

**14- Resolutions
8 - Bylaws**



**CITY OF CHARLOTTETOWN
MONTHLY MEETING OF COUNCIL
MONDAY, APRIL 9 2018 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 12, 2018
 - Committee of Council (open) – March 14, 2018
 - Public Meeting – March 21, 2018
- 5. Business Arising out of the Minutes**
- 6. Reports of Committees**
 - 6.1 Public Works & Urban Beautification – Coun. Terry Bernard, Chair**
 - Monthly Report
 - No Resolutions
 - 6.2 Advanced Planning, Priorities & Special Projects – Coun. Kevin Ramsay, Chair**
 - Monthly Report
 - No Resolutions
 - 6.3 Economic Development, Tourism, Arts & Culture – Coun. Bob Doiron, Chair**
 - Monthly Report
 - No Resolutions
 - 6.4 Environment & Sustainability – Deputy Mayor Mike Duffy, Chair**
 - Monthly Report
 - One (1) Resolution
 - 6.5 Finance, Audit & Tendering – Coun. Melissa Hilton, Chair**
 - Monthly Report
 - No Resolutions
 - 6.6 Human Resources, Communications & Admin – Coun. Terry MacLeod, Chair**
 - Monthly Report
 - No Resolutions

6.7 Intergovernmental Affairs & Event Attraction – Coun. Kevin Ramsay, Chair

- Monthly Report
- No Resolutions
- 1st reading of the proposed Council Size Bylaw

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

- Monthly Report
- Two (2) Resolutions

6.9 Protective & Emergency Services – Coun. Jason Coady, Chair

- Monthly Report
- One (1) Resolution
- 1st reading to amend the Taxi Bylaw

6.10 Planning & Heritage – Coun. Greg Rivard, Chair

- Monthly Report
- Seven (7) Resolutions
- 2nd reading Zoning & Development Bylaw – to rezone Brackley Point Rd PID #659086
- 2nd reading Zoning & Development Bylaw – BioCommons Park
- 2nd reading Zoning & Development Bylaw – to eliminate flag lots
- 2nd reading Zoning & Development Bylaw – to regulate the sale of cannabis
- 2nd reading Zoning & Development Bylaw – underground wiring as it relates to private property
- 2nd reading Zoning & Development Bylaw – amendment to Waterfront Zone to permit Limited Car Rental Services

6.11 Water & Sewer Utility - Deputy Mayor Mike Duffy, Chair

- Monthly Report
- Two (2) Resolutions

6.12 New Business

- One (1) Resolution

7. Motion to Adjourn



DRAFT

**Regular Meeting of Council
Monday, March 12, 2018 at 7:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Clifford Lee presiding

<u>Present:</u>	Deputy Mayor Mike Duffy Councillor Greg Rivard Councillor Melissa Hilton Councillor Jason Coady	Councillor Terry Bernard Councillor Kevin Ramsay Councillor Mitchell Tweel Councillor Bob Doiron
<u>Also:</u>	Peter Kelly, CAO Brad MacConnell, DPC Paul Johnston, IAMM Richard MacEwen, UM Scott Adams, PWM Ramona Doyle, SO Alicia Packwood, CA Steve Forbes, CS Cindy MacMillan, AA	Scott Messerve, DCAO Randy MacDonald, FC Alex Forbes, PM Frank Quinn, PRM Ron Atkinson, EconDO Wayne Long, EDO Laurel Lea, TO Karen Lavers, EA Tracey McLean, RMC
<u>Regrets:</u>	Councillor Terry MacLeod	Bethany Kauzlarick, HRC

Mayor Lee announced that March 26, 2018 is officially recognized as Purple Day with the Epilepsy Association of Nova Scotia. The Association has asked every municipality in Atlantic Canada to participate during the month of March. Purple Day was founded by Cassidy Megan, an eight year old who wanted a day every year where everyone would learn about epilepsy and support those who live with this neurological condition.

1. Call to Order

Mayor Lee called the meeting to order.

2. Declarations of Conflict of Interest

Councillor Bob Doiron was in conflict with Finance resolution #2. Mayor Clifford Lee was in conflict with Planning resolution #7.

3. Approval of Agenda

Moved by Councillor Greg Rivard and Seconded by Councillor Kevin Ramsay that the agenda be approved as presented.

4. Adoption of Previous Draft Minutes

Moved by Councillor Greg Rivard and Seconded by Councillor Mitchell Tweel that the minutes of the previous meetings be adopted. Carried.

Regular Meeting – February 12, 2018
Public Meeting of Council – February 26, 2018

5. Business Arising out of the Minutes

No business arising from the minutes.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 Water & Sewer Utility - Deputy Mayor Mike Duffy, Chair

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

Concern was raised regarding frequent water main breaks on a pipe located near Queen Street Pharmacy and it was suggested that the entire water main be replaced. Deputy Mayor Duffy indicated that the suggestion be forwarded to the Utility Manager for follow up.

6.2 Public Works & Urban Beautification – Coun. Terry Bernard, Chair

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

Concern was raised with respect to the amount and severity of potholes on streets such as Upper Prince, Walthen Drive, Gerald Street, Orlebar Street, Bayfield Street and Chestnut Street. It was requested that those streets receive hot mix asphalt to alleviate the issue. Councillor Bernard indicated that crews are out but that he would take this request back to his Committee.

6.3 Advanced Planning, Priorities & Special Projects – Coun. Kevin Ramsay, Chair

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

6.4 Economic Development, Tourism, Arts & Culture – Coun. Bob Doiron, Chair

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

It was suggested that the point system for the Immigration Program that sees municipalities endorse applicants be reviewed; 10 points for a business within Charlottetown, Cornwall and Stratford however any other location on PEI would receive 35 points. It was further suggested that this Committee work with the Intergovernmental Affairs Committee to discuss the matter with the Province. Councillor Doiron indicated this will be brought to the next Committee meeting.

Moved by Councillor Bob Doiron

Seconded by Councillor Greg Rivard

RESOLVED:

That City Council approve the attached Partnership Agreement with the Charlottetown Islanders of the Quebec Major Junior Hockey League,

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

CARRIED 7-1
Councillor Coady opposed

6.5 Environment & Sustainability – Deputy Mayor Mike Duffy, Chair

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

He reported that the City's 2nd Annual Fix It Fair, which was held Saturday, March 10, was well attended and he thanked all who volunteered to make it a success.

In response to a question raised concerning a skunk and raccoon contract for the upcoming season, Deputy Mayor Duffy indicated that the Committee is currently working on the matter.

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Kevin Ramsay**

RESOLVED:

WHEREAS the City of Charlottetown has made a commitment to sustainability through the development and implementation of the Integrated Community Sustainability Plan (ICSP);

WHEREAS the ICSP states that food is one of the ten themes of community sustainability and that the City of Charlottetown aims to promote local food production and procurement, improve food security, reduce food waste and use the culinary assets of the community to connect locals and visitors with food;

WHEREAS the first recommendation of the City of Charlottetown's Let's Talk Food event in November 2017 and the subsequent Let's Talk Food Report was to develop a City of Charlottetown Food Charter and Food Council in order to oversee and contribute to improvements in Charlottetown's food system;

BE IT THEREFORE RESOLVED that the City of Charlottetown form a Food Council composed of community members to direct the creation and implementation of a Food Charter; and

BE IT FURTHER RESOLVED that Food Council members be screened through an application process and that all appointments be approved by the Mayor; and

BE IT FURTHER RESOLVED that the work of the Food Council be supported by City sustainability staff and that the recommendations of the Food Council be directed to the Environment and Sustainability Committee.

CARRIED 8-0

6.6 Finance, Audit & Tendering – Coun. Melissa Hilton, Chair

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

Expenditures over the last five (5) years for Malcolm Darrach, West Royalty and Hillsborough Community centres were requested. Councillor Hilton took this under advisement.

**Moved by Councillor Melissa Hilton
Seconded by Deputy Mayor Mike Duffy**

RESOLVED:

That the City of Charlottetown make application through the Gas Tax Municipal Strategic Component for the following projects:

- Growth Management Study
- Cycling Network Connectivity
- Intersection Control Reconfiguration
- Wastewater Lift Stations Electrical Upgrades

And further that the City of Charlottetown understands and commits that it will be responsible for its designated share of the total eligible cost of the projects and will assume responsibility for any/all operating and maintenance costs resulting from the projects.

CARRIED 8-0

Moved by Councillor Melissa Hilton
Seconded by Deputy Mayor Mike Duffy

RESOLVED:

That Council adopt the 2018 Capital Program in the amount of \$12,400,370 for the City based upon an allocation of \$1,050,000 for Parks & Recreation; \$80,000 for Victoria Park; \$100,000 for Heritage Squares; \$261,670 for Fire and Emergency Preparedness (subject to partner funding); \$155,000 for Police; \$118,200 for City Government; \$500,000 Finance; \$1,500,000 for Municipal Buildings; \$600,000 for Traffic and Pedestrian Signals; \$150,000 for Street Lighting; \$100,000 for Community Sustainability; \$160,000 for Urban Beautification; \$60,000 for Eastlink Centres; and \$6,050,000 for Public Works (subject to partner funding); \$100,000 for Planning; \$1,415,500 for Land Purchase,

And that Council adopt the 2018 Capital Program for the Water & Sewer Utility in the net contribution amount of \$7,854,833 subject to Federal and/or Provincial Government participation where appropriate,

And further that staff be authorized to tender projects that are solely City funded in advance of consideration of the City's operation program.

Councillor Doiron requested clarification as to why he was in conflict with this motion. Mayor Lee indicated to Councillor Doiron that his son-in-law's project is included in the Capital budget.

Councillor Doiron left the Chambers before the vote.

CARRIED 7-0

Councillor Bob Doiron returned to the Chambers.

6.7 Human Resources, Communications & Admin – Coun. Terry MacLeod, Chair
Deputy Mayor Duffy, on behalf of Councillor MacLeod, indicated that the Committee's report was included in the weekend package.

6.8 Intergovernmental Affairs & Event Attraction – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated that his Committee's report was included in the weekend package. He reported that during the Sport Events Congress 2018 this week in Halifax, the inaugural Global Sports Impact (GSI) Canada Index was launched and within this index the City of Charlottetown ranked 15th in the country overall, the smallest city in the Top 15 which primarily features major metropolitan centres. Councillor Ramsay thanked Wayne Long, Events Development Officer and Laurel Lea, Tourism Officer for their hard work on this file.

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

RESOLVED:

That the City of Charlottetown grant permission to PMD Entertainment to utilize Confederation Landing during the summer of 2018 for two music festival weekends with a capacity up to 5,000 patrons per night. The intent is that PMD Entertainment will create an annual event that will utilize the Charlottetown Event Grounds once established,

And that the Festival weekend dates must be approved by the City's Intergovernmental Affairs & Event Attraction Committee and align with site availability,

And further that PMD Entertainment be required to enter in an agreement(s) with the City's Parks & Recreation Department for the use of Confederation Landing.

**CARRIED 7-1
Deputy Mayor Duffy opposed**

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

Councillor Tweel indicated that his Committee's report was included in the weekend package. Volunteer of the Month for March is Brian Matheson.

In response to an update request, Councillor Tweel indicated that there will be a tendering process for pest control for both Simmons and Cody Banks arenas.

2nd reading of the proposed Smoke Free Places Bylaw – to establish the City of Charlottetown Bylaw with respect to smoking in public places. Pursuant to the provisions of Section 180(a) of the Municipal Government Act of PEI, R.S.P.E.I., 1988, Cap. M-12.1

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

RESOLVED:

That the "City of Charlottetown Smoke Free Places Bylaw" be read a second time and that the said Bylaw be now adopted.

CARRIED 8-0

6.10 Protective & Emergency Services – Coun. Jason Coady, Chair

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

Concern was raised regarding a hot dog vendor occupying parking spaces on Queen Street (near Victoria Row). For clarity, it was asked how many parking spaces are being used by the vendor. Councillor Coady indicated he would follow up and advise.

Concern regarding graffiti was raised and it was suggested that the Committee needs to review the matter. Councillor Coady took this under advisement.

Moved by Councillor Jason Coady
Seconded by Councillor Greg Rivard

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parking spaces in front of Beanz Cafe Charlottetown Ltd, 138 Great George Street, Charlottetown (PID# 342758), be approved to the end of the 2018 season, subject to annual permit applications,
And that the Mayor and CAO are hereby authorized to execute standard contracts/agreements to implement this resolution.

CARRIED 8-0

1st reading of the Taxi Bylaw - Amend Part II – Taxi Owners - Section 2(d)(i) and delete Section 9(b); Part III – Taxi Operators - Section 15(h) and Section 18(b); Part IV – Taxi Stands – Section 22(c)(i); Part V – Fares – Add Section 32 relating to electronic payments and issuing of a receipt; Update statutory reference within the bylaw as per the Municipal Government Act of PEI.

Moved by Councillor Jason Coady
Seconded by Councillor Greg Rivard

RESOLVED:

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

Moved by Councillor Jason Coady
Seconded by Councillor Greg Rivard

RESOLVED:

That the bylaw be now be approved and that it be entitled the "City of Charlottetown Taxi Bylaw" and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

6.11 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 Councillor Jason Coady

RESOLVED:

That the request for variances to the property at 9 Maloney Drive (PID# 357327) to decrease the average front yard setback requirement of approximately 10.9 feet to 8.8 feet, to decrease the front yard setback for a patio less than 3.3 feet high from 6.6 feet to approximately 4.3 feet, and to decrease the rear yard setback for a deck at grade from 3.3 feet to 2.7 feet be rejected; and

That the request to decrease the lot area requirement of 8,396.0 square feet to approximately 7,943.3 square feet, and the request for a variance to decrease the rear yard setback from 24.6 feet to 10.8 feet be approved.

CARRIED 8-0

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

RESOLVED:

That the request for a variance to increase the maximum height requirements from 39.4 feet to 51.0 feet in order to construct a new manufacturing facility on the property located at 11 Aviation Avenue (PID# 134114) be approved.

CARRIED 8-0

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

RESOLVED:

That the request to allow a Vehicle Rental Business with a total of 10 vehicles as a temporary use for a period not exceeding 4 months at 18 Queen Street, Delta Hotel (PID# 335166) be approved.

CARRIED 8-0

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

RESOLVED:

That the request to rezone property located on Brackley Point Road (PID# 659086) by amending Appendix "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Single-Detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone in order to permit a semi-detached dwelling be approved.

CARRIED 8-0

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

RESOLVED:

That the following amendments to the City of Charlottetown Zoning and Development Bylaw be approved:

- (i) to rezone the properties in the PEI BioCommons Park (PID#'s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885) from Comprehensive Development Area (CDA) Zone to Business Park Industrial (M-3) Zone
- (ii) to amend Appendix "H" – Zoning Map of the Charlottetown Zoning and Development Bylaw;
- (iii) to amend Section 3 – "Definitions" of the Charlottetown Zoning and Development Bylaw to include a definition for Research and Advanced Technology Facility;
- (iv) to amend Section 27.1 Permitted Uses in the Business Park Industrial Zone to include a "Research and Advanced Technology Facility";
- (v) to amend Appendix "G" – Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw; and
To amend Appendix "A" of the City of Charlottetown Official Plan from Concept Planning Area to Industrial; and

To repeal the approved Development Agreement dated May 10, 2010, and the Addendum Development Agreement registered in July 2017, and the Development Concept Plan that was adopted by Council on August 10, 2009.

CARRIED 8-0

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

RESOLVED:

That the request to amend the intent of the proposed Development Agreement as it applies to the building at 15 Hillsborough Street (PID# 336198) from a small café (Eating & Drinking Establishment) to a retail store on the ground floor and a residential dwelling unit on the second floor be approved.

CARRIED 8-0

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

RESOLVED:

That the request for a lot consolidation of property adjacent to 342 Grafton Street (PID# 341404) and a portion of PID# 341446, subject to receipt of final pinned survey plans, be approved.

CARRIED 8-0

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

RESOLVED:

That the request for a lot consolidation of property adjacent to 342 Grafton Street (PID# 341404) and a portion of PID# 341446, subject to receipt of final pinned survey plans, be approved.

Mayor Lee was in conflict regarding this motion and left the Chamber. Deputy Mayor Duffy presided.

CARRIED 7-0

Mayor Lee returned to the Chamber.

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

RESOLVED:

That the following amendments to the City of Charlottetown Zoning and Development Bylaw be approved:

- (i) Amend Section 3 to add a new definition of Flag Lots;

- (ii) Remove existing text in Section 4.39.2 which provides for the creation of panhandle lots as-of-right and replacing it with the requirement for a variance application in certain conditions.

CARRIED 8-0

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

RESOLVED:

That amendments to the City of Charlottetown Zoning and Development Bylaw to permit the Retail Sales of Cannabis be approved as follows:

- (i) Amend Section 3 by adding new definitions;
- (ii) Add Retail Sales of Cannabis as a permitted use in the Highway Commercial (C-1) Zone, Shopping Centre Commercial (C-3) Zone and Mixed Use (MUC) Zone;
- (iii) Add new Section 4.80 Limiting Distance Requirements.

CARRIED 8-0

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

RESOLVED:

That amendments to Section 4.24.4 of the City of Charlottetown Zoning and Development Bylaw, as follows, be approved:

“Where an underground power supply currently exists in the public right-of-way or an easement (public or private) or buried underground on private property, when the property owner applies to connect the power supply to an existing or proposed building or upgrade an existing power supply, the property owner shall also be required to bury the electrical supply from the building (existing or proposed) to the adjacent right-of-way or easement (public or private) or existing buried service to the property.”

CARRIED 8-0

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

RESOLVED:

That amendments to the City of Charlottetown Zoning and Development Bylaw to include Limited Car Rental Services as a permitted use under Section 38.1 Waterfront Zone, as well

as the addition of a definition for “Limited Car Rental Services” to Section 3 be approved.

CARRIED 8-0

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

RESOLVED:

That the request to consolidate a portion of PID# 345512 with the property located at 13

Fitzroy Street (PID# 345520), subject to the receipt of signed, pinned surveys plans, be approved.

Carried 8-0

1st reading of the Zoning and Development Bylaw – to amend appendix H – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Single-detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone in order to rezone the property located on Brackley Point Road (PID# 659086).

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

RESOLVED:

That the “bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-03-01 as it pertains to PID# 659086 Brackley Point Road)” be read a first time.

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

RESOLVED:

That the said Bylaw (2018-03-01) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

1st reading of the Zoning and Development Bylaw – to amend appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the properties in the PEI BioCommons Park (PID#’s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885) from Comprehensive Development Area (CDA) Zone to Business Park Industrial (M-3) Zone.

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

RESOLVED:

That the “Bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-03-02 as it pertains to the BioCommons Park PID#’s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885)”, as attached, be read a first time.

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

RESOLVED:

That the said Bylaw (2018-03-02) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

1st reading of the Zoning and Development Bylaw – That Section 3 be amended to add a new definition of Flag Lots; and that Section 4.39.2 which provides for the creation of panhandle lots as-of-right be amended.

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

RESOLVED:

That the "Bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-03-03 as it pertains to Flag Lots)", be read a first time.

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

RESOLVED:

That the said Bylaw (2018-03-03) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

1st reading of the Zoning and Development Bylaw – to amend Section 3 by adding new definitions; and to add Retail Sales of Cannabis as a permitted use in the Highway Commercial (C-1) Zone, Shopping Centre Commercial (C-3) Zone and Mixed Use (MUC) Zone; and to Add new Section 4.80 Limiting Distance Requirements.

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

RESOLVED:

That the "Bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-03-04 as it pertains to The Retail Sale of Cannabis)", be read a first time.

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

RESOLVED:

That the said Bylaw (2018-03-04) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

1st reading of the Zoning and Development Bylaw – to add section 4.24.4 underground wiring as it relates to private property.

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

RESOLVED:

That the "Bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-03-05 as it pertains to Underground Wiring)", be read a first time.

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

RESOLVED:

That the said Bylaw (2018-03-05) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

1st reading of the Zoning and Development Bylaw – to add Limited Car Rental Services as a permitted use under Section 38.1 Waterfront Zone as well as the addition of a definition for “Limited Car Rental Services”.

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

RESOLVED:

Bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-03-06 as it pertains to Limited Car Rental Services)”, be read a first time.

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

RESOLVED:

That the said Bylaw (2018-03-06) be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 8-0

6.12 New Business

There was no New Business.

7. Motion to Adjourn

Moved by Councillor Hilton and seconded by Councillor Coady that the meeting be adjourned.
Carried.

The meeting concluded at 8:25 PM



OPEN DRAFT

**Committee Meeting of Council
Wednesday, March 14, 2018 at 5:30 PM
Council Chambers - City Hall, 199 Queen Street**

Mayor Clifford Lee Presiding

Present: **Councillor Melissa Hilton
Councillor Terry Bernard
Councillor Jason Coady
Councillor Kevin Ramsay**

**Deputy Mayor Mike Duffy
Councillor Bob Doiron
Councillor Greg Rivard
Councillor Mitchell Tweel**

Also: **Peter Kelly, CAO
Stephen Wedlock, C**

**Scott Messervey, DCAO
Tracey McLean, RMC**

Regrets: **Councillor Terry MacLeod**

1. Call to Order

Mayor Lee called the meeting to order.

2. Declarations of Conflict of Interest

No conflicts were declared.

3. Approval of Agenda

The Agenda was approved as presented.

4. Motion to Move into Closed Session

Moved by Councillor Ramsay and Seconded by Councillor Hilton to close the meeting to the Public to discuss matters pursuant to Section 119 (1) Subsection (E) of the Municipal Government Act of Prince Edward Island. Carried.

5. Moved back into Open Session

During the closed session, Council reviewed the matter of a new fire engine request to replace engine #5. After moving back into open session, it was moved by Councillor Tweel and seconded by Councillor Coady that the new fire engine request be added to the 2018/2019 City Capital Budget. Carried.

6. Adjournment

Moved by Councillor Doiron and Seconded by Deputy Mayor Duffy that the meeting be adjourned. Carried.

The meeting adjourned at 8:20 PM



DRAFT

**Public Meeting of Council (Budget)
Wednesday, March 21, 2018 at 12 Noon
Council Chambers, City Hall, 199 Queen Street**

Mayor Clifford Lee presiding

<u>Present:</u>	Deputy Mayor Mike Duffy Councillor Greg Rivard Councillor Terry Bernard Councillor Mitchell Tweel	Councillor Melissa Hilton Councillor Kevin Ramsay Councillor Jason Coady Councillor Terry MacLeod
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<u>Also:</u>	Peter Kelly, CAO Brad MacConnell, DPC Paul Johnston, IAMM Richard MacEwen, UM Scott Adams, PWM Ramona Doyle, SO Laurel Lea, TO Christopher Drummond, PC Connie McGaugh, FAC Alicia Packwood, CA Tracey McLean, RMC	Scott Messervey, DCAO Randy MacDonald, FC Alex Forbes, PM Frank Quinn, PRM Ron Atkinson, EconDO Tim Mamye, DFC Jen Gavin, CO Stephen Wedlock, C Lorenda MacEachern, EA Stephen Forbes, CS
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Regrets: Councillor Bob Doiron

1. Call to Order

Mayor Lee called the meeting to order.

2. Declarations of Conflict of Interest

There were no conflicts declared.

3. Approval of Agenda

Moved by Councillor Greg Rivard and Seconded by Councillor Terry Bernard that the agenda be approved as presented. Carried.

4. Presentation and approval of the 2018/19 City Budget (General Government and Utility) – Councillor Melissa Hilton, Chair of Finance Committee

Councillor Melissa Hilton, Chair of Finance, Audit & Tendering, presented her 2018/19 Budget speech noting that for the last two years, the City has challenged the CAO to review overall operations, which include but not limited to scrutinizing revenues and service standards, finding greater efficiencies and developing a financial strategy to ensure that the City can meet its future fiscal challenges. She further noted that in 2017, the City of Charlottetown ended its fiscal year with a projected \$2.55-million surplus, one of the largest in the City's history.

Councillor Hilton indicated that after several months of negotiations with a working group of Provincial officials and municipal CAOs, there was an agreement struck late last fall and the Province tabled its legislation. The new revenue sharing formula delivered a six-year agreement, which provides increased funding and recognition for the ongoing challenges facing the Island's municipal governments.

She reported that a municipal property tax rate increase for either residential or commercial properties will not be necessary this year as the City's \$66.8-million budget is balanced and no increase in the sewer or water rates for the coming year as this year's Water and Sewer Utility operational budget is also balanced, with planned expenditures of \$15.4-million. Other highlights noted by Councillor Hilton from the 2018/19 budget expenditures are:

- \$3.0-million for upgrading our major storm water management systems;
- \$6.2-million for snow removal;
- \$1.0-million for Parks and Recreation;
- \$3.0-million for street resurfacing;
- \$1.7-million for property acquisition;
- \$1.4-million for street lighting;
- \$2.7-million for municipal buildings; and
- \$1.3-million for transit services.

Councillor Hilton noted that the City still has many challenges before it and there is no time for the City to become complacent or rest on its laurels; the City must continue to look for opportunities to meet its residents' expectations.

In closing, Councillor Hilton thanked those who participated in the budget - Council, the Finance Committee, Mayor Lee, Senior Management and staff.

Moved by Councillor Melissa Hilton
Seconded by Deputy Mayor Mike Duffy

RESOLVED:

That the 2018 City of Charlottetown Budget estimates as presented by Councillor Melissa Hilton, Chair of Finance, Audit and Tendering Committee, be approved.

CARRIED 8-0

Moved by Councillor Melissa Hilton
Seconded by Deputy Mayor Mike Duffy

RESOLVED:

That a Municipal Tax Rate of \$0.67 per \$100 of assessment be levied against all non-commercial property in the City of Charlottetown for the period of January 01, 2018 to December 31, 2018 as per the provisions of the Real Property Tax Act, save and except:

- (1) The non-commercial component of property which is owned by a non-resident person or non-resident corporation where the Municipal Tax Rate shall be \$1.33 per \$100 of assessment;
- (2) The non-commercial component of hotels and motels where the Municipal Tax Rate shall be:

- a. \$0.91 per \$100 of assessment where the owner is a resident person or a resident corporation; or
 - b. \$1.57 per \$100 of assessment where the owner is a non-resident person or a non-resident corporation;
- (3) The non-commercial component of apartment buildings containing four or more units where the Municipal Tax Rate shall be:
- a. \$0.91 per \$100 of assessment where the owner is a resident person or a resident corporation; or
 - b. \$1.57 per \$100 of assessment where the owner is a non-resident person or a non-resident corporation; and
- (4) The non-commercial component of properties located in the Parkwood Estates and the Riverview Estates Mobile Home Parks where the Municipal Tax Rate shall be:
- a. \$0.42 per \$100 of assessment where the owner is a resident person or a resident corporation; or
 - b. \$1.08 per \$100 of assessment where the owner is a non-resident person or a non-resident corporation;

For the purposes of this resolution, "non-resident person" and "non-resident corporation" applies to property owners as described in Section 24 of the Real Property Tax Act Regulation;

THEREFORE BE IT RESOLVED that a Municipal Tax Rate of \$2.36 per \$100 of assessment be levied against all commercial property located in the City of Charlottetown for the period of January 01, 2018 to December 31, 2018 as per the provisions of the Real Property Tax Act;

AND BE IT FURTHER RESOLVED that the City of Charlottetown request the Province of PEI to collect an additional \$0.18 per \$100 of assessment on all commercial properties within the Business Improvement Area (BIA) as per the attached map for the period of January 01, 2018 to December 31, 2018. The monies collected from this shall be transferred to Downtown Charlottetown Inc. for the purpose of marketing and enhancing the downtown core of the City of Charlottetown.

Mayor Lee congratulated Councillor Hilton, Council and staff on the budget presented. He also publicly thanked the Provincial Government and acknowledge that they have taken positive steps in providing stable and predictable revenue streams that will assist Charlottetown in laying a stronger fiscal foundation for its future. The new provincial revenue sharing formula will provide an additional \$2 million in revenue for the City and \$2.8 million for the Utility.

CARRIED 8-0

5. Adjournment

Moved and Seconded that the meeting be adjourned. Carried.

The meeting adjourned at 12:30 PM



PUBLIC WORKS & URBAN BEAUTIFICATION COMMITTEE
REPORT TO COUNCIL
April 9th, 2018

The Public Works & Urban Beautification Committee have not met since the last Regular Monthly Meeting of Council.

No resolutions are anticipated to be forwarded.

Respectfully submitted,

Councillor T. Bernard, Chair



**ADVANCED PLANNING, PRIORITIES & SPECIAL PROJECTS COMMITTEE
REPORT TO COUNCIL
APRIL 9, 2018**

The Advanced Planning, Priorities & Special Projects Committee did not meet since the last Council meeting.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Kevin Ramsay, Chair



**ECONOMIC DEVELOPMENT, TOURISM,
ARTS & CULTURE COMMITTEE
REPORT TO COUNCIL
APRIL 9, 2018**

The Economic Development, Tourism, Arts & Culture Committee met on Tuesday, April 3, 2018, and the draft minutes are included in your package.

The Arts Advisory Board met on Monday, March 19, 2018, and the draft minutes are also included in your package.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Robert Doiron, Chair

Economic Development, Tourism, Arts & Culture Committee

Tuesday, April 3, 2018

12:15 PM– Parkdale Room

Present: Councillor Bob Doiron, Chair
Ron Atkinson, EconDO
Cindy MacMillan, AA

Councillor Greg Rivard
Laurel Lea, TO

Regrets: Councillor Kevin Ramsay
Peter Kelly, CAO

1) Call to Order

Councillor Bob Doiron called the meeting to order at 11:45 AM.

2) Declarations of conflict of interest

There were no conflicts of interest declared.

3) Approval of Agenda

It was Moved by Councillor Rivard and Seconded by Councillor Doiron that the agenda be approved as circulated.

4) Adoption of Minutes

The draft minutes from March 6, 2018 were included in the meeting package. It was Moved by Councillor Rivard and Seconded by Councillor Doiron that the minutes be approved. Carried.

5) Business arising from Minutes

There was no business arising from the minutes.

6) Motion to accept the following Advisory Board minutes:

Arts Advisory Board – March 19, 2018

It was Moved by Councillor Rivard and Seconded by Councillor Doiron that the Arts Advisory Board minutes from March 19, 2018 be accepted as part of the package. Carried.

6) Updates

Department Updates

Tourism:

Laurel Lea, TO provided an update to the Committee. The TO recently attended Event Atlantic's Atlantic Canada Event Summit and the Canadian Sport Tourism Alliance's national Sport Event Congress in Halifax. The TO will be attending the Annual Saltscapes Expo with Discover Charlottetown in Halifax April 19-22 to help promote the destination and its 2018 tourism offerings to regional travellers.

The City Hall Visitor Information Centre (VIC) will open for the season on June 1, with much of the staff returning from 2017. A new partnership with the Province of PEI this year will see a City Hall VIC staff person positioned onsite at the Founders Hall VIC to assist in providing Charlottetown-based visitor information on mornings that cruise ships come into port.

Planning for Natal Day and Canada Day activities will begin in the coming weeks. The city has received confirmation of Canada Day funding through Canadian Heritage.

Economic Development:

The EconDO provided an update to the Committee. Ron participated in Industry Engagement Day at the UPEI School of Sustainable Design Engineering and also attended the quarterly meeting of the PEI BioAlliance, and provided an overview of the Bio-technology sector which continues to grow. Ron continues to participate in the Connectors PEI 6 on 6 events, another great opportunity to meet and connect new entrepreneurs to our community. Ron has obtained federal assistance again this year under Global Affairs Canada for business development activities. The Arts Advisory Board are in discussions with the Mi'Kmaq Confederacy of PEI to potentially partner on a public art project in the City.

7) Introduction of New Business

There was no new business.

8) Motion to move into closed session

Motion to move into closed session, as per Section 119 (1) sub-sections (a) & (e) of the PEI Municipal Government Act was moved by Councillor Greg Rivard and seconded by Councillor Doiron.

9) Motion to adjourn

Moved by Councillor Doiron and Seconded by Councillor Rivard that the meeting be adjourned.
Motion Carried.

Meeting adjourned 12:20 PM.

Charlottetown Arts Advisory Board Meeting
Monday, March 19, 2018
12:15 PM – Parkdale Room

Present: Mark Sandiford, Chair
Claire Nantes
Barbara MacLeod
Ron Atkinson, EconDO
Cheryl Wagner
Alicia Packwood, CA

Regrets: John Morris
Sharon Larter
Maria Driscoll
Cindy MacMillan, AA

1. Call to Order:

The meeting was called to order by Mark Sandiford, Chair at 12:15 pm.

2. Declarations of Conflict of Interest

None

3. Approval of Agenda:

Approval of the agenda was moved by Claire and seconded by Cheryl.

4. Adoption of Minutes:

Adoption of the minutes, with changes, was moved by Barb and seconded by Cheryl.

5. Business Arising from Minutes

None

6. Items for discussion:

Public Art

Special guests, Betty Gordon and Melissa Peter-Paul contributed to this discussion from the Mi'kmaq Confederacy of PEI. The committee discussed a potential partnership with the Mi'kmaq Confederacy of PEI on a public art project. The board really liked the idea of an art installation that is in keeping with traditional and authentic components.

Additionally, Barb presented a summary on a public art program to support the growth of public art in Downtown Charlottetown. The board discussed a potential inventory of locations for future art installations. Further discussion on this item was deferred to the next meeting.

Arts and Culture Awards

The awards will take place on Friday, June 8 from 5-7 pm, as part of Natal Week. The Mayor is available and will be assisting in the presentation of awards. The committee agreed to go to four categories including: Emerging, Excellence, Lifetime and Champion. Spotlight Awards will also be presented to nominees who emerge through the nomination process. Award winners will be notified in advance so they have an opportunity to encourage friends and family to attend. A Buzz ad to announce call for nominations will be included in April. Barb proposed the judges be made up of previous winners. A venue for this year's event has not yet been confirmed.

7. Introduction of New Business

None

8. Motion for Adjournment

Meeting Adjourned 2:00 p.m.



**ENVIRONMENT & SUSTAINABILITY COMMITTEE
REPORT TO COUNCIL
APRIL 9, 2018**

The Environment and Sustainability Committee met on April 3rd and the minutes are included in your package.

There is one resolution for your consideration.

- Smart Cities Challenge

Respectfully submitted,

Deputy Mayor Mike Duffy, Chair

ENVIRONMENT & SUSTAINABILITY COMMITTEE

Tuesday, April 3, 2018

11:30 AM – West Royalty Room, City Hall

PRESENT: Deputy Mayor Mike Duffy, Chair
Councillor Jason Coady, Vice-Chair

ALSO: Ramona Doyle, SO
Lorenda MacEachern, EA

REGRETS: Councillor Kevin Ramsay, Member
Peter Kelly, CAO

CALL TO ORDER

The meeting was called to order at approximately 11:35 am. by Chair Mike Duffy.

DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

APPROVAL OF AGENDA

The agenda was approved by Councillor Coady and seconded by Chair Duffy.

ADOPTION OF MINUTES

The minutes from the March 7, 2018 meeting were included in the meeting package. It was moved by Councillor Coady and seconded by Chair Duffy that the minutes from March 7, 2018 be approved.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

REPORTS

- A. Smart Cities Challenge – R. Doyle, Sustainability Officer prepared and presented the report. The report included a recommendation for the Committee to proceed to Council with a resolution to apply to the Smart Cities Challenge in the \$10 million category for a project focused on mental health. This initiative was brought to the Committee at the previous meeting in March resulting in the Committee's approval to proceed with the application.

It was the consensus of the Committee to proceed with the application to the Smart Cities Challenge and forward a resolution to Council at the April 9th Regular Meeting of Council.

MOTION TO ADJOURN

Moved by Chair Duffy and Seconded by Councillor Ramsay that the meeting be adjourned. Motion Carried.

The meeting adjourned at approximately 11:55 am.

Chair: Deputy Mayor Mike Duffy



CITY OF CHARLOTTETOWN

RESOLUTION

Environment &
Sustainability #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Deputy Mayor _____ Mike Duffy

Seconded by Councillor _____ Jason Coady

RESOLVED:

WHEREAS the City of Charlottetown is in a position to contribute to the mental health resiliency of its youth;

WHEREAS mental health is a significant social issue that has impacts on the community of Charlottetown and municipal operations;

WHEREAS Industry Canada's Smart Cities Challenge challenges municipalities across Canada to identify an important social issue and seek to address that issue through the use of information technology;

BE IT RESOLVED that the City of Charlottetown submit an application to Industry Canada's Smart Cities Challenge in the \$10,000,000 category;

BE IT FURTHER RESOLVED that the focus of this application be to increase the mental health resiliency of the youth of the City of Charlottetown by proactively addressing social inclusion, improving access to services, and increasing participation in relevant programming.

BACKGROUNDER— Smart Cities Challenge

Date: April 9, 2018

Directed to: Mayor Clifford Lee & Members of City Council

Subject: Smart Cities Challenge

The City of Charlottetown will be submitting an application to the Smart Cities Challenge in the \$10 million category with a project focus of using technology to improve youth mental health resiliency in Charlottetown.

Background:

The Smart Cities Challenge is a Canadian competition offered through Industry Canada that is open to municipalities of all sizes. The Challenge encourages communities to adopt a smart cities approach to improve the lives of their residents through innovation, data and connected technology. There will be four final prizes:

1. One prize of up to \$50 million open to all communities, regardless of population;
2. Two prizes of up to \$10 million open to all communities with populations under 500,000 people; and
3. One prize up to \$5 million open to all communities with population under 30,000 people

The deadline to apply is April 24, 2018. Cities that are selected as finalists in the competition will receive a \$250,000 grant to develop their complete proposal which is due in the winter of 2018-2019 with the competition winners being announced in the spring of 2019.

Project Focus: Improving Youth Mental Resiliency in Charlottetown

SMART CITIES CHALLENGE

Challenge Statement: Charlottetown will become a community focused on building mental wellness and resilience among our youth. The project will result in improved mental wellbeing for City youth and provide co-benefits of improved physical wellbeing and reduced levels of substance abuse. The project will focus on preventative measures with the anticipated benefit of reducing treatment and intervention costs.

Potential Smart City activities or projects include;

- Collect information through multiple channels including existing studies and additional outreach activities including social media to understand the potential underlying causes of mental stress in youth.
- Establish enhanced programming for youth involvement in activities that are anticipated to address the underlying causes of mental illness. Programs could range from employment opportunities to recreational activities including physical fitness and social clubs.
- Leverage smart technology and big data to collect and analyze the metrics used to monitor the progress of the enhanced programming initiatives.

- Develop wearables for residents looking to improve their mental health that monitor and support physical activity, nutrition, sleep, opportunities for social inclusion, meditation and other forms of mental health prevention and treatment
- Build mental health resilience for youth and provide access to technologies that support their journey to mental wellness.
- Establish enhanced programming for bringing youth together to discuss how they can contribute to improving the lives of their peers.
- Support youth in their efforts to use technology to create opportunities to improve social networks and opportunities for increasing feelings of inclusion.

Potential indicators of progress measured include:

- Increase in feelings of social inclusion and mental wellness and resilience among participants
- Decrease in negative stigma associated with mental health issues, care and accessing preventative measures
- Increase in programming focused on promoting mental resilience
- Increase in programming focused on providing opportunities to develop social networks and support social inclusion
- Increase in attendance in existing programming focused on promoting mental resilience and social inclusion
- Decrease substance abuse among youth
- Increase in physical health among youth
- Increase in youth discussing the success of their efforts to improve the lives of their peers
- Increase in funding of prevention-focused programming and a decrease in treatment related expenses
- Reduction in suicide rates
- Reduction in visits to the Hillsborough Hospital and rates of emergency mental health interventions

Potential Partners

Canadian Mental Health Association
 UPEI School of Sustainable Design Engineering
 UPEI Applied Science
 Youth Retention Advisory Board
 Charlottetown Police Services
 Department of Health and Wellness
 IT Companies
 Health PEI

Studies that Support a Focus on Youth Mental Health in Charlottetown

Children's Report 2017
 Integrated Community Sustainability Plan 2017
 Youth Retention Advisory Board Report

CHARLOTTETOWN RIDERSHIP - MARCH 2018

Sum of Charlottetown Ridership	Route #	1	2	3	4	5	6	7	9	11	13	14 Grand Total
Date	Day	392	331	202	317	105	169	16	255	200	2	3
01/03/2018	Thu	496	255	198	262	133	208	0	272	234	4	0
02/03/2018	Fri	318	254	335	0	0	107	0	0	0	0	0
03/03/2018	Sat	241	0	0	0	0	0	0	0	0	0	0
04/03/2018	Sun	357	293	242	236	121	148	17	245	202	4	2
05/03/2018	Mon	325	298	267	317	116	172	19	212	203	4	2
06/03/2018	Tue	451	304	234	228	121	181	17	246	196	3	2
07/03/2018	Wed	342	231	203	256	97	0	16	178	170	2	2
08/03/2018	Thu	337	227	250	243	123	0	12	245	185	3	1
09/03/2018	Fri	266	269	224	0	0	111	0	0	0	0	0
10/03/2018	Sat	342	0	0	0	0	0	0	0	0	0	0
11/03/2018	Sun	462	257	211	214	100	155	14	267	205	5	2
12/03/2018	Mon	441	279	245	278	107	153	20	235	202	2	2
13/03/2018	Tue	317	275	216	211	105	181	14	227	179	4	2
14/03/2018	Wed	386	269	254	274	96	187	15	238	181	3	4
15/03/2018	Thu	443	318	230	255	126	200	8	305	197	0	0
16/03/2018	Fri	357	196	212	0	0	167	0	0	0	0	0
17/03/2018	Sat	311	0	0	0	0	0	0	0	0	0	0
18/03/2018	Sun	391	312	259	183	109	171	9	264	206	3	3
19/03/2018	Mon	326	312	228	309	113	200	18	256	196	4	1
20/03/2018	Tue	437	315	249	260	108	163	16	267	159	2	2
21/03/2018	Wed	304	141	112	129	54	61	5	95	41	3	1
22/03/2018	Thu	265	265	222	226	83	193	6	213	168	3	0
23/03/2018	Fri	230	232	66	0	0	138	0	0	0	0	0
24/03/2018	Sat	294	0	0	0	0	0	0	0	0	0	0
25/03/2018	Sun	230	284	240	243	93	172	12	317	219	1	1
26/03/2018	Mon	463	305	284	379	86	195	15	298	190	3	2
27/03/2018	Tue	508	425	271	326	103	152	19	293	197	4	1
28/03/2018	Wed	403	342	220	287	104	225	14	264	213	4	1
29/03/2018	Thu	0	0	0	0	0	0	0	0	0	0	0
30/03/2018	Fri	0	0	0	0	0	0	0	0	0	0	0
31/03/2018	Sat	364	286	251	0	0	134	0	0	0	0	0
Grand Total		10,870	7,092	5,941	5,424	2,203	3,943	282	5,192	3,943	63	34
												44,987

CHARLOTTETOWN RIDERSHIP - MARCH 2018

Values	Non	Paying	Paying	Monthly
Day	Paying	Non	Paying	Ridership
Sun	9	1179	1188	1,188
Mon	249	7465	7,714	7,714
Tue	153	7974	8,127	8,127
Wed	224	7529	7,753	7,753
Thu	157	8078	8,235	8,235
Fri	148	7305	7,453	7,453
Sat	61	4456	4,517	4,517
Grand Total	1001	43986	44,987	44,987

	2018	2017	2016	2015
Total Ridership	44,987	44,981	36,677	31,922
Monday - Friday	38,951	39,757	32,257	28,433
Paying	931	872	849	492
Non - Paying	21	23	22	22
Working Day	1,871	1,766	1,505	1,315
Average	4,456	3,236	2,787	2,908
Saturday	61	44	50	89
Paying	5	4	4	4
Non - Paying	903	820	709	749
Working Day	1,179	1,061	726	
Average	9	11	9	
Sunday	4	4	3	
Paying	297	268	245	
Non - Paying				
Working Day				
Average				

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Marketing Initiatives



Date	Initiative
01/31/2018	Launched WIFI available on all of our Transit Buses
01/31/2018	ReadyPass hardware installed on Transit Vehicles and substantial progress on app software. To start Beta test in the coming week.
01/31/2018	Continued social media and press presence surrounding these initiatives
02/28/2018	Conducted 7 city tours for Holland College Belmont Street
02/28/2018	Pocket Guides have been updated and sent to the printers.
02/28/2018	ReadyPass soft launch was completed. Request for beta users was sent out and we are now getting feedback from them on how the app is performing
28/12/2018	With help of Cornwall, Charlottetown and Stratford, completed the Transit Love promotion
15-Mar-18	Spoke to class of Newcomers regarding Transit
03/31/2018	Continued work on ReadyPass and Google Transit - 75 users currently using as controlled Beta test. Working to implement feedback
03/31/2018	Stickers placed in all buses regarding WIFI
03/31/2018	Preparing Instructional Videos for ReadyPass - to be launched in April



**FINANCE, AUDIT & TENDERING COMMITTEE
REPORT TO COUNCIL
April 9th, 2018**

The Finance, Audit & Tendering Committee met on April 5th. Financial Statements are not included in this package for Council consideration.

