



**Regular Meeting of Council
Monday, August 12, 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 Greg Rivard
Councillor Mitchell Tweel
Councillor Alanna Jankov

Councillor Mike Duffy
Councillor Terry MacLeod
Councillor Julie McCabe
Councillor Bob Doiron

Also: Peter Kelly, CAO
Brad MacConnell, DPC
Frank Quinn, PRM
Scott Adams, PWM
Mark Lanigan, FM
Ron Atkinson, EconDO
Laurel Lea, TO
Ronnie McPhee, CLO

Randy MacDonald, FC
Alex Forbes, PM
Richard MacEwen, UM
Paul Johnston, IAMM
Bethany Kauzlarick, HRM
Wayne Long, EDO
Jen Gavin, CO
Tracey McLean, RMC

Regrets: Councillor Terry Bernard
City Solicitor

Ramona Doyle, SM

The Mayor announced that the City of Charlottetown is hosting Acadian Day at the Fair during Old Home Week as part of the Congrès Mondial Acadien 2019 (CMA 2019 - World Acadian Congress) celebrations. Charlottetown will serve as one of the host municipalities for CMA 2019, with activities taking place today (Aug 12).

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 bylaw reading during the Planning & Heritage Committee report pertaining to the property at 7 Lions Crescent.

3. Approval of Agenda

It was requested that the Economic Development, Parks & Recreation and Strategic Priorities Committee reports be moved to the beginning of the agenda, respectively. Moved by Councillor MacLeod and seconded by Councillor Ramsay that the agenda be amended. Carried.

4. Adoption of Previous Draft Minutes

Moved by Deputy Mayor Coady and seconded by Councillor Duffy that the draft minutes of the previous meetings now be adopted. Carried.

- Regular Meeting - July 8, 2019

- Special Meeting - (open minutes) – July 18, 2019
- Planning Public Meeting – July 23, 2019

5. Business Arising out of the Minutes

No business arose.

6. REPORTS OF COMMITTEES / RESOLUTIONS

6.1 Economic Dev., Tourism & Event Management – Coun. Kevin Ramsay, Chair

Councillor Ramsay indicated his Committee's report was included in the weekend package. He reported that Old Home Week continues this week; Gold Cup Parade on August 16. Upcoming events - SunDaze Music & Art Festival, Art in the Open and Victoria Park Sunset Series. Recently announced events for Charlottetown are the 2020 STIHL Timbersports Canadian Championship and 2021 U Sports Men's Hockey Championship at UPEI.

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 August is the Organizing Committee for the recently held Fiddler MacDonald Memorial Mosquito AAA Baseball Tournament.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Kevin Ramsay**

RESOLVED:

That the City accepts the bid of \$35,471.17 (HST included) from Bourassa Sport Technologie Inc for the additional work required at the Victoria Park Tennis Courts Resurfacing Project, and

That this amount be expensed to the 2019 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 9-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Kevin Ramsay**

RESOLVED:

Whereas Josh Currie began his competitive career playing for the Summerside Western Capitals and then moved onto playing with the PEI Rocket. His professional debut in the ECHL was with the Gwinnett Gladiators before signing with the Bakersfield Condors in 2014, and

Whereas, in July 2018, the Edmonton Oilers then signed Josh to a contract and he earned his first NHL recall by the Oilers on February 19, 2019.

CARRIED 9-0

- 6.3 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov**
Councillor Jankov indicated that her Committee's report was included in the weekend package. She noted that the Youth Engagement Committee met on July 10, 2019 and the Affordable Housing Advisory Committee met July 11, 2019; minutes included in the package.

**Moved by Councillor Alanna Jankov
Seconded by Councillor Greg Rivard**

RESOLVED:

That as per the conditions of the Request for Proposals on "Engineering Services – Growth Management Strategy including Water & Sewer Master Plan", the best ranked submission of CBCL Limited in the amount of \$499,100.00 (taxes extra) be accepted.

