

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



**CITY OF CHARLOTTETOWN
MONTHLY MEETING OF COUNCIL
TUESDAY, NOVEMBER 12, 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 - October 15, 2019
 - Special Meetings (open) – October 25, 28 & November 5, 2019
 - Planning Public Meeting – October 29, 2019
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
 - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
 - Monthly Report
 - Five (5) Resolutions
 - 1st reading(s) of the Zoning & Development Bylaw
 - Amendments to Zoning & Development Bylaw relating to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Bldgs. & Uses, etc.
 - 6.2 Protective & Emergency Services – Coun. Bob Doiron, Chair**
 - Monthly Report
 - No Resolutions
 - 6.3 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.4 Public Works & Urban Beautification – Coun. Mike Duffy, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.5 Economic Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair**
 - Monthly Report
 - No Resolutions

6.6 Environment & Sustainability – Coun. Terry MacLeod, Chair

- Monthly Report
- No Resolutions

6.7 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

- Monthly Report
- No Resolutions

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

- Monthly Report
- One (1) Resolution

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

- Monthly Report
- Two (2) Resolutions

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

- Monthly Report
- One (1) Resolution

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

- Monthly Report
- Notice of Motion to amend the Procedural Bylaw

6.12 New Business

7. Motion to Adjourn



DRAFT

**Regular Meeting of Council
Tuesday, October 15, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

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

Also: **Peter Kelly, CAO** **Randy MacDonald, FC**
 Paul Smith, PC **Alex Forbes, PM**
 Frank Quinn, PRM **Richard MacEwen, UM**
 Scott Adams, PWM **Mark Lanigan, FM**
 John Mooy, AHRM **Wayne Long, EDO**
 Ron Atkinson, EconDO **Laurel Lea, TO**
 David Hooley, CS **Alicia Packwood, CA**
 Tracey McLean, RMC

Regrets: **Paul Johnston, IAMM** **Ramona Doyle, SM**

A moment of silence was held for former Charlottetown City Councillor, Danny Redmond, who passed away on September 27, 2019. Mr. Redmond represented Ward 2 from 2001 to 2014.

- 1. Call to Order**
Mayor Brown called the meeting to order.
- 2. Declarations of Conflict of Interest**
Councillor Doiron in conflict with the Planning resolution regarding a request to operate a home occupation at 17 Tamarac Avenue.
- 3. Approval of Agenda**
It was requested to have the Notice of Motion to amend the Procedural Bylaw removed from the Council Advisory Committee report. Moved by Councillor Ramsay and seconded by Councillor Jankov that the agenda be approved as amended. Carried.
- 4. Adoption of Previous Draft Minutes**
Moved by Councillor Ramsay and seconded by Councillor Duffy that the draft minutes of the previous open meetings now be adopted. Carried.
 - Regular Meeting – September 9, 2019
 - Special Meetings - (open minutes) – September 20, 26 & October 1, 2019
- 5. Business Arising out of the Minutes**
No business arose.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 Planning & Heritage – Coun. Greg Rivard, Chair

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

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

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), and

That 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.

CARRIED 10-0

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

RESOLVED:

That the request to:

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and
- b) Amend Appendix "G" – Zoning Map of the Zoning 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.

Concern was raised regarding the site line plan that went to Police, Fire and Public Works on September 25, 2019; there has been no report returned as yet and it was suggested that the motion be deferred until the plan comes forward.

It was noted that the motion would go to a public meeting first; traffic studies are usually not conducted prior to a public consultation.

**CARRIED 9-1
Councillor McCabe opposed**

Councillor Doiron left the Chambers and did not vote on the following motion as he was in conflict.

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

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.

CARRIED 9-0

Councillor Doiron returned to the Chambers.

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

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.

Concern was raised with respect to water runoff between the neighbouring properties. It was also noted that the report from Planning staff did not recommend approval.

LOST 6-4

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

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

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 rejected.

CARRIED 7-3

Deputy Mayor Coady, Councillors Doiron & McCabe opposed

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

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.

CARRIED 10-0

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

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#s 336826 & 336818), be approved.

CARRIED 10-0

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

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.

CARRIED 10-0

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

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#s 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.

CARRIED 10-0

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

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.

CARRIED 10-0

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

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.

CARRIED 10-0

**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 3.8.6 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; and
- Section 44.21 Exemptions to sign regulations for Designated properties be approved to proceed to Public Consultation.

CARRIED 10-0

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

RESOLVED:

That the request to operate a home occupation (i.e. counselling/therapy service) for

the property located at 13 Donwood Drive (PID #278531), be approved for reconsideration.

Council was advised that the operator of the home occupation would only see three to four clients per week; they specialize in counselling clients that are referred through Employee Assistance Programs.

CARRIED 10-0

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

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for October is Norman McGuirk.

It was requested that accessible parking spaces be created in the lot at Queen Elizabeth Park. Councillor Tweel took this under advisement.

An update was requested regarding the issue with the Harbour Hippo driving over the delineators as it travels through Victoria Park (including the cycling lane). Councillor Tweel indicated that his Committee is waiting on further information from both Public Works and Police on the matter.

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

Councillor Doiron indicated his Committee's report was included in the weekend package. He reported that Volunteer Firefighter Brad Wonnacott won a gold medal at the recent 2019 Fire Fit Championships (50+ relay team).

The issue of speeding in school zones particularly on Palmer's Lane was raised and it was suggested the Committee examine available technologies which could assist in alleviating the matter.

The Committee was requested to discuss possible preventative measures with regard to storm surges/local flooding and how that information can be communicated to residents in problematic areas of the city.

Due to a recent vehicle/pedestrian accident at the intersection of Great George Street and Fitzroy Street, it was recommended that the crosswalk in that location be reviewed for overall safety for pedestrians. Councillor Doiron took this under advisement.

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

RESOLVED:

That the Public Works Manager be authorized to 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 accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

2nd 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.

Moved by Councillor Bob Doiron
Seconded by Councillor Kevin Ramsay

RESOLVED:

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

LOST 9-1
Councillor Doiron in favour

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

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

Moved by Deputy Mayor Jason Coady
Seconded by Councillor Julie McCabe

RESOLVED:

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,

And that City Council approves the request for service received from Arnold MacRae; request is for water and sewer servicing to a proposed subdivision off Sleepy Hollow Road, within the Community of Miltonvale Park,

And further that the costs associated with the development be paid by the developer. As well, services be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.

CARRIED 10-0

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

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

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.

CARRIED 10-0

**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.

CARRIED 10-0

**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.

CARRIED 10-0

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

RESOLVED:

That Council rescinds the following 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.

CARRIED 10-0

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.

CARRIED 10-0

6.6 Economic Dev., Tourism & Event Management – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated his Committee's report was included in the weekend package. He noted recent events such as Farm Day in the City, U-17 Soccer Nationals, Atlantic Karate Championships, Atlantic Breeders Crown; this weekend is the Island Marathon.

6.7 Environment & Sustainability – Coun. Terry MacLeod, Chair
Councillor MacLeod indicated his Committee's report was included in the weekend package. He noted that the Mayor's Taskforce on Active Transportation and the Food Council met in September as well. He reported that T3 Transit broke a record for daily, weekly and monthly ridership for September 2019; total ridership for the month was 71,711. Fix-it-Fair takes place at the West Royalty Community Centre on November 2, 2019 at 10:00 am. He acknowledged Beth Hoar, Forest and Environmental Officer, on her upcoming retirement (October 31, 2019) and thanked her for her years of service to the City.

It was suggested that the Transit Strategic Plan (2010) by Dillon Consulting be looked at again to follow up on those initial recommendations and projections as outlined in the report. Councillor MacLeod took this suggestion under consideration.

6.8 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov
Councillor Jankov indicated that her Committee's report was included in the weekend package. She reported that the Youth Engagement Committee met on September 10th and the Affordable Housing Advisory Committee met on October 10th.

A question was raised regarding a potential affordable housing project at/near 72-76 Kensington Road. It was noted that an application requesting a lot consolidation of three properties came to Council several months ago and was approved. The report attached to that application indicated the dwellings would be demolished and if the consolidation is approved, the purpose would be to construct a 30-unit affordable housing apartment on the property.

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

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

It was suggested that a 'local' rating be part of the overall rating system when choosing bid submissions on tenders/RFPs/RFQs as this would be advantageous to local contractors and businesses. Councillor Bernard took this under advisement.

**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 on attached) as part of the City right-of-way, (portion of PID# 530980) as indicated in the attached survey plan,

And that the Planning Department enter into a development agreement with the developer,

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

CARRIED 10-0

**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 on attached) 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.

Councillor Bernard thanked John & Christine Andrew for making such a generous donation to the City of Charlottetown. He indicated that restorative work over the years has helped and now residents can enjoy the trail through the area, which is home to a variety of birds and wild animals.

CARRIED 10-0

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

Councillor McCabe indicated her 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.

**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.

In response to a question raised regarding the budgets for all the advisory committees, Councillor MacLeod indicated he would follow up and advise.

CARRIED 10-0

6.12 New Business

As part of the 2019 Tourism Industry Association of Prince Edward Island, Council was encouraged to attend a presentation on October 24th by keynote speaker, Alana Baker, regarding Airbnb/Short Term Rentals.

7. Adjournment

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

The meeting concluded at 7:00 PM



DRAFT

**Special Meeting of Council
Friday, October 25, 2019 at 12 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 Terry Bernard **Councillor Terry MacLeod**
 Councillor Bob Doiron **Councillor Kevin Ramsay**

Also: **Peter Kelly, CAO** **Mark Lanigan, FM**
 Jen Gavin, CO **Tracey McLean, RMC**

Guest: **Michelle Burge, MRSB**

Regrets: **Councillor Mitchell Tweel** **Councillor Julie McCabe**

1. Call to Order

Mayor Brown called the meeting to order.

2. Declarations of Conflict of Interest

No conflicts were declared.

3. Approval of Agenda

It was requested that the meeting move first into a Closed session which would allow Michelle Burge, MRSB, to provide Council with an overview of the recently received audited financial statements. Council agreed; moved by Councillor Bernard and seconded by Councillor Duffy that the agenda be approved as amended. Carried.

4. Motion to move into a Closed Session of Council

Moved by Councillor MacLeod and seconded by Councillor Ramsay to close the meeting to the public to discuss matters 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, the following motions were brought forward for Council's consideration:

Moved by Councillor Terry MacLeod
Seconded by Councillor Alanna Jankov

RESOLVED:

That the following be appointed as the City of Charlottetown voting delegates at the 2019 FPEIM semi-annual meeting, as recommended by the Council Advisory Committee:

Mayor Philip Brown
Councillor Mike Duffy
Councillor Mitchell Tweel

CARRIED 8-0

**Moved by Councillor Terry Bernard
Seconded by Councillor Greg Rivard**

RESOLVED:

That the City of Charlottetown accepts the following Financial Statements as presented by MRSB Group for 15 months ended March 31, 2019 (copies attached to this resolution):

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

Councillor Bernard, Chair of Finance, Audit & Tendering Committee, indicated that the City of Charlottetown's 2018-19 audited financial statements (fiscal year January 1, 2018 – March 31, 2019) has an overall surplus of \$16 million; with a net operating surplus of \$9 million. He further indicated that the City's debt is down by \$1 million from the previous fiscal year. Michelle Burge and her firm MRSB, Finance Manager, Finance Committee, CAO and senior management were acknowledged for their hard work over the past several months.

CARRIED 8-0

6. Adjournment

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

The meeting concluded at 12:50 PM.



DRAFT

**Special Meeting of Council
Monday, October 28, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown

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

Also: **Peter Kelly, CAO** **Alex Forbes, PM**
 Ramona Doyle, E&SM **Wayne Long, EDO**
 Tracey McLean, RMC

Guest: **Lloyd Compton, Applicant (80 Grafton St.)**

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 McCabe that the agenda be approved as presented. Carried.
- 4. Resolutions for Consideration**

a) Development Agreement Addendum – 80 Grafton Street Inc.

Moved by Councillor Greg Rivard
Seconded by Councillor Jason Coady

RESOLVED:

That the request to amend the Development Agreement for 80 Grafton Street (PID #340265), which will result in changes to the use of this building as well as changes to the overall parking requirements, be approved, subject to the signing of an addendum to the original Development Agreement,

And further, that the Mayor and CAO be authorized to sign off on the proposed changes to the Development Agreement.

The below table illustrates the uses identified in the original Development Agreement as well as the proposed uses to be identified in the Addendum to the Development Agreement:

Floor	Development Agmt Use	Addendum to Agmt Use
1 st	Retail	Commercial
2 nd	Office	Commercial
3 rd	Six (6) Residential Units	Commercial
4 th	Four (4) Residential Units	Four (4) Residential Units
5 th	Four (4) Residential Units	Commercial

In response to a question raised with respect to residential units being replaced by commercial, it was noted by Mr. Compton, Applicant, that there has been considerably more interest in commercial space in this building than residential.

CARRIED 9-0

b) Full Size Transit Buses RFP

**Moved by Councillor Terry McLeod
Seconded by Councillor Julie McCabe**

RESOLVED:

That, as per the conditions of the Request for Proposals for "TRANSIT FLEET RENEWAL – FULL SIZE BUSES (DIESEL)", the submission from New Flyer for two (2) 40-foot buses and four (4) 35-foot buses totaling \$3,759,435.10 (HST & delivery included) be accepted,

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

It was noted that the total approved budget for this purchase was \$4,554,000 through the Investing in Canada Infrastructure Program; costs covered by the Federal government 40%, Provincial government 33.33% and the Municipal governments covering 26.67% - Charlottetown (75%); Stratford (15%); and Cornwall (10%).

CARRIED 9-0

c) Stihl Timbersports Hosting Agreement

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

RESOLVED:

That the City of Charlottetown enter into the attached agreement with STIHL Timbersports to host the 2020 Canadian Championships,

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

CARRIED 9-0

d) Youth Engagement Committee Terms of Reference

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

RESOLVED:

That City Council approve the attached Youth Engagement Committee Terms of Reference, effective immediately.

CARRIED 9-0

e) Drainage Swale on Utility Property

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

RESOLVED:

That the City of Charlottetown approve PEI Department of Transportation, Infrastructure and Energy permission to construct a drainage swale on Utility owned land in Brackley (PID# 133454), and

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

CARRIED 9-0

5. Motion to move into a Closed session

Moved by Councillor MacLeod and seconded by Councillor Duffy to move into a Closed session as per Section 119(1) (e) of the Municipal Government Act of PEI. Carried.

6. Adjournment

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

The meeting concluded at 6:25 PM.



DRAFT

**Public Meeting of Council
Tuesday, October 29, 2019, 7:00 PM
Provinces Room, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

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

**Councillor Kevin Ramsay
Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Robert Doiron**

Also:

**Alex Forbes, PHM
Greg Morrison, PII
Robert Zilke, PII**

**Ellen Faye Ganga, PH IO/AA Robert
Stavert, TA**

Regrets:

**Councillor Mike Duffy
Councillor Terry Bernard**

Laurel Palmer Thompson, PII

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:00 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict.

3. Approval of Agenda

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

4. 68 Brackley Point Road (PID #396713)

This is a request 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 two (2) townhouse dwellings on the vacant property. One of the townhouse dwellings would contain six (6) residential dwelling units while the other would contain eight (8) residential dwelling units for a total of 14 residential dwelling units. Greg Morrison, Planner II, added more details about the application and stated that the applicant is also present to answer any questions or comments.

The subject property is currently vacant and the applicants are proposing to build two townhouse dwellings for a total of 14 units. Eight units will be at the front of the property and the other six units will be towards the back of the property. The elevations and floor plans were presented and it was explained that each unit are all identical with a garage at the front and three bedrooms on the second floor.

Susan Dillon, resident, commented that over the past years, there has been interest in this property and the rumour around Sherwood was that the property did not have access to Brackley Point Road. Ms. Dillon then asked where the access for the townhouse would be. Mr. Morrison responded that the access would be along the southern part of the property along Brackley Point Road and there would be a turning point at the rear of the property. Ms. Dillon also asked if there was a study in terms of safety of vehicles coming out of Brackley Point Road. Mr. Morrison mentioned that the site plan was sent to the Police, Fire and Public Works Department for review and comments. Staff received comments from Police and Public Works today. The Police Department have indicated that they were satisfied with the proposed site plan. The Public Works Department has issues particularly with the sight line to the south and have indicated that the proposed location would not be acceptable but access to the north of the property could be acceptable. Should Council look to approve this rezoning, these comments would have to be incorporated in redesigning the property. Ms. Dillon asked if staff have driven to the property and looked both ways. Mr. Morrison confirmed that he did and also added that he is not a traffic expert and must defer the review to corresponding departments. Ms. Dillon added that you cannot see cars approaching the top of the hill. For many years, it has been zoned as a single family and has not been sold because there was no access to Brackley Point Road and was wondering how 14 townhouses can be developed there and have access off Brackley Point Road.

Ms. Dillon also asked the Mayor if there is any other ward that is as busy as Ward 9 with rezoning. Mayor Brown responded that for any rezoning, traffic study is being considered and looking at Brackley Point Road, it is a connector to the arterial highway and then branches off to neighbourhoods. Mayor Brown also asked Mr. Forbes if there is any background or facts to add on to Ms. Dillon's inquiry. Mr. Forbes responded that Ward 9 is as busy as any other ward. Rezoning applications are not concentrated in a specific ward. Ms. Dillon commented that she asked this question because this is the third public meeting she attended since March 2019 and that she never attended any meetings in the past. She felt that there is always another piece of land being rezoned in her neighbourhood. Ms. Dillon also asked if the City has any strategic plan or map to look at and see where development or rezoning could happen or it is based on a property being purchased and requested to be rezoned. Councillor Rivard responded the City has a Zoning Map and an Official Plan in place that shows where density should go in the City. The neighbourhood is predominantly R1 zoning but looking at that specific parcel of land and the reason why residents are back here for the third time for another public meeting. With the current housing crisis, developers are taking the opportunity to develop properties to meet the housing needs. Councillor Rivard noted that it may be right or wrong and he just pointed out the reason why a public meeting is scheduled every month. Public meetings can happen for any ward as well. Councillor Rivard also shared that there have been other properties that went through public meetings in the past for a rezoning as well such as the West Royalty area. Ms. Dillon asked if this went to public consultation and if Council got the same push back with the properties within Sherwood. Councillor Rivard confirmed that any rezoning application requires a public meeting and also confirmed that on some applications, Council got the same push back

from residents. Mr. Brown also read portions of the policy in the Official plan (refer to report) and the Official Plan allows for some latitude for changes to the Bylaw. Anytime there is a change to the Bylaw, it requires public meeting. Ms. Dillon asked then if 14 townhouses surrounded by single family dwellings make sense. Ms. Dillon also commented that when residents voted in Councillors, residents hoped that they could come up with a strategic plan that doesn't just last for today or a few years but for 50 years down the road. Ms. Dillon also stressed that residents put Council in place to entrust that Council is making positive, informed and factual decisions on whether a property is to be rezoned or not. Ms. Dillon pointed out that she cannot understand how 14 townhouse units can be put on top of Brackley Point Road. It is busy as it is. She was in a few months ago requesting that the parcel further down Brackley Point Road by Stonepark not be rezoned to R-3 and now residents are back here for 14 townhouses on a small parcel of land that most people wanted to put a single family dwelling on but couldn't as the sight lines were not appropriate or was not safe. Mayor Brown clarified that the purpose of the public consultation is to get feedback from residents where development can happen or look at broader scopes or plans for the City.

Ms. Dillon stated that Council voted on this application and agreed to proceed to public consultation and staff just got the information from Police and Public Works on the same day of the public meeting. If no one showed up tonight to speak about the application, this was going through because Council already voted for it without all the necessary information. Mayor Brown clarified that Council did not vote in favour of the rezoning but voted that this application proceed to public consultation to get feedback. People may interpret it as a vote for the rezoning but this is only a vote to bring it to public consultation. Ms. Dillon reemphasized her earlier statement about Council making the right decision and that every time residents attend a public meeting, they feel that they are fighting for Council to make the right decision for the residents. Councillor Rivard mentioned that residents should not assume that Council would automatically approve an application when residents do not speak or show up at a public meeting. Council looks at the whole process and a public meeting is one piece of the whole process. Staff prepares a report and makes a recommendation to the Board. Board makes a recommendation to Council and Council makes an ultimate decision based on all the information provided. Mr. Brown also added that members of the Planning Board are at the meeting tonight listening resident input and they would provide their input at the Planning Board meeting as well.

Councillor Tweel responded to a question asked earlier whether any other ward is as busy, he mentioned that his ward has been busy dealing with Planning issues and it has been nothing but a "horror show".

Andrew MacLean, resident, noted that the diagram showing the size of the lot is incorrect because his mom's property adjacent to the property in question is 0.75 acre while the rest are 1.5 acres. The far side of the road has a grass area about 10 feet wide and then narrows as it reaches the top of the hill. The top of the hill along Brackley Point Road is very narrow. It was noted that traffic studies were provided by Police and Public Works but the top of the hill was intended to be narrower so that you are not able to park on the side of the road and that it can be as safe as possible. During the winter time, there would be about six to seven feet of snow for six months of the year. There used to be a sidewalk on the east side of the road but was moved to the other side of the street. There is also a fire hydrant close to that location. Living adjacent to the property in question, Mr. MacLean noted that he has not back out of his

driveway in 35-40 years. They drive on to the front lawn and drive out straight ahead. When there is snow, they would have to drive north on Brackley Point Road because traffic drives 50-60km/hr and there is poor visibility. Mr. MacLean then asked what would happen if there is snow about 50 feet to the north and 25-30 cars trying to pass traffic. Mr. MacLean doesn't think that they are going to drive north and through that roundabout. Mr. MacLean felt that it is a dangerous spot.

Doug Carmody (Carmody), resident, recommended that a roundabout be built near Vogue Optical to get rid of some of the traffic, let Woods develop his property and build a road where the house is built down off Duncan Heights. He indicated that there was supposed to be a road there out by Stonepark and residents can use the land that is there. Most properties are at least an acre, residents pay taxes on it but cannot use the land.

Andrew Cotton, resident, indicated that the lot has been vacant for years because it cannot have access off Brackley Point Road and asked about the property where the water tower used to be. Mr. Cotton asked why this property needed to have access off Maxfield instead of Brackley Point Road. A resident commented that it was because of the line of sight. Mr. Cotton then commented that it was not safe enough for that side of the road but would be safe for 14 cars on the other side of the road.

Jeremy Crosby, resident, mentioned that he will be submitting a letter to Council tonight. Mr. Crosby indicated that he is not against redevelopment of the property but rezoning from single family to R-3 is too high density for the property. Mr. Crosby quoted items in the report saying that this rezoning may change the long term direction of the neighbourhood and may lead to additional rezoning requests within the neighbourhood, secondary plan may be put in place and would need to consult the public on this, the scale of the townhouse units may adversely affect the existing low density dwellings, the section of Brackley Point Road is an established single-detached dwellings, the access on to Brackley Point Road may not have sufficient sight lines. Mr. Crosby noted that proposal for 14 townhouse units may be considered at some point but felt that the change from an R-1L to R-3 is too high of a density and that there are no guarantees that the applicant would come back and plan to build an apartment instead. He also added that the bylaw be reviewed to amend the permitted uses for an R-2 to allow townhouse units but no other types of developments that are included in the R-3 Zone. Mr. Crosby also mentioned that the residents are tired of the constant attempts to rezone the area around their neighbourhood to higher density. The last attempts to rezone properties earlier this year were both denied. Mr. Crosby requested to consider how these rezoning applications affect residents each time they have to go through the process. Mr. Crosby also requested that if a development should take place on the property, the treed area/buffer zone be kept in place to benefit the residents and current owners.

Mayor Brown commented that a development agreement may be put in place when amendments are approved. Mr. Forbes explained that when there is an application to rezone a property, Council has the ability to restrict developers to what is being proposed and permitted on the property and that would be through a development agreement. If developers want to change the plan, they would have to undergo the same process again. Mr. Crosby asked if that would apply even if the property was sold to a new developer and Mr. Forbes confirmed. When developers apply with a plan, the proposal is what would be reviewed and potentially approved. If developers come back and change their plans, Staff will forward it to Council for approval if

there is a significant change to the original plans submitted. Mr. Crosby asked if there were situations in the past where these development agreements are challenged and Mr. Forbes noted that most rezoning come with a development agreement; it is a standard tool and would be difficult to get around a development agreement. Mr. Crosby also commended staff for doing a great job preparing the report. Councillor Rivard also added that staff cannot stop or prevent land owners or developers from applying to develop or rezone their property. If the application is turned down and there are no significant changes to the proposed development, they would have to wait for another year to make another application. Mr. Crosby commented that the attempt to develop or rezone the property has been going on for many years now and would recommend that future development here would be something that is more agreeable than trying to rezone to an R-3. Councillor Rivard also asked Mr. Morrison what an R-2 permits and Mr. Morrison responded that it would allow for one and two unit dwellings. R-3 would allow townhouse and apartment units based on lot area. Mr. Crosby also added that there are other uses beyond that for R-3 and Mr. Morrison confirmed. While it says Medium Density, Mr. Crosby felt that it is perceived as high density for most residents living in an R-1 zone. Mr. Crosby also commended the developer and felt that it is a decent proposal but the R-3 zone is what unnerves residents. Councillor Tweel commented that an R-3 zone opens doors for apartment complexes and when a zoning has been changed, Councillor Tweel why does it have to come back to the public consultation process again. Mr. Morrison responded that should Council approve the rezoning, it would be done subject to a Development Agreement. The Development Agreement would indicate what can only be built on the property with the proposed site plan and elevations. Should these drawing change, the developers would have to go back through the same process. Technically, the R-3 Zoning for the property would only allow them to build 14 townhouse dwelling units as per proposed. Mayor Brown also mentioned that the request to look at the R-2 zoning to allow for townhouse dwelling may be looked at or considered at some point.

One resident asked about the setback requirements for an R-1 zone allowing a development 15 feet from property line. Mr. Morrison responded that for a single detached dwelling in an R-1 zone, the minimum setback would be 19.7 feet from the front line, 24.6 feet from the rear and 6 feet from the side yard. Mr. Morrison clarified that the plan shows 14.8 and not 4.8 feet on the side.

Ian Handrahan, resident, asked what the speed limit is along Brackley Point Road and Councillor Doiron responded that it is 50 km/hr. Mr. Handrahan asked if the line of sight test was done (3ft cone, 150m back and still visible) and Mr. Morrison responded that he is not a traffic engineer but was sent to Public Works & Police Department who reviewed and provided their inputs on the proposed development.

Joan Ivany, resident, asked if the application would have to start over if the driveway was moved to the other side. Mr. Morrison indicated that the developers would have to change their plans and would be reviewed by staff and the other departments but would not have to go back for another public meeting. Should the access be moved, the developers would have to amend their plans and include them in the development agreement. Ms. Ivany commented that the townhouses behind Charlottetown Mall do not look like the initial plans that were proposed. Councillor Rivard responded that the developers went back to Council for approval when the plans were changed.

Mark Grimmatt, resident, commented that car traffic was discussed but not pedestrian traffic which would potentially be associated with the development. Mr. Grimmatt asked how pedestrians would access the sidewalk on the other side of the street and Mr. Morrison commented that it would be more of a Council question if they have the appetite to construct a sidewalk on that side of the street or a crosswalk. Mr. Grimmatt also asked how this development is adjacent to commercial areas as how other R-3 developments are. He also echoed comments from other residents that the R-3 zone set people off and cause concerns to residents in the neighbourhood regardless if there is a development agreement or not. As a nearby property owner, he is not in favour of the proposal noted earlier by one of the residents to add another road access through the property along Duncan Heights.

Wendy MacDonald, resident, commented that their property was turned down in the past because of sight line issues even for a single family dwelling. Ms. MacDonald questioned how 14 new residents with potentially 28 cars coming out at the top of the hill wouldn't be an issue. She mentioned that she has been rear-ended and side swiped several times trying to pull out of her driveway with signal lights during daylight. With snow, it is even more difficult. And when you try to put a driveway immediately across the property with the increased number of vehicles coming out, Ms. MacDonald and her husband are completely opposed to the development. Ms. MacDonald also guaranteed that vehicles do not drive 50-60km/hr up that hill. Vehicles drive up to 80 km/hr and ambulances also drive that route into town and felt that the proposed access is completely not safe.

Doreen Connolly, resident, commented that with the townhouses being three bedrooms, there would be numerous families that would live there with children. Kids will be walking to school across Brackley Point Road and felt that it will not be very safe. She is opposed the proposal.

Jerry Ivany, resident, mentioned that he has attended about seven public meetings for the area since moving to Pope Ave and had called it a parachute rezoning. Mr. Ivany noted that the issues would always be developers purchasing single family homes and he expects Council to work with residents to allow the neighbourhood to remain the same. Mr. Ivany acknowledged that there would always be changes in houses or residences but the concerns for this property would be 1) traffic safety where vehicles don't follow the 50km/hr speed limit and 2) if/when the Belvedere Ave/St. Peters Road roundabout is be constructed, vehicles trying to get to town will most likely drive through Duncan Heights. Mr. Ivany plead that Council not approve this rezoning. In the original plan, there was a proposed road that would run from north to south and would come out of Heather Ave but over the years, plans were changed, the City was amalgamated and the long term plan was ignored. Mr. Ivany commented that he does not have a lot of faith in the City and would like to see someone start thinking about residents.

Mayor Brown mentioned that all the information gathered tonight will be taken to the Planning Board which is scheduled on Monday, November 4, 2019 at 4:30pm at Council Chambers, 2nd Floor, City Hall. Mayor Brown also added that it will be an open meeting and the residents are welcome to attend the meeting.

Councillor Doiron thanked the residents for attending the meeting and encouraged everyone who is opposed to this development to come to the Monthly Council meeting on November 12, 2019. Councillor Doiron commented that there have been rezoning applications in the past where the public came out in full force who expressed their opposition but when Council voted

for the application, Council went with the housing crisis and approved the applications. Councillor Doiron added that he is aware that there are a lot of opposition to this application and that Council listened to all the comments of the residents saying they don't want it but when it comes to a vote, Council votes for it anyway. Councillor Doiron also noted that it is great that residents are here tonight but because it happened a couple of times in the past, once again, he encouraged residents who are opposed to this rezoning to attend the Council meeting in November. Mayor Brown reiterated that there is a Planning Board Meeting on November 4 at 4:30pm where a recommendation will be made by the Board to Council and the Council Meeting is scheduled on Tuesday, November 12 at 5:00pm.

Susan Dillon, resident, reiterated her earlier comments saying that "we interest the Councillors of the City to make sound, informed decisions based on facts to lead the City in a direction that shows positive growth for many years to come." Ms. Dillon expressed that she doesn't want to be in a public meeting but wanted Council to look at the zoning, the sidewalks, sight lines, etc. and ask if it matches what the community needs. She also mentioned that the reason why she voted and why residents voted their Councillors in, is not for residents to be at public meetings but for Councillors to look at the issues, be the voice of the residents and make sound decisions based on what is best for the community. Councillor Doiron agreed with Ms. Dillon's comments and mentioned that he is listening to the crowd but when Council votes, things change, people tend to forget the people at the public meeting. Councillor Doiron cited the previous rezoning on Upper Prince and Palmers Lane where residents attended the public meeting and spoke in opposition, but Council voted to go ahead with it. Councillor Doiron understands that residents entrust their Councillors to do what residents think is right and what he believes is right. Councillor Doiron added that he does not want to give residents false hopes. He encouraged people to attend the Council meeting and see how Council vote. Councillor Doiron felt there has to be a balance in terms of when it comes to the housing crisis and every Councillor wants to do the right thing.

Mayor Brown mentioned that he understands the trust that Ms. Dillon is giving her Councillor and Council, and to add on to Councillor Doiron's comments, City Hall is open and there is a Planning Board Meeting on November 4th at 4:30pm where this issue will be voted on and then voted by Council on November 12th at 5:00pm at the Regular Meeting of Council. Mayor Brown also added that he has good faith in all the Councillors that represent the wards of the City.

Councillor McCabe clarified if this application is shut down at the Planning Board and does not necessarily go to Council. Councillor Rivard responded that a recommendation will be made by Staff to the Planning Board, Planning Board then makes a recommendation to Council and then Council makes the final decision. Councillor Rivard added that the Planning Board may recommend that the application not move forward and Council would have the ultimate vote.

A resident commented that the Planning Board meeting scheduled at 4:30pm is not an appropriate time for most residents, especially for those who are working. Mayor Brown understands that the time may not be appropriate for everybody but the Planning Board meetings are always scheduled at 4:30pm and Council Meeting has been moved to 5:00pm. The City tried to accommodate most of the schedules of members. While a video recording is not available for Planning Board, there will be a live stream for the Regular Council meeting. The resident informed Council that since most would be working, many people won't be able to make it to the meeting.

Councillor Tweel thanked residents for attending the public meeting and reiterated Councillor Doiron's comment where people attended past public meetings and spoke in opposition to the development (mentioned the previous applications in his ward), staff recommended for or against the application, Planning Board recommended for approval or rejection and finally to Council for a vote. Councillor Tweel mentioned that some Councillors are listening and some, because of housing or other situations, and when letters were sent, the letters would only indicate the rezoning or variance requirements. Councillor Tweel added that some do take it to heart and listen specifically to what the constituents are saying.

Mayor Brown reminded the residents of the schedules for Planning Board Meeting and Council Meeting and Councillor Rivard and Councillor McCabe reminded the residents that the deadline for submission of any written comments or concerns is 12:00pm, October 30, 2019.

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

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

Proposed amendments to the Zoning & Development Bylaw pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, 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 and Exemptions to sign regulations for Designated properties.

Robert Zilke went through the specific amendments as detailed in the report.

Joan Cumming, resident, thanked Robert for explaining the amendments in detail and mentioned that she called City Hall about four times to talk to someone to gather more information about the proposed amendments but staff wasn't able to provide the information and indicated that she had difficulty trying to look for the information on the website. Ms. Cumming noted that she would have wanted to study the information ahead of time. Mayor Brown asked Mr. Zilke if this was part of the information on the website and Mr. Zilke confirmed. Ms. Cumming added that since she could not find the information on the website and should these amendments move forward, it would have been a concern for her not being able to access the information or made comments to it. Ms. Cumming was more particular about the signage and a little confused with the subdivision of lots. Ms. Cumming requested that residents be better informed and asked if these amendments were reviewed a long time ago or just today. Mr. Zilke responded that he is willing to talk to Ms. Cumming after the meeting to set a time to discuss the amendments in detail. Mayor Brown clarified that this is a public consultation and the Planning Board meeting is scheduled on November 4th and that would be another avenue for Ms. Cumming to make her comments. Ms. Cumming added that she doesn't have a copy of the report. Councillor Rivard responded that the reports are on the website with the information and will be reviewed again at the next Planning Board meeting. Councillor Jankov also asked where the package is saved. Ellen Catane explained that all reports are part of the Planning Board package, which also becomes part of the Council package and a Public meeting package is also sent to Council before the Public meeting. Mayor Brown added that Mr. Zilke will work on a time to meet with Ms. Cumming. Ms. Cumming indicated that

would help her but asked how the information would get to the other residents. Mayor Brown noted that staff did their best to provide the information for residents and tried to make it as user friendly as possible and apologized if she had difficulty accessing the site and will check to see how the website can be improved further for the public to have better access.

Councillor Tweel thanked Mr. Zilke for the presentation and requested he elaborate on the difference of the current Design Review procedure and the proposed amendment of what constitutes a significant alteration. Mr. Zilke responded that a design review is required for any development within the 500 Lot Area. Council approved the 500 Lot Area years ago in order to maintain the character on the design of the buildings in that location. The existing regulation pertains to any new construction, multi-unit residential or increase in building footprint, etc. The proposed amendment is when any building in the 500 Lot Area goes through a significant alteration especially to the exterior of the existing property, it would require to undergo the design review process. Councillor Tweel quoted the statement, "This is to ensure that the unique architectural character of the 500 Lot Area is not only maintained but enhanced in the future", and mentioned that he has discussed this with Council over the last number of months with regards to the architectural character of the new buildings being built in the downtown area especially when it comes to brick materials. Councillor Tweel indicated that on the fourth and fifth floor, there is the introduction of steel siding that is a significant material change to the design of a building. Councillor Tweel mentioned that he is not an architect but felt that there is inconsistency and wondered why this is allowed to happen. Mayor Brown responded that those items will be dealt with by the Design Review Committee.

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

6. Adjournment of Public Session

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



DRAFT

**Special Meeting of Council
Tuesday, November 5, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown presiding

**Present: Councillor Mike Duffy Councillor Terry Bernard
Councillor Alanna Jankov Councillor Mitchell Tweel
Councillor Terry MacLeod Councillor Kevin Ramsay
Councillor Bob Doiron Councillor Julie McCabe**

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

Regrets: Deputy Mayor Jason Coady Councillor Greg Rivard

- 1. Call to Order**
Mayor Brown called the meeting to order.
- 2. Declarations of Conflict of Interest**
No conflicts were declared.
- 3. Approval of Agenda**
Moved by Councillor Duffy and seconded by Councillor Ramsay that the agenda be approved as presented. Carried.
- 4. Resolution for Consideration**
a) Award for '2019 Boardwalk Replacement – Old PE Home to Lieut. Governors'

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

RESOLVED:
That as per the recently advertised Request for Proposals for the "2019 Boardwalk Replacement – Old Prince Edward Home to Lieutenant Governors" project, the City of Charlottetown accepts the bid from Earthform Corporation in the amount of \$85,560.00 (HST included),

And that this amount be expensed to the 2019-20 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 8-0

5. Motion to move into a Closed session

Moved by Councillor Ramsay and seconded by Councillor MacLeod to move into a Closed session as per Section 119(1) (e) of the Municipal Government Act of PEI. Carried.

6. Adjournment

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

The meeting concluded at 5:40 PM.

DRAFT



**PLANNING AND HERITAGE COMMITTEE
REPORT TO COUNCIL
November 12, 2019**

The Planning & Heritage Committee met on Wednesday, November 06, 2019; copies of the Planning & Heritage Committee Report and the minutes are included in your package.

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

The Heritage Board met on Monday, October 28, 2019; copies of the Heritage Board Report and the minutes are included in your package.

The Design Review did not meet in October 2019 after the October Council Meeting; therefore there are no reports to attach in this package.

There are five (5) resolutions to be put forward for Planning:

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. Reconsideration for 13 Donwood Drive (PID #278531): Reconsideration of rejected variance application for a home-based business (i.e. Counseling/Therapy service) located at 13 Donwood Drive. The property owner will be the sole operator of the home occupation and shall operate out of an office in the dwelling.
3. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.2): Proposed amendments to the Zoning & Development Bylaw pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, 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 and Exemptions to sign regulations for Designated properties.
4. 10 Harley Street (PID #274365) and a portion of 297 Allen Street (PID #274449): Consolidate 10 Harley Street with a portion of 297 Allen Street in order to reconstruct an apartment building that was destroyed by fire with additional density.
5. Lot 2014-6 Towers Road (PID # 1076728): Amend an approved development concept plan in the CDA Zone from two (2) buildings with eighty eight (88) units in total to one building with eighty eight (88) units.

Reading Papers:

First Readings:

1. Amendments to the Zoning & Development By-law (Bylaw PH-ZD.2): Proposed amendments to the Zoning & Development Bylaw pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, Reinsertion of the Downtown Main Street (DMS) Zone in the General Provision Table for

Council Package
November 12, 2019
Page 2 of 2

Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners and Exemptions to sign regulations for Designated properties.

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
WEDNESDAY, NOVEMBER 06, 2019, 6:45 P.M.
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL**

Present: Councillor Greg Rivard, Chair
Councillor Bob Doiron
Councillor Julie McCabe

Alex Forbes, PHM
Ellen Faye Catane, PH IO/AA

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

1. Call to Order

Councillor Greg Rivard called the meeting to order at 5:55 p.m.

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Councillor McCabe and seconded by Councillor Doiron, that the agenda for Wednesday, November 06, 2019, be approved.

CARRIED

4. Adoption of Minutes

Moved by Councillor McCabe and seconded by Councillor Doiron, that the minutes of the meeting held on Monday, October 07, 2019, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. Proposed Planning Department Process Improvement for Rezoning & Variance Applications

Staff prepared a process flow on Rezoning & Variance Applications which included a summary of steps and deadlines for staff and applicants. Alex Forbes, PHM, presented the process flow. Mr. Forbes indicated that these process flows were created to provide applicants clear deadlines when submitting applications for variances or rezoning. This would provide staff enough time to review, prepare and write reports for Planning Board. All Committee members were in agreement to this process and will be implemented by the department.

7. New Business

There were no new businesses discussed.

8. Adjournment

Moved by Councillor Julie McCabe and seconded by Councillor Bob Doiron, that the meeting be adjourned. The meeting was adjourned at 6:02 p.m.

Councillor Greg Rivard, Chair

Catane, Ellen

From: Catane, Ellen
Sent: Thursday, October 31, 2019 2:05 PM
To: Thompson, Laurel; Morrison, Greg; Zilke, Robert; Stavert, Robert
Cc: Munn, Natalie; Forbes, Alex
Subject: Planning Report Deadlines
Attachments: Rezoning Process Map.xlsx

Importance: High

Dear all,

Good day! In addition to the complete process map (attached) for Rezoning & Variance Application Deadlines, below would be a table I plan to send to Planning Staff on a monthly basis. We can determine the best time to send this reminder to staff and so whenever an applicant comes in, we can always look at this summary for deadlines, and then we can just use the attached flow for specific details.

Sample for November deadlines:

Meeting Schedules	
Planning Board Meeting	Monday, November 04, 2019
Council Meeting	Tuesday, November 12, 2019
Public Meeting	Tuesday, November 26, 2019

Application Deadlines	
Variance Application & Lot consolidation (R-3 & R-4)	Monday, October 14, 2019
Rezoning Application & Lot consolidation (All other zones)	Monday, October 21, 2019

Staff Deadlines for applications going to Planning Board	
Variances & Lot Consolidation (R3-R-4)	Friday, October 10, 2019
Rezoning & Lot consolidation (All other zones)	Friday, October 25, 2019
Planning Board Agenda	Friday, October 25, 2019
Planning Board Reports	Wednesday, October 30, 2019
Planning Board Package	Friday, November 01, 2019

Let me know your thoughts.

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer/Administrative Assistant

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

Planning Board Date: 11/4/2019
 Council Meeting Date: 11/12/2019
 Public Meeting Date: 11/26/2019

REZONING

Tasks	Applicant	AA	Devt Officer	Ping Mgr	Ping Board	Council	Notes	Deadline	Date Completed	Cycle Time	Deadline/Cycle time	Cycle Time
1 Submit Application Form (with required documents) & Pay Fees	START						\$800 for Rezoning, \$1400 Rezoning & Official Plan Amendment Fee is per PID/Property	10/21/2019		-9	2 weeks before Planning Board	
2 Receive Application Form & Payment							Explain Process & breakdown of fees (if asked) to applicants: -Mailout (100m buffer): \$0.82 per letter -Guardian Ad: \$400-\$1000 range (2 weeks ad depending on text and map) -Public Meeting Venue: \$0 if held at Council Chambers, actual hotel cost if held outside City Hall (\$ actual cost/#of applications) -Audio Recording: \$0 if held at Council Chambers, actual hotel cost if held outside City Hall (\$ actual cost/#of applications)	10/21/2019		-9	~15 mins	-15 mins
3 Assign application to Development Officer								10/22/2019		-8	1 day	1 day
3 Email Development Officers and Ping Mgr with a list of applications and deadline for Agenda							Officers should be able to review the application and determine whether the applications will be included in the scheduled planning board. If not, applications will be included in the next board meeting.	10/25/2019		-5	1 week before Planning Board	1 day
4 Review application and documents							Development Officer to connect with applicant/s if additional information/documents are required	10/25/2019		-5	1 week before Planning Board	2 weeks
5 Prepare report for Planning Board								10/30/2019		-2		
6 Review report for Planning Board								10/31/2019		1	at most 2 working days prior Ping Board Mtg	
7 Prepare for Planning Board Meeting							Preparations: -Calendar invite;agenda -Venue;food -Package	11/1/2019		2	Friday before Ping Board Mtg	
8 Planning Board Meeting								11/4/2019	11/4/2019	1	1st Mon of the month	
9 Planning Board Minutes and draft resolution								11/6/2019		5	2 days after Ping Brd Mtg	
10 Review report as necessary for Council Meeting; prepare resolutions and review minutes								11/7/2019		6	Wed before Council	
11 Prepare Package for Council							Return to Step 5 for deferred applications (reset Planning Board Date)	11/7/2019		6	Thu before Council	
12 Council Meeting								11/12/2019	11/12/2019	1	2nd Mon of the month	
13 Review resolutions and draft letter to applicants based on Council's decision							Approved/rejected to proceed to public consultation	11/19/2019		13	within 7 days after Council mtg	
14 Public Meeting Preparations							Preparations: -Logistics, Notices, Ads, etc	11/22/2019		16	should at least have 9 clear days	
15 Prepare letter to residents within 100m radius								11/15/2019		11	within 3 days after Council Meeting	
16 If a map is required, send request to Front Counter								11/13/2019		9	2 days before letter is expected to be out	
17 Prepare map and list of residents within 100 meters								11/14/2019		10	1 day	

Planning Board Date: 11/4/2019
 Council Meeting Date: 11/12/2019
 Public Meeting Date: 11/26/2019

REZONING

Tasks	Applicant	AA	Devt Officer	Plng Mgr	Plng Board	Council	Notes	Deadline	Date Completed	Cycle Time	Deadline/Cycle time	Cycle Time
18 Guardian Ad, Notice of Posting and Letters to residents within 100 meter radius								11/13/2019		9	at least 9 days before the scheduled Public Meeting	9
19 Public Meeting								11/26/2019	11/26/2019	1		1
20 Public Meeting minutes								11/28/2019		20	2 days	20
21 Review Public Meeting Minutes								11/29/2019		21	Thu before Plng Board	21
22 Schedule of next Planning Board								12/2/2019	12/2/2019	1		1
23 Prepare report for Planning Board								11/27/2019		19	Wed before Plng Board	19
24 Review report for Planning Board								11/28/2019		20	Thu before Plng Board	20
25 Prepare for Planning Board Meeting							Preparations: -Calendar invite:agenda -Venue:food -Package	11/29/2019		21	Friday before Plng Board Mtg	21
26 Planning Board Meeting								12/2/2019	12/2/2019	1	1st Mon of the month	1
27 Planning Board Minutes and draft resolution								12/4/2019		24	2 days after Plng Brd Mtg	24
28 Schedule of next Council Meeting								12/9/2019	12/9/2019	1		1
29 Revise report as necessary for Council Meeting; prepare resolutions and review minutes								12/4/2019		24	Thu before Council	24
30 Prepare Package for Council							Include Reading papers	12/5/2019		25	Fri before Council	25
31 Council Meeting								12/9/2019	12/9/2019	1	2nd Mon of the month	1
32 First Reading								12/9/2019	12/9/2019	1	2nd Mon of the month	1
33 Review resolutions and draft letter to applicants based on Council's decision							Notify applicant of Council's decision with information on requirements moving forward	12/16/2019		32	within 7 days after Council mtg	32
34 Schedule of next Council Meeting for 2nd reading								1/13/2020	1/13/2020	1		1
35 Second Reading								1/13/2020	1/13/2020	1	within 7 days after Council mtg	1
36 Send Package for Ministerial Approval								2/3/2020		66	start after resolution is adopted	66

VARIANCE

Tasks	Applicant	AA	Devt Officer	Ping Mgr	Ping Board	Council	Notes	Deadline	Date Completed	Cycle Time	Deadline/Cycle time	Cycle Time
1 Submit Application Form (with required documents) & Pay Fees	START						\$300 for Minor Variance, \$400 for Major Variance	10/14/2019		-14	3 weeks before Planning Board	
2 Receive Application Form & Payment							Explain Process to applicants: -Mailout (100m buffer); -Planning Board recommendation if it needs to go to Council -Council Decision -if approved, submit application to proceed with development	10/14/2019		-14	~15 mins ~15 mins	
3 Assign application to Development Officer								10/15/2019		-13	1 day	1 day
3 Email Development Officers and Ping Mgr with a list of applications and deadline for Agenda							Officers should be able to review the application and determine whether the applications will be included in the scheduled planning board. If not, applications will be included in the next board meeting.	10/18/2019		-10	at least 14 days before Deadline of reports	1 day
4 Review application and documents							Development Officer to connect with applicant/s if additional information/documents are required	10/18/2019		-10	at least 14 days before Deadline of reports	2 weeks
5 Prepare letter to residents within 100m radius								10/18/2019		-10	should have at least 14 days before deadline of reports	
6 If a map is required, send request to Front Counter								10/18/2019		-10	should have at least 14 days before deadline of reports	
7 Prepare map and list of residents within 100 meters; Send letters								10/18/2019		-10	should have at least 14 days before deadline of reports	
8 Gather comments/feedback								11/1/2019		2		
9 Is it a Minor Variance without objection? If yes, go to 7. If no, proceed to 8								11/1/2019		2	Day after a deadline	
10 Major variances go directly to 8								10/31/2019		1	Day after a deadline	
10 Development Officers approves the application after the deadline indicated in the letter.								10/30/2019		2	at most 2 working days prior Ping Board Mtg	
11 Prepare Planning Board Report								10/31/2019		1	Day after a deadline	
12 Review report for Planning Board								10/31/2019		1	at most 2 working days prior Ping Board Mtg	
13 Prepare for Planning Board Meeting							Preparations: -Calendar invite:agenda -Venue:food -Package	11/1/2019		2	Friday before Ping Board Mtg	
14 Planning Board Meeting								11/4/2019	11/4/2019	1	1st Mon of the month	
15 Planning Board Minutes and draft resolution								11/6/2019		5	2 days after Ping Brd Mtg	

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES
WEDNESDAY, NOVEMBER 06, 2019, 4:45 P.M.
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL**

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

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

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

1. Call to Order

Councillor Rivard called the meeting to order at 4:44 pm.