There are no resolutions included in this package for your consideration.

Respectfully submitted,

Councillor Melissa Hilton, Chair

Finance, Audit & Tendering Committee
Thursday, April 5th, 2018
12:00 PM– Sherwood Room

Present: **Councillor Melissa Hilton, Chair**
 Councillor Greg Rivard
 Scott Messervey, DCAO
 Connie McGaugh, ACC

Deputy Mayor Mike Duffy
Councillor Terry Bernard
Stephen Wedlock, C

Regrets: **Peter Kelly, CAO**

1. Call to order

Councillor Melissa Hilton 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. Adoption of Minutes

The minutes of February 7th, 2018 meeting were included in the meeting package. It was moved by Councillor Bernard and seconded by Councillor Rivard that the minutes from February 7th, 2018 be approved.

5. Business arising from minutes

There was no business arising from the minutes.

6. Public Procurement (Closing)

a. Parks & Recreation – 2018 Playground Equipment

27-Mar-2018

Committee asked staff to provide them with a summary of the evaluation results via email. It is anticipated that a resolution may be presented to Council by the Parks, Recreation & Leisure Activities Committee.

7. Finance Questions Under Advisement

There were no finance questions under advisement.

8. Manager's Operational Update

DCAO noted that the department is busy with year- end preparations with the auditors coming the week of April 16th. Pension plan valuations are to be completed for accounting purposes and the information on the assets is to be provided to the Actuaries. TAL will need a significant amount of work to bring it up to date, but City and Utility are the main priorities for now. Also, noted some compliance issues with procurement. There was a discussion of Public Works compliance issues and LPOs. Commitment by Finance group to find a working solution to ensure LPOs are matched with invoices on a timely basis for Public Works and that Public Works would have sufficient LPO books.

9. Introduction of New Business

The Chair requested that the Agenda be sent out at least two days in advance of meeting.

10. Motion to move into closed session, as per Section 119 (1) sub-sections (b) & (e) of the PEI Municipal Government Act

Motion to move into closed session was moved by Councillor Rivard and seconded by Councillor Duffy.

11. Open session concluded

Meeting Adjourned at 1:50 PM

Chair: Melissa Hilton



**HUMAN RESOURCES, COMMUNICATIONS &
ADMINISTRATION COMMITTEE
REPORT TO COUNCIL
APRIL 9, 2018**

The Human Resources, Communications and Administration Committee did not meet since the last Council meeting.

There are no resolutions for your consideration.

Respectfully submitted,

Councillor Terry MacLeod, Chair



**INTERGOVERNMENTAL AFFAIRS & EVENT ATTRACTION COMMITTEE
REPORT TO COUNCIL
APRIL 9, 2018**

The Intergovernmental Affairs & Event Attraction Committee has not met since last Council meeting.
Included in your package is the first reading of the proposed Council Size Bylaw.

Respectfully submitted,

Mayor Clifford Lee, Chair



**CITY OF CHARLOTTETOWN
COUNCIL SIZE BYLAW
2018-004**

BEING A BYLAW OF THE CITY OF CHARLOTTETOWN WITH RESPECT TO INCREASING THE NUMBER OF COUNCILLORS PURSUANT TO THE PROVISIONS OF SECTION 78 (3) (b) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

RESOLVED: THAT the bylaw to establish the “**CITY OF CHARLOTTETOWN COUNCIL SIZE BYLAW**” be read a first time.

Moved by Councillor _____ Bob Doiron

Seconded by Deputy Mayor _____ Mike Duffy
Date: April 9, 2018

RESOLVED: THAT the bylaw be now be approved as a City Bylaw and that it be entitled the “**CITY OF CHARLOTTETOWN COUNCIL SIZE BYLAW**” and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor _____ Bob Doiron

Seconded by Deputy Mayor _____ Mike Duffy
Date: April 9, 2018

THEREFORE; BE IT RESOLVED: THAT “CITY OF CHARLOTTETOWN COUNCIL SIZE BYLAW” be read a **second** time and approved and that the said Bylaw be now adopted.

Moved by Councillor _____ Bob Doiron

Seconded by Deputy Mayor _____ Mike Duffy
Date: May 7, 2018

This Council Size Bylaw, Bylaw# 2018-04, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018

COUNCIL SIZE BYLAW

BYLAW# 2018-04

BEING A BYLAW OF THE CITY OF CHARLOTTETOWN WITH RESPECT TO INCREASING THE NUMBER OF COUNCILLORS PURSUANT TO THE PROVISIONS OF SECTION 78 (3) (b) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

BE IT ENACTED BY THE COUNCIL OF THE CITY OF CHARLOTTETOWN AS FOLLOWS:

PART I: TITLE

1.
 - 1.1 This Bylaw shall be known and cited as the “Council Size Bylaw”

PART II: AUTHORITY

2.
 - 2.1 Subsection 78(4) of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1, enables a municipality to increase, by bylaw, the number of Councillors who may serve on the council in accordance with clause 78(3)(b)

PART III: APPLICATION

3.
 - 3.1 This Bylaw applies to all Council members who may serve on the council in accordance to the act.

PART IV: DEFINITIONS

4.
 - 4.1 “Act” means the Municipal Government Act.
 - 4.2 “Chief Administrative Officer” or “CAO” means the administrative head of a municipality as appointed by Council under subsection 86(2)(c) of the Municipal Government Act.

4.3 “Council” means the Mayor and other members of the Council of the municipality.

4.4 “Councillor” means a member of Council other than the Mayor.

PART V: GENERAL

5.

5.1 The number of Councillors for the municipality is hereby increased from eight (8) to ten (10).

PART VI: EFFECTIVE DATE

6.

6.1 This Council Size Bylaw, Bylaw# 2018-04, shall come into force immediately and take effect with the next general election to be held on November 5, 2018.

This Council Size Bylaw, Bylaw# 2018-04, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 2018

Mayor

Chief Administrative Officer



**PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE
REPORT TO COUNCIL
April 9th, 2018**

The Parks, Recreation and Leisure Activities Committee met on April 3rd and those minutes are included in your package.

There are two resolutions from our department.

The Volunteer of the Month for April is Carol Murphy. Carol is the current registrar with the Charlottetown Ringette Association.

Respectfully submitted,

Councillor Mitchell Tweel, Chair

PARKS, RECREATION AND LEISURE ACTIVITIES COMMITTEE

Tuesday, April 3rd, 2018

12:15 PM – Sherwood Room, City Hall

Present: **Councillor Mitchell Tweel, Chair** **Councillor Melissa Hilton**
 Councillor Terry Bernard **Frank Quinn, PRM**
 Beth Hoar, Parkland Conservationist **Jackie McKinnon AA (note taker)**
 Allison Faithfull, Resident Member

Regrets: **Peter Kelly, CAO**
 Lori Richard, Resident Member
 Sherri Runighan, Resident Member

1. CALL TO ORDER

The meeting was called to order at 12:15PM by Chair Mitchell Tweel.

2. DECLARATIONS OF CONFLICT OF INTEREST

No declarations of conflict.

3. APPROVAL OF AGENDA

The agenda was approved as circulated.

4. ADOPTION OF MINUTES (March 8th, 2017)

It was Moved by Councillor Hilton and Seconded by Councillor Bernard that the minutes of March 8th, 2017 were be approved.

5. BUSINESS ARISING FROM THE MINUTES

There was no business arising.

6. REPORTS:

a. Three Request Rental Fee Waiver

- i. Heart & Stroke Foundation Event** - The PRM noted that a request was received for a rental fee waiver to hold a 'Caring for Family Caregiver' day at the Malcolm Darrach Community Centre. The PRLA committee concurred to waive the rental fee for this event.
- ii. Bark for Life PEI event (in aid of the Canadian Cancer Society)** – The PRM noted that the department received a request to waive the rental fee for the use the VP Pavilion for the above event. Proceeds in aid of Canadian Cancer Society. After some discussion, the PRLA committee agreed to waive the rental fee for this worthy event.
- iii. PEI Teen English Reading Club** – The PRM noted a request was received from this group to waive the rental fee at the Hillsborough Park Community Centre for instructors to hold a book study program (twice weekly for approximately eight weeks) for ESL teenage learners. After some discussion, the PRLA committee

denied the request to waive the rental fee due to the fact that participants are being charged for these services and the fee goes towards salaries and supplies. It was further noted that the request could be reconsidered if this service was being offered free of charge.

b. Three Requests to Serve Alcohol in the Park

- i. **Rotary Ribfest Event (July 27-29th, 2018) at Confederation Landing** – The PRLA committee supports this event taking place and further granted approval to sell alcohol in accordance to our Alcohol in Parks Policy. The PRM will follow up with the event organizer.
- ii. **Lawn Bowling Nights Event (July 5th, 12th, 19th, and 26th) at Sherwood Bowling Greens** – The PRLA committee supports this event taking place. It was noted the event took place last year and further, that it went over very well. The PRLA committee granted approval to sell alcohol in accordance to our Alcohol in Parks Policy. The PRM will follow up with the event organizer.
- iii. **PMD Entertainment Concert (June 28th -30th) at Confederation Landing** - The PRLA Committee supports this event taking place. The PRLA committee granted approval to sell alcohol in accordance to our Alcohol in Parks Policy. The PRM will follow up with the event organizer.

c. Resolution – City Park Playground Equipment

The PRM handed out a draft resolution and backgrounder which included the results of the recently closed RFP on park playground equipment. A discussion was held at length on the entire scoring process and how submissions are scored. The PRM explained that the results are not simply based on price alone; in fact price is only a small factor in choosing the best equipment for the specific parks. The scoring system is based on play value, novelty, fit within the park environment, age appropriateness, inclusion, visual appearance, warranty, etc. It was noted that in many cases the low bid was not successful as the other values mentioned above out-weighed the price when the scores were totaled. The PRM will provide further details in the backgrounder to explain the scoring system. There being no further questions, the following resolution will be brought forth to council for consideration.

Moved and seconded that the resolution be accepted and forwarded to City Council for approval with the updated backgrounder as noted.

d. Request to Consider Dogs off Leash Pilot Project

The PRM noted that Chair Tweel received a written request from Councillor Duffy (cc'd to the PRM), who was approached from a number of residents requesting a leash-free Dog Park within Victoria Park on a pilot project basis.

A discussion was held and the PRLA concluded that they do not feel Victoria Park is the appropriate location for such a 'dogs off-leash' space, due to the many other users of the park and the ecological sensitive areas within the park. However, one location noted in Councillor Duffy's letter is an area behind the Aubin Arsenault Building which is property on loan to the Provincial Government. The PRLA Committee recommended

that Councillor Duffy could bring this idea to the IGA Committee for their consideration as it would fall within that Standing Committee's Terms of Reference, to approach the Provincial Government.

7. INTRODUCTION OF NEW BUSINESS:

There was no new business.

8. MOTION TO MOVE INTO CLOSED SESSION

Moved by Chair Tweel and Seconded by Councillor Hilton to go into closed session at 12:55PM, as per section 119 (1) sub-section (e) of the Prince Edward Island Municipal Government Act. Motion Carried.

9. OPPORTUNITY FOR PLAYGROUND PROJECT

As per the closed session discussion, the committee agreed to forward a resolution to council regarding a request for the City to accept an inclusive playground project as a "gift" from Canadian Tire JumpStart Charities.

10. MOTION TO ADJOURN

Moved by Chair Tweel and Seconded by Councillor Hilton that the meeting be adjourned. Motion Carried.

The meeting adjourned at approximately 1:10 pm.

Chair: Councillor Mitchell Tweel



CITY OF CHARLOTTETOWN

RESOLUTION

Parks and Recreation #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Mitchell Tweel

Seconded by Councillor _____ Melissa Hilton

RESOLVED:

That the City of Charlottetown accepts the following bids for playground equipment from:

- Kan Go Roo in the amount of \$22,140.78 (HSTI) for J. Frank McAulay Park,
- PlayPower in the amount of \$23,695.46 (HSTI) for Mulberry Park,
- PlayPower in the amount of \$23,087.54 (HSTI) for Malcolm Darrach Park,
- Jambette in the amount of \$7,590.00 (HSTI) for Southview, Shell Court, J. "Bomber" Callaghan and Desbrisay Parks,
- PlayPower in the amount of \$3,503.81 (HSTI) for Centennial Park
- PlayPower in the amount of \$3,885.18 (HSTI) for one (two bay) swing set with a generation seat for J. Bomber Callaghan Park and
- PlayPower in the amount of \$6,593.34 for three (two bay) swing sets for Southview, J. Frank MacAulay and Desbrisay Park.

And that in addition, \$80,000.00 be approved for playground removal, installation and contingency costs under the Parks Playground Projects as noted above,

And further that this amount be expensed to the approved 2018 Parks and Recreation Capital Budget.

Backgrounder for Resolution #1**Date: April 9, 2018****Line Department: Parks and Recreation****Budget Category: 2018 Capital****Overview of Expense: Playground Equipment Upgrade****Evaluation Criteria:**

Each proposal was evaluated by a committee against the following criteria:

- Safety Standards 15 points
- Play Value 20 points
- Appearance and Novelty 20 points
- Quality and Durability of Materials 15 points
- Warranty, Service and Maintenance Requirements 15 points
- Price (HST Included) 15 points
- Total Points to be Awarded 100 points

The following scores reflects how each company did relating to all the evaluation criteria, with the price only accounting for portion of each score. In many cases, the other values out weighted the price. The highlighted bidder is the successful bidder. All the recommended bids falls within the estimated budget amounts for each structure.

Procurement Details:

J. Frank McAulay Park	Medium Structure (Ages 2 – 12 years)	
Bidder	Tender Amount (HSTI)	Score (out of 100 points)
Kan Go Roo (1)	22,140.78	84
PlayPower (2)	23,695.46	84
Kan Go Roo (2)	20,189.08	83
Jambette	17,825.00	82
PlayPower (1)	23,617.12	81
<i>Recommendation: It is recommended that the bid of \$22,140.78 (HSTI) from Kan Go Roo for the medium playground structure be accepted for its high play value and novelty and fit in the park environment.</i>		
Mulberry Park	Medium Structure (Ages 2 – 12 years)	
Bidder	Tender Amount (HSTI)	Score (out of 100 points)
PlayPower (2)	23,695.46	86
PlayPower (1)	23,617.12	85
Jambette	17,825.00	84

Kan Go Roo (2)	20,189.08	84
Kan Go Roo (1)	22,140.78	84
Fundy Fencing	22,649.25	63

Recommendation: It is recommended that the bid of **\$23,695.46(HSTI)** from **PlayPower** for the medium playground structure be accepted for opportunities of inclusion play, fit with the environment age appropriateness and high play value.

Malcolm Darrach Park	Medium Structure (Ages 2 – 12 years)	
Bidder	Tender Amount (HSTI)	Score (out of 100 points)
PlayPower	23,087.54	85
Kan Go Roo	21,429.27	83
Jambette	18,975.00	80
Fundy Fencing	22,840.50	77

Recommendation: It is recommended that the bid of **\$23,087.54 (HSTI)** from **PlayPower** for the medium playground structure be accepted for high play value, inclusion play, and fit with the location.

Southview Park, Shell Court, J. “Bomber” Callaghan, and Desbrisay Parks	Independent Play Piece (Ages 5-12)	
Bidder	Tender Amount (HSTI)	Score (out of 100 points)
Jambette	7,590.00	74
PlayPower	3,254.93	73
Kan Go Roo	6,058.07	66
Fundy Fencing	12,693.70	61

Recommendation: It is recommended that the bid of **\$7,588.00 (HSTI)** from **Jambette** for four see-saw play pieces be accepted because of their high play value, novelty, age appropriateness, visual appearance, and fit with the location.

Centennial Park	Inclusive Independent Play Piece (Ages 2-12)	
Bidder	Tender Amount (HSTI)	Score (out of 100 points)
Playpower	3,503.81	95
Kan Go Roo	3,870.59	82
Fundy Fencing	3,845.60	76

Recommendation: It is recommended that the bid of **\$3,503.81 (HSTI)** from **PlayPower** for the inclusive play piece be accepted. It is the lowest bid, accommodates the most number of children and it is inclusive.

J. "Bomber" Callaghan Park	(1) one 8 foot, 2 (two bay) Swing Set with 3 tot seats and one generation seat	
Bidder	Tender Amount (HSTI)	Score
PlayPower	3,885.18	1
Fundy Fencing	4,439.00	2
Kan Go Roo	4,704.34	3

***Recommendation:** It is recommended that the bid of **3,885.18 (HSTI)** from **PlayPower** for the one (1) 8 foot two (2) bay swing set be accepted. This score is based on price only, as all bidders received full marks on the other evaluation criteria. This the lowest bid.*

Southview Park, J. Frank McAulay Park, Desbrisay Park	(3) Three 8 feet, 2 (two) bay Swing Sets with 2 (two) tot seats and 2 (two) belt seats	
	Tender Amount (HSTI)	Score
Bidder		
PlayPower	6,593.34	1
Jambette	6,727.50	2
Fundy Fencing	10,522.25	3
Kan Go Roo	10,873.46	4

***Recommendation:** It is recommended that the bid of **\$6,593.34 (HSTI)** from **PlayPower** for the 3 (three) swing sets be accepted. This score is based on price only, as all bidders received full marks on the other evaluation criteria. This is the lowest bid.*



City of
Charlottetown

Report No: #4 – Request to consider Dogs
off Leash Pilot Project

Date: April 3, 2018

Directed to: Standing Committee

Committee: PRLA

Prepared by: Frank Quinn

Attachments:
Letter of Request

Subject: Request to consider a dogs off leash pilot project in Victoria Park

RECOMMENDATION:

Staff suggests that they could further research possible dogs of leash pilot project options that could be considered for Victoria Park. If supported, staff would bring these options back to the PRLA Committee for consideration.

REPORT:

On March 8, 2018, the Chair and PRM received a written request from Councilor Duffy, which included a resident of ward 3 requesting that the PRLA Committee consider a dogs off leash pilot project within Victoria Park. Please see the attached letter of request.

Over the years, there has been a great deal of discussion around the topic of dogs off leash in Victoria. The City's Dog Control Bylaw states "any dog owner who permits his/her dog to run at large within the boundaries of the City is guilty of an offence", therefore dogs owners are required to have their dogs on a leash while in a park. With limited enforcement resources, it is impossible to ensure that all dog owners adhering to this bylaw. It is known that there are times when dog owners do not have their dog on a leash in Victoria Park.

Staff suggests that they could further research possible dogs off leash options for Victoria Parks that PRLA Committee could consider for a possible pilot project. Such options could include: off-leash times for identified area(s) of the park, dog walker's trail loop, and dog run area. Consideration will have to be given to the impacts on the many other users of the park, and the ecological sensitive areas within the park.

Respectfully,
Frank Quinn

Reviewed By:

CAO

Manager

Other

RECOMMENDATIONS/ACTIONS:

The PRLA Committee concluded that they do not feel that Victoria Park is the appropriate location for such a "dogs off leash" space, due to the many other users in the park and the ecological sensitive areas within the park. However, one location noted in Councilor Duffy's letter is an area behind the Aubin Arsenault Building, which is property on loan to the Provincial Government. The PRLA Committee recommended that Councilor Duffy could bring this idea to the IGA Committee for their consideration as it would fall within that Standing Committee's Term of Reference, to approach the Provincial Government.



CITY OF CHARLOTTETOWN

RESOLUTION

Parks and Recreation #2

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ **Mitchell Tweel**

Seconded by Councillor _____ **Melissa Hilton**

RESOLVED:

That the City of Charlottetown accepts an inclusive playground project “gift” from Canadian Tire Jumpstart Charities. This project will take place at Victoria Park (next to the existing playground structures), and has no initial capital costs to the City. Upon completion, the City will assume the responsibility for maintaining the inclusive playground.

And that Jumpstart Charities and its contractors will consult with the City’s Parks and Recreation Department to ensure the playground project meets the requirements of the City,

And that the City enter into a “gift agreement” with Canadian Tire Jumpstart Charities.

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



City of
Charlottetown

Report No: #5 – Jumpstart Inclusive
Playground Project

Date: April 3, 2018

Directed to: Standing Committee

Committee: PRLA

Prepared by: Frank Quinn

Attachments:

Map of the Proposed Site

Rendering of Inclusive Playground

Inclusive Playground Footprint Design

Subject: An opportunity for a Jumpstart Inclusive Playground Project “gift”

RECOMMENDATION:

Staff recommends that the Parks, Recreation and Leisure Activities (PRLA) Committee accepts this inclusive playground project as a “gift” from Canadian Tire Jumpstart Charities. And that this playground will be installed at Victoria Park (next to the existing playground structures), and has no initial capital costs to the City. Upon completion, the City will assume the responsibility for maintenance. Further that the PRLA Committee forward a resolution to Council for consideration.

REPORT:

Here is a brief summary of the details, relating to this “gift” request.

- In January 2018, a presentation was made to the City from Canadian Tire Jumpstart Charities for the City to consider an “Inclusive Playground Project” gift.
- The Parks and Recreation Manager (PRM) and Chair of PRLA was briefed on this presentation. It was noted that the proposed inclusive playground would have to be located in Victoria Park. Over the past two months, the PRM has communicated with Jumpstart representatives to finalize the details and requirements for the City.
- A site meeting was held on March 19 with Jumpstart representatives and their contractors. The proposed site was deemed to be the most suitable site for the inclusive playground project, since it is next to existing playground, accessible and adjacent to amenities (see attached Map of the Proposed Site). After follow-up communication, an inclusive playground footprint was agreed upon (see attached Inclusive Playground Footprint Design and Rendering of Inclusive Playground).
- Jumpstart Charities representatives and its contractors will continue to consult with the Parks and Recreation Department to ensure the project meets the City’s requirements.
- The project timelines are still being finalized, but it is anticipated that construction would start by early June and the project would be completed by the end of July.

Respectfully,
Frank Quinn

Reviewed By:

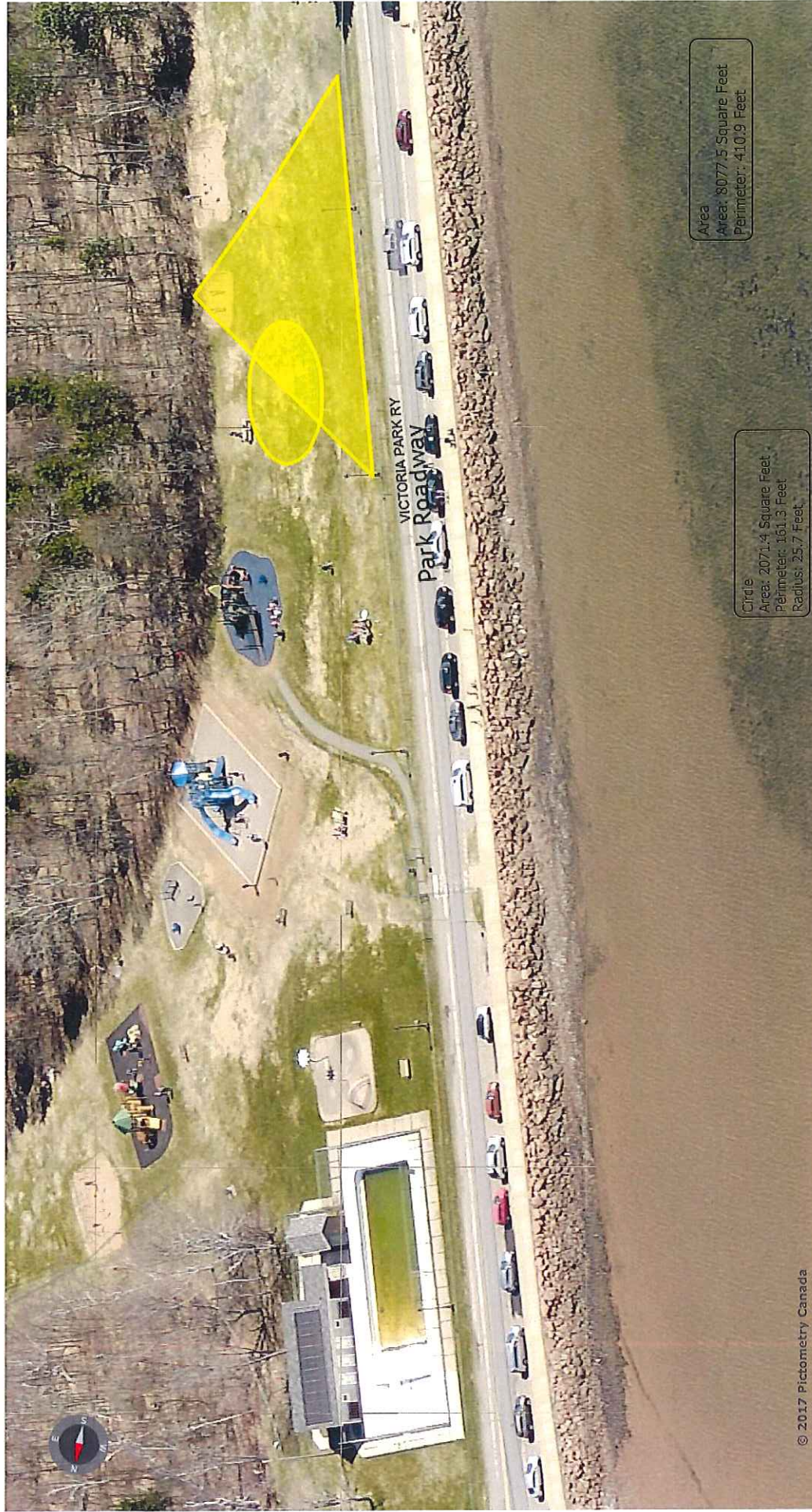
CAO

Manager

Other

RECOMMENDATIONS/ACTIONS:

The PRLA Committee supports the recommendation to accept an inclusive playground project as a “gift” from Canadian Tire Jumpstart Charities. And that this playground will be installed at Victoria Park (next to the existing playground structures), and has no initial capital costs to the City. Upon completion, the City will assume the responsibility for maintenance. The Committee agreed to forward a resolution to City Council for consideration, during April 9th’s meeting.



SAMPLE Rendering



*Custom products are shown as conceptual only. **Custom product man disclaiming time for this project will be approximately 6 weeks from the time of LSI order acceptance.

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**PROTECTIVE AND EMERGENCY SERVICES COMMITTEE
REPORT TO COUNCIL
April 9, 2018**

The Protective & Emergency Services Committee met on March 26, 2018. The minutes are included in your package.

The Bylaw Amendments to the Taxi Bylaw will be advanced for first reading.

There is one resolution for your consideration.

Respectfully submitted,

Councillor Jason Coady, Chair

PROTECTIVE AND EMERGENCY SERVICES COMMITTEE

March 26, 2018

12 NOON

Present: Councillor Jason Coady Brad MacConnell, DPC
 Councillor Greg Rivard Gary McGuigan, DPC
 Randy MacDonald, FC Helen McGuigan, Exec. Asst.
 Tim Mamye, DFC

Regrets: Councillor Terry Bernard
 Peter Kelly, CAO
 Paul Smith, PC

Chair Jason Coady welcomed everyone to the meeting.

Minutes from the February 26th 2018 meeting were approved. (Moved by Councillor Rivard and seconded by Councillor Coady).

FIRE

OPERATIONAL REPORT – Deputy Fire Chief Tim Mamye provided the following information from the Fire Department for the period from February 21st 2018 to March 21st 2018.

1. **FIRE INSPECTIONS** – Thirteen fire inspections were conducted.
2. **HAZARD COMPLIANCE ORDERS** – Eleven Hazard Compliance Orders were issued.
3. **FOLLOW UP INSPECTIONS** – Five Follow-Up Inspections were conducted.
4. **SITE VISITS** – There were eight site visits.
5. **PLAN REVIEWS, PERMITS, SAFETY PLANS** – There were four Plan Reviews, Permits and Safety Plans.
6. **FIRE INVESTIGATIONS** – There were three fire investigations.
7. **FIRE INSPECTOR CONSULTATIONS** – There were fifteen Fire Inspector consultations. Those included meetings, code inquiries, site visits, etc.

8. **PUBLIC EDUCATION** – There were three sessions with a total of 62 participants.

9. **FIRE DRILLS** – One fire drill was held.

10. **ENGINE 1 SMOKE ALARM VISITATIONS** - There were 169 smoke alarm visitations.

11. **EMERGENCY RESPONSES** – District 1 had 19 emergency responses (Engine 1 – 8 A.M. – 4 P.M. - 6 responses and 12 P.M. – 8 A.M. – 1 response). District 2 had 15 emergency responses. There were three inspector callouts. Total number of emergency calls was 44. Total on scene time was 37 hours and 41 minutes.

12. **TRAINING** – Training consisted of pre-fire tours, CPR, ventilation, fire control, water supply, Saving Your Own Drills, JPR'S practice, ground and aerial apparatus ladder drills and Resilient Minds training continued. Four members attended a Fire Attack Course, four completed the Ice Rescue course, three completed a MFR course, seven completed the Hazmat Awareness course and seven members continue on the Emergency Service Instructor course. The five new recruits continue on their Level 1 training with the field portion. All are doing well. Personnel training hours for this reporting period were 587.

13. **DEPARTMENT ACTIVITIES** – The Volunteer Captain's competition continues with both candidates advancing to the final interview stage. Members participated in several department activities including a very busy Home Show booth highlighting residential sprinkler awareness, the Cows Ice Cream "Moo Let's Talk" Mental Health event and the bi-annual "Change Your Clocks Change Your Batteries" event at McDonald's. Members are now getting ready for the MD Boot Drive scheduled for March 31st.

14. Chief MacDonald provided the following information to Committee:

- Social Media had 1661 tweets, 2191 followers and 2045 Face Book likes.
- Captain – Station 1 – Competition is underway.
- Firefighter Vacancy – Competition is underway
- Retired Firefighters Group – Letter of expression of interest was received from Mr. Florian Bryan.
- New Rescue – Drawings have been received and are being reviewed.
- New Engine – Discussions are commencing with various manufactures.
- 10 Westridge Cres. – Thank you to all members involved in the fire that occurred at 10 Westridge Cres. on March 20th.

- Thank you – To Committee and Council for their support in both the Capital and Operational Budgets.

POLICE

15. BYLAWS – TAXI – Due to a typing mistake discovered in the amendment reading paper, amendments to the Taxi bylaw will be forwarded again for first reading at the April meeting, with final reading to follow at a subsequent meeting.

There was discussion concerning picking up fares at the Charlottetown Airport.

16. COMMUNITY POLICING/SPECIAL EVENTS – Members of Police Services participated in the Home Show which went well. Members received a number of positive comments.

Deputy McGuigan discussed with Committee preparations that are underway for a meeting with Downtown Residents Association pertaining to the upcoming concerts at Confederation Landing. A meeting will be held with the Downtown Residents Association on April 5th 2018 at 7 P.M. Operational Plans will be in place for the concerts.

A liaison officer (Cst. F. Maliqi) has been assigned to assist the Newcomers Association as needed.

Three additional officers will be trained to deliver the Healthy Me Program in our City schools. This program will be delivered to all students by the end of this school year.

17. PERSONNEL - Efforts are underway to identify summer staff and complete the screening process for potential candidates.

Subject to budget being approved, work will commence in April with Human Resources to fill two vacancies in Police Services.

Training continues - Cannabis Impaired, SFST training, Use of Force, Drug Recognition, Child Sexual Abuse, etc. .

Deputy Chief MacConnell will be attending a Senior Police Administration Course in Ottawa in April 2018.

18. TRAFFIC – Deputy MacConnell provided Committee with a further overview of the mobile camera system presently installed in a patrol vehicle. This is a demo Police Services has on a trial basis which appears to be working out well.

Deputy MacConnell updated Committee on the parking ticket system and electronic ticketing replacing our TEAMS system.

An Inspector from Fredericton Police Services visited our Police Services and met with Deputy/Chief MacConnell for a demonstration on our “E” Watch cameras. He was very impressed.

Deputy McGuigan discussed with Committee the process for anyone requesting speed bumps in areas of the City,

19. OPERATIONAL ITEMS - Deputy MacConnell updated Committee on a couple of operational items, including Cannabis Legislation and positives of our Crime Analyst position.

Deputy McGuigan discussed Towing RFI (Request For Information) with Committee. RFI document was reviewed as well.

Councillor Coady advised Committee of concerns raised by Councillor M. Tweel concerning increased graffiti in the City. Deputy MacConnell advised we will have our Street Crime Unit and Crime Analyst look at this issue and will provide feedback.

Meeting was adjourned.



FIRE CALLS FOR MARCH - 2018

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	5	A/Alarm – Pulled/Accidental	1
A/Alarm – Equipment - Malfunction	6	A/Alarm – Equipment Malfunction	3
A/Alarm – Working on System	3	A/Alarm – Working on System	1
A/Alarm – Cooking	3	EMS (Mutual Aid)	3
EMS – Mutual Aid	5	Electrical Fire	1
Smell of Smoke	1	Smoke in Basement	1
M/Vehicle Accident	2		
Flu Fire	1		
Animal Rescue	1		
Elevator Assistance	1		
Fire Calls	32	Fire Calls	11

Total Calls for the Years 2017 and 2018

Total Fire Calls for 2017	Dist: #1	Dist. #2	Total Fire Calls for 2018	Dist: #1	Dist. #2
January	29	+ 16 (45)	January	33	+ 18 (51)
February	39	+ 17 (56) (101)	February	23	+ 14 (37) (88)
March	32	+ 17 (49) (150)	March	32	+ 11 (43) (131)
April	35	+ 17 (52) (202)	April		
May	39	+ 24 (63) (265)	May		
June	37	+ 16 (53) (318)	June		
July	53	+ 19 (72) (390)	July		
August	38	+ 15 (53) (443)	August		
September	27	+ 15 (42) (485)	September		
October	40	+ 15 (55) (540)	October		
November	31	+ 23 (54) (594)	November		
December	44	+ 13 (57) (651)	December		
	Total Calls 2017 - 651				

2018 (2017) (From January 1st to February 28, 2018)

20	29	Auto Alarms (No Fire/Alarm Ringing) both Station
1	10	Auto Alarms – Detector Activated both Stations
5	11	Auto Alarms – Pulled/Accidental/False both Stations
8	1	Auto Alarms – Smoke/Steam/Dust both Stations
16	19	Auto Alarms – Equip. Malfunction both Stations
2	2	Auto Alarms – Sprinkler/Power Failure both Stations
10	6	Auto Alarms – Working on System/Workers set off
16	17	Auto Alarms – Cooking both Stations
78	95	Total Auto Alarm
12	11	Mutual Aid/Stand By - Both Stations
5	0	Fire Calls to the WR Ind. Park – District #2

	2018 Monthly Reported	2018 Monthly Actual	2018 Actual To Date	2017 Monthly Actual	2017 Actual To Date
Robbery	0	0	0	1	2
Assault	21	15	52	13	40
Break & Enter	6	5	16	4	15
Theft of MV	0	0	0	1	2
Theft Over \$5000	2	1	3	0	0
Theft Under \$5000	62	53	165	52	145
Have Stolen Goods	1	1	5	1	8
Frauds	13	11	71	10	18
Offensive Weapons	2	2	2	2	6
Other Criminal Code	87	54	176	67	174
Drugs	10	10	24	11	20
LCA	38	36	81	30	95
Municipal - Totals	2731	2731	8091	2769	7459
Parking Tickets	2659	2659	7797	2715	7322
Nuisance Bylaw	51	51	151	34	90
Dog Bylaw	21	21	71	20	47
Collisions	73	73	245	90	219
HTA	484	481	1321	386	1060
HTA Violations		426	1184	359	1040
Other Traffic	83	83	225	65	226
CC Traffic	35	22	68	14	65
Complaints		996	2921	963	2659

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 March 2018.

Allen St	1
Belmont St	2
Belvedere Ave/Mt Edward	1
Campbell Rd/Winsloe Rd	3
Dorchester St/Great George	1
Dunkirk St	1
Euston St/Prince	1
Euston St/University	1
Grafton St/Pownal	1
Great George St/Kent	1
Kensington Rd/Linden	2
Kirkdale Dr	1
Lower Malpeque/Melody	1
North River Rd/Thompson	1
Park St	1
Prince St/Grafton	2
Queen St/Nassau	1
Rte 2/St Dunstons	1
University Ave/Enman	2
University Ave/Nassau	1
Upper Prince St/Alley	1
Upton Rd	1
Walker Dr	1

Walthen Dr/Summer	8
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HIGHWAY TRAFFIC ACT – Non-Moving Violations

The following is a synopsis of vehicles found in violation of non-moving violations for the month of March 2018.

Allen St	3
Arterial Hwy/Mt Edward	2
Arterial Hwy/Oak	3
Beach Grove Rd/Maypoint	7
Beasley St/Kensington	2
Belmont St	2
Belvedere Ave/Farmers Mkt	1
Belvedere Ave/Maple	2
Brackley Point Rd/Belvedere	1
Brackley Point Rd/MacAleer	9
Brighton Rd/Goodwill	1
Brighton Rd/Queen Elizabeth	1
Capital Dr/Sandstone	3
Dawson Crt	1
Enman Cres	1
Euston St/Great George	4
Euston St/Hillsborough	1
Euston St/Prince	1
Exhibition Dr/Kensington	2
Fitzroy St/Hillsborough	1
Forrest Dr	1
Gower St/St Peters	3

Grafton St/Cumberland	
Grafton St E	10
Grafton St/Edward	4
Grafton St/Prince	4
Kent St/Edward	1
Kent St/Great George	10
Kent St/Hillsborough	4
Kensington Rd/Arterial	3
Kensington Rd/Linden	1
King St/Prince	1
Kirkwood Dr/Queen	2
Kirkwood Dr/Trafalgar	1
Linden Ave	1
Longworth Ave/Euston	1
Longworth Ave/Mt Edward	1
Lower Malpeque Rd/Highfield	4
Massey Dr/Gates	3
Mount Edward Rd/Belvedere	1
Mount Edward Rd/Harley	3
Mount Edward Rd./Hillside	2
Mount Edward Rd/St/Peters	2
Murchison Lane	4
Northridge Pkwy/Andrews	2
North River Rd/Belvedere	3
North River Rd/Buchanan	2

North River Rd/Capital	6
North River Rd/Inkerman	2
Norwood Rd	1
Park St	2
Pownal St/Grafton	1
Pownal St/Sydney	1
Prince St/Fitzroy	1
Prince St/Sydney	1
Queen St/Bayfield	2
Queen St/Douglas	2
Queen St/Grafton	5
Queen St/Kirkwood	1
Queen St/Nassau	2
Queen St/Newland	2
Queen St/Pond	2
Queen St/Richmond	1
Queen St/Reserve	1
Rte 2/Arterial	2
Rte 2/St Dunstons	2
Rte 2/Stockman	6
Spring Lane	1
St Peters Rd/Arterial	2
St Peters Rd/Grant	2
St Peters Rd/Harley	1
St Peters Rd/MacRae	2

St Peters Rd/MacWilliams	5
St Peters Rd/Woodward	1
St Pius X	1
University Ave/Allen	9
University Ave/Belvedere	7
University Ave/Douglas	1
University Ave/Eden	3
University Ave/Enman	10
University Ave/McKinnon	5
University Ave/Nassau	4
University Ave/Pond	2
Upper Prince St/Summer	4
Upton Rd	13
Walker Dr	2
Water St/Great George	2
Water St Pkwy	11
Weymouth St/Grafton	4
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 March 2018.