CARRIED 9-0

- 6.4 Planning & Heritage – Coun. Greg Rivard, Chair**
Councillor Rivard indicated his Committee's report was included in the weekend package. He noted that in celebration of the Congrès Mondial Acadien 2019, the public is invited to explore the history of the Acadians in Charlottetown; exhibit located at the Planning and Heritage Department, 233 Queen Street.

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

RESOLVED:

That the proposal from Pattison Outdoor Advertising for digital signage on several City locations, be rejected.

CARRIED 9-0

**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 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, subject to a development agreement to provide appropriate landscape buffers between the parking lot and adjacent properties.

CARRIED 9-0

**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 an eleven (11) unit apartment building, be rejected.

DEFEATED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel in favour

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

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 eleven (11) unit apartment building, be approved subject to the signing of a development agreement that requires a design review of the addition, the maximum number of units permitted on the property be limited to eleven (11) long-term rental units.

Councillor Rivard indicated that most concerns raised at the public meeting related to traffic and another concern was the appearance of the current structure. He advised Council that as part of the development agreement, the applicant is required to go through the design review process even though the building is outside the 500 Lot area.

Concern was raised that the Planning Committee recommended to reject the application but then Council voted against the rejection knowing that local area residents voiced numerous concerns at the public meeting held on July 23, 2019.

CARRIED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel opposed

**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 property at 38 Palmers Lane (PID #275156), in order to construct an 18-unit apartment building, be approved to proceed to public consultation.

**CARRIED 7-2
Councillors Doiron and Tweel opposed**

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

RESOLVED:

That the request to consolidate 229 Sherwood Road (PID #1007657) and a portion of PID #145961, be approved, subject to a final pinned survey.

CARRIED 9-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw PH-ZD.2-017, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 221 Belvedere Avenue (PID #395087) from Low Density Residential (R-2) Zone to Parking (P) 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.2-017), as it pertains to 221 Belvedere Avenue (PID# 395087), be read a first time.

CARRIED 9-0

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

RESOLVED:

That the Zoning and Development Amendment Bylaw, (PH-ZD.2-017), be approved and that it be read a second time at the next meeting of Council.

CARRIED 9-0

1st reading of the Zoning & Development Bylaw - To adopt Bylaw PH-ZD.2-018, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 71 & 73 Upper Prince Street (PID# 683748 & PID #359521) from Low Density Residential (R-2) Zone to R-3 Zone.

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

RESOLVED:

That the Bylaw to amend the City of Charlottetown Zoning and Development Bylaw, (PH-ZD.2-018), as it pertains to 71 & 73 Upper Prince Street (PID# 683748 & PID #359521), be read a first time.

CARRIED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel opposed

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

RESOLVED:

That the Zoning and Development Amendment Bylaw, (PH-ZD.2-018), be approved and that it be read a second time at the next meeting of Council.

CARRIED 6-3

Deputy Mayor Coady, Councillors Doiron and Tweel opposed

Councillor MacLeod was in conflict and left the Chambers during the following motion.

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

CARRIED 8-0

Councillor MacLeod returned to the Council Chambers.

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

Councillor Rivard, on behalf of Councillor Bernard, indicated the Committee's report was included in the weekend package.

Again, a request to receive a copy of the Auditor's Management Letter for the year ended December 31, 2017 was brought forward. Councillor Rivard indicated that the Finance Committee agreed that this matter would be discussed at an upcoming Special Meeting of Council – Closed Session.

**Moved by Councillor Greg Rivard
Seconded by Councillor Mike Duffy**

RESOLVED:

That Council approve sale of .89 acres for the piece of property located behind Cody Banks Arena (portion of PID#480475), at a price of \$158,000 (attached map for the new school development),

And that this includes the right of first refusal for the purchase option for Cody Banks Arena,

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

Concern was raised regarding the option of 'right of first refusal' for Cody Banks Arena and how this was not previously discussed by Council; therefore, it was moved by Councillor Tweel and seconded by Councillor Doiron to defer the motion. Carried 7-2. Councillors Duffy and Ramsay opposed.