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Councillor Bob Doiron and seconded by Shallyn Murray, RM, that the agenda for Wednesday, November 06, 2019, 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 Monday, October 07, 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 located at 68 Brackley Point Road (PID #396713) 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.

13 letters of opposition were received prior the deadline and at the Public Meeting held on October 29, 2019, 11 residents spoke in opposition to proposed development. Three (3) additional comments were received after the deadline. Mr. Morrison mentioned that most of the concerns were on sight lines, vehicle/pedestrian traffic and speed limit issues. Based on Police

and Public Works feedback, the applicant presented a revised site plan where the building footprints were flipped to move the access further to the north. Mr. Morrison also outlined the positives and shortcomings of the proposed development. Staff explained that the applicant has submitted a request to defer the application until January 2020 to give them time to provide a traffic study from an engineer. The applicants were at the meeting to answer any possible questions.

Councillor Rivard asked if the applicant wanted to provide more information about the application and the request for deferral. Brad MacPherson, representative of the developer, mentioned that they understood the concerns of the residents on the safety sight line concerns. Mr. MacPherson indicated that instead of dealing with assumptions, they would rather deal with facts. They have contacted an engineer from Coles & Associates to prepare a proper traffic study to address the issues raised by residents. Mr. MacPherson also added that by having a traffic study, there could be a more educated decision rather than assumptions and has requested that this application be deferred to the January 06, 2020 meeting.

Councillor Rivard asked Mr. Forbes what traffic study would entail since at the public meeting concerns were raised on safety with regards to the sidewalk being on the opposite side as well as sight lines concerns due to snow. Councillor Rivard also clarified if traffic study only factors the amount of traffic, sight lines or what other factors does it consider. Mr. Forbes responded that those are questions you may ask the consultants and would depend on the terms of reference that you require them to review. A request to look into public concerns may be included in order to alleviate the concerns. Based on the technical analysis that would be provided by traffic engineers, staff may also recommend additional factors that may have to be reviewed or considered. If the board recommends moving forward with a traffic study, staff will work with the applicants to ensure that all these concerns are included in the review.

Councillor McCabe would agree that traffic studies maybe good for certain types of applications but when you live in the neighbourhood and experience the concerns everyday, you would see the picture clearer than a traffic study. Residents also feel that infrastructure is a huge issue in that area. Councillor McCabe suggested that the Department have proper things in place before developing the property.

Councillor Rivard also clarified the concern of one resident whose property is adjacent to the proposed development where they were not granted access along Brackley Point Road. Councillor Rivard asked that if a property across the road was not allowed access, how access would be allowed for the proposed development. Mr. Forbes responded that he is not certain about the concern and the department does not have details of the study that the resident was pertaining to. Mr. Morrison also indicated he was not present at the time of the development to provide more information but he included all information from the file in this report relating to the property that was mentioned.

Councillor Rivard explained that there are three options available here tonight which the board may recommend: a) Reject the application, b) Accept the application subject to a development agreement and, c) to defer the application until a traffic study is presented.

Shallyn Murray, RM, appreciated the applicant's offer to conduct a traffic study; however, Ms. Murray felt that this application is not the right scale for the site and even with the traffic study available; her vote would remain to be the same. Ms. Murray then made a motion to accept staff recommendation to reject.

Councillor Rivard 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:

- 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 for rejection.

CARRIED

(5-1)

K. Fournier opposed

7. Lot 2014-6 Towers Road (PID # 1076728)

This is a request to amend an existing development concept plan in the CDA Zone from two (2) buildings with eighty eight (88) units in total to one building with eighty eight (88) units for Lot 2014-6 Towers Road (PID # 1076728). Laurel Palmer Thompson, Planner II, presented the application. See attached report.

The property in question is Lot 2014-6 consisting of 94,410 sq. ft. This lot is part of the original 15 acre site. That comprises the approved Development Concept Plan. The original Development Agreement that outlined the terms of conditions of the Development Concept Plan was signed on August 15, 2013 for Lot 2014-6 consisted of one (1) 48 unit apartment building and one (1) 24 unit apartment building. In May of 2016, the current owner applied for an amendment to the approved development concept plan to to increase the density of the 48 unit building to 64 units and Council approved the density increase to a total of 88 units on site. Following approval of the amended development concept plan the applicant began site design and discovered a water line easement was closer to the 24 unit apartment building than what was originally sited on the concept plan.

The current proposed 88 unit building will have surface parking. The applicant is proposing that 28 of the units contained within the building be designated for affordable housing. The parking has changed to surface parking to make the project more economical to be able to offer a portion of the building as affordable housing. The applicant is also requesting to increase the height of the building so he is able to maintain 88 units on site. In order to avoid the waterline easement the building footprint would have to decrease and therefore, the height of the building would have to increase from 50 ft. to 62 ft. Staff recommendation is to approve to proceed to public

consultation. The developers, Robert Cheng and Jen Du, were present to answer any possible questions.

Jen Du, representative of the applicant, introduced their company and provided the board with additional information with regards to the developments they have constructed for the City of Charlottetown and other towns in the Province. Ms. Du also added that their proposed apartment building would help address the current housing crisis within the City. Gregg Munn, architect for the project, reiterated that the applicants have been allowed 88 units before but due to the water easement, the design needed to be revised by increasing the building height to be able to construct the same number of units.

Councillor Rivard agreed that the proposed development was still in keeping with the future plan in that area and there are other developers who are potentially building similar buildings within that neighbourhood as well. Councillor McCabe clarified if this is only a request to proceed to a public consultation. Councillor Rivard also asked why this application needs to go back to public consultation with very minimal changes to the proposed development. Mr. Forbes responded that this is under a Development Agreement and when an agreement is changed, it has to go through the process again.

Councillor Doiron asked for clarifications on a few items with regards to the development and Ms. Thompson's (and staff) -responses are italicized in below summary:

- Is the proposed development going higher because of the underground parking and was the underground parking a concern in the original proposed plan? *Originally, about at least 10 years ago when the original plan was approved, the building was 48 units and the height requirements at that time were a lot lower. When it was purchased by the current developer, the development agreement was amended to increase the total density to 88 units. Development in the CDA Zone is based on an agreement or contract with the City therefore there are no specific setback or height requirements. The actual height requirement of the City has also changed since then and the new bylaw allows for higher building heights. But regardless of the change in the height requirement, because there is a change in the current development concept plan, this application has to go through the public meeting process. The underground parking does not have anything to do with the height or any other requirements.*
- It was his understanding that the City agreed to the development to have the underground parking to have more greenspace. *The allocated greenspace for the site was the parkland that was deeded to the City for the development as required. Underground parking would provide for more green area and less paving on the site but not a parkland/green space requirement. Ms. Thompson also emphasized that the underground parking to provide more green space was not approved or voted on at that time as a trade-off but would only be considered as a bonus to have less asphalt on site. Mr. Forbes also added that you get more density by having underground parking. The applicants now are looking to have surface parking and increasing the height of the building.*

Councillor McCabe also asked that if by going above ground, they are able to get affordable housing units on that property and Ms. Thompson confirmed. Councillor Rivard added that 32% of the units will be affordable housing and Ms. Thompson also noted that 28 units will be affordable housing and because the property is in a CDA zone, there are no density bonus calculations and the 88 units would be the number of units approved in the existing development concept plan. The applicants are not changing the density but changing the configuration of the site and height of the building only.

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

Moved by Kris Fournier, RM, and seconded by Basil Hambly, RM, that the request to amend an existing development concept plan in the CDA Zone from two (2) buildings with eighty eight (88) units in total to one building with eighty eight (88) units for Lot 2014-6 Towers Road (PID # 1076728), be recommended to Council to proceed to public consultation.

**CARRIED
(6-0)**

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

This is a reconsideration of a rejected variance application for a home-based business (i.e. Counseling/ Therapy service) located at 13 Donwood Drive (PID #278531). Alex Forbes, Planning & Heritage Manager, presented the application. See attached report.

This application has been approved to proceed with reconsideration and it is now back to the board for a recommendation to Council. The applicant appealed to Council originally that the type of service she would be providing is not like any other medical type of operations. At that time, Council rejected the application and Councillor MacLeod was not present at that time to speak to the application.

Councillor Rivard clarified and remembered that Council approved this application in the last Council in October and Mr. Forbes corrected it to say that it was approved by Council for reconsideration and to allow the applicant to go through the variance application process again. Councillor MacLeod wanted to speak to this application and that is why Council has approved the reconsideration request. Mr. Forbes added that the application went back to the required process. There was one letter of support and one letter of opposition received. Staff still felt that this type of service cannot be considered as home occupation and the recommendation is still to reject the application. Planning Board may then make a recommendation whether to approve this application, or keep the original decision to reject the proposed home occupation.

The board had discussions around the previous decisions regarding this application and staff indicated that it was initially recommended to Council for rejection and Council accepted staff's recommendation. Councillor McCabe commented that there was more clarity around the service level for medical services versus counselling services. Mr. Forbes added that the Board or Council may or may not change their decision. In the letter of support that was received, it

indicated that this type of business required privacy and preferred not to let other clients see each other in a lobby as an example. Councillor Rivard clarified that if this application was submitted to the department today, it would not have to go through Planning Board because it is a prohibited use for home occupation and Mr. Forbes confirmed.

Councillor McCabe commented that you would understand how a medical service setup would be and that this type of home based services cannot be considered as medical service practice. Councillor McCabe also added that a dog grooming business was approved last month and felt that the applicant's proposed profession is not going to be cause a number of clients lining up at her home. It will take a while for her to establish her services and would make sense to start her business at her home if she felt comfortable having clients in her home.

Bobby Kenny, RM, also commented that this type of counselling is different than a medical service where a counselling would be more one-on-one while a medical service would have at least two or three people. If a dog grooming business was approved last time, Mr. Kenny indicated that he would support this application.

Mr. Forbes noted that the only concern with counselling is that the scope can be very board and would be difficult for the City to monitor such types of home occupations. Mr. Kenny asked if an agreement can be put in place to put controls and Mr. Forbes indicated that it is possible and would be binding on the applicant. Concerns on home based businesses would be the success of the applicant could create issues with neighbours in the future. Councillor McCabe also added that for that type of business, there would only be a max of 8 clients per day if one worked 8 hours a day with one client per hour.

Mr. Zilke added that he did some research on how other municipalities treat such type of services and they normally included a separate definition such as health services which would be permitted as a home occupation but with certain restrictions. If there would be an appetite for council to do the same, an amendment to the bylaw may be considered.

Kris Fournier, RM, commented that the applicant wants to start a business and asked if a 36 month permit be issued instead. Mr. Forbes responded that the decision can either be to approve or to reject. A development agreement may be put in place but you cannot put a time frame on a development agreement. It is either to allow the applicant and set conditions in the development agreement.

Basil Hambly, RM, asked if there are any other similar counselling sessions that is known or were previously approved by Council and Mr. Forbes responded that there are none that is known by the department but there are a lot of home businesses that are operating without a permit. The department's goal is to facilitate home businesses that do not or will not create nuisances or mischiefs to their neighbours.

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

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

**CARRIED
(5-1)**

B. Hambly opposed

9. 10 Harley Street (PID #274365) and a portion of 297 Allen Street (PID #274449)

This is a request to consolidate 10 Harley Street with a portion of 297 Allen Street in order to reconstruct an apartment building that was destroyed by fire with additional density. Laurel Palmer Thompson, Planner II, presented the application. See attached report.

A 28-unit apartment building on the property was destroyed by fire earlier this year and the applicant is reconstructing the building and adding ten (10) additional units for a total of 38 units with underground parking. In addition, the applicant is also requesting to consolidate 10 Harley Street (PID #274365) and a portion of 297 Allen Street (PID #274449). The previous Bylaw allowed a maximum height of 39.4 ft. for buildings in the R-3 Zone. However, in 2018, the Zoning and Development Bylaw was amended to increase the maximum height to 49.2 ft. in the R-3 Zone. This will allow for an additional story to be built. The current lot area is 35,222 sq. ft. which allows for 28 units.

The applicant is proposing to consolidate 4,060 sq. ft. from 297 Allen St. to increase the lot size. This will create a lot that is approximately 39,282 sq. ft. which supports 31.7 units. The applicant is proposing underground parking. The Zoning and Development Bylaw permits a density bonus of 20% when 75% of the parking is located underground. The density bonus will allow a total of 38 units if the lot consolidation is approved. The location of the property is desirable for seniors and an additional ten (10) units would support the demand for additional housing options especially for residents looking to downsize.

Staff sent out 48 letters and received two (2) letters of opposition and one (1) letter of support. Concerns were on snow melting on the vacant lot and lights from cars and the building shining toward the adjacent property. The developer has talked to residents in the area to address those concerns. Staff recommends approval of the lot consolidation subject to a development agreement or conditions placed on the building permit to address concerns.

Councillor Doiron asked if there are any indications on requiring sprinklers in the building should the proposed building be three or four storeys high. Mr. Forbes responded that sprinklers would be required if a building goes beyond three floors high and would be based on the requirements of the Building Code.

Shallyn Murray, RM, asked if the consolidation only pertains to the strip of property between the buildings and asked if they could build the building without any lot consolidation. Ms. Thompson confirmed that they can build on the property but would not be able to construct as many units as what is being proposed. The lot size allows for additional density. Ms. Thompson also added that the strip of land being subdivided from the adjacent property is in excess of what

they are required for the building on Allen Street, hence consolidating it with the property in question would allow for additional units to be built.

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

Moved by Bobby Kenny, RM, and seconded by Kris Fournier, RM, that the request to consolidate 10 Harley Street (PID #274365) and a portion of 297 Allen Street (PID #274449), in order to construct a 38-unit apartment building, be recommended to Council for approval, subject to a final pinned survey plan.

**CARRIED
(6-0)**

10. 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 5.5: Non-conforming uses;
- 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;
- Section 45.13 Lot Size;
- Appendix A. Definitions.

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

Mr. Zilke mentioned that the amendments have been explained in detail in the previous Planning Board meeting and at the public meeting held on October 29, 2019. At the public meeting, a question was posed on how staff would determine what would be considered a significant alteration thereby triggering a design review. Mr. Zilke noted that s process and additional definition were added to clearly define what would trigger a design review. If the Development Officer received an application that could potentially compromise the architectural design then it could be forward to the Design Review Board for a recommendation to either approve it or send it through the formal design review process. The process would require the submission to undergo a design review conducted by a licensed architect for compliance with the 500 Lot Area design guidelines.

Councillor Rivard agreed to the definitions but asked Mr. Zilke how staff would be able to determine the need for a design review. Mr. Zilke responded that when a developer intends to

make changes to the overall shape, material, craftsmanship, etc., then it would be an indication to go through the design review committee who could recommend approval or require a third party architect to review the project. Staff would also be in consultation with the department's Heritage Officer who has formal design training. Mr. Forbes also clarified that for every designated property in the downtown area, there is likely four more that should be designated. Since properties that are in the 500 Lot area that are not designated heritage process, they are no longer covered by the Heritage Preservation Bylaw. This design review process requirement is intended to protect these properties from any significant development in the future.

Councillor Rivard asked if the new Heritage Preservation Bylaw allows the board to automatically designate a property or would there be an avenue to designate a property. Mr. Forbes mentioned that the board/Council may slow the process down but the Board/Council needs to be cautious with this process.

Councillor McCabe asked where the parking regulations on rounding up/down threshold would fall under and Mr. Zilke responded that it would fall under the operations section. Councillor Rivard clarified that that current bylaw does not allow calculations to be rounded up and Mr. Zilke confirmed. Mr. Zilke added that given the housing situation, this proposed calculations would be desirable. Councillor Doiron also asked what the parking spot requirements are for every unit. Mr. Zilke responded that it would depend on the zone of the property and type of building. Councillor Doiron also asked why parking spot requirement in the Downtown Area is only 0.5 per unit while all the other areas require one parking space per unit. Mr. Forbes responded that in the downtown area, you can purchase parking spaces in a parking structure. Also, most properties in the Downtown area don't have driveways. Councillor Doiron then asked how cash-in-lieu works and Mr. Forbes would be applicable for developments in the downtown area where parking spaces cannot be provided and therefore, developers would have to pay for cash-in-lieu of parking for future parking structure developments.

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

Moved by Reg MacInnis, RM, and seconded by Rosemary Herbert, RM, that the amendments to the Zoning & Development Bylaw (PH-ZD.2) pertaining to:

- **Section 2: Operation;**
- **Section 3.8.6 and 3.9.6 Minor and Major Variances;**
- **Section 3.14 Design Review;**
- **Section 4: Accessory Structures;**
- **Section 4.6: Non-conforming buildings;**
- **Section 5.5: Non-conforming uses;**
- **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;**
- **Section 45.13 Lot Size;**
- **Appendix A. Definitions.**

be recommended to council for approval;

**CARRIED
(6-0)**

11. New Business

Alex Forbes, PHM, gave the Planning Board that there may be a request for a special board meeting to discuss the results of the traffic study for the corner of Capital Drive and Maypoint Road (proposed Tim Horton's drive-thru). Staff was hoping to get the reports at the time of the Planning Board meeting but since the reports are not in yet, staff will be meeting with the developer to review the report and then request for a special meeting.

12. Adjournment of Public Session

Moved by Bobby Kenny, RM, and seconded by Councillor Bob Doiron, that the meeting be adjourned. The meeting was adjourned at 5:53 p.m.

CARRIED

Councillor Greg Rivard, Chair



DRAFT

**Public Meeting of Council
Tuesday, October 29, 2019, 7:00 PM
Provinces Room, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

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

**Councillor Kevin Ramsay
Councillor Terry MacLeod
Councillor Mitchell Tweel
Councillor Robert Doiron**

Also:

**Alex Forbes, PHM
Greg Morrison, PII
Robert Zilke, PII**

**Ellen Faye Ganga, PH IO/AA
Robert Stavert, TA**

Regrets:

**Councillor Mike Duffy
Councillor Terry Bernard**

Laurel Palmer Thompson, PII

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:00 pm.

2. Declarations of Conflict of Interest

There were no declarations of conflict.

3. Approval of Agenda

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

4. 68 Brackley Point Road (PID #396713)

This is a request 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 two (2) townhouse dwellings on the vacant property. One of the townhouse dwellings would contain six (6) residential dwelling units while the other would contain eight (8)

residential dwelling units for a total of 14 residential dwelling units. Greg Morrison, Planner II, added more details about the application and stated that the applicant is also present to answer any questions or comments.

The subject property is currently vacant and the applicants are proposing to build two townhouse dwellings for a total of 14 units. Eight units will be at the front of the property and the other six units will be towards the back of the property. The elevations and floor plans were presented and it was explained that each unit are all identical with a garage at the front and three bedrooms on the second floor.

Susan Dillon, resident, commented that over the past years, there has been interest in this property and the rumour around Sherwood was that the property did not have access to Brackley Point Road. Ms. Dillon then asked where the access for the townhouse would be. Mr. Morrison responded that the access would be along the southern part of the property along Brackley Point Road and there would be a turning point at the rear of the property. Ms. Dillon also asked if there was a study in terms of safety of vehicles coming out of Brackley Point Road. Mr. Morrison mentioned that the site plan was sent to the Police, Fire and Public Works Department for review and comments. Staff received comments from Police and Public Works today. The Police Department have indicated that they were satisfied with the proposed site plan. The Public Works Department has issues particularly with the sight line to the south and have indicated that the proposed location would not be acceptable but access to the north of the property could be acceptable. Should Council look to approve this rezoning, these comments would have to be incorporated in redesigning the property. Ms. Dillon asked if staff have driven to the property and looked both ways. Mr. Morrison confirmed that he did and also added that he is not a traffic expert and must defer the review to corresponding departments. Ms. Dillon added that you cannot see cars approaching the top of the hill. For many years, it has been zoned as a single family and has not been sold because there was no access to Brackley Point Road and was wondering how 14 townhouses can be developed there and have access off Brackley Point Road.

Ms. Dillon also asked the Mayor if there is any other ward that is as busy as Ward 9 with rezoning. Mayor Brown responded that for any rezoning, traffic study is being considered and looking at Brackley Point Road, it is a connector to the arterial highway and then branches off to neighbourhoods. Mayor Brown also asked Mr. Forbes if there is any background or facts to add on to Ms. Dillon's inquiry. Mr. Forbes responded that Ward 9 is as busy as any other ward. Rezoning applications are not concentrated in a specific ward. Ms. Dillon commented that she asked this question because this is the third public meeting she attended since March 2019 and that she never attended any meetings in the past. She felt that there is always another piece of land being rezoned in her neighbourhood. Ms. Dillon also asked if the City has any strategic plan or map to look at and see where development or rezoning could happen or it is based on a property being purchased and requested to be rezoned. Councillor Rivard responded the City has a Zoning Map and an Official Plan in place that shows where density should

go in the City. The neighbourhood is predominantly R1 zoning but looking at that specific parcel of land and the reason why residents are back here for the third time for another public meeting. With the current housing crisis, developers are taking the opportunity to develop properties to meet the housing needs. Councillor Rivard noted that it may be right or wrong and he just pointed out the reason why a public meeting is scheduled every month. Public meetings can happen for any ward as well. Councillor Rivard also shared that there have been other properties that went through public meetings in the past for a rezoning as well such as the West Royalty area. Ms. Dillon asked if this went to public consultation and if Council got the same push back with the properties within Sherwood. Councillor Rivard confirmed that any rezoning application requires a public meeting and also confirmed that on some applications, Council got the same push back from residents. Mr. Brown also read portions of the policy in the Official plan (refer to report) and the Official Plan allows for some latitude for changes to the Bylaw. Anytime there is a change to the Bylaw, it requires public meeting. Ms. Dillon asked then if 14 townhouses surrounded by single family dwellings make sense. Ms. Dillon also commented that when residents voted in Councillors, residents hoped that they could come up with a strategic plan that doesn't just last for today or a few years but for 50 years down the road. Ms. Dillon also stressed that residents put Council in place to entrust that Council is making positive, informed and factual decisions on whether a property is to be rezoned or not. Ms. Dillon pointed out that she cannot understand how 14 townhouse units can be put on top of Brackley Point Road. It is busy as it is. She was in a few months ago requesting that the parcel further down Brackley Point Road by Stonepark not be rezoned to R-3 and now residents are back here for 14 townhouses on a small parcel of land that most people wanted to put a single family dwelling on but couldn't as the sight lines were not appropriate or was not safe. Mayor Brown clarified that the purpose of the public consultation is to get feedback from residents where development can happen or look at broader scopes or plans for the City.

Ms. Dillon stated that Council voted on this application and agreed to proceed to public consultation and staff just got the information from Police and Public Works on the same day of the public meeting. If no one showed up tonight to speak about the application, this was going through because Council already voted for it without all the necessary information. Mayor Brown clarified that Council did not vote in favour of the rezoning but voted that this application proceed to public consultation to get feedback. People may interpret it as a vote for the rezoning but this is only a vote to bring it to public consultation. Ms. Dillon reemphasized her earlier statement about Council making the right decision and that every time residents attend a public meeting, they feel that they are fighting for Council to make the right decision for the residents. Councillor Rivard mentioned that residents should not assume that Council would automatically approve an application when residents do not speak or show up at a public meeting. Council looks at the whole process and a public meeting is one piece of the whole process. Staff prepares a report and makes a recommendation to the Board. Board makes a recommendation to Council and Council makes an ultimate decision based on all the information provided. Mr. Brown also added that members of the Planning Board

are at the meeting tonight listening resident input and they would provide their input at the Planning Board meeting as well.

Councillor Tweel responded to a question asked earlier whether any other ward is as busy, he mentioned that his ward has been busy dealing with Planning issues and it has been nothing but a "horror show".

Andrew MacLean, resident, noted that the diagram showing the size of the lot is incorrect because his mom's property adjacent to the property in question is 0.75 acre while the rest are 1.5 acres. The far side of the road has a grass area about 10 feet wide and then narrows as it reaches the top of the hill. The top of the hill along Brackley Point Road is very narrow. It was noted that traffic studies were provided by Police and Public Works but the top of the hill was intended to be narrower so that you are not able to park on the side of the road and that it can be as safe as possible. During the winter time, there would be about six to seven feet of snow for six months of the year. There used to be a sidewalk on the east side of the road but was moved to the other side of the street. There is also a fire hydrant close to that location. Living adjacent to the property in question, Mr. MacLean noted that he has not back out of his driveway in 35-40 years. They drive on to the front lawn and drive out straight ahead. When there is snow, they would have to drive north on Brackley Point Road because traffic drives 50-60km/hr and there is poor visibility. Mr. MacLean then asked what would happen if there is snow about 50 feet to the north and 25-30 cars trying to pass traffic. Mr. MacLean doesn't think that they are going to drive north and through that roundabout. Mr. MacLean felt that it is a dangerous spot.

Doug Carmody (Carmody), resident, recommended that a roundabout be built near Vogue Optical to get rid of some of the traffic, let Woods develop his property and build a road where the house is built down off Duncan Heights. He indicated that there was supposed to be a road there out by Stonepark and residents can use the land that is there. Most properties are at least an acre, residents pay taxes on it but cannot use the land.

Andrew Cotton, resident, indicated that the lot has been vacant for years because it cannot have access off Brackley Point Road and asked about the property where the water tower used to be. Mr. Cotton asked why this property needed to have access off Maxfield instead of Brackley Point Road. A resident commented that it was because of the line of sight. Mr. Cotton then commented that it was not safe enough for that side of the road but would be safe for 14 cars on the other side of the road.

Jeremy Crosby, resident, mentioned that he will be submitting a letter to Council tonight. Mr. Crosby indicated that he is not against redevelopment of the property but rezoning from single family to R-3 is too high density for the property. Mr. Crosby quoted items in the report saying that this rezoning may change the long term direction of the neighbourhood and may lead to additional rezoning requests within the

neighbourhood, secondary plan may be put in place and would need to consult the public on this, the scale of the townhouse units may adversely affect the existing low density dwellings, the section of Brackley Point Road is an established single-detached dwellings, the access on to Brackley Point Road may not have sufficient sight lines. Mr. Crosby noted that proposal for 14 townhouse units may be considered at some point but felt that the change from an R-1L to R-3 is too high of a density and that there are no guarantees that the applicant would come back and plan to build an apartment instead. He also added that the bylaw be reviewed to amend the permitted uses for an R-2 to allow townhouse units but no other types of developments that are included in the R-3 Zone. Mr. Crosby also mentioned that the residents are tired of the constant attempts to rezone the area around their neighbourhood to higher density. The last attempts to rezone properties earlier this year were both denied. Mr. Crosby requested to consider how these rezoning applications affect residents each time they have to go through the process. Mr. Crosby also requested that if a development should take place on the property, the treed area/buffer zone be kept in place to benefit the residents and current owners.

Mayor Brown commented that a development agreement may be put in place when amendments are approved. Mr. Forbes explained that when there is an application to rezone a property, Council has the ability to restrict developers to what is being proposed and permitted on the property and that would be through a development agreement. If developers want to change the plan, they would have to undergo the same process again. Mr. Crosby asked if that would apply even if the property was sold to a new developer and Mr. Forbes confirmed. When developers apply with a plan, the proposal is what would be reviewed and potentially approved. If developers come back and change their plans, Staff will forward it to Council for approval if there is a significant change to the original plans submitted. Mr. Crosby asked if there were situations in the past where these development agreements are challenged and Mr. Forbes noted that most rezoning come with a development agreement; it is a standard tool and would be difficult to get around a development agreement. Mr. Crosby also commended staff for doing a great job preparing the report. Councillor Rivard also added that staff cannot stop or prevent land owners or developers from applying to develop or rezone their property. If the application is turned down and there are no significant changes to the proposed development, they would have to wait for another year to make another application. Mr. Crosby commented that the attempt to develop or rezone the property has been going on for many years now and would recommend that future development here would be something that is more agreeable than trying to rezone to an R-3. Councillor Rivard also asked Mr. Morrison what an R-2 permits and Mr. Morrison responded that it would allow for one and two unit dwellings. R-3 would allow townhouse and apartment units based on lot area. Mr. Crosby also added that there are other uses beyond that for R-3 and Mr. Morrison confirmed. While it says Medium Density, Mr. Crosby felt that it is perceived as high density for most residents living in an R-1 zone. Mr. Crosby also commended the developer and felt that it is a decent proposal but the R-3 zone is what unnerves residents. Councillor Tweel commented that

an R-3 zone opens doors for apartment complexes and when a zoning has been changed, Councillor Tweelwhy does it have to come back to the public consultation process again. Mr. Morrison responded that should Council approve the rezoning, it would be done subject to a Development Agreement. The Development Agreement would indicate what can only be built on the property with the proposed site plan and elevations. Should these drawing change, the developers would have to go back through the same process. Technically, the R-3 Zoning for the property would only allow them to build 14 townhouse dwelling units as per proposed. Mayor Brown also mentioned that the request to look at the R-2 zoning to allow for townhouse dwelling may be looked at or considered at some point.

One resident asked about the setback requirements for an R-1 zone allowing a development 15 feet from property line. Mr. Morrison responded that for a single detached dwelling in an R-1 zone, the minimum setback would be 19.7 feet from the front line, 24.6 feet from the rear and 6 feet from the side yard. Mr. Morrison clarified that the plan shows 14.8 and not 4.8 feet on the side.

Ian Handrahan, resident, asked what the speed limit is along Brackley Point Road and Councillor Doiron responded that it is 50 km/hr. Mr. Handrahan asked if the line of sight test was done (3ft cone, 150m back and still visible) and Mr. Morrison responded that he is not a traffic engineer but was sent to Public Works & Police Department who reviewed and provided their inputs on the proposed development.

Joan Ivany, resident, asked if the application would have to start over if the driveway was moved to the other side. Mr. Morrison indicated that the developers would have to change their plans and would be reviewed by staff and the other departments but would not have to go back for another public meeting. Should the access be moved, the developers would have to amend their plans and include them in the development agreement. Ms. Ivany commented that the townhouses behind Charlottetown Mall do not look like the initial plans that were proposed. Councillor Rivard responded that the developers went back to Council for approval when the plans were changed.

Mark Grimmett, resident, commented that car traffic was discussed but not pedestrian traffic which would potentially be associated with the development. Mr. Grimmett asked how pedestrians would access the sidewalk on the other side of the street and Mr. Morrison commented that it would be more of a Council question if they have the appetite to construct a sidewalk on that side of the street or a crosswalk. Mr. Grimmett also asked how this development is adjacent to commercial areas as how other R-3 developments are. He also echoed comments from other residents that the R-3 zone set people off and cause concerns to residents in the neighbourhood regardless if there is a development agreement or not. As a nearby property owner, he is not in favour of the proposal noted earlier by one of the residents to add another road access through the property along Duncan Heights.

Wendy MacDonald, resident, commented that their property was turned down in the past because of sight line issues even for a single family dwelling. Ms. MacDonald questioned how 14 new residents with potentially 28 cars coming out at the top of the hill wouldn't be an issue. She mentioned that she has been rear-ended and side swiped several times trying to pull out of her driveway with signal lights during daylight. With snow, it is even more difficult. And when you try to put a driveway immediately across the property with the increased number of vehicles coming out, Ms. MacDonald and her husband are completely opposed to the development. Ms. MacDonald also guaranteed that vehicles do not drive 50-60km/hr up that hill. Vehicles drive up to 80 km/hr and ambulances also drive that route into town and felt that the proposed access is completely not safe.

Doreen Connolly, resident, commented that with the townhouses being three bedrooms, there would be numerous families that would live there with children. Kids will be walking to school across Brackley Point Road and felt that it will not be very safe. She is opposed the proposal.

Jerry Ivany, resident, mentioned that he has attended about seven public meetings for the area since moving to Pope Ave and had called it a parachute rezoning. Mr. Ivany noted that the issues would always be developers purchasing single family homes and he expects Council to work with residents to allow the neighbourhood to remain the same. Mr. Ivany acknowledged that there would always be changes in houses or residences but the concerns for this property would be 1) traffic safety where vehicles don't follow the 50km/hr speed limit and 2) if/when the Belvedere Ave/St. Peters Road roundabout is be constructed, vehicles trying to get to town will most likely drive through Duncan Heights. Mr. Ivany plead that Council not approve this rezoning. In the original plan, there was a proposed road that would run from north to south and would come out of Heather Ave but over the years, plans were changed, the City was amalgamated and the long term plan was ignored. Mr. Ivany commented that he does not have a lot of faith in the City and would like to see someone start thinking about residents.

Mayor Brown mentioned that all the information gathered tonight will be taken to the Planning Board which is scheduled on Monday, November 4, 2019 at 4:30pm at Council Chambers, 2nd Floor, City Hall. Mayor Brown also added that it will be an open meeting and the residents are welcome to attend the meeting.

Councillor Doiron thanked the residents for attending the meeting and encouraged everyone who is opposed to this development to come to the Monthly Council meeting on November 12, 2019. Councillor Doiron commented that there have been rezoning applications in the past where the public came out in full force who expressed their opposition but when Council voted for the application, Council went with the housing crisis and approved the applications. Councillor Doiron added that he is aware that there are a lot of opposition to this application and that Council listened to all the

comments of the residents saying they don't want it but when it comes to a vote, Council votes for it anyway. Councillor Doiron also noted that it is great that residents are here tonight but because it happened a couple of times in the past, once again, he encouraged residents who are opposed to this rezoning to attend the Council meeting in November. Mayor Brown reiterated that there is a Planning Board Meeting on November 4 at 4:30pm where a recommendation will be made by the Board to Council and the Council Meeting is scheduled on Tuesday, November 12 at 5:00pm.

Susan Dillon, resident, reiterated her earlier comments saying that "we interest the Councillors of the City to make sound, informed decisions based on facts to lead the City in a direction that shows positive growth for many years to come." Ms. Dillon expressed that she doesn't want to be in a public meeting but wanted Council to look at the zoning, the sidewalks, sight lines, etc. and ask if it matches what the community needs. She also mentioned that the reason why she voted and why residents voted their Councillors in, is not for residents to be at public meetings but for Councillors to look at the issues, be the voice of the residents and make sound decisions based on what is best for the community. Councillor Doiron agreed with Ms. Dillon's comments and mentioned that he is listening to the crowd but when Council votes, things change, people tend to forget the people at the public meeting. Councillor Doiron cited the previous rezoning on Upper Prince and Palmers Lane where residents attended the public meeting and spoke in opposition, but Council voted to go ahead with it. Councillor Doiron understands that residents entrust their Councillors to do what residents think is right and what he believes is right Councillor Doiron added that he does not want to give residents false hopes. He encouraged people to attend the Council meeting and see how Council vote. Councillor Doiron felt there has to be a balance in terms of when it comes to the housing crisis and every Councillor wants to do the right thing and mentioned that Councillors are stuck to what the right thing is.

Mayor Brown mentioned that he understands the trust that Ms. Dillon is giving her Councillor and Council, and to add on to Councillor Doiron's comments, City Hall is open and there is a Planning Board Meeting on November 4th at 4:30pm where this issue will be voted on and then voted by Council on November 12th at 5:00pm at the Regular Meeting of Council. Mayor Brown also added that he has good faith in all the Councillors that represent the wards of the City.

Councillor McCabe clarified if this application is shut down at the Planning Board and does not necessarily go to Council. Councillor Rivard responded that a recommendation will be made by Staff to the Planning Board, Planning Board then makes a recommendation to Council and then Council makes the final decision. Councillor Rivard added that the Planning Board may recommend that the application not move forward and Council would have the ultimate vote.

A resident commented that the Planning Board meeting scheduled at 4:30pm is not an appropriate time for most residents, especially for those who are working. Mayor Brown

understands that the time may not be appropriate for everybody but the Planning Board meetings are always scheduled at 4:30pm and Council Meeting has been moved to 5:00pm. The City tried to accommodate most of the schedules of members. While a video recording is not available for Planning Board, there will be a live stream for the Regular Council meeting. The resident informed Council that since most would be working, many people won't be able to make it to the meeting.

Councillor Tweel thanked residents for attending the public meeting and reiterated Councillor Doiron's comment where people attended past public meetings and spoke in opposition to the development (mentioned the previous applications in his ward), staff recommended for or against the application, Planning Board recommended for approval or rejection and finally to Council for a vote. Councillor Tweel mentioned that some Councillors are listening and some, because of housing or other situations, and when letters were sent, the letters would only indicate the rezoning or variance requirements. Councillor Tweel added that some do take it to heart and listen specifically to what the constituents are saying.

Mayor Brown reminded the residents of the schedules for Planning Board Meeting and Council Meeting and Councillor Rivard and Councillor McCabe reminded the residents that the deadline for submission of any written comments or concerns is 12:00pm, October 30, 2019.

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

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

Proposed amendments to the Zoning & Development Bylaw pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, 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 and Exemptions to sign regulations for Designated properties.

Robert Zilke went through the specific amendments as detailed in the report.

Joan Cumming, resident, thanked Robert for explaining the amendments in detail and mentioned that she called City Hall about four times to talk to someone to gather more information about the proposed amendments but staff wasn't able to provide the information and indicated that she had difficulty trying to look for the information on the website. Ms. Cumming noted that she would have wanted to study the information ahead of time. Mayor Brown asked Mr. Zilke if this was part of the information on the website and Mr. Zilke confirmed. Ms. Cumming added that since she could not find the information on the website and should these amendments move forward, it would have

been a concern for her not being able to access the information or made comments to it. Ms. Cumming was more particular about the signage and a little confused with the subdivision of lots. Ms. Cumming requested that residents be better informed and asked if these amendments were reviewed a long time ago or just today. Mr. Zilke responded that he is willing to talk to Ms. Cumming after the meeting to set a time to discuss the amendments in detail. Mayor Brown clarified that this is a public consultation and the Planning Board meeting is scheduled on November 4th and that would be another avenue for Ms. Cumming to make her comments. Ms. Cumming added that she doesn't have a copy of the report. Councillor Rivard responded that the reports are on the website with the information and will be reviewed again at the next Planning Board meeting. Councillor Jankov also asked where the package is saved. Ellen Catane explained that all reports are part of the Planning Board package, which also becomes part of the Council package and a Public meeting package is also sent to Council before the Public meeting. Mayor Brown added that Mr. Zilke will work on a time to meet with Ms. Cumming. Ms. Cumming indicated that would help her but asked how the information would get to the other residents. Mayor Brown noted that staff did their best to provide the information for residents and tried to make it as user friendly as possible and apologized if she had difficulty accessing the site and will check to see how the website can be improved further for the public to have better access.


Councillor Tweel thanked Mr. Zilke for the presentation and requested he elaborate on the difference of the current Design Review procedure and the proposed amendment of what constitutes a significant alteration. Mr. Zilke responded that a design review is required for any development within the 500 Lot Area. Council approved the 500 Lot Area years ago in order to maintain the character on the design of the buildings in that location. The existing regulation pertains to any new construction, multi-unit residential or increase in building footprint, etc. The proposed amendment is when any building in the 500 Lot Area goes through a significant alteration especially to the exterior of the existing property, it would require to undergo the design review process. Councillor Tweel quoted the statement, "This is to ensure that the unique architectural character of the 500 Lot Area is not only maintained but enhanced in the future", and mentioned that he has discussed this with Council over the last number of months with regards to the architectural character of the new buildings being built in the downtown area especially when it comes to brick materials. Councillor Tweel indicated that on the fourth and fifth floor, there is the introduction of steel siding that is a significant material change to the design of a building. Councillor Tweel mentioned that he is not an architect but felt that there is inconsistency and wondered why this is allowed to happen. Mayor Brown responded that those items will be dealt with by the Design Review Committee.

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

6. Adjournment of Public Session

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

DRAFT

TITLE: REZONING APPLICATION FILE: PLAN-2019-4-NOVEMBER- GA-1 68 BRACKLEY POINT ROAD (PID #396713) OWNER: HILL-BAY HOLDINGS INC.		
MEETING DATE: November 4, 2019		Page 1 of 13
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Site Plan C. Elevations D. Floor Plans E. Letters of Opposition	
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 reject the request 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 in order to construct two (2) townhouse dwellings on the property for a total of 14 units.

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 one-unit or two-unit dwellings.

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.

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.

LEGISLATIVE REQUIREMENTS:

Notification

On October 15, 2019, Council passed the following resolution:

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.

As per Section 3.10.4 of the Zoning & Development By-law, written notice was sent to all affected property owners within 100m of the subject property on October 16, 2019. The letter informed them of the rezoning application and the upcoming public meeting. The letter then explained that comments for or against the proposed rezoning must be submitted prior to 12:00 p.m. (noon) on Wednesday, October 30, 2019.

In addition, staff published a notice in two issues of The Guardian on October 19, 2019 and October 26, 2019 and posted a copy of the notice on the subject property.

Finally, a public meeting of Council was held on October 29, 2019 at 7:00 p.m. in the Provinces Room, Rodd Charlottetown Hotel, 75 Kent Street.

Public Feedback

Thirteen (13) letters of opposition were received prior to the deadline for comments and eleven (11) residents spoke in opposition of the rezoning application at the public meeting. One (1) letter of opposition was received after the deadline but before this Planning Board report was drafted.

The concerns expressed by the residents are categorized / summarized below. The letters of opposition are attached to this report (Attachment E) and the public meeting minutes can be found in the Planning Board report.

Site Lines

Comments pertaining to site lines from the residents include, but are not limited to, the following:

“The location for this project would have a very unsafe connection to Brackley point road due to extremely poor sight lines for the entry and exit way.”

“From what I understand from last night's meeting, no studies have been done and no tests have been conducted in regards to the sight line issue by either the developer or the city. “

“accessing Brackley Point at the top of the hill which already has sight and accessibility challenges.”

Staff sent the preliminary site plan the Police Department and the Public Works Department and received comments back on October 29, 2019:

Police Department

This is a relatively large tract of land which, unfortunately, seems land locked with reduced access solely to Brackley Point Rd. The 14 unit development would put some strain on access/egress on Brackley Point Rd. That stated it is not unlike some other areas such as Redwood Lane off North River Rd. or Dowling Lane off Kensington Rd. It would appear from the site plan that the access point is placed in the best area in terms of site lines. ... We wouldn't have an issue with it.

Public Works Department

I did a site visit this morning and I have concerns of the driveway location. The property in question is at the top of crest in the road, which limits sight lines. Looking north of Brackley Pt Rd, there are no major concerns of these sight lines, however, when looking south, the crest is quite steep, which limits sight line distance. With the number of residents proposed in this location, I am concern about the plan as presents. As such, it is recommended that the driveway be relocated to the northern most point on the property to help mitigate these issues.

Staff would note that a formal traffic study was not conducted by the applicant for this proposed development.

Vehicular Traffic / Speed Limit

Comments pertaining to vehicular traffic / speed limit from the residents include, but are not limited to, the following:

"This is a very busy road with a speed limit of 50 km/h, to add a potential 28 vehicles coming in and out of a driveway at the top of that hill is surely a recipe for disaster. "

"Traffic entering and exiting the neighbourhood, based on two vehicles per unit, or 28 vehicles ... will create complicated and unwelcome congestion."

Pedestrian Traffic

Comments pertaining to pedestrian traffic from the residents include, but are not limited to, the following:

"The location of this lot presents the same safety issues to pedestrians. There is no sidewalk on the proposed side of Brackley Point Road. An additional 14 families residing on

this property would surely increase pedestrian traffic, including many young children needing to walk to school either at Sherwood Elementary or Stonepark. These Pedestrians would have to either walk down the hill (with no sidewalk) to one of the crosswalks."

Staff would note that the location of sidewalk and crosswalks are determined by the Public Works Department / Committee. While additional density affects pedestrian traffic, it is not the responsibility of the application to construct sidewalks.

R-3 Zoning

Comments pertaining to the permitted uses in the R-3 Zone and the precedent for adjacent properties from the residents include, but are not limited to, the following:

"Under the R3 designation, there is no guarantee that these lots might not morph into even larger developments, like an apartment building (s) or more extensive townhouse or condominium complexes"

"There are no other R-3 properties in this immediate area."

"this rezoning request would set a precedent for the area and potentially open the door for future R-3 requests."

Should the rezoning be approved, staff would suggest that it be made subject to the signing of a Development Agreement that would restrict the permitted use of the property to two (2) townhouse dwellings consisting of 14 residential dwelling units. Should these plans change in the future, re-approval would be required by Council.

Other

Comments pertaining to other items from the residents include, but are not limited to, the following:

"This development will, without a doubt, decrease the property value of residents in the area. Increased traffic, increased noise pollution (what is to stop these town houses from being filled with university students and making it the next Browns Court?), decreased safety as explained above. What will prevent these town houses from becoming short term rentals? "

“Arguments about the housing crisis will be made and solutions will have to be decided upon. (This development will not resolve the “housing crisis”) When it is resolved, the damage to this neighborhood will still be with us.”

“In the winter the snow banks are too high and not blown back by public works that at times you can not see.”

“Even though reduced in size from original it is still considered too high of a density for the area. It is not “harmonious” with the mature well established existing neighborhood.”

ANALYSIS:

General

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.

Official Plan

The applicant is proposing to construct two (2) townhouse dwellings on the property for a total of 14 units on the vacant property. In the Medium Density Residential (R-3) Zone, the subject property would be permitted approximately 55 apartment dwelling units without underground parking, 67 apartment dwelling units with underground parking, and 33 townhouse dwelling

units based upon the survey plan showing a lot area of 1.59 acres. Constructing 14 townhouse dwelling units on the vacant property would not maximize the use of the property but would be categorized as compact urban form and would be a better use of existing underground services. Because of this, the following objectives of the Official Plan would be satisfied:

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

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

That being said, the proposed rezoning could be considered a spot rezoning due to the fact that the closest property with R-3 zoning is approximately 800 ft away. The neighbourhood is primarily one-unit or two-unit dwellings, meaning the townhouse dwellings may be out of character in the neighbourhood due to land use and massing. The Official Plan promotes moderately higher densities in neighbourhoods which are harmonious and do not adversely affect existing low density housing:

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

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

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

*Section 3.2.1 - Our **policy** shall be to establish an appropriate relationship between the height and density of all new development in mixed-use residential areas of existing neighbourhoods.*

*Section 3.2.2 - Our **policy** shall be to ... permit multiple unit developments in suburban areas provided that it is development at a density which will not unduly adversely affect existing low density housing.*

Other sections of the Official Plan that relate to this development include:

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

*Section 3.1.2 - Our **policy** shall be to encourage in-fill development through public land assembly initiatives, flexible zoning provisions and the reduction or waiver of development fees for small or irregularly shaped lots and, when warranted, the use of tax incentives within fully serviced areas of the City.*

*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.*

Currently there is a demand for dwelling units in the City of Charlottetown and this development would help to help to satisfy this demand. The Official Plan supports in-fill development through flexible zoning provisions (i.e., rezoning / variances).

Applicant's Rationale

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.

Zoning & Development By-law

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 Frontage	82.0 ft (min)	156.5 ft
Lot Area	29,386 sq ft (14-units)	+/- 69,000 sq ft
Front Yard Setback	19.7 ft (min)	19.7 ft
L Side Yard Setback	9.8 ft (min)	21.5 ft
R Side Yard Setback	9.8 ft (min)	14.8 ft
Rear Yard Setback	24.6 ft (min)	55.1 ft
Height	39.4 ft (max)	+/- 35.0 ft (top of vent)
Unit Width*	21.3 ft (max)	21.25 ft
Distance Between Buildings	19.7 ft (min)	49.4 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.

29 Maxfield Avenue (PID #396283):

Through public feedback process, the following information was provided:

In 2001, James and I purchased the former Reservoir property, which is located directly across from PID # 396713 (68 Brackley Point Road) from the City of Charlottetown. After a few years of owning the property (approximately 2004), we submitted a proposal to subdivide the lot which included a request for access from the property to Brackley Point Road. This access to Brackley Point Road was denied due to sight distance and as such we

had to change the proposal to have access to both lots off Maxfield Avenue. It is very concerning to think that this proposal for a single family dwelling access to Brackley Point Road was denied; however a proposal for 14 residential units accessing the same portion of Brackley Point Road would have proper sight distance and be approved.

A subdivision was approved by the City on March 4, 2005 for Lot 1 and Lot 2 Maxfield Avenue as per Gulf Surveys Ltd. Dwg No. 6563 dated December 17, 2004. An email in the file from the Development Officer states:

There are concerns from the adjacent property north of these subdivided lots. In the past a lack of access off Brackley Pt Rd has results in people parking and driving over the adjacent property.

Any development permit for the flag lot should state that access will only be from Maxfield and the use of the adjacent property for parking or access is strictly farbidden.

A memo in the file from the Deputy Chief of Police states:

From a traffic perspective, we have no concerns related to this lot being developed. We took note that the lot will not be accessible from Brackley Pt Rd and the raad configuration of Maxwell Avenue ...

