



**Regular Meeting of Council  
Tuesday, October 9, 2018 at 7:00 PM  
Council Chambers, City Hall, 199 Queen Street**

**Deputy Mayor Mike Duffy Presiding**

**Present:**        **Councillor Greg Rivard**                                **Councillor Mitchell Tweel**  
                         **Councillor Kevin Ramsay**                                **Councillor Eddie Rice**  
                         **Councillor Melissa Hilton**                                **Councillor Jason Coady**

**Also:**            **Peter Kelly, CAO**    **Scott Messervey, DCAO**  
                         **Alex Forbes, PM**    **Paul Smith, PC**  
                         **Randy MacDonald, FC**                                        **Frank Quinn, PRM**  
                         **Scott Adams, PWM**    **Paul Johnston, IAMM**  
                         **Richard MacEwen, UM**                                        **Alicia Packwood, CA**  
                         **David Hooley, CS**    **Tracey McLean, RMC**

**Regrets:**        **Mayor Clifford Lee**    **Councillor Terry Bernard**  
                         **Councillor Terry MacLeod**                                      **Councillor Bob Doiron**  
                         **Wayne Long, EDO**    **Ron Atkinson, EconDO**  
                         **Laurel Lea, TO**    **Bethany Kauszarick, HRC**  
                         **Ramona Doyle, SO**

**Presentation:** Deputy Mayor Duffy recognized the recent promotion of Cpl. Sean Coombs as the new Deputy Police Chief. Cpl. Coombs was then presented with his badge by the Deputy Mayor, Chief Smith and Councillor Jason Coady, Chair of the Protective and Emergency Services Committee.

- 1.     Call to Order**  
Deputy Mayor Duffy called the meeting to order.
- 2.     Declarations of Conflict of Interest**  
No conflicts were declared.
- 3.     Approval of Agenda**  
Moved by Councillor Greg Rivard and Seconded by Councillor Melissa Hilton that the agenda be approved. Carried.
- 4.     Adoption of Previous Draft Minutes**  
Moved by Councillor Greg Rivard and Seconded by Councillor Kevin Ramsay that the draft minutes of the previous meetings now be adopted. Carried.
  - Regular Meeting – September 10, 2018
  - Committee Meetings of Council (open) – September 10 & October 3, 2018
  - Special Meetings – September 15 & 27, 2018
- 5.     Business Arising out of the Minutes**  
No business arose from the minutes.

**6. REPORTS OF COMMITTEES / RESOLUTIONS**

**6.1 Planning & Heritage – Coun. Greg Rivard, Chair**

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

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

**RESOLVED:**

Whereas, Council directed staff on August 13, 2018 to draft a revised Building Code Bylaw to implement the adoption of the 2015 National Building Code,

Therefore Be It Resolved, that the Building Code Bylaw dated June 13, 2011, be repealed in its entirety and replaced with Building Code Bylaw 2018-12 (as attached) dated October 9, 2018, be approved.

**CARRIED 6-0**

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

**RESOLVED:**

That the request to zone the property (PID #1073634) adjacent to 137 Belgrave Drive (PID #625574) to Single-Detached Residential (R-1L) Zone and to designate the same property as Residential on Appendix A of the Official Plan, be approved to proceed to public consultation.

**CARRIED 6-0**

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

Whereas at Council's public meeting on July 25, 2018, concerns were raised by the public with regard to the proposed rezoning application for the property at MacRae Drive/Norwood Road (PID #192401).

Whereas on August 13, 2018, this application was deferred by Council to see whether the applicant could resolve some of the concerns expressed by the residents.

Whereas the applicant has written to Council on October 9, 2018 requesting that this application be withdrawn;

And Whereas under section 4.29.7 it is mandatory that Council exercise its discretion as to whether or not to allow the application to be withdrawn and re-submitted at a later date before the expiration of one (1) year and make a determination as to the disposition of the application;

BE IT RESOLVED

That pursuant to section 4.29.7 it be recommended that Council approve the applicant's request of October 9, 2018 to withdraw his rezoning application.