Allen St	4
Arterial Hwy/Mt Edward	2
Arterial Hwy/Oak	23
Brackley Point Rd/MacAleer	5
Brackley Point Rd/Pine	1
Lower Malpeque Rd/Highfield	6
Lower Malpeque Rd/Kenwood	3
Lower Malpeque Rd/Melody	3
Lower Malpeque Rd/Old Moore	2
Lower Malpeque Rd/Westway	8
Mount Edward Rd/Allen	1
Mount Edward Rd/Centennial	3
North River Rd/Inkerman	6
North River Rd/Vista	1
Riverside Dr/Murchison	1
Royalty Rd	1
Rte 2/Countryview	1
Rte /Stockman	3
St Peters Rd/Grant	3

St Peters Rd/MacWilliams	4
University Ave./Belvedere	9
University Ave./Browns	5
University Ave./Enman Cres.	21
University Ave/McKinnon	15

CHARLOTTETOWN POLICE DEPARTMENT
BY-LAW ENFORCEMENT
Monthly Report March 2018

Phone Call Breakdown

Call Type	Total This Month	Total Previous Month	Total To Date
Dangerous, Hazardous, Unsightly	11	32	43
Nuisance	7	9	16
Zoning & Development	11	14	25
Traffic	11	22	33
Snow Related	10	40	50
Street Vendors	21	31	52
Other Bylaws (Crossing Guards, Etc)	5	31	36
TOTAL	76	179	255

Taxi Bylaw Breakdown

	Total This Month	Total Previous Month	Total To date
Taxi License Bylaw	2	4	6
Taxi Inspections	2	2	4
Total	4	6	10

Breakdown of Duties

	Week 1 March 1 st - 2 nd	Week 2 March 5 th - 9 th	Week 3 March 12 th - 16 th	Week 4 March 19 th - 23 rd	Week 5 March 26 th - 30 th	Total this Month	Total Prev. Month	TOTAL to Date
Files OPENED	3	7	5	5	0 (Vac)	20	48	68
Files CONCLUDED	1	4	4	3	0 (Vac)	12	37	49
Site Visits	4	7	6	6	0 (Vac)	23	63	86
SOT's sworn	62	97	87	136	0 (Vac)	382	682	1064
Towed Vehicles	1	2	3	2	0 (Vac)	8	8	16
Paid Summons	460	945	2220	810	0 (Vac)	4435	2860	7297
Information's Signed	0	85	100	55	0 (Vac)	240	663	903
Crossing Guard Duties	0	1	0	0	0 (Vac)	1	2	3
Bylaw Tickets	0	0	0	0	0 (Vac)	0	0	0

Quick Look At This Month:

- This month there was a total of 76 calls received/made through the Bylaw Enforcement Office for March
- There were 20 occurrences generated as a results of complaints
- There were 23 site visits/follow-ups made in March
- There is one (1) "Resolution To Council" this month.
- There were three (3) "Written Warnings" in March.
- The majority of the calls for March were for Unsightly Premises (garbage) and snow related calls.
- There were 86 "Parking Tickets" written by Bylaw Enforcement due to parking complaints

Cst Todd Sutcliffe _____

Date: April 9th , 2018



**CITY OF CHARLOTTETOWN
TAXI BYLAW
2018 - 03**

**Amend statutory reference within the bylaw as per the Municipal Government Act of PEI;
Amend Part II – Taxi Owners - Section 2(d)(i) and delete Section 9(b); Part III – Taxi
Operators - Section 15(h) and Section 19(b); Part IV – Taxi Stands – Section 23(c)(i); Part
V – Fares – Add Section 32 relating to electronic payments and issuing of a receipt**

RESOLVED: THAT the bylaw to amend the “**CITY OF CHARLOTTETOWN TAXI BYLAW**”
be read a **first** time.

Moved by Councillor _____ Jason Coady

Seconded by Councillor _____ Greg Rivard
Date: April 9, 2018

RESOLVED: THAT the bylaw be now be approved and that it be entitled the “**CITY OF
CHARLOTTETOWN TAXI BYLAW**” and that it be read a second time at the next Public
Meeting of Council.

Moved by Councillor _____ Jason Coady

Seconded by Councillor _____ Greg Rivard
Date: April 9, 2018

THEREFORE; BE IT RESOLVED: THAT the “**CITY OF CHARLOTTETOWN TAXI BYLAW**”
be read a **second** time and that the said Bylaw be now adopted.

Moved by Councillor _____ Jason Coady

Seconded by Councillor _____ Greg Rivard
Date: May 14, 2018

April 9, 2018

**Protective & Emergency Services
Committee**

BE IT ENACTED by the City Council of the City of Charlottetown that the Taxi Bylaw be amended as follows:

**UPDATE THE BELOW NOTED SECTION OF THE STATUTORY REFERENCE
WITHIN THE BYLAW AS PER THE MUNICIPAL GOVERNMENT ACT OF PEI**

FROM:

BEING A BYLAW OF THE CITY OF CHARLOTTETOWN RELATING TO THE
REGULATION AND LICENSING OF TAXIS IN THE CITY OF CHARLOTTETOWN
PURSUANT TO THE PROVISIONS OF PART I, SECTION 64 OF THE CHARLOTTETOWN
AREA MUNICIPALITIES ACT, R.S.P.E.I., 1988, CAP C-4.1

TO:

SECTION 180 (h) OF THE MUNICIPAL GOVERNMENT ACT OF P.E.I., R.S.P.E.I., 1988,
Cap. M-12.1

PART II – TAXI OWNERS

- Amend section 2(d)(i) increase insurance liability coverage to \$1,000,000.00
- Delete section 9 (b) with respect to displaying of Owners License and renumber existing (c) to (b).

PART III – TAXI OPERATORS

- Amend section 15 (h) to include reference with respect to the completion of training and testing associated to: professionalism, customer service, communications, safety, industry and driver knowledge.
- Amend section 19 (b) with respect to displaying of Operators License.

PART IV – TAXI STANDS

Amend section 23(c)(i) to increase insurance liability coverage to \$1,000,000.00.

PART V - FARES

- Add new section 32 requiring every driver must accept electronic payments with associated subsections requiring the issuance of a receipt capturing drivers license number, date, amount of fare and driver signature or initials.

Renumber remaining sections of the Bylaw.



CITY OF CHARLOTTETOWN

RESOLUTION

**Protective &
Emergency Services
1**

MOTION CARRIED _____

MOTION LOST _____

Date: March 12, 2018

Moved by Councillor _____ **Jason Coady**

Seconded by Councillor _____ **Greg Rivard**

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parking spaces in front of Beanz Cafe Charlottetown Ltd, 138 Great George Street, Charlottetown (PID# 342758), be approved to the end of the 2018 season, subject to annual permit applications,

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



PLANNING AND HERITAGE COMMITTEE REPORT TO COUNCIL

April 9, 2018

The Planning & Heritage Committee did not meet in March; therefore there are no minutes in your package.

The Planning Board met on Tuesday, April 3, 2018, and a copy of these minutes is included in your package.

There are six (6) resolutions to be put forward:

1. 29 Garfield Street: Variances to decrease rear and side yard setback requirements
2. 494 Queen Street: Variance to increase maximum height requirement
3. 151-153 Euston Street: Site specific amendment to allow a Law Office as permitted use
4. 155 Upper Prince Street & 21 Young Street: Lot consolidation
5. 249 Sherwood Road: Amend Appendix "A", Appendix "G", rezone and amend Schedule "H"; Consolidate portions of two (2) lots
6. 49 Trailview Drive: Amend Appendix "A", Appendix "G", rezone and amend Schedule "H"

The Heritage Board met on Tuesday, March 27; copies of the Heritage Board report and these minutes are included in your package.

There is one (1) resolution to be put forward:

1. 55-59 Richmond Street: 4-storey, 23-unit apartment building

Reading Papers

First Readings:

None.

Second Readings:

1. Brackley Point Road PID #659086: Rezone from R-1L to R-2
2. BioCommons Park: Rezone from CDA to M-3
3. Flag lots: Amend the Zoning and Development By-law to eliminate flag lots
4. Retail sales of cannabis: Amend the Zoning and Development By-law to regulate the sale of cannabis
5. Underground Electrical wiring: Amend the Zoning and Development By-law to require underground wiring on private property for new development in those areas of the City where underground wiring presently exists in the adjacent right of way
6. Limited Car Rental Services: Amendment to the Waterfront Zone to permit Limited Car Rental Services

Council Package
April 9, 2018
Page 2 of 2

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

Respectfully submitted,

Councillor Greg Rivard, Chair

PLANNING AND HERITAGE COMMITTEE – PLANNING BOARD
TUESDAY, APRIL 3, 2018
5:00 P.M.

<u>Present:</u>	Councillor Greg Rivard, Chair	Councillor Terry MacLeod, Vice-Chair
	Councillor Jason Coady	David Archer, RM
	Loanne MacKay, RM	Lynn MacLaren, RM
	Lea MacDonald, RM	Alex Forbes PHM
	Pat Langhorne, RM	Greg Morrison, PII
	Karolyn Walsh, RM	Laurel Palmer Thompson, PII
	Ellen Faye Ganga, PH IA/AA	Linda Thorne, PHAA
<u>Regrets</u>	Roger Doiron, RM	Brad Wonnacott, AA
	Kate Marshall, RM	

1. Call to Order

Councillor Rivard called the meeting to order at 4:58 pm and welcomed everyone to the meeting.

2. Declaration of Conflicts

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

3. Approval of Agenda

Moved by Pat Langhorne, RM, and seconded by Lynn MacLaren, RM, that the agenda for Tuesday, April 3, 2018 be approved.

CARRIED

4. Adoption of Minutes

Moved by Pat Langhorne, RM, and seconded by Lynn MacLaren, RM, that the minutes of the Monday, March 5, 2018 meeting be approved.

CARRIED

5. Business arising from Minutes

6. 3 Douglas Street (PID #356683)

This item is a request for two (2) variances to decrease the frontage requirement and the lot area requirement. Please see attached Staff Report. Greg Morrison, PII, presented the application. The requested variances are as follows:

1. Decrease the lot frontage requirement from 76.1 ft to approximately 41.2 ft representing a 45.9% variance.
2. Decrease the lot area requirement from 7,965.6 sq. ft. to approximately 3,306.2 sq. ft. representing a 58.5% variance.

The property is located in the Low Density Residential (R-2) Zone and the purpose of these variances is to convert the existing single-detached dwelling into a duplex. Historically, the property has been a non-conforming duplex. A most recent zoning inquiry dated May 5, 2016 indicated that the current use of the property is apartments. Staff completed the zoning inquiry on May 13, 2016 outlining the history of the property and noted that apartments are not a permitted use in the R-2 Zone and the building must be converted back into a single-detached dwelling. A number of residents continue to indicate that the property has been converted back and operates as a duplex. It continues to violate the requirements of the Zoning and Development Bylaw, but approving these variances would bring the property into conformance. Three (3) responses were received from the mailout and there were no objections to the variances. The letters indicated that they have no objection as long as it enhances the neighborhood and it has sufficient off-street parking. One area of concern though, would be if the building is planned to be demolished and replaced with a larger duplex. Should this variance be approved, it could set a precedent for this property and other properties in the area where it has been known to have non-compliance issues and that other undersized properties in the neighborhood would request for a second dwelling unit. The staff recommendation is to reject the two (2) variances to decrease the lot frontage and lot area requirement.

Councillor Rivard asked for any comments or questions.

Lea MacDonald, RM, asked if the lot reduction is 4,659.4 sq. ft. (about 50% reduction) and will the property be renovated if the proposal is approved. Mr. Morrison responded that the reduction will be about 4,600 sq. ft. and that the applicant has not indicated any specific renovation plans. Mr. MacDonald continued to ask if the existing building is currently being rented out as a duplex. Mr. Morrison responded that it is what residents in the area indicated but the most recent permit reflects it was approved as a single-detached dwelling.

Pat Langhorne, RM, added a comment that she agrees with the staff that approving these variances will set a precedent for the rest of the properties in the area and that we have had the same struggle with other non-compliant properties in the past and now is the time to reject this type of request.

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

Moved by Pat Langhorne, RM, and seconded by Karolyn Walsh, RM, that the request for variances to the property at 3 Douglas Street (PID #356683) to decrease the lot frontage requirement from 76.1 ft to approximately 41.2 ft and to decrease the lot area requirement from 7,965.6 sq. ft. to approximately 3,306.2 sq. ft. be recommended to Council for rejection.

CARRIED

On April 6, 2018, the applicant withdrew his application for the variances.

7. 29 Garfield Street (PID #278929)

This item is a request for two (2) variances to decrease the rear yard setback requirement and the side yard setback requirement. Please see attached Staff Report. Greg Morrison, PII, presented the application. The requested variances are as follows:

1. Decrease the rear yard setback requirement of 19.7 ft to 4.0 ft.
2. Decrease the side yard setback requirement of 9.8 ft to 0.0 ft.

The property is located in the Mixed-Use Corridor Commercial (MUC) Zone and the purpose of this variance is to construct a 9,660 sq. ft. addition to the rear of Aubrey's Bottle Exchange & Recycling Ltd. Records show that Council approved a variance on May 27, 2009 to reduce the front yard setback from the average of approximately 54 ft to approximately 111 ft to permit the construction of a warehouse building. One (1) response to the mailout was received after the report was written opposing the request and expressed concerns due to on-going parking issues with the PEI Brewing Company and lack of adherence to previous stipulations in place to address parking. Councillor Rivard asked if there were plans for a meeting space when the PEI Brewing Company was constructed and Mr. Morrison, responded that the meeting room was located in the building after construction. He added that the applicant proposed to have a parking agreement with Aubrey's to use their property. The adjacent property owner had indicated that he was not in support of these variances until the parking issue was resolved.

The applicant originally submitted an application on February 16, 2018 but the application could not be entertained because it did not confirm with the Zoning and Development Bylaw. The applicant worked with staff and came up with a proposal that could be entertained by Planning Board and Council. Staff has discussed this application several times with the applicant who has agreed that the ideal situation would be to resolve all outstanding issues of the property. Notwithstanding the fact that the two requested variances are significant and the proposal will continue to create parking pressures in the area, staff are concerned about supporting this application. The staff recommendation is to reject the two variances to decrease the rear yard and side yard setback requirement.

Councillor Rivard asked for any comments or questions.

Councillor Rivard verified with Mr. Morrison, that the plan has been revised. Lynn MacLaren, RM, clarified who is asking for this request. Mr. Morrison explained that the variance is for Aubrey's Bottle Exchange and the letter of opposition is related to the parking for the PEI Brewing Company. Lea MacDonald, RM, asked if we are voting on the new proposed variances. Mr. Morrison indicated that the property in question is requesting a zero setback on the side yard and 4 ft setback on the rear yard. Although the subject property does directly involve the brewery property, the two properties are related because the parking at Aubrey's Bottle Exchange is used by PEI Brewing Company for events. The resident's concern is that there will be an additional

warehouse area increasing capacity on the Aubrey's Bottle Exchange property which in turn will decrease the capacity for parking on site. This is further compounded by the fact that the parking capacity on the brewery property exceeds what is presently provided at this time. Councillor Greg Rivard asked if the brewery property has sufficient parking. Mr. Morrison explained that the PEI Brewing Company met the parking requirement when it was constructed but with the addition of the event space, off-lot parking was approved on Aubrey's Bottle Exchange property. The applicant is proposing 10 new spaces on the property which will satisfy the warehouse addition requirement. Lea MacDonald, RM, clarified that the space will be used as warehouse and will not create more traffic. Mr. Morrison confirmed that it is used for warehouse only.

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

Moved by Lea MacDonald, RM, and seconded by Councillor Jason Coady that the request for variances to the property at 29 Garfield Street (PID #278929) to decrease the rear yard setback requirement of 19.7 ft to 4.0 ft and decrease the side yard setback requirement of 9.8 sq. ft. to 0.0 ft. be recommended to Council for approval.

CARRIED

8. 494 Queen Street

This item is a request for a variance to increase the maximum height requirement from 39.4 ft to 74.0 ft. Please see attached Staff Report. Greg Morrison, PII, presented the application. The purpose of this variance is to construct a six (6) storey mixed-use building containing 63 residential dwelling units with underground parking on the property. The property location will be adjacent to the Atlantic Superstore.

One (1) response was received from a resident of Emerald Street after the report was written opposing the request and expressed concerns that the value of the single detached dwellings will decrease and traffic on Queen Street will increase. The resident also indicated that the utilities and street will not allow this type of residential increases.

The Official Plan provides policy to allow moderately higher densities in neighborhoods using existing underground services to its fullest practical capacity and encouraging development in fully serviced areas. The current proposal currently meets all the requirements of the Zoning and Development Bylaw and also allows creation of a mixed-use development on a vacant property. The staff recommendation is to approve the variance to increase the maximum height requirement.

Councillor Rivard reminded everyone that the vacancy rate for apartments in Charlottetown is less than or close to 0.5% and certainly there is a need for this type of housing.

Brian Gillis, on behalf of the applicant, added that the property lies halfway between the downtown core and upper retail big box area of the City. It is currently an empty space and this transition can bring new life and new opportunity with a \$15M investment for the City. The trade-off for the extra height is allowing half of the ground floor for commercial spaces and the rest of the ground floor would be five (5) barrier free housing units which currently are in demand. There is also allocation for underground parking. With the area being near the UPEI, it is an economic node for the City of Charlottetown, and the property can be a higher standard accommodation to neighborhood and students.

Councillor Greg Rivard requested a breakdown of the height distribution of the building. Mr. Gillis described the ground floor to be around 14.6 ft for full commercial/retail use, 5 floors of approximately 9 ft per floor and the top floor having a flat roof with green roof area which can store and control water runoff.

Councillor Rivard asked for any comments or questions.

Lynn MacLaren, RM, asked that given the extra traffic, has anyone looked at how it will affect Queen Street. Mr. Morrison responded that the police are the traffic experts; however, the location beside two major roadways (Belvedere Avenue and Queen Street) should be sufficient to handle any concerns. Mr. Gillis also added that this property will restrict traffic that is presently traversing through this vacant lot as a short cut to Superstore, etc. Loanne MacKay, RM, asked that since the applicant mentioned about vet students renting such type of housing, if they already have an idea of rent for the apartments although it may not be definitive at this time. Mr. Gillis responded that the Charlottetown rental market range for apartments is between \$1,100 to \$1,400 in this area, with underground parking. There are also current housing challenges in Charlottetown and this proposal will respond to this need.

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

Moved by Lea MacDonald, RM, and seconded by David Archer, RM that the request for a variance to the property at 494 University Ave (PID #372300) to increase the maximum height requirement from 39.4 ft to 74.0 ft to permit the construction of a 6-storey mixed use building be recommended to Council for approval.

CARRIED

9. 151-153 Euston Street (PID #358812)

This item is a request to rezone the property from the Medium Density Residential (R-3) Zone to the Downtown Mixed Use (DMU) Zone. Please see attached Staff Report. Greg Morrison, PII, presented the application. The purpose of this application is to convert the existing duplex into an office for the law firm Lecky Quinn. Currently, the Official Plan does not provide requirements

pertaining to rezoning residential properties for commercial use outside of the 500 Lot area, but there is language that supports allowing small scale commercial development to support the needs of a particular area. This request is significant because it is requesting a Bylaw amendment and an Official Plan amendment. The property is not adjacent to other DMU properties, and so approving this request may lead the way for other residential properties in the area to request rezoning to DMU. The staff recommendation is not to proceed to a public consultation.

Councillor Rivard asked for any comments or questions.

Ken Lecky, applicant, stated that he started as a single proprietor and has a growing team, thus needing more office space. There is currently nothing available in the market for an office space and to file storage while keeping their costs low. There are currently six (6) parking spaces and three (3) spaces are rented out. Pat Langhorne, RM, asked about employees using the remaining three parking spots. Mr. Lecky noted that employees do not use the parking spots.

Councillor Rivard asked the Staff if it is possible to have a site specific amendment to allow this proposal without changing the Bylaw. Alex Forbes, PHM, responded that it is possible but the requirements for this request has to be very clear. Mr. Forbes added that if the Board is inclined to support this request, it is recommended that this report be deferred back to staff before the next Council meeting with recommendations and a supporting proposal outlining how this property will function.

Moved by Lea MacDonald, RM, and seconded by Lynn MacLeod, RM that the request to proceed to the public consultation phase to rezone the property at 151-153 Euston Street (PID #358812) from Medium Density Residential (R-3) Zone to Downtown Mixed Use (DMU) Zone be deferred.

CARRIED

Following the meeting, staff prepared a revised report for this application requesting to proceed to the public consultation phase to amend the Medium Density Residential (R-3) Zone of the Zoning and Development Bylaw and amend the Medium Density Residential (R-3) Zone land use of the Official plan for a site specific amendment for the property at 151-153 Euston Street (PID #358812) to allow a Law Office as a permitted use and is subject to the signing of a Development Agreement. At the time of this report, an electronic vote is being requested to approve this request. Following this a resolution will be forwarded to Council as follows:

That the request for a Site Specific Amendment for the property at 151-153 Euston Street (PID #358812) by amending the Official Plan (Medium Density Residential Land Use Designation) and Zoning and Development Bylaw (Medium Density Residential (R-3) Zone) to permit a law office be approved to proceed to the public consultation phase.

CARRIED

10. 155 Upper Prince Street (PID #369140) & 21 Young Street (PID #369132)

This item is a request to consolidate two properties in the Medium Density Residential (R-3) Zone. Two (2) responses were received in opposition expressing concern that where the lawn and parking lot are located does not provide enough parking spaces for residents if a bigger property is built. In turn, this will affect their living conditions. Council has already approved a variance to allow an additional dwelling unit to the existing four (4) unit apartment. The proposed lot consolidation will only allow a five (5) unit apartment building and will not change the use of the property, but bring the property into better conformance with zoning and building regulations. The staff recommendation is to approve the lot consolidation.

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

Moved by Lynn MacLaren, RM, and seconded by Lea MacDonald, RM, that the request for a lot consolidation of 155 Upper Prince Street (PID #369140) and 21 Young Street (PID #369132), subject to the receipt of signed pinned survey plans, be recommended to Council for approval.

CARRIED

11. 249 Sherwood Road (PID #s 615831 & 145128) Irving Frizzel/Chapman's

This item is an application to amend Appendix "A" of the City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area and Industrial to Comprehensive Plan Area; to rezone land and amend Schedule "H" the Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Low Density Residential (R-2) Zone and Business Park Industrial (M-3) Zone to Comprehensive Development Area (CDA); and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw. The request is to consolidate a portion of PID #615831 with a portion of PID #145128 to form one parcel. The applicant has requested a change in Zoning and Official Plan map to allow the applicant to locate his construction company and asphalt plant in this area. The property is approximately 19.89 acres in total, and approximately 10 years ago, the property owner began to subdivide lots from this parcel. Concerns were raised at that time that if a Concept Plan was not provided, there is the potential for larger parcels to be land locked, thus a Concept Plan was required. If this request is approved, staff will be working closely with the Department of Environment to ensure that all concerns relating to the environment are clearly outlined and defined in the Development Agreement. It was also noted that the new asphalt plants are much cleaner than the older ones. The subject property is located adjacent to an existing industrial zone. It is approximately 479 meters from existing residential development. A 20 ft. buffer of trees will be required around the perimeter of the site. Give the location of the proposed asphalt plant the staff recommendation is to advance to public consultation.

Councillor Rivard asked for any comments or questions, and introduced Jeff Chapman, applicant.

Councillor Coady verified that the exit road to the site is off of Sherwood Road and asked about working hours, loading trucks and hauling. Laurel Thompson, PII, confirmed this as well and added that the location is close to Malpeque Road, Brackley Point Road and the airport. This proposal will have limited impact with regard to neighbouring residential streets. Mr. Chapman responded that their projects are seasonal and would usually run from 6 am to 8 pm. Councillor Coady also inquired about the process of extending the mail out from 100 meters to 200 meters radius if possible and Ms. Thompson responded that we typically do not go beyond what is required in the Bylaw. The information regarding the rezoning is posted on the subject property and advertised in the local newspaper. Residents beyond the 100 meter radius will be informed through this notification process. Alex Forbes also added that it is difficult to change the notification process beyond the by-law requirements because when you change these requirements on a case by case basis, it becomes a challenge to determine which standard to use.

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

Moved by Pat Langhorne, RM, and seconded by Lynn MacLaren, RM, that the request for the following amendments to the City of Charlottetown Zoning and Development Bylaw and Official Plan Map and the request for a lot consolidation for the property at 249 Sherwood Road (PID#s 615831 & 145128) to permit the construction of an asphalt plant and storage maintenance building be recommended to Council for approval to proceed to the public consultation phase:

- i. amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area and Industrial to Comprehensive Planning Area;**
- ii. rezone land and amend Schedule "H" the Zoning Map of the City of Charlottetown from Low Density Residential (R-2) Zone and Business Park Industrial (M-3) Zone to Comprehensive Development Area (CDA);**
- iii. amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw;**
- iv. consolidate a portion of PID #615831 with a portion of PID #145128 to form one parcel.**

CARRIED

12. 49 Trailview Drive (PID #145284)

This item is an application to amend Appendix “A” City of Charlottetown Official Land Use Map from Low Density Residential to Concept Planning Area; to rezone a portion of the property PID #145284 located at 49 Trailview Drive; amend Schedule “H” the Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Single Detached Residential (R-1L) Zone to Comprehensive Development Area (CDA) Zone; and to amend Appendix “G” Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.

The proposal is to rezone a portion of the property to facilitate the construction of a townhouse development, with 8 townhouse dwellings (36 units) on one property as a grouped dwelling condominium development. This project will have very low impact on existing low density residential development therefore the staff recommendation is to advance to public consultation.

Councillor Rivard asked for any comments or questions.

Pat Langhorne, RM, asked if these units are rentals or condominiums. Ms. Thompson responded that this is a condominium development, so if the owners decide to create a condominium corporation, they can either sell or rent the units. The applicant in this case will own and maintain the roads. Councillor Coady asked if the roads are off Trailview Drive and Ms. Thompson confirmed that is located off of this street which will run through the centre of the current subdivision.

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

Moved by Pat Langhorne, RM, and seconded by Karolyn Walsh, RM, that the request for the following amendments to the City of Charlottetown Zoning and Development Bylaw and Official Plan be recommended to Council for approval to proceed to the public consultation phase:

- i. Amend Appendix “A” City of Charlottetown Official Land Use Map from Low Density Residential to Concept Planning Area;**
- ii. Amend Schedule “H” the Zoning Map of the City of Charlottetown from Single Detached Residential (R-1L) Zone to Comprehensive Development Area (CDA)**
- iii. Amend Appendix “G” Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.**
- iv. Rezone a portion of the property PID #145284 located at 49 Trailview Drive from Single Detached Residential (R-1L) Zone to Comprehensive Development Area (CDA) Zone.**

CARRIED

13. Lot #3 Michelle Crescent amendment to Development Concept Plan (PID #1076686)

This is an application to amend an existing Development Concept Plan and Development Agreement under Section 31, Comprehensive Development Area (CDA) Zone of the Zoning and Development Bylaw. The property consists of 11,413 sq. m and is part of the original 15 acre site that comprises the approved Development Concept Plan. The current approved use for this lot are two 32 unit apartment buildings. The current property owner requested that the Development Agreement and Development Concept Plan be amended to include a total of 30 town house units, which is a density decrease of 34 units. An amendment was approved in 2017 to the Development Concept Plan for Lot 6 to allow a density increase of 16 units. This situation will result in a net decrease of 18 units on the overall site from the original approved plan. Although this is a decrease in density there has been a demand for townhouses in this neighbourhood. The applicant has developed both lots 1 and 2 on this site and the product has proved popular within the area. Therefore the staff recommendation is to advance to public consultation.

Councillor Rivard asked for any comments or questions.

Lynn MacLaren, RM, noted that the property has gone through several requests for changes to the original concept plan that was approved by Council. She noted that the developers are not following what they proposed and are requesting changes each time they decide to build on a lot. She said that there have been several public meetings regarding this property that the neighbourhood has had to attend. Ms. Thompson noted that it is not an easy development because there are so many changes to the original proposal. She also added that the area can handle density and townhouses are a popular product in the area. The lot was originally a single lot but has been subdivided into different lots. Some of the lots have already been developed. David Archer, RM, mentioned that the appearance of the initial two (2) townhouse lots are not that attractive and questioned why we would want to add more townhouses to this development.

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

Moved by David Archer, RM, and seconded by Pat Langhorne, RM, that the request to proceed to the public consultation phase to consider amendments to the existing development concept plan and development agreement under Section 31, Comprehensive Development Area (CDA) Zone of the Zoning and Development Bylaw, for the property located at Lot #3 Michelle Crescent (PID# 1076686) be recommended to Council for rejection.

CARRIED

On April 6, 2018, the applicant withdrew his application for the amendments to the existing development concept plan and development agreement.

DRAFT UNTIL REVIEWED BY COMMITTEE

The meeting was adjourned at 6:31 p.m.

Councillor Greg Rivard, Chair



City of Charlottetown

Report No: PLAN-2018-3-April-# 601

Date:

March 26, 2018

Directed to:
Planning Board

Department:
Planning & Heritage

Prepared by:
Greg Morrison, MCIP

Attachments:

1. GIS Map
2. Letters from Residents

Subject:

Request for two (2) variances to decrease the lot frontage requirement and lot area requirements for the property located at 3 Douglas Street (PID #356683).

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to reject the request for a two (2) variances to decrease the lot frontage requirement from 76.1 ft to approximately 41.2 ft and to decrease the lot area requirement from 7,965.6 sq ft to approximately 3,306.2 sq ft for the property located at 3 Douglas Street (PID #356683).

SUMMARY:

The Planning & Heritage Department has received a request for two (2) variances to the property located at 3 Douglas Street (PID #356683). The subject property is located in the Low Density Residential (R-2) Zone.

The applicant is seeking a variance to decrease the lot frontage requirement from 76.1 ft to approximately 41.2 ft and a second variance to decrease the lot area requirement from 7,965.6 sq ft to approximately 3,306.2 sq ft. The purpose of the variances is to convert the existing single-detached dwelling into a duplex.

BACKGROUND:

This property has historically been a non-conforming duplex. A letter was sent on February 28, 2010 which indicated that the property has been listed for sale as a duplex. The letter indicated that our records indicate that a permit was issued on January 15, 2003 to renovate the existing single-detached dwelling. On April 22, 2003, the property owner was ordered to remove the second unit in order to comply with the Zoning & Development Bylaw. The Building Inspector indicated in an email on March 6, 2012 that the "kitchen range has been removed from the 2nd storey and breaker removed from

electrical panel. Current owner says he wants to leave cabinets & fridge in place as he has had inquiries from a potential buyer wanting to use the 2nd floor as an in-law suite.”

The issue came back to light when a zoning inquiry dated May 5, 2016 indicated the current use of the property is apartments. Staff completed the zoning inquiry on May 13, 2016 and outlined the history of the property and indicated that apartments are not a permitted use and must be converted back into a single-detached dwelling. The Building Inspector indicated in an email on May 27, 2016 that “an inspection was completed on May 26, 2016 and the main floor kitchen range has been removed and is not to be reinstalled.”

A number of residents have since indicated that the property has been converted back into a duplex and operates as such. This property continues to violate the requirements of the Zoning & Development Bylaw; however, approving these variances would bring the property into conformance.

MAILOUT:

On February 26, 2018, sixty-seven (67) letters were sent to property owners located within 100 meters of the subject property. The letter informed them of the proposed variances and solicited their comments, to be received in writing no later than Friday, March 23, 2018. At the time of writing this report, three (3) letters have been received. The letters are attached to this report. The summary of the three (3) letters is as follows:

1. One resident indicated that they have no objection to the variances and were in support of anything to enhance the neighborhood;
2. One resident indicated that they have no objection to the variances; however, would be concerned if this building was planned to be demolished and replaced with a larger duplex; and
3. One resident indicated that they have no objection to the variances if sufficient off-street parking is provided.

OFFICAL PLAN:

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

*Section 3.1.2 - Our **policy** shall be to allow moderately higher densities in neighbourhoods ... and to make provision for multiple-family dwellings in the downtown core, and multiple-family dwellings in*

suburban centres and around these centres provided it is development at a density that will not adversely affect existing low density housing.

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

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

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

DISCUSSION:

As discussed in the background of this report, the subject property has been an ongoing issue for staff for the last 15 years and appears that it continues to operate as a duplex.

While there is significant support in the Official Plan for allowing moderately higher densities in neighbourhoods while using existing underground services to its fullest practical capacity and approving this variance would ensure the duplex is brought up to the standards of the National Building Code, staff have a difficult time supporting a non-conforming property being approved for additional density without a compelling reason.

The subject property is located in the R-2 Zone; however, is significantly undersized based upon R-2 regulations. As per Section 4.39 of the Zoning & Development Bylaw, *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, depth or area required by this By-law, Shall be deprived of the ability to make reasonable Use of the Lot in accordance with the zone in which it is located.* With that being said, the reasonable use of this lot is a single-detached dwelling.

Should this variance be approved, it could set a precedent for this property as well as other properties in the area. The first concern relates to the fact that this property has a long history of non-compliance. Staff does not want to set a precedent by suggesting to residents that if you ignore the rules and regulations of the Zoning & Development Bylaw you can resolve your problem by requesting a variance in order to make the problem go away. The Planning Board and Council have the opportunity to review applications of this nature to determine if they have merit. In this case, the applicant wants an additional dwelling unit because someone in the past configured the building to provide this use without seeking permission. It is difficult for staff to support an application of this nature after the fact.

The second precedent could be that other undersized properties on the street or in the neighbourhood would request a second dwelling unit as well. In light of the foregoing, staff is recommending that Council reject the proposed variances.

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

Positives	Neutral	Shortcomings
▪ Moderately higher density that will not adversely affect existing low density housing. ▪ Increasing the capacity of existing underground services. ▪ Additional density in fully serviced areas of the City. ▪ Additional density near centres of employment. ▪ Medium density housing style to meet future housing needs. ▪ Development is harmonious with its surroundings. ▪ The property will have to conform to the National Building Code as a duplex. Currently it is operating as a duplex without meeting the Code.		▪ The property has been a non-conforming duplex on and off for the past 15+ years and continues to ignore the regulations of the Bylaw. ▪ The approval of these variances would set a precedent for other property owners on the street or in the block to apply for the same variances. ▪ The lot area request represents a 58.5% variance and the lot frontage request represents a 45.9% variance. ▪ The property is irregularly shaped and may require the existing driveway to be widened slightly to accommodate a second parking space on a property that is close to a busy intersection.

RECOMMENDATION:

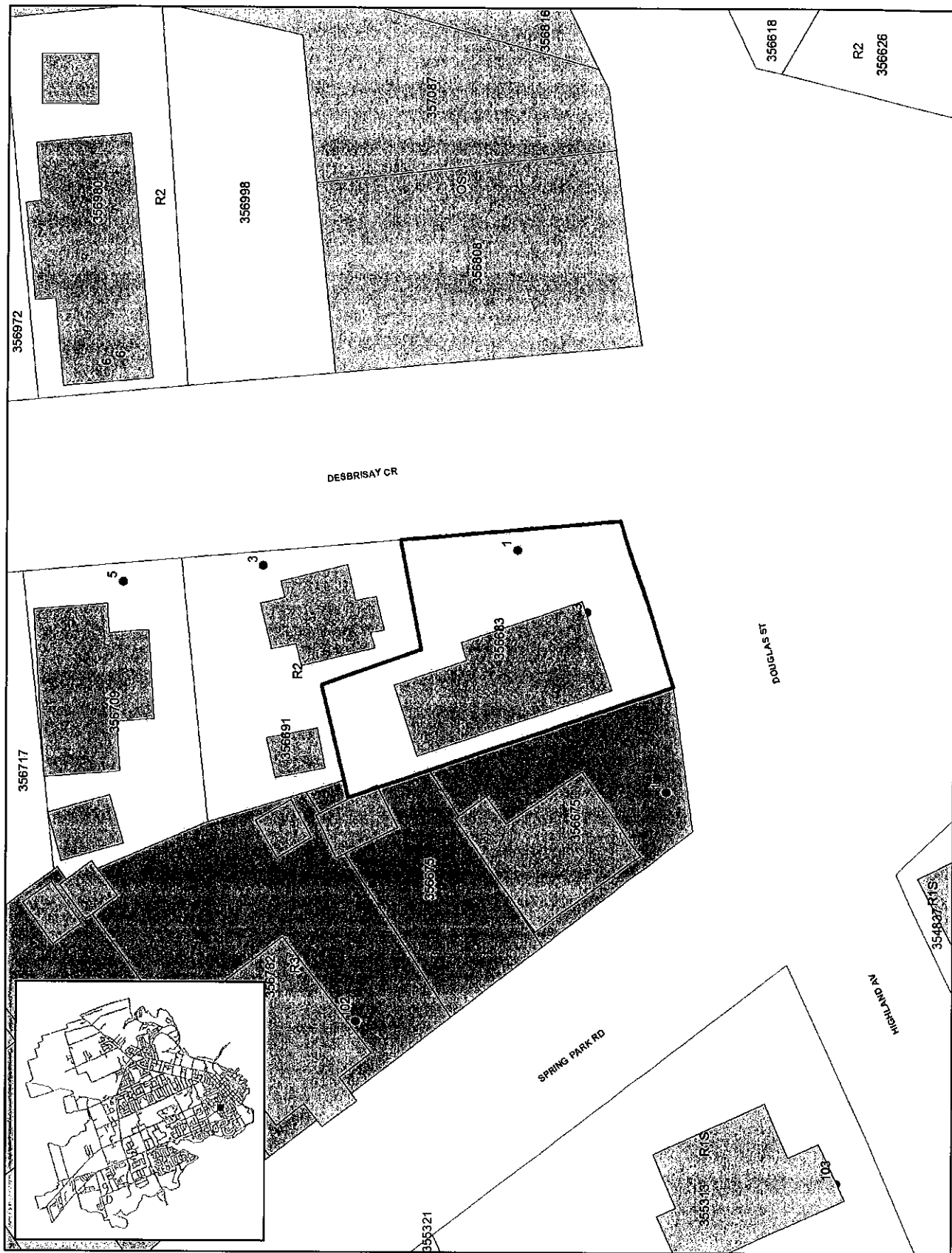
Staff encourages Planning Board to recommend to Council to reject the request for a two (2) variances to decrease the lot frontage requirement from 76.1 ft to approximately 41.2 ft and to decrease the lot area requirement from 7,965.6 sq ft to approximately 3,306.2 sq ft for the property located at 3 Douglas Street (PID #356683).

Respectfully,

Reg Morrison

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <u>A</u>	Other
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From: Brenton Dickieson [<mailto:brentondickieson@hotmail.com>]

Sent: Friday, March 02, 2018 3:35 PM

To: Planning Department

Subject: Response to 3 Douglas Street (PID#356683) application for variances

To Whom in May Concerned,

Pursuant to the notice of the owners of 3 Douglas Street (PID#356683) application for variances, I have one concern. Streetside parking at the Douglas-Desprisay corner makes it very difficult to navigate that complex corner. Desprisay narrows as it comes to the stop sign at Douglas, and it is difficult to see the Highland-Spring Park-Douglas eastbound traffic when cars are parked near the stop sign on either Desprisay or Douglas.

If sufficient off-street parking for the duplex cannot be made available the application for this significant variance should be denied. Provided a parking plan is safe--i.e., not blocking the view of eastbound Douglas traffic--the duplex suits our community well.

Best to the owners,

Brenton Dickieson

97 Green St.

902-569-4542

From: Gary McGregor [<mailto:gvmcgregor@hotmail.com>]

Sent: Friday, March 02, 2018 12:17 PM

To: Planning Department

Subject: Variance 3 Douglas Street, pid 356683

We have no objection to this variance. Anything to enhance the neighborhood!!

From: pauline howard [mailto:pauline_howard@hotmail.com]

Sent: Wednesday, March 14, 2018 1:20 PM

To: Planning Department

Subject: variance request on 3 Douglas (PID #356683)

Dear Greg Morrison,

Please find attached a letter I have written regarding the variance request at 3 Douglas.

Please confirm you have received this letter and placed it in the file .

Thank you,

Pauline Howard

902 314 2220

Pauline Howard
102 Spring Park Road
Charlottetown, PEI
C1A 3Y4

March 13th, 2018

City of Charlottetown
Planning & Heritage Department
PO Box 98, 233 Queen St
Charlottetown, PE
C1A 7K2

Dear Greg Morrison,

RE: 3 Douglas Street (PID #356683)

I am responding to the letter dated February 26, 2018 sent to me as a property owner within 100 meters of the requested variance to decrease lot frontage requirements from 76.1 ft. to approximately 41.2 ft. and a variance to decrease lots area requirement from 7965.6 sq. ft. to approximately 3306.2 sq. ft.

I have spoken to the owner of this property on this matter and I understand the desire is to obtain official duplex status without any changes in the building footprint or structure. **I have no objection to this request for a variance on this basis.**

I have spoken to you and understand that the size of the lot is small and the required set backs are unlikely to be met should anyone in the future want to knock down the current building and put a new and bigger building on that property.

I am sending this letter to express my concerns so they are on file should a demolition or expansion request be made in the future.

The block on which 3 Douglas is situated is currently all single family dwellings, although zoned for multifamily dwellings. The neighbourhood is vulnerable to investors seeking profit rather than community. This is of major concern and I will remain vigilant to any development that is not in keeping with the scale, design or intent of other houses and homeowners in the neighbourhood.

Furthermore the intersection of Desbrisay, Spring Park and Douglas Streets in front of 3 Douglas is already a confusing and dangerous element for drivers and others to navigate and additional vehicles parked close to this intersection could add to the danger.

Please confirm receipt of this letter.

Regards,

Pauline Howard



City of Charlottetown

Report No: PLAN-2018-3-April-# 6b

Date:
March 26, 2018

Directed to:
Planning Board

Department:
Planning & Heritage

Prepared by:
Greg Morrison, MCIP

Attachments:

1. GIS Map
2. Site Plan

Subject:

Request for two (2) variances to decrease the rear yard setback requirement and to decrease the side yard setback requirement for the property located at 29 Garfield Street (PID #278929).