June 29, 2015 for Lot 15-1 MacWilliams Road as per ISE Drawing No. 15067 dated June 23, 2015.

A building permit was then issued on September 24, 2008 for the construction of a single-detached dwelling at 29 Maxfield Avenue. There are no comments in the file pertaining to the access or site lines.

Other

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.

CONCLUSION:

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"> ▪ Compact urban form and infill development. ▪ More efficient use of existing underground services than a single-detached dwelling. ▪ Moderately higher density in an existing neighbourhood. ▪ Higher density should be located along arterial roads. ▪ Two schools are located within 300m. ▪ A commercial shopping centre and bus stop is located within 500m. ▪ The proposed development appears to be able to meet the requirements of the By-law. 		<ul style="list-style-type: none"> ▪ May adversely affect existing low density dwellings. ▪ Arguably not harmonious with its surroundings because this section of Brackley Point Road is established as low density dwellings. ▪ The footprint and massing may not be physically related to its surroundings. ▪ It is difficult to evaluate a spot rezoning of this one property. ▪ The access from this property onto Brackley Point Road may create difficult site lines. ▪ Adjacent properties may seek similar rezonings in the future if this is approved which would change the character of the neighbourhood.

In light of the foregoing, the Planning & Heritage Department recommends that the rezoning application be rejected.

PRESENTER:



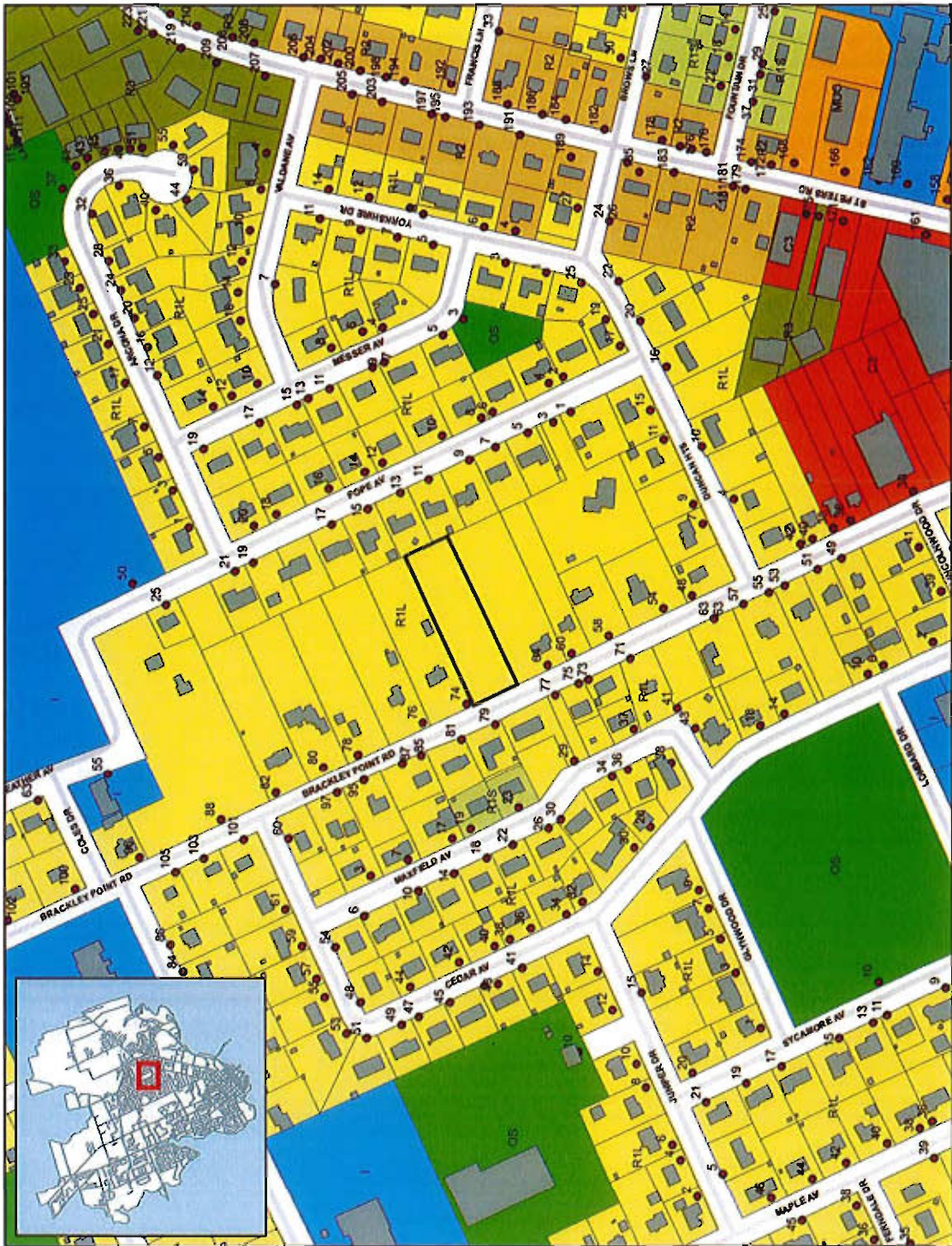
Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A

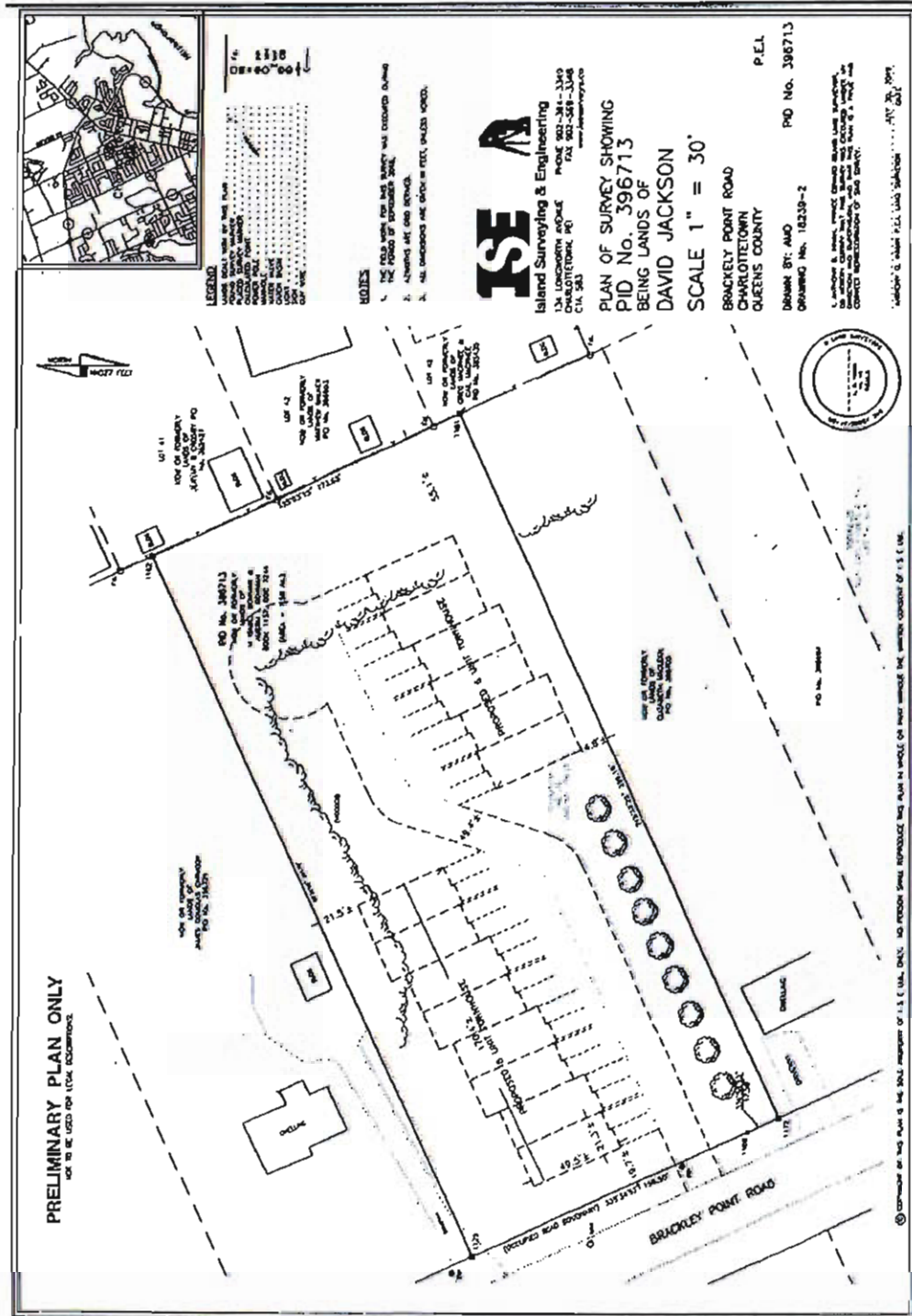


Attachment A: GIS Map
File: PLAN-2019-4-NOVEMBER-
68 Brackley Point Road (PID #396713)
Owner: Hill-Bay Holdings Inc.


CHARLOTTETOWN
Planning & Heritage
Department



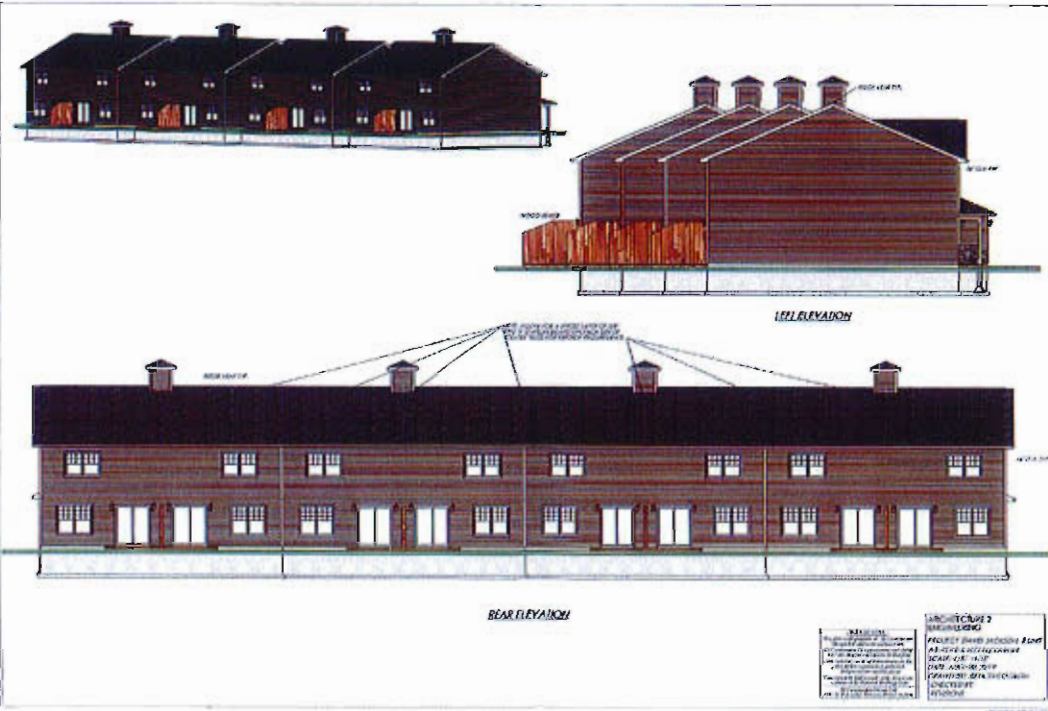
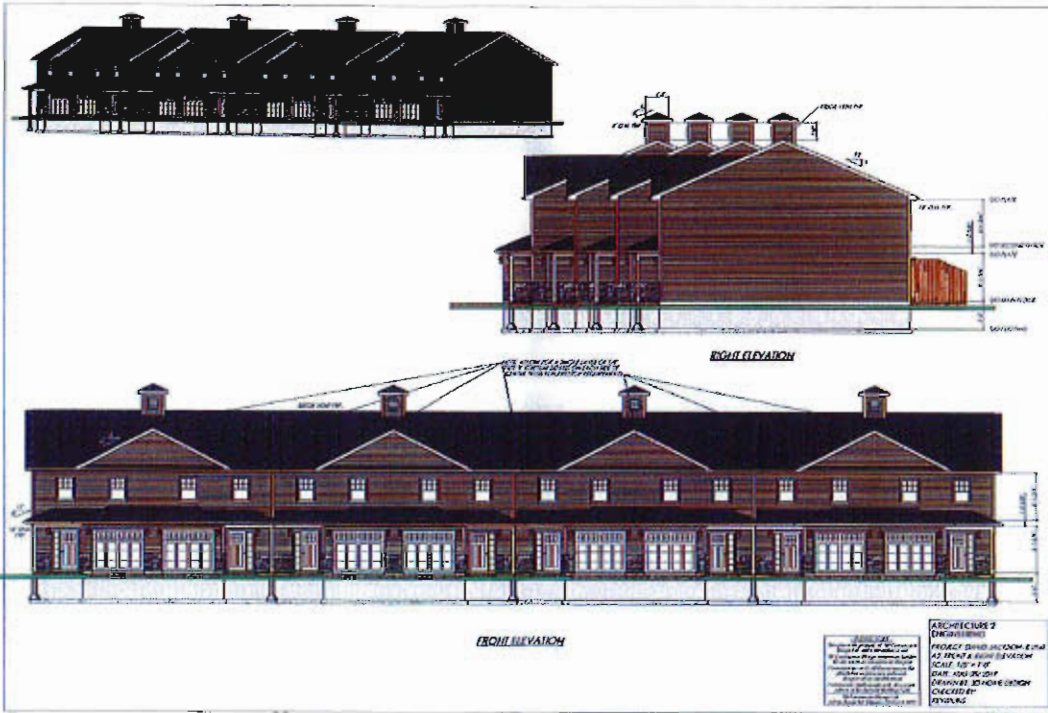
Attachment B



Attachment B: Site Plan
File: PLAN-2019-4-NOVEMBER-
68 Brackley Point Road (PID #396713)
Owner: Hill-Bay Holdings Inc.



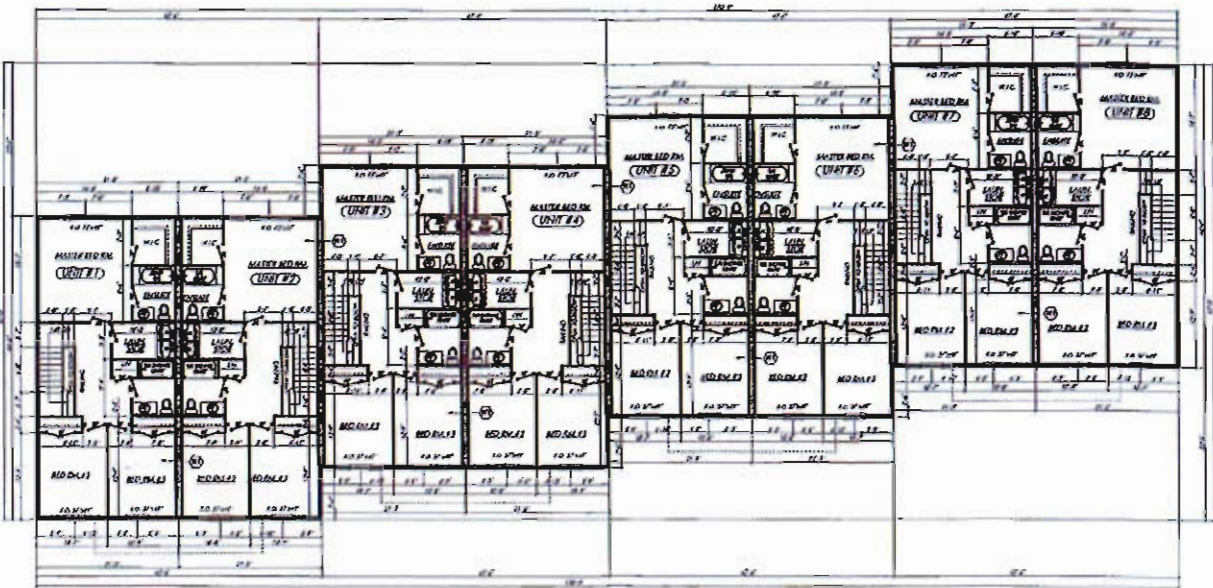
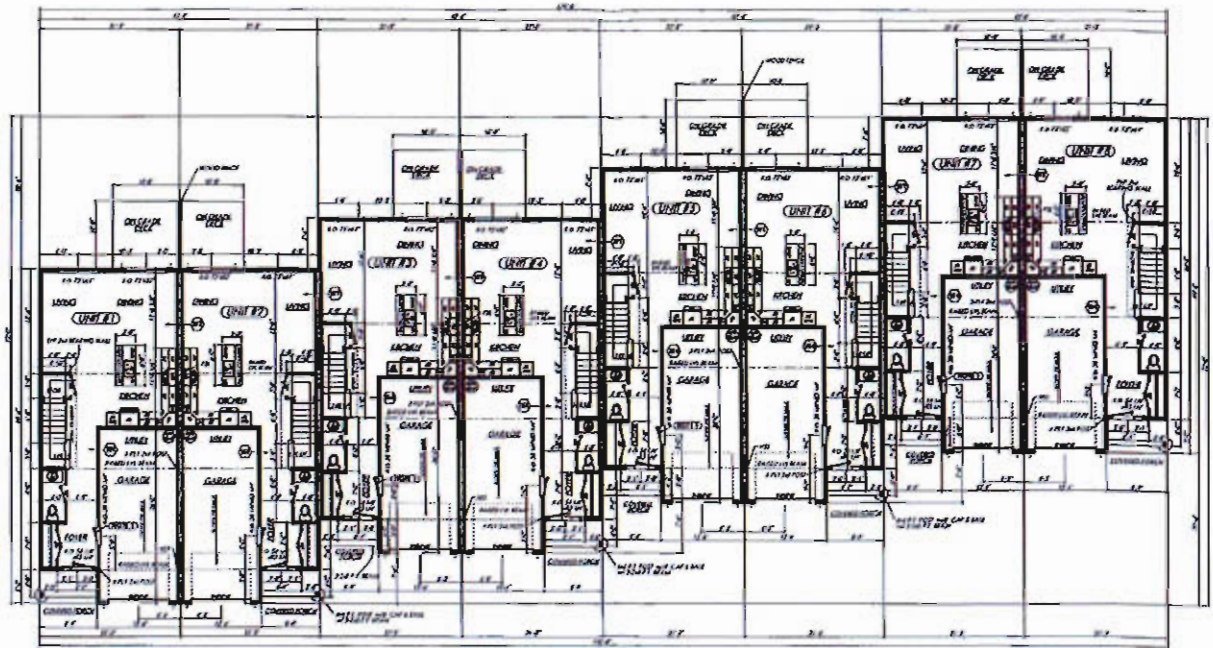
Attachment C



Attachment C: Elevations
 File: PLAN-2019-4-NOVEMBER-
 68 Brackley Point Road (PID #396713)
 Owner: Hill-Bay Holdings Inc.



Attachment D



Attachment D: Floor Plans
File: PLAN-2019-4-NOVEMBER-
68 Brackley Point Road (PID #396713)
Owner: Hill-Bay Holdings Inc.



Attachment E

14 Letters of Opposition Attached:

1. Tracey Andrew
2. Jerry A. Ivany
3. Shelley Morrison & David Morrison
4. Jeremy Crosby
5. Mark Grimmett
6. Doreen Connolly
7. Helena J. McCarville
8. Andrew MacLean
9. Wendy & James MacDonald
10. Gary Ellis
11. Andrew Cotton
12. Marcia Gardiner & Tom Steepe
13. Cal Morrison
14. Peter Poirier

Attachment E: Letters of Opposition
File: PLAN-2019-4-NOVEMBER-
68 Brackley Point Road (PID #396713)
Owner: Hill-Bay Holdings Inc.



Stavert, Robert

From: Tracey Andrew <tracey.andrew@hotmail.com>
Sent: October 16, 2019 8:26 PM
To: Planning Department
Cc: McCabe,Julie L.
Subject: Rezone request for 68 Brackley Point Roaf

I am writing with my concern about the request to rezone 68 Brackley Point Road to R3. I am totally against it. We have way too much traffic by that daycare/ school now, more traffic in that area is an accident waiting to happen. Brackley point road is busy and to think of that many more cars turning onto Brackley point right there is a scary thought, the school cross walk area is a risk your life crossing area now..... As well Mornings and after school time is impossible on Pope Drive. I walk my dogs everyday down that hill and across that crosswalk on Brackley point , and everyday I see a near miss with cars and buses turning and stopping, kids jumping out of the way alot of times!!! Cars are lined on both sides of the road at 3pm by Stonepark school making only one lane of traffic which goes half way up pope drive. I hope that more people will speak up. I unfortunately can't make the meeting so I wanted to voice my disapproval of the rezoning request. I hope the city will reconsider rezoning to R3.

Thank you

Tracey Andrew

(Arcona Drive Resident)

Sent from Tracey's iPhone

Get [Outlook for iOS](#)

Stavert, Robert

From: Jerry Ivany <jaipag@eastlink.ca>
Sent: October 28, 2019 7:26 PM
To: Planning Department
Cc: McCabe,Julie L.
Subject: Zone chance application for Lot 68 Brackley Pt Rd.,
Attachments: Lot 68 Brackley Point Rd Rezoning Oct 28, 2019.docx

Planning Board;

Please see attached letter against this application.

Jerry Ivany
17 Pope Ave

To: Charlottetown City Council and Planning Board:

Date: October 28, 2019.

From: Jerry A. Ivany,

17 Pope Ave

RE: Application for Rezoning Lot 68 Brackley Point Rd from R-1L to R3

Zoning request should not be approved because:

- I purchased my property in an R-1 zone with the understanding that it would not be changed and I believe I should be able to expect the City of Charlottetown to hold to that agreement. The area contains well maintained properties and residents know their neighbours for streets around, take pride in our neighbourhood and keep them updated. We have had to fight at least 6 applications to downgrade the zoning, we have worked together to defeat these, pointing out why such changes would not be beneficial to the city, our neighbourhood, and families. There is no desire for rezoning in the neighbourhood.
- Owners of single family homes who have paid our taxes for many years are being ignored in the City of Charlottetown. The frenzy to parachute apartment buildings and other structures that are not appropriate has to stop. We want single family houses built on normal size lots not dense concentrations of row houses and apartment buildings.
- Brackley Pt Rd will become much more dangerous as visibility southward is restricted. Brackley Pt Rd is a busy feeder street to and from the city, and the addition of 14 +++ vehicles entering the street will result in a significantly greater risk for traffic accidents.
- Rezoning adds nothing appropriate to the neighbourhood. Single family houses in the \$250,000 to \$300,000 are most wanted by buyers (Guardian March 22, 2019), and adding single family houses would be attractive. A concentration of row houses is not.
- This neighbourhood is a very desirable location for single family homes and property values can be expected to decline if rezoning is approve.
- An increased density of this sort in this area was recently noted in the Official Plan of the city as not suitable for this neighbourhood.

Stavert, Robert

From: Shelley Morrison <mailforshelley@hotmail.com>
Sent: October 29, 2019 10:04 AM
To: Mayor of Charlottetown (Philip Brown); McCabe, Julie L.; Jankov, Alanna; MacLeod, Terry; Duffy, Mike; Tweel, Mitchell; Ramsay, Kevin; Doiron, Bob; Rivard, Greg; Coady, Jason; Bernard, Terry; Planning Department
Subject: 68 Brackley Pt Rd

October 29, 2019

RE: 68 Brackley Pt. Road Potential Rezoning

Attention Mayor, City Councilors, City Planning:

We, the property owners of 80 Brackley Pt. Road are against the rezoning of 68 Brackley Pt. Road from existing R1 to an R3 zone. Following are a few of the reasons why we are opposed to an R3 rezoning at this location:

1. Property at 68 Brackley Pt. Road **does not meet required site lines for driveway access**. The single residential home built directly across the street from this property (in recent years) was not granted driveway access to Brackley Pt. Road. Their driveway enters upon Maxfield. The city will appear to be "bending the rules" for developers when an R1 homeowner would not be granted access onto Brackley Pt. Road - yet the city will consider allowing multiple units to do so (for a developer).
2. **Traffic study has not been conducted**. **SAFETY** should be primary concern when developing properties! It is alarming that a potential development would even be considered when it does not meet the standard safety measurement guidelines set forth by the city and should not have advanced to public consultation without meeting this primary concern. We have noted in recent rezoning development the city appears to break the rules for developers but when it comes to safety this is alarming.
3. This **R1** property is located in an "**R1 single residential existing established neighborhood**" surrounded by single residential homes. Dropping an R3 development in the middle of such a neighborhood goes against the city of Charlottetown's "Future Land Use" map, "**City of Charlottetown Official Plan**" and does not "fit" into the established neighborhood. Even though reduced in size from original it is still considered too high of a density for the area.
4. It is not "**harmonious**" with the mature well established existing neighborhood.
5. **Spot zoning/domino affect**. Even though we did not receive a letter from the city regarding this rezoning, we live a mere 4 properties away (and 2 properties away from 88 Brackley Pt. Road, the other recent rezoning request). We would be swallowed up by R3 development. The city is making a decision that will affect the future of our home. In recent rezoning requests it was stated that planning department "may need to visit future planning for this area as these properties have large backyards". Not only did we not receive notification of this rezoning request but the future development of OUR backyard is being discussed and determined by these rezoning requests! This potential rezoning will affect the "**Streetscape**", safety, surrounding property values and sets a precedent for the rezoning of these "larger" properties - one of which we built our home 15 years ago in an established R1 neighborhood. It will also set a precedent for future developers who purchase property at a lesser R1 value to just rezone to pad pockets.
6. We are concerned that even with "development agreements" plans can change. The Mayor stated (at public meeting regarding 88 Brackley Pt Road) that changes can occur even with agreements as he

referred to the development behind the mall as the "chameleon".

In summary, we are concerned that City Council and City Planning would consider going against the "City of Charlottetown Official Plan" to once again disrupt the community, cause anguish among majority of the surrounding area affected and not follow policies set forth in their own city plan. One of the policies set forth in the "City of Charlottetown Official Plan of Strategic Directions for Charlottetown in the 21st Century and Beyond " states: "Preserve existing residential *low density neighborhoods*". The "City of Charlottetown Official Plan" has also identified future land use for development, policies to "encourage diversified development in NEW subdivisions" **AND for mature existing neighborhoods to remain as they exist**. So why are we as residents of an R1 low density established existing neighborhood continuously having to "fight for our rights" as R1 property owners by continuously revisiting the same rezoning requests?

Sincerely,
Shelley and David Morrison
80 Brackley Point Road

October 29, 2019

City of Charlottetown
Planning and Heritage Department
233 Queen Street
Charlottetown, PE
C1A 4B9

PLANNING
Rec'd Oct 29, 2019 Int. gm
AT PUBLIC MEETING

Re: Proposed Re-zoning (PID # 396713) 68 Brackley Point Road

Mayor, Council and Planning and Heritage Staff,

I have been a resident of 13 Pope Avenue since September of 2009. I chose this property to raise my family because of the quiet residential area, affordability of the home, well-kept homes/condition of the neighbourhood, proximity to schools, and sporting facilities all within walking distance for my children to attend. I also choose this area based on the current zoning and the zoning of the surrounding area (R-1L Single Detached Residential Zone) for the safety and security of the neighbourhood.

On October 16, 2019, I was notified that an application was submitted to re-zone the property located at 68 Brackley Point Road, Charlottetown (PID 396713) from Single Detached Residential R1L to Medium Density Residential R3 to construct two (2) townhouse dwellings with a total of 14 residential units on the vacant property.

Although I don't disagree with the redevelopment of this property, I feel that moving from Single Detached Residential R1L to Medium Density Residential R3 is too large a step for the area and will completely change the built form and density of the neighborhood. I have also reviewed the report that was prepared for the October 7, 2019 Planning and Heritage Board Meeting. Within that report the following items/concerns were identified:

- *The rezoning has the potential to change the long-term direction of this neighbourhood and may lead to additional rezoning request for the rest of the properties. Ideally the planning process 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;*
- *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;*

- *It is difficult to evaluate a spot rezoning of this one property; and*
- *Adjacent properties may seek similar re-zonings in the future if this is approved which would change the character of the neighbourhood.*

In addition to the above, the official plan clearly states that development in the area will not adversely impact the existing low-density residential neighbourhood, and higher density development was not contemplated in the area for the long-term planning of this neighbourhood. Within the official plan land use map, it clearly shows that this area is to remain Low-Density Residential (R1L).

The proposal for two townhouses with a total of 14 units may be something that could be considered, however the rezoning of the property to R3 allows for too much uncertainty as to what could potentially be developed on the property. If the rezoning is approved, it has the potential to have up to 55 units developed on the property as well as a variety of other potential uses that does not fit in with the current neighborhood.


One consideration that might help to allow for some increased density in the area without drastically changing the existing character and long term direction of the neighbourhood would be to amend the R2 zone in the City's Zoning and development Bylaw to allow for Townhouse units without including the higher density of apartment units.

I have had many conversations with new and long-term residents of the area, and we are all tired of the constant attempts to rezone the areas around our homes to higher density. The last attempts were in March and February of this year of which both were denied. Please consider how this affects people each time we must go through this process.

As I have indicated earlier in this letter I am not opposed to appropriate development in the area but R3 is out of scale and completely changes the character of the neighbourhood.

Thank you for consideration on this matter. If you have any questions, please don't hesitate to contact me.

Sincerely



Jeremy Crosby, P.Eng.

Home (902) 894-1154

Cell (902) 626-5443

Stavert, Robert

From: Mark Grimmatt <grimmattmark@hotmail.com>
Sent: October 30, 2019 7:05 AM
To: Planning Department; McCabe, Julie L.
Subject: 68 Brackley Point Road (PID#396713)

October 29, 2019

Mark Grimmatt
3 Pope Ave
Charlottetown, PE
C1A 6N4

RE: Rezoning of 68 Brackley Point Road (PID #396713)

Dear City of Charlottetown Planning and Heritage Department,

I am writing in response to a recent letter I received from the Planning and Heritage Department related to the rezoning of the R-1 property located at 68 Brackley Point Road to R-3 and the construction of 14 townhouse units. I do not support this request for rezoning and have the following concerns with this proposal.

Traffic and Pedestrian Safety

The property in question is located at the top of a blind hill on the busy Brackley Point Road. The addition of 14 separate units, most with at least 1 vehicle, will add considerable traffic turning on and off of Brackley Pt. Road. In addition to extra vehicle traffic townhouse pedestrian traffic would be required to cross Brackley Point Road to access the sidewalk on the west side of Brackley Pt. Road in an area with limited sight lines and no crosswalk. I have safety concerns with this additional vehicle and pedestrian traffic.

Zoning not Consistent with Surrounding Area

The proposed request would rezone a property in the middle of a predominately R-1 area to R-3. There are no other R-3 properties in this immediate area. I ask that the planning board and council carefully consider this request as a change to the current zoning would ultimately change the look and feel of the area - a reason that many homeowners have chosen to live in Sherwood.

Furthermore, this rezoning request would set a precedent for the area and potentially open the door for future R-3 requests. The city recently turned down a request to rezone a nearby property at 88 Brackley Point road to R-3 on a much larger area of land. There are a number of large properties adjacent to 68 Brackley Point Road that could be sold over time and result in similar requests to the Planning and Heritage Board.

City Development Plan Needed

As we continue to see development across the city and many rezoning requests, I urge the city to revisit their development plan and create a comprehensive plan that considers: current and future needs of the city as a whole, demographic trends, public transit, water and sewer infrastructure and the impacts of short term rental properties on housing. Such a plan would help guide the Planning and Heritage Board and city council on development and associated rezoning requests.

Thank you for the opportunity to provide feedback on this request.

Sincerely,
Mark Grimmatt

Stavert, Robert

From: McCabe,Julie L.
Sent: October 30, 2019 8:30 AM
To: doreen
Cc: Planning Department
Subject: Re: Rezoning 68 Brackley Pt Road

Absolutely - I have included planning on this response. Thank you for your feedback and it was very nice to see you last night.

Julie

Sent from my iPhone

> On Oct 30, 2019, at 8:28 AM, doreen <doreenconnolly7@gmail.com> wrote:

>

>

> Hi Julie..

>

> Could you'll forward this on to the Planning Board Please. I will not be able to attend the meeting on November 4th.

>

> Re the rezoning of 68 Brackley Pt. RoadI would like you to know that I am against this rezoning. There is far too much traffic on Brackley now without the vehicles from the proposed town houses.

>

> I use the Duncan Heights entrance on to Brackley either walking or in the car daily and it is very hard at times to get across. The traffic is moving way too fast. In the winter the snow banks are too high and not blown back by public works that at times you can not see. This would be the same situation for exit out of the town house area.

>

> The town houses are to be three bedrooms which would be mainly for families with children who would be either going to Stonepark Middle School or Sherwood Elementary Schools. There is no sidewalk on that side of Brackley and I can not see the city putting a sidewalk in for just this proposed development. It would be hazard for pedestrians, bikes and vehicles.

>

> If this rezoning is changed I can see other properties along this stretch of Brackley wanting to get on the band wagon and sell their properties for development.

>

> Hoping you will turn down this proposal.

>

> Doreen Connolly

> Pope Ave

>

> Sent from my iPad

Stavert, Robert

From: Helena McCarville <helenajm@eastlink.ca>
Sent: October 30, 2019 8:31 AM
To: Planning Department
Subject: 68 Brackley Point Road

Good Morning:

I oppose the re-zoning of the lot at 68 Brackley Point Road. If this proposal gets approved, it won't take long before accidents will be occurring, people getting killed or crippled and then there will be finger pointing at City Hall for the botched up job they did in allowing this development to occur. I heard at the meeting where Transportation doesn't approve. You would think this would be enough to shut down this proposal with there being no sight distance. **Even if you move the driveway further south, then it would be across the street from my driveway. I don't want that. How safe would that be for me and my family.**

I also think it would be an eye sore when looking out my window to see these townhouses in amongst all the single family dwellings. I realize there is a shortage crises for people needing places to live, and yet you are willing to risk the lives of so many people everyday travelling on the Brackley Point Road.

Please make the right decision to protect all Islanders travelling the Brackley Point Road.

Helena J. McCarville
79 Brackley Point Road.

Stavert, Robert

From: andrew maclean <jedwolfie@gmail.com>
Sent: October 30, 2019 9:25 AM
To: Planning Department
Subject: 68 Brackley Pt. Rd. against due to unsafe traffic conditions

I attended the rezoning meeting Oct 29 regarding 68 Brackley Pt. Rd. thinking I would hear about a traffic study regarding the safety of the proposed 14 unit townhouse development. What I heard was a conflicting report from the police dept and public works. The police say the proposed driveway would be safe but public works said it isnt and should be placed further north. A drive way was proposed for a property directly across from the proposal and was deemed unsafe. I would really like to see the written reports on the safety conditions regarding access to Brackley pt rd. On Monday I sat and did a traffic count from 7:50 to 8:50 AM.. 420 cars went south and 220 went north that is in one hour. At least three time cars stopped who thought I wanted across the street which I didnt. What happens with 14 families children who want to go to Sherwood school during this time is the traffic going to be stopped at the top of the hill. Does everyone who lives there have to run across the road to get to the sidewalk. It is just not a safe place for that large a development.

ANDREW MACLEAN

Stavert, Robert

From: Wendy MacDonald <wendylmacdonald@hotmail.com>
Sent: October 30, 2019 10:54 AM
To: Planning Department
Cc: Wendy MacDonald
Subject: Request to Rezone PID# 396713 - 68 Brackley Point Road
Attachments: Rezone Request - 68 Brackley Point Road.docx

Good Morning,

In response to your letter dated October 16, 2019, regarding the request to rezone PID # 396713 - 68 Brackley Point Road from Single-Detached Residential (R-1L) Zone to a Medium Density Residential Zone (R-3), please find attached our written comments against this rezoning application.

If you have any questions, please feel free to contact us at 902-626-3116.

Thanks
Wendy & James MacDonald

October 30, 2019

City of Charlottetown
PO Box 98, 233 Queen Street
Charlottetown, PE
C1A 7K2

Re: Request to Rezone PID #396713 – 68 Brackley Point Road

To the Planning and Development Committee;

Thank you for providing us with the opportunity to comment on the proposed zoning change at 68 Brackley Point Road. Please consider this letter as our official letter of opposition to the proposal to rezone PID # 396713 (68 Brackley Point Road) from Single-Detached Residential (R-1L) to Medium Density Residential (R-3).

This area of Charlottetown consists of primarily single family dwelling, zoned as R1L and should continue to be zoned the same due to the high level of traffic in the area. Allowing an additional 14 residential units at the top of the hill would result in approximately 14 to 28 vehicles accessing Brackley Point at the top of the hill which already has sight and accessibility challenges.

James and I have resided at 77 Brackley Point Road for approximately 20 years and over these years we have experienced numerous near misses and close calls as well as being rear-ended, while stopped with signal lights on, to turn left off Brackley Point into our driveway on bright sunny days when there should not be visibility challenges. Winter months make access to and from Brackley Point even more challenging. Snow banks are frequently quite tall and seldom winged back to allow visibility of on-coming traffic. In recent years we have noticed an increase in ambulances, with lights and sirens on, travelling this route as this is one of the main routes for Island EMS to access emergency situations in Charlottetown.

In 2001, James and I purchased the former Reservoir property, which is located directly across from PID # 396713 (68 Brackley Point Road) from the City of Charlottetown. After a few years of owning the property (approximately 2004), we submitted a proposal to subdivide the lot which included a request for access from the property to Brackley Point Road. This access to Brackley Point Road was denied due to sight distance and as such we had to change the proposal to have access to both lots off Maxfield Avenue. It is very concerning to think that this proposal for a single family dwelling access to Brackley Point Road was denied; however a proposal for 14 residential units accessing the same portion of Brackley Point Road would have proper sight distance and be approved.

Over the years, PID # 396713 has been listed for sale, unsuccessfully, multiple times and we have been told that the difficulty in selling the property was because there was no access to Brackley Point Road due to sight distance. As you are aware, the Hill Bay Holdings Inc. acquired parcel no. 396713 from Austin and Isabel Bowman in 2018 under the current zoning of Single-Detached Residential (R-1L). The purchaser, Hill Bay Holdings Inc. therefore, was fully aware of the current zoning of the property and completed the purchase with no requirement for the property transaction to be subject to any re-zoning approvals. The developer knew exactly what would be allowed to be developed on the land being purchased based on R-1L Zoning.

By denying the request to rezone PID # 396713 (68 Brackley Point Road) from Single-Detached Residential (R-1L) to Medium Density Residential (R-3), it will preserve the distinctive character and identity of the existing neighbourhood and will help preserve the harmony and integrity of this land with existing adjacent neighbourhoods.

In addition to the above, any proposed re-zoning of PID # 396713 to any other than that of an R-1L Zone would have a negative affect on the current and future market values associated with the surrounding single family dwellings.

Sincerely,

Wendy & James MacDonald

77 Brackley Point Road
Charlottetown, PE
C1A 6Y3
(902) 626-3116

Stavert, Robert

From: Gary Ellis <gary.ellis@amgclaims.ca>
Sent: October 30, 2019 10:56 AM
To: Planning Department
Cc: Julie Mccabe
Subject: 68 Brackley Point Road

This concerns the request to rezone the property at 68 Brackley Point Rd from R1 to R3. I Live at 21 Pope Avenue and was in attendance at the Public Meeting last night. I did not speak as I feel and appreciate the opportunity to provide written comments.

The first and most important issue is safety. Brackley Point Rd. is a major artery in and out of the city. The roundabout at Oak Dr. has been a welcome addition although I wish it was larger. My travels out of my neighborhood require a left turn onto Brackley Point Rd. about 50 % of the time. This is difficult at the best of times. Traffic tends to speed especially when going up the hill on either side of 68 Brackley Point Rd. This uphill speeding seems to be a phenomenon. I find myself doing it. I have viewed the sight lines at 68 Brackley Point Rd. and assume they have been measured and, if approved, meet the requirements. My suspicion is that they just barely meet the requirements and there is no margin for speeding and traffic volume. Now add traffic from 24 new units at the top of the hill, most of which will be turning left, and someone dies. You can't install a roundabout at that location to solve that problem. I trust city council will be appraised of all of the facts behind any approval of site lines. I am also sure the developer is not concerned as he or she will not be living there.

Secondly there is the issue of rezoning from R1 to R3. I know that council deals with this all of the time and may be a little numb to the arguments, both for and against. The reality is, this is a big jump. This is an R1 neighborhood. People purchased and build homes here with that in mind. Arguments about the housing crisis will be made and solutions will have to be decided upon. (This development will not resolve the "housing crisis") When it is resolved, the damage to this neighborhood will still be with us. R3 is an open ended zone. Sure there will be agreements to restrict, but if you are willing to change zoning from R1 to R3, I suspect you are willing to allow alteration to any agreement. The bottom line is, this rezoning request and proposed development is detrimental to our neighborhood. Changes should be for the positive, not the negative.

Thank you

*Gary Ellis
21 Pope Ave.
Charlottetown, PE*

Stavert, Robert

From: Andrew Cotton <andrew_cotton88@hotmail.com>
Sent: October 30, 2019 11:10 AM
To: Planning Department
Cc: Mayor of Charlottetown (Philip Brown); Tweel, Mitchell; Doiron, Bob; McCabe, Julie L.
Subject: Rezoning of 68 Brackley Point Road

To whom it may concern,

I am writing in regards to the proposed re-zoning of 68 Brackley Point Road from (R-1L) Single Detached Residential to (R-3) Medium Density Residential. I was in attendance at the public meeting last night at the Charlottetown Hotel. My wife and I reside at 81 Brackley Point Road and are both opposed to this plan for the following reasons:

Safety- First and foremost is the issue of safety for both the existing residents of the area as well as the residents of the proposed townhouses. These issues were echoed again and again at last night's meeting by residents who live in and know the area well. There are many safety concerns with this property being rezoned to R-3, not just with the plan as it currently presented but with ANY plan for an increased density on that property to medium or higher.

- **Blind Hill (vehicle Traffic)-** The most obvious concern with this lot is its proximity to the top of the hill. This is a very busy road with a speed limit of 50 km/h, to add a potential 28 vehicles coming in and out of a driveway at the top of that hill is surely a recipe for disaster. There is simply not the proper sight lines that would be needed to safely pull in and out of this property. As a resident who lives further down the north side of the hill, I can tell you that I have had more than a few near misses both pulling out of and into my driveway. We heard from one resident last night who has been rear ended 6 times in the past 20 years turning into her driveway at the top of the hill. We heard from another resident who was denied driveway access to Brackley Point Road because of sight line issues, this property is located directly across the road from the lot in question. This property is now accessed from Maxfield Ave. From what I understand from last night's meeting, no studies have been done and no tests have been conducted in regards to the sight line issue by either the developer or the city. To approve any rezoning of this lot without any such testing or research would be irresponsible on the part of council.
- **Pedestrian Traffic-** The location of this lot presents the same safety issues to pedestrians. There is no sidewalk on the proposed side of Brackley Point Road. An additional 14 families residing on this property would surely increase pedestrian traffic, including many young children needing to walk to school either at Sherwood Elementary or Stonepark. These pedestrians would have to either walk down the hill (with no sidewalk) to one of the crosswalks, OR chance their luck crossing the road at the top of a busy blind hill. In the winter, with snow on that side of the road, the ONLY option would be to cross the road at the top of a busy blind hill WITH icy road conditions. I am not interested in rolling that dice too many times and I hope that the planning committee and city council would not be interested in it either.

I believe the the above issues regarding the safety of residents, present and future, should be reason enough to deny this purposed re-zoning of this property. But in case it is not, please consider the following as well.

This development will, without a doubt, decrease the property value of residents in the area. Increased traffic, increased noise pollution (what is to stop these town houses from being filled with university students and making it the next Browns Court?) , decreased safety as explained above. What will prevent these town houses from becoming short term rentals? I understand that the city has a plan to implement regulations in the spring regarding short term rentals but that is not in place yet and there are always loop holes that can be found and exploited. I would personally be looking out my kitchen window, across the street, into the "back yard" of 8 families. Statistically speaking, 1 of those 8 "back yards" is likely to be a eye sore. There are too many variables for things to go wrong, that city would have little control over and that would adversely affect the property values in the surrounding areas.

I have noticed over the past week, through certain platforms, an attempt to spin this issue and frame this project as one that is being proposed solely for the **benefit** of the people of Sherwood, solely to help the city of Charlottetown with a housing crisis. I do not doubt the that the developer has these intentions in mind and that their intentions are genuine. But at the end of the day, this is a rental income business. It is a project designed and put forth with the **PRIMARY** goal of generating income for the developer. And there is nothing wrong with that, If there were nothing to be gained from developing rental properties then no one would do it and the "housing crisis" would be far worse than it currently is. Where it becomes wrong, is when that **income property** is developed and profits for the developer come at the **cost** of the residents in the area. This cost will be in the form of **decreases property values** and more importantly it will come at the cost of **public safety in the area**. I can only hope that it one day does not come at the cost of a human life in the form of a collision at the top of that hill.

I understand that we are in the midst of a housing crisis, I have many friends, family and co-workers that are affected by low vacancy rates and outlandish rent prices. I am not blind to the issue. I am not here to point fingers as to how this became an issue in the first place. However, the solution is not to put apartment buildings or town houses (with outlandish rent prices) on every vacant piece of land in Charlottetown. This will only serve to replace a short term problem with a whole new set of long term problems. Councilor Tweel put it best last night when he said that council should be voting on this matter for what it is, and that is a **Rezoning issue** not a housing crisis issue.

Thank you for taking the time to hear my concerns and the concerns other residents, I hope that you will take these concerns into serious consideration.

Sincerely,

Andrew Cotton

City of Charlottetown
233 Queen Street
Charlottetown, PEI
C1A 7K2

PLANNING
11:27 AM
Rec'd _____ Int RS
OCT 30, 2019

Wednesday, October 30, 2019

Re: Townhouse development/R1-R3 rezoning, 68 Brackley Point Rd., Charlottetown

From: Marcia Gardiner and Tom Steepe, 7 Pope Avenue, Charlottetown (Sherwood)

Good morning;

My husband and I were in attendance at the meeting last evening, regarding the proposed townhouse development and rezoning of 68 Brackley Point Road. While we, and our neighbours, recognize that this plot of land will eventually be redeveloped, we are NOT in favour of the proposal as it stands.

The proposed 14 units, which, in projected figures, based on three bedroom units, would house 56-65 new residents, would create a huge, sudden population increase in our community, which presents a whole host of problems: Site lines, which, even if relocated to the north side of the lot, will still create a dangerous situation for traffic entering and exiting this new development; if you review your information from last evening, you can refamiliarize yourself with residents personal experiences, that is, that it is already a dangerous, "blind" area, even without the proposed development.

Brackley Point Road is a major route to shopping areas, and already hosts high commuting and ambulance/hospital traffic. An increase in traffic flow does not make sense; are the traffic studies, which have been carried out, been completed by a reputable, unbiased firm? As it is, the speed rate of 50 km/hr. is generally disregarded; in areas where a new, higher density of residents is concentrated, is the speed rate not generally lowered as a very practical safety precaution? Would a new speed rate of 30 km/hr., which is generally the norm, actually be observed? Very likely not.

Traffic entering and exiting the neighbourhood, based on two vehicles per unit, or 28 vehicles, not counting visitors, fuel delivery, construction, etc. will create complicated and unwelcome congestion.

Surely, the new housing will be home to new families, whose school aged-children will attend one of our two local schools; as this is a dangerous area for pedestrians already, think of the very serious implications for children making their way, by foot, to classes each day. Other areas are more in keeping with this type of dense development, areas that adjacent to those currently commercially zoned, which is not the case in the 68 Brackley Pt. Rd. area.

We especially object to the rezoning of the area to an R3 designation, which will open up the adjacent large lots to similar development. In fact, under an R3 designation, there is no guarantee that these lots might not morph into even larger developments, like an apartment building(s) or more extensive townhouse or condominium complexes. According to the official plan, this neighbourhood was established as an R1, or single-family dwelling area. This new scheme does not fall in line with the plan, and does not take into consideration the wishes of the residents, or the character of the neighbourhood.

Developers, by their very nature and definition, are not, in the words of a councillor in attendance, out to "help alleviate the housing shortage." This type of language insults the intelligence of those in attendance; let us recognize the developers for who they are; business people, who wish to develop

City of Charlottetown
233 Queen Street
Charlottetown, PEI
C1A 7K2

their land, as profitably as possible. We, the residents, depend on our elected council representatives to act in our best interests; we rely upon it.

Hopefully, you will take the concerns of the neighbourhood into serious consideration; in conversation with my neighbours after the meeting, we were appalled by Councillor Doiron's general feeling that we were merely complainers, and that our concerns might not be "remembered" by the time this issue came to the vote. Why do we all assemble, time and again, year after year, if not to make our views known, and those views given the serious weight they deserve?

Sincerely,
Marcia Gardiner
Tom Steepe

A handwritten signature in black ink, appearing to be a combination of 'Marcia Gardiner' and 'Tom Steepe', written in a cursive style. The signature is positioned to the right of the typed names.

