



**Regular Meeting of Council
Monday, February 11, 2019 at 7:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

Present: **Deputy Mayor Jason Coady** **Councillor Mike Duffy**
 Councillor Kevin Ramsay **Councillor Mitchell Tweel**
 Councillor Terry MacLeod **Councillor Terry Bernard**
 Councillor Bob Doiron **Councillor Julie McCabe**
 Councillor Alanna Jankov **Councillor Greg Rivard**

Also: **Paul Johnston, ACAO** **Randy MacDonald, FC**
 Paul Smith, PC **Alex Forbes, PM**
 Frank Quinn, PRM **Scott Adams, PWM**
 Wayne Long, EDO **Ron Atkinson, EconDo**
 Ramona Doyle, SO **Laurel Lea, TO**
 Robert Zilke, PDO **Stephen Wedlock, AC**
 Alicia Packwood, CA **Cindy MacMillan, AA**
 David Hooley, CS **Tracey McLean, RMC**

Regrets: **Peter Kelly, CAO** **Bethany Kaulzarick, AHRM**

- 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**
It was requested by Councillor Tweel to move the Parks, Recreation & Leisure Activities report to the beginning of the meeting and that an additional Parks & Rec resolution be added to the agenda; Council agreed. Moved by Councillor Ramsay and Seconded by Councillor Rivard that the agenda be approved as amended. Carried.
- 4. Adoption of Previous Draft Minutes**
Moved by Councillor Ramsay and Seconded by Councillor Bernard that the draft minutes of the previous meetings now be adopted. Carried.
 - Regular Meeting – January 14, 2019
 - Special Meetings – January 21 & 30, 2019 & February 5, 2019
 - Planning Public Meeting – January 30, 2019
- 5. Business Arising out of the Minutes**
No business arose from the minutes.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 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 February is Andrew Hall.

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

RESOLVED:

That the Expansion of the Victoria Park Boardwalk to connect with the Culinary Boardwalk Project be removed from the ICIP Expression of Interest list which was previously approved by resolution of Council on December 19, 2018.

CARRIED 10-0

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

RESOLVED:

That the City supports establishing the "Forbie Kennedy Volunteer of the Year Award" to be presented annually at the Citizen Recognition Awards during the Natal Day celebrations.

Councillor Tweel noted that Mr. Kennedy was in attendance this evening and recognized him for his many years of participation in sport.

CARRIED 10-0

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

RESOLVED:

That City Council supports the Parks, Recreation and Leisure Activities Committee recommendation that the "old" Prince Edward Home property (PID# 365957) be earmarked for greenspace/parkland by the Province of Prince Edward Island, at such a time when the facility has been removed from the site.

CARRIED 10-0

6.2 Planning & Heritage – Coun. Greg Rivard, Chair

Councillor Rivard indicated his Committee's report was included in the weekend package. He reported that the City will celebrate Heritage Day on Tuesday, February 19 with an event that will include an awards ceremony to honour individuals and organizations in the community who have worked hard to preserve and celebrate the city's heritage, and the unveiling of an exhibit celebrating the history of post-secondary education in Charlottetown.

Concern was raised again with respect to the development at Young and Upper Prince Streets and it was proposed that the Planning department organize a community meeting, invite the developer so they have an opportunity to explain to the local area residents their rationale behind the development. Councillor Rivard took this under

advisement.

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

RESOLVED:

That the request to:

1. Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and
2. Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1L) Zone to the Medium Density Residential (R-3) Zone;

for the properties located at 562 Malpeque Road (PID #145797) and the adjacent vacant parcel (PID #145789), in order to permit the construction of an 18-unit apartment building, be approved.

It was noted that some residents raised a number of concerns regarding the application particularly the increase in density and traffic.

