



**Public Meeting of Council  
Wednesday, December 2, 2015 at 7 PM  
Rodd Charlottetown Hotel**

**Mayor Clifford Lee presiding**

**Present:**

|  |                                  |
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| <b>Councillor Edward Rice</b>                    | <b>Councillor Greg Rivard</b>    |
| <b>Councillor Robert Doiron</b>                  | <b>Councillor Kevin Ramsay</b>   |
| <b>Councillor Jason Coady (left at 8:00p.m.)</b> | <b>Councillor Mitchell Tweel</b> |
| <b>Councillor Terry MacLeod</b>                  |                                  |

**Also:**

|                                    |                             |
|------------------------------------|-----------------------------|
| <b>Donna Waddell, CAO</b>          | <b>Alex Forbes, PHM</b>     |
| <b>Laurel Palmer Thompson, PDO</b> | <b>Jesse Morton, UP</b>     |
| <b>Greg Morrison, PDO</b>          | <b>Victoria Evans, PHAA</b> |

**Regrets:**

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>Deputy Mayor Mike Duffy</b>  | <b>Councillor Melissa Hilton</b> |
| <b>Councillor Terry Bernard</b> |                                  |

Mayor Lee opened the meeting. He then turned the meeting over to Councillor Greg Rivard, Planning Board Chair who introduced the application.

**1. 21 Royalty Road (PID# 388579)**

A request to consider rezoning 21 Royalty Road (PID# 388579) from Low Density Residential Single (R-2S) to Low Density Residential (R-2).

Councillor Rivard then introduced Terra MacKinnon, the property owner, and Don MacKinnon, developer.

Ms. MacKinnon explained the rationale to rezone the subject property. She explained that the rezoning will permit her to construct 7 semi-detached dwellings rather than 7 single family dwellings. She explained that the rezoning will make the project economically viable.

**Allan Malone**

Mr. Malone stated that he lives nearby at 33 Royalty Road. He expressed concerns regarding the amount of traffic the proposed development will create. He also noted that the present property and the buildings on it are in poor condition and need to be cleaned up.

**Wayne Tremblay**

Mr. Tremblay noted that he lives nearby at 5 Thorndale Drive, and expressed concern regarding the drainage on to Thorndale Drive and Lower Malpeque Road from the subject property. He explained that the current drainage problems will worsen if the density of the development is increased.

Mr. MacKinnon replied and stated that the road system and layout have both been approved by the City, and that they will remain the same whether or not the rezoning application is approved. He explained that the proposed increase to the number of units is relatively modest, from 13 to 20, and therefore traffic will not increase that much. He acknowledged that the buildings on the property presently are in poor condition, however, they will be repaired and the site cleaned up in the spring depending on the success of the application.

Mr. MacKinnon indicated that there is a provincially designated wet land area on site, and that this portion of the property cannot be developed. He stated that as part of the development, a storm drainage system will be required. Therefore, the water will not go into the wetland portion of the property and then on to Thorndale Drive, rather it will go into the drainage system.

Councillor Tweel questioned if the majority of the water will be captured by the drainage system.

Mr. MacKinnon replied and stated that all of the water which falls onto hard surfaces, such as roads and sidewalks, will be managed by the storm drainage system. He indicated that the storm system will capture the vast majority of the water, and this water will be redirected away from Thorndale Drive.

Mayor Lee questioned if the lots on the southern portion of the property are legal sized lots given that the buffer for the wetlands extends into these lots.

Mr. MacKinnon stated that they will be regular sized lots, however, the buffer portion of each lot will not be able to be developed.

Councillor Rivard urged that if the application is approved, then it cannot worsen the current drainage problems on Thorndale Drive. He questioned where the catch basins would release the water.

Mr. MacKinnon responded that the catch basins would not release the water on to Thorndale Drive, rather it would be diverted to Lower Malpeque Road. He further explained that the storm drainage system, which is required as part of the application, must be designed to capture the majority of the water.

Alex Forbes, Manager, stated that the applicant will need to submit a plan from an engineer showing how the water will be contained.

**Al Malone**

Mr. Malone expressed concern regarding drainage on Royalty Road, and asked if the ditches on Royalty Road will be infilled.

