CHARLOTTETOWN

PLANNING & HERITAGE COMMITTEE AGENDA
NOTICE OF MEETING

Tuesday, May 5, 2026 @ 3:30 PM
Parkdale Room, 2nd Floor, City Hall, 199 Queen Street
Live streaming: www.charlottetown.ca/video

1. **Call to Order**
2. **Declaration of Conflicts**
3. **Approval of Agenda –** Approval of Agenda for Tuesday, May 5, 2026
4. **Adoption of Minutes** - Minutes of Planning & Heritage Committee Meeting from Tuesday, April 7, 2026
5. **Business arising from Minutes**
6. **Reports or Discussions:**
    a) Pedestrian Mall Agreement – Permanent Extension of Closing Time
7. **Introduction of New Business**
8. **Adjournment**

PLANNING & HERITAGE: COMMITTEE MINUTES **OPEN SESSION**
TUESDAY, APRIL 7, 2026, 3:30 PM
PARKDALE ROOM 2ND FLOOR, CITY HALL, 199 QUEEN STREET
Live streaming at www.charlottetown.ca/video

Present:	**Deputy Mayor Alanna Jankov, Chair**	**Councillor Norman Beck**
	Mayor Philip Brown	**Councillor Julie McCabe**
Also:	**Brad MacConnell, CAO**	**Jessica Bradley, Senior Comms Officer**
	Michael Ruus, Director, Int. Growth	**Jason Doucette, IO/AA***
	David Gundrum, Mgr, Dev Planning	**Minute taker*
	Shane Jones, Mgr, Bld Inspections	
Regrets:	**Donna Miller-Ayton**	

1. **Call to Order**
   Chair Jankov called the meeting to order at 3:35 PM

2. **Declaration of Conflicts**
   Chair Jankov asked if there were any conflicts; there were none.

3. **Approval of Agenda**
   Moved by Councillor McCabe and seconded by Councillor Beck that the agenda for Tuesday, April 7, be approved.

4. **Adoption of Minutes**
   Moved by Councillor McCabe and seconded by Councillor Beck that the minutes of the last meeting held on March 3, 2026, as circulated, be approved.

   CARRIED
   (3-0)

5. **Business arising from Minutes**
   There was no business arising from the minutes.

6. **Moved by Councillor McCabe and seconded by Councillor Beck to move into closed session as per the Municipal Government Act Section 119 (1) (e)**

(e) a matter still under consideration, on which the council has not yet publicly announced a decision, and about which discussion in public would likely prejudice a municipality's ability to carry out its negotiations

7. **Business Arising From Closed Session**

Following the closed session discussion on the HAF Contract Update, Chair Jankov stated there would be follow-up in a closed session at the next Regular Meeting of Council on Tuesday, April 14, 2026

8. <u>Introduction of New Business</u>

There was no new business

9. Adjournment of Public Session

Moved by Councillor Beck and seconded by Councillor McCabe that the meeting be adjourned. The meeting was adjourned at 4:29 PM

CARRIED
(3-0)

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Deputy Mayor Alanna Jankov, Chair

	City of Charlottetown Committee Report	**Report No: PH-2026-05-05** **Date:** May 5, 2026
Directed to Council through the following Committee: Planning and Heritage Committee		**Attachments:** . Pedestrian Mall Bylaw
Reporting Department: Planning and Heritage Department		
Other Associated Departments: None		
Prepared by: Brad Vince, Planner II & Heritage Officer		

Report Title:
Amendment to the Pedestrian Mall Bylaw Agreement Operating Hours

Report Purpose:
To request that the Planning and Heritage Committee consider extending the closing time of the Victoria Row Pedestrian Mall operations to 1:00 AM on a permanent basis.

Staff Recommendation:
That the Planning and Heritage Committee recommends that Council approve the permanent extension of the Pedestrian Mall closing time to 1:00 a.m.

Report Details:

Background

The Victoria Row Merchants Association requested a change to the operating hours in the Pedestrian Mall Agreement with the City of Charlottetown. They asked to extend patio hours during the season by one hour, from 8:00 a.m.–12:00 a.m. to 8:00 a.m.–1:00 a.m.

The request was made to help businesses manage the impacts of nearby construction and closures on Victoria Row related to work at the Confederation Centre of the Arts. Merchants indicated that the additional hour could help offset some of their losses.

In 2025, the Planning and Heritage Committee reviewed the request and recommended that Council approve the extended hours on a one-season pilot basis. The plan was to review the results at the end of the 2025 summer season or early in 2026, and consider next steps, including possible public engagement.

