

**18 - Resolutions
10 - Bylaws**



**CITY OF CHARLOTTETOWN
MONTHLY MEETING OF COUNCIL
MONDAY, APRIL 8, 2019 AT 7:00 PM
COUNCIL CHAMBERS - CITY HALL, 199 QUEEN STREET**

- 1. Call to Order**
- 2. Declarations of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Adoption of Previous Draft Minutes**
 - Regular Meeting - March 11, 2019
 - Special Meeting – March 11, 2019
 - Planning Public Meeting – March 27, 2019
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
 - 6.1 Planning & Heritage – Coun. Greg Rivard, Chair**
 - Monthly Report
 - Nine (9) Resolutions
 - 1st Readings of the Zoning & Development Bylaw pertaining to:
 - 197 Minna Jane Drive
 - Royalty Road & Upton Road
 - 88 Brackley Point Road
 - 183 Great George Street
 - Amendments to Z&D Bylaw re: types of housing
 - Secondary and Garden Suite Registry Bylaw – create and implement
 - 6.2 Economic Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair**
 - Monthly Report
 - No Resolutions
 - 1st Reading of the Tourism Accommodation Levy Amendment Bylaw
 - 6.3 Environment & Sustainability – Coun. Terry MacLeod, Chair**
 - Monthly Report
 - One (1) Resolution
 - 1st Reading of the Tree Protection Bylaw
 - 6.4 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov**
 - Monthly Report
 - No Resolutions

- 6.5 Finance, Audit & Tendering – Coun. Terry Bernard, Chair**
 - Monthly Report will be available Monday
 - No Resolutions

- 6.6 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair**
 - Monthly Report
 - No Resolutions
 - 1st reading of the Staffing Bylaw Amendment Bylaw

- 6.7 Parks, Recreation & Leisure Activities – Coun. Mitchell Tweel, Chair**
 - Monthly Report
 - No Resolutions

- 6.8 Protective & Emergency Services – Coun. Bob Doiron, Chair**
 - Monthly Report
 - No Resolutions

- 6.9 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair**
 - Monthly Report
 - Two (2) Resolutions

- 6.10 Public Works & Urban Beautification – Coun. Mike Duffy, Chair**
 - Monthly Report
 - One (1) Resolution

- 6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair**
 - Monthly Report
 - Five (5) Resolutions
 - 1st reading of the Procedural Bylaw Amendment Bylaw

- 6.12 Introduction of New Business**
 - No Resolutions

7. Motion to Adjourn



DRAFT

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

Mayor Philip Brown Presiding

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

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

Also: Peter Kelly, CAO
Brad MacConnell, DPC
Frank Quinn, PRM
Paul Johnston, IAMM
Wayne Long, EDO
Bethany Kauzlarick, HRM
Ramona Doyle, SO
Jen Gaven, CO
Tracey McLean, RMC

Randy MacDonald, FC
Alex Forbes, PM
Scott Adams, PWM
Richard MacEwen, UM
Ron Atkinson, EconDo
Laurel Lea, TO
Stephen Wedlock, AC
Steven Forbes, CS

Regrets: Councillor Mitchell Tweel

The Mayor announced to Council, staff, media and members of the public that March is National Kidney Month and that Epilepsy Awareness Day (Purple Day) is March 26 and he expanded on the details regarding both causes.

Due to a disturbance beyond the bar of the Council Chambers, it was moved by Councillor Ramsay and seconded by Councillor Rivard to break for a short recess. Carried.

Moved by Councillor Jankov and seconded by Councillor Duffy that the meeting resume. Carried.

1. Call to Order

Mayor Brown called the meeting to order at 7:30 PM

2. Declarations of Conflict of Interest

No conflicts were declared.

3. Approval of Agenda

Councillor Bernard requested that the New Business resolution regarding an organizational review and audit of the City's Finance Department be removed from the agenda as this item was never discussed at a Finance Committee meeting or followed proper procedure and should be sent back to the Finance Committee for further discussion.

Moved by Councillor Bernard and seconded by Councillor Rivard that the New Business

resolution be removed from the agenda. Carried 6-3 with Deputy Mayor Coady, Councillor Doiron and Councillor McCabe opposed. Moved and seconded to approve the amended agenda. Carried 6-3 with Deputy Mayor Coady, Councillor Doiron and Councillor McCabe opposed.

4. Adoption of Previous Draft Minutes

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

- Regular Meeting – February 11, 2019
- Special Meetings – February 11, 28 and March 6, 2019

5. Business Arising out of the Minutes

No business arose from the minutes.

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 the City of Charlottetown cease utilizing the Canadian Radio Information Network Service (CRINS) to process telecommunication tower applications, be approved. Moreover, the Mayor and the CAO of the City be authorized to write to CRINS thanking them for their service to date and indicating that their services will no longer be required.

And further, that the City adopt the FCM telecommunication tower protocol as attached, be approved.

CARRIED 9-0

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

RESOLVED:

That the request to:

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

CARRIED 9-0

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

RESOLVED

That the request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and
2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single Density Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone; for the property at 88 Brackley Point Road (PID #396770), be approved to proceed to public consultation.

CARRIED 9-0

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

RESOLVED

That the request for a temporary structure variance to locate a container on the vacant property located at 215 Queen Street (PID# 343582) to be used as a commercial building for food preparation and service to operate for one (1) year, be approved, subject to the design of the structure to meet the satisfaction of the Development Officer.

CARRIED 9-0

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

RESOLVED

That the request to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:

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

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

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

2. Increase the maximum front yard setback for a building in the Downtown Core (DC) Zone from 3.3 ft as permitted in Section 31.2.2 of Zoning & Development By-law (2018-11.009) to approximately 52.5 ft.

CARRIED 8-1
Councillor MacLeod opposed

Moved by Councillor Greg Rivard
Seconded by Councillor Alanna Jankov

RESOLVED

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments, be approved to proceed to public consultation.

CARRIED 7-2
Deputy Mayor Coady and Councillor Doiron opposed

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED

That the proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements, be approved to proceed to public consultation.

CARRIED 9-0

2nd reading of the Zoning & Development Bylaw — To adopt Bylaw 2018-11-011, a Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) **relating to Design Review, Home Occupations, Parking, Marijuana Production Facility and Temporary Use Variances.**

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That this bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw, was read and approved a first time on February 11, 2019 and that the Bylaw (2018-11-011) be hereby read a second time and formally adopted.

CARRIED 9-0

2nd reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-010, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at **562 Malpeque Road (PID #145797)** and adjacent vacant parcel (PID #145789) from Single-Detached Residential (R1-L) to Medium Density Residential (R-3) Zone.

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

RESOLVED:

That this bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw, was read and approved a first time on February 11, 2019 and that the Bylaw (2018-11-010) be hereby read a second time and formally adopted.

**CARRIED 7-2
Deputy Mayor Coady and Councillor Doiron opposed**

2nd reading of the Heritage Preservation Bylaw - To adopt Bylaw 2018-07-001, a bylaw to amend the Heritage Preservation Bylaw, to **rename the Heritage Preservation Bylaw**, Bylaw #2018-07 to PH-HP.1

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

RESOLVED:

That this bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw, was read and approved a first time on February 11, 2019 and that the Bylaw (2018-07-001) be hereby read a second time and formally adopted.

CARRIED 9-0

2nd reading of the Building Code Bylaw - To adopt Bylaw 2018-12-001, a bylaw to amend the Building Code Bylaw, to **rename the Building Code Bylaw**, Bylaw #2018-12 to PH-BC.2

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

RESOLVED:

That this bylaw (2018-12-001), a bylaw to amend Building Code Bylaw, was read and approved a first time on February 11, 2019 and that the Bylaw (2018-12-001) be hereby read a second time and formally adopted.

CARRIED 9-0

2nd reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-013, a Bylaw to amend the Zoning & Development Bylaw, to **rename the Zoning & Development Bylaw** (Bylaw 2018-11) to PH-ZD.2.

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

RESOLVED:

That this bylaw (2018-11-013), a bylaw to amend Building Code Bylaw, was read and approved a first time on February 11, 2019 and that the Bylaw (2018-11-013) be hereby read a second time and formally adopted.

CARRIED 9-0

2nd reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-012, a Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) **relating to Affordable Housing.**

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That this bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw, was read and approved a first time on February 11, 2019 and that the Bylaw (2018-11-012) be hereby read a second time and formally adopted.

CARRIED 9-0

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

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

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

Councillor Ramsay indicated his Committee's report was included in the weekend package. He reported that the World Under-17 Hockey Challenge is headed to Prince Edward Island when Charlottetown and Summerside co-host the tournament Oct. 31-Nov. 7, 2020; with funding from the provincial government, 200 new jobs will be created at Invesco in Charlottetown and he wished Laurel Lea, Tourism Office, good luck as a nominee for the Rising Star of the Year Award at the upcoming Canadian Sport Tourism Alliance (CSTA) PRESTIGE Awards in Ottawa. It was also noted that the federal government will be contributing \$37.5 million to BioVectra Inc. to allow expansion of its operations; creating at least 40 new jobs at the company's Charlottetown location.

Moved by Councillor Kevin Ramsay
Seconded by Councillor Terry MacLeod

RESOLVED:

That the City of Charlottetown enter into the attached agreement with Tree Canada to host the 2020 Canadian Urban Forestry Conference,

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

CARRIED 9-0

6.4 Environment & Sustainability – Coun. Terry MacLeod, Chair

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

It was suggested that contact information for the Provincial Fish and Wildlife department be posted on the City's website to help direct residents who have issues with coyotes. Councillor MacLeod took this under advisement.

6.5 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

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

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

Councillor Bernard indicated his Committee's report was included in the weekend package. He thanked the CAO, Finance department and staff for their work on the Capital budget which was passed on March 6 and noted that the date to approve the Operational budget has not been set but sufficient notice will be given when the date is chosen.

**Moved by Councillor Bob Doiron
Seconded by Councillor Terry Bernard**

RESOLVED:

That the City of Charlottetown enter into a purchase and sale agreement with Techno Feu Inc. for the purchase of One (1) New Custom Triple Combination Fire Engine in the amount of \$971,475.58 (applicable taxes included).

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

CARRIED 9-0

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

Councillor McCabe indicated her Committee's report was included in the weekend package. She congratulated Bethany Kauzlarick on her recent appointment as HR Manager.

Councillor Duffy left the Chambers prior to the following resolution.

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

RESOLVED:

That the City of Charlottetown accept the amendments to the Corporate Communications Policy, as per the attached document, effective December 14, 2015 and amended March 11, 2019.

CARRIED 8-0

Councillor Duffy returned to the Chambers.

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

Councillor Bernard, on behalf of Councillor Tweel, indicated the Committee's report was included in the weekend package. Volunteer of the Month for March is Mark Victor.

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

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

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

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

6.11 Council Advisory Board – Coun. Terry MacLeod, Chair

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

It was suggested that the first reading of the Procedural Bylaw be deferred as some areas of the bylaw need to be further reviewed. Council was in agreement to defer.

6.12 New Business

There was no New Business.

7. Adjournment

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

The meeting concluded at 8:30 PM

DRAFT



DRAFT

**Special Meeting of Council
Monday, March 11, 2019 at 5:30 PM
(prior to the Regular Meeting of Council)
Council Chambers, City Hall**

Mayor Philip Brown Presiding

Present: Deputy Mayor Jason Coady
Councillor Bob Doiron
Councillor Terry Bernard
Councillor Greg Rivard
Councillor Alanna Jankov

**Councillor Mike Duffy
Councillor Terry MacLeod
Councillor Julie McCabe
Councillor Kevin Ramsay**

Also: Peter Kelly, CAO
Tracey McLean, RMC

Wayne Long, EDO

Regrets: Councillor Mitchell Tweel

- 1. Call to Order**
Mayor Brown called the meeting to order.
- 2. Declarations of Conflict of Interest**
There were no conflicts declared.
- 3. Approval of Agenda**
Moved by Councillor Ramsay and seconded by Councillor Bernard that the agenda be approved as presented. Carried.
- 4. Motion to move in a Closed Session of Council**
Moved by Councillor Jankov and seconded by Councillor Ramsay to close the meeting to the public to discuss matters as per Section 119 (1) (b) & (e) of the Municipal Government Act of PEI. Carried.
- 5. Motion to Adjourn**
Following the Closed session, it was moved by Councillor McCabe and seconded by Councillor Jankov that the meeting be adjourned. Carried.

The meeting concluded at 6:56 PM.



**Public Meeting of Council
Wednesday, March 27, 2019, 7:00 PM
Provinces Room, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

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

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

Also:

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

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

Regrets:

**Councillor Mitchell Tweel
Councillor Terry Bernard**

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:04 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. Mayor Brown also mentioned the change in the sequence of the presentation and turned the meeting over to Councillor Rivard, Chair of Planning Board, explained the Public Meeting process and then proceeded to introduce the first application.

4. 183 Great George Street (PID #344044)

This is a request to obtain a site specific exemption for the property located at 183 Great George Street (PID #344044). It is a vacant lot located between Cedar's and The Old Triangle. The applicants made some amendments to the initial plans that were included in the public meeting mail out and the applicants will be presenting the changes tonight. Historically, mobile canteens were treated as temporary use and were not acknowledged in the by-law. In 2015, regulations were put in place to allow mobile canteens on private properties as grab-and-go type establishment with no alcohol sale. The applicants elaborated on this concept having outdoor entertainment, sale of alcohol and food, and additional seating within fenced property. Details will be provided by the applicant. When something does not adhere to the by-law text, a site specific exemption is requirement. The purpose of the site specific exemption would be to create an outdoor atmosphere where alcohol and food is sold from a mobile canteen within a fenced property. Seating would be located throughout the property and the washrooms would be located in a container at the rear of the property.

Mikey Wasnidge, applicant, presented details of their application showing the current state of the property, and the specifics of the proposed development. Mr. Wasnidge emphasized that they swapped the location of the mobile canteen & the washrooms, and the entrance to the property will be within the property along the right-of-way between the mobile canteen and Cedar's. This layout allows access to a side take-out window between midnight and 3 am while the rest of the property can be closed to the public. Mr. Wasnidge also discussed the different food and drink services, late night food service, site transformation plans, fence, washroom facilities, waste management, noise control and fire safety.

Councillor Terry MacLeod asked if they own the property and Ms. Wasnidge mentioned that they plan to lease the property. Mr. MacLeod commented that if you are one of the businesses beside the property and paying taxes year round, what would your thoughts be on this development. Mr. Wasnidge responded to say that he would find ways to cooperate and collaborate with business owners to drive new business. Mr. MacLeod noted that if you are in the shoes of the existing business owners who pay taxes, employ people and take advantage of burger love, and then this business comes in for 3 months and takes away their sales because they can't afford to compete with your lower costs liquor sales. He also added that half of Kent Street and Great George Street have empty buildings that need to be filled. Mr. MacLeod mentions that it is a tough decision as a council member and feels like this is not the right spot for such development. Mr. Wasnidge appreciated the feedback and the views of other business owners who may lose business to this project. However, people are investing in this community to make Charlottetown better and to attract more youth and more people to enjoy Charlottetown.

Lastly, Mr. MacLeod reminded them to keep these concerns in mind and suggested that he is neither for or against such a proposal at this time. As an official, he wants to look at empty buildings and try to fill those empty spots. Mr. Wasnidge indicated that we are not the same Charlottetown as we were six years ago and a number of these empty buildings

have been filled in successfully. Mr. Wasnidge suggested he understands Councillor Macleod's concerns but mentioned that he would respectfully disagree.

Lane MacLaren, resident, thinks that this is a great proposal and is a good addition for the downtown. Mr. MacLaren is on the same page with Mr. MacLeod that he is not against the proposal. We have seen food trucks within the City and have added on to the atmosphere in the downtown. He feels for the permanent establishments trying to attract as many customers as they can and then when summer comes and more activity becomes available, they then have to compete with other businesses. Mr. MacLaren asked if this is approved, would there a different tax rate/consideration to temporary business to pay higher tax rates. Mayor Brown inquired with Mr. Wasnidge if they will be renting and Mr. Wasnidge confirmed they were. The Mayor stated that if it is a vacant lot it would be taxed on residential rate. When it is occupied, it will contribute to HST/ other taxes but there is nothing to force them to pay more than what is required. Mr. MacLaren then asked if a food truck is located at the corner, will there be no levy paid. Mr. Rivard responded that there are fees for food trucks but because of the sale of alcohol, this will fall under a different section.

Heidi Zinn, resident and one the board of directors of Fusion Charlottetown, mentioned that one of their missions is to make Charlottetown a place where people want to work hard, play hard and live well. They are fully in support of this vision of someone young who wants to stay in Charlottetown and keep their business in Charlottetown. It is important to support young entrepreneur and that they should be able start somewhere. We do not know what Mr. Wasnidge's group is capable of and what else they can do in the future. If we send a message to our youth saying you must come in with big business plans and expect them to succeed and do well, we are setting people up for failure. If we want these spaces filled in the future, we must support youth now. She then commented that for someone who works in the tourism business, seeing people like Mikey is a big step forward. It may hurt some businesses but competition is a good thing and we need to be innovative to bring Charlottetown to the next level.

Colin Young, resident, would like throw his support for Mikey and added leaving the property as an empty lot or make use of it and beautify the place should be an easy decision.

Mitch Cobb, resident and owner of Upstreet Brewery, commented that there were a lot of vacant lots in the last 10 years and that a few years ago, these lots started to be filled with new businesses and added vibrancy to Charlottetown which makes it separate from the rest of Charlottetown. Adding Mr. Wasnidge's proposal only serves to add to vibrancy and contribute to a new area of Charlottetown. We need to encourage new and interesting ideas and new businesses. I would say that this proposal is not an inexpensive proposal. Leasing a building would also have the same capital investment as what is being proposed. Mr. Cobb feels that it is not fair to say that we should fill an empty building first before putting something on a vacant lot.

Jalen MacLeod, resident and co-owners of truck-and-roll food trucks, and can speak on a food truck business perspective. Mr. MacLeod mentioned that they had a very nice welcome when they started their business and would like to show support to a new businesses and not put others down. As a young islander, we should try to support these new businesses. They may not have the same start-up costs as other businesses but none of these businesses would have owners in their 20s. These young individuals may not have the credit to put a business in a building but they are able to put something to shape the cuisine of Charlottetown in a different way and bring in new people to the City. They are not looking at it as competition because the more competition or options, it becomes more ideal to try out difference cuisine. If there are fewer restaurants serving the same cuisine, Charlottetown will not be able to attract the culinary tourism. Mr. MacLeod also added that food trucks pay taxes.

Kim Devine, resident, also expressed her support to this application and these energetic and enthusiastic entrepreneurs who would like to bring in new ideas to Charlottetown. The City has a very good food scene and we would like to build on and take it to another level. Ms. Devine also added that the City needs to support these new ideas and the people who bring them to the table are important to the City as whole. This is what we need to continue to grow and prosper. We are lucky to have these young people who make things happen in Charlottetown and make the City a more vibrant place. Ms. Devine also commented that the design elements are really good and that it will add more vibrancy to the block, thus, encourages the Council to support this application.

Councillor Alanna Jankov shared that since this idea was presented by Mr. Wasnidge, she went door to door around the neighbourhood and has heard nothing but amazing positive feedback. Ms. Jankov also encouraged other residents who have other comments to send it along to keep the momentum going.

Mr. Wasnidge thanked the people who came and supported this application.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard then proceeded to introduce the next application.

5. 197 Minna Jane Drive (PID #469841)

This is a request to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone and amend the designation in the Official Plan from Concept Planning Area to Commercial in order to construct a 70-unit apartment building with underground parking as well as an additional building in the future which will likely contain a commercial daycare centre. This request includes a major height variance from 49.2 ft to approximately 69.75 ft. The public meeting is only for the rezoning but the variance was included in the notice to ensure that adjacent properties are notified as well. All of the properties in the area are located near the Maritime Electric easement and are

zoned C-2 except for this lot. This application was also discussed with the provinces traffic operations engineer who indicated that any new use of the property could only be served from Minna Jane Drive or Daniel Drive. The applicant, Ron Lord, is here to answer any questions.

Heather MacLean, resident, verified the location of the building. Mr. Lord explained that the former John Yeo Drive is now named Daniel Drive and presented the map that shows the existing Bed, Bath & Beyond, PEI Liquor Shop, etc are located. Mr. Lord added that this is the only remaining CDA lot and others are C-2. He has worked with staff to determine what the best zone would be for this property and C-2 was identified to be the best fit. The apartment building will not compete with the neighboring senior apartments but would like to address the need for housing. Mr. Lord mentioned that Charlottetown has the fastest growing GDP, best population growth and fastest immigration increases in Atlantic Canada which is amazing.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard then proceeded to introduce the next application.

6. 88 Brackley Point Road (PID #396770)

This is a request to rezone the property at 88 Brackley Point Road (PID #396770) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and amend the designation in the Official Plan from Low Density Residential to Medium Density Residential.

The property is a 3.404 acre of land with an existing single family dwelling. The plan is to demolish the existing dwelling and subdivide the property into two lots in order to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot. The property has frontage on both Brackley Point Road and Pope Ave. The main access will be along Pope Ave and will have a right-in, right- out along Brackley Point Road. The Police has confirmed this exit to have safe site distance and this is required as secondary access to meet fire regulations. The parking for the apartment unit will be underground while the townhouse units will have surface parking. Derek French, consultant, to the applicant is here to provide more details of the application.

Derek French noted that he has been working closely with the owner, Ron Wood, for years on putting this development together. Mr. French provided a brief history of the property and the details of the development. Mr. French presented the concept plan, highlights of the development, summary of types of dwellings within 500 meters, parking, traffic, existing condition of the lot, neighbouring properties and details of the proposed apartment building and town house units. The vision for this development is to provide options to different types of people/families of all ages, young families, single parents, older or mature families. The property would be close to schools, church and

accommodation for parks in the area. There is also a good number of safe sidewalk systems in the area to accommodate the schools/students.

Derek Smith, resident, commented there is a huge problem with traffic along the school. If you drive around 3:30 pm, it is not safe to drive and there's significant traffic at that time. Mr. Smith noted that the apartment building does not belong in the neighbourhood.

Colin Young, resident, commented that he does not believe that this is the direction the community would like to go. Mr. Young is concerned about the traffic around the school and the area is surrounded by students, even cutting through the property to get to the school area. It is a dangerous idea for the area. Mr. Young also added that he respects the effort of Mr. Woods to make it as appealing to the community but he believes that Mr. Woods would just like to maximize the revenue of the property at the expense of the community.

Heather MacLean, resident, commented that she thinks that the development looks lovely but the traffic is the issue in this application. For the exit right along Brackley Point Road, Ms. MacLean noted that she will not exit right unless she goes to the airport so the cars will exit onto Pope Ave. You have to see the traffic in the morning and afternoon to confirm the issue. Some students are special and you will notice that there are non-stop pedestrian traffic along that area. Adding more cars along that area is a concern too.

Nola Etkin, resident, echoed the concerns about traffic. Ms. Etkin mentioned that a lot of kids walk past her house and along Pope Ave not only before and after school, but also during lunch break. The exit onto Brackley Point Road from Coles Drive is a nightmare and the intersection is also a bad intersection because of the offset. It is even worse during the winter when there are snow banks thus making it even more difficult to see incoming cars. Brackley Point Road is a busy road and the proposed right-out is not very far between intersections. Brackley Point Road traffic is bad and Pope Ave is going to be worse.

Jerry Ivany, resident, asked how would they propose the right-in, right-out be controlled. Mr. French responded that they are looking at putting a concrete curb to minimize cars turning left and this will be located at the property entrance to Brackley Point Road. Mr. Ivany indicated that safety is a major concern. Children walk back and forth between two schools and there are families dropping off their children, and most of the time, children cannot be controlled as soon as they step out of the vehicle. Mr. Ivany congratulated the proponent for the presentation and noted that everything is good except for the safety issues. He also feels that the townhouses are okay but the apartment is the problem. They would like to keep it as single family houses and not interested in having an apartment within the neighbourhood. Mr. Ivany also added that there are lands along Brackley Point Road that may probably be available in the future

and should this application be approved, the whole east side may end up being rezoned. The west side of the area having smaller older house, may also be envisioned over time, to end up with apartments as well. Mr. Ivany feels that this is a dangerous proposition with the amount of traffic that will be expected. Currently, it is rare to see residents that would only have one car. Also, during noon time, there are about hundreds of high school students walking down Pope Ave to the local fast food area. The access to Stone Park Junior High level is also not open to parents or to parents dropping off or picking up kids would park along the road. Mr. Ivany also appreciated the neighbourhood for taking care of the community and would like to keep it as single family dwellings. Finally, Mr. Ivany noted that he has submitted his written comments to the department and Mayor Brown acknowledged to have received it.

Mike Dillon, resident, asked about the location of the development. The report indicated that the apartment building is situated about 450ft away from Brackley Point Road but the apartment is actually along Pope Ave. It doesn't show how close the apartment complex would be from the closest R-1 lot along Pope. Laurel Palmer Thompson referenced the apartment to the single family dwelling owned by Mr. Woods which is adjacent to the proposed development. Ms. Thompson indicated that they looked at the distance along Brackley Point Road and not along Pope Ave. Staff were not looking at the massing along the streetscape because the apartment building is not located beside single detached dwellings. It is set back so the distance is not much of a concern. Mr. Dillon commented that it would be nice to have public documents include the distance of the apartment building to the nearest residential dwelling along R-1s. Mr. Dillon read sections of the report that provided comments on the townhouses but mentioned that he does not see anything in the document on apartment buildings. Ms. Thompson noted that discussions on townhouse units were included and there were also discussions about the apartment unit where it integrated in the streetscape. Mr. Dillon added that the report shows that staff is in support of the townhouse units but it does not provide the same for apartment units. Mr. Dillon also mentioned that there are inconsistencies to the document pertaining to recreation and open space amenities and asked if there are reasons why it was not included in the document. Ms. Thompson responded that staff looked at the land uses in the area. Ms. Thompson mentioned about picking out specific comments from the document but it should be considered that this is a balance report and it did cover the pros and cons of the development as a whole, and does meet the criteria for recreation and park land use. Staff looked at the overall aspect of the area when reviewing a development. Mr. Rivard also added that the report shows the Positive, Neutral and Shortcomings as it pertains to the application and the shortcomings as it pertains to the apartment building was presented. Mr. Dillon also commented that there are no sidewalks along some roads and thus would like to encourage the City to put the infrastructure to make it a great location for recreation and parkland. Mr. Dillon also noted Stone Park Bowl as being a great asset in the neighbourhood and is much underutilized. There are safety, lighting and mobility issues at the moment and would like the neighbourhood to maximize this park and for the City

to invest on this as well. Mayor Brown noted that is owned by Public School Branch while the Centennial Park is managed by the City.

Jeremy Crosby, resident, commented that he bought the property because of the character of the area and spoke to residents and no one is in favor of the proposed development. Mr. Crosby pointed out that the property is designated low density since it was developed in the early 70s and some points from the Official Plan to maintain Charlottetown's existing neighbourhood and new development is harmonious to existing neighbourhood. The proposed rezoning is against the future land use map and that it should remain low density residential. If this rezoning is approved, there may be potential changes to the concept plan and increase the density to at least 100 more units. It may also open the door to more rezonings along Brackley Point Road. The increase in density may be considered to be out of character and may increase the traffic issues. Mr. Crosby is not opposed to development but should be mindful of the surrounding neighbourhood.

Marco MacDonald, resident, mentioned that he studies at Stone Park School and he has concerns for the safety not only of himself but of his fellow students and for his sisters (and friends) studying at Tiny Tots Daycare. There is heavy traffic before school, during lunch break, when there are school events and even when teachers arrive before students arrive and after school hours. None of the students feel that this application is best idea for students at Stone Park.

Trevor Matheson, resident, commented that his children attend daycare at Tiny Tots. Mr. Matheson is concerned about the noise, heavy traffic, trucks and dust that may arise during the construction period which may affect the kids at the daycare. Mr. Matheson also indicated that the apartment buildings noted in the map are along the outer rim of the 500 meter area which are along Doncaster Ave and St. Peters Road. This property along the heart of the neighbourhood with single family dwellings. Mr. Matheson would like to applaud Mr. Woods for the proposal but a giant apartment does not fit in the neighbourhood.

Danielle Plante, resident, is voting against the development. There are too many cars parked in front of her house and there's too much traffic.

Pat Ellis, resident, commended that Mr. Woods did undergo a lot of planning on this. Ms. Ellis understands that some residents may have difficulty dealing with ownership of single family dwellings but does not see that the apartment units fit the vision of the neighbourhood. Traffic is present everyday. Ms. Ellis liked the green space concept and she mentioned that the townhouses are reasonable but not the apartment units and would like to see the properties remain as single family dwellings.

Marcia Gardiner, resident, mentioned that she has spoken to a number of residents within the neighbourhood and has not heard any positive comment about this

development. There are no difficulties/concerns with the townhouse development but the apartment is a big problem. There is a huge walking traffic of school children in the area and the auto traffic is also quite a problem.

Joan Ivany, resident, asked why this lot is being divided into two different properties. Ms. Ivany is afraid that if the application is approved, the other section will also become apartment buildings. Ms. Ivany compared it to the development behind the Charlottetown Mall where the development was proposed as a single development but has since changed from the initial plans. She is afraid that the same situation may happen to this area. Mr. French responded that it is more for accessibility and that there needs to be frontage for each of the lot. Ms. Ivany asked why she had to apply for a variance to develop her property while this new development has less frontage. Mr. French mentioned that they are within the requirements. Ms. Thompson also added that under the old bylaw, it is required that the streetscape align with the existing dwellings. The new bylaw requires that new development meet the minimum setback requirements.

Don Crosier, resident, asked how far would the exit from Brackley Point Road be from Cedar Ave, how wide would the exit be and where do you expect cars to turn when going downtown. Mr. French responded that it is approximately 75 feet from Cedar and access would be 20 feet wide. Mr. French mentioned that they can drive down to the Bypass highway or roundabout along Oak Drive and go back towards Brackley Point Road. Mr. Crosier is convinced that they are not turning right and will be difficult to enforce that. Traffic is a problem along Brackley Point Road. He is not opposed to the development but the exit on to Brackley Point Road is a concern. He also clarified the number of townhouse units in the proposed development. Mr. French confirmed that the plan indicates 17 townhouse units and Mr. mentioned that the letter indicates 16.

Matthew Walker, resident, commented that there are traffic issues along Pope Ave and this development is a disaster waiting to happen. Mr. Walker also commented on what precedent it sets for other development such as the previous application along 68 Brackley Point Road. Ms. Thompson responded that though she is not the planner who reviewed the recent application, she is aware of an old application that was also rejected because the property does not have a safe site line distance existing to Brackley Point Road, even if the development was just for a single family dwelling. Mr. Walker commented that he loved the town house proposal and would fit the neighbourhood but not the apartment.

Mike Eyolfson, resident, is opposing the apartment piece of the application but finds the townhouse to be suitable. Mr. Eyolfson did a canvassing along Heather Ave and there were no residents who provided positive responses to this application. Drainage is also a concern along this area and asked what steps are in place to mitigate this problem. Mr. French mentioned that they would design a storm water for the property and will

have to be reviewed by the City and integrated into the City's storm water system. He also commended Mr. Woods for the proposal but does not believe the apartment building belongs to the area.

Shelley Morrison, resident, urges the department to read the letter that will be sent tomorrow. Ms. Morrison has numerous concerns about being harmonious and following City plans which seems to be not followed in this. Ms. Morrison commends the Wood family for the proposal and is not opposed to development as long as it is done properly. Also, letters were notified at least a week ago and did not have time to prepare or be made aware of this. Most of the community was away for March break. Ms. Morrison presented a map that shows the number of residents that were opposed to the development. A petition was circulated and a total of 327 signatures were received in opposition to this application. Mayor Brown received the application and confirmed that this will be included in the Planning Board package. Mayor Brown also encouraged residents who wish to send their comments to submit it before noon of March 28, 2019 to planning@charlottetown.ca.

George Bitar, resident, noted that the area is a high traffic volume area. Everyone is in agreement that the apartment building is not desired in this area. Mr. Bitar asked what weight the community carries in making a decision. The community would like to keep the neighbourhood as single family dwellings. Mr. Brown responded that the Zoning & Development Bylaw is a living document does change over time. That is the purpose of the public consultation and the public is given notice, and the comments heard tonight will be considered when Council makes a decision on the 8th of April. Mr. Bitar asked if one is legally entitled, does this process matter. Mayor Brown responded that if a zone is being changed, a process is in place before a Council decision is made. Mr. Rivard also added that every resident has the right to apply for a change to the Zoning By-law and the department cannot deny applicants from coming forward. This is why the process includes a public consultation to hear comments from the public before it is reviewed a second time by the Planning board (April 1st) and the board makes a recommendation to Council to accept or reject and then Council makes the final decision. Dividing the lot may be a little tricky to better their livelihood but if they don't divide the property, this would not be happening.

Karen Dunning, resident, indicated that the homestead was a heritage home owned by George Coles and the plan is to tear it down. Ms. Thompson clarified with the Heritage department that the property was not George Coles' home. Ms. Dunning also asked if this property is rezoned to R-3, and the owners decide not to develop it, does it give other developers an opportunity to develop it into two 64-unit apartment dwellings. Mr. Rivard confirmed that once it is rezoned, it does allow developers to build based on the zoning. Mr. Forbes added that this application is based on the application they have submitted and the applicant will only be allowed to build as per their plan. Mayor Brown added that an R-3 zone would allow for apartment units but this specific application would be specific to the plans submitted based on a Development Agreement. Brackley

Point Road is a core road and is difficult to pull in and out of the driveway and she believes that there is a better way of designing it. Ms. Dunning is not opposed to developing small homes and would like to ask if these houses are to be rented or purchased and Mr. French responded that it can be a mix of both.

Susan Frizzell, resident, commented that if there was a party in one of the townhouse units, there is not enough parking space. Mr. French responded that it would have a long driveway. Ms. Frizzell also asked about enough parking for visitors for the apartment units. Mr. French mentioned that they are required 30 parking spaces and there are 28 parking spaces underground and about 10 surface parking. Ms. Frizzell then asked if there are plans to add more parking spaces in the future to accommodate the need for parking spaces and thus, reducing the green space in the area. Ms. Thompson responded that the applicant is required to provide 30 parking spaces. It will be up to the developer if they want to add more parking spaces.

Peter Poirer, resident, emphasized that the site map shown during the presentation shows properties within the area are all R-1 lots. The image is enough to show that an apartment building does not belong in that area. The townhouse units should be acceptable.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

7. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)

This is a request to amend the Zoning & Development Bylaw pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments.

Mr. Zilke went through the different sections of the amendments. Mayor Brown asked how many M-2 zones are there in the City and the proximity to residential dwellings. Mr. Zilke mentioned that there are two sections. Mr. Brown asked if these are the ones north of Winsloe and West Royalty Industrial Park and Mr. Zilke confirmed. Mr. Zilke added that the M-2 zone along the Industrial Park is directly adjacent to residential lots and thus the requirement for environmental assessment if it will stand the test of land use compatibility assessment. Mr. Brown also confirmed that M-2 in the north would be off the Sherwood road and heavy industrial within that area and Mr. Zilke also confirmed. Mr. Forbes also emphasized that the environmental impact assessment is a requirement of the province before a permit can be issued. Mayor Brown also asked whether the existing asphalt plant along Sherwood Road is on a non-conforming use and if that is sold or becomes dormant for six months, it returns to its original zone. Mr. Forbes confirmed that a portion is zoned

Industrial but the back portion that contains the asphalt plant is R-2. If they cease using it for six months, it goes back to R-2.

One resident asked why it was removed from the bylaw. Mr. Zilke responded that discretionary uses undergo an approval process. Mr. Forbes added that discretionary uses were removed in the current bylaw. It was a discretionary use at the airport at that time as a specific use. And that is the purpose of this current amendment, whether we need that use or not. It is a request to provide direction where that use can be located and whether it is necessary. Another question asked on landscaping is if the objective is to put trees and green space is a requirement, why is hardscaping allowed. Mr. Zilke responded that hardscaping would be decorative stone work or ornamental grasses. He also asked if it has to be a mixture or an alternative. Mr. Zilke mentioned that it should be a mixture or how the bylaw is defined.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

8. Secondary and Garden Suite Registry By-law

This is a proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

Darren Ings, resident and real estate appraiser, asked how the City is going to zone the properties with secondary or garden suites. Is it going to be an R1 or R2 zone. Mr. Zilke responded that it doesn't apply to a zone but to the form of a building. Secondary suites will only be permitted to single detached dwellings, regardless of what zone they are situated. Mr. Ings clarified that single detached dwellings will now be two units, so he asked if they are R1 or R2, and that they cannot have both (one family or two families). Mr. Zilke noted that R1 allows for single detached dwelling. A secondary suite is secondary in nature, not like a semi or duplex and would have size restrictions. Mayor Brown also clarified that new terminologies are in place to reflect these changes to the definitions. Mr. Ings asked what the appraisal would be and Mr. Zilke confirmed that they are to be appraised as a single-detached home. A secondary suite is still part of main dwelling. You cannot sell a secondary suite independently. Mr. Ings asked if this can generate income and Mr. Zilke confirmed. Owners should register on a registry to allow for secondary suite. Once it is sold, the new owner should again register the secondary suite. He also asked if this database will be accessible to the public and Mr. Zilke confirmed that it will be available online.

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

9. Adjournment of Public Session

Moved by Councillor Greg Rivard and seconded by Councillor Kevin Ramsay that the meeting be adjourned. Meeting adjourned at 9:30 p.m.



**PLANNING AND HERITAGE COMMITTEE
REPORT TO COUNCIL
April 08, 2019**

The Planning & Heritage Committee met on April 01, 2018; copies of the Planning & Heritage Committee minutes are included in your package.

The Planning Board met on Monday, April 01, 2019; copies of the Planning Board Report and the minutes are included in your package.

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

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

There are nine (9) resolutions to be put forward for Planning:

Planning & Heritage Committee:

1. Provisions to provide signing authority for Ellen Faye Ganga, Intake Officer/Administrative Assistant, on basic development applications.

Planning:

1. 197 Minna Jane Drive (PID #469841): Rezone the property from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.
2. Corner of Royalty Road & Upton Road (PID #388595): Rezone a portion of the vacant property from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.
3. 88 Brackley Point Road (PID #396770): Rezone the property from Single-Detached Residential (R-1L) to Medium Density Residential (R-3) Zone to construct a 30-unit apartment building on one lot and townhouse units on the other lot.
4. 200 & 202 Spring Park Road (PID #s 367938 and 367979): Minor variance to increase density of lot; major variances to expand the parking lot in the front yard, reduce requirement for landscaping, decrease the side and rear yard setback; and lot consolidation.
5. Vacant lot off of Gerald Street (PID #359950): Three major variances to decrease the interior side yard and flankage yard variance(s) to permit the construction of a single detached dwelling and the decrease of the flankage yard setback requirement for a detached garage.
6. 183 Great George Street (PID #344044): Site specific exemption in order to locate a mobile canteen, which would be permitted to sell food and alcohol, on the vacant property from April 1st to October 31st annually. The site specific exemption also includes the ability to utilize a container to contain washroom facilities and two variances.
7. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11): Proposed amendments pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations and General Housekeeping amendments
8. Secondary and Garden Suite Registry By-law: Proposed amendments to create and implement the Secondary and Garden Suite Registry to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

Reading Papers:

First Readings:

1. 197 Minna Jane Drive (PID #469841): Rezone the property from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone. This request includes a major height variance from 49.2 ft to approximately 69.75 ft.
2. Corner of Royalty Road & Upton Road (PID #388595): Rezone a portion of the vacant property from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.
3. 88 Brackley Point Road (PID #396770): Rezone the property from Single-Detached Residential (R-1L) to Medium Density Residential (R-3) Zone to construct a 30 unit apartment building and 16 townhouse units.
4. 183 Great George Street (PID #344044): Site specific exemption in order to locate a mobile canteen, which would be permitted to sell food and alcohol, on the vacant property from April 1st to October 31st annually. The site specific exemption also includes the ability to utilize a container to contain washroom facilities and two variances.
5. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11): Proposed amendments pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations and General Housekeeping amendments
6. Secondary and Garden Suite Registry By-law: Proposed amendments to create and implement the Secondary and Garden Suite Registry to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

Second Readings:

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*

The Mayor and some members of staff have had discussions on the street closure. The proposal involves closing half of the street to vehicles and noted that this may create confusion or pose hazard or risk to vehicle traffic depending upon how the closure is implemented. Mr. Forbes added that he is working with other departments and property owners to determine how these can be implemented safely. Mr. Forbes indicated he would continue to work with the various stakeholders and report back to the committee next month. Mayor Brown recommended that the agreement for Sydney Street (if implemented) be reviewed on a year by year basis and assess what the best options would be moving forward.

Mr. Forbes also mentioned that this meeting is intended to inform the Committee at this point and that there is no resolution or decision that has to be made at this time. This is just to let the Committee know that work is being undertaken to explore the various options. When this process is completed staff will bring the proposal back to the Committee for direction.

Councillor Rivard asked for any further comments or questions; there being none, moved to the next item in the agenda.

7. Adjournment

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

CARRIED

The meeting was adjourned at 7:11 p.m.

Councillor Greg Rivard, Chair

**PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD MINUTES
MONDAY, APRIL 01, 2019, 5:00 P.M.
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL**

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

Kris Fournier, RM
Alex Forbes, PHM
Greg Morrison, PII
Robert Zilke, PII
Ellen Faye Ganga, PH IA/AA

Also: Mayor Philip Brown

Regrets: Rosemary Herbert, RM
Reg MacInnis, RM
Shallyn Murray, RM

Laurel Palmer Thompson, PII

1. Call to Order

Councillor Rivard called the meeting to order at 5:04 pm.

2. Declaration of Conflicts

Councillor Rivard asked if there are any conflicts. *Councilor Jason Coady declared conflict of interest on agenda item number 6a.2) Corner of Royalty Road & Upton Road (PID #388595).* Councillor Rivard then moved to the approval of the agenda.

3. Approval of Agenda

Moved by Bobby Kenny, RM, and seconded by Basil Hambly, RM, that the agenda for Monday, April 01, 2019 be approved.

CARRIED

4. Adoption of Minutes

Moved by Basil Hambly, RM, and seconded by Bobby Kenny, RM, that the minutes of the meeting on Wednesday, March 06, 2019, be approved.

CARRIED

5. Business arising from Minutes

There was no business arising from minutes.

6. 197 Minna Jane Drive (PID #469841)

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

The purpose of the rezoning is to construct a 70-unit apartment building and a future building which will likely contain a commercial daycare centre. The apartment building is approximately 69.75 ft in height therefore the applicant is also requesting a major variance to increase the

maximum height for an apartment dwelling in the C-2 Zone from 15.0 m (49.2 ft) to approximately 21.26 m (69.75 ft). Written notices were sent to residents within 100 meters and received two responses, one in support and one in opposition. The letter of support says it will be a great addition to the area and the letter of opposition expressed concerns that a residential apartment building should adhere to the requirements of the zone and should not be permitted in the commercial area. At the Public Meeting, there were no residents who spoke to the application. Staff recommendation to Council is to approve the application.

Councillor Greg Rivard clarified if the building on the top portion of the site plan already exists and Mr. Morrison responded that the only building that presently exists is the Dental Office and the building referred to in the presentation involves future development for a daycare centre. Mr. Morrison also added that should this rezoning be approved, the daycare would be allowed as-of-right, subject to parking spaces and setback requirements.

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

Moved by Councillor Alanna Jankov and seconded by Bobby Kenny, RM, that the request to:

- a) **Amend Appendix “A” – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial;**
- b) **Amend Appendix “G” – Zoning Map of the Zoning & Development Bylaw from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone; and**
- c) **Increase the maximum height for an apartment dwelling in the C-2 Zone from 15.0m (49.2ft) to approximately 21.26m (69.75 ft),**

for the property at 197 Minna Jane Drive (PID #469841), subject to the existing access between the Dental Office and the lower parking lot be removed as per the Department of Transportation regulations, be recommended to Council for approval.

**CARRIED
(5-0)**

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

Deputy Mayor Jason Coady declared conflict of interest and has requested to step out and be taken out of the review for this application.

This is a request to rezone a portion of the vacant property (approximately 3.25 acres) located at the corner of Royalty Road & Upton Road (PID #388595) from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone to allow for construction of seven two-unit dwellings which will have a cul-de-sac with access on to Royalty Road. Greg Morrison, Planner II, presented the application. See attached report.

The applicants have confirmed that they are not applying to rezone the remainder of the property so it will remain as R-1S during the Phase II of the development. The road and lot configuration of Phase II is not identified as it will be dealt with separately in the future. Since the lot is

already zoned as R-1S, the subdivision plans will be dealt with internally with the various Departments comments. Written notices to residents within 100 meter radius was sent on January 16, 2019 and 25 letters of opposition were received. At the Public Meeting, seven residents spoke in opposition and one in favor of the development. Staff met with the applicants to discuss these concerns and the applicants have requested to defer the application until such time that these concerns are addressed. On February 4th, 2019, the Board decided to defer it for a period of two months to allow the applicants revise the plan and engage the residents to look at other possible options to make this work. The applicants have since met with residents and provided staff with information and recommendations that would balance City requirements with the concerns of residents. The revised plan is attached in the report, reducing the original request to 3.25 acres. Initially, it was requested that the plans for Phase II also be shown but the applicants clarified that determining the plans for Phase II at this time is complicating the process and so they elected to focus on Phase I and Phase II will be addressed on a later work. Staff is recommending that this application be approved. The 2-unit cul-de-sac has little impact to the traffic on to Royalty Road and the applicants are required to meet the subdivision requirements for both Phase I and Phase II. The applicant also presented a brief summary of the concerns and proposals to mitigate these concerns. The applicant, George Zafiris, presented the summary.

Mr. Zafiris explained that Phase II will be entirely R-1 lots which mitigate the concern on higher density development. Also, to address the impact to property values, the R-2 lots will be located on a cul-de-sac and no lots fronting the road. To address traffic and water problems, an engineering firm has been retained to ensure that this is addressed and that they are going to work with the City and the residents to help resolve traffic issues.

Bobby Kenny, RM, asked if the tree line at the back of the proposed with the existing lots provides a significant enough tree line in that area. Mr. Zafiris confirmed that it is, and that they will try to keep it as a natural buffer between the properties. Mr. Kenny then confirmed that residents along Parricus Mead won't be able to see these new dwellings and Mr. Zafiris said yes.

Councillor Rivard advised everyone that he has allowed Chris Oatway to speak on behalf of the residents in relation to the application. Mr. Oatway commented on the tree line saying that the trees are about 80-year old birch trees with the top of the trees with a few branches and the lower portions have very little. This direct access backing to Parricus Mead changes the dynamic of that area. Mr. Oatway noted that there were concerns at public meeting where seven residents spoke, about 60 residents stood up in opposition and one in support. This number is a significant number showing their concern to the proposed development. The land was purchased as R-1 and is being requested to be changed to R-2. The applicant mentioned about lots and its affordability in the area. Mr. Oatway does not think it will be affordable as the semi-detached housing along the area is about \$1500, unheated a month. Mr. Zafiris mentioned that it will be build and sell and Mr. Oatway still thinks it is not an affordable option. Mr. Oatway also noted another concern about another resident's property that will be directly affected by this development. Even if the two lots fronting Royalty Road has been taken out of the proposal, the development still doesn't change what happens to his property. Finally, Mr. Oatway mentioned that the proposed rezoning doesn't fit the general landscape of the neighbourhood and would like to request that this land

remain to be an R-1S land. Residents have asked Mr. Oatway for updates and Mr. Oatway mentioned that he is attending tonight's meeting.

Councillor Alanna Jankov confirmed that there are still R-2 lots along the area that are for sale and Mr. Oatway confirmed that there are available R-2 lots for sale. Ms. Jankov commented that this could be another option.

Councillor Rivard asked Mr. Zafiris if he would like to respond to the concerns. Mr. Zafiris corrected the term affordable to the houses being more affordable. Also, it can be difficult to gauge the percentage of opposition as there were also residents who exchanged emails with positive feedback. The only contentious issue was if Meadow Lane was extended through to Royalty Road.

Basil Hambly, RM, asked if this moves forward, will the development agreement include Phase II conditions that it stays as R1. Mr. Forbes responded that it could, but should a rezoning be done again, it has to go to the same process. However, at this point, it was indicated that Phase II will remain as R1. Mr. Zafiris also confirmed that they are not requesting for more than the seven R-2 lots.

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

Moved by Councillor Alanna Jankov that the request to rezone approximately 3.25 acres of the vacant property located at the corner of Royalty Road & Upton Road (PID #388595) by amending Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone be recommended to Council for rejection.

There were no members who seconded this motion.

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

**CARRIED
(3-1)**

8. 88 Brackley Point Road (PID #396770)

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

Written notices were sent to residents within 100 meters and 39 letters were received in opposition, 6 in support and a petition of over 300 signatures. Some of the concerns noted were: parking spaces are not enough to accommodate visitors to the apartment building, traffic is a concern for both pedestrian and vehicle traffic around school drop-off and pick-up hours, the right-in right-out to Brackley Point Road would be difficult to enforce and the dust and noise during the construction. Some residents indicated that the townhouse units are reasonable but the apartment building is not. Laurel Palmer Thompson was in touch with the applicant and the concerns raised at the public meeting were focused on the apartment building. They were not too concerned about the townhouses. However, the residents were concerned at the levels of traffic that would be generated from both. At the Public Meeting, staff was made aware of traffic stacking during drop off and pick up and the access to Brackley Point Road. Staff noted that if this application is approved, it should be subject to a traffic study to validate the concerns of residents and ensure that the proposal has been sufficiently reviewed. After the Public meeting, the applicant is requesting to allow him to defer the application to a later date to be able to address the concerns of the residents. Ms Palmer Thompson has recommended four options: 1) Defer the application to allow the applicant to revise his application; 2) Rezone the property to R-3 where the townhouses are proposed and reject the apartment units; 3) Approve the application subject to a traffic study and Development Agreement; and 4) Reject the application. Staff is encouraging to recommend to defer the application.

Councillor Rivard clarified the process on deferral that if the apartment building was taken out of the application and the applicant comes back with a new proposal for townhouse or another type of dwelling unit, should this application go through another public consultation process. Alex Forbes, PHM, responded that it would require another public consultation. The applicant is not present at the meeting thus we need to clarify his intent to defer or withdraw before the scheduled Council Meeting. Mr. Forbes also noted that staff is reluctant to support this application until a traffic engineer reviews the access points to and from this property as well as how the proposed residential traffic will interact with existing traffic in the area. Also, Mr. Forbes indicated that the board can make a recommendation and then at the time of the Council meeting, a decision can be made regarding deferral versus withdrawal. The applicant will need to clarify the direction and his intent as this application moves forward. Mr. Forbes also noted that if the board recommends to defer this application until such time the applicant is able to provide a clear direction of what he intends to do, or should the applicant decide to withdraw, then a separate request needs to be made to Council.

Councillor Rivard asked if there could be two votes on this application, one on the deferral and the other on the intent of the applicant. Mr. Forbes noted that it is possible and that the application should be able to provide clear reasons as to their request to defer or withdraw.

Councillor Jankov asked if the application is deferred, will it be deferred for a month. Mr. Forbes noted that it is unfortunate that the applicant is not here, otherwise, he would be able to clearly provide information for the board to make a decision. Councillor Rivard asked that if the application is withdrawn or rejected, would this allow him to come back and provide for other options. Mr. Forbes noted that it will depend on Council's decision to allow him to withdraw but the Board needs to make a recommendation to Council to either withdraw or defer with clear

reasons. Councillor Rivard noted though, that even if the application is deferred, whatever change the applicant would be making would require another public consultation. Councillor Jankov then asked if at the time the applicant spoke to staff, did he provide a clear indication of what he wants to do and is there another option for board to do nothing at this time. Mr. Morrison responded that he cannot speak for Laurel at this time. Mr. Forbes also responded that the residents would also want to see a decision made at this point and then allow him to clarify the other concerns before it goes to Council. Council would like to see what Staff recommendation is and what the board recommendation is to help them with a decision.

Councillor Jason Coady also asked, if the application is rejected, can the applicants come back with another application without the apartment building. Mr. Morrison responded that if the whole application is rejected, the applicants would not be able to come back with a similar application for a year.

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

Moved by Councillor Alanna Jankov and seconded by Basil Hambly, RM, that the request to:

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

for the property at 88 Brackley Point Road (PID #396770),), in order to construct a 30-unit apartment building on one lot and townhouse units on the other lot, be recommended to Council for rejection.

**CARRIED
(5-0)**

9. 200 & 202 Spring Park Road (PID #s 367938 and 367979)

This application is request for variances and a lot consolidation for the property at 200-202 Spring Park Road (PID #'s 367938 and 367979). The property is located in the Medium Density Residential (R-3) Zone. Greg Morrison, PII, presented the application. See attached report.

The application is a minor variance for an increase in density on the lot and to consolidate properties in the R-3 zone to allow for 16 units in addition to the existing 18 unit building. The map shows proposed configuration of the property. There are also major variances being requested which are 1) expand the legal non-conforming use of the existing parking lot located in the front of the building; 2) reduce the requirement for landscaping from the property line to the parking area from 12 feet to 8 feet; 3) decrease the side yard setback from 14.8ft to 10ft; and 4) decrease the rear yard setback from 19.7ft to 14ft 4in. Staff recommendation is to approve the application.

The applicant has since made some changes to the application and came back with a revised plan. Written notices were sent out to residents and one letter of opposition was received. Paul Murphy, applicant, is here to answer any possible questions.

A resident spoke to the application and raised her concerns about the application. She mentioned that she does not understand why the applicant is still requesting for increase in density to 34 units when an increase in density of 31 units has already been allowed. Councillor Rivard clarified how many units are allowed as-of-right in the current property and Mr. Murphy confirmed that 31 units are allowed, and are requesting for three additional units. Councillor Rivard also added that because of the affordable housing piece and policies in place, it has intensified additional density to existing properties. The other concerns were: 1) The parking space is already a legal non-conforming use so why make it worse. It is not aesthetically appealing to see all these cars parked in front and then have lesser green space available. 2) Reducing the green space to 8 feet will again reduce existing green space. 3) Reducing the side and rear yard setback would allow them to build larger dwellings. 4) There's less privacy with adjacent properties. 5) Traffic is terrible along that area and is requesting that the applicant do a traffic study at his own cost.

Mr. Paul Murphy, applicant, responded to the concerns and has requested that it would be nice to let applicants know or be made available ahead of time should there be letters or concerns so they could prepare or address it ahead of time. Mr. Murphy noted that they requested for the rear setback to address some concerns from the previous meeting. The building is setback further from Spring Park Road and the building size also shrunk from previous plan and up another story. Mr. Murphy is not sure how the privacy is a concern since the back of the property is right next to Holy Redeemer parking. Traffic is known at certain parts of the day because of the school. The goal of the apartment is to provide a more walkable access to schools, church, etc.

Councillor Rivard asked about the white house in the map and Mr. Murphy indicated that the house will be demolished and the apartment building will be erected. Mr. Rivard asked about the buffer to the sidewalk and Mr. Morrison responded that the site plan shows about 15 feet from parking to the sidewalk but will only be located 8 feet from the actual property line. There will be about 15 feet of City right-of-way and the requirement is 12 feet from property line. Mr. Rivard also talked about previous discussions on possible fence and Mr. Murphy mentioned that they would commit to shrubs or so to soften the view.

Bobby Kenny, RM, asked if there is no way to move the parking back and Mr. Murphy indicated that his designer looked at it but it will be difficult move it back and stil meet the 34 parking spaces. Mr. Rivard asked if the parking was moved to the back, it will also impact the houses at the back of the property and Mr. Murphy said yes, they will be facing a much larger parking lot.

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

Moved by Councillor Jason Coady and seconded by Councillor Alanna Jankov, that the application for the following:

- a. Minor variance to vary Section 15.2 of the Zoning & Development By-law by reducing the required lot area from 38,374.9 sq. ft. to approximately 42,088.6 sq. ft.;**
- b. Major variance to vary Section 3.9 c. of the Zoning and Development Bylaw to allow for the expansion of parking in the front yard;**
- c. Major variance to vary Section 6.4 of the Zoning and Development Bylaw to reduce the landscape buffer from 12 ft. to 8 ft.;**
- d. Major variance to the rear yard setback to reduce it from 19.7 ft. to 14.4 ft.;**
- e. Major variance to the side yard setback to reduce it from 14.8 ft. to 10 ft.; and**
- f. Lot Consolidation of PID#'s 367938 and 367979,**

in order to construct a 16 unit apartment building in the for the property at 200-202 Spring Park Road (PID #'s 367938 and 367979), be recommended to Council for approval.

**CARRIED
(5-0)**

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

This is a request for three variances to decrease the interior side yard setback from 1.83m (6 ft) to 1.2m (4 ft) for the main dwelling; decrease the minimum flankage yard requirement from 6m (19.7 ft) to 3.3m (11 ft) for the main dwelling; and decrease the minimum flankage yard setback requirement from 6m (19.7ft) to 5.4m (18 ft) for the accessory building in order for the construction of a single detached dwelling with a detached garage on the vacant property off of Gerald Street (PID #359950). The property is located in the Low Density Residential (R-2) Zone. Robert Zilke, Planner II, presented the application. See attached report.

This application was before the Board previously and Public Works had concerns on visibility and proposed setback to the right of way. The applicant has since worked with staff to make changes to address these concerns. The applicant has proposed a single-detached dwelling and a detached garage with three variances. The changes to the design have addressed the previous planning concerns and staff recommendation is to approve the current application. The applicant, Roger Greaves, is here to answer questions.

Councillor Rivard commended the applicant for a job well done in addressing the concerns and still meeting their needs as well. Mr. Greaves responded that they can work with the revised design and appreciated staff's assistance.

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:

- a) Decrease the interior side yard setback from 1.83m (6 ft) to 1.2m (4 ft) for the main dwelling;**
- b) Decrease the minimum flankage yard requirement from 6m (19.7 ft) to 3.3m (11 ft) for the main dwelling; and**

c) Decrease the minimum flankage yard setback requirement from 6m (19.7ft) to 5.4m (18 ft) for the accessory building; in order for the construction of a single detached dwelling with a detached garage on the vacant property off of Gerald Street (PID #359950), be recommended to Council for approval.

**CARRIED
(5-0)**

11. 183 Great George Street (PID #344044)

This is a request to obtain a site specific exemption as it pertains to 183 Great George Street (PID #344044) in order to allow the sale of alcohol within in a mobile canteen within a fenced in property; seating capacity, washroom facilities; and trellises to cover portions of the property. The property is located in the Downtown Core (DC) Zone. Greg Morrison, Planner II, presented the application. See attached report.

Written notices were sent to properties within 100 meters and one letter was received in support of the application. At the public meeting, one resident and Councillor MacLeod noted that concerns on temporary businesses being put on vacant lands while there are empty store fronts across downtown and that temporary business would have lower overhead costs and taxes versus store front. Several residents spoke in support of the application and their comments were: it beautifies the area and makes it a more vibrant space; we need to start supporting youth starting business; youth growing business along storefront may hinder the youth to start a business; competition is a good thing and it brings the City to the next level. Staff worked with the applicant and feel that most concerns have been addressed in terms of washroom and fencing. Staff noted that should this application be approved, a development agreement should be in place for the hours of operation, seating operation closed by midnight and mobile canteen closes at 3am. The hours of operation will be discussed with the police department. Also, the Development Agreement should include storage and management of waste, washroom should be connected to the City's water and sewer system, dates and hours of operation and the design of the patio should be to the Development Officers satisfaction. Staff recommendation is to approve the application.

Bobby Kenny, RM, asked if there are residential units or apartments at the upper level of the adjacent buildings and Mr. Morrison noted that he is not sure but he thinks that the upper levels are also restaurants. Councillor Jankov commented that she liked the outline of the development agreement but would like to clarify if the artistic mural will be part of the application since the wall doesn't belong to the applicant or owner of the vacant property. Mr. Morrison responded that the mural is not part of the application and would require approval or permission of the owner before they can proceed. Councillor Jankov also asked about the side yard setback and if there's enough room between the property and the patio. Mr. Morrison noted that they would be utilizing the fence and the setback requirement would be zero and therefore abutting a zero lot line. Councillor Jankov noted that the development agreement outlined and addressed her concerns about the hours of operations. The initial application indicated much earlier hours of operations but the most recent information indicated that they would be closing at 3:00 am. Mr. Morrison mentioned that this will still be reviewed by the Police Department. Councillor Rivard

also mentioned that the owner of beer garden saw the proposed hours of operations and would like to ensure that it is reviewed so as not to restrict their business in terms of the hours of operation. Mr. Morrison responded that the development agreement will include the final decision on the hours of operation for this new development. Councillor Jankov then asked if the committee would be able to see the development agreement once it is ready and Mr. Morrison responded that the committee no longer has to review the agreement but staff will prepare the document which will include all the verbiage and requirements from the Police or Water & Sewer and will be signed by the Mayor and CAO. Councillor Jankov also requested that the development agreement include requirements on the right-of-way on a safety perspective like requiring a gate after 12 midnight. Mr. Morrison indicated that the seating area will be closed after 12 midnight but the right-of-way will still be accessible until 3:00 am for picking up order. Councillor Rivard asked if they are allowed to operate until 3:00am and Mr. Morrison noted that this will still be reviewed and determined by the Police Department. Councillor Jankov also added that she believes that the hours of operations will depend on the license that will be issued by the Liquor License Commission.

Basil Hambly, RM, asked if the right-of-way over the property and Mr. Morrison responded that right-of-way is owned by the current property owner but Cedar's has the ability or right-of-way to use the property to allow them to get to the back of their property. Councillor Jankov commented that this right-of-way is in favor of Cedar's.

Councillor Jankov added that this is an exciting endeavor but she is not in favor of any operations after midnight. Councillor Rivard responded that the police will take into consideration other outdoor establishments with similar operations when they make their review and recommendations. Mr. Morrison also added that the Liquor Commission should also be able to regulate it but the applicants cannot apply for a liquor license until they get approval from the City to proceed with this development.

Basil Hambly, RM, clarified if the food trucks will be taken out of the property after the season. Mr. Morrison responded that it is his understanding that the food trucks will be removed but the exact dates are not certain. Under the Bylaw pertaining to food trucks in the downtown area, they are allowed to operate from May 1 to October 31 and must be removed after that period.

Mr. Forbes commented that the applicants are entitled to paint a mural on the inside fence but not on the adjacent building. Mayor Philip Brown asked what happens when it rains and Mr. Morrison responded that there is a portion of the property where the food truck is that would have solid covering and people may just be getting food and leave when it is raining. Councillor Jankov asked if it will not be tarped and Mr. Morrison responded that it won't. Mayor Brown also questioned whether the variance requested for the fence is to increase the height from 3.3ft to 6.5 feet. Mr. Morrison clarified the height of the fence and indicated the type of fence will be unique in that they are proposing to use a plasma cut material. Councillor Jankov asked if this has to go to Heritage for approval and Mr. Morrison mentioned that since it is not a designated heritage property, it does not require Heritage review and approval.

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 Councillor Alanna Jankov, that the request to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:

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

be recommended to council for approval.

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

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

**CARRIED
(5-0)**

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

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

Mr. Zilke mentioned that the current report also includes additional amendments that were not presented at the initial Planning Board but was presented at the Public Meeting. The amendments are: Provide flexibility to sites with full lot coverage to provide the required landscaping in the form of a green roof; Reference to the procedure of transferring the Development Security for incomplete landscaping to a Public Tree Reserve Fund; Replace Appendix D Province Wide Development Standards with Landscape Standards, Specifications & Species List; Include a reference to the Provincial Development Standards under Section 45 General Provisions for Subdividing Land for site servicing; and decrease the interior lot setback requirement from 3.0m (9.8ft) to 1.83 (6ft) in the Low Density Residential Zones (R-2) and (R-2S)

Basil Hambly, RM, asked about the requirements for green roof or deck. Mr. Zilke mentioned that the green roof would be amount of greenscaping on the roof. Anything above it will be additional and hardscaping does not count. Bobby Kenny, RM, asked if there is a maximum height on green roofs. Mr. Zilke responded that the maximum height is dictated by the zone and the greenscaping will be on top of the roof.

On the environmental assessment, Councillor Jason Coady asked if this can be looked at before making amendments relating to concrete/asphalt to allow them in the M-2 zone. Councillor Rivard mentioned that he reached out to the Minister and are hopefully looking to meet this week. The main concern is not to upset residents in the area should this be pursued. Mr. Rivard also asked if the Province can do a study on M1 or M2 zones prior approval of any amendments. Mr. Forbes responded that the amendments can be approved with the exception of the amendments to the concrete/asphalt plant. Mr. Rivard indicated that since this will be a requirement of approval consultation with the province should clarify whether this is possible or not. Mr. Forbes mentioned that there are can be issues arise when development requires approval from both the City and the Province. Staff would like to work with the Province on this amendment and not set the province up for failure if there are known problems with this type of land use operating near a residential area. Mr. Forbes also mentioned that this can be deferred until further information is provided. Councillor Coady mentioned that this should be fine but there should be a consensus or an appetite to look into this further. Mr. Forbes mentioned that such applications may be difficult for planning staff to assess because they are not trained to prepare environmental assessments. These assessments/checklists are beyond staff's capabilities. There is a different type of review and planning staff would work with the province on how this type of land use should be regulated. The province should be able to provide information and give us feedback on any known potential issues. Mayor Brown then asked if this assessment is application generated and that the province is not going to do any assessment until an application is submitted. Councillor Rivard asked if we could defer this until there is a conversation on where M1 lots in the City are available and do these locations potentially present any problems. West Royalty Industrial Park has limited vacant land to locate /store sand/gravel and the only M1 lots that may be available are off Sherwood road. Mr. Forbes mentioned that it would be nice to have a meeting with provincial environmental staff to see if there are any known impediments to this amendment and noted that it is always prudent to consult with province. Mr. Zilke added that should this amendment be set aside, it should also include the amendments pertaining to environmental impact assessments as this relates to the asphalt plant amendments as well.

Basil Hambly, RM, asked if the decrease in the interior lot setback would allow more lots on property. Mr. Zilke responded that by shortening the interior side lots, you can essentially have more building lot coverage as a result. The rationale behind this is when you have a semi-detached dwelling, there is no setback between the two properties and that is why the side lot would require 3m. There were recent applications where applicants are wondering why a semi-detached dwelling would require 3m setback versus 1.6 m for single family dwellings. Mr. Zilke, did some research among different municipalities and found that 1.6 m would be a common side setback for lower density zones. Mr. Hambly indicated that his only concern would be for the property along the corner of Upton/Royalty Road where this could potentially add more density which have been the neighbourhood's concerns with the rezoning. Mr. Forbes

mentioned that this should not be a concern as the houses on these lots would potentially have same building setback as the adjacent single family dwellings.

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

Moved by Basil Hambly, RM, and seconded by Councillor Alanna Jankov, that the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to:

- **Definitions/regulations pertaining to Transitional Housing Facility;**
- **Site regulations for Lodging Houses, Group Homes;**
- **Major development landscaping requirements; and**
- **General Housekeeping amendments pertaining to Undersized Lot regulations and reference corrections,**

be recommended to Council for approval.

And that the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to permitting an Asphalt, Aggregate, Concrete Plant with Environmental Impact Assessment requirement, be deferred until Staff is able to have a discussion with the Provincial Department of Environment.

**CARRIED
(5-0)**

13. Secondary and Garden Suite Registry By-law

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

At the public meeting, a question was asked if the secondary dwelling unit constitute a second unit which they do not. As defined, the secondary suite has to be within principal dwelling and cannot be sold separately.

Kris Fournier, RM, asked if the property sold/transferred, do they have to apply or register again and as long as it meets the code. Mr. Zilke responded that they do have to undergo the re-registration process every time the property is sold or transferred. Mr. Fournier asked who determines whether another inspection is required. Mr. Forbes responded that every time the property owner changes, they can either sign a declaration that the suite was not altered since the initial inspection or they can opt for a new inspection for a fee to ensure that it is still in compliance with the secondary suite requirements. Mr. Fournier recommended that there should be an education component to all residents regarding this. Mr. Forbes also added that hopefully this new registry would address this. The most common request from the department would be legal letters because most properties cannot be sold without going through a lawyer. If there are concerns with the property, the City cannot sign off until all outstanding issues are addressed. Mr. Forbes also agree that education is a key component and when this registry becomes available (and also available online), residents may check the properties that have been

registered. Also, parents/residents may be able to use this registry to look for safe spaces for their children/students when they move to Charlottetown to obtain post-secondary education.

Councillor Jankov also confirmed that when they are on the registry, they would have met all the requirements for the building code and fire code. Mr. Forbes confirmed and also mentioned that it may sometimes be difficult for building inspector to go in the buildings, especially older buildings that were built prior to the adoption of the National Building Code and no changes were made over the years because the building codes at that time did not apply. However, we could send the fire department to look into the safety aspect where they would also refer to the Life Safety Code.

Mayor Brown also commented that he has heard high praises to the City for having the registry in place for fire and safety purposes. For the existing secondary units, Mr. Brown clarified that these are for long term rentals only. Mr. Brown mentioned that some properties along Newman Crescent are used for both short and long term rentals and asked if those are going to be grandfathered in this registry. Mr. Forbes commented that we can grandfather a land use if it existed prior to the Zoning By-law. Short term rentals does not involve a specific land use and is a term relating to renting properties. Therefore, if a person was legally entitled to rent their property in the past they can continue to do so with the exception of secondary suites where it is specifically established in the Zoning By-law that you cannot rent these unit on a short term basis. At present there are no fixed rules on short term rentals and where communities do approve them they are typically approved on an annual basis and constantly subject to change by the municipality. So anyone seeking approval for short term rentals must adhere to existing requirements in the Zoning By-law. Mr. Zilke also added that the old bylaw does not have regulations on secondary suites or short term rentals but does have an in-law suite regulation which requires the owner to sign a contract which will only be effective until the identified occupant moves out of the unit. The registry will be for long term rentals only.

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 proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements, be recommended to for approval.

**CARRIED
(5-0)**

14. New Business

There were no new businesses discussed.

Moved by Councillor Alanna Jankov and seconded by Bobby Kenny, RM, that the meeting be adjourned. The meeting was adjourned at 6:48 p.m.

Councillor Greg Rivard, Chair

Royalty Ridge Developments Inc.
 Summary Statement to Planning Board
 April 1, 2019

Although we recognize that some residents are still opposed to any rezoning from R1S to R2, we have updated our development plans to address the main concerns that were raised at the Public Meeting and during our subsequent interaction with the residents, while still meeting the requirements of the various City Departments, as per the following:

Concern	Mitigative Measure
Phase 2 of the development may consist of higher density residential development.	Phase 2 will consist entirely of R1 residential (single family detached homes).
Impact on existing property values resulting from adding semi-detached homes to the neighborhood.	The seven (7) R2 lots being requested are bordering on an existing R2 zoned property to the east and will all be located on a separate cul-de-sac. No R2 lots will front on existing roads.
Various concerns expressed regarding surface water, groundwater and servicing of the lots.	A local engineering firm (SCL) has been retained to ensure that site grading, lot servicing, and road construction will all be undertaken in accordance with the City's requirements. No surface water runoff will be directed onto the neighbouring properties.
Increased traffic resulting from extending Meadow Lane.	Although extending Meadow Lane is not part of Phase 1, the City is now aware that several residents would be opposed to this. We will endeavor to work with the residents and the City to resolve this matter as part of the Phase 2 planning process.

With regard to our rationale for requesting the rezoning to allow for seven (7) R2 lots, there is currently a strong demand in the City for semi-detached homes, since they represent a more affordable alternative, as compared to a detached home, for many perspective home buyers. It has been brought to our attention by some current residents, that adding some R2 lots and semi-detached homes should actually enable them to remain in the neighborhood.



**Public Meeting of Council
Wednesday, March 27, 2019, 7:00 PM
Provinces Room, Rodd Charlottetown Hotel
75 Kent Street**

Mayor Philip Brown Presiding

Present:

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

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

Also:

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

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

Regrets:

**Councillor Mitchell Tweel
Councillor Terry Bernard**

1. Call to Order

Mayor Philip Brown called the meeting to order at 7:04 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. Mayor Brown also mentioned the change in the sequence of the presentation and turned the meeting over to Councillor Rivard, Chair of Planning Board, explained the Public Meeting process and then proceeded to introduce the first application.

4. 183 Great George Street (PID #344044)

This is a request to obtain a site specific exemption for the property located at 183 Great George Street (PID #344044). **It is a vacant lot located between Cedar's and The Old Triangle.** The applicants made some amendments to the initial plans that were included in the public meeting mail out and the applicants will be presenting the changes tonight. Historically, mobile canteens were treated as temporary use and were not acknowledged in the by-law. In 2015, regulations were put in place to allow mobile canteens on private properties as grab-and-go type establishment with no alcohol sale. The applicants elaborated on this concept having outdoor entertainment, sale of alcohol and food, and additional seating within fenced property. Details will be provided by the applicant. When something does not adhere to the by-law text, a site specific exemption is requirement. The purpose of the site specific exemption would be to create an outdoor atmosphere where alcohol and food is sold from a mobile canteen within a fenced property. Seating would be located throughout the property and the washrooms would be located in a container at the rear of the property.

Mikey Wasnidge, applicant, presented details of their application showing the current state of the property, and the specifics of the proposed development. Mr. Wasnidge emphasized that they swapped the location of the mobile canteen & the washrooms, and the entrance to the property will be within the property along the right-of-way between the mobile canteen **and Cedar's.** This layout allows access to a side take-out window between midnight and 3 am while the rest of the property can be closed to the public. Mr. Wasnidge also discussed the different food and drink services, late night food service, site transformation plans, fence, washroom facilities, waste management, noise control and fire safety.

Councillor Terry MacLeod asked if they own the property and Ms. Wasnidge mentioned that they plan to lease the property. Mr. MacLeod commented that if you are one of the businesses beside the property and paying taxes year round, what would your thoughts be on this development. Mr. Wasnidge responded to say that he would find ways to cooperate and collaborate with business owners to drive new business. Mr. MacLeod noted that if you are in the shoes of the existing business owners who pay taxes, employ people and take advantage of burger love, and then this business comes in for 3 months and takes away their sales because they can't afford to compete with your lower costs liquor sales. He also added that half of Kent Street and Great George Street have empty buildings that need to be filled. Mr. MacLeod mentions that it is a tough decision as a council member and feels like this is not the right spot for such development. Mr. Wasnidge appreciated the feedback and the views of other business owners who may lose business to this project. However, people are investing in this community to make Charlottetown better and to attract more youth and more people to enjoy Charlottetown.

Lastly, Mr. MacLeod reminded them to keep these concerns in mind and suggested that he is neither for or against such a proposal at this time. As an official, he wants to look at empty buildings and try to fill those empty spots. Mr. Wasnidge indicated that we are not the same Charlottetown as we were six years ago and a number of these empty buildings

have been filled in successfully. Mr. Wasnidge suggested he understands Councillor **Macleod's** concerns but mentioned that he would respectfully disagree.

Lane MacLaren, resident, thinks that this is a great proposal and is a good addition for the downtown. Mr. MacLaren is on the same page with Mr. MacLeod that he is not against the proposal. We have seen food trucks within the City and have added on to the atmosphere in the downtown. He feels for the permanent establishments trying to attract as many customers as they can and then when summer comes and more activity becomes available, they then have to compete with other businesses. Mr. MacLaren asked if this is approved, would there a different tax rate/consideration to temporary business to pay higher tax rates. Mayor Brown inquired with Mr. Wasnidge if they will be renting and Mr. Wasnidge confirmed they were. The Mayor stated that if it is a vacant lot it would be taxed on residential rate. When it is occupied, it will contribute to HST/ other taxes but there is nothing to force them to pay more than what is required. Mr. MacLaren then asked if a food truck is located at the corner, will there be no levy paid. Mr. Rivard responded that there are fees for food trucks but because of the sale of alcohol, this will fall under a different section.

Heidi Zinn, resident and one the board of directors of Fusion Charlottetown, mentioned that one of their missions is to make Charlottetown a place where people want to work hard, play hard and live well. They are fully in support of this vision of someone young who wants to stay in Charlottetown and keep their business in Charlottetown. It is important to support young entrepreneur and that they should be able start somewhere. We do not know what **Mr. Wasnidge's group is capable of and what else they can do in the future. If we send a** message to our youth saying you must come in with big business plans and expect them to succeed and do well, we are setting people up for failure. If we want these spaces filled in the future, we must support youth now. She then commented that for someone who works in the tourism business, seeing people like Mikey is a big step forward. It may hurt some businesses but competition is a good thing and we need to be innovative to bring Charlottetown to the next level.

Colin Young, resident, would like throw his support for Mikey and added leaving the property as an empty lot or make use of it and beautify the place should be an easy decision.

Mitch Cobb, resident and owner of Upstreet Brewery, commented that there were a lot of vacant lots in the last 10 years and that a few years ago, these lots started to be filled with new businesses and added vibrancy to Charlottetown which makes it separate from the rest **of Charlottetown. Adding Mr. Wasnidge's proposal only** serves to add to vibrancy and contribute to a new area of Charlottetown. We need to encourage new and interesting ideas and new businesses. I would say that this proposal is not an inexpensive proposal. Leasing a building would also have the same capital investment as what is being proposed. Mr. Cobb feels that it is not fair to say that we should fill an empty building first before putting something on a vacant lot.

Jalen MacLeod, resident and co-owners of truck-and-roll food trucks, and can speak on a food truck business perspective. Mr. MacLeod mentioned that they had a very nice welcome when they started their business and would like to show support to a new businesses and not put others down. As a young islander, we should try to support these new businesses. They may not have the same start-up costs as other businesses but none of these businesses would have owners in their 20s. These young individuals may not have the credit to put a business in a building but they are able to put something to shape the cuisine of Charlottetown in a different way and bring in new people to the City. They are not looking at it as competition because the more competition or options, it becomes more ideal to try out difference cuisine. If there are fewer restaurants serving the same cuisine, Charlottetown will not be able to attract the culinary tourism. Mr. MacLeod also added that food trucks pay taxes.

Kim Devine, resident, also expressed her support to this application and these energetic and enthusiastic entrepreneurs who would like to bring in new ideas to Charlottetown. The City has a very good food scene and we would like to build on and take it to another level. Ms. Devine also added that the City needs to support these new ideas and the people who bring them to the table are important to the City as whole. This is what we need to continue to grow and prosper. We are lucky to have these young people who make things happen in Charlottetown and make the City a more vibrant place. Ms. Devine also commented that the design elements are really good and that it will add more vibrancy to the block, thus, encourages the Council to support this application.

Councillor Alanna Jankov shared that since this idea was presented by Mr. Wasnidge, she went door to door around the neighbourhood and has heard nothing but amazing positive feedback. Ms. Jankov also encouraged other residents who have other comments to send it along to keep the momentum going.

Mr. Wasnidge thanked the people who came and supported this application.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard then proceeded to introduce the next application.

5. 197 Minna Jane Drive (PID #469841)

This is a request to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone and amend the designation in the Official Plan from Concept Planning Area to Commercial in order to construct a 70-unit apartment building with underground parking as well as an additional building in the future which will likely contain a commercial daycare centre. This request includes a major height variance from 49.2 ft to approximately 69.75 ft. The public meeting is only for the rezoning but the variance was included in the notice to ensure that adjacent properties are notified as well. All of the properties in the area are located near the Maritime Electric easement and are

zoned C-2 except for this lot. This application was also discussed with the provinces traffic operations engineer who indicated that any new use of the property could only be served from Minna Jane Drive or Daniel Drive. The applicant, Ron Lord, is here to answer any questions.

Heather MacLean, resident, verified the location of the building. Mr. Lord explained that the former John Yeo Drive is now named Daniel Drive and presented the map that shows the existing Bed, Bath & Beyond, PEI Liquor Shop, etc are located. Mr. Lord added that this is the only remaining CDA lot and others are C-2. He has worked with staff to determine what the best zone would be for this property and C-2 was identified to be the best fit. The apartment building will not compete with the neighboring senior apartments but would like to address the need for housing. Mr. Lord mentioned that Charlottetown has the fastest growing GDP, best population growth and fastest immigration increases in Atlantic Canada which is amazing.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard then proceeded to introduce the next application.

6. 88 Brackley Point Road (PID #396770)

This is a request to rezone the property at 88 Brackley Point Road (PID #396770) from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone and amend the designation in the Official Plan from Low Density Residential to Medium Density Residential.

The property is a 3.404 acre of land with an existing single family dwelling. The plan is to demolish the existing dwelling and subdivide the property into two lots in order to facilitate the construction of a 30-unit apartment building on one lot and a townhouse development on the other portion of the lot. The property has frontage on both Brackley Point Road and Pope Ave. The main access will be along Pope Ave and will have a right-in, right- out along Brackley Point Road. The Police has confirmed this exit to have safe site distance and this is required as secondary access to meet fire regulations. The parking for the apartment unit will be underground while the townhouse units will have surface parking. Derek French, consultant, to the applicant is here to provide more details of the application.

Derek French noted that he has been working closely with the owner, Ron Wood, for years on putting this development together. Mr. French provided a brief history of the property and the details of the development. Mr. French presented the concept plan, highlights of the development, summary of types of dwellings within 500 meters, parking, traffic, existing condition of the lot, neighbouring properties and details of the proposed apartment building and town house units. The vision for this development is to provide options to different types of people/families of all ages, young families, single parents, older or mature families. The property would be close to schools, church and

accommodation for parks in the area. There is also a good number of safe sidewalk systems in the area to accommodate the schools/students.

Derek Smith, resident, commented there is a huge problem with traffic along the school. If you drive around 3:30 pm, it is not **safe to drive and there's significant** traffic at that time. Mr. Smith noted that the apartment building does not belong in the neighbourhood.

Colin Young, resident, commented that he does not believe that this is the direction the community would like to go. Mr. Young is concerned about the traffic around the school and the area is surrounded by students, even cutting through the property to get to the school area. It is a dangerous idea for the area. Mr. Young also added that he respects the effort of Mr. Woods to make it as appealing to the community but he believes that Mr. Woods would just like to maximize the revenue of the property at the expense of the community.

Heather MacLean, resident, commented that she thinks that the development looks lovely but the traffic is the issue in this application. For the exit right along Brackley Point Road, Ms. MacLean noted that she will not exit right unless she goes to the airport so the cars will exit onto Pope Ave. You have to see the traffic in the morning and afternoon to confirm the issue. Some students are special and you will notice that there are non-stop pedestrian traffic along that area. Adding more cars along that area is a concern too.

Nola Etkin, resident, echoed the concerns about traffic. Ms. Etkin mentioned that a lot of kids walk past her house and along Pope Ave not only before and after school, but also during lunch break. The exit onto Brackley Point Road from Coles Drive is a nightmare and the intersection is also a bad intersection because of the offset. It is even worse during the winter when there are snow banks thus making it even more difficult to see incoming cars. Brackley Point Road is a busy road and the proposed right-out is not very far between intersections. Brackley Point Road traffic is bad and Pope Ave is going to be worse.

Jerry Ivany, resident, asked how would they propose the right-in, right-out be controlled. Mr. French responded that they are looking at putting a concrete curb to minimize cars turning left and this will be located at the property entrance to Brackley Point Road. Mr. Ivany indicated that safety is a major concern. Children walk back and forth between two schools and there are families dropping off their children, and most of the time, children cannot be controlled as soon as they step out of the vehicle. Mr. Ivany congratulated the proponent for the presentation and noted that everything is good except for the safety issues. He also feels that the townhouses are okay but the apartment is the problem. They would like to keep it as single family houses and not interested in having an apartment within the neighbourhood. Mr. Ivany also added that there are lands along Brackley Point Road that may probably be available in the future

and should this application be approved, the whole east side may end up being rezoned. The west side of the area having smaller older house, may also be envisioned over time, to end up with apartments as well. Mr. Ivany feels that this is a dangerous proposition with the amount of traffic that will be expected. Currently, it is rare to see residents that would only have one car. Also, during noon time, there are about hundreds of high school students walking down Pope Ave to the local fast food area. The access to Stone Park Junior High level is also not open to parents or to parents dropping off or picking up kids would park along the road. Mr. Ivany also appreciated the neighbourhood for taking care of the community and would like to keep it as single family dwellings. Finally, Mr. Ivany noted that he has submitted his written comments to the department and Mayor Brown acknowledged to have received it.