CARRIED 6-4

Councillors Coady, Doiron, MacLeod & Tweel opposed

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

RESOLVED:

That the request for a variance to Section 28.2.1 of the Zoning & Development Bylaw to reduce the required lot frontage from 34.8 ft to approximately 26.9 ft in order to convert the existing one (1) unit dwelling into a three (3) unit dwelling for the property located at 214 Sydney Street (PID #338509), be rejected.

CARRIED 10-0

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

RESOLVED:

That the request:

1. For a major variance to decrease the flankage yard setback requirement from 19.7 feet to 3 feet in order to construct an attached garage for the property located at 58 Victoria Street (PID #353433), be rejected; and
2. To consolidate the back portion with the front portion of the property located at 58 Victoria Street (PID #353433), be approved.

Councillor Rivard indicated that Planning discussed the above motion with the applicants and the applicants were satisfied with proceeding with the rejection of the major variance. He further indicated that the applicants have, as of right, to build where the Planning department initially stated.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request for a lot consolidation of three properties located at 72 Kensington Road (PID #278754), 74 Kensington Road (PID #278762), & 76 Kensington Road (PID #278770), be approved, subject to a final pinned survey plan.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) relating to Design Review, Home Occupations, Parking, Marijuana Production Facility and Temporary Use Variances, be approved.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the revisions to the amendments to the Zoning and Development Bylaw (Bylaw 2018-11) relating to Affordable Housing, be approved.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the renumbering of the following Planning Bylaws, be approved:

- Zoning & Development Bylaw, from Bylaw 2018-11 to PH-ZD.2;
- Building Code Bylaw, from Bylaw 2018-12 to PH-BC.2; and
- Heritage Preservation Bylaw, from Bylaw 2018-07 to PH-HP.1

CARRIED 10-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-010, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at **562 Malpeque Road (PID #145797)** and adjacent vacant parcel (PID #145789) from Single-Detached Residential (R1-L) to Medium Density Residential (R-3) Zone.

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the Zoning & Development Amendment Bylaw (2018-11-010), a bylaw to

amend the Zoning & Development Bylaw be hereby read a first time.

CARRIED 8-2

Deputy Mayor Coady and Councillor Tweel opposed

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

RESOLVED:

That the first reading of Bylaw (2018-11-010), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

CARRIED 8-2

Deputy Mayor Coady and Councillor Tweel opposed

1st reading of the Heritage Preservation Bylaw - To adopt Bylaw 2018-07-001, a bylaw to amend the Heritage Preservation Bylaw, to **rename the Heritage Preservation Bylaw**, Bylaw #2018-07 to PH-HP.1

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

RESOLVED:

That the Heritage Preservation Bylaw (2018-07-01), a bylaw to amend the Heritage Preservation Bylaw hereby read a first time.

CARRIED 10-0

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

RESOLVED:

That the first reading of Bylaw (2018-07-001), a bylaw to amend the Heritage Preservation Bylaw be hereby approved.

CARRIED 10-0

1st reading of the Building Code Bylaw - To adopt Bylaw 2018-12-001, a bylaw to amend the Building Code Bylaw, to **rename the Building Code Bylaw**, Bylaw #2018-12 to PH-BC.2

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

RESOLVED:

That the Building Code Bylaw (2018-12-001), a bylaw to amend the Building Code Bylaw hereby read a first time.

CARRIED 10-0

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

RESOLVED:

That the first reading of Bylaw (2018-12-001), a bylaw to amend the Building Code

Bylaw be hereby approved.

CARRIED 10-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-013, a Bylaw to amend the Zoning & Development Bylaw, to **rename the Zoning & Development Bylaw** (Bylaw 2018-11) to PH-ZD.2.

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

RESOLVED:

That the Zoning & Development Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw hereby read a first time.

CARRIED 10-0

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

RESOLVED:

That the first reading of Bylaw (2018-11-013), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

CARRIED 10-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-012, a Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) **relating to Affordable Housing**.

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

RESOLVED:

That the Zoning & Development Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw hereby read a first time.