**CARRIED 6-0**

Councillor Rivard noted that the applicant requested the withdrawal so he can further consult with the local residents and then bring it back in the spring of 2019 as opposed to waiting a full year to reapply.

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

**RESOLVED:**

That the request to operate a home occupation (i.e., acupuncture & Chinese medicine business) from the property located at 29 Forest Drive (PID #791913), be approved.

Councillor Rivard indicated that Planning Staff recommended to Planning Board that the application be rejected due to the fact that the nature of the business operates with frequent appointments and is not included in the Zoning & Development Bylaw as-of-right home occupation. He further indicated nine (9) letters from local residents were received with eight (8) being in opposition.

**DEFEATED 6-0**

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

**RESOLVED:**

That the request for the following items be approved to proceed to public consultation:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for a portion of the property located on Mount Edward Road (PID #390740);
2. Amend Appendix "H" – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for a portion of the property located on Mount Edward Road (PID #390740);
3. Amend Appendix "A" – Future Land Use Map of the Official Plan from the Low Density Residential designation to the Concept Planning Area designation for the property located on Mount Edward Road (PID #492405);
4. Amend Appendix "H" – Zoning Map of the Zoning & Development By-law from the Low Density Residential Single (R-2S) Zone to the Comprehensive Development Area (CDA) Zone for the property located on Mount Edward Road (PID #492405);

5. Consolidate the portion of the property located on Mount Edward Road (PID #390740) with the property located on Mount Edward Road (PID #492405), subject to the receipt of final pinned survey plans; and
6. Amend Appendix "G" – Comprehensive Development Area Lands and Uses of the Zoning & Development By-law from allowing a residential building on the street with the back portion vacant to 143 residential dwelling units on 5.05 acres of the property located on Mount Edward Road (PID #390740), subject to the approval of the Development Concept Plan and the signing of a Development Agreement.

**CARRIED 6-0**

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

**RESOLVED:**

That the request to obtain a site specific exemption of the Downtown Mixed-Use Neighbourhood (DMUN) Zone of the Zoning & Development By-law as it pertains to 80 Grafton Street (PID #340265) in order to construct a five (5) storey mixed-use development and allow the applicant to enter into an agreement with the City to provide the existing (26 standard parking spaces) and required parking (up to 28 standard parking spaces and 4 mobility parking spaces) off-lot in the Pownal Parkade (100 Pownal Street, PID #340414) for a period of not less than 10 years which is contrary to the Zoning & Development By-law (2018-11).

The site specific exemption also includes the following three (3) variances:

1. Reduce the minimum lot frontage required to be eligible for a bonus height from 98.4 ft to approximately 76.1 ft; and
2. Reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to 70 Grafton Street (PID #340273) from 18.0 ft to approximately 14.33 ft; and
3. Reduce the minimum side yard setback for the fourth and fifth floors of the proposed building to 137 Queen Street (PID #340257) from 18.0 ft to approximately 13.0 ft, be approved to proceed to public consultation.

**CARRIED 6-0**

**1<sup>st</sup> reading of the Building Code Bylaw** – Repeal the existing Building Code Bylaw in its entirety and replace it with the proposed Building Code Bylaw.

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

**RESOLVED:**

THAT THE "CITY OF CHARLOTTETOWN BUILDING CODE BYLAW, BYLAW 2018-12", be read a first time.

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

**RESOLVED:**

THAT the said Bylaw (2018-12) be approved and that it be read a second time at the next Public Meeting of Council.

**CARRIED 6-0**

**2nd reading of the Zoning and Development Bylaw** – Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1L) Zone to the Open Space (OS) Zone for the property located at 34 Jardine Street (PID #1053032); Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Single-Detached Residential (R-1L) Zone to the Open Space (OS) Zone for the property located at Lot 2009-1 Skyline Drive (PID #1034685); and Amend Appendix “H” – Zoning Map of the Zoning & Development By-law from the Open Space (OS) Zone to the Single-Detached Residential (R-1L) Zone for the property located at Lot 2002-6 Amanda Drive (PID #939819).

