



**Regular Meeting of Council
Monday, June 10, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

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

Also: **Peter Kelly, CAO** **Paul Smith, PC**
 Tim Mamyne, DFC **Alex Forbes, PM**
 Frank Quinn, PRM **Richard MacEwen, UM**
 Paul Johnston, IAMM **Scott Adams, PWM**
 Bethany Kauzlarick, HRM **Ron Atkinson, EconDO**
 Ramona Doyle, SO **Stephen Wedlock, AFM**
 Ronnie McPhee, CLO **Karen Campbell, CS**
 Alicia Packwood, CA **Cindy MacMillan, AA**
 Tracey McLean, RMC

Regrets: **Wayne Long, EDO** **Laurel Lea, TO**

Mayor Brown indicated that the City of Charlottetown along with the Town of Stratford had expanded a popular Water School Program. The program educates Grade 5 students, in select schools in Charlottetown and Stratford, about water conservation. Part of the class involved an art contest where students were asked to create a drawing that represented something they learned from the program. The Mayor then presented twelve students with their artwork framed and announced that their art would be featured in a local calendar.

- 1. Call to Order**
Deputy Mayor Coady called the meeting to order.
- 2. Declarations of Conflict of Interest**
Councillor MacLeod to excuse himself from the discussion/vote regarding the Planning resolution to rezone the property at 7 Lions Crescent.
- 3. Approval of Agenda**
It was requested that Strategic Priorities & Intergovernmental Cooperation and Parks & Recreation Committee reports be moved to the first and second items on the agenda, respectively. Also, a request to add the 2nd reading of the Tourism Accommodation Levy bylaw and a Parks & Recreation resolution was brought forward. Council agreed to the requests. Moved by Councillor Duffy and seconded by Councillor Ramsay that the agenda be approved as amended. Carried.

4. Adoption of Previous Draft Minutes

Moved by Councillor MacLeod and seconded by Councillor Rivard that the draft minutes of the previous meetings now be adopted. Carried.

- Regular Meeting - May 13, 2019
- Special Meeting - (open minutes) – May 17, 2019
- Parks & Recreation Public Meeting – May 27, 2019
- Planning Public Meeting – May 28, 2019

5. Business Arising out of the Minutes

No business arose from the minutes.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

Councillor Jankov indicated that her Committee's report was included in the weekend package. She noted that Dr. Herb Dickieson is at this evening's meeting with respect to the following resolution.

An update was requested regarding the status of a possible third fire hall. Councillor Jankov referred to the CAO who indicated that Council directed staff to review potential partnerships; work continues.

**Moved by Councillor Alanna Jankov
Seconded by Councillor Terry Bernard**

RESOLVED:

Whereas, more than 13,000 Islanders have no family physician;

Whereas, the shortage of family physicians increases wait times, delayed diagnosis and treatment with potential further patient suffering and health risk;
and

Whereas, physician shortage and associated extended wait times result in a measurable loss of income and productivity adversely affecting the Island economy; and

Whereas, a recent survey by the Medical Society of Prince Edward Island indicated that 56% of practicing Island physicians are planning to reduce or leave their practice over the coming five years; and

Whereas, the University of Prince Edward Island has a proven record of success in the development of the Faculties of Nursing, Engineering and the Atlantic Veterinary College,

Therefore, Be it Resolved That, the City of Charlottetown appeals to the Government of Prince Edward Island to initiate the following:

1. A facilitated Physician Recruitment and Retention program.

2. Immediate doubling, and later tripling of Family Physician Residency Positions.
3. Planning and negotiations for a Medical Faculty at the University of Prince Edward Island.

In response to a question raised of a similar program within the Provincial government, Mr. Dickieson indicated that the outgoing Liberal government started a program; however, the new government has not yet revised or initiated a new program for recruitment/retention. He further indicated that encouragement and support from the City of Charlottetown is very important.