Analysis and Conclusion

Following Council's temporary approval, the City of Charlottetown undertook public and stakeholder engagement as part of the ongoing Patio Bylaw review process. We did receive feedback that patios should not host live music, as it could create significant noise concerns for nearby residents. However, no objections were received regarding the proposed 1:00 a.m. closing time, that is aligned to the temporary approval. feedback from operators or nearby residents related to closing times.

The Planning and Heritage Department also reassessed the operating hours under the Pedestrian Mall Agreement. Since that time, the Planning and Heritage Department has not received any additional concerns or feedback from operators or nearby residents related to closing times.

Based on the absence of opposition during the outlined consultation process and the observed positive impact on businesses operating on Victoria Row, the Department considers it reasonable and appropriate to update the Pedestrian Mall Agreement to reflect permanent operating hours of 8:00 a.m. to 1:00 a.m., thereby formalizing the extended closing time during the patio season.

Conclusion

The Planning and Heritage Department recommends that the Planning and Heritage Committee Recommend that Council approve the Victoria Row Pedestrian Mall operating hours to be 8:00 AM – 1:00AM on a permanent basis during patio season and adjust the Pedestrian Mall Bylaw Agreement to reflect this change.

Council or Committee History:
Planning and Heritage Committee Meeting - PH-2025-06-12 - Amendment to the Pedestrian Mall Bylaw Agreement Operating Hours

Financial Implications:
None.

Public Engagement and Communication:
Patio Bylaw – Stakeholder and Public Engagement

Legislative Authority:
Municipal Government Act
Pedestrian Mall Bylaw

Strategic Alignment:
Pillars of the Strategic Plan

Reviewed By:

Manager **Original document signed by Donna Miller-Ayton**	**Director** **Original document signed by Mike Ruus**

Committee Recommendation: (if differing from staff)

City of Charlottetown
Pedestrian Mall Bylaw
Bylaw #2025-PM-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 "City of Charlottetown Pedestrian Mall Bylaw."

2. Authority

2.1. Pursuant to section 180 (c) of the Municipal Government Act, RSPEI 1988, Cap M-12.1, A council may pass bylaws and provide services for municipal purposes respecting businesses, business activities and persons engaged in business, including but not limited to the regulation and prohibition of business and business activities.

3. Definitions

3.1. "City" means the City of Charlottetown;

3.2. "Council" means the mayor and other members of the council of a municipality;

3.3. "Emergency Vehicle" includes an ambulance responding to an emergency call, a vehicle carrying rescue or first aid equipment responding to an emergency call, a vehicle carrying fire-fighting equipment responding to an alarm of fire, or a vehicle driven by a peace officer other City employee in discharge of this duty or in the course of his employment and which is required to enter onto the pedestrian mall to correct a condition, render a service or to carry out an operation which is not otherwise permitted on the pedestrian mall;

3.4. "License Holder" means the person granted a license pursuant to this Bylaw;

3.5. "License Inspector" means the person or persons appointed by the City to administer and enforce this Bylaw;

3.6. "Pedestrian Mall" means that street or part thereof designated by resolution of Council under Section 4.1 of this Bylaw;

3.7. "Person" means a natural person or a body corporate and includes a partnership and a group of persons acting in concert or an association unless the context expressly or by necessary implication otherwise requires;

3.8. "Planning and Heritage Committee" means the Committee appointed from time to time under Section 3 of the Municipal Government Act;

3.9. “Vehicle” means a device in, upon, or by which a person or thing may be transported or drawn.

4. Establishment of the Pedestrian Mall

4.1. Council may, by resolution from time to time, close to vehicular traffic for a period set by Council in the resolution any street or part thereof for the purposes of establishing a Pedestrian Mall thereon.

4.2. Council may, by resolution from time to time, set the days and hours during which a Pedestrian Mall may operate.

4.3. Except as otherwise provided in the Bylaw, the Pedestrian Mall shall not be subject to the “Traffic Bylaw” in the City of Charlottetown.

5. General Control of the Mall

5.1. This Bylaw shall be administered and enforced by such Licensing Inspector(s) as appointed by the City from time to time.

6. Activities on the Pedestrian Mall

6.1. Except as otherwise provided in the Bylaw, the pedestrian mall may be used by all pedestrians for all purposes for which a sidewalk may be used in addition to the purposes for which the pedestrian mall may be used pursuant to this Bylaw.

6.2. Any person who wishes to carry on any activity, render any service, or set up any display on a pedestrian mall, which is not specifically permitted or prohibited by this Bylaw must make application for a license to the Planning and Heritage Committee. The Planning and Heritage Committee shall review the application and shall make such recommendations as are appropriate to Council. Council upon receipt of the recommendation of the Planning and Heritage Committee, shall make the final decision regarding the issuance of a license and may, in its sole discretion, require the applicant to enter into an agreement which may include, but is not limited to the following:

(a) liability insurance;
(b) the dates during which the Pedestrian Mall may be used;
(c) any fees to be charged for use of the Pedestrian Mall; and
(d) hours of operation

6.3. Notwithstanding anything in Section 6.2 of this Bylaw, any person who has been issued a license or permit to carry on business on the pedestrian mall under the City’s Street Vendors Bylaw, as amended from time to time, need not apply for a permit under this Bylaw to carry on the business he is authorized to carry on under the license issued under that Bylaw.

