



**Regular Meeting of Council
Monday, December 10, 2018 at 7:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

Present: Deputy Mayor Jason Coady
Councillor Mike Duffy
Councillor Mitchell Tweel
Councillor Terry MacLeod
Councillor Alanna Jankov

Councillor Terry Bernard
Councillor Greg Rivard
Councillor Kevin Ramsay
Councillor Bob Doiron
Councillor Julie McCabe

Also: Peter Kelly, CAO
Alex Forbes, PM
Randy MacDonald, FC
Paul Johnston, IAMM
Bethany Kauzlarick, HRC
Ron Atkinson, EconDO
Laurel Lea, TO
Jen Gavin, CO

Scott Messervey, DCAO
Paul Smith, PC
Frank Quinn, PRM
Scott Adams, PWM
Richard MacEwen, UM
Ramona Doyle, SO
Karen Campbell, CS
Tracey McLean, RMC

Regrets: Wayne Long, EDO

1. **Call to Order**
Mayor Brown called the meeting to order.
2. **Declarations of Conflict of Interest**
No conflicts were declared.
3. **Approval of Agenda**
Moved by Councillor Ramsay and Seconded by Councillor Rivard that the agenda be approved. Carried.
4. **Adoption of Previous Draft Minutes**
Moved by Councillor Duffy and Seconded by Councillor Bernard that the draft minutes of the previous meetings now be adopted. Carried.
 - Regular Meeting – November 13, 2018
 - Special Meetings – November 30 & December 4, 2018

It was noted that Section 39.1(b) and Section 45.2 (b) of the Procedural Bylaw, both relating to secret ballots, needs to be reviewed for further clarification as these sections are contradictory. Mayor Brown stated that Section 115 (2) of the Municipal Government Act reads as follows: "*No vote of council shall be taken by ballot or by any other method of secret voting, and any vote taken by means of a secret vote is of no effect.*" The Procedural Bylaw to be amended in the near future.

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. He reported that tonight marks 130 years since the first meeting of Charlottetown City Council in the new City Hall building.

An update regarding a legal opinion relating to the development on Upper Prince Street and Young Street was requested. Councillor Rivard indicated an opinion was recently received from the City Solicitors, discussed at Committee in a closed session and will be brought to Council in the near future for further discussion.

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the application to designate property located at 41 Prince Street (PID# 337097) as a Heritage Resource, be approved to proceed to the Public Notice of the Intention to Designate, commence in January 2019.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to amend Appendix "G" – Zoning Map of the Zoning and Development Bylaw to rezone the property located at 101 Oak Drive (PID# 452748) from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone, be approved.

It was noted that area residents are concerned with drainage, driveway placement and the property being rezoned to R-2. It was further noted that under the new bylaw pertaining to Accessory Apartments, the same density can be achieved under the current R-1 Zoning.

DEFEATED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to amend Appendix "G" – Zoning Map of the Zoning and Development Bylaw to rezone the property located at 101 Oak Drive (PID# 452748) from the Single-Detached Residential (R-1L) Zone to the Low Density Residential (R-2) Zone, be rejected.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the variance application to vary Section 14.2 of the Zoning & Development By-law by reducing the required lot area from 7,491.7 sq. ft. to approximately 6,700 sq. ft. in order to construct a semi-detached dwelling on the vacant property at 120 Westridge Crescent (PID# 776435), be approved.

It was noted that a walking trail runs next to the noted property and it was suggested that Planning ask the developer if they would erect a fence along their property and the trail; therefore, a deferral was requested. Moved by Councillor Bernard and seconded by Councillor Rivard to defer the motion.