Mike Dillon, resident, asked about the location of the development. The report indicated that the apartment building is situated about 450ft away from Brackley Point Road but the apartment is actually along Pope Ave. It doesn't show how close the apartment complex would be from the closest R-1 lot along Pope. Laurel Palmer Thompson referenced the apartment to the single family dwelling owned by Mr. Woods which is adjacent to the proposed development. Ms. Thompson indicated that they looked at the distance along Brackley Point Road and not along Pope Ave. Staff were not looking at the massing along the streetscape because the apartment building is not located beside single detached dwellings. It is set back so the distance is not much of a concern. Mr. Dillon commented that it would be nice to have public documents include the distance of the apartment building to the nearest residential dwelling along R-1s. Mr. Dillon read sections of the report that provided comments on the townhouses but mentioned that he does not see anything in the document on apartment buildings. Ms. Thompson noted that discussions on townhouse units were included and there were also discussions about the apartment unit where it integrated in the streetscape. Mr. Dillon added that the report shows that staff is in support of the townhouse units but it does not provide the same for apartment units. Mr. Dillon also mentioned that there are inconsistencies to the document pertaining to recreation and open space amenities and asked if there are reasons why it was not included in the document. Ms. Thompson responded that staff looked at the land uses in the area. Ms. Thompson mentioned about picking out specific comments from the document but it should be considered that this is a balance report and it did cover the pros and cons of the development as a whole, and does meet the criteria for recreation and park land use. Staff looked at the overall aspect of the area when reviewing a development. Mr. Rivard also added that the report shows the Positive, Neutral and Shortcomings as it pertains to the application and the shortcomings as it pertains to the apartment building was presented. Mr. Dillon also commented that there are no sidewalks along some roads and thus would like to encourage the City to put the infrastructure to make it a great location for recreation and parkland. Mr. Dillon also noted Stone Park Bowl as being a great asset in the neighbourhood and is much underutilized. There are safety, lighting and mobility issues at the moment and would like the neighbourhood to maximize this park and for the City

to invest on this as well. Mayor Brown noted that is owned by Public School Branch while the Centennial Park is managed by the City.

Jeremy Crosby, resident, commented that he bought the property because of the character of the area and spoke to residents and no one is in favor of the proposed development. Mr. Crosby pointed out that the property is designated low density since it was developed in the early 70s and some points from the Official Plan to maintain **Charlottetown's existing neighbourhood and new development is harmonious to** existing neighbourhood. The proposed rezoning is against the future land use map and that it should remain low density residential. If this rezoning is approved, there may be potential changes to the concept plan and increase the density to at least 100 more units. It may also open the door to more rezonings along Brackley Point Road. The increase in density may be considered to be out of character and may increase the traffic issues. Mr. Crosby is not opposed to development but should be mindful of the surrounding neighbourhood.

Marco MacDonald, resident, mentioned that he studies at Stone Park School and he has concerns for the safety not only of himself but of his fellow students and for his sisters (and friends) studying at Tiny Tots Daycare. There is heavy traffic before school, during lunch break, when there are school events and even when teachers arrive before students arrive and after school hours. None of the students feel that this application is best idea for students at Stone Park.

Trevor Matheson, resident, commented that his children attend daycare at Tiny Tots. Mr. Matheson is concerned about the noise, heavy traffic, trucks and dust that may arise during the construction period which may affect the kids at the daycare. Mr. Matheson also indicated that the apartment buildings noted in the map are along the outer rim of the 500 meter area which are along Doncaster Ave and St. Peters Road. This property along the heart of the neighbourhood with single family dwellings. Mr. Matheson would like to applaud Mr. Woods for the proposal but a giant apartment does not fit in the neighbourhood.

Danielle Plante, resident, is voting against the development. There are too many cars parked in front of her house **and there's too much traffic.**

Pat Ellis, resident, commended that Mr. Woods did undergo a lot of planning on this. Ms. Ellis understands that some residents may have difficulty dealing with ownership of single family dwellings but does not see that the apartment units fit the vision of the neighbourhood. Traffic is present everyday. Ms. Ellis liked the green space concept and she mentioned that the townhouses are reasonable but not the apartment units and would like to see the properties remain as single family dwellings.

Marcia Gardiner, resident, mentioned that she has spoken to a number of residents within the neighbourhood and has not heard any positive comment about this

development. There are no difficulties/concerns with the townhouse development but the apartment is a big problem. There is a huge walking traffic of school children in the area and the auto traffic is also quite a problem.

Joan Ivany, resident, asked why this lot is being divided into two different properties. Ms. Ivany is afraid that if the application is approved, the other section will also become apartment buildings. Ms. Ivany compared it to the development behind the Charlottetown Mall where the development was proposed as a single development but has since changed from the initial plans. She is afraid that the same situation may happen to this area. Mr. French responded that it is more for accessibility and that there needs to be frontage for each of the lot. Ms. Ivany asked why she had to apply for a variance to develop her property while this new development has less frontage. Mr. French mentioned that they are within the requirements. Ms. Thompson also added that under the old bylaw, it is required that the streetscape align with the existing dwellings. The new bylaw requires that new development meet the minimum setback requirements.

Don Crosier, resident, asked how far would the exit from Brackley Point Road be from Cedar Ave, how wide would the exit be and where do you expect cars to turn when going downtown. Mr. French responded that it is approximately 75 feet from Cedar and access would be 20 feet wide. Mr. French mentioned that they can drive down to the Bypass highway or roundabout along Oak Drive and go back towards Brackley Point Road. Mr. Crosier is convinced that they are not turning right and will be difficult to enforce that. Traffic is a problem along Brackley Point Road. He is not opposed to the development but the exit on to Brackley Point Road is a concern. He also clarified the number of townhouse units in the proposed development. Mr. French confirmed that the plan indicates 17 townhouse units and Mr. mentioned that the letter indicates 16.

Matthew Walker, resident, commented that there are traffic issues along Pope Ave and this development is a disaster waiting to happen. Mr. Walker also commented on what precedent it sets for other development such as the previous application along 68 Brackley Point Road. Ms. Thompson responded that though she is not the planner who reviewed the recent application, she is aware of an old application that was also rejected because the property does not have a safe site line distance existing to Brackley Point Road, even if the development was just for a single family dwelling. Mr. Walker commented that he loved the town house proposal and would fit the neighbourhood but not the apartment.

Mike Eyolfson, resident, is opposing the apartment piece of the application but finds the townhouse to be suitable. Mr. Eyolfson did a canvassing along Heather Ave and there were no residents who provided positive responses to this application. Drainage is also a concern along this area and asked what steps are in place to mitigate this problem. Mr. French mentioned that they would design a storm water for the property and will

have to be reviewed by the City and **integrated into the City's storm water system**. He also commended Mr. Woods for the proposal but does not believe the apartment building belongs to the area.

Shelley Morrison, resident, urges the department to read the letter that will be sent tomorrow. Ms. Morrison has numerous concerns about being harmonious and following City plans which seems to be not followed in this. Ms. Morrison commends the Wood family for the proposal and is not opposed to development as long as it is done properly. Also, letters were notified at least a week ago and did not have time to prepare or be made aware of this. Most of the community was away for March break. Ms. Morrison presented a map that shows the number of residents that were opposed to the development. A petition was circulated and a total of 327 signatures were received in opposition to this application. Mayor Brown received the application and confirmed that this will be included in the Planning Board package. Mayor Brown also encouraged residents who wish to send their comments to submit it before noon of March 28, 2019 to planning@charlottetown.ca.

George Bitar, resident, noted that the area is a high traffic volume area. Everyone is in agreement that the apartment building is not desired in this area. Mr. Bitar asked what weight the community carries in making a decision. The community would like to keep the neighbourhood as single family dwellings. Mr. Brown responded that the Zoning & Development Bylaw is a living document does change over time. That is the purpose of the public consultation and the public is given notice, and the comments heard tonight will be considered when Council makes a decision on the 8th of April. Mr. Bitar asked if one is legally entitled, does this process matter. Mayor Brown responded that if a zone is being changed, a process is in place before a Council decision is made. Mr. Rivard also added that every resident has the right to apply for a change to the Zoning By-law and the department cannot deny applicants from coming forward. This is why the process includes a public consultation to hear comments from the public before it is reviewed a second time by the Planning board (April 1st) and the board makes a recommendation to Council to accept or reject and then Council makes the final decision. Dividing the lot may be a little tricky to better **their livelihood but if they don't** divide the property, this would not be happening.

Karen Dunning, resident, indicated that the homestead was a heritage home owned by George Coles and the plan is to tear it down. Ms. Thompson clarified with the Heritage **department that the property was not George Coles' home**. Ms. Dunning also asked if this property is rezoned to R-3, and the owners decide not to develop it, does it give other developers an opportunity to develop it into two 64-unit apartment dwellings. Mr. Rivard confirmed that once it is rezoned, it does allow developers to build based on the zoning. Mr. Forbes added that this application is based on the application they have submitted and the applicant will only be allowed to build as per their plan. Mayor Brown added that an R-3 zone would allow for apartment units but this specific application would be specific to the plans submitted based on a Development Agreement. Brackley

Point Road is a core road and is difficult to pull in and out of the driveway and she believes that there is a better way of designing it. Ms. Dunning is not opposed to developing small homes and would like to ask if these houses are to be rented or purchased and Mr. French responded that it can be a mix of both.

Susan Frizzell, resident, commented that if there was a party in one of the townhouse units, there is not enough parking space. Mr. French responded that it would have a long driveway. Ms. Frizzell also asked about enough parking for visitors for the apartment units. Mr. French mentioned that they are required 30 parking spaces and there are 28 parking spaces underground and about 10 surface parking. Ms. Frizzell then asked if there are plans to add more parking spaces in the future to accommodate the need for parking spaces and thus, reducing the green space in the area. Ms. Thompson responded that the applicant is required to provide 30 parking spaces. It will be up to the developer if they want to add more parking spaces.

Peter Poirer, resident, emphasized that the site map shown during the presentation shows properties within the area are all R-1 lots. The image is enough to show that an apartment building does not belong in that area. The townhouse units should be acceptable.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

7. Amendments to the Zoning & Development Bylaw (Bylaw 2018-11)

This is a request to amend the Zoning & Development Bylaw pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments.

Mr. Zilke went through the different sections of the amendments. Mayor Brown asked how many M-2 zones are there in the City and the proximity to residential dwellings. Mr. Zilke mentioned that there are two sections. Mr. Brown asked if these are the ones north of Winsloe and West Royalty Industrial Park and Mr. Zilke confirmed. Mr. Zilke added that the M-2 zone along the Industrial Park is directly adjacent to residential lots and thus the requirement for environmental assessment if it will stand the test of land use compatibility assessment. Mr. Brown also confirmed that M-2 in the north would be off the Sherwood road and heavy industrial within that area and Mr. Zilke also confirmed. Mr. Forbes also emphasized that the environmental impact assessment is a requirement of the province before a permit can be issued. Mayor Brown also asked whether the existing asphalt plant along Sherwood Road is on a non-conforming use and if that is sold or becomes dormant for six months, it returns to its original zone. Mr. Forbes confirmed that a portion is zoned

Industrial but the back portion that contains the asphalt plant is R-2. If they cease using it for six months, it goes back to R-2.

One resident asked why it was removed from the bylaw. Mr. Zilke responded that discretionary uses undergo an approval process. Mr. Forbes added that discretionary uses were removed in the current bylaw. It was a discretionary use at the airport at that time as a specific use. And that is the purpose of this current amendment, whether we need that use or not. It is a request to provide direction where that use can be located and whether it is necessary. Another question asked on landscaping is if the objective is to put trees and green space is a requirement, why is hardscaping allowed. Mr. Zilke responded that hardscaping would be decorative stone work or ornamental grasses. He also asked if it has to be a mixture or an alternative. Mr. Zilke mentioned that it should be a mixture or how the bylaw is defined.

Mayor Brown asked for any comments or questions; there being none, the meeting proceeded to the next item. Councillor Rivard introduced the application.

8. Secondary and Garden Suite Registry By-law

This is a proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

Darren Ings, resident and real estate appraiser, asked how the City is going to zone the properties with secondary or garden suites. Is it going to be an R1 or R2 zone. Mr. Zilke **responded that it doesn't apply to a zone but to the form of a building. Secondary suites will** only be permitted to single detached dwellings, regardless of what zone they are situated.

Mr. Ings clarified that single detached dwellings will now be two units, so he asked if they are R1 or R2, and that they cannot have both (one family or two families). Mr. Zilke noted that R1 allows for single detached dwelling. A secondary suite is secondary in nature, not like a semi or duplex and would have size restrictions. Mayor Brown also clarified that new terminologies are in place to reflect these changes to the definitions. Mr. Ings asked what the appraisal would be and Mr. Zilke confirmed that they are to be appraised as a single-detached home. A secondary suite is still part of main dwelling. You cannot sell a secondary suite independently. Mr. Ings asked if this can generate income and Mr. Zilke confirmed. Owners should register on a registry to allow for secondary suite. Once it is sold, the new owner should again register the secondary suite. He also asked if this database will be accessible to the public and Mr. Zilke confirmed that it will be available online.

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

9. Adjournment of Public Session

Moved by Councillor Greg Rivard and seconded by Councillor Kevin Ramsay that the meeting be adjourned. Meeting adjourned at 9:30 p.m.

TITLE: REZONING / VARIANCE APPLICATION FILE: PLAN-2019-1-APRIL- 6A1 197 MINNA JANE DRIVE (PID #469841) OWNER: CORDOVA REALTY LTD.		
MEETING DATE: April 1, 2019		Page 1 of 5
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Building Plans C. Letter of Support D. Letter of Opposition	
SITE INFORMATION: Context: 3.0 Acre property containing Dr. McManaman's Orthodontist Practice Ward No: 8 – Highfield Existing Land Use: Medical, Health and Dental Office Official Plan: Concept Planning Area Zoning: Comprehensive Development Area (CDA) Zone		
PREVIOUS APPLICATIONS: A building permit was issued on October 12, 2007 to renovate the existing building to be used as a professional office space (i.e., dentist office).		

RECOMMENDATION:

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

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial for the property located at 197 Minna Jane Drive (PID #469841);
2. Amend Appendix "G" – Zoning Map of the Zoning & Development By-law from the Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone for the property located at 197 Minna Jane Drive (PID #469841); and
3. Increase the maximum height for an apartment dwelling in the C-2 Zone from 15.0 m (49.2 ft) to approximately 21.26 m (69.75 ft).

subject to the existing access between parking lots being removed so that only the dental office / upper parking lot may be permitted to utilize the right-in / right-out onto Malpeque Road.

BACKGROUND:

Request

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

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

Development Context

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

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

Property History

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

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

LEGISLATIVE REQUIREMENTS:

Notification

On March 11, 2019, Council passed the following resolution:

That the request to:

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

for the property at 197 Minna Jane Drive (PID #469841), be approved to proceed to public consultation.

As per Section 3.9.3 and Section 3.10.4 of the Zoning & Development By-law, written notice was sent to all affected property owners within 100m of the subject property on March 12, 2019. The letter informed them of the rezoning / variance application and the upcoming public meeting. The letter then explained that comments for or against the proposed rezoning / variance must be submitted prior to 12:00 p.m. (noon) on Thursday, March 28, 2019.

In addition, staff published a notice in two issues of The Guardian on March 16, 2019 & March 23, 2019 and posted a copy of the notice on the subject property.

Public Feedback

Of the nine (9) letters sent to affected property owners, one (1) letter of support (Attachment C) and one (1) letter of opposition (Attachment D) were received prior to the deadline for comments. The letter of support stated that the proposed development would be a great addition to the area. The letter of opposition expressed concerns that the residential apartment building should have to adhere to the regulations of the Zoning & Development By-law even though this type of use shouldn't be permitted in a commercial zone.

In addition to the public feedback received during the mailout process, a public meeting of Council was held on March 27, 2019 at 7:00 p.m. at the Rodd Charlottetown, 75 Kent Street. At the meeting, there were no property owners who spoke for or against the application.

ANALYSIS:

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

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

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

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

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

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none">• The adjacent property obtains a similar variance in 2017.• The proposed apartment building is only 4.5 ft taller than the adjacent apartment building but appears to be 10.7 ft taller due to the change in elevation.• All adjacent properties within the development context are zoned C-2.		

CONCLUSION:

In light of the fact that all adjacent properties are located in the Highway Commercial (C-2) Zone and the adjacent 60-unit apartment building also received a major height variance for an apartment building, the Planning & Heritage Department recommends that the rezoning application including one (1) major variance, be approved.

PRESENTER:



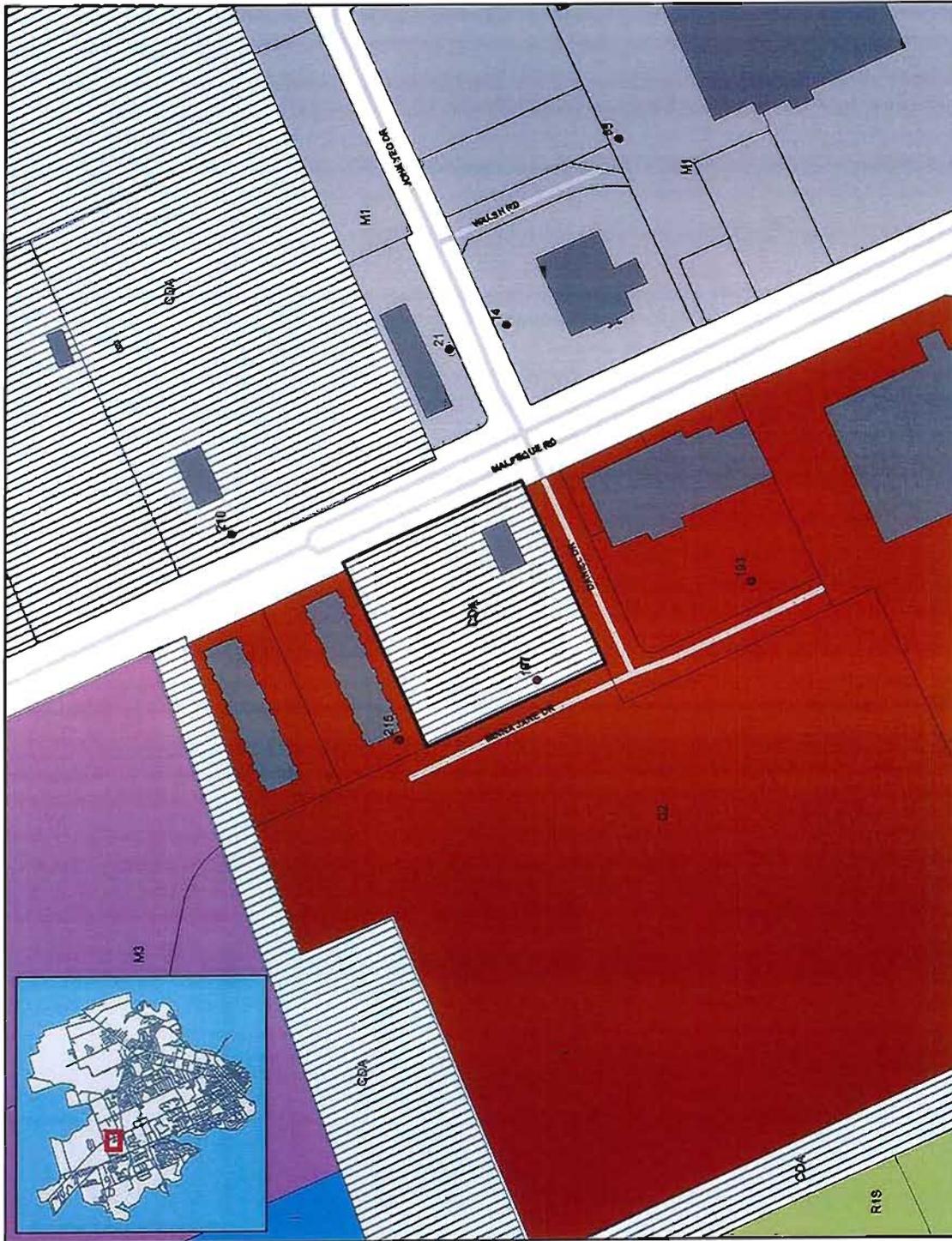
Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A



Attachment A: GIS Map
File: PLAN-2019-1-April-6A1
197 Minna Jane Drive (PID #469841)
Owner: Cordova Realty Ltd.



Attachment B

Building Plans Attached:

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

Attachment B: Building Plans
File: PLAN-2019-1-April-6A1
197 Minna Jane Drive (PID #469841)
Owner: Cordova Realty Ltd.


CHARLOTTETOWN
Planning & Heritage
Department



Spitfire
Architecture & Design
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NO.	REVISION	DATE
1	ISSUED FOR PERMITS	11/11/18
2	ISSUED FOR PERMITS	11/11/18
3	ISSUED FOR PERMITS	11/11/18
4	ISSUED FOR PERMITS	11/11/18
5	ISSUED FOR PERMITS	11/11/18
6	ISSUED FOR PERMITS	11/11/18
7	ISSUED FOR PERMITS	11/11/18
8	ISSUED FOR PERMITS	11/11/18
9	ISSUED FOR PERMITS	11/11/18
10	ISSUED FOR PERMITS	11/11/18

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DATE: 11/11/18
DRAWN BY: [Name]
CHECKED BY: [Name]

PROJECT: [Project Name]
LOCATION: [Location]

OWNER: [Owner Name]
ARCHITECT: Spitfire Architecture & Design, Inc.
11111 1st Street, Suite 100, San Francisco, CA 94103
Tel: 415.555.1234

CONTRACTOR: [Contractor Name]
DATE: 11/11/18



NO.	REVISION	DATE
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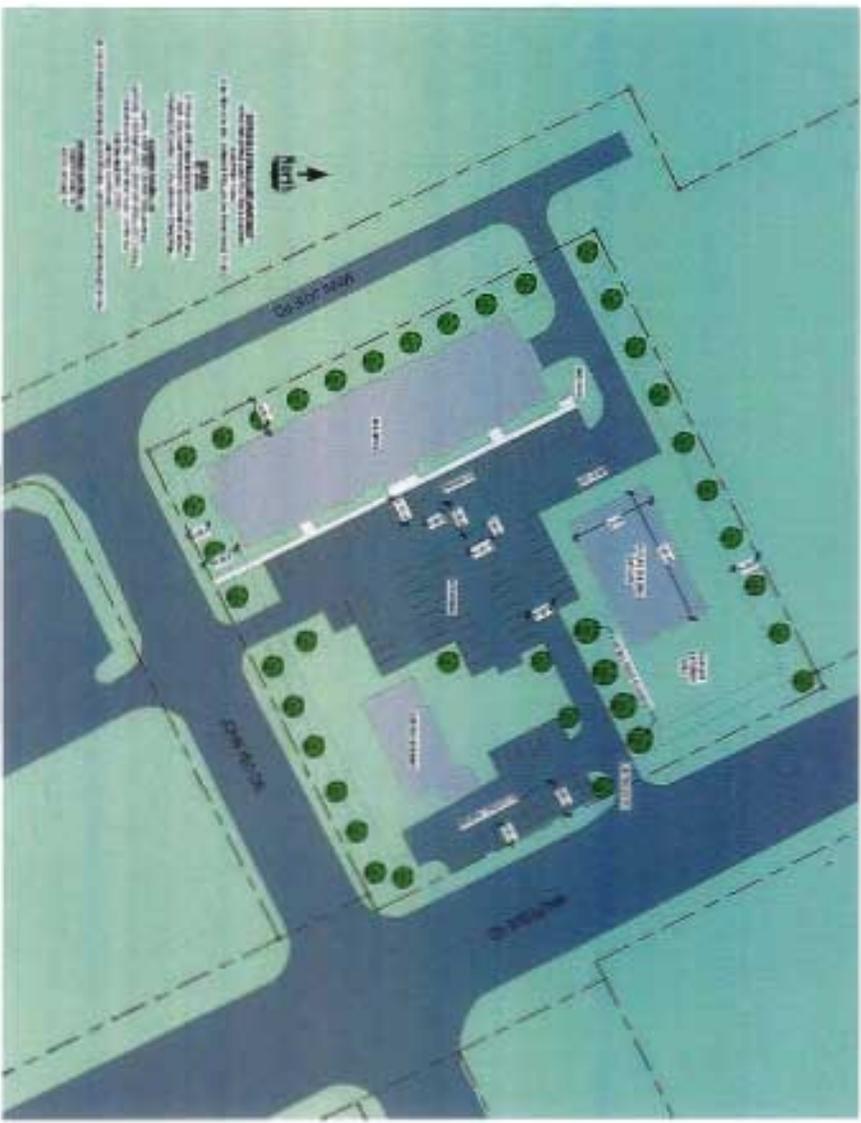
CODE CHART



CONTRACTOR: [Contractor Name]
DATE: 11/11/18



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SITE PLAN

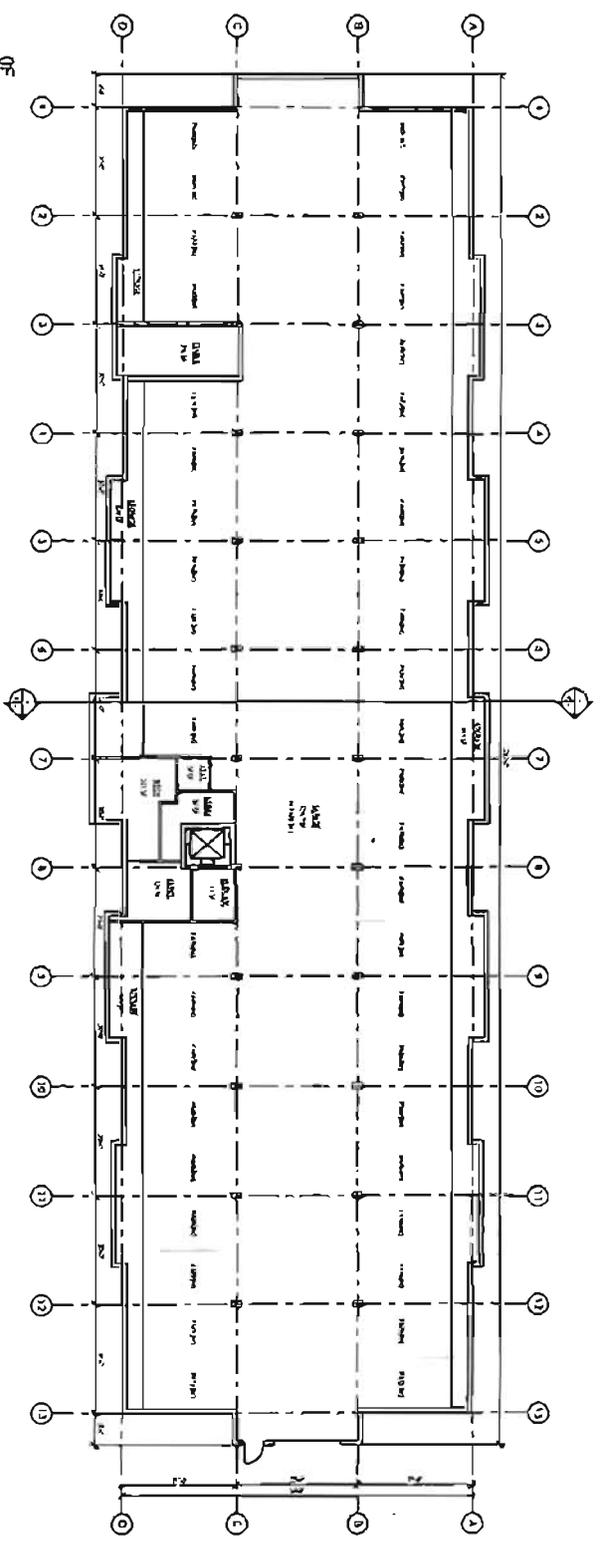
<p>spitfire DESIGN CO.</p>	
<p>10000 10th Street, Suite 100 Denver, CO 80202 Tel: 303.733.8888 www.spitfire-design.com</p>	
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<p>Client: Golden Architects</p>	
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Spitfire
Architectural
1111 1/2th Street
San Francisco, CA 94103

NO.	DATE	DESCRIPTION
1	11/11/11	CONCEPT DESIGN
2	11/11/11	SCHEMATIC DESIGN
3	11/11/11	PRELIMINARY DESIGN
4	11/11/11	FINAL DESIGN

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01
1st Floor



02
2nd Floor

ROOM LEGEND

- SUITE A
- SUITE B
- SUITE C

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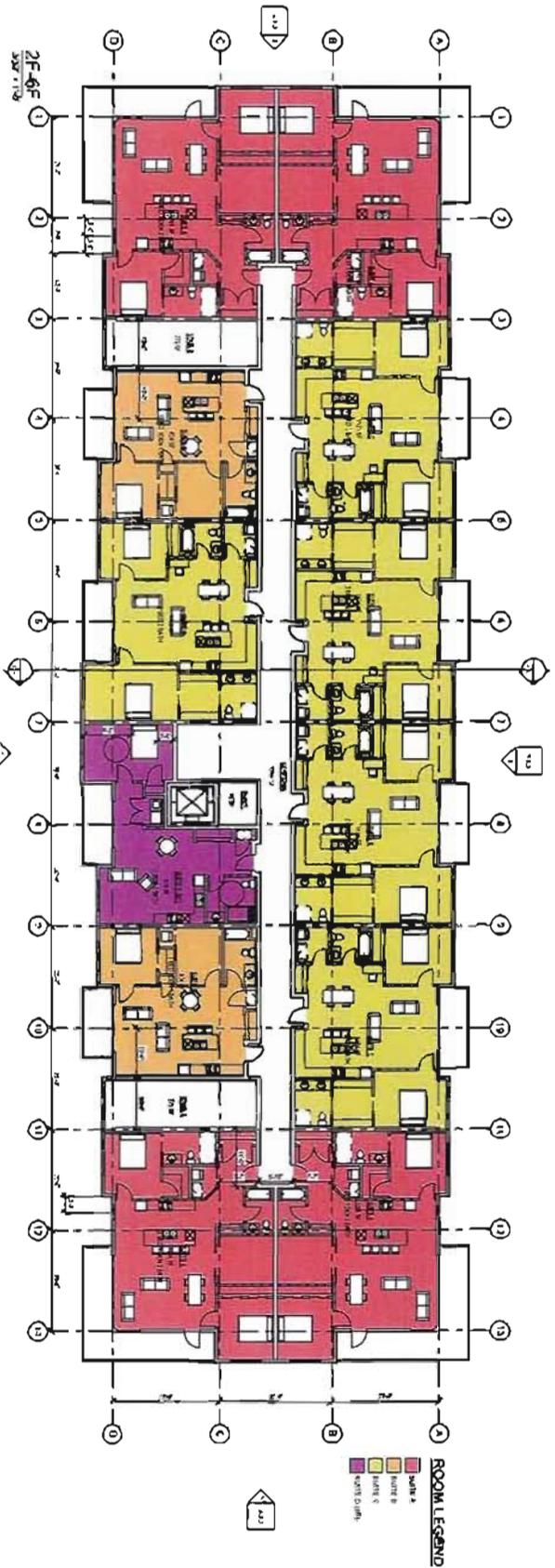
1111 1/2th Street
San Francisco, CA 94103

CONTRACT NO. 1111 1/2

DATE: 11/11/11

PROJECT: 1111 1/2th Street

ARCHITECT: SPITFIRE ARCHITECTURAL DESIGN CO.



ROOM LEGEND

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- Suite B
- Suite C
- Suite D

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*Spitfire
2017/18*

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Charleston, RI

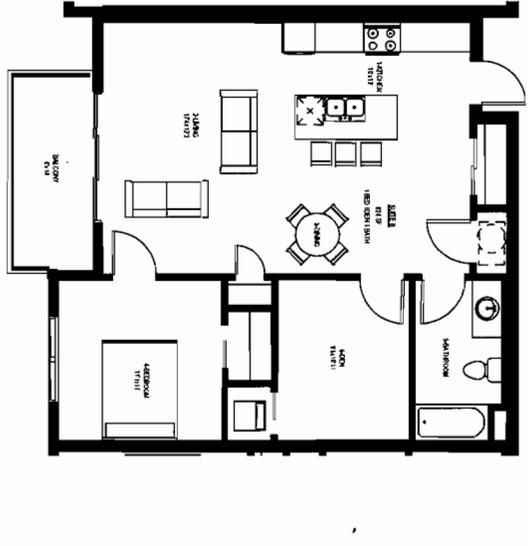
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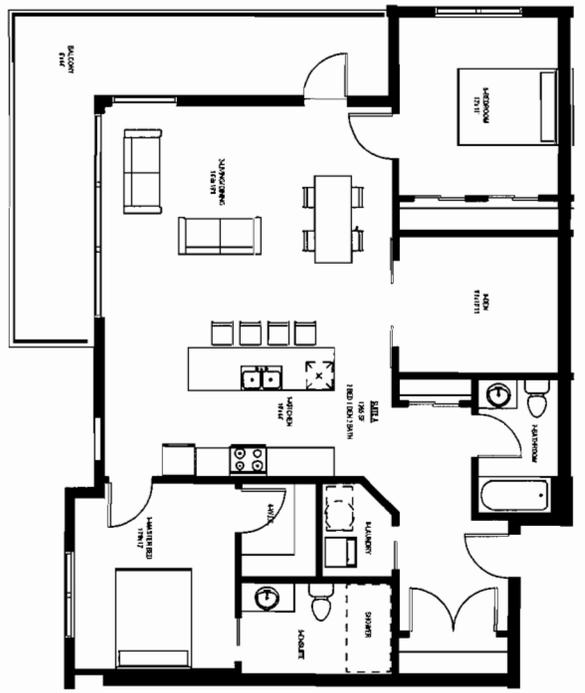
Preliminary
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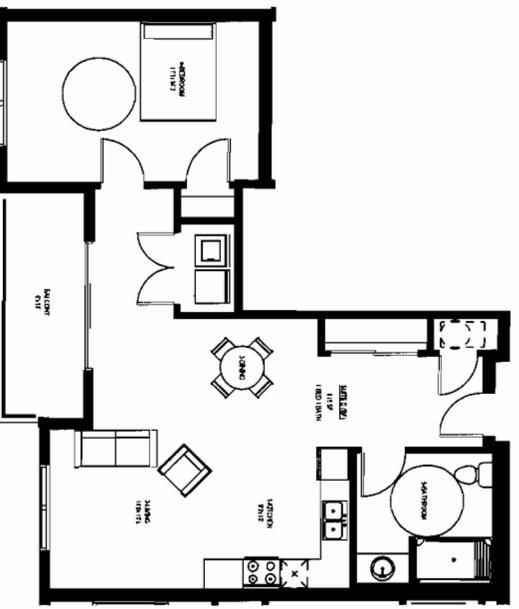
DATE	DESCRIPTION	BY



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



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



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



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

SUITE B/RECEPTION/FIRST FLOOR				
LINE	CONTENTS	AREA	LEVEL	COORD
101	RECEPTION	1200 SF	1F	
102	WAITING	1100 SF	1F	
103	MEETING	1000 SF	1F	
104	CONFERENCE	1000 SF	1F	
105	KITCHEN	1000 SF	1F	
106	RESTROOM	1000 SF	1F	

SUITE A/RECEPTION/FIRST FLOOR				
LINE	CONTENTS	AREA	LEVEL	COORD
201	RECEPTION	1200 SF	1F	
202	WAITING	1100 SF	1F	
203	MEETING	1000 SF	1F	
204	CONFERENCE	1000 SF	1F	
205	KITCHEN	1000 SF	1F	
206	RESTROOM	1000 SF	1F	

SUITE C/RECEPTION/FIRST FLOOR				
LINE	CONTENTS	AREA	LEVEL	COORD
301	RECEPTION	1200 SF	1F	
302	WAITING	1100 SF	1F	
303	MEETING	1000 SF	1F	
304	CONFERENCE	1000 SF	1F	
305	KITCHEN	1000 SF	1F	
306	RESTROOM	1000 SF	1F	

SUITE D (BF)/RECEPTION/FIRST FLOOR				
LINE	CONTENTS	AREA	LEVEL	COORD
401	RECEPTION	1200 SF	1F	
402	WAITING	1100 SF	1F	
403	MEETING	1000 SF	1F	
404	CONFERENCE	1000 SF	1F	
405	KITCHEN	1000 SF	1F	
406	RESTROOM	1000 SF	1F	

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21, 186-2507 ST. 308, 307-7747 416-291-7747
416-291-7747

Canadian - Middle East
Charlottesville, VA

SUITE ENLARGEMENTS

DATE: FEBRU 2015

PROJECT: 143-2015-01

SCALE: 1/4" = 1'-0"

ADJ

Attachment C

From: Rachel Hope [mailto:Rachel.Hope@plaza.ca]
Sent: March-21-19 1:06 PM
To: Morrison, Greg
Subject: RE: 197 Minna Jane Drive Site Plan

Hi Greg,

Our executive have reviewed and we do not have any issues as the parking meets the requirements. It looks like a great addition to the area.

Thank you,
Rachel

Attachment C: Letter of Support
File: PLAN-2019-1-April-~~6A1~~
197 Minna Jane Drive (PID #469841)
Owner: Cordova Realty Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

Attachment D

From: moorewelldrilling@pei.aibn.com [mailto:moorewelldrilling@pei.aibn.com]

Sent: Wednesday, March 27, 2019 1:48 PM

To: Planning Department

Subject: 197 Minna Jane Dr

Planning & Heritage Department,

I expect this letter will not make any difference. It is just a formality to make things legal. In the first place, I understood that this area was zoned commercial/industrial. Is that right? Is this not residential, or does the City have one of it's famous loop-holes that allow it to do what it wants? They already allowed a New Brunswick building across from our shop, so there is no doubt they will allow many more apartments in the area. For this one in question, they should absolutely not allow it beyond the height that is currently law. Why do you even have laws, if every time you are asked to change, you change. A building like that would be an eyesore. Do we even have the proper fire equipment to handle a fire in a building that tall. What about the water requirements? Every building like this that goes up, is like another small sub-division. Charlottetown is strapped for water as it is.

What about the next guy who wants to go 8 stories? You have that maximum height for a reason. The only reason they want it higher is greed. They can squeeze another 20 units going higher. What advantage is that to you and me? I guess you guys collect more property tax, and you really don't care what I think. The same way you didn't care about the building across from our shop creating its own private driveway onto Route 2, backing dump trucks out onto the road, causing many near accidents. I know for a fact that Highways sent you a letter voicing the same concerns, and nothing was done. Do you know that the apartment across from us was built using virtually all NB labor, and material? They even got a company from Moncton to pave their parking lot. So much for loyalty. It's really disgraceful.

For what it's worth, I say "No" to the variance request. We have rules for a reason. If, and when you do let them do what they want, could you please ask them to at least keep their garbage on their own property when they build? Our property, and wooded area is absolutely covered with garbage from the New Brunswick apartment building. Do we not have any laws that require a certain amount of labor come from local, or Island business? We are an Island business, and I think it is important for Island businesses to support the local economy. You have to support where you live to survive. It used to be that way, but in todays society, I guess people don't care anymore.

John Moore

Moore Well Drilling Inc.

March 27, 2019

Attachment D: Letter of Opposition
File: PLAN-2019-1-April-**6A1**
197 Minna Jane Drive (PID #469841)
Owner: Cordova Realty Ltd.


CHARLOTTETOWN
Planning & Heritage
Department

TITLE: REZONING APPLICATION FILE: PLAN-2019-1-APRIL - 6A2 ROYALTY ROAD (PID #388595) OWNER: ROYALTY RIDGE ESTATES INC.		
MEETING DATE: April 1, 2019		Page 1 of 7
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Proposed Site Plan C. Letters of Opposition	
SITE INFORMATION: Context: 11.06 acre vacant property on the corner of Upton Road and Royalty Road. Ward No: 8 - Highfield Existing Land Use: Vacant Property Official Plan: Low Density Residential Zoning: Single-Detached Residential (R-1S) Zone		
PREVIOUS APPLICATIONS: N/A		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to approve the request to rezone approximately 3.25 acres of the vacant property located on the corner of Royalty Road and Upton Road (PID #388595) by amending Appendix "G" - Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.

BACKGROUND:

Request

The property owners, George Zafiris & Robert Wakelin (Royalty Ridge Estates Inc.), are applying to rezone a portion of the vacant property located on the corner of Royalty Road & Upton Road from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.

The purpose of the rezoning would be to construct seven properties which would allow the development of 2-unit dwellings. All of these properties would be located on a cul-de-sac off Royalty Road.

The applicants have confirmed that they will not be applying to rezone any of the remaining property; therefore, Phase II will be developed as per the Single-Detached Residential (R-1S) Zone regulations.

The road and lot configuration of Phase II will be determined at a later date but in light of the fact that the property will remain zoned R-1S, the subdivision will be done internally with a review from the Police Department, Fire Department, and Public Works Department – no public consultation would be required for Phase II.

Finally, the applicant is proposing a 6,295 sq ft landscaped corridor between the two cul-de-sacs and a 40,760 sq ft landscaped open space which has been reviewed by and satisfies the requirements of the Parks & Recreation Department.

Development Context

The vacant property is located on the corner of Upton Road and Royalty Road and is currently zoned Single-Detached Residential (R-1S). The subdivisions to the south and the west are both zoned R-1L and R-1S, while the vacant land to the east is zoned R-2. The properties across the street with frontage on Royalty Road are located in the R-1L Zone; however, the vacant land in the rear of said properties is located in the R-2S Zone.

The overall neighbourhood of West Royalty is mixed with single-detached dwellings and semi-detached / duplex dwellings. The proposed rezoning from the R-1S Zone to the R-2 Zone would not be out of context for the neighbourhood, but staff would note that the existing dwellings that would bookend the area being rezoned along Royalty Road are zoned R-1S and R-1L.

Property History

There is no building & development permit records or subdivision records for the 11.06 acre vacant property.

LEGISLATIVE REQUIREMENTS:***Notification***

On January 14, 2019, Council passed the following resolution:

That the request to rezone approximately 3.89 acres of the vacant property located at the corner of Royalty Road & Upton Road (PID #388595) from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone to allow for construction of two-unit dwellings, be approved to proceed to a 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 January 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 Thursday, January 31, 2019.

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

Public Feedback

Twenty-five (25) letters of opposition were received prior to the deadline for comments. The comments received are summarized below. All of the written responses are located in Attachment D.

Opposed

- The applicants purchased the property as R-1S understanding it's zoning at the time and should be developed as such.
- There is available vacant R-2 land within the City of Charlottetown if the applicant is looking to develop two-unit dwellings.
- The rezoning approval of Phase I will lead to a subsequent rezoning application / approval of Phase II.
- The approval of two-unit dwellings will compromise the single-detached identity of the Park Meadow Estates.
- Meadow Lane should connect to Royalty Road through the subject property if additional development is being proposed.

- Traffic in the Park Meadow Estates and on the Royalty Road / Upton Road is too significant already.
- The existing streets do not have sidewalks and are in vast disrepair.
- The additional density on the subject property will add to the already overcrowded schools.
- The applicants did not do their due diligence on the property prior to applying to rezone it.

In addition, a public meeting of Council was held on January 30, 2019 at 7:00 p.m. at Studio 1, Confederation Centre of the Arts, 145 Richmond Street. At the meeting, seven (7) residents spoke in opposition of the rezoning application while one (1) residential spoke in favour. Additional comments from the public meeting which were not identified by way of written responses are summarized below. A detailed summary of the concerns are identified in the public meeting minutes.

In Favour

- Additional two-unit dwellings are required in West Royalty.
- Alternative housing types allow for residents to downsize from their existing single-detached dwellings while remaining within their neighbourhood.

Opposed

- Park Meadow Estates was originally designed to connect Meadow Lane to Royalty Road through the subject property.
- One entrance to Park Meadow Estates through Parricus Mead Drive isn't sufficient for the existing subdivision, let alone additional development on the subject property by way of a cul-de-sac.
- Residents of West Royalty are constantly required to oppose rezoning applications from developers of vacant land in the area.
- The subject property has historically had water issues which need to be addressed.
- The size of the dwellings and width of driveways should be limited to provide additional open space for water to percolate into the soil.

ANALYSIS:

On January 31, 2019, following the public meeting, staff spoke with the applicants who expressed their desire to defer the application to give themselves an opportunity to address some of the concerns raised by the public.

In light of the foregoing, Planning Board passed the following resolution on February 4, 2019:

Moved by Kris Fournier, RM, and seconded by Basil Hambly, RM, that the request to rezone approximately 3.89 acres of the vacant property located at the corner of Royalty Road & Upton Road (PID #388595) from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone to allow for construction of two-unit dwellings, be deferred for a period of two months in order for the applicants to provide a revised plan for the property.

Since that time, the applicants have engaged the residents on a number of occasions and provided staff with numerous iterations of the proposed plan in order to attempt to balance the requirements of the City with the comments of the residents.

Most recently staff met with the applicants on March 25, 2019. Following the meeting, the applicants provided staff with their final proposed site plan which is attached to this report as 'Schedule B'. The applicants also send the following comments to the residents on March 26, 2019:

'Two of the main concerns that have been raised pertain to extending Meadow Lane and our overall plans for Phase 2 of the development. The City is now aware that many residents are opposed to extending Meadow Lane to create a second access to the neighborhood. Consequently, the City has agreed that our present application for Phase 1 does not require a commitment from us to extend Meadow Lane. The issue of a second access will still have to be addressed as part of the design process for the remainder of the development, but it is off the table for now. Also, with regard to Phase 2, we have advised the City that no additional R2 lots will be requested (i.e., Phase 2 will consist entirely of R1 lots).

Another concern expressed relates to the possible impact of property values that an adjoining R2 development may have on existing single-family homes. So, to help address this issue, we have eliminated the two R2 lots proposed for Royalty Road and, as shown on the attached updated site plan, the remaining seven (7) R2 lots requested are all located on a separate cul-de-sac, with a large park area. There will be no R2 lots fronting on existing roadways.

We recognize that some residents will still be opposed to anything other than an all R1 development, but we have endeavored to address as many of the concerns expressed as possible.'

Schedule B illustrates the rezoning of 3.25 acres in order to develop seven properties as two-unit dwellings. The original plan showed 3.89 acres being rezoned in order to develop nine properties as two-unit dwellings. The two proposed lots that have frontage on Royalty Road have been removed and therefore all two-unit dwellings will be access from a cul-de-sac off Royalty Road.

Planning staff initially considered that resolving future development concerns regarding Phase II of the proposed development may alleviate concerns expressed by residents at the public meeting. Notwithstanding, the applicants attempted to clarify concerns about the future of Phase II development but determined that this aspect of their application was complicating concerns regarding their proposal as opposed to resolving concerns. As a result, they have elected to focus on Phase I and will endeavor to work with the City on the lot configuration and access concerns related to Phase II at a later date.

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

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

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

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

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> ▪ Moderately higher density using existing underground services. ▪ The adjacent vacant lands owned by Don MacKinnon and Duncan Shaw are both zoned for semi-detached / duplex dwellings. ▪ The proposed landscaping has been approved by the Parks & Recreation staff. ▪ The proposed rezoning is contained on a single cul-de-sac. ▪ The rezoning request does not require an Official Plan amendment as the low density designation includes one and two unit dwellings. 	<ul style="list-style-type: none"> ▪ The applicants have indicated that the remaining portion of the property will remain zoned R-15. 	

CONCLUSION:

In light of the foregoing, staff is recommending that the rezoning application, be approved. The rezoning request does not require an Official Plan amendment and provides an alternative form of housing within the neighbourhood. Further, proposing the two-unit dwellings on an independent cul-de-sac will have little impact on adjacent single-detached dwellings (i.e., similar built form, no increase in traffic, etc...). The applicants will be required to meet the City of Charlottetown subdivision requirements for Phase I as well as Phase II.

PRESENTER:



Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

Attachment A

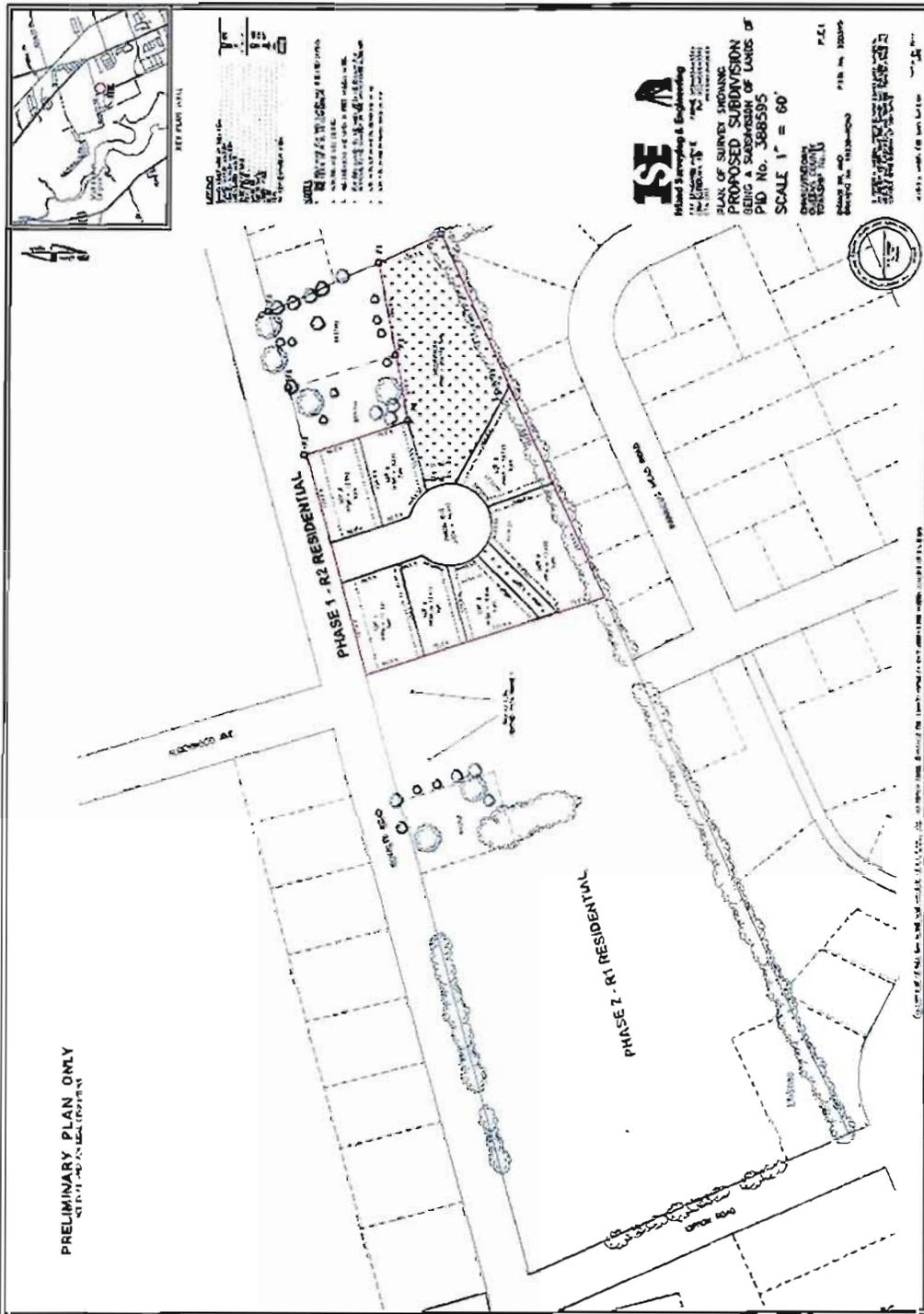


Attachment A: GIS Map
File: PLAN-2019-1-APRIL-6A2
Royalty Road (PID #388595)
Owner: Royalty Ridge Estates Inc.


CHARLOTTETOWN
Planning & Heritage
Department



Attachment B



Attachment B: Proposed Site Plan
 File: PLAN-2019-1-APRIL-6A2
 Royalty Road (PID #388595)
 Owner: Royalty Ridge Estates Inc.



Attachment C

25 Letters of Opposition Attached:

1. Randy Mayne
2. Craig & Joanne Walker
3. Carter Russell
4. Jason Craig
5. Tom & Vicky Garland
6. Tom Garland
7. Carol & Blake Craswell
8. Judy Hale
9. Blair & Val MacKinnon
10. Anne & Allan McGuirk
11. Daren Dixon
12. Glenn D. Trueman
13. Mandy Dixon
14. Karen Hopkins
15. Richard & Audrey Gallant
16. Shawna & Dennis Carver
17. Reid Barnett
18. Rick Rooney
19. Scott & Jen Gosse
20. Sarah Sauchenko
21. Patricia & Shawn Wakelin
22. Matthew & Julie Gallant
23. Yueming
24. Thane Myers
25. Laurie & John McBride

Attachment C: Letters of Opposition
File: PLAN-2019-1-APRIL -6A2
Royalty Road (PID #388595)
Owner: Royalty Ridge Estates Inc.



CHARLOTTETOWN
Planning & Heritage
Department



Planning Department

From: Coady, Jason
Sent: Saturday, January 26, 2019 7:38 PM
To: Planning Department
Subject: Fwd: Rezone PID 388595 request

Sent from my iPhone

Begin forwarded message:

From: "Mayne, Randy" <mayne.randy@kent.ca>
Date: January 26, 2019 at 6:29:18 PM AST
To: "jascoady@charlottetown.ca" <jascoady@charlottetown.ca>
Subject: Rezone PID 388595 request

Hi Jason

Regarding the request to move from R1S TO R2 Is not acceptable to me! I can't make the meeting next week, but if you can let them know that 23 Parricus Mead drive is not in favor of this change.

Thank you

Randy Mayne

Sent from my Bell Samsung device over Canada's largest network.

Disclaimer

This e-mail contains confidential information intended only for the person(s) to whom it is addressed. It may also be privileged or otherwise protected by other legal principles. Any unauthorized disclosure, use, dissemination or copying, in whole or in part, is strictly prohibited. If you are not the intended recipient, please notify the sender immediately and delete this e-mail and any attachments from your computer system and records. Thank you.

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2

Planning Department

From: Rivard, Greg
Sent: Monday, January 28, 2019 12:00 PM
To: Craig Walker, Planning Department
Cc: Coady, Jason
Subject: RE: Request to Rezone PID 388595 - Corner of Royalty Road & Upton Road

Thank you Craig and Joanne for the email and your comments. I will ensure your email is included in the package that Council will review. As you may be aware, there is also a Public Meeting taking place on Wed night at 7pm at the Confed Centre and would suggest you attend if possible.

Thanks again
Greg

From: Craig Walker (<mailto:craigwalker59@gmail.com>)
Sent: January 27, 2019 4:30 PM
To: Planning Department
Cc: Coady, Jason; Rivard, Greg
Subject: Request to Rezone PID 388595 - Corner of Royalty Road & Upton Road

Attention: City of Charlottetown Planning & Heritage Department

We are writing in regard to the recent request to the City for rezoning the parcel at the corner of the Royalty Road and Upton Road from R-1S to R-2.

We are the owners of the property at 6 Parricus Mead Drive and have been residents of this location since 2005. This neighbourhood includes all single family homes, which are owner occupied and include many families with young children.

This is to advise that we are opposed to the rezoning of this parcel as it will inevitably spread to the remaining portion of the parcel which is noted as being intended in a future and separate rezoning request. As we understand it the remaining portion of the parcel is planned to be accessed through Parricus Mead Drive and Meadow Lane.

Our concerns relate to the additional traffic that will be generated if this land is rezoned to R-2. Our concern also relates to the fact that the developer understood, at the time of their purchase, that this land is zoned R-1S and their plans should advance with this as the planned housing.

Thank you for the opportunity to provide our input as you review this application.

Regards
Craig & Joanne Walker

6 Parricus Mead Drive
Charlottetown, PE
C1E 2H1

cc: Councillor Jason Coady, Councillor Greg Rivard

3

Planning Department

From: Coady, Jason
Sent: Monday, January 28, 2019 7:23 PM
To: Planning Department
Subject: Fwd: Rezoning Request relating to the Corner of Royalty Road and Upton Road (PID # 388595)

Sent from my iPhone

Begin forwarded message:

From: Carter Russell <csjrussell@gmail.com>
Date: January 28, 2019 at 4:18:41 PM AST
To: <jascoady@charlottetown.ca>
Cc: Sherri Russell <serussell@upei.ca>
Subject: Rezoning Request relating to the Corner of Royalty Road and Upton Road (PID #388595)

Hi Jason,

My name is Carter Russell. My spouse (Sherri Russell) and I live at 110 Parricus Mead.

I am writing to advise that we do not support the rezoning of PID #388595 from R-1S to R-2. We purchased 110 Parricus Mead because it was zoned R-1S as was the surrounding area. We wish that PID #388595 remain R-1S.

Regards,

Carter Russell

4

Planning Department

From: Coady, Jason
Sent: Monday, January 28, 2019 7:43 PM
To: Planning Department
Subject: Fwd: Rezone

Sent from my iPhone

Begin forwarded message:

From: Jason Craig <jcraig@quartermastermarine.com>
Date: January 28, 2019 at 7:33:05 PM AST
To: <jascoady@charlottetown.ca>
Subject: Rezone

Hi Jason

I will not be available for the public meeting on Wednesday, January 30.

I would appreciate you putting my name, Jason Craig of 19 Parricus Mead Drive against the request to rezone the vacant property on the corner of Royalty Road and Upton Road.

Sincerely

Jason Craig

Sent from my iPhone

5

Planning Department

From: Vicky <zen13@eastlink.ca>
Sent: Monday, January 28, 2019 8:29 PM
To: Planning Department
Cc: Coady, Jason
Subject: Corner of Royalty Road & Upton Road (PID # 388595)

City of Charlottetown Planning & Heritage Department

This letter is in response to the request to rezone the property located on the corner of Royalty Road and Upton Road (PID #388595) from R-IS Zone to (R-2) Zone.

We are **opposed** to this request and understand after much discussion, most of the residents in Parricus Mead subdivision feel the same way.

Our home was purchased in 2006, in the early stages of the subdivision development and we understood at that time, the plan was for a Single- Detached Residential Zone. The reason we purchased in this area of the city was because of the quality and re-sale value of the homes. Traffic was minimal at the time and there was a covenant in place that guaranteed a higher standard for the subdivision.

Re-zoning the adjacent property will most likely lower our property values, increase traffic exponentially as the homes will be semi-detached with more families in a smaller area. Although only one section of this vacant property is being discussed currently, we know it will be much easier to change the zoning on the other half if this is passed. Flowing traffic through Parricus Mead to enter the new subdivision will certainly change the dynamics where we live. Not only will it add more wear and tear to our streets, it will affect all of the families with children and dogs who feel very comfortable and safe walking on a daily basis through the neighborhood.

Please record our vote as a definite **NO** to this request. If further information is required, please contact us.

Tom and Vicky Garland

7 Parricus Mead Dr.
Charlottetown PE
(902) 620-9763
tspirit@eastlink.ca
garlandv13@gmail.com

6

Planning Department

From: Tom <tspirit@eastlink.ca>
Sent: Tuesday, January 29, 2019 4:39 PM
To: Planning Department
Subject: PID #388595

By re-zoning the property located on corner of Royalty and Upton from R-IS to R-2 Council might argue that this is an attempt to provide affordable housing. This would be a strictly reactive measure and allows council to abdicate its responsibility to be pro-active and inclusive in planning a proper housing strategy without pitting one area against the other.

We need a longterm city planner to develop these sub-divisions. Don't change the existing plan . Take responsibility and develop new initiatives in other areas of the city. The residents here have made long term investments and plan to stay here.

We need to consider class action measures if fairness isn't followed.

Tom Garland
7 Parries Mead
902-620-9763

7

January 29, 2018

Greg Morrison, MCIP
Planner II

Re: Request to Rezone of a 3.89 acre Portion of PID#388595

Please take this letter as an official objection, from the owners of 78 Parricus Mead Drive, Blake and Carol Craswell, to the request to Rezone approximately 3.89 acres of vacant land being a portion of PID#388595 from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.

As you are aware, Royalty Ridge Estates Inc. acquired parcel no. 388595 from Stewart Dockendorff on July 25, 2018 under the current zoning of Single-Detached Residential (R-1S) Zone. The purchaser, Royalty Ridge Estates 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-1S Zoning.

By denying the request to Rezone approximately 3.89 acres of vacant land, being a portion of PID#388595, from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone it will preserve the distinctive character and identity of the existing neighbourhood and surrounding lands 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#388595 to anything other than that of an R-1S Zone would have a negative affect on the current and future market values associated with the surrounding single family dwelling properties.

Yours truly,

Blake Craswell

Carol Craswell

Carol Craswell
Blake Craswell

Tel: (902) 368-6119
Fax: (902) 368-5395
ccraswell@icloud.com

h:letters

8

Planning Department

From: Coady, Jason
Sent: Tuesday, January 29, 2019 3:57 PM
To: Planning Department
Subject: Fwd: Zoning of corner of Royalty Rd and Upton Rd

Sent from my iPhone

Begin forwarded message:

From: Judy Hale <hale.ji@gmail.com>
Date: January 29, 2019 at 1:30:37 PM AST
To: <jascoady@charlottetown.ca>
Subject: **Zoning of corner of Royalty Rd and Upton Rd**

Hello Jason,

I am unable to attend the upcoming meeting where I understand the agenda includes the proposal to alter the zoning of the property at the corner of Royalty Rd and Upton Rd. I would like instead to put my comments forward via this email message in hopes that you could take these ideas forward along with others that you may have received already.

It is my understanding that the property in question is zoned as R1 and was zoned as R1 when it was put up for sale and purchased. It is my feeling that the new owner of the land should be bound to conditions that applied to the land when it was on the market. The Park Meadow subdivision which borders some of the property is zoned as R1. It seems to me that the new area should be considered as part of that whole community and thus the same zoning should apply. Considering a change in zoning of one portion of the parcel also makes no sense to me - keep it all as R1.

Ideally the property at the corner of Royalty Rd and Upton Rd would have remained as pasture or parkland - greenspace / a park would be lovely. If the property use has to change then please let's keep it as R1 rather than anything higher density.

Thank you for hearing my views,

Judy
16 year resident of 35 Parricus Mead Dr

9

Planning Department

From: Coady, Jason
Sent: Tuesday, January 29, 2019 3:58 PM
To: Planning Department
Subject: Fwd: re-zoning of PID #388595-000

Sent from my iPhone

Begin forwarded message:

From: Blair MacKinnon <blairmac7@gmail.com>
Date: January 29, 2019 at 3:04:39 PM AST
To: <jascoady@charlottetown.ca>
Subject: re-zoning of PID #388595-000

Hi Jason

Just want to express my NAY vote on the re-zoning of the above noted parcel of land currently owned by George Zafaris and Robert Wakelin from R1S to R2S. When purchased (recently) they made their decision to purchase on that basis and there is no reason for upgrading to higher density. In keeping with zoning regulations is for the benefit of the community and constituents within it. There is also no good reason for escalating the zoning level so that Royalty Ridge Estate can speculate to re-sell the property at a higher price without effort except to make the request. Both owners are knowledgeable characters within the developing real estate world and should be embarrassed by this request - on the other hand I give them credit for asking - if you don't shoot you don't score; but they should not expect to score that big!

Blair MacKinnon and Val MacKinnon
39 Westway Dr, Charlottetown, PE C1E 2K2

Thank you Jason
Blair



Planning Department

From: Anne McGuirk <annemcguirk18@gmail.com>
Sent: Tuesday, January 29, 2019 6:33 PM
To: Planning Department
Subject: Corner of Royalty Road and Upton Road PID 388595

My name is Anne McGuirk and my husband and I live at 7 Meadow Lane in Park Meadow Estates. We are NOT in favour of the re-zoning the above piece of land to R2 Low Density Residential. We moved to this subdivision because it was a small quiet subdivision and we want it to stay that way. The developer that bought this Parcel of land bought it knowing it was zoned for Single Detached Residential R-1S and this should be enforced by the city of Charlottetown,

Please make our comments part of the public record.

Anne and Allan McGuirk

Sent from my iPad



Planning Department

From: Coady, Jason
Sent: Tuesday, January 29, 2019 8:23 PM
To: Planning Department
Subject: Fwd: Proposed rezoning on Royalty Road

Sent from my iPhone

Begin forwarded message:

From: Daren D <djdixon007@hotmail.com>
Date: January 29, 2019 at 7:20:04 PM AST
To: "jascoady@charlottetown.ca" <jascoady@charlottetown.ca>
Subject: Proposed rezoning on Royalty Road

Councillor,

I recently noticed the notices for the meeting to advise or to receive input from residents on the proposed rezoning on the corner lot of Royalty and Upton roads. As I am unable to attend the meeting to hear firsthand what the proposed development is for this area, I am wondering if you could fill me in? I notice that the proposal is to go from R1 to R2S, if I am correct. This means that detached, duplexes, semi-detached, **and group** homes will be permissible.

Not knowing what type of development is being proposed, I do wish to make it known that I am **against** any kind of **group** home development. We do not need another development such as on Mt. Edward road behind the mall, or by the Arterial Highway on Red Fox Court, being built. Yes, I understand that there is a housing issue. Yet, this type of development does not solve this. All it will do is effectively increase traffic on an already busy stretch of road, creating greater chances for accidents to happen. There have already been incidents I have witnessed while walking my dogs along the sidewalk, with the row of duplexes recently installed along the Royalty Road. By all means, Single or semi-detached / duplex if you must, but please, please do not put in this development of group homes. Certainly do not go the route of apartment buildings, as this will definitely increase traffic concerns.

I am not one for often voicing my concerns to elected officials, but in this, I am making an exception.

Thank you for your time, and look forward to hearing/seeing the results of the meeting.

Daren Dixon
Thorndale Drive.

Planning Department

From: Glenn Trueman <gtrueman@pei.sympatico.ca>
Sent: Wednesday, January 30, 2019 6:05 AM
To: Planning Department
Cc: jasoncoady2018@gmail.com
Subject: Re: Corner of Royalty Road and Upton Road (PID # 388595)

Attention Greg Morrison

Dear Sir: With this email I would like to voice my objection and offer comments regarding the pending zone change for this property from R1S to R-2. I have only recently been made aware of these proposed changes.

I have been a homeowner on Parricus Mead Drive since building my home in 2005. I did so with the belief that this was a "high end" neighbourhood of single family dwellings and with the view that this would remain so well into the future with the planned addition of other similar subdivisions in the area such as Sandelwood Drive and Westridge Subdivisions. I am very disappointed that a new developer who purchased this property, which was in an R1S Zone, has now applied for, and the City is considering the amendment to Zoning to provide for "Low Density Residential" housing which will almost certainly provide a negative impact to the valuation of my property. Since 2005, I have paid personally close to \$ 33,000 in property taxes on my residential property and it is most disconcerting that my investment, along with other homeowners in my immediate area is now threatened. I would support this development in the intent of the original R1S Zoning as it would serve to contribute to the growing needs of the area and be respectful of current homeowners however strongly object to any notion of change to R-2. There are other parcels of land currently in this area which are zoned as R-2, so I cannot understand or support the City in consideration of amending the zoning of this parcel of land simply to appease the desire for additional revenue to a developer, while disrespecting taxpayers who are have supported the city financially for many years.

There are other concerns:

Safety:

Based on my understanding of the proposed plans, there will be no access to this new subdivision from Royalty Road or Upton Road. I believe the plans are to extend Meadow Lane to provide access to this new development. If so, the increased traffic on Parricus Mead/Meadow Lane through the construction and development stages as well as future residential traffic of approximately 80 new homes will create an unacceptable level of traffic **on streets that are already well worn, too narrow, and void of necessities such as sidewalks to protect children and seniors from this increased traffic.** This is unacceptable. I fail to understand the logic behind not adding street access to this proposed subdivision to Royalty Road or Upton Road but rather directing all traffic through a fully populated residential subdivision. This factor must be considered before any construction commences for the safety of residents of Parricus Mead Drive and Meadow Lane.

I sincerely hope that these factors will be taken into consideration and that the existing zoning of this property remain "as is" at R1S

Respectfully submitted

Glenn D. Trueman

38 Parricus Mead Drive
 Charlottetown PE
 C1E 2H1
 Phone: 902-628-8780

Planning Department

From: Mandy Dixon <mandydawndixon@gmail.com>
Sent: Wednesday, January 30, 2019 6:59 AM
To: Planning Department
Subject: Corner Royalty/Upton rd

Good morning:

I was made aware this week of possible construction in the field by my house. (Corner of Royalty rd/Upton rd. PID # 388595).

It is currently R1 land and I hear the builder wants to change it to an R2 land zone. I am not in favour for this. I have lived here for 10 years with my son. I chose to build here because of the quiet, low traffic area. Also because we had a covenant agreement which guaranteed that the houses were to look a certain way & the yards needed to be kept tidy. I feel if the land behind me is used for townhouses or duplexes, that it will be louder/higher traffic area, because of the influx of families.

This neighborhood has fought this kind of building (R2) in the past and we are willing to fight it again. Please do not allow this land purchaser to change the look/feel of our neighborhood.

Thank you
Mandy Dixon (98 Parricus Mead drive)

Planning Department

From: RYANATOR <karenhopkins805@gmail.com>
Sent: Wednesday, January 30, 2019 8:35 AM
To: Planning Department
Subject: Meeting to rezone Royalty Road & Upton Road request

Dear Greg Morrison,

I received your notice for the meeting regarding rezoning the parcel of land at Royalty and Upton road (PID#388595). I am a resident and owner of a home on Parricus Mead (#95) and I am writing to you since I may not be able to attend the meeting scheduled for tomorrow night. I wanted to state to you that my husband and I absolutely oppose this request since when we moved into this neighborhood it was our understanding that the neighbourhood would remain zoned as single detached residential homes. The price we paid when we moved into this neighbourhood also reflected this assumption. Any attempt to rezone this will be upsetting to any resident of this neighbourhood. We would greatly appreciate that you reject this request and keep this neighbourhood zoned as R-1S homes as it was meant to be.

Thank you,
Karen Hopkins

15

Planning Department

From: audrey gallant <randagallant@hotmail.com>
Sent: Wednesday, January 30, 2019 9:40 AM
To: jasoncoady@charlottetown.ca
Cc: Planning Department
Subject: Public meeting Wednesday Jan 30, 2019

Pleased be advised that as a property owner across the road from vacant property at corner of Royalty Road and Upton Road for 35 years, we would request that this property remain zoned as is, single detached residential.

Due to other commitments we are unable to attend tonite meeting but wish to have our voices heard.

Richard & Audrey Gallant

Sent from my iPhone

16

Planning Department

From: Shawna Carver <carvershawna@gmail.com>
Sent: Wednesday, January 30, 2019 11:01 AM
To: Planning Department
Cc: Rivard, Greg; Coady, Jason; dennis.carver@ca.gt.com
Subject: Corner of Royalty Road & Upton Road (PID# 388595)

Good morning,

My husband and I live at 3 Paddington Avenue which is right beside the Corner of Royalty Road & Upton Road (PID# 388595) in Charlottetown.

It was recently brought to our attention that the City of Charlottetown Planning & Heritage Department has received a request to rezone 3.89 acres of the vacant parcel 388595 from the current R-1S zone to a R-2 zone.

I am writing as my husband and I are unable to attend the public meeting this evening, but wanted to make you aware that we are not in favor of this rezoning request. When we built our house 4 1/2 years ago in Windsor Park Subdivision it was to live in a quiet single-detached residential R-1S area, and not have the area around us built up with duplex/townhouses. We feel that the area in which we live is already busy enough with traffic as the Royalty Road and Upton Road are very popular routes for traffic and allowing R-2 rezoning would make our area that much busier with multi-family units and change the look of our residential R-1S area.

Thanks for your time.

Shawna & Dennis Carver
3 Paddington Avenue Homeowners

Planning Department

From: Coady, Jason
Sent: Wednesday, January 30, 2019 2:14 PM
To: Planning Department
Subject: Fwd: Zoning change request

Sent from my iPhone

Begin forwarded message:

From: Reid Barnett <reidbarnett@pei.sympatico.ca>
Date: January 30, 2019 at 1:54:48 PM AST
To: <jascoady@charlottetown.ca>
Subject: **Zoning change request**

Jason, I am writing in respect to the proposed zoning changes for Royalty Road that is backing onto the Park Meadow subdivision. I was quite distraught to find out that the developer was trying to change the zoning from the current RS 1 to RS2. In the event that I cannot make the meeting tonight I wanted to send you an email to express my concern. What is the purpose of the city assigning different zoning as part of its planning process, only to go and change it at the whims of developer. I purchased my house knowing that I was surrounded by single resident dwellings.

There is no inherent need to change the zoning other than the revenue opportunity for the developer. There is lots of land around that is zoned accordingly that is available to the developer for them to do duplexes. I would ask that the city stick to its original plans for RS 1 as this is what is suitable for the area.

Reid Barnett

22 Parricus Mead Drive

Planning Department

From: Rick Rooney <rick_rooney@hotmail.com>
Sent: Wednesday, January 30, 2019 7:06 PM
To: Planning Department
Subject: Cornerof Royalty Rd & Upton Rd (PID # 388595)

our house hold would like the plan to stay the same as it is now R-1S single detached residential

Sent from my Samsung Galaxy smartphone.

Planning Department

From: Coady, Jason
Sent: Wednesday, January 30, 2019 9:20 PM
To: Planning Department
Subject: Fwd: Property on the corner of Upton Road and Royalty Road

Sent from my iPhone

Begin forwarded message:

From: scott gosse <gossescott@hotmail.com>
Date: January 30, 2019 at 7:20:54 PM AST
To: "jascoady@charlottetown.ca" <jascoady@charlottetown.ca>
Subject: **Property on the corner of Upton Road and Royalty Road**

Hey Jason, this email is in regards to the meeting that was being held tonight regarding the re-zoning of the property on the corner of Royalty Road and Upton Road. Both myself (Scott Gosse) and Jennifer Boswell want to express our opinion in keeping the property for single residences only. We don't care if it is subdivided but do not want apartments or multi-family homes in that location. Please bring our opinion forward as we were unable to make the meeting. Thanks so much.. Scott and Jen.

Sent from my iPad

Planning Department

From: Sarah Sauchenko <ssauchenko@hotmail.com>
Sent: Wednesday, January 30, 2019 10:08 PM
To: Planning Department
Subject: Royalty Road & Upton Road - rezoning proposal

To whom it may concern.

I'am writing to address my concern regarding the proposal to rezone the corner of Royalty Road & Upton Road (PID #388595) from R1-S to R2. I strongly disagree with proposal as it will have many negative effects on the residential properties which surround this land. My name is Sarah Sauchenko and I own 86 Parricus Mead Dr. and also writing on the behalf of 82 Parricus Mead Dr. The rezoning of this vacant land from R1-S to R2 will have many negative effects on our properties as well as our neighborhood.

There are many other vacant properties that are zoned as R2, located in West Royalty such as the property off of Lower Malpeque which this corpoartion could have purchased but instead they purchased two parcels of land that are currently zoned as R1-S. The only reason that this company purchased the property on Royalty Road instead of the property that is for sale on Lower Malpeque Road, was solely due to the price tag. The price tag of the property that they purchased zoned at R1 (corner of Upton road and Royalty Road) was \$425,000 whereas that property that is already zoned at R2 (Lower Malpeque) has a price tag of over \$1 million. So if this company gets the property re-zoned, it will double it's profit and the owners can turn their Honda Civics into a Porsche. All this at the expense of the families that already own a home and raise a family within these neighborhoods.

These company did not do the proper due diligence or homework before purchasing this land and I really hope that council will listen to the community and reject this proposal. I believe these builders bought it as R1-S therefore should have to keep it zoned as R1-S. Other corporations have proposed to re-zone this property many times before and have been rejected, why would this time be any different, reject the proposal.

Kind Regards,
Sarah Sauchenko

Planning Department

From: Patricia Wakelin <pmwakelin@gmail.com>
Sent: Wednesday, January 30, 2019 11:54 PM
To: Planning Department
Cc: Patricia Wakelin
Subject: Corner of Royalty Road and Upton Road PID #388595

As a resident of Park Meadow, we would like to thank you for the opportunity to submit comments regarding the rezoning of the above noted property.

While we were in attendance at the public meeting on January 30, 2019, we did not voice our opinion at that time as others raised similar concerns that we have. We do, however, feel it is important that our individual concerns are raised.

We are opposed to the having this parcel of land rezoned.

We were one of the first individuals to purchase a lot in Park Meadow in 2003. At the time of purchasing our property we took into consideration the existing properties in the West Royalty community that were available for sale. As we were only interested in purchasing a property that was zoned for single family dwellings (ie. No duplexes) this narrowed our options. It was important to us that we purchase a property that was exclusive to single family homes and had restrictive covenants in place to protect our investment.

While we recognize that development within the area is inevitable, it is important that the type of development be considered. The rezoning of the property from R-1S to R-2 will increase the traffic significantly in not only the Park Meadow neighbourhood, but also the community as a whole. With increased traffic our family's safety will be put at greater risk and with more families in an area, there will be more noise.

The longstanding concerns over the infrastructure problems including the water management must also be considered.

We have heard time and time again about school overcrowding. Rezoning would mean double the amount of families occupying the properties. Has consideration been given to this impact on our already crowded schools?

While the current request for rezoning is for only a portion of the parcel, it is clear that, if approval for rezoning is granted, the remainder of the land will follow suit. This raises additional concerns regarding the safety within Park Meadow, particularly having so many additional homes tied to one entrance/exit.

At the time the individual(s) purchased the property they were fully aware that the property was zoned R-1S. If they had intended to construct duplex properties they should have purchased property already zoned R-2. As was pointed out at the meeting of January 30, there are parcels of land currently for sale within Charlottetown that are already zoned R-2.

We trust you will give strong consideration to the opposition displayed, not only at the meeting, but also through written submissions, and not approve the request to rezone PID388595 from R-1S to R-2.

Sincerely,
Patricia and Shawn Wakelin

Planning Department

From: matt g <matty_gallant@hotmail.com>
Sent: Thursday, January 31, 2019 7:38 AM
To: Planning Department
Subject: Re: corner of Royalty Road and Upton Road PJD 388595

This email is in response to the proposed rezoning of a portion of the above noted PID from R-1S to R-2.

We are opposed to this rezoning request. The developer and City Council should respect and maintain the existing zoning classification as indicated in the master plan, being R-1S. There is plenty of R-2 land available throughout the city that the developer could use instead, should the R-1S at PID 388595 not be suitable for his development needs.

Further, we have great concern with the developers proposed Phase 2 plans for approximately 30 new lots with the ingress/egress being from the end of Meadow Lane. Should there ever be a Phase 2 development that occurs, Meadow Lane must connect through to Royalty Road. There is simply too much traffic as it is on Parricus Mead and Meadow Lane and the addition of 30 new lots would make the situation worse.

Respectfully submitted,

Matthew and Julie Gallant
59 Parricus Mead Drive

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23

Planning Department

From: Freya Qi <siwonai@hotmail.com>
Sent: Thursday, January 31, 2019 10:09 AM
To: Planning Department
Subject: Regarding PID#388595

Hi there,

My name is Yueming Qi, and I'm the owner of 18 Meadow Lane. I received the mail about changing the land next to my house from R-1S to R-2. I really hope that we can keep it as R-1S.

Thanks,
Yueming

Sent from my iPhone

Planning Department

From: Thane Myers <tmyers@atlent.ca>
Sent: Thursday, January 31, 2019 10:32 AM
To: Planning Department
Subject: Rezoning of PID #388595

Very good meeting last night; I have attended previous meetings on rezoning in this area that were quite contentious. Concerning the rezoning of PID #388595; the area was zoned as R-1S, was purchased as R-1S, so it should be developed as R-1S.
Thank you.

Thane Myers, P.Eng.



Atlantic Enterprise Ltd.
64 Royalty Road, Charlottetown, PE
Ph: (902) 368-1740 Fx: (902) 368-2534
www.atlanticenterprise.ca



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Planning Department

From: Coady, Jason
Sent: Thursday, January 31, 2019 12:51 PM
To: Planning Department
Subject: Fwd: Rezoning of (PID #388595) Public Meeting follow up

Sent from my iPhone

Begin forwarded message:

From: John McBride <mcbridejohn911@gmail.com>
Date: January 31, 2019 at 11:42:08 AM AST
To: <grivard@charlottetown.ca>, <jascoady@charlottetown.ca>, <mayor@charlottetown.ca>
Cc: <ajankov@charlottetown.ca>, <tmacleod4@charlottetown.ca>, <mduffy@charlottetown.ca>, <mtweel@charlottetown.ca>, <kramsay@charlottetown.ca>, <rdoiron@charlottetown.ca>, <jlmcabe@charlottetown.ca>, <tbernard@charlottetown.ca>
Subject: Rezoning of (PID #388595) Public Meeting follow up

Laurie & John McBride
 90 Parricus Mead Drive
 Charlottetown, PEI, C1E2H1

January 30, 2019

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

I was in attendance at the Public Meeting January 30, 2019 and am sending a follow up email to voice concerns over the proposal to develop a parcel of land at the corner of Upton Road and Royalty Road, PID #388595 to rezone from single Detached (R-1S) Zone to Low Density Residential (R-2).

We are against a change to have this parcel of property re-zoned. Our concerns are with water drainage, increased traffic volume and reduced property value.

When we moved into our current residence at 90 Parricus Mead Drive in 2014 overland water was an issue. Our neighbours property would have a river of water flowing past during heavy rains. Eventually a proper drainage ditch was built along side their property and an overflow pond and berm were constructed on the back side of our property at the high point. We are at the high point of Parricus Mead Drive and it is like a swamp with standing water times. The parcel of land for proposed development is commonly complete submerged in water. If the land is covered with houses and pavement the water still has to go somewhere, which will be detrimental to neighbouring properties. Even with the City best efforts to control the water behind our property we are thankful for our sub-pump. And still at times during heavy rain the drainage between our neighbours properties at 86 & 82 Parricus Mead Drive the water flows heavily.

Another concern is the increased traffic volume. Developing the land for single detached homes is one thing but doubling the occupancy volume in the area by building duplexes is going to at least double the amount of traffic to a condensed busy area with only one exit from the sub-division. When we

purchased our property, we did so because it was only single-detached homes and also only a small street. We did look at homes on and around Alderwood Drive but decide to pay a little more for our property knowing that our sub-division would always be single family detached homes. I did my homework before purchasing the developer should of did his and planned a little better.

The developer knew what the land was zoned for when he purchased the property. As stated at the meeting last night he knew what he was buying and he should have planned accordingly or purchased land that was already zoned for what he wanted the land for, again as stated there is lots of land zoned R-2 but at a high price. I would hope that this wasn't his intention all along. It makes me suspicious of him having the best interest of the community in mind.

A failure by Charlottetown City Council to enforce the original zoning of the property, and allow the developer to construct anything but single-detached (R-1S) homes would be insulting and negatively viewed upon by members of the neighbouring community. We hope that as our elected representatives you will have the best interest of our little community within Charlottetown best interests in mind. Put an end to this issue once and for all and ensure that this property remains single-detached home (R-1S) in stead of repeating the same issue over and over again.

Sincerely, Laurie & John McBride

TITLE: FUTURE LANDUSE MAP AMENDMENT AND ZONING AMENDMENT (PID# 396770) 88 Brackley Point Road FILE: PLAN-2019-04-April-6A3 OWNERS: Ron Wood APPLICANT: Ron Wood		 CHARLOTTETOWN
MEETING DATE: April 4, 2019		Page 1 of 18
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Concept Plan C. Concept Plan from 2016	
SITE INFORMATION: Context: Mature low density neighbourhood. Ward No: 9 – Stone Park Existing Land Use: existing single detached dwelling. Official Plan: Low Density Residential Zoning: Low Density Residential (R-1L) Zone		

RECOMMENDATION FOLLOWING PUBLIC CONSULTATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council to allow the applicant the option to defer his application for the request to amend Appendix "A" the Official Land Use Map of the City of Charlottetown from Low Density Residential to Medium Density Residential and a request to amend Appendix "G" – Zoning Map of the Charlottetown Zoning and Development Bylaw from R-1L (Single Detached Residential) zone to R-3 (Medium Density Residential) Zone 88 Brackley Point Road (PID # 396770) to allow him time to revise his design which will enable him to address some of the concerns raised by the public.