CARRIED 10-0

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

RESOLVED:

That the first reading of Bylaw (2018-11-012), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

CARRIED 10-0

1st reading of the Zoning & Development Bylaw – To adopt Bylaw 2018-11-011, a Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) **relating to Design Review, Home Occupations, Parking, Marijuana Production Facility and Temporary Use Variances**.

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

RESOLVED:

That the Zoning & Development Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw hereby read a first time.

CARRIED 10-0

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

RESOLVED:

That the first reading of Bylaw (2018-11-011), a bylaw to amend the Zoning & Development Bylaw be hereby approved.

CARRIED 10-0

6.3 Water & Sewer Utility – Deputy Mayor Jason Coady, Chair

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

**Moved by Deputy Mayor Jason Coady
Seconded by Councillor Julie McCabe**

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,

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

CARRIED 10-0

6.4 Public Works & Urban Beautification – Coun. Mike Duffy, Chair

Councillor Duffy indicated his Committee's report was included in the weekend package. He reported that the City of Charlottetown will be proceeding with a TrafficLink Pilot Project with a company called Miovision at four City intersections to improve traffic congestion and flow along the North River Road corridor and a public meeting with respect to the Fitzroy Bike Lane project is scheduled for February 26, 2019; this will provide an opportunity to present the report on public feedback, present the updated design and allow opportunities for any additional questions to be asked.

6.5 Economic Development, Tourism, Arts & Culture – Coun. Kevin Ramsay, Chair

Councillor Ramsay indicated his Committee's report was included in the weekend package. He announced that Charlottetown Tourism Officer, Laurel Lea, has been nominated for the Canadian Sport Tourism Alliance (CSTA) Prestige Award for her work with the SCORE brand. He noted that the Jack Frost Winterfest runs February 15-18.

A question was raised relating to the recently erected fence and gate that separates the main parking lot from the front entrance of the Eastlink Centre and how that may affect pedestrian traffic during the Jack Frost Winterfest. Councillor Ramsay referred to the

Events Development Officer who indicated that pedestrians will be directed accordingly during the event and dialogue will continue with Atlantic Lottery Corporation (Red Shores) to resolve the ongoing issue of the gate.

6.6 Environment & Sustainability – Coun. Terry MacLeod, Chair

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

Concern was raised regarding the lack of transit service in Wards 9 and 10 and the Committee was requested to review the possibility of expanding the service in those areas. Councillor MacLeod took this under advisement.

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

RESOLVED:

WHEREAS the City of Charlottetown is in a position to contribute to the improvement of the local food system;

WHEREAS food is central to significant social, environmental, cultural, and health issues that impact the community of Charlottetown and municipal operations;

WHEREAS the City of Charlottetown, like other municipalities across Canada, has established a Food Council that is representative of the local food system to collaboratively and effectively find solutions to food related issues;

WHEREAS the Charlottetown Food Council collaboratively developed a Food Charter to guide their efforts;

BE IT RESOLVED that the City of Charlottetown officially adopt the Charlottetown Food Charter as attached; and

BE IT FURTHER RESOLVED that the purpose of this Food Charter is to serve as the foundation of food related policy and program development that ultimately lead to the achievement of the Food Council's vision of Charlottetown as a vibrant community built on a healthy food system.

CARRIED 10-0

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

RESOLVED:

WHEREAS the City of Charlottetown Community Energy Plan (CEP) which includes a community greenhouse gas emissions inventory, corporate and community targets for reducing energy use and greenhouse gas emissions in Charlottetown, and pathways to meet these targets, and

WHEREAS the City of Charlottetown recognizes its role in mitigating climate change through leadership in energy management in City operations, as well as its role in supporting community initiatives to reduce energy use and greenhouse gas emissions, and

WHEREAS the City of Charlottetown is a member of the Federation of Municipalities' (FCM) Partners for Climate Protection Program (PCP) and that by adopting the CEP, Charlottetown will achieve milestones 1, 2 and 3, of this 5 milestone program,

BE IT RESOLVED that City Council adopt the City of Charlottetown Community Energy Plan as attached and that this document be released to the public and submitted to the PCP Secretariat of FCM.