Mayor Lee responded and explained that there is not a finalized plan to infill the Royalty Road ditches immediately, however, that decision is up to Council.

Mr. Malone asked which direction the water will go on Royalty Road.

Mr. MacKinnon responded and indicated that the water will go downhill, that is westward.

**Joey Younker**

Mr. Younker said that he lives at 20 Royalty Road across the street from one of the entrances to the proposed development. He questioned if the street can be made a one-way road.

Mr. MacKinnon responded and said that it is up to the City to make decisions on traffic on the road, including whether it will be a one-way road.

Mayor Lee stated that the City can make Mr. Younker's suggestion part of the review process.

Mayor Lee asked if there were any more questions or comments on the application; there being none, Councillor Rivard introduced the next application.

**2. Vacant property at the intersection of Upton Road and Charlottetown Perimeter Highway (PID# 773051)**

A request to consider an amendment to Appendix "A" Future Land Use Map of the Official Plan from Low Density Residential to Concept Planning Area and an amendment to Appendix "H" Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of the vacant property (PID# 773051) located at the intersection of the Charlottetown Perimeter Highway and Upton Road from R-1S (Single Detached Residential Zone) to CDA (Comprehensive Development Area Zone). The request is to rezone the western portion of the land to CDA to facilitate the construction of 10 semi-detached dwellings (total of 20 units) as a grouped dwelling condominium development.

Councillor Rivard introduced David Morris, project surveyor and designer, and Warren Doiron, developer of the project.

Mr. Morris provided a review of the development of Sandlewood Park, the subdivision which borders the subject property. He provided a summary of the comments and concerns the public has made on past applications to rezone and develop the subject property. He explained how these concerns have been addressed in the present application by not significantly increasing the density and by proposing semi-detached dwellings rather than multi-storey condominiums or

apartments. He also indicated that while residents have had concerns in the past about the possibility of the units being rented out, there are few legal safeguards to prevent this. Mr. Morris also noted that by requesting to rezone to CDA (Comprehensive Development Area), the developer will be required to enter into a Development Agreement with the City which will clearly specify how the development will take shape, and that this proposal represents the final outcome. He also showed the public and Council renderings of the proposed semi-detached dwellings noting that there will be four (4) different styles of dwellings, and each of the ten (10) buildings will have two (2) units each.

**Stephen Bertrim**

Mr. Bertrim said that he lives nearby at 2 Apple Tree Lane. He stated that he is very happy about the proposed development, and noted that it will be very good for seniors in the area, and it will minimize the noise from the Charlottetown Perimeter Highway.

**Cory Micallef**

Mr. Micallef indicated that he lives on 18 Apple Tree Lane and that the proposed development will be behind his property. He expressed frustration with the fact that when he purchased his property, the developer stated that the plan for the subject property would be for more single family dwellings, and that the developer is now proposing semi-detached dwellings. He stated that the community had already spoken on numerous occasions regarding this issue. He also expressed concern that the semi-detached dwellings will not fit in aesthetically with the rest of the neighbourhood, and that they will impact the property values of the existing single-detached houses, including his own.

**Stephen Bertrim**

Mr. Bertrim stated that residents were well aware that there would be development on the subject property. He also noted that the traffic impact will be minimal as the development caters to retirees, and retirees such as himself do not produce much traffic as they stay home.

**Cory Micallef**

Mr. Micallef asserted that the developer cannot guarantee that the units will be purchased by retirees, and that they can still be rented out. He also stated that the original drawings he was shown when he purchased his property showed three large lots for single family dwellings, and not semi-detached dwellings which would be closer together and would obstruct his view.

Mr. Morris responded to Mr. Micallef and explained that the semi-detached dwellings will create less of a wall than single-detached dwellings would, that the space would be more open comparatively.

Mr. Micalef reiterated that the proposed development will be very close to his property line, and will obstruct his view. He also reiterated that the proposed development will depreciate his property value.

Mr. Doiron responded to Mr. Micalef's concerns regarding the depreciation of his property value and stated that he is offering to have Mr. Micalef's house (and any other nearby residents of Apple Tree Lane) appraised before and after the construction of the development, and if there is a difference, he will reimburse Mr. Micalef for the difference.

