



**Regular Meeting of Council
Monday, March 14, 2016 at 7:00 PM
Council Chambers, City Hall**

Mayor Clifford Lee presiding

Present: Deputy Mayor Mike Duffy
Councillor Melissa Hilton
Councillor Jason Coady
Councillor Greg Rivard
Councillor Kevin Ramsay

Councillor Mitchell Tweel
Councillor Edward Rice
Councillor Terry Bernard
Councillor Bob Doiron

Also: Donna Waddell, CAO
Randy MacDonald, FC
Paul Johnston, PWM
Frank Quinn, PRM
Mandy Feuerstack, HRM
Donny Hurry, TO
Jen Gavin, CO
Jesse Morton, UP
Tracey McLean, RMC

Paul Smith, PC
Craig Walker, UM
Alex Forbes, PM
Scott Ryan, FM
Wayne Long, EDO
Ramona Doyle, SO
Laurel P. Thompson, PDO
Steven Forbes, CS

Regrets: Councillor Terry MacLeod Ron Atkinson, EconDO

Mayor Lee called the meeting to order.

Minutes of the previous meetings were by motion adopted:
Regular Meeting – February 8, 2016
Committee of Council Meeting – February 10, 2016
Special & Public Meetings – February 19 & 24, 2016

By request, Mayor Lee moved the Parks, Recreation, & Leisure Activities report to the first Agenda item.

REPORTS OF COMMITTEES / RESOLUTIONS

1. Parks, Recreation & Leisure Activities – Councillor Mitchell Tweel

Councillor Tweel indicated his Committee's report was included in the weekend package. Volunteer of the Month for March is Daphne Andrews.

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Bob Doiron**

RESOLVED:

That the City of Charlottetown re-enter into an agreement with "Tennis at the Park" to deliver tennis programs and supervision at the Victoria Park Tennis Courts for the 2016 season

And that the program delivery be reviewed and assessed prior to the commencement of the 2017 season,

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

CARRIED 9-0

**Moved by Councillor Mitchell Tweel
Seconded by Councillor Bob Doiron**

RESOLVED:

That the City of Charlottetown extends congratulations to Lorie Kane on her recent induction into the Canadian Golf Hall of Fame Class of 2016.

CARRIED 9-0

Councillor Tweel excused himself and left the meeting.

2. Advanced Planning, Priorities & Special Projects – Councillor Kevin Ramsay

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

3. Intergovernmental Affairs & Event Attraction – Councillor Terry Bernard

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

4. Environment & Sustainability – Councillor Robert Doiron

Councillor Doiron indicated his Committee's report was included in the weekend package. He reported that the City of Charlottetown has launched a survey following the Inspired City Meet and Speak events to collect feedback and ideas for the Integrated Community Sustainability Plan and encouraged the public to participate in the survey (www.charlottetown.ca). Also, the City and UPEI School of Business are partnering on a project to assess the economic impact of cycling; third-year business students are examining different components of Charlottetown's existing cycling infrastructure and programming to identify opportunities that will increase cycling and generate economic growth.

5. Finance, Audit & Tendering – Councillor Melissa Hilton

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

6. Human Resources, Communications & Administration – Councillor Terry MacLeod

Deputy Mayor Duffy, on behalf of Councillor MacLeod, indicated the Committee's report was included in the weekend package. He noted that the Canadian Occupational Safety Magazine is doing a cover story on the City of Charlottetown's Water & Sewer Utility and the Committee feels this is a fantastic opportunity to showcase the progress made in recognizing Occupational Health and Safety issues in the City's proactive approach to injury prevention.

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

RESOLVED:

That the City of Charlottetown ratify and adopt the attached negotiated Memorandum

of Settlement to amend the Collective Agreement with CUPE Local 830 Employees of the Water and Sewer Utility for the period January 1, 2016 to December 31, 2018.

CARRIED 8-0

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

RESOLVED:

That for the months of June, July, August and September, the summer hours of operation for City Hall and other City of Charlottetown administrative offices shall mirror those of the Provincial Government, being Monday to Friday from 8:00 AM to 4:00 PM with a one-half (1/2) hour unpaid lunch break

CARRIED 8-0

Deputy Mayor Duffy introduced a Notice of Motion to amend the City of Charlottetown Superannuation Plan Bylaw.