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to reject the request for a two (2) variances to decrease the rear yard setback requirement of 19.7 ft to 4.0 ft and to decrease the side yard setback requirement of 9.8 ft to 0.0 ft for the property located at 29 Garfield Street (PID #278929).

SUMMARY:

The Planning & Heritage Department has received a request for two (2) variances to the property located at 29 Garfield Street (PID #278929). The subject property is located in the Mixed-Use Corridor Commercial (MUC) Zone.

The applicant is seeking a variance to decrease the rear yard setback requirement of 19.7 ft to 4.0 ft and a second variance to decrease the side yard setback requirement of 9.8 ft to 0.0 ft. The purpose of the variances is to construct a 9,660 sq ft addition to the rear of Aubrey's Bottle Exchange & Recycling Ltd (see attached plans).

The required setbacks for a commercial business in the MUC Zone and the proposed setbacks for the addition are indicated in the table below:

	Required	Proposed
Lot Area	6,458.4 sq ft	52,707.6 sq ft
Lot Frontage	65.6 ft	225.0 ft
Front Yard Setback	54.0 ft	*111.0 ft
Rear Yard Setback	19.7 ft	4.0 ft
West Side Yard Setback	9.8 ft	0.0 ft

East Side Yard Setback	9.8 ft	+/- 50.0 ft
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**Council approved a variance on May 27, 2008 to reduce the front yard setback from the average of approximately 54 ft to approximately 111 ft to permit the construction of a warehouse building.*

MAILOUT:

On March 15, 2018, sixteen (16) letters were sent to property owners located within 100 meters of the subject property. The letter informed them of the proposed variances and solicited their comments, to be received in writing no later than Thursday, March 29, 2018. At the time of writing this report, no responses have been received.

While a formal letter was not submitted to the Planning & Heritage Department, staff received a call from the property owner of 28 Garfield Street (PID #278937). The property owner has had ongoing issues with the parking situation during events that take place at the PEI Brewing Company – 96 Kensington Road (PID #1009471).

When the PEI Brewing Company was constructed, there were no plans for a meeting space. When the meeting place was located in the building after construction, the applicant proposed an off-lot parking agreement with 29 Garfield Street to use their property for parking because 96 Kensington Road is quite limited on available parking. The property owner of 28 Garfield Street has issues that instead of parking in their approved off-lot parking location, they are parking on his property which is causing issues for the tenants of his building. Staff has been trying to resolve these issues for quite some time with no avail. Curbing along Garfield Street and signage directing people to park at 29 Garfield Street was proposed to be located on 96 Kensington Road but that has not taken place. Parking stalls were also supposed to be identified on 29 Garfield Street, but again, this has not happened.

The proposed warehouse addition at 29 Garfield Street would require 10 additional standard parking spaces which they are proposing to locate in the south east corner of the property as shown on the attached sign plan. Should the variances be approved, staff will require a surveyed drainage plan to ensure the parking stalls and drive aisle requirements are satisfied.

On the phone, the property owner was not in support of these variances until the parking issue was resolved.

OFFICAL PLAN:

There are a few policies and objectives identified in the Official Plan relating to this type of proposal and include:

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

Section 3.2.3 - Our **objective** is to support the provision of suitable commercial and institutional needs, employment opportunities, community-based services, and public realm amenities within neighbourhoods.

Section 3.2.3 - Our **policy** shall be to allow small-scale commercial and institutional development which serves the local needs of the neighbourhood, subject to the City's development regulations.

DISCUSSION:

The applicant had originally submitted an application on February 16, 2018 which included a boundary line adjustment between 96 Kensington Road (PID #1009471) and 29 Garfield Street (PID #278929); one (1) variance for 96 Kensington Road (PID #1009471); and two (2) variances for 29 Garfield Street (PID #278929). The boundary line adjustment and variances would allow the two buildings to be connected over a property line.

Staff explained to the applicant that this application would not be able to be entertained for a number of reasons which included:

1. As per Section 10.3.1 of the Zoning & Development Bylaw; "*No Person Shall subdivide a Lot ... except as provided herein and in conformity with this By-law and any Provincial Minimum Lot Size Standards as interpreted by the Development Officer.*" Because the proposed subdivision requires a number of variances and is not in conformity with the Zoning & Development Bylaw, the subdivision cannot be entertained.
2. As per Section 4.7.2 of the Zoning & Development Bylaw; "*No Person Shall construct a Building over any Lot boundary regardless of whether the Lots are owned by the same Owner except as otherwise permitted in this By-law.*" Having the proposed man door and the proposed 10 x 10 door allow for persons to traverse between buildings without going outside the building (however letter indicated 8" between buildings?). Regardless of meeting the National Building Code requirements, this may make the two buildings connected over a property line and would not be permitted.

Staff explained a number of potential options that would be able to be entertained by Planning Board and Council. The applicant worked with staff and came up with the current proposal which is able to be entertained by Planning Board and Council.

Nevertheless, staff still has a number of concerns with the current proposal. Aubrey's Bottle Exchange located at 29 Garfield Street (PID #278929) received a variance from Council on May 27, 2008 to reduce the front yard setback from the average of approximately 54 ft to approximately 111 ft to permit the construction of a warehouse building. Aubrey's Bottle Exchange received a building permit for their current building on May 28, 2008 and an occupancy permit on November 4, 2008.

As per Section 4.31.1 of the Zoning & Development Bylaw Council may approve a variance provided that:

- 1. The need for consideration of a variance is owing to conditions peculiar to the property or unique to the area and not the result of actions by the owner, and a literal enforcement of this by-law would result in unnecessary and undue hardship; and*
- 2. No previous variance has been granted for the lot or property.*

That being said, Section 4.32.1 of the Zoning & Development Bylaw also states that "*an existing commercial building may be expanded to one (1) side lot line with zero setback*" should the requirements of Section 4.31.1 of the Zoning & Development Bylaw are satisfied.

In relation to the current application, the property owner have already received a variance to increase the front yard setback requirement because the proposed building at the time was to serve as a bottle and can depot which requires area in front of the building for vehicle loading / unloading. Now that this variance has been approved and the building has been constructed, additional warehouse space is required in the rear of the existing building, but does not have the area to do so. The proposed variances currently being applied for are not owing to conditions peculiar to the property and are the result of actions by the owner.

Staff has discussed this application with the applicants a number of times and have agreed that the ideal situation to resolve all the outstanding issues including parking and obtaining additional warehouse would be for the PEI Brewing Company to acquire 29 Garfield Street, demolish the existing building and complete their expansion properly. The matter of fact is that the PEI Brewing Company has outgrown their location and requires additional space that cannot be accommodated on their property.

In light of the foregoing, staff is recommending that the two (2) variances be rejected.

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

Positives	Neutral	Shortcomings
▪ The footprint, height, and massing	▪ There have historically been	▪ A variance has previously

of the proposed addition is physically related to its surroundings. ▪ Aubrey's Bottle Exchange serves the local needs of the neighbourhood.	issues in relation to parking since the PEI Brewing Company began hosting events. ▪ The current applicant is a significant improvement from the original application.	been granted on this property. ▪ The request for these variances is due to the result of actions by the owner in the past. ▪ The proposed rear yard setback represents a 79.7% variance and the proposed side yard setback represents a 100% variance.
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RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to reject the request for a two (2) variances to decrease the rear yard setback requirement of 19.7 ft to 4.0 ft and to decrease the side yard setback requirement of 9.8 ft to 0.0 ft at the property located at 29 Garfield Street (PID #278929).

Respectfully,

Breg Morrison

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
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Rear yard setback variance from 19.7 ft to 4.0 ft

 City of Charlottetown	Report No: PLAN-2018-3-April-# 6C
	Date: March 26, 2018
Directed to: Planning Board	Attachments: 1. GIS Map 2. Site Plan 3. Renderings
Department: Planning & Heritage	
Prepared by: Greg Morrison, MCIP	
Subject: Request for a variance to increase the maximum height requirement for the property located at 494 Queen Street (PID #372300).	
<u>RECOMMENDATION:</u> Staff encourages Planning Board to recommend to Council to approve the request for a variance to increase the maximum height requirement from 39.4 ft to approximately 74.0 ft in order to construct a six (6) storey mixed-use building containing 63 residential dwelling units with underground parking on the property located at 494 Queen Street (PID #372300).	

SUMMARY:

The City of Charlottetown Planning & Heritage Department has received an application for a variance to the property located at 494 Queen Street (PID #372300). The property in question is located in the Shopping Centre Commercial (C-3) Zone.

The applicant is seeking a variance to increase the maximum height requirement from 39.4 ft to approximately 74.0 ft. The purpose of the variance is to construct a six (6) storey mixed-use building containing 63 residential dwelling units and underground parking adjacent to the Atlantic Superstore.

MAILOUT:

On March 12, 2018, twelve (12) letters were sent to the property owner located within 100 meters of the subject property. The letter informed them of the proposed variance and solicited their comments, to be received in writing no later than Wednesday, March 28, 2018. At the time of writing this report, no responses have been received.

OFFICAL PLAN:

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

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

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

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

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

DISCUSSION:

Shopping Centre Commercial (C-3) Zone Regulations

**Apartment Building is subject to Apartment Residential (R-4) Zone Regulations*

	Required	Proposed
Lot Area	94,941 sq ft (63 Units on a Corner Lot – R4 Regulations)	+/- 345,292 sq ft
Lot Frontage	82.0 ft	652.83 ft
Front Yard Setback	19.7 ft	+/- 620 ft
Flankage Yard Setback	26.0 ft (average)	26.0 ft
Rear Yard Setback	26.2 ft	+/- 80.0 ft
Side Yard Setback	14.8 ft	+/- 45 ft
Height	39.4 ft	74.0 ft

Lot Configuration

A lot consolidation was approved on March 27, 2002 for Lot 00-1 as per Locus Surveys Ltd. drawing #02127 dated March 26, 2002. Lot 00-1 comprises of Parcel A (subject property) and Lot 00-1 (Atlantic

Superstore). Our GIS mapping system does not identify the lot as consolidated which typically means an outer perimeter deed was never registered describing the outer boundaries on Lot 00-1.

Parking

The former Parcel “A” is the subject property that the development is proposed for. This lot currently is a vacant parcel which is almost entirely paved. No parking stalls are identified in their current configuration.

The applicant is proposing to locate surface parking containing 102 standard parking spaces and four (4) mobility disabled spaces. The applicant is also proposing to construct underground parking containing 40 standard parking spaces.

The required parking for the residential dwelling units is 74 standard parking spaces. The applicant is also proposing 7,283 sq ft of commercial space. Based upon the office space / retail space calculation, 28 standard parking spaces would be required. Three (3) mobility disabled spaces would also be required.

Should the commercial spaces be used for an Eating & Drinking Establishment, the required parking may increase, but staff are confident that the required parking can be satisfied on site regardless as the applicant is proposing a surplus of 40 standard parking spaces and one (1) mobility disabled space.

Landscaping

The total lot area of Parcel “A” is approximately 78,809.5 sq ft. The applicant is proposing approximately 8,163.6 sq ft of landscaped open space which represents 10.4 % of the development area (Parcel “A”) and satisfies the requirements of Section 4.70.1 of the Zoning & Development Bylaw.

National Building Code

Should the variance be approved, the applicant will have to submit building plans that conform to the requirements of the National Building Code.

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

Positives	Neutral	Shortcomings
▪ Increasing the capacity of existing underground services. ▪ Additional density in fully serviced		▪ Significant height variance request. Represents an 87.8% variance.

areas of the City. ■ Additional density near centres of employment. ■ Meets all other requirements of the Zoning & Development Bylaw. ■ Creating mixed-use development on a vacant property. ■ Responds to an existing shortage of apartment units.		
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While you could argue that what is being proposed is not a moderately higher density as stated in the Official Plan policy, the proposed development is at a density and location that will not adversely affect existing low density housing in the area.

Aside from the low density residential dwellings located on Emerald Drive, the surrounding area consists entirely of medium density residential apartments and commercial developments. The adjacent apartment building is approximately 44.0 ft in height and the Atlantic Superstore is approximately 40 ft in height. All other commercial development in the area is less than 20 ft in height.

While the applicant is proposing a mixed-use development that requires a major height variance (87.8%), staff feels that this area of the City is well suited for a development of this nature and is therefore recommending approval of the proposed major variance.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to approve the request for a variance to increase the maximum height requirement from 39.4 ft to approximately 74.0 ft in order to construct a six (6) storey mixed-use building containing 63 residential dwelling units with underground parking on the property located at 494 Queen Street (PID #372300).

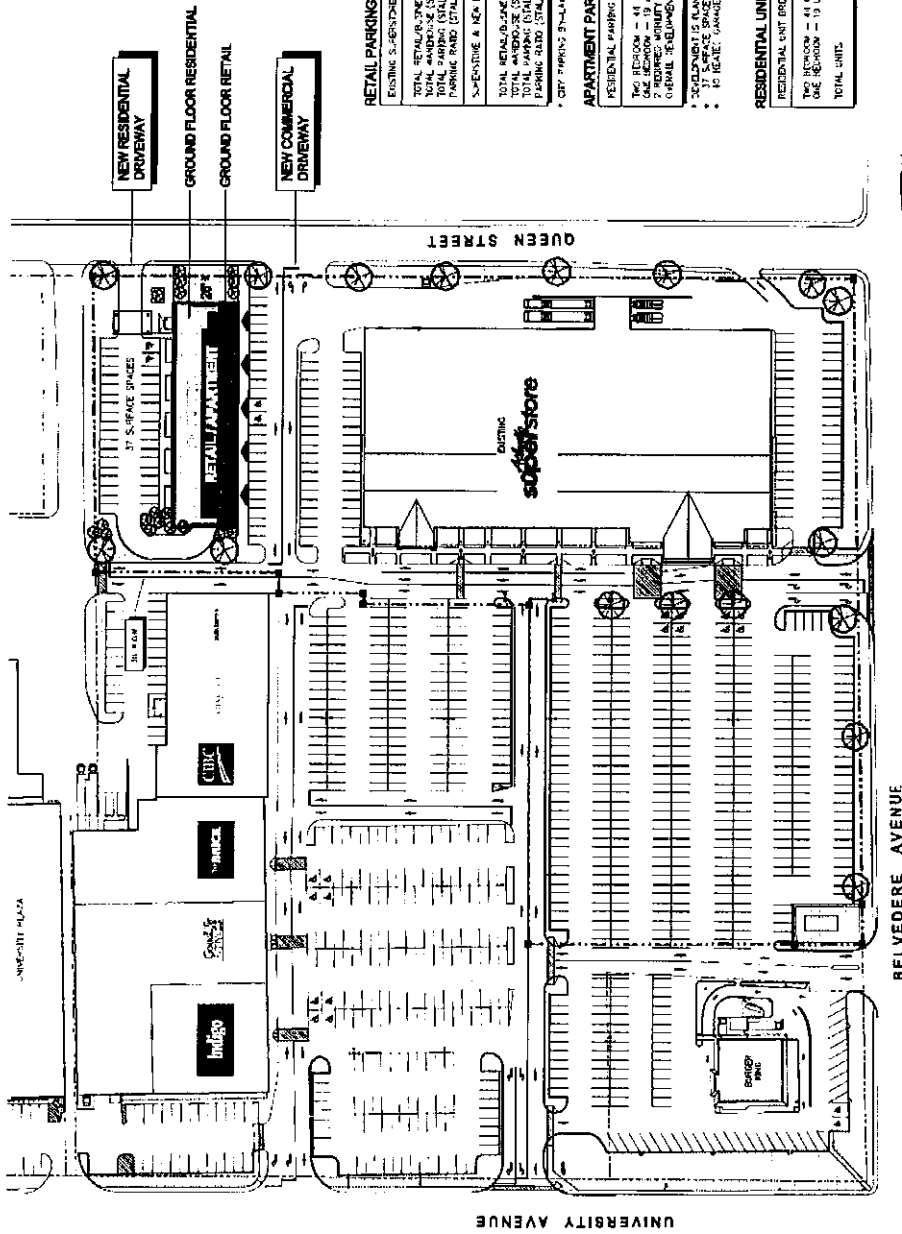
Respectfully,

Greg Morrison

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
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EXISTING SCHEDULE	TOTALS
TOTAL RETAIL/RE-SALE (SQ FT)	8,000
TOTAL ADVERTISING (SQ FT)	13,500
TOTAL PARKING (TOTALS) (SQ FT)	500
PARKING RATIO (TOTALS) / 1,000 SQ. FT.	50

SCHEDULE & NEW DEVELOPMENT	TOTALS
TOTAL RETAIL/RE-SALE (SQ FT)	80,000
TOTAL ADVERTISING (SQ FT)	15,000
TOTAL PARKING (TOTALS)	500
PARKING RATIO (TOTALS) / 1,000 SQ. FT.	50

* CITY PARKING STUDY IS 37. SPACES/1,000 SQ. FT.

RESIDENTIAL PARKING REQUIREMENTS	TOTALS
TWO BEDROOM - 41 - 25 SPACES	50
ONE BEDROOM - 19 - 1 SPACE	10
2 MODIFIED MINORITY SPACES	7
ADDITIONAL DEVELOPMENT REQUIRED IN CITY	76

* DEVELOPMENT IS PLANNED FOR 77 SPACES

- * 37 SPACE SPACES
- * 40 HEAVY GARAGE SPACES

RESIDENTIAL UNIT BREAKDOWN	TOTALS
TWO BEDROOM - 44 UNITS	44
ONE BEDROOM - 19 UNITS	19
TOTAL UNITS	63 UNITS

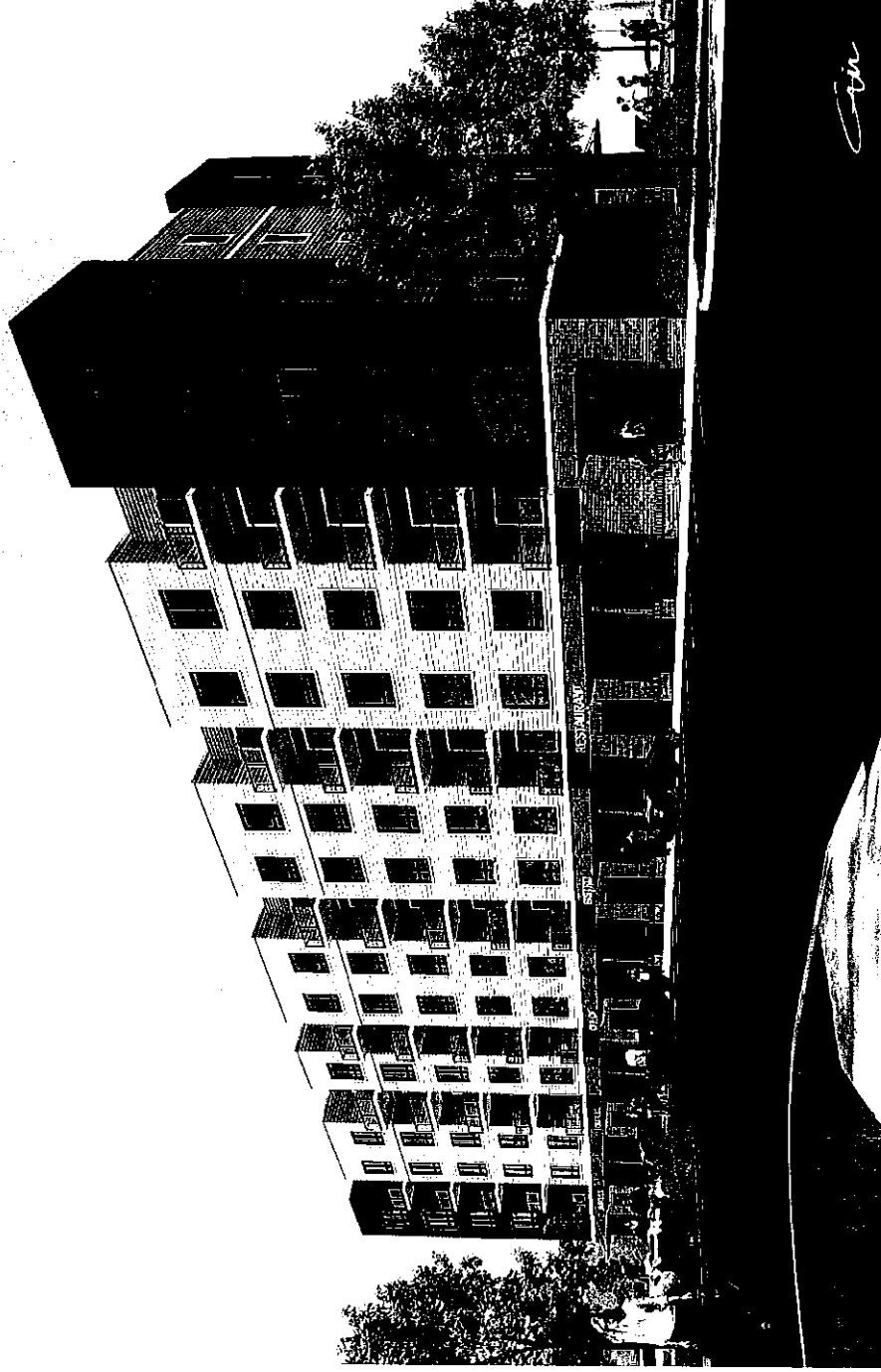
SITE PLAN - 1" = 100'-0"

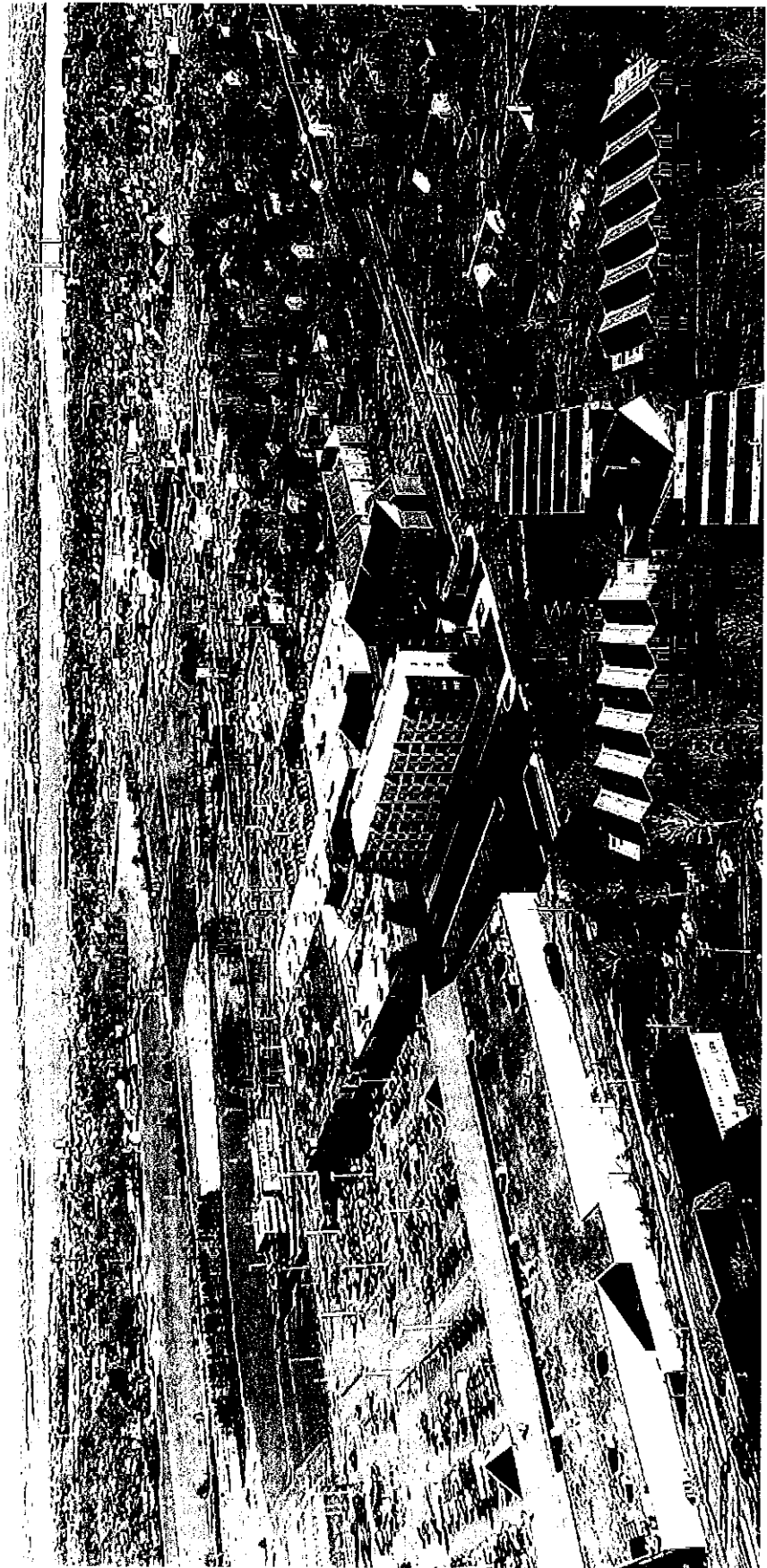
APM Commercial
INDEPENDENTLY OWNED AND OPERATED

QUEENSWAY RESIDENTIAL DEVELOPMENT
Charlottetown, PE - February 28, 2018 (Rev. #5)

Charlotte, PE - February 28, 2018 (Rev #5)







 City of Charlottetown	Report No: PLAN-2018-3-April-# 6d
	Date: March 26, 2018
Directed to: Planning Board	Attachments: 1. GIS Map 2. Letter from Applicant
Department: Planning & Heritage	
Prepared by: Greg Morrison, MCIP	
Subject: Request to rezone the property located at 151-153 Euston Street (PID #358812).	
<u>RECOMMENDATION:</u> Staff encourages Planning Board to recommend to Council to reject the request to proceed to public consultation to: 1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Medium Density Residential to Downtown Core Area for the property located at 151-153 Euston Street (PID #358812); and 2. Amend Appendix "H" – Zoning Map of the Zoning & Development Bylaw from the Medium Density Residential (R-3) Zone to the Downtown Mixed-Use Commercial (DMU) Zone for the property located at 151-153 Euston Street (PID #358812).	

SUMMARY:

The Planning & Heritage Department has received a request to rezone the property located at 151-153 Euston Street (PID #358812). The property is located in the Medium Density Residential (R-3) Zone. The applicant is requesting to rezone the property to the Downtown Mixed-Use Commercial (DMU) Zone.

The purpose of rezoning is to convert the existing duplex into an office for the law firm Lecky Quinn. The existing duplex contains a 3-bedroom apartment downstairs and a 3-bedroom apartment upstairs. The applicant intends on converting the downstairs unit into the office space initially with a 3-bedroom apartment on the second floor and then eventually the applicant will expand the office into the upstairs unit.

Should the rezoning be approved, the applicant would have to submit plans for the change of use that meet the requirements of the Zoning & Development Bylaw as well as the National Building Code.

OFFICAL PLAN:

The Official Plan does not have a lot of language pertaining to rezoning residential properties for commercial use outside of the 500 Lot area but a few points pertaining to allowing small scale commercial development which serves the needs of the neighbourhood are identified below:

*Section 3.2.3 - Our **objective** is to support the provision of suitable commercial and institutional needs, employment opportunities, community-based services, and public realm amenities within neighbourhoods.*

*Section 3.2.3 - Our **policy** shall be to allow small-scale commercial and institutional development which serves the local needs of the neighbourhood, subject to the City's development regulations.*

*Section 3.3.1 - Our **policy** shall be to allow the conversion of upper floors of commercial buildings in the downtown core for residential use.*

DISCUSSION:

Historically, the majority of the downtown core (south of Euston Street) was located in the Downtown Mixed-Use Commercial (DMU) Zone. The Zoning & Development Bylaw was amended on September 11, 2013 to include a new 500 Lot Area (properties south of Euston Street) and with the exception of approximately 19 properties that were located north of Euston Street, the 500 Lot amendments introduced seven (7) new zones to the downtown core and rezoned all DMU properties south of Euston Street.

As stated above, there are approximately 19 properties which remain in the DMU Zone in the City. These properties are located along Euston Street, University Avenue, Queen Street, and Chestnut Street. The subject property is located in the Medium Density Residential (R-3) Zone. There are two properties that are zoned R-3 and located between the subject property and the properties located zoned DMU along University Avenue. Staff are concerned that this is a spot rezoning and approving this request may result in the adjacent property owners applying for similar rezoning requests.

The DMU Zone has been generally phased out since the 500 Lot Area amendments were approved in 2013. The requirements for the DMU Zone are not very restrictive as they are designed for properties located south of Euston Street. Unlike other zones in the City of Charlottetown, the DMU Zone does not have lot frontage or lot area requirements. The DMU Zone also does not have parking requirements as per Section 4.44A.1.b of the Zoning & Development Bylaw which states:

Renovations, alterations, changes in use or intensification of use, which do not result in an increase in the gross floor area of more than 390.2 sq m (4,200 sq ft) of a building, shall not

require any additional parking, but the number of spaces which existing prior to the renovations, alterations, changes in use or intensification of use shall not be diminished.

Therefore, the applicant would not need to meet the parking requirements for an office but would just have to maintain any parking that is currently located on the property.

Commercial properties located north of Euston Street (especially along University Avenue) are typically located in the Mixed-Use Corridor Commercial (MUC) Zone. The MUC Zone requires 65.6 ft of frontage which the subject property would not have. Further, the subject property would likely not meet the parking requirements of the MUC Zone. That being said, staff cannot confirm this without floor plans.

Finally, this request is significant in the fact that not only is the applicant requesting a Bylaw amendment; they are also requesting an Official Plan amendment.

Staff is recommending that the application not proceed to a public consultation because of the factors identified above. Further, below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
▪ Small scale commercial development that could serve the need of the neighbourhood. ▪ A change of use would bring the building into compliance with the National Building Code.		▪ Could be considered a spot rezoning. ▪ The rezoning may increase interest in DMU zoning north of the 500 Lot Area. ▪ The proposed use would not meet the requirements of the MUC Zone. ▪ The proposal requires an Official Plan amendment as well as a Bylaw amendment.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to reject the request to proceed to public consultation to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Medium Density Residential to Downtown Core Area for the property located at 151-153 Euston Street (PID #358812); and

2. Amend Appendix "H" – Zoning Map of the Zoning & Development Bylaw from the Medium Density Residential (R-3) Zone to the Downtown Mixed-Use Commercial (DMU) Zone for the property located at 151-153 Euston Street (PID #358812).

Respectfully,

Beg Morrison

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
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www.leckyquinn.ca

Kenneth Lecky, B.B.A., J.D.
Isaac Abraham Quinn, B.Sc., J.D.

129 Water Street
Charlottetown, P.E.I
C1A 1A8
(902) 569-9335 – tel
(902) 370.2440 – fax

March 20th, 2018

Planning & Heritage Department
City of Charlottetown
PO Box 98, 233 Queen Street,
Charlottetown, PE, C1A 7K2

VIA REGULAR MAIL

To whom it may concern:

Re: Re-Zoning Application for 151-153 Euston Street

Please find enclosed our application form requesting that council re-zone 151-153 Euston street from R-3 to DMU along with the \$300 application fee.

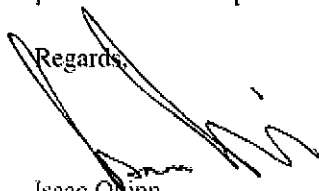
Currently the building is divided into two separate units: a three-bedroom apartment unit downstairs and a three-bedroom apartment unit downstairs. We plan on renovating and using the downstairs unit initially and then eventually combining the two units into one larger office space for our firm.

The building is currently in need of a significant amount of work on both its interior and exterior (see attached inspection from Home Chek Inc.). We would also need to connect the two units via an indoor stairwell. If we receive zoning approval, we will be making many cosmetic improvements to the exterior and front of the building. We do not intend on performing any renovations that are non-essential to the structural integrity of the building if the zoning application is not approved.

We note that the building is currently surrounded by commercially zoned or mixed-use zoned properties: It is next door to the Suites of Euston, across the street from the Quality Inn, and adjacent to both the Prince Edward Restaurant and My Plum, My Duck. We do not feel that a professional services firm would require the same frontage

as these types of businesses. The property also features six parking spaces and is perfect for a small professional services firm.

Regards,



Isaac Quinn

IQ/th

Enclosures

 City of Charlottetown	Report No: PLAN-2018-3-April-# 6d REVISED
	Date: April 5, 2018
Directed to: Planning Board	Attachments: 1. GIS Map 2. Letter from Applicant
Department: Planning & Heritage	
Prepared by: Greg Morrison, MCIP	
Subject: Request for a site specific amendment to the property located at 151-153 Euston Street (PID #358812).	
<u>RECOMMENDATION:</u> Staff encourages Planning Board to recommend to Council to approve the request to proceed to public consultation to amend the Medium Density Residential (R-3) Zone of the Zoning & Development Bylaw and amend the Medium Density Residential land use of the Official Plan as it pertains to 151-153 Euston Street (PID #358812) in order to allow a Law Office as a permitted use, subject to the signing of a Development Agreement.	

BACKGROUND:

The request to rezone the subject property from the Medium Density Residential (R-3) Zone to the Downtown Mixed-Use (DMU) Zone was before the Planning Board on Tuesday, April 3, 2018. At the meeting, staff explained that the purpose of this application is to convert the existing duplex into an office for the law firm Lecky Quinn. It was staff's recommendation to reject proceeding to public consultation.

The applicant, Ken Lecky, explained the history of his business, the current location of the business, and how the proposed location will allow the existing business to continue to grow. At the meeting, Councilor Rivard asked the staff if it is possible to entertain a site specific amendment to allow this proposal without rezoning the property to DMU. Alex Forbes, PHM, responded that it is possible but the requirements for this request have to be very clear. Mr. Forbes added that if the Board is inclined to support this request, it is recommended that this report be deferred back to staff before the next council meeting with recommendations which layout how the site specific amendment will apply as it pertains to this property.

SUMMARY:

The Board recommended that the request be deferred in order to entertain a site specific amendment at the Council meeting on Monday, April 9, 2018.

The purpose of the site specific amendment would be to allow Lecky Quinn to operate within the existing building while keeping the zoning consistent with the surrounding neighbourhood. This request would allow the building to retain the permitted uses identified in the R-3 Zone with the addition of a law office; any other commercial uses would not be permitted. The Development Agreement would articulate the permitted uses in greater detail.

DISCUSSION:

Staff believes that the site specific amendment is a better option to entertain this type of request. Staff was concerned that the initial application to rezone to the DMU Zone would constitute a spot rezoning and the approval of this rezoning may result in adjacent property owners applying for similar rezoning requests. While adjacent property owners may still request site specific amendments, all the properties would remain in the R-3 Zone.

Similar to the rezoning request, this application is significant in the fact that the applicant is not only requesting a Bylaw amendment but they are also requesting an Official Plan amendment. Staff tried to relate this request to a home occupation to avoid amending both the Bylaw and Official Plan but the home occupation is much more restrictive and would not satisfy the applicant's needs. A home occupation requires that the owner of the property resides in the building, limits the business to one (1) full-time employee or two (2) part-time employees, and cannot exceed 25% of the gross floor area.

Rezoning the subject property to the DMU Zone would have eliminated the requirement for additional parking; however, the request for a site specific amendment will require sufficient parking be provided for the proposed office. Staff estimates that the building footprint is approximately 1,100 sq ft. If the ground floor is an office and the second floor is a 3-bedroom apartment, six (6) standard parking spaces would be required. If the applicant's desire is to convert the entire building into an office, staff would be concerned that the parking requirement could not be satisfied. The Development Agreement could limit the development potential of this property by restricting the size of the office to the ground floor of the existing building footprint. This will ensure that the parking demand is not compromised by the removal of existing parking spaces for an enlarged office space.

Nevertheless, staff feels that this request would be better than rezoning the subject property to the DMU Zone and are recommending that the application proceed to a public consultation to hear from the residents in the neighbourhood. Below is a quick summary of the subject application's positive attributes, neutral attributes, and shortcomings:

Positives	Neutral	Shortcomings
- Small scale commercial development that could serve the need of the neighbourhood. - A change of use would bring the building into compliance with the National Building Code. - Site specific amendment would not create a spot rezoning.	The parking requirement would only be satisfied if the office space was limited to the ground floor of the existing building.	- The site specific amendment may increase interest in a similar request for adjacent properties. - The proposal requires an Official Plan amendment as well as a Bylaw amendment.

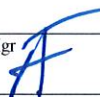
RECOMMENDATION:

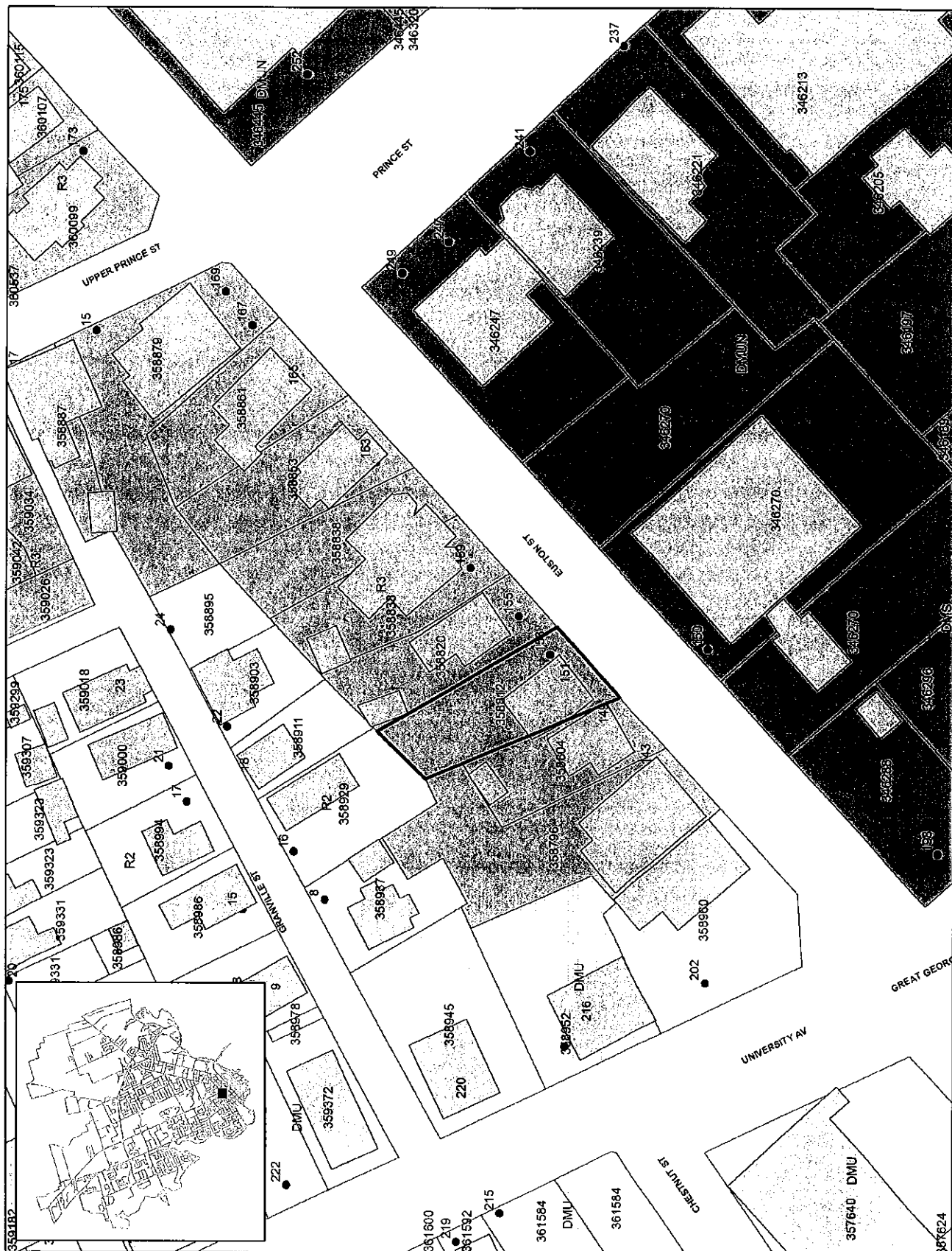
Staff encourages Planning Board to recommend to Council to approve the request to proceed to public consultation to amend the Medium Density Residential (R-3) Zone of the Zoning & Development Bylaw and amend the Medium Density Residential land use of the Official Plan as it pertains to 151-153 Euston Street (PID #358812) in order to allow a Law Office as a permitted use, subject to the signing of a Development Agreement.

Respectfully,

Greg Morrison

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
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www.leckyquinn.ca

Kenneth Lecky, B.B.A., J.D.
Isaac Abraham Quinn, B.Sc., J.D.

129 Water Street
Charlottetown, P.E.I
C1A 1A8
(902) 569-9335 – tel
(902) 370.2440 – fax

March 20th, 2018

Planning & Heritage Department
City of Charlottetown
PO Box 98, 233 Queen Street,
Charlottetown, PE, C1A 7K2

VIA REGULAR MAIL

To whom it may concern:

Re: Re-Zoning Application for 151-153 Euston Street

Please find enclosed our application form requesting that council re-zone 151-153 Euston street from R-3 to DMU along with the \$300 application fee.

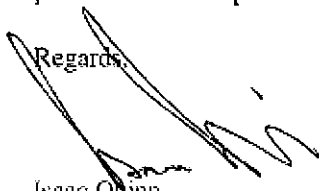
Currently the building is divided into two separate units: a three-bedroom apartment unit downstairs and a three-bedroom apartment unit downstairs. We plan on renovating and using the downstairs unit initially and then eventually combining the two units into one larger office space for our firm.

The building is currently in need of a significant amount of work on both its interior and exterior (see attached inspection from Home Chek Inc.). We would also need to connect the two units via an indoor stairwell. If we receive zoning approval, we will be making many cosmetic improvements to the exterior and front of the building. We do not intend on performing any renovations that are non-essential to the structural integrity of the building if the zoning application is not approved.

We note that the building is currently surrounded by commercially zoned or mixed-use zoned properties: It is next door to the Suites of Euston, across the street from the Quality Inn, and adjacent to both the Prince Edward Restaurant and My Plum, My Duck. We do not feel that a professional services firm would require the same frontage

as these types of businesses. The property also features six parking spaces and is perfect for a small professional services firm.