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

**RESOLVED:**

That the "City of Charlottetown Zoning and Development Bylaw (2018-09-01) be read a second time and that the said Bylaw be now adopted.

**CARRIED 6-0**

**2nd reading of the Zoning and Development Bylaw** – Amend Section 5.2.15 and Section 5.13.3 of the Zoning & Development By-law in order to allow additional signage to identify points of access / egress on institutional properties seven (7) acres or larger.

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

**RESOLVED:**

That the "City of Charlottetown Zoning and Development Bylaw" (2018-09-02) be read a second time and that the said Bylaw be now adopted.

**CARRIED 6-0**

**6.2 Human Resources, Communications & Admin – Coun. Terry MacLeod, Chair**  
Councillor Rivard, on behalf of Councillor MacLeod, indicated the Committee’s report was included in the weekend package.

**1<sup>ST</sup> reading of the Superannuation Plan Bylaw** - amend the Plan provisions of the Plan for the purpose of adding compassionate care leave to the approved leaves during which a Member can continue to accrue Pensionable Service, and ii) for allowing a Member to purchase past service during a period of part-time, seasonal, entry level seasonal, casual, or contract employment basis, occurring prior to the date upon which they became a Member of the Plan.

**Moved by Councillor Melissa Hilton  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

THAT the bylaw to amend the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" #2018-13 be read a first time.

**Moved by Councillor Melissa Hilton  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

THAT the bylaw be now approved and that it be entitled the "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" #2018-13 and that it be read a second time at the next Public Meeting of Council.

**CARRIED 6-0**

- 6.3 Intergovernmental Affairs & Event Attraction – Coun. Kevin Ramsay, Chair**  
Councillor Ramsay indicated his Committee's report was included in the weekend package.

**Moved by Councillor Kevin Ramsay  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That the City of Charlottetown enter into Municipal Twinning Protocols (as attached) with the Town of Shediac, New Brunswick and the Town of Forest City, North Carolina,

And that the implementation of these Municipal Twinning Protocols will not represent an increase to the City's Annual Budget,

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

**CARRIED 6-0**

It was moved by Councillor Rivard and seconded by Councillor Tweel that the first reading of the Election Bylaw be added to the IGA report. Carried.

**1<sup>st</sup> reading of the Election Bylaw** – Amend wording in Part X – Administrative #40 Effective Date from Sections 11-17 to Sections 11 & 12

**Moved by Councillor Kevin Ramsay  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

THAT the bylaw to amend the "CITY OF CHARLOTTETOWN ELECTION BYLAW" #2018-08 be read a first time.

**Moved by Councillor Kevin Ramsay  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

THAT the bylaw be now approved and that it be entitled the "CITY OF CHARLOTTETOWN ELECTION BYLAW" #2018-08 and that it be read a second time at the next Public Meeting of Council.

**CARRIED 6-0**

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

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for October is Nicole Cheverie. He reported that several 2018 Capital projects have been completed including Memorial Field Backstop, Pharmacy Boardwalk replacement and upgrades to Simmons Arena with other projects well underway.

Concern was raised with respect to a Parks & Rec vehicle driving on a City boardwalk and subsequent damage done to the boardwalk that resulted in some pedestrians tripping and falling. Councillor Tweel to follow-up with the department on the matter.

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That, as per the recently advertised tender for the "2018 Memorial Ball Field Light Replacement", the City of Charlottetown accepts the bid of \$204,700.00 (HST included) from Hansen Electric Ltd. for this project,

And that the amount from Richardson Associated for project management and professional fees for \$4,025 (HST included) be accepted,

And that this amount be expensed to the 2018 Parks and Recreation Capital Budget,

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

**CARRIED 6-0**

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That, as per the recently advertised tender for the "East Royalty Soccer Complex Parking Lot Expansion", the City of Charlottetown accepts the low bid of \$114,425 (HST included) from M & M Resources Inc. for this project,

And that the amount from CBCL Limited for contract administration and site inspections for \$2,875 (HST included) be accepted,

And that this amount be expensed to the 2018 Parks and Recreation Capital Budget,

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

**CARRIED 6-0**

**6.5 Protective & Emergency Services – Coun. Jason Coady, Chair**

Councillor Coady indicated his Committee's report was included in the weekend package. He reported that volunteer firefighter, Brad Wonnacott, placed fourth in the National Fire Fit Challenge recently held in Alberta; volunteer recruitment campaign continues until October 26. He congratulated police officers Robbie Larter and Melissa Craswell on their promotion to Corporal.