**Jack Harding**

Mr. Harding expressed strong support for the development. He noted that the proposed development is very aesthetically attractive, and will not depreciate property values. He complimented the development and said it will be very attractive to seniors.

**Florian Bryan**

Mr. Bryan also expressed support for the development, and stated that it will be great for seniors such as himself. He explained that the development is strongly needed in the community for seniors. He praised the developer for the design of the proposal and indicated that he hopes to purchase one of the dwellings.

**Chris Creamer**

Mr. Creamer noted that he lives nearby on Raspberry Avenue and is concerned about the potential traffic impact of the proposed development. He argued that semi-detached dwellings will produce more traffic than single family dwellings and that only having two entrances into the proposed development is not sufficient. He urged that the plan for the development should be for single family dwellings as originally proposed.

Mr. Morris responded to Mr. Creamer and stated that through his analysis, the proposed semi-detached dwellings will produce less traffic than single-detached dwellings as there will be fewer units. He clarified that there will not be any increase in traffic compared to single family dwellings as there will not be a significant increase in the number of units on the property.

Mr. Creamer restated his concerns regarding an increase in traffic,

Councillor Rivard asked Mr. Morris how many units there would be in the proposed semi-detached dwellings compared to a plan for single-family dwellings.

Mr. Morris stated that they are nearly the same in terms of number of units. He stated that the semi-detached proposal would have 49 units and a proposal with single family units would have 48, and that both of these figures include the single family dwellings planned for the next phase of the Sandlewood Subdivision. The subject property which is proposed to be rezoned will only have 20 semi-detached units in 10 dwellings.

**Cory Micallef**

Mr. Micallef stated that there is no guarantee that the units can only be sold to seniors and that they would be attractive to many people including small families. He argued that it does not belong in the present neighborhood which is primarily single family houses.

Mr. Doiron responded and asserted that the development is being strictly marketed as a 55+ development, and that it is a high-end development with the individual units costing \$175,000 - \$200,000 each.

**Don MacKinnon**

Mr. MacKinnon explained that in his experience as a developer and architect, it is unlikely that the units will be rented out as they are only two bedrooms and it would not be economically viable to rent them out.

**Les Rhodenizer**

Mr. Rhodenizer stated that as a real estate agent he does a lot of business in Sandlewood Park. He said that there are already rental units in the Sandlewood Park subdivision. He explained that semi-detached buildings are ideal for seniors and will be very popular for seniors.

**Kali Simmonds**

Ms. Simmonds agreed with other residents who are upset about the developer not developing the property as single family dwellings as originally planned, however, she also understood why people would want to live in the proposed development.

Mr. Doiron stated that the original plan which Mr. Micallef discussed that showed single family dwellings was not finalized. He clarified that when he was developing the subdivision, the City wanted an outline of the development but that it was not finalized or proposed.

**Chris Creamer**

Mr. Creamer stated that while he does not oppose development for seniors, he does not think that the proposed development fits into the neighborhood. He explained that he purchased his property with the expectation that the subject property would be developed as single-family dwellings. He suggested that the developer cannot sell single-family dwellings on the subject property given the traffic on the Charlottetown Perimeter Highway and is therefore trying to rezone to a higher density so it will be marketable. However, he expected that the property would be developed as single family dwellings and expressed concern that the proposed semi-detached dwellings will be rented out.

Mayor Lee responded to Mr. Creamer and indicated that it is unfair to assume that because a dwelling might be rented that there will be problems in the neighbourhood. He argued that there needs to be housing options for everyone in the community.

Mr. Doiron also responded to Mr. Creamer and explained that when the Sandlewood Park subdivision was constructed, there was a demand for housing for young families. However, he explained that the demand has shifted and that now there is more demand for housing for seniors.

Mr. Doiron also offered to appraise Mr. Creamer's house after the development and reimburse him if his house depreciates in value.

Mayor Lee stated that it does not make a difference whether the dwellings are sold for seniors. He explained that the City needs to consider whether semi-detached dwellings fit the existing neighbourhood, and that the demographics of the owners should not make any difference as to whether the application is approved or not.