Stavert, Robert

From: Cal Morrison <calmorrison99@live.ca>
Sent: October 30, 2019 11:57 AM
To: Planning Department
Subject: 68 Brackley Point Rd (PID #396713)

Planning Department of Charlottetown,

I would like to express my concern about the proposal on 68 Brackley Point Rd. The location for this project would have a very unsafe connection to Brackley point road due to extremely poor sight lines for the entry and exit way. The other single home driveways in the immediate area have trouble enough, adding 14 units right in the centre of the unsafe area would be a major safety concern and an accident waiting to happen.

Thanks,
Cal Morrison
80 Brackley Point Rd

Stavert, Robert

From: Peter Poirier <petepe@gmail.com>
Sent: October 30, 2019 1:30 PM
To: Mayor of Charlottetown (Philip Brown); Doiron, Bob; Planning Department; Rivard, Greg
Subject: 68 Brackley Point Road

Hi,

I have been a resident of Sherwood for the last 22 years. Up to this year I have never felt the need to attend a public meeting regarding planning, I have attended 2 so far this year and had plans to attend my third last night. I was unable to attend last night but I would like to voice my opinion.

As a daily user of Brackley Point Rd, I drive by the property in question twice a day, I am not in favor of development of this parcel for anything that what it is zoned for – Single Detached Residential(R-1). This is a residential community of mostly single detached homes (except for the mess on the corner of Tower Rd and Mount Edward).

I won't go on about increased traffic flows, to me this is not the issue. The issue is that it is zoned R-1 for a reason and it needs to stay R-1. Last spring with the public meeting for the other property down the street, we were told that the Police/Public Works stated that a driveway with access to Brackley Point road would never be approved. Yes the word "Never" was used by someone from the city while at the podium. What has changed since then to even bring this up again? I don't think that the traffic flow has gotten lighter or the road has changed.

Just like in real life "No" should mean "No", not "maybe".

Thanks,

Peter Poirier
23 Oak Drive

Morrison, Greg

From: Brad MacPherson <brad.macpherson@premiermortgage.ca>
Sent: November 6, 2019 11:29 AM
To: Morrison, Greg
Cc: Catane, Ellen; Forbes, Alex; david jackson
Subject: Re: Planning Board Package

Thank you Greg for the update.

We need to have this deferred to the January 6th, 2019 meeting so that a traffic study can be completed by an engineer to speak directly to any traffic, access and line of site matters, as this seems to be the main concern addressed by all letters of opposition. Without having the traffic study completed the planning committee is only assuming and not being presented with the facts. The traffic study completed will be beneficial to all parties.

The Developer is confident that a traffic study completed and presented to planning January 6th will provide the facts, not assumptions. Beneficial to all parties, your planning staff included.

Please note, if not deferred to January 6th, 2019 meeting; I will be present tonight to speak on behalf of the developer Hill-Bay Holdings Inc. The developer Mr. Jackson will also be in attendance.

Kindest Regards.

On Wed, Nov 6, 2019 at 8:32 AM Morrison, Greg <gmorrison@charlottetown.ca> wrote:

Hi David / Brad,

I spoke with Alex about your request for deferral. Because your application has completed the public meeting process, it must proceed to the Planning Board meeting tonight at 4:45 pm; however, staff will make note in our presentation that the applicant is requesting deferral until the Planning Board meeting on Monday, January 6, 2020 in order to allow time for a traffic study to be completed by an Engineer.

Thanks,

Greg Morrison, MCIP

Planner II

City of Charlottetown

PO Box [98, 233 Queen Street](#)

Morrison, Greg

From: david jackson <smidjackson@gmail.com>
Sent: November 4, 2019 3:15 PM
To: Morrison, Greg; Brad
Subject: Re: Planning Board Package
Attachments: image001.jpg

Hi Greg

I am requesting that you defer the rezoning application at 68 Brackley Point Road until the January meeting of the planning board. This will allow time to have a traffic study completed by an engineer.

Thank you,

David Jackson

On Fri, Nov 1, 2019, 12:55 PM Morrison, Greg, <gmorrison@charlottetown.ca> wrote:

Hi David,

I received your voicemail. Please see the link to the Planning Board Package below:

<https://www.charlottetown.ca/common/pages/DisplayFile.aspx?itemId=16173084>

Thanks,

Greg Morrison, MCIP

Planner II


City of Charlottetown

PO Box 98, 233 Queen Street

Charlottetown, Prince Edward Island

Canada C1A 7K2

Office: 902-629-4429

TITLE: PLAN-2019-04-NOVEMBER-GB-2 RECONSIDERATION OF VARIANCE FOR HOME OCCUPATION 13 DONWOOD DRIVE (PID 278531) OWNER: PAULA MACDONALD		
MEETING DATE: November 04 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Application related documents B. Map C. Public Letters	
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.

Reconsideration

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 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*. 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 discussion is granted.

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 cliental 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.

During the recirculation for reconsideration the Planning & Heritage Department received one letter of support for the proposed home occupation.

The resident that supports the proposal stated the following:

- Trip generation for the proposal will not generate much traffic;
- Counselling service is a much needed resource;
- The counselling service would fit well into the neighbourhood.

CONCLUSION:

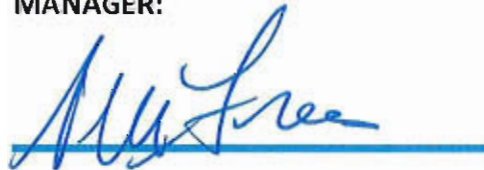
Staff encourages Planning Board to recommend to Council to *reject* the request to operate a home occupation (i.e., counselling/therapy service) at the property located at 13 Donwood Drive (PID #278531).

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:FGL, 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)

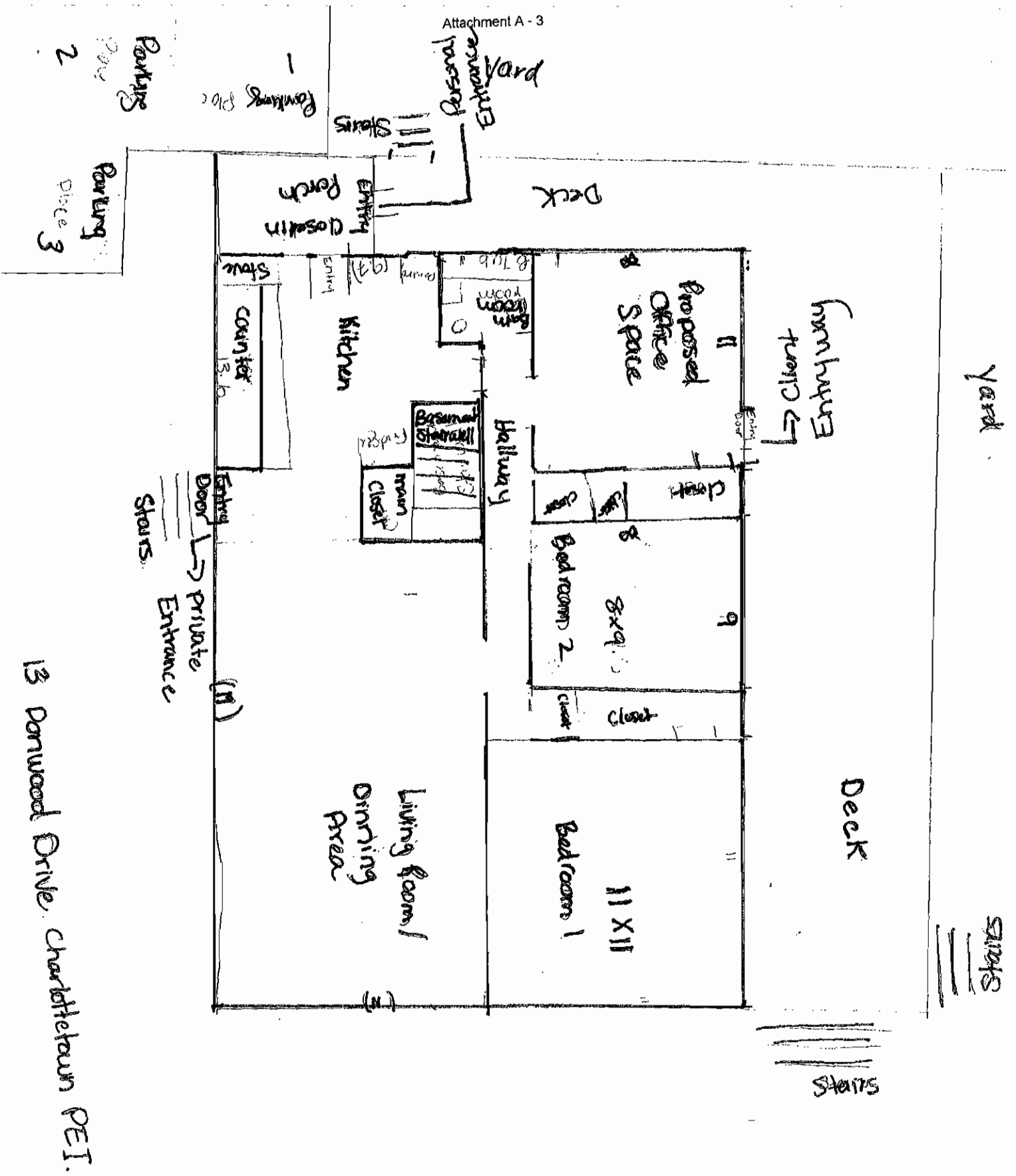
Will clients/customers visit your home?

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 the directly leads to the room where the service will be provided. There will be no external stage of materials or containers. There will be no animal enclosures, there will be no commercial vehicles. There will be no impact to adjacent properties. There will be no visible signs to assist with maintaining privacy of individuals using the service.



13 Danwood Drive, Charlottesville, VA

Attachment B



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



CHARLOTTETOWN
Planning & Heritage Department

Attachment C

Letter of Objection

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 don't 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

Letter of Support

My husband and I live at 5 Donwood Drive. We have read your letter of October 15th, 2019. We understand the content of this letter and we are in agreement that this reconsideration for the counselling / therapy at 13 Donwood Drive be allowed to go forward. Three appointments per week will not add much to traffic on this street. The need for this type of help is at an all-time high and desperately needed on PEI. It poses no type of threat or inconvenience to neighbours on either side of the residence, across the street from the residence nor to the residences up and down the street from that residence. As

homeowners who share a double driveway with our next door neighbour , the amount of vehicles coming and going from both our residences has never been an issue .


It is our wish that this home based business definitely be allowed and welcomed to our area.

Yours truly

Bernie and Vernon Anderson

Attachment C:
Public Letters
File: PLAN-2019-04-NOV-



<p>TITLE: ZONING & DEVELOPMENT BY-LAW AMENDMENTS FILE: PLAN-2019-04-NOVEMBER- GC-3</p>	 CHARLOTTETOWN
<p>MEETING DATE: November 04, 2019</p>	<p>Page 1 of 7</p>
<p>DEPARTMENT: Planning & Heritage</p>	<p>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 – Non-Conforming Uses Attachment G – Parking Space Standards Attachment H – Fascia Signage General Requirements and reinsertion of the DMS Zone Attachment I – Reinsertion of the DMS Zone into the General Provision Tables for Signage Attachment J – Designated Heritage Resource Sign Exemptions Attachment K – Subdivision Regulations Lot Size Attachment L – Appendix A. Definitions</p>

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 5.5 Non-Conforming Uses;
- 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;
- Section 45.13 Lot Size;
- Appendix A. Definitions.

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 compromises the *Character-defining elements* (a term to be defined) to a Building's design may also be subject to the Design Review process. After eliciting feedback from both the Planning Board and Council, staff worked on revising what would constitute a *significant alteration* and when this would be applied. The revised regulation would allow staff to use some discretion to determine when a development application would compromise the architectural design of a building. If there was an instance in which this would occur then staff would have the ability to send the development application to the Design Review Board to obtain an independent recommendation. The Board may then decide to either recommend approval of the application or require it to be sent through the formal Design Review process. This is to ensure that the unique architectural character of the 500 Lot Area is not only maintained but preserved.

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.

Non-Conforming Uses (Attachment F)

The Zoning & Development By-law previously allowed for the use of a Converted Dwelling or Semi-Detached Dwelling that was lawfully in existence to be a conforming use in the R-1L or R-1S Residential Zones. Staff is proposing to reinsert that regulation back into the By-law to recognize these previously determined conforming uses.

Parking Space Standards (Attachment G)

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 H and I)

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 J)

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.

Subdivision Regulations for Lot Size (Attachment K)

Staff are proposing an additional regulation to allow for the subdivision of undersized lots pending the approval of a lot area or frontage variance for the dwelling unit. Council would need to approve the variances prior to the subdivision approval being granted.

Appendix A. Definitions (Attachment L)

Staff advises to include a definition that clarifies what type of changes a resident makes to a building in the 500 Lot Area that would trigger a Design Review. In order to address this Staff is proposing to include a definition of *Character-defining elements* that would need to be protected in order to preserve the architectural design of the building. The following definition is proposed:

Character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, exterior façade features, as well as the various aspects of its site and environment.

LEGISLATIVE REQUIREMENTS:

Notification

If the proposed amendments to the Zoning & Development By-law PH-ZD.2 are approved to proceed to the public consultation phase, the Planning & Heritage Department shall notify the public of said public meeting in accordance with Section 3.10.4.c of the Zoning & Development By-law PH-ZD.2.

Public Feedback

A public meeting of Council was held on October 29, 2019 at 7:00 p.m. at the Provinces Room, Rodd Charlottetown Hotel of the Arts, 75 Kent Street. During the public meeting one (1) resident spoke to the proposed amendments. The resident was looking for clarification on the proposed amendments concerning lot area and frontage. Staff informed them that the amendments would allow Council to provide variances to both lot frontage and area requirements to subdivide parcels that would not meet the minimum requirements. Councillor Tweel requested further clarification on the Design Review amendment on determining what constitutes a *significant alteration* and when a design review would be required. The intent of the amendments were explained but it was noted that additional clarification would be beneficial.

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

CONCLUSION:

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments 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 5.5 Non-Conforming Uses;
- 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;
- Section 45.13 Lot Size;
- Appendix A. Definitions

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-2019-04-NOV-



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-2019-04-NOV-



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. *When in the opinion of the Development Officer a development application that compromises the Character-defining elements of any building in the 500 Lot Area, the application shall be forwarded to the Design Review Board for a recommendation to either direct staff to approve the application or to direct staff to send the application through the Design Review process.*

Attachment C:
Amendments to Design Review
File: PLAN-2019-04-NOV-


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-2019-04-NOV-



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 o Building through fire or demolitian can apply to seek a variance to reinstote the property as it existed prior ta its removal.

Attachment E:
Amendments to Non-Conforming Buildings
File: PLAN-2019-04-NOV


CHARLOTTETOWN
Planning & Heritage Department

Attachment F

Section 5.5 NON-CONFORMING USES is amended by adding the additional subsections 5.5.5 as follows:

5.5.5 *An existing Converted Dwelling or an Existing Semi-Detached Dwelling that is lawfully in existence at the effective date of this By-law in any location within an R-1L or R-1S Residential Zone, shall be a Permitted Use and shall be deemed to be a conforming Use in the R-1L or the R-1S Zone within which it is located at that date.*

Attachment F:
Amendments to Non-Conforming Uses
File: PLAN-2019-04-NOV-


CHARLOTTETOWN
Planning & Heritage Department

Attachment G

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 G:
Amendments to Parking
File: PLAN-2019-04-NOV-




Attachment H

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 H: Amendments to the Fascia Sign Regulations File: PLAN-2019-04-NOV-</p>		 <p>CHARLOTTETOWN Planning & Heritage Department</p>

Attachment I

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 I:
 Amendments to Reinsert the DMS Zone into
 Sign Regulation Tables
 File: PLAN-2019-04-NOV.



Attachment J

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 J:
Amendments to Exemptions to Sign
Regulations
File: PLAN-2019-04-NOV.


CHARLOTTETOWN
Planning & Heritage Department

Attachment K

Section 45.13 LOT SIZE is amended by adding the additional subsections (a) to section 45.13.1 as follows:

45.13 LOT SIZE

45.13.1 No Lot shall be reduced in area, either by conveyance or alienation of any portion thereof, or otherwise, so that any Building or Structure on such Lot shall have a Lot Coverage that exceeds, or a Front Yard, Rear Yard, Side Yard, Lot Frontage, or Lot Area that is less than that required by this by-law for the Zone in which such Lot is located, *notwithstanding*:

- a) *If Council approves the construction of a Semi-Detached Dwelling or Townhouse Dwelling on an undersized lot through a lot area or frontage variance, each Semi-Detached Dwelling unit or Townhouse Dwelling Unit can be further subdivided subject to the requirements in Section 4.14.*

Attachment K:
Amendments to General Provisions for
Subdividing Land
File: PLAN-2019-04-NOV-


CHARLOTTETOWN
Planning & Heritage Department

Attachment L

Appendix A. Definitions are amended as follows:

- 1) By inserting the definition alphabetically for “Character-defining elements” proceeding after “Cemetery” but before the existing definition “Channel Letters” as follows:

Cemetery means land that is used as a place for the internment of the dead or in which human bodies have been buried.

Character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, exterior façade features, as well as the various aspects of its site and environment.


Channel Letters means a type of Sign where a series of single solid Structures - each resembling a letter, number, logo, or other symbol - are affixed parallel to a wall or Sign board in order to display a message. Channel letters may be lit by an internal or external light source, or by Halo Lighting.

City means the City of Charlottetown established pursuant to the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1.

Attachment L:
Amendments to Appendix A. Definitions
File: PLAN-2019-4-NOV-



CHARLOTTETOWN
Planning & Heritage Department

TITLE: LOT CONSOLIDATION FILE: PLAN-2019-04-NOVEMBER-60-4 10 Harley St. OWNER: KILLIAM INVESTMENTS (PEI) INC.		
MEETING DATE: November 4, 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map, survey plan	
SITE INFORMATION: Context: Medium Density Land Ward No: 4 – Spring Park Existing Land Use: Lot with foundation on it from a previous building destroyed by fire. Official Plan: Medium Density Residential Zoning: (R-3)Medium Density Residential		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council that the consolidation of PID# 274365, 10 Harley Street with a portion of PID #274449, 297 Allen Street be approved subject to a final pinned survey plan.

BACKGROUND:

Request

The City of Charlottetown has received an application in accordance with Section (Section 45.3.4 a) of the Zoning and Development Bylaw (General Provisions for Subdividing Land) to construct a 38 unit apartment building with underground parking.

Specifically the applicant is requesting to re-construct the building that was demolished by fire at 10 Harley Street and is planning to add ten (10) additional units for a total of thirty eight (38) units with underground parking.

In addition they are requesting to consolidate PID# 274365, 10 Harley Street with a portion of PID # 274449, 297 Allen.

Lot consolidations in the Business Park Industrial Zone (I) requires approval from Council.

Development Context

The subject property is located on Harley Street in the R-3 Medium Density Residential Zone. A twenty eight (28) unit apartment building previously existed on the property but was destroyed by fire earlier this year. The applicant is planning to re-construct the apartment building on the same lot but is proposing to add an additional story to the building to gain an additional 10 units. The previous Bylaw allowed a maximum height of 39.4 ft. for buildings in the R-3 Zone. However, in 2018 the zoning and Development Bylaw was amended to increase the maximum height to 49.2 ft. in the R-3 Zone. This will allow for an additional story to be built. The current lot area is 35,222 sq. ft. which allows for 28 units. The applicant is proposing to consolidate 4,060 sq. ft. from 297 Allen St. to increase the lot size. This will create a lot that is approximately 39,282 sq. ft. which supports 31.7 units. The applicant is proposing underground parking. The Zoning and Development Bylaw permits a density bonus of 20% when 75% of the parking is located underground. The density bonus will allow a total of 38 units if the lot consolidation is approved.

ANALYSIS:

The applicant has requested a lot consolidation of the parcels to facilitate additional density on the site at 10 Harley St. The lot at 297 Allen St. can currently support a density of 26 units. The building only contains 23 units and has underground parking. In terms of density the building would contain 18 units with a 20% density bonus to bring it to 23 units. Therefore, there is additional land/density that can be combined with 10 Harley Street.

There is a demand for multi-unit housing within this neighbourhood. The previous building on this site was fully occupied. The residents were displaced when the fire occurred. This neighbourhood is desirable to seniors and other demographics as it is located on a transit route and it is proximate to shopping centres and greenspace. An additional 10 units within this neighbourhood would help to address some of the demand for housing within the City.

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

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

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

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> ▪ <i>The City is experiencing a demand for housing and the additional units would provide more housing within this neighbourhood.</i> ▪ <i>The proposal is close to amenities such as shopping, parkland and public transit.</i> ▪ <i>The property is in an area that has municipal services.</i> ▪ <i>The proposal is located within a walkable neighbourhood</i> ▪ <i>It does not expand the footprint of the previous apartment building.</i> 		<ul style="list-style-type: none"> ▪ <i>The additional story would increase the bulk and scale of this building along the streetscape.</i>

LEGISLATIVE REQUIREMENTS:**Notification**

In accordance with Section 45.3.5 of the Zoning & Development By-law, on October 1, 2019 notice was sent to forty eight (48) residents located within 100 meters of the subject property advising them of the request to consolidated 10 Harley St with a portion of 297 Allen St. The letter solicited their written comments for or against the proposed request for a lot consolidation and stated the deadline to submit written comments on the application.

Public Feedback

In response to the City's notification letter there were 2 (two) letters received in opposition to the proposed lot consolidation and 1 (one) letter received in support. Please see attached letters.

CONCLUSION:

Staff feel that the additional density would not be out of scale for the neighbourhood and do not feel that an additional 10 units would cause any adverse impacts to the neighbourhood. The property is in a serviced area and the additional density would make more efficient use of existing services in the area. The Planning & Heritage Department encourages Planning Board to recommend that the lot consolidation of PID #274365, 10 Harley Street and a portion of PID # 274449, 297 Allen Street be approved subject to a final pinned survey plan.

PRESENTER:

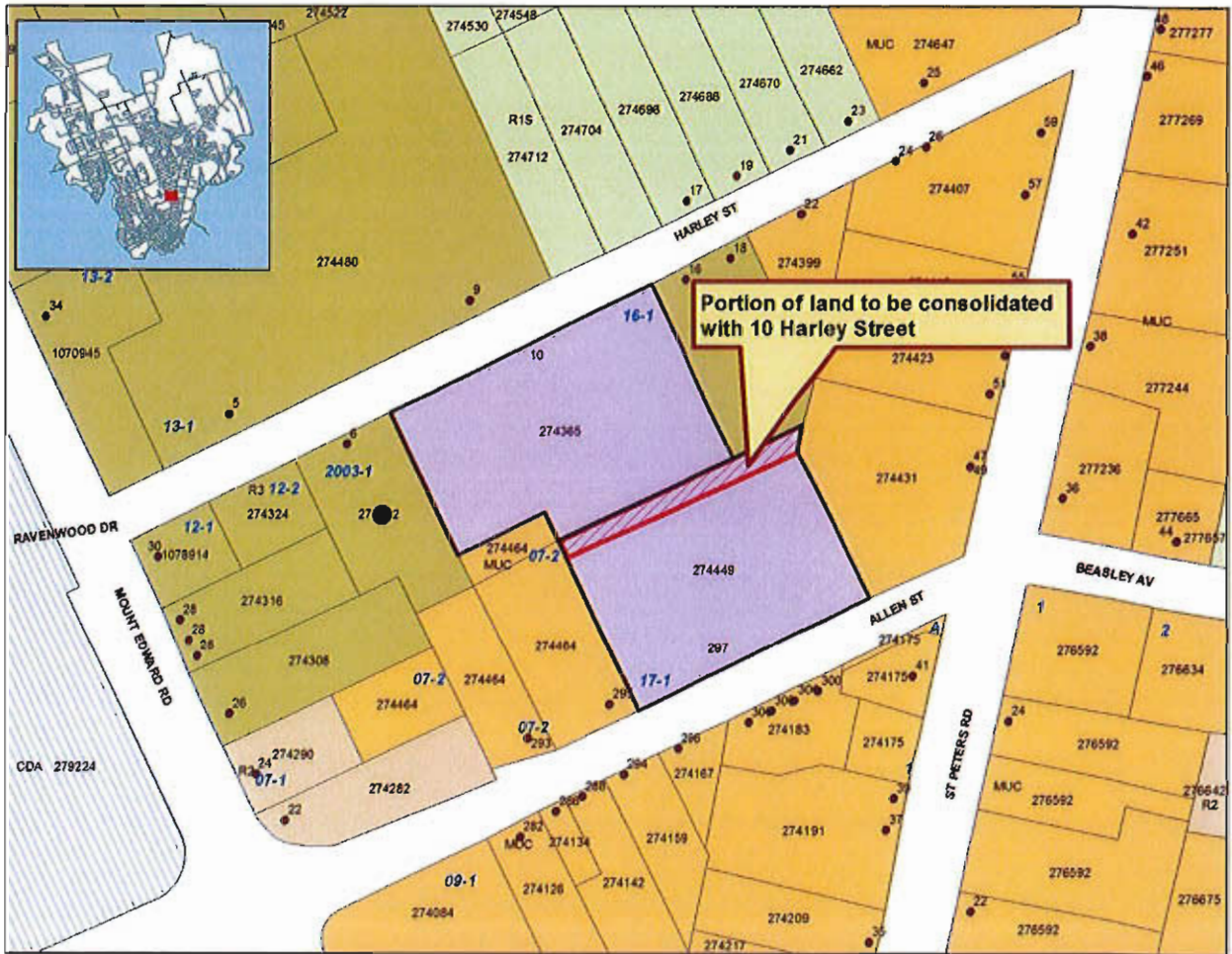
Laurel Palmer Thompson, MCIP
Planner II

**MANAGER:**

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage



GIS Map:



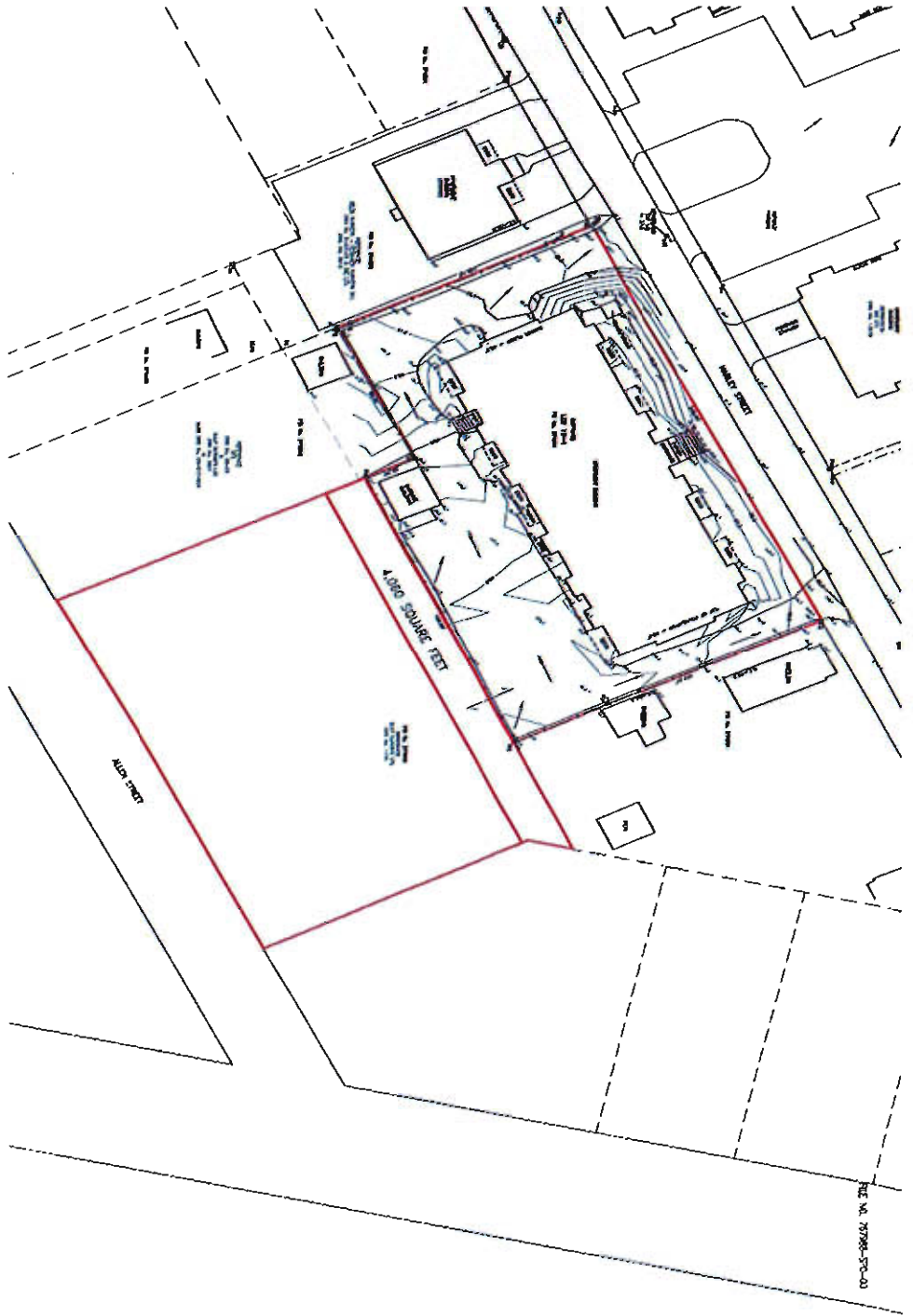
Survey Plan:

APM APM URBAN
COMMERCIAL

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10 HARLEY STREET LAND CONSOLIDATION
10 Harley Street, Charlotte, NC - Sept. 26, 2019

SP-0



SEE PLAN 101906-SP-03

Thompson, Laurel

From: Planning Department
Sent: Tuesday, October 15, 2019 8:16 AM
To: Roy; Planning Department; Thompson, Laurel
Subject: RE: Roy & Lynn MacArthur

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

Thank you!

Best Regards,
Ellen

Ellen Faye Catane
Intake Officer / Administrative Assistant

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

ecatane@charlottetown.ca
www.charlottetown.ca

From: Roy [<mailto:rmacarthur@eastlink.ca>]
Sent: Monday, October 14, 2019 8:35 PM
To: Planning Department
Cc: rmacarthur@eastlink.ca
Subject: Roy & Lynn MacArthur

Roy & Lynn MacArthur
16-18 Harley Street
Charlottetown, P.E.I.
C1A-5T8

October 11, 2019

To whom it may concern,

As residents of 16-18 Harley Street we wish to address our concerns about consolidating 10 Harley Street with 305 Allen Street. When 10 Harley Street was built the original plans had green space between 10 Harley Street and 16 Harley Street, when the build began we were informed that there was going to be a driveway there instead. We had concerns with exit driveway so close to our property. Which we had no recourse on this subject. Also this driveway was never in original plans at the public meetings. Before the project on was complete on Harley Street we were informed there would be another apartment building going up on 305 Allen Street. The fence that bordered the property of Allen Street and Harley Street properties was removed and a exit to 305 Allen Street appeared. City council and planning department really pushed against listening to the residents and their concerns. We were told that there were no issues with this matter which I spoke that the 2

properties needed to be consolidated. Only to be told it didn't, now we are now looking at consolidating these properties. I think before this is approved you need to address people using the exit as an entrance as a go between to Allen Street. Other issues is snow removal at 3 am in the morning going down driveway into empty lot across the street which has damaged public road way, salt damaging our property from runoff. Damaged to our fence in back as tenant ran into twice which was never repaired. The wind tunnel between building and our home which has caused damage to our roof several times. The empty lot in spring filling peoples basements with water. We would like to see not so much lighting on new building on exit driveway side as it has caused sleeping disorders. These are only a few of our concerns that have fallen on deaf ears. I understand we are in a housing crisis **but as taxpaying residents we have a right to be heard.** We also are having our front steps removed from front of our house due to the street and sidewalks **work at our expense** with the only possible way to have steps is to have them exiting on 10 Harley Streets driveway makes us feel safe. Please address some of our concerns sit down with us and listen to our concerns. We understand that the building will be rebuilt but **please address our concerns** with driveway ,lighting, early morning construction, snow removal, roadway, sidewalks, frontage of our home only a few items that we ask as concerned residents. Also has green space been considered for all these apartments buildings.....maybe the empty lot on Harley Street should be consider for this use. As it was discussed that it would be green space not a snow removal dumping ground. Please explain the building code and standards that are require to insure fire safety for 38 building unit in order to prevent future building fires as we have seen major damage this summer due to the previous fire building at 10 Harley Street.

Thank You

Roy and Lynn MacArthur

Sent from my iPad

FROM

Arthur Horne
19 Harley St
Charlottetown PE C1A 5T9

TO LAUREL PALMER THOMPSON
MCI PLANNER II SHITOWN

DEAR SIA Re grading lot consideration of 10 Harley St
with a portion of 297 allow st I do not have
any objections to this.

Thanks you for asking.

Arthur Horne
19 HARLEY ST
CHITOWN. PEI.

PLANNING
Filed OCT 15 2019
In 1021

...

October 13, 2019

City of Charlottetown

Planning and Heritage Department

To Whom It May Concern

RE: Lot consolidation of 10 Harley St with a portion of 297 Allen St - Letter of October 02, 2019

As property owners of 17 Harley St, **we oppose the lot consolidation** of 10 Harley St. with a portion of 297 Allen St. This will result in additional traffic on Harley St by providing vehicular access to and from 297 Allen St.

We oppose the re-construction of 10 Harley St until an acceptable snow relocation plan is approved by the City of Charlottetown.

We object to the practice of relocating snow from several properties to the two vacant lots between 17 Harley St and 9 Harley St. The noise and lights from multiple pieces of heavy equipment operating in the late evening and early morning hours is extremely disruptive. It is not like a City snowplow making a couple of passes to remove snow from the street.

A picture taken March 5, 2019 is attached which depicts the building at 10 Harley St and the snow and ice mountain created from November 2018 to March 2019. The pile of snow extends from the rear of the vacant lots to the street. To put things in perspective, the top of the fence posts on each side of the picture are approximately 5 feet above ground level. The slope of the pile begins at the base of the fence.


The biggest concern with the mountain of snow and ice is in the milder weather when the melt begins in earnest. The water from the melting snow and ice sinks into the ground and causes our sump pump to run frequently with very little "resting time". This is disruptive and stressful. Our sump pump is capable of dealing with a natural amount of snow and ice melt but not to be challenged to the limit by the melt from an artificial mountain of snow and ice which should not be there. Even after the streets and lawns were bare, our sump pump operated for about an additional 3 weeks dealing with the melting snow and ice mountain. A mechanical failure of the sump pump or a power outage at an inopportune time would have disastrous consequences.

Respectfully Submitted

Lloyd and Carol MacKinnon

17 Harley St 902 566 9770



TITLE: <p style="text-align: center;">CDA AMENDMENT FILE: PLAN-2019-04-NOVEMBER-6C-5 LOT 6 TOWERS ROAD OWNER: 10019038 Canada Ltd.</p>		
MEETING DATE: November 4, 2019		Page 1 of 11
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map, site plan, architectural renderings	
SITE INFORMATION: Context: Comprehensive Development Area Zoned Land Ward No: 8 – Highfield Existing Land Use: vacant land Official Plan: Comprehensive Planning Area Zoning: (CDA) Comprehensive Development Area		

RECOMMENDATION:

Staff recommends for Planning Board to recommend to Council to advance the request to amend the Development Concept Plan and Development Agreement pertaining to Lot 2014-6 (only) PID # 1076728 to a public meeting.

BACKGROUND:

Request

This is an application to amend an existing development concept plan and development agreement under Section 41, Comprehensive Development Area Zone (CDA) of the Zoning and Development Bylaw.

Section 41.2.5 of the Zoning and Development Bylaw requires that amendments to a Development Concept Plan be approved by Council. The amendment/approval process must be treated as if it were an amendment to the Zoning and Development Bylaw and therefore requires notification of property owners within 100 meters of the subject property, posting of the proposed bylaw amendment and a public meeting. The Bylaw also requires that the working site plan and buildings also be approved on the recommendation of Planning Board. The developer is also submitting the architectural building plans for review and approval at this time.

Development Context

The property in question is Lot 2014-6 consisting of 94,410 sq. ft. This lot is part of the original 15 acre site. That comprises the approved Development Concept Plan. It is bound to the north by a former private road that leads to the Charlottetown Mall (Towers Road), to the east by Lot 2014-4 of the Development Concept Plan, to the south by an open space parcel that forms part of the overall concept plan and Rails to Trails to the West.

The original Development Agreement that outlined the terms of conditions of the Development Concept Plan was signed on August 15, 2013.

The approved uses and density for Lot 2014-6 at that time consisted of:

- One 48 unit apartment building and
- One 24 unit apartment building

As per the Development Agreement both buildings were to be a maximum of 39.4 ft. in height.

In May of 2016 the current owner applied for an amendment to the approved development concept plan to include:

- One 64 unit apartment building with underground parking and a maximum height of 50 ft. and
- One 24 unit apartment building with a maximum height of 39.4 ft.

The applicant applied to increase the density of the 48 unit building to 64 units and Council approved the density increase to a total of 88 units on site. Following approval of the amended development concept plan the applicant began site design and discovered a water line easement was closer to the 24 unit apartment building than what was originally sited on the concept plan. The water line easement is located where the south west corner of the 24 unit apartment building is proposed to be located. Therefore, the property owner has requested to amend the Development Concept Plan again to combine the two buildings into one building. The total units on site would still be 88 units contained within one building. The proposed building would be L shaped with the shorter portion of the building being located closer to the south property boundary. This location and building design configuration would allow the proposed building to avoid the water line easement. Another item to note is that the 64 unit apartment building was proposed to have underground parking. The current proposed 88 unit building will have surface parking. The applicant is proposing that 28 of the units contained within the building be designated for affordable housing. The parking has changed to surface parking to make the project more economical to be able to offer a portion of the building as affordable housing.

The applicant is also requesting to increase the height of the building so he is able to maintain 88 units on site. In order to avoid the waterline easement the building footprint would have to decrease and therefore, the height of the building would have to increase from 50 ft. to 62 ft.

In regards to the request to increase the height of the proposed building, the overall site slopes from Mount Edward Road to the Charlottetown Mall. There is a considerable drop in elevation from Mount Edward Road to Lot 2014-6. Therefore, if the height increase for this building is approved in an amendment the height would generally be in line with future buildings built on lots to the east.

Staff would note that there is no height requirement for the CDA Zone. However, given that this is a CDA Zone and there is an approved Development Concept Plan and Development Agreement in place, both documents specifically list the number of buildings and units permitted on the site as well as the height. Staff is not able to approve the height increase or the reconfiguration of the site design without following the process of an amendment to a development concept plan as stipulated in the Zoning and Development Bylaw.

The applicant is therefore requesting his application be advanced to a public meeting.

ANALYSIS:

This area of Charlottetown (Sherwood) is an older established neighbourhood. Sherwood was incorporated in the 60's and growth mainly occurred in the late 60's to 70's. Many residents within the neighbourhood are at an age where they are considering downsizing and moving out of their single family homes into smaller units.

A range of housing within a neighbourhood is good. This would allow more choice for people who want to locate or remain within the neighbourhood as they age. The Official Plan States, *"If Charlottetown is going to continue to grow as a healthy community, affordable housing for all segments of society must generally be available throughout the City."*

"in the recent past there has been a chronic shortage of most types of senior's housing. As the population base continues to age, this problem will become more acute unless civic decision makers address it in a forthright manner."

Given these circumstances, the strategic direction of the CHARLOTTETOWN PLAN is to:

- apply the policies of new housing within the fully serviced areas of the City and within neighbourhoods;

- encourage the provision of adequate housing for those residents with special needs; and

- address the specific need to provide more affordable housing for seniors in neighbourhoods in which they prefer to live.

The vacancy rate within the City is very low. Many residents are being forced to leave the City because of the lack of housing options and affordable housing. It has been very difficult to acquire land within established neighbourhoods at reasonable prices were rents can be kept at affordable levels.

In planning practice when assessing locations that are appropriate for residential uses it is appropriate to locate residential dwellings in locations close to amenities, transit, parkland, schools and within walkable neighbourhoods. The proposed site is within walking distance to transit, parkland, shopping and amenities.

The Official Plan also supports mixed forms of housing within existing neighbourhoods to allow for housing choices. Housing choices within neighbourhoods are important as they provide housing variety for people at various stages of their lives. An addition of 28 affordable units within this neighbourhood would provide more housing options for residents at various income levels. Below are excerpts from sections of the Official Plan that supports moderately higher densities and housing choices.

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

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

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> ▪ The City is experiencing a demand for housing and the addition of 28 affordable housing units would provide more housing options within this neighbourhood. 		<ul style="list-style-type: none"> ▪ The additional story and the combining of the two buildings would add more bulk to the building. ▪ Underground parking is being converted to surface

<ul style="list-style-type: none"> ▪ <i>The proposal is close to amenities such as shopping, parkland and public transit.</i> ▪ <i>The property is in an area that is fully serviced with municipal services.</i> ▪ <i>The proposal is located within a walkable neighbourhood.</i> 		<p><i>parking. Therefore, there will be less greenspace on the site.</i></p>
--	--	--

CONCLUSION:

From a planning perspective a variety of housing choices is important to have within a neighbourhood. It allows people to remain within their neighbourhoods when they transition from single detached homes. It provides options for young families. Density and housing variety is sustainable, as it allows for better use of services that are already available (see Section 3.10 of the Official Plan); it decreases urban sprawl which is an outcome of approval of single family subdivisions. Staff is therefore recommending that the application to amend the Development Concept Plan and Development Agreement pertaining to Lot 2014-6 (only) PID # (1076728) be advanced to a public meeting.

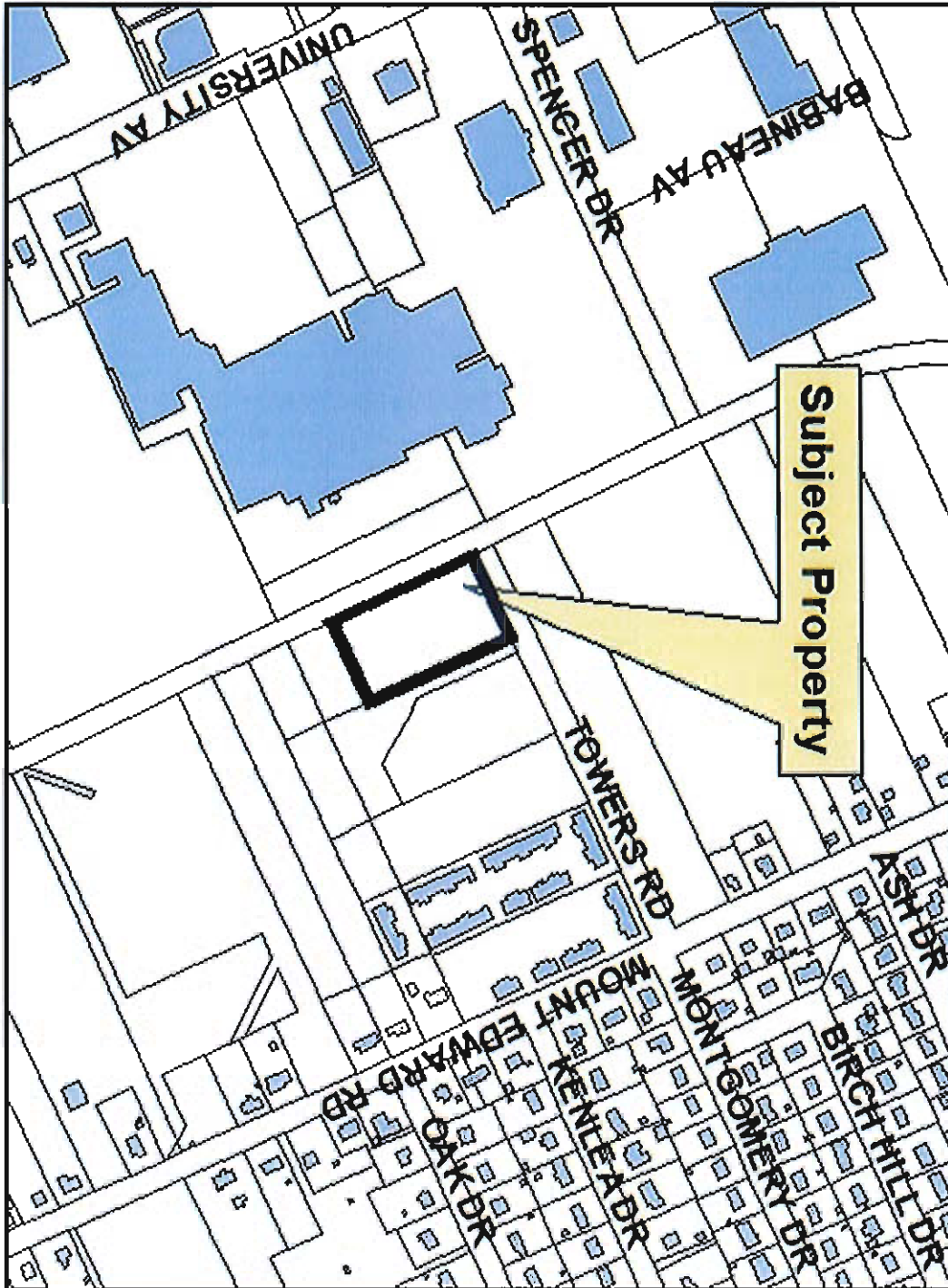
PRESENTER:

Laurel Palmer Thompson, MCIP
Planner II

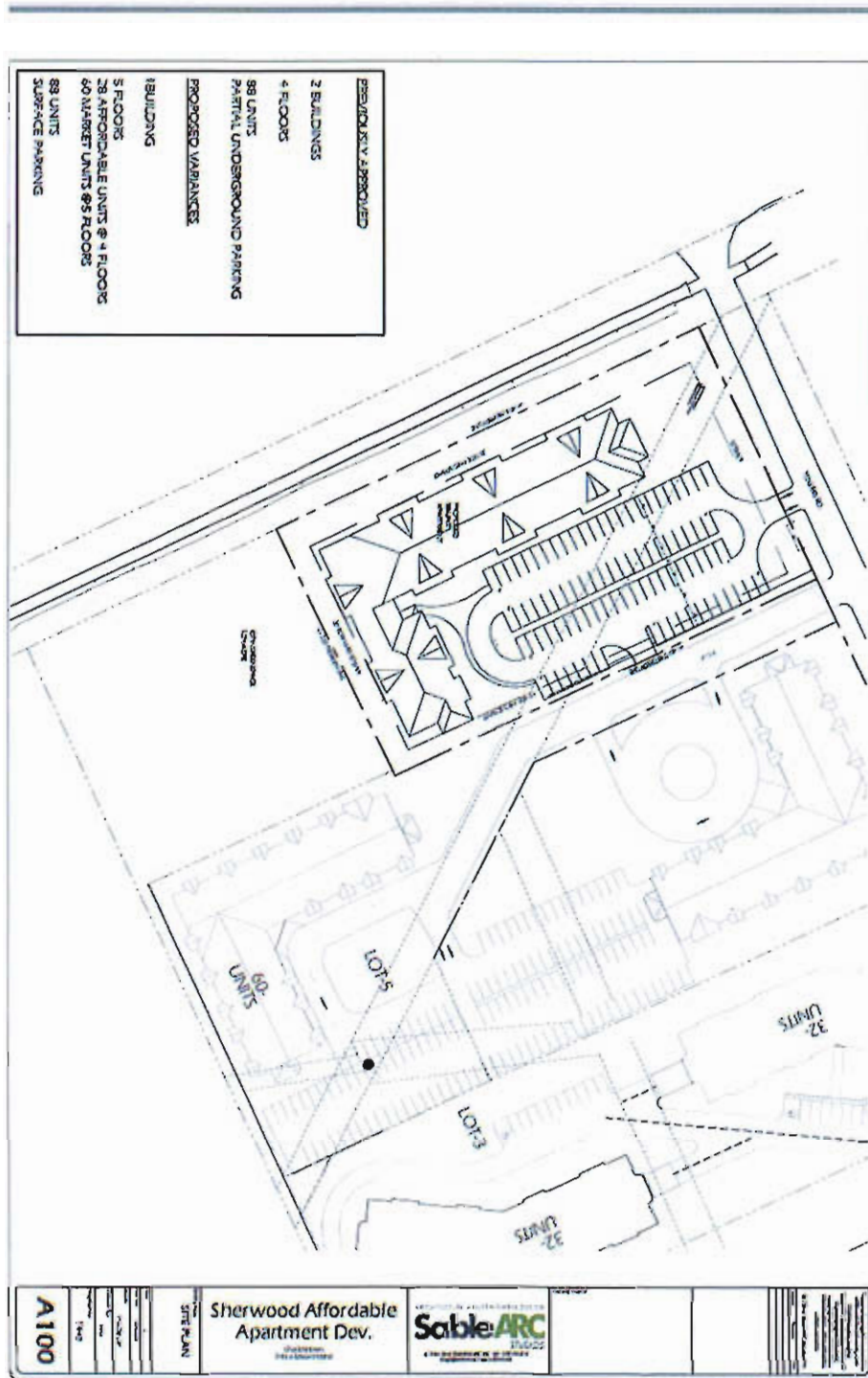
MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

