



**Regular Meeting of Council
Monday, May 13, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

Present: Deputy Mayor Jason Coady
Councillor Kevin Ramsay
Councillor Terry MacLeod
Councillor Bob Doiron
Councillor Alanna Jankov

Councillor Mike Duffy
Councillor Terry Bernard
Councillor Julie McCabe
Councillor Mitchell Tweel
Councillor Greg Rivard

Also: Peter Kelly, CAO
Randy MacDonald, FC
Frank Quinn, PRM
Paul Johnston, IAMM
Wayne Long, EDO
Ramona Doyle, SO
Beth Hoar, PC
David Hooley, CS

Paul Smith, PC
Alex Forbes, PM
Richard MacEwen, UM
Ron Atkinson, EconDO
Laurel Lea, TO
Stephen Wedlock, AFM
Alicia Packwood, CA
Tracey McLean, RMC

Regrets: Bethany Kauzlarick, HRM

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 that the Parks & Recreation Committee be moved to the beginning of the report as to recognize Russell Hambly as May's Volunteer of the Month; Russell was present at the meeting. Council agreed. Moved by Councillor Ramsay and Seconded by Councillor Duffy that the agenda be approved as amended. Carried.

4. Adoption of Previous Draft Minutes

Moved by Councillor Duffy and Seconded by Councillor Ramsay that the draft minutes of the previous meetings now be adopted. Carried.

- Regular Meeting - April 8, 2019
- Special Meetings – April 8, 9, 11, 17, 25 and May 3, 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 May is Russell Hambly. He announced that the City of Charlottetown will hold a public meeting on Monday, May 27 on the proposed installation of a low profile modular composite floating dock system at Victoria Park; open house at 6:00 pm with the public meeting to follow at 7:00 pm.

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 department is beginning the process with respect to public consultation on short-term rentals within the city.

In response to a question raised regarding a provincial housing project on Acadian Drive, Councillor Rivard indicated that the application met all zoning requirements as it is an existing R-3 zone; therefore, it does not require public consultation. The CAO added that a letter was sent to the Province suggesting they consider holding a community meeting so local area residents have more information with respect to the project.

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

RESOLVED:

That the request to:

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Low Density Residential (R-2S) to Medium Density Residential (R-3) Zone,

for the property at 351 North River Road (PIDs #1014224 & 373415), be approved to proceed to public consultation.

CARRIED 10-0

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

RESOLVED:

That the request amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-Density Residential (R-1L) to Narrow Single-Density Residential (R-1N) for the property on the corner of Miller Street/ Pearson Street/ Hanover Street (PID #530980), be approved to proceed to public consultation.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request to:

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

for the property at 89 Beach Grove Road (PID #386755), be approved to proceed to public consultation.

Councillor Rivard felt that this application is not complete; had concerns of the location and apartments being in the middle of an R-1 zone (spot zoning). He noted that many area residents have voiced concerns as well.

REJECTED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request to reduce the lot frontage from 65.6 feet to approximately 30 feet in order to convert the existing five (5) unit dwelling into a six (6) unit dwelling for the property at 93 Weymouth Street (PID #340984), be approved, subject to the following condition:

That an occupancy permit is issued on the additional dwelling unit based on the completion of all required work/upgrades to the dwelling unit and building as per the requirements of the Building & Development Permit.

CARRIED 10-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request to reduce the lot frontage from 65.6 feet to approximately 30 feet in order to convert the existing three (3) unit dwelling into a six (6) unit dwelling for the property at 101 Weymouth Street (PID #340992), be approved, subject to the following condition:

That occupancy permits are issued on all the additional dwelling units based on the completion of all required work/upgrades to the dwelling unit and building as per the requirements of the Building & Development Permit.

CARRIED 10-0

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

RESOLVED:

That the request to:

- a) Reduce the required side yard setback from 0.85 m (2.79 ft) to approximately 0.31 m (1.02 ft); and
- b) Reduce the required rear yard setback from 0.48 m (1.57 ft) to approximately 0.30 m (0.98 ft),

in order to demolish the existing accessory building (10 ft. x 15.6 ft.) and construct a new accessory building (approximately 10 ft. x 18 ft.) for the property at 15 Hillsborough Street (PID #336198), be approved.