**Cory Micallef**

Mr. Micallef stated that the location of the property is a problem no matter what type of housing the developer builds. He asserted that the noise from the Charlottetown Perimeter Highway makes the property undesirable.

Mayor Lee asked if there were any more questions or comments on the application; there being none, Councillor Rivard introduced the next application.

**3. 184 Belvedere Avenue (PIDs #669796 & 751701), and adjacent vacant property (PID# 395285)**

A request for the property at 184 Belvedere Avenue (PID #669796 and 751701) – to amend Appendix “A” Future Land Use Map of the Official Plan from Commercial to Institutional and an amendment to Appendix “H” Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the properties from Business Office Commercial (C-1) to Institutional (I); and for the portion of adjacent vacant property PID #395285 – to amend Appendix “A” Future Land Use Map of the Official Plan to that portion identified as Parking to Institutional and to amend Appendix “H” Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the portion zoned Parking (P) to Institutional (I).

Councillor Rivard introduced Bill Chandler, architect for the project, and Dr. Richard Holden, dentist with the Belvedere Dental Clinic which is located on the subject property.

Dr. Holden explained that presently the dental clinic is separated into two properties at 184 Belvedere Avenue. He stated that there is a shortage of space at the dental clinic, and they wish to construct an addition of approximately 1,000 sq ft to the current building. However, he explained that with the current zoning of the two properties, an addition cannot be added as it would exceed the maximum allowance for the C-1 (Business Office Commercial) Zone. He further explained that if the properties are consolidated and rezoned to Institutional, then the zoning would allow them to add the small addition to the rear of the building.

Mr. Chandler described the existing properties lot lines. Presently, three dentists operate on one property while three other dentists operate on the second property, all within one building. He also indicated that there is also a small property which was rezoned to Parking (P), and there is another vacant property which is zoned Low Density Residential (R-2), both identified as PID #395285. Mr. Chandler outlined that the properties, with the exception of the portion of PID #395285 zoned R-2, will be consolidated and rezoned to Institutional in order to accommodate

the addition to the present building. He indicated that with the addition, two parking spaces will be lost however, the property will still meet the parking requirements of the Zoning & Development Bylaw.

Councillor Rice asked why the applicant is not considering rezoning the portion of PID #395285 zoned R-2 to Institutional as well.

Mr. Chandler responded and noted that in the past the public has voiced opposition to rezoning the lot. He stated that the Belvedere Dental Clinic is content with not rezoning the R-2 portion of PID# 395285 as they will still be able to construct the small addition.

**Jake Bartlett**

Mr. Bartlett questioned as to whether or not the subject properties have been consolidated yet.

Greg Morrison, Planning & Development Officer, explained that the lot consolidation was approved at a January 2015 Meeting of Council. Mr. Morrison stated that the plans have been approved by the City, however, an outer perimeter deed has not been registered with the Province by the applicant.

Mr. Bartlett argued that the neighbourhood is an existing low density residential neighbourhood and should remain as such. He outlined the history of the expansion of the Belvedere Dental Clinic.

Mr. Barlett stated that in January 2006 there was an application to consider rezoning the vacant parcel of land (PID# 395285) to commercial but Council rejected the application following the Public Meeting. He asserted that the parcel of land (PID# 395285) was then rezoned in February 2006 from residential to parking by Council without notifying nearby residents or having a public meeting.

Mr. Barlett questioned whether the current size of the building meets the maximum square footage requirement for the present C-1 Zone. He expressed concern regarding the size of the proposed addition and argued that since the Belvedere Dental Clinic has reached the maximum in the C-1 Zone, no further expansion should be permitted. He further argued that rezoning the property to Institutional will only allow more future expansion which will not be appropriate in the neighbourhood.

Mr. Bartlett also expressed discontent regarding drainage on the property. He argued that the request should be denied in order to protect the present neighbourhood.

Mr. Chandler responded and noted that the current property meets the square footage requirements for each of its parcels. He also explained that there is a catch basin at the rear of the property for drainage. He stated that no new parking will be added, and therefore, the drainage situation will not worsen.