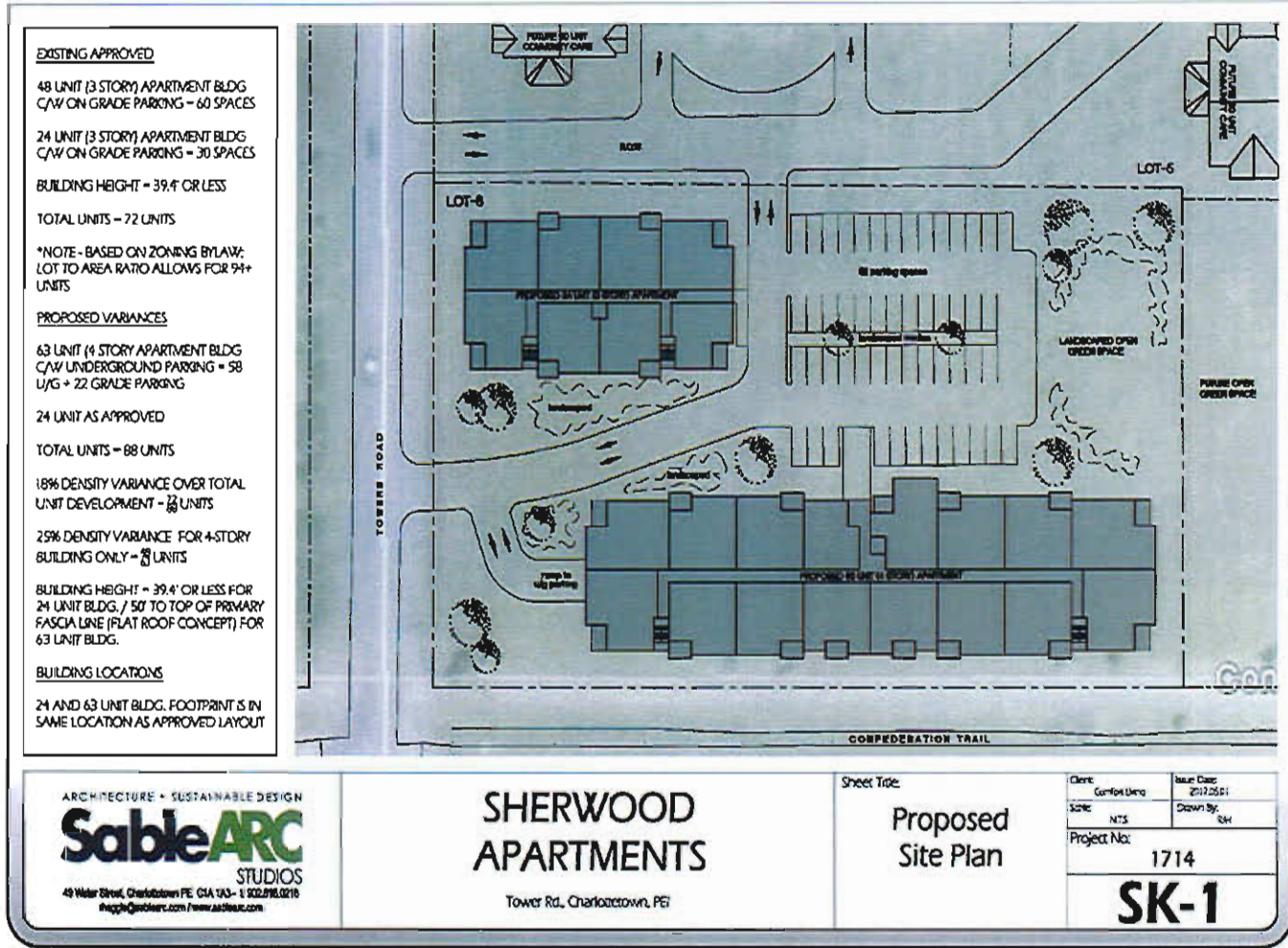
GIS Map:



Proposed Site Plan:



Current Site Plan:

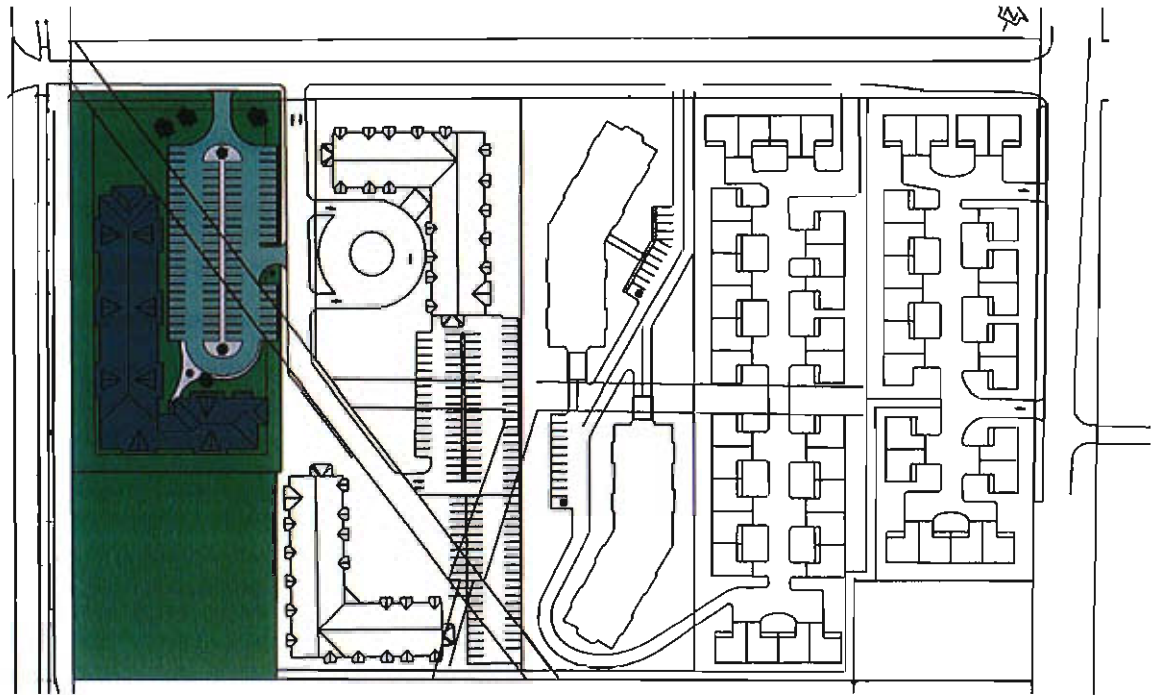


Concept Elevations:





Over All Development Concept Plan:



ARCHITECTURE • SUSTAINABLE DESIGN
SableARC Studios
Sherwood Affordable Apartment Development
5 Floors with 88 units
2019.10.17 Towers Rd. Charlotte/nc

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD MINUTES
28 OCTOBER, 2019 12:00 PM
PARKDALE ROOM, CITY HALL**

Included Councillor Greg Rivard, Chair
Deputy Mayor Jason Coady
Councillor Bob Doiron
Councillor Julie McCabe
Tara Maloney, RM
Greg Munn, RM
Aaron Stavert, RM

Simon Moore, RM
Wayne MacKinnon, RM
Alex Forbes, PHM
Todd Saunders, HO
Greg Morrison, PII,
Ellen Faye Catane, PH IO/AA

Regrets Mayor Philip Brown

1. Call to Order

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

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Simon Moore, RM, and seconded by Tara Maloney, RM, that the agenda for Monday, October 28, 2019, with the addition of 178 Sydney Street (PID #338251), be approved.

CARRIED

4. Adoption of Minutes

Moved by Simon Moore, RM, and seconded by Tara Maloney, RM, that the minutes of the Monday, September 30, 2019, meeting be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from the minutes.

6. 17 West Street (PID #365890)

This is a request for an egress stair at 17 West Street (PID #365890). The property is a Designated Heritage Resource and is located in the DN Zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the report. See attached report. Scott MacNeil, representative from Coles Associate, also attended the meeting to answer any questions.

The applicant originally proposed a metal spiral stair and balcony but the design did not meet Fire Code regulations for egress and is now proposing a proper fire escape and balcony to be installed. In this application, a metal balcony is proposed to run from the third storey dormer on the water side of the property to the north elevation. A metal fire escape is proposed to access ground level. Staff recommends that this application be approved.

Comments/concerns noted:

- Board member commented that the proposed egress is a requirement that needs to be met and the proposed design is tidy.

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

Moved by Greg Munn, RM, and seconded by Tara Maloney, RM, that the application for an egress stair at 17 West Street (PID #365890), be approved.

**CARRIED
(7-0)**

Councillor Doiron not yet at the meeting at the time this application was discussed/voted on

7. 227 Grafton Street (PID #342857)

This is an application to alter the existing building at 227 Grafton Street (PID #342857). The property is a not a Designated Heritage Resource but is located in the DMUN Zone of the 500 Lot Area. The property is located at the corner of Grafton Street and Hillsborough Street. Todd Saunders, Heritage Officer, presented the report. See attached report.

In 2017, the applicant made alterations to the existing building which were not permitted under the previous Zoning & Development Bylaw. Board members attempted to work with the applicant to allow the alterations including new windows to remain in place. A permit was issued in 2017 to include a new main entry door for his business and portico addition with an agreement that the wood siding and wood window trims and the bell cast curve at the belt course line which is a key architectural feature be reinstated. The canopy over the door on Grafton Street was also to be removed as part of the agreement. The applicant has since completed the development work but not the restoration work indicated in the agreement. Currently, he is proposing an addition to the building and is now requesting permission to retain the entry canopy over the door on Grafton Street.

Staff noted that this property is not a designated property and the bylaw has changed since the last application. However, staff is indicating that conditions of a previous permit have not been fulfilled.

Comments/concerns noted:

- Board member commented that they are not changing their opinion on the previous decision to remove the canopy.
- Board members also clarified that since this is not a designated heritage property, the board no longer makes a decision on it. Staff confirmed but mentioned that it is before the board today because there was a board decision for this property before the bylaw changed and felt that it would be beneficial to let the board be aware of it.
- Board member also asked if this may cause a precedent if this application was approved.
- Council member added that while the Heritage Board does not make a decision on this application, it would be recommended that when the applicant comes in for a permit application, previous applications must be discussed and ensure compliance moving forward.

No decision was made by the board.

8. 181 Fitzroy Street (PID #346361)

This is an application to extend the rear porch at 181 Fitzroy Street (PID #346361). The property is a municipally Designated Heritage Resource and is located in the DMUN Zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the report. See attached report.

The application includes:

- Details of the exiting porch and entablature, skirting etc. are to be extended across the new addition
- Three new one over one wooden windows
- Extension of 2017 verandah and second storey balcony to align with rear porch.
- Wood corner boards and cladding to match the existing.

Comments/concerns noted:

- Staff added that the applicants have previously reconstructed the verandah to match one that was previously on the building. The new addition will match the existing materials.
- Board member commented that the proposal is in keeping with the property and is not visible from the road. Board member also commended the owner of the property for taking care of this heritage building
- Board member commented that work (foundation) is already being done at the time of the meeting.
- Council member added that it is frustrating to hear applicants do the work while their applications are still in the process of being reviewed.

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

Moved by Greg Munn, RM, and seconded by Simon Moore, RM, that the application to extend the rear porch and verandah at 181 Fitzroy Street (PID #346361), be approved.

**CARRIED
(8-0)**

9. 230 Prince Street (PID #346320)

This is an application to replace a ground floor window with a door at 230 Prince Street (PID #346320). The property is a municipally Designated Heritage Resource and is also a National Historic Site (NHS) located in the DMUN Zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the report. See attached report.

The application includes:

- One ground floor window on the east elevation is proposed to be replaced with a door
- The door will match an existing rear door with panel and glass.

Comments/concerns noted:

- Board member asked if the blind window be converted as a door instead but other member noted that the blind windows would be where the fireplace is located. Staff also indicated that it has always been blind windows and blind windows are somehow unique in the City
- Council member asked if the door is being proposed in order to have a deck in the future and staff noted that it is not known to be the plan and the door would only be to allow access to the landscaped area. Staff also noted that the owners of the property did a good job with the landscaping of the property and is considered to be a good picturesque setting of the City.
- Board member also asked if the middle window could be converted into a door instead of the window to the east. Another board member indicated that the proposed window may be the most appropriate location. Given the size of the opening, it may best be suited to a double door. However, aside from the door, board members feel that there may be more requirements to it such as the grade, etc.
- Board members recommended that additional information be requested from the applicant in terms of the purpose of the door and the exact design/plans for the renovation.

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 to replace a ground floor window with a door at 230 Prince Street (PID #346320), be deferred until the application is able to provide more details of the proposed door replacement.

**CARRIED
(8-0)**

10. 178 Sydney Street (PID #338251)

This is an application to add a wooden stair to the back of the property at 178 Sydney Street (PID #338251). The property is a Designated Heritage Resource located in the DN Zone of the 500 Lot Area. Todd Saunders, Heritage Officer, presented the application.

Comments/concerns noted:

- Staff indicated that the application may be supported with development officer's review
- Board member commented that if this stair is a means of egress, it should have access to the street. The proposal shows access to the back of the property.
- Council member asked if the additional egress is required by the fire department and staff indicated that this property is believed to be a single family and a second egress may not necessarily required.
- PHM noted though that an additional egress may be looked at in terms of life safety issues.
- Board member added that for a dwelling with two floors and one flight of stairs, one egress access is required but for a building with three floors, two egress access is required.

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

Moved by Councillor Julie McCabe and seconded by Simon Moore, RM, that the application to add a wooden stair to the back of the property at 178 Sydney Street (PID #338251), be approved, subject to development officer's review.

**CARRIED
(8-0)**


11. New Business

There are no new businesses discussed.

12. Adjournment

Moved by Councillor Julie McCabe and seconded by Tara Maloney, RM, that the meeting be adjourned. The meeting was adjourned at 12: 32 PM.

Councillor Greg Rivard, Chair

TITLE: ALTERATION TO A DESIGNATED HERITAGE RESOURCE FILE: HERT-2019-28-OCTOBER – 6(a) 17 WEST STREET APPLICANT: MYRTLE JENKINS SMITH		
MEETING DATE: October 28, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. Back Yard View C. North Elevation D. West Elevation	
SITE INFORMATION: 17 West 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 six properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> • 2 Kent Street • 22 West Street • 18 West Street • 1 Grafton Street • 5 West Street • 12 West Street 		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application for an egress stair at 17 West Street (PID#365890).

BACKGROUND:

Application:

With the addition of two additional units in this building, fire egress is required. Originally, it was proposed that a metal spiral stair and balcony be installed on the north side of the property;

however, this design did not meet Fire Code regulations for egress. The applicant is now proposing a proper fire escape and balcony to be installed.

The greenhouse/sunroom on the south side has been removed.

The application includes:

- a metal balcony is proposed to run from the third storey dormer on the water side of the property to the north elevation. A metal fire escape is proposed to access ground level.

PROPERTY HISTORY

17 West Street or Westbourne, as it was called, was designed by prominent architect, William Critchlow Harris and built in 1877 by Messrs. Benjamin and Thomas Seller for local merchant, Jedediah S. Carvell. The home contained 15 rooms besides a kitchen, scullery, pantries and bathrooms. Hot and cold running water was available in the bedrooms and it was heated with hot air heating. Carvell and his brother began the business, Carvell Brothers, which lasted well into the 20th Century. Not only active in business, Jedediah was also involved in public life serving in a variety of important offices throughout his career including: Mayor of Charlottetown from 1877 until 1878, Senator from 1879 until 1889 and Lieutenant Governor of Prince Edward Island from 1889 until 1894.

As a result of a worldwide economic recession in the late 1870s, Carvell was forced to sell his new home shortly after it was constructed in 1879. A number of people owned it from 1879 until 1915, including William Markett Rayden, prominent merchant and banker, Benjamin Hartz and Lieutenant Governor Frank Richard Hartz. In 1915, Frank R. Hartz renovated Westbourne extensively by removing the large southern wing and verandah and reorienting the home so that the entrance faced the street instead of the water. Later, additions to the first floor were carried out. At some point, the original Mansard roof was replaced by the current hipped roof. However, other Second Empire style elements remain including the elaborate stacked bay windows, the heavy bracketting of the front facade, and the paired doors of the entrance.

The home enjoyed a number of occupants throughout the 20th Century including the Bank of Nova Scotia, James A. Robertson, Gavin Harding and Heber R. Large. Although extensively renovated and reduced in size throughout the years, the home is still a large and attractive home. In an area with a number of large elaborate homes, it helps support the West Street streetscape.

The following character-defining elements illustrate the heritage value of 17 West Street:

- The massing of the home
 - The hipped roof with bracketing at the eaves
 - The hipped dormers
 - The size and placement of the windows, particularly the tall windows, the elaborate stacked bay windows of the facade and the dormer windows
 - The size and placement of the doors, particularly the paneled main double door of the east side with its transom and side lights, as well as the door on the north east side of the facade with its transom and sidelights
 - The decorative mouldings painted in a contrasting colour, including the window and door surrounds, the bracketing at the eaves and on the bays, as well as the mouldings in a floral design on the bays
 - The hipped roof canopy porch over the entrance with its pendant decorations
 - The size and placement of the chimneys
- Other character-defining elements of 17 West Street include:
- The location of the home on West Street
 - The home's location on a treed lot on the bank of the Hillsborough River

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.

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:

5. Find a use for an historic place that requires minimal or no change to its character-defining elements.
7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

ANALYSIS:

Although the fire egress will be visible from the street, it is placed in the least conspicuous location possible. The main heritage character defining elements of the property are not affected.


CONCLUSION:

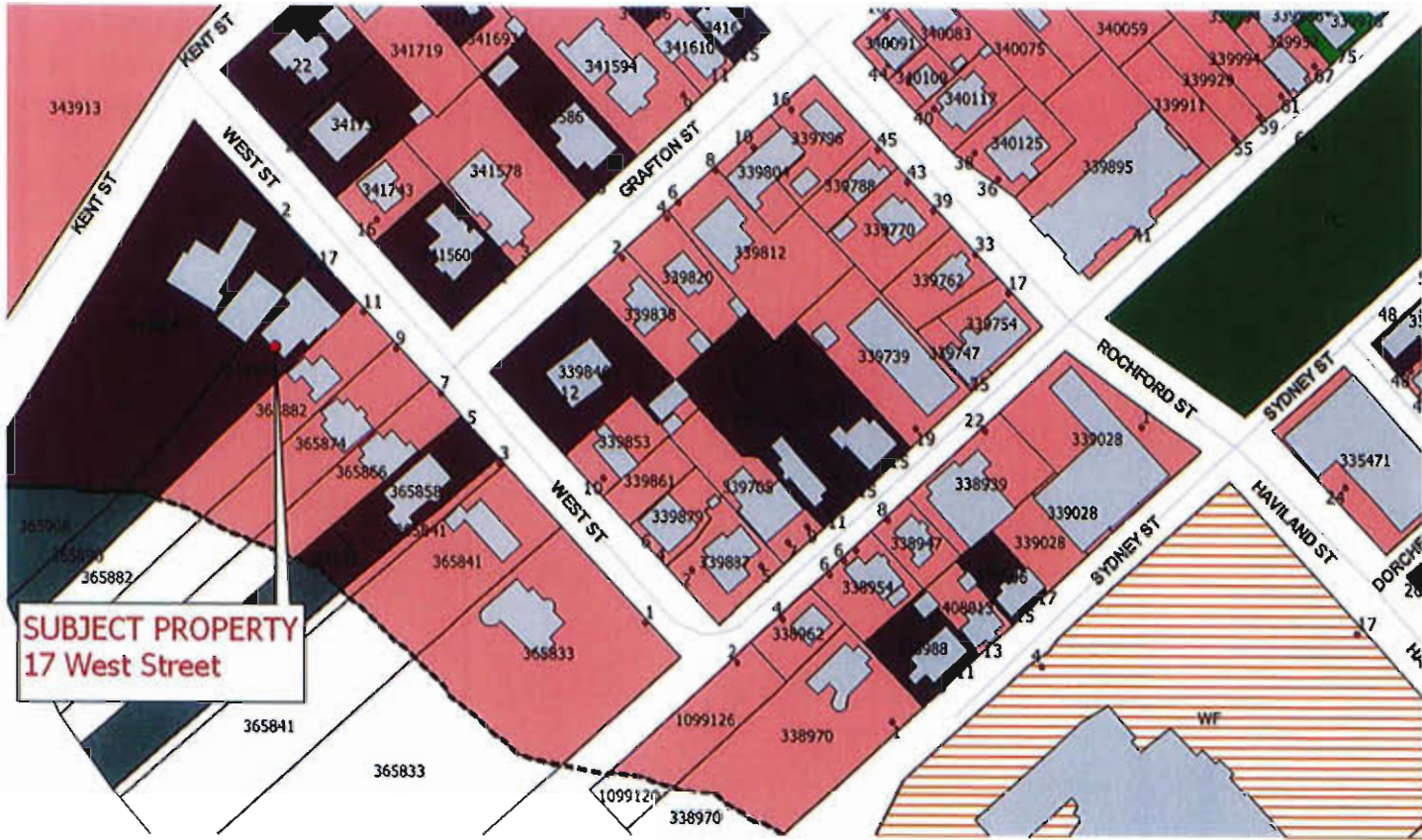
The Planning & Heritage Department recommends approval of the application for a fire egress at 17 West Street.

PRESENTER:


Todd Saunders, M.Arch
Heritage Officer

MANAGER:


Alex Forbes, MCIP, MBA
Manager of Planning & Heritage



SUBJECT PROPERTY
17 West Street

LOCATION MAP

ATTACHMENT B



Back Yard view

ATTACHMENT C




Side (north) Elevation

ATTACHMENT D



17 West Street
New Exit Stair
Coles Associates Ltd.
Oct 22, 2019
View 3 of 3

Rear(west) Elevation

TITLE: ALTERATIONS TO A 500 LOT PROPERTY FILE: HERT-2019-28-OCTOBER – 6(b) 227 GRAFTON STREET APPLICANT: DARIUS BRASKEY		
MEETING DATE: October 28, 2019		Page 1 of 7
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. 2017 Photo C. 1970's photo	
SITE INFORMATION: 227 Grafton Street Ward No: 1 – Queens Square Property Use: Commercial Heritage Recognition: This is a not designated Heritage Resource but is located in the DMUN zone of the 500 Lot Area. Adjacent Heritage Properties: There are no properties adjacent to or immediately nearby the development site which are found on the list of Designated Heritage Resources;		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to reject the application to retain the entrance canopy at 227 Grafton Street (PID#342857).

BACKGROUND:

Application:

Alterations to the existing building were reviewed in June 2017 after alterations including window replacements were undertaken without the required permits. Given that the vinyl windows had already been installed in contravention to the standards and guidelines in the Bylaw, Board members attempted to work with the applicant to allow the windows to remain in place. The 2017 proposal also involved a new main entry door for his business and portico addition which was eventually approved with the agreement that the following be completed:

The Board required the following details be re-instated:

- *the wood siding and wood window trims.*
- *The bell cast curve at the belt course line which is a key architectural feature.*

The canopy over the door on Grafton Street is also to be removed as seen in the earlier photo.

The applicant has since completed the addition of decks etc. but has not yet undertaken the restoration work. He is proposing an addition to the building. He is now requesting permission to retain the entry canopy over the door on Grafton Street

The application includes:

- Retention of the canopy over the entry door on Grafton Street.

PROPERTY HISTORY

This is a long-settled block with some early buildings still extant. The major change has been the construction of the Polyclinic Building (191-193-199 Grafton Street) and its attendant parking lots. Destroyed by fire in 1972, the Bridge-McConnell Building on Hillsborough Street was known locally as the Purple Onion. It housed the Mills Meat Market in addition to a number of apartments and even a popular fortune teller. The Temperance Hall that once stood on the corner of Grafton and Prince Street played many important roles throughout the 19th century. It served variously as the Philharmonic Hall, the Athenaeum and the Methodist School and Kindergarten. From 1924 through 1968 it was home for the Guardian Publishing Company. It was torn down in June of 1969.

POLICY FRAMEWORK:

Zoning and Development Bylaw June 2017

In accordance with Section 6.3.1 (b) of the Zoning and Development Bylaw, Heritage Board will review the compatibility of the proposed development in relation to the criteria listed in Section 6.6.2.

In evaluating any proposed Development of an Existing Heritage Resource site or one located in the Heritage Preservation Area or in the 500 Lot Area that does not involve an Existing Building or Structure, Council or the Heritage Board or the Heritage Officer Shall consider:

- (a) *the original or historical Significance of the site or the Heritage Resource;*

- (b) *the environmental and archeological impact of the proposed Development;*
- (c) *the application of an appropriate environmental protection plan;*
- (d) *the land elevations and the appropriateness of the Landscaping plan; and*
- (e) *the restoration of Buildings, Structures or Landscaping features, if any;*
- (f) *the compatibility of the proposed development with existing development in the vicinity; and*
- (g) *the impact of development on maintenance of the streetscape in the area, including the impact upon Neighbourhood Character Streetscapes in the 500 Lot Area.*

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:

Removing Existing Features from Other Periods

#33. Removing or altering a non character-defining roof or roof element, such as a later dormer or asphalt roofing, dating from a period other than the restoration period.

ANALYSIS:

There is no new rationale presented to retain the canopy. The Board has previously reviewed design details for this property and has recommended the canopy be removed.

CONCLUSION:

The Planning & Heritage Department recommends rejection of the application to retain the entry canopy at 227 Grafton Street.

PRESENTER:

Todd Saunders

Todd Saunders, M.Arch
Heritage Officer

MANAGER:

Alex Forbes

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

ATTACHMENT A



LOCATION MAP

ATTACHMENT B




2017

ATTACHMENT C



circa 1970's



TITLE: ALTERATION TO A DESIGNATED HERITAGE RESOURCE FILE: HERT-2019-28-OCTOBER – 6(C) 181 FITZROY STREET OWNER: CROSSROADS DEVELOPMENT		
MEETING DATE: October 28, 2019		Page 1 of 9
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. Proposal plan C. Proposal East Elevation D. Proposal Rear Elevation E. Archival Photo	
SITE INFORMATION: 181 Fitzroy Street: Hillhurst Ward No: 1 – Queens Square Property Use: Bed and Breakfast Heritage Recognition: This is a municipally designated Heritage Resource and is located in the DMUN zone of the 500 Lot Area. Adjacent Heritage Properties: There are four properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> • 230 Prince Street - Fairholm • 238 Hillsborough Street • 202 Hillsborough Street • 202-204 Euston Street 		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application to extend the rear porch at 181 Fitzroy Street (PID#346361).

BACKGROUND:

Application:

It is proposed that the existing ground floor porch on the rear of 181 Fitzroy Street be extended by an additional 20 feet toward Hillsborough Street. The porch depth of 6ft 3in is retained. The existing sloped roof on the existing porch is to be removed and a flat roof with balcony above is to be extended.

The application includes:

- Details of the exiting porch and entablature, skirting etc. are to be extended across the new addition
- Three new one over one wooden windows
- Extension of 2017 verandah and second storey balcony to align with rear porch.
- Wood corner boards and cladding to match the existing.

PROPERTY HISTORY

The Longworth House's heritage value resides in its association with the Longworth Family, the home's splendid Colonial Revival style architecture and its importance to the streetscape. George D. Longworth built Hillhurst as a residence for he and his family in 1897. He hired prominent local architect, Charles Benjamin Chappell to design and the firm of Schurman, Lefurgey & Co. to serve as contractors. The Longworth family were successful shipbuilders and merchants in Charlottetown. It is alleged that some may have also been involved in rum running during prohibition. The Longworth House was one of the finest homes in Charlottetown both inside and out. Longworth spared no expense in building his residence, importing what were believed to be the finest woods at the time, from British Columbia. The house served the Longworth family well, remaining in the family until 1955. After the house was in private hands for about 16 years, in 1971, the University of Prince Edward Island (UPEI) acquired the building for \$49 000 for use as a residence for its presidents. Ronald J. Baker was the first to enjoy this prestigious home. Later presidents to occupy the house were Peter Meincke and C.W.J. Eliot. In 1995, the residence was sold and subsequently renovated into the Hillhurst Inn. The beautiful mansion reflects the grandeur of another time. Although it has been renovated since it was built, the house has retained many of its original features. The later addition of the rounded front porch adds to the beauty of the house. In an area with many beautiful homes, the Longworth House stands out. It is very important to the Fitzroy Street streetscape.

The following character defining elements illustrate the Colonial Revival heritage value of the Hillhurst Inn:

- The brick foundation
- The style and placement of the windows including the bay windows and transom lights as well as the roundel windows on the east and west sides
- The style and placement of the doors, particularly the front door with its transom light
- The style and placement of the rounded front porch

- The decorative roof brackets
- The interesting roofline with its gables
- The placement of the chimneys
- The decorative trim running throughout the home, including the trim around the windows and the railing in the gable on the façade
- The overall symmetry of the building
- The location of the Inn on the corner of Fitzroy and Hillsborough Streets

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 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.

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 heritage value by adopting an approach calling for minimal intervention.

Minimal intervention in the context of heritage conservation means doing enough, but only enough to meet realistic objectives while protecting heritage values. Minimal intervention has different meanings for Preservation, Rehabilitation and Restoration. In the context of Preservation, it means undertaking sufficient maintenance or repairs to ensure the longevity of the place while protecting heritage value. In the context of Rehabilitation, it might mean limiting the proposed new use, addition or changes. In a Restoration, minimal intervention is a delicate balance between removals and recreations to represent the historic place's condition at a specific time in its history.

ANALYSIS:

The proposed addition extends the usefulness of the building allowing it to function as a tourist accommodation in a competitive market. Given its relatively small size and location at the rear of the building, it does not detract from the character defining elements but rather supports the use and maintains the building symmetry. This porch serves as the main service entry off the parking area.

CONCLUSION:

The Planning & Heritage Department recommends approval of the application to extend the rear porch and verandah at 181 Fitzroy Street.

PRESENTER:

Todd Saunders, M.Arch
Heritage Officer

MANAGER:

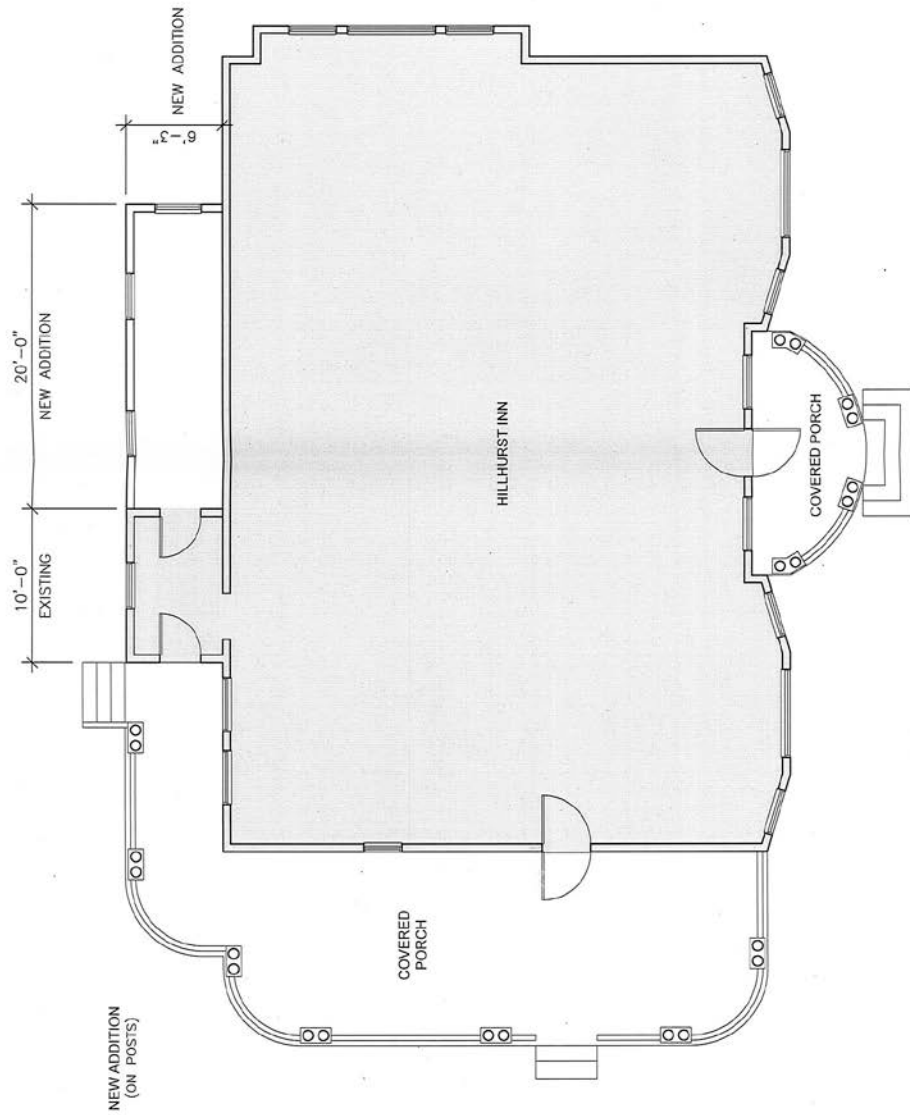
Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

ATTACHMENT A



LOCATION MAP

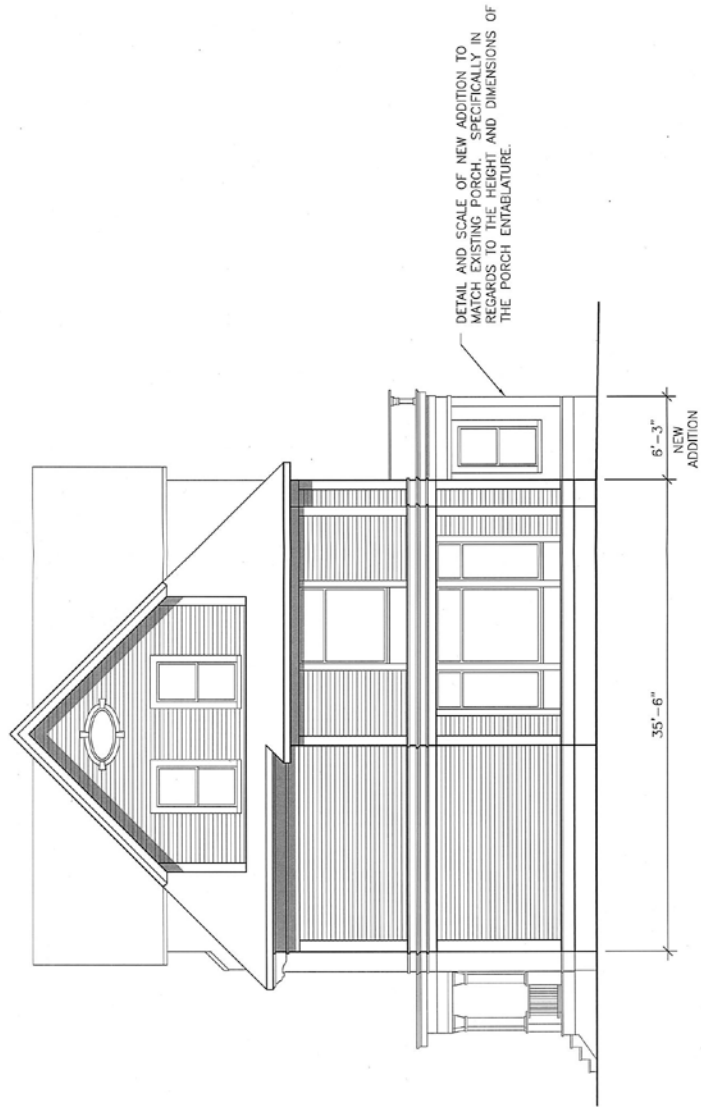
ATTACHMENT B



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

Proposed porch extension – plan

ATTACHMENT C

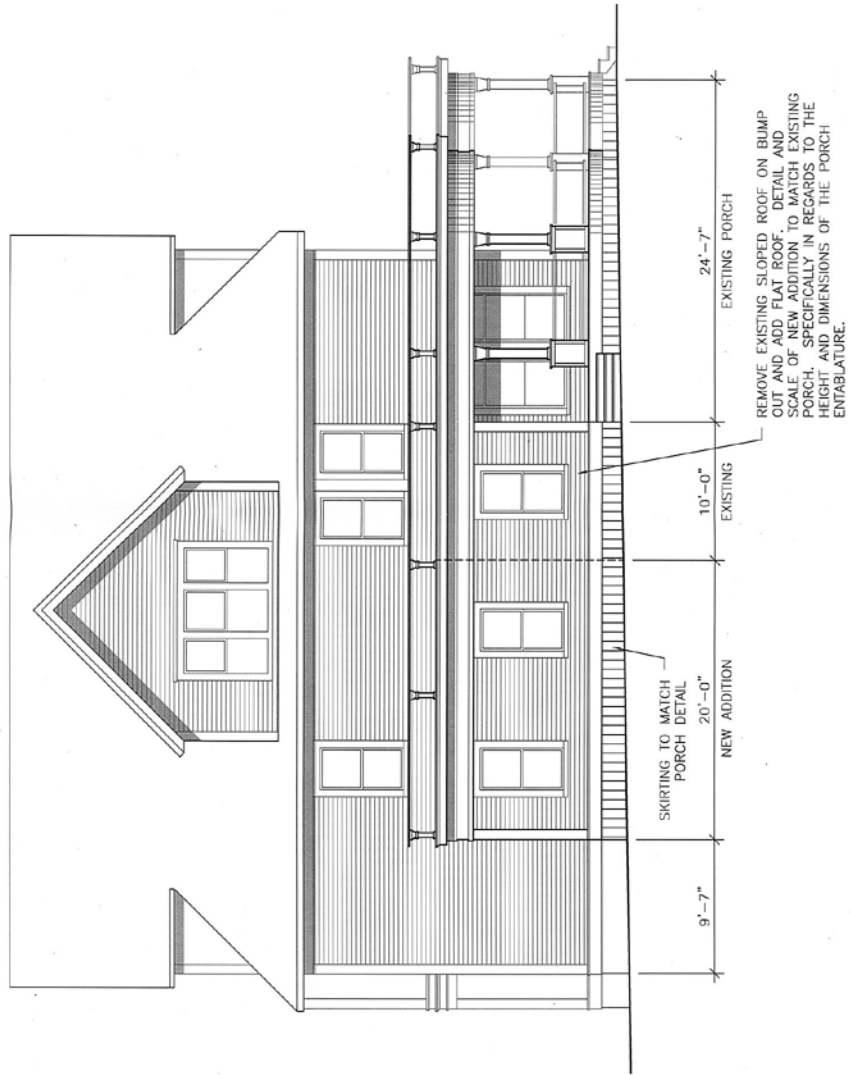


FACING HILLSBOROUGH STREET

SIDE ELEVATION
SCALE: 1/8"=1'-0"

Proposed porch extension – east elevation

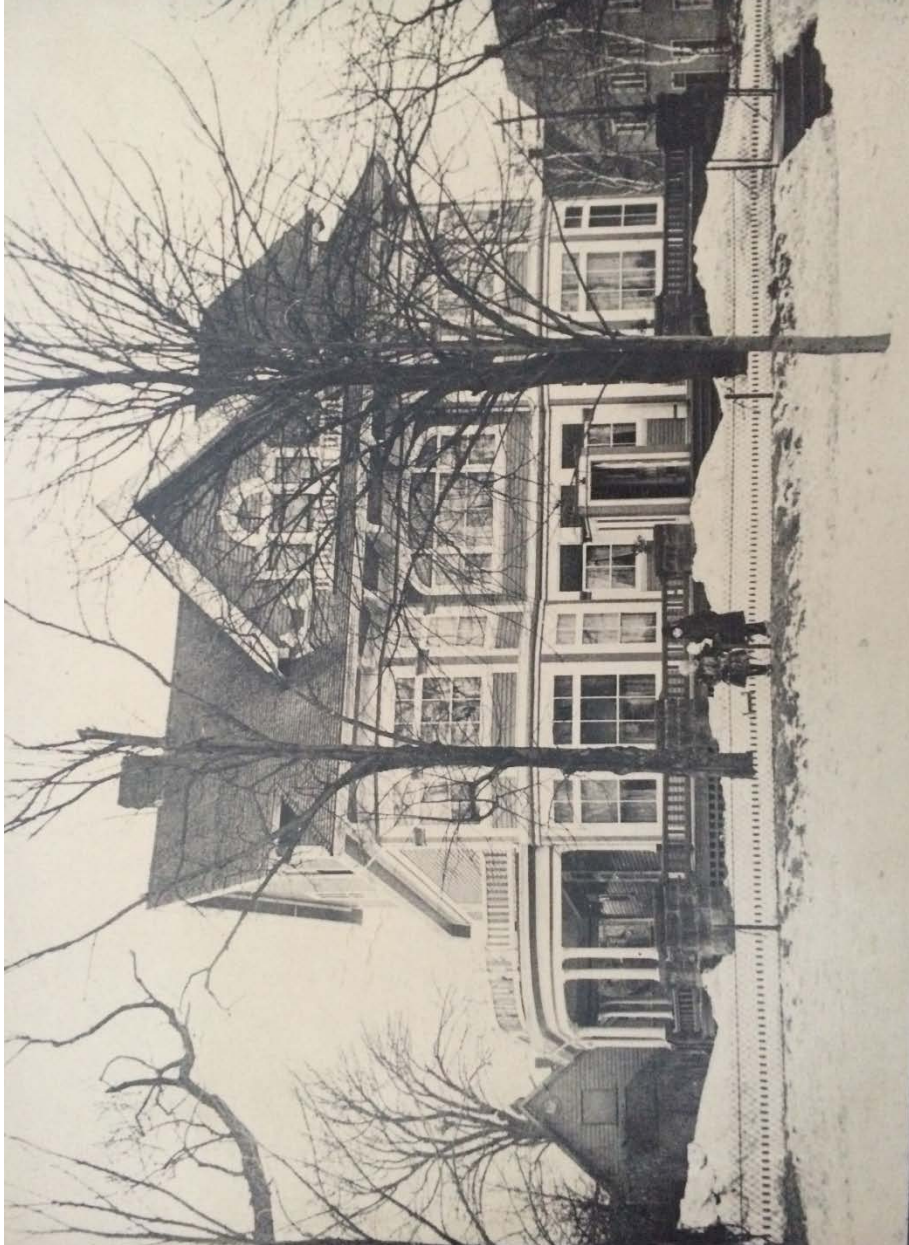
ATTACHMENT D




BACK ELEVATION
SCALE: 1/8"=1'-0"

Proposed porch extension – rear elevation

ATTACHMENT C



HISTORIC PHOTO

TITLE: ALTERATION TO A DESIGNATED HERITAGE RESOURCE FILE: HERT-2019-28-OCTOBER – 6(d) 230 PRINCE STREET OWNER: FAIRHOLM HOLDINGS		
MEETING DATE: October 28, 2019		Page 1 of 8
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Location Map B. Photo C. Archival Photo	
SITE INFORMATION: 230 Prince Street: Fairholm Ward No: 1 – Queens Square Property Use: Bed and Breakfast Heritage Recognition: This is a municipally designated Heritage Resource and is also a NHS (National Historic Site) located in the DMUN zone of the 500 Lot Area. Adjacent Heritage Properties: There are four properties adjacent to or nearby the development site which are found on the list of Designated Heritage Resources; <ul style="list-style-type: none"> • 247-249 Prince Street • 241 Prince Street • 237 Prince Street • 181 Fitzroy Street – Hillhurst 		

RECOMMENDATION:

The Planning & Heritage Department encourages Heritage Board to support the application to replace a ground floor window with a door at 230 Prince Street (PID#346320)

BACKGROUND:

Application:

It is proposed that one ground floor window on the east side of Fairholm be replaced with a wooden door. This is to allow greater access to the grounds which have been developed on the east side of the property

The application includes:

- One ground floor window on the east elevation is proposed to be replaced with a door
- The door will match an existing rear door with panel and glass.

PROPERTY HISTORY

Fairholm was built between 1838 and 1839 for politician, office holder, landowner and land agent, Thomas Heath Haviland, Sr. (1796-1867). The grand home reflected Haviland's prominent place within the community. Haviland immigrated to Prince Edward Island from England in 1816 and soon became one of Charlottetown's most prominent citizens. He held many positions throughout his career including: Colonial Secretary, Colonial Treasurer, Judge and Member of the Executive and Legislative Councils. Haviland was also active in municipal politics serving as the second Mayor of Charlottetown for ten years. He was married into one of the Island's most influential families - the Breckens'. Unfortunately his wife, Jane Rebecca Brecken, died shortly after Fairholm's completion, but the Haviland family would remain in the home until 1855, when it was sold to Charles Young. Their son, Thomas Heath Haviland, Jr. (1822-1895) would eventually go on to become a Father of Confederation, Senator, Lieutenant Governor, and politician.

Charles Young (1812-1892) was a lawyer who had come to Prince Edward Island from Nova Scotia in 1838. On 23 November 1847, he became the first barrister on Prince Edward Island to be appointed Queen's Counsel. Well versed in the complicated land laws of Prince Edward Island, he often represented tenants in their legal disputes with proprietors. Young would go on to serve as Attorney General and Judge. He was a strong advocate of responsible government on Prince Edward Island and served as a Member of both the House of Assembly and later, the Legislative Council. In 1854, he was granted rank and precedence under Lieutenant Governor Sir Alexander Bannerman, which made him a senior member and President of the Council. He would serve as Administrator of the Government of Prince Edward Island for four years. In addition to his professional and political accomplishments, he was also a Methodist preacher. Young lived in Fairholm with his wife, Lucretia Starr, until his death in 1892.

After Fairholm had been vacant for about two years, prosperous hardware merchant and politician, Benjamin Rogers (1836-1911) purchased it. Benjamin Rogers began a hardware business with Thomas Dodd, but eventually took over the entire business in 1904. The Rogers Hardware Company operated in Charlottetown until the early 1990s. One of the Rogers' family, Irene Rogers, was a heritage advocate who wrote a commonly referred to work about Charlottetown's built heritage named "Charlottetown: The Life in Its Buildings". It is a significant

contribution to heritage conservation in the City and is often the starting point for those who research heritage buildings in Charlottetown.

Fairholm is a rare example of a brick, Picturesque style villa on Prince Edward Island. More of an architectural trend than a style, the Picturesque Movement sought to create harmony between buildings and their surroundings that would be evocative of natural settings. Fairholm's two storey bow walls with large windows allowed the outside vegetation to be viewed readily, the treed spacious lot surrounds the house, and vines climb on the exterior. These are elements that express the Picturesque aesthetic.

CHARACTER DEFINING ELEMENTS:

The following Classical influenced character-defining elements illustrate the heritage value of 230 Prince Street:

- The overall massing of the building
- The size and shape of the mottled brick construction
- The stone detailing throughout the building including the lintels and sills, as well as the belt courses running along the bottom of the first and second floors
- The placement and style of the windows including, the large rectangular French style windows and the blind windows, all of which have stone lintels and sills.
- The placement and style of the grouped windows of the sun porch over the doorway.
- The placement and size of the doors, particularly the centrally placed grand front door with its stained glass fanlight and side lights
- The centrally placed porch with its supporting columns, doric capitals, and heavy entablature with decorative frieze, brackets and balustrade
- The hipped roof with deep overhanging eaves and decorative detail at the roofline
- The placement and style of the four chimneys on the corners of the house

The character-defining elements that illustrate the Picturesque Movement are:

- The bow shaped large French windows of the building which were intended to provide views of the outside gardens
- The climbing vegetation on the exterior of the building
- The large size of the property
- The mature trees that line the property

- The curved driveway

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 heritage value by adopting an approach calling for minimal intervention.

Minimal intervention in the context of heritage conservation means doing enough, but only enough to meet realistic objectives while protecting heritage values. Minimal intervention has different meanings for Preservation, Rehabilitation and Restoration. In the context of Preservation, it means undertaking sufficient maintenance or repairs to ensure the longevity of the place while protecting heritage value. In the context of Rehabilitation, it might mean limiting the proposed new use, addition or changes. In a Restoration, minimal intervention is a delicate

balance between removals and recreations to represent the historic place's condition at a specific time in its history.

ANALYSIS:

The windows on this property and their arrangement are a character defining element. The unique blind windows and curved glass are of particular note. The window proposed to be replaced with a door is not one of the unique windows and the proposed door retains the symmetry of the placement.

The side yard/adjoining lot has been landscaped in the past number of years. Historically the gardens associated with the property have added to the picturesque quality. Access through the door to the gardens enhances this character.

“The exterior symmetry, which calls for uniform window treatment, is achieved by the use of five blind windows. They give the architectural effect needed, yet allow some liberty with the inside arrangements. Although window glass was not taxed in the colonies, the custom of installing blind windows may have begun in England because of the tax there. The curved glass panes in the bay windows were installed in the late 19th century when Benjamin Rogers, hardware merchant, acquired the property.” Charlottetown The Life in Its Buildings – Irene Rogers

CONCLUSION:

The Planning & Heritage Department recommends approval of the application to replace a ground floor window with a door at 230 Prince Street.

