



**Regular Meeting of Council
Monday, July 8, 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** **Randy MacDonald, FC**
 Brad MacConnell, DPC **Alex Forbes, PM**
 Frank Quinn, PRM **Richard MacEwen, UM**
 Scott Adams, PWM **Ramona Doyle, SM**
 Mark Lanigan, FM **Ron Atkinson, EconDO**
 Wayne Long, EDO **Laurel Lea, TO**
 Steven Forbes, CS **Jen Gavin, CO**
 Tracey McLean, RMC

Regrets: **Paul Johnston, IAMM** **Bethany Kaulzarick, HRM**

- 1. Call to Order**
Mayor Brown called the meeting to order.
- 2. Declarations of Conflict of Interest**
Councillor MacLeod to excuse himself with regard to the motion and bylaw reading pertaining to the property at 7 Lions Crescent.
- 3. Approval of Agenda**
It was requested that following the Regular Meeting of Council, the meeting be closed to the public to discuss a matter as per Section 119 (1) (e) of the Municipal Government Act of PEI. Moved by Councillor Ramsay and seconded by Councillor McCabe that the agenda be approved as amended. Carried.
- 4. Adoption of Previous Draft Minutes**
Moved by Councillor MacLeod and seconded by Councillor Jankov that the draft minutes of the previous meetings now be adopted. Carried.
 - Regular Meeting - June 10, 2019
 - Special Meetings - (open minutes) – June 5, 17, 21 & 28, 2019
 - Planning Public Meeting – June 25, 2019
- 5. Business Arising out of the Minutes**
During the Strategic Priorities & Intergovernmental Cooperation report last month, it was suggested that a letter of invitation be sent to The Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development (re: two EI zones on PEI); an update was

requested. Councillor Jankov indicated that she met with Sean Casey, MP, and he advised her that the Minister most likely would not visit prior to the upcoming Federal election.

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 recognized and congratulated Alex Forbes, Planning Manager, on the Canadian Institute of Planners election as a Fellow of the Canadian Institute of Planners. CIP states it is the highest award the Institute can give to a planner.

In response to a question raised regarding decisions of the Design Review Board, Councillor Rivard indicated matters do not have to come back to Council as it states in City process and bylaws that the Board can make those decisions. He further indicated that if the Board is uncomfortable of a particular decision, they can elect to send it to Council.

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

RESOLVED:

That the request to obtain a site-specific exemption of the Waterfront (WF) Zone for 4A Prince Street (PID #841536) in order to construct a seven (7) storey Mixed-Use Development and allow the applicant to enter into an agreement with the City to provide 20 standard parking spaces off-lot on the Harbour Authority parking Lot at 3 Stan MacPherson Way (PID #335430) for a period of not less than ten (10) years which is contrary to the Zoning & Development Bylaw (PH-ZD.2), 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 for variances to:

- a. Decrease the minimum lot area requirement for a 12-unit townhouse use in the R-3 Zone from 2,640 sq.m (28,416.7 sq.ft.) to 2,387.6 sq.m (25,700.4 sq.ft.); and
- b. Decrease the rear yard setback requirement from 7.5m (24.6ft.) to 3.6m (11.8 ft.) in order to construct six (6) additional dwelling;

for the property at 16 Maypoint Road (PID #777920), be approved, subject to the removal of the proposed access point and parking lot off of Beach Grove Road.

**CARRIED 9-1
Deputy Mayor Coady opposed**

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request for a variance to reduce the required lot frontage from 20m (65.6 ft) to approximately 16m (52 ft) in order to permit the existing four (4) residential dwelling units at 29 Ole King Square (PID #344713), be approved, subject to the following conditions:

- a. 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 the building as per the requirements of the Building & Development Permit; and
- b. That the existing surface driveway that leads out onto the crosswalk at the corner of Ole King Square and Weymouth Street be decommissioned and restored with landscaping.

CARRIED 10-0

Due to a conflict, Councillor MacLeod left the Chambers for the following motion.

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-detached Residential (R-1S) Zone to Medium Density Residential (R-3) Zone,

for the property at 7 Lions Crescent (PID #278721), be approved.

CARRIED 9-0

Councillor MacLeod returned to the Chambers.

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 Commercial; and
- b) Amend Appendix "G" – Zoning Map of the Zoning & Development Bylaw from Low Density Residential (R-2) Zone to Parking (P) Zone;

for the property at 221 Belvedere Avenue (PID #395087), 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 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 withdrawn.

