



**Regular Meeting of Council
Monday, September 9, 2019 at 5:00 PM
Council Chambers, City Hall, 199 Queen Street**

Mayor Philip Brown Presiding

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

Also: **Peter Kelly, CAO** **Randy MacDonald, FC**
 Paul Smith, PC **Alex Forbes, PM**
 Frank Quinn, PRM **Richard MacEwen, UM**
 Paul Johnston, IAMM **Mark Lanigan, FM**
 Bethany Kauzlarick, HRM **Ramona Doyle, SM**
 Ronnie McPhee, CLO **Alicia Packwood, CA**
 Steven Forbes, CS **John Mooy, AHRM**
 Tracey McLean, RMC

Regrets: **Councillor Terry MacLeod** **Scott Adams, PWM**
 Wayne Long, EDO **Ron Atkinson, EconDO**
 Laurel Lea, TO

The Mayor acknowledged and extended appreciation to the City of Charlottetown Emergency Measures team for their efforts leading up to, during and following Hurricane Dorian.

- 1. Call to Order**
Mayor Brown called the meeting to order.

- 2. Declarations of Conflict of Interest**
Deputy Mayor Coady indicated that he is in conflict with the Planning resolution relating to the reconsideration of a decision of Council to rezone a vacant property located on the corner of Royalty Road and Upton Road.

- 3. Approval of Agenda**
It was requested that the Parks & Rec Committee report be moved to the beginning of the agenda. Moved by Councillor Tweel and seconded by Councillor Bernard that the agenda be amended. Carried.

- 4. Adoption of Previous Draft Minutes**
Moved by Councillor Ramsay and seconded by Councillor Jankov that the draft minutes of the previous open meetings now be adopted. Carried.

- Regular Meeting - August 12, 2019
- Special Meetings - (open minutes) – Aug. 12, 20, 27 & 28 and Sept. 4, 2019
- Planning Public Meeting – August 27, 2019

5. Business Arising out of the Minutes

No business arose.

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 September is Mike Bishop.

In response to a question raised, Councillor Tweel confirmed that the Floating Dock at Victoria Park did not sustain any damage as a result of Hurricane Dorian.

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

RESOLVED:

That as per the recently advertised Request for Quotes for the "Lighting Upgrade for Rochford, King and Hillsborough Heritage Squares", the City accepts the total bid of \$59,392.89 (HST included) from R. Cudmore Electric, for the installation of the lights,

And the amount from Richardson Associates of \$2,875.00 (HST included) for the engineering and professional fees be accepted,

And that these amounts be expensed from the 2019 Parks and Recreation Capital Budget,

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

CARRIED 9-0

6.2 Planning & Heritage – Coun. Greg Rivard, Chair

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

**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 rejected.

DEFEATED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe & Tweel in favour

Another motion was presented to approve the application.

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

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.

CARRIED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe & Tweel opposed

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

RESOLVED:

That the request to operate a home occupation (i.e. counselling/therapy service) for the property located at 13 Donwood Drive (PID #278531), be rejected.

CARRIED 8-1

Councillor McCabe opposed

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

RESOLVED:

That the request to:

- Reduce the required lot frontage from 22m (72.2 ft) to approximately 17.6m (58 ft); and

- Reduce the required lot area from 696 sq.m (7,491.7 sq.ft) to approximately 427 sq.m (4597 sq.ft)

To establish a duplex dwelling at 53 Upper Hillsborough Street (PID #360719), be approved, subject to the following condition:

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

CARRIED 9-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request to reduce the required lot frontage from 30m to approximately 25m to establish a three (3) unit dwelling at 80 Longworth Ave / 46 Victory Ave (PID #364695), be approved, subject to the following condition:

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

CARRIED 9-0

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

That the request for variances to:

- Decrease the left minimum side yard setbacks from 4.5m (14.8ft) to 3.0m (9.8ft); and
- Decrease the right minimum side yard setbacks from 4.5m (14.8ft) to 3.0m (9.8ft),

to construct a 12 unit apartment building at 17 Capital Drive (PID #387654), be approved.

CARRIED 9-0

Deputy Mayor Coady left the Chambers during the following motion as he was in conflict.

Moved by Councillor Greg Rivard
Seconded by Councillor Julie McCabe

RESOLVED:

That the request to reconsider a decision of Council to rezone approximately 3.25 acres of vacant property located on the corner of Royalty Road and Upton Road (PID #388595) by amending Appendix "G" – Zoning Map of the Zoning & Development Bylaw from the Single-Detached Residential (R-1S) Zone to the Low Density Residential (R-2) Zone, be rejected.

CARRIED 8-0

Deputy Mayor Coady returned to the Chambers.

Moved by Councillor Greg Rivard
Seconded by Deputy Mayor Jason Coady

RESOLVED:

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

- Section 2: Operation;
- Section 3.14 Design Review;

- Section 4: Accessory Structures;
- Section 4.6: Non-conforming buildings;
- Section 43.1 Parking Space Standards; and
- Section 44.21 Exemptions to sign regulations,

be approved to proceed to Public Consultation;

And that the amendment to the Zoning & Development Bylaw (PH-ZD.2) pertaining to Section 36.3 Regulations for Industrial and Commercial Uses, be deferred until after the IRAC Hearing.