PRESENTER:



Todd Saunders, M.Arch
Heritage Officer

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

APPENDIX A



LOCATION MAP

ATTACHMENT B

PHOTO– showing window to be replaced

ATTACHMENT C



HISTORIC PHOTO – showing picturesque style



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 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 rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #2

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 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.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 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 3.8.7 and 3.9.6 Minor and Major Variances;
- Section 3.14 Design Review;
- Section 4: Accessory Structures;
- Section 4.6: Non-Conforming Buildings;
- Section 5.5: Non-Conforming Uses;
- 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; and
- Section 45.13 Lot Size.

be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #4

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to consolidate 10 Harley Street (PID #274365) and a portion of 297 Allen Street (PID #274449), in order to construct a 38 unit apartment building, be approved, subject to a final pinned survey plan.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #5

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to amend an approved development concept plan in the CDA Zone from two (2) buildings with eighty eight (88) units in total to one building with eighty eight (88) units for Lot 2014-6 Towers Road (PID # 1076728), be approved to proceed to public consultation.



**CITY OF CHARLOTTETOWN
BYLAW**

To adopt Bylaw PH-ZD.2-021, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw PH-ZD.2) relating to definitions pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, 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 and Exemptions to sign regulations for Designated properties.

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-021, as it pertains to Zoning & Development Amendments)”, as attached, be read a first time.

Date: _____ November 12, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (PH-ZD.2-021), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ November 12, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (PH-ZD.2-021, as it pertains to Zoning & Development Amendments)”, as attached, was read and approved a first time on November 12, 2019;

BE IT RESOLVED THAT the said Bylaw be read a second time.

Date: _____ December 09, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the said Bylaw be approved and adopted.

Date: _____ December 09, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # PH-ZD.2-021

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # PH-ZD.2-021”

2. Authority

(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions relating to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, 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 and Exemptions to sign regulations for Designated properties.

PART II – AMENDMENTS

4. Section 2.0 is amended as follows:

By inserting the following sections:

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, were 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.

5. Sections 3.8.7 and Section 3.9.6 are amended as follows:

By deleting the words “one (1) year” and replacing it with “two (2) years” as follows:

6. Section 3.14 is amended as follows:

By adding subsection d. under 3.14.1 as follows:

d. When in the opinion of the Development Officer a development application that compromises the Character-defining elements of any building in the 500 Lot Area, the application shall be forwarded to the Design Review Board for a recommendation to either direct staff to approve the application or to direct staff to send the application through the Design Review process.

7. Section 4 is amended as follows:

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.

8. Section 4.6 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 repaired or renovated provided that:

- a. The repair or renovation 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;

9. Subsection 4.6.3 (b) is amended as follows:

By deleting subsection (b) 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.

10. Section 5.5 amended as follows:

By adding the additional subsections 5.5.5 as follows:

5.5.5 An existing Converted Dwelling or an Existing Semi-Detached Dwelling that is lawfully in existence at the effective date of this By-law in any location within an R-1L or R-1S Residential Zone, shall be a Permitted Use and shall be deemed to be a conforming Use in the R-1L or the R-1S Zone within which it is located at that date.

11. Section 43.1 is amended as follows:

By deleting subsection 43.1.3 all succeeding subsections renumbered;

12. Section 43.1.7 Table is amended by inserting “Marijuana Production Facility” alphabetically in the table:

Use	Minimum Required Parking Spaces
Marijuana Production Facility	1 space per 200 sq. m. (2,152.8 sq. ft.) of Floor area or 1 space per employee per shift, whichever is greater.

13. Section 44.12.4 Table is amended as follows:

- 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

DC Zone <i>DMS Zone</i> 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.	on one wall that abuts an interior Parking Lot; 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;
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 project more than 0.31m (1ft) from the wall upon which it 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:
A Zone M-1 Zone M-2 Zone M-3 Zone	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>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>

14. Section 44.13.3, 44.15.1 and 44.16.1 is amended as follows:

Insert “DMS Zone” under Zone for the following tables:

44.13.3

Zone	Dimensions	General Provisions
DC Zone <i>DMS Zone</i> 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

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.	prohibited within the Sight Triangle Area; Signs shall have a minimum Clearance of 2.2m (7.2ft) above open areas and 4m (13ft) above a driveway or vehicular traffic area; When a Business Premise(s) is located on a Corner Lot or through lot, one Sign is permitted on each of two Lot Frontages, provided that the second Sign is 50% of the total Sign Area identified in this table, and there is a minimum distance of 30.1m (99ft) between the Signs.
OS Zone	Sign Area shall not exceed 4.65sq m (50sq ft) per Sign Face. Signs shall not exceed 3.7m (12.1ft) in Height.	
C-2 Zone MUC Zone I Zone	Sign Area shall not exceed 9.29sq m (100sq ft) per Sign Face. Signs shall not exceed 6m (19.7ft) in Height.	
C-3 Zone	Shopping Centres: Sign Area shall not exceed 30sq m (323sq ft) per Sign Face. Signs shall not exceed 9.75m (32.0ft) in Height. Non-Shopping Centres: Sign Area shall not exceed 13.9sq m (150sq ft) per Sign Face. Signs shall not exceed 8m (26.2ft) in Height.	
A Zone M-1 Zone M-2 Zone M-3 Zone	Sign Area shall not exceed 13.9sq m (150sq ft) per Sign Face. Signs shall not exceed 8m (26.2ft) in Height.	

44.15.1

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; Signs shall be placed on private property or on the public Right-of-way abutting the subject Building, excluding the sidewalk, where possible;
A Zone C-1 Zone C-2 Zone C-3 Zone	Placed On Public Right-of-way: Sign Area shall not exceed	

DMU Zone I Zone M-1 Zone M-2 Zone M-3 Zone MUC Zone P Zone	<p>0.6sq m (6.5sq ft) per Sign Face.</p> <p>Signs shall not exceed 1m (3.3ft) in Height.</p> <p>Placed On Private Property:</p> <p>Sign Area shall not exceed 1.2sq m (13sq ft) per Sign Face.</p> <p>Signs shall not exceed 1.21m (4ft) in Height.</p>	<p>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;</p> <p>Signs shall display the City’s approval sticker indicating that said Sign has been approved in accordance with this by-law;</p> <p>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</p> <p>Proof of liability insurance shall be provided on an annual basis.</p>
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44.16.1

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	<p>Sign Area shall not exceed 1.95sq m (21sq ft) per Banner face.</p>	<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>

15. Section 44.21.1 is amended as follows:

Delete the word “review” before “shall” and “sign” and replace with “make a recommendation to Council on” and add “and/or the placement of the sign, but not allow an increase in permitted sign face area.” after the words “...Sign Design Criteria”

16. Section 44.21.2c is amended as follows:

Delete Section 44.21.2 c.

17. Section 45.13.1 is amended as follows:

By adding Section 45.13.1 a

- a) If Council approves the construction of a Semi-Detached Dwelling or Townhouse Dwelling on an undersized lot through a lot area or frontage variance, each Semi-Detached Dwelling unit or Townhouse Dwelling Unit can be further subdivided subject to the requirements in Section 4.14.

PART III – EFFECTIVE DATE

18. Effective Date:

- (1) The effective date of the Zoning & Development Bylaw amendment is the date as signed by the Minister of Communities, Land and Environment.

First Reading:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-021, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-021, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-021, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-021, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-021, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

19. Signatures:

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #PH-ZD.2-021, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (PH-ZD.2-021) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Bloyce Thompson
Minister of Communities, Land and Environment

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR OCTOBER 2018
DOLLAR VALUES**

	OCT	Totals
Residential New	\$3,740,000.00	\$26,146,850.00
Residential Renovations and Additions	\$332,500.00	\$1,907,100.00
Industrial-Commercial New	\$100,000.00	\$31,566,810.00
Industrial-Commercial Renovations	\$1,055,000.00	\$12,366,400.00
Institutional New	\$4,400,000.00	\$6,400,000.00
Institutional Renovations	\$28,000.00	\$2,195,500.00
Signage	\$14,000.00	\$240,005.00
Other	\$105,557.00	\$1,193,705.42
Agriculture	\$0.00	\$0.00
TOTALS	9,775,057.00	82,016,370.42

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR OCTOBER 2019
DOLLAR VALUES**

	OCT	Totals
Residential New	\$2,211,000.00	\$47,892,400.00
Residential Renovations and Additions	\$292,500.00	\$5,430,512.00
Industrial-Commercial New	\$4,900,000.00	\$41,369,700.00
Industrial-Commercial Renovations	\$1,918,000.00	\$24,402,620.00
Institutional New	\$0.00	\$7,334,000.00
Institutional Renovations	\$85,000.00	\$10,397,000.00
Signage	\$23,750.00	\$498,535.00
Other	\$60,200.00	\$817,759.04
Agriculture	\$0.00	\$0.00
TOTALS	9,490,450.00	138,142,526.04

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR OCTOBER 2018
BREAKDOWN OF PERMITS ISSUED *(Not projects)***

	OCT	Totals
Single Family Dwellings - New	1	41
Two-Family Dwellings - New	3	13
Multi-Family Dwellings - New	2	10
Residential Renovations and Additions	8	67
Industrial-Commercial New	2	21
Industrial-Commercial Renovations	4	61
Institutional New	1	3
Institutional Renovations	1	5
Signage	5	57
Other	10	85
Agriculture Renovations	0	0
TOTALS	37	363

**CITY OF CHARLOTTETOWN
BUILDING CONSTRUCTION STATISTICS FOR OCTOBER 2019
BREAKDOWN OF PERMITS ISSUED *(Not projects)***

	OCT	Totals
Single Family Dwellings - New	2	55
Two-Family Dwellings - New	1	23
Multi-Family Dwellings - New	2	15
Residential Renovations and Additions	11	95
Industrial-Commercial New	2	18
Industrial-Commercial Renovations	6	69
Institutional New	0	5
Institutional Renovations	2	8
Signage	5	47
Other	6	97
Agriculture Renovations	0	0
TOTALS	37	432



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



Planning & Heritage Summary (Week ending October 11, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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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
18-307	387381	251-BLD-18	31-May-18	9-Oct-19	APPROVED	4 Upton Road	Occupancy Permit: New car dealership building	Clarke Motors (PEI) LTD	30-Oct-19
18-518	371153	444-BLD-18	25-Sep-18	9-Oct-19	APPROVED	154-156 Nassau street	Occupancy Permit: New Semi Detached Dwelling	S&M Enterprise Inc	30-Oct-19
19-024	364059	208-BLD-19	17-Apr-19	7-Oct-19	APPROVED	291 Euston Street	Occupancy Permit: Interior renovation to existing 4 Unit building	Holland College	28-Oct-19
19-037	855650	676-BLD-19	4-Oct-19	7-Oct-19	APPROVED	1 Doc Blanchard Crescent	10' x 20' asphalt driveway	Zhujun Yao	28-Oct-19
19-088	1088368	090-BLD-19	5-Mar-19	8-Oct-19	APPROVED	8 Stan MacPherson Way	New three story office building construction	David Lopez-Coast Design Inc	29-Oct-19
19-210	1091289	246-BLD-19	3-May-19	9-Oct-19	APPROVED	20 Hammac Drive (Lot# 17-3)	Occupancy Permit: New single family dwelling	Curran Developments Inc	30-Oct-19
19-285	882951	524-BLD-19	7-Aug-19	7-Oct-19	APPROVED	14 MacAleer Drive	Renovations to existing office spaces	William Chandler	28-Oct-19
19-285	882951	524-BLD-19	7-Aug-19	7-Oct-19	APPROVED	14 MacAleer Drive	Occupancy Permit: Renovations to existing office spaces	William Chandler	28-Oct-19
19-419	385641	523-BLD-19	7-Aug-19	9-Oct-19	APPROVED	160 St. Peters Road	Renovation to nursing home	William Chandler	30-Oct-19
19-487	391201	610-BLD-19	6-Sep-19	11-Oct-19	APPROVED	9 Lilac Avenue	Interior renovations	Sherwood Christian Church	1-Nov-19
19-494	366229	618-BLD-19	11-Sep-19	7-Oct-19	APPROVED	22 Orchard Court	Convert carport to part of main dwelling	Pierre Lefebvre	28-Oct-19
19-501	728394	625-BLD-19	16-Sep-19	7-Oct-19	APPROVED	12 Starboard Place	Occupancy Permit: Replace existing deck	Pam Maker	28-Oct-19
19-513	part of 145961	646-BLD-19	20-Sep-19	7-Oct-19	APPROVED	237 Sherwood Road	Self storage building	Joe Coady	28-Oct-19
19-517	345009	652-BLD-19	24-Sep-19	8-Oct-19	APPROVED	155 Cumberland Street	New deck	Next Phase Developments	29-Oct-19
19-528	344135	667-BLD-19	30-Sep-19	9-Oct-19	APPROVED	82 Fitzroy Street	Signage	Slaymaker & Nichols	30-Oct-19
19-533	351981	675-BLD-19	3-Oct-19	8-Oct-19	APPROVED	40 Churchill Avenue	Add second floor to existing mudroom	Terrie Williams	29-Oct-19
19-534	716118	678-BLD-19	7-Oct-19	10-Oct-19	APPROVED	75 Fitzroy Street	Convert/renovate to convenience store	Nguyen Quoc Tuan	31-Oct-19



Planning & Heritage Summary (Week ending October 18, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

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Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-009	345736	009-BLD-19	10-Jan-19	16-Oct-19	APPROVED	140 Rochford Street	New fire escape	James Johnston	6-Nov-19
19-105	part of 1100528	112-BLD-19	13-Mar-19	15-Oct-19	APPROVED	50 MacWilliams Road (Lot #4)	Occupancy Permit: New 6-unit townhouse with garages	Afleck Construction	5-Nov-19
19-185	344218	522-BLD-19	07-Aug-19	10-Oct-19	APPROVED	155 Kent Street	Exterior façade improvements (Hotel)	William Chandler	31-Oct-19
19-208	1100528	244-BLD-19	02-May-19	15-Oct-19	APPROVED	74-76 MacWilliams Road (Lot 7)	Two 4-unit condominiums (South Side)	Doug Beaton	5-Nov-19
19-291	145755	337-BLD-19	06-Jun-19	16-Oct-19	APPROVED	550 Malpeque Road	Occupancy Permit: Renovating building for grocery store	Amon Sedighi	6-Nov-19
19-545	340802	696-BLD-19	15-Oct-19	18-Oct-19	APPROVED	228 Grafton Street	Change window to exterior door	Yue Liu	8-Nov-19
18-543	1091289 Parent	471-BLD-18	09-Oct-18	17-Oct-19	APPROVED	40-42 Bambrick Drive (Lot # 36)	Occupancy Permit: New Semi Detached Dwelling	Luke Morrison	7-Nov-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-058	371153	4-Oct-2019	15-Oct-2019	15-Oct-2019	APPROVED	154-156 Nassau Street	Lot subdivision (2 lots)	Steven Larter	5-Nov-2019

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-011B	396713	626-REZ-19	16-Sep-19	15-Oct-19	Approved to proceed to public consultation	68 Brackley Point Road (Vacant Lot)	Rezone property from R1L to R3	Hill-Bay Holdings	5-Nov-19
19-058	278531	515-VAR-19	01-Aug-19	15-Oct-19	Approved for reconsideration	13 Donwood Drive	Minor variance - Home Occupation	Paula MacDonald	5-Nov-19
19-101B	N/A	N/A	06-Aug-19	15-Oct-19	APPROVED	Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining to Operations, Minor and Major Variances, Design Review, Accessory Structures, Non-Conforming Buildings, Non-Conforming Uses, Parking Space	City of Charlottetown	5-Nov-19



19-140	336826, 336818	645-VAR-19	20-Sep-19	15-Oct-19	APPROVED	60-62-64-66 Dorchester Street	Standards, Subdivision Regulations for Decreased Lot Size through Variance, General Provisions for Fascia Signs, 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 and Exemptions to sign regulations for Designated properties.	Nine Yards Studio	5-Nov-19			
19-437	392878	551-VAR-19	16-Aug-19	15-Oct-19	APPROVED	17 Tamarac Ave	Major variance - Side yards	Diana Greer	5-Nov-19			
19-483	335687	605-VAR-19	04-Sep-19	15-Oct-19	APPROVED	50 King Street	Minor variance - Home occupation	Tim Banks	5-Nov-19			
19-507	492579	635-VAR-19	18-Sep-19	15-Oct-19	REJECTED	33 Bolger Drive	Major variance - Lot area	Aaron Stavert	5-Nov-19			
19-508	336974, 336966, 336909, 336917	636-VAR-19	18-Sep-19	15-Oct-19	APPROVED	94-98 Dorchester St., 100-102 Dorchester St., 91 King St., 93 King St.	Major variance - Lot frontage and side- yard setback	Nine Yards Studio	5-Nov-19			
19-509	352955	637-VAR-19	18-Sep-19	15-Oct-19	APPROVED	21 Greenfield Avenue	Major variance - Side yard	John Reddin	5-Nov-19			
2019- 052	1102102, 1078179		5-Sep-2019	15-Oct-19	APPROVED	165 & 185 John Yeo Drive	Lot consolidation	Pan American Properties	5-Nov-19			
2019- 056	336990, 336982		18-Sep-2019	15-Oct-19	APPROVED	58-64 Queen St. and 68 Queen St.	Lot consolidation	Nine Yards Studio	5-Nov-19			



Planning & Heritage Summary (Week ending November 1, 2019)

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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
19-015B	368894	714-DEM-19	21-Oct-19	24-Oct-19	APPROVED	368 University Avenue	Demolition of existing building	Michael Frizzell	14-Nov-19
19-146	388272	742-BLD-19	29-Oct-19	30-Oct-19	APPROVED	21 John Yeo Drive	Fascia Sign	Sign Craft (Mike Savidant)	20-Nov-19
19-149	337535	375-BLD-19	14-Jun-19	1-Nov-19	APPROVED	38-40 Hillsborough Street	Renovations to existing dwelling	Terrie Williams	22-Nov-19
19-362	353177	722-BLD-19	22-Oct-19	1-Nov-19	APPROVED	57-59 Churchill Ave	Parking lot in back yard	Bill Zhang	22-Nov-19
19-548	354324	708-BLD-19	17-Oct-19	31-Oct-19	APPROVED	63 Spring Park Road	Interior renovation	Haoming Zhang	21-Nov-19
19-552	763300	704-BLD-19	16-Oct-19	28-Oct-19	APPROVED	13 Elizabeth Street	Renovate basement to add 1-bedroom secondary suite	Melissa VanToever	18-Nov-19
19-581	1008648	746-BLD-19	31-Oct-19	1-Nov-19	APPROVED	23 Taylor Street	Accessory building	Roxanne Larter	22-Nov-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
19-156	340265	173-BLD-19	05-Apr-19	28-Oct-19	APPROVED	80 Grafton Street	Request to amend the Development Agreement	80 Grafton Street Inc.	18-Nov-19



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
REPORT TO COUNCIL
November 12, 2019**

The Protective & Emergency Services Committee met on November 4th 2019. The minutes are included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Bob Doiron, Chair

PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
Monday, November 4, 2019 at 12:15 P.M.
Parkdale Room, City Hall

Present: Councillor Kevin Ramsay Randy MacDonald, FC
 Councillor Mike Duffy Paul Smith, PC
 Councillor Greg Rivard Sean Coombs, DPC
 Peter Kelly, CAO Helen McGuigan, Exec. Asst

Absent: Councillor B. Doiron
 Tim Mamy, DFC
 Brad MacConnell, DPC
 Mayor Philip Brown

1. Call to Order

Vice-Chair Kevin Ramsay called the meeting to order at 12:15 P.M. as Chair Bob Doiron was not in attendance.

2. Declarations of conflict of interest

There were no conflicts of interest declared.

3. Approval of Agenda

The agenda was approved as circulated. With Committee's approval two additional items were added to the agenda: Maypoint Intersection and Information Session.

4. Adoption of Minutes

The minutes from October 7, 2019 were approved as circulated.

5. Business Arising from Minutes

There was no business arising from minutes.

6. Reports - (Fire)

FIRE - OPERATIONAL REPORT – Fire Chief Randy MacDonald provided the following information from the Fire Department for the period from October 1 to October 28, 2019:

FIRE INSPECTIONS - Eighty-one fire inspections were conducted

FOLLOW UP INSPECTIONS – There were thirty-three follow up inspections.

HAZARD COMPLIANCE ORDERS – Twenty-six Hazard Compliance Orders were issued.

INSPECTIONS CLOSED – There were nineteen closed inspections.

COMPLAINT INSPECTIONS – There were three complaint inspections.

PLAN REVIEWS, PERMITS, SAFETY PLANS – There were seven Plan Reviews, Permits and Safety Plans.

FIRE INVESTIGATIONS – There was one fire investigation.

PUBLIC EDUCATION SESSIONS/PARTICIPANTS – There were ten sessions with a total of 315 participants.

FIRE DRILLS – There were two fire drills.

SMOKE ALARM VISITS – There were 93 smoke alarm visits, 55 homes were entered, 38 door tags were placed, 7 batteries were replaced and 2 smoke alarms were installed.

EMERGENCY RESPONSES – Total number of calls was 68. District 1 had 32 emergency responses (Engine 1 – 8 A.M. – 4 P.M. – 9 responses and 12 P.M. – 8 A.M. – 3 responses). District 2 had 22 emergency responses. There were 2 inspector call outs. Total time of all calls was 31 hours and 29 minutes.

TRAINING - Weekly Department training consisted of incident command system and accountability exercises, live fire exercises, job performance reviews, automobile extrication practice, rapid intervention crew training along with Paratech equipment and rope rescue training. Electric Vehicle training is scheduled and some Peer Support training is being explored for union members.

DEPARTMENT ACTIVITIES – Once again the Annual Firefighters Ball was very successful thanks to the efforts of Fire Prevention Officer Cindy MacFadyen, Committee Members and help from many other members. The event was held at the Eastlink Centre. Fire Prevention week was very busy and successful with schools receiving fire safety visits and information along with media releases and smoke alarm awareness and prizes. Duty crews were present for the Marathon event and participated in a Newcomers Welcome session and the second recruitment orientation session. The Volunteer Firefighter Recruitment campaign has closed – awaiting final paperwork from those that applied. Twenty-two information packages were issued during the recruitment campaign. Members are preparing for Remembrance Day and the Annual Christmas Parade.

Chief MacDonald also provided the following information to Committee:

- FD Social Media had 2014 tweets, 2481 followers and 2116 Face Book likes.
- EMO-MOU's – Have been updated and circulated.
- Post Tropical Storm "Dorian" Debriefing – Held on October 17th in which recommendations were discussed.
- Automatic Sprinkler Systems – Continue to collect information on cost.
- Fire Prevention Week – Thank you to all our members who participated in the many events. Great Job.
- Capital Budget – Commencing to obtain quotations for various pieces of equipment.
- Reception Centre's – Sherwood Hall would be opened as a Reception Centre based on an as needed requirement. Currently this facility does not have emergency power capability.

7. Reports – (Police)

Police Operational – Chief Smith updated Committee on the CIBC Run for the Cure and the PEI Marathon. Both events took place with no issues from a policing perspective.

Extra patrols were conducted on Halloween night with no issues.

Police Services is planning for the Remembrance Day Parade and Service as well as the upcoming Santa Claus Parade.

Traffic – Chief Smith updated Committee on discussions he and Scott Adams, Manager of Public Works had regarding the crosswalk located on Mount Edward Rd. by the Mount for Continuing Care. They also continue to discuss the four way stop at the intersection of Pine Drive and Maple Avenue. Both items will be further discussed.

There was a short discussion concerning the Maypoint Road intersection and new business developments as it pertains to traffic. Several City Departments awaiting an updated report from Planning.

Councillor Duffy spoke to Committee regarding an information session he would like to have in the future regarding safety.

Bylaws – Chief Smith discussed the Taxi Bylaw with Committee pertaining to ride sharing and the work underway to examine same.

Community Policing – Deputy Chief Coombs updated Committee on the following:

- Police Services members attended the Indigenous Justice Form.

- Mark King, Ticket Coordinator completed the PEI Marathon in under 4 hours
- Deputy Chief Coombs participated in the City of Charlottetown Relay Team.
- Road Checks were conducted with participation from MADD, Highway Safety and Police Services on October 4th 2019. Passed out MADD pamphlets and promoted safe driving habits.
- School Resource Officers participated in the 2019 Youth Summit. The focus was on trauma informed services available to youth who have been victimized. They practiced the Mountain Path approach which is used to connect with high risk teens.
- Outreach Community Meeting was held at Police Services. This included Police, School Staff and administration, parents, Newcomers Society. This meeting was held in response to the parking lot disturbance at Colonel Grey High School.
- Officers participated in an Outreach/Tail Gate party hosted by Colonel Grey High School promoting school spirit in conjunction with the Wall of Fame Cup Soccer and Volleyball Tournament.
- Charlottetown Police Services participated in the Halloween Patrol along with Mayor Brown, Fire Department, Ocean 100, Holland College Hurricanes and the Charlottetown Islanders.
- Charlottetown Police Services has a new wrapped vehicle which was funded in partnership with the PEI Cannabis Management Corporation, PEI Liquor Control Commission and the City of Charlottetown. The Police van with its new messaging will now be able to warn Islanders that driving under the influence of cannabis is driving while impaired and is punishable by law.

Personnel – Chief Smith will be working with Human Resources to fill a Constable’s position.

Planning is under way to arrange for training in First Aid and CPR to be held in the near future.

8. Motion to Move into Closed Session

Moved by Councillor Duffy and seconded by Councillor Rivard 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.



#10 FIRE CALLS FOR OCTOBER 2019

District #1		District #2	
Type	Number	Type	Number
A/Alarm – Alarm Ringing No Fire	12	A/Alarm – Alarm Ringing No Fire	1
A/Alarm – Pulled Accidental	4	A/Alarm – Pulled/Accidental	3
A/Alarm – Smoke/Steam	1	A/Alarm – Smoke/Steam	2
A/Alarm – Equip Malfunction	7	A/Alarm – Equip Malfunction	3
A/Alarms – Working on System	6	A/Alarm – Sprinkler/Power	1
A/Alarm - Cooking	4	A/Alarm – Working on System	1
Mutual Aid/Medical/EMS	5	A/Alarm - Cooking	4
Black Smoke	1	Smoke From Building	1
Garbage Fire	1	Motor Vehicle Accident	1
Motor Vehicle Accident	3	Motor Vehicle Fire	1
Power Line Fire	2	Mutual Aid EMS	5
Elevator Rescue	1	Orange Flashing Light	1
Fire Calls	47	Fire Calls	24

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	47	24 (71) (661)
November	53	+ 34 (87) (654)	November		
December	35	+ 23 (58) (712)	December		
	Total Calls for 2018 – 712				

2019 (2018) (From January 1st to October 31, 2019)

107	105	Auto Alarms (No Fire/Alarm Ringing) both Station
10	14	Auto Alarms – Detector Activated both Stations
31	30	Auto Alarms – Pulled/Accidental/False both Stations
15	18	Auto Alarms – Smoke/Steam/Dust both Stations
89	60	Auto Alarms – Equip. Malfunction both Stations
6	8	Auto Alarms – Sprinkler/Power Failure both Stations
42	39	Auto Alarms – Working on System/Workers set off
67	59	Auto Alarms – Cooking both Stations
367	333	Total Auto Alarm
73	49	Mutual Aid/Stand By - Both Stations
16	13	Fire Calls to the WR Ind. Park – District #2

	2019 Monthly Reported	2019 Monthly Actual	2019 Actual To Date	2018 Monthly Actual	2018 Actual To Date
Robbery	0	0	13	2	7
Assault	25	21	240	28	235
Break & Enter	17	12	91	5	77
Theft of MV	3	2	24	7	15
Theft Over \$5000	0	0	10	0	12
Theft Under \$5000	129	115	961	71	708
Have Stolen Goods	5	5	50	7	21
Frauds	15	12	228	20	177
Offensive Weapons	2	1	18	0	12
Other Criminal Code	126	102	1009	86	800
Drugs	11	11	78	16	102
LCA	49	48	497	20	383
Municipal - Totals	2783	2782	28370	2909	27488
Parking Tickets	2673	2673	27208	2824	26335
Nuisance Bylaw	92	91	898	67	809
Dog Bylaw	18	18	264	18	344
Collisions	92	92	880	102	829
HTA	229	229	3350	232	3958
HTA Violations		163	2840	181	3600
Other Traffic	72	71	605	46	691
CC Traffic	46	28	260	23	294
Complaints		1443	14040	1275	12232

HIGHWAY TRAFFIC ACT – SPEED MONITORING

Police vehicles are equipped with radar monitoring devices, which provide speed monitoring capabilities in both stationary and moving operational modes from both marked and unmarked police vehicles. These capabilities provide monitoring to be at random and targeted locations.

The following is a synopsis of vehicles found in violation of speeding regulations for the month of Oct. 2019.

Brackley Point Rd/Sherwood	3
Fourth St	1
Lower Malpeque Rd/Arterial Bypass	1
Lower Malpeque Rd/Highfield	5
Lower Malpeque Rd/Westway	2
North River Rd/Inkerman	1
Oak Dr/Mount Edwrd	1
Pine Dr/Maple	1
Route 2/Melogy	3
Route 2/Stockman	1
St Peters Rd/Greenwood	1
St Peters Rd/MacWilliams	1
University Ave/Browns	2
University Ave/Enman	2
University Ave/McKinnon	1
Upton Rd	4

HIGHWAY TRAFFIC ACT – Moving Violations non- speeding

The following is a synopsis of vehicles found in violation of non-speed related moving violations for the month of Oct 2019.

Bardin Cres/Leis Point	1
Beasley Ave/St Peters	1
Belvedere Ave/Carmichael	1
Brackley Point Rd/Sherwood	1
Capital Dr/Spencer	1
Commonwealth Ave/Lower Malpeque	1
Fitzroy St/Weymouth	1
Edward St/Fitzroy	1
Euston St/Longworth	1
Exhibition Dr/Kensington	1
Hillsborough St/Kent	1
Kent St/Great George	1
Kent St/Prince	1
Kirkwood Dr/Queen	1
Kirkwood Dr/University	1
Maple Hills	2
North River Rd/Beach Grove	2
North River Rd/Buchanan	1
North River Rd/Warburton	1

MOVING CONT'D PAGE 2	
Orlebar St	1
Queen St/Dawson	1
Queen St/Newland	1
Rte 2/Arterial	1
Rte 2/Stockman	1
Stewart St/Queen	1
St Peters Rd/Arterial Hwy	2
St Peters Rd/MacWilliams	1
Univeristy Ave/Belvedere	1
University Ave/Buchanan	1
University Ave/Enman	1
Upton Rd	1
Water St Pkwy	1

HIGHWAY TRAFFIC ACT – Non-Moving Violations

The following is a synopsis of vehicles found in violation of non-moving violations for the month of Oct 2019.

Artrial Hwy/Route 2	3
Allen St/Upper Price	5
Beach Grove Rd/Maypoint	6
Belvedere Ave/North River Rd	1
Belvedere Ave/Queen	5
Brackley Point Rd/Arterial	2
Brackley Point Rd/Ellis	1
Brackley Point Rd/Thistle	1
Buchanan Dr/Sanstone	2
Capital Dr/Sandstone	1
Edward St/Fitzroy	3
Edward St/Kent	5
Euston St/Prince	2
Fitzroy St/Weymouth	3
Great George St/Grafton	2
Hunt Ave	1
Irwin Dr/Route 2	1
Kensington Rd/Exhibition	3
Kent St/Great George	1
Kent St/Hillsborough	2
Longworth Ave	2

NON-MOVING CONT'D PAGE 2	
Lower Malpeque Rd/Melody	1
Mount Edward Rd/Belvedere	1
Mount Edward Rd/Kenlea	1
Nassau St/Queen	1
North River Rd/Beach Grove	2
North River Rd/Brighton	2
North River Rd/Capital	1
North River Rd/Warburton	1
Palmers Lane/Mount Edward	2
Pownal St/Richmond	1
Queen St/Kirkwood	2
Queen St/Passmore	1
Riverside Dr/Exhibition	1
Rosemount Dr/Ashburn	2
Route 2/Countryview	1
Route 2/St Dunstons	1
St. Peters Rd/Arterial	4
St Peters Rd/MacRae	2
University Ave/Allen	1
University Ave/Belvedere	1
University Ave/Browns	1
University Ave/Capital	1

NON-MOVING CONT'D PAGE 3	
University Ave/Enman	2
University Ave/Nassau	1
University Ave/Summer	2
Upton Rd	1
Walker Dr	1
Water St/Weymouth	1
Weymouth St/Grafton	3
Weymouth St/Longworth	3
Willow Ave/Kirkwood	1

CHARLOTTETOWN POLICE DEPARTMENT
BY-LAW ENFORCEMENT
Monthly Report October 2019

Phone Call Breakdown

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	106	527	633
Nuisance	23	129	152
Zoning & Development	31	166	197
Traffic	26	192	218
Snow Related	0	68	68
Street Vendors	14	238	252
Other Bylaws (Crossing Guards, Etc)	24	138	162
TOTAL	196	1262	1458

Taxi Bylaw Breakdown

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	5	40	40
Taxi Inspections	2	204	206
Total	7	244	251

Breakdown of Duties

	Week 1 October 1 st - 4 th	Week 2 October 7 th - 11 th	Week 3 October 14 th - 18 th	Week 4 October 21 st - 25 th	Week 5 October 28 th - 31 st	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	5	5	6	5	4	25	368	393
Files CONCLUDED	4	4	5	5	3	21	348	369
Site Visits	7	10	14	13	12	45	426	471
SOT's sworn	0	0	0	0	0	0	2293	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 196 calls received/made through the Bylaw Enforcement Office for October.
- There were 25 Occurrences generated as a result of complaints.
- There were 45 site visits/follow-ups made in October
- There was two (2) "Written Warnings" in October
- There is no "Resolutions To Council" this month.



**WATER AND SEWER UTILITY COMMITTEE
REPORT TO COUNCIL
NOVEMBER 12, 2019**

The Water and Sewer Utility Committee met on October 23, 2019 and the minutes are included in your package.

There is (1) resolution for your consideration.

Respectfully submitted,

Deputy Mayor Jason Coady, Chair

Water & Sewer Utility Committee
Wednesday, October 23, 2019
12:00 PM – Parkdale Room

Present:

Deputy Mayor Jason Coady, Chair
Councillor Bob Doiron, Member at Large
Councillor Mitchell Tweel, Member at Large
Mayor Philip Brown, Member at Large
Peter Kelly, CAO
Richard MacEwen, UM
Pauline Gass, OC

Regrets: Councillor Julie McCabe, Vice-Chair

1) Call to Order

Deputy Mayor Jason Coady called the meeting to order at 12:05 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

The agenda was approved as circulated. Councillor Mitchell Tweel wanted to add the water & sewer rates to the agenda.

4) Adoption of Minutes

It was moved by Mayor Philip Brown and seconded by Councillor Mitchell Tweel that the minutes from September 16, 2019 be approved.

CARRIED

5) Business arising from Minutes

- a) Councillor Mitchell Tweel stated that people aren't happy with the increase of the water & sewer rates plus not being notified that there would be that high of an increase.

It was moved by Councillor Mitchell Tweel and seconded by Councillor Bob Doiron to forward a request to the Finance Department to cut the rate increase in half.

CARRIED

Mayor Philip Brown opposed

6) New Business

- a) Tree Removal and Drainage Swale Installation at Brackley –The PEI TIE has requested permission to construct a drainage swale on the wellfield. The Utility would be compensated \$500.

It was moved by Councillor Mitchell Tweel and seconded by Councillor Bob Doiron to all PEI TIE to construct a drainage swale at the Brackley wellfield in exchange for \$500.

CARRIED

- b) CPCP Chemical Tender: The UM is requesting to accept the tender from SNF Canada based on past supplier performance.

It was moved by Mayor Philip Brown and seconded by Councillor Mitchell Tweel to accept the tender from SNF Canada.

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 Mayor Philip Brown and Councillor Mitchell Tweel.

CARRIED

8) Motion to move into Open Session

It was moved by Mayor Philip Brown and seconded by Councillor Mitchell Tweel.

CARRIED

9) Adjournment of Public Session

Meeting adjourned at 1:10pm.



CITY OF CHARLOTTETOWN

RESOLUTION

Water & Sewer #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____

Seconded by Councillor _____

RESOLVED:

That SNF Canada Limited's quote for the supply of Charlottetown Pollution Control Plant Chemicals in the amount of \$120,327.03 (HST included) be accepted,

And that this be expensed out of the Utility Operating Budget,

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



Report No: WSC 14-19

Date: October 28, 2019

Directed to: Utility Chair & Committee

Department: Utility

Prepared by: Richard MacEwen, Utility Manager

Attachments:

- Tender Responses
- Vendor Performance Report
- Vendor Performance Email

Subject: CPCP Chemical Tender

Recommendation:

Accept the tender for CPCP Chemicals from SNF Canada.

Report:

A tender was issued for the purchase of chemicals to be used at the Charlottetown Pollution Control Plant. The values provided in tender documents were used to provide the comparison below.

Tenders Received:

Item	Quantity	SNF Canada	Brenntag	SNF Canada	Brenntag
Centrifuge Polymer	10500	\$ 5.69	\$ 4.65	\$ 59,745.00	\$ 48,825.00
Defoamer	1120	\$ 8.56	\$ 8.80	\$ 9,587.20	\$ 9,856.00
WAS Thickener	10000	\$ 3.53	\$ 4.23	\$ 35,300.00	\$ 42,300.00
Subtotal				\$ 104,632.20	\$ 100,981.00
HST				\$ 15,694.83	\$ 15,147.15
Total				\$ 120,327.03	\$ 116,128.15

While Brenntag has submitted the lowest price their past service has not been satisfactory. On three occasions the vendor has not been able to supply product. We have had to make arrangements with others at an increased cost to meet our needs.

Based on Brenntag's poor performance we recommend disqualifying them from the tender.

Respectfully,

Reviewed By:

CAO

Mgr

Other

Recommendations/Actions:

Forward to Council for consideration.

RFQ SUBMISSION

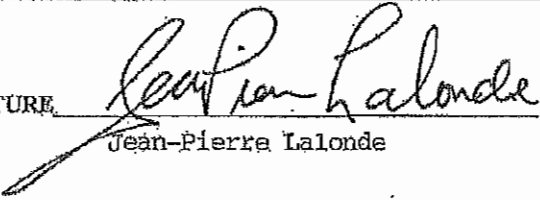
ITEM DESCRIPTION	QUANTITY	Unit Price	COST
Centrifuge Polymer (750 kg Tote)	14	\$5.69/kg	\$ 59,745.00
Centrate Defoamer (16 kg Pall)	70	\$ 8.56/kg	\$ 9,587.20
WAS Thickening Polymer (1000 L Tote) 10		\$3.53/kg	\$ 35,300.00
HST (15%)			\$ 15,494.83
Total Submission Price			\$ 120,327.03

BID COMPANY NAME: SNF Canada Ltd.

CONTACT NAME (PRINT): Jean-Pierre Lalonde - Regional Manager

TELEPHONE/CELL PHONE: (416) 486-7853 / Cell # (519) 242-3219

EMAIL: jplalonde@snfcanada.com

SIGNATURE:  **Date:** October 4, 2019

Jean-Pierre Lalonde

(Affix Corporate Seal)
(If Applicable)

RFQ SUBMISSION

ITEM DESCRIPTION	QUANTITY	Unit Price	COST
Centrifuge Polymer 700KG SUPER BAGS (750 kg Total)	14	\$ 3 255/per bag of 700kg	\$ \$ 45 570.00
Centrate Defoamer (16 kg Pail)	70	\$ 140.00/per 16kg pail	\$ \$ 9 856.00
WAS Thickening Polymer (1000 L Total) 10 (1000L)		4.23/kg	\$ \$ 11 844.00
HST (15%)			\$ \$ 10 090.50
Total Submission Price			\$ \$ 77 360.50

BID COMPANY NAME: Brenntag Canada Inc.
CONTACT NAME (PRINT): Michel Woodbury- District Sales Manager- ATLD
TELEPHONE/CELL PHONE: 902-240-4968
EMAIL: mwoodbury@brenntag.ca

SIGNATURE:  **Date:** 15 October 2019
Michel Woodbury- District Sales Manager- ATLD

(Affix Corporate Seal)
(If Applicable)

VENDOR PERFORMANCE REPORT

(Upon the completion of the following, a copy is to be sent to the Finance Department, City Hall
199 Queen Street)

DATE: June 24, 2019	REFERENCE ORDER Purchase Order#: 303641 Contract #: 2017 Tender awarded to CCC Work Order #:
ISSUING DEPARTMENT: Charlottetown Pollution Control	DEPARTMENT CONTACT: Steven Stewart
VENDOR NAME: Brentag	VENDOR CONTACT: Jean Desroches

THE ISSUING DEPARTMENT HAS FOUND THIS VENDOR'S PERFORMANCE TO BE:

FAIR POOR UNACCEPTABLE

WITH REGARDS TO THIS ORDER:

EXPLAIN: On 2 separate occasions the Vendor has not been able to provide the product that we have ordered. The first incident occurred in Feb 2019 in which we ordered Burst 1400. The product was not delivered on time and we were forced to purchase another antifoam from another supplier to keep our process going until Brentag was able to supply our order. The second incident occurred in June 2019. We had sent Jean Desroches an order of 2 - 750 kg of super sacs of Zetag 8165 on May 31, 2019. On June the 12th we received a quote from Jean Desroches. Steven Stewart from Charlottetown responded asking why we are getting a quote and explaining that we are purchasing under an extended contract that started with CCC. Because of the delays caused by the communication issues the Charlottetown Pollution Control Plant runs out of Polymer on June 19, 2019 and is unable to run the process until we receive polymer from SNF. The polymer from Brentag does not arrive until July 4th.

Both instances caused production shutdowns and the product had to be rushed in from other vendors at a higher cost because Brentag was unable to supply the product.

HAS THE VENDOR BEEN NOTIFIED OF PROBLEM? YES NO WHEN: Feb 2019 and again July 4, 2019 with this form being sent with the July 4th

WHAT RESPONSE WAS RECEIVED: The vendor rep (Jean Desroches) Apologized and provided Steven Stewart with confirmation that we would be able to get the product delivered on time. This was in March 19, 2019. Again Jean on June 17, 2019 Jean Desroches apologized and worked with his supplier to try to expedite the delivery time but the order was not filled until July 4, 2019.

HAS THE CITY FINANCE DEPARTMENT BEEN PREVIOUSLY NOTIFIED: YES NO

WHEN? _____

RECOMMENDATIONS FROM USER:

Avoid accepting Tender offers from Brentag Canada in the future if they are not able to resolve these issues and are unable to provide their product within the time frame we require.

ACTION BY THE FINANCE DEPARTMENT:

MacEwen, Richard

From: Jean Desroches/Canada/Brenntag <JDesroches@brenntag.ca>
Sent: Friday, October 25, 2019 9:02 AM
To: Stewart, Steven
Cc: MacEwen, Richard; Lanigan, Mark; Wedlock, Stephen; Anna Edwards/Canada/Brenntag; Genevieve Marquis/Canada/Brenntag; Michel Woodbury/Canada/Brenntag; Rachel Laberge/Canada/Brenntag
Subject: RE: RFQ submissions for CPCP Chemicals-City of Charlottetown

Good Morning Steven,

Your reaction is understandable and I am fully aware of the details justifying your decision. You have the right to decide what is in the City's best interest and I respect your decision. Brenntag's recent record, at the City of Charlottetown, is not compatible with our quality standards. Again, I personally and corporately apologize for the recent issues you did suffer.

After the last incident, Brenntag's upper management were advised of our problems with our polymer supplier. We found things that are currently under review with all appropriate stakeholders, internally and at the supplier.

Finally, I wish to tell you that I will never let your business relationship go because I am not this kind of person. In this episode, we saw that we have some weaknesses, we are learning and improving from them. It is now my mandate to show you the amazing strength of Brenntag and to provide you the high standards that make our world-class reputation. As promised, I will be in your plant, on November 4th 2019, to solidify our relationship and show you we care about you and our partnership.

We lost a battle.
We learn.
We will do better because it's never too late to improve.

Have an amazing week-end.
With kind regards,

Jean Desroches, M.Sc., EES
Directeur de comptes- Account Manager
Eaux-Québec et Maritimes
Quebec and Maritimes Districts-Water

BRENNTAG

Brenntag Canada Inc.
2900 JB Deschamps | Lachine, QC, Canada, H8T 1C8
(C) 514-206-8446
jdesroches@brenntag.ca
www.brenntag.ca

Connecting Chemistry

Les clients CDI et Brenntag doivent envoyer leur commande à l'adresse commandesqc@brenntag.ca
CDI and Brenntag customers are encouraged to send orders to commandesqc@brenntag.ca
atlanticorders@brenntag.ca is the Dartmouth CSR orders general email address.

De : Stewart, Steven <sstewart@charlottetown.ca>

Envoyé : 25 octobre 2019 06:43

À : Jean Desroches/Canada/Brenntag <JDesroches@brenntag.ca>

Cc : MacEwen, Richard <rmacewen@charlottetown.ca>; Lanigan, Mark <mlanigan@charlottetown.ca>; Wedlock, Stephen <swedlock@charlottetown.ca>

Objet : FW: RFQ submissions for CPCP Chemicals

Jean Desroches,

Please be advised that the City of Charlottetown is disqualifying Brenntag from the current polymer Tender and for 2 years from the tender process because of poor performance on the part of Brenntag regarding delivery issues and product availability. This was documented and sent to Brenntag in the attached tender performance document and in a recent email (also attached) to yourself advising you that we are not continuing with the current agreement which ends Dec 31, 2019.

Regards

Steven Stewart
Superintendent Waste Water Treatment Plant

City of Charlottetown

PO Box 98, 199 Queen Street

Charlottetown, Prince Edward Island

Canada, C1A 7K2

Office: 902-628-6647

Cell: 902-213-0483

Fax: 902-628-6684

[sstewart@charlottetown.ca](mailto:ssewart@charlottetown.ca)

www.charlottetown.ca



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**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
REPORT TO COUNCIL
November 12th, 2019**

The Public Works & Urban Beautification Committee have not met since the last Monthly Meeting of Council.

One resolution is anticipated to be forwarded.

Respectfully submitted,

Councillor Mike Duffy, Chair



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works – Urban Beautification #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 12th, 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 amount be expensed to the 2019-20 Public Works 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.
- Council approved \$240,000 under the 2019-20 PW Capital Budget for the work. At the time of budget, the Public Works management team were planning on using a dump box/salt spreader combination unit, which is the current configuration of our fleet. However, after speaking with staff and other municipalities this past year, as well as analyzing the maintenance/repair costs and time to get our older trucks ready for winter each year, it was highly recommended that we go with a removable dump box system where the truck unloads the dump box and lift on a spreader box. This system is more costly, but will help reduce long term maintenance cost and put less strain on our mechanics when they need to remove/install the winter equipment at the beginning and end of each season.
- Since we have a short fall of \$103,500.00, staff have identified the necessary funds from another project that will not be completed this year, namely the MacAleer Accessory Building Replacement Project.
- This work is recommended for award by Public Works staff as our current fleet of plow trucks is aging and is no longer reliable.



**ECONOMIC DEVELOPMENT, TOURSIM & EVENTS MANAGMENT
COMMITTEE
REPORT TO COUNCIL
NOVEMBER 12, 2019**

The Economic Development, Tourism & Events Management Committee met October 16th and the open draft minutes are included in your package.

The Charlottetown Arts Advisory Board met October 8th 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
October 16, 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 **Cindy MacMillan, AA**

1. Call to Order

Chair Councillor Kevin Ramsay called the meeting to order at 12:20PM.

2. Declarations of conflict of interest

There were no conflicts of interest declared.

3. Approval of Agenda

Councillor Tweel requested to add an item to the agenda pertaining to the Eastlink Centre. It was moved by Mayor Brown and seconded by Councillor Tweel that the agenda be approved as amended. Carried.

4. Adoption of Minutes

It was moved by Councillor MacLeod and seconded by Councillor Tweel that the minutes from September 18, 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. Ron is working with Innovation PEI on establishing meetings with foreign companies in the financial/IT sectors. Ron has completed application for federal funding for two marketing projects in 2020. The first Newcomers Orientation took place on October 10th. The event was very well received with about 50 people in attendance, and numerous City departments participated as well. The department is working on updates/ changes to the Newcomers Welcome Guide marketing which has been very popular collateral material. Ron sits on the PEI BioAlliance meetings and provided an update on progress this year with 58 companies in the cluster and new jobs up by 200 so far this year. The

organization is working toward 2 new projects which will continue to grow this sector in the next several years. Ron advised the Committee about local business updates and as well he participated in PEI Export Day.

b. Tourism Update

Laurel Lea, TO, provided the Committee with a departmental update. The Ashibetsu Student Exchange begins tomorrow and will take place October 17-24. There will be a welcome reception hosted at City Hall for the students and their host families tomorrow evening which Council is encouraged to attend.

There are 11 remaining port calls this cruise ship season (weather permitting). A question was raised by Councillor Tweel in follow-up to his question from the floor at the October Monthly Council Meeting pertaining to the economic impact of the cruise industry on Charlottetown. The TO indicated that she would be circulating an economic impact study received from Port Charlottetown and conducted by an independent party in 2017. This report is typically updated every 4-5 years with the next data set anticipated to be collected during the 2020 cruise season. The data contained in the report is for Prince Edward Island as a whole; however, Port Charlottetown has indicated they are willing to attend a future meeting to discuss impacts on Charlottetown specifically. Mayor Brown asked the TO to look into the City participating as a part of next year's SeaTrade event.

