOTTETOWN

RESOLUTION

Council Advisory
Committee # 1

MOTION CARRIED _____

MOTION LOST _____

Date: October 15, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy

RESOLVED:

That City Council accept the amended Committee Resident Member Stipend Policy (C-Admin-1), as attached, effective immediately.

CITY OF CHARLOTTETOWN POLICY

COMMITTEE RESIDENT MEMBER STIPENDS

Policy Number: C-Admin-1

Originating Department: Administration

***Approved By: Committee of the Whole
City Council***

***Date of Approval: April 18, 1996
Amended: April 10, 2007***

Each resident member appointed by Council to any Advisory Board/Committee shall receive a monthly stipend not exceeding \$100, subject to attendance at all meetings held each month. Stipends will be pro-rated pending attendance and will not be paid for meetings that are cancelled.

EXISTING POLICY

CITY OF CHARLOTTETOWN POLICY

COMMITTEE RESIDENT MEMBER STIPENDS

Policy Number: C-Admin-1

Originating Department: Administration

*Approved By: Committee of the Whole
City Council*

*Date of Approval: April 18, 1996
Amended: April 10, 2007*

Each resident member appointed by Council to any Standing Committee shall receive a monthly stipend in the amount of \$100 subject to attendance at 75% of the meetings which they are eligible to attend.

Regular Meeting of Council
October 15, 2019

Council Advisory Committee

NOTICE OF MOTION

Notice of Motion to amend the Procedural Bylaw.

Amend Section 37 – Conduct during Public Council Meetings and
Section 41 – Minutes.

The purpose for the amendments is to include time limits when speaking to
a question and verbatim minutes requests.