Regards,



Isaac Quinn

IQ/th

Enclosures

 City of Charlottetown	Report No: PLAN-2018-3-April-# 66
	Date: March 26, 2018
Directed to: Planning Board	Attachments: 1. GIS Maps 2. Letter of Opposition
Department: Planning & Heritage	
Prepared by: Greg Morrison, MCIP	
Subject: Request for a lot consolidation of two properties in the Medium Density Residential (R-3) Zone.	
<u>RECOMMENDATION:</u> Staff encourages Planning Board to recommend to Council to approve the request for a lot consolidation of 155 Upper Prince Street (PID #369140) and 21 Young Street (PID #369132), subject to a pinned final survey plan.	

SUMMARY:

The Planning & Heritage Department received a request to consolidate 155 Upper Prince Street (PID #369140) and 21 Young Street (PID #369132). The two properties in question are located in the Medium Density Residential (R-3) Zone.

As per Section 10.3.4.a. of the Zoning & Development Bylaw any lot consolidations that are requested in zones other than the Single-Detached Residential (R-1) Zone and Low Density Residential (R-2) Zone shall be subject to Council approval.

Final approval of a Subdivision or Lot consolidation Shall be subject to the following requirements:

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

Further, as per Section 10.3.5 of the Zoning & Development Bylaw, a mailout is required for any lot consolidations that are requested in the Medium Density Residential (R-3) Zone or the Apartment Residential (R-4) Zone.

Notice to property owners within 100 meters of the subject property is required to consolidate properties in the R-3 and R-4 Zones.

In light of the foregoing, forty (40) letters were sent to property owners located within 100 meters of the subject property on March 15, 2018. The letter informed them of the proposed lot consolidation and solicited their comments, to be received in writing no later than Thursday March 29, 2018. At the time of writing this report, one (1) response was received in opposition of the lot consolidation.

The letter of opposition stated that *"the lawn and parking lot is not enough for the residents around the area, if building a more bigger property there that's definitely affect our living conditions."*

The applicant has not indicated to staff that they would be looking to construct additional dwelling units to the existing apartment building or demolish the existing building and construct a new apartment dwelling with the additional lot area. Nevertheless, the additional lot area would not permit any additional dwelling units to be located on the property. Council approved a variance to allow an additional dwelling unit to the existing four unit apartment dwelling on June 14, 1989. The proposed lot consolidation would still only allow a 5-unit apartment building should it be approved. Additional information on the existing permitted uses is located below in the discussion.

DISCUSSION:

A zoning inquiry for 21 Young Street (PID #369132) was completed on February 16, 2018 which stated that:

The property is located in the Medium Density Residential (R-3) Zone. A building permit was issued on July 25, 1989 to construct an addition and convert the existing 4-unit apartment building into a 5-unit apartment building.

That being said, a letter was sent to the property owner on November 20, 1989 stating that an occupancy permit is required and the parking area must be constructed as per the Gulf Surveys Plan revised May 18, 1989 prior to occupying the building. Staff cannot locate a record of the occupancy permit being issued for this addition. Our records also indicate that a building permit was applied for on April 5, 2006 for "reconstruction after fire." Staff cannot locate an approved building permit as it appears the application had expired. Please contact our Building Inspector to resolve this situation.

Further, our GIS records indicate that the building is located over the property line between 21 Young Street (PID #369132) and 155 Upper Prince Street (PID #369140). In

light of the foregoing, a lot consolidation must be approved by Council. Please make an application to the Planning & Heritage Department to begin the process.

A zoning inquiry for 155 Upper Prince Street (PID #369140) was completed on February 16, 2018 which stated that:

The property is located in the Medium Density Residential (R-3) Zone. We have no building permit records for this property.

Further, our GIS records indicate that the building is located over the property line between 21 Young Street (PID #369132) and 155 Upper Prince Street (PID #369140). In light of the foregoing, a lot consolidation must be approved by Council. Please make an application to the Planning & Heritage Department to begin the process.

This is a historical situation where an existing apartment building is located on two separate properties, 155 Upper Prince Street (PID #369140) and 21 Young Street (PID #369132). In order to remove the interior property line, a consolidation plan must be approved by the City, and an outer perimeter deed must be registered with the Province.

Through the zoning inquiry process, staff notified the owner of the property of the current situation; which is problematic and may pose an issue in the future if the owner applies for a building permit for renovations to the existing building. The Zoning & Development Bylaw and National Building Code have requirements relating to development over property lines. The lot consolidation will not change the use of the property; rather, will bring the property into better conformance.

Due to the fact this that is more of a housekeeping issue than a new request, staff is recommending approval of the lot consolidation.

RECOMMENDATION:

Staff encourages Planning Board to recommend to Council to approve the request for a lot consolidation of 155 Upper Prince Street (PID #369140) and 21 Young Street (PID #369132), subject to a pinned final survey plan.

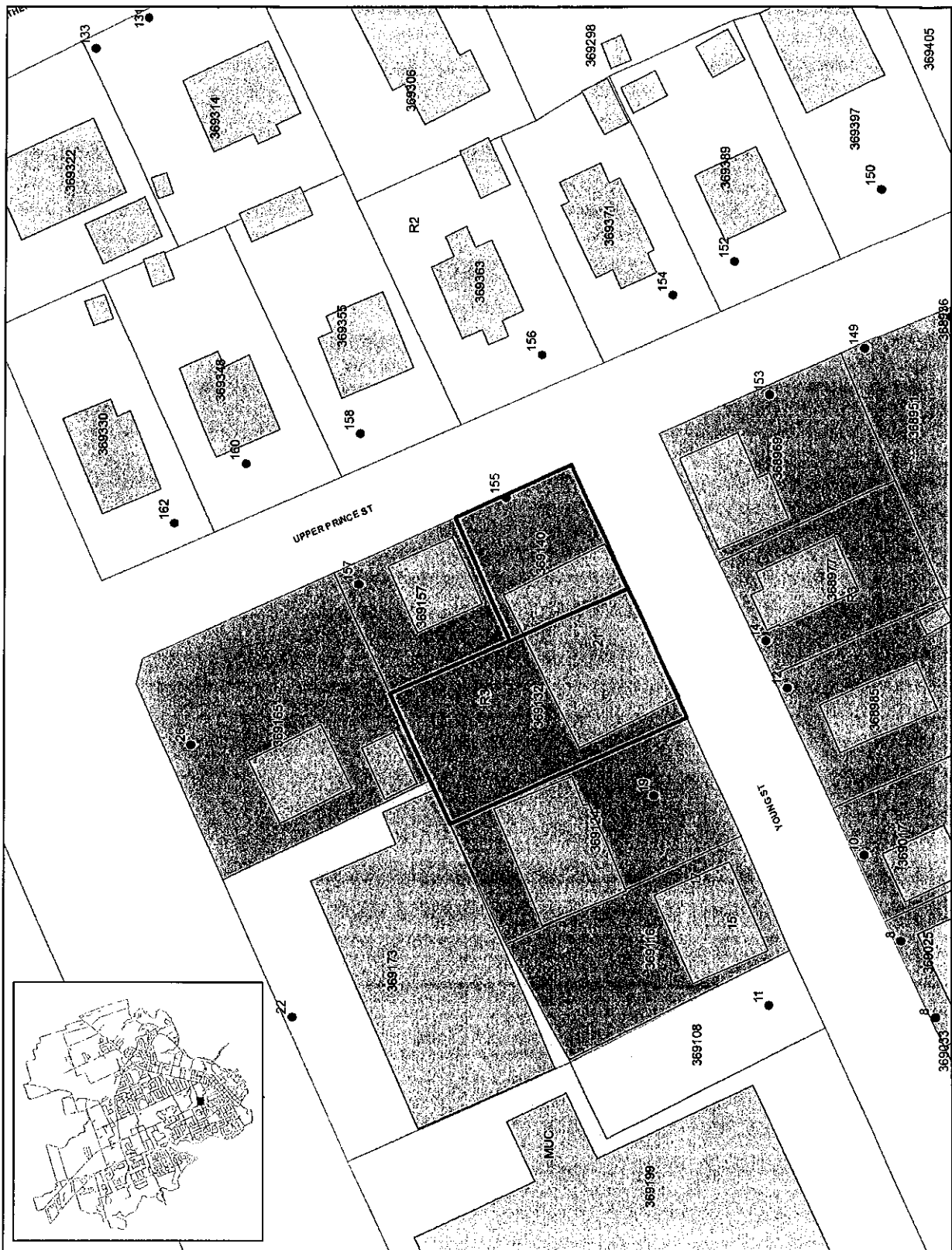
Respectfully,

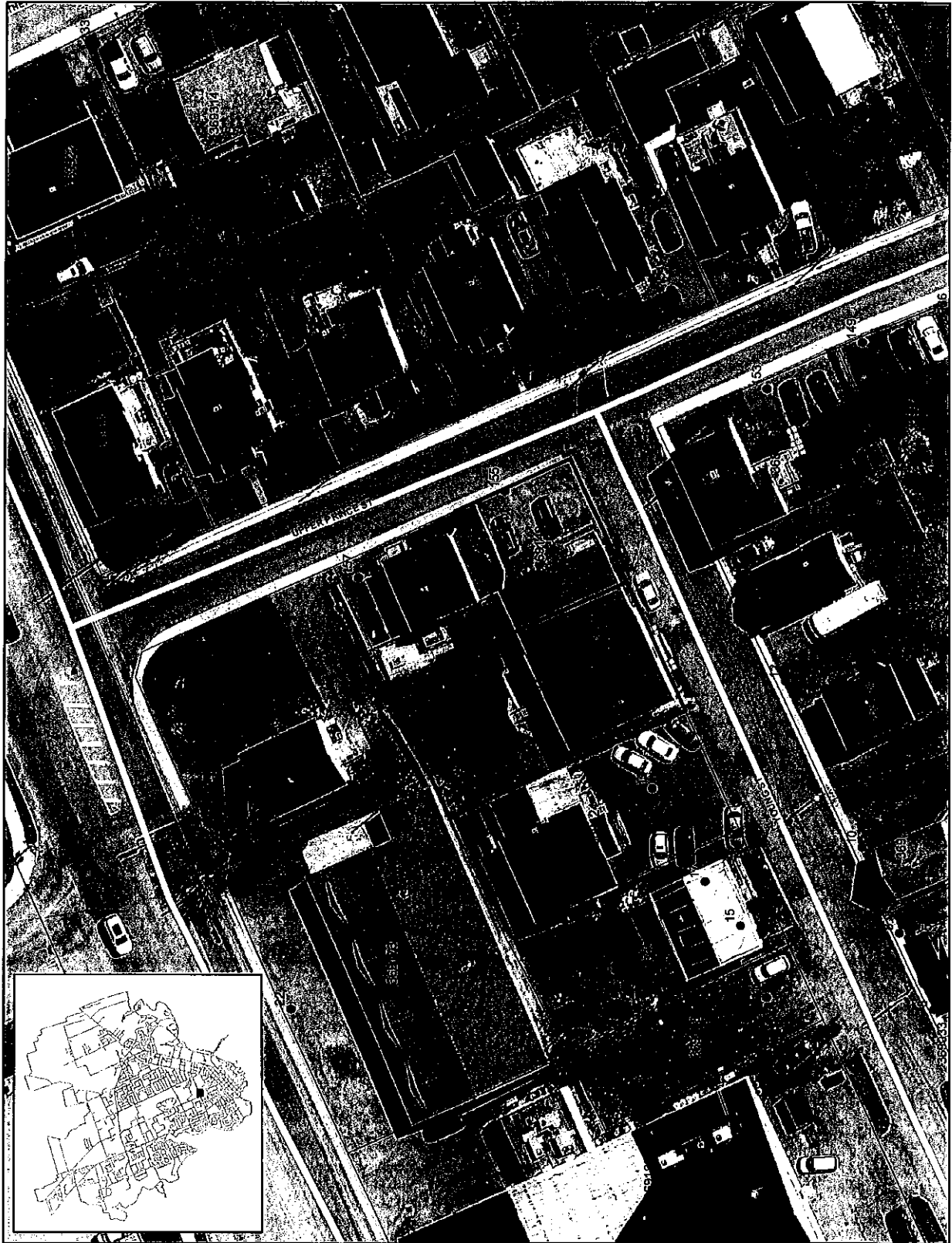
Breg Morrison

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>AF</i>	Other
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RECOMMENDATIONS/ACTIONS:





From: xl chen [<mailto:chen161122@gmail.com>]

Sent: Tuesday, March 20, 2018 4:42 PM

To: Planning Department

Subject: Against the lot consolidation for 155 upper prince and 21 young st

Dear Sir,

As the owner of 156 Upper Prince St, I disagree with the lot consolidation for 155 Upper Prince St and 21 Young St.

As the heart area of downtown, the lawn and parking lot is not enough for the residents around the area , if building a more bigger property there , that's definitely affect our living conditions. Furthermore, as a tourist city, big new building is not properiate in downtown heart area .

Sincerely ,

--

Xiongliang Chen President Chen & Liang City United Limited Add: 21 Donald Drive
Charlottetown, PE C1E 1Z5 Cell: 902-626-6389 Email: chen161122@gmail.com



City of Charlottetown

Report No: PLAN-2018-04 -# 6f

Date: April 3, 2018

Directed to: Planning Board

Department: Planning and Heritage

Prepared by: Laurel Palmer Thompson MCIP

Attachments: concept plan, map showing site and subdivision concept plan submitted in 2012.

Subject: Application to proceed to public consultation to amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area and Industrial to Comprehensive Plan Area. To rezone land and amend Schedule "H" the Zoning Map of the City of Charlottetown from R-2 (Low Density Residential Zone) and M-3 (Business Park Industrial Zone) to CDA (Comprehensive Development Area) and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.

RECOMMENDATION: Staff encourages Planning Board to recommend proceeding to public consultation to amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area and Industrial to Comprehensive Plan Area. and to rezone land and amend Schedule "H" the Zoning Map of the City of Charlottetown from R-2 (Low Density Residential Zone) and M-3 (Business Park Industrial Zone) to CDA (Comprehensive Development Area) and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.

To consolidate a portion of PID #615831 with a portion of 145128 to form one parcel.

REPORT:

This is an application to amend Appendix "A" the Official Plan Map of the City of Charlottetown from Low Density Residential to Comprehensive Planning Area and Industrial to Comprehensive Plan Area and to rezone land from R-2 (Low Density Residential Zone) and M-3 (Business Park Industrial Zone) to CDA (Comprehensive Development Area) and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw. In addition to the rezoning request the applicant has requested to consolidate a portion of PID #615831 with a portion of 145128 to form one parcel.

The applicant has requested the change in zoning and Official Plan amendment to allow him to locate his construction company and asphalt plant to this area of the City. The CDA Zone allows Council to approve any uses or mix of uses allowed in any zone of the Zoning and Development Bylaw including innovative mixed-use developments subject to a development concept plan and development agreement.

Section 36, Comprehensive Development Area Zone (CDA) of the Zoning and Development Bylaw requires that Council approve the Development Concept Plan for the site prior to the approval of new buildings or uses occurring on the site. The approval process must be treated as if it were an amendment to the Zoning and Development Bylaw and therefore requires notification of property owners within 100 meters of the subject property, posting of the proposed bylaw amendment and a public meeting.

The property in question is approximately 19.89 acres in total. It is bound to the north by a large parcel of land zoned R-2S (Low Density Residential Single Zone) and rural land located outside of the City's boundary. It is bound to the east by land zoned R-2 (Low Density Residential Zone) containing a legal non-conforming use (asphalt plant) and M-2 (Heavy Industrial) zoned land. It is bound to the south by Sherwood Road and M-3 (Business Park Industrial) zoned land on the opposite side of Sherwood Road. It is bound on the west by the remaining R-2 (Low Density Residential) zoned lands of PID # 615831 and the remaining M-3 (Business Park Industrial) zoned lands of PID#145128 containing the original farm buildings.

Approximately 10 years ago the property owner began to subdivide lots off of his property along Sherwood Road. There was concern that if a concept plan was not provided to show future access than there was potential for the greater parcel to become land locked. Therefore, in 2012 the property owner was required to provide a concept plan for future development of this site. On the concept plan the access to the current land acquisition was shown as a future Road (Road "A"). Road "A" curved and connected with a road that ran parallel with Sherwood Road (Road "B"). This would allow the interior portion of the industrial lands to be further subdivided and have access to a public road when development was to occur. If this proposal is approved Road "A" will be consolidated in as part of the overall parcel. Road "A" is 66 ft. wide and therefore will provide the required frontage on a public road. However, there is concern that this portion of land may be required for future access to the balance of the site as shown on the 2012 concept plan. Therefore, if the land is rezoned to CDA the development agreement should stipulate that this portion of land may be required for future road access and stipulate who is responsible for cost of road construction.

Another reason the land owner was required to provide a concept plan in 2012 was the requirement under the Zoning and Development Bylaw for 10% parkland or 10% value cash-in-lieu for land subdivided. The landowner was permitted to subdivide lots on the understanding that parkland as identified on the concept plan would be deeded to the City as the subdivision occurred in phases. The landowner deeded one portion of land for parkland along Sherwood Road. However, the balance of the parkland was to be deeded later on as the subdivision was developed. The landowner was permitted to subdivide two lots on the corner of Sherwood Road and Malpeque Road in 2016 and the parkland required to be dedicated for these two lots was credited toward Parkland Phase 2 on the concept plan.

This current proposal encompasses Parkland Phase 2, the parkland that was to be dedicated to the City. Therefore, if this land is rezoned and sold to the applicant the landowner will be required to renegotiate parkland or cash-in-lieu and will have to either provide the land in another area deemed appropriate to the City or pay 10 % cash-in-lieu for the value of the land that has been subdivided. Planning staff will consult with Parks and Recreation on options.

Parkland Phase 1 and 2 contained a wetland. Staff is concerned about lot drainage from the proposed asphalt plant to the wetland area. A substantial portion of this property will be used to store aggregate to make asphalt. If this use is permitted staff will be seeking a comprehensive lot drainage plan to ensure that any runoff is managed in the most effective way on site. Staff has been working with the Provincial Department of Environment who has a number of criteria for protection of such areas and the City will defer to their processes.

If this is to be approved staff will be working very closely with the Department of Environment to ensure that all of their concerns related to environmental approvals are clearly outlined and defined in the development agreement. The asphalt plant is subject to meeting air quality requirements and standards. The applicant and the Provincial Department of Environment have indicated to staff that the newer asphalt plants are much cleaner from the perspective of air quality. However, specifications on the asphalt plant has not been provided to staff for review. The proposed asphalt plant is a portable unit that can be moved and is not as large as the existing asphalt plant on the adjacent property.

Land use along Sherwood Road is predominately industrial. The proposed site plan that was submitted by the applicant shows Lot 18-2 and 18-3 within an existing industrial zone. However, Lot 18-1 is approximately 421 m x 160 m and is currently zoned R-2. This parcel is bounded by R-2S (Low density Residential Single) zoned land. Staff have concerns about expanding industrial land uses north, closer to residential zones. Typically, good planning rules would propose a transition zone such as light commercial uses and multi-unit housing between the industrial zone and the low density residential zone. The current concept plan submitted by the land owner in 2012 proposes a 4.5 meter buffer between the industrial and residential land uses.

Conversely, this site is located along the City's boundary and is approximately 200 meters away from existing residential development. The asphalt plant would be located on the northwest portion of the site approximately 479 meters from existing residential development. A 20 foot treed buffer is proposed to surround the site and provide screening of the site from any residential uses. If this application is approved a treed buffer around the property should become a condition of approval. Access to and from the site is onto Sherwood Road which is a collector street with many industrial and commercial uses. Therefore, heavy truck traffic would not affect any residential streets. In terms of location given that this site is currently not in close proximity to existing residential uses and it is adjacent to an existing similar use the site poses low impact on existing developed residential properties.

Given the location of the proposed asphalt plant and material storage yard in relation to the existing industrial area and its accessibility to Sherwood Road a busy collector street staff encourage Planning Board to recommend advancing this application to Council for a recommendation to proceed to public consultation to amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area and Industrial to Comprehensive Plan Area and to rezone land and amend Schedule "H" the Zoning Map of the City of Charlottetown from R-2 (Low Density Residential Zone) and M-3 (Business Park Industrial Zone) to CDA (Comprehensive Development Area) and to and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.

Also to consolidate a portion of PID #615831 with a portion of 145128 to form one parcel.

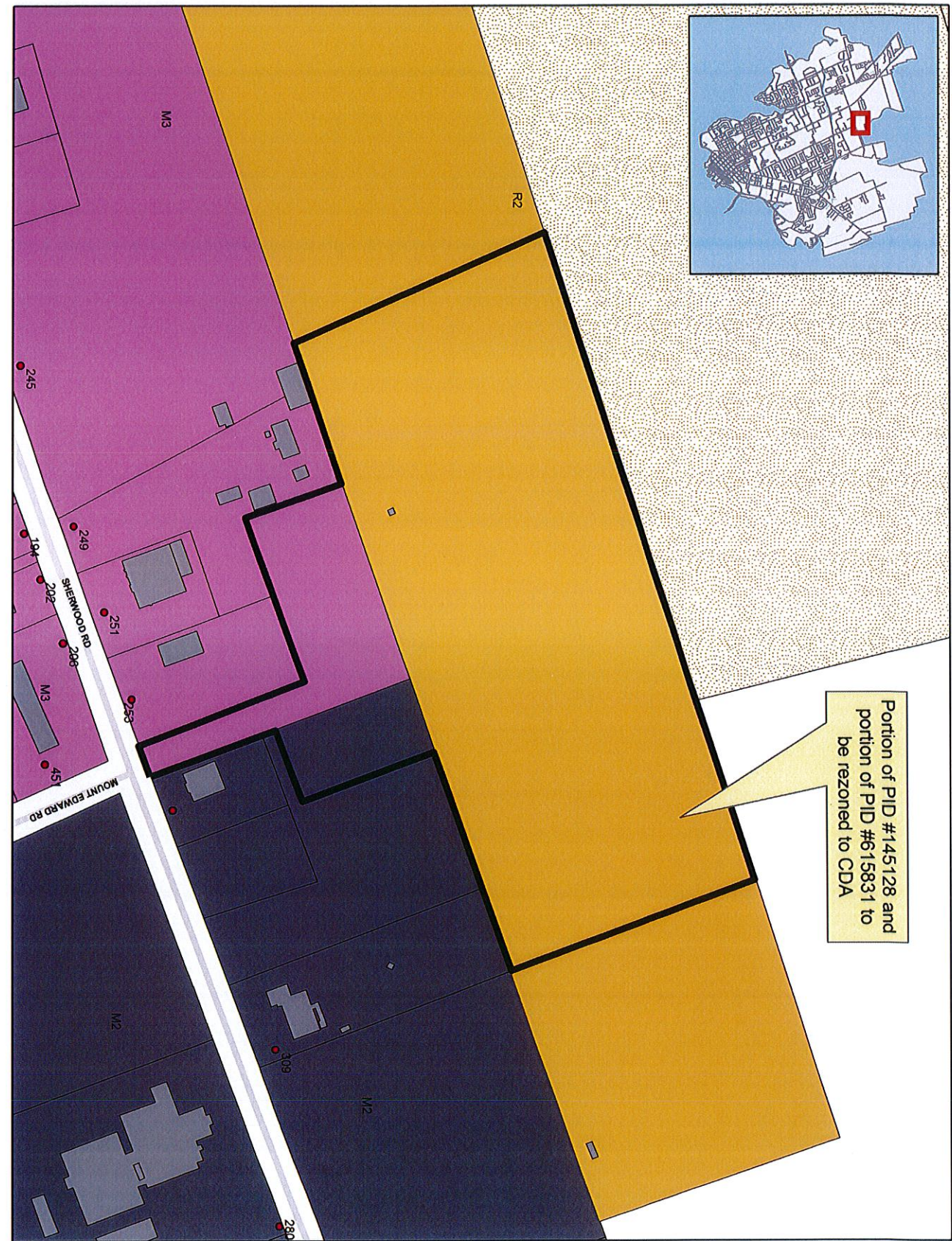
Respectfully,

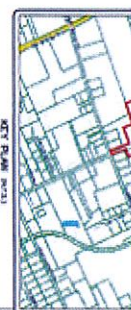
 MCIP

Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr 	Other
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Zoning Map:



[illegible]



City of Charlottetown

Report No: PLAN-2018-04 -# 69

Date: April 3, 2018

Directed to: Planning Board

Department: Planning and Development

Prepared by: Laurel Palmer Thompson MCIP

Attachments: proposed concept plan and map showing site

Subject: Official Plan amendment and rezoning application 49 Trailview Drive

Section 3.1 Directing Physical Growth, Official Plan

Section 3.2 Sustaining Charlottetown's Neighbourhoods

Section 3.3 Housing Needs and Variety, Official Plan

Section 3.10 Underground Services and Infrastructure, Official Plan

Section 4.27 Amendments to the Zoning and Development Bylaw, Zoning and Development Bylaw

RECOMMENDATION: Staff encourages for Planning Board to Recommend to Council to proceed to Public Consultation to amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Concept Planning Area and to rezone a portion of the property (PID # 145284) located at 49 Trailview Drive and amend Schedule "H" the Zoning Map of the City of Charlottetown from R-1L (Single Detached Residential Zone) to CDA (Comprehensive Development Area Zone) and to amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.

REPORT: An application has been received to rezone a portion of the property located at 49 Trailview Drive PID # 145284. This property is bounded to the north by single detached residential development on Trailview Drive, to the east by C-2 (Highway Commercial) zoned land developed with multi-unit and commercial buildings, to the south and west by vacant R-1L (Single Detached Residential) zoned land being the remainder of this parcel.

The land is currently zoned R-1L Single Detached Residential. The proposal is to rezone a portion of the land see attached map to CDA (Comprehensive Development Area) to facilitate the construction of a townhouse development, 8 townhouse dwellings (total 36 units) on one property as a grouped dwelling condominium development. The development is proposed for the east side of the property PID # 145284. The remaining lands would remain as R-1L Zoning and would be subdivided as single detached dwelling lots. The proposal includes a parkland parcel consisting of approximately 50,160 sq. ft. to the south of the proposed grouped dwelling project. On the east side of the grouped dwelling project a 20 ft. wide walkway/parkland connector is proposed. A landscape buffer is required along the north boundary of the property between the existing low density residential dwellings on Trailview Drive and the proposed grouped dwelling project. Roads and servicing within the grouped dwelling development would remain under private ownership and would be maintained by the condominium corporation.

Section 4.6 Grouped Dwellings of the Zoning and Development Bylaw requires that a lot be a minimum of 1 acre. The proposal is for 3.78 acres. Section 4.6.1 allows the City to require a Development Agreement for grouped dwelling projects. As well, the CDA Zone also requires a

Development Agreement to be registered on title. The Development Agreement will stipulate the terms and conditions of the project such as landscaping, servicing, parking, buffers, responsibilities of the property owner, building forms and architectural details.

In terms of location this project will have very little impact on existing low density residential development. It will share a boundary with one single detached residential dwelling. Along this boundary a buffer will be required. Uses along the east boundary of this property are compatible as they consist of multi-unit, townhouse and commercial development. Existing single detached dwellings to the south will be separated from this development by a parkland parcel ranging from 174 ft. to 212 ft. in width.

CONCLUSION:

This portion of the neighbourhood of Winslow is comprised of a mix of single detached residential housing, multi-unit and commercial development. This area has experienced moderate growth within the past 10 years. There has been a transition in housing along the portion of Malpeque Road bounded by Stockman Drive to Melody Lane from single detached residential to multi-unit and commercial development. There has been a demand in this neighbourhood for various forms of housing. It is important for a neighbourhood to have housing options that provide more choice. As people age they often are looking for housing options that require less maintenance and allow them to downsize from larger homes. If housing options are not available within their neighbourhood oftentimes people are forced to leave their neighbourhoods to seek appropriate housing. The Official Plan states, "*If Charlottetown is going to continue to grow as a healthy community, affordable housing for all segments of society must generally be available throughout the City.*" In addition the Official Plan also supports moderately higher densities in neighbourhoods. Listed below are excerpts from sections of the Official Plan that supports moderately higher densities and housing choices.

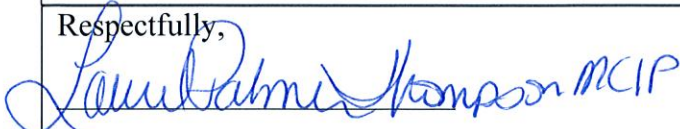
*Section 3.2.2 - Our **objective** is to allow moderately higher densities and alternative forms of development in any new residential subdivisions which may be established, provided that this development is well planned overall, and harmonious with existing residential neighbourhoods.*

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

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

Staff is of the opinion that this proposal is compatible with existing housing forms and development in the area. A grouped dwelling town house development would provide additional housing options for people in this neighbourhood. Staff is therefore recommending advancing this application to public consultation.

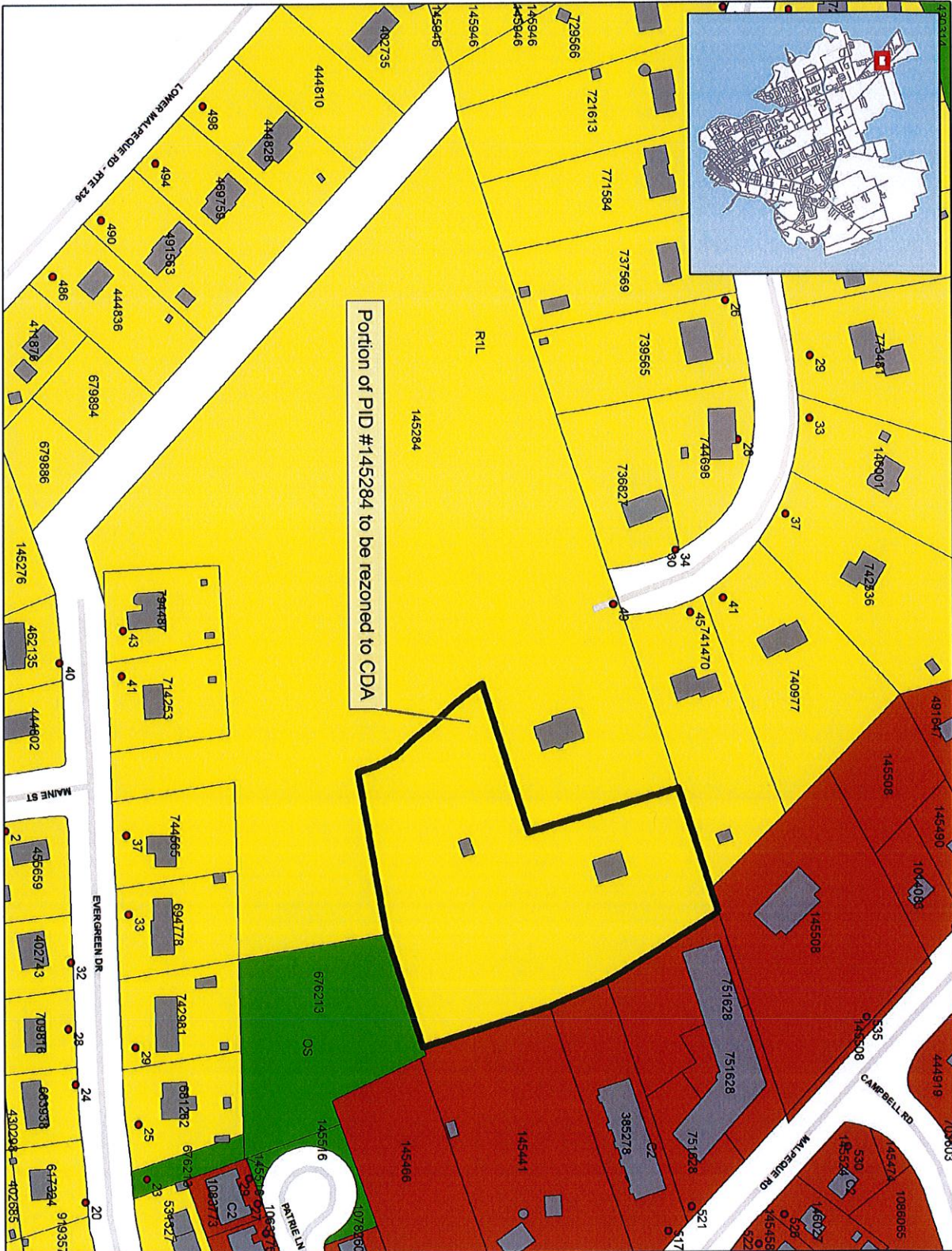
Respectfully,



Reviewed By:

CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>A</i>	Other
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Zoning Map:



741470

PARCEL W1
Area = 5,048 sq.ft. ±
PID No. 751628

1
Area = 1.37 acres ±
USE
DECK

BLDG (TO BE REMOVED)

2
Area = 3.78 acres ±
R-26.2'

BUILDING (TO BE REMOVED)

PARCEL P1
PARK
Area = 50,160 sq.ft. ±
PID No. 676213 (EXISTING PARK)



City of Charlottetown

Report No: 2018-04 PLAN- 6h

Date: April 3, 2017

Directed to: Planning Board

Department: Planning and Heritage

Prepared by: Laurel Palmer Thompson MCIP

Attachments: concept plan (original and portion pertaining to Lot 2014-6), GIS map showing site. Building Elevations

Subject: Amendment to CDA Development concept Plan Lot 2014-3 (PID # 1076686) Towers Rd. a portion of the 207 Mount Edward Road Development Concept Plan.

RECOMMENDATION: Staff recommends for Planning Board to recommend to Council to advance the request to amend the original Development Concept Plan and Development Agreement pertaining to Lot 2014-3 (only) PID # 1076686 to a public meeting.

REPORT:

This is an application to amend an existing development concept plan and development agreement under Section 31, Comprehensive Development Area Zone (CDA) of the Zoning and Development Bylaw.

Section 31.5 of the Zoning and Development Bylaw requires that amendments to a Development Concept Plan be approved by Council. The amendment/approval process must be treated as if it were an amendment to the Zoning and Development Bylaw and therefore requires notification of property owners within 100 meters of the subject property, posting of the proposed bylaw amendment and a public meeting. The Bylaw also requires that the working site plan and buildings also be approved on the recommendation of Planning Board. The developer is also submitting the architectural building plans for review and approval at this time.

The property in question is Lot 2014-3 consisting of 11,413 m. sq. This lot is part of the original 15 acre site that comprises the approved Development Concept Plan. It is bound to the north by a former private road that leads to the Charlottetown Mall (Towers Road), to the east by Lot 2014-2 of the Development Concept Plan, to the south by vacant land zoned Comprehensive Development Area and lots 2014-4 and 2014-5 of the Development Concept Plan to the west.

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

The approved uses and density for Lot 2014-3 consisted of:

- Two 32 unit apartment buildings

The current property owner has requested that the Development agreement and Development Concept plan be amended to include:

- Two 4 unit town houses
 - Two 5 unit town houses and
 - Two 6 unit town houses
- for a total of 30 town house units.

This would be a density decrease on this site of 34 units. However, in 2017 an amendment was approved to the development concept plan to Lot 6 to allow a density increase of 16 units. Therefore, if the current

requested amendment is approved it would be a net decrease of 18 units on the overall site from the original approved Development Concept Plan. It has been difficult in the past to have land zoned for multi-unit dwellings. This land is located within walking distance to a shopping mall, many retail land uses, the university and bus routes. Therefore, staff does have concerns about a decrease in density on this site.

It should also be noted that the original development concept plan showed two 32 unit apartment buildings with considerable greenspace around the buildings. The Development Agreement for the property required underground parking for these properties. This site slopes considerably from Mount Edward Road toward the Confederation Trail and the Charlottetown Mall. Water from this site flows west from Mount Edward Road toward the Confederation Trail. There is more surface water runoff created from the town house development than from the apartment buildings as there is additional green space around the apartment buildings due to the requirement for underground parking. It should be noted that if this amendment to the concept plan is approved the developer will be required to provide a storm water management plan that works in tandem with the remaining lots that are located west of this proposal.

The developer has developed Lots 2014-1 and 2014-2 with townhouses that are very similar to what he is proposing for this lot. The townhouses have proved popular as a housing option in the neighbourhood. The applicant is therefore requesting his application be advanced to a public meeting.

This area of Charlottetown (Sherwood) is an older established neighbourhood. Sherwood was incorporated in the 60's and growth mainly occurred in the late 60's to 70's. Many residents within the neighbourhood are at an age where they are considering downsizing and moving out of their single family homes into smaller units. The original concept for this site was to provide a mix and range of housing options for residents within this neighbourhood. The concept plan includes town houses, apartment buildings, community care and assisted living facilities with some ground floor commercial. If these two apartment buildings are converted to townhouses on this site there will be three apartment buildings remaining for the entire concept plan. As previously stated it will be a decrease of 18 units. However, town houses are a product that are in demand lately with retirees and young professionals.

A range of housing within a neighbourhood is good. The Official Plan States, *"If Charlottetown is going to continue to grow as a healthy community, affordable housing for all segments of society must generally be available throughout the City."*

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

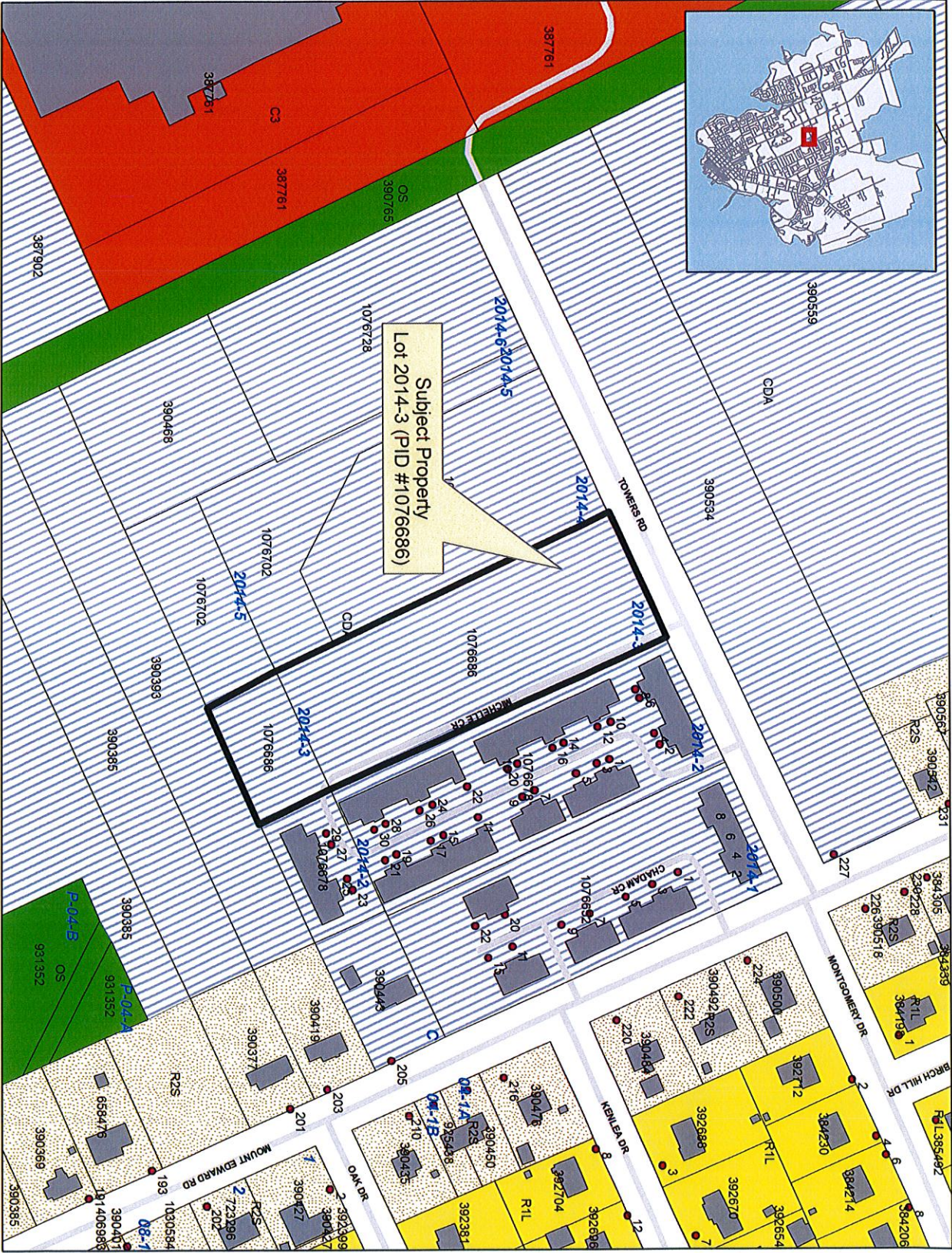
Given these circumstances, the strategic direction of the CHARLOTTETOWN PLAN is to:

- apply the policies of new housing within the fully serviced areas of the City and within neighbourhoods;*
- encourage the provision of adequate housing for those residents with special needs; and*
- address the specific need to provide more affordable housing for seniors in neighbourhoods in which they prefer to live.*

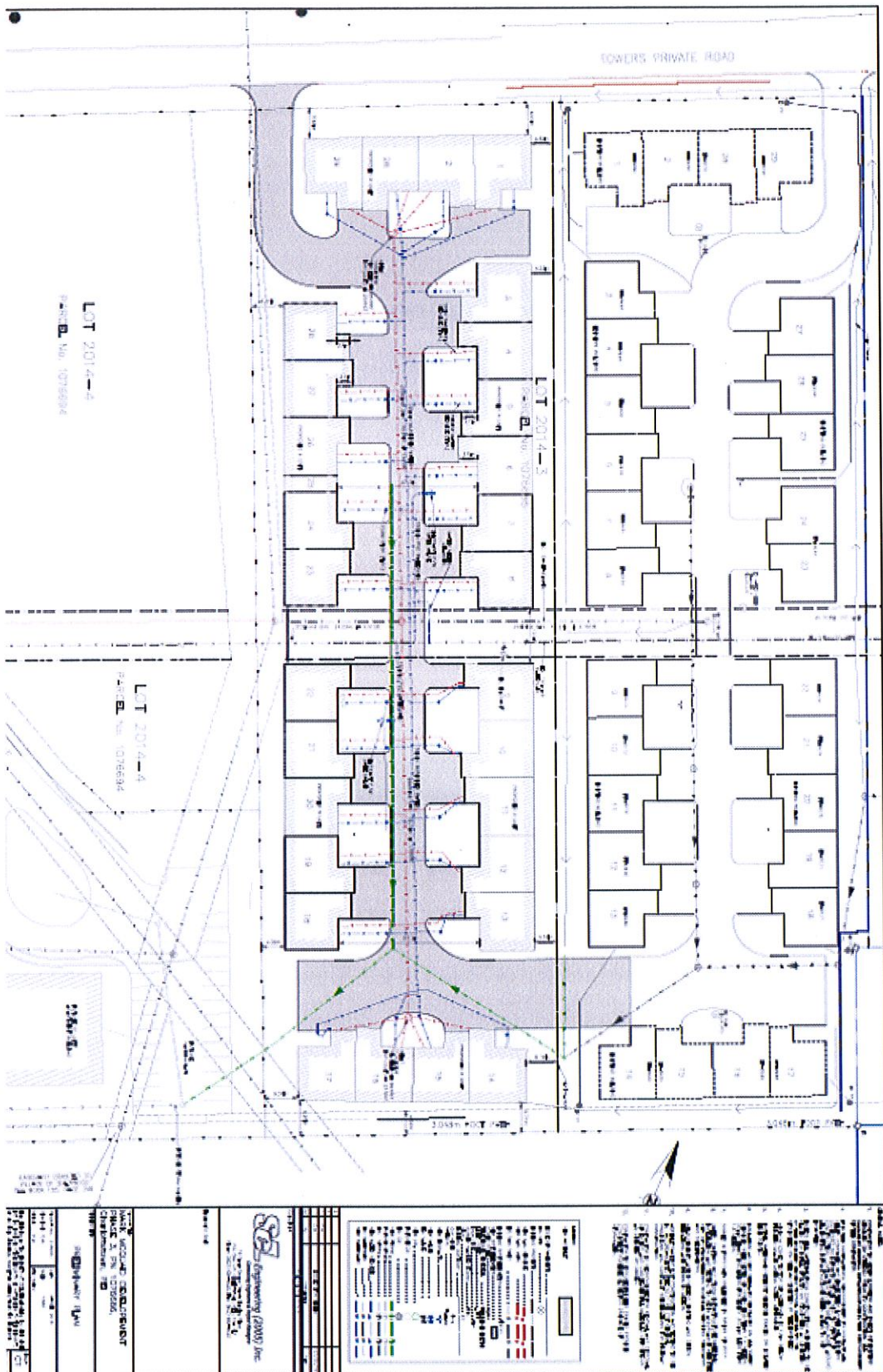
From a planning perspective density is good for a neighbourhood and staff does have reservations about decreasing density in an area that is able to accommodate it. Conversely a range of housing options are also good for a neighbourhood. It is sustainable, as it allows for better use of services that are already available (see Section 3.10 of the Official Plan); it decreases urban sprawl which is an outcome of approval of single family subdivisions. Staff are therefore recommending that this application to amend the originally Development Concept Plan and Development Agreement pertaining to Lot 2014-3 (only) be advanced to a public meeting.