CARRIED 8-1
Councillor Tweel opposed

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

CARRIED 9-0

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

CARRIED 6-3
Deputy Mayor Coady, Councillors Doiron & Tweel opposed

1st reading of the Zoning & Development Bylaw - to adopt Bylaw PH-ZD.2-019, A Bylaw to amend the Zoning & Development Bylaw, to rezone the property at 38 Palmers Lane (PID #275156) from Low Density Residential (R-2) Zone to Medium Density (R-3) Zone.

Moved by Councillor Greg Rivard
Seconded by Councillor Alanna Jankov

RESOLVED:

That the Bylaw to amend the City of Charlottetown Zoning and Development Bylaw,

(PH-ZD.2-019) as it pertains to 38 Palmers Lane (PID# 275156) be read a first time.

CARRIED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe and Tweel opposed

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

RESOLVED:

That the Zoning & Development Amendment Bylaw (PH-ZD.2-019), be approved and that it be read a second time at the next Public Meeting of Council.

CARRIED 5-4

Deputy Mayor Coady, Councillors Doiron, McCabe and Tweel opposed

Councillor Tweel left the meeting at 5:50 PM.

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

Councillor McCabe indicated her Committee's report was included in the weekend package. She acknowledged and thanked the Communications Department for their hard work to keep residents informed during Hurricane Dorian; she welcomed John Mooy to the meeting and indicated he will be filling in for the City's Human Resources Manager during her upcoming maternity leave.

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

RESOLVED:

That City Council adopts the Travel and Meal Reimbursement Policy (C-HR-11), as per the attached, effective September 9, 2019.

CARRIED 8-0

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

Councillor Doiron indicated his Committee's report was included in the weekend package. He thanked City staff and departments for their efforts during Hurricane Dorian.

1ST reading of the Nuisance Bylaw - amend the City of Charlottetown Nuisance Bylaw, #2019-NB-01, to define what a Bee is, update the definition of Livestock to include Bee, remove any references to the Charlottetown Area Municipalities Act and replace with the Municipal Government Act of PEI and number the Bylaw #2019-NB-01.

Clarification was requested with respect to the amendment. Councillor Doiron indicated that some residents raised concerns to the Committee regarding bee keeping/farming within the city and the potential of health risks (i.e. allergic reaction).

**Moved by Councillor Bob Doiron
Seconded by Councillor Greg Rivard**

RESOLVED:

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

CARRIED 8-0

**Moved by Councillor Bob Doiron
Seconded by Councillor Greg Rivard**

RESOLVED:

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

CARRIED 8-0

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

Deputy Mayor Coady indicated his Committee's report was included in the weekend package. He also thanked the Utility staff for their efforts during Hurricane Dorian.

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

RESOLVED:

That Island Coastal Services be awarded the tender for the East Royalty Lagoon Decommissioning in the amount of \$1,017,405.00 (HST included), and
That WSP complete the engineering project oversight in the amount of \$69,000 (HST included),

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

CARRIED 8-0

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

RESOLVED:

That Williams Murphy & MacLeod be awarded the tender for the Miltonvale Wellfield Phase 3B Communications System in the amount of \$1,650,000.00 (HST included),
and

That Coles and Associates complete the engineering project oversight in the amount of \$34,500 (HST included),

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

CARRIED 8-0

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

Councillor Duffy indicated his Committee's report was included in the weekend package. He reported that clean-up and restoration efforts due to Hurricane Dorian are continuing and additional crews have been called in to assist. He further reported that the City is working with IWMC and an update on residential pick-up of tree branches and debris will be provided on Tuesday, September 10th.

Questions and concerns were raised again related to the City's Procurement Policy (re: paving tenders) as per attached Appendix "A". Councillor Duffy stated that the allegation made whereby \$1 million was spent without Council's approval is erroneous. He indicated that City Council approved this expenditure by resolution at the Budget meeting held March 21, 2018 which provided the Public Works Committee the ability to spend \$3 million on paving.

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

RESOLVED:

That, as per the conditions of the public tender for "2019 Microsurfacing", the low submission of Maritime Road Recycling in the amount of \$507,150.00 (all taxes included) be accepted.

CARRIED 8-0

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

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

6.8 Environment & Sustainability – Coun. Terry MacLeod, Chair

Councillor Bernard, on behalf of Councillor MacLeod, indicated the Committee's report was included in the weekend package. He reported that T3 Transit broke a record for daily ridership on September 4, 2019 – 3,400 passengers used the service on that day; previous record was 2,850 in November 2018. The City of Charlottetown is partnering with the Arbor Day Foundation and TD on a family friendly event to celebrate the "wild things" (plants, trees and animals); Where the Wild Things Are in the City takes place on Saturday, September 28th at the J. Frank MacAulay Park.

6.9 Strategic Priorities & Intergovernmental Cooperation - Coun. Alanna Jankov

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

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

Councillor Bernard 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.

2nd 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 Alanna Jankov
Seconded by Deputy Mayor Jason Coady**

RESOLVED:

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

CARRIED 8-0

6.12 New Business

There was no new business.

7. Adjournment

Moved by Councillor Jankov and seconded by Councillor Ramsay that the meeting be adjourned. Carried.

The meeting concluded at 7:10 PM