BACKGROUND:

Request

This application was before the Board last month and a recommendation was passed to advance the application to public consultation. The application is a request to rezone the property located at 88 Brackley Point PID # 396770 from R-1L Low Density Residential to R-3 Medium Density Residential and to amend Appendix "A" the Official Plan Map from Low Density Residential to Medium Density Residential.

Development Context

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

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.10 of the Zoning & Development By-law, on March 13, 2019 notice was sent to 36 residents located within 100 meters of the subject property advising them of the request to rezone and the date, time and location of the public meeting. The letter solicited their written comments for or against the proposed rezoning request and the deadline to submit written comments on the application.

Public Feedback

In response to the City's notification letter thirty nine (39) letters were received in opposition to the rezoning application. The letters stated various concerns such as:

- There is a great deal of traffic congestion on the street especially in the morning and after school when students are getting picked up and dropped off. The development will only add more congestion to the street.
- Traffic from the development will cause a danger to students walking to and from school.
- It is a single family neighbourhood and apartments are not a good fit for our neighbourhood.
- An apartment building will look out of character on our street.
- I bought my house in a single family neighbourhood and I did not expect the zoning to change.

Six (6) letters were received in favor of the application. Some of the comments received included.

- We are in major crises with a housing shortage. The development is greatly needed to address this shortage.
- If there is a problem with traffic stacking on Pope Avenue it should be addressed with the school.
- I have not experienced an issue with traffic on Brackley Point Road.
- It would be great to see this land developed.
- It is difficult for people to obtain adequate housing.
- This property is within walking distance to multiple schools and shopping.
- There are daycares in other areas of the City such as Ellen's Creek that is a higher traffic area than this.

-Where are people going to live if we don't allow apartment buildings to be built in neighbourhoods?

Please see attached letters.

The Public meeting was held on March 27, 2019 at the Rodd Charlottetown Hotel. At the public meeting Derek French the property owner's consultant presented the details of the application including parking, the square footage of the proposed units, access locations, building elevations, topography of the property, percentage of landscaped area, building materials and site design. When Mr. French finished his presentation residents were invited to ask questions and make comments.

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

- There is not enough parking on site to accommodate visitors.
- The development is attractive. However, there are concerns for kids walking to and from school.
- There is already too much traffic on Pope Avenue when kids are getting picked up and dropped off for school.
- This development will add additional traffic on Pope Road and Brackley Point Road.
- People will not obey the right in and right out access onto Brackley Point Road. There is no way to stop people from making a left turn in or out of the development.
- There will be a great deal of dust and noise during the construction process and this will have a detrimental effect on the children in the daycare.
- The apartment building does not fit the vision of the neighbourhood. The townhouses are reasonable.
- I am opposed to the apartment building because it is out of scale for our street. However the townhouses are attractive.
- Not opposed to developing the property but it has to be developed in a way that is appropriate for the neighbourhood.
- How will drainage be handled on site?
- We purchased our house in this neighbourhood because it is a single detached neighbourhood we do not want to live near apartments.
- If this property is rezoned it will set a precedence for the potential of other R-1L lots to be rezoned for higher density.
- The site plan shows a great deal of green area however if the developer wishes he can convert it to parking.

In addition to comments there was also a petition with over 300 signatures opposing the development submitted to Council at the Public meeting.

ANALYSIS FOLLOWING THE PUBLIC MEETING:

This is an application to rezone 3.04 acres of land located off of Brackley Point Road. The land is currently zoned R-1L (Single Detached Residential) and is occupied by a single family dwelling. The proposal is to demolish the single detached dwelling and subdivide the property into two lots. The applicant is proposing to rezone the land to R-3 (Medium Density Residential) to facilitate the construction of a 30 unit, 3 story apartment building on one lot and a 17 unit townhouse development on the other (see attached concept drawings and survey plan).

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

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

There was a proposal to rezone this property in 2016 from R-1L to R-3 to facilitate the construction of two 36 unit apartment buildings. At that time the Board voted not to advance the application to public consultation. The Board felt the proposed density of 72 units was too high for the neighbourhood. As well, they also determined that the bulk, mass and scale of the proposed apartment buildings were not in keeping with the surrounding neighbourhood. Following the Board's 2016 decision the property owner has been working on his application to develop a housing proposal that has less density and is more in keeping with the surrounding neighbourhood. The previous proposal was for two 36 unit apartment buildings for a total of 72

units. The current proposal is for a 3 story, 30 unit apartment building and 16 low rise townhouse units for a total of 46 units.

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

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

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

Section 3.1.2 of the Official Plan states, “2. *Our objective is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities.*

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

Section 3.2 of the Official Plan further states,

3.2 Sustaining Charlottetown’s Neighbourhoods

Defining Our Direction

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

1. Our objective is to preserve the built form and density of Charlottetown’s existing neighbourhoods, and to ensure that new development is harmonious with its surroundings.

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

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

The Environment for Change

Preserving the distinctive character and identity of Charlottetown’s neighbourhoods requires strategies that promote internal stability as well as a sense of community identity. The CHARLOTTETOWN PLAN incorporates policies which will help preserve the harmony and integrity of each existing neighbourhood within the City.

3.3 Housing Needs and Variety

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

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

Defining Our Direction

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

1. *Our objective is to encourage development in fully serviced areas of the City, to promote settlement and neighbourhood policies as mechanisms for directing the location of new housing, and to encourage new residential development near centres of employment.*
 - *Our policy shall be to ensure that all new multiple dwelling unit buildings are serviced by water and wastewater systems which have the capacity to accept the development proposed.*
 - *Our policy shall be to base residential densities on the availability of municipal services, education facilities, recreation and open space amenities, transportation routes, and such other factors as the City may need to consider.*

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

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

At the public meeting various residents indicated that they did not have an issue with the town house component of the development but voiced concerns about the apartment building. Citing that they felt it was not an appropriate form of development for their neighbourhood. There were many comments concerning the level of traffic on both Pope Avenue and the access on Brackley Point Road. Many residents felt that additional density on the subject property may

increase the level of traffic on Pope Road creating the potential for accidents with pedestrians. Therefore, if Council chooses to approve the rezoning the approval could be subject to a traffic study.

It still must be considered that this area was developed as a low density, single detached residential neighbourhood. Higher density development was not contemplated in the long term planning of this neighbourhood. Therefore, many residents purchased homes in the area based on the current zoning. Notwithstanding an Official Plan is meant to be a living document and overtime should adjust to the current socio economic conditions of the City.

It is difficult to evaluate this rezoning request in isolation of the existing land uses in the surrounding neighbourhood. There is a possibility that this rezoning may lead to additional rezoning requests for other properties in the area. It should be noted that a similar proposal was heard at the February Planning Board meeting. The Board recommended not advancing the proposal at 68 Brackley Point Road to public consultation due to concerns about the bulk, mass and scale of development on the 1 acre parcel which was immediately adjacent to single detached dwellings. The property also has challenges with one means of access and the location of the access does not have clear sight distance.

This application at 88 Brackley Point Road is different from 68 Brackley Point Road because it is located on a 3+ acre parcel that could in itself comprise a comprehensive development plan. Although roughly the same amount of units the units are split between an apartment dwelling that is half the size in mass and scale than the proposal at 68 Brackley Point Road and a 17 unit low rise townhouse development.

It should be considered that the City is currently experiencing an increased demand for housing. The vacancy rate within the City is very low. Many residents are being forced to leave the City because of the lack of housing options and affordable housing. It has been very difficult to acquire land within established neighbourhoods at reasonable prices were rents can be kept at affordable levels. The Official Plan has various policies which support the efficient use of services and making neighbourhoods stable and sustainable by supporting more infill development. The Plan also supports various housing options within existing neighbourhoods.

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

schools, a daycare, churches and within a 10 minute walk to the Sherwood Shopping Centre where public transit is also accessible.

Staff feel the proposed development meets most of the technical requirements stipulated in the Zoning Bylaw and policies of the Official Plan. The subject property is located on the periphery of a low density neighbourhood. At this stage the only remaining concern of staff relates to how the increase in density at this location will integrate with the existing high traffic generating land uses in the area. Staff would be more comfortable making a definitive recommendation on the apartment building if the proposed traffic generated from this building was deemed to be safe by a traffic engineer. Therefore, staff support the applicant’s request to defer this application until this information is provided.

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"> ▪ There City is experiencing a demand for housing and this proposal would provide additional options for housing within a mature neighbourhood that is predominantly low density residential. ▪ The proposal is close to schools, a daycare, shopping, churches and public transit. ▪ The property is in an area that has municipal services. ▪ Access to the site is off of a local street where it is safe to access. ▪ At least 50% of the site has been left as green space in the proposal. 	<p>A traffic study has not been conducted.</p>	<ul style="list-style-type: none"> ▪ The site is located in a mature low density neighbourhood. ▪ Although the apartment building has been scaled back in density and relocated on the site away from existing housing it is viewed by the residents as out of scale for the neighbourhood. ▪ There are concerns about traffic stacking on Pope Avenue and residents feel the proposed development will compound the problem. ▪ Residents have voiced concerns that the development may create an unsafe situation for pedestrians.

CONCLUSION:

There were many concerns raised by residents at the public meeting regarding the proposed development of this property. The majority of concerns seemed to focus around the apartment building. Residents did not seem to have as many concerns about the town house development. However, both proposals raised questions about levels of traffic. Although staff do not feel that a 47 unit development will create a significant load on Pope Avenue and Brackley Point Road through the public consultation staff have become aware that there is an issue with traffic stacking on Pope Avenue during drop off and pickup times at the school. As well there are concerns about the access from the development on to Brackley Point Road. Therefore, if Council chooses to approve the rezoning request the approval should be subject to a traffic study.

As well it should be considered that there is a severe housing shortage within the City. Many older established neighbourhoods such as Sherwood do not have a variety of housing to support varying demographics. Therefore, such a development would provide housing choices within the neighbourhood. Notwithstanding, staff does recognize that higher density was not contemplated in the area when residents purchased their homes. This proposal may also be viewed as a spot zone. However, the parcel is over 3 acres and not a small residential lot. The parcel is large enough to comprise a comprehensive development plan within the CDA Zone. Due to the concerns regarding traffic in this area staff would feel more comfortable making a recommendation on the apartment building if this issue was reviewed by a professional traffic engineer.

Following the public meeting the applicant has requested that Council permit him to defer his application to a later date which will allow him to amend his proposal to address some of the public's concerns.

Therefore, Council has 4 options:

- 1) To allow the applicant to defer his application so he is able to revise his design to address some of the issues raised by the public.
- 2) Rezone the portion of the property to R-3 where townhouses are proposed and reject the portion of the property that is proposed for the apartment building subject to a development agreement.
- 3) Approve the current rezoning request subject to a traffic study and a development agreement.
- 4) Reject the current rezoning request.

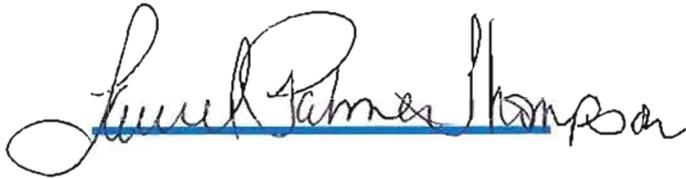
RECOMMENDATION:

Planning & Heritage Department encourages Planning Board to recommend to Council Option 1 to allow the applicant to defer his application (subject to 3.10.3) of the Zoning and Development

Bylaw to allow him time to revise his proposal and enable him an opportunity to address some of the issues raised by the public.

PRESENTER:

Laurel Palmer Thompson, MCIP
Planner II

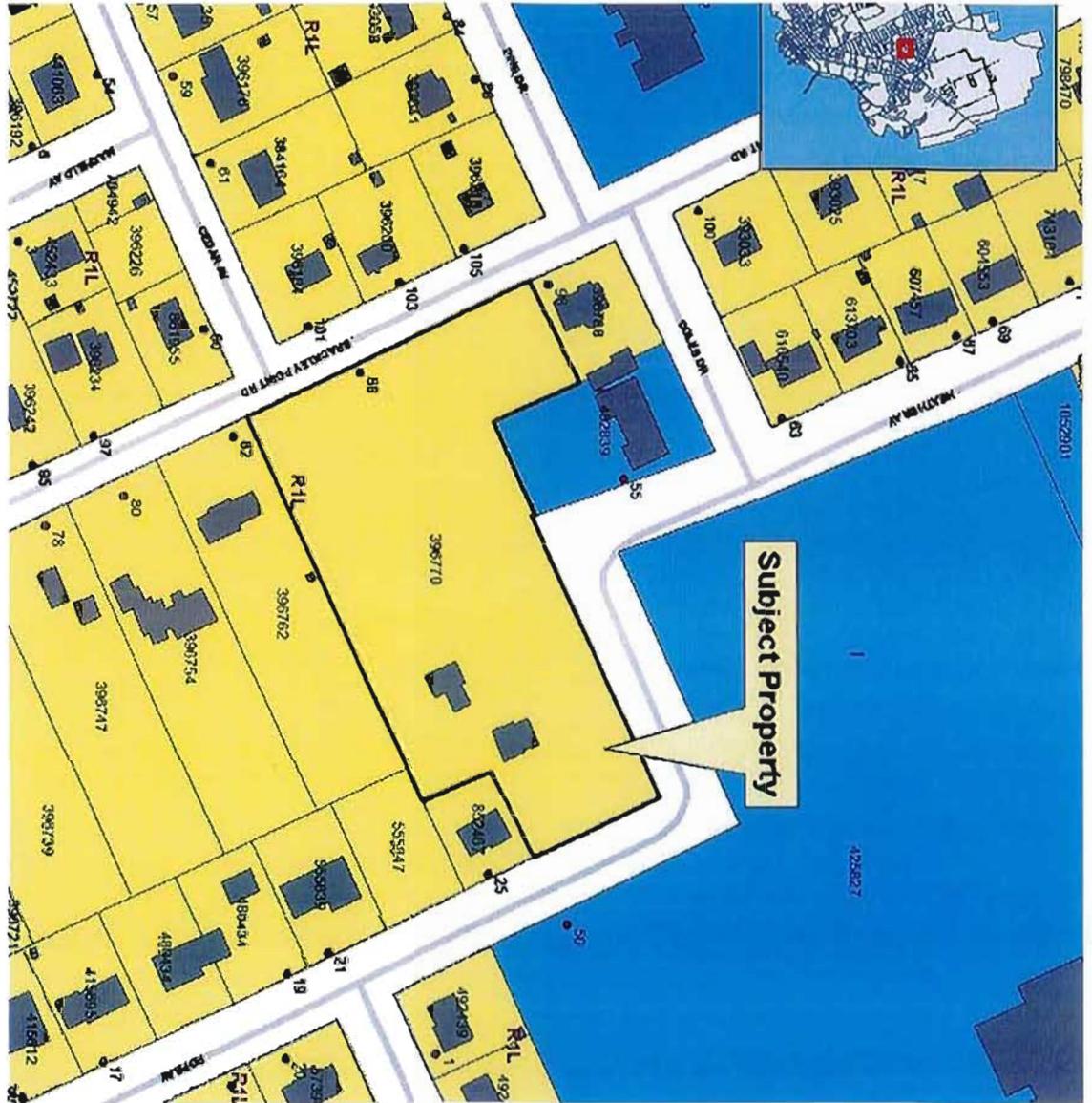
A handwritten signature in blue ink that reads "Laurel Palmer Thompson". The signature is written in a cursive style and is positioned above a solid blue horizontal line.

MANAGER:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

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

GIS Map:



Site Map:



SCALE 1" = 60'





Proposed

Proposed Townhouse Units



Proposed Apartment Building:



Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 10:05 AM
To: Thompson, Laurel
Subject: FW: 88 Brackley Pt Rd

From: tracey mcdonald [<mailto:neenamcd@yahoo.ca>]
Sent: Thursday, March 28, 2019 9:58 AM
To: Planning Department
Subject: 88 Brackley Pt Rd

I attended the meeting last night on this re zoning.

I would like to say I am in favor of this project..

Some of the concerns outlined last night should not pertain to this decision. If there is presently a problem with parking and traffic at Stonepark, that should be addressed by the Public School Branch. A lot of residents brought this matter up about people blocking their driveways and parking in front of their homes, this really has nothing to do with the proposed re-zoning, it is an existing problem and should be addressed with the school.

We are in a major crisis in Charlottetown with a housing shortage. This construction is greatly needed to help address this problem. This project would provide not only much needed housing but also give people access to public transit, close proximity to schools and church, and walking distance to stores and the mall. All housing cannot take place outside of Charlottetown, you are denying a large number of people access to that which I mentioned. Why was The Mount able to add a huge addition on to their property in the Sherwood area.

I believe the Woods were more than generous with their plan and setting aside over 50% for green space. I believe they did consider their neighbors when proposing this development, and I also believe those in attendance last night would not be happy with anything other than a single family home on that property, which is unfair and sad. We encourage businesses to come to our Island .. we encourage people to come, but have no housing in the Charlottetown area.. I would like to see this property developed.

Thank You

Tracey McDonald

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 10:56 AM
To: Thompson, Laurel
Subject: FW: Regards to 88 brackley point road

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

From: tyler McDonald [mailto:cool_xr_12@hotmail.com]
Sent: Thursday, March 28, 2019 10:50 AM
To: Planning Department
Subject: Regards to 88 brackley point road

I live on pine drive and exit onto brackley point road going and coming from work. I never have a problem with traffic there. I find mt Edward road is way worse for congestion and people speeding. Would be great to see this land developed and put to use, and to increase housing is a bonus. I have no problems with the opposed rezoning and support it.

Tyler.

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 11:22 AM
To: Thompson, Laurel
Subject: FW: Rezoning of 396770-000

From: Sara Gauthier [<mailto:smgauthier2@gmail.com>]
Sent: Thursday, March 28, 2019 10:57 AM
To: Planning Department
Subject: Rezoning of 396770-000

To whom this may concern,

I would like to state my opinion of the rezoning of the above noted property owned by Mr. Ron Wood. We are living in the times where we have a housing crisis. Many families are unable to find suitable housing that is affordable and not falling down. Families have been forced onto the streets and into their cars because there just isn't any place for them to go. For anyone to oppose a 30 unit apartment building that would help out so many people in this time of need because they don't feel it fits into their community need a reality check. In no way does this proposal interfere with the livelihood of anyone in the community. In no way would it be an eyesore for anyone in the community. This will not interfere with the "view" of many, if any, houses in the area. This is a way to grow a community and bring families to an area that is well maintained, growing and within walking distance to multiple schools and stores in the area and families and businesses would greatly benefit from it. I do see the fact that this would create more traffic in the area but that is less of a concern than the housing crisis. I wish more property owners would work towards developing multi-unit structures in the city and not holding on to it to make a pretty penny. Let's make the best of this Island and take care of the people here. Let's make sure we are providing places for these people and families to live comfortably and within city boundaries. Let's come together and take care of our own, even if it means 55 more cars will be travelling our roads. Yes, town houses are great and I understand that the community is okay with that structure but let's work together and welcome the new apartment. If 5 people decide to sell their houses because they are unhappy with this then goodbye. There will be no issue with having someone purchase their houses that will not be opposed to the building.

In my closing I would like to say that I am very happy to see Mr. Wood take a step in the right direction of helping out a lot of people and families and bringing the issue to light of how selfish people can be.

I hope to see this rezoning approved.

Sara Gauthier

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 11:44 AM
To: Laura Radanovich; Thompson, Laurel
Subject: RE: PID 396770-000 Brackley Point Road



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

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Laura Radanovich [mailto:laura_radanovich@hotmail.com]
Sent: Thursday, March 28, 2019 11:44 AM
To: Planning Department
Subject: PID 396770-000 Brackley Point Road

Morning!

I am emailing you in regards to PID 396770 in the name of Ronald C Wood.

I understand that there was a meeting last-night in Sherwood, in regards to re-zoning this piece of land to have an apartment building, and townhouses built on the property.

Straight to the point, I FULLY SUPPORT to move forward with what the developer has planned.

I live in the Charlottetown area, and Sherwood is a community that I would like to re-locate to in the near future, when we are prepared to start a family.

I have been extremely fortunate to be living in the same affordable apartment for the past 10 years, and my landlord has been fantastic. I know that this is not the case for a lot of people. Even though I have a secure place to live, it still comes with a slight fear in the back of my mind that if my landlord would sell, I would run the risk of being booted out for reasons like construction etc. I would dread having to find a new place in the current housing crisis we are experiencing. It used to be that it was difficult to find housing in the fall due to student population. Now it seems it is difficult year round to find a place to live. I have heard from so many individuals having trouble finding somewhere, and others who are in their mid 20's to 30's have been

forced to live with their parents until they can find appropriate housing. Not everyone has supportive parents to run back to.

Multi family dwellings are becoming more of a reality for families. Houses are so inflated in price, there is no choice but to choose apartment living, or live with your parents well past when you should still be. Down payments are harder to accumulate, mortgages are harder to obtain, and prices are far too high. \$500,000 for a split entry built in 2000? No Thanks! \$250,000 for a bungalow built in 1990 and needs \$50,000 renovations? Absolutely not! I have a full time job, and a part time job, and it still would be a far stretch for a mortgage. So a proposed apartment building across the street from a daycare, walking distance to schools/park, church, & bus stops? That sounds more like a positive than a negative.

I get that they think there will be increased traffic and question the safety of the kids. I don't buy that. I'm a very realistic person so here is straight to the point. The kids at Stone Park are between 12-14, are you telling me at that age, they cannot look both ways before crossing a street? As for the daycare, they are certainly not walking alone, and they are literally fenced into a yard. Make Pope Rd a one way if this is the concern they have. The developer came up with an excellent idea to relieve some traffic but having a right turn only exit on to Brackley.

A side note: there is literally a day care on a corner lot by Ellens Creek Plaza on North River Rd....in a high traffic area. I guess those parents must realize their kids are fenced in?

For the people that are concerned about it being an eyesore. In my opinion, the 100 year old house on the property is far more of an eyesore than what a brand new complex would be. On top of that, there is a treeline blocking one whole side, the Developer lives in front of the property, and there is one house/daycare beside the property. Who would this "eyesore" be for? The developer? People driving by on the highway? The kids in the daycare?

Just to summarize....

We have a housing crisis. We need this. We need to be more open to developments. Other units been approved in the surrounding area. Norwood road is on the opposite side of this development, and they have units going up left right and center! And beside houses! What is the difference between that location and this?

People concerned about the Daycare should ask around to find out who gave some extra land to their property so they could put in parking. They should also ask the people in the Brown house on the corner, who they borrowed the land from this past summer to put a huge garden in.

This property has been in the same family for 100 years:

1. They have been very generous for splitting off or donating land to the community
2. They have been involved in the community by coaching their kids hockey teams
3. They own and operate a local business on Exhibition Drive
4. They have supported racing teams by sponsorship and donated time

And this is how the community repays them when they propose change. An uproar because they don't want to look at a building. If this was ever a concern, they should have built or bought their homes in the country, not in the city.

We need to be more welcoming to developments within the city, that would benefit local businesses, and help relieve housing crisis.

I hope the committee will push this through. I know it will be a tough decision, but a housing crisis trumps "eyesore"

Signed,
Laura Radanovich
A City Living Realist!

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 11:47 AM
To: Thompson, Laurel; Zilke, Robert; Morrison, Greg
Cc: Forbes, Alex
Subject: FW: Housing project.

Fyi.

From: Jason Scott [<mailto:scotja50@gmail.com>]
Sent: Thursday, March 28, 2019 11:46 AM
To: Planning Department
Subject: Housing project.

I agree with this plan and location, I am two streets over on Queen where our roads have more than traffic to worry about, get some people housed! good luck!

Virus-free. www.avast.com

Thompson, Laurel

From: Nicole Wood <ncwood@ihis.org> ✓
Sent: Thursday, March 28, 2019 11:50 AM
To: Forbes, Alex; Thompson, Laurel; Planning Department
Subject: CBC Article comments on 88 Brackley Point Road.

I would like to send an email in support of the development at 88 Brackley point road. I feel that during the town hall meeting no valid comments were brought up opposing the development as many community members spoke about how an apartment "does not fit in the community." We are in a housing crisis and as a social worker I see this crisis effect many families I work with each day. We need to start saying yes to development and put our own selfish needs aside (Sherwood Community). Show PEI that we are committed to making changes and that we will not let those in the upper middle class dictate the housing situation of the lower class as has been the trend for many years.

Thank you,
Nicole Wood BSW, RSW
Social Worker
Child Protection
Family and Human Services
Charlottetown Office
Ph: (902) 368-4966

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Thompson, Laurel

From: Wonnacott, Brad on behalf of Planning Department
Sent: Wednesday, March 27, 2019 3:42 PM
To: Thompson, Laurel
Subject: FW: ReZoning - 88 Brackley Point Rd

FYI

From: Poirier, Peter (ACOA/APECA) [<mailto:peter.poirier@canada.ca>]
Sent: Wednesday, March 27, 2019 3:39 PM
To: Planning Department
Subject: ReZoning - 88 Brackley Point Rd

Hi,

I live on Oak Drive in Sherwood and I would just like to make a couple of comments on this proposal.

1 – A 30 Unit apartment building is not a suitable fit for this area, nor is an apartment building that size or similar, a fit for anywhere on Brackley Point Road from the Bypass to the Vogue Optical Corner. This is a residential area of most single family dwellings with a scattering of duplexes in the area as well.

2 – This proposal will generate an increased volume in traffic in that area. Trying to cross Brackley Point road from Pine to Coles Dr is a challenge at the best of times and the traffic generated in the area by the existing schools is enough as it is.

As a result of this I am totally opposed to this re-zoning.

Thank you,

Peter Poirier

Thompson, Laurel

From: Wonnacott, Brad on behalf of Planning Department ✓
Sent: Wednesday, March 27, 2019 3:42 PM
To: Thompson, Laurel
Subject: FW: Opposed to Permit #037-REZ-19

FYI

From: Shelley Morrison [<mailto:mailforshelley@hotmail.com>]
Sent: Wednesday, March 27, 2019 3:41 PM
To: Planning Department; Mayor of Charlottetown (Philip Brown); McCabe, Julie L.; Rivard, Greg
Subject: Re: Opposed to Permit #037-REZ-19

To Whom it may Concern,

We, the property owners of 80 Brackley Pt. Road are extremely concerned about the request to rezone 88 Brackley Pt. Road. We purchased our property in 2004. We were moving from another neighborhood of Sherwood because it was beginning to be overtaken with R3 rezoning. So, after carefully reviewing the zoning around our current property, we built our home in the well established, existing, residential R1 single residential family home zoning. We are extremely disappointed to have a property two lots from us requesting r3 zoning - which will be followed by a potential rezoning request 4 properties on the other side recently purchased by a developer to build large multi dwelling structures as well. If this request to an R3 zoning is approved at 88 Brackley Pt Road you will create a possible domino affect all around our home. Families investing in a property/home is the single largest investment a family can make. We made a researched long term plan to invest in our property and our community based on how it was zoned. We are opposed to the rezoning of 88 Brackley Point Road from R1 to R3. The density of the proposal is not harmonious with the neighborhood and goes against the "City of Charlottetown Official Plan". We will be attending the meeting this evening and will address additional concerns after hearing the proposal before noon tomorrow Thursday March 28th 2019.

Sincerely,

Shelley and David Morrison
80 Brackley Point Road
Charlottetown, PE

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:53 AM
To: Thompson, Laurel
Subject: FW: Opposed to the proposed rezoning 88 Brackley Point Road

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

From: Jennifer Young [<mailto:ms.jeyoung@gmail.com>]
Sent: Thursday, March 28, 2019 9:41 AM
To: Planning Department
Subject: Opposed to the proposed rezoning 88 Brackley Point Road

To whom it concerns,

My name is Jennifer Young and I reside at 110 Brackley Point Road. I strongly oppose the proposed rezoning of 88 Brackley Point Road to R3 medium density land.

Although my home is located outside the 100 meter radius, this proposed development directly impacts my family. My children attend Tiny Tots Daycare on Pope Ave and Stonepark School. The increased traffic this proposed development will create is a real safety issue for my children and the community as a whole.

I also believe that straying from the city's own plan to locate higher density housing on the perimeter of established communities sets a dangerous precedent for future development. Both the proposed apartment building and the townhouse complex do not fit with the established single family homes in the area.

I urge the planning committee to consider the community's unified opposition to this proposed rezoning.

I would also like to attend the meeting that was referenced at the Public Consultation last evening. Could you please confirm the time and place? Is April 1st, 5:00pm at City Hall correct?

Thank you for your time and attention,

Jennifer Young
110 Brackley Point Road

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:53 AM
To: Thompson, Laurel
Subject: FW: To whom this concerns

From: Alison MacKinnon [<mailto:alison.l.mackinnon@gmail.com>]
Sent: Thursday, March 28, 2019 9:22 AM
To: Planning Department
Subject: To whom this concerns

As a resident of Sherwood and client of Tiny Tots I have extreme reservations to this re-zoning as it poses a great threat to the safety of my children and other families, employees and students in the vicinity. With a planned entrance to exist neighboring Tiny Tots, the amount of traffic/vehicles associated with this build cause major safety concerns. Presently, we already deal with high volumes during drop off and pick up, but also those from Stonepark Junior High School. The one and only stop sign in the area behind the daycare on Cole Avenue, currently has traffic ignoring the sign 80% of the time with great disregard. With the recent addition of the sidewalks children are still at danger as there are no cautionary measures to decrease the speed of traffic, to monitor "stopping or yielding" to the signs or crosswalks, making anyone walking on the sidewalk or crosswalks at danger. Daily, as children are trying to get to school or home safely, horns are blown as vehicles ignore signs of pedestrians everywhere.

This is not the right place to be putting an apartment building and townhouses.

Please reconsider.

Alison MacKinnon

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:53 AM
To: Thompson, Laurel
Subject: FW: Opposed to apartment building on Pope Ave!!

From: Laura Anne Winters [<mailto:laura.anne.winters@gmail.com>]
Sent: Thursday, March 28, 2019 9:07 AM
To: Planning Department
Subject: Opposed to apartment building on Pope Ave!!

I would like to add my name to the record as a resident of Sherwood who opposes this apartment building. I live at 102 Heather Ave. I attended the meeting last night with my husband and two children. It is clear from the meeting that I am not alone!

We, the residents of Sherwood do not want this! I have a daughter that walks for before and after school care between Tiny Tots and Sherwood school each day and I have a son that walks to Stonepark school each day. The traffic is already bananas!!! I would love to know who the heck has deemed adding another 47 plus vehicles on pope ave at that particular corner to be safe!! Trust a person who lives there - it's not.

I would hope that the opposition of the residents means something to you all. I would hope that lining some pockets does not trump the safety of our children, the peace of our neighborhood, and the continuity of our single dwelling community. Shame on the committee if this goes ahead.

Most sincerely
Laura Winters

--

Laura Anne Winters, RN, BScN, BA
Charlottetown, PE
cell: 902-393-7458
email: laura.anne.winters@gmail.com

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:53 AM
To: Thompson, Laurel
Subject: FW: Proposed rezong PID #396770

From: grbrammer@eastlink.ca [mailto:grbrammer@eastlink.ca]
Sent: Thursday, March 28, 2019 8:46 AM
To: Planning Department
Subject: Proposed rezong PID #396770

RE: Proposed Rezoning - 88 Brackley Point Road (PID

#396770

I am writing this today to communicate to you how very distraught and upset we are over the proposed rezoning of the above noted property in our R-1 residential community. It is actually unbelievable that one person, who owns a large parcel of R-1 land in our area, can be allowed to cause such stress, concern and uproar just because they see dollar signs in their eyes knowing they can get more money from a developer than from a single family dwelling sale. Even they fact that the city would entertained the idea of disrupting the lives of all the long term, tax paying residence of this area just to appease this person in mind boggling.

Like, I am sure most of the home owners in this area did, we bought our home here for the VERY fact that it was an R-1 zoned quite family neighborhood. We could have taken our money and went to any area/community. Or chosen, if we had wanted to deal with a busy area and much traffic, to live in the downtown core. But we chose here, on Messer Avenue in Sherwood, for the very fact that we did not want to live with those concerns.

Why is it that one property owner in our area can look to try to change the face of the community in which we live, the life we chose to live and make it such that the home and area we live is no longer a comfortable place for us to be. This area has a school and a daycare literally right next to it with not only buses going back and forth on a daily basis, but cars of parents dropping off and picking up their children. This proposed development with cause WAY TOO MUCH extra traffic in this area making it not only hard to navigate but also dangerous for the children, many of whom actually walk to and from school daily. Many of these school children also are walking back and forth at lunch time and for after school activities. And most of us know that there will not be one vehicle per unit in the proposed development, but more likely a minimum of 2 vehicles per dwelling, even 3 in some who may have teenagers at home who drive. And that is all before visitors! It is utterly crazy to think of what all that traffic will do to this area. And again I stress, how is it that one property owner in our area, who is after the big bucks of a developer be allowed to cause all of this? To upset hundreds of law abiding, tax paying citizens for his own gain? He should have to remain within the the R-1 zoning and if he chooses to sell his property due so within those restrictions, which were put in place for a reason and is why

we chose to purchase our home here.

We are **TOTALLY** against this proposed rezoning and development and hope that in the end the city takes into consideration all of us who live in this area, the reasons why we chose to live here and the safety and comfort of those of us who took our hard earned money to buy homes here and to take care of those homes. We also, as an older couple, walk our beautiful area on a daily basis all year long and the traffic this would bring would make even that small luxury of being able to do that without worry in your own neighbourhood danger due to the increased traffic. We truly hope that our concerns and voices are not only heard but taken to heart as you make a decision that effects so many lives, now and in the future.

Roxanne and George Brammer
14 Messer Avenue
Charlottetown, PE



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Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: 88 Brackley Pt Rd

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

From: Andrea Gallant [<mailto:andreagallantthistle@gmail.com>]
Sent: Thursday, March 28, 2019 8:44 AM
To: Planning Department
Cc: jrthistle@hotmail.com
Subject: 88 Brackley Pt Rd

I would like to make known my strong objection to the proposed rezoning and development of 88 brackley pt rd.

As a resident of 82 Heather ave, with children that attend, and walk to, both stonepark and Sherwood elementary, I fear for their safety with the added traffic a rezoning would generate.

The proposed driveways at both pope and brackley steer traffic to my children's crosswalks and past their schools.

The proposal would also add to the street parking that already impacts the street from the school drop off and pick ups and the soccer field traffic all summer.

The city should consider purchasing this land and developing a park for our children, not allow such a safety risk.

This proposal will decrease my property value immensely and I ask the city to consider the objections of the neighbourhood and maintain this property as an R-1L along with the rest of the area.

Also note, consider this an additional two signatures on the petition that was unable to be fully circulated.

Sincerely,
Andrea Gallant and Justin Thistle

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: Concerns- 88 Brackley Pt Rd

From: M.E. Johnston [<mailto:beachpal@gmail.com>]
Sent: Thursday, March 28, 2019 7:47 AM
To: Planning Department
Cc: Rivard, Greg; McCabe, Julie L.; rjmitchell@gov.pe.ca
Subject: Concerns- 88 Brackley Pt Rd

Dear Planning,

I am writing to express my opposition and concerns over the proposed development at 88 Brackley Point Road. Our home is close to the development, we live at 6 Messer Avenue with our three kids.

The rezoning application opens the door to much larger development in a neighbourhood of single family dwellings.

No major apartment buildings are in this part of town, with the exception of those on St. Peter's Rd. While our neighbourhood is older, we do see new families moving in, the streets are starting to see new faces, children, and new homeowners making a commitment to the area.

Many of these buyers, including our family, have made major investments in these homes. They are being updated, the properties are being cleaned up, there is new vibrancy. The transient nature of apartment residents does not fit the area.

There are two schools and a daycare within walking distance of the neighbourhood, another incentive for young families. Single family homes or townhouses should be encouraged, not an apartment unit.

If rezoned, it is my understanding the developer would be able to build twice as many units as currently proposed. Even the poster advertising the public meeting did not tell the entire story, while it did talk about the size of the apartment building, it failed to mention the number of townhouses.

This entire plan seems to be punctuated by underestimation. There would be the real possibility that closer to 100 units would be built on the properties bordering Pope Avenue.

The potential size of the development and the traffic are not, in my opinion being, being properly calculated.

To suggest there would be 55 vehicles in the initial development demonstrates ignorance to the reality of living in PEI. Despite best efforts we are vehicle-dependent. Please be realistic, there is no way to limit the number of vehicles in a development of this size once the floodgates are open. And most of this traffic would funnel onto Pope Avenue and into our neighbourhood.

There are already traffic issues at Stonepark school. Hundreds of vehicles arrive at the school twice a day, the administration has done little to discourage these parents, who park on both sides of Pope Avenue, often turn on the roadway and use the street of our neighbourhood to get to and from the school.

The right-turn only concept on Brackley Pt. would not be used people renting there, unless they were going to the airport. The majority of the people would use Pope, turning right to get to the eastern part of town. This adds hundreds of cars to a neighbourhood. Our kids are on these streets, a daycare operates right at the end of the main driveway. There are no sidewalks on Arcona or Messer, these kids living in the neighbourhood have to walk on the road surface, as do the hundreds of Stonepark students each day. This places these young people in danger.

The intersection at Pine and Coles is offset, drivers do not understand how to navigate this corner now, I can only imagine what happens when more drivers are added.

I believe this concept is not what the neighbourhood needs. The Wood family should be commended for keeping the land in perfect shape, and I wish them luck. Perhaps a development that does not change the complexion of the neighbourhood should be considered. Maybe the city could look to the land for a green space?

Thank you for the opportunity to discuss this development.

Sincerely,
Michelle Johnston

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: 88 Brackley Point Rd - PID 396770

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

From: Tanya Fitzpatrick [<mailto:tfitzpatrick1@live.ca>]
Sent: Thursday, March 28, 2019 1:09 AM
To: Planning Department
Subject: 88 Brackley Point Rd - PID 396770

As a resident of Sherwood not far from this property, a parent of children who go to school in this area. I have a strong concern and fear of for their safety. It's not a suitable location so close to single dwelling homes who already have heavy morning and after school traffic, this would be devastation, in an already heavy amount of traffic in this area. This would affect more than 100 meters surrounding the property, it would effect Sherwood as a whole who travel to and from work, and transporting children to both schools in the area at any point in the day would increase traffic significantly.

All voices in our community need to be heard loud and clear. From what is being proposed, it goes against the original intent for the residential plan current low density residential plan. It hurts the residents already in this area for many reasons, and it is a safety risk.

This is not what our community is about, there is NO benefit for this proposal for residents in this area or families and students who attend the school—the only benefit is for the developers who are proposing the buildings. That would not be right, nor fair. We as residents pay high amount of taxes and deserve to have a community that is safe for everyone, and this is not. We as neighbours are not in support of the apartment building(s) and with splitting the lot to two parcels, nor in support of possible townhouses.

Your consideration to everyone's voices in this community is appreciated. As parents, we all have things to worry about and the obvious and most primary concern is safety for the children - with too high level of traffic, this is a hazard to many. Safety and impact needs to be considered to residents and kids who like to walk and ride their bikes and skate boards, is not just needed during school hours. This is alarming and concerning, and not well thought out for any resident or students/families that would be affected.

Thank you.

Tanya Fitzpatrick

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: 88 Brackley Point rd.

From: Alana livingston [<mailto:alanalivingston30@hotmail.com>]
Sent: Wednesday, March 27, 2019 10:28 PM
To: Planning Department
Subject: Fwd: 88 Brackley Point rd.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Mayor of Charlottetown (Philip Brown)" <mayor@charlottetown.ca>
Date: 2019-03-25 9:34 PM (GMT-04:00)
To: alanalivingston30@hotmail.com
Subject: RE: 88 Brackley Point rd.

Alana:

Thank you for your input and, hopefully you will be attending the Public Meeting this Wednesday night!

Philip Brown
Office of Mayor
Charlottetown, P.E.I.

From: Philip Brown [brownformayor2018@gmail.com]
Sent: Wednesday, March 20, 2019 7:19 PM
To: Mayor of Charlottetown (Philip Brown)
Subject: Fwd: 88 Brackley Point rd.

----- Forwarded message -----

From: Alana livingston <alanalivingston30@hotmail.com<<mailto:alanalivingston30@hotmail.com>>>
Date: Wed, Mar 20, 2019 at 1:49 PM
Subject: 88 Brackley Point rd.
To: brownformayor2018@gmail.com<<mailto:brownformayor2018@gmail.com>>
<brownformayor2018@gmail.com<<mailto:brownformayor2018@gmail.com>>>

Hey I hope all is well! I am sending you a message with my concern & worry over the rezoning of a 30 unit apartment and townhouses at 88 Brackley point rd. It is absolutely ridiculous that this is even up for debate as 1) its in the middle of

single home dwellings 2) the traffic in this zone already is enough to deal with, the safety of our kids should be #1. I am all for growth of our city but this is going about it all wrong. If you think about a 30 unit apartment you can pretty much bet that there is going to be majority if not all of those units will have 2 vehicles per unit so just like that you have 60 extra vehicles ,and thats not even including the townhouses, and there is not even space for significant amount of parking.I really hope for our community this doesnt happen because I have on many occasions spoke of the concerns I have already about speed & traffic and for the most part been falling on deaf ears! Hope to hear from you soon, Alana Campbell

Sent from my Samsung Galaxy smartphone.

Mike and Judy Eyolfson
100 Brackley Pt. Rd.

902-368-1547

meyolfson@lycos.com

March 27th, 2019

City of Charlottetown
Planning Board

To whom it may concern.

Regarding the application to re-zone the property located at 88 Brackley Point Road, Charlottetown (PID 396770) from Single Detached Residential R1L to Medium Density Residential R3 to accommodate the subdivision of the property and development of a 30-unit, 3 story apartment building facing Pope Avenue and a 17-unit townhouse development facing Brackley Point Road.

We would like to state our opposition to the application based on the following reasons.

- Safety concerns for children walking to and from the local schools due to increased traffic. Has a traffic study been completed on the surrounding streets to gauge the effect of adding potentially 60 – 100 vehicles?
- Proper drainage of nearby properties has been an ongoing problem. What effect will this potential development have on runoff, has the volume of rainwater been determined and how will the damaging effects be mitigated.
- The city plan allows for apartment buildings in the outlying areas of the neighborhood. And in this case, the proposed development does not fit the look and feel of existing area. If allowed, the property will be

out of place with the surrounding single-family homes that are predominant in the area.

- Should it be allowed, we believe the development will be precedent setting in that it would open the door to subsequent developments of similar properties facing Brackley Point Road between Coles Dr. and Duncan Heights.
- Considering community opposition, the city should stick to the plan and not grant the re-zoning.

Sincerely,

Mike and Judy Eyolfson

*100 Brackley Point Road
Charlottetown, PEI.
C1A 6Y4*

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: Planning General Inquiries from Website

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

From: Derek Smith [<mailto:dereksmith@hotmail.com>]
Sent: Wednesday, March 27, 2019 10:01 PM
To: Planning Department
Subject: Planning General Inquiries from Website

We would like to submit this email as opposition to the rezoning of 88 Brackley Point Rd. This area needs to be left as R1 no question. We bought in this area for that specific reason. It needs to remain for the families that have spent considerable time and money maintaining their property. The safety factor of the traffic and the safety of our students. Townhouses wouldn't be an issue. An apartment building of any size does NOT belong in a single family dwelling neighbourhood.

Thank You

Derek and Arlene Smith
69 Heather Ave
Charlottetown, PEI
C1A8H3
992-315-3397
derekandarlene@hotmail.ca

Sent from my Cellular Device.

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: Major Concerns for proposed Re-zoning Brackley Pt Rd

From: Trina Fitzpatrick [<mailto:trinafitzpatrick@gmail.com>]
Sent: Wednesday, March 27, 2019 9:52 PM
To: Planning Department
Subject: Major Concerns for proposed Re-zoning Brackley Pt Rd

My main concern is safety and being a voice for my own kids and other kids that already feel unsafe walking in our neighbourhood. The traffic is horrendous now. I have been a resident and home owner and really Hope voices are heard. We are a community that doesn't have to sell out for the ulmitghty dollar. This is pure greed and wasn't meant to help our neighbours.

This proposal of approved goes against low density residential plan and can change to bigger and badder in a moment to gain more dollars. Pure greed. We as neighbours are not in support of the apartment building (s) and with splitting the lot to two parcels I won't be supporting the town houses if it means 17 townhouses (same traffic) safety first. Zoning needs to be comparable , the false hope of trying to direct traffic to another direction is ridiculous and not at all possible. This is insulting and not well thought out.

I purchased for peace of mind for safety and low traffic for my family. This proposed nightmare is another ducks landing in stratford and I hope that means something and hits home to council members who keep this in mind.

Your consideration is very much appreciated. It's personal and as a parent have plenty to worry about.

Thank you.

Trina Fitzpatrick
Resident of Charlottetown (Sherwood)

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902-394-4097

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:54 AM
To: Thompson, Laurel
Subject: FW: Rezoning Application PID#396770

From: Tom Fitzpatrick [<mailto:tfitzpatrick@bellaliant.net>]
Sent: Wednesday, March 27, 2019 8:47 PM
To: Planning Department
Cc: 'Tom Fitzpatrick'
Subject: Rezoning Application PID#396770

Charlottetown Planning Department.

Having lived in the area for the past nine years our children have and are attending the two schools in this area, I do not agree with rezoning this property.

As anyone who travels on Brackley Point Road, Pope Ave and Pine Drive can attest - these roads are not only busy during drive times (morning and evening), but at any given time or day of the week.

I don't believe that changing the zoning of this property to a medium density designation fits in with the single family dwellings in this area.

I live within 700 metres of this property, and travel these roads daily. Changing the zoning would not only affect all residents in the area, but anyone using these thoroughfares.

I would think sub dividing this property into single family lots would better serve this area.

I realize there is a need for additional housing in the Charlottetown area.
But I don't believe changing the zoning on this property will be a safe option.

Thank you,
Tom

Tom Fitzpatrick
3 MacMillan Cres,
Charlottetown, PE
C1A 8G3
902-628-9467
twfitzoffice@gmail.com
tfitzpatrick@bellaliant.net

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:55 AM
To: Thompson, Laurel
Subject: FW: Opposed to Permit #037-REZ-19

From: Shelley Morrison [<mailto:mailforshelley@hotmail.com>]
Sent: Wednesday, March 27, 2019 3:41 PM
To: Planning Department; Mayor of Charlottetown (Philip Brown); McCabe, Julie L.; Rivard, Greg
Subject: Re: Opposed to Permit #037-REZ-19

To Whom it may Concern,

We, the property owners of 80 Brackley Pt. Road are extremely concerned about the request to rezone 88 Brackley Pt. Road. We purchased our property in 2004. We were moving from another neighborhood of Sherwood because it was beginning to be overtaken with R3 rezoning. So, after carefully reviewing the zoning around our current property, we built our home in the well established, existing, residential R1 single residential family home zoning. We are extremely disappointed to have a property two lots from us requesting r3 zoning - which will be followed by a potential rezoning request 4 properties on the other side recently purchased by a developer to build large multi dwelling structures as well. If this request to an R3 zoning is approved at 88 Brackley Pt Road you will create a possible domino affect all around our home. Families investing in a property/home is the single largest investment a family can make. We made a researched long term plan to invest in our property and our community based on how it was zoned.

We are opposed to the rezoning of 88 Brackley Point Road from R1 to R3. The density of the proposal is not harmonious with the neighborhood and goes against the "City of Charlottetown Official Plan". We will be attending the meeting this evening and will address additional concerns after hearing the proposal before noon tomorrow Thursday March 28th 2019.

Sincerely,

Shelley and David Morrison
80 Brackley Point Road
Charlottetown, PE

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 9:55 AM
To: Thompson, Laurel
Subject: FW: ReZoning - 88 Brackley Point Rd

From: Poirier, Peter (ACOA/APECA) [<mailto:peter.poirier@canada.ca>]
Sent: Wednesday, March 27, 2019 3:39 PM
To: Planning Department
Subject: ReZoning - 88 Brackley Point Rd

Hi,

I live on Oak Drive in Sherwood and I would just like to make a couple of comments on this proposal.

1 – A 30 Unit apartment building is not a suitable fit for this area, nor is an apartment building that size or similar, a fit for anywhere on Brackley Point Road from the Bypass to the Vogue Optical Corner. This is a residential area of most single family dwellings with a scattering of duplexes in the area as well.

2 – This proposal will generate an increased volume in traffic in that area. Trying to cross Brackley Point road from Pine to Coles Dr is a challenge at the best of times and the traffic generated in the area by the existing schools is enough as it is.

As a result of this I am totally opposed to this re-zoning.

Thank you,

Peter Poirier

Thompson, Laurel

From: Wonnacott, Brad on behalf of Planning Department
Sent: Thursday, March 28, 2019 10:11 AM
To: Thompson, Laurel
Subject: FW: Major Concerns for proposed Re-zoning Brackley Pt Rd

FYI

From: Trina Fitzpatrick [<mailto:trinafitzpatrick@gmail.com>]
Sent: Thursday, March 28, 2019 10:09 AM
To: Planning Department
Subject: Re: Major Concerns for proposed Re-zoning Brackley Pt Rd

Thank you for your response.

On Thu, Mar 28, 2019 at 9:56 AM Planning Department <planning@charlottetown.ca> wrote:

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

Thank you!

Best Regards,

Ellen

Ellen Faye Ganga

Intake Officer/Administrative Assistant

City of Charlottetown

233 Queen Street

Charlottetown, Prince Edward Island

Canada, C1A 4B9

Office: 902-629-4158

Fax: 902-629-4156

eganga@charlottetown.ca

www.charlottetown.ca

From: Trina Fitzpatrick [mailto:trinafitzpatrick@gmail.com]
Sent: Wednesday, March 27, 2019 9:52 PM
To: Planning Department
Subject: Major Concerns for proposed Re-zoning Brackley Pt Rd

My main concern is safety and being a voice for my own kids and other kids that already feel unsafe walking in our neighbourhood. The traffic is horrendous now. I have been a resident and home owner and really Hope voices are heard. We are a community that doesn't have to sell out for the ulmitghty dollar. This is pure greed and wasn't meant to help our neighbours.

This proposal of approved goes against low density residential plan and can change to bigger and badder in a moment to gain more dollars. Pure greed. We as neighbours are not in support of the apartment building (s) and with splitting the lot to two parcels I won't be supporting the town houses if it means 17 townhouses (same traffic) safety first. Zoning needs to be comparable , the false hope of trying to direct traffic to another direction is ridiculous and not at all possible. This is insulting and not well thought out.

I purchased for peace of mind for safety and low traffic for my family. This proposed nightmare is another ducks landing in stratford and I hope that means something and hits home to council members who keep this in mind.

Your consideration is very much appreciated. It's personal and as a parent have plenty to worry about.

Thank you.

Trina Fitzpatrick

Resident of Charlottetown (Sherwood)

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902-394-4097

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902-394-4097

Thompson, Laurel

From: Wonnacott, Brad on behalf of Planning Department
Sent: Thursday, March 28, 2019 10:12 AM
To: Thompson, Laurel
Subject: FW: Permit #037-REZ-19

FYI

From: Michael Stanley [<mailto:mstanley.pei@gmail.com>]
Sent: Thursday, March 28, 2019 10:10 AM
To: Rivard, Greg; McCabe, Julie L.; Planning Department; Doiron, Bob
Subject: Permit #037-REZ-19

Good Morning,

My name is Michael Stanley and I'm currently the President of Stonepark Home & School. This email is in regards to the rezoning proposal of 88 Brackley Point Road and my opposition to the proposal as it stands.

First, most would agree that it would be a good thing to have that property developed. To bring possibly new families into the area would be wonderful for Sherwood which I have always been a big supporter of just that, living most of my life on Belvedere Avenue and the last 20 years on Ash Drive. My children being raised in the area and my youngest being in Grade 8 at Stonepark.

There is an issue, for myself and several parents that have contacted me as President, with the size of the project in question. Residents living close to the parcel of land talk of the project not fitting with the current single family houses in the surrounding area. But my main focus and objection to this proposal is the increased traffic flow it will cause for Pope Avenue. On a normal school day it can be overly busy on the roads around Stonepark. More over, there are many special events that happen at our school, being the biggest junior high in the Province. Band concerts, sporting events, fund raisers, etc., all contribute to the parking lot being maxed out at times throughout the school year and adding that many more vehicles using those roads could be a problem for the area. A safety issue is at play here I believe with children and adults coming and going from the school and not to mention the daycare that is next to that land as well.

My hope is that everyone takes a hard look at the potential impact of that development for the area and comes to an agreement that it needs to be reconsidered and not put forward as it currently stands.

Thank you all for what you do for our city,

Michael Stanley
President, Stonepark Home & School.

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 11:38 AM
To: Nola Etkin; Thompson, Laurel
Cc: Elizabeth Blake
Subject: RE: Permit #037-REZ-19

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

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Nola Etkin [<mailto:Netkin@upej.ca>]
Sent: Thursday, March 28, 2019 11:24 AM
To: Planning Department
Cc: Elizabeth Blake
Subject: Permit #037-REZ-19

To the Planning Board:

I am writing in followup to the Public Consultation on March 27, 2019 where this application was discussed. I want to put in writing my serious concerns with this application, which I expressed last night - concerns that were clearly shared by the vast majority of those in attendance.

I have been concerned about the impact that this development would have on our neighbourhood, and the presentation last night only served to increase my concerns. The allowances for traffic flow increases are totally unrealistic and inappropriate. As attested by many speakers at the meeting, the area is already very high traffic, not only during the 8:00-8:45 time indicated in the presentation, but after school, after work, during sporting events at the soccer field, and during the lunch hour. The safety of large numbers of junior-high students walking to and from school, and to local businesses in the lunch hour, is of paramount importance.

It is clear that proper consideration of where the extra vehicular traffic will go has not been taken. Cars turning right out of Belvedere within less than a block of Coles will add to the problem of an already congested and hazardous intersection. It is also already very difficult for cars entering the off-set intersection of Pine and Brackley Point Road.

The alternative will be for cars to exit on Pope Avenue. Since Coles is already backed up it is clear that they will proceed along either Pope or Heather Avenue - making this route into even more of a through-fare - again to the risk of our children attending school.

A number of people mentioned that they were less concerned with the townhouse part of the development. While I agree that it is less problematic, I urge the committee to reject any rezoning of the property to medium density housing. As we have seen in other areas of the city, and as was confirmed at the meeting, once the property is rezoned, the door is then open for the developer to change plans. My understanding is that the plans could then change to include higher-density building and even more apartment buildings. In my view, the property must remain low-density residential. I see no reason why it could not reasonably and safely be subdivided into single family or duplex lots, thus providing increased housing more in line with the surrounding neighbourhood.

I thank you for considering this input into your decision process,

Nola Etkin
75 Heather Avenue

Nola Etkin
Dean of Science (Interim)
University of Prince Edward Island
550 University Ave.
Charlottetown, PE

voice: 902-566-0320
email: netkin@upei.ca

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 11:39 AM
To: Cal Morrison; Mayor of Charlottetown (Philip Brown); Jankov, Alanna; MacLeod, Terry; Duffy, Mike; Tweel, Mitchell; Ramsay, Kevin; Doiron, Bob; Rivard, Greg; Coady, Jason; McCabe, Julie L.; Bernard, Terry; Thompson, Laurel
Subject: RE: 88 Brackley Point Rd - #037-REZ-19 - Letter of Opposition

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

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Cal Morrison [mailto:calmorrison99@live.ca]
Sent: Thursday, March 28, 2019 11:31 AM
To: Planning Department; Mayor of Charlottetown (Philip Brown); Jankov, Alanna; MacLeod, Terry; Duffy, Mike; Tweel, Mitchell; Ramsay, Kevin; Doiron, Bob; Rivard, Greg; Coady, Jason; McCabe, Julie L.; Bernard, Terry
Subject: 88 Brackley Point Rd - #037-REZ-19 - Letter of Opposition

To whom it may concern,

My name is Cal Morrison and I live on 80 Brackley Point Rd. I attended the meeting last night, March 27th, and would like to be quite clear on my position. As a lifelong resident of this neighbourhood, the last thing I want to see is this development proposal and rezoning to be approved. Before I even speak of the development that is currently proposed, I would like to state that any zoning outside of R1, whether it be R2 or R3, would be the beginning of a swift destruction to the core of our community. Many fantastic points were brought up at the meeting, however I believe some were not fully explored.

This property lies in the very core of our neighbourhood, which is already experiencing some difficulties due to development growth, and exponentially increasing development in this exact location would be a detriment to not only a close proximity, but Sherwood as a whole. A major red flag for this project comes up immediately as the developers would like the lot of townhouses zoned as R3. Seems odd to apply to get it zoned as R3 when they would only require R3-T, unless of course, to no one's surprise, they are planning to build apartment buildings once it is approved.

The proposed developers of the lot had put together a presentation that was laughable at best. Any amount of critical thinking or even common sense in some cases would show a proposal presentation unbelievably inaccurate and flawed. As a graphic designer and being extremely familiar with the lot, it was

painfully obvious how no-to-scale the concept art is shown was. It was also not a coincidence that the 500m surroundings slide was only shown for a few seconds before switching to how many other R2 and R3 zoned lots there were. With closer inspection, it's obvious those numbers are coming from properties, and some not even with the majority of it within, the 500-meter radius ring. This reinforces the fact that the entire immediate area surrounding this lot is completely made up of R1 zoned lots. It seems ridiculous to me that only 100m around the property is notified, but then 500m can be used when it puts the numbers in their favour. Parking was also an issue brought up last night, and unless the proposed few dozen residences take turns having visitors over, there will be an extreme shortage of parking. Where will these cars go? Potentially the conveniently large and empty green space beside the current visitor parking. Which, as the women with city planning confirmed, would be entirely up to the developer to add in a large concrete parking lot. But I digress because maybe that "green space" will be used to build a mirror of the currently proposed apartment building, which once again could not be stopped.

Although traffic was brought up extensively last night, I would like to briefly touch on it. As someone with a brother who is a firefighter for the City of Charlottetown, one of the few times I've been lucky enough to witness the bravery and selflessness of his work was at a motor vehicle accident requiring the jaws of life on the intersection of Brackley Point Rd and Coles Dr. A mere feet from the lot they want to develop and add enough cars to fill a dealership with. I've personally witnessed a driver accelerate to get through the crosswalk so that he did not have to wait for me and some fellow students attempting to cross the busy street after school. Had the group of students in front of me not grabbed and held each other back, I can guarantee that that truck would not have won the race through the crosswalk and met the group of students with his vehicle. In addition, the proposed right-in right-out on Brackley Point Rd would never work. It was not even a week ago I witnessed someone heading south on University Ave pull in the right-out exit of the Sobeys almost hitting a car head on. We're talking about drivers in a motor vehicle, a small concrete median that suggests they turn the car to the right will not stop someone from going left. The idea that drivers wanting to go downtown will go to the, already dangerously small, roundabout to turn around or all of the way to the airport to get on the bypass is absurd at best.

Before I conclude this letter, I would like to point out that not a single person, of all of the people present at the meeting to fight this proposal, had a single negative question or point to make on the apartment building proposal by the Sears, which was presented just prior to this one. This shows that no one at the meeting is against the development of apartment complexes or dense residential, however, it has to be done right. And the development of dense residential or apartment complexes does not belong on this lot. No matter how much you skew the numbers, concepts, and proposal, an R2 or R3 zoned lot will never belong on this piece of property.

If the city had the best interest of the community and its residents in mind, they would divide the lot into R1 zoned lots. This would allow for around 3-6 families. This would be a lovely addition to this area of the neighbourhood, and give a few families a great life in a beautiful place. It would also keep in line with the vision that the planners and residents have had for this community for decades. If this lot is zoned as R2 or R3, the neighbourhood of Sherwood which I, and many others, live and love, would soon be completely destroyed.

Sincerely,
Cal Morrison

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 11:52 AM
To: Jonathan Mosher; Thompson, Laurel
Subject: RE: Proposal for 88 Brackely Point Road

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

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Jonathan Mosher [<mailto:jonathanmosher@gmail.com>]
Sent: Thursday, March 28, 2019 11:49 AM
To: Planning Department
Subject: Proposal for 88 Brackely Point Road

To whom it may concern,

As a resident of Ward 9, living at 103 Barbour Circle, I am writing to voice my concern for the proposed rezoning of 88 Brackley Point Road from a R1 to R3 development. I attended the meeting at Rodd Charlottetown last night as well.

While I applaud Mr. Wood for looking to bring some development to the area, this proposal does not fit/integrate with its surrounding neighborhoods. This proposal would see a single R1 lot, subdivided into 2 R3 lots with 47 new residential dwellings occupying these properties.

I have concerns over the R3 rezoning, which could lead into future rezoning in the surrounding area to which new families have been purchasing older homes, bringing youth and energy back into the neighborhoods and revitalizing the local communities as can be evidenced by the enrollments at the local elementary and junior high school. People purchased homes and moved into these communities precisely for the reason that they are all single family dwellings.

I was a little troubled by what many said at the meeting last night. It was stated repeatedly that the Town Houses were acceptable, but the apartment complex was not. My concern is that the townhouses require R3 zoning, so even approving that part of the development would open the door for the medium/high density

dwelling that an apartment complex could then be substituted in for at any point in the future with the rezoning having been approved.

My specific concerns with the proposal as it was presented center around the entrance/exit designs, increased traffic to the area with 47 new dwellings, new exit onto Brackley Pt road and the safety concerns that presents, the lack of parking for these 47 dwellings, going to minimum spec while follows the law, it is the absolute minimum that you are required to do. I would hope that a new development that is bringing something to the community would strive to do more than just the absolute minimum that is required.

I also have concerns about the environmental impact and what the regrading will mean for the surrounding houses, as water flow will be funnelled further down to the existing dwellings that are in place currently.

In short, I strongly disagree with the direction this proposal is looking to go in.

Regards,

Jonathan Mosher

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department ✓
Sent: Thursday, March 28, 2019 11:52 AM
To: Shelley Morrison; McCabe,Julie L.; Mayor of Charlottetown (Philip Brown); Thompson, Laurel
Subject: RE: Rezoing 88 Brackley Pt #037-REZ-19

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

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: Shelley Morrison [mailto:mailforshelley@hotmail.com]
Sent: Thursday, March 28, 2019 11:51 AM
To: Planning Department; McCabe,Julie L.; Mayor of Charlottetown (Philip Brown)
Subject: Rezoing 88 Brackley Pt #037-REZ-19

March 28, 2019

Re: permit #037-REZ-19

Attention Mayor, City Councilors, City Planning

We, the property owners of 80 Brackley Pt. Road are extremely concerned about the request to rezone 88 Brackley Pt. Road. We attended the public meeting last night and have many concerns we need to address.

We purchased our property in 2004. We moved from an area of Sherwood that was quickly overtaken with R3 rezoning. So, after carefully reviewing the zoning around our current property, we built our home in the well established, existing, mature residential R1 single family home zoning. We are extremely disappointed to have a property two lots from us requesting r3 zoning. Which will then be followed by a potential rezoning request four properties on the other side recently purchased by a developer to build large multi dwelling structures as well. If this request to an R3 zoning is approved at 88 Brackley Pt Road you will create a possible domino affect all around our home. Families investing in a property/home is

the single largest investment a family can make. We made a researched long term plan to invest in our property and our community based on how it was zoned.

In 2016 this same request to rezone 88 Brackley Pt Road from R1 to R3 was rejected. It was rejected because according to your **“City of Charlottetown Official Plan”** it did not “fit” into the established neighborhood and considered too high of a density for the area. 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 revisiting this request again? This rezoning to R3 goes against the **“City of Charlottetown Official Plan”!**

Although amendments of the previous proposal in 2016 were reduced from a 36 unit 3 story building to a 30 unit 3 story building - it is still NOT **“HARMONIOUS”** and does NOT “blend in” with the existing surrounding R1 homes. It is not even that drastic of a reduction. Planning has commented that this new proposal has been reduced from 72 units to 47 - but it is still a request to rezone to an R3 in the core of the community that is surrounded by R1 zoned homes and it is not **“harmonious”** with the mature well established existing neighborhood. It is fact that R3 multi residential properties exist in the community HOWEVER, they are positioned on the perimeter of the community which is a result of proper planning. This property should be developed with the current zoning regulations, **“harmonious”** with the neighborhood and consistent with the streetscape. If it was to remain R1 and subdivided consistent with the block it sits upon it would contain 3-6 single family homes. An increase from an expected 3-6 families to 47 plus families is a substantial increase along with the massive jump in building structure size as well.

Our concerns exist beyond the rezoning.

We are concerned about the safety of students and walkers in the area where our school zones have already been identified and deemed excessive traffic with school zones, crosswalks, buses, community mailboxes, dropping off and picking up of students, special events parking, sports field, day care and the list goes on. Additional influx of vehicles exiting and entering in this area pose an increased risk of safety.

We are concerned about a traffic analysis that will only grant approval upon a “right in - right out only” for Brackley Point Road. Was the traffic analysis performed during a busy school morning, end of work day, increased summer traffic time, special school event or sporting events? It is also absurd that the presenter can determine that residents from this new development will “likely not travel during the busy school morning times of 8:15am – 8:45am”! Our additional concern with the “right in only” is to question how well that will be obeyed. If approaching towards the south and cannot turn left where do you think they will be turning around to enter from the “right in only”? It is apparent that if they do obey the “right in only” they will be constantly turning into neighboring driveways causing increased risk of safety not to mention annoyance to residents in the area! We would like confirmation on

where to address our complaints when our driveway becomes the turning point for multiple vehicles. For unexplained reasons we currently have approximately 2 vehicles per week turn in our driveway and the number increases in the summer. By this “Right In Only” we guarantee our driveway will become the turning point. Please check other areas with a “right in right out only” and verify how well they are obeyed.

We are concerned with parking. There is not sufficient parking provided for a development this size. On special events at Stonepark Intermediate the streets are lined with vehicles in this area. Streets along Heather and Pope are also lined with vehicles for the sports field. Additional vehicles turning in and out of the second entrance onto Heather raises additional safety concerns. There is not enough available parking to support this development! The bylaw may dictate only 1 parking space per unit – yet “Affordable housing” complexes allow for 1.5 per unit. Does planning truly believe there will not be additional parking required for additional vehicles and visitors? The daycare parking lot and along the school streets will become the additional parking. Parking must be taken into careful consideration but seems to be neglected. It must be planned for in advance!

We are concerned that the proposal at the public meeting did not appear to be to scale. We were expecting more concrete plans not just “concept”. It is clear to us after the meeting that once rezoned concept plans can be altered and changed at any time to build whatever they want once rezoning is approved. This leaves the door wide open for this property to be developed into additional units than what was presented. Case in point – the property between Charlottetown Mall and Mt. Edward Road – the “Cameleon” as the Mayor referred to it and commented how it is “changing daily”. This should alarm all residents!

We are concerned that our “street scape” which has frontage of homes all along until you approach 88 Brackley Pt Road in which will then be the “rear” of the development with patios and barbeques etc. also with minimum setbacks in comparison to the consistency of the streetscape.

We are concerned that if the property is divided into two lots then why is “lot 1” not requested to be rezoned R3T which allow townhouses only? This once again confirms to us that once rezoned R3 the concept plans can change and additional large apartment buildings can be built.

We are concerned to see “Property FORMERLY of Ron Wood” on the concept plan at the presentation further confirming that Mr. Wood is only seeking rezoning to financially benefit him and NOT for the “betterment of the community”. We were concerned to read in the initial proposal that Mr. Wood is “working for the betterment of the Community” and that he “has spoken to residents” When almost in entirety the neighborhood was not aware of any of this.

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 amongst majority of the surrounding area affected and not follow policies set forth in their own city plan.

We are concerned that there will be potential for a domino effect which was mentioned in a previous request to rezone 68 Brackley Point Road at the top of hill in which planners mentioned that they may need to visit future planning for this area as these properties have large backyards. Our home/backyard is amongst these properties. You are discussing the potential development of OUR own backyard! We are disappointed that City planning and City councilors will determine if our home RE-SALE value will decrease drastically or not AND are also deciding on future development of OUR backyard property.

We were concerned and disappointed to see a post on social media from City Councilor Doiron that he will “fight” for this and support this development BEFORE residents were even officially notified and long before the public meeting to address our concerns. We are concerned that Council may not represent the voice of their residents which was clearly evident at the presented petition signed by 327 residents (to date) including many in Mr. Doiron's ward.

HARMONIOUS

We have mentioned harmonious many times thus far. The **“City of Charlottetown Official Plan”** also states:

“Our Objective is to preserve the built form and density of Charlottetown’s existing neighborhoods and to ensure that new development is HARMONIOUS with it’s surroundings”

The City of Charlottetown has a responsibility to follow what was set forth in the **“City of Charlottetown Official Plan”** which identified future development areas. As any city grows the boundaries of development grow with it including new communities developing as well.

We are disappointed in this entire process. City council - you have the responsibility to be the voice of the residents. This may be positioned in Ward 9 but it affects all future development. This is not a case of “not in my backyard” or a “housing crisis”. On paper it may check boxes but it is purely bending the policies set forth in the **“City of Charlottetown Official Plan”** and not listening to the extreme majority at the core of this community surrounding the properties in question.

We must state, we are not against the development of the property that Mr. Wood inherited however it must be properly developed in a way that is **“harmonious”** with the neighborhood. If approved this R3 zoning sets a precedent for developers to purchase vacant lots and/or older homes in need of work at a lesser price and have rezoned. By approving this rezoning you will set a precedent that ANY property in Charlottetown can be rezoned for development going against the **“City of Charlottetown Official Plan”**.

With careful and proper planning following policies and objectives from the **“City of Charlottetown Official Plan”** development can be created within our city and communities in a **“harmonious”** way. Mr. Wood has every right to PROPERLY develop the land he inherited. But we as residents have rights too.

Sincerely,
Shelley and David Morrison

80 Brackley Point Road

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 12:58 PM
To: George Brammer; Thompson, Laurel
Subject: RE: Re Rezoning - Brackley Point property

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

Thank you!

Best Regards,
Ellen

Ellen Faye Ganga
Intake Officer/Administrative Assistant

City of Charlottetown
233 Queen Street
Charlottetown, Prince Edward Island
Canada, C1A 4B9
Office: 902-629-4158
Fax: 902-629-4156

eganga@charlottetown.ca
www.charlottetown.ca

From: George Brammer [<mailto:gbrammer@cadcpei.com>]
Sent: Thursday, March 28, 2019 12:00 PM
To: Planning Department
Subject: Re Rezoning - Brackley Point property

March 28/19

To Planning – Re Brackley Point Rd property

A further point to our email this am is the impact of snow and its removal on the streets (Pope, Messer, Valdane, Heather,etc) where children walk, as sidewalks that are on some streets are not passable as they are generally slippery in winter and youth walk in groups so they will be and are on the streets in the wintertime. With streets with no sidewalks as well, accidents can happen anytime but in winter with narrower streets due to snow, the risk is even greater. With more congestion from traffic in the area, more likely an accident could occur to someone.

Thank-you for your attention on our thoughts in this matter.

Sincerely,
George and Roxanne Brammer
14 Messer Ave

Thompson, Laurel

From: Ganga, Ellen on behalf of Planning Department
Sent: Thursday, March 28, 2019 2:58 PM
To: Thompson, Laurel
Cc: Forbes, Alex
Subject: FW: [SPAM] Stratford housing

This apparently went to Spam mails. Forwarding to you as well. Thanks.

Best Regards,
Ellen

From: Tasha Starling [<mailto:tashastarling@hotmail.com>]
Sent: Thursday, March 28, 2019 11:21 AM
To: Planning Department
Subject: [SPAM] Stratford housing

"I live in this community and I did not sign the petition... But I can see where people had an issue. It was stated that it would be an apartment building AND several townhouses. The only issue I could see was the location. They would need to fix the road as the road is pretty busy as it is right beside the school and it is an odd road the way it's apart of the school parking lot. I also don't feel it's a big enough space to have a large apartment building plus townhouses, one or the other would be completely fine.

Maybe instead of a petition they should have had more of a conference where people could reflect why they would have an issue or what they had issues with and it could have been compromised rather than just a straight No."

-comment on FB link to CBC article

There seems to be quite a reaction form the cbc news article posted on this. On both sides. It is a difficult problem because the housing crisis is very very real.

If I may give my 2 cents, Please.

I used to struggle in Charlottetown for many years to find an affordable apartment that would allow our 20 year old small dog. Really struggled. And rented in a few dilapidated townhouses from the O'halloran's, with bug infestations, water that doesn't run, lack of electricity in the top level, heating issues, and sloppy unfinished renovations and caved in ceilings. It was illegal, and inhumane our living conditions, but the rent was affordable at \$650 for an apartment downtown because we did not have a vehicle at the time.

That house is located directly across from Birchwood Elementary School, on the end of Pleasant Street. A stranger walking around the area asked me for Angel (an illicit drug) once as children walked past.

I feel it's important to say many of the townhouses in that area are old and in need of repairs. I say REPAIRS because I never saw any real renos on those properties despite being what look like century homes with very strong frames on the inside. I suspect at least on the part of the O'hallorans, they are not wanting to do those

repairs and value more the land and other newer more profitable developments they are focused on. I was living on Chestnut St when we were evicted, the furnace cut and then shortly after the street was leveled.

There no way to cut it. Crowding low income rentals together attracts low income tenants, and the street around this Birchwood had noticeable problems. With drugs yes, and also a little violence and generally unwanted traffic. Did it have to be as bad as it was? No. I don't see this happening Summerside at least. The problem was too many low income rentals in very poor condition, with undiscerning, absent and irresponsible landlords. It attracted drug users and people without direction.

I'm just trying to express this because I don't feel such a dense development is in the interest of Charlottetown, or for the people of Stratford and those attending the daycare and school. There is a not so minor addictions crisis happening in Charlottetown too.

It's hard to control the future status of such development, and we are already seeing struggles to accomadate the parking and roadways. They are proposing to fit 1 space per apartment rental (which isn't enough), yet the existing businesses already struggle and customers must park on the roads. This could turn bad quickly. And you cannot underestimate the amount of foot traffic an apartment complex can add to an area.

I just feel a smaller complex or just the construction of the townhouses could be a better, more pragmatic decision. We can't solve our housing crisis in one or a few developments. We need action now to help people find homes, but doing too large of a project will result in more money for the developer and landowner and create more problems if these rehomed people are not set up properly enough. If the complexes are small and low income to accommodate more space, there will be a cost to the quality of living for the tenants and the effects will spill over into neighbourhood.

I am saying a lot and perhaps it's not as cohesive in email. I'm just asking you to please consider the quality of living of not only the neighbourhood, but also the people who will be living in each of those rentals. They will need a certain standard of living and there is no need for the units to be the size of tuna cans to be affordable. Rebuilding the heritage downtown core is a massive expensive undertaking, but as we move forward and develop and expand the fringes of Charlottetown I really want to do what's correct and beautiful for the province. Because I believe this development will just continue as our future grows.

Thank you for all you time and all your hard work,

Tasha

March 20, 2019

Dear Laurel

Thank You for meeting with me on March 18, 2019 and providing me with a colored copy of the request to rezone #88 Brackley Point Road, Sberwood, PEI.

I have several issues/concerns of this proposed development. First the drawing shows a 30 unit apartment building at the rear on Lot 1 and for Lot 2 there is a proposal for 16 unit townhouse. I have studied the proposal in detail and can see 3 sets of buildings with 3 units in each and 2 buildings of 4 units so that would be 17 vs the 16 as outlined. If that is correct and there is basically $30 + 17 = 47$ households with an average of 2 people per unit that would be 94 clients in that designated area not including extra family members and guests leaving and entering the property. A significant amount of traffic using a very busy thruway.

Part of the proposal is a request for consideration for rezoning the property from R-1L Single Detached Residential to R-3 Medium Density Residential is this rezoning strictly for this one proposal and should the development not come to fruition would it revert back to R-1L?

In the covering document it does not show where the driveway entering Brackley Point Road in relation to the residences directly across from 88 Brackley Point Road exists and if it is the present right away to the existing house it is only wide enough for one vehicle at a time. You did say that the City Police had input into this access and that they would **only allow a right hand exit** as you are driving out of the development onto Brackley Point Road and **only a right hand entrance from the south of Brackley Point Road**. However there is no barrier marked in place that would show those exiting the development would have to go North and that all there would be would be sign of some sort. As we discussed you said it would be the police that would have to ensure that those leaving would be charged for making a left hand turn onto Brackley Point Road.

If a sign is posted at the entrance/exit with turn only is this put up by the City or the developer and is it enforceable under the Highway Traffic Act?

Is this a private development maintained by the owner with respect to snow removal and where would the snow be put?

In order to mitigate the traffic issue an **island** similar to that on University Avenue in front of the Sobey's store on the corner of University and Allan would be a possible option. Another option would be to make the entrance off Brackley Point Road an entrance only and an entrance exit on the Pope Avenue area.

From the schematic drawing that was provided it does not say if this roadway into the property is the original roadway into the existing house on the property.

Those living in the development who work in the City would have to enter Brackley Point Road and

either come out onto Brackley Point Road and then take a left on Pine to either Maple or Mount Edward Road to make a left turn into Charlottetown thus increasing the traffic by an Elementary School or drive up to the Round About on Oak and Brackley Point Road and circle to head back towards Charlottetown and the third option is to enter Pope Drive take a right up the hill to Duncan Heights and then out onto Brackley Point Road, thereby increasing the traffic by a Junior High School.

I have lived on Brackley Point Road for 25 plus years and I am fortunate enough to have a double driveway to be able to back into my property and exit driving out onto Brackley Point Road, On the occasion where I have had to back out onto this road and it's often a take your life in your own hands; it appears that I am the only home along this stretch that is able to drive out directly onto Brackley Point Road the other residents must back on to or make an effort to back into their driveways which is nearly impossible as the speeding traffic down the hill is almost on top of you, and causes great frustration for the motorists both backing in and those proceeding down the hill.

The intersection of Coles Drive, Brackley Point Road and Pine Drive do not line up and those on Coles Drive turning left on Brackley Point Road are often frustrated by try to navigate not only the fast moving vehicles coming down the hill but also those on Pine Drive that are entering either turning left or right or heaven forbid are heading up Coles Drive to go to Stonepark School. When school is in, the crossing guard at this intersection will stop the traffic in order to let school buses make a left turn into the City in order to pick up other students at Birchwood School or to take students to Stratford as they do not have a Junior High in Stratford.

There has been a marked increase in traffic on Brackley Point Road with the Government Buildings on the Ellis Brothers property, not to mention more food shops such as Tim Hortons, Sub Way, Quizno's, Maid Marion's and other business such as two pharmacies, a bakery, a bank, two furniture stores, shoe store, optical store, two service stations and a proposed Wendy's feeding down to a very confusing intersection. This area is two blocks from 88 Brackley Point Road. Not to mention there is an Elementary School one block away, a Day Care on the corner of the property and a Junior High School across Pope Road, therefore increasing foot traffic not to mention school bus traffic.

Brackley Point Road is also the most direct route to and from the City core to the Charlottetown Airport as well as the most direct route to the National Park in Brackley, PEI and as such has an extremely high volume of traffic on this road.

Based on the drawing I think there are some possibilities to mitigate some of this issue. One would be to have an **Entrance Only** off Brackley Point Road and a one way street with a road straight up to Pope Drive past the apartment building as well as the existing exit on Pope Drive by the Day Care. Or between the 2 proposed 2 storey townhouses marked for Lot 2 a road coming out and lining up with Cedar Avenue so that the issue that exists on the corner of Coles Drive, Brackley Point Road and Pine is not repeated. This would address the issue of emergency vehicles being able to access the property and allow for residents to exit without issues.

I am also concerned that the beautiful house that exists on the property is not included in this development as part of the City of Charlottetown Planning and **Heritage Department**. What is to become of this historic landmark? It is one of only a few stately homes left in the Sherwood Area and mostly notably the home of George Coles one of the Fathers of Confederation so that alone should designate it as a Heritage Property.

As per our discussion you said the trees that boarder the Matheson property to the South are not to be

disturbed. However, you may also not be aware that there is a fox den at the back of the property as well.

There are several old trees on the property that give it a heritage aesthetic and I would venture to say they are the last stately trees in the area and it would be a travesty for any or all of them to be destroyed in order to build what is purposed.

Karen Dunning
Resident

✓

Danielle Plante
65 Heather Avenue
Charlottetown, PEI, C1A 8H3
March 27, 2019

To: City of Charlottetown
Concern: Reject Permit #037-REZ-19

To whom it may concern:

I am Danielle Plante, a mother of 3 and a school teacher who lives at 65 Heather Avenue, Charlottetown.

I recently heard that there was an application submitted at the beginning of this year to the City of Charlottetown to re-zone the property located at 88 Brackley Point Road (PID 396770) from a Single Detached Residential R1L to Medium Density Residential R3 to accommodate a development of a 30 unit, 3 story apartment building facing Pope Avenue and a 16-unit townhouse development facing Brackley Point Road.

I bought our property on August 24th 2017. We were looking for a four bedroom house in a quiet neighborhood for our family. We are totally against this proposal. The two schools, Stonepark and Sherwood, and the daycare just in front of Stonepark already create concerns about the safety of our children and the students in the area. It is a low density, single detached residential neighborhood and these types of apartment buildings are not for this area.

Sherwood is a beautiful place to be with its nice green space and its quiet neighborhood. Let's maintain the quality of living for its residents.

Thank you for your attention regarding this serious issue.



Danielle Plante
Resident

Planning Department

From: Matthew Walker <walker.s.matthew@icloud.com>
Sent: Wednesday, March 27, 2019 9:05 AM
To: Planning Department
Subject: 88 Brackley Pt Road

To whom it may concern,

I wanted to write to express my concern over the proposed development at 88 Brackley Point Road. My family moved here from Alberta just over a year ago and when we were looking at property to purchase, the current zoning was a big consideration. We did not want to live in a high density neighborhood and Sherwood was perfect. Our daughter goes to Tiny Tots Daycare and will eventually go to Sherwood Elementary and Stonepark Middle School.

My concern is not the location of the development itself, but the size of the development and if Pope Ave has the capacity to accommodate the increase in traffic. Currently it can be dangerous walking my daughter to day care with car's speeding through Pope Ave, school buses, and cars parked along the side of the road waiting to pick their children up from Stonepark. In my mind it makes more sense to develop near the mall.

Also, I am concerned as to the precedent this may set for the other vacant lot on Brackley Point Rd, which is directly behind our home. Will this be re-zoned R3 as well? There was a recent application to build a 40 unit apartment building on that lot that was denied until a secondary plan for Sherwood had been drawn up or until another lot requested re-zoning. Will 88 BPR be the catalyst for approving 68 BPR as well? This would lead to a massive increase in traffic that would greatly affect the neighborhood and commute, not to mention pedestrian safety.

Thank you,

Matthew Walker
11 Pope Ave

✓
Brian and Tracey Matheson
82 Brackley Point Road
Charlottetown, PE
C1A 6Y2

March 25, 2019

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

Re: Development and rezoning proposed for 88 Brackley Point Road (PID #396770)

To Whom It May Concern,

We are writing today with regard to the development and rezoning proposed for 88 Brackley Point Road (PID #396770) outlined in the correspondence from the City of Charlottetown dated March 13, 2019.

We have reviewed the documents provided and are adamantly opposed to both the development as presented and rezoning the property from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

We have been living in our residence at 82 Brackley Point Road, which abuts the proposed development, since 2001. Our 18 years of experience living at this address leaves us with some significant concerns about the proposed development and rezoning which include: traffic volume, student safety, water runoff management and maintaining proper streetscape.

Traffic Volume

Getting in and out of our driveway on a daily basis is a challenge regardless of the time of day. Brackley Point Road, although called a minor arterial road in the proposed zoning amendment document, has a significant volume of traffic running both into Charlottetown and out toward the airport. Although the proposal suggests a "right in right out" restriction based on Fire Code regulations onto and off of Brackley Point Road, the addition of upwards of 75 vehicles, which could be expected in a development of this size, would add to the present difficulties of entering and leaving driveways for Brackley Point Road residents.

Who will be enforcing the "right in right out" restriction? Traffic generally moves along the Brackley Point Road at a rate that appears to be significantly above the posted speed limits, and we rarely see vehicles stopped for speeding. As we understand police resources are at a premium, we are very concerned at how this "right in and right out" will be enforced and how the added volume of traffic entering and leaving Brackley Point Road will affect the residents ability to access Brackley Point Road safely from their driveways.

As a result of our experience and concerns, we would ask that a complete traffic analysis be completed for a development and rezoning of this nature.