Respectfully, <i>Lauren Palmer Thompson MCIP</i>						
Reviewed By:						
CAO	Dir Corp Svcs	Dir Pub Svcs	Dir F & D Svcs	Dir Hum Res	Mgr <i>A</i>	Other

Zoning Map:

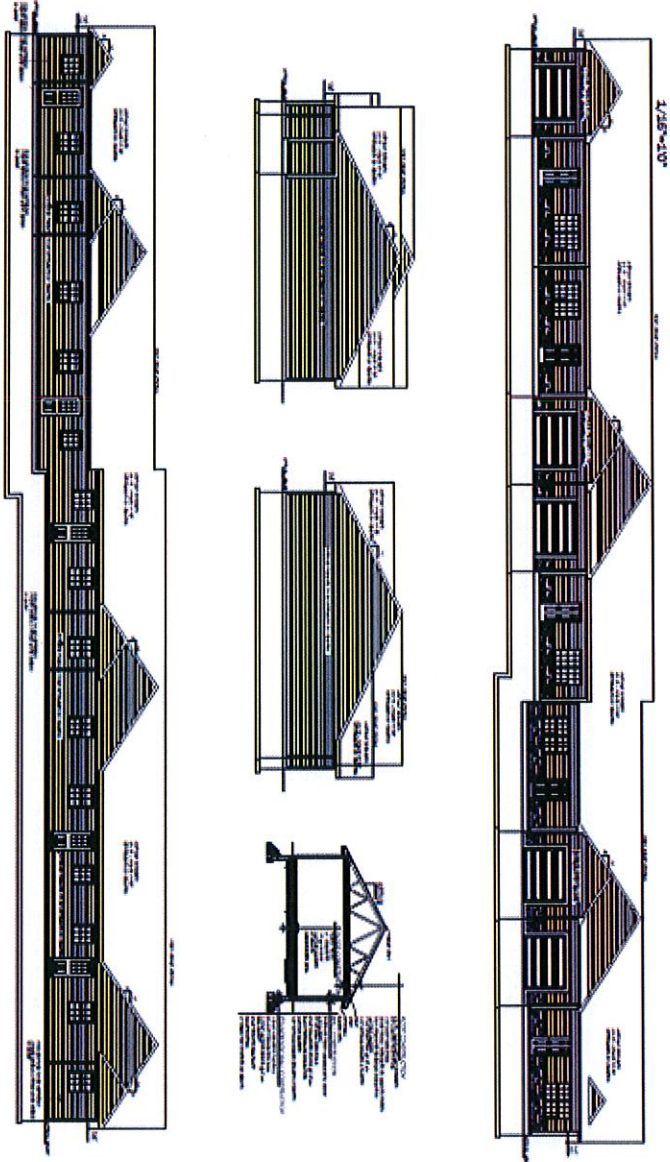


Proposed Site Plan:



Approved Development Concept Plan:





GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.

5. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.

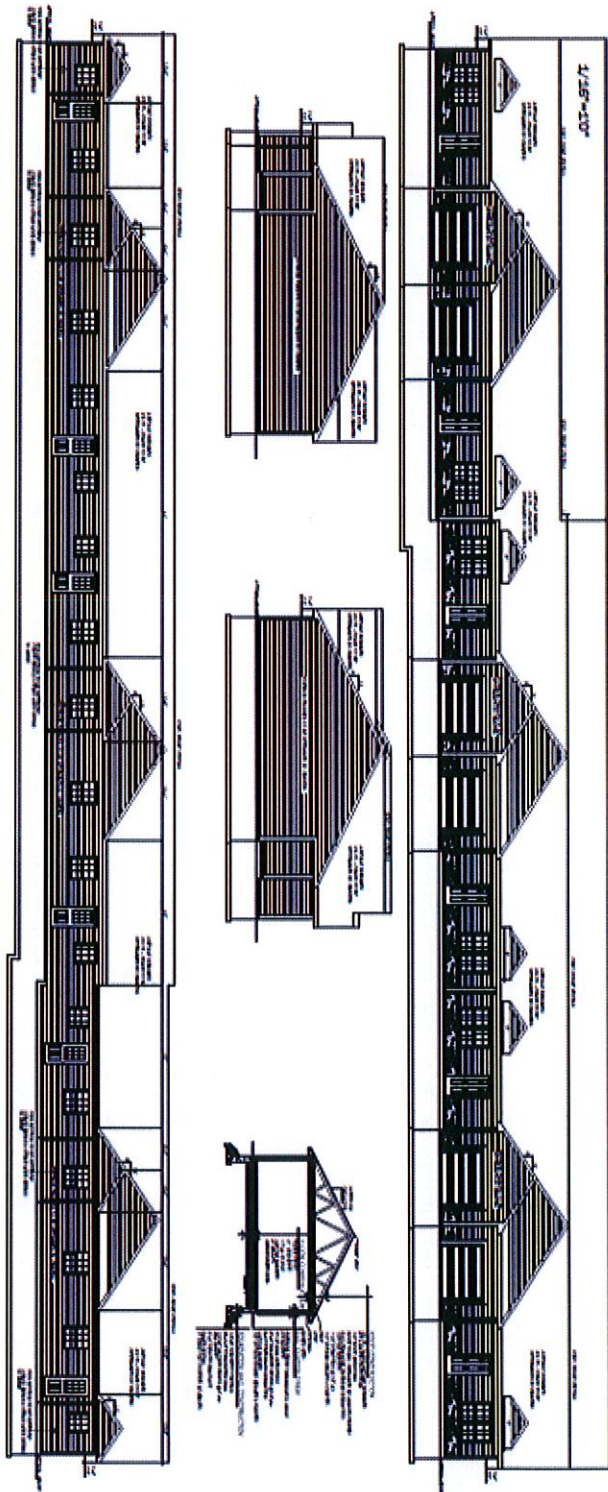
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.

7. THE CONTRACTOR SHALL MAINTAIN A CLEAN WORKING ENVIRONMENT AT ALL TIMES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.

9. THE CONTRACTOR SHALL MAINTAIN A CLEAN WORKING ENVIRONMENT AT ALL TIMES.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.



GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL DEBRIS.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTING.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
9. THE CONTRACTOR SHALL MAINTAIN A CLEAN WORKING ENVIRONMENT AT ALL TIMES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for variances to the property at 29 Garfield Street (PID #278929) to decrease the rear yard setback requirement of 19.7 ft to 4.0 ft and decrease the side yard setback requirement of 9.8 sq. ft. to 0.0 ft. be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #2

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for a variance to the property at 494 Queen Street (PID #372300) to increase the maximum height requirement from 39.4 ft to 74.0 ft to permit the construction of a 6-storey mixed use building, be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #3

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request to proceed to the public consultation phase to consider a Site Specific Amendment for property located at 151-153 Euston Street (PID #358812) by amending the Official Plan (Medium Density Residential Land Use Designation) and Zoning and Development By-law (Medium Density Residential R-3 Zone) to permit a law office be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #4

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for a lot consolidation of 155 Upper Prince Street (PID #369140) and 21 Young Street (PID #369132), subject to the receipt of signed, pinned survey plans, be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #5

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for consideration of the following amendments to the City of Charlottetown Official Plan and Zoning and Development By-law for the property located at 249 Sherwood Road (Portion of PID #615831) be approved to proceed to the public consultation phase:

- i. To amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area;
- ii. To amend Appendix "H" of the Zoning and Development By-law from the Low Density Residential (R-2) Zone to the Comprehensive Development Area (CDA) Zone; and
- iii. To amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw.

And further, consolidate the properties located at 249 Sherwood Road (portion of PID #615831 and portion of PID #145128) to form one parcel subject to the receipt of signed, pinned survey plans be approved.



CITY OF CHARLOTTETOWN

RESOLUTION

Planning #6

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That the request for consideration of the following amendments to the City of Charlottetown Official Plan and Zoning and Development By-law for the property located at 49 Trailview Drive (portion of PID #145284) be approved to proceed to the public consultation phase:

- i. To amend Appendix "A" City of Charlottetown Official Land Use Map from Low Density Residential to Comprehensive Planning Area;
- ii. To amend Appendix "H" of the Zoning and Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Comprehensive Development Area (CDA) Zone;
- iii. To amend Appendix "G" Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw;

**PLANNING AND HERITAGE COMMITTEE – HERITAGE BOARD
MARCH 27, 2018, 12 NOON
PARKDALE ROOM, CITY HALL**

Included **Councillor Greg Rivard, Chair**
 Councillor Terry MacLeod
 Ron Coles, RM
 Tara Maloney, RM
 Alex Forbes, PHM
 Todd Saunders, HO

Councillor Jason Coady
Bobby Shepherd, RM
Ian MacLeod, RM
Simon Moore, RM
Greg Morrison, PII
Ellen Ganga, AA

Regrets

The meeting was called to order at 12:00 and no conflicts were declared. The Agenda was approved.

1. **Approval of the Minutes:**
 MOVED AND SECONDED THAT THE MINUTES OF THE HERITAGE BOARD MEETINGS
 OF TUESDAY FEBRUARY 27 & MARCH 1, 2018 BE APPROVED.

CARRIED

There was no business arising from the minutes.

2. **55-59 Richmond Street (PID#339929 & PID#339952)** – application for a new four storey, 23 unit residential building. Tim Banks, applicant, presented the application. Mayor Clifford Lee attended the presentation and left the meeting.

The application includes:

- Consolidation of the two lots and removal of the existing structure;
- Development of a four story, flat roofed, twenty-three unit residential building with off-site parking;
- The front façade is broken into three vertical sections with the central being slightly wider than the two flanking sides. The central bay is setback from the front property line 10ft. The faces of the two flanking sides are recessed an additional 4ft.;
- The main entry is located at grade level in the central bay and is identified by a flat roofed canopy. Residential units on the ground floor flanking the front entry are screened by a natural wood lattice flush with the central bay.
- The central bay is clad in a Prodema siding with a horizontal profile. This wraps the corner on the ground floor only for 9.5ft. The same line and colour continues across the ground floor for the full depth of the building on both sides and across the back but is executed using a wood or cement siding.
- Cape Cod lap siding with 5” exposure is proposed for the three upper stories with contrasting trim boards.

- Window materials and operation are not specified but are the rectangular openings appear traditional in scale. Door materials are not specified.
- 4ft deep pressure treated balconies on the front façade are enclosed with glass railings. Balconies on the rear and side elevations have vinyl railings.
- No penthouses or roof protrusions are indicated.

Comments/concerns noted:

- It was noted the design reviewer summarized *"The design development, as submitted is well done. It is a nice contemporary design which respects the character and scale not only of the neighbourhood, but also the residential character of the Lot 500 district. I recommend that the design be conditionally approved."*
- Objectives and policies of the Official Plan as they refer to new development in the 500 lot area were outlined.
- The addition of a front entry canopy, landscaping, ground level detailing and revisions to the front door design made at the request of the design reviewer have improved the design.



MOVED AND SECONDED THAT THE APPLICATION FOR A FOUR STOREY 23 UNIT RESIDENTIAL BUILDING AT 55-59 RICHMOND STREET (PID#339929 & PID#339952) AS PRESENTED TO HERITAGE BOARD PENDING ALL OTHER REQUIRED APPROVALS BE APPROVED.

CARRIED

3. **Haviland Street (PID#335448)** – Discussion only. Tim Banks, developer discussed his plans to develop an eight storey residential building and left the meeting. The proposal will include:
 - the development of an 8-storey 99-unit apartment complex;
 - The subject property is a 1.88 Acre parcel of land that was subdivided off of the former Sacred Heart Home Property (PID 335448) just off Haviland Street.
 - The neighborhood chronicles as a mixed demographic of local professionals, young families, and empty nesters taking up residence in single family homes and multi-unit developments with an increasing amount of newcomers as well.

- The built environment surrounding the site can only be described as a hodge podge of commercial and residential development with a mix of office space, institutional establishments and residential uses of varying forms and styles both new and some with historical charm. Specifically you will find the Charlottetown Armoury, Holland College Culinary Institute and the Former Sacred Heart Home (now apartments) all flanking this development.
- Our proposed 8-storey development responds to a growing need for “downtown” apartments with access to indoor parking garages and indoor/outdoor amenity spaces. Due to the restrictions of the small shallow lot, the site is not conducive for a low rise apartment building. As a result, the proposal is for an 8-storey apartment building to allow for the required density to successfully complete a project of this standard.
- It is our belief that providing such elements as a green roof (7,850 sq.ft.), access to affordable housing (5% available), public Art Space off main entrance, increase to shoreline stabilization with a back flow system, Green Globe structural envelope, the incorporation of two 4-bedroom units and 8 barrier free units, along with offering a boardwalk license to the City should mitigate the 2-storey height bonus process which we need to make this project financially viable.
- Having identified no commonality or key heritage characteristics surrounding the site, the design for the proposed building adapted to what we feel is appropriate for this site with rhythmic proportions through clearly defined vertical and horizontal forms that break up the length and height of the building.
- Each volume is then characterized with a different material or color and finally cantilevered balconies further enhance and animate the buildings form.
- The ground floor podium will be distinctively clad in stone or brick characteristic to the area and will be broken up with panels of glass to give a more distinguished look. A large cornice will complete the grade level podium for an identifiable break between the upper floors. The remaining 7 floors will be predominantly curtain wall glazing with accents of high quality metal with no exposed fasteners. The colors will be will be generally “warm” in character and thoughtfully considered with respect to adjacent developments and style. The cantilevered balconies will be exposed concrete and have all glass guardrails.
- At grade, the building is considerably set back from the street and will have little or no impact on the surrounding buildings other than to say it will add to the quality and value of the neighborhood.
- The site is accessed by a long 25ft approved entrance off Haviland and will feature 69 indoor parking spaces for tenants and guests to use which exceeds the by-law requirements. There will be extensive new landscaping around the site through the use of trees, shrubs and hardscaping which will signify the quality of this development and should also act as a public benefit.
- The porte-cochere at the front of the building will mimic the overall style of the development and is intended to encourage a more welcoming scale to the entrance.
- There will also be significant planning and effort put into sustainability with green building processes such as higher R-Values, solar water heating, low flush toilets, low-E glazing and LED lighting.

We are strong believers that professional design excellence along with open dialogue and compromise will serve as the catalyst for revitalization, walkability and livability in the 500 lot area. We look forward to working together with the City of Charlottetown in pursuit of this unique and promising development that will not only contribute to the 500 lot area but will also bring significant jobs, tax base and choice to the existing and future residents of the City.

Comments/concerns noted:

- Board members noted the images show an attractive building and will create a substantial number of residential units;
- The proposal will be sent to a design reviewer for comment before being formally presented to Heritage Board.



4. **78 Prince Street, Trinity Church (PID#339499)** – Discussion only. Mario Zirone, church property committee member, attended the meeting and presented plans to replace the main front doors. Other committee members included Graham Linkletter, Ken MacDonald, Austin Bowman and three others, all of whom left the meeting following discussion of this item. The proposal will include:
- Replacement of the existing sliding wooden doors with outward swinging wooden doors for Trinity United Church a building that has been recognized as having architectural heritage value to the City of Charlottetown.
 - Our proposal, if approved, will fulfill the needs and wishes of our congregation for a change to the front doors that has been expressed to the City of Charlottetown, over the past 10 to 15 years.
 - There are 5 major problems with the current sliding
 - 1) They require considerable strength to open and close them far beyond the ability of most of the congregation,
 - 2) They place those who must open and close them on every Sunday and every public event at the risk of an injury and thereby potentially creating a workplace hazard and general liability,
 - 3) They are not reliable in their ability to be opened or closed as expected because the integrity of the wooden doors and the sliding system have failed,
 - 4) They are drafty and contribute to heat loss and personal discomfort and

- 5) They do not and cannot be made to comply with building code requirements for a sliding exit door. In fact, at least one floor cane bolt meant to alleviate having both doors open during inclement weather is a horrible reminder of the fire safety shortcoming of these doors.
- Our design proposal to replace the sliding doors with swinging wooden doors is the result of a long and considered process that I believe would stand up to the Standards and Guidelines for the Conservation of Historic Places in Canada. There have been many discussions about this within the building and property committee of Trinity church. I have also conducted a non-destructive door and building construction examination, reviewed building code requirements, made calculation to ensure code compliance, and have met and discussed our needs and findings with the City's heritage, building and fire departments.
 - We believe that the specific door changes we are requesting will be complementary to the heritage value of Trinity church and will satisfy much needed rehabilitation goals. I use the word rehabilitation here as used in Parks Canada literature to mean "**activities related to a new use or code upgrades**". More specifically, our rehabilitation goals are related to changes to the future use of the building, code upgrades, legislated requirements that pertain to human rights and to greening principles. With this in mind it is our intent that the proposed swinging doors will: enhance accessibility for the public and the congregation's aging population, ensure compliance with Code exit door requirements without having to rely on a door attendant or keeping the doors partially to fully open while the church sanctuary is in use, and improve energy efficiency and comfort of the occupants by providing a working and effective seal between the doors and the building structure.
 - Three of the defining architectural heritage features cited in historical images and historical text describing the building, that also appear on the peihistoricplaces.ca website for Trinity church, have significantly changed over time, namely: **1. The large buttresses on the sides of the structure** : The buttresses are still there but the brick masonry, its size and colour, along with the joints and tooling of joints, and the mortar and its colour for these buttresses are not original, **2. The large steps in the centre of the entrance** : The design of the current steps, landing and railings are the second and possibly the third derivative -- last renovated in the 1980's -- bear little resemblance to the original. An historical photograph shows a small landing in front of the doors served by a less massive C-shaped staircase without wing walls and whose leading steps were returned by 90 degrees to the main façade, and **3. The two stately towers** : There are still two towers in front of the church but perhaps not as stately as the original. Structural failure resulted in these two towers to be shortened by approximately 15 to 20 feet in the late 1800's. The slender and elaborately detailed cupolas on top of the two towers were also replaced at that time with shorter and simpler cupolas. The Trinity church building today demonstrates its ability to evolve over time through significant changes to its defining architectural features. These changes were not considered inappropriate at the time of identification and they continue to be recognized as being of heritage value.
 - I would like to familiarize you with the current use and future changes to the use of the building that I referred to a few minutes ago.
 - Trinity-Clifton United Church is a faith based community of several hundred families.
 - Our church actively supports our community at large with the Sanctuary, and other parts of our building, being used regularly by a wide variety of individuals and organizations.
 - For example, Our front doors are open each Sunday for service attended by congregants and guests that number 150 persons or more,

- Every December we host special public events such as the City of Charlottetown Christmas Concert and the John Gracie concert which raise funds for the Salvation Army and are attended by more than 750 persons,
 - In 2016 we hosted a Vigil service in commemoration of the massacre of LGBT people in Tampa, Florida. That Vigil was attended by more than 900 people.
 - We contribute to the value of tourism in Charlottetown through our open doors and tours of our sanctuary almost every day during the tourist season.
- Recently the church has established a Development Committee with the aim of raising much needed funds to continue our ministry. The committee has already hosted several musical events held in the sanctuary with attendance of at least 400 people at each event. Many more such events are planned over the next year. We have already started to make plans to implement code compliant changes within the church to ensure the safety and comfort of such large crowds. We now need to make changes to our front doors to provide welcoming access and safe exit for these and other public functions in the sanctuary whether they occur in the summer months or in the middle of the winter.
 - I would like to take a few minutes now to make 5 points on the current sliding doors and an evaluation of them.
 1. Each door weighs over 250 pounds and slides along an overhead concealed steel track. The track's supporting structure has spans 10 feet and possibly as much as 21 feet between end supports. The weight of the doors and the large span together with what I suspect is an under designed load carrying capability of the supporting structure may have caused the tracks functional integrity to fail. It any event it no longer works as intended.
 2. There is no evidence of a floor mounted track and/or guides to provide alignment and to assist with the opening and closing of the doors. This provision is a best practice norm for sliding pocket doors to function as expected. I suspect that:

The lack of an overhang or protection from a buildup of snow and ice at the sill level makes it impractical to have a floor track guide system that would not ice and freeze during the winter. In fact a major manufacturer of overhead sliding track door hardware, KN Crowder Inc. , that I consulted with, does not recommend using their tracks for an outdoor application. This factor and, The inability to provide a continuous weather seal at the bottom of the doors has allowed outdoor water to penetrate and destroy the interior brick masonry wall below the doors' threshold.
 3. For sliding pocket doors to operate properly they require minimal friction, particularly at the top and door jambs. To meet this criteria the current sliding door assembly was designed with mostly unsealed gaps between their outer perimeter and the building structure interface resulting in a Door edge perimeter that cannot be effectively sealed against outdoor weather elements. In effect, we have a 35 foot long unsealed gap for winds and cold weather to enter into the building when the doors are fully closed.
 4. The sliding and pocket door arrangement make it impossible to have graspable outdoor latching and opening hardware that would mechanically assist in the opening and closing operation. The situation is such that, The visual and physical absence of door opening hardware combined with opaque solid doors may make for an iconic character defining feature which is more suited to a museum exhibit setting, But for us this iconic character has failed to convey and to deliver what I firmly believe is the expected norm for exterior entrance doors used by hundreds of congregants, guests, and strangers on a regular basis. We need our doors, much like the front doors of the City Hall that we each opened and walked through to get here,

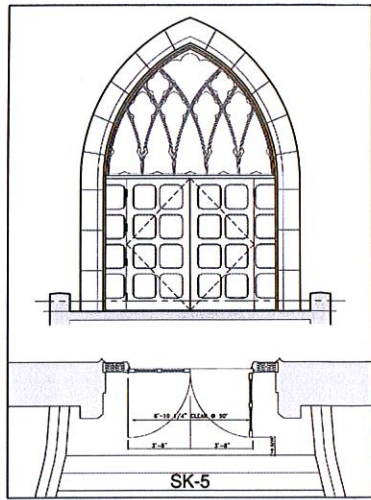
to function and to convey to the public that these are our front entrance doors, that you are welcome to enter, and that you can enter without the aid and assistance from what may or may not be a visible door attendant. We all here have a fundamental and a legal (NBC) obligation to make it so, and,

5. The sliding and pocket door arrangement, as they exist, do not meet nor can they possibly ever meet, regardless of modifications, the requirements of the N.B.C. for an exit door. Although this condition has existed for the better part of 150 years this status quo is no longer tenable and cannot be offered as a solution that is an exit for 300-400 persons. Presently, occupancy of the sanctuary legally obliges us to keep the doors open and/or have a person in attendance at all times to ensure that safe exit will be provided should the occasion arise. The majority of our congregation are not physically capable of fulfilling this level of assurance. Nor, do I believe, should they be tasked with this onerous responsibility when mechanical code compliant alternatives are available with swinging doors.

- **In conclusion,** The changes that we are proposing to the style and operation of the current wooden doors are consistent with the changes that the church has experienced in the past. The historical changes that the church structure has gone through over its history may or may not have met with approval in the past however they are currently still lauded as heritage features worthy of mention. Whereas restoration looks to the past and preservation is about the present, rehabilitation is turned to the future. We look forward to the future and to the rehabilitation of the front doors, from sliding pocket doors to swinging doors, as represented in the proposed design drawings and in doing so achieve our aforementioned goals.
- I will close with a statement taken, once again, from the Standards and Guidelines for the Conservation of Historic Places in Canada: “Sustainable Heritage Conservation addressing health and safety, and accessibility requirements, reflect changes in public ideals and contribute to social sustainability while prolonging the life of historic places.”

Comments/concerns noted:

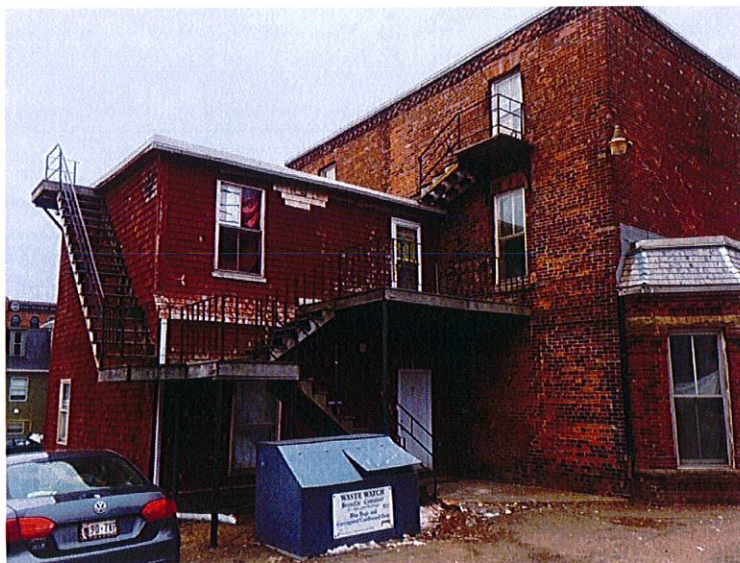
- The Board agreed members were generally in favor of the proposal.
- It is clear, careful consideration has been given to available options including the proposed project.
- The exterior stair railings would be better suited to flare/following the step profile rather than run at right angles to the building.
- The door hinges will be recessed within the door and not be visible, however the door handles are intended to be obvious.
- The opening size on the front of the church will change fairly substantially. This is a loss to the historic integrity of the building but may assist the church in remaining economically viable. This is preferable to having the entire building fall into disrepair.
- The new doors should be solid wood and clear-coated/varnished rather than painted.



5. **100 King Street, Blake House (PID#33)** – Application to remove the rear wood frame extension. 100 King Street (PID 335836) is a designated Heritage Resources and is located in the Downtown Mixed Use Neighbourhood Zone (DMUN) of the 500 Lot Area. The application involves the removal of the rear portion of 100 King Street to accommodate parking for a proposed development at 94-98 King Street. The proposed design for 94-98 King Street has been approved pending other approval including parking.

The proposal includes:

- Removal of the rear, two storey, building extension;
- The flat roofed, wood frame extension measures 20ft by 20ft (400 sq ft) and is clad in wood shingles;
- The extension appears to be constructed on a stone foundation with later concrete;
- Roof line evidence suggests this may have once been a one storey extension;
- It is proposed, once removed, the site will provide parking for residential units at 100 King Street as well as the new development proposed for 94-98 King Street.



Comments/concerns noted:

- This is a significant heritage building which contributes greatly to the streetscape.
- Although the extension appears to be in poor condition, its removal will not necessarily improve the main structure unless detailed plans are in place for its rehabilitation. Additional parking space is not typically a sufficient reason to remove part of a designated structure.
- Additional information is required given the removal of the extension will involve removal of required fire escapes. A new fire egress plan is required as well as details regarding the restitution to the rear of the building.

The meeting was adjourned at 1:15 PM.

Councillor Greg Rivard

 City of Charlottetown	Report No: HERT-2018-27-03 #6a Date: March 27, 2018
Directed to: Heritage. Board	Attachments: 1. Historic panoramic 2. GIS map 3. Proposal drawings 4. Neighbouring property photos 5. Design reviewer reports
Department: Planning & Heritage	
Prepared by: Todd Saunders & Greg Morrison	
Subject: <u>55-59 Richmond Street (PID #339929 & 339952)</u> - Proposed development of a four storey, multi-unit (23 units) residential building.	
<u>RECOMMENDATION:</u> Heritage Board is encouraged to support the application for a four storey, multi-unit (23 unit) residential development at 55-59 Richmond Street (PID#339929 & 339952) based on the conditional approval of the Design Reviewer and pending all other applicable approvals. See City of Charlottetown Zoning and Development Bylaw sections 7.2 & 7.3 & 7.5.2 & 6.7. The proposal meets the general provisions of the bylaw. The proposed design has been conditionally supported by an independent design review process.	

REPORT:

55-59 Richmond Street (PID 339929 & 339952) are not designated Heritage Resources but are located in the Downtown Neighbourhood Zone (DN) of the 500 Lot Area.

BACKGROUND:

Demolition of the existing house at 59 Richmond Street was supported by Heritage Board in January 2017, pending approval of the proposed development through the design review process. Comments / concerns noted at the meeting included:

- *This streetscape is important as it fronts on Connaught Square and plays a role in establishing the residential neighbourhood scale of the area.*
- *Any new development facing on a square warrants the greatest attention to detail, design and material quality.*
- *Much of this streetscape has been eroded and the house in question is not critical in itself to maintaining the character of the area. What might be of greater concern is the design of any new proposal. Although the project on the corner of Richmond Street and Rochford is six storeys it does not feel quite so imposing since it steps back from the street.*
- *An apartment building located at this site rather than a smaller house would certainly add to the loss of the scale of the neighbourhood.*
- *With pressure for increased density in the downtown area it is preferable to have density occur in proximity to existing open spaces.*

The applicant requested the initial application be withdrawn on May 8, 2017 following the discovery that the required frontage was insufficient. Council passed a resolution on July 10, 2017 that allowed the application to be withdrawn and enabled the applicant to submit a revised application on July 17, 2017. The external appearance / design of the proposed building essentially remained the same, and the revised application included many elements from the original application. That being said, the revised application contained some changes: including a reduction in width (63'6" to 62'2"); an off-lot parking request at the Pownal Parking Garage, and a minor variance request to reduce the minimum frontage requirement from 82ft to 74.5ft. It is this last addition that holds the greatest significance, as it increases the magnitude of the applicant's site specific amendment request with regards to residential density.

The Planning Board originally reviewed this revised application on August 7, 2017. The revised application was then in front of Council on August 14, 2017 where they passed a motion to reject advancing the subject application to a public meeting. The applicant subsequently filed an application with the Island Regulatory and Appeals Commission (IRAC) to appeal Council's decision. Following mediation between the three respective parties, Council passed a new resolution on October 10, 2017 to advance the subject application to a public meeting.

Following the public meeting, the revised application was presented to Planning Board on November 6, 2017 and Charlottetown City Council passed the resolution on November 14, 2017. Ministerial Approval was granted on December 15, 2017.

The applicant submitted the design review drawings February 16, 2018. The Design Reviewer, Robert Matthews, submitted his first round of comments on March 4, 2018. The conclusion of the comments was that:

"Generally, I find this design works well in the context of the Square as a whole. The scale is generally good and the relationship of two of the ground level units have a nice scale and gesture to the context of Richmond Street.

I generally approve the proposal in principle but, recommend that the applicant review his entrance feature; it's materiality and detailing and resubmit prior to final approval."

The applicant's revised design was sent back to Mr. Matthews who provided staff with revised comments on March 10, 2018. The comments indicated that:

"In my view, In my view the applicant has addressed my concerns as outlined in my letter of 04 March. The change in materiality, scale and the addition of the eyebrow canopy in the centre portion of the principal facade is a positive change and contributes to the residential aspect of the Square. Continuing the treatment onto the other three facades is appreciated. Whether the material is "Prodema" or another material isn't as important as the overall smaller scale [residential] of the material and the creation of a single storey base to the building.

In conclusion, I find this design modification [materiality and colour] works well in the context of the Square.

To this end, the applicant has addressed my concerns. The design development, as submitted is well done. It is a nice contemporary design which respects the character and scale not only of the neighbourhood, but also the residential character of the Lot 500 district. I recommend that the design be conditionally approved."

THE PROPOSAL INCLUDES:

- Consolidation of the two lots and removal of the existing structure;
- Development of a four story, flat roofed, twenty-three unit residential building with off-site parking;
- The front façade is broken into three vertical sections with the central being slightly wider than the two flanking sides. The central bay is setback from the front property line 10ft. The faces of the two flanking sides are recessed an additional 4ft.;
- The main entry is located at grade level in the central bay and is identified by a flat roofed canopy. Residential units on the ground floor flanking the front entry are screened by a natural wood lattice flush with the central bay.
- The central bay is clad in a Prodema siding with a horizontal profile. This wraps the corner on the ground floor only for 9.5ft. The same line and colour continues across the ground floor for the full depth of the building on both sides and across the back but is executed using a wood or cement siding.
- Cape Cod lap siding with 5" exposure is proposed for the three upper stories with contrasting trim boards.
- Window materials and operation are not specified but are the rectangular openings appear traditional in scale. Door materials are not specified.
- 4ft deep pressure treated balconies on the front façade are enclosed with glass railings. Balconies on the rear and side elevations have vinyl railings.
- No penthouses or roof protrusions are indicated.

The existing lot sizes are typical of traditional residential properties in the downtown area and have resulted in the scale and texture of the single family residential structures. The condo development on the corner of Richmond Street and Rochford Street was developed on a site consolidated to provide 180ft frontage on Richmond Street and 80ft of frontage on Rochford Street. 55-59 Richmond Street is located between the 2011, 22 unit, six storey condo building to the west and a series of traditional lots to the east. Some of these neighbouring lots are vacant. The consolidated lot frontage will be 74.5ft. As noted in the Design Reviewer's report, the more significant buildings which contribute to the historic character of the immediate area are those located across the square on Sydney Street.

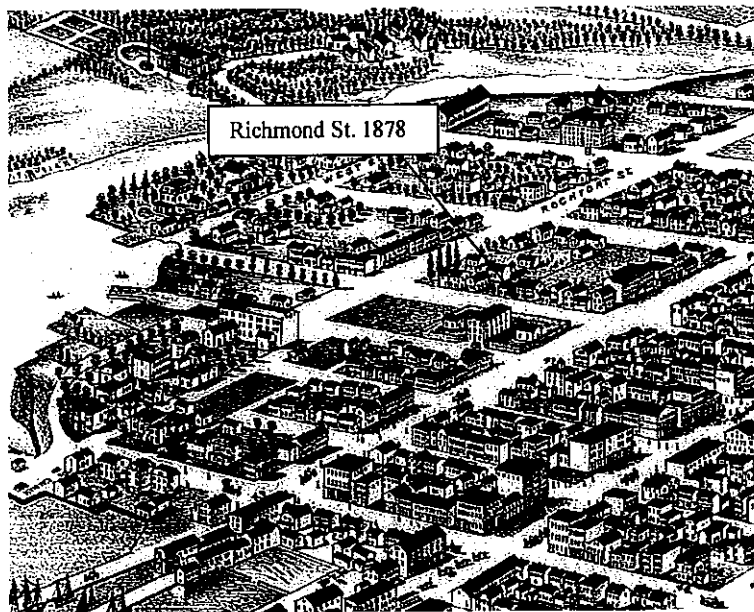
The streetscape character along this block of Richmond Street involves a mix of larger scale new development, vacant sites/parking areas and older two storey wood frame homes. Buildings do not have expansive front lawns but instead front in close proximity to the sidewalk creating a rather urban feel. The scale is pedestrian in nature with one way vehicular traffic (heading east) and parallel parking permitted on one street side only. The street is fairly narrow (approx. 25ft) in width. 55-59 Richmond Street is located approximately mid-block, midway between a larger condominium development to the west and the two storey homes to the east.

This has traditionally been a streetscape with tight fitting single family residences with a small setback from the street. This has resulted with Connaught Square being framed by a two storey street-wall when it was intact. In recent years this street-wall has eroded with various buildings being lost and the change at the western end of the street with the larger scale condo building. This site, when consolidated may have the potential to serve as a transition between two differing scales

of development already in place. Connaught Square, facing this property, is a designated Heritage Resource. There are no designated Heritage Resources on this streetscape.

The Official Plan and 500 Lot Standards define this streetscape as a Key Civic Frontage – visually prominent building frontages that frames among other things, one of the five civic squares spaces. Due to their prominence, these frontages greatly shape the image and experience of the district and warrant the greatest attention to detail, design and material quality.

Historically this area of the city had a strong residential presence surrounding Connaught Square. Although still largely residential in nature, the building form has evolved over the years, allowing buildings of a larger scale among the smaller single family style homes. The area is dominated by Connaught Square, one of the original squares laid in the 1771 survey plan by Wright and Patterson. Although the square lost many of the substantial trees in the hurricane Juan in 2003, many have been re-planted and the square continues to be a well landscaped and maintained open space with a playground, benches and pathways. The square has a wide graceful tree lined pedestrian feel.



OFFICIAL PLAN:

There are several Official Plan objectives that relate to this proposal; in particular, those aimed at Guiding Settlements (Section 3.1), Sustaining Neighbourhoods (Section 3.2), Capitalizing on Heritage Resources (Section 3.7), and Defining Our Direction (Section 4.22). A summary of several relevant objectives is listed below:

Section 3.7 Capitalizing on Heritage Resources: Our goal is to protect and revitalize the heritage resources of Charlottetown for the benefit of current and future residents and visitors.

Section 3.2 Sustaining Charlottetown's Neighbourhoods: 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 economics and social transformation.

Section 3.4 Urban Design Considerations: Our goal is to encourage new development which is harmonious with Charlottetown's natural setting and with the best of its built environment.

Section 3.1 – Objective #1 - Our objective is to contain urban sprawl by introducing a staging strategy for new development, and to ensure that there is concurrency between proposals for new development and the provision of underground municipal services.

A policy under this objective stresses to “direct urban growth to land that is a logical extension of existing urban areas”, and the proposed development will help intensify the 500 Lot Area. The proposed development will use existing municipal water and wastewater systems, eliminating the need for extension of services.

Section 3.2 - Objective #1 - Our objective is to preserve the built form and density of Charlottetown's existing neighbourhoods, and to ensure that new development is harmonious with its surrounding.

This objective contains a policy that stresses the importance of ensuring that “building footprints, massing, and setbacks” are physically related to its surroundings. This is a means to evaluate if a proposed development is compatible with the neighbourhood, and that the design and massing of the building is integrated into the neighbourhood's existing streetscape.

Section 4.2.2 Objective #2 - Our objective is to promote new development that reinforces the existing urban structure.

The objective aims to require new developments to reinforce the existing urban structure and hierarchy. This is achieved by ensuring the uses, physical scale and building typology is consistent with the immediate surroundings of the urban character area.

Section 4.2.2 Objective #4 - Our objective is to protect, restore, respect and leverage all Heritage Resources.

A policy under this objective identifies the 500 Lot Area as being comprised of an extraordinary concentration of significant heritage buildings, landmarks and streetscapes. These resources play a prominent role in defining its distinct ‘sense of place’ and should be recognized as the life-blood of the area's civic, cultural and economic well-being and as such need to be protected and restored.

Section 4.2.2 Objective #5 – Our objective is to ensure that the concept of compatible development is fundamental to all aspects of the CHARLOTTETOWN PLAN.

Policies work to ensure that all new development within the 500 Lot Area is compatible with its adjacent community. Compatible development is defined as development that is not necessarily the same as, or similar to existing development. It is development that enhances the character of the existing community. Our Development and Design Standards attempt to qualify this policy.

Section 4.2.2 Objective #6 - Our objective is to protect and strengthen the character of the residential neighbourhoods in the 500 Lot Area.

Policies include:

Our policy shall be to protect and maintain the health and stability of the existing residential neighbourhoods in the 500 Lot Area to ensure a broad mix of housing and demographic characteristics within proximity to the downtown, which make an important contribution to the area's historic nature and charm.

Our policy shall be to not permit new development, infill or redevelopment that is out of scale and character with the neighbourhood and which can undermine the community's stability and impact upon the health of the downtown.