7. Economic Development, Tourism, Arts & Culture – Deputy Mayor Mike Duffy

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

8. Planning & Heritage – Councillor Greg Rivard

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

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

RESOLVED:

That the request for a variance to decrease the side yard setback requirement of 6 feet to 3.4 feet to permit the construction of a proposed addition to the front and side of the dwelling located at 20 Lansdowne Avenue (PID# 351577) be approved.

CARRIED 8-0

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

RESOLVED:

That the variance request to reduce the average front yard setback requirement to facilitate the construction of a 5 ft wide disability ramp at 219-221 University Avenue (PID# 361592) onto the City right-of-way, subject to the signing of an Encroachment Agreement be approved,

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

CARRIED 8-0

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

RESOLVED:

That the request to amend Appendix “A” Future Land Use Map for the City of Charlottetown from Low Density Residential to Medium Density Residential and to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the property located at 51 Emerald Drive (PID# 372250) from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone to accommodate a three (3) unit townhouse subject to the developer entering into a Development Agreement be approved,

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

CARRIED 5-3

Councillors Bernard, Doiron and Ramsay opposed

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

RESOLVED:

That the request to amend Appendix “A” Future Land Use Map for the City of Charlottetown from Low Density Residential to Medium Density Residential and to amend Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone the properties at 8 Harley Street (PID# 274340), 10 Harley Street (PID# 274357), 12 Harley Street (PID# 274365), 14 Harley Street (PID# 274373) and 16 Harley Street (PID# 274381) from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone subject to the developer entering into a Development Agreement be approved,

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

CARRIED 6-2

Councillors Doiron and Ramsay opposed

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

RESOLVED:

That the request to proceed to the public consultation phase to consider amendments to Appendix “A” Future Land Use Map for the City of Charlottetown from Low Density Residential to Medium Density Residential and to Appendix “H” – Zoning Map of the City of Charlottetown Zoning and Development Bylaw to rezone a portion of Phase II of Emmery Estates Subdivision (PID# 1057306) from Single-detached Residential (R-1S) Zone to Narrow Single-detached Residential (R-1N) Zone, Low Density Residential (R-2) Zone and Medium Density Residential (R-3) Zone, be approved.

CARRIED 8-0

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

RESOLVED:

That the sign regulations in the Zoning & Development Bylaw be amended as follows:

- Amend Section 3: Definitions to remove, add, or revise sign-related definitions;
- Amend Section 4.20.5 (Home Occupations) and Section 4.22.5 (Neighbourhood Daycare Centres) to comply with new sign regulations;
- Repeal Section 5: Sign Regulations in its entirety and replace with new sign regulations; and
- Amend Section 9.3.7 (Design Review Process) to comply with new sign regulations for Heritage Resources.

CARRIED 8-0

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

RESOLVED:

That, subsequent to amendments to the Official Plan approved by Council February 08, 2016, the request to proceed to the public consultation phase to consider proposed amendments to the Zoning & Development Bylaw as follows be approved:

- Addition of a new Section 4.79 Site Specific or Area Specific Exceptions to the Permitted Uses and Regulations in any Zone – to outline the amendment process;
- Addition of a new Section 40 Site Specific or Area Specific Exceptions; and
- Addition of a new Appendix “B” Design Review – listing of properties requiring the Design Review process prior to approval.

CARRIED 8-0

1st reading of the Zoning & Development Bylaw – amend sign regulations; Section 3 Definitions, Section 4.20.5 Home Occupations, 4.22.5 Neighbourhood Daycare Centres, Section 5 Sign Regulations and Section 9.3.7 Design Review Process.

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

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

CARRIED 8-0

1st & 2nd reading of the Zoning & Development Bylaw – to amend Appendix “H” to rezone the property located at 51 Emerald Drive (PID# 372250) from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone.