**DEFERRED 9-1
Councillor Jankov opposed**

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) relating to Design Review, Home Occupation and Parking requirements, be approved to proceed to Public Consultation to be scheduled in January 2019.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) relating to Affordable Housing, be approved to proceed to Public Consultation to be scheduled in January 2019.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Terry MacLeod**

RESOLVED:

That the request to renumber Planning Bylaws below:

- From Zoning and Development Bylaw, Bylaw #2018-11 to PH-ZD-2;
- Building Code Bylaw, Bylaw #2018-12 to PH-BC-2; and
- Heritage Preservation Bylaw, Bylaw #2018-07 to PH-HB-1
be approved to proceed to a Public Consultation to be scheduled in January 2019

CARRIED 10-0

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

Councillor Tweel indicated his Committee did not meet since the last Council meeting. Volunteer of the Month for December is Brian Morrison.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Mike Duffy**

RESOLVED:

That, as per the recently advertised request for quotes for the " 2018 Heritage Squares Supply of Decorative Luminaires and Poles" the City of Charlottetown accepts the bid of \$67,850.00 (HST included) from Hansen Electric Ltd.

And that the amount from Richardson Associates for professional fees and project management for \$2, 587.50 (HST included) be accepted,

And that this amount will 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 10-0

6.3 Protective & Emergency Services – Deputy Mayor Jason Coady, Chair

Councillor Coady indicated his Committee did not meet since the last Council meeting. He welcomed new Police Constables Stephen Manning, Chantelle MacNeil, Justin Drake and Joshua Engroff.

It was suggested that additional warming centres in central locations throughout the City (i.e. schools) be considered when there are extended power outages.

**Moved by Deputy Mayor Jason Coady
Seconded by Councillor Terry Bernard**

RESOLVED:

That the Public Works Manager be authorized to remove any garbage and other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 96 Upper Prince Street (PID# 360404) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

**Moved by Deputy Mayor Jason Coady
Seconded by Councillor Terry Bernard**

RESOLVED:

That the Public Works Manager be authorized to remove any garbage and other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 6 Pond Street (PID# 357467 in accordance with

the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

1st reading of the Traffic Bylaw Amendment Bylaw – to amend the City of Charlottetown Traffic Bylaw 2018-06, as outlined in the amending bylaw #2018-06-A to permit the use of electronic traffic tickets.

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

RESOLVED:

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

CARRIED 10-0

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

RESOLVED:

That the bylaw be now approved as a City bylaw and that it be entitled the "City of Charlottetown Traffic Bylaw" and that it be read a second time at the next public meeting of Council.

CARRIED 10-0

6.4 Water & Sewer Utility - Councillor Mike Duffy, Chair

Councillor Duffy indicated his Committee did meet since the last Council meeting. He reported that 118 households, which were on temporary water lines in the Sherwood/Parkdale area, have been restored with six households to be reconnected within the next 24 hours.

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

Councillor Bernard indicated his Committee did meet since the last Council meeting. He reported that the Province is holding an information session on Tuesday, December 11 at the Hillsborough Community Centre at 7:30 PM to discuss a proposed reconstruction of the intersection at Northridge Parkway, St. Peters Road and Norwood Road.

The Committee was thanked for providing Christmas decorations at Sherwood Hall.

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

Councillor Doiron indicated his Committee did not meet since the last Council meeting.

6.7 Environment & Sustainability – Councillor Mike Duffy, Chair

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

In response to a question raised, Councillor Duffy indicated the following motion is for consultation and design for the proposed Fitzroy Street Bike Lane.

Moved by Councillor Mike Duffy
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That, as per the conditions of the Request for Proposals on "Fitzroy Street Bike Lane Engineering Services" the low submission of CBCL Ltd. in the amount of \$74,163.50 (taxes included) be accepted,

And that the City's portion of this amount, \$37,500, be expensed out of the 2018-2019 City Capital Budget by reallocating funds from the Pownal Parkade Lighting Project to the Fitzroy Street Bike Lane Project,

And that the remaining amount, \$37,500 be covered by the approved Municipal Strategic Component of the Provincial Gas Tax Funding for the Fitzroy Street Bike Lane Project,

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

CARRIED 10-0

6.8 Advanced Planning, Priorities & Special Projects – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated his Committee did not meet since the last Council meeting.