**Lawrence McKnight**

Mr. McKnight voiced discontent about the traffic on Belvedere Avenue and the safety of the street especially when cars park on the side of the street. He urged that the commercial uses on Belvedere Avenue should not be intensified. He questioned why the addition is needed if no extra staff is being added.

Dr. Holden explained that the parking at the dental clinic is sufficient, and that there is no longer an issue with cars parking on the street as a result of rezoning the small parcel to Parking and by reconfiguring the property to have one entrance and a separate exit.

**Kali Simmonds**

Ms. Simmonds asked if the lot zoned R-2 could be consolidated with the other parcels of land, and if this would increase the permitted square footage.

Mr. Chandler responded that the permitted square footage for the C-1 Zone is the same regardless of the lot size.

**Bonnie Wheatley**

Ms. Wheatley noted that she lives behind the dental clinic at 33 Parkview Drive. She voiced concern about the drainage onto her property from the dental clinic. She explained that the drainage problems were largely caused by the dental clinic piling their snow at the rear of their property; this snow then melting and causing flooding on her property in addition to her neighbors.

Ms. Wheatley expressed concerns with the appearance of the adjacent vacant property.

**Derek Tweel**

Mr. Tweel asked what could occupy the property if the dentists move out.

Mr. Forbes responded and stated that a property in the Business Office Commercial (C-1) Zone can have a community institution, education institution, medical and health office, office, parking lot, and the discretionary uses include convenience store, commercial daycare centre, laundromat, fraternal organization, photography studio, funeral establishment, book and stationary store, bakery shop, tourist or gift shop, and personal service shop.

Councillor Tweel questioned Dr. Holden if the dental clinic plans to expand in five to ten years or add any more dentists to the practice.

Dr. Holden stated that if they were going to expand any further, it would be simpler to move the clinic elsewhere. He explained that the clinic wants to stay in the neighbourhood. He asserted

that the clinic will not expand any further after the requested addition. Dr. Holden stated that he and the clinic will review the concerns expressed by residents in particular as they relate to drainage.

Councillor Tweel suggested to Dr. Holden that he should have a meeting with residents to address their concerns.

Mayor Lee asked if there were any questions from the public or Council. There being none, Councillor Rivard introduced the next application.

#### **4. Sign Regulations**

Request to consider amendments to Sections 3 and 5 of the Zoning & Development Bylaw as it pertains to sign regulations.

Jesse Morton, Urban Planner, presented an overview of the proposed amendments to the Zoning & Development Bylaw as it pertains to sign regulations. He explained that the proposed amendments have been revised following the October 26, 2015 public information meeting.

Mr. Morton described the major proposed changes to the Zoning & Development Bylaw. He noted that the size of signage permitted is based on a property's frontage, and that this has created inconsistencies in permitted signage for similar properties. Under the proposed amendments, staff has proposed adopting a zone based approach whereby the permitted signage for a property will depend on the property's zoning. He explained that this will create greater consistency in urban design compared to the footage based approach. He also noted that the permitted signage sizes will increase for large commercial establishments such as shopping centres.

Councillor Tweel raised a question regarding the new zone based approach, and if it would decrease the permitted free standing signage for any businesses in the Mixed Use Corridor (MUC) Zone along University Avenue.

Mr. Morton presented several examples of free standing signs along University Avenue which would be permitted under the proposed amendment, and articulated that these are the signs that the proposed amendment would allow. Mr. Morton clarified that most free standing signs would be permitted under the proposed amendments, however, there are some signs along University Avenue that are too large for both the City's existing signage requirements as well as the proposed requirements.

Councillor Tweel stated that staff should ensure that the interests of businesses, especially small businesses, are considered.

Mayor Lee questioned staff on how involved the Mayor's Task Force was in drafting the proposed amendments and if they are in agreement with the proposed amendments.

Mr. Morton stated that staff has worked together with the Mayor's Task Force on drafting the amendments since the spring, and that the Mayor's Task Force is content with the proposed amendments. Mr. Forbes added that the Mayor's Task Force is largely in favour of the proposed amendments, however, they would prefer that some requirements were changed.

Mayor Lee questioned staff on whether the Mayor's Task Force will submit a report to Council.

