



**Regular Meeting of Council
Tuesday, October 15, 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 Greg Rivard **Councillor Julie McCabe**
 Councillor Mitchell Tweel **Councillor Bob Doiron**
 Councillor Alanna Jankov **Councillor Terry MacLeod**

Also: **Peter Kelly, CAO** **Randy MacDonald, FC**
 Paul Smith, PC **Alex Forbes, PM**
 Frank Quinn, PRM **Richard MacEwen, UM**
 Scott Adams, PWM **Mark Lanigan, FM**
 John Mooy, AHRM **Wayne Long, EDO**
 Ron Atkinson, EconDO **Laurel Lea, TO**
 David Hooley, CS **Alicia Packwood, CA**
 Tracey McLean, RMC

Regrets: **Paul Johnston, IAMM** **Ramona Doyle, SM**

A moment of silence was held for former Charlottetown City Councillor, Danny Redmond, who passed away on September 27, 2019. Mr. Redmond represented Ward 2 from 2001 to 2014.

- 1. Call to Order**
Mayor Brown called the meeting to order.
- 2. Declarations of Conflict of Interest**
Councillor Doiron in conflict with the Planning resolution regarding a request to operate a home occupation at 17 Tamarac Avenue.
- 3. Approval of Agenda**
It was requested to have the Notice of Motion to amend the Procedural Bylaw removed from the Council Advisory Committee report. Moved by Councillor Ramsay and seconded by Councillor Jankov that the agenda be approved as amended. Carried.
- 4. Adoption of Previous Draft Minutes**
Moved by Councillor Ramsay and seconded by Councillor Duffy that the draft minutes of the previous open meetings now be adopted. Carried.
 - Regular Meeting – September 9, 2019
 - Special Meetings - (open minutes) – September 20, 26 & October 1, 2019
- 5. Business Arising out of the Minutes**
No business arose.

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.

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

RESOLVED:

That, pursuant to the provisions of the Municipal Government Act R.S.P.E.I. 1988, Cap. M-12.1 and Section 3 of the City of Charlottetown with respect to the Registration of Secondary and Garden Suites, Council hereby appoints Ellen Faye Catane as the Registrar and Robert Stavert as designate registrar to administer provisions of the Secondary and Garden Suites Registration Bylaw (PH-SSB.1), and

That this designation of authority shall cease if the job duties of these employees no longer require the designation, if any of these employees terminates employment with the City of Charlottetown, or upon further written notice.

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 and Development Bylaw from the Single-Detached Residential (R-1L) to Zone to the Medium Density Residential (R-3) Zone;

for property located at 68 Brackley Point Road (PID #396713), in order to construct two (2) townhouse dwellings containing a total of 14-units, be approved to proceed to public consultation.

Concern was raised regarding the site line plan that went to Police, Fire and Public Works on September 25, 2019; there has been no report returned as yet and it was suggested that the motion be deferred until the plan comes forward.

It was noted that the motion would go to a public meeting first; traffic studies are usually not conducted prior to a public consultation.

**CARRIED 9-1
Councillor McCabe opposed**

Councillor Doiron left the Chambers and did not vote on the following motion as he was in conflict.

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

RESOLVED:

That the request to operate a home occupation (i.e., dog grooming business) from a portion of the dwelling located at 17 Tamarac Avenue (PID #392878), be approved.

CARRIED 9-0

Councillor Doiron returned to the Chambers.

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

RESOLVED:

That the request to reduce the minimum lot area requirement from 0.50 acres to approximately 0.34 acres in order to construct a garden suite on the property located at 33 Bolger Drive (PID# 492579), be approved.

Concern was raised with respect to water runoff between the neighbouring properties. It was also noted that the report from Planning staff did not recommend approval.

LOST 6-4

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

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

RESOLVED:

That the request to reduce the minimum lot area requirement from 0.50 acres to approximately 0.34 acres in order to construct a garden suite on the property located at 33 Bolger Drive (PID# 492579), be rejected.

CARRIED 7-3

Deputy Mayor Coady, Councillors Doiron & McCabe opposed

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

RESOLVED:

That the request to increase the maximum building height requirement for the existing single-detached dwelling from 39.4 ft to approximately 48.83 ft. in order to bring the existing single-detached dwelling located at 50 King Street (PID #335687) in conformance to the bylaw, be approved.

CARRIED 10-0

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

RESOLVED:

That the request to decrease the minimum side yard setback from 6.0 ft to 0.0 ft in order to construct a 4-unit townhouse dwelling for the property at 60-66 Dorchester Street (PID#s 336826 & 336818), be approved.