CARRIED 10-0

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

RESOLVED:

That the request to obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning and Development Bylaw as it pertains to 185 Brackley Point Road (PID #390963) in order to allow an Automobile Body Shop and a Transportation Service Establishment (Taxi stand) as permitted uses, be approved to proceed to public consultation.

**CARRIED 9-1
Councillor Doiron opposed**

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

RESOLVED:

That the amendments to the Zoning and Development Bylaw (PH-ZD.2) pertaining to:

- Home Occupations;
- Tourist Accommodations;
- Low Density (R-2) and (R-2S) Zones;
- 500 Lot Area Design Standards;
- Parking Standards; and
- Appendix A. Definitions,

be approved to proceed to public consultation.

CARRIED 10-0

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

RESOLVED:

That the request to amend Section 36 of the Zoning & Development Bylaw (PH-ZD.2) to permit an Asphalt, Aggregate and Concrete Plant and insert a definition for said use under Appendix A, be approved.

It was noted that Council received a similar application last year for an asphalt plant and the residents in the area (Sherwood Road) came out in strong numbers; very much opposed to that application. As with this type of use, residents and business owners have concerns relating to heavy truck traffic, noise and emissions. Councillor Rivard indicated that staff looked at the zones across the city and determined that the only zone that this application could fall under is the M-2 zone and the location in question is currently zoned M-2 . Also, if a company were to propose construction of an asphalt plant, they would have to apply to the Province to have an environmental impact assessment done.

CARRIED 6-4

Deputy Mayor Coady and Councillors Doiron, McCabe and Tweel opposed

2nd Reading of the Zoning & Development Bylaw – To adopt Bylaw 2018-11-017, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-11) relating to definitions/regulations pertaining to Transitional Housing Facility, Site regulations for Lodging Houses, Group Homes, Major development landscaping requirements; and General Housekeeping amendments pertaining to Undersized Lot regulations and reference corrections.

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

RESOLVED:

That the said Bylaw be read a second time, be approved and adopted.

CARRIED 10-0

2nd Reading of the Zoning & Development Bylaw - To adopt Bylaw 2018-11-014, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 197 Minna Jane Drive (PID #469841) from Comprehensive Development Area (CDA) Zone to the Highway Commercial (C-2) Zone, subject to the existing access between the Dental Office and the lower parking lot be removed as per the Department of Transportation regulations.

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

RESOLVED:

That the said Bylaw be read a second time, be approved and adopted.

CARRIED 10-0

2nd Reading to create a Secondary and Garden Suite Registry Bylaw - To adopt Bylaw, Bylaw PH-SSB.1, A Bylaw to create and implement the Secondary and Garden Suite Registry Bylaw to create and make available to the public a registry of all approved Secondary and Garden Suite(s) as per the previous Affordable Housing Amendment requirements.

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

RESOLVED:

That the said Bylaw be read a second time, be approved and adopted.

CARRIED 10-0

6.3 Environment & Sustainability – Coun. Terry MacLeod, Chair

Councillor MacLeod indicated his Committee's report was included in the weekend package. He reported that the City, in partnership with Efficiency PEI, hosted Ways to Save on April 17 and Build a Better Home on Tuesday, April 30; both events were well attended. Also, many participated in The Great Trail Clean Up on Saturday, May 11 along the Confederation Trail near the University of Prince Edward Island, the Charlottetown Mall, and Joe Ghiz Park.

**Moved by Councillor Terry MacLeod
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That the attached 2019 Community Sustainability Micro-Grant Finalists, as selected by the Micro-Grant Selection Committee, be approved.

CARRIED 10-0

2nd reading of the Tree Protection Bylaw – to establish a City of Charlottetown Bylaw with respect to tree preservation and protection pursuant to the provisions of Section 180 (K) of the Municipal Government Act of P.E.I., R.S.P.E.I., 1988, Cap. M-12.1 and subject to the Environmental Protection Act R.S.P.E.I. 1988, Cap. E-9 and the Pesticides Control Act R.S.P.E.I. 1988, Cap. P-4

**Moved by Councillor Terry MacLeod
Seconded by Councillor Kevin Ramsay**

RESOLVED:

THAT the "CITY OF CHARLOTTETOWN TREE PROTECTION BYLAW" be read a second time and that the said Bylaw be now adopted.