**6.6 Water & Sewer Utility - Deputy Mayor Mike Duffy, Chair**

Councillor Hilton, on behalf of Deputy Mayor Duffy, indicated the Committee's report was included in the weekend package.

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

That Hansen Electric be awarded the tender for the CPCP Interceptor Sewer Pumping Station Electrical Upgrades in the amount of \$454,250 (HST included),

And that this be expensed out of the 2018 Utility Capital Budget,

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

**CARRIED 6-0**

**Moved by Councillor Mitchell Tweel  
Seconded by Councillor Melissa Hilton**

**RESOLVED:**

WHEREAS, the Atlantic Canadian Water and Wastewater Association (ACWWA) is seeking funding from Natural Resources Canada (NRCan) to complete updates to the Atlantic Canada Water and Wastewater Guideline Documents,

And ACWWA has approached the City of Charlottetown to support the guideline updates by providing a Committee Chair for the wastewater guidelines,

BE IT RESOLVED, that City Council support the request for funding by ACWWA to NRCan by agreeing to have the Manager of the Charlottetown Water and Sewer Utility act as Chair of the Wastewater Guidelines Update Committee, and

BE IT FURTHER RESOLVED, that the City's contribution to the project be recognized as in-kind contributions of staff time with an estimated value of \$29,000 over a three-year period.

**CARRIED 6-0**



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

Councillor Hilton, on behalf of Councillor Bernard, indicated the Committee's report was included in the weekend package.

**Moved by Councillor Melissa Hilton  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That, per the publicly advertised Request for Quotation for '2018 Concrete Sidewalk Construction', the low submission of Curran & Briggs in the amount of \$376,199.50 (all taxes included) be accepted,

And this expenditure has been previously approved in the 2018-19 Capital budget,

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

Councillor Hilton noted that work will begin immediately on Brow's Lane, Atlantic Road, Upper Queen Street and Skyview Drive.

**CARRIED 6-0**

**Moved by Councillor Melissa Hilton  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That, per the publicly advertised Request for Quotation for 'Overhead Door Replacements – Kent St Fire Station', the low submission of Island Overhead Doors in the amount of \$6,105.88 (all taxes included) per door be accepted,

And this expenditure has been previously approved in the 2018-19 Capital budget,

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

**CARRIED 6-0**

**Moved by Councillor Melissa Hilton  
Seconded by Councillor Kevin Ramsay**

**RESOLVED:**

That, per the publicly advertised Request for Quotation for 'Traffic Signals – Poles and Arms', the submission of Mallard Forestry Equipment Inc. in the amount of \$45,390.62 (all taxes included) be accepted,

And this expenditure has been previously approved in the 2018-19 Capital budget,

And further that the Mayor and CAO are hereby authorized to execute any

standard contracts/agreements to implement this resolution.

**CARRIED 6-0**

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

Councillor Rivard, on behalf of Councillor Doiron, indicated the Committee had not met since the last Council meeting.

**6.9 Environment & Sustainability – Deputy Mayor Mike Duffy, Chair**

Councillor Coady, on behalf of Deputy Mayor Duffy, indicated the Committee's report was included in the weekend package.

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

Councillor Ramsay indicated the Committee had not met since the last Council meeting.

**6.11 Finance, Audit & Tendering – Coun. Melissa Hilton, Chair**

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

**6.12 New Business**

There was no new business.

**7. Motion to Adjourn**

Moved by Councillor Greg Rivard and Seconded by Councillor Melissa Hilton that the meeting be adjourned. Carried.

**The meeting concluded at 8:00 PM**