



**Regular Meeting of Council
Monday, August 11, 2014 at 4:30 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

Present: Deputy Mayor Stu MacFadyen Councillor Jason Coady
Councillor Cecil Villard Councillor Melissa Hilton
Councillor David MacDonald Councillor Rob Lantz
Councillor Edward Rice Councillor Terry Bernard
Councillor Mitchell Tweel Councillor Danny Redmond

Also: Roy Main, CAO Paul Smith, PC
Paul Johnston, PWM Scott Ryan, FM
Sue Fraser, PRM Alex Forbes, PM
Mandy Feuerstack, HRM Tim Mamyne, DFC
Richard MacEwen, UAM Ron Atkinson, EconDO
Wayne Long, EDO Ramona Doyle, SC
Jen Gavin, CO Greg Morrison, PDO
Steven Forbes, CS Tracey McLean, RMC

Regrets: Donna Waddell, DCS Craig Walker, UM
Randy MacDonald, FC Donna Hurry, TO

Mayor Lee welcomed the evening's Page – Noah Bitar

Minutes of the previous meetings were by motion adopted:
Regular Meeting – July 14, 2014
Special Meeting – July 29, 2014

REPORTS OF COMMITTEES / RESOLUTIONS

1. Public Works, Street Lighting & Transit – Councillor Terry Bernard
Councillor Bernard indicated his Committee's report was included in the weekend package. He indicated that many summer day camps have been utilizing the T3 Transit service for their outings. He noted the Committee has reviewed the option of upgrading most of the parking meters, enabling them to accept smart cards. Councillor Bernard also acknowledged the Beautification Department which assisted Public Works with the clean-up from tropical storm Arthur.

In response to a question regarding a possible sidewalk extension on Spring Lane. Councillor Bernard indicated an extension of the sidewalk on Spring Lane to St. Peters Road is part of a

tender which was recently awarded.

**Moved by Councillor Terry Bernard
Seconded by Councillor Cecil Villard**

RESOLVED:

That, per the publicly advertised quote for “Installed Siding West Royalty Community Center”, the low submission of OMD Construction & Consulting Ltd. in the amount of \$56,088.00 (14% HST included), be accepted, and

That this expenditure has been previously approved in the 2014 Capital budget.

CARRIED 10-0

By request, the Parks, Recreation & Leisure Activities report was moved to the next Agenda item.

2. Parks, Recreation & Leisure Activities – Councillor Melissa Hilton

Councillor Hilton indicated her Committee’s report was included in the weekend package. Volunteer of the Month for August was presented to Genna Phelan.

3. Economic Development & Culture – Deputy Mayor Stu MacFadyen

Deputy Mayor MacFadyen indicated his Committee’s report was included in the weekend package.

4. Protective & Emergency Services – Councillor David MacDonald

Councillor MacDonald indicated his Committee’s report was included in the weekend package. He reported that the Committee recently met once again with representatives from the Province and UPEI regarding the fox issue within the city; information pamphlets will soon be available to the public.

In response to a request relating to disabled parking space, Councillor MacDonald noted all specialized parking spaces were previously assessed and that the City had to follow national standards in this regard; however, he further noted the Committee would follow up and provide the information requested (number of disabled parking spaces and if any spaces were eliminated).

Concern was raised with respect to heavy traffic on Beasley Avenue due to barricades set up on Kensington Road during Old Home Week. Councillor MacDonald indicated the Committee will follow-up and advise.

**Moved by Councillor David MacDonald
Seconded by Councillor Cecil Villard**

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. Repair or

replace shingles of the residence and accessory building, repair or replace the roof and eaves, paint entire structures and any other repairs deemed necessary by a City Building Inspector or Planning/Development Officer. Remove any other materials or debris, clean up and properly dispose of same, at the owners expense, on property located at 6 Juniper Drive (PID# 395897) in accordance with the terms of the Dangerous, Hazardous and Unsightly Bylaw of the City of Charlottetown.

CARRIED 10-0

5. Advanced Planning & Priorities – Councillor Jason Coady

Councillor Coady indicated his Committee had not met since the last Council meeting.

6. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He noted that seasonal water restrictions are still in effect and thanked residents for complying.

A question was raised concerning provincial regulations for pesticide use within a municipality's wellfield area. Councillor Rice indicated this matter is currently under review by the Committee.

An update was requested regarding flat rates charged to residents currently not serviced by the City's water system. Councillor Rice indicated the matter was discussed and an update will be provided in September.

Moved by Councillor Edward Rice

Seconded by Councillor Jason Coady

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.

BE IT RESOLVED, that City Council approves the request for service received from the PEI Department of Transportation and Infrastructural Renewal (TIR). The request is for water and sanitary sewer service to the proposed Queens County Highway Maintenance Depot to be located on Brackley Point Road, within the Community of Brackley.

BE IT FURTHER RESOLVED, that the costs associated with making the connections will be paid by TIR and services will be billed with a 25% premium as a surcharge for services provided outside the City of Charlottetown municipal boundary.

CARRIED 10-0

7. Urban Beautification & Sustainability – Councillor Rob Lantz

Councillor Lantz indicated his Committee had not met since the last Council meeting.

8. Planning & Heritage – Councillor Rob Lantz

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

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for a variance to the rear yard setback from the required 24.6 feet to an average of 11.3 feet to permit the construction of a semi-detached dwelling at 2-4 Horseshoe Boulevard (PID# 746164) be rejected.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request for variances to the side yard setbacks from the required 6 feet to 0 feet to facilitate the construction of a 4-unit row house on the property at 60-66 Dorchester Street (PID#s 336826 & 336818) be approved.