It was suggested that each Ward have either a community centre or hall equipped with a generator for emergency situations. Councillor Ramsay referred to Fire Chief MacDonald who indicated that the City has numerous MOUs with organizations and businesses throughout the city which would provide emergency shelter, transportation, and food supply needs during an emergency or disaster.

An update was requested with respect to the Fire Station report (2 or 3 fire stations). Councillor Ramsay indicated the report is complete; once the new standing committees have been determined, the report will go through its respective committee for review and then forwarded onto Council for further discussion.

6.9 Finance, Audit & Tendering – Coun. Mike Duffy
Councillor Duffy indicated the Committee's report was included in the weekend package.

6.10 Human Resources, Communications & Admin – Coun. Terry MacLeod, Chair
Councillor MacLeod indicated his Committee's report was included in the weekend package.

6.11 Intergovernmental Affairs & Event Attraction – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated his Committee did not meet since the last Council meeting.

6.12 New Business

There was discussion with regard to the Procedural Bylaw and the process nominating the Council Advisory Committee. The Mayor requested that Council proceed with notice of motion from Councillor Doiron to have Deputy Mayor Coady and Councillor Jankov appointed to the Council Advisory Committee. The CAO stressed that Section 45.2 (a) of the Procedural Bylaw states "*The Council Advisory Committee shall consist of the Mayor, 2 members of Council (**nominated** and appointed by motion of Council)..."*

Following considerable discussion, Council was asked if they agree to forward the motion from Councillor Doiron to have Deputy Mayor Coady and Councillor Jankov appointed to the Council Advisory Committee. Deputy Mayor Coady, Councillors Doiron, Jankov and McCabe in favour to forward the motion. Councillors Bernard, Duffy, MacLeod, Ramsay, Rivard and Tweel opposed.

Mayor Brown then called for nominations:

Moved by Councillor Doiron and seconded by Councillor McCabe to appoint Deputy Mayor Coady and Councillor Jankov to the Council Advisory Board.

Moved by Councillor Tweel and seconded by Councillor Ramsay to appoint Councillor Duffy and Councillor MacLeod to the Council Advisory Board.

Vote for Deputy Mayor Coady and Councillor Jankov was 4-6 with Deputy Mayor Coady, Councillors Doiron, Jankov and McCabe in favour. Motion defeated.

Vote for Councillor Duffy and Councillor MacLeod was 6-4 with Councillors Bernard, Duffy, MacLeod, Ramsay, Rivard, and Tweel in favour. Motion Carried.

A motion was then put forward to accept Councillor Duffy and Councillor MacLeod as the members of the Council Advisory Committee; moved by Councillor Jankov and seconded by Councillor McCabe. Motion Carried 8-2 with Deputy Mayor Coady and Councillor Doiron opposed.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Mike Duffy**

RESOLVED:

Whereas;
Canada's National Football League, the CFL, aspires to establish franchises and build their brand from coast to coast.

And Whereas;
Grey cup playoffs will grow to include an even number of teams, and CFL fans from across the Country will have an opportunity to experience the enthusiasm and famous hospitality this region has to offer.

And whereas;
Atlantic Canada will finally have an opportunity to be part of this national tradition;

And whereas;
The Atlantic Schooners organization is an engaged members of the Atlantic Canadian business community trying to fulfill their dream in making their franchise a reality

And whereas;
The Atlantic Schooners have explored the financial benefits of a franchise and stadium in the region;

And whereas;
That the Atlantic Schooners are eager to be a part of the momentum-building on the East Coast.

Therefore, be it resolved:
That the City of Charlottetown send a letter supporting the Atlantic Schooners organization's initiative and to the invite the Atlantic Schooners to visit the City of Charlottetown to provide a public presentation of their plans and the potential spin-offs for Atlantic Canada.

CARRIED 10-0

Councillor Duffy notified Council that he plans to bring forward amendments to the Council Code of Conduct Bylaw at the next Regular Meeting of Council.

7. Adjournment

Moved by Councillor Tweel and Seconded by Councillor Ramsay that the meeting be adjourned. Carried.

The meeting concluded at 8:35 PM