Mr. Morton stated that staff can discuss producing a report with the Mayor's Task Force.

Mr. Morton then presented the proposed amendments which will allow electronic signage in the City. He emphasized that electronic signage is not currently permitted in the City, but that under the proposed amendments, electronic signage will be permitted in areas outside of the 500 Lot Area. He described the proposed amendments which will only permit one electronic sign per property, which must only display static images / text, must be equipped with automatic dimming technology, and cannot be within 100 feet of a residential zone. He explained that staff was proposing a minimum screen time of 25 seconds per message on an electronic sign but following the public consultation, staff has reduced the minimum screen time to 10 seconds. He also explained that staff originally proposed a minimum setback of 150 feet from an intersection for electronic signs but following the public information meeting, staff is proposing to reduce this to 30 feet.

Councillor Tweel asked if this restriction means that property owners near intersections would not be permitted to put up signs and if this would leave them at a disadvantage.

Mr. Morton stated that this would only affect a very small number of properties and that it is a safety precaution for the community; however, staff is open to reviewing it.

Mr. Forbes clarified that currently in the Zoning & Development Bylaw, there is a 20 ft corner piece where commercial corner lots are not permitted to place signage as it will impact sight lines.

Mr. Morton noted that staff has received feedback asking for the maximum area for an electronic sign to be increased. He stated that staff has decided to increase the maximum from 18.5 sq ft to

21 sq ft in smaller commercial zones, and to 28 sq ft in larger commercial zones. He further explained that staff has received a small number of comments advocating both for and against electronic signage in the 500 Lot Area. Staff believes that it is important to protect the character of the 500 Lot Area and therefore does not recommend allowing electronic signage in the 500 Lot Area.

Councillor Tweel recommended allowing electronic signs for businesses instead of sandwich board signs as electronic signs are far more barrier free.

Mr. Forbes explained that smaller businesses tend to use sandwich board signs as electronic signs are very expensive, and therefore, electronic signs would not be readily available to everyone. Staff also noted that businesses are permitted a small illuminated sign in their windows.

Mr. Morton explained that feather banner signs have increased in popularity and that presently a permit is required for a feather banner sign. He stated that the new amendments will permit feather banner signs without a permit outside of the 500 Lot Area. Mayor Lee suggested that feather banners should be permitted in the 500 Lot Area in order to promote festivities and events in the City.

**Kali Simmonds**

Ms. Simmonds asked about electronic signage and their proximity to residential areas.

Mr. Morton stated that electronic signage will not be permitted within 100 feet of a residential area.

Ms. Simmonds responded and argued that this minimum is not far enough.

Mr. Morton explained that this clause would only affect a small number of properties mostly businesses which abut residential areas.

Ms. Simmonds expressed support for maintaining the historical parts of the City by not permitting electronic signage.

**Sherry Kerwin**

Ms. Kerwin stated that she works for Pattison Outdoor Advertising in Halifax, NS. She noted that based on experience with other municipalities, some signs have dimmers that do not dim significantly; therefore, she explained that the proposed amendments need to include clear specifications regarding dimmers. She also asked if the City has considered third party signage.

Mr. Morton responded that the requirement for dimmers is 0.3 footcandles above ambient light conditions which is the requirement recommended by the Transportation Association of Canada. He also explained that the proposed amendments do not focus on off-premise signage or third party signs as the City has not received many comments on either, however, staff is open to researching the issue.

Mayor Lee questioned if Mr. Morton had explained all of the changes that the proposed amendments will change.

Mr. Morton explained that there are many changes, both big and small, that are proposed. Staff provided an overview of the majority of the proposed changes and the changes which most impact business owners and sign manufacturers.

Mayor Lee asked if staff could prepare a package with the current regulations and proposed changes clearly outlined in detail, and that the same package be circulated to the Mayor's Task Force.

**Mike Savidant**

Mr. Savidant stated that he is the General Manager of Sign Craft, and served on the Mayor's Task Force on signage. He explained that the Mayor's Task Force has mostly focused on electronic signage. He expressed concern that electronic signs are not permitted to be the same size as free standing signs on the same properties. For example, he noted that in the MUC Zone, a business is permitted a free standing sign of 100 sq ft but only a portion of that area can be an electronic sign. He urged that in the MUC Zone and other zones, all 100 sq ft of the permitted sign area should be permitted to be an electronic sign.