Our policy shall be to recognize the importance of the elements that define or contribute to the quality and character of the existing streetscapes within the residential neighbourhoods, including the type of existing built forms, their size, height and massing, the pattern, size and rhythm of the lot fabric and building setbacks, and to preclude any new development, infill or redevelopment in these areas that alters or differs from these elements in such a way that it impairs the quality of these streetscapes.

Our policy shall be to reinforce the stability of these residential neighbourhoods by providing greater certainty about the scale and nature of change that can be anticipated through the land use designations and policies of the CHARLOTTETOWN PLAN, as well as the implementing Zoning By-Law and the *500 Lot Area Development Standards & Design Guidelines*.

Our policy shall be to ensure that new development, redevelopment or infilling within these residential neighbourhoods is designed to ensure that change will be modest and compatible with the adjacent community. The Implementing Zoning By-Law provides guidance for new development with respect to uses, scale, building types, and setbacks.

Section 4.2.2 Objective #10 - Our objective is to ensure that all new buildings are designed and constructed so that they become future Heritage resources.

Development and Design Standards were developed and implemented in the 500 Lot Area to encourage new development in the area to be designed in an architectural manner that represents the time in which it is being built. Best practices in heritage conservation strongly discourage historic mimicry and pastiche in the design of new buildings, as it undermines the value and authenticity of authentic heritage buildings. New buildings should complement this context through contemporary architecture that exhibits a quality that is equivalent in design excellence, detailing, materiality and construction.

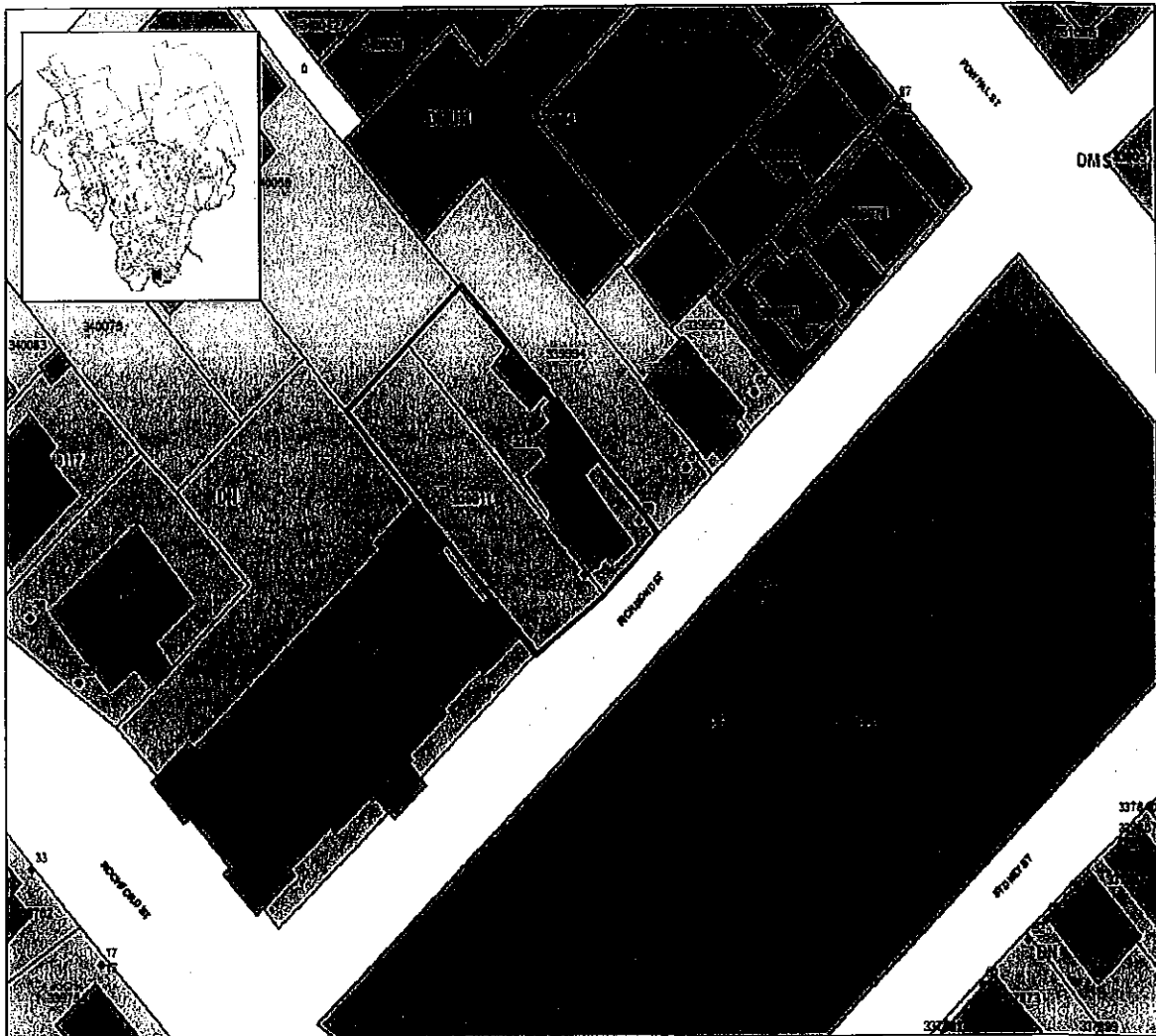
Our policy is to encourage high quality contemporary architectural design for new buildings that is compatible with existing buildings and streetscapes in the 500 Lot Area. In order to encourage such high quality architecture, higher design standards should be expected and made integral to the development review process and acknowledged or rewarded when achieved.

DESIGN GUIDELINES:

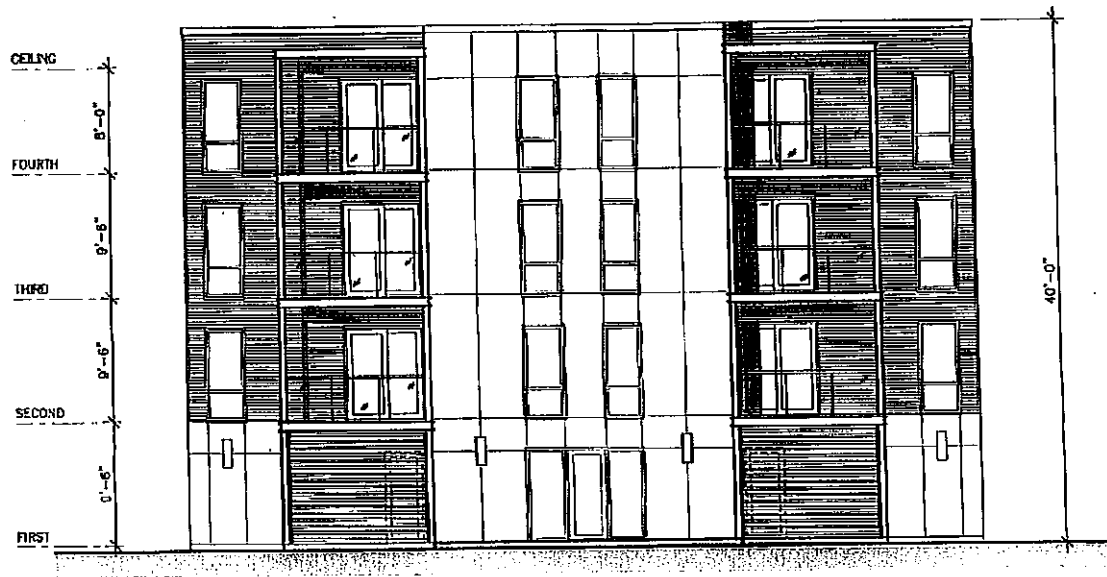
Sections 7.2 and 7.3 identify relevant Development and Design Standards. Some standards to note include 7.2.1(a) which addresses the prevalent architectural styles of building in the area. It may be noted these include a mix of wood frame, two storey, single family structures, for the most part steeply pitched, gable roofed, pre 1930's homes as well as larger complexes such as the Dominion Building, Haviland Court Seniors Housing, and the six storey, 22 unit condominium building at Rochford and Richmond Streets. These properties represent a variety of scales, ages, and architectural styles and all contribute to the character of the area.

Massing & Scale Section 7.3.e requires that new building forms not overwhelm existing structures. 7.3.g provides material and finishes information. Cement clapboard may be permitted on the side or rear of the building.

The proposed development introduces a more modern building into an area with buildings from a variety of eras and consisting of a variety of scales. The proposal, in a manner, provides a transition of scale within the streetscape in terms of building height, typology, and impact. By delineating the front façade into three components the proposal references the texture of the smaller scale wooden frame buildings while allowing the building height to transition toward the taller structure to the west. The peer reviewed Design Review process has recommended its approval and in fact commends the proposal on many aspects of the design.



Location Map 55-59 Richmond Street



Initial proposal submitted January 2017



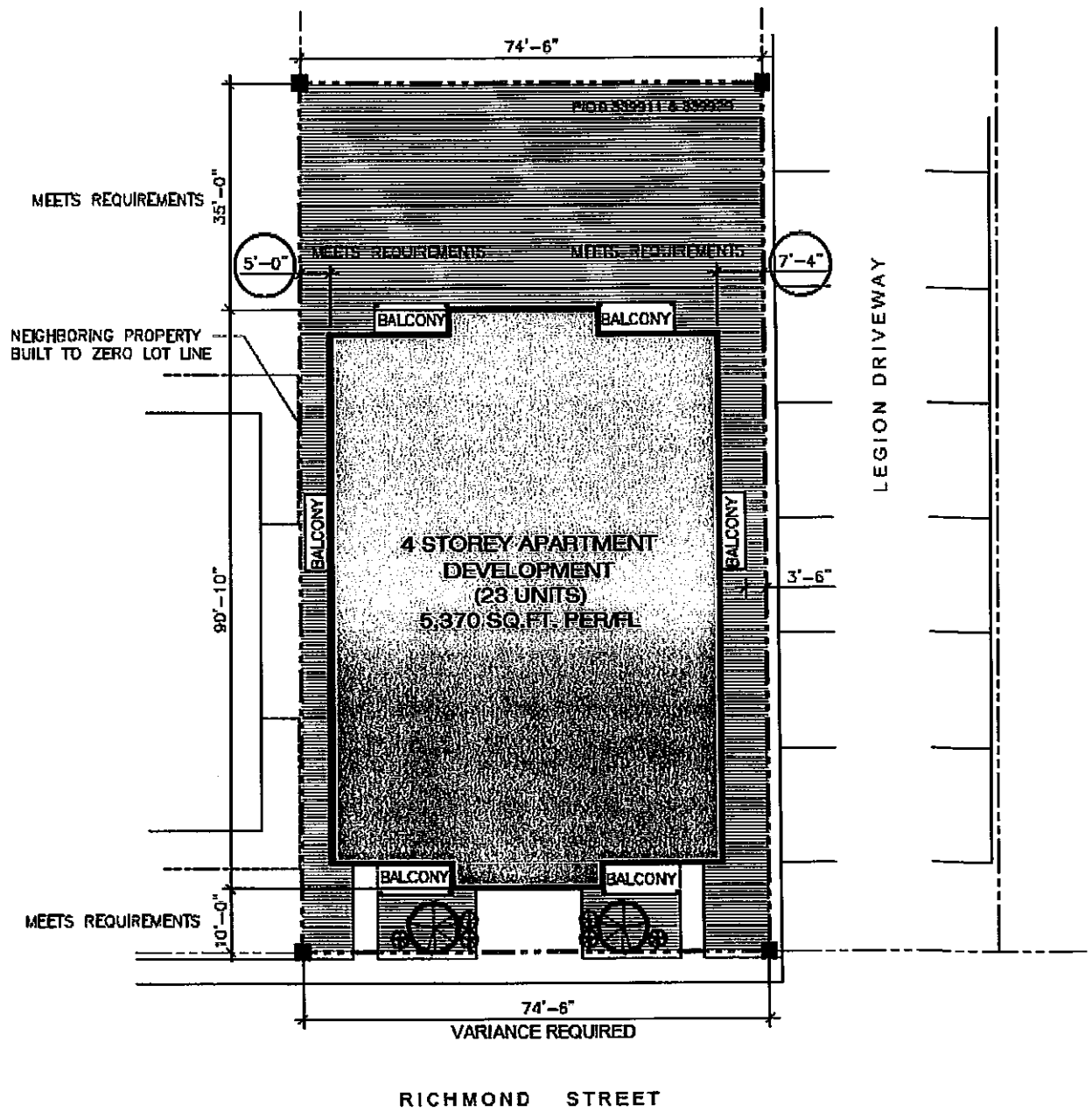
Proposal rendering viewed from within Connaught Square



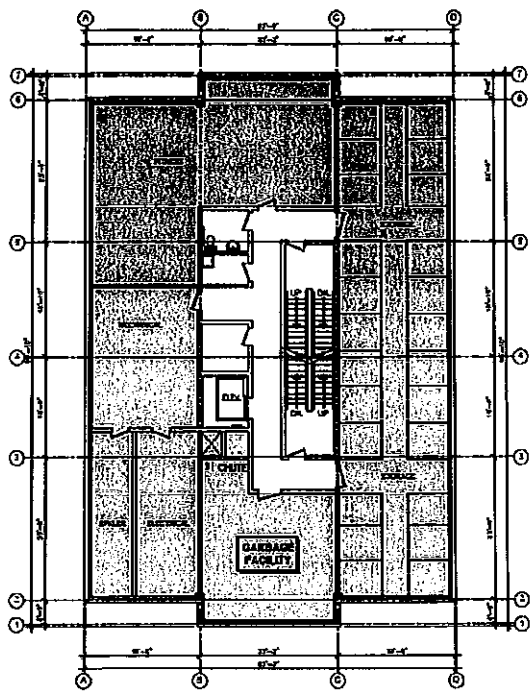
55-59 Richmond Street proposal front façade rendering



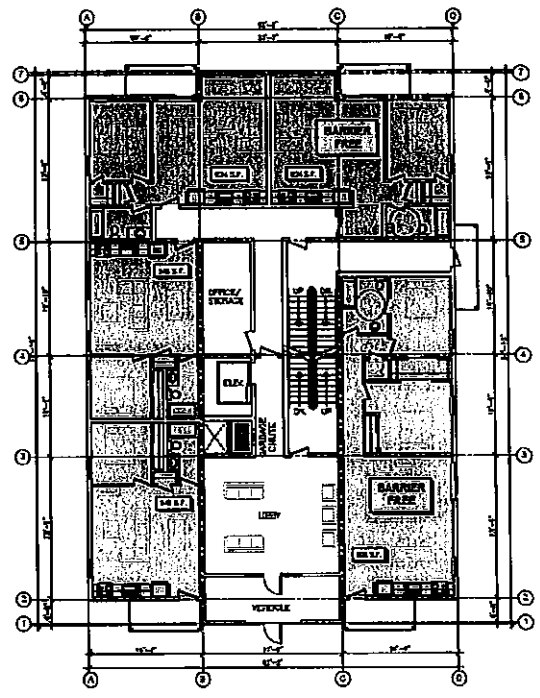
55-59 Richmond Street proposal streetscape from west



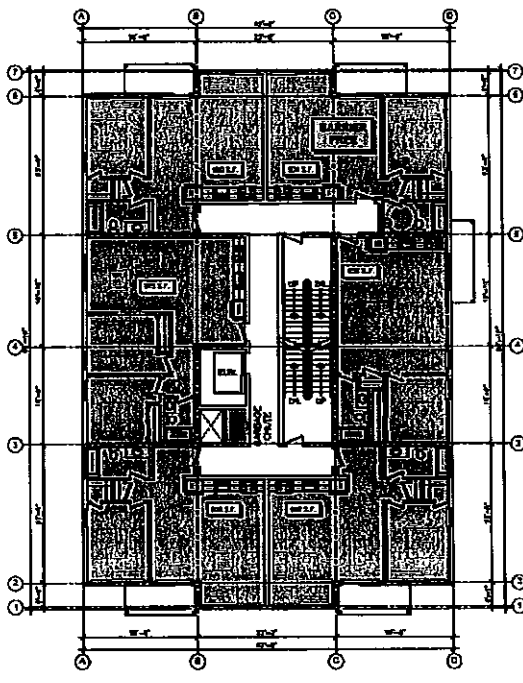
55-59 Richmond Street proposal site plan



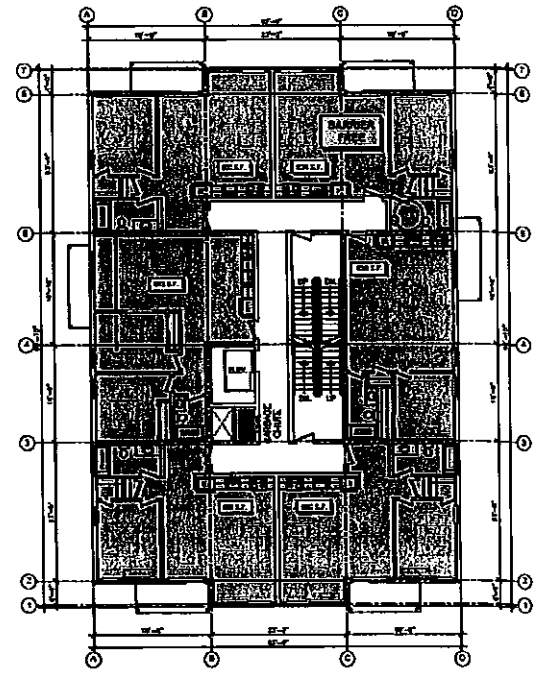
LOWER LEVEL (5,370 SQ.FT.)



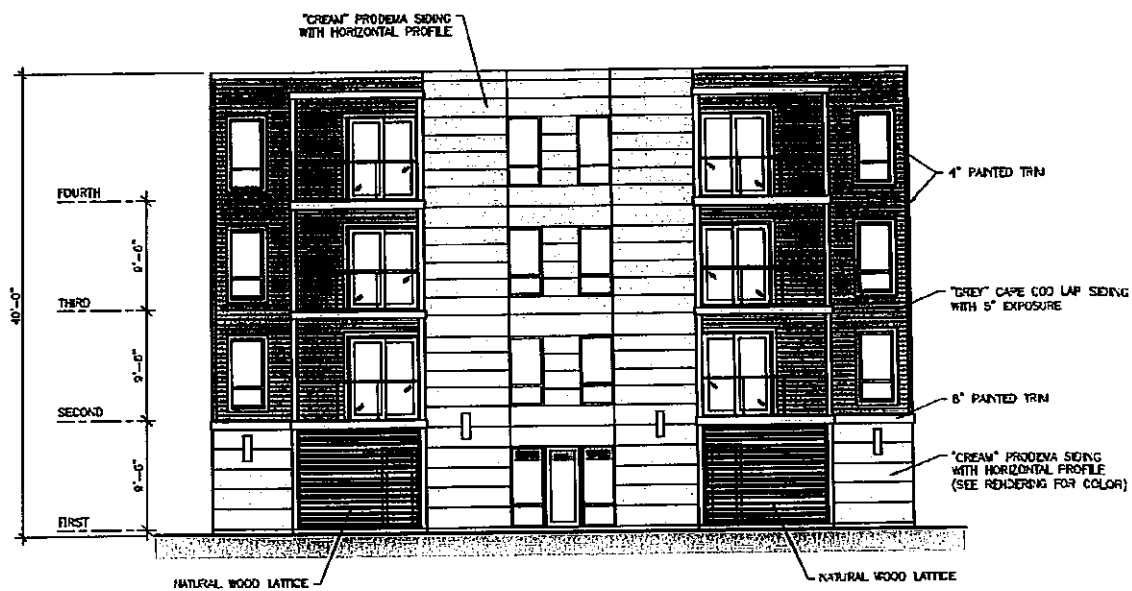
GROUND FLOOR (5,370 SQ.FT.)



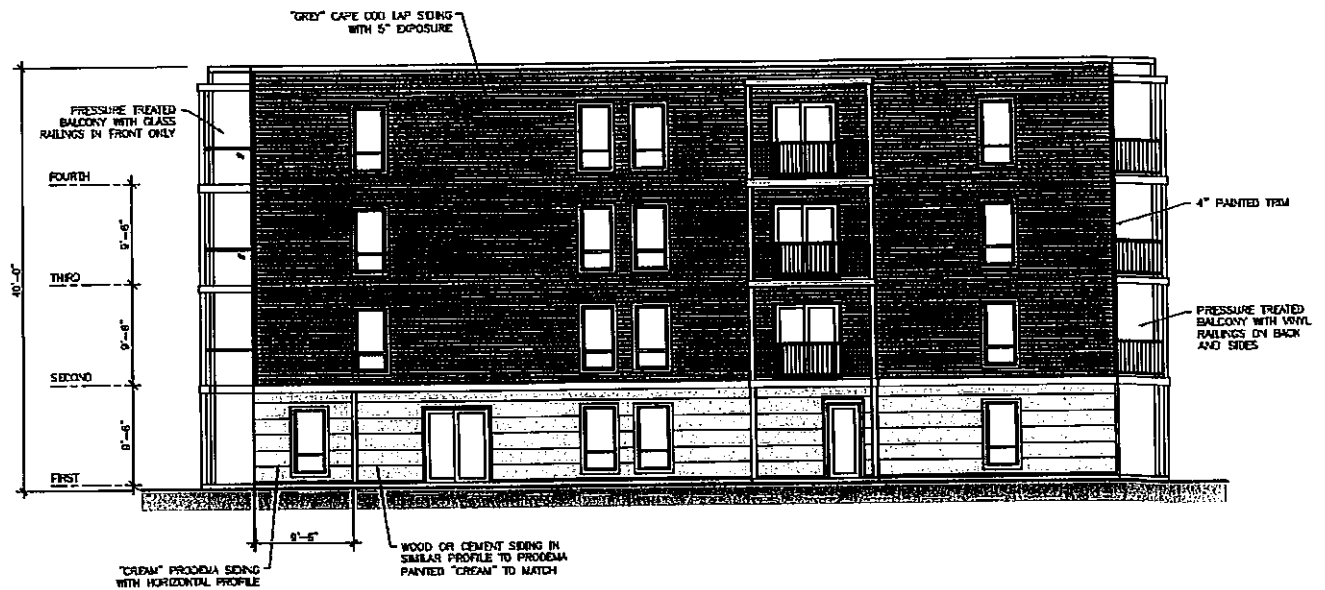
2ND FLOOR (5,370 SQ.FT.)



3RD & 4TH FLOOR (5,370 SQ.FT.)



55-59 Richmond Street proposal front façade



55-59 Richmond Street proposal east façade



CITY OF CHARLOTTETOWN

RESOLUTION

Heritage #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

Moved and seconded that the application for a four storey 23 unit residential building at 55-59 Richmond Street (PID#339929 & PID#339952) as presented to Heritage Board, pending all other required approvals, be approved.



**CITY OF CHARLOTTETOWN
ZONING AND DEVELOPMENT BYLAW**

BE IT RESOLVED THAT the "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-01 as it pertains to PID #659086 Brackley Point Road)", as attached, be read a first time.

Moved by Councillor [Signature] ☒ Greg Rivard

Seconded by Councillor [Signature] ☒ Jason Coady

Date: March 12, 2018

BE IT RESOLVED THAT the said Bylaw (2018-03-01) be approved and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor [Signature] ☒ Greg Rivard

Seconded by Councillor [Signature] ☒ Jason Coady

Date: March 12, 2018

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-01 as it pertains to PID #659086 Brackley Point Road)", as attached, was read and approved a first time on March 12, 2018;

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady

Date: April 9, 2018

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady

Date: April 9, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this ____ day of _____, _____.

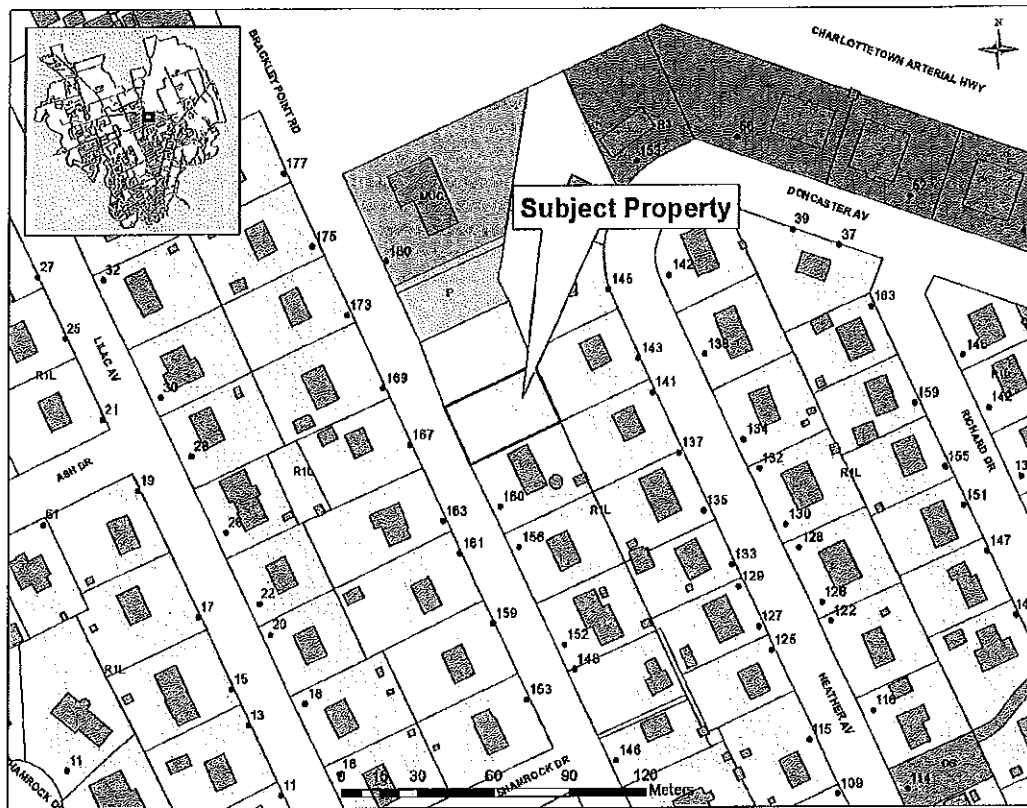
Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT #2018-03-01**

Authority

The council of the City of Charlottetown under authority vested in it by Section 16 and Section 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* hereby enacts as follows:

AMEND APPENDIX "H – Zoning Map of the City of Charlottetown Zoning and Development Bylaw from Single-detached Residential (R-1L) Zone to Low Density Residential (R-2) Zone in order to rezone the property located on Brackley Point Road (PID #659086).

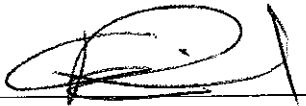
**Effective Date**

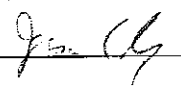
The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.



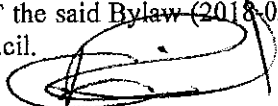
**CITY OF CHARLOTTETOWN
ZONING AND DEVELOPMENT BYLAW**

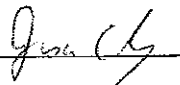
BE IT RESOLVED THAT the "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-02 as it pertains to the BioCommons Park PID #'s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885)", as attached, be read a first time.

Moved by Councillor  ☒ Greg Rivard *C.R. 8-0*

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

BE IT RESOLVED THAT the said Bylaw (2018-03-02) be approved and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor  ☒ Greg Rivard *C.R. 8-0*

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-02 as it pertains to the BioCommons Park (PID #'s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885)," as attached, was read and approved a first time on March 12, 2018;

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this ____ day of _____, _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT #-2018-03-02**

Authority

The council of the City of Charlottetown under authority vested in it by Section 16 and Section 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* hereby enacts as follows:

1. AMEND APPENDIX "H" – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the properties in the PEI BioCommons Park (PID #'s 386524, 1048990, 1046275, 1046283, 1074905, 1087212, 1051655 and 1047885) from Comprehensive Development Area (CDA) Zone to Business Park Industrial (M-3) Zone;

2. ADD TO SECTION 3 – "Definitions" of the Charlottetown Zoning and Development Bylaw to include a definition for *Research and Advanced Technology Facility* as follows:

"Research and Advanced Technology Facility" means a use where the scientific research, investigation, testing or experimentation takes place within buildings for the development of advanced information technology, prototypes, or manufacturing of advanced technology products and includes a wide variety of secondary uses relating to the operation, including technical consulting, professional and legal services, laboratory, health and wellness, food services, printing services, meeting, conference, training, boardrooms and other similar facilities;

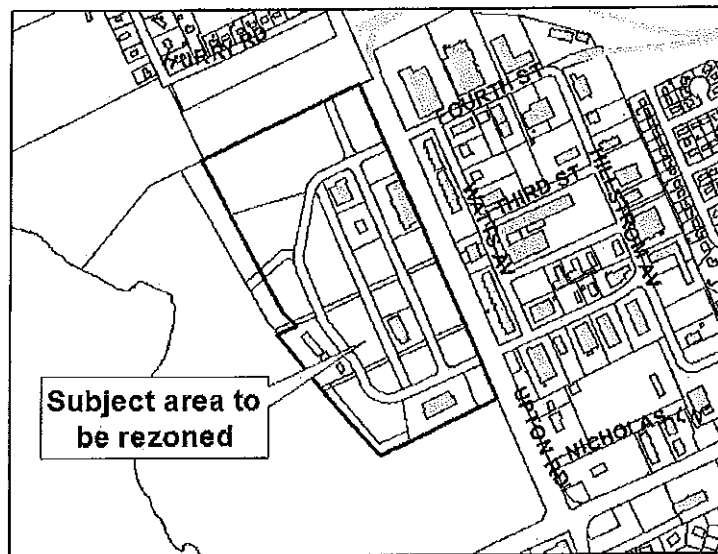
3. AMEND SECTION 27.1 - Permitted Uses in the Business Park Industrial Zone to include a "*Research and Advanced Technology Facility*";

4. AMEND APPENDIX "G" – Comprehensive Development Area Lands and Uses of the Zoning and Development Bylaw as follows:

APPENDIX G – COMPREHENSIVE DEVELOPMENT AREA LANDS AND USES

LIST OF PROPERTIES IN THE COMPREHENSIVE DEVELOPMENT AREA ZONE AND THEIR PERMITTED USES

Upton Farm			
386524	Government of Canada	Bio Science Research Park (approx. 63-acres), remaining green-space with trails	187.40



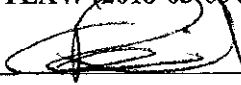
Effective Date

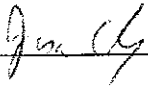
The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.



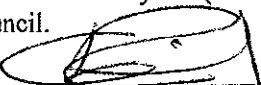
**CITY OF CHARLOTTETOWN
ZONING AND DEVELOPMENT BYLAW**

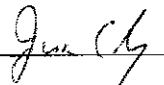
BE IT RESOLVED THAT the "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-03 as it pertains to Flag Lots)", as attached, be read a first time.

Moved by Councillor  ☒ Greg Rivard

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

BE IT RESOLVED THAT the said Bylaw (2018-03-03) be approved and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor  ☒ Greg Rivard

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-03 as it pertains to Flag Lots)", as attached, was read and approved a first time on March 12, 2018;

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this ___ day of _____,

Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT #-2018-03-03**

Authority

The council of the City of Charlottetown under authority vested in it by Section 16 and Section 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* hereby enacts as follows:

That Section 3 be amended to add a new definition of Flag Lots; and that Section 4.39.2 which provides for the creation of panhandle lots as-of-right be amended by the removal of existing text and the addition of the requirement for a variance application in certain conditions as follows:

1. ADD NEW Definition to Section 3:

A "Flag Lot" is the result of subdivision where the flag (developable portion of the lot) is behind another lot and connected by the pole (a narrow strip of land that does not meet the required street frontage defined by the zone.

2. REMOVE the following EXISTING Text from Section 4.29.2:

Section 4.39.2: Panhandle Lots may be permitted for Single detached dwellings in residential zones provided the main body of the lot meets the R-1L Zone requirements for Lot size and have minimum 25 ft frontage on a street and after due regard has been given to the requirements of subsection 4.62.3. Only one (1) panhandle lot may be taken from the parent parcel.

AND REPLACE it with the NEW Text below:

Section 4.39.2: Consideration will be given to permitting a flag lot through a frontage variance application in those circumstances where an existing lot was created without at least 25 feet of frontage or in circumstances where a parcel is landlocked and there will never be the ability for the extension of a future street road network to provide the required street frontage from the rear of the property. In the case of a landlocked parcel, Council may approve, by recommendation of the Planning Board a flag lot provided:

- a) The flag lot has 25 feet of frontage on a public street.*
- b) The main body of the lot (flag portion) meets the lot area and frontage requirements of the zone.*
- c) Only one flag lot will be permitted per parent parcel.*
- d) No portion of the access strip (pole) portion of the lot shall be included in computing the required lot area for the flag portion.*

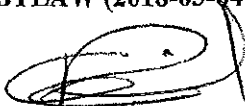
Effective Date

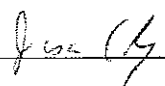
The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.



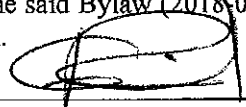
**CITY OF CHARLOTTETOWN
ZONING AND DEVELOPMENT BYLAW**

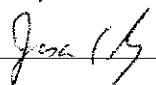
BE IT RESOLVED THAT the "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-04 as it pertains to The Retail Sale of Cannabis)", as attached, be read a first time.

Moved by Councillor  Greg Rivard

Seconded by Councillor  Jason Coady
Date: March 12, 2018

BE IT RESOLVED THAT the said Bylaw (2018-03-04) be approved and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor  Greg Rivard

Seconded by Councillor  Jason Coady
Date: March 12, 2018

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-04 as it pertains to the Retail Sale of Cannabis)", as attached, was read and approved a first time on March 12, 2018;

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

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Jason Coady
Date: April 9, 2018

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

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Jason Coady
Date: April 9, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this ___ day of _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT #-2018-03-04**

Authority

The council of the City of Charlottetown under authority vested in it by Section 16 and Section 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* hereby enacts as follows:

To amend Section 3 by adding new definitions; and to add Retail Sales of Cannabis as a permitted use in the Highway Commercial (C-1) Zone, Shopping Centre Commercial (C-3) Zone and Mixed Use (MUC) Zone; and to Add new Section 4.80 Limiting Distance Requirements.

1. ADD NEW Definitions to Section 3:

Cannabis means cannabis as defined in the Cannabis Act (Canada).

Cannabis Distributor means a person who holds a cannabis distributor license /or authorized vendor provided by the Province of Prince Edward Island.

Cannabis Retail Store means the premises specified in a retail cannabis license where the retail sale of cannabis is authorized.

Child /Licensed Day Care means the provision of care, support and attention to the needs of a child in the absence of the child's parent or guardian;

Early Learning means the provision of developmentally- appropriate curriculum or programs to infants and preschool children;

Early Childhood Centre means a licensed centre where the operator is authorized to provide services to infants, preschool children and school-age children;

After School Program is any organized program that youth can participate in outside of the traditional school day. Some programs are run by a primary or secondary school, while others are run by externally funded non-profit or commercial organizations.

School Premises means a building or property under the management or operation of an education authority that is used in whole or in part for the instruction of students;

2. ADD CANNABIS RETAIL STORE to Sections 21.1, 22.1 and 24.1:

Add Cannabis Retail Store (see limiting distance requirement in Section 4.80) to the permitted uses in Section 21.1 Highway Commercial (C-2) Zone, Section 22.1 Shopping Centre Commercial (C-3) Zone and Section 24.1 Mixed Use Corridor (MUC) Zone

3. ADD SECTION 4.80 Limiting Distance Requirements as follows:

A cannabis retail store cannot locate within 300 metres of a school or after school program, playgrounds (play equipment intended for children to play) and 300 metres from a Child/Licensed Daycare Centre, Early Childhood Centre, and/or Early Learning Facility. In the event that more cannabis stores are permitted in the future, no cannabis retailing store shall to be located within 1,000 metres of each other. This provision is only to be applied at the time a new cannabis retail store is established and not intended to restrict any of the protected uses noted above from locating within the established buffer zone in the future.

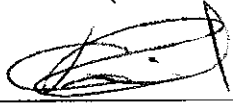
Effective Date

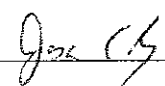
The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.



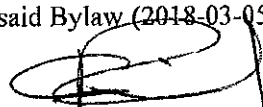
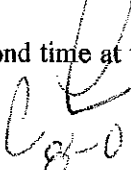
**CITY OF CHARLOTTETOWN
ZONING AND DEVELOPMENT BYLAW**

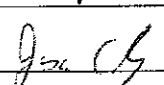
BE IT RESOLVED THAT the "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-05 as it pertains to Underground Wiring)", as attached, be read a first time.

Moved by Councillor  ☒ Greg Rivard 

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

BE IT RESOLVED THAT the said Bylaw (2018-03-05) be approved and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor  ☒ Greg Rivard 

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-05 as it pertains to Underground Wiring)", as attached, was read and approved a first time on March 12, 2018;

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this ____ day of _____, _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

Planning

March 12, 2018

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT #-2018-03-05**

Authority

The council of the City of Charlottetown under authority vested in it by Section 16 and Section 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* hereby enacts as follows:

1. ADD SECTION 4.24.4 of the City of Charlottetown Zoning and Development Bylaw as follows:

“Where an underground power supply currently exists in the public right-of-way or an easement (public or private) or buried underground on private property, when the property owner applies to connect the power supply to an existing or proposed building or upgrade an existing power supply, the property owner shall also be required to bury the electrical supply from the building (existing or proposed) to the adjacent right-of-way or easement (public or private) or existing buried service to the property.”

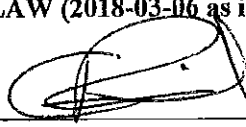
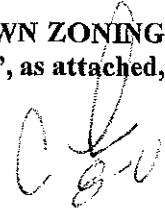
Effective Date

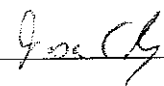
The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.



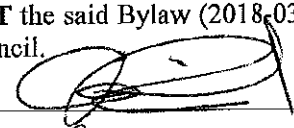
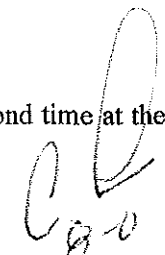
**CITY OF CHARLOTTETOWN
ZONING AND DEVELOPMENT BYLAW**

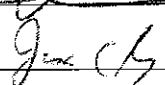
BE IT RESOLVED THAT the "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-06 as it pertains to Limited Car Rental Services)", as attached, be read a first time.

Moved by Councillor  ☒ Greg Rivard 

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

BE IT RESOLVED THAT the said Bylaw (2018-03-06) be approved and that it be read a second time at the next Public Meeting of Council.

Moved by Councillor  ☒ Greg Rivard 

Seconded by Councillor  ☒ Jason Coady
Date: March 12, 2018

WHEREAS THE "BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT BYLAW (2018-03-06 as it pertains to Limited Car Rental Services)", as attached, was read and approved a first time on March 12, 2018;

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

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

Moved by Councillor _____ ☒ Greg Rivard

Seconded by Councillor _____ ☒ Jason Coady
Date: April 9, 2018

Mayor/Chairperson
(signature sealed)

Chief Administrative Officer
(signature sealed)

MINISTERIAL APPROVAL

This Bylaw to Amend the City of Charlottetown Zoning and Development Bylaw is hereby approved.

Dated on this ____ day of _____, _____.

Hon. Richard Brown, Minister of Communities, Land
and Environment

Planning

March 12, 2018

**BYLAW TO AMEND THE CITY OF CHARLOTTETOWN ZONING AND DEVELOPMENT
BYLAW
AMENDMENT #-2018-03-06**

Authority

The council of the City of Charlottetown under authority vested in it by Section 16 and Section 19 of the *Planning Act R.S.P.E.I 1988 Cap. P-8* hereby enacts as follows:

1. ADD LIMITED CAR RENTAL SERVICES as a permitted use under Section 38.1 Waterfront Zone as well as the addition of a definition for “Limited Car Rental Services”

2. ADD TO SECTION 3 DEFINITIONS as follows:

“Limited Car Rental Services” means a use that permits a maximum of 10 passenger motor vehicles (including trucks, SUV’s, and minivans) not exceeding 1 ton capacity that are rented to the public and may include the cleaning of such vehicles.

Effective Date

The effective date of this Bylaw is the date as signed by the Minister of Communities, Land and Environment.

18-048	587763	028-bld-18	2-Feb-18	22-Mar-18	11 Gates Drive	14' X 30' Attached Garage	Jeremy Godkin	12-Apr-18
18-061	342543	036-bld-18	13-Feb-18	22-Mar-18	160 Queen Street	Second floor Incubator office space	Joe Gillis	12-Apr-18
18-067	396515	037-BLD-18	15-Feb-18	19-Mar-18	161 St Peters Road	Interior renovations to existing building	R. Birt & Associates	9-Apr-18
18-075	134114	043-BLD-18	16-Feb-18	20-Mar-18	45 Maple Hills Avenue	Two temporary green houses (as in past years)	Veseys seeds	10-Apr-18
18-077	346239	045-bld-18	21-Feb-18	19-Mar-18	241 Prince Street	Change from Single family to 4 Unit B&B	Cindy Li	9-Apr-18
18-102	1094895	070-BLD-18	8-Mar-18	21-Mar-18	18 Heartz Road	New Single Family Dwelling	Amy Parsons	11-Apr-18
18-103	355743	072-DEM-18	8-Mar-18	20-Mar-18	129 Spring Park Road	Demolition of single family home	Kathy Thompson	10-Apr-18
18-112	343673	076-BLD-18	13-Mar-18	20-Mar-18	119 Kent Street	Interior Fitup of a space in existing building	Fitzgerald & Snow	10-Apr-18
18-117	373126	082-BLD-18	15-Mar-18	19-Mar-18	550 University Avenue	Renovation to bar area of Student Union Building	Jackie MacPhail	9-Apr-18
18-118	372300	083-BLD-18	16-Mar-18	20-Mar-18	465 University Avenue	Temporary tent - Garden Centre	Atlantic Super Store	10-Apr-18
Building Permits Approved - Week ending 30 March 2018								
FILE #	PID#	PERMIT #	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	APPEALS DATE
18-101	372854	069-BLD-18	8-Mar-18	26-Mar-18	260 North River Road	Bed & Breakfast	Zhen Qian	16-Apr-18
18-113	1054618	077-BLD-18	13-Mar-18	26-Mar-18	3 Parricus Mead Drive	Construction of new deck and pool	Mike Ready	16-Apr-18
FILE #	PID#	Permit#	APPLIC DATE	APPROVAL	PROPERTY LOCATION	WORK DESCRIPTION	NAME	APPEALS DATE



**WATER AND SEWER UTILITY COMMITTEE
REPORT TO COUNCIL
APRIL 9, 2018**

The Water and Sewer Utility Committee met on Wednesday, April 4 2018. The draft minutes are attached.