CARRIED 10-0

6.4 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

Councillor Jankov indicated that her Committee did not meet since the last Council meeting.

Concern was raised regarding the matter of PEI's dual EI zones. It was suggested that the Committee review the issue and lobby the federal government to change it back to one zone. Councillor Jankov indicated that she would take this under advisement.

6.5 Finance, Audit & Tendering – Coun. Terry Bernard, Chair

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

6.6 Human Resources, Communications & Admin – Coun. Julie McCabe, Chair

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

An update with respect to the Chambers audio/visual equipment was requested. Councillor McCabe indicated she does not have any information at this time but would bring it back to the Committee for review.

2nd reading of the Staffing Bylaw Amendment Bylaw - amend the City of Charlottetown Staffing Bylaw, #2018-20, with regard to consistent practices for the recruitment and selection of staff.

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

RESOLVED:

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

CARRIED 10-0

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

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

It was suggested, once again, that the Committee review the option of reinstating the traffic unit. Councillor Doiron indicated this would be taken under consideration.

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

Deputy Mayor Coady indicated his Committee's report was included in the weekend package. He reported that the City will host an information session at Hillsborough Community Centre regarding the East Royalty Sewer Trunkline Upgrade project on Tuesday, May 14, 2019 at 7:00 PM.

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

Councillor Duffy indicated his Committee's report was included in the weekend package. He reported that Queen Street will be closed on Sundays (11am-4pm) from Grafton Street to Dorchester Street late June to mid-October to accommodate the Downtown Farmers' Market.

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the Request for Quote on "Ready Mix Concrete Supply" for the 2018 season, the low submission of CRM Ready Mix in the amount of \$256,959.74(all taxes included) be accepted,

And that this expenditure has been previously approved in the 2019 Capital budget,

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

CARRIED 10-0

6.10 Econ. Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated his Committee's report was included in the weekend package.

There was some discussion regarding the Tourism Accommodation Bylaw reading. Councillor Rivard indicated that the Planning department will soon be starting the public process to create a bylaw for short-term rentals (Airbnb, VRBO, etc.) and it would be difficult to put a tax or levy against a use that is not defined in the Planning Act; therefore, he suggested the reading be deferred. Moved by Councillor Bernard and seconded by Councillor Rivard that the second reading and adoption of the Tourism Accommodation Levy be deferred. Carried 10-0.

Moved by Councillor Kevin Ramsay
Seconded by Councillor Terry MacLeod

RESOLVED:

That the City of Charlottetown establish its Natal Day to be the First Monday of August and that it be declared as an annual City of Charlottetown Civic Holiday.

CARRIED 10-0

The Mayor acknowledged Wayne Long, Events Development Officer; Laurel Lea, Tourism Officer and Charlotte Nicholson, Tourism Events Coordinator for their hard work relating to the 2019 East Coast Music Awards event held May 1st – 5th.

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair
Councillor MacLeod indicated his Committee's report was included in the weekend package.

Moved by Councillor Terry MacLeod
Seconded by Councillor Mike Duffy

RESOLVED:

That as per Council's discussion and decision of January 14, 2019, Councillor Alanna Jankov be appointed to the Council Advisory Committee as per Section 42.2 (a) of the City of Charlottetown Procedural Bylaw.

CARRIED 10-0

**Moved by Councillor Terry MacLeod
Seconded by Councillor Mike Duffy**

RESOLVED:

Be it Resolved that Charlottetown City Council endorse Councillor Mitchell Tweel to stand for election on FCM's Board of Directors for the period starting in June 2019 and ending June 2020; and

Be it Further Resolved that Council assumes all costs associated with Councillor Tweel attending FCM's Board of Directors meetings.

CARRIED 10-0

6.12 New Business

There was no new business

7. Adjournment

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

The meeting concluded at 7:12 PM