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

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

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

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to Committee of the Whole Council and the Mayor be Chairman of the Committee.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

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

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

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

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “City of Charlottetown Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

1st & 2nd reading of the Zoning & Development Bylaw – to amend Appendix “H” to rezone the properties at 8 Harley Street (PID# 274340), 10 Harley Street (PID# 274357), 12 Harley Street (PID# 274365), 14 Harley Street (PID# 274373) and 16 Harley Street (PID# 274381) from Low Density Residential (R-2) Zone to Medium Density Residential (R-3) Zone.

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

RESOLVED:

That the bylaw to amend the “City of Charlottetown Zoning and Development Bylaw” be read a first time.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

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

RESOLVED:

That the said bylaw be read a second time and that the bylaw be committed to Committee of the Whole Council and the Mayor be Chairman of the Committee.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

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

RESOLVED:

That the Chairman reports progress of the Committee and that the bylaw be adopted without amendment.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

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

RESOLVED:

That the bylaw be now engrossed as a City Bylaw and that it be entitled the “City of Charlottetown Zoning and Development Bylaw” and that it be read a third time at the next Public Meeting of Council.

**CARRIED 6-2
Councillors Doiron and Ramsay opposed**

3rd reading of the Zoning & Development Bylaw – amend Appendix “H” from Open Space (OS) Zone to Medium Density Residential (R-3) Zone in order to rezone a portion of the property at 1 Greensview Drive (PID# 279091).

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

RESOLVED:

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

CARRIED 8-0

3rd reading of the Zoning & Development Bylaw - amend Section 4.22.2 as it pertains to who can operate a daycare in a dwelling unit.

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

RESOLVED:

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

CARRIED 8-0

9. Protective & Emergency Services – Councillor Jason Coady

Councillor Coady indicated his Committee’s report was included in the weekend package. He introduced a Notice of Motion to amend the Nuisance Bylaw.

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

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 Brits Fish And Chips, 141 Great George Street (PID# 342360), be approved to the end of the 2018 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 8-0

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

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patio to be located in the two (2) parallel parking spaces on King Street adjacent to Piatto Neapolitan Pizza, 45 Queen Street (PID# 335653), be approved to the end of the 2018 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 8-0

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

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 Casa Mia Restaurant, 131 Queen Street (PID# 340232), be approved to the end of the 2018 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 8-0

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

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patios to be located in two (2) perpendicular parking spaces on Queen Street and two (2) parallel parking spaces on Sydney Street for Sim's Corner Steakhouse, 86 Queen Street (PID# 338145), be approved to the end of the 2018 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 8-0

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

RESOLVED:

That the request to enter into a Development/Encroachment Agreement for the outdoor patios to be located in three (3) perpendicular parking spaces on Queen Street in front of the Merchantman Pub, 23 Queen Street (PID# 335091), be approved to the end of the 2018 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 8-0

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

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 the Terra Rouge Bistro, 72 Queen Street (PID# 338160), be approved to the end of the 2018 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 8-0

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

RESOLVED:

That the request to operate a mobile cart / tricycle primarily for promotional purposes of the Transit, bus tours, and double decker tours and the possible sale of event tickets at the Confederation Centre of the Arts for 2016, subject to the signing of an Encroachment Agreement, be approved.

CARRIED 8-0

10. Public Works & Urban Beautification – Councillor Terry Bernard

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

11. Water & Sewer Utility – Councillor Edward Rice

Councillor Rice indicated his Committee's report was included in the weekend package. He commended Craig Walker, Utility Manager, for his 30+ years of service with the City and congratulated him on his upcoming retirement.

12. New Business

**Moved by Councillor Jason Coady
Moved by Deputy Mayor Mike Duffy**

RESOLVED:

That the City of Charlottetown receives the Barrier-Free City report and recommendations (as attached).

CARRIED 8-0

**Moved by Deputy Mayor Mike Duffy
Seconded by Councillor Melissa Hilton**

RESOLVED:

That the appointment of Councillor Mitchell Tweel as the City of Charlottetown representative on the Federation of PEI Municipalities, as nominated by His Worship Mayor Clifford Lee, be approved.

CARRIED 8-0

The meeting adjourned a 7:45 PM