There are 2 resolutions for your consideration.

Respectfully submitted,

Deputy Mayor Mike Duffy, Chair

Water & Sewer Utility Committee
Wednesday, April 4, 2018
12:15 PM– Sherwood Room

Present: Deputy Mayor Mike Duffy, Chair
Councillor Mitchell Tweel, Member at Large
Richard, UM
Chantal Matheson, EA

Regrets: Councillor Melissa Hilton, Vice-Chair
Peter Kelly, CAO

1) Call to Order

Deputy Mayor Mike Duffy 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) Adoption of Minutes

It was moved by Councillor Mitchell Tweel and seconded by Deputy Mayor Mike Duffy that the minutes from February 23, 2018 be approved.

5) Business arising from Minutes

There was no business arising from the minutes.

6) Reports

(a) Conditional Management Plan – Report No. UPS 2-18

The Richard MacEwen, UM presented the report. The City of Charlottetown is being requested by Fisheries and Oceans Canada, Environment Canada, Canadian Food Inspection Agency and PEI Department of Communities, Land and Environment to sign the Conditional Management Plan (CMP) for the Charlottetown Harbor area including the Hillsborough, North and West Rivers.

The Charlottetown Water and Sewer Utility has operated under a Conditional Management Plan (CMP) since 2012. The CMP provided a framework of responsibilities, including detection of sewer overflows and notification by the City to Federal agencies and subsequent response by the Federal agencies. The CMP has been very positive for the relationship between the shell fishing industry in the harbor and the City. The CMP allows more areas of the harbor to be accessible for shellfish harvest.

After some discussion it was the consensus of the Committee to forward a resolution to Council to sign the Conditional Management Plan agreement.

(b) PID No. 689000 – Request for Service

Richard MacEwen, UM presented the report. A request for service has been received from Miltonvale Park on behalf of the owners of PID No. 689000. The subdivision approval is contingent on the City agreeing to provide water and sewer service to the proposed lot within the Community of Miltonvale Park. This property is located with frontage on Sleeping Hollow Road where there are water and sewer mains. It is understood that the development is for a single duplex.

The committee discussed the request and it was the consensus of the Committee to forward a resolution to Council to approve service to this proposed subdivided lot which is located outside the city.

The committee discussed water and sewer services to proposed areas outside the City going forward. The committee agreed to have the item added to a future Committee meeting of council for discussion.

7) 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 Mitchell Tweel and seconded by Deputy Mayor Mike Duffy.

8) Introduction of New Business

Queen Street Water main

There was a discussion on the Queen Street water main, the infrastructure in the Queen Street area has received a number of repairs. The Committee asked the UM to ensure that the Queen Street water main become a replacement priority.

Meeting Adjourned

Chair: Deputy Mayor Mike Duffy



Report No: UPS 2-18

Date: March 13, 2018

Directed to: Utility Chair & Committee

Department: Utility

Prepared by: Richard MacEwen, Manager

Attachments:

- Revised CMP Agreement

Subject: Conditional Management Plan

Recommendation:

Approve the revised Conditional Management Plan

Report:

The City of Charlottetown is being requested by Fisheries and Oceans Canada, Environment Canada, Canadian Food Inspection Agency and the PEI Department of Communities, Land and Environment to again be signatories to a Conditional Management Plan (CMP) for the Charlottetown Harbor area including the Hillsborough, North and West Rivers.

The Charlottetown Water and Sewer Utility has operated under a Conditional Management Plan (CMP) since 2012. The CMP provides a framework of responsibilities, including detection of sewer overflows and notification by the City to Federal agencies and subsequent response by the Federal agencies. The CMP has been very positive for the relationship between the shell fishing industry in the harbor and the City. The CMP allows more areas of the harbor to be accessible for shellfish harvest.

The changes to the agreement this year were minimal, dates and a change to the reporting form.

A draft of the agreement is attached.

Respectfully,

Reviewed By:

CAO

Deputy CAO

Mgr

Other

Recommendations/Actions:



CITY OF CHARLOTTETOWN

RESOLUTION

Water/Sewer Utility #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Deputy Mayor _____ Mike Duffy

Seconded by Councillor _____ Melissa Hilton

RESOLVED:

That City Council adopt the amended attached “Conditional Management Plan (CMP)” for the management of shellfish harvesting in conditionally-managed harvest areas adjacent to the Wastewater Treatment Plant and Collection System located in Charlottetown.

The Mayor and CAO are hereby authorized to execute contracts/agreements to implement this resolution.

CONDITIONAL MANAGEMENT PLAN (CMP)

BETWEEN THE:

Canadian Food Inspection Agency (CFIA),
Fisheries and Oceans Canada (DFO),
Environment and Climate Change Canada (ECCC),
PEI Department of Communities, Land and Environment (PEIDCLE), and
City of Charlottetown

FOR THE MANAGEMENT OF SHELLFISH HARVESTING IN CONDITIONALLY-MANAGED HARVEST AREAS ADJACENT TO THE WASTEWATER TREATMENT AND COLLECTION SYSTEM LOCATED AT:

CHARLOTTETOWN, PEI

INTRODUCTION

The Canadian Shellfish Sanitation Program (CSSP) is delivered by three federal institutions, Fisheries and Oceans Canada (DFO), Environment and Climate Change Canada (ECCC) and the Canadian Food Inspection Agency (CFIA). The CSSP provides reasonable assurance that molluscan shellfish are safe for consumption, thus supporting the industry and providing confidence for Canadians and export markets. This Conditional Management Plan (CMP) between CSSP federal partner institutions, provinces, municipalities/ wastewater system operators and First Nations (when applicable) outlines the roles and responsibilities of the signatories' in the event of unplanned release/ discharge incident from a Wastewater Treatment Plant (WWTP) or its associated collection system.

The present CMP does not supersede legal requirements existing under Federal or Provincial statutes. For greater certainty, where there occurs a deposit of a deleterious substance out of the normal course of events in water frequented by fish, or a serious and imminent danger thereof, the person that causes or contributes to the deposit (or danger thereof) has a legal obligation to report such occurrences to a designated person identified in the *Deposit Out of the Normal Course of Events Regulations* issued under the *Fisheries Act*, or the *Release and Environmental Emergency Notification Regulations* issued under the *Canadian Environmental Protection Act*. These two regulations are henceforth referred to collectively as the *Environmental Notification (EN) Regulations*.

DURATION OF THE CONDITIONAL MANAGEMENT PLAN

This Conditional Management Plan (CMP) shall come into effect on April 23, 2018 and expire on December 1, 2018 and is subject to each participant signing this CMP prior to coming into force.

1. PURPOSE AND SCOPE

This CMP provides enhanced management of the bivalve molluscan shellfish harvest waters adjacent to the wastewater system located at Charlottetown, as described in Section 3.

The area described in Section 3 of this CMP has been classified based upon the hydrography of the Charlottetown Harbour estuary, the performance characteristics of the City of Charlottetown wastewater system, and the contributions of other sanitary wastewater systems discharging to the Harbour and its tributaries. A classification map of the harvest area is provided in Appendix A.

Full cooperation is required to achieve timely detection and notification of wastewater system release/discharge incidents. In the event of any such incident, this CMP describes the necessary response actions to ensure continued food safety of harvested bivalve molluscan shellfish. This initiative stems from the CSSP and the requirements related to Conditional Area Management as outlined in Appendix IX of the CSSP Manual of Operations.

Conditional Area Management will be supplemented by Hazard Analysis Critical Control Points (HACCP) controls implemented by registered fish processing establishments.

2. BACKGROUND

2.1. Conditional Management

The CSSP Manual of Operations outlines the authorities (statutes and regulations), policies, procedures and activities governing the control of shellfish growing areas, and the harvesting, processing and distribution of shellfish.

Shellfish harvest areas that are subject to intermittent microbiological contamination may be classified as Conditionally Approved or Conditionally Restricted when the suitability of an area for harvesting shellfish for direct marketing or relaying is affected by a predictable pollution event or condition.

The sanitary quality of the water may be affected by such events as seasonal population, non-point source pollution (i.e. caused by a heavy rainfall), sporadic use of a dock or harbour facility, or a malfunction at a municipal wastewater collection and/or treatment facility. Comprehensive surveys must show that the Conditionally Approved Area will meet the requirements of an Approved Area under normal conditions and that factors determining the acceptability of such a Conditionally Approved Area are not so complex as to preclude a reasonable management approach. A Conditional Management Plan (CMP) and an annual report presented to the Atlantic Regional Interdepartmental Shellfish Committee (ARISC) are required for the Conditionally Approved Area classification. If the conditions set out in this CMP cannot be met, the Conditionally Approved Area will immediately be closed to shellfish harvesting by prohibition order.

2.2. WWTP description

2.2.1. Charlottetown Pollution Control Plant

The Charlottetown Pollution Control Plant (CPCP) is a wastewater treatment facility with an activated sludge treatment process and a nominal capacity of 26,120 m³/d. Unit operations within the plant include grit extraction, mechanical screening, primary clarification, aeration fine bubble diffusion, secondary clarification, BioPasteur sludge treatment, centrifuge dewatering and UV disinfection of discharge water.

The maximum effluent for the wastewater treatment system shall not exceed the following:

- Average Daily flow	26,120 m ³ /day
- Average Dry Weather Flow	24,120 m ³ /day
- Peak Hourly Flow	72,144 m ³ /day
- CBOD ₅	25 mg/L
- TSS	25 mg/L
- NH ₃ -N	<16 mg/L
- Average Faecal Coliform Bacteria	200 MPN/100 ml
- Peak Faecal Coliform Bacteria	400 MPN/100 ml

In the event of flows to the plant that exceed plant capacity a portion of flow is bypassed and diverted directly to the plants outfall. The CPCP supervisory control and data acquisition (SCADA) system is capable of detecting bypass events.

2.2.2. Navy Quay, Fitzroy and Desbrisay Lift Stations

The Navy Quay pumping station is a wet well/dry well configuration with wetwell level monitoring and alarm notifications. The Navy Quay tide flap has a sensor and SCADA monitored alarm if it opens as a result of a bypass event.

The Desbrisay lift and Fitzroy lift stations have a wet well system with an alarmed level monitoring system through the SCADA system. A bypass would require manually opening a valve to allow flow into the Spring Park Storm Sewer line that discharges at Navy Quay.

2.3. Description of the Shellfish Fisheries (including aquaculture)

All Conditionally Restricted portions of this growing area are utilized by commercial harvesters. Oysters and bay quahogs are harvested as part of a natural relay fishery from May 1 to July 15. Approximately 200 fish harvesters participate in this fishery using rakes and tongs fished from small vessels launched from shore. Quahogs are harvested by hand as well.

Fishing is permitted sunrise to sunset Monday to Saturday.

There is one mussel seed collection licence located in the conditionally restricted area in East River. Molluscan seed collection licences are renewed annually.

3. DESCRIPTION OF CONDITIONALLY CLASSIFIED AREA(S)

This CMP deals specifically with the harvesting of shellfish in the Conditionally Restricted Area(s) described below. After July 15 of each year of duration of this Conditional Management Plan, the Conditional areas described below will be placed in closed status by Fisheries and Oceans Canada.

3.1. Area Classification Description

The current classification of the Charlottetown Harbour Shellfish Growing Area subsector is described as follows (see Appendix A, figure 1). All Universal Transverse Mercator (UTM) coordinates are based on North American Datum 1983 and are located in UTM Zone 20:

3.1.1. Prohibited

1. The waters of North River (also known as Graham Rogers Lake) upstream of a line drawn from 483905E 5125285N to 484040E 5125325N.
2. The waters of North River upstream and downstream of the Trans-Canada Highway causeway at Poplar Island in the vicinity of the North River wastewater plant outfall, between boundary lines drawn from 485352E 5123100N to 486111E 5123039N, and from 485743E 5122380N to 486220E 5122739N.
3. The waters of Ellens Creek in the vicinity of its confluence with Hermitage Creek in the vicinity of the overflow from the North River Road lift station, upstream of a line drawn from 488076E 5122292N to 487910E 5122357N .
4. The waters of Charlottetown Harbour, and portions of North River and Hillsborough (East River) inside of the following lines:
 - a. a line drawn from the Brighton Shore near the foot of Viceroy Avenue at 488485E 5119860N to 488215E 5119720N then to channel marker CH3 at 488330E 5117768N, then to Ferry Point at 491633E 5119181N ;
 - b. a line drawn across Hillsborough (East) River from Duffys Point at 493777E 5121360N to a point on the bank of the river behind the Hillsborough Hospital at 492953E 5122469N ;
 - c. a line drawn across the mouth of Wright's Creek from a point at 493331E 5123264N to a point in the river channel at 494359E 5123232N , then to 494096E 5124201N.

3.1.2. Conditionally Restricted

1. The waters of North River, in the vicinity of the Trans-Canada Highway causeway at Poplar Island, downstream of the prohibited area boundary described in 3.1.1.2, and a line from 486308E 5122830N to 486391E 5122862N to a line drawn across North River

from 486530E 5121261N eastward to Lewis Point at 487331E 5121757N. This area is designated by an A on the classification map in Appendix A.

2. The waters of Ellens Creek, upstream of a line drawn from Lewis Point at 487599E 5121436N to a point adjacent to Queen Elizabeth Park at 488393E 5120672N; excluding the prohibited areas described in 3.1.1.3. This area is designated by a B on the classification map in Appendix A.
3. The waters of North River, downstream of the conditionally-restricted area boundaries described in 3.1.2.1 and 3.1.2.2, to a line drawn across North River from a point near the mouth of McEwens Creek at 487626E 5120133N to 488310E 5120411N. This area is designated by a C on the classification map in Appendix A.
4. The following areas are designated by a D on the classification map in Appendix A:
 - a. The waters of North River, downstream of the conditionally-restricted area boundary described in 3.1.2.3; the waters of Charlottetown Harbour east of a line drawn across the mouth of West River from North Point at 487567E 5117742N to 488005E 5117026N; and north of a line drawn from Holland Cove at 489502E 5114291N, to a point near the base of Lobster Point Lane at 492120E 5115461N. Excluded from this area are: the prohibited area described in 3.1.1.4.a.; and the waters of Hydes Creek (also known as Mill Creek) upstream of a line drawn from 484690E 5116791N to 485609E 5117500N (designated by an E on the classification map in Appendix A)
 - b. The waters of Hillsborough (East) River upstream of the prohibited area boundary described in 3.1.1.4.b, to a line drawn across the river from 495674E 5126157N to 497012E 5125287N, excluding the prohibited area at the mouth of Wright's Creek described in 3.1.1.4.c, and excluding the restricted area waters of Mermaid Cove described in 3.1.3.2

3.1.3. Restricted

1. The waters of North River (also known as Graham Rogers Lake) upstream of the Trans-Canada Highway causeway at Poplar Island, between the prohibited area boundaries described in 3.1.1.1 and 3.1.1.2. These waters are not included in this CMP.
2. The waters of Mermaid Cove in Hillsborough (East) River inside of a line drawn from a point near Munns Point at 495633E 5123210N to MacLeods Island at 496362E 5124688N. These waters are not included in this CMP.
3. The waters of Hillsborough (East) River and Walkers Cove upstream of the conditionally-restricted area boundary described in 3.1.2.4.b, to a line drawn across the river further upstream from 498181E 5127473N to Red Point at 498597E 5126678N. These waters are not included in this CMP.

3.1.4. Conditionally Approved

There are no conditionally-approved waters in the Charlottetown Harbour estuary managed under this CMP.

3.1.5. Approved

1. The approved waters in West River are not included in this CMP.
2. The approved waters upstream of the restricted area in Hillsborough (East) River described in 3.1.3.3 are not included in this CMP.
3. The approved waters of Hillsborough Bay seaward of the conditionally-restricted area described in 3.1.2.4.a are not included in this CMP.

4. ROLES AND RESPONSIBILITIES

The roles and responsibilities of each signatory participant are specified in Sections 4 to 7.

The CSSP partners are responsible for regulating shellfish safety as it relates to their respective roles under the CMP. More specifically, the CFIA is responsible for the handling processing, import and export of shellfish, the marine biotoxin monitoring program and any other microbiological monitoring program not conducted by ECCC; the DFO is responsible for the harvesting of shellfish, including opening and closing growing areas; and ECCC is responsible for recommending the appropriate classification of shellfish growing waters based upon the sanitary and bacteriological water quality conditions of the area. As such, the Government of PEI and the City of Charlottetown hold no responsibility for regulating shellfish food safety as it relates to the above.

4.1. The PEI Department of Communities, Land and Environment will:

- 4.1.1. Determine through a review of the annual report submitted by the Municipality / WWTP Operator, whether the final effluent quality at the Charlottetown PCP is in compliance with its current operating permit.
- 4.1.2. Provide an annual report of the results of all the activities listed above in relation to this CMP to DFO and ECCC by March 1st of the following year including recommendations for changes to this CMP if required.

4.2. The City of Charlottetown/WWTP Operator will:

- 4.2.1. Apply the conditions included in the Certificate of Approval to operate the City of Charlottetown PCP as permitted by the PEIDCLE,
- 4.2.2. Maintain up-to-date records of the operations and maintenance of the wastewater collection and/or treatment facilities

- 4.2.3. Upon request, provide to the PEIDCLE a written confirmation that the wastewater collection and/or treatment facility is functioning properly,
- 4.2.4. Provide written results of routine final effluent analysis to PEIDCLE;
- 4.2.5. In the event of a detection of a failure described in 5.1, the Wastewater Supervisor or designate or the Operations Supervisor or designate will contact the emergency number (1-800-565-1633, option 2) immediately. As soon as practical or no later than the next business day, the form in Appendix C1 will be emailed or faxed to the primary representatives listed on the form;
- 4.2.6. Ensure planned discharges are approved by PEIDCLE
- 4.2.7. Advise, in writing, the representatives of PEIDCLE named in the Notice of End of Wastewater Discharge Event when planned and unplanned sewage releases have been terminated;
- 4.2.8. Provide an annual summary report (Appendix E) of the effluent analyses, discharge notifications, results of activities listed above to the PEIDCLE by February 1 of the following year, and;
- 4.2.9. Propose recommendations for changes to this CMP, if any are necessary.

5. DETECTION / NOTIFICATION / RESPONSE

An effective regime for the detection, notification and response as defined in the CSSP Manual of Operations to disruptions in the normal operation of a WWTP is a prerequisite to the harvest of shellfish in the conditionally classified areas described in this CMP.

5.1. Detection

The municipality/WWTP Operator has in place and maintains a detection system (including a SCADA system) by which untreated or un-disinfected sewage discharges at the WWTP or lift stations are noticed in a timely manner, thus allowing corrective actions to be initiated without delay.

The conditional areas described in Section 3 of this CMP may be closed to the harvesting of molluscan shellfish in response to any event or disruption that result in untreated sewage or sewage with insufficient or inadequate disinfection being released from the wastewater system to the area. The municipality/WWTP Operator must be able to detect such discharges, which include, but are not limited to, the following, and to make the appropriate notifications:

- sewage that receives insufficient or inadequate treatment,
- sewage that receives insufficient or inadequate disinfection,
- sewage that receives no disinfection,

- sewage that bypasses the PCP (including planned releases), or
- any disruptions that result in a discharge of sewage that cannot reasonably be expected to meet performance standards or values permitted by provincial regulators.

For the Charlottetown PCP the following will be considered failures representing inadequate treatment:

5.1.1. A failure will be defined as any discharge of untreated or non-disinfected wastewater from the Charlottetown PCP regardless of duration, including:

5.1.1.1. An emergency bypass of the PCP treatment process

5.1.1.2. An interruption of the Ultraviolet (UV) disinfection system for 1 hour or more

5.1.2. A failure will be defined as any overflow from the following lift stations:

5.1.2.1. Beach Grove Road (near civic #180)

5.1.2.2. West Royalty (North River Rd. at Hermitage Creek)

5.1.2.3. Westhaven Crescent (located at 29 Westhaven Crescent)

5.1.2.4. Parkside Drive (located at 110 Parkside Drive)

5.1.2.5. Navy Quay (located near 7 Haviland)

5.1.2.6. Fitzroy Sewer Lift station (located near 13 Fitzroy Street)

5.1.2.7. Desbrisay Sewer Lift Station (located near 12 Desbrisay Crescent)

5.1.3. High level alarms are routed to staff through a call center on a 24 hour basis seven days a week. High level alarms that are sent to staff prior to an actual overflow are NOT designated failures. These will be attended promptly by City of Charlottetown staff. Where the problem is resolved with no flow entering a watercourse or storm drainage system, it will NOT be considered a failure.

Discharge of wastewater from any point in the collection system not addressed in 5.1, including the following lift stations are excluded from this conditional management plan, but reporting the discharge to the EN Regulations authority is still required, as described in 5.2.1.1 and 5.2.2.1

- Allen Street
- Aviation Avenue
- Bridal Path
- Brighton
- Colonel Grey Drive
- Donald Drive
- Dorchester Street
- Elena Drive
- Grafton Street East
- Great George Street

- Greensview Drive
- Hurry Road
- Lower Malpeque Road
- Park Street
- Parricus Mead Drive
- Poplar Island (North River Causeway)
- River Ridge Heights
- Royalty Road
- Walker Drive

5.2. Notification

Any event or disruption described in 5.1 requires a notification of the discharge of Wastewater Notice (Appendix C1) be created and distributed by the WWTP operator.

5.2.1. Notification of a discharge event at the PCP as described in 5.1.1, or at any of the lift stations identified in 5.1.2 is as follows:

1. Without delay, upon detection, call the *EN Regulations* authority (Canadian Coast Guard) at **1-800-565-1633** (option 2) to report the discharge. At a minimum, this must include the location and nature of the discharge that has either been detected, or where there is the likelihood of an imminent discharge. The report must also include the time the discharge started, or a reasonable estimate of when it started, or the estimated time when the discharge is planned to occur. The caller's name and phone number will also be requested. Any other relevant information should be provided, especially if the nature of the discharge or environmental emergency poses a serious immediate or imminent danger.
2. Immediately thereafter, or within one hour of detection, notify the 24/7 Shellfish Notification system by phone at **1-888-477-4245**. This requirement is only in place for the period of April 23 to July 15 for the duration of this CMP.
3. As soon as practical and no later than the next business day, email or fax a copy of the completed Discharge of Wastewater Notice (Appendix C1) to the primary contacts listed for each party. The requirement and responsibilities for notification by the City of Charlottetown are described in 4.2.

5.2.2. Notification of the end of discharge/overflow is as follows:

As soon as possible after the discharge or overflow event has ended and the operation of the PCP or collection system has returned to normal, send the End of Discharge Notice (Appendix C2) including a summary of the event (nature of failure, start and end times)

5.2.3. Detection and Notification Time

The time it takes the city of Charlottetown to detect and notify for events in section 5.1.1 or 5.1.2 is 2 hours

5.3. Response

Upon receiving notification of an event via the 24/7 Shellfish Notification system as described in sections 5.2.1.2, each department/agency will respond as per respective authority.

5.3.1. The regional office of DFO receiving notification of a discharge incident is to treat such a notification in the same manner as a formal recommendation for closure made by ECCC.

5.3.2. Upon notification under section 5.2, DFO will set in motion an internal process which may result in the affected area being closed to harvesting. Where the notification provides the DFO Regional Director General with reasons to believe that fish of any species in any area are contaminated, he/she may issue an order prohibiting fishing in that area for that species.

5.3.3. CFIA will notify CFIA registered shellfish processing establishments in writing (email/fax), no later than the next business day, that the conditionally classified area(s) have been closed or are about to be closed to harvesting.

Response procedures are as follows:

5.3.4. DFO will communicate a notification the same day (usually within one hour) to the parties herein (including First Nations and general public as appropriate), stating the area has been affected by a wastewater treatment system failure and the issuance of a prohibition order and notice of the order will be published no later than the next business day to inform harvesters to cease harvesting immediately in the area subject to the order

Specific responses to reported discharges are as follows:

For discharges at the PCP described in 5.1.1, or a discharge of untreated wastewater at the Navy Quay, Desbrisay or Fitzroy lift stations described in 5.1.2.:

Place area D as indicated on map in Appendix A in closed status

For discharges initiated from the Beach Grove lift station described in 5.1.2.1:

Place areas A, B and C as indicated on map in Appendix A in closed status

For discharges from the West Royalty lift station described in 5.1.2.2:

Place areas B and C as indicated on map in Appendix A in closed status

For discharges initiated from the Westhaven lift station described in 5.1.2.3:

Place areas A and C as indicated on map in Appendix A in closed status

For discharges initiated from the Parkside lift station described in 5.1.2.4:

Place area B as indicated on map in Appendix A in closed status

- 5.3.5. Contact information of the parties to be notified of closures during and after working hours, including weekends, as provided by the province, ECCC, and CFIA, are included in Appendix D.

6. RE-OPENING CRITERIA

- 6.1. The harvest areas described in this document will remain closed to harvesting until the re-opening criteria are met. After each release/discharge incident event, EC will determine if the size of the closure should be modified and make appropriate recommendations to DFO.
- 6.2. Areas will be returned to their classification status when conditions outlined in Chapter 2 of the CSSP Manual of Operations have been met.
- 6.3. In accordance with Chapter 2 of the CSSP Manual of Operations, conditionally-restricted areas used for long-term relay may be re-opened without verification sampling, but no sooner than 7 days after the discharge event has ceased. Regardless, if sampling is deemed necessary, it will adhere to the following requirements:
1. The sampling methodology must comply with the established procedures outlined in Appendix 1 of the CSSP Manual of Operations and the Sampling Policy and Procedures found in the CFIA's Fish Products Standards and Methods Manual
 2. The samples must be analysed at CSSP- recognized laboratories.
 3. ECCC and CFIA will be responsible to oversee sampling is undertaken according to the CSSP guidelines.

7. ANNUAL REPORTING

All signatories to this plan will provide input into an annual report on the management of the area as outlined in Appendix IX of the CSSP. The report will then be provided to the Regional Interdepartmental Shellfish Committee (RISC) for its review. This report shall include, as a minimum, the information outlined in Appendix B.

8. AMENDMENT AND TERMINATION

1. If at any time any party to the Conditional Management Plan fails to fulfill the requirements as set forth in the Plan, the Atlantic Region Interdepartmental Shellfish Committee (ARISC) will determine whether the area classification or status will be changed.
2. This CMP may be terminated by any of the parties, 60 days after providing written notification. The CSSP partners will then determine whether the area will be reclassified as Prohibited.
3. This CMP may be amended at any time subject to the written approval of all the parties.
4. This CMP may be extended beyond the termination date. Approval by the signatories is required. The extension will not exceed 60 days.

9. APPENDICES

The Appendices herein form part of this CMP.

- Appendix A - Classification Map
- Appendix B - Example of *Information for annual report*
- Appendix C - Discharge of Wastewater Notice / Notice of End of Discharge Event
- Appendix D - Example contact list
- Appendix E - Wastewater Treatment Plant and Collection System
Report to PEIDCLE

Fisheries and Oceans Canada

Approved at _____, this _____ day of _____, 2018

Frank Quinn
Regional Director
Fisheries and Aquaculture Management
DFO

Canadian Food Inspection Agency

Approved at _____, this _____ day of _____, 2018

Emily O'Reilly
Area Director General
CFIA – Operations, Atlantic

Environment and Climate Change Canada

Approved at _____, this _____ day of _____, 2018

Joanne Volk
Executive Director
Water Quality Monitoring and Surveillance Division
ECCC

PEI Department of Communities, Land and Environment

Approved at _____, this _____ day of _____, 2018

Jim Young
Director, Environment Division
PEI Department of Communities, Land and Environment

City of Charlottetown

Approved at _____, this _____ day of _____, 2018

Mayor Clifford Lee
City of Charlottetown

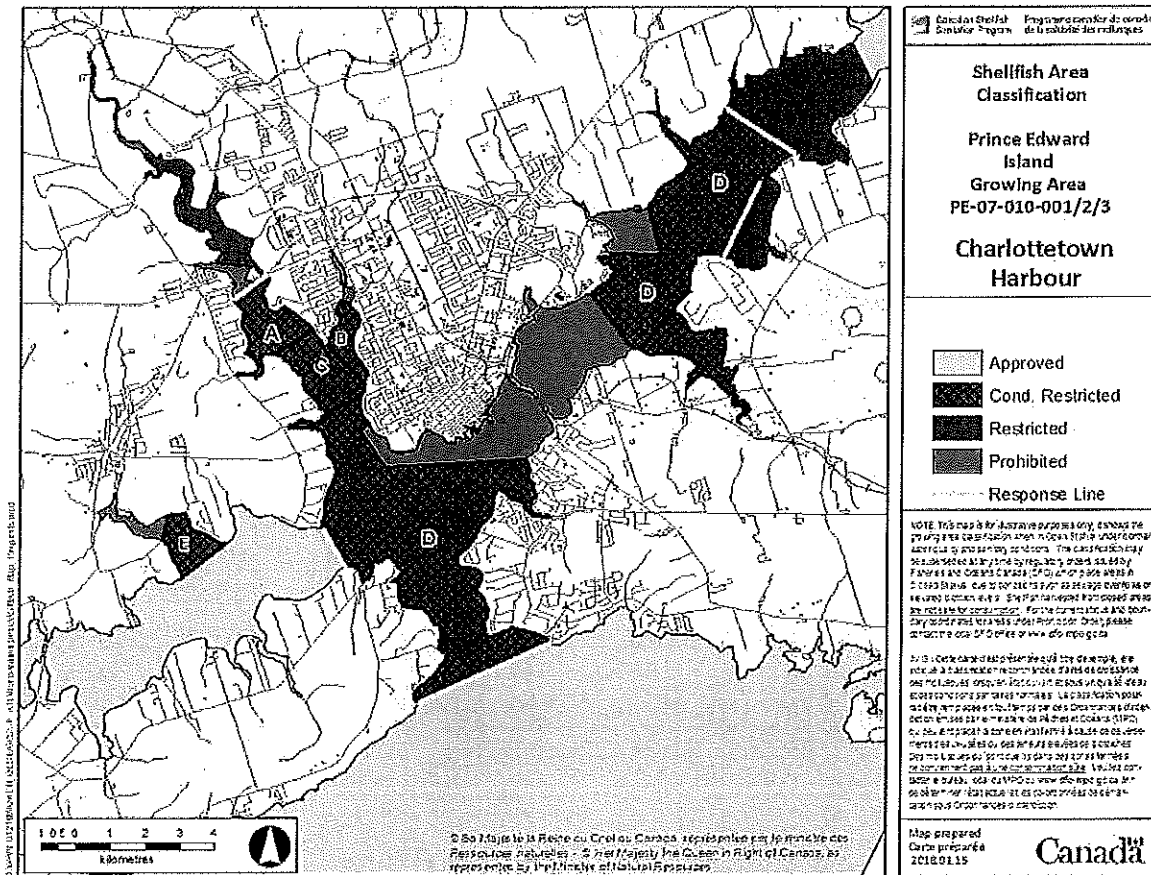
Peter Kelly
Chief Administrative Officer
City of Charlottetown

Appendix A – Classification maps

The response line for a Charlottetown WWTP bypass or an overflow from the Navy Quay, Fitzroy or Desbrisay lift stations will be at the boundary of the conditionally classified areas designated by D in Appendix A. All shellfish harvested in the conditionally restricted areas are subject to additional HACCP controls as described in Appendix H of the CFIA Facilities Inspection Manual.

This CMP applies to the conditionally classified areas designated A through D.

Shellfish Growing Area Classification, Charlottetown Harbour



Appendix B – Sample Annual Report

Name of Area
Conditional Shellfish Area Annual Report for (insert year)

Area

Description/location with boundaries

Map (with classification and sampling sites for water quality and shellstock)

Closure criteria

Potential time period for opening (if applicable)

Species managed and harvesting restrictions/season (if applicable)

Summary of Activities

Number of openings/closures during the year

Prohibition order numbers and dates

Supporting documentation used to make decision about closing
-Notices from WWTP Operator (Event, dates, duration)

Supporting documentation used to make decision about opening
-Water and shell stock microbiological data to re-open the area (dates, results)

Surveillance, enforcement, control activities: number of patrols, number of incidents, violations

Copy of Management Plan

Available upon request to DFO Area Office, Charlottetown.

Report from Province

Assessment that final effluent quality is in compliance with permit/license

Report from Municipality/WWTP Operator

Summary report of discharges and notifications

Concerns/ Recommendations (all signatories)

Appendix C1 – Notice of Wastewater Discharge

From: City of Charlottetown Sewer and Water Utility

Canadian Coast Guard	Upon Detection without delay call 1-800-565-1633 –option 2 (Voice call)	Contacted time: _____ Date: _____ Person Contacted: _____
1-888-477-4245		
Shellfish Closure Notification 24/7 (when required and April 23 to July 15)		
To	Representative	Email completed notice to:
ECCC	MWQM Atlantic	ec.pccsm-cssp.ec@canada.ca
CFIA	Angela MacDonald	angela.macdonald@inspection.gc.ca
DFO	CSSP Closure	Closure-Fermeture@dfo-mpo.gc.ca
PEIDCLE	Morley Foy George Somers Andrew MacDonald	wastewaterdischarge@gov.pe.ca

This is to notify your department of the following event:

- | | |
|--|--|
| ☐ Release of Partially-treated wastewater | ☐ Initial report |
| ☐ Release of Untreated wastewater | ☐ Update (event continuing) |

Source of discharge:

Requires Shellfish Closure Notification Call 1-888-477-4245 and Provide Location ☐ By-pass at Pollution Control Plant (PCP) ☐ Interruption of UV disinfection at PCP (>1hr) ☐ Navy Quay, Fitzroy or Desbrisay lift stations ☐ West Royalty lift station (North River Rd.) ☐ Parkside Drive lift station ☐ Beach Grove lift station ☐ Westhaven Crescent lift station

Environmental Notification Only

- ☐ Interruption of UV disinfection >10 mins, < 1hr
☐ Other (specify): _____

Start of Event

Date: _____
Time: _____

☐ known ☐ estimated

Comments: _____

Reported by (name): _____

Phone: _____

Position: _____
Submission

Date: (mm/dd/yy) / /

☐ Atlantic Catch Data contacted. Date (mm/dd/yy):

Time:

Appendix C2 -- Notice of END of Wastewater Discharge Event

From: City of Charlottetown Sewer and Water Utility

To:	Representatives	E-mail completed notice to	FAX
ECCC	Chris Roberts	ec.pccsm-cssp.ec@canada.ca	902-490-0711
CFIA	Angela MacDonald	angela.macdonald@inspection.gc.ca	902-566-7334
DFO	CSSP Closure	Closure-Fermeture@dfm-mpo.gc.ca	
PEIDCLE	Morley Foy George Somers Andrew MacDonald	wastewaterdischarge@gov.pe.ca	

This is to notify your department that the following event has ENDED

- ☐ Release of Partially-treated wastewater.
☐ Release of Untreated wastewater

Source of discharge:

- ☐ By-pass at Pollution Control Plant (PCP) ☐ Westhaven Crescent lift station
☐ Interruption of UV disinfection at PCP (>1hr) ☐ Parkside Drive lift station
☐ Navy Quay, Fitzroy or Desbrisay lift stations ☐ Interruption of UVdisinfection
☐ West Royalty lift station (North River Rd.) >10 mins, < 1hr
☐ Beach Grove lift station ☐ Other (specify): _____

END of Event: ☐ known ☐ estimated

Date: _____

Time: _____ Duration: _____ hours

Estimated BOD: _____ mg/L Estimated flow rate: _____ [units]
MPN Estimated SS: _____ mg/L
Estimated faecal coliform: _____ /100 ml Total Discharge: _____ [units]

Comments: _____

Reported by (name): _____ Position: _____

Date: (mm/dd/yy) / /

Appendix D – Contact List *(this may be modified)*

DEPARTMENT/ AGENCY	NAME	POSITION	TELEPHONE/
Fisheries and Oceans Canada	Florence Albert	Aquaculture Management	506-727-3339
	Joanne Léger	Regulations	506-851-7798
	Jean Claude LeGresley	Regulations	506-851-7800
	Ben Moore	PEI Resource Management	902-370-7094
Canadian Food Inspection Agency	Angela MacDonald	Regional Program Officer	902-566-7290 ext. 2019 902-940-2051 (c)
	Ellen McQuaid	Inspection Manager	902-566-7290 ext. 2003
	Mark Cameron	Regional Coordinator	902-566-7290 ext. 2027 902-629-5652 (c)
Environment and Climate Change Canada	Chris Roberts	Manager, MWQM - Atlantic	902-401-9569
	Paul Klammas	Senior Program Engineer (NS)	902-426-4378
	Jeffrey Stobo	Senior Program Engineer (PEI)	902-426-4805
	Lauren Steeves	Program Biologist	902-426-7662
PEIDELJ	Morley Foy	Engineer	902-368-5036 902-314-8252 (c)
	Bruce Raymond	Manager	902-368-5054 902-314-5802 (c)
City of Charlottetown			902-629-4014
	Richard MacEwen	Manager – Utility	902-940-0031 (c)
	Steven Stewart	CPCP Superintendent	902-213-0483 (c)
	Mike Pigott	Works Superintendent	902-629-4960 (c)
Canadian Coast Guard			1-800-565-1633 (option 2)
24/7 Shellfish Notification			1-888-477-4245

Appendix E - Example Wastewater Treatment Plant and Collection System Report

City of Charlottetown

**Wastewater Treatment Plant and Collection System
Report to PEIDCLE
yyyy/mm/dd**

Date Submitted:

Submitted by:

1. Introduction

Background on facility

2. Summary Wastewater Effluent Data Operation

Summarize the effluent quality data collected and provide details on actions or measures taken in the case of non-compliant sample results

3. Summary of Discharge Notifications

Summary of activities leading to discharge incident, reporting procedure and process, and actions taken to bring system(s) into compliance

4. Major Operational Modifications

Outline details of major operational modifications with dates of actions for:
WWTP (if applicable)
Collection system and Lift Stations (if applicable)

5. Major Construction Projects

Outline details of major construction modifications with dates of upgrades

6. Summary of Biosolids Production

7. Summary of Flow Metering

8. Tables

Table 1 - Summary of Wastewater Effluent Data

Table 2 - Summary of Discharge Notifications

Table 3 – Summary of Biosolids Production Data

9. Appendices

Appendix A – Effluent Wastewater Lab Reports

Appendix B – Discharge Notification Reports

Appendix C – Biosolids Quality Lab Reports

Appendix D – Daily Flow Meter Readings

Appendix E – Orthophoto Map

Table 1: Summary of Wastewater Effluent Data

Date Sampled	Field Notes	Lab ID #	cBOD (mg/L)	TSS (mg/L)	Faecal (MPN/100mL)	Discharge Report Sent

Table 2: Summary of Discharge Notifications

Date	Time	WW Type	Location	Period of Discharge	Total Discharge	Reason for Discharge

Table 3: Biosolids Production Data

Sludge Total (Kg)	Lime Total (Kg)	Lime Dust Total (Kg)	Fournier Press % Solids Average	Final Product % Solids Average	Product Total (tonnes)



Report No: UPS 3-18

Date: March 26, 2018

Directed to: Utility Chair & Committee

Department: Utility

Prepared by: Richard MacEwen, Utility Manager

Attachments:

- Email from Miltonvale Park
-

Subject: PID No. 689000 – Request for Service

Recommendation:

Approval to provide water and sewer service to this proposed subdivided lot which is located outside of the City.

Report:

A request for servicing has been received from Miltonvale Park on behalf of the owners of PID No. 689000. The subdivision approval is contingent on the City agreeing to provide water and sewer service to the proposed lot within the Community of Miltonvale Park.

This property is located with frontage on Sleeping Hollow Road where there are water and sewer mains.

It is understood that the development is for a single duplex.

Respectfully,

Reviewed By:

CAO

Dir Corp Svcs

Dir Pub Svcs

Dir F&D Svcs

Dir Hum Res

Mgr

Other

Recommendations/Actions:

MacEwen, Richard

From: Sandy Foy <spitfires53@gmail.com>
Sent: Thursday, March 22, 2018 11:15 AM
To: MacEwen, Richard
Cc: 'Jeremy Hoffmann'; 'Shari MacDonald'
Subject: Application No. MPS-289-Jeremy Hoffmann

Richard,

I am writing to advise you that the Rural Community of Miltonvale Park granted preliminary approval, with a variance, to subdivide a 0.92-acre lot from Parcel No. 689000 at its meeting last night. Final approval is subject to:

1. The new lot (the undeveloped one) being connected to the municipal water and sewer systems; and
2. Receipt of at least seven copies of a survey plan showing the lot pinned and certified by an accredited member of the Association of Prince Edward Island Land Surveyors.

Please consider this email an official request from our Council for connection of the undeveloped lot to your municipal water and sewer services.

Please advise if you require anything further.

I have copied this email to the Applicant and suggested he follow-up with you to discuss timing, etc.

Let me know if you have any questions.

Regards,

Sandy



CITY OF CHARLOTTETOWN

RESOLUTION

Water/Sewer Utility #2

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Deputy Mayor _____ Mike Duffy

Seconded by Councillor _____ Melissa Hilton

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 approve the request for service received from Miltonvale Park on behalf of the owners of PID No. 689000. The request is for water and sewer service to a proposed subdivided duplex lot, within the Community of Miltonvale Park.

BE IT FURTHER RESOLVED, that the costs associated with making the connections will be paid by the property owner. As well, services will be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.



CITY OF CHARLOTTETOWN

RESOLUTION

New Business #1

MOTION CARRIED _____

MOTION LOST _____

Date: April 9, 2018

Moved by Councillor _____ Greg Rivard

Seconded by Councillor _____ Terry MacLeod

RESOLVED:

That Ron Coles be appointed to the Planning Board as a Resident Member, as nominated by his Worship Mayor Clifford Lee, effective April 9, 2018.