Student Safety

To compound the increase in traffic volume on Brackley Point Road, the suggested main access to the proposed development will be on Pope Avenue. A large volume of children between the ages of 5 and 18 walk to either Sherwood Elementary or Stonepark Intermediate each morning and afternoon using Pope Avenue as part of their route. Anyone who has witnessed the drop off and pick up times at either school would be familiar with the semi-organized chaos that occurs at both times with the large volume of buses, personal vehicles and students walking. Adding up to 75 additional vehicles to this volume, as well as, the volume of vehicles dropping off children at the Tiny Tots Daycare on the adjacent property will greatly compromise student safety. The most logical access onto Brackley Point Road from the Pope Avenue exit/entrance to the proposed development would be via Coles Drive. This is where the Brackley Point Road school crossing guard is located. This added traffic volume is of great concern and will make the crossing guard's already difficult job more difficult and compromise the safety of students walking to school.

Our son has to cross Brackley Point Road in front of our house to access the sidewalk and eventually the crossing guard on Coles Avenue. It is not unusual with the current traffic volume for him to have to wait for more than 5 minutes to be able to cross safely. Adding vehicles from such a large development will make matters worse.

We are very concerned about the safety of those students who walk to Sherwood Elementary and Stonepark Intermediate on a daily basis and feel this safety should be a priority when making a decision on this proposal and rezoning. As such, we would ask that the Public Schools Branch or someone familiar with the safety of our students be consulted to ensure the safety of our children is in no way compromised.

Water Runoff Management

Water runoff and containment has historically been an issue along Brackley Point Road especially when new construction takes place. As home owners, we have experienced such water issues and want to ensure we don't incur further damage as a result of new construction.

Removing this large acreage of green space without proper plans for managing the volumes of water that would normally be absorbed and displaced in that green space will result in flooding issues for the development itself and adjacent properties. Because we are experiencing more extreme weather events that include storms that involve greater volumes of precipitation, a comprehensive water runoff management plan will be critical to prevent damage to surrounding properties.

Maintaining Proper Streetscape

Section 3.2 of the City of Charlottetown's Official Plan states in essence that any new development should be "physically related to its surroundings" in "footprint, height, massing and setbacks."

In comparing the proposed new development and rezoning, it is quite apparent that neither the development nor the rezoning match in any way the current neighbourhood or its surroundings and would stand out like a sore thumb. As such, the proposed development and rezoning would appear not to match the current neighbourhood in footprint, height, massing or setback; thus, clearly does not meet the objectives set out in Section 3.2 of the Official Plan.

This area is developed as a low density, single detached, residential neighbourhood. Because developments like the one proposed for 88 Brackley Point Road weren't originally contemplated when this area was developed, approving the proposed development and rezoning could have a long term negative impact on this neighbourhood if issues related to traffic, safety, water runoff and streetscape are not considered and addressed. This area was not planned or developed in a manner that would allow for such a large development with an increased rezoning density. The long term impact on this neighbourhood should be strongly considered before a decision is made. Once the rezoning occurs, it can't be reversed and could lead to other rezoning and development requests that will have further long lasting negative impacts on the area.

We are not opposed to progress and fully understand the need for housing in the City; however, housing cannot simply be constructed, because there is a green space available. It must be properly planned with the makeup of current neighbourhoods in mind. This proposed development clearly doesn't do that. As such, we are adamantly opposed to both the development and rezoning as proposed.

Regards,



Brian and Tracey Matheson

Cc: Councillor Julie McCabe - Ward 9

Planning Department

From: Julie McCabe <julynnemccabe@gmail.com> ✓
Sent: Monday, March 25, 2019 9:34 PM
To: mhwigginton@bellaliant.net
Cc: Planning Department
Subject: Re: INFO RE: Public Consultation Meeting on Rezoning 88 Brackley Pt Road

Thank you for the email. I hope you are enjoying your vacation. I'm going to include planning on this email so they also have your concerns. We will be in touch I'm sure.

Julie

Sent from my iPhone

On Mar 25, 2019, at 9:26 PM, "mhwigginton@bellaliant.net" <mhwigginton@bellaliant.net> wrote:

Hi Julie:

Thanks for providing us with the information concerning the zoning change at 88 Brackley Point Road.

Sorry we are not going to be in attendance for the zoning meeting but we are definitely opposed to this change.

This area of the city of Charlottetown zoned as R1L should remain as such because the school bus traffic and student pick-up and drop-of flow created by Stonepark school and Brackley Point Road makes it vary unsafe for children walking to and from Sherwood Elementary and Stonpark Junior High.

Adding the vehicles from an additional 46 housing units exiting onto Pope Avenue will totally congest an already congested area.

Please vote against changing the present zoning from R1L single detached residential to R3 medium density residential.

We appreciate your support.

Merrill and Audrey Wigginton

15 Pope Avenue

Charlottetown, PE

C1A 6N4

Planning Department

From: Mayor of Charlottetown (Philip Brown) ✓
Sent: Monday, March 25, 2019 9:23 PM
To: Jerry Ivany; Planning Department
Cc: McCabe,Julie L.
Subject: RE: Lot 88 Brackley Pt Rd rezoning application

Jerry:

Thank you for your feedback and, hopefully you will be attending the Public Meeting this Wednesday meeting!

Philip Brown
Office of the Mayor
Charlottetown, P.E.I.

From: Jerry Ivany [jaipag@eastlink.ca]
Sent: Monday, March 25, 2019 9:42 AM
To: Planning Department
Cc: Mayor of Charlottetown (Philip Brown); McCabe,Julie L.
Subject: Lot 88 Brackley Pt Rd rezoning application

All;

Please find attached response to proposed rezoning application for Lot 88 Brackley Pt Rd.

Jerry A Ivany
17 Pope Ave

Planning Department

From: Julie McCabe <julynnemccabe@gmail.com>
Sent: Saturday, March 23, 2019 1:37 PM
To: Planning Department
Subject: Fwd: PUBLIC MEETING RE: Rezoning Application for 88 BRACKLEY PT ROAD

Sent from my iPhone

Begin forwarded message:

From: "leigh.sentner" <leigh.sentner@pei.sympatico.ca>
Date: March 23, 2019 at 1:11:27 PM ADT
To: Julie McCabe <julynnemccabe@gmail.com>
Subject: Re: PUBLIC MEETING RE: Rezoning Application for 88 BRACKLEY PT ROAD

Hi Julie; I am concerned regarding this potential development for 88 Brackley Point Road. The Planning and Heritage Department are excellent at protecting heritage properties within "Old Charlottetown ". What is the policy for protection of properties within Sherwood and would this property be considered a Heritage property ?as we are all within Charlottetown now. Also, what is the traffic plan and where do they plan to access the entrance /exit and also if they plan to access Heather Drive there may be safety issues re close proximity to the daycare . And potential access could present problems toward Brackley Point Road. Also I viewed the property today and the land is very low, like here where we live. Are they planning to create storm sewers etc . to mitigate potential water run off problems and flooding?Thanks again for the info. Leigh S. 99 Oak Drive, Charlottetown, P.E.I p.s. If there is a petition to sign by immediate residents I would be happy to do so.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Julie McCabe <julynnemccabe@gmail.com>
Date: 03-11-2019 22:30 (GMT-04:00)
To: jlmccabe@edu.pe.ca
Cc:
Subject: PUBLIC MEETING RE: Rezoning Application for 88 BRACKLEY PT ROAD

I am sending you this email so you have some information about an application that is going to a public meeting. There is an application in front of council for a rezoning of a property located at 88 Brackley Pt Road. They are requesting for this property to be rezoned to an R-3 Medium Density Residential from an R1L low density that it is now zoned as.

The applicant wants to rezone 3.04 acres of land, which is currently an R1L (single detached residential) and is occupied by a single family dwelling. The proposal is to demolish the single detached dwelling and subdivide the property into two lots. They would like to rezone these lots

Planning Department

From: Marilyn White <molly01@live.ca>
Sent: Friday, March 22, 2019 11:58 AM
To: Planning Department
Subject: Rezoning of 88 Brackley Point Road

We are strongly against the rezoning of 88 Brackley Point Road to Medium Density Residential and the building of apartment complex and townhouse complex.

First of all, we were very upset to hear of this proposal from a client after it was posted on your web site and was public knowledge without us receiving any notification.

We are owners of Tiny Tot Early Years Centre on 55 Pope Ave and have been serving parents childcare needs in the area for many years. We provide service for over 80 families and provide employment for approx 15 staff. This proposal would be adjacent to our parking lot and would greatly increase the amount of traffic on Pope Ave. Currently that street is very busy in morning and evening with parents dropping off and picking up along with staff vehicles and deliveries. This is besides the heavy traffic from Stonepark Junior High with buses, staff, and parents along with students walking to and from not only that school but also Sherwood Elementary. There is only 1 stop sign on Cole Avenue and is easily ignored by 80% of the traffic. And along with that is the heavy traffic on Brackley Point Road at these times of day and children trying to cross the highway.

This proposal would be adjacent to our Centre with another driveway close to ours which would mean much more traffic coming and going .

It is currently very busy on Pope Ave in morning and afternoon hours, especially around Stonepark School as parents are parked on both sides of the street from before the school, and down towards our Centre waiting for their children, which is very unsafe with students walking everywhere. The added traffic that is being proposed would be overwhelming for the area and more dangerous for the children coming and going to these 2 schools along with more traffic for our parents to contend with.

This type of proposal is very much needed to help with the availability of affordable housing in the area but it should not be approved for small residential area with students from 2 schools walking daily to and from, and buses, parents, staff, along with our parents and staff which already creates a high traffic area at certain times of the day.

We strongly urge the council to deny this proposal for the safety of all.

Yours truly
Carl Connick & Marilyn White
Owners, Tiny Tot Early Years Centre
55 Pope Ave

Sent from my iPhone

to R3 to facilitate construction of a 30 unit, 3 story apartment building on one lot and a townhouse development on the other lot.

I am told that the meeting will be held on **Monday, April 1st**. There will be notice in the paper and on the city hall website confirming this time. I will send along another email as we get closer to the date as a reminder. If this date isn't correct, I will send out the correct date once I know.

I just want to make sure that you have the opportunity to attend this meeting and to voice your thoughts/concerns at this time. The council will be there to hear your thoughts and will be able to make an informed decision on this application. It is important to attend if you feel strong either way about this proposal. Please feel free to share your thoughts with me as well and I can pass any correspondence along to the planning board on your behalf.

This is all for now
Julie McCabe
Ward 9 Councillor

Planning Department

From: Julie Mccabe <julynnemccabe@gmail.com>
Sent: Thursday, March 21, 2019 7:29 PM ✓
To: Planning Department
Subject: Fwd: DATE FOR PUBLIC MEETING

Sent from my iPhone

Begin forwarded message:

From: Gayle Cormier <gayledcormier@gmail.com>
Date: March 12, 2019 at 12:28:30 PM ADT
To: Julie Mccabe <julynnemccabe@gmail.com>
Subject: Re: DATE FOR PUBLIC MEETING

Hi Julie,

Thanks for the information. John & I won't be back on time for the meeting. We definitely wouldn't want to see an apartment building at the end of our street.

There is too much congestion already with the school buses and cars trying to get on Brackley Point Road. The crossing from Coles to Pine does not need

more congestion and safety issues. Too many people in an apartment building and too many of the same old cheap apartment buildings. This would also decrease the value of the homes in our area. The townhomes will probably be two-story and seniors need one level townhomes with no stairs. Who is the builder?

Thanks again, Gayle

Planning Department

From: Julie Mccabe <julynnemccabe@gmail.com>
Sent: Thursday, March 21, 2019 7:28 PM
To: Pat Gill; Planning Department
Subject: Re: DATE FOR PUBLIC MEETING

Thank you Pat - I am forwarding your email to planning so they will have it on record as well. Hope all is well.
Julie

Sent from my iPhone

On Mar 21, 2019, at 7:19 PM, Pat Gill <patgill63@gmail.com> wrote:

Have just been informed of the request that will be submitted to change zoning to permit the building of an apartment building and town houses on the land across from Stonepark high school. I would like to ask that you support us in voting against this proposal. Our quiet residential neighbourhood does not need the additional density and traffic.

Pat Gill
10 Valdane Avenue

Sent from my iPad

On Mar 12, 2019, at 10:07 AM, Julie Mccabe <julynnemccabe@gmail.com> wrote:

The public meeting will be held **MARCH 27, 2019 WEDNESDAY , 7:00 PM AT THE PROVINCE ROOM, RODD CHARLOTTETOWN HOTEL, 75 KENT STREET.**

Thanks
Julie

Planning Department

From: McCabe, Julie L.
Sent: Thursday, March 21, 2019 8:11 AM
To: Planning Department
Subject: One more email

Hi Julie

Just want to let you know that I am against the rezoning and have signed a petition that Jeremy and Cindy Crosby are circulating. This will just be the start for others if this goes through. This is a single family dwelling neighbourhood and should remain so.

There is too much traffic on the street already with the school, daycare and vehicles wanting to avoid the lights at Belvedere.

Thanks for keeping us updated re our ward.

Doreen Connolly

Sent from my iPad

Sent from my iPhone

Planning Department

From: McCabe, Julie L.
Sent: Thursday, March 21, 2019 8:10 AM
To: Planning Department
Subject: ReZone email

Please note following email

On Mar 21, 2019, at 8:00 AM, Matthew Walker <mwalker@ihis.org<<mailto:mwalker@ihis.org>>> wrote:

Hi Julie,

I wanted to write to express my concern over the proposed development at 88 Brackley Point Road. My family moved here from Alberta just over a year ago and when we were looking at property to purchase, the current zoning was a big consideration. We did not want to live in a high density neighborhood and Sherwood was perfect. Our daughter goes to Tiny Tots Daycare and will eventually go to Sherwood and Stonepark.

My concern is not the location of the development itself, but the size of the development and if Pope Ave has the capacity to accommodate the increase in traffic. Currently it can be dangerous walking my daughter to day care with car's speeding through Pope Ave, school buses, and cars parked along the side of the road waiting to pick their children up from Stonepark. In my mind it makes more sense to develop near the mall.

Also, I am concerned as to the precedent this may set for the other vacant lot on Brackley Point Rd, which is directly behind our home. Will this be re-zoned R3 as well?

Thank you,

Matthew Walker
11 Pope Ave

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Sent from my iPhone

Planning Department

From: McCabe,Julie L.
Sent: Wednesday, March 20, 2019 5:13 PM ✓
To: Planning Department
Subject: Fwd: Permit application #037-REZ-19

Please see letter from resident. Do you want me to forward all correspondence I receive?

Thanks

Julie

Sent from my iPhone

Begin forwarded message:

From: Shannon Burke <shannonburkepei@gmail.com>
Date: March 20, 2019 at 4:11:09 PM ADT
To: "McCabe,Julie L." <jlmccabe@charlottetown.ca>
Subject: Re: Permit application #037-REZ-19

Please do! Thanks!

Sorry to bother you on vacation...I just wanted to get my letter in!

On Wed, Mar 20, 2019 at 3:41 PM McCabe,Julie L. <jlmccabe@charlottetown.ca> wrote:
Hi Shannon thanks for the email - I appreciate your email and I have heard from many residents with the same concerns! I do a pick up at Stonepark so I hear your concerns - are you ok with me sharing your email with planning?
Julie

Sent from my iPhone

> On Mar 20, 2019, at 3:33 PM, Shannon Burke <shannonburkepei@gmail.com> wrote:

>

> Good afternoon Councilor McCabe,

>

> I grew up in Sherwood on Birchill Drive and attended both Sherwood Elementary and Stonepark Junior High. After 15 years in Harrington, my husband and I moved our family back to Sherwood in 2016, as this is where we wanted to raise our family. Our home is located on Messer Avenue and both of our children choose to walk to school every morning to attend Sherwood Elementary and Stonepark.

>

> We recently became aware of the re-zoning application approved for public consultation for the property located at 88 Brackley Point Road (PID 396770). This property reaches from Brackley Point Road to Pope Avenue, directly across from Stonepark, and is on the direct path of children walking to Stonepark and Sherwood Elementary. The proposal for this property is to subdivide it and re-zone it from single detached residential R-1L, consistent with the rest of this core area of Sherwood, to medium density residential (R-3), in order to accommodate a 16-unit townhouse complex facing Brackley Point Road and a three-story 30-unit apartment building

with underground parking facing Pope Avenue. It is my understanding that the main exit for this complex would be located on Pope Avenue, as the City Police would not support anything other than a right-turn-in and right-turn-out on Brackley Point Road, due to existing traffic issues. As you know, Sherwood was developed as a low density residential area with R3 zoning located primarily around the perimeter of the community. Original planning for Sherwood did not take into consideration higher levels of density. The potential impact of adding another 46 units and associated traffic funneling out onto Pope Avenue in the morning is very concerning. Children and cars already have a difficult time navigating this particular section because of existing traffic. The addition of another 60+ vehicles poses significant safety issues. I can assure you that this is not a case of, "not-in-my-backyard", as my property is likely closer to the large apartment units on St. Peter's Road than it is to the property in question. However, my children walk that path every day, sometimes before the sidewalks are plowed, and I am concerned for their safety. The intersection of Pine/Brackley Point Road/Coles has been the site of many accidents over the years. I don't feel we need to add to this, especially given the number of children that walk through here daily.

>

> I am also concerned about the transparency and accountability of a municipal government who, just two months ago in January, made amendments to the City's Official Plan and Future Land Use map and did not even consider changes to the low density residential zoning for the core area of Sherwood. Rather, other areas, such as the Charlottetown Mall area, were identified as targets for increased residential densities, commercialization, etc. In addition to this, an application to re-zone this same property to accommodate two 36 unit apartment buildings was rejected in 2016 because the Board felt that the density was too high for the neighborhood and the bulk, mass and scale of the buildings were not in keeping with the surrounding area. While a townhouse development might ease this concern, a three story, 30 unit apartment building with underground parking certainly does not. Has the City reconsidered its objective to "preserve the built form and density of Charlottetown's existing neighborhoods, and to ensure that new development is harmonious with its existing surroundings"? If so, what has changed since January 2019, when the Plan was last amended? If not, why has this application been approved for Public Consultation rather than rejected?

>

> The fact that this application has made it so far already, with one city councilor already expressing his support for the project on social media, is disturbing, especially when the notification period happened over March Break when many families in this ward are on vacation. It gives residents very little time to have their voices heard and, in the case of one councilor, it sounds as though his mind has already been made without input from his constituents at a public meeting.

>

> Approval of this proposal is precedent setting and has the potential to change the existing landscape of the Sherwood community. My understanding is that there have already been applications in to re-zone a vacant lot a few doors down from this one to accommodate an apartment building. If this application was to be approved, no doubt the other will follow. It would be very difficult for Council to reject one after already agreeing to another in the same area. I encourage you to consider the potential domino effect of this change, not only within Sherwood, but also in all other residential areas of every ward in Charlottetown, including those that fall into school zones.

>

> I understand the need for housing, particularly in places where people can access much needed services, such as hospitals and transit. However, development without proper planning will only cause problems later on with safety, traffic, drainage, infrastructure, etc. I can assure you that most residents in our community do not support this rezoning application.

Consideration of a request to move to R2 would likely be met with much less opposition. I would also suspect that a similar application in a more suitable area, such as St. Peter's Road, might be more acceptable.

>

> I know that you also grew up in Sherwood and are very familiar with this area. I encourage you to consider the potential impact of an approval to the Sherwood community, as well as to other low density residential communities in other wards.

>

> Thank you for your time,

>

> Shannon Burke

> Messer Avenue

To: Charlottetown City Council and Planning Board: ✓

Date: March 21, 2019.

From: Jerry A. Ivany, 17 Pope Ave

RE: Rezoning Lot 88 Brackley Point Rd from R-1L to R3 Application

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. That is the agreement I believe I should be able to expect from the City of Charlottetown. The area contains properties that are well maintained and many of the residents know their neighbours for streets around the area. We take pride in our neighbourhood and our properties and enlarge, renew, and update as changes are required. We have had at least 5 applications to downgrade the zoning. Neighbourhood families have worked together to defeat these, pointing out why such changes would not be a change beneficial to the city, our neighbourhood, and families. This should be sufficient to show Council that there is no desire for rezoning in the neighbourhood.
- Owners of single family homes are being ignored in the City of Charlottetown and neighbourhoods are under constant pressure with rezoning applications. The frenzy to parachute apartment buildings and other structures that are not appropriate for single family areas has to stop.
- A Kindergarten is located next to the proposed extension of Heather Ave. Stonepark Jr High has separate entrance and exit on Pope Ave and the exit is located on a 90 degree turn as is the crosswalk. Busses and parent car traffic, dropping off and picking up students, in the morning and afternoon is very high which will put small children at risk. Cars are not allowed on Stonepark School property, so cars line on both sides of Pope Ave.
- Exit from Coles Dr on to Brackley Pt Rd will become much more dangerous as streets do not line up and visibility southward is restricted. Young children walking to and from Sherwood Elementary School as well as the Crossing Guard will be put at significantly greater risk.
- Using the city of Charlottetown allowable frontage of 66 ft and minimum lot size of 5,800 sq ft / lot this property has space and aspect to easily allow development of at least 20 single family homes with direct street access as 3 sides of the property border present streets and the proposed extension of Heather Ave to the south adds much more street side access. Rezoning adds nothing appropriate to the neighbourhood. Houses in the

\$250,000 to \$300,000 are most wanted by buyers (Guardian March 22), and adding single family houses of this size to this neighbourhood would be attractive.

- The city has voted to allow the addition of apartments in existing houses and inclusion of garden suites on lots. Should this happen in our neighbourhood, car numbers would increase greatly further affecting traffic and increasing making access to the kindergarten and schools much more hazardous for children.
- This neighbourhood is a very desirable location for single family homes and property values can be expected to decline if rezoning is approve.
- Large apartment buildings and increased density of this sort in this area was recently noted in the Official Plan of the city as not suitable for this neighbourhood.

March 26, 2019

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

Re: Future Land-use Map Amendment and Zoning Amendment (PID # 399770) 88 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 safety reasons and the architectural harmony of the area.

On March 17, 2019, I was surprised to hear that an application was submitted to and being considered by the City of Charlottetown to re-zone the property located at 88 Brackley Point Road, Charlottetown (PID 396770) from Single Detached Residential R1L to Medium Density Residential R3 to accommodate the subdivision of the property and development of a 30 unit, 3 story apartment building facing Pope Avenue and a 16-unit townhouse development facing Brackley Point Road.

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 March 4, 2019 Planning and Heritage Committee Meeting. Within that report prepared by Laurel Palmer Thompson, MCIP Planner II the following items/concerns were identified:

- There was a proposal to rezone this property in 2016 from R-1L to R3 to facilitate the construction of two 36 unit apartment buildings. At that time the board voted not to advance the application to public consultation. The board felt the proposed density of the 72 units was too high for the neighbourhood. As well, they also determined that the bulk, mass, and scale of the proposed apartment buildings were not in keeping with the surrounding neighbourhood.
- 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.

- There is a possibility that this rezoning has the potential to change the long term direction of this neighbourhood and may lead to additional rezoning requests for other properties in the area.
- The site is located in a mature low density neighbourhood and although the building has been scaled back in density and relocated on the site away from the existing housing it still could be viewed as out of scale for the neighbourhood.
- Under the Conclusion section, it indicated that staff have concerns that the rezoning of a property within a mature neighbourhood from single detached residential to medium density residential to accommodate a 46 unit development may cause concern within the neighbourhood. This may also be viewed as a spot zone.

The report did not seem to address the concerns with the additional traffic that will be generated in an already congested area with daycare, Junior High School and sports field all competing for limited space on a low capacity street with intersections and turns.

This also has the potential to lead to additional requests for rezoning in the area of the Brackley Point Road between Coles Drive and Duncan Ave which would further disrupt the existing low-density residential area.

In addition to the above, this request for rezoning of this parcel of land goes against the City of Charlottetown Future Land Use Map that was review and amended on January 8, 2019. On this map, it clearly shows that this area is to remain Low-Density Residential (R1L).

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

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

For all the points noted above, we, the citizens of the City of Charlottetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Juracy Matheson	82 Brackley Pt Rd	902-892-0349	Juracy Matheson	March 19
Brian Matheson	82 Brackley Pt Rd	902-892-0348	Brian Matheson	March 19
Sydney Matheson	82 Brackley Pt Rd	902-218-6727	Sydney Matheson	Mar 25/19
Barli Driscoll	28 Herbert St	368-2417	Barli Driscoll	March 23/19
Ray Driscoll	28 Herbert St	368-2417	Ray Driscoll	March 23/19
Justin Driscoll	26 Edinburgh Dr	902-218-7806	Justin Driscoll	March 23/19
Kate Ryan	26 Edinburgh Dr	902-330-1661	Kate Ryan	March 23/19
Eana Constable	30 Herbert St	902-368650	Eana Constable	Mar 23/19
Robert Constable	30 Herbert St	902-368-2650	Robert Constable	Mar 23/19
Sue McCheskey	44 Dorchester Ave	902-314-4537	Sue McCheskey	Mar 26/19
Brenda McKenna	138 Heather Ave	902-367-4940	Brend McKenna	Mar 26/19
Jennifer Farguhar	115 Mackenna Rd	902-626-7050	Jennifer Farguhar	Mar 26/19
Cornie Corrigan	15 Falconwood Dr	902-892-1887	Cornie Corrigan	Mar 26/19
Kim Perry	3 Hughes Court	902-388-1499	Kim Perry	Mar 26/19
Owen Matheson	82 Brackley Pt Rd	902-916-9259	Owen Matheson	Mar 26/19
Kathy Cronin	13 Shawanook Dr	902-628-6159	Kathy Cronin	Mar 27/19
Lindy Crosby	71 Birdview drive	902-393-5370	Lindy Crosby	March 27
Cheryl Gaudet	15 Juniper Dr.	902-393-5884	Cheryl Gaudet	Mar. 27/19
Carolyn Huntington	53 Cedar Ave	902-566-1671	Carolyn Huntington	Mar 27/19

19
22

PLANNING
Road March 27, 2019 in 52

Petition to the City of Charlottetown to Reject Permit #037-REZ-19

On February 1st, 2019 an application was submitted to the City of Charlottetown to re-zone the property located at 88 Brackley Point Road, Charlottetown (PID 396770) from Single Detached Residential R1L to Medium Density Residential R3 to accommodate the subdivision of the property and development of a 30 unit, 3 story apartment building facing Pope Avenue and a 16-unit townhouse development facing Brackley Point Road. On March 4, 2019, the Planning Board advanced the application to City Council, who then, on March 11th, approved the application to proceed to public consultation. **The Public Meeting is set for March 27, 2019 at 7:00pm at the Rodd Charlottetown Hotel.**

This core area of Sherwood was developed as a low density, single detached residential neighborhood and higher density development was not factored in to long term planning. As recently as January 2019, the City's official plan and Future Land Use map was amended and at this time the City intended to maintain Low Density Residential zoning for this area.

This property is located across from Stonepark Junior High and on the route for many walkers heading to Sherwood Elementary. There are already concerns about the safety of students in this area due to the existing heavy traffic at drop off and pick up time. The addition of another 46 units and associated vehicles, with the main exit being located on Pope Avenue, only further compounds safety issues for residents and motorists in the area. Although there are properties zoned R3 in Sherwood, they are located on the perimeter of the community where planning was designed to handle higher density traffic and not on the walking route for students attending Stonepark or Sherwood Elementary.

Further, the City's Official Plan did not identify the core of Sherwood as an area for higher density residential expansion. Rather, in the plan, the Charlottetown Mall area was recognized as a targeted area for higher density residential development, as well as a mix of commercial and institutional uses. One of the objectives of the Official Plan is to "preserve the built form and density of Charlottetown's existing neighborhoods, and to ensure that new development is harmonious with its surroundings." In 2016, an application for re-zoning on this same property (88 Brackley Point Road) for the development of two 36-unit apartment buildings was rejected because the Board felt that the density was too high for the neighborhood and the bulk, mass and scale of the buildings were not in keeping with the surrounding neighborhood. We feel the current application still carries the same hindrances. Although there is only a proposal for one large apartment building, this rezoning application is precedent-setting for the area as well as in other wards. It opens up opportunity for any number of vacant lots or lots with lower valued homes to apply for and receive permission to rezone and potentially encumber the area with more apartment buildings.

327
137
186.

For all the points noted above, we, the citizens of the City of Charlottnetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Josh Powell	67 Heather Ave	902-	[Signature]	March 2019
Deek Smith	69 Heather Ave		[Signature]	March 20
Shavon Macdonald	69 Heather Ave		[Signature]	March 20 th
Arlene macdonald-smith	69 Heather Ave		[Signature]	March 20 th
CODY SMITH	67 Heather Ave		[Signature]	March 20 th
Cheryl Frizzell	71 Heather Ave		[Signature]	Mar 20
Andy Frizzell	"		[Signature]	Mar 20
Nicholas Frizzell	"		[Signature]	Mar 20
Zorana Danyiel	73 Heather Ave.		[Signature]	Mar 20
Will Morrison	80 Brackley Pt Rd		[Signature]	Mar 21
Co J Morrison	80 Brackley Pt Rd		[Signature]	Mar 21
Isabella White	80 Brackley Pt Rd		[Signature]	Mar 21
Blaire White	80 Brackley Pt Rd		[Signature]	Mar 21
Torce white	80 Brackley Pt Rd		[Signature]	Mar 21
Shelley Morrison	80 Brackley Pt Rd		[Signature]	Mar 21
DAVID MORRISON	80 Brackley Pt Rd.		[Signature]	Mar 21
CHRIS HOBBS	13 Messer Ave		[Signature]	Mar 21
Bashir May	19 Messer Ave		[Signature]	March 21-2019

For all the points noted above, we, the citizens of the City of Charlottdtown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Kim Young	101 Brackley Rd		Kim Young	2019-Mar-20
Jennifer Young	110 Brackley Rd		Jennifer Young	2019-Mar-20
Joy Crozier	61 Cedar Ave		Joy Crozier	2019-Mar-20
Don Crozier	61 Cedar Ave		Don Crozier	2019-Mar-20
Ferne Cahill	59 Cedar Ave		Ferne Cahill	20/3/19
JoAnne Jay	51 Cedar Ave		JoAnne Jay	20/3/19
Grant Jay	51 Cedar Ave		Grant Jay	20/3/19
Isaac Jay	51 Cedar Ave		Isaac Jay	20/3/19
Liam Jay	51 Cedar Ave		Liam Jay	20/3/19
Ida Norman	Weymouth		Ida Norman	20/3/19
Jordan Stevenson	59 Cedar Ave		Jordan Stevenson	20-Nov-2019
Robin Stevenson	59 Cedar Ave		Robin Stevenson	Nov 2019
Daniel Stewart	96 Brackley Point Rd		Daniel Stewart	March 2019
Rachel Debraun	96 Brackley Point Rd		Rachel Debraun	Mar. 2019
Salafa Mayaleh	63 Heather Ave		Salafa Mayaleh	Mar. 2019
Naimez Mayaleh	63 Heather Ave		Naimez Mayaleh	Mar. 2019
Majid Mayaleh	63 Heather Ave		Majid Mayaleh	Mar. 2019
Renee Mayaleh	19 Messer Ave		Renee Mayaleh	March 20, 2019

For all the points noted above, we, the citizens of the City of Charlotetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-11) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
DAVID SHAW	2060 RTE 25	213-9554	<i>David Shaw</i>	02/27/19
Shannon Burke	8 Messer Avenue	626-2320	<i>Shannon Burke</i>	3/20/19
Trynile	8 Messer Ave	314-4630	<i>Trynile</i>	07/24/18
Louise Gauthier	12 Messer Avenue	894-4340	<i>Louise Gauthier</i>	03/21/19
LOUIE "	"	"	<i>Louise Gauthier</i>	03/21/19
GEORGE BRAMMER	14 "	367-2111	<i>George Brammer</i>	03/21/19
Roxanne Brammer	14 Messer Ave	367-2111	<i>Roxanne Brammer</i>	03/21/19
SILVIA ADAMS	10 Messer Ave	200-7541	<i>Silvia Adams</i>	03/21/19
Michelle Johnston	6 Messer Ave	626 8913	<i>Michelle Johnston</i>	03/21/19
Tom O'Keary	5 Messer	566 1659	<i>Tom O'Keary</i>	01/21/19
Michelle McCullough	7 Messer	393 8166	<i>Michelle McCullough</i>	01/31/19
GREG MCCULLOUGH	7 "	902 363204	<i>Greg McCullough</i>	2/10/19
APARNE HUBER	9 Messer Ave	902 594494	<i>Aparne Huber</i>	01/04/19
Kathleen Peterson	9 Messer Ave		<i>Kathleen Peterson</i>	2/13/19
Kibbie Barker	185 St Peters Rd	962 566 5720	<i>Kibbie Barker</i>	2/10/19
Richard Roy	165 St Peters Rd	902 626-6829	<i>Richard Roy</i>	2/10/19
Carol + Kena Tierney	16 Valdave Ave	202-892-9948	<i>Carol Tierney</i>	2/10/19
Henk Bondt	12 Valdave Ave	902 367-6262	<i>Henk Bondt</i>	2/13/19

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Judy Bondt	18 Vallon Ave	902-367-6262	Judy Bondt	2/13/19
Pat Gill	10 VALDARNE	902-367-0602	P. Gill	2/13/19
Elizabeth Stewart	7 Valdane Ave.	902-894-4885	Elizabeth Stewart	2/13/19
J.K. Stewart	7 Vallon Ave.	902-894-4890	J.K. Stewart	2/13/19
Jessica Mitchell	4 Messer Avenue	902-393-3470	Jessica Mitchell	25/3/19
Brandon Mitchell	4 Messer Avenue	902-393-9490	Brandon Mitchell	25/3/19
Steven Butler	24 Arcona Drive		per Steven Butler	3/25/19
Alicia "	24 Arcona		per Alicia Butler	3/25/19
Judy "	24 Arcona		per Judy Butler	3/25/19
Carson "	24 Arcona		per Carson Butler	3/25/19
Christina Goguen	3 Arcona Dr	902-367-6466	C. Goguen	3/25/19
Martin Goguen	3 Arcona Dr.	902-369-6466	Martin Goguen	3/25/19
Jingyue Peng	5 Arcona	902-888-5111	Jingyue Peng	3/25/19
Xiaoyun Peng	17 Arcona Dr.	902-388-7888	Xiaoyun Peng	03/25/19
Jingman Tam	17 Arcona Dr.	902-626-9438	Jingman Tam	03/25/19
Yue Na Zhang	- - -	902-388-7888	Yue Na Zhang	03/25/19
Miss. Prudhominis	25 Arcane Dr.	902-228-6159	Miss. Prudhominis	2019-03-25
Barbara Mar-Miller	47 Arcona	368-2370	Barbara Mar-Miller	2019-03-25

For all the points noted above, we, the citizens of the City of Charlottetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-11) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Stephanie Mackinnon	650 Rowe 225 Hampshire PEI	902-394-5808	SMackinnon	Mar 21 2019
Heidi Willock	96 Oak Dr. Charlottetown PEI	613-662-6658	Heidi Willock	March 21 2019
Andy Drake	258 Killarney Rd Harrington PEI	902-440-2972	Andy Drake	March 21 2019
Kristy Myers	3015 Oak Ridge Dr Charlottetown, PEI	902-629-5233	Kristy Myers	March 21 2019
Craig Myers	" "	" "	Craig Myers	March 21 2019
Melanie Cochrane	5076 Rennies Rd Huntsville PEI	902-940-9224	Melanie Cochrane	March 21 2019
Kyle Knehrre	640 10th 225 Hampshire PEI	902-629-5813	Kyle Knehrre	Mar. 21 2019
Amanda Whalen	1824 Bannockburn P.O. Cornwall PEI	902-940-0112	Amanda Whalen	March 21 2019
Dianne Whalen	" "	902-940-0878	Dianne Whalen	March 21 2019
Jenny Baglobe	204 Beveridge Ave Charlottetown PEI	902-314-1670	Jenny Baglobe	March 21 2019
Trevor Cochrane	19777 Apt 3 Hunter River	902-213-7906	Trevor Cochrane	March 21 2019
Tanya Wiltshire	209 Millbrook Road Huntsville PEI	902-880-7386	Tanya Wiltshire	March 21 2019
Laura Richardson	164 Major's Rd, Statenburg PEI	902-394-3115	Laura Richardson	March 21 2019
Steff Taylor	23 Haven Pt Apt 12 Stratford PEI	225 3774	Steff Taylor	March 21 2019
Harminder Sekhon	C-Down, PE 269 Norwood Rd	647-975-7686	Harminder Sekhon	March 21 2019
Tara Langmeier	Stratford PEI	(81) 24 6551	Tara Langmeier	March 21 2019
Dale Bernard	50 Kenlea Dr Becantown	902-367-9071	Dale Bernard	March 21 2019
Wendy Cochrane	Becantown Drive	902-201-1185	Wendy Cochrane	March 21 2019

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Name	Address	Phone #	Signature	Date
Brenda Little	74 Westcomb Cres	902 388 8099	Brenda Little	March 21 2019
Yvonne M. Sague	99 Glenharrow Ave	902-353-7116	Yvonne M. Sague	March 21 2019
Tanya Weyland	47 Crestside Dr	902 685 5788	Tanya Weyland	March 21 2019
Melanie Law	24 Newland Cres	(902) 626-5384	Melanie Law	March 21 2019
Renny Allen	Cornwall	902 394-1461	Renny Allen	March 21 2019
Heidi Gaudet	Brackley Beach	(902) 867-2113	Heidi Gaudet	March 21 2019
Kim Macphail	Harrington	(902) 394-1711	Kim Macphail	March 21 2019
Kendra Bonjokian	32 Lilac Ave	902 940-0540	Kendra Bonjokian	March 21 2019
Marge Gallant	58 Oak Drive	902-892-3033	Marge Gallant	March 21 2019
Richard Gallant	58 Oak Drive	902 314-0607	Richard Gallant	March 21 2019
Bobbi Jo Walker	11 Pope Ave	408-952-8304	Bobbi Jo Walker	March 21 2019
Priscilla Gaudet-Keenan	5 Mac Williams Rd	902-940-6107	Priscilla Gaudet-Keenan	March 21 2019
Anushri Patel	261 Ducks Landing	647-566-6663	Anushri Patel	March 22 2019
Bonnie Macphail	Oak Dr.	902-367-2940	Bonnie Macphail	March 22 2019
Trevor Macphail	Oak Dr	902-940-6778	Trevor Macphail	March 22 2019
Gin Harris	Cornwall	902 388 4993	Gin Harris	March 22 2019
Tara McCurck	10 Westway Dr	902 218-1707	Tara McCurck	March 22 2019
Michael Keenan	10 Westway Dr.	910-940-7241	Michael Keenan	March 22 2019

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Name	Address	Phone #	Signature	Date
Katie Chevone	17 Parkview Dr	626-7437	Katie Chevone	March 20/19
Jennifer Dowling	Charlottetown	894-5270	Jennifer Dowling	Mar 22/19
Malerie Wilson	Albany, PE	902-992-0365	Malerie Wilson	Mar 22/19
Becky Hogan	Cumberland, PE	940-9104	Becky Hogan	Mar 28/19
Sasha Beaton	Charlottetown	(506) 229-0388	Sasha Beaton	Mar 22/19
Kim Paver	Stratford	219-1483	Kim Paver	Mar 22/19
Brittany O'Rourke	Mermaid, PE	856-0610	Brittany O'Rourke	March 22/19
Vino Budhan	Charlottetown	394-3659	Vino Budhan	March 22/19
Rosalie Richard	Charlottetown PEI	314-7483	Rosalie Richard	Nov. 22/19
Heng Tan	Charlottetown	367-5134	Heng Tan	2019 Mar 22
Melissa Walsh	Charlottetown	394-5497	Melissa Walsh	March 22/2019
Allie Shields	Charlottetown	894-2508	Allie Shields	March 22/19
Ashley Ashley	1215500 Charlottetown	894-2312	Ashley Ashley	Mar 22/19
Brenda McSweeney	6 Green St	368-1306	Brenda McSweeney	Mar 22/19
Melva Loure	Sturford	569-4604	Melva Loure	Mar 22/19
Doris Poole	Charlottetown	368-1984	Doris Poole	Mar 22/19
Peggy Morris	Belfast	368-8905	Peggy Morris	Mar 22/19
Stephanie Concoran	90 Windsor Dr.	940-2334	Stephanie Concoran	Mar 22/19
Stephanie Concoran	250 Kill Kenny Rd	940-1580	Stephanie Concoran	Mar 22/19

For all the points noted above, we, the citizens of the City of Charlottetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Carla Foss	21 McLeod Dr	902-291-6000	[Signature]	3/22/19
Silvia Dow	24 Newland cres	902-213-5576	[Signature]	03/22/19
Annie Krishna	9 Marion Dr	(902) 218-2058	[Signature]	03/22/19
Dana McDonald	2944 Savage HBR Rd	902-394-4862	[Signature]	03/22/19
Megan Grady	79 Kenwood Circle	902 213 4288	[Signature]	03/22
Adrianne Gault	6 Fountain Drive	902-213-9112	[Signature]	03/22
Melissa Bruce	91 Barbour Circle	(902) 218-9030	[Signature]	03/22/19
Tammie Sandereson	15 BRUB Loure	902 218 1286	[Signature]	03/22/19
Jean Gallant	28 Gloucester	402-317-0288	[Signature]	03/12/19
Colette Cochrane	Wheatley River	902-218-5215	[Signature]	02/03/19
Tamara McKenna	Hunter River	902-940-7264	[Signature]	22/03/19
Matthew Foss	Dartmouth Nova	902-497-2224	[Signature]	22/03/19
Andrew Ripley	10 Duncan Heights	902-367-7888	[Signature]	22/03/19
Kimberley Knockwood	610 Colville Rd, Hampshire	908-621-3582	[Signature]	03/22/2019
Mitchell Bruce	91 Barbour Circle	902 969 4797	[Signature]	22/03/19
Melanie Smith	451 Reed Drive	902-430-9393	[Signature]	25/03/19
Rebecca Macpherson	29 Sunrise cd	902-393-6621	[Signature]	25/03/19
Trevor Matheson	91 Maple Ave	902 616 6926	[Signature]	25/03/19

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Kathy Quinn	18 Pope	902-626-8949	Kathy Quinn	Nov 26
Buddy Quinn	18 Pope Avenue	902-626-8949	Buddy Quinn	Nov 26
Scott MacDonald	104 Barbourschelo		Scott MacDonald	Nov 26
Janet MacDonald	119 BARBOUR CIRCLE		JANET McDONALD	26/03/19
Susan Frizzell	10 Shamrock Drive	902-368-2706	Susan Frizzell	24/03/19
Steven Frizzell	10 Shamrock Drive	902-368-2706	Steven Frizzell	24/03/19
Krista Mosher	31 LILAC AVE	902-892-7519	Krista Mosher	27/03/19
Shirley Mosher	31 Lilac Avenue	902-892-7519	Shirley Mosher	27/03
Lillian Hume	102 Oak Drive		Lillian Hume	03/27/19
Mark Morrison	102 OAK DRIVE		Mark Morrison	27/03/19
Josh Morrison	10 REVELL DRIVE	902-940-4443	Josh Morrison	March 27
Jess Morrison	10 REVELL DRIVE		Jessica Morrison	27/03
Heather Pollard	10 Revell Drive		Heather Pollard	27/03/19
Justin Murratt	37 MacArthur		Justin Murratt	27/03/19
Tanessa Murratt	37 MacArthur		Tanessa Murratt	27/03
Ben Leggett	85 Heather Ave.		Ben Leggett	7/03
LISA MCGREGOR	20 ARCONA DR		Lisa McGregor	27/03
DARREN MCGREGOR	20 ARCONA DR		Darren McGregor	27/03

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning to the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Judy Eyolfson	100 Brackley Pt. Rd.	902-368-1547	Judy Eyolfson	2/03/19
Nola Etkin	75 Heather Ave	902-892-3347	Nola Etkin	2/13/19
Elizabeth Blake	75 Heather Ave	902-892-3347	Elizabeth Blake	2/13/19
Emma McDougall	79 Heather Ave	902-393-5622	Emma McDougall	2/13/19
Shirley McLaughlin	89 Heather Ave	902-367-6614	Shirley McLaughlin	2/13/19
John Charles	89 Heather Ave	902-367-0812	John Charles	2/03/19
Heather Courtney	80 Heather Ave	902-628-3890	Heather Courtney	2/13/19
Keenan Courtney	80 Heather Ave	902-628-3890	Keenan Courtney	2/13/19
Cassy Phelan	78 Heather Ave	902-569-4423	Cassy Phelan	2/13/19
Debbie Phelan	78 Heather Ave	902-569-4423	Debbie Phelan	2/13/19
Lina Phelan	78 Heather Ave	902-569-4423	Lina Phelan	2/13/19
David Phelan	74 Heather Ave	902-459-9926	David Phelan	2/13/19
F. Pringle	68 HEATHER AVE	902-370-2019	F. Pringle	2/13/2019
Danielle Plante	65 Heather ave	902-393-2988	Danielle Plante	2/10/2019
M. Ke Eyolfson	100 Brackley Pt. Rd.	902-368-1547	M. Ke Eyolfson	2/10/2019

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-11) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Gurpooananddeep Sakhra	4-369 Norwood Rd	647-712-4333	Gurpooananddeep	25/03/19
Martha Jewell	2544 Route 25	902-388-5903	M Jewell	25/03/19
Sarah Riehl	21 Fountain Drive	902-388-0089	Sarah Riehl	25/03/19
Sarah Weatherchie	16 Southway Crescent	902-626-8444	Sarah Weatherchie	25/03/19
Erin MacDonald	11 Barbour Circle	904-307-1581	Erin MacDonald	25/03/19
Emmy Good	278 Winsloe rd	902-569-8887	Emmy Good	25/03/19
Crystal MacEachern	72 Cameron Rd.	902-675-3852	Crystal MacEachern	25/03/19
Edward Benjamin	32 Lilac Ave	902-213-4164	Edward Benjamin	26/03/19
Dominick Angeli	21 Fountain Dr.	902-940-0414	Dominick Angeli	26/03/19
Emily Boswall	39 Royalty rd	902-394-3742	Emily Boswall	26/03/19
Colin Beston	42 Creekside Dr	902-314-6800	Colin Beston	26/03/19
BILL MACDONALD	CRAVIER ST	902-368-3298	Bill MacDonald	26/03/19
Erin Reid Terrio	55 Newland Cres	816-644-1698	Erin Reid Terrio	26/03/19
Alyssa Harris	159 Primrose Drive	902-344-0386	Alyssa Harris	26/03/19

P. 13

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Maura Cardiner	7 Pope Avenue	666-3866		March 19, 2019
Judy Core	1 Pope Ave	566-9796	Judy Core	"
Doreen WAT	1 Pope Ave	566-5926		"
MJ McCulloch	15 Duncan Heights	218-8778		"
Craig McCulloch	15 Duncan Heights	314-0004	C. White	"
Leslie McGee	2 Pope Avenue	566-4617	Leslie McGee	"
Bill Johnson	4 Pope Ave	892-6793		"
JOE POWER	8 Pope Ave	892-1742	JOE POWER	"
Karen Power	8 Pope Ave.	892-1742	Karen Power	"
Pauline Taylor	10 Pope Ave	892-2545	Pauline Taylor	"
Rubin Matheson	14 Pope Ave	367-4188	Rubin Matheson	"
Roy Connelly	16 Pope	894-9461	Roy Connelly	"
Billy Connelly	18 Pope Ave	566-4142		"
Cathy Campbell	20 Pope Ave	367-5243	Cathy Campbell	"
Billy Jean Flynn	20 Pope Ave	367-5243		"
Joan Flynn	17 Pope Ave	892-7807	Joan Flynn	"
Jerry Flynn	"	"	"	"
Barbara Crosby	46 St. Peters Rd	628-1921	Barbara Crosby	March 20, 2019

P.12

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
CLAIRE CROSBY	4651 Paloma Rd	6287921		Mar 20, 2019
MARTIN WALKER	11 Pope Ave	902-916-2400		Mar 20/19
Robbi Jo Walker	11 Pope Ave	902-916-2400		March 20/19
Jeremy Crosby	13 Pope Ave	(902) 894-1154		Mar 20/19
Cindy MacInnis	13 Pope Ave	(902) 894-1154		Mar 20/19
B. BERRY BERTS	22 DUNEAN HBS	902-367-1198 902-894-1154		21 March 2019
CONSTANCES M. BERTS	" " " "	" " " "		21 Mar 2019
IAN GRASS	15 MESSEIA AVE	902-892-1463		21 March 19
Janel Byers	15 Messia Ave	902-892-1463		21 March 19
Gula Johnson	4 Pope Ave	892-6793		21 March 19
Robbi Jo Matheson	12 Pope Ave	628-1104		24 Mar 19
Ron Matheson	12 POPE AVE	628-1104		24 MAR 19
Marshall Cuddy	15 Pope Ave	992-3895		24 March 19
Mark Grimmett	3 Pope Ave	566-4612		24 March 19
Orwell Adams	19 Pope Ave	892-6743		24 Mar 19
Pauline Adams	19 Pope Ave	892-6743		24 Mar 19
Elyse Thammath	5 Pope Ave	894-4359		25 Mar 19
Cathy Wells	21 POPE AVE	394-7980		25 March 19

901

For all the points noted above, we, the citizens of the City of Charlottetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Megan Murnaghan	28 Pine dr	903 218 7279	Megan Murnaghan	03/26
Janice MacLinnon	26 Pinedr	902 439 3094	Verbal	03/26
Mark Rooney	24 Pinedr	902 940 3437	Verbal	03/26
Stephanie Rooney	24 Pinedr	903 403 437	Verbal	03/26
Sabrina Macadam	22 Poplar dr		Verbal	03/26
Jenn Macadam	22 Poplar dr		Verbal	03/26
Laura Younker	8 poplar dr		Verbal	03/26
Shelley Gallant	31 Darte dr	902 394 4277	Verbal	03/26
Christine Murnaghan	13 Kentra dr	902 393 4479	Verbal	03/26
Donald Large	78 Pinedr		Verbal	03/26
Ethel Keenan	53 Pine dr		Verbal	03/26
Taylor Campbell	57 Pine dr		Verbal	03/26
Kelly Faugere	76 Pine dr		Verbal	03/26
Ian Gallant	31 darte dr		Verbal	03/26

For all the points noted above, we, the citizens of the City of Charlotetown, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Jane Meyer	51 ARCONA DR		Jane Meyer	MAR 25/19
Jeanne Meyer	51 ARCONA DR.		Jeanne Meyer	MAR 25 74
Maria Steele	47 Maple Avenue		Maria Steele	MAR 25/19
Joe Hughes	11 Fernglen Dr		Joe Hughes	MAR 26/19
Sue Sulton	14 Vaddene Ave		Sue Sulton	MAR 26/19
Michelle Dan	14 Vaddene Ave		Michelle Dan	MAR 26/19
Lena Burke	3 Parkdale cres		Lena Burke	MAR 26/19
Roger Burke	3 Parkdale cres		Roger Burke	MAR 26/19
Marcel Grouin	13 Shamrock Drive		Marcel Grouin	MAR 26/19
Mike Stanley	38 Ash Drive		Mike Stanley	MAR 27/2019
Karen Stanley	38 Ash Drive		Karen Stanley	MAR 27/2019
Gillian Mosher	103 BARBOUR CIRCLE		Gillian Mosher	MAR 27/19
JONATHAN MOSHER	103 BARBOUR CIRCLE		JONATHAN MOSHER	MAR 27/19

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Xixing Bai	12 Arcena Dr.	902-316-0398	verbal	Mar 25
Mrs. Bai	12 Arcena Dr.	902-316-0398	"	Mar 25
Fesley Savidant	16 Arcena Dr.	902-882-3746	"	Mar 25
Earl Savidant	16 Arcena Dr.	902-892-3746	"	Mar 25
Millie Sinnott	21 Arcena Dr.	902-314-7993	"	Mar 25
Gracy Sinnott	21 Arcena Dr.	902-894-0746	Sinnott	Mar 25
Jacob Sinnott	21 Arcena Dr.	902-213-0708	Kelle Sinnott	Mar 25
Judy Butler	24 Arcena Dr.	902-893-4434	Jacob Sinnott	Mar 25
Steven Butler	24 Arcena Dr.	902-893-4434	verbal	Mar 25
Alison Butler	24 Arcena Dr.	902-893-4434	"	Mar 25
Arison Butler	24 Arcena Dr.	902-893-4434	"	Mar 25
Fred Sobey	29 Arcena Dr.	902-566-3425	"	Mar 25
Olana Sobey	29 Arcena Dr.	902-566-3425	"	Mar 25
Mrs. Trainers	32 Arcena Dr.	902-882-2184	"	Mar 25
Kelly Sherley	104 Barbours Circle	902-344-1854	"	Mar 25
Brian Sherley	104 Barbours Circle	902-344-1854	"	Mar 25
Janet Macdonald	119 Barbours Circle	902-368-9028	"	Mar 25
Scott Macdonald	119 Barbours Circle	902-368-9028	"	Mar 25

For all the points noted above, we, the citizens of the City of Charlotte, petition the City to reject the application for re-zoning of the property located at 88 Brackley Point Road (PID 396770) from Single Detached Residential (R-1L) to Medium Density Residential (R-3).

Name	Address	Phone #	Signature	Date
Andre Hebert	110 oak drive	902-341-9277		Mar 21, 2019
Sammi Markley	21 Mac Donald Rd. Mendenham	919-394-5179		March 2019
Angela MacDodd	157 Kensington Rd	316-3370		03/21/19
Rosario Shira	1048 Bradley Rd	218-3709		03/21/19
Shirley	16 Kenlea Drive	394-2358		03/21/19
Mike	14 lilac ave	213-1568		13/21/19
Paul Holgate	14 Elm St #7	218-1346		3/21/19
Kristin Joseph	312 University Ave	714-9368		3/22/19
Nathan Trumb	33 Laurie Dr #12	219-5383		3/22/19
Evelyn Howard	Hampton	304-4350		3/22/19
Laura McNeill	16 Bayberry ct	902-368-5522		3/22/19
Bonnie McPhail	107 oak DR	902-367-2040		Mar 22/19
Billy McDonald	1 CROKER ST	902-318-3298		06/08/19
Jean Gallant	Newcastle Ave.	902-367-0288		26/03/19
Adam Terrio	Newland Cir	506-609-0169		26/02/19
Graham Stewart	19 OAK DRIVE	902-218-9257		26/03/19
Colin Young	110 Bickley Point Rd	902-314-8691		26/03/19
HEATHER STEWART	14 PENZIE LYNN DR	902-566-5864		26/03/19

Thompson, Laurel

From: notification@civiclive.com
Sent: Friday, March 29, 2019 11:38 AM
To: Thompson, Laurel
Subject: 88 Brackley Point Road

City of Charlottetown Planning and Heritage Dept., I Ron Wood owner of the property at 88 Brackley Point Road - PID #396770 here by request *to defer* my application at this time for rezoning of this property from R-1L to R-3. I require some time to process all comments and concerns brought forward from residents of this community at the public meeting on Mar.27th. As a long time resident of this community I take all public concerns in the highest regards and believe we can work together to find a suitable solution to satisfy Charlottetown Planning Board , plannng and Heritage Committee , City Council and Residents of this community.

Sent By: Ron Wood



Sent From: shinedepot@hotmail.com

TITLE: MINOR LOT AREA VARIANCE & MAJOR VARIANCE TO LEGAL NON CONFORMING USE AND LOT CONSOLIDATION FILE: PLAN-2019-1-APRIL-6b-4 200-202 Spring Park Road OWNER: Wildwood Holdings		
MEETING DATE: April 1, 2019		Page 1 of 10
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Proposed Site Plan C. Site Plan Showing 2018 Proposal	
SITE INFORMATION: Context: Developed neighbourhood on Spring Park Road consisting of a variety of housing types and institutional uses. Ward No: 4 – Spring Park Existing Land Use: existing apartment building and single detached dwelling Official Plan: Medium Density Residential Zoning: Medium Density Residential Single (R-3) Zone		
PREVIOUS APPLICATIONS: Buildings were both constructed prior to amalgamation.		

RECOMMENDATION:

The Planning & Heritage Department encourages Planning Board to recommend to Council that the Minor Variance Application to vary Section 15.2 of the Zoning & Development By-law by reducing the required lot area from 38,374.9 sq. ft. to approximately 42,088.6 sq. ft. and The Major Variance Section to vary Section 3.9 c. of the Zoning and Development Bylaw to allow for the expansion of parking in the front yard, to vary Section 6.4 of the Zoning and Development Bylaw to reduce the landscape buffer from 12 ft. to 8 ft. and a major variance to the rear yard setback to reduce it from 19.7 ft. to 14.4 ft., a major variance to the side yard setback to reduce it from 14.8 ft. to 10 ft. and to approve the consolidation of PID#'s 367938 and 367979 in order to construct a 16 unit apartment building in the Medium Density Residential (R-3) Zone be approved at 200-202 Spring Park Road (PID #'s 367938 and 367979).

BACKGROUND:

Request

The City of Charlottetown has received an application in accordance with Section 3.8 Minor Variances and Section 3.9 Major Variances of the Zoning & Development Bylaw, for variances to the property located at 200-202 Spring Park Road (PID#s 367938 & 367979). The property is zoned Medium Density Residential (R-3) and the applicant (Wildwood Holdings) has requested a minor variance to increase the density on the lot. The applicant is purposing to consolidate the subject properties under Section 45.3.5 of the Zoning and Development Bylaw (*Notice to property owners within 100 meters of the subject property is required to consolidate properties in the R-3 Zone.*) and construct a second building consisting of 16 units in addition to the existing 18 unit apartment building. The Bylaw currently permits 31 apartment units and the applicant is requesting a minor variance to allow for 34 apartment units. Please see the attached site plan.

In addition to the minor variance to increase units, the applicant is also requesting a Major Variance under Section 3.9 to expand the parking lot in the front yard. The parking for the apartment building at 202 Spring Park Road is currently located in the front yard. If the addition is constructed, the applicant has requested to expand the parking lot in the front yard of 200 Spring Park Road. The existing parking lot does not have a landscape buffer between the parking lot and the street boundary. If the parking lot is expanded a landscape buffer is required to be provided along the existing and the new portion of the parking lot. Section 6.4 of the Zoning and Development Bylaw requires a 12 ft. landscape buffer. The site plan indicates an 8ft. landscape buffer. Therefore, the applicant is requesting a major variance to decrease the landscape buffer to 8 ft.

The applicant has also requested major variances to the rear yard and side yard setbacks. The Bylaw requires a 14.8 ft. side yard setback. At one corner of the lot the building is positioned 10 ft. to the side yard property boundary. In addition the Bylaw requires a 19.7 ft. rear yard setback. At one corner of the lot the building is positioned 14.4 ft. to the rear property boundary. See attached site plan.

A similar application was before Planning Board in December, 2018. At that time the applicant requested a minor variance to the lot area requirement to increase the density on the property to 33 units, to consolidate the subject properties and construct an addition of 15 units to the existing 18 unit apartment building. At the time the Board had concerns as the Bylaw required a

landscape buffer along the front of the property and the Board voted to defer the application to allow the developer an opportunity to revise his site plan to accommodate a landscape buffer.

Development Context

Number #202 Spring Park Road is currently occupied with an 18 unit apartment building that predates amalgamation the adjoining property number #200 Spring Park Road is occupied with a single detached dwelling. The properties are located in a mature neighbourhood. Immediately adjacent to the south of the subject properties is a 32 unit apartment building. Colonel Gray High school is located on the west side of Spring Park Road. Directly east of the property is the Church of the Most Holy Redeemer and to the north is R-2 zoned land occupied with single detached dwellings. The uses surrounding the site include a mix of low density residential, medium density residential, parkland and institutional zoned properties.

History

The subject properties contain an 18 unit apartment building that was constructed somewhere during the 1970's and a single detached dwelling that was constructed post war. Both preexisted amalgamation.

LEGISLATIVE REQUIREMENTS:

Notification

In accordance with Section 3.9.3 of the Zoning & Development By-law, on March 15, 2019 notice of the Planning Board meeting regarding this application was sent to property owners within 100 metres (328.1 ft.) of the subject property soliciting their written comments for or against the proposed variances. The deadline to submit written comments on the application was Friday, March 29, 2019.

Public Feedback

In response to the City's notification letter to date no letters have been received.

ANALYSIS:

Section 15 of the Zoning and Development Bylaw, the R-3 (Medium Density Residential Zone) requires 1,237.9 sq. ft. of lot area per unit. The applicant has requested a density variance to increase the number of units on the property from 31 units to 34 units. In this case the applicant

has enough lot area for the approval of 31 units. The increase of 31 to 34 units would represent a 9.7% variance. Staff feel that a density increase of 31 to 34 units (9.8%) is minor in nature.

The applicant has also requested a major variance under Section 3.9 Major Variances of the Zoning and Development Bylaw. The applicant currently has a parking lot in the front yard of his existing 15 unit apartment building. If the applicant constructs a new 18 unit building on the property he has requested to expand the parking lot in the front yard. In the previous application the applicant requested to add an addition on the existing apartment building and expand the parking lot. The parking lot was considered legal non-conforming. In this case a new building is being constructed but he has requested to expand the legal nonconforming parking lot which will occupy most of the front yard of the 200 Spring Park Road property.

Because the existing apartment building was built prior to the adoption of the Zoning and Development Bylaw in 1998 parking in the front yard of this property is considered a legal non-conforming use. Section 43.6.1 a. of the current Zoning and Development Bylaw states, *“Parking Spaces for residential properties shall: a. Be exclusive of the Front Yard for any Building containing more than three (3) units; also*

Section 43.6 c. Location of Parking Facilities of the Zoning and Development Bylaw states, *“No driveway or area designated for parking Spaces shall occupy more than 40% of the required front yard.”*

The Major Variance Section 3.9 c. of the Bylaw allows a property owner the opportunity to apply for *“The extension or intensification of a specific non-conforming use upon a site occupied by such use or Building on the effective date of this Bylaw.”*

The previous application proposed an addition to the existing building and therefore due to the placement of the existing building (which met the requirements of the former Bylaw) on the lot and the interior layout of the existing building the addition had to line up with the existing building and therefore could not be built closer to the street. The applicant indicated that because of the location of the existing building on the site there wasn't room to locate parking for the addition in the rear yard.

Since the December application a new Bylaw was adopted which now allows more than one main building on a medium density lot. The current application proposes the new building to be stand alone from the existing building. The developer has not pulled the building to the front of Spring Park Road as he as indicated that the lot would not be able to accommodate adequate parking if parking were located at the rear of the property.

Therefore, the applicant has also cited Section 3.9.1 b. of the Zoning and Development Bylaw.

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

Staff recognizes that the existing apartment building is set back further on the property than other buildings on the street. Although, the existing parking lot is located in the front yard due to the existing building being setback extensively on the lot Staff do have some concerns with decreasing green space along the streetscape and increasing paving in the front yard of 200 Spring Park Road. If parking could be accommodated in the rear yard it would be more fitting.

Notwithstanding staff's concerns, the proposed addition to the apartment building is located in a neighbourhood where multi-unit apartments are appropriate given the property's zoning, proximity to the high school, churches, and the downtown. It will also help to address the housing shortage that is currently being experienced within the City.

Section 6.4.3 of the Zoning and Development Bylaw requires, *"where the minimum Front Yard Setback permits, a strip of land not less than 3.7 m (12 ft.) in width shall be provided along a lot line(s) which abuts a street line which shall be a) used for no other purpose than Landscaped Area. b) where a parking lot is permitted in front of a building , the landscaped area shall be provided between the parking lot and the front lot line."*

The site plan submitted with the December application did not show a 12 ft. landscaped space between the parking lot and the property boundary however, the applicant has pulled the proposed building back further on the lot and provided an 8 ft. landscaped buffer. Staff does not feel that an 8ft. buffer will pose an issue if planted with shrubs as the existing parking lot is paved to the property boundary.

The current application also requests major variances to the rear and side yards. The previous application was applied for under the former Zoning and Development Bylaw. The old Bylaw allowed an average to be applied to the rear and side yard setbacks. Therefore, if a building was set back greater than the minimum setback at one location along a property boundary and closer at another location an average was permitted to be calculated. If the average was equal to or greater than the minimum setback requirement the building setback was deemed to meet the Bylaw. The current Bylaw does not allow an average to be calculated. The lot has angled

property boundaries and it is jogged along the rear property boundary this is the reason for the request for the setback variances. Staff does not view this as an unreasonable request.

If the variances are approved a lot consolidation will also be required. As per Section 45.3.5 of the Zoning and Development Bylaw notification of the request for consolidation was included within the letter that was sent to residents on March 15, 2019. Staff do not have concerns with the consolidation of these properties to facilitate the construction of an apartment building.

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 multi-unit apartment building is a permitted use in the Medium Density Residential (R-3) Zone. ▪ There is a requirement for additional housing within the neighbourhood. ▪ The proposed density variance of an additional 3 units is fairly minor in nature. ▪ There is a variety of housing types and institutional uses in the immediate area including single-detached dwellings, apartment dwellings, educational institutions and a church. ▪ The location is within walking distance to the downtown and the high school. 	<ul style="list-style-type: none"> ▪ The parking lot for the existing apartment building is currently located within the front yard setback. ▪ The existing parking lot is considered legal non-conforming as the apartment building was constructed pre amalgamation. 	<ul style="list-style-type: none"> ▪ Contradicts Section 43.6.1 a of the Zoning and Development Bylaw. <i>“Parking Spaces for residential properties shall: a. Be exclusive of the Front Yard for any Building containing more than three (3) units; also contravenes Section 43.6 c. Location of Parking Facilities “No driveway or area designated for parking Spaces shall occupy more than 40% of the required front yard.”.</i> ▪ Approving the major variance for parking reduces the amount of green space along Spring Park Road.

CONCLUSION:

The Planning & Heritage Department encourages Planning Board to recommend that the minor and major variance requests and the lot consolidation be approved.

PRESENTER:

Laurel Palmer Thompson, MCIP
Planner II

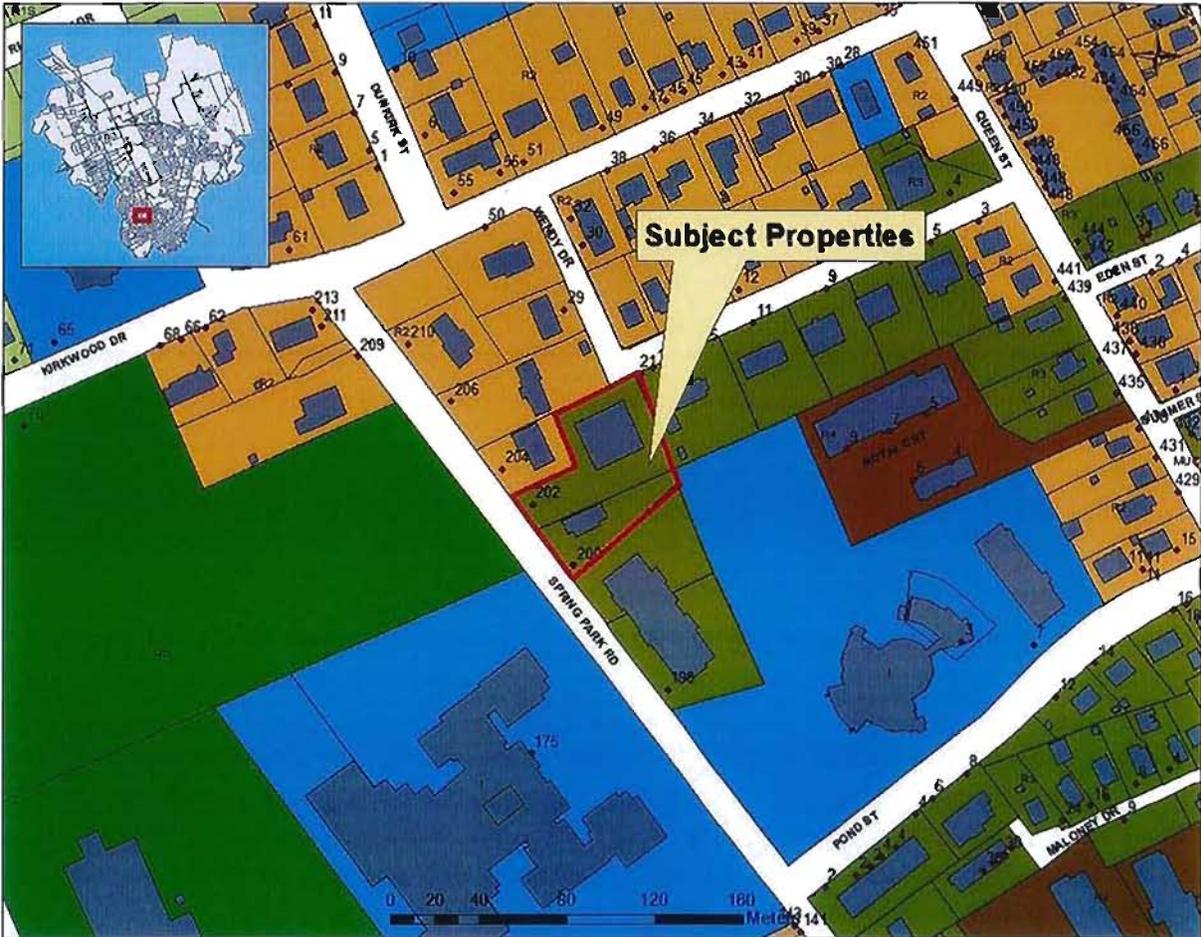
A handwritten signature in blue ink that reads "Laurel Palmer Thompson". The signature is written in a cursive style and is positioned above a solid blue horizontal line.

MANAGER:

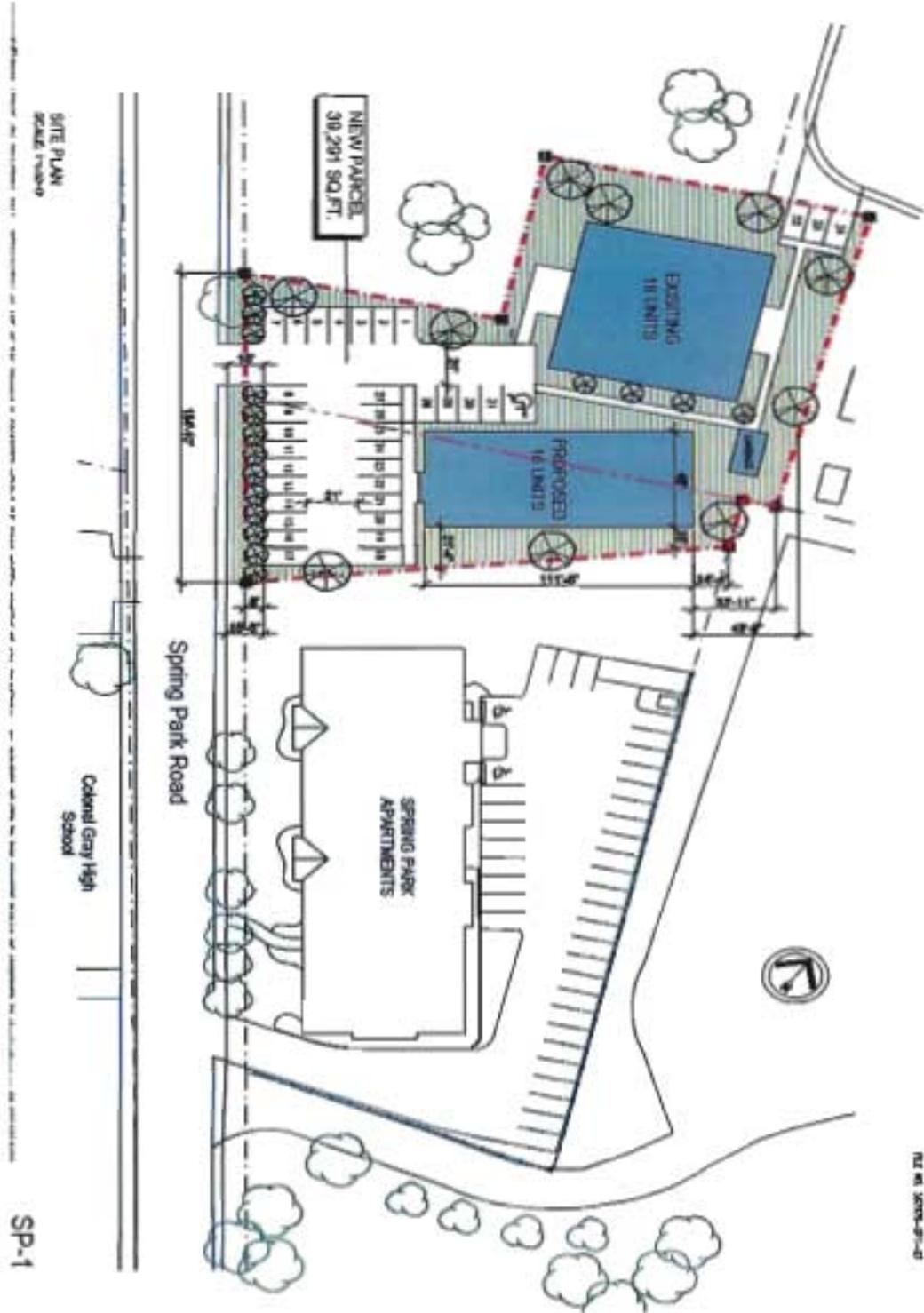
Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

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

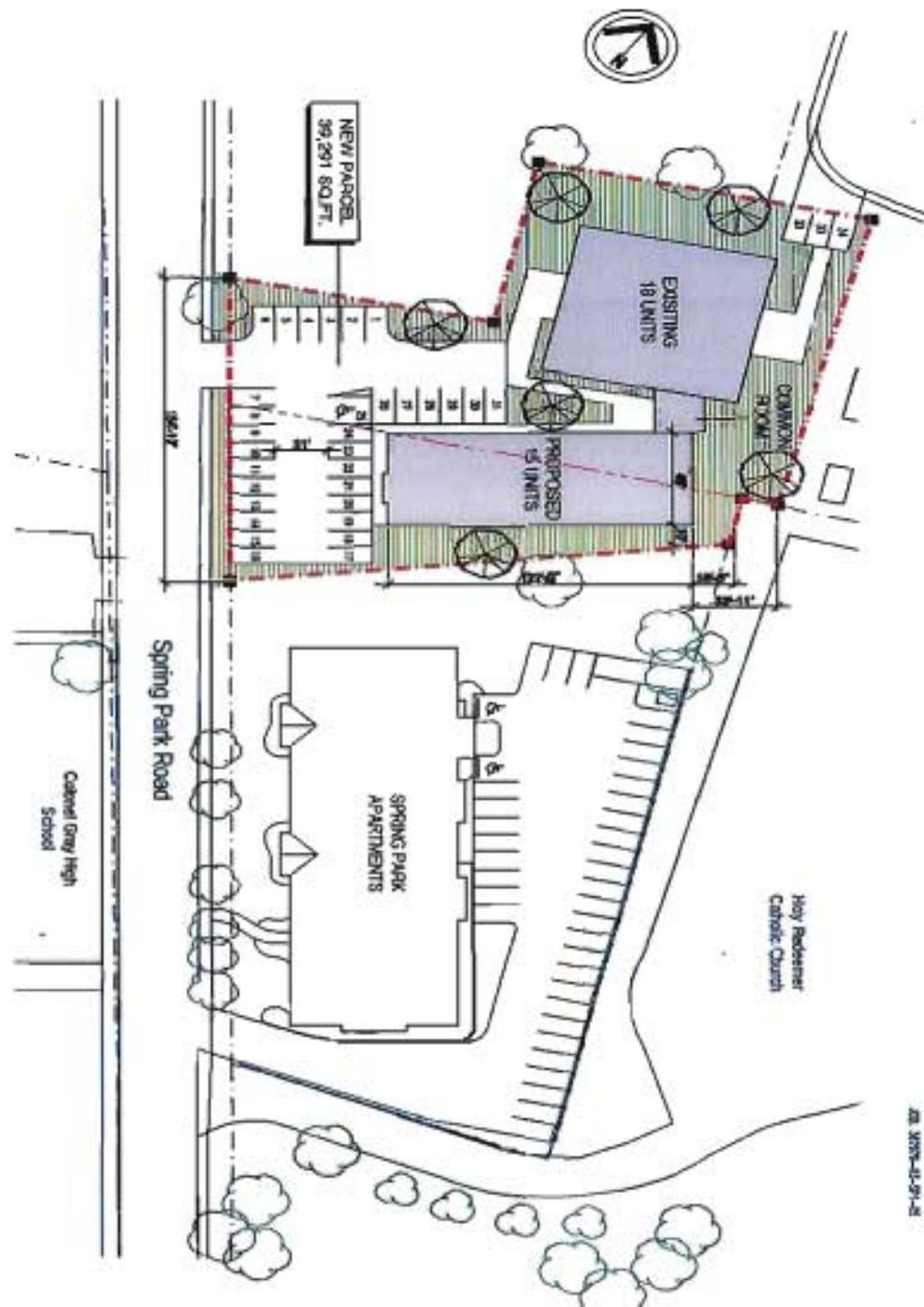
GIS Map:



Current Site Map:



Site Map 2018 Proposal:



Planning Department

From: B Sinnott <b1sinnott@yahoo.ca>
Sent: Friday, March 29, 2019 4:48 PM
To: Planning Department
Cc: Forbes, Alex
Subject: 200-202 spring Park Road (PID#s 36798 & 367979) Corrected

Dear Laurel Palmer Thompson, MCIP, Planner II

I'm acknowledging receipt of your letter of March 15, 2019, and I'm responding to the application of above noted properties for a minor variance to increase the density on the lot and major variance(s) under section 3.9 of the **New Zoning & Development Bylaw** which took effect on October 1, 2018. I understand the new Zoning & Development Bylaw was revised recently and has allowed developers to increase the density. I believe the Bylaws are to be adhered to so as to ensure their purpose and intent, and therefore expect only in rare cases when excellent valid reasons are provided should variances be granted.

Regarding the minor variance, I understand the number of units permitted on a lot is calculated based on the lot area requirement of the zone. In this case due to the lot size and R-3 Medium Density Residential zoned property the applicant has enough lot area for the approval of 31 units. The increase of 31 to 34 units is deemed a minor variance.

I object to the minor variance request. I realize the developer wants to consolidate properties, demolish the white house at 200 Spring Park Road and is applying for a minor variance to construct a second building consisting of 16 units in addition to the existing 18 unit Apt building for a total of 34 apt.units (when the new recently revised October 1, 2018 Bylaw - which already allows for increased density - permits only 31 units). The new Bylaw has been changed just months ago in favour of increased density for developers so they can build bigger and increase density. So, it's rather surprising to me that given the new Bylaw which has already been revised to be more favourable to developers, that this developer would still persist and apply to increase the number of apts permitted, by the Bylaw, to build. From viewing the site plan one can see this is an over-sized structure for the size of the lot. Why doesn't the developer build the allowable additional 13 units to make a total of 31 units and conform with the Bylaw?

The paved parking lot that is currently in the front yard is considered legal non-conforming. Section 43.6.1 a. of the current Zoning and Development Bylaw states, "Parking Spaces for residential properties shall: a. Be exclusive of the Front Yard for any Building containing more than three (3) units;

The Major Variance Section 3.9 c. of the Bylaw allows a property owner the opportunity to apply for “*The extension or intensification of a specific non-conforming use upon a site occupied by such use or Building on the effective date of this Bylaw.*”

I strongly object to the major variances requested.

Firstly, the developer is requesting a Major Variance under section 3.9 to increase the current non-conforming huge front yard parking lot to almost double its current size. Why make a bad situation much worse? If the current parking lot is non-conforming to the current Bylaw by being in the front yard why allow the developer to almost double the size of the parking lot which is already non-conforming, not to mention an eyesore for the neighborhood? This is completely out of character for the street as there is no other huge front yard parking lot on the street. As is, it's very unappealing aesthetically to view such a huge parking lot from my house only a couple of houses away, not to mention the far worse case of viewing a front yard parking lot almost double that size only two houses away if the developer gets his way. Since the front yard parking lot does not currently conform to the Bylaw and is already visually very unappealing, why permit an increase to almost double the size and make it an even worse eyesore for our neighborhood?

Secondly, the Bylaw requires a 12 ft. landscape buffer between the parking lot and the street. There is currently no landscape buffer between the existing parking lot and the street. The developer is requesting a major variance to avoid complying with the Bylaw and is requesting only an 8 ft. landscape buffer. I strongly object to this request for a major variance to decrease the landscape buffer to 8 ft. for environmental reasons, aesthetic reasons, health and safety reasons. Preservation of green space is a high priority. The whole country, province and city is investing in many green initiatives to help the environment. It appears from the site map that there will be very little green space left if this parking lot is allowed to be enlarged and then allowed to also have a smaller landscape buffer than is required by the Bylaw.

Thirdly, the current Bylaw requires a 14.8 ft. side yard setback and applicant is requesting to reduce it to 10 ft. Also the Bylaw requires a 19.7 ft. rear yard setback, and developer is requesting to reduce it to 14.4 ft at one corner of the building. Obviously, from viewing the site plan, this is an over-sized structure for the size of this lot. Less privacy for adjoining properties and less green space are definitely of concern. I object to the developer's request for major variances to the rear yard and side yard setbacks so that he can build even bigger still than the newly revised October 2018 Bylaw allows which has already been revised to allow increased density.

Lastly, the traffic on Spring Park Road is excessive - both pedestrian and vehicle traffic - and to have an additional 16 Apts with at least this many residents' cars (not to mention visitors' cars) driving and parking on the street is poor planning indeed. To make matters even worse, there is a new duplex going up next door with 2 driveways which will also add additional vehicles to the current traffic problem. This is becoming a safety issue. There are 3 schools in this area - Colonel Gray High, Queen Charlotte Junior High and Spring Park Elementary - and there is an enormous amount of vehicle traffic from all 3 of these school parking lots, not to mention the student pedestrians. The safety of pedestrians is of paramount importance

with an increase in traffic to the neighborhood. Spring Park Road is very busy with traffic all day long, not only the school traffic, but traffic from downtown and the neighborhood. The corner of Kirkwood Drive and Spring Park Road is very dangerous indeed. It's almost impossible to exit my driveway without being hit. Cars are coming around the corner onto Spring Park Road from both directions on Kirkwood Drive and also coming up Spring Park Road from the other direction. I have much difficulty backing out of my driveway and have almost been hit multiple times. There is far too much traffic already on Spring Park Road.

If this minor variance request for more units than the Bylaw allows; the major variance request to enlarge to a current large non-conforming front yard parking lot; the major variance request to reduce the landscape buffers; and the major variance request to reduce the side yard and rear yard setback contribute in such a major detrimental way to the aesthetics, environment, excessive traffic problem, privacy, health, safety and well-being of the neighborhood then why would anyone approve it?

These variances are a very bad idea and I strongly object to them.

Also, I'd like to strongly recommend that a traffic study be done by a traffic engineer at the cost of the developer.

I hope the city will review my concerns carefully and I hope they will reject the proposed minor and major variances.

Thank you.

Regards,

Bethany Sinnott

TITLE: <p style="text-align: center;">VARIANCE FILE: PLAN-2019-1-APRIL-06-5 PROPERTY PID #359950 GERALD STREET OWNERS: ROGER GREAVES & CAROLINE ROGERSON</p>		 CHARLOTTETOWN
MEETING DATE: April 1st 2019		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Map of Site B. Application related documents C. Letter of Opposition	
SITE INFORMATION: Context: Vacant and undeveloped Ward No: 4 Existing Land Use: Vacant Official Plan: Low Density Residential Zoning: Low Density Residential (R-2) Zone		
PREVIOUS APPLICATIONS: 09-594		

RECOMMENDATIONS:

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

- 1) Decrease the minimum interior side yard setback requirement of 1.83 m (6 ft.) to 1.2 m (4 ft) for the main dwelling;
- 2) Decrease the minimum flankage yard setback requirement of 6m (19.7ft) to 3.3m (11ft) for the main dwelling; and
- 3) Decrease the minimum flankage yard setback requirement 6m (19.7ft) to 5.4m (18 ft) for the accessory building.