6.4. A license granted by Council shall be subject to compliance by the License Holder with the provisions of this Bylaw, any agreements made pursuant to this Bylaw, and all other applicable federal, provincial and municipal laws and regulations.

6.5. Failure to comply with Section 6.4 may result in a revocation or suspension of a license granted by the Licensing Inspector, and upon a license being suspended or revoked by the Licensing Inspector, the Licensing Inspector shall notify the License Holder thereof by delivering a notice to him personally or by mailing a double registered letter to the address provided by the License Holder and after that notice has been delivered the License Holder shall not carry on his business until a new license is issued or his suspended license is reinstated.

6.6. Notwithstanding any other provisions of this Bylaw, the following activities are prohibited on the pedestrian mall:

a) skateboarding;
b) roller skating;
c) the riding of bicycles; and
d) the throwing of projectiles of any nature or kind.

6.7. No person shall bring, ride, or leave standing any horse or any other animal of any kind whatsoever onto the pedestrian mall excepting a service animal.

6.8. Except as specifically provided in the Bylaw, no person shall bring, drive, operate or leave standing any vehicle on the pedestrian mall.

6.9. Section 6.6 of this Bylaw does not apply to:

a) a baby carriage;
b) a stroller;
c) a wheelchair whether manually or mechanically operated;
d) a pushcart for which a license plate has been issued and which is permitted to be brought onto the pedestrian mall under the City's Street Vendors Bylaw, as amended from time to time.
e) an emergency vehicle responding to an emergency; or
f) a service animal.

6.10. Any person whose license has been suspended or revoked by the Licensing Inspector may appeal such suspension or revocation to Council.

a) An appeal to Council shall be in writing, shall be filed with the Chief Administrative Officer within fifteen (15) days of the receipt by the License Holder of the notice of the suspension or revocation as provided by Section 6.5.

b) The Council shall hear such appeals at such time and place as it may determine and, on an appeal under this Bylaw, Council may confirm, reverse or vary the decision of the Licensing Inspector.

7. General

7.1. No person shall do anything to destroy, injure, deface or damage any tree, shrub, flower, grass or other natural growing thing placed on the pedestrian mall or any portion thereof.

7.2. No person shall deface, damage, destroy or remove any device, object, or decoration placed on the pedestrian mall by or with the permission of the City.

7.3. Unless otherwise directed or permitted to do so by the City, no person shall remove from the pedestrian mall any object belonging to the City whether attached to the pedestrian mall or otherwise, and which has been placed there by the City.

7.4. No person shall place, deposit, discard, leave, throw or scatter on any part of the pedestrian mall any bottles, dirt, filth, litter or rubbish of any kind whatsoever except in a receptacle provided for such purpose.

7.5. Except as permitted by this Bylaw or any other Bylaw of the City, no person shall obstruct or cause any obstruction to be placed upon any emergency or fire lane established and maintained on the pedestrian mall lane established by the City. Any person who obstructs or causes an obstruction on any such emergency or fire lane shall forthwith upon notice remove it and, if the obstruction is not so removed, and peace officer appointed by the City may cause it to be removed at the expense of the person and maintained on the pedestrian mall by the City. Any person who obstructs or causes an obstruction shall forthwith upon notice remove it and, if the obstruction is not so removed, any peace officer appointed by the City may cause it to be removed at the expense of the person causing the obstruction.

8. Penalties

8.1. A person who contravenes any provision of this Bylaw is liable upon summary convection to a fine not exceeding $500.00 and not less than $200.00 and in default of payment to a reasonable imprisonment or term not exceeding 30 days until the fine imposed and costs have been paid.

8.2. In lieu of or in addition to the penalty imposed by Section 8.1 any person contravening a provision of this Bylaw may be required by a police officer appointed by the City to forthwith leave the pedestrian mall and to cease contravening this Bylaw or both.

8.3. The provisions of the City's Enforcement and Summary Proceedings Bylaw #2024-ESP-01, or any successor bylaw, apply to the enforcement of this Bylaw.

"This document is an office consolidation of this Bylaw (amending bylaw adopted 22-July-2025). It is intended for information and reference purposes only. This document is not the official version of the Bylaw. Where accuracy is critical, please consult official sources. If you find any errors or omissions in this consolidation, please contact the Procedure & Records Coordinator."