CARRIED 10-0

**Moved by Councillor Alanna Jankov
Seconded by Councillor Terry Bernard**

RESOLVED:

Whereas Prince Edward Island was intact as one Region when Economic Regions were first created through the Employment Insurance Act and Regulations; and

WHEREAS the population of the entire Province of PEI is less than many of the Economic Regions created throughout the Country; and

WHEREAS the geographic area of the entire Province of PEI is less than over half the Economic Regions created throughout the Country; and

WHEREAS the City of Charlottetown previously noted its displeasure in the unfairness in the application of the Federal Legislature which was previously noted in the resolution of March 10, 2014;

THEREFORE BE IT RESOLVED THAT the City of Charlottetown restate and reaffirm its opposition to the 2014 changes to the EI program for the Charlottetown area, and

BE IT FURTHER RESOLVED THAT Charlottetown City Council Urge the Hon. Wayne Easter, the Hon. Lawrence MacAulay, MP Sean Casey, MP Robert Morrissey, Senator Percy Downe, Senator Mike Duffy, Senator Diane Griffin and Senator Brian Francis PEI to stress the importance of fairness and equity and put pressure on the Hon. Jean-Yves Duclos, Minister of Families, Children and Social Development and the Government of Canada to reinstate the Province of PEI as one Economic Region as it pertains to the Employment Insurance Act and Regulations.

And, forward to the FPEIM and the FCM for support.

It was recommended that the motion be amended to include the Federation of Canadian Municipalities and the Federation of PEI Municipalities for support.

Moved by Councillor Tweel and seconded by Council Bernard.

CARRIED 10-0

6.2 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 June is Paulette Ryan.

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

RESOLVED:

That the City of Charlottetown supports the installation of the low profile modular composite docking system, excluding the small craft launch and accessible transfer station, along the shoreline of Victoria Park, as pilot project for 2019,

And that the public's use of this dock system be monitored and a findings report be brought back to Council, for future consideration of seasonal installation at this location in the future,

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

Once again, some concerns raised regarding the dock were security, liability and parking. Councillor Tweel indicated that the Parks & Rec staff have worked diligently on this initiative; the resolution has been revised from the original dated July 18, 2018 by excluding the small craft launch and accessible transfer station. Councillor Tweel further indicated that the dock will be monitored on a regular basis.

CARRIED 6-4

Councillors Doiron, Duffy, MacLeod & Ramsay opposed

6.3 Planning & Heritage – Coun. Greg Rivard, Chair

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

An update regarding a temporary use variance at Ralden Ave. which Council granted Chapman Bros. in November 2018 was requested. Councillor Rivard indicated that he would follow up and advise.

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That the request to 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 rejected.

Councillor Rivard indicated that he was talking with the applicant recently and they requested that the motion be deferred or approved and a development agreement be put in place. The applicant heard concerns from the local area residents and wishes to work with those residents to reach a compromise.

Moved by Councillor Greg Rivard and seconded by Councillor Kevin Ramsay to defer the resolution.

It was noted that there is a petition against this development in this particular Ward and the Chair was asked if the residents would get the opportunity to hear the new proposed plan. Councillor Rivard indicated that he would encourage the applicant to speak to the local residents but it most likely would not be through the public consultation process.

A clarification was requested regarding a revision to the applicant's plan. Councillor Rivard indicated that the two-storey buildings are being replaced by five (5) single-detached structures.

A vote was taken on the deferral. Carried 9-1 with Councillor McCabe opposed.

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That that the request to:

- a) Amend Appendix "A" – Future Land Use Map of the Official Plan from Downtown Neighbourhood to Downtown Mixed-Use Neighbourhood; and
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Downtown Neighbourhood (DN) Zone to the Downtown Mixed-Use Neighbourhood (DMUN) Zone;

for the property at 25 Pownal Street (PID #335588), be rejected.

**CARRIED 9-1
Councillor McCabe opposed**

Councillor MacLeod was excused from Council Chambers due to a perceived conflict of interest with respect to the following resolution.

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That the request to rezone the property at 7 Lions Crescent (PID #278721) from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone and the request to amend Appendix "A" – Future Land Use Map of the Official Plan from Low Density Residential to Medium Density Residential; and to amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone, for the property at 7 Lions Crescent be approved to proceed to public consultation.

CARRIED 9-0

Councillor MacLeod returned to the Chambers.

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That the request for a Home Occupation to allow online retail sale of a cosmetic product at 6 Vic Campbell Boulevard (PID # 275743) be approved subject to the condition that there will be no direct retail sales conducted on the property and distribution of the product shall be done by mail.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That that the request for a variance to reduce the rear yard setback requirement from 24.6 ft to approximately 18.0 ft in order to construct a garage addition (approximately 24.0 ft x 30.0 ft) on the property at 37 Vista Street (PID #373225), be approved.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That the request for a lot consolidation of 41-51 Allen Street (PID #371690 & PID #371609) and 53 Allen Street (PID #371517), be approved subject to a pinned final survey plan and a new perimeter deed description being registered describing the outer boundaries of Lot 19-1 be approved.