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

BACKGROUND:

Request

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

The owner is seeking three (3) variances to:

- 1) decrease the interior side yard setback from 1.83 m (6 ft) to 1.2 m (4 ft);
- 2) decrease the flankage yard requirement from 6 m (19.7 ft) to 3.3 m (11 ft) for the main dwelling; and
- 3) decrease the flankage yard requirement from 6 m (19.7 ft) to 5.4 m (18 ft) for the detached garage.

The purpose of the variances is to construct a single detached dwelling that is approx. 1,200 sq.ft. Please refer to the revised site plan (i.e. Attachment B-1).

Development Context

The subject site is 0.09 acres (335 sq.m.) in size with approximately 12.1m (40 ft.) of frontage, which is an undersized lot. The site is mainly vacant with a large tree in the centre of the property. The owner wishes to decrease the minimum flankage, interior side and rear yard setbacks(s) to accommodate a single detached dwelling. The property has access to infrastructure services (i.e. sewer and water) and access would be provided off of Gerald Street.

History

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

ANALYSIS:

Section 15 of the Zoning and Development Bylaw, the R-2 (Low Density Residential Zone) requires a flankage yard setback of 6m (19.7 ft.). The proposed dwelling would have a flankage yard setback at the closest point to the property boundary of 3.3 m (11 ft.) and reduced interior side yard setback of 1.2 m (4 ft.) to construct a single detached dwelling. The owner is also proposing a detached garage with a decreased flankage yard setback of 5.4m (18 ft.) that is situated 2.7m (9 ft.) from the main dwelling providing for additional queuing space for a vehicle exiting the subject site.

Consistency with the Official Plan

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

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

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

Consistency with the Zoning By-law

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

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

In review of the proposed site plan and the fact the property is an existing undersized lot, staff feels that the revised proposed reductions of the flankage yard would ensure that the proposed dwelling would be sufficiently setback from the street that would not compromise Public Work's operations in the ROW. The applicant has now proposed a detached garage with a decreased flankage yard setback of 5.4m (18ft.) from the ROW, thereby providing additional space for a vehicle to que on the property prior to entering onto Gerald Street. The reduction of the required interior side yard could be supported on the basis that the proposed dwelling could better maintain the flankage yard requirements for public safety purposes. The lot is undersized in terms of frontage (width) so by reducing the interior side yard would be considered reasonable request to accommodate the development of the property.

Therefore, in staff's opinion the three (3) variance requests for the reduction of the flankage and the interior side yard requirements for the proposed dwelling and the decrease flankage yard for the detached garage would be viewed as meeting the intent outlined in the variance process.

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

Positives	Neutral	Shortcomings
<ul style="list-style-type: none"> ▪ Increasing the capacity of existing underground services. ▪ Infill development in a fully serviced area of the City. 	<ul style="list-style-type: none"> ▪ Egress from proposed garage would have additional queuing space for a vehicle accessing Gerald Street. ▪ Sufficient space is left for Public Works operations in the ROW 	<ul style="list-style-type: none"> ▪ Proposed dwelling would be situated only 3.3m (11 ft) from the ROW.

LEGISLATIVE REQUIREMENTS:***Notification***

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

Public Feedback

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

CONCLUSION:

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

- 1) Decrease the minimum interior side yard setback requirement of 1.83 m (6 ft.) to 1.2 m (4 ft) for the main dwelling;
- 2) Decrease the minimum flankage yard setback requirement of 6m (19.7ft) to 3.3m (11ft) for the main dwelling; and
- 3) Decrease the minimum flankage yard setback requirement 6m (19.7ft) to 5.4m (18 ft) for the accessory building.

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

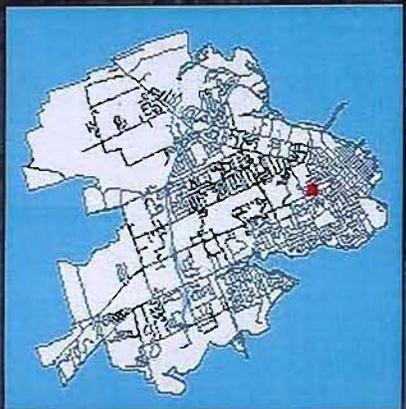
Manager:

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

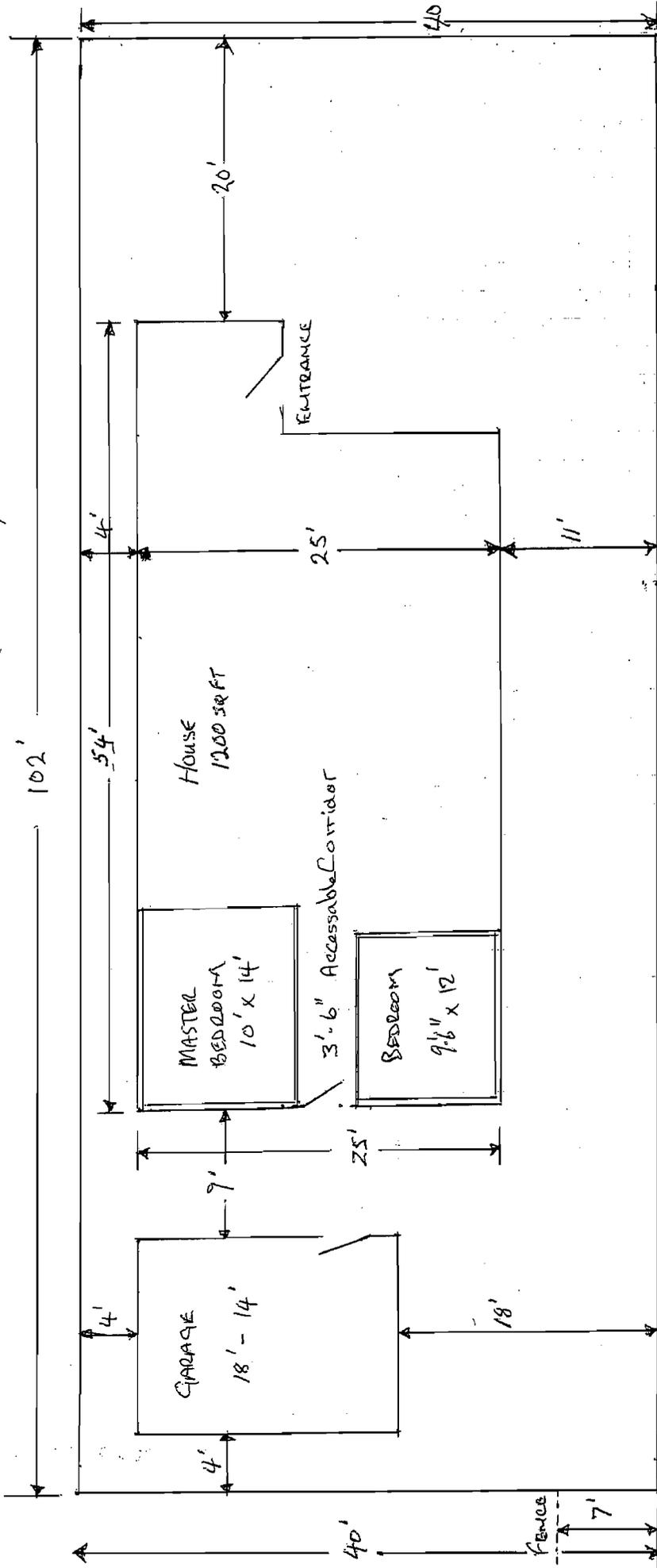
Presenter:

Robert Zilke, MCIP
Planner II

Attachment A



REVISED LOT PLAN PROPOSAL FOR LOT 359950 (SCALE 2 FEET PER 1/4 INCH)
ONE STOREY BUNGALOW (ACCESSIBLE / BACKER FREE)



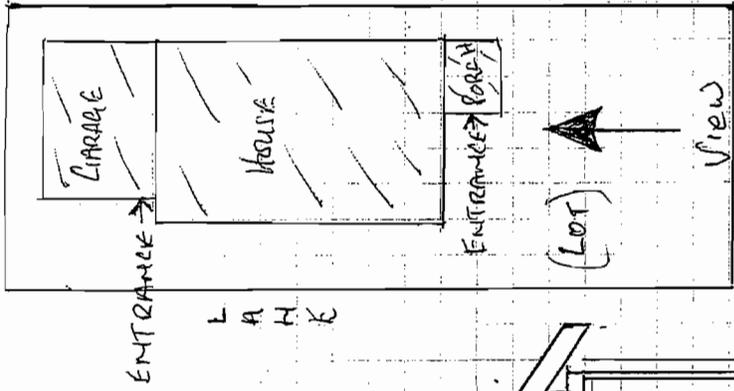
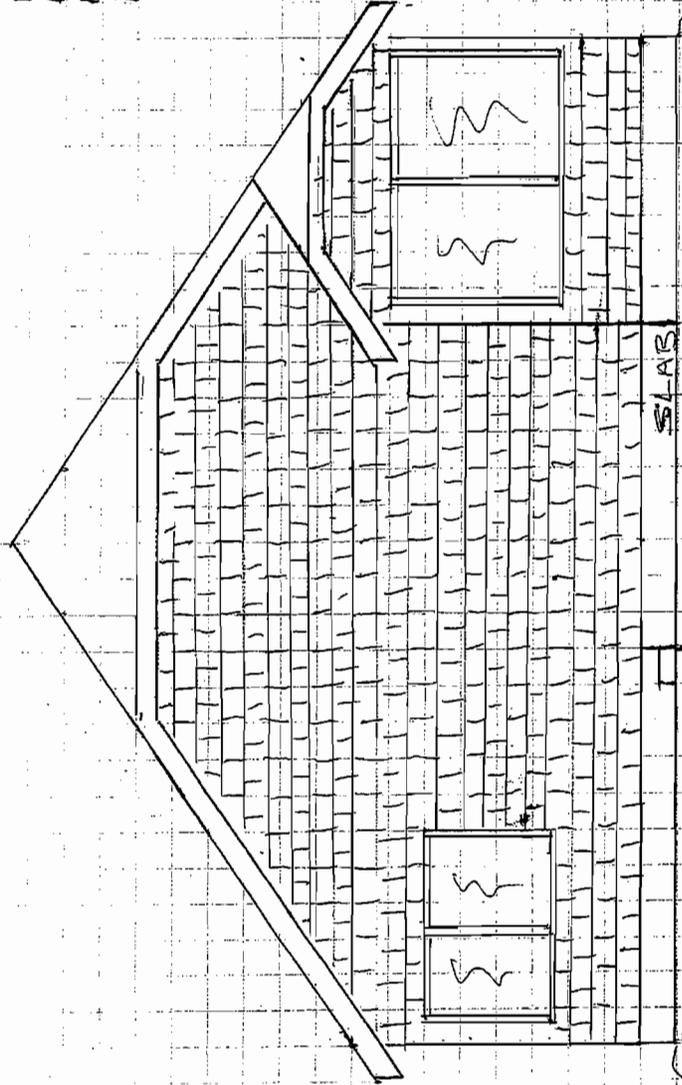
FENCE WILL NOT BE CONSTRUCTED.

AND SHOW PLOUGH SPALLAGE WILL BE ALLOWED.

Attachment B - 2

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

ROOF = 8x12 PITCH / COULD CHANGE TO 6x12 PITCH



February 22, 2019

RE: PID #359950

Dear Committee,

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

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

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

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

Respectfully,

Mac Donald Family

TITLE: SITE SPECIFIC EXEMPTION APPLICATION FILE: PLAN-2019-1-APRIL - <i>bcb</i> 183 GREAT GEORGE STREET (PID #344044) OWNER: 2950243 CANADA INC. APPLICANT: MICHAEL WASNIDGE		
MEETING DATE: April 1, 2019		Page 1 of 9
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. GIS Map B. Building Plans C. Letter of Support	
SITE INFORMATION: Context: Vacant property on Great George Street Ward No: 1 – Queens Square Existing Land Use: Vacant Official Plan: Downtown Core Zoning: Downtown Core (DC) Zone		
PREVIOUS APPLICATIONS: Council passed the following resolution on May 12, 2014: <i>That the request to permit a temporary use of a food trailer on the property located at 83 University Avenue (PID #344044) for the 2014 season be rejected.</i>		

RECOMMENDATION:

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

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

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

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

BACKGROUND:

Request

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

Development Context

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

Property History

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

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

LEGISLATIVE REQUIREMENTS:

Notification

On March 11, 2019, Council passed the following resolution:

That the request the request to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:

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

be approved to proceed to public consultation.

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

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

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 March 13, 2019. The letter informed them of the site specific exemption application and the upcoming public meeting. The letter then explained that comments for or against the proposed site specific exemption must be submitted prior to 12:00 p.m. (noon) on Thursday, March 28, 2019.

In addition, staff published a notice in two issues of The Guardian on March 16, 2019 & March 23, 2019 and posted a copy of the notice on the subject property.

Public Feedback

Of the 27 letters sent to affected property owners, one (1) letter of support was received prior to the deadline for comments.

The letter of support stated that the proposed development would bring more people to the area and more customers to her business. The full letter of support can be found in Attachment C.

In addition to the public feedback received during the mailout process, a public meeting of Council was held on March 27, 2019 at 7:00 p.m. at the Rodd Charlottetown, 75 Kent Street. At the meeting, one (1) resident reiterated comments made by Councilor Terry MacLeod pertaining to temporary businesses operating on a vacant property while there are storefronts vacant throughout the downtown core. In addition, these temporary businesses have lower overhead than a permanent business does within a storefront and pays fewer taxes.

Six (6) residents spoke in support of the application and stated comments including, but not limited to:

- A development of this nature will beautify the property and will start to become a vibrant area in the downtown core.
- The City of Charlottetown should be supporting youth who want to start / grow their business and requiring these people to begin operation within an existing storefront is setting their business up for failure. The proposed business has the opportunity to begin as a temporary operation and may eventually expand into a permanent storefront someday.
- Competition between various businesses is a good thing as it makes each other work harder to reinvent / improve their business. Improving the existing businesses in Charlottetown due to the growing competition will help to bring the City to the next level.

ANALYSIS:

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

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

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

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

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

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

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

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

Allowing the washrooms to be located within a container would be included in the site specific exemption request. The proposed washrooms are to be connected to adjacent City water & sewer services.

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

Months of Operation

A typical mobile canteen is only permitted to operate on private property from May 1st to October 31st. That being said, the applicant would like to operate from April 1st to October 31st to

be included in Burger Love which happens annually during the month of April. They are not requesting to operate from the property in April this year, but would be looking to do so in future years.

Fencing

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

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

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

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

Front Yard Setback

The subject property is located in the Downtown Core (DC) Zone. A mobile canteen or a typical building must adhere to the regulations of Section 31.2 in the Zoning & Development By-law. The front yard setback in the DC Zone is a minimum 0 m (0 ft) and maximum 1.0 m (3.3 ft). It appears as though all of the buildings on the block have a 0 ft front yard setback; however, the applicant is proposing to locate the mobile canteen approximately 16 m (52.5 ft) from the front property line.

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

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

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

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

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

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

- 1. Food trucks must meet and follow the same regulatory requirements as restaurants including food safety, signage, solid waste separation, waste water disposal and the availability of washrooms for staff and the public.*

2. *Food trucks should only be located in under-serviced areas. Food trucks are prohibited from locating directly in front of or adjacent to an existing restaurant and have a buffer zone of at least 100 meters from existing foodservice establishments.*

If this type of application does not have adverse negative effects on adjacent businesses, it could provide a unique atmosphere to the downtown which is not common. Similar examples of the type of atmosphere that the applicant is aiming for would be Sugar Skull Cantina, the Merchantman Next Door and the Beer Garden on the corner of Kent Street and Prince Street. These examples are similar to what is being proposed by the applicant except they are associated with an adjacent business owned by the same property owner. These outdoor patio / outdoor restaurants have not created problems with regard to their use to date. The proposed application is the first case of a temporary outdoor restaurant on a standalone vacant lot.

Staff have worked closely with the applicant and feel that the primary concerns with the proposed use have been addressed; specifically, the need for washrooms, fencing, and developing an attractive property. Staff feels that the applicant should be required to enter into a Development Agreement with the City which outlines:

- The hours of operation (i.e., seating area closed by midnight and the mobile canteen closed by 3:00 am);
- The storage and management of solid waste on the property as well as having it removed from the property and City right-of-way on a regular basis.
- The connection of City water and sewer services to the washroom facilities;
- The date as to when the mobile canteen and container will be removed from the property; and
- The design of the patio and buildings being to the satisfaction of the Development Officer.

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">• This type of unique atmosphere in the downtown is uncommon.• The property is currently vacant so having infill development, even on a temporary basis, is positive.• Significant public support at the public meeting.• The applicants have worked with staff to address all concerns.		<ul style="list-style-type: none">• Cannot be defined as a mobile canteen because of the sale of alcohol.• The washrooms are located in a container which is not permitted in the By-law.• A 6.5 ft fence is not permitted in the front yard of any downtown property.• The mobile canteen exceed the maximum front yard setback for the DC Zone.• The concept is not serving an underserved-area.

CONCLUSION:

The Planning & Heritage Department recommends that the site specific exemption application including two variances, be approved subject to the signing of a Development Agreement.

PRESENTER:



Greg Morrison, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

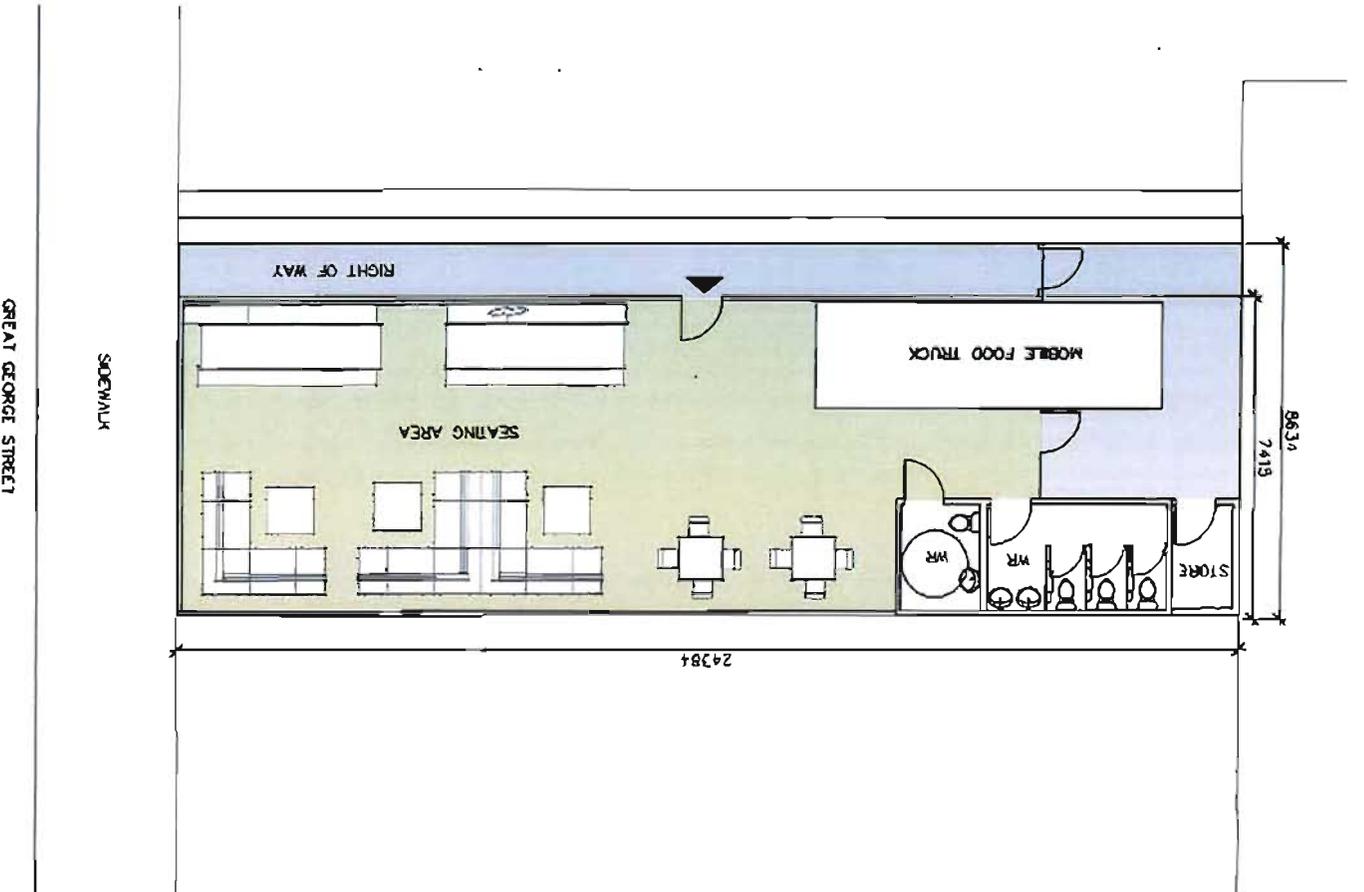
Attachment B

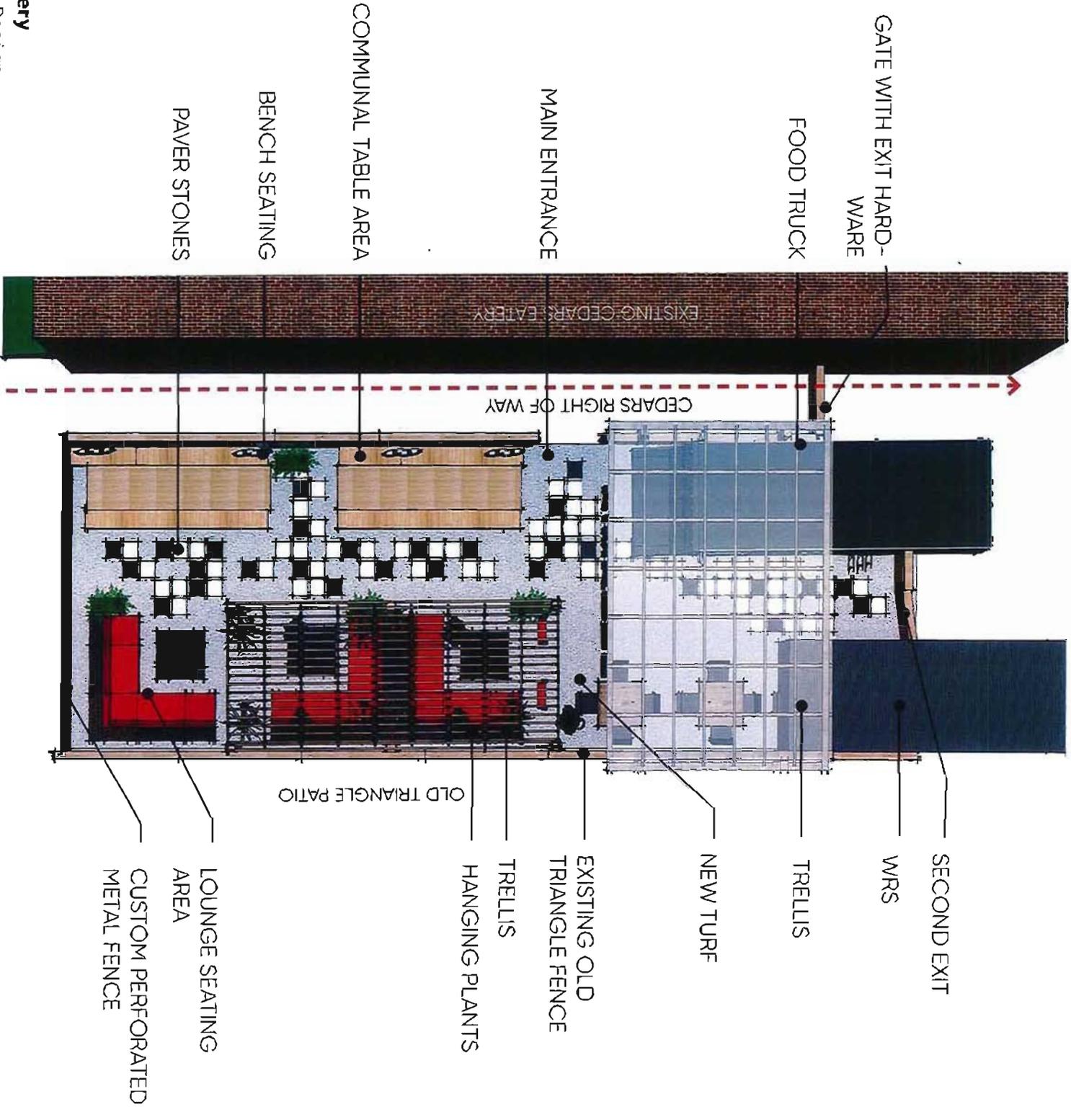
Building Plans Attached:

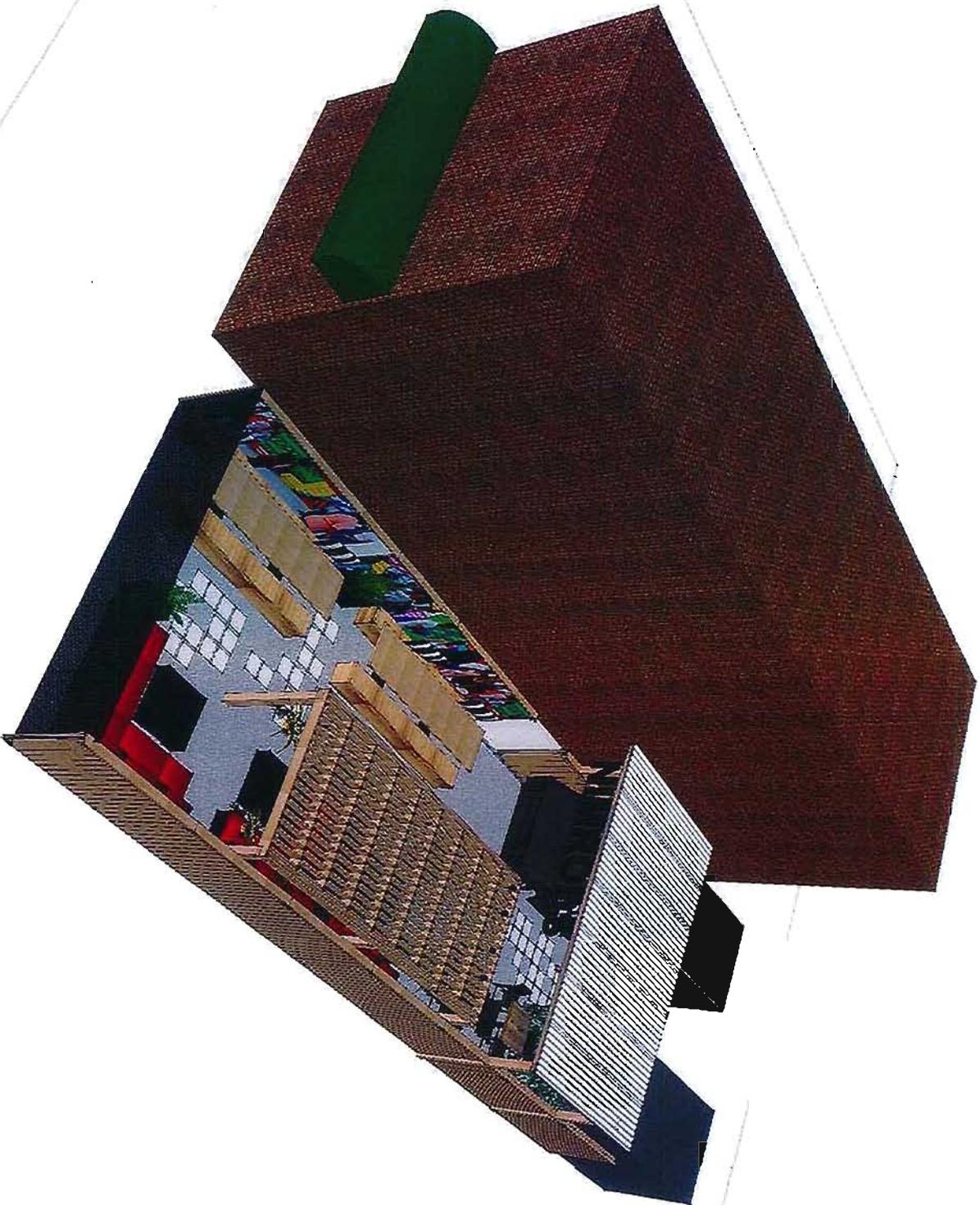
1. Site Plan
2. Aerial Rendering
3. Birds Eye View Rendering
4. Interior View Rendering #1
5. Interior View Rendering #2

Attachment B: Building Plans
File: PLAN-2019-1-April-**bcb**
183 Great George Street (PID #344044)
Owner: 2950243 Canada Inc.
Applicant: Michael Wasnidge

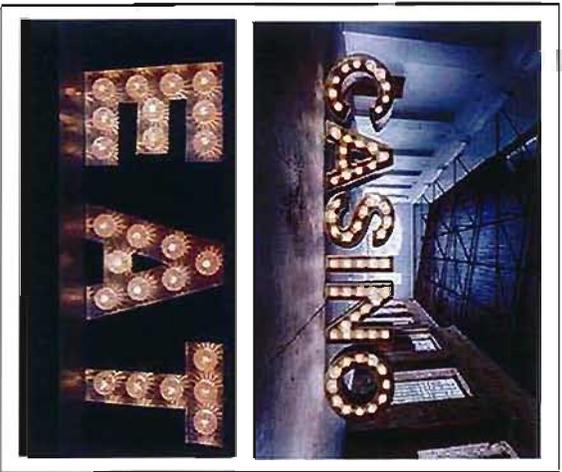








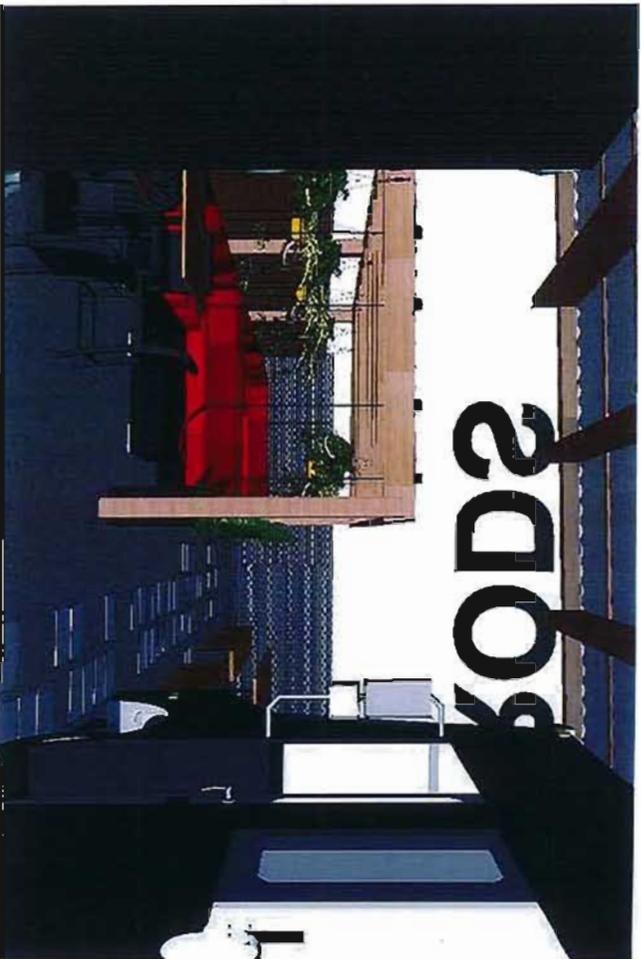
Birds Eye View



SIGNAGE INSPIRATION



INTERIOR VIEW



INTERIOR VIEWS

Nimrods Eatery
Preliminary Design

**NINE
YARDS**

Attachment C

From: MJ Crane [mailto:mjcrane173@gmail.com]
Sent: March-26-19 11:21 AM
To: Morrison, Greg
Subject:

Dear Greg Morrison,

I wanted to let you know that I am in support of the plans that the owners of Nimrod are presenting.

I believe it will help bring alot more people to this area of the city.

I am the owner of downtown barbershop and feel that it could also bring us some new customers due to more walk bys.

Thanks

Maryanne Crane

Attachment C: Letter of Support
File: PLAN-2019-1-April -606
183 Great George Street (PID #344044)
Owner: 2950243 Canada Inc.
Applicant: Michael Wasnidge



TITLE: ZONING & DEVELOPMENT BY-LAW AMENDMENTS FILE: PLAN-2019-01-APRIL- CC - 7		
MEETING DATE: April 1st, 2019		Page 1 of 11
DEPARTMENT: Planning & Heritage	ATTACHMENTS: Attachment A – Heavy Industrial (M2) Zone Properties	

RECOMMENDATION:

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

Section 1.7.1 is amended as follows:

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

Section 1.4.3 is amended as follows:

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

Section 2.2 is amended as follows:

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

Section 2.2.7 be removed.

Section 3.3.1 is amended as follows:

Removing the reference of "(See Appendix D)"

Section 3.13.1 is amended as follows:

Replace "Appendix E" with "Appendix H"

Section 3.14.1 is amended as follows:

Replace "Appendix E" with "Appendix "G"

Section 5.6.1 is amended as follows:

One (1) Secondary Suite may be permitted in a Single-detached Dwelling "subject to the following conditions:"

Section 5.7.2 is amended as follows:

The Garden Suite shall "be subject to the following conditions:"

Section 5.6.2 is amended as follows:

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

Section 5.7.3 is added as follows:

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

Section 5.18 is added as follows:

ENVIRONMENTAL IMPACT ASSESSMENT

Any development that may:

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

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

Section 6.2. is amended as follows:

Notwithstanding any other requirements of this By-law:

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

With all corresponding sections renumbered.

Section 6.5 is amended as follows:

6.5.2 Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.

6.5.3 In all Zones where the minimum Front Yard Setback permits, a strip of landscaped area of not less than 3.7m (12ft) in width shall be provided along the frontage of the property but shall not prevent the provision of an access driveway across the strip of land.

6.5.4 In all Zones with the exception of the R-1L, R-1S, R-1N, R-2, R-2S and the A Zones, within the minimum Front Yard Setback, the landscaped area shall consist of trees, shrubs or a combination of both not less than 3.7 m (12 ft) in width shall be provided along a Lot Line(s) which abut a Street Line and shall:

- a. Comprise a portion of the required ten percent (10%) Landscaped Area and be used for no other purpose thereof;
- b. This provision shall not prevent the provision of an access driveway across the strip of land;
- c. A minimum of one tree per 10m (32.8ft) of site frontage shall be provided;
- d. Required landscaping in the form of trees shall be a minimum of 1.5m (4.9ft) in height with a caliper of at least 55 mm at the time of planting and shall be salt tolerant;
- e. Tree species and planting requirements shall be in accordance with Appendix D: Landscape Standards & Specifications;
- f. A variety of sizes and species of both deciduous and coniferous plants should be provided to provide year-round interest, colour and aesthetic appeal;
- g. Where there are site constraints regarding the planting of trees a landscaping alternative shall be provided in the form of planting beds, ornamental grasses,

hard/soft landscaping or a combination thereof;

- h. All private landscaped areas, including shrub and tree plantings shall be completed in accordance with the approved site plan and maintained to a standard as defined at the time of the building permit;
- i. Where there is any outstanding landscaping work that has not been completed as per the approved plans of a development, the Development Deposit shall be forfeited and directed to a fund for public landscaping.

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

6.5.6 Where landscaping requirements as set forth in this By-law are not met, the Development Security submitted at time of permit shall be forfeited and the funds therein shall be deposited to a Public Tree Reserve Fund to be used for landscaping on public property.

Section(s) 13.2.5, 13.3.5, 14.2.5, 14.3.5 are amended as follows:

The minimum Side Yard for both the Interior and Corner Lot shall be changed from 3.0m (9.8ft) to "1.83m (6ft)".

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

REGULATIONS FOR LODGING HOUSES AND GROUP HOMES

	Interior Lot	Corner Lot
1 Lot Area (Minimum)	128 sq. m (3,150.3 sq. ft)	205 sq. m (4,251.3 sq. ft)
2 Lot Frontage (Minimum)	10.6 m (34.8 ft)	15 m (49.2 ft)
3 Front Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
4 Rear Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
5 Side Yard (Minimum)	1.83 m (6 ft)	1.83 m (6 ft)

6	Flankage Yard (Minimum)	6.0 m (19.7 ft)
7	Bedroom (Minimum)	12.0 sq. m (322.7 sq. ft.)
8	Bedroom (Minimum)	12.0 sq. m (322.7 sq. ft.)

The number of rooms is determined by the following:

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

Section 21 is amended as follows:

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

Section 36.1.2 is amended as follows:

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

Section 45.11 is amended by adding the following subsection:

45.11.4 Notwithstanding section 45.14.1 there may be a unique circumstance whereby the Manager of Water & Sewer Utility is prepared to grant an unserviced development. In this circumstance, the owner of said property must meet all requirements of the Province Wide Minimum Development Standards Regulations set out in the *Planning Act* R.S.P.E.I 1988, Cap. E-9.

Section 45.3.1 is amended as follows:

Removing the reference of "(See Appendix D)"

Appendix A: Definitions are amended and added as follows:

Add definitions for:

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

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

Amend the definitions as follows:

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

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

Appendix D be amended as follows:

Delete APPENDIX D PLANNING ACT PROVINCE WIDE MINIMUM DEVELOPMENT STANDARDS REGULATIONS and replace with:

APPENDIX D: LANDSCAPE STANDARDS, SPECIFICATIONS & SPECIES LIST

New planting sites for trees must meet the following criteria:

Along the street planting sites will be setback the recommended distance of 4m (13.1ft) from the curb. When this cannot be achieved planting sites may be positioned up to a minimum setback of 2m (6.5ft) on smaller streets. Large statured trees cannot be placed underneath existing utility transmission lines.

Plantings should not impede sight lines or create a visibility hazard. Plantings should be near the City property line. If room allows, trees can be planted on public property but must follow the setbacks outlined below:

Tree Sizing Requirements

Caliper minimum size: 55mm

Root ball minimum size: 70cm

Setback for trees:

Streets, lanes and sidewalks – 2m (6.5ft)

Fire hydrants - 3m (9.8ft)

Electrical boxes on ground – 2m (6.5ft)

Sewer/water grates – 2m (6.5ft)

Surface utility equipment – 3m (9.8ft)

Underground services – 3m (9.8ft)

Private approaches – 3m (9.8ft)

Light poles and poles with transformer boxes in residential areas - 6m (19.6ft)

Bus stops - 8m (26.2ft) from the approach direction

Stop signs - 8m (26.2ft)

Light poles and poles with transformer boxes on arterial roads - 10m (32.8ft)

Signal regulated street intersections - 10m (32.8ft)

Setback for Shrubs:

Surface utility equipment – 0.5m (1.6ft)

Streets, lanes and sidewalks – 1m (3.3ft)

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

Non-Permitted Invasive Species List:

Norway maple, *Acer platanoides*

Manitoba maple, *Acer negundo*

Sycamore maple, *Acer pseudoplatanus*

Scots (Scotch) pine, *Pinus sylvestris*

Silver (White) poplar, *Populus alba*

European mountain ash, *Sorbus aucuparia*

Sycamore maple, *Acer pseudoplatanus*

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

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

Common buckthorn, *Rhamnus cathartica*

Blackthorn, *Prunus spinosa*

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

Salt cedar (Tamarisk), *Tamarix spp.*

Oriental bittersweet, *Celastrus orbiculatus*

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

Multiflora rose, *Rosa multiflora*

Species of Note

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

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

American elms, *Ulmus americana*, are susceptible to Dutch elm disease (DED). Cultivars and hybrids have been developed that are resistant to DED and are good alternatives to native elm trees. All true ash trees are susceptible to emerald ash borer (EAB). There are two ash species native to Prince Edward Island – white ash, *Fraxinus americana* and black ash, *Fraxinus nigra*. Choose alternate species to plant. If planting native ash trees, also plant a variety of other species to increase biodiversity.

BACKGROUND / ANALYSIS:

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

Housekeeping Amendments

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

New Permitted Uses and Regulations Amendments

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

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

Transitional Housing Facility is proposed as both a definition and permitted use in the Institutional (I) Zone. Recently, the Provincial government has received funding to construct dwelling units to temporarily house vulnerable segments of the population. This land use is unique in that it

provides rotating accommodation for people from a state of homelessness or who resided in a facility that received supervised care and will transition to independent living. Given the nature of transitional housing, staff feels that this type of use would be best accommodated in the Institutional Zone where other community based residential uses are permitted.

Landscaping Requirement Amendments

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

- i) Reduction of air pollution and provide oxygen;
- ii) Reduction of the urban heat island effect and reduce the temperature of cities that assist with the effects of climate change;
- iii) Improve water filtration, store water and help preserve biodiversity;
- iv) Increase property values;
- v) Create attractive business/commercial districts; and
- vi) Improve a visitor's perception of the community;

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

LEGISLATIVE REQUIREMENTS:

Notification

On March 11, 2019, Council passed the following resolution:

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site

Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments, be approved to proceed to public consultation.

As per Section 3.10.4 of the Zoning & Development By-law, staff published a notice in two issues of The Guardian on March 16, 2019 & March 23, 2019.

Public Feedback

A public meeting of Council was held on March 27, 2019 at 7:00 p.m. at the Rodd Charlottetown, 75 Kent Street. At the meeting, Mayor Brown inquired as to the number and location of M-2 zoned properties in which an asphalt plant would be permitted, staff responded that there are two areas in the City that have a concentration of M-2 Zoned properties; North Winsloe and the West Royalty Industrial Park. The requirement for an Environmental Impact Assessment was brought forward to ensure land use compatibility of an asphalt plant adjacent to existing residential properties that abut M-2 zoned properties, such as the case in the West Royalty Industrial Park. A resident posed the question on why an asphalt plant was removed from the By-law. Staff responded that it was once allowed as a discretionary use in the Airport (A) Zone under the previous By-law but was removed with the creation of the new By-law in the fall of 2018. Staff confirmed that the purpose of this amendment is to have Council determine whether such a land use should be permitted within the City. A resident had a question concerning the proposed landscaping amendments pertaining to allowing for hardscaping as an alternative to planting trees. Staff responded that hardscaping would have to be decorative and mixed with landscaping features such as shrubs or grasses. No further questions or comments were made.

CONCLUSION:

The Planning & Heritage Department recommends that the proposed Zoning & Development By-law amendments, be **approved**.

PRESENTER:

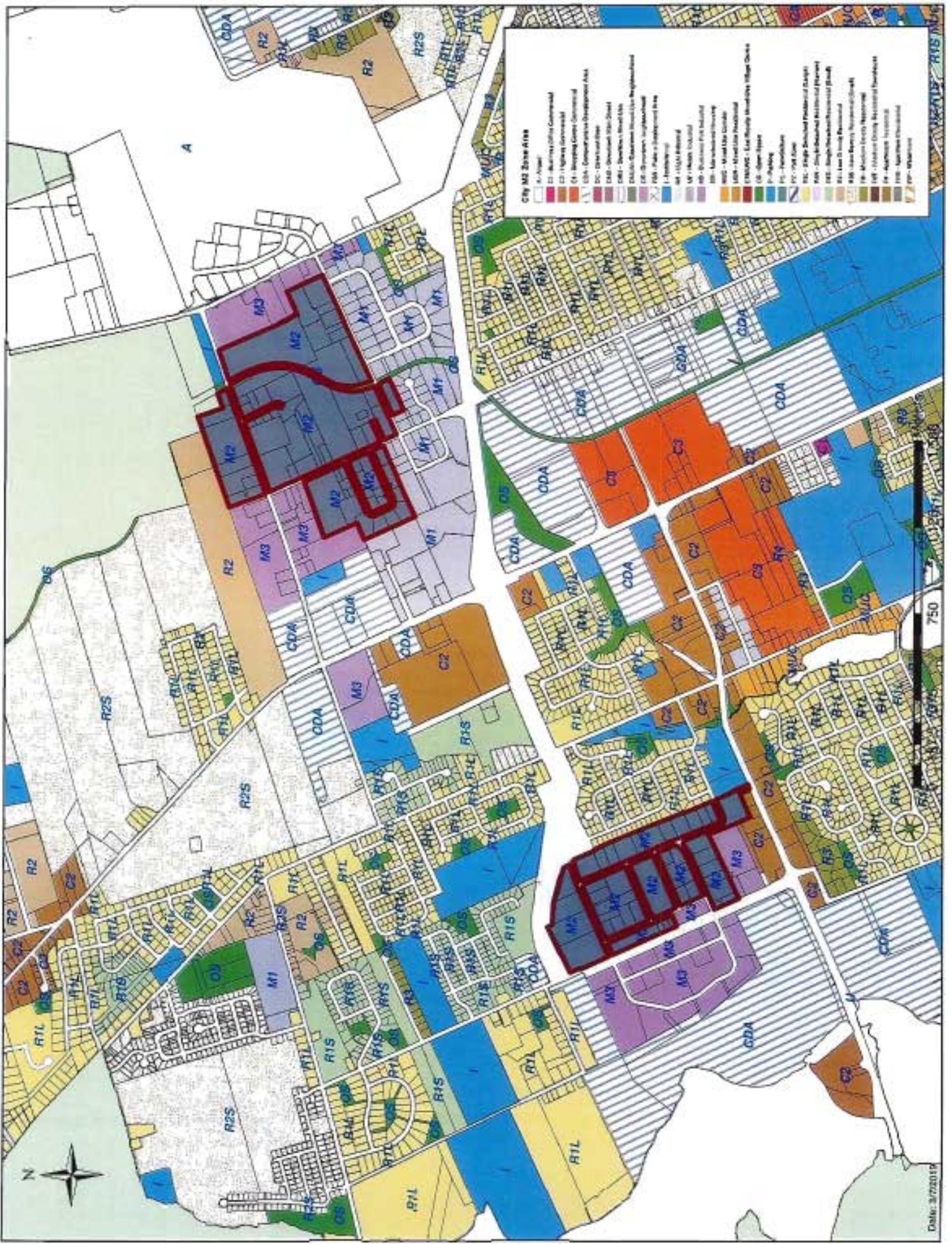


Robert Zilke, MCIP
Planner II

MANAGER:



Alex Forbes, MCIP, MBA
Manager of Planning &
Heritage



City of M2 Zone A108

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TITLE: CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE REGISTRATION BY-LAW FILE: PLAN-2019-1-APRIL- 60-8		
MEETING DATE: April 1, 2019		Page 1 of 3
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A) City of Charlottetown Secondary and Garden Suite Registration By-law	

RECOMMENDATION:

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

BACKGROUND:

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

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

ANALYSIS:

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

The Registry is considered as a necessary part of a strategy to legalize existing accessory dwelling units that may or may not require upgrades to meet the By-law and Building/Fire Code

requirements. New suites that go through the permit process are expected to be added to the Registry systematically as those permits are approved. A transition or grace period of two (2) years will be provided to allow property owners with illegal suites to make an application to legalize and register undocumented suites without repercussions. To incentivize owners to register existing in-law suites or undocumented suites, the department will waive certain registration fees (up to January 1st 2021) for the following situations:

- i) In-law suites or non-conforming suites approved since July 10, 2011 (adoption of the 2010 National Building Code) will be exempted from the registration fee; and
- ii) In-law suites or non-conforming suites prior to July 10, 2011 will be exempted from the registration fee and the inspection fee will be decreased by 50%.

After the end of the grace period any suite that is undocumented would be subject to full registration fees and an inspection. The intention is to have both existing and new suites be registered with the City and made available to the general public.

LEGISLATIVE REQUIREMENTS:

Notification

On March 11, 2019, Council passed the following resolution:

That the proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements, be approved to proceed to public consultation.

As per Section 3.10.4 of the Zoning & Development By-law, staff published a notice in two issues of The Guardian on March 16, 2019 & March 23, 2019.

Public Feedback

A public meeting of Council was held on March 27, 2019 at 7:00 p.m. at the Rodd Charlottetown, 75 Kent Street. At the meeting, questions pertaining to the regulations of a secondary suite came up pertaining to where they would be permitted, how they are assessed and if the registry would be public. Staff noted that only single detached dwellings would be permitted to have a secondary suite despite the zoning, the property would still be assessed as one (1) unit since the suite is part of the dwelling unit and the registry would be made publically available.

CONCLUSION:

The Planning & Heritage Department recommends that the proposed Secondary and Garden Suite Registration By-law, be approved.

PRESENTER:

A handwritten signature in blue ink, appearing to read "Robert Zilke", is written over a solid blue horizontal line.

Robert Zilke, MCIP
Planner II

MANAGER:

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

Alex Forbes, MCIP, MBA
Manager of Planning & Heritage

BEING A BY-LAW OF THE CITY OF CHARLOTTETOWN WITH RESPECT TO THE REGISTRATION OF SECONDARY AND GARDEN SUITES PURSUANT TO THE PROVISIONS OF THE *MUNICIPAL GOVERNMENT ACT* R.S.P.E.I. 1988, CAP. M-12.1.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF CHARLOTTETOWN AS FOLLOWS:

1 TITLE AND AUTHORITY

- 1.1.1 This by-law may be cited as the *City of Charlottetown Secondary and Garden Suites Registration By-law (By-law PH-SS.1-000)* and may also be referred to as the 'Secondary Suites By-law' or 'the by-law' within the context of this document.
- 1.1.2 This by-law is enacted under the authority of the *Municipal Government Act (MGA)* R.S.P.E.I. 1988, Cap. M-12.1.

2 SCOPE

- 2.1.1 This by-law applies to all lands, buildings, structures and Developments within the City on which a Secondary or Garden Suite has been established.
- 2.1.2 Every person who establishes, operates or permits the occupancy of a legally existing or new Secondary or Garden Suite shall register the Secondary or Garden Suite in accordance with this by-law.
- 2.1.3 This by-law prescribes the:
- a. Provisions for the registration of a Secondary or Garden Suite; and
 - b. Provisions for revoking the registration of a Secondary or Garden Suite.
- 2.1.4 Nothing in this by-law shall relieve any person from the obligation to comply with the requirements of any other by-law of the City in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any by-law of the City, or statute or regulation of the Province of Prince Edward Island or the Government of Canada.

3 ADMINISTRATION

- 3.1.1 Council shall appoint a Registrar who shall administer this by-law.
- 3.1.2 The Registrar has the authority to register, to refuse to register or to revoke a registration of a Secondary or Garden Suite.
- 3.1.3 The Registrar may delegate any responsibilities conferred to the Registrar to a designee according to this by-law.

4 EXISTING DWELLING UNITS

4.1 IN-LAW SUITES

- 4.1.1 An In-law Suite which is lawfully in existence on the effective date of this by-law and which may not conform to the regulations pertaining to the Development, use, or occupancy of a Secondary Suite, may continue to exist.
- 4.1.2 All conditions as stated on the Building and/or Development Permit, and in the In-law Suite Agreement shall remain in effect and the In-law Suite shall be removed from the Dwelling when the named resident of the In-law Suite ceases to live there.
- 4.1.3 In-law Suites will not be included in the Registry of Secondary Suites unless an application is made and approved to register the In-law Suite as a Secondary Suite.

4.2 LEGAL NON-CONFORMING UNITS IN A SINGLE-DETACHED DWELLING

- 4.2.1 A subordinate Dwelling unit which is lawfully in existence on the effective date of this by-law and which may not conform to the regulations pertaining to the Development, use or occupancy of a Secondary Suite, may continue to exist.
- 4.2.2 Legal non-conforming units will not be included in the City's Registry of Secondary Suites unless an application is made and approved to register the unit as a Secondary Suite.

5 REGISTRATION APPLICATION

5.1 THE APPLICANT

- 5.1.1 An application to register a Secondary or Garden Suite shall be made by the Owner of the property using the appropriate form provided by the Registrar.
- 5.1.2 If the Owner is not the Principle Resident of the of the Secondary Suite:
 - a. Both the Owner and Principle Resident shall be required to authorize the application to register the Secondary or Garden Suite; and
 - b. The Principle Resident shall be responsible for overseeing the use and occupancy of the Secondary or Garden Suite and shall be identified as the primary contact on the property in relation to the Registry.

5.2 REGISTRATION OF EXISTING DWELLING UNITS

- 5.2.1 An In-law Suite in a Single-Detached Dwelling, for which a Building and/or Development Permit and Occupancy Permit has been issued since July 10 2011, may be registered as a Secondary Suite based on the previously approved Building and/or Development Permit and Occupancy Permit.

- 5.2.2 An In-law Suite or legal non-conforming unit, which was lawfully in existence prior to July 10 2011, may be registered as a Secondary Suite through the same application process as described for a new Secondary Suite.
- 5.2.3 An application to register an In-law Suite or Legal Non-Conforming Unit for which a Building and/or Development Permit and Occupancy Permit has been issued since July 10 2011, shall be submitted with the following information:
 - a. A completed Secondary Suite Registration Form;
 - b. A copy of the previously approved Building and/or Development Permit and Occupancy Permit verifying the date of the permit approval for the In-law Suite or Legal Non-conforming Unit;
 - c. Payment of all required fees.
- 5.2.4 Where copies of the previously approved Building and/or Development Permit and Occupancy Permit for the In-law Suite or legal non-conforming unit are not available, the Owner may make application to the City of Charlottetown Planning and Heritage Department for a records search and additional fee shall apply accordingly.

5.3 NEW SECONDARY OR GARDEN SUITES

- 5.3.1 An application to register a new Secondary or Garden Suite shall be made at the same time as the Building and/or Development Permit application and shall be submitted with the following:
 - a. A completed Secondary Suite Registration Form;
 - b. Payment of all required fees.
- 5.3.2 The new Secondary or Garden Suite will be registered upon approval of the Building and/or Development Permit and issuance of the Occupancy Permit.

5.4 APPLICATION REVIEW

- 5.4.1 The Registrar or their designate shall receive, process and review all applications to register a Secondary or Garden Suite.
- 5.4.2 The Registrar or their designate shall maintain a record showing all applications received, pending, approved, and registrations renewed or revoked, in order to create and maintain the Registry.
- 5.4.3 The Registrar shall refuse to register a Secondary or Garden Suite if:
 - a. The application to register an Secondary Suite is not compliant with the requirements of this by-law; or
 - b. An application form or any other document provided by the Owner contains a false statement or false information.
- 5.4.4 The Owner bears the onus of proving that a Secondary or Garden Suite meets the requirements of this by-law to the Registrar's satisfaction.

- 5.4.5 The Registrar may deem an application abandoned if all requirements of the registration pursuant to this by-law have not been fulfilled to the Registrar's satisfaction three (3) months from the date that the Registrar receives the application.
- 5.4.6 An Owner may re-apply for registration when an application has been deemed abandoned.
- 5.4.7 All notices with regards to the status of the application and revoking of a registration of a Secondary or Garden Suite shall be sent to both the Owner and the Principle Resident if they are not the same person, as identified on the application form.

6 REVOKING A REGISTRATION

- 6.1.1 The Owner bears the onus of providing updated information as necessary to maintain the registration of the Secondary Suite in good standings to the Registrar's satisfaction.
- 6.1.2 The Registrar shall revoke the registration of a Secondary or Garden Suite if:
 - a. A Secondary or Garden Suite is found to be in violation of this or any other by-law;
 - b. An Owner fails to renew the registration of a Secondary Suite after taking ownership of the property;
 - c. An Owner fails to renew the registration when there is a change in the Principle Resident, if they are not the same person;
 - d. If the Secondary or Garden Suite is being used as a short-term rental; or
 - e. The information contained in the application or any other document provided by the Owner is found to contain a false statement, false information or the information previously provided is no longer accurate.
- 6.1.3 If the registration of a Secondary or Garden Suite is revoked, the Registrar may order that the Secondary or Garden Suite shall not be occupied as a secondary suite, in accordance with the *Municipal Government Act (MGA – Part 9 Section 238)* until the renewal application is approved.

7 REGISTRATION RENEWAL

- 7.1.1 Once a Secondary or Garden Suite has been registered according to this by-law, the Suite shall remain registered unless:
 - a. The registration is revoked;
 - b. The Property Ownership changes; or
 - c. The Principle Resident changes.
- 7.1.2 If the registration of a Secondary Suite has been revoked due to non-compliance with regards to a violation in the *Zoning and Development By-law* and/or *Building Code By-law*, the registration renewal shall also require a copy of a new Occupancy Permit to confirm the violation has been addressed prior to the renewal being approved.

8 FEES

8.1 REGISTRATION, INSPECTION AND RENEWAL FEES

8.1.1 The City shall collect registration fees for the administration of the application process and ongoing maintenance and upkeep of the Registry as follows:

a.	Registration of an existing In-law Suite or Legal Non-conforming Unit approved since July 10, 2011	\$100 (waived until Dec 31, 2020)
b.	Registration of a new Secondary Suite	\$ 100 (does not include fees pursuant to the <i>Zoning and Development By-law Fee Schedule</i>)
c.	Building and/or Development Permit and Residential Inspection	As per <i>Zoning and Development By-law Fee Schedule</i>
d.	Registration Renewal	\$50
e.	Re-inspection of Secondary Suite	\$200 (\$100 until Dec 31, 2020)

9 BY-LAW ENFORCEMENT, PENALTIES AND APPEAL

9.1.1 By-law enforcement may be undertaken by the City in accordance with the *Municipal Government Act. (MGA – Part 9)*

9.1.2 A person who, being the Owner or occupant of any land, Building, or Structure to which this by-law applies:

- a. Fails to register a Secondary or Garden Suite;
- b. Permits an unregistered Secondary or Garden Suite to be occupied; or
- c. Alters a Secondary or Garden Suite in any way that violates this or any other by-law without first seeking the necessary permit approvals and a registration renewal;
- d. Uses the Secondary or Garden Suite as a short-term rental.

is guilty of an offence of this by-law.

Attachment A - 6
City of Charlottetown Secondary Suites Registration By-law

- 9.1.3 A person who is guilty of an offence of this by-law is liable on summary conviction to:
- a. a fine in an amount
 - i. not less than \$200 and not more than \$10000, and
 - ii. an additional fine in an amount not less than \$500 and not more than \$2,500 for each day or part of a day on which the offence continues after the first day;
 - b. imprisonment for up to one year; or
 - c. both a fine in accordance with clause (a) and imprisonment in accordance with clause (b).
(MGA – Section 234)
- 9.1.4 When an offence under this by-law is committed or continued for more than one (1) day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed or continued. *(MGA – Section 234 (3))*
- 9.1.5 A person who is dissatisfied with the administration or an order issued by an employee of the City under this by-law may appeal the decision or order to council. *(MGA – Section 239)*
- 9.1.6 A person who is appealing a decision to council made under this by-law must submit a written statement outlining the reason for appeal. *(MGA – Section 239 (2))*

10 DEFINITIONS AND INTERPRETATION

10.1.1 For the purposes of this by-law:

- a. **Building and/or Development Permit** means an official document giving authorization to proceed with a proposed action as regulated under the Zoning and Development By-law (2018-11) and/or Building Code By-law.
- b. **Building Code By-law** means the *City of Charlottetown Building Code By-law (2018-##)*.
- c. **City** means the City of Charlottetown;
- d. **Council** means the duly elected Mayor and Councilors of the City.
- e. **Development** means a change in the use of land, building, structure or sign for any purpose, and shall include the carrying out of any building, engineering, construction, or other operation in, on, over, or under land and water; or the construction, addition, erection or alteration of any building, structure or sign.
- f. **Dwelling** means a building or portion thereof used for residential occupancy.
- g. **Garden Suite** means a self-contained Dwelling Unit that is located in the Rear Yard of a Single-Detached Dwelling.
- h. **In-law Suite** means a legal non-conforming use, similar to a Secondary Suite but with specific regulations pertaining to who is permitted to live within the subordinate Dwelling Unit and a requirement that it is to be removed from the Single Detached Dwelling when the named individual no longer lives there.
- i. **MGA** means the *Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1* of the Province of Prince Edward Island.
- j. **Occupancy Permit** means an Occupancy Permit as required and/or obtained pursuant to the *City's Zoning and Development By-law*.
- k. **Owner** means a person who legally owns a lot and is a registered land Owner; or an executor, administrator, trustee, agent, or other person managing the subject lot or building for the registered land Owner.
- l. **Principle Resident** means the individual who resides within a Dwelling and who lives, makes their home and conducts their daily affairs within this Dwelling, including, without limitation, paying bills and receiving mail, and is generally the Dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills.
- m. **Registrar** means the person appointed by Council to administer this by-law and unless otherwise appointed shall be the City's Manager of Planning and Heritage;

Attachment A - 8
City of Charlottetown Secondary Suites Registration By-law

- n. **Registry, or Registry of Secondary Suites** means a publically accessible Registry or list of Secondary Suites which have been reviewed by the City and approved based on conformance with the Zoning and Development and Building Code By-law regulations as well as other best practices for supporting safe and affordable housing.
 - o. **Secondary Suite** means a subordinate Dwelling unit located within a Single-Detached Dwelling.
 - p. **Short-term Rental** means the rental of a dwelling unit or a portion of a dwelling unit (including a Secondary Suite within a dwelling) for a period of less than 30 consecutive days. **Single-Detached Dwelling** means a building which is a completely detached Dwelling unit, and whose main walls have a minimum width of not less than 5.5 m (18 ft).
 - q. **Zoning and Development By-law** means the *City of Charlottetown Zoning and Development By-law (2018-11)*.
- 10.1.2 In this by-law words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular, all as the context allows; and the word 'shall' is mandatory and is not permissive.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning & Heritage
Committee #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That, pursuant to the requirements of Section 20 of the *Planning Act*, R.S.P.E.I., 1988, Cap. P-8, and the requirements of Section 2.1 of the *Zoning and Development Bylaw*, Council hereby appoints Ellen Faye Ganga as designate Development Officer to administer provisions of the *Zoning and Development Bylaw* with the exception of multi-residential, commercial, industrial, institutional, subdivision developments, rezoning and variance applications.

This designation of authority shall cease if the job duties of this employee no longer require the designation, if the employee terminates employment with the City of Charlottetown, or upon further written notice.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to:

- 1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Concept Planning Area to Commercial;**
- 2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone; and**
- 3. Increase the maximum height for an apartment dwelling in the C-2 Zone from 15.0m (49.2ft) to approximately 21.26m (69.75 ft),**

for the property at 197 Minna Jane Drive (PID #469841), be approved, subject to the existing access between the Dental Office and the lower parking lot be removed as per the Department of Transportation regulations.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #2

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to rezone approximately 3.25 acres (7 building lots on cul-de-sac) of the vacant property located at the corner of Royalty Road & Upton Road (PID #388595) by amending Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone, be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3a

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

Whereas, a public meeting was held March 27th, 2019 to hear comments from the public regarding a proposed development at 88 Brackley Point Road (PID #396770).

And Whereas, under section 3.10.3 of the Zoning and Development By-law it states: "...if an application goes to a public meeting, then the Council shall determine the disposition of the application and the applicant may not be allowed to withdraw the application after the public meeting."

Therefore, it is mandatory that Council exercise its discretion as to whether or not to allow the application to be withdrawn and re-submitted at a later date before the expiration of one (1) year and make a determination as to the disposition of the application;

And Whereas, the applicant has formally requested by letter the opportunity to go back and prepare a new proposal for the subject property which will expand on the duplex and townhouse portion of the development to address resident concerns without being subject to the restriction that prevents them from reapplying for a new proposal during the next year.

BE IT RESOLVED

That pursuant to section 3.10.3 Council:

1. Approve the Applicant's request of April 2nd, 2019, to withdraw their application as it pertains to 88 Brackley Point Road;
2. Allow the Applicant to re-submit their application afresh without being limited to the one year restriction to reapply for a new development proposal on the subject property.

From: notification@civiclive.com [<mailto:notification@civiclive.com>]

Sent: Tuesday, April 02, 2019 11:40 PM

To: Forbes, Alex <aforbes@charlottetown.ca>

Subject: 88 Brackley Point Road

April 3rd 2019 .

To the city of Charlottetown planning and heritage department

I Ron wood owner of the property at 88 Brackley Point Road- PID # 396770 hereby request the withdrawal of my application at this time for re-zoning of my property from a R-1L to a R-3L. I require some time to process all comments and concerns which were raised by the residents of the Sherwood community at the public meeting held on March 27th 2019. As a long time resident of this community I take all concerns posed in the highest regard and believe that we can work together to find a suitable solution to satisfy the Charlottetown Planning Board, Planning and Heritage Dept., Mayor and City Counsel and the residents of the community. Going forward I have heard and taken into consideration the concerns voiced surrounding the apartment complex. I am currently working on a new proposal which will expand on the duplex and townhouse portion of the development as many residents during the public meeting voiced no concerns with this portion in the proposal.

Sincerely Ron Wood

Sent By: Ron Wood

Sent From: shinedepot@hotmail.com



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3b

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to:

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

for the property at 88 Brackley Point Road (PID #396770), in order to construct a 30-unit apartment building on one lot and townhouse units on the other lot, be rejected.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #4

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request for the following:

- a. **Minor variance to vary Section 15.2 of the Zoning & Development By-law by reducing the required lot area from 38,374.9 sq. ft. to approximately 42,088.6 sq. ft.;**
- b. **Major variance to vary Section 3.9 c. of the Zoning and Development Bylaw to allow for the expansion of parking in the front yard;**
- c. **Major variance to vary Section 6.4 of the Zoning and Development Bylaw to reduce the landscape buffer from 12 ft. to 8 ft.;**
- d. **Major variance to the rear yard setback to reduce it from 19.7 ft. to 14.4 ft.;**
- e. **Major variance to the side yard setback to reduce it from 14.8 ft. to 10 ft.;**
and
- f. **Lot Consolidation of PID#'s 367938 and 367979,**

for the property at 200-202 Spring Park Road (PID #'s 367938 and 367979), in order to construct a 16 unit apartment building, be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #5

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request to:

- a. **Decrease the interior side yard setback from 1.83m (6 ft) to 1.2m (4 ft) for the main dwelling;**
- b. **Decrease the minimum flankage yard requirement from 6m (19.7 ft) to 3.3m (11 ft) for the main dwelling; and**
- c. **Decrease the minimum flankage yard setback requirement from 6m (19.7ft) to 5.4m (18 ft) for the accessory building;**

in order for the construction of a single detached dwelling with a detached garage on the vacant property off of Gerald Street (PID #359950), be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #6

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the request the request to obtain a site specific exemption in the Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044) in order to:

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

be approved.

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

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



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #7

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) pertaining to:

- **Definitions/regulations pertaining to Transitional Housing Facility;**
- **Site regulations for Lodging Houses, Group Homes;**
- **Major development landscaping requirements; and**
- **General Housekeeping amendments pertaining to Undersized Lot regulations and reference corrections,**

be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #8

MOTION CARRIED _____

MOTION LOST _____

Date: April 08, 2019

Moved by Councillor _____ Greg Rivard

Seconded by Deputy Mayor _____ Jason Coady

BE IT RESOLVED:

That the proposal to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements, be approved.



**CITY OF CHARLOTTETOWN
BYLAW**

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

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-014, as it pertains to 197 Minna Jane Drive (PID #469841))”, as attached, be read a first time.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (2018-11-014), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-014, as it pertains to 197 Minna Jane Drive (PID #469841))”, as attached, was read and approved a first time on April 08, 2019;

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # 2018-11-014

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

PART I – INTERPRETATION AND APPLICATION

1. Title

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-014”

2. Authority

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

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix G.

PART II – AMENDMENTS

4. The zoning of the property at 197 Minna Jane Drive (PID #469841) as shown on Appendix “G” of the Zoning & Development Bylaw, Bylaw #2018-11-014, is Highway Commercial (C-2) Zone, hereby excluding it from its former designation of Comprehensive Development Area (CDA) Zone.



PART III – EFFECTIVE DATE

20. Effective Date

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

First Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-014, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-014, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-014, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-014, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw #2018-11-014, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

21. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-014, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (2018-11-014) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment

Effective Date

The effective date of the Official Plan amendment is the date as signed below by the Minister of Communities, Land and Environment.

Adoption and Approval by Council:

The Official Plan amendment(s) was adopted and approved by a majority of the Councillors present at the Council Meeting held on 8th day of April, 2019.

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Official Plan Amendment (PH-OPA.1-002) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment



CITY OF CHARLOTTETOWN

**Official Plan Amendment PH-OPA.1-002
Appendix "A" – Official Plan Map**

Authority

The Council for the City of Charlottetown under the authority vested in it by Section 11 and 15 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for 197 Minna Jane Drive (PID #469841) as shown on Appendix A – Official Plan Map of the City of Charlottetown Official Plan, is designated as Commercial, hereby excluding it from its former designation of Concept Planning Area.





**CITY OF CHARLOTTETOWN
BYLAW**

To adopt Bylaw 2018-11-015, A Bylaw to amend the Zoning & Development Bylaw, to rezone approximately 3.25 acres of the vacant property located at the corner of Royalty Road & Upton Road (PID #388595) from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone.

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-015, as it pertains to corner of Royalty Road & Upton Road (PID #388595))”, as attached, be read a first time.

Date: _____ April 08, 2019
Moved by Councillor: _____ Greg Rivard
Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (2018-11-015), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ April 08, 2019
Moved by Councillor: _____ Greg Rivard
Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-015, as it pertains to corner of Royalty Road & Upton Road (PID #388595))”, as attached, was read and approved a first time on April 08, 2019;

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

Date: _____ May 13, 2019
Moved by Councillor: _____ Greg Rivard
Seconded by Deputy Mayor: _____ Jason Coady

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

Date: _____ May 13, 2019
Moved by Councillor: _____ Greg Rivard
Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # 2018-11-015

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

PART I – INTERPRETATION AND APPLICATION

1. Title

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-015”

2. Authority

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

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix G.

PART II – AMENDMENTS

4. The zoning of approximately 3.25 acres of the property at corner of Royalty Road & Upton Road (PID #388595) as shown on Appendix “G” of the Zoning & Development Bylaw, Bylaw #2018-11-015, is Low Density Residential (R-2) Zone, hereby excluding it from its former designation of Single-Detached Residential (R-1S) Zone.



PART III – EFFECTIVE DATE

20. Effective Date

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

First Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-015, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-015, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-015, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-015, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw #2018-11-015, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

21. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-015, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (2018-11-015) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment



**CITY OF CHARLOTTETOWN
BYLAW**

To adopt Bylaw 2018-11-018, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 88 Brackley Point Road (PID #396770) from Single Density Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone.

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-018, as it pertains to 88 Brackley Point Road (PID #396770))”, as attached, be read a first time.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (2018-11-018), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-018, as it pertains to 88 Brackley Point Road (PID #396770))”, as attached, was read and approved a first time on April 08, 2019;

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # 2018-11-018

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

PART I – INTERPRETATION AND APPLICATION

1. Title

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-018”

2. Authority

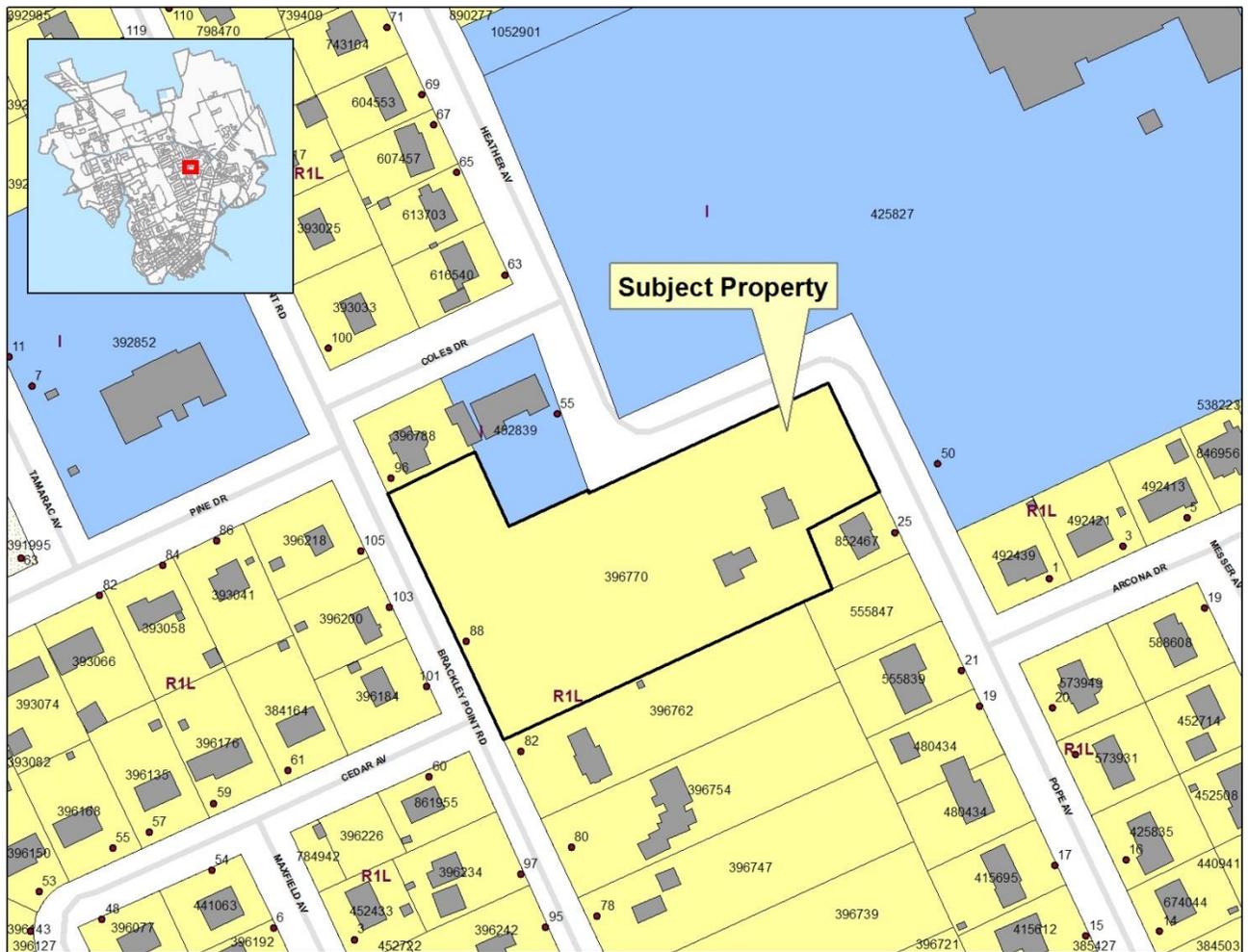
(1) Section 16 of the Planning Act R.S.P.E.I 1988 Cap. P-8, enables the Council of the City of Charlottetown, to adopt bylaws implementing an official plan for the municipality

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix G.

PART II – AMENDMENTS

4. The zoning of the property at 88 Brackley Point Road (PID #396770) as shown on Appendix “G” of the Zoning & Development Bylaw, Bylaw #2018-11-018, is Medium Density Residential (R-3) Zone, hereby excluding it from its former designation of Single-Density Residential (R-1L) Zone.



PART III – EFFECTIVE DATE

20. Effective Date

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

First Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-018, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-018, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-018, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-018, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw #2018-11-018, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

21. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-018, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (2018-11-018) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment

Effective Date

The effective date of the Official Plan amendment is the date as signed below by the Minister of Communities, Land and Environment.

Adoption and Approval by Council:

The Official Plan amendment(s) was adopted and approved by a majority of the Councillors present at the Council Meeting held on 8th day of April, 2019.

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Official Plan Amendment (PH-OPA.1-003) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment



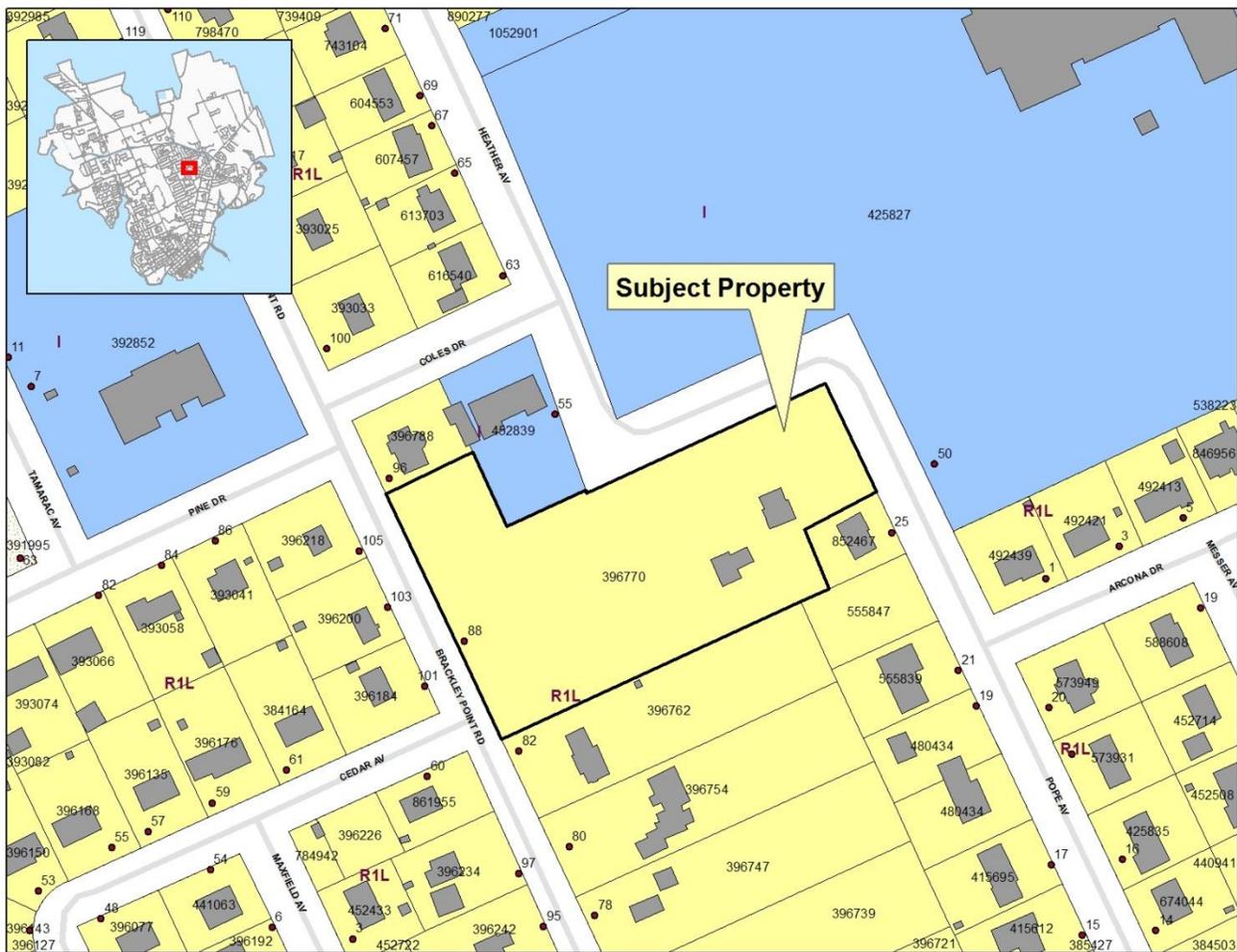
CITY OF CHARLOTTETOWN

**Official Plan Amendment PH-OPA.1-003
Appendix “A” – Official Plan Map**

Authority

The Council for the City of Charlottetown under the authority vested in it by Section 11 and 15 of the Planning Act R.S.P.E.I. 1988 Cap. P-8 hereby enacts as follows:

The land use for 88 Brackley Point Road (PID #396770) as shown on Appendix A – Official Plan Map of the City of Charlottetown Official Plan, is designated as Medium Density Residential, excluding it from its former designation of Low Density Residential.





**CITY OF CHARLOTTETOWN
BYLAW**

To adopt Bylaw 2018-11-016, A Bylaw to amend the Zoning & Development Bylaw, to obtain a site specific exemption Downtown Core (DC) Zone of the Zoning & Development By-law as it pertains to 183 Great George Street (PID #344044).

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-016, as it pertains to 183 Great George Street (PID #344044))”, as attached, be read a first time.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (2018-11-016), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-016, as it pertains to 183 Great George Street (PID #344044))”, as attached, was read and approved a first time on April 08, 2019;

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # 2018-11-016

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

PART I – INTERPRETATION AND APPLICATION

1. Title

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-016”

2. Authority

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

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions found in Appendix C. Approved Site Specific Exemptions

PART II – AMENDMENTS

4. To add the following site specific exemptions in Appendix C. Approved Site Specific Exemptions as follows:

APPENDIX C. APPROVED SITE SPECIFIC EXEMPTIONS

The following properties have been subject to a site or area specific amendment or amendments to the permitted uses or regulations by way of an amendment to a zone for a particular property or properties:

Zone	PID	Civic Address	Use	Regulation
Downtown Core (DC)	344044	183 Great George Street	Mobile Canteen	1. Allow the sale of alcohol within in a mobile canteen; 2. Allow the mobile canteen to operate from April 1 to October 31; and 3. Utilize a container to contain washroom facilities.

PART III – EFFECTIVE DATE

20. Effective Date

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

First Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-016, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-016, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-016, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-016, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw #2018-11-016, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

21. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-016, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (2018-11-016) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment



**CITY OF CHARLOTTETOWN
BYLAW**

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

BE IT RESOLVED THAT THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-017, as it pertains to Zoning & Development Amendments)”, as attached, be read a first time.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the Zoning & Development Amendment Bylaw (2018-11-017), be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW, (2018-11-017, as it pertains to Zoning & Development Amendments)”, as attached, was read and approved a first time on April 08, 2019;

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

City of Charlottetown
A Bylaw to amend the Zoning and Development Bylaw
BYLAW # 2018-11-017

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

PART I – INTERPRETATION AND APPLICATION

1. Title

(1) This Bylaw shall be known and cited as the “Bylaw to amend the Zoning and Development Bylaw, Bylaw # 2018-11-017”

2. Authority

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

3. Purpose

(1) The purpose of this bylaw is to amend the City of Charlottetown’s Zoning and Development Bylaw provisions relating to definitions/regulations pertaining to Transitional Housing Facility, Site regulations for Lodging Houses, Group Homes, Major development landscaping requirements; and General Housekeeping amendments pertaining to Undersized Lot regulations and reference corrections

PART II – AMENDMENTS

4. Section 1.4.3 is amended as follows:

The reference to Appendix “D” be changed to Appendix “G”

5. Section 1.7.1 is amended as follows:

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

6. Section 2.2 is amended as follows:

To replace the text “appointed by Mayor” with “appointed by Council”

7. Section 2.2.7 be removed.

8. Section 3.3.1 is amended as follows:

Removing the reference of “(See Appendix D)”

9. Section 3.13.1 is amended as follows:

Replace “Appendix E” with “Appendix H”

10. Section 3.14.1 is amended as follows:

Replace “Appendix E” with “Appendix “G”

11. Section 5.6.1 is amended as follows:

One (1) Secondary Suite may be permitted in a Single-detached Dwelling “subject to the following conditions:”

12. Section 5.7.2 is amended as follows:

The Garden Suite shall “be subject to the following conditions:”

13. Section 5.6.2 is amended as follows:

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

14. Section 5.7.3 is added as follows:

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

15. Section 6.2. is amended as follows:

Notwithstanding any other requirements of this By-law:

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

And all corresponding sections renumbered.

16. Section 6.5 is amended as follows:

6.5.2 Where the minimum ten percent (10%) of the Lot Area for landscaping cannot be provided on the ground level, the remaining required Landscaped Area can be accommodated with a Green Roof as an alternative.

6.5.3 In all Zones where the minimum Front Yard Setback permits, a strip of landscaped area of not less than 3.7m (12ft) in width shall be provided along the frontage of the property but shall not prevent the provision of an access driveway across the strip of land.

6.5.4 In all Zones with the exception of the R-1L, R-1S, R-1N, R-2, R-2S and the A Zones, within the minimum Front Yard Setback, the landscaped area shall consist of trees, shrubs or a combination of both not less than 3.7 m (12 ft) in width shall be provided along a Lot Line(s) which abut a Street Line and shall adhere to the following conditions:

- a. Comprise a portion of the required ten percent (10%) Landscaped Area and be used for no other purpose thereof;
- b. This provision shall not prevent the provision of an access driveway across the strip of land;
- c. A minimum of one tree per 10m (32.8ft) of site frontage shall be provided;
- d. Required landscaping in the form of trees shall be a minimum of 1.5m (4.9ft) in height with a caliper of at least 55 mm at the time of planting and shall be salt tolerant;
- e. Tree species and planting requirements shall be in accordance with Appendix D: Landscape Standards & Specifications;
- f. A variety of sizes and species of both deciduous and coniferous plants should be provided to provide year-round interest, colour and aesthetic appeal;
- g. Where there are site constraints regarding the planting of trees a landscaping alternative shall be provided in the form of planting beds, ornamental grasses, hard/soft landscaping or a combination thereof;
- h. All private landscaped areas, including shrub and tree plantings shall be completed in accordance with the approved site plan and maintained to a standard as defined at the time of the building permit;
- i. Where there is any outstanding landscaping work that has not been completed as per the approved plans of a development, the Development Deposit shall be forfeited and directed to a fund for public landscaping.