Planning for the Charlottetown Christmas Parade and Capital New Year continue. The TO advised that the Christmas Parade will take place on November 30. A meeting will be held in the near future with Police and Public Works with respect to logistics along the route. A new staging area along Raiders Road has also been identified to alleviate issues related to the increase in traffic on the UPEI campus. Parade Float registration opened on October 15 and will close on November 15. Capital New Year celebrations will once again be held in conjunction with the Island Storm with initial planning meetings scheduled for late-October.

The TO advised that both she and the Tourism & Events Coordinator would be attending the upcoming TIAPEI Annual Conference at Red Shores. Mayor Brown noted that an invite had been received to attend the keynote presentation on short term rentals and asked the TO to follow up with TIAPEI to see if arrangements could be made for interested members of Council to attend that presentation without registering for the conference as whole.

c. Event Management Update

Wayne Long, EDO, provided the Committee with a departmental update. The EDO reported that the City's 2023 Canada Games infrastructure "wish list" has been officially submitted.

Wayne Long, EDO, provided the Committee with a departmental update. He highlighted that event hosting remains busy. Charlottetown recently hosted the U-17 Toyota Cup, Atlantic Karate Championship, and Atlantic Breeder's Crown. The PEI Marathon will be hosted on Sunday, October 20.

The Event Management file also continues to be steady with prospecting and bidding. A question was raised as to what the process was to secure the U-17 Toyota Cup event. The EDO explained that it requires regular contact with the national sport organization and local sport organization, the submitting of a detailed bid prepared by the City and at times, an in-person presentation.

Mayor Brown noted that it would be great to see more Charlottetown branding at national sporting events. The EDO advised that there are protocols that must be followed when it comes to branding at the venues during these events and that all participants receive a welcome package which includes Charlottetown visitor materials.

Mayor Brown advised that he has formed a volunteer-based working group committee for the Birthplace Initiative which he would like to invite to a future EDT&EM Committee Meeting to report their progress. The EDO updated the Committee on his recent communication with the City of Quebec (as per the Committee's previous direction) with respect to a partnered funding application around the Birthplace Initiative.

Chair Councillor Ramsay recently joined tourism and event staff at the International Festivals & Events Annual Convention & Retreat on a professional development mission.

The EDO will be participating in a number of upcoming attraction missions including Meetings & Conventions PEI (CSAE), PetroCanada Sport Leadership, CSTA (un)Golf, and as part of Team Canada at Regional SportAccord Pan America.

Planning for the Wintertide Holiday Festival and Jack Frost Winterfest are well underway. The City continues to be a partner in the Charlottetown Christmas Festival (formerly Victorian Christmas Weekend) and planning for the festival which is led by Discover Charlottetown is progressing.

The Events Vision for Growth project that is currently being carried out is nearing completion; however delays are still occurring as a result of key individuals not participating as part of the interview process. The EDO has been working with the consultant to try to bridge the gap.

The EDO reported that the municipality is often looked upon as a leader in event attraction and hosting. Many municipalities - most recently Red Deer and Barrie - reach out to the EDO on an ongoing basis inquiring about our structure, partnerships and recipe for success.

d. Birthplace of Confederation Stamp

Wayne Long, EDO, presented the report to the Committee. The EDO presented the report to the Committee. Staff have been working with Insight Brand & Marketing Studio at the direction of the Committee to develop a Birthplace of Confederation stamp. It was recommended that the stamp be used as outlined in the report when/where appropriate. The Communications Department will manage the use of the stamp.

The Committee unanimously endorsed the final product.

e. Eastlink Centre

Councillor Tweel raised a concern relating to a recent media story regarding the hiring of a new Manager at Eastlink Centre and questioned how confidential information is making its way to the media.

There was a further, broad discussion around the Eastlink Centre's operations.

Councillor MacLeod and Ron Atkinson excused themselves from the meeting at 1:25 PM

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

During the closed session the agreement for the 2020 STIHL Timbersports Canadian Championship was reviewed and discussed. It was moved by Councillor Jankov and seconded by Mayor Brown that a resolution be forwarded to Council to endorse the agreement. Carried.

9. Motion to adjourn

It was moved by Mayor Brown and seconded by Councillor Jankov that the meeting be adjourned. Carried.

Adjournment 1:55pm

Charlottetown Arts Advisory Board Meeting
Tuesday, October 8th
9:00 AM – Parkdale Room

Present: Barbara MacLeod, Chair Cheryl Wagner
 Brandon Hood Mark Sandiford
 Stephen MacInnis Ron Atkinson, EconDO
 Jill Stewart, EA

Regrets: Jennifer Campbell Na Lu (Lucy)

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 Mark and seconded by Cheryl that the agenda be approved as circulated.
Carried.

4. Adoption of Minutes:

The minutes from the September 9, 2019 meeting were included in the meeting package. It was moved by Cheryl and seconded by Stephen that the minutes be approved as circulated.
Carried.

5. Public Art Policy:

The Committee reviewed the proposed revised Public Art Policy. They discussed including temporary installations in the policy. Mark will make changes and the Committee will discuss the policy at the next meeting.

6. Public Art Idea Bank:

The Committee discussed the idea of a Public Art Idea Bank. It would be a request for submissions from the artist community and the general population for their ideas on public art projects & locations for the City of Charlottetown. These ideas would be submitted to the Arts Advisory Board. Then Board would then create a Public Art Idea Bank for future use. It was suggested that all the ideas be put in a book and put on display at City Hall. The Committee discussed the protection of the artist ie a release form. This item will be discussed at the next meeting.

7. **New Library Art Project:**

Barb reached out to Dawn Alan from DCI. There was not much to update the Committee on. Dawn did say however that there Board is discussing the possibility of a public art space in the library.

8. **Update on Fox Project:**

Ron had no update to report

9. **Introduction of New Business:**

- Invite only event at the Confederation Centre Library. Artists to throw around ideas for the space.
- .gain (PEI's Creativity Conference) - a one-day professional development conference specifically tailored to the developer, graphic design, performing arts, film production, writing and visual arts communities of PEI. It will be a networking and learning opportunity.

10. **Open Discussion on Public Art Ideas in Charlottetown:**

Discussed under Public Art Idea Bank

11. **Motion of Adjournment:**

Meeting Adjourned 10:30am



**ENVIRONMENT & SUSTAINABILITY COMMITTEE
REPORT TO COUNCIL
NOVEMBER 12, 2019**

The Environment & Sustainability Committee met on October 22 and October 29, 2019 and 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, October 22, 2019
12:00 PM – Parkdale Room, City Hall

PRESENT: Councillor Terry MacLeod, Chair
Councillor Greg Rivard
Mayor Philip Brown
Peter Kelly, CAO

ALSO: Ramona Doyle, MES
Jess Brown, SO
Beth Hoar, FEO
Shelley Connick, Administrator (Long-term Care Queens)

REGRETS: Councillor Terry Bernard, Vice-Chair
Councillor Julie McCabe

1) Call to Order

The meeting was called to order at approximately 12:20 PM by Chair MacLeod.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

It was requested that the two items pertaining to the buses on the closed agenda be moved to the open agenda. It was moved by Mayor Brown and seconded by Councillor Rivard that the agenda be approved as amended. Carried.

4) Adoption of Minutes

It was by moved by Councillor Rivard and seconded by Mayor Brown that the minutes from September 24, 2019 be approved as circulated. Carried.

5) Business Arising from the Minutes

Mayor Brown requested an update on the "Where the Wild Things are in the City" event and the East Royalty Transit Pilot project. Beth Hoar, FEO, advised the Wild Things event was cancelled a second time and is expected to be rescheduled for the late Spring. Ramona Doyle, MES, advised that the East Royalty Transit pilot project scaled back the day-time routes to allow for the pilot to be extended by three months at no additional cost.

6) Discussions/Reports

a. PE Home Village concept

Shelley Connick, Administrator with Long-term Care Queens presented concept plans of a project that is currently being designed for the Prince Edward Home. The concept is to create a Village Park on the property of the PE Home, that would provide and "accessible outdoor space to the residents of the Prince Edward Home and also to the residents of Charlottetown and surrounding communities". The project would offer a variety of activity areas including an Amphitheatre, recreation lawn, playground, gardens and pond side board walk.

The PE Home is looking for funding support to start the project, specifically pouring the concrete at a cost of approximately \$80,000. Further, they are looking for support for the installation of playground equipment at a cost of approximately \$50,000-\$100,000.

The Committee was supportive of the concept and expressed that they would like to see an additional funding source secured and suggested that this be brought forward to the Finance Committee during budget discussions. It was moved by Mayor Brown and seconded by Councillor Rivard that this be forwarded to Finance with backing from the Environment & Sustainability Committee. Carried.

b. Bus Tenders

The City, on behalf of the Capital Area Transit Coordinating Committee (CATCC), put out an RFP in August, 2019 for the purchase of six full-size buses. The RFP included three options for bids – six, 35-foot buses; six, 40-foot buses; and a combination of 2, 40-foot buses and 4, 35-foot buses. After reviewing both the short-term and long-term operational needs of the transit system, as well as recognizing the rapidly growing demand for the service, the CATCC is recommending proceeding with option 3: two, 40-foot buses and four, 35-foot buses. Only one bid was received for option 3 and it was from NewFlyer. This bid meets all the required specifications, has an excellent track record in Canada and comes in under budget. Total bid was \$3,759,435.10 including HST and delivery.

It was moved by Mayor Brown and seconded by Councillor Rivard that the Committee approve the award of the full size bus tender to New Flyer and forward to City Council with a resolution. Carried.

c. Yield to Bus lobby

In recent discussions with the City's transit operator, T3 Transit, a concern was raised about safety for transit buses navigating traffic in Charlottetown. Throughout the transit routes, transit buses need to regularly pull off to the side to pick up and drop off passengers and then need to re-enter traffic. Currently,

re-entering traffic requires that the bus driver wait for other motorists to let them back in and there is a safety concern when this occurs. Motorists, at times, do not allow the bus to re-enter traffic and there have been a number of instances of road rage against transit buses for their regular patterns.

Other Provinces in Canada have addressed this concern through legislation in their highway safety acts to enact a "Yield to Bus" regulation that requires drivers to yield the right of way to transit buses signaling their intention to re-enter the traffic stream. This regulation is intended to improve safety but also to improve the efficiency of the transit service in that they can move more efficiently through their transit route.

It was moved by Mayor Brown and seconded by Councillor Rivard that a letter from the Environment & Sustainability Committee on behalf of the capital area transit system be submitted to the Provincial Department of Transportation, Infrastructure and Energy to include a "yield to transit bus" regulation in the PEI Highway Safety Act. Carried.

d. Single-use Plastics

In August 2019 a single-use plastic survey was distributed online through the City's website and social media pages, as well as in paper copy via the reception desk. The purpose of this survey was to determine current attitudes toward and consumption patterns of single-use plastics among Charlottetown residents. The survey distributed by the City focused on the following single use plastic items: plastic straws, plastic cutlery, plastic shopping bag, plastic or Styrofoam cups and/or lid, and plastic water bottles.

The survey received over 1,220 responses and demonstrated that the vast majority of respondents (78%) identified themselves as being "very concerned" about the current volume of single-use plastic waste generated by Islanders. Not surprisingly, based on this high level of concern around the single-use plastic issue, 89% of respondents stated they would be more likely to shop somewhere that appears to be making an effort to reduce the amount of single-use plastics generated by their business.

Key insights provided by these surveys will be used to develop a social marketing campaign geared toward Charlottetown residents. This campaign will aim to reduce significant barriers to reducing single-use plastic use identified by residents such as forgetting their reusable items at home, and target the reduction of the single-use plastic items identified as being used most frequently.

Staff are working on developing an information guide for businesses and event organizers with locally relevant information on single-use plastic alternatives, and other tips for reducing single-use plastic waste.

e. Forest & Environmental Officer Update

The City partners with a number of organizations to hold tree related events that involve the community and raise awareness about our urban forest. In 2019, 8 planting partnerships resulted in the planting of 784 trees and shrubs in Charlottetown (Arbor Day, Business Tree Planting Challenge, Passport to Nature Program, Home Hardware/Tree Canada, CN 100/Tree Canada, TD Tree Days, Headstart Early Learning Centre, Charlottetown and Area Christian Council). There were also another 165 trees planted on City streets, in parks and as part of reforestation projects for a total of 949 trees and shrubs planted in in Charlottetown in 2019.

A parks tree inventory was started this summer and is 80% complete. The inventory data provides information that will be used to guide tree management in City parks. The City's street tree inventory continues to be a very valuable tool with the updated being used to guide tree maintenance operations.

The City will be hosting the Canadian Urban Forest Conference in October of 2020. Planning for the conference is underway and will bring a significant number of people from the forestry field to Charlottetown.

The new Tree Protection Bylaw has been in place for several months. Awareness of the bylaw is increasing and will continue to do so through an educational outreach program.

The Chair congratulated Beth Hoar on her career with the City and best wishes for retirement.

f. Terms of Reference – Mayor's AT Task Force

A report was brought to the Environment & Sustainability Committee in September 2019 with the finalized Terms of Reference (ToR) for the Mayor's Active Transportation Task Force (AT Task Force). The ToR was approved by Committee and forwarded to the Council Advisory Committee (CAC) for review. The CAC noted the following concern, and requested that the ToR return to the E&S Committee for an update:

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.

Edits have been made to the ToR to add additional detail to the costs of committee meetings and also to the grant funding section that notes that all applications would need to be approved by the Environment & Sustainability Committee prior to submission.

It was moved by Mayor Brown and seconded by Councillor Rivard that the edited Terms of Reference and forward to the Council Advisory Committee (CAC) for review. Further, it is recommended that a request be made of the CAC to develop a process for how capital and operational budget recommendations will be received and reviewed from the City's resident advisory boards. Carried.

g. Blue Communities

Mayor Brown, Water & Sewer Utility Manager, Richard MacEwen, and Manager of Environment and Sustainability, Ramona Doyle met with representatives of Blue Communities (Maude Barlow, Leo Broderick, and Mary Cowper Smith) on September 25, 2019.

The City has been approached by Blue Communities a number of times about becoming a Blue Community. A Blue Community focuses on three key commitments:

1. Recognizing water and sanitation as human rights
2. Banning or phasing out the sale of bottle water in municipal facilities and at municipal events
3. Promoting publicly financed, owned and operated water and waste water services

The City of Charlottetown has taken a number of steps that align well with the objectives of Blue Communities – reducing bottled water use in operations, supporting drinking water facilities in City parks and Charlottetown schools, and investing in wellfield protection. This information was shared with the representatives of Blue Communities.

Concerns with regards to passing a Blue Communities resolution has primarily focused on the legal ramifications of item 1. Recognizing water and sanitation as human rights. The Water & Sewer Utility practice of shutting off water service for non-payment when a compromise cannot be found, has served as an effective tool in ensuring adequate revenue for the operation of the City's water & sewer system. This concern was shared with the representatives of Blue Communities. The Water & Sewer Utility Manager, Richard MacEwen sought a legal opinion from the City's solicitor with regards to this concern and a follow up discussion will be held at an upcoming Water & Sewer Utility meeting.

The Committee agreed to support the Water & Sewer Utility Committee in the decision they make with regards to Charlottetown becoming a Blue Community.

7) Introduction of New Business

The Committee will hold an additional meeting on October 29 to discuss items that were included on the closed agenda that were not addressed as well to invite the Climate Change group in for discussion with the Committee.

8) Adjournment

Moved by Mayor Philip Brown and seconded by Councillor Rivard that the meeting be adjourned. Carried.

The meeting adjourned at 1:10 PM.

ENVIRONMENT & SUSTAINABILITY COMMITTEE**Tuesday, October 29, 2019****12:00 PM – Parkdale Room, City Hall**

PRESENT: Councillor Terry MacLeod, Chair
Councillor Terry Bernard, Vice-Chair
Councillor Julie McCabe
Councillor Greg Rivard
Mayor Philip Brown
Peter Kelly, CAO

ALSO: Ramona Doyle, MES
Jess Brown, SO
Katrina Cristall, SPA

REGRETS: Peter Kelly, CAO

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

It was moved by Councillor Rivard and seconded by Councillor Bernard that the agenda be approved as circulated. Carried.

4) Discussions/Reports**a. Ducks Unlimited Project**

Ducks Unlimited Canada has chosen a location in Charlottetown for Prince Edward Island's first designated Wetland Center of Excellence (WCE). WCE's are a national network of schools and community partners that engage students in wetland conservation through action projects, student-to-student mentored field trips, and outreach within the community. Getting the designation of WCE grants the recipient (the school partner) a significant amount of funding to put toward student-led projects for things like equipment, supplies, transportation, etc. related to wetland conservation.

The location of the Wetland Center of Excellence is the green space beside Charlottetown Rural that is owned by the Province of Prince Edward Island and Charlottetown Rural High School had already entered into an agreement with the Province to use the green space for educational purposes. The City of Charlottetown maintains the trails and does the mowing in the area. No

additional action or agreement is needed from the City. They have identified that the gazebo in the area requires some maintenance and Parks and Recreation has been made aware, has checked it for immediate hazards, and plans to reinforce the structure in the Spring.

The projected date of announcement for the Ducks Unlimited WCE in Charlottetown is November 6th, 2019 but that is not yet confirmed.

b. Discussion with Climate Change Group

A group of dedicated and concerned individuals joined the meeting to discuss changes that the City of Charlottetown could make to benefit the environment and cut down on GHG. The largest concern raised was the intent of the City to purchase diesel buses as opposed to electric. Ramona Doyle, MES, explained that it is the City's intent to gradually move to electric.

Councillor McCabe excused herself from the meeting at 12:45 PM.

5) Introduction of New Business

There was no new business.

6) Adjournment

Moved by Mayor Philip Brown and seconded by Councillor Rivard that the meeting be adjourned. Carried.

The meeting adjourned at 1:00 PM.



City of Charlottetown

Report No: 19-57

Date: October 22, 2019

Directed to:
Chairperson Terry Macleod, Members of the E&S
Committee

Attachments:

- PE Home Village Park Concept Drawings

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, MES

Subject: PE Home Village Park

RECOMMENDATION: That the Committee review the proposed project and forward to the Finance Committee for further review and consideration in the 2020-2021 budget.

Shelley Connick, Administrator with Long-term Care Queens reached out to the City of Charlottetown regarding a project that is currently being designed for the Prince Edward Home located at 75 Maypoint Road.

The concept is to create a Village Park on the property of the PE Home, that would provide and “accessible outdoor space to the residents of the Prince Edward Home and also to the residents of Charlottetown and surrounding communities”.

According to Ms. Connick the project would offer a variety of activity areas including an amphitheater, recreation lawn, playground, gardens and pond side board walk (drawings attached). The Park would connect well with the City’s existing trail system that covers Beach Grove and Upton Farm. The intention is that the park would bring together residents of PE Home and the community to reduce social isolation, increase physical activity and create opportunities for intergenerational interactions.

The PE Home is looking for funding support to start the project, specifically pouring the concrete at a cost of approximately \$80,000. Further, they are looking for support for the installation of playground equipment at a cost of approximately \$50,000-\$100,000.

Respectfully,

Reviewed By:

CAO	Manager	Other				
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RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: 19-53

Date: October 22, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

- Bid Sheet

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, MES

Subject: Award of full size bus tender

RECOMMENDATION: That the committee approve the award of the full size bus tender to New Flyer and forward to City Council with a resolution.

The City, on behalf of the Capital Area Transit Coordinating Committee (CATCC), put out an RFP in August, 2019 for the purchase of six full-size buses. The total approved budget for this purchase is \$4,554,000 through the Investing in Canada Infrastructure Program (ICIP), with the Federal government covering 40% of the costs; the Provincial government covering 33.33% of the costs and the Municipal governments covering 26.67%. The Municipal share is split between Charlottetown (75%); Stratford (15%); and Cornwall (10%). Charlottetown's total contribution for this project is \$871,300, which will be spread over two fiscal years (2020-2021 and 2021-2022).

The RFP included three options for bids – six, 35-foot buses; six, 40-foot buses; and a combination of 2, 40-foot buses and 4, 25-foot buses. After reviewing both the short-term and long-term operational needs of the transit system, as well as recognizing the rapidly growing demand for the service, the CATCC is recommending proceeding with option 3: two, 40-foot buses and four, 35-foot buses.

Only one bid was received for option 3 and it was from NewFlyer. This bid meets all the required specifications, has an excellent track record in Canada and comes in under budget. Total bid was \$3,759,435.10 including HST and delivery. Bid sheet is attached.

The CATCC will still need to release an RFP for the fare boxes for the six buses. It is estimated that this will cost an additional \$140,000. Once this purchase is complete, all funds will be expensed and the project is forecasted to be under budget by approximately \$600,000. These funds would be returned to the ICIP fund transit stream and the CATCC would have the option of reapplying for future transit fleet projects.

Buses will be received in 2021.

Respectfully,

Reviewed By:

CAO

Manager

Other

RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: 19-54

Date: October 22, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

- **Yield to Transit Bus – Nova Scotia
Transportation and Infrastructure Renewal**

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, MES

Subject: Yield to bus

RECOMMENDATION: That the committee approve making a recommendation to PEI Highway Safety to include a yield to transit bus regulation in the PEI Highway Safety Act.

In recent discussions with the City’s transit operator, T3 Transit, a concern was raised about safety for transit buses navigating traffic in Charlottetown. Throughout the transit routes, transit buses need to regularly pull off to the side to pick up and drop off passengers and then need to re-enter traffic. Currently, re-entering traffic requires that the bus driver wait for other motorists to let them back in and there is a safety concern when this occurs. Motorists, at times, do not allow the bus to re-enter traffic and there have been a number of instances of road rage against transit buses for their regular patterns.

Other Provinces in Canada have addressed this concern through legislation in their highway safety acts to enact a “Yield to Bus” regulation that requires drivers to yield the right of way to transit buses signaling their intention to re-enter the traffic stream. This regulation is intended to improve safety but also to improve the efficiency of the transit service in that they can move more efficiently through their transit route. With the growing number of passengers making use of the transit system, it is very important to maintain efficiency in the system and ensure that buses are on time.

As the PEI Highway Safety Act is outside the jurisdiction of the City, the change would need to be implemented at the Provincial level. It is recommended that a letter from the E&S Committee on behalf of the capital area transit system be submitted to the Provincial Department of Transportation, Infrastructure and Energy to include this regulation in the PEI Highway Safety Act. Once complete, enforcement would need to come from City Police.



City of Charlottetown

Report No: E&S 19-55

Date: October 22nd 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

-Summary of Survey Results

Department: Environment & Sustainability Committee

Prepared by: Jessica Brown

Subject: Single Use Plastic Reduction – Survey results and next steps

RECOMMENDATION: Information Only

In August 2019 a single-use plastic survey was distributed online through the City’s website and social media pages, as well as in paper copy via the reception desk. The purpose of this survey was to determine current attitudes toward and consumption patterns of single-use plastics among Charlottetown residents. There are many types of single use plastics but for the purpose of this survey, the term single-use plastic referred to a disposable plastic item that is manufactured for the purpose of being used only once, usually only for a brief period. The survey distributed by the City focused on the following single use plastic items: **plastic straws, plastic cutlery, plastic shopping bag, plastic or Styrofoam cups and/or lid, and plastic water bottles.**

As intended, this survey has helped City staff better understand the current consumption patterns of single-use plastics in Charlottetown as well as the barriers that exist that make it difficult or challenging for residents to reduce the amount of single-use plastics they consume.

Survey Results

The survey received over 1,220 responses and demonstrated that the vast majority of respondents (78%) identified themselves as being ‘very concerned’ about the current volume of single-use plastic waste generated by Islanders. Not surprisingly, based on this high level of concern around the single-use plastic issue, 89% of respondents stated they would be more likely to shop somewhere that appears to be making an effort to reduce the amount of single-use plastics generated by their business.

The survey also provided insights into the types of single-use plastic most regularly used by respondents (on average, 3 or more times a week): 38% use plastic drink cup lids on a regular basis, 21% use plastic straws on a regular basis, 20% use plastic water/drink bottles on a regular basis, and 23% responded as using plastic bags on a regular basis. At the time of the survey the provincial plastic bag ban had been in place for approximately a month, however, there are still plastic produce bags in grocery stores, and plastic bags are used to line garbage cans, and many individuals have a stored supply of plastic retail bags that are still being used since the ban was implemented.

The most significant barriers identified by respondents as preventing them from reducing their single-use plastic use were “forgetting their reusable items at home” (38%) and the “established norm of single-use plastics being the default in many cases” (38%). The majority of respondents who stated “forgetting their reusable items” was the biggest barrier to reducing single-use plastics felt it would be helpful for them to have a reminder and they identified the following locations where the reminder would likely be most useful: on their fridge, at their front door, in their car, on the front door of the business, in the parking lot, or on their phone.

A single-use plastic survey geared toward the business community was released at the same time. As expected it received fewer responses but respondents were made up of a good variety of different types of businesses providing a relatively representative sample of businesses operating in Charlottetown. The purpose of this survey was to determine the types of single-use plastic waste being generated through business operations, as well as the unique barriers the business community faces to reducing their single-use plastic waste.

The top 3 barriers identified by businesses to offering reusable or compostable options instead of single-use plastic options were the: the cost (50%) and availability of alternatives (50%), as well as the type and size of goods they offer (42%). Despite these barriers, the majority (83%) recognized that there is a benefit to reducing single-use plastics generated by their business. When asked about the best way that the City of Charlottetown could support businesses in reducing their single-use plastic waste, the majority of respondents (67%) stated ‘educating and encouraging residents to bring their own reusable items (bags, mugs, etc.)’, and ‘rewarding and publically recognizing businesses that are making efforts to reduce their single-use plastic waste’ (42%).

Next steps

Key insights provided by these surveys will be used to develop a social marketing campaign geared toward Charlottetown residents. This campaign will aim to reduce significant barriers to reducing single-use plastic use identified by residents such as forgetting their reusable items at home, and target the reduction of the single-use plastic items identified as being used most frequently.

Research is currently being done on what other municipalities and NGOs have done to tackle the single-use plastic reduction issue, as well as on effective behavior change strategies to help implement a successful campaign in Charlottetown that will result in single-use plastic waste diversion.

City staff will also to support and engage the business community in a transition to a lower waste society. City staff have partnered with the Chamber of Commerce and Island Waste Management Corporation (IWMC) to have IWMC offer a lunch and learn during Small Business Week on ‘Greening up your business’ and answer questions related to compostable alternatives, sorting, and other ways to make business operations more environmentally friendly. Beyond that, staff are working on developing an information guide for businesses and event organizers with locally relevant information on single-use plastic alternatives, and other tips for reducing single-use plastic waste.

Over time, City staff aim to establish a system for working with and recognizing local businesses that are making efforts to reduce their single-use plastic waste to incentivize and reward these efforts.

Within the City corporation, the sustainability department staff are holding stakeholder meetings with different departments – especially those who host public events to determine ways that we may be able to reduce the amount of single-use plastics such as straws, water bottles, cutlery, cups, take-out containers, etc. that are being generated through our events by replacing them with reusable or compostable alternatives. These discussions will include identification of any additional operational costs that the City would incur from switching from plastic to alternative materials.

Stakeholder meetings have also been held with the following:

- The Disposal Manager at Island Waste Management Corporation
- The Manager of Environmental Health Services (Provincial Department of Health and Wellness)
- The Director of Special Projects (including the Plastic Bag Reduction Act) for PEI Water, Environment, and Climate Change

Respectfully,

Reviewed By:

CAO	Manager	Other				
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RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: E&S 19-56

Date: October 22, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

Department: Environment & Sustainability Committee

Prepared by: Beth Hoar, Forest & Environmental Officer

Subject: Tree Management Update

RECOMMENDATION: For information only.

The City partners with a number of organizations to hold tree related events that involve the community and raise awareness about our urban forest. In 2019, 8 planting partnerships resulted in the planting of 784 trees and shrubs in Charlottetown (Arbor Day, Business Tree Planting Challenge, Passport to Nature Program, Home Hardware/Tree Canada, CN 100/Tree Canada, TD Tree Days, Headstart Early Learning Centre, Charlottetown and Area Christian Council). There were also another 165 trees planted on City streets, in parks and as part of reforestation projects for a total of 949 trees and shrubs planted in in Charlottetown in 2019.

The City received funding through the TD Green Spaces Program and the Arbor Day Foundation to carry out a bioswale project in J. Frank MacAulay Park. As part of that project, a nature related event called "Where the Wild Things are in the City" was planned, which included tree and shrub planting. Due to rainy weather, that project and event will be deferred until early summer of 2019.

A parks tree inventory was started this summer and is 80% complete. The inventory data provides information that will be used to guide tree management in City parks. The City's street tree inventory continues to be a very valuable tool with the updated being used to guide tree maintenance operations.

The Dutch elm disease (DED) program will continue this fall. Ten trees were found to have DED and will be removed in late October/early November. The number of trees found with DED each year has significantly dropped since the program started in 2015.

A monitoring program for emerald ash borer (EAB) started in Charlottetown in 2018 with the installation of sticky traps that are used as a tool to detect EAB. An inventory of all public ash trees is almost complete and an annual monitoring of each ash tree started in 2019. EAB is a destructive insect that kills ash trees and has recently been found in New Brunswick and Nova Scotia.

The City will be hosting the Canadian Urban Forest Conference in October of 2020. Planning for the conference is underway and will bring a significant number of people from the forestry field to Charlottetown.

The new Tree Protection Bylaw has been in place for several months. Awareness of the bylaw is increasing and will continue to do so through an educational outreach program.

Respectfully,

Reviewed By:

CAO	Manager	Other				
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RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: 19-60

Date: October 22, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

- Amended Terms of Reference

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, MES

Subject: Terms of Reference Update – Mayor’s Active Transportation Task Force

RECOMMENDATION: That the Environment & Sustainability Committee review the edited Terms of Reference and forward to the Council Advisory Committee (CAC) for review. Further, it is recommended that a request be made of the CAC to develop a process for how capital and operational budget recommendations will be received and reviewed from the City’s resident advisory boards.

A report was brought to the Environment & Sustainability Committee in September 2019 with the finalized Terms of Reference (TOR) for the Mayor’s Active Transportation Task Force (AT Task Force). The ToR was approved by Committee and forwarded to the Council Advisory Committee (CAC) for review. The CAC noted the following concern, and requested that the ToR return to the E&S Committee for an update:

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.

An edit has been made to the attached ToR to add additional detail to the costs of committee meetings. Additionally, edits have been made to the grant funding section that notes that all applications would need to be approved by the Environment & Sustainability Committee prior to submission.

Further to this, it is also recommended that a process for how capital and operational budget recommendations from resident advisory boards will be handled. For example, the AT Task Force may make a recommendation regarding a Parks & Recreation operational budget item, or they may make a recommendation for a capital project that should be considered in the next budget year. This may also be the case with other advisory boards. In order to be accountable to resident advisory boards, and ensure that each group is treated in the same way, a process should be communicated clearly to all boards that outlines the requirements of their recommendations and outlines how the recommendation will be weighed and reviewed by department managers and by City Council.



City of Charlottetown

Report No: 19-59

Date: October 22, 2019

Directed to:

Chairperson Terry MacLeod, Members of the E&S Committee

Attachments:

- **Example Blue Communities Resolution**

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, MES

Subject: Blue Communities Update

RECOMMENDATION: That the Environment & Sustainability Committee support the Water & Sewer Utility Committee in the decision they make with regards to Charlottetown becoming a Blue Community.

City of Charlottetown Mayor, Philip Brown; Water & Sewer Utility Manager, Richard MacEwen; and Manager of Environment and Sustainability, Ramona Doyle met with representatives of Blue Communities (Maude Barlow, Leo Broderick, and Mary Cowper Smith) on September 25, 2019.

The City has been approached by Blue Communities a number of times about becoming a Blue Community. A Blue Community focuses on three key commitments:

1. Recognizing water and sanitation as human rights
2. Banning or phasing out the sale of bottle water in municipal facilities and at municipal events
3. Promoting public financed, owned and operated water and waste water services

A number of Canadian cities are Blue Communities including Victoria, BC; Montreal, QC; and Niagara Falls, ON.

The City of Charlottetown has taken a number of steps that align well with the objectives of Blue Communities – reducing bottled water use in operations, supporting drinking water facilities in City parks and Charlottetown schools, and investing in wellfield protection. This information was shared with the representatives of Blue Communities.

Concerns with regards to passing a Blue Communities resolution has primarily focused on legal ramifications of item 1. Recognizing water and sanitation as human rights. The Water & Sewer Utility practice of shutting off water service for non-payment when a compromise cannot be found, has served as an effective tool in ensuring adequate revenue for the operation of the City's water & sewer system. This concern was shared with the representatives of Blue Communities. The Water & Sewer Utility Manager, Richard MacEwen sought a legal opinion from the City's solicitor with regards to this concern.

Follow up discussion will be held at the upcoming Water & Sewer Utility meeting. As the commitments of Blue Communities would have the most impact on the Utility, it is recommended that the Environment & Sustainability Committee support the decision of the Water & Sewer Utility Standing Committee with regards to their decision on this matter, whatever that decision may be.



City of Charlottetown

Report No: E&S 19-58

Date: October 22nd 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

Department: Environment & Sustainability Committee

Prepared by: Jessica Brown

Subject: Ducks Unlimited: Wetland Center of Excellence

RECOMMENDATION: Information Only

Ducks Unlimited Canada has chosen a location in Charlottetown for Prince Edward Island’s first designated Wetland Center of Excellence (WCE). WCE’s are a national network of schools and community partners that engage students in wetland conservation through action projects, student-to-student mentored field trips, and outreach within the community. Getting the designation of WCE grants the recipient (the school partner) a significant amount of funding to put toward student-led projects for things like equipment, supplies, transportation, etc. related to wetland conservation.

The location of the Wetland Center of Excellence is the green space beside Charlottetown Rural that is owned by the Province of Prince Edward Island and Charlottetown Rural High School had already entered into an agreement with the Province to use the green space for educational purposes. The City of Charlottetown maintains the trails and does the mowing in the area. No additional action or agreement is needed from the City. They have identified that the gazebo in the area requires some maintenance and Parks and Recreation has been made aware, has checked it for immediate hazards, and plans to reinforce the structure in the Spring.

Charlottetown Rural has received funding through the City of Charlottetown’s Community Sustainability Micro-grant Program, as well as the province’s Agri-Food grant program to expand the property’s native tree nursery to add new raised beds for growing fruit trees and native trees to plant in the green space adjacent to the school. They’ve partnered with Ellen’s Creek Watershed and sought advice from the City’s Forest and Environment Officer on plantings and maintenance of the trees. This project has helped bolster hands-on nature education opportunities for the student’s at Charlottetown Rural High School as well as boosting the overall health and diversity of the ecosystem. This area’s WCE designation will continue to expand educational opportunities and conservation efforts to this natural area of the City.

The projected date of announcement for the Ducks Unlimited WCE in Charlottetown is November 6th, 2019 but that is not yet confirmed.

CHARLOTTETOWN RIDERSHIP - OCTOBER 2019

Sum of Charlottetown Route #

Date	Day	1	2	3	4	5	6	7	9	11	13	14	15	Grand Total
01-10-19	Tue	911	360	324	462	181	282	22	384	263	10	1	5	3,205
02-10-19	Wed	795	371	338	333	157	261	22	287	322	8	1	5	2,900
03-10-19	Thu	861	328	333	410	167	306	25	309	375	10	2	5	3,131
04-10-19	Fri	817	399	402	426	143	308	16	296	390	9	2	4	3,212
05-10-19	Sat	614	342	426	0	0	224	0	20	0	0	0	0	1,626
06-10-19	Sun	618	0	0	0	0	0	0	0	0	0	0	0	618
07-10-19	Mon	822	371	339	334	155	263	16	204	285	11	2	4	2,806
08-10-19	Tue	793	336	325	395	171	299	18	265	335	11	2	4	2,954
09-10-19	Wed	815	362	391	391	176	303	21	210	346	9	4	5	3,033
10-10-19	Thu	812	410	364	383	132	305	21	329	359	7	2	4	3,128
11-10-19	Fri	786	433	406	528	146	304	12	280	390	10	2	2	3,299
12-10-19	Sat	442	311	300	0	0	201	0	9	0	0	0	0	1,263
13-10-19	Sun	453	0	0	0	0	0	0	0	0	0	0	0	453
14-10-19	Mon	0	0	0	0	0	0	0	0	0	0	0	0	0
15-10-19	Tue	794	369	382	396	176	308	27	253	309	8	2	4	3,028
16-10-19	Wed	874	344	414	358	144	291	22	309	322	0	5	3	3,086
17-10-19	Thu	609	290	294	311	128	231	22	223	234	2	4	5	2,353
18-10-19	Fri	760	370	393	447	142	314	14	267	333	7	5	3	3,055
19-10-19	Sat	739	367	419	0	0	206	0	22	0	0	0	0	1,753
20-10-19	Sun	498	0	0	0	0	0	0	0	0	0	0	0	498
21-10-19	Mon	801	395	352	380	151	257	12	229	343	6	4	2	2,932
22-10-19	Tue	807	345	318	444	157	265	22	276	321	5	5	4	2,969
23-10-19	Wed	722	376	382	364	138	215	22	216	332	4	4	2	2,777
24-10-19	Thu	807	382	350	378	155	256	20	316	317	6	7	4	2,998
25-10-19	Fri	841	395	385	427	109	274	12	323	337	6	6	2	3,117
26-10-19	Sat	546	385	365	0	0	222	0	27	0	0	0	0	1,545
27-10-19	Sun	514	0	0	0	0	0	0	0	0	0	0	0	514
28-10-19	Mon	870	342	385	372	166	245	10	252	377	7	7	2	3,035
29-10-19	Tue	846	322	353	454	150	284	21	277	373	9	1	3	3,093
30-10-19	Wed	867	363	346	357	150	295	20	275	340	4	2	4	3,023
31-10-19	Thu	673	333	318	378	101	282	24	301	416	6	2	2	2,836
Grand Total		22,107	9,401	9,404	8,728	3,295	7,001	421	6,159	7,419	155	72	78	74,240

CHARLOTTETOWN RIDERSHIP - OCTOBER 2019

Values

Day	Non Paying	Monthly Paying	Monthly Ridership
Sun	26	2057	2,083
Mon	83	8690	8,773
Tue	179	15070	15,249
Wed	279	14540	14,819
Thu	140	14306	14,446
Fri	185	12498	12,683
Sat	88	6099	6,187
Grand Total	980	73260	74,240

		2019	2018	2017	2016
Total Ridership		74,240	61,423	51,361	43,988
Monday - Friday	Paying	65,104	53,388	44,593	36,927
	Non - Paying	866	883	1,039	996
	Working Days	22	22	21	20
	Average	2,999	2,467	2,173	1,896
Saturday	Paying	6,099	5,508	4,107	4,529
	Non - Paying	88	86	63	103
	Working Days	5	4	4	5
	Average	1,237	1,399	1,043	926
Sunday	Paying	2,057	1,546	1,545	1,415
	Non - Paying	26	12	14	18
	Working Days	4	4	5	5
	Average	521	390	312	287



**STRATEGIC PRIORITIES & INTERGOVERNMENTAL
COOPERATION COMMITTEE
REPORT TO COUNCIL
NOVEMBER 12, 2019**

The Strategic Priorities & Intergovernmental Cooperation Committee has not met since the last Council meeting.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Alanna Jankov, Chair



**FINANCE, AUDIT & TENDERING COMMITTEE
REPORT TO COUNCIL
November 12th, 2019**

The Finance, Audit & Tendering Committee met on November 6th, 2019. A monthly summary financial statement till the end of October 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
November 6th, 2019
12:00 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)**
 Councillor Kevin Ramsay
 Peter Kelly, CAO
 Connie McGaugh, ACC

Councillor Greg Rivard
Councillor Mike Duffy
Mark Lanigan, FM

Regrets: **Mayor Philip Brown**

1) Call to Order

Chair Bernard called the meeting to order at 12:00 pm.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

A motion to approve the agenda was made Councillor Rivard and seconded by Councillor Duffy.

Motion Carried

4) Adoption of Minutes

Moved by Councillor Ramsay and seconded by Councillor Duffy that the minutes of October 10th and 25th, 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 Rivard to move into the closed session

6) Business Arising from Closed Session

Committee approved the request to issue a Satisfaction of Mortgage for 39 Palmers Lane. This is an old mortgage issued by Town of Parkdale which had been satisfied many years ago however was never registered. A resolution will be brought forward to the Tuesday, November 12th, 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 1:05 p.m.

Chair: Councillor Terry Bernard



CITY OF CHARLOTTETOWN

RESOLUTION

Finance # 1

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____ Terry Bernard

Seconded by Councillor _____ Greg Rivard

RESOLVED:

That the City of Charlottetown issue a Satisfaction of Mortgage for 39 Palmers Lane (PID#275586) relating to a Town of Parkdale mortgage which was satisfied in 2008 but never registered.

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



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	20,510,085	13,662,428	60.02%
Provincial Grant	13,637,983	13,637,983	8,175,348	5,462,634	59.95%
Partial Grant in Lieu of Taxes (QEH)	140,000	140,000	140,000	-	100.00%
Licenses	1,217,135	1,217,135	703,527	513,608	57.80%
Parking Garages	685,000	685,000	479,638	205,362	70.02%
Parking Meters	1,020,000	1,020,000	697,158	322,842	68.35%
Police	1,131,500	1,131,500	550,695	580,805	48.67%
Credits from Outside Sources	505,000	505,000	204,816	300,184	40.56%
Outside Fire Protection	30,000	30,000	30,000	-	100.00%
Utility Administration Fee	205,000	205,000	153,750	51,250	75.00%
Interest	40,000	40,000	38,200	1,800	95.50%
Recreation	618,390	617,940	264,758	353,182	42.85%
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	-	-	80,171	(80,171)	
Total City Operating Revenue	57,155,742	57,155,292	34,020,782	23,134,509	59.52%
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	6,394,753	4,649,928	57.90%
Fire protection - hydrant services	1,139,380	1,139,380	854,535	284,845	75.00%
Contract services billed	167,500	167,500	50,596	116,904	30.21%
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	6,099,884	7,239,177	45.73%
Total Operating Revenue - City, Water & Sewer	70,494,803	70,494,353	40,120,666	30,373,686	56.91%
General Government Services:					
City Government					
Salaries & benefits	1,835,300	1,820,300	932,768	887,532	51.24%
Solicitors' fees	265,000	265,000	113,359	151,641	42.78%
Information technology & new equipment	18,000	18,000	-	18,000	0.00%
Communications & web site	66,500	66,500	16,056	50,444	24.14%
Office, postage & equip repairs/rentals	49,500	49,500	22,110	27,390	44.67%
Professional Development	28,000	43,000	29,706	13,294	69.08%
Infrastructure & asset management	12,000	12,000	4,895	7,105	40.79%
Reports & studies	85,000	85,000	17,639	67,361	20.75%
Other	76,400	76,400	69,456	6,944	90.91%
Total City Government	2,435,700	2,435,700	1,205,989	1,229,711	49.51%
Finance and Audit					
Salaries & benefits	696,844	696,844	369,336	327,508	53.00%
Information Technology & Oracle hosting/SLA	75,000	75,000	127	74,873	0.17%
Financial statement audit	95,000	95,000	11,550	83,450	12.16%
Bank service charges	70,000	70,000	41,026	28,974	58.61%
Professional development & meeting expenses	12,500	17,500	13,444	4,056	76.82%
Other	7,720	2,720	2,981	(261)	109.60%
Total Finance and Audit	957,064	957,064	438,464	518,600	45.81%



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	444,824	261,826	62.95%
Heat	325,000	325,000	87,217	237,783	26.84%
Lights, phone, water/sewer	282,110	270,085	139,747	130,338	51.74%
Repairs, maintenance, cleaning & snow removal	266,745	245,645	117,161	128,484	47.70%
Service contracts	97,000	119,600	81,994	37,606	68.56%
Property taxes	360,000	354,200	232,386	121,814	65.61%
Rent - Planning	114,000	111,500	55,481	56,019	49.76%
Other	9,100	10,100	4,322	5,778	42.79%
Total Municipal Buildings	2,160,605	2,142,780	1,163,132	979,648	54.28%
Total Insurance	685,000	685,000	336,237	348,763	49.09%
Mayor and Council					
Salaries & benefits	75,543	75,543	24,211	51,331	32.05%
Mayor & Council	478,593	478,593	199,825	278,768	41.75%
Professional Development	5,000	5,000	4,996	4	99.92%
Public Relations/Community Events	275,175	275,175	135,765	139,410	49.34%
Professional services/office equipment	26,000	26,000	10,027	15,973	38.57%
Total Mayor and Council	860,311	860,311	374,824	485,486	43.57%
Total General Government Services	7,098,680	7,080,855	3,518,646	3,562,208	49.69%
Protective Services:					
Fire Department					
Salaries & benefits - Permanent	1,663,194	1,663,194	1,092,005	571,189	65.66%
Salaries & benefits - Volunteers	759,150	759,150	355,297	403,853	46.80%
Hydrant services - water supply	1,139,380	1,139,380	854,535	284,845	75.00%
Repairs & maintenance - vehicles/equipment	159,337	159,337	102,065	57,273	64.06%
New/leased - vehicles/equipment	40,738	39,238	5,142	34,096	13.10%
Clothing & uniforms	40,259	40,259	26,392	13,867	65.56%
Professional development	58,784	58,784	43,053	15,731	73.24%
Emergency preparedness	45,846	45,846	15,969	29,877	34.83%
Volunteer programs	20,000	20,000	18,856	1,144	94.28%
Other	49,985	50,605	30,956	19,649	61.17%
Total Fire Department	3,976,673	3,975,793	2,544,270	1,431,524	63.99%
Police Department					
Salaries & benefits	8,752,924	8,752,924	5,246,572	3,506,352	59.94%
Ticketing expenses	181,659	181,659	73,102	108,557	40.24%
Repairs & maintenance - vehicles & equipment	219,000	219,000	102,175	116,825	46.66%
Information technology & communication	163,898	157,898	50,006	107,892	31.67%
Professional development	37,000	37,150	24,112	13,038	64.90%
Cruiser & officer supplies	127,400	127,400	73,797	53,603	57.93%
Humane Society contract	103,362	103,372	60,300	43,072	58.33%
Office & operational expenses	70,500	70,150	44,007	26,143	62.73%
Other	49,800	49,640	15,208	34,432	30.64%
Total Police Department	9,705,543	9,699,193	5,689,279	4,009,914	58.66%
Total Protective Services	13,682,216	13,674,986	8,233,549	5,441,438	60.21%



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	1,749,238	1,768,762	49.72%
Snow removal	4,480,000	4,444,000	700,152	3,743,848	15.75%
Street cleaning	900,000	907,000	641,219	265,781	70.70%
Street resurfacing & repair	850,000	858,000	683,943	174,057	79.71%
Sidewalk & curb maintenance	380,000	380,000	318,380	61,620	83.78%
Repairs & maintenance - equipment & vehicle	955,000	950,500	520,196	430,304	54.73%
Beautification & tree program	1,245,000	1,233,569	1,173,887	59,682	95.16%
Storm water control	295,000	295,000	268,213	26,787	90.92%
Traffic marking & signs	355,000	355,000	187,548	167,452	52.83%
Office, advertising & professional developm	87,000	77,150	46,989	30,161	60.91%
Insurance claims	100,000	100,000	61,233	38,767	61.23%
Street lighting	1,210,000	1,202,000	567,963	634,037	47.25%
Traffic & parking	30,000	30,350	4,888	25,462	16.11%
Other	93,250	148,031	220,600	(72,569)	149.02%
Total Public Works	14,498,250	14,498,600	7,144,449	7,354,151	49.28%
Total Fiscal Services	7,951,218	7,951,218	4,119,378	3,831,840	51.81%
Parks and Recreation					
Administration					
Salaries & benefits	190,452	190,452	114,140	76,312	59.93%
Professional development	10,000	10,000	1,195	8,805	11.95%
Advisory Committee & meeting expenses	2,000	2,000	1,108	892	55.40%
Office equipment & advertising	5,500	5,500	2,230	3,270	40.55%
Other	5,200	5,200	2,209	2,991	42.48%
Total Administration	213,152	213,152	120,882	92,270	56.71%
Programs and grants					
Salaries & benefits	410,072	410,072	290,698	119,374	70.89%
Subsidies & grants	295,768	295,768	32,075	263,693	10.84%
Programs and equipment	43,175	43,175	31,271	11,904	72.43%
Other	13,700	13,700	2,933	10,767	21.41%
Total programs and grants	762,715	762,715	356,977	405,738	46.80%
Parks					
Salaries & benefits	1,332,509	1,332,509	957,207	375,302	71.83%
Parks maintenance	355,594	355,594	210,287	145,307	59.14%
Repairs & maintenance - vehicles & equipment	146,550	146,550	94,803	51,747	64.69%
Pools	31,000	31,000	24,803	6,197	80.01%
Other	36,400	36,400	15,304	21,096	42.04%
Total Parks	1,902,053	1,902,053	1,302,404	599,649	68.47%
Arenas					
Salaries & benefits	487,485	487,035	240,196	246,839	49.32%
Lights, fuel, phone & water	236,550	234,795	60,790	174,005	25.89%
Repairs & maintenance	114,700	114,700	31,784	82,916	27.71%
Other	66,000	66,000	15,918	50,082	24.12%
Total Arenas	904,735	902,530	348,688	553,842	38.63%
Total Parks and Recreation	3,782,655	3,780,450	2,128,951	1,651,499	56.31%



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
Community Sustainability					
Salaries & benefits	224,330	224,330	64,172	160,158	28.61%
Education, communication & community involvement	67,000	67,000	25,019	41,981	37.34%
Projects	75,500	75,500	(21,142)	96,642	-28.00%
Other	12,750	12,750	4,562	8,188	35.78%
Total Community Sustainability	379,580	379,580	72,611	306,969	19.13%
Planning					
Salaries & benefits	1,102,977	1,102,977	493,497	609,480	44.74%
Planning services	63,000	63,000	5,902	57,099	9.37%
Board meetings	10,200	10,200	4,780	5,420	46.86%
Professional Development	31,500	31,500	15,476	16,024	49.13%
Office, phones & equipment	21,925	21,925	2,653	19,272	12.10%
Design Review Board	15,500	15,500	1,634	13,866	10.54%
Other	2,000	2,000	1,847	153	92.35%
Total Planning	1,247,102	1,247,102	525,789	721,314	42.16%
Heritage					
Heritage tax program	82,000	82,000	51,986	30,014	63.40%
Heritage grant program	65,000	65,000	13,928	51,072	21.43%
Heritage Area Study	18,000	18,000	-	18,000	0.00%
Board meetings	8,000	8,000	1,999	6,001	24.99%
Special projects	6,000	6,000	717	5,283	11.95%
Other	6,500	6,500	1,097	5,403	16.88%
Total Heritage	185,500	185,500	69,727	115,773	37.59%
Economic Development					
Business Improvement Area (BIA)	310,199	310,199	206,234	103,965	66.48%
Investment Program	85,938	85,938	-	85,938	0.00%
Memberships & Partnerships	216,000	216,000	185,669	30,331	85.96%
Stipends to Citizen Representatives	-	-	-	-	-
Business & Marketing Development	38,500	38,500	11,345	27,155	29.47%
Other	5,000	5,000	1,184	3,816	23.68%
Total Economic Development	655,637	655,637	404,432	251,205	61.69%
Tourism					
Annual Events	106,000	106,000	48,038	57,962	45.32%
Tourism Initiatives	83,500	83,500	62,247	21,253	74.55%
Memberships & Partnerships	13,700	13,700	13,520	180	98.69%
Tourism & Japanese Delegates Visit	10,000	10,000	4,395	5,605	43.95%
Office & Computer	2,500	2,500	1,261	1,239	50.44%
Professional Development	6,000	6,000	4,017	1,983	66.95%
Other	3,500	3,500	4,221	(721)	120.60%
Total Tourism	225,200	225,200	137,699	87,501	61.15%
Human Resources					
Salaries & benefits	567,300	567,300	317,207	250,093	55.92%
Payroll & employee services	100,300	90,250	52,018	38,232	57.64%
Contract services & employee assistance pro	46,320	46,420	13,647	32,773	29.40%
Office, committee & communication	6,500	6,500	2,943	3,557	45.28%
Organizational Development	12,000	21,950	21,109	841	96.17%
Professional Development	20,000	20,000	14,100	5,900	70.50%
Total Human Resources	752,420	752,420	421,024	331,396	55.96%

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	1,500	8,500	15.00%
Special projects	95,000	105,000	-	105,000	0.00%
Professional services	50,000	40,000	-	40,000	0.00%
Other	15,000	15,000	684	14,316	4.56%
Total Strategic Priorities & Intergovernmental Cooperation	170,000	170,000	2,184	167,816	1.28%
Information Technology					
Network software & maintenance agreements	225,000	225,000	174,541	50,459	77.57%
Service level agreements	115,000	115,000	33,275	81,725	28.93%
Desktop software subscriptions/purchases	52,000	39,060	5,126	33,934	13.12%
Network hardware support & maintenance agre	11,000	59,400	20,181	39,219	33.97%
Other	19,000	10,000	10,170	(170)	101.70%
Total Information Technology	422,000	448,460	243,293	205,167	54.25%
Transit					
Transit contract	770,000	770,000	576,052	193,948	74.81%
Shelter Maintenance	57,600	57,600	27,493	30,107	47.73%
Pat and the Elephant	50,000	50,000	25,000	25,000	50.00%
Other	127,500	127,500	1,099	126,401	0.86%
Total Transit	1,005,100	1,005,100	629,644	375,456	62.64%
Event Attraction					
Event Hosting	266,000	266,000	100,387	165,613	37.74%
Special Initiatives	90,000	90,000	42,530	47,470	47.26%
Development & Attraction	50,000	50,000	20,848	29,152	41.70%
Promotions & Materials	23,000	23,000	7,627	15,373	33.16%
Memberships & Partnerships	6,350	6,350	2,822	3,528	44.44%
Professional Development	8,000	8,000	4,582	3,418	57.28%
Office & miscellaneous	5,000	5,000	2,335	2,665	46.70%
Total Event Attraction	448,350	448,350	181,131	267,219	40.40%
Arts and Culture					
Confederation Centre of the Arts	304,503	304,503	189,789	114,714	62.33%
Grants	81,270	81,270	55,785	25,485	68.64%
Cultural Initiatives	40,200	40,200	16,493	23,707	41.03%
Board Expenses	1,000	1,000	-	1,000	0.00%
Total Arts and Culture	426,973	426,973	262,067	164,906	61.38%
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	1,498,982	958,788	60.99%
Stipends to Citizen Representatives	30,000	30,000	14,400	15,600	48.00%
Fleet Management	4,000	4,000	12,307	(8,307)	307.68%
Total Other	4,213,429	4,213,429	1,675,689	2,537,740	39.77%



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	3,863,848	2,187,998	1,675,850	56.63%
Debt charges/New Vehicles & Equipment	4,887,365	4,887,365	1,779,464	3,107,901	36.41%
Repairs & maintenance - Stations/Infrastruc	1,517,740	1,517,740	896,078	621,662	59.04%
Repairs & maintenance - Vehicles/Equipment	744,023	764,023	489,998	274,025	64.13%
Power	1,169,935	1,169,935	596,288	573,647	50.97%
Office, phones & radios	215,833	215,833	55,050	160,784	25.51%
Insurance & property taxes	162,833	162,833	37,005	125,828	22.73%
Committee & meetings	167,180	167,180	122,457	44,723	73.25%
Service contracts & consulting fees	145,506	145,506	24,940	120,566	17.14%
Professional Development	113,685	113,685	38,294	75,391	33.68%
Extraordinary Items	116,841	116,841	-	116,841	0.00%
Water Conservation	60,000	60,000	14,038	45,962	23.40%
Other	145,643	145,643	23,641	122,002	16.23%
Total Water and Sewer	13,330,432	13,330,432	6,265,251	7,065,182	47.00%
Total Expenditure	70,474,742	70,474,292	36,035,514	34,438,780	51.13%
Total Operating Surplus (Deficit) - City, Water & Sewer	20,061	20,061	4,085,152	(4,065,094)	



**HUMAN RESOURCES, COMMUNICATIONS
AND ADMINISTRATION COMMITTEE
REPORT TO COUNCIL
NOVEMBER 12, 2019**

The Human Resources, Communications and Administration Committee last met on November 6, 2019. The minutes are included in your package.