He expressed frustration with this limit and suggested that businesses with manual reader board signs should be able to change their message board signs to electronic signs of the same size. Mr. Savidant also noted that the frame of an electronic sign should not be included in the size area calculation.

Councillor Tweel asked what Mr. Savidant would recommend. Mr. Savidant asserted that businesses with manual reader board signs should be permitted to be replaced with electronic signs of the same size. He noted that from his research, only one other municipality in Atlantic Canada limits the size that electronic signs can be as a portion of their permitted signage.

Councillor Tweel asked who determined the electronic signage requirement.

Mr. Forbes explained that the area requirement was extensively researched by staff, and that it can be tailored to the individual municipality. With respect to the replacement of manual reader board signs, he noted that smaller electronic signs provide significant benefits over large manual reader board signs as they can show a variety of timed messages throughout the day as opposed to only one message. This provides businesses with a great deal of flexibility. He explained that the rest of the sign which is not electronic can show other information like the business name and logo.

Mr. Savidant also noted that electronic signs will not distract drivers as they will not be changing frequently while drivers are driving by.

**Brad Miller**

Mr. Miller stated that he works for Pattison Outdoor Advertising in Halifax, NS. He explained that his company pays businesses to have electronic signs on their property which feature third party advertisements. He said that these electronic signs are 200 sq ft in size (and larger) and that they do not distract drivers.

Mayor Lee asked if there were any other questions from the public or Council. There being none, Councillor Rivard introduced the next application.

**5. Accessory Structures**

A request to consider amendments to Section 4.1 of the Zoning & Development Bylaw to permit larger accessory structures on properties with lot areas exceeding 10,891 sq ft.

Jesse Morton, Urban Planner, explained the proposed amendment which would allow larger accessory structures on large properties in suburban and more rural properties. He stated that the proposed amendment is based on a graduated formula which would increase the size of accessory buildings permitted on properties based on their lot size.

He outlined that the maximum permitted number of accessory buildings would be three (3) only on properties of one acre or more and that all other properties would be permitted two (2) accessory structures. He also detailed the square footage requirements and explained that properties over 0.5 acres would be permitted accessory structures with a total maximum square footage of 850 sq.ft.

Mayor Lee questioned staff on why lots over one (1) acre are not permitted to have accessory buildings with more square footage than lots between 0.5 to 0.99 acres.

Mr. Morton responded that staff were direction by Council to only increase the number of permitted buildings from two (2) to three (3), not the maximum square footage, however staff will consider revising the area requirements.

Mayor Lee asked if there were any questions from the public or Council. There being none, Councillor Rivard introduced the next application.

**6. Telecommunication Towers**

A request to consider an amendment to remove Section 4.9.2 of the Zoning & Development Bylaw as it relates to telecommunication towers pursuant to the policy adopted to utilize Canadian Radiocommunications Information and Notification Service (CRINS) protocol when processing future applications for telecommunication towers.

Alex Forbes, Manager of the Planning & Heritage Dept., presented the application and explained that the City has adopted the CRINS protocol to aid in processing telecommunication tower applications and therefore Section 4.9.2 of the Zoning & Development Bylaw should be removed. He explained that the City cannot have a public consultation process for telecommunication tower applications as outlined in Section 4.9.2 because these applications are under the jurisdiction of Industry Canada and the Federal Government.

**Kali Simmonds**

Ms. Simmonds asked Mr. Forbes to explain the role of CRINS.

Mr. Forbes explained that CRINS is a group of professional consultants that are independent from Industry Canada. He stated that CRINS represents hundreds of municipalities across Canada and lobbies on behalf of municipalities when they receive proposals to construct telecommunication towers. He further explained that CRINS has a public consultation process itself but that they make their own recommendations to Industry Canada.

Ms. Simmonds questioned if CRINS is a branch of Industry Canada.