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

6.5.6 Where landscaping requirements as set forth in this By-law are not met, the Development Security submitted at time of permit shall be forfeited and the funds therein shall be deposited to a Public Tree Reserve Fund to be used for landscaping on public property.

17. Section(s) 13.2.5, 13.3.5, 14.2.5, 14.3.5 are amended as follows:

The minimum Side Yard for both the Interior and Corner Lot shall be changed from 3.0m (9.8ft) to “1.83m (6ft)”.

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

Add below table:

REGULATIONS FOR LODGING HOUSES AND GROUP HOMES

	Interior Lot	Corner Lot
1 Lot Area (Minimum)	325 sq. m (3,498.3 sq. ft)	395 sq. m (4,251.9 sq. ft)
2 Lot Frontage (Minimum)	10.6 m (34.8 ft)	15 m (49.2 ft)
3 Front Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
4 Rear Yard (Minimum)	6.0 m (19.7 ft)	6.0 m (19.7 ft)
5 Side Yard (Minimum)	1.8 m (6 ft)	1.83 m (6 ft)

6	Flankage Yard (Minimum)	6.0 m (19.7 ft)
7	Height (Maximum)	12.0 m (39.4 ft) 12.0 m (39.4 ft)

The number of rooms is determined by the following:

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

19. Section 21 is amended as follows:

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

20. Section 45.11 is amended by adding the following subsection:

45.11.4 Notwithstanding section 45.14.1 there may be a unique circumstance whereby the Manager of Water & Sewer Utility is prepared to grant an unserviced development. In this circumstance, the owner of said property must meet all requirements of the Province Wide Minimum Development Standards Regulations set out in the Planning Act R.S.P.E.I 1988, Cap. E-9.

21. Section 45.3.1 is amended as follows:

Removing the reference of “(See Appendix D)”

22. Appendix A: Definitions are amended and added as follows:

Add definitions for:

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

Amend the definitions as follows:

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

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

23. Appendix D be amended as follows:

Delete APPENDIX D. PLANNING ACT PROVINCE WIDE MINIMUM DEVELOPMENT STANDARDS REGULATIONS and replace with:

APPENDIX D: LANDSCAPE STANDARDS, SPECIFICATIONS & SPECIES LIST

New planting sites for trees must meet the following criteria:

Along the street planting sites will be setback the recommended distance of 4m (13.1ft) from the curb. When this cannot be achieved planting sites may be positioned up to a minimum setback of 2m (6.5ft) on smaller streets. Large statured trees cannot be placed underneath existing utility transmission lines.

Plantings should not impede sight lines or create a visibility hazard. Plantings should be near the City property line. If room allows, trees can be planted on public property but must follow the setbacks outlined below:

Tree Sizing Requirements:

- Caliper minimum size: 55mm
- Root ball minimum size: 70cm

Setback for trees:

- Streets, lanes and sidewalks – 2m (6.5ft)
- Fire hydrants - 3m (9.8ft)

Electrical boxes on ground – 2m (6.5ft)
Sewer/water grates – 2m (6.5ft)
Surface utility equipment – 3m (9.8ft)
Underground services – 3m (9.8ft)
Private approaches – 3m (9.8ft)
Light poles and poles with transformer boxes in residential areas - 6m (19.6ft)
Bus stops - 8m (26.2ft) from the approach direction
Stop signs - 8m (26.2ft)
Light poles and poles with transformer boxes on arterial roads - 10m (32.8ft)
Signal regulated street intersections - 10m (32.8ft)

Setback for Shrubs:

Surface utility equipment – 0.5m (1.6ft)
Streets, lanes and sidewalks – 1m (3.3ft)

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

Non-Permitted Invasive Species List:

Norway maple, *Acer platanoides*
Manitoba maple, *Acer negundo*
Sycamore maple, *Acer pseudoplatanus*
Scots (Scotch) pine, *Pinus sylvestris*
Silver (White) poplar, *Populus alba*
European mountain ash, *Sorbus aucuparia*
Sycamore maple, *Acer pseudoplatanus*
White fringe tree, *Chionanthus virginicus*, is also a host to emerald ash borer (EAB). Avoid planting to help combat EAB.
Glossy buckthorn, *Frangula alnus*, *Rhamnus frangula*
Common buckthorn, *Rhamnus cathartica*
Blackthorn, *Prunus spinosa*
Scotch broom, *Cytisus scoparius*, *Sarothamnus scoparius*
Salt cedar (Tamarisk), *Tamarix spp.*
Oriental bittersweet, *Celastrus orbiculatus*
Virginia creeper, *Parthenocissus quinquefolia*, *Parthenocissus vitacea*
Multiflora rose, *Rosa multiflora*

Species of Note

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

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

American elms, *Ulmus americana*, are susceptible to Dutch elm disease (DED). Cultivars and hybrids have been developed that are resistant to DED and are good alternatives to native elm trees. All true ash trees are susceptible to emerald ash borer (EAB). There are two ash species native to Prince Edward Island – white ash, *Fraxinus americana* and black ash, *Fraxinus nigra*. Choose alternate species to plant. If planting native ash trees, also plant a variety of other species to increase biodiversity.

PART III – EFFECTIVE DATE

25. Effective Date:

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

First Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-017, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-017, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Zoning & Development Bylaw, Bylaw #2018-11-017, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Zoning & Development Bylaw, Bylaw #2018-11-017, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Zoning & Development Bylaw, Bylaw #2018-11-017, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

26. Signatures:

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Zoning & Development Bylaw, Bylaw #2018-11-017, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer
(signature sealed)

Date:

MINISTERIAL APPROVAL

This Zoning and Development Bylaw amendment (2018-11-017) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment



**CITY OF CHARLOTTETOWN
BYLAW**

To adopt Bylaw, Bylaw PH-SSB.1, A Bylaw to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

BE IT RESOLVED THAT THE “CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE REGISTRY BYLAW, BYLAW PH-SSB.1”, as attached, be read a first time.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

BE IT RESOLVED THAT the City Of Charlottetown Secondary And Garden Suite Registry Bylaw, Bylaw PH-SSB.1, be approved and that it be read a second time at the next Regular Meeting of Council.

Date: _____ April 08, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

WHEREAS THE “CITY OF CHARLOTTETOWN SECONDARY AND GARDEN SUITE REGISTRY BYLAW, BYLAW PH-SSB.1”, as attached, was read and approved a first time on April 08, 2019;

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

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

Date: _____ May 13, 2019

Moved by Councillor: _____ Greg Rivard

Seconded by Deputy Mayor: _____ Jason Coady

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

**City of Charlottetown
Secondary and Garden Suites Bylaw
BYLAW # PH-SSB.1**

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 “City of Charlottetown Secondary and Garden Suite Registry Bylaw, Bylaw PH-SSB.1

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 create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

PART II – AMENDMENTS

4. Refer to attached Bylaw, PH-SSB.1



Bylaw Name:	Secondary and Garden Suites Registration Bylaw (PH-SSB.1)
Effective Date:	

BEING A BY-LAW OF THE CITY OF CHARLOTTETOWN WITH RESPECT TO THE REGISTRATION OF SECONDARY AND GARDEN SUITES PURSUANT TO THE PROVISIONS OF THE *MUNICIPAL GOVERNMENT ACT* R.S.P.E.I. 1988, CAP. M-12.1.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF CHARLOTTETOWN AS FOLLOWS:

1 TITLE AND AUTHORITY

- 1.1.1 This by-law may be cited as the *City of Charlottetown Secondary and Garden Suites Registration By-law (By-law PH-SSB.1-000)* and may also be referred to as the ‘*Secondary Suites By-law*’ or ‘the by-law’ within the context of this document.
- 1.1.2 This by-law is enacted under the authority of the *Municipal Government Act (MGA)* R.S.P.E.I. 1988, Cap. M-12.1.

2 SCOPE

- 2.1.1 This by-law applies to all lands, buildings, structures and Developments within the City on which a Secondary or Garden Suite has been established.
- 2.1.2 Every person who establishes, operates or permits the occupancy of a legally existing or new Secondary or Garden Suite shall register the Secondary or Garden Suite in accordance with this by-law.
- 2.1.3 This by-law prescribes the:
 - a. Provisions for the registration of a Secondary or Garden Suite; and
 - b. Provisions for revoking the registration of a Secondary or Garden Suite.
- 2.1.4 Nothing in this by-law shall relieve any person from the obligation to comply with the requirements of any other by-law of the City in force from time to time, or the obligation to obtain any license, permit, authority, or approval required under any by-law of the City, or statute or regulation of the Province of Prince Edward Island or the Government of Canada.

3 ADMINISTRATION

- 3.1.1 Council shall appoint a Registrar who shall administer this by-law.
- 3.1.2 The Registrar has the authority to register, to refuse to register or to revoke a registration of a Secondary or Garden Suite.
- 3.1.3 The Registrar may delegate any responsibilities conferred to the Registrar to a designee according to this by-law.

4 EXISTING DWELLING UNITS

4.1 IN-LAW SUITES

- 4.1.1 An In-law Suite which is lawfully in existence on the effective date of this by-law and which may not conform to the regulations pertaining to the Development, use, or occupancy of a Secondary Suite, may continue to exist.
- 4.1.2 All conditions as stated on the Building and/or Development Permit, and in the In-law Suite Agreement shall remain in effect and the In-law Suite shall be removed from the Dwelling when the named resident of the In-law Suite ceases to live there.
- 4.1.3 In-law Suites will not be included in the Registry of Secondary Suites unless an application is made and approved to register the In-law Suite as a Secondary Suite.

4.2 LEGAL NON-CONFORMING UNITS IN A SINGLE-DETACHED DWELLING

- 4.2.1 A subordinate Dwelling unit which is lawfully in existence on the effective date of this by-law and which may not conform to the regulations pertaining to the Development, use or occupancy of a Secondary Suite, may continue to exist.
- 4.2.2 Legal non-conforming units will not be included in the City's Registry of Secondary Suites unless an application is made and approved to register the unit as a Secondary Suite.

5 REGISTRATION APPLICATION

5.1 THE APPLICANT

- 5.1.1 An application to register a Secondary or Garden Suite shall be made by the Owner of the property using the appropriate form provided by the Registrar.
- 5.1.2 If the Owner is not the Principle Resident of the Principle Unit or of the Secondary Suite:
 - a. Both the Owner and Principle Resident shall be required to authorize the application to register the Secondary or Garden Suite; and
 - b. The Principle Resident shall be responsible for overseeing the use and occupancy of the Secondary or Garden Suite and shall be identified as the primary contact on the property in relation to the Registry.

5.2 REGISTRATION OF EXISTING DWELLING UNITS

- 5.2.1 An In-law Suite in a Single-Detached Dwelling, for which a Building and/or Development Permit and Occupancy Permit has been issued since July 10 2011, may be registered as a Secondary Suite based on the previously approved Building and/or Development Permit and Occupancy Permit.

- 5.2.2 An In-law Suite or legal non-conforming unit, which was lawfully in existence prior to July 10 2011, may be registered as a Secondary Suite through the same application process as described for a new Secondary Suite.
- 5.2.3 An application to register an In-law Suite or Legal Non-Conforming Unit for which a Building and/or Development Permit and Occupancy Permit has been issued since July 10 2011, shall be submitted with the following information:
 - a. A completed Secondary Suite Registration Form;
 - b. A copy of the previously approved Building and/or Development Permit and Occupancy Permit verifying the date of the permit approval for the In-law Suite or Legal Non-conforming Unit;
 - c. Payment of all required fees.
- 5.2.4 Where copies of the previously approved Building and/or Development Permit and Occupancy Permit for the In-law Suite or legal non-conforming unit are not available, the Owner may make application to the City of Charlottetown Planning and Heritage Department for a records search and additional fee shall apply accordingly.

5.3 NEW SECONDARY OR GARDEN SUITES

- 5.3.1 An application to register a new Secondary or Garden Suite shall be made at the same time as the Building and/or Development Permit application and shall be submitted with the following:
 - a. A completed Secondary Suite Registration Form;
 - b. Payment of all required fees.
- 5.3.2 The new Secondary or Garden Suite will be registered upon approval of the Building and/or Development Permit and issuance of the Occupancy Permit.

5.4 APPLICATION REVIEW

- 5.4.1 The Registrar or their designate shall receive, process and review all applications to register a Secondary or Garden Suite.
- 5.4.2 The Registrar or their designate shall maintain a record showing all applications received, pending, approved, and registrations renewed or revoked, in order to create and maintain the Registry.
- 5.4.3 The Registrar shall refuse to register a Secondary or Garden Suite if:
 - a. The application to register an Secondary Suite is not compliant with the requirements of this by-law; or
 - b. An application form or any other document provided by the Owner contains a false statement or false information.
- 5.4.4 The Owner bears the onus of proving that a Secondary or Garden Suite meets the requirements of this by-law to the Registrar's satisfaction.

- 5.4.5 The Registrar may deem an application abandoned if all requirements of the registration pursuant to this by-law have not been fulfilled to the Registrar's satisfaction three (3) months from the date that the Registrar receives the application.
- 5.4.6 An Owner may re-apply for registration when an application has been deemed abandoned.
- 5.4.7 All notices with regards to the status of the application and revoking of a registration of a Secondary or Garden Suite shall be sent to both the Owner and the Principle Resident of the Principle Unit if they are not the same person, as identified on the application form.

6 REVOKING A REGISTRATION

- 6.1.1 The Owner bears the onus of providing updated information as necessary to maintain the registration of the Secondary Suite in good standings to the Registrar's satisfaction.
- 6.1.2 The Registrar shall revoke the registration of a Secondary or Garden Suite if:
 - a. A Secondary or Garden Suite is found to be in violation of this or any other by-law;
 - b. An Owner fails to renew the registration of a Secondary Suite after taking ownership of the property;
 - c. An Owner fails to renew the registration when there is a change in the Principle Resident, if they are not the same person;
 - d. If the Secondary or Garden Suite is being used as a short-term rental; or
 - e. The information contained in the application or any other document provided by the Owner is found to contain a false statement, false information or the information previously provided is no longer accurate.
- 6.1.3 If the registration of a Secondary or Garden Suite is revoked, the Registrar may order that the Secondary or Garden Suite shall not be occupied as a secondary suite, in accordance with the *Municipal Government Act (MGA – Part 9 Section 238)* until the renewal application is approved.

7 REGISTRATION RENEWAL

- 7.1.1 Once a Secondary or Garden Suite has been registered according to this by-law, the Suite shall remain registered unless:
 - a. The registration is revoked;
 - b. The Property Ownership changes; or
 - c. The Principle Resident changes.
- 7.1.2 If the registration of a Secondary Suite has been revoked due to non-compliance with regards to a violation in the *Zoning and Development By-law* and/or *Building Code By-law*, the registration renewal shall also require a copy of a new Occupancy Permit to confirm the violation has been addressed prior to the renewal being approved.

8 FEES

8.1 REGISTRATION, INSPECTION AND RENEWAL FEES

8.1.1 The City shall collect registration fees for the administration of the application process and ongoing maintenance and upkeep of the Registry as follows:

a.	Registration of an existing In-law Suite or Legal Non-conforming Unit approved since July 10, 2011	\$100 (waived until Dec 31, 2020)
b.	Registration of a new Secondary Suite	\$ 100 (does not include fees pursuant to the <i>Zoning and Development By-law Fee Schedule</i>)
c.	Building and/or Development Permit and Residential Inspection	As per <i>Zoning and Development By-law Fee Schedule</i>
d.	Registration Renewal	\$50
e.	Re-inspection of Secondary Suite	\$200

9 BY-LAW ENFORCEMENT, PENALTIES AND APPEAL

9.1.1 By-law enforcement may be undertaken by the City in accordance with the *Municipal Government Act. (MGA – Part 9)*

9.1.2 A person who, being the Owner or occupant of any land, Building, or Structure to which this by-law applies:

- a. Fails to register a Secondary or Garden Suite;
- b. Permits an unregistered Secondary or Garden Suite to be occupied; or
- c. Alters a Secondary or Garden Suite in any way that violates this or any other by-law without first seeking the necessary permit approvals and a registration renewal;
- d. Uses the Secondary or Garden Suite as a short-term rental.

is guilty of an offence of this by-law.

- 9.1.3 A person who is guilty of an offence of this by-law is liable on summary conviction to:
- a. a fine in an amount
 - i. not less than \$200 and not more than \$10000, and
 - ii. an additional fine in an amount not less than \$500 and not more than \$2,500 for each day or part of a day on which the offence continues after the first day;
 - b. imprisonment for up to one year; or
 - c. both a fine in accordance with clause (a) and imprisonment in accordance with clause (b).
(MGA – Section 234)
- 9.1.4 When an offence under this by-law is committed or continued for more than one (1) day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed or continued. (MGA – Section 234 (3))
- 9.1.5 A person who is dissatisfied with the administration or an order issued by an employee of the City under this by-law may appeal the decision or order to council. (MGA – Section 239)
- 9.1.6 A person who is appealing a decision to council made under this by-law must submit a written statement outlining the reason for appeal. (MGA – Section 239 (2))

10 DEFINITIONS AND INTERPRETATION

10.1.1 For the purposes of this by-law:

- a. **Building and/or Development Permit** means an official document giving authorization to proceed with a proposed action as regulated under the Zoning and Development By-law (2018-11) and/or Building Code By-law.
- b. **Building Code By-law** means the *City of Charlottetown Building Code By-law (2018-##)*.
- c. **City** means the City of Charlottetown;
- d. **Council** means the duly elected Mayor and Councilors of the City.
- e. **Development** means a change in the use of land, building, structure or sign for any purpose, and shall include the carrying out of any building, engineering, construction, or other operation in, on, over, or under land and water; or the construction, addition, erection or alteration of any building, structure or sign.
- f. **Dwelling** means a building or portion thereof used for residential occupancy.
- g. **Garden Suite** means a self-contained Dwelling Unit that is located in the Rear Yard of a Single-Detached Dwelling.
- h. **In-law Suite** means a legal non-conforming use, similar to a Secondary Suite but with specific regulations pertaining to who is permitted to live within the subordinate Dwelling Unit and a requirement that it is to be removed from the Single Detached Dwelling when the named individual no longer lives there.
- i. **MGA** means the *Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1* of the Province of Prince Edward Island.
- j. **Occupancy Permit** means an Occupancy Permit as required and/or obtained pursuant to the *City's Zoning and Development By-law*.
- k. **Owner** means a person who legally owns a lot and is a registered land Owner; or an executor, administrator, trustee, agent, or other person managing the subject lot or building for the registered land Owner.
- l. **Principle Resident** means the individual who resides within a Dwelling and who lives, makes their home and conducts their daily affairs within this Dwelling, including, without limitation, paying bills and receiving mail, and is generally the Dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, vehicle registration and utility bills.
- m. **Registrar** means the person appointed by Council to administer this by-law and unless otherwise appointed shall be the City's Manager of Planning and Heritage;

- n. **Registry, or Registry of Secondary Suites** means a publically accessible Registry or list of Secondary Suites which have been reviewed by the City and approved based on conformance with the Zoning and Development and Building Code By-law regulations as well as other best practices for supporting safe and affordable housing.
 - o. **Secondary Suite** means a subordinate Dwelling unit located within a Single-Detached Dwelling.
 - p. **Short-term Rental** means the rental of a dwelling unit or a portion of a dwelling unit (including a Secondary Suite within a dwelling) for a period of less than 30 consecutive days. **Single-Detached Dwelling** means a building which is a completely detached Dwelling unit, and whose main walls have a minimum width of not less than 5.5 m (18 ft).
 - q. **Zoning and Development By-law** means the *City of Charlottetown Zoning and Development By-law (2018-11)*.
- 10.1.2 In this by-law words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular, all as the context allows; and the word 'shall' is mandatory and is not permissive.

APPENDIX A. BYLAW REVISION HISTORY

Amendment No	First Reading	Second Reading	Minister Approval	Property:	Details:
PH-SSB.1					Original document

PART III – EFFECTIVE DATE

5. Effective Date

(1) The effective date of the Secondary and Garden Suites Bylaw is the date as signed by the Minister of Communities, Land and Environment.

First Reading:

This Secondary and Garden Suites Bylaw, Bylaw # PH-SSB.1, was read a first time at Council meeting held on the ____ day of _____, 2019.

This Secondary and Garden Suites Bylaw, Bylaw # PH-SSB.1, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Second Reading:

This Secondary and Garden Suites Bylaw, Bylaw # PH-SSB.1, was read a second time at Council meeting held on the ____ day of _____, 2019.

This Secondary and Garden Suites Bylaw, Bylaw # PH-SSB.1, was approved by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

Approval and Adoption by Council:

This Secondary and Garden Suites Bylaw, Bylaw # PH-SSB.1, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

6. Signatures

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

This Secondary and Garden Suites Bylaw, Bylaw # PH-SSB.1, 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 Secondary and Garden Suites Bylaw, (Bylaw# PH-SSB.1) is hereby approved.

Dated on this __ day of _____, _____.

Hon. Richard Brown
Minister of Communities, Land and Environment

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

	March	Totals
Residential New	870,000.00	11,970,000.00
Residential Renovations and Additions	137,460.00	492,860.00
Industrial-Commercial New	60,000.00	63,000.00
Industrial-Commercial Renovations	290,600.00	5,272,800.00
Institutional New	0.00	1,500,000.00
Institutional Renovations	264,000.00	269,000.00
Signage	800.00	38,925.00
Other	225,000.00	248,600.00
Agriculture	0.00	0.00
TOTALS	1,847,860.00	19,855,185.00

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

	MAR	Totals
Residential New	\$540,250.00	\$2,950,250.00
Residential Renovations and Additions	\$578,000.00	\$2,597,500.00
Industrial-Commercial New	\$0.00	\$400,000.00
Industrial-Commercial Renovations	\$440,000.00	\$2,561,000.00
Institutional New	\$0.00	\$4,800,000.00
Institutional Renovations	\$0.00	\$0.00
Signage	\$189,300.00	\$248,300.00
Other	\$114,800.00	\$125,800.00
Agriculture	\$0.00	\$0.00
TOTALS	1,862,350.00	13,682,850.00

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

	March	Totals
Single Family Dwellings - New	1	3
Two-Family Dwellings - New	1	1
Multi-Family Dwellings - New	0	5
Residential Renovations and Additions	6	11
Industrial-Commercial New	1	2
Industrial-Commercial Renovations	8	16
Institutional New	0	1
Institutional Renovations	1	2
Signage	2	7
Other	6	8
Agriculture Renovations	0	0
TOTALS	26	56

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

	MAR	Totals
Single Family Dwellings - New	2	9
Two-Family Dwellings - New	1	3
Multi-Family Dwellings - New	0	0
Residential Renovations and Additions	7	15
Industrial-Commercial New	0	1
Industrial-Commercial Renovations	4	19
Institutional New	0	1
Institutional Renovations	0	0
Signage	7	11
Other	5	7
Agriculture Renovations	0	0
TOTALS	26	66



Planning & Heritage Summary (Week ending March 01, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte Town Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-074	739128	075-BLD-19	20-Feb-19	1-Mar-19	APPROVED	6 Prince Street	Phase I Renovations - Founders Hall	SableArc Studios	22-Mar-19

Lot Subdivision

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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Planning & Heritage Summary (Week ending March 08, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte Town Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
19-001	278846	079-BLD-19	22-Feb-19	6-Mar-19	APPROVED	12 Exhibition Drive	Phase II- demolition of interior office structures	Bemmar Construction	27-Mar-19
19-076	388207	077-BLD-19	21-Feb-19	5-Mar-19	APPROVED	167 Minna Jane Drive	Interior Demolition of portion of old Sears Building	DP Murphy Furnitures	26-Mar-19
19-077	387381	078-BLD-19	21-Feb-19	7-Mar-19	APPROVED	2 Upton Road	Multiple Signages for Nissan	Cy Atkinson	28-Mar-19
18-599	387563	531-BLD-18	5-Mar-19	5-Mar-19	APPROVED	95 Capital Drive	Occupancy permit - split current commercial space into 2 rooms	Feng Liu	26-Mar-19

Lot Subdivision

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
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Planning & Heritage Summary (Week ending March 15, 2019)

ISLAND REGULATORY APPEALS COMMISSION (IRAC) APPEAL PERIOD INFORMATION

The information provided on this page is intended to provide notice to the public when building and development permits have been approved by the Charlotte Town Planning and Heritage Department. Residents or interested parties have **21 days to appeal** to the Island Regulatory and Appeals Commission (IRAC) any building and development permit approvals listed below within the required time period.

If you have any questions regarding the approvals listed below please contact the Planning and Heritage Department at 902-629-4158.

Planning Development Permit Approvals

FILE #	PID #	PERMIT #	APPLICATION DATE	DECISION DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-611	145797, 145789	541-REZ-18	28-Nov-18	11-Mar-19	APPROVED	562 Malpeque Road	Rezone properties from R1 to C2	Maple Isle Homes	1-Apr-19
18-629	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Design Review, Home Occ & Parking	City of Charlottetown	1-Apr-19
18-630	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Affordable Housing	City of Charlottetown	1-Apr-19
18-631	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Bylaw numbering	City of Charlottetown	1-Apr-19
19-061	343582	062-VAR-19	14-Feb-19	11-Mar-19	APPROVED	215 Queen Street (215-219)	Temporary Use Variance for food Container	Mehrnoosh Aghdassi	1-Apr-19
18-035	577585	023-bld-18	12-Mar-19	12-Mar-19	APPROVED	215 Minna Jane Drive (Lot# 5-2)	Occupancy Permit-Phase2 Building Envelope 60 unit apartment	Mcinneis Group (1993) Ltd	2-Apr-19
19-007B	387761	102-BLD-19	8-Mar-19	12-Mar-12	APPROVED	670 University Ave	Renovations for Bentley Leathers	Bentley Group (Kristine Parson)	2-Apr-12
19-013	1040583	097-BLD-19	7-Mar-19	15-Mar-19	APPROVED	7 Babineau Drive (Unit 12D)	Signage for UPS Store	Tanmoy Saha	5-Apr-19
19-018	363671	018-BLD-19	22-Jan-19	12-Mar-19	APPROVED	101 Longworth Avenue	Install wall mounted bracket sign	TSC Signs Inc	2-Apr-19
19-052B	343673	063-BLD-19	14-Feb-19	14-Mar-19	APPROVED	119 Kent Street (Japanese Restaurant)	Sign and Encroachment agreement	Sign Craft	4-Apr-19
19-078B	1054972	108-BLD-19	12-Mar-19	15-Mar-19	APPROVED	20 Babineau Avenue	Four temporary structures in garden centre	Canadian Tire	5-Apr-19
19-083	1104322	085-BLD-19	27-Feb-19	13-Mar-19	APPROVED	32-34 Bambrick Drive (Lot# 17-34)	New Semi-detached dwelling	Phillip Hughes	3-Apr-19
19-091	1095736	094-BLD-19	8-Mar-19	15-Mar-19	APPROVED	123 Beach Grove Road (Lot# 2017-1)	Single family dwelling	Peter McCallum	5-Apr-19
19-095	372300	099-BLD-19	8-Mar-19	15-Mar-19	APPROVED	465 University Avenue	Temporary tent - Garden Centre	Atlantic Super Store	5-Apr-19
19-096	925107	100-BLD-19	8-Mar-19	12-Mar-19	APPROVED	15 Westway Drive	16 X 28 ft in ground pool	Connie McQuillan	2-Apr-19
19-108	407429	116-BLD-19	15-Mar-19	15-Mar-19	APPROVED	31 Woodlawn Drive	10x12 prefabricated greenhouse	Shad Gadri	5-Apr-19

Lot Subdivisions

FILE	PID#	APPLICATION DATE	APPROVAL DATE	MAILED OUT	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
2019-004	PID #457259 and PID #457242	23-Jan-2019	15-Mar-2019	15-Mar-2019	APPROVED	45 and 53 Kirkcaldy Drive	Lot subdivision into two lots	Robert Callbeck (c/o Robin Aitken)	5-Apr-19
2019-007	PID# 388207	22-Feb-2019	12-Mar-2019	12-Mar-2019	APPROVED	167 Minna Jane Drive	Lot subdivision into two lots	Pan American	2-Apr-19
2019-008	PID #s 926675, 778308	26-Feb-2019	15-Mar-2019	18-Mar-2019	APPROVED	MacRae Drive	Lot Consolidation	Keon Developments Ltd	8-Apr-19

Council Approvals

FILE #	PID#	PERMIT #	APPLICATION DATE	APPROVAL DATE	DECISION	PROPERTY LOCATION	WORK DESCRIPTION	NAME	DEADLINE TO MAKE AN APPEAL
18-611	145797, 145789	541-REZ-18	28-Nov-18	11-Mar-19	APPROVED	562 Malpeque Road	Rezoning properties from R1 to C2	Maple Isle Homes	1-Apr-19
18-629	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Design Review, Home Occ & Parking	City of Charlottetown	1-Apr-19
18-630	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Affordable Housing	City of Charlottetown	1-Apr-19
18-631	n/a	N/A	3-Dec-18	11-Mar-19	APPROVED	Zoning & Development ByLaw Amendments	Amend Bylaw numbering	City of Charlottetown	1-Apr-19
19-061	343582	062-VAR-19	14-Feb-19	11-Mar-19	APPROVED	215 Queen Street (215-219)	Temporary Use Variance for food Container	Mehmoosh Aghdassi	1-Apr-19
19-036	396770	037-REZ-19	1-Feb-19	11-Mar-19		88 Brackley Point Road	Rezoning property from R1L to R3	Ron Wood	1-Apr-19
19-079	469841	081-REZ-19	25-Feb-19	11-Mar-19		197 Minna Jane Drive	Rezoning from CDA to C-2	Cordova Realty Ltd	1-Apr-19
19-051	344044	052-VAR-19	11-Feb-19	11-Mar-19	APPROVED TO PROCEED TO PUBLIC CONSULTATION	183 Great George Street	Variance to privacy fence height on vacant lot	Micheal Wasnidge	1-Apr-19
19-101	N/A	105-BYL-19	4-Mar-19	11-Mar-19		Zoning & Development ByLaw Amendments	Proposed amendments to the Zoning & Development Bylaw pertaining to Housing Transitional Facility, Site regulations for Lodging Houses, Group Homes, Site Landscaping Requirements, Undersized Lot Regulations, Asphalt, Aggregate & Concrete Plant and General Housekeeping amendments.	City of Charlottetown	1-Apr-19
19-102	N/A	106-BYL-19	4-Mar-19	11-Mar-19		Secondary & Garden Suite Registry	Proposal to create and implement the Secondary and Garden Suite Registry Bylaw	City of Charlottetown	1-Apr-19



**ECONOMIC DEVELOPMENT, TOURISM &
EVENTS MANAGEMENT COMMITTEE
REPORT TO COUNCIL
APRIL 8, 2019**

The Economic Development, Tourism & Events Management Committee met on March 13, 2019 and the draft minutes are included in your package.

There are no resolutions for your consideration.

Included in your package is the 1st Reading of the Tourism Accommodation Levy Bylaw Amendment Bylaw (2019-TAL-01A).

Respectfully submitted,

Councillor Kevin Ramsay, Chair

**Economic Development, Tourism & Events Management
Committee Meeting
Wednesday, March 13, 2019
12:15 PM - Parkdale Room**

Present: Mayor Philip Brown
Councillor Bob Doiron
Wayne Long, EDO
Laurel Lea, TO

Chair, Councillor Kevin Ramsay
Peter Kelly, CAO
Ron Atkinson, EconDO
Cindy MacMillan (AA)

Regrets: Councillor Terry MacLeod

1. Call to Order

Chair Councillor Kevin Ramsay called the meeting to order at 12:15pm

2. Declarations of conflict of interest

There were no conflicts of interest declared.

3. Approval of Agenda

Ron Atkinson, EDO, requested to add a closed item to the agenda. It was moved by Councillor Doiron and seconded by Mayor Brown that the agenda be approved as amended. Carried.

4. Adoption of Minutes

It was moved by Councillor Doiron and seconded by Mayor Brown that the minutes from February 20 & 21, 2019 be approved as circulated. Carried.

5. Business arising from Minutes

There was no business arising from the minutes.

6. Reports/Discussions

a. Event Guiding Documents

Wayne Long, EDO, provided the Committee with two event guiding documents endorsed by the previous Council that are utilized to manage external event requests and ensure events are evaluated against an accessibility lens. The EDO reminded the Committee that these documents will often be referenced as we deal with event requests and hosting. Chair Ramsay applauded the efforts of staff for having these documents available to make it easier for event organizers City approval protocols.

b. 2019 Fall Flavours – Great Island Grilled Cheese Challenge

Wayne Long, EDO, presented the report to the Committee. The Great Island Grilled Cheese Challenge is looking to relocate the event to Charlottetown on Sunday, September 25. This event typically attracts upwards of 500 people. In past years this event was held in Stratford.

The Committee agreed to support this event being held at a City-controlled waterfront property. It was moved by Mayor Brown and seconded by Councillor Doiron that this request be forwarded to the Parks, Recreation and Leisure Activities Committee for endorsement.

c. Port Charlottetown 2019 Cruise Schedule

Laurel Lea, TO, provided an overview of the 2019 cruise ship schedule. Port Charlottetown is preparing for a record year with 97 scheduled ship calls, an estimated 146,000 passengers, and five ships making their inaugural port call. The 2019 cruise ship season is projected to have a direct economic impact of just under \$26.5 million for PEI, with at least half of that projected to stay in the Charlottetown area.

d. Communities in Bloom/Make Your Hometown Beautiful

Laurel Lea, TO, presented the report to the Committee. The TO advised that Economic Development, Tourism and Events Management staff have met with representatives from Sustainability and Beautification with respect to the City's participation in the Communities in Bloom program. Charlottetown has won multiple national and international awards in the evaluated categories and this year staff decided to register under the category of Circle of Excellence – Non Evaluated.

Over the past few years the Make Your Hometown Beautiful program has seen a decline in the number of nominations and it is recommended by staff that are involved with the program that some restructuring take place in 2019. It is recommended that thought be given to each Councillor working with the residents of their wards to identify potential top entries.

There was some discussion around the budget for this program and that decisions on any changes should hold off until the Finance Committee has met on the departmental budget. It was moved by Councillor Doiron and seconded by Mayor Brown that the recommendation be deferred pending the Finance Committee/departmental budget discussions. Carried.

e. Economic Development Update

The EconDO provided an update to the Committee. Ron will be in Toronto, along with other cities to meet regarding the KPMG comparative business cost analysis completed every two years. The EconDO reported

on newcomer retention initiatives which included the City hosting a recent Connectors PEI 6-on-6 meeting with newcomer entrepreneurs, and also a roundtable meeting with the Federal Minister of Immigration. The EconDO reviewed local company updates and has met with a local venture capital company to discuss a potential upcoming investment summit for the fall.

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 Doiron and seconded by Mayor Brown. Carried.

8. Introduction of New Business

There was no new business.

9. Motion to adjourn

It was moved by Mayor Brown and seconded by Councillor Doiron that the meeting be adjourned. Carried.

Adjourned 1:30 PM

DRAFT



City of Charlottetown

Report No: EM 06-19

Date: March 13, 2019

Directed to:
ED, Tourism & Event Management Committee

Department:
Event Management

Prepared by:
Wayne Long, Events Development Officer (EDO)

Attachments:
- Event Guidelines
- Creating Accessible Events

Subject:
Event Guiding Documents

RECOMMENDATION:
Information sharing.

REPORT:
The attached documents have been endorsed by Council and serve as valuable guides and make-up part of the Committee's Terms of Reference. As we move toward the busy summer event season it's important to be familiar with the contents.

Respectfully,

Reviewed By:

	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr	Other
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RECOMMENDATIONS/ACTIONS:



CHARLOTTETOWN

Great things happen here.

EVENT GUIDELINES
City of Charlottetown

The City of Charlottetown recognizes the importance of hosting festivals and events in our city, and acknowledges that success may be measured not only by economic prosperity, but also tourism, cultural, and social benefits.

Events come in a variety of forms be it sport, entertainment, cultural, festival, walks/runs, parades, markets, etc. and are organized by numerous groups, organizations, promoters, and management firms.

The City has a vested interest in working with community groups and event organizers to assist in the planning and successful execution of events.

All events being held on public property require the approval of the City. Unless properly zoned, events being hosted on private property also require approval.

Requests for City service support must be submitted to the City's Events Development Officer a minimum of 60-days in advance of an event in order to allow time for review. Eligible events should be hosted primarily in Charlottetown, or in the case or events located elsewhere, bring significant prosperity to the destination.

When evaluating event-hosting requests, the City of Charlottetown will consider events that attract both visitors and residents, embrace multiculturalism, appeal to a broad demographic, allow for community engagement, have a well-developed plan of execution, demonstrate sustainability practices, consider accessibility, and contribute significantly to quality of life.

Municipal Support

The City of Charlottetown offers support to a diverse range of events which vary in size and scope. Eligible events may be held on either City-owned or private property.

Event support may be obtained through:

- City services
In-kind support may be offered by way of City-owned equipment such as event fencing, box office trailer, waste bins, picnic tables, barricades, pylons, bleachers, etc., and City services such as Police, Fire; and Water and Sewer. Additionally, support may be granted by way of permission to utilize City-owned property such a trails, parks, and venues; or the public right-of-way (street closures).
- Direct financial investment
Occasionally and on a limited basis, the City is able to provide direct financial investments to qualifying events (funding agreement(s) may be applicable).

Requests for funding should be submitted to the City's Events Development Officer as part of the City's budget planning process which takes place in December/January annually. Submissions should include information such as a general event overview, a financial ask and detailed budget, identification of public and private funding partners, a business plan, a marketing plan, etc.

- A combination of City services and direct financial investment
In some instances, the City is able to offer a combination of financial and in-kind service support to event organizers.

Conditions of Support

In order to be considered for support event organizers must comply with all municipal by-laws, policies, and provincial laws, inclusive of environmental health (ie - portable toilets, vendor licenses and permits) and liquor (ie - license and security plan) regulations and approvals.

Additional conditions may be put into place by individual City Departments based on the size and scope of an event.

In the case of events requiring a street(s) closure, the City will at times require organizers to notify area residents and/or businesses of the closure(s) by way of a City-approved notice and/or additional public promotion(s).

Damages to City property as the result of an event will be the responsibility of the event organizer (at times damage deposits may apply).

Waste control, collection, and management procedures will be determined by individual City Departments based on the venue(s) in question.

Event organizers must present a general liability insurance certificate naming the City of Charlottetown as an additional insured showing policy coverage of not less than \$2,000,000.

Event Approvals and Requests for City Equipment

The City of Charlottetown's "Event Team" is chaired by the City's Events Development Officer and includes representatives from City Departments being impacted.

Individual City Departments have a number of requirements with respect to event approvals and provision of City services. Below is an overview of information required by various City Departments that the applicant should be prepared to discuss and/or provide detailed information on at the initial Event Team meeting (to be scheduled by the City's Events Development Officer):

- General event information
Applicant should be able to provide a detailed site/route plan(s) and basic event information such as event name, (requested) location(s), date(s), event hours, set-up/tear-down information, expected attendance (capacities to be approved), target audience and demographics, etc.
- Street Closures and/or Trails, Parks, and/or City Venue Use
Applicants should be able to provide detailed information on City property and/or public right of way usage, if required. Please note that in the case of street closures, organizers may be directed to obtain letters of support from affected parties in the immediate area. Additionally, individual City Department may require additional forms to be filled out as a part of the site usage request process.

Events with approved capacities in excess of 1,000 persons will be directed to the Charlottetown Event Grounds and will not be permitted to utilize City-owned property or the public right-of-way. Due to event nature and impact, exemptions to this rule may be permitted (ie- community events, Marathons and Runs/Walks, Farm Day in the City, Art in

the Open, DiverseCity, and similar one-off events). Approval by the standing committee responsible for events is required.

- **Temporary structures**
Applicants should be able to provide detail on any temporary structures (ie- tents, stages, etc.) that will be erected on site. Please note that permits (inclusive of local Engineer stamped drawings) may be required through City Planning for some temporary structures. Additionally, permissions for in-ground installation of items such as tent pegs and temporary fence or signage posts must be granted prior to installation.
- **City equipment**
Applicants requiring the use of City equipment should be prepared to discuss their needs in detail. Please see p.1 – City Services for a list of equipment that may be accessed.
- **Water**
Applicants should be prepared to discuss any on-site water requirements. Events will be dealt with on an event-by-event basis to explore if arrangements can be made for sites that do not have standard water access points.
- **Security and Safety plans**
Applicants should be prepared to discuss their site security and safety plans. Security plans will address on-site security services and should confirm the name of security firm employed and lead contact information. Safety Plans will address items such as traffic flow, risk management, medical services, emergency protocols, emergency exits and/or evacuation plans, on-site vendors (licensed only), etc. It is important to note that detailed plans will have to be submitted directly to the Police and Fire Departments in a timely manner.
- **PEI Liquor Commission approvals**
Applicants wishing to sell/serve alcoholic beverages on site at their event must apply for a permit through the PEI Liquor Commission and provide proof of permit to the City Corporation in advance of the event. As a part of this process, the Commission will consult with the City of Charlottetown and the City will be asked to sign off on documentation prior to the Commission issuing such a certificate. Applicants should be prepared to discuss complete bar service plans including layout.
- **Noise By-Law exemptions**
Applicants will be required to formally request a noise by-law exemption for events where excessive noise will extend past 10:00pm. Please note that by-law exemptions are firmly enforced and will only be granted until 11:00pm.
- **Signage**
Applicants wishing to request permission for billboard and/or street banner signage installation should make their wishes known and details on permit applications will be provided.

Communications

Access to City of Charlottetown communications services will be evaluated on an event-by-event basis and may include assistance with:

- Event announcements (press conferences and news releases)
- Social Media and website promotion
- Media relations pertaining to street closures, traffic changes, parking options/restrictions, etc.

Support Recognition

It is a requirement that the City of Charlottetown must be recognized as a supporting event partner.

Examples of standard recognition include but are not limited to:

- City of Charlottetown logo presence on all promotional materials inclusive of print, digital, radio and television advertising (where applicable), event signage, banners, collateral, website, etc.
- Speaking opportunity and verbal recognition at news conferences and/or during the event.
- Opportunity to display City of Charlottetown banners at events.
- Complimentary event tickets and other unique opportunities as mutually agreed upon.

Post-Event Reporting

It is important for the City of Charlottetown to have a record of event organizers final outcomes in order to evaluate ROI, as well as to serve as a point of reference from year to year and a comparative tool between events. Reports must be submitted electronically to the City's Events Development Officer within 90-days of the completion of an event.

Reports should include items such as:

- An event overview including highlights and successes, as well as public/private partners
- Attendance, inclusive of origin and demographics (where available)
- Destination impact, inclusive of room night generation and media coverage (where applicable)
- City-services and/or equipment utilized
- Final budget
- 3-5 high resolution images

Please note that this document outlines basic guidelines pertaining to City of Charlottetown event support. Depending on the size and scope of an event, additional information not discussed herein may be required in order to complete the review and endorsement/approval process.

For additional information or to submit a request for support please contact:

Wayne Long
Events Development Officer
902.629.4023
wlong@charlottetown.ca



CREATING ACCESSIBLE EVENTS

In the fall of 2015, the City of Charlottetown's Civic Board for Persons with Disabilities hosted a barrier-free forum, a full-day visioning session which provided an opportunity to brainstorm ways to make Charlottetown more inclusive and accessible. The forum resulted in a number of valuable takeaways and recommendations, including the creation of a general checklist document for improving the accessibility of events, specifically City-led and City-partnered events.

As a leader in event hosting, it is imperative that Charlottetown's event organizers continue to broaden their perspective on accessibility, and ensure a disability lens is applied to all aspects of event logistics, in order to be proactive in addressing potential barriers to participation. An effective approach begins with raising event organizers' awareness of those with a disability, as well as the barriers that limit or prevent participation by persons with disabilities. Event organizers must be encouraged to make every reasonable effort to ensure that no person with a disability is prevented or discouraged from attending an event — in part or in full — based on any accessibility issue.

Accessibility needs vary depending on the type and location of an event. Every event should be meeting basic accessibility requirements, and organizers should exploit every opportunity to expand on these requirements when and where possible. Most barriers to participation can be removed without incurring financial or logistical burdens.

By planning ahead, there are many simple things event organizers can do to make events more accessible. The following checklist is intended to assist organizers in planning events that are accessible to persons with disabilities; however, because new approaches and ideas for improving accessibility continue to emerge, it should be understood that this document is meant to adapt and expand.

The following are considered basic accessibility considerations for Charlottetown events:

Site/Venue Accessibility

- Is any renovation/construction scheduled during your event?
- Are sidewalks obstacle-free, wide enough for easy access, and separated from roads and driveways?
- Are walkways clear of snow, ice, wet leaves and standing water?

- Do all ramps adhere to the National Building Code standard? Do the ramps have handrails on both sides? Has consideration been given to temporary ramps if required?
- Are entrances (especially the main entrance) wide enough for people using a wheelchair or scooter?
- If the main entrance is not accessible, does a sign clearly visible at the front of the building indicate the location of an accessible entrance?
- Are door handles easy to open? Ideally, doors should have lever handles and/or be equipped with an automatic opener.
- Is the elevator(s) large enough to accommodate people who use wheelchairs and scooters, as well as their attendants?
- Are the elevator controls mounted at a comfortable height for a person using a wheelchair or scooter? Has consideration been given to temporary installation of braille signage on elevator controls?
- Are the lobby/main gathering area, major hallways and all essential doorways throughout the venue obstacle-free and wide enough to accommodate people using wheelchairs and scooters?
- Is there a telephone with amplification available for those with a hearing disability?
- Is there a fact sheet at registration/front desk explaining emergency procedures and program for the event?
- Do floor coverings (such as low-pile carpeting, hardwood flooring or tile) allow people using mobility aids, such as wheelchairs and scooters, to move easily through the venue?
- Are the reception/concession areas in an area large enough to easily accommodate people who use wheelchairs, scooters, guide dogs or other mobility aids?
- If applicable, are the stages and speaking areas, including lectern or podium, accessible to people with limited mobility?
- Are there microphones for speakers and for audience participation?
- Has background noise (ie. fans) been eliminated/minimized?
- Is there a sound system/assistive listening technology for those with a hearing disability?
- Is there a closed caption screen or printed presentation outline?
- Are cables, wires and microphones well secured and away from aisles and other traffic areas?

Washroom Accessibility

- Are washroom doors equipped with an automatic or push-button opener?
- Has consideration been given to temporary installation of braille signage on washroom doors?

- Are washrooms large enough to accommodate people who use scooters and power wheelchairs? Do washrooms have at least one accessible stall per gender? If the event is outdoors in nature, are there accessible portable toilets and does the ratio meet standard guidelines?
- Is there a minimum five-foot turning radius for wheelchair users to maneuver without restriction?
- Can someone using a wheelchair or a scooter reach the faucets?
- Are washroom accessories and dispensers also within easy reach of a person using a wheelchair or scooter? Are the dispensers automatic or easy to use?

Accessible Seating

- Is the venue large enough to provide circulation and accessible seating for an adequate or anticipated number of participants who use wheelchairs, scooters, guide dogs or other mobility aids?
- Is there preferential seating, close to the presenter(s) for those with hearing and vision disabilities?

Designated Parking and Recommended Ratio

- Are sufficient accessible parking spots available for the estimated number of attendees with disabilities at the venue(s) and accommodations? If not, can arrangements be made for more designated parking spaces during the event? Are accessible metered parking or a public parking lot with accessible spaces nearby?
- Are designated parking spots for persons with disabilities close to the entrance of the venue?
- Are the parking spots clearly identified?
- Is there a curb cut or level access from the parking area to the main entrance?
- Are parking areas clear of snow, ice, wet leaves and standing water?

Accessible Transportation

- Are patrons able to travel to the event using accessible transit?
- Is there a drop-off area close to the venue?
- Have you made sure there are accessible transportation options available to all event patrons between the event venue(s), accommodations, and activities?

Accessible Accommodations

- Have you identified hotels or other lodgings that have an accessible designation and rooms?
- If the entrance is locked after hours, can someone gain entry without having to push a buzzer or bell?

Communications

- Do all communications (including news releases) and website/promotional materials state that the event is accessible (inclusive of details)?
- Is people-first language being used in communications and promotional materials?
- Is event signage visible and clear?
- Do signs at the venue clearly indicate where accessible seating and washrooms are located?
- Are signs mounted at a comfortable height, so that people who use wheelchairs can read them?
- Is entrance signage clearly visible from the street?
- Is signage well lit at night (for evening events)?
- If applicable, does the post-event survey include at least one question about accessibility?

Human Resources

- Have you included persons with disabilities on the planning committee?
- Have you identified a single contact person for accessibility requests?
- Have event staff and volunteers been appropriately trained on accessibility and customer service?
- Are venue staff trained in providing accessible customer service?
- Can arrangements be made for staff or volunteers to be at entrances, accessible seating area(s), and throughout the venue(s) to assist persons with disabilities as required?

Legacy

- Does an opportunity exist to leave an accessibility legacy for future events?



City of
Charlottetown

Report No: EM 07-19

Date: March 13, 2019

Directed to:
ED, Tourism & Event Management Committee

Attachments:
- 2019 Great Island Grilled Cheese Challenge Letter of Request

Department:
Event Management

Prepared by:
Wayne Long, Events Development Officer (EDO)

Subject:
2019 Great Island Grilled Cheese Challenge

RECOMMENDATION:

That the Committee support the event relocating to Charlottetown and being held at a City-controlled waterfront property, and that the recommendation to be sent on to the Parks, Recreation & Leisure Activities Committee for endorsement.

REPORT:

The Great Island Grilled Cheese Challenge is looking to relocate to Charlottetown on Sunday, September 15. The event is a signature activity of the annual Fall Flavours festival which sees several other events happen in Charlottetown as well.

The event, now entering its 7th year, is family focused and attracts upwards of 500 people.

An 80' x 120' tent will be erected on September 13th, with tear down scheduled to take place on September 16th, the Monday following the event.

Consideration is requested for two locations:

- Founder's Hall greenspace (preferred location)
- Confederation Landing

As a point of interest, in the past even when the event was held in Stratford, the City provided in-kind services of picnic tables and waste receptacles as a good neighbour/partner.

Respectfully,

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr	Other
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City of Charlottetown

Report No: T 01-19

Date: March 13, 2019

Directed to:
ED, Tourism & Event Management Committee

Attachments:
- 2019 Cruise Ship Schedule

Department:
Tourism

Prepared by:
Laurel Lea, Tourism Officer (TO)

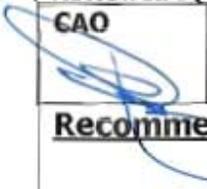
Subject:
2019 Port Charlottetown Cruise Schedule

Recommendation:
Information sharing.

Report:
The 2019 cruise ship season is set to be the largest on record for Port Charlottetown with 97 scheduled ship calls and an estimated 146,000 passengers. 5 ships will make their inaugural port call including the MSC Meraviglia, the first ever 4,500 passenger ship Charlottetown will welcome.

The 2019 cruise ship season is projected to have a direct economic impact of just under \$26.5M on Prince Edward Island; at least 50% of this impact will be felt directly in Charlottetown.

Reviewed By:

CAO 	DCAO	Manager 	Other			
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Recommendation(s)/Action(s):

2019 Schedule

DATE	NAME OF SHIP	LENGTH	# OF CREW	# OF PAX	ARRIVAL TIME	DEPART TIME	SHIP'S AGENT
Wednesday, May 1, 19	Zaandam*	237	615	1432	800	1700	F.K. Warren
Tuesday, May 7, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Tuesday, May 7, 19	Victory I East Berth		90	202	700	1400	F.K. Warren
Wednesday, May 15, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Tuesday, May 21, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Wednesday, May 22, 19	Pearl Mist			210	2200		
Thursday, May 23, 19						1800	F.K. Warren
Friday, May 24, 19	Victory II		90	202	700	1200	F.K. Warren
Wednesday, May 29, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Tuesday, June 4, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Wednesday, June 12, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Sunday, June 16, 19	AidaVita	202.85	426	1266	800	1700	F.K. Warren
Tuesday, June 18, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Wednesday, June 26, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Wednesday, June 26, 19	AidaVita TENDER	202.85	426	1266	800	1700	F.K. Warren
Tuesday, July 2, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Wednesday, July 10, 19	Zaandam TENDER	237	615	1432	800	1800	F.K. Warren
Wednesday, July 10, 19	Aidavita	202.85	426	1266	800	1700	F.K. Warren
Tuesday, July 16, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Wednesday, July 24, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Wednesday, July 24, 19	Aidavita TENDER	202.85	426	1266	800	1700	F.K. Warren
Tuesday, July 30, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Wednesday, August 7, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Wednesday, August 7, 19	Aidavita TENDER	202.85	426	1266	900	1830	F.K. Warren
Tuesday, August 13, 19	Carribbean Princess		1200	3142	800	1700	F.K. Warren
Tuesday, August	Zaandam TENDER	237	615	1432	800	1700	F.K.

DATE	NAME OF SHIP	LENGTH	# OF CREW	# OF PAX	ARRIVAL TIME	DEPART TIME	SHIP'S AGENT
13, 19							Warren
Wednesday, August 21, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Tuesday, August 27, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Tuesday, September 3, 19	Scenic Eclipse*	168	178	237	1330	2300	F.K. Warren
Wednesday, September 4, 19	Zaandam	237	615	1432	800	1800	F.K. Warren
Thursday, September 5, 19	Seabourn Quest	198.15	335	450	800	2300	F.K. Warren
Saturday, September 7, 19	Norwegian Dawn	294.13	1032	2340	900	1800	F.K. Warren
Tuesday, September 10, 19	Aurora	270	850	1950	800	1700	Furncan Marine
Tuesday, September 10, 19	Zaandam TENDER	237	615	1432	800	1700	F.K. Warren
Tuesday, September 10, 19	Norwegian Gem 2nd TENDER	294.13	1070	2394	900	1800	F.K. Warren
Wednesday, September 11, 19	Caribbean Princess		1200	3142	700	1600	F.K. Warren
Wednesday, September 11, 19	Veendam TENDER	219	580	1350	800	1800	F.K. Warren
Wednesday, September 11, 19	Zuiderdam TENDER	291	842	1916	800	1700	F.K. Warren
Thursday, September 12, 19	Marco Polo	176	356	820	700	1600	K.D. Marine
Friday, September 13, 19	Adventure of the Seas	311	1180	3116	700	1800	Furncan Marine
Saturday, September 14, 19	Mein Schiff I*	315.7	1000	2894	700	1700	F.K. Warren
Saturday, September 14, 19	Norwegian Dawn TENDER	294.13	1032	2340	1000	1800	F.K. Warren
Sunday, September 15, 19	Seabourn Quest TENDER	198.15	335	450	800	2000	F.K. Warren
Sunday, September 15, 19	Norwegian Gem	294.13	1070	2394	1200	1900	F.K. Warren
Monday, September 16, 19	Insignia	181	400	824	800	1700	F.K. Warren
Monday, September 16, 19	Scenic Eclipse	168	178	237	1800		
Tuesday, September 17, 19						1400	F.K. Warren
Tuesday, September 17, 19	Veendam TENDER	219	580	1350	800	1700	F.K. Warren
Wednesday, September 18, 19	Caribbean Princess		1200	3142	800	1700	F.K. Warren
Wednesday, September 18, 19	Zaandam TENDER	237	615	1432	800	1800	F.K. Warren
Wednesday, September 18, 19	Summit TENDER	294	1100	2224	800	1700	Furncan Marine
Thursday, September 19, 19	Adventure of the Seas	311	1180	3116	800	1800	Furncan Marine

DATE	NAME OF SHIP	LENGTH	# OF CREW	# OF PAX	ARRIVAL TIME	DEPART TIME	SHIP'S AGENT
Thursday, September 19, 19	Zuiderdam TENDER	291	842	1916	800	1700	F.K. Warren
Thursday, September 19, 19	Pearl Mist TENDER			210	800	1700	F.K. Warren
Thursday, September 19, 19	Windstar Pride TENDER				600	1400	Norton Lilly
Saturday, September 21, 19	Silver Wind	156	202	294	800	2300	F.K. Warren
Sunday, September 22, 19	Sapphire Princess*	290	1100	2670	800	1700	F.K. Warren
Monday, September 23, 19	Scenic Eclipse	168	178	237	800	2300	F.K. Warren
Tuesday, September 24, 19	Zaandam	237	615	1432	800	1700	F.K. Warren
Tuesday, September 24, 19	Norwegian Gem TENDER	294.13	1070	2394	900	1800	F.K. Warren
Wednesday, September 25, 19	Veendam	219	580	1350	800	1800	F.K. Warren
Wednesday, September 25, 19	Arcadia	289.9	976	2388	800	1700	Furncan Marine
Saturday, September 28, 19	Silver Cloud	157	222	296	930	1700	F.K. Warren
Sunday, September 29, 19	Norwegian Gem	294.13	1070	2394	1200	1900	F.K. Warren
Sunday, September 29, 19	Windstar Pride TENDER		164	208	1300	2100	Norton Lilly
Sunday, September 29, 19	Pearl Mist East Berth		70	210	2200		
Monday, September 30, 19	Coast Guard/East Berth					1800	F.K. Warren
Tuesday, October 1, 19	Carribbean Princess	290	1201	3142	700	1600	F.K. Warren
Tuesday, October 1, 19	Veendam TENDER	219	580	1350	800	1700	F.K. Warren
Wednesday, October 2, 19	Zaandam TENDER	237	615	1432	800	1800	F.K. Warren
Wednesday, October 2, 19	Summit	294	1100	2224	1145	1800	Furncan Marine
Wednesday, October 2, 19	Norwegian Dawn	294.13	1070	2340	1000	1800	F.K. Warren
Friday, October 4, 19	Adventure of the Seas	311	1180	3116	700	1800	Furncan Marine
Friday, October 4, 19	Silver Wind	156	208	294	900	1700	F.K. Warren
Saturday, October 5, 19	MS Riviera	239.27	800	1250	900	1800	F.K. Warren
Saturday, October 05, 2019	Zuiderdam	291	842	1916	800	1700	F.K. Warren
Tuesday, October 8, 19	Carribbean Princess	290	1200	3142	800	1700	F.K. Warren
Tuesday, October 8, 19	Zaandam Tender	237	615	1432	800	1700	F.K. Warren
Tuesday, October	Norwegian Gem 2nd	294.13	1070	2394	900	1800	F.K.

DATE	NAME OF SHIP	LENGTH	# OF CREW	# OF PAX	ARRIVAL TIME	DEPART TIME	SHIP'S AGENT
8, 19	TENDER						Warren
Wednesday, October 9, 19	Veendam	219	580	1350	800	1800	F.K. Warren
Wednesday, October 9, 19	Seabourn Quest TENDER	198.15	335	450	800	2300	F.K. Warren
Wednesday, October 9, 19	Windstar Pride TENDER	133.4	164	208	600	1400	Norton Lilly
Thursday, October 10, 19	Adventure of the Seas	311	1180	3116	800	1800	Furncan Marine
Thursday, October 10, 19	Pearl Mist East Berth			210	800	1700	F.K. Warren
Friday, October 11, 19	Zuiderdam	291	842	1916	800	1700	F.K. Warren
Friday, October 11, 19	MS Riviera TENDER	239.27	800	1250	800	1700	F.K. Warren
Friday, October 11, 19	Norwegian Dawn 2nd TENDER	294.13	1032	2340	800	1700	F.K. Warren
Saturday, October 12, 19	MSC Meraviglia*	315	1536	4500	1200	2000	F.K. Warren
Sunday, October 13, 19	Norwegian Gem	294.13	1070	2394	1200	1900	F.K. Warren
Tuesday, October 15, 19	Veendam	219	580	1350	800	1700	F.K. Warren
Wednesday, October 16, 19	Summit	294	1100	2224	1145	1800	Furncan Marine
Friday, October 18, 19	Silver Whisper	190	295	382	800	1700	F.K. Warren
Saturday, October 19, 19	Seabourn Quest	198.15	335	450	800	2000	F.K. Warren
Saturday, October 19, 19	Windstar Pride		164	208	1300	2100	Norton Lilly
Monday, October 21, 19	Caribbean Princess	290	1201	3142	700	1600	F.K. Warren
Thursday, October 24, 19	Amadea	192.82	292	624	1200	2000	Furncan Marine
Thursday, October 24, 19	Victory II East Berth		90	202	800	2200	F.K. Warren
Saturday, October 26, 19	Silver Whisper	190	295	382	900	1700	F.K. Warren
Sunday, October 27, 19	MS Riviera	239.27	800	1250	900	1800	F.K. Warren
Monday, October 28, 19	Victory I		90	202	1200	1900	F.K. Warren
Friday, November 1, 19	Silver Wind	156	208	294	900	1700	F.K. Warren
Monday, November 4, 19	MS Riviera	239.27	800	1250	800	1700	F.K. Warren
Total Crew							63482
Total Passengers							146569
Total Visits							99



City of Charlottetown

Report No: T 02-19

Date: March 13, 2019

Directed to:

ED, Tourism & Event Management Committee

Attachments:

- None

Department:

Tourism

Prepared by:

Laurel Lea, Tourism Officer (TO)

Subject:

Communities in Bloom | Make Your Hometown Beautiful

Recommendation:

That the Committee support the City's registration in the Communities in Bloom program and that changes be made to the Make Our Hometown Beautiful Program for the 2019 season.

Report:

Recently, Economic Development, Tourism & Event Management staff met with representatives from Sustainability and Beautification to review and discuss the City's 2019 Communities in Bloom and Make Our Hometown Beautiful files.

The City has been registered to participate in the 2019 Communities in Bloom Program under the category of Circle of Excellence – Non Evaluated. We will continue to align with the Communities in Bloom evaluation pillars; however, have elected not to be evaluated in 2019 due to tremendous prior success in the program, having won multiple national and international awards. This evaluation hiatus is typical within the organization for highly successful communities.

With respect to the Make Your Hometown Beautiful program, it is the recommendation of all relevant staff around the table that the program be restructured in 2019. Over the past few years, the program has struggled to obtain nominations, even after adjustments to prior programs had been made. It is recommended that thought be given to each Councilor working with residents of their wards to identify potential top entries in all 10 wards, as well the development of a strengthened paid and social media program that would allow the public at large to easily nominate others.

Reviewed By:

CAO

DCAO

Manager

Other

Recommendation(s)/Action(s):



**CITY OF CHARLOTTETOWN
TOURISM ACCOMMODATION LEVY BYLAW
#2019-TAL-01A**

**To amend the City of Charlottetown Tourism Accommodation Levy Bylaw, #2019-TAL 01,
as per attached**

RESOLVED: THAT the bylaw to amend the “**CITY OF CHARLOTTETOWN TOURISM
ACCOMMODATION LEVY BYLAW**” be read a first time.

Moved by Councillor _____ Kevin Ramsay

Seconded by Councillor _____ Terry MacLeod
Date: April 8, 2019

RESOLVED: THAT the bylaw now be approved as a City Bylaw and that it be entitled the
“**CITY OF CHARLOTTETOWN TOURISM ACCOMMODATION LEVY BYLAW**” and
that it be read a second time at the next meeting of Council.

Moved by Councillor _____ Kevin Ramsay

Seconded by Councillor _____ Terry MacLeod
Date: April 8, 2019

THEREFORE; BE IT RESOLVED: THAT the “**CITY OF CHARLOTTETOWN TOURISM
ACCOMMODATION LEVY BYLAW**” be read a **second** time and that the said Bylaw be now
adopted.

Moved by Councillor _____

Seconded by Councillor _____
Date:

This Tourism Accommodation Levy Bylaw, #2019-TAL-01A, was adopted by a majority of
Council members present at the Council meeting held on ____ day of _____, 2019.

Peter Kelly, CAO

Philip Brown, Mayor

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Tourism Accommodation Levy Bylaw
Bylaw # 2019-TAL-01A

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

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Tourism Accommodation Levy Bylaw Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Tourism Accommodation Levy Bylaw to incorporate proposed amendments as recommended by Economic Development, Tourism & Events Management Committee, to standardize formatting and to ensure overall consistency.

3. Authority

Pursuant to Section 161 (2) of the Municipal Government Act R.S.P.E.I. 1988, Cap M-12.1, Council may, by bylaw, impose a tourism accommodation levy on any person who for a daily charge, fee or remuneration purchases accommodation at a tourism establishment in the municipality.

4. Definitions

4.1. In this bylaw, any word and term that is defined in the *Municipal Government Act*, the *Tourism Industry Act R.S.P.E.I. 1988, Cap. T-3.3* or the *City of Charlottetown Tourism Accommodation Levy Bylaw* has the same meaning as in that Act, regulations or bylaw.

5. Section (4) Exemption from Levy – of the Charlottetown Tourism Accommodation Levy Bylaw is hereby amended by the following:

5.1. Delete subsection 4.2 and renumber remaining subsections

5.2. Replace subsection 4.3 with “On June 1, 2019 the Tourism Accommodation Levy shall apply to all accommodations inclusive of B&Bs, Inns, Airbnb, VRBO, etc. sold in tourism establishments.”

6. Section (6) Return and Remittance of Levy – of the Charlottetown Tourism Accommodation Levy Bylaw is hereby amended by the following:

6.1. In subsection 6.6 correct spelling error

7. Section (9) Refund of Levy – of the Charlottetown Tourism Accommodation Levy Bylaw is hereby amended by the following:

7.1. Amend section 9.2 to read “..under subsection 9.1 from the amount”

Part II – Approval and Adoption

8. Effective Date

8.1. This Tourism Accommodation Bylaw Amendment Bylaw, #2019-TAL-1A, shall be effective on the date of approval and adoption below.

First Reading:
This Tourism Accommodation Levy Bylaw Amendment Bylaw, #2019-TAL-1A, was read a first time and approved by a majority of members present at the Council meeting held on the ____ day of _____, 2019.

Second Reading:
This Tourism Accommodation Levy Bylaw Amendment Bylaw, #2019-TAL-1A, was read a second time and approved by a majority of members present at the Council meeting held on the ____ day of _____, 2019.

Approval and Adoption by Council:
This Tourism Accommodation Levy Bylaw Amendment Bylaw, #2019-TAL-1A, was adopted by a majority of Council members present at the Council meeting held on the ____ day of _____, 2019.

9. Witness the corporate seal of the City of Charlottetown

Mayor

Chief Administrative Officer

This Tourism Accommodation Levy Bylaw Amendment Bylaw, #2019-TAL-1A, adopted by the Council of the City of Charlottetown on ____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer

Date



**ENVIRONMENT & SUSTAINABILITY COMMITTEE
REPORT TO COUNCIL
APRIL 8, 2019**

The Environment & Sustainability Committee met on April 2, 2019 and the draft minutes are included in your package.

There is one (1) resolution for your consideration.

Included in your package is the first reading of the Tree Protection Bylaw.

Respectfully submitted,

Councillor Terry MacLeod, Chair

ENVIRONMENT & SUSTAINABILITY COMMITTEE

Tuesday, April 2, 2019

12:15 PM – Parkdale Room, City Hall

**PRESENT: Mayor Philip Brown
Councillor Terry MacLeod, Chair
Deputy Mayor Jason Coady, Vice-Chair
Councillor Kevin Ramsay, Member
Peter Kelly, CAO**

**ALSO: Ramona Doyle, SO
Betty Pryor, SPO
Cindy MacMillan, AA**

REGRETS: N/A

1) Call to Order

The meeting was called to order at approximately 12:15 pm by Chair MacLeod.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

It was requested by Betty Pryor, SPO, to add an item for information purposes to the agenda. It was moved by Deputy Mayor Coady and seconded by Councillor Ramsay that the agenda be approved as amended. Carried.

4) Discussions/Reports

a. Cosmetic Pesticides options

Betty Pryor, SPO, presented the cosmetic pesticide options to the Committee. There was a discussion surrounding all options, exemptions, and whether there are exemptions in the other provinces/municipalities that have cosmetic pesticide bylaws. The SPO will research this matter and will report back to the Committee. It was recommended that this be deferred for discussion at an upcoming Committee of Council meeting.

b. Transit school-based pilot project

Ramona Doyle, SO, updated the Committee on the pilot project that T3 Transit is conducting with providing approximately 50 high school students with free transit passes in exchange for feedback and pre-and post-surveys. It was noted that transit would support students in attending extracurricular activities, after school employment, etc.

c. Honeywell Performance Contract

Ramona Doyle, SO, presented the report to the Committee. Honeywell, a global energy solutions company, has reached out to the City of Charlottetown to offer their services to look at all City corporate energy use. Their Comprehensive Municipal Solution (CMS) program offers a self-funded energy performance contract where energy upgrades are paid in full by guaranteed energy and operational savings. The first step in this process would have Honeywell complete a level 1 ASHRAE energy audit that looks at all corporate energy use, provides high-level recommendations on projects that could be pursued, and provides a preliminary estimate on savings and investment.

There would be no cost for the level 1 ASHRAE or obligation for the City to proceed with Honeywell exclusively beyond this point. Once the ASHRAE has been completed, if the City wanted to move forward to the next step an RFP would be issued to identify an official energy solutions company partner with the intent of developing a multi-year contract to implement energy savings opportunities and finance the upgrade costs through guaranteed savings.

It was moved by Councillor Ramsay and seconded by Deputy Mayor Coady to move forward with Honeywell to complete a level 1 ASHRAE energy audit of City facilities to quantify the opportunities that exist for the City in energy savings, cost savings, and greenhouse gas emission reduction with the intent of entering an energy performance contract where upgrade costs are financed through guaranteed energy savings. Carried.

d. Resolution on Climate Emergency

The Council of Canadians has made a formal request to Council to pass a climate emergency resolution. The SO noted that Council of Canadians is a separate group than the group recently involved in the climate change protest and arrest at City Hall. The Council of Canadians has worked with the City on a number of partnerships in the past. While the municipality is unlikely to receive additional funds from provincial or federal governments as a result of a resolution, it does provide an opportunity for the City to stress the impact of climate change and provide additional emphasis on the importance of climate change adaptation and of implementing the City's Community Energy Plan, adopted by Council in February 2019.

A number of Canadian cities including Vancouver, Halifax, Kingston and Edmundston have passed Council resolutions declaring a climate emergency. These resolutions are in response to the October 2018 Intergovernmental Panel on Climate Change (IPCC) report that highlights the dire situation of climate change, the rapid increase of global warming and the impacts that will come as a result.

It was moved by Councillor Ramsay and seconded by Mayor Brown that a resolution declaring a climate emergency be forwarded to Council at April's regular scheduled meeting. Carried.

e. ICIP Application

Ramona Doyle, SO, presented the report to the Committee for information purposes only. After extensive discussion on the capital replacement program for the capital area transit service, the Capital Area Transit Coordinating Committee (CATCC) – on behalf of the communities of Charlottetown, Cornwall and Stratford – have submitted an application to the Investing in Canada Infrastructure Program (ICIP) for six new diesel buses.

If the application is approved, the buses will be expensed from the 2020-2021 and 2021-2022 fiscal years. The total cost for the two year to purchase six diesel buses is \$4.5 million (includes taxes and a 10% contingency). It would be cost shared federally (40%); provincially (33.33%) and municipally (26.67%). Charlottetown's total contribution towards the purchase of the six buses would be \$872,000 and it would be split equally over the two budgets.

Electric buses were seriously considered but in the end it was decided that they would be reconsidered for the capital replacement project beginning in 2022-2023. The CATCC will continue to follow the results of electric bus performance in Canada and monitor pricing. They will also continue to look at funding opportunities that would further support electric bus purchases.

f. Provincial Subsidy

Ramona Doyle, SO, presented the report to the Committee. Each year since 2012 the Province of PEI has allocated \$180,000 to the communities of Cornwall, Stratford and Cornwall to support transit operation. This money is deducted to the overall municipal subsidy that is paid to T3 Transit. For the last few years the Capital Area Transit Coordinating Committee (CATCC) has been requesting an increase to the Provincial Transit Subsidy to account for annual CPI increases. The CPI increases would amount to over \$25,000. Each year, this request has been denied.

As part of the Province of PEI's Climate Action Strategy, the Province stresses the importance of the T3 transit system as providing a sustainable transportation option in PEI. The capital area transit system serves an area with a population of over 51,000 Islanders.

It was moved by Councillor Ramsay and seconded by Deputy Mayor Coady to forward a request to Strategic Priorities and Intergovernmental Cooperation Committee to discuss options for increasing the annual Provincial Transit Subsidy from \$180,000 to \$300,000 per year. Carried.

g. Update on the TD Funding

Ramona Doyle, SO, reported to the Committee that the City received TD Funding that was applied for and discussed at a previous Committee meeting.

h. Update on Miovision Traffic Study Funding

Ramona Doyle, SO, reported that the larger funding request that the City had submitted has not been approved and that the City could reapply after the pilot project was complete.

5) Drinking Water Campaign

Betty Pryor, SPO, advised the Committee that there will be a water campaign taking place in May. It will be used to promote our healthy drinking water.

6) Introduction of New Business

There was no new business to discuss.

7) Adjournment

Moved by Councillor Ramsay and seconded by Deputy Mayor Coady that the meeting be adjourned. Carried.

The meeting adjourned at 1:30 PM.



City of
Charlottetown

Report No: E&S 19-20

Date:
March 27, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:
Nil

Department: Environment & Sustainability Committee

Prepared by: Betty Pryor

Subject:
Cosmetic Pesticides Bylaw Options

RECOMMENDATION:

That the Cosmetic Pesticides Bylaw and its administration remain the status quo for 2019.

When Charlottetown's *Cosmetic Pesticides Bylaw* was originally considered, the intent was to have no exceptions in place. The bylaw that came into effect on January 1, 2017, provided a list of allowable pesticides and an exception where a Cosmetic Pesticide Applicator may apply, with approval, a pesticide that is not on the allowable list. There was a \$50 fee established payable at the time of application with received funds used to administer the bylaw. This remains the status quo.

At its meeting on February 26, 2019, Committee discussed the application fee and options associated with the bylaw. Further to the discussion, the following three options are presented:

Option 1 is to remove the \$50 exception application fee and keep the exception clause. This option is considered the least favourable. With no deterrent to use products not on the allowable list, it is comparable to not having a bylaw. It also restricts funds to develop and promote educational material to work towards a cosmetic pesticide free city.

If this is the option approved, staff's recommendation is to eliminate inspections.

Option 2 is to remove the \$50 exception fee and the exception clause. If the fee is to be removed, it is logical to also remove the exception clause for the *Cosmetic Pesticides Bylaw* to be effective. While this is the preferred option for staff, there is the challenge to deal with situations where a homeowner could lose their lawn due to an uncontrolled infestation. Council should be aware of this, and there is no way to determine how often this situation may occur.

Option 3 is to remain the status quo for the upcoming season. With over 300 applications each in 2017 and 2018, the fee serves as a deterrent and helps offset the cost of bylaw administration. In addition to the resources for recording, tracking and inspecting applications, there are other components to administration such as developing and printing material, hosting related workshops, attending events to promote the bylaw, and working with Agriculture Canada on alternative grass mixes.

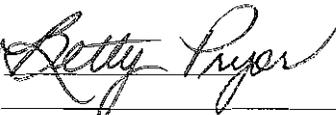
There is a cost to our city to have the exception clause. Cosmetic pesticides are chemicals and those who choose to circumvent the bylaw through this clause should follow the polluter pays principle. The pesticide chemicals that are used are known to be toxic to bees which are vital to our ecosystem. Arena 50 WDG is commonly used in Charlottetown for chinch bug infestation and its main ingredient, Clothianidin, is proposed by Health Canada to be phased out due to its harmful effects.

Maintaining the fee will allow staff to continue the work that has been done and develop new related projects. One proposal is to provide funding to plant pollinator gardens within the City. These will be an educational tool and also help offset some of the harmful effects that the cosmetic pesticides cause.

It is imperative that, for the bylaw to remain in effect with the exception clause, the \$50 application fee remain in effect.

It is recommended that the Cosmetic Pesticides Bylaw and its administration remain the status quo for 2019.

Respectfully,



Reviewed By:

GAO

Manager

Other

RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: E&S 19-22

Date: April 2, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, Sustainability Officer

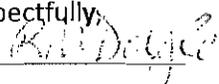
Subject: Transit Pilot for Students

RECOMMENDATION: For Information Only

T3 Transit and the City of Charlottetown have been working to identify ways to increase ridership and encourage new groups of residents to begin using transit. One identified target group is youth. Young residents are specifically important because if they create a habit of using transit at an early age it is more likely that they will continue to use transit into adulthood. Having more residents use transit reduces Charlottetown's greenhouse gas emissions, reduces traffic congestion and parking issues, as well as improves overall community health.

A pilot project has been developed that engages high school students at Colonel Grey. A sample of approximately 50 students will be given free transit passes for the months of April and May 2019. In exchange for receiving the free passes, students that are participating in the trial will provide feedback on the transit system and complete pre- and post- project surveys to assess potential attitude and behavior changes as a result of the project. Once all the results have been compiled, a report will be presented to the Capital Area Transit Coordinating Committee in June-July 2019 for review and to assess opportunities to implement an expanded student focused transit program in the fall of 2019.

The pilot is based on a similar project that was completed in Kingston, Ontario where the municipality generated a 20-fold increase in student public transit ridership by providing a bus orientation program and free passes for students in their community. Kingston won a 2018 Sustainable Communities Award from the Federation of Canadian Municipalities for the project.

Respectfully,


Reviewed By:

CAO 	Manager	Other				
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RECOMMENDATIONS/ACTIONS:





City of
Charlottetown

Report No: E&S 19-23

Date: April 2, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

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Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, Sustainability Officer
Scott Adams, Public Works Manager
Richard MacEwen, W&S Utility Manager

Subject: Energy Performance Contract

RECOMMENDATION: That the Committee approve moving forward with Honeywell to complete a level 1 ASHRAE energy audit of City facilities to identify energy savings, cost savings, and greenhouse gas emission reduction opportunities with the intent of entering an energy performance contract where upgrade costs are financed through guaranteed energy savings.

The City of Charlottetown adopted its Community Energy Plan in February 2019 which includes a corporate greenhouse gas emissions reduction target of reducing corporate emissions by 40% by 2030 and to strive to be 100% carbon neutral by 2050.

Corporate emissions across City operations are estimated at 7,266 tonnes of carbon dioxide equivalent (tCO₂e) in 2017. Corporate expenditures on energy were \$3.52 million in 2017. The highest emitting sectors in the City corporation are water & sewer (28.5% of total corporate emissions); fleet (27.7%); and buildings (22.4%).

There have been a number of corporate energy efficiency upgrades completed in the last few years, including lighting projects at City Hall, City Works, City Police, West Royalty Community Centre, and the Queen and Fitzroy Parkades, there are still many opportunities to reduce energy use, energy expenditures and greenhouse gas emissions in City facilities.

Financing and coordinating large scale retrofit projects is complex and expensive which has been a barrier for municipalities, hospitals and other public institutions. Energy solution companies have responded by providing comprehensive solutions that include identifying all potential savings opportunities, developing implementation plans, managing contracts and even financing retrofits through cost-savings.

Continued page 2

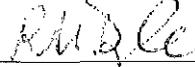
Honeywell, a global energy solutions company, has reached out to the City of Charlottetown to offer their services to look at all City corporate energy use. Their comprehensive Municipal Solution (CMS) program offers a self-funded energy performance contract where energy upgrades are paid in full by guaranteed energy and operational savings. The first step in this process would have Honeywell complete a level 1 ASHRAE energy audit that looks at all corporate energy use, provides high-level recommendations on projects that could be pursued, and provides a preliminary estimate on savings and investment.

There would be no cost for the level 1 ASHRAE or obligation for the City to proceed with Honeywell exclusively beyond this point. Once the ASHRAE has been completed, if the City wanted to move forward to the next step an RFP would be issued to identify an official energy solutions company partner with the intent of developing a multi-year contract to implement energy savings opportunities and finance the upgrade costs through guaranteed savings.

The City of Summerside recently signed a 10-year contract with Honeywell to move forward with the implement a comprehensive energy efficiency program that looks at all their corporate facilities. The total cost of the project is \$3.6 million and has guaranteed annual savings of \$395,000. Their project includes streetlighting, heating systems, lighting optimization, upgrades at the Credit Union Place, and building automation systems.

The scope of the energy project would depend on the opportunities presented by Honeywell, the direction given by City staff and management and the priorities of City Council. It is recommended that the Eastlink Centre and Bell Aliant Centre be invited to be included in the corporate project in an effort to reduce energy expenditures in these facilities also.

Respectfully,


Ramona Doyle, SO


Scott Adams, PWM

Reviewed By:

	Manager	Other				
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RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: E&S 19-25

Date: April 2, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:
• **ICIP Application**

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, Sustainability Officer

Subject: ICIP Application – New Buses

RECOMMENDATION: For Information Only

After extensive discussion on the capital replacement program for the capital area transit service, the Capital Area Transit Coordinating Committee (CATCC) - on behalf of the communities of Charlottetown, Cornwall and Stratford - have submitted an application to the Investing in Canada Infrastructure Program (ICIP) for six new diesel buses.

If the application is approved, the buses will be expensed from the 2020-2021 and 2021-2022 fiscal years. The total cost of the two year project to purchase six diesel buses is \$4.5 million (includes taxes and a 10% contingency). It would be cost shared federally (40%); provincially (33.33%) and municipally (26.67%). Charlottetown's total contribution towards the purchase of the six buses would be \$872,000 and it would be split equally over the 2020-2021 and 2021-2022 budgets (\$436,000/year).

The CATCC seriously considered electric buses but in the end determined that they would reconsider electric buses for the capital replacement project beginning in 2022-2023. The CATCC will continue to follow the results of electric bus performance in Canada and monitor pricing. Currently, a diesel bus costs \$600,000 and an equivalent electric bus costs \$1,000,000. Because of this price differential it was determined that replacing more buses quickly and retaining a lower replacement costs was a higher priority than purchasing electric buses. While the CATCC was able to determine that there would be a cost savings for electricity compared to diesel for electric buses, there is still not a lot of information on the impact of maintenance (including battery replacement) on electric buses operating in Canada.

Respectfully,

Reviewed By:

CAO

Manager

Other

RECOMMENDATIONS/ACTIONS:



City of Charlottetown

Report No: E&S 19-26

Date: April 2, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S
Committee

Attachments:

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, Sustainability Officer

Subject: Provincial Transit Subsidy

RECOMMENDATION: That the Committee forward a request to the Strategic Priorities and Intergovernmental Cooperation to increase the annual Provincial Transit Subsidy from \$180,000 to \$300,000 per year.

Each year since 2012, the Province of PEI has allocated \$180,000 to the communities of Cornwall, Stratford and Cornwall to support the transit operation. This money is deducted to the overall amount that is paid to T3 transit. For the last few years, the Capital Area Transit Coordinating Committee (CATCC) has been requesting an increase to the Provincial Transit Subsidy to account for annual CPI increases. The CPI increases would amount to over \$25,000. Each year, this request has been denied.

As part of the Province of PEI's Climate Action Strategy, they stress the importance of the T3 transit system as providing a sustainable transportation option in PEI. The Climate Action Strategy stresses the importance of the system and in its future expansion. The capital area transit system serves an area with a population of over 51,000 Islanders.

While the Province of PEI has made capital investments in the transit system, the CATCC would like to see the Province of PEI provide more operational funding for transit. Additional support would allow the CATCC to expand the system to new areas and operate longer hours. An additional \$120,000 plus a commitment to annual CPI increases would go a long way to improving the transit system.

So far, there has been no success in increasing the annual Provincial subsidy through the CATCC. Therefore it is recommended that this request be forwarded to the Strategic Priorities and Intergovernmental Cooperation to investigate other avenues to increase Provincial support for transit.