There ~~is one~~ (2) resolutions for your consideration.

Respectfully submitted,

Councillor Julie McCabe, Chair

**Human Resources, Communications & Administration Committee
Wednesday, November 6, 2019
3:45 PM– Parkdale Room**

Present: Councillor Julie McCabe, Chair
Councillor Mike Duffy, Member
Councillor Kevin Ramsay, Member
Councillor Alanna Jankov, Vice-chair
Peter Kelly, CAO
John Mooy, HRM
Jennifer Gavin, CO
Janine Abbott, HR

Regrets: Mayor Philip Brown

1) Call to Order

Councillor Julie McCabe called the meeting to order at 3:47 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 September 18, 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. HR11062019OS

John Mooy, HRM, 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 (4:05 PM), as per Section 119 (1) sub-sections (d) of the PEI Municipal Government Act was moved by Councillor Duffy and seconded by Councillor Jankov.

9) Adjournment

Motion to adjourn was moved by Councillor Duffy and seconded by Councillor Jankov. Public session of meeting adjourned at 4:38 PM.



City of
Charlottetown

Report No: HR11062019OS
Open Session

Date: November 6, 2019

Directed to: Human Resources,
Communication and Administration
Committee

Attachments:

OHS Report

Department: Human Resources

Prepared by: John Mooy, 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,


John Mooy, HRM

Reviewed By:

CAO

Mgr

Other

RECOMMENDATIONS/ACTIONS:

OCCUPATIONAL HEALTH AND SAFETY
2019

January February March April May June July August September October November December YTD

Orientation Employee	0	0	0	79	163	53	36	19	12	0	0	0	362
Orientation Contractor	1	0	0	0	1	0	0	0	1	0	0	0	3
Recordable Incidents	16	9	6	3	11	8	13	4	5	0	0	0	75
No Lost Time Incidents	14	7	4	1	11	5	12	4	4	0	0	0	62
Lost Time Incidents	2	2	2	2	0	3	1	0	1	0	0	0	13
OH&S Inspection Reports	0	1	0	0	0	0	0	0	0	0	0	0	1
OH&S Orders	0	1	0	0	0	0	0	0	0	0	0	0	1
OH&S Stop Work Orders	0	1	0	0	0	0	0	0	0	0	0	0	1

Safety Training

Fire Extinguisher Training	0	0	0	0	0	0	0	0	0	0	0	0	0
First Aid	0	0	0	0	0	0	18	16	0	0	0	0	34
Automatic External Defibrillator	0	0	0	0	0	0	18	16	0	0	0	0	34
Fall Protection Training	0	0	0	0	0	0	0	0	0	0	0	0	0
WHMIS 2015 Training	0	0	0	0	0	0	0	0	0	0	0	0	0
JOHNS Committee Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Arc Flash Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Control Person	0	0	0	0	0	0	0	0	0	0	0	0	0
Traffic Control Manager	0	0	0	0	0	0	0	0	0	0	0	0	0
Hot Work Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Lock Out Tag Out Training	0	0	0	79	163	53	36	19	12	0	0	0	362
Confined Space Retrieval Train	0	0	0	0	0	0	0	0	0	0	0	0	0
Power Line Hazards Training	0	0	0	0	0	0	0	0	0	0	0	0	0
P/R Risk Management Training	0	0	0	0	0	0	0	0	0	0	0	0	0
Slips Trips & Falls	0	0	0	0	0	0	0	0	0	0	0	0	0

1 Lost Time Incident

Injury

Head

1st Day Missed

September 11, 2019

1st Day Back To Work

September 15, 2019 worker missed 3 days

2 Lost Time Incident

Injury

1st Day Missed

1st Day Back To Work

3 Lost Time Incident

Injury

1st Day Missed

1st Day Back To Work

OH&S Inspection Reports



CITY OF CHARLOTTETOWN

RESOLUTION

Human Resources, Communications
and Administration # 1

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____ Alanna Jankov

Seconded by Councillor _____ Mike Duffy

RESOLVED:

THAT the City of Charlottetown accept the amendments to the Management & Non-Union Compensation and Benefits Policy, as per the attached document, effective November 12, 2019.



Summary of Management/ Non-union Compensation Policy Updates November 2019

- 1.1 Changed time from 8:30am – 5:00pm to 8:00am – 4:30pm
- 1.2 Changed wording from: Beginning the first Monday of June and ending the first Monday of October, the City shall mirror the Provincial Government hours of operation of 8:00 am to 4:00 pm Monday to Friday with a one-half (½) hour unpaid lunch break.

To: Beginning the Tuesday following Victoria Day in May and ending the Tuesday following Thanksgiving in October, the hours of operation will be 8:00 am to 4:00 pm Monday to Friday with a one-half (½) hour unpaid lunch break.

- 4.1.1 Added (g) Natal Day – 1st Monday of August
- 4.1.1 Removed: Natal Day (if proclaimed by the City as a holiday); if Natal Day is not proclaimed, Employees will be entitled to one (1) floating holiday day.



CHARLOTTETOWN

MANAGEMENT AND NON-UNION EMPLOYEES COMPENSATION AND BENEFITS POLICY

Policy Number: C-HR-2

Originating Department: Human Resources

*Approved By: Committee of the Whole
Committee of the Whole
Committee of the Whole
HR Committee
Council
Council
Council*

*Date of Approval: November 8, 1995
Amended: April 18, 1996
Amended: November 6, 2003
Amended: November 2, 2011
Amended: December 14, 2015
Amended: November 30, 2018
Amended:*

The following Human Resources Policy has been established to cover terms and conditions of employment for the City's permanent management and non-union Employees.

1.0 Hours of Work:

- 1.1 The normal work week shall be 8:00 am to 4:30 pm Monday to Friday with a one (1) hour unpaid lunch break.
- 1.2 Beginning the Tuesday following Victoria Day in May and ending the Tuesday following Thanksgiving in October, the hours of operation will be 8:00 am to 4:00 pm Monday to Friday with a one-half (½) hour unpaid lunch break.

2.0 Annual Vacation Leave:

- 2.1 Employees shall receive an annual vacation with pay in accordance with credited service prior to the commencement of the vacation period as follows:
 - One (1) to eight (8) years of completed service - three (3) weeks;
 - Nine (9) to eighteen (18) years of completed service - four (4) weeks;
 - Nineteen (19) to twenty-seven (27) years of completed service - five (5) weeks;
 - Twenty-eight (28) and more years of completed service - six (6) weeks.
- (a) Employees with less than one (1) year of service will receive pro-rated vacation leave.
- (b) One (1) week off in lieu of overtime will be added to the Employee's annual vacation as referenced in Section 3.1.

- 2.2 Management and non-union Employees who leave management/ non-union employment of an equivalent or similar nature with another Employer to accept management/ non-union employment with the City shall be eligible to receive a credit of 50% of the continuous service with the former Employer, to a maximum of seven (7) continuous year's service toward their vacation increments only.
- 2.3 An Employee may carry over up to an accumulative maximum of two (2) weeks of vacation in any given year, in cases where the Employee was unable to schedule vacation leave. All carry over requests must be approved by the Manager/ Director and the CAO (with notification given to the H.R. Department).

3.0 Administrative Time:

- 3.1 In lieu of extra time worked in any given year, the management and non- union Employees shall be given one (1) additional week off with pay which will be added to their annual vacation.

4.0 Statutory/Civic Holidays:

- 4.1.1 The following shall be considered holidays and Employees who are not obliged to perform services on these days shall be paid at their regular daily rate of pay:

- (a) New Year's Day- January 1st
- (b) Islander Day- 3rd Monday of February
- (c) Good Friday- Friday before Easter
- (d) Easter Monday- Monday after Easter Sunday
- (e) Victoria Day- Monday before May 25th
- (f) Canada Day- July 1st
- (g) Natal Day – 1st Monday of August
- (h) Labour Day- 1st Monday of September
- (i) Thanksgiving Day- 2nd Monday in October
- (j) Remembrance Day- November 11th
- (k) Christmas Day- December 25th
- (l) Boxing Day- December 26th

All such other holidays approved by special proclamation of the Governor General of Canada, the Lieutenant Governor of Prince Edward Island or the Mayor of Charlottetown, PEI will be granted as paid holidays

5.0 Sick Leave:

- 5.1 **Sick Leave Provisions** - Sick leave refers to the period of time that an Employee is permitted to be absent from work with full pay by virtue of being sick or disabled, mentally or physically, exposed to contagious disease, or because of an accident for which compensation is not payable under the *Worker's Compensation Act*.
- 5.2 **Amounts of Sick Leave** - Sick leave shall be earned by Employees on the basis of one and one-half (1.5) days for every month of service. An Employee shall be entitled to an accrual of the unused portion of sick leave for future sick leave use, up to the cap outlined in Section 5.4
- 5.3 Prior to amalgamation, Employees of the following municipalities/ utility had accrued and are entitled to receive the sick leave payout benefit, provided that they have not withdrawn that sick leave, commencing from their permanent date of hire within their respective municipalities/utility:
- Former City of Charlottetown
 - Sherwood
 - Charlottetown Water Commission
 - East Royalty
- (a) The sick leave reserve fund from Sherwood shall be transferred to the City's sick leave reserve fund.
- (b) Employees from Sherwood who have withdrawn their sick leave benefit shall have the number of days credited from Sherwood deducted from eligible days as per section 17.2 (a) of this agreement but in no case shall the days be less than zero (0).
- 5.4 There is a cap on the accumulation sick leave equal to three hundred and fifty days (350) days. After ninety (90) working days of illness an Employee may qualify for the City's Long-Term Disability Plan. All Employees must apply for this benefit after being off work for twelve (12) continuous calendar weeks.

6.0 Bereavement Leave:

- 6.1 **Bereavement Leave** - The intent of this article is to provide compassionate leave for Employees who are bereaved as the result of the loss of a family member.
- (a) **Immediate family** - If the death occurs in an Employee's immediate family (spouse including common-law spouse, mother, father, child, brother, sister, grandchild, mother-in-law, father-in-law or second degree relative residing in the same household), the Employee shall be granted

leave without loss of salary or benefits for all days scheduled to work in the five (5) calendar day period starting midnight following the death.

- (b) **Extended family** - In the event of the death of the Employee's brother-in-law, sister-in-law, or grandparents, the Employee shall be granted leave without loss of salary or benefits for all days scheduled to work in the three (3) calendar day period starting midnight following the death.
- (c) Up to three (3) additional working days leave may be granted at the discretion of the Manager/ Director or Chief Administrative Officer as appropriate.
- (d) **Pall bearer leave** - An Employee shall be granted one-half (½) day leave without loss of salary or benefits to attend a funeral as a pall bearer. Additional leave of up to one-half (½) day may be granted at the discretion of the Manager/ Director or Chief Administrative Officer, as appropriate.

7.0 Maternity/ Parental/ Adoption Leave:

- 7.1 Maternity leave without pay and parental leave without pay shall be granted according to the *Employment Standards Act* and Regulations for the Province of Prince Edward Island.
- 7.2 Sick leave will not be granted for pregnancy or allied conditions as diagnosed by the attending physician. Leave for such conditions shall be considered maternity leave and shall be leave without pay.
- 7.3 Sick leave will be granted to an Employee for sickness arising from complications associated with her pregnancy requiring hospitalization, excluding normal delivery.
- 7.4 An Employee returning from maternity leave shall give the Employer written notice of their return of at least ten (10) working days prior to returning to work. The Employee shall be placed in their previously held classification.
- 7.5 An employee who is not eligible for maternity/parental/adoption leave because it is being claimed by their partner, upon request shall be granted up to three (3) days' of leave with pay on the occasion of the birth and adoption of his/her child, or the permanent placement of a foster child.
- 7.6 Supplements to Employment Insurance (EI) Maternity or Parental Benefits will be provided to employees as follows:
 - (a) An employee who provides the Employer with proof that she has applied for and is eligible to receive **maternity benefits** under the provisions of the

Employment Insurance Act shall be paid an allowance of fifteen (15) weeks. The allowance shall be equivalent to the difference between the weekly EI benefits the employee is eligible to receive and eighty percent (80%) of her weekly rate of pay, less any other earnings received by the employee during the benefit period which may result in a decrease in the EI benefits to which the employee would have been eligible if no other earnings had been received during the period.

- (b) An employee, other than an employee who has received an allowance under Article 7.6 (a), who provides the Employer with proof that he/she has applied for and is eligible to receive **parental benefits** under the provisions of the Employment Insurance Act shall be paid an allowance for fifteen (15) weeks. The allowance shall be equivalent to the difference between the weekly EI benefits the employee is eligible to receive and eighty percent (80%) of his/her weekly rate of pay, less any other earnings received by the employee during the benefit period which may result in a decrease in the EI benefit to which the employee would have been eligible if no other earnings had been received during the period.
- (c) If both parents are employees covered under this policy, the maximum entitlement period to either one or both parents shall not exceed fifteen (15) weeks.
- (d) An employee mentioned in subsection (a) or (b) who is subject to a waiting period of two (2) weeks before receiving EI benefits, shall receive an allowance equivalent to eighty percent (80%) of his/her weekly rate of pay for each week of the two (2) week waiting period, less any other earnings received by the employee during the waiting period.
- (e) Where an employee becomes eligible for a salary increment or pay increase during the benefit period, payments under the Supplements to EI will be increased accordingly.
- (f) Should an employee not to return to the employ of the City for a minimum of six (6) months upon completion of their maternity/parental/adoption leave, the supplemental top up amounts paid to them during the leave will be repaid to the City.

8.0 Family Leave and Jury Duty:

- 8.1 **Family Leave** - Where no one other than the Employee can provide for the needs during illness of an immediate family member as defined in Section 6.1 (a), an Employee may be granted up to forty (40) hours in one (1) calendar year, at the discretion of the Manager/Director or Chief Administrative Officer, as appropriate. As soon as an alternate is found, the Employee is expected to report

for work during the Employee's working hours. Supporting medical evidence may be required.

- 8.2 Employees selected to serve on a jury shall receive regular salary for all days required to be in attendance. Any money received for jury duty will be paid to the City.

9.0 Compassionate Care Leave:

- 9.1 Compassionate Care leave is up to 26 weeks of unpaid leave that can be taken within a 52-week period to provide care and support to a gravely ill family member, as defined in Article 6.1 and who is at risk of dying within 26 weeks. Employees interested in applying for this leave must supply acceptable medical certification regarding the family member's illness, as well as an authorization to release the medical certificate.

(a) Employees may maintain their Extended Health and Dental benefits as well as Group Life Insurance and LTD during the leave period, provided the employee pays their portion of the premiums.

10.0 Education Leave:

- 10.1 At the discretion of the Employer and upon request of the employee, an employee may apply for a leave of absence for educational purposes without pay or accrued benefits for a period not exceeding one (1) year. Employees shall not accumulate vacation and/or sick leave credits during the period of their leave.

11.0 General Leave:

- 11.1 Leave of absence for up to twelve (12) months at any one time, without pay and without loss of seniority, may be granted to an Employee upon application to the Employer. Benefits accrued to date of commencement of leave shall remain to the Employee's credit but the Employee shall not accumulate any additional vacation and sick leave credits during the period of leave.

12.0 Income Averaging Leave:

- 12.1 Subject to work requirements and the approval of senior management, Employees may apply for a leave of absence without pay for up to four (4) weeks and request that their income be averaged over the entire one (1) year period. Applications for this leave must be made prior to the beginning of the calendar year and are subject to the approval of the Manager/Director or Chief Administrative Officer.

Cancellations of approved leave by either the Employer or the Employee will only be considered on an exceptional basis, due to unforeseen circumstances. Income averaging shall not impact an Employee's pension contribution.

13.0 Storm Days:

13.1 The City shall adhere to the Province of Prince Edward Island's Storm Policy. When notification is provided that offices are closing early or shut down for the day the City's municipal office buildings shall close as well. In the event an Employee calls in or leaves early due to weather before an announcement is made by the Province the Employee shall forfeit a vacation day or portion thereof.

14.0 Clothing Allowance:

14.1 The following position shall receive a clothing allowance on an annual basis as listed:

- Chief of Police - \$1,000.00
- Deputy Chief of Police - \$1,000.00

15.0 City Vehicles, Travel Allowances, Mileage Claims:

15.1 The policy and procedure governing Personal Use of City Vehicles is applicable to all City staff.

15.2 Car allowances shall not be provided to Employees.

15.3 Mileage claims shall be available to reimburse any Employee required to use their own vehicle for City use as authorized by the Manager/Director. The applicable mileage rate shall be posted on the "Everyone" drive under "Human Resources" for reference.

16.0 Group Health, Dental, AD&D, Life and Travel Insurance Benefits:

16.1 The Employer and Employee shall cost share at 50% each employee's premiums for group health, dental, travel, AD&D and life insurance. The Employer shall deduct from the employee's 50% share from the employee's wages. When an employee is on Long Term Disability, the Employer shall continue to pay one-half (1/2) of the employee's assessment for group health, dental, travel, AD&D and life insurance coverage.

16.2 The Employer shall administer a Long Term Disability plan for all permanent Employees. This plan will guarantee 70% of wages to the maximum amount

covered under the Plan while an Employee is on Long Term Disability. The Employee shall pay the full premium; however, the 50% that the Employer would have paid towards the plan will be applied to the health, dental and group life insurance.

- 16.3 An Employee on Long Term Disability shall not accumulate any additional vacation and sick leave credits during the period of time that they are not actively at work.

17.0 Service Pay:

- 17.1 Service pay shall be paid to all eligible Employees according to the following schedule:

- (a) \$185.00 per year after four (4) years completed service;
- (b) \$235.00 per year after five (5) years completed service;
- (c) \$285.00 per year after ten (10) years completed service;
- (d) \$325.00 per year after twenty (20) years completed service.

NOTE: This service pay is to be paid to eligible Employees on active payroll each year on the first pay in December of that year.

18.0 Retirement and Retirement Pay:

- 18.1 Retirement pension benefits shall be as stated in the Bylaws of the City of Charlottetown. This Bylaw will not be altered without prior mutual agreement of the parties to the *City of Charlottetown Superannuation Plan* s of this agreement.

- 18.2 All Employees who are eligible to retire according to the Bylaw; City of Charlottetown Superannuation Plan may retire and be granted the following:

- (a) A lump sum payment of one-half ($\frac{1}{2}$) of an Employee's accumulated unused sick leave days, up to a maximum payment of seventy-five (75) days. At the discretion of the Employee, the above payment may be held over to the following taxation year.
- (b) Employees who have at least ten (10) years and not more than fifteen (15) years continuous full-time service with the City of Charlottetown shall be paid full salary for a period of three (3) months in addition to their pension benefits according to the City Bylaw. At the discretion of the Employee, the above payment may be held over to the following taxation year.
- (c) For each additional five (5) year period of continuous full-time service, or portion thereof, the Employee shall be paid full salary for an additional

month up to a maximum of three (3) months (making a six (6) month maximum payable amount in total) in addition to their pension benefits according to the City Bylaw. At the discretion of the Employee, the above payment may be held over to the following taxation year.

- (d) Employees who choose to continue to work past the retirement age according to the Bylaw shall begin to draw pension benefits pursuant to the Bylaw. However, the granting of the above allowance under paragraphs (a), (b) and (c) shall then be held until the Employee's official date of retirement.

19.0 Pensions:

19.1 All permanent full-time Employees shall participate in the City Pension Plan as of their appointment date or April 1, 1995, whichever is earliest and of interest to the Employee, excluding Utility Employees. The Utility Plan is now a closed Plan and all new Utility employees must join the City Plan. No further amendments can be made to the Utility Plan.

19.2 The Pension Plan shall be administered in accordance with the *City of Charlottetown Superannuation Plan Bylaw*.

20.0 Salary/ Wages:

20.1 The Management salary Bands have been established through the Hay Job Evaluation System; a well-recognized points based system. There are five (5) increments (steps) for each salary band through which the incumbent **may** progress on their annual anniversary date, subject to a satisfactory performance appraisal each year.

20.2 In determining the rate of pay for a vacant or new position, or when an Employee requests a job evaluation review due to increased job responsibilities, the City's *Job Evaluation Process Policy* will apply. The evaluation result shall be recommended to the Chief Administrative Officer for approval and confirmation.

20.3 Adjustments in the rate of pay (i.e. cost of living allowances) shall be determined annually by the Committee of Council which governs Human Resources, and confirmed by City Council.

20.4 A complete job evaluation process for all management and non-union positions will be conducted with the assistance of an external consultant, to ensure that internal and external equity are achieved, at least every ten (10) years.

As the previous job evaluation report was completed in **2016**, the next evaluation is to be completed in **2026**.



CITY OF CHARLOTTETOWN

RESOLUTION

**Human Resources, Communications
and Administration # 2**

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____ **Alanna Jankov**

Seconded by Councillor _____ **Mike Duffy**

RESOLVED:

THAT the City of Charlottetown accept the amendments to the Public Appointment Policy, as per the attached document, effective November 12, 2019.



Summary of Public Appointment Policy Updates

November 2019

- 5.1 Removed: with the exception of individuals who work in the City of Charlottetown and have expertise specifically required for a Board to meet its mandate;

CITY OF CHARLOTTETOWN POLICY

Public Appointment Policy

Policy Number: P-ADMIN-02

Originating Department: Administration

Approved By: Council

Date of Approval: February 11, 2019

Amended:

Purpose: To provide guidelines for the development of Advisory Boards and appointing public members in an equitable, accountable and transparent manner.

1.0 Advisory Boards - General

The City of Charlottetown is committed to community engagement, and, through this policy, will recruit Advisory Board members who will provide high calibre direction and advice as members of Advisory Boards. Advisory Boards are any sub-committees of the Council Standing Committees. Task forces formed for specific projects that fall outside of the terms of reference for the Standing Committees are not considered Advisory Boards.

This policy provides a guide for Council to ensure that the public appointment process is principle-based while ensuring the most suitable candidates are selected and appointed as Board members.

The appointment of citizen members to serve on Boards is important to the City in order to:

- Provide a variety of perspectives, reflecting the diversity of the community;
- Represent stakeholder groups;
- Bring specific skills and expertise that contribute to contribute to good governance; and,
- Represent specific groups of service users.

2.0 Scope of Policy

- 2.1 This policy applies to all appointments of citizens to Advisory Boards under the City of Charlottetown Corporation.

3.0 Establishing a New Advisory Board

- 3.1 Standing Committees within the City of Charlottetown can determine the need to establish an Advisory Board. The recommendation is then forwarded to the Council Advisory Committee for a recommendation to Council. Advisory Boards should

report to a Standing Committee and must fulfil duties as established by the Council Advisory Committee as per Section 45.2 (c) of the Procedural Bylaw. Each Advisory Board is required to have its own terms of reference, as recommended by the Council Advisory Committee and approved by Council. Each terms of reference should determine the value of a stipend for the Advisory Board members, if deemed appropriate by the Council Advisory Committee.

4.0 Selection

- 4.1 The City of Charlottetown recognizes that the needs of the City and its partners are best met when candidates are appointed to Boards they are passionate about and have skills they can bring to the table. Council shall look for qualifications in each candidate that are relevant to the responsibilities of the individual Board and make appointments that ensure the Board members collectively cover the range of skills and experience required to fulfil the mandate of the Advisory Board. The City of Charlottetown believes in equal opportunity and is proud to be an inclusive workplace. This applies to the City's Advisory Boards and all persons living or working in the City are welcome to apply to serve on one of the Advisory Boards.

5.0 Eligibility and Qualifications

- ~~5.1 Applicants must be residents or property owners in the City of Charlottetown, with the exception of individuals who work in the City of Charlottetown and have expertise specifically required for a Board to meet its mandate;~~
- 5.2 Applicants must be at least 18 years of age; and
- 5.3 To remain an active member, appointees are required to maintain their eligibility and qualifications throughout their term.

6.0 Restrictions

- 6.1 Relatives of Members of Council
Relatives of Members of Council – as defined by spouse, common law spouse, child, parent, sister or brother – are not eligible for appointments to Boards and committees.
- 6.2 Restriction for Staff
Staff of the City of Charlottetown are not eligible to apply to serve as a member of an Advisory Board and may only serve on the Board as a staff resource person if so appointed by Administration or Council.
- 6.3 Former Members of Council
Former members of Council, who served on City Council in the immediately preceding term, are not eligible for appointment to the City's Advisory Boards.

7.0 Multiple Appointments

- 7.1 To encourage the broadest degree of citizen involvement, no citizen shall serve concurrently on more than one (1) Board except;
- A member of the Planning or Heritage Board may also serve on the Design Review Board.

8.0 Board Specific Eligibility Requirements

- 8.1 Specific eligibility requirements shall be included in the terms of reference for each Advisory Board.

9.0 Length of Service

- 9.1 Terms
A set term will be established for each Advisory Board and outlined in the terms of reference for each Board. In general, the term will be for two (2) years. After the initial two-year period, City Council has the right to perform a review. Despite the term of appointment, all participants are appointed under the direction of Council and Council retains the right to replace any appointed member, at any time, and for any reason, unless legislation provides otherwise.

- 9.2 Limits
Incumbents who are eligible and willing to seek reappointment may apply for a subsequent term. However, recognizing the importance of engaging as many residents as possible, a limit has been set on length of service. The limit on length of service for any citizen is a maximum of two (2) consecutive terms of two (2) years, for a limit of four (4) consecutive years, on the same Board.

10.0 Vacancies

- 10.1 A vacancy on the Board is created when a member resigns or vacates the position for any reason, effective the earliest of:
- a) The date of resignation;
 - b) The date the member ceases to be qualified;
 - c) The date the member is removed by City Council;
 - d) The date of death or other incapacitation.
- 10.2 When a vacancy occurs prior to the end of the term, candidates will be selected by the Council Advisory Committee to fill the vacancy from the list of eligible candidates from the applicant pool. If none of these methods result in identification of a qualified nominee, the Council Advisory Committee may recommend to Council that additional recruitment efforts be undertaken.

11.0 Recruitment

- 11.1 Generally, the public appointments process will begin as soon as possible after the municipal election to allow the Council Advisory Committee to consider potential applications and make a recommendation to Council as soon as possible in the new term.

12.0 Recruitment Method

The type of qualifications sought for citizen members will determine the recruitment method. Recruitment for any Board may use one or more of the methods set out below: Advertised Recruitment or Interest Group Nominations.

All citizen members who are appointed, regardless of recruitment method used, shall be eligible for appointment pursuant to Section 2 of this policy and shall maintain their eligibility throughout the term of their appointment unless otherwise determined by City Council.

12.1 Advertised Recruitment

The advertised recruitment process is the standard process used by the City to invite the public at large to apply for available Advisory Board positions. This is done through local or City-wide media advertising or other public posting including: social media and the City's website.

12.2 Interest Group Nomination

Where City Council wishes to represent the interest of stakeholder groups on a Board or to obtain special expertise, such as from a professional or technical organization, the composition of the Board may include one or more positions designated for nomination by specific interest groups.

In that case, the designated interest group, stakeholder group, organized service user group, funding partner, labour representative or professional technical organization is able to nominate members for review by the Council Advisory Committee and approval by City Council. This requires that City Council rely on the ability of the interest group to nominate appropriate and effective representatives.

13.0 Information Sessions

- 13.1 In addition to the advance outreach initiatives, City staff may conduct advertised public information sessions at the start of the advertised recruitment process to provide more information on the mandate of the Advisory Boards.
- 13.2 Applicant attendance at an information session is not mandatory. Applicants are expected to obtain the information they need in order to meet the submission deadline and other application requirements.

14.0 Application Process

14.1 Applicants are encouraged to submit applications through the electronic application process on the City website. Hardcopy application forms may be obtained by request at the reception desk at City Hall (199 Queen Street). Incumbents who are eligible and wish to seek reappointment must reapply in the same manner as other applicants. Specifics of application requirements will be available when the recruitment is announced.

14.2 Multiple Applications

Applicants may apply for more than one Board and should express their priority of choice on the application form.

15.0 Potential Conflict of Interest

Applicants should consider whether they have a real or perceived conflict of interest in serving on an Advisory Board. As part of the appointment process, applicants must identify and disclose any actual or potential conflicts of interest they may have.

Potential conflicts of interest may include, but are not limited to, applicants or their spouses, partners, children or parents, employers or business partners:

- Currently doing business or seeking to do business with, or working as a consultant, for the partners, agencies or stakeholders connected to the Advisory Board, or the City;
- Serving as a lobbyist during the current or previous term of Council on issues affecting the agency or corporation.

Other potential conflicts could include applicants having:

- Any interest, direct or indirect, in outstanding litigation or applications involving the City corporation; or
- Any arrears of money owed to the City Corporation though such things as outstanding Utility bills and overdue fines.

Disclosure of potential or perceived conflicts does not automatically make an applicant ineligible for an appointment. However, the nominating panel is required to assess any potential or perceived conflicts before determining whether an applicant should be considered further.

16.0 Confidentiality of Applications

- 16.1 Only members of the Council Advisory Committee and designated City staff who are providing support in the selection process shall be provided with copies of the applications. However, other Council members, who will be voting when a recommendation is made by the Council Advisory Committee, may request to see the summary of applications and qualifications prepared by Human Resources for the Council Advisory Committee.
- 16.2 Council members and members of the Council Advisory Committee may not copy, disclose or otherwise disseminate information contained in any confidential lists of applications, or in any confidential applications, or other information received in private sessions, nor may they repeat any confidential information heard at those meetings.

17.0 Selection

- 17.1 Applications will be received and vetted by staff in Human Resources to ensure overall eligibility for the Advisory Boards. The applications will be received by the Council Advisory Committee, which will make a recommendation to Council.

18.0 Council Members – Potential Conflicts of Interest

- 18.1 Council members who have a conflict of interest or who perceive a conflict of interest with respect to an applicant for a Board appointment, must declare the conflict and abstain from debating and voting at any meeting where the application is being discussed. A business relationship between a Council member and an applicant should also preclude the Council member from participating in the appointment process.

19.0 Resolution of Appointment

- 19.1 The Council Advisory Committee will bring forward a resolution to Council the Advisory Boards.

20.0 Administration

- 20.1 Remuneration of Advisory Board Members
Citizens selected to serve as a member of an Advisory Board within the City of Charlottetown will receive a stipend as a token of appreciation for their time and commitment to the Advisory Board on which they serve, provided they meet the requirements for attendance (see Section 20.2).

The stipend amount, if applicable, will be determined in the terms of reference specific to the Advisory Board on which the member sits.

Remunerations are paid out the month following that of which the meeting took

place.

Only Advisory Board members that are in attendance during the full length of the meeting will receive their stipend.

20.2 Attendance

Advisory Board members will receive a schedule of meetings, which typically will be held once per month. Members are expected to attend each meeting and fully participate in, and contribute to, the work of the Board.

Advisory Board members will not receive remuneration for any missed meetings, whether excused or unexcused.

If a member is absent for three (3) consecutive meetings, or 35% of meetings within a calendar year, whether excused or unexcused, the Board Chairperson shall notify and discuss the situation with the Council Advisory Committee, which will make a recommendation to Council.



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
REPORT TO COUNCIL
November 12th, 2019**

The Parks, Recreation and Leisure Activities Committee met on October 30th, and a copy of those DRAFT minutes are included in your package.

There is one resolution from our department.

The Volunteer of the Month for October is Tiffany Doucette with the Charlottetown Ringette.

Respectfully submitted,

Councillor Mitchell Tweel, Chair

PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
Wednesday, October 30th, 2019
12:00 PM – Sherwood Room, City Hall

Present: **Councillor Mitchell Tweel, Chair** **Councillor Terry Bernard**
 Councillor Bob Doiron (arrived 12:12pm) **Councillor Kevin Ramsay**
 Frank Quinn, PRM **Philip Brown, Mayor**
 Christopher Drummond, PC
 Jackie McKinnon, AA

Regrets: **Peter Kelly, CAO**

1. CALL TO ORDER

The meeting was called to order at 12:10PM by Chair Mitchell Tweel.

2. DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

3. APPROVAL OF AGENDA

Mayor Brown would like to add an item to the agenda relating an inquiry from Mudmen Rugby (Blake Doyle). Moved by Councillor Ramsay and seconded by Councillor Bernard, that the agenda for Thursday, Wednesday, October 30th, 2019, be approved, as amended.

CARRIED

4. ADOPTION OF MINUTES (September 25th, 2019)

Moved by Councillor Ramsay and seconded by Councillor Bernard that the minutes of September 25th, 2019 be approved.

CARRIED

5. BUSINESS ARISING FROM THE MINUTES

There was no business arising.

6. REPORTS:

a. Resolution – Boardwalk Replacement – “Old” PE Home to Lieutenant Governors

The PRM gave an overview of the project noting that it was originally proposed to be widened to ten feet and that played a part in the bid coming in more than double the allotted budget amount which was \$45,000. As well the length of the boardwalk appears to have been under estimated.

Staff went back to the low bidder with a revised scope of work to replace the existing 6’ wide boardwalk with the same width. The revised quote was received in the amount of \$85,560 (HST Included). The PRM noted that since we have a \$39,000 shortfall, staff identified the necessary funds from two other approved projects that will not be taking place this year, namely, Mulberry Park Parking Lot (\$26,500) and Park Development - Stockman Park Drainage (\$12,500) and is recommending that we transfer these funds to the cover the shortfall in the Boardwalk Replacement project.

A discussion was held on the two projects not being completed this year. The PRM noted that the Mulberry Park Parking Lot paving project was going to be more than double the original budget and staff could not justify spending that amount of money on primarily a seasonal parking lot. We will revisit this project next year and determine if there are options other than complete replacement that may improve its look and overall condition and a reduced cost.

The Park Development – Stockman Drainage issue has been deemed to be addressed by some ditch infilling done by the Public Works Dept. along the Stockman Drive (frontage of the park) which seemed to solve much of the drainage issue throughout the park. It is anticipated that additional ditch infilling will be done along the end adjacent to Belgrave Drive within the next year or two.

Motion was moved by Mayor Brown and seconded by Councillor Bernard that we proceed to transfer funds from the two projects noted within the Capital Budget to allow for this boardwalk replacement to be completed and further that we proceed with a Resolution to Council.

CARRIED

Mayor Brown asked a question regarding the possibility of constructing a pathway that runs from the end of Ambrose Street across the green space to connect to the Terry Fox Run Drive. A discussion took place on the subject and the PRM noted that the land in question is owned by the province and they are still working on the Old PE Home demolition. The PRM noted that he will be in communication with the province's engineer on other matters and will forward this idea to him.

b. Resolution – 2019 Mulberry Park Clubhouse Renovations

The PRM noted that this resolution and backgrounder is not in your package and will not be forwarded at this time since staff are waiting to receive a revised quote for a small change in the scope of work. It was noted that the scope of work will include updating the washrooms to meet code and adding an accessible pathway to the building.

The PRM noted that when the PS receives the revised quote with the change in scope of work, he will forward the resolution and backgrounder on to the PRLA committee for approval. It is anticipated that this project will get underway during the winter months and potentially be completed in spring 2020. Further, we are using the existing building footprint and redesigning only to meet accessibility codes for washrooms.

c. Playground Install

The PRM provided a verbal update, noting that we are close to finishing the equipment install for 2019. At present, staff is completing Messer Park, two structures are installed and a slide structure is constructed and will be in place over the next couple of days.

approximately six acres. Aside from a substantial development which would garner us 'dedicated parkland', we would have to look at purchasing the land. Should this happen, it will have to be advanced as part of the Capital Budget process. Staff will look into potential options and bring back to PRLA Committee. Chair Tweel noted that this can be placed on a future agenda for further discussion.

7. NEW BUSINESS

8. MOTION TO MOVE INTO CLOSED:

Moved by Councillor Bernard and Seconded by Councillor Ramsay to move into closed session at 12:51PM, 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 Ramsay that the meeting be adjourned at 1:01PM

Chair: Councillor Mitchell Tweel

DRAFT



CITY OF CHARLOTTETOWN

RESOLUTION

Parks and Recreation #1

MOTION CARRIED _____

MOTION LOST _____

Date: November 12, 2019

Moved by Councillor _____ Mitchell Tweel

Seconded by Councillor _____ Terry Bernard

RESOLVED:

That as per the recently advertised tender for the 2019 Mulberry Park Clubhouse Renovations project, the City of Charlottetown accepts the low bid from WM&M (1993) Ltd. for \$63,055 (HST Included).

And that this amount be expensed to the 2019/20 Parks and Recreation Capital Budget,

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

Backgrounder for Resolution #1

Date: November 12, 2019

Line Department: Parks and Recreation

Budget Category: 2019-20 Capital

Overview of Expense:

2019 Mulberry Park Clubhouse Renovations

The City of Charlottetown recently advertised a tender, to complete renovations to the Mulberry Park Clubhouse, which is highly used by the public (i.e., day cares, soccer and baseball users). The washrooms are deteriorating due to age and are requiring upgrades. The existing washrooms are not vented nor do they have any natural lighting. As part of the upgrades, the washrooms will be retrofitted with a venting system, skylights and made accessible.

Procurement Details:

The tender was advertised in local media and the City of Charlottetown website for a two week period. Two bids were received. The submissions were reviewed by department staff and the Coles Associates.

Bidder	Tender Amount (HST Included)
WM&M (1993) Ltd	\$67,505.00
Highfield Construction	\$83,490.00

Since the bids came higher than budgeted, staff reviewed the scope of work and went back to the low bidder to request a minor change to the scope of work. **The revised quote of \$63,505 (HST included) was received from WM& M (1993) Ltd.** This revised bid is deemed to be a fair price for the scope of work.

Council approved \$35,000 under the 2019-20 P & R Capital Budget for this project. Since we have a shortfall of \$28,055, staff have identified the necessary funds from the Mulberry Park Parking Lot project, which will not be taking place this year.

If awarded the project is scheduled to commence early in 2020 and be completed by May 25, 2020.

Recommendation:

It is recommended that the revised bid of **\$63,505 (HST included)** from WM&M (1993) Ltd. be accepted for the Mulberry Park Clubhouse Renovations project.

Justification for Recommendation:

The bid for the Mulberry Park Clubhouse Renovations is deemed to be a fair price for the scope of work and they meet the requirements of the tender.



**COUNCIL ADVISORY COMMITTEE
REPORT TO COUNCIL
NOVEMBER 12, 2019**

The Council Advisory Committee met on October 23, 2019 and the draft open minutes are included in the package.

There are no resolutions for consideration.

Notice of Motion to amend the Procedural Bylaw is attached.

Respectfully submitted,

Councillor Terry MacLeod, Chair

**COUNCIL ADVISORY COMMITTEE
WEDNESDAY, OCTOBER 23, 2019 AT 5:00 PM
SHERWOOD ROOM – CITY HALL**

DRAFT

Present: **Councillor Terry MacLeod, Chair**
 Councillor Mike Duffy, Vice-Chair
 Councillor Alanna Jankov, Member
 Deputy Mayor Jason Coady
 Mayor Philip Brown, Member
 Peter Kelly, CAO
 Tracey McLean, RMC

1. Call to Order

Councillor MacLeod called the meeting to order.

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

Moved by Councillor and seconded by Councillor that the open agenda be approved. Carried.

4. Approval of Minutes

The Mayor requested that the minutes of October 8, 2019 reflect that he was out of the room when it was 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. T. McLean to amend the minutes accordingly. Moved by Councillor Duffy and seconded by Councillor Jankov that the previously circulated draft minutes of October 8, 2019 be approved. Carried.

5. Discussion Items:

a) Youth Engagement Committee Terms of Reference

The Committee reviewed the previously circulated terms of reference. Moved by Mayor Brown and seconded by Councillor Jankov that the Youth Engagement Terms of Reference be forwarded to Council for approval.

b) Proposed Amendments to the Procedural Bylaw

There was significant discussion among the Committee regarding this item. The proposed amendments would limit speaking times for both Council members and the public during public meetings. Some Committee members voiced their disapproval to such limitations. It was noted that if limits were in place then more residents would have the opportunity to express their support or opposition to a particular matter. With respect to verbatim minute requests, the Committee agreed that this proposed amendment would not be considered at this time.

Moved by Councillor Jankov and seconded by Councillor Duffy that Section 37 - Conduct during Public Council Meetings be amended to include subsection 37.2 and 37.3 which relate to time limits a) speaking to a question and b) public hearings/meetings. Vote was tied 2-2; Chair MacLeod voted in favour. Mayor Brown and Deputy Mayor Coady opposed.

A Notice of Motion to amend the Procedural Bylaw will be presented at the Regular Meeting of Council in November.

c) 2018-2022 Standing Committees Terms of Reference Review

There was a brief discussion regarding the New Year's Levee and Make Our Hometown Beautiful events within the ToR of Economic Development, Tourism and Events Development. Moved by Councillor Jankov and seconded by Mayor Brown that these two events now be the responsibility of the Mayor's Office.

Committee agreed that the examination of the terms of references be deferred until the two year review of Standing Committees (December 2020).

d) Consolidation of Standing Committees

Committee agreed that the proposed consolidation be deferred until the two year review of the Standing Committees (December 2020).

e) Electronic Participation in Meetings

Some concern was raised with respect to the item; multiple Councillors being out therefore the lack of physical presence at meetings. The CAO indicated that Section 122 of the Municipal Government Act as well as the City's Procedural Bylaw allows a council meeting to be conducted by electronic means. The CAO added that if there are more than one Councillor participating electronically, a conference call would be set up in advance of the meeting.

7. Motion to move into Closed Session

Moved by Councillor Duffy and seconded by Councillor Jankov that the meeting move into a Closed Session as per Section 119 (1) Subsection (e) of the Municipal Government Act of Prince Edward Island. Carried.

8. Business Arising from the Closed Session

No business arose from the Closed session.

9. Adjournment

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

The meeting adjourned at 6:50 PM

NOTICE OF MOTION

Notice of Motion to amend the Procedural Bylaw.

Amend Section 37 – Conduct during Public Council Meetings by adding subsection 37.2 – Speaking to Question and 37.3 – Public Hearings

The purpose for the proposed amendments is to set time limits with respect to speaking to a question as well as presenting/speaking at public hearings.