CARRIED 10-0

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

RESOLVED:

That the request to obtain a site specific exemption in the Single-Detached Residential (R-1L) Zone of the Zoning & Development By-law 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 subject to the signing of a Development Agreement.

CARRIED 7-3

Deputy Mayor Coady, Councillors Bernard & Doiron opposed

**Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe**

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 9-1
Councillor Doiron opposed**

1st reading of the Zoning and Development Bylaw - to adopt Bylaw PH-ZD.2-015, to amend sections of the Zoning & Development Bylaw (Bylaw PH-ZD.2) to permit an Asphalt, Aggregate and Concrete Plant and insert a definition for said use under Appendix A. Definitions.

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

RESOLVED:

That the Bylaw to amend the City of Charlottetown Zoning and Development Bylaw (PH-ZD.2-015) as it pertains to Zoning & Development Amendments, be read a first time.

There was considerable discussion both for and against this amendment. Some indicated that another plant on the Sherwood Road (in the M-2 zone) would negatively affect both area residents and businesses.

It was moved by Councillor Tweel and seconded by Councillor Doiron to defer the 1st reading so Council has more time to carefully review the matter and possibly go to a public meeting. Carried 7-3 with Councillors Duffy, Jankov and Rivard opposed.

Councillor Tweel left the Council Chambers.

1st reading of the Secondary and Garden Suite Registration 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 bylaw to establish the City of Charlottetown Secondary and Garden Suite Registration Bylaw be read a first time.

CARRIED 9-0

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

RESOLVED:

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

CARRIED 9-0

1st reading of the Zoning and Development Bylaw - To adopt Bylaw 2018-11-019, A Bylaw to amend the Zoning & Development Bylaw, to amend sections of the Zoning & Development Bylaw (Bylaw 2018-19) relating to definitions pertaining to Heritage Inn, Tourist Accommodation, Welding and Metal Fabrication and general text amendments to sections relating to Home Occupations, Tourist Accommodations, Regulations for Semi-Detached Dwellings, Waterfront Zone Design Standards, and Parking.

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

RESOLVED:

That the bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-11-019) be read a first time.

CARRIED 9-0

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

RESOLVED:

That City of Charlottetown Zoning and Development Bylaw (2018-11-019) be approved and it be read a second time at the next public meeting of Council.

CARRIED 9-0

1st reading of the Zoning and Development Bylaw – to rezone the property at 185 Brackley Point Road (PID #390963) as shown on Appendix "C" Approved Site Specific Exemptions of the Zoning & Development Bylaw, Bylaw #2018-11-018, to allow for an Automobile Body Shop and a Transportation Service Establishment (taxi stand) as permitted uses in the Single-Detached Residential (R-1L) Zone.

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

RESOLVED:

That the bylaw to amend the City of Charlottetown Zoning and Development Bylaw (2018-11-018) be read a first time.

**CARRIED 8-1
Councillor Doiron opposed**

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

RESOLVED:

That City of Charlottetown Zoning and Development Bylaw (2018-11-018) be approved and it be read a second time at the next public meeting of Council.

**CARRIED 8-1
Councillor Doiron opposed**

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

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

Again, the Management Letter from the Auditors was requested. Councillor Bernard indicated he would bring the request back to the Finance Committee for discussion.

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

RESOLVED:

That the following resolution and its attached backgrounder dated November 13, 2018 be rescinded:

"That the City of Charlottetown accepts the 2.1 acres of land as parkland for the MacKay Subdivision (PID 191718) as indicated in the attached survey plan,

And that the Planning Department will enter into a development agreement with the Developer,

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

CARRIED 9-0

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

RESOLVED:

That the City of Charlottetown accepts the 2.2 acres of land as parkland for the MacKay Subdivision (PID# 191718) as indicated in the revised attached survey plan,

And that the Planning Department will enter into a development agreement with the developer,

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

CARRIED 9-0

2nd reading of the Fees Bylaw Amendment Bylaw - amend the City of Charlottetown Fees Bylaw to incorporate Planning & Heritage Department Schedule of Permit and Process Fees.

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

RESOLVED:

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

CARRIED 9-0

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

Councillor McCabe indicated her Committee's report was included in the weekend package. She reported to Council that this evening's meeting is being live streamed as a pilot project.

With respect to the work regarding the application process for City advisory boards, HR employees, Lorenda MacEachern and Janine Abbott, were recognized and thanked for their efforts; roughly 290 applications were received.