Respectfully,

Reviewed By:

CAO

Manager

Other

RECOMMENDATIONS/ACTIONS:



CITY OF CHARLOTTETOWN

RESOLUTION

Environment &
Sustainability #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Deputy Mayor _____ Jason Coady

WHEREAS local governments around the world are taking new actions to avoid the worst impacts of climate change and calling on senior levels of government for a more urgent, emergency response;

WHEREAS the Intergovernmental Panel on Climate Change finds that limiting global warming to 1.5°C with no or limited overshoot would imply global net CO₂ emissions dropping to between 50% and 58% below 2010 levels by 2030, and between 94% and 107% below 2010 levels by 2050;

WHEREAS the world is currently on track for more than 3°C of warming based on policies currently in place, and those policies will need to be strengthened significantly to limit global warming to 1.5°C;

WHEREAS the costs to Charlottetown for dealing with sea level rise, stormwater, and sewer management is already significant and will become exceedingly so as a result of climate change;

WHEREAS the City of Charlottetown has been taking action on sustainability through adopting its Community Energy Plan which includes corporate and community greenhouse gas reduction targets and through participation the QUEST Community

Resilience Project, setting a solid foundation for ramping up ambition and action to meet the moral and scientific urgency of climate change;

AND WHEREAS a growing list of cities, districts and counties across the world representing over 15 million people collectively have recently declared or officially acknowledged the existence of a global climate emergency, including Vancouver, Kingston, Halifax, Edmunston and Moncton.

BE IT RESOLVED that Council recognize the breakdown of the stable climate and sea level under which human civilization developed constitutes an emergency for the City of Charlottetown;

AND FURTHER that Council continue to support projects that will support the City in mitigating climate change and reaching the City's corporate and community targets for greenhouse gas emission reduction as well as those that support the transition from fossil fuels and towards renewable energy;

BE IT FURTHER RESOLVED that Council continue to work cross-departmentally, with other levels of government, and with external partners to identify and prioritize climate adaptation projects that increase the resilience of Charlottetown to the impacts of climate change.



City of Charlottetown

Report No: E&S 19-24

Date: April 2, 2019

Directed to:
Chairperson Terry MacLeod, Members of the E&S Committee

Attachments:

- **Email request from the Council of Canadians requesting that Charlottetown declare a climate emergency**

Department: Environment & Sustainability Committee

Prepared by: Ramona Doyle, Sustainability Officer

Subject: Resolution on Climate Emergency

RECOMMENDATION: That the Committee review the request from the Council of Canadians to bring a resolution to Council declaring a climate emergency.

A number of Canadian cities including Vancouver, Halifax, Kingston and Edmundston have passed Council resolutions declaring a climate emergency. These resolutions are in response to the October 2018 Intergovernmental Panel on Climate Change (IPCC) report that highlights the dire situation of climate change, the rapid increase of global warming and the impacts that will come as a result.

Excerpt from the Intergovernmental Panel on Climate Change (IPCC), October 8, 2018:

“The report highlights a number of climate change impacts that could be avoided by limiting global warming to 1.5°C compared to 2°C, or more. For instance, by 2100, global sea level rise would be 10 cm lower with global warming of 1.5°C compared with 2°C. The likelihood of an Arctic Ocean free of sea ice in summer would be once per century with global warming of 1.5°C, compared with at least once per decade with 2°C. Coral reefs would decline by 70-90 percent with global warming of 1.5°C, whereas virtually all (> 99 percent) would be lost with 2°C.”

“The report finds that limiting global warming to 1.5°C would require “rapid and far-reaching” transitions in land, energy, industry, buildings, transport, and cities. Global net human-caused emissions of carbon dioxide (CO2) would need to fall by about 45 percent from 2010 levels by 2030, reaching 'net zero' around 2050. This means that any remaining emissions would need to be balanced by removing CO2 from the air.”

The Council of Canadians has made a formal request to Council to pass a climate emergency. While the municipality is unlikely to receive additional funds from provincial or federal governments as a result of a resolution, it does provide an opportunity for the City to stress the impact of climate change and provide additional emphasis on the importance of climate change adaptation and of implementing the City’s Community Energy Plan, adopted by Council in February 2019.

Respectfully,

Reviewed By:

CAO

Manager

Other



**CITY OF CHARLOTTETOWN
TREE PROTECTION BYLAW
#2019-TP-01**

TO ESTABLISH A CITY OF CHARLOTTETOWN BYLAW WITH RESPECT TO TREE PRESERVATION AND PROTECTION PURSUANT TO THE PROVISIONS OF SECTION 180 (K) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1 AND SUBJECT TO THE ENVIRONMENTAL PROTECTION ACT R.S.P.E.I. 1988, Cap. E-9 AND THE PESTICIDES CONTROL ACT R.S.P.E.I. 1988, Cap. P-4

RESOLVED: THAT the bylaw to establish the “**CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW**” be read a first time.

Moved by Councillor _____ Terry MacLeod

Seconded by Deputy Mayor _____ Jason Coady
Date: April 8, 2019

RESOLVED: THAT the bylaw now be approved as a City Bylaw and that it be entitled the “**CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW**” and that it be read a second time at the next public meeting of Council.

Moved by Councillor _____ Terry MacLeod

Seconded by Deputy Mayor _____ Jason Coady
Date: April 8, 2019

THEREFORE; BE IT RESOLVED: THAT the “**CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW**” be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____ Terry MacLeod

Seconded by Deputy Mayor _____ Jason Coady
Date:

This Tree Protection Bylaw, #2019-TP-01, was adopted by a majority of Council members present at the Council meeting held on _____ day of _____, 2019.

Peter Kelly, CAO

Philip Brown, Mayor

**City of Charlottetown
Tree Protection Bylaw
Bylaw #2019-TP-01**

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

1. Title

1.1. This Bylaw shall be known as, and may be cited as, the “Tree Protection Bylaw”.

2. Purpose

2.1. The purpose of this Bylaw is to:

- a) recognize the importance of trees as green infrastructure and to protect trees on City-Owned Property;
- b) protect privately owned and City-Owned Heritage Trees within the City;
- c) prohibit the removal of, or damage to, Protected Trees;
- d) regulate and establish requirements for preservation, protection, maintenance, removal and replacement of Protected Trees;
- e) put in place inspection and enforcement provisions, including penalties for damaging or removing a Public Tree or Protected Tree without written permission.

3. Authority

3.1. Section 180(k) of the *Municipal Government Act*, R.S.P.E.I. 1988, M-12.1., provides that a municipality may pass bylaws respecting tree preservation and protection, and the development and implementation of maintenance standards for trees and other vegetation, subject to the *Environmental Protection Act*, R.S.P.E.I. 1988, E-9., the *Pesticides Control Act*, R.S.P.E.I. 1988, P-4, and any other applicable enactment.

4. Application

4.1. This Bylaw applies to:

- (a) all trees located on or abutting City-Owned Property;
- (b) Heritage Trees and Protected Trees on City-Owned Property and private property;
- (c) diseased, Infested or Hazardous trees on City-Owned Property and private property; and
- (d) development and construction activities, including those pursuant to the City’s Zoning and Development Bylaw.

4.2. Nothing in this Bylaw precludes or relieves a person of complying with any federal, provincial or local government enactments that may apply to the protection or removal of trees.

5. Definitions

5.1. In this bylaw:

- a) "Abutter" means the owner, lessee, or occupier of any premises or lot in the City which abuts a street or any other City-Owned Property, and includes premises or a lot which has been registered as a condominium under the *Condominium Act Regulations*, EC10/78, including the condominium corporation which manages the premises or lot.
- b) "Certified Arborist" means a person who is certified by the International Society of Arboriculture.
- c) "City" means the City of Charlottetown.
- d) "City Arborist" means a person retained or designated by the City as the City's Arborist.
- e) "City-Owned Property" means all properties owned by the City of Charlottetown including, but not limited to, rights-of-way, leases, parks and green spaces, and woodlands.
- f) "Damage" means any action that will cause a tree to decline or die.
- g) "Diameter at Breast Height or DBH" means the diameter of the stem of a tree measured at 1.37 meters (or 4.5 feet) above the natural grade at the base of the tree, except where there are multiple trunks, in which case DBH means the sum of the diameter of the trunks measured 1.37 meters (or 4.5 feet) above the natural grade.
- h) "Diseased Tree" means any tree with an abnormal growth or dysfunction.
- i) "Drip Line" is the area on the ground that corresponds with the outermost circumference of a tree canopy where water drips from and onto the ground.
- j) "Forestry Technician" means a person with forestry experience and education which enables them to preserve and safeguard the urban forest.
- k) "Grade" means increasing or decreasing the natural level of the soil around the trunk of a tree. Raising the grade reduces the tree's access to air, water and nutrients. Reducing the grade exposes and causes damage to tree roots in the TPZ. Grade changes lead to root mortality, decline in vigor and frequently, death of the tree.
- l) "Hazardous " means a tree with a defect sufficient to increase the likelihood that all or part of the tree will fail, resulting in risk of personal injury or property damage. Whether a tree is hazardous will be determined by a Certified Arborist or Certified Tree Risk Assessor as designated by the International Society of Arborists or a Forestry Technician.
- m) "Heritage Tree" means a Protected Tree within the City that has historical or cultural value to the City and/or has a DBH of greater than 100 cm.

- n) "Infested Tree" means a tree that is infested with an insect pest.
- o) "Large Caliper Tree" means a balled and burlapped tree with no less than a 50mm trunk diameter measured approximately 30 cm above the ground. See Appendix 2.
- p) "Natural Causes" means causes including disease, insect pests, climatic, hydrological or geotechnical conditions, structural defects or aging, which cause a tree to become hazardous.
- q) "Owner" means the registered owner of a lot upon which a tree is located, or their authorized agent.
- r) "Park" means any green space, woodland or recreational facility owned by the City.
- s) "Protected Tree" means a tree, hedge or shrub of any size located on City-Owned Property or a Heritage Tree located within the City. Invasive species, as listed in Appendix 3, are not considered protected.
- t) "Pruning" means selective cutting or removal of living or dead branches of a tree according to the standards set out by the International Society of Arboriculture and which is consistent with promoting the health and growth of the tree.
- u) "Public Tree" means any tree in a Park, along a highway, and on any other land owned, leased or otherwise vested in or controlled by the City.
- v) "Remove" means to cut down a tree and/or remove it from its present location.
- w) "Small Tree" means a tree that is no more than four feet tall and/or is in a five gallon pot.
- x) "Structural Root, Buttress Root or Anchoring Root" means a large, woody tree root that anchors the tree and supports the trunk and crown of the tree.
- y) "Tree" is a woody perennial plant with one or more substantially erect trunks or stems and a root system.
- z) "Tree and Root Protection Zone or TPZ" means the area around the trunk of the tree contained within a circle which has a radius of X meters, where $X = (DBH(cm) \times 15) / 100$ (or 1.25 feet for every inch of DBH), or one meter beyond the drip line, whichever is greater. Also defined as the area within the Tree Protection Barrier.
- aa) "Tree Risk Assessment" means a report prepared by the City Arborist, or designate, that documents the characteristics, condition and possible hazards of the tree and includes a photograph. The report includes a recommendation to retain or remove the tree and any required maintenance.
- bb) "Tree Maintenance" means the application of arboricultural techniques to maintain a tree.

- cc) "Tree Protection Barrier" means a sturdy, continuous protection barrier or fence that is at least one meter in height and is installed around the TPZ, or one meter beyond the Drip Line, whichever is greater.
- dd) "Topping" means indiscriminate cutting off of branches at the top of a tree which may result in weak unstable limbs that are prone to breakage and tree decay resulting in increased maintenance requirements, possible hazards, or the death of the tree.
- ee) "Tunneling" means boring a hole under the root system of a tree causing minimum disturbance to accommodate underground installations.
- ff) "Utility" includes the facilities for energy and communications, the provision of those facilities and the persons responsible for the provision and maintenance, whether the facilities are publicly or privately owned.
- gg) "Written Permission" means signed letter or email correspondence.

6. Interpretation

- 6.1. This Bylaw relates to the protection, assessment, maintenance, removal and disposal of trees within the City of Charlottetown.
- 6.2. This Bylaw is administered under the authority of the City Arborist in consultation with the Managers of Public Works, Parks and Recreation, Water and Sewer Utility, Sustainability and Planning Departments.
- 6.3. Tree ownership will be determined by the City's Forestry Technician or designate using field markers and land survey information.

7. Tree Maintenance

- 7.1. City Tree-Crew staff have the following duties and powers:
 - a) to inspect, protect and carry out maintenance on Public Trees;
 - b) to enter upon any lands in the City, including privately owned lands, for the purpose of assessing trees for risk and for disease or insect infestations that may affect the health of the trees;
 - c) to enter upon any lands in the City, including privately owned lands, to carry out pruning or tree removal operations for the protection of the public, City-Owned Property or the health of the trees;
 - d) to plant trees on any City-Owned Property;
 - e) to plant trees on private property, in consultation with the property Owner, where the City right-of-way is not sufficient to sustain a tree. Trees planted on private property will be maintained by the City for one year. After one year, the tree care and maintenance becomes the responsibility of the property Owner.
- 7.2. Notice will be served to the property owner three days in advance of any work (tree planting, removals or pruning) taking place on private property.

8. Restrictions

- 8.1. No person shall alter or remove a Public Tree without obtaining written permission from the City in accordance with section 19 of this Bylaw.
- 8.2. Trees planted on private and City-Owned Property must meet the criteria laid out in Appendix 4 – Criteria for Vacant Tree and Shrub Planting Sites.
- 8.3. No person shall carry out, cause or permit the following:
 - a) take down, remove, top, prune, spray, fertilize or otherwise disturb a Public Tree;
 - b) deposit, place or store on City-Owned Property, any material that may impede the free passage of water, air or other nutrients to the roots of a Public Tree;
 - c) excavate or disturb the soil within the Tree Protection Zone (TPZ) of a Public Tree, as identified in Section 10 and Appendix 1;
 - d) cut, damage or undermine the roots of a Public Tree within the TPZ;
 - e) cut a Public Tree's structural or anchoring roots;
 - f) change the grade or drainage around a Public Tree within in the TPZ, or otherwise interfere with the Public Tree's access to water, air or nutrients;
 - g) operate a truck, backhoe, excavator, other heavy equipment or otherwise cause soil compaction over the roots within the TPZ of a Public Tree;
 - h) mark, brake, remove bark or branches from or deface a Public Tree;
 - i) dent, gouge or damage the trunk of a Public Tree;
 - j) fasten any sign, bill, notice, wire, rope, nail, zip tie or any other potentially restrictive or damaging material to or around a Public Tree;
 - k) attach anything to or lean anything up against a Public Tree which may cause damage to the trunk or any part of the Public Tree;
 - l) cause or allow any gas, liquid or solid harmful to trees to come in contact with a Public Tree or the roots of a Public Tree;
 - m) damage a Public Tree by fire;
 - n) remove or interfere with a barrier designed to protect a Public Tree;
 - o) permit an electrical current to come in to contact with a Public Tree;
 - p) cut, remove or damage a Public Tree on a steep slope, within a buffer zone or woodland; and/or
 - q) plant a tree or shrub on City-Owned Property.

9. Articles and Decorative Lights

- 9.1. Articles hung or installed in Public Trees, including lights, shall be done in a way such that there is no harm to the Public Tree:

- a) no pruning can be done for the installation;
- b) in accordance with sections 8.3(j) and (k), articles should be draped loosely over branches, no zip ties, wires or other fasteners can be used to fasten the articles to the Public Tree;
- c) articles must be installed on branches that are one inch in diameter or more to prevent breakage;
- d) articles cannot be installed or removed between March 1st and May 30th to prevent damage to leaf buds;
- e) articles must be inspected annually; and
- f) written permission from the City Arborist is required before installation of any articles in Public Trees.

10. Tree and Root Protection Zone (TPZ) – Construction

- 10.1. Where work or activities are taking place (on private land or City-Owned Property) that could damage the roots, trunk or branches of a Public Tree, a Tree Protection Barrier will be placed around the TPZ of the Public Tree, by the individual/organization doing the work. Where such work is taking place:
- a) a site plan must be submitted to the City prior to construction starting;
 - b) the TPZ is calculated as the area around the trunk of the tree contained within a circle which has a radius of X meters, where $X = (DBH \times 15) / 100$ (or 1.25 feet for every inch of DBH), or one meter beyond the drip line, whichever is greater. TPZ distances are measured as a radius from the center of the trunk at ground level, as per Appendix 1;
 - c) a Tree Protection Barrier shall be installed around the TPZ that is no less than 1 meter high, is made out of chain link or orange safety fencing and has metal or wood stakes securing it every 2.5 m, as per Appendix 1;
 - d) a minimum of two signs will be placed on the fencing stating that this is a Tree Protection Zone, as per Appendix 1;
 - e) the Tree Protection Barrier must be inspected and approved by the City Arborist or designate;
 - f) the Tree Protection Barrier may not impede the sight lines of any roadway or driveway;
 - g) all equipment and construction material must be kept outside of the Tree Protection Barrier;
 - h) any grade changes must be made outside of the TPZ or the drip line plus one meter, whichever is greater;
 - i) no portion of the Tree Protection Barrier can be affixed to the Public Tree;

- j) the Tree Protection Barrier will remain in place throughout the construction project;
- k) trenching shall not take place within the TPZ;
- l) if underground installations must take place in the TPZ, they must be installed by tunneling. Tunnels must not be less than one meter below grade;
- m) no roots greater than 2.5 cm in diameter can be cut;
- n) exposed tree roots must be covered with a suitable material and kept damp. Prolonged exposure of roots must be kept to a minimum.

11. Heritage Trees

- 11.1. Private or Public Trees that are one of the following five species – American elm, red oak, red maple, sugar maple, linden spp. – and which have historical or cultural significance and/or are trees with a DBH of 100cm or more are protected as Heritage Trees.
- 11.2. No person shall, without the written permission of the City, carry out, cause or permit the following:
 - a) removal of a Heritage Tree without a full Tree Risk Assessment and written permission from the City;
 - b) cause any type of damage, as per this Bylaw, to a Protected Tree.
- 11.3. The owner of a Protected Tree may, under the advisement of the City Arborist or City approved Certified Arborist, carry out pruning that is beneficial to the Protected Tree.

12. Pruning

- 12.1. All pruning cuts on Public Trees and Heritage Trees must be made by qualified individuals in accordance with International Society of Arborists (ISA) standards and may be inspected by the City Arborist or designate.
- 12.2. All pruning cuts made by City staff on private trees, in accordance with section 14.4, must meet the standards laid out in Subsection 12.1.

13. Invasive Species

- 13.1. City staff have the authority to enter upon any lands in the City, including privately owned lands, to assess, prune or remove a Diseased Tree, Hazardous Tree, or Infested Tree that is detrimental to the health of the tree or other trees.
- 13.2. Tree maintenance activities for diseased or infested trees must follow the protocols laid out in the City's Insect and Disease Management Programs.
- 13.3. No pruning or removal of elm or ash trees will take place between March 30th and October 30th unless deemed an emergency by the City Arborist or designate.
- 13.4. Invasive tree and shrub species shall not be planted. Refer to Appendix 3 of this Bylaw and/or the P.E.I. Invasive Species Council's Invasive Plant List (<http://peiinvasives.ca/report>). If there is any discrepancy between Appendix 3 of

this Bylaw, and the P.E.I. Invasive Species Council's invasive plant list, the latter shall prevail.

- 13.5. No person shall remove wood from tree removal sites or sites designated for the disposal of insect infested or diseased wood without the written permission of the City Arborist. Notices will be posted at these sites and any persons removing wood from these sites will be subject to fines as per Subsection 22.2 of this Bylaw.

14. Removal or Pruning of Hazardous Trees on Private Property

- 14.1. The owner of a tree which abuts an adjacent public right of way or City-Owned Property, and which, in the opinion of the City Arborist, poses a hazard or a danger to persons or public property, shall, when so ordered in writing by the City Arborist and within the time designated by the City Arborist, abate such hazard or danger to the satisfaction of the City Arborist.
- 14.2. Where the Abutter has failed to comply with Subsection 14.1, the City Arborist may serve a notice in writing upon the Abutter requiring the trimming or removal of the tree. If the Abutter fails to abide by the City Arborist's notice within the time frame stipulated on the notice, the City may cause the same to be done at the expense of the Abutter, and the cost may be recovered from the Abutter by the City.
- 14.3. City staff may enter any lands within the City, including privately owned land, and undertake the work referred to in Subsection 14.1, if the Abutter does not undertake or complete the work, as in Subsection 14.1. Work done by City staff or a City contractor will be at the expense of the Abutter.
- 14.4. The City Arborist or designate may authorize the pruning of any privately owned trees which abut City-Owned Property, that extend out over a right-of-way, impede foot traffic or sight lines, or otherwise create an unsafe condition or hazard.
- 14.5. Notice will be served to the Abutter three days in advance of work referred to in this section taking place.

15. Parks, Green Spaces, Woodland Trees and Buffer Zone Trees

- 15.1. Persons doing any work in a Park or accessing a property through a Park shall carry out such work or access in accordance with this Bylaw.
- 15.2. The removal of healthy trees is not permitted, as per Subsection 19.1(a). Any individual, organization, business, or other party, who injures, destroys or removes a Public Tree in a Park without the prior written permission of the City may be subject to providing payment to the City as per Section 22 – Contravention of Bylaw.
- 15.3. Tree maintenance work must follow the Provincial *Environmental Protection Act*, R.S.P.E.I. 1988, E-9, when working near a watercourse, wetland or buffer zone.
- 15.4. The City Arborist or designate may authorize the pruning of any trees located on private property that have branches that extend over a Park, including the pruning of branches that are hazardous or create an unsafe condition.

16. Planning and Developments

- 16.1. This Tree Protection Bylaw is independent of the development process pursuant to the City of Charlottetown Zoning & Development Bylaw. However, development and construction activities must comply with this Bylaw's requirements.
- 16.2. Tree retention on lots and developments within the City is encouraged and shall count towards the required landscaping per the Zoning & Development Bylaw.
- 16.3. Heritage Trees are protected, and work around Heritage Trees must follow the restrictions laid out in Sections 8 and 10 of this Bylaw.
- 16.4. A minimum of one Large Caliper Tree (as per Appendix 2) per 10m of site frontage shall be provided by the Developer or property owner for every new building or development. The location of the tree planting sites will comply with the criteria in Appendix 4 of this Bylaw and the City's Planning Department's permitting process.
- 16.5. A variety of sizes and species of both deciduous and coniferous plants should be provided to ensure year round interest, diversity of species and aesthetic appeal. See Appendix 3 of this Bylaw for invasive plant species that are not allowed.
- 16.6. The City Arborist may approve the removal of trees and shrubs to allow for access to underground services and/or utilities. Landscaping plants must be reinstated once the utility and/or service work is complete. See Appendix 2 of this Bylaw for tree planting information.
- 16.7. Tree Risk Assessments must be done by the City Arborist or designate when building permit applications are submitted.

17. Supervision of Utilities and Contractors

- 17.1. Where a Utility or a contractor alters a Public Tree, the City Arborist may assign an inspector to supervise the work, the cost of which shall be borne by the Utility or the contractor.
- 17.2. The City Arborist may require that a Utility or contractor do such things as are necessary to ensure the health and safety of Public Trees affected by any works carried out by the Utility or contractor, even where not required by the Utility's or contractor's own standards.
- 17.3. The City Arborist may grant the approval for any work that is required under any other Bylaw to proceed even though the work may impact Public Trees.
- 17.4. A private or public Utility may carry out tree maintenance for the purpose of safety or to maintain the operation of the Utility's service and infrastructure. All pruning cuts must be made by qualified individuals in accordance with the International Society of Arborists (ISA) standards. The utility must seek written permission from the City to remove a tree.

18. Inspections

- 18.1. The City Arborist or designate may enter any property, including privately owned property, at reasonable times, to inspect a Public Tree or Heritage Tree or to carry out a Tree Risk Assessment for any purpose under this Bylaw.
- 18.2. No person shall prevent or obstruct entry authorized under this Bylaw.

19. Request to Alter or Remove a Public Tree

- 19.1. A request to alter or remove a Public Tree may be submitted to the City.
 - a) Written Permission to alter or remove healthy Public Trees will not be granted except under extreme circumstances. Each case will be reviewed by the City Arborist or designate.

19.2 If permission is granted to remove a healthy Public Tree per Section 19.1(a):

- a) measures must be taken to ensure the safety of the public and infrastructure [during the removal of the healthy tree]. Cleanup and disposal of wood must take place promptly;
- b) a fee, based on the size of the tree being removed, will be paid to the City by the person making the request:

Size of Tree to be Removed (DBH)	Fee
< 65 cm	\$1000.00
65 cm – 100 cm	\$2000.00
> 100 cm	Protected

- c) the cost of the tree removal, stump grinding and lawn reinstatement will be the responsibility of the person making the request.

20. Approvals and Exemptions

- 20.1. The City may do any of the following:
 - a) refuse a request to remove or prune a Public Tree;
 - b) approve a request to remove or alter a Public Tree, subject to conditions;
 - c) approve a request to remove or prune a Public Tree, without conditions;
 - d) approve activities prohibited under this Bylaw, as reviewed on a case by case basis.
- 20.2. The City may approve maintenance work that impacts Public Trees when carried out under the authority of the City. City work that will alter Public Trees must be approved by the City Arborist or designate.

21. Stop Work Order

21.1. Where the City Arborist determines that there is a failure to comply with any provision of this Bylaw, the City Arborist may give the applicant, violator, contractor responsible for the work, or the owner of the property on whose behalf the work is being done, an order in writing to stop said work and/or directing compliance with such provision, and may require the order to be carried out forthwith or within such reasonable time as the City Arborist requires.

22. Contravention of Bylaw

22.1. A person who contravenes a provision of this Bylaw is subject to the penalties imposed by this Bylaw.

A person, who removes, cuts down, alters or otherwise damages a Public Tree without the City's prior written permission is subject to a fine of:

- a) \$3000.00 for the first offence;
- b) \$4000.00 for a second offence and all subsequent offences.

22.2. A person, who removes insect infested or diseased wood from a tree removal site or a site designated for the disposal of such wood, contrary to Section 13.5, without the prior written permission of the City and where notice of such site is posted, is subject to a fine of \$1000.00.

23. Tree Reserve Fund

23.1. Funds collected from fines, pursuant to Section 22 of this Bylaw, and requests to remove Public Trees, pursuant to Section 19 of this Bylaw, will be directed to a Tree Reserve Fund.

23.2. Where landscaping work, as per Zoning & Development By-law PH-ZD.2-000, has not been completed, the Development Deposit shall be forfeited and directed to a Tree Reserve Fund.

23.3. Tree Reserve Funds will be used to plant trees on City-Owned Property to improve the City's urban forest canopy.

23.4. Planting locations will be chosen by the City Arborist or their designate.

24. Emergency Removal

24.1. A person may cut down or prune a tree that would otherwise be prohibited under this Bylaw where:

- a) there has been severe damage to the tree from Natural Causes;
- b) the tree is imminently dangerous to the public or to property;
- c) the City Arborist or designate has been contacted and has given verbal or written permission to cut down or prune the tree.

25. Use of Wood

25.1. In compliance with the City’s sustainable practices, and with the permission of the City Arborist, effort should be made to use the wood from any trees that are removed (by, or on behalf, of the City) pursuant to this Bylaw. These uses must not contravene the protocols laid out in the City’s Insect and Disease Management Programs.

26. Repeal of Existing Bylaw

26.1. On adoption, this bylaw replaces the Tree Maintenance Bylaw.

27. Effective Date

27.1. This Tree Protection Bylaw, Bylaw# 2019-TP-01, shall be effective on the date of approval and adoption below.

First Reading:
This Tree Protection Bylaw, Bylaw #2019-TP-01, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2019.

Second Reading:
This Tree Protection Bylaw, Bylaw #2019-TP-01, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2019.

Approval and Adoption by Council:
This Tree Protection Bylaw, Bylaw #2019-TP-01, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2019.

Witness the corporate seal of the City of Charlottetown

Mayor

Chief Administrative Officer

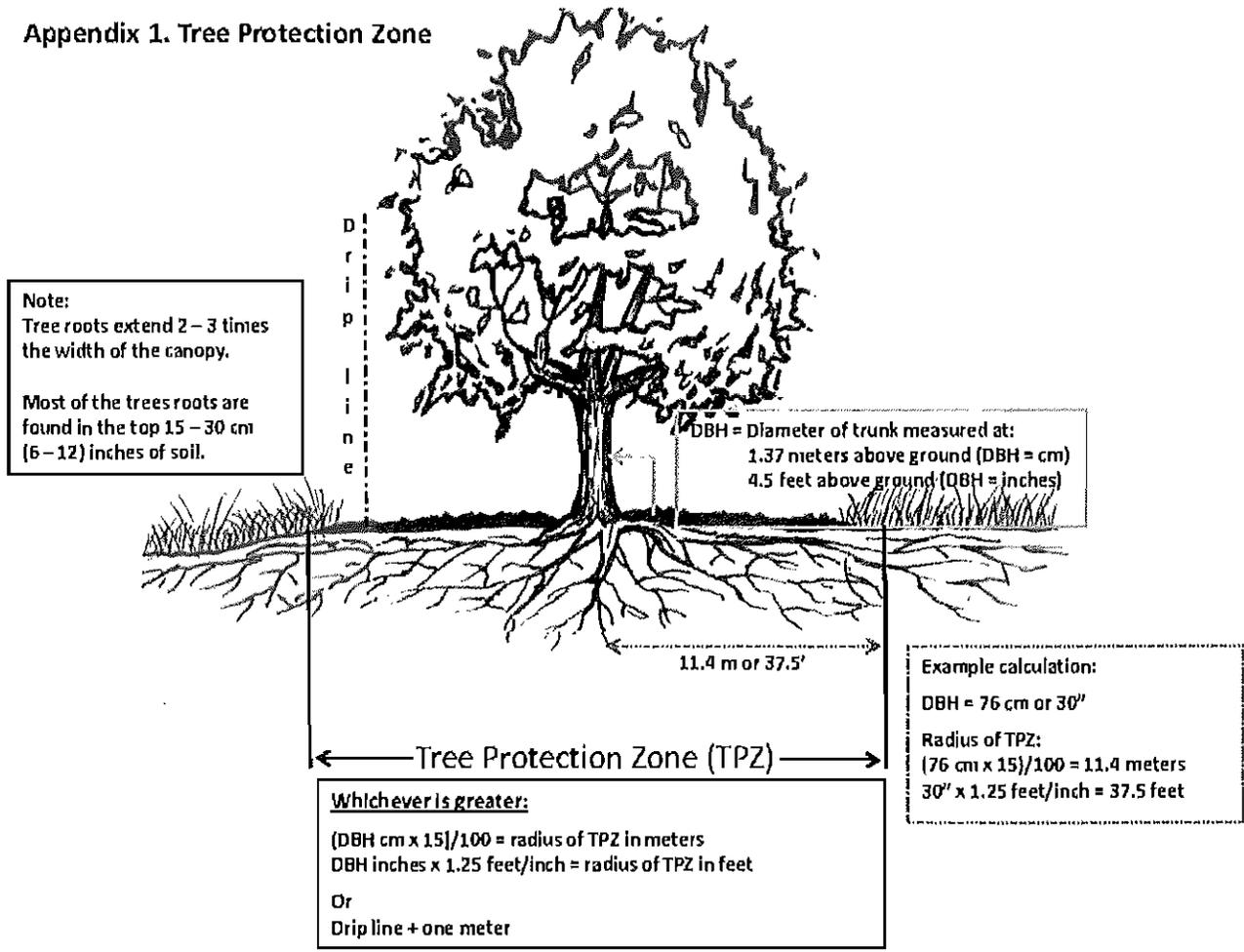
This Tree Protection Bylaw, Bylaw #2019-TP-1 adopted by the Council of the City of Charlottetown on the _____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer

Date

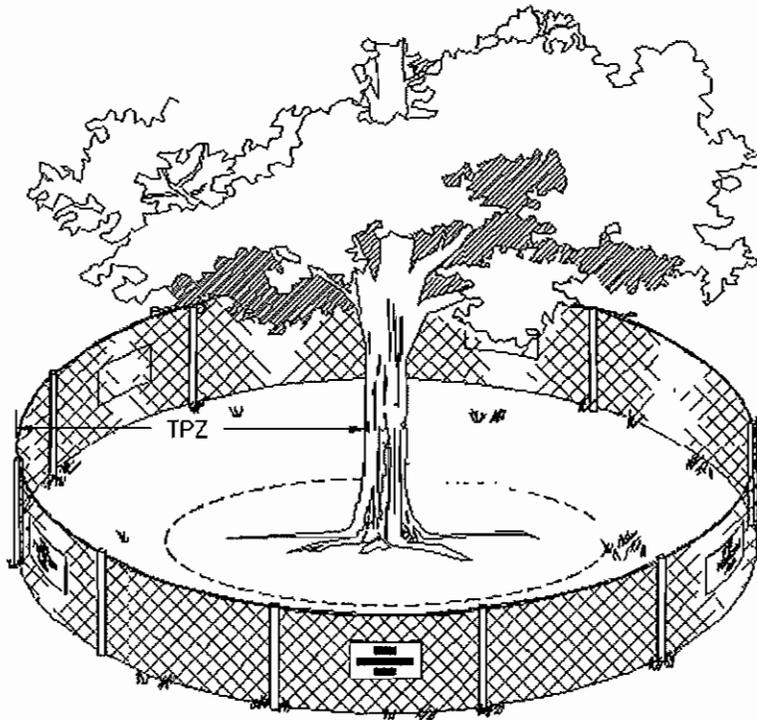
APPENDIX 1

Appendix 1. Tree Protection Zone



APPENDIX 1

Tree Protection Zone (TPZ) Fencing



Fencing will be placed at the boundary of the TPZ.

Fencing must be one meter high and secured to metal or wood stakes every 2.5 m.

Signage must be placed on fencing, indicating that this is a protected area.

APPENDIX 1

TREE PROTECTION ZONE (TPZ)

No grade change, storage of materials or equipment is permitted within this area.

This tree protection barrier must not be removed without the written authorization of the Town of Oakville.

Report any contraventions to

Unauthorized removal of the tree protection barrier or other contraventions may result in prosecution.

TREE PROTECTION ZONE (TPZ)

No equipment or vehicles shall be operated, parked, repaired or refueled within the Tree Protection Zone.

No construction activity, grade changes, surface treatment or excavations of any kind is permitted within the Tree Protection Zone.

No materials or fill may be stored within the Tree Protection Zone.

This tree protection barrier must not be removed prior to the completion of construction without written authorization from the City of Burlington, Urban Forestry Department.

For information contact:



**Tree
Protection
Zone**



NO ACCESS

Contact:

APPENDIX 2

Tree Planting Information

- Tree planting locations should be assessed for proper growing conditions.
- Tree species should be researched to determine their suitability for the planting site conditions (plant hardiness zone, growing conditions, size at maturity, susceptibility to insect pests and diseases, maintenance, growth habit, invasive tendencies or other possible issues).
- Native species generally thrive and have fewer insect and disease issues because they are growing in their native range.
- There is a wide variety of non-native trees and shrubs available. Avoid invasive species.
- See Appendix 4 for planting distances from utilities, underground services, City infrastructure, private approaches, etc.
- Shrubs and trees that need to be removed for access to underground services must be replaced as soon as possible.

Large Statured Trees

Caliper size (trunk diameter measured approximately 30 cm above the ground) no less than 55mm or a root ball size of 70cm.

Small Statured Trees

Caliper size (trunk diameter measured approximately 30 cm above the ground) no less than 45mm or 10 gallon pot.

APPENDIX 3

Invasive Species – Woody Plants

These plants have been identified by the PEI Invasive Species Council as invasive and should not be purchased, planted or swapped. <http://peiinvasives.ca/>

Species List:

Norway maple, *Acer platanoides* – There are many varieties of Norway maple available. Any tree with *platanoides* in the latin name is a Norway maple. ‘Crimson king’ maples are a Norway maple.

Manitoba maple, *Acer negundo*

Sycamore maple, *Acer pseudoplatanus*

Scots (Scotch) pine, *Pinus sylvestris*

Silver (White) poplar, *Populus alba*

European mountain ash, *Sorbus aucuparia*

Sycamore maple, *Acer pseudoplatanus*

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

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

Common buckthorn, *Rhamnus cathartica*

Blackthorn, *Prunus spinosa*

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

Salt cedar (Tamarisk), *Tamarix spp.*

Oriental bittersweet, *Celastrus orbiculatus*

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

Multiflora rose, *Rosa multiflora*

Species of Note

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

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

APPENDIX 3

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

All true ash trees are susceptible to emerald ash borer (EAB). EAB has been found in Nova Scotia and New Brunswick. There are two ash species native to Prince Edward Island – white ash, *Fraxinus americana* and black ash, *Fraxinus nigra*. Choose alternate species to plant. If planting native ash trees, also plant a variety of other species to increase biodiversity.

APPENDIX 4

Criteria for Vacant Tree and Shrub Planting Sites

New planting sites for large statured trees must meet the following criteria:

- ✓ The spacing for planting sites along city streets and sidewalks should be 8-10m apart.
- ✓ Volume of soil available to the tree should be 1000 cubic feet or 30 cubic meters.
- ✓ Large statured trees cannot be placed underneath existing utility transmission lines.
- ✓ Plantings should not impede sight lines or create a visibility hazard.
- ✓ On major arterial streets planting sites will be setback the recommended distance of 4m from the curb. When this cannot be achieved planting sites may be positioned up to a minimum setback of 2m on smaller streets. Smaller statured tree species should be used where the minimum setback is less than 4m.
- ✓ Plantings should be near the City property line. If room allows, trees can be planted on public property but must follow the setbacks outlined below:

Setback for trees:

Streets, lanes and sidewalks – 2m unless approved by the City Arborist or designate.

Fire hydrants - 3m

Electrical boxes on ground – 2m

Sewer/water grates – 2m

Surface utility equipment – 3m

Underground services – 3m

Private approaches – 3m

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

Bus stops - 8m from the approach direction

Stop signs - 8m

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

Signal regulated street intersections - 10m

Setback for Shrubs:

Surface utility equipment – 0.5m

Streets, lanes and sidewalks – 1m



**STRATEGIC PRIORITIES & INTERGOVERNMENTAL
COOPERATION COMMITTEE
REPORT TO COUNCIL
APRIL 8, 2019**

The Strategic Priorities & Intergovernmental Cooperation Committee met on Thursday, April 4, 2019 and the draft minutes are attached.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Alanna Jankov, Chair

STRATEGIC PRIORITIES & INTERGOVERNMENTAL COOPERATION

Thursday, April 4, 2019

12:15 PM – Parkdale Room

Present: Mayor Philip Brown
Councillor Alanna Jankov, Chair
Councillor Mike Duffy, Vice-Chair
Councillor Terry Bernard, Member at Large
Councillor Terry MacLeod, Member at Large
Councillor Greg Rivard, Member at Large

Also: Peter Kelly, CAO
Chantal Matheson, EA
Paul Johnston, IAAMM

Regrets: None

1) Call to Order

Councillor Alanna Jankov, Chair called the meeting to order at 12:15 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

The agenda was approved as circulated.

4) Approval of Minutes

It was moved by Councillor Terry MacLeod and seconded by Councillor Mike Duffy that the minutes from February 28, 2019 be approved as circulated. Carried.

5) Motion to move into closed session

Motion to move into closed session, as per Section 119 (1) sub-section (e) of the PEI Municipal Government Act was moved by Councillor Terry MacLeod and seconded by Mayor Philip Brown. Carried.

6) New Business

There was no new business.

7) Meeting Adjourned

Moved by Councillor Greg Rivard and Seconded by Councillor Terry Bernard that the meeting be adjourned. Carried.

The meeting adjourned at 1:26 PM



**FINANCE, AUDIT & TENDERING COMMITTEE
REPORT TO COUNCIL
April 8th, 2019**

The Finance, Audit & Tendering Committee but met on March 5th, 13th, 15th, 19th and April 3rd, 2019. There are no Financial Statements included in this package for Council consideration.

There are no resolutions included in this package for your consideration.

Respectfully submitted,

Councillor Terry Bernard, Chair

Finance, Audit & Tendering Committee
February 6th, 2019
12:15 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Councillor Mike Duffy **Councillor Bob Doiron**
 Mayor Philip Brown **Peter Kelly, CAO**
 Stephen Wedlock, C **Connie McGaugh, ACC**

Regrets: **none**

1) Call to Order

Chair Bernard called the meeting to order at 12:15pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

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

4) Adoption of Minutes

Moved by Councillor Duffy and seconded by Councillor Rivard that the minutes of January 16th, 2019 be approved as circulated. Motion Carried.

5) Business arising from Minutes

The Mayor had questions regarding the audited financial statements and the accuracy of the November 13th Committee meeting minutes. Councillor Rivard that the former DCAO helped the former Chair draft her speech. The Mayor would like him to get verification on this.

6) Public Procurements

a. Fire – Triple Combination Fire Engine

Committee was informed by the Controller that the submissions are currently being printed and evaluated. They will go back to Finance Committee when all this is completed.

b. Update on Tenders

The Controller reported that the outstanding tenders are being prepared for release by Finance and that the PM is preparing for the automated permit tracking system. The web payments for water bills and parking tickets will be going to council Monday and should go live 7-10 days afterwards.

7) Finance Questions Under Advisement

There were no new finance questions under advisement.

8) Manager's Operational Update

There was no Manager's operational update.

9) Introduction of New Business

The Mayor wanted a discussion of when the budget should be approved. Councillor Doiron would like a standard date so that councilors could put in a wish list before the budget is finalized. Also, the Mayor would like to see the management letter go to council. The Chair advised the management letter is for management as per the name management letter. The Management letter will be brought to the next committee meeting for discussion.

10) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Rivard and seconded by Councillor Duffy that the meeting move into the closed session. Motion Carried.

11) Adjournment of Public Session

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

Meeting adjourned 1:45 p.m.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
February 26th, 2019
5:00 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Mayor Philip Brown **Peter Kelly, CAO**
 Stephen Wedlock, C **Connie McGaugh, ACC**

Regrets: **Councillor Mike Duffy** **Councillor Bob Doiron**

1) Call to Order

Chair Bernard called the meeting to order at 5:15pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Mayor Brown that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Rivard and seconded by Mayor Brown that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

Moved by Mayor Brown and seconded by Councillor Rivard that the meeting be adjourned. Motion Carried.

Meeting adjourned 7:00 p.m.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
February 28th, 2019
6:45 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Councillor Bob Doiron **Mayor Philip Brown**
 Peter Kelly, CAO **Connie McGaugh, ACC**

Regrets: **Councillor Mike Duffy** **Stephen Wedlock, C**

1) Call to Order

Chair Bernard called the meeting to order at 6:45 pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councilor Doiron that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Rivard and seconded by Councillor Doiron that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 9:00 p.m.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 5th, 2019
5:00 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Mike Duffy**
 Councillor Bob Doiron **Mayor Philip Brown**
 Peter Kelly, CAO **Stephen Wedlock, C**

Regrets: **Councillor Greg Rivard**

1) Call to Order

Chair Bernard called the meeting to order at 5:20 pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Duffy and seconded by Councilor Doiron that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Doiron and seconded by Councillor Duffy that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 8:30 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 13th, 2019
4:30 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Councillor Mike Duffy **Councillor Bob Doiron**
 Mayor Philip Brown **Peter Kelly, CAO**
 Stephen Wedlock, C **Connie McGaugh, ACC**
 Wayne Long, EDO (left at 6pm) **Laurel Lee, TO (left at 6pm)**
 Ron Atkinson, EconDO (left at 6pm) **Scott Adams, PWM**

Regrets:

1) Call to Order

Chair Bernard called the meeting to order at 4:30 pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councilor Duffy that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Duffy and seconded by Councillor Rivard that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 6:30 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 15th, 2019
2:00 pm Parkdale Room

Present:

Councillor Terry Bernard (Chair)	Councillor Greg Rivard
Councillor Mike Duffy	Councillor Bob Doiron
Mayor Philip Brown	Peter Kelly, CAO
Stephen Wedlock, C	Connie McGaugh, ACC
Ramona Doyle, SO	Alex Forbes, PM
Paul Smith, PC	Brad MacConnell, DPC
Randy MacDonald, FC	Bethany Kauzlarick, HRM

Regrets:

1) Call to Order

Chair Bernard called the meeting to order at 2:00 pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councilor Duffy that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Duffy and seconded by Councillor Rivard that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 4:15 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 19th, 2019
9:30 am Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Mike Duffy**
 Councillor Bob Doiron **Mayor Philip Brown**
 Peter Kelly, CAO **Connie McGaugh, ACC**
 Randy Perry, SA **Richard MacEwen, WSM**

Regrets: **Councillor Greg Rivard** **Stephen Wedlock, C**

1) Call to Order

Chair Bernard called the meeting to order at 9:30 am

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Mayor Brown and seconded by Councilor Duffy that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Duffy and seconded by Councillor Doiron that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 12:00 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 13th, 2019
4:30 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Councillor Mike Duffy **Councillor Bob Doiron**
 Mayor Philip Brown **Peter Kelly, CAO**
 Stephen Wedlock, C **Connie McGaugh, ACC**
 Wayne Long, EDO (left at 6pm) **Laurel Lee, TO (left at 6pm)**
 Ron Atkinson, EconDO (left at 6pm) **Scott Adams, PWM**

Regrets:

1) Call to Order

Chair Bernard called the meeting to order at 4:30 pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councilor Duffy that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Duffy and seconded by Councillor Rivard that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 6:30 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 15th, 2019
2:00 pm Parkdale Room

Present:

Councillor Terry Bernard (Chair)	Councillor Greg Rivard
Councillor Mike Duffy	Councillor Bob Doiron
Mayor Philip Brown	Peter Kelly, CAO
Stephen Wedlock, C	Connie McGaugh, ACC
Ramona Doyle, SO	Alex Forbes, PM
Paul Smith, PC	Brad MacConnell, DPC
Randy MacDonald, FC	Bethany Kauzlarick, HRM

Regrets:

1) Call to Order

Chair Bernard called the meeting to order at 2:00 pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councilor Duffy that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Duffy and seconded by Councillor Rivard that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 4:15 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
March 19th, 2019
9:30 am Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Mike Duffy**
 Councillor Bob Doiron **Mayor Philip Brown**
 Peter Kelly, CAO **Connie McGaugh, ACC**
 Randy Perry, SA **Richard MacEwen, WSM**

Regrets: **Councillor Greg Rivard** **Stephen Wedlock, C**

1) Call to Order

Chair Bernard called the meeting to order at 9:30 am

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Mayor Brown and seconded by Councilor Duffy that the agenda be approved as circulated. Motion Carried.

4) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Duffy and seconded by Councillor Doiron that the meeting move into the closed session. Motion Carried.

5) Adjournment of Public Session

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

Meeting adjourned 12:00 pm.

Chair: Councillor Terry Bernard

Finance, Audit & Tendering Committee
April 3rd, 2019
12:15 pm Parkdale Room

Present: **Councillor Terry Bernard (Chair)** **Councillor Greg Rivard**
 Councillor Bob Doiron **Mayor Philip Brown**
 Peter Kelly, CAO **Stephen Wedlock, C**
 Connie McGaugh, ACC

Regrets: **Councillor Mike Duffy**

1) Call to Order

Chair Bernard called the meeting to order at 12:15pm

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

Moved by Councillor Rivard and seconded by Councillor Doiron that the agenda be approved as circulated. Motion Carried.

4) Adoption of Minutes

Moved by Councillor Doiron and seconded by Councillor Rivard that the minutes of February 6th, 26th, 28th and March 5th, 13th, 15th and 19th, 2019 be approved as circulated. Motion Carried.

5) Business arising from Minutes

There was no business arising from the minutes.

6) Public Procurements

a. Fire – Triple Combination Fire Engine

This tender has been awarded at the March 11, 2019 Council meeting.

b. Update on Tenders

The Committee reviewed the update on the tenders as to which have closing dates and which are still under review.

7) Manager's Operational Update

The Controller reported that the MCEG claim has been completed and is with the secretariat and that finance department is working on budget and audit.

8) Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act.

Moved by Councillor Rivard and seconded by Councillor Doiron that the meeting move into the closed session. Motion Carried.

9) Adjournment of Public Session

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

Meeting adjourned 1:20 p.m.

Chair: Councillor Terry Bernard



**HUMAN RESOURCES, COMMUNICATIONS
AND ADMINISTRATION COMMITTEE
REPORT TO COUNCIL
April 8, 2019**

The Human Resources, Communications and Administration Committee last met on March 27, 2019. The minutes are included in your package.

- 1st Reading – Staffing Bylaw Amendment Bylaw

Respectfully submitted,

Councillor Julie McCabe, Chair

**Human Resources, Communications & Administration Committee
Wednesday, March 27, 2019
4:15 PM– Parkdale Room**

Present: Mayor Philip Brown
Councillor Julie McCabe, Chair
Councillor Bob Doiron, Vice-Chair
Councillor Kevin Ramsay, Member

Peter Kelly, CAO
Jennifer Gavin, CO
Janine Abbott, HR

Absent: Bethany Kauzlarick, HRM
Lorenda MacEachern, HREA

1) Call to Order

Councillor Julie McCabe called the meeting to order at 4:15 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

The agenda was approved as circulated.

4) Adoption of Minutes

The minutes from February 27, 2019 were approved as circulated.

5) Business arising from Minutes

There was no business arising from the minutes.

6) Reports:

a) Human Resources Update – Report no. HR032720190S

Peter Kelly, CAO presented the report. The OHS activity report was attached. The OH&S Officer continues weekly orientations for new staff as well as rehires and continues to work with all departments to ensure safety training is complete.

7) Introduction of New Business

There was no new business.

8) Adjournment

Motion to adjourn was moved by Councillor Kevin Ramsay and seconded by Councillor Bob Doiron. Public session of meeting adjourned at 5:35 PM.



**CITY OF CHARLOTTETOWN
STAFFING BYLAW AMENDMENT BYLAW
#2018-20-B**

To amend the City of Charlottetown Staffing Bylaw, #2018-20-B, as per attached

RESOLVED: THAT the bylaw to amend the “CITY OF CHARLOTTETOWN STAFFING BYLAW” be read a first time.

Moved by Councillor _____ mover

Seconded by Councillor _____ seconder

Date: April 8, 2019

RESOLVED: THAT the bylaw be now approved as a City Bylaw and that it be entitled the “CITY OF CHARLOTTETOWN STAFFING BYLAW “and that it be read a second time at the next meeting of Council.

Moved by Councillor _____ mover

Seconded by Councillor _____ seconder

Date: April 8, 2019

THEREFORE; BE IT RESOLVED: THAT the “CITY OF CHARLOTTETOWN STAFFING BYLAW” be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____ mover

Seconded by Councillor _____ seconder

Date:

This Staffing Bylaw Amendment Bylaw, #2018-20-B, was adopted by a majority of Council members present at the Council meeting held on ____ day of _____, 2019.

CAO

Mayor

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Staffing Bylaw
Bylaw #2018-20-B

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

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Staffing Bylaw Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Staffing bylaw to establish fair and consistent practices for the recruitment and selection of staff.

3. Authority

3.1. Division 3 Section 93 (1)(d) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1 indicates the Chief Administrative Officer is responsible for hiring, directing, managing and supervising the employees of the municipality.

4. PART II – RECRUITMENT - Section 3.8 of the City of Charlottetown Staffing Bylaw is hereby amended by the following:

4.1. Add new Section 3.8 as follows: *“Should the City be hiring for the position of Manager of Human Resources or Deputy CAO, the CAO and/or their designate will coordinate the hiring process with the assistance of an external hiring firm.”*

Approval and Adoption

5. Effective Date

5.1. This Staffing Bylaw Amendment Bylaw, #2018-20-B shall be effective on the date of approval and adoption below.

First Reading:
 This Staffing Bylaw Amendment Bylaw, #2018-20-B was read a first time and approved by a majority of members present at the Council meeting held on the ___ day of _____, 2019.

Second Reading:
 This Staffing Bylaw Amendment Bylaw, #2018-20-B was read a second time and approved by a majority of members present at the Council meeting held on the ___ day of _____, 2019.

Approval and Adoption by Council:
 This Staffing Bylaw Amendment Bylaw, #2018-20-B was adopted by a majority of Council members present at the Council meeting held on the ___ day of _____, 2019.

Witness the corporate seal of the City of Charlottetown

Mayor

Chief Administrative Officer

This Staffing Bylaw Amendment Bylaw, #2018-B-20 adopted by the Council of the City of Charlottetown on ___ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer

Date

CITY OF CHARLOTTETOWN

STAFFING BYLAW

BYLAW #2018-20-B

BEING A BYLAW OF THE CITY OF CHARLOTTETOWN TO REGULATE THE HIRING OF EMPLOYEES.

Declaration of Policy

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.

BE IT ENACTED BY THE CITY OF CHARLOTTETOWN AS FOLLOWS:

OBJECTIVES: PART I

1. The objectives of this bylaw are to:
 - 1.1 Establish fair and consistent practices for the recruitment and selection function;
 - 1.2 Ensure the completion of all hiring decisions in accordance with the Merit Principle;
 - 1.3 Promote a positive image through the application of the Merit Principle;
 - 1.4 Ensure that an adequate quantity of qualified candidates apply for municipal vacancies.

DEFINITIONS: PART II

2. In this Bylaw:
 - 2.1 "Casual" includes a non-unionized employee hired for a period of time, to fill a vacancy that is not considered a unionized position.
 - 2.2 "Chief Administrative Officer" (CAO) means the administrative head of a municipality as appointed by Council under clause 86(2)(c) of the Municipal Government Act.

Staffing Bylaw

- 2.3 **"Department Manager"** means the employee who is responsible for the effective administration of a department and all activities assigned thereto;
- 2.4 **"Entry Level Seasonal"** means as per the Collective Agreement, a unionized CUPE 501 employee hired for a specific term of a predetermined number of weeks;
- 2.5 **"Family"** means spouse, common law spouse, child, parent, sister or brother;
- 2.6 **"Merit Principle"** means the hiring of a candidate who is deemed the most suitably qualified for the position;
- 2.7 **"Permanent"** means an employee who has successfully completed his/her probationary period and has been hired for an indeterminate amount of time in a position that has been approved by council as being a permanent position;
- 2.8 **"Seasonal"** means as per the Collective Agreement, a unionized CUPE 501 employee who has worked 6240 hours or more with the City, hire for a specific term of a pre-determined number of weeks;
- 2.9 **"Selection Committee"** means the Committee which is appointed to recommend or select the most suitable candidate to fill a vacant position;
- 2.10 **"Senior Management"** means Chief Administrative Officer (CAO) and Deputy Chief Administrative Officer (DCAO).

RECRUITMENT: PART III

- 3. 3.1 The City recognises that all hiring of employees within the collective bargaining units shall be in accordance with the provisions as agreed to and stated within the appropriate collective agreement and related legislation.
- 3.2 The Human Resources Department is responsible for co-ordinating the recruitment and selection process for all positions.
- 3.3 The Department Manager will work with the Human Resources Department to decide information on job duties, salary, qualifications required and working conditions when initiating the staffing process.

Staffing Bylaw

- 3.4 Approval by Council is required to create and fill a new permanent position.
- 3.5 The Human Resources Department will advertise all vacancies through internal or external means, as appropriate, and receive all applications.
- 3.6 Applications will be reviewed by the appropriate hiring department and the Human Resources Department. From this review, a "short listing" of qualified candidates will be developed.
- 3.7 The Selection Committee shall:
 - (a) interview the candidates on the "short list";
 - (b) rate the candidates in the order of merit;
 - (c) list the candidates who have qualified on an eligibility list in order of merit;
- 3.8 Should the City be hiring for the position of Manager of Human Resources or Deputy CAO, the CAO and/or their designate will coordinate the hiring process with the assistance of an external hiring firm.

APPOINTMENTS: PART IV

4. 4.1 The Council shall appoint the Chief Administrative Officer by Resolution. The Selection Committee to determine this position may include persons outside of City Council, who possess a specific expertise deemed beneficial in assisting the hiring process.
- 4.2 The Selection Committee for the CAO will be determined by Resolution of the Council.
- 4.3 Casual and Entry Level Seasonal Employees shall be selected by the line department, in consultation with the Human Resources department, based on the merit principle. Elected officials are not considered members of the line department for the purpose of this bylaw only.
- 4.4 In all positions except those referred to in subsection 4.1, 4.2 and 4.3, the appropriate Department Manager with the assistance and concurrence of the Human Resources Manager shall appoint the Selection Committee and subsequently appoint the most suitable candidate for the position.
- 4.5 Reference checks will be conducted on successful candidates to confirm suitability.

Staffing Bylaw

- 4.6 An offer of employment will be made to the most suitably qualified candidate on the eligibility list and as necessary, to the next most suitably qualified candidate on the list, subject to suitable reference checks.

CASUAL, ENTRY LEVEL SEASONAL AND SEASONAL: PART V

5. The following additional provisions pertain to employment of casual, entry level seasonal and seasonal staff
- 5.1 Notices for casual and entry level seasonal employment will be posted on the City of Charlottetown's web site and in such other manner as the City considers will provide reasonable access to the notice.
- 5.2 Applications for casual and entry level seasonal employment will be received by the Human Resources Department and will remain active until December 31st of the calendar year in which they are received to ensure the database of candidates is kept current.
- 5.3 Only those seasonal, entry level seasonal and casual employees who have received a satisfactory performance evaluation shall be eligible for employment the following year provided they have an updated application on file.

CONFLICT OF INTEREST: PART VI

6. 6.1 No spouse of an elected official or Senior Manager shall become employed by the municipality during his/her term of office or employment.
- 6.2 Employment of family members in the same City department is discouraged. In instances where direct or indirect supervision of family members could jeopardise proper financial and/or operational control, it would be the responsibility of the Department Manager to:
- (a) bring this situation to the attention of the Senior Management and the Human Resources Manager;
 - (b) outline in writing any present or potential conflicts which exist or may arise.
- 6.3 Elected officials and Senior Managers must not place themselves in a conflict of interest situation regarding employment of family members, thus they may not be or remain in attendance at meetings where decisions directly affecting the employment of family members are being discussed.

Staffing Bylaw

- 6.4 No person shall directly or indirectly endeavour to improperly influence any member of a Selection Committee with respect to an appointment of any person.
- 6.5 Violations of any of the above-noted areas of conflict of interest shall be brought to the attention of the Mayor and Chief Administrative Officer for review and appropriate action.

REVIEW: PART VII

- 7. 7.1 Any person without access to a Collective Agreement, who feels that their application for employment has been unfairly dealt with may request a review of the process with the Human Resources Manager and the appropriate Department Manager. If the applicant still believes that a further review is necessary, he or she may request such review with the Chief Administrative Officer.

Amendment Summary	Previous Wording	Amendment Detail	1 st Reading	2 nd Reading	3 rd Reading
New Bylaw		New Bylaw effective March 13, 1995	13-Feb-95	13-Feb-95	13-Mar-95
Update Bylaw for amalgamation			8-May-95	8-May-95	18-May-95
New Bylaw		New Bylaw effective June 28, 1995	Unable to track papers		
Amend section 4.7	<p>4.7 (a) In the interest of City safety, all "new" employees appointed to the following positions must be and remain residents of the City as a condition of employment:</p> <p>(1) Chief of Police (2) Deputy Police Chief (3) Police Officers (4) Fire Services Manager (5) Fire Fighters (6) Fire Engineers (7) Heavy Equip Operators (8) Mechanic</p> <p>(b) In the event that the successful applicant for any of the above positions does not presently reside within the City, that person will be allotted a period of one (1) year to establish residency within the City of Charlotte.</p> <p>(c) Current employees of the City of Charlotte as of April 1, 1995, working in any of the above noted positions as per 4.7(a) and who are not presently residing in the City, shall be exempted from the residency requirement.</p>	<p>Delete section 4.7 (a), (b) & (c) and replace with the following:</p> <p>4.7 (a) It is a condition of employment that all permanent employees shall be or become a resident of the City of Charlotte within one (1) year of their appointment.</p> <p>(b) Current employees who have signed residency agreements with the City of Charlotte upon their appointment shall adhere to the stated terms and conditions of such agreement.</p> <p>(c) Employees of the City of Charlotte as of April 1, 1995, who were not covered by the August 14, 1989 City of Charlotte Residency Policy shall be exempted from this residency requirement.</p>	14-Nov-95	14-Nov-95	30-Nov-95
Amend: Recruitment: Part III	<p>3.3 When a vacancy is approved to be filled, the Department Manager will provide the Human Resources Department with information on job duties, salary, qualifications required, and working conditions.</p>	Amend: Recruitment: Part III as follows: 3.3 When a vacancy or a new position is approved by Committee of Whole Council to be filled, the Department Manager will provide the Human Resources Department with information on job duties, salary, qualifications required, and working conditions.	9-Apr-96	9-Apr-96	2-May-96
Eliminate section 5.4 so that casual employees are not limited to a maximum of three (3) terms of casual employment	<p>S.4 Casual employees are limited to a maximum of three (3) terms of casual employment subject to a satisfactory performance appraisal.</p> <p>5.5 to 5.7</p> <p>Newly renumbered 5.4: Seasonal employees who have received a satisfactory performance evaluation shall be eligible for employment the following year.</p> <p>5.6 Notwithstanding Article 5.3, 5.4 and 5.6, in cases where there are no qualified applicants from City residents, additional family members, employees having worked three terms of employment or non-residents may be hired.</p>	<p>Delete section 5.4</p> <p>Renumber old sections "5.5. to 5.7" to "5.4 to 5.6"</p> <p>Amend new section 5.4 as follows: 5.4 Seasonal and casual employees who have received a satisfactory performance evaluation shall be eligible for employment the following year.</p> <p>Amend new section 5.6 as follows: 5.6 Notwithstanding Article 5.3 and 5.5, in cases where there are no qualified applicants from City residents, additional family members, non-residents may be hired.</p>	11-Aug-97	8-Sep-97	8-Sep-97

Staffing Law

Amendment Summary	Previous Wording	Amendment Detail	1 st Reading	2 nd Reading	3 rd Reading
Amendment to permit terms of employment (3 terms) for casual employee (except crossing guards) and to remove the ability of elected officials to submit a letter of reference or persons seeking employment with the City.	nothing	Add new section 5.4 as follows: 5.4 Casual employees are limited to a maximum of three (3) terms of casual employment subject to a satisfactory performance appraisal. (Crossing guards shall be exempt)	10-Nov-97	10-Nov-97	9-Feb-98
	5.4 to 5.6	Re-number old sections "5.4 to 5.6" to "5.5 to 5.7"			
	5.4 Seasonal and casual employees who have received a satisfactory performance evaluation shall be eligible for employment the following year.	Amend new section 5.5 as follows: 5.5 Seasonal employees who have received a satisfactory performance evaluation shall be eligible for employment the following year.			
	5.6 Notwithstanding Article 5.3, and 5.5, in cases where there are no qualified applicants from City residents, additional family members, or non-residents may be hired.	Amend new section 5.7 as follows: 5.7 Notwithstanding Article 5.3, 5.4, and 5.6, in cases where there are no qualified applicants from City residents, additional family members, or non-residents may be hired.			
Delete section 4.7: Residency provision: requiring permanent employees to be a resident of Charlotte upon, given the decision by the Pr. Judicial Court of Appeal to uphold the arbitration Board's ruling.	4.7 (a) It is a condition that all permanent employees shall be or become a resident of the City of Charlotte within one (1) year of their appointment. (b) Current employees who have signed residency agreements with the City of Charlotte upon their appointment shall adhere to the stated terms and conditions of such agreement. (c) Employees of the City of Charlotte as of April 1, 1995, who were not covered by the August 14, 1989 City of Charlotte Residency Policy shall be exempted from this residency requirement.	Delete the entire section 4.7	9-Mar-98	9-Mar-98	26-Mar-98
Amend existing Section 5.4 by inserting "that are students" after "Casual employees".	5.4 Casual employees are limited to a maximum of three (3) terms of casual employment subject to a satisfactory performance appraisal. (Crossing guards shall be exempt).	Amend existing section 5.4: 5.4 Casual employees that are students are limited to a maximum of three (3) terms of casual employment subject to a satisfactory performance appraisal. (Crossing guards shall be exempt).	14-Apr-98	14-Apr-98	23-Apr-98

Staffing Bylaw

Amendment Summary	Previous Wording	Amendment Detail	1 st Reading	2 nd Reading	3 rd Reading
Remove the three (3) term maximum for casual employees that are students eligible for re-employment on satisfactory performance, renumber sections to follow in sequence, and include casual employees in new Sec 5.4	5.4 Casual employees that are students are limited to a maximum of three (3) terms of casual employment subject to a satisfactory performance appraisal. (Crossing guards shall be exempt).	Delete existing section 5.4 and renumber sections below, plus amend new section 5.4 by adding "and casual": 5.4 Seasonal and casual employees who have received a satisfactory performance evaluation shall be eligible for employment the following year. 5.5 Applicants must be and remain a resident of the City of Charlottetown to be eligible for seasonal and casual employment. 5.6 Notwithstanding Article 5.3, and 5.5, in cases where there are no qualified applicants from City residents, additional family members, or non-residents may be hired.	11-May-98	11-May-98	12-May-98
Amend by removing Section 5.5	5.5 Applicants must be and remain a resident of the City of Charlottetown to be eligible for seasonal and casual employment.	Remove Section 5.5	10-Dec-01	10-Dec-01	14-Jan-02
Amend by removing Sections 5.3 and 5.5	5.3 Only one member per family of a household shall be employed with the City at any one time. 5.5 Notwithstanding Article 5.3, in cases where there are no qualified applicants from City residents, additional family members or non-residents may be hired.	Remove Section 5.3 Remove Section 5.5	14-Jul-03	14-Jul-03	11-Aug-03
Amend Sections 5.1, 5.2 and 5.3 to clarify language, to remove requirement for advertisement in local newspaper and to allow individuals to submit applications for casual and seasonal employment anytime throughout the year	5.1 Advertisements to create lists for seasonal and casual staff will be placed in the local newspaper between December and April. Applications will be received up to the last Friday in April. 5.2 A list of qualified candidates will remain in effect until the end of the calendar year.	Delete existing Section 5.1 and replace with following: 5.1 Notices for casual and seasonal employment will be posted on the City of Charlottetown's web site and in such other manner as the City considers will provide reasonable access to the notice. Delete existing Section 5.2 and replace with following: 5.2 Applications to create lists for seasonal and casual Department will be received by the Human Resources Department which will purge the list annually to ensure it is kept current.	13-Dec-04	13-Dec-04	10-Jan-05
	5.3 Seasonal and casual employees who have received a satisfactory performance evaluation shall be eligible for employment the following year.	Delete existing Section 5.3 and replace with following: 5.3 Only those seasonal and casual employees who have received a satisfactory performance evaluation shall be eligible for employment the following year provided they have an updated application on file.			
Amend Part III to remove the requirement for the Committee of the Whole Council's approval when filling a vacancy	3.3 When a vacancy or a new position is approved by the Committee of the Whole Council to be filled, the Department Manager will provide the Human Resources Department with information on job duties, salary, qualifications required and working conditions.	Delete existing Section 3.3 and replace with following: 3.3 The Department Manager will provide the Human Resources Department with information on job duties, salary, qualifications required and working conditions when initiating the staffing process.	14-Mar-05	14-Mar-05	11-Apr-05

Staffing Bylaw

Amendment Summary	Previous Wording	Amendment Detail	1 st Reading	2 nd Reading	3 rd Reading
	Nothing	Add new Section 3.4 as follows: 3.4 Approval by the Committee of the Whole Council is required to fill a new position.			
	Nothing	Add new Section 3.5 as follows: 3.5 Approval by the related Standing Committee is required to fill vacancies.			
	3.4 to 3.6	Re-number old sections "3.4 to 3.6" to "3.6 to 3.8"	30-Nov-18	04-Dec-18	N/A
Refer to Staffing Bylaw Amendment Bylaw #2018-20-A					



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
REPORT TO COUNCIL
April 8th, 2019**

The Parks, Recreation and Leisure Activities Committee did not meet in March, thus there are no minutes or reports in your package.

There are no resolutions from our department.

The Volunteer of the Month for April is Sarah Taylor. Sarah is the Head Coach and also High Performance Coach with Speed Skate PEI.

Respectfully submitted,

Councillor Mitchell Tweel, Chair



**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
REPORT TO COUNCIL
April 8, 2019**

The Protective & Emergency Services Committee met on April 1st 2019. The minutes are included in your package.

There are six resolutions for your consideration.

Respectfully submitted,

Councillor Bob Doiron, Chair

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

FIRE INVESTIGATIONS – There were two fire investigations.

FIRE INSPECTOR CONSULTATIONS – There were ten Fire Inspector consultations. Those included meetings, code inquiries, etc.

SMOKE ALARM VISITS – There were two hundred and sixty-four buildings visited, and four hundred and twenty-six doors.

PUBLIC EDUCATION SESSIONS/PARTICIPANTS – There were three sessions with a total of 65 participants.

EMERGENCY RESPONSES – Total number of calls was 55. District 1 had 26 emergency responses (Engine 1 – 8 A.M. – 4 P.M. – 7 responses and 12 P.M. – 8 A.M. – 2 responses). District 2 had 17 emergency responses. There were three Fire Inspector callouts. Total on scene time was 27 hours and 3 minutes.

TRAINING - Weekly Department training consisted of Save Your Own FF self-rescue training at the Fire School. Search and Rescue practice, structural fire practice, tactical ventilations and fire control training, JPR drill practice and aerial apparatus and ground ladder drills were carried out as well. The seven new recruits continue on their Level 1 course field work and will be preparing for their final exams.

DEPARTMENT ACTIVITIES – The Department display was very busy at the Home Show and the Change Your Clock – Change Your Battery event was a huge success. There were lots of inquiries from and information provided to the public in relation to smoke alarms and home fire safety. Presently preparing for the annual MD Boot Drive. Fire Department Members will be at three locations over two days – April 20th at Irving on Riverside Dr. and Charlottetown Mall and on April 27th 2019 at the Superstore at Belvedere Ave. and University Ave.

Chief MacDonald provided the following information to Committee:

- Social Media had 1924 tweets, 2367 followers and 2099 Face Book likes.
- New Fire Engine – Purchase Order has been issued with pre-construction meeting scheduled for April 8th and 9th.
- Charlottetown Fire Department members attended the regimental funeral service for Truro Firefighter Skyler Blackie on March 30th 2019 in Truro, N.S.
- Thank you to all members who coordinated and participated in the Home Show and Change Your Clock – Change Your Battery program.

7. Reports – (Police)

Police Personnel – Training continues for personnel in Police Services. This includes Healthy Me Instructors training, DNA Collection (April 24, 2019) and Coach Officer training April 24 – April 25, 2019). Deputy Chief Sean Coombs will be attending SPAC (Senior Police Administration Course) in June 2019. Autism Awareness refresher training will also be held in house.

Chief Smith advised Committee of pending retirements and a resignation. One Constable retired on April 1st and another will be resigning effective May 1st, 2019. Three admin staff will be retiring in June as well.

Police Services is in the process of identifying personnel for summer employment. Six cadets from Atlantic Police Academy will do their on the job training with Police Services.

Operational – Deputy Chief Coombs and Mayor Brown attended the Muslim Vigil held at the Cenotaph. Mayor Brown spoke on behalf of the City. Police Services blocked off the area for security and safety.

Deputy Chief MacConnell gave a demonstration to Committee on the new crime mapping system which can be found on the Police Services website.

Committee was updated on the status of the electronic ticketing parking ticket system by Deputy/Chief MacConnell. He advised it is not yet up and running. Police are awaiting Finance to complete their testing.

Traffic - Deputy Chief MacConnell spoke to Committee about LPR (License Plate Recognition) technology and that it is used in conjunction with the “E” Watch cameras.

Chief Smith advised management is in discussions with the Highway Safety Division regarding some legislation that may pertain to the LPR.

Deputy Chief MacConnell also explained the guidelines within the directed police use model, with respect to E-Watch camera operations.

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

- Members of Police Services participated in the PEI Home Show at the East Link Center. Members answered questions, and handed out pins, candy and took part in photo sessions.
- School Bus Initiative – On March 1st, March 12th, March 13th and March 28th our school resource officer rode on the school bus. With the assistance of Police

Services Traffic Officers, two Highway Traffic Tickets were issued – one for Passing a School Bus and one for Using a Cell Phone.

- On March 11th our School Resource Officer and Healthy Me Officers in conjunction with Student Services, conducted the presentation “Picture This” at Stonepark Junior High School.
- On March 14th members from our Major Crime Unit attended Haviland Club and gave a two hour presentation on frauds/scams.
- Liaison officers met with residents at Corrigan Home and Park Royal Court.
- SRO (Cst. MacKay) and Terry Pauley, Tech. Services went through classrooms at Charlottetown Rural and conducted radio checks as part of a school lockdown and safe school initiative.
- SRO attended Provincial Court with law class students from Charlottetown Rural to observe a trial and students also had a question period with Judge Orr during the Court recess.
- Traffic Officers conducted a St. Patrick’s Day road check for impaired drivers between 8 P.M. and Midnight. Six summary offence tickets were issued and a seven day suspension was issued. DRE evaluation was conducted with a charge of impaired driving by drugs. Other impaired drivers were charged earlier on St. Patrick’s Day.

Deputy Chief MacConnell advised a discussion group has been created from within the Downtown residents regarding quality of life/bylaw issues.

Bylaws – Amendment work continues with respect to issues raised by the Charlottetown Airport Authority as it pertains to Taxi Bylaw updates to bring same in line with Airport requirements.

8. Other Items: Issue with crosswalk on Mount Edward Rd. at the Mount For Continuing Care was discussed and will be looked at. Also cell phone enforcement was discussed. Deputy Chief Coombs advised designated enforcement will be conducted throughout the spring.

9. Adjournment

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



#3 FIRE CALLS FOR MARCH 2019

District #1		District #2	
Type	Number	Type	Number
A/Alarm – Alarm Ringing No Fire	4	A/Alarm – Alarm Ringing No Fire	1
A/Alarm – Smoke/Steam/Dust	2	A/Alarm – Detector Activated	2
A/Alarm – Equip Malfunction	4	A/Alarm – Pulled/Accidental	1
A/Alarm – Working on System	4	A/Alarm – Smoke/Steam/Dust	3
A/Alarm Cooking	5	A/Alarm – Equip Malfunction	1
Medical Assist - EMS	7	A/Alarm – Workers Set Off	2
Water Problem in Kitchen	1	Mutual Aid NRRFD – Structure Fire	1
Life Line Assist	1	Electrical Fire	1
Electrical Fire	2	Working Fire	1
Dryer Fire	1	Dryer Fire	1
Smell of Gas	1	Smoke in Building	1
Smell of Smoke – Propane Issue	1	Mutual Aid MFR	1
Vehicle Smoking	1	Mutual Aid EMS	1
Rescue Person from Washroom	1	Lost Cat	1
Heavy Black Smoke	1	MV Accident	1
Fire Calls	36	Fire Calls	19

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		
May	38	+ 26 (64) (237)	May		
June	21	+ 24 (45) (282)	June		
July	54	+ 27 (81) (363)	July		
August	53	+ 25 (78) (441)	August		
September	45	+ 19 (64) (505)	September		
October	48	+ 14 (62) (567)	October		
November	53	+ 34 (87) (654)	November		
December	35	+ 23 (58) (712)	December		
	Total Calls for 2018 - 712				

2019 (2018) (From February 1st to March 31, 2019)

16	20	Auto Alarms (No Fire/Alarm Ringing) both Station
2	1	Auto Alarms – Detector Activated both Stations
5	5	Auto Alarms – Pulled/Accidental/False both Stations
8	8	Auto Alarms – Smoke/Steam/Dust both Stations
20	16	Auto Alarms – Equip. Malfunction both Stations
2	2	Auto Alarms – Sprinkler/Power Failure both Stations
15	10	Auto Alarms – Working on System/Workers set off
17	16	Auto Alarms – Cooking both Stations
85	78	Total Auto Alarm
20	12	Mutual Aid/Stand By - Both Stations
3	5	Fire Calls to the WR Ind. Park – District #2

March 2019

	2019 Monthly Reported	2019 Monthly Actual	2019 Actual To Date	2018 Monthly Actual	2018 Actual To Date
Robbery	2	1	2	0	0
Assault	32	26	60	15	52
Break & Enter	9	3	13	5	16
Theft of MV	3	3	4	0	0
Theft Over \$5000	1	1	3	1	3
Theft Under \$5000	118	111	248	53	165
Have Stolen Goods	7	6	13	1	5
Frauds	36	31	72	11	71
Offensive Weapons	1	1	5	2	2
Other Criminal Code	124	82	246	54	176
Drugs	8	8	17	10	24
LCA	31	29	78	36	81
Municipal - Totals	3185	3185	7719	2731	8091
Parking Tickets	3099	3099	7483	2659	7797
Nuisance Bylaw	59	59	160	51	151
Dog Bylaw	27	27	76	21	71
Collisions	78	78	297	73	245
HTA	319	316	876	481	1321
HTA Violations		279	760	426	1184
Other Traffic	31	31	104	83	225
CC Traffic	48	28	60	22	68
Complaints		1259	3364	996	2921

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 Mar 2019.

Brackley Point Rd/Ellis	1
Brackley Point Rd/Oak	1
Euston St/Prince	1
Euston St/Queen	1
Euston St/Rochford	1
Euston St/Walthen	3
Garfield St	1
Grafton St E	1
Grafton St/Weymouth	2
Kensington Rd/Park	2
Mount Edward Rd/Belvedere	1
Mount Edward Rd/Gower	2
Murchison Lane	2
Rochford St/Kent	6
Sherwood Rd/Rte 2	1
St Peters Rd/Arteria!	1
St Peters Rd/MacRae	1
St Peters Rd/Northridge	3
University Ave/Douglas	5
Upper Prince St/Gerald	3

Upton Rd	1
Weymouth St/Richmond	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 Mar 2019.

Allen St	5
Arterial Hwy/Mount Edward	3
Beasley Ave	2
Belvedere Ave/Mount Edward	6
Belvedere Ave/Queen	4
Brackley Point Rd/Belvedere	1
Brackley Point Rd/Pine	1
Brackley Point Rd/Sherwood	2
Brows Lane/St Peters	1
Capital Dr/North River	2
Capital Dr/Sandstone	2
Euston St/Great George	3
Euston St/Prince	4
Euston St/Walthen	2
Grafton St E	5
Grafton St/Great George	1
Grafton St/Weymouth	1
Great George St/Fitzroy	1
Heather Ave/Pine	1
Hillsborough St/Euston	4
Kensington Rd/Garfield	1

Kent St/Great George	3
Kent St/Prince	1
Kent St/Queen	2
Kirkwood Dr/Spring Park	1
Linden Ave/2 nd	1
Longworth Ave/Lapthorne	2
MacWilliams Rd	1
Maypoint Rd	1
Minna Jane Dr	1
Mount Edward Rd/Allen	2
Mount Edward Rd/Hillside	3
Mount Edward Rd/Pine	2
Mount Edward Rd/Woodlawn	1
Murchison Lane	2
Nassau St/Dunkirk	6
North River Rd/Belvedere	1
North River Rd/Burns	1
North River Rd/McGill	1
North River Rd/Queen Charlotte	2
Pond St	1
Pownal St/Grafton	1
Promm Acadian Dr	1
Queen St/Fitzroy	1

NON-MOVING CONT'D

Queen St/Grafton	1
Queen St/Nassau	5
Queen St/Pond	1
Queen St/Water	2
Rochford St/Richmond	2
Richmond St/Pownal	2
Riverside Dr/Walker	1
Rte 2/Arterial	2
Rte 2/Sherwood	2
St Peters Rd/Arterial	1
St Peters Rd/Beasley	1
St Peters/MacWilliams	2
St Peters Rd/MacRae	3
St Peters Rd/Northridge	2
St Peters Rd/Palmers	1
Tara Heights	1
University Ave/Belvedere	6
University Ave/Browns	5
University Ave/Buchanan	2
University Ave/Erman	3
University Ave/Gerald	1
University Ave/McKinnon	1

University Ave/Nassau	1
Upper Hillsborough St	1
Upper Prince St/Allen	1
Upper Prince St/Gerald	1
Upton Rd	6
Water St Pkwy	9
Water St/Weymouth	1
Weymouth St/Fitzroy	1
Weymouth St/Kent	1

HIGHWAY TRAFFIC ACT – SPEED MONITORING

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

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

Allen St	2
Arterial Hwy/Oak	3
Brackley Point Rd/MacAleer	1
Brackley Point Rd/MacLean	3
Brackley Point Rd/Pine	1
Brackley Point Rd/Sherwood	3
Fourth St	11
Lower Malpeque Rd/Highfield	4
Lower Malpeque Rd/Westway	3
Mount Edward Rd/Arterial	2
Mount Edward Rd/Ash	1
Mount Edward Rd/Hillside	1
Mount Edward Rd/Pine	1
North River Rd/Inkerman	1
North River Rd/McGill	1
North River Rd/ Queen Charlotte	3
St Peters Rd/MacRae	5
St Peters Rd/MacWilliams	5
University Ave/Belvedere	3

University Ave./Enman Cres.	8
University Ave/McKinnon	7
Upton Rd	5
Winsloe Rd/Campbell	5

CHARLOTTETOWN POLICE DEPARTMENT
BY-LAW ENFORCEMENT
Monthly Report March 2019

Phone Call Breakdown

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	18	43	61
Nuisance	5	16	21
Zoning & Development	13	25	38
Traffic	13	33	46
Snow Related	11	50	61
Street Vendors	25	52	77
Other Bylaws (Crossing Guards, Etc)	5	36	41
TOTAL	90	255	345

Taxi Bylaw Breakdown

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	2	6	8
Taxi Inspections	2	4	6
Total	4	10	14

Breakdown of Duties

	Week 1 March 1 st	Week 2 March 4 th -8 th	Week 3 March 11 th -15 th	Week 4 March 18 th -22 nd	Week 5 March 25 th -29 th	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	1	6	4	0(Vac)	4	15	68	83
Files CONCLUDED	3	5	5	0(Vac)	2	15	49	64
Site Visits	5	6	7	0(Vac)	6	24	86	110
SOT's sworn	80	89	76	0(Vac)	44	289	1064	1353
Towed Vehicles	0	0	0	0(Vac)	0	0	16	16
Paid Summons	0	0	0	0(Vac)	0	0	7297	7297
Information's Signed	0	156	0	0(Vac)	0	156	903	1059
Crossing Guard Duties	0	1	1	0(Vac)	1	3	3	6
Bylaw Tickets	0	0	0	0(Vac)		0	0	0

Quick Look At This Month:

- This month there was a total of 90 calls received/made through the Bylaw Enforcement Office for March
- There were 15 occurrences generated as a result of complaints
- Writer was on Vacation from March 14th – March 26th
- There were 24 site visits/follow-ups made in March
- There is six (6) "Resolutions To Council" this month, all for patio encroachment agreement renewals
- There were no (0) "Written Warnings" in March.
- The majority of the calls for March were for Unsightly Premises (garbage) and snow related calls.

Cst Todd Sutcliffe _____

Date: April 8th, 2019



CITY OF CHARLOTTETOWN

RESOLUTION

*Protective &
Emergency Services
#1*

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsay

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) perpendicular parking spaces in front of Brits Fish And Chips, 141 Great George Street (PID# 342360), be approved to the end of the 2021 season, subject to annual permit applications,

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



CITY OF CHARLOTTETOWN

RESOLUTION

*Protective &
Emergency Services
#2*

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsay

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parallel parking spaces on King Street adjacent to Piatto Neapolitan Pizza, 45 Queen Street (PID# 335653), be approved to the end of the 2021 season, subject to annual permit applications,

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



CITY OF CHARLOTTETOWN

RESOLUTION

*Protective &
Emergency Services
#3*

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsay

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the three (3) perpendicular parking spaces in front of Casa Mia Restaurant, 131 Queen Street (PID# 340232), be approved to the end of the 2021 season, subject to annual permit applications,

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



CITY OF CHARLOTTETOWN

RESOLUTION

*Protective &
Emergency Services
#4*

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsay

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patios to be located in two (2) perpendicular parking spaces on Queen Street and two (2) parallel parking spaces on Sydney Street for Sim's Corner Steakhouse, 86 Queen Street (PID# 338145), be approved to the end of the 2021 season, subject to annual permit applications,

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



CITY OF CHARLOTTETOWN

RESOLUTION

*Protective &
Emergency Services
#5*

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsay

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patios to be located in three (3) perpendicular parking spaces on Queen Street in front of the Merchantman Pub, 23 Queen Street (PID# 335091), be approved to the end of the 2021 season, subject to annual permit applications,

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

CITY OF CHARLOTTETOWN

RESOLUTION

*Protective &
Emergency Services
#6*

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Bob Doiron

Seconded by Councillor _____ Kevin Ramsay

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) perpendicular parking spaces in front of the Terra Rouge Bistro, 72 Queen Street (PID# 338160), be approved to the end of the 2021 season, subject to annual permit applications,

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



**WATER AND SEWER UTILITY COMMITTEE
REPORT TO COUNCIL
MARCH 11, 2019**

The Water and Sewer Utility Committee met on April 2, 2019 and the minutes are included in your package.