It was noted that the Plan needs to be formally adopted by Council in order to apply for federal and/or provincial funding.

CARRIED 10-0

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

RESOLVED:

That, the CBCL Ltd. bid to complete traffic counts and analysis on Fitzroy Street to support the design of the Fitzroy Street Bike Lane project in the amount of \$8,950 (plus HST) be accepted,

And that the City's portion of this amount, \$4,475.00 (plus tax) 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, \$4,475.00 (plus tax) 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 7-3

Councillors Doiron, Jankov and McCabe opposed

6.7 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov
Councillor Jankov indicated her Committee's report was included in the weekend package.

6.8 Finance, Audit & Tendering – Coun. Terry Bernard, Chair
Councillor Bernard indicated his Committee's report was included in the weekend package.

6.9 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair
Councillor McCabe indicated her Committee's report was included in the weekend package.

2nd reading of the Conflict of Interest Bylaw (#2018-14) – to establish a City of Charlottetown bylaw with respect to outlining procedures to be followed by a Member of Council pursuant to the provisions of Section 97 of the Municipal Government Act of P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

**Moved by Councillor Julie McCabe
Seconded by Councillor Bob Doiron**

RESOLVED:

That the City of Charlottetown Conflict of Interest Bylaw be read a second time and that the said Bylaw be now adopted.

CARRIED 10-0

A member of Council motioned to move an additional amendment to the Council Code of Conduct Bylaw pertaining to email usage. After a brief discussion, the member withdrew the proposed amendment. Council proceeded to vote on the original amending bylaw.

2nd reading of the Council Code of Conduct Amendment Bylaw (#2018-15-A) –
to amend the Council Code of Conduct Bylaw (2018-15) with respect to outlining procedures to be followed by a Member of Council pursuant to the provisions of Section 97 of the Municipal Government Act of P.E.I., R.S.P.E.I., 1988, Cap. M-12.1

**Moved by Councillor Julie McCabe
Seconded by Councillor Bob Doiron**

RESOLVED:

That the City of Charlottetown Council Code of Conduct Bylaw be read a second time and that the said Bylaw be now adopted.

CARRIED 10-0

6.10 Protective & Emergency Services – Coun. Bob Doiron, Chair

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

In response to a question raised regarding the cost to set up a traffic unit, Councillor Doiron indicated that he would follow up and advise.

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

RESOLVED:

That the Public Works Manager be authorized to remove any garbage and other materials or debris, clean up and properly dispose of same, and remove any fencing deemed derelict and unsightly at the owners expense, on property located at 51 Grafton Street (PID # 342253) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown accepts the price of 76,600.00 (includes applicable taxes) from DAVTECH Analytical Services (Canada) Inc. for the purchase of a Vigilant Automated License Plate Recognition system,

And that this expenditure be expensed against funds previously approved in the 2018/19 Police Capital Budget, these funds include \$50,000.00 previously allocated for police radios and \$26,897.00 remaining balance from the Laser Scanner capital project,

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

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown accepts the following agreements from Digital Evidence International Inc.

- Software Licensing Agreement
- Software Maintenance and Support Agreement

These agreements relate to Integrated Ticket and Permit System (ITAP) developed for the City of Charlottetown,

And that the maintenance support agreement is a 5 year agreement with a fixed annual fee of \$16,000.00 which would be covered in the annual operating budget for the police service,

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

CARRIED 10-0

6.11 Council Advisory Board – Coun. Terry MacLeod, Chair

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

Councillor MacLeod renewed the Notice of Motion to amend the Procedural Bylaw.

6.12 New Business

There was no New Business.

7. Adjournment

Moved by Councillor Bernard and Seconded by Councillor MacLeod that the meeting be adjourned. Carried.

The meeting concluded at 9:35 PM