**Moved by Councillor Greg Rivard
Seconded by Councillor Mike Duffy**

RESOLVED:

That Council approve the reallocation of the Fitzroy Street Bike Lane project funding (\$1,006,500) to the Active Transportation Connection (Pathways), and

That the City will contact the Province requesting to recapture their portion (\$545,000) of the Fitzroy Street Bike Lane project funding for the Active Transportation Connection (Pathways) initiative.

It was suggested that Council be given the opportunity to provide input regarding locations for these pathways.

CARRIED 9-0

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

6.7 Protective & Emergency Services – Coun. Bob Doiron, Chair
Councillor Doiron indicated his Committee's report was included in the weekend package. He commended both the Charlottetown Fire Department and Charlottetown Police Services regarding their response to a number of serious fires within the city and outside the city.

It was noted that under the Provincial Fire Prevention Act, propane or charcoal barbecues are not permitted on balconies of apartments/condos and it was suggested that the Committee look at a communications strategy for city residents regarding the matter. Councillor Doiron took this under advisement.

Moved by Councillor Bob Doiron
Seconded by Councillor Kevin Ramsay

RESOLVED:

That the Public Works Manager be authorized to demolish the buildings deemed necessary by a City Building Inspector and Charlottetown Fire Inspector, and remove any other materials, debris, to clean up and properly dispose of same, and do any infilling required to return the property to its original safe state at the owner's expense, on the property located at 224 East Royalty Road (PID# 192484) in accordance with the terms of the Dangerous, Hazardous and Unightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Bob Doiron
Seconded by Councillor Kevin Ramsay

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the owner's expense, on property located at 240 Hillsborough Street (PID# 346585) in accordance with the terms of the Dangerous, Hazardous and Unightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Bob Doiron
Seconded by Councillor Kevin Ramsay

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the owner's expense, on property located at 7 McKinnon Road (PID #374215) in accordance with the terms of the Dangerous, Hazardous and Unightly Bylaw of the City of Charlottetown.

CARRIED 9-0

Moved by Councillor Bob Doiron
Seconded by Councillor Kevin Ramsay

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the owner's expense, on property located at 605 Upper Queen Street (PID# 740894) in accordance with the terms of the Dangerous, Hazardous and Unightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

RESOLVED:

That the Public Works Manager be authorized to cut grass, remove any fallen trees and subsequent under growth that would lead to the existence of animal life. Remove any other materials or debris, clean up and properly dispose of same, at the owner's expense, on property located at 5 Katie Drive (PID # 854356) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 9-0

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

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

In response to an update request regarding Stratford's wastewater potentially being treated by the City, Deputy Mayor Coady indicated discussions continue between Stratford and the Province; no new information has been communicated to the City.

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

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

In response to questions raised concerning new pathways, Councillor Duffy referred to the Public Works Manager who indicated that the Committee will review suggestions from Council of pathway locations. He further noted that criteria is based on need and connectivity throughout the city.

6.10 Environment & Sustainability – Coun. Terry MacLeod, Chair

Councillor MacLeod indicated his Committee's report was included in the weekend package. He reported funding from all levels of government will allow for six new diesel buses, five para-transportation vans and two mini-buses to improve access to the public transit system across the greater Charlottetown area.

6.11 Council Advisory Committee – Coun. Terry MacLeod, Chair

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

1st reading of the Procedural Bylaw Amendment Bylaw – to amend the City of Charlottetown Procedural Bylaw, #2018-19, to indicate when a meeting of Council shall end.

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

RESOLVED:

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

CARRIED 9-0

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

RESOLVED:

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

CARRIED 9-0

6.12 New Business

There was no new business

7. Adjournment

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

The meeting concluded at 7:25 PM