There are 2 resolutions for your consideration.

Respectfully submitted,

Deputy Mayor Jason Coady, Chair

Water & Sewer Utility Committee
Tuesday, April 2, 2019
4:00 PM – Parkdale Room

Present: Mayor Philip Brown
Deputy Mayor Jason Coady, Chair
Councillor Julie McCabe, Vice-Chair
Councillor Mitchell Tweel, Member at Large
Peter Kelly, CAO
Richard MacEwen, UM
Pauline Gass, OC

Regrets: None

1) Call to Order

Deputy Mayor Jason Coady called the meeting to order at 4:05 PM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

The agenda was approved as circulated.

4) Adoption of Minutes

It was moved by Councillor Julie McCabe and seconded by Councillor Mitchell Tweel that the minutes from February 25, 2019 be approved.

5) Business arising from Minutes

None.

6) Reports

The UM presented a report indicating that Environment Canada will now only contract with provincial governments for the stream flow and groundwater monitoring of wellfields. As a result, Memorandum of Agreement with PEI Development of Communities, Land and Environment is required. It was moved by Councillor Julie McCabe and seconded by Councillor Mitchell Tweel to bring the MoA to Council.

7) Introduction of New Business

- a. The UM presented a request from APM. The company is planning to create an industrial subdivision on Union Road. They would like to connect water service for this development to the City's water main. It was moved by Mayor Philip Brown and seconded by Councillor Julie McCabe to send to council.

- b. The UM discussed an offer to complete a level 1 ASHRAE energy audit of the City's facilities. It was moved by Mayor Philip Brown and seconded by Councillor Julie McCabe to support the study.
- c. Water and Sewer are working closely with a local PR company on the promotion of drinking tap water. Initial designs were presented for information.

8) Motion to move into closed session

Motion to move into closed session, as per Section 119 (1) sub-sections (e) of the PEI Municipal Government Act was moved by Councillor Julie McCabe and seconded by Councillor Mitchell Tweel.

9) Adjournment of Public Session

Moved by Mayor Philip Brown and seconded by Councillor Julie McCabe to adjourn. Meeting adjourned at 5:10PM.



CITY OF CHARLOTTETOWN

RESOLUTION

Water/Sewer Utility #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Deputy Mayor _____ Jason Coady

Seconded by Councillor _____ Julie McCabe

RESOLVED:

WHEREAS, the City of Charlottetown passed a policy resolution of April 10, 2000 “that City Council confirm its policy not to entertain applications for water service to properties outside the municipal boundary of the City of Charlottetown” without first receiving approval from City Council to do so.

BE IT RESOLVED, that City Council approves the request for service received from the APM Construction Services. The request is for water service to the proposed APM commercial development to be located on Union Road, within the Community of Brackley.

BE IT FURTHER RESOLVED, that the costs associated with making the connections will be paid by APM Construction Services. As well, services will be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.

MacEwen, Richard

From: Ian Harper <iharper@apm.ca>
Sent: Tuesday, March 26, 2019 11:49 AM
To: MacEwen, Richard
Cc: Heather Joudrie
Subject: Union Road, Brackley PE - Proposed Commercial Subdivision
Attachments: Brackely Site Plan - November 2017.pdf

Hi Richard,

APM is working with the Community of Brackley to subdivide the property adjacent to our APM/Maclean Offices on Union Road. See attached sketch, Dated November 23, 2017. The property is now a single lot that extends to the corner of Brackley Point Road and Union Road. It is zoned as M1 Industrial.

Our plans were only developed to the concept stage, and we had not previously proceeded to the stage of formally investigating the land subdivision and associated servicing.

Red Earth Cannibals has expressed an interest in the parcel designated as "Lot #3" on the attached sketch. Red Earth requires a development permit in order to obtain their licencing from the Federal Government. The Community of Brackley requires that the water service be resolved before they can issue a development permit. The proposed purchase and the requirement of the Federal Government to have an approved Development Permit has expedited the need for us to resolve the servicing of the proposed lots.

Septic service will be developed on site, as there is no local central system.

Red Earth's requirement for water is similar to a single occupancy residential loading; however we should look at installing an 8" main capable of supplying sprinkler and fire hydrant service for this and the other proposed lots. Our initial thought would be to extend the water line along the north boundary of the Union Road.

Please accept this e-mail as our formal request to connect water service for this development to the water main owned by the City of Charlottetown's Sewer and Water Utility. I will drop you a call to discuss in more detail.

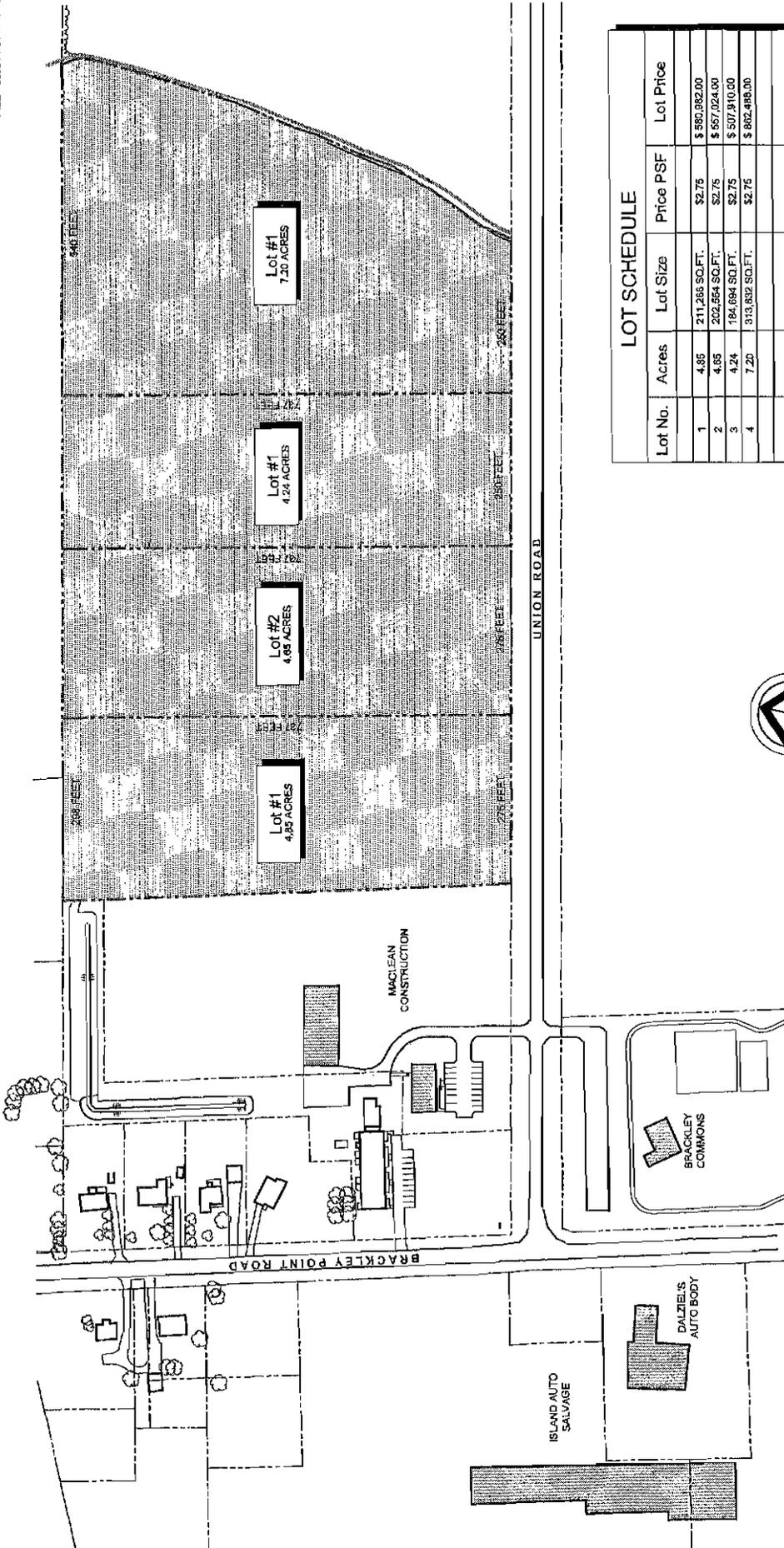
Regards,
Ian H

Ian Harper P.Eng

VP Engineering Services • APM Construction Services

17 Union Road
Brackley, PEI
C1E 3B2
tel 902-569-4000
fax 902-569-1149
email iharper@apm.ca
www.APM.ca

Since 1980 **APM** has provided construction and design-build services that include construction management, engineering and general contracting. Our principles of Service, Trust and Value are our foundation for the delivery of every aspect of your new building or renovation project. **APM** operate across Canada with offices in **Charlottetown, Halifax, Toronto** and **Calgary** providing a host of construction services to local, regional and national clients.



LOT SCHEDULE

Lot No.	Acres	Lot Size	Price PSF	Lot Price
1	4.85	211,265 SQ.FT.	\$2.75	\$ 580,982.00
2	4.85	202,554 SQ.FT.	\$2.75	\$ 557,024.00
3	4.24	184,684 SQ.FT.	\$2.75	\$ 507,910.00
4	7.20	313,832 SQ.FT.	\$2.75	\$ 862,468.00
TOTAL	21.14			

• LOT SIZES TO BE CONFIRMED
 • PRICING AS OF JULY 24, 2017

SITE PLAN

BRACKLEY COMMERCIAL PARK
 Brackley PIE - November 23, 2017

APM Commercial
 INDEPENDENTLY OWNED AND OPERATED





Architecture + Engineering + Project Management

85 Fitzroy Street
PO Box 695
Charlottetown, PE
C1A 1R6

Tel (902) 368-2300
Fax (902) 566-3768
www.colesassociates.com
Email: info@colesassociates.com

27 February 2019

Nine Yards Studio
63 Fitzroy Street
Charlottetown, PE C1A 1R4

Attention: Ms. Shallyn Murray, AAPEI, MRAIC

Dear Shallyn:

Re: Red Earth Cannabis

Further to an email and subsequent discussion with Tyler Macdonald concerning the amount of water usage at this proposed location we understand as follows:

1. There are a maximum of 20 people working a single 8-hour shift per day at this facility;
2. The "process area" is about 2,000 sq.ft.;
3. The standard Operating procedure will be a general washdown of the process floor on a daily basis, with this water being directed toward floor drains with sediment buckets; and
4. As the growing process is intensely of a hydroponic nature which sees the water simply as a vehicle delivering nutrients to the plants, this hydroponic water is "all recirculated" given the high level of pretreatment including the addition of nutrients.

Based upon the above parameters, we would currently envisage that the human water usage would be 1,000 liters per day. Process water is basically wash down water and a single hose station is capable of washing 2,000 sq.ft. per hour yielding an average washdown consumption of conservatively 1,900 liters per day. These two amounts would equate to 2,900 liters per day which would be less than a normal residential tank fill rate.

Therefore, as we currently understand this system, a regularly available residential/small commercial septic tank and tile system should suffice. Furthermore, we understand that the water will be from the low-pressure municipal water pipes located on the Brackley Point Road.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

Coles Associates Ltd.
Per: Douglas A. Coles, P.Eng., P.E., F.E.C.
Vice President
Director of Engineering

DAC/lm

CC: Tyler Macdonald, Red Earth Cannabis; via email
Spencer Montgomery, Coles Associates Ltd.; via email



Report No: WSC 2-19

Date: March 11, 2019

Directed to: Utility Chair & Committee

Department: Water and Sewer Utility

Prepared by: Richard MacEwen, Utility Manager

Attachments:

- MoA PEI Department of Communities, Land and Environment

Subject: Stream and Groundwater Level Monitoring Memorandum of Agreement

Recommendation:

Approval of the PEI Department of Communities, Land and Environment MoA for stream flow and groundwater level monitoring at our wellfield sites.

Report:

Environment Canada (EC) provides stream flow and groundwater level measurement services at our wellfield sites. EC has changed their policy such that they will only contract with Provincial governments. As a result our monitoring activities must flow through the Provincial government. The PEI Department of Communities, Land and Environment has prepared a Memorandum of Agreement to cover the next three years of service. The PEI Department of Environment requires the collection of stream flow and groundwater level monitoring as a condition of our wellfield extraction permit.

Environment Canada has provided this service since 1967.

Respectfully,

Reviewed By:

CAO

Mgr

Other

Recommendations/Actions:



CITY OF CHARLOTTETOWN

RESOLUTION

Water/Sewer Utility #2

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Deputy Mayor _____ Jason Coady

Seconded by Councillor _____ Julie McCabe

RESOLVED:

That a Memorandum of Agreement be entered into with PEI Department of Communities, Land and Environment to provide stream flow and groundwater monitoring related to wellfields in Winter River and Miltonvale.

Expenses will be drawn from the Utility Operating Budget.

The Mayor and CAO are hereby authorized to execute contracts/agreements to implement this resolution.

**Memorandum of Agreement
Winter River and Coles Creek Stream Flow Gauges
Winter River Groundwater Level Gauge**

Between

PEI Department of Communities, Land and Environment (CLE)

And

Charlottetown Water and Sewer Corporation (CWSC)

Whereas the PEI Department of Communities, Land and Environment (CLE) and the Charlottetown Water and Sewer Corporation (CWSC) have a shared interest in monitoring stream flow in the Winter River and Coles Creek to evaluate the impact of groundwater extraction and ensure sustainable stream flow;

CLE and CWSC agree to enter into this Memorandum of Agreement to identify and clarify their roles and obligations for the operation of:

- Stream gauge on the Winter River at Suffolk (located at latitude 46.331750 longitude -63.065261).
- Stream gauge on the Winter River at Union (located at latitude 46.314643 longitude -63.122514 on property owned by CWSC).
- Stream gauge on the Coles Creek in Miltonvale Park (located at latitude 46.310353 longitude -63.194859 on property owned by CWSU).
- Groundwater level gauge near the Winter River at Brackley (located at latitude 46.314474 longitude -63.148968 on property owned by CWSU).

CLE and CWSC agree that their roles and obligations are as follows:

- 1) Charlottetown Water and Sewer Corporation (CWSU) obligations are to
 - a) Provide and maintain sites where the monitoring equipment is located on property owned by CWSC.
 - b) Allow access to the site by CLE and Environment and Climate Change Canada (ECCC) personnel who will operate and maintain the monitoring equipment,
 - c) Inform CLE and ECCC of any issues observed with the site or apparent damage to the monitoring equipment,

- d) Pay funds as outlined in Section 3 of this agreement to CLE upon submission of invoices from CLE to CWSC,
 - e) Pay the cost of decommissioning the site should this agreement be terminated or expire.
- 2) PEI Dept. of Communities, Land and Environment (CLE) obligations are to
- a) Arrange with ECCC to maintain the monitoring equipment for the stream gauges,
 - i) The monitoring equipment shall record stream water level on a continuous, year round basis and transmit the data to a public web site for access,
 - ii) Maintaining the monitoring equipment includes the replacement and repair of the monitoring equipment,
 - b) Arrange with ECCC to provide quality control services for the data, long term storage of the data, direct stream flow measurements for the determination of stage / discharge relationship and convert the data from stream level to stream flow,
 - c) Invoice CWSC on an annual basis the costs of the maintenance of the monitoring equipment and services provided by ECCC,
 - i) The annual maintenance costs paid by CWSC will cover costs associated with the replacement and repair of the monitoring equipment,
 - d) Pay ECCC for the charges of the services provided by ECCC on an annual basis.

3) Fees

Cost Item	Dates Covered	Fiscal Year	Cost to Charlottetown Water and Sewer Utility (CWSC)
Annual Operational Cost	April 1, 2019 to March 31, 2020	2019-20	\$50,278
Annual Operational Cost	April 1, 2020 to March 31, 2021	2020-21	\$51,726
Annual Operation Cost	April 1, 2021 to March 31, 2022	2021-22	\$53,218

- 4) The parties agree that the term of this agreement shall commence upon signing and end on March 31, 2022.
- 5) The parties agree that either party may terminate this agreement by giving the other party 180 days' notice in writing.
- 6) The parties agree that this agreement can be extended by the agreement of the parties by email correspondence.

Remainder of this page is intentionally left blank.

7) If and when the agreement is extended, the annual cost may be revised to reflect changes in the cost of the provision of services.

Approved at Charlottetown, this _____ day of January, 2019

Peter Kelly
Charlottetown Water and Sewer Corporation (CWSC)

Approved at Charlottetown, this _____ day of January, 2019

Todd Dupuis
Executive Director, Climate Change and Environment Division
Department of Communities, Land and Environment (CLE)

DRAFT



**PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
REPORT TO COUNCIL
April 8th, 2019**

The Public Works & Urban Beautification Committee met on Wednesday, March 27th, 2019, with draft minutes included in the Regular Monthly Council package.

One resolution is anticipated to be forwarded.

Respectfully submitted,

Councillor Mike Duffy, Chair

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DRAFT

PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
Wednesday, March 27th, 2019
12:15PM Parkdale Room, City Hall

Present: Mayor Philip Brown
Councillor Mike Duffy, Chair
Councillor Alana Jankov
Councillor Mitchell Tweel
Peter Kelly, CAO
Scott Adams, MPW
Wallace Higgins, AA

Absent: Councillor Terry MacLeod

Guests: Beth Hoar, Parkland Conservationist

CALL TO ORDER

Chair Duffy called the meeting to order at approximately 12:20PM. Moved by Councillor Jankov and seconded by Councillor Tweel.

DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

APPROVAL OF AGENDA

The agenda was approved by Councillor Jankov and seconded by Councillor Tweel.

ADOPTION OF MINUTES

It was moved by Councillor Tweel and seconded Councillor Jankov that the minutes from February 25th, 2019, and March 5th, 2019, meetings be approved.

BUSINESS ARISING FROM THE MINUTES

There was no business arising.

TREE BY-LAW

The Parkland Conservationist presented the committee the draft Tree Protection bylaw. The purpose of the Bylaw is to recognize the importance of trees as green infrastructure and protect trees on City-owned property; protect private and City-owned heritage trees; prohibit the removal of, or damage to, protected trees; regulate and establish requirements for preservation, protection,

maintenance, removal and replacement of protected trees and put in place inspection and enforcement provisions including penalties for damaging or removing a public or protected tree without permission.

The Tree Protection Bylaw addresses tree maintenance; restrictions; decorative lighting in trees; tree and root protection zones; heritage trees; invasive species; removal or pruning of hazardous trees on private property; parks, green spaces, woodland trees and buffer zone trees; planning and developments; inspections; approvals and exemptions; stop work orders; contraventions of the Bylaw; emergency removals and use of wood. The Bylaw will ensure best management practices are used when dealing with City-owned trees and heritage trees that are greater than 100 cm DBH. It will guide Developers and City Departments in activities that affect the City's urban forest, reducing the impacts of construction and maintenance on City trees.

The development of the Tree Protection Bylaw has been a coordinated effort, working closely with Sustainability, Parks and Recreation, Water and Sewer Utility, Public Works and Planning Departments. The Bylaw has been written in conjunction with the Planning Departments Bylaw amendments and relevant sections of this Bylaw will be referenced in the Planning Departments permitting process and discussed at the Committee level. This Bylaw will also be forwarded to the Public Works Committee for review.

The Sustainability, Public Works and Planning Departments will work closely together to ensure the City's trees are protected as per this Tree Protection Bylaw.

The Public Works and Urban Beautification committee recommended forwarding this bylaw to Council for first reading. Moved by Councillor Tweel and Seconded by Councillor Jankov.

Councillor Tweel thanked the Parkland Conservationist for her work and suggested adding more trees to neighbourhood streets and the main entrances to the City; and creating a master tree planting plan.

TRAFFIC SIGNALS-FLASHING MODE

Public Works has been carrying out reviews on various operations, including traffic signal operations. As part of this review, it was noted that during off peak hours, especially during the overnight hours, some signalized could be switched to flashing mode to improve traffic flows. Flashing mode is where traffic signals flash amber or red, depending on the travel direction. When in flashing mode, drivers are expected to stop for a flashing red, or drive carefully through the intersection on a flashing yellow. The intention of this work is to reduce unnecessary wait times at these signals during times of low volumes of traffic and reduce the risk of drivers making illegal traffic movements.

As a result of the review, Public Works will be implementing flashing mode on select intersections for a 3 month trial (April-June) and monitor the results. The signals would enter flashing mode from 11pm until 6 am, each day. Public Works has selected the following intersections:

- 1) North River Rd @ Nassau St
- 2) North River Rd @ Belvedere Ave

- 3) North River Rd @ Beach Grove Rd
- 4) North River Rd @ Buchanan Dr
- 5) Capital Dr @ Sandstone Rd
- 6) University Ave @ Charlottetown Mall
- 7) University Ave @ Enman Cres
- 8) University Ave @ Nassau St

The Police Department have reviewed the request and above list of intersections and have no concerns.

Public Works and Communications will issue a media release to advise the public of these changes.

Chair Duffy and Councillor Tweel requested including such intersections as: University Ave. & Belvedere Ave., Queen St. & Belvedere Ave., and several other intersections on University Ave. The Public Works Manager informed the committee that downtown intersections were not chosen due to pedestrian traffic.

VICTORIA ROW-NEW GATES

Public Works has been working to improve the safety for users of Victoria Row during its annual closure. In the past, the City has received complaints about delivery trucks, contractors, etc, entering the pedestrian mall, which is not permitted during the yearly closure to traffic. After a review of the area, it was determined that the existing barrier system of bollards and a chain is insufficient to ensure vehicles do not enter the pedestrian only area. As such, the Public Works manager had new gates manufactured, which are ready to be deployed on May 1st, 2019.

Once completed, each arm will have a sign indicating that the area is for pedestrians only. Each arm will also be locked to prevent entry. Concrete flower pots will also be strategically placed for aesthetics and to prevent vehicles from mounting the sidewalk to access the area.

Councillor Tweel asked the Public Works manager were there any other gate design options. Chair Duffy suggested opening the design to the Arts and Culture Community. The CAO stated that the gates have already been purchased and are scheduled to be installed this summer.

Councillor Tweel asked what could be done to deter vehicles from parking in front of the Queen St. entrance. The PWM stated that this would fall under the Police Department and would asked Police to increase the patrols.

Councillor Tweel inquired if the seasonal fountain located on Richmond St. was still operational. The PWM will look into it and report back to the committee.

The CAO stated there have been requests to close a section for Sydney St. for the summer.

Chair Duffy asked if emergency services have a key for the new gates, and the PWM will speak with the Police.

POLICY-DRIVEWAY ACCESS OVER EXISTING INFRASTRUCTURE

Over the past few years, with an increase in residential and commercial construction, The Public Works Department has received a number of requests to modify existing City infrastructure for driveways. It is Public Works' practice that they do not entertain these requests, and direct the individual to hire a contractor to complete the work. With no formal policy in place, there have been some works not completed satisfactorily, or completed without the permission of the City. As such, the Manager of Public Works requests the approval of the attached document. Approval of this document will aid the department to control what work is being completed to City infrastructure, who is completing the work, and allow for staff to inspect the work to ensure compliance with City standards.

12:55PM Mayor Brown and guest arrived.

The Committee recommended to approve the Driveway Access Over Existing Infrastructure Policy. Moved by Councillor Jankov and Seconded by Councillor Tweel. Motion Carried.

Mayor Brown introduced his guest, Zachary Fugate, Mayor for the Day, a grade 3 student from West Kent Elementary School.

ENERGY PERFORMANCE CONTRACT

The City of Charlottetown adopted its Community Energy Plan in February 2019 which includes a corporate greenhouse gas emissions reduction target of reducing corporate emissions by 40% by 2030 and to strive to be 100% carbon neutral by 2050.

Corporate emissions across City operations are estimated at 7,266 tonnes of carbon dioxide equivalent (tCO₂e) in 2017. Corporate expenditures on energy were \$3.52 million in 2017. The highest emitting sectors in the City corporation are water & sewer (28.5% of total corporate emissions); fleet (27.7%); and buildings (22.4%).

There have been a number of corporate energy efficiency upgrades completed in the last few years, including lighting projects at City Hall, City Works, City Police, West Royalty Community Centre, and the Queen and Fitzroy Parkades, there are still many opportunities to reduce energy use, energy expenditures and greenhouse gas emissions in City facilities.

Financing and coordinating large scale retrofit projects is complex and expensive which has been a barrier for municipalities, hospitals and other public institutions. Energy solution companies have responded by providing comprehensive solutions that include identifying all potential savings opportunities, developing implementation plans, managing contracts and even financing retrofits through cost-savings.

Honeywell, a global energy solutions company, has reached out to the City of Charlottetown to offer their services to look at all City corporate energy use. Their comprehensive Municipal Solution (CMS) program offers a self-funded energy performance contract where energy upgrades are paid in full by guaranteed energy and operational savings. The first step in this process would have Honeywell complete a level 1 ASHRAE energy audit that looks at all corporate energy use,

provides high-level recommendations on projects that could be pursued, and provides a preliminary estimate on savings and investment.

There would be no cost for the level 1 ASHRAE or obligation for the City to proceed with Honeywell exclusively beyond this point. Once the ASHRAE has been completed, if the City wanted to move forward to the next step an RFP would be issued to identify an official energy solutions company partner with the intent of developing a multi-year contract to implement energy savings opportunities and finance the upgrade costs through guaranteed savings.

The City of Summerside recently signed a 10-year contract with Honeywell to move forward with the implement a comprehensive energy efficiency program that looks at all their corporate facilities. The total cost of the project is \$3.6 million and has guaranteed annual savings of \$395,000. Their project includes street lighting, heating systems, lighting optimization, upgrades at the Credit Union Place, and building automation systems.

The scope of the energy project would depend on the opportunities presented by Honeywell, the direction given by City staff and management and the priorities of City Council. It is recommended that the Eastlink Centre and Bell Aliant Centre be invited to be included in the corporate project in an effort to reduce energy expenditures in these facilities also.

The Committee recommended to approve moving forward with Honeywell to complete a level 1 ASHRAE energy audit of City facilities to identify energy savings, cost savings, and greenhouse gas emission reduction opportunities with the intent of entering an energy performance contract where upgrade costs are financed through guaranteed energy savings.

Mayor Brown asked if there was any risk for the City. The PWM stated that the company is offering this evaluation free of charge. There will be no cost to the City and the company understands that if council proceeds further, staff would follow the procurement process to select the successful vendor.

The Committee recommended to approve the Emergency Performance Contract. Moved by Councillor Tweel and Seconded by Councillor Jankov. Motion Carried.

INTRODUCTION OF NEW BUSINESS

Councillor Tweel stated that it was brought to his attention that when entering the city, tourist are having difficulty locating the city's parkade garages, and suggested new signage. The Public Works Manager stated he would look into it report back to the committee.

Councillor Tweel brought to the committee's attention the road condition of a section of Queen St., and Chestnut St. Councillor Tweel asked the Public Works Manager to look at the condition of the sidewalk at 212 Spring Park Rd. The PWM will look into it.

Mayor Brown informed the committee that he and other elected officials have been receiving calls regarding employment, and has heard that the Public Works Department are reducing the seasonal staffing total. The CAO stated that staffing levels are based on need and what the budget permits. The Mayor stated there should be written rules and that there should be further discussion on hiring

policy, and that the City has an obligation to the people. The CAO stated that this is an operational issue, and not a council issue. Under the new MGA elected officials cannot be involved in the hiring of staff and should direct people calling about work to the human resources department.

Mayor Brown inquired to old fashion lights on Queen St., Grafton to Richmond. The PWM stated staff are currently looking at underground infrastructure and then will come back to the committee.

The Mayor informed the committee that the CAO and the Mayor met with Philip Homburg. Mr. Homburg was concerned with the amount of salt used by the city during winter operations and how it affects the front of The Holman Grand hotel, and he suggested the idea of using other alternatives. The CAO stated staff will look into other options.

Councillor Tweel asked the PWM if the department is looking at reducing the number of parking spaces on Queen St. to plant trees. The PWM stated that staff will be using the existing vacant spaces downtown in order to plant trees. The number of parking space will remain the same.

MOTION TO ADJOURN

Moved by Councillor Tweel and Seconded by Councillor Jankov that the meeting be adjourned.
Motion Carried.

The meeting adjourned at approximately 1:45PM

The next regular meeting of the Public Works & Urban Beautification Committee is tentatively set for 12:15pm on Wednesday, April 24th, 2019, at City Hall.

- end -

Councillor M. Duffy, Chair



CITY OF CHARLOTTETOWN

RESOLUTION

Public Works #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Mike Duffy

Seconded by Councillor _____ Alanna Jankov

RESOLVED:

That the City of Charlottetown:

- 1) Adopts the attached proposed Driveway Access Over Existing City Infrastructure Policy as proposed by the Public Works Committee**
- 2) Amend the Fee Bylaw (2018-18) to reflect the recommendations under the Driveway Over Existing City Infrastructure Policy**
- 3) Start to implement the Access Over Existing City Infrastructure Policy upon the adoption of proposed amendments.**

CITY OF CHARLOTTETOWN POLICY

PUBLIC WORKS

Driveway Access Over Existing City Infrastructure

Policy Number: PW-19-001

Originating Department: Public Works

Approved By: Council

Date of Approval: Pending approval

1.0 Policy Statement

- 1.1 To define the responsibility for providing driveway entrances, culverts, and lowback curb over existing infrastructure for residential and commercial property

2.0 Scope

- 2.1 This policy applies to all City of Charlottetown employees, residents, developers and contractor performing working within the City right-of-away

3.0 Definitions

- 3.1 City refers to the Corporation of the City of Charlottetown and the Charlottetown Water and Sewer Utility
- 3.2 Developer refers to a person or company who builds, buys and sells house, building and land for profit within the City of Charlottetown
- 3.3 Homeowner refers to a person(s) who own the house in which they live in within the City of Charlottetown.

4.0 Authorization

- 4.1 All new driveway accesses, including widening and relocation of any existing driveway access, must be approved by the Planning Department, in consultation with Public Works.
- 4.2 All work carried out by a homeowner/developer, on City right-of-way, shall be approved by the Manager of Public Works or his or her designate.

5.0 Process

5.1 General

5.1.1 Installation of a driveway access over existing infrastructure shall be subject to the following conditions:

- The homeowner/developer shall complete the “Request for Driveway Access” form and submit it to the Public Works Department for review, along with the processing fee.
- If approved, a permit shall be issued to the approved qualified contractor to complete the work. No work shall commence prior to the issuance of the permit.
- The homeowner/developer shall be responsible for hiring an approved qualified contractor familiar with City standards to complete the work. All costs associated with the work shall be the responsibility of the homeowner/developer.
- The homeowner/developer shall notify the Public Works department 48 hours in advance of performing any work.
- All work shall be completed to the satisfaction of the Manager of Public Works or his/her designate. Any work not completed to the satisfaction of the Manager of Public Works shall be repaired as directed, at the homeowners/developers own expense.

5.2 Installation of a driveway access over existing concrete sidewalk shall be subject to the following conditions:

- Any portion of a sidewalk through a driveway shall be dropped, to permit a vehicle to drive over, while the approaching sidewalk concrete slabs shall be ramped in order to create a safe transition for pedestrians.
- Creating a ramp using asphalt concrete or any other materials on City right-of-way, to traverse over a sidewalk, shall not be permitted.

5.3 Installation of a driveway access over existing concrete curb shall be subject to the following conditions:

- Concrete curb may either be saw cut or excavated and reformed.
- Creating a ramp using asphalt concrete or other materials on City right-of-way, to traverse over a concrete curb, shall not be permitted.

5.3 Installation of a driveway access over an existing drainage ditch:

- The Manager of Public Works or his/her designate shall review the application. If approved, the Manager of Public Works or his/her designate shall determine the correct size of culvert to install under the driveway, to be installed at the homeowners/ developers expense.
- Filling in a ditch without a drainage culvert shall not be permitted.

6.0 City Inspection of Work

6.1 For the portion of driveway within the City right-of-way, a homeowner/developer is required to schedule two (2) inspections with the City.

6.1.1 A pre-inspection is required prior to pouring concrete or repairing asphalt to inspect the forms and base material.

6.1.2 A post-inspection is required to review the final work and restoration of the site.

6.2 The homeowner/developer shall contact the Public Works Department at (902) 894-5208 to schedule an appointment.

6.2.1 The homeowner/developer shall allow two (2) business day notice for inspections.

6.0 Fees and Damage Deposit

6.1 A damage deposit equal to the estimated value of the work, as determined by the Manager of Public Works or his/her designate, shall be submitted prior to commencement of any work within the City right-of-way.

6.1.1 The damage deposit shall be returned within 30 days of completion of the work, at the request of the depositor, if all work was completed to the satisfaction of the Manager of Public Works or his/her designate, and the City right-of-way has been restored to its pre-construction condition.

6.2 A processing fee of \$100.00 shall be paid to the City upon submission of the "Request for Driveway Access" form to the Public Works Department. This fee is to cover the costs of administration work and the pre and post inspections completed by City staff.



**COUNCIL ADVISORY COMMITTEE
REPORT TO COUNCIL
APRIL 8, 2019**

The Council Advisory Committee met on March 15, 18, 29, April 1, 2 and 5, 2019 and the draft minutes are included in the package.

There are five (5) resolutions for your consideration.

1st Reading of the Procedural Bylaw Amendment Bylaw (2018-19-A) is attached.

Respectfully submitted,

Councillor Terry MacLeod, Chair

**COUNCIL ADVISORY COMMITTEE
FRIDAY, MARCH 15, 2019 AT 1:00 PM
PARKDALE ROOM – CITY HALL**

DRAFT

Present: **Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Mayor Philip Brown, Member
Peter Kelly, CAO
Tracey McLean, RMC**

Also: **Karen Campbell, CS
Councillor Greg Rivard
Councillor Bob Doiron**

- 1. Call to Order**
Councillor MacLeod called the meeting to order.
- 2. Declarations of Conflict of Interest**
There were no declarations of conflict.
- 3. Approval of Agenda**
Moved by Mayor Brown and seconded by Councillor Duffy that the agenda be approved as presented. Carried.
- 4. Adoption of Draft Minutes**
Moved by Councillor Duffy and seconded by Mayor Brown that the draft minutes of January 29, 2019 be approved. Carried.
- 5. Business Arising from the Minutes**
No business arising from the minutes.
- 6. Motion to move into Closed Session**
Moved by Mayor Brown and seconded by Councillor Duffy 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.
- 7. New Business.**
There was no new business.
- 8. Adjournment**
Following the Closed session, the Committee moved back into an open forum. There being no further business, it was moved by Councillor Duffy and seconded by Mayor Brown that the meeting be adjourned. Carried.

The meeting concluded at 2:05 PM

**COUNCIL ADVISORY COMMITTEE
MONDAY, MARCH 18, 2019 AT 1:30 PM
PARKDALE ROOM – CITY HALL**

DRAFT

Present: **Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Mayor Philip Brown, Member
Peter Kelly, CAO
Tracey McLean, RMC**

Also: **Karen Campbell, CS**

- 1. Call to Order**
Councillor MacLeod called the meeting to order.
- 2. Declarations of Conflict of Interest**
There were no declarations of conflict.
- 3. Approval of Agenda**
Moved by Mayor Brown and seconded by Councillor Duffy that the agenda be approved as presented. Carried.
- 4. Motion to move into Closed Session**
Moved by Mayor Brown and seconded by Councillor Duffy 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.
- 5. Adjournment**
Following the Closed session, the Committee moved back into an open forum. There being no further business, it was moved by Councillor Duffy and seconded by Mayor Brown that the meeting be adjourned. Carried.

The meeting concluded at 2:45 PM

**COUNCIL ADVISORY COMMITTEE
MONDAY, MARCH 29, 2019 AT 3:30 PM
PARKDALE ROOM – CITY HALL**

DRAFT

**Present: Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Mayor Philip Brown, Member
Peter Kelly, CAO
Tracey McLean, RMC**

- 1. Call to Order**
Councillor MacLeod called the meeting to order.
- 2. Declarations of Conflict of Interest**
There were no declarations of conflict.
- 3. Approval of Agenda**
Moved by Mayor Brown and seconded by Councillor Duffy that the agenda be approved as presented. Carried.
- 4. Adoption of Draft Minutes**
Moved by Mayor Brown and seconded by Councillor Duffy that the draft minutes of March 15 & 18, 2019 be approved. Carried.
- 5. Business arising from the minutes.**
No business arose from the minutes.
- 6. Motion to move into Closed Session**
Moved by Mayor Brown and seconded by Councillor Duffy that the meeting move into a Closed Session as per Section 119 (1) Subsection (d) of the Municipal Government Act of Prince Edward Island. Carried.
- 7. Adjournment**
Following the Closed session, the Committee moved back into an open forum. There being no further business, it was moved by Mayor Brown and seconded by Councillor Duffy that the meeting be adjourned. Carried.

The meeting concluded at 5:00 PM

**COUNCIL ADVISORY COMMITTEE
MONDAY, APRIL 1, 2019 AT 3:00 PM
PARKDALE ROOM – CITY HALL**

DRAFT

Present: **Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Mayor Philip Brown, Member
Peter Kelly, CAO
Chantal Matheson, EA**

Regrets: **Tracey McLean, RMC**

- 1. Call to Order**
Councillor MacLeod called the meeting to order.
- 2. Declarations of Conflict of Interest**
There were no declarations of conflict.
- 3. Approval of Agenda**
Moved by Mayor Brown and seconded by Councillor Duffy that the agenda be approved as presented. Carried.
- 4. Motion to move into Closed Session**
Moved by Mayor Brown and seconded by Councillor Duffy that the meeting move into a Closed Session as per Section 119 (1) Subsection (d) of the Municipal Government Act of Prince Edward Island. Carried.
- 5. Adjournment**
Following the Closed session, the Committee moved back into an open forum. There being no further business, it was moved by Councillor Duffy and seconded by Mayor Brown that the meeting be adjourned. Carried.

The meeting concluded at 4:45 PM

**COUNCIL ADVISORY COMMITTEE
TUESDAY, APRIL 2, 2019 AT 5:30 PM
PARKDALE ROOM – CITY HALL**

DRAFT

Present: **Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Mayor Philip Brown, Member
Peter Kelly, CAO
Tracey McLean, RMC**

- 1. Call to Order**
Councillor MacLeod called the meeting to order.
- 2. Declarations of Conflict of Interest**
There were no declarations of conflict.
- 3. Approval of Agenda**
Moved by Mayor Brown and seconded by Councillor Duffy that the agenda be approved as presented. Carried.
- 4. Motion to move into Closed Session**
Moved by Councillor Duffy and seconded by Mayor Brown that the meeting move into a Closed Session as per Section 119 (1) Subsection (e) of the Municipal Government Act of Prince Edward Island. Carried.
- 5. Adjournment**
Following the Closed session, the Committee moved back into an open forum. There being no further business, it was moved by Mayor Brown and seconded by Councillor Duffy that the meeting be adjourned. Carried.

The meeting concluded at 6:36 PM

**COUNCIL ADVISORY COMMITTEE
FRIDAY, APRIL 5, 2019 AT 7:00 AM
PARKDALE ROOM – CITY HALL**

DRAFT

**Present: Councillor Terry MacLeod, Chair
Councillor Mike Duffy, Vice-Chair
Mayor Philip Brown, Member
Peter Kelly, CAO
Tracey McLean, RMC**

1. Call to Order

Councillor MacLeod called the meeting to order.

2. Declarations of Conflict of Interest

There were no declarations of conflict.

3. Approval of Agenda

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

4. Motion to move into Closed Session

Moved by Mayor Brown and seconded by Councillor Duffy 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.

5. New Business

Following the Closed session, the Committee moved back into an open forum. The Committee is recommending the following Advisory Committee appointments for Council's consideration:

Affordable Housing Advisory Committee:

Craig Cameron	Kandace Hagen	Donna Keenan	Jamie E. MacDonald
Gregory McKee	Aimee Power	Ladjane Carvalho-Schulman.	

And that this Committee's membership be increased to nine (9) members following an advertised application process.

Arts & Culture Advisory Board:

Barbara MacLeod	Brandon Hood	Cheryl Wagner
Jennifer Campbell	Mark Sandiford	Na Lu
Stephen MacInnis		

Youth Engagement Committee:

Hilary Wood	Jay Nobel	Kyla MacDonald	Lauren McKearney
Bob Wu	Robyn Dann	Lucas MacArthur	

Civic Board for Persons with Disabilities:

Andrea MacNeill	Brenda Porter	Felix Tanze	Judy Hughes
Linda Clarke	Magan MacDonald-O'Keefe		Kenneth Murnaghan

Seniors Engagement Committee:

Carolyn Villard	Darlene Hughes	Gloria Large	Walaa
Hubert McIsaac	Jacinta Campbell	Robert Foster	

Charlottetown Harbour Authority Inc. (CHAI):

Don Love and Heather Rossitor's names to be forwarded to CHAI for one of the appointments.

Capital Area Recreation Inc (CARI) Board:

Shawn Murphy, Donna Profit and Mike Jones

Special Events Reserve Fund Committee (SERF):

Laurel Lea, Chair
Wayne Long, City of Charlottetown
Michael Wasnidge

Federation of PEI Municipalities (FPEIM):

Councillor Mitchell Tweel

5. Adjournment

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

The meeting concluded at 8:30 AM



CITY OF CHARLOTTETOWN

RESOLUTION

Council Advisory
Committee #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy

RESOLVED:

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

Affordable Housing Advisory Committee:

Craig Cameron Kandace Hagen Donna Keenan Jamie E. MacDonald
Gregory McKee Aimee Power Ladjane Carvalho-Schulman.

And that this Committee's membership be increased to nine (9) members following an advertised application process.

Arts & Culture Advisory Board:

Barbara MacLeod Brandon Hood Cheryl Wagner
Jennifer Campbell Mark Sandiford Na Lu
Stephen MacInnis

Youth Engagement Committee:

Hilary Wood Jay Nobel Kyla MacDonald Lauren McKearney
Bob Wu Robyn Dann Lucas MacArthur

Civic Board for Persons with Disabilities:

Andrea MacNeill Brenda Porter Felix Tanze Judy Hughes
Linda Clarke Magan MacDonald-O'Keefe Kenneth Murnaghan

Seniors Engagement Committee:

Carolyn Villard Darlene Hughes Gloria Large Walaa
Hubert McIsaac Jacinta Campbell Robert Foster



CITY OF CHARLOTTETOWN

RESOLUTION

Council Advisory
Committee #2

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy

RESOLVED:

That the City of Charlottetown forward the following names to the Charlottetown Harbour Authority Inc. (CHAI) for consideration for appointment to their Board of Directors, as recommended by the Council Advisory Committee, be approved:

Don Love



CITY OF CHARLOTTETOWN

RESOLUTION

Council Advisory
Committee #3

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy

RESOLVED:

**That Shawn Murphy, Donna Profit and Mike Jones be the City of
Charlottetown representatives on the Capital Area Recreation Inc (CARI)
Board as recommended by the Council Advisory Committee, be approved,**

And that Shawn Murphy be appointed as Chair.



CITY OF CHARLOTTETOWN

RESOLUTION

Council Advisory
Committee #4

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy

RESOLVED:

That the City of Charlottetown representatives on the Special Events Reserve Fund Committee (SERF), as recommended by the Council Advisory Committee, be as follows:

Laurel Lea, Chair

Wayne Long, City of Charlottetown

Michael Wasnidge



CITY OF CHARLOTTETOWN

RESOLUTION

Council Advisory
Committee #5

MOTION CARRIED _____

MOTION LOST _____

Date: April 8, 2019

Moved by Councillor _____ Terry MacLeod

Seconded by Councillor _____ Mike Duffy

RESOLVED:

That City Council appoint Councillor Mitchell Tweel as the City representative on the Federation of PEI Municipalities, as recommended by the Council Advisory Committee.

City of Charlottetown, PEI
A Bylaw to Amend the City of Charlottetown Procedural Bylaw
Bylaw # 2018-19-A

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

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be known and cited as the “Procedural Bylaw Amendment Bylaw.”

2. Purpose

2.1. The purpose of this bylaw is to amend the City of Charlottetown’s Procedural bylaw to incorporate proposed amendments as recommended by the Council Advisory Committee and City Solicitor, to correct formatting /grammatical errors and to ensure overall consistency.

3. Definitions

3.1. In this bylaw, any word and term that is defined in the Municipal Government Act and the City of Charlottetown Procedural Bylaw has the same meaning as in that Act or bylaw.

4. Part I – Interpretation and Application - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

Section 3 - Purposes

4.1. Add subsection 3.1 and renumber the existing 3.1-3.4 to letters a – d and create new subsection 3.2.

Section 4 – Application

4.2. Amend subsection 4.1 by correcting grammatical errors.

Section 5 - Definitions

4.3. Add the definition of “Act” as subsection 5.1.

4.4. Amend previous subsection 5.1 “Chief Administrative Officer” by replacing “a municipality” with “the City”.

4.5. Add the definition of “Committee of Council” as subsection 5.4.

4.6. Add new definition "Employee" means, a person who performs work for the City for pay, and includes:

- (i) a person on leave from employment with the City,
- (ii) a person being trained by a municipality to perform work for the City

- (iii) a person retained under an employment contract to perform work for the City, and
 - (iv) any other person or class of person designated as an employee by the City.
- 4.7. Amend current subsection 5.9 “Member” to include “...and includes the Mayor”
- 4.8. Delete the definition of “Status Sheet”.
- 4.9. Renumber the initial definitions to remain in alphabetical order.

Section 6 – Rules Adopted and Suspended

- 4.10. In subsection 6.1 change “Administrative Order” to “Procedural Bylaw”

Section 7 – Amendment to Rules

- 4.11. Amend subsection 7.1 to read as *“This Procedural Bylaw shall not be amended or repealed except under notice given in writing to the members of Council and openly announced at a regular meeting of Council preceding the meeting at which the first reading of the amendment takes place”*

5. Part II – Types of Meetings of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

Section 10 – Regular Meeting of Council

- 5.1. Subsection 10.1 to read as *“Unless otherwise determined by the Mayor and published in accordance with this section, the Council shall hold a meeting on the second Monday of the month at the Council Chambers at City Hall and if the second Monday is a public Holiday, the Council shall meet on the day following which is not a public holiday, which meetings shall be known as the regular meeting(s) of Council. The regular meetings of Council shall be held at such an hour as determined by the Mayor, and the time and place of each such regular meeting of Council shall be published by electronic means and one other means of public notification.”*

Section 11 – Special Meeting of Council

- 5.2. Amend subsection 11.1 to read as *“The Mayor may cause the CAO to call a special meeting of Council, in writing, when and as often as the Mayor may deem it proper with at least twenty-four (24) hours’ notice before the time of the meeting being provided to the public and Members.”*
- 5.3. Amend subsection 11.2 to read as *“Upon receipt of a written petition of the majority of the Members, the CAO shall call a special meeting of the Council for the purpose and at the time mentioned in the petition, on at least twenty-four (24) hours of notice.”*
- 5.4. Amend subsection 11.3 to read as *“Once such a petition is received by the CAO, no Member may remove his or her name **from the petition.**”*

- 5.5. Amend subsection 11.4 to read as *“Written notice of any special meeting of the Council setting forth the matters to be considered shall be given to all Members by delivery to the address or official email address of each Member recorded with the CAO, not less than twenty-four (24) hours prior to the time fixed for the meeting and the CAO shall make every reasonable effort to contact the Members to advise of the meeting. The CAO shall also cause notice of the meeting to be published on the City’s web site or other social media avenue, at least twenty-four (24) hours in advance of the time of the special meeting of the Council.”*
- 5.6. Amend subsection 11.5 to read as *“Subject to section 30 of this Bylaw regarding quorum, at a special meeting of the Council, the Council shall only consider or decide upon the matter(s) set forth in the notice calling the special meeting, unless all the Members present at the meeting unanimously consent to deal with other matters.”*
- 5.7. Amend subsection 11.6 to read as *“If other matters are dealt with at the special meeting of council, such other matters shall be recorded in the minutes of the special meeting.”*

Section 12 – Emergency Special Meeting of the Council

- 5.8. Delete section 12 “Emergency Special Meeting of the Council” and renumber the remaining sections of the bylaw accordingly.

Section 13 – Closed Meetings

- 5.9. Amend subsection 13.1 to read as “Council or a Committee of Council may, by resolution passed during its open session of said meeting, hold a meeting that is closed to the public when the subject matter of the meeting is considered to be confidential in accordance with section 119(1) of the Municipal Government Act.”
- 5.10. Delete subsection 13.2 and renumber remaining subsections
- 5.11. Amend subsection 13.4 by replacing “...session of council...” with “...all or a part of a regular or special meeting of Council...”
- 5.12. Amend subsection 13.6 to read as “No Council Member, Committee of Council Member or employee of the City shall, subject to subsection 119(5) of the Municipal Government Act, disclose or act on any information acquired at a closed meeting of Council or a Committee of Council respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or a Committee of Council.”

Section 14 – Electronic Meetings

- 5.13. Delete subsection 14.4 and renumber remaining subsections.

6. Part III – Agenda for Meetings of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

Section 17 – Agenda

- 6.1. Amend subsection 17.1 to replace “... *his/her* designate...” with “...**CAO’s** designate...” and “...at **each regular meeting** of the Council” with “...at **such meeting** of the Council.”
- 6.2. Amend subsection 17.2 to read as “*The headings of the Agenda for a regular or special meeting of Council shall be the same as the order of business set forth in this Bylaw.*”

Section 18 - Agenda Item Respecting Staff

- 6.3. Amend section 18 heading by replacing “Staff” with “Employee of the City” and subsection 18.1 read as “*If a Member has an issue concerning a human resource matter, including an issue with an employee(s), either individually or collectively, the issue shall not be added to the agenda of a regular or special meeting of the Council but shall be forwarded to a closed meeting of Council as permitted under section 119(1) of the Act and this Bylaw; but not until the Member has first discussed the issue with the CAO.*”

Section 19 – Added Item to the Agenda

- 6.4. Amend subsection 19.1 to read as “If a Member wishes to have an item placed on the agenda for a regular Council meeting, the Member shall submit the request in writing to the CAO no later than 12:00 noon on the Wednesday prior to the regular meeting of Council at which the item is to be considered.”

Section 20 – Late Additions to the Agenda

- 6.5 Subsection 20.1 renumber to 19.1 and read as “*If a Member wishes to have an item placed on the agenda for a regular meeting of Council subsequent to the deadline prescribed by section 18.1 of this Bylaw, the Member must submit the request in writing to CAO not later than by noon on the day of the regular meeting of Council.*”
- 6.6 Subsection 20.2 renumber to 19.2 and read as “The request shall include an explanation as to why the item should/or needs to be added to the agenda for the regular meeting of Council.”
- 6.7 Subsection 20.3 renumber to 19.3 and read as “*The Mayor and the CAO shall review all requests received that comply with this section and shall decide whether or not to place the item on the agenda. The CAO shall notify the Member of the decision to place or not place the item on the agenda in advance of the regular meeting of Council.*”

Section 22 – Agenda Review

- 6.8 Amend subsection 22.1 renumber to 21.1 and read as “**The agenda for a regular meeting of Council** shall be reviewed by the Mayor and ~~the~~ **CAO** prior to the meeting; or by the Chair **of a standing Committee of Council** and CAO ~~when~~ **prior to the meeting** of a standing Committee **of Council.**”

- 6.9 Amend subsection 22.2 renumber to 21.2 and read as *“On receipt of a request for a presentation to be made at a meeting of Council, the CAO or the CAO’s designate, shall review the request and determine in consultation with the Mayor or Chair of the meeting, as appropriate, the appropriate disposition of the request.”*

Section 23 – Cancellation of any Meeting of the Council

- 6.10 Amend subsection 23.1 renumber to 22.1 and read as *“A meeting of the Council or a Committee of Council may be cancelled if in the opinion of the Mayor or designated chair of the Council meeting, or the Chair of a Committee of Council, that there are insufficient agenda items for which to meet.”*

7. Part III – Information prior to Meeting of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

- 7.1. Renumber “Part III” to read as “Part IV” as to correct a duplication error and renumber subsequent “Parts” through remainder of the bylaw.
- 7.2. Amend subsection 24.1 renumber to 23.1 and read as *“On the Friday preceding each regular meeting of the Council, each Member shall be delivered electronically or provided with a copy of the following:”*

Section 25 – Information to be provided to the Public

- 7.3. Amend subsection 25.1 renumber to 24.1 and read as *“The CAO shall ensure that the agenda and the other information referred to in section 23 of this Bylaw are made available to the general public, subject to section 25 of this Bylaw, no later than 9:00 am on the day of the regular meeting of Council.”*

Section 26 – Circulation of Late Reports

- 7.4. Amend subsection 26.1 renumber to 25.1 and read as *“If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package, the report shall be delivered electronically or circulated to all Members as soon as is reasonably possible, and in no case shall the report be made available to the public prior to the report having been provided to all Members.”*

8. Part IV – Requirement for a Meeting of Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

Renumber “PART IV” to read as “PART V – REQUIREMENT FOR A MEETING OF COUNCIL”

Section 27 – Location of Meeting of Council

- 8.1. Delete section 27 and subsection 27.1

Section 28 – Duties of the Presiding Officer

- 8.2. Amend subsection 28 renumber to 26 and add title **The Presiding Officer shall have the following duties:** and change numbering from 28.1 through 28.12 to lettering (a) through (l)

Section 29 – Call to Order the Meeting of Council

- 8.3. Amend subsection 29.4 renumber to 27.4 and read as *“The CAO shall cause the minutes of a meeting of Council to record the names of the Members present, the names of Members who arrive after the meeting has been called to order and the time of their arrival and the names of the Members who depart prior to or during the meeting and the time of their departure or absence from the meeting.”*
- 8.4. Amend subsection 29.5 renumber to 27.5 and read as *“If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the CAO shall call the roll and ensure that the names of Members present are recorded and the meeting shall then stand adjourned.”*

Section 31 – Seating of Members

- 8.5. Subsection 31.1 renumbered to 29.1 reads as *“Seating of Members **in the Council chamber...**”*

Section 32 – Quorum for Meeting

- 8.6. Amend subsection 32.1 renumber to 30.1 and read as *“Subject to section 113 of the Act, a quorum is a majority of all the Members of Council or a Committee of Council.”*
- 8.7. Amend subsection 32.2 renumber to 30.2 and read as *“Where there is a vacancy in the Council’s numbers, a quorum is determined in accordance with section 113 of the Act.”*

Section 33 – Person within Bar of the Council

- 8.8. Subsection 33.1 renumber to 31.1 and include *“...bar of the Council during **a regular or special meeting of Council** without the express permission...”*

Section 34 – Placing Items on Desks

- 8.9. Replace Records Management Clerk with ***other person as directed by the CAO*** and Capitalize *presiding officer* in section 34.1 (renumber to 32.1)

Section 35 – End of Meeting

- 8.10. Amend subsection 35.1 renumber to 33.1 and read as *“A meeting of the Council shall automatically end at ten (10) o'clock p.m. unless otherwise determined by a vote of two-thirds (2/3) of the Members present at the meeting.”*

Section 36 – Extending Time of Meeting of the Council

- 8.11. Delete section 36 and renumber remaining sections/subsections.

9. Part V – Procedures during a Meeting of the Council - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

Renumber “PART V” TO “PART VI – PROCEDURES DURING A MEETING OF COUNCIL”

Section 37 – Order of Business

9.1. Add heading **37.1 The order of business of a regular Meeting of Council shall be:**

Section 38 – Order of Business at Special Meeting of Council shall be:

9.2. Amend subsection 38.1 (renumber to 35.1) as follows:

- (a) Call to order_i;
- (b) Declarations of Conflict of Interest;
- ~~(b)(c)~~ Approval of the Agenda_i;
- ~~(c) Declarations of Conflict of Interest~~
- (d) Consideration of the particular business for which the special meeting was called for_i;
- (e) Adjournment_i.

Section 39 – Voting

9.2. Amend subsection 39.1(d) (renumber to 36.1(d) by adding “...prohibited from voting in accordance with the Act and this Bylaw.”

9.3. Amend subsection 39.1 (e) (renumber to 36.1(e) capitalize *presiding officer*

Section 40 – Conduct during Public Council Meetings

9.4. Amend subsection 40.1 (a) and renumber to 37.1(a) and add “...unless permitted to do so by the Presiding Officer;”

Section 41 – Points of Order, Procedure or Privilege

9.5. Amend subsection 41.1 renumber to 38.1 and replace *Mayor* with *Presiding Officer*.

9.6. Amend subsection 41.3 renumber to 38.3 and replace *Mayor* and *he or she* with *Presiding Officer*.

Section 42 – Appeal of Decision of the Mayor

9.7. Amend all subsections by replacing *Mayor* with *Presiding Officer*.

9.8. Amend subsection 42.2 renumber to 39.2 and read as “... if any, from the **Presiding Officer**, the question shall be put to a **vote** immediately...”

9.9. Amend subsection 42.3 renumber to 39.3 and read as “...**Members of Council present, and eligible to vote.**”

Section 43 – Motions and Debate

9.10. Amend subsection 43.6 renumber to 40.6 and read as “**All** motions will be considered...”

Section 44 – Minutes

- 9.11. Amend subsection 44.1(d) renumber to 41.1(d) and read as “All motions moved, or moved and seconded, by a Member or **Members**.”
- 9.12. Amend subsection 44.2 renumber to 41.2 and read as “...the **Member making the objection** shall state...” and in section 44.4 capitalize members.
- 9.13. Amend subsection 44.5 renumber to 41.5 and read as “...the Minutes shall be signed by the Mayor **or Chair (as appropriate)**, and **the** CAO...”
- 9.14. Amend subsection 44.6(a) to read as “The place **and** date of the meeting;”

Section 45 – Committees of Council

- 9.15. Amend subsection 45.2 (a) renumber to 42.2(a), change the number of Councillors that sit as members on the Council Advisory Committee from two (2) to three (3)
- 9.16. Amend subsection 45.2 (b) renumber to 42.2(b), change all references from two (2) to three (3), delete the words “by secret ballot” and the following read as “...**Members from all of those Members** nominated.” and amend 45.3(c) to read as “The Council Advisory Committee shall **each** establish...”
- 9.17. Amend subsection 45.3 renumber to 42.3, change *Council committee* to *Council Advisory Committee*.

10. Part VI – Types of Committees - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

- 10.1. Delete Part VI – Types of Committees – Sections 46 - Standing Committees of the Council, 46.1 and Section 47 - Duties, Responsibilities and Committee Membership of the Standing Committee, 47.1.
- 10.2. Subsections 47.2 and 47.3 to become part of Committees of Council (now 42.6 & 42.7)

11. Part VII – Bylaws – of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

Section 48 – Bylaw Procedures

- 11.1. Renumber subsection 48 to 43
- 11.2. Amend subsection 48.5 renumber to 43.5 and read as “...and sealed **with the corporate seal** of the City of Charlottetown.”
- 11.3. Add new subsection 43.7 “Where Council proposes to amend a bylaw, the same procedure shall be followed as found in sections 43.2 to 43.5.

12. Schedules - of the City of Charlottetown Procedural Bylaw is hereby amended by the following:

- 12.1. Delete all Schedules 1 through 11. (Schedules initially referenced each Standing Committee of Council and its structure, staff assignment and terms of reference.)

13. The City of Charlottetown Procedural Bylaw is hereby amended by the following:

- 13.1. For consistency purposes throughout the bylaw, replace any reference to Council Committee(s) with committee(s) of Council.

Approval and Adoption

14. Effective Date

- 14.1. This Procedural Bylaw Amendment Bylaw, #2018-20-A, shall be effective on the date of approval and adoption below.

First Reading:

This Procedural Bylaw Amendment Bylaw, #2018-19-A, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2019.

Second Reading:

This Procedural Bylaw Amendment Bylaw, #2018-19-A, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2019.

Approval and Adoption by Council:

This Procedural Bylaw Amendment Bylaw, #2018-19-A, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2019.

Witness the corporate seal of the City of Charlottetown

Mayor

Chief Administrative Officer

This Procedural Bylaw Amendment Bylaw, #2018-19-A adopted by the Council of the City of Charlottetown on _____ day of _____, 2019 is certified to be a true copy.

Chief Administrative Officer

Date

CITY OF CHARLOTTETOWN

PROCEDURAL BYLAW

BYLAW #2018 – 19

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

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This Bylaw shall be known as, and may be cited as, the “Procedural Bylaw”.

2. Authority

2.1. Subsection 86(2)(e) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must establish a procedural bylaw to regulate its proceedings in accordance with the *Municipal Government Act*.

3. Purposes

3.1. The Purposes of this Bylaw are to:

- (a) recognize the functions of the City, including providing good government;
- (b) complement and supplement, and not to replace, the requirements contained in applicable municipal legislation;
- (c) provide notice to the Members and the citizens respecting matters that will be considered by the Council; and
- (d) provide an open, respectful and orderly forum for public input, debate and decisions.

3.2. In accordance with the purposes of section 3.1, the Council hereby adopts the rules of procedure hereinafter set forth to govern meetings of the Council and Committees of Council.

4. Application

4.1. This Bylaw applies to all Members of Council, the CAO, Members of Committees of Council, City of Charlottetown employees, those who appear before Council and members of the public.

4.2. When any matter(s) relating to proceedings arise which are not covered by a provision of this Bylaw or the Act, the matter shall be decided by reference to *Robert’s Rules of Order, 11th Edition*, unless Council determines that another edition of the *Robert’s Rules of Order* shall be used.

4.3. In the event of any conflict between the provisions of the Act and this Bylaw, the Act will prevail.

5. Definitions

- 5.1. "Act" means the *Municipal Government Act*, RSPEI 1988, M-12.1.
- 5.2. "Chief Administrative Officer" or "CAO" means the administrative head of the City as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*.
- 5.3. "City" means the City of Charlottetown;
- 5.4. "Committee of Council" means any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters to Council.
- 5.5. "Council" means the Mayor and other members of the Council of the City.
- 5.6. "Councillor" means a member of Council other than the Mayor.
- 5.7. "DCAO" means the Deputy Chief Administrative Officer of the City of Charlottetown;
- 5.8. "Employee" means, a person who performs work for the City for pay, and includes:
 - (i) a person on leave from employment with the City,
 - (ii) a person being trained by the City to perform work for the City,
 - (iii) a person retained under an employment contract to perform work for the City, and
 - (iv) any other person or class of person designated as an employee by the City.
- 5.9. "Member" means a Member of the Council and includes the Mayor;
- 5.10. "Petition" includes a written or an electronic petition;
- 5.11. "Presiding Officer" means:
 - (i) the Mayor when present at a meeting of the Council;
 - (ii) the Deputy Mayor when presiding at a meeting of the Council in the absence of the Mayor;
 - (iii) the Chair of a Committee of Council; or
 - (iv) such other Member as may be presiding at a meeting of the Council in the absence of the Mayor and Deputy Mayor.

6. Rules Adopted and Suspended

- 6.1. The proceedings of the Council and Committees of Council shall be governed by this Procedural Bylaw unless a provincial enactment provides otherwise.

7. Amendment to Rules

- 7.1. This Procedural Bylaw shall not be amended or repealed except under notice given in writing to the members of Council and openly announced at a regular meeting of Council preceding the meeting at which the first reading of the amendment takes place.

8. Interference with the Work of the City

- 8.1. No Member shall have power to direct or interfere with the performance of any work of the City and no Member shall instruct or give direction to an employee of the City.

PART II – TYPES OF MEETINGS OF THE COUNCIL

9. First Meeting of the Council after Election

- 9.1. A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office.
- 9.2. The first meeting of the newly elected Council shall be held on the second Monday of December following the City's municipal election.

10. Regular Meeting of Council

- 10.1. Unless otherwise determined by the Mayor and published in accordance with this section, the Council shall hold a meeting on the second Monday of the month at the Council Chambers at City Hall and if the second Monday is a public Holiday, the Council shall meet on the day following which is not a public holiday, which meetings shall be known as the regular meeting(s) of Council. The regular meetings of Council shall be held at such an hour as determined by the Mayor, and the time and place of each such regular meeting of Council shall be published by electronic means and one other means of public notification.

11. Special Meeting of the Council

- 11.1. The Mayor may cause the CAO to call a special meeting of Council, in writing, when and as often as the Mayor may deem it proper with at least twenty-four (24) hours' notice before the time of the meeting being provided to the public and Members.
- 11.2. Upon receipt of a written petition of the majority of the Members, the CAO shall call a special meeting of the Council for the purpose and at the time mentioned in the petition, on at least twenty-four (24) hours of notice.
- 11.3. Once such a petition is received by the CAO, no Member may remove his or her name from the petition.
- 11.4. Written notice of any special meeting of the Council setting forth the matters to be considered shall be given to all Members by delivery to the address or official email address of each Member recorded with the CAO, not less than twenty-four (24) hours prior to the time fixed for the meeting and the CAO shall make every reasonable effort to contact the Members to advise of the meeting. The CAO shall also cause notice of the meeting to be published on the City's web site or other social media avenue, at least twenty-four (24) hours in advance of the time of the special meeting of the Council.

- 11.5. Subject to section 30 of this Bylaw regarding quorum, at a special meeting of the Council, the Council shall only consider or decide upon the matter(s) set forth in the notice calling the special meeting, unless all the Members present at the meeting unanimously consent to deal with other matters.
- 11.6. If other matters are dealt with at the special meeting of council, such other matters shall be recorded in the minutes of the special meeting.

12. Closed Meetings

- 12.1. Council or a Committee of Council may, by resolution passed at or before a regular or special meeting of the Council or Committee of Council, hold all or part of a regular or special meeting that is closed to the public, when the matter to be discussed at the meeting is in relation to any of the confidential matters contained in section 119(1) of the *Municipal Government Act*.
- 12.2. No resolution or bylaw can be passed during a closed meeting other than by resolution as set out in section 119(2) of the *Municipal Government Act*.
- 12.3. A resolution to close all or a part of a regular or special meeting of Council must state the reason(s) for closing the meeting, in accordance with section 119(3) of the *Municipal Government Act*.
- 12.4. The Council or Committee of Council shall make any matter considered at a closed meeting public when the confidentiality is no longer required, in accordance with subsection 119(4) of the *Municipal Government Act*.
- 12.5. No Council Member, Committee of Council Member or employee of the City shall, subject to subsection 119(5) of the *Municipal Government Act*, disclose or act on any information acquired at a closed meeting of Council or a Committee of Council respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or a Committee of Council.

13 Electronic Meetings

- 13.1. Pursuant to section 122 of the *Municipal Government Act*, Council may authorise meetings to be conducted by electronic means, in accordance with the provisions of this Bylaw.
- 13.2. Subject to section 13.3 of this Bylaw, a Committee of Council may hold a meeting by electronic means upon passage of a resolution by the Committee to that effect.
- 13.3. A meeting shall only be conducted by electronic means if the electronic means by which the meeting is conducted enables, at a minimum:
 - a) the Council or the Members of a Committee of Council participating in the meeting to hear and speak to each other; and
 - b) where the meeting is open to the public, the public is able to see and hear the meeting's participants at a place specified in the notice of the meeting.

- 13.4 The CAO shall ensure that at least twenty-four (24) hours' notice of an electronic meeting is given to all Council Members or Committee of Council Members and to the public of a meeting, advising:
- a) that the meeting will be conducted by electronic means; and
 - b) where the meeting is open to the public; the location of the facilities where the public can see and hear the meeting.
- 13.5 The CAO shall ensure that a City employee is present at the location specified in the notice of the electronic meeting to facilitate the viewing of the meeting and to ensure that the public can see and hear the participants in the meeting.

14 Electronic Participation in Meetings

- 14.1 Pursuant to subsection 122(4) of the *Municipal Government Act*, a Council Member or Committee of Council Member who is unable to attend a meeting of Council or Committee of Council in person may participate in the meeting by electronic means.
- 14.2 A Member may only participate by electronic means if the Council or Committee of Council Members are able to hear and speak to each other.
- 14.3 Where a Council Member or Committee of Council Member is participating in a meeting conducted by electronic means or is participating by electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Committee of Council, the Member shall take part in the debate and vote on that matter only if the Member has before them a copy of the report or recommendation to be considered, in accordance with subsection 122(6) of the *Municipal Government Act*.
- 14.4 Pursuant to subsection 122(4) of the *Municipal Government Act*, Council Members participating by electronic means are considered to be present at the meeting.

15 Electronic Participation in Closed Meetings

- 15.1 The chair of a Council or a Committee of Council meeting shall require every Member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

PART III – AGENDA FOR MEETINGS OF THE COUNCIL

16 Agenda

- 16.1 The agenda for each regular and special meeting of Council shall be prepared by the CAO and/or the CAO's designate, together with copies of all reports or communications to be dealt with at such meeting of the Council.
- 16.2 The headings of the Agenda for a regular or special meeting of Council shall be the same as the order of business set forth in s. 36 of this Bylaw.

17 Agenda Item Respecting Employee of the City

17.1 If a Member has an issue concerning a human resource matter, including an issue with an employee(s), either individually or collectively, the issue shall not be added to the agenda of a regular or special meeting of the Council but shall be forwarded to a closed meeting of Council as permitted under section 119(1) of the Act and this Bylaw; but not until the Member has first discussed the issue with the CAO.

18 Added Item to Agenda

18.1 If a Member wishes to have an item placed on the agenda for a regular Council meeting, the Member shall submit the request in writing to the CAO no later than 12:00 noon on the Wednesday prior to the regular meeting of Council at which the item is to be considered.

19 Late Additions to Agenda

19.1 If a Member wishes to have an item placed on the agenda for a regular meeting of Council subsequent to the deadline prescribed by section 18.1 of this Bylaw, the Member must submit the request in writing to CAO not later than by noon on the day of the regular meeting of Council.

19.2 The request shall include an explanation as to why the item should/or needs to be added to the agenda for the regular meeting of Council.

19.3 The Mayor and the CAO shall review all requests received that comply with this section and shall decide whether or not to place the item on the agenda. The CAO shall notify the Member of the decision to place or not place the item on the agenda in advance of the regular meeting of Council.

20 Items Added by Council

20.1 Notwithstanding section 19 of this Bylaw, the Council shall not vote on a motion arising out of an item added to the agenda by a Member until a staff report and recommendation is received from the appropriate standing committee.

21 Agenda Review

21.1 The agenda for a regular meeting of Council shall be reviewed by the Mayor and CAO prior to the meeting; or by the Chair of a standing Committee of Council and CAO prior to the meeting of a standing Committee of Council.

21.2 On receipt of a request for a presentation to be made at a meeting of Council, the CAO or the CAO's designate, shall review the request and determine in consultation with the Mayor or Chair of the meeting, as appropriate, the appropriate disposition of the request.

22 Cancellation of any Meeting of the Council

22.1 A meeting of the Council or a Committee of Council may be cancelled if in the opinion of the Mayor or designated chair of the Council meeting, or the Chair of a Committee of Council, that there are insufficient agenda items for which to meet.

PART IV – INFORMATION PRIOR TO MEETING OF THE COUNCIL

23 Agenda Package

- 23.1 On the Friday preceding each regular meeting of the Council, each Member shall be delivered electronically or provided with a copy of the following:
- a) the agenda;
 - b) a copy of each report which is to be considered;
 - c) a copy of each motion to be considered if the motion or the purpose thereof is not indicated on the agenda.

24 Information to be provided to the Public

- 24.1 The CAO shall ensure that the agenda and the other information referred to in section 23 of this Bylaw are made available to the general public, subject to section 25 of this Bylaw, no later than 9:00 am on the day of the regular meeting of Council.

25 Circulation of late Reports

- 25.1 If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package, the report shall be delivered electronically or circulated to all Members as soon as is reasonably possible, and in no case shall the report be made available to the public prior to the report having been provided to all Members.

PART V – REQUIREMENT FOR A MEETING OF THE COUNCIL

26 Duties of Presiding Officer

- 26.1 The Presiding Officer of a meeting of Council shall be the Mayor or such other Member who is acting in the stead of the Mayor at a regular or special meeting of Council or the chair or Member acting in the stead of the chair of a Committee of Council and the Presiding Officer shall have the following duties:
- a) open the meeting of the Council or the Committee of Council by taking the chair and calling the Members to order;
 - b) receive and submit, in the proper manner, motions properly presented by a Member;
 - c) put to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and announce the result of the vote;
 - d) decline to put to a vote a motion which infringes upon the rules of procedure as set forth in the Act or this Bylaw;
 - e) restrain a Member(s), when engaged in debate, within the rules of order as set forth in the Act or this Bylaw;
 - f) enforce, on all occasions, the observance of order and decorum;
 - g) call by name any Member persisting in a breach of the rules of order of the Council thereby as set forth in the Act or this Bylaw, ordering him or her to

vacate the Council Chamber or meeting room for Committee meetings; if warranted;

- h) permit questions to be asked through the Presiding Officer of any official of the City to provide information to assist any debate when he or she deems it proper to do so;
- i) provide information to Members on any matter touching on the business of the City;
- j) inform the Council when necessary, or when referred to, on a point of order;
- k) adjourn the meeting when the business is concluded;
- l) at the time of calling the meeting to order, the Presiding Officer may call for a moment of reflection.

27 Call to Order the Meeting of Council

- 27.1 As soon after the hour of a meeting as there is a quorum present at a regular or special meeting of Council, the Presiding Officer, shall take the chair and the Members shall be called to order.
- 27.2 If the Mayor is not present within fifteen (15) minutes of the hour of a meeting, the Deputy Mayor shall take the chair and the Members shall be called to order.
- 27.3 If neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour appointed for a meeting, the Council may appoint a person to preside from among the Members present.
- 27.4 The CAO shall cause the minutes of a meeting of Council to record the names of the Members present, the names of Members who arrive after the meeting has been called to order and the time of their arrival and the names of the Members who depart prior to or during the meeting and the time of their departure or absence from the meeting.
- 27.5 If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the CAO shall call the roll and ensure that the names of Members present are recorded and the meeting shall then stand adjourned.

28 Presiding Officer has Power of the Mayor

- 28.1 For greater certainty, while presiding, the Presiding Officer shall have all the powers of the Mayor under this Procedural Bylaw.

29 Seating of Members

- 29.1 Seating of Members in the Council chamber shall be in numerical order of their wards, unless otherwise determined by the Mayor.

30 Quorum for Meeting

- 30.1 Subject to section 113 of the Act, a quorum is a majority of all the Members of Council or a Committee of Council.

30.2 Where there is a vacancy in the Council's numbers, a quorum is determined in accordance with section 113 of the Act.

31 Person within Bar of the Council

31.1 No person, except a Member or an approved employee of the City, shall be allowed to come beyond the bar of the Council during a regular or special meeting of Council without the express permission of the Presiding Officer.

32 Placing items on Desks

32.1 No person, other than a Member, the CAO, or other person as directed by the CAO shall, before or during a meeting of the Council, place on the desks of Members or otherwise distribute to Members any material whatsoever unless such person is so acting with the permission of the Presiding Officer or the CAO.

33 End of Meeting

33.1 A meeting of the Council shall automatically end at ten (10) o'clock p.m. unless otherwise determined by a vote of two-thirds (2/3) of the Members present at the meeting.

PART VI – PROCEDURES DURING A MEETING OF THE COUNCIL

34 Order of Business

34.1 The order of business of a regular Meeting of Council shall be:

- a) Call to order;
- b) Declarations of conflict of interest;
- c) Approval of agenda;
- d) Adoption of minutes;
- e) Business arising from the minutes;
- f) Reports from standing and ad hoc Committees of Council;
- g) Introduction of new business;
- h) Adjournment

35 Order of Business at Special Meeting of Council shall be:

35.1 The order of business of a special Meeting of Council shall be:

- a) Call to order;
- b) Declarations of conflict of interest;
- c) Approval of the agenda;
- d) Consideration of the particular business for which the special meeting of Council was called;
- e) Adjournment.

35.2 If there are a number of items for consideration at a special meeting, the order of business for a regular meeting of Council shall be followed so far as is possible.

36 Voting

36.1 Voting at meetings of Council shall be undertaken in accordance with section 115 of the Act, as follows:

- a) each Member present, except the Mayor, will vote on every matter unless a Member is excused specifically from voting, by resolution, or the Member is prohibited from voting because the Member has a conflict of interest;
- b) no vote of Council will be taken by ballot or any other method of secret voting and any vote taken by any form of secret voting is of no force or effect.
- c) all votes of Council, both for and against, will be recorded.
- d) the failure or refusal of a Member to vote on a matter that is properly before the Council will be considered a vote in favour except when the Member is excused or prohibited from voting in accordance the Act and this Bylaw.
- e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or Presiding Officer will vote for the purposes of breaking the tie.

37 Conduct during Public Council Meetings

37.1 All persons in the public galley at a Council meeting will:

- a) refrain from addressing Council or a member of Council unless permitted to do so by the Presiding Officer;
- b) maintain quiet and order;
- c) refrain from disturbing the proceedings by words, gestures or actions, including applauding, displaying flags, placards or similar material;
- d) refrain from talking on electronic mobile devices; and,
- e) ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

38 Points of Order, Procedure or Privilege

38.1 A Member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease and the "point" shall be clearly stated by the Member and, if applicable, ruled upon by the Presiding Officer.

38.2 A Member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.

38.3 Where the Presiding Officer is called upon to decide a point of order or practice in accordance with section 111 of the Act, the Presiding Officer shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

39 Appeal of Decision of the Mayor

- 39.1 Whenever a Member wishes to appeal any ruling of the Presiding Officer or a point of order or point of privilege to the whole of Council pursuant to section 112 of the Act:
- a) the motion of appeal shall be made immediately after the ruling is made by the Presiding Officer or otherwise the ruling will be final;
 - b) the Member may offer a brief reason for the challenge; and
 - c) the Presiding Officer may state the reason for the decision made.
- 39.2 Following the motion of appeal and the response, if any, from the Presiding Officer, the question shall be put to a vote immediately without debate.
- 39.3 The Presiding Officer will be governed by the vote of the majority of the Members of Council present, and eligible to vote.
- 39.4 Neither the Presiding Officer nor the appellant will participate in the vote on an appeal.

40 Motions and Debate

- 40.1 A motion will express fully and clearly the intent of the mover.
- 40.2 A motion will not be considered unless it has been seconded.
- 40.3 Any Member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- 40.4 When a motion is under debate no other motion may be made, except a motion to:
- a) amend a motion;
 - b) refer a motion to a Committee of Council or administration for a report back to Council;
 - c) postpone a motion to a fixed date;
 - d) request that a motion be put to a vote;
 - e) extend the time for a Council meeting; or
 - f) adjourn the meeting.
- 40.5 Notwithstanding any other provisions of this Bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.
- 40.6 All motions will be considered in the order in which they were moved.

41 Minutes

- 41.1 The CAO shall ensure that the minutes of meetings record all resolutions, decisions, and proceedings of the Council and shall at a minimum include:
- a) The place, date and time of meeting;
 - b) The name of the Presiding Officer and the record of attendance of the Members, and employees present;
 - c) The subject matter of the issued discussed; and
 - d) All motions moved, or moved and seconded, by a Member or Members.
- 41.2 If there are any objections to such minutes of the Council presented at any regular meeting of the Council, the Member making the objection shall state the grounds of the objection, without comment, and if the Council agrees, the minutes shall be altered accordingly.
- 41.3 If all the Members present at such a meeting do not agree to the proposed alteration, a motion must then be duly made and seconded, to amend the minutes, to meet such objection, which shall then be debatable.
- 41.4 Where the Minutes have been previously circulated to the Members, reading of such minutes is not required unless a motion requiring such is adopted.
- 41.5 After the Minutes have been adopted, the Minutes shall be signed by the Mayor or Chair (as appropriate), and the CAO and posted to the City's website.
- 41.6 Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to:
- a) The place and date of the meeting;
 - b) The names of the Council or Committee Members and employees present; and
 - c) The type of matter under section 119(1) of the Act that was discussed at the meeting.
- 41.7 Copies of the minutes will be open to inspection by any person during regular office hours and copies of the minutes will be provided to any person, in accordance with subsection 116(3) of the Act, on the payment of a reasonable fee establish by Council under a fees bylaw and attached as a schedule to that bylaw.

42 Committees of Council

- 42.1 Council shall, by resolution, establish a Council Advisory Committee which will recommend the terms of reference and Council appointments to any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters of Council.
- 42.2 (a) The Council Advisory Committee shall consist of the Mayor, three (3) members of Council (nominated and appointed by motion of Council) and the CAO in an advisory (non- voting) capacity.

- (b) Should Council receive from its members more than three (3) nominees to serve on the Council Advisory Committee, then the Council shall vote to determine the three (3) members from all of those Members nominated. The three (3) nominees with the highest vote count shall serve as Council's three (3) representatives on the Council Advisory Committee.
 - (c) The Council Advisory Committee shall each establish all committee mandates, terms, objectives, tasks, duties and responsibilities on any matter of which Council has requested.
- 42.3 The Council Advisory Committee shall establish the eligibility criteria for membership and determine the events or circumstances that would result in a termination of a committee Member.
- 42.4 A Council ad hoc committee shall dissolve upon completion of their specific mandate.
- 42.5 The CAO shall designate certain employees of the City as may be required to be non-voting advisors to one or more committees, with the right to attend their designated committee.
- 42.6 Where a special meeting of a Standing Committee is called, the designated Administrative support will follow the procedures for the calling of a special meeting and ensure that notice of the special meeting is given.
- 42.7 Notice to the public of a regularly scheduled meeting or a special meeting of a standing committee must be published by electronic means and posted in the form of a sign or poster in a place that is accessible to the general public.

PART VII – BYLAWS

43. Bylaw Procedures

- 43.1 Council may make, amend or repeal a bylaw in accordance with the procedures established in the Act and, as applicable, this Bylaw.
- 43.2 A bylaw is only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 43.3 A bylaw may be approved and adopted by Council by resolution after being read a second time.
- 43.4 Pursuant to section 125 of the Act, if copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.
- 43.5 A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the City of Charlottetown.

- 43.6 Council may, in accordance with subsection 125(3) of the Act, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the meeting even if copies of the bylaw with the proposed amendment are made available to the public.
- 43.7 Where Council proposes to amend a bylaw, the same procedure shall be followed as found in sections 43.2 to 43.5.
- 43.8 Pursuant to section 127 of the Act, the first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 43.9 A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 43.10 A regulation to a bylaw is made if:
- 43.10.1 It is formally adopted by resolution of the Council; and
 - 43.10.2 It is signed by the Mayor and CAO, and formally declared to be passed, and sealed with the corporate seal of the City.
- 43.11 The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being "a true copy of the original seen by me" on the document, and shall be signed, dated, and printed with the CAO's name under their signature, as well as their occupation, address and telephone number.
- 43.12 Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person with a copy of any bylaw for the fee set out and attached as a schedule to the Fees Bylaw.
- 43.13 Planning bylaws undertaken under the authority of the Planning Act shall be made in accordance with section 19 of that Act.

PART VIII - REPEAL OF BYLAW

44. Repeal of Existing Bylaw

- 44.1 On adoption, this Bylaw replaces the "City Council Procedures and Rules of Order Bylaw" which was adopted the 17th day of October, 1995.

45 Effective Date

45.1 This Procedural Bylaw, Bylaw# 2018-19, shall be effective on the date of approval and adoption by Council.

First Reading:

This Procedural Bylaw, #2018-19, was read a first time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Second Reading:

This Procedural Bylaw, #2018-19, was read a second time and approved by a majority of members present at the Council meeting held on the _____ day of _____, 2018

Approval and Adoption by Council:

This Procedural Bylaw, #2018-19, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018.

Witness the corporate seal of the City.

Mayor

Chief Administrative Officer

This Procedural Bylaw, Bylaw# 2018-19 adopted by the Council of the City of Charlottetown on the _____ day of _____ is certified to be a true copy.

Chief Administrative Officer

Date