CARRIED 10-0

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

RESOLVED:

That the request to reduce the interior side yard setback from 1.83m (6ft) to 1.2m (4ft) in order to construct an addition to the rear portion of the existing single-detached dwelling at 21 Greenfield Ave (PID #352955), be approved.

CARRIED 10-0

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

RESOLVED:

That the request to:

- Consolidate 91 King St (PID #336909), 93 King St (PID #336917), 94-98 Dorchester St (PID #336974), & 100-102 Dorchester St (PID #336966); and
- Reduce the minimum lot frontage required in order to be eligible for bonus height in the DMUN Zone from 98.4ft to approximately 80.1ft on the consolidated property (consisting of PID#s 336909, 336917, 336974 and 336966); and
- Reduce the minimum side yard setback for the fifth storey from 18.0ft to 13.0ft away from the four (4) properties fronting on Queen Street (PID#s 336982, 336990, 337006 & 337014) on the consolidated property (consisting of PID#s 336909, 336917, 336974 and 336966);
in order to construct a five-storey, 43-unit apartment building, be approved, subject to the following:
 - A pinned final survey plan;
 - A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels;
 - Design Review Approval;
 - Public Benefit being provided for the fifth storey; and
 - The signing of a Development Agreement.

CARRIED 10-0

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

RESOLVED:

That the request to consolidate the properties at 58-64 Queen Street (PID #336990) & 68 Queen Street (PID #336982), be approved, subject to the following:

- A pinned final survey plan;
- A new perimeter deed description being registered describing the outer boundaries of the consolidated parcels; and
- Design Review Approval for any significant exterior renovations.

CARRIED 10-0

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

RESOLVED:

That the request to consolidate the properties at 165 John Yeo Drive (PID #1102102) and 185 John Yeo Drive (PID #1078179), be approved, subject to a final pinned survey plan.

CARRIED 10-0

**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 3.8.6 and 3.9.6 Minor and Major Variances;
- Section 3.14 Design Review;
- Section 4: Accessory Structures;
- Section 4.6: Non-conforming buildings;
- Section 43.1 Parking Space Standards;
- Section 44.12.4 General Provisions for Fascia Signs;
- Section 44. 13.3, 44.15.1 and 44.16.1 Reinsertion of the Downtown Main Street (DMS) Zone in the General Provision Table for Signage pertaining to Free Standing, Sandwich Board signs and Temporary Banners; and
- Section 44.21 Exemptions to sign regulations for Designated properties 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 operate a home occupation (i.e. counselling/therapy service) for

the property located at 13 Donwood Drive (PID #278531), be approved for reconsideration.

Council was advised that the operator of the home occupation would only see three to four clients per week; they specialize in counselling clients that are referred through Employee Assistance Programs.

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 October is Norman McGuirk.

It was requested that accessible parking spaces be created in the lot at Queen Elizabeth Park. Councillor Tweel took this under advisement.

An update was requested regarding the issue with the Harbour Hippo driving over the delineators as it travels through Victoria Park (including the cycling lane). Councillor Tweel indicated that his Committee is waiting on further information from both Public Works and Police on the matter.

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

Councillor Doiron indicated his Committee's report was included in the weekend package. He reported that Volunteer Firefighter Brad Wonnacott won a gold medal at the recent 2019 Fire Fit Championships (50+ relay team).

The issue of speeding in school zones particularly on Palmer's Lane was raised and it was suggested the Committee examine available technologies which could assist in alleviating the matter.

The Committee was requested to discuss possible preventative measures with regard to storm surges/local flooding and how that information can be communicated to residents in problematic areas of the city.

Due to a recent vehicle/pedestrian accident at the intersection of Great George Street and Fitzroy Street, it was recommended that the crosswalk in that location be reviewed for overall safety for pedestrians. 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 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 owners expense, on property located at 55 Corrigan Court (PID# 690834) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

2nd 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.

Moved by Councillor Bob Doiron
Seconded by Councillor Kevin Ramsay

RESOLVED:

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

LOST 9-1
Councillor Doiron in favour

6.4 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 Julie McCabe

RESOLVED:

Whereas the City of Charlottetown passed a policy resolution of April 10, 2000 "that City Council confirm its policy not to entertain applications for water service to properties outside the municipal boundary of the City of Charlottetown" without first receiving approval from City Council to do so,

And that City Council approves the request for service received from Arnold MacRae; request is for water and sewer servicing to a proposed subdivision off Sleepy Hollow Road, within the Community of Miltonvale Park,

And further that the costs associated with the development be paid by the developer. As well, services be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.