1st reading of the Superannuation Plan Bylaw Amendment Bylaw – to amend the Superannuation Plan Bylaw to extend the time period (from one year to three years) over which an individual can pay for a prior period of leave or past service.

**Moved by Councillor Julie McCabe
Seconded by Councillor Alanna Jankov**

RESOLVED:

That the bylaw to amend the City of Charlottetown Superannuation Plan Bylaw be read a first time.

CARRIED 9-0

**Moved by Councillor Julie McCabe
Seconded by Councillor Alanna Jankov**

RESOLVED:

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

CARRIED 9-0

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

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

In response to concerns raised once again regarding speeding, Councillor Doiron indicated he would take the matter back to the Committee for discussion.

6.7 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 Terry Bernard**

RESOLVED:

That Island Coastal Services be awarded the tender for the Suffolk Wellfield Wellheads and Piping Expansion in the amount of \$894,700.00 (HST included), and

That the Utility's 2019-2020 Capital Budget be increased by \$500,000, including \$375,000 of CWWF funding to reflect an increase in the carryover of the previously approved project , and

That Coles Associates complete the engineering project oversight in the amount of \$51,750 (HST included),

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

CARRIED 9-0

Councillor Rivard left the Chambers.

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

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

Several questions were raised relating to sidewalks, ditch infilling, curbing and street sweepers. Councillor Duffy suggested that those types of questions be emailed to the department for accurate and timely responses.

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

RESOLVED:

That as per the conditions of the Tender for "2019 Storm Sewer Package B", the low submission of Island Coastal Ltd. in the amount of \$716,133.75 (taxes included) be accepted, and

That this expenditure has been previously approved in the 2019-20 Capital budget,

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

CARRIED 8-0

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, per the publicly advertised Request for Quotes for "Pick up and Disposal of Compost, Recyclables, and Waste for Municipal Buildings", the submission of Label Construction Ltd. in the amount of \$3,389.05/month (all taxes included) be accepted.

CARRIED 8-0

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the Tender for "Street Resurfacing" for the 2019 season, the submission of The Island Construction Ltd. in the amount of \$1,939,705.63 (all taxes included) be accepted, and

That this expenditure has been previously approved in the 2019 operational budget,

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

CARRIED 8-0

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the Request for Quotations on "2019 Tree Maintenance Program", the price for Boom Truck Rental with Operator of \$166.75 (all taxes included) per hour, and the price for Stump Grinding of \$224.25 (all taxes included) per stump, received from Branch Manager Tree Service be accepted, and

That this expenditure has been previously approved in the 2019 operational budget,

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

CARRIED 8-0

6.9 Econ. Development, Tourism & Event Management – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated his Committee's report was included in the weekend package. He reported that the City's Tourism Officer Laurel Lea has been nominated for the Meeting Professionals International (MPI) Atlantic Canada Chapter Rising Star.

2nd reading of the Tourism Accommodation Levy Amendment Bylaw - amend the City of Charlottetown Tourism Accommodation Levy Bylaw, #2019-TAL-01, to apply the levy to all accommodations inclusive of B&Bs, Inns, Airbnb, VRBO, etc. sold in tourism establishments.

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

RESOLVED:

That the City of Charlottetown Tourism Accommodation Levy Bylaw be read a second time and that the said bylaw be now adopted.

**CARRIED 7-1
Councillor Doiron opposed**

6.10 Environment & Sustainability – Coun. Terry MacLeod, Chair

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

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 the City of Charlottetown request the 2023 Canada Games Host Society to allow for an additional appointee from the City, as recommended by the Council Advisory Committee.

CARRIED 8-0

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

RESOLVED:

That the following appointments to the Charlottetown Multi-Use Facility Funding Model Subcommittee, as recommended by the Council Advisory Committee, be approved:

- Councillor Terry Bernard
- Councillor Alanna Jankov
- Councillor Greg Rivard

CARRIED 8-0

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

RESOLVED:

That the following appointments, as recommended by the Council Advisory Committee, be approved:

Affordable Housing Advisory Committee

- Ashley Gillis
- Paul Crant

Eastlink Centre Joint Management Board

- Philip Matusiewicz
- Jeremy MacFadyen
- Thane Arsenault

PEI Arts Guild

- Barb Dunphy

Charlottetown Airport Authority

- Kent Scales

CARRIED 8-0

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 7:55 PM