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 Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone,

for the properties at 71 & 73 Upper Prince Street (PID #683748 & PID #359521), in order to construct six (6) additional apartment units to create a twelve (12) unit apartment building, be approved to proceed to public consultation.

Concern was raised as to the type of rental units that are being proposed (short-term) and it was suggested that the motion be deferred so Council has more time to review the application. Councillor Rivard indicated the public consultation should answer those questions and concerns.

Councillor Tweel moved for a deferral and Councillor Doiron second the motion. Council voted and the motion was lost with Deputy Mayor Coady, Councillors Bernard, Duffy, Jankov, MacLeod, Ramsay and Rivard opposed.

The original motion to proceed to a public consultation was reread by the CAO.

**CARRIED 9-1
Councillor Tweel opposed**

Due to a conflict, Councillor MacLeod left the Chambers prior to the following bylaw reading.

1st reading of the Zoning & Development Bylaw – To adopt Bylaw PH-ZD.2-016, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 7 Lions Crescent (PID #278721) from Single-detached Residential (R-1S) Zone to Medium Density Residential (R-3) 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, (PH-ZD.2-016, as it pertains to 7 Lions Crescent (PID #278721))", be read a first time.

CARRIED 9-0

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

RESOLVED:

That the Zoning & Development Amendment Bylaw (PH-ZD.2-016), be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 9-0

Councillor MacLeod returned to the Chambers.

2nd 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 said Bylaw be read a second time, be approved and adopted.

CARRIED 10-0

2nd 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 said Bylaw be read a second time, be approved and adopted.

CARRIED 10-0

6.2 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

Councillor Jankov indicated that her Committee's report was included in the weekend package. She reported that the Affordable Housing Advisory Committee met on June 12, 2019.

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

RESOLVED:

That as per the Strategic Priorities & Intergovernmental Cooperation Committee discussions pertaining to the City's Fire Services Long Term Strategic Location Strategy, that the City of Charlottetown work towards initiating and implementing a three (3) Station System.

CARRIED 10-0

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

RESOLVED:

Whereas the City of Charlottetown has decided to implement a three (3) Station System;

And whereas, the City has reviewed its coverage area;

Therefore, be it resolved, that the City of Charlottetown write a letter to the Province of Prince Edward Island to express its desire to purchase the provincially owned land on St. Peters Road between Norwood Road and Charlottetown Arterial Highway (PID # unassigned (map attached)) to secure the site for a future Fire Station;

And, be it further resolved, that the City confirm with the Province its ability to do so.

CARRIED 10-0

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

Councillor Bernard indicated his Committee's report was included in the weekend package. He introduced and welcomed the City's new Finance Manager, Mark Lanigan.

The Management Letter from the City Auditors was requested once again. Councillor Bernard indicated this will be brought back to the next Finance Committee meeting for discussion.

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

RESOLVED:

That Council approve the sale of 614 Malpeque Road (PID#572982), residential portion of property acquired for Miltonvale wellfield development. The property was purchased in 2012 being 16.22 acres at a price of \$375,000,

And with the reservoir complete (12.82 acres retained), the residential portion of the property (3.4 acres) can be sold. An offer of \$345,000 has been received thru the real estate brokers,

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

CARRIED 10-0

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

RESOLVED:

That the City/Utility implement the following rates for outside fire protection effective for 2019-20:

Hydrant charge – Water, Maintenance, and Capital: \$911.95

Hydrant charge – Water and Maintenance: \$807.30

CARRIED 10-0

- 6.4 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 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 "CITY OF CHARLOTTETOWN SUPERANNUATION PLAN BYLAW" be read a second time and that the said plan be now adopted.

CARRIED 10-0

- 6.5 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 July is Katrina Durdle.

It was noted that beach volleyball is a very popular sport and it was suggested that the Parks and Rec Department consider a location within the city to construct a court. Councillor Tweel took this under advisement.

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 a question raised regarding issuing of tickets, Councillor Doiron referred to the Deputy Police Chief who felt that less tickets were issued last month due to compliancy.

Clarification was requested with respect to parking meters in the downtown. Councillor Doiron indicated that Police Services has reviewed the possibility of extending patrol of meters between 4:00 pm – 6:00 pm; however, more examination is required.