CARRIED 10-0

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

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

Moved by Councillor Mike Duffy
Seconded by Councillor Terry Bernard

RESOLVED:

That, as per the conditions of the public tender for "Traffic Signal Replacement" the submission of Hansen Electric in the amount of \$306,590.00 (all taxes included) be accepted,

That this expenditure has been approved in the 2019 Capital budget dated

March 21st, 2019,

And 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 public tender for "Queen Street Lighting Replacement" the submission of Olympia Electric in the amount of \$86,240.00 (all taxes included) be accepted,

That this expenditure has been approved in the 2019 Capital budget dated March 21st, 2019,

And 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 public tender for "Municipal Sidewalk Tractors" the submission of MacFarlands Industrial in the amount of \$310,689.47 (all taxes included) be accepted,

That this expenditure has been approved in the 2019 Capital budget dated March 21st, 2019,

And 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 Council rescinds the following Public Works resolution #1 of September 20th, 2019:

That, as per the conditions of the public tender for "Two (2) 3 Ton Dump/Plough Trucks" the submission of Universal Truck & Trailer, guaranteeing delivery of the trucks within 80 days of award, in the amount of \$284,050.00 (all taxes included) be accepted.

CARRIED 10-0

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

RESOLVED:

That, as per the conditions of the public tender for "Two (2) 3 Ton Dump/Plough Trucks" the submission of East Coast International Trucks Inc. in the amount of \$276,777.40 (all taxes included) be accepted,

That this expenditure has been approved in the 2019 Capital budget dated March 21st, 2019,

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

CARRIED 10-0

6.6 Economic Dev., Tourism & Event Management – Coun. Kevin Ramsay, Chair
Councillor Ramsay indicated his Committee's report was included in the weekend package. He noted recent events such as Farm Day in the City, U-17 Soccer Nationals, Atlantic Karate Championships, Atlantic Breeders Crown; this weekend is the Island Marathon.

6.7 Environment & Sustainability – Coun. Terry MacLeod, Chair
Councillor MacLeod indicated his Committee's report was included in the weekend package. He noted that the Mayor's Taskforce on Active Transportation and the Food Council met in September as well. He reported that T3 Transit broke a record for daily, weekly and monthly ridership for September 2019; total ridership for the month was 71,711. Fix-it-Fair takes place at the West Royalty Community Centre on November 2, 2019 at 10:00 am. He acknowledged Beth Hoar, Forest and Environmental Officer, on her upcoming retirement (October 31, 2019) and thanked her for her years of service to the City.

It was suggested that the Transit Strategic Plan (2010) by Dillon Consulting be looked at again to follow up on those initial recommendations and projections as outlined in the report. Councillor MacLeod took this suggestion under consideration.

6.8 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 Youth Engagement Committee met on September 10th and the Affordable Housing Advisory Committee met on October 10th.

A question was raised regarding a potential affordable housing project at/near 72-76 Kensington Road. It was noted that an application requesting a lot consolidation of three properties came to Council several months ago and was approved. The report attached to that application indicated the dwellings would be demolished and if the consolidation is approved, the purpose would be to construct a 30-unit affordable housing apartment on the property.

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

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

It was suggested that a 'local' rating be part of the overall rating system when choosing bid submissions on tenders/RFPs/RFQs as this would be advantageous to local contractors and businesses. Councillor Bernard took this under advisement.

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

RESOLVED:

That the City of Charlottetown accepts the 452 sq ft sliver of land on Hanover Street (Parcel A on attached) as part of the City right-of-way, (portion of PID# 530980) as indicated in the attached survey plan,

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

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

CARRIED 10-0

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

RESOLVED:

That the City of Charlottetown agrees to accept the donation of Andrew's Pond north (PID# 192245-201 on attached) and to provide John & Christine Andrew with a taxable receipt for the appraised value of \$416,000, as noted in the Appraisal Report (October 1, 2017) prepared by Altus Groups Limited and re-valuation letter provided by CBRE Limited (April 25, 2019),

And that the City agrees to cover the associated expenses of \$15,000 for the appraisal, legal, survey and transfer of deed expenses, which will be expensed from the 2019 Operational Budget,

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

Councillor Bernard thanked John & Christine Andrew for making such a generous donation to the City of Charlottetown. He indicated that restorative work over the years has helped and now residents can enjoy the trail through the area, which is home to a variety of birds and wild animals.

CARRIED 10-0

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

Councillor McCabe indicated her 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 City Council accept the amended Committee Resident Member Stipend Policy (C-Admin-1), as attached, effective immediately.

In response to a question raised regarding the budgets for all the advisory committees, Councillor MacLeod indicated he would follow up and advise.

CARRIED 10-0

6.12 New Business

As part of the 2019 Tourism Industry Association of Prince Edward Island, Council was encouraged to attend a presentation on October 24th by keynote speaker, Alana Baker, regarding Airbnb/Short Term Rentals.

7. Adjournment

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

The meeting concluded at 7:00 PM