Councillor Lantz noted that the two semi-detached dwellings which were previously on these properties had 0 side yard setbacks.

It was noted that area residents have concerns regarding the process. Councillor Lantz indicated the application would go through the normal course of action and is subject to the new Design Review process.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That the request to consolidate a portion of the property at 3 Cobirt Drive (PID# 406736) with the property at 7 Cobirt Drive (PID# 406736), subject to the receipt of signed, pinned survey plans, be approved.

CARRIED 10-0

Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady

RESOLVED:

That Council proceed to the public consultation phase to consider a proposed amendment to Section 32.9.1 of the City of Charlottetown Zoning and Development Bylaw (as attached), as well as to consider the addition of a definition for "Green Roof".

CARRIED 10-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That Council proceed to the public consultation phase to consider amendments to the City of Charlottetown Zoning and Development Bylaw to clarify the regulations for Eating and Drinking Establishments in commercial zones as follows:

- Under the ‘Permitted Uses’ in Sections 18 (Highway Commercial [C2] Zone), Section 19 (Shopping Centre Commercial [C3] Zone), and Section 21 (Mixed- Use Corridor [MUC] Zone), remove the words “(See Licensed Premises below)” after the words “Eating and Drinking Establishment”; and
- Remove the references to “Eating and Drinking Establishments” from the licensed premises regulations in Section 18.4, Section 19.6, and Section 21.8.

CARRIED 10-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That Council proceed to the public consultation phase to consider amendments to the City of Charlottetown Zoning and Development Bylaw and Official Plan (as attached).

CARRIED 10-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the application for exterior renovations to the property located at 119-121 Grafton Street (PID #342303), as presented to Heritage Board, be approved.

CARRIED 10-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the application to construct a 16’ x 26’ accessory building on the property located at 294 Richmond Street (PID# 339655), as presented to Heritage Board, be approved.

CARRIED 10-0

**Moved by Councillor Rob Lantz
Seconded by Councillor Jason Coady**

RESOLVED:

That the application to erect a sculpture of the two John Hamilton Grays on the public

right-of-way adjacent to 58 Great George Street (PID# 338376), as presented to Heritage Board, be approved.

CARRIED 10-0

Councillor Tweel declared a conflict of interest and left the Chambers for the following reading.

3rd reading of the Zoning and Development Bylaw

To amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property located at 201 Kensington Road (PID# 385971) from Single-Detached Residential (R-1L) Zone to Single-Detached Residential (R-1S) Zone.

Moved by Councillor Rob Lantz

Seconded by Councillor Jason Coady

RESOLVED:

That the City of Charlottetown Zoning and Development Bylaw be read a third time and the said bylaw do now pass.

CARRIED 9-0

9. Administrative Services – Councillor Cecil Villard

Councillor Villard indicated his Committee’s report was included in the weekend package.

Moved by Councillor Cecil Villard

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown request Elections PEI to oversee and run the City of Charlottetown Municipal Elections set for November 03, 2014, and

That Gary McLeod be appointed the Chief Electoral Officer for this election.

CARRIED 10-0

Moved by Councillor Cecil Villard

Seconded by Councillor Terry Bernard

RESOLVED:

That the City of Charlottetown agrees to dispose of a 4 foot wide by 40 foot long portion of land along the Prince Street right-of-way to facilitate a 21-unit condominium development at 194-198 Grafton Street (PID# 340570) subject to:

- the purchaser being responsible for paying fair market value and all costs associated with the transfer;
- the foundation phase of this project to be completed within two months of Council’s approval of the sale of property (August 11, 2014);
- the Encroachment Agreement dated June 19, 2013 and registered with the

Provincial Registry on July 23, 2013 (Doc #4857, Book 5473) being released in favor of the sale of the property,

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

CARRIED 10-0

10. New Business

Moved by Councillor Edward Rice

Seconded by Councillor Cecil Villard

WHEREAS on September 1, 1864, leaders of the governments and Legislatures of Prince Edward Island, Nova Scotia, New Brunswick, and the Province of Canada met in Charlottetown and agreed on a vision of a union of the British North American colonies and the creation of a new country;

AND WHEREAS that vision was further expressed in formal resolutions and legislation at ensuing conferences in Quebec City in October 1864 and London in December 1866, and became the basis of our country, Canada;

AND WHEREAS by Proclamation of the Prime Minister of Canada, on September 1, 1996, the role of Charlottetown, Prince Edward Island, as the birthplace of Confederation was recognized and affirmed as an integral part of our Canadian heritage;

AND WHEREAS September 1, 2014, marks the 150th anniversary of the Charlottetown Conference and the birth of Confederation;

THEREFORE, BE IT RESOLVED by the Mayor and Council of Charlottetown as follows:

The Mayor and Council of Charlottetown may, as they join citizens of Charlottetown, Islanders and all Canadians in commemorating and celebrating the Charlottetown Conference and honouring the achievement of the Fathers of Confederation, lead initiatives to:

- (a) promote the recognition of Charlottetown as the Birthplace of Canadian Confederation, an integral symbol of our national heritage;
- (b) mark and recognize sites and buildings throughout Charlottetown where meetings and activities of the Charlottetown Conference were held or that honour the Charlottetown Conference and;
- (c) otherwise commemorate and celebrate the Charlottetown Conference and the formation of the Dominion of Canada.

CARRIED 10-0

The meeting adjourned at 5:30 PM