Mr. Forbes responded and stated that CRINS is completely independent from Industry Canada and they act more as a spokesperson on behalf of municipalities.

Ms. Simmonds asked if CRINS will consider health concerns relating to telecommunication towers.

Mr. Forbes answered that Industry Canada must adhere to all federal regulations as stipulated by Health Canada. He also noted that CRINS is also familiar with Health Canada guidelines and if there were concerns regarding an application not adhering to these guidelines, then CRINS and Industry Canada would hold the applicant accountable.

Ms. Simmonds questioned what residents should do if they are concerned about the current Health Canada guidelines.

Mr. Forbes stated that if residents have concerns about Health Canada regulations, they should contact Health Canada and the Federal Government.

Ms. Simmonds expressed confusion regarding the division of municipal, provincial and federal responsibilities as they relate to telecommunication towers. She also noted that many of the health concerns regarding telecommunication towers are new and therefore have not yet been addressed in research.

Mr. Forbes stated that CRINS uses the regulations as stipulated by Health Canada. He further explained that health regulations are solely the responsibility of Health Canada and that if residents have concerns regarding these regulations then they should contact the Federal Government.

Ms. Simmonds questioned how the application and public consultation process works.

Mr. Forbes responded that the application is forwarded to CRINS and CRINS would deal directly with the telecommunications carrier. He also stated that only certain towers would require a public consultation process.

Councillor Tweel asked if CRINS is a lobbying group and further, who funds CRINS.

Mr. Forbes responded that CRINS is a non-profit group and that they are funded by the application fees collected from telecommunication companies.

Councillor Tweel questioned how CRINS can be objective if they are relying on the fees collected by telecommunication companies.

Ms. Simmonds agreed with Councillor Tweel and argued that if the telecommunications companies are funding CRINS through application fees, then CRINS has a conflict of interest.

Mr. Forbes said that CRINS functions like the Planning Department in that the applicant is asking for a service and the Planning Department is providing it by reviewing the application. He further stated that CRINS is a non-profit group and will lobby on the behalf of concerned residents.

Councillor Tweel questioned if CRINS would be effective when managing applications such as the one for a telecommunications tower in Brighton this year.

Mr. Forbes indicated that the Brighton tower was given an exemption from Industry Canada because it is located on Federal property. He stated that CRINS would provide a consultant to help the Planning Department and the City with managing such applications.

Councillor Tweel questioned what the benefit is of having CRINS as a consultant if the City cannot reject applications for telecommunication towers.

Mayor Lee responded to Councillor Tweel and explained that telecommunication towers are strictly a federal responsibility and therefore the City cannot reject applications.

Mr. Forbes reiterated that CRINS will lobby on the behalf of the City and residents and forward the City's and residents' concerns to Industry Canada.

Mayor Lee stated that the community should lobby the Federal Government and their Federal representatives regarding concerns about telecommunication towers.

**Blake Doyle**

Mr. Doyle asked Council to be more actively involved in addressing residents' concerns regarding cell towers. He encouraged the City to engage in more public consultation in processing applications for telecommunication towers.

Mayor Lee responded and stated that it would not be beneficial to hold public meetings for telecommunication tower applications as it gives the public the impression that City Council has the authority to reject such applications when City Council does not.

Mayor Lee further stated that Council can approach the Federation of Canadian Municipalities and ask that the Federal Government amend Federal legislation to allow municipalities the authority to create legislation that governs telecommunication towers.

Mr. Doyle reiterated the need for a public consultation process.

Mayor Lee asked if there were any questions from the public or Council. There being none, Councillor Rivard introduced the next application.

**7. 198 Grafton Street (PID #340570)**

Resolution to amend Development Agreement for underground parking garage door relocation at commercial/ condominium development.

**Moved by Councillor Greg Rivard**

**Seconded by Councillor Terry MacLeod**

**RESOLVED:**

That the request to amend the Development Agreement as it relates to the underground parking garage door location for the development at 198 Grafton Street (PID# 340570) as presented to Heritage Board and as per Coles Associates drawings submitted November 23, 2015 with final design details to be confirmed by the Heritage Department be approved.

**CARRIED 6-0**

**The meeting was adjourned at 10:40p.m.**