Concern was raised regarding the intersection at Beach Grove Road and Maypoint Road and how traffic does not come to a full stop; many seniors and intellectually impaired pedestrians are in that area. Councillor Doiron indicated he would follow up and advise.

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

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) perpendicular parking spaces in front of Timothy's World Coffee Shop, 154 Great George Street, (PID# 342717), be approved to the end of the 2021 season, subject to annual permit applications,

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

CARRIED 10-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any garbage and other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 17 Dawson Court Street (PID # 623454) 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 Public Works Manager be authorized to cut grass, remove any garbage and other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 142 Prince Street (PID # 343053) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

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

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

Concern was raised with regard to the condition of a section of North River Road (at Nassau Street) which was the result of a water main break. Deputy Mayor Coady indicated he would follow up and advise.

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

RESOLVED:

That Campbell's Concrete Limited be awarded the tender for the Utility Inventory in the amount of \$91,091.78 (HST included), and

That this be expensed out of the 2019-2020 Utility Budget,

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

CARRIED 10-0

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

RESOLVED:

Whereas, the City of Charlottetown awarded the Engineering Services for the Charlottetown Pollution Control Plant Upgrades Project to CBCL Limited on March 29, 2017 and since that time there have been changes to the scope of the work,

Be it resolved that the value of the award be increased by \$172,189.50 (HST included),

And that this be expensed out of the 2019-2020 Utility Capital Budget with no increase to the budget for this project,

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

In response to an update request regarding Stratford's wastewater potentially being treated by the City, Deputy Mayor Coady referred to the Utility Manager who indicated that discussions are ongoing but it is the Town of Stratford's intention to send their wastewater to the City's pollution control plant for treatment.

CARRIED 10-0

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

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

Some Councillors voiced concerns that Public Works has recommended discontinuation to the current ditch infilling program and only infill ditches for safety and operational needs. It was suggested that the department and the Committee reconsider.

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

RESOLVED:

That, as per the conditions of the Request for Quotations on "1 – New 72" Commercial Grade Front Mount Lawn Mower", the submission from Green Diamond Equipment Ltd. in the amount of \$29,403.87 (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 any standard contracts/agreements to implement this resolution.

CARRIED 10-0

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

RESOLVED:

That, as per the conditions of the Request for Quotations on "2019 Fleet Vehicles" in respect to three (3) 1/2 Ton Crew Cab Trucks, two (2) 3/4 Ton Crew Cab trucks and one (1) 1 Ton Crew Cab Truck Chassis, the submission of Summerside Chrysler Dodge in the amount of \$291,280.05 (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 any standard contracts/agreements to implement this resolution.

CARRIED 10-0

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

RESOLVED:

That, as per the conditions of the Request for Quotations on "2019 Fleet Vehicles" in respect to two (2) 1/2 Ton Crew Cab Trucks for the Police Department, one (1) Full

Size Police Package Car, the submission of Reliable Motors Ltd. in the amount of \$127,674.15 (all vehicle trade ins and 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 any standard contracts/agreements to implement this resolution.

CARRIED 10-0

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 recognized and congratulated Laurel Lea, Tourism Officer, on winning the Meeting Professionals International (MPI) Atlantic Canada Chapter Rising Star. The MPI awards shine a spotlight on some of Atlantic Canada's leading event professionals.

6.10 Environment & Sustainability – Coun. Terry MacLeod, Chair

Councillor MacLeod indicated his Committee's report was included in the weekend package. He reported on an incentive for local area businesses to install bike racks, transit pilot project with Colonel Gray has wrapped up, June's transit ridership is up 18% compared to June 2018 and the Mayor's Task Force on Active Transportation will meet for the first time on July 15th.

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

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

Councillor MacLeod provided a Notice of Motion to amend the Procedural Bylaw at the next Regular Meeting of Council. The amendment is to change the end time of a meeting of Council.

6.12 New Business

There was no new business

6.13 Motion to move in a Closed Session of Council

Moved by Councillor Rivard and seconded by Councillor Ramsay to close the meeting to the public to discuss matters as per Section 119 (1) (e) of the Municipal Government Act of PEI. Carried. (7:25 PM)

7. Adjournment

Following the Closed session, Council moved back into an Open session. Moved by Councillor Jankov and seconded by Councillor Duffy that the meeting be adjourned. Carried.

The meeting concluded at 7:50 PM